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PROCEEDINGS AND DEBATES OF THE 83d CONGRESS, SECOND SESSION

SENATE

THURSDAY, APRIL 29, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Fred M. Lange, L. H. D., vice president and executive director, Dallas County Community Chest, Texas, offered the following prayer:

O God, our Father, in these times of stress, when many minds are perplexed and many hearts are faint, we turn, in simple trust, to Thee, our strength and our Redeemer.

We ask Thee for wisdom, that we may seek Thy will; for courage, that we may do it; and for faith, that we may walk in calm assurance.

Guide the thoughts and purposes of these chosen leaders of our people, O Lord, that they may, above all else, say and do what is pleasing in Thy sight. And help us all to be true to our American heritage and faithful servants of the living God.

In the name of Christ, our Saviour. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., April 29, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRANK CARLSON, a Senator from the State of Kansas, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. CARLSON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 28, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6896) to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

COMMITTEE MEETING DURING SENATE SESSION

Mr. THYE. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may meet today. There are witnesses who must testify before the committee today, and for that reason the chairman of the committee requested that I make the unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that, as in executive session, the Senate consider the nominations on the Executive Calendar.

The PRESIDING OFFICER (Mr. FLANDERS in the chair). Is there objection? The Chair hears none, and the clerk will proceed to state the nominations.

POSTMASTERS

The Chief Clerk proceeded to state sundry nominations of postmasters.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. I also ask unanimous consent that the President be notified forthwith of these confirmations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

EXECUTIVE REPORTS OF COMMITTEES

As in the executive session,

The following favorable reports of nominations were submitted:

By Mr. BUSH, from the Committee on Banking and Currency:

A. Jackson Goodwin, of Alabama, to be a member of the Securities and Exchange Commission.

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce:

Robert Bruce Bacon and sundry other cadets to be ensigns in the United States Coast Guard.

EXECUTIVE REPORT OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, as in executive session, from the Committee on Armed Services, I report a number of routine military nominations in the Air Force, all in the lower commissioned grades.

In order to save the expense of printing on the Executive Calendar of these 626 names which have already appeared once in the RECORD, I ask unanimous consent that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDING OFFICER. The nominations will be received and will lie on the desk, as requested by the Senator from Massachusetts.

OUTLINE OF MAO TSE-TUNG'S MEMORANDUM ON NEW PROGRAM FOR WORLD REVOLUTION

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, some information which came to me, purporting to be an outline of Mao Tse-tung's memorandum on the new program for world revolution, carried to Moscow by Chou En-lai in March of 1953. I believe the information substantially states the Communist policy on world revolution. In any event, I think the Senate may find this matter of interest.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

AN OUTLINE OF MAO TSE-TUNG'S MEMORANDUM ON NEW PROGRAM FOR WORLD REVOLUTION

(Carried to Moscow by Chou En-lai in March 1953)

1. ASIA TO BE THE IMMEDIATE GOAL

Due to the profound leadership of Comrade Stalin, amazing achievements have been made in the great task of world revolution. The success that has been attained both in Europe and in Asia after World War II is entirely attributable to Comrade Stalin's able and correct guidance and direction. May his wisdom still guide us.

It appears that time has come that we have to look upon Asia as our immediate goal. Under the present circumstances, any vigorous action in Europe such as internal revolution, effective infiltration, or intimidation into inaction or submission is now impossible (Communist terminology is different, this represents what it really means) more forcible measures may bring about a war. In Asia, on the contrary, such tactics will yield an abundant harvest.

2. WORLD WAR TO BE TEMPORARILY AVOIDED

There is no assurance of victory because of the higher rate of industrial production and larger stockpile of atomic weapons on the part of the capitalist countries, incompletion of antiatomic defenses of the industrial areas and oil installations in the Soviet Union, and immaturity of China's agricultural and industrial developments. Consequently, we have to, until we are certain of victory, take a course which will not lead to war.

3. DIPLOMATIC OFFENSIVE

The United States must be isolated by all possible means.

Britain must be placated by being convinced that there is possibility of settling the major issues between the East and the West and that the Communists and the capitalist countries can live in peace. Opportunities for trade will have a great influence on the British mind.

In the case of France, her warweariness and fear of Germany must be thoroughly exploited. She must be made to feel a sense of greater security in cooperating with us than with the western countries.

Japan must be convinced that rearmament endangers instead of guaranteeing her national security and that, in case of war, the American forces distributed all over the world cannot spare sufficient strength for the defense of Japan. Rearmament is, therefore, an expression of hostility toward her potential friends. Her desire to trade will offer great possibilities for steering Japan away from the United States.

4. MILITARY PREPAREDNESS

As a final goal, there should be in east and southeast Asia (after these areas are liberated) 25 million well trained men who can be immediately mobilized. These men are to be held in readiness for emergency. They will achieve two purposes. On the one hand they will force the capitalist countries to keep on increasing defense expenses until economic collapse overtakes them. On the other hand, a mere show of force, when time is ripe, will bring about the capitulation of the ruling cliques of the countries to be liberated.

5. THE KOREAN WAR

The important reason that we cannot win decisive victory in Korea is our lack of naval strength. Without naval support, we have to confine our operations to frontal attacks along a line limited by sea. Such actions always entail great losses and are seldom capable of destroying the enemy. In March 1951 I suggested to Comrade Stalin to make use of the Soviet submarines in Asia under some arrangement that the Soviet Union would not be apparently involved in the war. Comrade Stalin preferred to be cautious lest it might give the capitalist imperialism the pretext of expanding the war to the Continent. I agreed with his point of view.

Until we are better equipped for victory, it is to our advantage to accept agreeable terms for an armistice.

6. FORMOSA

Formosa must be incorporated into the People's Republic of China because of the Government's commitment to the people. If seizure by force is to be avoided for the time being, the entry of the Chinese People's Government into the United Nations may help solve this problem. If there should be serious obstacles to the immediate transfer of Formosa to the control of the People's Government, a United Nations trusteeship over Formosa as an intermediary step could be taken into consideration.

7. INDOCHINA

We shall give the maximum assistance to our comrades and friends in Indochina. The experiences we have had in Korea should enrich their knowledge in fighting for liberation. The case of Indochina cannot be compared with that of China. In Indochina, as in Korea, there is serious intervention of the capitalist bloc, while in China there was nothing so direct and vigorous. The experiences in Korea tell us that so long as there is foreign intervention and so long as we have no naval support, military operations alone cannot achieve the objective of liberation.

The military operations in Indochina should be carried out to such an extent as to make the war extremely unpopular among the French people and to make the French and Americans extremely hateful among the Indochinese people. The object is to force the French to back out of Indochina preferably through the face-saving means of an armistice. Once foreign intervention is out of the picture, vigorous propaganda, infiltration, forming united fronts with the progressive elements in and outside the reactionary regimes will accelerate the process of liberation. A final stroke of force will accomplish the task. Two years may be needed for this work.

8. BURMA, THAILAND, INDONESIA, AND MALAY PENINSULA

After the liberation of Indochina, Burma will fall in line as good foundation has already been laid there. The then reactionary ruling clique in Thailand will capitulate and the country will be in the hands of the people. The liberation of Indonesia, which will fall to Communist camp as a ripe fruit, will complete the circle around the Malay Peninsula.

The British will realize, under these circumstances, the hopelessness of putting up a fight and will withdraw as quickly as they can. We expect that the whole process will be competed in or before 1960.

9. JAPAN AND INDIA

By 1960 China's military, economic and industrial power will be so developed that with a mere show of force by the Soviet Union and China, the ruling clique of Japan will capitulate and a peaceful revolution will take place. We must be on guard against the possibility that the United States will choose to have war at this moment. She may even want the war earlier. The defensive and offensive preparations of the Soviet Union and China must, therefore, be completed before 1960. Whether we can prevent the United States from starting the war depends upon how much success we have in isolating her and how effective is our peace offensive. If the war can be averted, the success of our plan of peaceful penetration for the other parts of Asia is almost assured.

In the case of India, only peaceful means should be adopted. Any employment of force will alienate ourselves from the Arabic countries and Africa, because India is considered to be our friend.

10. ARABIC COUNTRIES AND AFRICA

After India has been won over, the problems of the Philippines and the Arabic countries can be easily solved by economic cooperation, alliances, united fronts, and coalitions. This task may be completed in 1965. Then a wave of revolution will sweep over the whole continent of Africa and the imperialists and the colonizationists will be quickly driven into the sea. In fact this powerful movement may have been under way much earlier.

With Asia and Africa disconnected with the capitalist countries in Europe, there will be a total economic collapse in Western Europe. There capitulation will be a matter of course.

11. THE UNITED STATES

Crushing economic collapse and industrial breakdown will follow the European crisis. Canada and South America will find themselves in the same hopeless and defenseless condition. Twenty years from now, world revolution will be an accomplished fact. If the United States should ever start a war, she would do so before the liberation of Japan, the Philippines, and India. The courses of action in that event are outlined in the memorandum on military aid.

ADDRESS BY THE PRESIDENT BEFORE THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. CARLSON. Mr. President, the Daughters of the American Revolution have recently concluded their 63d Continental Congress, which was held in Washington, D. C.

This outstanding organization, organized to perpetuate the memory and spirit of those who achieved American independence, and to aid in securing for mankind the blessings of liberty, is rendering a great service to the Nation at the present time. This great, patriotic organization has never faltered in its stand for the continuance of the ideals based on the teachings of our Creator, and the furtherance of programs in the interest of our great Nation.

At the recent convention, the membership had an opportunity again to further affirm their faith in these principles and ideals; and they heard many prominent and interesting speakers on the importance of continuing their militant, patriotic program.

Among the outstanding speakers was the President of the United States. I ask unanimous consent that his remarks at the convention be made a part of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Madam President, and members and friends of this great typically American society [applause], it is a tremendous honor that you accord me by inviting me to appear before you, even though very informally and briefly. My first message is from Mrs. Eisenhower [applause] who for once in a long lifetime bowed to my wishes and remained at her little place of rest down in Georgia while I came to bring you greetings from the family.

I want to talk to you for a few moments from the standpoint of the application of the great principles for which this society stands, which this society supports, the application of those principles to today's life.

I think we would not have to go to any great length to describe what we mean by those basic principles.

Our Founding Fathers, in writing the Declaration of Independence, put it in a nutshell when they said:

"We hold that all men are endowed by their Creator with certain inalienable rights."

In that one phrase was created a political system which demands and requires that all men have equality of right before the law, that they are not treated differently merely because of social distinction, of money, of economic standing, of intelligence or intellectual capacity or anything else.

It acknowledges that man has a soul, and for that reason is equal to every other man, and that is the system, that is the cornerstone, that is the principle, that is the cornerstone of what we call the American system.

There are, of course, dozens of auxiliary principles that go along with this, but rip out this one and you have destroyed America, while many others could be at least revised, studied and considered without necessarily damaging our whole governmental and political structure.

Now, how do we apply such a system in a world where there is present one great power complex that stands for the exact opposite? Remember, in the phrase I quoted to you, "Men are endowed by their Creator." Our system demands the Supreme Being. There is no question about the American system being the translation into the political world of a deeply felt religious faith.

The system that challenges us today is the atheistic. It is self-admitted as an atheistic document. They believe in a materialistic dialectic, in other words, there are no values except material values. It challenges us today in every corner of the globe.

Now, how do we approach Indochina or debt management or taxes or France or any other problem that looms up as important to us in a world where no nation may live alone? How do we approach the idea of the equality of men which means group action by cooperation among men as against dictatorial, atheistic policy that treats man merely as an agent, as a pawn, as an atom to be used according to the dictates of the ruler? That is the problem of today.

It would be interesting if we could have the counsel of Washington, of Madison or of Jefferson or of Franklin today after all this span of almost two centuries, if they could sit with us and counsel with us on these problems. They cannot do it.

We find, like all other generations, we have our problems. I hold they are not insoluble. America can do it. [Applause.]

But remember, among equals group action is done to the greatest extent possible by cooperation. You are a free individual. The general limits of your freedom are merely these: that you do not trespass upon equal rights of others.

In the same way, in a free society of nations, we don't dictate to one of our friends what they must do, and we certainly won't tolerate any attempt of theirs to dictate to us what to do. [Applause.]

We are a society of equals, both nationally and internationally, and that is the problem. How do we marshal the great intellectual, scientific, economic, financial, spiritual resources of such a great aggregation of equals against a single dictatorial, ruthless enemy that threatens, through every possible type of aggression, the peace of the world?

Now, those are the problems, and I want to say several things: First, and I think possibly I am talking about the reasons that I venerate and admire the Daughters of the American Revolution, because the very fact that you preserve this society means that you do venerate the system that was established by our forefathers. Your lives, or at least this part of your lives, your public service, is dedicated to the preservation of those principles. If we are then united in spirit, we develop a power that is unknown to regimentation.

Woodrow Wilson said, in far better words than could I, something of what I am trying to get at. He said:

"The highest form of efficiency is the spontaneous cooperation of a free people."

What I am trying to talk about is the great power, the great force, that is developed by people who believe in certain causes or a certain principle with their whole heart and soul.

You know, there was an old feeling among people that you could not have great elan, great esprit in a service and at the same time an iron discipline. People that believe that ought to read the story of Cromwell's Ironsides. They had not only stern discipline but a great elan because they believed in something. They went into battle singing hymns.

I sometimes wish that as we approach a concentration, a mobilization of ourselves, of the powers of which we are capable, that we would meet in the idea of singing, whether it is America the Beautiful or something else, but coming together in the idea that here is a spirit, a belief, a determination that can't be whipped by anything in the world, and that is all we need. [Applause.]

If any of you would allow your imagination to travel around the world, you would find that still in the control of that part of the world we call independent outside the Iron Curtain, there is a great preponderance of the world's material resources, a great preponderance of human beings, a great intellectual capacity, particularly in certain centers, a great culture, great scientific advancement in the aggregate resources so overwhelming as compared to the Iron Curtain countries, that you sometimes wonder why we grow tense, we grow fearful, and that brings me back again to my one single thought.

It is because we instinctively fear a power that is in the hands of a single dictatorial group or person. How do we combat that power? Again I say by a spiritual unity among ourselves that is indestructible, among ourselves as individuals, among the nations that we are proud to call friends.

Now, that is a rough start, as I see it, of the way we will win the cold war and prevent a hot war, because we will bring to bear in this search and quest for peace all the great spiritual, intellectual, and material values which the free world can concentrate to this one purpose.

Underneath it all must lie this common understanding, this common purpose: the love of liberty, the belief in the dignity of man, and in that to brush aside all minor problems as unimportant, the determination to press forward in that quest.

Now, the kind of unity of which I speak, my friends, is not regimentation. By no means do I believe that a democracy is to live if each person is compelled to think the same thought and agree on all the multitudinous details that go to make up the legislative history of a land, but I do say this.

We must be bound together in common devotion to great ideals, in common readiness to sacrifice for the attainment of those ideals, and in a common comprehension of our situation in the world where we are living, how we are living, and what in broad outline we must do to achieve that victory.

Then, if our spiritual dedication is up to the task, we cannot fail.

Now, that is something that I believe this society does for our people. It increases and keeps alive and nurtures that dedication to dignity of man, to the greatness of our country and the right of every man to walk upright, fearlessly among his own equals.

I do hope that during this week you have had a grand time in Washington. I hope that it will not be 7 years that shall pass before I see you again.

Thank you and good day. [Applause.]

OBSCENE LITERATURE—RESOLUTION OF WOMEN'S SOCIETY OF CHRISTIAN SERVICE, BLACK RIVER FALLS, WIS.

Mr. WILEY. Mr. President, I present a resolution which I have received from the Women's Society of Christian Service of the Methodist Church at Black River Falls, Wis. It concerns the vital matter of protecting our Nation, particularly its young people, from vile literature. I ask unanimous consent that the resolution be printed in the RECORD, and be thereafter appropriately referred to the Senate Post Office and Civil Service Committee.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

"It appears that obscene comic books and other literature are being offered for sale to juvenile persons in this area; and

"It appears that such literature is being transported from State to State and through the public-mail service, all to the detriment of the parents, schools, and religious societies: Now, therefore, be it

"*Resolved by the Women's Society of Christian Service, and upon the recommendation of Judge Lambert Hansen, of Sparta, Wis.*, That this organization go on record as favoring action to oppose this traffic; and be it further

"*Resolved*, That certified copies of this resolution be forwarded to our United States Senators and Representatives in Congress for proper remedial action.

"Mabel E. Moore, Arline Zeman, Hazel Boehlke, Agnes Manthe, Ruby Pearce, Cleo Galston, Diana Lovell, Wilma Dimmick, Pearl Hayes, Thelma M. Klick, Edel Fromm, Marie Fristed, Gladys Lund, Marie Strasburg, Marie Nash, Dorothy Upton, Amby Widmar, Phyllis Harden, Mavis Dugan, Jeanne Klein, Alice Weida, Janette E. Kotman, Lela Westerfield, Beulah Small, Aldena Meyer, Doris Morris, Olive Bean, Arline Grover."

I hereby certify that the above resolution is a true and correct copy of the resolution passed by the Women's Society of Christian Service of the Methodist Church at Black River Falls, Wis., on April 26, 1954.

MABEL E. MOORE,
President.

INCREASED COMPENSATION OF MEMBERS OF CONGRESS AND THE JUDICIARY—RESOLUTION OF ARIZONA STATE BAR ASSOCIATION

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution adopted by the State Bar of Arizona, relating to increased compensation of Members of Congress and the judiciary.

There being no objection, the resolution was ordered to lie on the table, and to be printed in the RECORD, as follows:

"Be it resolved by the State Bar of Arizona in convention assembled, That it is the sense of this organization that the McCarran bill, presently before the Congress of the United States, providing for increase in compensation for Members of the Congress and members of the Federal judiciary, be adopted; be it further

"Resolved, That the secretary of this organization be instructed to transmit copies of this resolution to the Arizona congressional delegation and to the chairman of the respective Judiciary Committees of the House and Senate of the Congress of the United States."

The above resolution was adopted by the State Bar of Arizona at the regular meeting on April 24, 1954.

JOSEPH A. CROWE,
Secretary.

HEALTH SERVICE PREPAYMENT PLAN REINSURANCE ACT—LETTER

Mr. McCARRAN. Mr. President, I ask unanimous consent that a letter addressed to me by the insurance commissioners of the State of Nevada, relative to the bill (S. 3114) to improve the public health by encouraging more extensive use of the voluntary prepayment method in the provision of personal health services, and characterizing that administration-sponsored measure as "very bad socialistic legislation," may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF NEVADA,
INSURANCE DEPARTMENT,
Carson City, April 20, 1954.

Hon. PATRICK MCCARRAN,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I am writing to state a few personal views relative to S. 3114 as commented about in my telegram of last week.

1. There is no need for a program of Federal reinsurance on accident and health plans. The amount at risk under most all of such plans can be assumed readily by the original insurer without danger to its financial structure. In those few instances where reinsurance might be deemed desirable or necessary it is presently available from private sources.

2. The cost of operation of the so-called Federal Reinsurance Corporation would come, for at least the first 5 years, from tax moneys.

3. Voluntary accident and health insurance is available now to all but the indigent, those who will not provide the coverage for themselves, and the uninsurable. This act will not provide coverage for those people. Further, it is not the responsibility of the Federal Government but of local government to care for the indigent and the uninsurable. It should be done directly and not as a camouflaged insurance program.

4. This bill would nullify all State insurance laws relative to accident and health insurance as the Secretary of Health, Education, and Welfare could determine the content of the policy form, the premium, the justness of claims, etc.

5. This bill would authorize the Secretary of Health, Education, and Welfare to use as she deems advisable the insurance departments of the several States.

6. This bill would definitely place the Federal Government into another phase of the insurance business.

I am enclosing a copy of the analysis of the bill prepared by the subcommittee of the National Association of Insurance Commissioners and a copy of the resolution passed by the executive committee of the National Association of Insurance Commissioners, of which I am a member, at its special meeting in Chicago April 5 and 6.

I realize, as you say in your letter of April 15, that it will be a difficult task to stop the legislation, but regardless of who is sponsoring it, I feel that it is very bad socialistic legislation.

Your consideration to opposing this bill and its authority for further encroachment of the Federal Government on State rights is requested.

Respectfully yours,

PAUL A. HAMMEL,
Insurance Commissioner.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. POTTER, from the Committee on Interstate and Foreign Commerce:

S. 2818. A bill to amend sections 4417 and 4418 of the Revised Statutes, to authorize biennial inspection of the hulls and boilers of cargo vessels, and for other purposes; with amendments (Rept. No. 1272).

REVISION OF ORGANIC ACT OF VIRGIN ISLANDS—REPORT OF A COMMITTEE

Mr. BUTLER of Nebraska. Mr. President, from the Committee on Interior and Insular Affairs, I report an original bill to revise the Organic Act of the Virgin Islands of the United States, and I submit a report (No. 1271) thereon.

This is a committee bill, worked out by the committee after hearings in the Virgin Islands and executive sessions here in Washington.

The Members of the Senate will recall that last July I introduced three measures, by request, to revise the Organic Act of the Virgin Islands. These measures are: S. 2321, introduced at the request of the Department of the Interior; S. 2322, introduced at the request of the Chamber of Commerce of St. Thomas, the most populous island of the Virgin Islands; and S. 2323, introduced at the request of the popularly elected Legislative Assembly of the Virgin Islands. I stated at the time that I did not, myself, necessarily endorse any of the three, but that I thought that they should be before the Senate so that the views of the people of the Virgin Islands might be had on all of them.

In accordance with my commitment, I went to the Virgin Islands last autumn and held quite extensive hearings and executive conferences with the people and officials there. I think I can state that no one in the islands who wished to be heard was denied the opportunity. In addition, a large number of written statements were submitted to me. I have made my report to the committee and submitted the views of the people of the islands to the Members.

The present bill which I am reporting on behalf of the committee combines many of the features of each of the previous bills with such other provisions and changes as the committee saw fit to make upon the basis of my report and the views of the people of the Virgin Islands.

Mr. President, we have a new administration in the Virgin Islands, the first really new administration in 20 years. President Eisenhower appointed the Honorable Archie A. Alexander, of Des Moines, Iowa, a Negro and a highly successful businessman and builder, as Governor of the Islands, and he already has initiated some changes that are long overdue there.

However, Governor Alexander cannot do the job the people of the Virgin Islands and the people of the mainland need to have done unless we give him the proper legislative machinery. The present Organic Act dates from 1936 and combines many of the worst features of the old Dutch colonial system, on which it was based, and many of the worst features of the stultifying paternalism that characterized some of the legislative innovations of the mid-1930's.

Revision of the 1936 Organic Act is long overdue, and I earnestly urge that the Senate consider the committee's bill and act upon it at an early date.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar.

The bill (S. 3378) to revise the Organic Act of the Virgin Islands of the United States, reported by Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs, was read twice by its title and placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THYE:

S. 3376. A bill for the relief of Neil C. Hemmer and Mildred Hemmer; to the Committee on the Judiciary.

S. 3377. A bill to provide for the effective distribution through voluntary agencies of surplus agricultural commodities abroad to needy persons, to improve the foreign relations of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. THYE when he introduced the last above-named bill, which appear under a separate heading.)

By Mr. BUTLER of Nebraska:

S. 3378. A bill to revise the Organic Act of the Virgin Islands of the United States; placed on the calendar.

(See the remarks of Mr. BUTLER of Nebraska when he reported the above bill from the Committee on Interior and Insular Affairs, which appear under a separate heading.)

By Mr. PURTELL:

S. 3379. A bill to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. PURTELL when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. 3380. A bill for the relief of the Massachusetts College of Pharmacy; to the Committee on the Judiciary.

By Mr. CASE:

S. 3381. A bill to authorize the President to provide assistance to an expedition to the Antarctic in furtherance of the interests of

the United States; to the Committee on Armed Services.

EFFECTIVE DISTRIBUTION ABROAD OF SURPLUS AGRICULTURAL COMMODITIES

Mr. THYE. Mr. President, I introduce for appropriate reference a bill to provide an additional means for the effective distribution of surplus agricultural commodities.

The bill is entitled "A bill to provide for the effective distribution through voluntary agencies of surplus agricultural commodities abroad to needy persons, to improve the foreign relations of the United States, and for other purposes."

Sections 1 and 2 lay the basis for distributing surplus foods through nonprofit voluntary agencies acceptable to, and registered by, the Department of State.

Sections 3 and 4 authorize the President, when he finds it to be in the public interest, to transfer such surpluses free of costs at domestic storage points, to voluntary agencies for distribution in friendly countries.

Section 5 provides that the voluntary agency may enter into agreements with receiving countries for bearing the cost of packaging, ocean freight and all other distribution costs, where it is possible to negotiate such agreements.

Where such cost cannot be borne by the receiving country the President, if he deems it in the Nation's interest, may pay these costs or may require the distributing agency to pay for them.

Section 6 provides that distributing agencies will insure delivery of surpluses only to needy persons without political, racial, or religious discrimination; that all surpluses shall enter the country duty free; and that either argreements between the agency and the receiving country, or between the United States and the receiving country, shall provide for the kind and conditions of distribution listed above.

It also provides that where the receiving country can be induced to do so, that the country will set up development funds to at least the extent of one-fourth of the market value of the food and fiber distributed, these funds to be set up to the credit of the nonprofit voluntary agency.

Section 7 provides for use of these funds in self-help programs in the receiving country, with the mutual consent of the agency, the receiving country, and under general policies laid down by the President.

Sections 8 to 10 inclusive provide for mutually agreed use of the funds in a third country, for annual reports by the agency to the United States on distribution of surpluses and use of development funds, and finally for cancellation of notes of the Commodity Credit Corporation to the Treasury for the value of surpluses released by the corporation to the distribution agency.

There are three foreign channels for use of surpluses in farm production in this country, namely: one, normal commercial export markets; two, sale of surpluses outside of these channels with acceptance of local currency for reinvestment in the purchasing countries; and, three, distribution of surpluses largely through church relief organizations, refugee organizations, CARE, CROP, and other similar organizations.

My bill is intended to supply this third channel of distribution of surpluses.

I ask unanimous consent that the bill, together with a statement prepared by me, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 3377) to provide for the effective distribution through voluntary agencies of surplus agricultural commodities abroad to needy persons, to improve the foreign relations of the United States, and for other purposes, introduced by Mr. THYE, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

DECLARATION OF POLICY

SECTION 1. It is declared to be the policy of the United States of America to encourage the full utilization of its surplus agricultural commodities, to promote international friendship by the most effective distribution of its surplus agricultural commodities abroad to needy persons, and to improve the productive economy of cooperating countries.

DEFINITIONS

SEC. 2. As used in this act—

(a) The term "surplus agricultural commodities" shall mean any agricultural commodities acquired by the Department of Agriculture or the Commodity Credit Corporation in the operation of the price-support program, and any other agricultural commodities as determined by or purchased by the President to carry out the purposes of this act.

(b) The term "distribution agencies" shall mean nonprofit voluntary agencies now registered with the Advisory Committee on Voluntary Foreign Aid of the Foreign Operations Administration or which may become registered with such committee or with any department or agency of the Government which may hereafter succeed to the powers and duties thereof.

AUTHORITY OF THE PRESIDENT TO TRANSFER AND PURCHASE SURPLUS AGRICULTURAL COMMODITIES

SEC. 3. (a) Subject to the terms and conditions hereinafter set forth, but without regard to the provisions of section 416 of the Agricultural Act of 1949, the President is authorized to transfer surplus agricultural commodities to distribution agencies for distribution in any country designated by the President as a cooperating country pursuant to this act: *Provided*, That prior to each such transfer the President shall have satisfied himself that the proposed distribution by the distributing agency will not substitute for, and that it will displace to a minimum practical extent, usual marketings of the United States or friendly countries.

(b) The President is authorized to purchase in the United States for such transfer any agricultural commodity when, in his determination, to do so will serve the public interest.

POINT OF TRANSFER

SEC. 4. Transfer of title to surplus agricultural commodities to distribution agencies shall be made at no cost to such agencies at points of storage in the United States.

BURDEN OF COSTS

SEC. 5. The costs, after transfer to any distribution agency, of processing or repackaging of surplus agricultural commodities, of freight within the United States, of ocean freight, of overseas transportation and distribution, and of storage and administration in the United States or overseas connected therewith, shall be borne by the distribution agency: *Provided, however*, That—

(a) such agency is authorized to negotiate and conclude an agreement with the government of each cooperating country in which it proposes to distribute such commodities, under which the government of such country shall assume so much of the costs referred to above as is economically feasible, through the contribution of dollars, local currency, transportation services, or otherwise;

(b) the costs referred to above, to the extent that they are not assumed by the government of such country, may be reimbursed by the President to such distribution agency, if and to the extent that he determines such reimbursement to be in the public interest;

(c) upon the determination of the President that such retransfer is in the public interest, such distribution agency may be authorized to cover its processing or repackaging costs through the retransfer, to the processor or repackager, of a portion of the products received hereunder, but the quantity to be so retransferred shall in each instance be subject to approval of the President; and

(d) nothing herein shall prevent the reimbursement of ocean freight costs to such an agency to the extent that shipments are eligible for reimbursement under the provisions of section 117 (c) of the Economic Cooperation Act of 1948, as amended (62 Stat. 153; 22 U. S. C. 1515 (c)).

CONDITIONS OF TRANSFER AND REIMBURSEMENT

SEC. 6. (a) No surplus agricultural commodities shall be transferred to any such agency for distribution in any cooperating country, nor reimbursement commitments in connection therewith be made to any such agency, until and unless the operation of the agency within the country and importation of the commodities into the country free of duty are authorized by a written operating agreement concluded between the agency and the government of such country or an agreement between the Government of the United States and the government of such country.

(b) The agreement, whether between the distribution agency and the government of such country or between the Government of the United States and the government of such country, shall also provide that distribution of said surplus agricultural commodities shall be made to needy persons or groups without cost to them, and without discrimination based on race, religion, creed, or political affiliation; that such distribution shall be made in accordance with programs to be agreed upon from time to time between the distribution agency involved and the cooperating country; and that distribution shall be subject to supervision by representatives of United States nationality appointed by such distribution agency.

(c) The agreement shall also provide, unless the President specifically determines otherwise, that the government of the cooperating country shall establish a fund in favor of the distribution agency in local currency to an amount equal to not less than one-quarter of the world market value of the surplus agricultural commodities distributed by the agency in the country under the authority of this act, and that the government of the country authorizes the agency to make use of such fund in accordance with the provisions of section 7 of this act.

USE OF LOCAL CURRENCIES

SEC. 7. (a) The fund established in favor of the distribution agency pursuant to section 6 (c) of this act and the proceeds from the interest therefrom shall be available for use by the agency for development of self-help and relief programs through loans or grants-in-aid in the country where established. Self-help programs shall be in the field of sanitation, education, public health, medicine, industry, and agriculture. All programs using funds pursuant to section 6 (c) shall be planned and agreed upon jointly by the distribution agency and the cooperating country.

(b) The distribution agency shall receive no profit from the self-help or relief programs referred to previously but may charge to such programs the normal administrative and operating costs properly attributable thereto.

(c) On the termination of operation by the agency in any cooperating country, and in any event not later than 20 years after the first establishment of any fund in favor of the agency in any such country, any unobligated portion of the agency's fund therein or of the proceeds held therein from interest on or the repayment of loans made out of any such fund, shall be remitted to the government of such country.

USE OF FUNDS IN OTHER COUNTRIES

SEC. 8. With the approval of the President and of the government establishing the fund under section 6 (c) of this act, the agency may use an agreed portion of the fund for self-help programs in another country, or for the purchase of equipment or supplies in another country to be used in self-help or relief programs in the country where such fund is established.

REPORTS

SEC. 9. Each distribution agency operating under this act shall file with the Advisory Committee on Voluntary Foreign Aid of the Foreign Operations Administration, or its legal successor, not later than September 30 in each year a report on its operations under this act for the year ending June 30 preceding, in such form and detail as said committee shall prescribe. On January 1, 1956, and each year for 2 years thereafter, the President shall transmit a report to the Congress on the operations under this act conducted in the previous fiscal year.

REIMBURSEMENT OF DEPARTMENT OF AGRICULTURE OR THE COMMODITY CREDIT CORPORATION

SEC. 10. In order to make payment to the Commodity Credit Corporation for any commodities transferred pursuant to section 3 of this act, the Secretary of the Treasury is authorized and directed to cancel notes issued by the Commodity Credit Corporation to the Secretary of the Treasury in amounts equal to the value of any commodities so transferred. The value of any commodity so transferred, for the purpose of this section, shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of transfer, as determined by the Secretary of Agriculture.

The statement presented by Mr. THYE is as follows:

STATEMENT BY SENATOR THYE ON USE OF PART OF FARM SURPLUSES BY VOLUNTARY AGENCIES IN FOREIGN COUNTRIES

Our agricultural surplus problem is probably our most important domestic problem.

Its solution involves not only the prosperity of our farmers, but sooner or later the continued prosperity of the city laborer and industry.

And it affects to a profound extent our foreign relations and whether or not we have real friends among the free nations of the world.

These surpluses need not be regarded as a curse, as some seem to think; they could well be one of our greatest blessings if only we have the good sense to use them as a blessing.

We must always have sufficient plantings of food and fiber to meet our needs.

It is inevitable that in some years, when all factors are favorable including such an uncertain one as the weather, there will be surpluses.

We must not allow the proportionately small surpluses of our Nation's farm economy to bring poverty to our farmers.

That is the reason why I am introducing a bill which provides a long-time practical plan for moving our surplus food and fiber into uses by our allies and friendly nations where these foods and fibers are greatly needed; where they will serve as a most powerful means of creating new profitable future markets for these surpluses, and at the same time serve as powerful forces creating good will.

There are three distinct foreign channels for use of these surpluses, and under present circumstances it will require fullest use of all three means of disposal to put these surpluses where they can be used as a blessing and as a means of avoiding spoilage and waste.

The most important of these three foreign channels is sales in normal commercial markets which as an aftermath of war in general have shrunken by as much as 30 to 40 percent.

A second channel is that of selling surpluses outside of regular commercial channels, but accepting in payment local currencies of the purchasing country and reinvesting these currencies largely in the purchasing countries. Sales of this type which do not interfere with normal commercial sales and usage cannot be adequate to absorb all our current and prospective surpluses.

This view is held by those in charge of these sales under section 550 of the Mutual Security Act of 1953.

In many years we will have unused surpluses on our hands after we have exhausted all disposals under the above-mentioned two means, and will need to use our remaining surpluses to distribute to the needy people of our allies and friends.

By this means wastage of these surpluses can be avoided, good will can be created, and profitable new markets for the future can be opened up.

My bill is intended to supply this third channel of distribution of surpluses, largely through nonprofit voluntary agencies such as the church relief organizations, the refugee organizations, CARE, CROP, and other similar organizations.

SERIOUS SURPLUS PROBLEM

Let us examine the seriousness of our mounting surpluses and the likelihood of additional surpluses continuing in the future.

In a statement April 19 before the Grocery Representatives, Inc., Under Secretary of Agriculture True D. Morse summarized the mounting seriousness of these surpluses in the following words:

"Wheat carryover July will equal the domestic needs for a full year.

"Cotton carryover doubled last year and at the end of this crop year will be enough to care for the Nation's needs for a full year.

"Corn carryover will reach a record high if a normal corn crop is produced.

"The Government owns over 1.3 billion pounds of butter, cheese, and dried milk, and is having to take more.

"The Government owns enough vegetable oils to make more than a billion pounds of margarine.

"It costs a half-million dollars per day just to pay storage on Government-owned stocks.

"The Government has about $6¾ billion in purchases, and loans, and other commitments covering farm products—and Congress has increased the limit of supports up to $8½ billion."

Even a cursory examination into the nature of farming in our Nation will reveal the inevitability of surpluses in some years regardless of the kind of price support or farm program we may have.

The nature of the farm business makes a continued full output from our farmers essential. Also, the rapid improvement of our knowledge, methods, and machinery insures a continued rapid increase in our productivity per man, per acre, and per head of livestock.

FULL PRODUCTION FACTORS

These conclusions are drawn from the following facts:

Regardless of price, control of acreages, of war, of peace, prosperity or depression, American farmers for the past 20 years have not varied their total crop acreage by any appreciable amount.

They have planted around 350 million to 360 million acres, year in and year out.

During this same period, as we have shifted rapidly from animal to tractor power, we have greatly expanded our total available units of fieldwork horsepower.

In 1935 we had 25 million units of power to prepare, plant, till, and harvest our 360 million acres of cropland, or 1 unit of horsepower for each 14 acres of cropland.

We now have over 40 million units, counting each tractor as 8 units of horsepower, or 1 unit for each 9 acres of cropland.

On the labor side during these two decades the farmer and his family labor supply have gradually supplied a larger and larger proportion of all labor needed to operate the farm.

Machinery and mechanical power has made the farm gradually more self-sufficient of its necessary farm labor.

Cropland, therefore, for our farms, is remarkably stable.

Field power from crop work is abundant and for any year is largely a fixed factor. In addition, the average farm supplies around 80 percent or more of all labor needed to operate the farm.

It must clearly be kept in mind that this fixed nature does not hold only for farmers as a whole, but for groups of farmers, and for each farmer. It thus is a powerful force for continued full output throughout all agriculture, since we are still a family-farm Nation and since mechanization has tended to reinforce the family farm rather than weaken it.

YOUNG FARMERS SURPLUS

Here we have an unbeatable and inevitable full output combination. One may ask what are the chances that low prices and high costs will drive the farmers away from the farm and into industry, and in that way stop our surplus farm production machine.

There is, in my opinion, not a chance in the world, for by far the biggest and most persistent surplus our farms produce is their surplus of prospective farmers, in the form of farm-reared boys who would like to farm as a lifework but who cannot find an available farm.

It probably takes about 150,000 to 200,000 new farmers each year for replacement of those who die or retire.

We have supplied this replacement, and an average surplus of 250,000 additional farm boys that had to go to the city each year, for the past 3 decades.

There seems to be no slackening or end to this surplus of boys coming from our farms, so there is no chance whatever that our farms will be unmanned in future years due to too few boys who know farming and who want to farm.

This unchanging amount of land used, this fixed amount of power and labor, this never-ending supply of new farmers, is still not the

end of the story of the inevitability of our surplus farm output.

The Department of Agriculture made an elaborate and careful study in 1952 of our agriculture's capacity to produce.

They came up with the astounding conclusion that if farmers applied all the known and readily available "know-how" the output of the four feed crops (corn, barley, oats and sorghums) could be increased 57 percent more than the 1950 production on the same amount of land; that cotton output could be upped 76 percent; peanuts by 83 percent; wheat 40 percent; tame hay 56 percent; soy beans 41 percent; and, remarkable though it may seem, pastures by 97 percent.

Food livestock production per unit of livestock has possible increases fully commensurate with those of crops, the report concludes.

PRODUCTIVITY TO REMAIN HIGH

From these facts on the nature of the farm business, it is clear that, other than setbacks from drought years, it is more difficult if not impossible to reverse the upward movement of increased productivity of American farms at the present state of our development.

Acreage controls, diversion of land to planting of legumes for soil building, and other means will help maintain a balance, but basically we must anticipate that surpluses will occur.

Because of our own and world needs, our agricultural machine has been geared to a high level of productivity.

Obviously this acceleration cannot continue forever, but rash, indeed, would be the farm economist who would predict where the increased productivity of our American farms will level off, especially with research paying such good returns and with expanded research and extension being heartily endorsed and vigorously advocated by nearly everyone.

In our acreage control efforts during the last 2 decades we have never reduced our total crop acreage any—but merely shifted it from one surplus producing crop to others.

We are trying to avoid that by encouraging shifts to soil-building rather than marketable crops.

The high fixed cost nature of the farm business and the uncertainties and hazards of farming make the effort for full production not only logical but necessary.

Hence we must realize that this great continued abundance of our food and fiber—this even, full flow from our farms of the means of high standards of living—is one of the greatest factors of our Nation's greatness and of its leadership in the world.

We must look upon it as one of God's richest endowments to our Nation.

Let us not for once look upon it as a curse, but as one of the greatest blessings sent to a troubled, hungry world.

It is one of the most powerful weapons of peace ever given to a nation.

Let us use it as such to help feed hungry people, to help them gain strength so they can themselves become more productive; and finally let us use it as a far more potent destroyer of communism than is the hydrogen bomb.

Communism has no greater ally than hunger; democracy and freedom no greater ally than a well-nourished people.

The bill which I have introduced is aimed solely at using part of our farm surplus to help us as a nation attain these ends.

It, as stated previously, provides for distribution through nonprofit voluntary agencies.

WOULD BUILD GOODWILL

One of the most important results of distributing our unmarketable surpluses through nonprofit voluntary agencies is the goodwill that results in aid distributed under the name of the United States but by private agencies to needy persons in a country.

Person to person help, always marked as coming as assistance from the United States, rather than the over-all nation to nation assistance, avoids the natural skepticism that one nation has for another when such mutual aid efforts are undertaken through national channels.

Dollar for dollar such aid can without doubt be extended at far less cost to the United States through voluntary nonprofit agencies, as is provided in the bill I have introduced, than through direct governmental distribution.

This type of aid also assures that the aid is given solely to the needy and does not get into speculative channels as is often the case in government to government distribution.

OPEN NEW FIELDS

The provisions of this bill, I am certain, will open up a vast new field of use and distribution of our surpluses that cannot otherwise be disposed of.

It will yield great future rewards in goodwill, and rewards for our country in expanded markets.

It will result in increased productivity of friendly countries and consequent increased future profitable commercial intercourse between them and us.

To summarize, I believe that a servicable use of some of our current and future unmarketable surpluses is highly important as a means of avoiding the spread of an aggressive communism.

If these surpluses are allowed to waste, or are dumped onto the world markets to break normal markets, great discredit and ill will to us will be the result.

On the other hand, if these surpluses are used to relieve hunger, to increase productivity and trade, and to establish new future demands without interfering with normal private trade, we can reap rich harvests of good will, of reduced costs of checking aggression, and of increased profitable future trade with friendly nations.

AMENDMENT OF FLAMMABLE FABRICS ACT, RELATING TO EXEMPTION OF CERTAIN FABRICS AND WEARING APPAREL

Mr. PURTELL. Mr. President, I introduce for appropriate reference a bill to amend the Flammable Fabrics Act, which I have prepared.

The bill would add scarfs made of plain surface fabrics to the other articles which are already exempted by present law, namely hats, gloves and footwear.

The bill would also change the conditions under which the present flammability tests are conducted. At present, samples are made bone-dry before they are tested under commercial standard 191–53. This bill would require samples to be tested under the normal conditions under which articles of clothing are generally worn, namely in room temperature with average humidity.

The Senate and House committee reports indicate that the purpose of the Flammable Fabrics Act was to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which had caused either bodily injury or death to numerous individuals. The bill was aimed at dangerous articles of wearing apparel, such as highly flammable children's cowboy playsuits, torch sweaters or jackets, and the like. The major hazards arose from certain cotton or rayon fabrics having fuzzy or furlike surfaces which flash and burn with exceeding rapidity.

The Senate and House committees were faced with the major problem of discriminating between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous. The committees followed the advice of industry spokesmen and experts and incorporated into the law commercial standard 191–53. Now, less than 10 months after the law is passed, the industry calls to our attention the fact that a large percentage of silk, organdie, batiste, veils, nettings, and so forth, have been unexpectedly banned by that commercial standard, notwithstanding the fact that they are made of conventional fabrics with a good record for safety down through the years. The possibility that these conventional fabrics might be banned under the standards of the law was never even broached in the hearings and it is quite likely that closer scrutiny would have been given to commercial standard 191–53, if this had been called to the attention of the committees. That is the reason why it is necessary to consider amending the law within 1 year after it has passed and about 2 months before it goes into effect.

Although the legislative history makes clear that scarfs of some kinds at least were included within the terms of the act, industry experts point out that the only ones which present unusual hazards and are highly dangerous are the ones which are not made of plain surface fabrics. Furthermore, there is no indication that scarfs have been made of cotton or rayon fabrics having fuzzy or furlike surfaces which flash and burn with exceeding rapidity, but if they were, they would still come under the testing procedures of the act under my bill. Handkerchiefs and scarfs are used primarily as accessories and not as regular clothing. A handkerchief can easily and quickly be discarded or dropped if it burns rapidly. The same observation applies to scarfs, except that they may take a little more time to remove. However, if scarfs are made of plain surface fabrics, according to industry experts, the burning time is slow enough to allow the person to discard them.

The other amendment added by my bill is a change in the conditions under which the present flammability tests are conducted. I have already pointed out that we are surprised that certain conventional fabrics, such as organdie, batiste, veils, nettings, and so forth, with a long record of safety performance are now banned by the present tests. Industry representatives and experts point out that the reason is that sample are not tested under the conditions existing where those materials are generally worn. At present, samples are tested bone dry. My bill would require samples to be tested under the normal conditions under which articles of clothing are generally worn, namely, in room temperature with average humidity. Experts have advised me that when so

tested, conventional fabrics such as organdies, batistes, veils, nettings, and so forth, will pass the test although silk would not be materially helped by this change. I believe this result will be more in keeping with the professed purposes of the Flammable Fabrics Act.

I intend to send this bill to the Federal Trade Commission and to the Department of Commerce by special messenger for a quick appraisal of its merits and I will welcome any recommendation on their part for improvement of the bill. As soon as I obtain their views, I intend to call a meeting of the subcommittee to consider this urgent problem. This may take place early next week.

I ask unanimous consent to have two statements prepared by me and two letters relating to the bill printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statements and letters will be printed in the RECORD.

The bill (S. 3379) to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable, introduced by Mr. PURTELL, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statements and letters presented by Mr. PURTELL are as follows:

EXEMPTION FROM FLAMMABLE FABRICS ACT OF FABRICS AND WEARING APPAREL NOT HIGHLY FLAMMABLE

Senator WILLIAM A. PURTELL, Republican, of Connecticut, chairman of the Subcommittee on Business and Consumer Interests, introduced in the Senate today a bill which would amend the Flammable Fabrics Act (Public Law 88, 83d Cong.), so as to exempt from its application fabrics and articles of wearing apparel which are not highly flammable. The Flammable Fabrics Act was approved in the 1st session of the present Congress, on June 30, 1953. By its terms, the act becomes effective on June 30, 1954.

Senator PURTELL's bill would add scarfs made of plain-surface fabrics to the other articles which are already exempted by present law, namely hats, gloves, and footwear.

The bill would also change the conditions under which the present flammability tests are conducted. At present, samples are made bone-dry before they are tested under commercial standard 191–53. Senator PURTELL's bill would require samples to be tested under the normal conditions under which articles of clothing are generally worn, namely in room temperature with average humidity.

NEED FOR LEGISLATION

Senator PURTELL explained the need for the legislation, as follows:

"The Senate and House committee reports indicate that the purpose of the Flammable Fabrics Act was 'to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which had caused either bodily injury or death to numerous individuals.' The bill was aimed at dangerous articles of wearing apparel, such as highly flammable children's cowboy playsuits, torch sweaters or jackets, and the like. The major hazards arose from certain cotton or rayon fabrics having fuzzy or furlike surfaces which flash and burn with exceeding rapidity.

"The Senate and House committees were faced with the major problem of discriminating between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous. The committees followed the advice of industry spokesmen and experts and incorporated into the law commercial standard 191–53. Now, less than 10 months after the law is passed, the industry calls to our attention the fact that a large percenage of silk, organdie, batiste, veils, nettings, etc., have been unexpectedly banned by that commercial standard, notwithstanding the fact that they are made of conventional fabrics with a good record for safety down through the years. The possibility that these conventional fabrics might be banned under the standards of the law was never even broached in the hearings and it is quite likely that closer scrutiny would have been given to commercial standard 191–53, if this had been called to the attention of the committees. That is the reason why it is necessary to consider amending the law within 1 year after it was passed and about 2 months before it goes into effect."

REASON FOR PARTICULAR LEGISLATIVE APPROACH

"At the request of the subcommittee, counsel was asked to explore the possibility of an administrative solution to the problem. Counsel has advised me that the standards laid down in the act are so clear and stringent that possible administrative relief is inadequate. For instance, the Federal Trade Commission has been asked by members of the industry to rule that scarfs and handkerchiefs are not articles of wearing apparel under the terms of the act but merely accessories. According to committee counsel, while handkerchiefs should not be regarded as within the terms of the Flammable Fabrics Act, it is quite likely that scarfs are included, because express mention was made by Federal agency witnesses at the hearings that scarfs that covered part of the neck and shoulders should be regarded as wearing apparel within the meaning of the terms. This legislative history is difficult to overcome. If handkerchiefs are excluded from the coverage of the present law, as we are advised by committee counsel, this alone will in part take care of the silk problem, because a large portion of sheer silks are used in the manufacture of handkerchiefs. If we report out amendments to the act, I shall advise the committee to cover the matter of handkerchiefs, at least in the report, to make clear that a handkerchief is not an article of wearing apparel in the sense of the act.

"Although the legislative history makes clear that scarfs of some kinds at least were included within the terms of the act, industry experts point out that the only ones which present unusual hazards and are highly dangerous are the ones which are not made of plain-surface fabrics. Furthermore, there is no indication that scarfs have been made of cotton or rayon fabrics having fuzzy or furlike surfaces which flash and burn with exceeding rapidity, but if they were, they would still come under the testing procedures of the act under my bill. Handkerchiefs and scarfs are used primarily as accessories and not as regular clothing. A handkerchief can easily and quickly be discarded or dropped if it burns rapidly. The same observation applies to scarfs, except that they may take a little more time to remove. However, if scarfs are made of plain-surface fabrics, according to industry experts, the burning time is slow enough to allow the person to discard them.

"With the exemption of handkerchiefs and scarfs from the act, the problem of silk is largely solved. Sample flammability tests on silks were recently conducted with the following results:

Weight of silk:	*Flame spread (seconds)*
3 momme	3.0
4 momme	3.3
5 momme	4.1
8 momme	5.0

"As only those fabrics which burn in less than 4 seconds are banned by the act, 5-momme silk would generally pass the present tests. Four momme and three momme silk (sheer silk) is imported in large quantities into this country primarily for handkerchiefs and scarfs. Experts point out that while 3 momme and 4 momme silk under present tests burns in less than 4 seconds, silk has the characteristics of ceasing to burn when the flame is removed from the material. Therefore, it presents much less of a hazard than pile synthetic materials or brushed rayon. The fact is that silk for handkerchiefs and scarfs was used down through the years without its ever being considered hazardous. The same is true of the use of other plain-surface fabrics when used for handkerchiefs and scarfs.

"On the other hand, except for handkerchiefs and scarfs, it is my belief that silk and other plain-surface fabrics, like any other fabric which burns in less than 4 seconds under the test conditions outlined in my bill, should not be used in the manufacture of articles of wearing apparel. To the extent that 3 momme or 4 momme silk or other plain-surface fabrics may be banned from use in shirts, nightgowns, and other wearing apparel, that is the price of safety which we must exact from the producers of these materials as we do from the producers of other materials banned by the act. We will not compromise with public safety.

"The only other amendment added by my bill is a change in the conditions under which the present flammability tests are conducted. I have already pointed out that we are surprised that certain conventional fabrics, such as organdie, batiste, veils, nettings, etc., with a long record of safety performance are now banned by the present tests. Industry representatives and experts point out that the reason is that samples are not tested under the conditions existing where those materials are generally worn. At present, samples are tested bone dry. My bill would require samples to be tested under the normal conditions under which articles of clothing are generally worn, namely, in room temperature with average humidity. Experts have advised me that, when so tested, conventional fabrics such as organdies, batistes, veils, nettings, etc., will pass the test, although silk would not be materially helped by this change. I believe this result will be more in keeping with the professed purposes of the Flammable Fabrics Act.

"I intend to send this bill to the Federal Trade Commission and to the Department of Commerce by special messenger for a quick appraisal of its merits and I will welcome any recommendation on their part for improvement of the bill. As soon as I obtain their views I intend to call a meeting of the subcommittee to consider this urgent problem. This may take place early next week."

INQUIRY INTO COMPLAINTS AGAINST THE FLAMMABLE FABRICS ACT

Senator WILLIAM A. PURTELL, Republican, of Connecticut, chairman of the Subcommittee on Business and Consumer Interests of the Senate Interstate and Foreign Commerce Committee, announced today that his group is looking into numerous complaints that the Flammable Fabrics Act (Public Law 88, 83d Cong., approved June 30, 1953, effective June 30, 1954) will unduly cripple certain segments of the textile industry.

Senator PURTELL said: "This month, the full committee and our subcommittee have received numerous letters to the effect that this act, if it is allowed to become effective on schedule, on June 30 of this year, will cause severe hardship to many business firms engaged in the importation and distribution of lightweight cotton, rayon, and silk textile fabrics, as well as to domestic manufacturers and distributors of some sheer fabrics which have long been used with safety by the Amer-

ican consumer. We are looking into these complaints and, if we find that they are justified, we will find a solution and recommend whatever action is necessary to the full committee." The Senator explained that the matter was considered in a subcommittee meeting on April 14. As a result, discussions are going on between the staffs of the subcommittee, the Federal Trade Commission, and the Department of Commerce to determine whether an administrative solution to the problem is feasible and in the public interest. "The results of initial exploration into the feasibility of an administrative remedy are not too encouraging," Senator PURTELL said. "The act is quite specific upon the standard of flammability, and if we find that it is unduly restrictive, we may have to amend it," he added.

In closing, Senator PURTELL stated: "It may well be that section 4 of the act, in incorporating Commercial Standards 191–53 and 192–53 by reference, went further than the professed purposes of the act, and that the present testing procedures are in need of some revision because they do not distinguish properly between the flash-burning type of fabrics and those that have been safely worn for generations. If the subcommittee finds this to be the case it will call upon the Bureau of Standards and the industry to recommend or develop more suitable testing procedures to prevent the banning of conventional fabrics that present no unusual hazards and which have been worn safely down through the years. However, I wish to serve notice that our subcommittee will not compromise with the public safety and that no postponement of the effective date of the act or weakening of the act will be recommended at the risk of allowing those special types of fabrics to be sold which present unusual hazards and are highly dangerous. Industry itself, generally, would object to our inviting this risk."

The complete text of the Senator's statement is as follows:

"For several years past there have been shocking instances of deaths and serious bodily harm caused by wearing apparel of highly flammable textiles. Until last year, it was not too unusual to pick up a newspaper and read of burnings and even deaths suffered by children when wearing highly flammable cowboy or Halloween suits or by adults wearing so-called explosive sweaters. One would read of a man driving his automobile and lighting a cigarette, with the result that the sweater burst into flames and seriously injured him; or of high school girls at a prom suffering similar harm while wearing a tulle dress, or at home when clad with a cotton chenille dressing gown; or of a woman wearing nitrocellulose buttons on her dress while sitting in front of a chafing dish, with the result that the buttons practically exploded in her face and set her afire. I could give instances ad nauseam. Some of these incidents happened in waves. Accordingly, an outraged public demanded that something be done to put a stop to this menace. Bills were introduced in several State legislatures to protect the public from this danger, but they were opposed by the wearing-apparel industry who joined in the chorus for Federal legislation in order to protect the industry from the requirements of possibly conflicting and diverse regulations by the various State and communities.

"Bills to prohibit the transportation in interstate commerce of highly flammable fabrics and wearing apparel were introduced in the House of Representatives of the United States beginning with the 79th Congress, 1st session (1945). In the 80th Congress (1947–48), the House Committee on Interstate and Foreign Commerce held extensive hearings on three flammable fabrics bills. Similar bills were introduced during the 81st and 82d Congresses. In the 82d Congress, the Senate passed unanimously on July 3, 1952, S. 2918, a bill which had many of the features of the present law. The House committee also reported the bill, but the House took no action upon it prior to the adjournment of the Congress.

"On April 16, 28, and 29, 1953, the House Committee on Interstate and Foreign Commerce held public hearings on 5 similar bills. The principal objective of all these bills was to prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals.

"The present law originated from H. R. 5069, which was introduced by Congressman WOLVERTON, chairman of the House committee, at the direction of the committee, as a 'clean' bill as a result of the committee hearings and after executive consideration of all the bills pending before the committee.

"Every witness who testified before the committee, without exception, representing virtually all segments of the textile industries and trades, urged prompt and effective Federal legislation to protect the public from the dangers of highly flammable wearing apparel and fabrics used in wearing apparel, and supported these bills in principle. Moreover, the committee was urgently requested to take prompt action on this legislation. It was pointed out that if this legislation was not enacted, a variety of State and local regulations lacking in uniformity might well ensue.

"Testimony in support of legislation on this subject was received from the Federal Trade Commission, the National Cotton Council of America, the National Retail Dry Goods Association, the Tufted Textile Manufacturers Association, the Society of the Plastics Industry, the Rayon and Acetate Fiber Producers, and others. These expert witnesses were helpful in suggesting accurate language for the legislation. H. R. 5069, while substantially similar to the bill that this committee had reported favorably the preceding year, represented a distinct improvement over that measure, especially in section 4, concerning the standard of flammability. Our committee reported favorably this improved version and it became the present law on June 30, 1953.

"Section 4 of the Flammable Fabrics Act prescribes the standards of flammability. Commercial standard 191–53, promulgated by the Secretary of Commerce effective January 30, 1953, prescribed the standard for flammability of clothing textiles and commercial standard 192–53, promulgated by the Secretary of Commerce effective May 22, 1953, prescribed the standard of flammability for vinyl plastic film.

"Commercial standard 191–53 was developed as a voluntary standard through the combined effort of a number of scientific and technical groups and represents the combined opinion of an industry committee speaking for the cotton and rayon producers, and fabric manufacturers, finishers, converters, wholesalers, retailers, and consumers coordinated by the American Association of Textile Chemists & Colorists and the National Retail Dry Goods Association. The National Bureau of Standards participated in this work by active service on technical committees, by the conduct of a wide variety of investigational and testing work, and by aiding in the reconciliation of different points of view.

"The flammability test provided in the commercial standard 191–53 makes use of strips of fabric 2 by 6 inches in dimensions. The test consists of measuring the burning time in seconds when the test piece is mounted in a specially designed apparatus and a flame is applied in a prescribed manner. Fabrics with a flame spread of more than 7 seconds are classed as having normal flammability. Those with a flame spread of less than 4 seconds are classed as rapid and intense burning, while those burning in 4 to 7 seconds are rated as having intermediate flammability. The law is directed to those fabrics which are classed as rapid and intense burning fabrics.

"Commercial standard 192–53 is the industry-approved standard with respect to vinyl plastic film. Such film is used in the manufacture of various articles of wearing apparel such as raincoats, capes, hoods, pants, and aprons. The flammability test is prescribed in paragraph 3.11 of this standard.

"Section 4 of the act provides for reports by the Secretary of Commerce if he at any time finds that the commercial standard referred to becomes inadequate. The Senate report on this bill made clear our intent that the 'Secretary of Commerce shall make continuous studies of the suitability and effectiveness of these and related test methods.'

"I have outlined the history, scope, and standards of this law at some length in order to show that the provisions of the law were not adopted arbitrarily or without serious reflection.

"This month the full committee and our subcommittee have received numerous letters to the effect that this act, if it is allowed to become effective on schedule, on June 30 of this year, will cause severe hardship to many business firms engaged in the importation and distribution of lightweight cotton, rayon, and silk textile fabrics, as well as to domestic manufacturers and distributors of some sheer fabrics which have long been used with safety by the American consumer.

"The question suggests itself at this point, why did not the affected industry call these alleged defects in the law to the attention of the Senate and House committees? One correspondent answers this question as follows:

" 'Businessmen engaged in the distribution of established types of textiles knew vaguely that Federal legislation had been under consideration for several years to prohibit the sale of fabrics and wearing apparel which, in the language of the act, are so highly flammable as to be dangerous when worn by individuals. It may be safely said that the business community is strongly in favor of such legislation. The general understanding, however, was that the act merely applied to fabrics and articles of wearing apparel which will ignite and burn in a flash when they come in contact with a flame or a cigarette. It is only in recent months that businessmen have come to realize, as a result of laboratory tests conducted pursuant to the method prescribed in commercial standard 191–53, that many textile fabrics which have never been involved in a flash burning episode will be classed as dangerously flammable under the Flammable Fabrics Act, and thus not legally salable after June 29, 1954.'

"Our subcommittee has heard mostly from businessmen in the silk trade who say that they were convinced that the act was passed to protect the public from fabrics which burn intensely and in a flash, such as brushed rayon and other synthetic pile fabrics, and that they never believed that the act would be applicable to silk, because it is a historical fact that silk has been imported into the United States for over 100 years, and to their knowledge the fabric made from it has never endangered a person.

"It was not until silk was tested under the standards set forth by Commercial Standard 191–53, which were incorporated specifically in the act, that it was discovered that the provisions of the act would be applicable to silk. As far as is known, there is no practicable method to render silk fireproof which will not make it lose its appealing softness and luster. Intensive tests are presently being conducted by competent chemical firms in an attempt to solve this problem, but they will need time to conduct their tests and research. Because silk is frequently made into thin fabrics, such as

fine sheers, chiffons, silk stockings, etc., it will be affected by the strict standards of flammability contained in the act. Some businessmen estimate that the law as it is now written will cause the banishment of 75 percent of the silk scarves and silk fabrics which until the present have been imported from Japan. One New York company alone estimates that enforcement of the act will amount to virtual confiscation of large quantities of merchandise which it has had on hand, some for as long as 3 years or more, the total of which will amount to hundreds of thousands of dollars.

"It is easy to understand that the act has an effect now, even before its effective date, as prospective customers are unwilling to buy certain materials from wholesalers, and even retail outlets are left holding on to large stocks which they carried over from previous seasons. Furthermore, many companies, in order to prepare for the fall season this year, made extensive purchases of affected materials—for instance, in Japan—and have established irrevocable letters of credit for payment. It goes without saying that the economy of Japan is directly affected, as it is the largest producer of sheer fabrics made of silk. Light-weight silk materials constitute over 50 percent of Japan's export of silk to the United States. The main end use of these materials is silk scarves and veiling which American women use as accessories to their usual articles of clothing.

"To a lesser extent, the subcommittee has heard from domestic manufacturers and distributors of sheer fabrics, such as organdie fabrics and netting for evening dresses, which, it is claimed, have had a good record for 50 years. Laboratories are experimenting with tests to determine the flammability of fabrics. The subcommittee has been informed by the industry that there are now available only about 125 testing machines to make the required tests, and the laboratories report a heavy backlog of a great variety of fabrics still to be tested. It is doubtful that tests can be completed on a great many types of fabrics prior to the present effective date of the act.

"Furthermore, the industry advises us that most of the light-weight fabrics which do not meet the present tests can be treated with flame-retarding finishes, but such finishes will cause a deterioration of the fabric in a relatively short time, and will also cause the color of the fabric to become yellowish or gray in a few months. The chemists in the finishing industry are trying to develop a more satisfactory flame-retarding finish, but it will take quite some time to accomplish this. In most cases it is not possible to refinish goods now in inventory, and certainly nothing can be done about fabrics already made up into wearing apparel.

"The matter was considered in a subcommittee meeting on April 14, 1954. As a result, discussions are going on between the staffs of the subcommittee, the Federal Trade Commission, and the Department of Commerce to determine whether an administrative solution to the problem is feasible and in the public interest. The results of initial exploration into the feasibility of an administrative remedy are not too encouraging. The act is quite specific upon the standard of flammability, as I have already shown. Commercial Standard 191–53 was rigidly incorporated into the act, with the express additional inclusion of hats, gloves, and footwear.

"From the start, the industry objected to complete discretion being lodged in a Federal official or agency, such as in the Secretary of Commerce or in the Federal Trade Commission.

"When a forerunner of the act was first introduced (H. R. 3851, 83d Cong.), it contained a provision to the effect that when in his opinion the protection of the public interest so required, the Secretary of Commerce was authorized to modify or supplement the test standard of flammability provided he followed the procedure used in setting up commercial standard 191–53. Many people in industry and in the Government felt that the Secretary of Commerce should not have that authority. The Federal Trade Commission sounded the death-knell of this provision when it wrote on April 9, 1953, to the chairman of the House committee upon this point, as follows:

" 'This requirement would prohibit the Secretary of Commerce from modifying or supplementing the test unless he obtained the consent of 65 percent of the industry or at least of a majority, which is a requirement of the commercial standard procedure. Such presents an unprecedented situation of having the standard of legality or illegality under a penal and civil statute turn upon the consent of the industry to which the legislation applies.'

"That flexible approach raised serious constitutional doubts of the constitutionality of the legislation. Accordingly, the House and Senate committees wrote the existing standards developed by industry specifically into the act, as I have explained above.

"Our subcommittee has been informed that on some types of conventional fabrics that have already been tested, the burning rate is between 3.2 seconds and 3.9 seconds, although these fabrics have never been known to catch fire when worn by individuals. I have already pointed out that, under commercial standard 191–53, which is incorporated by reference into the act, fabrics with a flame spread of less than 4 seconds are classed as rapid and intense burning and banned from importation, transportation, or sale in interstate or foreign commerce.

"There is no doubt that the act was aimed primarily at the banning of fabrics which burn intensely and in a flash. H. R. 5069, which became the present law (Public Law 88, 83d Cong.), was entitled 'To prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals, and for other purposes.'

"The Senate and House reports, in discussing the purpose of the legislation, state:

" 'The purpose of the bill * * * is to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals. The bill is limited in scope to wearing apparel and fabrics which are intended or sold for use in wearing apparel. It will outlaw, for example, the introduction, movement, or sale in interstate commerce of highly flammable children's cowboy playsuits, and the so-called torch sweaters or jackets which have caused serious injuries and death to a number of innocent and unsuspecting individuals in recent years.' (See H. Rept. No. 425, and S. Rept. No. 400, 83d Cong., 1st sess.)

"In discussing the standards of flammability, those reports state:

" 'The major problem in formulating legislation to control the use of dangerously flammable textiles is to discriminate between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous.'

"It may well be that section 4 of the act, in incorporating commercial standards 191–53 and 192–53 by reference, went further than the professed purposes of the act, and that the present testing procedures are in need of some revision because they do not distinguish properly between the flash-burning type of fabrics and those that have been safely worn for generations. If the subcommittee finds this to be the case, it will call upon the Bureau of Standards and the industry to recommend or develop more suitable testing procedures to prevent the banning of conventional fabrics that present no unusual hazards and which have been worn safely down through the years. However, I wish to serve notice that our subcommittee will not compromise with the public safety and that no postponement of the effective date of the act or weakening of the act will be recommended at the risk of allowing those special types of fabrics to be sold which present unusual hazards and are highly dangerous. Industry itself, generally, would object to our inviting this risk."

DEPARTMENT OF STATE,
Washington, April 27, 1954.

The Honorable WILLIAM A. PURTELL,
Chairman, Subcommittee on Business and Consumer Interests, Interstate and Foreign Commerce Committee, United States Senate.

DEAR SENATOR PURTELL: The Department is gratified to learn of your announcement on April 20 that the Subcommittee on Business and Consumer Interests of the Senate Interstate and Foreign Commerce Committee is looking into numerous complaints that the Flammable Fabrics Act (Public Law 88, 83d Cong., approved June 30, 1953, effective June 30, 1954) will unduly cripple certain segments of the textile industry. Similar complaints have been made to the Department in recent months, particularly by representatives of the Japanese Embassy and by importers of Japanese silk fabrics and silk articles such as handkerchiefs and scarfs. As your press release points out, the economy of Japan would be directly and substantially affected by the banishment of perhaps 75 percent of the silk scarfs and silk fabrics which until the present have been imported from Japan. The Department is also aware that the Flammable Fabrics Act is a matter of concern to French, Swiss, and Italian exporters of sheer fabrics and to the domestic importers and distributors of these materials.

The Department endorses your view that there should be no compromise with the public safety and that no postponement of the effective date of the act or weakening of the act should be recommended at the risk of allowing those special types of fabrics to be sold which present unusual hazards and are highly dangerous. The press release issued by your subcommittee contains a clear statement of the problems involved in preventing loss of life or serious injury from wearing apparel made of highly flammable textiles without creating severe hardship to domestic and foreign trade in materials which have long been used with safety by the American consumer. The program being undertaken by the subcommittee and your statement concerning the possible need for amendment of the act, if it is found to be unduly restrictive and if no administrative remedy is available, should help to allay the concern of both foreign and domestic interests concerning the effect of the act.

Sincerely yours,

THRUSTON B. MORTON,
Assistant Secretary.

EMBASSY OF JAPAN,
Washington, D. C., April 23, 1954.

The Honorable WILLIAM A. PURTELL,
United States Senate.

DEAR SENATOR PURTELL: I am writing you to express my appreciation of your recent statement concerning the Flammable Fabrics Act and the severe hardship it will cause to certain segments of the textile business, especially the silk trade. Your recognition that the congressional intent in passing the act was not to prohibit the sale of traditional fabrics which have been used safely for years, but was rather to prevent the use of dangerously flammable textiles with a flash-burning rate, has been most encouraging to the Japanese people.

The people of Japan view with complete and sympathetic understanding the efforts of

the Congress of the United States to protect the American public from the recurrence of the recently publicized and most unfortunate accidents. They recognize the need for a protective law but are hopeful that the legislation may be so drafted or interpreted as to permit the import of sheer silk manufactures, which have a long history of safe use.

As you know, silk fabrics and manufactures are among the most important exports from Japan to the United States. Any substantial reduction in this trade, even though unintentional, would be a serious blow to my country's attempt to attain economic stability.

I wish to you and your subcommittee success in your endeavor to limit the effects of the act to textiles which are truly dangerous. Again may I state the thanks of the Japanese people for your understanding approach to their problem.

Sincerely yours,

SADAO IGUCHI,
Ambassador.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT, 1947—AMENDMENT

Mr. GOLDWATER submitted an amendment intended to be proposed by him to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, which was ordered to lie on the table and to be printed.

PROPOSED CAPITAL GAINS TAX ON FOREIGN TRADERS

Mr. GILLETTE. Mr. President, in the report submitted by the Senate Committee on Agriculture and Forestry on August 23, 1950, covering the investigations of coffee prices which the Subcommittee on Utilization of Farm Crops conducted during 1949–50, appeared this sentence:

> About 50 percent of the long position in coffee on the New York Coffee and Sugar Exchange, Inc., as of March 31, 1950, was owned by foreign interests, and fully 30 percent controlled through one broker in Brazil."

Among the several recommendations which the committee made in its report was this one:

> No. 6: That in order to curb the undesirable speculation now existing in dealing in coffee futures the revenue laws of the United States be amended so as to tax profits of foreign interests made on the commodity exchanges of the United States.

In the appendix of the report appeared a draft of an amendment to the Internal Revenue Code which the committee recommended be adopted by the Congress. As no Member of the House of Representatives has yet offered this type of an amendment, and in view of the fact that the tax revision bill is now pending before the Senate Finance Committee, I am today submitting this proposal in the form of an amendment to H. R. 8300 for the consideration of the Finance Committee and of the Senate.

The amendment would impose on the capital gains of nonresident foreign individuals, partnerships or corporations, not engaged in trade or business in the United States, a tax of 30 percent of the amount by which such gains, derived from sources within the United States, from sales or exchanges, exceed losses, allocable to sources within the United States, from such sales or exchanges.

Because of the unfortunate fact that neither the Senate Banking and Currency Committee investigation of the recent price rise in coffee nor the Federal Trade Commission investigation of the same subject has been completed, it is impossible to know to what extent the situation that existed in 1950 still holds at the present time. But it is incontrovertible, I believe, that during the price rise of this past December and January foreign speculators were extremely active on the coffee exchange. They have unquestionably earned tremendous profits from their operations and the least the American people can expect, if they cannot be protected from such raids on their pocketbooks, is that those who earn these fortunes from speculating on our commodity exchanges should have to pay a fair tax to our Federal Treasury.

I now submit amendments intended to be proposed by me to the bill (H. R. 8300) to revise the internal revenue laws of the United States, and ask that they be referred to the Committee on Finance.

The PRESIDING OFFICER. The amendments will be received and printed, and will be referred to the Committee on Finance.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT, 1947—MINORITY VIEWS

Mr. MURRAY. Mr. President, I ask unanimous consent that the views of the minority on Senate bill 2650, to amend the Labor Management Relations Act, 1947, and for other purposes, may be submitted and printed during the recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

REVIEW OF DECISIONS OF GOVERNMENT CONTRACTING OFFICERS IN CERTAIN CASES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 24) to permit review of decisions of Government contracting officers involving questions of fact arising under Government contracts in cases other than those in which fraud is alleged, and for other purposes, which were to strike out all after the enacting clause and insert:

> That no provision of any contract entered into by the United States, relating to the finality or conclusiveness of any decision of the head of any department or agency or his duly authorized representative or board in a dispute involving a question arising under such contract, shall be pleaded in any suit now filed or to be filed as limiting judicial review of any such decision to cases where fraud by such official or his said representatives or board is alleged: *Provided, however,* That any such decision shall be final and conclusive unless the same is fraudulent or capricious or arbitrary or so grossly erroneous as necessarily to imply bad faith, or is not supported by substantial evidence.
>
> SEC. 2. No Government contract shall contain a provision making final on a question of law the decision of any administrative official, representative, or board.

And to amend the title so as to read: "An act to permit review of decisions of the heads of departments, or their representatives or boards, involving questions arising under Government contracts."

Mr. McCARRAN. Mr. President, this is a bill which passed the Senate on June 8, 1953, and which has now been passed by the House, in amended form.

The purpose of the proposed legislation is to overcome the inequitable effect, under the decision of the Supreme Court in the Wunderlich case, of language in Government contracts which makes the decision of the contracting officer or the head of the agency final, with respect to questions of fact. To put it another way, the objective of this bill is to preserve the right of review by the courts in cases involving action by a contracting officer which is arbitrary, capricious, fraudulent, or so grossly erroneous as necessarily to imply bad faith.

The language of the House bill, while quite different from the langauge approved in the Senate, is designed to accomplish the same purpose. It is my understanding the Department of Justice takes the view that the House language will accomplish the same purpose as the Senate language. It is my further understanding that the Comptroller General of the United States has expressed complete satisfaction with the House language, and has declared that in his opinion it will accomplish the purposes sought to be served by the Senate language.

As author of the Senate bill, I want to say that I am not sure that the House language gives protection as complete as that which would have been given under the language approved by the Senate. However, I am willing to go along with the House language, in view of the assurances which I have mentioned, and the further fact that so far as I know all others interested in this legislation are satisfied with the language approved by the House.

Accordingly, Mr. President, I now move that the Senate concur in the House amendments to the bill S. 24.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada [Mr. McCARRAN].

Mr. CASE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CASE. Can the Senator from Nevada tell us how the assurance was given that the bill was satisfactory to the General Accounting Office? Would the Senator kindly restate the assurance which he voiced with reference to the opinion of the General Accounting Office?

Mr. McCARRAN. The General Accounting Office is satisfied with the language in the House bill. It has assured me of that.

Mr. CASE. The Comptroller General has assured the Senator from Nevada on that point?

Mr. McCARRAN. That is correct; otherwise I would not care to go along.

Mr. CASE. Mr. President, I have no objection.

Mr. THYE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. THYE. As I understand, the bill was passed by the Senate, and a similar bill was passed by the House. The only question involved is a modification of the language in the Senate bill, and the two bills agree in their effect, so to speak?

Mr. McCARRAN. That is correct.

Mr. THYE. There is nothing else of a legislative nature involved. Is that correct?

Mr. McCARRAN. That is correct.

Mr. THYE. I cannot see any objection to the enactment of the legislation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada [Mr. McCARRAN].

The motion was agreed to.

ARMORING THE SUPREME COURT—EDITORIAL FROM THE WASHINGTON POST AND TIMES-HERALD

Mr. BUTLER of Maryland. Mr. President, on Saturday April 17, 1954, there appeared in the Washington Post and Times-Herald an editorial entitled "Armoring the Supreme Court." Within the next 2 weeks, Mr. President, debate will open on the floor of the Senate on Senate Joint Resolution 44, which I introduced in February 1953. The joint resolution has for its purpose the strengthening of the Supreme Court, both as to its composition and as to its jurisdiction. Accordingly, I ask unanimous consent that the editorial be printed at this point in the body of the RECORD, as a part of my remarks, for the information of the Senate.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARMORING THE SUPREME COURT

Too little attention has been given to the proposed constitutional amendment reported out by the Senate Judiciary Committee recently to buttress the independence of the Supreme Court. As the Court is now functioning smoothly, there is a strong disposition to let well enough alone. Some critics of the proposal also fear that it might cast the Court into too rigid a mold. In our opinion, however, a strong case can be made for fortifying the independence of the Court in those spots where it has been attacked in the past.

History has amply demonstrated that the Founding Fathers, while creating an independent Supreme Court left some gaping holes in its armor. The most notorious of these is the power of Congress to change the number of Justices and thus enable the President and Senate indirectly to influence the opinions of the Court. The second grave defect is the constitutional phrase which enables Congress to take away the Court's appellate jurisdiction. On one regrettable occasion in 1868 Congress exercised this power to prevent the Court from hearing an appeal involving a writ of habeas corpus. In effect, then, enforcement of the Bill of Rights is left to the discretion of Congress.

This bit of history should be well remembered when the proposed amendment comes up for debate. An editor named McCardle sought a writ of habeas corpus after being arrested by the military in the post-Civil-War period and held for trial before a military commission on charges that he had published libelous and incendiary articles. When his petition was denied by the lower courts, he appealed to the Supreme Court. But before his case could be decided by that tribunal, Congress passed a law denying it the right to hear appeals in habeas corpus cases. The Court then acknowledged the right of Congress to determine the extent of its appellate jurisdiction and refused to decide the case.

The proposed amendment would prevent such legislative invasions of the judicial sphere by specifically giving the Court appellate jurisdiction, both as to law and fact, "in all cases arising under this Constitution." Congress might then limit appeals to the Supreme Court in cases involving Federal statutes, but it could not undermine the Constitution by preventing enforcement of its guaranties in the highest Court in the land.

No less important is the section permanently fixing the membership of the Supreme Court at nine. This will be generally interpreted as a Republican effort to prevent any repetition of President Roosevelt's efforts to pack the Court in 1937. It is probably more significant, however, as a means of preventing the kind of congressional interference with the Court that occurred in the Andrew Johnson administration. Congress reduced the number of Justices from 9 to 7 to prevent the President from having any opportunity to appoint Justices who might favor his policies. This was court-packing in reverse.

Two other provisions have been included in the proposed amendment. It would force the retirement of all Supreme Court Justices at the age of 75 and make any Justice ineligible to serve as President unless he had been off the bench at least 5 years. The 75-year cutoff might occasionally deprive the Court of an Oliver Wendell Holmes, but it would more frequently force out men no longer capable of carrying the arduous burden of a Supreme Court Justice. Five years probably is too long a period to make a Justice wait if he wishes to resign and try for the Presidency, but the idea of discouraging political ambitions on the Bench is sound. Not only that Justices sometimes need protection from politicians who are inclined to "raid" the Supreme Court. To our way of thinking the advantages that would flow from the amendment outweigh the argument against cluttering the Constitution with details.

COMMERCE DEPARTMENT REPORT ON MARITIME SUBSIDY POLICY

Mr. BUTLER of Maryland. Mr. President, the Commerce Department's report on Maritime Subsidy Policy, based upon its extensive study in the light of present national requirements for a merchant marine and a shipbuilding industry, will be presented to the Senate Water Transportation Subcommittee on Monday next, at 2:30 p. m., in room G–16 of the Capitol.

In view of the long-range significance of the report, its importance to American shipping, and the assistance it undoubtedly will afford to Members of Congress of both Houses in connection with future legislative proposals regarding the maritime industry, our subcommittee has invited the members of the House Merchant Marine and Fisheries Committee to join with us in receipt of the report.

At the meeting, the Under Secretary of Commerce for Transportation, the Honorable Robert B. Murray, Jr., will formally transmit the report to the Congress. It was at his direction and under his supervision that the study was made and the report prepared, and he and his very competent staff have done a most excellent job in this respect.

One of the major deterrents to positive action on behalf of this vital segment of the Nation's economy has been the misunderstanding and lack of factual information about it and the national policies involved. Certainly the report is coming to us at an opportune time, for both the American merchant marine and the vast shipbuilding industry, so mutually interdependent, one upon the other, are in dire straits, and are in need of immediate, as well as long-range, consideration. This is necessary, not alone for their future welfare, but more particularly because it is urgent in the public interest. Frankly, Mr. President, we need the merchant marine. We cannot do without a strong shipping and shipbuilding industry, either in war or in peace.

The forthcoming Department of Commerce report, I can give assurance, will present an overall picture of the policies laid down in the various acts of Congress with respect to establishment and maintenance of an adequate merchant marine. It will show how these policies have been carried out, their cost, and their net results.

Most importantly, the report will present certain definite recommendations for action by the Congress and the administration toward a sound annual ship-construction program consistent with and adequate to the requirement of a future mobilization day, as established by the responsible defense authorities.

Such a ship-construction program is basic to any program in this field. It is our sincere hope that this and other recommendations of the report will be received with due recognition of their importance to the national security, as well as to the Nation's economic progress.

REHABILITATION AND EMPLOYMENT OF PHYSICALLY HANDICAPPED—TRIBUTE TO GEN. MELVIN J. MAAS

Mr. SMATHERS. Mr. President, it was my privilege this morning to attend the Exposition and Parade of Progress for the Rehabilitation and Employment of the Physically Handicapped, here in Washington, D. C. It was quite inspiring to me to visit that vast hall and view the exhibits from all over the United States showing what the physically handicapped had been able to accomplish.

More important, I think, it was inspiring because it showed what employers can do in order to help war veterans and other citizens who have suffered some physical disability, and how such handicapped persons can continue to make a contribution to the productivity of our Nation. Even more important, it showed how they can gain a feeling of being useful to themselves and of contributing to the general good of society.

I hope other Members of Congress will avail themselves of this privilege and visit the exposition. I hope it will add emphasis to the bill which has been introduced by the able Senator from Montana and of which I am a cosponsor call-

ing for the establishment of a Federal department to aid the physically handicapped. I hope it will enable employers all over the United States to see what the physically handicapped can do, and how useful they can be, even though they are disabled. I believe this exposition will afford great impetus to the entire program of aiding the physically handicapped to aid themselves and in turn their Nation.

Mr. President, one last word, this morning the first person I met was our former colleague in the House of Representatives, Mel Maas. This courageous man has now lost his sight. However, true to his great background and tradition, General Maas does not despair. He is active in this program of aiding the physically handicapped. He, by example, is showing others what can be done. He is indeed a man of whom this Nation can be proud.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Handicap Tips From Miami," which I think is appropriate to the remarks I have made.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANDICAP TIPS FROM MIAMI

Thousands of physically handicapped people are working today and living normal lives because a boy suffered heart trouble.

When Edward was 12 years old a hastily called physician stood by his bedside. "You have only a few months to live," the doctor told the boy. "You must resign yourself."

Hurriedly the father pushed the doctor out of the room.

"Don't frighten my boy," the father said. "Just tell me."

After the physician had gone, the father returned to Edward. The bed was empty. The house was searched in vain. He couldn't be found.

His father looked in the garden and found Edward sobbing behind the rose bushes.

"I'm going to live," he told his father. "I don't care what that doctor said, I'm going to live. And if God lets me live I'm going to dedicate my life to helping others."

When he was 16, Edward started a small upholstering business employing only physically handicapped workers. Two years later his business had expanded and the number of employees increased and all were physically handicapped in some fashion.

Edward only lived to be 24, but today the business he founded is still growing and there's not a physically sound man employed there.

His father, partly in memory of Edward has spearheaded every drive for the employment of the physically handicapped. The first one in Miami was initiated in 1939 by Edward, himself, in the form of an organization he named Independence, Inc.

According to population, Miami now leads the Nation in physically handicapped placements and has for several years, although it is not primarily an industrial community.

Now practical businessmen have taken over the machinery from professional and governmental employees to make the placement of the physically handicapped one of the best publicized year-around drives in the city.

National Employ the Physically Handicapped Week came to Miami in 1946 through several governmental agencies. Much of the advertising material was sent to the Florida State Employment Service and men from interested agencies gathered there to form the first local NEPH committee.

For the most part these men represented governmental agencies working with the rehabilitation and placement of the handicapped. The Florida State Employment Service, Veterans' Administration, the VA hospital, the Vocational Rehabilitation Service, and the Disabled American Veterans organization.

In the first years businessmen were not present, with 1 or 2 notable exceptions, and businessmen were the very ones who must do the hiring if the movement was to be a success.

A chairman was elected, placards were placed in store windows of willing proprietors, radio talks were arranged for, press releases were mailed, and 5-minute speakers talked at luncheon clubs.

At the end of the week, the Employment Service counted the number of placements made of the handicapped workers during that time and everyone felt the affair had been an immense success.

Then the whole thing was forgotten—as far as publicity was concerned—until next year. This was the usual story in most communities.

The Miami story might have been similar to that of other cities except for two things. A local radio station, WKAT, offered time to the Employment Service for a weekly program devoted to the placement of the handicapped and * * *.

The organization Edward founded, Independence, Inc., joined with the local NEPH committee and then later with the Miami Chamber of Commerce committee on placement of the physically handicapped, to bring new and sustaining life to the movement.

Edward's father now carried on the business his son began and with other individuals used Independence, Inc., as a stalking horse for handicap placements.

It was only natural for him to be selected as chairman of the chamber's committee and this close association with businessmen gave handicap placements a new impetus.

He found the NEPH committee with a daytime radio program and obtained a night spot for it on Station WQAM. For 3 years now, under the title of "Hope Unlimited" it has promoted handicap placements each week at a time when it may catch the ear of an employer.

This program is widely credited with being a major factor in increasing handicap placements.

The members of each committee, NEPH, Miami Chamber of Commerce, and Independence, Inc., were interlocking by becoming automatically members of the other committees. At no time was there any sense of rivalry.

Edward's father continued to work toward interesting other organizations in doing placement work. The Polio Foundation made placements of polios through the director. The Miami Hearing Society cooperated closely with the Employment Service and the Vocational Rehabilitation Service to the same end.

The Mental Health Society offered its services in discovering understanding employers who were willing to work with the emotionally unstable.

The Tuberculosis Association employed arrested cases in its own organization when it had work for them and tried to find jobs for those who could work only part of a day.

The Cancer Society found employer resistance to the employment of these victims of cancer who had been disfigured by facial operations and worked to get jobs for these people.

The Jewish Vocational Service which was established to aid new American to find jobs, discovered many of them were physically handicapped and was drawn into the movement.

The Dade County Medical Association deserves a great deal of credit not only for the part its members have played in the rehabilitation of the disabled, but for appearing publically on radio stations and in print to show that the physically handicapped could be employed.

A new committee of the chamber of commerce was formed, this time by the women's division, to push the employment of those over 45 years of age who were having trouble finding work because of age.

A new channel of public information to the public was found at Radio Station WIOD for the placement of these applicants. Now in its second year, it has aided greatly in the acceptance of the senior citizen as a valued employee.

Finding that many employers were prejudiced against hiring a man with a damaged heart, the Heart Association employed a part-time placement officer. Many placements have been made although initially this department was believed mainly educational. Probably Miami is unique in having a Heart Association doing placement work.

Most of the credit for handicap placements go to the businessmen of Miami who were willing to use selective placement in hiring those who had been partially disabled.

They found that it was indeed "good business to hire the handicapped." Placed on the right jobs they outproduced the average employee, had less absenteeism, no greater accident record, and changed jobs far less often.

One of the first was, of course, the company Edward founded, the Empire Furniture Co. Another was Eastern Air Lines, which not only worked handicaps successfully, but persuaded other airlines to try them out.

Some of them were a little squeamish at first, fearing an unfavorable public reaction if it were known physical handicaps were employed by them. Of course, no such reaction occurred.

Employer after employer was interested until in 1 month 500 known placements were made.

What has happened in Miami can happen in any city if interested agencies work together and businessmen can be induced to hire the handicapped for an initial trial. Thereafter they will be boosters for the movement.

Initially, citations were given by the Miami Chamber of Commerce to firms who had hired handicaps and this encouraged others to experiment. Now chambers in other cities are working along these lines.

While it is good business to hire the physically handicapped, it does take a little more thinking and planning on the part of the employer and he deserves credit for this. It is only fair to recognize and honor him.

All this adds up to the fact that men who might otherwise have been selling shoe laces, pencils, and apples on the streets are now employed and live normal lives to the great benefit of their families, themselves, the community and society.

The credit for the success of handicap placements in Miami may be divided among hundreds—or it may be given to a small boy crying under a rose bush and pledging himself to help his fellow man.

Mr. BARRETT. Mr. President, this morning I attended the first Exposition and Parade of Progress for the Rehabilitation and Employment of the Physically Handicapped. It is being held at the Departmental Auditorium on Constitution Avenue, between 12th and 14th Streets.

Mr. President, I was amazed at the work that is being done among the handicapped. I would say to all of my colleagues that it would be well worth their time if they were to view the exhibits. I was particularly interested because the

vice chairman of the President's Committee on the Employment of the Physically Handicapped is a former House colleague of mine, Maj. Gen. Melvin J. Maas, United States Marine Corps Reserve (Retired). He is giving all of his time to that activity, and he is doing a wonderful job.

We are all proud of General Maas. As most of my colleagues know, he completely lost his eyesight a few years ago. He has courageously carried on, and he is now doing unselfishly a great job for the handicapped of the country.

Mr. THYE. Mr. President, I wish to concur in the remarks not only of the Senator from Wyoming [Mr. BARRETT], but also of the Senator from Florida [Mr. SMATHERS] in speaking about the exhibits of the handicapped and rehabilitated.

I wish to comment specifically because General Maas, a former Representative, is a Minnesota citizen. Although General Maas lost his eyesight, he has rehabilitated himself. It is an inspiration to see General Maas aiding others to rehabilitate themselves.

General Maas was in my office only a few weeks ago. If I had not known that he had lost his eyesight I would not have been aware of it, because of the manner in which he carries himself and the manner in which he actually turns his face toward one when he speaks.

I particularly desired to refer to this subject because only this morning the Subcommittee on Appropriations for the Department of Health, Education, and Welfare, of the Committee on Appropriations, considered rehabilitation funds and vocational education funds. In my opinion, no subject is more worthy of consideration by Congress than that of appropriating for the rehabilitation of the physically handicapped and for the granting of assistance in that field of activity.

Mr. JOHNSON of Texas. Mr. President, apropos of the comment made by the distinguished acting majority leader, the Senator from Minnesota [Mr. THYE], I wish to observe that I spent many pleasant years in association with the distinguished General Maas. He is one of the great Americans I have known. He is courageous, he is patriotic, and he has contributed as much to the building of a sound national defense of our country as any man that I have ever served with on the defense committees of Congress.

I wish to associate myself with the fine tribute the distinguished acting majority leader has paid this great man.

Mr. CASE. Mr. President, I appreciate the fact that other Members of the Senate have spoken in appreciation of the services of Gen. Melvin J. Maas.

I have a special pleasure in hearing what they have said, because it was also my privilege to serve with Mel Maas in the House of Representatives. However, I first met him, I may say to the distinguished Senator from Minnesota, not as a Member of Congress, but as a member of the United States Marine Corps.

Mel Maas was a very loyal member of the Marine Corps. He comes to the Capitol frequently to join with other former members of the Marine Corps in breakfasts. The most recent one of those breakfasts held by Members of the House and of the Senate who are former members of the Marine Corps was one at which I was the host. Mel Maas sat to my left, and I can say as a matter of personal testimony that I was tremendously thrilled to see the manner in which Mel has adapted himself to his new situation in life. Mr. President, he eats right along with you, and he talks right along with you. If anyone draws attention to his handicap, it is not Mel Maas. He has the courage that characterized his service during World War I and World War II. It will be remembered that he took a leave of absence from the House and went into active service in both conflicts.

Mel Maas is an inspiration to all Americans. It is a matter of pride, as a friend and as a former colleague in the House of Representatives and as a former active member on duty with the United States Marine Corps, that I salute Mel Maas today for the great service he continues to render in his capacity as the President's special appointee on the program which is being conducted in the Nation's Capital today.

PUBLIC WORKS CONSTRUCTION FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

Mr. CASE. Mr. President, I desire to address myself to the bill which is under consideration, House bill 8097, to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

The bill, by title and also by popular reference, has been called a public works bill. In a certain sense, that is true. It is a revenue measure. It originated in the House of Representatives, which passed it on March 22, 1954. The bill was the product, however, of extensive joint hearings and informal joint meetings of the fiscal subcommittees of the District Committees of the other body and of the Senate.

Copies of the hearings and of the committee report are on the desks of Senators.

The bill is intended to provide the District of Columbia government with added revenues of $24.4 million a year, of which $14.2 million is from local taxes and charges and $10.2 million from increased Federal payments. The bill also authorizes new Federal loans to the District of $67 million.

Present District revenues, from all sources, local and Federal, total $137.2 million a year. With the addition of the proposed new revenues of $24.4 million a year, it is expected that some $30.5 million a year, on the average, will be available for public works—capital outlay—over the next 10 years.

This arrangement will finance a 10-year construction program now estimated at $305.3 million. In the past 10 years, the District has spent $190 million for capital outlay. Thus, what is now proposed is a 50 percent increase in the rate of construction, dollarwise, for the next 10 years, over what has been done in the past 10 years.

At this point, Mr. President, I think it should be pointed out that the District of Columbia government is one government in America which by statute has to operate on a balanced budget. Under a law which Congress passed some years ago, the District of Columbia Commissioners may not present to the Congress a budget estimate or a request for funds for a new fiscal year out of balance with the prospective revenues. The situation as it now exists is that the normal continuation of the functions of government in the District of Columbia at their present level, with authorizations which exist for salaries to the various employees of the District of Columbia, such as teachers, firemen, and so forth, means that without some new revenue the District of Columbia government, through its Commissioners, would not be able to present to the Congress for next year any sizable construction program whatsoever. In fact, no construction program can be presented to the Congress unless there is some revenue in sight to finance it.

This bill may be regarded as an attempt to make it possible for the District of Columbia to provide necessary improvements in the sewer and water systems and the construction of public buildings of one sort or another. Without this bill the District of Columbia would be held to the present level of expenditures, which would be merely an operating level.

The provisions of the bill which accomplish this needed increase in revenue fall into four categories: local revenues, Federal payments, Federal loans, and miscellaneous provisions. I shall discuss them in that order.

LOCAL REVENUES

Local revenues provided by the bill include a new sewer-service charge, authority for water-rate increases, higher assessments for water mains and sewers, higher taxes on realty, alcoholic beverages, cigarettes, gasoline, hotel rooms, individual income, and bus companies. The personal-property tax on household goods is repealed. A flat fee system is substituted for registration fees and personal-property taxes on motor vehicles.

At this point, Mr. President, I should like to say that the House of Representatives a year ago passed a bill to repeal the personal-property tax in the District of Columbia. The Senate Committee on the District of Columbia has not acted on that bill directly. We felt that since the matter of construction revenue was in the offing, and since some additional revenues were needed, the entire problem of revenues should be considered at one time. Therefore, we did not take action upon the bill presented by the House, but held the bill in committee un-

til the total program could be brought before us. The bill which is now before the Senate proposes to incorporate the repeal of the personal-property-tax levy.

The sales tax is extended to cover groceries at one-half the regular rate, or 1 percent, and to cover meals over 50 cents and purchases by national banks and Federal savings and loan associations. A 2-percent tax is imposed on combined rail and bus operations of street-railroad companies in lieu of the mileage tax they now pay. Local taxes in the District now total $125 million a year. These changes would add $14.2 million, an increase of 11 percent.

It might be noted at this point, Mr. President, that this increase in local taxes means an increase of about $16 a year on a per capita basis for the Washington taxpayer.

How does this make Washington's local tax burden compare with other cities of comparable size? That is a question which is always raised when revenue questions come up in either body of the Congress.

In 1952, Mr. President, out of 13 cities of 500,000 to 1 million inhabitants, Washington ranked 11th in per capita local tax payments. It was third from the bottom.

The proposals in the bill before the Senate even with the increases suggested, would leave Washington in seventh place among those 13 cities. That would be one below the middle point of the 13 cities, and, in dollars, it would place the District of Columbia approximately $47 below the highest, and $40 above the lowest, on the basis of latest available figures.

I present that fact to the Senate as making clear that the tax increase here proposed would not put Washington out of line with other cities of comparable size. In fact, it leaves it below the center point.

Mr. BUSH. Mr. President, will the Senator from South Dakota yield?

The PRESIDING OFFICER (Mr. AIKEN in the chair). Does the Senator from South Dakota yield to the Senator from Connecticut?

Mr. CASE. I yield.

Mr. BUSH. How are the 13 cities chosen?

Mr. CASE. According to population.

Mr. BUSH. Are they the 13 largest cities?

Mr. CASE. They are cities of a size comparable to that of Washington.

I have here, Mr. President, a table which I should like to place in the RECORD, in view of the question which the distinguished Senator from Connecticut has asked. I think it is a very informative table. The population figures are taken from the 1950 census. The cities represented are San Francisco, Boston, Milwaukee, Minneapolis, Buffalo, New Orleans, Washington, Cincinnati, Pittsburgh, Cleveland, Baltimore, Houston, and St. Louis, in the order of position which they now occupy, on the basis of the total per capita tax.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of tax burden and income in 13 city areas having 500,000 to 1,000,000 inhabitants in 1950, and in the Washington metropolitan area

	Population (1950)	Total per capita tax State-city area,[1] 1952	Median income [2] (families and unrelated individuals) 1949
San Francisco	775,357	$197.71	$3,009
Boston	801,444	195.52	2,643
Milwaukee	637,392	167.48	3,340
Minneapolis	521,718	166.87	3,078
Buffalo	580,132	164.40	3,079
New Orleans	570,445	161.34	2,267
Cincinnati	503,998	142.49	2,644
Pittsburgh	676,806	137.36	3,314
Cleveland	914,808	136.34	3,153
Baltimore	949,708	134.45	2,817
Washington	802,178	[3] 134.13	2,975
Houston	596,193	127.82	2,937
St. Louis	856,796	110.17	2,718
Maryland:			
Prince Georges County	194,182	(4)	3,634 / [5] 3,901
Montgomery County	164,401	124.46	4,532 / [5] 5,005
Virginia:			
Fairfax County	98,557	(4)	3,446 / [5] 5,045
Arlington County	135,449	102.38	4,580
Alexandria	61,787	(4)	3,903
Falls Church	7,535	(4)	5,098

[1] Includes payments to State, city and overlying taxing units.
[2] Denotes that income level which is higher than half of the unreported incomes and lower than the other half.
[3] H. R. 8697 as reported by Senate District Committee, $150.22.
[4] Not available.
[5] Urban portion of county only.

Source: U. S. Bureau of the Census. Prepared by Board of Commissioners, District of Columbia, Apr. 5, 1954.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. CASE. I am glad to yield to the Senator from Connecticut.

Mr. BUSH. Are we to understand from the statement by the distinguished Senator from South Dakota that the increased appropriations are to be in addition to the normal annual appropriations which Congress makes for the operation of the District of Columbia?

Mr. CASE. What I have been talking about are the local revenues provided by the citizens of the District of Columbia.

Mr. BUSH. I understood that. I apologize for going back to an earlier part of the Senator's remarks, but are not the appropriations for the improvements to be in addition to the normal annual appropriations which the Federal Government makes for the operation of the District of Columbia?

Mr. CASE. I shall discuss that subject in a little more detail shortly. Let me say, in direct answer to the implication of the Senator's question, that at present there is an authorized contribution from the Federal Government to the District of Columbia of $11 million. The proposals of the bill would increase the Federal contribution to $20 million. That would be an increase of $9 million.

Another provision of the bill would change the water rate, and would make the water rate which the Federal Government pays to the District of Columbia comparable with that charged to Arlington County, Va., or to other users of city water. So the total possible increase in the payment by the Federal Government to the District of Columbia would be $10.2 million.

Mr. BUSH. Are the revenues to which the Senator has referred to be segregated purely for the purposes of the improvements of which the Senator has spoken?

Mr. CASE. I am very glad the Senator from Connecticut has asked that question, because it highlights the problem to which the committee have addressed themselves, and on which we arrived at a specific answer. It was decided to provide that the top $6,500,000 of the increased payment to the District of Columbia should be available or should be in order only if the local government produced revenues to match this amount. In other words, the top $6,500,000 would not be in order as an appropriation by Congress unless the revenues proposed to be raised by the District of Columbia were available to match it.

Mr. BUSH. Will the Senator from South Dakota kindly state what would happen to the money in case the District of Columbia Government did not match the amount made available by the Federal Government?

Mr. CASE. In the first place, the funds could not be included in an appropriation bill. Such a provision would be subject to a point of order as legislation unless the matching revenues were available. Specific language to cover that point has been included in the bill. A little later, perhaps, we can discuss the specific language, but I can assure the Senator from Connecticut that the additional Federal contribution for the public works features will be made available only if the corresponding revenue is provided by the local District of Columbia government.

I am reminded, in thinking about the question further, that not only must the revenue be available, but the revenue must be proposed for the specific and particular purpose of matching the Federal contribution. It is not merely that the District of Columbia may have that amount of money in the Treasury, but it must be offered, in effect, to show that the money is available for an expenditure for the specific purpose on a contingent basis.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. DWORSHAK. Can the distinguished chairman of the Committee on the District of Columbia advise the Senate whether the proposals in the bill are in any way related to any promises made during the 1952 campaign, first, either to increase the benefits for any State or the District of Columbia in any program such as the one proposed, or, on the other hand, is the bill related in any way to any pledges for economy or to seek a balanced budget, which were made by the Republican Party or its candidates during the campaign?

Mr. CASE. The only relationship to the campaign which I can see would be

with respect to a balanced budget, because the bill provides that there must be a balanced budget. The bill recognizes the statutory provision with respect to the District of Columbia to the effect that the Commissioners may not propose an unbalanced budget; consequently, they could not propose a construction program without having the revenue in sight with which to accomplish it.

Mr. DWORSHAK. My question related more directly to the balancing of the Federal budget, rather than to the balancing of the District of Columbia budget. Will there be any contribution, through the proposed legislation, toward attaining the goal of a balanced Federal budget?

Mr. CASE. Yes; I think I can say to the Senator from Idaho that there will be. When the so-called Addison report was made, and the suggestion was carried in the press and was proposed at public meetings throughout the District of Columbia for a $350 million public-works program, the junior Senator from South Dakota, as chairman of the Senate Committee on the District of Columbia, was invited to attend various group meetings and to hear the various proposals by the Commissioners and by the Citizens Advisory Committee on Public Works for the District of Columbia, who had prepared a report dated September 26, 1953, in which they proposed a program by which, over a period of 10 years, the District of Columbia would contribute $100 million and the Federal Government would contribute $100 million. Then the suggestion was made that the Federal Government should make a $100 million loan to the District of Columbia, interest free, I may say to the Senator from Idaho.

I could not conceive what an interest-free loan would be on the part of the Federal Government to the District of Columbia. The Federal Government has to sell bonds in order raise money, and it must pay interest on those bonds. So I simply could not understand how the Federal Government could make an interest-free loan to the District of Columbia.

As I recall the suggestion which came from the Citizens Advisory Committee of the District of Columbia, it was proposed that the District of Columbia should repay the loan over a 50-year period, at the rate of 2 percent interest a year. I took the position that that would not constitute a repayment of the loan because the average rate of interest which the Federal Government would be paying upon bonds which it sold in order to raise the cash to lend to the District of Columbia would itself exceed 2 percent a year. So any so-called amortization of the interest-free loan at the rate of 2 percent a year for 50 years would not have paid back to the Federal Government the interest which the Federal Government would have had to pay for the money which it borrowed, much less retire the principal.

I think I may say to the Senator from Idaho, without taking too much credit, that it was my position as chairman of the Senate Committee on the District of Columbia, in pointing that out in conferences with the representatives of the Addison committee and with the Commissioners of the District of Columbia, which led to a revision of the proposal.

I may say, further, that it led to a conference which I had at the White House with representatives from the Bureau of the Budget, in which they indicated they had been making a study of the situation, and desired to make a further study.

A conference was held, at which we went into other phases of the question, and the result was a complete revision of the program as it was submitted to Congress formally, finally, and with the approval of the Bureau of the Budget. That is the revised program which came before the House and is now before the Senate.

Mr. DWORSHAK. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. MARTIN in the chair). Does the Senator from South Dakota yield further to the Senator from Idaho?

Mr. CASE. I yield.

Mr. DWORSHAK. The Senator from South Dakota always inspires confidence, because of the thoroughness with which he undertakes any mission. In this particular instance, after having his explanation, it is apparent that he has rendered outstanding service in exposing some of the fallacies included in the original report. So he is entitled to commendation once more in helping to focus the attention of Congress, through its proper committee, upon something which challenges Congress. I am hopeful that the Senator from South Dakota will continue to maintain an interest in this particular measure.

Mr. CASE. The Senator from Idaho is very generous in his remarks. I appreciate the point he raised, however, because it helps to make the point that we can present the bill to Congress with the assurance that it has undergone budget scrutiny, and is not the first proposal which was offered to us. It represents real study, and an attempt to present a bill which is sound. The bill can be presented to Congress with confidence that it has had the water squeezed out of it, so to speak, and is a sound bill.

The next category in the bill relates to Federal payments. The present Federal payment to the District of Columbia, as suggested in my colloquy with the distinguished Senator from Connecticut [Mr. BUSH], is authorized at $11 million a year for the general fund and $1 million a year for the water fund. In addition, of course, the District shares in the regular Federal aid programs of various types available to the States, and receives from such programs from $5 million to $7 million a year. They include the social-security program, the unemployment program, and activities of that type.

The bill before the Senate proposes to increase the authorized Federal payment to the general fund from $11 million to $20 million. That is an increase of $9 million, to which I alluded in my colloquy with the distinguished Senator from Connecticut [Mr. BUSH].

The bill provides that any payment to the general fund in excess of $13.5 million—in other words, the top $6.5 million, assuming the full amount is appropriated—shall be earmarked for public works, capital outlay. And it provides that this earmarked portion shall be available only to the extent that it is matched, dollar for dollar, by local revenues applied to capital outlay.

Mr. BUSH. Mr. President, will the Senator yield at that point?

Mr. CASE. I am glad to yield.

Mr. BUSH. What happens to the difference between the $6.5 million and the $9 million which is not earmarked?

Mr. CASE. It simply is not appropriated.

Mr. BUSH. Does that go into the general fund of the District of Columbia?

Mr. CASE. The part that is not earmarked for public works?

Mr. BUSH. Yes.

Mr. CASE. That goes into the general fund of the District of Columbia.

Mr. BUSH. Are we to understand that the annual contribution of $11 million would be increased by that $2.5 million?

Mr. CASE. The annual contribution would be increased by that $2.5 million, up to $13.5 million. Perhaps I was misleading when I said that that amount goes into the general fund. I should have completed my statement by saying it goes into the general fund for operating expenses. So that $2.5 million would be available for whatever demands for operating expenses there may be on the general fund. That amount could be used for construction, provided the budget otherwise permitted it; but the top $6.5 million can be appropriated only for the capital fund outlay, and is matched.

Mr. BUSH. And the other $2.5 million could also be used for capital expenditures?

Mr. CASE. If there were a desire to use it, yes.

The bill also provides that the United States Government will start paying for the water it receives from the District at regular rates, which would increase the payment to the water fund from the present $1 million to about $1.5 million. And the bill applies the proposed new sewer service charge against Federal establishments—as it does against private users—which will mean an additional payment, to the new sewer fund, of about $700,000 a year.

The total new authorized Federal payments in the bill come to about $10.2 million a year, which would be available in addition to the present payments of $12 million. In both cases I am using figures which include water payments.

FEDERAL LOANS

The third general category of provisions in the bill, Mr. President, is Federal loans to the District.

This is not a novel idea in the Federal-District relationship. Lacking any machinery here for public referendum on bond issues or any authority to issue bonds, as exists in most cities, the District does its banking business with the Federal Treasury.

At the present time there is authorized about $50 million in Federal loans

to the District for various special purposes, most of which has not yet been appropriated and actually borrowed. The authorization includes $23 million in borrowing authority for the water fund, $4.5 million balance from the Capper-Cramton Act, $5 million for the District of Columbia share of the United States court building, and $17.5 million for the District of Columbia share of the hospital center.

New Federal loans authorized in this bill all are subject to actual later appropriation of the money. They are required to be repaid in 30 equal annual installments, at a rate of interest which will cover the cost of the money to the Treasury. Amortization must begin 1 year from the date of the loan. The amounts authorized are $12 million additional for the water fund, $5 million for the new sanitary sewer fund, and $50,254,000 for the highway fund.

When the bill originally was proposed by the Commissioners, it included provision for an additional loan of about $40 million for the general fund, but that proposal was eliminated in the committee of the other body, as recommended by the joint subcommittee of the two committees when the joint hearings were held. There was a feeling, I believe, that the total authorized debt of the city should not become unreasonably high. Added to the $50 million now authorized, the $67 million debt authority remaining in the bill will make a total debt authorization of $117 million, which is about the limit that a city of the assessed valuation of Washington should have.

It should be pointed out, however, that this bill provides for an authorization, and will not actually create a debt. If the authorization is made, the debt will not actually be created until the money is appropriated by the Congress and borrowed by the District of Columbia.

It is not accurate to say, however, as some critics of the committee's action have said, that we are trying to force the District to remain on an unworkable pay-as-you-go basis. Anyone with experience in local government knows that cities and States cannot always be run that way. That rule will continue to apply only to the general fund of the District; and because much of the revenue for that fund is from taxes whose yield is subject to the ups-and-downs of the general economy, I believe it may be wise to avoid debt that is a charge on this fund.

MISCELLANEOUS

Mr. President, there are some miscellaneous provisions of the bill which should be mentioned. The miscellaneous provisions include sections covering the billing, collection and allocation of revenues, the appropriation and expenditure of funds. A separate sanitary sewer fund is created, taking appropriate receipts and expenditures for this activity from the general fund. I believe the result will be better bookkeeping which will be of benefit to the District of Columbia finances as a whole. There are also the usual enabling and separability clauses.

NEED FOR REVENUES

In conclusion, Mr. President, let me say just a brief word on the rather critical need for the revenues proposed by this bill.

Present and planned needs of the District government exceed anticipated revenues from present authorized sources. The general fund situation is the most aggravated, as illustrated by the lack of any proposed construction funds in the 1955 budget. Normal construction needs met from that fund run about $10 million a year. Furthermore, present forecasts indicate that operating costs in the general fund will begin to exceed revenues in fiscal 1955; and that if no new legislation is enacted the deficit will total $92 million by 1964. If a normal capital outlay were made during this period, without any new sources of revenue, the deficit conceivably would be $253 million by 1964. I may say that the figures on this disturbing prospect were considered at some length by the joint subcommittees. I cannot say the figures were popular, insofar as the officials or citizens of the District of Columbia were concerned; but the figures were prepared by the fiscal section of the city government, on the basis of normal anticipations. The joint subcommittees were compelled to recognize the dire prospect as a real one, unless some new sources of revenue are found. Consequently, in the bill the committee sought to recognize that situation, and to do something about it. I cannot say the committee has met the problem 100 percent, but the committee has met it in what seems to me to be a constructive way, all things considered.

The situations in the case of the other funds, aside from the general fund, are also serious. Washington's water supply is not assured without extensive new works. Of course, that is a serious statement to make when we are speaking of the National Capital. In the case of many of the cities of the Nation, a situation endangering their water supply would immediately threaten the public health, public safety, and public security; and where there are defense installations of one sort or another, an adequate water supply is regarded as of the utmost national importance. The same should apply to the Nation's Capital. I say soberly and seriously that without extensive new works Washington's water supply is not assured. Its sewage system is tremendously overtaxed. Needs for new highway development and a new Potomac River bridge are dramatized daily in the growing congestion of the central city area.

Presently available revenues for the funds necessary to provide for these improvements fall far short of meeting the needs in the decade ahead. That situation is alarming today; but 10 years from now it will be even worse. It must be recognized that when a program for public works is authorized the public works are not made available immediately upon their authorization, or immediately upon the making of the appropriations for them. On the contrary, it takes time to plan and to build them. Consequently, no magic wand will be waved, even if the pending bill shall be passed, and even if the appropriations authorized by it shall be made. We must realize that we are trying to look ahead and not only meet the current need but also make provision so that the Nation's Capital will not be too far behind when the needs of future decades arise.

Nearly 2 years ago the Commissioners launched a study of overall long-range public-works needs of the city. In its present form, the plan they have developed calls for a capital outlay of $305 million in the next 10 years, divided as follows: Water, $35.8 million; sewer, $27.9 million; highway and bridge, $111.9 million; schools, hospital, and other buildings, $83.3 million; storm-water sewers, $46.4 million.

The present revenue bill often is confused with this public-works program. Technically, the bill does not authorize or spell out any specific program. The program of construction will be developed from year to year by the inclusion of specific projects in the annual appropriation bills.

H. R. 8097 provides revenues to meet the $305 million program the Commissioners now have in mind. It makes possible the prediction of balanced budgets for 10 years in the highway, water, and sanitary sewer funds, although I must say that House bill 8097 of itself does not provide sufficient revenues to meet both this program and the presently foreseen $92 million deficit in the general fund. However, in that connection it should be pointed out that the revenues of the city themselves can undergo fluctuations; and if we can judge by the past, the revenues probably will increase, considering the 10-year period as a whole.

If expenses do exceed revenues, as now anticipated—and such forecasts admittedly are subject to considerable error because of changing economic conditions—the District obviously will have to trim its planned capital outlay or seek new revenue sources, beyond those proposed in the present bill, within a period of 4 or 5 years, or possibly within a period of 2 or 3 years.

Thus, this is a minimum program, Mr. President. It is the least we can and should do to catch up on the city's public works needs.

Mr. President, I think I can say, as one who has now been in Washington for going on 17½ years, as a Member of either the House of Representatives or the Senate, that the program called for by this bill is a minimum one if we are to fulfill our obligations, as the legislative body for the District of Columbia, in providing the needed improvements to the city's public works, in order to make it possible for the city to meet its needs as the capital city for this great Nation.

COMMITTEE AMENDMENTS

Mr. President, at this time I should like to ask that the committee amendments be considered en bloc. In requesting that the amendments be considered en bloc, I wish it distinctly understood that if it is agreed that they be considered and agreed to en bloc, thereafter any member of the Senate, including the present speaker, will have the individual right of requesting the consideration of any of them, should he later desire to have any of them reconsidered, for the purpose of having them amended later on.

The PRESIDING OFFICER (Mr. MARTIN in the chair). Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

Mr. CASE. Mr. President, I submit the committee amendments en bloc as they appear in the printed bill, and ask for their adoption, with the understanding that I shall not object to a request for reconsideration of any individual amendment.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 5, line 10, after the word "thereof", insert "situated in the District"; in line 15, after the word "District.", insert "All water and water services furnished from the District water supply system through any connection thereto for direct use by the Government of the United States or any department, independent establishment, or agency thereof, situated outside the District in the States of Maryland or Virginia, except water and water services furnished to the United States for the maintenance, operation, and extension of the water system, shall be paid for at rates comparable to those which may be in effect and charged to State, municipal, or county agencies or other political authorities or jurisdictions within the respective States wherein said Federal facilities may be situated for similar water service from the District water supply system: *Provided*, That conditions as to water pressure, quantity, rates of demand, and points of connection available or permissible at any time for service outside the District, if any, shall be fixed by the Commissioners so as to fully protect the prior interests of water consumers within the District: *Provided further*, That as a condition of service, at each point of Federal connection to the water system of the District for service outside the District there shall be installed and maintained at the expense of the department, independent establishment, or agency of the United States which is to use water therefrom a suitable meter or meters and incidental vaults, valves, piping and recording devices, and such other equipment as the Commissioners in their discretion deem necessary to control and record the use of water through each such connection."; on page 29, line 5, after the word "more", strike out "$202" and insert "$202: *Provided*, That in determining the total weight of a vehicle subject to the provisions of this clause, there shall be excluded, in computing such weight, the weight of any special equipment which is subject to taxation as tangible personal property under subsection (e) of this section"; on page 30, line 1, after the word "more", strike out "$182" and insert "$182: *Provided*, That in determining the total weight of a trailer subject to the provisions of this class C, there shall be excluded, in computing such weight, the weight of any special equipment which is subject to taxation as tangible personal property under subsection (e) of this section"; in line 8, after "(e)", strike out "class E is amended to read "class E. Motor vehicles not propelled by gasoline, double the fees for similar vehicles propelled by gasoline, other than motor vehicles used for the transportation of passengers" and insert "by striking therefrom "Class E. Motor vehicles not propelled by gasoline, double the fees for similar vehicles propelled by gasoline"; in line 23, after the word "Columbia", insert a colon and "*Provided*, That the percentage of proceeds deposited to the credit of the General Fund shall not be less than 64 percent or more than 74 percent of all proceeds from fees payable under this title"; on page 31, after line 6, strike out:

"(e) Notwithstanding the provisions of this act, special equipment mounted on a motor vehicle or trailer and not used primarily for the transportation of persons or property, including, but not limited to, such equipment as concrete mixers, air compressors, power shovels, draglines, clamshells, welding equipment, road construction or maintenance equipment or machinery, ditch digging equipment, winches, cranes, pile driving equipment, well boring equipment, liftgates, hydraulic hoists, load packers, conversion hoists, power end gates, and other equipment which may be added to a motor vehicle or trailer for the purpose of permitting such vehicle to be used for a special purpose, shall continue to be taxed as provided by law."

And in lieu thereof insert:

"(e) Notwithstanding the provisions of this act, special equipment mounted on a motor vehicle or trailer and not used primarily for the transportation of persons or property shall be taxed as tangible personal property as provided by law. For the purpose of determining the fees authorized by clause 1 of class B and class C of subsection (b) of this section, the weight of special equipment taxed in accordance with the provisions of this subsection (e) shall be excluded in computing the weight of the vehicle or trailer on which it is mounted."

On page 32, line 20, after the word "special", strike out "equipment," and insert "equipment"; in line 22, after the word "property", strike out "including, but not limited to, such equipment as concrete mixers, air compressors, power shovels, draglines, clamshells, welding equipment, road construction or maintenance equipment or machinery, ditch digging equipment, winches, cranes, pile driving equipment, well boring equipment, liftgates, hydraulic hoists, load packers, conversion hoists, power end gates, and other equipment which may be added to a motor vehicle or trailer for the purpose of permitting such vehicle or trailer to be used for a special purpose, shall continue to be taxed as provided by law" and insert "shall be taxed as tangible personal property as provided by law."; on page 34, after line 8, strike out:

"SEC. 2. (a) For the fiscal year ending June 30, 1955, and for each fiscal year thereafter there is hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, an annual payment by the United States toward defraying the expenses of the government of the District of Columbia in the sum of $9 million: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $12,500,000 shall be available for expenditure only for capital outlay, and then only to the extent of not more than 50 percent of the capital outlay payable from such general fund. Any portion of such excess not available for expenditure hereunder in any fiscal year shall be available for expenditure in any subsequent fiscal year upon the terms and conditions set forth in the preceding proviso."

And insert:

"SEC. 2. (a) For the fiscal year ending June 30, 1955, and for each fiscal year thereafter there is hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, an annual payment by the United States toward defraying the expenses of the government of the District of Columbia in the sum of $9 million: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $13,500,000 shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on or after July 1, 1954."

On page 39, after line 24, strike out:

"SEC. 804. Subsection (a) of section 40 of said act, as amended (sec. 25, 138, D. C. Code 1951), is hereby further amended by striking out "$1" and inserting in lieu thereof "$1.50"."

On page 40, line 4, to change the section number from "805" to "804"; in line 8, to change the section number from "806" to "805"; on page 42, line 22, after the word "storage", insert "and boats (excluding boats used as places of abode)"; in line 25, after the word "words", strike out "'house" and insert "'household", and on page 51, line 18, after the word "thereof", strike out "1 cent" and insert "2 cents."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CASE. Mr. President, I yield the floor.

THE NEED FOR THE ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, yesterday's and today's Washington newspapers contained a full-page advertisement inserted by an organization which has called itself the National St. Lawrence Project Conference.

The advertisement is entitled "The St. Lawrence Seaway—A Way to Waste." It must have been composed by a master of deception and self-deception—yes, by a master of unconscious humor.

In one page of solid type, the advertisement manages to crowd more nonsense, more motheaten, hobgobblin arguments and self-contradictory assertions than I have seen in almost any similar effort in the past decade.

The advertisement boomerangs. It is so extreme, so transparently false that it proves the best possible argument for completion of action by the House of Representatives on the Wiley bill, S. 2150, and defeat of the so-called Brownson amendment.

Final indication of the Wiley bill's victory has already been given by Representative LEO ALLEN, Chairman of the Rules Committee and by Representative CHARLES HALLECK, House majority leader.

Meanwhile, however, the advertisement is a sign of the utter desperation on the antiseaway lobby. It reminds me of the moaning that took place in bygone years by the enemies of progress whenever they saw that all of their sabotage was going to prove unavailing against progress.

It is akin to the efforts of those who might in years past have inserted an advertisement entitled "The Panama Canal—A Way to Waste," or, "The Airplane Industry—A Way to Waste," or, "The Horseless Carriage—A Way to Waste."

The National St. Lawrence Project Conference is weeping crocodile tears over the project because the Conference knows that it will soon be out of business. History will have passed it by.

The United States Congress will at long last have crushed the blind, provincial opposition to the seaway.

The President of the United States, Dwight D. Eisenhower, will have

achieved what no President in three decades could achieve, namely, a victory over the forces of reaction, the forces which want to hold up transportation progress, the forces which do not visualize an expanded America.

To those 19th century minds who believe that the steamboat "will not run," that "the airplane cannot fly," that the automobile "cannot transport," I commend this advertisement and urge them to frame it on the wall.

But I urge those who believe in progress and who want progress, and those who want a strong America to read the advertisement and have a good laugh.

I send to the desk the text of a most interesting article published in the April 20 issue of the Philadelphia Evening Bulletin. The port city of Philadelphia has long tended to be a center in which antiseaway lobbyists have won some victories. I believe, however, that this article will open many eyes. I send it to the desk and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FACING SEAWAY FACTS

(By Ralph W. Page)

The 30 years' debate about the advisability of building the St. Lawrence Seaway from the Atlantic to the Great Lakes has now reached the climax.

As the matter stands, Canada has definitely decided to construct the channel on its side of the river if the United States fails to cooperate. On our side the Senate has voted to participate by a vote of 51 to 33.

Now the question is before the House of Representatives. The Public Works Committee has approved forming a St. Lawrence Seaway Development Corporation with a Treasury credit of $105 million.

The only practical matter left for citizens of Pennsylvania to discuss is whether to support this House bill or to defeat it and so let Canada do the whole job on its side of the river.

For years the railroads and the port authorities have been bitterly opposed to any seaway at all. They fear that it will divert a substantial amount of western freight from the roads and our shipping. Although it is now entirely academic, this opposition still persists against our shouldering any share of the project.

In this situation it would seem that the Philadelphia Industrial Council, CIO, has come forward with much the most constructive idea. Since the seaway is going to be built in any event, Joseph P. Kelley, the president, proposes that Philadelphia should support the mutual program and proceed to make an intensive study how to gain the maximum advantage to the city from the development.

Certainly if the city will be damaged by the seaway the main burden will fall upon the workmen.

But, representing these workers, Kelley asserts that in fact Philadelphia will be helped and not hurt. "On the contrary," he says, "we can expect an increase of traffic through this port and over the railroads resulting from the economic development and progress that will inevitably follow the construction of the seaway."

The thesis is that anything that helps one part of the country is of benefit to all the country—that history proves that any regional development provides markets and income for all the rest.

And, of course, all matters of Federal aid are mutual affairs. The Middle West wants the seaway. Pennsylvania wants Federal appropriation for deepening the Delaware River channel. Kelley points out "this stupid campaign in opposition to the seaway is doing nothing but antagonizing the pro-St. Lawrence Congressmen whose votes will be necessary to obtain this appropriation."

The prevailing reason why we should join Canada in this program has nothing to do with Philadelphia at all. It is that, in the considered opinion of the President, the Cabinet, the National Security Council, and the military staff, our national security requires such participation.

And it is observed that since the vast majority of the shipping through the passage will be our vessels, we will be paying for most of the cost in tolls, whether we own any of it or not.

So whatever our interests are, or we fancy they are, the best sense is to give in to the inevitable, endorse our maintaining some control over this major waterway, and proceed from here to learn how we can best benefit by the process.

MAY DAY FESTIVITIES—FREE ELECTIONS IN POLAND (S. REPT. NO. 1273)

Mr. WILEY. Mr. President, I submit the report of the Committee on Foreign Relations on Senate Resolution 178, submitted by the Senator from Michigan [Mr. POTTER], Senate Concurrent Resolution 58, submitted by the Senator from Illinois [Mr. DOUGLAS], Senate Concurrent Resolution 59, Senate Concurrent Resolution 62, and Senate Concurrent Resolution 65, also submitted by the Senator from Illinois.

The committee gave careful consideration to these resolutions and has sought to bring together in one resolution the essential points which were made by their original sponsors. It has amended Senate Concurrent Resolution 58 by striking out all after the heading "Concurrent resolution" and inserting language which covers all of the resolutions on this subject pending before the committee.

The committee felt that it would be advisable for the Senate to act on the subjects covered by this resolution at the earliest possible date.

This resolution calls to the attention of the American people the situation throughout the world in relation to May Day festivities. It calls attention particularly to the atrocities of the Kremlin and the great sins of omission and commission of which the leaders of the Kremlin have been guilty. It calls attention to the importance of America resolving that we shall stand firm.

Mr. President, I ask for the immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (S. Con. Res. 58) favoring the immediate holding of free and fair elections in Poland.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WILEY. Mr. President, no funds or appropriations are involved. This is simply a resolution, in substance, condemning the action of the Communist world.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. JOHNSON of Texas. Mr. President, I was not aware that a request of this kind would be made today. It is rather unusual. It is not in keeping with the procedures which the leaders normally follow in matters of this kind.

The distinguished majority leader has announced repeatedly that the business today would be the unfinished business, until it is concluded. I have not seen the resolution. I am not aware of what it contains. It may have the highest merit. I am inclined to think that it has, considering its author. However, I hope the Senator will defer his request until we can have an opportunity to consider the subject with the majority leader.

Mr. WILEY. Mr. President, I withdraw the request. I made the statement that the resolution was being reported from the Committee on Foreign Relations. The Senator from Michigan [Mr. POTTER] submitted a resolution on the same subject, and the Senator from Illinois [Mr. DOUGLAS] also submitted four resolutions on the matter.

Day after tomorrow will be May 1. On Saturday the American Legion will be conducting May Day festivities throughout the land. If the resolution involved any request for an appropriation, or anything of that nature, I should say that there would be some reason for deferring its consideration. However, if it is the wish of the minority leader to postpone consideration of the resolution, that will have to be done. I have not had time to present the subject in further detail than I have presented it in submitting the report from the Committee on Foreign Relations.

Mr. JOHNSON of Texas. The Senator has the remainder of the day. I have no doubt that the Senate will be in session until 5 or 6 o'clock this evening.

Mr. WILEY. At 5:30 I am leaving for Chicago on official business. I withdraw my request for the second time, and I still have heard no objection.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. The request has been withdrawn.

Mr. CASE. Mr. President, in fairness to the minority leader and the majority leader, let me say that so far as I know, no request had been made of the majority leader for the consideration of the resolution For the time being the Senator from South Dakota is acting majority leader, during the unavoidable absence of the distinguished Senator from California [Mr KNOWLAND] at a department meeting downtown. I believe it is in keeping with the policy that has been established heretofore and the general understanding between the leadership on both sides of the aisle that requests of this sort ought to be referred to the majority leader and to the minority leader, so that the program of the Senate may proceed in an orderly fashion.

In saying this the Senator from South Dakota, neither for himself nor for the majority leader, is expressing any opposition to the passage of the resolution or to the very fine statement made in its behalf by the distinguished Senator from Wisconsin [Mr. WILEY], the chairman of

the Committee on Foreign Relations. However, I do think that in fairness to the minority leader I should say that what the minority leader has said is absolutely correct, namely, that these matters should be presented to the leadership on both sides of the aisle so that the program may proceed in an orderly way.

Mr. JOHNSON of Texas. Mr. President, I appreciate the statement of the distinguished acting majority leader, the Senator from South Dakota [Mr. CASE]. I have no doubt that the resolution is a worthwhile measure, and I have no doubt that the Senate will consider it, and I base my belief solely on the statement made by the distinguished chairman of the Committee on Foreign Relations.

However, if it is worthy of consideration and if the Senate should consider it, there is no reason why the Senator from Wisconsin [Mr. WILEY] should not follow the usual procedure.

The majority leader has an obligation to protect the Senators on his side of the aisle and to formulate the program of the Senate. It is the purpose of the minority, and the continuous objective of the minority, to cooperate to the fullest extent with the majority on procedural matters.

It has been the policy, if nothing has been discussed concerning new legislation or a new resolution or a unanimous-consent request, other than the placing of something in the RECORD, to have a quorum call and to bring such a matter to the attention of Senators on both sides of the aisle, and then to agree, as gentlemen ordinarily agree, on matters of this kind.

I would not permit a member of the minority to make a request of this type without full concurrence and full knowledge and full consent of the majority leader, because he is responsible for procedure in the Senate. I know that if the Senator from Wisconsin will permit us to explore the subject, as we do every day on dozens of matters, the Senate will be able to adopt the resolution before he must leave for Chicago this afternoon. I believe the resolution is worthy of consideration or he would not have said what he did, even though he has now withdrawn it.

Mr. WILEY. Mr. President, I withdrew it some time ago. I appreciate both lectures that were delivered on the subject. I wish to say very sincerely that this matter was laid on my desk with the request by a number of Senators for quick action. I have been in a committee hearing all day, and I had expected to present the matter to the majority leader and to the minority leader, but neither of them was in the Chamber at the time.

It is a May Day resolution, on which I requested the Senate take immediate action. However, I found that there was objection to taking it up at this time. I may say in that connection that I have known the rules of the Senate to be subject to exceptions. However, after I found that there was objection to the resolution, I withdrew it. Following my withdrawal of the resolution I was lectured, as though I did not know anything about the rules of the Senate, though this motion was no violation of the rules. I appreciate that, too.

Mr. JOHNSON of Texas. No one has undertaken to lecture the Senator from Wisconsin. In the first place, there is no rule on the subject which prevents the Senator from Wisconsin doing what he has done.

In the second place, the minority leader has been in the Chamber since a quarter to 12, except when he has been called to the telephone in connection with his duties as a Senator.

If the distinguished chairman of the Committee on Foreign Relations had exercised the prudence and care and ordinary diligence which is so characteristic of him, he could have sent a page to the cloakroom to call the minority leader, and the resolution probably would have been agreed to by now. I hope to be able later this afternoon to communicate to the distinguished Senator from Wisconsin the views of the minority on this subject.

Mr. WILEY. I appreciate the third lecture very much, though the minority leader confirms my statement he was absent in the cloakroom.

PUBLIC WORKS CONSTRUCTION FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes.

Mr. PAYNE. Mr. President, I offer several amendments to the pending bill, and ask that they be stated and considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc, and the Secretary will state the amendments.

The CHIEF CLERK. On page 45, line 17, it is proposed to strike the number "SEC. 1201" and in lieu thereof insert the number "SEC. 1202" and a new section 1201, as follows:

SEC. 1201. (a) Section 2 of title V of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 331, 341, ch. 258), as amended (sec. 47–1564a, D. C. Code, 1951), is amended by striking "$4,000" wherever it appears therein and inserting in lieu thereof "$3,000."

(b) Section 2 of title VI of such act, as amended (sec. 47–1567a, D. C. Code, 1951), is amended by striking "$4,000" wherever it appears therein and inserting in lieu thereof "$3,000."

Page 46, after line 7, insert a new section 1203, as follows:

SEC. 1203. Section 1 of title VIII of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 345, ch. 258; sec. 47–1574, D. C. Code, 1951) is amended to read as follows:

"SEC. 1. Definition of unincorporated business: For the purposes of this article (not alone of this title) and unless otherwise required by the context, the words 'unincorporated business' means any trade, business, profession, vocation, or commercial activity, including rental of real estate and rental of real and personal property, conducted or engaged in by any individual or group of individuals, whether resident or nonresident, statutory or common-law trust, estate, partnership, limited or special partnership, society, association, joint venture, executor, administrator, receiver, trustee, liquidator, conservator, committee, assignee, fiduciary, joint tenants, tenants in common or tenants by the entirety of property, or by any other entity or fiduciary, other than a trade or business conducted or engaged in by a corporation which would be taxable under title VII of this article."

Page 46, line 8, renumber sections 1202 to 1204.

Page 46, starting on line 16, insert a period after the word "drinks" and strike all thereafter through the end of line 19.

Page 47, strike all of lines 5, 6, and 7.

Page 47, lines 18 and 19, strike the words "other than sales of food for human consumption off the premises where such food is sold, and."

Page 48, strike all of lines 1 to 6, inclusive.

Page 48, line 7, strike "(c)" and in lieu thereof insert "(b)."

Page 48, strike lines 16 to 25, inclusive.

Page 49, strike lines 1 to 7, inclusive.

Page 49, line 8, renumber section 1308 to section 1306.

Page 49, line 8, strike the word "said."

Page 49, after line 12, insert the following new sections 1307, 1308, 1309, and 1310:

SEC. 1307. Subsection (a) of section 114 of said District of Columbia Sales Tax Act (par. 14 (a) of sec. 47–2601, D. C. Code 1951) is amended by adding thereto the following paragraph (7):

"(7) The sale or charges to subscribers for local telephone service. The term 'local telephone service' shall be construed in the same manner and to the same extent as such term is construed under section 3465 (a) (3) of the Internal Revenue Code and regulations relating thereto, at the time of the enactment of these amendments to the District of Columbia Sales Tax Act. The exemptions authorized in subsections (a), (b), (c), and (m) of section 128 of the District of Columbia Sales Tax Act shall not apply to local telephone service, and in lieu thereof the same exemptions and exclusions shall be applicable as are, at the time of the enactment of these amendments to the District of Columbia Sales Tax Act, applicable with respect to the tax on local telephone service imposed by said section 3465 (a) (3) of the Internal Revenue Code. The repeal or amendment of the Federal tax on local telephone service referred to herein shall not in any way be construed as repealing or amending the tax on local telephone services under the District of Columbia Sales Tax Act."

SEC. 1308. Subsection (b) (2) of section 114 of said District of Columbia Sales Tax Act is amended to read as follows:

"(2) Sales of transportation services and communication services other than sales of local telephone service as provided in this title."

SEC. 1309. Subsection (b) of section 114 of said District of Columbia Sales Tax Act is further amended by adding thereto the following subparagraph (5):

"(5) Where sales of local telephone service are rendered by means of a coin-operated telephone available to the public: *Provided, however,* That where coin-operated telephone service is furnished a subscriber for a guaranteed amount such service shall be deemed a retail sale to the extent of such guaranteed amount."

SEC. 1310. Subsection (b) of section 116 of said District of Columbia Sales Tax Act is amended by adding thereto the following subparagraph (6):

"(6) Amounts charged for the installation of instruments, wires, poles, switchboards, apparatus, and equipment in connection with local telephone service."

Page 49, line 13, renumber section 1309 to section 1311.

Page 52, line 5, strike the figure "2.20" and in lieu thereof insert "2.30."

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Maine [Mr. PAYNE].

Mr. PAYNE. Mr. President, in offering these amendments I wish to assure my colleagues that I am not opposing in any way the purpose and objectives of the very essential legislation under consideration. There is no question at all in my mind that this type of long-range public works financing is absolutely necessary if the Nation's Capital is to avoid deterioration and decay and is to continue as one of America's most beautiful and inspiring cities.

At this point I wish to pay the highest tribute to the distinguished chairman of the Committee on the District of Columbia, the able and distinguished Senator from the State of South Dakota [Mr. CASE]. He has worked long and hard not only on this bill but on many other worthwhile proposals designed to be of benefit to the people of the District of Columbia—people, who, because of the structure of our laws at the present time, do not have the right to vote in their own interests in connection with legislation of this type, but must depend upon the Members of Congress to protect their interests at all times.

The Senator from South Dakota has, in my opinion, given very, very careful consideration to the text of the bill which is presented before the Senate, and the only reason why I must offer the amendments which I have offered is because it is my feeling that there are certain inequities, and if they are allowed to go unchallenged, I would certainly never rest easy in my heart, because of the fact that they are provisions like those which I have long opposed while serving in State government.

I am referring, Mr. President, to the provisions of the bill which would levy a 1-percent tax on groceries and would reduce the present restaurant meal tax exemption from $1.25 to 50 cents. Such taxes as these are of the retrogressive type, unduly burdening those citizens who are least financially able to meet the burden, making it even more difficult for a number of District citizens to make both ends meet. It appears to me that taxes of this sort will only result in increased Federal appropriations to provide the necessary health, food, and welfare services for even more people who are unable to pay their own bills because of increased tax dollars coming out of their meager incomes.

Take, for example, those who are receiving assistance under the public welfare laws and those who are receiving old-age assistance, established on a bare minimum of support in order to enable them to carry on through the years of advanced age.

The proposed tax would throw a definite burden upon those persons and would result in 1 of 2 things: Either they would go without, or the District Government would have to make up in a supplementary manner further assistance in those cases.

I just cannot go along with this type of financial philosophy, which would extend the sales-tax concept to an extreme as being in the best interest of the persons concerned.

I know it is very easy to oppose a tax and it is very easy to encourage the spending of money for governmental agencies. Therefore, to be fully in line and to be consistent, I am presenting in the amendments which I have sent to the desk provisions which will replace the eliminated taxes to which I have referred with something which, I believe, would be more fair and equitable.

For instance, Mr. President, in the amendments offered I propose to eliminate the 1-percent tax on groceries which it has been estimated will raise $3,500,000 for the needed public works financing. They would eliminate the reduction of exemption for restaurant meals from $1.25 to 50 cents, which would raise $1,500,000. A total loss of revenue of $5 million would result.

I submit to the Members of this body a proposal which would reduce the personal income-tax exemption from $4,000 to $3,000, leaving undisturbed the provision of the bill which raises income-tax rates 1 percent across the board. This proposal would raise $1,200,000.

I propose an increase in the realty tax to 2.30 percent. The present rate is 2.15, and the bill proposes a rate of 2.20. This would raise $1,800,000.

A 2 percent sales tax on local telephone service would raise $400,000.

To apply the unincorporated business tax to personal service businesses and income from rental of real property would raise $1,500,000, representing a total revenue gain of $4,900,000 to replace the $5 million which would be eliminated if the amendments were accepted.

In contrast to the inequities of the taxes these amendments would eliminate, I want to emphasize the facts regarding the tax increases proposed.

First, in regard to reducing the District of Columbia personal income-tax exemption from $4,000 to $3,000, the most striking evidence of the fairness of this change is a table of comparative income-tax exemptions showing the exemption totals for all the States that levy a personal income tax.

As of September 1, 1953, of the 31 States and the District of Columbia having such a tax, only 1, Mississippi, has an exemption as high as that of the District of Columbia. In striking variance with the District's single-person exemption of $4,000, and married or head-of-the-family exemption of $6,000, both Virginia and Maryland, nearby tax jurisdictions, allow single-person exemptions of only $1,000 and married or head-of-family exemptions of only $2,000.

Mr. President, I ask unanimous consent to have included in the RECORD at this point, as a part of my remarks, a table which has been compiled relating to income-tax exemptions.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE SHOWING WHY PERSONAL INCOME TAX EXEMPTIONS IN DISTRICT OF COLUMBIA SHOULD BE REDUCED

TABLE 11.—*State individual income taxes: Personal exemptions and credits for dependents, Sept. 1, 1953*

States	Personal exemption				Credit for dependents		Additional exemption on account of—	
	Single		Married or head of family				Age	Blindness
Alabama	$1,500		$3,000		$300.00			
Arizona [1]	10	($1,000)	20	($2,000)	4.00	($320)		
Arkansas	2,500		3,500		600.00			
California	2,000		3,500		400.00			[2] $500
Colorado	600		1,200		600.00		[2] $600	[2] 600
Delaware	600		1,200		600.00		600	600
Georgia	1,000		2,500		500.00		[2] 500	[2] 500
Idaho	700		1,500		[3] 200.00			
Iowa [1 4]	15	(1,500)	30	(2,333)	7.50	(333)		
Kansas	600		1,200		600.00		[2] 600	[2] 600
Kentucky [1]	20	(1,000)	40	(2,000)	10.00	(500)		
Louisiana [5]	2,500	(50)	5,000	(100)	400.00	(8)		
Maryland	1,000		2,000		[6] 600.00		[7] 1,000	[7] 1,000
Massachusetts [8]	2,000		2,500		400.00			
Minnesota [1]	10	(1,000)	30	(2,000)	10.00	(333)	(9)	(9)
Mississippi	4,000		6,000					
Missouri	1,200		2,400		400.00			
Montana	1,000		2,000		300.00			
New Hampshire [10]	600		600					

[1] Personal exemptions and credits for dependents are allowed in the form of tax credits which are deductible from the amount of tax. With respect to personal exemptions, the sum in parentheses is the exemption equivalent of the tax credit assuming that the exemption is deducted from the lowest brackets. With respect to the credits for dependents, the sum in parentheses is the amount by which the 1st dependent raises the level at which a married person or head of family becomes taxable.

[2] An identical exemption is allowed for a spouse if separate returns are filed.

[3] In addition, a tax credit of $5 is allowed for each dependent.

[4] In the case of dependent father, mother, or grandparent, the taxpayer may take a deduction of $450 in lieu of the $7.50 tax credit.

[5] The exemptions and credits for dependents are deductible from the lowest income bracket and are equivalent to the tax credits shown in parentheses.

[6] An additional credit of $600 is allowed for each dependent 65 years of age or over.

[7] An identical exemption is allowed for a spouse.

[8] A $2,000 exemption is allowed all taxpayers against salary and business income, in addition to a $500 personal exemption for a spouse (whose income from all sources does not exceed $2,000) and a credit of $400 for each dependent. With respect to income from interest, dividends, annuities, and net gains from sales of intangibles, the $2,000 exemption is allowed only if the total income from all sources does not exceed $2,000 for single persons and $2,500 for husband and wife. However, the tax on these 3 categories of income may not reduce the taxpayer's total income below $2,000 or $2,500, respectively.

[9] An additional tax credit ($10 for single persons and $15 each for taxpayer and spouse) is allowed for persons 65 years of age or over and for blind persons.

[10] Tax applies only to interest and dividends.

TABLE 11.—*State individual income taxes: Personal exemptions and credits for dependents, Sept. 1, 1953*—Continued

States	Personal exemption				Credit for dependents		Additional exemption on account of—	
	Single		Married or head of family				Age	Blindness
New Mexico	$1,500		$2,500		$200.00			
New York	1,000		2,500		400.00			
North Carolina	1,000		[11] 2,000		300.00			$1,000
North Dakota	600		1,500		600.00		[7] $600	
Oklahoma	1,000		2,000		500.00			
Oregon	600		1,200		600.00		([12])	[7] 600
South Carolina	1,000		2,000		400.00			
Tennessee [13]								
Utah	600		1,200		600.00			
Vermont	500		1,000		500.00		500	500
Virginia	1,000		2,000		200.00		[3] 600	[3] 600
Wisconsin [1 15]	7	($700)	14	($1,320)	7.00	($560)		
District of Columbia	4,000		4,500 or [14] 8,000		800.00			

[11] An additional exemption of $1,000 is allowed a married woman with separate income.
[12] A tax credit of $6 is allowed taxpayers 65 years of age or over.
[13] Applicable to calendar and fiscal years 1953 and thereafter.
[14] The exemption is $4,500 if the spouse is a dependent. If both husband and wife file returns each is allowed a $4,000 exemption.

Source: Treasury Department, analysis staff, Tax Division.

Mr. PAYNE. Second, Mr. President, one of my amendments would increase the realty tax rate to 2.30 percent from the present rate of 2.15 percent and from 2.20 percent as now written in the bill. In discussing this change, I again invite attention to comparative real estate tax figures in nearby Virginia and Maryland, which, of course, have a very definite bearing on the real estate market conditions in the District of Columbia. It is interesting to note that according to figures submitted by Mr. James L. Martin, finance officer and assessor of the District of Columbia, at hearings on the pending measure before the Joint Fiscal Subcommittee, the proposed increase would not be out of line with the taxes paid in surrounding areas.

In the District of Columbia the rate would be $2.30 per $100 if the amendment were adopted. In Maryland the present rate is from $2.1625 to $0.2125 per $100. In Virginia the rate is $2.91 per $100.

Therefore, Mr. President, the rate which would be imposed upon real estate in the District of Columbia would not be in excess of that in the surrounding territory. It would be in line, so that further development within the District of Columbia itself would not be stymied in any way, shape, or manner.

In the third place, a 2-percent tax on local telephone service would be levied. This proposal creates a new tax on local telephone service, to produce approximately $400,000 a year.

My reason for submitting my proposals is not to take out of the bill any revenue needed, but it is merely to submit a method which I deem to be equitable and fair, much more equitable and fair than are some of the proposals in the bill.

Local telephone service is not taxed under existing law. Sales of gas and electricity are already subject to the sales tax. So we would not be adopting a new tax; we would merely be putting into effect the same ratio of tax presently in effect against the other utilities; namely, gas and electric power operations in the District of Columbia.

The Federal Government imposes a tax of 10 percent on long-distance telephone calls and 10 percent on local telephone service.

If the proposed telephone tax becomes law there will be no dispute about revenues from local telephone service that would be subject to the tax, since representatives of the Chesapeake & Potomac Telephone Co. and the Assessor's Office are in agreement as to taxable and nontaxable items.

About 14 States impose a tax on local and long-distance telephone service. The taxing of interstate service is exceptional.

The proposed tax would follow the Federal law so far as exemptions are concerned in order that the least possible burden be placed upon the telephone company. Deviation from the Federal law would be costly to the telephone company in computing bills. The principal change from the exemptions granted by the Sales and Use Tax Act of 1949 would affect semipublic institutions. However, these institutions are already favored in that they receive a 33⅓ percent discount on bills for telephone service.

Finally, one of my amendments would apply the unincorporated business tax to personal service businesses. This change, it seems to me, is most appropriate in order to eliminate any exemptions to a tax which, by its very nature, was intended originally to apply to all forms of unincorporated activity. At this point, I should like to quote from pages 679 and 680 of the hearings before the Joint Subcommittee on Fiscal Affairs regarding the purposes and reasons for this change in the law:

PURPOSE

The purpose of the changes is to eliminate the exemption afforded some personal service businesses, thereby making them subject to the franchise tax and to make the renting of all real estate a business, thereby causing all of such businesses to be subject to the franchise tax.

REASONS

It is considered proper that all firms doing business in the District should be subject to the franchise tax because—

(a) If a tax is to be imposed for the privilege of doing business there would seem to be no good reason for taxing only those businesses which are in competition with corporations. On the other hand it would seem more proper that all firms doing business should be subjected to taxes for that privilege, especially since all firms doing business within the District may avail themselves of the benefits derived from the Government of the United States.

(b) When considered in the light that taxes should be paid by those best able to pay, it is unfair to require the retail merchants having a comparatively small profit to pay a tax for the privilege of engaging in business while the professional people who are also engaging in business and generally making substantially greater profits are not required to pay a tax.

2. The firms which, it is proposed, should be subjected to the francise tax and who are not now subject to the franchise tax are receiving the same benefits from the District of Columbia government such as police and fire protection and use of the courts, as are those firms who are presently paying the franchise tax.

This would merely give such firms an opportunity likewise to share comparably in the operations of the District of Columbia government.

I read further:

3. It would seem proper that we should seek to obtain taxes from those not now subject to the tax, assuming they are equally able to pay.

4. A precedent for taxing personal service businesses was established under the business privilege tax law of 1937–38 and 1939–40.

5. The passage of the amendment to delete the exemption section of the statute so as to bring in the personal service companies would save the District a substantial amount of money through a decrease in litigation, both from the standpoint of attorneys' costs and administrative costs. The same would be true of the proposed amendment to the law under which the renting of all real or personal property would be considered a business regardless of whether or not personal services were rendered to the tenant by the owner.

For reasons I have given I submit that the particular tax changes which I advocate will place the tax burden where it can be better met without harming the interests which are receiving the burden. This is true since the overall competitive position of these interests is not made less favorable by those changes when compared with tax conditions which would be found in the nearby jurisdictions.

To my way of thinking, this amendment will serve to remove the truly discriminatory local taxes, discriminating against those who are least able to pay; but at the same time the amendment will not impair the total amount of tax financing required for the successful implementation of this splendid program, developed through the hard work of the District of Columbia Commissioners, their advisory committee, and the Joint Senate-House District of Columbia Subcommittee on Fiscal Affairs, directed so ably by the distinguished Senator from South Dakota [Mr. CASE] and Representative JOSEPH P. O'HARA.

This program deserves a favorable reaction from the Senate; it deserves assurance that the moneys will be available to carry out the many contemplated capital improvement projects and so must not depend too much on the uncertainties of future congressional appropriations. At the same time, a portion of the program deserves tax financing from those revenue sources which can meet

the burden with the least personal privation. These are sources whose incomes directly depend upon the continuation of a strong, expanding Washington, which is the primary objective of the proposed 10-year $305 million capital-improvement program.

Mr. President, I shall take but one moment longer, in which again to emphasize the fact that if Congress intends to support legislation of this type, which is needed, then Congress, in turn, should finance such a program from sources which can bear the freight, and can do so without harming those who are least able to contribute.

It is for that reason that I have submitted these amendments. I hope the Senate will favorably consider them, and will not impose burdensome taxation measures upon those who least can afford to pay the expense.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Maine.

Mr. MORSE. Mr. President, I find myself in a very interesting and difficult parliamentary situation, because I am confronted with some amendments offered by my good friend, the distinguished Senator from Maine [Mr. PAYNE], which I consider to be better than the provisions of the committee bill which he seeks to amend. Yet I find myself with some modification of opinion in respect to his amendments with relation to certain amendments offered in the committee.

I am very fond of the Senator from Maine, because he and I have worked together, as has the present Presiding Officer of the Senate, the distinguished junior Senator from Maryland [Mr. BEALL], with the chairman of the committee, the distinguished junior Senator from South Dakota [Mr. CASE], and the distinguished junior Senator from Wyoming [Mr. BARRETT], on a great many issues which have come before the Committee on the District of Columbia. In fact, I think I may say, good naturedly, that there seems to be surprising agreement among the members of our committee. There has not been as much difference of opinion, since I was assigned to the Committee on the District of Columbia, as many persons predicted would be the case as a result of that assignment. On the contrary, we have had some very delightful sessions. Our differences, as they have arisen, have not been too great. I suppose we are discussing today the only substantial disagreement, or any disagreement to a marked degree, which has appeared within the Committee on the District of Columbia since I became a member. As will be seen as the debate proceeds, it is not even a very serious difference.

But the parliamentary situation being what it is, my consultation with the parliamentarian supports the proposal which I am now about to make, with the consent of the Senate. Rather than to modify, by way of amendment, each of the amendments offered by the distinguished Senator from Maine, I shall ask permission to follow the same parliamentary procedure which has been granted to the Senator from Maine, namely, that on these items, I may offer amendments en bloc, by way of a substitute bill, as an amendment to the amendments offered by the Senator from Maine. I now send such a proposed substitute amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. CASE. Reserving the right to object, and I shall not object, I merely wish to point out that had the committee not adopted the committee amendments en bloc and made them a part of the bill, the amendment offered by the Senator from Oregon at this time might be interpreted as an amendment in the third degree. If the committee amendments were still pending, and then the Senate had before it the amendments offered by the Senator from Maine [Mr. PAYNE] as amendments to the committee amendments, and then the amendment in the nature of a substitute had been offered by the Senator from Oregon, I believe some point might be raised to the amendment as being one in the third degree. However, that is not the situation. The committee amendments were adopted en bloc.

There are some rather clear-cut issues presented in the amendments which have been offered, and, whatever the parliamentary situation may be, I feel the Senate should not try to emphasize or press it. I have no objection to the amendments being considered en bloc. The Senator from Maine and the Senator from Oregon have been most cooperative in their work and studies in the committee, and I am glad that they may have an opportunity to present their questions in full and in such detail as they desire.

I withdraw the reservation.

Mr. MORSE. Mr. President, I wish to thank the committee chairman for his statement. I think, in the interest of saving time, this is the way to expedite the handling of these differences, which are differences only in degree. I wish to have the attention of my friend, the Senator from Maine [Mr. PAYNE], when I state that although I am hopeful that my amendments will be adopted as a substitute for his, if they are not adopted, I intend to support his amendments in preference to the present wording of the bill as reported by the committee.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PAYNE. I was quite interested in having an opportunity to refer to the suggested substitute. It so happens that here again apparently the distinguished Senator from Oregon and I are in practically complete agreement, because, in the event that the previous amendments which I have offered were not favorably considered, I had intended fully to introduce the type of amendment which has been presented by the distinguished Senator from Oregon. I wish to say to the Senator from Oregon that, in reciprocity, I will support, under those circumstances, the amendment which he has offered, although I would take it as a second choice, because I am sure the Senator from Oregon will agree with me that one amendment provides for certain revenues, whereas the amendment which has just been proposed as a substitute provides for an authorization, and there would then still have to be a fight to get an appropriation to cover it.

Mr. MORSE. The Senator from Maine is correct.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. The Senator from Oregon proposes an amendment in the nature of a substitute for the amendment of the Senator from Maine [Mr. PAYNE], on page 46, after line 9, to strike out all of title XIII and in lieu thereof insert the following:

TITLE XIII—ADDITIONAL ANNUAL FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

SEC. 1301. For the fiscal year ending June 30, 1955, and for each fiscal year thereafter there is hereby authorized to be appropriated, in addition to the sums appropriated under article VI of the District of Columbia Revenue Act of 1947, approved July 16, 1947 (61 Stat. 361), as amended (sec. 47–2501a, D. C. Code, 1951 ed.), and as further amended by title VII of this act, an annual payment by the United States toward defraying the expenses of the Government of the District of Columbia in the sum of $5,225,000.

SEC. 1302. The payments authorized by this title shall be credited to the general fund of the District of Columbia.

Mr. MORSE. Mr. President, my argument will be very brief. It will be based on the major premise which I urged in committee, but which failed to secure majority approval in committee.

The Senator from Montana [Mr. MANSFIELD] supported me in committee. He is ill today, and he has authorized me to say that if he were here, he would support my amendment, as he did in committee.

The major premise to which I refer is that, in my judgment, the Federal Government owes a greater obligation to the District of Columbia to make a lump sum appropriation in order to meet the public works needs of the District of Columbia than is to be found in the bill reported by the committee.

In support of that premise, I wish to observe that the District of Columbia relationship to the Federal Government was aptly described many years ago, in 1835, by Senator Southard, when he said on the floor of the Senate:

> The committee has been unable to separate the interests of the District from the interests of the United States. They regard it as the child of the Union—as the creation of the Union for its own purposes. The design of the Constitution and its founders was to create a residence for the Government, where they should have absolute and unlimited control.

The statement made by Senator Southard in 1835 is just as true today as it was then, when he made the statement I have just quoted that the interests of the District of Columbia cannot be separated from the interests of the United States. In fact, the primary interest of the District of Columbia is Government. The major purpose of the operations of this Capital City is to carry on the goyernmental functions of the Federal Government.

In my judgment, there is not being paid to the District of Columbia the contribution which the people of the

country as a whole owe to the District of Columbia. I repeat what I said in committee, Mr. President, that, in my judgment, we would pay a larger amount if the citizens of the District of Columbia had representatives who had a vote in the House of Representatives and the Senate of the United States. The people of the District of Columbia are at a great disadvantage because they do not have the influence of elected representatives in the House of Representatives and in the Senate to represent their interests as taxpayers of the District of Columbia. I say, therefore, there is a great moral obligation which rests upon us as representatives from the States of the Union to see to it that we never take advantage of the people of the District of Columbia simply because they owe no political responsibility to us, and we owe no political responsibility to them, in the sense that we are not subject to their votes. I think it is very important that the Congress be very careful when it passes tax legislation, particularly, that it does not impose upon the people of the District of Columbia the yoke of unfair taxes. It is my judgment, I say most respectfully, that the bill as reported from the Committee on the District of Columbia which is presently before the Senate is not fair in all respects to the taxpayers of the District of Columbia.

Mr. President, for further opinion in support of my major premise; namely, that the interests of the District of Columbia cannot be separated from the interests of the Nation. I wish to quote from William Howard Taft, who, in 1896, said:

> The object of the grant of exclusive legislation over the District was, therefore, national in the highest sense, and the city organized under the grant became the city, not of a State, not of a district, but of a nation.

Mr. President, in this matter, we are dealing with the Nation's Capital. All the taxpayers of the United States, across the Nation, should be willing to pay a fair share of the cost of operating the District of Columbia. It is my contention that the Nation is not presently paying such a fair share.

In order to understand my point of view, I believe we need to spend several minutes on a résumé of the history of the development of the relationship between the Federal Government and the city of Washington. If we do so, we find that the Federal payment for the District of Columbia has gone through four major phases.

During the first period, between 1790 and 1878, there was no fixed system for Federal payments. In some years there were lump-sum payments, and in other years there were no payments at all; but during this early period the average Federal Government payment was approximately 25 percent of the city's budget.

During the second period, from 1879 to 1921, the District of Columbia was on a 50–50 basis with the Federal Government.

Mr. President, if today I were engaged in a compromise procedure, I would be willing to settle on a 50–50 basis, which was the basis from 1879 to 1921. However, the percentage paid by the Federal Government has dropped far below 50 percent.

The fixed ratio payment on a 50–50 basis, established in the organic act of 1878, lasted for almost half a century. It was much fairer than the present relationship, although if I had to fix an arbitrary percentage relationship, my conclusion as a member of the District of Columbia Committee, having studied this matter, is that the share of the Federal Government should be not less than 60 percent. I believe the Federal Government's share should have been modified upward from the historic pattern of 1879 to 1921, from a 50–50 basis to at least a ratio of 60–40, with the Nation as a whole bearing 60 percent of the cost, for reasons which in a moment I shall set forth.

However, the movement has been in the opposite direction. The share of the Federal Government is now far below even the 50-percent share the Federal Government paid during the period from 1879 to 1921.

The third period in the history of the relationship between the Nation and the city of Washington began in 1921, when Congress ignored the organic act, and provided for a 40–60 basis, with the Federal Government paying 40 percent and the District of Columbia paying 60 percent. The Federal Government's 40-percent share during the third period was, in my judgment, entirely too small.

The same plan was used in 1922. In 1923, the 40–60 ratio basis of payment was supposed to have been made a permanent basis.

The fourth and final period in the history of the relationship between the city of Washington and the National Government began in 1925, when the Congress adopted the present lump-sum payment system. It is a very bad system, Mr. President. It is very dependent upon chance and upon political alinements in the Congress. It does not permit of careful planning over a long-time period for a public works program, for instance. I think the lump-sum plan leads to a great many inefficiencies. We have only to look at the results, it seems to me, since 1925, to have ample proof of the contention I am making.

But, Mr. President, I am aware of the fact that, as of the present moment, at this session of Congress, there is no hope of going back to any ratio formula; there is no hope of returning to the 50–50 formula or of going to a 60–40 formula, with the Federal Government paying 60 percent and the District of Columbia paying 40 percent. For that matter, I think there is no hope of going back to the 40–60 formula, which I believe was unfair to the District of Columbia. But if such legislation were enacted with the idea that it would be permanent, at least it would permit of a little more scientific planning than has characterized District of Columbia planning since 1925.

The first lump-sum payment was for $9 million, or for approximately 30 percent of the city's expenses in that period. But during the period since 1925 and up to the present time, the share of the Federal Government has declined from 30 percent to less than 9 percent. That is simply unfair, Mr. President. We cannot justify reducing the payment of the Federal Government to any such percentage as that. My amendment seeks at least to remedy the immediate situation confronting us.

I serve notice now that if my amendment is adopted, it must be adopted on the basis of being only a temporary plan insofar as this basic principle is concerned, because I do not like the lump-sum principle. But we are confronted with a legislative reality, namely, that we must accept the lump-sum principle this year because time does not permit us to come forward with a carefully worked out ratio principle which I believe ought to be the fiscal principle followed in determining the budget of the District of Columbia and the Federal share. So the situation now confronting us is complicated in actual practice, and it serves to deprive the District of Columbia of revenues, and at the same time it imposes cost burdens.

Illustrative of the means by which Washington, D. C., is deprived of revenues because it is operated as the Federal city, are the following points, among many others I could mention—but these are the ones I wish to emphasize today:

First. The District has developed because of the presence of the Federal Government, and does not have and probably never will have independent basic industries that would support it. On this point, a recent study showed that four of the Nation's largest corporations pay $1 in State and local taxes for every $20 spent for salaries. If the same ratio were to be applied to the Federal payroll of $800 million in Washington, the Federal payment to the District would be $40 million.

That shows how far short we fall from making the contribution which I believe the Federal Government should make to the District of Columbia, in view of the fact that the major industry of Washington, D. C., is Government, and in view of the further fact that the Congress follows courses of action, as regards the District of Columbia, restrictive in nature, and bound to keep Government as the major industry of Washington, D. C. I do not believe the time will ever come when Washington, D. C., will be cataloged among the industrial cities of the Nation. I think all of us will agree it should not be. I believe all will agree that the Capital City of the Nation should be one of the beauty spots of America, and should be one of the model cities of the Nation. It should be devoted primarily to operation of the Federal Government; and I think it would be rather unfortunate if Washington, D. C., became another smokestack city, with industry predominating over Government. However, unless we are willing to pay a larger share of the cost of operating the city, then I think every inducement should be made available to turn it into a smokestack city. That would mean, for example, that Congress would have to change some legislation regarding zoning and industries in the city.

Mr. President, my next point is:

Second. In Washington, D. C., Federal Government land amounts to 42.8 percent of the total. No taxes are paid on

this land, and no other major city has such a large part of its land and improvements tax exempt. This area, if taxable, would yield $18,971,000 in real estate taxes. To further show how industry supports the ordinary city, a survey of taxes in the District revealed that for each $1 of real estate tax that is paid by business, an additional sum of 80 cents is paid for other District business taxes. Consequently, if the Federal Government were taxable as a private business in the District, it probably would pay total taxes of about $35 million. This would indicate that a Federal payment of between the $35 million just mentioned and the $40 million cited in the previous paragraph could be justified.

The third point I would mention in support of a larger contribution by the Federal Government to the District of Columbia budget is this: Washington attracts tax-exempt activities, such as charitable foundations, because it is the Capital City. Each year more taxable property is being taken off the tax rolls of the District of Columbia. Today $20 million more of property is exempt than was the case only 3 years ago.

In my discussion with District officials who are thoroughly grounded in the fiscal problem I am now discussing, they tell me that there is every indication and every reason to believe that tax-exempt property will continue to increase in amount in the years ahead. I think we must take that into account when, as legislators, we come to decide what is fair and equitable as Federal appropriations for the District of Columbia.

My fourth point is that building-height limitations are set to prevent any commercial structure from overshadowing Federal structures which precludes the skyscrapers common to most large cities. These limitations hold down real-estate value. They likewise hold down tax revenues. To show the effect of such limitations, Chicago has an employment density of about 160,000 persons per square mile in its central business district, contrasted with 90,000 in the District of Columbia.

We of Congress are responsible for holding down tax revenues. I think we ought to keep this a beautiful city, as I have said before, but I think we ought to be willing to pay the price for beauty. I think we should recognize that the burden of maintaining a beautiful city, a model city, as the Capital of the United States, should not be placed upon the tax shoulders of the citizens of the District of Columbia to an extent out of all proportion to what is fair and equitable. It is my contention that that is exactly what we are doing, and that the committee bill would perpetuate that injustice.

The fifth point I wish to make under this topic is that many local residents maintain their legal domicile elsewhere, and thereby entirely avoid the payment of District of Columbia income taxes. This could not happen in any State. Let me say good naturedly, and somewhat against self-interest, that we in the Congress do not pay taxes in the District of Columbia. We live here, but we do not pay taxes in the District of Columbia.

I note the presence in the Chamber of the two Senators from Maryland [Mr. BUTLER and Mr. BEALL]. I understand that the State of Maryland has been very cooperative with Members of Congress, as has the State of Virginia. Members of Congress are not asked to pay income taxes in those States, although, as I say to some of my brethren living in those States, it is a matter of sufferance so far as the law is concerned. I think the attitude of those two States is very charitable. I make this point good naturedly, because it is rather interesting, as we sit here voting to impose taxes on the District of Columbia which, in my judgment, if this bill is enacted, will in due course of time force some increases in income-tax costs on the part of the permanent residents of the District of Columbia, to which, of course, we in the Congress are not subject, to reflect upon our position. There is something about it—I do not know what it is—that says to me that it is not quite cricket, and that I had better be extremely careful, as a Member of the Senate, to see to it that I am very fair toward the residents of the District of Columbia, because the residents of the District of Columbia are more than fair with me and with every other Member of Congress who lives in the District of Columbia, in that the District of Columbia does not impose District income taxes upon us. As a matter of law, there is nothing which would entitle us to exemption if the District chose to impose such a tax.

The sixth point under this topic is that many cities practically solve their revenue problems by extending their boundaries to include growing suburbs. Obviously this is not possible here, but that fact is particularly pertinent to our problem in view of the fact that, contrary to popular opinion, the median income level in the District of Columbia is materially lower than in the surrounding suburbs, being $2,975 in the District, and ranging from $3,446 to $5,098 in the various suburbs. This point is worth dwelling upon a little longer, although I wish to keep this speech very short.

The District of Columbia is not in the position of my hometown of Eugene, Oreg., and the hometown of every other Senator, I believe. My hometown has been extending its city limits as suburbs developed and fire and police protection and sanitary protection became necessary. What is the practice in most of our home State communities? City limits are extended so as to take in a larger taxable area. That proves to be of great benefit to the city treasury. The District of Columbia cannot do that. It overflows into Virginia and Maryland, but it cannot extend its city boundaries. Yet, of course, the suburbs which are developing in Virginia and Maryland bear a direct relationship, so far as the cost of their development is concerned, to the transaction of Government business in the District of Columbia. However, the District of Columbia cannot obtain the advantage of taxing the development of the suburbs to obtain the revenue with which to meet the extra costs, for example, of the public works program which we are discussing today.

When all is said and done, the thing which underlies this debate today is the need for finding the means to develop the public works which the District of Columbia needs in order to carry on Government operations more efficiently.

Of course, such public works are essential to the transaction of Government business. There has been a great deal of controversy for weeks in the press about the building of a bridge across the Potomac. Of course, a bridge ought to be built. Perhaps more than one bridge is needed. I do not think the people of the District of Columbia should have to pay most of the cost. Such bridges are necessary to the transaction of Government business. In my judgment such bridges are just as necessary to carrying on the functions of the Government as are any of the Government buildings which house workers who cross the bridges in order to get to work. If we are to pass appropriations for the construction of Federal buildings in the District of Columbia, in my judgment we should pass the appropriations necessary to construct bridges so that people living outside the District of Columbia—and they all could not live inside the District, unless we wanted a terribly crowded city—may go to and from work. Bridges must be built so that they can get to the buildings where they work, in order to carry on Government business.

It is easy to take the position, "After all, why should the people of Maine, Oregon, California, and Florida pay any of the cost of building a bridge across the Potomac for Government workers to get to Government buildings to carry on the business of the Government?"

My answer to that is that it is essential to the transaction of the business of the Government, which belongs to the people of Maine, Oregon, California, Florida, and every other State.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUTLER of Maryland. Would the Senator go so far as to say that the approaches and highways from such bridges into the State of Maryland should be paid for by the Federal Government?

Mr. MORSE. I am with the Senator on the Peace Cross development. I have asked that a study be prepared by the staff of the District of Columbia Committee. The Senator ought to thank me for that.

Mr. BUTLER of Maryland. I do thank the Senator from Oregon.

Mr. MORSE. I will tell the Senator what the study will show. We have not the final result as yet, but it is perfectly obvious what it will show. The study goes into the question of the loss of time and the delay which the Government suffers every time there is a flood around the Peace Cross.

My hunch is—and I will eat these words if the survey does not show it—and I am not preparing it, either, but it is being prepared by engineers and experts in that field—but I will eat my words if the study does not show that the Federal Government should pay the total cost, and that the Government will save money in a few years by the elimination of the loss which it suffers because of the time that people who work

for the Government lose in getting to work.

Mr. BUTLER of Maryland. I thank the Senator from Oregon. I believe the Senator is eminently correct. The Senator should give some consideration, too, as should Congress, of course, to the overloading of the facilities of the counties adjacent to the Capital of this country.

Mr. MORSE. I believe the Senator is quite correct.

I continue with my statement. The sixth point I wish to make—and I summarize it now—is that the median income level in the District of Columbia is materially lower than in the surrounding suburbs, being $2,975 in the District, and ranging from $3,446 to $5,098 in the various suburbs.

Similarly to the foregoing, the District incurs increased costs because it is the Nation's Capital. Among many I enumerate the following examples of increases:

First. The Fine Arts Commission and National Capital Planning Commission require that most public-works structures be designed to harmonize with the Federal master plan for the Capital City. The new highway bridge cost $1,182,000, or 21 percent, extra because of this. Municipal Center is also an illustration of fine monumental construction consistent with such concepts.

Mr. President, it may be argued that these are very small items. They are small items standing alone, but if we multiply them over the years they represent a considerable additional cost that we impose upon the taxpayers of the District of Columbia, because we insist that not only must Federal buildings conform to a certain design, but buildings of the municipality and of private enterprise in the area also must conform to a design that will not detract from the governmental structures.

Second. The federally conceived plan of the city calls for wide, beautiful tree-lined streets such as few other major cities enjoy. Planting and maintaining these trees is costing $325,000 this year, and further increases are in sight. Wide streets also mean additional paving costs.

Third. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is about $650,000.

Let anyone suggest abandoning the zoo, Mr. President, and what a howl would be made—a howl even louder than the lions and the tigers make in the zoo. That howl would reach all the way up to the eagle in the ceiling of the Senate Chamber. If anyone were to suggest that we get rid of the zoo, we would have speeches made on the floor of the Senate in behalf of the little school kiddies that would make tears run down our cheeks. Yet it costs money to operate the zoo, Mr. President, and the costs of operating it are paid for by the District citizens alone.

Fourth. The National Park Service receives about $1,500,000 each year from the District of Columbia for maintenance and operation of federally owned and controlled parks in the city. In addition, the District pays approximately $500,000 per year to support the Park Police. This is more park land and more park expenditures than is customary in comparable cities.

Mr. President, I am in favor of keeping it that way. I want my Nation's Capital to have the beautiful parks which now characterize it. In fact, I shall continue, as my record shows, to oppose any attempt in any way to desecrate the parks of this city by diminishing them in size or by not giving them the support they ought to have. I believe the Capital City of my Nation ought to be a city of beautiful parks.

I shall not let myself digress too long to discuss the need for a beautiful Potomac. I shall make a speech on that subject within a few days, when I offer an amendment to my so-called pollution bill. However, I do wish to make mention of that point here because I believe it is our responsibility to beautify the Potomac. There it is, Mr. President—nothing but a slow-moving sludge. We cannot call it a river. It is a slow-moving sludge, many parts of it 12 feet deep of filthy sewage, the filthiest river in the world.

I again issue the challenge on the floor of the Senate for any of my colleagues to come forward with any engineering and sanitary proof that there is a river in the world comparable to the Potomac River in filth. Yet it flows through the Nation's Capital.

I say we ought to be ashamed of ourselves for letting that moving sludge, that cesspool, degrade the beauty of the city of Washington.

Yet try to get Congress to appropriate the money it ought to appropriate to protect the beauty and the health of the District of Columbia, and there is opposition. I am trying, Mr. President. I never get discouraged. It has been said that the fight for progress is never won. However, we must never let ourselves adopt the pessimistic attitude of believing that the fight can ever be lost.

When we are fighting for this kind of legislation today, we are fighting for progress and we are fighting for a decent National Capital.

Fifth. The large volume of Federal structures imposes significant demands on our police, fire, sanitation, and other services, which cannot be precisely computed in dollars, but which, nonetheless, add to the cost of building and operating the city.

I have some approximations of these costs. I shall mention them on the floor of the Senate at this time because we are about to vote. Approximations of some of these costs are as follows:

Police, special details	$60,000
Fire, special services	90,000
Cleaning streets	175,000
Sewage handling and treatment	625,000
Installing curbs and gutters abutting Federal property	50,000
Motor-vehicle titling, etc	15,000
Temporary home for soldiers and sailors	30,000

Every one of these extra costs is borne by taxpayers of the District of Columbia. In my judgment, the costs ought to be paid by all the taxpayers of this country in support of their Capital.

Sixth. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban populations to move to and from the city. The fact that two rivers have to be crossed by much of this traffic requires the construction of very costly bridges.

Because of the fact that so many people are able to reside here and legally avoid some of our taxes, many District residents now carry a disproportionate share of the tax burden. This does not appear to be justified by the trend in incomes in the District as compared with its suburbs. These taxes are being materially increased, and thereafter will be substantially higher than most other cities of comparable size.

The next major item in the bill, Mr. President, to which I am objecting and which my amendment would eliminate is, of course, the proposal of the committee of a 1 percent tax on groceries and the proposal of a reduction in exemption with reference to restaurant meals of from $1.25 to 50 cents. Every 51-cent meal is now going to be taxed, and groceries are going to be taxed if the committee's bill is enacted. The bill also proposes a 1-percent increase in tax on hotel rooms. The present tax is 2 percent, which is high enough, but I do not think there should be any tax at all on hotel rooms. The argument is that it is an easy tax to get by with. Hotel people come and go, and there is nothing they can do about it. We tax them 2 percent, and now a tax of 3 percent is proposed. That does not make it fair or right or just. I do not think a visit to the District of Columbia by citizens of this country ought to carry with it a sales-tax penalty. I think we should encourage the visitations of our citizens. I think we ought to encourage the poor as well as the wealthy to come here. I just do not like the regressive sales tax in any form, shape, or manner. I do not like it on even transient rooms.

Then there is the proposed application of the sales tax to national banks and Federal savings and loan associations.

Mr. President, my amendment abolishes those sales taxes and substitutes therefor an additional Federal payment of $5,225,000, a lump-sum amount added to the lump-sum principle already in the bill, which would help to take care of the public-works program which has really given rise to the need for the bill at all. I think we should make that contribution to the public-works program, and we should not do it by way of a sales tax on necessities of life. I recognize the fact that sincere men differ on the political philosophy behind the sales tax. I have always opposed it. I am proud of the fact that in my State every time the sales-tax proponents have tried to put it across, we have taken it to the people by way of a referendum vote, and we not only have beaten them every time, but we have beaten them by an overwhelming majority. I am willing to say we are going to lick them again. Selfish interests in my States are trying once more to whip up public opinion on the

basis of the fallacious argument that because Washington, D. C., and California have sales taxes, we ought to impose the same kind of an unfair tax yoke upon the necks of the people of Oregon. We shall oppose it again, and I am satisfied that we shall beat it again. As long as I sit in the Senate of the United States I shall not vote such a tax yoke upon the necks of the people of the District of Columbia.

Mr. President, in conclusion—and I hope the majority leader is pleased to hear those words, "in conclusion," because I have assured him that this was going to be one of my shorter speeches—I am sure my amendment will have the vote of the majority leader. He has sat here so impressed throughout my entire speech, that I am sure I have convinced him that he should vote for my amendment.

All joking aside, Mr. President, I should like to say that the District of Columbia differs greatly from other cities because of the complex relationship with its "industry," the Federal Government, and that a significant increase in Federal responsibility for the cost of building and maintaining the city is fully justified. To that end I offer my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the amendments offered by the Senator from Maine [Mr. PAYNE].

GENERAL BUSINESS CONDITIONS

PRESS REPORTS

Mr. MALONE. Mr. President, the current press reports make interesting reading for our unemployed and our small businesses. On page 17 of the New York Journal of Commerce, there is an article headed "Traders Hedge on Significance of Import Rate," and indicating that the objective of this Nation is to increase imports—they say that "imports have been holding fairly well." The Randall, Paley, and Bell reports, of course, were made to sell the people of this Nation that the more goods we can import from the peon and sweatshop labor countries, the more money the workers and investors in America will make. I read:

> So far, imports have been holding fairly well, although if a comparison of the January-February imports of this year were made with the peak rate reached in the spring of 1953, the contraction would be about as severe as the latter prediction.

It is a typical implication that the greater our imports, the greater our employment.

IDLE SHIPYARDS

Mr. President, on the same page of the New York Journal of Commerce there is the following heading: "Idle Shipyards Termed Threat to United States Defense; Navy Official Sees Need for Government Aid to Industry."

Government aid, Mr. President, to keep the shipyards running. I read:

> The Navy official said that for the long run he favored a policy of building ships through private enterprise with Government encouragement, but he stressed that the present situation was a critical one for which an emergency program was necessary.

WE LOAN COLOMBIA $50 MILLION—GERMANY BUILDS HER SHIPS

Mr. President, on page 24 of the same Journal there is a headline as follows: "Grancolombiana Orders Four Ships."

The item under that heading reads, in part, as follows:

> BOGOTA, April 28.—A West German shipyard has been awarded a contract to build four new freighters for the Flota Mercante Grancolombiana, the company announced today. H. G. Stuelken Sohn yard, of Hamburg, won the award over bidders from British, Swedish, Japanese, and Italian yards.
>
> The contract, reportedly worth $4.5 million, provides that the new vessels will be of the same sepcifications as the German-built Brunsbuttel, now the Ciudad de Bucaramanga. They will have a cargo capacity of 4,500 tons and speed of 13 knots. Delivery will begin in April next year with the fourth ship to be delivered by August 1955.

Mr. President, there was a very prominent official, a White House aide, by the name of J. Laughlin Currie, I believe, who went to Colombia rather suddenly a few years ago, on the eve of an investigation, and took about $50 million from the Export-Import Bank with him as a loan for Colombia—for that he was retained by the Columbian Nation as an adviser. This man was naturalized in 1934 as a United States citizen.

But, Mr. President, I notice, however, that shipyards in Germany, Japan, and the British Empire build ships for Colombian firms, while our shipyards are idle. Incidently, German wages are only a fraction of the pay rate here.

UNITED STATES SEWING-MACHINE BUSINESS MOVES TO ITALY AND JAPAN

On page 4 of the same Journal there is a leading article headed "Immigrant Builds $50 Million Business; Sewing Machine Bonanza Spurs Europe Trade."

I read:

> Trade between the United States and Western Europe has been stimulated by a Polish refugee who came here 7 years ago with $6. Since then he has built a $50 million a year business, assembling and distributing Italian and Swiss sewing machines.
>
> These machines use American-made components—in addition to the imported parts, worth millions of dollars each year. And the mass market created for the Italian machines has enabled the Italian factory to buy American-made machine tools and other equipment so that it could adopt mass-production methods.

Many freetraders, supporters of the 1934 Trade Agreements Act, in the United States, say they do not fear imports because of our modern machinery and assembly line methods. So I simply wanted to read the dispatch to show that foreign manufacturers are using our modern machinery and our assembly line methods and using the peon and sweatshop labor to displace American workers.

I believe that it was in 1951, when the extension of the 1934 Trade Agreements Act was before the Senate for extension, that I placed a sewing machine made in Japan on one corner of my desk and a Singer sewing machine on the other corner. Each machine was guaranteed to do the work of the other.

The difference between them was that one was made by Japanese labor, paid 12 to 15 cents an hour, and the other was made by American labor receiving $1.80 an hour. They could not be distinguished from each other by a person standing 10 feet away.

The name of the Japanese machine was attached underneath its structure, so that the housewife could not see where it was made. The Japanese machine sold for about $21 wholesale and the American-made machine sold for about $72 wholesale.

Mr. President, I know it will be good news to the Senate, which voted for the 2-year extension of free trade—1934 Trade Agreements Act—at that time, and for a year's extension last year, that the sewing-machine business in the United States is being slowly cut down, if not eliminated.

That same Trade Agreements Act, under which the sewing-machine business is being sold out, expires at midnight on June 12 of this year.

Reading further from the statement by the immigrant who built a $50 million business by importing machines manufactured in Italy, where the labor is paid only a fraction of what is paid to American labor, the article continues as follows:

> What his company has done to help the Italian economy has directly helped American producers of machine tools and other equipment.

Note that they use our modern machinery with their cheap labor and the combination built a $50 million import business for the immigrant.

The article continues:

> Mr. Jolson believes in stressing automaticity in advertisements. They say, "Just insert a disk—sit back and watch—it's as easy as playing a record."

The article contains this further statement:

> The Singer Co., still the largest domestic producer of sewing machines, is also importing machines from its subsidiary in Scotland.

I suppose the Singer Co. has been forced to build a factory in Scotland in order to compete with other cheap labor imports. I continue to read:

> But Mr. Jolson, who today believes he has 10 percent of the American market, says he doesn't fear his competitor as much as he did back in 1947. Then, Mr. Jolson and his wife worked 16 hours a day to make up samples of the work done on the Necchi machine.

I know that will be good news for the United States Senate, which passed the 1934 Trade Agreements Act to shift their responsibility of regulating the national economy each 3 years to the executive branch, meaning, as it now operates, the State Department. This has merely meant a transfer of the constitutional responsibility of Congress to set duties, imposts, and excises, and to regulate foreign trade, to the executive branch, meaning the State Department, which probably does not even know where sewing machines are made in the United States. The State Department, under the trade agreements, is able to trade away any business at any time, just as it has traded away in whole or in part the wool business, the mineral business, the

watch business, and several hundred other businesses.

LOWERING TAXES ON FOREIGN PROFITS ENCOURAGING USE OF FOREIGN CHEAP LABOR

Mr. President, in today's issue of the New York Journal of Commerce, I observe the following statement:

Much has been said here this tax-happy spring about "removing the roadblocks to the flow of American investment abroad," and one of the many Gordian subchapters of the revision bill sets out to achieve this.

Revenuewise, foreign income is the bill's third biggest revision item—at least in the first year of operation—being ticketed to cost the Government $147 million, according to Treasury estimates. Only the dividend credit ($240 million) and declining-balance depreciation ($375 million) rank larger.

In the 3 weeks of Senate hearings just concluded, two aspects of the bill's treatment of foreign income came in for sustained keelhauling.

One was the exclusion of wholesalers operating abroad from the benefits of a 14-percent tax cut for foreign operations.

It probably is not news to the Senate that the House Committee on Ways and Means has made a 14 percent reduction in the taxes on foreign profits of American manufacturers who will locate their plants behind the foreign-sweatshop curtain.

Mr. President, there is now a complete cycle. Free trade, so that American individuals and companies can locate factories behind the sweatshop-labor curtain, as Mr. Ford, Mr. Hoffman, of Studebaker, Mr. Coleman, and others, are doing, and to import the products into the United States without having to pay any tariff or evener of the wage and tax differential.

Then the United States Congress reduces the taxes on the imported profits from products produced abroad.

There are many other considerations which Congress is trying to give to anyone who will leave the United States and use the low-cost labor and ship the finished material back to the United States, including purchasing modern machinery for them with the taxpayers money.

Mr. President, the Chicago Tribune of this morning contains a very enlightening editorial, entitled "Charity Begins at Home." The first paragraph reads as follows:

One of the peculiarities of the new internationalism, spawned by the New Deal and carried on by the Eisenhower administration, occasioned remonstrances from members of the House Foreign Affairs Committee. Grumbling was evoked by the administration's demand for almost $3½ billion in new money for foreign aid during the fiscal year 1955.

Mr. President, in addition to writing down the taxes on profits made behind the sweatshop-labor curtain and imported into this country, we are approaching free trade so that manufacturers can import products which are made abroad by factories behind the low-wage curtain, and with American machinery and American assembly line methods.

The extension of free trade, the 1934 Trade Agreements Act, for 3 years already has been recommended in accordance with the Randall report—the bill is in the Committee on Ways and Means of the House—we then, after contributing $50 billion to such foreign countries, for the construction of factories and to promote competition with American industry, now ask for $3.5 billion additional for another year.

The $100 million to build up European competition in the coal and steel business came from the Export-Import Bank which also distributes the American taxpayers' money abroad. One hundred million dollars has just gone to Europe to promote additional steel capacity and additional coal production to compete with American workers.

So the $3.5 billion is new money for foreign aid during the fiscal year 1955, as referred to in the editorial, is intended to continue building American competition abroad.

I read further from the editorial:

Congress said that $400 million of this was to be spent in European countries on boats, armaments, and expansion of European chemical production.

The head of one of the largest chemical producing companies in the United States has said publicly that unless something is done about the situation, the American chemical industry will move back to the Rhine in Germany, unless it is afforded tariff protection, if you please—duty protection, as the Constitution of the United States calls it.

I remember that during World War I there was no chemical industry in the United States. After the war had been concluded, the United States placed duties or tariffs on chemical materials and built up a chemical industry in the United States. Now it has been traded away. I continue to read from the editorial:

The critics complained that American workers need jobs and that the money could be laid out here to produce the same items while keeping Americans at work. The funds earmarked for chemical production were challenged because, it was said, European exports already are damaging the American chemical industry.

Representative FULTON, Pennsylvania Republican, charged that the diversion of money to Europe for economic aid would aggravate unemployment here.

Mr. President, press dispatches show that every day more unemployment is occurring, and more investments are being lost in this country. All one has to do to learn such facts is just follow the news.

On the same page of the Journal of Commerce of April 29, 1954, from which I just read, I wish to read another article. I want to compliment the reporters for the Journal of Commerce. The officials certainly run a good newspaper, and the reporters do a good job of reporting.

GATT—FOUNDED UPON THE 1934 TRADE AGREEMENTS ACT

The headline of the article to which I have just referred reads: "Peru Signs Agreement Extending GATT Tariffs."

Perhaps some of the Senators who are present will remember the agreement at Geneva.

The article reads:

Peru has signed the declaration extending until July 1, 1955, tariffs negotiated under the 34-nation General Agreement on Tariffs and Trade (GATT).

The declaration was drawn up in Geneva last fall by GATT nations to prolong for 18 months tariff schedules that would otherwise have expired at the end of 1953. Peru and Australia were granted additional time to sign the accord. Australia signed February 23.

Brazil is the only GATT nation that has not yet signed. The South American nation has not taken any action because it is revising its tariffs and is expected to submit the new rates to GATT for approval.

Mr. President, in closing, I wish to say that if the Congress allows the 1934 Trade Agreements Act, laughingly called a reciprocal trade act, to expire at midnight on June 12 of this year, the fixing of duties, imposts, and excises and the regulation of foreign commerce reverts to the Tariff Commission, which as an agent of Congress is directed to determine the difference in the cost—not the highest or lowest cost, but the fair cost—between the production of any article in this country and of a like article in the chief competing foreign nation, and to recommend such difference as the duty or tariff.

The Tariff Commission determines the tariff on the basis that if it costs $22 to manufacture a sewing machine in Japan, when the cost of labor in Japan is 15 cents an hour as compared to $72 with $1.80 per hour labor in this country, the Tariff Commission determines the difference, and recommends the amount of the tariff.

The State Department operates under the 1934 Trade Agreements Act entirely independent of Congress, and decides what is for the national good. If the Secretary of State determines that it is for the national good to put the sewing machine, the mineral industry, and the watch industry out of business in this country and allow the low-wage nations to capture the market for such products through free trade, then the State Department may make such an agreement. Under the 1934 Trade Agreements Act, it is the Secretary of State who regulates the national economy. Under the Constitution of the United States, it is the Congress of the United States. Article I, section 8, of the Constitution, provides that the Congress of the United States, the legislative branch, has the duty to set the duties, imposts, and excises, and to regulate foreign commerce. Why? The debates indicate that the regulation of the domestic economy was left in the hands of the Congress of the United States, because Members of Congress represent every area in this Nation. The Constitution of the United States provides that the elected representatives of the people shall regulate the national economy. I call that to the attention of my colleagues, Mr. President.

PUBLIC WORKS CONSTRUCTION FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WELKER in the chair). The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE. Mr. President, the pending amendment, offered by the Senator from Oregon [Mr. MORSE], to the amendments of the Senator from Maine [Mr. PAYNE], presents a rather clear-cut issue for decision. The amendment of the Senator from Oregon proposes to increase the Federal Government's contribution by $5,225,000 over and above whatever increases are provided by the bill as reported by the committee.

The Senator from Oregon has made a speech on behalf of the National Capital; and I think most of us can endorse the sentiments expressed by him in the course of his speech, namely, the desire to have a beautiful Capital, a Capital with good streets, good bridges, good highways, and other good public facilities.

However, I fear that the amendment of the Senator from Oregon would not accomplish the purposes of its sponsor. For many years Congress authorized for the District of Columbia a Federal appropriation far in excess of the appropriation actually voted by Congress. Only within the last 2 years has Congress appropriated the full amount of the authorization of $11 million.

The pending bill proposes that the District of Columbia itself increase its revenues by about $14 million a year, and that the contribution of the Federal Government be increased by $9 million, the top two-thirds of which would be dedicated to a public-works program, conditioned upon the ability of the District of Columbia to match, by means of revenues raised by the District of Columbia, the Federal Government's contribution.

If the amendment of the Senator from Oregon were adopted, I fear that, in the first place, the Appropriations Committees would not report a bill providing for the appropriation of the amount of the authorization; and, in the second place, if the Appropriations Committees did not report a bill calling for the appropriation of the full amount of the authorization, and if, at the same time, it were made impossible for the District of Columbia to obtain the revenue it would obtain under the provisions of the pending bill, then the District of Columbia would not have the revenue with which to match the increased appropriation by the Federal Government, and thus the increased Federal Government appropriation would not be made and would not be effective. In other words, I think the purpose of the amendment of the Senator from Oregon would actually be defeated.

Mr. President, I believe the issue presented by the amendment of the Senator from Oregon is a rather simple and clear-cut one. I hope the Senate will vote immediately upon the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, submitted by the Senator from Oregon [Mr. MORSE] to the amendments of the Senator from Maine [Mr. PAYNE].

Mr. MORSE. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the question of agreeing to the amendment in the nature of a substitute, submitted by the Senator from Oregon [Mr. MORSE] to the amendments of the Senator from Maine [Mr. PAYNE].

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). On this vote I have a pair with the junior Senator from Montana [Mr. MANSFIELD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Pennsylvania [Mr. DUFF], the Senator from New Jersey [Mr. HENDRICKSON], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KUCHEL], the Senator from Connecticut [Mr. PURTELL], the Senator from New Jersey [Mr. SMITH], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent. If present and voting, the Senator from Vermont [Mr. AIKEN] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from North Carolina [Mr. LENNON], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Nevada [Mr. MCCARRAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Georgia [Mr. GEORGE], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Montana [Mr. MANSFIELD] are necessarily absent.

I announce further that on this vote the Senator from Louisiana [Mr. LONG] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from West Virginia would vote "yea."

I announce also that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "yea."

The result was announced—yeas 15, nays 51, as follows:

YEAS—15

Anderson	Ives	Morse
Douglas	Jackson	Murray
Ferguson	Johnston, S. C.	Payne
Hennings	Kefauver	Schoeppel
Hill	Lehman	Young

NAYS—51

Barrett	Ellender	McClellan
Beall	Flanders	Millikin
Bennett	Frear	Monroney
Bowring	Goldwater	Mundt
Bricker	Gore	Pastore
Burke	Green	Potter
Bush	Hickenlooper	Robertson
Butler, Md.	Hoey	Saltonstall
Butler, Nebr.	Holland	Smathers
Carlson	Johnson, Colo.	Smith, Maine
Case	Johnson, Tex.	Stennis
Clements	Kerr	Symington
Cooper	Knowland	Thye
Cordon	Malone	Watkins
Daniel	Martin	Welker
Dirksen	Maybank	Wiley
Dworshak	McCarthy	Williams

NOT VOTING—30

Aiken	Hayden	Long
Bridges	Hendrickson	Magnuson
Byrd	Humphrey	Mansfield
Capehart	Hunt	McCarran
Chavez	Jenner	Neely
Duff	Kennedy	Purtell
Eastland	Kilgore	Russell
Fulbright	Kuchel	Smith, N. J.
George	Langer	Sparkman
Gillette	Lennon	Upton

So Mr. MORSE's amendment in the nature of a substitute for the amendments of Mr. PAYNE was rejected.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the pending question is on agreeing to the amendments offered by the Senator from Maine [Mr. PAYNE]. Is that correct?

The PRESIDING OFFICER. The Senator from California is correct. The question is on agreeing to the amendments offered by the Senator from Maine [Mr. PAYNE]. The yeas and nays have been ordered.

Mr. CASE. Mr. President, I shall not detain the Senate for more than 2 or 3 minutes. I wish to explain to the Senate what the amendments offered by the Senator from Maine would do. The Senator from Maine has been a very hard-working and valuable member of the Committee on the District of Columbia, and he is presenting a very fine study of the transportation system in the District of Columbia.

The amendments he offers are amendments which propose to substitute 3 or 4 different types of taxes, or increases in taxes, for the tax on groceries which is included in the committee bill.

The bill is a District of Columbia revenue bill. It is designed to make it

possible for the District of Columbia to have a public-works program. At the present time the law does not permit the Commissioners to submit an unbalanced budget to Congress.

The bill provides for increasing the revenues of the District. If the District increases its revenues, the bill authorizes a limited increase in the Federal contribution, but most of the Federal contribution is conditioned upon the District raising additional revenue to match the Federal contribution for sewers, water extensions, streets, bridges, buildings, and various items of that nature.

The amendments offered by the Senator from Maine would eliminate the 1-percent tax on groceries and reduce the personal income-tax exemption, which is now $4,000, to $3,000. It would mean an increase in the personal income tax of the people who pay it. I believe that would be somewhat in violation of the pledge that was made to the people to retain the higher personal income-tax exemption at the time the sales tax was first set up.

The second increase, under the amendments, would be in the realty tax. The bill proposes an increase in the realty tax from the present $2.15 a hundred to $2.20. The Payne amendments would increase it by an additional 10 cents. That is an increase which the District Commissioners oppose very much. They are afraid it would increase the present flight to the suburbs. They are very much opposed to it.

The third increase in the Payne amendments would be a 2 percent sales tax on local telephone service, which would raise about $400,000. It strikes me that it would be a little inconsistent for us, after having reduced the excise tax on telephone calls nationally, to increase the excise tax on telephone service in the District of Columbia.

The fourth tax proposed in the Payne amendments would be a new tax, to apply to unincorporated businesses. The committee gave some consideration to that matter. No doubt it would raise a great deal of money. It is estimated that it would raise a half million dollars. However, it is a new type of tax, and no city with which I am familiar has had any experience with that kind of tax. Perhaps the District may some day wish to give some consideration to such a tax, but I doubt that it should be enacted at this time, with the limited amount of study we have been able to give to it.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. THYE. With reference to the proposed 2 percent tax on telephone service, am I correct in understanding that the greatest user of telephone service in the District is the Federal Government?

Mr. CASE. I believe that is correct.

Mr. THYE. Therefore, the Federal Government would pay the tax in the expenditures made by the various agencies of the Government. If that is the case, we might as well make a direct appropriation, instead of increasing the excise tax.

Mr. CASE. I believe that is correct. I trust the Senate will reject the amendments.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. ELLENDER. Did I understand the Senator to say that the Federal contribution would be increased by what is provided in the pending bill?

Mr. CASE. The pending bill increases the contribution by $9 million, two-thirds of it being conditioned upon the District increasing its own revenue to match the contribution.

Mr. ELLENDER. The amendments would not increase the Federal contribution?

Mr. CASE. That is correct.

Mr. ELLENDER. They would make it possible to collect taxes with which to match the contribution. Is that correct?

Mr. CASE. Yes. However, they strike out the other revenue.

Mr. ELLENDER. But they deal with revenue only?

Mr. CASE. Yes; not with the Federal contribution.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. JACKSON. Perhaps I should make a point of order. I wonder how long it will be before the Senate will vote. I must attend a television program, as the Senate knows.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Maine [Mr. PAYNE]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from Vermont [Mr. AIKEN] and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Pennsylvania [Mr. DUFF], the Senator from New Jersey [Mr. HENDRICKSON], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KUCHEL], the Senator from Connecticut [Mr. PURTELL], the Senator from New Jersey [Mr. SMITH], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent. If present and voting, the Senator from Vermont [Mr. AIKEN] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from North Carolina [Mr. LENNON], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Georgia [Mr. GEORGE], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Montana [Mr. MANSFIELD] are necessarily absent.

I announce further that on this vote the Senator from Louisiana [Mr. LONG] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from West Virginia would vote "yea."

I announce also that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "yea."

The result was announced—yeas 23, nays 45, as follows:

YEAS—23

Cordon	Hill	Schoeppel
Douglas	Ives	Smathers
Dworshak	Jackson	Thye
Ferguson	Lehman	Welker
Flanders	Monroney	Wiley
Gillette	Morse	Williams
Goldwater	Murray	Young
Hennings	Payne	

NAYS—45

Anderson	Dirksen	Martin
Barrett	Ellender	Maybank
Beall	Frear	McCarthy
Bennett	Gore	McClellan
Bowring	Green	Millikin
Bricker	Hayden	Mundt
Burke	Hickenlooper	Pastore
Bush	Hoey	Potter
Butler, Md.	Holland	Robertson
Butler, Nebr.	Johnson, Colo.	Russell
Carlson	Johnson, Tex.	Saltonstall
Case	Johnston, S. C.	Smith, Maine
Clements	Kerr	Stennis
Cooper	Knowland	Symington
Daniel	Malone	Watkins

NOT VOTING—28

Aiken	Humphrey	Magnuson
Bridges	Hunt	Mansfield
Byrd	Jenner	McCarran
Capehart	Kefauver	Neely
Chavez	Kennedy	Purtell
Duff	Kilgore	Smith, N. J.
Eastland	Kuchel	Sparkman
Fulbright	Langer	Upton
George	Lennon	
Hendrickson	Long	

So Mr. PAYNE'S amendments were rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 8097) was read the third time and passed.

Mr. CASE. Mr. President, I move that the Senate reconsider the vote by which House bill 8097 was passed.

Mr. KNOWLAND. Mr. President, I move that the motion be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion to lay on the table was agreed to.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT OF 1947

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar 1217, Senate bill 2650, to amend the Labor Manage-

ment Relations Act of 1947, and for other purposes.

I would say for the information of the Senate that I merely desire to make the bill the unfinished business before the Senate. When we dispose of routine business this afternoon I shall move that the Senate stand in recess until Monday next. At that time there will be a call of the calendar of bills to which there is no objection, from where we left off the last time the calendar was called, and then we will proceed to the debate and discussion of the bill which I have just mentioned.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes, which had been reported by the Committee on Labor and Public Welfare, with an amendment.

ORDER FOR RECESS UNTIL MONDAY

Mr. KNOWLAND. Mr. President, I am prepared to keep the Senate in session for the introduction of any matters into the RECORD; but as soon as that has been completed, I shall be prepared to suggest that the Senate take a recess.

I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAY DAY FESTIVITIES—FREE ELECTION IN POLAND

Mr. KNOWLAND. Mr. President, before Senators leave the Chamber, I desire to call up a resolution which was reported by the Committee on Foreign Relations, on which some discussion was had earlier in the day, when both the majority leader and the minority leader were absent from the Chamber. At that time it had been pointed out that there had been no discussion with either the majority leader or the minority leader with reference to the resolution being placed on the program for today. Had I been present, I should have felt that, under all the circumstances, and with the general understanding which is held on both sides of the aisle, the matter should go over until I could have consulted with the minority leader and also had had an opportunity to check with the members of the committee, and with other Senators who would have wished to have the matter discussed with them.

The question has now been discussed by the minority leader and the majority leader with Senators on both sides of the aisle, and I understand the minority leader is now prepared to have the resolution considered immediately, without its having to go to the calendar.

In the normal course of events, I believe it is better legislative procedure to have any resolution which comes from a committee go to the calendar. But due to the fact that the concurrent resolution in question relates to May Day, which is a day that is celebrated by Communists throughout the world, and because the concurrent resolution expresses hope and inspiration to the people who are temporarily enslaved behind the Iron Curtain, I think that if the measure is to have any value, it should be considered at this time, for it will be subsequent to May Day when the Senate meets on Monday next. Therefore, I am prepared to waive the objection I would normally have to the consideration of the concurrent resolution because of the time element.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I am glad to yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I share fully the views expressed by the distinguished majority leader. I was called to the telephone and was, therefore, absent for a few minutes earlier in the day. When I returned, I explained to the distinguished chairman of the Committee on Foreign Relations the procedure that is always followed, and he agreed to defer his request.

I appreciate the courtesy which the majority leader always shows to the minority in connection with programing the business of the Senate. I know that if he had been present, he would have done just as he said he would have done, and would not have allowed the measure to be considered until the minority had been forewarned.

Mr. KNOWLAND. Mr. President, the Senator from Illinois [Mr. DOUGLAS] is prepared to submit the concurrent resolution. I suggest that it be called up while many Senators are still present.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 58.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may submit a Senate resolution in lieu of the concurrent resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none.

The resolution (S. Res. 241) submitted by Mr. DOUGLAS was thereupon read and considered, as follows:

Whereas the General Assembly of the United Nations has called upon every nation, as one of the essentials of peace, to promote, in recognition of the paramount importance of preserving the dignity and worth of the human person, full freedom for the peaceful expression of political opposition, full opportunity for the exercise of religious freedom and full respect for all the other fundamental rights; and

Whereas the Government of the Soviet Union and the satellite governments, which it has imposed upon its captive countries, have consistently ignored and flouted the principles listed above; and

Whereas the Soviet Government repeatedly has given lip service to the idea of free and unfettered elections in those captive countries; and

Whereas the Soviet Government has, in addition, forcibly and aggressively incorporated the territory of the nations of Lithuania, Estonia, and Latvia into the Soviet Union; and

Whereas the Soviet Government has furthermore been found responsible by a committee of Congress for the Katyn massacre of Polish military personnel; and

Whereas the General Assembly, in considering the suppression, by the Governments of Bulgaria, Hungary, and Rumania, of human rights and fundamental freedoms in violation of their peace-treaty obligations, has expressed the opinion that the three countries are callously indifferent to the sentiments of the world community; and

Whereas the United Nations General Assembly has expressed the grave concern which is felt by all decent men "at reports and information that North Korean and Chinese Communist forces have, in a large number of instances, employed inhuman practices against the heroic soldiers of forces under the United Nations command in Korea and against the civilian population of Korea": Therefore, be it

Resolved, That—

(1) The Senate condemns the notorious disregard for fundamental human rights and basic civil and religious liberties in all countries under the domination of the Soviet Government.

(2) The Senate condemns the refusal of the Soviet Government and of its puppet governments to allow free and fair elections in Poland, Hungary, Rumania, Bulgaria, Albania, Czechoslovakia, and the Soviet zone of Germany.

(3) The Senate endorses the refusal of Presidents Roosevelt, Truman, and Eisenhower to recognize the Soviet conquests of Lithuania, Estonia, and Latvia.

(4) The Senate condemns the flagrant disregard for human life shown by the Soviet Government throughout the areas under its domination, and particularly in the atrocities committed by Communist regimes in the Katyn Forest and in Korea.

(5) The Senate endorses the resolution of the United Nations General Assembly of December 3, 1953, condemning "the commission by any governments or authorities of murder, mutilation, torture, and other atrocious acts against captured military personnel or civilian populations, as a violation of rules of international law and basic standards of conduct and morality and as affronting human rights and the dignity and worth of the human person."

(6) The Senate requests the President to use all available and appropriate means, through the United Nations, United States Information Agency, and otherwise, to keep the facts of the Soviet Government's inhuman actions in these matters and its violations of solemn agreements before the attention of the world and to let the subject peoples know that they have not been forgotten.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 241) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. Without objection, the concurrent resolution (S. Con. Res. 58) will be indefinitely postponed.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. FERGUSON. Do I understand correctly that the concurrent resolution

which has been adopted by the Committee on Foreign Relations, of which I am a member, has been changed to a simple Senate resolution?

Mr. DOUGLAS. The Senator is correct.

The PRESIDING OFFICER. The concurrent resolution was changed to a simple resolution, and was agreed to as a simple resolution.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Was not the resolution reported by the Committee on Foreign Relations as a concurrent resolution?

Mr. DOUGLAS. It was reported as a concurrent resolution, which would have necessitated joint action by the House. But since there would not be time for the House to act before May 1, the Committee on Foreign Relations recommended that the concurrent resolution be agreed to as a Senate resolution.

Mr. KNOWLAND. It is because of the time element that the action has been taken without the concurrence of the House; but the language of the Senate resolution is precisely the same as that which was included in the concurrent resolution reported by the committee.

Mr. FERGUSON. The only reason why I raised the point was that I thought the action would be much stronger if it were taken by both Houses of Congress. I think both Houses are interested in making the resolution as strong as possible, as representing the opinion of the people of the United States. I merely wished to raise the point that a concurrent resolution would have indicated that the House of Representatives, as well as the Senate, was in favor of the resolution as reported by the Senate Committee on Foreign Relations.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. I have just been informed, and I believe the information to be accurate, that the House is about to recess until Monday next.

Mr. FERGUSON. If that is so, I shall not press the point any further.

Mr. KNOWLAND. I do not believe it would be possible to obtain the concurrence of the House before May 1, notwithstanding prompt action by the Senate.

Mr. FERGUSON. That being true, I shall not raise any objection. I think the expression of the sense of the Senate is important in this matter, although I believe it would have been much stronger and more representative of the feelings of the people of the United States if Congress could have agreed to a concurrent resolution.

Mr. DOUGLAS. Mr. President, does the action which has been taken indicate approval of the resolution as a simple Senate resolution, with the necessary language changes having been made, namely, with the word "Senate" being substituted for the word "Congress"?

The PRESIDING OFFICER. The Senator from Illinois is correct.

Mr. DOUGLAS. I thank the Chair.

POLISH CONSTITUTION DAY

Mr. FERGUSON. The Senate having agreed to the resolution, I now wish to place in the RECORD as a part of my remarks a statement in relation to May 3, which is the anniversary of the adoption of the Polish Constitution.

On May 3, Americans of Polish descent, together with Americans generally, will have in mind Polish Constitution Day, for it is the 163d anniversary of the adoption of the Polish Constitution in 1791.

I am glad that the Committee on Foreign Relations was able to submit the resolution which has just been agreed to. As I have already said, I think it would have been stronger, when presented to the people of the world, if both Houses of Congress had acted on it. But I am glad to be able to have the Senate resolution made a part of the RECORD today, so that the world may know that Americans have in mind the desire for liberty and freedom on the part of the people behind the Iron Curtain.

Mr. President, I ask unanimous consent that my statement relative to the anniversary of Polish Constitution Day be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HOMER FERGUSON ON ANNIVERSARY OF POLISH CONSTITUTION DAY

Mr. President, Monday, May 3, will be celebrated by Americans of Polish descent and by Americans generally, as Polish Constitution Day, for it is the 163d anniversary of Poland's Constitution of 1791.

I am certain that freedom-loving citizens in Poland today would risk imprisonment and death if they were to take public note of this occasion so it is important for freedom in Poland and here in the United States for us to observe this anniversary on behalf of those suffering people.

Constitution day cannot be celebrated in Poland today because the constitution of 1791 is a document of freedom and liberty. It gave formal expression to that age-old striving of the Polish people for their liberty. Like our own Constitution which was adopted only 2 years earlier, the Polish Constitution places sovereignty in the people and bases the government on the consent of the governed. It is a remarkable document and one whose provisions still inspire free men.

It is particularly appropriate that this day be honored in America because the bonds between the people of this country and the people of Poland, in spite of the present Communist regime at Warsaw, continue to be close and firm. We Americans acknowledge with appreciation the great contributions which citizens of Polish descent have made to our Nation from its very beginning.

Americans and Poles, too, stand shoulder to shoulder in their unshakable opposition to their common enemy, international communism.

This year it is heartening to know that we can celebrate Polish Constitution Day without doing it under the spying eyes of Communist agents in Polish Communist consulates in Detroit, Chicago, and New York. I am delighted to have been able, with the aid of many Polish groups, to secure the closing of these Communist centers which operated as an open insult to the millions of Americans of Polish descent.

This action by our Government has been effective in reducing Communist propaganda outlets in this country and reducing the number of diplomatic Communist agents in the country. The real effectiveness of these closings is proved, in my opinion, by the noisy protests which the Communist government registered. Needless to say, these protests fell on deaf ears in our State Department.

The policy of the United States for many years has favored and supported a strong, free, and independent Poland with the unrestricted right of the Polish people freely to select their own form of government.

This policy has been strongly emphasized during the past year by our President and Secretary of State. I am confident that we will continue to use every peaceful means to achieve the objectives of our policy in this respect.

Our present policy includes complete opposition to the idea of freezing the captive nations behind the Iron Curtain and we must continue to oppose this. We cannot recognize as legitimate and permanent those regimes whose rule is based on police power, treachery, and brutal conquest. Our Government's official position supports every peaceful means which will enable Poland and the other countries of Eastern Europe to take their proud and rightful places as free and independent nations.

We know that the overwhelming majority of Poles are unyielding opponents of Communist domination and we take this opportunity to salute their bravery, their patriotism, and their love of freedom.

The people of Poland are our friends and our allies. We have not forgotten them and we never will. We owe it to them to labor by all proper means for their liberation and we shall do so.

Mr. SALTONSTALL. Mr. President, I wish to commend the Senator from Michigan upon his statement, and I join with him in his remarks.

On Sunday, in Boston, I intend to participate in a meeting of Polish-American citizens, who are tremendously interested in the independence and the freedom of Poland. I was glad to be able to join with the Senator from Michigan, and with other Senators, in the resolution which has been agreed to, and to be able to so inform the Polish-American citizens on Sunday.

Mr. MORSE. Mr. President, I wish to congratulate the Committee on Foreign Relations upon its resolution calling for free elections in Poland, because it is further evidence that we in the United States recognize that freedom cannot exist without a free ballot.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REORGANIZATION PLAN NO. 1 OF 1954—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 381)

The PRESIDING OFFICER (Mr. BARRETT in the chair) laid before the Senate a message from the President of the United States, transmitting Reorganization Plan No. 1 of 1954, relating to the Foreign Claims Settlement Commission of the United States, which was read, and, with the accompanying paper, referred to the Committee on Government Operations.

(For President's message, see House proceedings in today's CONGRESSIONAL RECORD.)

REORGANIZATION PLAN NO. 2 OF 1954—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 382)

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, transmitting Reorganization Plan No. 2 of 1954, relating to the liquidation of certain affairs of the Reconstruction Finance Corporation, which was read, and, with the accompanying paper, referred to the Committee on Government Operations.

(For President's message, see House proceedings in today's CONGRESSIONAL RECORD.)

THE FLEXIBLE FARM POLICY

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a statement addressed to the Oregon congressional delegation by Mark V. Weatherford, a distinguished lawyer of Oregon, who is thoroughly familiar with the problems of the American farmer. I desire to associate myself with the arguments he presents in his very fine statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON FARM ISSUE SUBMITTED TO OREGON CONGRESSIONAL DELEGATION BY MARK V. WEATHERFORD

May I discuss with you some of the features of the new farm bill which is now in committee and will probably be before Congress in the very near future? It is named the flexible farm policy.

THE BILL IS MISNAMED

This new bill is termed the flexible farm policy. The only thing that flexes is the lowering of the price the farmer receives. That which he is compelled to pay out in his operation remained fixed. One of the greatest items the wheat farmer meets is freight rates. These are fixed by law, State and Federal, upon a basis to guarantee cost of operation and a reasonable return upon the investment. These laws are as inflexible as the Rock of Gibraltar. The same applies to the cost of power and electricity, telephone rates, and all corporate services which the farmer must purchase. These rates are fixed and inflexible. The new farm bill proposes to leave these secure and fixed and still lower the price of wheat under the term of a flexible policy. The only thing that flexes is the price that the farmer receives. We, therefore, submit that the term "flexible" farm prices is a misnomer.

THE PRESENT FARM BILL IS A FLEXIBLE FARM PRICE BILL

After years of study and groping, there crept into the legislation of Congress on the farm laws, the word "parity," which means that the farmer shall receive a sum which puts him on an equality with other industries. If freight rates go up under the rule of parity, the guaranteed price goes up. If freight rates go down, likewise, under the parity rule, farm prices go down. This applies to all other commodities, including farm machinery, equipment, and all things that the farmer purchases. This is a flexible farm policy, and it is the only way that a flexible policy can exist. Under the present law the farmer is given only 90 percent of parity; still this is based upon a flexible formula.

The present proposed law is not flexible. It doesn't disturb the cost of machinery, the cost of freight rates, the cost of power rates, the cost of telephone rates, or the cost of labor, but arbitrarily slashes the farm price and leaves all of the prices that he must pay out in his operations fixed and inflexible. The bill is nothing more or less than a provision that sells the farmers down the river. The new bill is misnamed. It is unfair and it will bring disaster to agriculture.

BRIEF HISTORY OF FARM LEGISLATION

The writer had a small part in farm legislation. He was president of the first group of wheat growers who assembled to discuss farm prices at Arlington, Oreg., in 1923, when efforts were initiated by the wheat growers to meet the situation and get the wheat industry on an equality with other industries. The writer had returned from World War I somewhat as a disabled soldier and spent 6 years, from 1920 through 1925, in wheat raising, primarily to regain his health, and during that time, and since, has been engaged in operating an averaged-sized farm in the wheat areas of Gilliam County, now joined by his daughter and son-in-law and his son and another associate. Since 1923 the writer has been more or less active in the wheat program of the United States Congress. He wrote probably the first draft of the McNary-Haugen bill and cooperated with Senator McNary and later Congressman Pierce in assisting to formulate a farm program. The McNary-Haugen bill was copied after the Brazilian coffee bill. It guaranteed a domestic price for the part of the crop used in this country, with the idea that the exportable surplus should be sold upon world market price. It twice passed Congress; it was twice vetoed, among other things, on the ground that it was unconstitutional.

Those who advocate the present so-called plan for a two-price system are advocating substantially the same thing that the McNary-Haugen bill provided.

The Grange had what they called a debenture plan, which was never passed by Congress. Later came the bill that was declared unconstitutional by the United States, and then, substantially, the present farm bill which has worked for years, and has kept agriculture on an equality with other industries and has been a means of creating and maintaining prosperity in the Nation. To disturb this law is to unsettle agriculture and bring about uncertainty in the Nation, if not greater disastrous results.

THE PRESENT AGRICULTURE LAW IS NONPARTISAN

The present law under which agriculture has prospered is a nonpartisan bill. So far as Oregon is concerned, we were fortunate in having Senator McNary until his death as chairman of the Agriculture Committee of the Senate, and Walter Pierce a member of the Agriculture Committee of the House. One was a Republican and the other a Democrat. They did yeoman work for the farmers and for the Nation all along the line as long as either of them was in Congress in establishing a suitable farm policy.

SURPLUS

It is claimed that we cannot continue the present farm policy because of the surpluses which have been created. This is not a sound objection to the present law, and the writer is discussing the present law as it applies to wheat. The farmers were asked to produce to the maximum during World War II and during the Korean war, this because of the ending of the war has created a surplus.

The current crop under the old law has been cut down in acreage, which is the only feasible way of cutting down surpluses. The farmers overwhelmingly voted for this cut-down in acreage. On the writer's ranch alone, in compliance with this law, 600 acres has been planted to barley—substantially one-third of the acreage in crop this year. All farmers have likewise cut down the acreage. This is the method provided under the present law for the elimination of surpluses. It is the only method known to Congress whereby this can be done.

Surpluses cannot be cut down by lowering the price. The farmers, in order to meet their obligations, will raise all that they possibly can in order to make ends meet, if the price is lowered. We had that experience in the twenties and early thirties. The wheat was worth 28 cents a bushel, and the writer sold one crop for that price. The reason for the low price given at that time was surplus—too much wheat. So the low price did not solve the farm situation. On the contrary, it created the depression, with monumental loss to the whole Nation. The farmer could not buy equipment; factories closed, and the depression was nationwide. Taxes could not be paid; farm mortgages were foreclosed all over the Nation.

During this time, however, under Federal law and State law, freight rates, power rates, telephone rates were all guaranteed to those engaged in that line of business. They were as inflexible as the Rock of Gibraltar. The farm price was flexible and as an illustration of the result, attention is called to the situation the farmer met at that time. Few farmers then had trucks; they could not buy them. They had to hire the wheat hauled. In the writer's operation this cost 7 cents a bushel. The freight rate was about 8 cents a bushel to the terminal. The terminal price was 35 cents. Thus 15 cents of the 35 cents was exacted by the inflexible freight rates. That left 20 cents per bushel out of the 35 cents which was received for the crop. At that time the writer joined others in the agitation to the effect that freight rates should be flexible and when the wheat price was lowered, the freight rates should be lowered. No relief was available.

It cannot be said that lower prices will solve the farm problem. On the contrary, it will cause farm failure and national failure. It did it in the 1920's and 1930's, and it will do it again.

The national economy is now geared to the parity program and to disturb it by a so-called flexible program which is inflexible as to all the farmer buys and flexible only to what he sells, by lowering his price, is a program of ruin. Prices are upon a high level. Tractors which formerly could be bought for from four to six thousand dollars are now priced at from nine to twelve thousand dollars. Combines formerly could be bought for $3,000; now they are $9,000. These prices are stated roughly. The last tractor the writer bought was $7,500. Taxes on the farm which in the early 1940's were $1,100 a year, are now substantially $4,000 per year. Exact figures on all of these questions are more readily available to you gentlemen than they are to the writer. The present wheat price of 90 percent of parity makes it possible for the farmer to survive in meeting these high prices. To disturb this situation by lowering the farmer's prices and leaving what he must pay out in his operation at the inflexible price fixed by law, is to invite inequality and create havoc with the farming industry. It is to invite disaster to the Nation.

Every farm must pay additional taxes, far above what now exists, and they have already raised, substantially, four times since 1942 in order to take care of the growing school problem which is national in its scope. Other governmental local expenses likewise will continue to increase. These burdens cannot be borne by agriculture with a lowering of the commodities that it produces. It means economic disaster for the farmer and the Nation. We have gone through it once. This will cause us to go through it again.

BOTH PARTIES PLEDGED EQUALITY TO THE FARMER

Politically, the farmer in the last election voted for Eisenhower in the majority, and this upon his promise that the farmer should receive not only 90 percent of parity but 100 percent of parity. The farmers heard this

speech where he made this pledge. It is realized that the Oregon delegation is Republican, with the exception of one Independent, and, while the writer is a Democrat, he, as well as all citizens, expect that a pledge solemnly made to the voters of the Nation will be kept, not only by the President of the United States but by the Representatives of the successful party in Congress.

RECESS UNTIL MONDAY

The PRESIDING OFFICER. If there be no further business before the Senate, the Senate will stand in recess, under the previous order of the Senate, until 12 o'clock noon on Monday next.

Thereupon (at 4 o'clock and 6 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, May 3, 1954, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 29 (legislative day of April 14), 1954:

POSTMASTERS

CALIFORNIA

Ernest L. Kincaid, Napa.
Edward C. Wright, National City.
Marion R. Bessac, Riverbank.
John J. Vizzolini, Westley.

ILLINOIS

John R. Depper, Caseyville.
Harry A. Lange, Mattoon.

MASSACHUSETTS

Robert H. Hughes, Oak Bluffs.

MINNESOTA

Raymond J. Michelau, Dundee.

MONTANA

Willard J. Adams, Bridger.

NEW JERSEY

John R. Dougherty, Bordentown.
Margaret G. Spencer, Lake Hopatcong.
Frank Elia, Union City.

PENNSYLVANIA

Charles M. Brubaker, Dornsife.
Anna E. Lefever, Holtwood.
Dallas L. Darr, Jacobus.
George A. McDowell, Jamestown.
Marianna W. McClelland, Masontown.
Lillian M. Mengle, Port Clinton.
Jacob F. Lefever, Smoketown.
Walter C. Snyder, Swarthmore.
Charles W. Snyder, Three Springs.
Keith G. Baird, Youngwood.

SOUTH DAKOTA

Harold O. Ewing, Jr., Turton.
Marvin W. Wilcox, Volin.
Clair E. Woodard, White.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 29, 1954

The House met at 11 o'clock a. m.

The Reverend Edward J. Craddock, Nashville, Tenn., offered the following prayer:

Our Father, who art in heaven, may Thy name be exalted in all the earth, Thy will be done. We are thankful for past blessings, for Thy guiding hand in all things. Lord, today we pray for guidance. Give us the faith of Abraham, to live beyond ourselves with ultimate good in mind. Like Solomon, we seek wisdom to do the right thing. May parents with David say, "Except the Lord build the house, they labor in vain who build it." Give our young people Gideon's discipline and will to leadership. May they see in us, most of all, integrity, that, like Joshua, we may know our own minds. Like Paul, may we be committed with the sense of mission for life or death.

God bless the President, the Congress, all leaders of Government, and all the people. In Jesus' name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2098. An act to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2665. An act to amend the Classification Act of 1949, as amended, and the Federal Employees Pay Act of 1945, as amended, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, Mr. SALTONSTALL, Mr. HAYDEN, Mr. RUSSELL, and Mr. MCCARRAN to be the conferees on the part of the Senate.

SPECIAL ORDER GRANTED

Mr. FORAND asked and was given permission to address the House for 30 minutes on Monday next, following the legislative program and any special orders heretofore entered.

FILING OF CERTAIN CLAIMS UNDER WAR CLAIMS ACT OF 1948

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6896) to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 7, strike out "November" and insert "August."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. ANGELL asked and was given permission to address the House for 15 minutes today, following the legislative program of the day and any special orders heretofore granted, and also to revise and extend his remarks and include extraneous matter.

CALL OF THE HOUSE

Mr. SCRIVNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously, a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 57]

Barrett	Gamble	Pilcher
Battle	Graham	Powell
Bender	Haley	Radwan
Boykin	Harrison, Va.	Reed, Ill.
Camp	Hart	Richards
Carlyle	Herlong	Roberts
Chatham	Howell	Saylor
Chelf	Jenkins	Shafer
Clardy	Kearney	Sieminski
Crosser	Kersten, Wis.	Sutton
Curtis, Mo.	King, Calif.	Talle
Curtis, Nebr.	Klein	Thompson, Mich.
Deane	Lantaff	Walter
Dies	McDonough	Warburton
Dingell	Martin, Iowa	Weichel
Dollinger	Metcalf	Westland
Donovan	Morrison	Wier
Dorn, S. Dak.	Murray	Yorty
Doyle	Norblad	
Engle	O'Konski	
Fine	Osmers	

The SPEAKER. On this rollcall 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT TO COMMISSION ON INTERGOVERNMENTAL RELATIONS

The SPEAKER. Pursuant to the provisions of section 2, Public Law 109, 83d Congress, the Chair appoints as a member of the Commission on Intergovernmental Relations to fill the existing vacancy thereon, the gentleman from Massachusetts, Mr. GOODWIN.

SPECIAL ORDERS GRANTED

Mr. HYDE asked and was given permission to address the House for 15 minutes today, following the legislative program and any special orders heretofore entered.

Mr. SHEEHAN asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

Mr. KEOGH asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered, and that following his remarks Mr. THOMPSON of Texas be permitted to address the House for 5 minutes.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1955

Mr. WIGGLESWORTH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8873) making appropriations for the Department of Defense and related independent agency for the fiscal year ending June 30, 1955, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 8873, with Mr. MCCULLOCH in the chair.

The Clerk read the title of the bill.

Mr. CANNON. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, this is unquestionably the most important bill to be considered in this session, in this Congress, and possibly in the last several years. There is no issue that transcends in urgency or in importance the national defense—the safety of the Nation.

On this bill, Mr. Chairman, I go along with the President of the United States who possibly is better qualified to pass on military matters than anyone else in the Nation today. And I go along with the Joint Chiefs of Staff, although—as you may have had opportunity to observe—the Joint Chiefs of Staff, as Mr. Dooley said of the Supreme Court, "goes along with the election returns."

We have been impressed, as the distinguished gentleman from Massachusetts [Mr. WIGGLESWORTH], the chairman of the subcommittee reminded us, with the tremendous amount of money involved. But, efficiency in appropriation is not governed by the amount of money involved in a bill. The essential consideration, the determining factor is the manner in which that money is allotted by the bill. We can appropriate millions of dollars more than is required and lose the war. Or we can allocate a much lesser fund more advantageously and win the war.

The subject with which we are dealing here is a very old subject. The earliest recorded history is a record of wars, and from that earliest day down to this, history is a continuous recital of the annals of war. But, Mr. Chairman, it is also a new subject, possibly the newest subject that could be brought before the House this morning. War today, and war in the future, are so different as contrasted with all previous wars—so different in methods, strategy, and weapons—as to challenge all comparison.

In every previous war, we have fought for victory. Defeat merely meant indemnities and humiliating treaties. But in the next war we fight for survival. Defeat this time means extermination. Free government will perish from the earth and our cities will become as Nineveh and Tyre.

Again, this war differs from every previous global war, in that we have always been the last to be engaged. Heretofore we have always had allies that bore the brunt of the first attack and held the enemy until we could arm and develop power to deliver the final blow. This time they will pass our allies by and America with her shining cities and boundless wealth will be the first marked for destruction, leaving the rest of the civilized world to be devoured at leisure. We must be alert and ready when our outposts signal the lightning approach of the first bombers or we will never be ready at all.

Third, we have entered all former wars with a morale buttressed by a record of unbroken victories. In every conflict we have dictated the terms of peace and without debate or deprecation the enemy has signed on the dotted line.

But in Korea we repeatedly sought an end of hostilities. And an insolent and nondescript people, who had never occupied a place in the family of nations, dictated the time and place of negotiations and largely dictated the terms of what the representatives of the Armed Forces, appearing before the committee in the hearings on this bill, termed "an uneasy armistice." And we have been unable to secure a treaty of permanent peace to this day.

So unsatisfactory were the negotiations and the terms of the protocol that Vice President NIXON told 400 newspapermen last week that "the Korean truce may have been a mistake and perhaps we should have fought to a decisive victory." But it is too late to rewrite the record now and we must face the next war with the shattered faith of our allies and the exultant and accelerated confidence of the enemy.

Again, Mr. Chairman, in every former war we have been insulated and protected by the broad bulwarks of continental oceans behind which life went on as usual and business proceeded without appreciable interruption. Aside from the boys we sent across, the war hardly touched us. But the next time every inhabitant—men, women, and children—in the remotest hamlet in the land, will be under attack and in the line of fire. Death and devastation will drop from the skies and even if we win the war—of which there is no complete assurance—there will be hardly enough left to celebrate the victory—or with composure or spirit enough to care to celebrate it.

And then, Mr. Chairman, in every previous war we have fought with superior weapons. We have equipped our men with planes, tanks, guns, and all of the paraphernalia of war better and more effective than any they had to meet in the air, on the ground, or under the sea.

Neither the Japanese nor the Germans realized they were fighting against proximity fuse bombs and other new and improved equipment. Not until after they had surrendered did they know that the weapons which decimated their ranks so accurately had never been used on any battlefield before. And they died in windrows at Hiroshima and Nagasaki before they ever heard of the atomic bomb. In both Europe and Asia it was the superiority of American weapons that ended the war.

But this time the enemy has the superior weapons. They were first to perfect the jet plane. Our engineers could get it up in the air but could not get it down. And they were manufacturing jet planes in quantity while ours were still in the experimental stage. They put the first snorkle submarine to sea and have today three times as many modern underwater craft as the rest of the world combined. And they have over a hundred more trained and equipped divisions than the allies combined can put in the field.

They have just notified us defiantly and belligerently in the last 10 days that they have the atomic bomb and they have the H-bomb in ample reserve and that they are ready and prepared to use it on a minute's notice. And notwithstanding our ultimatum to them that we will tolerate no encroachment from any quarter, they are equipping and directing the forces relentlessly closing in on Indochina.

Now, I am not an alarmist. I eschew the role of a Jeremiah. But no one is so thoroughly deceived as those who deceive themselves. Let us face the facts as they are. Let us see the situation as it is. When attack comes it will come like a thief in the night. There will be no notice, no declaration of war, no warning. I tried by repeated questioning to get the Secretary of Defense, when he appeared before the committee, to tell us how vulnerable the country is—to give us an estimate of how many attacking planes we could knock down in event of attack. That is the one question before any council or defense today. He refused to say.

But we have dependable information on that question. And to ignore it is to hide our heads in the sand.

There is some division of opinion as to the exact extent of the area which would be devastated by a modern bomb, either the atomic bomb or the H-bomb.

But it is a matter of general knowledge that the enemy today has bombs which, if dropped upon Washington, or any similar city, would encompass an area of complete destruction for a diameter of 7 miles. Predictions have been made of bombs which would engulf a part of a continent. But for present purposes 7 miles is enough. It is also a matter of common note that the Department of Defense has from Russian sources a list of 86 American cities arranged in the order of priority of attack; including, of course, centers of production, centers of communication, and population which if attacked simultaneously would so completely destroy the nerve centers of the Nation as to render us powerless to retaliate.

Early in 1951 we were told by those best qualified to testify on the subject that out of every 10 bomb-laden planes which Russia sent against American

cities 7 out of 10 would get through. And then we were told in October of 1951 that barring some mechanical defect, out of every 10 planes Russia launched against American cities 10 would get through. We have been told of no positive means of stopping a single plane after it leaves the borders of Russia.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I say to show how correct the gentleman is that only the early part of this month, April, the Administrator of Civil Defense said that we would have only 15 minutes' notice of attack. That means that the attacking plane would be within 60 to 75 miles of a city to be attacked before the city would have knowledge of its approach, except an inland city, which might have a little more warning. The Assistant Administrator made a speech the other day in Boston in which he said that anywhere from 33 to 75 percent of the attacking planes can get through, which would result in millions of Americans being killed and wounded; in other words, the loss of millions of Americans.

Mr. CANNON. The gentleman has touched upon one of the most vital features of the situation before us.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. CANNON, and by unanimous consent, he was allowed to proceed for 5 minutes.)

Mr. CANNON. Mr. Chairman, we have spread across the American Continent a vast network of radar screens, and we have established listening posts in every accessible part of the world, in order to be apprised if and when any hostile planes cross the top of the world in battle formation. The time of warning is a matter of conjecture. Some talk about 6 hours warning, some talk about 15 minutes warning, but we can be certain that the enemy in choosing their time will give us wholly inadequate warning. Unless we have devised in the meantime some means of stopping these planes—some means of interception, our only defense is to evacuate the city. That is the only practical defense that has been suggested up to this time—just get the people out. At the same time we are confronted with the fact that we can evacuate no city of any size in less than 6 hours.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. JENSEN. Last year with several other Members of Congress I made a tour around the world. We visited many nations, we skirted the Iron Curtain all the way. I must say at this time, and I think it should be mentioned, that we found the military high command of every nation that we visited well aware of the conditions and the position of the Communist forces. We were greatly encouraged to know of the safety methods that are being taken in connection with the radar system and by every other manner and means possible to keep the "commies" boxed up.

Mr. Chairman, I may say to the gentleman from Missouri and to the Members of the House and to the American people that they have today around the world the finest military forces all of whom are well aware of the great responsibility which rests on their shoulders. May I say also, with great emphasis, that not only myself but every member of the committee was greatly encouraged and felt a sense of security in the knowledge that we are doing everything possible, our military forces and every branch thereof are doing everything possible to keep the would be or supposed enemy boxed up to the best possible degree.

Mr. CANNON. The gentleman from Iowa always adds materially to the information and logic of any debate, and this is no exception to that rule. I wish that those who represented the Armed Forces before the committee for many weeks could have given us that assurance.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Chairman, reserving the right to object, and I shall not object, but I hope that later on we are not going to be limited to 1 minute or half a minute or something like that on amendments.

The CHAIRMAN. The time is within the control of the committee.

Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. In the days when dueling was the accepted custom, an expert marksman, who had a record of having killed a dozen men, insolently and gratuitously challenged a businessman who had no familiarity with arms. But the man challenged always had the choice of weapons, and in this case selected sawed-off shotguns to be fired at a distance of 2 feet. The duel was not fought. That is our position today. Both nations have atomic weapons. We face each other at a distance of 2 feet with sawed-off shotguns. And in this bill we appropriate for our sawed-off shotgun. We hope that in this instance, as in that historic instance on the Bladensburg flats, it will not be necessary to use the shotgun.

Mr. Chairman, I do not think that this bill completely satisfies any one Member of the House on either side. If rewritten by any Member of the House, it would be at least slightly different. Perhaps that is its virtue. But laying aside the bill, no one can review the evidence adduced before this committee without realizing that any preparation except as a deterrent is futile. We must not go to war. War, even if we win, is suicide. There will be neither people nor country left. Let us pass this bill as recommended by the President of the United States as expeditiously as possible. But let us understand at the same time that if it ever becomes necessary to use the facilities for which the bill provides, civilization has failed. And nothing matters in the dark ages which will engulf the world.

Mr. SHORT. Mr. Chairman, I move to strike out the last two words.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield, the gentleman from Missouri is chairman of the Committee on Armed Services. Does the gentleman want more than 5 minutes? I am sure we would all like to hear some of the views the gentleman has.

Mr. SHORT. I do not want to unduly trespass upon the time and patience of the Committee.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SHORT. Mr. Chairman, I take the floor at this time to pay an humble but well-deserved tribute to the gentleman from Massachusetts [Mr. WIGGLESWORTH], and to all the able members of his subcommittee on both sides of the aisle who have worked so long, hard, and diligently in the preparation of this splendid bill. In my opinion, the subcommittee has rendered a great service not only to all the Members of the Congress but to the entire American people. We all know that as long as there are brigands abroad and aggressors let loose in the world the United States must, out of sheer necessity for survival, remain strong on land, sea, and in the air. Our Military Establishment is the biggest business on earth.

Mr. Chairman, a day or two after his confirmation by the Senate of the United States the Secretary of Defense paid me a courtesy call at my office. I told him at that time, early last year, that I considered the President and the American people fortunate in getting a man of his long, successful business experience, his hard, practical sense, to dispose of his stock and to accept one of the most onerous and burdensome positions in the United States Government, one that forced one man to jump out of a window and another to resign. While he employed 486,000 people in General Motors, the greatest corporation on earth, and did an annual volume of business of approximately $7 billion, I said to him, "Mr. Wilson, that is peanuts compared to the job you have now. As Secretary of Defense you are going to have working for you almost 5 million people; 3½ million in uniform and 1,280,000 civilians in the Department of Defense, more civilian personnel in that one department than in all the other departments of the President's Cabinet combined."

Instead of doing $7 billion a year of business, I reminded him that during the past year preceding his becoming Secretary of Defense, this Nation spent more than $50 billion. In 1 year, this fiscal year, we are spending $42 billion, an astronomical sum, almost twice as large as was our national debt at the end of World War I, $26 billion.

We know that America, with all of her resources, her scientific genius, her

inventive capacity, cannot forever carry such a tremendous burden. Of course, the American people will never quarrel as long as they feel that they are getting their money's worth. Today I feel that because of the wise management and honest administration, the elimination of waste and duplication of effort, under the guidance of Charlie Wilson and Roger Kyes, and the Secretaries of the three Departments of Army, Navy, and Air Force, we are getting more real defense for our dollars than we have in many, many years. Let no one get the erroneous impression that because there is a reduction in expenditures or even a reduction of personnel, we are weakening the defense of our Nation. On the contrary, we are not only achieving economy, but increasing efficiency, particularly the combat effectiveness, by taking men out of swivel chairs in the armed services, out of auxiliary and housekeeping positions, and placing them in positions where they can achieve combat effectiveness. We are building a better, more mobile, hard-hitting, fighting Army, Navy, and Air Force.

America, I repeat, must remain strong on land, sea and in the air if we want to survive as a nation and as a free people. But along with our military might, we must be careful to preserve our economic strength. You cannot have one without the other. The two are wedded. It is impossible to divorce them without destroying both. We must have security with solvency. The battlefront can never be stronger than the homefront. Every great military leader, whether an admiral or a general, will readily confess to you that the thing that won World War II over the axis powers was America's industrial might and productive capacity. We were the arsenal of democracy and it was on the farms and in the factories and in the forests, with men not only in uniform but civilians, if you please, the good soldiers at home who produced the food and the fiber and the weapons and sinews of war that won us the victory over Germany, Italy, and Japan. We must be careful not to overextend ourselves by siphoning off our wealth in economic or military aid to countries all around the world.

Lenin once wrote:

> The United States of America, like all capitalistic countries, will eventually spend herself into bankruptcy.

That is a consummation devoutly to be wished by the Soviets. Stalin uttered the same sentiment in Red Square, as he stood on top of Lenin's tomb, while in that Red Square, outside the historic walls of the Kremlin I watched hundreds of thousands of soldiers march by in review. The Communists hope and work for an economic collapse in this country. They aim at an American depression with millions of idle men. Like Hitler, their motto is, "divide and conquer." Psychological penetration and subversive infiltration are their silent but effective weapons.

The 14 mad dogs in the Kremlin today who have been winning every battle of the cold war without firing a shot or losing a man are hoping that the United States will spend herself into bankruptcy, will knock herself out by her own profligacy, by giving so many blood transfusions to others that we will be bled white—Korea yesterday, Indochina today, no one knows where tomorrow. If we become bogged down in distant places of the world to fight wars that are chosen by the enemy, instead of choosing the place and the time ourselves, Russia can achieve her goal and accomplish her purpose without ever firing a shot or losing a man. All we will be doing will be killing Koreans and Chinese or other of her slave satellites while many Americans are getting killed. Human life is the cheapest commodity on earth in the Orient. Their men are expendable, ours are not. America can never hope to match man for man the hordes on the Asiatic continent.

Our only hope of victory in another global conflict and our only chance of survival depend upon our superiority in weapons and the superior skill of the men who man those weapons.

I am glad that the committee after making substantial cuts in the defense budget has done it, I think, without seriously impairing the security of the Nation. Of course, you always run a calculated risk, but in order to build up and maintain your military might you must preserve your economic strength because only with a sound economy, a going industry, where we can outproduce not only in quantity but far surpass in quality in the weapons and sinews of war, can we ever hope to defeat an enemy that lives in a land three times, almost, as large as America in area, and controls 800 million people, one-third of the total population of the globe.

Mr. Chairman, not only must we have military might and economic strength, we must have a moral resurgence in this country, a spiritual revival, that recognizes after all the real strength of a nation and its people is in the intelligence, culture, and character of its citizenry. There is nothing great in the world but man, and nothing in man great but mind. In this global conflict that is called a cold war but that is really sizzling hot, we are in a battle for the minds, the hearts, the consciences, and the allegiances of men. Necessary and fundamental as are military might and economic strength, it is after all in the character of man, in spiritual idealism, moral values, and ethical principles that there lies the greatness of a country.

We are engaged in an ideological war, and in this total war where civilians will suffer first, where old men, innocent women, and helpless children will perish perhaps before the men in the front battleline, in this modern age when war is a total effort of an entire nation and people, we must fight it not only with military weapons and with economic strength, we also have to fight it with intelligence and spiritual ideals and ideas because, after all, an idea is a powerful weapon. It can be the most dangerous weapon on earth because you cannot shoot an idea with a rifle. You cannot stab it with a bayonet. You cannot destroy it with an atomic bomb or a hydrogen bomb. The only way to overcome a bad idea is with a good one. It is only truth, justice, and freedom, those ideas, to which all men everywhere are entitled that can make us strong. I hope and pray to God that the United States will never try to defend or practice colonialism under any regime in any section of the world. If we would grant independence and liberty to men to make them really free, they will fight and defend themselves, but they have to have something to fight for. They must be consecrated and dedicated to love liberty more than life itself, and unless they have that dedication and consecration, if their hearts are not in it, if they are not willing to dig down in their pockets and pay enormous, burdesome taxes, unless they are willing to deny themselves many luxuries, finally unless they are willing to lay down their lives upon the altar of freedom, there will be no hope for our survival. When I think of America, I want to keep her strong because only in strength is our freedom. It is freedom that likewise gives us our strength. So "Not by power, nor by might, but by my spirit sayeth Yahweh the Lord, God of Hosts." Let us not put all our faith in horses that run upon the rocks, but let us put forth every effort to keep America militarily strong, economically sound, and spiritually alive and vital. If we do that as representatives of a great, free people, I have no fear of what the future holds.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. McCORMACK. I have listened with great interest to the remarks of the gentleman, not only because I remember many great battles that the gentleman and I had in bygone years before World War II and the differences of opinion that existed between us, but particularly because the gentleman now is charged with the duty of being chairman of the Committee on Armed Services, and the gentleman's party is in control and determining the policies. Our military strength is necessary to carry out the national objectives of our country in relation to foreign affairs; is that not right?

Mr. SHORT. That is right. We, however, need more than just military strength.

Mr. McCORMACK. There is one way to do it, and that is to be so strong that an enemy will not attack us through fear. Does the gentleman think we are strong enough?

Mr. SHORT. I would only say, if any possible enemy attacked us today, God pity him.

Mr. McCORMACK. That is not an answer to my question.

Mr. SHORT. Yes, that is the answer.

Mr. McCORMACK. All right, but my question is, Does the gentleman think we are strong enough so that the Soviet Union—let us talk plainly—would be afraid to carry out a sneak attack on us?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended—how many minutes would the gentleman require?

Mr. SHORT. I would ask for a couple of minutes. I have a luncheon engagement at the White House at 12:30 p. m.

Mr. McCORMACK. I hope you get a lot of good information at the White House.

Mr. SHORT. You get it down there pure and undefiled. It is honest and usually accurate, more than in many years.

Mr. McCORMACK. I was very much disturbed at what I got 3 weeks ago in the office of the Secretary of State. I was very much disturbed.

The CHAIRMAN. Without objection, the gentleman from Missouri is recognized for 2 additional minutes.

There was no objection.

Mr. McCORMACK. Now to come back. Does the gentleman think we are strong enough so that the Soviet Union will be afraid to carry out a sneak attack on us militarily?

Mr. SHORT. I might say that with this grave responsibility, and although I spend many hours day and night studying these military problems and talk to generals and admirals daily, I must confess I am not the great military authority that the gentleman from Massachusetts is.

Mr. McCORMACK. Now do not turn to ridicule. This is a serious matter.

Mr. SHORT. I do not think that Soviet Russia dares attack us today. She does not have an adequate supply of steel, rubber, oil, or transportation system to fight successfully a prolonged, global conflict.

Mr. McCORMACK. The gentleman thinks we are strong enough to put fear into their minds?

Mr. SHORT. They have already got that fear or they would have attacked us long ago. The only language they understand is force. They respect strength and have only contempt for weakness.

Mr. McCORMACK. What are they doing in southeast Asia?

Mr. MASON. They are not attacking us.

Mr. McCORMACK. Are they not? Read the newspapers. Read the public utterances. If you do not think that is directed toward the United States, you had better do some more thinking.

Let me ask the gentleman this: Does the gentleman think we are strong enough, in case we are suddenly hurled into war, to win the war at the present time?

Mr. SHORT. Oh, I think we could win a war at the present time. I certainly do. But I hope and pray we are not forced into a shooting war. In a war even the winner is loser.

Mr. McCORMACK. I am glad to hear that, coming from the chairman of the Committee on Armed Services. I must reluctantly say I wish we were considerably stronger.

Mr. SHORT. Oh, of course I wish we were stronger. Everybody wishes we were stronger. We are as strong as our economy will allow us to be. I have tried to bring out that military strength is not the only thing. You have got to have economic strength and spiritual strength.

Mr. McCORMACK. How much would another war cost?

Mr. SHORT. That is problematical. Of course it is conjectural. You do not know. I do not know. No one knew that World War II would leave a debt of $275 billion on our backs.

Mr. McCORMACK. In other words, we would spend any amount to save our country.

Mr. SHORT. Of course we would. There is no argument about that. The security of our Nation comes first. We must defend it at any and all costs.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

(By unanimous consent Mr. SHORT was given 2 additional minutes.)

Mr. SHORT. But I think we can rest pretty well at ease. We have managed to stay out of the pitfall mess which we have inherited; World War I, World War II, and the Korean conflict—it just so happened, I guess, that the Democratic Party was in power in all three of those wars. We are not beating the war drums. We do not want another war. But I am saying that we are strong and that this committee has done a marvelous job, and they have gone as far as our economic strength will permit at this time.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. HALLECK. I trust the gentleman will join with me in expressing the hope that whatever indications have come from the gentleman from Massachusetts [Mr. McCORMACK] that our Nation is not strong will not have such an effect around the world as may——

Mr. SHORT. Invite an attack from an enemy.

Mr. HALLECK. I would like to point out that the gentleman from Missouri [Mr. SHORT] has made a magnificent statement. It certainly ought to be encouraging for all of us. I simply want to corroborate what I understand his viewpoint to be in this regard. Of course, having regard to the fact that we must be economically strong because, as General Eisenhower said once in the Congressional Library when he returned from Europe, that the Armed Forces in the field can but be the cutting edge of the great productive machine that is America. So we have to try to balance between what we provide in the way of strength for the Armed Forces in the field and the maintenance of our economic strength at home; because, as the gentleman well knows, to obtain absolute, ultimate military strength, we would go to total, all-out mobilization. We would close today every automobile factory; we would close the tractor factories; we would regiment everybody; we would have price and wage controls. We could do that and then, if war did not come, we could be destroyed at home, we could lose our freedoms we seek to protect, without firing a shot. Of course, there is some calculated risk in trying to draw the line between that all-out mobilization and what we deem is sufficient for our defense and our protection, having regard to the necessities of the long pull.

I want to join the gentleman from Missouri [Mr. SHORT] in commending the members of this committee, and in commending the people in the armed services and the leaders in the administration, for drawing what I think is a fair balance between the maintenance of strong forces in the field and the maintenance of a strong, protective, effective, functioning economy here at home.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman——

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. YATES. I think the gentleman might discuss the recent statement by Secretary of Defense Wilson in which he said that we may have to have a soul-searching review of our proposed military expenditures.

Mr. McCORMACK. That is a pertinent observation.

Mr. Chairman, I would not have taken this time if it were not for the cutting, unnecessary, and gratuitously unkind observation made by the majority leader of this House when he undertook to read into my mind and my lips something that I never thought and something that I never said.

The gentleman from Missouri [Mr. SHORT] and I were having a colloquy. He certainly did not show any offense. It was for the purpose of bringing out information, and I suggest to my friend from Indiana—and I have been majority leader for 10 years out of the last 13—that he better be a little more temperate than to try to accuse people of things that never were in their minds.

I look back through the years before Pearl Harbor when I was fighting to get legislation through this House that the gentleman from Indiana was opposing. I can remember an extension of the Selective Service Act 3 months before Pearl Harbor by this House by a vote of 202 to 201. I voted for its passage. How did the gentleman from Indiana vote?

I am for a strong military defense, have been for years, because I have said in this House and outside of this House that the only thing the Communists respect is what they fear and that is fear of a strength greater than they possess.

Yes, you talk about the strength we have, but if I am going to err in judgment I prefer to err on the side of greater strength than on the side of weakness.

Who brought this strength about? Who made the decision on the atomic bomb? Franklin D. Roosevelt. Who made the decision on the hydrogen bomb? Harry S. Truman. Where would

this country be if we did not have these weapons and the Soviet Union did?

Every plane that came off the production rolls last year, every one that will come off this year, every one that will come off next year, and some of them for years to come comes as a result of appropriations recommended by Democratic Presidents and passed by Democratic Congresses, for it takes from 3 to 7 or more years to build a plane, according to its type.

Our military strength is an important and in fact a necessary element in carrying out our national objectives in connection with our foreign affairs. The gentleman from Missouri answered some questions, but there are serious doubts in my mind that our country is strong enough today to deter a sneak attack. Certainly we are not strong enough today to negotiate around the bargaining table because we have seen what has happened. We are in Geneva. You cannot blame the Democrats for Geneva. A speech was made at the Propeller Club by Secretary Dulles that should never have been made. He said there would be "united action" and he did not have an agreement. He should have had an agreement with England, France, and other countries before he made that speech; otherwise he should never have made the speech. When I read that speech I assumed he had an agreement signed and sealed that England, France, and other countries would carry out certain things in conjunction with ourselves if Red China went too far; and we had to find out by way of Berlin and Paris only a few weeks ago that no negotiations had been made and that he was hastily over there trying to repair the damage that he had done. I knew it 3 days before because I was at the conference in the office of the Secretary of State. We were very close then and if it were not for the leaders on the Hill and the position they took then, the situation would be entirely different today. We were not told that the Joint Chiefs of Staff were not in full agreement until I asked the question.

The thing we should do if we are going to err is to err on the side of strength. I am one of the few who has the courage to say that we ought to have more strength and greater capacity. I said that on the floor of the House only a few weeks ago when the excise tax-reduction bill was up for consideration. I said at that time that if President Eisenhower would recommend more appropriations for greater defense and a continuance of the expiring taxes the American people would support him.

So the speech of the gentleman from Missouri, chairman of the Committee on the Armed Services, is a keen disappointment to me personally because it shows me that as chairman of that committee and looking behind what he said and interpreting it, has not changed one iota from what he was 13 years ago. So, if we are going to make any error of judgment we better err on the side of strength, not on the side of weakness.

The Communists understand the language of strength; they also understand the language of weakness. I said on this floor 4 years ago that the purpose and the intent of the Communist leaders was to take over country after country by internal subversion if they could, by other means, if necessary, with the ultimate objective of attacking the United States of America. There is no question but what that was their plan then and in the several years that have transpired since that plan has been definitely unfolded.

I agree with the gentleman from Missouri about being strong spiritually, but I deny the fact that our people are not strong spiritually. Perhaps we could have greater spiritual strength, but the people of America do have great spiritual strength now. I agree with the significance of that statement, but we have to be all powerful from the military angle, because the only thing that the Communists respect is what they fear, and remember too, Mr. Chairman, when you are dealing with the Communists you are dealing with persons who are possessed of a world-dominating mind and a world-bitter mind. They are out to destroy every civilization, every country that does not submit or agree with communism. We have that cold, sinister, killer mind to contend with and we have to prepare ourselves accordingly.

So far as I am concerned, as between dollars and liberty, I prefer liberty.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

TITLE I

NATIONAL SECURITY TRAINING COMMISSION

Salaries and expenses: For necessary expenses of the National Security Training Commission, including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $50 per diem and contracts with temporary or part-time employees may be renewed annually; and expenses of attendance at meetings concerned with the purposes of this appropriation; $55,000.

Mr. GAVIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a member of the Committee on Armed Services, I want to compliment the Committee on Appropriations for turning in a magnificent performance of which they can well be proud. I also listened with a great deal of interest to my very good and able friend and colleague, the gentleman from Missouri [Mr. SHORT], and I also listened with a great deal of interest to my very good friend, the gentleman from Massachusetts [Mr. MCCORMACK]. And he also is a very able Representative from a great State, whom I greatly admire. However, some of the things that he said were just a bit too extravagant for me to sit and listen to about what happened in the previous administrations. I can remain quiet no longer. I am glad that the gentleman is present, because I want to call to his attention some of the things that happened in the previous administration that he speaks about.

Mr. Chairman, back in 1949, when we had a stabilized condition in Korea, when we had 50,000 troops in Korea, a decision was reached to pull out the 50,000 troops, and I think the last 6,000 were moved out of Korea in December 1949, which was an open invitation for the Chinese Communists to move in. At that time I recall we had an authorization bill of $17 billion before our committee, the Armed Services Committee, Mr. CARL VINSON, a great, farsighted American, being chairman at that time. The administration that he refers to, that turned in, as he calls it, such a fine performance, cut that appropriation back from $17 billion to $13 billion. At that time our good friend, the late beloved Secretary of Defense Jimmy Forrestal, went out, and in came Louis Johnson. And they were still economy minded. They were economy minded at the wrong time and in the wrong place. They cut it back a couple of billion dollars more, this about 2 months before Korea. They mothballed the fleet, they canceled the carrier, Admiral Denfeld was fired. They cut back the ground forces, they cut back the Navy air; however, the most drastic mistake was the cutback in the Air Force from 70 to 48 groups. You remember that. Certainly you remember it. The gentleman from Massachusetts says it takes from 6 to 7 years to build a plane. And you remember back in 1950, when they cut back the Air Force from 70 to 48 groups, and we heard but little from that side. If it takes 6 or 7 years to build a plane, one can readily understand what this action did to our Air Force. You hear little about that.

So let us not forget. The gentleman from Massachusetts called attention to some of the things that happened in the past, and I want to call his attention to what happened 2 months before Korea. Suddenly, we got tough, and we decided to move into Korea. So we moved into Korea. And what did we have? We had but little equipment, a few obsolete tanks, a few bazookas, and we sent our boys into Korea to fight against one of the greatest military machines that had ever been assembled in the Far East. And what happened? We were nearly pushed back into the sea at Pusan, the most humiliating incident that ever occurred in the history of this Nation.

So we are here now talking about preparedness and the necessity for building our national defense. Inferences have been made on the Republican side there is an effort to curtail the defense program for economic reasons. The facts are that we have in this bill $28,727,000,000. We have a carryover of $48,147,000,000, making a total of $76,874,000,000 to be spent on national defense within the next 2 years.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GAVIN was given permission to proceed for an additional 3 minutes.)

Mr. GAVIN. So we have $76 billion to spend for defense. A million dollars is one thousand thousand dollars. A billion dollars is one thousand million dollars. We have set up 76 thousand million dollars for defense. So let further talk about not giving the defense

program every dollar they want be discontinued. The facts are that the productivity of this Nation could not absorb what we have already authorized and appropriated to be spent on national defense in the next 2 years—76 billion dollars. So I do not want my friends on the other side to intimate or infer that we have been lax in any way. We have recognized the need for building the greatest military strength that the world has ever known to meet any demands that may be made upon us, any time, anywhere in the world.

I would say that the Appropriations Committee in bringing out this bill has turned in a magnificent job and deserves the hearty commendations of the Members of the Congress, and any inferences that the Republicans are trying to be economy minded in this respect is unfounded because it is not a fact. We have $76 billion to spend in the next 2 years, to build a mighty defense strength. Secretary of Defense Wilson is doing a great job. We can well be thankful we have a man of his ability heading up our defense program.

May I say right now that without question we are making great progress in our defense program. What we need in America is a reawakening, a reinspiration, a rehabilitation of that spirit of Americanism that has made our country great. I feel that we are now in a position of growing strength, growing steadily every day, and in a greatly improved position to meet any demands if they should ever be made upon us or if we should suddenly be catapulted into a cataclysm of war.

Let us recognize that we in the Congress have appropriated some 76 thousand million dollars to meet the needs of our national defense program. We in no way will discontinue this program until we build the greatest military strength we have ever had.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I shall be glad to yield.

Mr. McCORMACK. Last year the same arguments were made when we were fighting for 143 air wings. The gentleman's party took the position that we should have 126 wings. That number is now up to 137 in this budget, and I am glad to see it. Who was right last year, the gentleman's party or our party?

Mr. GAVIN. I have always been for a great national defense program, the gentleman knows that.

Mr. McCORMACK. Did the gentleman favor the 143 wings last year?

Mr. GAVIN. I am asking the gentleman today why he was not on his feet when his administration cut the 70 air wings to 48 back in 1950; an action that set the Air Force back several years?

Mr. McCORMACK. I will say to the gentleman from Pennsylvania that the gentleman from Massachusetts was on his feet.

Mr. WIGGLESWORTH. Mr. Chairman, as the Members of the House know, it is hoped to conclude this bill today. I have no desire to curtail debate at this time, but I hope we will be able to proceed with the reading of the bill.

Mr. Chairman, I ask unanimous consent that all debate on this paragraph do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

TITLE II

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

Salaries and Expenses

For expenses necessary for the Office of the Secretary of Defense, including hire of passenger motor vehicles; and not to exceed $60,000 for emergency and extraordinary expenses, to be expended under the direction of the Secretary of Defense for such purposes as he deems proper, and his determination thereon shall be final and conclusive; $12 million.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have sat here and listened to the very fine and commendatory statements that have been made about the subcommittee and I want to take this moment to express my appreciation.

Mr. JAVITS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there would be no reason for taking the time of the House at this time since I am not a member of either of the committees concerned, unless we had a matter of paramount importance facing us which deals with the foreign policy, which is the concern of the committee upon which I serve, and which is very pertinent to this discussion.

We are going to be faced by an amendment from my colleague from New York, of which all the Members have been apprised, and which seeks to limit very materially the powers of the President, as Commander in Chief, in the command of the Armed Forces of the United States.

This amendment bears very directly upon the subject which has just been discussed between the majority and the minority sides, and for this reason. It is my deep conviction that if we are in any danger of defeat by the Communists—and no man would be adult who would not endeavor to be sure that we can win—it will not be because we are bleeding ourselves white economically. The power of the American industrial machine, and of the American industrial production is, in my opinion, even now not yet fully appreciated. Just to give a few figures to those who fear a national debt of $275 billion; a conservative estimate by, I believe, the National Industrial Conference Board shows that our tangible national wealth is not less than $800 billion—that does not mean we should be extravagant or go hog wild; it does mean that we are on very firm ground economically.

The grave danger today is in seeing our will to resist weakened, our suspicions of each other heightened, and our divisions made deep and permanent. That is the danger of the kind of debate that has taken place just now, especially in the face of the kind of amendment that is going to come up. It is a plausible amendment—in that the Congress is ostensibly asked to be asserting its right to see that the President does not commit our troops in Indochina unless the Congress agrees. But it is dangerous in its view because it fails to recognize that today our defense cannot be shackled by depriving ourselves of the timely opportunity to protect our national security—our defense today is intercontinental, to avoid world war III, and not just a matter of defending the borders of the United States. And that is the way in which we and the other free peoples might have had a chance to avert World War II—by stopping Japan when she went into Manchuria, and by cracking down on Hitler when he went into the Rhineland, and by not having tolerated aggression anywhere in the world when we ought to have known that it is inevitable when aggression is gotten away with by the Communists or anybody else that ultimately it only breeds more aggression, until it is impossible to take it any more in terms of security and peace and a world war results.

I would like to answer my colleague, the gentleman from Massachusetts who asked, I think, a very important question, as to whether in the view of the gentleman who was then speaking, the very distinguished chairman of the Armed Services Committee, the Soviet Union was deterred by fear of American power in not attacking us. I believe the Soviet Union is deterred by fear of American power in not attacking us. I believe the Soviet Union is deterred by fear of American power in not attacking us directly, but I believe that the Soviet Union believes in the opinion of its Communist masters and their appraisal of public opinion and the general attitude in the United States, that it can get away successfully with attacking us indirectly. They tried it in Korea where we finally had to accept a stalemate, about at the point where the aggression started and now they are trying it in Indochina. From what we hear including this kind of amendment I am discussing, we have to be careful that no Soviet leader has a right to conclude that we will not stand up and do our share with other free nations, if need be and there is reasonable prospect of repelling aggression, from the frontiers of our own security, which in fact may prove to be far away from our shores and even on the other side of the Pacific.

It is our duty in this Congress out of a sense of deep responsibility to face that issue, because it is before us and we must face it and no one else will face it for us.

Mrs. CHURCH. Mr. Chairman, will the gentleman ask unanimous consent that his time may be extended for 1 minute, to answer a question?

Mr. JAVITS. I will be glad to do so.

The CHAIRMAN. Without objection, the gentleman from New York is recognized for 1 additional minute.

There was no objection.

Mrs. CHURCH. I certainly do not feel that the gentleman from New York yields to anyone in his patriotism or in his fight upon Communism. I would like

to ask the gentleman this question, however. Does he not believe that such decision to deter aggression at the time of Hitler or during the other instances cited or now, where according to his statement we should not hesitate to deter aggression should have been made not by any President but by the Congress of the United States, representing the people who sent them here?

Mr. JAVITS. There is no question about the fact that we should face the responsibility here ourselves, and I hasten to point out to the gentlewoman that we face the responsibility as a Nation by making the decision here in the Congress or by honoring the power given to the President under the Constitution and that both decisions are our decisions as a Nation.

We should pass upon an amendment like this. The only point I make is that we should turn it down decisively because that, too, is an exercise of our power and our direction as to how the whole effort to secure our country shall go. We should not telegraph to the other side what we will or will not do. We should keep them in the greatest doubt. At the same time in answer to the views of the gentleman from Massachusetts, we should point out that we do not consider that we are going to lock up our strength in the United States, but that we consider it strength to be used for our defense and the defense of freedom when aggression threatens our vital national interest. Let us not forget that the attacks at Pearl Harbor took place in Hawaii almost 2,000 miles away and not in California.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that all debate on this paragraph do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

Office of Public Information

For salaries and expenses necessary for the Office of Public Information, $500,000.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Massachusetts [Mr. McCORMACK] closed his very forceful, eloquent, and perhaps political plea with the statement that as between dollars and liberty he would choose liberty.

Well, I assume if the issue was that simple, no one would prefer dollars rather than freedom. The gentleman's views are, on that point at least no different than those of the rest of us. Hence similarity, if any, of his statement to Patrick Henry's "Give me liberty or give me death" speech arouses in me no high blood pressure. The issue as I understand it is not quite that simple. I might add that the criticism by the gentleman from Massachusetts [Mr. McCORMACK] of the majority leader, the gentleman from Indiana [Mr. HALLECK] was in my opinion entirely unwarranted.

The gentlemen are not so far in disagreement. Apparently the gentleman from Massachusetts [Mr. McCORMACK] thinks we should spend everything in sight, everything we can borrow for national defense, while the gentleman from Indiana [Mr. HALLECK] seems to believe in the views that were stated by our Vice President when he answered Mr. Stevenson on March 13.

On that occasion, Vice President NIXON, speaking of the issue of communism and the containment of communism, among other things said:

We found—

That is, when the Republicans came to power—

that, despite record spending for military purposes, that in our efforts to be strong everywhere, we weren't strong enough anywhere. And since our former policy failed, we then asked ourselves the question what kind of a new policy should we adopt, and in determining what that policy should be, we decided to find out what the men in the Kremlin were up to.

We found that militarily their plans, apparently, were to destroy us by drawing us into little wars all over the world with their satellites. However, where they must be alone, and where, due to our inability to bring to bear our great superiority on the sea and in the air that we were unable to win those wars. We found that economically their plan, apparently, was to force the United States to stay armed to the teeth, to be prepared to fight anywhere, anywhere in the world that they the men in the Kremlin, chose. Why? Because they knew that this would force us into bankruptcy, that we would destroy our freedom in attempting to defend it.

Well, we decided that we would not fall into these traps. And so we adopted a new plan, and that new plan, summed up, is this: Rather than let the Communists nibble us to death all over the world in little wars, we would rely, in the future, primarily on our massive, mobile, retaliatory power which we could use at our discretion against the major source of aggression at times and places that we chose.

Perhaps we should all remember that what is said in the well of this House is nothing more than the opinion of the individual who is speaking.

If I understood the gentleman from Indiana [Mr. HALLECK] correctly, all he argued was that he, too, believes in the views expressed by Vice President NIXON, and to which I subscribe, that we should have an adequate national defense, but that we should not destroy ourselves by spending all of our energy, all of our dollars, all of our manpower everywhere throughout the world where the Communists might instigate a war.

The substance of the argument of the gentleman from Indiana [Mr. HALLECK] as I got it was that we should not bankrupt ourselves, destroy our freedom, by being enticed into futile wars. That is the same thing that was expressed some time ago by our Vice President.

Just how are we to balance the demands for defense against our ability to pay and retain our economy is a question to which I assume no one can give the precise and adequate answer. So each of us must follow his own judgment and vote for such sums, at least I shall, as the committee may recommend—the armed services need—because I assume they have more knowledge than have I. I know not the need of the armed services and I assume very few Members of this House have personal knowledge of these needs. All I can do is to accept the advice of those who are trained in national defense; then unceasingly check on their expenditures to see that the money is not wasted.

Perhaps, in addition, through acts of Congress, I may assist in the effort to prevent us becoming so frequently involved in the affairs of other nations that the need for military preparedness may not be so great.

Another purpose in speaking at this time was to further call attention to what the gentleman from Massachusetts [Mr. McCORMACK] said. He said, "Who made the decision as to the atomic bomb?" And he answered, "Mr. Truman." "Who made the decision as to the H-bomb?" And he replied, "Mr. Roosevelt."

Mr. McCORMACK. It is the other way around.

Mr. HOFFMAN of Michigan. All right. Admitting that those two gentlemen made those two decisions, I ask one question: Who got us into the situations which made those decisions necessary? Who created the conditions which got us into two wars? The same two gentlemen you mentioned?

Mr. GREEN. Hoover.

Mr. HOFFMAN of Michigan. Oh nonsense—your theory would bear out the assertion that Hoover was responsibile for the flood.

Mr. McCORMACK. I will answer that. Do you want an answer?

Mr. HOFFMAN of Michigan. I would not have asked the question if I did not.

Mr. McCORMACK. The Communists.

Mr. HOFFMAN of Michigan. Oh. Again, what nonsense. The Communists did not leave Pearl Harbor unprotected. They did not force us to participate in the war on Germany before war was declared. Roosevelt did that. The Communists did not withdraw our troops from Korea—invite the Communists in—then send our men into that war. Truman did that. That is to say, the substance of his answer is that the Communists stated for Roosevelt and Truman what policy should be followed. Shaped the events which determined the policy of Roosevelt and Truman. Is that not a fine thing to admit?

I knew there were a lot of Communists in policymaking positions in the two previous administrations, but I never thought I would see the day when the party would admit, through their leadership, through the whip today, the gentleman from Massachusetts [Mr. McCORMACK], that the Communists formulated and put into effect the policies of the last two administrations. Is that not something to think about? That is what was said.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McCORMACK. Mr. Chairman, I do not want the gentleman to revise his remarks. My answer shows that the Communists throughout the world have brought about this situation.

Mr. HOFFMAN of Michigan. Do not worry. Your statement may stand.

The three futile world wars came—as did a national debt of more than $250 billion—as the result of the New Deal policies and programs.

And one more: Who was responsible for the mess which resulted in the political overthrow of your party?

Mr. GREEN. Which mess? The mess going on now?

Mr. HOFFMAN of Michigan. The mess, the corruption—that bunch of crooks and their works that you left us as a gift when you died politically on November 4, 1952.

Mr. GREEN. How about the mess that is going on now?

Mr. PATTEN. What about the McCarthy business? Is that a mess?

The CHAIRMAN. The Committee will be in order.

Mr. HOFFMAN of Michigan. Personally I have no objection to 3 or 4 people trying to answer my apparently simple question, but to get back to my point, the gentleman from Indiana [Mr. HALLECK], expressed, as I think, the true answer to the issue which we have here: That, in making appropriations for our national defense, no matter how necessary they may seem to be, we should not go so far as to destroy here at home not only our own freedom and liberty, but also our ability to defend ourselves.

Not being allwise, not military experts, few of us can actually know whether the armed services should be given twenty-eight billion, ten billion, or a hundred billion.

All we can do—at least, all I can do—is to assume that those who have expert knowledge of world affairs, of military strategy, when they come asking us for billions, are just as patriotic; have at least adequate knowledge of the ability of our taxpayers to pay, and then grant their requests, even though those demands seem exorbitant.

Voting on those requests, I should, and I will, keep in mind the necessity of not enslaving our people, destroying our freedom and our liberty, by, speaking figuratively, as did the gentleman from Massachusetts [Mr. MCCORMACK], chain them to the wheels of a military chariot, driven by a military dictator.

Nor will I destroy our people's welfare, their liberty, their ability to provide for themselves, our independence as a nation, by falling into step with those internationalists who seem to have lost all faith in our form of government, in the courage, the endurance, the ability of our people to produce, and to meet and successfully resist all foreign foes.

The Clerk read as follows:

TITLE III

INTERSERVICE ACTIVITIES

Claims

For payment of claims by the Office of the Secretary of Defense, the Army (except as provided in appropriations for civil functions administered by the Department of the Army), Navy, Marine Corps, and Air Force, as authorized by law; claims (not to exceed $1,000 in any one case) for damages to or loss of private property incident to the operation of Army and Air National Guard camps of instruction, either during the stay of units of said organizations at such camps or while en route thereto or therefrom; claims, as authorized by law, for damage to property of railroads under training contracts; and repayment of amounts determined by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or officers designated by them, to have been erroneously collected from military and civilian personnel of the Department of the Army, Navy, and Air Force or from States, Territories, or the District of Columbia, or members of National Guard units thereof; $7,680,000.

TITLE IV

DEPARTMENT OF THE ARMY

Military personnel

For pay, allowances, individual clothing, interest on deposits, and permanent change of station travel, for members of the Army on active duty (except those undergoing Reserve training); expenses incident to movement of troop detachments, including rental of campsites and procurement of utility and other services; expenses of apprehension and delivery of deserters, prisoners, and soldiers absent without leave, including payment of rewards (not to exceed $25 in any one case), and costs of confinement of military prisoners in nonmilitary facilities; donations of not to exceed $25 to each prisoner upon each release from confinement in an Army prison (other than a disciplinary barracks) and to each person discharged for fraudulent enlistment; authorized issues of articles to prisoners, other than those in disciplinary barracks; subsistence of enlisted personnel, selective service registrants called for induction and applicants for enlistment while held under observation, and prisoners (except those at disciplinary barracks), or reimbursement therefor while such personnel are sick in hospitals; and subsistence of supernumeraries necessitated by emergent military circumstances; $4,150,479,000: *Provided*, That section 212 of the act of June 30, 1932 (5 U. S. C. 59a), shall not apply to retired military personnel on duty at the United States Soldiers' Home: *Provided further*, That the duties of the librarian at the United States Military Academy may be performed by a retired officer detailed on active duty.

Mr. DONOHUE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DONOHUE: On page 8, line 21——

Mr. FORD (interrupting the reading of the amendment). Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Massachusetts is premature. We have not as yet concluded the first paragraph of title IV.

The CHAIRMAN. The gentleman from Michigan is correct. The point of order is sustained.

Mr. PRICE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

(On request of Mr. MCCORMACK, and by unanimous consent, Mr. PRICE was granted 3 additional minutes.)

LESS ARMY COMBAT EFFECTIVENESS FOR LESS MONEY

Mr. PRICE. Mr. Chairman, the promice of "more defense for less money," was at the heart of the Eisenhower administration's defense program. This was sometimes jocularly referred to as "more bang for a buck."

In the President's budget message submitted to Congress this year, it was stated:

We expect to improve the combat effectiveness of our forces by the application of new weapons and new techniques, and ultimately achieve far greater flexibility than heretofore attainable. (Budget message, p. M39.)

Further, in the same message it was stated:

Under the long-range plan recommended by the Joint Chiefs of Staff, the number of Army divisions may be less than those currently organized, but increased mobility and the availability of modern weapons will provide each division with increasingly greater striking power (ibid., p. M44).

Also in the President's state of the Union message, we were assured by President Eisenhower that—

As we enter this new year, our military power continues to grow.

More recently, we have been assured by the Secretary of Defense, in his recently released semiannual report, that, in Secretary Wilson's words:

We have devised a strategy that permits the selection of those force elements and weapons systems which provide the greatest combat effectiveness. (Semiannual report, March 15, 1954, p. 2.)

In the Secretary of the Army's section of the same report, we were told by Secretary Stevens, in his words:

We are continuing to take every possible step to increase the combat effectiveness of units. (Semiannual report, p. 18.)

Mr. Chairman, to keep the record straight, and that we may go into this defense appropriation with our eyes open, it is necessary to review briefly the most recent testimony of Army leaders regarding what this budget has done to the Army's combat effectiveness.

It is clear from what I have recalled above that most of our top defense officials have assured us that we have not altered our military combat effectiveness. But let us be reminded of the views of Gen. Matthew Ridgway and Secretary of the Army Robert T. Stevens on this question.

In testimony before the appropriations subcommittee for the Department of the Army, the Army Chief of Staff, General Ridgway, was asked this question:

Do you feel under this budget * * * that the Army will be able to maintain or increase combat effectiveness above the present level?

General Ridgway's reply was:

No, sir; I would not think we can improve combat effectiveness. I think all the improvements that are going on all the time will increase the relative combat effectiveness unit-for-unit, but a reduction in the order of magnitude that we are making will certainly when completed leave us with less combat effectiveness than we had when we started. (Hearings, p. 54.)

Further, General Ridgway was asked:

Then those new weapons will not be of particular benefit to you in replacing ground forces during the coming fiscal year?

Answered General Ridgway:

I think that is a fair statement; yes, sir. (Hearings, p. 54.)

General Ridgway was backed up in his estimate of the situation by Army Secreary Stevens, who also said:

It is true, as the general indicated, that the overall combat effectiveness of the Army by the end of 1955, even with gains we could

make with improved weapons, will be somewhat less than it is today. (Hearings, p. 55.)

Let us all be aware, Mr. Speaker, of these significant statements by the Army Chief of Staff and the Secretary of the Army. Our Army's combat effectiveness is being decreased in the coming year. Whether this is being made up by the development of other weapons, in other branches, is debatable. I suppose it depends to a great extent on how much value you are willing to place today on the foot soldier. It seems quite clear that this administration is placing less emphasis on ground forces.

What we have here, in the testimony of General Ridgway and Secretary Stevens, are words of warning regarding the combat effectiveness of our Army. During the coming year the calculated risk is being increased. The American people should be informed of this greater gamble; and high tribute should be paid to General Ridgway and Secretary Stevens for their forthright words of warning.

The situation is perhaps best summed up by General Ridgway's candid observation:

The Army has been guided in the preparation of this budget by basic economic and strategic decisions which have been made at a higher level. (Hearings, p. 42.)

Let us note especially the Chief of Staff's expression of concern because, in his words:

We are steadily reducing Army forces—a reduction through which our capabilities will be lessened while our responsibilities for meeting the continuing enemy threat remain unchanged. (Hearings, p. 34.)

Finally, Mr. Chairman, the record should show the following disturbing fact. Let all my colleagues listen carefully to these words of Gen. Matthew Ridgway:

The military power ratio between western defense capability and the Soviet bloc's offensive capability is not changing to our advantage. (Hearings, p. 43.)

All of this reminds me of Adlai Stevenson's advice:

Let's talk sense to the American people.

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Roosevelt: At line 12, page 6, after the figure "$4,150,479,000", insert the following: "plus such other amounts, from the funds available to the Commodity Credit Corporation for price support to producers of milk, butterfat and the products of milk and butterfat, which the Secretary of the Army requires in order to make available to each of the persons herein described, a minimum daily ration of 1 quart of whole fluid milk in addition to such other amounts of milk products to which he is entitled."

Mr. FORD. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from New York.

Mr. ROOSEVELT. Would the gentleman withhold his point of order?

Mr. FORD. I would be glad to reserve the point of order.

Mr. ROOSEVELT. I thank the gentleman.

Mr. Chairman, this amendment is very simple. It says that the milk ration for the men in the Armed Forces will be increased from 1 glass of milk a day, which is the present ration, to 1 quart of milk a day. That does not seem very much for the boys who are drafted into our Armed Forces. May I say that this amendment will cost the Federal Government nothing; in fact, it will actually save the Federal Government dollars and cents.

This is important to the dairy farmers of our country. I might point out that the State of New York is the second most productive State of dairy products, so it is important to my State. It is important to them for this reason, that this will use 10 percent of the surplus. But, it is more important than just using 10 percent of the surplus. If that surplus goes into dried milk, into butter, into cheese, and then into storage, it means a limited return to the dairy farmer, but if it is sold as fluid milk, the dairy farmer gets in dollars and cents about half again as much for that product.

Mr. Chairman, if this amendment is adopted, it will save the Federal Government the cost of storing this surplus in the form of butter, cheese, and dried milk. That is a very expensive operation at the present time, and that cost to the Federal Government through the Commodity Credit Corporation will be saved. Therefore, since this is merely transferring funds already appropriated for purchasing and storing surplus milk, so as to use it in its fluid condition for the benefit of men and women in our Armed Forces, this will not cost Uncle Sam a dime. In fact, it will save Uncle Sam present storage costs. It seems to me that this amendment has great merit for the better health of our Armed Forces and for the economic drive to save money for our taxpayers. It will mean an increase in the income of our dairy farmers at a time when they are suffering a serious reduction.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from California.

Mr. JOHNSON of California. I want to join with the gentleman and also commend him for offering this amendment. This is a very important amendment to California, like it is to New York, and I think the gentleman has a very constructive way to handle a very distressing and troublesome surplus.

I am also very sorry that a point of order was raised against it, but I appreciate that points of order must be raised in certain situations. But I hope we can find some way to put into effect what the gentleman has in mind in order to help dairy farmers who are now in great distress in various parts of the country.

Mr. ROOSEVELT. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I, too, want to commend the gentleman. I think the gentleman ought to point out to the Members of the House who are on the floor today that the daily ration of fluid milk in the armed services is one-half pint.

Mr. ROOSEVELT. It is a glass of milk, such as the glass that I hold in my hand. That is all that our boys in the Armed Forces are getting today.

Mr. MILLER of Kansas. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I am glad to yield to the gentleman from Kansas.

Mr. MILLER of Kansas. I should like to say that the same condition applies in Kansas. We also have an extensive dairy industry there. I think we can all agree that this Government could not furnish any more nourishing food to our soldiers than milk. The very thought that they should be denied a reasonable ration when we have it in surplus is something which this Congress must consider.

Mr. ROOSEVELT. May I add for the benefit of the gentleman that all this amendment will do is to take 10 percent of our present surplus and, instead of putting it into storage, to put it into muscle and bone and the health and welfare of our boys in the armed services.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me further?

Mr. ROOSEVELT. I am glad to yield.

Mr. GROSS. The gentleman is now referring to domestically produced milk?

Mr. ROOSEVELT. This is all domestically produced milk; yes. This is in fluid, fresh form. That is the way my amendment reads.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Michigan.

Mr. FORD. The gentleman on March 6 circularized by letter all the members of this subcommittee. And, speaking for the subcommittee, I appropriate the method by which he contacted us in reference to this amendment. Subsequent to the receipt of the gentleman's letter I checked with the Army to find out the facts from the Department's side. I have information here which indicates, in reply to the contentions made by the gentleman from New York [Mr. ROOSEVELT] that several statements in his letter, while they may be technically correct, in practical effect are inaccurate and misleading. For example, the statement made that each individual has an allowance of one-half pint per day is, I suspect, probably true, but the net amount that each individual gets—and they have made a number of tests throughout the Army—is up to a pint and a half of milk for his own consumption.

I believe the Army, Navy, and Air Force should emphasize milk consumption by all personnel, however, the method suggested by the gentleman from New York [Mr. ROOSEVELT] is not the practical way to accomplish the desired result.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. ROOSEVELT was given permission to proceed for 1 additional minute.)

Mr. ROOSEVELT. In cooking the daily ration of the Armed Forces some dairy products are presently used. That, in my opinion, should continue and my amendment contemplates that. All I say is that the enlisted men and women

should be entitled, instead of their present allotment of 1 glass of fluid milk per day, to receive 1 quart of fluid milk per day.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. SIKES. I ask unanimous consent, Mr. Chairman, that the gentleman may have an additional minute so that I may make an observation.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. I think what the gentleman is trying to do is a very fine thing. I do not believe anybody in the House would want to prevent it. However, I do think it should be pointed out that there is certainly no disposition on the part of the Army or on the part of the Congress to prevent the soldiers having more milk if they want it. The practical sense of the situation is that the wishes of the troops have been taken under consideration. Many of them prefer tea or coffee to milk. It is not actually a matter of denying them additional milk. It is a question of giving them what they prefer. I agree with the gentleman that it would be a fine thing if they consumed more milk.

Mr. ROOSEVELT. Let me say to the gentleman that from my own personal experience in destroyers in the last war—and I had 5 years riding tin cans—that the first thing my enlisted men did when they hit the beach was to go for a glass of milk. They may like coffee, too, and I am not saying that they should not have coffee, even though the price goes through the roof. Also, they may like tea. But I know that the enlisted men of this country would be a lot better off if they had more milk.

Mr. SIKES. Of course, the gentleman knows that it is very difficult to store fresh milk on a destroyer.

Mr. ROOSEVELT. Yes; that is a difficult situation.

Mr. FORD. Mr. Chairman, I press the point of order, based on the fact that this amendment seeks to change existing law, first; secondly, it seeks to provide funds other than those provided in the act; and, thirdly, I believe it seeks to place additional duties on the Secretary of the Army.

The CHAIRMAN. Does the gentleman from New York [Mr. ROOSEVELT] desire to be heard on the point of order?

Mr. ROOSEVELT. Yes, Mr. Chairman.

May I say in opposition to my friend on the point of order that this does not change existing law insofar as appropriations have been made. As I pointed out, this does not call for any new appropriation. It merely marks the transfer of existing appropriations for dispensation in accordance with the amendment.

The CHAIRMAN. The Chair is ready to rule.

The Chair is of the opinion that the amendment is legislation on an appropriation bill, and that the point of order is well taken. The Chair sustains the point of order.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the high-school ROTC program, since its inception, has been one of the most important reserve training programs offered by the armed services. It has been of great value to the high-school students and to the Army. It has earned the high commendation of those participating in the program, of the school officials supervising the program, and of leaders in the community. Yet, several years ago, for some unknown reason, the Army undertook to cut down the program to a level which amounted to its destruction.

I testified before the Armed Services subcommittee urging support for the high-school ROTC program, and I am grateful that the committee agreed with my views by allowing the full amount requested by the Bureau of the Budget for this training program. If I may have the attention of the chairman of the subcommittee, the gentleman from Michigan [Mr. FORD], I should like to refer his attention to the bottom of page 16, wherein the following paragraph appears:

> The committee is concerned about another area in the utilization of manpower, where it feels that an increase in the numbers of military personnel assigned might well be justified. In recent years the numbers of military men assigned to the junior Reserve Officers' Training Corps program has been decreased, and the budget estimate makes no reference to an increase. The committee suggests that the Army might find it possible to utilize some of the spaces found unnecessary elsewhere in the sphere of high-school ROTC instruction, particularly where the local community vigorously supports the program.

I should like to ask the gentleman whether it is not the intention of the subcommittee that the junior ROTC program be operated on an efficient and strong basis—one which will permit the high schools in cities such as Chicago to maintain a large effective program. Is not that the intention of the Appropriations Committee, I ask the gentleman?

Mr. FORD. The question asked by the gentleman from Illinois can be answered this way: The committee made no change in the dollar amounts that were requested by the Department of the Army for the high-school program. The funds requested for that program were fully allowed. In addition, the committee felt that the Department of the Army should vigorously and aggressively support those communities which have, in turn, actively supported the high-school ROTC program.

As the gentleman has pointed out to our committee on two occasions, in the hearings last year and again in the hearings this year, the city of Chicago does actively and aggressively believe in the program. We in the committee think that the Army should return that kind of enthusiasm with equal enthusiasm by the Army itself.

Mr. YATES. I thank the gentleman, not only for his part in approving the budget request, but as well for having helped me in my efforts to restore the program to the status it enjoyed prior to the unwarranted reduction by the Department of the Army. There has been a restoration in the staff of military instructors in Chicago high schools since we began our fight over a year ago. The program has not yet received the necessary staff employed prior to the reduction by the Army, but the outrageous cuts that had been made by the Department of the Army have been corrected in great measure. Today there are 13 officers and 53 enlisted men in the Chicago schools handling the ROTC program. Fourteen to 17 Chicago high schools have only 1 enlisted instructor. This is still an insufficient number even though it is an improvement over what it was in the past. In order for the Chicago high-school program to be operated properly, the bare minimum requirement for Army personnel is 16 officers and 70 enlisted men, and I trust that the Department of the Army will take immediate steps to assign this number of instructors to the Chicago school program.

In the testimony that appears on page 927 of the hearings, in response to questions from the gentleman from Michigan [Mr. FORD], Colonel Lindeman testified that when ROTC units in high schools do not meet certain quotas, the training programs are dropped. I know it is the intention of the Appropriations Committee, in view of the fact that the program is so well appreciated and supported so vigorously in the city of Chicago, that as other high-school ROTC units are dropped, their instructor personnel will be made available for duty in the schools of Chicago.

Mr. BROOKS of Lousiana. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. BROOKS of Louisiana. I think the tendency all over the United States has been to cut down the staff of the junior ROTC. I think it is deplorable that that tendency has occurred. There is great enthusiasm for the junior ROTC. They have done an excellent job and it is very popular wherever it has been inaugurated and carried on. I am very glad that the gentleman has taken an interest in it. I would like to add one more word. We need a new ROTC bill covering both junior and senior ROTC's. We need some reorganization. We need a little more efficiency, and we need to place just a little more emphasis and more importance upon the ROTC program. I hope that we can come to the Congress within a reasonable period of time with a new ROTC bill completely overhauling and revamping the program of both the junior and senior ROTC.

Mr. YATES. I thank the gentleman for his remarks.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that all debate on this paragraph do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

Maintenance and operations

For expenses, not otherwise provided for, necessary for the maintenance and opera-

tion of the Army, including administration and rentals at the seat of government; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; disposition of remains, including those of all Army personnel who die while on active duty; chaplains' activities; awards and medals; welfare and recreation; information and educational services for the Armed Forces; recruiting expenses; subsistence of prisoners at disciplinary barracks, and of civilian employees as authorized by law; expenses of apprehension and delivery of prisoners escaped from disciplinary barracks, including payment of rewards not exceeding $25 in any one case, and expenses of confinement of such prisoners in nonmilitary facilities; donations of not to exceed $25 to each prisoner upon each release from confinement in a disciplinary barracks; military courts, boards, and commissions; authorized issues of articles for use of applicants for enlistment and persons in military custody; civilian clothing, not to exceed $30 in cost, to be issued each person upon each release from confinement in an Army prison and to each soldier discharged otherwise than honorably, or sentenced by a civil court to confinement in a civil prison, or interned or discharged as an alien enemy; transportation services; communications services, including construction of communication systems; maps and similar data for military purposes; military surveys and engineering planning; alteration, extension, and repair of structures and property; acquisition of lands (not exceeding $5,000 for any one parcel), easements, rights-of-way, and similar interests in land, and, in administering the provisions of 43 U. S. C. 315q, rentals may be paid in advance; utility services for buildings erected at private cost, as authorized by law (10 U. S. C. 1346), and buildings on military reservations authorized by Army regulations to be used for a similar purpose; purchase of ambulances; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers, including payments in advance for rentals or options to rent land; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; exchange fees, and losses in the accounts of disbursing officers or agents in accordance with law; expenses of inter-American cooperation, as authorized for the Navy by law (5 U. S. C. 421f) for Latin-American cooperation; not to exceed $4,396,400 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $2,792,179,000.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York [Mr. ROOSEVELT] offered an amendment in regard to the consumption of milk in the Armed Forces which the Chair has just ruled out of order.

At this time, I wish to call the attention of the gentleman from New York [Mr. ROOSEVELT] to the fact that I have introduced a bill, H. R. 8600, and that a companion bill has been introduced by the gentleman from North Carolina [Mr. COOLEY]. Both of these bills have been referred to the Armed Services Committee. My bill and Mr. COOLEY's bill increase the daily allowance of milk, butter, and cheese in the Navy ration and require corresponding changes in the Army and Air Force ration. Both my colleague, the gentleman from North Carolina [Mr. COOLEY], and I would gratefully accept the support of the gentleman from New York [Mr. ROOSEVELT] and any other Members of Congress in securing a hearing for our bills before the Armed Services Committee. I have written to all the members of the Armed Services Committee requesting such a hearing.

If our bills are enacted, the consumption of fresh milk or its equivalent by the armed services will be tripled. The use of cheese will be doubled and the consumption of butter will be increased substantially. The bills provide for an increase in the daily allowance of fresh milk for Navy personnel from one-half pint to one quart. The evaporated milk ration would be raised from 4 ounces to 1 pint, the powdered milk ration would be increased from 1 to 4 ounces and the cheese ration would be boosted from one-half ounce to 1 ounce.

The bills direct the President, under his administrative authority, to make like amounts of dairy products available to members of the other armed services.

I agree with the remarks of the gentleman from New York [Mr. ROOSEVELT] that the amount of milk available to our soldiers, sailors, and marines is tragically low. I believe there is no sense in worrying about so-called surpluses of butter and milk when much of it could be used to provide an adequate diet for the men who defend our country.

The equivalent of 2.6 billion pounds of whole milk from our domestic production was consumed by the armed services last year. They used 900 million pounds of fluid milk and cream; 103 million pounds of condensed and evaporated milk; 14 million pounds of dried whole milk; 10 million pounds of dried skim milk; 98 million pounds of ice cream, and 43 million pounds of butter. Although this may sound like a lot, still when you break it down to individual consumption figures, it becomes an unwisely low amount. I am convinced that the bills introduced by Congressman COOLEY and myself could very well be a partial answer to the dairy surplus problem that confronts our Nation. I also believe that we are not faced with a problem of overproduction, but rather one of underconsumption.

Mr. DONOHUE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DONOHUE: On page 8, line 21, after the dollar sign, strike out "$2,792,179,000", and insert in lieu thereof "$2,795,722,986."

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Chairman, the fundamental purpose of this amendment is to enable the Secretary of Defense, through the Army Surgeon General, to carry out Presidential instructions to provide adequate medical and dental care for military personnel and their families.

The immediate objective of this amendment is to enable the Department of the Army to continue the full operation of Murphy Army General Hospital, located in Waltham, Mass.

Testimony given by high military officials at a public meeting here yesterday revealed the Surgeon General does not want to close this admittedly superior medical facility. Statistics and charts of the treatment and services rendered at this hospital from its inception to this date demonstrated the resources of the hospital have been consistently and fully utilized. There is, therefore, no question and no doubt concerning the positive need for this medical military unit.

The location of the hospital, adjacent to Boston, Mass., one of the greatest and largest medical centers in the world, is an admittedly superior advantage over most other like hospitals. Patients are thereby accorded the particular benefit of observation and diagnosis, upon emergency, by some of the leading specialists and consultant civilian doctors in the country, without any obstacle of lengthy travel or contact difficulties. The military professional hospital staff is thereby easily afforded the educational and inspirational opportunity of intimate association with the most learned and experienced medical authorities in the Nation. Doctors, military personnel, and their dependents can go or be brought to the hospital in the speediest fashion as the highway routes are of the most modern type and Boston possesses one of the largest and most efficient railroad and air terminals in this country.

However, those are only a few of the physical factors involved. This general hospital is practically the only military hospital in the First Army area. It is designed to serve not only Massachusetts but the entire New England area and most of New York and parts of New Jersey.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DONOHUE. I yield.

Mrs. ROGERS of Massachusetts. It is the only military general hospital east of Valley Forge.

Mr. DONOHUE. That is right. Military officials have stated that that particular area is the densest recruiting area in the country.

If this hospital should close, those needing treatment would have to go, at great hardship, as far away as the general hospital in Pennsylvania or Walter Reed in Washington.

Mr. Chairman, the highest Government sources have expressed grave concern over the many and increasing signs of lowering morale among our present and potential military personnel. In my considered judgment, it is axiomatic that a military unit is no better than the spirit existing among its members, and the morale of their families behind them, despite whatever powerful war weapons that may be possessed. I believe, and I am sure you will all agree, it is only commonsense to judge that assurances to military personnel and their dependents that their medical needs will be fully and completely provided for is the

major factor in the maintenance of a high spirit and morale.

I must confess I know not how to measure morale and spirit in dollars and cents. As a Member of Congress, I am as vitally interested in promoting economy as anyone, but I emphatically feel, while we are granting billions to questionable allies, a comparatively small expenditure to insure an essential high spirit and morale in our fighting forces and their dependents is a very sound investment in the security of this Nation.

With the threatening shadow of Indochina hanging over us, no man can foretell the future. In the patriotic objective of preventing any further disastrous decline in our Armed Forces morale, I most earnestly and sincerely request and urge you, my colleagues, to unanimously approve this amendment in the national interest.

Mr. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the closing of this hospital is in line with the overall program of the Department of the Army to accomplish its job effectively and well with a reduction in expenditures and a cutback in troop strength. I know of no other way that you can cut back expenditures except by making some change in a previous program that costs more.

The Army's program called for a closing of a total of three hospitals. The hospital in Massachusetts was one of the three selected. I think the Army has tried to make an intelligent evaluation of the necessity for this facility. The facts, as I understand them, are as follows: The total bed capacity is slightly over 500.

According to information that has been given to me, the facility has been used approximately 75 percent of the time. The average bed occupancy has been approximately 75 percent. I refer you to a statement placed in the RECORD by the distinguished gentleman from Massachusetts [Mr. LANE] at page A3069 in the daily CONGRESSIONAL RECORD of yesterday. In other words, this facility in the State of Massachusetts has been used approximately 75 percent of the time for the past year.

It must be pointed out also that within a distance of 30 miles from Murphy General Hospital is Fort Devens. At Fort Devens they have a hospital facility which has a potential capacity of 800 beds. For the past year the hospital facilities at Camp Devens have been utilized approximately 80 percent.

The facility at Fort Devens is adequate in the estimation of the Army to handle the additional burden or patient load thrown upon it if Murphy General Hospital is closed.

In addition to the troops that are stationed in Fort Devens—as I understand there are around 12,000 or 15,000—there are only 4,000 additional military personnel in the area which the Murphy General Hospital serves. In other words, you wish to keep in operation a hospital that would serve only 4,000 additional personnel, when in reality the hospital at Fort Devens could adequately take care of this load.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. HESELTON. It is my understanding that the Fort Devens Hospital is what you call a station hospital. It has no nursery; consequently, the benefits to the dependents of servicemen will be cut off entirely. I think I am stating the facts in connection with it.

Mr. FORD. The Department of the Army has tried to set standards for the closing of hospital facilities. Under this criterion, as I understand it, a hospital must have a record of 88-percent utilization. As I indicated before, the Murphy Army Hospital just does not meet that criteria.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I understand—maybe the gentleman can correct me if I am wrong—that no hospital is ever used to 100-percent capacity. The best that can be taken care of at any time is about 80 percent. If this hospital is being utilized to 88-percent capacity then they are overcrowded, I would say.

Mr. FORD. This hospital is not being used up to the standard set by the Army.

Mr. GAVIN. Does the gentleman mean the Murphy Army Hospital?

Mr. FORD. The Murphy Army Hospital; yes.

Mr. GAVIN. It has been used. I visited the hospital as a member of the Hospital Subcommittee of the Committee on the Armed Services when an attempt was made to close it in 1950, and it has been used ever since.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. SIKES, and by unanimous consent, Mr. FORD was allowed to proceed for 5 additional minutes.)

Mr. GAVIN. We have been there to look over that hospital. It is a very important hospital to Massachusetts and the area, and, in my opinion, it would be a drastic mistake if the Department of the Army were to close it up. It is needed, and needed badly.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Florida.

Mr. SIKES. I dislike very much to find myself in disagreement with my very able friend from Massachusetts [Mr. DONOHUE], and other members of the committee who want to see this hospital continued. I certainly would not willingly subscribe to the denial of any needed medical facilities for our Armed Forces. However, I do want to second what the chairman of the Army Subcommittee has stated. This is the best judgment of the Department of the Army, considering the budget under which they must operate and the troop strength for which they must provide medical facilities. It is an effort on their part to carry on a more efficient operation and at the same time to utilize more effectively the limited number of doctors and nurses that are available. We must take those things into consideration and I think we are on sound ground when we follow the recommendations made to the committee by the Department of the Army.

Mr. FORD. I thank the gentleman.

Mrs. ROGERS of Massachusetts. Mr. Chairman will the gentleman yield?

Mr. FORD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. General Hershey's office as of yesterday said that the number of soldier personnel being served out in Arkansas, which has not been closed, was 98,000, whereas the soldier personnel that would be served and is being served by the Murphy Army Hospital, and they take patients direct from New York, is several hundred thousand.

Mr. FORD. I may say to the distinguished gentlewoman from Massachusetts that I regret exceedingly the accusations that have been made that one geographical area was being preferred over another. I do not think that was the basis upon which the decision was made. If we want to be sectional about this situation, I may say that in the State of Michigan we have a hospital closed within the last 6 months. I daresay if you wanted to add up all the people who would be served in that area it would equally match the population figures cited by the distinguished gentlewoman from Massachusetts. We have to rely upon the intelligent, conscientious determinations made by the people in the Army who are, I believe, without any sectional preferences.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. BATES. May I say to the gentleman that we met for 4½ hours yesterday with representatives of the Army on this very matter, and I can say further to the gentleman that a final determination by the Army has not been made. The information has been filed by us and offered to the Army on yesterday and it will be offered to Secretary Stevens at the earliest opportunity. But here is the strange position we find ourselves in: Unless the amendment offered by the gentleman from Massachusetts is agreed to there will be no way by which the Army can operate this hospital, regardless of what determination they might make. In fact, it does not do any good unless we have the funds with which to operate.

Mr. FORD. The record should be made clear that for the Surgeon General's utilization in this bill we have around $179 million in fiscal 1955 for the operation of hospitals, medical care, and related activities. I cannot help but believe that if a decision was made by the responsible people in the Department of the Army to continue the operation of Murphy Army Hospital, that out of the $179 million available for this program the Department could find adequate funds to keep Murphy Army Hospital open between July 1 and December 31. Certainly, they could exist, and then they could come back to the Congress in January for a supplemental. This committee, if the responsible officials in the Army want funds to keep that fine hospital open, would certainly concur.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. FORD] be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES. I will say to the gentleman from Michigan that certainly was our hope when we had the hearing yesterday.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield, by the way, they said that this was excluded before the budget came up, that is, any appropriation for Murphy Army Hospital, is that correct; that this would have to be done in order for them to carry it on?

Mr. BATES. Unless this action is taken today, the hospital cannot possibly remain open during the coming fiscal year.

Mr. FORD. I will say to the gentleman from Massachusetts that if he will turn to the hearings on page 746, it indicates that the Department of the Army on March 15 said that they had closed Percy Jones Hospital in Battle Creek, Mich., and they were going to close two more.

Mr. BATES. They did not say anything on page 746 about the Murphy Army Hospital.

Mr. FORD. Earlier in the hearings, General Palmer, who is G–4 in the Army, on page 247 of the printed hearings, listed the facilities that were to be closed in fiscal 1954. Six have been closed and six more are to be closed. He lists on page 247 the closing of Murphy Army Hospital, so that on March 1, anyhow, according to the printed record, this hospital facility was to be closed.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman referred to the fact that recommendations by the Army were made, and I assume he meant from the Surgeon General, because this is in connection with hospitalization.

Mr. FORD. I am referring to the responsible people in the Army who have the job of making such recommendations.

Mr. McCORMACK. And certainly the gentleman would concede that the Surgeon General would be one of them.

Mr. FORD. He certainly is a qualified person, but I must say, and we all know that oftentimes someone in a position as responsible as the Surgeon General has his decision overruled by higher authority.

Mr. McCORMACK. The Surgeon General certainly would be one of those officials, would he not?

Mr. FORD. That is right.

Mr. McCORMACK. On October 5, 1953, I received a letter from Surg. Gen. George E. Armstrong in which he said in reply to my letter:

> The current plans of the Army Medical Service do not contemplate that Murphy Army Hospital will be declared surplus to the needs of the Department of the Army. Murphy Army Hospital presently is scheduled to continue in operation as a specialized treatment center.

I asked General Carter yesterday, "Now, I construe that to mean not only to the end of the fiscal year but at least next fiscal year." And he agreed that that was a reasonable interpretation. I asked him yesterday if there was any different situation: "Is there just as much need now for Murphy Army Hospital as a specialized treatment center today as there was on October 5?" And he said, "Yes."

Mr. FORD. We have to go by the printed record which is submitted to us, and on page 247 of the hearings testimony by General Palmer, G–4, of the Army, indicates that Murphy Army Hospital was surplus to the needs of the Department of the Army.

Mr. McCORMACK. That was as of what date?

Mr. FORD. March 1.

Mr. McCORMACK. Well, the representative of the Surgeon General said yesterday the first notice he got was March 17. Is that not correct?

Mr. BATES. I believe that is correct.

Mr. McCORMACK. And on February 12 I had a letter from Secretary Stevens over his own signature that the decision had not been made and that a survey was being made.

Mr. BATES. And General Carter said also on page 746 of the hearings that the Army-Navy Hospital in Arkansas was going to be closed. Now he has changed his point of view in that particular respect. The point that I was trying to make with the gentleman was this: We had a 4½-hour hearing on yesterday. Mr. Young, a representative of the Secretary, said that he would convey to the Secretary the remarks which the Representatives from Massachusetts made, but that if the Secretary makes the determination that it is necessary to continue the operation of a hospital in Waltham, Mass., he will not have the funds, according to Mr. Young.

Mr. FORD. May I answer the statement by the gentleman from Massachusetts [Mr. BATES]? This bill will undoubtedly be approved here today with or without the funds requested. But if without—in other words, if this amendment is defeated—then the bill will go to the Senate. I am certain that this bill will not be approved in that distinguished body within the next month or two. The Army will have adequate time to make up its mind as to whether or not it should reverse itself in reference to Murphy General Hospital.

The CHAIRMAN. The time of the gentleman has again expired.

(By unanimous consent (at the request of Mr. McCORMACK), Mr. FORD was granted an additional 2 minutes.)

Mr. BATES. I should say to the gentleman that it would work the other way, too.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Of course, I think my friend recognizes that just turning this over to the other body puts us in a rather uncomfortable position. Here we have the distinguished Speaker of the House from Massachusetts; the distinguished ranking Republican of the Committee on Appropriations from the district in Massachusetts adjoining mine; the chairman of the Armed Services Committee of the Senate from Massachusetts. And here is a promise that we got that they would keep this hospital open. The gentleman's committee has done well, but they ought not to oppose this in the light of this evidence.

Mr. FORD. I will say that the potency of the opposition which I face here today, to be very realistic, is overwhelming. Nevertheless, the facts justify our position in opposing the amendment. We have just checked with the Department of the Army, and information has been given to me that instead of the $3,500,000 that the gentleman from Massachusetts has asked for in his amendment, in reality, the only amount that is needed in this section of the bill, "Maintenance and operation," for the continuation of Murphy General Hospital in fiscal year 1955, is $739,896.

Mr. DONOHUE. Those were the figures given to us by the Surgeon General's Office of the Department of the Army only yesterday.

Mr. FORD. The point that I am making is that to keep a hospital open you do not put all the money into the maintenance and operation portion of the bill. There should be a part of the additional funds in military personnel, Army, section.

Mr. WIGGLESWORTH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to say this in this connection.

Whether or not this hospital is to be kept open or closed must, of course, ultimately rest in the decision of the Department of the Army.

The Subcommittee on the Army who heard the testimony from the military officials, the subcommittee headed by the gentleman from Michigan [Mr. FORD] who has just spoken, made available every dollar requested for hospital purposes, except for certain reductions resulting from a decrease in the price levels in respect to certain supplies to be acquired for those hospitals.

As a Representative from the State of Massachusetts I have, of course, been greatly interested in this hospital, in the light of the need which so many people in the community feel should be sufficient to bring about favorable action on the part of the Department of the Army.

The Massachusetts delegation for a considerable period of time has been doing everything in its power to bring about a favorable decision. Only yesterday, as the gentleman from Massachusetts [Mr. BATES] has pointed out, there was a long conference with officials of the Department of the Army with a view to presenting further evidence to this end.

I have this morning received a letter signed by Mr. T. A. Young, Special Assistant to the Secretary of the Army,

which under leave to extend my remarks I include at this point in the RECORD:

DEPARTMENT OF THE ARMY,
OFFICE OF THE SECRETARY OF THE ARMY,
Washington, D. C., April 29, 1954.

Hon. RICHARD B. WIGGLESWORTH,
Chairman, Armed Services Subcommittee, Committee on Appropriations, House of Representatives.

DEAR MR. CHAIRMAN: In accordance with the request received as to the current status of the Murphy Army Hospital, I should like to submit to you the following information:

The Murphy Army Hospital in Waltham, Mass., was approved for inactivation in March of this year, the inactivation to be effective in June of this year. Subsequent to the approval of the inactivation of this facility, the Secretary of the Army directed that the matter be reviewed. This review is currently underway and information submitted by the various Members of the Massachusetts delegation, which was submitted to the Department of the Army representatives on April 28, during a hearing called at the request of the Massachusetts delegation, will be considered during the course of this review.

Pending completion of this review and final determination of the Secretary of the Army concerning the future status of the Murphy Army Hospital, no further action is contemplated toward the inactivation of this facility.

With highest personal regards, I am

Sincerely yours,

T. A. YOUNG,
Special Assistant to the Secretary of the Army.

Mr. WIGGLESWORTH. As you will note, the letter points out that a decision was taken in March to inactivate the hospital in June, that subsequently the Secretary of the Army directed that the matter be reviewed, that the review is still underway, and that pending completion of the review and final determination by the Secretary of the Army concerning the future status of the hospital, no further action is contemplated toward the inactivation of this facility.

Under the circumstances, as a personal matter I shall support the appropriation of whatever funds are necessary for the continuation of the operation of the hospital with the understanding that if the decision of the Secretary is favorable to continuing the operation of the hospital the funds will be available, and that if it is unfavorable the funds will not be utilized and will revert to the Treasury.

Mr. RIVERS. Mr. Chairman, I move to strike out the last word, and rise in support of the amendment.

Mr. Chairman, I feel compelled at this time to take the floor in defense of Murphy General Hospital.

In 1950, as chairman of the Subcommittee on Hospitalization of the Committee on Armed Services, I and the members of that committee traveled 7,000 miles over this Nation reviewing the hospitals at the time when the then Secretary of Defense, Louis Johnson, embarked on the program of cutting the hospitalization in the armed services of this country. Murphy General was one of them. We went to Waltham, Mass., and went over every nook and cranny of that institution. The gentlemen from Massachusetts [Mr. DONOHUE and Mr. PHILBIN] came along and gave us abundant testimony on the need for this institution. The Surgeon General then was very much exercised about the unwarranted closing of this fine institution in the First Army area.

We saw the hospital installation at Fort Devens, which was not fit for human habitation, and it was our conclusion and recommendation that we retain and maintain Murphy General for the needs of the Army, their dependents, and for the good of the service, and to be particularly available for the First Army area, in which it was located.

We ought to keep this hospital. It is one of the few, I understand, in our military admitted to the American Hospital Association.

We do not know what is coming by those who are sponsoring our active participation in Indochina, but let me tell you this: Whether it be the First Army area, the Second Army area, or the Tenth Army area, every section of this Nation will be in that war or any other war if and when we participate in one. We need this hospital. We have jumping-off places in New England in case of a conflict, and you know that. No part of this Nation is totally independent of any other. We have to keep our hospitalization program a well rounded one. I do not know what funds are necessary to keep this fine institution in active operation, but I know this: I will bet my bottom dollar that the Surgeon General of the United States wants it, and if the budget will permit, I guarantee he will tell you that he wants to keep it open. I think we owe a responsibility to that area of this country in which the First Army Corps is located. We owe a responsibility to those fine people who are so actively participating in our overall defense effort. We owe a responsibility to the mission that this institution fulfills, and we owe a responsibility to our military. Let us vote whatever money is necessary, and let us tell the military and the Department of Defense and the Department of the Army that it is the sense of this Congress that that hospital be not closed; that its mission be sustained, that its mission be delineated, and that its mission, if necessary, be legislated here today. I make no reflection upon my fine colleague on the subcommittee of the Committee on Appropriations for the Military Establishment—you have done a fine job, but we all have a responsibility. Let us give these people and let us give this section of our country in the First Army area adequate hospitalization—anything short of that is not only foolhardy but very shortsighted and lacking in vision. Let us vote for this appropriation today.

The CHAIRMAN. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, as chairman of the Massachusetts Republican delegation, I asked the Massachusetts Members and other interested persons to join in a meeting yesterday to consider certain facts in regard to the Murphy General Hospital in Waltham, Mass. I am delighted to state that the entire Massachusetts delegation gave their complete cooperation, and may I say that I am very grateful indeed that all of the Members of the delegation were represented. I am also very grateful for the cooperation of the Department of the Army and Department of Defense for sending down to this meeting high-ranking personnel to answer questions in regard to this very important matter.

I called this meeting yesterday for two reasons. I think it was important to obtain the facts in regard to the closing of the Murphy General Hospital in Waltham, Mass. The people of Massachusetts, as well as all of their Representatives in the Congress, and all other interested parties, certainly have a right to know these facts. Secondly, and what is to me much more important, I called this meeting to find out the constructive ways and means of keeping this hospital open. We are more concerned with keeping it open than we are with details surrounding its closing.

The categorical statement had been made that the Murphy General Hospital in Waltham was closed in order that a hospital in Arkansas might be kept open. It has been alleged that the closing of the Murphy Hospital was brought about by political pressure and political considerations. At this hearing yesterday this allegation was discussed and was quite precisely, quite definitely, and quite accurately considered.

It is my view our country is facing very grave times. The international situation is serious. In spite of our desires for peace and our prayers for peace we do not know at this time the course this great Nation must follow. Freedom is challenged and a challenge to the existence of freedom is a challenge to the existence of America.

In order to be constructive and to be helpful, and in view of this tense international situation, I suggest to the Department of the Army and to the Department of Defense that facilities such as the Murphy General Hospital not be closed. I request that the Murphy General Hospital be kept open for another year or until we have a chance to ascertain and determine whether or not its facilities will be required because of war, and God forbid that war should come. In my view, this is no time to be reducing the facilities which have a relationship upon the defense of our country. We cannot talk big at Geneva and talk little to the people of Massachusetts and other communities throughout this Nation.

Mr. Chairman, I would like to point out that when the Murphy General Hospital was closed in 1950 against my protest and over the protests of a great many in the First Corps area, it was only 2 or 3 months afterward that the so-called police action was declared in Korea, the terrific Korean conflict was underway and the Department of the Army was forced to open and reactivate the Murphy General Hospital. It is very costly to close a large facility such as the Murphy General. It is extremely expensive to deactivate a hospital and it is very expensive to reactivate a hospital. In view of the Indochina situation today, I feel somewhat superstitious about closing the Murphy General Hospital at this time. If the hospital is

closed there are no beds available for the military personnel in the First Corps area. From the Public Health Service I am informed there is a shortage of 800,000 beds in hospitals devoted to civilian service. There is a great shortage everywhere. The naval hospital servicing the Boston area is operating at capacity and cannot care for the patients normally served by the Murphy General Hospital. Chelsea Naval Hospital cannot assume such an increase. As a result there is no place for the Murphy patients to go if the Murphy Hospital is closed.

While attending the dedication of the new research laboratory at the Bedford Air Force Base, which is in my district, I talked over problems with a number of the military personnel.

One man said to me, "Mrs. ROGERS, my wife is going to have a baby; and if Murphy Hospital is closed, there is no military hospital in this area where she can go. If I should have to go to Indochina, how am I going to feel going away when there is no hospital available to take care of my wife? Prior to the decision to close it, my wife could be taken care of at the Murphy General Hospital."

Fort Devens also is in my district. There are not enough beds at Fort Devens to care for the additional patients caused by the closing of Murphy General Hospital. There is a shortage of beds everywhere, in both military and civilian hospitals. In view of this fact I hope my colleagues will approve an additional amount in this appropriation sufficient to keep the Murphy General Hospital open.

This order to close the Murphy General Hospital has met with unanimous opposition in Boston and throughout the First Corps area. The people are thoroughly aroused. The people are determined, and so am I, to keep the Murphy General Hospital open and in use. Bankers, businessmen, professional leaders, clergy, in fact everyone regardless of politics, are united in this objective. Everywhere the plea is to keep open the Murphy General Hospital in Waltham.

It is a comparatively easy act for the Congress to order young men and women into the military service, and for them to be sent to the four corners of the world in the defense of our freedom and our way of life. Surely we owe these young Americans our cooperation and our help here at home. Is it asking too much to keep open and in use hospital facilities already constructed and already available for the care not only of these service people but also their dependents while they are giving so much to their country?

Look into your hearts. Look into your own feelings. Listen to your conscience. Is it too much to ask that Murphy General Hospital be kept open in the heart of the greatest medical center in the world, in order to provide proper medical care to those entitled to it and who cannot obtain it elsewhere? Is this too much? My answer is that it certainly is not. I think you, my colleagues, will agree with me.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this amendment would permit the continued operation of Murphy General Hospital at Waltham, Mass. It has been ably presented and advocated by my very distinguished friend, our esteemed colleague, the gentleman from Massachusetts [Mr. DONOHUE], who represents the district in which the hospital is located. I hope I will not be too repetitious in this matter and that you will bear with me while I review a few of the facts.

At present the hospital is in operation under a suspension order by the Army. This hospital originally cost the Government about $5 million. It serves thousands of armed services personnel, including expectant mothers whose young husbands are spread all over the world protecting our Nation. This is the only general Army hospital in New England. If it is closed, armed services personnel and their dependents will have to go about 400 miles to Valley Forge Hospital at Phoenixville, Pa., to get adequate medical care and treatment.

Murphy General Hospital is well built, well equipped, and well staffed at the present time. I would say to you it commands perhaps the most distinguished medical consultants and specialists in the world. Certainly no metropolitan area anywhere has better or more able or more successful medical experts than the Boston area. Boston is admittedly a great medical center. People come from all over the world to get the benefit of the extraordinary medical skills, care, and hospital treatment that are available in that great city.

Why the Army should ever think of discontinuing this splendid general hospital and leave New England service personnel, their wives and families without proper, available and adequate medical and hospital care is quite beyond my understanding.

This is not the first time that Murphy General Hospital was sought to be closed. Back in 1950, just a few months before Korea, under a previous administration I regret to say, some people who should have known better ordered the closing of this institution. This was done, just as the present proposed closing is urged, in the name of economy.

How ridiculous this situation is. Our Nation is spending billions of dollars for human welfare overseas, and denying proper, adequate medical care and treatment to the defenders of the Nation and their dependents, their wives and children, and even wounded and stricken heroes of Korea. There is absolutely no justification for this closing. There is no possible justification for cutting off the services of this urgently needed installation. The record is filled with testimony that it is urgently needed. The medical branch of the Army, which was never informed of this proposed closing until after the closing order was issued by high level Pentagon pennypinchers, has stated the need. We listened all day to testimony from people who are well informed giving us the facts. We have secured the facts from many reputable sources. We are not relying alone on the judgment of military authorities, but other authorities who know what this situation is. The able Surgeon General of the Army is well aware of the need for this hospital.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. PHILBIN. I yield to my distinguished friend.

Mr. McCORMACK. General Carter testified yesterday before the delegation that there is just as much need today for the specialized treatment of wounded at the Murphy General Hospital as there was when General Armstrong wrote to me on October 5.

Mr. PHILBIN. That is a very impressive piece of evidence. There is indeed just as much need as there was when General Armstrong informed you there was need for this hospital last October. In my opinion, there is a much greater need.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent (at the request of Mr. NICHOLSON), Mr. PHILBIN was granted 1 additional minute.)

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. PHILBIN. I yield to my good friend, the distinguished gentleman from Massachusetts.

Mr. NICHOLSON. I was going to make some remarks on this meritorious amendment, but after listening to the gentleman's splendid explanation of the question, I do not think it is necessary. I think you have admirably covered every point that should be covered.

Mr. PHILBIN. I thank the able gentleman. I am happy to have his generous comment.

Mr. SCRIVNER. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. McCORMACK. Mr. Chairman, reserving the right to object, this is outside of the 5 minutes the gentleman from Massachusetts [Mr. LANE] is entitled to. He had been recognized and yielded.

The CHAIRMAN. The gentleman from Kansas [Mr. SCRIVNER] asks unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes, the first 5 to be used by the gentleman from Massachusetts [Mr. LANE]. Is there objection?

There was no objection.

Mr. LANE. Mr. Chairman, far be it from me to attempt to prolong this debate; but may I repeat, as has already been stated in this argument on this amendment, that this matter is of grave importance to the membership of Congress from Massachusetts and the entire delegation from New England.

This, Mr. Chairman, is not a party matter. Proof of this is the fact that at the public hearing yesterday we had the present Governor of our Commonwealth, the former Member of the House, the Honorable Christian Herter; also

Senator SALTONSTALL, who is chairman of the Armed Services Committee of the other body; and all the members of the Massachusetts congressional delegation from both the right and left side of the middle aisle, all favoring the retention of Murphy Army Hospital.

I am sorry, Mr. Chairman, that the committee has seen fit to object to or oppose this amendment offered by my colleague, the gentleman from Massachusetts [Mr. DONOHUE], in whose district this hospital is located. This amendment merely seeks to add three-million-odd dollars to the appropriation in order that we may continue the Murphy Army Hospital. I have no quarrel with the committee that studied this matter. It has made a recommendation in reference to the appropriation for the armed services, but as I read their report I find little or nothing in the report that could have been helpful to that committee in deciding whether or not the Murphy Army Hospital should be retained. There was little or nothing said by the officers who testified in the early part of March on page 247, where Lt. Gen. W. B. Palmer stated at that time that the Murphy Army Hospital was under consideration for closing. Since then we find that substantial evidence has been offered, especially on yesterday, to the Members of Congress that the Murphy Army Hospital should be retained.

May I repeat, because of the fact some Members were not present to hear the excellent statement made by the gentleman from Massachusetts [Mr. DONOHUE], that this is the only Army hospital in the First Army area, which includes not only our New England States—Massachusetts, Rhode Island, Connecticut, Maine, New Hampshire, and Vermont—but also goes into New York and New Jersey. This hospital serves the servicemen and their dependents in that area.

This fine hospital is located in Waltham. It is near Boston, and it is near all those great university units and institutions that we have there. The patients of the Murphy Army Hospital derive the benefit of all the various medical clinics and those specializing in different branches of medicine who are on the staff of the Massachusetts General, Boston City Hospital, Children's Medical Center, Lahey Clinic, New England Medical Center, the Pratt Diagnostic Hospital, and other institutions.

Also, Mr. Chairman, it derives the benefit of the staff of the Harvard Medical College, the Tufts Medical College, and Boston University.

The bed capacity has already been stated as being 515. So it is a substantial unit. Although it was originally established as a station hospital, over the years it has rendered such excellent service to our men in the armed services and our women in the armed services and their families and dependents that it was made a regional hospital and now is an Army general hospital.

May I say that from January 1 of last year up to the early part of this year—a period of a little over 1 year and 3 months—5,313 patients were admitted, of which 2,200-plus were military and 3,000 were civilian. There were 913 maternity cases and 537 military personnel admitted direct from overseas. In that same period of time there were 5,412 patients discharged, of which 2,347 were military and 3,065 civilians, and of the military patients 69 percent returned to duty.

The average daily patient census is 437. Average beds occupied 320—264 are military and 56 civilian. In the outpatient service there were 59,705 visits, including dental service, X-ray service, laboratory service, occupational and physical therapy, and so forth.

During the past 3 months the admissions have increased sizably over the same 3 months of last year by both military and civilian personnel. The cost of running this institution for last year was $3,643,986.

There have been too many off-again, on-again crises involving this hospital. More and more it is beginning to look that the Murphy Army Hospital is being used as a pawn in a game, to the increasing dissatisfaction of all veterans.

Nothing less than a firm commitment from the Department of Defense that it will not abandon this facility at this time will satisfy the New England delegation in Congress. We have been disturbed by raids on our industries. Alerted by this, we shall never permit the closing down of installations maintained by the Federal Government here, in order to transfer them elsewhere, under patronage pressure from other sections of the Nation.

Waltham is a heavily populated area of New England that has more than its share of our servicemen and veterans.

It is near Boston, which is the focal point of the Northeastern United States. Many of our veterans are suffering from sicknesses or disabilities that cannot be turned on or off by a directive from the Pentagon. In some cases they may need continuing care for as long as they live.

With this in mind, we want a promise from the Department of Defense that Murphy Army Hospital will be kept in operation as long as it is needed in this area. Furthermore, we want any thought of abandonment ruled out.

Mr. Chairman, I sincerely hope that this amendment offered by the gentleman from Massachusetts [Mr. DONOHUE] will be adopted so that adequate funds may be appropriated to continue the operation of the Murphy Army Hospital in Massachusetts.

Mr. O'NEILL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL. Mr. Chairman, for many months, the members of the Massachusetts delegation have been most active in their efforts to prevent the inactivation of the Murphy General Hospital at Waltham, Mass.

The recent decision of the Department of Defense to close this hospital was a cruel and crushing blow to the more than 700,000 veterans who live in the Commonwealth of Massachusetts alone. It is the only Army hospital in the entire First Army Area, which comprises all six of the New England States, and parts of New York, and New Jersey. The nearest comparable Army hospital is the Valley Forge installation, located at Phoenixville, Pa.

The Murphy Army Hospital is one of the finest medical centers in the United States today. It is composed of 44 individual buildings connected by enclosed corridors. The 1-story height of the buildings which house the patients, affords maximum protection in the event of enemy attack. The hospital was the first Army institution to be accepted for membership by the highly regarded Massachusetts Hospital Association. Its location is ideal, for the reason that it is close to many of the foremost medical schools and hospitals, and thus has access for consultation to the very best of medical and surgical talent which could be made available anywhere. For example, the medical schools include those of Tufts, Harvard, and Boston University. The nearby hospitals are the New England Medical Center, including the Pratt Diagnostic Hospital, the Massachusetts General, the Boston City, the Massachusetts Memorial, the Children's Medical Center, and the well-known Lahey Clinic.

In the period from January 1, 1953, through April 9, 1954, the official records of the Murphy Army Hospital reveal that it admitted directly from overseas 537 military patients. The total number of patients admitted during that period were 5,313 of which 2,258 were military and 3,055 were civilians. In addition, the Obstetrical Division delivered 913 babies. The hospital cares for from at least 250 to 300 outpatient cases daily of both servicemen and their families. Approximately 35 percent of the patients are from the New England area, the great majority of whom are Korean casualties.

It is imperative that adequate care be provided for the military personnel and their dependents in the New England area. I hope that the membership of the Committee on the Whole will go on record in support of the amendment to provide for the continued operation of the Murphy General Hospital which has been offered by my colleague, the Honorable HAROLD D. DONOHUE of Worcester, Mass.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. NEAL].

Mr. NEAL. Mr. Chairman, every argument that has been made here this afternoon justifies retaining that hospital in Boston. In the first place, the Government has quite an investment. This is a hospital investment. It can be used for nothing else. Why close it, then, if it is being utilized to three-fourths of its capacity? It is not economical, by any means, to close this institution. Should an emergency come a little later, you will either have to reactivate that institution or spend money elsewhere to provide similar accommodations.

We should utilize the Government-operated hospitals that we have all over the country. There is a shortage of hospitals and there is a shortage of private beds everywhere. If you take away the

Government-supported hospitals you are only throwing that much more burden on the other privately operated facilities. These, already overcrowded, and not able to accommodate civilian needs cannot be expected to serve military personnel.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I rise in support of the amendment of my colleague from Massachusetts [Mr. DONOHUE]. Yesterday the Massachusetts delegation in the Congress held a morning and afternoon conference with representatives from the Department of Defense, the Army, the Surgeon General's Office, and delegations from the Federal Employees Veterans Association, the Disabled American Veterans, and a number of other people from veterans organizations in Massachusetts. This conference was arranged to determine why the Murphy General Hospital was to be closed. All of the evidence adduced at this hearing clearly indicated that the proposal of the Defense Department to close this hospital was not justified. We were informed that there was no recommendation from the Surgeon General's Office indicating that this general hospital should be closed. It seems that the Department of Defense instituted the order without giving proper evaluation to the demands that have been made, are being made, and will continue to be made upon the facilities which this institution has offered to servicemen and their dependents in the entire New England area. My colleagues from Massachusetts this afternoon have outlined in precise detail just why Murphy General Hospital should remain open. I will not detain the House in reiterating those arguments. Suffice it to say that the arguments in favor of continuing the operation of this institution far outweigh the decision to close it on the ground of economy. When the military establishments are making daily pleas for volunteers for the armed services, I cannot see how the slashing of fringe benefits to military personnel and their dependents would result in anything but a rejection of volunteer service in our Armed Forces. All of the facts and figures that have been quoted here this afternoon emphatically indicate that this hospital has rendered great service to members of the military and some of their dependents. The area serviced by this hospital includes all of New England, and parts of New York and New Jersey. The elimination of this Army general hospital facility would mean that cases, the like of which have been previously treated at Murphy, would have to seek relief at some other Army general hospital far removed from this locality. This is a burden which should not be placed upon servicemen and their dependents. For these reasons and for the many others that have been pointed out by our congressional delegation, I trust that the amendment of Congressman DONOHUE will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Chairman, I rise in support of the amendment. The Army has announced that it is going to reconsider the closing of the Murphy General Hospital in Waltham, which is adjacent to the district which I am privileged to represent.

The chairman of the subcommittee, the distinguished gentleman from Michigan [Mr. FORD], has told us that the Army can find the money to keep this hospital going, if it ultimately decides to do so. I agree that the Army should be able to find that money from its appropriation, but I am sure that the decision will be easier for it if a little more money is provided by the Congress.

Mr. Chairman, this is one hospital that should be kept open. It is in fine physical condition. It is located in one of the best areas for an Army hospital. It is close to that great medical center to which people come from all over the world for treatment, and I have in mind especially the recent visit of the Foreign Secretary of Great Britain. Nationally known specialists are available as consultants. The hospital has been certified by the American Hospital Association. It should not be closed.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, it seems to me that the evidence is overwhelming in favor of the amendment offered by the distinguished gentleman from Massachusetts [Mr. DONOHUE]. The amendment represents the viewpoint of all Members of the Massachusetts delegation. Everyone from Massachusetts is a cosponsor with the gentleman from Massachusetts who offered the amendment, Republicans and Democrats alike.

The gentleman from Michigan says it would take about $740,000 for maintenance, and this amendment is offered to that section. Well, that is true; but I think the Members should vote for the adoption of the amendment offered by the gentleman from Massachusetts [Mr. DONOHUE], and then the Senate can allocate it among maintenance and employees when the bill gets over in the other body.

I have here a definite promise made to me by General Armstrong on October 5, 1953, that the Murphy Army Hospital would be kept open as a specialized treatment center. General Armstrong wrote that letter in good faith, and his representative said yesterday there is just as much need today for it as there was when General Armstrong wrote that letter.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I rise in support of the amendment. This Murphy Army Hospital should be kept open. The Department of Defense since 1950 has made a very determined effort to close this hospital, and they were just as wrong then as they are now. This hospital is of vital importance to that area. I speak after a visit to Murphy Army Hospital, looking over the facilities, talking to the staff, talking to the patients, and talking to the people. There is a need for the continuation of this hospital. We get letters every day from veterans seeking admission to hospitals. The replies are of waiting lists, waiting lists, waiting lists; veterans and others who cannot be admitted for hospitalization. In my opinion to close Murphy Army Hospital at this time would be a tragic mistake.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to Mr. MILLER of Maryland.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. DONOHUE].

Mr. DONOHUE. Mr. Chairman, the gentleman from Michigan [Mr. FORD] stated that the hospital is only 75 percent occupied. Well, the record indicates that out of the 510 beds the average daily census is 437, that is certainly more than 75 percent. But, this is still more significant. The record shows that last year 59,705 persons received outpatient treatment. Now, who are those that received this outpatient treatment? They were servicemen, their families and other dependents.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. DONOHUE. I yield to the gentleman from Michigan.

Mr. FORD. According to the information put in the Appendix of the daily CONGRESSIONAL RECORD of April 23, by the gentleman from Massachusetts, [Mr. LANE] on page A3069, the average number of beds occupied was 320.

Mr. DONOHUE. But the average daily census is 437 included in that same record.

Mr. FORD. That is correct, but there is a difference between beds and census. You have 510 beds, and the average daily occupancy is 320.

Mr. DONOHUE. Does not the gentleman think it significant that 59,705 people received outpatient treatment in the last year?

Mr. FORD. I agree that is quite significant, but that does not warrant keeping open a hospital as large as this one when the bed occupancy is so low.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, it takes a good deal of courage to rise against the entire Massachusetts delegation here, because they certainly have been eloquent, and added to that, my own fine chairman is a member of that great delegation, not to mention the Speaker and assistant minority leader.

Mr. Chairman, the question that we have before us is purely whether or not this is the time or place to decide on the merits of a very localized matter. Your committee has no judgment as to the need or the lack of need of this particular hospital as compared with 52 other fixed hospital sites in the present programing. There are also 9 infirmaries

and 90 dispensaries, all in continental United States, not to mention 40 hospitals, 1 infirmary, and 400 dispensaries overseas.

The bill, as it is written, has provided all the money to the Army for this purpose that has been sought. It has been made clear that the Army has under consideration perhaps revising its plans. But I can assure the Members of the House that if in this committee we suddenly added money to this bill at this point, we would be making the judgment, not the Army, as to what is best.

We have asked the Army to economize and at the same time to give ample and complete medical attention to all our troops. We are reducing the Army this year. Personnel will be substantially reduced, as has been pointed out. Sitting here as a committee or a subcommittee, if you please, we are not situated to properly decide where these contractions are to be made continentalwise. If the Army wishes to keep this installation, presumably it will do so. If we add this money at this point, it will be mandatory upon the Army to do it.

There is just one other point. There is no possible way that $3.5 million could be used for the purpose desired by the proponents of the amendment, because only $740,000 would be required in this maintenance operation section of the bill for this hospital. There would still be no money to provide the doctors and nurses and other services that a hospital requires in the appropriate sections of this bill. The result will be that you will have much more than needed for maintenance and operation at Murphy, and no provision for pay for doctors and nurses to staff it.

I suggest, therefore, that it be voted down.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. DONOHUE].

The question was taken; and on a division (demanded by Mr. DONOHUE) there were—ayes 64, noes 59.

Mr. FORD. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DONOHUE and Mr. FORD.

The Committee again divided; and the tellers reported that there were—ayes 93, noes 69.

So the amendment was agreed to.

The Clerk read, as follows:

Ships and facilities

For expenses necessary for design, maintenance, operation, and alteration of vessels; maintenance and operation of facilities; procurement of plant equipment, appliances, and machine tools, and installation thereof in public or private plants; procurement of equipment, supplies, special clothing and services; installation, maintenance, and removal of ships' ordnance; lease of facilities and docks; charter and hire of vessels; relief of vessels in distress; maritime salvage services; industrial mobilization; and departmental salaries; $818,681,000, of which $15,675,000 shall be transferred to the appropriation "Coast Guard Operating Expenses, 1955" for the operation of ocean stations.

Mr. TOLLEFSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hesitate to ask for and to take this time, but as acting chairman of the Committee on Merchant Marine and Fisheries, I feel that I have some obligation to do so because of certain testimony, which was presented to the committee on yesterday by Admiral Leggett. This morning, and this afternoon, we have heard some fine statements with respect to this bill. I am not one to say it is not a good bill, or that the committee has not done a wonderful job. We have heard talk about what this bill does in the way of providing for our national defense and for our preparedness program. The Army is taken care of, the Navy is taken care of and the Air Force is taken care of. But, I do want to say in connection with the defense program, if all we do in the way of providing for our national defense and preparedness program is to act upon this bill, then we will not have done enough. If that were my own opinion alone, then I would not even bother to take this time, but I do want to call the attention of the committee to a statement made by Admiral Leggett yesterday before the House Merchant Marine and Fisheries Committee. I shall ask unanimous consent at the appropriate time to insert that statement in the RECORD at this point. I will not read the whole statement here because I do not have the time to do so, but I do want to call your attention to one pertinent statement.

I would like to repeat this statement for the benefit of the committee. At the close of Admiral Leggett's statement, he said:

> In closing, I would like to repeat that the Navy is greatly concerned with the plight of the shipbuilding industry, which promises to become the most vulnerable area in our preparedness program.

Let me repeat that:

> I would like to repeat that the Navy is greatly concerned with the plight of the ship building industry, which promises to become the most vulnerable area in our preparedness program.

He was not talking about Navy shipyards—he was talking about commercial shipyards. He did not say we were vulnerable with respect to airplanes, or guns, or tanks, or warships, or cruisers, or naval shipbuilding. He was talking about commercial or private shipbuilding. That is why I say that if all we do is to approve the pending bill we will not do enough for our preparedness program.

Now, that was not a careless statement on his part, because the committee questioned him. That was a calculated statement on the part of Admiral Leggett, who knew what he was talking about. He made that statement because of the experiences which we had in World War I and World War II. Admiral Leggett told our committee that at the present time or rather as of even last year, there was an immediate deficiency of 214 merchant-type vessels consisting of a certain number of cargo ships and a certain number of tankers. Without going into too great detail, let me tell you what happened in World War I and World War II. On both occasions, the Congress of the United States neglected its merchant marine to the point where it was caught short when World War I and World War II broke out. Now no one can tell how long World War I was prolonged nor how long World War II was prolonged simply because we lacked ships and shipbuilding facilities. But the Army and the Navy and the Air Force are all aware of the fact that we were caught short of ships and I am sure they are aware of the fact that the wars were prolonged at tremendous and inestimable cost in men and materials. It just seems to me that we are coming to the same condition in which we found ourselves in World War I and World War II. My purpose in discussing it now is simply that unless I, or somebody else, does it in connection with a defense program, then the Congress is not going to be too much impressed when we come before you with some ship construction or shipbuilding program because it is not as closely related to the defense program then as when we are discussing this kind of bill, and I mention it only so that I might be able in some way to impress upon this committtee the need for not neglecting our American merchant marine.

The CHAIRMAN. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. TOLLEFSON was granted 3 additional minutes.)

Mr. TOLLEFSON. Every President I know of from President Wilson to this date, including President Eisenhower, has recognized that the American merchant marine is the fourth arm of our national defense. They have so stated in one statement or another. This Congress has set forth a merchant marine policy, recognizing the fact that our American merchant marine is the fourth arm of our national defense. Admiral Leggett has made it plain in his statement. Admiral King, in 1945, made the same kind of statement, in which he said that the missions of the American Navy during World War II would never have been accomplished had it not been for the American merchant marine. So I say to you, if all we do this year is to appropriate money for the Army, the Navy, the Air Force, and the Marine Corps, we will not have done enough in the way of preparing ourselves for an emergency. We need to do something else, and I sincerely trust that when legislation dealing with the subject of our merchant marine comes before the House the Members will give due consideration to it, in light of the need of an American merchant marine in connectoin with our national defense.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Iowa.

Mr. GROSS. An excellent place to start would be to stop this offshore procurement of vessels; would it not?

Mr. TOLLEFSON. I agree with you wholeheartedly. Incidentally, we spent over $100 million in offshore procurement of vessels the year before last. Last year it was a little less. This year we are down to about $30 million, and I

hope we will not have to spend that money while our own shipyards are closing. In the State of Massachusetts, Quincy's shipyard was ready to close, and the Navy, recognizing the importance of the work it was doing, awarded them a contract.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. WIGGLESWORTH. I want to congratulate the gentleman on the statement he is making dealing with a matter of vital importance to our whole national defense picture. I want to assure him that this committee is fully alive to the gravity of the situation to which he has referred. In this bill we are providing for an increase to the extent of $322,400,000.

Mr. TOLLEFSON. Of course, I am talking about commercial ships and shipyards, and not Navy ships and yards. We need both.

Mr. DEVEREUX. I would like to call to the attention of the gentleman and the Committee of the Whole that not long ago we had the representatives of the Navy Department, which is the agency for carrying out off-shore procurement as far as shipbuilding is concerned, before our committee, and they assured us that because of their responsibility for maintaining local business for our own yards they would thoroughly reexamine the whole picture and make a strong protest to the National Security Council in connection with keeping our own yards in operation.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

(By unanimous consent, at the request of Mr. TABER, Mr. TOLLEFSON was granted 2 additional minutes.)

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. TABER. In addition to the $322 million increase in construction of fighting vessels, there was $50 million additional for starting a new program of MSTS ships that we have never had in previous bills.

Mr. TOLLEFSON. I thank the gentleman for that statement.

Let me comment on what the gentleman has said. I noticed in the bill $50 million for MSTS ships. And the item mentioned by the gentleman from Massachusetts, [Mr. WIGGLESWORTH] but there is nothing in this bill, and properly so, to provide for merchant marine construction. I brought up this subject simply to call the attention of the House to the importance of the matter. I am not opposed to MSTS, in so far as they maintain only a nucleus fleet. But the Navy itself recognizes that we need a private American merchant marine to carry men and materials to the war fronts.

So I am speaking in behalf of Congress doing something in connection with the private American merchant marine, giving them every possible support, in the interests of our national defense program. I hope that when legislation dealing with the subject I am discussing comes before the House our committee and the legislation will get a sympathetic ear, because it is absolutely essential. The Navy itself recognizes that we have need for a private American merchant marine as an integral part of our national defense. That is clearly indicated by Admiral Leggett's statement.

STATEMENT OF REAR ADM. W. D. LEGGETT, JR., UNITED STATES NAVY, CHIEF OF THE NAVY'S BUREAU OF SHIPS, BEFORE THE MERCHANT MARINE AND FISHERIES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, APRIL 28, 1954

Mr. Chairman and members of the committee, it is a privilege to appear before you this morning to give you my views on H. R. 8637, a bill to amend title XI of the Merchant Marine Act of 1936.

There is an urgent requirement today for new ship construction, not only to modernize our merchant marine but, of equal importance, to provide critically needed assistance to our private shipbuilding industry. Both are essential to our national security.

Most of the ships in our active merchant fleet are approaching obsolescence. Nine-tenths of the dry-cargo ships in the national defense reserve fleet have a design speed of only 11 knots or less. These consist chiefly of about 1,400 Liberty ships, built under wartime conditions, and obsolete when their keels were laid.

The reserve fleet is also deficient in large oceangoing tankers and troopships of adequate speed.

Last summer the Department of Defense, during the course of a congressional hearing, went on record as to an immediate deficiency of 214 merchant-type vessels, consisting of 165 cargo ships, 6 large passenger ships, and 43 large tankers.

Correction of these deficiencies would not only strengthen the national defense, but would also revive the distressed private shipbuilding industry. This industry cannot be maintained by naval shipbuilding programs alone. It must also have the support of a healthy merchant marine.

As Coordinator of Shipbuilding, Conversion, and Repair for the Department of Defense, I have certain responsibilities for mobilization planning, for procurement of ships for defense purposes, and for coordinating repairs and conversions within the United States. I have a primary and continuing interest, therefore, in the maintenance of an adequate defense nucleus of operating shipyards which can be expanded, if necessary, to meet the sudden demands of a full-scale emergency.

The situation today in our private shipyards is so critical that I have grave concern whether the industry can meet mobilization production schedules.

You will recall that at the outset of both world wars, we had a year or two to recruit and train shipyard personnel, expand our facilities, and start building up our merchant marine. Even with this notice, our output of new ships barely managed to catch up with the serious losses we were encountering. In fact, most of our ship construction became available near the end or even after the termination of hostilities.

Our present situation is often compared to 1939. I believe this to be somewhat misleading. The situation now confronting us with regard to the shipbuilding industry is more like 1941 than 1939, in the sense that we cannot count on a prolonged period for mobilizing needed skills and facilities.

It is apparent that the industry is not prepared today to meet initial wartime requirements. Our private yards now have about 118,000 employees, less than one-third of the total in December 1941. They have only about 29 large oceangoing merchant ships under construction, a small fraction of the work under way in 1941. All of these 29, except 3, are scheduled for completion this year.

In order to improve the economic health of the industry, the Navy, for the past several years, has been awarding most of its shipbuilding to private industry. During fiscal 1954, all new naval construction is going to private yards. Up to the present, we have been reasonably successful in helping to maintain, through normal competition, a fairly broad base of operating yards widely dispersed throughout our coastal areas.

With regard to repair work, the Navy, last year, began awarding the overhauls of most active fleet auxiliaries, together with selected combatant ships, to private yards. Previously, these yards had been regularly receiving repairs to service craft, overhauls of reserve fleet ships and similar work. During the past 2½ years, the Navy has awarded repair and overhaul work having a dollar value of approximately $271 million to private yards.

I regret to say, however, that this additional Navy work has not stabilized private-yard employment which, in the last several months, has declined by another 3,000. A further drastic reduction is expected later on this year, as the privately owned and mariner construction now on the ways is completed.

This will result in an increase in the proportion of employees engaged in Navy work to total private yard employment. Unless new work is forthcoming, the Navy will thus find itself in the unenviable position of being the industry's principal support.

I am particularly concerned with the fact that highly skilled design and production personnel are rapidly being dispersed among other industries which can provide more stable employment. We may not have time, in the event of another emergency, to either recruit or train new workers.

The Merchant Marine Act of 1936 was enacted to foster the development and to encourage the maintenance of a merchant fleet capable of serving our needs in peace or in war. It was intended to provide adequate incentives for a continuing merchant ship program. This objective is not, at present, being attained.

Based upon our analysis of workload needs of the industry, it would appear that the shipbuilding potential of our country must be supported by some interim emergency program. It is not my responsibility to recommend what such a program should be. To provide a minimum sustaining workload for the industry, however, it should consist of at least 20 ships annually and start at the earliest possible time. It would not, in any sense, be a permanent solution to our problem. It would, however, keep a number of yards from closing in the next year.

The only permanent solution is, of course, to provide greater incentives to commercial operators to place orders for new merchant ships on a continuing basis. There are a number of legislative proposals now before the Congress which may help to accomplish this purpose.

I am authorized to say that the Department of Defense supports H. R. 8637 in principle. The Department is in accord with the purpose of the bill which is to stimulate new ship construction. More modern and improved types of ships may be brought into being and the industry may be greatly benefited. These are worthwhile objectives. While certain revisions may be desirable, the Department considers that specific comment on detailed provisions of the bill is primarily within the jurisdiction of other Government agencies. I am informed that the Bureau of the Budget has not yet formulated its position on the bill.

In closing, I would like to repeat that the Navy is gravely concerned with the plight of the shipbuilding industry which promises to become the most vulnerable area in our preparedness program.

Conditions have seriously deteriorated since 1952 when shipbuilding was in effect

declared a distressed industry. Many firms are today faced with the prospect of closing up, unless new work is forthcoming. The Navy will continue to do what it can to ease the situation. However, it is certain that the Navy's annual construction programs cannot alone support a mobilization base of operating shipyards capable of the expansion necessary to build a wartime merchant marine.

I wish to thank you, Mr. Chairman, and members of the committee, for inviting me to testify on this important subject.

Mr. GRANAHAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRANAHAN. Mr. Chairman, in a bill making possible the expenditure in the coming fiscal year of about $70 billion by the agencies of the Department of Defense, this figure representing $28 billion in the current bill and about $48 billion of unexpended balance from previous authorization, the Congress cannot very well specify where each of those dollars should be spent, and this bill gives us no opportunity to do so, even if we were so inclined. Of necessity, we must rely on the Defense Establishment and on the President and his advisers to set the policy for the use of defense funds and facilities. When they use bad judgment in this respect, we can protest, but there is, as I said, no opportunity here to force them to change that policy through this appropriation bill.

DISCRIMINATION AGAINST NAVAL SHIPYARDS

Nevertheless, I want to point out to the House that the Navy Department is following now and intends to follow in the coming year a shortsighted, discriminatory policy against our Government-owned naval shipyards which is grossly unfair to the loyal and faithful employees of those yards and is unfair, also, to the economies of Philadelphia and other sites of naval shipyards.

The policy under this administration is to channel virtually all naval construction away from Government-owned shipyards and to private enterprise. I am referring now not to merchant ships—not to standardized commercial vessels—but to tailor-made, fighting ships—ships which the naval yards over generations have specialized in and concentrated on and fabricated with great skill and economy.

Private shipyards admittedly are in bad financial shape at the moment because of the almost complete cessation of merchant ship construction. I thoroughly agree with the idea of helping these yards to stay in busines as an important part of our mobilization base for defense preparation. But the way that should be done is to take the necessary steps to stimulate and rejuvenate the merchant shipping construction program—to modernize our merchant fleet, get the newer cargo and passenger vessels built and operating. This administration has done absolutely nothing in that regard.

SHARING THE SHIP-CONSTRUCTION POVERTY

Instead, it has taken the ridiculous step of sharing-the-poverty in the ship construction field by virtually closing down the Government-owned shipyards and giving what naval ship construction jobs there are almost exclusively to private enterprise. The 30 new ships of all classes which are to be built in the 1955 Navy construction program cannot fully employ all the private shipyards in the country—they can help a few which might be engaged on some of the larger combat ships but the program will mean crumbs or nothing at all for other yards.

Yet in order to give out these crumbs to private enterprise—to a few among the private yards—the Navy will deprive its own shipyards of any important combat ship construction work. And it will thus pay much more for the work. I say that is not only shortsighted and discriminatory but completely unrealistic.

In the Philadelphia Navy Yard, employment has already been cut by thousands of men due to the Navy's discriminatory policy against its own installations and own employees. These thousands laid off, mind you, receive no unemployment compensation—they are not eligible for it. They are just turned loose with a "sorry, boys" with no consideration and no concern for the outstanding work they have done to help build up our Navy's strength. The same thing is happening in Brooklyn, and Norfolk on the east coast, and I assume at Long Beach, San Francisco, and Puget Sound.

These dismissed workers, as I said, are highly skilled in the production of fighting craft for the Navy. They have made careers of that. They are good at it. The Government has a tremendous investment in their skills and know-how, yet now, under the antinaval yard policy of this administration in throwing ship construction work to private enterprise, this valuable investment is thrown away. The Government yards, of course, are wholly dependent upon Navy work; they cannot compete, as the private yards can, for other types of work, and of course they should not. But under the policy of this administration, the workers in the naval yards are out and if there is no similar work in the area to provide jobs for them in their skills, they are completely on the rocks. As I said, they do not even qualify for unemployment compensation.

PHILADELPHIA YARD SHOULD GET PROPOSED ATOMIC SUBMARINE JOB

In this connection, I have spent many hours of effort, along with others from Philadelphia, in seeking to persuade the Navy to build in the Philadelphia yard the proposed atomic submarine projected for this coming year. There is no doubt that it can be built there—and built efficiently and well. The Navy concedes that. But so far we have received no commitment, no promise, no assurance. And the philosophy of the Navy as expounded by its top civilian officials in the Appropriations hearings makes clear that the Navy's proprivate enterprise stand makes our success somewhat doubtful.

Philadelphia businessmen—many of whom contributed quite handsomely to the Republican campaign funds in 1952—feel, as I do, that there is no economic or moral or political justification for discriminating against the Government-owned shipyards, particularly when it costs the Government a whole lot more in special subsidies to build the same ship outside a Government yard. In all fairness, then, we urge that this discrimination stop, and that the Philadelphia naval yard be assigned sufficient work to employ its men and facilities.

Mr. GROSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, yesterday during general debate I asked members of the committee a few questions about the amount of off-shore procurement and foreign aid in this bill, pointing out at the same time that the Army bought last year, principally from Denmark, nearly 5½ million pounds of butter. Some Members of the House seemed to doubt that the Army had bought that much butter overseas.

I have with me today a letter signed by H. M. Montgomery, lieutenant colonel, Liaison Division, Department of the Army, dated April 1, 1954. Let me read you an excerpt or two from this letter:

The Secretary of the Army has asked me to reply to your recent letter to the Secretary of Defense concerning the use of milk and butter by the Armed Forces. During the calendar year 1953 approximately 5,344,000 pounds of butter were purchased from overseas sources, principally Denmark, for use by the Far East Command.

Not in Europe—by the Far East Command.

Why did they buy this butter? I quote from the letter:

Consideration of the foreign-relations aspect of this question as presented to the Department of the Army by both the Department of Defense and the Department of State led, however, to the conclusion that it would not be desirable to vary from the long-continued practice of purchasing some of the butter for use overseas from overseas sources where it is readily available.

While the off-shore purchases of butter have represented relatively small portions of the production of the country involved, these countries have considered them to be of appreciable significance from the viewpoint of securing United States dollars.

Again we sacrifice the American farmer, American labor and industry to the dictation of the State Department and so-called foreign policy.

Now, what have you provided in this bill? And you wisely provided the same thing in last year's bill. Section 733 on page 47 of the present bill reads as follows:

SEC. 733. No part of any appropriation contained in this act shall be available for the procurement of any article of food, clothing, cotton or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton or wool grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters and emergency—

And this bill and the law goes on to state—

That nothing herein shall preclude the procurement of foods manufactured or

processed in the United States or its possessions.

Under the terms of the provision which you have wisely put into law previously, I say to you that the State Department and the Department of Defense have violated the clear intent of Congress, if not deliberately violated the law in purchasing in one item alone, almost 5½ million pounds of butter from Denmark.

I should like to ask the committee: What do you propose to do to see that the agencies of government conform to the law? When you bring here to the floor of the House a bill and we enact it into law, it represents the intent and the will of the Congress. What do you propose to do to see that this law is enforced? Does any member of the committee want to answer the question? Somewhere, somebody ought to enforce the laws that this Congress passes.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. FORD. Does the gentleman know how much of this purchase he has referred to was financed under this bill and how much was financed under appropriations for foreign-aid purposes?

Mr. GROSS. I only know that the Department of Defense admits it bought almost 5½ million pounds of butter from Denmark. That is one instance alone. The Lord only knows how much more they bought.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 2 additional minutes.)

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. The matter that the gentleman from Iowa refers to is very important and is one that should be looked into. It is possible that the purchases could have been largely or partly covered by foreign-aid funds as distinguished from the funds carried in this bill with the so-called Buy American provision.

Mr. GROSS. If foreign-aid funds had been used, I am sure the letter from the Secretary of Defense or his representative, would have so stated.

Mr. WIGGLESWORTH. I think the gentleman from Michigan [Mr. FORD], has some information in this connection.

Mr. FORD. I would prefer to take some time at the conclusion of the gentleman's statement to give additional facts which may be helpful.

Mr. GROSS. I certainly would be glad to have them.

Mr. FORD. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, information has been submitted to the committee showing the actual purchases in calendar 1952, 1953, and 1954. In 1952 the offshore purchases of butter for troop consumption were 8,195,030 pounds. The average price per pound on the offshore procurements was 47½ cents. The average price per pound of continental United States purchases was 74-plus cents per pound.

Mr. GROSS. Was that the retail or wholesale price of butter?

Mr. FORD. This is the price that the Army paid for butter. The 2 prices quoted include 1 for offshore and 1 for continental United States. It should be added, in addition, that the price paid within the continental limits must have the added factor of transportation costs when it is shipped overseas.

In 1953 the purchases were 8,300,000 pounds. The average price per pound, offshore procurement, 50 cents. The average price per pound of continental United States purchases, 68 cents.

In 1954 the total purchases under offshore procurement were 6,300,000 pounds. The estimated price for offshore procurement, 50 cents. The estimated price per pound, continental United States, 56 cents per pound.

Mr. Chairman, that brings up one further fact. I have also checked to find out where the Army purchased butter in 1954 and the previous years. For the first time in 1954 the Army purchased butter from the Commodity Credit Corporation. In fact, in 1954, I understand that they purchased 21 million pounds at a price of 15 cents per pound. The other butter purchases in continental United States in 1954 totaled 9,466,000 pounds. It was purchased at a price of 67 cents per pound. When you combine the 67 cents per pound purchased on the open market in the United States and the 15 cents per pound—the figure at which they bought from CCC—that explains why in 1954 the price paid in continental United States is down to 56 cents, more nearly comparable to overseas price.

Mr. GROSS. Well, now, is the gentleman condoning the purchase of butter in Europe and shipping it all the way to Asia for our military forces?

Mr. FORD. From the facts given me by the gentleman, I think the Department was in error. I will concur in his observations, based on the facts as related by the gentleman from Iowa.

Mr. GROSS. If we are going to purchase products in Europe or anywhere else in a foreign country simply because they are cheaper than they are in the United States, we will be doing a pretty good job of wrecking the economy of this country if we carry it far enough. Is that not true?

Mr. FORD. I think under certain circumstances this country, if it has forces in other areas of the world for various reasons, must make purchases in those countries or in areas surrounding a particular country. I do not, from the facts that the gentleman from Iowa has given me, condone what was done in the purchase of butter in Denmark for the Far East. I repeat, nevertheless, I think the Army is doing the right thing as it did in 1954 in purchasing far greater supplies of butter from the Commodity Credit Corporation at a price of 15 cents per pound.

Mr. MASON. Who paid that price, the Commodity Credit Corporation? It was bought in the first place by the Commodity Credit Corporation, and whatever they lost came out of the same taxpayers.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Texas.

Mr. MAHON. Of course, the inference of the statement of the gentleman from Michigan is that no offshore butter was purchased for use in the United States. All of the offshore butter was used outside the United States.

Mr. FORD. That is absolutely correct.

Mr. MAHON. Is it not true that Denmark, from which country about 84 percent of the butter was purchased, is a country which has provided the United States with those highly critical and vital bases in Greenland? I wish to share in the views expressed by the gentleman from Michigan that we certainly should not neglect the domestic producer or the American taxpayer, but I do think there is some excuse for the procurement of butter for European troops from our friends in Denmark under certain circumstances. I cannot see any excuse for sending it from Denmark to the Far East, and certainly a very minimum amount was used in that way.

The Clerk read as follows:

Shipbuilding and conversion

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament therefor, plant equipment, appliances, and machine tools, and installation thereof in public or private plants; designs for vessels to be constructed or converted in the future; and departmental salaries necessary for the purposes of this appropriation; $1,042,400,000, to remain available until expended: *Provided*, That the total of obligations incurred under the heads "Shipbuilding and conversion" and "Ordnance for shipbuilding and conversion", including those incurred against reimbursements credited to these appropriations pursuant to section 403 (b) of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1574 (b)), shall not exceed $4,370,504,000.

Mr. SHELLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to address a question to members of the committee with reference to language on page 17, line 13, "maritime salvage services," and ask what that covers.

By way of explanation, I will say to whatever member of the committee will answer my query that a situation on the Pacific coast was recently called to my attention, where the Navy maintains in San Pedro a salvage tug named *Gear*, which understandably could be maintained and based there for salvage operations of naval vessels. However, I am advised that the Navy leases that tug out on bid to private steamship companies when one of their vessels goes on the beach or goes on the rocks and the bids submitted by private salvage operators do not satisfy the shipowner whose vessel is on the rocks.

I was advised of 3 instances in the past 8 months. In one a British ship burned off the coast of Mexico, for which private salvage companies on the Pacific coast made bids to go to her assistance. In 2 other cases, American vessels, privately owned and privately operated, went on the rocks off the Pacific coast. The private companies made bids when called upon by the operators, and they

were later informed, within a matter of hours, that another salvage tug would be used. The Navy tug *Gear*, maintained by the taxpayers of the United States for salvage work on naval vessels, was used, and the price was lower than that bid by the private operators, and in the two latter instances the private tug companies and salvage companies had to be subsequently called in because the naval vessel was unable to complete the salvage work.

Now, I want to know if it is the province of the Navy to maintain a salvage vessel which will compete with old established marine salvage firms operating on the Pacific coast in the salvage of private maritime vessels.

Mr. WIGGLESWORTH. I would say to the gentleman from California [Mr. SHELLEY] that that is not my understanding. I understand, however, that the gentleman's colleague from California [Mr. SHEPPARD] has looked into this particular question to which he refers and I suggest that he yield to him on the matter.

Mr. SHELLEY. I yield to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Chairman, this is a part of the bill that has reoccurred over a period of many years, so far as appropriation bills are concerned. I can assure both my chairman and the gentleman from California [Mr. SHELLEY] who has directed the inquiry that it never was the intent of Congress in any way to do as he suggests; that is, for the Navy to go into a competitive status with private business. Their salvage operations originally were intended to take care of Government ships that were to be salvaged and only limited assistance was to be given to commercial companies in that category, in case of an emergency. But at no time were they to go into a competitive status with private concerns as a business. That was not the intent or the understanding of the Congress and if they are operating in such way, that matter should certainly be looked into by the committee. With the permission of the chairman I should like to say that I think we should discuss this matter with the Bureau of Ships.

Mr. WIGGLESWORTH. I agree with the gentleman.

Mr. SHELLEY. I think the statement made is satisfactory and I thank the gentleman of the committee. I may say that I certainly would be glad to hold myself ready to discuss this matter further with the committee, because it is a matter that the committee should look into, to see that the policy, as expressed by my colleague, the gentleman from California [Mr. SHEPPARD] is carried out by the Navy Department as the policy of the Congress.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 721. Notwithstanding any other provision of law, Executive order, or regulation, no part of the appropriations in this act shall be available for any expenses of operating aircraft under the jurisdiction of the Armed Forces for the purpose of proficiency flying except in accordance with regulations issued by the Secretaries of the departments concerned and approved by the Secretary of Defense which shall establish proficiency standards and maximum and minimum flying hours for this purpose, but not to exceed 100 hours during the fiscal year: *Provided*, That during the fiscal year, without regard to any provision of law or Executive order prescribing minimum flight requirements, such regulations may provide for the payment of flight pay at the rates prescribed in section 204 (b) of the Career Compensation Act of 1949 (63 Stat. 802) to certain officers of the Armed Forces otherwise entitled to receive flight pay (1) who have held aeronautical ratings or designations for not less than 20 years, or (2) whose particular assignment outside the United States makes it impractical to participate in regular aerial flights.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: On page 44, line 2, strike out all after the word "purpose," through and including all of line 3 to the colon.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it will take some time to explain the import of this amendment. Therefore, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman, at the outset let me say that I think the committee has done a splendid job. I have nothing but praise for the committee's product, because I am convinced they have given us a maximum of military security at the least possible cost.

However, there is language, in the form of a limitation in this bill, which I seek to strike by this amendment, and which has given me personally a great deal of concern. I know that my concern is shared by every other Member of this House who has had personal experience in the operation of military aircraft. I am sure that this opinion is shared by every man who now serves as a flying officer in the United States Air Force, in the Marine Corps, in the Navy, or in any other flying arm of our service.

I think I know what the committee was intending to do by placing a limitation of 100 hours annually on the amount of flying time that any pilot not in an operational unit could use. The committee was seeking to eliminate abuses by so-called desk pilots in checking out military airplanes to use for weekend vacations at the expense of the United States. I agree with them 100 percent in their desire to stop these practices.

I would be the first to admit—as a veteran of the United States Air Force—that we have, unfortunately, men of that type who are rated pilots and who do take undue advantage of their Air Force privileges. On the other hand, Mr. Chairman, we also have a large number of young pilots, active pilots, who have been assigned to the Pentagon and other places over the country, to desk jobs, for tours of duty ranging anywhere from 6 months to 2 or 3 years, who will feel the effects of this limitation of 100 hours annually and who, when sent back to full flying status with an operational unit, will be so rusty as to become dangerous pilots.

I am not basing my opinion solely on my limited personal experiences, although my experience as a military pilot during World War II might render me to some degree qualified to know whereof I speak. However, on the day before yesterday I contacted by wire the 2 men in the United States whom I consider to be the best qualified in the world, perhaps, to determine whether 100 hours annually is sufficient time to maintain proficiency for a military pilot. I sent one to Capt. Eddie Rickenbacker, president of Eastern Air Lines, New York City. Surely no one would question his qualifications. It reads as follows:

Defense appropriations bill scheduled for House consideration tomorrow contains provision limiting proficiency flying to 100 hours per year for military pilots not assigned to operational units. Would appreciate your views regarding minimum flying time required per year to maintain proficiency for airline pilots, also any comment or observations you may care to express relating to aforementioned limitation on military proficiency flying.

This morning I received the following reply from Captain Rickenbacker:

NEW YORK, N. Y., *April 29, 1954.*

Hon. JOHN BELL WILLIAMS,
House of Representatives:

Airline pilots could maintain proficiency if they averaged 10 hours of flight time during month provided a maximum number of landings and takeoffs were accomplished during night and day conditions and continual review of instrument procedures were accomplished during flight. In my opinion military flight crews not assigned to operational combat units in order to maintain flying proficiency in the high performance aircraft of today would require at least twice that amount providing this flight time was accomplished in equal monthly amounts; further, that instrument procedures received maximum attention and a maximum number of landings and takeoffs were accomplished under day and night conditions.

EDDIE RICKENBACKER.

That is Captain Rickenbacker's studied opinion—that a minimum of 240 hours a year would be needed to maintain proficiency.

I wired Gen. James A. Doolittle also. I did not ask him about the airline-pilot situation because I understand he is not connected with an airline, but is employed with Shell Petroleum Co. But I did wire him for his opinon with respect to the 100-hour proficiency flying restriction imposed upon certain flying officers in this bill. General Doolittle did not reply by wire, but he did call me on the telephone yesterday afternoon during a stopover in Washington, and he gave me permission to quote him. I cannot quote him verbatim—I do not monitor telephone calls in my office—but I can quote the meaning of what he said. He said that in his opinion 100 hours is insufficient to maintain proficiency. He cited in proof of that his own case: "For 30 years," General Doolittle said, "I flew an average of an hour or more a day. When I took my present job, and my business duties began to consume so much of my time that I found I could not average more than 300 hours a year, I quit flying."

If a flier like General Doolittle, with all of his skill and experience, reaches the point where he feels he must have 300 hours a year to maintain minimum proficiency, think what we would be doing to those young fliers not in operational units by limiting them to 100 hours a year; and then 2 or 3 years later shipping them overseas to fly B–47's and 36's. No; this is not a question of economy, although that is the stated purpose of this limitation. What price economy as against the shedding of American blood?

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. TEAGUE. It seems there is another very important point in this connection which was brought out in the hearing. The gentleman from Kansas [Mr. SCRIVNER] asked the question:

> Is there any difference in the accident rates as they relate to proficiency flying and as they relate to operational flying generally speaking?

The answer was:

> In 1953 a comprehensive study of the relation of duty assignment to pilot accident rates was completed. • • •
>
> It was determined by that study that the pilots whose duty assignments are other than flying have an accident rate double that of pilots assigned to flying jobs, and that this difference in accident rates could be accounted for only by the differences in the amount of flying performed by each category.

Mr. WILLIAMS of Mississippi. I thank the gentleman for quoting from that report. I do not think anyone in this Chamber could take issue with what it says.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. POFF. As a former flyer myself, I want to concur most heartily with the position taken by the gentleman and I shall support his amendment. May I ask the gentleman rhetorically: how many landings and takeoffs could he shoot in a B–29 in two hours a week?

Mr. WILLIAMS of Mississippi. As my good friend, the gentleman from Virginia, knows, one takeoff and landing would probably consume a 2-hour flight in that type plane. Surely you couldn't shoot more than 2 in 2 hours. I am sure of that, although I have never flown one. The average flight of a B–29 is, I understand, even in training runs, some 8 to 10 hours.

I agree completely with the committee in what they are seeking to do here, and I am sure every other Member of the House does, but I am equally sure this is a matter which cannot be handled by the method of placing an arbitrary limitation in an appropriation bill. It can only be handled administratively, and my amendment leaves the language in the bill which permits that.

I admit, readily, that the Air Force has been lax in policing this kind of thing; but if our Air Force leadership, under the Secretary of Defense, will avail themselves of the authority granted to them under this section, there will be no need for an arbitrary limitation being placed in this bill. That can be handled administratively, and that is the only way it can be handled properly. If you will read section 721 of the bill, you will see that the machinery is provided for doing this administratively, without the 100-hour limitation.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, at the request of Mr. HOLT, Mr. WILLIAMS of Mississippi was granted 2 additional minutes.)

Mr. WILLIAMS of Mississippi. I am sure you will be told by opponents of this amendment that there are ways of getting around this 100-hour limitation. If that is true, then why keep it in the bill? Why not be honest with ourselves and put the burden of responsibility where it belongs; that is, on our military leaders, and eliminate the obvious dangers which are inherent in this 100-hour limitation?

I wish I had more time in which to discuss the hearings on this provision. If you read the hearings, though, you will find that the Defense Department sent Mr. White, Under Secretary for Air, over here with instructions to support and recommend this 100-hour limitation.

You will also find, if you will read the hearings, that Mr. White then proceeded to make a perfect case against it.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. POFF. Is it not the responsibility of those in power to enforce that limitation?

Mr. WILLIAMS of Mississippi. Of course it is. I do not think it is wise for Congress to try to decide matters of this kind; this should be left to administrative determination based on expert opinions.

Mr. PATTEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. PATTEN. I agree wholeheartedly with the gentleman and that the 100-hour limitation is false economy.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. PATTEN. Mr. Chairman, the appropriations bill for the fiscal year 1955 budget has been reported out of committee, and it is the same old story of further reductions in the Air Force budget.

The President had recommended a budget of only $11.2 billion, which was modest, indeed, and under the budget of $11.4 billion appropriated last year. My colleagues will recall that last year there was considerable attack on the Air Force and even the integrity of Air Force planners. I recall some remarks of one of my distinguished colleagues to the effect that recurring signs of spring were the daffodils, cherry blossoms around the Tidal Basin, and a frenzied plea—on the part of Air Force leaders—for additional funds for a larger Air Force.

The implication of my colleague's remarks was that certainly it was nothing to get excited about, that the Air Force wanted more wings and more funds for its augmented structure. So only $11.4 billion was appropriated. It was less by $1.4 billion than was appropriated for the Army and only $1.9 billion more than was appropriated for the Navy. For the Air Force of the world's leading nation in the fight against aggressive communism, in the age of airpower and atomic power, it was certainly a modest budget—in no sense a generous one.

This year the administration was supposedly airpower minded. In his budget message the President told us that the fiscal year 1955 budget points toward the creation, maintenance, and full exploitation of modern airpower; and the Vice President has repeatedly stated that the administration's program of national security is based on the principle of massive retaliatory power—which means the power of our atom-bomb carrying, intercontinental bombers. But even favorably disposed as it is this year to the Air Force, the administration asked for only $11.2 billion, less, as I said, than was appropriated last year, and a very little more than was asked for for the Army or the Navy.

In an effort to correct a mistake of last year, in which the American people were told that the Air Force did not need to have 143 wings, we were told this year that we would have 137 wings—but that because of new developments in aircraft, and for other reasons, the 137 wings would have the combat strength of the 143-wing program that had been discarded. It was an attempt to reassure the American people that the present administration really is air-minded, in spite of the scuttling of the 143-wing Air Force program in the first session of the 83d Congress.

Well, the budget is out of committee—and the Air Force budget has been reduced again—this time to $10.8 billion, which is $6 million under what was appropriated last year—the year the Air Force was out of favor. If the administration really came out for an Air Force, saying we had to have the best in the world, I shudder to think what would happen. The appropriations would go down even more. I well remember that the brilliant junior Senator from Georgia remarked last year, that if a budget cut of $5 billion would bring us greater security, why not a budget cut of $10 billion, to make that security absolutely secure? This year we are certainly moving in the direction of such reverse thinking.

Analyzing the budget recommendations, I find that the amount recommended for aircraft procurement has not been touched—certainly a mark of caution on the part of the budget butchermen. It takes time to design, develop, and procure aircraft, as they perfectly well know. You don't turn out aircraft simply by turning on the faucet; you have to prime the pump. Last year we had some hope of speeding up procurement through use of the Air Force's heavy press program. That program got scuttled too. But, let us be grateful for

small favors. The funds for aircraft procurement have not been cut in this year's budget.

What has been cut is everything else—including funds for research and development. I recall that last year the Secretary of Defense accused the Air Force of a research project to discover why potatoes turn brown. The scientists of the Nation jumped on him about that one. The answer to why potatoes turn brown is expected to give the clue to some important discoveries connected with food preservation and, therefore, with the Air Force's program for escape and survival of personnel. But the Secretary's prejudice against research seems to have affected the budget axwielders as well.

Funds for research and development have been reduced $21 million. That is almost 5 percent. I should think funds for this essential purpose might well have been increased 5 percent. Research and Development gave us the jet engine—sometime after the Germans had developed one; today's guided missile—10 years after the Germans used guided missiles to devastate the Belgian seaports; and the hydrogen bomb—just a few months ahead of the Russians. Our research scientists are men of the highest capability; their training is of the best, and our resources are unlimited. If we have so far been able to do no better than merely keep ahead of our enemies, and sometimes even lag behind, is not it time we appropriate more, rather than less, for the research and development function?

Funds for maintenance and operations are cut approximately 7 percent—but because the function is tremendous, this reading accounts for the largest single item in the budget—almost a third greater than funds for aircraft procurement, and a quarter billion dollars greater than the funds for military personnel requirements. Aircraft do not remain operational unless they are maintained; aircraft are useless unless they are used.

How they are used today, and how they may be used, is causing grave concern not only in the Congress but throughout the Nation. There is a strange foreign name, already become familiar in the United States, that tells something of that use—the name is Dien Bien Phu. We are not at war in Indochina, but the future of democracy is at stake there, and even as I am speaking American aircraft are operating for the succor of that outpost. Secretary of Defense Wilson says such assistance as we are giving the French will not involve us in war. A President of the same name once made similar remarks, the reversal of which is a matter of history. This seems a strange time to reduce the funds for the maintenance and operation of our aircraft. Aircraft get lost when they get too close to anti-aircraft artillery; they also operate more in time of conflict than in peace, and require greater maintenance. A 7-percent cut in funds for this function hardly gibes with national policy of assistance to the democratic forces beleagured at Dien Bien Phu. Such a cut is like writing off Indochina, as we once did Korea—outside the perimeter of our interest.

Since I have given percentages, I shall continue. Major procurement of other than aircraft has been cut 8 percent—certainly a high percentage. I do not know on what basis this cut was made, or why this particular percentage. It seems consistent, however, with the other cuts.

Funds for military personnel requirements have been cut only 1.2 percent—as if the budget makers took fright from the Womble report. The Congress has cut fringe benefits and personnel privileges too much already. An election year is no time to cut appropriations for personnel any further. A cut of $21 million is window dressing, and a cut that hurts. But it is not consistent with other cuts in the budget—for which I am grateful.

The overall percentage is 3.4—a 3.4 percent cut in America's security. Air Force leaders make stirring speeches about the power of our Air Force. I wonder if they really believe all they say. How powerful will that Air Force be when the budget is whittled down every year—3.4 percent this year, 3.4 percent again next year, unless there is a real change of heart about the Air Force and real acceptance of the facts of airpower and atomic power. We are told we will have the 137-wing Air Force by mid-1957. Cuts in funds for the program do not encourage belief in the achievement of the goal.

Mr. Chairman, a very proper question is how much have funds for the other services been reduced. The answer is interesting. Funds for the Army have been cut 7.2 percent, and of this we shall hear more undoubtedly. The Army has some vigorous spokesmen. But funds for the Navy have been cut only 2.2 percent. So here we are again, just where we were last year, in spite of all the honeyed words of reconciliation, apology, and explanation. Up Navy, down Air Force. Keep the traditional service and strengthen it. Let the airpower get the lean of the budget while seapower gets the fat. Ignore the facts of atomic and hydrogen bombs. Forget commitments to the NATO allies, promises of aid to Indochina, and all the other functions that require a strengthened and enlarged Air Force. Lull the leaders of the Air Force into belief that what they have worked for, what they are willing to die for, what they know—and this Congress knows—the country must have, it will have—then dash those hopes; undo the good that has been done, and cut the budget.

Yes, spring has come again to Washington—but the signs are not only the cherry blossoms—now faded—and pleas for an augmented Air Force—largely ignored this year and evaded. A sure sign of spring in Washington is a cut in the Air Force budget. That cut has now been made.

The outlook for the summer is gloomy indeed—and news from Indochina only increases the gloom.

Mr. PRICE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to commend wholeheartedly the presentation of the gentleman from Mississippi [Mr. WILLIAMS], and urge my colleagues to support his amendment.

I would also like to mention to the House that the gentleman who has just preceded me, Mr. WILLIAMS of Mississippi, observes today the 10th anniversary of his discharge from the Air Force. It was 10 years ago that our colleague from Mississippi was separated from the Air Force, where he had a very commendable and honorable record as a pilot.

As the gentleman from Mississippi [Mr. WILLIAMS] stated, this is a subject which can be and should be handled administratively by the Air Force. I appreciate the concern of the committee in regard to this matter. I know it is directed toward abuses in the proficiency-flying requirement. We all know there have been abuses in connection with proficiency flying, and the committee is to be commended for being concerned about those abuses. As a result of the interest of the subcommittee in this matter, many of the abuses over the past years have been corrected. A few of them remain today. Those that do remain can be further corrected by the administrative policy of the Department of the Air Force, and I am certain that they will be.

It seems to me we are closing our minds to the facts when we impose a limitation of 100 hours by law, and put it into legislative form. The facts are that first we are governed by the National Security Act in some of these things. Of course, that was by the action of Congress, and that act required the Air Force to be in readiness at all times for prompt and sustained air operation. The other fact is that readiness can be achieved only by sustained and required training.

There is something else to be understood about this 100-hour figure. It was originally established by the Air Force as a minimum for professional flight training for pilots in an administrative position.

We cannot overlook the fact that there will always be the necessity of placing many experienced pilots in administrative positions.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to my colleague from Mississippi.

Mr. WILLIAMS of Mississippi. I have just this morning found out that the cost of a B–36 is somewhere in the vicinity of $3 million, and a B–47 runs to about $2 million. The destruction or crash of one B–36 by a rusty pilot would more than offset any savings that might accrue from placing this 100-hour limitation in this bill, not to mention the lives of the boys who might be in the air.

Mr. PRICE. The gentleman brings out a very good point, but regardless of that we have to take into consideration the primary mission of the Air Force. We have to recognize the fact that many officers are required to occupy administrative and other desk positions, who will be the men called upon in the first brush that the Air Force is brought into in case of trouble any place in the world. These are the men who will carry on the

first efforts and first action of our Air Force in the event of war.

The 100-hour flying limitation was originally established by the Air Force as a minimum for proficiency flight training for pilots in administrative, technical, and staff positions. It was never thought of as a maximum. It was determined by calculating the lowest rate of flying time at which the proficiency of the pilot does not retrogress into an increasing and unacceptable trend of accident occurrences. Any provision in the budget which sets 100 hours as the maximum for proficiency flying serves to vitiate and compromise the entire flying safety program. And that program, I would remind my colleagues, is directed toward insuring not only safety of flight but conservation of material and personnel resources. By personnel resources I mean lives—the lives of the men who fly the planes.

Here is the Air Force, then, on the one hand, striving for readiness, and making a truly herculean effort to promote safety—which, in the long run, means economy; and here is the Congress, on the other hand, telling the Air Force, in the name of economy, that it must take steps which will increase the pilots' chances of being injured or killed.

To me, this simply does not make sense. It is basically and fundamentally wrong. It serves to deplete our reservoir of trained pilots, and it weakens, even destroys, our Air Force's ability to engage in sustained air operations. It is false economy—economy on paper, not economy of resources.

Mr. Chairman, the destruction of only 1 or 2 modern aircraft, together with the loss of their highly trained crews, will negate any paper savings which might appear to result from this flying time limitation, with its saving of gasoline.

The Air Force found out, during the Korean war, that Reserve officers, recalled to active duty and given flight refresher courses, had a 45 percent higher accident rate than officers who had been flying the prescribed minimum of 100 hours per year. This alone proves that regularity of training is a contribution to safety. It follows that increased regularity increases the contribution. No commercial airline would entrust responsibility for a plane load of passengers to a pilot whose flying time was limited to 100 hours a year, and yet with the clouds growing ever darker on the horizon, we would limit the flying of one-third of all Air Force pilots.

It is essential that our pilots continue to be the most proficient flyers in the world. It is my urgent plea, therefore, that my colleagues support the amendment offered by the gentleman from Mississippi.

Mr. SCRIVNER. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Chairman, I wish to state that, because of the very high personal regard I have for the gentleman from Mississippi, who introduced this amendment, and an equally high regard for the splendid war record he has made, it becomes unpleasant for me to oppose his amendment; but all of the picture is not nearly as bad as he and the gentleman from Illinois have painted.

In the first place, he knows, and I know, that there are not going to be any rusty pilots put in B–36's or B–47's. In the second place, the purpose of this program has been misunderstood too many times by too many people. We all know that as of today perhaps 20,000 men who have been rated as pilots, as flying men, are on desk jobs which do not at this time call for flying. Many thousands of them will no longer fly. But in order for these men who are on desk jobs now to get their flying pay the practice has been established to set up what is known as minimum individual training—MIT, which we commonly refer to as proficiency flying. That is not a proper name for it, but it has been in use so long that we will continue to use it.

In order to get this flying pay there was a requirement that they have this minimum of 100 hours a year. We knew some of these people were flying some little Beechcraft C–46's, and so on, that they had a lot of fun doing it, that they took a lot of joyrides to various parts of the country, that they did a lot of things that not only were foolish but were quite expensive. That situation grew to such an extent some remedial action had to be taken inasmuch as the Department did not do so.

This section was adopted last year and up to now it has not impeded or impaired progress or training. This is just purely for these, as the gentleman from Mississippi [Mr. WILLIAMS] calls them, desk pilots, or pilots now assigned to desk jobs, so that they can keep on getting their flying pay.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I might say that two of our best pilots in the category the gentleman is referring to would be John Meyer, who served here several years as liaison officer, and who went from here to F–86's in Korea; and later, Col. Jim Wilson, who also served here for several years, left here to take charge of a B–29 group in Korea. Those men could not have done that with the handicap of the 100-hour provision in effect during their service here at the Capitol.

Mr. SCRIVNER. The gentleman designated the category, and surely he does not believe they would be taken from a desk job to a B–47 without taking the required 100 to 120 days training pressure course?

I am not a flier. I have flown as a passenger quite a few thousand miles, and I want these men to be good pilots because they are the men who have my life in their hands. I would not do anything that would jeopardize the skill of these pilots because I might ride with one of them one of these days. But before they go back into active flying they are given 120 days training under pressure. If you will read the entire hearings and read the report, you will find that this provision does not restrict training flying in any degree.

I know the gentleman from Mississippi is interested in this matter and wants the whole story. This section does not restrict training flying one single solitary minute. There were some people who were getting flying pay we did not think were entitled to it. They have been taken off. The bill passed last year with this language in it. We have not changed it.

This act did not go into effect until late in August, so that by the time the regulations were drafted, the real effect of this provision in last year's bill did not come into effect until late in the fall. But even in that short time it was found that this has reduced the so-called proficiency flying. It stopped many abuses and probably saved somewhere in the neighborhood of $35 million or more.

Here is what the Defense Department is doing: They have now set up a review board composed of fliers who are going to go over the entire list of these men who have the nonflying assignments, considering years of experience, 14, 21, or 28 years, to see whether they should stay on or be removed from flying status. Then they are going to make still further study and make recommendations, and they will come up between now and the time the appropriation hearings are before us next spring, probably in January, with a complete report showing the effects of this provision during the period of time it has been in operation, and they are going to set up their standards, stop the abuses, and still make it possible for these men to keep their hand in. If they are not going to fly again, why waste all this time and just let them joyride around all over the country? I think the gentleman from Mississippi agrees that these abuses should be stopped.

Mr. WILLIAMS of Mississippi. I agree there were and are abuses, but if there are men in the Air Force who will never fly again operationally, let us remove them from flying status.

Mr. SCRIVNER. That will be one of the results.

Mr. WILLIAMS of Mississippi. I recognize the fact that the gentleman is as sincere as he can be in supporting this limitation, and I am sure that he will grant me the same concession.

Mr. SCRIVNER. There is never any question in my mind about the gentleman's sincerity.

Mr. WILLIAMS of Mississippi. I thank the gentleman. I think both of us would like to see the same end result, and the only difference between us is a difference of opinion as to what the ultimate effect of such a limitation would be.

Mr. SCRIVNER. Of course, it has not been in effect long enough to give us any real, definite conclusion. That is one reason I suggested, when we talked about this yesterday, that this provision be left in for a year, and by that time we will have some real facts to go on.

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Texas, for whom I also have great admiration.

Mr. TEAGUE. The gentleman stated that no flight training has been restricted.

Mr. SCRIVNER. That is right.

Mr. TEAGUE. In reading the hearings, it seems there is a considerable difference of opinion between the committee and the Air Force as to what this amendment means and what it does.

Mr. SCRIVNER. I know, but all we can do is to write the provisions of the law. We cannot administer it for them. We found when this section came up before the committee that there was some question, and we were told that in so many words—and the gentleman from California and all of us were in on this discussion which you will find, I believe, on page 500 of the hearings—that this was to be confined solely to the maximum individual proficiency flying. The Secretary then read just exactly what the provision was, and he stated that there would be a limitation of 100 hours of proficiency flying. And I said, "That is right, proficiency flying." And that was when he got the flying pay. If you will go down further in the hearings, you will find where we told them that there was no intention whatsoever on the part of the committee or the section to stop flying training. The Secretary of Defense, the Secretary of Air, or any one of these youngsters in the Pentagon Building, if they find there is any need for them to get flying training, all they have to do is to get an order, and he gets it. It will not interfere with flying training whatsoever. I feel that the provision contained in the bill this year and last year should be retained and that the amendment should be voted down.

Mr. JOHNSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment of the gentleman from Mississippi [Mr. WILLIAMS]. It seems to me that the language of the bill on pages 43 and 44—paraphrased—clearly limits the time a pilot may fly to 100 hours a year. It reads:

> No part of the appropriations in this act shall be available for * * * operating aircraft * * * for the purpose of proficiency flying except in accordance with regulations issued by the Secretaries of the Departments concerned * * * which shall establish proficiency standards and maximum and minimum flying hours for this purpose, but not to exceed 100 hours during the fiscal year.

To me it seems clear that the time limited to any one pilot, and we are talking about those who are on some kind of desk duty but who are qualified USAF pilots, is 100 hours per year.

These pilots may have come from the Strategic Air Force, from a Fighter Squadron, from the Military Air Transport Service, from a Search and Rescue Squadron or from other categories in the USAF.

It is the policy of the Air Force to rotate its pilots to various kinds of jobs, so they will get a broad experience. In the group are some who later in their career will hold top positions in the USAF and this is a means of widening their experience and learning about their ability to handle important assignments. But these men are pilots and most of them young enough so they will, when a tour as a liaison officer or a personnel officer is over, go back to flying.

I conceive the word proficiency to mean the development of proficiency in flying, as well as indicating enough flying to place the pilot on a flying pay status.

The committee by statements in its report indicate that it believes proficiency means to do enough flying so as to qualify for flight pay. But I do not think that the committee can give an interpretation on what its language in the bill means, which is contrary to the express language of the act.

Proficiency to me means proficiency in flying. That means skill in flying. From a modest experience as a pilot many years ago in the air service, I do not think that 100 hours a year is enough flying—less than 2 hours a week—to keep a pilot sharp and keen. Flying and landing airplanes requires skill, coordination of muscle and eye, judgment as to speed and many other qualities. It is a skill that requires constant practice if the pilot is to be sharp as he should be to assure the maximum safety of the aircraft and passengers who are entrusted to him. It is just like any other skill—whether in golf, playing a violin, football, etc. To be good and to keep keen and sharp one must continually practice the skill.

The cost of this extra flying would be nominal. It is using aircraft which the USAF already has. It would merely cost the amount.

Noted pilots like Edward Rickenbacker and James Doolittle do not think 100 hours per year is enough to keep a pilot proficient. Everyone who has ever been in a squadron realizes that sharpness, which means superskill in handling the plane comes from constantly flying. A pilot learns something from almost every flight he makes. Being away from the cockpit of his plane makes him feel strange in it. It should really be his life and to make it such he should have a chance to fly as much as he wants to. That is the purpose of the amendment. Col. James Wilson was a liaison officer several years ago. Last fall when on an official trip for the Armed Services Committee I met him in Hawaii and he was in command of a bombardment wing. When he was in Washington he flew a lot to keep himself fit as a pilot. All these pilots who are on desk jobs should have full opportunity to fly so when they go back to flying, either as a commander of a squadron or other flying duty they will be fit to take over.

I think I am justified in quoting Hon. STUART SYMINGTON as saying in substance, when he was Secretary of the Air Force, "that we want our pilots in the air as much as possible. That is what makes them sharp, keen, and skillful in their particular specialty."

Unless one has lived in an air squadron, where flying was your only occupation, he cannot understand how important good flying is to morale. We had a commanding officer in my squadron who set an example by his excellent flying record. He was a model for us. We all strove to be as good as he was as a pilot and the morale of the squadron was wonderful.

I hope I may be pardoned for referring to my own personal experience. Another squadron operating out of the same field had a squadron commander who was a poor flier, who did not inspire his flying officers. He was soon removed as his attitude almost destroyed the morale of the squadron.

Our pilots today must be the best. They have superhuman tasks and on their skill rests our safety and security. It is a small but an important contribution to their efforts to be the best pilots in the world that we should give them all the time they want to increase their ability and proficiency to fly their planes.

I realize that a very few may abuse the rule required to be observed to draw flying pay. But that matter should be handled by the Air Force. We should not punish the many who are sincerely anxious to improve their flying skill because a few weak sisters drew flying pay who really should not have it.

This amendment should pass so the morale of the Air Force will remain good.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Mr. Chairman, I find on returning to the desk that I made a misstatement when I was presenting the matter. I said that these men should be given 120 hours refresher training. It is 120 days.

Mr. WHEELER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. During 4 years' experience that I had in the United States Air Force I saw a lot of money wasted in the so-called proficiency flying program. I have been led to believe, since being discharged from the service in 1946, that there has continued to be some waste in this field. However, I am constrained to believe at this time that, granting that there might be a few million dollars wasted each year, based on my previous experience, I am convinced that 100 hours per year is not enough time. I do not want any money wasted. But if this waste cannot be terminated administratively—and certainly there should be some officials of the United States Air Force who can terminate it administratively—if it cannot be eliminated administratively, I would rather waste a few million dollars and maintain flight proficiency in the only branch of the service on which we can hope to depend for our future security, than to see it wasted as I did the day before yesterday in the sand hills of North Carolina. On the day before yesterday I drove through North Carolina and I saw millions of dollars being wasted there. I saw American boys with popguns playing hide and seek through the hills of North Carolina using tactics that would have been fine in World War I or II.

I am assuming that those who are directing the destinies of our Military Establishment are hoping that these boys, with popguns, can be expected to shoot down Russian TU-4's if and when the need arises, with Garand rifles. The only point that I am attempting to make

in these few minutes is that we should place these expenditures in proper perspective. If you cannot find administrative officers to man your Air Force in such a way as to keep money from being wasted in proficiency flying, then we should divert some of the money that is being wasted this week down in North Carolina training troops to engage in World War I and early World War II tactics and use that money to maintain flying proficiency in the Air Force.

I am one of those people who believes that our only hope for future security is to attain and maintain complete and positive control of the airlanes anywhere and everywhere in the world. I do not believe you can maintain proper flying proficiency among the pilot personnel with modern aircraft by restricting them to 100 hours per year.

I sincerely hope that this amendment will be adopted. By that I do not mean that this Congress should endorse the wasteful expenditure of money. But if we have got to waste money I would rather waste it in attempting to maintain flight proficiency than see it wasted in ground force maneuvers. The ground force maneuvers that I saw day before yesterday were just as obsolete as the caisson of World War I.

You cannot deliver H-bombs and A-bombs on Moscow or Smolensk with ground force divisions. You have got to have proficient flight personnel to pilot the highly technical equipment, if you are going to maintain the security of this country. I do not think that 100 hours per year is enough time. I believe that if a man does not need more than 100 hours, he should be dismissed from the Air Force as one of the flying personnel. If he does not need more than 100 hours, we do not need him at the controls of an airplane.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when this proficiency flight matter was before the committee last year I did not support it and I did not champion it this year, but I think one has to admit that there have been, and there probably still are, some inexcusable abuses in this field. The gentleman from Mississippi nods assent to the statement which I make.

I should like to have the very careful attention of the gentleman from Kansas [Mr. SCRIVNER], the gentleman from Nebraska [Mr. HRUSKA], and the gentleman from Maryland [Mr. MILLER], members of the subcommittee. If the interpretation they give to the present law is the correct interpretation, I do not see why anybody should be disturbed about the present limitation.

If you turn to the Department of Defense hearings—that is the Department of Defense, not one of the services—you will find on page 495 that Mr. White of the Air Force says this:

> The Department of Defense supports enactment of section 720 in its present language.

That provision is now identified as section 721.

So the Air Force has officially said that it favors this language, and it has said that through the Assistant Secretary of the Air Force, Mr. White.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. WILLIAMS of Mississippi. I think it is significant to note that none of the flying officers, including General Twining and others, were asked for their opinions by the committee on this subject.

Mr. MAHON. If the gentleman will let me proceed, I have here stated the darkest side of the picture from the standpoint of the gentleman's amendment. I want to be fair and give the full story.

The Secretary goes right on to say on the same page:

> It is necessary to point out, however, that our experience with this legislation is extremely limited. During the short time it has been in effect it has not been possible to make a true evaluation of the long-range impact of restriction. We know that the restriction will in time reduce the overall experience of the pilot corps of each of the services.

I want to give the whole picture.

> We know, too, daily advances in aviation and the increasing complexity and costs of air equipment demand even higher levels of pilot skill.

I skip down a little further, to where Mr. White says on page 495:

> In other words, you were not driving, as I understood it, to just restrict everybody. Your feeling was that it had been abused—

That is true. I and other Members felt that it had been abused—

> and a great many people were flying under proficiency flying who would never go into combat.
>
> Mr. SCRIVNER. We were right in that belief, were we not?
>
> Mr. WHITE. I think so; yes. However, the danger of the 100-hour limitation or any limitation like that is that the man who is going to combat some day can only fly 100 hours, too.
>
> Mr. MILLER. Why is that, Mr. Secretary?

And then the gentleman from Maryland [Mr. MILLER] further asked this very pointed question:

> Why can't he fly more than 100 hours if it is for training purposes and you want him to fly more?

That is the way the gentleman from Maryland [Mr. MILLER] apparently feels and that position seems to be sound.

Then the record reads further:

> Mr. WHITE. As I understand the provision in the law, with the rotation that we have for officers, if a man is in SAC his flying hours are not covered by this provision. But the minute he gets rotated into the Pentagon Building or rotated somewhere else, for a year or two, then he is restricted to 100 hours, even though eventually he will go back to SAC.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON asked and was given permission to proceed for 5 additional minutes.)

Mr. MAHON. That is the way the Secretary interpreted it, apparently differently from the gentleman from Maryland [Mr. MILLER.] But then the gentleman from Maryland [Mr. MILLER] says this:

> I would not think so. If your staff people want to extend the flying training to more hours there is nothing in this act to prevent it.

I was impressed by that statement at the time—more than I am now.

The gentleman from Maryland [Mr. MILLER] continued:

> The only thing we say is that he need not fly more to draw flying pay.

And the record reads further:

> Mr. WHITE. The act says that no part of the appropriation can be used—

Mr. White was interrupted and the gentleman from Kansas [Mr. SCRIVNER] said:

> It did not restrict the training flying whatsoever.
>
> Mr. WHITE. Then we have been under a misapprehension in the Department.

I thought the language was not very important one way or the other in view of these statements because according to the committee, pilots could fly all they wanted to if it was for training purposes even though they were desk officers in the Pentagon. That is the clear implication from the hearing. If that were true, I would not be disturbed by this language as is the gentleman from Mississippi. But let me read a word on the next page. On page 496, the record is as follows:

> Mr. MILLER. You certainly have. We have said it again and again. You still seem to say that we are trying to prevent training flying. We have not the slightest intention of doing that.

That is what the gentleman from Maryland [Mr. MILLER] said, and if the gentleman from Maryland's [Mr. MILLER] word will be accepted at the Pentagon, there is no use having this amendment, and it might just as well be withdrawn.

I ask you now to read the section No. 721 as I have read it, and I do not believe the position of the gentleman from Maryland [Mr. MILLER] can be at all sustained. I refer you to section 721 on page 43 of the bill I maintain the amendment says that a desk officer in the Pentagon cannot fly more than 100 hours under any circumstances or under any regulation. The bill reads as follows:

> SEC. 721. Notwithstanding any other provision of law, Executive order, or regulation, no part of the appropriations in this act shall be available for any expenses of operating aircraft under the jurisdiction of the Armed Forces for the purpose of proficiency flying except in accordance with regulations issued by the Secretaries of the Departments concerned and approved by the Secretary of Defense—

If you do not go any further than that, that is fine. The Secretaries can make these regulations and they can provide for weekend flying in any desirable form, but the section reads further—

> which shall establish proficiency standards and maximum and minimum flying hours for this purpose, but not to exceed 100 hours during the fiscal year.

If there is any way to avoid that interpretation, I cannot see it. I believe that some of the committee members have placed a strained interpretation on the language of the present law and that if the Air Force and Navy should

so interpret the law they would be subject to serious criticism.

Mr. SCRIVNER. Mr. Chairman, will the Gentleman yield?

Mr. MAHON. I yield.

Mr. SCRIVNER. An astute attorney and practicing lawyer that the gentleman from Texas is, and I know that he is quite a good one because I have tangled with him in the committee, how you can interpret anything else into this language other than proficiency flying, I am unable to understand. That is all it relates to, proficiency flying. When you come to page 44, fixing the maximum and minimum hours for this purpose, that means for the purpose of proficiency flying. It has no other meaning, except that flying which is necessary for these men to draw flight pay. It does not exclude the Secretary or anybody in command from assigning these men to as many hours as officials thinks they should have.

Mr. MAHON. Let me ask the gentleman this question: Here is a young man 25 years of age, a young officer, transferred from some airfield into Washington. Perhaps he is in a liaison position or over at the Pentagon. It may be his actual duties have nothing to do with actual flying. Does the gentleman say that under the existing law, and under the regulations of the Secretary of the Air Force, approved by the Secretary of Defense, he may fly two or three hundred hours a year?

Mr. SCRIVNER. Not for proficiency flying, but the Secretary could assign him to any unlimited number of hours of training flying.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON was granted 2 additional minutes.)

Mr. MAHON. Does the gentleman mean to say that the legislative intent of this provision of this act is that any desk officer, under the circumstances mentioned, could be assigned to flight on weekends or at other times when he is not performing his duty as a liaison officer, in excess of 100 hours a year?

Mr. SCRIVNER. For training flying, yes.

Mr. MAHON. Does he have to be assigned to a specific unit?

Mr. SCRIVNER. That is a matter of mechanics that is not difficult to work out. But the gentleman knows and I know there is a tremendous difference between training flying and so-called proficiency flying. The difference is so great that I do not understand how anyone in the Pentagon could have any doubt about it.

Mr. MAHON. In other words, you think the law is being misinterpreted?

Mr. SCRIVNER. I think the application has been too limited.

Mr. MAHON. And that it should admit of desk officers flying more than a hundred hours for training purposes?

Mr. SCRIVNER. Surely. There is no question in my mind about it.

Mr. MAHON. If that is the understanding, and if the Pentagon will follow that policy, I do not see any need for the pending amendment.

Mr. RAYBURN. The trouble about that is the interpretation may be wrong. If you put the amendment in, there will be no question about the interpretation. We are not interpreting this law. We are passing it.

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. TEAGUE. Certainly the Air Force did not interpret this as our members of the subcommittee have interpreted it.

Mr. MAHON. I myself did not so interpret the language but if we could persuade officials to interpret it as the gentleman from Kansas interprets it, I do not see the necessity for a change in the law. However, I admit that it may be difficult for the Defense Department to follow the interpretation given by the committee in view of the express language in the bill.

Mr. TEAGUE. But I do not see how officials can follow the committee in view of the language in the present act.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLER of Maryland. Mr. Chairman, I move to strike out the last two words.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. MILLER of Maryland. Yes; I yield.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at the conclusion of the remarks of the gentleman from Maryland [Mr. MILLER].

Mr. BENTSEN. Mr. Chairman, I would like 5 minutes.

The CHAIRMAN. Will the gentleman amend his request to allow the gentleman from Texas to have 5 minutes?

Mr. WIGGLESWORTH. Mr. Chairman, I will amend the request that all debate on the amendment and amendments thereto close in 10 minutes after the conclusion of the remarks by the gentleman from Maryland [Mr. MILLER].

The CHAIRMAN. With 5 minutes allowed to the gentleman from Texas [Mr. BENTSEN]?

Mr. WIGGLESWORTH. And the gentleman from Arizona [Mr. RHODES].

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MILLER of Maryland. Mr. Chairman, the gentleman from Texas, my distinguished colleague [Mr. MAHON] has been reading part of this record. I will not read any more of it than necessary, but there are several more pages of it and it develops that not only did Mr. White interpret this provision contrary to the way the committee intended, but it also seems that General Asensio said on page 500 of the hearings:

Sir, if I have been tilting at windmills, we will be very happy—

And to that I replied:

You certainly have ever since this came into the law.

Then the general replied:

Then we will be delighted to dispense with the windmill.

Your committee thought the matter had been cleared up there.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield for a question?

Mr. MILLER of Maryland. I yield to the gentleman from California.

Mr. JOHNSON of California. What I would like to find out is this, and this is the crux of the whole question, in my opinion: Does proficiency flying mean only the minimum time you fly to get flight pay?

Mr. MILLER of Maryland. To draw flight pay. We want to remember that.

Mr. JOHNSON of California. Does it not also include improving the man's proficiency as a flyer?

Mr. MILLER of Maryland. No, that would be training flying. Proficiency flying is a misnomer as it is used in this connection.

Mr. JOHNSON of California. With every flight his proficiency is enhanced, or his knowledge of flying skill is improved.

Mr. MILLER of Maryland. Yes, any time he flies he learns something, and therefore it might be considered training, but as far as the pay bill is concerned this word proficiency means enough flying to entitle him to draw flight pay.

Mr. JOHNSON of California. And who made that interpretation, that decision?

Mr. MILLER of Maryland. I call your attention, if you will, to page 7 of the committee report. So that there can be no further misunderstanding about it I would like the membership to note that the committee makes this statement in its report:

The committee received testimony that the limitation on proficiency flying was, in certain instances, interpreted to restrict flying for training purposes. The history of this limitation, including the debate on the 1954 bill, includes no statement to the effect that training flying is to be limited. It is the intent of the committee that this limitation be so administered as to leave no question that training flying, as determined by the Secretary, is excluded from the limitations contained in section 721 of the bill.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield further?

Mr. MILLER of Maryland. I have not much time left, but I yield.

Mr. JOHNSON of California. I do not see how the understanding of the committee and its statement in the report can overcome the specific language that is in the bill itself.

Mr. MILLER of Maryland. With the gentleman's permission I can only say that in my opinion as a lawyer that if there were any doubt as to what that language meant, the debate, the committee hearings, but more than anything else the fact that the language has been interpreted in the committee report should remove any doubt or uncertainty as to what was meant by this language. The committee has said what it means in its report. It would therefore seem to me that there could not be any doubt that training flying is not to be limited and that it is quite different from proficiency flying.

Mr. JOHNSON of California. But we cannot in the committee interpret a statute if it is contrary to what the act itself spells out.

Mr. MILLER of Maryland. Lawyers do not always agree on the meaning of language but when there is doubt, usually courts follow the legislative intent indicated by debate and particularly when set forth in a formal committee report.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Chairman, we have a situation here where the former chairman of the committee and the present chairman of the committee find themselves directly opposed to each other as to the interpretation and meaning of this language in the bill. In such a situation, and with the Air Force in a quandry as to the correct interpretation, it seems to me that the interests of the Air Force, the country and the Congress are best served by adopting the pending amendment.

We have heard a great deal of discussion about proficiency and training and the difference between them. We have been told there is a great difference and an obvious one. But to me, a pilot who is retaining or keeping up his proficiency is also in the process of training. In flying you are constantly running into new situations, I do not care how many hours you have flown in the past. A different type of engine failure, a new weather condition, a new icing condition, that results in continued training of that particular pilot. I think the difference is so nebulous and that there is such a faint line between proficiency and training that the present language in the bill is confusing; therefore should be removed.

One of the things you notice in combat overseas is the morale of the squadron, the group or the wing. Much of it is determined by the commander or "old man" of that particular unit. He must be able to fly as well as the men under his command if he is to have their respect; yet sometimes during World War II you saw commanders come in on a squadron, wing or group who were poorly trained flyers or who had been away from flying too long. They could not do the job of close formation flying, instrument flying and precision flying as well as men under their command. The reason was they had been at desk jobs and in many instances they did not keep up their proficiency and training for continued flying operations.

The SAC has set up some limits of minima of amount of flying hours needed before a man can fill certain flying positions. A B–47 co-pilot must have 900 hours, a B–47 pilot 1,500 to 2,000 hours depending on type, and a B–36 pilot 2,000 to 3,000 hours depending on type.

It is perfectly feasible to find a man who has served in the Pentagon for two 3-year tours who has been limited to 100 hours a year to suddenly find his training and proficiency have not kept up with his birthdays. The results are the age bracket for these positions in the SAC goes higher and higher for the type of men who are to command the B–47's or the B–36's. You find as they grow older their alertness is not as good, and you are losing the best physical years of these men who have command and executive capabilities. The young men who have the physical alertness are not achieving the level of proficiency and training as required. By the time they achieve the necessary total hours, they are bifocal pilots.

I believe the amendment should be adopted to eliminate the confusion between proficiency and training flights. It cannot be shown where one starts and whether the other stops.

Today we are building an all-weather Air Force, one that is operated by jets. That means a higher degree of training, that means a higher degree of proficiency for those men. If we are going to have them go out flying their missions with less hours, you are going to have a greater number of aircraft accidents. You are going to lose more planes and you are going to lose valuable men.

Captain Jarecki, the escaped Polish pilot, had this to say when interviewed by our intelligence officers:

> I was a pilot in a MIG squadron, and I had less than 150 hours in the air. Of those, 100 hours were in the conventional planes or training units. Then I was assigned to a tactical unit where I got 5 hours in a two-place jet trainer, the training version of the MIG. After I had 40 hours in the MIG, I escaped. I think most of the Red pilots flying in Korea probably have had the same kind of training, and this is no match for our American training.

So I say, let us not make a fair weather Air Force out of our most important deterrent to attack. It is my firm conviction that a maximum of 100 hours of flying a year will not retain a pilot's proficiency particularly when only a small portion of that is normally allocated to instruments.

You do not always know what your weather will be at the start of a flight despite weather predictions. You may start out on a nice clear day but the first thing you know you are surrounded by weather. You had better know how to fly on instruments and have had sufficient training.

In emergencies, because of malfunction of equipment or because of weather conditions, you simply have not time to have to think out each step of your procedure. Your training must have indoctrinated you to such an extent that your reactions are automatic.

If you lose one, or two, of the few of these expensive airplanes because of insufficient training or lack of proficiency, you will have lost not only the lives of the pilots but the planes. It is impossible to put a dollar value on the life of any young American, but we do know what it has cost the Government to train him and what the aircraft has cost. In dollars alone you will have lost more than you could save with this attempt at false economy.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from California.

Mr. JOHNSON of California. The gentleman is, indeed, an excellent pilot and has had a lot of experience. Is not this a fact, that you have to have good coordination of your eyes and muscles and use good judgment, and the more you fly the sharper you get?

Mr. BENTSEN. The more automatic your reaction is. I will say this to the gentleman: I used to think, as many of us did, that I was a pretty good pilot, but after the war, when I came back, I was a Sunday airplane driver. I do not pilot an airplane anymore, because I am not proficient in flying now, because I do not have the automatic reaction I would have to have. We must not relegate our Air Force officer while on administrative jobs to Sunday airplane drivers.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I support the amendment before us, but I do it for slightly different reasons than those so far announced. I have been impressed by the arguments made to the effect that a greater period of time in the air is needed; but the major reason I support the amendment before us today is because the provision in the bill is legislation on an appropriation bill and should properly be handled by the Committee on Armed Services, where it could be given adequate consideration.

One of the main reasons I have risen to speak is that I think it would be a grave mistake for Congress to leave in the record the impression that there is substantial support here for the idea that the infantry soldier is no longer needed. More people are being drafted into the Army today than in any other branch of the services. These men are making sacrifices for our country. Their chances for fatalities are greater than among the other services. They are greatly needed. That situation will continue for the foreseeable future. I remember before the Inchon landing in Korea one of the outstanding generals in the history of this country proposed that amphibious landings were a thing of the past, and only a few weeks after that he had to eat his own words. There were certainly very important amphibious landings at Inchon. I think it would be a mistake for people to believe that Congress feels that these current maneuvers in North Carolina are not needed. Certainly, the infantry soldiers are needed. They must be trained. The history of war shows that where you have one set of weapons and you acquire another, you merely add; you do not subtract, and I hope that it will be clear to everybody who is listening to this debate that the infantry soldier is greatly needed. As one who has been a foot soldier for approximately 5 years in World War II, I think I know what the infantry soldier is up against. Some people say that the infantry soldier is a thing of the past because the next war will be only a push-button war. I wish with all my heart that that would be so. I would gladly give my life to make it true that the infantry soldier is no longer needed. Unfortunately that is not true.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Florida. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. I would like to make it clear that a large portion of the Congress do not regard the maneuvers for ground troops as a waste of the people's money; in fact, they are vitally necessary for the defense of the Nation.

Mr. WAINWRIGHT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Chairman, it seems to me that at this particular juncture it would be unwise for the Congress to restrict the Air Force in any manner as to the training of its personnel. True, the statement has been made that the Air Force officers failed to oppose the 100-hour limitation. However, it has also been pointed out that they were asked to cut their budget to the bone, and proficiency flying would appear to be the first cutback. I am alarmed at the possibility of Pentagon flying officers being limited in proficiency flying in jets. To stay on the top of the ball in jet flying it may be necessary to have far more than 100 hours provided as a limitation in this bill. Consequently, I must rise in support of the amendment striking out the limitation.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, might I have the attention of my good friend, the gentleman from Kansas [Mr. SCRIVNER], the chairman of the subcommittee?

Mr. SCRIVNER. The gentleman always has my attention when he talks.

Mr. RHODES of Arizona. I would like to say to the gentleman that it pains me deeply to be in favor of an amendment which the gentleman opposes. I have the greatest respect for him.

Mr. SCRIVNER. Never let my position interfere with your own judgment.

Mr. RHODES of Arizona. One question I would like to ask that came to my mind as the result of the colloquy which preceded this particular matter. It is my understanding if I am assigned to the Pentagon Building as an officer in the Air Force, in the personnel section, and I have nothing to do with flying whatsoever except insofar as I am an officer of the Air Force, that I can only get 100 hours per year of flying. Further, it is my understanding that if the Secretary of the Air Force believes that at some time or other I am going to combat, that he can give me an additional duty involving training, and if that is done, I can then get as many hours of flying as there are aircraft available. Is that a correct statement?

Mr. SCRIVNER. I would not interpret it quite as broadly as the gentleman states, but if you read on page 501 of the hearings, we discussed that question. The 100 hours only relates to the drawing of proficiency pay; in other words, rated fliers have got to fly this time in order to get their flying pay. I think the gentleman understands that. That is what we normally call proficiency flying. It is an improper word, but if you will read on the bottom of page 501, we discussed the question that the gentleman asks. If a young officer were brought into the Pentagon Building out of SAC and is going to return to SAC and is going to be a combat pilot, then, in so many words, all in the world that the Secretary has to do is to assign him to flying training. It is just that simple, and I do not know why there has been so much confusion or doubt in this whole situation.

Mr. RHODES of Arizona. Actually the provision on line 3 of page 44 refers only to proficiency.

Mr. SCRIVNER. That is right.

Mr. RHODES of Arizona. And the Secretary of Defense may assign any given officer to an additional duty which would allow him to fly more than 100 hours.

Mr. SCRIVNER. He would assign him to flying training.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

The question was taken; and on a division (demanded by Mr. SCRIVNER), there were—ayes 95, noes 63.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 737. In order more effectively to administer the funds appropriated to the Department of Defense, the President, to the extent he deems it necessary and appropriate in the interest of national defense, may authorize positions in the Department of Defense to be placed temporarily in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949 in accordance with the procedures and standards of that act, and such positions shall be additional to the number authorized by section 505 of that act. Under authority herein, grades 16, 17, and 18 in the Department of Defense may be increased only to the extent that the total of such grades in the Department of Defense shall not exceed 200.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is their objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, in a speech I made previously today I referred to the purpose of our military strength in connection with the attainment of national objectives in our foreign policy.

I shall enlarge on that thought in the remarks I am about to make.

I suppose I am in the marked minority but history has shown on many occasions the minority was right and the majority was wrong.

I have repeatedly said in and outside of this House: "The only thing the Communists respect is what they fear, and that is power and strength greater than they possess."

I further have said "For a Communist is possessed of the mind of a world killer."

It was only a few weeks ago when a tax reduction bill was being debated in this House that I said, in substance, "Instead of reducing taxes we should be thinking of greater defense: that if President Eisenhower were to recommend more appropriations for greater defense he could ask for an extension of expiring taxes, and the people would support him; that the American people are willing to make all sacrifices necessary for security and for world peace."

In considering the purpose of military strength it must be borne in mind it is directly and mainly connected with the attainment of national objectives in foreign policy.

There are only three ways that I know of how these objectives can be brought about or obtained.

First. In case of war by winning it.

Second. By creating such a preponderance of military strength that a nation can enforce its will without going to war.

Third. By negotiating around a bargaining table.

If we are not stronger from a military angle than the Soviet Union then the first two are out.

From the evidence I have we are not stronger than the Soviet Union.

My information is that the Soviet Union has at least 175 divisions in active service, plus some 50 to 75 European satellite divisions. This does not include the 250 to 300 reserve divisions, nor the armies of Red China.

Compare that with the land strength of our allies and ourself.

As I understand it, we have a warplane production of all types of about 12,000 a year which we must compare with the best estimate of 22,000 a year for the Soviet Union including 5,400 MIG jet fighters.

I have heard it said that the Soviet Union has been feverishly building a strong navy, and even some competent authorities have said that the overall strengths of the navy of the Soviet Union is second only to the United States.

I have heard competent authorities say that the submarine fleet of the Soviet Union exceeds the combined underwater fleet of the rest of the world. Also, that the Soviet Union is building 4 and possibly 5 new super battleships capable of launching guided missiles.

In the field of atomic and hydrogen bombs the knowledge exists that the Soviet Union has made considerable if not great progress.

We hear of the building of bombers capable of flying to a destination in the United States and of returning to the Soviet Union.

We cannot think today in terms of only a few years ago—1948—when we possessed the atomic bomb and, on the best information our intelligence had then, the Soviet Union did not.

Is there anyone who honestly thinks we have the strength and are building the strength to know if war should suddenly come we can win it?

Is there anyone who honestly thinks we have such a preponderance of military strength that the Soviet Union and its satellites and Red China fear the same, and that we have such strength that the Soviets would be afraid to carry out a sneak attack on us and our allies?

If we are not strong enough in the first two respects what chances would we have "on negotiation around a bargaining table?"

If we are not strong enough in the first two purposes I have mentioned, are we strong enough, or building in the immediate future, enough military strength to insure a favorable negotiated peace at some future conference table?

You will note I said "a favorable negotiated peace."

Certainly any unfavorable one would be just too bad for our country and for our people.

If I am going to err, I prefer to err on the side of strength than on the side of weakness.

In the world of today, between lower taxes and greater military strength—I prefer greater strength. As between dollars and liberty—I prefer liberty—and I know you and every other American does.

But have we got the military strength to enable our country to attain its national objectives in foreign policy, or if war is thrust upon us to be capable of winning the war?

These are questions that transcend party policies. They directly relate to the national interest of our country.

Exercising my judgment and searching my conscience I do not think we have that military strength.

President Eisenhower must answer these questions in communion with his conscience. So must all Americans, particularly those of us entrusted with responsibility.

For history is being made, and history will judge all of us and particularly the President of the United States, who mainly determines our policies for what we do or what we fail to do.

While I am pleased to note the new policy of 137 air wing groups by latter 1957, I do not feel happy with the reductions made in the other branches of our armed services, particularly in the Army.

With the world plotters of communism determined to conquer the world and to enslave all peoples, with the resultant viciousness and cruelty, my judgment tells me and my conscience dictates to me that this is not the sound or wise course to take.

To me, it is erring on the side of weakness and not on the side of strength.

Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. COUDERT: On page 50, add a new section, beginning on line 3, as follows:

"SEC. 738. None of the funds appropriated by this act shall be available for defraying any of the expenses of maintaining uniformed personnel of the United States in armed conflict anywhere in the world: *Provided*, That this prohibition shall not be applicable with respect to armed conflict pursuant to a declaration of war or other express authorization by Congress or with respect to armed conflict occasioned by an attack on the United States, its Territories or possessions, or an attack on any nation with whom the United States has a mutual defense or security treaty."

Mr. COUDERT. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COUDERT. Mr. Chairman, I shall probably not require the 10 minutes to state my position on this matter, because yesterday afternoon, at the close of the general debate, I stated fully the reasons for this amendment. My statement appears on page 5694 of the RECORD, if any Member wishes to read it.

This amendment speaks for itself. It is the outgrowth of the resolution that I introduced 3½ years ago in January, which would have established the principle that funds appropriated for the military would not be available for foreign military adventures solely upon the individual responsibility and decision of any President, without full participation by the Congress, as provided in the Constitution itself where the war-declaring power was put in the Congress.

The resolution, which is now House Joint Resolution 20, has been reposing quietly in a pigeonhole of the Committee on Armed Services for these 3½ long years. Each year I have written to the chairman and requested that the committee give attention to that proposal to the end that something be done, something; and I have no such pride of authorship as to insist that my particular something be it. However, I insist that something be done to prevent another Korea in the near or distant future by any President who chooses to interpret the Constitution in such a way as to permit him to bypass the Congress in committing the people of the United States to great and bloody wars.

For 3 years we have sat silent in this House, we have done nothing, we have taken no steps, no constructive steps, to cure the situation that was revealed in the tragic Korean episode. I submit, Mr. Chairman, that we have been very remiss in that.

Insofar as I am concerned, had that resolution of mine or some similar resolution been reported out, had the House had an opportunity to express itself on this vitally important matter, I would not be here today with this amendment. This limitation on an appropriation bill is the only method available to bring this question before the House, because appropriation bills have to come out here, they have to be passed, and committees cannot keep them in pigeonholes. So this bill offers the only opportunity the Members of this House are going to have this year or any other year to take a position in defense of the constitutional prerogatives of the Congress so as to secure it in its constitutional power to make war or not to make war. In other words, this particular amendment would use the appropriating power, the power of the purse, to buttress the power to declare war, which we have seen so clearly can be vital.

I am very much disappointed that our President undertook this morning to express disapproval of this amendment. I frankly do not understand it. I am disappointed. I hoped he would go the other way. As I indicated in my remarks yesterday, he has repeatedly declared that he would not commit the United States to armed conflict in Indochina or anywhere else without the consent of the Congress. He having taken that position publicly, having proclaimed that position to the world, it certainly seemed to me that in offering this amendment I was taking him at his own word, and I was seeking to put on the books legislation that would carry out the very purpose and the very practice that he himself advocates and promises to pursue in dealing with the constitutional relations of the Executive with the Congress.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COUDERT. I yield.

Mr. HALLECK. I am glad the gentleman referred to the public statements of the President in respect to his recognition of the congressional responsibility concerning declarations of war. May I say to the gentleman I have heard him make those statements many times at other meetings where I have been in attendance, and I happen to be one of those who believe in his honesty of intention and purpose, and that he will follow that course. May I say to the gentleman: Do you understand if your amendment were adopted and one of our naval vessels was attacked on the high seas or a squadron of our planes were attacked over the high seas, under your amendment they could not even fire back until Congress decided to do something about it?

Mr. COUDERT. Mr. Chairman, I understand that perfectly. I will take those two points one at a time. In the first place, I am naturally gratified, as every Member of this House is and every citizen of the United States is gratified, at the President's insistence that he will not commit the United States to war without congressional action. That being the case, I wonder if some people in the United States, however, and in this House, may not wonder why he, and his supporters and leaders in this House, should be opposed to this amendment which would in effect carry out exactly what he says he is going to do. That is a curious inconsistency on that point, I might say.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COUDERT. I yield.

Mr. TABER. The amendment that you have offered here would prevent any Governor of any State from calling out the militia to quell a riot. It would prevent the use of our troops to repel trouble in Okinawa and Japan where we have our troops quartered, and in Germany where we have our troops quartered. It would even knock us out of Formosa. That is the picture you are presenting to the Congress.

Mr. COUDERT. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes so that I may complete my statement and also answer the points made by the gentlemen from New York and Indiana.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield for just one more question?

Mr. COUDERT. I yield.

Mr. MILLER of Maryland. In connection with an emergency, what could be done if the Congress were not in session?

Mr. COUDERT. All right, let us then take them all together. The first one was propounded by the gentleman from Indiana. It seems to me that airplanes, American naval and military planes have been shot out of the air by Soviet fighters in Germany and in the Far East. Now that is the sort of case he is presenting. I say as to that there is no reason under the sky why Congress should not be brought in before the question of war or peace is determined with respect to any isolated episodes of that sort.

As to the question raised by the gentleman from New York, my chairman for whom I have the warmest regard and the highest respect, the areas that he covered first, riots in the United States—this particular amendment refers to armed conflict. Certainly, no one is going to construe armed conflict as meaning riots for which the militia may be called out.

Mr. TABER. I am afraid the gentleman has not read his amendment.

Mr. COUDERT. My amendment refers to armed conflict anywhere in the world.

Mr. TABER. That would be it.

Mr. COUDERT. No. 2, as to Japan and Okinawa—Japan and Okinawa are covered in the exception to the limitation which excepts from the operation of the limitation all of those countries with which we have mutual defense or security treaties and that includes and covers Japan, Okinawa, and the areas in Germany in which we are in occupation. In other words, under this amendment everyone of the vital areas including in the NATO countries, the inter-American reciprocal aid countries which is pan America—all of North and South America—the tripartite Pacific treaty with New Zealand and Australia—it covers Japan, Okinawa, the Philippine Islands, South Korea, in other words, it leaves the President completely free and unhampered to do what he deems best to carry out our obligations under mutual defense pacts covering 593 million people on this earth. In other words, it leaves the President completely free and unhampered to do whatever he deems best to carry out our obligation of the various defense pacts covering 593 million people of this earth.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. COUDERT. I yield to the gentleman from Ohio.

Mr. VORYS. The gentleman is aware, of course, that we have no such treaty with South Korea, so that an attack on our forces in South Korea could not be resisted under the gentleman's agreement? The gentleman doubtless did not look up some of these things.

Mr. COUDERT. Yes; the gentleman knew all about that. The Senate has ratified the South Korea treaty. The only thing that remains to be done is the exchange of ratifications, which is a ministerial act and can be done at any moment the Executive chooses to do it. So for all practical purposes South Korea is covered in this matter.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. COUDERT. I yield to the gentleman from Maine.

Mr. HALE. What would be the status, under the gentleman's amendment, of the 100 or so airplane mechanics now supposed to be stationed with the French Army in Indochina?

Mr. COUDERT. I think it is a fair assumption, if we take the President's statements at face value, that they are not engaged in armed conflict. That is the limitation in this amendment. That is why I chose the term "armed conflict." It would not apply to any civilian or military help that was not engaged in armed conflict.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. COUDERT. I yield to the gentleman from New York.

Mr. JAVITS. I think the gentleman said something about a mutual-defense treaty with Germany.

I know of no such treaty.

Mr. COUDERT. I consulted the State Department about that and I was advised that an attack upon any one of the occupying forces of the three forces would constitute an attack under NATO.

Mr. JAVITS. So far as I know, Germany is not a party to NATO. At the very least there is a knotty legal question involving the coming into force of the contractual basis with the German Federal Republic and the EDC. I do not see how we can risk the security of our forces in West Germany by tieing their hands by any such amendment as this.

Mr. COUDERT. Does the gentleman suggest for a moment that there is going to be a Russian attack on our forces in Germany that is not going to be a part of an overall massive attack that will violate the NATO agreement?

Mr. JAVITS. I say we should not act on the floor of this House on this amendment on the supposition that there will not be one and I do not think the House, being responsible, should speculate on the security of forces we have in Germany either.

Mr. COUDERT. Is there any limitation that the gentleman would accept upon the presently unlimited power of the President to commit the United States to war?

Mr. JAVITS. The President has no such unlimited power, under the Constitution or otherwise, and the gentleman knows it. The restrictions are now written into the Constitution. What the gentleman's amendment would do is to deprive the President of his powers as the Commander in Chief, which is set up by the Constitution as a power equal with the Congress' powers. The defect of the gentleman's amendment is that it seeks on an appropriation bill to deprive the President of his constitutional power.

Mr. COUDERT. Was the gentleman in this House in June 1950—I think he was—when the American forces were sent to Korea? Was the Congress consulted? Was the gentleman given an opportunity, or any one of us, to say whether we should do so?

Mr. JAVITS. The Congress that same day could have stopped the President from doing it, if it wanted to, by resolution. Also the general opinion at that time was that, if he had asked authority of Congress, the Congress would have given it to him that day.

Mr. COUDERT. Mr. Chairman, I am not going to prolong this any further. The issue is very simple. It is a matter for Members to answer each according to his own conscientious convictions. It is obvious that as of today, under the circumstances of today, there is a definite loophole in our system of operation. The President has the power, for all practical purposes, without limitation—and that was demonstrated in June 1950—to commit the United States to unlimited war without sending one word to this Capitol or stepping up here himself or asking for any action from us. For all practical purposes that is totalitarian power. It may be that in the case of the present incumbent, for whom I have the greatest admiration, he will observe the traditional division of powers and the traditional war or peacemaking authority under the Constitution of this body in which we sit.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. COUDERT was granted 1 additional minute.)

Mr. COUDERT. The fact that this President recognizes the situation, the traditional division of power and the traditional functions of the Executive and Congress, is no reason for not incorporating into law something that will prevent any future President from violating such traditions.

We are living in a world of tyranny; we are living in a world of flux and change, and there is nothing more important for us than to keep alive our representative institutions, our institutions of free goverment; and I deem that some such limitation as this must be written into our laws to protect the very existence of Congress as part of the governing body of the United States.

Mr. WIGGLESWORTH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret very much that the pending amendment has been offered at this time.

I am opposed to it first because I think it is entirely unnecessary; secondly, because I think it has possibilities of producing far-reaching consequences at this critical moment in the world's history.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. VORYS. Did the gentleman from New York ever offer this amendment to the great Appropriations Committee when this bill was under consideration?

Mr. WIGGLESWORTH. It was never offered before the bill came to the floor of the House.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I will yield briefly, but I would like to make a statement. The gentleman has had 16 minutes.

Mr. COUDERT. It is in connection with the statement just made.

Mr. WIGGLESWORTH. I yield.

Mr. COUDERT. Did not the gentleman from New York advise the Appropriations Committee on Monday that he intended to introduce this amendment?

Mr. WIGGLESWORTH. He did, but that was not the question which the gentleman from Ohio asked.

However the author of this amendment may construe it, the important thing is how it may be construed by those in other lands at this critical time in which we are living.

In my judgment the adoption of this amendment could handicap our negotiators overseas.

In my judgment it could be construed as a sign of weakness on the part of the American Government.

In my judgment it could be construed as lack of support of the President of the United States.

In my judgment it could be construed as an invitation to further aggression in Indochina.

It was not so many years ago that a statement was made by our Secretary of State, Secretary Acheson, in respect to the interest of this country in the Far East. However, Secretary Acheson may have construed that statement, it was apparently construed in the Far East as a declaration of lack of interest in Korea, or as an invitation, if you will, to move into Korea.

In any event, shortly after the statement, war broke out in Korea with all the suffering which it entailed.

Surely this House does not want to take any action at this time which might be construed in a similar way in the light of that experience.

Reference has been made to the point of view of the President in regard to involving this country in war.

I hold in my hand an extract from his press and radio conference of March 10, from which I quote as follows:

QUESTION. Mr. President, Senator STENNIS said yesterday that we were in danger of becoming involved in World War III in Indochina because of the Air Force technicians there. What will we do if one of those men is captured or killed?

The PRESIDENT. I will say this: There is going to be no involvement of America in war unless it is a result of the constitutional process that is placed upon Congress to declare it. Now, let us have that clear. And that is the answer.

On today's news ticker it appears that in a press conference this morning referring to the specific proposal before us at this time, the President made the following statement:

The President called it "an artificial restriction which could not fail to damage the flexibility needed by a Chief Executive to deal with a fluid international situation."

As for the prospects of this country becoming involved in combat in Indochina, the President repeated that the United States will not get into a war except through a declaration of war by Congress.

I repeat, Mr. Chairman, this amendment is entirely unnecessary. The Constitution places the war-declaring power in our hands. The President of the United States recognizes that fact and has stated repeatedly that he intends to abide by it.

I hope most sincerely that the committee will take no action at this time which could be misconstrued abroad and thereby jeopardize the peaceful attainment of objectives vital to America and to the entire free world.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, it is impossible for anyone upon brief examination of this amendment in the time we have to envision all of the circumstances that might arise; but in my questioning of the gentleman from New York on the effect of the amendment, I asked him if this amendment were adopted and an attack was made on our naval vessels on the high seas, whether or not it could be repelled by them at that time. He did not deny that possibility. All I ask you to do is to read the language. It says:

In the event of an attack on the United States or its Territories or possessions—

That is a geographical limitation. Clearly under that language, as I said before, if our naval vessels on the high seas were attacked, this amendment would say to those men, our men, being where they have a right to be: You cannot shoot back.

I certainly do not want to support that kind of an amendment.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from New York.

Mr. COUDERT. I would like to ask the gentleman from Indiana if he would accept my amendment if there were added to "attack on the United States, its Territories, or possessions" the phrase "troops, ships, or airplanes of the Armed Forces of the United States"?

Mr. HALLECK. No, I would not, because it is full of other defects, in spite of what the gentleman says. Our troops are on Okinawa, and they could not defend themselves. If we do not have troops on Spanish bases now we will have and if they were attacked under this they could not defend themselves. I do not know how many other places there are where the effect of this amendment might be devastating. That ought to indicate, if nothing else, that this is a matter for careful consideration, if it is a matter of consideration at all, and that this is not the way to get at it.

Mr. REED of New York. Mr. Chairman, it is not a pleasant thing for a person who has served for years in this House to take what appears to be from the expressions here the unpopular side of a piece of legislation. But I am not afraid to follow my convictions.

Mr. Chairman, I support the amendment offered by the gentleman from New York. The President has repeatedly said that there could be no greater tragedy than getting our troops involved in the war in Indochina. However, the need for the amendment offered by the gentleman from New York is clear because the Vice President recently stated that he thought that our boys might have to be sent into the jungles of Indochina to support the French.

The time has come to serve notice on the rest of the world that the American people are going to stop being suckers. The main reason for the war in Indochina is the determined attempts of the French to impose French rule on that unfortunate land. It is interesting to note that the French have gotten us to assume over 80 percent of the cost of the Indochina war, even though the French only spend 11.1 percent of their national income for defense purposes, while we are required to spend 14 percent of our national income for defense, exclusive of the staggering billions that we spend on foreign economic aid. French taxes are far lower than American taxes. In France a married man with one child earning $3,000 a year pays only $82.50 in income taxes, whereas in this country he would pay $180 in Federal income taxes alone. The French have been fighting gallantly at Dien Bien Phu. However, the French have made it clear by law that no French draftee can be sent to Indochina. Of course, the French are anxious to get American boys into the fighting, and the Vice President apparently agrees with them under certain circumstances.

If the Vice President has his way, and the American boys are sent to Indochina, it will not be long before we are carrying the whole brunt of the fighting as we did in Korea.

If it is proper for the French to provide by law that their draftees cannot be sent to fight in Indochina, certainly it is the clear duty of this Congress to insist that our American boys have the same protection.

Mr. Chairman, I have absolute confidence in President Eisenhower. I figure that he will carry out his promises specifically. I do not worry about that, but I hope to God nothing happens to our President, for the good of America. But, changes can come, and we can just as well spell out through this amendment our constitutional prerogatives. It is the function of the Congress to act on all these war matters. It is a matter that involves thousands upon thousands of our boys, a matter affecting every home in America, a matter which might eventually lead us into bankruptcy. The people under our Constitution were supposed to have the last say in those vital matters. So, I stand here as an unpopular Member of this House in support of this amendment.

Mr. VORYS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, by unanimous vote of the Committee on Foreign Affairs this morning, when we had a brief opportunity to consider this amendment, I was designated by the chairman to point out to the House that this amendment is, in

practical effect, important legislation on an appropriation bill, legislation of the type which comes under the jurisdiction of the Committee on Foreign Affairs, and that this type of legislation is now under consideration in our committee.

Mr. Chairman, under the Reorganization Act, the Committee on Foreign Affairs is charged with—

1. Relations of the United States with foreign nations generally.

7. Intervention abroad and declarations of war.

The wording of this amendment demonstrates the need for committee consideration on a matter of such transcendent momentous importance.

As a practical limitation on the President's powers now, if someone distrusts President Eisenhower, this amendment is completely ineffective because it does not apply until funds are expended in fiscal 1955, and therefore it would be no restraint upon the troops now in being which are already equipped and being paid out of existing funds.

But, as a sense resolution now, which is all it can be at this time, it does not make sense. The author had to get up here and say that it did not mean what it said and offered to doctor it up on the floor of this House. I beg of you to realize that the proper way to consider a matter of this moment is through the ordinary legislative procedure of consideration in the legislative committee or in the Committee on Appropriations. This has had no such consideration.

I say this does not make sense. Telegraphing your punch is bad, but telegraphing your enemy in advance that you are not going to punch is worse. Three times we have done that in the past 38 years, and each time that sort of policy has been followed by war. In 1917 a President was inaugurated on the basis that he kept us out of war, and we got into World War I. In 1941 a President was inaugurated who said again and again and again the boys would not fight on foreign shores, and we went into World War II. In 1950 our Secretary of State said in January that Korea was not within our defense perimeter, and in June our troops were in there fighting. Will we never learn to do what President Monroe did in 1823? He laid down in polite diplomatic language in the Monroe Doctrine—and the threat then was not so much from Europe but from Russia—that any more attempts by outsiders to take over territory in this hemisphere might mean that someone would get into war with us. As a result of that plain statement we have never had to defend the Monroe Doctrine by war.

What does "armed conflict" mean as used in this present amendment? I looked in the United States Code index and this phrase is not there. It has been invented for legislative purposes by the gentleman from New York [Mr. COUDERT]. So I looked up "conflict" in Webster's Dictionary; and, among other things, it means "a fight, a battle," "competition or opposing action of incompatibles," "a collision, a clash."

Therefore, as has been pointed out, on Formosa, in Spain, in Korea, in many places around the world where we now have bases and troops, but where we do not have treaties of mutual aid, if bandits or guerrillas attacked one of our soldiers, he would have to look on his ammunition to see if it came out of fiscal year 1955 appropriations before he would know whether he could defend himself. If, in the United States, a dangerous fugitive prisoner was trying to escape, an MP would have to look on his shoes to see whether they were fiscal 1955 issue or not, to know whether he could run after him and arrest him, because there would be danger of armed conflict there, a clash of some kind.

I suggest that in this matter, instead of relying upon General COUDERT, the gentleman from New York, who comes down here to share his wisdom with us in military matters from time to time, this would be the time when it would be wise to rely upon General Eisenhower, President Eisenhower, who has declared his purpose to the country and to the Congress, and not let him down, and not let our negotiators down in Geneva and all over the world, and not invite conflict by trying to tell our enemies where it is we are not going to fight this time.

Mr. BARDEN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, today is not the first time I have thought of the pending subject. I recall very distinctly during the Korean war making a statement in the well of this House that the Congress of the United States should be made acquainted with all of the facts connected with the Korean situation, and the Congress of the United States should declare war on somebody and fight an objective war or get out of Korea.

It has never been a pleasant duty to vote to declare war. No man with normal good sense desires any opportunity to vote to declare war. But no man worthy of his salt or worthy of sitting on the floor of this House should run from this unpleasant responsibility if the duty should happen to fall upon him.

I do not regard this as a perfect amendment. But this is the first time an opportunity has presented itself to do something that would revive once more that very clear-cut, concise language in the Constitution which says that Congress and only Congress should have the power to declare war and thereby commit this Nation to war. And yet this body sat for 3 long years and witnessed thousands and thousands of boys dying, and everyone was very willing and ready then to say, "I did not start it. I did not vote for that war." Which was true, but the sad truth about the situation was that it was first called police action. Then an undeclared war. But regardless of what it was called, it went on and on. When I made the statement that we should take some definite action on the declaration of war, three-fourths of this House stood on their feet and cheered. That was not for me, that was because the majority of the Members on this floor felt that some definite action should be taken.

We are not placing any limitation upon the President that is not clearly written in the Constitution of the United States. I was in World War I. Then we accused the Kaiser of starting that war, and after the Kaiser's hide we went. In World War II it was Hitler, and after Hitler's hide we went. Then we ran up against the Korean situation. I do not know that anybody yet has definitely determined who started the Korean situation, but bloody fighting resulting in over 125,000 casualties went on for 3 years. The Congress of the United States was never called upon to declare war nor did we on our own initiative. The Commander in Chief committed our Armed Forces and in that situation there was nothing we could do but supply them.

I am not discussing the merits of it, I am not saying we should not have gone into Korea or that we should have, I am saying the Congress of the United States should have determined whether we were at war or not and then provided for all-out prosecution of it. That is exactly what our Founding Fathers intended when the Constitution was written.

I was in this body when the attack that started World War II came on December 7 so far as the United States of America was concerned. Within less than 24 hours we, the Congress, if you please, declared war on almost half this earth, and went at it. Then you say it is a limitation upon the powers of the President to repeat the language and expressed intent of the Constitution.

I say to my good friend to accept the precedent set by the President of the United States in the Korean situation as the existing law which would imply that the President now has the same power and God knows that is more power than a bad man should have and more power than a good man should want. The language in the Constitution should never have been questioned in the first place. It is a sad hour that after 150 years of existence of the greatest nation on God's earth, the finest government and best directed, that the clause in the Constitution which says only Congress shall declare war should now come up for either watering down, changing, or reinforcing.

I have the greatest respect for my friend from New York [Mr. REED]. I have seen him take the "gaff" before. Even when I think he is wrong I admire him, because he does not mind taking the "gaff" on any matter about which he has conscientious convictions. So far as I am concerned, I am proud to be in his ranks for I too have some very strong convictions on this subject.

I would not vouch for the accuracy of the amendment. I do not desire to be dubbed, as the gentleman from Ohio [Mr. VORYS] referred to the gentleman from New York, as General BARDEN. I have no ambitions in that direction at all. But I do say this, that I have confidence in the President of the United States, yes. I had confidence in the Democratic Presidents and I have confidence in the Republican President, but I am not willing to place all of that power in any President's hands and I do not care where he comes from or what party he belongs to. War is something the United States Congress should pass upon and not just one man.

If the amendment needs changing in some detail, why do not the gentleman from Indiana and the others who seem to be so interested in defeating it lend their attention and their efforts to the correction of it between now and the time it may go through the Senate and come back in the conference report? The gentleman has no reluctance in doing that with other things.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. HALLECK. I did not know of the existence of this amendment or that it would be offered until I read about it in the papers. There are so many defects in it, as I said before, that are obvious even upon the most brief examination that again, I say, this is no time to undertake to perfect it or write it. As a matter of fact, this amendment should be voted down, and if there is something here that should be looked into, then let the proper legislative committee look into it. Of course, the gentleman knows the constitutional provision with respect to a declaration of war. He has referred to it.

Mr. BARDEN. Yes, that has been in existence for 150 years.

Mr. HALLECK. That is right. I just happen to believe that we have a President of the United States who believes in the Constitution and I believe that he will follow the constitutional process. As a matter of fact, if the President did not elect to follow the constitutional process, possibly he would not elect to follow any statute either. In my book, that is beside the point. The point I am making is fundamentally that this sort of action is not necessary at this time in the light of existing circumstances, and it can do more harm than good. Beyond that it is so drafted that it is full of errors and full of deficiencies and could well involve us in many serious and disastrous consequences.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BARDEN. Mr. Chairman, let me say that the gentleman has no monopoly in his admiration for and confidence in the President of the United States. He is my President. I like him personally and I like him officially. I have great confidence in the President of the United States. That issue is not on trial here. I have had great confidence in other Presidents. The gentleman has been pretty critical about what has happened in the past 4 years, in Korea, and many, many others on his side of the aisle, and many of us resolved if the occasion ever presented itself that we would do something about it. Here is where we are. The money bill is the only place that we can do anything about this. We have found that out in recent years. The money bill is the only place that you can do anything whatever about it. For after troops are committed and the war is on, just cutting off money and supplies is simply not practical. The gentleman knows that just as well as I do and yet he says it is not the right way to do it. The gentleman says it may have a bad effect in foreign countries. If we write it into the law that this country shall not be hurled into war by 1 man or any 2 men or 3 men, does that have any more disastrous effect than what the President himself has declared? The President himself has declared to the world, "No, this country is not going into war except upon the vote of the Congress of the United States."

Has that had any bad effect over the rest of the world? I am just getting to this point, Mr. Chairman. It hurts me to be asked a thousand questions about Indochina and about when our boys are going to war and every day they are dragging them out of the colleges and off the farms and out of the shops and putting them in uniform; they see a blast in the newspapers either from the Vice President, or the President, or Secretary Dulles, or some free-lance writer, and I tell you, sir, the American people are confused on this question of war and who has the right to start one, make no mistake about that. They want to know what is going on and what can happen; if you go by the past, anything can happen. I have no reluctance in saying to you that there should be a clarification of this supposed power and the sooner the better. I would not swear that this is a proper amendment, but the gentlemen who have the responsibility of writing this legislation could, in my opinion, well afford to lend their brains, their time, and intelligence to help work out the answer if they wanted it. But the thing that disturbs me is that we must now continue to exist on rumors and speculate whether or not we will wake up some morning in an undeclared war. I do not know what Secretary Dulles has promised anybody. I do not know whether or not our men are dying in Indochina right now. I understand that one airman was killed by ground fire there this week. The papers said so, and it is fast getting to the point that that is about the only place Congress can get news bearing on our foreign relations. I am tired of finding out what my Government is going to do and where we are going to fight a war next from a newspaper that is written by somebody who assumes that a certain other person intended to say so and so. If that is the way you want to continue, all right, but personally I cannot take it and I will not hesitate to express myself on a subject so vital to my country and to my people.

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, the amendment offered by the gentleman from New York [Mr. COUDERT] raises a question which cannot be disposed of hastily or carelessly.

I have a high regard for the patriotism, the integrity, and the ability of the gentleman from New York, the author of the amendment. His record in the House of Representatives demonstrates that he is a tireless and courageous worker for constitutional government, and I am confident that in offering this amendment he is moved by a sincere desire to do his duty to his Government and to the American people.

As I understand his amendment, the substantial effect of it would be to prevent our Armed Forces from engaging in armed conflict anywhere in the world, unless Congress had previously issued a declaration of war. An exception would be made in the case of an attack upon the United States or an attack upon any nation with which our Government has a mutual defense or security treaty.

At first blush, it would appear that this amendment follows that provision of our Constitution which places in Congress the authority to declare war. It would apparently go beyond the constitutional provision by excluding from its prohibition an attack upon us or an attack upon a nation with which our Government has a mutual defense or security treaty.

I think it is essential that the provisions of our Constitution be observed by every department of our Government—executive, legislative, and judicial. In that connection, I have noticed in recent years—and have protested against it—that the executive department and the judicial department have both encroached upon the legislative department. In every instance, such encroachment weakens our form of government and tends to destroy the rights and liberties which our Constitution was designed and intended to safeguard and preserve.

Under our Constitution it is the function of Congress to levy and collect the taxes necessary to provide for the common defense, to raise and support armies, to provide and maintain a navy, and to declare war. These powers are expressly given to Congress in section 8 of article I of the Constitution.

The President is not given authority to declare war, although the Constitution makes him the Commander in Chief of the Army and Navy and of the militia when called into Federal service.

It is the duty of the President, and he takes an oath so to do, to preserve, protect, and defend the Constitution. Certainly one of his duties in that respect is to refrain from usurping congressional functions, one of which is the declaration of war.

The President has said that he will not plunge America into war unless Congress, in the exercise of its constitutional power, declares war. That statement is gratifying, and I know has given comfort to the people of the United States as discussion has increased regarding the prospect of our being drawn into the Indochinese war. However, although the President may live up to that statement that he will not plunge this country into war, unless Congress in the exercise of its constitutional power declares war, it would be difficult for Congress to refuse to declare war if the President and the Secretary of State commit our Government to fight, and the President, under such commitment, calls upon Congress to declare war.

As I stated on the floor of this House on April 13, it begins to look dangerously like the American people are now being conditioned and readied for such an eventuality.

Again I want to point out, as I did on that date, that at this moment, the principal objective of our Government should be to prevent our being taken into an Asiatic war through the back door. If we have to fight another war, and again I say may Almighty God forbid such a calamity, but if we do have to fight another war, we ourselves should select the time, the place, and the opponent, and we should not permit ourselves to be made a victim of the plan and scheme of the Communists to bleed ourselves white and exhaust our resources of manpower and materials fighting wars which have been planned by Russia and her Communist satellites for that very purpose.

Mr. Chairman, I adhere firmly to the position that we should engage in no war except such as may begin constitutionally with a declaration of war by Congress. I sincerely hope that the President will live up to his constitutional obligation and his promise not to plunge us into war unless Congress shall first, under the Constitution, declare war.

However, I do not think that this is a subject upon which legislation should be enacted in the manner proposed, namely, by an amendment attached to an appropriation bill.

Legislation of this nature should be carefully considered by the appropriate committee, where adequate hearings can be held and where appropriate witnesses can be called before the committee to give necessary information. It is for these reasons that I will vote against this amendment.

My vote against it is in no sense an indication that I believe the President has any constitutional right to declare war. Neither is it any indication that I believe the Constitution should be ignored or disregarded. I believe the Constitution should be strictly observed by the President, by Congress, and by the Supreme Court. If it is to be changed in any way, it should be changed in the method which the Constitution itself provides for. Until and unless it is so changed, it should be strictly observed.

I vote against this amendment merely because I believe it should first be considered by the appropriate committee, and one of the questions to be considered by such committee is whether, in view of the definite provisions in our Constitution, there is any need at all for such provision to be enacted by Congress.

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the House is indebted to the gentleman from New York [Mr. COUDERT] for raising this question. He has rendered a service to the Congress and the country by giving us an opportunity to pass on the proposal embodied in this amendment.

There is a school of thought in this country which has long advocated this measure. Resolutions have been drafted and bills have been introduced and constitutional amendments have been proposed and it should be disposed of here today. Its advocates constitute a small minority but it is a vocal minority and the atmosphere should be cleared. Unequivocal notice should be served both at home and abroad as to what the attitude of the Congress and the American people is on this question.

We must concede that while a democratic form of government is the best and most successful form of government in the world in time of peace, it is at a disadvantage in time of war. All democratic processes require time, and in that time the golden opportunity to act may pass. There must be someone in authority to act in an emergency, as there has been in 160 years of our national life.

You will remember that in the golden days of the Roman Republic they defended vigorously their freedom and their rights under their democratic government, but in time of war they completely abrogated the democratic control of the government to a dictatorship. They selected one man and placed in that one man supreme authority. One of the most significant of all beautiful paintings in this building is the depiction of the Roman Senate conferring upon Cincinnatus standing beside his plough supreme authority in a time of danger to the Republic.

This amendment is of course wholly impracticable and indefensible. Of all the Presidents, from George Washington to General Eisenhower, there has never been an Executive in whom we could not place confidence. There has never been an instance in American history in which this amendment, had it been in force at the time, could have served the best interests of the country and the American people. We not only have the most complete and abiding confidence in President Eisenhower—in his ability, his integrity, his patriotism, but we cannot conceive of the election of any man to that supreme office, in whom we could not place that same confidence.

Mr. Chairman, I trust that this amendment will be defeated and that it will be defeated so decisively that the question will never be again raised, either on this floor or in the press, or in any other forum of the Republic.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 5:30 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. SMITH of Wisconsin. Mr. Chairman, I object.

Mr. WIGGLESWORTH. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 5:35 o'clock.

The CHAIRMAN. The question is on the motion.

The motion was agreed to.

The CHAIRMAN. The time will be divided equally among the Members standing and will amount to about 1¼ minutes apiece.

The gentleman from Georgia [Mr. WHEELER] is recognized.

Mr. WHEELER. Mr. Chairman, I was, to put it mildly, amazed by the statement by the gentleman from Missouri [Mr. CANNON] a few minutes ago when he said, in effect, that only a minority of the people of this country still support the Constitution of the United States.

I was also amazed at the suggestion by the gentleman from Indiana [Mr. HALLECK], when he implied that an attack on one of our naval or airships would not be construed as an attack upon this country.

The whole argument of the opponents of this amendment has been predicated on the idea that we have some superman in the White House. This superman in the White House has repeatedly said that he agreed with this amendment. He may be a superman and he may have more braid on his britches than I have, but he puts his britches on in the morning just like I do. He is subject to the same human foibles and mistakes that I am. It is certainly true that the President is not expected to make as many mistakes as I would probably make, but the fact remains that he is human. The suggestion has been made with reference to the President that those of us who support the pending amendment do not trust the President. The truth of the matter is that I, for one, do not trust any human to whom is given unlimited power, and the defeat of this amendment will, in effect, be an invitation to the President to exercise unlimited power as has been done by some of his predecessors.

It is impossible for me to understand why all the argument against the proposed amendment when the President has repeatedly and recently stated that he would not commit this Nation to war without the express consent of the Congress, as provided in the Constitution. In face of this denial of any intent on the part of the President to ignore the Constitution, it is here argued that expediency might dictate a reversal of this position by the President in such a way as to send our boys to other Koreas all over the world. Suffice it to say on this score, that grievous hurt has been done to human freedom throughout the ages in the compelling name of expediency, and history records that repeated hurt done human freedom under the guise of expediency has resulted in its demise.

In conclusion, Mr. Chairman, with the forces arrayed here today against this amendment and with the obvious disregard for the oath taken by many Members who have sworn to protect and defend the Constitution, there seems little question that the amendment will be defeated. If such defeat comes and the President decides to commit our forces to war, God forbid that such commitment be made under circumstances attendant to Korea where we were not allowed to win.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I yield my time to someone more anxious to speak than I.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. SMITH].

(By unanimous consent, Mr. COUDERT and Mr. GROSS yielded their time to the gentleman from Wisconsin.)

The CHAIRMAN. The gentleman from Wisconsin [Mr. SMITH] is recognized for 4½ minutes.

Mr. SMITH of Wisconsin. Mr. Chairman, it is not an easy task to come to the well of this House and oppose those who are leading the fight against this amendment. We should clearly understand the intent behind it; we ought to take the cat out of the bag.

We are talking about Indochina in this amendment, make no mistake about that. A vote for the amendment will be construed as a vote to prevent the commitment of combat troops there. We have just returned from our districts and you were asked, as I was: What about Indochina? Will we send our boys in there to fight again?

Also the question: "When is Congress going to assert its prerogatives with reference to war?" The people are waiting for an answer to that question. They will get it when the vote comes on the amendment before us.

Make no mistake about it, if it is voted down the word will go out that the Republicans are not opposed to sending troops into Indochina. Whether or not that is the fact that will be the implication. I say to you there will be many of us who will not return on this very issue. The Republican Party cannot survive a war in China. The Democrats did not survive the war in Korea, as we know. As I see it, the American people are fed up with this international globaloney.

I hope you are going to get a chance to stand up and be counted on the record. The people want to know if they are really represented here or not.

We talk about the President. It is a lame excuse to say that the passage of this amendment will be a repudiation of him. This very day he has said that Congress will have the final say as to war in Indochina or any other place. So why all this concern about an offense to him. That is a specious argument.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Georgia.

Mr. WHEELER. I want to ask the gentleman if he has heard within the past 4 years any criticism coming from his side of the aisle of the manner in which troops were sent to Korea?

Mr. SMITH of Wisconsin. I do not recall at this moment.

Mr. Chairman, this is not a challenge to the President's authority. It was only a short time ago that a high elected official was reported to have said: "If necessary, we may have to fight in Indochina."

Let us forget about all the technicalities, about the language and so forth, and realize that we are this afternoon taking a position on what we are going to do in Indochina. Any kind of argument contrary to that will not hold water so far as our constituents are concerned.

Just a short time ago Mr. Bedell Smith was asked a question about Indochina. He was asked this question:

Can Indochina be saved, and how?

His reply:

The position of the United States is that, if there is a united will among the free nations East and West, a will that is made clear to the Communists so there can be no misunderstanding on their part, that this of itself would give pause for further adventures and aggression.

Now, what is the situation? The French are making a deal with the Communists in Indochina today and we talk about collective security. When the Geneva Conference is over, your Uncle Sam will be holding the bag, as he did at the end of World War II and Korea.

Mr. Chairman, I repeat that the issue raised by this so-called Coudert amendment is one that involves the critical situation in Indochina. It is foolhardy for us to say that we may be compelled to fight alone there if the French will not fight on and if other nations are not willing to act. Is it in our national interest to carry that burden alone?

I submit that if the rest of the free world will not join in meeting the issues presented by Indochina, then the United States cannot alone undertake to stop communism in that area.

No one will deny, Mr. Chairman, that Indochina is a symbol at this time. So it is important to us and to the rest of the free world, but the price of our involvement, even with the strongest of alliances, must be seriously weighed. Our involvement, as the President has already said, risks tragedy; yes, the tragedy of billions of dollars, millions of lives, and possible defeat.

While we must admit that we do have a stake in Indochina of great interest, we must constantly remember the necessity of preserving our own strength. It must not be dissipated in the swamps and jungles of Indochina.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, this amendment in essence has been before the Congress for more than 3 years. I have had a similar resolution that has been dropped into the hopper and has been before the Congress since a year ago last January. This is not anything new. But under the situation that we face, this is the only way we can get this thing considered on the floor of the House. I say that it should not be here as a rider on this appropriation bill, I say that I do not believe it should be, but this is the only way we can get it considered and have a vote on this thing. Therefore it was brought before you in this form.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, there is yet another critical defect in this amendment and I would like to state it in a very considered way.

This is in effect an amendment to have big atomic and hydrogen mass wars, not just brush-fire engagements if need be. It says that any time we may consider it in our essential national security interest to repel aggression in some place or to have our troops defend themselves against an armed attack, the Congress has got to declare war.

This is an idea of the very same progeny as of those who did not like our defending against aggression in Korea yet who wanted us to bomb Peiping and Moscow which would have gotten us into a much bigger war.

The very flexibility which the Constitution gave us, where the President is the Commander in Chief, and only the Congress can declare war, carried out under the terms, intent, and spirit of our Constitution, has been our safeguard during the whole history of our country. This amendment would destroy that very balance which has worked for all these generations, and the real end of this amendment would be that every time Congress is called upon to declare war, to put out a brush fire, then sure as shooting the first time that occurs, atomic or hydrogen war will come, which is just exactly what we do not want.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, if called upon to vote today, with the information and evidence available to me, I could not support a move to send our troops into armed conflict in Indochina or anywhere else in the world. Yet that does not mean that I favor this amendment presented by the gentleman from New York [Mr. COUDERT]. Indeed, I am emphatically opposed to this amendment. However it may be motivated by its sponsor, whose high purpose and good faith I in no way impugn, it is dangerous in the extreme because of its effect both upon our friends and our potential enemies, most seriously the latter.

The men in the Kremlin look to us for any sign of weakness or division. This amendment, plausible as it may be on its face, will be construed as a sign of weakness, not of strength. The proposal is far more likely to lead toward war than away from war.

It is bound to be interpreted in the first place as an indication of a lack of confidence on the part of this Congress in our Chief Executive. President Eisenhower has said time and time again that he would not commit our troops to war without first obtaining congressional approval. I believe him, but what is far more important, I want the world to know that I believe him. I want the world to know that the executive and legislative branches of our great Government stand as one, that there is an unlimited mutual confidence, each in the other, in determination to meet unitedly any challenge or attack.

Adoption of this amendment would be construed as a formal declaration by the people's representatives that they are unsympathetic with the effort to resist by the united action of the free nations Communist aggression which threatens our national security. Certainly it would be the height of folly to inform any potential enemy in advance that we will not at all or will be slow to repel his attacks. Such an attitude, with the unscrupulous

forces unleashed in the world today, is the sure road to war, not peace.

The passage of this amendment would be a devastating blow to our negotiators now meeting in Geneva, attempting to handle most delicate and intricate problems. As responsible legislators, we have no right thus to torpedo their efforts.

There are fatal defects in the language of the amendment. The concessions offered by the gentleman from New York indicate his recognition of the deficiencies inherent in its language. For that reason alone, it should of course be defeated. But my basic objections go deeper than that. It is tragically illtimed, ill-advised, and highly dangerous. It should be decisively defeated.

Mr. CONDON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONDON. Mr. Chairman, I rise to support the amendment of the gentleman from New York [Mr. COUDERT].

I think I recognize as well as any Member of this body the extremely delicate situation which our country faces in its relations with other nations throughout the world. I know that the Geneva Conference is now going on. I know that there may be some hope of reaching an agreement at this Conference which will lessen the terrific tensions now existing throughout the globe.

I feel, however, in view of the recent statement made by a responsible member of the administration, the Vice President, that American troops may be involved in Indochina; this is, in itself, a sufficient warrant to pass the Coudert amendment. Obviously the Vice President was not speaking carelessly or without sanction from the administration. He is a member of the National Security Council and is fully privy to all our military plans and calculations. I, for one, will not allow the President, without protest, to have the untrammeled right to plunge us into war. The duty to declare war is lodged by the Constitution in the Congress. As I read this amendment, it merely confirms that which the Constitution attempted to insure.

I know there is great apprehension among the people of my district that we may somehow be pushed into the hopeless morass of Indochina. This apprehension goes still further; that if this step is taken, we may quickly become involved in the all-out horror of world war III. Even if those terrible devices of destruction, the atom and hydrogen bombs, are not used, world war III would undoubtedly mean our destruction. I am firmly convinced that before we skirt on the edges of world war III, the combined judgment of the men and women in the Congress of the United States should, and must, be consulted.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I want to thank my colleague, the gentleman from New York [Mr. COUDERT] for offering this amendment because it gives me an opportunity to register an emphatic protest which I would not otherwise be able to do.

For the 10 years that I have been a Member of this House of Representatives I have consistently voted against appropriations for the Armed Services because of the policy of segregation carried forward by our Armed Forces. I am extremely pleased, therefore, to stand here today and to announce with a clear conscience that I can vote for appropriations for the Defense Department of our Nation. In stating this I know I am stating the feelings of not only the 15 million peoples of my race, the Negro race, but also the scores of millions of right-thinking Americans who know that you cannot have a first-class army of democracy as long as any portion of it is composed of second-class citizens. Today, there is not a single segregated arm of our Defense Department. The last segregated unit in the Army was abolished within the past few days. On February 24, I presented charges to the Secretary of Defense, Mr. Wilson, that Negroes were rigidly "Jim Crow'ed," segregated, and discriminated against at the United States Military Academy at West Point, N. Y., where there was an all-Negro cadet mess detachment serving as waiters and dishwashers for the cadets. I want to congratulate Mr. Wilson and Mr. Stevens, the Secretary of the Army, for immediate reply and prompt action and I would like to read the letter dated April 9, 1954, from Mr. T. A. Young, Mr. Stevens' special assistant.

DEPARTMENT OF THE ARMY,
OFFICE OF THE SECRETARY OF THE ARMY,
Washington D. C., April 9, 1954.

HON. ADAM CLAYTON POWELL, Jr.,
House of Representatives.

DEAR MR. POWELL: I am replying to your letter of March 31 concerning further developments of the integration in the mess detachment of the 1802d Special Regiment of the United States Military Academy at West Point.

As you were previously advised, the Department is taking necessary steps to achieve a degree of integration in the mess detachment of the 1802d Special Regiment comparable to that attained in other Army units by replacement of a sufficient number of Negro soldiers presently assigned to the unit, with Caucasian personnel. As it was necessary to place a levy against the Continental Army Commands to obtain the required personnel, it is anticipated that a reasonable period of time will elapse before this integration is completed. On March 24, 1954, instructions were issued to the Commanding Generals of the First and Second Armies to procure approximately 40 individuals for assignment as replacements in the mess detachment at the Military Academy as the initial step in attaining the degree of integration desired. Individuals so assigned are to be volunteers. Upon receipt of your most recent communication, an inquiry was made to these field commanders to determine the status of the request for personnel. It was learned that they, in turn, had issued instructions to their various installations and unit commanders directing the procurement of the desired personnel.

A report at this time concerning the procurement of the desired personnel would be incomplete inasmuch as sufficient time has not yet elapsed between the date of the Department of the Army instructions to the field commanders and the date of this letter. I feel sure, however, that by no later than the end of this month, I will be in a position to furnish you with a more comprehensive report and perhaps will be able to advise you that some of the required personnel have reported for duty with the mess detachment of the 1802d Special Regiment. You may expect a further report at that time.

With regard to your acceptance of my invitation to visit West Point, I have asked that the Office of the Chief of Legislative Liaison, Department of the Army, contact your office to work out details regarding the date of your visit and your transportation.

In the interim, I trust the information I have been able to furnish, although not conclusive, will assist you in keeping abreast of the situation as it develops.

With highest personal regards, I am

Sincerely yours,

T. A. YOUNG,
Special Assistant to the Secretary of the Army.

However, I do want to register a protest against the sending of any of our fighting men to Indochina or any portion of Southeast Asia as long as present conditions continue to exist. The Coudert motion allows me this opportunity. If we send United States forces to Indochina, we will be sending them there not so much to stop communism but to preserve French colonialism. I stated this in my last Sunday morning's serman and was happy to read in the Monday newspapers a similar statement by the Ambassador from Burma to the United States. I was very happy to learn this afternoon that negotiations prompted by the United States are being concluded between France and the three independent states of Indochina to give them autonomy but I am withholding all comment until I hear what the peoples of those countries have to say themselves. When the native people of Indochina, through their own representatives, state that they are satisfied with the agreement presented to them by the French Government then and only then do I believe that the United States Armed Forces should be used. Further, the United States Armed Forces must never be used in any such conflict unless they are a part of the United Nations forces.

To send 1 single soldier, 1 single bullet, 1 single plane to Indochina would be a complete reversal of every concept and precept of our Founding Fathers. It would destroy all progress of democracy, both as a principle and as a practice.

Yes; communism must be defeated, but it must not be defeated by colonialism. It must be defeated by free men. I therefore support the Coudert amendment as a protest against sending American troops to preserve colonialism with the hope that with its passage, we here in the House will be able in future days to vote against any combat, whether war or police action, which will not further the concepts of democracy but will only preserve the status quo of yesterday's world of imperialism.

(By unanimous consent, Mr. PRICE, Mr. GREEN, and Mr. BYRNE of Pennsylvania were given permission to yield the time allotted them to Mr. DODD.)

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. DODD].

Mr. DODD. Mr. Chairman, I am very grateful for these generous offers of time. I will not take all of it, because what I have to say will not take anywhere near that amount of time.

Mr. Chairman, I would like to make 1 or 2 observations. Some people around here ought to have some sense of time and of the propriety of things. I think this amendment may have great merit as a matter of constitutional law, but it should be offered at another time. It seems to me that in the position in which we find ourselves at this hour, with Mr. Dulles in Geneva, with the explosive Indochina situation as it is, we have no business passing an amendment of this nature. I do not like arguments about great faith in individuals. I like the President, and I have confidence in him. But if there is a good question here of constitutional law we should at the right time consider it as a question of law and not of men. If the Members really feel deeply about it, there will be a right and a better time to discuss it, but my point is that this is a poor time and I feel we ought to turn it down now. I think we ought to tell the rest of the world that we are standing behind Mr. Dulles and we are standing behind the President of the United States, and that there is not the division in this country that some people would like to believe there is. If we do this we will all be better off.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent to yield the time allotted me to Mr. JUDD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, if passing this amendment would keep us out of war, every single person would be for it. But we have to examine what the actual, practical effects would be. In fact, it would weaken our position in the world and strengthen the enemy's and thereby encourage him to take further aggressive steps which would increase, not decrease, the danger of war. One day we would have to resist in order to stay free. That is why the amendment is mischievous. And to introduce it at this particular time makes it even more mischievous. As the gentleman from Connecticut [Mr. DODD] has so well said, this moment is of all times the worst to be enacting such an amendment. Passing it could do no good in preventing war and might do a lot of harm in encouraging action by the enemy which would lead to war.

We are standing at one of the watersheds of history. A crucial conference has just opened at Geneva. The Communists are united; the free nations are already too divided and wavering. For the Congress of the United States at this juncture to give anyone the impression, however unjustified, that we do not stand unitedly and firmly behind the efforts of our Government's representatives at Geneva to mobilize peoples throughout the world to get together against that which is a threat to the security of us all—if we were to do that, we might just as well call those representatives home and surrender the rest of Asia first as last. That, indeed, would lead to war.

I wonder why we so often imagine we can get peace by handcuffing ourselves. We do not tie the hands of the enemy; we just tie our own hands and imagine it will help to keep us out of war to announce officially what we will not do, so the enemy will be tempted to do the very things that you and I know we would then resist by war.

What is this resolution designed to do? I am sure its author hoped to do two things—one, to reduce the dangers of American involvement in war, and, two, reassure our people that the President is not going to get us into war without the authority of Congress, and that we, the people's representatives, are going to see that we carry out our constitutional responsibility in this all-important matter.

But let us look at the practical effect. If the amendment is passed, it makes more likely the war that it is designed to prevent, because it weakens our side and strengthens the enemy's side. It is completely self-defeating. On the other hand, if the amendment is defeated—and we have no choice but to defeat it, since it has been introduced—it may disturb some of our own people by seeming to indicate that Congress is abdicating its powers and turning them over to the President carte blanche to take us into war. That is why the amendment is so mischievous. There is no way you can vote on this that does not make trouble for our country. That is why it should not have been introduced.

But, inasmuch as it is here at a moment when we face a shrewd and calculating mortal enemy, dedicated to our destruction, it seems to me the more we do not want war the more we must vote against this amendment. To pass it would be to tell the enemy, "Go ahead in Asia or elsewhere. America is uncertain and divided." That could lead the enemy to try even more aggressive acts which one day, since they would inevitably involve American security or even personnel, the Congress would vote to resist.

If you do not want war and you do not want American involvement in war, I beg of you not to pass this amendment, which would encourage and strengthen the very forces we are today voting some $29 billion in this bill to resist. To spend all this money in order to increase our capacity to resist, and then to help destroy the will, not only of ourselves but of the one-third of the people of the world who are undivided, watching to see what America is going to do, would produce the opposite effect to that which we want. We will get peace from united strength and resolves, not from resolutions indicating indecision. What the world needs from America is leadership, not arrogant or truculent or chip-on-the-shoulder leadership, but steadfast, firm, consistent, dependable leadership in efforts to unite our people here in America and unite the peoples of free Europe and free Asia, and thereby prevent the war that we all want to avoid.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD immediately following the vote on this amendment and to yield back the balance of my time to the gentleman from New York [Mr. WAINWRIGHT].

The CHAIRMAN. Without objection, the Chair recognizes the gentleman from New York [Mr. WAINWRIGHT] for 3 minutes.

Mr. WAINWRIGHT. Mr. Chairman, this is the second time this year I have spoken on the floor of the House and each time it seems I have followed the distinguished gentleman from Minnesota [Mr. JUDD] and my distinguished colleague from Connecticut [Mr. DODD].

There are only two points I see that I can add to this debate that have not been presented heretofore. The first one is that either the Coudert proposition is unconstitutional on its face, as a violation of the President's powers as Commander in Chief, or it is unnecessary because the Constitution itself already has given the Congress the power to declare war. So why are we adding to it?

The second point I would like to make is that when the Constitution was framed in the late 1700's, 1786, the constitutional framers certainly did not contemplate atomic warfare, thermonuclear warfare, where one man must make the decision, or the Security Council must make the decision, in a minute or 2 minutes, or the decision must have been made beforehand, because we cannot have a congressional debate as to whether we shall send our troops in one direction or another direction.

The final thing, to add to what my friend from Connecticut has said, is that this seems to be most ill-timed, to arrive at the very moment when our Secretary of State is debating with the known enemy, yet we are tying his hands.

I say that the Congress of the United States should reject this amendment and show our Secretary of State where we stand.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, as one who has had some experience in these matters, let me caution you that here you are dealing with questions relating to the balance of power. If you withdraw on our behalf that power to move in one direction or another as occasion demands, you stymie the efforts of the United States for peace.

I caution you to look at the record of 1914, 1915, and 1916, when we proclaimed that we would not go into a foreign war.

I caution you to look at the record of 1939, 1940, and the first part of 1941, similarly. We did not keep out of war because of vain pronouncements in relation to war. In fact, war started because we pronounced that we would not enter a foreign war and hence, we did not become the balance of power for

peace. We threw the balance of power into the hands of the enemies of freedom. Let us not do it again. Let us not adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, it would be a very disastrous thing, in my opinion, to adopt this amendment at this time. It could only indicate an uncertainty or a weakness here at home at a time when our leaders need to be given as free a hand as possible.

As pointed out by the gentleman from Ohio [Mr. VORYS], every time we have said we were not going to send our boys abroad to fight, usually it turned out the other way.

This is no time for vacillation. We do not know what would happen under this amendment if an attack were made on Formosa, if our ships were fired on at sea.

One thing we have gained over the last few months is to obtain the initiative in this cold-war situation. It would be disastrous if any indication went abroad from this Chamber today that there is vacillation on the part of our American people, that there is any doubt of our intent to back up our leaders in this crucial moment in our history.

Mr. RHODES of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Chairman, I am opposed to the Coudert amendment because I think, as others have also said, that it is not practical, it does not make sense and if adopted it would not be in the best interest of the United States. It would give advantage to our enemies and to the master minds of Communist world tyranny.

I am definitely opposed to any action that would involve us with ground troops in the jungle war in Indochina without the cooperation of the United Nations and the full cooperation of the free nations.

I am disturbed that the administration has not kept Congress and the people fully informed about Indochina and the part we are now playing in that conflict. We have technical forces there for the past year and are carrying a major part of the financial burden of the war. Many of us fear that we could be drawn into a full-scale war there without friends or allies.

The remarks of the Vice President a few weeks ago suggesting that we may have to go it alone should caution all of us against such a policy which I believe would be unwise and perhaps disastrous.

However, I cannot accept the theory that the proposed amendment will be a safeguard in keeping us out of war. It could have the opposite effect after the potential enemy has gained many advantages and has strengthened his position by gaining ground by numerous aggressive acts and advances on a small scale without danger of involvement in a global war.

It has been said here that commitments and promises to keep the Nation out of war were made in the past but did not prevent our involvement later. We were informed of statements made prior to World War I, World War II, and the Korean conflict—promises not to go to war. We might add to that list of statements and promises made by the gentleman from Ohio [Mr. VORYS], the promise of General Eisenhower and others that we shall not fumble into another Korea. He said our sons would stay on the farms, the students in the schools. We were promised that we would not fall into the Communist trap of being nibbled into little wars all over the world. Despite such wild promises that have been made and forgotten, I will not support an amendment which cannot possibly work and which would, in the long run, help only communism and the aggressors.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER] to close debate.

Mr. TABER. Mr. Chairman, to my mind this issue has been pretty well discussed. The amendment that has been offered is very dangerous. In the first place, it would prevent the governor of any State from calling out the militia and using them to quell a riot. In the second place, it would prevent our maintaining our position in Okinawa, Formosa, and Germany. In the third place, it would prevent our forces from replying if they were attacked individually. It is not only bad in that respect, that is, that it is badly drawn, but it will, as those have preceded me said, destroy the power of our representatives abroad. The President of the United States has made it plain on occasion after occasion that he does not intend to lead this Nation into war without a declaration by the Congress. There is no occasion for this amendment and it will cover so many things and embarrass us in so many ways that it is absolutely ridiculous for this Congress to vote for it. Furthermore, it will seriously impair the weight that can be given by other peoples to our representatives abroad who are trying to preserve peace and avoid a war with the Communists.

Mr. Chairman, I do not want myself to have the credit for having voted for something or fail to properly and to my full ability oppose something which I believe is dangerous and points the way toward trouble for the United States. I hope and believe that this Congress will meet its responsibility and at this time vote "no" upon this amendment.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. COUDERT].

The question was taken; and on a division (demanded by Mr. COUDERT) there were—ayes 37, noes 214.

So the amendment was rejected.

Mr. WILSON of California. Mr. Chairman, I take this opportunity to commend the House Subcommittee on Military Appropriations for their elimination and liberalization of many of the restrictive riders that have previously hampered career personnel in one way or another. The elimination of riders that controlled voluntary retirement of Regular officers and promotions of all officers will be well received by the men and women of the services, who have felt the pinch of a progressive series of cutbacks and restrictions over the past 10 years.

The forthright action by this committee is the first major reversal of the unfortunate policy of continued whittling away of recognized benefits. It signifies an awareness to the acute morale problems of the military services today.

Other steps that have been taken in this bill that will be hailed by military people around the world include a liberalization of payment for shipment of household effects, educational benefits, and other privileges.

Additional action will be required of the Congress this session to provide adequate medical treatment of dependents, improvement in housing of military dependents, and a cost-of-living pay increase to bring the military back into line in comparison with other occupations.

We are spending $28 billion on our military machine in this bill. Our military machine is only as good as the men who run it. Facing a crucial period in our national existence, we must have the assurance that the men and women on whom we must rely for protection of our country and its people are qualified, trained, and competent to defend us. With morale at the lowest ebb in recent times, and reenlistment rates the lowest of all times, we must be prepared to act swiftly to retain career military personnel now. This bill goes part of the way. It is up to Congress to find additional means for rebuilding military morale and esprit to its most effective level.

The Clerk read as follows:

SEC. 738. This act may be cited as the "Department of Defense Appropriation Act, 1955."

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

I have a letter from Gen. William Henry Harrison, Jr., adjutant general of the Massachusetts National Guard. I have conferred with members of the committee. Representatives of the National Guard Association appeared before the subcommittee and asked for an increase over the budget. Would the gentleman make an explanation for the record, please?

Mr. FORD. Mr. Chairman, the Army Subcommittee gave the Army-National Guard joint construction program for armories the full amount requested in the budget, namely, $9 million. That is an increase of $900,000 over the amount that appeared in fiscal 1954. The figure that they will have available for obligation in fiscal 1955 totals $18,598,000. That figure of $18,598,000 is made up of the $9 million which the

committee proposed, plus $9,598,000 of previously appropriated funds which will not be obligated on June 30, 1954, and consequently will be available for obligation in fiscal 1955. At the end of fiscal 1955 out of the $18,598,000, the Army National Guard Bureau in the Pentagon does not anticipate that it will obligate $2 million of this fund. In other words, they will obligate only $16,598,000 out of the $18,598,000 that they expect to have available.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HARRIS. Is this money available for the 2 categories which the national association was interested in, 1 item of $15 million and the other $5 million?

Mr. FORD. No. The total amount, $15 million, is for 3 parts of the Reserve forces construction program. Nine million dollars is for the joint State and Federal Government armory construction program. It is the Federal portion. The States make their own contribution to go with the Federal funds. One million dollars is the nonarmory construction for the National Guard, which is fully Federal financed. Then there is $5 million of the $15 million which is for the Army Reserve armory construction program. We gave the full amount requested by the President for all three portions of the program.

Mr. HARRIS. Is it not true that the national association thought they should have $5 million for the non-Federal program?

Mr. FORD. They came before our committee—representatives from four States—and requested additional funds. They are not Federal officials, but they were State adjutants general, I believe, and they naturally and properly requested more money. Although I think we must treat their requests certainly with high respect, after all, they are speaking like any other interested party, asking more funds for a program in which they happen to be particularly interested. Inasmuch as we gave the full amount the budget requested, more than we gave them last year, and $2 million more than they expect to obligate in fiscal 1955, the committee could not see the justification for more money.

Mr. HARRIS. I thank the gentleman.

Mr. McCORMACK. May I read the minds of the members of the subcommittee when I say they are very favorably disposed toward the National Guard?

Mr. FORD. I think that is very true. We gave them all the money requested for construction; every penny requested for the regular National Guard program, $218,502,000, which is about $8 million more than was given in fiscal 1954.

Mr. McCORMACK. And if, through regular processes, a supplemental budget comes up, the subcommittee would view it favorably?

Mr. FORD. We would.

Mr. HAGEN of California. Mr. Chairman, I move to strike out the last word merely to ask a question which relates to a minor matter. It is in two parts and relates to a provision on page 39, section 717, dealing with commissary operation, if someone on the committee is familiar with it.

Mr. WIGGLESWORTH. I may say to the gentleman that that is the same provision we carried in the bill for the current year.

Mr. HAGEN of California. This language for reimbursement is identical with the previous provision; is that correct?

Mr. WIGGLESWORTH. It is identical language.

Mr. HAGEN of California. And the language establishing criteria for operation in the United States; it would be the same as it was last year; is that correct?

Mr. WIGGLESWORTH. That is correct.

Mr. PELLY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, during the reading of the Defense appropriations bill, when the clerk came to pages 17 and 18, as the members of the committee will remember, he read so fast that he passed over the paragraphs on construction of ships at the bottom of page 17 and the one on shipbuilding and conversion on the top of page 18 before I was recognized, although I was on my feet. Therefore, I have waited until this time to seek recognition to compliment the committee on these particular provisions for construction and conversion of ships.

The policy of the Department of the Navy, as I understand it, was to decommission a great many older combat ships, to put them in mothballs, and to place them in readiness should their services be required in the future. Meanwhile, the funds that would be needed to maintain those older vessels were to go into construction of modern vessels and in particular a fourth *Forrestal* class carrier.

I wish to commend the committee on their recognition of the wisdom of this policy through reporting out the appropriation bill, which provides the funds for this program.

The gentleman from Washington [Mr. TOLLEFSON], during the reading of the earlier section of the bill, mentioned the need of private merchant ships as an adjunct to defense. The Department of the Navy has been in the position of maintaining public and private shipyards for defense and, since we have little or no private merchant ships being built, the Navy has sought to allocate naval construction and repair to private and public yards and, of course, this has been spreading the butter on the bread pretty thin. There just was not enough work to sustain all our shipyards that are necessary for mobilization. In this connection, I think that the Bureau of Ships has been doing an excellent job. However, I think the members of this committee should recognize that the bulk of ship construction has been going to eastern shipyards. I do not criticize the Navy for this and I realize, of course, that any provision in an appropriation bill which would direct where ships should be built would be ruled out on a point of order.

Nevertheless, I think that Congress should recognize that the new *Forrestal* carriers cannot go through the Panama Canal. I feel that the members of the appropriate committees of Congress, particularly the Armed Services Committee, should bear in mind that on the west coast there must be the necessary skills and facilities to construct modern combat vessels. Moreover, we should disperse on a geographical basis in case of enemy air attack. Accordingly, in complimenting the appropriations committee, I, at the same time, want to urge that every possible consideration be given to allocating naval construction to the Pacific coast. The last figure that I saw was that 28.9 percent of naval construction was on the west coast as against 51.3 percent on the east coast, the balance being on the Great Lakes and the gulf coast. Since then, substantial contracts have been given to yards in these two latter areas. In conclusion, I urge that full consideration be given to allocating the fourth *Forrestal* class carrier for construction on the west coast.

Mr. WIGGLESWORTH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MCCULLOCH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8873) making appropriations for the Department of Defense and related independent agency for the fiscal year ending June 30, 1955, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. WIGGLESWORTH. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WHEELER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WHEELER. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WHEELER moves to recommit the bill to the Committee on Appropriations with instructions to add section 738:

"SEC. 738. None of the funds appropriated by this act shall be available for defraying any of the expenses of maintaining uniformed personnel of the United States in armed conflict anywhere in the world: *Provided*, That this prohibition shall not be applicable with respect to armed conflict pursuant to a declaration of war or other express authorization by Congress or with respect to armed conflict occasioned by an attack on the United States, its Territories, or possessions, or an attack on any nation with whom the United States has a mutual defense or security treaty."

Mr. WIGGLESWORTH. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. WHEELER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. WIGGLESWORTH and Mr. MAHON demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 378, nays 0, not voting 57, as follows:

[Roll No. 58]

YEAS—378

Abbitt	Brooks, Tex.	Derounian
Abernethy	Brown, Ga.	Devereux
Adair	Brown, Ohio	D'Ewart
Addonizio	Brownson	Dies
Albert	Broyhill	Dodd
Alexander	Buchanan	Dolliver
Allen, Calif.	Budge	Dondero
Allen, Ill.	Burdick	Donohue
Andersen, H. Carl	Burleson	Donovan
	Busbey	Dorn, N. Y.
Andresen, August H.	Bush	Dorn, S. C.
	Byrd	Dowdy
Andrews	Byrne, Pa.	Durham
Angell	Byrnes, Wis.	Eberharter
Arends	Campbell	Edmondson
Ashmore	Canfield	Elliott
Aspinall	Cannon	Ellsworth
Auchincloss	Carnahan	Evins
Ayres	Carrigg	Fallon
Baker	Cederberg	Feighan
Barden	Celler	Fenton
Barrett	Chenoweth	Fernandes
Bates	Chiperfield	Fine
Beamer	Chudoff	Fino
Becker	Church	Fisher
Belcher	Clevenger	Fogarty
Bennett, Fla.	Cole, Mo.	Forand
Bennett, Mich.	Colmer	Ford
Bentley	Condon	Forrester
Bentsen	Cooley	Fountain
Berry	Coon	Frazier
Betts	Cooper	Frelinghuysen
Bishop	Corbett	Friedel
Blatnik	Cotton	Fulton
Boggs	Coudert	Gamble
Boland	Cretella	Garmatz
Bolling	Crumpacker	Gary
Bolton, Frances P.	Cunningham	Gathings
	Curtis, Mass.	Gavin
Bolton, Oliver P.	Curtis, Mo.	Gentry
	Dague	George
Bonin	Davis, Ga.	Golden
Bonner	Davis, Tenn.	Goodwin
Bosch	Davis, Wis.	Gordon
Bow	Dawson, Ill.	Granahan
Bowler	Dawson, Utah	Grant
Bramblett	Deane	Green
Bray	Delaney	Gregory
Brooks, La.	Dempsey	Gross
Gubser	McConnell	Robsion, Ky.
Gwinn	McCormack	Rodino
Hagen, Calif.	McCulloch	Rogers, Colo.
Hagen, Minn.	McDonough	Rogers, Fla.
Hale	McGregor	Rogers, Mass.
Halleck	McIntire	Rogers, Tex.
Hand	McMillan	Roosevelt
Harden	McVey	Sadlak
Hardy	Machrowicz	St. George
Harris	Mack, Ill.	Schenck
Harrison, Nebr.	Mack, Wash.	Scherer
Harrison, Wyo.	Madden	Scrivner
Harvey	Magnuson	Scudder
Hays, Ark.	Mahon	Secrest
Hays, Ohio	Mailliard	Seely-Brown
Hébert	Marshall	Selden
Heller	Mason	Shafer
Hesselton	Matthews	Sheehan
Hess	Meader	Shelley
Hiestand	Merrow	Sheppard
Hill	Metcalf	Short
Hillelson	Miller, Calif.	Shuford
Hillings	Miller, Kans.	Sikes
Hinshaw	Miller, Md.	Simpson, Ill.
Hoeven	Miller, Nebr.	Simpson, Pa.
Hoffman, Ill.	Miller, N. Y.	Small
Hoffman, Mich.	Mills	Smith, Kans.
Holifield	Morano	Smith, Miss.
Holmes	Morgan	Smith, Va.
Holt	Moss	Smith, Wis.
Holtzman	Moulder	Spence
Hope	Multer	Springer
Horan	Mumma	Staggers
Hosmer	Natcher	Stauffer
Hruska	Neal	Steed
Hunter	Nelson	Stringfellow
Hyde	Nicholson	Sullivan
Ikard	Norrell	Taber
Jackson	Oakman	Taylor
James	O'Brien, Ill.	Teague
Jarman	O'Brien, Mich.	Thomas
Javits	O'Brien, N. Y.	Thompson, La.
Jensen	O'Hara, Ill.	Thompson, Tex.
Johnson, Calif.	O'Hara, Minn.	Thornberry
Johnson, Wis.	O'Neill	Tollefson
Jonas, Ill.	Osmers	Trimble
Jonas, N. C.	Ostertag	Tuck
Jones, Ala.	Passman	Utt
Jones, Mo.	Patman	Van Pelt
Jones, N. C.	Patten	Van Zandt
Judd	Pattersen	Vinson
Karsten, Mo.	Pelly	Vorys
Kean	Perkins	Vursell
Kearns	Pfost	Wainwright
Keating	Philbin	Wampler
Kee	Phillips	Warburton
Kelley, Pa.	Pillion	Watts
Kelly, N. Y.	Poage	Wharton
Keogh	Poff	Wheeler
Kilburn	Polk	Whitten
Kilday	Powell	Wickersham
King, Pa.	Preston	Widnall
Kirwan	Price	Wigglesworth
Kluczynski	Priest	Williams, Miss.
Knox	Prouty	Williams, N. J.
Krueger	Rabaut	Williams, N. Y.
Laird	Ray	Willis
Landrum	Rayburn	Wilson, Calif.
Lane	Reams	Wilson, Ind.
Lanham	Reece, Tenn.	Winstead
Latham	Reed, N. Y.	Withrow
LeCompte	Rees, Kans.	Wolcott
Lesinski	Regan	Wolverton
Lipscomb	Rhodes, Ariz.	Yates
Long	Rhodes, Pa.	Young
Lovre	Riehlman	Younger
Lucas	Riley	Zablocki
Lyle	Rivers	
McCarthy	Robeson, Va.	

NOT VOTING—57

Bailey	Harrison, Va.	Rains
Battle	Hart	Reed, Ill.
Bender	Herlong	Richards
Boykin	Howell	Roberts
Buckley	Jenkins	Rooney
Camp	Kearney	Saylor
Carlyle	Kersten, Wis.	Scott
Chatham	King, Calif.	Sieminski
Chelf	Klein	Sutton
Clardy	Lantaff	Talle
Cole, N. Y.	Martin, Iowa	Thompson, Mich.
Crosser	Merrill	
Curtis, Nebr.	Mollohan	Velde
Dingell	Morrison	Walter
Dollinger	Murray	Weichel
Doyle	Norblad	Westland
Engle	O'Konski	Wier
Graham	Pilcher	Wilson, Tex.
Haley	Radwan	Yorty

So the bill was passed.

The Clerk announced the following pairs:

Mr. Clardy with Mr. Rains.

Mr. Kersten of Wisconsin with Mr. King.

Mr. Jenkins with Mr. Engel.

Mr. Martin of Iowa with Mr. Chatham.

Mr. O'Konski with Mr. Pilcher

Mr. Graham with Mr. Camp.

Mr. Reed of Illinois with Mr. Mollohan.

Mr. Cole of New York with Mr. Doyle.

Mr. Bender with Mr. Bailey.

Mr. Kearney with Mr. Dollinger.

Mr. Merrill with Mr. Buckley.

Mr. Norblad with Mr. Herlong.

Mr. Saylor with Mr. Lantaff.

Mr. Curtis of Nebraska with Mr. Haley.

Mr. Radwan with Mr. Harrison of Virginia.

Mr. Scott with Mr. Rooney.

Mr. Talle with Mr. Morrison.

Mr. Weichel with Mr. Klein.

Mr. Westland with Mr. Wilson of Texas.

Mr. Velde with Mr. Crosser.

Mrs. Thompson of Michigan with Mr. Howell.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following resignation from a committee:

APRIL 29, 1954.

The Honorable JOSEPH W. MARTIN, JR.,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on House Administration.

Sincerely yours,

CHARLES A. HALLECK.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The SPEAKER laid before the House the following communication:

APRIL 26, 1954.

Hon. JOSEPH W. MARTIN, JR.,
Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Attached hereto is a letter from the Honorable BRENT SPENCE resigning as a member of the Joint Committee on Defense Production.

Pursuant to the authority vested in me by section 712 (a) of the Defense Production Act of 1950, as amended, I hereby appoint the Honorable WRIGHT PATMAN, a member of the Committee on Banking and Currency of the House of Representatives, as a member of the Joint Committee on Defense Production.

Sincerely,

JESSE P. WOLCOTT,
Chairman.

APRIL 26, 1954.

Hon. JESSE P. WOLCOTT,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: I herewith tender my resignation as a member of the Joint Committee on Defense Production, established by section 712 of the Defense Production Act of

1950, as amended, to be effective as of this date.

Sincerely,

BRENT SPENCE.

ELECTION TO COMMITTEE

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 522) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the standing Committee of the House of Representatives on House Administration: WILL E. NEAL, West Virginia; D. BAILEY MERRILL, Indiana; and GLENARD P. LIPSCOMB, California.

The resolution was agreed to.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On April 9, 1954:

H. J. Res. 461. Joint resolution making an additional appropriation for the Department of Labor for the fiscal year 1954, and for other purposes.

On April 13, 1954:

H. R. 1568. An act to amend section 6 of chapter 786 of the act of June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes" (31 Stat. 323; title 48, sec. 108, U. S. C.); and

H. R. 2747. An act to amend title 17 of the United States Code entitled "Copyrights" with respect to the day for taking action when the last day for taking such action falls on Saturday, Sunday, or a holiday.

On April 15, 1954:

H. R. 962. An act for the relief of Gabrielle Marie Smith (nee Staub);

H. R. 1148. An act for the relief of Antonino Cangialosi (or Anthony Consola);

H. R. 1529. An act to facilitate the development of building materials in Alaska through the removal of volcanic ash from portions of Katmai National Monument, Alaska, and for other purposes;

H. R. 3045. An act for the relief of Nickolas K. Ioannides;

H. R. 4024. An act to change the name of the Appomattox Court House National Historical Monument to the "Appomattox Court House National Historical Park";

H. R. 4056. An act for the relief of Manfred Singer;

H. R. 4707. An act for the relief of Lee Yim Quon;

H. R. 4886. An act for the relief of Ingrid Birgitta Maria Colwell (nee Friberg);

H. R. 4984. An act to remove certain limitations upon the sale or conveyance of land heretofore conveyed to the city of Miles City, Mont., by the United States;

H. R. 5085. An act for the relief of Mrs. Marie Tcherepnin; and

H. R. 6434. An act to amend sections 401 and 701 of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the establishment of food standards.

On April 17, 1954:

H. R. 889. An act for the relief of Scarlett Scoggin;

H. R. 2351. An act for the relief of Sam Rosenblat;

H. R. 2441. An act for the relief of Husnu Ataullah Berker;

H. R. 3306. An act to provide for the relief of certain reclamation homestead entrymen;

H. R. 3961. An act for the relief of Margherita Di Meo;

H. R. 4738. An act for the relief of Gabriel Hittrich;

H. R. 5529. An act to preserve within Manassas National Battlefield Park, Va., the most important historic properties relating to the Battles of Manassas, and for other purposes; and

H. J. Res. 238. Joint resolution granting the status of permanent residence to certain aliens.

On April 22, 1954:

H. R. 6025. An act to authorize the Secretary of the Army to grant a license to the Leahi Hospital, a nonprofit institution, to use certain United States property in the city and county of Honolulu, T. H.;

H. R. 7110. An act to provide that title to school lands shall vest in the States under the act of January 25, 1927, notwithstanding any Federal leases which may be outstanding on such lands at the time they are surveyed; and

H. R. 7380. An act to authorize the Secretary of Commerce to reconvey certain property which the city of Boulder, Colo., donated to the Secretary of Commerce for the establishment of a radio propagation laboratory.

On April 27, 1954:

H. R. 6436. An act to amend the Communications Act of 1934, as amended.

On April 29, 1954:

H. R. 8539. An act to extend the period of election under the Uniformed Services Contingency Option Act of 1953 for certain members of the uniformed services.

THE RIGHT HONORABLE VINCENT MASSEY, GOVERNOR GENERAL OF CANADA

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Tuesday, May 4, 1954, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in a joint meeting the Right Honorable Vincent Massey, Governor General of Canada.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, as I guess most of us know, on Tuesday next there are primary elections in the States of Alabama, Florida, Indiana, New Mexico, and Ohio, so in keeping with our practice we are arranging the program to suit the convenience of Members from those States.

On Monday we will call the Consent Calendar. There are not very many bills on the calendar, but I think we had better get back on schedule on both the Consent and Private Calendars.

Then there are two bills on which rules were granted some time ago, and which have been scheduled several times, and which should be disposed of. One of them is Senate bill 984 having to do with judicial review of certain tax-court decisions and H. R. 2550 having to do with the extradition of fugitives. It is our purpose to call up the rules and consider those measures starting on Monday after the call of the Consent Calendar.

On Tuesday, we will have the joint meeting which will be at 12:30 p. m. for which unanimous consent has just been granted.

We will call the Private Calendar and then we will continue with the bill to which I have just referred.

On Wednesday, we expect to call up Senate bill 2150 having to do with the construction of the St. Lawrence seaway. It is expected that general debate can be concluded on that day. I think there are 4 hours general debate and we certainly hope the general debate can be concluded on Wednesday and have the first section read so that on Thursday, and I want to say at this time we hope that we can come in at 11 o'clock on Thursday, we would take the bill up for amendment under the 5-minute rule and consider the bill to final passage. As I say, I hope on Thursday we can do that because a great many of our Members have made arrangements to make the annual outing and inspection trip to New York City on Friday, May 7.

S. 2150

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 523, Rept. No. 1549), which was referred to the House Calendar and ordered to be printed.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the Saint Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXCHANGE OF PERSONS PROGRAMS IN KOREA AND JAPAN

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, on April 14, I made a speech on the floor of the House regarding the future of the international leader and student exchange program—CONGRESSIONAL RECORD, pages 5142–5143.

Mr. Speaker, in view of the inquiries I have received in response to this speech and the timeliness of the subject, I am including as an integral part of my remarks, today, a carefully prepared statement on the leader and educational exchange programs in Japan and Korea. This statement has been approved informally by a majority of the members of the International Operations Subcommittee, House Government Operations Committee. It will form the basis of the exchange of persons sections of the forthcoming reports of the subcommittee as a part of its recent survey of Government programs in Japan and Korea. I hope and believe that the release of this information at this time will assist Members of the Congress and interested citizens throughout the country who are now giving active consideration to the future of these programs.

In connection with extensive studies made by the International Operations Subcommittee of United States operations in Korea and in Japan, specific inquiries were made into the exchange of persons programs in Korea. Because there appears to be a need for immediate consideration by the Congress of obstacles which hamper the execution of the exchange of persons programs, the subcommittee believes that this portion of its studies in the Far East should be issued at this time.

EXCHANGE OF PERSONS PROGRAMS

Since 1950, American objectives in Korea have centered on security from external aggression arising out of Communist Asia, and economic relief, reconstruction, and rehabilitation. Before 1950, considerable attention was given to the fostering of institutions, attitudes, and practices which are the bone and sinew of a free democratic society. Provided the threat of a renewal of hostilities does not increase, it is to be expected that efforts along these lines will now be resumed. Along with the Philippines and possibly Japan, Korea appears destined to be a showcase in which Asian peoples will seek to discover what American ideas and principles mean when applied in an oriental setting.

One of the most effective tools in the American kit for fostering Korean understanding and expertise in the practical side of operating a free democratic system is the exchange of persons programs. The Foreign Operations Administration—FOA—and the United Nations Korean Reconstruction Agency—UNKRA—are now developing exchange programs of the technical assistance type. Alongside of these there is an important role to be played by the educational and leader exchange programs under the Smith-Mundt and Fulbright Acts. These programs are especially acceptable to Koreans because of their binational character and the direct American-Korean professional contacts they provide. Because they are directed to Korean opinion leaders in various fields, they have considerable long-run impact.

Up till the present time, however, only a small Smith-Mundt leader-type program has been in operation. The attached table provides a breakdown of this program through 1955 fiscal year as projected in the President's budget request:

Educational exchange with Korea under Smith-Mundt Act (Public Law 402)—Current and projected programs

	1953 (actual)		1954 (allocated)		1955 (planned)	
	Grants	Cost	Grants	Cost	Grants	Cost
I. 3-YEAR SUMMARY						
Americans to Korea:						
Lecturers, research specialists			4	$40,480	4	$40,480
Teachers			2	15,240	2	15,240
Students						
Specialists	5	$44,380	4	21,920	4	21,920
Subtotal	5	44,380	10	77,640	10	77,640
Koreans to the United States:						
Lecturers, research specialists	12	53,640	1	4,470		
Teachers			3	10,530	2	7,020
Students			9	38,430	9	38,430
Specialists			3	9,570	5	15,950
Leaders	14	43,400	5	15,950	10	31,900
Subtotal	26	97,040	21	78,950	26	93,300
Total	31	141,420	31	156,590	36	170,940

Unusual delays have beset the activation of a Fulbright foreign-currency program in Korea. Pursuant to the Surplus Property Settlement Agreement of 1948, the hwan equivalent of $4 million, out of the $25,000,000 accruing to the United States in settlement for surplus United States property transferred to the Korean Government, was earmarked to finance "such educational programs as may be mutually agreed upon by the two Governments." In April 1950 an executive agreement—Treaties and Other International Acts, series 2059—between the two Governments, pursuant to Public Law 584, 79th Congress—the Fulbright Act—provided definitely that up to $2 million of this Korean currency account would be made available for educational-exchange purposes. This agreement further stipulated that no more than $400,000 in hwan equivalent would be spent in any 1 year. It also provided that the Secretary of State will make available for expenditure, as authorized by a binational commission set up under the agreement, Korean currency available under the program "in such amounts as may be required for the purposes of the agreement." All such expenditures by the commission, however, were to be made "pursuant to an annual budget to be approved by the Secretary of State." The Fulbright agreement further provided that—

The Government of the United States of America and the Government of the Republic of Korea shall make every effort to facilitate the exchange-of-persons programs authorized in this agreement and to resolve problems which may arise in the operations thereof.

The outbreak of war in 1950 created conditions unfavorable to the activation of a program under the United States-Korean agreement of 1950. Various other circumstances have resulted in the agreement remaining inactive until the present. For the fiscal year 1955 the State Department first proposed a program of $400,000 equivalent, and later reduced the proposed expenditure to $200,000 in view of the stress on budget economies. However, even this was eliminated in the President's budget as a result of a decision reached in or through the Bureau of the Budget that the worldwide program of educational exchanges could not exceed the appropriation for 1954. This was $15 million in round figures. This decision, in effect, eliminated funds required by the Department of State to acquire from the Treasury foreign currency for the activation of the Fulbright program in Korea. Since there had been no Korean program in 1954, any amount allotted in 1955 to Korea would have the effect of reducing programs in other countries or reducing the Smith-Mundt program, which is financed primarily by dollar expenditures.

It is understood that a similar situation has arisen in other countries, including several Asian countries, where foreign currency educational exchange programs were to be stepped up or activated for the first time. In many countries, in-

cluding Korea and Japan, a large volume of foreign currencies is available, or can be made available, for United States educational exchange programs which cannot be converted into dollars because of the unfavorable foreign exchange position of these countries. Further, the expanded use of these currencies for educational exchange purposes will have no significant effect on internal inflationary conditions. In these instances it appears to be to the clear advantage of the United States to employ these currencies in expanded educational exchange programs.

Many studies and surveys of these programs have been made within the Congress, by presidential advisory commissions, and by nongovernmental groups. The verdicts rendered have been favorable in virtually all instances.

The programs requested for 1955 fiscal year by the Republic of Korea and the American Embassy and given first priority by the Department of State are not included in other U. N. or FOA plans. They include:

(a) Sending United States professors and teacher-trainers to Korea: These educators would be drawn from the fields of political science, philosophy, physical sciences, law, and police.

(b) Assistance in staffing a Korean university: This university would include in its program, first, refresher courses for lawyers, judges, and procurators on elements of a democratic legal system; second, a department of law enforcement and police administration for short courses for law-enforcement officials.

(c) Assistance in establishing and operating American schools in Korea: Under the Fulbright Act, it is possible to designate American schools abroad and to pay the costs of travel and tuition for Korean scholars to attend such institutions. Since the 1955 program as proposed for Korea placed major emphasis on this feature, it would be necessary to, first, review the various Korean institutions to determine which, if any, meet the criteria required, are interested in being assisted and utilized, and have facilities adaptable for expansion; second, assist the Korean institutions so selected by providing American Fulbright professors; third, provide travel and tuition grants to selected Korean scholars from Korean Fulbright funds to attend these American schools in Korea.

(d) Bringing Korean specialists, scholars, and professors to the United States: The Republic of Korea and the United States Embassy desire to send Korean students, scholars, and professors for study and training in the United States. There is also a proposal to send national, prefectural and municipal leaders and specialists to the United States to establish a concept of democratic government and the need for an enlightened citizenry. This would require some Public Law 402 dollars—Smith-Mundt. However, the costs of international travel can be defrayed in considerable part by won currency.

These programs require some dollar support—approximately 20 to 25 percent of the foreign currency cost. Therefore, in order to activate an annual program in Korea involving the expenditure of the won equivalent of $400,000 approximately $100,000 in dollars from the United States Treasury will be required. In other words the American taxpayers are required to put up only one-fifth of the total.

It is believed, therefore, that the Korean educational exchange program should be activated without further delay. It also is believed that budget ceilings should not be applied so as to require that programs in other countries be reduced by the dollar equivalent of the won that is programed for Korea for educational exchange. It is further believed that appropriation requests for this program should indicate clearly, first, how much will be returned to the United States Treasury; and, second, that it is submitted in order to implement the clear intent of an international agreement duly entered into by the United States pursuant to authorizing acts of the Congress. The Supplemental Appropriation Act of 1954, Public Law 207, section 1313, 83d Congress, reaffirmed the authority of the Secretary of State to enter into such agreements.

Last year the President approved a request by the State Department that the Rabaut amendment—section 1415, Public Law 547, 82d Congress—this requires dollar appropriations in order to use foreign credits owed to or owned by the United States—not apply to the use of foreign currencies for international educational exchange which are available for this purpose under international agreements made pursuant to statute. The Hickenlooper subcommittee, the United States Advisory Commission on Educational Exchange, and the President's Board of Foreign Scholarships made similar recommendations. However, it is believed such an exemption for these programs is not needed if the foregoing suggestions are carried out.

COORDINATION AMONG EXCHANGE OF PERSONS PROGRAMS

Exchange of persons programs in Korea are being conducted by UNKRA, by the U. N. Technical Assistance Board, by the Department of State under the International Educational Exchange program, and by the ROK's. The Department of the Army under the CRIK program furnishes some technical assistance to the Koreans. The FOA is planning a large exchange program which will gear technical agencies such as the Department of Agriculture into the operation.

As long as separate United States and international agencies are operating programs in Korea multiple exchange of persons programs are inevitable. The exchange of persons is a technique used in the execution of programs rather than a major program category in its own right. However, regardless of different purposes and different professional and occupational fields serviced by the various exchange programs, coordination is an obvious necessity. It is necessary that each agency have a clear and up-to-date knowledge of programs administered by other agencies, that fields of operation be delineated, that common facilities, standards, procedures, et cetera, be employed where appropriate.

Up to the present, adequate coordination has not been achieved at the Washington end. The exchange of persons clearinghouse operated by the United States Office of Education under contract with the Department of State for the purpose of assembling data on all Government-operated exchanges does not appear to be operating successfully—at least for Korea. In Korea good working relations have been established among all parties concerned, except in some instances with the Korean Government. However, reasonably clear delineations between the types of programs to be operated by the respective agencies have not yet materialized. This is illustrated particularly in the field of education. This problem has not yet been a serious one, however, because of the small scale of programs actually in operation. In view of the enlarged programs envisaged under current plans, however, it is important that corrective steps be taken without delay. At the very least, responsibility should be clearly fixed on one agency—probably the Department of State—to gather, assemble, and disseminate information on exchanges in effect or being planned.

THE EDUCATIONAL EXCHANGE PROGRAM, JAPAN

Testimony concerning this program was received in Japan from Donald Ranard, Chief of the Exchange of Persons Branch. Although in Washington, the International Educational Exchange Service is organizationally separated from the United States Information Service, in Japan as in other parts of the world as a result of Reorganization Plan 8, the Chief of the exchange operation reports to the Public Affairs Officer of USIS. This is no change however from the situation that existed prior to the effective date of Reorganization Plan 8. This apparently is a temporary arrangement. Whether it will be continued is not known by the subcommittee at this time. The subcommittee was advised, however, that in Japan this organizational arrangement is working out satisfactorily. Information received concerning the IES program in Japan was as follows:

BACKGROUND

The Department of the Army initiated an exchange-of-persons program under the occupation. This Army program brought approximately 800 Japanese students and 800 leaders to the United States during the period September 1949 to April 1952.

A program designed to bring Japanese business executives, government officials, political leaders and technicians to the United States was initiated in 1949 under Japanese Government auspices. Approximately 1,500 Japanese have been brought to the United States under this program from 1950–53, inclusive. In 1953 the Department of State assisted in arranging itineraries for 289 such visitors. All program costs other than that required for staff time for planning travel programs is borne by the Japanese Government and commercial firms. Initially the Department of the Army transferred yen credits to the Japanese

Government to finance the program. The assistance provided by the Department during 1953 will be provided by the Japanese Embassy in Washington in 1954 and subsequent years.

The responsibility for administering the educational exchange program with Japan was transferred to the Department of State on July 1, 1952. Close coordination between the Departments of State and Army was maintained during fiscal year 1953, since many of the grants had been issued by the Department of the Army prior to the official transfer of responsibility for program administration. United States Government exchange of person programs are now financed solely through funds allotted under the Fulbright Act—Public Law 584, 79th Congress—and the Smith-Mundt Act—Public Law 402, 80th Congress. The purposes and methods of these two acts are similar in many respects. The Smith-Mundt Act, however, places more emphasis on the promotion of "a better understanding of the United States in other countries" and increasing "mutual understanding between the people," and less on education and research as such, than the Fulbright Act. Also, the Smith-Mundt Act is broader in coverage in that it includes exchanges outside educational and academic institutions in its trainee, specialist, lecturer, and leader program.

The binational executive agreement between the United States and Japan providing for a 5-year program of educational exchanges under the Fulbright Act was signed August 28, 1951, and established a foreign currency allocation of $4,750,000 equivalent to support this program. The terms of the agreement provided a budget of $1 million per annum except for the first year program of $750,000 during the academic year 1952. It is estimated that at the end of the 1954 fiscal year, $1,614,000 in yen equivalent will be available to finance future program.

CURRENT AND FUTURE PROGRAM

The attached table gives a breakdown of the 1953 program, which is now in effect, the 1954 fiscal programs, and the program requested for 1955 fiscal:

Educational exchange with Japan, current and project programs [1]

Americans to Japan	1953 (actual)	1954 (allocated)	1955 (planned)
I. PUBLIC LAW 584 PROGRAM			
Lecturers, research specialists	28	37	37
Teachers	7	12	12
Students (graduate)	19	28	28
Specialists (seminar)		3	10
Subtotal	54	80	87
Japanese to the United States:			
Lecturers, research specialists	47	25	25
Teachers	36	36	36
Students (graduate)	145	150	150
Subtotal	228	211	211
Total	282	291	298

[1] Generally exchanges take place the year following the fiscal year funds from which they are financed.

Educational exchange with Japan, current and project programs—Continued

Americans to Japan	1953 (actual)	1954 (allocated)	1955 (planned)
II. PUBLIC LAW 402 PROGRAM			
United States specialists	9	2	2
Japanese specialists		9	10
Japanese leaders	49	16	36
Total	58	27	48
	1953	1954	1955 (planned)
III. BUDGET COSTS			
Foreign currency (Public Law 584)	$800,000	$900,000	$1,000,000
Public Law 402 dollar support	336,520	339,440	289,240
Total Fulbright program	1,136,520	1,239,440	1,289,240
Public Law 402 program (non-Fulbright)	164,130	103,700	175,100
Total 402/584 program	1,300,650	1,343,140	1,464,340
Total dollars	500,650	443,140	464,340

For the 1953 fiscal year the combined exchange of persons programs included 63 grants to Americans and 277 to Japanese at a cost of approximately $1,300,650, including $800,000 in yen currency equivalent. This is the program in effect during the 1953–54 academic year. These grants were subdivided as follows:

	Americans	Japanese
Leaders and specialists	9	[1] 49
Lecturers and research specialists	26	47
Teachers	7	36
Students	19	145
	63	277

[1] Includes high-status trainees.

The authorized 1954 fiscal year appropriations were approximately the same as for 1953. But in view of the contemplated use of $900,000 in yen equivalent, the dollar amount was less. The number of American grantees was slightly expanded with reduced emphasis on leaders—or specialists—and increased emphasis on lecturers and research scholars. The total number of Japanese grantees was reduced by 15 percent as a result of a 50 percent reduction in the number of leader, specialist, lecturer, and research scholar grants to Japanese. The 1955 appropriation request was slightly higher, but in view of the contemplated use of $1 million in yen currency, the dollar costs would remain approximately the same as for 1954 fiscal. Under this request, the number of American grants would increase slightly while the number of Japanese grants would be increased to approximately the 1953 fiscal level.

FINDINGS AND RECOMMENDATIONS

On the basis of its rather limited observations of the United States-Japanese exchange of persons program in operation, the subcommittee received a favorable impression of its operation.

This program is of great potential consequence in checking the unfortunate amount of anti-American sentiment in Japan, in increasing Japanese understanding of the United States, in winning support for the free world in its strategic opposition to Communist expansionism, and in preserving and supporting the spirit behind some of the occupation era reforms.

It is especially effective with the Japanese because of their interest in and respect for professional and cultural leaders and because it places influential Japanese in direct contact with those aspects of American life we wish Japanese opinion to understand. Furthermore, the Japanese participate in making most of the selections. In this connection, the subcommittee supports the recommendation of the Senate Foreign Relations Committee that "wherever practicable the binational commissions abroad functioning as part of the Fulbright program shall also make selections of educational exchanges under the Smith-Mundt Act"—report on overseas information program of the United States. Report No. 406, 83d Congress, 1st session, June 15, 1953. The subcommittee also suggested that consideration be given to extending the grants of Japanese students in the United States to 2 years in instances where this is appropriate. One year is a short period for a young Japanese to absorb what the United States has to offer.

The cost of this program to the United States taxpayer is running less than one-half a million dollars a year. There has been no economic aid program for Japan since the end of the occupation. In 1954 it is planned to allocate to economic support $10 million of the yen proceeds from the sale of surplus agricultural commodities. There has been no Government-financed technical assistance program. In the Philippines, for example, there will be five times as many United States Government-financed exchanges in 1954 on a per capita basis. In view of the importance of the contributions which the exchange-of-persons program can make to the achievement of our objectives in Japan, the subcommittee believes it should be expanded.

In the Far East, to a greater degree than in any other geographic region of the world, few exchange visits have occurred except as assisted by United States Government grants. The factors which stimulate citizens of one nation to visit another nation under private resources, such as cultural similarity, proximity, common language, religious affiliation, commercial interdependence, et cetera, are relatively weak between the United States and the Far East. Very few exchange visits have occurred or will occur with nations of the Far East except as stimulated and assisted by the United States Government. The subcommittee received testimony on the fine work of private American organizations such as church groups, Socony-Vacuum, the Crew Foundation, the Rockefeller Foundation, the Bancroft Foundation, and college groups. The subcommittee feels that maximum encouragement should be given to private exchanges.

There is sufficient flexibility in the Smith-Mundt Act to permit it to be used to achieve some of the purposes in the technical assistance field which are

served in other countries by programs under the provisions of Mutual Security and International Development legislation. It can be adjusted to bring substantial numbers of influential Japanese industrialists and leaders in technical fields to the United States. Such adjustment would be in accord with the objectives of this act if grantees were selected on the basis of their opinion-molding potential and if program experiences were designed to emphasize pro-American orientation.

It is to be noted that during the occupation period, on an annual basis, some 500 to 800 Japanese were brought to the United States under the Exchange-of-Persons program of the Department of the Army. In addition, approximately 300 Japanese were annual recipients of grants to the United States under the Japanese Government program, which was financed largely by Department of the Army yen credits.

During the same period, thousands of Americans were in Japan as employees of the Department of the Army. During this period also, numerous projects and programs were initiated to strengthen democratic institutions in the governmental and economic field. Subsequent to the occupation period, however, the scope of exchanges has been reduced suddenly and drastically. In many instances this has eliminated United States followup on worthy occupation programs and has minimized the show of United States interest in many Japanese problems of substantial concern to the United States. This is indicated most forcibly by the following data on the number of visits of Japanese leaders to the United States under United States Government programs:

1951	500
1952	250
1953	49
1954	25

The number of Japanese students brought to the United States annually under the State Department's program has been less than 50 percent of the number previously brought over during the occupation period.

The State Department has given high priority to minor increases in the Japan fiscal year 1955 program but has not asked for the funds necessary to support the Embassy's full request, in view of the fact that under a Budget Bureau ruling the worldwide appropriations request for fiscal year 1955 educational exchange program must not exceed the actual 1954 allocation.

This program in Japan along with the cultural centers probably can be increased, without extra cost to the American taxpayer, by the allocation of Japanese yen to support them under the provisions of the GARIO settlement to be negotiated in April. Under the Rabaut amendment—section 1415, Public Law 547, 82d Congress—dollar appropriations must be obtained for all United States-administered programs even though they actually are financed in whole or in part by foreign currencies. The subcommittee supports the application of the Rabaut amendment to foreign currency exchange programs and, therefore, is not sympathetic with the efforts that have been made to exempt these programs from the requirement that they obtain dollar appropriations.

However, where foreign currencies, not otherwise available to the United States, are, or can be made, available for sound and useful cooperative cultural and exchange programs, the subcommittee urges that they be used. If the facts are clearly presented to the Appropriations Committees of the Congress, there should be no difficulty in securing the appropriation of dollars, which, in fact, either will not be drawn from the Treasury or will be drawn only on a 25-cents-to-the-dollar ratio. Overall budgetary ceilings should not be applied so as to prevent the use of foreign currencies for desirable programs, when those currencies cannot otherwise be obtained or, if obtainable, cannot be used without replacing dollars needed by the foreign country for balance of payments reasons.

Those cultural and exchange programs are, in effect, binational. Therefore, in negotiations such as the GARIO settlement, the foreign government most probably will agree to set aside for them local currency over and beyond what it probably would agree to pay over to the United States for an exclusive United States expenditure—especially to replace a United States expenditure normally met in dollars. In the case of exchange programs and cultural centers, the small amounts involved and the uses for which the expenditures are made, preclude a significant inflationary impact on the local country.

The President's budget requested $1,464,340 for these programs for the 1955 fiscal year—$1 million of which represented available yen credits. This was the Japanese portion of the request of $15 million for the worldwide exchange program—$7,560,166 of which represented available foreign currencies. H. R. 8067 cut this request to $9 million and specified that $7,560,166 of this "shall be used to purchase foreign currencies or credits owed to or owned by the Treasury of the United States." As applied to Japan, this appropriates $1,062,000 of which only $62,000 would represent dollars drawn from the United States Treasury. This would eliminate the Smith-Mundt leader and specialist—dollar—program and necessitate a large reduction in the Fulbright—yen—program since a 1-to-4 ratio of dollars to yen is estimated to be the lowest that is feasible.

In effect, H. R. 8067 would cut the undersized 1954 program of $1,343,140 more than 50 percent. The subcommittee would regard any such action as dangerous in national security terms.

Before the passage of H. R. 8067, the State Department was preparing a supplemental appropriation request which would permit a 20-percent increase in the 1955 Japanese exchange of persons program as compared with 1954. On the basis of its survey in Japan, the subcommittee would recommend that this supplemental request, if presented, be approved so far as it applies to Japan.

SPECIAL ORDER GRANTED

Mr. BOW. Mr. Speaker, I have a special order for tonight which I wish to have withdrawn, and now ask unanimous consent that I may address the House for 30 minutes on Monday next, following the legislative program of the day and the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tomorrow night to file a report on the bill H. R. 8357, and that the gentleman from Illinois [Mr. MACK] may have the privilege of filing minority views therewith.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PRICES OF DAIRY PRODUCTS

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous material therewith.

The SPEAKER. Is these objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, some time ago on the floor of this House we had quite a discussion about the position that we were finding ourselves in, in connection with export trade for American farm products. On page 1129 of the hearings on the Department of Agriculture appropriation bill some questions were asked concerning the world price of American farm products. Particularly were we interested in dairy products and we asked some questions about the price of dairy products. We find that the price of dried milk varied, according to the figures furnished by the Department of Agriculture, from 12.8 cents to 8.5 cents per pound. We were interested in finding that on April 22, and I will include the press release with my remarks, that the Commodity Credit Corporation, Department of Agriculture, decided that they were going to dispose of their milk for animal feed for 3½ cents and 4 cents a pound.

Mr. Speaker, in all candor, I ask you what kind of a position is the United States of America in when they refuse to put the prices of American farm products onto the world market at the world price, and charge the taxpayers of this country with the difference between 15 cents a pound, which they are paying, and 3½ cents or 4 cents a pound that they are moving those products for feed for livestock? That does not make sense to me.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
Washington, April 22, 1954.

PART OF CCC DRIED MILK SURPLUSES TO BE SOLD FOR FEED USE

A program under which part of the big surplus of nonfat dried milk solids held by the Commodity Credit Corporation will be sold for a limited period at reduced prices for

use in mixed animal and poultry feeds was announced today by Secretary of Agriculture Ezra Taft Benson.

The stocks of dried milk were acquired by CCC in carrying out mandatory price support operations. As of April 14, the Corporation was holding more than 589 million pounds of dried milk in its inventories.

"This is the fifth specific action since late March in the series of steps we are taking to improve the current dairy situation," Secretary Benson said in commenting on the sale program.

"We are fortunately in position to realize two beneficial results from the program announced today. Supplies of high-protein feed supplements are short, due primarily to the reduced 1953 soybean crop. We can, therefore, move substantial amounts of our dried milk into feed use, relieving the Government of the need to carry some of the burdensome stocks. At the same time we can help stabilize the protein feed-supplement market to the advantage of livestock and poultry farmers. We will be putting some skim milk, for which there is no other current outlet, back into a normal and historic use as livestock feed.

"The feed-sale use will not interfere in any way with our programs to move dried milk stocks for human consumption. We have so much on hand that we can, and will, continue vigorously every effort to secure greatest possible distribution through such outlets as the school lunch program, donations for the relief of needy people both at home and abroad, sales for export, and other special programs. Distribution of CCC stocks of dried milk for human consumption during the past 2 years has totaled nearly 300 million pounds.

"When I outlined the general plans for a broad dairy program on March 29 I said that we were prepared to take a loss on Government surplus stocks of dairy products. The sale of extra surpluses of dried milk at reduced prices for feed use is the sort of constructive program we had in mind."

Actions to improve the dairy situation which have been announced previously include: (1) A promotion campaign to push the consumption of dairy products, especially during June Dairy Month; (2) a nationwide educational program to increase the culling of low-producing dairy cattle; (3) offers to sell CCC stocks of cheese and dried milk for export at prices comparable with the world markets; and (4) a special program to facilitate the use of United States-produced butter and nonfat dried milk solids, for recommendation and sale as fluid milk in friendly countries abroad.

Sales of dried milk for feed use under the program announced today will begin in a few days, as soon as the necessary administrative procedures can be set up in field offices. Through August 31, 1954, CCC stocks of nonfat dried milk solids will be offered for sale for limited use by the domestic feed industry in most States at 3½ cents a pound. In the States of Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington the sales price will be 4 cents a pound. This price differential is in line with the normal freight differentials on shipments of other mixed feed materials to these States. The sales price includes delivery f. o. b. at destination points.

Nonfat dried milk purchased under this sales program must be bought prior to September 1, 1954, must be used in addition to the buyer's normal purchases of dairy products, fermentation byproduct feeds, fish solubles, and riboflavin supplements, and must be incorporated in mixed animal or poultry feeds prior to November 1, 1954.

A sales announcement will be mailed to the feed trade with all necessary details of the program. When sales start they will be made daily through Commodity Stabilization Service commodity offices in Cincinnati, New Orleans, Dallas, Kansas City, Mo., Minneapolis, and Portland, Oreg. The dried milk will grade U. S. Standard or better. Copies of the sales announcement will be available from the CSS commodity offices or from the Livestock and Dairy Division, CSS, USDA, Washington 25, D. C.

On April 14 the USDA had stocks of nonfat dried milk solids amounting to 589.6 million pounds, costing approximately 16.73 cents per pound. Sales and other uses for this product have amounted to 165.9 million pounds for export, 20.3 million pounds for section 32 distribution, 101.3 million pounds for section 416 donation, 6.8 million pounds to the United States Army, and 1.7 million pounds for other disposals. The nonfat dried milk for these uses has come from purchases of over 885 million pounds of the product primarily under the 1952–53 (beginning April 1, 1952) and the 1953–54 (beginning April 1, 1953) dairy price support programs.

Officials of the Department do not believe the sale of CCC-owned dried milk for feed use will seriously affect the market for other feed supplements. The dried milk will be used largely to make up for the current shortage of soybean meal before the new crops come in. It has been estimated that production of soybean meal in the 1953–54 year will be around three-quarters of a million tons below the production a year earlier, and the effects of this reduction will be especially pronounced during the April–September period. However, the Department is considering the development of a program for use in the event that it is advisable to protect the market for other animal protein supplements such as dry and condensed whey and dry buttermilk.

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, April 22, 1954.

QUESTIONS AND ANSWERS ON SALE OF NONFAT DRY MILK SOLIDS FOR USE IN LIVESTOCK AND POULTRY MIXED FEEDS

1. Why the sale of nonfat dry milk at low prices for animal feed use now?

There are two good reasons. One, the Government has extremely large stocks of nonfat dry milk solids that have been piling up despite every effort to move them into various uses. This inventory is now approximately 600 million pounds, or equal to about a year's supply at current consumption. The other reason is the current shortage of high protein supplement for mixed feeds—primarily of soybean meal because of the smaller 1953 soybean crop. Use of Government stocks at this time will relieve the short protein supply situation until the new crops come on next fall. Use of skim milk as livestock feed is a normal and historic use.

2. Why the low price for the nonfat dry milk for this use?

At the price of 4 cents a pound on the West Coast and 3½ cents a pound for the rest of the country, the dry milk is at a price comparable to other vegetable protein feed supplements. If the program is to be practical, the offering price must be at comparable levels.

3. Why not use the nonfat dry milk for human food rather than for animals?

This program will not stop the efforts being made to expand the distribution and use of Government stocks of dry milk for human use, and is in addition to and not a replacement of these other programs. During the past 12 months, vigorous action has found outlets for more than 250 million pounds of Government-owned dry milk for human feeding in this country and abroad. (Over 100 million pounds has been donated to church and other welfare agencies for feeding needy persons abroad. An additional 115 million pounds has been sold at 1 cent per pound to the United Nations International Children's Emergency Fund for feeding children in the hungry areas of the world). But despite these efforts, heavy purchases moved dry milk into Government ownership much faster than outlets could be found. During the past 12 months, purchases amounted to over 660 million pounds, adding nearly 400 million pounds to Government inventories. While soybean feed is short, it is highly practical to develop a program now to move some of these large Government stocks of dry milk.

4. Is this program going to interfere with the sale of other animal protein feeds to the feed industry?

No. Feed manufacturers, to qualify for the purchase of this dry milk, must agree to continue to use the same amount of dairy by-product feeds such as dried, condensed or semi-solid whey, buttermilk and skim milk. They must also continue to use the same quantities of fermentation by-product feeds, such as distillers' solubles and brewers' dried yeast and also fish solubles and riboflavin supplements, during the life of this program as was used in feeds during the same period a year ago. This program was not set up to supplant the use of any proteins; it was established to fill a gap in supplies caused by the smaller 1953 soybean crop.

5. Can the dry milk purchased by feed manufacturers be resold or exported as dry milk?

No. It cannot be exported or resold except in mixed feeds.

6. Will this program continue indefinitely?

No. The program is set up to last only until the new crop comes in. Supplies of high protein feed should then be available in sufficient quantities again. Sales by the Government will be discontinued on August 31, and feed manufacturers must use the dry milk in mixed feeds before November 1, 1954. This will prevent feed manufacturers from accumulating a big inventory of this milk to use later.

7. How does the selling price compare with the cost of the dry milk to the Government?

The selling prices of 3½ and 4 cents per pound compare to an estimated inventory cost of 16.73 cents per pound. However, the recovery to the Government for other disposals of dry milk has been little or nothing. The price established under this program will permit some recovery of Government costs and at the same time relieve the Government of costly and difficult storage problems.

8. Was this program begun because the Government-owned milk is spoiling and the Government wants to unload it?

No. Nearly all of the milk in Government stocks is suitable for food use and the milk being offered for sale is U. S. Standard grade or higher, which is highly suitable for food use. However, there is no prospect that the present large stocks can be used for food use in the next year or two. The dry milk will not remain in top condition indefinitely and this program provides another satisfactory outlet that will help reduce Government inventories. It is important to stop storage costs, which on nonfat dry milk are now running around $400,000 a month. Also, continued large purchases of this commodity are in prospect. Currently, nonfat dry milk is coming into Government ownership at a rate of about 2 million pounds a day.

REORGANIZATION PLAN NO. 1 OF 1954—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 381)

The SPEAKER pro tempore (Mr. CANFIELD) laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers,

without objection, was referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 1 of 1954, prepared in accordance with the Reorganization Act of 1949, as amended.

The reorganization plan establishes a new Government agency, the Foreign Claims Settlement Commission of the United States; transfers to that Commission the functions of the War Claims Commission and of the International Claims Commission of the United States; and abolishes the latter two Commissions.

The Foreign Claims Settlement Commission will be composed of three members appointed by the President by and with the advice and consent of the Senate. The President will designate one of the members as Chairman of the Commission. The Chairman will be responsible for the internal management of the affairs of the Commission. The reorganization plan contains provisions designed to assure smooth administration of functions during the period of transition to the new organization.

The War Claims Commission was created as a temporary agency by the War Claims Act of 1948. The Commission was made responsible for settling certain claims of former United States World War II prisoners of war, civilian internees captured or in hiding to avoid capture in the Philippines, Guam, Wake Island, and the Midway Islands, and certain religious organizations in the Philippines which had aided American forces during the war. In 1952, the Commission was assigned, additionally, the administration of claims of Philippine religious organizations which sustained losses of their educational, medical, and welfare facilities in the war, and of benefits to United States prisoners of war for inhumane treatment during internment by the enemy.

From its inception in 1949 to April 1, 1954, approximately 500,000 claims were filed with the War Claims Commission, and approximately $134 million was paid to claimants. Approximately 96,000 remaining claims are in the process of settlement, and the Commission must complete action on them, together with such appeals as may be filed, by March 31, 1955.

The International Claims Commission was established within the Department of State by the International Claims Settlement Act of 1949. Its immediate function was to adjudicate claims covered by a settlement of $17 million which was deposited with the Government of the United States by the Yugoslav Government primarily to compensate our nationals for losses sustained through nationalization of properties. The act also authorized the Commission to settle such claims as might be included later in any similar agreement between the United States and a foreign government. Subsequently, the Commission was assigned the administration of a $400,000 settlement negotiated with the Government of Panama.

From its establishment in 1950 to April 1, 1954, the International Claims Commission has settled 531 claims out of a total of 1,622 filed. Of this total, 1,555 claims were against Yugoslavia and 67 were against Panama. Under the act, settlement of the remaining Yugoslav claims must be completed by December 31, 1954.

The accompanying reorganization plan has substantial potential advantages. The Foreign Claims Settlement Commission will be able to administer any additional claims programs financed by funds derived from foreign governments without the delay which has often characterized the initiation of past programs. Moreover, the use of an existing agency will be more economical than the establishment of a new commission to administer a given type of foreign claims program. Consolidation of the affairs of the two present Commissions will also permit the retention and use of the best experience gained during the last several years in the field of claims settlement. The declining workload of current programs can be meshed with the rising workload of new programs with maximum efficiency and effectiveness.

A proposed new claims program now pending before the Senate would provide benefits similar to those paid to World War II victims under the War Claims Act for losses and internments resulting from hostilities in Korea. The executive branch of the Government has recommended approval of this program by the Congress. I now suggest that this program be assigned by law to the Foreign Claims Settlement Commission.

There should also be assigned to this new Commission the settlement of such of the claims programs as may be authorized from among those recommended by the War Claims Commission in its report made pursuant to section 8 of the War Claims Act. That report, posing many complex policy, legal, and administrative problems, is now being reviewed by executive agencies; and recommendations will soon be sent to the Congress.

By peace treaties and an international agreement, the United States has acquired the right to utilize certain external assets and settlement funds of several countries. A total of about $39 million is available to indemnify claims of United States nationals against the Governments of Rumania, Hungary, Bulgaria, and Italy arising out of war damage or confiscations in those countries. In addition, claims growing out of United States losses from default on obligations and nationalization of properties may be settled by awards from $9 million realized from an agreement made in 1933 with the Soviet Union, known as the Litvinov assignment. Action by the Congress is necessary before these various funds may be assigned for settlement, and recommendations of the executive branch in this connection will be transmitted at an early date.

In addition to the reorganizations I have described, the reorganization plan transfers to the Foreign Claims Settlement Commission the functions of the Commissioner provided for in the joint resolution of August 4, 1939. Those functions involve the receipt and administration of claims covered by the Litvinov assignment. The Office of Commissioner, for which funds have never been appropriated and which has never been filled, is abolished.

The reorganization plan does not transfer the war claims fund or the Yugoslav claims fund from the Department of the Treasury, or divest the Secretary of the Treasury of any functions under the War Claims Act of 1948, as amended, or under the International Claims Settlement Act of 1949, as amended. It does not limit the responsibility of the Secretary of State with respect to the conduct of foreign affairs. The reorganizations contained in the reorganization plan will not prejudice any interest or potential interest of any claimant.

After investigation, I have found and hereby declare that each reorganization included in the accompanying reorganization plan is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1949, as amended. I have also found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of officers specified in section 1 of the plan. The rate of compensation fixed for each of these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The statutory citation for certain functions of the Secretary of State with respect to the International Claims Commission which are abolished by the reorganization plan, is the third and fourth sentences of section 3 (c) of the International Claims Settlement Act of 1949, 64 Stat. 13, as amended.

It is at this time impracticable to specify the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations contained in the plan.

Reorganization Plan No. 1 of 1954 provides a single agency for the orderly completion of present claims programs. In addition, it provides an effective organization for the settlement of future authorized claims programs by utilizing the experience gained by present claims agencies. It provides unified administrative direction of the functions concerned, and it simplifies the organizational structure of the executive branch. I urge that the Congress allow the reorganization plan to become effective.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 29, 1954.*

REORGANIZATION PLAN NO. 2 OF 1954—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 382)

The SPEAKER pro tempore (Mr. CANFIELD) laid before the House the following message from the President of the

United States which was read and, together with the accompanying papers, without objection, was referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1954, prepared in accordance with the Reorganization Act of 1949, as amended. The reorganization plan assigns to appropriate agencies the liquidation of certain affairs of the Reconstruction Finance Corporation.

First, the reorganization plan transfers to the Export-Import Bank of Washington loans made to foreign financial institutions and to foreign governments, including a loan to the Republic of the Philippines; all foreign bonds and securities acquired in the liquidation of Corporation lending programs; and functions with respect to the liquidation of those assets. The bank is this Government's principal instrument for the administration of similar matters and can readily integrate the liquidation of the transferred assets with its other activities in the field of foreign finance.

Second, the reorganization plan transfers to the Small Business Administration loans made by the Reconstruction Finance Corporation to victims of floods or other catastrophes, together with the function of liquidating those loans. The Small Business Administration is responsible for a similar loan program. Thus, by this transfer, related activities are concentrated in a single agency for effective administration.

Third, the reorganization plan transfers to the Federal National Mortgage Association, in the Housing and Home Finance Agency, real-estate mortgages made or acquired under the authority of the RFC Mortgage Company and the Defense Homes Corporation, and the function of liquidating these assets. The Association is responsible under its basic authority for the servicing, liquidation, and sale of the bulk of residential real-estate mortgages held by the Government of the United States. Through its field offices, the Association maintains continuous relationships with lending and investing institutions specializing in home financing. It is, therefore, the Federal agency best situated to liquidate the assets of a similar type transferred to it by the reorganization plan.

Under existing authority, the completion of the liquidation of the assets and the winding up of the affairs of the Reconstruction Finance Corporation will be carried out under the direction of the Secretary of the Treasury after the succession of the Corporation expires on June 30, 1954. The reorganization plan modifies that arrangement by placing responsibility for the completion of each of the activities described above under the jurisdiction of an agency responsible for a similar continuing program. Thus, the reorganization plan facilitates the orderly and expeditious liquidation of the affairs of the Corporation.

It is not, however, practicable at this time to specify the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations contained in the plan.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 2 of 1954 is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1949, as amended.

I urge that the Congress allow the reorganization plan to become effective.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 29, 1954.*

REORGANIZATION PLAN NO. 2 OF 1954

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 29, 1954, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended)

LIQUIDATION OF CERTAIN AFFAIRS OF THE RECONSTRUCTION FINANCE CORPORATION

SECTION 1. Transfer of functions: The functions of the Reconstruction Finance Corporation (hereinafter referred to as the Corporation) with respect to the following-described matters, together with the functions of the Secretary of the Treasury under section 10 of the Reconstruction Finance Corporation Act, as amended, and under the Reconstruction Finance Corporation Liquidation Act, with respect to the said matters, are hereby transferred as follows:

(a) There are transferred to the Export-Import Bank of Washington the said functions relating to:

(1) The loan made by the Corporation to the Republic of the Philippines under section 3 of the joint resolution of August 7, 1946, ch. 811, 60 Stat. 902.

(2) The loans made by the Corporation to the Government of Ecuador and the Newfoundland Railway of St. Johns, Newfoundland.

(3) The capital stock of the Banco de Borracha (now known as the Amazon Credit Bank, Belem, Brazil).

(4) All foreign bonds and securities acquired by the Corporation in the liquidation of its lending programs.

(b) There are transferred to the Small Business Administration the said functions relating to loans made by the corporation to victims of floods or other catastrophes.

(c) There are transferred to the Federal National Mortgage Association the said functions relating to mortgages held by the corporation which were made or acquired under the authority of the RFC Mortgage Company or the Defense Homes Corporation.

SEC. 2. Transfer of incidental functions: There are hereby transferred to each transferee agency so much of the functions of the Corporation, and so much of the functions of the Secretary of the Treasury under section 10 of the Reconstruction Finance Corporation Act, as amended, and under the Reconstruction Finance Corporation Liquidation Act, as is incidental to, or necessary for, the performance by the transferee agency of the functions specified in section 1 (a), (b), or (c) hereof, as the case may be, including, in respect of the functions specified in sections 1 (a), (1), 1 (b), and 1 (c) hereof, the authority to issue notes or other obligations to the Secretary of the Treasury, which may be purchased by the Secretary, under section 7 of the Reconstruction Finance Corporation Act, as amended, and the duty of making payments on such notes or obligations issued by or transferred to the transferee agency hereunder.

SEC. 3. Transfer of assets; miscellaneous transfers: (a) The loans, bonds, securities, mortgages, and capital stock referred to in section 1 of this reorganization plan, together with accrued interest thereon, property acquired in connection therewith, and contracts and other instruments pertaining thereto, are hereby transferred from the corporation to the respective transferee agencies.

(b) In addition to the transfers made by section 3 (a) above, there shall be transferred to each transferee agency so much as the Director of the Bureau of the Budget shall determine to be appropriate by reason of transfers made by sections 1, 2, and 3 (a) of this reorganization plan of the property, personnel, records, liabilities, and commitments of the Corporation and of the authorizations, allocations, and funds available or to be made available to the Corporation or the Treasury Department.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary in order to effectuate the transfers provided for in sections 3 (a) and 3 (b) above, shall be carried out in such manner and by such agencies as the Director shall direct.

SEC. 4. Definition: As used in this reorganization plan, the term "transferee agencies" means the Export-Import Bank of Washington, the Small Business Administration, and the Federal National Mortgage Association.

SEC. 5. Effective date: The provisions of this reorganization plan shall take effect at the time determined under the provisions of section 6 (a) of the Reorganization Act of 1949, as amended, or at the close of June 30, 1954, whichever is later, and shall be effective notwithstanding any heretofore enacted provisions of law transferring the duty of completing the liquidation of the assets and the winding up of the affairs of the Corporation.

DEFECTS IN THE FEDERAL PRISON AND PAROLE SYSTEMS

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Virginia [Mr. BROYHILL] is recognized for 15 minutes.

Mr. BROYHILL. Mr. Speaker, on two occasions recently I have brought to the attention of the House certain defects in our Federal prison and parole systems which are in immediate need of investigation and correction. From time to time I hope to give this distinguished body specific instances reflecting adversely on the administration of those systems in the belief that my colleagues on the Committee on Rules will deem it appropriate to speedily consider and favorably approve a resolution which I introduced and is currently pending before that committee.

I am not unmindful of the difficulties I face. My good and able friend the gentleman from Michigan [Mr. HOFFMAN] warned me this month of the roadblocks in my path. Those obstacles are already becoming apparent. It is quite obvious to me that the Federal Director of Prisons, Mr. James V. Bennett, has done an excellent job of entrenching himself and of worming his way into the esteem of persons high in the councils of both major political parties. I fully appreciate that a freshman Congressman attempting to fight this alliance has two strikes on him at the very start.

But, Mr. Speaker, I have not struck out yet, and I am going to remain at the bat until I strike out or until I hit a home run which will rally the American people to my support. Let me say that I have an abiding faith in the American people—in their fair play and in their wisdom. I am firmly convinced that

they are dedicated to the cause of clean government.

In my previous remarks I referred to the coddling of Communists in our prisons and reformatories. My colleague from the opposite side of the aisle, the gentleman from Tennessee [Mr. SUTTON], gave you music and verse on the case of the Communist Marzani. On the Senate side Senator FERGUSON also developed astounding facts in this case. I refer you to the hearings before the Subcommittee on the Committee on Appropriations, United States Senate, 82d Congress, 2d session, on H. R. 7289, making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1953. Your attention is invited to pages 1731 through 1738. It is unnecessary for me to repeat the facts of this glaring case. It suffices to say that this commie received preferred treatment.

But today I have another case involving a bigger and much more important Communist. In fact he is one of the top 11 Reds convicted for conspiracy to overthrow our form of government by force and violence. His picture was among those which Attorney General Brownell waved before a television audience last month.

This man is John Gates, former editor of the Communist Daily Worker. John Gates was serving his time in Atlanta penitentiary and subsequent events have shown that even while incarcerated he was still serving the Communist cause. He was called upon and permitted to write a chapter of a book on the Communist Abraham Lincoln Brigade in Spain.

When Federal Prison Director James V. Bennett was before the Senate Appropriations Committee on June 20, 1952, Senator FERGUSON asked him and I quote:

> Now, did Gates write an article about the Communist Brigade in Spain?

Mr. Bennett replied:

> Well, I don't know. He might have.

This exchange can be found on page 1739 of the hearings.

Mr. Speaker, I submit that Mr. Bennett was evasive in his answer. I submit that Mr. Bennett definitely knew that Gates had written the chapter and that Mr. Bennett facilitated the return of the corrected proof to the publishers.

Let us go further into this case, because to me it is quite alarming when a Communist who would destroy our Nation is permitted to write and disseminate, through the assistance of the head of our Federal Prison Bureau, Communist propaganda from his prison cell. If we tolerate this there was indeed little sense in taking him away from his job as editor of the Communist Daily Worker and jailing him.

At the time Gates was moved from Atlanta to the prison at Danbury, Conn., he had already prepared the chapter on the Abraham Lincoln Brigade, in which he served when the Communists tried to take over Spain. Gates was temporarily placed in Danbury to make him available to his attorneys, Vito Marcantonio and John Abt, so that he could be briefed for an appearance before the Subversive Control Board.

Upon reaching the Danbury prison, Gates, on Bennett's personal orders, was placed in a comfortable hospital room despite the objections of the warden. This hospital was comparable or better than the average hospital in your county or mine. And let me say that at this time Gates was not entitled to hospitalization by reason of illness or bad health.

Now, Mr. Speaker, here is the payoff. While Gates was whiling away his time in a comfortable hospital room, the warden received from Mr. Bennett the printed proof of the chapter Gates had written in Atlanta for the book. Bennett had sent this proof to the warden to be turned over to Gates for proofreading and correction so that Bennett could then return the proof to the publishers of the book. Accompanying a note in longhand from Bennett was a letter from the publishers addressed to Gates stating that they could offer Gates only a $10 honorarium for writing the chapter, but that this fee might be increased, depending upon the sale of the book.

Mr. Speaker, the warden objected to handling this most unusual transaction, to put it mildly, and was again overruled by Mr. Bennett. Yes, Mr. Bennett, the Director of our Federal prisons, ordered his warden at Danbury to turn the proof over to Gates for correction and return it to Washington. Thus, Mr. Speaker, the Director of our Federal prisons permitted and facilitated the dissemination of Communist propaganda by one of the top Communist leaders in the United States.

The warden naturally obeyed his orders, permitted Gates to review the proof which was returned by the warden to Bennett as instructed, along with a note from Gates to the publishers indicating no changes were necessary in the story and that the $10 fee for his services would be acceptable. Obviously this traitor was much more interested in having his propaganda published than he was in receiving pay for it.

This incident occurred about the 1st of June 1952 shortly before our Mr. Bennett went before the Senate Appropriations Subcommittee and blandly told Senator FERGUSON that he, Bennett, did not know whether Gates had written an article on the Communist brigade or not. Bennett knew full well that Gates had written such an article.

Let us pursue the treatment—the soft treatment if you please, Mr. Speaker—Gates received at Danbury.

Original orders from Bennett were to the effect that Gates was to receive no visitors while he was being held for the previously mentioned briefing of Marcantonio and Abt. Your knowledge of Marcantonio and Abt makes it unnecessary for me to review their past connections. Of late they have become the chief mouthpieces of the Commies and fellow travelers.

Now to go on with our story:

Either the first or second day Marcantonio and Abt interviewed Gates, Marcantonio asked the officer in charge—not the warden—whether Gates could not have visits from his relatives in New York. The officer in charge called attention to his orders that no visitors be permitted. Asked who gave the orders, that officer said he understood they came from the director in Washington. On his way out that evening, Marcantonio stopped by the warden's office and repeated his request that Gates be permitted to receive visitors. The warden refused permission. Marcantonio again asked where such orders came from and the warden told him they came from James V. Bennett. Mr. Marcantonio then stated in effect: "Jim Bennett and I are old friends. I'll call him tonight and he will approve the visits."

Sure enough, much to the surprise of the warden, within 48 hours he received instructions by telephone from Bennett to permit Gates to receive visitors.

Now, Mr. Speaker, information from responsible sources to support these facts are in my possession. I am prepared to present this information to a House committee, such as I have advocated, in sworn testimony.

This is indeed an amazing case—a case that demonstrates conclusively that there is coddling of Communists in our prisons. It demonstrates also that the man who heads our Federal Bureau of Prisons is unfit for the responsible position he holds. In effect he has acted as a courier in the transmission of Communist propaganda.

But, Mr. Speaker, there are other cases of Communist coddling. With the permission of the House, I will soon address you regarding another top Commie who found that a prison sentence for trying to overthrow our form of government can become a very, very soft berth.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Michigan.

Mr. RABAUT. The gentleman used phrases like "the warden." Who is this warden?

Mr. BROYHILL. I am unable to reveal his name at this time. I have the statement documented, I have it taken before nine witnesses, and it can be proven in proper form.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Maryland.

Mr. HYDE. Is the gentleman from Virginia aware of the fact that the transfer of Gates from Atlanta to Danbury was made at the request of the Subversive Activities Control Board?

Mr. BROYHILL. Yes.

Mr. HYDE. The gentleman does not allege, then, that Mr. Bennett did that on his own?

Mr. BROYHILL. No; I do not allege that. I am not alleging anything. I am relating the facts that have been placed before me in documentary form with witnesses.

Mr. HYDE. Has the gentleman himself investigated the conditions at the Danbury prison?

Mr. BROYHILL. I have not personally, no. I have talked to former wardens and I have talked to former guards.

Mr. HYDE. Is the gentleman aware that these conditions were investigated by newspaper reporters in Danbury?

Mr. BROYHILL. Oh, yes; they have been investigated by newspaper reporters. I have a large number of clippings myself.

Mr. HYDE. Has the gentleman called any of these facts of alleged misconduct in the running of the Federal Bureau of Prisons to the attention of the Attorney General and turned them over so that the Attorney General might investigate them?

Mr. BROYHILL. I have discussed the matter with the Attorney General. The Attorney General has a great deal of this information, and the FBI has a great deal of this information.

Mr. HYDE. Has the gentleman turned over——

Mr. BROYHILL. Just a moment. I am not here for cross-examination by the gentleman from Maryland. I am merely trying to portray the situation. A large portion of this information was given to me in confidence and in good faith by reliable witnesses, and I have been asked not to betray the confidence or the source of this information. These people have conveyed information before and have suffered reprisals. In the case of the reformatory down at Petersburg, Va., when the FBI came in in 1953 to make an investigation, certain questions were asked of the guards down there, and every guard that testified before the FBI, who had been there any length of time in a supervisory capacity, has since been transferred or retired. The prison personnel are afraid to convey this information to any source, not that they do not have confidence in the Attorney General or anyone else, but they are afraid it will infiltrate back to the Bureau of Prisons, and that they may subject themselves to losing their jobs. And, I do not blame them a great deal.

Mr. HYDE. Is the gentleman aware that there are standing committees of the Senate and the House which have jurisdiction over the Bureau of Prisons, and has the gentleman offered to turn over to those committees for investigation any of the facts he has?

Mr. BROYHILL. I have not offered to turn over this confidential information. Certain members of the committee have been approached and unfortunately statements have been made which have more or less proved conclusively that Mr. Bennett stands in very high favor with some of these people, and they more or less prejudge the case before any investigation is made; therefore these people do not want this information conveyed to this source.

Mr. HYDE. Is the gentleman suggesting, then, that those people do not mind turning it over to a special committee but mind having it turned over to a regular committee?

Mr. BROYHILL. These people are willing to appear under oath before a select committee that will investigate the whole reformatory system, because they feel once we have a select committee assigned, they will go into this thing and they will throw the whole thing sky high and there will be no reprisals later on.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Michigan.

Mr. RABAUT. The gentleman says he has not been to these prisons; has the gentleman visited these prisons?

Mr. BROYHILL. I have not.

Mr. RABAUT. I have visited many of the prisons of the United States during my 20 years of service in the Congress. At one time I had charge of the committee handling appropriations for the Bureau of Prisons. There is no man for whom I have greater respect than Mr. James Bennett.

Mr. BROYHILL. The gentleman has a right to his own opinion. I think I have a right to mine.

The SPEAKER pro tempore. The time of the gentleman has expired.

FOUR-YEAR TERMS FOR CONGRESSMEN WITH VACANCIES FILLED IN THE SAME MANNER AS SENATORIAL VACANCIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oregon [Mr. ANGELL] is recognized for 15 minutes.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include H. J. Res. 507.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, my 16 years of service in the House of Representatives has impressed upon me the necessity of changing the method of filling vacancies in the House, as well as extending the term of House Members.

We know that senatorial vacancies are filled by the governors of the respective States. However, in the House of Representatives, all vacancies must be filled by elections. In most cases this means calling a special election at heavy expense to the State and a long delay in qualifying a House Member to take over the congressional duties of the district involved. The Speaker of the House, under a recent legislative enactment, is now next in line to the Vice President for the Presidency in the case of the death or inability to act of both President and Vice President. In these days of both the atomic and hydrogen bombs when, as scientists advise, an atomic bomb can be reduced in size so that it may be carried on the person, it is not inconceivable that an attack on the House of Representatives similar to that recently carried out by the Puerto Rican terrorists might very well deprive the House not only of the Speaker but enough House Members to deprive the House of a quorum. It seems imperative that a more simple and workable law should be enacted by amending the Constitution so that House vacancies may be filled immediately by governors of the States, as is now done with vacancies occurring in the Senate.

We all recall that at the time of the assassination of Abraham Lincoln attacks were attempted to be carried out on other high-ranking officials, which should put us on notice that in these days of unrest and revolutionary and terrorist attacks on heads of governments, it is entirely possible that we might be faced with a situation in which the President, Vice President, and the Speaker of the House would all be killed in a common conspiracy.

The original reasoning that prompted fixing the term of office for Members of the House of Representatives for 2 years was that by frequent 2-year elections they would be nearer the people and in the event of changes in legislative and political philosophy frequent elections would keep the House in accord with prevailing views obtaining throughout the Nation. The Senatorial term was fixed at 6 years in order that it might be the more conservative and stabilizing body. However, as it has turned out in practice the election of House Members every 2 years has placed a burden upon the Members of almost continuous campaigns, having to campaign in primary and general elections every 2 years. The expense and labor involved under modern conditions has resulted in slowing down the effectiveness of Members of Congress and placing on them a burden which could be removed by extending the term of office to 4 years, one-half of the House membership to be elected at each biennial election. This would to some extent preserve the original plan of the Constitution founders by electing one-half of the House every 2 years as well as one-third of the Senate.

This arrangement in my judgment would be infinitely more satisfactory than the existing one. I have therefore introduced House Joint Resolution 507 to amend the Constitution to effectuate these changes, both in the election and the term of office of House Members. This bill is identical with one introduced in the Senate by Senator CASE, one of our former colleagues in the House. I hope that this bill will receive the approval of the House. I include the bill as a part of these remarks:

House Joint Resolution 507

Joint resolution proposing an amendment to the Constitution of the United States providing for the filling of temporary vacancies in the House of Representatives by appointment and providing for a term of 4 years for Members of the House of Representatives

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, and shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The fourth clause of section 2 of article I of the Constitution of the United States is amended by inserting before the period at the end thereof a colon and the following: *'Provided*, That the Executive thereof shall have power to make temporary appointments until the people fill the vacancies by election as the legislature may direct.'

"SEC. 2. Section 2 of article I of the Constitution of the United States is amended by striking out the first clause of such section and inserting in lieu thereof the following:

" 'The House of Representatives shall be composed of Members chosen for terms of 4 years, except as hereinafter provided, by the people of the several States, and the electors in each State shall have the qualifi-

cations requisite for electors of the most numerous branch of the State legislature. For each State, the duly elected Members of the House of Representatives shall be divided by lot into two classes, as nearly equal in number as may be. States which have but one Member in the House of Representatives shall be alternated alphabetically as to class I and class II. The first division of Members into classes shall be made immediately after the House of Representatives shall be assembled in consequence of the first election of Members to whom section 1 of this clause applies, and a division of Members into such classes shall be made immediately after the House Representatives shall be assembled in consequence of every election of Members which next follows a reapportionment of Representatives among the several States. In those cases where the representation of a State in the House of Representatives is increased or decreased by reapportionment, the resulting membership shall be reclassified in the same manner as herein provided. The seats of the Members of the first class shall be vacated at the expiration of the second year and the seats of the Members of the second class shall be vacated at the expiration of the fourth year, so that one-half, as nearly as may be, of the Members may be chosen every second year. The terms of all Members in States whose representation is increased or decreased by reapportionment shall end at noon on the 3d day of January after each election which next follows a reapportionment of Representatives among the several States.'

"This section shall not be construed as to affect the election or term of any Members chosen before it becomes valid as part of the Constitution.

"SEC. 3. The amendment made by section 2 shall first apply in the case of Representatives elected for terms beginning on January 3 of the first odd-numbered year which begins more than 1 year after the ratification of this article.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of the submission hereof to the States by the Congress."

JAMES V. BENNETT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. HYDE] is recognized for 15 minutes.

Mr. HYDE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RABAUT. Mr. Speaker, will the gentleman from Maryland [Mr. HYDE] yield to me?

Mr. HYDE. Yes; I am glad to yield.

Mr. RABAUT. I wanted to say a word about Jim Bennett because I feel it my duty on an occasion such as this to defend the rights of a man of the character of James Bennett, of the Bureau of Prisons.

I have visited most of the prisons in this country. I have eaten their fare. If you had gone to Atlanta during the war you would have seen a demonstration of loyalty within those prison walls that would have been an example even to those who were free men outside. That condition did not just grow. It was the result of the leadership that the prisons have had in the personage of James Bennett. Over and above that, time and time again, I have had put into the book of the Federal prisons articles by Father Coogan, the Jesuit, which can be read in the magazines.

It is a very easy thing to tear down, but it is quite something different to construct.

I do not want to take too much of the time of the gentleman who has been good enough to yield to me; but this comes as a shock to me. I learned only yesterday that it was going to occur, and I thought I would wait here until this late hour to hear what would be said about a faithful public servant.

I thank the gentleman for yielding this time to me.

Mr. HYDE. I thank the gentleman for his kind remarks about the Director of the Bureau of Prisons, Mr. James V. Bennett.

James V. Bennett, Director, Bureau of Prisons, United States Department of Justice, has been criticized on the floor of the House for transferring John Gates, a convicted Communist, from the Atlanta Penitentiary to the Federal Correction Institution at Danbury, Conn. In fairness to Mr. Bennett the record should show that he made this transfer at the request of the Subversive Activities Control Board. The fact of this request and the reasons therefor are shown by the following letter addressed to Mr. Bennett by Peter Campbell Brown, chairman, Subversive Activities Control Board.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Virginia.

Mr. BROYHILL. In the letter to Mr. Bennett do they ask him to put Gates in a private hospital room and to let him continue his writings or proofreading?

Mr. HYDE. They do not, and I will touch on that in a moment.

The letter is as follows:

SUBVERSIVE ACTIVITIES CONTROL BOARD,
Washington, D. C., February 17, 1953.

Hon. JAMES V. BENNETT,
Director, Bureau of Prisons,
Washington, D. C.

MY DEAR MR. BENNETT: This will serve to confirm my distinct recollection to the effect that as a result of my personal request as Chairman of this Board you were good enough to transfer John Gates to the Federal correctional institution at Danbury. Gates' presence at Danbury enabled counsel for the Communist Party to very thoroughly discuss with him the testimony that Gates was to give before this Board. I was very anxious that this opportunity to interview Gates be afforded the counsel for the Communist Party in accord with my view that every citizen of the United States must be afforded every protection and guaranty of the Constitution. The fact was that the Attorney General initiated this proceeding and is the petitioner against the Communist Party. Under the law the respondent is entitled to present its defense which would, of course, include convenient access to potential witnesses in the respondent's behalf. Gates was one of such witnesses.

I wish to observe at this time that I was fully cognizant of the custodial considerations with which you were faced on the occasion of my requests to you concerning Gates. Nevertheless, you cooperated with me to the fullest extent by granting the many requests which I made of you because I believed such a procedure was so vital to the successful conduct of this proceeding.

With many thanks again for your valuable assistance, and with all my good wishes,

Yours sincerely,

PETER CAMPBELL BROWN,
Chairman.

The record should further show that prior to the request by the Subversive Activities Control Board, a request for a transfer of Gates from Atlanta to Danbury was made by Gates' attorneys and refused by Mr. Bennett.

In addition, I believe the record should clarify the conditions at the Danbury institution under which Gates was confined. That institution has been described as a "country club." The conditions under which Gates was confined were investigated by a reporter of the Danbury News-Times on February 19, 1954, and in justice to the Federal Bureau of Prisons and Mr. Bennett, I think the following excerpts from the reporter's report should be inserted in the RECORD:

NEWSMAN FINDS GATES' CELL WAS PRIVATE, IN FACT, THAT IT WAS DOWNRIGHT SOLITARY

(By William J. Lauf)

One need only spend 10 minutes in the same cell at the Federal correctional institution, Pembroke district, where Daily Worker Editor John Gates was held in 1952, to agree with a Congressman from Tennessee that it was a "private room."

In fact, I found it to be more private than possibly the southern legislator who made the charge himself realizes. A lot more private than the other cell blocks where prisoners can converse with and see each other to break up the monotony of prison life. The cell blocks have the traditional bars. The one I was in had a steel door with only a small window in it.

Yes, there was what you might call room service. When you're in this cell the meals are brought to you. They don't allow you to go to the dining hall where most of the prisoners eat together. Private room, maybe. Solitary would be a better word for it.

CHARGES PROMPTED VISIT

Warden Harold E. Hegstrom permitted our visit after newpapers yesterday published charges by Representative SUTTON, Democrat, of Tennessee, that the Danbury institution had coddled Communists. SUTTON voiced the charge in a House speech Wednesday in which he proposed a sweeping investigation of the Federal prison system. He specifically mentioned the editor of the Daily Worker, saying that in 1952 Gates had been given a "private room" in the prison hospital, was permitted to have visits from New York relatives and given privileges denied others.

Warden Hegstrom, who was not at the institution when Gates was there, May 22 to June 6, 1952, said he learned from the records and from talking with Gates' guards that the latter was transferred to Danbury from Atlanta at the direction of a Senate investigating committee chairman who wanted the prisoner available for hearings in New York. While here he was under 24-hour surveillance, the warden said, and the only relative to visit him was his mother, who came here once. Only others allowed to see him were his attorneys in connection with the subpena to the New York hearing. Gates is now serving out a 5-year sentence in Atlanta.

THE VIEW

The cell is on the inside portion of the sprawling building, facing south into the

prison yard. The cell window allows a view of the three other inside walls of the institution. You can see a tall water tower, the prison yard, and recreation areas. But mostly you see sky. There are a few well-pruned trees immediately outside the window. And you gaze at hundreds of other barred windows in the three interior walls within your view, where possibly others among the 570 prisoners may be gazing your way and seeing the same monotonous scene. The location doesn't allow a view of the picturesque Berkshire foothills.

The windowpanes are only 5½ inches wide. There are 36 glass panes surrounded by heavy steel sash. In the center is a 9-by-15-inch air vent.

We talked to two men who guarded Gates during his stay here, and also to the captain and supervisor of the custodial force. The guards were Senior Officer Morris Berkofsky, who has had 15 years in the prison service, and William D. Cutting, a correctional officer with 12 years. The captain is Stanley Wiencik, who is a veteran of 21 years of service.

PRIVATE, YET NO PRIVACY

Officer Berkofsky, who guarded Gates from 8 to 4:30 p. m., and Officer Cutting, who was on duty from 3:30 to midnight, were those principally involved in keeping Gates under 24-hour surveillance. One of them was always with him when he was taken into the yard once a day for exercise. However, he was not allowed to converse with other prisoners. When his lawyers came to see him, there was a parole officer present in the room and a custodial officer on guard outside, Berkofsky related. Private, yet no privacy.

Both guards said Gates had no complaints about his cell, but quickly added neither did he have any compliments.

The Tennessee Congressman was quoted as saying that Gates was permitted to have visits from New York relatives. The prison records show that he was granted one visit, by his mother, during his stay here. The prison rules allow inmates to have 2 hours of visitation per month, except toward termination of their sentence, when the visiting time is extended to 3 hours.

BENNETT ISSUES DENIAL

James V. Bennett, Director of the Bureau of Prisons, said in Washington yesterday afternoon that Gates was granted "no special privileges" and that, "as a matter of fact, had fewer than would have been required were he held elsewhere."

His statement is as follows:

"Congressman SUTTON states that Gates was (1) moved to Danbury from Atlanta, so that he could be briefed by attorneys on evidence he was to give before the Subversive Activities Control Board; (2) he was not confined in a cell, but given a private room in the hospital, a more comfortable room than would otherwise have been available; (3) he was given certain privileges other Americans would not receive; (4) he was permitted to have visits from relatives in New York City, which were arranged by the Director with Gates' attorneys.

"Gates was transferred from Atlanta on May 22, 1952, upon the urgent request of the Subversive Activities Control Board, upon the grounds that such action would materially assist the proceedings before the Board and be to the best interests of the Government. He remained until June 6, 1952, when brought to Washington for the hearings before the Board.

"While at Danbury, he was confined in a secure and locked hospital cell for four reasons: (1) It was as secure as any other cell in the institution; (2) there would be no opportunity for contact with other prisoners; (3) he would be under officer supervision 24 hours a day; and (4) this location would employ the requirement of no other officers, which would have been required were he held elsewhere.

"Gates was granted no special privileges and as a matter of fact, had fewer than would have been available to him in Atlanta.

"He had no visits except his attorneys and one visit from his wife, which would have been permitted had he been at Atlanta."

While here Gates was on what is termed a holdover status. Warden Hegstrom explained that this means he never received a Danbury prison number. On June 6, 1952, a United States marshal from Washington took him out and he was subsequently returned to Atlanta.

NO COUNTRY CLUB

Warden Hegstrom didn't come right out and say so, but one can sense that he's a bit provoked at charges made by persons far removed from here who have never visited the Danbury FCI. For instance, some columnists have nicknamed the institution the Federal country club. One wonders if these same men would consider it a country club if they had to spend a few months there. Or a few weeks. Yes, even an hour, such as I did.

Sitting on the same bed that Gates slept in and looking at the dull walls, the cramped space, the few bare necessities in furnishings, the steel in the window and the solid steel of the door, and knowing that the way out was guarded by numerous barred doors, each one with a separate key and different guard, we could not imagine how anyone could be contented in such circumstances, much less feel coddled.

And we wondered, too, how many of the more than 10,500 prisoners confined at Danbury FCI at one time or another in its 14 years could honestly say they had been coddled here.

It felt good in a way words cannot adequately describe when we got into our car and drove out of the prison gate.

Mr. Speaker, the gentleman from Virginia [Mr. BROYHILL] has also charged that Gates was permitted to correct proof on a chapter he had written relative to his experiences in the Abraham Lincoln Brigade in Spain. As a matter of fact, this chapter was written prior to the time Gates was committed and his publisher was not permitted to confer with him although he had made the request. He was permitted, however, to authenticate the proof for reasons which cannot be disclosed now since the case in which he was a principal witness is still pending before the courts. A copy of this book following its publication was sent to Gates but he was not permitted to see it.

Mr. Speaker, I fear that reckless statements condemning the Federal prison system and its Director, Mr. James V. Bennett, may do much harm and possibly lead to trouble within the prisons. The fact is that our Federal penitentiaries are probably the best-run penal systems in the world. There have been no outbreaks of violence in them such as has been the case in several State institutions. Certainly every effort should be made to have any imperfections in the system corrected and incompetent officials removed by orderly administrative process before public criticism is made on the floor of the House of Representatives. If such orderly administrative processes fail to produce the desired results, then, of course, it would become necessary to call the matter to the attention of Congress on the floor of the House.

Moreover, Mr. Speaker, the standing Senate and House committees which have the subject of the Bureau of Prisons under their jurisdiction should certainly be provided with any facts from which it is alleged the prisons are improperly run or incompetently administered.

NO TROOP INVOLVEMENT IN INDOCHINA

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 10 minutes.

Mr. SHEEHAN. Mr. Speaker, in the summer of 1950, when I first campaigned for the House of Representatives from the 11th Illinois District on the northwest side of Chicago, I found the majority of the people I contacted to be violently opposed to the Korean police action. As a result, I was highly critical of President Truman and the then encumbent Democrat Congressman for their part in the Korean fiasco. My stand on the Korean question, I feel, was very much instrumental in enabling me to win election to the 82d Congress by a substantial majority.

In my reelection campaign in 1952, the voters in my district were convinced that with the election of a Republican President and a Republican Congressman from the 11th District, they would see definite action with regard to ending the Korean mess. When President Eisenhower ended the Korean war, the people reacted most favorably.

By reviewing the recent pronouncements of President Eisenhower, Vice President Nixon, and Secretary of State Dulles, a real possibility exists that we will become embroiled in the southeast Asian war before the end of this year. From recent statements of Mr. Churchill of England, Mr. St. Laurent of Canada, and others, we alone seem to be heading into this war, in spite of President Eisenhower's thought that the free nations will present a concert of readiness to react in whatever way is necessary.

To my way of thinking, this will mean, as in Korea, the United States will suffer over 90 percent of the casualties and pay more than 90 percent of the costs.

From mail received from my constituents, and from direct conversations while home over the Easter recess, I have not heard a single word in favor of using our boys to fight in Indochina.

Experience proves that if we attempt to fight a limited war as we did in Korea, we cannot win. Experience proves once a war is started, no one can control its course. Experience proves that three wars in the present generation—World War I, World War II, and Korea—have not eased world tension or brought peace. Experience proves that Soviet communism thrives on wars, as evidenced by the fact that communism today governs or controls 800 million people as against 180 million during World War I, not to mention the vast increase in control of land and resources. Experience proves that military victories alone do not solve world problems.

It is my belief that the American people are not ready for world leadership, because it entails conquest, occupation,

and governing the conquered people. It would forever entail a forced contribution to military service from every American home, huge foreign aid outlays, and overburdening taxation, all of which would bring on socialism or government control of our lives.

From a purely practical standpoint, getting involved in Indochina would, as a famous American general remarked about Korea, be a war against the wrong enemy, at the wrong time, and in the wrong place.

If President Eisenhower and the Republican leadership commit our troops into southeast Asia, I am of the opinion the people will show their disgust by returning a Democrat-controlled Congress in November, and a Democrat president in 1956.

Knowing that the will of the majority of my constituents is firmly against committing our boys in another Korean type of war, and knowing from recent experience that military victories do not bring peace, if Congress is given to vote on this issue—which President Eisenhower says will happen—I will vote against sending our troops to Indochina and southeast Asia.

PANAMA CANAL CONSTRUCTION ENGINEERS FAVOR INTEROCEANIC CANALS COMMISSION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. KEOGH] is recognized for 10 minutes.

Mr. KEOGH. Mr. Speaker, among the important questions considered in 1945 by the Committee on Merchant Marine and Fisheries, of which I was a member, was that of additional Panama Canal facilities. The current discussion of conditions in the canal reemphasizes the need for further consideration without delay.

Under the impact of the then recent advent of the atomic bomb, the Congress enacted Public Law 280, 79th Congress, authorizing the Governor of the Panama Canal to investigate the means for increasing its capacity and security to meet the future needs of interoceanic commerce and national defense. The report of his study was transmitted to the Congress by the President on December 1, 1947, without recommendation, and it was not published.

Since that time, however, the interoceanic canal problem has been extensively discussed in periodical literature of the United States and foreign countries, and in the CONGRESSIONAL RECORD.

The resulting clarifications produced a reorientation of thinking on the fundamental aspects of the canal subject and focused attention on its main issues. They were important factors contributing to the reorganization of the canal enterprise under Public Law 841, 81st Congress, which created the Canal Zone Government and the Panama Canal Company.

The canal question is highly complicated. Its principal points have been admirably summarized in a remarkably concise memorandum to the Members of the Congress by a number of eminent constructional engineers who, in varying capacities, participated in building the Panama Canal, and are qualified to speak. In this they have been joined by certain other distinguished and well-informed authorities, who are also qualified to speak. Attention of the Congress is invited to the experience records of the petitioners, which are unique.

All these men earnestly urge the creation by the Congress of an independent Interoceanic Canals Commission along the lines provided in H. R. 1048, 83d Congress, introduced by Representative THOMAS E. MARTIN, of Iowa, and supported by Representative CLARK W. THOMPSON, of Texas, both of whom have long been careful and judicious students of Panama Canal problems.

The purpose of this measure is to formulate and recommend the long-range Isthmian Canal policy that should be adopted by the Congress of the United States.

In order that this illuminating memorandum and its forwarding letter from Consulting Engineer W. R. McCann of Hopewell, Va., may be readily available, under leave accorded, I include their full texts:

MARCH 24, 1954.

HON. EUGENE J. KEOGH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN KEOGH: Growing daily in national importance is the problem of modernizing and increasing the capacity of the Panama Canal. H. R. 1048, now before the 83d Congress, contemplates legislation that would provide for constructive studies of the problem and for the establishing of an impartial commission to recommend a comprehensive policy on which to proceed.

Bearing on the Panama Canal problem, the enclosed self-explanatory memorandum reflects the considered judgment of a notable (but unorganized) group of engineers, constructors, industrialists, and administrators, all of whom in varying capacities participated, years ago, in the building of the Panama Canal. Individually and collectively, we believe their opinion should carry great weight.

These men consider it a public duty to make known their views. They would be derelict not to do so. The matter of which they speak is of worldwide import; it transcends, indeed, all local and personal considerations.

Solicited is your most careful attention to the statements of these men; and thereupon, perhaps, you may find time to write me—for the benefit of the signers—a brief expression of your thought upon this vital subject.

Respectfully,

W. R. MCCANN.

THE PANAMA CANAL PROBLEM

(A memorandum to the Members of the Congress, 1954)

Honorable Members of the Congress of the United States:

The undersigned, who in various capacities participated in the construction of the Panama Canal, venture to bring to your attention the matters hereinafter discussed:

1. The necessity for increased capacity and operational improvement of the Panama Canal—a much-neglected waterway, now approaching obsolescence—has been long recognized. The traffic volume is the highest since 1914. With the saturation point approaching, it is essential to provide, without further delay, the additional transit capacity and operational improvements required to meet future needs.

2. The two major proposals for increased facilities are:

(a) Improvement of the existing canal by completing the authorized third locks project, adapted to include the features of the well-conceived Terminal Lake plan (CONGRESSIONAL RECORD, vol. 94, pt. 10, p. A2449—approved in principle by the Governor of the Panama Canal in hearings on H. R. 4480, 79th Cong., Nov. 15, 1945, p. 9). A total of $75 million was expended on this project, mainly on lock-site excavations at Gatun and Miraflores, before work on it was suspended. The Terminal Lake plan provides for removing all lock structures from Pedro Miguel and for regrouping of all Pacific locks at or near Miraflores, thus enabling uninterrupted navigation at the Gatun Lake level between the Atlantic and Pacific locks, with a greatly needed terminal lake anchorage at the Pacific end of the canal. As thus improved, the modified third locks project can be completed at relatively low cost, estimated under $600 million. The soundness of this proposal has been established by 40 years of satisfactory operation of a similar arrangement at Gatun.

(b) Construction of a practically new Panama Canal known as the sea-level project, initially estimated in 1947 to cost $2.5 billion, and which would be of less operational value than the existing canal it was designed to replace, but which, under present conditions, would likely cost several times that amount. The Governor of the Panama Canal (a member of the Corps of Engineers) at that time definitely went on record as advocating none but the so-called sea-level project for the major increase of canal facilities, which action served to exclude what may be the best solution when evaluated from all angles. This report, under Public Law 280, 79th Congress, was transmitted to the Congress by the President, December 1, 1947, and, significantly, without comment or recommendation. The Congress took no action, and the report was not published.

3. The Terminal Lake third-locks project has been strongly urged as the proper form of modernization by experienced civilian engineers who took part in the construction of the present canal. They have spoken from personal knowledge of the original construction. Their views are shared by many independent engineers and navigators who have studied the subject. All these insist that the present lake-lock type should be preserved as supplying the best canal for the transit of vessels which it is economically feasible to construct. They, together with many of the leading atomic warfare authorities, stress the points that the defense of the canal is an all-inclusive Federal responsibility which must be met by active military and naval measures and by industrial planning in the United States, that passive protective features embodied in construction design are inadequate, and that the proper bases for planning canal improvements are capacity and navigational efficiency. Moreover, it must be borne in mind that the effective destructive power of the atomic bomb has been tremendously increased since the formal recommendation for a sea-level canal. Any canal, whatsoever the type, can be destroyed by atomic bombing, if permitted to strike.

4. The recent authorization to expend funds for repairs and alterations of present lock structures at an estimated cost of $26,500,000 is, as we believe, makeshift in character, and is without real merit. Consummation thereof, in lieu of fundamental improvements, will inevitably delay the basic and long-overdue solution of the problems involved.

5. In addition to the Panama projects, there are urgent proposals for canals at other locations, some of which have strong support, particularly Nicaragua. In developing

a long-range Isthmian Canal policy to meet future interoceanic transit needs, these should certainly receive full and unbiased consideration.

6. Transcending personal considerations, but nevertheless to state the matter candidly, we submit that the third-locks project, as originally planned in 1939 by the Governor of the Panama Canal, has proven most disappointing. We have every reason to believe that the insistently advocated sea-level project (which, as a matter of fact, would require tidal locks as well as vulnerable flood-control reservoirs and dikes) would prove to be a monumental boondoggle, costing the American taxpayer billions of dollars. Both of these efforts were directed by routine administrative agencies, and at heavy public expense.

7. We wish to stress the fact that, aside from the A-bomb, the recurrent discussions as to the relative advantages and disadvantages of the lake-lock and sea-level types of canal were exhaustively investigated, debated, and considered in 1905–06 when the Congress and the President decided in favor of the lake-lock plan—under which the canal was constructed, and (with the exception of certain operational defects in the Pacific sector) has been successfully operated. The operational defects, we believe, can be adequately corrected.

8. It must be always borne in mind that the greater the cost of increased facilities at Panama the heavier will be the load on the already overwhelmingly burdened American taxpayer; and that also such cost must be reflected in ship-transit tolls, with all that increased tolls imply.

9. We respectfully urge the early enactment of H. R. 1048, 83d Congress, introduced by Representative THOMAS E. MARTIN, of Iowa, and supported by Representative CLARK W. THOMPSON, of Texas, who introduced a like measure in the 82d Congress. Both of these experienced and highly competent legislators have been thorough students of interoceanic canal problems, which have grave diplomatic implications affecting all maritime nations and the relations of the United States with all Latin-American countries—especially Panama. As to Panama, we would most strongly emphasize that among the features overlooked in the report under Public Law 280, 79th Congress, is the fact that the sea-level project recommended in that report is not covered by existing canal treaties and would necessitate the negotiation of a new treaty with a tremendous indemnity and greatly increased annuity payments involved. As evidence of this, it may be noted that upon demand of the Panamanian Government, and the appointment by it of a commission for the purpose, the United States Government has named a like commission, to negotiate various questions, including that of the present annuity of $430,000 (originally $250,000), which Panama insists should be substantially increased. These negotiations began in September 1953; when the President of Panama and members of the Panamanian Commission visited Washington in behalf of the indicated demands.

10. References to the Governor of the Panama Canal herein apply to the incumbent Governor at the time of the stated action.

CONCLUSION

Because of these considerations, it would seem to be clear that the indicated commission should be created without delay, and put to work, so as to develop a timely, definite, and wisely reasoned Isthmian Canal policy. Such a body should be made up of unbiased, broad-gaged, and independent men of the widest engineering, operational, governmental, and business experience, and not of persons from routine agencies, all too often involved in justifying their own groups.

Respectfully submitted.

James T. B. Bowles, Baltimore, Md.; Ralph Budd, Chicago, Ill.; Howard T. Critchlow, Trenton, N. J.; Roy W. Hebard, New York, N. Y.; Herbert D. Hinman, Newport News, Va.; William R. McCann, Hopewell, Va.; E. Sydney Randolph, Baton Rouge, La.; Hartley Rowe, Boston, Mass.; William E. Russell, New York, N. Y.; Caleb Mills Saville, Hartford, Conn.; John Frank Stevens, Brooklyn, N. Y.; Ellis D. Stillwell, Monrovia, Calif.; William G. B. Thompson, New Haven, Conn.; Robert E. Wood, Lake Forest, Ill.; Daniel E. Wright, St. Petersburg, Fla.

THE PETITIONERS

James T. B. Bowles: Chemical engineer; in charge water supplies, superintendent filtration plants Canal Zone, 1910–14; lieutenant-colonel, Corps of Engineers, A. E. F.; director, secretary, and technologist of Crown Petroleum Corp.

Ralph Budd: Civil engineer; chief engineer Panama Railroad, 1909–13; president Great Northern Railway; transportation commissioner, The Advisory Commission to the Council of National Defense; president Burlington Railroad; now chairman of Chicago Transit Authority.

Howard T. Critchlow: Civil and hydraulic engineer; district and chief hydrographer Panama Canal, 1910–14; New Jersey Department of Conservation and Economic Development on water supply, construction of dams, and flood control; past-president American Water Works Association; now director and chief engineer Division Water Policy and Supply (New Jersey).

Roy W. Hebard: Assistant engineer, resident engineer, and contractor, Panama Canal, 1905–11; Major, Corps of Engineers, A. E. F.; president, R. W. Hebard & Co. Inc., builders of highways, railroads, waterworks, and divers structures throughout Central and South America.

Herbert D. Hinman: Construction engineer whose first job for the Pacific Division in 1907 was boring to find rock for the locks; assistant engineer in charge construction of the Pedro Miguel locks, and later in the building of the fortifications on the Pacific side; president of Virginia Engineering Corp., engaged in divers heavy construction in Virginia and the Southeastern States.

William R. McCann: Assistant engineer and supervisor of construction, First Division Panama Canal, 1907–14; engineer, Stone & Webster, Inc.; engineer, Allied Chemical & Dye Corp.; project manager, Buckeye Ordnance Works; now consulting engineer.

E. Sydney Randolph: Civil engineer; Panama Canal service, 1910–46; office engineer, designing engineer, construction engineer, principal engineer, and consulting engineer, handling various projects such as technical supervision of maintenance and lock improvement, Madden Dam and Power project, exploration and investigations for additional locks, defense structures, emergency gates, increased spillway capacity, and augmented power facilities; now consulting engineer.

Hartley Rowe: Electrical and construction engineer, various divisions, Panama Canal, 1905–15; engineering and construction, Lockwood, Greene & Co.; member of General Advisory Committee, Atomic Energy Commission; chief engineer, United Fruit Co.; now vice president thereof.

William E. Russell: Panama Canal service, 1905–9, under all three chief engineers, attached to office of superintending architect, and engaged in building construction; attorney, New York City; chairman of the board of several magazines in which he has controlling interests; headed committee for reevaluation of housing in New York State; has been lifelong student of Panama Canal affairs, and of the treaties pertaining thereto.

Caleb M. Saville: Hydraulic engineer; in charge Third Division Panama Canal, 1907–11, investigating foundations for Gatun Dam, flow through spillway, and Chagres River hydrology; manager and chief engineer, Hatford Metropolitan District; now consulting engineer thereto.

John Frank Stevens: Life student of Panama Canal problems; son of first chairman and chief engineer, Isthmian Canal Commission, who planned the construction organization and plant, and was largely responsible for the adoption of the lock-lake type of waterway.

Ellis D. Stillwell: Electrical engineer; served on Panama Canal, 1912–49, assistant superintendent Gatun locks, superintendent Gatun locks, and superintendent locks division in charge of lock operations and transits, and responsible for lock maintenance and biennial overhauling.

William G. B. Thompson: Civil engineer; Panama Canal service 1909–16 supervising, among other assignments, construction of Balboa terminal; State highway engineer of New Jersey; vice president and chief engineer, Gandy Bridge Co., St. Petersburg, Fla.; with Allied Chemical & Dye Corp. as superintendent of construction, and as project manager Kentucky Ordnance Works; now consulting engineer.

Robert E. Wood: Assistant quartermaster, chief quartermaster, and director Panama Railroad, 1907–14; brigadier general, United States Army (retired), and later acting quartermaster general; president Sears, Roebuck & Co.; now chairman of the board thereof.

Daniel E. Wright: Civil engineer; Panama Canal service, 1904–18 as municipal and sanitary engineer, Central Division, extended subsequently to all divisions and to Panama City and Colon; contracting and consulting in Central and South America; with Rockefeller Foundation and United States Public Health Service as sanitary expert on various commissions to Middle East, Greece, France, Burma, China, India, Egypt, and elsewhere; captain, United States Army, World War I; colonel, United States Army, World War II.

In addition, I also include the text of H. R. 1048, 83d Congress, which follows:

H. R. 1048

A bill to create the Interoceanic Canals Commission, and for other purposes

Be it enacted, etc., That this act may be cited as the "Interoceanic Canals Commission Act of 1953."

SEC. 2. (a) A commission is hereby created, to be known as the "Interoceanic Canals Commission" (hereinafter referred to as the "Commission"), and to be composed of nine members to be appointed by the President, by and with the advice and consent of the Senate, as follows: One member shall be a commissioned officer of the line (active or retired) of the United States Army; one member shall be a commissioned officer of the line (active or retired) of the United States Navy; one member shall be a commissioned officer of the line (active or retired) of the United States Air Force; and six members from civil life. The President shall designate one of the members from civil life as Chairman, and shall fill all vacancies on the Commission in the same manner as are made the original appointments. The Commission shall cease to exist upon the completion of its work hereunder.

(b) The Chairman of the Commission shall receive compensation at the rate of $20,000 per annum, and the other members shall receive compensation at the rate of $15,000 per annum, each; but the members appointed from the Army, Navy, and Air

Force shall receive only such compensation, in addition to their pay and allowances, as will make their total compensation from the United States $15,000 each.

SEC. 3. The Commission is authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for—

(a) an increase in the capacity and operational efficiency of the present Panama Canal through the construction of improved or additional facilities;

(b) the construction of a new Panama Canal of sea-level design, or any modification thereof;

(c) the construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans;

(d) the operation, maintenance, and protection of the Panama Canal, and of any other canal or canals which may be recommended by the Commission;

(e) treaty and territorial rights which may be deemed essential hereunder; and

(f) estimates of the respective costs of the undertakings herein enumerated.

SEC. 4. For the purpose of conducting all inquiries and investigations deemed necessary by the Commission in carrying out the provisions of this act, the Commission is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Commission is given power to designate and authorize any member, or other officer, of the Commission, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Commission may deem relevant or material for the purposes herein named. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any Territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 5. The Commission shall submit to the President and the Congress, not later than 2 years after the date of the enactment hereof, a final report containing the results and conclusion of its investigations and studies hereunder, with recommendations; and may, in its discretion, submit interim reports to the President and the Congress concerning the progress of its work. Such final report shall contain—

(a) the recommendations of the Commission with respect to the Panama Canal, and to any new interoceanic canal or canals which the Commission may consider feasible or desirable for the United States to construct, own, maintain, and operate;

(b) the estimates of the Commission as regards the approximate cost of carrying out its recommendations; and like estimates of cost as to the respective proposals and plans considered by the Commission and embraced in its final report; and

(c) such information as the Commission may have been able to obtain with respect to the necessity for the acquisition, by the United States, of new, or additional, rights, privileges, and concessions, by means of treaties or agreements with foreign nations, before there may be made the execution of any plans or projects recommended by the Commission.

SEC. 6. The Commission shall appoint a secretary, who shall receive compensation at the rate of $10,000 per annum, and shall serve at the pleasure of the Commission.

SEC. 7. The Commission is hereby authorized to appoint and fix the compensation—without regard to the civil service laws or the Classification Act of 1923, as amended—of such engineers, surveyors, experts, advisers, and other employees deemed by the Commission necessary hereunder; and may make such expenditures—including those for actual travel and subsistence of members of the Commission and its employees—not exceeding $10 for subsistence expense for any one person for any calendar day; for rent of quarters at the seat of government, or elsewhere; for personal services at the seat of government, or elsewhere; and for printing and binding necessary for the efficient and adequate functions of the Commission hereunder. All expenses of the Commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Commission, or such other official of the Commission as the Commission may designate.

SEC. 8. The books and accounts of the Commission, and of all persons and agencies who, or which may handle any of the funds relative to the work herein authorized to be made, shall, at all times, be open to the examination of the Comptroller General, who is hereby charged with the authority and duty of making audits and reports in the premises.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.

INTEROCEANIC CANALS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] was recognized for 5 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, I have been very much interested in the remarks of the gentleman from New York [Mr. KEOGH]. I have been deeply interested in the affairs of the Panama Canal ever since I served as chairman of the special subcommittee to investigate the operations of the canal, under House Resolution 44, 81st Congress. In view of some recent articles concerning slides in the Canal and the consequent threat of suspension of operation, further consideration of the overall problem of interoceanic canals is especially timely.

In 1949, when directing the indicated investigation, I prepared a comprehensive bibliographical list on the Isthmian Canal policy of the United States, published in the Appendix of the CONGRESSIONAL RECORD of August 25, 1949, volume 95, part 16, page A5580.

Subsequent issues of the RECORD contain a number of additional enlightening contributions, including cogent statements by distinguished Members of the Congress who have studied the canal question.

As a result of our examinations of the interoceanic canal problem over a number of years, the gentleman from Iowa, Representative THOMAS E. MARTIN and I, in the 82d Congress, introduced identical measures for the creation of an Interoceanic Canals Commission.

The gentleman from Iowa, Congressman MARTIN, introduced the same bill, H. R. 1048, in the present Congress. This, I believe, offers the Congress best means for the adequate resolution of this tremendously important problem, and should be enacted.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HÉBERT and to include extraneous matter.

Mr. CELLER in four instances.

Mr. DODD in two instances.

Mr. SMITH of Mississippi and to include extraneous matter.

Mr. ENGLE (at the request of Mr. SHELLEY).

Mr. SHELLEY.

Mr. PRICE in two instances and to include extraneous matter.

Mr. HELLER (at the request of Mr. MULTER) in two instances and to include extraneous matter.

Mr. SHAFER.

Mr. TOLLEFSON to revise and extend remarks made this afternoon on the appropriation bill, and to include a statement by Admiral Leggett.

Mrs. ROGERS of Massachusetts.

Mr. FRIEDEL.

Mr. YORTY in two instances.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHERER, for May 3 through and including May 14, on account of hearings of the Un-American Activities Committee at Detroit, Flint, and Lansing, Mich.

Mr. SCOTT (at the request of Mr. ARENDS), for the rest of the week, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2665. An act to amend the Classification Act of 1949, as amended, and the Federal Employees Pay Act of 1945, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

ADJOURNMENT

Mr. HYDE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p. m.), under its previous order, the House adjourned until Monday, May 3, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1488. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 22, 1953, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of that portion of the shore of

Florida in Pinellas County lying between Big Pass and Pass-a-Grille Pass, prepared under the provisions of section 2 of the River and Harbor Act approved on July 3, 1930, as amended and supplemented (H. Doc. No. 380); to the Committee on Public Works and ordered to be printed with 14 illustrations.

1489. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the District of Columbia Public School Food Services Act"; to the Committee on the District of Columbia.

1490. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to amend an act entitled "An act to create a juvenile court in and for the District of Columbia," and for other purposes,' approved June 1, 1938"; to the Committee on the District of Columbia.

1491. A letter from the Acting Attorney General, transmitting the draft of a proposed bill entitled "A bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counter-espionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 523. Resolution for consideration of S. 2150, an act providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes; without amendment (Rept. No. 1549). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H. R. 8947. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DODD:

H. R. 8948. A bill to outlaw the Communist Party and similar organizations; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H. R. 8949. A bill to establish a code of fair procedure for the conduct of congressional investigations; to the Committee on Rules.

By Mr. SCOTT:

H. R. 8950. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. SCRIVNER:

H. R. 8951. A bill to authorize a modification of the project for flood protection for the Kansas Citys, Kans. and Mo.; to the Committee on Public Works.

By Mr. ROOSEVELT:

H. R. 8952. A bill to authorize the transfer of funds available to the Commodity Credit Corporation so as to increase the ration of whole fluid milk for members of the armed services and for children served by schools participating in the school-lunch program; to the Committee on Agriculture.

By Mr. WAMPLER:

H. R. 8953. A bill to permit volunteer fire departments and rescue squads to receive property surplus to the needs of the Federal Government for use in preserving life and property; to the Committee on Government Operations.

By Mr. BENNETT of Michigan:

H. J. Res. 512. Joint resolution to make it unlawful, without the consent of Congress, to send or maintain abroad members of the Armed Forces for the purpose of engaging in armed hostilities at or in the vicinity of Indochina; to the Committee on Armed Services.

By Mr. GRANAHAN:

H. J. Res. 513. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. J. Res. 514. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. COLE of New York:

H. Con. Res. 228. Concurrent resolution felicitating and congratulating New York State and its board of regents; to the Committee on the Judiciary.

By Mr. McGREGOR:

H. Res. 521. Resolution to authorize the Committee on Armed Services to investigate and study the pay allowances, and other benefits authorized by law for members of the Armed Forces; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. TOLLEFSON:

H. R. 8954. A bill to authorize the President to provide assistance to an expedition to the Antarctic in furtherance of the interests of the United States; to the Committee on Armed Services.

By Mr. BRAMBLETT:

H. R. 8955. A bill for the relief of Mrs. Hattie Sears Sullivan; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 8956. A bill for the relief of Lydia Kunder; to the Committee on the Judiciary.

H. R. 8957. A bill for the relief of Arvid Kalnins; to the Committee on the Judiciary.

H. R. 8958. A bill for the relief of Rosita Zysman; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 8959. A bill for the relief of Mrs. Uto Ginoza; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 8960. A bill for the relief of Carol Brandon (Valtrude Probst); to the Committee on the Judiciary.

By Mr. SHAFER (by request):

H. R. 8961. A bill for the relief of Cornelis Willem Van Nus; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

H. R. 8962. A bill for the relief of Denes Deutsch; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

687. Mr. GRAHAM presented a petition of 87 members of the First United Presbyterian Church, of Beaver Falls, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children and urging the passage of the Bryson bill, H. R. 1227, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

A Monstrous Lawsuit Is Forestalled in Central Valley Project

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. ENGLE. Mr. Speaker, it was my privilege in October 1951 to serve as chairman of a special six-member Subcommittee on Irrigation and Reclamation which held hearings in Sacramento, Calif., on the Central Valley project. The purpose of the hearings was to consider Federal-State relationships in the management of the Central Valley project and to obtain factual information on the project water supplies, the water requirements of the lands to be served by the project, and the water rights necessary to operate it. The subcommittee made a critical analysis of several problems relating to project management and made some very definite findings and specific recommendations.

One of the matters which was covered at the hearings and on which findings and recommendations were made concerned the adjudication of Sacramento Valley water rights. The subcommittee found that the State of California and Bureau of Reclamation officials were making plans for an adjudication of Sacramento Valley water rights in the Federal court. It appeared to us on the subcommittee that such a procedure would result in a monstrous lawsuit, a "legal Frankenstein" which would destroy all hope for State control of Central Valley water rights. The cost of such a lawsuit would be enormous. It would embroil the Central Valley project in litigation for decades, and would probably delay further water development in the Central Valley of California. The subcommittee felt very strongly that all other means of settlement should be completely exhausted before resorting to such a lawsuit over the waters of the

Sacramento River. We recommended that the State engineer of California should proceed as far as possible to settle the problem by administrative action, having in mind that a settlement should be attempted through negotiations looking toward the achievement of a practical operating agreement.

I am pleased to report to my colleagues that, as a result of the hearings and the recommendations of the special subcommittee, an attempt is being made to negotiate a settlement of the complex water-rights problem without recourse to litigation. A trial distribution of water program is now under way. Water users owning some 350,000 acres and diverting 94 percent of the water being taken from the Sacramento River above the delta are participating in the program. They have agreed to keep certain records and furnish information relative to the water they are diverting during this irrigation season. At the end of the year, after the information is all in, a report will be prepared by the State engineer on the actual utilization of water for irrigation during the summer and this report will form the basis for another trial distribution next year. The cooperation that has been given to this program is very encouraging and the achievement of a practical operating agreement is one step nearer. Messrs. ASPINALL, YORTY, D'EWART, POULSON, and BOW, who served with me on the special subcommittee, deserve a lot of credit for heading off this huge lawsuit, and keeping the Central Valley project on an even keel.

Statement by Hon. John F. Shelley, of California, to House Committee on Post Office and Civil Service on Salary Increase for Classified Government Employees

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. SHELLEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement by me to House Committee on Post Office and Civil Service on salary increase for classified Government employees:

Mr. Chairman and members of the committee, when I appeared before you on March 1, 1954, to give my views on the need for salary increases for Government employees, my discussion was largely limited to the case for Post Office workers, although I did devote some attention to the problems of classified employees in general. Since the committee has now decided to report legislation affecting both groups at the same time, and since the administration's proposals for the classified employees are now more thoroughly understood, I would like to add to my previous testimony and amplify on my belief that all Federal employees should have a substantial salary increase without delay.

The shortcomings of the Civil Service Commission recommendations are now apparent, as far as meeting the needs of employees in the lower classifications is concerned. The arbitrary method that was used in arriving at their recommendation is also apparent. Instead of sitting down and giving real consideration to what amount of increase was needed in each of the different pay classifications to provide a fair and decent raise, adequate to compensate for higher living costs, it is obvious that the administration people who wrote the plan began by asking themselves "What is the absolute minimum overall increase we can recommend which will appear to give some satisfaction to Government employees but won't damage our claims that we are achieving economy in Government?" They settled on 2.5 percent of the total classified payroll and from that point proceeded to work up a scheme for apportioning the 2.5 percent among the various pay groups and to camouflage the inadequacy of the plan by disguising it as a new classification system. The end result, as might be expected, does practically nothing to give the lower paid employees of the Government additional money to buy their bread and butter, to clothe their families, and to pay the rent. I say "pay the rent" because at the present price of real estate, the good Lord knows that not very many of them can put up the downpayment to buy a decent home.

If there is any justification for setting an arbitrary ceiling on the total amount the administration feels it can afford to recommend for salary increases—and I refuse to admit that any ceiling below an amount sufficient to provide an adequate salary scale for all Government employees can be justified—there is certainly no justification for euchering employees in the lower classifications out of their fair share of such an increase. I do not quarrel with the fact that employees in the upper classifications should have a substantial increase, and I agree firmly with the proposition that there should be adequate differentials in the pay of supervisory employees and those who work under them. However, I cannot agree that these adjustments should be made at the expense of those for whom the need is immediate and urgent.

My personal belief is that really substantial increases, such as those provided in H. R. 4556, the Withrow bill, should be voted at once. That is the type of action I am fighting for in this Congress. Following that step the committee, working with the departments and with the recognized employee groups, should give mature study to the question of reclassifying positions and adjusting differentials. To attempt to do that now on the basis of unilateral recommendations by the Civil Service Commission will further reduce the present low morale of the rank and file Government worker. You can't feed a hungry dog by throwing him a rubber bone. Neither can you satisfy the justifiable demands of underpaid Government workers by tossing them a fancy package which, when stripped to the essentials, does nothing for them or their families.

I have received any number of letters from Government employees in San Francisco in both supervisory and rank and file positions. They are unanimous in citing the lag between pay increases for blue-collar workers and private industrial employees and the granting of similar raises to white-collar employees of the Federal Government. They are also unanimous in their demand for a full adjustment in all pay grades to compensate for cost-of-living increases. That time lag is the fault of Congress and it is also our responsibility to remedy the situation without delay.

I therefore again urge the committee to act favorably on legislation to bring Government employees' salaries up to a level which reflect a realistic understanding of how hard they have been hit. In normal collective bargaining in industry such wage adjustments could be made retroactive to help employees pay off some of the debts saddled on them because their raises were overdue. Since we cannot do that for Government workers because of our system, then let us by all means make the increase we do provide big enough so that when they get their first larger paycheck they won't be ashamed to take it home to their wives and families.

Outlaw Wiretapping Save by Court Order and Then Only in Cases Involving National Security

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement by me before the Special Subcommittee on Wire Tapping Legislation of the Senate Judiciary Committee, on Wednesday, April 28, 1954, at 10 a. m.:

Interception of wired or wireless communication should be outlawed except in those cases where it is specifically permissible, such as in espionage, sabotage, subversion, and matters pertaining to our national security and defense, and in cases where it is permitted by State law. In those permissible cases, no tapping should be permitted unless, as in the case of a search warrant, a court order ex parte shall have been obtained.

It is time to call a halt to this wretched practice, so obnoxious to all our citizens. Wiretapping is a media for extortion, blackmail, and corruption, used by cheats, procurers, prostitutes, gamblers, racketeers, bootleggers, bookmakers, and kidnapers. The roster is revolting, and it permeates our whole society. Such malefactors should be denied the right to tap wires and anyone who installs the apparatus should be punished.

Wiretapping is also used by the FBI, the CIA, the Army, Air, and Navy Intelligence Services, the city police, State troopers, private detectives, business executives, political parties, and labor unions. All these entities should be prohibited from intercepting calls or messages except in cases involving national defense and security and in cases permitted by State law. Conversations of Members of Congress have been intercepted and recorded. * * * Not even the office of the President is immune. The late Senator Tobey used a tape recorder to take down a conversation deemed private by former President Truman.

The FBI does considerable wiretapping, and I quote from the Reporter magazine: "The FBI, which probably does more wiretapping than any other Federal agency, is at constant pains to deprecate its use of the technique. J. Edgar Hoover's recent public statement on the subject of tapping was made before a House Appropriations subcommittee early in 1950, when the FBI Director said his agents were tapping less than 170 telephones at the moment. Assuming 5 conversations over the average phone each day, 170 telephones would carry more than 300,000 tapped conversations a year. Such a figure is merely a guess, but it compares favorably with the concurrent testimony of Mrs. Sophie Saliba, head of the record file room of the New York office of the FBI. Mrs.

Saliba disclosed that more than 3,500 discs of FBI-tapped conversations had been destroyed in 1949. Since a disc can easily hold 5 telephone conversations, probably these discs held at least 17,500 conversations—all obviously the work of the New York office alone.

We supposed that we had proscribed the indiscriminate use of wire taps by section 605 of the Communications Act, but legalistic juggling of words balked our efforts and limited our meaning. The tap apparently incurs no penalty. Only the evidence obtained by a wiretap cannot be deemed legally admissible in evidence. It is the "fruit of a poisonous tree."

Let us now not lose the opportunity to outlaw wiretapping once and for all, except in those cases where it is necessary for our national security. Any wiretapping bill creates a conflict. On the one side we have the ideals of freedom and individual privacy. On the other we have the need to use the most modern techniques to ferret out and prosecute crime, to get after saboteurs, espionage agents, and to protect our national security. The conflict must be resolved. Let us resolve it then with the least injury to our liberties. The requirement of a court order is a proper safeguard. A court order would prevent abuse of the power. I quote from a statement made by the Association of the Bar of the City of New York:

"The importance of a prior court order for any wiretap is much the same as in the case of a search warrant. The requirement of a search warrant is made 'so that an objective mind might weigh the need. * * * The right of privacy was deemed too precious to entrust to the discretion of those whose job is the detection of crime and the arrest of criminals. Power is a heady thing.'" (*McDonald* v. *U. S.* (335 U. S. 451, 455).)

District Attorney Miles F. McDonald testified favorably as to his experience under the New York statute requiring a prior court order for any wiretap: "I think prosecutors, myself included, can be overzealous. * * * The judge is a safeguard." He also testified that he had never had any bad experience so far as leakages in the court are concerned. (Hearings, pp. 80, 82.)

It is not asking too much to give up a bit of our freedom to enable (after a court order has been obtained) the FBI, the CIA, and the Intelligence Services of our Army, Navy, and Air Force, to track down spies, saboteurs, and the disloyal, who would deprive us of all our liberties.

I would oppose any bill that would leave the power to tap in the discretion of the Attorney General, or any designee of his. This is too great a power to lodge in any one individual. Power begets power, and the use of power for power's sake is tempting. Such inordinate power could be used even for political purposes and thus abused. We must remember that we legislate for the future. No one can foretell who our future Attorneys General will be. There is nothing personal in this argument. The court is the proper determining agent. We are a Government of law, not a Government of men. To my mind, wiretapping involves the presence of an unexpected, silent, furtive, and unwelcome guest at your telephone. It is like the invasion of your proverbial castle. You may not enter anybody's home, even if you suspect a crime has been committed there or is about to be committed, without a search warrant. Is there any difference when you enter the hearth and home by way of a telephone wire? Why should we not in commonsense require a court order in those circumstances just as we do in a case of a search and seizure? Also the agency which does the eavesdropping ought not to be in sole control. The Attorney General should not, because he cannot adequately do so, police himself. No time would be lost in getting the court order and there would be no danger of leaks. In my State of New York, where a court order is required before a wiretap is permitted, experience has shown that the wrongdoer is never apprised beforehand of the intended tapping. Incidentally, Communists no longer communicate by telegraph or telephone. They have received orders not to do so, and they would be fools indeed to use such a form of the transfer of ideas and instructions and propaganda.

I hope the argument made in the House for a wiretap bill with absolute power residing in the Attorney General, will not be made in the Senate. It was most unfortunate that the bill was called an antitraitor bill. This is a slick slogan which has an appeal to sensation not sanity, to passion not patience, to fear and not frankness. It implies that anyone opposing the bill for the best of reasons, might be branded as one who renders aid and comfort to traitors, which, of course, is absurd.

One might inquire as to why I, or someone else, did not seek to amend the bill that passed the House, by inserting a clause which would have outlawed wiretapping save in the cases I have indicated above. We have rigid rules of jurisdiction in the House, and we were actually considering only a rule-of-evidence bill; a bill involving procedure in the Federal courts. We were not considering an amendment to section 605 of the Federal Communications Act, which involves wiretapping. If such an amendment had been offered, it would have been subject to a point of order, and the Speaker would have been compelled to sustain the point of order.

At this point I should like to go back a bit into the history of wiretapping. In 1934 the Federal Communications Commission was established as an independent agency. Included in the enabling act, as section 605, was a provision intended to outlaw wiretapping once and for all. It read, in part:

"No person not being authorized by the sender shall intercept any communication and divulge or publish the * * * contents * * * to any person * * * and no person having received such intercepted communication * * * shall * * * use the same or any information therein contained for his own benefit or for the benefit of another."

Violations were made subject to a $10,000 fine, 2 years in prison, or both.

Three years later the Supreme Court reviewed section 605 of the Communications Act.

Several defendants in Nardone against United States appealed their convictions of liquor smuggling on the ground that the evidence used against them was the result of taps by Federal agents.

The Court ruled that section 605 applied to all persons—persons as Federal agents and all others. But the Court also ruled that the evidence was inadmissible since the agents violated the law in obtaining such evidence.

But the Federal agents who violated section 605 by tapping were never prosecuted. No one has ever been prosecuted for illegal tapping—except in one case, that of a lawyer named Gruber. The Department of Justice has never gotten after its men for wiretapping. Attorney General Jackson said in 1940:

"I do not feel that the Department of Justice can, in good conscience, prosecute persons for a practice engaged in by the Department itself, and regarded as legal by the Department."

In March 1941, Attorney General Jackson made this new construction of section 605 public:

"There is no Federal statute that prohibits or punishes wiretapping alone."

Jackson said: "Any person, with no risk of penalty, may tap telephone wires and eavesdrop on his competitor, employer, workman, or others, and act upon what he hears or make any use of it that does not involve divulging or publication."

In 1939 Nardone was reconvicted not on direct-wire evidence but from evidence obtained in turn from wiretap leads. The court held the evidence was "fruit of the poisonous tree" and was thus inadmissible. Nardone was again freed.

In conclusion I repeat: Thow clear safeguards around the power to tap; insist upon the court order.

Secretary of Interior McKay's Assurance of Sympathy to Governors of Coal-Producing States Not Supported by Record

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EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mr. PRICE. Mr. Speaker, Secretary of Interior Douglas McKay told a group of governors of the coal-producing States that there is no easy solution to the problems of the coal business.

He went on to say that the way to meet the situation was to have an intensive research program, which, he told the governors, was being undertaken in his Department.

No one who has any knowledge of the coal business can deny the difficulty in solving its problems nor can anyone deny the need for an intensive research program.

We can, and do, quarrel with the assertion of Mr. McKay that his administration is fostering such a program.

Despite his pious assertion of sympathy, the Secretary, who seems to be the first-string quarterback when the administration shifts into its give-away formation, has this record in the field of coal research:

First. Under his administration the synthetic liquid fuels pilot plant at Louisiana, Mo., has been closed and all research stopped.

Second. Under his administration the synthetic liquid fuels pilot plant at Rifle, Colo., has been closed.

Third. Mr. McKay's budget request for the current year for the synthetic liquid fuels program was drastically cut.

Fourth. In fact, Mr. McKay's pruning knife made perhaps its deepest cuts in the whole Bureau of Mines program, and then officials of his Department made only weak attempts to justify the work of this all-important agency, wherein coal research is carried out.

Perhaps there is more than coincidence in the fact that the synthetic liquid fuels program has been cut back and the fact that coalminers, by and large, supported Governor Stevenson in 1952 while the oil barons were heavy contributors to the Republican campaign fund.

My Opposition To Sending American Troops to Indochina

EXTENSION OF REMARKS
OF
HON. SAMUEL N. FRIEDEL
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. FRIEDEL. Mr. Speaker, I wish to make clear my opposition to sending United States Armed Forces to Indochina.

The issue in Indochina is not whether the advance of communism should be stopped, but, rather, how best to stop it. Even if we concede that the Soviet Union and Communist China have captured control of the Viet Minh movement, the driving force of that movement remains the same as it was 8 years ago. That force is nationalism. The mainspring of that nationalism has nothing whatever to do with the politico-social theories of Marx, Lenin, Stalin, or Mao Tse-tung. That driving force has its basis in the desire of the peoples to be free from Western domination. France could have granted independence at the time the Philippines, Indonesia, Burma, India, Ceylon, and Pakistan were made independent. The fact that she has not granted complete and unequivocal independence to date only serves as fuel to the burning fires of nationalism.

Eight years of civil war have demonstrated that those fires cannot be quenched by military means alone. Just as French Union forces have been increased, the Viet Minh forces have grown. As the United States has increased provisions of materiel to the French Union forces, Czechoslovakia, the Soviet Union, and China have increased the flow of arms to the Viet Minh. After 8 years of fighting, it may realistically be said that the territory under French control remains the same as at the outstart.

In the psychological and the political war—the war to win the loyalty of the people, the war which takes precedence over military conflict—the French are on the defensive and no military measures can be successful until the people are granted the freedom to which they have so long aspired.

When military measures have failed in the limited area in which this war has been fought during the past 8 years, it is not likely that success will be found by increasing the intensity of operations on both sides. More American planes, compensated by more Soviet planes, cannot basically alter the will for freedom in the Indochinese people. An extension of this war, locking Communist China and the United States in a death struggle, will not serve to gain the freedom of the Indochinese people.

Whether the United States were to send troops into Indochina on her own, or under the cloak of a 10-nation southeast Asian defense arrangement, does not alter the material fact that military measures are secondary to the winning of this war.

Whatever constructive rule the United States may assume in resolving this conflict, the intended results will not be served by sending United States troops to Indochina, and I, personally am definitely opposed to such action. All of the shooting in the past 8 years has proven that all the people of Indochina want is their independence. Had this independence been granted long ago, this war could have been avoided.

Economic Aid to India Is Imperative

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. CELLER. Mr. Speaker, rumblings of discontent if not extreme hostility can be heard from some Members of the House and Senate to the proposed plan of the administration to give India $85 million in economic assistance and $19 million in technical aid for the coming fiscal year. Senators KNOWLAND and DIRKSEN, and Representatives JUDD and SMITH voice their opposition in terms of their resentment to Prime Minister Nehru's so-called dynamic neutrality and his differences with United States policy on Red China, the H-bomb, and the collective security program.

Yet Nehru, on balance, is one of our best friends in Asia, and India is desperately in need of the proffered help for her industrial development. Nehru maintains a policy of persistent and vigorous opposition to communism in his country. He has jailed 10,000 Communists since India became an independent state. He vigilantly weeds Communists out of the civil service and his Congress Party is a constant thorn in the side of the Communists.

Senator KNOWLAND has been quoted as saying that Nehru does not speak for Asia. But we know that Nehru carries India on his back like Sinbad carried the Old Man of the Sea. Certainly, he speaks for India, and when he speaks, all Asia and all southeast Asia listen to him. Nehru is a man not only to be reckoned with, but to be encouraged. Deprecate him too much and India, like China, will be lost to us. And we cannot afford to lose India especially with Indochina teetering on the Communist brink.

How short-sighted and inept can these "China Firsters" get? They insist on labeling all our aid as anti-Communist, and they insist on paeans of praise and gratitude from all governments receiving our aid. These nations do not want to be looked upon as pawns in the East-West conflict. Proud nations like India resent this attitude which robs the giver of his grace and the recipient of his pride.

The point 4 aid now being contemplated for India, is worth many millions of dollars of military aid. India is a democracy. The "right to dissent" is inherent in democracy, and India has the right to criticize us just as we have the right to criticize her. If we cut off economic aid to India because of her dynamic neutrality in the cold war—just as we in our early history were neutral in European conflicts and via our Monroe Doctrine—India might well fall on "t'other side."

Reserve Judgment in the Army-McCarthy Case Until All Evidence Is In

EXTENSION OF REMARKS
OF
HON. PAUL W. SHAFER
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. SHAFER. Mr. Speaker, I have just returned from a hurried trip to Michigan, and while there I found that there is an understandable temptation to pass an exasperated and adverse snap judgment on the current proceedings in the McCarthy-Army controversy.

In my opinion, however, it will be most unfortunate if thoughtful Americans yield to this temptation. I believe it is of the utmost importance that the judgment of public opinion be held in abeyance as far as possible until all of the evidence is in.

It is significant, and ironical, that the pressures for a snap judgment, and one hostile to Senator MCCARTHY, are strongest from the professional McCarthy-haters.

This is the same crowd that has ceaselessly clamored for the adoption of regular courtroom procedures in congressional investigations, particularly the right of cross-examination of witnesses. Now that there is cross-examination with a vengeance from all sides, and a clear determination to bring all of the facts at issue to light, this same element is deploring the dragged out proceedings and objecting to the so-called public washing of dirty linen.

Already evidence is developing in the hearings that the commanding general at Fort Monmouth had commended the McCarthy committee investigation of subversives and security risks at that highly sensitive military installation, and that he was under heavy pressure from within the Department of the Army to remove the suspensions of certain security risks. This is a highly relevant disclosure and has a most important bearing on the fundamental issue of who it is in the Federal Government who wants to relax or eliminate the hunt for traitors and potential traitors in the military.

In urging that thoughtful Americans reserve judgment on the entire matter I should like to remind them of 4 or 5 facts which have been temporarily obscured by the present proceedings:

First. An Army major was promoted and honorably discharged after he had repeatedly invoked the protection of the fifth amendment.

Second. An Army general did refuse to give information as to who was responsible for this promotion and honorable discharge, acting under orders of top Department of Army officials.

Third. The Secretary of the Army did agree to provide this information, but as a result of enormous pressures from within the military and from the left-wing press, who charged him with surrendering to McCARTHY, began a diversionary attack upon McCARTHY.

Fourth. The counsel for the Army gave added impetus to this diversionary tactic by releasing charges of demands for special favors for Private Schine.

Fifth. It has already been conceded, in the current hearings, that the Secretary of the Army desired to substitute self-investigation of subversives by the Army for congressional investigations, in spite of the statement of the Fort Monmouth commander that more had been accomplished in 2 weeks by the Senate investigating committee than had been accomplished in 2 years by the Army itself.

I do not ask, or expect, a verdict in favor of McCARTHY in advance of a full exploration of the facts. But I strongly believe that the foregoing considerations, and the eagerness of the anti-McCarthy crowd to discredit him by discrediting the current proceedings, is a fair warning against an adverse snap judgment.

Of course, it is unfortunate that the controversy developed and that it reached its present stage. But it would be infinitely more unfortunate if there were any turning back in the Senate committee's expressed determination to get all of the facts, or if there were a superficial judgment rendered by a careless or impatient public before the evidence is all in.

Judge Robert Palmer Anderson

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. DODD. Mr. Speaker, the United States District Court for the District of Connecticut is soon to have a new judge, Robert Palmer Anderson, of Noank, Conn.

Judge Anderson's appointment by President Eisenhower and the confirmation of his appointment by the United States Senate means that the Federal court in Connecticut will continue, as it has in the past, to be known for the outstanding ability and sterling character of its judges.

Judge Robert Anderson has earned an enviable reputation in Connecticut as State's attorney for New London County and as a judge of our superior court. Judge Anderson is young enough to be vigorous and enthusiastic and experienced enough to be moderate, careful, and scholarly. By temperament, by training, and by intellectual achievement, he is well qualified to become one of the outstanding judges in our Federal system.

I am sure that, in paying this tribute to Judge Anderson and to his appointment by President Eisenhower, I am joined by my fellow citizens of the State of Connecticut.

Celler Protests United States Arms Agreement With Iraq

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. CELLER. Mr. Speaker, it is now revealed that the United States has executed an agreement for arms aid to Iraq and has indicated the existence of a similar agreement with Saudi Arabia. Strangely enough, the news of this agreement broke in Bagdad, and Washington was then forced to confirm it. Why was Washington reluctant to reveal the pact here? Did it wish to keep it under wraps? The Department of State well knew that the contemplation of sending arms to Iraq and Saudi Arabia was met with great protest from many Members of the House and Senate as well as by others.

Iraq says the aid is unconditional. The State Department indirectly indicates that the arms are for self-defense and will not be delivered if they are to be used against Israel. It is pertinent to ask what guaranties were demanded from Iraq that the arms be not so used. It is equally as pertinent to ask what will the United States do if Israel is attacked. We have no answer to those questions. Has the State Department an answer?

It is supposed that these arms will be used by Iraq against possible Soviet aggression. The Arab States do not acknowledge any threat of Soviet aggression. Witness the recent action of Vishinsky in the Security Council, who exercised two vetoes recently in favor of the Arab States.

The one hostility openly acknowledged by the Arab States, is their hostility against Israel. Iraq, the recipient of arms, has refused to enter into any armistice agreement with Israel. Iraq has banded together with other Arab nations into the Arab League. We know by its own word that the Arab League is bent on Israel's destruction. Nuri Said, speaking before the Iraqi Parliament said:

> The Arab League Security Pact is designed to protect us against only one danger—the Zionist danger.

On March 3 of this year, the Embassy of Iraq in Washington issued a lengthy statement urging Arab unity against Israel. King Saud of Saudi Arabia stated in January of last year:

> Israel to the Arab world is like a cancer to the human body, and the only remedy is to uproot it just like a cancer.

The tensions in the Middle East between the Arab States and Israel are grave. Certainly, this agreement of arms to Iraq can hardly serve the interests of peace in that area.

I renew my protest against the shipment of arms to Iraq. I demand to know the exact term of this arms agreement executed by the United States and Iraq.

Trade Relations With Japan

EXTENSION OF REMARKS
OF
HON. FRANK E. SMITH
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. SMITH of Mississippi. Mr. Speaker, under unanimous consent, I include the following copy of a letter which I have sent to Secretary of Defense Wilson:

APRIL 29, 1954.

The Honorable CHARLES E. WILSON,
Secretary of Defense,
Washington, D. C.

DEAR MR. SECRETARY: I understand that protests have been made to you in regard to bids submitted by Japanese firms on equipment necessary for the Dalles Dam on the Columbia River. I would like to strongly urge that the Japanese bids be considered on the same basis with any other bids which have been received from responsible sources.

As a member of the House Public Works Committee, which recently authorized an increased appropriation to cover costs of construction for the Dalles Dam, I was very much impressed with the record of economy achieved by the Portland District of the Corps of Engineers. Through division of the work to encourage competition from contractors, and other steps to gain both economy and efficiency, the cost of the dam will be well below initial estimates, in spite of generally increased construction costs since the time of those estimates. From the standpoint of the Corps of Engineers, and from the best interest of American taxpayer, it would be very disappointing for this record to be spoiled by arbitrary action ignoring low bidders for equipment for the dam.

I believe it would be a great mistake for the Defense Department to participate in the development of a policy which would make normal trade relations with Japan more difficult. Japan is an anchor of American defense policy in Asia. The development of healthy trade relations with that country should be an essential part of our defense policy, in addition to being good common sense from an economic standpoint.

I understand that the question has been raised in regard to possible hardship if an American firm loses this bid. There is no comparison between the hardship involved for an individual firm and the millions of Americans who produce for export and who will feel the results if our trade relations with Japan continue to deteriorate.

Any prejudicial action against a bid pending before your Department will be directly contrary to the President's recommendations in regard to the "Buy-American" act. I am confident that you will carry out the President's policy in this regard.

Cordially,

FRANK E. SMITH,
Member of Congress.

Retirement for Reservists

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. HELLER. Mr. Speaker, I am today introducing a bill in Congress to liberalize the requirements of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 for retirement of reservists who served on active duty during World War I and World War II. This act is known as Public Law 810 and was passed by the 80th Congress.

At the present time, a reservist who was a member of a Reserve component prior to August 15, 1945—that is, prior to V–J Day—may be granted retirement pay under Public Law 810 if he meets the following qualifications: (a) He must have at least 20 years of satisfactory Federal service; (b) he must have served during World War I or World War II; (c) he must attain the age of 60.

Recently, in discussions with a friend of mine, I learned that there is a small group of reservists who have completed more than 30 years of creditable service with our Armed Forces during both World Wars, and some even in the Korean war, but their contribution is being overlooked or ignored under the existing retirement law. Although my friend is not planning to retire soon, his record of service is typical of the men in this small group who have accumulated similar experience.

He entered the Army during World War I, served on the European battlefields, and subsequently remained in the Reserves. He also served in World War II and in the Korean war, accumulating a total of more than three decades of Reserve and active duty service for his country. He is still in the Reserves to this day.

Mr. Speaker, only a small number of men remain in this category who could still benefit from the retirement privileges provided in my bill. Some of them no longer retain their health or ability to pursue their occupations. Even at this late date we should be liberal in our recognition of the great services they performed, and not the least of these is the fact that they stayed in the various Reserve components between the two wars and helped to maintain our Reserve units up to strength. Most of these men are now in the middle fifties or close to 60, and some among them with not too much of this world's goods to their name.

It is my opinion that these men are entitled to receive special recognition for their contribution to the security of our country. They have responded far and above the call of duty. I believe that in recognition of their record of patriotic service they should be granted the privilege of retiring at the age of 55 instead of 60. Consequently, I drafted a bill which seeks to set up a new class of persons entitled to be retired under Public Law 810.

My bill provides that, in order to be entitled to retirement pay as a member of the new class, an individual must meet the following qualifications: (a) he must have at least 30 years of satisfactory Federal service; (b) he must have served during both World Wars I and II; (c) he must have attained the age of 55.

Mr. Speaker, I am strongly of the opinion that Congress should take into consideration the service rendered by these men over such a long time and during two great wars, and that we should recognize their contribution and their sacrifices by liberalizing the retirement law in their behalf. They have given a great deal of their life and time to our Armed Forces. Now they are so few in number, and even fewer are the years left to them in which they could benefit by this recognition. I urge you to give serious and prompt consideration to my proposal. In so doing, we shall at the same time boost the morale of all those serving in our Reserve components and those making a career for themselves in our Armed Forces.

The text of my bill is as follows:

Be it enacted, etc., That the portion of subsection (a) of section 302 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 (10 U. S. C., sec. 1036a) which precedes the colon preceding the first proviso thereof is hereby amended to read as follows:

"(a) Any person—

"(1) who, upon attaining or having attained the age of 60 years, has performed satisfactory Federal service as defined in this section in the status of a commissioned officer, warrant officer, flight officer, or enlisted person in the Army of the United States or the Air Force of the United States, including the respective Reserve components thereof, and also including the federally recognized National Guard prior to 1933, the United States Navy, including the Reserve components thereof, the United States Marine Corps, including the Reserve components thereof, and has completed an aggregate of 20 or more years of such satisfactory service in any or all of the aforesaid services, or

"(2) who, upon attaining or having attained the age of 55 years, has performed satisfactory Federal service in any status referred to in paragraph (1) in any of the components of the Armed Forces referred to in paragraph (1), and has completed an aggregate of 30 or more years of such satisfactory service in any or all of the aforesaid services, part of which service was performed as active Federal service during any part of both of the two periods referred to in the last proviso of this subsection,

shall, upon application therefor, be granted retired pay."

Case No. 1

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. CELLER. Mr. Speaker, here is a typical case of extreme hardship caused by the numerous unfair provisions of the McCarran-Walter Act. This case and scores like it demand drastic changes in the act:

Error of pennies in 1922 leads to deporting move.

Herewith find the New York Times report of the tragic happenings under our present immigration laws:

DETROIT, April 11.—Samuel Jones, a 72-year-old Detroit pensioner, faced deportation to his native England today because he forgot to pay for a newspaper more than 30 years ago.

Mr. Jones came to this country in 1922. The newspaper incident occurred shortly after his arrival in Detroit.

He said that while running for a streetcar he grabbed a newspaper and failed to drop any pennies in the coin box. Arrested, he was convicted of simple larceny and fined $15.

Later, Mr. Jones made a 2-week visit to Canada. Under immigration regulations, any alien who leaves the country is considered a new entrant when he returns. In applying for reentry Mr. Jones neglected to tell immigration officials about his conviction. The concealment of the conviction was a violation of immigration laws and Mr. Jones now faces possible deportation.

Mr. Speaker, certainly a case of this sort should be adjusted administratively by a responsible official. The law must be amended to that end.

A Bill To Outlaw the Communist Party in the United States

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. DODD. Mr. Speaker, I have today introduced a bill to outlaw the Communist Party in the United States.

The bill which I have introduced is identical with the bill introduced by Senator MIKE MANSFIELD in the United States Senate on March 25, 1954.

For a long time I have been trying to draw up a piece of legislation which would provide for the outlawing of the Communist Party, and in this effort I have examined all of the proposals which have been made over a period of several years.

It is my judgment that Senator MANSFIELD's bill is the best proposal that has been made, and as I introduce the measure in this House I am desirous of giving full credit to Senator MANSFIELD for the authorship of this measure.

The bill is as follows:

A bill to outlaw the Communist Party and similar organizations

Be it enacted, etc., That whoever knowingly and willfully becomes or remains a member of the Communist Party, or of any other organization having for one of its purposes or aims the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both. For the purposes of this section, the term "Communist Party"

means the political organization now known as the Communist Party of the United States of America, whether or not any change is hereafter made in such name.

SEC. 2. This act shall take effect on the first day of the third calendar month following the month in which it is enacted.

Slogans Don't Make a Policy

EXTENSION OF REMARKS
OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mr. PRICE. Mr. Speaker, some folk define "public relations" as the art of making what is not seem to be. Personally, I do not hold with this cynical concept. In fact, I believe any public relations program based upon such a philosophy is, in the long run, a poor program; one that is doomed to eventual failure.

This appears to be the philosophy of the hucksters in the present administration. Every campaign seems to be based upon an effort to make what is not seem to be.

We were first exposed to this technique in the matter of the mission of the Seventh Fleet at Formosa. During the 1952 campaign we were subjected to a brain washing, intending to make it appear that Chiang Kai-shek was straining at the leash on Formosa, held back by the Seventh Fleet from invading China, throwing the Communists out and solving all problems in Asia.

Well, the Seventh Fleet was told it should continue to protect Formosa, but should let the powerful legions of Chiang cross to the mainland at will. It turned out, however, that what was not just was not, regardless of how hard the hucksters attempted to make it seem to be. Chiang continued to make a few piddling raids, which he had been doing all along anyhow. But the brain washing then went to another, double mission.

Slowly we were built up to the need for a New Look at our military situation. Finally, after about 6 months of brain washing, we were given two new slogans. A New Look in the military, and a foreign-military policy of "instant, massive retaliation," which required great airpower, which the New Look, according to the hucksters, was supposed to supply.

I have called attention repeatedly to the fallacy of the so-called New Look military policy. When we examined the military budget we found, first, the Air Force was getting only a part of the program that had been cut back a year before; and, second, the New Look, with its supposed emphasis on airpower to carry out "instant, massive retaliation," was nothing more nor less than a means of hiding a simple, meat-ax budget cut. Moreover, no less a person than Admiral Radford, the new Chairman of the Joint Chiefs of Staff, said it was not a New Look at all, merely a continuing evaluation of the situation.

So it turned out that the brain washing was just one more attempt to make what is not seem to be.

While this was going on, we were subjected to still another brain washing. We began to hear a great deal about initiative in the cold war. Finally, in January, we were told by the President that we had gained the initiative. Most of us hoped this was true.

Now, it appears to have been just another public-relations gimmick to make what is not seem to be, or else I have an erroneous understanding of the meaning of initiative.

Last Friday, Mr. Speaker, R. H. Shackford, a foreign correspondent for Scripps-Howard newspapers, in a dispatch from Geneva, reported that the Communists "now have the West on the run diplomatically as well as militarily in Asia." He further reported a "tougher tactical line" on the part of the Communists.

Is this the "initiative"?

On the same day, Crosby S. Noyes, in a special dispatch from Geneva to the Washington Star, said, and I quote:

Already there is evidence that the initiative at this Conference is very much in the hands of the Communists.

End of quotation.

Sunday morning we read the following headline in one Washington newspaper: "United States Defeat Looms at Geneva." Then there was a subhead which read, "France, Britain Fail To Back American Bluff on Asia Policy."

The other Washington newspaper had the following headline on its main Geneva story: "Dulles' Failure on Geneva Aim Laid to Impossible Conditions."

The subhead in this paper read, "Secretary Returning Home After Week Viewed as Disastrous Diplomatically."

So far as I am concerned none of this adds up to the "initiative," although I admit the possibility that my understanding of the term might differ from that of the hucksters. But it is not a very complicated word.

Mr. Speaker, I should like to include the Noyes and Shackford dispatches as a part of my remarks.

This concept that public relations is the art of making what is not seem to be might be acceptable in a program designed to sell mouth wash. It should not be carried out in the Government of the United States at any time, and particularly in times as perilous as now.

Therefore, Mr. Speaker, I beseech the hucksters to forget the lessons learned while peddling their soap and detergents. I urge them to operate on the basis of frank statements of the problems faced, and frank statements of the alternate solutions.

We can only legislate with the support of the people, who must be informed.

The above-mentioned dispatches follow:

IKE SPIKED THE PARLEY—THUS FAR REDS ARE ON TOP AT GENEVA

(By R. H. Shackford)

GENEVA, April 30.—The Communists—Russian, Chinese, North Korean, and Indochinese—are the only happy people at the Geneva Conference today.

President Eisenhower's seeming press conference suggestions that a deal with the Communists in southeast Asia is all that is possible now hit the Western delegates here between wind and water. There wasn't much spunk before Ike spoke, and his comments fixed it.

The question here is:

Can even a deal on the partition of Indochina be made?

Will the Communists, who now have the West on the run diplomatically as well as militarily in Asia, be satisfied with a half loaf when by pressing on they see chances of a whole loaf?

The answer to both questions here seems as of now to be "No."

REDS ON OFFENSIVE

Neither Soviet Foreign Minister V. M. Molotov nor Red China's Premier-Foreign Minister Chou En-lai show any sign of being lenient. On the contrary, every sign at this conference is that the post-Stalin period of sweetness and light is ending and a tougher tactical line is in the works.

From an American point of view this Geneva Conference—only in its fifth day—must be labeled a colossal failure.

The formal conference itself has been a farce. Each day the delegates of 19 nations ride to the Palais Des Nations in their limousines and a couple of them deliver set speeches. They are supposed to cover Korea but the Communists talk about everything under the sun.

INDOCHINA NEXT

Now it looks as though the Indochinese phase of the conference may get under way late this coming week or the next one. By then Dien Bien Phu may well have fallen, since many here believe the Communists can take it any hour they wish and currently are toying with it like a cat with a mouse.

Amidst the confusion, one thing stands out—that the West's tough talk of a few weeks ago, especially by the Americans with respect to Indochina, has turned out to be just talk. The Communists called that bluff.

For weeks the French have been criticized for an appeasement approach to Indochina.

Earlier this week it was the British who were being beaten over the heads—especially by Americans—for blocking "united action."

Today it is the Americans who are being accused of having talked too boldly in recent weeks without the will to carry it through.

The truth is that all 3 nations are in a mess together and all 3 must bear in varying degrees responsibility for the diplomatic victory now in prospect for the Communists in southeast Asia.

EISENHOWER STATEMENT CAUSES AMERICAN CONFUSION IN GENEVA—REPORT HE FAVORED INDOCHINA PARTITION LATER DENIED, SEEN AS DAMAGING POSITION

(By Crosby S. Noyes)

GENEVA, April 30.—Reports trickling into Geneva from President Eisenhower's news conference yesterday have caused the greatest consternation and confusion in the American delegation here.

To emphasize the isolation of this conference, top delegates still are professing ignorance of what the President actually said.

The reports themselves are confusing. The first stories carried a strong implication that General Eisenhower had implied a settlement in Indochina on the basis of partition of the country between the Communists and French Union forces by suggesting an arrangement similar to that in Germany and Berlin. Later reports indicated the President had specifically denied he was talking about partition.

Although they are unsure where they stand, the American spokesmen are insisting that partition in Indochina is still out of the question so far as the United States is concerned. It is felt strongly among observers here that such a suggestion would amount to an open admission of bankruptcy of the Allies position in southwest Asia.

REDS HAVE INITIATIVE

Already there is evidence that the initiative at this conference is very much in the hands of the Communists.

In the present phase it is clear that the Communists are not even considering the possibility of a political settlement in Korea. They are playing the issue strictly for its propaganda value, and—in the opinion of people who should know—they are doing a shrewd job of it.

Secretary of State Dulles, who planned to expose the Red Chinese before the bar of public opinion, is finding the going much tougher than he could have expected. His case on Korea may be grounded solidly on history and law and it undoubtedly makes a strong appeal to Europeans here. On the other hand, the Communist case is aimed squarely and accurately at Asians and is grounded no less surely on nationalism and "anti-foreign" sentiment in the countries involved. It is childish to believe that this battle of words can sway fixed opinions on countries immediately involved or arrive at any solution of the Korean problem, but things said here can have a profound effect on such fence-sitting countries as India and it is in this direction that Chou En-lai and Russian Foreign Minister Molotov are making their pitch.

RED CONCESSIONS DOUBTED

So far as Indochina is concerned, there is the gravest doubt that the Communists will give an inch. From their point of view a settlement based on division of the country would be an unnecessary concession at a point where they hold both the military and political advantage. If an armistice in Indochina is arranged here under present circumstances, it would only seem possible on the basis of a general cease-fire and a subsequent political assimilation of the country by the Communists.

The effect of any such "solution" in Indochina is not hard to predict. It isn't only a question of losing Southeast Asia to communism. Throughout the world the fact would be interpreted as evidence of political importance of the United States to act when its vital interests were threatened. Already, there is a bitterness in Western Europe over what appears to be an attempt to pin the responsibility for failure on France and Britain.

For better or worse, American prestige throughout the world is at stake in Indochina and the Communists are standing by to rake in the chips.

Exposition and Parade of Progress on Rehabilitation and Employment of the Physically Handicapped

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to call the attention of the House to the Exposition and Parade of Progress on Rehabilitation and Employment of the Physically Handicapped to be held in the departmental auditorium on Constitution Avenue, April 28–30. A special invitation has been extended by the President's Committee on Employment of the Physically Handicapped to all Members of Congress and their families to attend the exposition which will feature advances made during the past 25 years in methods of rehabilitating physically handicapped individuals and in methods of placing them in jobs suited to their abilities.

I understand that the exhibits will include a number of actual handicapped workers demonstrating their abilities to perform many different kinds of work. The exposition will be open from 12 noon to 5 p. m. and from 7 to 10 p. m. each of the 3 days.

The special room set aside for the developments in artificial limbs, will, I know, interest many Members since much of this research was made possible by grants from congressional appropriations.

The exposition has nationwide interest because, as I understand it, exhibitors from more than 20 States are providing displays covering the gamut of activities performed by the handicapped. I wish to personally urge that as many of you as possible attend.

My Record in Congress

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mr. HELLER. Mr. Speaker, in March of this year I had the privilege of completing 5 years of service in the House of Representatives to which I was elected in a special election in 1949. In 1952 there was a reapportionment of the congressional districts in Brooklyn, with the result that my district was changed in certain respects: some sections were detached from the district, while others were added to it, notably Greenpoint, parts of Williamsburgh, the Bushwick area, and so forth.

It has been my practice every year to render a report to my constituents setting forth my work in Congress, my record of achievements, and my views on major legislation. Because of the geographic changes in my district, I deem it my duty and responsibility to summarize my past record and the work which I have performed in the United States Congress as the Representative of the newly formed Eighth Congressional District.

PAST LEGISLATIVE RECORD

In covering a period of 5 years it is obviously impossible to list the full record of my activity during this period. I shall therefore limit this review to major legislation and how I voted on these issues.

I. In the 81st Congress, covering the years 1949 and 1950, my record was as follows:

Taft-Hartley Labor Act: I strenuously opposed this act as being antilabor and urged that it be repealed. In one of my first addresses in Congress I pointed out how this law is undermining collective bargaining, provoking unnecessary strife, and stripping workers of their basic rights. I have since then continuously fought against this act and have advocated that it be repealed entirely, or at least be liberalized by eliminating certain sections which are harmful to the interests of labor.

Displaced Persons Act: The problem of immigration has always been a matter of deep interest to me. My maiden speech in Congress shortly after taking my oath of office was in favor of amending the Displaced Persons Act to admit an additional 100,000 refugees. It was my opinion that the United States should exert moral leadership in the solution of the displaced persons problem.

Civil rights: I have always been in favor of safeguarding the rights of minority groups and the elimination of discrimination. I voted against the poll tax; I have urged the adoption of legislation to establish fair employment practices without regard to race, color, religion, or national origin; I called for an early end to racialism and segregation in our Armed Forces, as well as other guaranties of civil rights.

Social security: I supported the expansion of the social-security program and the extension of its benefits to wider segments of our population.

Public health: I favored passage of a national health insurance and public health bill to secure for the people of this country a reduction in sickness and premature death. It is my conviction that our prosperity, our well-being and the welfare of the communities in which we live depend in large measure upon maintaining the highest level of health.

Postal and Federal employees: The plight of the underpaid postal workers and Federal employees is well known to me. One of my first acts in Congress was to introduce a bill to correct this inequity by raising the salaries of these people to enable them to cope with the high cost of living. I have supported their cause all along during my 5 years in office.

Brooklyn Navy Yard: This famous Government shipyard, located in my congressional district, once employed over 20,000 people. Employment there has fallen off to about 18,000. I have kept in touch with the Navy Department to see that it assigns sufficient work to the yard, and that a high level of employment is maintained at all times. In 1950, when 760 workers at the Brooklyn Navy Yard were on the verge of being laid off, I appealed to President Truman and to the Secretary of Defense and was successful in saving the jobs for these people. On another occasion disabled war veterans were dismissed from their jobs at the yard. I made a personal investigation, took up the matter with the admiral in charge and succeeded in regaining employment for them at the yard. These are only a few of the many problems, in addition to an endless stream of individual cases involving navy-yard workers who appeal to me directly for help.

International affairs: World affairs have always been of primary interest to me. The security of our Nation, world peace, Communist aggression, aid to our allies—these and other matters are of vital importance to every American. I have strongly supported our foreign-aid

program, including military and economic assistance to the free nations. Back in 1950 I warned against recognition of Communist China and the expansion of Communist domination in southeast Asia. I voted for President Truman's point-4 program to make available American technical aid to underdeveloped areas of the world to improve the standard of living in those areas. I voiced strong protests against the suppression of human freedom in countries behind the Iron Curtain and against religious persecution of Catholics, Protestants, and Jews in those countries.

II. In the 82d Congress covering the years 1951 and 1952, this was my record on major issues:

Price control: The danger of inflation and runaway prices was a serious threat to our economy during this period. I favored economic controls as a protection to the consumer against rising prices, black markets, and the high cost of living. I called for an effective price-control law to give the wage earner and the low-income groups the fullest protection in obtaining food and other essentials. I introduced a bill to roll back prices to the level existing before the Korean war, but Congress adopted a weak measure which failed to halt rising prices.

Rent control and housing: I consistently supported continuation of rent control, construction of low-cost housing, elimination of firetraps and slum clearance in order to maintain a high standard of living and proper health standards. In 1951 I introduced a bill to extend rent control for another 2 years and to make the law more effective, and also a bill to repeal the limitations on construction of low-rent housing and authorizing the construction of 75,000 dwelling units annually. In 1952 efforts were made to kill the housing program, but, after a bitter struggle, we succeeded in gaining approval for 35,000 units.

Civil rights: I continued to fight for civil rights, particularly the abolition of discrimination in employment, in housing, and education. I voted for the FEPC bill. I supported the Price amendment to the universal military bill to eliminate segregation in the Armed Forces. I introduced a bill in 1952 to establish severe penalties for those committing acts of violence against racial or religious groups or their institutions. I urged a strengthened civil-rights section in the Justice Department, statehood for Hawaii and Alaska, and home rule for the District of Columbia.

Labor and social security: I continued to oppose the Taft-Hartley law and to urge its repeal. I supported a higher minimum wage. I advocated maximum payments in unemployment insurance and a broadening of the system so that more workers would be entitled to unemployment benefits. I voted for the bill, H. R. 7800, to increase the monthly social-security payments by 12½ percent, and I urged that outside income for retired workers be increased from $50 to $100 per month. I also voted for an increase in pension of railroad workers, widows, war veterans, and others.

Veterans' affairs: I supported pensions for veterans or their dependents, benefits for disabled veterans, to widows and surviving children of veterans, aid in finding employment for jobless veterans, and so forth. In 1951 I introduced a bill to extend to veterans of the Korean war the same benefits granted to World War II veterans. I introduced a bill, passed by Congress in April 1952, to compensate United States war prisoners captured by the Japanese and the Germans during World War II. When the Veterans' Administration sought to remove its regional office from Brooklyn, which serves 400,000 veterans in our borough, I introduced a bill to stop this move and also intervened with President Truman and thus succeded in saving the jobs of 2,000 VA employees.

Immigration: In 1952 the discriminatory McCarran-Walter immigration bill came up. I vigorously opposed it, voted against it, and when President Truman vetoed the measure I voted to uphold the President's veto but Congress overrode him and it became law. I stated then, and repeated it on numerous occasions since, that passing the McCarran-Walter Act was a grievous mistake and that I would exert every power to amend or revise the act. I supported a bill to admit 300,000 refugees from Europe. I also introduced a bill to admit 50,000 immigrants from Italy outside of quota restrictions.

Aid to Israel: Since 1951 I have continually supported American economic aid to Israel to enable her to absorb the hundreds of thousands of refugees entering that country. I urged the State Department to use its good offices to obtain peace between the Arab States and Israel, and more recently I protested against sending arms to the Arab countries.

Miscellaneous: There were many other issues on which I expressed my views frankly and fully. I urged tax exemptions for the low-income groups and placing the burden of taxation more on big business. I called for economy in Government expenditures, but not at the expense of fundamental needs of our population, such as endangering social security, housing, education, health, and so forth. I introduced a bill to investigate illegal sales of narcotics and a bill to create a United States Medical Academy.

MY RECORD IN THE PRESENT CONGRESS

The 83d Congress was elected for the 2 years 1953 and 1954. Since we are now in the midst of our legislative work for the current year, this phase of my report covers only the 1953 session and the first 4 months of 1954 until the end of April.

The giveaway Congress: The present Congress, which is under Republican control, will go down in our history as the "giveaway Congress" because of the giveaway of our country's national wealth and resources to big business and to the privileged few. The administration's giveaway program includes the offshore oil and other national resources under our coastal waters, public power, mineral deposits, housing, public lands and forests, synthetic-rubber plants, and so forth. I was among those in Congress who advocated that the income from offshore oil be used for educational purposes. I introduced a resolution to set up a congressional Committee on Natural Resources to maintain a careful watch over our Nation's natural wealth. It is clear by now that the Republican-controlled 83d Congress will enact a minimum program of legislation and has thus far failed to amend the Taft-Hartley labor law, to revise the McCarran-Walter immigration law, to grant statehood to Hawaii and Alaska, to expand social security, and to take any action on civil rights. But it did eliminate price control and rent control, it curtailed public housing, and gave away the offshore oil.

International affairs: Problems of world peace, security, and defense of our country remain the dominant factor in our thinking and hopes for the future. I have been disturbed that the Eisenhower administration has reduced our defense budget. In the light of events, I feel this is not the time for such reductions, because the security of the Nation is endangered. I voted in favor of the resolution to keep Communist China out of the United Nations because of her inhumane treatment of American prisoners of war in Korea. To aid the free world, I voted to continue the foreign-aid program, renewal of the Reciprocal Trade Agreement Act to encourage international trade, to send surplus wheat to the famine-stricken people of Pakistan and other countries.

Economic conditions: The high cost of living still continues under the Eisenhower administration. Prices of food, housing, medical care, and other essentials pushed the cost of living to a record high during the past year, which resulted from the removal of all economic controls. Last year I introduced a bill to provide standby controls in the event of a continued rise in prices, but the Republicans would not even consider it. Earlier this year unemployment began to grow at an alarming pace. I have spoken on the floor of the House at least three times recently on the subject, urging Congress to take action. On February 4 I discussed the unemployment situation in my congressional district. A month later, on March 4, I reported that unemployment was reaching serious stages with nearly 4 million unemployed in the country, and I suggested a program to deal with this problem. On March 31 I cited unemployment figures and introduced a resolution to establish a congressional committee to investigate the unemployment situation in the country.

Housing: In 1935 the housing program was cut to shreds by the Republicans when only 20,000 units were authorized for construction. Similarly, rent control was completely abolished and rents were increased in many areas. This year, President Eisenhower submitted a program calling for the construction of 35,000 housing units, but his own party sought to kill the program and in fact defeated it in the House. Fortunately the Senate restored the appropriation. I voted for the program of 35,000 units, but I emphasized it was inadequate.

Labor and social security: I am convinced that under a Republican-controlled Congress the Taft-Hartley labor law will never be repealed, and that if it is in any way amended it will be for the worse, not for the better. I introduced 2 important bills in 1953 dealing with the extension of social security and old-age pensions. My social-security bill calls for broadening coverage to include 10 million people who are not now entitled to these benefits, to increase the minimum monthly payments from $25 to $40, to use a better wage base so that the benefits can be higher, to increase the allowance for outside monthly earnings from $75 to $100, and to lower the age limit from 65 to 60 years. My pension bill provides for a monthly pension of $40 to all persons over 65, which is to be paid in addition to social-security benefits.

Immigration: Congress has taken no steps to revise the discriminatory McCarran-Walter law. Its only action concerning immigration was to pass the Refugee Relief Act of 1953, which I wholeheartedly supported, to admit 214,000 refugees over a 3-year period. This measure, however, has thus far turned out to be a huge hoax. At last reports, only 6 refugees have been admitted in the 9 months since its enactment due to the numerous restrictions. I introduced 2 major immigration bills: One called for the admission of 100,000 Italian immigrants; the other was an omnibus immigration bill, prepared in conjunction with 32 of my colleagues in Congress under the leadership of Senator HERBERT H. LEHMAN, to recodify our immigration and naturalization laws and replace the McCarran-Walter Act.

Taxes: I have always favored larger tax exemptions for the low-income groups. The tax revision now under consideration in Congress, however, proposes to revise our tax laws in such a way as to benefit big business, not the wage earner. For this reason, I have fought and voted for the amendment to raise the income-tax exemption from $600 to $700, but voiced the view that it should be raised to $800 this year and to $1,000 next year as the only way to help the low-income people. I also supported repeal of the excise taxes on theater admissions, liquor, furs, cosmetics, and other goods. I voted for extension of the excess-profits tax on the big corporations. I introduced two tax relief measures: one to grant tax deduction to working mothers who must provide care for their children; the other, a deduction up to $1,000 for the education of a dependent child whom the taxpayer is maintaining at school or college.

Civil rights: I regret to report that absolutely nothing has been done by the Republican-controlled 83d Congress in the way of civil rights legislation to date. No FEPC, anti-lynching, anti-poll tax or other civil rights measures came before either House of Congress. I introduced two such bills in 1953: One, for the abolition of the poll tax as a prerequisite for voting in a primary or regular election; the other, for protection against vandalism committed on account of racial or religious prejudices. This year I introduced a resolution which suggests a set of rules of procedure governing investigations by congressional committees. There is great dissatisfaction in our country with the investigative methods used by certain committees and there has been a good deal of abuse of the civil rights and liberties of American citizens which threatens our way of life.

Miscellaneous: When the Secretary of Agriculture recently requested Congress to cut the school-lunch program by $15 million thereby causing much hardship to many communities benefiting from this program, I urged that the appropriation be restored and I addressed the House pleading that the full program be continued as in the past.

I presented my views to the House Post Office and Civil Service Committee in support of an adequate increase in salaries for postal workers and Federal employees.

I introduced a bill to reduce from 4½ percent to 4 percent the maximum interest rate on home loans to war veterans. I also joined in the effort to restore cuts in the appropriation for the veterans' hospitalization program.

When 2,300 workers at the Brooklyn Navy Yard were threatened with the loss of their jobs in the spring and summer of 1953, I called a conference of the Democratic Congressmen from Brooklyn who designated me as chairman to negotiate with the responsible officials to help these people. We were successful in saving their jobs for 1953, and to some extent also during the current year.

CONCLUSION

I receive numerous calls and requests from my constituents for help in personal matters, such as immigration cases, veterans' problems, housing needs, pensions and social security, military allotments, requests for Government publications, and other services. I have tried my utmost to be helpful in such instances.

This is the record of my work and my achievements in Congress and my views on major issues, as I enter my 6th year of service in Congress in behalf of the people of my district. It is a brief accounting of my stewardship of office which I am proud to present to my constituents, together with my assurances that I shall continue to serve their best interests in the future.

The Federal-State Rehabilitation Program

EXTENSION OF REMARKS

OF

HON. SAMUEL W. YORTY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mr. YORTY. Mr. Speaker, the Federal-State vocational rehabilitation program has its origin in the Vocational Rehabilitation Act of 1920. The Barden-La Follette amendment of 1943 markedly broadened the scope of the services.

Through Federal-State cooperation for the purpose of making handicapped persons employable, rehabilitation agencies now offer a number of services which directly benefit the individuals who receive them, and indirectly benefit the Nation as a whole. These services include medical and psychological diagnosis, hospitalization and surgery, the furnishing of training supplies and placement equipment, and counseling through the rehabilitation process. The Federal-State cooperative effort now gives some aid to about 200,000 disabled persons annually and restores earning power to about 65,000 persons each year.

This program must be maintained and strengthened. The Federal Government is annually spending huge sums for public assistance—rather than rehabilitation—of handicapped persons. Unless more is done to rehabilitate such individuals, expenditures for public assistance to persons classified as totally and permanently disabled may soon reach $300 million or $400 million annually—estimate obtained from the National Rehabilitation Association. The Federal appropriation for rehabilitation for the 1953–54 fiscal year was only $23 million.

The values of rehabilitation in increasing the available manpower and production and in reducing dependency, are well known. Accomplishment of these objectives is a national concern. Increase of Federal assistance for rehabilitation would be good business for the Federal Government.

S. 2759, pending in the 83d Congress, would replace the Vocational Rehabilitation Act with a new program. It provides for three types of Federal grants to the States, namely, a fund for the basic rehabilitation program called rehabilitation services, a fund for improvement and extension projects, and a third fund for special projects.

The present rehabilitation program is financed under Public Law 113 of the 78th Congress, which provides that the Federal Government shall reimburse the States for 100 percent of expenditures for necessary administration, guidance, and placement, and 50 percent of expenditures for case service. S. 2759 would discard this method of financing the basic program and substitute for it allotments based upon population, weighted by per capita income, and a Federal share based upon relative per capita income of the States.

The Federal-State rehabilitation program has been operating on a national average of about 2 Federal dollars to 1 State dollar. The proposed legislation, S. 2759, is aimed at an eventual 50–50 sharing of the cost by the Federal and State Governments.

Certain provisions of the bill would ease the transfer from one system of financing to another, particularly during 1955 and 1956. Nevertheless, establishment of the proposed system of financing would create for many of the States serious difficulties in immediately securing enough State funds to replace the Federal funds lost. Some of these States would be unable to replace the lost Federal funds, so there would actually be

less rehabilitation service in these States during 1955 and 1956 than before, under this legislation.

The broad aim of S. 2759 to expand rehabilitation services will not be soon achieved unless there is a reduction in hardships from changing methods of financing.

One way of reducing such hardships is proposed in S. 3039, which would provide Federal allotments to the States for the basic rehabilitation program in two parts, as follows:

First. An amount equal to 100 percent of the administration, guidance, and placement expenditures for 1953 and 50 percent case service expenditures for the same year. If a State should in future utilize less State money than in 1953 it would receive proportionately less Federal assistance.

Second. Federal funds available in excess of the amount needed for the purpose stated above would be allotted on a population basis to States expending more for rehabilitation than in 1953. The Federal share of the additional expenditure would be 50 percent in all the States.

This plan would maintain rehabilitation programs in the States at their present levels, while encouraging their expansion on a 50–50 basis.

Other alternatives to S. 2759 have been proposed. Copies of several alternatives in typescript form have been prepared and distributed by the National Rehabilitation Association. They merit careful study.

Since first, the California Legislature has already approved the budget for vocational rehabilitation for the year 1954–55, and second, there will be no opportunity for the legislature to appropriate additional amounts to compensate for the loss of Federal funds under the financing formula contained in S. 2759, enactment of this bill as originally introduced would be a serious temporary, if not permanent, injury to the vocational-rehabilitation program in California.

At the least, S. 2759 should be amended to provide for a continuance of Federal payments to the States for the fiscal year 1955 equal to the contribution of the Federal Government in 1953. This would give the States a breathing space to make adjustments to the different financing provisions of S. 2759. Under no circumstances should we permit penny-wise cuts to reduce the size and scope of the rehabilitation program.

Rural Electrification Administration

EXTENSION OF REMARKS
OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1954

Mr. HÉBERT. Mr. Speaker, if there is one thing I enjoy more than a good laugh it is a real belly laugh.

I appreciate the sense of humor which some of our department heads display from time to time. The country at large has a wrong impression of the lack of humor and the inability to joke so often attributed to bureaucrats.

Ancher Nelsen, rural electrification administrator, displayed a terrific sense of humor with tongue in cheek praise for his agency recently in my native New Orleans.

Mr. Nelsen was in New Orleans to tell the people down there what a great job the REA was doing. He was wonderfully pleased with himself and the manner in which the REA was operating under his direction. He was so pleased he even had this to say to the folks down there who took his statement at face value and undoubtedly believed what he was saying, because they had no way to know what a jocular fellow he was and how be enjoyed his little joke.

Mr. Nelsen said this:

> In the 10 months since I took office REA has approved more loans in terms of number and amounts than were approved in the corresponding period the year before.
>
> This means that we are aggressively meeting the needs of the borrowers.

Now that is really a giggle.

On the same day that the good and well-satisfied Mr. Nelsen was making that pretty speech, his own agency, after having under consideration for some 4 years, 10 months of which belonging to Mr. Nelsen's stewardship, was finally waking up to learn what its policy was.

Unbelievable?

Not if you have ever had any dealings with the REA.

Having in the major part an urban district, I have not previously been thrown in contact with the REA on a practical basis, although I have always been suspicious of its expressed intent and the manner in which it actually operated. This experience has, indeed, been enlightening.

It all started back in 1950, when a group of individuals headed by Mr. John E. Pottharst, a leading civic and businessman in New Orleans, accepted the expressed intentions of the REA at its face value. He had not as yet learned the true facts about this agency. He really believed that the REA wanted to supply electricity to rural areas where electricity could not otherwise be supplied. Silly boy.

First it was one thing and then it was another. It was always going to be consummated shortly—that "shortly" soon became an apparent eternity.

First one set of questions would be asked. When they would be answered then another set of questions would be forthcoming. But the patience of Mr. Pottharst and his associates was something to admire. Job had nothing on them.

Through the years the stumbling, the fumbling, and the bumbling continued and still no electricity for the people of lower Plaquemines Parish.

Ah, but a new day was to dawn. A new administration came into power. The redoubtable Mr. Ancher Nelsen was made the Administrator. I breathed a sign of relief and satisfaction. I was willing to forget the years and months which had gone before, because now here was action in its finest form and did not Mr. Nelsen boast about his expeditious way of handling things. I did not know he was such a jokester at that time.

Well, after 10 months haggling during which time I was promised repeatedly that everything would be all right I finally saw the application of the folks interested sent to the so-called legal department of the REA for a perfunctory examination. I was assured and reassured, and so was Mr. Pottharst, that the signing of the paper was almost a mere formality and perfunctionary piece of business.

What a brute for punishment I was. I actually believed them though I dread to think that my naivete should leak out.

Tired by more delay I asked for a "yes" or "no" answer by a certain day and I got it.

The answer was "No."

Anyway it was the first time that something definite had been said after 4 years, but imagine my surprise when I was informed that it was suddenly discovered that it was against the policy of the REA to make such loans for rural electrification. It took Mr. Nelsen 10 months to find out what the policy of the REA was and he came up with the scintillating observation that the REA was only for farmers and to hell with everybody else. That one really threw me. I did not recall having read anywhere in the law that REA was only for farmers so I asked to be shown the law. You will enjoy reading the reply.

I am including my letter and the reply so you can wonder how foolish can some people get.

Anyway, it now appears that the policy of the REA has been finally established.

It is all right to lend money to five unqualified individuals, but it is not all right to lend money to an established small public utilities which only wants to do business as an operator under what has been called free enterprise.

The REA, under its existing policy, would much prefer to subsidize a group where there is no chance of getting the taxpayers' money back than to assist a small concern to help the people of a specific area.

It matters little to the REA that this small utility company has spent much money on the false promises of the REA. It means little to the REA that actual work orders were issued. After all they were only scraps of paper.

Anyway, here is the chronological story of this fantastic transaction as furnished to me by Mr. Pottharst. Read it and you will understand why Mr. Nelsen's remarks at New Orleans gave me such a belly laugh.

At the end I am also including the letter from Mr. Fred H. Strong; my letter to him asking what does he mean "only farmers can get aid"; and then his reply to me. They are all good for a laugh, but unfortunately there is tragedy in this laugh because as usual the taxpayer and the little fellow gets it in the neck and the bureaucrat sits back and gets his laugh at the Congress. But why should he not laugh because Congress will not do anything at all about it.

The moral of this experience is that bureaucrats and bureaucracy have not

changed a bit even if the name of the party has changed from Democrat to Republican.

Here is the story for the record—but remember the people still do not have the electricity and the chances they will not get electricity as long as the REA takes years to make decisions and months to determine policy and interpret the law to its own satisfaction:

LOUISIANA 27—PLAQUEMINES

Mr. Kenneth C. Barranger wrote Mr. E. E. Karns, REA, August 15, 1949, reorganizing limited profit corporation of electric cooperative for line to run from Venice, across the river, 8 miles down east bank to Pilottown, then 18 miles from there to Burrwood.

Letter application to REA, October 22, 1949, $488,000 for purchasing and installing dual fuel (natural gas) powerplant.

Application for generating plant allocation with REA by Peoples Utilities, November 2, 1949: Louisiana 27—Plaquemines.

Capacity of plant, 5,000 kilowatts.

Estimated cost of generating plant including substation at plant, $970,000.

Mr. Pottharst wrote Mr. Karns January 25, 1950, submitting application for loan of $520,189; $194,815 of this for extension of distribution system to areas not now served, and $325,374 for installation of new equipment.

Congressman HÉBERT wired Mr. Pottharst February 3, 1950: "Karns assures will expedite to fullest. * * * Involves powerplant heavy rural construction. Necessary studies must be made before final action taken. Will take few weeks to complete."

Mr. Karns wired Mr. Pottharst February 7, 1950: "Application under study. Unable to predict time limit for final decision."

Mr. Pottharst wrote Congressman HÉBERT June 14, 1950: "All legal technicalities are dispensed with. * * * The last time we talked with them they said what with people going on vacations and other very simple projects to lend money to, they had put ours off (because it was a tough one) until they had plenty of time."

Congressman HÉBERT wrote Mr. Pottharst July 3, 1950, that he was that day advised by Mr. K. T. Hutchinson, Assistant Secretary, Department of Agriculture, that application for loan funds submitted by Peoples Utilities, Inc., presents some rather complex problems because funds have been requested to finance the purchase and installation of a generating unit in company's existing generating plant, as well as funds to finance rural distribution facilities, and that he hopes a decision on application can be reached within next 60 to 90 days.

Mr. Barranger wrote a memo to Mr. Pottharst September 7, 1950, to the effect that Mr. Karns had advised him over the phone that morning that he had reopened the file and was writing Mr. Tom Hardeman, his field man, to come to New Orleans on Monday or Tuesday of coming week to confer with Mr. Waldemar Nelson (Peoples Utilities' engineering firm). Mr. Karns told him that classification of consumers and load estimates should be gone over again, that according to present estimates, the load on the existing lines is increasing too rapidly. Mr. Karns mentioned that the estimated cost of construction of the line from Venice to Burrwood and Port Eads had jumped from $180,000 to $300,000.

Information in great detail given to Mr. Tom Hardeman on September 15, 1950, in line with foregoing.

Congressman HÉBERT wrote Secretary Brannan, Department of Agriculture, October 5, 1950, that the matter was hanging fire for over a year, that he had phoned Mr. Karns that date and was informed by him "it would be disposed of at some future date."

Senator RUSSELL LONG wrote Administrator Wickard, REA, Washington, on October 12, 1950, that 1 year had elapsed since he had a conference with some of their officials, and requesting prompt action.

Mr. Karns wired Mr. Pottharst October 19, 1950: "Relative letter regarding joint use of facilities regret final recommendations cannot be made until application for a loan has been approved."

Congressman HÉBERT sent Mr. Pottharst on October 20, 1950, a copy of a letter from Mr. Hutchinson, Acting Secretary, Agriculture Department, dated October 18, 1950, advising that "the only simple answer that could have been given up to now would have been disapproval of the application for loan funds for this project." Mr. Hutchinson further stated:

"The first request for REA assistance in meeting the electric needs of the people in the area around Pilottown and Burrwood came in the form of a letter dated August 15, 1949, requesting information regarding forming cooperative. Application for loan to cooperative was submitted October 25, 1949. Within a month REA completed preliminary studies and four proposals emerged. Two discarded immediately as unfeasible because of limited number of potential customers to be served and because of the unusually high costs of wholesale power, construction, and operation which could be anticipated. Third possibility was purchase of the facilities of Peoples Utilities by a cooperative to serve entire area; this was dropped because cost of acquisition, $700,000, was found to be too high to allow for reasonable rates and repayment of the loan.

"Sole remaining possibility seemed to be loan to Peoples Utilities to serve all those in the area wanting electricity, and Mr. J. E. Pottharst, for the company, was so informed. On January 25, 1950, an application was submitted for loan in amount $520,189. By middle of June all requested data was submitted, and REA members began preparation of a detailed loan recommendation for Administrator's consideration. Questions of feasibility and loan security were narrowed down to two rather fundamental items:

"1. Peoples Utilities, because already mortgaged, apparently not in position to give REA adequate security for loan.

"2. Company, even before reducing rates as indicated would be done to bring rates in line with others in area, was operating at loss averaging about $1,000 per month.

"Until these two points could be cleared up, no loan could be approved.

"REA undertook to develop solutions to these problems. Some thought was given to possibility of setting up a subsidiary corporation which would then be in position to offer first mortgage as security for Government loan, but no realistic basis could be found for separating facilities for such subsidiary.

"During August REA learned company had under consideration substantial refinancing on its own initiative, which might strengthen company position for further consideration of Government loan, however, this would change financial structure of company and render useless much of survey completed last spring. As soon as applicant has completed refinancing REA will be in position to take additional steps toward a decision on feasibility of loan."

Congressman HÉBERT wrote Mr. Pottharst November 29, 1950, that he was that day advised by Mr. Claude Wickard, Administrator, REA, that representative of Power Division of his Administration would be sent to New Orleans on December 4, 1950, to meet with fieldmen of Finance and Loan Divisions to discuss application.

Mr. Karns wired Mr. Pottharst November 29, 1950, that meeting would be held at Monteleone Hotel, then proceed to area to be served, and asking if Mr. Pottharst, attorney and engineer could meet with them on December 4, 1950, with available details to assist with study. Mr. Pottharst wired Mr. Karns interested parties would be on hand December 4, 1950.

Mr. E. F. Renshaw, regional head, Applications and Loans Division, REA, wrote Mr. Barranger May 21, 1951, "unable to say when our study will be completed but assure you we will give it every possible consideration."

Mr. Wickard, Administrator, REA, wrote Congressman HÉBERT June 8, 1951, that revised application submitted by Plaquemines Electric Cooperative, Inc., in February 1951, is for 68 miles of line to serve 236 customers near mouth of Mississippi River, that considerable work has been gone into, and problems encountered very difficult; that under the plan as now proposed the cooperative contemplates purchasing wholesale power from Peoples Utilities, Inc., and that REA had recently written Peoples Utilities, Inc., for proposal and if they agree to supply a satisfactory wholesale rate to the cooperative, REA will be in position to resume their studies of the loan application.

Mr. Barranger sent June 11, 1951, to Mr. Thomas B. Dunphy, Head, Power Procurement Division, REA, copy of contract submitted to Plaquemines Electric Cooperative, Inc., by Peoples Utilities, Inc.

Receipt of Mr. Barranger's letter June 11, 1951, to Mr. Dunphy, acknowledged by Mr. E. F. Renshaw, Section Head, Applications and Loans Division, REA on July 23, 1951, advising they were proceeding to analyze the feasibility of the application based on rate contained in proposal.

Mr. William C. Wise, Acting Administrator, REA, wrote Senator LONG on September 18, 1951, that according to the terms of the contract submitted by Peoples Utilities to Plaquemines Electric Cooperative, the average cost of power would be approximately ½ cent per kilowatt-hour, which is far in excess of what REA-financed borrowers in Louisiana are paying for purchased power, and that it was believed that they would be in a position to make a decision within the near future.

On September 24, 1951, Mr. William C. Wise, Acting Administrator, authorized allotment on Form ADM–125A, United States Department of Agriculture, REA, controlled material allotment serial No. 8–6934, system designation, Louisiana 27 Plaquemines, of 64,800 pounds of copper wire for third quarter of 1952.

On October 2, 1951, Mr. Thomas B. Dunphy wrote Mr. Barranger that while previous discussions with Peoples Utilities indicated average cost of purchased power would approximate 1.25 cent per kilowatt-hour the average cost of power under the proposed rate schedule before adjustment by the "All Commodities Index" would be 1.91 cent per kilowatt-hour for 300 hours use of maximum allowable demand, which is still above the level of feasibility for the proposed loan. Mr. Dunphy suggested that negotiations with Peoples Utilities, Inc. be reopened for the purpose of agreeing upon a contract approximately the "Standard Contract Form" attached to his letter of October 2, 1951 and providing average power cost approaching 1.25 cent level mentioned in earlier discussions, and that the possibility of supply from the system of Louisiana Power & Light Co. should be more thoroughly investigated from the viewpoint of competitive cost and adequacy of service as compared with Peoples Utilities, Inc.

On November 16, 1951, Mr. William H. Callaway, Section Head, Applications and Loan Division, REA, wrote Mr. Barranger that field appraisal would be made early part of December of the entire area to be served eventually by Plaquemines Electric Cooperative prior to REA giving final consideration to their application for loan.

Mr. Thomas Dunphy wrote Mr. Barranger December 21, 1951, giving schedules under which cooperatives in Louisiana were purchasing electric service from Louisiana Power & Light Co., Gulf States Utilities Co., and Central Louisiana Electric Co., Inc.

Mr. William C. Wise, Deputy Administrator wrote Congressman HÉBERT on January 28, 1952, that REA was considering the application for a loan from the Plaquemines Electric Cooperative, Inc.

Mr. Pottharst wrote Mr. Barranger April 22, 1952, offering to reduce rates of Peoples Utilities to Cooperative, which data Mr. Barranger sent on to Mr. Calloway and Mr. Dunphy on April 23, 1952.

On May 2, 1952, Mr. R. E. Payne, Section Engineer, Engineering Division, REA, Washington, advised Peoples Utilities that due to the necessity for providing assistance to the telephone program it had been decided to give certain field engineers specialized training in telephone engineering to more actively participate, and that Mr. Sprout, field engineer, would be absent from his headquarters from May 8, 1952, to June 13, 1952, and requesting that all routine matters requiring his attention be deferred until his return.

On October 2, 1952, Mr. Herbert Wales wrote Mr. Pottharst (acting for Mr. John W. Scott, Director, Southwest Area Office, REA, requesting conference with Mr. Pottharst and their field representatives, Glazier and Cox during October or November. This letter for some reason not received until November 4, 1952, after Mr. Glazier had visited Mr. Pottharst, on which date Mr. Pottharst advised Mr. Wales that Mr. Glazier had called on him. Mr. Scott acknowledged this letter of November 24, 1952, stating they hoped to be able to advise Peoples Utilities about the middle of December 1952 regarding their analysis of Peoples Utilities proposal.

Mr. Pottharst wrote Mr. Scott on January 6, 1953, that Peoples Utilities were expecting to hear from REA daily. Mr. Richard Richter replied for Mr. Scott that their field representative, Mr. Cox, would arrange to visit at an early date.

Congressman HÉBERT advised Mr. Pottharst January 19, 1953, that he had talked with Mr. Scott's office and was informed they had been in contact with Mr. Pottharst and had a field representative scheduled to talk with him the following week.

Mr. Cox confirmed on February 4, 1953, to Mr. Pottharst the matters discussed with him on his recent visit.

Mr. Pottharst wrote Mr. Scott on February 6, 1953, outlining the basis that Mr. Cox stated REA would be willing to consider application for loan funds.

On February 18, 1953, Mr. Scott wrote Mr. Pottharst REA were continuing their studies on the basis of his letter of February 6, 1953, borrowing funds up to 80 percent of cost of facilities and Peoples Utilities contributing 20 percent, and stated that they hoped to advise Mr. Pottharst in approximately 2 to 3 weeks regarding his proposal.

Mr. Pottharst wrote Mr. Scott February 25, 1953, requesting that the matter be given preferred attention.

Mr. Scott wrote Mr. Pottharst March 17, 1953, that conferences had been held with Power Division, who were then completing a preliminary study to determine size of unit required to provide firm power for farm and nonfarm establishments to be served. Advised future designation of application would be "Louisiana PUI."

Mr. Scott requested further data from Mr. Pottharst on April 20, 1953, which was given to him in detail April 27, 1953.

After conference with Mr. Scott on May 11, 1953, Mr. Pottharst forwarded to Mr. Scott information requested, which Mr. Richter acknowledged on May 15, 1953, stating they were transmitting to Power Division. Now designated as "Louisiana 28 PREC."

Mr. Pottharst wrote Congressman HÉBERT May 25, 1953, requesting he contact Mr. Scott for approval.

Congressman HÉBERT wired Mr. Pottharst May 29, 1953: "Agriculture Department reports in touch with you all day yesterday. Should have definite information today."

Another wire from Congressman HÉBERT to Mr. Pottharst, May 29, 1953: "Scott advises talked with you today. Doing everything possible to assist. States he plans to call you again June 8 re matter."

Mr. Scott wrote Mr. Pottharst May 29, 1953, requesting further information, which was furnished him on June 8, 1953.

On June 16, 1953, after phone conversation with Mr. Scott, Mr. Pottharst wrote him in great detail re data requested. Acknowledged on June 19, 1953.

Congressman HÉBERT wrote Mr. Pottharst on July 3, 1953 advising that he had been that day advised by the Administrator, REA, that a preliminary study of the application had been completed and letter had been written to Mr. Pottharst outlining in detail REA's conclusions.

On September 3, 1953, Mr. J. K. O'Shaughnessey for Mr. Ancher Nelsen, Administrator, REA, wrote Congressman HÉBERT acknowledging the Congressman's letter of August 25, 1953, inquiring as to the status of the application for loan, stating that there were a number of legal problems to be resolved before they could complete their final analysis and that they expected this would require at least 2 or 3 weeks to work out the details.

On September 10, 1953, Mr. Pottharst wrote Mr. Scott that he had just returned from a month's vacation and found that nothing had transpired on the project since their last conversation.

Mr. Barranger, as representative of Plaquemines Rural Electric Corp., wrote Mr. Scott on September 10, 1953, requesting that he phone him and discuss the progress of the application. This was acknowledged by Mr. R. E. Cole, director, southwest area, to Mr. Barranger on September 18, 1953, stating that as soon as the matter has reached the stage where action on his part would be required, he would be advised without delay.

Mr. Cole wrote Mr. Pottharst September 22, 1953, inquiring if new subsidiary corporation had been organized. Acknowledged by Mr. Pottharst October 1, 1953.

Congressman HÉBERT wrote Mr. Pottharst October 16, 1953, advising that he had talked with Mr. Cole and was informed REA office was then preparing their recommendations on application for loan, but it would be 2 to 4 weeks before final review could be made.

Mr. Fred H. Strong for Administrator, REA, wired Congressman HÉBERT November 16, 1953: "Reurtel R. E. Cole loan recommendation prepared by area office October 21. Application now receiving administrative review. Will inform Mr. Pottharst results as soon as possible."

Mr. R. E. Cole wired Mr. Pottharst November 19, 1953: "Please airmail copy of mortgage as executed by Peoples Utilities to National Bank of Commerce." Airmailed to him that day.

As requested in telephone conversation between Mr. Cole and Mr. Pottharst, Mr. Pottharst sent Mr. Cole on November 24 1953, copy of audit report of Peoples Utilities for fiscal year ending August 31, 1953.

Mr. Pottharst wired Mr. Cole December 14, 1953, if Peoples Utilities were granted loan to include line to Venice and tidewater oilfield south of Venice, $75,000, it would be agreeable for loan to be with Peoples Utilities on 80-percent basis.

Wire received from Mr. R. E. Cole by Mr. Pottharst December 12, 1953: "Re tel we will telephone you to discuss possible revisions of loan basis as soon as Office of Solicitor completes its review of indenture and related matters."

In phone conversation with Mr. Pottharst, Mr. Cole stated on December 22, 1953, that administrative department would make a definite proposal by wire that afternoon or the following morning, and if it was acceptable REA would proceed on that basis.

Wire proposal sent to Mr. Pottharst by Mr. Ancher Nelsen on December 23, 1953.

Mr. Pottharst wired Mr. Nelsen at length on December 30, 1953.

Mr. Pottharst wired Mr. Cole on January 8, 1954, there would be no refinancing involved.

This brings us up to Mr. Robert T. Beall's letter of January 13, 1954 (for Mr. Nelsen, Administrator), and Mr. Pottharst's reply of January 18, 1954.

WORK ORDERS

Excerpt from letter by Mr. J. H. Rixse, Jr., REA, to Peoples Utilities, Inc., April 18, 1950:

"We understand that you desire to construct several short extensions by your own crews prior to the making of a loan and that you desire to reimburse your funds by loan funds if and when a loan is made. As you are aware, however, we cannot authorize construction in anticipation of a loan. Such work when accomplished is considered as member extensions and is reported to REA and recorded in the borrower's records by means of construction and retirement work orders. The procedure and documents required are thoroughly explained in the manual of work order procedure, a copy of which is enclosed."

Mr. Waldemar Nelson (of Bedell & Nelson, engineers) wrote Mr. E. E. Karns, REA, re work orders Nos. 101, 102, 103, and 104.

Mr. Nelson advised Mr. Pottharst April 28, 1950, they had received from Washington office of REA following work orders approved by the Application and Loans Division and Engineering Division:

	Amount	Total cost [1]
Work order No. 101—Empire Menhaden Co., extension REA No. D80257, item FP-8-A1	$2,694.58	$2,541.28
Work order No. 102—Quinn Fisheries Co., REA No. D80258, item FP-8-A2	3,841.80	4,176.36
Work order No. 103—Lake Hermitage unit, REA No. D80259	9,349.95	10,215.52
Work order No. 104—Main line extension along highway to feed Lake Hermitage unit extension, item LH-1-A	5,454.81	7,157.26

[1] (Mr. Dubourg, our auditor, advised total cost material and labor.)

Mr. Nelson wrote Mr. H. H. Sprout, Pineville, La., REA representative, May 12, 1950, re Louisiana 27—Plaquemines, regarding having work order No. 104 for Lake Hermitage line approved by applications and loans division and engineering division, and that Peoples Utilities proposed to do the construction with their line crew, and asking that he come down and look this over.

"Mr. Sprout coming down on May 24 to review work," Mr. Nelson advised over phone, May 16, 1950.

Mr. Nelson wrote Pottharst on June 6, 1950, that Mr. Sprout inspected construction already completed on Lake Hermitage extension and passed on Mr. Sprout's recommendations. Mr. Sprout discussed accounting for expenditures, advising in addition to records of labor and material, a record should be kept of the truck mileage.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D. C. March 31, 1954.

Mr. J. E. POTTHARST, Sr.,
President, Peoples Utilities Co., Inc.,
New Orleans, La.

DEAR MR. POTTHARST: This is in reference to your application for an REA loan to finance 85 percent of the cost of a generating unit and building at Buras, a three-phase line to Venice, and approximately 50 miles of line south of Venice—construction which, together with associated items, would require a loan of approximately $570,000.

After careful review of your application, we regret to advise you that we cannot approve the desired loan.

Under the Rural Electrification Act, the Administrator, in making any loan, must make certain specific findings in respect of feasibility and security. Without reflection upon your company or its future prospects, we have concluded that, with due regard to all relevant consideration—including: (1) The relationship of the proffered REA security to your existing indebtedness (as affecting both generating facilities and distribution system); (2) the practical security problems relating to power supply in the event the Government should be obliged to exercise its remedies under the proposed mortgage; and (3) the problem of continuity of management—we would be unable, under existing standards, to make such certification in the present case.

Moreover, as you know, it was the primary intent of the Congress in enacting the Rural Electrification Act, to provide for the extension of electric service to farmers and related consumers in rural areas. Though the proposed loan would enable you to serve some rural residences, it appears: (1) That approximately 90 percent of the anticipated revenue would be derived from commercial and industrial consumers and approximately 55 percent of the total revenues would be derived from two large industrial loads.

APRIL 2, 1954.

Mr. FRED H. STRONG,
Deputy Administrator, Rural Electrification Administration, Department of Agriculture, Washington, D. C.

DEAR MR. STRONG: Thank you very much for your letter of March 31, and enclosed copy of letter which you addressed to Mr. Pottharst in connection with the belated realization that it was contrary to the policy of REA to make loans under such circumstances. The strange thing to me is that it took you 3 months to ascertain the policy of REA in connection with making these loans. Of course, this 3-month period is what you admit; the remaining 2 years and 9 months during which this application has been before the REA is something which you disown but still rests at the door of the Administration itself.

In this connection I would like for you to quote to me specifically and in detail the justification for the statement in your letter which reads: "Moreover, as you know, it was the primary intent of the Congress in enacting the Rural Electrification Act, to provide for the extension of electric service to farmers and related consumers in rural areas."

I would like to know the exact language in the law or the authorization which causes you to make such a statement. My appreciation of the supposed benefit of the law was the extension of electricity to rural areas which otherwise could not be supplied with this power. To be further specific, because my experience in dealing with your agency indicates I must be specific, I want to know where in the law is the term "electric service to farmers and related consumers in rural areas" used.

I will appreciate your cooperation in this matter and hope I may get an answer before next Christmas as I have my Christmas gifts arranged for and won't like to include this one as a gift.

Sincerely yours,

F. EDWARD HÉBERT.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D. C., April 6, 1954.

Hon. F. EDWARD HÉBERT,
House of Representatives.

DEAR MR. HÉBERT: This is responsive to your letter of April 2 concerning the application of Peoples Utilities Co. for an REA loan.

As stated in my letter of March 31, 1954, to Mr. Pottharst, the REA decision that the pending loan application could not be approved was based upon full study of the application, with due regard to all relevant considerations, including: (1) the relationship of the proffered security to the applicant's existing indebtedness (as affecting both generating facilities and distribution facilities); (2) the practical security problems relating to power supply in the event the Government should be obliged to exercise its remedies under the proposed mortgage; and (3) the problem of continuity of management.

Specifically, however, you inquire concerning my further observation, in such letter, as follows:

"Moreover, as you know, it was the primary intent of the Congress in enacting the Rural Electrification Act, to provide for the extension of electric service to farmers and related consumers in rural areas."

The language of the act (found in sec. 4 thereof) is:

"The Administrator is authorized and empowered * * * to make loans for rural electrification * * * for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines or systems for the furnishing of electric energy to persons in rural areas who are not receiving central station service."

It was not our intent to draw any distinction, for the purpose of this section, as between a farm on the one hand and an establishment such as a rural residence, a rural store, a rural school or church, etc., on the other. To do so would, we agree, obviously be unsound. Rather, we were pointing out that this entire group of consumers was, as shown by rather clear legislative history in the hearings and debates on the original Rural Electrification Act of 1936, the intended beneficiaries of the act—the persons for whose benefit the act was passed. Suppose, however, as an extreme case, that REA received an application for a loan to a new enterprise in a sizable amount the sole purpose of which was to extend electric service to a single customer—a huge new industrial plant which was technically a "person" in a "rural" area. It would seem doubtful, to say the least, whether such an application would qualify for a loan even under the strictly legal test, and I think you would share such doubt.

Between this extreme case and the normal case of a loan to serve farmers and related rural consumers (such as rural residences, etc.) there are, of course, many conceivable gradations in degree. Though the point was not necessary to our decision in his case, we, in our letter to Mr. Pottharst, were pointing out that elements of this problem were involved in his application since it appeared that approximately 90 percent of the anticipated revenue would be derived from commercial and industrial consumers and approximately 55 percent of the total revenues would be derived from two relatively large industrial loads.

Sincerely yours,

FRED H. STRONG,
Deputy Administrator.

Mr. Speaker, can you imagine such a reply to a specific question? Even if the excuse was valid, imagine waiting 10 months to come up with such an answer.

You say it could not happen.

But it did happen, and here in Washington.

Perhaps REA, instead of standing for Rural Electrification Administration, should be changed to mean "resist every attempt" to get results.

Offshore Procurement of Ships

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 29, 1954

Mr. YORTY. Mr. Speaker, that the essential shipbuilding industry of the United States is approaching a desperate condition owing to a dearth of construction work is becoming more evident day by day. Orders are very slow, work in progress is tailing off, employment is declining, and some yards have already closed while others face that prospect in the near future. It is a serious problem and one for genuine national concern in view of the security importance of our shipyards. Consequently, I think it must be agreed that any policy or practice of our Government which serves to aggravate these difficulties should be challenged and reexamined.

For several years, under the offshore procurement program, it has been the practice of our Government to place contracts for ship construction, particularly of smaller craft, with European shipyards of the NATO countries. It is reported that in the fiscal years 1952 and 1953 the United States Government expended or contracted for the expenditure of $237 million for such offshore procurement of small vessels to be built in Europe. This has been a part of the much larger general program of offshore procurement under which the United States has been purchasing military equipment abroad for delivery to its allies.

Now, I recognize the importance of this procurement program in promoting desirable trade relations with friendly foreign nations, in building up the military potential and self-sufficiency of the NATO countries, in strengthening their economies as vital segments of the free world, and frequently as a measure of economy in obtaining the necessary defense facilities at lowest cost.

It is also important to bear in mind, however, that there are other important considerations to be taken into account in determining how far to go with this kind of program. We must be concerned with how our own economy and

security are affected. In fact, the directive issued by the Department of Defense in 1951 setting forth its offshore procurement policy specifically provided that the items selected for European procurement should not result in "serious adverse effects upon the United States economy, employment, or industrial mobilization base" or interpose "any threat to the security interests of the United States."

Let us see, then, what these provisions signify when applied to our own domestic shipbuilding industry. We find, in the first place, that it is our declared national policy as stated in the Merchant Marine Act of 1936 and again in the Merchant Ship Sales Act of 1946 to foster the development and maintenance of a strong merchant marine and shipbuilding industry at all times as an essential arm of our national defense and security. Why this is so is altogether clear from our experiences in both World Wars I and II when we were desperately in need of ships and shipbuilding and could not turn to others to furnish them. Never must we allow our atttention to be diverted from this basic security need for a vigorous shipbuilding industry in our own country.

The 1951 directive of the Department of Defense also stated that the offshore procurement program must not seriously injure the domestic economy. What about that as applied to shipbuilding? Over the past months shipyard activities and employment have declined sharply and are continuing to do so. The order books of the domestic shipyards, both large and small, are virtually bare and prospects of immediate improvement are poor. Some of our shipyards have already shut down for lack of work and others will have to do so before long unless conditions change.

In contrast with the situation in this country, foreign shipbuilding, with its comparative cost advantages, is generally active and in some areas is booming. Circumstances being what they are, it would seem to be perfectly evident that, so far as ship construction is concerned, the need for stimulation now is not in these foreign countries but in our own. It seems very clear, also, that to continue offshore ship procurement with the expenditure of United States funds under existing conditions runs directly contrary to the terms of the directive which the Department of Defense laid down in 1951 to guide its program.

A few weeks ago there were indications that the Department of Defense, in connection with the Navy Department's offshore ship-procurement program, was about to let additional contracts with various foreign shipyards in the total amount of approximately $52 million. Representatives of the Department were about to leave for Europe to undertake final negotiations and the signing of the contracts.

Fortunately, through the timely intervention of certain interested Members of Congress and protesting American shipyards, and with the cooperation of the Secretary of Defense, these plans have now been modified. About half of the amount which had previously been earmarked for expenditure in the busy foreign shipyards will instead be used in this country to provide some urgently needed work for our own shipyards. It is intended that contracts amounting to $27,500,000 will be let soon on a negotiated basis for building 8 to 10 minesweepers of the medium class. This is a type of work which has usually been performed by our smaller shipyards, now so greatly in need of business to keep their operations going.

This is surely a step in the right direction, and it may be hoped that from now on more vigilant attention will be given to our own essential shipyards in awarding construction contracts. In the present situation, with our own domestic shipyards in dire need of work, the placing of contracts with foreign shipyards is unjustified and is, as I have said, actually contrary to the directive issued by the Department of Defense itself to govern the administration of the offshore procurement program.

SENATE

MONDAY, MAY 3, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. F. Norman Van Brunt, associate minister, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, within the sanctuary of our hearts our inmost thoughts and desires are sobered by the immense implications of the commission that is ours. In these days when our very thoughts affect our fellow men, not only here and there but everywhere across the vast expanses of this earth, for today and tomorrow, yea, even forever, we pause that our hearts might be in tune with Thee. Create within us, we beseech Thee, such insight of loyalty and wisdom that every act will portray those truths which cannot be shaken. As we depend upon Thee, may there emanate from this historic place such confidence that no days of darkness or conference of confusion can incite fear in the hearts of men. We pray in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 3, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WALLACE F. BENNETT, a Senator from the State of Utah, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. BENNETT thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 29, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6251) to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1815) to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. D'EWART, Mr. SAYLOR, Mr. HARRISON of Wyoming, Mr. REGAN, and Mr. ASPINALL were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2098) to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JONAS of Illinois, Mr. BURDICK, and Mr. LANE were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TABER, Mr. WIGGLESWORTH, Mr. CLEVENGER, Mr. CANNON, and Mr. ROONEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 8873) making appropriations for the Department of Defense and related independent agency for the fiscal year ending June 30, 1955, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were

signed by the Acting President pro tempore:

S. 24. An act to permit review of decisions of the heads of departments, or their representatives or board, involving questions arising under Government contracts; and

H. R. 6896. An act to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

NOTICE OF JOINT MEETING OF THE TWO HOUSES TOMORROW

Mr. KNOWLAND. Mr. President, for the information of the Senate, I wish to announce that at 12:30 o'clock tomorrow there will be a joint meeting of the two Houses of Congress in the Hall of the House of Representatives, when the Governor General of Canada will deliver an address to the two Houses.

We shall plan on first meeting at our customary hour, and shall have to be prepared to leave the Senate Chamber not later than 12:15 tomorrow. I hope all Senators will be present at that time.

COMMITTEE SERVICE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That the Senator from Nebraska [Mrs. BOWRING] be, and she is hereby, assigned to service on the Committee on Interstate and Foreign Commerce; the Committee on Labor and Public Welfare; and the Committee on Post Office and Civil Service.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT OF 1947—MINORITY AND INDIVIDUAL VIEWS (PT. 2 OF REPT. NO. 1211)

Under authority of the order of the Senate of April 29, 1954,

Mr. MURRAY (for himself, Mr. NEELY, Mr. DOUGLAS, Mr. LEHMAN, and Mr. KENNEDY), members of the Committee on Labor and Public Welfare, submitted on April 30, 1954, minority views, together with individual views of Mr. HILL, on the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes, which were ordered to be printed as Part 2 of Report No. 1260.

INVESTIGATION OF PUBLIC TRANSPORTATION SERVING THE DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE (S. REPT. NO. 1274)

Pursuant to the order of the Senate of April 28, 1954,

Mr. PAYNE, from the Committee on the District of Columbia, on May 1, 1954, submitted, pursuant to Senate Resolution 140, 83d Congress, a report on the study and investigation of public transportation serving the District of Columbia, which was ordered to be printed, with an illustration.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Barrett	Flanders	Monroney
Bennett	Gillette	Murray
Bowring	Goldwater	Neely
Bricker	Green	Payne
Bush	Hayden	Robertson
Butler, Md.	Hunt	Schoeppel
Carlson	Ives	Smith, N. J.
Case	Johnson, Tex.	Watkins
Clements	Johnston, S. C.	Wiley
Cordon	Kilgore	Williams
Ellender	Knowland	Young
Ferguson	Lehman	

Mr. KNOWLAND. I announce that the Senator from Kentucky [Mr. COOPER] and the Senator from North Dakota [Mr. LANGER] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KUCHEL], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ANDERSON, Mr. BEALL, Mr. BURKE, Mr. BYRD, Mr. CHAVEZ, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. FREAR, Mr. HENDRICKSON, Mr. HICKENLOOPER, Mr. HOEY, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KENNEDY, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. PASTORE, Mr. POTTER, Mr. PURTELL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON, Mr. THYE, and Mr. WELKER entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. A quorum is present.

REPORT ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, transmitting the 35th Report to Congress on lend-lease operations covering the calendar year 1953, which was read; and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith the 35th report to Congress on lend-lease operations covering the calendar year of 1953.

Collections and credits realized during the year against lend-lease repayment obligations aggregated more than $48 million.

Brazil completed payments due under the supplementary settlement arrangement of April 19, 1950, and made a substantial payment on the settlement arrangement of April 15, 1948. Costa Rica liquidated its lend-lease obligations under the settlement arrangement of October 18, 1950.

Other countries made scheduled payments as called for in their settlement agreements—for example, France, the Netherlands, and the United Kingdom made large dollar payments on lend-lease account.

Information on these and other topics of lend-lease interest is contained in some detail in the text of the report.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 3, 1954.*

(Enclosure: 35th report to Congress on lend-lease operations.)

PROPOSED SUPPLEMENTAL APPROPRIATION, HOUSING AND HOME FINANCE AGENCY (S. DOC. NO. 120)

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation for the Housing and Home Finance Agency, in the amount of $243,760, for the fiscal year 1955, in the form of an amendment to the budget for said fiscal year, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CREATION OF FORT LARNED NATIONAL MONUMENT—RESOLUTION OF EDWARDS COUNTY (KANS.) HISTORICAL SOCIETY

Mr. CARLSON. Mr. President, I call to the attention of the Senate a resolution I have received from the Edwards County Historical Society of Edwards County, Kans., regarding the creation of Fort Larned as a national monument.

Fort Larned is located in Pawnee County, Kans., and was established as

an Army fort in 1859 and is the only early day military post between the plains and the Pacific which has escaped destruction.

It was established in the early sixties to protect the travelers on the Santa Fe Trail from attacks by the Indians. It was the headquarters at various times of Gen. Phil Sheridan, General Hancock, and General Custer; also, scouts like Buffalo Bill, Kit Carson, and other notables of the early days used this fort.

It is an important site historically and I urge that Congress give consideration to the creation of this national monument.

I present the resolution for appropriate reference, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Whereas Fort Larned in Pawnee County, Kans., was established as an Army fort in 1859; the present building thereon having been largely built in the years 1860–65; and

Whereas said Fort Larned is in excellent state of preservation, with substantially all of the original quarters, horse barns, troop barracks, parade grounds and other buildings, being largely as originally constructed; and

Whereas said Fort Larned is one of the very few of the original chain of military forts established throughout the Middle West and West during the early days; is now substantially in its original state and has great historical significance and is a most interesting and informative place for both tourists and local visitors: Now, therefore, be it

Resolved by the Edwards County Historical Society of Edwards County, Kans., That the President of the United States create and make said Fort Larned a national monument as provided by law.

Adopted by the unanimous vote of said society in its regular meeting assembled this 20th day of April, 1954.

Mrs. E. G. PETERSON,
President,

H. J. DRAUT,
Secretary.

RESOLUTIONS OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PASTORE. Mr. President, on behalf of my colleague, the distinguished Senator from Rhode Island [Mr. GREEN] and myself, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, two resolutions recently adopted by the Rhode Island General Assembly.

One resolution urges the President of the United States, the Congress, the Secretary of State of the United States, and the Tariff Commission to maintain the present tariff rates on textile, jewelry, and rubber footwear imports. The other memorializes Congress with respect to extending the benefits of the Old Age and Survivors' Insurance provisions of the Social Security Act.

There being no objection, the resolutions were referred to the Commitee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolution memorializing Congress with respect to extending the benefits of the old age and survivors insurance provisions of the Social Security Act

Whereas the governor's commission to study the problems of the aged has found that old age and survivors insurance is a primary source of income for almost one-third of the aged population of the State; and

Whereas the commission's study indicates that many beneficiaries cannot live on the benefits they receive; and

Whereas it is apparent that their income does not reach far enough to cover medical expenses, which experience has shown to be required by 7 out of 10 aged persons in each year; and

Whereas under present provisions, employed persons under 75 cannot receive benefits if they are earning as much as $75 per month, thus working a hardship on aged persons who are employed and discourages many from seeking jobs; and

Whereas some of the wage earners not now covered by old age and survivors insurance are covered by other public pension plans, but rights accumulated under such plans are not transferable when the worker changes his employment: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations does respectfully urge the Congress of the United States to pass legislation to amend the social security law so as to authorize the extension of old age and survivors' coverage to all gainfully employed persons; to permit the integration of old age and survivors insurance benefits with existing retirement plans for State, municipal and other governmental employees; to extend the provision which limits earnings of recipients under 75 years of age from $75 per month to $250 per month; and to provide that old age and survivors insurance benefits shall include automatic coverage of hospital expenses; and be it further

Resolved, That the Senators and Congressmen from Rhode Island in said Congress are requested to use their good offices to work for the passage of such legislation; and be it further

Resolved, That the secretary of state be and he is hereby authorized to transmit duly certified copies of this resolution to the Senators and Congressmen from Rhode Island in the Congress of the United States of America.

Resolution urging the President of the United States, the Congress, the Secretary of State of the United States, and the Tariff Commission to maintain the present tariff rates on textile, jewelry, and rubber footwear imports

Whereas the 1934 Reciprocal Trade Agreements Act expires June 12, 1954, and will in all likelihood be extended by congressional legislation; and

Whereas the special Commission on Foreign Economic Policy created in 1952 by the Congress at the request of the President, to explore this Nation's economic relations with the free world, has recommended a reduction in tariff rates; and

Whereas in the development of a policy with respect to this Nation's foreign trade proper and adequate safeguards should be provided for the welfare and security of the American people and for the protection of our domestic enterprises; and

Whereas a reduction in the tariff rates on foreign textile, jewelry, and rubber footwear products would result in the virtual annihilation of the textile, jewelry, and rubber footwear industries in some sections of this country and in the severest disruption of these industries in other sections by foreign competition because of the disproportionate wage differential paid the workers in these industries in foreign lands compared to the wages paid in the United States; and

Whereas approximately 50 percent of all the workers of Rhode Island are employed in these industries; and

Whereas these Rhode Islanders would be forced into the ranks of the unemployed upon the closing of—or curtailment of work in—the cotton and woolen mills, the jewelry plants, and rubber footwear factories: Now, therefore, be it

Resolved, That the President of the United States insist on maintaining the present tariff rates on textile, jewelry, and rubber footwear imports and permit no reductions therein at the present time; and be it further

Resolved, That the Secretary of State of the United States enter into no agreements and make no concessions to any foreign nations which would entail a reduction in the present tariff rates on these imports; and be it further

Resolved, That the Tariff Commission recommend to the President the maintaining of the present tariff rates on these imports; and be it further

Resolved, That the Congress, and more particularly the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, take every legislative precaution in extending the Reciprocal Trade Agreements Act to insure the maintenance of the present tariff rates on these imports; and be it further

Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the President of the United States, to the Secretary of State of the United States, to the Tariff Commission, the Presiding Officer of each body in Congress, and to the Senators and Representatives from Rhode Island in said Congress, earnestly requesting that each use his efforts to see that action is taken which would carry out the purposes of this resolution.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce:

H. R. 6870. A bill to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La.; without amendment (Rept. No. 1275).

By Mr. WELKER, from the Committee on Agriculture and Forestry:

S. 3245. A bill to amend the act of April 6, 1949, as amended by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes; with amendments (Rept. No. 1277).

SALE OF CERTAIN VESSELS TO BRAZIL—REPORT OF A COMMITTEE

Mr. BUTLER of Maryland. Mr. President, from the Committee on Interstate and Foreign Commerce, I report favorably with amendments the bill (S. 2370) to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil, and I submit a report (No. 1276) thereon. I ask unanimous consent that a statement I have prepared in connection with the report be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the statement will be printed in the RECORD.

The statement by Mr. BUTLER of Maryland is as follows:

STATEMENT BY SENATOR BUTLER OF MARYLAND

Senate bill 2370, recommended by the Department of State, was introduced last July by the late Senator Tobey.

The purpose of the bill is to authorize the sale of 12 Government-owned C1–MAV–1 type

vessels to Brazil, or citizens of Brazil, for Brazil coastwise trade.

As proposed S. 2370 would authorize the Secretary of Commerce, at any time within 24 months from enactment of the bill, to transfer to the Government of Brazil or to citizens of Brazil title to not more than 12 C1-MAV-1 type vessels under the conditions and requirements of the bill. Vessels of the C1-MAV-1 type are relatively small, approximately 5,000 deadweight tons each.

As a condition precedent to the sale the bill requires that it be determined, after consultation with the Secretary of State, that the sales would contribute to Brazil's economic development and would serve the interest of the foreign policy of the United States. A further condition precedent is that after consultation with the Secretary of Defense a determination be made that the sales would not adversely affect the defense of the United States.

The vessels would be transferred at prices determined under section 3 of the Merchant Ship Sales Act of 1946, with allowances for putting the vessels in class in accordance with the minimum requirements of the American Bureau of Shipping. Provisions are included as to the down payments and installments and as to mortgage security. The Secretary of Commerce is given discretion to fix the terms of payment on unpaid balances after consultation with the National Advisory Council on International Monetary and Financial Problems.

The bill would require transfers under it to be subject to an agreement by the Government of Brazil that the vessels transferred shall not engage in international trade or in any trade other than the coastwise trade of that country.

The American Merchant Marine Institute proposed the only amendment suggested. That amendment would permit American citizen owners of such vessels who would be willing to sell their vessels at the same price as the Government vessels to sell their ships to Brazil before any Government-owned vessels were sold.

On April 7, 1954, I presided over a hearing on this bill. Henry Holland, Assistant Secretary of State for Inter-American Affairs, testified in favor of the bill and approved of the suggested amendment.

The Department of Commerce likewise favored the bill and offered no objection to the proposed amendment.

The only substantial objection to the bill came from the Shipbuilders Council, which is opposed to selling any vessels foreign on the theory that such sales adversely affect shipbuilding activity. However, we did not feel the objection of controlling significance, especially in view of the fact that before delivery the vessels would have to be put in class by American shipyards.

Mr. Hoyt Haddock, of the Conference of American Maritime Unions, was consulted by the subcommittee staff and stated that his group interposed no objection to the passage of the bill.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 3, 1954, he presented to the President of the United States the enrolled bill (S. 24) to permit review of decisions of the heads of departments, or their representatives or boards, involving questions arising under Government contracts.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 3382. A bill to authorize the Secretary of the Interior to sell and convey certain transmission facilities and related property in the State of Arizona; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

S. 3383. A bill for the relief of David Yang and his wife, Katherine Louise Yang; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 3384. A bill for the relief of Angel Maria Olaeta Goitia; to the Committee on the Judiciary.

By Mr. WATKINS (for himself, Mr. BENNETT, and Mr. GOLDWATER):

S. 3385. A bill to provide for more effective extension work among Indian tribes and members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Texas (for himself and Mr. DANIEL):

S. 3386. A bill to amend the Small Business Act of 1953 to provide that loans may be made to certain small-business concerns which have suffered a substantial economic injury as a result of a drought; to the Committee on Banking and Currency.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. PAYNE (for himself, Mr. BEALL, and Mr. MORSE):

S. 3387. A bill to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. PAYNE when he introduced the above bill, which appear under a separate heading.)

By Mr. GREEN:

S. 3388. A bill for the relief of Fotini Stavrides Kaliarhi;

S. 3389. A bill for the relief of Dimitrios Nitsolas; and

S. 3390. A bill for the relief of Chris Torvas; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 3391. A bill for the relief of Kobayashi Takayashi; to the Committee on the Judiciary.

DROUGHT DISASTER IN THE SOUTHWEST

Mr. JOHNSON of Texas. Mr. President, there is one aspect of the drought disaster sweeping the great Southwest that has thus far been overlooked.

It is the effect of the drought upon business and commerce in the affected areas.

The farmer is not the only one who suffers from long, hot, dry months. The result of drought is an economic infection that is highly contagious. It begins on the farm but spreads rapidly through all segments of our economy.

When the farmer must mobilize all his resources to survive, he quickly cuts down on his spending for anything but the most vital necessities. The merchants in the small towns that live off the countryside find inventories piling up on their shelves.

What business they do must be on a credit basis—long-range credit that does not produce sufficient operating income.

It does not require any great amount of imagination to trace the process to its final conclusion. The logjam on the retailers' shelves quickly backs up to the wholesaler. From the wholesaler, it backs up to the producer.

It is a chain reaction which hits everybody.

On behalf of myself and my colleague, the junior Senator from Texas [Mr. DANIEL] I introduce for appropriate reference a bill aimed at this specific situation. It is designed to help small businesses in the drought areas of Texas and the Southwest.

This bill would authorize the Small Business Administration to make loans to these establishments. It would apply only to businesses that have suffered substantial injury as a result of the drought.

In a conference held last week with Members of the House of Representatives from Texas and other drought-area States, representatives of the Small Business Administration pointed out their inability to cope with all the requests which are being made at this time.

Last week, we approved legislation to help farmers and ranchers in the affected areas conserve their soil. I said at the time that this was only one step needed to combat the drought.

This bill, sponsored by myself and my colleague, the junior Senator from Texas [Mr. DANIEL] is another important step. I do not intend to discuss it at length today. I ask only that it be referred to the appropriate committee so we can proceed to its consideration as rapidly as possible.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3386) to amend the Small Business Act of 1953 to provide that loans may be made to certain small business concerns which have suffered a substantial economic injury as a result of a drought, introduce by Mr. JOHNSON of Texas (for himself and Mr. DANIEL), was received, read twice by its title, and referred to the Committee on Banking and Currency.

CHANGES IN REGULATION OF PUBLIC UTILITIES IN DISTRICT OF COLUMBIA

Mr. PAYNE. Mr. President, on May 1, 1954, the Committee on the District of Columbia submitted the report of its subcommittee to investigate and study public transportation serving the District of Columbia.

During the course of the investigation, many changes and additions to the District of Columbia Public Utilities Act were proposed. Those changes and additions which the subcommittee felt had particular merit have been incorporated in an omnibus bill entitled "The District of Columbia Public Utilities Regulation Act of 1954."

On behalf of my colleagues on that subcommittee, the Senator from Maryland [Mr. BEALL] and the Senator from Oregon [Mr. MORSE] and myself, I introduce a bill to make certain changes in the regulation of public utilities in the District of Columbia, and request that it be received and appropriately referred.

The bill (S. 3387) to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes, introduced by Mr. PAYNE (for himself, Mr. BEALL, and Mr. MORSE), was received, read twice by its title, and referred to the Committee on the District of Columbia.

TERCENTENARY OF FIRST JEWISH SETTLEMENT IN AMERICA

Mr. KEFAUVER submitted the following resolution (S. Res. 242), which was referred to the Committee on the Judiciary:

Whereas the month of September 1954 marks the 300th anniversary of the establishment of the first Jewish settlement in America, the event having occurred in 1654 in the Dutch colony of Nieuw Amsterdam, now the State of New York; and

Whereas the intervening centuries of our national history have been enriched by the contributions of the Jewish people to our social, cultural, and economic heritage; and

Whereas the people of the United States of America are cognizant of the early struggles of the Jewish people for freedom from religious persecution, and for the opportunity of full participation in the communities in which they lived; and

Whereas the people of the United States of America are grateful for and proud of the enrichment of their heritage by the Jewish people: Now, therefore, be it

Resolved by the Senate of the United States, That the month of September 1954 shall be designated as the tercentenary of the first Jewish settlement in America, and that the event be marked with fitting and appropriate public memorials and ceremonies.

PROPOSED AMENDMENT OF RULE XXXVII OF STANDING RULES OF THE SENATE—AMENDMENTS

Mr. LEHMAN submitted amendments intended to be proposed by him to the resolution (S. Res. 207) proposing an amendment to rule XXXVII of the Standing Rules of the Senate, which were ordered to lie on the table and to be printed.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT, 1947—AMENDMENTS

Mr. IVES. Mr. President, I submit amendments intended to be proposed by me, and which I may offer to the bill (S. 2650) to amend the Labor-Management Relations Act, 1947, and for other purposes. One series of amendments would exempt building service employees from the scope of the Taft-Hartley Act, just as farm laborers are now excluded, and would permit labor organizations whose membership is substantially limited to building-service employees to represent guards. The other amendments would make discrimination by an employer or a labor organization against a worker because of race, religion, color, national origin, or ancestry an unfair labor practice under the Taft-Hartley Act.

I ask unanimous consent that the amendments be printed and lie on the table, and that they be printed in the RECORD following these remarks.

The ACTING PRESIDENT pro tempore. The amendments will be received and printed, and will lie on the table; and, without objection, will be printed in the RECORD.

The amendments submitted by Mr. IVES are as follows:

Amendments intended to be proposed by Mr. IVES to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, viz:

On page 12, strike out lines 1 and 2 and insert in lieu thereof the following:

"That (a) section 2 (3) of the National Labor Relations Act, as amended, is amended by inserting after the words 'as supervisor' a comma and the following: 'or any individual employed as a building service employee.'"

(b) Section 2 (13) of such act is amended to read as follows:

"On page 12, between lines 9 and 10, insert the following:".

(c) Section 2 of such act is further amended by adding at the end thereof the following:

"(14) The term 'building service employee' means any individual employed to maintain, heat, or service buildings owned or operated by a person engaged in the business of renting offices, rooms, or other space to occupants of such buildings."

On page 15, between lines 16 and 17, insert the following:

"SEC. 9. Section 9 (b) of such act is amended by inserting before the period at the end thereof a comma and the following: 'unless the labor organization applying for certification is a national or international organization whose membership is substantially limited to building service employees, or is a subdivision of such an organization.'"

Renumber section 9 to 23, inclusive, as sections 10 to 24, respectively.

Amendments intended to be proposed by Mr. IVES to the bill (S. 2650) to amend the Labor-Management Relations Act, 1947, and for other purposes, viz:

On page 12, between lines 24 and 25, insert a new section as follows:

"SEC. 4. Section 8 (a) of such act is amended by adding at the end thereof the following new subparagraph:

"(6) to discriminate in regard to hire or tenure of employment or any term or condition of employment on account of race, religion, color, national origin, or ancestry: *Provided*, That nothing in this act shall be construed to bar any religious or denominational institution or organization operated for charitable or educational purposes which is operated, supervised, or controlled by or in connection with a religious organization from limiting employment to or giving preference in employment to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained."

On page 13, between lines 20 and 21, insert a new section as follows:

"SEC. 7. Section 8 (b) of such act is amended by adding at the end thereof the following new subparagraph:

"(7) to cause or attempt to cause an employer to discriminate against any of its employees in violation of subsection (a) (6), or to discriminate against any member or applicant for membership with respect to admission or retention of membership or any other right, privilege, or condition of membership, or to classify or segregate any member or applicant for membership, because of race, religion, color, national origin, or ancestry."

On page 12, line 25, strike out "SEC. 4." and insert "SEC. 5."; on page 13, line 19, strike out "SEC. 5." and insert "SEC. 6."; and renumber sections 6 to 23, inclusive, as sections 8 to 24, respectively.

Amendments intended to be proposed by Mr. IVES to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, viz:

On page 12, between lines 24 and 25, insert a new section as follows:

"SEC. 4. Section 8 (a) of such act is amended by adding at the end thereof the following new subparagraph:

"(6) to discriminate against or agree to discriminate against any member of a labor organization or member of the class or craft of employees represented by a labor organization with respect to hiring, upgrading, promoting, tenure of employment, or any term or condition of employment on account of race, religion, color, national origin, or ancestry: *Provided*, That nothing in this act shall be construed to bar any religious or denominational institution or organization operated for charitable or educational purposes which is operated, supervised, or controlled by or in connection with a religious organization from limiting employment to or giving preference in employment to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained."

On page 13, between lines 20 and 21, insert a new section as follows:

"SEC. 7. Section 8 (b) of such act is amended by adding at the end thereof the following new subparagraph:

"(7) to cause or attempt to cause an employer to discriminate against any of its employees in violation of subsection (a) (6), or to discriminate against any member or applicant for membership with respect to admission or retention of membership or any other right, privilege, or condition of membership or to classify or segregate any member or applicant for membership because of race, religion, color, national origin, or ancestry."

On page 12, line 25, strike out "SEC. 4." and insert "SEC. 5."; on page 13, line 19, strike out "SEC. 5." and insert "SEC. 6."; and renumber sections 6 to 23, inclusive, as sections 8 to 24, respectively.

Mr. LEHMAN. Mr. President, I submit an amendment intended to be proposed by me to the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes, which would make it an unfair labor practice for either employers or labor organizations to practice discrimination in employment for reasons of race, creed, color, national origin, or ancestry.

I do not know whether I will have a chance to call up this amendment, but if such a chance is afforded me I would like the Senate to know that I expect to do everything in my power to bring this proposal to a vote.

I ask unanimous consent that the amendment may be printed and lie on the table, and that it be printed in the body of the RECORD at this point in my remarks.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table, and, without objection, will be printed in the RECORD.

The amendment submitted by Mr. LEHMAN is as follows:

On page 20, line 7, insert the following new section, and redesignate section 22 as section 23, and section 23 as section 24:

"SEC. 22. (a) Section 8 (a) of the National Labor Relations Act, as amended, is amended by inserting at the end thereof a semicolon and a new subsection (6), to read as follows:

"'(6) To refuse to hire, to discharge, or otherwise to discriminate against any indi-

vidual with respect to terms, conditions, or privileges of employment, because of such individual's race, creed, color, national origin, or ancestry.'

"(b) Section 8 (b) of the National Labor Relations Act, as amended, is amended by inserting at the end thereof a semicolon and a new subsection (7), to read as follows:

"'(7) To deny directly or indirectly by ritualistic practice, constitutional or bylaw prescription, by tacit agreement or otherwise membership in its organization to any person or persons by reason of his race, creed, color, national origin, or ancestry, or to limit, segregate, or classify its membership because of race, creed, color, national origin, or ancestry, or to deny to any of its members by reason of race, creed, color, national origin, or ancestry, equal representative or equal treatment with all other members in any designation of members to any employer for employment promotion or dismissal by such employer.'"

HOUSE BILL REFERRED

The bill (H. R. 8873) making appropriations for the Department of Defense and related independent agency for the fiscal year ending June 30, 1955, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

UNEXPENDED BALANCES OF FEDERAL APPROPRIATIONS—STATEMENT BY SENATOR BYRD

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement by me on behalf of the Joint Committee on Reduction of Nonessential Federal Expenditures, relating to unexpended balances of Federal appropriations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

Agencies of the Federal Government in the first 7 months of the current fiscal year spent $39.6 billion, and entered February with authority to call on the Treasury to meet their bills in the future totaling $121.3 billion.

As of January 31, military services exclusive of civil functions in the first 7 months of the year had spent $23.9 billion, and entered February with authority to call on the Treasury to meet their bills in the future totaling $72.0 billion.

During the first 7 months of the fiscal year Foreign Operations Administration had spent $2.4 billion, and entered February with authority to call on the Treasury to meet their bills in the future totaling $12.4 billion.

Other agencies of the Government in the first 7 months of the current fiscal year spent $13.3 billion, and entered February with authority to call on the Treasury to meet their bills in the future totaling $36.9 billion.

Of the $39.6 billion spent in the first 7 months of the year, $18.7 billion was spent from appropriations enacted in calendar year 1953, and $20.9 billion was spent out of balances carried over from appropriations and other authorizations enacted in prior years.

These figures were revealed today in the thirteenth monthly compilation of "Federal Appropriations and Authorizations, Expenditures and Unexpended Balances," by the Joint Committee on Reduction of Nonessential Federal Expenditures. (The term "Unexpended balances" in appropriations and authorizations does not mean that the cash is in the Treasury. It means the agencies are still authorized to call upon the Treasury to meet their obligations up to the so-called unexpended balances in their appropriations and other spending authority. As the bills come due, the Treasury must provide the funds from tax collections, other cash on hand, or from borrowed funds which increase the Federal debt.)

POLAND'S CONSTITUTION DAY

Mr. IVES. Mr. President, I am pleased to join my fellow citizens of Polish descent in the commemoration of Poland's Constitution Day. This observance reminds us now as always of the strong and abiding bonds between freedom-loving Americans and freedom-loving men in Poland. All of us know that human liberty must be universal if it is to achieve its noblest meaning.

The people of this Nation hold the firm conviction that freedom must and will be restored to the people of Poland and this day gives us the opportunity to share that belief with all courageous Poles who wait so patiently for their time of deliverance from Communist domination. That time will come. The fortitude of those who strive for it in Poland today stands as an inspiration for all the world. Courage like theirs can never be defeated.

Mr. GREEN. Mr. President, for the past 18 years, we in the Congress of the United States have taken the occasion of the anniversary of the Polish Constitution of 1791 to send messages of friendship and encouragement to the suffering people of Poland. During this period Poles have been forced to live under the successive rule of two of the most ruthless forms of tyranny the world has ever known. Each of these tyrannies has used all the means at its command to break the spirit of the Polish people, but throughout the Poles have remained true to the principle expressed by the framers of their great May 3 constitution "free from the shameful commands of foreign violence, valuing dearer than life, than personal happiness, the political existence, the external independence and internal freedom of the nation."

It is almost impossible for us here to realize what courage it has taken for the Polish people in the years since 1939 to remain a spiritually free and independent people. Yet with each holocaust which has swept over their nation, with each new diabolic wave of terror released by their foreign rulers, the will of the Poles to resist has grown stronger. This is because the men and women of Poland believe that they carry within themselves the force which will set their nation free, and that, in the words of their national anthem, "Poland is not lost so long as we endure."

We express our deepest admiration and pay humble tribute to the Polish people, for the way in which they have carried their terrible burden. But human courage, strength and endurance have their limits. We cannot expect, and indeed must not allow, a people under Communist domination to go on bearing alone the full brunt of Soviet terror. At every conference table, and on the floor of the United Nations, wherever and whenever the opportunity presents itself, we must insistently bring pressure to bear on the Soviets to desist from such acts as the present persecution of the Polish clergy. We must give full support to measures such as the Genocide Convention, and assume the leadership in formulating a plan which will force the Communists to mitigate their present policies.

Certainly we all pray for the day when Poland will rise again as a free nation, when no foreign soldier will tread her soil, and when a freely elected Polish government will sit in Warsaw. But we cannot wait patiently for that day to come and in the meantime allow a repetition of mass murders such as the one perpetrated in the Katyn Forest. The Polish people have had their full measure of suffering. So, while we go on working steadfastly to bring freedom to the enslaved nation, let us at the same time devote our energies to the task of alleviating the present conditions under which the brave people of Poland await its resurrection.

Mr. MARTIN. Mr. President, I am very desirous in aiding in the commemoration of Polish Constitution Day, of which today is the 163d anniversary. I had intended to address the Senate. However, I do not wish to take the time to do so at this point. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an address which I had intended to deliver.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARTIN

I sincerely believe that I express the sentiments of all Americans today in sending words of warm and prayerful encouragement to the captive, heroic people of Poland, on Poland's Constitution Day.

The Constitution of Poland was adopted on May 3, 1791, exactly 163 years ago.

When that constitution was written, there were immortal and challenging words inscribed upon paper and enshrined in the hearts of all the people of Poland. I quote, in part:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty, and the good order of society, on an equal scale and on a lasting foundation."

Today Poland's courageous sons and daughters are again under a captive yoke, but their hearts and souls, like the hearts and souls of all brave people, are dedicated to a restoration of their liberties.

The high principles stated in the Polish Constitution of 1791 still constitute the goal to which our friends in Poland aspire.

We would, indeed, be doing less than our duty if we failed today to reassert, in the strongest possible terms, that undying and traditional friendship of the American people for the people of Poland.

That friendship is even stronger today than it has ever been before.

No American will ever forget the bonds of unity which were forged in our own war of the Revolution—our own struggle for liberty and independence—by the great General Kosciusko.

We shall never forget that after he fought with the troops of Gen. George Washington

and returned to his country, he took an active leadership in behalf of the new Constitution of Poland—a great democratic document.

The world rejoiced at Poland's new-won freedom after the constitution. But it was short-lived. Russia invaded Poland shortly thereafter. Liberty was lost, but the ideals burned even more brightly.

Some 130 years later, President Woodrow Wilson called for the establishment of a new and democratic Poland as a condition of the treaty of World War I.

Another democratic constitution was effective on March 17, 1921, but this too was short-lived when the Nazis and then the Communist hordes moved in.

Poland's people have given inspiration to the world by their gallant determination to again win liberty and freedom.

Deep sympathy and continuing concern for the welfare and the freedom of our friends in other lands, have been characteristic of Americans since our beginnings.

Many patriots from other lands have found haven and support in our country during their battle for freedom in their homelands—Kosciusko, Pulaski, Kossuth, Krzyvanowski, Paderewski, and the elder Masaryk, to mention but a few from central and eastern Europe.

It seems but yesterday that both Poland and the United States fought side by side in defense of their national existence against an enemy who was both ruthless and evil.

In the ensuing years, the United States undertook an enormous program of economic assistance to the people of Poland.

This material assistance amounted to one-sixth of the total assistance given to all war-devastated countries throughout the world.

Additional aid, which we wanted to give, was choked off by the oppressor government which had seized control of Poland. Since the heroic, but captive, people of Poland no longer had control of their government, there was nothing they could do about it.

There are in the same position as other nations which have fallen victim to Soviet rulers, through satellite control.

I cannot help but feel that no people on earth have more abundantly proven an unquenchable lover of liberty.

During the past 175 years, Poland has been several times partitioned by powerful states and at times it had been occupied.

But the struggle has never ceased, their patriotism has never abated, their loyalty has never weakened, and their faith has never faltered.

On the contrary, all of these brave virtues have grown stronger and more forceful.

We in America have a great and abiding faith in the final victory of the Polish struggle for liberty and independence. We send to our friends in Poland our warmest and most prayerful encouragement.

With God's help, may their day of final deliverance be soon at hand.

Mr. LEHMAN. Mr. President, I have prepared a statement commemorating the 163d anniversary of the May Constitution of Poland. On this anniversary the American people again pay tribute to the courage and moral strength of the Polish people.

I ask unanimous consent to have the statement which I have prepared printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

On May 3, 1791, the Polish Diet adopted the constitution which we are commemorating today. This historic action marked a high point in the growing movement toward constitutional government at that time, and followed by 3 years the adoption of the United States Constitution.

This anniversary is observed throughout the United States by Americans of Polish descent and by all free peoples as a reminder that Poland was among the first nations to develop a modern constitutional government.

This action was taken only 19 years after the first partition of Poland by Russia, Austria, and Prussia. This action stands as one of the many great episodes in the history of the Polish nation. Here is a truly valiant people who again and again have demonstrated their fundamental belief in the freedoms of man and their abhorrence of tyranny and oppression.

Shortly thereafter, the armies of Poland's aggressive neighbors completely overran this great country and overthrew the brave but shortlived attempt to establish a truly democratic nation.

The Polish people had lived under the rule of foreign tyrants for over a century when again in 1918 they regained their independence. A new government was elected by the people, a new constitution proclaimed, and the latent desire for freedom and democracy burst again into bloom.

I believe we can all take heart from the history of the Polish people. We know that long decades of occupation and oppression cannot wipe out an inherent craving for freedom and political rights. This is the faith which the enslaved peoples of Poland are today holding in their hearts and minds. I do not believe any power on earth can destroy this faith, or prevent it from passing from one generation to another.

We in the United States must strive to provide assurance that our Government does all in its power to keep faith with these people who have waged the gallant fight against tyranny and oppression down through the centuries. One of the most obvious ways in which we can discharge this obligation is to see that our basic immigration laws and the Refugee Relief Act are amended and administered in such a manner as to help provide haven for refugees and escapees from Poland who have fled to freedom and desire to join the forces of the free world.

MEETING OF EXILED LABOR LEADERS BEHIND THE IRON CURTAIN

Mr. IVES. Mr. President, on April 30 there occurred in New York City a most significant meeting of exiled labor leaders from the European countries behind the Iron Curtain. Called together under the auspices of the Free Europe Committee, these exiled leaders represented eight nations and all the free trade-union movements that existed in their homelands before communism forcibly ended national and individual freedom there. At their meeting these exiles proclaimed to the world, and particularly to their fellow countrymen, a manifesto containing 14 demands of free labor. This was a truly historic occasion because never before had the great labor movements represented by these men combined in the preparation of a united program. It was the great cause of human freedom as opposed to Communist tyranny which inspired them to common action. As President Eisenhower stated in a message sent to the meeting to which I refer:

Free trade unions are not possible under the Communist regimes that have seized power in the countries of the exiled labor leaders. However, man's unquenchable yearning for freedom will eventually triumph over these alien rulers and restore to the nations of central and eastern Europe the opportunity freely to develop in a free Europe.

At this point in my remarks I ask unanimous consent to have inserted in the body of the RECORD the May 1 manifesto to which I have referred.

There being no objection, the manifesto was ordered to be printed in the RECORD, as follows:

MAY 1 MANIFESTO

We celebrate today, for the 65th time, the 1st of May as the day of the workers, a symbol of the struggle for liberation from the fetters of exploitation, an expression of man's longing for freedom and a manifestation of national independence and of international solidarity and fraternity.

It was in the United States that the 1st of May was originally celebrated as a symbol of the liberation of labor. The date was later adopted by the Congress of the International Workingmen's Association meeting in Paris and was celebrated for the first time in Europe in 1890.

Just as the Communists have debased the words "peace," "democracy," and "socialism" to serve their aims of aggression, tyranny, and exploitation, so they have changed the meaning given to the 1st of May by the Socialists who first celebrated it in Europe; instead of a day on which freemen proclaim their rights and their freedom, the Communists have turned the 1st of May into an occasion on which slaves are forced to parade for their slave masters.

Yet, to the workers of our nations, the 1st of May remains the day of all workers who want their freedom as human beings. It is in this spirit that we, members of all free democratic labor movements from central and eastern Europe, are celebrating the 1st of May 1954 by issuing from the United States, the land where the 1st of May originated, this manifesto of the rights of free labor. Labor's rights have been extinguished in our countries by a tide of terror, exploitation, and Soviet Communist imperialism; but we speak for millions of our fellow countrymen who carry on the fight until final victory when, in unison, we proclaim the 1st of May as a day forever dedicated to the cause of workers' freedom.

Even under the backward regimes which existed in some of our countries before 1939, there was often the possibility to fight openly, against great odds, for the achievement of political and economic rights. It is the perfecting and the systematizing of terror and oppression in our nations, once by the Nazis and Fascists and now by the Communists, that has made an open struggle difficult and dangerous. Nonetheless, we guard the flame of liberty in our hearts inside the nation and wherever our people may be.

Our once free political and trade union organizations are now in th hands of oppressors and have been turned from instruments of freedom into instruments for the suppression of freedom, intended to perpetuate enslavement and exploitation. Yet the Communist oppressors have failed in their purpose. No power on earth can enslave for the state the conscience of man. In turning our democratic organizations, which freemen created to extend and defend their freedom, into instruments for the suppression of freedom and the organization of exploitation, they have turned them into hollow shells hated by the workers. Even though our organizations have been destroyed or replaced by puppets, the millions of our people remain faithful to the ideals

and objectives for which the 1st of May was originally established.

It is this solidarity of millions which gives opposition strength, even when opposition is denied the right and the opportunity to organize. It is this solidarity which the Communists now seek to divide and conquer by a new means of control and terror by seeking to bring the many into docility through starvation and the few to cooperation by the offer of special privileges.

European civilization has always survived because it has survived in the minds and hearts of European people no matter what the temporary setbacks might be. It survived the old Genghis Khan. It will survive the new Genghis Khans because our people bear in their hearts an undying devotion to the inalienable rights of people in a free society and of free labor in a free community.

These rights can never exist under communism which is dedicated to the theory that man is the slave of the state and the machines. Communism must go, and with it all instrumentalities of enslavement and forced labor; together we shall create in its place a new social order, different from any that has gone before and embodying the principle that the state and the machine are the servants of mankind. Only in such a system can our people enjoy political freedom, individual happiness, economic well-being, and social justice.

The world of today stands on the threshold of a new era of technological and social development. The Communist revolution of misery and poverty is doomed because it stands as a roadblock separating our people from the true revolution of the 20th century, an "iron curtain" that shuts our people off from technological progress, freedom, and plenty for all. The great achievements of free nations in all fields of economic endeavor and culture give us the assurance that as soon as the fetters of Communist rule are removed, the liberated nations will make great strides toward economic well-being in security and independence. They will be able to participate in the world movement from the era of scarcity to the era of plenty.

Together we strive for the establishment of all civil and political rights, for a world based on freedom of conscience and of speech, and freedom from fear and poverty. Together we envisage an economic order based not on the pursuit of narrow interests of individuals or classes without regard for social justice, but on production planned and developed in the interest of our entire people, as part of an economic system of international cooperation to be determined by the free peoples.

The new economic order must be based upon free and independent trade-union movements in every nation safeguarding for all wage earners the following rights:

1. The right of wage earners and all other elements of our populations to be regarded as free human beings and not as chattel slaves.

2. The right of wage earners to organize freely in trade unions of their own choice.

3. The right of trade unions to full independence from any outside influence except the democratic responsibility to their own membership.

4. The right to bargain collectively with all employers, whether public or private, and to obtain written contractual agreements governing the conditions and hours of work, codetermination, profit-sharing and security of employment.

5. The right to strike.

6. Freedom to take employment and to leave employment without compulsion of any kind.

7. A system of full employment for wage earners and full social security for them and their families.

8. A minimum wage, independent of work norms, established by law and sufficient with family allowances to provide an adequate standard of living for all.

9. Working time limited by law so as to provide sufficient time for rest, cultural needs and enjoyment of leisure.

10. No compulsion for overtime work. Rates of pay for overtime to be established by the trade unions through free bargaining.

11. Paid vacations guaranteed by law.

12. Social privileges, now arbitrarily reserved to a favored few of the wage earners, to be extended to all as a matter of legal right.

13. Equal pay for equal work, whether performed by men or women. Complete protection for juvenile and female labor.

14. Equal opportunity to employment, advancement and education for all regardless of race, nationality, political belief, and religious creed.

History has taught us that freedom is ultimately unconquerable and will prevail. Our nations will again be independent, our peoples will regain their individual freedom and will re-establish their rights to free association. Once attained, these achievements must be safeguarded by a close association with neighboring states in the European community. Freedom is indivisible and only within such an association of the nations of Europe can the freedom of our peoples be secure. Only such an association—embodying freedom of movement and employment regardless of national frontiers, industry-wide bargaining throughout Europe, unification of social-security legislation in all European countries.—will create the conditions to ensure to all the peoples of Europe a stable well-being based on political and economic democracy and social justice.

Down with communism. Down with exploitation.

Down with forced labor.

Down with Kremlin imperialism.

Long live the free labor movement.

Forward to a union of free European nations in a world based on democracy and social justice.

In the name of the workers of Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania.

Proclaimed at New York, April 29, 1954, by the Exile Labor Committee for Observance of the First of May 1954.

CRIMINAL PROSECUTIONS UNDER FEDERAL HOUSING LAWS

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter I have written as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures to the Honorable Herbert Brownell, Attorney General of the United States, with respect to the criminal prosecution of those who may be guilty of a violation of the regulations of the Federal Housing Administration.

Mr. FERGUSON. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield.

Mr. FERGUSON. As a member of the Joint Committee on the Reduction of Nonessential Federal Expenditures, I wish to join with the Senator from Virginia in his request. I have written to the Attorney General to the same effect. I think this is a matter which should, if possible, be expedited, so that justice may be done, rather than to have a long delay in the administration of justice.

Mr. BYRD. I thank the Senator from Michigan.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Virginia?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 27, 1954.

The Honorable HERBERT BROWNELL,
Attorney General of the United States,
Washington, D. C.

MY DEAR MR. BROWNELL: The investigation of the Federal Housing Administration, conducted by the Joint Committee on Reduction of Nonessential Federal Expenditures, convinces me that immediate action should be taken by the Justice Department, first, to bring to justice any who may be criminally liable, and, second, to recover, if possible, any of the multimillion-dollar windfalls realized by profiteers through schemes developed under any FHA programs. Such windfalls as are recoverable should either go toward a reduction of the guaranteed loans or paid into a fund to reduce the rentals to the occupants of these various projects.

First, I would suggest immediate legal proceedings against Clyde L. Powell, whose position was Assistant Commissioner of Federal Housing (multifamily housing) and who, in my judgment, is the key official with respect to the overvaluations of properties under section 608, resulting in windfalls to the extent of $100 million, or more.

In appearing before the Senate Banking and Currency Committee, Mr. Powell pleaded the fifth amendment. The newspapers carried the story that the FHA investigation was begun by the Federal Bureau of Investigation as a result of large gambling losses by a high FHA official. It has not been officially publicized, but it was Mr. Powell whose losses in gambling first attracted the attention of the FBI. As Mr. Powell pleaded the protection of the fifth amendment, he is beyond the power of a congressional committee to compel him to testify, and the Justice Department should take action without delay.

It should be made certain that any who are suspected of criminal acts should not be permitted to resign but should be suspended and not be freed of liability for either neglect of duty or malfeasance in office.

The total loans insured by the Federal Government under the 12 lending programs of FHA, as of November 30, 1953, was $15.9 billion, exclusive of lending institution insurance under title I. Sufficient information is already available to disclose the grossest negligence and completely unwarranted irregularities making possible unconscionable profits. The Justice Department can best determine those who should be charged with criminal action. It is possible that a full disclosure of the extent of the profiteering and graft, should such exist, can only be brought to light by an examination of the personal income-tax returns of those persons concerned. The Justice Department has access to such returns and such examination would disclose the irregularities much more quickly and more effectively than any other congressional investigation that could be conducted. I believe immediate resort to this source of information is justified in order that the offenders may be identified and the cloud of suspicion may be removed from the conscientious.

The Joint Committee on Reduction of Nonessential Federal Expenditures will forward from time to time material that has been compiled by the investigation of this committee.

With best wishes, I am,

Cordially yours,

HARRY F. BYRD,
Chairman.

INFORMATION REQUESTED CONCERNING ACTIVITIES OF THE FEDERAL HOUSING ADMINISTRATION

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD several letters which I, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, have written to the Honorable Albert M. Cole, Administrator of the Housing and Home Finance Agency, requesting certain information.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 21, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: I thank you for your visit Monday and your offer to expedite all information required by the Joint Committee on Reduction of Nonessential Federal Expenditures.

It will be appreciated if you will forward as expeditiously as possible the following information:

1. The extent to which FHA fixes and controls rental rates on properties financed with funds guaranteed under FHA programs.

2. The factors on which rental rates are based for projects financed with loans guaranteed under FHA programs. For instance, would the rate be higher as the result of a loan in excess of costs than it would if the loan had been even with the cost or less?

3. A schedule of typical rental rates on comparable projects where—

(a) The project was built with an FHA-guaranteed loan in excess of cost;

(b) The project was built with an FHA-guaranteed loan less than cost;

(c) The project was built without FHA-guaranteed loans.

4. A list of FHA loan properties, their location and their size where rents have been allowed to increase over the original rates, and a statement of policy and specific justification controlling these cases. A complete list of all such properties would be more desirable, but a partial list will be temporarily acceptable if this is necessary to expedite reply.

I am addressing to you at this time another letter requesting some additional information, which I hope you can expedite also, but not at the expense of a prompt and complete reply to this letter.

Your cooperation will be deeply appreciated.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 21, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: This follows a letter I have written you earlier today, and requests additional information as required by the Joint Committee on Reduction of Nonessential Federal Expenditures, which I hope you will be able to expedite.

It would be appreciated if you will supply:

1. A list of all properties for which FHA has guaranteed loans which are now in any degree of default, their location and the amount outstanding.

2. A brief description of all programs under Housing and Home Finance Agency supervision, FHA and others, to include:

(a) Citation to the law for each;

(b) Copies of all pertinent general policy rules, regulations, and directives for each; and

(c) Standards and limitations under which loans are guaranteed, and other services are rendered.

3. In addition to the rental information requested in my letter earlier today, please supply citation to the law under which FHA participates in the determination of rental rates on properties financed with funds guaranteed under FHA, copies of pertinent rules, regulations, instructions and directives, and a statement as to whether FHA loan properties were excluded from application of the rent control law when it was in force.

To expedite receipt of this material, copies of already published material, copies of letters, etc., with a minimum of new composition will suffice, and it will be appreciated if it can be forwarded whenever available without waiting to reply completely at one time.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 28, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 908, title IX, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. The names and addresses of persons or corporations making applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case and the rate of interest applicable to each approved loan.

3. The amount at which the FHA estimated or appraised the value of the property and its actual cost.

4. Projects (identified) in default, indicating length of time.

5. Projects foreclosed (identified) indicating amount involved and disposition made or contemplated.

6. Projects (identified) in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, as your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 8, title I, of the National Housing Act.

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The names and addresses of applicants for whom loans have been insured or guaranteed in excess of cost, indicating FHA's estimated or appraised value of the property, actual costs, and the amount of the loan in each case.

4. Projects (identified) in default, indicating length of time.

5. Projects (identified) foreclosed, indicating amount involved and disposition made or contemplated.

6. Projects (identified) referred to in paragraphs 3, 4, and 5 in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As Chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 207, title II, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. The names and addresses of persons or corporations making applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case, and the rate of interest applicable to each approved loan.

3. The amount at which the FHA estimated or appraised the value of the property, and its actual cost.

4. Projects (identified) in default, indicating length of time.

5. Projects (identified) foreclosed, indicating amount involved and disposition made or contemplated.

6. Projects (identified) in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT N. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 603, title VI, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The number of applicants for whom loans have been insured or guaranteed permitting construction at maximum cost.

4. The names and addresses of applicants for whom loans have been insured or guaranteed in excess of cost, indicating FHA's estimated or appraised value of the property, actual costs and the amount of the loan in each case.

5. Projects (identified) in default, indicating length of time.

6. Projects (identified) foreclosed, indicating amount involved and disposition made or contemplated.

7. Projects (identified) referred to in paragraphs 4, 5, and 6, if any, in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest

convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 608, title VI, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The names and addresses of applicants for whom loans have been insured or guaranteed in excess of cost, indicating FHA's estimated or appraised value of the property, actual costs, and the amount of the loan in each case.

4. Projects (identified) in default, indicating length of time.

5. Projects (identified) foreclosed, indicating amount involved and disposition made or contemplated.

6. Projects (identified) referred to in paragraphs 3, 4, and 5 in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 803, title VIII, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. The names and addresses of persons or corporations making applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case and the rate of interest applicable to each approved loan.

3. The amount at which the FHA estimated or appraised the value of the property and its actual cost.

4. Projects (identified) in default, indicating length of time.

5. Projects (identified) foreclosed, indicating amount involved and disposition made or contemplated.

6. Projects (identified) in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 29, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 903, Title IX, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The number of applicants for whom loans have been insured or guaranteed, permitting construction at maximum cost.

4. The names and addresses of applicants for whom loans have been insured or guaranteed in excess of cost, indicating FHA's estimated or appraised value of the property, actual costs and the amount of the loan in each case.

5. Projects (identified) in default, indicating length of time.

6. Projects (identified) foreclosed indicating amount involved and disposition made or contemplated.

7. Projects (identified), referred to in paragraphs 4, 5 and 6, in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 30, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration for home repair and improvements under title I:

1. The manner and extent to which lending institutions are insured against losses resulting from loans so that, "where reasonable credit judgment is exercised and the institution makes a fair volume of loans, the insurance coverage afforded is virtually 100 percent guarantee against loss" as stated on page 4, National Housing Act Regulations, title I.

2. Estimated total of applications indicating the estimated number accepted and the estimated number rejected.

3. An estimate of the number of loans granted in excess of the actual cost of repairs or improvements involved, and an estimate of the amount in excess.

4. An estimate of the number of loans, and the amount involved, for repairs and improvements on homes for which FHA previously had insured (a) construction loans, (b) purchase loans, and (c) both construction and purchase loans.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 30, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 213, title II, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The number of applicants for whom loans have been insured or guaranteed permitting construction at maximum cost.

4. The names and addresses of applicants for whom loans have been insured or guaranteed in excess of cost, indicating FHA's estimated or appraised value of the property, actual costs, and the amount of the loan in each case.

5. Projects (identified) in default, indicating length of time.

6. Projects (identified) foreclosed indicating amount involved and disposition made or contemplated.

7. Projects (identified) referred to in paragraphs 4, 5 and 6, indicating (a) those for which books, accounts, and minutes of stockholders' and directors' meetings were filed with the FHA commissioner in accordance with FHA regulations, (b) those in which FHA was a stockholder, and (c) the extent to which FHA exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 30, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 609, title VI, of the National Housing Act:

1. The extent to which loans to (a) manufacturers and (b) purchasers are insured or guaranteed.

2. The names and addresses of persons or corporations making (a) manufacturer and (b) purchaser applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case, and the rate of interest applicable to each approved loan.

3. The estimated cost on which FHA based the loan and the actual cost in the case of each manufacturer's loan, and the purchase price on which the loan was based and the price actually paid in the case of each purchaser's loan.

4. Projects or properties (identified) in default, indicating length of time.

5. Projects or properties foreclosed (identified), indicating amount involved and disposition made or contemplated.

6. Projects or properties (identified) where FHA either exercised rights of a stockholder or otherwise examined records as permitted by law and prescribed in FHA regulations.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 30, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 610, title VI, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. Total number of applications, indicating the number accepted and rejected.

3. The names and addresses of applicants for whom losses have been insured or guaranteed in excess of costs, indicating FHA's estimated or appraised value of the property, actual cost, and the amount of the loan in each case.

4. Projects or properties (identified) in default, indicating length of time.

5. Projects or properties (identified) foreclosed, indicating amount involved and disposition made or contemplated.

6. Projects or properties (identified) referred to in paragraphs 3, 4, and 5 which are the part or whole of a project constructed with an FHA-insured loan to a corporation in which FHA is a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

APRIL 30, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to loans insured or guaranteed by the Federal Housing Administration under section 611, title VI, of the National Housing Act:

1. The extent to which loans are insured or guaranteed.

2. The names and addresses of persons or corporations making applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case, and the rate of interest applicable to each approved loan.

3. The amount at which the FHA estimated or appraised the value of the property and its actual cost.

4. Projects or properties (identified) in default, indicating length of time.

5. Projects or properties foreclosed (identified) involved and disposition made or contemplated.

6. Projects or properties (identified), if any, in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

Very truly yours,

HARRY F. BYRD,
Chairman.

ALUMINUM CENTENNIAL CONGRESS

Mr. BRICKER. Mr. President, the Centenary of the Industrial Production of Aluminum will be celebrated by an Aluminum Centennial Congress in Paris, France, from June 14 to June 19 of this year under the sponsorship of the President of the French Republic. Mr. William P. Bittenbender, president of the International Selling Corp., is the chairman of the American committee that will attend the Aluminum Congress. Mr. Bittenbender has asked me to send a message which he can deliver to the officials of the Aluminum Centennial Congress. I have done so, and in this message I call attention to the fact that a young scientist from Oberlin, Ohio, Mr. Charles Martin Hall, made in 1886 an important discovery which precipitated the industrial production of aluminum.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, my message addressed to Prof. Albert Portevin, of the Academie des Sciences, president of the Aluminum Centennial Congress, Paris, France.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
April 28, 1954.

Prof. ALBERT PORTEVIN,
President, the Aluminum Centennial Congress, Paris, France

MY DEAR MR. PRESIDENT: I wish to extend my greetings to the President of the French Republic, under whose sponsorship the Aluminum Centennial Congress will be held in Paris from June 14 to June 19 of this year, to you and to all those from many lands who will attend this worthy celebration of the centenary of the industrial production of aluminum.

The history of the development of aluminum is proof of the great progress that can be achieved in industrial development and in raising the standards of living of hundreds of millions of people in all nations through international cooperation and expansion of trade between countries.

Aluminum is a young metal. Although its use is still in the early development stages in many countries, it is already consumed in greater volume than any other nonferrous metal. For the first time in history, in 1952, the volume of world production of aluminum exceeded the combined volume of the older nonferrous metals, lead and zinc.

Few people know that aluminum represents one-eighth of the world's crust, but that the metal is so well and intricately interspersed among other components that it took scientists centuries to discover its existence.

Scientists in many lands contributed to its development. Sir Humphrey Davy, the great British electrochemist, established its existence in 1808 and gave it a name. Seventeen years went by before the Danish scientist, Oersted, produced the first tiny pellet of aluminum. In 1845, the German scientist, Wohler, improving on Oersted's method, was successful in making enough metal to determine its specific gravity and he was the first to definitely establish one of aluminum's outstanding characteristics, lightness. Your great country, France, then became the laboratory for aluminum. It was 100 years ago, in 1854, that Henri Sainte-Claire Deville, who deserves the gratitude of all peoples, experimented in production techniques and finally developed a solid bar of this metal. Industrial production of aluminum can rightly be attributed to this development. In fact, Deville took aluminum from its hiding place in the laboratory and placed it in the public domain when he displayed a solid bar of this metal at the 1855 Paris Exposition. Through the far-seeing statesmanship of Napoleon III, who subsidized and encouraged Deville in his efforts to find a method of low-cost production, Deville succeeded in reducing the cost of aluminum from $545 to $17 a pound.

However, aluminum was still a precious metal, and even this vastly reduced price was not sufficiently low to launch this metal commercially. Scientists from other nations still had to contribute their knowledge and research to the common cause. Production improvements were then made in association with Hamilton Y. Castner, a chemist from the United States of America, and aluminum tumbled down to $8 a pound. It was still too expensive for general use. In 1886, two young scientists living in the distant countries, scientists unknown to each other and without any knowledge of each other's research, introduced a new concept. Instead of resorting to a chemical process for producing this metal, these two young scientists discovered, in substance, that molten cryolite would dissolve the oxide and that an electric current passing through this molten solution would reduce the oxide to metallic aluminum. As an immediate effect, the price of aluminum dropped from $8 to $2 a pound. This was the first step in a downward course which half a century later was to stabilize itself at a selling price of less than 20 cents a pound. In 1886, the total output of $8 a pound aluminum was only 17½ tons. In 1952, with below 20 cents a pound aluminum, the total free-world production was 1,770,000 tons. I am most pleased to note that one of these young scientists who precipitated industrial production of aluminum was Paul Louis Toussaint Heroult from your country, and that the other was Charles Martin Hall, not only from my country, but also from Oberlin, Ohio, the State I am honored to represent in the Senate of the United States.

Therefore, aluminum can rightly be regarded as the result of the cumulative efforts of scientists of many nations. It is now indispensable in modern homes, business, and industry. It has contributed largely to the raising of the standards of living of millions of people throughout the world and I am convinced that it has only begun its work in this respect. I need but mention the indispensable part it plays, for instance, in aviation where heat-treated aluminum alloys, while still retaining their inherent advantages including lightweight and corrosive resistance, possess tensile strengths ranging up to an incredible 80,000 pounds per square inch—well above that of some types of steel. The decisive part that aluminum has played in the defense of the free nations of the world cannot be accurately determined but is concededly monumental.

To my knowledge, American producers and industrial users of aluminum have provided much in the way of industrial statesmanship, scientific organizations and official and civic leadership in peace and in war. I am sure that this is true in other countries. It is my fervent hope that as the Aluminum Centennial Congress listens to scientific papers from all over the world on the latest developments in aluminum metallurgy, the chemistry of aluminum compounds, and on the technology and uses of the metal and its alloys, it will emphasize the uses of this most important metal for peace rather than war. May this aluminum congress be successful, may it produce closer bonds of friendship between the peoples of the world and lead to constructive and mutually beneficial international trade.

Those are my wishes, Mr. President to you and to all those attending your meetings.

Sincerely yours,

JOHN W. BRICKER,
Chairman.

EFFECT OF EXCESSIVE IMPORTS OF LEAD AND ZINC

Mr. BENNETT. Mr. President, a few days ago Mexico devalued its currency and reduced the peso from a ratio of 8.65 pesos to the dollar to 12.50 pesos to the dollar. The effect of this depreciation of Mexican money is to increase the price of imports into Mexico and to decrease the price of Mexican products exported to the United States substantially.

At this time, the Tariff Commission, Congress and the President all are greatly concerned over the serious consequences to the lead and zinc mining industry of this country from excessive imports of lead and zinc at less than the average cost of domestic production. During the past 2 years the imports from countries of low wages and devalued currencies have driven the price of zinc down from the ceiling price of 19½ cents a pound to the present level of 10¼ cents and lead from 19 cents to 14 cents a pound.

As a result many American mining properties have been forced to curtail or suspend operations, some 10,000 miners have lost their jobs, and once-prosperous communities are destitute. An industry essential to national defense and security is facing destruction.

Mexico accounts for 33 percent of total United States imports of unmanufactured lead and 36 percent of our imports of unmanufactured zinc from all sources.

This latest development of cheapening the peso to give Mexican lead and zinc a further large price advantage over American mines through the medium of a devalued currency points to the urgent need of constructive action by the President and Congress to preserve an industry producing metals needed for the defense and welfare of the United States. It is not likely that the safety of the world will be advanced by permitting our productive capacity to be destroyed by additional imports of zinc and lead made possible by substantial devaluation of foreign moneys.

The devaluation of the peso by the Mexican Government is but one aspect of the ever-worsening blight falling over the industry. The situation is critical in Utah where, for example, the number of employees engaged in lead and zinc mining and milling declined from 2,423 in January of 1952 to 1,486 in October of 1953—a 39-percent drop in 21 months. Utah has by no means suffered alone for the Tri-State region of Oklahoma, Kansas and southwest Missouri had a drop of employment of 63.8 percent in the same period. The three other large producing Western States, Colorado, Montana, and Idaho likewise suffered severe contractions.

The Tariff Commission in their recent report indicate that there is substantive evidence that there have been further substantial declines in total employment since October of 1953. Nearly 8,500 employees had lost their jobs by that date from January of 1952, a drop of 19.7 percent for the industry. Thirteen percent of that drop occurred in the first 10 months of 1953, however. This precipitous decline coupled with continued mine closures since October lead to the unwelcome conclusion that better than 10,000 people have by now lost their jobs.

It seemed evident that with the end of the Korean war there would be a decline in the demand for lead and zinc with a resultant drop in employment to a degree. However, the overwhelming preponderance of the production cutbacks have been and are being absorbed by our own domestic producers while foreign imports continue to glut the market. It seems patently unfair that the burden should be borne by United States producers, particularly when the backs of many of them have already been broken.

I am encouraged that the present administration has shown a willingness to meet this serious problem and the stockpiling measure is a step in the right direction. By itself, of course, it is of only temporary aid. Other action is pending, however, and it is hoped that the temporary aid supplied by stockpiling will be supplemented soon by more durable and lasting recommendations. Stockpiling alone would be a very costly solution indeed to the American taxpayers.

Quite clearly we must preserve an adequate production base of lead and zinc in the United States for a variety of reasons. We need to have a ready source of supply for our own preservation and defense purposes and while we can stockpile metals, we cannot stockpile mines because of the prohibitive costs. They must be kept in operation. Then too, some countries, sadly enough, have shown a disposition to elevate prices rather sharply when we are in need. Likewise, history shows that when we need lead and zinc most in emergency it is not immediately forthcoming from foreign suppliers. These observations are apart from the debilitating implications to our social and economic fabric of a great industry reduced to Dust Bowl status.

It is obvious that we in America will continue to consume far more lead and zinc than we can regularly produce; so the question at issue is not denial of the American markets to our foreign friends, but of a division of them at a price which will not destroy our local industry and threaten the well-being of many of our States.

I am pleased to note the increasing concern now being shown by some of the distinguished Senators on the other side of the aisle to the similar plight facing some of the industries in their own States. I have noted particularly the recent statements made by the junior Senator from Minnesota about the layoffs and other ordnance problems in Minnesota while our Government is comtemplating offshore procurement in Italy of related items. Other statements have been made concerning mining problems in Montana and a tin smelter in Texas. All of these lead me to believe that the striking analogy of these problems to those faced by the lead and zinc industry will not be lost upon my distinguished colleagues when some permanent solution is offered in the near future to the plight of the mining industry.

Mr. GOLDWATER. Mr. President, I should like to associate myself with the remarks of my distinguished colleague from Utah. I discussed only this morning the devaluation of the peso and the impact which it has had upon the mining industry of my own State.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of the executive calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of A. Jackson Goodwin, of Alabama, to be a member of the Securities and Exchange Commission.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES COAST GUARD

The legislative clerk proceeded to read sundry nominations in the United States Coast Guard.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the United States Coast Guard be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the Coast Guard are confirmed en bloc.

PROMOTIONS IN THE REGULAR AIR FORCE FAVORABLY REPORTED BUT NOT PRINTED ON THE CALENDAR

The legislative clerk proceeded to read nominations in the Regular Air Force favorably reported by Mr. SALTONSTALL on April 29, 1954, but not printed on the calendar.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations for promotions in the Regular Air Force be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations for promotions in the Regualr Air Force are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask that the President be notified of the nominations confirmed this day.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE PROGRAM

The Senate resumed the consideration of legislative business.

Mr. JOHNSON of Texas. Mr. President, at my request, the majority leader very graciously agreed to postpone action on the legislative calendar today because of the absence of some Democratic Members who are interested in the calendar. It is my understanding that the majority leader plans a call of the calendar upon the return of Senators to the Senate Chamber from the joint meeting of the two Houses tomorrow.

Mr. KNOWLAND. I expect that a brief morning hour will be held and immediately thereafter the calendar will be called before resuming the unfinished business, which is Senate bill 2650, a bill to amend the Labor-Management Relations Act of 1947, and for other purposes.

Mr. JOHNSON of Texas. The majority leader does not anticipate any votes on that bill today, does he?

Mr. KNOWLAND. I think it is hardly likely that there will be any voting today, considering the amount of debate which will probably take place.

Mr. JOHNSON of Texas. I thank the majority leader.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. KNOWLAND. Mr. President, I ask unanimous consent that following

the joint meeeting of the two Houses of Congress tomorrow at 12:30 p. m., and when the Senate has returned to its Chamber, there be the customary morning hour, for the transaction of routine business, under the usual 2-minute limitation on speeches.

I ask unanimous consent also that, following the morning hour, there be a call of the calendar of bills to which there is no objection, starting at the point where the last call of the calendar left off, which appears in today's calendar at page 10, No. 1224, proceeding to the end of the calendar, and then returning to the beginning of the calendar, Order No. 19, and continuing to the point of the beginning. I suggest that procedure because most of the bills at the beginning of the calendar presumably will be objected to again, but from the point of view of the staff at the desk, it is desired to dispose of the bills on which no action as yet has been taken.

I have discussed the situation with the minority leader, and I understand the proposed procedure is agreeable to him.

Mr. JOHNSON of Texas. I think the majority leader has made an excellent suggestion. I think the procedure he has proposed should be followed. Certainly we have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The ACTING PRESIDENT pro tempore. If there is no further routine business the chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment of the Committee on Labor and Public Welfare.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause, and insert:

That section 2 (13) of the National Labor Relations Act, as amended, is amended to read as follows:

"(13) In determining whether any person is acting as an agent of another person so as to make such other person responsible for his acts, the common-law rules relating to agency shall be applicable: *Provided*, That no labor organization shall be held responsible for the acts of any individual member thereof solely on the ground of such membership."

SEC. 2. Section 6 of such act is amended by redesignating it as section 6 (a) and by adding at the end thereof a new subsection as follows:

"(b) (1) The Board, in its discretion, may decline to assert jurisdiction over any labor dispute where, in the opinion of the Board, the effect on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this act shall be deemed to prevent or bar any agency, or the courts of any State or Territory, from assuming and asserting jurisdiction over labor disputes over which the board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

SEC. 3. Section 7 of such act is amended by inserting before the period at the end thereof the following: "or 8 (e)."

SEC. 4. Section 8 (b) (4) (A) of such act is amended to read as follows: "(A) forcing or requiring any employer of self-employed person to join any labor or employer organization or any employer or other person (herein called secondary employer) to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer or to cease doing business with any other person (herein called primary employer (a) unless such secondary employer is engaged together with the primary employer involved in a labor dispute, which is not unlawful under this act or in violation of an existing collective-bargaining agreement, in a construction project of similar undertaking at the site of such concerted activity; or (b) unless the secondary employer has contracted or agreed with the primary employer (i) to perform work which the employees of the primary employer, who are engaged in a strike not unlawful under this act, normally would perform, or (ii) for the account of the primary employer to render services that such employer would normally perform;".

SEC. 5. Section 2 (b) (5) of such act is amended by inserting after "a (3)" the following: "or (e)."

SEC. 6. Section 8 (c) of such act is amended to read as follows:

"(c) The Board shall not base any finding of unfair labor practice or set aside any election upon any statement of views or arguments, either written or oral, if such statement contains under all the circumstances no threat, express or implied, of reprisal or force, or offer, express or implied, of benefit."

SEC. 7. Section 8 (d) of such act is amended by striking out the words "discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period" and inserting in lieu thereof the following: "a contract for a fixed period to discuss or agree to any modification of the terms and conditions of employment, whether or not embodied in such contract."

SEC. 8. Section 8 of such act is further amended by adding at the end thereof a new subsection as follows:

"(e) For the purposes of this subsection only it shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer primarily engaged in the construction or entertainment industries, or in any other industry or section of an industry in which the Board finds employment to be casual, intermittent, or temporary in nature, to make an agreement covering employees engaged (or who upon their employment will be engaged) in construction or entertainment work or in such casual, intermittent, or temporary employment, with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this act as an unfair labor practice and which at the time the agreement was executed or within the preceding 12 months has received from the Board a notice that it has complied with the requirements imposed by section 9 (f), (g), and (h)), solely because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this act prior to the making of such agreement, and (2) such agreement requires, as a condition of employment, membership in such organization after the seventh day following the beginning of such employment or the effective date of the agreement whichever is the later: *Provided*, That nothing herein shall set aside the final proviso to section 8 (a) (3) of this act: *Provided further*, That agreements made pursuant to this subsection shall in all other respects be subject to the provisions of section 9 of this act: *Provided further*, That agreements made pursuant to this subsection shall not constitute a bar to petitions filed pursuant to section 9 (c) or 9 (e)."

SEC. 9. Section 9 (c) (3) of such act is amended by inserting before the period at the end of the second sentence thereof a colon and the following: "*Provided*, That in any lawful strike in which recognition was not the issue when the strike began, no petition for an election filed by an employer pursuant to subsection (c) (1) (B) shall be entertained prior to the termination of such strike as determined by the Board or the expiration of 1 year from the commencement of such strike, whichever occurs sooner, nor shall any petition for an election filed pursuant to subsection (c) (1) (A) by any person other than the bargaining representative which called the strike be entertained prior to the termination of such strike as determined by the Board or the expiration of 6 months from the commencement of such strike, whichever occurs sooner."

SEC. 10. Section 9 (e) (1) of such act is amended by inserting after "8 (a) (3)" the following: "or 8 (e)."

SEC. 11. Section 9 (f) (A) of such act is amended by striking out paragraph (6) thereof.

SEC. 12. Section 9 (h) of such act is amended by redesignating it as "(h) (1)" and by adding at the end thereof a new paragraph as follows:

"(2) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under subsection (b) of section (10), unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer, its officers if it is a corporation, that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits."

SEC. 13. Section 10 (b) of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (5) of section 8 (a) or paragraph (4) (A), (B), or (C) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

SEC. 14. Section 10 (j) of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That where such temporary relief or restraining order is granted by the court in any case involving a labor dispute between an employer and a labor organization which the employer recognized when such temporary relief or restraining order was granted or was required to recognize under an outstanding order or certification of the Board, the Federal Mediation and Conciliation Service may, if such labor dispute has not been settled, proffer its services to aid the parties in seeking a settlement of such dispute."

SEC. 15. Section 10 (l) of such act is hereby repealed.

SEC. 16. Section 14 of such act is amended by adding at the end thereof a new subsection reading as follows:

"(c) Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health

or safety of the people of the State: *Provided*, That no State shall be authorized by this subsection to take action in any labor dispute in which the Federal Government is acting pursuant to sections 206 to 210, inclusive, of the Labor Management Relations Act, 1947, as amended. As used in this subsection, the term 'State' shall include any Territory of the United States."

SEC. 17. Section 209 (b) of the Labor Management Relations Act, 1947, as amended, is amended by striking out the words "60-day period" in the second sentence thereof and inserting in lieu thereof the words "40-day period."

SEC. 18. Section 209 of such act is further amended by adding at the end thereof a new subsection as follows:

"(c) Upon the certification of the results of such ballot the President, unless the dispute has been settled, shall have authority to reconvene the board of inquiry which has previously reported with respect to the dispute and direct such board to make recommendations for the settlement of the dispute, but neither party to the dispute shall be under any duty to accept, in whole or in part, any recommendations for settlement made by such board of inquiry."

SEC. 19. Section 210 of such act is amended by inserting after the word "Upon" the following: "the 20th day following."

SEC. 20. Section 301 (e) of such act is amended to read as follows:

"(e) In determining whether any person is acting as an 'agent' of another person so as to make such other person responsible for his act, the common-law rules relating to agency shall be applicable: *Provided*, That no labor organization shall be held responsible for the acts of individual members thereof solely on the ground of such membership."

SEC. 21. Section 303 (a) of such act is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8 (b) (4) of the National Labor Relations Act, as amended. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act, as amended."

SEC. 22. (a) Title IV of such act is hereby repealed.

(b) Title V of such act is redesignated as title IV, and sections 501, 502, and 503 are redesignated as sections 401, 402, and 403, respectively.

SEC. 23. The amendments made by this act shall take effect 60 days after the date of its enactment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SMITH of New Jersey obtained the floor.

Mr. FERGUSON. Mr. President, will the Senator from New Jersey yield so that I may make some remarks, with the understanding that he does not lose the floor?

Mr. SMITH of New Jersey. If I may have unanimous consent that I do not lose the floor, I yield to the Senator from Michigan.

Mr. JOHNSON of Texas. Mr. President, I withdrew my request for the quorum call because the Senator from Michigan told me he had a few remarks to make; but I made my request with the understanding that I wished to have a call of the roll before the distinguished chairman of the Committee on Labor and Public Welfare made his statement on the pending bill, both because I think he will make a good statement, and because I desire that all Members of the Senate who can possibly do so be present when he makes the statement.

Mr. SMITH of New Jersey. I thank the Senator for his compliment.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request? The Chair hears none, and the Senator from Michigan may proceed.

CRITICISM OF AMBASSADOR CLARE BOOTH LUCE IN ITALIAN PARLIAMENT

Mr. FERGUSON. Mr. President, I wish to bring to the attention of the Senate, and particularly of the members of the Foreign Relations Committee of the Senate, a rather astounding incident that has recently taken place in Italy.

On March 26, 34 Communist senators rose in the Italian Parliament to demand that the Prime Minister of Italy, Signor Mario Scelba, ask the United States to recall, as persona non grata, the American Ambassador, the Honorable Clare Boothe Luce, of Connecticut. The charge they make against Mrs. Luce is that she has intervened in an unwarranted way in the internal affairs of Italy. In making the charge the language used against Mrs. Luce by these Communist senators on the floor of the Parliament was unparalleled in its viciousness, untruthfulness, and lack of elementary parliamentary courtesy.

In the Chamber of Deputies, Mr. Togliatti, head of the Communist Party, has denounced our envoy as an "aging witch" who brings misfortune to Italy by seeking to prevent the capture of Italian democracy by communism. And he and his stooges in the Communist press daily voice the most insulting references to her personal appearance, her sex, her age, and her personal motives.

All of this comes strangely indeed from men who claim to be loyal citizens of a nation which justly prides itself on its reverence of women and its culture and courtesy. It can only be explained by saying that even Italians cease to be Italian when they become Communists.

What is the basis of this charge that Mrs. Luce has interfered in the internal affairs of Italy?

The record shows that the Communist attack on Mrs. Luce on this score began shortly after the June 7, 1953, election, when the leftist press claimed that she had lost votes for Signor De Gasperi by saying the following words in a speech she delivered before the American Chamber of Commerce in Milan, 1 week before the election:

In Italy's thrilling forward progress along the ancient highway of her natural greatness she can count confidently on America's intimate and warm cooperation. We should—we Americans—be very sad to see that forward march checked or diverted. But if—and I am required in all honesty to say this—though it cannot happen—the Italian people should fall unhappy victim to the wiles of totalitarianism, totalitarianism of the right or the left, there would follow—logically and tragically—grave consequences for this intimate and warm cooperation we now enjoy.

But I am confident, and I believe that you are confident, that both our beloved countries have learned well the lessons of past history. I believe we are both determined with patience, the patience of each of us, and courage—the courage of each of us—to stay on the high road of democracy that leads to peace, and to stay on it together. So, then, let us work together, as though all depended on us, and pray together, as though all depended on God.

Mr. President, the fact that Mrs. Luce was merely enunciating United States foreign policy, as repeatedly laid down by the White House, the State Department, the Congress, and every responsible public-opinion medium in America, was naturally ignored by the Communists. Their attack on Mrs. Luce's perfectly obvious statement of United States foreign policy was cleverly launched in order to conceal the fact that they themselves had actually defrauded Mr. De Gasperi of the election, by contesting as invalid 1,300,000 ballots. Since that time, a year ago, Mrs. Luce has made no public statement in Italy to which even the Communists could take exception as intervention.

Today, this alleged intervention of Mrs. Luce in Italy's internal affairs consists in the accusation that she did the following things secretly:

It is charged that after the fall of the Pella government, in January, she "secretly met" with all the leaders of the democratic parties of Italy, trying to persuade them to support a democratic government of the center, instead of permitting the formation of a leftist government with the pro-Kremlin Nenni socialists, which at that crucial time was a much-talked-about possibility in Italy. At the time when Mrs. Luce is reported to have seen these party leaders in private, the public walls of many Italian cities were plastered with scurrilous posters caricaturing Mrs. Luce and denouncing her evil intervention in Italian affairs. She is charged also with "secret" intervention in Italian internal affairs by trying to prevent United States offshore procurement contracts for hundreds of millions of American taxpayers' dollars from being awarded to Italian plants and firms which are completely dominated by the Communist labor union. After the formation of the Scelba government, she was accused of having "secretly used unwarranted diplomatic pressure" on the new prime minister, in order to get him to announce his present program. This program now proposes a series of strong anti-Communist steps, such as throwing the Communists out of government-owned property; providing punishment for tax evasions; blocking the funds that the Italian Communist Party gets from certain Italian businessmen as a percentage "rake-off" on East-West trade orders; prosecuting Italian traitors

who are caught spying for Russia; removing Communists from sensitive positions in the Italian bureaucracy; and cracking down on Red efforts to control the motion-picture industry and to infiltrate Italian cultural fields.

Worst of all, she is now being accused by the pro-Communist press of having privately called the attention of some press men to the gravity of the Communist menace in Italy, while she was in America last January.

The last-mentioned is the pretext on which the Communist senators are today seeking to have Mrs. Luce ousted from Italy, for intervening in Italian internal affairs.

The account of the episode which "triggered" the Communist senator's onslaught on Mrs. Luce was reported in the New York Herald Tribune of March 29, last. I ask unanimous consent to have the article printed at this point in the RECORD, as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows.

MRS. LUCE HITS BACK AT LEFTISTS

(By Frank Kelley)

ROME, March 28.—American Ambassador Clare Boothe Luce hit back tonight at Italian left- and right-wing demands for her recall to the United States with a statement which said the campaign against her is based on a magazine article that was a "fabrication pure and simple."

In a statement telephoned to the American Embassy here from Fontainebleau, France, where she is passing the weekend after attending North Atlantic Treaty Organization conferences at Paris, Mrs. Luce said the article "twists, distorts, and utterly misrepresents my views on Italy, her problems, and her leaders."

The article appeared Thursday at Rome in the left-wing weekly magazine Europeo and purported to be a "substantially faithful" text of what Mrs. Luce said to correspondents January 5 in Washington at a dinner at the Mayflower Hotel.

The article appeared in Europeo about a month after the new Soviet Ambassador, Alexander Bogomolov, arrived at Rome. One of his aims, it is understood, is to do everything possible to discredit Mrs. Luce because of her activities in "gingering up" the Italian Government, from the Premier on down, against Communist inroads. That policy is now bearing fruit in the promised crackdown by Premier Mario Scelba against the Reds.

"MADE NO SUCH SPEECH"

Replying tonight to the Europeo article, Mrs. Luce said in her statement that she "made no such speech" to Washington reporters, but "there was among us simply friendly conversation over a dinner table."

"Naturally the talk turned to Italy," she added, "but some of the topics cited in this misleading article did not come up at all in the conversation, and those that did were discussed from a point of view entirely different from that suggested by the article."

Mrs. Luce said her absence in France prevented her from issuing an earlier disclaimer and "this has enabled elements whose clear purpose it is to disrupt the unity and friendship of the western world to seize upon it and to seek to turn it to their advantage."

Mrs. Luce is due back in Rome Tuesday.

"FALSE," DRUMMOND SAYS

WASHINGTON, March 28.—Roscoe Drummond, chief of the New York Herald Tribune Washington Bureau, said in a statement today that the Italian magazine Europeo published a "false," "misleading," and distorted report of off-the-record remarks by Ambassador Luce at a dinner here at which he was present.

Mr. Drummond's statement said in full:

"I am informed that the Italian magazine Europeo has published what it makes appear to be an off-record speech by United States Ambassador to Italy Clare Luce when she was in Washington a few months ago. I can state from first-hand knowledge that the circumstances described and the substance and spirit of the remarks which the magazine alleges to have come from Mrs. Luce are false.

"Europeo apparently refers to a dinner at which Mrs. Luce was the guest of myself and some other Washington correspondents. Mrs. Luce made no speech. She did provide some background and information on questions which we put to her.

"It was clearly understood by all that the conversation was wholly personal, private, and informal. Publication of any remarks attributed to Mrs. Luce could, therefore, only be the result of a malicious attempt to embarrass her and distort her views.

"The remarks attributed to her are inaccurate and under the circumstances deliberately misleading. They are distortions and in some instances vicious distortions. Mrs. Luce said nothing which could not have been appropriately published if reported accurately and fully. For they would have inevitably reflected her single purpose of serving the highest ideals of Italian-American cooperation."

Mr. FERGUSON. Mr. President, there is every reason to believe that the article in the New York Herald Tribune must have been palmed off on the gullible Italian publisher by some wholly irresponsible and unethical American journalist, and cleverly angled in editing by some leftist Italian journalist bent on embarrassing the United States envoy. In any event, some light can be cast on the reputation of Mr. Nicola Adelfi, the Italian journalist responsible for printing the article, by an editorial which appeared on April 4 in the highly respectable London Observer, shortly after the story appeared in the British newspapers. I ask unanimous consent to have the editorial printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the London Observer of April 4, 1954]

MR. ADELFI

Italian Senators have asked their Government to declare Mrs. Clare Boothe Luce, the American Ambassador to Italy, persona non grata on the grounds of a speech ascribed to her by the Italian weekly, L'Europeo. The speech was published under the auspices and with the comments of a journalist named Nicola Adelfi. Mrs. Luce has described it as a "fabrication pure and simple."

We ran across Mr. Adelfi once ourselves. In March 1951 we were preparing a profile of Signor De Gasperi, who was in London at that time. We invited an Italian friend of ours, a journalist and broadcaster resident in London, to call at the Observer office to discuss this subject. He brought with him a fellow Italian journalist who was in London on a visit: this was Mr. Adelfi. There was a short conversation: our friend translated for Mr. Adelfi, to whom, out of politeness, we addressed one or two questions.

A few days later, we were very surprised to see, in this same L'Europeo, what purported to be an interview with our editor written by Mr. Adelfi. He gave our editor's alleged views on Anglo-Italian relations, and attributed to him references to Mazzini Garibalda and Gladstone, which those present knew had never been made. We wrote off to our friend saying that Mr. Adelfi had produced a "wonderful imaginary fabrication"—we have a copy of our letter. Our friend replied that he agreed that Mr. Adelfi had "invented a statement and put it between inverted commas." So he wrote to Mr. Adelfi and got back a letter, no more than semi-apologetic, pleading ignorance of the journaltistic etiquette of England.

Mr. FERGUSON. Mr. President, it is indeed an alarming thought, after America has extended $3½ billion of aid to Italy, and is still sending millions in offshore procurement orders, that 34 senators of Italy can dare demand the recall of an American envoy for "intervention in their internal affairs" on the following flimsy grounds:

First. A public statement that the United States of America would not welcome the advent of fascism or communism in Italy;

Second. Private diplomatic talks with the true democratic leaders of Italy;

Third. Carrying out our United States policy on offshore procurement orders in Italy;

Fourth. An unauthentic, unsigned article, the authenticity of which has been firmly denied not only by Mrs. Luce but by responsible American journalists.

I am reliably informed that the Italian Government has not yet answered the demand of these 34 Communist senators to have Mrs. Luce declared persona non grata. I have no doubt that the response will be a vigorous one, worthy of the courage and vision of the new Prime Minister, Mr. Scelba.

Those of us who have known Mrs. Luce's long-held views on Italy know that throughout the years, and especially since her appointment to Italy, she has entertained for our valued Italian ally and NATO partner only the highest regard. In all, she has said she has constantly urged her fellow Americans to keep well in the forefront of their minds the supreme importance of Italy to western civilization, and Italy's need for aid in her difficulties and support in all her legitimate aspirations.

We have every faith that Mrs. Luce's own deep confidence in democratic Italy will be upheld on the floor of the Italian Parliament, to the discomfiture of Italy's enemies within. The Communists in Italy will certainly not be permitted to get the United States of America, and deliver another blow to Italian democracy, by having Mrs. Luce declared persona non grata.

Meanwhile, the foul and unremitting attacks which our American envoy has borne in silence, further unhappily emphasize the power of the Communists in the Italian Parliament today.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

Mr. SMITH of New Jersey. Mr. President——

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. SMITH of New Jersey. Before the minority leader [Mr. JOHNSON of Texas] left the chamber a moment ago, he said he would like to have a quorum call before the debate begins on the amendments to the Taft-Hartley Act. I am very glad to accommodate him, if it may be understood that my right to the floor will not be interfered with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FERGUSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll, and the right of the Senator from New Jersey to the floor is preserved.

The legislative clerk called the roll, and the following Senators answered to their names:

Beall	Green	Monroney
Bennett	Hickenlooper	Murray
Bowring	Hoey	Payne
Bush	Holland	Robertson
Cordon	Hunt	Schoeppel
Dirksen	Ives	Smith, N. J.
Douglas	Johnson, Colo.	Thye
Ferguson	Johnson, Tex.	Watkins
Flanders	Kefauver	Wiley
Frear	Knowland	Williams
Goldwater	Lehman	Young

The PRESIDING OFFICER (Mr. FLANDERS in the chair). A quorum is not present.

Mr. FERGUSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ANDERSON, Mr. BARRETT, Mr. BRICKER, Mr. BURKE, Mr. BUTLER of Maryland, Mr. BYRD, Mr. CARLSON, Mr. CASE, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DUFF, Mr. DWORSHAK, Mr. ELLENDER, Mr. GILLETTE, Mr. HAYDEN, Mr. HENDRICKSON, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. KILGORE, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. NEELY, Mr. PASTORE, Mr. POTTER, Mr. PURTELL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). A quorum is present.

Mr. SMITH of New Jersey. Mr. President, we are beginning today the debate on the amendments to the so-called Taft-Hartley Act, which were reported by the Committee on Labor and Public Welfare a short time ago. I shall request my colleagues not to interrupt me with questions during the presentation of the case for the committee, because I think it important that the statement be made consecutively.

It was not until last Saturday evening that I had delivered to me a copy of the minority views, which I wish I could have seen before I had prepared my remarks, because there are some suggestions in the minority views to the effect that there were certain discourtesies on the part of the chairman of the committee in conducting the proceedings of the committee leading to the report on the amended bill. For any discourtesies, I am, of course, more than glad to apologize, because it was not my intention to be discourteous.

The issue before the committee was a very simple one: Whether we should limit our discussions to the recommendations made by the President of the United States, in order that the proposed legislation might be expedited. We all realize that the subject of management and labor relations is an enormous one. If the committee had attempted to consider the vast number of amendments which the members of the committee and others had wanted the committee to accept, an interminable length of time would have been required, and I could not conceive that any type of bill possibly could have been reported.

As chairman of the committee and as a member of the administration side of the aisle, I felt that it was my responsibility to try to get before the Senate the recommendations of the President of the United States, and to have the Senate pass upon those recommendations either pro or con. That was the reason for the feeling on the part of the majority of the committee that the discussion on amendments should be limited in the committee to the President's recommendations. Our hearings this year were limited accordingly, although last year the committee held very wide and extensive hearings. It is interesting to note that last year, as between the Senate and the House, the hearings which were held comprised 16 printed volumes on every possible phase of labor-management relationship.

There has been some suggestion that the bill should be recommitted. If the subject of amendments to the Taft-Hartley Act has not been thoroughly studied, up and down and across the board, both by our committee and the House committee, I do not know of any measure which has been so studied.

Mr. President, with this brief introduction, based on the minority views, I shall proceed to my prepared statement covering the report of the committee.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I prefer not to yield until I have finished with my opening presentation. However, if the Senator from Montana desires to ask a question, I shall be glad to yield.

Mr. MURRAY. I simply wish to ask a question.

Mr. SMITH of New Jersey. As a courtesy to my colleague from Montana, to whom I am very devoted, and with whom I have worked unremittingly in committee, I yield.

Mr. MURRAY. We all have very high respect for the chairman of our committee. We are certain that he must have had some impelling reason for preventing the minority from presenting proper amendments and proposals to correct or amend the law which is now under consideration.

Am I correct in understanding that the chairman of the committee concedes that the minority were denied the right to present any amendments to the bill which is before the Senate for consideration?

Mr. SMITH of New Jersey. Any amendments outside the scope of the President's recommendations, because it seemed necessary to limit our discussion to those recommendations, if a bill were to be reported at all.

I might remind the distinguished Senator from Montana that, as he may recall, in 1949 the same procedure was adopted by the majority, which was then comprised of Democrats, and the Republicans were denied the right to offer any amendments to the bill pending at that time. I am not defending such a procedure; I think it is unfortunate. But the subject of labor-management relations is so vast that it would have been absolutely impossible for the committee this year to have gone further into all the various amendments covering the entire field of management-labor relations.

The President himself had said his recommendations were simply ad interim recommendations, which he expected to supplement later, and probably will do so next year. We may all have additional recommendations to make next year, but we do not need to cover them all in one session.

The Senator from Montana will realize that the committee has before it 3 bills on education and 4 bills on health, together with various other bills, which should have attention at this session. If the Committee on Labor and Public Welfare, had continued further with these Taft-Hartley discussions, I am convinced that the committee never would have been able to report a bill at this session at all.

That is the reason for the action which has been taken. I regret it if anyone was offended, but certainly no offense was intended. If the Senator from Montana will examine the report of the committee in 1949, he will see, I may say jocularly, that the late Senator Taft and I objected to the procedure whereby we were not allowed to offer any amendments at all. But I, however reluctantly, accepted the action of the former Senator from Utah, Mr. Thomas, when he was chairman of the committee, so I do not see anything improper in following the same practice now.

Mr. MURRAY. I do not agree with the Senator from New Jersey as to the hearings in 1949. I recall the hearings very well. The committee held voluminous hearings at that time. The side of the Senator from New Jersey at that time was granted 10 days in which to present amendments, and the amendments which were then submitted were taken up and considered by the committee.

If the Senator from New Jersey concedes that the minority were denied the right to present amendments, and that no amendments were to be considered except those proposed by the President, it seems to me that the proceeding was one-sided, so constituted by fiat of the Executive.

Mr. SMITH of New Jersey. If the Senator from Montana will permit me

to reply for a moment, I counted 14 or 15 amendments which were offered by the Democratic Members in our discussions during the committee meetings. A number of committee meetings were held, in which we went over the entire field. Amendments were offered in connection with all matters having to do with the President's recommendations. I felt I was justified in opposing other amendments proposed by the minority.

Mr. President, I regret that I cannot yield further in order to discuss the matter at this time, because I wish to continue with my speech.

Mr. MURRAY. I merely wanted to have the RECORD show that it is conceded the minority were denied the right to present amendments, and that no amendments were considered except those proposed by the President.

Mr. SMITH of New Jersey. I will not concede it in that form, because, as I have said, there was a precedent for the procedure which the committee followed.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the opening paragraph of the minority views of the late Senator Taft, former Senator Donnell, and myself at the time the committee was considering Senate bill 249, 81st Congress, 1st session. The paragraph sets forth the facts with regard to the procedure followed at that time, and we had to protest that we were not permitted to offer amendments.

Mr. MURRAY. Was not that statement a mere conclusion on the part of the late Senator Taft and the Senator from New Jersey? It is not a statement of any facts; it is merely a statement of conclusions; and I do not recall anything of the kind. I was present during the entire proceedings that year, and I recall very vividly that Senators were given the right to propose any amendments they desired.

Mr. SMITH of New Jersey. I know I attempted to offer some, and I was denied that right. The committee voted to report a bill to repeal the Taft-Hartley Act.

Mr. MURRAY. There is a dispute as to the facts. I assert that the committee gave plenty of time for members to offer amendments, and the record shows Senators on the minority side had 10 days in which to present amendments. Every amendment presented was considered. In the present instance, the committee endeavored to shut off the minority members entirely, only the amendments proposed by the President were considered, and labor was not given any right to present amendments which it deemed proper.

Mr. SMITH of New Jersey. Mr. President, I am not sure whether the Chair has ruled on my previous request that the first paragraph of the minority views on the National Labor Relations Act of 1949 be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

In reporting out S. 249 in its present form (hereinafter referred to as the committee bill), the majority of the Committee on Labor and Public Welfare are asking the Senate to pass a law which the committee had no part in formulating. According to the Secretary of Labor, the committee bill was drafted under his direction with the advice and assistance of the heads of several executive agencies and departments and approved by the President. Consideration by the committee of the committee bill as a whole or of any of its specific provisions was completely denied. Minority members were not even permitted to offer amendments. Without discussion in committee, by an 8-to-5 vote which strictly followed party lines, the committee bill was sent to the floor just as it had been drafted by persons outside the legislative branch of the Government. The many and valuable suggestions made by various responsible witnesses during the hearings were completely ignored. The entire procedure followed with respect to this bill represents a complete abandonment of the legislative principles upon which our Government was founded.

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum showing the amendments which were offered by Democratic members in executive session of the committee in the course of its consideration of the bill.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AMENDMENTS OFFERED BY DEMOCRATIC MEMBERS DURING THE 6 DAYS OF EXECUTIVE SESSIONS WHICH WERE BROUGHT TO A RECORD VOTE

SENATOR DOUGLAS

March 22: (1) Re "captive audience" language for addition to free speech language already adopted (defeated by 7-to-5 vote); (2) re adoption of alternate language (defeated by 7-to-5 vote).

March 24: (1) Re addition of words "at President's request to Senator DOUGLAS' wording of National Emergency section (agreed to by Senator DOUGLAS) (defeated by a 7-to-5 vote),

SENATOR KENNEDY

March 15: (1) Re definition of "Agency" (defeated by 7-to-6 vote); (2) re free speech (defeated by 7-to-6 vote); (3) re voting rights of economic strikers (substitute for Ives motion) (defeated by 7-to-6 vote); (4) re voting rights of economic strikers (to strike the section) (defeated by 7-to-6 vote).

March 16: (1) Re secondary boycotts (amendments to Ives substitute) (defeated by 7-to-6 vote).

March 31: (1) Re section 1 (b) (1) and (2)—States rights (addition to Ives motion (defeated by 7-to-6 vote); (2) re 7-day prehire language (defeated by 7-to-6 vote).

Total, 10.

I. INTRODUCTION

Mr. SMITH of New Jersey. Mr. President, I am sure I speak not only for the entire Committee on Labor and Public Welfare, but also for every Member of this body, in opening the debate on the President's proposed amendments to the Taft-Hartley Act, when I express my deep sorrow and sense of loss that our beloved colleague, the late Senator Taft, is not with us to participate in these discussions. There was no Member of this body so well posted on the history of our labor relations legislation as was Senator Taft. Succeeding him as Chairman of the Committee on Labor and Public Welfare, I must express my deep personal sense of loss at this time.

We are also saddened by the sudden death of our colleague, the late Senator Griswold, of Nebraska. The Labor Committee, the Senate, and the Nation will also sorely miss his wise counsel. Although his tenure on the Labor Committee, and in the Senate, was tragically brief, I can state with confidence that his opinions were highly valued. The late Senator Griswold voted to report favorably the bill now before the Senate. He would undoubtedly have played a major role in the debate. Both as chairman of the committee and individually I must express my deep sense of loss in the passing of Senator Dwight Griswold.

Among the many problems the new administration had to face during the first year of President Eisenhower's term of office were the difficulties that are involved in labor-management relations. A sincere attempt was made by the Departments of Labor and Commerce in the President's Cabinet to arrive at agreed recommendations to be made to the President for amending the Taft-Hartley Act. The late Senator Taft last year participated with Members of the Senate and with Representative SAM MCCONNELL, chairman of the Labor Committee in the House, in many such discussions, which were held under Presidential auspices. Unfortunately, we were unable to arrive at any agreed conclusions by the time the 1st session of the 83d Congress adjourned.

II. HEARINGS IN 1953

While attempts were being made during 1953 to arrive at an administration policy for Taft-Hartley amendments, the respective labor committees of the House and Senate conducted extensive hearings on all phases of our labor-relations laws. Representatives of labor, management, Government, both Federal and State, and of the general public, submitted their views in minute detail and discussed them at great length. On many of the issues, legislation had been introduced in previous years, and there had been hearings at that time; but in both the House and Senate hearings of 1953 we endeavored to lay the foundation for whatever recommendations the President might make. In 1953 alone the combined House and Senate hearings ran to 16 printed volumes of testimony.

III. THE PRESIDENT'S RECOMMENDATIONS

Mr. President, as we all know, on January 11, 1954, the President sent to the Congress a series of recommendations for revising the Taft-Hartley Act which resulted from the prior year's intensive study by the executive branch of the Government, in constant consultation and discussion with the leaders of both Houses of Congress. These recommendations were consistent with President Eisenhower's middle-of-the-road approach on important issues of social and economic policy, and constitute a moderate and well-balanced program for improving our labor-relations law. They do not impair or weaken the solid foundations upon which the Congress erected both the Wagner and the Taft-Hartley Acts. On the contrary, they embody changes which, if adopted, would reinforce the basic objectives of those statutes.

Because I felt it to be my responsibility, immediately upon receipt of the recommendations, I introduced a bill embodying in legislative form the changes which the President had recommended, and I asked that the Labor Committee consider the bill as the first order of business during this session of Congress.

IV. SCOPE OF THE PRESENT BILL

In view of the extensive hearings in 1953 and the limited nature of the President's recommendations and the bill reflecting those recommendations, the committee decided to limit the 1954 hearings specifically to the recommendations. These hearings commenced on January 25, 1954—2 weeks after the President's message was received; and we were able to cover all the points in a period of something less than 3 full weeks.

After the testimony had been received and the hearings closed, the full committee began considering in executive session the various recommendations of the President, one by one and the proposed legislation to cover those recommendations. At the opening of the executive session meetings of the committee, I, as chairman, announced that our deliberations would be confined to the subject matter of the President's recommendations, as well as the bill, S. 2650, which embodies those recommendations.

Mr. LEHMAN. Mr. President, will the Senator from New Jersey yield to me?

Mr. SMITH of New Jersey. I should like to make a consecutive presentation, unless the Senator from New York wishes to ask a question.

Mr. LEHMAN. I wish to correct a statement which I am sure the distinguished chairman of the committee would not wish to remain uncorrected. However, I shall not press the point if the Senator from New Jersey prefers not to be interrogated on that matter.

Mr. SMITH of New Jersey. I do not wish to delay the debate. There has been so much delay, that I should like to make a consecutive presentation.

Mr. LEHMAN. This matter will not delay the debate.

Mr. SMITH of New Jersey. Very well; then I am glad to yield.

Mr. LEHMAN. A moment ago the Senator from New Jersey said:

> In view of the extensive hearings in 1953 and the limited nature of the President's recommendations and the bill reflecting those recommendations, the committee decided to limit the 1954 hearings specifically to the recommendations.

Mr. President, I am a member of the Committee on Labor and Public Welfare, and I believe I have been very regular in my attendance at the meetings of the committee, including the hearings. I do not recall—although it is possible that the distinguished chairman of the committee may be able to advise me about this matter—that the committee ever specifically decided to limit the 1954 hearings to the President's recommendations. To the contrary, I remember many cases when members of the committee, including myself, raised objection to the fact that the chairman of the committee wished to limit the hearings to the President's recommendations, and we pointed out that we were estopped from submitting any amendment which in the opinion of the chairman of the committee—not in the opinion of the committee itself—did not relate immediately to the President's recommendations.

Mr. SMITH of New Jersey. The committee records show that I made an opening statement that we would limit the hearings to the President's recommendations, and, of course, that is the policy we followed, although no formal action was taken in that respect.

The PRESIDING OFFICER. The Chair is unable to hear the Senator from New Jersey.

Mr. SMITH of New Jersey. I simply stated that at the opening of the hearings, this year, a statement was made by the chairman of the committee that we would limit the testimony to the President's recommendations. All the witnesses were so advised; and as they came before the committee, one by one, their opening statements clearly indicated that they were not attempting to "cover the waterfront," but that they were covering the recommendations of President Eisenhower.

So, Mr. President, how there can be any misunderstanding about that, I cannot see.

Mr. LEHMAN. Mr. President, at this point will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I do not wish to delay the debate.

Mr. LEHMAN. I do not, either. However, it is important that this issue be decided. Certainly a statement by the chairman of a committee does not constitute either action or decision by the committee itself. I am very careful when I say, in speaking on behalf of the minority members of the committee, that we never specifically agreed to limit the hearings to the recommendations of the President.

Mr. SMITH of New Jersey. I do not find in the committee hearings any objection to the procedure the committee followed. Neither do I find in the statements submitted by any of the witnesses before the committee any objection to limiting the hearings to the President's recommendations. I thought that was what we were doing from the beginning, in order to expedite the procedure.

Anyone can be mistaken in his understanding; but certainly it is my understanding, as chairman of the committee and I believe it is the understanding of the majority of the committee—that we limited the discussions to the President's recommendations, as well as to Senate bill 2650, which embodied his recommendations. This did not mean that the bill's provisions would merely be voted either up or down, and that the only provisions reported would be the ones a majority of the committee had approved. On the contrary, the widest latitude was given to all members of the committee, on both sides of the table, to discuss and put forward for vote, any proposal related to any subject included in the President's message. That procedure was followed throughout the hearings. No limitation was placed on any member of the committee in either asking or answering questions, and no limitation was placed on a full discussion of the President's recommendations.

I admit frankly that at the hearings this year, after we received the President's message we limited the discussion to the recommendations contained in his message. That was done for the purpose of making it possible for the committee to report a bill in line with the President's program, and to avoid becoming sidetracked on many other issues that had not been raised.

As I have said before, this is an evolutionary process. The President has said to me that he himself has said, both privately and publicly, that he regards this as a matter of progress or evolution, and that from time to time he expects to make further recommendations. So I see no reason for criticism by anyone in this connection.

However, as I have said before, there were members of the committee, both Republicans and Democrats, who desired to offer additional amendments to be incorporated in the bill. As chairman of the Committee, I felt it necessary to urge upon my committee the limiting of the bill to be reported by the committee to the matters covered by the President's recommendations.

I may say that I myself had some bills prepared, and I would have been glad to present them before the committee. However, I denied myself that privilege, just as I asked others to observe that procedure.

Mr. DOUGLAS. Mr. President, will the Senator from New Jersey yield to me?

The PRESIDING OFFICER (Mr. BEALL in the chair). Does the Senator from New Jersey yield to the Senator from Illinois?

Mr. SMITH of New Jersey. I prefer to make a consecutive presentation, Mr. President.

Mr. DOUGLAS. Then, Mr. President, will the Senator from New Jersey entertain a question at the conclusion of this paragraph of his prepared remarks?

Mr. SMITH of New Jersey. Yes.

The Republicans on the committee reluctantly agreed to this procedure, and supported the Chairman when the matter came before the full committee. The minority opposed the procedure, on the ground that it was arbitrary and contrary to the spirit of Senate procedure in dealing with important matters of this kind.

That concludes the paragraph.

Mr. DOUGLAS. Mr. President, at this point, will the Senator from New Jersey yield for a question?

Mr. SMITH of New Jersey. I am giving the facts, so everyone will understand.

Mr. DOUGLAS. Will the Senator from New Jersey yield for a question, in order to bring out the facts?

Mr. SMITH of New Jersey. Yes, I am glad to yield.

Mr. DOUGLAS. Is it not true that the minority members of the committee

asked to be permitted to submit additional amendments to the bill, and is it not true that the chairman of the committee refused to permit the committee to consider any of those further amendments we proposed?

Mr. SMITH of New Jersey. We considered 14 amendments which were proposed by the minority members of the committee. We considered those amendments because they had to do with the President's recommendations. The chairman of the committee and the other members of the committee decided, by strictly a party vote, that the committee would not go beyond that.

Mr. DOUGLAS. Is it not true that the 14 amendments referred to by the Senator from New Jersey related to points raised by the majority members of the committee, points that were included in the President's recommendations, and were merely matters upon which the views of the minority members of the committee differed from those of the majority members? Is it not also true that the minority members of the committee were prevented from submitting new amendments, dealing with subjects outside the President's recommendations?

Mr. SMITH of New Jersey. That is correct. As I stated a moment ago, before the Senator from Illinois entered the chamber, the majority members of the committee followed exactly the precedent established by the Democrats in 1949.

Mr. DOUGLAS. I am not concerned with 1949; I wish to refer to the actual basis for the proceedings in 1954.

Mr. LEHMAN. Mr. President, at this point will the Senator from New Jersey yield to me?

Mr. SMITH of New Jersey. I should like to continue with my presentation.

Mr. LEHMAN. I am very anxious to clear up this point.

Mr. SMITH of New Jersey. I think it is important, too; but I do not wish to have the consecutive presentation of my remarks interferred with.

Mr. LEHMAN. Of course, I cannot insist that the Senator from New Jersey yield.

Mr. SMITH of New Jersey. Very well; I yield.

Mr. LEHMAN. The distinguished chairman of the committee has stated that he wished to limit the hearings to the President's recommendations, which are covered by Senate bill 2650.

I wish to point out that Senate bill 2650, a copy of which I hold in my hand, is the bill of the Senator from New Jersey. It is the bill now before the Senate. It does include all the President's recommendations in this field.

I hold in my other hand an amendment which I submitted, at the last meeting of the committee, to the same bill, S. 2650. I have now presented the amendment to the Senate, in connection with this bill. Certainly the amendment applies very directly to Senate bill 2650. However, at the hearings the distinguished chairman of the committee said, in effect, "Nothing doing; we are not going to consider that amendment. We are not going to consider any amendment that does not relate to the President's recommendations." Yet this amendment directly, distinctly, and clearly applies to the President's recommendations, which are incorporated in the very bill then considered by the committee, and now being considered by the Senate, Senate bill 2650, the bill of the Senator from New Jersey.

Mr. SMITH of New Jersey. Of course all such amendments would have been incorporated in the bill we were reporting. I simply tried to limit the discussion to the subjects covered by the President's recommendations. I think the record is clear on that point. If it is wrong to have limited the bill to the President's recommendation, the Senate can decide that question.

Mr. LEHMAN. This does refer to the President's recommendations. It is clearly a part of the President's recommendations.

The PRESIDING OFFICER. Does the Senator from New Jersey yield further to the Senator from New York?

Mr. SMITH of New Jersey. I cannot yield further. I am not familiar with the recommendations to which the Senator is referring.

I regret that we felt it necessary to have a vote on the issue and that the decision to limit the scope of the bill was made on strict party lines. However, it was absolutely necessary to take this course if there was to be any hope of getting a bill reported to the floor in this session of the 83d Congress. Had we continued the discussions covering the many amendments that all the members of the committee, including the chairman, felt they would like to offer, it is obvious our committee sessions would have been so prolonged that it would not have been possible to conclude our work and have action taken by the Senate before adjournment. We must not forget also that the committee had before it other legislation in the fields of health and education, and our hearings on these matters were all scheduled. We could not possibly have continued with Taft-Hartley discussions without going well into the summer.

I should add that it is anticipated that members of the committee will offer on the floor certain amendments to the bill as reported by the committee in the interest of clarifying and strengthening the recommendations of the President. I refer especially to an amendment on the subject of State powers and an amendment providing for a secret strike ballot. I shall deal with these later in the debate.

I wish to emphasize especially the secret strike ballot, because many of us have been very much in favor of that principle, which the President urged so strongly. We were not able to report such a provision because we could not agree on a formula. The majority were honest in coming to the full committee and saying that they could not agree on a formula. They did not report a recommendation on that point, but certain members of the committee stated that they would offer on the floor of the Senate a formula for a secret-strike-ballot provision, in line with the President's recommendations.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. DOUGLAS. Is the first amendment to which the Senator from New Jersey is referring the amendment on the subject of State powers, the amendment proposed by the Senator from Arizona [Mr. GOLDWATER]?

Mr. SMITH of New Jersey. I believe such an amendment is to be proposed. It has not yet been proposed. I hope that it will be, because the subject needs clarification.

Mr. DOUGLAS. In speaking of the amendment providing for a secret strike ballot, does the Senator refer to the amendment which, it is understood, will be offered by the eminent Senator from Connecticut [Mr. PURTELL]?

Mr. SMITH of New Jersey. I have it in mind.

Mr. DOUGLAS. Let me ask my good friend from New Jersey if, on such important matters as this, it is not good procedure to have subjects discussed first in committee, where they can be thrashed over, rather than to have the bill written do novo on the floor?

Mr. SMITH of New Jersey. I think we always have that problem facing us with regard to any question of this kind. Of course, it is desirable to have just as much covered in the committee as possible. There was a great deal of testimony and much discussion on the subject of the scope of State power, for example. There was a great deal of discussion and testimony in the hearings on the question of the secret ballot. The fact that we could not arrive at an agreement made it impossible to report any such provision. Therefore, I think it is entirely appropriate for Members on the majority side or Members on the minority side to offer any amendments they wish to offer. I hope that will be done, and I expect it will be. I think the debate will be most helpful. I did the best I could to insure the reporting of a bill reflecting the wishes and recommendations of the President. That was my responsibility.

Mr. DOUGLAS. Is it not true that this is a Government with three coordinate branches, and that the legislative branch is supposed to deal with legislative subjects? This is not the British House of Commons, which merely passes upon the procedures of the Government and votes them up or down. In this country we are supposed to operate under a different parliamentary theory.

Mr. SMITH of New Jersey. Certainly that is true; but I do not think it is appropriate to question whether it was proper for me, as chairman of the committee and as a member of the administration's party, to try to introduce proposed legislation which would reflect the President's recommendations. Certainly the other side of the aisle did it extensively throughout the Roosevelt and Truman administrations. We got nothing but administration bills.

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from New Jersey desire to yield further to the Senator from Illinois?

Mr. SMITH of New Jersey. The Senator from New Jersey would prefer not to yield, but would like to complete his statement.

The PRESIDING OFFICER. The Senator from New Jersey declines to yield further.

V. EVOLUTION OF TAFT-HARTLEY—BALANCE OF POWER

Mr. SMITH of New Jersey. Before I present, as I propose to do, an analysis of the pending bill as contained in the committee report, I should like to make some general observations with regard to so-called management-labor legislation.

We all realize, I believe, that legislation in this important field has been in the process of evolution over a number of years. I believe it will continue to be improved as we learn more by the trial and error method. The original important legislation in this field was the Wagner Act, which was passed to promote the interests of organized labor. After a trial of that act some of its defects were seen and it was followed by the so-called Taft-Hartley Act, which included the protective provisions of the Wagner Act, but aimed also to protect management and individual workers as well. This protection was accomplished by including in the Taft-Hartley Act unfair labor practices by labor organizations as well as the unfair labor practices by management condemned by the Wagner Act.

This development led to a phenomenon which we are now struggling with, namely, the trend toward a legislative balance of power between the employer group on the one hand, and the unions on the other hand, with the individual worker, I am sorry to say, in between. The way the legislation developed I am convinced that growth of this balance of power principle was inevitable, and I believe we must continue to improve our procedures for making this balance of power principle more effective while extending the protection of the individual.

I believe, however, that we should not be satisfied with this as our ultimate goal in management-labor relations. From the long-range point of view, it is my feeling—and many persons much more expert in this field than I am agree with me—that we should try by degrees to pull the Government out of these controversial situations and challenge the two real principals—employers and employees—to get together and agree on what should be the rules governing their relationships and covering sound principles of collective bargaining. I am convinced that if either side feels that it can fall back on the Government to support its cause there will not be developed the spirit of collective bargaining that there should be, and politics inevitably will creep in. Let us have as our ultimate objective, then, the earliest possible withdrawal of Government control or interference, consistent with considerations of the public welfare and the protection of the rights of individual workers.

I think it is not out of place at this point to say that I have discussed these principles very fully with the President himself, and he agrees entirely with the view that we should try to move toward the elimination of Government interference in management-labor relations.

VI. BIG MANAGEMENT VERSUS BIG LABOR

The trend in our legislation outlined above—that is, the balance-of-power principle—is, unfortunately, growing into something that may be dangerous unless we watch it carefully; namely, a titantic contest between big management and big labor. We have powerful labor unions trying to strengthen themselves against powerful management groups. This leads to the insistence by our big labor organizations, primarily, of course, our friends the A. F. of L. and the CIO, that their hands be strengthened against what they claim to be the dominance of management. On the other hand, of course, management complains that the growth and strengthening of these big labor unions threatens a monopoly of labor which may well throttle the Nation in times of serious emergency.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I should prefer not to yield further. I should like to complete my statement.

VII. THE FORGOTTEN PEOPLE—THE PUBLIC AND THE WORKERS

This struggle for power between these two groups challenges the Government to be alert to protect what may well be the forgotten factor in the situation. The public, representing the Nation as a whole, must be protected. This presents the problem of national emergency strikes. We also must protect the health and safety of the people in the several States in case of serious local outbreaks.

But beyond the protection of the public, which is the responsibility of Government, we have another group which must not be neglected in this contest for power. I refer to the workers in industry throughout the entire country.

I may say that I receive a great many letters from individual workers who do not want to have their names disclosed. They tell me that we must think in terms of protecting them against abuses, either on the part of their employers or on the part of leadership of the big unions. We must think in terms of those workers and the democratic processes in industry. That is why, in industry and in the unions which have such large control over the workers' lives, I am so strongly in favor of the basic principle of a secret strike ballot, which subject will be discussed later in this debate. In President Eisenhower's recommendations we find that he very distinctly recognized these two problems—protection of the public interest and the rights of individual workers—as problems of the Government. Incidentally, these recommendations are embodied in the amendments the committee is presenting.

The President made certain exploratory recommendations with regard to national emergency strikes and also with regard to the health and safety issue within the several States. Those are also being presented in amendments.

More particularly, however, he recognized the governmental responsibility for the workers in two recommendations which he stressed especially; namely, he recommended complete freedom of speech, so the workers might be fully informed as to what were the issues between management and the union, and he recommended that the workers should have the right to a secret ballot before they were called out on strike. Unfortunately the committee was unable to agree on a formula for a secret strike ballot, and therefore no amendment on this point was included in the bill as reported. As I stated above, members of the committee propose to offer amendments to the bill to cover various points that undoubtedly the President had in mind, but which were not fully covered in the bill as reported. This applies especially to the secret strike ballot, to which I have already referred.

VIII. OTHER IMPORTANT ISSUES

In addition to the foregoing issues, to which I have referred briefly, there are other issues of first importance and which still should be dealt with. The first of these is the matter of Federal-State relationships. The President in a letter to me as chairman of the committee on March 26 made some recommendations in this connection which we have attempted to embody in the amendments reported. His recommendations and the committee's action appear on pages 8 and 9 of the report.

In another field also the President made an important recommendation, and we are endeavoring to cover that by the appointment of a special subcommittee of the Labor and Public Welfare Committee to look into the matter as the President recommended. This issue is that of the union welfare funds. In light of the President's recommendation on this point, as chairman of the committee, I have asked the Senator from New York [Mr. IVES] to head a subcommittee to look into the matter and to make a report to the full committee and to the Senate sometime early next year. This operation is just getting underway. I believe I am correct in saying that this proposal has the support of the entire membership of the committee.

IX. THE PRESENT BILL

With these preliminary observations I would like to turn now to the discussion of the bill itself as reported from the committee, and I will endeavor to relate the President's recommendations one by one to the committee amendments and discuss the implications of them.

Mr. President, I ask unanimous consent that the table which appears on

pages 4 to 9 of the committee report, showing in parallel columns the Presidential suggestions for revising the Taft-Hartley Act and the provisions agreed to by a majority of the committee, be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. BEALL in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

The following table sets forth, in parallel columns, the recommendations of the President for revising the Taft-Hartley Act, and the amendments approved by the committee. The President's recommendations are in the lefthand column, the committee's amendments in the right:

PRESIDENTIAL SUGGESTIONS FOR REVISING THE TAFT-HARTLEY ACT (PRESIDENT'S LABOR MESSAGE, JANUARY 11, 1954)	LANGUAGE AGREED TO BY A MAJORITY OF THE COMMITTEE (MARCH 31, 1954)
INJUNCTIONS	
Therefore, I recommend that whenever an injunction is issued under the National Labor Relations Act where a collective-bargaining relationship exists between the parties, the Federal Mediation and Conciliation Service shall empanel a special local board to meet with the parties in an effort to seek a settlement of their dispute. I further recommend that in secondary-boycott cases, the application for an injunction be discretionary.	I. Amend section 10 (j) by adding thereto the following proviso: *"Provided,* That where such temporary relief or restraining order is granted by the court in any case involving a labor dispute between an employer and a labor organization which the employer recognized when such temporary relief or restraining order was granted or was required to recognize under an outstanding order or certification of the Board, the Federal Mediation and Conciliation Service may, if such labor dispute has not been settled, proffer its services to aid the parties in seeking a settlement of such dispute." II. Strike out all of the language of section 10 (l).
SECONDARY BOYCOTTS	
I recommend that the act be clarified by making it explicit that concerted action against (1) an employer who is performing "farmed-out" work for the account of another employer whose employees are on strike or (2) an employer on a construction project who, together with other employers, is engaged in work on the site of the project, will not be treated as a secondary boycott.	Section 8 (b) (4) (A) is amended to read as follows: (new matter is italicized): "(A) Forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person (*herein called secondary employer*) to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer or to cease doing business with any other person (*herein called primary employer*) (a) *unless such secondary employer is engaged together with the primary employer involved in a labor dispute, which is not unlawful under this act or in violation of an existing collective bargaining agreement, in a construction project or similar undertaking at the site of such concerted activity; or* (b) *unless the secondary employer has contracted or agreed with the primary employer* (i) *to perform work which the employees of the primary employer, who are engaged in a strike not unlawful under this act, normally would perform or* (ii) *for the account of the primary employer to render services that such employer would normally perform;*"
ELECTIONS	
I recommend that, in the event of an economic strike, the National Labor Relations Board be prohibited from considering a petition on the part of the employer which challenges the representation rights of the striking union. I further recommend that for a period of 4 months after the commencement of the strike, the Board be prohibited from considering a petition on the part of any other union which claims to represent the employees. The prohibition against considering a petition by the employer should continue as long as the strike continues, provided, however, that a reasonable limit of time, which I suggest be 1 year, be stipulated.	Section 9 (c) (3) is amended by adding immediately after the sentence which reads, "Employees on strike who are not entitled to reinstatement shall not be eligible to vote," the following proviso: *"Provided,* That in any lawful strike in which recognition was not the issue when the strike began, no petition for an election filed by an employer pursuant to section 9 (c) (1) (B) shall be entertained prior to the termination of such strike as determined by the Board or the expiration of 1 year from the commencement of such strike, whichever occurs sooner, nor shall any petition for an election filed pursuant to section 9 (c) (1) (A) by any person other than the bargaining representative which called the strike be entertained prior to the termination of such strike as determined by the Board or the expiration of 6 months from the commencement of such strike, whichever occurs sooner.""
CONTRACT NEGOTIATIONS	
I recommend that the law be amended so as to protect both parties to a valid collective-bargaining agreement from being required to negotiate during its term unless	Amend section 8 (d) by striking out the language in the last portion thereof reading as follows: "and the duties so imposed shall not be construed as requiring either party

the contract so authorizes or both parties mutually consent.	
NATIONAL EMERGENCIES	
I recommend that after he [the President] has received and made available to the public the last report of the board of inquiry (if the dispute has not then been settled), he be empowered to reconvene the board and direct it to make recommendations to him for settlement of the dispute. Although the recommendations of the board would not be binding upon the parties, yet there is real value in obtaining the recommendations of informed and impartial men for the settlement of a dispute which imperils the national health and safety.	
SPECIAL INDUSTRIES	
Employees engaged in the construction, amusement, and maritime industries have unique problems because their employment is usually casual, temporary, or intermittent. I recommend that in these industries the employer be permitted to enter into a prehire contract with a union under which the union will be treated initially as the employees' representative for collective bargaining. I also recommended that in these industries the employer and the union be permitted to make a union shop contract under which an employee, within 7 days after the beginning of his employment shall become a member of the union.	
UNION RESPONSIBILITY	
In order to make it clear that a union cannot be held responsible for an act of an individual member solely because of his membership in the union, I recommend that the act be amended to make the traditional common-law rules of agency applicable.	

LANGUAGE AGREED TO BY A MAJORITY OF THE COMMITTEE (MARCH 31, 1954)—Continued

to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract," and in lieu thereof substituting the following language: "and the duties so imposed shall not be construed as requiring either party to a contract for a fixed period to discuss or agree to any modification of the terms and conditions of employment, whether or not embodied in such contract, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract."

NATIONAL EMERGENCIES

In section 209 (b) the 60-day period is changed to a 40-day period and a new subsection (c) is added reading as follows:

"(c) Upon the certification of the results of such ballot the President, unless the dispute has been settled, shall have authority to reconvene the board of inquiry which has previously reported with respect to the dispute and direct such board to make recommendations for the settlement of the dispute, but neither party to the dispute shall be under any duty to accept, in whole or in part, any recommendations for settlement made by such board of inquiry."

In section 210 insert the words "the 20th day following" immediately after the 1st word "upon" of said section.

SPECIAL INDUSTRIES

Section 8 is amended by adding thereto a new subsection (e) as follows:

"(e) For the purposes of this subsection only it shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer primarily engaged in the construction or entertainment industries, or in any other industry or section of an industry in which the Board finds employment to be casual, intermittent, or temporary in nature, to make an agreement covering employees engaged (or who upon their employment will be engaged) in construction or entertainment work or in such casual, intermittent, or temporary employment, with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this act as an unfair labor practice and which at the time the agreement was executed or within the preceding 12 months has received from the Board a notice that it has complied with the requirements imposed by section 9 (f), (g), and (h)), solely because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this act prior to the making of such agreement, and (2) such agreement requires, as a condition of employment, membership in such organization after the seventh day following the beginning of such employment or the effective date of the agreement whichever is the later: *Provided*, That nothing herein shall set aside the final proviso to section 8 (a) (3) of this act: *Provided further*, That agreements made pursuant to this subsection shall in all other respects be subject to the provisions of section 9 of this act: *Provided further*, That agreements made pursuant to this subsection shall not constitute a bar to petitions filed pursuant to section 9 (c) or 9 (e)."

UNION RESPONSIBILITY

Section 2 (13) and section 301 (e) are amended to read as follows:

"In determining whether any person is acting as an 'agent' of another person so as to make such other person responsible for his act, the common-law rules relating to agency shall be applicable: *Provided*, That no labor organization shall be held responsible for the acts of individual members thereof solely on the ground of such membership."

PRESIDENTIAL SUGGESTIONS FOR REVISING THE TAFT-HARTLEY ACT (PRESIDENT'S LABOR MESSAGE, JANUARY 11, 1954)—Continued

COMMUNIST DISCLAIMERS

The Communist disclaimer provisions are not presently applicable to employers. I recommend that they be made applicable. Specific proposals for legislation dealing with Communist infiltration generally are now under study. If such legislation is enacted, making the Communist disclaimer provisions of the act unnecessary, I then will recommend that they be entirely eliminated.

LANGUAGE AGREED TO BY A MAJORITY OF THE COMMITTEE (MARCH 31, 1954)—Continued

The present language of section 9 (h) is redesignated "(h) (1)" and a new paragraph (h) (2) is added to read as follows:

"(2) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by an employer under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by an employer under subsection (b) of section (10), unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by such employer, its officers if it is a corporation, that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 1001 of title 18 of the United States Code shall be applicable in respect to such affidavits."

FREE SPEECH

Congress should make clear that the right of free speech, as now defined in the act, applies equally to labor and management in every aspect of their relationship.

Strike out the language in section 8 (c) and in lieu thereof insert the following:

"(c) The Board shall not base any finding of unfair labor practice or set aside any election upon any statement of views or arguments, either written or oral, if such statement contains under all the circumstances no threat, express or implied, of reprisal or force, or offer, express or implied, of benefit."

CHECKOFFS AND REPORTS

There are two other changes in the law that I recommend. The authorization which an individual employee gives to his employer for the checkoff of the employee's union dues should be made valid until the termination of the collective-bargaining contract which provides for such checkoff, unless the employee sooner revokes such authorization. The provisions of the act which require reports from unions concerning their organization and finances should be simplified so as to eliminate duplication in the information required by such reports.

(i) The first provisio of section 302 (c) dealing with the "checkoff" of union dues is retained unchanged.

(ii) Section 9 (f) (A) (6) dealing with the filing of union organizational data is repealed.

STATE POWERS

In his message to the Congress of January 11, 1954, the President declared:

"The act should make clear that the several States and Territories, when confronted with emergencies endangering the health or safety of their citizens, are not, through any conflict with the Federal law, actual or implied, deprived of the right to deal with such emergencies. The need for clarification of jurisdiction between the Federal and the State and Territorial governments in the labor-management field has lately been emphasized by the broad implications of the most recent decision of the Supreme Court dealing with this subject. The department and agency heads concerned are, at my request, presently examining the various areas in which conflicts of jurisdiction occur. When such examination is completed, I shall make my recommendations to the Congress for corrective legislation."

In his letter of March 26, 1954, to Senator H. ALEXANDER SMITH, the President further declared:

"My associates are still studying this extremely complex problem, and while that study has not as yet been completed it has gone far enough to develop some conclusions:

"(1) Where the governor of a State determines that a labor dispute is endangering, or

Section 6 of the National Labor Relations Act is redesignated "6 (a)" and a new subsection is added thereto reading as follows:

"(b) (1) The Board, in its discretion, may decline to assert jurisdiction over any labor dispute where, in the opinion of the Board, the effect on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this act shall be deemed to prevent or bar any agency, or the courts of any State or Territory, from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

A new subsection "(c)" is added to section 14, reading as follows:

"(c) Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the State: *Provided*, That no State shall be authorized by this subsection to take action in any labor dispute in which the Federal Government is acting pursuant to sections 206 to 210, inclusive, of this act. As used in this subsec-

PRESIDENTIAL SUGGESTIONS FOR REVISING THE TAFT-HARTLEY ACT (PRESIDENT'S LABOR MESSAGE, JANUARY 11, 1954)—Continued

will endanger, the health and safety of the citizens of that State, certainly nothing in the Federal law should have the effect of preventing the State from dealing with that dispute. This was covered specifically in my message of January 11.

"(2) Nothing in the Federal law should have the effect of preventing a State from exercising its traditional police powers for maintaining public order.

"(3) Where the National Board has refused to assert jurisdiction on the ground that it would not effectuate the policies of the act for it to do so, it should be made clear by legislation that the States are free to act.

"Since I understand that your committee will report shortly on various amendments to the Taft-Hartley Act, I thought that you would like to have this progress report."

STRIKE BALLOTS

"In the employer-employee relationship there is nothing which so vitally affects the individual employee as the loss of his pay when he is called on strike. In such an important decision he should have an opportunity to express his free choice by secret ballot held under Government auspices."

LANGUAGE AGREED TO BY A MAJORITY OF THE COMMITTEE (MARCH 31, 1954)—Continued

tion, the term 'State' shall include any Territory of the United States."

The members of the committe were unable to agree on a provision for a strike ballot.

The following proposal, although not among the President's suggestions, was agreed to by a majority of the committee:

Section 10 (b) is amended by adding a proviso at the end thereof, reading as follows:

"Provided further, That whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (5) of section 8 (a) or paragraph (4) (A), (B), or (C) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

The President also recommended that employees be given, by law, the right to vote by secret ballot on the question of whether they wished to strike. Said the President:

"In the employer-employee relationship there is nothing which so vitally affects the individual employee as the loss of his pay when he is called on strike. In such an important decision he should have an opportunity to express his free choice by secret ballot held under Government auspices."

The members of the majority of the commitee gave considerable thought to this proposal but were unable to reach agreement on a strike-vote procedure satisfactory to all. It was decided, therefore, not to include any amendment in the committee bill embodying the President's recommendation. Individual members of the committee, however, reserved their right to file, in connection with this report, their separate views supporting the recommendation and to submit amendments to that effect on the floor of the Senate.

Mr. SMITH of New Jersey. Mr. President, turning now to the President's recommendation and the action taken by the committee, I take up the first subject. I believe all of us agree that these are controversial subjects, and that they were debated fully in the committee.

First. Injunctions: The President recommended that in secondary boycott cases, the application by the Labor Board for an injunction be discretionary rather than mandatory, as at present. He also suggested that wherever a discretionary injunction issues against one of the parties to an established collective bargaining relationship, the Federal Mediation and Conciliation Service empanel a board of local citizens to aid in seeking a settlement of the dispute. The committee adopted the President's proposal eliminating the mandatory injunction thus achieving a more equitable balance in the law as between labor and management. But after a prolonged discussion, the committee concluded that a panel of local citizens to mediate a labor dispute would not be as helpful in achieving that goal as would the trained experts of the Conciliation Service. It therefore approved the amendment permitting the service to offer its cooperation in such cases. Consequently, in this case, we deviated slightly from the President's exact recommendations. I believe I am correct in saying that this particular recommended change was approved by the entire membership of the committee.

Second. Secondary boycotts: The President declared that the true secondary boycott was indefensible. But he pointed out that where the secondary employer is not a genuine neutral in the dispute between the primary employer and his employees, the secondary employer is not entitled to the protection against secondary boycotts which the law now provides. He therefore recommended, and the committee approved, an amendment permitting economic action by employees or their unions against secondary employers in two classes of cases where genuine neutrality is absent.

The first is the situation in which two or more employers are engaged in operations on the site of a single construction project. Such employers are, if not as a matter of law, at least in practical effect, the equivalent of partners in a single joint enterprise, and a labor dispute with one can properly be regarded as a dispute with all.

This is a very controversial subject. I have had a good deal of correspondence from persons in the construction industry questioning its wisdom, but it came as a recommendation of the President, and it is included in the bill as submitted.

The other type of situation involves an employer, who, because of a dispute with his employees, is prevented from carrying on his usual operations. He thereupon makes an arrangement with some other employer to perform these operations for him. It is obvious that the latter makes himself an ally of the employer involved in the dispute and thereby knowingly aids him in his controversy with his employees.

This kind of boycott is referred to by the slang expression "struck work." "Struck work" is looked upon as something that should not be allowed and against which a boycott should be permitted.

To permit secondary pressures by the employees and their unions in these two types of cases is clearly consistent with the President's views that true secondary boycotts are indefensible but that only genuinely neutral secondary employers merit protection against such boycotts. I also wish to point out that even in these situations the strike against or the dispute with the primary employer must be for a lawful purpose and carried on by otherwise lawful methods.

Third. Elections during strikes: During his campaign in 1952, the President stated that he wanted no "union busting" provisions in our labor laws. He was here commenting on the fear, frequently expressed, that the present provision denying replaced economic strikers a vote in representation elections presented such a possibility. He therefore recommended to the Congress that elections sought by anyone other than the striking union be prohibited for the duration of a strike or for stated periods from its commencement. The committee embodied this recommendation in an amendment which prohibits an election sought by an employer during the first year of a strike's duration, or during the first 6 months thereof if the election is sought by anyone other than the employer or the striking union.

This is a very complicated subject, and in studying it we had a good deal of discussion as to the best way of dealing with it. The committee felt it was a pretty good solution of the problem to provide for the postponing of those votes.

Fourth. Sanctity of contracts: The President suggested that where an employer and a union have freely and voluntarily reached agreement on the terms and conditions of employment, both be relieved of any legal duty to bargain about changes in those terms and conditions during the life of the contract. The committee recognized that this would achieve a primary objective of successful labor-management relations: namely, stability for a specific period. It therefore adopted an amendment embodying the President's suggestion. The parties to such an agreement, of course, retain their right to modify the terms of their contract if both parties agree or so provide in the contract itself.

Fifth. National emergencies: The President recommended that the pro-

cedure for handling national emergency disputes be modified to permit the President, as a final step in the procedure, to require the board of inquiry, which is provided for under sections 206 to 210 of the act, to make recommendations for settling the dispute and thereby ending or preventing the emergency. Such recommendations, of course, would not be binding on the disputing parties. But they would frequently have the support of public opinion and for that reason could often prove effective in settling the controversy.

The committee was impressed by this recommendation. It provides a measure of the uncertainty with respect to Government action in emergencies needed to encourage the disputing parties to settle their dispute by their own efforts. The committee therefore adopted an amendment authorizing the President to reconvene the board of inquiry as the final step in the emergency procedure. The President could then, if he so desires, ask the board for its recommendations and publish these, or not, as he saw fit. But even this final step would have to be completed within the 80-day period during which the national emergency injunction remained in effect as under the present law, of course. The whole procedure for handling such disputes thereby takes on a necessary flexibility it does not now possess.

I have discussed the subject of this kind of dispute with a number of persons, including labor leaders, who have made a careful study of the subject, and the feeling seems to be that if there could be provided a variation in the remedies a President might use in a critical national emergency it would tend to keep all the parties concerned in a bargaining relationship in an attempt to arrive at a decision themselves. If there were any doubt about what would happen, if there were any fear that this or that might happen, and the President had an opportunity to have the opinion of the Board, this provision always would be helpful. It is a step in the direction of flexibility. I think it is a step in the right direction, although we may ultimately go further than this in developing emergency strike procedures.

Sixth. Casual, temporary, or intermittent employment industries: The next subject is a very interesting one and one which has caused quite a good deal of controversy. The President pointed out that employees in the construction, amusement, and maritime industries faced special problems because of the casual or temporary nature of their employment. He therefore recommended that the unions and employers in these industries be permitted initially to enter into pre-hire collective bargaining contracts which might also require employees to become union members within 7 days rather than 30 days as at present.

The prehire idea was suggested because, under the present Taft-Hartley procedure, there has to be an election and a vote before the bargaining agency can bet set up and before the contract can get underway. In cases where a contractor has to bid for a job and does not know what his labor cost will be, it seems reasonable to negotiate with the union controlling the labor force so he can safely make a bid for the work he desires to get. I may say, Mr. President, that this is one of the provisions which the late Senator Taft felt would be helpful in dealing with this difficult problem.

The committee was fully aware of the unique problems of labor relations in these industries and, for that matter, in all industries in which employment is casual, temporary, or intermittent. There was complete agreement among all the members of the committee that nothing less than the relief recommended by the President should be granted to meet these special problems. The committee also unanimously agreed that the maritime industry should not be specifically listed, but that the amendment should be extended to all industries in which employment was casual, intermittent, or temporary as well as to the construction and entertainment industries.

In adopting this amendment the committee included language to safeguard the rights of employees in all other respects, including the right to be protected against unfair labor practices and to secure representation elections even where such a prehire agreement was in effect. The amendment does not restore the closed shop, as some persons have feared. Employees need not belong to a union in order to get a job. They merely must join the union, if the bargaining agreement so provides, within 7 rather than 30 days as at present. This amendment does not nullify section 14 (b) of the act which permits the States to prohibit all forms of compulsory unionism.

That is one of the most important issues before us. Compulsory unionism was prohibited by the Taft-Hartley law, and it is still prohibited, although the union shop, under the Taft-Hartley Act, is a modification of the closed-shop principle.

Seventh. Union responsibility: The President recommended that unions be relieved of any legal responsibility for the acts of their members based solely on the fact of such membership, and that this be achieved by writing the common-law rules of agency into the statute. The committee approved an amendment making the common-law rules of agency applicable, and inserted a specific proviso relieving unions of responsibility for the acts of their members merely because of such membership.

Eighth. Communist disclaimers: The President suggested that pending the enactment of legislation dealing with the problem of Communist infiltration generally, some of it now pending, employers be required to file non-Communist affidavits as well as unions. The committee, believing that the present requirement has unfairly been regarded as reflecting adversely on unions, approved an amendment requiring identical affidavits from employers.

Personally, Mr. President, I am very hopeful that the proposed legislation which is now pending before the Judiciary Committee covering the question of Communist infiltration will be passed so that before this year is over we can entirely eliminate from the Taft-Hartley Act the provision requiring non-Communist affidavits. To require that employers file an oath, will balance the situation and making it clear that there is no prejudice against unions. This is important. However, I am hopeful that more comprehensive legislation on this subject will be forthcoming.

Ninth. Free speech: The President, always an ardent supporter of the extension of civil liberties, believes that the right of free speech applies equally to both labor and management in every aspect of their relationship. Under the existing law, it is fully applicable only in unfair labor practice cases, but not in representation cases. The committee, therefore, adopted language extending the guaranty of free speech to both types of cases but permitting the Board to consider all the circumstances under which a statement was made in determining whether the statement constituted a violation of the law, or evidence of a violation.

This is a very controversial question. We debated it at some length. This language was put into the bill because it was felt that the Labor Relations Board should consider the surrounding circumstances as to whether the words implied force would be used in helping members of the union to arrive at their decision. This is one of the subjects which caused a good deal of criticism of the bill as reported. Many persons feel we have gone backward and have prevented an employer from properly presenting his case to his people. That is the last thing I would want to do. I think it would be a great mistake.

Tenth. Checkoffs: The President suggested that an employee who had authorized the checkoff by an employer of his union dues be permitted to revoke such authorization at any time. The committee did not adopt this suggestion. The present arrangement whereby an employee who authorizes a checkoff in writing cannot revoke it for a stated period was retained unchanged. The committee felt that the present arrangement was satisfactory to both labor and management and imposed no real hardship on employees.

In looking through the testimony, I do not recall that any serious protests were made against the working of the checkoff rule. I do not feel entirely convinced in the matter, but I think what the committee did in this respect was justified.

Eleventh. Union reports: The President pointed out that the law now contains two provisions requiring unions to file essentially similar organizational data with the Secretary of Labor. He recommended that this unnecessary duplication be eliminated. The committee's amendment repeals one of these provisions and thus simplifies the recordkeeping and reporting in which unions are now required to engage.

I am sorry, Mr. President, that the distinguished minority leader is not present at this time because he asked if there were any provisions which were adopted unanimously by the committee. I find in checking it over that there were

a number, and this is one of them. The committee unanimously agreed that these reports from the union not be required.

Twelfth. State powers: This is one of the most controversial subjects in the bill.

The President recognizes that during the past two decades the problem of finding the proper dividing line between the respective jurisdictions of the State and Federal Governments has become increasingly difficult in the field of labor relations and urgently requires clarification. He stated that the problem was receiving careful study from the executive departments and agencies concerned and promised to submit the results of these studies to the Congress.

Pending their completion, however, the President in a letter of March 26, 1954, to the chairmen of the Senate and House Labor Committees, suggested that the Congress enact legislation which would, first, reaffirm the traditional police powers of the States; second, permit the States to deal with labor-dispute emergencies imperiling the health or safety of the people of the State; and, third, authorizing the States to act in labor disputes over which the Federal Labor Board had refused to assert jurisdiction. The committee approved an amendment empowering the States to act in such emergencies where the danger to health or safety was "clear and present" and not merely remote possibility. It also adopted a provision authorizing the courts or appropriate agencies of any State or Territory to deal with those classes of cases in which the Federal Board had refused to act, thereby eliminating the legal "no-man's land" in which the Federal Government would not act, the States were unable to act, and the injured party denied any forum in which to seek relief.

I believe it appropriate at this point to refer to the recent so-called Garner case, in the Supreme Court, which seemed to leave this subject between sea and sky. I myself am convinced that some legislation must be enacted to clarify the no man's land situation in which we find ourselves. I think our colleague, the distinguished Senator from Arizona [Mr. GOLDWATER], intends to address himself to this subject later in the debate.

Thirteenth. The committee also approved an amendment which was not included in the President's recommendations. It was clear to the committee that where an employer is the innocent victim of an unlawful secondary boycott or where a union is the victim of an employers' illegal refusal to bargain, the delayed relief which the Board eventually grants cannot adequately compensate for the injury done the victims. The committee therefore provided that cases involving secondary boycotts or refusals to bargain by employers should be investigated ahead of all other types of cases by the regional office staffs of the National Labor Relations Board.

That provision related to the granting of mandatory injunctions or the dissolving of a mandatory injunction. To make it discretionary, the committee felt some type of priority should be retained.

I have here reviewed the various proposals by the President and the committee action, and it seems to me that the suggestions made by the President of the United States in his recommendations are fair and middle of the road. Taking all the recommendations together, we find that the President very definitely recognizes, in some cases, that the law ought to be amended in the interest of employers, and in some cases in the interest of the employees or the unions.

I am receiving criticisms that this bill is entirely against members of unions. I am also receiving criticisms that it is entirely a prolabor bill.

All I can say is that I believe the President has done a very outstanding job in making these constructive proposals. It is my hope that the bill will be passed substantially as it was reported by the committee, although I shall welcome wide discussion on some of the difficult phases of the problem which confronts the Senate.

Again I wish to refer to my own feelings with respect to the secret strike ballot. It seems to me that a man working in industry should be protected in his democratic rights within his union, so that he may have an opportunity to express himself on important matters of policy, such as going on strike, which so vitally interferes with his family's operations and his family life. In the last analysis the workingman is the one who suffers from a strike situation.

I submit the report with the hope that the Senate will consider it favorably.

I should like to make one additional remark. I noticed with interest in reading the views of the minority that, aside from their feelings with reference to the so-called gag rule which we discussed a little earlier, the minority finally, in discussing the amendments, agreed partially on 7 of them, agreed fully on 3 of them, and only disagreed wholly on 2 of them. So the amendments were not, after all, too destructive or too unpopular with the entire committee.

I again express my regret that the minority members should have felt aggrieved at the necessity, if we were to report a bill, to limit our immediate consideration to the President's requests in order to get before the Senate his recommendations in the form of a bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. DOUGLAS. Do I understand correctly that the views of the Senator from New Jersey as to his functions as chairman of the committee were that he would deal almost exclusively with the recommendations of the administration?

Mr. SMITH of New Jersey. I have stated that before. I thought it was my responsibility to endeavor to get before the committee, and to report to the Senate, a bill containing the recommendations of the President. I stated distinctly to the committee that, if they desired to consider other matters and to report another bill relating to other points, I would be perfectly willing to give my time and effort to help them; but it seemed to me that we should report a bill which would reflect the recommendations of President Eisenhower, and then let the Senate pass upon the question whether it desired to pass a bill containing the President's recommendations.

Mr. DOUGLAS. In other words, the Committee on Labor and Public Welfare did not consider itself to be a deliberative body, organized to deliberate upon matters in its own way, but organized only to deliberate upon matters suggested by the President. That is the theory upon which the British House of Commons acts, but I never understood it to be the theory upon which the United States Congress acted.

Mr. SMITH of New Jersey. I realize there has been criticism. As I have said, I felt the same grievance in 1949, when the Republicans were in a reverse position. But I think the committee was justified in feeling that it had to get action. We had to choose between one course or the other.

Mr. IVES. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield.

Mr. IVES. Is it not a fact that the committee voted on these questions?

Mr. SMITH of New Jersey. It is true that the committee voted on the questions.

Mr. IVES. The committee itself, and not the chairman alone, decided that no other amendments were to be considered; is that not correct?

Mr. SMITH of New Jersey. That is correct. I thank the Senator from New York for coming to the rescue of his chairman. But, as chairman, I accept the responsibility. I accept the major part of the responsibility for the procedure which was adopted.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. SMITH of New Jersey. I am glad to yield.

Mr. DOUGLAS. Then, do I understand correctly that not only the chairman, but also all the majority members of the committee, believe that the Senate Committee on Labor and Public Welfare should not be a deliberative body, but should consider only the recommendations of the President?

Mr. SMITH of New Jersey. I do not reach any such conclusion at all.

Mr. IVES. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. IVES. I submit that that is a complete, absolute non sequitur.

Mr. SMITH of New Jersey. I agree with the Senator from New York.

Mr. GOLDWATER and Mr. LEHMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Jersey yield; and if so, to whom?

Mr. SMITH of New Jersey. I will yield to the Senator from Arizona.

Mr. GOLDWATER. I desired to ask the distinguished Senator from New Jersey if he had yielded the floor.

Mr. SMITH of New Jersey. I will then yield to the distinguished junior Senator

from New York; then I shall be glad to yield to the Senator from Arizona.

Mr. LEHMAN. Is it not a fact that the report which has been submitted to the Senate by the majority really is not even a whole-hearted report of the majority because, of the 6 surviving members of the majority of the committee, only 2 signed the report without dissenting reservations, while the other 4 signed the report with very distinct reservations on from 1 to 4 or 5 different provisions in the bill?

Mr. SMITH of New Jersey. I do not think the implication of the Senator's remarks is correct because, after all, the committee had before it the question of voting on the whole bill, including amendments as we had considered them, and the vote was 7 to 6. That is a majority of the committee, and that is the way committees act. Frequently the committee reports bills on which, on one point or another, individual members reserve the right to act. So I do not think the Senator has made a valid objection.

Mr. DOUGLAS. Mr. President, will the Senator yield, so that I may suggest a possible grammatical error on the part of the Senator from New York?

Mr. SMITH of New Jersey. An error which I made?

Mr. DOUGLAS. No; an error which the senior Senator from New York made.

Mr. SMITH of New Jersey. If the Senator from Illinois is kind to the senior Senator from New York—to both Senators from New York, in fact—I will permit him to introduce a little facetiousness into the debate. It may be helpful.

Mr. DOUGLAS. It is not facetiousness; it contains an element of meaningfulness.

Mr. SMITH of New Jersey. I yield.

Mr. DOUGLAS. I was much interested in the suggestion made by the distinguished senior Senator from New York [Mr. IVES] that my comment on the approach of the majority members was a non sequitur. I was thinking over my Latin grammar, and I remembered that this phrase normally is used in the neuter and passive sense of "it does not follow." Considering the aptness of my point, I was sure this could not be his meaning. Perhaps his remark was made because he translated the phrase instead as "He does not follow," and I think that is true of the Senator from New York [Mr. IVES]—"He does not follow."

Mr. IVES. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield.

Mr. IVES. I desire it definitely understood that I do not follow on that at all.

Mr. SMITH of New Jersey. I should like to have it made clear as to which Senator from New York the Senator from Illinois was referring.

Mr. DOUGLAS. I was referring to the senior Senator from New York.

Mr. LEHMAN. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield to the distinguished junior Senator from New York.

Mr. LEHMAN. I wish to read a paragraph from the speech made by the distinguished chairman today and to ask him whether it is correct. I shall follow that up with a sequitur. He said:

> However, there were members of the committee, both Republicans and Democrats, who desired to offer additional amendments to be incorporated in the bill. As chairman of the committee I felt it necessary to urge upon my committee the limiting of the bill to be reported by the committee to those matters covered by the President's recommendations. The Republicans on the committee reluctantly agreed to this procedure and supported the chairman when the matter came before the full committee. The minority opposed the procedure on the ground that it was arbitrary and contrary to the spirit of Senate procedure in dealing with important matters of this kind.

As I interpret that statement—and I ask the Senator from New Jersey whether I am correct—it indicates very clearly that the distinguished chairman of the committee took his orders from the President, and that the Republican members of the committee reluctantly—very reluctantly—took their orders from the distinguished chairman of the committee.

Mr. SMITH of New Jersey. No, I do not admit that at all. The only reason for the use of the word "reluctant" was that some of the Republican Senators had higher hopes of Democratic cooperation than did others. These hopes, I may say, were not realized.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield to the Senator from Florida.

Mr. HOLLAND. First, I congratulate the distinguished Senator upon the report of the committee on the bill which is now before the Senate.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. HOLLAND. I am glad that after so many years such a needed measure has reached the floor of the Senate.

The Senator from New Jersey may recall that after the Supreme Court decision of the so-called Wisconsin case, which held, in effect, that the States no longer had jurisdiction to deal, under their State laws, with strikes or threatened strikes in the field of public utilities, the late Senator from Ohio, Mr. Taft, repeatedly stated, that there had been no intention whatsoever, in the passage of the Taft-Hartley bill, to bring about such a result.

I am particularly interested in discovering whether or not the portion of the reported bill which is found on page 18, lines 6 to 16, is designed to bring about effectively a situation under which the States will be allowed again, as they were prior to the decision in the Wisconsin case, and certainly prior to the enactment of the Taft-Hartley bill, to deal under the State laws and under the machinery of the State laws, with strikes, threatened strikes, threatened work stoppages, or threatened lockouts. I note in particular the first 5 lines in the part of the bill which I have just mentioned, appearing in lines 6 to 10, on page 18 of the bill, which read as follows:

> (c) Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the State.

I should like to ask the distinguished Senator from New Jersey if it is his understanding that the words which I have just read, and that provision of the bill as reported, are designed effectively to return to the States the power, authority, and jurisdiction to deal, under State laws and under machinery provided under State laws, with work stoppages, strikes, threatened strikes, lockouts, or anything which would tend to bring about a stoppage of the rendition of services by public utilities to the people of States, or communities within States?

Mr. SMITH of New Jersey. In preparing this particular paragraph the committee felt that utilities certainly would be included, because utilities usually could affect the health or safety of the people. I have in mind a condition in my own State of New Jersey, where special State legislation was enacted giving the governor power to deal with such a situation in the case where heat or power are cut off. That law has never been tested by the Supreme Court. Citizens of New Jersey are afraid that, under the ruling in the Garner case and the case arising in the State of Wisconsin which involved a similar statute, the statute enacted by the legislature of New Jersey will be nullified. It was for that reason that the committee felt that the provision under discussion should be included, in order that the health and safety of the people could be protected. My colleague on the committee, the Senator from Arizona [Mr. GOLDWATER] disagrees with me and contends the provision does not go far enough. When he obtains the floor, he will try to add an additional safeguard.

Mr. HOLLAND. The able Senator knows that various States have sought to deal in various ways with averting threatened work stoppages in public utilities—some by way of allowing an injunction to issue, some by way of seizure and operation by State or lesser public units of government, and some, as in the case of my own State of Florida, by having State laws provide and require compulsory arbitration in that field, and by banning the right to stop the rendition of service.

As I understand, in the State of Florida the provision for compulsory arbitration in such utility matters has not gone to the highest Federal Court, but has been knocked out, instead, which is equally effective, by the Supreme Court of Florida, which has ruled that the decision of the United States Supreme Court in the so-called Wisconsin case to which the Senator from New Jersey has referred, has made it clear that the Federal law has entirely preempted this field, and that the States no longer have the right to control or regulate in this field by State law, or to exercise their jurisdiction effectively within the field of service covered by public utilities.

I am particularly anxious to know whether, in the opinion of the Senator from New Jersey, the provision in the bill which has just been quoted by me would be effective, under the situation I have

recited, to allow the law of the State of Florida providing for compulsory arbitration to apply in the case of a threatened work stoppage, strike, or any other threatened stoppage, in an electric power company, using that as an example of public utilities, which would certainly involve questions of public health and safety.

Mr. SMITH of New Jersey. Since I participated in helping to draft this provision, I would answer the question affirmatively, if it was a case where there existed a clear and present danger to the health or safety of the people of the State of Florida. The only question which exists is as to who decides when the health or safety of the people is involved. It has to be decided by proper authority. I feel very definitely that the Governor of the State would make the decision as to whether the health or safety of the people was involved.

I think the provision the Senator has read would protect State legislation in that field. There are those who do not agree with that viewpoint, and think there is still involved the question of Federal preemption. The committee has tried its best to get away from that, and has tried to include a provision which will recognize that in a case such as has been mentioned, the State power is paramount. It has to be.

Mr. HOLLAND. It seems to me clear that a stoppage of the rendition of service which would make available electric power to the people of a large section of a State or to a large city of a State certainly would affect the safety or the health of the people of such an area. I should like to ask the Senator from New Jersey this specific question: Is it the opinion of the Senator from New Jersey that stoppage or threatened stoppage of the service of a public utility which makes electric power available for all of the uses for which it is employed by the public generally, by industry, by householders, by municipalities, or by hospitals, and others, would endanger the safety or the health of the community served by that particular type of public utility?

Mr. SMITH of New Jersey. It is my opinion, as chairman of the committee, that the shutting off of light or power would affect the health and safety of the people, and that it would be proper exercise of the power of the State, as the committee has tried to word it, to take care of such a situation.

My distinguished friend, the junior Senator from New York, felt in committee that inherently the governor of a State had power to take care of such a situation. I do not agree with that opinion. I want such power spelled out. There existed a situation in my own State of New Jersey where it was felt that it was very doubtful that State authorities could deal with such a utility which had shut down in midwinter. The Governor, however, took the bull by the horns and assumed authority to act, because under our State law there is a power to take over a utility and to operate it under those conditions. No one objected to it, for we had such a law on the subject. Without the law, the Governor could not have taken that action.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield further to me?

Mr. SMITH of New Jersey. I yield.

Mr. HOLLAND. I should like to terminate this line of questioning if I may, for the Senator from New Jersey has been very patient.

Mr. SMITH of New Jersey. I have been glad to yield; I think the matter should be clarified.

Mr. HOLLAND. I thoroughly agree with the distinguished Senator from New Jersey that there is always doubt as to what are inherent powers, and that it is much wiser to spell out in legislation things of this kind, which are designed to give protection to the public against disastrous stoppage of necessary services.

The Senator from New Jersey has already stated that in reference to a public utility company which furnishes electric power, he thinks a failure of the utility to furnish power would endanger the health and safety of the community served by it.

I should like to ask the distinguished Senator another question, namely, one applying to a municipal transportation company or a transportation company operating on more than a municipal basis. For instance, let us consider a bus line or a streetcar line giving transportation generally to an area of large population, located either around a city or in a substantial part of a State, affording daily and periodic service at frequent times during the day. Is it the opinion of the senior Senator from New Jersey that a threatened stoppage or actual stoppage of operation by such a company would endanger the health, welfare, and safety of the community served by it?

Mr. SMITH of New Jersey. I think that would depend on the situation in the State, whether other means of transportation were available, and so forth. If transportation were cut off entirely, under those circumstances, I would say the public health, welfare, and safety would be endangered. That situation would be analogous to the one existing when there was the large railroad strike, in connection with which President Truman was in such great embarrassment, in view of the threat to end transportation on a national scale.

If within a State there were any other method of transportation, this language might not be sufficiently broad, for under this language the stoppage or threatened stoppage would have to endanger the health or welfare or safety of the people of the State, before the Government would have power to take such action.

Mr. HOLLAND. I understand the Senator's answer to be that assuming that the local transportation company mentioned in my question were substantially the only means of transportation or communication available to large elements of the public, it is his opinion that the health, safety, and welfare of the community would be affected to such an extent as to allow the State's power and the State's legal machinery to be effectively used to obviate that work stoppage or threatened stoppage.

Mr. SMITH of New Jersey. Under the provision we have reported, yes; I do not think the police power alone, by implication, extends to what we call peaceful labor disputes. It applies only where there is violence, coercion, public disorder, or denial of access to the streets or highways. Hence, the police power is not sufficient, of itself, in my opinion, to protect against an emergency of that kind.

Mr. HOLLAND. Mr. President, will the Senator yield to me for one or two other questions?

Mr. SMITH of New Jersey. I am glad to yield further to the Senator from Florida.

Mr. HOLLAND. Then, as I understand, the Senator from New Jersey thinks that more than the mere existence of the police power is necessary in a case of the sort I have outlined in my last question, and that this provision of the bill, as reported, is designed to allow the provisions supplied by State law to become effective in order to prevent a stoppage of transportation in such a case. Is that correct?

Mr. SMITH of New Jersey. I think so, yes.

Mr. HOLLAND. My remaining question is as follows: Is it the opinion of the senior Senator from New Jersey that in the event of a stoppage or threatened stoppage in a utility furnishing water or gas to a community, and when there was not an alternative service for either one, but when each was in the nature of a monopoly, as regards rendering service of its particular type, under this provision of the bill the State law and any provision made applicable by State law to deal with such a threatened stoppage could be availed of in such a way as to protect the health and safety of the people?

Mr. SMITH of New Jersey. I think so.

Mr. HOLLAND. The Senator from New Jersey would feel, would he, that the health and safety of the people served by such a utility would be definitely jeopardized by the threatened or actual stoppage?

Mr. SMITH of New Jersey. Yes. In the Taft-Hartley Act we included a provision relating to a national emergency, but in that we dealt with an overall national situation which is very different from a local emergency in one State or another. If doubt is left as to what the governor of a State can do in such a situation, consider the situation in which the people of a State will find themselves. I think it is unreasonable to say that we should not legislate in this field. It seems to me it is natural that we legislate in this field and that we clarify this issue.

Mr. HOLLAND. I understand that the Senator from New Jersey wishes the States to be left just as free as possible to legislate under their own laws, in order to protect their own people against the type of stoppages about which we have been talking. I understand that the Senator from New Jersey wishes the people of the States to be protected, in such case, just as the people of the Nation in general are protected under the national emergency title of the Taft-Hartley law applying to work stoppages that endanger the health and safety of the Nation generally. Am I correct in my understanding in that connection?

Mr. SMITH of New Jersey. That is very true. I should like to add that if we are developing legislation along this line, I think we should have in mind that the basic protections for workers in the Taft-Hartley Act—for example, in section 7, dealing with the right to organize and the right of collective bargaining, and so forth; and in section 8, dealing with unfair labor practices—should in some way be preserved, even though we permit the States to operate in these fields to protect the health and safety of the people and to deal with the problem from the viewpoint of the health and safety generally.

Mr. IVES, Mr. THYE, and Mr. LEHMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Jersey yield; and if so, to whom?

Mr. SMITH of New Jersey. I yield first to the Senator from New York, who has been on his feet for some time.

Mr. IVES. Mr. President, I think my question has already been answered by the distinguished Senator from New Jersey, in connection with the last question asked by the Senator from Florida [Mr. HOLLAND]. As I understand—and I think the Senator from New Jersey will agree with me—it is intended that this particular provision, as applicable to the States, shall have the same force and effect with respect to any individual State, that the national-emergency provisions of the act now have with respect to the country as a whole. That is the entire idea, because the national-emergency provisions of the act cannot be confined to a sufficiently small area to make them effective, for instance, in a State; and thus we have found it necessary to include this sort of provision in the bill.

Mr. SMITH of New Jersey. I thank the Senator from New York. He has expressed the thought we had in mind in our discussion; and he has made it very clear that we felt that the national legislation, particularly sections 206 and 210 of the Taft-Hartley Act, was not adequate to take care of just as serious an emergency within the confines of a State, and that there must be protection against local emergencies in each of the several States.

Mr. LEHMAN. Mr. President, at this point will the Senator from New Jersey yield to me?

Mr. SMITH of New Jersey. I yield.

Mr. LEHMAN. First, let me say that during the debate on the bill, I shall enlarge very considerably upon the remarks I make today. At this time there are just a few points on which I wish to make some observations.

Of course, there are other Senators who have been governors of their State. In this connection I refer to the Senator from Minnesota [Mr. THYE] and the Senator from Florida [Mr. HOLLAND], both of whom have had long experience as governors of their States. Of course, I respect very greatly their judgment.

I may say that I, myself, was governor of my State, which has the largest population of any State in the Nation, for 10 years, and before that I was lieutenant governor and acting governor for 4 years. So I have had a good deal of experience in that capacity.

I can say that at no time during those 14 years was there ever a case in which the Governor of the State of New York did not have adequate power to protect the health and safety of the people of the State. I should like to go a step further, because, in view of my age, my memory is a rather long one. So I should like to say that I have watched politics for 60 years, and I do not think at any time in the history of New York State within those 60 years was there ever an instance in which the governor of the State did not have the inherent and the actual and the practical power to protect the health and safety of the people of the State. I do not think it is realized how much more power is inherent in the office of governor of a State to protect the health and safety of the people of the State, as compared with the inherent power of the Federal Government in that connection.

The powers are broad. I wish to give a warning here and now—and I shall repeat that warning, undoubtedly, during the course of this debate. If this provision of the bill is enacted, any governor of any State who has a friendly legislature which will do his bidding can break any strike whatsoever, without any exception, by reason of the powers proposed to be given to him under this bill. I do not believe we want to make such a thing possible. I do not believe my friend from New Jersey, for whose integrity and high purposes I have great regard, wants to do that; but that is exactly what is proposed in the bill. Any governor with a controlled legislature or a friendly legislature could arbitrarily and wilfully break any strike existing within his jurisdiction.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I should like to yield the floor if I may.

Mr. DOUGLAS. Mr. President, before the Senator yields the floor I should like to have him yield for some questions.

Mr. SMITH of New Jersey. I yield first to the Senator from Florida.

Mr. HOLLAND. If the Senator will yield to me for the purpose of making a brief statement, I wish to say that, of course, the distinguished Senator from New York, makes a correct statement, because at the time when he served as Governor and as Acting Governor of the greatest State in our Union from the standpoint of population, the State of New York—and he served most capably in that high responsibility—the Taft-Hartley Act had not been enacted. That was at a time previous to the enactment of the Taft-Hartley Act, and before the Federal courts had ruled—and I think mistakenly; certainly they ruled directly in the face of what was intended when the law was enacted—that the Taft-Hartley law had so operated as to preempt this field entirely for the Federal Government, and that the States were shorn of power which they had theretofore possessed.

Mr. SMITH of New Jersey. That is the condition in which we are now.

Mr. HOLLAND. The Senator from Florida does not want that situation to be allowed longer to continue. The Senator from Florida agrees completely with what I am sure is in the mind of the distinguished Senator from New York, that the States ought not to be shorn of that power and left in a helpless position, such as the position in which they have been left by the decision of the Federal court in the so-called Wisconsin case.

Mr. SMITH of New Jersey. The experience of the Senator from New York as governor was before that decision.

Mr. HOLLAND. The Senator is entirely correct.

Mr. SMITH of New Jersey. I refer to the decision that the Taft-Hartley law preempts the field. I am not sure that the distinguished Senator from New York would find the same situation existing in New York today. I do not know.

Mr. LEHMAN. Mr. President, will the Senator yield so that I may answer that question?

Mr. SMITH of New Jersey. I yield.

Mr. LEHMAN. I do not intend to develop many of the arguments against this provision at this time, but let me say that during the time I was governor many situations arose which were handled, regardless of whether there was a Taft-Hartley Act or not. I retired from the governorship in 1942. Since then there has been a governor in office at Albany for 12 years. I refer to Governor Dewey. As Senators know, I have not always agreed with Governor Dewey's policies or his points of view, but I am quite certain that I am safe in making the statement that in handling a labor situation and protecting the health and welfare of the people of the State of New York, Governor Dewey's experience has been exactly the same as mine was, and the same as that of my predecessors, Governor Roosevelt and Governor Smith.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield to the Senator from Illinois for one question. He has been on his feet for some time. I do not wish to have a continuous shower of questions. I think other Senators are entitled to the floor.

Mr. DOUGLAS. Mr. President, I do not know that I can restrict myself to one question. I should like to ask a preliminary question.

The Senator from New Jersey has said that his function as chairman of the committee was to interpret the will of the President. I notice that on page 6 of the Senator's prepared speech he says that the President "recommended that the workers should have the right to a secret ballot before they were called out on strike."

Am I to understand that it is the policy of the President that there should be a secret ballot before the workers are called out on strike?

Mr. SMITH of New Jersey. Let me read the President's statement on this point:

> In the employer-employee relationship there is nothing which so vitally affects the individual employee as the loss of pay when he is called on strike. In such an important decision he should have an opportunity to express his free choice by secret ballot held under Government auspices.

I do not feel that I should quote the President in any way except by using his own language.

Mr. DOUGLAS. Under what date was that letter?

Mr. SMITH of New Jersey. January 11.

Mr. DOUGLAS. As I remember, at that time the Senator from New Jersey introduced a bill which provided for a secret ballot after the strike.

Mr. SMITH of New Jersey. That is true; and I now realize that that would probably be unwise. I am not offering such a bill now.

Mr. DOUGLAS. May I ask which of those proposals represents the will of the President—a secret ballot after the strike occurs, or a secret ballot before the strike occurs?

Mr. SMITH of New Jersey. I have talked with the President on that subject, and he made it clear that he did not care to quibble on that point. He simply stated the principle that no one should be required to strike without having a voice in the decision as to whether or not a strike should be called, and that such voice should be by secret ballot, under the auspices of the Government.

Mr. DOUGLAS. In the formal speech which the Senator from New Jersey makes today, he states that the President believes there should be a secret ballot before the workers are called out on strike.

Mr. SMITH of New Jersey. The Senator is quibbling.

Mr. DOUGLAS. No; I am not quibbling.

Mr. SMITH of New Jersey. The President does not care whether it is before or after. All he wants is that the workers shall have a voice.

Mr. DOUGLAS. I should like to determine what the facts are. In January the Senator from New Jersey interpreted the will of the President to mean a secret ballot after the strike was called.

Mr. SMITH of New Jersey. That was my fault.

Mr. DOUGLAS. Now he says the President wants a secret ballot before the strike is called. Since we are apparently to be limited to discussing what the President wants, I think it is highly desirable that we ascertain what he wants.

Mr. SMITH of New Jersey. In his statement in January the President did not use the expression "prestrike" or "poststrike."

Mr. DOUGLAS. Has he issued a statement on the subject since?

Mr. SMITH of New Jersey. I have talked with him since, and he told me that he does not care which it is, so long as the workers have the right to express themselves.

Mr. DOUGLAS. Then why did the Senator from New Jersey say that the President believed the workers should have the right to a secret ballot before they were called out on strike? The Senator from New Jersey is interpreting the will of the President. I am trying to find out whether he is interpreting the will correctly. Now he says the President does not care whether it is before or after. Those of us who may desire to support the stand of the President are entitled to know where he stands before we support him. We must know where he stands before we can support him.

Mr. KENNEDY. Mr. President, will the Senator yield for one question?

Mr. SMITH of New Jersey. I desire to yield the floor. I want the Senator from Arizona [Mr. GOLDWATER] to have an opportunity to be recognized.

Mr. KENNEDY. Will the Senator yield for one question?

Mr. SMITH of New Jersey. I yield to the Senator from Massachusetts.

Mr. KENNEDY. There is a great deal of new language in the bill. The Senate has the obligation to make some legislative history on this subject for the guidance of the National Labor Relations Board, if amendments are to be accepted. Are we to have an opportunity to interrogate the chairman sometime this week on the meaning of some of the language in the bill and in the amendments? The discussion today has been rather brief. I do not wish to delay the Senator from Arizonia.

Mr. SMITH of New Jersey. I am sure that members of the committee—certainly members of the majority—will be glad to participate. I shall be glad to submit to any questions any Senator may desire to ask.

Mr. DOUGLAS. Mr. President, will the Senator yield for another question?

Mr. SMITH of New Jersey. If the Senator will not carry it too far. The Senator is being unfair. He has been trying to badger me all afternoon. I desire to yield the floor so that the Senator from Arizona may be recognized.

Mr. DOUGLAS. It is not my purpose to badger the Senator. I merely want to get the facts straight.

Mr. SMITH of New Jersey. Mr. President, I yield the floor.

Mr. DOUGLAS. The Senator declines to yield for a question.

Mr. GOLDWATER obtained the floor.

Mr. MARTIN. Mr. President, will the Senator from Arizona yield for a unanimous-consent request to make an insertion in the RECORD?

Mr. GOLDWATER. I yield with the understanding that I shall not lose the floor.

Mr. MARTIN. Mr. President——

Mr. MURRAY. I suggest the absence of a quorum.

Mr. GOLDWATER. Mr. President, I have yielded to the Senator from Pennsylvania for the purpose of making a unanimous-consent request for the insertion of certain matter in the RECORD, with the understanding that I shall not lose the floor.

Mr. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Arizona yield for that purpose?

Mr. GOLDWATER. I decline to yield for that purpose.

(Mr. MARTIN addressed the Senate briefly on the subject of Poland's Constitution Day. His remarks appear earlier in today's proceedings, following other speeches on the same subject.)

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. I understand that the Senator from Montana is suggesting the absence of a quorum. I do not yield for that purpose.

The PRESIDING OFFICER. The Senator from Arizona declines to yield.

Mr. GOLDWATER. I should like to know whether it is within my prerogative to refuse to yield.

The PRESIDING OFFICER. The Senator is correct. He may refuse to yield. The Senator from Arizona declines to yield except for a question.

Mr. MURRAY. Do I understand that the Senator from Arizona refuses to yield for the purpose of having a quorum call?

Mr. GOLDWATER. The Senator from Montana understands the junior Senator from Arizona correctly.

Mr. MURRAY. It seems to me that in connection with legislation of such importance as that pending before the Senate today, we should have a quorum present.

Mr. GOLDWATER. It is the opinion of the junior Senator from Arizona that the Members of the Senate are fully aware of their responsibilities.

Mr. LEHMAN. Mr. President, I make a point of order.

Mr. GOLDWATER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from New York?

Mr. GOLDWATER. I yield for a question.

Mr. LEHMAN. I make a point of order.

The PRESIDING OFFICER. Does the Senator from Arizona yield for a point of order?

Mr. GOLDWATER. I yield only for a question.

The PRESIDING OFFICER. The Senator from Arizona yields only for a question.

Mr. LEHMAN. Does not a Senator have a right to raise a point of order?

The PRESIDING OFFICER. Not unless the Senator from Arizona yields for that purpose.

Mr. LEHMAN. This is a most unusual procedure. [Laughter.]

Mr. GOLDWATER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 18, it is proposed to strike out all of lines 6 to 16, inclusive, and insert in lieu thereof the following:

(c) Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—

(1) to exercise its police powers, and to deal with labor disputes causing, or likely to cause, emergencies affecting the health or safety of citizens of such State or Territory; or

(2) in any other case, to give effect to its law: *Provided*, That no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act.

The PRESIDING OFFICER. The question is on agreeing to the amend-

ment offered by the Senator from Arizona [Mr. GOLDWATER].

Mr. GOLDWATER. Mr. President, it is my thought in presenting this amendment to the Senate that the matter of States rights is of infinitely greater significance than the Taft-Hartley law as such. Indeed, it is a concept which transcends all personality and all legislation, because it concerns the fundamental caliber of our thinking—our basic point of departure—from which evolve all our legislative intentions and judicial interpretations. Mr. President, we must go back to fundamentals in connection with these subjects. The Constitution of the United States, as we all know, starts out by saying:

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article IX of the amendments to the Constitution states:

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

Article X of the amendments states:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In that connection, I should like to read what the great Justice Story said in his book containing a brief commentary on the Constitution, in paragraph 454:

The next and last amendment, which has not been already considered, is, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." This amendment follows out the object of the preceding, and is merely an affirmation of a rule of construction of the Constitution, which, upon any just reasoning, must have existed without it. Still, it is important as a security against two opposite tendencies of opinion, each of which is equally subversive of the true import of the Constitution. The one is to imply all powers, which may be useful to the National Government, which are not expressly prohibited; and the other is, to deny all powers to the National Government, which are not expressly granted. We have already seen that there are many implied powers necessarily resulting from the nature of the express powers, and it is as clear that no power can properly arise by implication from a mere prohibition. The Government of the United States is one of limited powers, and no authority exists beyond the prescribed limits marked out in the instrument itself. Whatever powers are granted necessarily belong to the respective States or to the people of the respective States if they have not been confided by them to the State government.

Mr. President, I should like to proceed a little further with the background by reading an excerpt from a book, written by Thomas James Norton, entitled "The Constitution of the United States. Its Sources and Its Application." I read an excerpt from page 226. The author quotes Thomas Jefferson, who wrote in 1823:

I ask for no straining of words against the General Government, nor yet against the States. I believe the States can best govern over home concerns and the General Government over foreign ones. I wish, therefore, to see maintained that wholesome distribution of powers established by the Constitution for the limitation of both, and never to see all offices transferred to Washington.

Mr. President, in my supplemental views, which I have submitted as a part of the report on the pending bill, I stated:

FEDERAL PREEMPTION OF STATE LAW

I have searched the legislative history of the Taft-Hartley Act to find any suggestion of intent to deprive the States of their traditional power to regulate such things as strikes, picketing, boycotts, and lockouts. With the exception of one interchange between Representative Hartley and Representative KERSTEN the record is barren. In that exchange Mr. Hartley assured Mr. KERSTEN that the new law would not affect the Wisconsin laws governing labor-management relations (CONGRESSIONAL RECORD, vol. 93, pt. 5, p. 6383). If the people of a sovereign State cannot adopt legislation to regulate strikes, picketing, boycotts, or lockouts when these activities interfere with the daily lives of their citizens, then the people of the State have lost their sovereignty.

The arguments for or against extending or limiting States rights in matters of labor are important, not because of the subject, but because revitalizing State and local governments and recognizing that there is meaning and purpose behind the 10th amendment is essential to the continuance of this Republic. For too long a period the tendency has been to look to Washington and to the Federal Government for the solution of problems that the Constitution clearly intended State and local governments to solve, and it is as much to this point as it is to the obvious necessity of solving labor-management problems at their source that I begin discussion of this most important amendment.

During the past 2 years many persons have testified on the amendment which I proposed last year, and as a result I have offered a similar amendment today.

Of 43 employer witnesses testifying on the general question of the respective scope of Federal and State regulation of labor-management relations, only 1 opposed reposing in the States greater power to regulate in this field, and a number would leave the matter entirely to State law, except in case of national emergencies. Five management spokesmen recommended that the Federal Government be removed from the field of industrial relations except when the national welfare is endangered by emergencies and labor monopolies, but the majority favors merely giving the States greater power to act. To this end, employers advance proposals, first, to allow the States to handle all subjects not covered by and/or not in conflict with Federal law; second, to give the States power to control specific situations, such as misdemeanors, breaches of the peace, right to work, sitdown strikes, and so forth; and, third, to give the States concurrent jurisdiction with the Federal Government where Federal law should not supersede State law. Charles Mahin, representing woodwork manufacturers and jobbers, feels that there are adequate Federal laws to protect employer interests, and that since most disputes affect the flow of commerce, labor relations should not be left to the States.

Eleven union witnesses discussed this general question. All favored having regulation of labor-relation matters remain exclusively in the Federal Government.

The majority of the 14 other witnesses—Federal and State Government officials, legislators, and attorneys—endorse the restoration of jurisdiction to States in labor disputes. However, first, a Des Moines, Iowa, attorney sees no point in reversing present organization and procedure to return control to States; second, ex-NLRB Member Reynolds is reluctant to see Federal control pass to States; and, third, the late Senator Taft disapproved of concurrent Federal-State jurisdiction. During our 1953 hearings many witnesses testified concerning State-Federal jurisdiction and the problem of preemption of State law by the Federal statute. However, those hearings were conducted prior to the decision of the Supreme Court in the Garner case and the witnesses confined themselves to predicting that the Supreme Court would ultimately find that all State labor laws, with the exception of those protected by section 14 (b) of the statute, have been struck down.

I wish to reiterate that statement. The hearings were held before the Garner case. That is the jewel on which this whole problem now pivots. For example, one witness predicted that secondary boycott and picketing restrictions, which were placed in the laws of my own State of Arizona by referendum, would be declared invalid.

Many instances were cited to us where State courts had quickly acted to stop illegal union conduct during a strike and it was pointed out that in the absence of valid State laws no relief would have been available. One witness told the committee about a strike at Anchor Rome Mills, at Rome, Ga. During the first week of an economic strike 500 pickets massed at the gates of the plant and 75 pickets patrolled the tracks of the Central of Georgia Railroad. The number of pickets was almost equal to the total complement of the employees of the company. The employer obtained an injunction from the local court restraining the mass picketing and order was restored.

Witnesses agreed that the type of conduct which prevailed in the Rome case could not be regulated at the Federal level. The action violated section 8 (b) (1) of the Taft-Hartley Act, but it would have taken from 1 to 2 years to obtain relief through the National Labor Relations Board. In addition, if the NLRB should attempt to police such matters, its staff would have to be many times multiplied. As one witness described the situation, it would be just as ridiculous to move all local fire departments to Washington, as it is to hold that only the Federal Government can regulate strikes and picketing.

A number of witnesses during our 1953 hearings commented upon the decision of the NLRB in the Thayer case (99 NLRB 1122). In that case the employer had secured from a Massachusetts State court an injunction against the continuation of a strike on the ground that the strike was illegally conducted for an unlawful objective. The illegal conduct consisted of mass picketing and violence and the unlawful objective was that under Massachusetts' law a union may not strike for recognition during the term of a contract with another union. Thereafter the NLRB, on unfair labor practice charges filed by the striking union, considered the same evidence and rejected both the findings of the State court and its conclusion and substituted its own determination that the strike was peacefully conducted for a lawful objective. The Board said:

> We hold that in deciding the issues before us in this case this Federal Board is in no respect bound by the decisions of the courts of Massachusetts, either as to the legality of the purpose of the strike or the legality of the manner in which the strike was conducted. The act has preempted the field of peaceful strikes affecting commerce.

The Board further said:

> Plainly, the Board is not bound by a decision as to the objectives of the strike which the State court had no power to make. Nor is it bound by that court's ruling respecting the character of the means.

The committee's 1954 hearings were conducted after the decision of the Supreme Court last December in the Garner case. While the impact of the Garner decision is only just commencing to be felt as various communities discover that their State laws have been destroyed, almost all of the witnesses testified on the subject of State-Federal preemption.

We hear much about the Garner case. I shall state it briefly. The Garner case involved a small trucking business with 24 employees, 4 of whom were members of the union. The employer had no controversy or dispute with the union, and there was no strike in progress. There was no evidence that the employer had in any way objected to his employees joining the union. The union, however, placed rotating pickets, two at a time, near the company's loading platform. The pickets were not employees of the company. They carried signs reading that the union wanted the employees of the company to join them to gain union wages, hours, and working conditions. While the picketing was orderly and peaceful, drivers for other carriers refused to cross the picket line and, as a result, the employer's business fell off as much as 95 percent. In fact, as I understand, he went out of business. An injunction prohibiting the picketing was obtained by the employer in the lower State court on the ground that the picketing was in violation of the Pennsylvania Labor Relations Act—that is, the State act. On appeal the Pennsylvania Supreme Court reversed the decision of the lower State court, holding that the controversy fell within the jurisdiction of the NLRB and the State court was powerless to grant injunctive relief. The Supreme Court of the United States upheld the State supreme court, stating in substance that State courts are without jurisdiction in such cases.

I might say that if we had a year or 2 years of experience behind us, with the Garner case resting at the head of that period, there would not be any question in the Senate about returning jurisdiction to the States because then every single State would feel that they were powerless to act in cases where it had been decided that the Federal law preempted State law.

An example of the impact of the Garner case was presented before the committee by a representative of the automobile dealers of Bogalusa, La.

Mr. THYE. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. BOWRING in the chair). Does the Senator from Arizona yield to the Senator from Minnesota?

Mr. GOLDWATER. I will yield, provided I do not lose my right to the floor.

Mr. THYE. The question I desire to ask the Senator from Arizona is this: Were the proposed amendments, about which the Senator is now speaking, brought up in committee, and did the committee have an opportunity to consider them?

Mr. GOLDWATER. I may say, in answer to the distinguished senior Senator from Minnesota, that some 55 or more witnesses testified last year on a States' rights amendment, in different language, which I had submitted, but it certainly contained the same implications as my present amendment. By the way, the same amendment is now lying on the table.

This year, as I have stated, every witness before the committee testified with respect to it. It was discussed, I will not say thoroughly, but certainly every member of the committee knew the content and the purpose of the amendment. I announced to the committee that I intended to offer it on the floor, if it were not accepted or reported by the committee.

I may say, further, that a State's rights amendment was reported by the committee, and was referred to in the colloquy today, regarding the rights of States to protect their utilities, health, and safety.

Mr. THYE. Madam President, will the Senator further yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Did the committee consider whether the language contained in the bill was sufficiently clear on the question, so that there would be no doubt as to whether States' rights would be protected in the committee bill, or does the Senator from Arizona feel that the committee bill still is vague on the question, and that his amendment should be adopted in order to clarify the situation?

Mr. GOLDWATER. I am glad the Senator from Minnesota has asked that question. If it would not burden the Senate at too great length, I might discuss the reasons why I think the language of my amendment is a little clearer and a little better, particularly in view of the interest expressed by the distinguished Senator from Florida [Mr. HOLLAND]. The language of the committee amendment is as follows:

> Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes, which, if permitted to occur or continue, will—

This is the important part—

> constitute a clear and present danger to the health or safety of the people of the State.

In the court cases there is a long history of the language "clear and present danger." If the Senator will allow me to discuss it, it is interesting and will make an important part of the debate.

Mr. THYE. I am vitally concerned. That is one of the reasons why I have asked the question. I am seeking all the information which I possibly can obtain, not only on the amendment offered by the distinguished Senator from Arizona, but also on the bill which has been reported to the Senate and has been explained by the chairman of the committee, the distinguished Senator from New Jersey [Mr. SMITH].

The offering of amendments on the floor of the Senate is a legislative procedure which I do not like. I would rather have the committee study and act on the questions involved. Oftentimes we have been told that amendments on the floor of the Senate should not be entertained. As I recall, an attempt was made to amend another bill in the Senate last week, but we were told that that should not be done. For that reason, I am more than anxious to ascertain whether the committee actually considered and studied the amendment offered by the distinguished Senator from Arizona, and whether the committee arrived at a decision that the amendment was not necessary, or whether they had sufficient information with which to form a decision on the question.

If I can have that situation made clear in my mind, I will be able to make a better decision.

Mr. GOLDWATER. After all the testimony given on the subject, which all members of the committee had an opportunity to read, during our executive sessions, when all members of the committee were present, and during sessions when only majority members of the committee were present, the subject of States' rights was discussed. It was not discussed as thoroughly with the whole committee as it was discussed among the majority members of the committee, because it was the important point in the President's message. I think the members of the committee will remember that considerable time was taken in order to have a clarification of the desire of the President with respect to the language, but as a member of the committee, I feel that the subject had adequate discussion.

Mr. THYE. Madam President, will the Senator further yield?

Mr. GOLDWATER. I yield for a question.

Mr. THYE. Am I to understand that the President has placed his approval on the amendment of the Senator from Arizona as a desirable amendment to the committee bill?

Mr. GOLDWATER. If I were to answer the Senator's question "yes," I would not be telling the truth. I can say, though, that the sources from which we obtain information from the White House have agreed to the language in the bill.

If the chairman of the committee has any remarks to make with respect to my statement, he may feel free to make them.

Mr. SMITH of New Jersey. From all I know, Madam President, I think the statement just made by the distinguished Senator from Arizona is correct. I know that the Senator from Arizona discussed these questions with some of the President's advisers, including the question of Federal-State relationship.

From speaking with the Senator from Arizona and other Senators, I was under the impression that this general approach had the approval of the White House, although I agree with the Senator from Arizona that I do not know that the exact language of this proposal was laid on the President's desk and that he was asked to pass on it.

Mr. GOLDWATER. I would complete my answer by saying that if I were asked if the President of the United States had told me to my face that he had approved it, I would have to reply "no."

Mr. IVES. Madam President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. IVES. Is the Senator from Arizona referring to the amendment which is identified as 4–29–54–A?

Mr. GOLDWATER. Yes.

Mr. IVES. Is it not a fact that that amendment, as now written, was never considered by the committee?

Mr. GOLDWATER. This amendment as it is now written has never been considered by the committee.

Mr. THYE. Madam President, if the Senator will yield, that was the point I wished to have made clear. I wanted to be certain whether the committee had considered the amendment, made a final decision on it, and rejected the amendment, and whether the Senate is now considering a proposal which was at one time considered by the committee and which the committee found it necessary to reject. The debate has brought out that it is not an amendment which the committee considered.

I should like to ask what the difference is between the amendment which is now being considered by the Senate, and to which the Senator from Arizona is speaking, and the amendment which the committee considered and rejected. I have some correspondence on the question, which is why I am trying to have the matter clarified. I want to know for certain whether this is a modification of the amendment which the committee had rejected in committee session.

Mr. GOLDWATER. The committee did not reject this amendment. The committee acted upon the Smith amendment, which, at that particular time, which was a month ago, was the only language acceptable to the White House.

Briefly, my original amendment provided that the States would have a right to regulate and control strikes, picketing, boycotts, and lockouts. Later on, in an attempt to draft a provision which would be workable, there was added the protection of section 8 of the Taft-Hartley Act. Then, in trying to include also the protections of section 7, it was discovered that it would be a much better approach if the amendment were written as it now stands.

Madam President, I was attempting to point out the major decisions, and I wish to state that the words "will constitute a clear and present danger" have never been interpreted by any court. There is still a question about the meaning of the language. There is nothing in the bill about police powers, which question is raised by the Garner case. The language contained in the amendment now before the Senate spells out clearly what the States can do and cannot do in the regulation of strikes, picketing, boycotts, and lockouts.

Mr. THYE. Madam President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Is it the understanding of the Senator from Arizona that the governor of a State cannot declare martial law, and then act under martial law? Does the Senator mean to say that the Garner case forbade or excluded the right of a governor to declare martial law in the event the governor felt he was faced with a responsibility which might involve some grave emergency in his State if he did not take certain steps?

Mr. GOLDWATER. I shall presently discuss certain cases which have arisen since the Garner decision, which will in part answer the question of the Senator from Minnesota. However, inasmuch as the Senator has asked the question, I shall inject something into the discussion which I intended to mention later, and which will answer the question of the distinguished Senator from Florida, and also point out to the distinguished Senator from New York problems which have arisen since he graced his State by being its Governor.

In the State which is a near neighbor of that of the Senator from Minnesota, in the State of Wisconsin, there is now in process a strike in the Kohler Co. Today the union involved is asking the district court to enjoin the State from exercising its police power. I have no idea how the Federal court will decide the question, because I am not the judge. If the interpretation of the Garner case is followed, as it has been in Texas and other States of the Union, I have a feeling that the court will hand down an opinion that the Governor has no right to invoke either police or injunctive power in the Kohler case. That is a question which is being raised today.

Mr. THYE. The Garner case was before the committee when it considered the bill. The committee had in mind the question involved in the Garner case when it drafted the bill, which the chairman of the committee thinks, as do many eminent lawyers, is adequate to cover the question which the Senator from Arizona is proposing to cover by the amendment he has offered.

Mr. GOLDWATER. I might say the Garner case was constantly in the minds of the members of the committee. I think it is unfortunate that the Garner decision was not before the committee a year or two ago, so that more evidence on the question could have been built up. The weakness of the Smith amendment is that, in my interpretation and the interpretation of my lawyer, because, after all, I am not a lawyer, and I have to go to someone who understands the law—

Mr. THYE. I am not a lawyer, either.

Mr. GOLDWATER. Then we can talk more easily on the question. I always had a suspicion that my fine friend had certain attributes which I was not quite able to put my finger on. Now I know what they are, without meaning any disrespect to the Members of the Senate who are lawyers.

The language of the Smith amendment would confine itself to the regulation of striking, picketing, and so forth, in the case of utilities. In my State such a provision would apply to the operation of dams, powerplants, gas, and transportation companies, and perhaps other companies.

When one considers the whole problem presented by the Garner decision, it is my feeling that we must go further in this field than by confining the regulation merely to utilities. It has to be recognized that under the 10th amendment to the Constitution, States have the right to regulate intrastate commerce and other activities which affect the daily lives of their people. I have discussed the language of the amendment in great detail with the distinguished chairman of the committee, and if the chairman desires to make any remarks concerning it at this point, I shall be very glad to yield and welcome his comments.

Mr. SMITH of New Jersey. I merely should like to say that the amendment offered by the Senator from Arizona goes further than the language of the amendment reported by the committee. I do not say I favor the amendment offered by the Senator from Arizona, but I think it is important that it be debated. The safeguards which are contained in section 7 of the Taft-Hartley Act, for instance, which section guarantees the right to workers to organize and select representatives who shall collectively bargain, are preserved. No State can take away such rights. Furthermore, no State can take away rights provided in section 8, having to do with unfair labor practices. With such fundamental rights of workers preserved, it seems to me that the amendment of the Senator from Arizona goes further than the committee amendment in defining where the line between State and Federal authority is. However, I wish to hear debate on the point, because I know interesting questions will be raised. I believe it is a very important point, and probably the most important in the pending legislative proposal.

Mr. THYE. Madam President, I wish to thank the Senator from New Jersey and the Senator from Arizona for having allowed me to ask questions, and for their explanations.

Mr. GOLDWATER. I wish to thank the Senator from Minnesota for expanding further the arguments I have been developing.

Mr. IVES. Madam President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. IVES. I wish to have one point made clear in my own mind. The distinguished Senator from Arizona does not insist, does he, that his amendment is necessary in order to meet emergencies which have been occasioned in States by labor disputes, or threatened labor disputes? I think the language of the bill as now written takes care of them, does it not?

Mr. GOLDWATER. There is a question in my mind as to whether it does.

Mr. IVES. The bill as written is intended to take care of those situations.

Mr. GOLDWATER. Yes; it is intended to take care of them, but there is considerable question in that connection.

Mr. IVES. But the whole idea is to pin it down.

Mr. GOLDWATER. But the bill does not pin it down, in view of the inability of the courts at all levels to decide exactly what such language means. I have had considerable research done on that particular clause, and I shall be glad to have the Senator from New York see the results of the research. In my opinion, that clause is the weak clause of the bill, in connection with returning the power to the States.

Mr. KENNEDY. Madam President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. I think the Senator from Arizona has been very fair in emphasizing the difference between his amendment and the provision in the bill as reported, about which the Senator from Florida has interrogated the chairman of the committee.

The amendment of the Senator from Arizona is infinitely more far-reaching, is it not, than the provision approved by the majority of our committee?

Mr. GOLDWATER. Of course, the word "infinitely" covers a rather large field.

Mr. KENNEDY. At any rate, subsection 2 of the amendment of the Senator from Arizona reads, in part, as follows:

Provided, That no such tax may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act.

While there is no doubt that the amendment would prohibit employers or employees from interfering with the rights granted by the act, the act would not have the effect of prohibiting a State government from interfering with those rights. Is that not correct?

Mr. GOLDWATER. Madam President, I am very happy that that question has been raised. I had a suspicion that it would be. So a little research was done on that point.

If the Senator from Massachusetts will indulge me for a moment, I wish to point out that my proposed amendment seeks to restore only what Congress intended when it enacted both the Wagner Act and the Taft-Hartley Act. A careful examination of those statutes reveals that the guaranties they extend to employees in the exercise of their rights are not guaranties extended to all the world, but employees are protected merely against the impairment or nullification of those rights by employers only, as under the Wagner Act, or by both employers and labor unions, as under the Taft-Hartley Act.

It is my confirmed opinion that through the years the National Labor Relations Board and the courts have misconstrued the intent of Congress, and have sought to broaden these guaranties into guaranties against all the world.

That these employee rights are protected only against adverse action by employers and unions was recognized on April 12 of this year in a decision by the Federal District Court for the Southern District of West Virginia.

This amendment was prompted by that decision, let me say, even though in that connection I may not be giving a direct answer to the question which has been asked.

Therefore, Madam President, I ask unanimous consent to have printed at this point in the RECORD the decision of the court in the West Virginia case. Of course, if the Senator from Massachusetts would like to read the decision or have me read it, I would be very happy to have that done.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

UNITED STATES VERSUS BAILES ET AL., NO. 562, APRIL 12, 1954

CIVIL RIGHTS

Right to refrain from organizing—protection of right under LMRA—4.01

Conspiracy by individuals to deprive workmen of their right to refrain from union activity, as guaranteed by section 7 of Labor-Management Relations Act, does not constitute an offense under Civil Rights Act, which provides criminal penalties for conspiracies to deprive a citizen of any rights "secured to him by the Constitution or laws of the United States." Rights set forth in section 7 preexisted the Constitution and Federal laws and were not granted by or dependent upon the Constitution or laws of the United States; nor were these rights guaranteed in Labor-Management Relations Act as against all the world but merely against interference by employers, labor unions, and their agents, none of whom are charged with any offense herein.

* * * * *

There would seem to be no doubt that in the Labor-Management Relations Act Congress secured these rights against conduct of the employers, labor unions, and representatives of labor unions.

* * * * *

NATURE OF RIGHTS

Applying the Cruikshank case to the facts in this case, we can say that the right of employees to organize or to refrain from organizing is not a right granted by the Constitution or laws of the United States; that such right is not dependent upon the Constitution or any law of the United States for its existence because the right existed before the Constitution or laws were adopted. For their protection in its enjoyment the people must look to the States, except so far as the States have surrendered it to the Federal Government. The States have given to the Congress the right to regulate commerce, and Congress has exercised that right in passing the Labor-Management Relations Act (Taft-Hartley Act). In section 157 of that act Congress has recognized and restated a right that already existed—to organize or to refrain from organizing, etc., as set forth in the statute. It then proceeds to protect or to secure such rights against encroachment by employers, labor unions, or their agents. The right was not created by the Labor-Management Relations Act, neither was its continuance guaranteed except as against interference by employers, labor unions, or their representatives. For the protection of the right against interference by employers, unions, and their representatives, Congress has established an elaborate procedure with remedies. For their protection of the right against interference by all other persons the people must look to the States. The power for that purpose was originally placed there, and it has never been surrendered to the United States. This is the pattern set by the Cruikshank case, from which the Supreme Court says it has never departed. This is the pattern which is cited with approval in both the majority and dissenting opinions of the Supreme Court in the Williams case.

PROTECTION OF RIGHTS

Sections 157 and 158 of title 29 are the same as sections 7 and 8 of the Labor-Management Relations Act. Section 7 gives legislative recognition to certain rights, the violation of which by an employer, labor union, or its agents shall constitute an unfair labor practice, while in section 10 a remedy is provided. It is clear that section 7 cannot be used in isolation but must be considered together with the other provisions of the act. When Congress recognized these rights it did not undertake to safeguard or secure such rights as against the world. In the National Labor Relations Act, 1935 (Wagner Act), it safeguarded them only against conduct of employers. In 1947, by amendment to section 8 (Labor-Management Relations Act), Congress undertook to extend such safeguards as to interference by labor unions or their agents. It is abundantly clear that any deprivation of rights by anyone other than an employer or a labor union or its agent does not fall within the protection of the amended act. Persons acting in their individual capacities are not capable of committing an unfair labor practice. In *Matter of Perry Norvell Company* (80 N. L. R. B., 225, 245 (23 LRRM 1061)), the National Labor Relations Board stated: "* * * Section 8 (b) of the amended act designates as unfair labor practices certain acts by a labor organization or its agents. It is not directed toward such conduct by persons or employers in their individual capacity."

Mr. KENNEDY. I am glad to have the decision to which the Senator from Arizona has referred printed in the RECORD.

But, Madam President, let me say, returning again to the Garner case, that it should be made clear that the National Labor Relations Board has the power to deal with the situation which arose under that case. In other words, there was a lawful legal body to handle that matter, regardless of whether we approve or disapprove of its decision. The Supreme Court said it would not attempt to judge what action the National Labor Relations Board would have taken in that case if it had been submitted to the Board, but that nevertheless, there was a remedy.

Mr. GOLDWATER. The important point for us to bear in mind is that the Supreme Court of Pennsylvania said there was no legal remedy, and that ruling was upheld by the Supreme Court of the United States. In other words, an injunction could not be obtained to stop the strike; the statute could not be extended—as is being attempted today—to include police powers.

Mr. KENNEDY. But, remember, the important point in the Garner case is that there was a remedy under the National Labor Relations Act, and the Board had jurisdiction over the situation. No doubt the Senator from Arizona would wish to reverse the Court's position, and prevent the Board from taking the jurisdiction it has hitherto been granted. But the fact remains that the Supreme Court said that a remedy was available under the National Labor Relations Act, and therefore it could not approve the invoking of the Pennsylvania statute, so long as the Federal statute was available.

That, it seems to me, is entirely different from the State emergency situation the Senator from Florida [Mr. HOLLAND] was discussing as in the Wisconsin public utilties case. This is simply an amendment whereby the Senator would in effect completely remove all protection and regulation of the National Labor Relations Act from an area which the Supreme Court has held to be governed by that act.

Mr. GOLDWATER. Madam President, the Senator from Massachusetts has eloquently expressed what the people of the United States do not like about Federal powers in this field. The man involved in this case either went out of business or came very near to going out of business—I have not discovered which. He lost from 90 to 95 percent of his business. Such a man goes out of business while waiting for the National Labor Relations Board to apply the remedies provided by the act. As all of us are well aware, after reading the testimony, the record contains many references to men who have had to go out of business because they could not wait 12, 15, or 18 months for the National Labor Relations Board to reach a decision. So I thank the Senator from Massachusetts for pointing out that situation.

Here again the amendment emphasizes whom the Taft-Hartley law really affects. In this case we are referring not to General Motors or General Electric, or other large companies, but to the many small companies. Ninety-four percent of the strikes involve small companies or small communities—and affect probably less than 500 persons. Such strikes can be settled better at the local level, and then business does not suffer and labor does not suffer while waiting for the functioning of the complicated Federal machinery. That is what we are talking about.

Mr. KENNEDY. But the amendment of the Senator from Arizona does not guarantee on the local level all the privileges and rights that even the Taft-Hartley Act guarantees under the Federal statute. His amendment would provide potentially 48 different remedies to be available to labor and management in the 48 different States. The amendment does not provide the uniform code that Federal priority provides. Is that not correct?

Mr. GOLDWATER. Madam President, again I thank my colleague the Senator from Massachusetts for bringing up another interesting feature of my amendment. It is a matter we have been trying for a long time to cover in the amendment. We finally hit upon language that did so. If the Senator from Massachusetts will read further from my amendment, he will find that it provides in part:

Provided, That no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act.

In other words, these rights—not only those guaranteed in section 7 but all the rights guaranteed to employees—will become, in effect, a minimum standard for a labor law to be written by Congress.

First I wish to give my answer regarding the ability of the State to interfere. Today the Federal Government can do it. Today the Federal Government can take away every one of the rights guaranteed by the Taft-Hartley Act. So the fear the Senator from Massachusetts expresses about State action exists equally at the Federal level. In other words, we cannot write a law guaranteeing those rights against all the world. As I have said, that was found on April 12 by a nearby court, and that decision has been placed in the RECORD. Let me say I do not share that fear.

Mr. KENNEDY. Am I to understand that the Senator from Arizona does not share my fear that the States will decide differently on their level, as compared with what Congress would decide on the Federal level? Is that correct?

Mr. GOLDWATER. I say there is just as much danger that the States would do so as there is that the Federal Government would do so.

Mr. KENNEDY. I think that is open to question. The fact is that 16 States have taken different action on the particular problem of union security than the United States Congress has taken in writing national legislation for labor. So, of course, there is a difference in State laws, and I am sure the Senator will not suggest that there is not. I believe that in the Senator's State the union shop is prohibited. In Massachusetts, if State law were permitted to prevail, it has been indicated that the closed shop would be approved. So there is no doubt that, at the State level, the situation would be different in the various States.

What the Senator is suggesting is that the United States Congress willingly and knowingly cede to the States control over labor-management relations to a considerable degree, and thereby expose labor and mangement to the danger of being subjected to 48 potentially different interpretations of labor law in the 48 different States. In other words, it is proposed that we give up our authority to prescribe labor relations; but that the States give up nothing. In my opinion, we are giving up something that is properly ours.

Mr. GOLDWATER. The Senator has just said something that I do not think he believes. The Federal Government is not giving up power. The Federal Government has no power in this field. The entire argument is based upon the idea that the power comes from the States. It was never specifically given to the Federal Government.

Mr. KENNEDY. The Senator may not agree with the decision of the Supreme Court, but it is nevertheless the law. That is why he wishes to change it. Why is it proposed that we enact legislation in this field? Why does the Senator suggest that we approve his amendment if it is not a question of our giving up authority which we have at the present time, and which the Supreme Court in the Garner case stated we have?

Mr. GOLDWATER. The Federal Government has no authority in this field, because the Congress has never said it had.

Mr. KENNEDY. Why does the Senator——

Mr. GOLDWATER. Just a moment, please. I will allow the Senator to ask questions if he will allow me to complete my answers.

If it is the desire of the Congress to state that Federal law will preempt, if the Congress is clear in what it intends the Federal law to do in the field of the States, it can do so. But it has never done it. There is no legislative history in connection with this act. The old Wagner Act never contained such a provision. The Taft-Hartley Act never suggested that the Federal Government would preempt the field. That has been a matter of interpretation, as I shall point out later. We are really developing the remainder of my speech, but not as well as I could do it from a prepared text.

The Supreme Court has asked us, not once, not twice, but several times, to enter this field and decide these questions. Then, if a legislative history is developed, to show that it is the intent of Congress that the Federal law should be supreme, we shall have done our duty. On the other hand, I hope we find that the State law should be supreme in these cases. Again, I do not share the Senator's fear, because, in paragraph 2 of the proposed amendment, the States are told, in effect, "You can write your labor laws, but you may not, in writing them, overlook any of the rights guaranteed to employees by the Taft-Hartley Act."

Mr. KENNEDY. Mr. President, will the Senator further yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. I desire to ask the Senator only one further question, and then I shall permit him to complete his speech.

I think the Garner case, which is the case to which the Senator has referred, clearly indicates that where there is interstate commerce, and where there is a remedy, the appeal for relief should be taken to the National Labor Relations Board. The Senator may feel that the procedures of the National Labor Relations Board are slow. I agree and regret that this bill fails to remedy that situation; but so are our court procedures slow. We do not suggest that the cases which are taken to our Federal courts should be taken away and given to State courts in order to speed up their final disposition.

Mr. GOLDWATER. I contend again that we have never given such authority to the Federal courts through Federal law.

I have had some experience in the field of labor-management relations. I am convinced, after spending most of my life as an employer, and a part of it as an employee, that the best way to handle labor-management relations is at the level where they start. The administration of such affairs should be brought back home. I can conceive of disputes arising which could not be settled at home, but the great majority of them can be settled, and settled quickly, by the local courts. In that way a man is not forced to go out of business, and employees do not stand in a picket line for 60, 70, or 100 days. They get back to work. I am as much interested in avoiding strikes as is the distinguished Senator from Massachusetts, but I say that the States have certain rights in this field which were never given to the Federal Government. It will be recalled that the 10th amendment pretty well spells out that principle.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield, if the distinguished Senator from Massachusetts has finished.

Mr. DOUGLAS. The Senator from Arizona is acquainted with the commerce clause of article I of the Constitution, is he not?

Mr. GOLDWATER. I certainly am.

Mr. DOUGLAS. Section 8, describing the powers of Congress, provides that, among other things, Congress shall have power "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Is is not true that the Supreme Court, beginning in 1937, and in a series of uninterrupted decisions since then, has held that the power of the Federal Government to regulate commerce among the several States includes the basic power to protect the right of collective bargaining and the right in such bargaining of representation by representatives of their own choosing, free from economic coercion on the part of the employer.

Mr. GOLDWATER. I do not believe there is a long line of decisions.

Mr. DOUGLAS. There certainly is.

Mr. GOLDWATER. There are 6 decisions to that effect and 3 the other way.

I am glad the Senator has injected the commerce clause, because our troubles actually stem from the decision in 1937 in the Jones and Laughlin case. Prior to that time, as the Senator well knows, the Supreme Court held to a rather tight definition of interstate commerce.

Consider my business as an example. Ninety-eight or ninety-nine percent of it is done within the State boundaries of Arizona. I am not engaged in interstate business, but in intrastate business.

Mr. DOUGLAS. At one time manufacturing was held not to be interstate commerce.

Mr. GOLDWATER. That is correct. Then, in 1937, this decision was handed down by the Court:

> The stoppage of those operations by industrial strife would have a most serious effect upon interstate commerce. In view of the respondent's far-flung activities it is idle to say that the effect would be indirect or remote.

That is the root of most of the evil today, as between the States and the Federal Government in this field. The Supreme Court has injected the word "affect" into the commerce clause. I do not think that was the interpretation of the writers of the Constitution.

I am sure the distinguished Senator from Illinois would like to have me remind him of the fact that only 2 years before the Jones and Laughlin decision this language came from Chief Justice Hughes:

> If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people, and the authority of the State over its domestic concerns would exist only by sufferance of the Federal Government. Indeed, on such a theory, even the development of the State's commercial facilities would be subject to Federal control.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I am glad to yield.

Mr. DOUGLAS. Will the Senator inform the Senate how Chief Justice Hughes voted in the Jones and Laughlin case?

Mr. GOLDWATER. He voted with the majority.

Mr. DOUGLAS. Namely, that the power of the Federal Government to regulate commerce among the several States included the right of Congress to establish protections for the principle that labor was entitled to engage in collective bargaining, that it should not be coerced in that right, and that it had the right to representatives of its own choosing.

Mr. GOLDWATER. I have no way of telling what went through Justice Hughes' mind when he changed his mind 180 degrees in 2 years. I think that is one of the strongest statements upholding the theory of a tight commerce clause interpretation.

So long as the Senator has entered into this colloquy, perhaps we should pursue it further. I was hoping that he would come over to this side of the aisle and allow me to wander through the orchard of his brilliance and pluck fruit from it.

Mr. DOUGLAS. I assure the Senator that it will not be damaged fruit.

Mr. GOLDWATER. No, I think this discussion is highly interesting and that the Senator's observations are provocative of intelligent thinking by those who listen to them. At least, I approach them with that thought in mind.

Eight lawyers in various sections of the country, working with me, have been trying with me for 2 years to interpret interstate commerce. Frankly, I have almost come to the conclusion, not being a lawyer, but listening to those who are, that it cannot be done. There is nothing in the Constitution which indicates to me that the commerce clause should ever have been interpreted to include affecting interstate commerce. Under that theory, a peanut vendor is engaged in interstate commerce.

Mr. DOUGLAS. It is well to recall that both the Wagner Act and the Taft-Hartley Act used the phrase "affecting commerce." Am I to understand that the purpose of the Senator's amendment is to repeal the law laid down by the Supreme Court in the Jones and Laughlin case and the Fruehauf Trailer case?

Mr. GOLDWATER. No; not at all.

Mr. DOUGLAS. As I understand the argument of the Senator, he believes that the Supreme Court decisions were wrong, and that apparently the amendment offered by him, if adopted, will reverse those decisions.

Mr. GOLDWATER. No; I do not agree that I have been arguing that the decisions were wrong. I do not agree with the decisions. However, my amendment merely returns—I will not use the language of the Senator from Massachusetts [Mr. KENNEDY]—recognizes the fact that those powers rest with the States.

Mr. DOUGLAS. The Senator states that the power to regulate labor conditions in the field of manufacturing rests not in the Federal Government, but in the States? Is that correct?

Mr. GOLDWATER. The Senator from Illinois is correct.

Mr. DOUGLAS. I am glad to have the Senator make that statement. It is a very frank statement.

Mr. GOLDWATER. I do not believe in hiding anything.

Mr. DOUGLAS. I wish to congratulate the Senator from Arizona on his frank statement. It shows the frankness which I am sure always characterizes his nature. I am glad to have his frankness exhibited on the floor of the Senate. In other words, the amendment of the Senator would permit a State to pass a law forbidding collective bargaining in manufacturing, and the Federal Government could not interfere in the slightest. Is that correct?

Mr. GOLDWATER. I am sure the Senator from Illinois is reading something into my amendment that is not there. I will agree with him that if we can imagine a State so inclined, under my amendment it could do so. However, the Federal Government can do it now. Why not be afraid of the Federal Government also?

Mr. DOUGLAS. I am sure the Senator from Arizona has read the famous essay by James Madison in the Federalist papers, in which he points out that one of the safeguards of the Federal Government, as compared with a State government, is that there are more economic interests in the Nation as whole, and that therefore we get a better balance of the various interests and are less subject to class pressure or opinion or occupational interest.

It is the argument of Madison which largely helped to secure the adoption of the Constitution. I believe it is the most famous chapter in the Federalist papers. It is chapter VIII in the Federalist papers. Every Senator, if he has not read that chapter in the Federalist papers, should do so now.

Incidentally, Mr. President, Madison was a great Democrat.

Mr. GOLDWATER. I am glad the Senator from Illinois mentioned the distinguished name of Madison, because in

Federalist, No. XVIII, he discussed the subject along the line referred to by the Senator from Illinois, and said "it emphatically illustrates the tendency of Federal bodies rather to anarchy among the members than to tyranny in the head."

In 1911, in discussing the surrendered powers of the States, the Supreme Court used this language:

> Among the powers of the State not surrendered—which power therefore remains with the State—is the power to so regulate the relative rights and duties of all within its jurisdiction as to guard the public morale, the public safety, and the public health, as well as to promote the public convenience and the common good.

Mr. KENNEDY and Mr. LEHMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. GOLDWATER. The Senator from New York has been trying to get my attention for some time. I yield first to the Senator from New York.

Mr. LEHMAN. The Senator from Minnesota raised the question a little while ago as to whether the subject covered by the amendment offered by the Senator from Arizona had been considered and disposed of within the committee. The Senator from Arizona acknowledged that his amendment had not been considered by the full committee. I wish to point out that, as a matter of fact, neither was the provision contained in the Smith bill disposed of or voted on definitively within the committee. On the last day of the hearings a minority amendment was offered with regard to this particular provision, and the distinguished chairman of the committee—although the amendment was clearly within the scope of the President's message—refused to have it considered by the committee and voted it out of order. Therefore, there was no consideration by the committee of that amendment and no action taken on it. I should like to ask one more question.

Mr. GOLDWATER. The Senator's question got a little bit out of hand, I believe. I fail to recognize any interrogation in it. I recognize the fact that the Senator has done exactly what I have done, namely, submitted his amendment. He submitted his amendment earlier today, and I have now submitted my amendment. If the Senator wishes to ask me a question I shall be glad to answer it.

The PRESIDING OFFICER. The Chair understands that the Senator from Arizona yields only for a question.

Mr. GOLDWATER. Yes; only for a question.

Mr. LEHMAN. This is my question: In the event a company which is engaged in interstate commerce—and I understand this matter has been covered by decisions of the Supreme Court—has plants in 43 States, and the power to regulate and control is given to the States, as proposed in the pending amendment, is it not a fact that there might conceivably be 43 different decisions and 43 different methods which the company would be ordered to pursue by the courts of the various States, and that there would be 43 different philosophies involved; and therefore there would be absolutely not the slightest conformity and not the slightest meeting of the needs of the company within the various States in which it operates?

Mr. GOLDWATER. Mr. President, in answering that question I wish to maintain my frankness. Yes; there could be 43 separate laws. However, the Senator is forgetting that during the past 20 years management has matured, labor has matured, and State governments have matured. While I agree that by the very nature of the different States there might be differences in the laws, I do not anticipate such violent differences that one company operating in 43 States could not operate in the 43 States easier than it operates today, with the Federal Government handing down decisions affecting the 43 States.

Mr. LEHMAN. I thank the Senator for his frank statement to my question.

Mr. GOLDWATER. It is always a pleasure to engage in colloquy with the Senator from New York.

Mr. President, before I yield to the Senator from Massachusetts, I should like to point out one matter which I overlooked in my answer to the Senator from New York. I should like to say that today we operate under 48 separate tax laws, under different rules in connection with workmen's compensation, and under various other laws which affect the activities of a company engaged in multi-State operations.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. I shall be very brief. The Senator is aware, is he not, of the fact that in the Taft-Hartley law one provision, section 14 (b), does permit the States to assert their own individual viewpoint on the question of union security arrangements, as long as they are more restrictive than the Taft-Hartley Act? Is that correct?

Mr. GOLDWATER. That is correct.

Mr. KENNEDY. Some 16 States have taken advantage of that right-to-work provision. Two of the States which took advantage of that provision are South Carolina and Mississippi. In requesting such legislation, Governor Byrnes of South Carolina, who was one of the ablest men ever to sit in the Senate made it very clear that the State of South Carolina would be at a disadvantage in competing with other States for industry if South Carolina did not have a right-to-work statute similar to that which some of its neighboring and competing States had. With respect to the Mississippi back-to-work statute, the New York Times of February 20 stated:

> The proponents of the measure call it a bill to induce industry to come South.

Therefore, the Senator cannot hope that all States will see the problem in the same way; they will see it differently, just as the Senator sees it differently from the way I see it. The Arizona Legislature might under this amendment pass a law which would prohibit collective bargaining and striking; while Massachusetts might be much more liberal. Consider the effect upon the industrial development of the country if employers who desired to be free of unions were tempted to move to States which used this amendment to take a most restrictive attitude toward labor organizations. Consider the effect upon the labor standards of our country, if, in order to protect itself, a State such as Massachusetts, which has been rather liberal, was forced by this amendment to adopt more restrictive legislation. We would have a "Gresham's law" of State labor legislation whereby every State, in order to maintain its industrial organization, would be forced to adopt an increasingly strict State labor law. Does not the Senator feel that there is a strong possibility that this might well be the result of his amendment?

Mr. GOLDWATER. Mr. President, in answering that question I think we must recognize that human beings are weak and that there can be no guaranty that any law which is passed might not have harmful effects. I think it is wrong, however—and I say this with a full heart, because I am interested in the plight in which the northeastern section of the United States finds itself—to assume that the Southern States are purposely pulling labor out of the northeastern area and that that fact alone is contributing to the conditions in the Northeastern States. I know the Senator from Massachusetts does not agree with that, because I have listened to his speeches describing the conditions in the New England States.

There is a change in this country. In 1929 there was not an airplane factory in Maricopa County, Ariz. Today there are many of them, and they are unionized. Much cotton is grown in Arizona, whereas 15 years ago there was not much cotton grown there. Texas is growing cotton, and California is growing cotton. Is it not natural to assume that the mills will locate where the cotton is produced?

In this country we have constantly to fight for lower costs of production so that we can maintain a higher standard of living. If the Senator will look back on the record of labor since 1932, he will see that what labor has received from the gross national income has not changed; it remains the same. A change in the location of labor is going to take place. I see the time coming, possibly within my own lifetime, when, technologically, my own State will be so developed that other States, such as Nevada and Utah, which are not now heading in that direction, will begin to develop likewise. I am just as much concerned as is the Senator——

Mr. KENNEDY. I am not talking merely about industrial migration, which is due to many factors, but about the serious effects of maintaining greatly different labor standards in the respective States.

Mr. GOLDWATER. In effect this amendment sets up a minimum labor law. If the Senator from Massachusetts will consider all the rights given to employees by the Taft-Hartley law, and incorporated into labor laws written by the States, I do not know of what he can be afraid.

Mr. KENNEDY. There may be limitations upon the right of an employer to discriminate against an employee, but there is in the amendment no limitation upon the right of any State, in an emergency and in general, to interfere with such rights. The language used is very general.

Mr. GOLDWATER. I am convinced that a State could not suspend collective bargaining. I think it would probably be unconstitutional to do so, but we can still assume that a State can do whatever it wants to, provided it is not unconstitutional. I doubt very seriously that any State would do anything which is not constitutional.

Mr. DOUGLAS. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. It is getting late in the afternoon. It is raining, and I do not know of any better place to be when it is raining than in the United States Senate.

Mr. DOUGLAS. Yes; it is dry inside. Will the Senator yield for a question with reference to his amendment?

Mr. GOLDWATER. I yield.

Mr. DOUGLAS. I should like to inquire further as to the meaning of paragraph (c) (2). The Senator from Arizona has already conceded that it would permit a State to pass a law forbidding collective bargaining in manufacturing. Paragraph (c) reads as follows:

> Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—

Then there is a clause dealing with emergencies, and then there follows this language:

> (2) In any other case, to give effect to its law: *Provided*, That no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act.

Mr. GOLDWATER. Paragraph (1) takes care of emergencies.

Mr. DOUGLAS. Suppose a State passed a law which provided that an employer should be free to coerce an employee. Under this provision, it would be perfectly legal; would it not?

Mr. GOLDWATER. No, it would not, because he would be prevented from doing that by rights guaranteed by the Taft-Hartley Act.

The language of the act is "restrain, or coerce." It prevents what the Senator suggests. A State could not pass a law which goes around that.

Mr. DOUGLAS. Suppose a State passed a statute dealing with industrial relations which omitted any reference to the power of an employer to discriminate against or to penalize an employee for membership or activity in a union. Suppose the State had no statute covering the matter.

Mr. GOLDWATER. It is already covered in the Taft-Hartley law. A State can enact legislation specifically providing that a person does not have to belong to a union.

Mr. DOUGLAS. Yes, I know section 14 (b) of the Taft-Hartley Act so provides now. But this is not quite the point I am dealing with. Suppose a man joined a union. The original Wagner Act provided that an employer might not discriminate against him because he had joined a union, or because of his activities connected with the union. The present Federal law also protects against such discrimination. Now suppose under the Senator's amendment there is a State labor law which omits dealing with that subject. Does the State law omitting any such protection prevail?

Mr. GOLDWATER. That would not be possible. In giving effect to this amendment, no such provision could be applied. If the Senator will read the bill, he will see that under the Taft-Hartley Act those rights are protected. The Federal law would apply if the State had no law of its own. If Illinois did not want to take advantage of the law and to amend its own law, the Federal law would apply.

Mr. DOUGLAS. Suppose Illinois should pass a law omitting protection of the right to join a union.

Mr. GOLDWATER. I think the Senator from Illinois would find that if a State law omitted such a provision, the Federal law would prevail.

Mr. DOUGLAS. Suppose the State law then declared that there should be no interference by the State in the relationship between employers and employees concerning union membership.

Mr. GOLDWATER. Would the Senator kindly state his thesis again?

Mr. DOUGLAS. Suppose the State declared that the State would not interfere and that an employer had the right to hire or promote workers regardless of union membership?

Mr. GOLDWATER. That could not be done, because that is one of the rights guaranteed by the Taft-Hartley Act.

Mr. DOUGLAS. Does the Senator from Arizona then propose to have the Taft-Hartley Act apply to interstate commerce and to be superior to State law?

Mr. GOLDWATER. No. The Senator from Illinois asked the question as to what would happen if a State law omitted a certain provision. I have answered the question by stating that the provisions of my amendment would require the provisions of the act to be incorporated in any law which was written by a State, and that the Federal law would apply if a State omitted such a provision. If a State did not pass any law at all, the Taft-Hartley Act would apply. I think the Senator from Illinois understands that.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I have a feeling that the Senator from Illinois has not finished his questioning. I wish to give him time to think just a little longer.

Mr. KENNEDY. The Senator's amendment guarantees those rights only against interference by the employer or union. It does not prohibit a State from taking action which denies those rights.

Mr. GOLDWATER. The Taft-Hartley Act provides that the worker has the right to free collective bargaining. That is one of the questions involved.

Mr. KENNEDY. Could a State, for example, pass a law providing for compulsory arbitration of all disputes as a substitute for collective bargaining?

Mr. GOLDWATER. It is my feeling that, under this amendment, the States could require compulsory arbitration.

An example of the impact of the Garner case was presented before the committee by a representative of the automobile dealers of Bogalusa, La. It is in interesting story. Senators should read it. It starts at page 3558 of the hearings. The NLRB conducted an election among the employees of nine local automobile dealers in Bogalusa. The union lost the election. No exceptions were filed by the union as to the fairness or propriety of the conduct of the elections. Yet a few weeks after the elections were held, 24 of the 125 employees originally involved went out on strike, and the union started picketing the 9 dealer establishments. The union then demanded of the employers that it be recognized and a contract signed covering some, but not all, of the employees in the appropriate unit. The contracts submitted by the union would have required the dealers to compel their employees to join the union. Thus the very employees who had rejected the union by secret ballot would be required by their employer to join. Such coercion is contrary to the laws of the State of Louisiana. The employers sought to prevent the picketing by securing an injunction from the local court on the ground that it violated Louisiana State law to picket for recognition after losing an election. The State court judge refused to grant the injunction on the ground that under the Garner decision the State court was precluded from granting relief in this case. Failing to obtain relief in the State courts the dealers sought relief from the NLRB. After an investigation by that agency they were informed by the general counsel that the conduct of the union did not constitute a violation of the Taft-Hartley Act.

The Bogalusa case is by no means an isolated one. It is impossible to determine the number of such cases that have arisen in the various States. However, a number of incidents have been reported to us since the close of our hearings on February 9 of this year.

In Texas, a union picketed a railway spur leading to a strike-bound plant. The railroad sought an injunction against the union but the State court, noting the secondary boycott provisions of the Taft-Hartley Act, reasoned that, as a result of the Garner decision, the injunction would have to be denied. Wichita Falls and Southern Railroad Co. against IAM, Texas Court of Civil Appeals, February 19, 1954.

In Alabama, a State which had previously insisted upon States rights to the extent of holding that its equity courts, under the full faith and credit clause of the Constitution, had power to restrain Taft-Hartley violations, there has been a complete capitulation. Alabama has now withdrawn its efforts to regulate boycotts in the construction industry. Montgomery Building and Construction Trades Council, Ledbetter Erection Co., Alabama Supreme Court, March 4, 1954.

In New York a judge has refused to enjoin picketing to force the employ-

ment of musicians even though some precedent exists under the law of that State for the issuance of such an injunction. The court ruled that since the labor relations of the employer, a radio station, were subject to NLRB control, the existence of the featherbedding ban in the Taft-Hartley law prevented State relief. General Teleradio, Inc. against Manute, New York Supreme Court, New York County, special III, March 12, 1954.

While I am not a lawyer, I have read several legal briefs on the subject of Federal preemption and listened to expert witnesses set forth the case law under which the doctrine was developed through judicial determination. I commend to the Senators a most comprehensive brief on the subject which begins at page 3151 of the hearings and runs through page 3157.

The Wagner Act imposed no restrictions upon the conduct of labor organizations. For that reason, no serious problems arose as to power of the States to restrict plainly unlawful strikes or picketing until the passage of the Taft-Hartley law in 1947. The Federal Government had not entered the field and there was, therefore, no ground for the assertion of a Federal preemption argument. In the Taft-Hartley Act, however, Congress recognized widespread abuses of strikes and picketing and amended the law to prohibit certain specified union activities, thus laying the groundwork for the preemption argument. In section 8 (b) (1), for example, it was made an unfair labor practice for a labor organization to restrain or coerce employees in the exercise of their rights guaranteed in section 7. Section 7 was also amended to provide for the right of employees to refrain from union activities as well as the right to engage in such activities which was guaranteed by the Wagner Act. A quick example of a practice forbidden by section 8 (b) (1) was that of mass or coercive picketing. Such picketing prevents an employee desirous of going to work from so doing. So the Federal Government entered the field of prohibiting mass picketing. Many State laws also prevented mass picketing and the State courts were quick to limit the number of pickets permitted at any gate.

Section 8 (b) (4) of the Taft-Hartley law contains the so-called secondary boycott proscriptions of the act. At least 20 States, including Illinois, Massachusetts, Nebraska, New Jersey, New York, and Ohio, have by statute or common law declared the use of the secondary boycott unlawful. My own State of Arizona by statewide referendum now has a law prohibiting secondary boycotts. Have these State laws prohibiting secondary boycotts been destroyed by the Federal act? Most experts testifying before the committee appeared to so believe. The Ninth Circuit Court of Appears in the Capital Service case has so held and the Supreme Court is presently considering that decision, arguments having been held several weeks ago. The Capital Service case involved the California Hot Cargo Act, which prohibited certain types of secondary boycotts not now covered in the Federal law. When the employer in that case failed to obtain relief from the NLRB, he obtained an injunction under the California State law against the secondary activity. The NLRB then sought and obtained an injunction in the Federal court against this action by the State court on the ground that the Federal law had preempted the field.

One of the first cases in this field to receive wide attention was that of Motor Coach Employees against Wisconsin Board, decided by the Supreme Court in 1951. The State of Wisconsin had a public utility antistrike law. That act provided, in effect, that in certain named public utilities arbitration should be substituted for the ordinary rights to strike and to lockout. The Supreme Court held that the Wisconsin act conflicted with the rights guaranteed to employees by section 7 of the NLRA. The Wisconsin law is by no means an unusual one. Similar laws are still on the books in, for example, Massachusetts, New Jersey, Pennsylvania, and Virginia. Although some States have continued to attempt to enforce their legislation, I am informed that there is little belief that those laws would be upheld in the Supreme Court.

Another decision which received considerable attention was that of UAW against O'Brien, decided by the Supreme Court in 1950. The Michigan law required a 10-day strike notice before any strike would be legal in that State. The Supreme Court invalidated the Michigan law on the ground that it attempted to impose upon the right to strike, recognized by the Federal act, a condition at variance with the Federal law applying to strikes. The Court cited the fact that section 8 (d) of the NLRA provides certain steps which must be taken before a strike is legal, and the Michigan act imposed additional steps, and was therefore in conflict.

Prior to the Garner decision of last December, many experts believed that the doctrine of preemption applied only where there was a conflict between the State and Federal laws. What I am about to state is important: The Garner case, however, held that where the Federal act affords a remedy for a particular conduct, no State remedy is available. This is true even though the Federal remedy may be of doubtful availability or may be plainly inadequate. The case holds that a State court is without power to enjoin an organizational strike because such a strike might violate section 8 (b) (2) of the Federal act. Only the Federal Board, it was decided, has the power to make an initial determination as to whether or not an actual violation of the Federal act has occurred. Thus the mere presence of a potential violation of the Federal act was held sufficient to oust the State of jurisdiction.

It is significant that in the Garner decision the Supreme Court urged clarification of the area of State and Federal action under the Taft Hartley Act. I wish to emphasize that. As I mentioned earlier, the Supreme Court has asked us to declare ourselves in this field.

The Court pointed out that, although the Federal act apparently leaves some area of action to the States,

> Congress has refrained from telling us how much. We must spell out from conflicting indications of congressional will the area in which State action is still permissible.

The Court also stated:

> Congress, in enacting such legislation as we have here, can save alternative or supplemental State remedies by express terms, or by some clear implication, if it sees fit.

If I have ever read an invitation to legislation, this was it.

There they sit in the Supreme Court building, asking us to legislate in this field so that they can be better equipped to determine these matters as they come up.

As pointed out by the court in the Garner case, we do not know just what area now remains in which States may legislate. A few weeks ago the Supreme Court heard arguments in the Laburuum Construction case. This was a tort action for damages brought by an employer against a union. The Supreme Court of the State of Virginia held that the Federal law had not preempted the field to such an extent as to forbid such actions.

Another situation is puzzling the experts. Let us assume a case where the NLRB determines that it has jurisdiction, but dismisses the case on the ground that it would not effectuate the policies of the act for it to take jurisdiction. I am told that the NLRB has so ruled in literally hundreds of cases. Can a State court act in that situation? Carrying the Garner case to its logical conclusion, the answer may well be "No." In fact, a New York court has recently held a taxicab system in New York City not to be subject to the jurisdiction of its State labor board. This occurred after NLRB had rejected jurisdiction on the ground that it would not effectuate the purpose of the act to assume it. The New York court held that the particular cab operations clearly affected interstate commerce, and that this fact alone vested sole jurisdiction in NLRB whether or not the Federal agency chose to assert jurisdiction—SLRB against Wags Transportation System, New York Supreme Court, New York County, March 26, 1954.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I yield.

Mr. DOUGLAS. When I asked the Senator from Arizona questions a few minutes ago, I did not have a copy of the Taft-Hartley Act before me. I now have it in my hand, and I should like to clear up a question about the amendment.

As I understand it, the amendment proposed by the Senator from Arizona proposes new language for lines 6 to 16 on page 18 of the bill now before the Senate?

Mr. GOLDWATER. The Senator is correct.

Mr. DOUGLAS. The section of the bill for which the Senator from Arizona is proposing a substitute is paragraph (c) of section 14, is it not?

Mr. GOLDWATER. That is correct.

Mr. DOUGLAS. The Senator from Arizona is proposing language, in the

first sentence of the amendment, which reads:

> Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—

And so forth.

Mr. GOLDWATER. That is correct.

Mr. DOUGLAS. But only paragraphs (a) and (b) are exempted from the effect of the Senator's amendment, are they not?

Mr. GOLDWATER. There already are section 14 (a) and section 14 (b).

Mr. DOUGLAS. The Senator is correct. However, the point the Senator from Illinois wishes to make is that section 14 (a) deals with supervisors and with the fact that no employer need recognize unions of supervisors; does it not?

Mr. GOLDWATER. It does.

Mr. DOUGLAS. Section 14 (b) gives to the States the power to enact antiunion shop laws, does it not?

Mr. GOLDWATER. I call them the "right to work" laws, which is a more accepted term.

Mr. DOUGLAS. I would call them antiunion shop laws.

Mr. GOLDWATER. I call them the "right to work" laws.

Mr. DOUGLAS. However, we mean the same thing.

Mr. GOLDWATER. Yes.

Mr. DOUGLAS. This is what disturbed the Senator from Illinois, and still disturbs him: Sections 8 and 9 of the Wagner Act, as modified by the Taft-Hartley Act, state definitions of unfair labor practices and contain provisions concerning representatives and elections. They and other sections of the act giving affirmative rights do not seem to be exempted by the amendment of the Senator from Arizona from the effects of any State law which might be enacted dealing with industrial relations. Therefore, the fear of the Senator from Illinois is that the States could pass laws which in effect would repeal the unfair labor practice features of the Wagner and Taft-Hartley Acts, the representation features, and other protected rights.

Mr. GOLDWATER. I do not agree with the Senator from Illinois. As I have said repeatedly this afternoon, in paragraph (2) of my amendment is written language that would prevent the States from denying to employees any particular rights they now have under the Taft-Hartley Act.

Mr. DOUGLAS. Let me say that section 7 is the section of the Taft-Hartley Act that makes a general statement of the rights of employees, but sections 8 and 9 deal specifically with unfair labor practices and representation, and thus are not exempted from the application of any State law which might be passed under the authorization granted by the amendment of the Senator from Arizona.

Mr. GOLDWATER. If the Senator from Illinois will read again paragraph (2) of my amendment, he will find that it does not specify sections. It uses the words "guaranteed to employees by this act."

I have here a list, if the Senator from Illinois would like to see it, of many rights guaranteed to employees, not contained in section 7 or 8. That is why I did not specify section 7, because it is recognized that in connection with any legislation they write, the States should also consider section 8 as well as all the other language relating to the rights of employees.

Mr. DOUGLAS. Then, to what fields does the amendment of the Senator from Arizona relate?

Mr. GOLDWATER. It relates to giving effect to this law about the solution of strikes, picketing, boycotts, lockouts, and so forth, at their source—at the State level.

Mr. DOUGLAS. And also secondary boycotts?

Mr. GOLDWATER. Yes, every kind of labor disturbance.

Mr. DOUGLAS. In other words, the Senator from Arizona is saying there shall be no national regulation of strikes, secondary boycotts, picketing, and so forth, but that in these fields the States are to have complete jurisdiction, if they so desire; is that correct?

Mr. GOLDWATER. Yes, if they so desire. There still will be the provisions with respect to national emergencies.

Mr. DOUGLAS. Does the Senator mean the Federal law will prevail in cases of national emergency?

Mr. GOLDWATER. Yes.

Mr. DOUGLAS. I thank the Senator from Arizona.

Mr. GOLDWATER. I thank the Senator from Illinois for his questions.

Mr. PURTELL. Mr. President, will the Senator from Arizona yield for a question?

The ACTING PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. GOLDWATER. I am glad to yield.

Mr. PURTELL. First, I wish to commend the Senator from Arizona for his objectiveness in studying this matter. I know he has spent a great deal of time upon it. I know he has tried to be fair to both management, labor, and the public. Again, I commend him for the excellence of the job he has done.

If he is willing to have me ask a question, I should like to do so.

Mr. GOLDWATER. Certainly.

Mr. PURTELL. Is it not possible that under paragraph (2) of the amendment of the Senator from Arizona, reading as follows:

> (2) in any other case, to give effect to its law: *Provided*, That no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act—

a State might well pass a law providing, in effect, that 95 percent of those eligible to membership in the union would have to become members of the union before it would be recognized.

Mr. GOLDWATER. Will the Senator from Connecticut please restate the question?

Mr. PURTELL. Yes. The present law provides that a majority of those eligible shall indicate their desire to have the union represent them.

Mr. GOLDWATER. The Senator from Connecticut is referring to the Taft-Hartley Act, is he not?

Mr. PURTELL. Yes. Under the amendment of the Senator from Arizona, would it not be possible for a State by law to require union membership by 95 percent of the employees eligible for membership in the union, before it would be recognized?

Mr. GOLDWATER. Before the union would be recognized as the exclusive bargaining agent?

Mr. PURTELL. Yes.

Mr. GOLDWATER. Yes. I think that is as brief an answer as I can give the Senator from Connecticut.

Mr. PURTELL. I thank the Senator from Arizona.

Mr. GOLDWATER. Mr. President, subsequent to the Garner case the Supreme Court reversed the Alabama Supreme Court which had granted an injunction against picketing in violation of the NLRA. In overturning the ruling the Supreme Court merely cited the previous Garner decision in which it held State courts were without power to act where the protested union conduct is peaceful and is an unfair labor practice under the NLRA. In the Alabama case the Supreme Court sidestepped the issue of whether the State could act if the NLRB declined to exercise authority, with the comment that there was in this case no clear showing that the employer had asked the Board for relief or that a request would have been futile.

I commend to Senators the reading of the testimony of attorney Gilbert Klein, on pages 3376 to 3383 of the hearings. Here again is good documentation of the development of the preemption doctrine by judicial determination.

Of course, the States may act in the very small area which is beyond the constitutional reach of the commerce power of the Federal Government. Since in the past the NLRB has taken jurisdiction over such local businesses as grocery stores and bakeries, it appears clear that the area here is extremely small.

The States may still regulate in the areas expressly reserved to them by Congress. While section 10 (a) of the Taft-Hartley law permits the national Board to cede certain specified types of cases to State board jurisdiction, it has not been possible for the national Board to make any such cessions. Therefore, the only really important area expressly reserved to the States is provided in section 14 (b). Section 14 (b) reads as follows:

> Nothing in this act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

It is this section of the statute that has saved the so-called right-to-work laws that now exist in 16 States. Those 16 States are Alabama, Arizona, Arkansas, Florida, Georgia, Iowa, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, South Carolina, South Dakota, Tennessee, Texas, and Virginia. These right-to-work laws have one thing in common; all of them prohibit any form of compulsory union membership contracts within the borders of the State. They vary in that some of the States have gone further in their right-to-work statutes, and also prohibit certain types of picketing and boycotts. It appears clear that in these 16 States the ban on

compulsory unionism has been saved by section 14 (b). It also appears clear that the other portions of these right-to-work clauses are now invalid under the Garner and related Supreme Court decisions. For example, my own State of Arizona has a right-to-work law which has been added to by a law, passed in 1952, which would ban secondary boycotts and certain types of picketing.

I wish to point out that in 7 of the 16 States I have just mentioned, the laws were passed by a direct vote of the electorate. In 5, the act was by constitutional amendment; and in 2, by statutory amendment. I have had a check made of the majorities by which these right-to-work statutes were passed.

In my own State, when the right-to-work amendment to the constitution was first presented, in 1946, it won with a plurality of 55 percent of the votes. In 1948, an attempt was made to remove this decision of the people, but it was maintained by a plurality of 57 percent. In 1952, the people of Arizona, when voting on a proposition to allow the State to regulate striking, picketing, and boycotting, agreed to it by a plurality of 63 percent. In South Dakota, 70.3 percent of the people were in favor of the law, and only 29.7 percent were against it. In Nebraska, 59.8 percent were for the law, and 40.2 percent were against it. Senators desiring to do so may turn to page 3386 of the hearings and examine the tabulation which appears at that point.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a compilation of the results of elections in the various States.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

STATE "RIGHT TO WORK" LAWS

Adopted at general election by constitutional amendment

[Voting year indicated by parenthesis]

State	For the amendment		Against the amendment	
	Number	Percent	Number	Percent
Arizona [1] (1946)	61,375	55.5	49,557	44.5

[1] Has enacted enabling or enforcement statute.

Subsequent to the amendment of the Arizona State Constitution, certain statutes were enacted. As a result of a referendum petition these laws were submitted to the voters in 1948. The results were:

State	For the statutes		Against the statutes	
	Number	Percent	Number	Percent
Arizona [1] (1948)	86,866	59.0	60,295	41.0
	For the amendment		Against the amendment	
Arkansas [1] (1944)	105,300	54.6	87,652	45.4
Florida [2] (1944)	147,860	54.6	122,770	45.4
Nebraska [1] (1946)	212,443	59.8	142,702	40.2
South Dakota [1] (1946)	93,035	70.3	39,257	29.7

[1] Has enacted enabling or enforcement statute.
[2] No statute.

Adopted at general elections by approval of legislation

	For the statute		Against the statute	
	Number	Percent	Number	Percent
Nevada (1952)	38,554	50.6	37,621	49.4
North Dakota (1948)	105,192	66.3	53,515	33.7

In addition to the 7 States above, legislatures in 7 additional States enacted statutes on "right to work." They are: Alabama (1953), Georgia (1947), Iowa (1947), North Carolina (1947), Tennessee (1947), Texas (1947), Virginia (1947).

Source: Secretary of state of Arizona and Florida CCH Labor Law Reporter, CCH State Labor Laws.

Mr. GOLDWATER. Mr. President, I hope all Senators will read the statement of the Governor of Alabama which appears at page 3382 of our hearings. It is a statement made by the Governor of Alabama at the time when he signed the new right-to-work statute of that State. I ask unanimous consent to have the statement printed at this point in the RECORD, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE "RIGHT TO WORK" IS DEFINED—ALABAMA GOVERNOR EXPLAINS WHY HE APPROVED MEASURE DENYING LABOR POWER TO FORCE WORKERS TO JOIN UNIONS

I have given a great deal of thought to the right-to-work bill (H. 222) which passed the house by 57 to 24 and the senate 23 to 9.

Mainly, this bill provides that no person shall be denied the privilege of working because he does not belong to a labor union and that no firm shall be forced to deduct union dues from the salary of the worker.

Our labor union friends contend, and rightfully so, that unions have helped make possible better working conditions and higher wages. Because of this they feel that all employees in a unionized plant should be forced to join the union and that union dues be deducted from paychecks in what is known as the checkoff system. Union officials refer to those who do not desire to belong to the union as free riders because such nonmembers obtain benefits of unions, without helping to pay for such benefits.

Along with this same line of reasoning is the fact that our churches are the greatest organizations in the world. They have done much for all mankind. Yet, no citizen is forced to belong to any church or required to pay church dues.

Unquestionably the American Legion, the VFW, and other service organizations have done much to provide benefits to the veterans. Yet, it is not required of any veteran that he be forced to join any of the service organizations or required to pay dues to any of them.

As a matter of fact, individual labor unions themselves, have the right to say whether they belong to the AFL, the CIO or, in the case of others such as the railroad organizations and the UMW, to remain free and independent unions.

The Alabama Farm Bureau Federation has done much for our farmers. Yet, no farmer is forced to be a member of the Farm Bureau or to pay dues to them unless he so desires.

The Alabama Education Association is the organization which represents schoolteachers, and while the AEA has worked to provide for higher wages and safeguard working conditions for the teachers, those who do belong, do so of their own free will. They are not forced to join the AEA nor do they have dues deducted from their salary checks.

The various business organizations, including those representing automobile dealers, grocery stores, and drugstores in Alabama, have unquestionably been of much assistance to their members. Yet, no business firm or factory is forced to become a member of any organization.

Many other such examples could be given. It may well be that workers in some of our Northern States do not object to being required to join the labor organization in their plant and have no feeling about being forced to have dues deducted from their paychecks.

However, in the South we have free and independent workers. Many wish to join labor organizations and do so. Certainly that is their privilege. On the other hand, many do not like the idea of being forced to join any labor union as a condition to work. Neither are they agreeable to having union dues deducted from their salary checks.

Those who first settled in our great country did so because they wanted to. It has always been a tradition in America that any man could do as he pleased so long as he did not violate the laws of our land.

In my opinion all of our labor unions will be far stronger and the members in them will have a far greater interest and respect in the organizations if membership can be shown to be desirable and they are not forced to join.

Because I believe in free labor and free enterprise, I am today signing the right-to-work bill.

Mr. GOLDWATER. Mr. President, as I have said, the anticompulsory union membership features of the right-to-work laws are presently protected. The amendment I have submitted has been drawn to validate other features of those right-to-work laws and to validate the laws of other States which seek to regulate strikes, picketing, lockouts, and boycotts. Much misinformation has been circulated with respect to what my amendment would accomplish. It has been said that it would destroy the NLRB and would create a hodgepodge of State regulation, differing from State to State. Nothing could be further from the truth. The effect of my amendment upon the overall scheme of Federal regulation would be practically nil. The amendment would not materially affect or conflict with the regulatory plan established by the Taft-Hartley Act. The amendment would not enable any State to deny to employees the right to unionize and to bargain collectively. In fact, my amendment, in paragraph (2), specifically prohibits any State from enacting labor laws that deny to employees the rights guaranteed under section 7 of the Taft-Hartley Act. The amendment further protects the rights of employers and the rights of the public, as guaranteed under the act. The procedure for determining representation questions, established by section 9 of the Federal law, would remain fully operative. The obligation to bargain, provided for in the Federal law, would remain effective, and any violation would continue to be an unfair labor practice. Similarly, the employee discriminated against because of union activity could obtain reinstatement and back pay through the offices of the NLRB. None of the proscriptions of section 8 (a), defining employer unfair labor practices, would be disturbed. The proposed amendment would permit State action barring, for example, recognition strikes which are not prohibited by Federal law. It would permit a State court

to act to stop mass and coercive picketing which is prohibited by Federal law. It would validate State laws prohibiting secondary boycotts, stranger picketing, picketing in the absence of a labor dispute, picketing for an illegal objective, and State laws requiring a vote to authorize a strike.

Before closing I wish to list a few examples of State laws which have now been placed in jeopardy. I shall mention only those States where a specific State statute is involved. In many others the specified conduct is prohibited by the common law. Picketing where no labor dispute exists is banned by the following States: Arizona, Minnesota, South Dakota, Texas, and Wisconsin. Picketing by nonemployees is banned by Minnesota, North Dakota, Pennsylvania, South Dakota, and Virginia. Mass picketing is banned by Arkansas, Colorado, Georgia, Michigan, Mississippi, Nebraska, South Dakota, Texas, Utah, and Wisconsin. Jurisdictional strikes are banned by California, Florida, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Pennsylvania, and Wisconsin. Secondary boycotts are illegal in Arizona, Colorado, Idaho, Iowa, Minnesota, North Dakota, Oregon, Pennsylvania, Texas, Utah, and Wisconsin. The following States require strike ballots before a strike is legal: Colorado, Florida, Kansas, Michigan, Minnesota, North Dakota, Utah, and Wisconsin. A number of States have sought to regulate strikes involving public utilities, namely: Florida—and this is a little optimistic—Hawaii, Indiana, Kansas, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, Pennsylvania, Texas, and Virginia.

I might spend the remainder of the afternoon reciting the various States laws regulating strikes and picketing. The examples I have already given demonstrate that such laws are found in the North as well as the South, West and East of our country. They prevail whether the State be considered industrial, rural, or what have you. To take just one example, the State of our distinguished minority leader [Mr. JOHNSON of Texas] may be found in four of the categories I have just described, namely, strikes in public utilities, secondary boycotts, mass picketing, and picketing where no labor dispute exists. Texas also makes illegal the picketing of a public utility or picketing if there is misrepresentation or breach of contract.

I know that the strategy of the minority members of our committee calls for a motion to recommit the bill to the committee. I wish to urge upon Members of the Senate that they consider full well the implications, because by the amendment which I have offered, the means whereby the States can be recognized in this field can be provided. We can protect our own States laws, which were enacted by the people of the States. Again, the important thing is to get this Government back to the people, from whence it has been taken.

In closing my discussion today, I wish to reiterate the point I made at the outset, that while it is obvious that the Federal approach to labor-management problems has not been effective and that the solution to these problems must be returned to their source, which is the State and local level, of equal, if not greater, importance, is the fundamental concept of our Government wrapped up in this approach. Tendency to ignore the 10th amendment must be stopped, or our Republic, as such, will cease to exist on the basis on which it was founded.

I urge Senators in their consideration of this amendment to keep that fundamental thought in mind.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. SMITH of New Jersey. I commend the distinguished Senator from Arizona for what I consider to be a very fine presentation of this issue and the development of the entire area of the line between Federal and State jurisdiction in this important field of management-labor relations.

In some of the questions which have been asked the Senator, I have noticed that there was a misapprehension of the full meaning of the proviso in subsection (c) (2) of the Senator's amendment. That proviso refers to the protection of rights guaranteed to employees under the act.

I wish to emphasize again my own feeling that the Senator has adequately covered this point, but I raise the question whether anything would be gained by spelling out or including the specific sections of the Taft-Hartley which are of particular concern to the workers and to the unions, namely, section 7, section 8 (a), and, as has been pointed out, sections 9, and so forth, as a part of those guaranties.

I am correct, am I not, in the assumption that any labor legislation passed by the States under such an authorization would clearly recognize the fundamental rights of the workers which we have struggled so long to try to have defined, rights which were in the original Wagner Act, and which were carried through in the Taft-Hartley Act? There is nothing which would wipe out those rights in any way.

Mr. GOLDWATER. The Senator is correct.

Mr. SMITH of New Jersey. I think there is some misapprehension on that point. The Senator himself has stated very clearly and forcefully, especially in reply to the questions of the Senator from Illinois [Mr. DOUGLAS], exactly what the situation is. I am directing attention again to the very clear provisions of certain sections of the Taft-Hartley Act. Section 7 has to do with the right of employees to self-organization, and to choose their own representatives. Section 8 (a) deals with unfair labor practices. Then there are provisions governing the right of employees to elections, in choosing their own representatives.

Emphasizing that point, I will say to the Senator from Arizona that I feel that, unless argument is advanced which convinces me otherwise, he has made a very valuable contribution. I think he has enlarged the scope of section 14 (c) in the committee bill. If the Senate approves the Senator's amendment—and I assume it will come to a vote in the next few days—as chairman of the committee I shall be very happy to take it to conference and see if it can be dealt with in conference so as to clarify the entire field of Federal-State relations.

I congratulate the Senator again on a fine presentation on a very important and difficult subject.

Mr. GOLDWATER. I thank the distinguished chairman for his remarks approving my amendment. I wish also to take this occasion to thank him for the industrious job he has done on the bill.

Let me say, in concluding my remarks, that it has always been my feeling that the relationship between man and man is a most difficult subject on which to legislate. I think it is becoming increasingly evident, as we progress with the Wagner Act and the Taft-Hartley Act—combining them—that ultimately we must reach the point where the decency of man will prevail, and we shall not have to look to law. I do not suggest that we have quite reached that point, but I think we have made great strides in the past 25 or 30 years. I look forward to the day when labor legislation will not be needed in this country.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks, a compilation which I have made of the workers' rights which are guaranteed under the Taft-Hartley Act.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

THE WORKERS' RIGHTS

RIGHTS GUARANTEED THE WORKER BY THE TAFT-HARTLEY ACT

1. The worker has the right to free collective bargaining:

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing."[1]

2. The worker has the right to strike:

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, [and to engage in other concerted activities] for the purpose of collective bargaining or other mutual aid or protection."[2]

3. The worker has the right to work without union interference:

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, [and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a) (3)].[3]

* * * * *

[1] This portion of sec. 7 is identical with that in sec. 7 of the Wagner Act.

[2] Bracketed matter added. The word "other" in the bracketed matter does not appear in the Wagner Act."

[3] Bracketed matter added. Sec. 8 (a) (3) reads as follows: "It shall be an unfair labor practice for an employer by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this act, or in any other statute of the

"SEC. 8. (b) It shall be an unfair labor practice for a labor organization or its agents—

"(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

"(2) to cause or attempt to cause an employer to discriminate against an employee in violation of subsection (a) (3) or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

"(3) to refuse to bargain collectively with an employer, provided it is the representative of his employees subject to the provisions of section 9 (a)."[4]

4. The worker has protection against violence and coercion:

"SEC. 8. (a) It shall be an unfair labor practice for an employer—

"(1) to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7. * * *[5]

"(b) It shall be an unfair labor practice for a labor organization or its agents—

"(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

"(2) to cause or attempt to cause an employer to discriminate against an employee in violation of subsection (a) (3) or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership."

5. The worker has the opportunity to present own grievances:

"SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer [and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective-bargaining contract or agreement then in effect: *Provided further*, That the bargaining representative has been given opportunity to be present at such adjustment.]"[6]

6. The worker has protection against discrimination in conditions or terms of employment because of union membership or nonmembership:

"SEC. 8. (a) It shall be an unfair labor practice for an employer—

* * * * *

"(3) by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this act, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this act as an unfair labor practice) to require as a condition of employment membership therein on or after the 30th day following the beginning of such employment or the effective date of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made; and (ii) if, following the most recent election held as provided in section 9 (e), the Board shall have certified that at least a majority of the employees eligible to vote in such election have voted to authorize such labor organization to make such an agreement: [*Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership."][7]

7. The worker has protection against discrimination because of filing charges against employer:

"SEC. 8. (a) It shall be an unfair labor practice for an employer—

* * * * *

"(4) to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act."[8]

8. The worker is protected by curbs on jurisdictional strikes and secondary boycotts:

"SEC. 8 (a). It shall be unfair labor practice for a labor organization or its agents—

* * * * *

"(4) to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

"(B) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act.

* * * * *

"SEC. 303. (a) It shall be unlawful, for the purposes of this section only, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities, or to perform any services, where an object thereof is—

"(1) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

"(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act;

"(3) forcing or requiring any employer to recognize or bargain with a particular labor

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United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in sec. 8 (a) of this act as an unfair labor practice) to require as a condition of employment membership therein on or after the 30th day following the beginning of such employment or the effective date of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in sec. 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made; and (ii) if, following the most recent election held as provided in sec. 9 (e) the Board shall have certified that at least a majority of the employees eligible to vote in such election have voted to authorize such labor organization to make such an agreement: *Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership."

[4] This provision, in effect, abolishes the closed shop, but the union shop remains legal.

[5] This provision appears in sec. 8 of the Wagner Act, but sec. 8 (b) was added in its entirety by the Taft-Hartley Act.

[6] The bracketed language does not appear in the Wagner Act. It was added because experience had shown that, in effect, this right under the Wagner Act, as interpreted by the Board, had little, if any, meaning for the individual seeking to assert it.

[7] This represents a substantial rewrite of sec. 8 (3) of the Wagner Act. Note that the second proviso (which is in black brackets) was added in its entirety by the Taft-Hartley Act.

[8] This is the same as sec. 8 (4) of the Wagner Act.

organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act;

"(4) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class unless such employer is failing to conform to an order or certification of the National Labor Relations Board determining the bargaining representative for employees performing such work. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act.

"(b) Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit."

9. The worker has the opportunity to bargain in a craft unit:

"SEC. 8. (b) It shall be an unfair labor practice for a labor organization or its agents—

* * * * *

"(4) to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is: * * * (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act.

* * * * *

"SEC. 9. (b) The Board shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof: [*Provided*, That the Board shall not * * * (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation.]" [9]

[9] The bracketed language does not appear in section 9 (b) of the Wagner Act. Under that act the Board adopted a rule that a craft unit could not be severed from a larger bargaining unit which had previously been established. The second proviso in section 9 (b) prohibits the Board from disallowing craft severance solely by reason of prior Board determination or bargaining history.

10. The worker is given relief from excessive initiation fees:

"SEC. 8. (b) It shall be an unfair labor practice for a labor organization or its agents—

* * * * *

"(5) to require of employees covered by an agreement authorized under subsection (a) (3) the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the Board finds excessive or discriminatory under all the circumstances. In making such a finding, the Board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected."

11. The worker has freedom of speech:

"SEC. 8. (c) The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this act, if such expression contains no threat of reprisal or force or promise of benefit."

12. The worker has the right to oust unsatisfactory union:

"SEC. 9 (c) (1). Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board—

"(A) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees * * * (ii) assert that the individual or labor organization, which has been certified or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 9 (a) * * *

the Board shall investigate such petition and if it has reasonable cause to believe that a question of representation affecting commerce exists shall provide for an appropriate hearing upon due notice. Such hearing may be conducted by an officer or employee of the regional office, who shall not make any recommendations with respect thereto. If the Board finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof."

13. Workers in independent unions are given equality:

"SEC. 9 (c) (5) In determining whether a unit is appropriate for the purposes specified in subsection (b) the extent to which the employees have organized shall not be controlling." [10]

[10] Sec. 9 (b) of the Taft-Hartley Act reads as follows: "The Board shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof: *Provided*, That the Board shall not (1) decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; or (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation or (3) decide that any unit is appropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises; but no labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards."

14. The worker has the right to a look at the books:

"SEC. 9. (f) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless such labor organization and any national or international labor organization of which such labor organization is an affiliate or constituent unit (A) shall have prior thereto filed with the Secretary of Labor copies of its constitution and bylaws and a report, in such form as the Secretary may prescribe, showing—

"(1) the name of such labor organization and the address of its principal place of business;

"(2) the names, titles, and compensation and allowances of its three principal officers and of any of its other officers or agents whose aggregate compensation and allowances for the preceding year exceeded $5,000, and the amount of the compensation and allowances paid to each such officer or agent during such year;

"(3) the manner in which the officers and agents referred to in clause (2) were elected, appointed, or otherwise selected;

"(4) the initiation fee or fees which new members are required to pay on becoming members of such labor organization;

"(5) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization;

"(6) a detailed statement of, or reference to provisions of its constitution and bylaws showing the procedure followed with respect to, (a) qualification for or restrictions on membership, (b) election of officers and stewards, (c) calling of regular and special meetings, (d) levying of assessments, (e) imposition of fines, (f) authorization for bargaining demands, (g) ratification of contract terms, (h) authorization for strikes, (i) authorization for disbursement of union funds, (j) audit of union financial transactions, (k) participation in insurance or other benefit plans, and (l) expulsion of members and the grounds therefor;

and (B) can show that prior thereto it has—

"(1) filed with the Secretary of Labor, in such form as the Secretary may prescribe, a report showing all of (a) its receipts of any kind and the sources of such receipts, (b) its total assets and liabilities as of the end of its last fiscal year, (c) the disbursements made by it during such fiscal year, including the purposes for which made; and

"(2) furnished to all of the members of such labor organization copies of the financial report required by paragraph (1) hereof to be filed with the Secretary of Labor.

"(g) It shall be the obligation of all labor organizations to file annually with the Secretary of Labor, in such form as the Secretary of Labor may prescribe, reports bringing up to date the information required to be supplied in the initial filing by subsection (f) (A) of this section, and to file with the Secretary of Labor and furnish to its members annually financial reports in the form and manner prescribed in subsection (f) (B). No labor organization shall be eligible for certification under this section as the representative of any employees, no petition under section 9 (e) (1) shall be entertained, and no complaint shall issue under section 10 with respect to a charge filed by a labor organization unless it can show that it and

any national or international labor organization of which it is an affiliate or constituent unit has complied with its obligation under this subsection."

15. The worker has been liberated from Communist control:

"SEC. 9. (h) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding 12-month period by each officer of such labor organization and officers of any national or international labor organization of which it is an affiliate or constituent unit that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35 A of the Criminal Code shall be applicable in respect to such affidavits."

16. The worker has the right to a secret ballot:

"SEC. 9 (c) (1). Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board—

"(A) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to be represented for collective bargining and that their employer declines to recognize their representative as the representative defined in section 9 (a), or (ii) assert that the individual or labor organization, which has been certified or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 9 (a); or

"(B) by an employer, alleging that one or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in section 9 (a);

the Board shall investigate such petition and if it has reasonable cause to believe that a question of representation affecting commerce exists shall provide for an appropriate hearing upon due notice. Such hearing may be conducted by an officer or employee of the regional office, who shall not make any recommendations with respect thereto. If the Board finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof.

"SEC. 9 (e) (1). Upon the filing with the Board by a labor organization, which is the representative of employees as provided in section 9 (a), of a petition alleging that 30 percent or more of the employees within a unit claimed to be appropriate for such purposes desire to authorize such labor organization to make an agreement with the employer of such employees requiring membership in such labor organization as a condition of employment in such unit, upon an appropriate showing thereof the Board shall, if no question of representation exists, take a secret ballot of such employees, and shall certify the results thereof to such labor organization and to the employer.

"(2) Upon the filing with the Board, by 30 percent or more of the employees in a bargaining unit covered by an agreement between their employer and a labor organization made pursuant to section 8 (a) (3) (ii), of a petition alleging they desire that such authority be rescinded, the Board shall take a secret ballot of the employees in such unit, and shall certify the results thereof to such labor organization and to the employer.

"(3) No election shall be conducted pursuant to this subsection in any bargaining unit or any subdivision within which, in the preceding 12-month period, a valid election shall have been held." [11]

17. The worker is protected against personal liability:

"SEC. 301. (b) Any labor organization which represents employees in an industry affecting commerce as defined in this act and any employer whose activities affect commerce as defined in this act shall be bound by the acts of its agents. Any such labor organization may sue or be sued as an entity and in behalf of the employees whom it represents in the courts of the United States. Any money judgment against a labor organization in a district court of the United States shall be enforceable only against the organization as an entity and against its assets, and shall not be enforceable against any individual member or his assets."

18. The worker is freed from compulsory checkoff:

"SEC. 302. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce.

"(b) It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

"(c) The provisions of this section shall not be applicable * * * (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than 1 year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner."

19. The worker's interests are protected by a ban on bribery of union representatives by an employer:

"SEC. 302. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce."

20. The worker's interests are protected against extortion of an employer by racketeering union representatives:

"SEC. 302. (b) It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value."

21. The worker has security against abuse of health and welfare funds:

"SEC. 302. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce.

"(b) It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

"(c) The provisions of this section shall not be applicable (1) with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than 1 year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; or (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives

[11] Sec. 9 (c) of the Wagner Act provided only that the Board "may take a secret ballot of employees or utilize other suitable method." It should be noted that Public Law 189, 82d Cong. (approved October 22, 1951) struck out sec. 9 (e) (1) of the Taft-Hartley Act, but retained sec. 9 (e) (2) in substance. The language was eliminated in order "to dispense with the necessity for elections under sec. 9 (3) to authorize the making of union-shop agreements" (H. Rept. 1082, 82d Cong.). Experience had shown such elections almost always favored the union shop. Attention is also directed to the provisions for secret ballot in secs. 203 (c) and 209 (b) of the Taft-Hartley Act, in connection with disputes involving national emergencies, as follows: "Sec. 203. (c) If the Director is not able to bring the parties to agreement by conciliation within a reasonable time, he shall seek to induce the parties voluntarily to seek other means of settling the dispute without resort to strike, lockout, or other coercion, including submission to the employees in the bargaining unit of the employer's last offer of settlement for approval or rejection in a secret ballot. The failure or refusal of either party to agree to any procedure suggested by the Director shall not be deemed a violation of any duty or obligation imposed by this act." * * *. "Sec. 209 (b) Upon the issuance of such order, the President shall reconvene the board of inquiry which has previously reported with respect to the dispute. At the end of a 60-day period (unless the dispute has been settled by that time), the board of inquiry shall report to the President the current position of the parties and the efforts which have been made for settlement, and shall include a statement by each party of its position and a statement of the employer's last offer of settlement. The President shall make such report available to the public. The National Labor Relations Board, within the succeeding 15 days, shall take a secret ballot of the employees of each employer involved in the dispute on the question of whether they wish to accept the final offer of settlement made by their employer as stated by him and shall certify the results thereof to the Attorney General within 5 days thereafter."

of the employers and the representatives of the employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities.

"(d) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be guilty of a misdemeanor and be subject to a fine of not more than $10,000 or to imprisonment for not more than 1 year, or both.

"(e) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U. S. C., title 28, sec. 381), to restrain violations of this section, without regard to the provisions of sections 6 and 20 of such act of October 15, 1914, as amended (U. S. C., title 15, sec. 17, and title 29, sec. 52), and the provisions of the act entitled 'An act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., title 29, secs. 101–115).

"(f) This section shall not apply to any contract in force on the date of enactment of this act, until the expiration of such contract, or until July 1, 1948, whichever first occurs.

"(g) Compliance with the restrictions contained in subsection (c) (5) (B) upon contributions to trust funds, otherwise lawful, shall not be applicable to contributions to such trust funds established by collective agreement prior to January 1, 1946, nor shall subsection (c) (5) (A) be construed as prohibiting contributions to such trust funds if prior to January 1, 1947, such funds contained provisions for pooled vacation benefits."

22. The worker is freed from forced political contributions:

"SEC. 304. Section 313 of the Federal Corrupt Practices Act, 1925 (U. S. C., 1940 ed., title 2, sec. 251; Supp. V, title 50, App., sec. 1509), as amended, is amended to read as follows:

"'SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any laws of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other persons to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. For the purposes of this section 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.'"[12] [13]

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. While section 14 (b) of the Taft-Hartley Act gives the States supremacy in cases in which State laws are more restrictive than the Taft-Hartley law with respect to union-security arrangements, it does not give corresponding supremacy to State laws which might be more liberal. In the case of the Senator's amendment, could a State take legislative action which would permit conduct which the Taft-Hartley law prohibits?

Mr. GOLDWATER. I will answer the Senator's question in this way: Personally I feel that my amendment covers that point, but the distinguished senior Senator from New York [Mr. IVES] has raised a similar question. I will say to the Senator from Massachusetts, as I have said to the Senator from New York, that the door is certainly not closed to open discussion of this question. If it develops that the fear of the Senator from Massachusetts and of the Senator from New York is justified, certainly appropriate language should be written into the act. However, I am fearful that if we attempt to do so, judging from the study I have made, we shall wind up with a confusing and very difficult bill.

Mr. KENNEDY. I have only one question, and it is a very serious one. If the Senator's amendment should be adopted, permitting the States to do some of the things which he has discussed this afternoon, would it also permit a State which has a more liberal attitude toward labor relations to write into its law a provision which the Taft-Hartley Act prohibits?

Mr. GOLDWATER. I will say yes, if it did not result in impairing the rights of employers by unions or employees.

[12] The Corrupt Practices Act was amended in 1943 to include labor unions within the prohibition against political contributions in connection with elections. The Taft-Hartley Act extended the prohibition to include primaries.

[13] It should be observed that this provision of law by no means completely protects employees from union assessments for political purposes. For example, there is the use of "independent" political committees created by the unions. Also, there is the device of describing as "educational" expenditures by unions which in fact are solely for political purposes. From the time the Taft-Hartley Act was before the Congress in 1947 down to the present, it has been vilified, condemned and abusively described as the "slave-labor" law. Nothing can be further from the truth, in view of the foregoing listing of rights of the worker. Moreover, such a charge is thoroughly refused by the provision in section 502 of the acts as follows: "Nothing in this act shall be construed to require an individual employee to render labor or service without his consent nor shall anything in this act be construed to make the quitting of his labor by an individual employee an illegal act."

MARITIME SUBSIDY POLICY

Mr. BUTLER of Maryland. Mr. President, this afternoon the Under Secretary of Commerce for Transportion, Mr. Robert V. Murray, Jr., appeared before the Subcommittee on Water Transportation of the Committee on Interstate and Foreign Commerce, and presented a very comprehensive report in connection with the merchant marine requirements of the United States.

I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a statement which I have prepared in connection with the report of the Under Secretary of Commerce, and conclusions and recommendations made by the Under Secretary.

There being no objection, the statement and the conclusions were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER OF MARYLAND

The Department of Commerce has today presented to our Senate Water Transportation Subcommittee its report based on an exhaustive study of the maritime subsidy policy reviewed in the light of present national requirements for a merchant marine and shipbuilding industry. This report, prepared over the past many months, richly merits the utmost attention of every Member of the Congress, and, indeed, of every citizen.

Is it merely a rehash of things oft said? Decidedly not. The report for the first time, for instance, gives the official position of the Department of Commerce, based on defense requirements, as to the number of oceangoing ships which American yards must build each year, if we are to maintain an adequate defense potential in the matter of shipping.

Contrary to the majority report of the Randall Commission, and in agreement with the recent pronouncement of President Eisenhower, the Department of Commerce has concluded that the Nation's experience in two world wars and the Korean conflict demonstrated clearly that we must depend on our own merchant fleet and shipbuilding industry for ocean transportation in war or emergency.

Other important conclusions and recommendations contained in the report point up in concise but emphatic manner various of the more urgent problems confronting the Nation in the maritime field. Many of these will be noted further on in my statement. However, some of the proposals are of such significance as to warrant mention at this point.

Major among the findings presented are:

(a) A construction program of 60 oceangoing ships a year would maintain the American shipbuilding industry at sufficient strength to provide a nucleus of shipyard manpower capable of expansion to meet estimated mobilization requirements. This pro-

gram over a period of years would eliminate the block obsolescence problem, enhance the commercial and national defense strength of the active fleet, and improve the quality of the reserve fleet, provided that the better type active vessels were acquired by the Government for the reserve fleet on a trade-in basis. However, if annual deliveries of oceangoing ships drop below 30 ships per annum, shipyard employment will drop below the 1953 levels and there will be a corresponding resultant deactivation of facilities.

(b) The critical period in the attainment of the required shipbuilding program is the next 10 years because very few vessels will reach retirement age in that period. Present aids are insufficient to induce private operators to replace a substantial number of ships in the next 10 years.

(c) The replacement of the ships in the active fleet as of December 31, 1952, as they become 20 years old will be beyond the capacity of existing United States shipyards and the financial resources of American shipowners since about 80 percent of that fleet will be due for replacement within the 3-year period 1963 through 1965.

(d) Since World War II, tramp operators have received considerable assistance from cargo preference legislation, but because this form of aid is declining some alternative form of assistance may be necessary to maintain in operation the number of tramp ships required for national defense. On the basis of experience, world market rates for tramp ships are not expected to be high enough to cover the cost of operating such vessels under the United States flag.

(e) The reserve fleet is nearly adequate in numbers of dry-cargo and passenger-carrying vessels but critically deficient in tankers. It consists largely of slow emergency-type ships of limited usefulness built during World War II. The tanker shortage should be overcome and the reserve fleet upgraded with replaced vessels from the active fleet as soon as possible. Recent research and developmental programs looking to improving the speed and cargo handling ability of slow emergency-type laid-up cargo ships should be accelerated.

Out of this splendid report will come, as President Eisenhower gave assurance in a message to the Congress a few weeks ago, specific recommendations to be transmitted to the next session of Congress. In the meantime, because more immediate action is urgent, there already have been placed before the Congress, by our subcommittee and also by other committees at the request of the administrative departments, bills which would authorize a number of the more important remedial steps necessary for the strengthening and stabilization of both the shipping and shipbuilding industries.

Reflecting a well-organized and thoroughly objective review of the operations of practically every phase of the maritime industry, this commerce report constitutes one of the most realistic and expert overall appraisals of this vital segment of the national economy ever made. Congratulations are in order to all concerned in its production—first, to Under Secretary of Commerce for Transportation, Robert B. Murray, Jr., under whose personal direction it was undertaken; to Maritime Administrator Louis S. Rothschild and members of the Maritime Board, and to all the technical staff whose detailed and painstaking accumulation and assessment of the immense stores of data presented, laid the groundwork for and made possible the valuable results achieved.

In my opinion, real progress toward attainment and maintenance of a merchant marine and shipbuilding industry on the adequate level required for national security as well as for the everyday needs of our foreign commerce, is made vastly more probable because this report is at hand. Formulation of a national policy reflecting the changed and changing aspects of the ocean transportation picture henceforth should be greatly simplified.

In the past, national maritime policy, except in rare instances, has been consistently hit-and-miss, to use what may seem a self-contradictory phrase. When we needed ships—vast numbers of them—in a hurry, we dashed to the rescue and built them in slam-bang fashion. We constructed shipyards and ships on a mammoth scale, in a manner possible only here in this great land of mass production techniques. And, incidentally, although Sir Winston Churchill, in his mammoth history of World War II, said that "the foundation of all our hopes and schemes was the immense shipbuilding program of the United States," none can deny that this herculean task was accomplished at great cost.

It was a source of pride to every American that we could turn out these vessels so fast—two launchings at a time, as was frequently done at the great Bethlehem-Fairfield yard in Baltimore. Not necessarily the best or most modern vessels, you understand, but the types of ships that could be thrown together in the shortest space of time.

Only when the shooting ended were we able to sit back and assess the vast merchant fleets thus built—the vessels' lack of speed, and the many other deficiencies that, taken altogether, render most of the 2,000 merchant ships the Government now owns unfit for competition in the world trade, useless for almost anything but dire emergency need.

Another point now generally realized, but rarely mentioned, is that even though we were given the needed time in World War II to pitch in and get the ships built—and I pause to say there is no assurance that there will be similar opportunity next time to make up for past shipbuilding procrastinations—still we can be sure that some American fathers and sons and husbands who died would be alive today if there had been available an adequate merchant marine to supply them in 1941.

When the war-construction costs were reviewed—$3 billion in one war, $12 billion in the second—the Congress evidently felt, in each case, that the Nation then possessed all the ships it would need for a long, long time. The lid was clamped down on ship construction after each wartime splurge to the point where the shipyards quickly were reduced to a mere shadow of their former potential, as is the case today. Yet, despite the costly lessons of World War I and II, I am afraid there are some today who would be willing to gamble on what ghost shipyards might be able, at tremendous cost, to do in the future—when perhaps the hydrogen bomb will be a factor—rather than face up to the facts of life with respect to the maritime problems pressing upon us.

It is heartening to recall that there were some men of vision in the Congress back in the twenties who, from the experience of World War I, attempted to inject some sense of reality into congressional and public thinking.

The Shipping Act of 1920 authorized the establishment of trade routes, and gave some slight encouragement to private ship financing and operation.

The 1928 act went a lot further, in getting the Government out of the shipping business, and authorizing the establishment of ocean mail routes with long-term contracts to the carriers. It was the initial step by Government to require, in return for governmental subsidy, more of a quid pro quo than simply having the ships available for national defense. However, there were no hard and fast provisions for replacement of the subsidy vessels. And again, a lack of a lasting, effective maritime policy.

The Merchant Marine Act of 1936, based upon many months of investigations headed by Senator, now Supreme Court Justice Black, was important in that it gave legal sanction to the sense of Congress as to the necessity of developing and maintaining an adequate and well-balanced merchant marine, to promote the commerce of the United States and to aid in the national defense.

Into this act, Congress wrote the sound principle to which the American merchant marine owes whatever stability has been achieved and maintained—the principle that Americans who are willing to have their ships built in American yards, and to man them with American personnel should be aided by the Government financially, to offset the vastly lower shipbuilding and operating costs of foreign shipping; providing—and this is most important—that these so-called "subsidized lines" would agree to return certain sizeable portions of whatever operational profits they might make in excess of 10 percent of capital employed. Retained were the requirements of the 1928 act for regular service on essential trade routes. In my opinion, for every dollar we have paid out under the act we, as a nation, have received 100 cents worth of value in return.

These two acts, of 1928 and 1936, stimulated American shipping and shipbuilding to the extent that these industries were "going concerns" in 1939. Most fortunately for the Nation, they were operating on a basis sufficiently healthy and numerically adequate to permit rapid expansion into the record-breaking fleet which, according to Sir Winston Churchill, was "the foundation of all allied hopes and schemes * * * the sole foundation of allied war strategy."

But, some will be only too ready to say—"We did that overnight rush job twice. We can do it again, if need arises. And very possibly that need may never arise." So why, they will argue, why dedicate many millions of dollars over a long period to a program we may never really need?

The answer to such reasoning is very simple. Done in haste as it was, the shipbuilding program in each of the two wars was fantastically costly, and woefully inadequate in quality of ships produced. Further, it required many months of organization—and because of the kind of war the next one may be, we very likely will not have those precious months to make amends for present omissions.

But let me address myself now to a very brief recapitulation of the Commerce Department's' report. Particularly, I would stress the deficiencies it reveals, and the remedies it concludes are required to bring the American merchant marine and its shipbuilding facilities to a point of adequacy with respect to the Nation's peacetime and defense necessities. Bear in mind that this objective report is the product of impartial administrative experts—not proponents or lobbyists for any particular group.

First, the study set out to determine what would constitute an adequate merchant marine? How many vessels? Of what types? How close or how far is the Nation from that ideal setup as of now? What is necessary to attain a merchant fleet that would fulfill the objectives laid down in the Merchant Marine Act of 1936, namely, a fleet adequate to promote the commerce of the Nation and aid in the national defense?

According to the Commerce report, the total available oceangoing merchant fleet, including privately owned United States-flag vessels and the reserve fleet under Government ownership, was slightly in excess of 3,400 ships of 1,000 tons gross and over, as of December 31, 1952. An industry report, as of April 1, 1954, places the total then at 3,267 vessels, 1,237 of them privately owned.

Sounds like a lot of ships, doesn't it? And it is. But are they adequate, in the opinion of Defense officials, to serve the public interest in event of war? Far from it.

Why? Well, they're too old, for one thing, the Defense Department says. And too slow,

in the main. More than 80 percent were constructed during World War II. They average more than 10 years in age now. The great bulk of them, of the Liberty-ship type, can make only 10 to 11 knots an hour. And that's not fast enough to outrun today's submarines.

For defense purposes as of a future mobilization day, the report discloses, it has been found that as of December 31, 1952, the shipping under United States control was deficient in these particulars:

RESERVE FLEET

(a) Critically deficient with respect to speed—1,600 Liberty ships included, capable of only 10 to 11 knots.

(b) No large tankers.

ACTIVE FLEET

Deficient by the equivalent of (a) 69 Mariner-type (approximately 13,000 deadweight tons) and 127 Bland-type ships (10,500 deadweight tons, postwar design, for merchant-ship replacement); (b) 6 T–5 type tankers and 10 commercial-type tankers operating at 18 knots; and (c) 8 passenger-carrying ships of the *Independence* type.

In my desire to present the many vitally important findings of this excellent report with all possible brevity, so as not to transgress too heavily upon the time of the Senate, there is danger that due attention may not be paid to such urgent needs as are indicated in the above-listed deficiencies.

With all military activities now geared almost completely to petroleum products of various types, a lack of large tankers would be a crippling deficiency. The two programs now before the Congress providing for the construction of 20 large-size, modern tankers for long-term charter by the Department of Defense, and 20 for private operation by the shipping industry, to replace 40 of the smaller tankers now in active use, thus assume, in the light of this deficiency finding, a vastly more urgent aspect.

The privately owned tanker fleet of our country did a magnificent job of supplying American and United Nations forces in Korea. But tankers outlive their usefulness quickly. And world oil usage is growing by leaps and bounds. Construction of these 40 large tankers, each capable of transporting gasoline or oil in terms of millions of gallons, would be a boon to the military forces in any future hour of need. Retirement to the reserve fleet of the tankers to be replaced by the new vessels would strengthen that important emergency fleet as well.

The report suggests that possibly the most desirable method of remedying present deficiencies would be to replace units now being operated with modern, faster ships and to upgrade the defense reserve with replaced vessels of better types. The two tanker construction bills would certainly comply with this recomemndation.

Among the major recommendations of the commerce report is one urging that the maintenance of sound, stable, healthy shipbuilding and ship repair industries is basic.

This particular recommendation leads naturally to the second half of the merchant fleet adequacy question—that of replacement of the ships in the active merchant fleet, plus the upgrading of the reserve fleet by the addition of the more desirable of the vessels now in active use.

This involves, and must be considered along with, the corollary question of shipyard facilities. What are deemed to be the minimum defense needs here, with respect to possible war emergency requirements? How are these urgent minimum construction facilities to be maintained, with many of the yards now "smelling bottom" in the matter of new contracts, to use a maritime term? And, of course, ship-construction facilities imply availability of the necessary workers trained in the peculiar skills of their craft. Their ranks are dwindling rapidly. What is to be done about them?

All responsible agencies of Government, all competent shipping people, are agreed on this point—that the only sensible way, the one practical way, to keep the United States merchant fleet modern and competitive, as well as adequate for defense needs, is through a consistent, planned, year-to-year shipbuilding program. Such a program, spread among the vital shipbuilding facilities, would take care of the maintenance of the required basic core of shipyards and skilled technical workers.

Obviously, it was felt it would be impractical to consider replacing the present merchant fleet on a rigid 20-year basis. That would only perpetuate the obsolescence problem that now plagues the Nation. Basic to any consideration involving ship construction, they point out, is the question of availability of shipyards and shipways capable of constructing oceangoing ships 400 feet in length and over.

The Commerce Department study found that there are only 15 shipyards in the country with such facilities now. Six of them are on the east coast, a like number on the west coast, and three in the gulf area. Total shipways of the required size were found to be 81, of which 18 are currently used for Navy contracts. Of the remaining 63 shipways, not all were found suitable for certain types of cargo and passenger vessels.

The net facilities judged to be available for merchant ship construction on M-Day thus are reduced to only 6 shipyards, with 35 shipways. The others, by mutual agreement, are to be utilized by the Department of Defense. Also available to some degree are 9 reserve shipyards in varying stages of usability, 2 of them adjacent to existing private yards. These would require from 2 to 9 months to reactivate, at costs running up to $30 million in some instances.

To meet the needs of merchant ship construction on mobilization day, these 6 yards and 35 shipways must be actively in being, all ready to proceed with construction of types of vessels suitable for emergency purposes. The minimum nucleus shipyard capacity must satisfy these conditions, the report states:

(a) They must have mobilization-type ships actually under construction, with necessary engineering completed, arrangements with subcontractors agreed upon and subcontractor designs ready; and

(b) of more immediate urgency, they must have enough commercial construction under way to justify an adequate labor force as a basis for mobilization expansion.

Now, this leads us to the point of all this studying and planning, to what is considered necessary in the way of a construction program adequate to achieve the dual purpose of replacement of the active merchant ship fleet and of maintaining, in being, the minimum nucleus shipyard capacity required for mobilization expansion?

This in turn brings up another consideration, of equal importance—namely, the matter of shipyard personnel. It need hardly be stated that the most modern yards, the most scientific tools and techniques would be of little value without an adequate working force thoroughly trained to use such tools and techniques. Thus, the whole M-Day construction program is based on the labor requirements incident thereto.

To produce the ship-construction program that has been deemed likely to be needed at M-day, the Commerce report reveals, it has been figured that in the coastal yards a force of 435,000 workers will be required at peak employment. This force would be for merchant-ship construction only. Experience has shown that in the field of ship construction the number of peacetime workers could be expanded about 12 times during the mobilization buildup. On this ratio, the report points out, a nucleus force of approximately 36,000 skilled workers will have to be maintained during peacetime in order to make possible expansion to the required 435,000 for full mobilization needs. To maintain this required nucleus of 36,000 skilled workers it will be necessary, the committee report says, to construct 60 oceangoing merchant ships per year—more than we have built in any of the years since World War II; more, I venture to say, than have been produced in any nonwar year in history.

Such a basic construction program is estimated to cost approximately $400 million annually, exclusive of national-defense features.

The Government's out-of-pocket share of this cost would depend upon the differential subsidy rate applicable at time of construction and upon the number of these ships which would be eligible for subsidy.

On December 31, 1952, the Commerce report disclosed, subsidized operators were employing 246 dry-cargo vessels. Nonsubsidized carriers had an equal number in operation. Ships constructed for replacement or additions to either of these fleets would be eligible for construction subsidies provided they meet the requirements as to essentiality, etc.

Oh, yes, and with the further most important proviso that Congress would make the necessary appropriation for the construction differential subsidy desired. Then the prospective shipowner would be required to finance the difference between the construction differential subsidy granted and the actual construction cost in an American shipyard. Not an easy matter under present law. But we are working hard to enact more effective legislation this session.

At the current construction differential rate of 45 percent, the annual cost to private owners on a $400 million ship construction program would be $220 million. A truly sizable amount this, under any circumstances. But, mark this well. Even if every single ship constructed were to be qualified for both construction and operating differential subsidy, to equalize construction and operating costs with those of competing foreign ships, let me say that sensible ship operators might think a long while before embarking on such a venture.

In the Merchant Marine Act of 1936, Congress laid down the definite and sensible policy that, to keep American-flag ships on the seas, they must be helped financially in the matter of equalizing costs of operation. Unfortunately, however, Congress has not kept abreast of its obligations in this respect.

Nor is any attempt ever made to offset to these out-of-pocket costs how much will come back to the Treasury in the form of tax revenues, lower unemployment payments by the States and the host of other indirect returns.

Some of the lines presently have operating differential subsidies due them from the Government, dating back as far as 1947, and efforts on the part of the responsible Government agencies to clear up these arrearages have not been too resultful so far in the present session.

The House has reduced requested appropriations for this purpose by $40 million in 2 appropriation bills now pending. The Senate already has restored $10 million for 1954. I sincerely trust the Congress will recognize and honor its obligation in this respect by restoring all such funds to the measures in question.

Now to get back to the 60-ships-a-year recommendation. Could the privately owned shipping industry shoulder its usual share of merchant ship replacement costs under such a program? The Commerce report says "No," stressing that "The replacement of the ships in the active fleet as of December 31, 1952 as they become 20 years old will be beyond * * * the financial resources of American shipowners."

The report states emphatically, though, that "(a) every effort should be made to encourage the construction in the United States of about 60 average oceangoing merchant

ships per annum; (20) should annual deliveries of oceangoing merchant ships constructed in the United States drop below 30 per annum, there will be a reduction in the 1953 shipyard work force and a corresponding deactivation of facilities."

In other words, construction of 30 ships a year would not be enough to replace the active commercial fleet within any reasonable amount of time. Nor would it provide the required expandable nucleus of facilities and workers in being.

Well may we ask, can the Nation afford to gamble on the future in this respect? The merchant marine is generally recognized to be the fourth, and a thoroughly vital, arm of our defense setup. As such, it must be adequate to any demands upon it.

Suppose the Government, for instance—and this is simply for discussion—were asked to bear two-thirds of the above-mentioned $400 million cost of replacement. That would be $267 million, or about two-thirds of 1 percent of current annual defense expenditures. While we vote many billions of dollars a year for defense, is it unreasonable to suggest that a minute percentage of this amount be made available to assure an adequate merchant marine? Without this minimum of suitable shipping all responsible authorities—President Eisenhower and Sir Winston Churchill, as well as United States Defense and Commerce officials without exception—agree that the military forces could not function properly.

Will it take another war to make clear the facts that are all too evident from the last two wars? By this I mean the advantage, financially and otherwise, to the national security as well as to the economy of the great port areas and the thousands of their skilled ship workers, of a sound long-range program of ship construction, as opposed to the wasteful, unsatisfactory shipbuilding binges upon which the Nation has been forced to embark twice? Are we going to walk blindly into a third such wasteful, criminally negligent, program if M-day should dawn again? Unless we pay heed to the recommendations of this authoritative Commerce Department study, we can expect nothing else.

The 60-ships-per-year program advocated in the report would serve peacetime replacement needs most satisfactorily, according to the Commerce Department economists.

Over a 20-year period, the 1,200 ships constructed would, because of their greater capacity and speed, have a cargo moving equal to that of the 1,297 vessels in commercial operation on December 31, 1952.

Over the same 20-year period, a 60-ship-per-year program would insure a sound economy for the great port areas of the country. The results of such construction, likewise, would reduce vastly the dangers of unpreparedness and the vast costs incident to an inadequate auxiliary fleet for military needs in a future war.

Not only would the proposed 60-ship-per-year program cost less than half the pell-mell emergency shipbuilding program of World War II. Its most valuable accomplishment would be the assurance of a thoroughly modern, continuingly up-to-date merchant fleet, with a consequent vastly improved reserve, by reason of the annual transfer to that fleet of the more desirable of the ships being replaced.

A savage battle for survival is now being waged by the American merchant marine and the shipbuilding industry. In a nutshell, here are the problems. Foreign ships can operate for as little as a third of American ship operating costs. Were it not for the preference provisions written into the law setting up the various foreign-aid programs, under which at least 50 per cent of cargoes financed by Federal funds must be carried in American bottoms, our unsubsidized shipping would quickly be driven from the seas, and all American shipping would be badly hurt.

The report recognizes this, but some in Government and in industry—even in Congress—apparently do not. So important are these cargo preference provisions that I recently introduced a bill to broaden and make permanent in the law a requirement for such preference for American vessels. Every other country in the world does this—and usually very much more—to aid and strengthen its shipping. I sincerely hope this new, broader cargo preference bill will become law.

It is high time the country is awakened to the fact of life regarding shipping. If and when our flag is forced from the seas through congressional neglect, there will come a rude awakening to leaders of various of the producing phases of our economy. Many industries have been dependent upon shipping for disposal in foreign lands of the "extra" production quota which has meant for them the difference between prosperity and depression. Yet too often they have opposed rather than supported the merchant marine.

The Commerce report comments on the MSTS question, and the Congress, too, is attempting to determine whether or not this Service has actually been carrying cargoes which private vessels could and should have transported. Our subcommittee and the House Merchant Marine Committee has taken testimony upon the question. What the outcome will be, remains to be seen. However, I am confident that Senators will agree that it would be folly, indeed, to vote subsidies to aid private shipping if at the same time these Military Sea Service ships are helping to make it impossible, by their competition, for American-flag vessels to operate at a profit.

We cannot, we dare not, sit idly by in this time of shipping and shipbuilding crisis—building no new ships, making no plans for future ship construction, leaving our United States-flag vessels to fight a losing battle against foreign shipping operating at far below the costs imposed upon the American merchant marine.

It is heartening, I repeat, that President Eisenhower promises a legislative program to help American shipping and shipbuilding, to be based upon the findings and recommendations of the Department of Commerce report, upon which I have made these necessarily brief comments.

That program will not be forthcoming, however, until the next Congress. Any program offered could hardly be enacted into law before June 1, 1955, if then. Any ship construction authorized therein would require additional months of planning before a keel could be laid.

By that time, it is safe to say, 80 to 90 percent of America's shipbuilding facilities will be shut down, and their skilled workmen dispersed beyond recall unless Congress awakens to the critical needs facing these industries and acts promptly and boldly to stave off this threatened disintegration of what is agreed by all responsible Defense authorities to be an integral part of national-security facilities.

As Admiral Leggett, Chief of the Navy's Bureau of Ships, testified before our subcommittee only last Monday, "The Navy is gravely concerned with the plight of the shipbuilding industry * * * It would appear that the shipbuilding potential of our country must be supported by some interim, emergency measure such as a Government-sponsored construction program * * * It should start at the earliest possible time and consist of at least 20 ships annually. This would not be a permanent solution * * * It would, however, keep a number of yards from closing in the next year."

I sincerely hope the Congress will authorize the tanker-building programs provided in S. 2788 and S. 2408, and approve the $50 million in the Defense Appropriation Act for 1955, for special type vessels for MSTS, so that construction may be begun as soon as humanly possible.

It is most urgent also that the administration approve the budget requests for construction differential subsidy funds for the four large, modern passenger vessels the industry has programed, and that Congress will make available promptly the required construction subsidies.

I trust that the Federal ship mortgage guaranty legislation on which both Houses have held hearings, will be passed without delay when it reaches the floor of the Senate and House.

The one final measure of relief sought at this session for the shipping industry is the cargo preference bill, to make permanent the guaranty to American shipping of at least 50 percent of all Government-financed or gift-program cargoes transported to or from overseas. Hearings on this will be held by our subcommittee on Wednesday, and the bill will be ready for report to the Senate within the month, I hope. This cargo preference has meant the difference between survival and ruin for many American ship operators. Passage of the proposals on a broad, permanent basis is essential to the future of the American shipping industry. It is a measure of self-protection which the Nation must adopt or see much of its shipping pass from the seven seas, with all the dire results to the national defense potential which this would involve.

When we urge that American vessels be used for the transportation of at least half of Government-financed cargoes, wherever originated, there is no justification for a charge of "selfishness." Rather, it is being magnanimous. No other country in the world is offering our ships one-half of its cargoes.

In its report, the Department of Commerce states bluntly that "the cargo preference provisions of existing law should be continued in effect as a part of our national maritime policy." All too often, I am afraid, however, too little consideration is given to United States vessels or United States producers. Fertilizers, for instance, that can be bought cheaper in Baltimore than in Europe, are purchased abroad by this Government for Korea on a "laid down" basis at the point of delivery under which the vastly lower foreign tramp-ship rate more than equalizes the lower cost in this country. In such case both producers and shipowners in this country are penalized.

As can well be seen from what I have said, there are problems galore facing the Nation with respect to its shipping and shipbuilding, which cannot be decided on the cold basis of dollar costs. Adequate shipping and shipbuilding facilities are an essential to the preservation of the American Government and the American way of life. We could no more do without them than without planes or guns or tanks, or in this age of atomic weapons, without the hydrogen bomb. The cost may be high, but the cost of not having them would be incalculable should a real emergency find the Nation unprepared.

Because of the importance of this splendid Department of Commerce report, and in order that the widest possible publicity may be given its findings, I include the attached listing of the conclusions and recommendations herewith as part of my remarks:

"VI. CONCLUSIONS AND RECOMMENDATIONS

"A. Conclusions

"1. Our basic national maritime policy is sound. Indeed, its objectives are so fundamental to the national interest that their attainment should be given primary consideration at all times.

"2. Present world conditions require the development and implementation of a program that will assure the fulfillment of our national maritime policy.

"3. Experience in two world wars and the Korean conflict demonstrated that the United States must depend upon its own merchant fleet and shipbuilding and repair industries for ocean transportation.

"4. National defense, on the basis of current planning, requires an active merchant fleet in peacetime of about the size of that in operation on December 31, 1952.

"5. A review of present traffic available for United States flag ships and of anticipated trends indicates that United States commercial needs probably will not require the employment of an active merchant fleet larger than that privately operated on December 31, 1952.

"6. A construction program of 60 ocean-going ships a year would maintain the American shipbuilding industry at sufficient strength to provide a nucleus of shipyard manpower capable of expansion to meet estimated mobilization requirements. This program over a period of years would eliminate the block obsolescence problem, enhance the commercial and national defense strength of the active fleet, and improve the quality of the reserve fleet, provided that the better type active vessels were acquired by the Government for the reserve fleet on a trade-in basis. However, if annual deliveries of ocean-going ships drop below 30 ships per annum, shipyard employment will drop below the 1953 levels and there will be a corresponding resultant deactivation of facilities.

"7. The critical period in the attainment of the required shipbuilding program is the next 10 years because very few vessels will reach retirement age in that period. Present aids are insufficient to induce private operators to replace a substantial number of ships in the next 10 years.

"8. The replacement of the ships in the active fleet as of December 31, 1952, as they become 20 years old will be beyond the capacity of existing United States shipyards and the financial resources of American shipowners since about 80 percent of that fleet will be due for replacement within the 3-year period 1963 through 1965.

"9. Construction-differential subsidy aid will not of itself induce the construction of many new ships for operation in the foreign trade in the absence of a reasonable outlook for profitable operations.

"10. Unless American-flag vessels can be operated profitably many owners will seek to transfer them to foreign registry so as to take advantage of lower operating costs.

"11. Operating costs, especially seagoing wage costs, are so much higher for United States-flag ships than for foreign-flag ships that it is becoming increasingly difficult for American ships, particularly those in the nonsubsidized fleet, to compete in foreign trade. This problem has become more acute with the increase in foreign-flag competition and the reduction in the amount of cargo-preference traffic.

"12. The parity concept is sound in principle and should be continued as the basis for the determination of operating and construction-differential subsidy. Efforts to overcome the difficulties inherent in its administration should be continued.

"13. The cost to the Government of providing operating subsidy to eligible merchant ships has increased. In the interest of maximum utilization and conservation of public funds, it is essential that all vessels receiving subsidy aid be operated as efficiently and economically as possible. Management, labor, and Government must share the responsibility in achieving maximum efficiency in ship operations.

"14. Since World War II, tramp operators have received considerable assistance from cargo-preference legislation, but because this form of aid is declining some alternative form of assistance may be necessary to maintain in operation the number of tramp ships required for national defense. On the basis of experience, world market rates for tramp ships are not expected to be high enough to cover the cost of operating such vessels under the United States flag.

"15. The cargo-preference provisions of existing law should be continued in effect as a part of our national maritime policy.

"16. Discriminatory practices on the part of certain foreign governments materially affect the competitive position of the United States merchant ships operating in certain foreign trade areas. All reasonable measures should be taken to remove such discriminatory practices.

"17. The reserve fleet is nearly adequate in numbers of dry-cargo and passenger-carrying vessels but critically deficient in tankers. It consists largely of slow emergency-type ships of limited usefulness built during World War II. The tanker shortage should be overcome and the reserve fleet upgraded with replaced vessels from the active fleet as soon as possible. Recent research and developmental programs looking to improving the speed and cargo handling ability of slow emergency-type laid-up cargo ships should be accelerated.

"18. The essential trade route concept is sound and has contributed to the economic stability of the liner segment of our merchant fleet in the foreign trades. However, constant scrutiny of all trades should be given in order to assure that the granting of subsidy aid is in keeping with the traffic needs of each essential route.

"19. Only moderate improvement in the national defense potential of the domestic fleet can be expected under present circumstances. While bulk traffic continues to increase in the continental United States coastwise trades, the transportation of package freight and passengers has declined substantially from pre-World War II levels. So far no improvements have been instituted which show possibilities of revitalizing the package freight and passenger services.

"B. Recommendations

"1. Requiring Legislative Action

"(a) Appropriations for pending applications for construction-differential subsidy: The Department of Commerce should request appropriations to cover the Government's share of the cost of construction of ships for which construction-differential subsidy applications are pending. New ship construction should be financed privately to the greatest extent possible. * * *

"(b) Sale of Government ship mortgages: The Department of Commerce should request authorization to sell Government ship mortgages to provide funds for ship construction. The sale price for such mortgages should not be less than the mortgage indebtedness existing at the time of sale, and in addition such mortgages should be guaranteed by the Government.

"(c) Construction revolving fund: The revolving fund authorized under section 206 of the Merchant Marine Act, 1936, as amended, should be made available for use in connection with ship construction, conversion, betterments, research, and development. There should be authorized for deposit in this fund (1) appropriations for ship construction; (2) receipts from sale of ship mortgages; (3) interest and principal payments on ship mortgages owned by the Government; and (4) sale and charter receipts. Reports on the activities with respect to the source and application of such funds should be made periodically to Congress.

"(d) Procedure for the determination of construction subsidy: The Department of Commerce should request legislation to facilitate the determination of construction-differential subsidy rates. Provisions required are: (1) the Board should be authorized to determine construction-differential subsidy rates for major types of vessels, i. e., cargo, combination, and tanker, to be effective for a certain period of time; (2) language in existing law that has given rise to controversy should be clarified; and (3) the Comptroller General should be required to audit the construction subsidy rate as determined by the Federal Maritime Board within a period of 30 days.

"(e) Accelerated depreciation for new vessels: The Department of Commerce should request legislation to provide that any vessel contracted for after July 1, 1954, and delivered prior to January 1, 1962, may be depreciated on a 20-year basis. In addition, the owner should be authorized to take additional depreciation on a sliding scale basis as follows: (1) an amount not to exceed 3 percent each year if the ship is delivered before January 1, 1962; and (2) if in connection with such construction a vessel of less than 20 years is traded in pursuant to section 510 of the act, an additional one-half of 1 percent per year depreciation should be allowed for each year the vessel is less than 20 years old. * * *

"(f) Deposits in construction reserve fund: The Department of Commerce should request legislation authorizing nonsubsidized operators, including those in the domestic trades, during the period July 1, 1954, to December 31, 1961, to deposit in a construction reserve fund earnings from shipping operations and services incident thereto on a tax-deferred basis. The amount of such deposits should be limited to their share of the estimated costs of ships to be contracted for and delivered during the period July 1, 1954, to January 1, 1962. * * *

"(g) Trade-in-and-build tanker program: The Department of Commerce should urge enactment of legislation dealing with the trade-in-and-build tanker program similar to that sponsored by the Department during the 1st session of the 83d Congress. This legislation authorized the Maritime Administration to acquire tankers which are at least 10 years old under the terms of section 510 of the Merchant Marine Act of 1936, as amended, for the purposes of creating a national defense reserve of tanker vessels and of encouraging the construction of modern tankers in United States shipyards. Under section 510, the Government is authorized to acquire an old vessel and grant an allowance against the purchase price of a new vessel. Consideration should be given to the use of a statutory formula for establishing trade-in values in lieu of the present method of section 510 of the 1936 act.

"(h) Aid to tramps: The Department of Commerce should request legislation authorizing the Secretary of Commerce, upon certification of national defense necessity by the Secretary of Defense, to grant operating subsidy aid on a basis not to exceed parity with foreign competitors to ships engaged in tramp operations. Such aid should be subject to the development of an administratively feasible program and be granted only if: (1) the operator replaces or agrees to replace existing tramp ships in a manner which will assist the achievement of the construction program required for national defense; and (2) the other segments of the United States-flag fleet would not be adversely affected.

"(i) Mortgage insurance, title XI: The Department of Commerce should request amendments to title XI (ship mortgage insurance of the Merchant Marine Act, 1936, as amended), as follows:

"(1) Authorize Government insurance on a private mortgage or loan of 87½ percent of the cost of a ship in cases where the ship could qualify for a Government mortgage or loan of 87½ percent.

"(2) Increase the amount of Government insurance from 90 to 100 percent of the amount of the mortgage or loan.

"(3) Remove provisions requiring that the interest rate be substantially less than uninsured mortgages.

"(4) Authorize mortgage insurance for ship mortgages sold by the Government in accordance with recommendation b above.

"In addition, consideration should be given to limiting the operator's liability to the Government in the event the Government is required to pay the private mortgages under an insured loan.

"2. Requiring Administrative Action

"(a) Development of shipbuilding program and formal replacement of vessels: Present discussion with American shipowners with respect to the replacement of their ships should be intensified. The primary object of these discussions should be to bring about an orderly shipbuilding program, with emphasis on replacement during the next 10 years. Operators receiving operating-differential subsidy aid should be encouraged to take positive steps to replace their ships in a manner which will tend to eliminate the block obsolescence problem. In short, they should be required to replace a certain portion of their ships earlier than they would under normal conditions so that their entire fleets will not require replacement over a short period of time. Consideration should be given to requiring forward replacement of vessels in connection with the granting of new operating subsidy contracts, extension of existing contracts, extension of subsidy to a ship over 20 years of age, voluntary deposits, or any other change in an operation-differential subsidy contract.

"(b) Research and development programs: The Government should expand research and development programs looking to (1) increasing the efficiency of ships and related shoreside facilities; and, (2) improving defense capabilities of active and laidup ships. * * *

"(c) Procedures for determination of construction subsidy rates: The Federal Maritime Board should formulate procedures for the determination of construction subsidy rates in cooperation with other Government agencies, the shipping and shipbuilding industries, and other interested parties. The Board shall hold a sufficient number of hearings to establish an adequate record upon which to base construction subsidy rates by classes of vessels and at such intervals as in the judgment of the Board are required. Rates having been once determined by the Board shall be audited by the Comptroller General within a 30-day maximum period. Immediately following the rates as audited and the effective period for such rates shall be published in the Federal Register.

"(d) More efficient use of shipboard labor: Because the cost of seagoing labor is responsible for most of the operating-differential aid granted to United States-flag vessels, the Maritime Administration should undertake a program to promote the most efficient use of shipboard labor. In addition to the investigations and studies that the Administration may make, it should require subsidized operators to study the problem as it relates to their individual operations, and to report periodically such corrective measures as have been adopted and their effectiveness. The Administration should also enlist the cooperation of nonsubsidized operators and labor unions to bring about increased efficiency of labor and reduction in labor costs.

"(e) Efficiency control by Maritime Administration: The Maritime Administration should intensify the administration of section 606 (06) of the Merchant Marine Act, 1936, as amended, which requires subsidized operators to conduct their operations in the most economical and efficient manner.

"(f) Reserve fleet utilization: Since the active commercial fleet fluctuates in size and composition while mobilization requirements for shipping remain relatively constant, there should be maintained within the reserve fleet a sufficient number of ships in ready status to meet estimated deficiencies in the active commercial fleet, resulting from early mobilization requirements. This group of ships should contain the better type of vessels possessing sufficient speed to meet early mobilization requirements. In addition, the other vessels in the reserve fleet should be maintained in such condition as to enable them to meet phased mobilization requirements.

"(g) Discrimination affecting United States-flag vessels: The problem of overcoming or minimizing the effect of policies and practices of certain foreign countries which discriminate unjustly against nonnational foreign-flag vessels, including those of United States registry, best can be approached on the basis of continued use of diplomatic channels and other measures now employed by the United States Department of State in cooperation with other agencies and departments of the United States Government.

"(h) Basis and scope of Government subsidies: Studies of the basis, scope, and coverage of direct and indirect subsidies should be continued. In this connection, on April 16, 1954, shortly after the present study was completed, the President requested the Secretary of Commerce to include in subsequent studies a full consideration of the extent to which direct means can be utilized to maintain an adequate merchant marine.

"(i) Review of essential trade routes: The reviews of essential trade routes should be completed prior to the award of any additional subsidy contracts or the modification of any existing contracts. Procedures for the collection and analyzing of data, and criteria used for determining essentiality should be so established as to simplify the present criteria and permit the completion of the studies within a reasonable period of time. * * *

"(j) Domestic shipping problem: A special study of the domestic water carrier situation is being undertaken by the Department of Commerce and therefore no detailed study of that segment of the United States merchant marine has been included in this report. The ships employed in the domestic trade are most important to national defense since they are more likely to be available immediately in time of emergency than ships which engage primarily in the foreign trade. The deadweight capacity of the dry-cargo fleet has decreased from 3,152,000 tons in 1939 to 1,697,000 tons in 1952.

"The dry-cargo segment of the domestic fleet is in a serious condition. Among the possibilities for increasing the size of this portion of the domestic fleet are: (1) Improvement of cargo-handling facilities; (2) development of specialized types of carriers; (3) enactment of legislation authorizing the Interstate Commerce Commission to revoke operating certification in case of nonuse; and (4) repeal of those provisions of the Panama Canal Act which prevent certain groups from operating vessels in the coastwise trade."

TVA APPROPRIATIONS

Mr. KEFAUVER. Mr. President, I should like to call to the attention of the Senate a remarkable newspaper interview recently printed in the Nashville Tennessean.

In it Mr. Purcell Smith, president of the National Association of Electric Companies, has blatantly claimed credit for "keeping TVA's appropriation to a reduced amount."

The interview was written by Mr. Lois Laycook, a perceptive and able correspondent for the Tennessean.

I ask unanimous consent that it be inserted in the body of the RECORD immediately following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Nashville Tennessean of April 18, 1954]

TOP LOBBYIST CLAIMS HE GOT MONEY'S WORTH—TVA FUNDS SLASH MAJOR ACCOMPLISHMENT, SAYS PURCELL SMITH

(By Lois Laycook)

WASHINGTON.—Purcell L. Smith, head of the Nation's private-power lobby, declared yesterday his organization got its money's worth from the $547,789.32 it spent on influencing legislation and other activities last year.

One of the major accomplishments, Smith blandly observed in an interview with this reporter, was "our effectiveness in keeping TVA's appropriation to a reduced amount."

The organization also was successful in its work against other public-power legislation before Congress, he declared.

Smith is president of the National Association of Electric Companies, which reported to Congress that it spent more for lobbying and other activities in 1953 than any other organization registered under the Federal Lobbying Registration Act. He is paid more than $50,000 a year in salary for his activities.

The electric lobby's closest rival was the Association of American Railroads which reported expenditures totaling $235,727.73 last year—little more than half the amount reported by the electric companies.

COVERED ALL EXPENSES

Smith, however, insisted that the $547,789.32 spent by his organization covered not only lobbying activities but administrative expenses as well.

"We report our total expenditures while many other organizations report only the amount they claim was spent solely for lobbying purposes," he said.

Other lobbying groups would show larger totals on their reports to Congress if they included all expenditures, he added.

Nevertheless, Smith conceded that the National Association of Electric Companies had unprecedented successes last year.

"I think our greatest success was bringing about a greater awareness among Members of Congress, the executive department and to some extent the public, of the factors that apply to the Government power business and particularly of the accomplishments of the eelctric companies in supplying all the power needed in the areas they serve," Smith said.

Smith added he is convinced that this organization is driving home its contention that "the Government has no responsibility either legally or morally to supply all the electric power in the areas where it has big operations and that includes TVA as well as the Bonneville Power Administration and the Missouri River Basin."

In regard to his accomplishments on specific legislation before Congress last year, Smith made the following comments:

"1. I think we were effective in keeping TVA appropriations to a reduced amount.

"2. We made good progress in the Niagara bill authorizing five power companies in New York to build the hydropower project on the Niagara River. The House passed our bill by a vote of 262–120 and there were 80 Democrats among the 262. We're now working on the Senate bill.

"3. I think the results of our work have been reflected in the Interior Department appropriations bill which included vast reductions for the Southeastern Power Adminis-

tration, the Bonneville Power Administration, and the Southwestern Power Administration. Outside of the TVA area, the Federal Government now owns not a single transmission line in the southeastern section of the United States.

"4. Congress voted funds for only one new start of a Government-owned power generating facility. That was a multipurpose dam project at Gavins Point, S. Dak., Senator MUNDT, Republican, South Dakota, got that through last year."

HAS MADE GREAT STRIDES

Smith said that while these represent the power lobby's major acomplishments on specific legislation the organization has made great strides in other fields of its endeavors.

"A very great deal of our activity has been directed at informing the public on the dangers of the Government power business through pamphlets, booklets, and other publications," he said. "This work has proved very effective."

Smith said the association strives continuously to "instigate our individual power companies to work on their congressional delegation and the people at home. This is basic with us. We could not accomplish anything without it."

WILL CONTINUE DRIVE

Smith said his organization will continue its drive for more drastic reductions in TVA appropriations.

"Our objective, of course, is that the Federal Government should not appropriate one nickel for TVA and the area should be forced to support itself, he declared.

Smith renewed his charge that consumers of TVA power are "charity patients" of the Federal Government.

"TVA," he said, "is a political power and influence in that area and as such is a sinister precedent in our political economy."

Smith said he had "no inside information" on the administration's choice for the TVA chairmanship but added he did not think Gordon R. Clapp will be reappointed.

"He has got to be a broadminded businessman with the ability to select experts in various departments, guiding them with sound policies," Smith said. "He is going to have to have outside income because you can't get a good businessman for the job at $15,000 a year unless he does have other income."

Smith said that if the new chairman happens to own stock in any power company "he should sell it just for appearances—not because it would have any influence on his decisions. It would be all right for him to own other stocks."

Asked if he thought the new chairman should be experienced in the power business, Smith replied "not necessarily."

"In my opinion the next chairman of the TVA board, assuming he will be the dominant figure on the board, will have the opportunity and responsibility to determine what is the best way in which the customers of TVA should provide the funds for all their future electric power requirements without going to the Federal Government for appropriations to pay for it," he continued.

"TVA must be made self-sufficient and self-reliant if it is to obtain the respect and confidence of a large majority of the citizens of the United States," he said. "The people of the TVA area should pay their full share of all varieties of taxes including ad valorem, income and all other levies. They should pay annual interest payments to the Treasury on all previous appropriations and in the course of time pay off the principal.

"This would place TVA on an honest, businesslike basis and that is what the people should want for their own self-respect," Smith said.

"The ways and means of accomplishing these goals are diverse," he said. "Whatever method of accomplishment is used would be all right from my viewpoint. The people should be given sufficient time to put TVA on a businesslike basis voluntarily. If they don't act within a reasonable time, Congress should force them to do it."

TOP LOBBYING SPENDERS, EXPENDITURES REPORTED

The 19 top lobbying spenders of the Nation for 1953 with their expenditures for both 1953 and 1952 were reported yesterday by Congressional Quarterly as follows:

	1953	1952
National Association of Electric Companies	$547,789	$477,941
Association of American Railroads	235,727	235,977
National Milk Producers Federation	233,557	219,837
American Federation of Labor	123,608	105,537
National Economic Council, Inc.	116,477	106,464
American Medical Association	106,624	309,514
Southern States Industrial Council	105,106	83,883
American Farm Bureau Federation	102,403	84,935
Chamber of Commerce, United States of America (for 3 quarters only)	90,988	93,297
National Association of Real Estate Board (for 3 quarters only)	88,898	127,893
American Legion National Headquarters	85,830	106,235
General Electric Co.	82,962	51,644
National Federation of Post Office Clerks	78,252	97,869
Council of State Chambers of Commerce (for 3 quarters only)	70,444	----------
American Tariff League, Inc.	68,126	55,665
Great Lakes-St. Lawrence Association	61,880	----------
Friends Committee on National Legislation	61,276	45,406
International Association of Machinists (District Lodge 44)	59,383	56,630
Colorado River Association	50,595	111,538
Total	69,934	----------

Mr. KEFAUVER. Mr. President, first I wish to remind the Senate that Mr. Smith's organization, the plushest, most openhanded lobby in Washington, reported expenditures of $547,789 for calendar 1953.

That is the highest amount reported by any lobby for the year. It is twice as much as the next highest bidder—I mean spender—the Association of American Railroads. And it is more than the combined totals of the second and third highest spenders, the railroad group and the National Milk Producers Federation.

In the interview with Mr. Laycook, Mr. Smith conceded that his organization got its money's worth from the $547,000 it spent fighting TVA and other public power activities.

As to his accomplishments on specific legislation before the Congress last year, Mr. Smith was quoted as saying, "I think we were effective in keeping TVA appropriations to a reduced amount."

Mr. President, as a Member of this body and a representative of the people of Tennessee, I resent Mr. Smith's inference that he can control the fiscal decisions of this Congress.

I do not know how well connected he is at the Bureau of the Budget, or other executive offices of this Government. But it is surely a very brazen act to claim influence over the Senate and House Appropriations Committees, and over the votes of the full membership of these bodies.

What does Purcell Smith mean by his effectiveness in keeping TVA appropriations to a reduced amount?

This is the record of appropriations: In 1953, the last year Mr. Smith had to put up with an administration and a Congress friendly to TVA, the appropriation was $336 million. In fiscal 1954, when he stood nearer the throne, the TVA appropriation was cut in two—down to $188 million. For fiscal 1955, the administration asked for $141 million, which has been hacked down to $103 million by the House of Representatives.

I cannot deny, Mr. President, that this is a tremendous accomplishment—a 68 percent cut over 2 years—but I think it most immodest of Mr. Smith to claim credit for all of it. I need hardly tell you that a preponderant majority of the American people would not be very proud of the accomplishment, anyway.

What else did Mr. Smith claim credit for?

He told Mr. Laycook, "We made good progress in the Niagara bill authorizing five power companies in New York to build the hydropower project on the Niagara River. The House passed our bill by a vote of 262 to 120, and there were 80 Democrats among the 262. We are now working on the Senate bill."

That sounds to me like Mr. Smith is claiming that 262 Members of the House were right in his pocket. And it seems to be an admission that he is trying to get a majority of the Senate in there, too.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very happy to yield to the Senator from New York.

Mr. LEHMAN. I had not previously seen the statement attributed to Mr. Smith. However, there is no doubt that the great power companies, either through him or through other sources, or both, have certainly tried to create a climate in which they could obtain control of the few remaining great hydroelectric resources of the country for the benefit of private development.

I wonder whether the Senator from Tennessee realizes that there is before the Committee on Public Works a bill which would turn over to five private power companies in the State of New York the great resources of the Niagara River. These power companies are the Consolidated Edison Co., the Niagara-Mohawk Power Corp., the Central Hudson Gas & Electric Co., the Rochester Gas & Electric Co., and the New York State Electric & Gas Co. These companies, which are named in the Capehart bill, would be given the right of development, control, and operation of this great natural resource. These companies have a virtual monopoly in the State of New York. I believe they control between 80 and 90 percent of all public utility business within the State of New York.

Mr. KEFAUVER. I thank the Senator for his observation. I am aware that there is a bill before the committee which would turn over the waterpower from the beautiful Niagara Falls to these five private power companies.

I am further aware of the fact that Mr. Smith braggingly admits that the powerful power lobby in Washington is working on the Members of the Senate

in an effort to secure the passage of the bill.

Not only is this lobby working to try to have private power companies acquire a monopoly of the remaining power development sites in the United States by whatever means may be at their command, but it is making every possible effort to try to place in the control of the private power groups the magnificent developments which have been provided for by the Federal Government.

Mr. LEHMAN. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield.

Mr. LEHMAN. I wonder whether the Senator from Tennessee is familiar with the great number of very costly advertisements which have been placed in certain monthly, weekly, and daily publications, advocating the turning over of existing waterpower developments to private power companies. The advertisements have undoubtedly cost many millions of dollars in the course of a very short time.

Mr. KEFAUVER. Yes. I will say to the Senator from New York that for the past 3 or 4 years I have been seeing full-page advertisements in the leading magazines of the United States advocating turning over to private power interests waterpower developments and advocating the end of public power; and in many of them there is at least a kind of implication that anyone who does not accept their point of view is a Socialist or a Communist, or something of that sort. The cost of this advertising is not included in the $500,000 which Mr. Smith has been spending here in lobbying. The cost is many millions of dollars. The advertisements condemn public power and insidiously imply something wrong with the patriotism of anyone who advocates public power. They advocate the development of the Niagara River by private power groups. The advertisements undoubtedly have cost hundreds of millions of dollars. My understanding is that this is institutional advertising, and is charged off as an expense on their income-tax returns.

Mr. LEHMAN. It is charged off in two ways. It is a charge on the consumers of power, because the cost of this advertising is made a part of the rate structure, which is permitted by the public utilities commission, and it is a charge on the taxpayers of the country, because the great public utility companies are permitted to charge off the cost of the advertising and other things of a similar nature, and in that way they are able to take advantage of the base on which their taxes are paid to the United States Government.

Mr. KEFAUVER. I think the Senator is correct. Persons who are paying higher electric bills are paying for those advertisements against proposals in Congress which would give them lower electric rates. I think it is fair to say, also, that the $547,000 which Mr. Smith has been using as a slush fund for the purpose of influencing legislation, which he blatantly admits in his interview, comes out of the users of electricity in the form of higher rates which they pay.

Mr. LEHMAN. I have referred to the Capehart bill which would turn over this great resource to private development by the five monopolistic companies which I have named. There is another bill which is supported by the great private utility companies, I believe. I have been so informed, although I have no proof of it. I speak of the Case bill, which would turn over to the Federal Power Commission the decision with regard to the power of the Niagara River, without any provision for safeguards whatsoever. When I speak of safeguards, I mean safeguards such as are included in the TVA; safeguards such as are included in Bonneville, Grand Coulee, and the other great developments in the Pacific Northwest; safeguards which would recognize that a preference has to be given to municipalities, to public bodies, to rural-electrification projects, and to defense contracts.

Even if the Federal Power Commission should turn over the resources of the Niagara River to the State of New York, if there were no safeguards there would be no yardstick whatsoever in connection with the making of rates. Although I do not know what the distinguished Senator from Tennessee is going to say, I have no doubt that he will emphasize the importance of the yardstick in making rates and developing competition between public bodies and privately owned power companies.

Mr. KEFAUVER. I thank the Senator from New York. I am familiar with the Case bill. It is my understanding that the private-power lobby is supporting the Case bill. As the Senator has so well said, there would, in my opinion, be a disastrous result if those resources be turned over to the Federal Power Commission without any safeguards. We have recognized since 1906 that there are preferences in connection with the development of power by public agencies which should go to public bodies, municipalities, REA cooperatives, and the like. There is an assault now being made by the Interior Department and the administration on the preference clause in contracts which have been considered and they have been trying to reverse 48 years of wise policy.

Not only do we need yardsticks before these resources are turned over to the Federal Power Commission, but I must say, very frankly, that I have been very skeptical as to whether the Federal Power Commission as now constituted has been properly protecting the best interests of the consumers of power of which the Commission has charge. But, in any event, there should be yardsticks to guide the Federal Power Commission.

I wish to say to the Senator that one of the objects of the power lobby at the present time is to break any yardstick which might force low prices for the consumers of electricity, natural gas, and other utilities.

One reason why they have been fighting so vigorously the Tennessee Valley Authority is because the TVA has shown that more money can be made by selling a large amount of power to many people at low cost than by selling a small amount of power at high cost. One reason why the private lobby is fighting the REA so vigorously is because private power companies never want to extend their lines out into rural communities. The REA has shown it can be done profitably. Now the private companies, in order to take away the yardstick and to take over the business of the REA, have been trying to force cuts in appropriations, to increase interest rates, to take away the preference clause in REA contracts, and to do as much damage as may be possible.

I do not know whether the people of the country know, but I want them to know, that the head of this private lobby feels he has been so successful securing the elimination of appropriations for public power, preventing the Niagara River from being developed by public bodies, and cutting down on the REA, that he is now publicly bragging about what the private lobby has been able to do and what success it has had with the half million dollars which it has spent in 1 year.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KEFAUVER. I very happily yield.

Mr. LEHMAN. I am very glad, indeed, the Senator has referred to the cost of electricity purchased by rural electric cooperatives. I wish to quote a few figures which are contained in a pamphlet of the Public Affairs Institute.

In Washington, which, of course, has the benefit of Federal water power development——

Mr. KEFAUVER. I assume the Senator from New York is referring to the State of Washington.

Mr. LEHMAN. I am referring to the State of Washington. I thank the Senator for correcting me.

In the State of Washington, the cost per kilowatt-hour is 0.32 cent. In Oregon, which similarly benefits, the cost is 0.38 cent. In Idaho, which similarly benefits, the cost is 0.45 cent. In Nevada and Tennessee, which similarly benefit, the cost is 0.45 cent.

As against that, the State of Minnesota pays 1.39 cents per kilowatt-hour, according to this tabulation. The State of New York pays 1.12 cents per kilowatt-hour. The States of New Hampshire, Delaware, Vermont, and Michigan pay between 1.14 and 1.30 cents per kilowatt-hour, or more than four times as much as is paid by users of rural electrification power developed through the TVA and through similar great developments in the Northwest.

Mr. KEFAUVER. I agree with the Senator from New York. If the TVA yardstick and other yardsticks which have been holding down the cost of power were taken away, and if we should fall into the scheme of the private power lobby to eliminate public power production and the public yardstick, then consumers all over the Nation would have to pay more and more a kilowatt-hour for their electricity. The private interests want to get the consumer back into the position, as nearly as possible, that he was in about 20 years ago, when he had to pay 4 or 5 cents a kilowatt-hour for electricity.

I appreciate the splendid contribution which has been made by the distinguished Senator from New York.

Mr. LEHMAN. I do not know whether I have made a contribution, but I desire to ask the Senator one more question.

Mr. KEFAUVER. Certainly.

Mr. LEHMAN. I wonder whether the Senator knows the relative cost of power which will flow from Niagara as compared with the actual cost of power developed by private companies in New York?

Mr. KEFAUVER. I am certain that the figure would be very illuminating, and I wish the Senator would state it.

Mr. LEHMAN. I shall quote from the pamphlet of the Public Affairs Institute.

The cost of power developed by the State of New York with public financing, including transmission, would be 2.22 mills per kilowatt-hour. The cost of power developed by private financing in the State of New York would be 5.57 mills.

Mr. KEFAUVER. That is more than twice as much.

Mr. LEHMAN. It is almost three times as much. What is more, there is immediately adjacent to the State of New York, an example, of the importance of the development of public power. In Canada, power is being developed, much of which is exported to the State of New York at about 2 cents or 2¼ cents a kilowatt-hour, as against 5, 6, 7, and 8 cents a kilowatt-hour in the State of New York. The Province of Ontario and the State of New York, as the Senator from Tennessee knows, are immediately adjacent.

Mr. KEFAUVER. That is true. I thank the Senator from New York for his contribution to the discussion.

I may say that the raising of power rates not only costs the public, the average consumer, more and more money, but it also constitutes a great burden upon the Federal Government. If the yardstick is done away with, and rates are allowed to go up, the power which will go to the consumer will cost the Federal Government a great deal of money, not only by reason of the reduced amount of money the consumer will have after he pays his power bill, but also because the Federal Government is a big user of power.

The Atomic Energy Commission, fortunately, because of its being able to obtain a favorable contract with the Tennessee Valley Authority at Oak Ridge, and for a large part of its power at Paducah, has been able to safeguard the expenditure of Federal funds.

There are now two producers and suppliers of power at Paducah. One is the TVA, and the other is Electric Energy, Inc. The power is costing much more when purchased from Electric Energy, Inc., than when it is purchased from the TVA.

If one mill should be added to the electric power bill of the three atomic energy operations, namely, at Portsmouth, Ohio, Paducah, Ky., and Oak Ridge, Tenn., the additional cost to the Federal Government annually would be $50 million.

So there are many reasons why Congress and the Government should want to thwart the ambitions and aims of Purcell Smith and the private power lobby. Unfortunately, many of the ambitions and aims already have been accomplished.

In the interview with Mr. Purcell Smith, there is still another claim. Mr. Smith is quoted as saying:

> I think the results of our work have been reflected in the Interior Department appropriations bill which included vast reductions for the Southeastern Power Administration, the Bonneville Power Administration, and the Southwestern Power Administration. Outside of the TVA area, the Federal Government now owns not a single transmission line in the southeastern section of the United States.

I am certain that is what Mr. Smith said, because Mr. Laycook is a very competent, accurate, and honest reporter.

This is another healthy claim by Mr. Smith. But are we to understand that Mr. Smith accomplished this by putting a flea in the ear of Secretary of the Interior McKay, Under Secretary Ralph Tudor, and Assistant Secretary Fred Aandahl?

I do not know if these gentlemen in the Interior Department have read this interview, but I think they should. And then I hope they have the grace to deny its implication.

Mr. Smith went on to say that—

> A very great deal of our [the association's] activity has been directed at informing the public on the dangers of the Government power business through pamphlets, booklets, and other publications. This work has proved very effective.

I do not know about Mr. Smith's booklets and pamphlets, but I do know that a pamphlet of another private utility group found its mark. As I pointed out to the Senate last June 27, the President of the United States bit on their lure and started calling TVA "creeping socialism." That was just 6 months after he had solemnly promised that TVA would be preserved and operated at maximum efficiency.

Not only did the interview under discussion make claims of Mr. Smith's effectiveness. He went on to advise us what kind of man should be appointed chairman of the Tennessee Valley Authority. He said:

> He has got to be a broadminded businessman with the ability to select experts in various departments, guiding them with sound policies. * * * He is going to have to have outside income because you can't get a good businessman for the job at $15,000 a year unless he does have other income.

Mr. President, that is a monstrous insult to the present able chairman of TVA, Mr. Gordon Clapp, and to his distinguished predecessors. But it is typical of the mercenary, cynical attitude of the private monopoly advocates toward our traditional public power policies and their administrators.

Incidentally, Mr. Smith is reportedly paid in excess of $50,000 a year for his services as chief medicine man of the private utility lobby.

After reading about Mr. Smith's 1953 expenditures, I went back over the quarterly reports he has filed with the Congress in pursuance of the Federal Regulation of Lobbying Act. These reports were printed in the RECORD.

I find that Mr. Smith spent $82,000 for public relations and advertising service; about $280,000 for wages, salaries, fees, and so forth; more than $25,000 for printed matter, about $22,000 for office overhead—including, I might add, utilities; $80,000 for telephone and telegraph; and $24,000 for travel, food, lodging, entertainment.

Then one final item, Mr. President. For the first three quarters of the year, Mr. Smith reported expenditures of less than $4,000 per quarter, under the heading of "All Other Expenditures." But for the final quarter—October, November, and December—he reported $50,941.10 under that heading. Surely the Congress is entitled to some explanation for that enormous and sudden increase in all other expenditures. On the other hand, perhaps that would be divulging the nature of Mr. Smith's effectiveness.

Speaking of his effectiveness, Mr. Smith has let us know his ultimate goal. "Our object," he is quoted as saying, "is that the Federal Government should not appropriate one nickel for TVA and the area should be forced to support itself."

Mr. President, I will not take up the Senate's time by detailing the way in which TVA is supporting and paying for itself. I have done that often enough before, and the Senate is familiar with that fact.

On behalf of the people of Tennessee and the other six States represented in the Tennesssee Valley, I deny, resent, and condemn Mr. Smith's assertion that we are not supporting ourselves and that we are charity patients of the Federal Government.

Mr. President, I yield the floor.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this afternoon it stand in recess until 12 o'clock noon tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES TOMORROW

Mr. KNOWLAND. Mr. President, I again wish to remind the Senate of the joint meeting with the House of Representatives tomorrow. The Senate is expected to be in the Hall of the House of Representatives at 12:30. This means that Senators should leave the Senate Chamber promptly at 12:15.

I ask that all the Senators try to be present as close to 12 o'clock as possible, so that the Senate may go over to the House in a body. Obviously, if it were necessary to gather Members of the Senate by a quorum call, the quorum call would not be concluded by the time it became necessary for the Senate to be in the Hall of the House. If all the Senators will be here promptly, it will be very helpful.

NATIONAL HOME DEMONSTRATION WEEK

Mr. HUMPHREY. Mr. President, this is National Home Demonstration Week, in recognition of the valuable work being done through the home-demonstration program of the Cooperative Extension

Service, in which the United States Department of Agriculture, the State land-grant colleges, and the local county governments all participate.

I have been informed that about 3 million women now take part in home demonstration work in 62,000 communities. About half of these women belong to home demonstration clubs organized to help them get the most from extension education. The other half receive help through the home demonstration agents in other ways. More than half of these women still live on farms, but the demand from town and city women for similar training grows each year.

Women who take part in home demonstration work do whatever seems most important to them in improving their homes or helping their families. About 3,700 county home demonstration agents, supported by specialists at the State college and the United States Department of Agriculture help the women to make use of all available resources.

Appropriately enough, the theme of this year's Home Demonstration Week is Today's Home Builds Tomorrow's World.

With all the troubles we face in looking ahead toward tomorrow's world, I think we all could profit from the wise suggestion of our home demonstration agents that the place to start is in the homes of today. Home demonstration agents of the Nation deserve a salute of public tribute, for their efforts to improve homes and home life not only of rural America, but all America. Sharing in public appreciation and commendation should be the thousands of rural women serving as volunteer local leaders in home demonstration clubs to make this program effective.

I am particularly proud of the fine record of home demonstration work in Minnesota, under the direction of Director Paul E. Miller of our Agricultural Extension Service. Over 50,000 Minnesota women took part last year in parts of the program carried out with the assistance of local leaders in 3,241 organized groups, with more than 13,000 volunteers contributing time and effort in serving as leaders for these groups. Through effective use of other means of bringing information to homemakers it is estimated that more than 95,000 Minnesota homes were aided and helped by the Extension home program in 1953.

Mr. President, in recognition of the contribution to better rural living being made by this work, authorized under the Smith-Lever Act, I ask unanimous consent to have a brief report on work of the home program in Minnesota published at this point in the body of the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE HOME PROGRAM OF THE AGRICULTURAL EXTENSION SERVICE UNIVERSITY OF MINNESOTA—UNITED STATES DEPARTMENT OF AGRICULTURE

SUMMARY FOR 1953

Sixty-four Minnesota counties had the service of a home agent for part or all of the year in 1953. All county Extension agents are joint employees of the Agricultural Extension Service of the University of Minnesota, the United States Department of Agriculture, and the county government. Home agents are college or university graduates in home economics and it is their job, with county committees and leaders, to plan and carry out home economics programs for adults in the home program and for youth in 4-H and older youth work. In 1953, 45 percent of all home agent time was spent on 4-H or rural youth work. Twenty-one counties without a home agent requested the assistance of home economic specialists of the Extension Service for a few days of work during the year in order to carry on a limited program for women of the county.

OVER 50,000 WOMEN ENROLLED

Three thousand two hundred and forty-one groups of women, with a membership of 50,226, took part last year in parts of the program carried out with the assistance of local leaders. Thirteen thousand, three hundred and thirty-six women contributed time and effort in serving as leaders for these groups.

Other parts of the home agent's program are carried out, in many counties, by (1) talks, discussions or demonstrations at group meetings, or meetings open to the public; (2) clinics or workshops where women bring sewing machines or pressure cookers for cleaning and checking, furniture for refinishing, etc., and work under the supervision of the agent or specialist; (3) radio and newspaper information which reaches many people who never attend meetings. By all of these methods it is estimated that 95,104 homes were influenced in some way by the Extension Home Program in 1953.

PROGRAMS

County programs include a wide range of topics in the fields of foods, clothing, home furnishings, and home management. Many counties also include topics in gardening, home-grounds improvement, and safety; a few have included topics in citizenship and other public problems.

The assistance of the Institute of Child Welfare, University of Minnesota, has made possible each year since 1951 a district meeting in each area of Minnesota to which all counties are invited to send a small group of leaders for training on one topic in the field of family life education. Over 1,300 persons attended the most recent of these and many are conducting followup discussions in various groups in their own counties. More than 35,000 leaflets were taken by county extension agents for use of leaders attending these conferences.

FROM REPORTS OF COUNTY AGENTS

County Extension agents each year estimate the number of families assisted in various types of farm and home practices. The summary of these county estimates are given below for 1953 for various phases of the home program. Families assisted in matters of—

The house and surroundings	25,011
Furnishings and equipment	34,917
Home management	21,161
Family economics	19,237
Clothing	57,175
Food and nutrition	69,740
Health	34,907
Family life	32,893
Safety	41,333

Mr. President, at this point I should like to turn to another subject.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota has the floor.

DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES

Mr. HUMPHREY. Mr. President, from time to time I have commented in the Senate about the urgent need of the administration, in cooperation with Congress, adopting some form of food-stamp plan designed to improve the diet of persons of low income. Such a proposal is before the Senate in several bills. One of the first bills dealing with the subject was sponsored by the senior Senator from Vermont [Mr. AIKEN] and myself. Another bill was introduced by the Senator from Oklahoma [Mr. KERR], and I am a cosponsor of that bill. There is also a bill, which I had the privilege of sponsoring, known as the National Dairy Diet Dividend Act.

All these proposals provide for some form of food-stamp plan. The proposals have the unique characteristic that they can be administered by the established administrative agencies of the States and counties. The bills also provide that the normal channels of trade shall be used for the disposal or the distribution of surplus agricultural commodities. Because normal channels of trade would be used, it would not be necessary for the Government to set up any form of commissary or surplus food outlet.

I urge upon the Congress that favorable action be taken on one of those proposals. It seems to me action is long overdue.

I was heartened and pleased to notice that in the April 18, 1954, issue of the Minneapolis Sunday Tribune, the public-opinion poll known as the Minnesota poll, which is maintained by the Minneapolis Tribune as a public service, one of the questions which was asked of citizens of Minnesota was their attitude toward the stamp plan. The question was very simple. Poll interviewers asked a representative cross section of the State's adults:

A suggestion has been made that the Federal Government dispose of some of our food surpluses by giving food stamps to low-income families. These stamps could be exchanged for certain kinds of surplus foods. Would you approve or disapprove of a food-stamp program like that?

Eighty-one percent of those interviewed approved of the plan, 15 percent disapproved, and 4 percent had no opinion, or a qualified opinion. That seems to me to represent substantial approval of the proposal. I say it is inexcusable—I repeat, it is inexcusable—that this administration, which cries the blues over surplus commodities and agricultural surpluses, is without enough imagination to be able at least to suggest interest in a food-stamp plan which would make surplus commodities available to the people who need them.

The proposed legislation is before the appropriate committees of the Congress. It is bipartisan. It has strong support in the Congress of the United States. All that is holding up the enactment of the legislation is the unwillingness of this administration to back it up. I repeat what I said on the floor of the Senate the other day: We find that the Department of Agriculture has the genius to suggest the sale of surplus powdered milk at 3½ cents a pound, but does not seem to have the genius, the skill, or the knowledge to suggest a food-stamp plan which would make use of our agricultural abundance.

Until this administration can suggest to the Congress legitimate ways and means of using our agricultural surpluses, I suggest it stop talking about it. Its inability to formulate a proposal which would properly utilize the abundance with which this country is blessed is an admission of its own intellectual failure and administrative incapacity.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Minnesota Public Opinion Poll, as published in the Minneapolis Sunday Tribune of April 18, 1954, as it relates to the stamp plan to allot surplus foods.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

EIGHTY-ONE PERCENT ENDORSE STAMP PLAN TO ALLOT SURPLUS FOODS

Minnesotans approve strongly of the idea of disposing of some of the Nation's large agricultural surpluses by giving food stamps—exchangeable for food—to low-income families.

Four out of five men and women interviewed throughout the State by the Minnesota poll say they endorse the proposal.

Senator AIKEN (Republican, Vermont), chairman of the Senate Agriculture Committee, has been advocating a food-stamp plan for a number of years. Other Members of Congress lately have been discussing some such method of utilizing part of the food surpluses.

So far as city, town, and farm people in Minnesota are concerned, it's a great idea.

Poll interviewers asked a representative cross section of the State's adults:

"A suggestion has been made that the Federal Government dispose of some of our food surpluses by giving food stamps to low-income families. These stamps could be exchanged for certain kinds of surplus foods. Would you approve or disapprove of a food-stamp program like that?"

The replies:

[Percent]

	All	Men	Women
Approve	81	80	81
Disapprove	15	15	15
Qualified	2	3	1
No opinion	2	2	3
Total	100	100	100

Those offering qualified opinions say, for the most part, "I'd favor it if it can be done so it won't be abused," or "I'm for it if those families need the food," or "that would depend on how it was decided who was to get the stamps."

Here is how city, town, and farm residents respond:

[Percent]

	City	Town	Farm
Approve	78	82	86
Disapprove	18	16	8
Qualified	2	1	3
No opinion	2	1	3
Total	100	100	100

A New Ulm woman believes "that would be better than throwing the food away," and a Robbinsdale woman says, "There are plenty of people who need the help."

People who oppose the idea make comments in this vein: "That's too much like a dole" (a Detroit Lakes man); "it's another Santa Claus business" (a Duluth woman); "the right people wouldn't get food at the right time" (a Brooklyn township man).

Sentiment in support of the proposal is approximately equal among Republicans, Democratic-Farmer-Laborites and independent voters.

Mr. HUMPHREY. Mr. President, at this time I wish to discuss another topic.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota has the floor.

GRAIN STORAGE FACILITIES

Mr. HUMPHREY. Mr. President, farmers in the upper Midwest are facing a critical small grain and corn storage problem this year. Farm, country elevator, and terminal facilities are scarcely adequate to accommodate what is already stored, so there is a tremendous building job to be done in preparation for the new harvest. Because of the seriousness of this problem, I have urged the Department of Agriculture to offer to farmers the same incentives being offered public warehousemen to construct additional storage facilities.

While the Government has taken several steps to encourage additional farm storage construction, there is one very important incentive now being offered public warehousemen that is not being offered to farmers. It is the highly important guaranteed occupancy of new facilities.

Mr. W. H. Kirchner, managing editor of The Farmer, published in St. Paul and serving 260,000 subscribers in Minnesota, North Dakota, and South Dakota, is strongly advocating this move as a means of improving the situation. Mr. Kircher recently wrote me a letter, from which I now quote in part:

Doesn't it seem logical to you that since the storage situation is critical enough to have inspired the guaranteed occupancy incentive to the builder of a public storage facility, it is critical enough to make the same provision for farmers who build new bins or cribs?

My answer is "Yes." What the Department of Agriculture's answer will be, I do not yet know. But I should like to call this situation to the attention of our Committee on Agriculture and Forestry, and I urge that it use it constructive influence to encourage such action on the part of Secretary Benson.

Mr. President, I ask unanimous consent that the letter from Mr. Kircher to me, outlining this storage problem, be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE FARMER,
St. Paul, Minn., April 5, 1954.

Hon. HUBERT H. HUMPHREY,
New Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: As you know, farmers in the upper Midwest are facing a critical small grain and corn storage problem this year. Farm, country elevator, and terminal storage facilities are scarcely adequate to accommodate what is already stored so there is a tremendous building job to be done.

As you know, the Government is offering farmers a very liberal loan arrangement so that they may build new bins and cribs. Also, as an income-tax attraction, it is permitting them to fully depreciate their investment in new facilities over the next 5 years.

But there is one very important incentive being offered public warehousemen that is not being offered to farmers. That is the highly important guaranteed occupancy of new facilities. To the man or company building a new public storage facility this year the Government guarantees that for 3 years it will pay the going storage rate for its entire capacity whether it is filled or not.

We believe that since it is necessary to give public warehousemen this incentive, it is necessary to give the same incentive to farmers.

Consider, for example, the small grain producer of northwestern Minnesota and North and South Dakota. He has been made cautious by the rust and drought damage his crop suffered last year. Quite obviously, therefore, he is not going to build additional storage facilities until he is certain of a crop. And in most of this large area he can't be even reasonably certain until early July. Then, if there is a crop in prospect, there will be such a rush to build that many farmers will find it impossible to get men and/or materials to do the job. Consequently, the new crop will either have to be moved into public storage, if there is enough to accommodate it, or it will have to be dumped on the ground.

Doesn't it seem logical to you that since the storage situation is critical enough to have inspired the guaranteed occupancy incentive to the builder of a public storage facility, it is critical enough to make the same provision for farmers who build new bins or cribs? It is certainly seems so to us and because it does we are asking for your support in persuading the Department of Agriculture to make the provision. We are also asking the other Congressmen and Senators representing Minnesota and the Dakotas for their support.

Sincerely yours,

W. H. KIRCHER,
Managing Editor.

RECESS

Mr. CLEMENTS. Mr. President, pursuant to the order previously entered, I now move that the Senate stand in recess.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.), the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, May 4, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 3 (legislative day of April 14), 1954:

UNITED STATES DISTRICT JUDGES

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia, vice Abraham Benjamin Conger, deceased.

John R. Ross, of Nevada, to be United States district judge for the district of Nevada, to fill a new position.

Waldo H. Rogers, of New Mexico, to be United States district judge for the district of New Mexico, to fill a new position.

UNITED STATES MARSHAL

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan, vice Joseph L. Wisniewski, resigned.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Shelvin R. Spearman, Cedar Bluff, Ala., in place of M. C. Clayton, retired.

Hermon G. Williams, Sr., Decatur, Ala., in place of R. T. Sheppard, deceased.

Taylor H. Henry, Mobile, Ala., in place of W. B. Taylor, removed.

ARKANSAS

Aphra A. Madison, Lake Hamilton, Ark. Office established August 1, 1949.

CALIFORNIA

Albert S. Ricketts, Burbank, Calif., in place of P. O. Martin, retired.

James L. Sims, Fallbrook, Calif., in place of G. R. Van Dyke, resigned.

Julia A. Givins, Ferndale, Calif., in place of W. J. Flowers, retired.

George P. Morgan, Georgetown, Calif., in place of J. A. Dinkel, removed.

Juanita M. Lee, Heber, Calif., in place of V. R. Majors, retired.

Everett T. Carpenter, North Hollywood, Calif., in place of B. W. Harris, removed.

Arlene M. Schaeffer, Redondo Beach, Calif., in place of M. D. Shea, retired.

Howard V. Smith, Spreckels, Calif., in place of W. S. Young, deceased.

Harry E. Jungi, Taft, Calif., in place of R. H. O'Brien, retired.

Alice M. Percifull, Tehachapi, Calif., in place of Berenice Wilson, resigned.

John G. Oltmanns, Terra Bella, Calif., in place of M. C. Salladay, removed.

Douglas L. Finney, Twain Harte, Calif., in place of R. W. Eproson, retired.

COLORADO

Carl F. Williams, Wray, Colo., in place of T. C. Devlin, transferred.

CONNECTICUT

Earl E. Ritch, Cos Cob, Conn., in place of J. M. Tomney, deceased.

Joseph E. Tracy, Warehouse Point, Conn., in place of N. U. Schumey, retired.

Douglas Q. Adams, West Suffield, Conn., in place of E. R. Rockwood, deceased.

DELAWARE

Charles S. Willin, Bridgeville, Del., in place of Walton Owens, removed.

Clarence A. Willis, Jr., Laurel, Del., in place of H. R. Elliott, resigned.

FLORIDA

Robert L. Perry, Groveland, Fla., in place of H. G. Hull, deceased.

Millard A. Jameson, Lithia, Fla., in place of R. G. Wood, Jr., retired.

GEORGIA

Homer A. Sappington, Barnesville, Ga., in place of E. H. Quinn, retired.

William G. Chapman, Milner, Ga., in place of J. L. Cauthen, removed.

James R. Kennemur, Wigham, Ga., in place of W. C. Crew, transferred.

Edgar S. Hicks, Jr., Yatesville, Ga., in place of E. S. Hicks, retired.

IDAHO

Henry C. Hansen, Moscow, Idaho, in place of G. H. Sanders, retired.

Harold D. Williams, Notus, Idaho, in place of L. E. Small, deceased.

ILLINOIS

Walter Matteson, Effingham, Ill., in place of G. C. Norris, retired.

William R. Clark, Grand Chain, Ill., in place of A. F. Weece, resigned.

James C. Holt, Hazel Crest, Ill., in place of M. V. McNeil, retired.

John E. Pacatte, Midlothian, Ill., in place of T. E. Mostyn, resigned.

William H. Watson, Prospect Heights, Ill., in place of H. L. Galbraith, resigned.

Harold L. Appleton, Villa Park, Ill., in place of Frank Breycha, retired.

Donald T. Hanski, Worth, Ill., in place of C. C. Tobey, deceased.

Harold W. Sapp, Wyanet, Ill., in place of R. W. Fletcher, resigned.

INDIANA

Vernon Hockemeyer, Hoagland, Ind., in place of D. F. Holle, transferred.

Garrett W. Gossard, Kempton, Ind., in place of J. M. Kemp, retired.

Paul E. Frantz, Liberty Center, Ind., in place of Nova Cole, retired.

IOWA

Bernard G. Tranter, Carroll, Iowa, in place of J. T. Kisgen, resigned.

Leonard C. Bowman, Coon Rapids, Iowa, in place of J. G. Christy, removed.

Herbert L. Ulrich, Dakota City, Iowa, in place of G. M. Lattin, retired.

Josephine A. Roberts, Dawson, Iowa, in place of W. W. Delahoyde, retired.

Joseph H. Engel, Delhi, Iowa, in place of R. H. Smith, deceased.

Harlan F. Rohwedder, Earlville, Iowa, in place of J. W. Klaus, transferred.

Ralph H. Pilgrim, Greeley, Iowa, in place of M. C. Fitzpatrick, retired.

Roland D. Roberts, Greenfield, Iowa, in place of A. R. Howe, retired.

Wayne A. Spies, Hinton, Iowa, in place of R. F. Bogenrief, transferred.

Donald B. Campbell, Laurel, Iowa, in place of Henry Frost, retired.

Francis L. Gochenour, Logan, Iowa, in place of B. B. Wood, resigned.

Robert S. McKean, Mondamin, Iowa, in place of H. H. Johnson, resigned.

George A. Arment, Montour, Iowa, in place of M. H. Booth, transferred.

Donald D. Stanzel, Sioux Rapids, Iowa, in place of Nelle Cullen, retired.

John C. Juhl, Walnut, Iowa, in place of D. C. Jacobsen, transferred.

Charles A. Palmer, Waukon, Iowa, in place of T. V. Moroney, retired.

KANSAS

Lawrence W. Zimmerman, Alta Vista, Kans., in place of H. A. Simonton, transferred.

Inez M. Irby, Bogue, Kans., in place of M. E. Steed, removed.

Charles Kenneth Dunn, Cedar Vale, Kans., in place of G. R. Willson, deceased.

Fred E. Winter, Columbus, Kans., in place of N. C. Graves, retired.

Ralph L. Marlin, Eureka, Kans., in place of G. E. Hull, transferred.

Keith L. Cook, Louisburg, Kans., in place of Hugh Lee, retired.

William J. Gray, Lyndon, Kans., in place of H. W. Behrens, retired.

Bert E. Davis, Medicine Lodge, Kans., in place of Orville Mills, transferred.

Carl A. Lockard, Neodesha, Kans., in place of J. M. Steffen, retired.

Billy E. Starbuck, Raymond, Kans., in place of G. H. Gill, retired.

Arthur D. Anderson, Thayer, Kans., in place of E. H. Riggle, resigned.

John M. Rogers, Toronto, Kans., in place of H. R. Hartman, retired.

William H. Lawrence, Udall, Kans., in place of R. L. Harris, transferred.

KENTUCKY

Carl Jones, Verda, Ky., in place of G. B. Smith, resigned.

LOUISIANA

Thomas L. Ducrest, Jr., Broussard, La., in place of T. L. Ducrest, retired.

Aubrey E. Morse, Roseland, La., in place of L. C. Adams, retired.

MAINE

Donald C. Gautier, Auburn, Maine, in place of L. W. Haskell, Jr., retired.

Everett S. Hatch, Belfast, Maine, in place of H. F. Hanson, deceased.

Charles W. Rogers, Old Town, Maine, in place of G. R. Desjardins, retired.

MARYLAND

Carroll F. Bright, Denton, Md., in place of B. F. Johnson, removed.

Jarrett S. Bell, Kingsville, Md., in place of J. E. Nolan, resigned.

Leonard T. Oliver, Lexington Park, Md., in place of L. C. Messick, removed.

Raymond F. Day, Monrovia, Md., in place of H. C. Betson, retired.

James Nelson Cameron, North East, Md., in place of J. A. Roney, deceased.

MASSACHUSETTS

Roland E. Allen, Brewster, Mass., in place of F. T. Ellis, retired.

Stuart A. Nickerson, East Walpole, Mass., in place of A. I. Maguire, retired.

Robert L. Thayer, Harwich, Mass., in place of F. B. Larkin, resigned.

Madeline A. Leonard, Segreganset, Mass., in place of E. I. Staples, retired.

Warren R. Gilmore, Wrentham, Mass., in place of L. J. Murphy, deceased.

MICHIGAN

Clyde M. Demerly, Clawson, Mich., in place of J. J. Wilder, resigned.

George E. Barlow, Okemos, Mich., in place of O. K. Grettenberger, resigned.

Esther E. Logan, Ottawa Lake, Mich., in place of W. M. Logan, deceased.

Kenneth L. Patten, Tekonsha, Mich., in place of Bert Shedd, retired.

MINNESOTA

Edward L. Domning, Bruno, Minn., in place of Nettie Layng, retired.

Ralph T. Risbrudt, Dalton, Minn., in place of A. H. Hoff, retired.

William H. Gronholz, Jr., Nicollet, Minn., in place of N. D. Schons, transferred.

Charles C. Barr, Viking, Minn., in place of J. P. Flodstrom, retired.

MISSOURI

Richard Watkinson, Billings, Mo., in place of R. J. Burger, resigned.

Elmer L. Alderman, Cole Camp, Mo., in place of C. L. Parks, retired.

William E. Richter, Gilman City, Mo., in place of O. C. Ray, retired.

Paul L. Myers, Grandview, Mo., in place of A. J. Humble, retired.

William C. Pevestorff, Higginsville, Mo., in place of J. E. Lyons, retired.

Claude H. Willard, Marionville, Mo., in place of J. E. Soutee, retired.

Otis M. Clouser, Marshall, Mo., in place of G. T. Duggins, deceased.

Ruby M. Radcliffe, Matthews, Mo., in place of F. E. Sibley, transferred.

Glenn C. Johnson, Perry, Mo., in place of A. B. Young, retired.

Forrest R. Leamer, Polo, Mo., in place of C. W. Hyder, removed.

MONTANA

Carl B. Peters, Billings, Mont., in place of M. L. Fagg, deceased.

Guy C. Rogers, Missoula, Mont., in place of R. W. Brown, deceased.

Rudolph C. Polich, Rosebud, Mont., in place of Harry Kennedy, retired.

NEBRASKA

Elber E. L. Landstrom, Axtell, Nebr., in place of H. H. Burden, retired.

Wayne A. Switzer, Clearwater, Nebr., in place of W. L. Patras, transferred.

Harold Clinton Hughes, Decatur, Nebr., in place of R. D. Rogers, transferred.

Richard L. McPherran, Emerson, Nebr., in place of D. F. Sheehan, retired.

Ira H. Moss, O'Neill, Nebr., in place of A. E. Sullivan, retired.

Fred L. Stoddard, Ord, Nebr., in place of A. L. Hill, deceased.

Marvin R. Weber, Randolph, Nebr., in place of A. E. Leclair, deceased.

Nellie L. Morehouse, Rulo, Nebr., in place of A. J. Buchholz, removed.

NEVADA

Coverton K. Ryerse, Las Vegas, Nev., in place of F. F. Garside, retired.

NEW HAMPSHIRE

Howard K. Ballou, Laconia, N. H., in place of M. J. Carroll, retired.

NEW JERSEY

Mildred P. Locke, Avalon, N. J., in place of H. S. McKeen, deceased.

NEW YORK

Robert J. Crossen, Basom, N. Y., in place of I. S. Whipple, retired.

Carl H. Hamlin, Brushton, N. Y., in place of S. E. G. Harris, deceased.

William E. Heady, Buchanan, N. Y., in place of N. J. O'Prey, resigned.

Paul E. Wamp, Jr., Dansville, N. Y., in place of C. C. Curry, retired.

Edith B. Wright, Elbridge, N. Y., in place of F. G. MacCollum, transferred.

Fred D. Adams, Highland Mills, N. Y., in place of E. S. Miller, retired.

James W. McArthur, Holland, N. Y., in place of R. E. Rice, removed.

Mabel D. Weidner, West Shokan, N. Y., in place of W. V. Colange, deceased.

NORTH CAROLINA

Tullie M. Alexander, Cooleemee, N. C., in place of Lillington Hendrix, retired.

OHIO

Eugene H. Lillibridge, Burton, Ohio, in place of F. B. Nichols, resigned.

Ralph J. Walters, Deerfield, Ohio, in place of Florence Wilcox, resigned.

Ralph M. Hardy, Mansfield, Ohio, in place of C. L. Ford, removed.

Frank Cleland, Racine, Ohio, in place of Estella Holter, retired.

Elmer J. Evans, Wellsville, Ohio, in place of C. L. Nickels, deceased.

Otto J. Landefeld, Willard, Ohio, in place of H. C. Stapf, retired.

Lloyd Eugene Bush, Williamsport, Ohio, in place of T. B. Gephart, retired.

OREGON

Maud J. Arnold, Butte Falls, Oreg., in place of L. L. Stoddard, retired.

Lester R. Rivers, Eagle Creek, Oreg., in place of E. E. Campbell, retired.

Harold G. Prestel, Grants Pass, Oreg., in place of C. H. Massie, retired.

Cecil W. Wickman, Saint Helens, Oreg., in place of S. B. Dillard, retired.

PENNSYLVANIA

Samuel Edward Resley, Huntingdon, Pa., in place of J. O. Bergantz, retired.

Russell E. Eminhizer, Lemont, Pa., in place of J. C. Hillman, resigned.

A. Nelson Yearick, Lewistown, Pa., in place of C. C. Duck, deceased.

Paul Eugene Barner, Liverpool, Pa., in place of W. H. Lambie, resigned.

John F. Haines, Monroeton, Pa., in place of M. A. Young, transferred.

Theodore R. Curry, Punxsutawney, Pa., in place of P. Q. Barclay, deceased.

SOUTH DAKOTA

Willis A. Hall, Miller, S. Dak., in place of C. P. Corcoran, retired.

Francis A. Degner, Salem, S. Dak., in place of P. A. McMahon, transferred.

Dale M. Bruns, Whitewood, S. Dak., in place of A. P. Dillon, deceased.

TENNESSEE

Rufus L. Ford, Del Rio, Tenn., in place of N. F. Jones, deceased.

Jacob Matt Hunt, Johnson City, Tenn., in place of S. H. Chase, retired.

Bill W. Harvey, Kingston, Tenn., in place of J. A. Muecke, retired.

David I. Huggins, Madison, Tenn., in place of C. O. DuBois, retired.

Hal H. Horner, Morristown, Tenn., in place of R. R. Andrews, transferred.

TEXAS

Oliver A. Koenig, Aubrey, Tex., in place of G. J. Bell, transferred.

Charles C. Barton, Bertram, Tex., in place of G. M. Knox, transferred.

Ellis D. Beck, Cushing, Tex., in place of J. E. Heaton, retired.

Calvin D. Rippetoe, Lipan, Tex., in place of A. P. Campbell, retired.

Paul L. Morrison, Pecos, Tex., in place of M. W. Collie, retired.

Areland Stricklen, Redwater, Tex., in place of J. S. Jones, retired.

Josephine L. Moore, Roxton, Tex., in place of S. W. Ribble, retired.

Virgie Lou Smith, Tornillo, Tex., in place of R. W. Palmer, resigned.

Willard S. Thomas, Weatherford, Tex., in place of R. W. Oliver, deceased.

R. S. Sanders, Weinert, Tex., in place of P. B. Monke, retired.

VERMONT

Mildred M. Perry, Jamaica, Vt., in place of H. P. Boynton, retired.

VIRGINIA

Phineas S. Boyer, Ashland, Va., in place of H. R. Stebbins, retired.

Clyde L. Kinney, Bassett, Va., in place of R. L. Williams, retired.

Frayser F. White, Bremo Bluff, Va., in place of S. T. Ranson, retired.

James R. Owen, Buffalo Junction, Va., in place of E. O. Watkins, retired.

Alfred C. Emerson, Dry Fork, Va., in place of C. H. Jones, retired.

Conrad S. Geier, Sr., McLean, Va., in place of H. A. Storm, retired.

David H. Webb, North Tazewell, Va., in place of A. L. Peery, deceased.

Roland P. Herndon, Swords Creek, Va., in place of Z. N. Hale, resigned.

WASHINGTON

William L. Hickey, Bucoda, Wash., in place of E. L. Morsbach, resigned.

Harold F. Downey, Castle Rock, Wash., in place of F. E. Booth, retired.

Howard J. Wohrle, Deer Park, Wash., in place of M. L. Durrell, deceased.

Albert J. Middlesworth, Lakebay, Wash., in place of E. L. Laden, retired.

Ida S. Eaton, Sappho, Wash., in place of S. A. Udd, resigned.

WEST VIRGINIA

Elba F. Davidson, Branchland, W. Va., in place of R. L. Martin, deceased.

Archie W. Dairymple, Chester, W. Va., in place of H. B. Lynch, retired.

WISCONSIN

La Monte H. Dulmes, Adell, Wis., in place of G. H. Kilb, deceased.

Lenard M. Hoff, Brownsville, Wis., in place of F. J. McCarty, transferred.

Joseph F. Bowar, Cross Plains, Wis., in place of W. F. Dahmen, retired.

Charles E. Olson, Holmen, Wis., in place of A. B. Halverson, deceased.

Sidney J. Soltysik, Lyndon Station, Wis., in place of G. S. Allen, transferred.

John Backes, Menasha, Wis., in place of J. R. Coyle, retired.

Frederick C. T. John, Milwaukee, Wis., in place of J. A. Fleissner, retired.

John H. Buchholz, Pickett, Wis., in place of E. H. Bradley, transferred.

Harold L. Trehey, Seneca, Wis., in place of J. R. Morris, retired.

Maynard C. Puls, Seymour, Wis., in place of G. E. Falck, deceased.

John M. Freeman, Waukesha, Wis., in place of J. J. G. Laing, deceased.

WYOMING

William C. Campbell, Clearmont, Wyo., in place of F. M. Vaughn, resigned.

Harold H. Mortimer, Green River, Wyo., in place of A. P. Davis, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 3 (legislative day, April 14), 1954:

SECURITIES AND EXCHANGE COMMISSION

A. Jackson Goodwin, of Alabama, to be a member of the Securities and Exchange Commission for a term expiring June 5, 1959.

UNITED STATES COAST GUARD

The following-named cadets to be ensigns:

Robert Bruce Bacon
Robert Charles Benson
Terry "F" Blair
Sylvan Charles Bloch
William Frederick Boucher
Raymond Joseph Boyd, Jr.
Alfred Fearing Bridgman, Jr.
Michael Taylor Brock
Richard Tutchings Brower, Jr.
Gerald John Budridge
Gaetano James Catalano
Robert Charles Chanaud
Charles Lewis Clark
Earl Wilbert Clark, Jr.
Raymond John Copin
Jack Emerson Coulter
Verne Edward Cox
Norman Graham Cubberly
James Filmore Culbertson
Philip Joseph Danahy
Arnold Melvin Danielsen
George William Dick, Jr.
Denis Edward Dougherty
James Irving Doughty
Roger Alden Eastman
Arthur Henry Edmunds, Jr.
Richard Vaughan Elms, Jr.
James Leo Fear
James McHugh Fournier
Robert Tracy Getman
Richard Carl Groepler
Robert Leonard Guibord
Charles Farrell Hahn
Robert Richard Houvener
James Lee Howard
Addison Spencer Jennings
Ralph Waverly Judd
Richard George Kerr
John Richard Kirkland
William Patrick Kozlovsky
Arthur Edward Ladley, Jr.
Lawrence David Levine
Henry Lohmann
Kenneth Alan Long
George Preston Lord
Francis Cleland Lottridge
Clyde Thomas Lusk, Jr.
Walter Emil Mason, Jr.
Ernest John Mayer, Jr.
Joseph Anthony McDonough, Jr.
Edward Andrew McGee
Mark John Millea
Guy Wallace Mizell
Francis Henry Molin
Rex Rothe Morgan
James Calvin Morrow
John Edgar Moseley
William Craig Nolan
Edwin Lyle Parker
John Paul Prosser
William Andrew Publicover
Dwight Timmons Ramsay
John William Reece
Albert Emil Reif, Jr.
Billy Eugene Richardson
Clyde "E" Robbins
Victor Roger Robillard
Henry Joseph Roehner, Jr.
John George Schaefer, Jr.
Paul Edward Schroeder
George Taylor Seaman
William Turner Sheppard
William McCrossan Sillers, Jr.
John Pierce Skillings
Wayne Croom Stansill
Crook Stewart, Jr.
Donald Lewis Stivender
Arthur Joseph St. John

Milton Yovo Suzich
Carlton Walter Swickley
Donald MacGregor Thomson, Jr.
William James Tillo
Albert Charles Tingley, Jr.
Paul Totten
Paul Albert Trimmer
Thomas Richard Tyler
John David Van Horn
George Herbert Wagner
John Mortimer Wilkinson
James Arthur Wilson
Richard Byrd Wise

PROMOTIONS IN THE REGULAR AIR FORCE

The nominations of James Norman McConnell and 625 other officers for promotion in the Regular Air Force under the provisions of sections 502, 508, and 509 of the Officer Personnel Act of 1947 and section 306 of the Women's Armed Services Integration Act of 1948, which were received by the Senate on April 19, 1954, and were confirmed today, may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for April 19, 1954 under the caption "Nominations," beginning with the name of James Norman McConnell, appearing on page 5303, and ending with the name of Harry Richard Collins which is shown on page 5305.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 3, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, who hast revealed the way and meaning of life, may there be nothing in our character and conduct during this day that shall be contrary to the spirit and purpose of our blessed Lord.

We penitently confess that we are frequently indifferent to Thy claims and defiant of the demands which Thou dost rightfully make of us.

Keep us more sensitive to the leading of Thy spirit and may we always submit ourselves gladly and unreservedly to Thy divine sovereignty.

Grant that in these troubled times we may have a valiant and victorious faith and may it defend us against all fears and inspire us to live and labor faithfully.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, April 29, 1954, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on April 30, 1954, the President approved and signed bills of the House of the following titles:

H. R. 2660. An act for the relief of Mrs. Juan Antonio Rivera, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria;

H. R. 3477. An act to extend to the Canal Zone Government and the Panama Canal Company provisions of the act entitled "An act to facilitate the settlement of the accounts of certain deceased civilian officers and employees of the Government," approved August 3, 1950; and

H. R. 7402. An act to provide for the conveyance of certain real property to the city of St. Joseph, Mich.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8097. An act to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 24. An act to permit review of decisions of Government contracting officers involving questions of fact arising under Government contracts in cases other than those in which fraud is alleged, and for other purposes.

SPECIAL ORDER GRANTED

Mr. JAVITS (at the request of Mr. ARENDS) was given permission to address the House for 20 minutes on Wednesday next, following the legislative business of the day and any special orders heretofore entered.

SUPPLEMENTAL APPROPRIATION BILL, 1954

Mr. TABER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes, with Senate amendments thereto, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. TABER, WIGGLESWORTH, CLEVENGER, CANNON, and ROONEY.

THIRTY-FIFTH REPORT ON LEND-LEASE OPERATIONS — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 366)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith the 35th report to Congress on lend-lease operations covering the calendar year of 1953.

Collections and credits realized during the year against lend-lease repayment obligations aggregated more than $48 million.

Brazil completed payments due under the supplementary settlement arrangement of April 19, 1950, and made a substantial payment on the settlement arrangement of April 15, 1948. Costa Rica liquidated its lend-lease obligations under the settlement arrangement of October 16, 1950.

Other countries made scheduled payments as called for in their settlement agreements—for example, France, the Netherlands, and the United Kingdom made large dollar payments on lend-lease account.

Information on these and other topics of lend-lease interest is contained in some detail in the text of the report.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 3, 1954.*

(Enclosure 35th report to Congress on lend-lease operations.)

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

TAX REFUNDS ON CIGARETTES LOST IN FLOODS OF 1951

The Clerk called the bill (H. R. 4319) to authorize tax refunds on cigarettes lost in the floods of 1951.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMEND ACT OF FEBRUARY 15, 1923

The Clerk called the bill (H. R. 1081) to amend the act of February 15, 1923, to release certain rights and interests of the United States in and to certain lands conveyed to the city of Chandler, Okla., and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADVISABILITY OF NATIONAL MONUMENT IN BROOKLYN, N. Y.

The Clerk called the bill (H. R. 582) to authorize an investigation and report on the advisability of a national monument in Brooklyn, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to make an investigation and report thereon to the Congress at not later than March 1, 1953, with respect to the advisability of establishing a national monument in Brooklyn, N. Y., in honor of 256 Maryland heroes who fell in combat during the Battle of Brooklyn on the 27th day of August 1776. The report to the Congress shall include information regarding the following:

(1) National historical importance of such a memorial;

(2) Nature of burial site, identity of exact site of burial, size and present-day conditions of site, including improvements thereon;

(3) Complete cost for the establishment of such memorial;

(4) Cost of maintenance of such a memorial and amount thereof that will be paid for by the city of New York and/or the State of New York; and

(5) Recommendations.

With the following committee amendment:

Page 1, line 5, strike the following language: "at not later than March 1, 1953," and insert in lieu thereof the following language: "within 1 year following the appropriation of funds to the Department of the Interior for the purposes of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTEND EMERGENCY AUTHORITY ON FOREIGN MERCHANT VESSELS

The Clerk called the bill (H. R. 6318) to extend emergency foreign merchant vessels acquisition and operating authority of Public Law 101, 77th Congress, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, does the gentleman from Michigan intend to ask that this bill go over without prejudice?

Mr. FORD. It is my understanding that there has been some objection to the consideration of this bill on the Consent Calendar; consequently I was expecting to ask that it be passed over without prejudice.

Mr. McCORMACK. The reason I asked is that when this bill was called last time I had a colloquy in which I suggested an amendment. I hope that if this bill comes up it will be brought up under a rule, because there is a principle involved in the bill that I think we ought not to follow from a legislative point of view, and that is one part of the bill delegates certain authority to the President of the United States and also delegates the authority to a member of the Cabinet; in other words, a negative upon the power delegated to the President. I do not think that is a wise course to follow. I have no objection to delegating the whole authority to the President. There is no particular reflection on the particular member of the Cabinet involved, I want that understood, but I do not think a member of the Cabinet should in turn have a veto power on any power that we have delegated to the President of the United States. That is my main difficulty with the bill at the present time. Later on Members may advance certain arguments and I might be convinced, but that is the one particular point I am interested in at this time.

Mr. FORD. It was my understanding that the committee was to come forth with some compromise proposal which would be satisfactory to the gentleman from Massachusetts. If such a compromise were worked out I would have no hesitancy in having the bill appear on the Consent Calendar.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANS.

The Clerk called the bill (H. R. 5183) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Board of County Commissioners of Sedgwick County, Kans.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RESTORATION AND MAINTENANCE OF CERTAIN UNITED STATES VESSELS

The Clerk called the bill (H. R. 8247) to provide for the restoration and maintenance of the U. S. S. *Constitution* and to authorize the disposition of the U. S. S. *Constellation*, U. S. S. *Hartford*, U. S. S. *Olympia*, and U. S. S. *Oregon*, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Reserving the right to object, I am not opposed to this bill, in fact I am for it, but there are some parts of it I am very much concerned about. This bill relates to five historic ships, all connected with the history of our country.

The first part of the bill provides for the repairing, equipment, and restoration of the U. S. S. *Constitution*. The *Constitution*, of course, is identified with Boston, Mass. I wonder if the gentleman would consent to an amendment adding the words, page 1 at the end of line 7 "at Boston, Mass.," to insure that the *Constitution* will remain at Boston, Mass.?

Mr. DEVEREUX. The author of the bill would have no objection, but I think we should have an understanding, since that vessel is to be completely rehabilitated, that some future time the Navy might have occasion to move it to some other place, it may do so; however the home port would be Boston, Mass. Would the gentleman from Massachusetts accept that understanding?

Mr. McCORMACK. Yes. In other words, the gentleman assures me that the passage of this bill will mean that the home port of the U. S. S. *Constitution* will be Boston, Mass.?

Mr. DEVEREUX. Yes.

Mr. McCORMACK. We now come to the *Constellation* and the *Hartford*. We all know the important part that the *Constellation* played in the early days of our Government during the Revolutionary War and in the trying years that followed.

This bill has a very meritorious objective, but if the money is not raised by private sources to carry out the provisions of the bill I note from the bill that the Navy Department can scrap the *Constellation* and the *Hartford* at a later date.

Mr. DEVEREUX. That is correct.

Mr. McCORMACK. The gentleman is a much better historian than I am. Certainly we are all trying to be historians, let me put it that way. Does the gentleman feel that if it was ever intended to scrap or destroy the *Constellation* there would not be a great outcry throughout the United States?

Mr. DEVEREUX. I will say to the gentleman from Massachusetts that we considered that in writing up the bill, and the reason we gave that authorization to the Secretary of the Navy to scrap these vessels after 6 months' time from the passage of the bill was because we had reputable committees appearing before our subcommitee, one from Baltimore and one from Mobile, who assured us that they would be able to take care of it. I can understand the apprehension of the gentleman from Massachusetts about the fact that these vessels, particularly the *Hartford* and the *Constellation*, might possibly be scrapped. We, in the committee, had no feeling of apprehension. However, as I understand, the bill would be more acceptable to the gentleman if on page 5, line 8, we should strike out the provision for the scrapping of the *Hartford* and the *Constellation*, that is, striking out sections 2 and 3 on line 8, page 5.

Mr. McCORMACK. Yes, as well as striking out "subsection 2 (c) and" in section 4 of page 3 and inserting therein "Section 3 (c)"; that is, if you strike out subsection 2 (c) and the word "and" and insert the word "section," that would confine it to section 3; striking out also on line 8, page 5, the numerals 2 and 3 and the word "and."

Mr. DEVEREUX. That will be acceptable to the author of the bill. Does the gentleman from Massachusetts wish to offer that amendment?

Mr. McCORMACK. Yes.

Mr. Speaker, I ask unanimous consent to include at this point material furnished me on these ships by the Legislative Reference Service of the Library of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(The matter referred to follows:)

FOUR HISTORIC SHIPS: THE "CONSTELLATION," THE "HARTFORD," THE "OLYMPIC," AND THE "OREGON"

The second of six new cruisers built under the act of March 27, 1794, was the *Constellation*. Constructed at Baltimore, she was launched September 7, 1797. She was 161 feet long, 40 feet beam, 1,265 tons, and cost $314,212. She was rated a 38-gun frigate and carried 28 24-pound guns in the main-deck battery, and 12 12-pound guns on the spar deck.

On February 9, 1799, near Nevis Island, West Indies, during naval hostilities with France, Commodore Thomas Truxton in the

frigate *Constellation* defeated the French frigate *Insurgente* in a sharp engagement. The *Insurgente* lost 29 killed and 41 wounded, compared with 3 men wounded in the *Constellation*. Despite a gale which separated the 2 ships, the prize with 173 prisoners aboard was brought safely into St. Kitts 3 days later by Lt. John Rodgers, Midshipman David Porter, and a prize crew of only 11 men. In this and in the subsequent *Constellation-Vengeance* action, Truxton not only gave vigorous backing to his Government's policy of commerce protection, but set high standards for the new national Navy.

On February 1 and 2, 1800, during the naval war with France the U. S. S. *Constellation*, heading for Guadeloupe, sighted the French frigate *Vengeance*. Captain Truxton of the *Constellation* ordered his men to aim at the hull of the enemy ship. Contrariwise, the French commander fired repeatedly into the American ship's rigging in order to prevent being chased. The battle lasted 5 hours and the French suffered about 4 times the losses of the Americans. When the *Constellation's* mainmast fell, the French escaped in the darkness.

Those were the great years of the *Constellation*. During the War of 1812 she was isolated at Norfolk. During the Civil War she was mostly on the Mediterranean station; from 1865 to 1870 to the end of her active career she served as a receiving ship. But she had won laurels enough.

The hull of the *Hartford* was built at the Navy yard at Boston, and the ship was launched November 22, 1858.

When first commissioned this vessel was assigned as the flagship of the East India Squadron, commanded by Commodore C. K. Stribling. Her commanding officer was Capt. Charles Lowndes. Having returned to the United States, she was put into commission January 19, 1862, at the Philadelphia Navy Yard as the flagship of Commodore D. G. Farragut, of the West Gulf Squadron. Her commanding officer was Capt. H. H. Bell. She arrived at the mouth of the Mississippi River, February 20, 1862, had an engagement with the batteries below New Orleans, April 24, 1862; engaged Chalmette forts below New Orleans, April 25, 1862, and left for that city the same day. Passed the Vicksburg batteries upward, June 28, 1862; engaged the Confederate ram *Arkansas*, July 15, 1862; engaged the battery at Donaldsonville, La., August 9, 1862, and burned the town, August 27, 1862, Capt. James S. Palmer assumed command. Engaged and passed batteries at Port Hudson, March 14, 1863; engaged and passed batteries at Grand Gulf, March 19, 1863; engaged batteries at Warrenton, March 21, 1863, and again, March 23, 25, and 28, 1863; engaged Port Hudson, May 26 and 27, 1863. Left New Orleans for north, August 1, 1863, and arrived at New York, August 10, where she was placed out of commission for repairs, August 17, 1863; again commissioned, December 15, 1863; left New York, January 5, 1864, and arrived off Mobile Bay, January 21, 1864; Capt. Percival Drayton assumed command, February 9, 1864; was Farragut's flagship and took a leading part in the Battle of Mobile Bay, August 5, 1864, engaging the forts and the great ram *Tennessee*, and remained in active and continuous duty in and about Mobile Bay during the remainder of the year. Left gulf, November 30, 1864, and arrived at New York, December 12, 1864, where she was placed out of commission.

Later recommissioned, she served on the Asiatic and South Atlantic stations until 1879, when she returned to Boston and was finally placed out of commission.

The *Olympia*, destined to go down in naval history as the flagship of Admiral Dewey, was built at San Francisco at the then prodigious cost of $1,796,000. Her keel was laid in June 1891; she was launched on November 5, 1892, and went into commission February 5, 1895. January 1898 found Commodore George Dewey in command of an American squadron at Hong Kong, his flagship the *Olympia*.

On February 25, Assistant Secretary Roosevelt cabled Dewey at Yokohama:

"Secret and confidential. Order the squadron, except the *Monocacy*, to Hong Kong. Keep full of coal. In the event of declaration of war with Spain, your duty will be to see that the Spanish squadron does not leave the Asiatic coast, and then offensive operations in the Philippine Islands."

Thanks largely to Assistant Secretary Roosevelt, our Navy was in the pink of condition. On April 25 Dewey received a cable that war had been declared against Spain; on May 1 he entered Manila Harbor, and with the famous order to the captain of the *Olympia*, "You may fire when ready, Gridley," the guns of the fleet opened up. By noon every one of the Spanish ships had been sunk or was in flames, and one of the most brilliant victories in all naval history was ours.

The *Oregon* was launched at San Francisco October 26, 1893, and commissioned July 15, 1896. She was 348 feet long, with a beam of 69 feet, 3 inches. She was rated a first-class battleship, and cost $3,180,000.

The opening of the war with Spain found the *Oregon* on her way to the Atlantic. She left the port of Callao, Peru, the first week of April 1898; reached the Straits of Magellan about 3:30 p. m., April 16, in a fearful storm; reached Rio de Janeiro April 30, and after a brief stay reached Barbados May 18 and thus was able to join the main body of the North Atlantic squadron in its operations off the coasts of Cuba and Puerto Rico. Her wonderful celerity in proceeding halfway around the world was the naval sensation of the day; her trip was watched by the entire world, and it was then apparent to every adult American that we must have an isthmian canal.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to repair, equip, and restore the U. S. S. *Constitution*, as far as may be practicable, to her original condition, but not for active service, and thereafter to maintain the U. S. S. *Constitution*.

SEC. 2. The Secretary of the Navy is authorized—

(a) to make minimum repairs to the U. S. S. *Constellation* so as to enable that vessel to be safely transported, by towing or otherwise, from its present berth to the harbor of Baltimore, Md.;

(b) to transport by towing or otherwise, the U. S. S. *Constellation* from its present berth to the harbor of Baltimore, Md.; and

(c) to transfer by gift the U. S. S. *Constellation* to the State of Maryland, the city of Baltimore, or to a corporation or association located in Baltimore whose charter or articles of agreement denies it the right to operate for profit, for restoration as a public memorial at Baltimore, Md.

SEC. 3. The Secretary of the Navy is authorized—

(a) to make minimum repairs to the U. S. S. *Hartford* so as to enable that vessel to be safely transported, by towing or otherwise, from its present berth to the harbor of Mobile, Ala.;

(b) to transport, by towing or otherwise, the U. S. S. *Hartford* from its present berth to the harbor or Mobile, Ala.; and

(c) to transfer by gift the U. S. S. *Hartford* to the State of Alabama, the city of Mobile, or to a corporation or association located in Mobile whose charter or articles of agreement denies it the right to operate for profit, for restoration as a public memorial at Mobile, Ala.

SEC. 4. The Secretary of the Navy is authorized to make the transfers authorized in subsections 2 (c) and 3 (c) under such terms and conditions as he shall prescribe, such terms and conditions to include but not be limited to the following:

(a) Application for transfer hereunder will not be considered unless received within 6 months of the enactment of this act;

(b) Each transferee shall take delivery of the vessel within 1 year of enactment of this act;

(c) On failure to take delivery within 1 year of enactment of this act, the transferor having been willing and ready to make delivery and having offered delivery, the transferee shall lose all rights and interest in the vessel and the Secretary of the Navy may dispose of it in the manner he would if the application had not been received;

(d) Each transferee shall agree to maintain the vessel in a condition satisfactory to the Department of the Navy; and

(e) After delivery the transferor shall make no further expenditures for maintenance of the vessel transferred.

SEC. 5. The Secretary of the Navy is directed to retain title and custody of, and to maintain the U. S. S. *Olympia* and *Oregon* for a period of 6 months after enactment of this act, during which period any of the several States, Territories, or possessions of the United States and political subdivisions, or municipal corporations thereof, the District of Columbia, Canal Zone, or corporations or associations whose charter or articles of agreement denies them the right to operate for profit, may apply for donation of either or both of these vessels for restoration as a public memorial or memorials. The Secretary is authorized to transfer such vessel or vessels to the aforementioned applicants under such terms and conditions as he shall prescribe. If within 1 year from the enactment of this act any transferee has not taken delivery of the vessel or vessels named in this section for which his application for donation has been approved, the transferor having been willing and ready to make delivery and having offered delivery, then said transferee shall lose all rights and interest in said vessel or vessels and the Secretary of the Navy may dispose of it in the manner he would if the application had not been received. Each transfer agreement shall include a stipulation that the transferee shall maintain the vessel in a condition satisfactory to the Navy Department and that no expense shall result to the United States as a consequence of such transfer or as a consequence of such terms and conditions prescribed by the Secretary of the Navy.

SEC. 6. Upon expiration of the 6 months' period specified in subsection 4 (a) and in section 5 of this act, the Secretary of the Navy is authorized to dispose of each of the vessels specified in sections 2, 3, and 5 hereof, in his discretion, by sale or by scrapping, for which an application for donation has not been approved by the Secretary. Any parts of historical interest may be removed from these ships prior to sale or scrapping and retained by the Department of the Navy, or, in the discretion of the Secretary of the Navy, loaned or donated to such nonprofit historical or educational institutions as he may select.

SEC. 7. The Secretary of the Navy is further authorized, prior to any sale or scrapping of the U. S. S. *Constellation*, *Hartford*, *Olympia*, and *Oregon*, to sell, under such regulations as he may prescribe, such parts or pieces of these vessels as may be suitable for use as relics, souvenirs, or mementos. Any amounts collected as the result of sales authorized by this section shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 8. The act of March 13, 1948 (62 Stat. 79), is hereby repealed. Amounts received by the Department of the Navy as donations

or contributions under that act shall be returned to the donors except that in any cases where donations or contributions cannot be returned such amounts will be deposited and covered into the Treasury as miscellaneous receipts.

Mr. McCORMACK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK:
On page 1, line 7, after the word "*Constitution,*" insert "at Boston, Mass."
On page 3, line 4, strike out "subsection 2 (c) and" and insert the word "subsection."
On page 5, line 8, strike out "2, 3 and."

The amendment was agreed to.

Mr. O'HARA of Illinois. Mr. Speaker, I move to strike out the last word, and I propose to offer an amendment to extend the time for one year before the other two vessels will be scrapped by the Navy.

The SPEAKER. Will the gentleman present his amendment?

Mr. O'HARA of Illinois. I have not the bill before me, so consequently I do not know where to offer the amendment.

The SPEAKER. The Chair cannot entertain an oral amendment. It must be presented to the desk in writing.

Mr. O'HARA of Illinois. May I be granted leave to speak before offering the amendment in writing?

Mr. SPEAKER. Yes.

Mr. O'HARA of Illinois. Mr. Speaker, at the request of a number of Spanish-American War veterans I introduced a bill to restore the U. S. S. *Olympia*, the flagship of Admiral Dewey at the Battle of Manila Bay, and permanently to berth her in or adjacent to the port of Chicago, or if not feasible in the determination of the Secretary of the Navy, in the Philadelphia Navy Yard. I wish to thank the gentleman from Maryland and the committee for the opportunity accorded me to speak in behalf of the measure at the public hearing on several bills seeking the restoration of historic ships of our Navy. I commend the committee for its action, responsive to the patriotic sentiment of the proponents of the various measures, in combining the 4 proposals in 1 bill. I am deeply thankful that provision was made in the bill reported out by the Committee for saving the *Olympia* from the wreckers for at least another 6 months.

As the bill now stands, Dewey's historic flagship will be destroyed 6 months after the enactment of this measure if in the meanwhile non-Federal funds have not been raised and made available for her restoration. We are now in May, and with summer coming on, I doubt that 6 months is sufficient time for civic-minded people in Chicago, or elsewhere, to act. Therefore, I am suggesting that the period be extended from 6 months to 1 year. I wonder if that would be agreeable to the gentleman.

It may prove merely an additional 6 months lease of life to the *Olympia*. If so, the *Olympia* has well earned that brief extension to her existence. In the 6 months many more of the veterans of that now faraway war with Spain will have passed on to join with Dewey and Sampson and Schley and Shafter and all the others. In 1 year the ranks of my comrades in my own State of Illinois was diminished by over 4,000. If my suggestion is accepted, and this bill then should be enacted, there will be the happy assurance that Dewey's flagship will be still floating when the call to the Eternal Muster comes to Spanish-American War veterans who will pass in the next year.

But, Mr. Speaker, I am confident that with sufficient time to alert the people of the United States to their tragic loss in the event of the destruction of this noble vessel the patriotic sentiment and the warm generosity of the country will cheat the wreckers of their prey and save for the generations the priceless inspiration of the restored and permanently preserved Flagship of American Destiny.

The last active mission of the *Olympia* was to carry home the remains of the Unknown Solider of World War I. He lies buried in Arlington Cemetery, his burial place a shrine for the visitation of succeeding generations. Mr. Speaker, given the opportunity of sufficient time before the *Olympia* is condemned to the wreckers, I have faith that all else failing the pennies and the dimes of those who have paid homage to the Unknown Soldier will save from the ignominy of the wreckers the noble ship that brought the Unknown Soldier home.

Mr. DEVEREUX. Mr. Speaker, I might say to the gentleman that these vessels have been on the Navy books for many, many years and have been extremely expensive to maintain. We on the subcommittee felt that ample notice had been given to the entire country with reference to these vessels. We held hearings. Apparently there was no interest on the part of anyone from the gentleman's State to try to recapture the *Olympia*. The *Olympia* is actually in extremely dangerous condition. We felt that it would be such a great expense that no civic organization could possibly be able to come forward and offer to restore it. However, they will have an opportunity when the vessels are scrapped to obtain various historical parts from them. We felt under those circumstances that we were taking proper action.

Mr. O'HARA of Illinois. May I suggest to the gentleman that the *Olympia* does mean very much to those of us who participated in the Spanish-American War. It was the great ship of our period. It also is deeply grounded in the affection of the veterans of World War I because it brought home the Unknown Soldier. Summer is coming on now and in the next 6 months nothing can be done, but I am most hopeful that within a year the means of saving the *Olympia* will be found. The effort may fail, but at least it cannot be said the time given was so short as to constitute a death warrant.

Mr. DEVEREUX. We felt this, that if the gentleman had anything that was reasonably substantial which he could present to the Navy Department, they would give it ample consideration. No action would be taken until 6 months following the enactment of the bill, and it would probably be a month or two before anything would be done after that, so that the gentleman would have until the first of the year, perhaps even until the first of February before the Navy would take action.

Mr. O'HARA of Illinois. I am very much disappointed that the gentleman cannot see this as I do. I have profound respect for the gentleman's patriotism and heroic service. I hoped that he of a later and larger war of our country would view this from the sentimental grounds of a soldier of the War With Spain.

Mr. DEVEREUX. I will say to the gentleman that I, too, have a very close connection with the Spanish-American War, having been born in Cuba during the occupation period. I appreciate the sentiment of the gentleman. However, I would suggest, if the gentleman has an additional amendment, perhaps he could induce the people of the other body to insert that amendment in the bill.

I cannot speak for the entire committee, but I feel that if the gentleman insisted upon his amendment they would accept it. The gentleman must remember that it means keeping those vessels on the books of the Navy for an additional period of time at a continued expense to the Navy. It is our judgment that it should not be necessary to do that.

Mr. O'HARA of Illinois. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. O'HARA of Illinois:

On page 3, line 2 of subsection (a), strike out the words "6 months" and insert "1 year."

On page 5, line 5, strike out "6 months" and insert "1 year."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEXAS HILL COUNTRY DEVELOPMENT FOUNDATION

The Clerk called the joint resolution (H. J. Res. 300) to provide for the conveyance to the Texas Hill Country Development Foundation of certain surplus land situated in Kerr County, Tex.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas certain land in Kerr County, Tex., having been originally donated to the State of Texas as a site for a veterans' hospital, was subsequently acquired by the United States in 1926 as a hospital facility to be operated by the Veterans' Administration; and

Whereas a portion of such land has been declared to be surplus to the requirements of the United States and will shortly be sold; and

Whereas the Texas Hill Country Development Foundation is a nonprofit corporation having for its purpose the promotion of agriculture through encouragement of activities of 4-H Clubs, Future Farmers of America, vocational training, improvements in the breeding of livestock; studies concerning improvements in grasses on ranges; and other activities designed to encourage more interest in and improvement of all phases of agricultural endeavor; and

Whereas it is desirable at this time that ownership and control of such surplus land

be transferred to and vested in such foundation: Therefore be it

Resolved, etc., That the Administrator of General Services is authorized and directed to convey to the Texas Hill Country Development Foundation, Inc., of Kerrville, Tex., all the right, title, and interest of the United States in and to certain land constituting a portion of the tract of land on which is located the Veterans' Administration hospital in Kerr County, Tex. The land to be conveyed under authority of this act (which has been declared to be surplus to the requirements of the United States) is that land the Veterans' Administration reported to the General Services Administration as excess under date of November 2, 1951 (Holding Agency No. VA–134) purportedly comprising 90 acres, more or less, located in Kerr County: *Provided*, That the purchase price shall be the sum of $16,500: *Provided further*, That the proceeds of the sale shall be deposited in the Treasury as miscellaneous receipts. The Administrator of General Services shall describe in the deed of conveyance the exact portion of such hospital site transferred by metes and bounds from a land survey to be furnished by the Texas Hill Country Development Foundation, Inc., and satisfactory to the General Services Administration.

Such deed of conveyance (a) shall provide that such real property shall be used and maintained by the Texas Hill Country Development Foundation for the purposes heretofore set forth for a period of not less than 25 years, and, in the event such property ceases to be used or maintained for such purposes during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States, provided said restriction shall not extend beyond said period; and (b) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAIL-MESSENGER SERVICE

The Clerk called the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the employment of mail messengers in the postal service," approved March 3, 1887 (39 U. S. C., sec. 578), is amended by adding at the end thereof the following new paragraph:

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, readjust the compensation of the holder of any contract for the performance of mail-messenger service on account of increased or decreased costs occasioned by changed conditions which could not reasonably have been anticipated at the time such contract was made."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION AND DISTRIBUTION OF MAILS ON MOTOR-VEHICLE ROUTES

The Clerk called the bill (S. 2773) to amend the act entitled "An act to provide for the transportation and distribution of mails on motor-vehicle routes," approved July 11, 1940 (54 Stat. 756).

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

HANDLING OF POSTAGE ON NEWSPAPERS AND PERIODICALS

The Clerk called the bill (H. R. 5913) to simplify the handling of postage on newspapers and periodicals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of section 25 (20 Stat. 361, as amended; 39 U. S. C. 286), requiring the manual affixing of postage stamps to certain types of publications with second-class entry be amended by striking the following words: "by stamps affixed."

The effective date of this amendment shall be October 1, 1953.

With the following committee amendment:

Page 1, line 8, strike out: "The effective date of this amendment shall be October 1, 1953." and insert:

"SEC. 2. This act shall take effect thirty days after enactment."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CENSUSES OF MANUFACTURES AND OTHER BUSINESSES

The Clerk called the bill (H. R. 8487) to amend the act of June 19, 1948, to provide for censuses of manufactures, mineral industries, and other businesses, relating to the year 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (a) of the act of June 19, 1948 (62 Stat. 478), is amended by the addition of the following proviso: *"Provided further*, That the censuses of manufactures, of mineral industries, and of other businesses, including the distributive trades and service establishments, directed to be taken in the year 1954 relating to the year 1953, shall be taken instead in the year 1955 relating to year 1954."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISKIYOU JOINT UNION HIGH SCHOOL DISTRICT, SISKIYOU COUNTY, CALIF.

The Clerk called the bill (H. R. 6975) authorizing the Secretary of the Interior to convey certain lands to the Siskiyou Joint Union High School District, Siskiyou County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to convey by quitclaim deed to the Siskiyou Joint Union High School District, California, all right, title, and interest of the United States in and to the following described land in Siskiyou County, Calif., containing an area of twenty-seven and fifty-eight one-hundredths acres, more or less:

(a) All that northerly portion of lot 4 of section 1, township 47 north, range 4 east, Mount Diablo meridian, beginning at the section corner common to sections 1 and 2, township and range aforesaid; thence north eighty-nine degrees fifty-six minutes east along the northerly boundary of township aforesaid a distance of one thousand three hundred twenty and sixty-six one-hundredths feet to the corner common to lots 3 and 4, township and range aforesaid; thence south no degrees one minute east a distance of five hundred and eighty feet to a point on the easterly boundary of aforesaid lot 4; thence south eighty-nine degrees fifty-six minutes west a distance of one thousand three hundred twenty and sixty-six one-hundredths feet to a point on the westerly boundary of section 1, township and range aforesaid; thence north no degrees one minute west a distance of five hundred and eighty feet to the point of beginning; containing seventeen and fifty-eight one-hundredths acres, more or less.

(b) All of the south half of the south half of the southwest quarter of the southeast quarter of section 35, township 48 north, range 4 east, Mount Diablo meridian; containing ten acres, more or less, subject to existing rights-of-way for highways, roads, railroads, canals, laterals, ditches, pipelines, electrical transmission lines, and telephone and telegraph lines, containing two and twenty-two one-hundredths acres.

SEC. 2. The land conveyed pursuant to the provisions of this act shall be used only for public school purposes, and the conveyance herein authorized shall be made upon the express condition that if the land is abandoned for such use for a period of 2 years or more or if the land shall be used for other purposes, the conveyance shall be held to be forfeited and the title shall revert to the United States. The Secretary of the Interior is hereby authorized to determine the facts and declare such forfeiture and reversion and such determination and declaration shall be final and conclusive.

With the following committee amendment:

Page 2, line 22, following the word "less", change the comma to a period and start a new paragraph and insert preceding the word "subject" the words "The conveyance hereinbefore authorized shall be."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the Consent Calendar.

SHOSHONE CAVERN NATIONAL MONUMENT

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6251) to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 18, after "act", insert "and."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDMENT OF RECREATION ACT OF JUNE 14, 1926

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1815) to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. D'EWART, SAYLOR, HARRISON of Wyoming, REGAN, and ASPINALL.

WHERE IS THAT NEW BOLD FOREIGN POLICY?

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, where, oh where, Mr. Speaker, is our so-called bold new foreign policy? Only a few weeks ago the present administration was boasting of its bold new foreign policy and was talking of instant and massive retaliation against aggressors. For lack of a bold policy Dien Bien Phu is going and with it probably all of Indochina. If any portion of that unhappy land is saved from the free world, it will require more vigorous and positive action than has been forthcoming from the administration. Like an ostrich with its head in the sand the present administration has shut its eyes to the real situation in Indochina and members of the Foreign Affairs Committee have been lulled with soothing predictions of the early triumph of the Navarre plan in Indochina. It took a severe twist of the tail of the ostrich with its head buried in the sand to get the head raised long enough to really look at the world as it is. Whereupon the administration began dashing around in all directions at once. The confusion caused by lifting its head from the sand has made the administration with its foreign policy appear anything but bold and aggressive. We were told by the Vice President that troops would be sent to Indochina under certain conditions, only to have this statement refuted by the President and Mr. Dulles. Of course, we had been previously told that Indochina and with it southeast Asia were so important that the United States could not permit them to fall to the Communists and we were promised whatever action was necessary to prevent such a fate. It is apparent now that if the administration believed that Indochina was so important, it has meekly resigned itself to the loss of these associated states and proposed abject surrender to the inevitable at Geneva, by the President's statement that some "practical" solution must be found at the conference table. Meaning either the division of Indochina or a coalition government, either of which will mean ultimate triumph of communism in that portion of the world which has been declared to be of such vital importance to the free world. The last 10 days has certainly brought disillusionment and disgust to those of us who expected bold and timely action to save Indochina. Has the free world swapped an umbrella for a golf club?

In one breath the French were assured that necessary aid would be forthcoming in their struggle in Indochina, only to be denied that aid when its need was so urgently stressed by a representative of the French Government who came to America and twisted the ostrich's tail so violently that its head had to be jerked from the sand for a while for a frenzied facing of the realities of life in Indochina. Is there any wonder that France has now resigned itself to some sort of compromise agreement in Indochina that will prove to all of Asia that the Communists are the winners in that titanic struggle? It was said a few weeks and months ago that the present administration had seized the initiative throughout the world in the struggle against communism, but where is that initiative now? Gone with the winds of expediency and politics.

And all the while there goes on in another body the sorriest spectacle of our generation when one member of that party and the top leaders in our armed services are pitted one against the other, each trying to prove the other unworthy of belief and unworthy of the confidence of the American people. They are proving that the Republican Party is impotent to govern.

The old saying that Nero fiddled while Rome burned could well be applied to our Department of State, our executive department, and the armed services engaged in what the Vice President himself calls a ridiculous spectacle, while Indochina and all of southeast Asia is being lost to the free world. Because it is believed that a certain Member of the other body would be a vast help to the Republican Party in the fall elections, not only have many Republican Members of the other body feared and quailed at the threat which this one man poses to that body, but the Executive himself has refused to take up the fight and, in plain language, rebuke this man who seeks to bestride us like a colossus. The rules of this body prevent my using the name of the Member of the other body who has exercised such diabolical cleverness in getting under his control the members of his own party. But there are no rules that prevent the President of the United States from speaking out boldly against the usurpation of power and authority which this Member of the other body has seized from the Chief Executive.

The present investigation has not been flattering to the Secretary of the Army, for it seems that he, too, has been fearful of the other principal in this disgraceful spectacle, and has sought to appease him. As Walter Lippmann asks, "Does one have to be 'yellow' to keep from being called a Red?"

In view of the disclosures brought about by the investigation now being carried on as a three-ring circus in the other body and the action of those in authority in connection with the Geneva Conference and the tragic situation in Indochina, this administration may well be called the administration of appeasement—appeasement in the other body and appeasement of our mortal enemy in Indochina. We are doomed unless our leadership rises to its responsibilities, calls a halt to the disgraceful and disgusting spectacle in the other body, and stiffens its backbone to meet the threat to the free world with something other than vacillation, timidity, and appeasement.

The President and the administration shied away from taking the bold steps which if taken in time might have saved Dien Bien Phu. Now it will fall, and already the Government's policy seems to be to try to save by appeasement only the remnants of that unhappy country.

A BATTLE FOR MEN'S MINDS

After all, the struggle in Indochina is not alone a military one. It is at the same time a struggle between colonialism and freedom. Reluctantly France has at last agreed to freedom for the associated states of Indochina. But it may be that this agreement comes too late. The Communists have been crafty and very effective in picturing the struggle there between the Viet Minh forces and the French Vietnamese as a struggle for the freedom of the associated states of Indochina from French colonialism. The free world which includes France and the United States has not used successfully the powerful appeal of guaranteed freedom for Indochina. We have been hesitant and inarticulate, and therefore it has been easy for the Communists to convince the natives of Indochina that we were on the side of French colonialism. The freedom promised by the Communists is only a snare and a delusion, but it has its appeal to people who have a vision of freedom and who are animated by the nationalist spirit that is sweeping all of Asia. Besides, the peoples of the Orient are suspicious of the white man and do not trust the promises of the French. It is to be regretted that the free world has not learned to capitalize upon this nationalist spirit and this longing for freedom as the Communists have done. We have trusted too much in big guns, atomic bombs, military might and the materialistic forces of life and too little in the spiritual forces and nationalist aspirations that are beginning to animate the minds of the peoples of the Orient. For these reasons, I am forced to discount the predictions of the

loss of all southeast Asia if the Communist forces in Indochina win a military stalemate or even a victory. Since I hold these convictions about the necessity for fighting for the minds and hearts of the people of the Orient by spiritual forces and a demonstration of our friendship and the sincerity of our efforts to help them improve their lot and attain real freedom, I cannot bring myself to favor our getting bogged down in a war from which it would be even more difficult to extricate ourselves than Korea. Until the natives of Indochina are convinced that the free world can assure them of their freedom, they have no will to fight, and without that will to fight, victory cannot come in Indochina.

RETIREMENT OF HON. LINDSAY C. WARREN

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, on Friday, April 30, a great public servant retired, the Honorable Lindsay C. Warren, a gentleman who has served faithfully, efficiently and with outstanding ability as a Member of this body, and for the past 13½ years as Comptroller General of the United States. In his duties at the General Accounting Office, his first interest was the welfare of our Government and our country in seeing that the intent and the will of Congress was carried out. Mr. Speaker, though Mr. Warren left the House of Representatives 13½ years ago, his love and interest in this body never ceased. He followed daily the activity of the House of Representatives and of the Congress, and without a doubt he is one of the best posted men in the Nation on the Congress, the will of Congress and what Congress intends for the welfare of this Nation. Since early manhood Lindsay Warren has been active in Government. With distinction he served several terms in the North Carolina Legislature and was an outstanding leader in the Democratic Party. He returns to his native State of North Carolina and to his home city of Washington, N. C., where I am sure he has the interest and best wishes of the entire membership of this body for his speedy recovery and his return to good health so that he may enjoy the remainder of his life in happiness and prosperity.

Mr. Speaker, I ask unanimous consent that I may further extend my remarks and include therein an editorial from the Greenville (N. C.) Daily Reflector of May 1.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The editorial is as follows:)

HIGH STANDARDS THAT MUST BE MAINTAINED

Independent, nonpartisan, and nonpolitical.

Those attributes must be retained by the Government's General Accounting Office if the agency is to be worth its salt according to Comptroller Lindsay Warren who yesterday stepped down from the post of Comptroller General he has held for 13½ years.

Under Warren's direction, the GAO has been worth much more than its salt to the United States Government and to the American taxpayers.

Under Warren's direction, the agency has played its role of watchdog of Federal spending in a manner which has won the commendation and respect of people in all walks of life in this great land. The GAO, under Warren's leadership, has not hesitated to wade in and call the hand of any official or any person in any case in which Federal funds were not being handled or spent properly.

There have been no punches pulled by Warren or his subordinates in watching over Federal spending. The cards have always been played squarely on the table, and the chips left to fall where they may.

Under Warren's leadership, the GAO has risen to new heights of importance as a Government agency. It has done its job resolutely and thoroughly without bowing a fraction of an inch to politics, partisan play, or any other pressures.

It is, indeed, to be hoped that the standards by which the GAO has operated under Warren's leadership will be continued under the new leadership of the individual appointed to fill the big pair of shoes Warren leaves in Washington.

Mr. BONNER. Mr. Speaker, in addition, I ask unanimous consent to include other editorials from North Carolina papers on the subject of the retirement of a great North Carolinian, Lindsay Warren.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the distinguished gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, Mr. Lindsay C. Warren, one of the most distinguished public servants and outstanding Americans of our generation, has just retired from public life after over 40 years of distinguished service to his great State and our Nation. He has served with distinction for 16 years in Congress and 13½ years as Comptroller General of the United States.

While in Congress he was in the forefront, advocating legislation aimed at strengthening our Nation and our economy. He is a wise humanitarian, and supported broadly liberal legislation. He yields to no one in his deep belief in the free-enterprise system and the value of the profit motive as the basis of a sound economic system, at the same time recognizing the growth in the responsibility of Government. In a recent public address Mr. Warren explained his views as a legislator:

I have always felt that there are broad enough fields for Government and business. That Government has invaded the field of business is true. However, it should not be forgotten that in quite a number of these instances it was done because business was unable to live up to its obligations * * * to the community.

He continued to display his interest for the ordinary citizen after he left politics and was serving as Comptroller General. Thus, a few years ago, he authorized the awarding of Government procurement and construction contracts—in the event of a tie in bidding—to areas suffering from unemployment. To critics Mr. Warren replied, "It can hardly be contended that the relief of unemployment in distressed areas is not of major importance to the Government."

During his 16 years in Congress Mr. Warren showed particular interest in legislation aiming to improve efficiency and economy in Government operations. He was an author of the 1939 Reorganization Act and was active in advising Congress on the Reorganization Acts of 1945 and 1949.

In 1940, when Mr. Warren left the House to accept the position of Comptroller General, he was acting majority leader. He was reluctant to leave Congress, and President Roosevelt offered him the high position four times before he consented to take it. As usual with Mr. Warren, this was a case where the position sought the man rather than the reverse. The Senate paid him the tribute of unanimously confirming his nomination without the usual referral of the nomination to a committee. This confidence was well justified. During the past 13 and one-half years, while Mr. Warren has served as Comptroller General, the General Accounting Office has collected more than $900 million, or double the cost of running the office. In collecting unjustified or illegal claims made on the Government, Mr. Warren goes after big and little fellows alike. His savings to the taxpayer range from less than a dollar recovered from an employee who made an unjustified claim on his travel voucher to $10 million recovered from an aircraft manufacturer.

Mr. Warren believes—to paraphrase a well known adage—that efficiency begins at home and he practices what he preaches. He made his agency a model of efficiency. During the war years the GAO was unavoidably expanded. But, in the past 8 years, the Comptroller General succeeded in whittling down the personnel of the GAO from 15,000 to the present 5,900.

Another great contribution of the retiring Comptroller General was the overhauling and modernizing of the accounting systems throughout the Federal Government. When he took office in 1940 each agency had its own accounting system. Some systems had gone unrevised for as long as a century. Congress passed the Budget and Accounting Procedure Act of 1950 which Mr. Warren had recommended. Under this act the GAO, with the aid of some executive agencies, helped install new and improved accounting systems in many Government offices. This increased efficiency in Government and placed the operations of the agencies on a more businesslike basis.

While in Congress, my friend Lindsay, with whom I had the pleasure to serve for 13 years, was an outstanding Democratic leader. As Comptroller General he served the entire Nation in a nonpartisan office. His rule of conduct is "first we must always strive to be right; second we must be fair; then we must let the chips fall where they may."

Democrats and Republicans alike have testified to the great contributions that Lindsay C. Warren has made to the cause of efficient government. To select two such statements. In 1952 the

House Appropriations Committee, under Democratic leadership, stated:

> Lindsay Warren is performing the difficult task with courage and ability, and the American people are fortunate in having such a capable leader to keep check on Federal expenditures.

A year later, in 1953, an Appropriations Committee under Republican leadership stated:

> The committee extends its sincere appreciation to Comptroller General Warren and his able staff for the splendid work that it is doing in all phases of Federal auditing and accounting. This year, more than ever before, the General Accounting Office has been of real assistance to the committee in its examination of budget estimates for fiscal year 1954. * * * The committee appreciates this splendid cooperation.

The patriotic service that Lindsay Warren has rendered as Comptroller General has enhanced the outstanding and enviable reputation he acquired as a Congressman.

We all regret that Lindsay C. Warren is retiring from active service on the Washington scene. Few have contributed as much as he did to Congress, particularly, and to efficiency in Government operations in general. After 30 years of untiring and devoted work in Washington, D. C., Lindsay Warren deserves to return to his beloved Washington, N. C., where he was born 64 years ago. It is about men like my friend Lindsay Warren that the Bible said:

> Hast thou seen a man swift in his work? He shall stand [1] before kings and shall not be before those who are obscure.

We all wish Lindsay C. Warren many years of successful fishing in his favorite Palmico River and hope that he will return here frequently to help us and to give us guidance with his great wisdom and experience in these troubled times.

Mr. BONNER. I personally appreciate the remarks of the gentleman from Massachusetts.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the distinguished gentleman from Mississippi.

Mr. COLMER. Having had the privilege of serving with Lindsay C. Warren in this House, I should like very much to associate myself with the high tributes that have been paid to this distinguished American by the gentleman from North Carolina [Mr. BONNER], who succeeded him in the House; and the gentleman from Massachusetts [Mr. MCCORMACK].

I am sure all of us who know Lindsay Warren appreciate him and evaluate him most highly as a public citizen and as a man. I am sure that we all regret to see him leave public life where he has served his country so ably.

Mr. DURHAM. Mr. Speaker, my first acquaintance with Lindsay Warren was 40 years ago as a college freshman at Chapel Hill, N. C., where the University of North Carolina is located—my home. This acquaintance has ripened down through the years into one of the finest friendships I enjoy today.

When I came to Congress he gave me some sound advice about participation in debate on the floor of this House. That if I was not well informed on the subject under discussion, not to enter the debate. I noticed he followed this rule meticulously, and when he spoke he always had the close attention of the House Members. A learned parliamentarian, a splendid lawyer, an experienced legislator with a judicial mind, as a presiding officer his decisions were in keeping with legal precedents and impartial, and he was asked to preside often by former Speakers of the House. He is one that believes in responsible party government. The general interests of his country have always been paramount to him.

His charm of manner, his vigorous and penetrating mind, his advice to Members of Congress from all parts of our country will be missed. I sincerely wish to you a good and well-earned vacation. This I know is in the hearts and minds of thousands of your friends throughout America.

[1] Proverbs 22: 29. The King James version reads:

"Seest thou a man diligent in his business? he shall stand before kings; he shall not stand before mean men."

SECURITY RISKS OR BANK FAILURES

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, some months ago the administration advertised that they had removed from the Government, first, 1,456 and later more than 2,200 security risks. Ever since that time I have been trying my best to find out what those numbers "1,456" and "more than 2,200" really mean.

I discovered that these numbers did not mean individuals who had been fired because many of the persons concerned had resigned or retired. It did not mean individuals who were out of the Government, because many are still working for the Government. The numbers did not represent Communists or subversives, because the vast majority were admittedly loyal Americans.

The $64 question still remained: Just what meaning, if any, did the numbers "1,456" and "more than 2,200" have? After months of effort, Mr. Speaker, I believe I may have discovered the source—and the real meaning—of these mysterious figures. And I can assure you that they are genuine, dyed-in-the-wool, pedigreed Republican numbers.

One thousand four hundred and fifty-six, according to the Federal Reserve Board, is the exact number of banks which closed their doors in 1932, during the last year of the previous Republican administration. And the number of bank suspensions in 1931 was 2,294, or more than 2,200.

Mr. Speaker, may I suggest that the administration recheck their figures to see if they did not by mistake announce the number of banks which had failed under the Republicans instead of the number of security risks removed by the administration.

WHAT'S GOOD FOR GENERAL MOTORS IS NOT GOOD FOR WEST VIRGINIA

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, to paraphrase the Secretary of Defense, I should like to state that what is good for General Motors is definitely not good for West Virginia.

On April 30 Edgar W. Smith, vice president of the General Motors Overseas Corp., made a speech in New Orleans. In it he urged more imports—but not necessarily of automobiles. In fact there is reason to suspect that Mr. Smith wants to increase imports of such things as residual fuel oil, glassware, pottery, clothespins, chemicals, electrical appliances, and other goods which have been adversely competitive to West Virginia industry in order that he may sell more automobiles abroad.

We can appreciate Mr. Smith's desire to sell automobiles. General Motors has been making more than they can sell at home. In fact the other Detroit auto makers are in the same boat.

We have a critical unemployment problem in West Virginia. If we had full employment, Mr. Smith's company could sell more automobiles in West Virginia, and then he would not have to try to sell so many abroad.

I wonder if Mr. Smith—and the rest of his colleagues at General Motors—realizes that unfair competition from dumped residual fuel oil is responsible for 50,000 idle coal miners? Does he realize that the curtailment of coal has resulted in severe lay-offs in the railroad industry? Does he realize that employment is down in our chemical plants, our electric appliance plants, our potteries, and our glass factories because of foreign competition?

A policy of unrestricted imports may, at first glance, appear to be good for General Motors, but it certainly is not good for the workers in these West Virginia industries.

Mr. Smith did not mention it—at least it was not so reported in press dispatches if he did—but his company is also part of the lobby that is trying to push through the St. Lawrence Seaway bill. I rather doubt that he spoke of this particular pet in New Orleans.

General Motors might think the seaway will be good for General Motors, but once more let me state emphatically that it is not going to be good for West Virginia. It might provide a subsidized means of transportation for the auto makers, but it will bring residual fuel oil directly to the Middle West. If that fuel oil on the Atlantic is responsible for idling 50,000 coal miners in West Virginia, how many will be idle when the great middle western market is opened to

this byproduct of refineries located in Venezuela? The additional revenue realized by the Venezuelan Government might permit a few more Cadillacs to be bought for the personal pleasures of the top hierarchy of the dictatorship. Offsetting that will be a larger number of Chevrolets that our hardworking and freedom-loving coal miners will not be able to buy, because no unemployment compensation check is going to stretch that far.

I repeat, Mr. Speaker, what is good for General Motors is definitely not good for West Virginia.

FLUCTUATIONS IN LEVEL OF LAKE OF THE WOODS

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2098) to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods, with a Senate amendment, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. JONAS of Illinois, BURDICK, and LANE.

GENERAL LEAVE TO EXTEND ON THE RETIREMENT OF HON. LINDSAY WARREN

Mr. BONNER. Mr. Speaker, I ask unanimous consent that all Members who desire may extend their remarks at this point in the RECORD on the retirement of Comptroller General Lindsay Warren.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. JONES of North Carolina. Mr. Speaker, I join with my colleagues in paying tribute to the fine and noble public career of the Honorable Lindsay C. Warren. I also express my deep regrets that he is leaving public service. On April 30 he retired to private life after a long and brilliant career of service to his county, State, and Nation. After serving his county and State in many capacities, he was honored by his people by election to Congress in 1924, and served from March 4, 1925, until his resignation on October 31, 1940. Upon his resignation from the Congress he took over the duties of Comptroller General of the United States. Altogether he has been on the Washington scene for 30 years.

It was not my privilege to serve with him in the House of Representatives, but history reveals that he rendered outstanding service to his country while a Member of this body. Those who did serve with him tell me that he was not only an able and conscientious Congressman, but that he was also an outstanding leader in the House.

As Comptroller General of the United States, Mr. Warren has built an enviable record. Under his leadership, the General Accounting Office has risen to new heights of importance and respect as a Government agency. In riding herd on Federal spending, he was instrumental in saving the American taxpayer millions upon millions of dollars. His reputation for honesty, economy, and efficiency in government became known far and wide and his record of accomplishments as Comptroller General stands as a monument to a distinguished and brilliant career of Government service.

Lindsay Warren is a statesman and is a great American. He will be sorely missed on the Washington scene. As he retires and returns to eastern North Carolina, I wish for him peace, good health, and a most pleasant retirement.

Mr. RIEHLMAN. Mr. Speaker, I would like to join with the Members on both sides of the aisle who have, in recent days, paid tribute to one of our greatest public servants, the Honorable Lindsay C. Warren, former Comptroller General of the United States.

Mr. Warren's retirement last month concluded nearly 40 years of truly distinguished Government service, including 13½ years as the Nation's Comptroller General, 16 years as one of the most respected Members of this House, and several terms in the legislature of his beloved native State of North Carolina.

Although many of us were not privileged to serve as fellow Members of the House during Mr. Warren's terms in the Congress, all of us have become greatly indebted to Mr. Warren over the years for his wise counsel in matters both legislative and administrative. During my comparatively short 7½ years as a Member of this House, particularly as a member of the Government Operations Subcommittee of the old Committee on Expenditures in the Executive Departments, and more recently as chairman of the Military Operations Subcommittee of the Committee on Government Operations, I have had innumerable occasions to seek the advice and cooperation of Mr. Warren and his staff in the General Accounting Office. Invariably, I have been most gratified and inspired by his sincerely selfless dedication to the cause of governmental efficiency and economy. Mr. Warren's unique capabilities and exemplary conscientiousness made the General Accounting Office an indispensable arm of the Congress as an effective auditor over the expenditure of public funds.

Democracy requires the finest of men in public life, and the distinguished career of Lindsay Warren will long serve as a shining example for all of us.

I am sure that the entire membership of this body joins me in extending to our great friend the most sincere wishes that he will soon return to good health so that he may enjoy to the fullest the many long and happy years of retirement which he so richly deserves.

WHAT IS GOOD FOR THE UNITED STATES IS GOOD FOR GENERAL MOTORS

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois.

There was no objection.

Mr. VURSELL. Mr. Speaker, I have just listened to the gentleman from West Virginia, who is a very splendid Member of Congress, quote what was supposed to be said by Secretary of Defense Wilson before a Senate committee some months ago. His quote was—and I presume he thinks it is right because there has been a false impression spread throughout the United States by someone who probably deliberately misquoted Charlie Wilson, Secretary of Defense, before the Senate committee. His answer to the question was: "What is good for the United States is good for General Motors." The RECORD will show that. To continue to misquote a public official who is rendering such a great service to our Nation is quite unfair.

Mr. LANHAM. Mr. Speaker, will the gentleman yield at that point?

Mr. VURSELL. I yield.

Mr. LANHAM. That was after the gentleman had corrected, extended, and revised his remarks. The remarks were taken down by the newspaper reporters and they were right. Then he changed them.

The SPEAKER. The time of the gentleman from Illinois has expired.

JUDICIAL REVIEW OF CERTAIN TAX COURT DECISIONS

Mr. SCOTT. Mr. Speaker, I call up House Resolution 484 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 984) making provision for judicial review of certain Tax Court decisions. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SCOTT. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Mississippi [Mr. COLMER], and at this time I yield myself 10 minutes.

Mr. Speaker, I rise to urge the adoption of House Resolution 484, which provides for the consideration of the bill (S. 984) making provision for judicial review of certain Tax Court decisions.

House Resolution 484 is an open rule and provides for 1 hour of general debate on the bill itself.

The purpose of this bill is to eliminate the prohibition against the appeal of Tax Court decisions to the court of appeals in cases involving the application

of section 722 of the Internal Revenue Act relating to abnormalities. If this bill is enacted, an appeal will be allowed in such cases in the same manner that other decisions of the Tax Court may be appealed.

The subject matter of these cases is the so-called abnormality or hardship cases arising out of the World War II Excess Profits Tax Act.

Under section 732 of the Internal Revenue Code, the practice in the Tax Court is to refer a decision of a judge on a section 722 case to several other judges prior to communicating it to the parties involved, and to issue the decision if there is no objection on the part of these other judges. Thus, there is no opportunity for the parties to make any assignment of error against the decision of the trial judge nor can they be heard thereon after the decision has been rendered.

The Judiciary Committee, while appreciating the motive and purpose behind the prohibition of review by the courts of appeals in this type of case, nevertheless felt that it is more desirable to permit judicial review of this type of case. It is in keeping with the traditional policy of affording every man his day in court. All other matters in the Tax Court are reviewable except those in question here. Moreover, under the present Excess Profits Tax Act, judicial review is afforded to the claimants.

Under the provisions of this bill, the right of appeal will be afforded in exactly the same manner and form as appeals are now available in all other cases.

Representatives of the American Bar Association and of the Treasury Department testified in favor of this bill.

It is my hope that the House membership will adopt House Resolution 484 which will permit the consideration of this bill.

Mr. Speaker, I may add that out of some personal experience at a time when I was not a Member of Congress I observed the interpretation of the section 722 cases. It seems to me that at times it worked unnecessary hardship particularly on the small-business man unable to procure the necessary accountants, lawyers, and proof of the justice of his cause. The contention frequently made by the person allegedly injured was that under section 722 subsection (e), which provides for general relief, the injured person should be entitled to present evidence of actual hardship and of the real abnormality pertaining to his situation; however, the tax officials, sometimes perhaps through an excessive zeal to secure all tax revenue for the Federal Government which possibly could be made available to it, construed section 722 (e) in this manner, that no general relief under subsection (e) could be made available unless general relief could be conformed with some specific evidence of abnormality or hardship as contained in section 722 (a), (b), (c), and (d). Of course, if that were the case there would be no point in putting subsection (e) in. Your tax litigant felt he was entitled to general tax relief under the same interpretation as would be available to him in court under a bill of equity where general relief is requested other than the relief specifically outlined in his petition.

Mr. Speaker, this bill would make possible a more complete and a fairer review, it seems to me, of the so-called section 722 cases. I trust the rule will be adopted.

Mr. Speaker, I ask unanimous consent to insert at this point a copy of the committee report on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

(The committee report is as follows:)

JUDICIAL REVIEW OF CERTAIN TAX COURT DECISIONS

Mr. KEATING, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (S. 984) making provision for judicial review of certain Tax Court decisions, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

1. On page 1, line 4, strike out the word "the" following the word "Code" and insert in lieu thereof the word "any."

2. On page 1, line 5, strike out "January 1, 1952" and insert in lieu thereof the words "the date of approval of this act."

3. Strike out the last sentence of the bill.

THE PURPOSE OF THE AMENDMENTS

The first amendment is merely a technical perfecting amendment.

The second amendment removes the retroactive feature of the bill as it passed the Senate and makes it applicable only to those particular decisions entered after the date of the approval of this act. The Senate version of the bill as it was introduced covered those decisions entered after January 1, 1954, but the bill was later amended to change that date to January 1, 1952. The bill then passed the Senate with the amended date.

The third amendment is a perfecting one in that the last sentence of the bill is rendered unnecessary by the removal of the retroactive feature of the bill by the second amendment. The sentence stricken merely provided that any decision rendered between January 1, 1952, and the date of the approval of the act must be appealed within 90 days after the date of approval of the act. Since the committee struck out the retroactive feature, there is no need for such a provision.

THE PURPOSE OF THE BILL

The purpose of this bill is to eliminate the prohibition against the appeal of Tax Court decisions to the court of appeals in cases involving the application of section 722 of the Internal Revenue Act relating to abnormalities. If this bill is enacted, an appeal will be allowed in such cases in the same manner that other decisions of the Tax Court may be appealed.

HEARINGS

Hearings on this bill were held on February 1, 1954, in addition to those previously held by the Senate. The witnesses at the hearing included representatives from the Department of the Treasury, representatives of the American Bar Association, and other attorneys. Those witnesses recommended the enactment of the legislation; the only question between them was with respect to the effective date of the bill. The representatives of the American Bar Association favored the date of January 1, 1952, whereas the Treasury Department recommended the date of January 1, 1953. During the hearing, a letter addressed to the chairman of the Judiciary Committee, CHAUNCEY W. REED, from the chairman of the Ways and Means Committee of the House, DANIEL A. REED, was inserted into the record. In that letter the chairman of the Ways and Means Committee interposed objections to the enactment of the bill, S. 984. These objections were to the effect that the bill would require judicial review of issues which by their very nature are ill-suited to such review, that it would reverse a long-standing and carefully considered legislative policy, and do so, many years after the basic statute had ceased to be currently applicable and, finally, it would discriminate in favor of a particular class of taxpayers.

The Department of Justice reported on the bill but did not have a witness at the hearing. In its report, the Department of Justice did not take a definite stand on the legislation but merely submitted a memorandum on the proposed legislation.

GENERAL STATEMENT

The cases as covered by the provisions of this bill are those respecting the determination of any question arising under subparagraphs 711 (b) (1) (H), (I) (J), or (K), section 721 or section 722 of the Internal Revenue Code. At the present time, under section 732 (subsecs. (c) and (d)), such decisions are not reviewable in the courts of appeals. The subject matter of these cases are the so-called abnormality or hardship cases arising out of the World War II Excess Profits Tax Act. That act does not apply to any taxable years beginning after December 31, 1945. That act provided separate standards covering the granting of tax relief because it was thought that an equitable excess-profits-tax assessment would not result if ordinary standards were applied. This procedure was followed because such cases involved highly complex and intricate financial and economic facts.

At the present time, according to the information given to your committee, a taxpayer in such a case as here involved, when his claim under section 722 of the Internal Revenue Act was disallowed by the Commissioner of Internal Revenue, may file a petition with the Tax Court for a redetermination of the issue of fact and of law. Section 732 of the Internal Revenue Code covers the jurisdiction of the Tax Court in such cases. Under section 732, the practice in the Tax Court is to refer a decision of a judge on a section 722 case to several other judges prior to communicating it to the parties involved and to issue the decision if there is no objection on the part of these other judges. Thus, there is no opportunity for the parties to make any assignment of error against the decision of the trial judge, nor can they be heard thereon after the decision has been rendered.

Thus, your committee, while it appreciates the motive and purpose behind the prohibition of review by the courts of appeals in this type of case, nevertheless, feels that it is more desirable to permit judicial review of this type of cases. It is in keeping with the traditional policy of affording every man his day in court, and it might be well to note here that all other matters in the Tax Court are reviewable except those in question here. Moreover, under the present Excess Profits Tax Act, judicial review is afforded to the claimants.

The history behind the act here in question is clearly set forth in a memorandum from the Department of Justice which is attached hereto.

In its recommendation for the enactment of this legislation, the committee is supported by the Treasury Department, whose report on the bill is attached hereto as a part of this report.

Your committee is also mindful of the human element that is involved in all such matters; and while it casts no aspersions upon anyone, it cannot overlook the salutary effect the possibility of judicial review has upon the final decision of any one person or persons.

Under the provisions of this bill, the right of appeal will be afforded in exactly the same

manner and form as appeals are now available in all other cases. In the opinion of your committee, this is fundamentally sound in principle and elementary in justice.

In the consideration of this proposal, your committee was faced with the question of the retroactive provision of the bill. Under the Senate version, the bill was retroactive to any decision entered after January 1, 1952, in these particular types of cases. The question of retroactivity is always a difficult one that affords no satisfactory solution to all concerned. It is the opinion of your committee that by eliminating the retroactive provision a possible discriminatory feature of the bill would be eliminated. All those cases which have been settled prior to the effective date of this act, either by stipulation or by decision, will not be reopened by any of the parties. At this point it should be noted that under the provisions of the bill both the Government and the taxpayer will have the right of appeal. The bill as amended would only permit appeals by these two parties from Tax Court decisions entered after the effective date of the act. As to this feature, the recommendation of the committee is more in line with the recommendation of the Treasury Department than the Senate version.

For these reasons, your committee recommends favorable consideration of the bill as amended.

SEPTEMBER 30, 1953.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (S. 984) making provision for judicial review of certain Tax Court decisions.

I am enclosing for the consideration of the committee a memorandum discussing the merits of this legislation in some detail which I trust the committee will find helpful.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

"MEMORANDUM CONCERNING S. 984, 83D CONGRESS, A BILL MAKING PROVISION FOR JUDICIAL REVIEW OF CERTAIN TAX COURT DECISIONS

"The effect of S. 984 would be to provide for review by the courts of appeals of Tax Court decisions entered after January 1, 1952, in cases 'respecting the determination of any question arising under subparagraphs 711 (b) (1) (H), (I), (J), or (K), section 721 or section 722 of the Internal Revenue Code.' Subsections (c) and (d) of section 732 of the Internal Revenue Code now provide that such decisions are not reviewable. The matters affected are the so-called abnormality or hardship cases arising under the World War II Excess Profits Tax Act, cases concerning which the law provides separate standards governing the granting of tax relief because they involve situations which would not result in fair excess-profits-tax assessments if the ordinary standards were applied.

"While the Department of Justice fully recognizes the desirability, in general, of permitting judicial review of administrative action, it is believed that in connection with the present bill this committee may wish to review the circumstances under which Congress saw fit in 1941 to deny judicial review of Tax Court decisions in cases arising under the cited sections of the Internal Revenue Code.

"The World War II excess-profits tax was designed to impose a high rate of tax on corporate profits in excess of those which the taxpayer might have been expected to earn under normal peacetime conditions. Excess profits were measured, alternatively, in terms of a specified rate of return on 'invested capital' or in terms of average earnings over a 4-year base period (1936–39). Because it was recognized that abnormal conditions affecting a particular taxpayer, or the industry of which it was a member, might result in an inadequate standard of normal earnings for the purposes of the excess-profits tax under the formula applicable to taxpayers in general, special relief provisions were incorporated in the statute. The most important of those relief provisions were those contained in section 722 of the Internal Revenue Code. That section provides that in any case in which the taxpayer established (1) that its excess-profits tax, computed in the ordinary manner, was 'excessive and discriminatory,' and (2) what would be 'a fair and just amount representing normal earnings to be used as a constructive, average base period net income,' the tax should be determined by using such constructive average base period net income in lieu of the actual average base period net income. The statute specified certain circumstances under which the average base period net income of a taxpayer would be considered an inadequate standard of normal earnings. These included the interruption or diminution of normal production, output, or operations due to the occurrence of events unusual and peculiar in the taxpayer's experience; depression of the taxpayer's business resulting from unusual and temporary economic circumstances, variant profit cycles, or sporadic and intermittent period of high profits inadequately represented in the base period; and changes in the character of the business during or immediately prior to the base period. While the statute was fairly specific in stating the types of factors which would qualify a taxpayer for special treatment, it did not attempt to prescribe exact methods for computing the amount of the 'constructive average base period net income' to be used in redetermining the taxpayer's excess-profits-tax liability.

"The legislative history shows that Congress fully recognized that the problem of affording excess-profits-tax relief on the basis of abnormalties in the taxpayer's experience was one of great complexity and that its solution must necessarily depend in large measure on the sound exercise of administrative judgment and discretion. Thus, in House Report No. 146, 77th Congress, 1st session, it was stated (p. 2):

" 'Experience with excess-profits taxes, both in the United States and abroad, has demonstrated conclusively that relief in abnormal cases cannot be predicated on specific instances foreseeable at any time. The unusual cases that are certain to arise are so diverse in character and unpredictable that relief provisions couched in other than general and flexible terms are certain to prove inadequate.

" 'For these reasons, the present legislation attempts to provide, both by specific terms and in carefully guarded general terms, a set of flexible rules which should alleviate at least the bulk of the severe hardship cases which may arise. The success or failure of legislation of this type depends, to a considerable degree, upon its intelligent and sympathetic administration. Through its confidence in the experience and ability of the officials of the Treasury Department and the Bureau of Internal Revenue, your committee recommends the present flexible and broad legislation as the most satisfactory method of meeting the contingencies that will arise.'

"It can hardly be doubted that reasons similar to those which led Congress to couch the relief provisions of section 722 to a large extent in 'carefully guarded general terms' were also responsible for the establishment of a special and limited system of review of the Commissioner of Internal Revenue's decisions in cases arising under that section and other special relief sections. In tax cases other than those involving special relief, a taxpayer who disagrees with a determination of the Commissioner has the choice of several remedies. He may, before paying the tax, appeal to the Tax Court (formerly the Board of Tax Appeals) and thence to a United States court of appeals and ultimately go to the Supreme Court by writ of certiorari. In the alternative, he may pay the tax and bring suit for refund either in a United States district court or in the Court of Claims. From a decision of the district court (where, under certain circumstances, he may have a jury trial) he may appeal to the court of appeals and thence seek review by the Supreme Court. However, this choice of remedies was deliberately denied a taxpayer seeking review of the Commissioner's decision under the special relief provisions of the excess-profits-tax law. Nor would it be made available to the taxpayer under S. 984. Although cases involving section 722 are essentially refund cases, Congress provided in section 732 that the taxpayer might obtain a review of the Commissioner's determination in such cases only in the Tax Court, notwithstanding the fact that the Tax Court does not ordinarily have jurisdiction of suits for refund.

"While the committee reports do not discuss section 732 as fully as might be desired, it is clear that the exclusiveness of the jurisdiction conferred upon the Tax Court in these special relief cases was well understood. Thus, the report of the Ways and Means Committee with respect to the excess-profits-tax amendments of 1941 (H. Rept. No. 146, 77th Cong., 1st sess., p. 14) states:

" 'Section 9 of the bill (adding sec. 732 to the Excess Profits Tax Act of 1940) extends to the Board exclusive jurisdiction to review the Commissioner's decision upon any question the determination of which is necessary solely by reason of section 711 (b) (1) (H), (I), (J), or (K), section 721 or 722.'

"In 1942 a further refinement in the procedure for review was introduced, when Congress made provision for the creation of a special division within the Tax Court, the duty of which was to review the decision of any division of the court involving section 721 (a) (2) (C) or section 722. The stated reasons for the creation of such a special division indicate quite clearly, though indirectly, the considerations which moved Congress in prohibiting review of special relief cases by any tribunal other than the Tax Court. Thus, House Report No. 2333, 77th Congress, 2d session, states (p. 26):

" 'The presiding judge of the United States Tax Court designated under existing law as the United States Board of Tax Appeals is directed to set up within the court a special division of not less than three members whose sole duties will be the determination of issues arising under the relief provisions. The decisions of the division will not be reviewable by the court but will be deemed to be the decisions of the court. It is the intention that due to the nature of the issues that will arise under the relief provisions all such issues should be decided by a special body qualified for that purpose.'

"The Senate amended the provision in question to limit the functions of the special division to the review of decisions of the other divisions, and also to require such review only in cases arising under sections 721 (a) (2) (C) and 722. However, the essential purpose of the provision remained unchanged, as appears from Senate Report No. 1631, 77th Congress, 2d session, page 207:

" 'Because of the complicated nature and the economic character of the issues involving relief under section 722, and abnormalities under section 721 (a) (2) (C), and the broad discretionary powers lodged in the Board in the determination of such issues, it is essential that all such issues be decided

by one group familiar with the problems involved. Only by this method can a consistent and uniform application of the principles established be assured in all cases.'

"Since the Tax Court is not a part of the judicial system, but is an independent agency in the executive branch, it was consistent with the overall legislative view of the special relief provisions—as indicated by the excerpts from the committee reports quoted above—to permit the determinations of the Commissioner of Internal Revenue to be reviewed only by that body, thus treating the allowance of special relief wholly as a matter of administrative discretion.

"This approach found a parallel in the so-called special assessment provisions of the Revenue Acts of 1918 and 1921. Under sections 327 and 328 of those acts, the Commissioner of Internal Revenue was authorized in certain cases to assess as tax an amount bearing the same ratio to the net income of the taxpayer as the average tax of representative corporations engaged in a similar trade or business bore to their average net income. He was authorized to make such special assessment if he found that the excess-profits tax, determined in the usual manner, 'would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without the benefit of this section and the tax computed by reference to the representative corporations * * *.' Although those acts did not expressly prohibit judicial review, the Supreme Court held that neither the district courts nor the Court of Claims had jurisdiction in such cases (*Williamsport Wire Rope Co.* v. *United States* (277 U. S. 551)). The Board of Tax Appeals, however, was held to have jurisdiction under section 274 of the Revenue Act of 1924 (*Blair* v. *Oesterlain Machine Co.* (275 U. S. 220)). In the Williamsport case the court said:

" 'Sections 327 and 328 were intended to broaden the powers of relief first conferred by section 210 of the War Revenue Act of 1917 (ch. 63, 40 Stat. 300, 307 (Comp. St. sec. 6636 3/8 k). * * * The task imposed on the Commissioner by sections 327 and 328 was one that could only be performed by an official or a body having wide knowledge and experience with the class of problems concerned. * * *

" 'To perform that task, power discretionary in character was necessarily conferred. * * *

" 'The soundness of the judgment exercised by the individual or body to whom the task was confided would depend largely upon the extent both of the knowledge of the special subject possessed and of the experience had in dealing with this particular class of problems. The conclusions reached would rest largely upon considerations not entirely susceptible of proof or disproof.' * * *

"The Court found, however, that Congress intended to have the Commissioner's decision reviewed by the Board of Tax Appeals (now the Tax Court) after the creation of the Board in 1924, since:

" '* * * Its sole function consists in reviewing, on appeal, determinations of the Commissioner under the revenue laws. The fact that the Commissioner is a party to all cases before it enables the Board, by rules of procedure which it has developed, to leave to the Commissioner the initial determination of many questions requiring the use of facts not in the record. Its limited, specialized functions enable its members to acquire the extensive special knowledge and the specific experience essential to a sound exercise of judgement in dealing with questions arising under sections 327 and 328.'

"Since such determinations by the Board of Tax Appeals were factual, under the rule of review then in force they were not reviewable by the circuit courts of appeals.

"In 1946, as a result of widespread dissatisfaction with the administration of the World War II special relief provisions (particularly sec. 722) by the Bureau of Internal Revenue, the Joint Committee on Internal Revenue Taxation held extensive hearings. The evidence adduced included a report on the administration of section 722 prepared by the Bureau of Internal Revenue and a summary of complaints received from taxpayers prepared by the staff of the joint committee. Complaints with respect to the Tax Court were said to be 'infrequent.' (Note, however, that only two cases had been decided by the Tax Court at that time.)

"During the course of the hearings, the issue of review of Tax Court decisions seems to have been raised only twice (hearings, pp. 205, 349). The consensus of opinion was that the law needed little change, but that the Bureau's agents were not sufficiently sympathetic and that a special board of lawyers, economists, and accountants should be established to process the relief cases. As a result of the hearings, the Excess Profits Tax Council was established by administrative action in 1946. No change was made with respect to the jurisdiction of the Tax Court.

"We are informed that claims have been filed under section 722 by some 20,000 taxpayers, the aggregate amount claimed being approximately $7 billion, and that as of March 15, 1953, the claims of 366 taxpayers, involving $1,439,588,411, were still in the process of administrative review.

"We are further informed that a total of 2,184 appeals in section 722 cases were docketed in the Tax Court up to June 15, 1953, and that on that date 904 cases were pending in that court, the other 1,280 cases having been disposed of as follows:

	Before Jan. 1, 1952	After Jan. 1, 1952
Decided with opinions	83	89
Dismissed without opinions	169	29
Disposed of by stipulation	701	209
Total	953	327

"The 904 cases pending on June 15, 1953, involve approximately $730 million.

"Cases disposed of by the Excess Profits Tax Council in which no appeal was taken to the Tax Court could not be reopened under S. 984. This is true even with respect to cases settled administratively in reliance on the supposed finality of Tax Court decisions which, under S. 984, would themselves be subject to review by the courts of appeals.

"While judicial review of decisions of the Tax Court under the special relief provisions of the Excess Profits Tax Act of 1950 is permitted, it is to be noted that those provisions differ in material respects from the special relief provisions of the World War II statute. Thus, instead of requiring the taxpayer to establish a 'constructive base period net income,' the 1950 act provides for determination of the excess-profits credit in special relief cases on the basis of the 'base period rate of return' for the taxpayer's industry, as determined and proclaimed by the Secretary of the Treasury. Furthermore, the factors qualifying a taxpayer for relief on the grounds of change in products or services or increase in capacity for production or operation are more clearly defined and limited in the 1950 act than in the earlier statute. These changes were the result of experience in the administration of section 722, as pointed out in the following excerpts from the report of the Senate Finance Committee on the 1950 act (S. Rept. No. 2679, 81st Cong., 2d sess., pp. 17–18):

" 'In each instance the section [722] provided that a hypothetical base period earnings credit be "tailor made" for the particular taxpayer and that certain assumptions be made in connection with the case. Each case was a problem in research, and the legal or tax result generally was intertwined with complicated accounting and economic problems. Almost every factor which had any influence on the particular business was pertinent to the case and the time and expense involved in reconstructing the average base period earnings credit were tremendous.

" 'These complex relief provisions of the World War II law have resulted in extended delay in the settlement of relief claims which discriminated against taxpayers who had neither the time nor the financial resources necessary for the establishment of their cases. Moreover, the determination of what the taxpayer's base period income would have been in the absence of the claimed abnormality was largely a matter of subjective judgment, and a great deal of complaint has arisen on this account. Hence this bill reduces to a minimum the amount of administrative discretion involved in the adjustment of the hardship cases which may be expected to arise under an excess-profits tax.

" '(c) General relief provisions in the bill: The bill provides automatic formulas for each of the most important types of cases which arose under section 722 of the World War II law. These formulas permit an objective computation of the amount of relief granted in each case, thus avoiding the practice of making the extent of the relief dependent upon an attempted analysis of all the varying factors in the individual case with the resulting uncertainty, delays, and disparity of treatment among taxpayers which characterized the application of the general relief provisions of the World War II law.'

"In the event the committee should conclude that some review of Tax Court decisions in special relief cases is desirable, the committee may wish to consider the advisability of limiting the scope of the review to questions of law and prohibiting inquiry by the appellate courts into the question of the sufficiency of the evidence to support the Tax Court"s findings of fact. Such limitation would greatly simplify the task of the appellate courts and would leave to the Tax Court the discretionary functions which Congress recognized were essential to a fair and proper administration of the highly complicated provisions of the special relief sections."

TREASURY DEPARTMENT,
Washington, October 2, 1953.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Further reference is made to your request of April 13, 1953, requesting the views of this Department with respect to S. 984, which passed the Senate on March 30, 1953.

The purpose of the proposed legislation is to permit appeal of Tax Court decisions, to the courts of appeal, in cases involving the application of sections 711 (b) (1) (H), (I), (J), (K), 721, and 722 of the Internal Revenue Code. These sections provide special treatment under the World War II excess-profits tax where abnormal circumstances existed. While many claims under these sections have been disposed of, several hundreds are still pending, both in the Bureau of Internal Revenue and in the Tax Court.

At the present time decisions of the Tax Court under such sections are final. Under the bill, such decisions would be subject to appeal, upon the petition of either the Government or the taxpayer, if entered after January 1, 1952.

The Treasury Department is in full agreement with the purpose of the bill. As was indicated by the representative of the Department at the hearings on the bill by the Senate Judiciary Committee, "in any legal issue which is presented to any legal tribunal

in our system of government there should be an appeal on a legal question to an appellate court." There would appear to be no adequate reason why taxpayers aggrieved by an error by the Tax Court in these issues should not have the same redress as do taxpayers on all other issues.

The purpose of the bill is thus to equate the handling of such cases with the disposition of all other cases. An additional amendment to carry out this purpose has been suggested by the Tax Court, and this Department is in accord with the suggestion, namely, that section 732 (d) be repealed. Section 732 (d) of the Internal Revenue Code requires that each case arising under section 721 (a) (2) (C) or section 722 be reviewed within the Tax Court by a special division of the court and provides that the decisions of such division shall not be reviewable by the court and shall be deemed decisions of the court. The important justifying cause for the establishment of this special division appears to have been the disallowance of appeal to an appellate court. The enactment of S. 984 would eliminate this justification for special review within the Tax Court. In addition, adoption of the amendment suggested by the Tax Court will free additional judges from the review of cases arising under the above sections and permit the judges of the Tax Court to devote more time to other "standard issue" cases.

One technical point with respect to S. 984 should be noted. The bill allows a right of appeal "notwithstanding the provisions of subsections 732 (c) and 732 (d)." The amendment proposed above would repeal section 732 (d) and eliminate reference to it in the above-quoted clause. It would appear that section 732 (c) should also be repealed. Inasmuch as the only effect of 732 (c) is to deny appeal in cases of the type covered by S. 984, the enactment into law of the Senate bill will completely nullify the code provision even if the bill is not amended as proposed. This apparent conflict may cause confusion, particularly if section 732 (d) is repealed and 732 (c) retained. The confusion may best be avoided by a repeal of section 732 (c).

The Director, Bureau of the Budget, has advised the Treasury Department that there is no objection to the presentation of this report.

Very truly yours,

M. B. FOLSOM,
Acting Secretary of the Treasury.

Mr. COLMER. Mr. Speaker, I yield 15 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on Thursday last the gentleman from Missouri [Mr. SHORT] and I had a colloquy on the floor in which I was trying to get some information about the military strength of our country. To me it is not a question of whether we are strong but whether we are strong enough. That is the question that addresses itself to me. I felt that the gentleman from Missouri, chairman of the Committee on Armed Services, was one man that might be able to give some information, because his position is such that he is able to obtain information that most other Members are not able to get. We get it here and there, but he is in a position by reason of his chairmanship and the importance of his committee in connection with our military defenses to obtain about as complete information in connection with military matters and our military strength as any Member of the Congress. He and the gentleman from Indiana, Mr. HALLECK, apparently felt somewhat disturbed about giving information or inviting an attack. Well, I am sure they spoke extemporaneously, so I do not place the construction on their remarks that I would if one was talking from a manuscript.

I am aware of the fact that from an offensive angle, based on information that I have, that we are in a very strong position. Probably we may have to be strong, but we are very strong so far as our Strategic Air Command is concerned, and certainly the evidence seems to indicate very clearly that we have tremendous offensive power. But, military strength is not alone offensive, at least, in my opinion. What defensive capacities have we go? The thing that concerns me and that I am very much alarmed about is what defenses we have to protect our cities and our people against an attack sneak or otherwise. We all hope and pray that an attack will not come, but we cannot proceed upon our hopes and prayers alone. Prayers are very effective, and I do a lot of praying myself, but we have got to be very practical and realize that we are dealing with a potential enemy that is possessed of the mind of a world killer, and we have to govern ourselves accordingly.

Now, I pick up the paper and I read as of last December in Newsweek where former Governor Peterson, who is the Civilian Defense Administrator, says, "Fifteen Minutes from Disaster." That is the caption. And he is quoted as saying, "As of right now the most warning we expect of an enemy air attack is 15 minutes."

Well, that concerns me, my colleagues. That means an enemy plane is from 60 to 75 miles away before it is detected. I assume our defenses are much better than that, at least, I hope so, but this is an indication that the interval is very short and involves millions of American lives. We know the destructiveness of a bomb; we have an idea. I do not know exactly, but from what I read in the newspapers, I have an idea of how destructive the bombs are that exist in the world of today.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. I asked the gentleman to yield solely for making the observation that at this moment the majority leader is not on the floor. I know that the gentleman has no control over that, but lest it appear that no observations or comment on agreement or disagreement may be made on this side, it is because in this present instance the majority leader does not happen to be present.

Mr. McCORMACK. The gentleman from Massachusetts [Mr. McCORMACK] specifically said that he did not think the gentleman from Indiana [Mr. HALLECK] and the gentleman from Missouri [Mr. SHORT] really meant what they said the other day. They were talking extemporaneously. I was not going to make any further comment on it.

Mr. SCOTT. I would not attempt to speak for any other Member on this side.

Mr. McCORMACK. Because, if I were going to make any remarks of a critical nature concerning any Member, I would notify him beforehand.

Mr. SCOTT. I am absolutely sure that the gentleman would, but I thought the RECORD should show that there is no comment available at this time from this side of the House, because the Members the gentleman has mentioned happen not to be present.

Mr. McCORMACK. The gentleman from Pennsylvania [Mr. SCOTT] does not construe anything that I have said as being critical of either of our distinguished friends?

Mr. SCOTT. I may say to the gentleman that I do not.

Mr. McCORMACK. And I did not intend anything I said to be considered as critical; otherwise, I would have served notice on the gentlemen and asked them to be present.

I assume that Governor Peterson knows what he is talking about. I assume from that that our defenses are not as good as they should be. That concerns me very much.

Only a few days ago his deputy, Mrs. Katherine Howard—I served with her distinguished husband in the Massachusetts Senate many years ago; Charlie Howard and I are very good friends—Mrs. Howard is quoted in the newspapers of April 20, 1954, as saying, "From one-half to two-thirds of them would get through to their targets, perhaps three-fourths of them, if the assault came tomorrow"—meaning enemy attacking planes.

I assume that Mrs. Howard has some information upon which she bases that statement. That concerns me very much, because I know that when a sneak attack comes it is going to come from the other side. I shall not argue here whether democracy should carry out sneak attacks. I shall not discuss that question. The fact is we do not and we have got to face realities and realize that if any sneak attack comes it is going to come from the potential enemy that exists in the world of today. The question is not only are we powerful enough from an offensive angle, but are we as powerful and as strong as we can be from a defensive angle.

I have here the Washington Post of February 15, 1954, in which is a story entitled "SHORT Warns Reds Against Korean Attack." Our friend from Missouri, Chairman SHORT, was on an NBC television program, Youth Wants To Know, and this item quotes the gentleman from Missouri [Mr. SHORT] as saying "that Russia is capable of delivering the atomic bomb on United States cities and that this country would be able to shoot down only 25 percent of the attacking bombers." Just realize what that means—75 percent getting through to their targets. And it is fair to assume that if they do engage in a sneak attack, they are going to hit every big city in the country that they can. Is that not a reasonable inference to draw, that they are going to try and destroy our

will to fight in the first attack? Not only our ability to provide transportation and our ability to provide production, but particularly our will to fight. So we have only a few weeks ago the chairman of the Armed Services Committee stating that 75 percent of the attacking planes could get through to their target.

General Twining testified recently before a Subcommittee on Appropriations, concerning the strength of our strategic Air Force. I am glad it is strong. That is the offensive arm. But I am concerned also, all of us are, and I am speaking my thoughts and my views today, with the defensive side of our military strength, because that might mean or it might involve the saving of millions of Americans being killed and wounded. I am concerned with more than our being able to knock off twenty to sixty million people of another country in killed and wounded within 24 to 48 hours after they knock off ten to thirty or forty million Americans in killed and wounded here. I am concerned, as you are, with the protection of our cities and our people. That was the purpose I had the other day in trying to get the information that could be given to us in order that we might know what we should do for the protection of our cities and our people, because it might mean our own lives, but certainly it involves the lives of countless millions of Americans.

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. VURSELL. Is it not fair to assume, first, that there is an abundance of money appropriated for the defense of our country, for extending our radar screen and defense, and is it not fair to assume that the President of the United States and the Joint Chiefs of Staff are probably as greatly concerned as is the gentleman from Massachusetts about properly defending this country?

Mr. McCORMACK. No "more greatly," but the gentleman says "as greatly concerned." I will agree to that.

Mr. VURSELL. Very well. There was considerable testimony on this one point given by the gentleman from Kansas [Mr. SCRIVNER], that every effort was being made to widen and tighten up the defense of this country against anyone's dropping a bomb; so I do not think we need to be too much concerned here. I think we can rely on the President of the United States and the Joint Chiefs of Staff and the Secretary of Defense, who have done so well in the last year in improving our offensive and defensive power. I think the defense of this country is being given every consideration, and that they are preparing against any eventuality of bombs being dropped, with all of the money and all of the ingenuity and all of the patriotism and all of the power that is tied up in the President and the military leaders, who are supposed to know best how fast and how far we can go.

Mr. McCORMACK. I wish I had the feeling of complacency that my friend from Illinois has. Of course, living in Illinois, he can feel more complacent than we in Massachusetts and those on the west coast can feel, because if we get only 15 minutes' notice his cities might have an hour's notice. So the gentleman may have a right to feel a little more complacent.

All I know is this. The gentleman's observation raises thoughts that I did not intend to go into. I know that last year we Democrats fought for a 143 air wing group, and President Eisenhower set the figure at a 120 air wing group. This year the recommendation is to build up a 137 air wing group. If the President was right last year he is wrong this year. If he is right this year he was wrong last year. And he might be wrong in reducing the Army as sharply as it is being reduced.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. CURTIS of Missouri. The gentleman's side was fighting for certain sums of money. The issue was whether that money could be spent to attain this goal.

Mr. McCORMACK. That argument denies the very argument made last year. You fought for a 120 air wing group.

Mr. CURTIS of Missouri. If you could translate the money into aircraft there might be something to it, but the gentleman knows that the Subcommittee on Appropriations, both Republicans and Democrats, just recently reported that there was some $4 billion of money that we appropriated for the Air Force that they could not even obligate last year, on top of the $5 billion cut out of last year's appropriation.

Mr. McCORMACK. That is not quite correct.

Mr. CURTIS of Missouri. That is in the committee report.

Mr. McCORMACK. When you cut down by $5,800,000, and some of that was for the purpose of strengthening our continental defense, it committed us to a 120 air-wing group. In other words, you then prevented the building up of a 143 air-wing group by the latter part of the year 1955. The money is appropriated before the contracts are let, you know that as well as I do. Now you are building up to a 137 air-wing group by the latter part of 1957—I am glad of that—but it is going to cost the taxpayers $1 billion more than it would if we had continued the 143 air-wing group last year and made appropriations for it.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. LANHAM. The thing that concerns me about our defense against sudden atomic attack is, as the distinguished gentleman from New York [Mr. COLE] said a few days ago in a speech which he made, that within 2 years or 3 years not only could they destroy our cities, but they could destroy our power to retaliate.

Mr. McCORMACK. Might I make closing observation. I had not intended to go into this matter about the Air Force until my friend, the gentleman from Illinois, made his observation. I am concerned about this matter, as we all are. I know mistakes have been made, and mistakes can be made in the future, but when the chairman of the Committee on Armed Services says that 75 percent of attacking planes can get through, and when I read in the article which I put in the RECORD, the article written by President Killian, of the Massachusetts Institute of Technology, and a gentleman by the name of Hill, and when President Killian knows the scientific as well as the military situation, although he does not profess to be a military man, but by reason of the importance of the work of the Massachusetts Institute of Technology he is conversant with much military information; as I say, when he writes that with the expenditure not of $20 billion but of a reasonable amount, we can reduce that to between 5 percent and 10 percent—there is a big difference between 60 percent to 75 percent of attacking planes getting through to their targets and 5 percent to 10 percent, and all of us ought to be considering that very seriously.

Mr. SCOTT. In reference to the remarks just made by the gentleman from Massachusetts concerning the preparedness of this country, I think it is reassuring that we are a great deal more prepared against a sneak attack from any source today than we were on December 7, 1941. Furthermore, we have the benefit of an activated, operating, vitally concerned, and implemented National Security Council—the National Security Council which was not made use of, which was virtually a useless appendage during the previous administration, which is now constantly meeting and constantly calling into its councils the able competence of its military and civilian leaders. I think that in itself is a reassurance as to whether or not this country is getting the proper kind of defense which its security demands. I think it is a peculiarity of the party across the aisle that it never calls a bluff at the right time when it is in power, but is always trying to raise the ante when it no longer has the public responsibility for leadership.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. McCORMACK. Does the statement of the gentleman from Missouri [Mr. SHORT] made only a few weeks ago that we could only knock down about 25 percent of attacking planes concern my friend, the gentleman from Pennsylvania?

Mr. SCOTT. Any statement concerning our defense concerns the gentleman from Pennsylvania. I assume that if the chairman of the Committee on Armed Services made such a statement, he might also be prepared to tell us that a considerable percentage of our planes could equally get through the defenses of any other country. While democracies do not initiate aggression, in modern warfare no major country's capital is more than 4 to 6 hours away from any other major country's capital.

Mr. McCORMACK. That is very well. The gentleman from Massachusetts specifically said that our defensive airpower is great, but the gentleman from Massachusetts is one of those who helped build that airpower. That was not done in the last 2 or 3 years.

Mr. SCOTT. The gentleman was leader of the party which refused to con-

struct the 70-group Air Force. I agree with the gentleman.

Mr. McCORMACK. Now, that is a very wise remark. This is now 1954, but I may say to the gentleman from Pennsylvania [Mr. SCOTT] the gentleman from Massachusetts opposed that. So the gentleman is not so wise as he thinks he is.

Mr. SCOTT. The gentleman from Massachusetts should have been backed by his President.

Mr. McCORMACK. The battles of 7 years ago are not going to settle the questions of the day. Is that right?

Mr. SCOTT. I think it is unfortunate that the gentleman's President did not agree with the prescience of the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. I agree with that, several years ago. That is not going to settle the question of today. Is it?

Mr. SCOTT. Today we are concerned with the defense of our country. We have an administration which, in my opinion, is able to do that.

Mr. McCORMACK. Is the gentleman satisfied with the defenses of our country at the present time?

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, it is a privilege for me to request unanimous consent for publication in the RECORD the following article from the Depot Digest of the United States Marine Corps Depot of Supplies, 1100 South Broad Street, Philadelphia 46, Pa., the following article about a popular and esteemed resident of Philadelphia:

JOHN J. SMITH, OF PHILADELPHIA: A BORN LEADER

Some leaders are born, some are made. But it is the born leader who, somehow, far overshadows the leader who is developed, because he has an inherent sense of know-how and a sincerity of purpose that becomes increasingly discernible each time you are in conversation with him.

John J. Smith, supervisory accounting officer-in-charge of the General and Cost Accounting Section, Fiscal Branch, is a born leader. Other qualities that make him outstanding are his capacity to follow through on anything he undertakes and his affability when meeting any person on any level.

"J. J." as the telephone operator often refers to him over the amplifying system with no need for mentioning his last name, has been at the depot since 1940. He has taken an active interest in civilian activities, and, upon the reorganization of the Depot Semper Fidelis Credit Union last fall, assumed the duties of treasurer. Almost immediately he initiated a highly successful system for the collection of hundreds of dollars in loans which were still on the books. Recently he was elected president of the credit union.

Through his efforts and those of the rest of the credit union officers, plus the able cooperation of Commanding General Bethel and Col. J. F. Stamm, Chief of Staff, the credit union today is doing a brisk business, operating smoothly on a sound basis.

The genial J. J. has given full support to every task he has been called upon to perform. Over the years he has won the respect and friendship of many Members of both the Senate and House of Representatives in Washington. He is almost as well known in official Washington as he is in Philadelphia.

MR. SMITH GOES TO WASHINGTON

Mr. Smith recently was in Washington, where he served as the employee's chairman of the pay-raise rally held in the Senate Caucus Room in the Senate Office Building representing approximately 350 members of the AFGE and post-office clerks. Among those present were Senator JAMES H. DUFF, Republican, Pennsylvania; Representative HUGH D. SCOTT, JR., Republican, Pennsylvania; and Senator FRANK CARLSON, Republican, Kansas, chairman of the Joint Post Office and Civil Service Committee. Attending from the depot, in addition to Mr. Smith, were Morris Blumberg, Ed Dale, and Steve Mattola. Senator DUFF gave the representatives reasonable assurance of a pay raise during the present session of Congress, although it probably will not become effective until the beginning of the fiscal year, July 1.

Mr. Smith, who is national vice president of the American Federation of Government Employees, was lauded recently in a lengthy letter from Congressman WILLIAM A. BARRETT, of Philadelphia, which appeared in the Government Standard, AFGE publication, for his valuable service and foresight in matters affecting Government employees.

A year ago he was honored at a testimonial dinner by his many friends both at the depot and on the outside.

He indulges in so many activities one is amazed at his boundless energy. When Friday afternoon arrives, the average depot employee, whether he is a top-level supervisor or a laborer, usually is pretty fagged out mentally and physically and looks forward to a restful weekend. This more often is the exception rather than the rule with Mr. Smith. Invariably he has a meeting or appointment Friday night and perhaps an appointment on Saturday in addition to meetings and appointments on evenings during the week.

A widower, Mr. Smith lives with his two charming daughters, Kathleen Anne and Mary Theresa, in Mayfair. Despite his duties at the depot and his other activities, he finds time to be domestic, too. His hobby is cooking for his family over the weekend. It was Mr. Smith who, in 1943, organized the first depot unit to spend a weekend annually at St. Joseph's-in-the-Hills, a retreat house for the Men of Malvern, a Catholic laymen's organization.

Hal Miller, of the United States Civil Service Commission, Washington, who has been associated with Mr. Smith in various matters for many years, said of him: "John Smith is a really great human being. He has the support of both Philadelphia and Washington newspapermen."

Because of his sincere interest in depot affairs, his faculty of getting along with people, and his popularity among both civilian and military personnel here, a depot official summed up his ability in this terse phrase, borrowed from a famous poem: "The Smith, a mighty man is he." The official, in the opinion of many, has scored a bull's-eye.

Mr. Speaker, if the gentleman from Mississippi has no further requests for time, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. RABAUT asked and was given permission to address the House today for 5 minutes, following any other special orders heretofore entered.

POLISH CONSTITUTION DAY

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. KLUCZYNSKI] is recognized for 60 minutes.

Mr. KLUCZYNSKI. Mr. Speaker, in reserving an hour for today's commemoration of Poland's Constitution Day which has been observed in the House of Representatives for many years, I, of course shall not consume the entire hour that has been granted me in this special order but will gladly share the time with my colleagues on both sides of the aisle who would like to join in the commemorative observance and express for themselves their personal and official feelings for a stalwart, patriotic, patient and law abiding, and God-fearing nation—the enslaved people of Poland.

Speaking on the 163d anniversary of the Polish Constitution of May 3, I cannot help thinking about a democracy. A democracy immediately brings into mind the United States, since she is the one which holds the first place in that respect in the world today. In this form of government I can vividly see the stages of the process of democratic thoughts as expressed in the world through all its past. One of these important phases is the Polish Constitution of 1791, which we, and all free people, are celebrating here today.

Many centuries ago, long before the United States was discovered, the democratic thought developed. It had its failures and successes, but in the long run it was there, formed to a larger or smaller degree, dependent upon the countries in question, as the democratic thought dates almost from its beginning.

It is worthwhile to note the way in which Poland adopted Christianity almost 1,000 years ago, when through a political marriage and with the help of the clergy of Czechoslovakia, Poland's neighbor, this was achieved.

A striking example of political maturity, molded upon democratic principles, were the ways and means used to bring about the union between Poland and Lithuania, which lasted for several centuries. One hundred and fifty years after its ratification it was constantly being amended by new acts, mutually agreed to by both countries, which in those days knew how to live together in peace and work for the common cause on the basis of "free people with free people and equals with equals."

I think it is most important to recall some of the stages in which democracy developed in Poland. The so-called Horodel Union was signed as early as 1413, neminem captivabimus, what we know here as habeas corpus, became a law in Poland in 1430, and nihil novi—nothing without us—where the King could not make any move without the consent of the Sejm—Parliament—was enacted there in 1505.

When we refer to Poland we always think of that great daughter of Catholicism, and it is right. But we forget to think that already in 1573 a law was enacted giving Protestants in Poland equal rights. Apart from the Polish democratic ideas and principles embodied in Poland's history there are also examples

of highly developed democratic institutions in Poland's contemporary life. From 1919–39, the years of her independence, she was among the first five countries alongside Switzerland, Sweden and others to introduce one of the most superb social-security systems known. But the mere fact of democratic perfection would not be important enough, if the people under the system did not benefit from it. It so happened that Poland has been always isolated from her neighbors. She stood there like a fortress besieged by enemies, fighting them off successfully at times, only to have them make a try on other occasions. But no one will question the fact that it was a fortress of Western culture and civilization based on democratic principles, contrary to those conflicting principles which kept coming from the wild east. If we take only this fact into consideration, we then will be able to see clearly the importance of Poland's existence and the meaning of the struggle she has undertaken to ward off foreign aggression, which on so many occasions threatened the rest of the European Continent. It was the blood of Poland's own sons who fell on the battlefields against Prussian imperialism, which expanded so largely under the Crusaders. And it was Poland who defeated them and wiped them out in the Battle of Tannenberg in 1410. It was Poland again who came to the rescue of Vienna, besieged by the Turks in 1683, saving Europe from being overrun by the Sultan. And once more, in 1920 at the Battle of Warsaw, Poland gave the decisive blow against bolshevik hordes, driving them back deep in to Russia.

Democratic nations will always find a common language. When we come to think that both Kosciusko and Pulaski, still warm from the battles fought in Poland, came to our shores in order to continue the fight for democracy, it is clear to us that this is the same road chosen by Polish and American statesmen. The great friendship of Thomas Jefferson and Kosciusko was not only the product of their mutual sympathy for each other, but it also grew from the understanding of common ideas and from their aims in regard to their respective countries. This view holds also for the 6 million Americans of Polish descent, a loyal, faithful, and democratic element, who have become so deep-rooted within this country.

These are the aspects that were taken into consideration by our Polish forefathers and wise statesmen when they got together to draft their famous constitution of May 3, into which Kosciusko injected all the democratic flavor he had found in our Declaration of Independence and brought with him to Poland.

At the end permit me to cite one more fact in regard to democracy and democratic nations. I would like here to point out the dangers which lie in European totalitarianism, which the Poles have experienced so many times in the past. They know all about it, much more than we do. For if someone dwells throughout centuries with an aggressive neighbor, divided by a small wall only, no one can better understand the aggressor than that very neighbor. And that is why the warnings of Poles, cautioning the western democracies on the dangers of European totalitarianism should be received with greater understanding and greater trust and it should carefully be studied among us here.

Mr. Speaker, I will now yield time to others.

Mr. McCORMACK. Mr. Speaker, will the gentleman from Illinois ask consent that all Members may extend their remarks on this anniversary occasion?

Mr. KLUCZYNSKI. Yes, I will do so.

Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. REAMS].

Mr. REAMS. Mr. Speaker, this recognition of Poland's Constitution Day, May 3, is recognition of the aims and aspirations of all people in the world to be free and govern themselves. The traditional friendship of the American people for the people of Poland is even stronger in these days of Poland's dark hour of slavery and misery than it has been at any other time.

There come regularly from behind the Iron Curtain reports of heroic action on the part of these people who refuse to accept slavery as the normal state of mankind. It must seem to these enslaved people that the progress toward their liberation is very slow. However, there are definite actions on the part of the people and the Government of this country which are small tokens of assurance to the Polish people and people of other countries existing under subjugation of Red Russian communism that we have not forgotten them.

In February of this year, the United States Secretary of State closed the consular offices here, which Moscow was operating as a spy operation under the guise of Polish consulates. This closing of the pretended Polish consulates in New York, Chicago, and Detroit marked the last of the spy listening posts maintained by the Soviet Government under the title of its satellite nations. However, the Polish Embassy in Washington does still remain open and active.

In closing these offices which pretended to represent the people of the satellite nations Mr. Dulles' note went straight to the heart of the situation. It said, "After careful consideration, the United States Department of State has reached the conclusion that these consular establishments serve no useful purpose in the conduct of relationships between the United States and Poland, at the present time." Closing these offices and sending the personnel, estimated to number 25, back to Russia was a definite stand against permitting the encouragement of espionage under the guise of diplomatic representation.

The average citizen of the United States as an individual has had but little contact with the Red Russian espionage and subversion practiced in Europe. Russia's constant policy of aggression and the purposes of it were pointed out in my home city, Toledo, Ohio, recently by the Archduke Otto, the Hapsburg exile from the former Austro-Hungarian Empire. He was quoted by the very able editor and chief of the Toledo Blade, Mr. Grove Patterson, as follows:

> The reason for Russia's constant policy of aggression, the archduke said, is not because she is interested in the industrial wealth of Western Europe. She doesn't need it. The Soviet Union's own industry is developed to such a degree now that she can meet her own requirements.
>
> The reason for Soviet policy goes much deeper than the acquirement of an industrial potential. Russia in her possession of the satellite countries, such as Poland, Czechoslovakia, Bulgaria, Romania, Hungary, and so on, is ruthlessly carrying out the unchanging Communist objective so clearly laid down by Lenin at the beginning of the revolution in 1917. It has been nearly 40 years since the revolution but the objective and purposes of the Communist leadership have not changed one iota. The objective is to communize the world, nation by nation.
>
> So long as one country in all the world remains outside the Soviet orbit and unadapted to Communist policy, Lenin said and Stalin repeated, communism will not be successful. It must be universal among all the children of men. Thus it is that Russia, while not at the moment making war on any nation is making war in every nation not yet conquered. The objective of the Kremlin has not altered by a hair's breadth. Only by a firm foreign policy, a policy of threatened force, can the United States halt the westward movement of this great conspiracy.

In the 163 years since that hopeful day when the Polish people proclaimed their constitution of 1791, there have been many reversals of freedom and fortune in that country. Few people have maintained their national integrity, their aspirations for freedom as the Polish people have. They have been helped in this by the encouragement of the people of this country, many of whom are related by blood to those who have maintained their spirit of freedom under the adverse conditions which exist today.

We as Members of Congress, and we as American citizens individually, do appreciate the blessings which have come to us through our Constitution. That being true, we would be unworthy of the freedom which has blessed us and which we are enjoying if we do not hold a constant purpose in our hearts and follow it in our actions, to restore freedom to Poland.

This country has demonstrated through its foreign policy and acts of generosity that we plan no aggression. We have given of our substance almost with reckless abandon. We have asked in return only that other people of the world may enjoy the same freedom to exercise their rights under God and under a constitution of their choice as we have done.

The Polish Constitution of 1791 was a great document of self-government. It must be our hope and desire and purpose that these God-fearing people of Poland be able again to govern themselves and maintain their place in the world under that constitution, as amended, to meet the needs of this day.

Mr. KLUCZYNSKI. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. RADWAN].

"FOR YOUR FREEDOM AND OURS"

Mr. RADWAN. Mr. Speaker, "Valuing above life and personal happiness the political existence, external independence and internal freedom of the Nation, we have resolved upon the present Constitution"—with these words the people of Poland, on the 3d of May 1791, brought about the most revolutionary change in the political history of their

country. While Europe was being increasingly shocked by the growing excesses of the French revolution committed in the name of democracy, the new constitution was proclaimed in Poland without violence or turmoil. Based on the most enlightened thinking of the age, it was a document that had grown out of Polish tradition and the democratic heritage of western man.

But the constitution of the 3d of May was not only a national manifestation of liberty and democracy. It was immediately recognized as one of the great documents of freedom like the Magna Carta, the French Declaration of the Rights of Man and our own Declaration of Independence and Constitution. The ideas embodied in it made it a document of general significance in the development of the western traditions of freedom and independence. In promulgating the constitution the Poles were interested not only in the welfare of their own country, but in the progress of mankind as a whole. This constitution was a brilliant beacon in a morass of despotism and political backwardness. It brought hope to millions without political rights or privileges who were still ruled by the dictum of absolute monarchy. Thus, it was not only for Polish freedom and liberty that the constitution had significance, but for liberty-loving people everywhere.

But Poland was a prophet in the political wilderness. The strongholds of absolutism—Prussia, Russia, and Austria—could not brook this island of freedom and democracy in their midst. In 1793 Poland was again dismembered by her hostile neighbors, and in 1795 they completed the partition and destroyed the Polish state.

The history of Poland from the second partition to her restoration in 1918 was a series of heroic struggles to realize the ideas set forth in the constitution, for her national independence was inseparably linked with democracy and progress. But the history of this struggle is not only the history of Poland; it is a part of the history of democracy, for the Poles long fought for the freedom of all mankind. Indeed, their battle cry became: "For your freedom and ours." Their struggles for liberty and independence were not motivated by national egotism alone, but by a spirit of self-sacrifice and devotion to all freedom-loving mankind. This was part of the Polish tradition. For it the Polish St. Stanislaus had been martyred at Cracow, for it Jan Sobieski made his valient defense of Vienna, for it Thaddeus Kosciusko fought for the independence of his own country and ours.

Because the Poles believed in the freedom of the whole world, as well as their own, they fought the German juggernaut in 1939, and were once again subjected to the harsh partition of their ruthless neighbors; for the same reason they fought international communism and were sacrificed to it in spite of their courageous struggle. Even against such terrible odds the people of Poland have not betrayed their heritage. The cruel domination of communism has not succeeded in annihilating Poland's love for freedom, nor in wiping out the memory of the liberties of the constitution of the 3d of May.

In her struggle for independence and democracy Poland is once again leading those countries which are suffering under the same tyrannical yoke with her. Poland today is again fighting to return to the road of democracy on which her constitution is an ineffaceable guidepost. Today authority lies in the hands of a few of the Kremlin's hirelings, but the fundamental principle of the first Polish constitution that authority originates from the will of the nation has not been forgotten. As Poland has fought for our freedom, so we must fight for hers until that principle, which is the basis of our western democratic tradition, is once again established in an independent Poland.

Mr. KLUCZYNSKI. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. SHEEHAN].

COMMUNIST EXPLOITATION OF HUMANITARIAN RELIEF

Mr. SHEEHAN. Mr. Speaker, today, as we commemorate Poland's Constitution Day, I am happy to bring to the attention of the House of Representatives the fact that the Republican administration under President Eisenhower has taken a stand on a form of blackmail being fostered upon American cititzens by the Communist-dominated Polish Government.

Several Chicago people have brought to my attention the fact that the Pekao Trading Corp. is collecting American cash and distributing items of Polish manufacture to people in Poland.

Up until recently, people of Polish extraction who desired to help their friends and relatives in Poland, were allowed to send gift packages or CARE packages to them. Then apparently the Communist-dominated Polish Government, seeing the opportunity and the great source of income that would accrue from taking over this charitable operation, put import duties on these gift packages. The import duty imposed was equivalent to the retail price of the merchandise in Poland. This, naturally, prevented the Polish people from obtaining these packages, because they did not have the money to pay the duty on them. This was forcibly and dramatically brought out in a letter from a mother in Poland to her son in Chicago. The letter is as follows:

MARCH 15, 1954.

DEAR SON: I want to tell you something about parcels. The duty is very high now; 1 pair of stockings costs 120 zlotys and the duty is exactly the same. All parcels are subject to a very high duty and if it came for me to pay only 300 zlotys—I would not be able since father's pension per month is 300 zlotys. So until the times change do not send any parcels.

In order to bring this to the attention of our Government, I wrote the following letter to the Honorable John Foster Dulles, Secretary of State:

APRIL 1, 1954.

DEAR MR. DULLES: It has been brought to my attention that the Polish Government owns, controls, or dominates a company known as Pekao Trading Corp. This corporation solicits money from American citizens and then supplies in Poland the various food or clothing packages to the person designated by the American citizen paying the money.

The Pekao Trading Corp. has its main offices in New York City and various dealers or brokers throughout the country. Constituents of mine brought this matter to my attention and want to know:

1. Is this corporation registered under any of the Federal laws requiring registration of foreign agents?

2. Is it legal to collect this money from American citizens and then give the recipients these food or merchandise packages from Polish materials?

3. Must the various dealers or agents of the Pekao Trading Corp. register under any Federal law?

4. I understand that the Polish Government now effectively prohibits the shipment of gift food packages or gift merchandise packages by imposing a duty which apparently is equivalent to the retail value of such merchandise in Poland. Does this duty, practically prohibiting the shipment of merchandise, and the present system of the Pekao Trading Corp. of taking American dollars for gift packages involve any violation of political or tariff agreements?

I have in my possession a copy of a letter from a Polish national to her son here in the United States. This woman recently received a pair of stockings from her son and the Polish Government charged her 120 zlotys for duty on this package, and she states 120 zlotys is exactly the price of a pair of similar stockings in Poland.

Very truly yours.

Under date of April 6, I received from the Department of State a reply to my letter, which is as follows:

MY DEAR MR. SHEEHAN: The receipt is acknowledged of your letter of April 1, 1954, concerning the Pekao Trading Corp. of New York City.

The Pekao Trading Corp. was registered with the Department of Justice under the terms of the Foreign Agents Registration Act of 1938, as amended, on February 23, 1954. Since the corporation does not fall within the definition of the term "foreign principal" its agents are not required to register. There are no legal restrictions that prevent persons living in this country from purchasing in dollars through Pekao certain Polish goods for persons living in Poland nor is there in force between the United States and Poland any treaty or other agreement containing provisions relating to operations of this type.

During the past years it has been possible for American citizens and other residents of the United States to assist friends and relatives in Poland in two ways: (1) By gift parcels sent directly to Poland from this country through the regular mails, and (2) by purchase through Pekao in New York. The large number of gift parcels sent each year has been of great assistance to many Poles. However, as stated in your letter, the high customs duties imposed by the Polish Government on February 9, 1954, on gift parcels from abroad makes these parcels in general too costly for their intended recipients to obtain.

Among other things, the new customs duties imposed on gift parcels were obviously designed to divert assistance from the gift parcels sent by mail to those by purchase through Pekao in New York thus increasing the dollar holdings of the Polish Government. In view of the present living conditions in Poland, this attempt to obtain dollars through such recourse represents a shameful exploitation of humanitarian relief.

In the circumstances the Department has instructed the American Embassy in Warsaw to make diplomatic representations to have

the new customs duties revoked, but the Embassy's efforts have thus far proved without results.

Sincerely yours,

THRUSTON B. MORTON,
Assistant Secretary
(For the Secretary of State).

Mr. Speaker, you will note that the State Department faced the issue head on, and in no uncertain terms stated that such measures as are now being practiced by the Communist-dominated Polish Government represent a shameful exploitation of humanitarian relief, and the State Department is endeavoring to rectify the matter.

This forthright attempt on the part of the State Department is certainly a step in the right direction, and serves to let American citizens of Polish extraction know that our Government is beginning to recognize the true nature of the present Communist-dominated Polish regime.

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SADLAK. Mr. Speaker, today, May 3, we again set aside designated time to observe and remark upon a historic document, the Polish Constitution of May 3, 1791, which has not been given its rightful opportunity for effective adherence except for too-short an interval following the end of World War I and the actual beginning of World War II.

Yesterday, at Hartford, Conn., in the Bushnell Memorial Auditorium, 3,000 people, many representing groups and lodges and posts and auxiliaries, gathered under the auspices of the Polish American Congress of Connecticut, to commemorate the significance of the constitution and to protest vigorously against the denial of its written privileges and rights by a puppet Communist ruler. Among the speakers, in addition to myself, was our former colleague and now Governor of Connecticut, the Constitution State, John Lodge, Common Pleas Judge Walter J. Sidor, and Mr. Louis Budenz, a self-admitted Communist, presently a teacher at Fordham University and devoted to revealing the sinister activities of communism and its agents in America.

The orderly demonstration, manifestation and observance included Polish songs and dances by schoolchildren in the gay, bright, colorful costumes typical of those worn by their ancestors and the songs, too, were of happier days. An adult choir augmented the young voices that appealed for help to children their ages, behind the Iron Curtain, as well as succor to the oldsters who await with hope and expectation that too many more May 3ds will not pass finding them still seeking, without avail, justice for Poland.

Mr. Speaker, there is one positive way, in my opinion, that a start can be made toward a restoration of the people of Poland to a status of a free independent nation and that is by a conference of the responsible governments directly or, at least, preliminarily, in the United Nations. I urge that we take necessary, proper, available, and encouraging steps toward this worthy objective on this memorable occasion.

Mr. McCORMACK. Mr. Speaker, the unfortunate turn of recent political events in contemporary Poland has, by its ruthless and revolutionary nature, so completely overshadowed the past greatness and grandeur of that country that we sometimes think of Poland only in terms of a large concentration camp behind the Iron Curtain, effectively sealed off from the free world. It is, as a matter of sad fact, true that some 25 million unhappy Poles are virtually imprisoned and enslaved in their homeland, and enjoy none of the freedoms for which they and their ancestors fought so gallantly and fearlessly.

Yet there are greater and brighter aspects of modern Polish history which are often overlooked and sometimes even forgotten. For when all is said and done, we may draw inspiration from the noble deeds and permanent accomplishments of our predecessors. Great names and lasting accomplishments abound in Polish history. From the very beginning of the Polish Kingdom, late in the 10th century, Poles have been stout champions of Christianity in eastern Europe. Their enlightened leaders have fought for the birthright of all freemen—freedom of conscience. They have sometimes fought almost alone for the preservation of European civilization; in 1683, when the conquering Turks were advancing into the heart of Europe, and Vienna itself was besieged, it was the Polish King John Sobieski who came to the rescue of the beleaguered and almost helpless Viennese, successfully drove off the Turks, and once and for all eliminated future Turkish threats to western European Christendom. In the New World, when the people of this country were struggling for their independence, brave Poles made their contribution to that noble cause in the person of Thaddeus Kosciusko—1746–1817—and Casimir Pulaski—1748–79. Americans will always bless the memory of these two brave Poles.

Poles have also demonstrated their talents in other walks of life. In the arts and literature, as well as in science, they have been eminent. And by the Constitution of 1791 they proved to be pioneers in eastern Europe in the formulation of a basic charter of human rights and governmental machinery. Today is the 163d anniversary of that Constitution.

The significance of that historic document is sometimes overlooked because before it went into effect unfortunate Poland was invaded and completely partitioned among her greedy neighbors. The great significance of that Constitution was in its framers' attempt to introduce a responsible cabinet type of government in that part of Europe. Monarchial authority was considerably curtailed, and that of the peoples' representatives was enhanced. The Polish peasantry was relieved from the arbitrary authority of local feudal lords and was placed under the protection of the Central Government. Even more significant than any of these changes was the guaranteeing of absolute religious freedom to all citizens of the country. Unfortunately these rights have been lost to the Poles since those days, except for the happy period of Polish independence in the two decades following World War I. We are happy to join freedom-loving Poles everywhere in the celebration of this truly historic landmark, and hope that soon the people of Poland will again be able to celebrate this anniversary in full freedom and independence.

Mr. MACHROWICZ. Mr. Speaker, today is the 163d anniversary of a great event in the history of Poland—the adoption of the Polish Constitution.

The Polish Constitution of May 3, 1791, ranks with our own Declaration of Independence and with that of England's Magna Carta as one of the great democratic documents of history, granting liberty to its people. Its adoption by the Poles came shortly after the Declaration of Independence of our own country, and the principles of liberty in both documents show great similarity.

Yet as liberty flourished and grew strong in the United States, in Poland it was being crushed under the despotism of Prussia, Russia, and Austria—which at the end the 18th century feared that the new liberal views expressed in the Polish Constitution would find acceptance in the minds of their own people, that they partitioned Poland and condemned her to 123 years of national extinction.

However, in spite of nearly a century and a quarter of oppression, Poland survived and rose again to its rightful place in the world after the First World War, and showed herself to be one of the most progressive and democratic countries of Europe. Its industries ranked high with those of other countries, its farms produced well, its culture was reborn. This should be proof of the Polish spirit that a land of free people may be occupied by an aggressor yet nothing will stop the sparks of national spirit and patriotism if left to, once again, flare up.

When Poland was liberated and again restored as a strong, free state, all the hopes of generations had been realized. The people of Poland were grateful, but the life of Poland, as a nation, was not to be long, as calculated in the life span of a country.

In 1933, Poland's neighbor, Germany, came under the domination of a brutal madman, Adolf Hitler. From that date the armed might of Germany began to take shape, and on September 1, 1939, once again saw Poland in the grasping claws of an oppressor. Hitler and his Nazi hordes unleashed their power against Poland and invaded her fertile lands. Though a small nation, greatly outnumbered in men and fighting equipment, Poland earned the admiration of the entire world by her gallant stand against the most powerful military machine ever assembled up to that time, and fighting back as no other people have ever fought before, they gave ground slowly. While the Polish Army, with its back to the wall, was striking back blow for blow against the vast Nazi

military might, it was administered its death blow when the Russians invaded Poland, on September 17, 1939, from the rear and stabbed her in the back.

In spite of these two crushing forces, hitting from the front and rear, Polish patriots continued to fight back. The heroic and stubborn defense of Poland's capital city, Warsaw, will never be forgotten by the freedom-loving peoples of the world. But with the Germans in front and the Russians in back, the collapse of the Polish defenders was a foregone conclusion.

With the fall of Warsaw, Poland again was partitioned by Russia and Germany. With the fall of Hitler and the German armies, the millions of Poles and the Polish territory came under the despotic domination of Russia, which is continued to this day.

We all know, for history shows it, that Poland was not giving up easily to the brutal beasts of Russia. They fought where they could and as hard as they could. Those who escaped the dreaded Communist hordes joined up with the armies of other nations to fight for the liberation of their beloved country. The enemy knew that as long as there was an able Pole alive, he would fight on. The extermination of thousands of Polish soldiers at Katyn showed the fear that the Russians had for the Polish soldier. However, the spirit of these dead hovers over all of Poland and its patriotic people. The fact that so many were massacred at Katyn illustrated the fact that the Pole has a great love for his country, and would not give in. There were no quislings in Poland. The country was not delivered to the enemy freely, but resisted the oncoming hordes of an insane military might.

Evidence of the fervor of a Pole for freedom is well seen in the escape of the two young fliers, Lt. Franciszek Jarecki and Lt. Zdzislaw Jazwinski, who were trained for the Communist air force. We will well remember their heroic escapes in Russian MIG's to Denmark from behind the Iron Curtain. They are now in America, both students at Alliance College, at Cambridge Springs, Pa.

Two other Poles have also decided to make their break with the Russian-dominated Polish Government. One is Dr. Marek Korowicz, who was a member of the Polish delegation to the United States and escaped from the Russian clutches in New York; the other is John Hajdukiewicz, who escaped in Korea, after being sent there as a member of the Polish delegation to supervise the exchange of prisoners of war.

These are only four examples of what the Poles would do if given the opportunity. How many escaped and are unknown to us? The Poles would be our greatest ally if conditions were such as to give them the choice of alliance with other nations.

And yet, there is little encouragement for them in the present policies of our Government. The policy of liberation announced by President Eisenhower and Secretary of State Dulles during the election campaign of 1952 has apparently been temporarily abandoned to suit the political aspects of the international situation. This has seriously undermined the morale of the peoples behind the Iron Curtain, whose faith in America has been a bulwark in their opposition to the Soviet oppressors.

This is particularly disheartening since at the same time the people of Poland see the aid in unification and strengthening of the former enemy, Germany, to a degree far exceeding that granted to our most faithful friend, the Polish Nation.

I hope that we will, without much delay, see the time when the United States will not only withdraw the recognition of the Communist puppet regime in Poland but will also give assurances that the historical provinces of Poland, bordering on the Neisse and Oder Rivers, will remain Polish territory and will not be turned over to Germany.

The Polish Nation could receive no finer tribute on this, their great national holiday, than to receive the assurances of the free nations that they will stand solidly behind Poland in their quest for liberation and freedom, as well as for the principles of democracy as set down in the Polish Constitution.

Yes, today the Poles celebrate the anniversary of their constitution, but it is not being celebrated in the cities of Warsaw, Krakow, Poznan, and the many towns and villages of Poland. The celebrations of this glorious occasion are being carried on by the many thousands of Polish-Americans now residing in these United States, and we have the fervent hope that the day will come soon when these festive events will once again be carried on in the land that has gone through so much during its existence.

I wish to join the millions of Americians of Polish extraction in saying to those ever-suffering staunch defenders of Poland and her culture, who must remain behind the Iron Curtain, to continue their fight for liberation and resist the aggressor. Because of your brave stand of the past and your undying belief in the democratic ideals, justice and right will prevail and once again Poland shall live and liberty shall be restored to you.

May God give you the strength to carry on despite the heavy burdens now placed upon you, and may the day of liberation soon come to you and your children.

Mr. DODD. Mr. Speaker, on this 163d anniversary of the adoption of Poland's Constitution in 1791—an event which followed by only 2 years the adoption of the Constitution of the United States—it is most fitting that the House of Representatives pause to pay tribute to the brave men and women of Poland now prisoners behind communism's curtain of repression and brutality.

In their long history, the people of Poland have had little opportunity for freedom. Yet their devotion to that cause is paramount. The constitution adopted in Poland 163 years ago demonstrated the faith in democracy and in freedom which characterizes the people of Poland. This faith has never wavered, despite the continuing ordeals they have experienced of invasion, partition and occupation over the years.

To protect the freedom which came to them after World War I, they did not hesitate to defy the pretensions of Hitler and his Nazi legions; they refused either to appease or to knuckle under. They stood up and fought. Their fight was valiant, if hopeless, particularly when it involved the two-front assault from Russia's Red army as well as Hitler's panzers.

The horrible destruction which accompanied the invaders' advance across Poland gave to the rest of the free world a sudden and painful reawakening on the need for military strength to protect freedom. They were galvanized into action, and were given time to build their defenses against the inevitable Hitlerian attack. Poland was proof that the aggressors were not playing at war—they were grimly determined to destroy all opposition and dominate the world.

It is one of the tragedies of international affairs that the first nation in Western Europe to defend itself against Nazi conquest is today—nearly 15 years after the start of the worldwide war which resulted from that attack—still languishing in chains.

Her early liberation and her restoration to the concert of free nations are our constant prayers. In the meantime, while her brave people are not permitted by their Communist overlords to celebrate this historic occasion in the life of free Poland, we and other free peoples can at least act in their behalf to keep alive the meaning of Polish Constitution Day and mark it with appropriate observation.

I am therefore happy to join in this tribute in the House of Representatives to the spirit of Polish liberty—a spirit which lives on with stubborn durability despite the efforts of aggressors and invaders and conquerors through the generations to undermine and destroy it.

It is a sure thing that the Polish spirit of liberty will survive long after the brutal concepts of communism have been eradicated from the earth.

Mr. BYRNE of Pennsylvania. Mr. Speaker, on May 3, 1791, 163 years ago, the Polish people enacted a constitution which guaranteed individual freedom, liberty, and equal justice for all in much the same manner as our own, which had been promulgated just shortly before.

Unfortunately, the constitution had scarcely been signed when Russia and Prussia invaded and partitioned the country in 1793. Subsequently, in 1795 and 1796, Poland was again partitioned and destroyed by her predatory neighbors, despite the heroic efforts of her patriot, Thaddeus Kosciuszko, a name familiar in our own struggle for independence.

One hundred and twenty-seven years later, after the First World War, the Republic of Poland was established and the new government followed closely the basic ideas of the original constitution of 1791, which was indicative of the foresight of the framers of that document. However, freedom was shot lived, for two decades later the gallant Polish people were the first nation to defy the Nazi hordes. Their determination to cling to their hard-earned freedom, despite insurmountable odds, was a source of inspiration to the Allied Nations, who

were ultimately to crush the German oppressor.

Today Poland suffers under a tyranny perhaps more severe than any they have encountered. Escapees who have fled to the West despite grave risks narrate stories of the exploitation of the workers, forced labor camps, and the secret police. M. Hajdukiewicz, the civilian interpreter for Polish members of the Neutral Nations Inspection Commission, supervising the past Korean truce, who bolted from Communist control and received sanctuary in the United States, succinctly described conditions in Poland when he said:

> We cannot say anything; we cannot discuss anything. Our industry is working for war against the free world.

Despite strict Communist control, national feeling is still high in Poland. There is still an effective underground working constantly to hinder the process of complete sovietization. The fragments of information that we do manage to get from behind the Iron Curtain suggest that the ordinary measures of purge and propaganda have not been sufficient to extinguish the hope for eventual freedom.

A nation like Poland, no matter how strong its desire for freedom, cannot possibly continue to persevere against the Communist oppressor if its faith in ultimate freedom ever falters. Therefore, it is essential, especially on this anniversary day, that Americans and all freedom-loving peoples join in assuring the Polish people that we have not forsaken them and are looking forward to the day when Poland shall once more assume her rightful place among the free nations of the world.

Mr. FEIGHAN. Mr. Speaker, today we commemorate the 163d anniversary of the establishment of the constitution of the sovereign nation of Poland. On this occasion it is fitting that we bring back to memory the historical and friendly relations that have existed between the people of Poland and the people of the United States since the founding of our Nation.

In the struggle for our own national independence, when the Colonists sought to throw off the yoke of foreign rule and oppression, they were sorely pressed by the need of experienced and dedicated military leaders. In their hour of greatest need, patriots from the Old World, seeing in that struggle for national independence the seeds of human freedom which would eventually be spread to all quarters of the globe, came to the United States to play their part in that historic event. Among those dedicated patriots was General Kosciusko, a sturdy and courageous son of Poland. It was not long before General Kosciusko was one of General Washington's most able and trusted field commanders. His feats of daring, bravery, and military acumen are now legendary.

When the struggle for freedom and national independence was won by the Colonists, General Washington singularly honored General Kosciusko for his great service in this noble cause. It was the wish of General Washington that General Kosciusko remain here with us to take up a new life and to assist us in preserving our hard-won gains. But General Kosciusko, in his hour of great personal triumph, again turned his thoughts to the Polish people who, at that period in history, were occupied by alien powers. He believed that his first duty was to the cause of Poland and the never-ending struggle of the Polish people for their freedom and national independence. He then returned to Europe where he spent the rest of his life in the cause of Polish independence and the lifting of the chains of foreign occupation from the backs of the Polish people.

Poland eventually regained its national independence, but only after General Kosciuszko had passed to his eternal reward. The people of Poland never forgot the great ideals of General Kosciusko and he became the symbol of their struggles for national independence. Today Poland is once again enslaved and occupied by a foreign despot. This is a strange reward that has come to the Polish people because of their heroic stand against the Nazis and the Red tyranny of Moscow. It was over the issue of sovereignty of the Polish nation that World War II broke out. World War II became a struggle essentially for the rights of nations, large and small, and for those great freedoms which are as necessary as life itself. It is indeed strange that Poland, a nation which stood up against the invading Nazis and the invading armies of Stalin, should now be enslaved and suffering a martyrdom worse than any before ever visited upon the Polish people.

It is also sad that this same state of servility has been visited upon all the other once free nations of Central and Eastern Europe. The conscience of the West demands that we ask ourselves just how long this enslavement of nations must be tolerated. We must ask ourselves whether we may long remain a sovereign nation enjoying, as we do, all the basic human freedoms if Poland and all the other once free nations of Europe do not soon regain their independence.

In Geneva, Switzerland, a number of the western powers are now conferring with the Muscovites, the Chinese Communists, and their lackeys, in an effort to find a modus vivendi to ease world tensions. It must seem peculiar to the enslaved peoples of Poland and the other captive nations that such a conference should be taking place at Geneva, Switzerland, to discuss problems in the Far East, and where no mention has yet been made of the future of the enslaved nations of Central and Eastern Europe. How much better it would be if the conference in Geneva, Switzerland, was devoting itself to charging the Russians with violating every international agreement entered into with the Western Powers calling for free and unfettered elections following World War II in all of the now enslaved nations. This would have real meaning to the enslaved people of Poland and, indeed, it would best serve the long-range security interests of the people of the United States.

It is time that an international conference was called to discuss the future of Poland and all the other nations enslaved by the international Communist conspiracy led by the Muscovites. I urge that the Government of the United States take the lead in calling such a conference and that at that conference we stand firmly by our basic traditions and act in concert with the high debt of gratitude we owe to the Polish people and to all the people of Central and Eastern Europe.

Mr. FORAND. Mr. Speaker, today, the 163d anniversary of the Polish Constitution, is an anniversary which should be celebrated by all. If not actively, at least in a moment of meditation. It is fitting and proper that at this time, while there is worldwide resentment to the enslavement of the freedom-loving Poles, we pay a special tribute to Poland, the first nation in Europe to have a written democratic constitution—a constitution much like ours, wherein it is sought to preserve and insure the concepts of basic liberties for the people, and to maintain such liberties with a comparable separation of powers.

Today Poland is ruled by an iron-clad puppet government, representing the barest minority of opinion and belief. Like a pie that is being divided and devoured, Poland has been divided as a result of every international conflict. Her people have really never felt free to enjoy their own country, under her own rule, with volitional representation. Because of the internal situation we must and will continue the psychological war of ideas and do all we can to bolster the morale of the peoples behind the Iron Curtain whose faith in America has strengthened their opposition to Soviet oppression.

Our recent closing of the Communist-front Polish consulates in Chicago, Detroit, and New York City is but one way that we have displayed our resentment for this government without people. Every step should be taken to prevent these deceptive dupes from setting up offices in the countries that are on the Soviet list to be undermined. Our actions will be cheered silently in other lands, and will build courage and firmness for the day when the deathblow is to be struck to the haters of God and man.

Throughout this Nation, as throughout the world, people of Polish descent hail May 3 as we hail the celebration of our independence on the 4th of July. Why they cherish this holiday is not hard to understand when we recall our own joy at having cast off the yoke of nobilities' oppression back in 1776. The Poles did likewise when they divorced themselves from the noble ruling class and established an independent and free country 163 years ago. A class that has enjoyed this reign of freedom cannot today bow to the oppressors' demands which are so inherently repugnant to these people. A prime example of such heroic repulsion is Officer Jarecki, who flew his Russian MIG into Allied territory. This he accomplished under the heaviest of odds and in spite of incalculable risks, to bring to the free people an instrument used in holding his loved ones in bondage.

These are but isolated events of which we are aware. There are many Jareckis who are serving the cause of freedom

behind the Iron Curtain with little or no recognition for their noble deeds.

These incidents will grow and multiply until the Polish people will once again shake themselves loose of these parasitic aggressors and regain their rights and the freedom to which all God-fearing peoples are entitled. Such incidents will become more frequent until atheistic communism is a thing of the past, and once again the Polish people are free to worship their own God.

It is not within the order of things that wrong shall triumph over that which is right. The day of freedom for that brave country—Poland—will soon be at hand. The day that every Pole has visualized since the proclamation of their now dormant constitution will return.

I am proud of the fact that I have many Polish friends. I join with them in celebrating this memorable day and wish them Godspeed in their endeavor to restore Poland to its proper place among the family of nations.

AMERICA'S TIES TO POLISH CONSTITUTION DAY

Mrs. FRANCES P. BOLTON. Mr. Speaker, today is the 163d anniversary of the Polish Constitution, which cannot exist in practice, but whose memory burns brightly in the hearts of a people now enslaved by international communism.

We, in the United States, have rich historical ties to these people and to their constitution. In 1777, when 13 American Colonies were battling for their freedom, 2 great sons of Poland did much to assure their victory. Count Casimir Pulaski fought alongside our ancestors, suffered with General Washington's army at Valley Forge and then gave his own life for our freedom. Thaddeus Kosciusko, a brilliant general and engineer, also volunteered his services in our Revolution. Then, rushing to his own nation's war for freedom, he fought for the Polish Nation's great constitution of May 3, 1791.

It is that constitution, in which American ideals played a great part, that we are noting today. It is significant that it was adopted only 2 years after our own great framework of government. Look at the similarity in aims, as Poland's proclaimed:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty, and the good order of society, on an equal scale and on a lasting foundation.

Today the Polish people—the first to suffer the onslaught of Nazi armed might—are captives of a nation alongside whom they fought in 1939. Red puppets rule the land and mouth the hate-America propaganda issued from the Kremlin. Persecution which started first against the Catholic Church soon was extended to all faiths and then to all freedoms.

But if the people of Poland retain the determination, ingenuity, and deep love of freedom reflected by the millions of Americans of Polish descent, we can feel certain that they are living and praying for the coming day of liberation.

May our words of encouragement stimulate the free hearts that still beat in captive Poland. Let us assure them that we are praying to the Infinite that in His wisdom He will soon return that land to its rightful owners.

POLISH CONSTITUTION DAY AND SOME THOUGHTS ON THE UNITED STATES

Mr. LESINSKI. Mr. Speaker, I know that all Americans—and not just those of Polish descent—join wholeheartedly today in expressing the sympathy we feel for the oppressed and regimented and enslaved people of Poland on this occasion which marks the 163d anniversary of the adoption of the Polish Constitution of 1791. That historic event, coming only 2 years and a few days after George Washington was inaugurated as the first President of the United States, climaxed a great surge of democratic sentiment which had swept across Europe in the wake of the American Revolution—a revolution in which many outstanding Europeans had taken leading roles.

The great Kosciusko, who had fought here on this soil to help bring about a free America, was instrumental in the movement in his own homeland in succeeding years to widen the scope of democratic liberty and economic opportunity for all the people of Poland, just as Lafayette had sought to do in France, only to be pushed aside by the extremists who turned the French Revolution into first a reign of terror and then into an instrument of world conquest.

In these ceremonies here today in the House of Representatives of the Congress of the United States in observance of Polish Constitution Day, I know that many Members plan to speak of the friendship of America for the Polish people, of the sympathy we feel for their current plight under the bitter, grinding, cruel, and inhuman heel of Soviet terrorism and repression, of the goal we all pursue of a restored Poland—free, independent, sovereign, and democratic—in contrast to the slave role she holds today as an ironically described "people's republic"—and of the inhumanity of the Russian Communist oppressors of Poland.

I have spoken of these matters often here in the House and, as one whose ancestors came to these shores from Poland, I welcome and appreciate the sentiments being expressed here by others today on these aspects of free Poland's great anniversary.

THE BACKGROUND OF POLAND'S REFORMS

With your indulgence, Mr. Speaker, I should like, however, to use this occasion to bring to the attention of the House certain other relevant observations growing out of this event, and to draw a parallel between some of the conditions in Poland prior to 1791 and a discouraging and in fact alarming trend I see developing here in the United States.

The biggest political, as well as economic, issue in preconstitution Poland was the inordinate concentration of the one source of wealth in that country—her agricultural resources—in the hands of a very few. In an agricultural economy, land was the supreme asset; the land, however, was concentrated into colossal estates belonging to the very wealthy, while the average Pole existed on a precarious, marginal basis as—at best—a sharecropper.

He owned no land—none of the precious capital of his day and era—and had no opportunity in most cases to obtain title to any land. Life, then, was a constant round of the hardest kind of physical labor, with no chance of building his own security and the security of his family. He could not get ahead. He could not raise himself above the level of sharecropper. He was dependent upon others for the tools he needed—that is, the land—in order to make even the poorest kind of living.

It was under those circumstances that the need for reform swept into the consciousness of great Polish patriots like Kosciusko, who helped spearhead the drive for Poland's political freedom and supported the movement for economic opportunity, both culminating in the constitution of 1791.

Kosciusko recognized that political freedom such as he had helped establish in the infant United States of America had to go hand in hand with economic opportunity.

SOME PARALLELS TO AMERICAN PROBLEMS

I mention this historic background today because, as I said, I think there are some parallels to our problems. Of course, in these United States, there is none of the abject poverty, the closed door to opportunity, the hopelessness and despair which afflicted the land-hungry people of Poland before the great reforms of 1791. But something is currently happening in this country which cries out for corrective action on the economic front.

It is the fact that small business—and many medium-sized businesses, too—are undergoing a serious squeeze, which is reflected in the mounting statistics of business failures, the sharp reduction of profits in this area, and the layoffs of workers.

America went from a primarily agricultural economy—in which nearly every would-be farmer could find enough land to occupy his time and talents and skill and energy—to a combined agricultural-industrial economy in which, again, the small enterpriser could get started and could prosper. But over the years, more and more of our industrial activity and our business activity has been concentrated into fewer and fewer firms—into giants—and more and more of our people have been living out their lives in the role of wage earners.

As wage earners, they are subject to immediate harm from any downturn in business activity, as witness the present situation when a drop of perhaps 10 percent in business activity is causing such widespread economic distress among so many people.

And, meanwhile, the rising mortality rate of small independent businesses contributes to a fear on the part of our young men to go into this field on their own. If this trend continues, not only our economy but many of our greatest economic values in this country will be altered in an unfortunate manner.

DOES THE FAULT LIE IN OFFICIAL ATTITUDES ON BIG BUSINESS?

The Government, of course, does not owe anyone a living. It is not obligated to support small businesses and see that none goes broke. But it is obligated—it is deeply obligated—to make sure that monopoly does not swell up to such an extent that it swallows up the whole economy. It is further obligated—deeply obligated—to make sure that, insofar as possible, we have the conditions of prosperity, full employment, full opportunity, in which small independent business can get started and can prosper.

The financial pages of our newspapers make it abundantly clear that we are not, as of right now, carrying out that obligation.

Is it because our present administration is so generally staffed at the top operating levels with officials fresh from big business and imbued with a big-business philosophy? Is it because they feel only big business can be efficient business? Is it because they feel a little unemployment is a good thing? Is it because they have come over the years to so hate the interference of the Federal Government in their own businesses—when those businesses engaged in excesses—that today, in operating the departments of the same Government, they are temperamentally unsuited to use the powers of the Government in any bold and imaginative way to restore and maintain prosperity?

These are questions I think we should all examine into very carefully and thoroughly. For obviously, despite the optimistic sentiments of many in this administration that the business picture is bright and rosy, we all know from contacts with small businesses and individuals in our district that this optimism is largely whistling in the dark.

Let us not, Mr. Speaker, close our eyes to the trend which is developing in this country of having more and more of our people working for wages, for fewer and fewer but bigger and bigger industrial empires, while small business declined and while the problems of going into a small family business of one's own get more difficult, complex, and almost insurmountable.

AMERICA NEEDS NO REVOLUTION, JUST USE OF PRESENT POWERS

I think these are relevant observations today as we observe the 163d anniversary of the great political movement in Poland which led to the restoration of the land, and thus to the restoration of economic opportunity, to the Polish people.

We do not need a revolution in our economy to restore and maintain opportunity for our people. We do not have to go through violent upheavals and civil strife. All we have to do is use—use carefully, intelligently, humanely, effectively—the powers which rest in our Government, under the laws, to curb monopoly, to encourage small business, to assure prosperity and full employment and thus full opportunity for all to do with their lives and build for their families the things they yearn for as Americans.

In closing, I want to say that in using this occasion of Polish Constitution Day to discuss matters of a primary American concern, I have done so not out of any dimunition of interest in the courageous struggle of the Polish people of today to regain their freedom and independence from the Soviet conquerors and overlords. The Members well know, Mr. Speaker, that I have devoted many, many hours of my time in office in pursuit of the goal of a free, restored Poland—and I shall continue fighting for it with every resource at my command.

But I am a firm believer that in our kind words here today, for the people of Poland, in our sympathy for their plight, in our rededication to the principles of liberty for all people, we also use this occasion to learn what we can from the experience of Poland and apply this information, wherever it is useful, to help solve our own problems here in the United States.

That is why I have gone back into Poland's history, into her problems at the time her constitution was coming into being, in this discussion today. Because, as I said, I think it holds a lesson, and a parallel of sorts, to our own economic problems today—when opportunities for individual Americans are again being restricted through the operation of unfavorable economic trends.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I consider it an honor to join today in these proceedings commemorating the adoption of the Polish Constitution in 1791, just 2 years after the United States of America had adopted its Constitution. We have been fortunate enough in the United States to live continuously under this great document of ours; the Polish people, who admire liberty just as much as we do have not had the same happy opportunity.

Through generations, Poland has been a prize over which aggressor states have fought; the Polish people have lived in bonds more often than in freedom in those 160 years. Today they are suffering as cruel and inhuman a dictatorship as any the world has known. But what the Communist masters have learned in their occupation and domination of Poland is that the spirit of liberty lives on and burns brightly in the hearts of Polish people and communism fails utterly to attract the support of the Polish people.

Their hearts are with the free people of the world. We all pray for the day when Poland once again can take its rightful place with the sovereign, independent, freedom-loving nations, rather than be represented in the councils of the world and in the embassies and legations by stooges and puppets of a foreign power—of an alien master.

There are many outstanding Americans of Polish descent living in the 21st Congressional District of Pennsylvania—Westmoreland County—and they are living proof of the hold of freedom upon people in whose veins Polish blood flows.

In their behalf, as well as all their friends and neighbors in Westmoreland County, I, therefore, desire to add my voice to those in the Congress of the United States saluting the brave and courageous Polish nation—a nation enslaved and yearning for freedom, a nation which contributed greatly to the success of World War II by giving the Allies an opportunity to rearm in the face of Nazi aggression. Poland made a tremendous sacrifice in opposing Hitler; it cost Poland her freedom and she has never since regained it. We who enjoy freedom owe it to Poland and to the other nations behind the Iron Curtain to press forward in every possible way for the reestablishment of freedom within their borders.

Mr. CANFIELD. Mr. Speaker, May 3 is the national holiday of Poland as well as a milestone in the development of democratic constitutional government, for it was on that day in 1791 that the first written constitution in Europe, the Polish Constitution, was promulgated. Like all documents of democracy, the 3d of May constitution was based on the will of the people. It was a document which came out of the cultural ferment of the enlightenment and the age of reason, but which was rooted firmly in the past of Polish democratic thought. Poland had met the challenge offered by the new age, as she has always met every challenge in the past in behalf of freedom and the dignity of man.

But her triumph was short lived. Surrounded by despotism and reaction, Poland was soon partitioned and devoured. For the next 125 years there was no politically independent Poland, and yet this period brought forth some of the greatest Polish contributions to western civilization. The fight for freedom and independence was coupled with a great intellectual development.

In 1918 Poland became an independent state once again, thus giving political expression to that national identity which had never been destroyed.

Great achievements were made in Poland between 1918 and 1939, but beginning with the latter year Poland fared little better than it had after 1791. Poland again became the victim of the familiar pattern of partition and oppression. Today, there is a political entity known as Poland, but it is completely unrepresentative of the true Poland—the Poland which gave the world the constitution of the 3d of May. For today Poland is ruled by the will of the puppets of the Moscow regime who are in every way alien and repugnant to the Polish people. The present Poland is built on the sands of falsehood, but the roots of the true Poland are deep in the democratic past. There is nothing on this earth that can obliterate that tradition, and so long as constitutional government endures and the word "republic" continues to be written, the Communist dictatorship cannot endure in Poland.

We in the United States, whose own struggle for freedom is bound with that of the Poles, do not believe in the political sham which the Kremlin has created. The free men and women of America are praying with the oppressed people of Poland and with their compatriots in exile that Poland will once again be restored to the community of free nations to which she has so selflessly sacrificed in the past.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in my home State of Massachusetts, as well as in almost every State in our Union, there are many distinguished Americans of Polish ancestry. These

Polish Americans appreciate freedom. They feel deeply and strongly all that freedom means in the struggle to live a normal and complete type of life. From history and from the stories of their forebears, Americans of Polish descent know the tragic path through which their heroic country has had to struggle. Poland is a small nation but a great one. Geographically located between great powers, Poland has suffered because of its location and because of its sturdiness and fineness of character as a great people.

As is the case everywhere in the world with people who know the value of freedom, there is a strong bond between the people of Poland and the people of the United States. There is no people on earth to whom liberty is dearer than to the Poles. Polish history is full of the records of their passionate struggles to achieve it and to regain it after it had been denied them. In the 16th century and after, no speech was complete without the reference to "our golden freedom." Poland's political development was permeated with the firm belief that freedom was every Pole's sacred trust. Out of this tradition came a great document, the constitution of the 3d of May 1791. Based on the principle that all power is derived from the people, this first written constitution in Europe was a major step in European social and political evolution.

And yet the constitution of 1791 was never put into effect, for in 1793 and 1795 Poland's autocratic neighbors wrenched her cherished independence from her. The years of serfdom that followed were marked by three great revolutions and upheavals. In 1794, exasperated by the harshness of the Russian occupation Thaddeus Kosciusko led an uprising which was only suppressed by overwhelming Russian forces. Although the revolt failed to give the Poles freedom and independence then, it gave them their greatest national hero, and above all it dedicated all Poles to the attainment of one supreme goal: Liberty and national self-determination. There were other revolutions and uprisings, for the Polish history of this period is a grim tale of devotion and self-sacrifice. Her artists and men of letters were dedicated to the same cause for which Polish patriots died, and their works carried the same message as did the soldiers' deeds of heroism.

Although overburdened by ruthless oppression, the people of Poland looked not only to the day when they would be free once again, but embraced the cause of others who sought the same goal. For this they gave their lives on the battlefields of Europe, and our own, independence owes much to two great Polish heroes, Kosciusko and Pulaski.

This long struggle for liberty temporarily reached its end in 1918 when Poland once again emerged as a free and independent nation. But this step was only a pause in Poland's battle for freedom. The tragic story of her gallant sacrifices in World War II which were rewarded by Soviet enslavement are well known to the free world. Poland is today a land of political darkness, and yet the spirit forged by the centuries of strife remains an unextinguishable light.

The anniversary of the promulgation of the constitution of the 3d of May, once a joyous holiday, is now a solemn day for Poland and for all her friends. I know that the many Americans of Polish descent in my own State of Massachusetts and throughout the world, as well as the quiet millions in Poland are joining with us in the hope that Poland will soon be free again to celebrate in liberty and peace her most glorious of national holidays.

On this anniversary of Poland's Constitution Day, it must be emphasized that one of the great sinews and objectives of American foreign policy is the liberation of great nations of people such as Poland from the slavery and misery of communism and political oppression by power-hungry nations. This policy of liberation constitutes a continuing objective of the United States of America. Every possible step the United States can take should be taken which will aid in driving out of Poland the Communist regime and Communist control. It is my hope the time is not far away when the millions of the heroic Polish people will be able to lift up their hearts and their spirits and cheer freedom and give their thanks to God for being able to once again join together with the free nations of the world. Poland must be free and I hope the people of Poland will take courage in the knowledge that the people of the United States aim to help them to be free and do everything within their power to aid them in this great struggle.

Mr. BONIN. Mr. Speaker, 163 years ago today a document notable in the history of man's conflict against oppression, tyranny, despotism, and dictatorship was signed. This was the Polish Constitution of 1793. We give pause today to consider this instrument, Mr. Speaker, because the Polish Constitution is the Declaration of Independence, the Magna Carta, of all of the freedom-loving peoples of eastern Europe. This constitution acknowledged the inherent right of every individual to be free: free to worship as he chose; free to work as he chose; free to be governed by an elected government of his own choice; free to speak as his conscience dictated. It provided for government based on law, not on men; on justice, not on arbitrary dictum; on democracy, not on the divine right of monarchs. In this Constitution, the Poles realized the ambition of all men to have liberty of body and soul and thought. They held out to all the oppressed peoples of eastern Europe the hope that they, too, could achieve their rightful, individual dignity. The constitution inspired them to break the bonds of the mental and physical serfdom which for so long had restricted their growth and progress.

Such high-minded principles, however, were contrary to the bigoted and oppressive theories of those feudalistic despots who, then as now, sought to maintain power through the subjugation of the populace. Then, as now, the iron heel of Russian intolerance sought to quash this desire for liberty by armed aggression and occupation. Led by Kosciusko, the hero of American independence, the Polish resisted valiantly, but the Russian horde prevailed, and Poland was amalgamated into the Czarist Empire. But even though the name Poland disappeared from the maps of the world, the culture and beliefs of the Polish people continued to thrive. The oppressor learned that he did not have enough divisions in his army to stifle the concepts of liberty and equality and justice tenaciously preserved by all true Poles. And the present generation of vipers is relearning this lesson even far more vividly.

The Polish Constitution of 1793 unified a nation under a government deliberately founded upon a good idea. When foreign intervention deprived the Polish people of that government, they united more solidly behind the precepts it represented. More important, however, they spread those precepts and beliefs to other nations of the earth. The contribution of Polish culture and philosophy to our American heritage has been immeasurable. Polish convictions have become an integral part of the American political creed. Polish artists, .musicians, writers, and speakers have done much to shape our cultural environment. Citizens of Polish descent have given of their best to this Nation. They have served with credit in virtually every municipal and State government in the land; their voices have consistently been raised in these very chambers in defense of all that we hold sacred to our way of life; their blood has been shed valiantly and unselfishly on every battlefield in defense of the honor and freedom of these United States.

In 1918 Poland was restored to her true national sovereignty. Once again the Polish people were free to practice those beliefs for which they had fought so long. But in 1940, despite heroic efforts, Poland was again conquered and divided by the Nazi-Kremlin combine of degenerates. The United States, acting with the other free nations of the Western World, came to her aid and defeated the Nazi aggressor. But we were deceived in the peace. Treacherous men who were placed in positions of power by our own leaders deceived the American people. We unknowingly gave the Polish people to the greatest slavemasters in all of history. Yalta sounded the death knell for a free postwar Polish State. The decent, freedom-loving people of Poland were again subjected to tyranny and oppression without the opportunity to fire a shot in their own defense, without a word of protest from their friends. Polish independence was flooded under the Red tide of Russian aggression. So once more the land of the Poles is occupied and oppressed. Her rights and beliefs are trampled upon like so much dirt. Her sons and daughters are executed at Katyn or exiled to slave-labor death camps for daring to speak against this regime which fears all that the Polish people hold to be true and decent and humane. Are we to stand idly aside and allow this most monstrous of crimes to be perpetrated? Are we, who believe so strongly in justice, to condone such outrageous injustices?

Mr. Speaker, this we cannot do; this we will not do.

The true essence of Poland is enshrined today in the hearts of all freedom-loving men. The convictions so firmly avowed in the Polish Constitution are as true and as compelling today as they were 163 years ago. President Eisenhower has recognized this and has advocated a policy of liberation for Poland and subjugated peoples everywhere. We of the Republican Party have not neglected this obligation. The puppet consulates located in our major cities and falsely bearing the name "Polish" have been closed. We have consistently branded those who pose as the representatives of the Polish nation, and the people in the United Nations and other diplomatic channels, to be nothing more than the stooges of the Moscow criminals. Mr. Speaker, I cannot advocate too strongly the need for further action against those individuals claiming to be accredited representatives of Poland. Such representatives are in reality spies employed by a power foreign to Poland and traitors to all that in which true Poles believe. Their acceptance by this Nation is a grievous insult to all that this Polish Constitution represents.

The President has not been alone in exposing the frauds perpetrated by the immoral bandits of the Kremlin. This House, through the Select Baltic Committee, of which I have the privilege of being a member, has been vigilant in revealing the underhanded methods by which the Soviet Union has seized and subverted once independent nations to its own selfish and criminal ends. Although in operation only about a year, this committee has worked toward the restoration of the satellites to their true positions of free, democratic nations in a free world. We of the committee hold the earnest opinion that every effort should be utilized to aid these enslaved nations. Already thunderous rumblings of discontent may be heard crying out against the Communist masters, in spite of the threat of severe punishment. The Polish people are ready and willing to throw off their forced bondage. Let us assure every last individual, currently squeezed under the lead hand of the Iron Curtain, that help is not far off. Let us proclaim once more our willingness to aid those who are able to flee to the west. And let us vow never to forsake our bothers and sisters now so cruelly tormented. Let us all, in Jefferson's words, swear "upon the altar of God eternal hostility to every form of tyranny over the minds of men."

In closing, Mr. Speaker, I should like to state that the Polish and American people have traditionally worked for the same goals, for the same ideals. We have cooperated as men of action who act as men of thought; men of thought who think as men of action. We must, here and today, repudiate any deeds which have hurt this traditional bond between these two great peoples. In 1795 Poland was conquered and divided, but she rose again, more glorious through her suffering. History will soon repeat itself, Mr. Speaker, and we must strive together, in any and every sphere of action, to insure the protection of common ideals, the attainment of common goals, and the resurrection of a free Poland—strong, democratic, and loving liberty more than life.

Mr. CURTIS of Massachusetts. Mr. Speaker, it is appropriate that Poland's Constitution Day should be given recognition. Sons of Poland have brought to America their special talents and cultural backgrounds and have proved themselves loyal citizens.

The land of their forebears now lies behind the Iron Curtain, a victim of despotism. Its people should be encouraged to cherish their desire for independence and liberty; and the free world should make plain that the present status of that country must not continue.

Mr. KEATING. Mr. Speaker, May 3 commemorates the venture of the people of Poland into constitutional government. Yet this Polish Constitution Day today is marked with sadness, both for the noble and long-suffering citizens of Poland itself and for their descendants and well-wishers throughout the world.

Poland has a long and proud history. She was a great power for many centuries until the first of the four brutal partitions by which her neighbors cut her to pieces.

We can recall proudly that it was our own great land which pressed the doctrine of self-determination in 1919, and which thus encouraged the Polish people to embark upon their republican experiment. From 1919 until the black days of 1939, Poland was an important member of the European community.

Then—in September 1939, the blackest alliance the world has ever seen—between Fascist Germany and Communist Russia, threw its full weight into an all-out attack on this brave country. Once again Poland was cut to pieces, in a cynical division between Hitler and Stalin.

Then in the first flush of victory, following World War II, blind to the design of our former allies in the Kremlin, to turn on us and set about gobbling up free Europe, our Government permitted a large part of what Germany had taken from Poland to be incorporated with the part under Russian domination.

We owe the people of Poland more than we have yet been able to give. We owe them a helping hand in the cruel task of winning their liberation from Soviet enslavement. We shall make good that debt. And it is certainly appropriate, on this occasion, to send the people of Poland our greetings and assurances, and to reaffirm our resolve that we shall never rest so long as our fellowmen anywhere are cut off by the Communist curtain of darkness from us, from freedom, and from light.

Mr. ZABLOCKI. Mr. Speaker, on this anniversary of the adoption of the constitution of May 3, we pause and pay tribute to this momentous achievement of the Polish nation.

In doing so, we reaffirm the friendship of the American people for the people of Poland, and reassure them of our unshaken dedication to the cause of justice, democracy, and peace in the world.

In rendering my tribute, I should like to read into the RECORD the address which I delivered yesterday in my district, during an observance commemorating the anniversary of the adoption of the constitution of May 3, 1791:

SPEECH OF CONGRESSMAN CLEMENT J. ZABLOCKI AT THE ANNIVERSARY OF MAY 3 CONSTITUTION CELEBRATION, SPONSORED BY THE CASIMIR PULASKI COUNCIL, AT FEDERATION HALL, MILWAUKEE, WIS., MAY 2, 1954

Mr. Chairman, distinguished guests, officers and directors of the Pulaski Council, and my dear friends, we have gathered today in this spacious hall to commemorate the anniversary of the adoption of the constitution of May 3—that great political masterpiece.

On this memorable occasion, I go back in my mind and I see the cradle of our forefathers. I see a country called Poland. In the mirror of ages, covered with the dust of days gone by, I see the green meadows, the undulating fields, the murmuring streams and rivers. I hear the happy song of the gleaners, and the merry notes of the skylark. I see a country truly flowing with milk and honey, industrious, and peace loving—still a nation both courageous and heroic, the bulwark of the West, and the defender of Christendom.

What has become of that great nation? What fate befell its brave people? Where are those heroic defenders of freedom and liberty in this hour of grave crisis confronting the free world?

Bound in the chains of the Communist oppressors, deprived of liberty and its rightful place in the family of free nations, the Polish nation is enveloped in misery and sorrow, separated from the democracies of the West by the formidable Iron Curtain. Its people are enslaved and oppressed; its rightful government exiled. The people of Poland live in pain and dread, counting the hours of their suffering, and waiting for the day of liberation.

This present tragic condition of Poland brings to our minds not only the plight of that nation under the partitions, but also the sad conditions which prevailed before the partitions took place: those sorrowful and eventful days of the 18th century which preceded the adoption of the famous constitution of May 3.

Two hundred years ago—and for a long time before the May 3 constitution was adopted—Poland presented a very sad picture. The nation was plagued by an internal sickness. The government was weak and often incompetent, and the extravagant privileged of the nobility were leading the country to disaster.

"Byla to," wrote Adam Mickiewicz, "Maskarada zapustna, swawolna, po ktorej mial przyjsc wkrotce wielki post—niewola."

And that great patriot and writer was not exaggerating. But in that critical moment, when the first partition of Poland was already accomplished, Poland gave birth to its political masterpiece, the constitution of May 3.

Tremendous, immeasurable joy and enthusiasm filled the hearts of the people of Poland, and the entire world was taken aback by the news that the Polish nation, standing on the brink of disaster, produced such an astounding document.

It is proper for us, therefore, to gather here today and pay our tribute to that momentous achievement of the Polish people. The constitution of May 3 was the embodiment of the spirit of the democratic Polish nation. In that constitution, the nobility voluntarily renounced its ancient privileges, and took a great part of the tax burden upon its shoulders. The people who tilled the land, and the city folk, were guaranteed legal, democratic rights. The constitution of May 3 confirmed the principle that the authority of the government is derived from the people, and that the government must

represent and perform the will of the nation. Our Government in these United States is based on that very same principle.

Unfortunately, the constitution of May 3 came too late. Before its beneficial effects could spread throughout the nation, and imbue it with new strength and vigor, the second and the third partitions took place. Poland disappeared from the map of Europe.

The civilized world forgot about the services rendered by Poland in permitting its partition. They forgot that Poland was the bulwark of Christianity. That Poland was the shield which defended Western Europe from the attacks of Asiatic hordes. That Poland was a western nation, in which toleration and democratic ideals were cherished for many years.

They buried Poland, and thought that she had disappeared forever. That she had died and perished.

We all know that this was not the case.

Long years of oppression and enslavement failed to crush the spirit of the people of Poland. That spirit—that desire for national independence—lived on in the hearts of the people of Poland. After over a century of suffering and persecution, Poland once again became a free nation through the insistence and efforts of our great Democratic President, Woodrow Wilson. His name and his ideals shall ever be cherished by the people of Poland.

But history, someone observed, repeats itself. Today Poland is again chained and oppressed. Its people are again persecuted. They have been denied liberty and the other inalienable human rights. They have been subjected to various terrible Communist campaigns and drives.

But in spite of this suffering, this great tragedy, the spirit of the Polish people is not broken. We have much evidence on that subject. We all know about the resistance movement in Poland and about its open demonstrations. We find it in the daring feats performed by those Poles who have managed to escape from behind the Iron Curtain. We are reminded of that spirit by the solid resistance offered by the people of Poland and by Polish clergy to the Communist attempts to suppress Catholic religion in that land.

Only a short time ago I spoke to the people of Poland over the Voice of America. Speaking in the Polish language, I told them that we—the people of the United States—are fully aware of their heroic efforts and of their courageous spirit. I told them about the tremendous impression which the words and actions of Cardinal Hlond, Cardinal Sapieha, and Cardinal Wyszynski made upon us when they stood, fearless and unshaken, defending the freedom of worship and the church in Poland against Communist attacks, and I mentioned the great protest rally held in our Armory Hall in Milwaukee condemning religious persecution in Poland, as well as many other things which I thought would be of interest to them.

My dear friends, the tragic plight of Poland indeed saddens our hearts. Yet I am certain that each one of us firmly believes that justice will be done; that no matter how severe the suffering now, the hour of freedom will arrive; that the Communist oppressors will be thrown back, and the Polish Nation will once again become a full-fledged member of the family of the Free Nations.

For the past 8 years, our country has been the leader in the global struggle against communism. It has been a difficult, costly, and even bloody struggle. No one knows how long this fight will continue, for even those glib politicians who promised you before the last election that Poland would be promptly liberated, now are beginning to face reality and recognize the fact that the struggle cannot be finished overnight without exposing our Nation—and the entire world—to the catastrophic destruction of an atomic, or a hydrogen, war.

Our day of victory will come, for we are not a nation of quitters who start a job, but do not finish it. Our policy is based on our firm belief in justice, in democracy, and in the right of each nation to manage its own affairs. Until those ends are achieved—until peace and freedom will once again rule in this world of ours—we will not rest.

With God's help, we shall attain those goals. We know it, and the people of Poland know it also. Encouraged by the knowledge of the friendship of the American people—and by the memory of the past achievements of the Polish Nation, such as the constitution of May 3—the people of Poland will not succumb to their Communist oppressors. They will resist, and they will wait, for they know that the clock of history cannot be stopped: The hour of freedom will strike. And it will strike with all the glory and all the joy for which all of us have been waiting. Then peace and justice will rule on our globe.

Tak nam dopomoz Bog.

Mr. GORDON. Mr. Speaker, I deem it a real privilege and with pride that I am permitted to stand before this microphone in this House of Representatives, to freely and under no restrictions, address the Members on the occasion of the 163d anniversary of the Polish Constitution of May 3, adopted in 1791, by the Congress of the Republic of Poland, which was the most liberal, most democratic of its day. Upon rereading it today, one is profoundly moved at its wisdom and magnanimity which assured rights and freedom to the people of Poland. May I quote at this time a part of that constitution?

Every person, upon coming to this Republic from whatsoever parts of the world or one returning to this, the country of his origin, as soon as his foot touches the Polish soil, he is entirely free to indulge in whatsoever enterprise he wishes to enter, in the manner and place of his own choice; that person is free to enter into contract for purchase of property, for work, for rent in whatever manner and for whatever time he himself agrees upon; he is at liberty to settle in the city or in the village; he is free to live in Poland or to return to whatever country he himself chooses after his commitments in Poland which he voluntarily embraced, are duly performed and completed.

This constitution of May 3 abolished restrictions upon the freedom of the individual and gave the Polish Nation a democratic form of government. However, due to the aggressiveness of its neighbors, the Polish Nation was allowed but a short time in which to enjoy the blessings of its democratic rule. The three powerful neighbors of Poland—Russia, Germany, and Austria—were dissatisfied with the reforms introduced in Poland by this constitution. They connived among themselves, and partitioning Poland, put an end to the freedom and democracy of the Polish Nation. It was not until much later, that, thanks to the efforts of one of our Presidents, Woodrow Wilson, it regained its freedom of independence.

It is impossible today to recall the constitution of May 3, without comparing the events of the 18th century with what has taken place in Poland.

After years of unfortunate appeasement of Germany, during the dark days of September 1939, it was the Polish Nation that first took up arms against the evil forces of violence and aggression. The events of war developed in such a way, that many of us subconsciously forget the part that Poland played in World War II. We forget the ideals and the principles, which Poland rose to defend, and which are being fought for today by almost the entire world. We forget that the chief slogan at the outbreak of war was the struggle for individual freedom, the defense of the weaker against the stronger, the struggle for justice above evil.

Today Poland's sons, scattered through the various parts of the globe, dare not place their foot upon Polish soil for fear of unjust reprisals, uncertain of their property and life in the land of their origin because Poland's political life is dominated by Soviet secret police and puppet agents of Soviet Russia who control its political life.

The 3d of May has ceased to be an official Polish national holiday in Poland, by decree of the present regime in Poland. But the 3d of May remains a Polish national holiday in the hearts of all true Poland, and in all centers in the United States where Poles or Americans of Polish extraction live. In numerous Polish national homes, the Polish flag hangs proudly on this day, side by side with the American Stars and Stripes. Thousands of people listen attentively to the voices of the past. They hope that there will again be a Poland which in the spirit of the constitution of May 3 will be independent once more and free from foreign invasions.

At this point, I again reiterate the remarks I made last year on the occasion of Poland's Constitution Day, that in today's Poland—Poland which emerged from Teheran and Yalta's Conferences—freedom is nonexisting. American press and our own officers in the diplomatic service therein testify to the fact. As long as this status quo will be permitted to persist, as long as the United States and Great Britain will not justly repair the harm done Poland and the other countries similarly mistreated in Teheran and Yalta secret dealings—until then—there will be no peace in the true sense of the word.

Early in World War II Poland was promised the full restoration of her independence and sovereignty and assured promises that the United Nations would never subscribe to any loss of Poland's territory.

President Eisenhower during the election campaign of 1952 promised a policy of liberation, which up to this time, has been forgotten presumably to suit certain allegedly more pressing political situations. This stalemate in American policy has brought much disappointment to Poland and other countries behind the Iron Curtain and has undermined the morale of these people.

I believe a public restatement of American principle of nonrecognition of territorial and political power, that was achieved by force and violence, is most timely. Similarly, the Polish Nation should be assured that they are not going to be penalized again, for the benefit of

Germany, by losing their historical provinces bordering on the Neisse and Oder Rivers.

So on this day—the 163d anniversary of the constitution of May 3 of Poland—let us give our Polish friends our most sincere assurances of our moral support; to cheer them; to encourage them, in their continued fight for freedom in the full sense of the word.

Long live Poland.

Mr. HESELTON. Mr. Speaker, today is the day on which all freedom-loving peoples throughout the world join in commemorating the anniversary of Poland's Constitution Day.

We are all familiar with struggles this valiant country has been faced with in the last two decades. Poland's history of Communist oppression and tyranny is one of the infamous chapters written in this century.

Our responsibility for the plight of this gallant nation is one of the black spots in our history. We should remind ourselves constantly of the words from the Polish national hymn, "Poland is not yet dead, while our lives remain." When this day comes of Poland's liberation, may this Nation have done all within its power to that end and in some measure eradicate our ignominious part at Yalta.

Mr. CELLER. Mr. Speaker, on this day, May 3, 1954, the anniversary of Poland's Constitution Day, the democratic way of life, which dominates all our hopes for mankind, is brought into sharp focus. The people of Poland are still enslaved, and they are still seeking to break the bonds of their slavery. Such courage and faith as they have evinced deserves our constant recognition.

It is to be hoped that we can give support to such a demonstration of faith to the end that Poland's Constitution Day will be commemorated not only as a tradition, but as a fact as well. Recently, the consulates of Poland's puppet government in Chicago, Detroit, and New York City were closed, because they were considered to be centers of espionage. We know that the Polish people are not indicted here. We know that they look to us in hope, as the greatest democracy in the world, and it is our hope that in our strength, we can help them.

POLAND'S CONSTITUTION DAY REMINDS US OF FRIENDS NEGLECTED, HOPES DEFERRED

Mr. GRANAHAN. Mr. Speaker, on this 163d anniversary of a proud day in the long history of a much suffering nation—of Poland's 1791 Constitution Day—we are dramatically reminded once again that the whole free world owes a deep debt of gratitude to Poland as the first nation in all Europe to stand up courageously against the Nazi monster, even though it meant her obliteration by the combined aggression of both Germany and Communist Russia. Her sacrifice gave the rest of the free world precious time in which to rearm.

The twin dictatorship, locked arm in arm in an unholy alliance, divided Poland between them, conquered and enslaved her, and joined in exploiting her resources and her people until eventually their mutual lust for power and empire drove them into a death struggle against each other. And once again Poland was a battleground of carnage and destruction. Although the Nazi invaders were driven out, the Red army has never surrendered its effective occupation and domination of Poland which, since 1939, has never again known freedom.

It is with good reason, Mr. Speaker, that friends of Poland in this country and elsewhere are deeply disturbed by the disparity in the degree of interest shown by our State Department in the plight of our former enemy—Germany—as compared with the seeming neglect and apathy in regard to a nation like Poland which fought so valiantly if unsuccessfully against the Nazi-Soviet alliance. They ask, and with understandable bewilderment, what happened to the much vaunted policy of liberation which was so dramatically stressed by the Eisenhower campaigners in 1952.

It was, I believe, cruel and politically inhuman to hold out to the Polish people and to others behind the Iron Curtain in that 1952 campaign a noble-sounding promise of prompt liberation when the facts were so clear that liberation was no overnight possibility.

Beyond that, however, it has been tremendously disillusioning to the friends America has built up over the generations among the courageous nationalities now enslaved by the Communists to give them the impression—as our State Department and other officials have so often done in the past year—that we are more concerned with East Germany and with Asia than we are with Poland, Czechoslovakia, Rumania, Hungary, Estonia, Latvia, Lithuania.

If America's goal is to be realized of a world of free peoples living in peace with one another, we must reiterate—and demonstrate over and over again—that our concern is for freedom everywhere, for independence for all nations, for decency universally. No strategic concepts or defense postures or similar military considerations should be permitted to obscure that basic fact in our relations with the rest of the world.

On this 163d anniversary of Poland's historic Constitution Day we owe it to her and to all nations enslaved or endangered to repeat again our solemn dedication to freedom throughout the world. Despite the seeming diversion of the attention of some of our officials, the American people have never wavered from this dedication—and never will.

Mr. HOWELL. Mr. Speaker, today we observe the anniversary of the Polish Constitution of 1791. This memorable day serves to remind us of the bonds of culture that bind together our Nation and Poland. To the great stream of enlightment that historians call Western Civilization, our Nation and Poland have contributed generously from their resources of genius. In music and literature, to name but one field, the illustrious names of Chopin, Paderewski, and Joseph Conrad stand out in the galaxy of gifted Poles who have contributed to the culture of the West.

Mr. Speaker, in an age of darkness and gloom, one beacon of hope shines through. That is the idea of the aspirations of mankind toward freedom. For 6,000 years, the peoples of the western nations have worked to free the individual from the chains of ignorance and oppression. The progress of the West toward this ideal has been marked by the development to a high stage of the arts, the sciences, and philosophy. In the slow and painful process of nurturing and developing this culture, the people of Poland have contributed their full share. Though this brave nation is now obscured by the evil shadow of communism, we know that behind the shadow exists the bright sheen of civilization. Someday, the light will triumph, and the people of Poland will be restored to their rightful place in the ranks of the sister nations of the West, whose culture Poland shares.

Mr. O'HARA of Illinois. Mr. Speaker, I am filled with emotion. I have listened with rapt attention to the eloquence that comes only from hearts of affection and of understanding.

I have been moved by the depth of sincerity and the warmth of feeling of my brilliant and beloved colleagues from Illinois [Mr. KLUCZYNSKI and Mr. GORDON], proud of the Polish blood that courses in their veins, proud of their native United States of America and the opportunity that has come to them in industry and in devotion to duty to honor both the land of their descent and the land of their birth by being numbered among the great Americans of their times and Members of the world's greatest deliberative body.

I have listened to the tributes of other Members who are not of Polish blood. And what has impressed me, Mr. Speaker, is that there is no difference in tone or in degree. The reason is, of course, that the people of Poland and of the United States are so closely and inseparably bound together by common experiences and aspirations that they are as one people.

The very occasion of our present observance brings into focus the similarity of experiences and of aspirations. This is the 163d anniversary of the constitution of Poland. Our own Constitution is but a scant 2 years older. Both documents are dedicated to principles of freedom and of human dignity.

The contribution of Polish men and women to the world of science, of literature, of music, of art, and of religion is unsurpassed. Their contribution to our own country from Jamestown in early colonial days on down the years glorifies the pages of our history. Kosciusko and Pulaski are among the immortals of America. The dedication of the Poles to freedom and human dignity is woven into the warp and woof of American history. That story as related by Adela Lagodzinska, president of the Polish Women's Alliance, in her address on Our Polish Heritage is an inspiration to all Americans.

The bonds that bind the people of the United States with the people of a free Poland are inseparable and by the test of the years have proved indestructible.

This, Mr. Speaker, is the message the House of Representatives of the Congress of the United States would send on this anniversary day to the men, women, and children of Poland who wait

in the darkness of the night for the breaking of the dawn. Our loyalty to them is as one brother to another. We shall not fail them. The night may be dark but not far distant is the dawn. The sunshine of restored democracy soon again will warm the happy people of a free Poland.

POLISH CONSTITUTION DAY, 163D ANNIVERSARY

Mr. BOLAND. Mr. Speaker, I am grateful to my distinguished colleague from Illinois, Congressman KLUCZYNSKI, for yielding me time to extend my remarks on the occasion of Polish Constitution Day.

This day marks the 163d anniversary of one of the great events in the history of Poland. For it was on May 1, 1791, that Polish political tradition reached heights of genuine grandeur. It was on that day that it was decreed that from henceforth, Poland was to be a nation of laws and not of men. This new Polish Constitution was adopted just 2 years after the ratification of the Constitution of the United States. It is so similar to ours that both must have been inspired from the same source. That mutual inspiration was love of liberty. Love of liberty has been and always will be a Polish trait. It has been demonstrated time and again in the long, brilliant, and ofttimes tragic history of a great and good people. It is found not only in the struggles of Poland but in the struggles of freedom-loving people everywhere. For in all of the battles that have been waged by mankind to throw off the yoke of oppression, brutality, and deceit, people of Polish descent have taken a leading role. It was love of liberty which brought so many Poles to these shores to enrich this Nation with their faith, character, and industry. In the arts, professions, agriculture, industry, Americans of Polish origin and immigrants from Poland have contributed to the greatness that is America.

Mr. Speaker, I know something of these people because I have lived among them all of my life. At work, at play, and in business, I have observed, at firsthand, the attributes with which they are possessed. Their traits are reflected in the love of family, country and their God. They have experienced tragedy and success. And through it all, they have remained stouthearted, loyal, freedom-loving, God-fearing people. They could not be otherwise for these characteristics have been developed down through the centuries.

To the traitors and collaborators who now preside over Poland and listen to the voice of the despots of Moscow, the Polish Constitution is but a scrap of paper. But constitutions born of the will of freemen do not die. They may be temporarily pigeonholed. But those who have sold out to the enemy and the enemy itself will come to know that freedom cannot be crushed for all time. Today, Poland has been transformed into a terroristic totalitarian police state, occupied by the Red army and policed by Soviet-trained secret police. Industry, business, agriculture are being nationalized and Poland has been stripped of much of its material wealth by Russia. How long this will continue, it is difficult to foretell. But history bespeaks the end that evil brings. When the day comes—as it will—that the Polish people are ready to throw off the chains that bind them, I am confident that the free men and women of this great Nation, the United States, will give the spiritual and material assistance necessary to assure the return of Poland to its traditional position of honor among the free nations of the world.

REMEMBER POLAND

Mr. FOGARTY. Mr. Speaker, if there is a man or woman in the land who does not feel his heart beat a little faster when there is mention of the land of his forebears, then that man or woman contributes little to the success of this Republic which is ours. For here, in this greatest of all countries, the children of other lands have built a monument to the love of liberty and freedom which first brought the immigrants who fled tyranny, and oppression, and injustice. And among those immigrants who bridged the ocean there were thousands of Poles who to this hour continue to give their all that this Nation might prosper. For them and their descendants, today takes on a special significance.

Today marks the anniversary of the Polish Constitution of 1791—the first written constitution in Europe. It is an occasion that has profound significance for Polish people wherever they may be—as well as for all the people of these United States and the free world.

In my State of Rhode Island, this date has even an added importance. It is the eve of our own Independence Day. On May 4 in the year 1776, an act of independence by the colony of Rhode Island was passed by the general assembly. It marked the withdrawal, by the people of Rhode Island, of their allegiance to the King of England and fulfilled the ambition of our people to exist under a government of their own choosing. We, in Rhode Island, who so rightly cherish our own Independence Day can well realize the feeling of sorrow which all Americans of Polish extraction must have at the realization that that great nation has been denied the very right which we, tomorrow, will celebrate.

For the people of Poland, the significance of the constitution of 1791 lies in the fact that it was both an end and a beginning in the historic progress of their country. It was an end, in the sense that it expressed the determination of the Polish people to rid their country of foreign intriguers and native profiteers on misery. It was a beginning, in the sense that it set the course for what was hoped to be a period of Polish development for many centuries to come—a development of full national independence and democracy.

In the United States, wherever Americans of Polish descent live, in cities and towns from coast to coast, this holiday is observed with appropriate exercises throughout the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

Any attempt to recite the many highlights of Poland's history, particularly to persons of Polish extraction, would certainly be beyond my ability. I cannot, however, avoid recalling that this great event, which we commemorate here today, is but one achievement among many in Poland's great program of promoting human liberties.

As early as 1347, Poland established the first complete code of laws of Christian Europe.

In 1413, Poland and Lithuania executed an agreement whose language is sublime and proclaimed for the first time in history the brotherhood of nations.

The security of the person was recognized and safeguarded by law in Poland in 1430, two and a half centuries before England's habeas corpus, and that law which was constantly broadened became the nucleus of Poland's unparalleled political and religious liberties.

Yes; the descendants of those pathfinders in freedom and equality have cause to be proud of that land which was always a refuge for oppressed peoples—a comfortable shelter for persecuted religions and opinions.

The story of Poland's great has been told and retold. The great deeds of Polish men and women of the past have been repeated over and over again, particularly in the deeds of fathers and mothers who have kept alive, for over 150 years, the fire of freedom which was Poland's first love. So also in the deeds of children who refused to let Poland die in spite of the most concerted efforts to destroy all trace of a nation and a people.

No nation on God's earth has been subject to the brutality which has been the unhappy lot of Poland. Poland, the country first to offer resistance to Hitler's aggression, an original signatory of the Declaration of the United Nations on January 2, 1942, an ally of the United States in World War II, has been deprived of her independence and national sovereignty by Soviet Russia. Freedom has been completely suppressed. The army is in the hands of the Soviet lords who run it with the help of several thousand Soviet officers—parading in Polish uniforms but unable to speak the Polish language. The school system, the youth organizations, the trade unions, universities and colleges have been made parts of the Soviet machine. Hundreds of thousands of people have been arrested and deported deep into Russia for as little as expressing, privately, their displeasure with the brutal crushing of Poland's freedom and the suppression of her western, Christian civilization.

The small Communist Party to this day keeps the Polish nation under its heel by means of wholesale arrests, mass deportations, and terrors of all sorts. In this land of traditional freedom, the liberty-loving Poles are tortured in mind and manhandled in body by their totalitarian masters. Devout Christians are not permitted to worship in freedom. They are compelled instead to pay homage of an almost religious nature to the leaders and symbols of the "Peoples democratic state." Their spiritual enslavement must weigh most heavily upon the consciences of men and women who

are known for their devotion to the faith of their fathers.

We, in America, cannot help but feel the great sadness bearing on our brothers of Polish descent. That great people who have suffered so much in the cause of liberty and justice—that people who gave to America, in her hour of need, Kosciusko and Pulaski again feels the tread of the brute—again tastes the bitter tears shed as her sons are made slaves of the Soviet monster—the regime which does not yet know that wherever one Pole goes, there goes Poland—that wherever a Polish patriot's heart beats, there is the pulse that will one day rise up and crush it—crush it so that it shall never rise again to shatter the peace of the world.

The cause of Poland is as sacred today, as when the sons of freedom first took up the sword to avenge that nation's honor. The cause of Poland is a monument to freedom and honor today, just as it was when the people of Poland fought from the garret and the cellar, from the forests and swamps to break the hold of the enemy to whom those brave people offered death rather than surrender.

Just as the cause of brave Poland involved the honor of freemen some 10 years ago, so the cause of brave Poland involves the honor of freemen today. Poland and justice are today inseparable—just as they were inseparable at the time of the rape of that unhappy land. Just as Poland stood for freedom and liberty and justice when Hitler's hordes were rampaging over the greenswards of Europe—so let brave Poland stand for freedom and liberty and justice now that she is captive of the ruthless Soviet.

The future freedom of the Polish people will surely come. We know that because we know that there is a God and He will not be mocked forever. We know it because we know something of the spirit of Poland and we know it will not be trampled underfoot forever. We know that Poland will one day be free—if only she can survive this terrible enslavement—and we know that she will survive it for we know her will to survive it. We must, however, let her know that she does not fight alone. We, in America, must pray for her and incessantly work for her eventual freedom. Let men who cry "peace" also cry "justice"—the two are inseparable. Let the voices of honest men everywhere shout their loyalty to the cause of brave Poland and we can have justice. Those who pay lipservice to peace, yet ignore the plight of our sister country in distress, do a disservice to that goal which they claim to seek.

Our honor must be maintained. It can be maintained by remembering Poland.

Mr. SIEMINSKI. In a matter of hours, Mr. Speaker, planes could fly over Poland, photograph it and return with pictures disclosing a terrain as rolling and rich with patch-quilted plains as it was in 1791 when the Polish Constitution we commemorate today was passed. And the people, though less fed and more drawn, would be as fiery, spirited, and contemptuous of pain, suffering, and unwanted authority as then.

By 1791 Poland had been twice split three ways. Russia, Prussia, and Austria closed in on a vacuum first in 1772 and again in 1789. Poland, once the largest country in Europe, astride overland trade routes to the Orient, was now in 1791 reduced in size to look no bigger, relatively, than a dime in the palm of a man's hand. Her goods moved in three directions. Today they move in one, to Russia. In 1791 much of Poland was behind three frontiers. Today it is behind one, the Russian. On the map in Moscow, Poland is listed as a Soviet satellite.

As if in a gesture of ave atque vale, frater—hail and farewell, brother—in 1791, 4 years before she was wiped off the map of Europe—as if cartographers or kings or rulers could wipe out a people—the Polish Government framed, adopted and ratified its celebrated constitution of May 3, 1791. Edmund Burke, brilliant and astute British parliamentarian called it a most democratic document worthy of every nation in Europe.

In 1791 the West was in travail. Institutions of church and state were under assault, as they are today. Reigns of terror were set up, then overthrown. American colonists had thrown off British rule, then set up a form of government within a constitution acclaimed the most democratic in the history of man. France was readying for the Bastille. England licked her wounds, watched and waited. Russia, Prussia and Austria stalemated each other as they pounced on Poland. Then came Napoleon and Waterloo. Europe was prostrate, England top-dog.

WHAT OF POLAND?

In 1791, the size of a dime in the palm of a man's hand, she nevertheless passed the constitution we commemorate today. It freed the peasants, brought them out of slavery, allowed them to own land. The constitution set up a commission on education which made it possible for the poor to attend schools at public expense.

But documents alone will not save a people, Mr. Speaker, however much they may protect them. Earlier, much earlier than 1791, than even the first partition of Poland in 1772, a courageous Polish nobleman, pious, fiery, fearless cleric, Peter Skarga foretold the downfall of Poland. A famous Polish painting entitled "Skarga Przepowiada Upadek Polski"—Skarga prophesies the downfall of Poland—shows this bold man standing in the Chamber of Deputies, with arms overhead telling the King, and the court that Poland was growing soft and corrupt. He likened Poland to ripe fruit on a tree, ready to fall to the ground or to be plucked. Skarga sensed the beginning of the disintegration of Poland which, once under way, required only time to create the vacuum into which Russia, Prussia, and Austria moved and locked horns.

Nevertheless, Mr. Speaker, although blanketed by the melancholia of Russia, the blood and iron of Prussia, and the subtlety of Austria for over 125 years, the Polish people rose, as if from the dead, to take their place in the councils of Europe from 1918 to 1939.

When Hitler smashed into Europe none resisted. The Poles were the first to give that devil dog his due. The Russians remain, their knife planted in the back of the Poles. But not for long.

Why? Because the spirit of the Poles and the Polish peasants, as manifest in an answer by one to a question of mine in the summer of 1933, at a point somewhere between Warsaw and the Russian border, is as alive in Poland today, as it was in 1791. When I asked him whom he preferred, Stalin, Hitler, or Pilsudski, he replied:

> My grandfather was born here, my father was born here, and I was born here. Christ be praised.

Mr. KEOGH. Mr. Speaker, in 1942 Stephen Vincent Benét wrote a prayer which President Franklin D. Roosevelt read on Flag Day. In his plea for world brotherhood, Poet Benét included these words:

> If our brothers are oppressed, then we are oppressed. If they hunger, we hunger. If their freedom is taken away, our freedom is not secure.

It would be appropriate, Mr. Speaker, that we ponder these plain but meaningful words today, for this is the day on which Poles throughout the world commemorate the 163d anniversary of Poland's May Constitution.

Both before and since that historic day—May 3, 1791—on which the Poles rejoiced in the adoption of a constitution, Poland has known cruel oppression. Few peoples have such a personal appreciation of the worth of freedom as have the Poles. Their history has given grim testimony to the unpleasant truth that liberty never is finally won, but must be defended again and again and, when seized by a new generation of tyrants, must be recaptured in costly conflict.

It is an irony of fate that, as we join with Poles and Americans of Polish descent in recalling the May Constitution, freedom once more languishes in bondage in Poland. A government which is a mockery of the principles of justice and human dignity for which Poles and all other disciples of liberty have fought through many generations holds itself forth as the government of the Poles. It is, of course, a Communist government, and this has caused us to fall into the unfortunate habit of referring to "Communist Poland."

If we reflect a moment, we realize that we do injustice to a great people in calling their homeland a Communist country. On this day, at least, we should reassure Poles everywhere that we know there is no such thing as "Communist Poland"—a Communist government, yes, but never a Communist nation where the people still cherish the ideals of democracy.

The tenacity with which Poles have maintained their tradition of free thought and individual liberty may be seen in the fact that this people continues to celebrate the anniversary of the adoption of a constitution which served less than 2 years before Poland again was partitioned by neighboring nations. The Poles were not to enjoy national independence again for more than a century. Many Americans of Polish an-

cestry fought in the Armies of the United States during World War I, and one of the fruits of their victory was a free and independent Poland.

In 1939, the Nazi tanks rolled eastward and the hearts of freemen everywhere went out to the valiant Poles, fighting for their homes against overwhelming odds. Battered Poland was reclaimed, but only to fall under Communist domination.

A lesser national spirit would have been ground into the bloody soil generations ago, but the Polish spirit is resilient. While we mourn the present state of Poland, therefore, we can permit ourselves to look ahead to that bright day on which freedom again will emerge from her dungeon in Poland, escorted by the liberty-conscious Poles. In that admirable country, how many secret thoughts are so projected today; how many vows to carry on the battle are being renewed by underground fighters.

"If our brothers are oppressed, then we are oppressed. * * *"

The atomic age has brought this truth most forcefully into our consciousness.

The oppressor does not rule us, but the oppressor still is abroad in the world, and Poland feels his boot. As we note the Poles' great anniversary, let us renew our prayers for the restoration of freedom to their homeland.

Mr. ROOSEVELT. Mr. Speaker, today is the anniversary of the adoption of one of the most important documents in the history of democracy—the Polish Constitution of 1791. This document, enacted just a few years after the work of our own Constitutional Convention was finished, guaranteed freedom of religion, provided for the election of a democratic legislature, restricted the rights of the king, granted full political rights to commoners and gave the peasants protection under the law.

The constitution of May 3, 1791, was adopted by Poland 19 years after the first partition of that country by Russia, Prussia, and Austria. It was a critical period in Poland's history as foreign aggressors attempted to assert tyrannical pressures on the Polish Government and threatened to occupy the entire country. But the Poles would not be intimidated. In 1791 they announced that all men are free and equal and in this way challenged the very basis of dictatorial power.

The tyrannical rulers of Russia, Prussia, and Austria ordered the second partition of Poland in 1793. Invading armies overran Poland, converging upon her from the east and the west but although they were to occupy Polish soil for a century and a quarter, they never controlled the Polish people. Throughout 127 years of occupation, a Polish underground remained active and Polish national life and culture went on developing. The courage and devotion to principle which produced the May constitution kept the Poles a strong and united people.

I am convinced that this same moral strength which made it possible for Poland to become a free nation in 1918, will bring about the eventual downfall of Soviet tyranny. As we pay tribute to the courage of the Polish people, let us at this same time learn a lesson from them. It is to remain as true to our ideals and recognize our obligations as fearlessly as did Poland's May constitution 163 years ago.

Mr. HOFFMAN of Illinois. Mr. Speaker, the year 1954 marks the 165th anniversary of the adoption of the Constitution of the United States. That initial phrase, "We, the people of the United States of America," formally attested to the fact that the power to govern is found in the people, and that there is no moral or natural right to govern without the consent of the governed. From the inception of its history as a nation, this country formally recognized that the rights of the people did not derive from the Government, but from the fact that each individual is a freeborn son of God.

Two years later, on May 3, 1791, these same fundamental principles were recognized by the Government of Poland, with the adoption of the Polish Constitution.

Through the goodness of God and the natural protection of two vast oceans, the United States of America had a long period of relative peace, during which the ideals of liberty, responsibility, and the rights of man had an opportunity to mature and to grow strong. The freedom-loving people of Poland, however, shortly after the adoption of their constitution, fell under the domination of their powerful neighbors. From that day until this, with the exception of the brief period between two World Wars, the principles of liberty and the right of man have been for the Polish people not an actuality, but a beacon light which has been dimmed, but not obscured, by repression and tyranny.

It is to the everlasting glory of the people of Poland that, deprived of existence as a nation, they have remained for the free world a symbol of the spirit of democracy. That the liberty of God's children will some day again be theirs, is as sure as is the eventual triumph of the principles of freedom and goodness over the tyranny and evil which are abroad in the world today. In the hope that this day of triumph will soon come for our friends in Poland, let us today pledge our renewed efforts and fervent prayers.

Mr. OAKMAN. Mr. Speaker, I consider it an honor to participate in the celebration of the anniversary of Polish independence and to pay tribute to a heroic people. Today all people of Polish extraction greet this eventful date with a song on their lips, the Third of May Mazurka, and I am sure that even though the Iron Curtain alters the tones and distorts the words, the echo repeats from all sides:

> Poland is not dead yet,
> While we are alive.

On May 3, 1791, Poland guaranteed freedom to all her citizens by adopting a constitution, and became the first nation in Europe to have a written democratic document proclaiming the principles of human liberty.

On September 1, 1939, Poland was the first nation to take up arms to resist Nazi aggression—the first who had the courage to say no to Hitler. Poland in her international policy was faithful at all times, not only to the letter but also to the spirit of her treaties, and did not allow herself to be led astray by the Nazi proposal to take part in an attack on Soviet Russia, and refused to cooperate in any anti-Soviet plot, abiding by her neutrality and striving for peace. Yes; Poland was first to fight, and for this honor paid dearly with the blood of her soldiers, not only in Poland during the September campaign but on all Allied fronts—in Norway, France, in the Battle of Britain, Africa, Italy, Belgium, Normandy, Holland, Germany—on the seas, and in the skies over Europe.

Poland was the first ally. While Poland was the "mother of the United Nations," she was excluded from the Conference of the United Nations, convened on April 25, 1945, at San Francisco. Yet the thought that was to guide the work of the San Francisco Conference was expressed by a Polish king in 1750—Stanislaw Leszczynski, one of the early protagonists of international cooperation, who wrote a memorandum on strengthening the general peace. The thought underlying his plan was that the community of nations should go to the assistance of any country attacked. Likewise, in 1833, Poland's greatest poet, Adam Mickiewicz, proclaimed in his works the ideal of the common brotherhood of man—a genuine international organization.

The Polish people have always been brave to the point of folly and they have always been believers in freedom. Time and again they have been found defending the rights of men and women to live their own lines in their own way. The Polish people fought against a German invader trying to steal other peoples' lands as far back as the year 963. In 1241 they saved Europe from the invading Tartar hordes. In 1685 it was Sobieski and the gallant Poles who protected and saved Christianity from the ravages of the Mohammedan sword and stopped the infidel hordes from overrunning Europe and destroying the Christian people. The liberty-loving Poles came to the aid of our American Colonies in the Revolutionary War. Wherever liberty and justice are at stake, the sons of Poland never fail to rally. Thousands of Polish boys from my State fought courageously on the battlefields of Korea.

Poland has always been devoted to the cause of humanity. Her contributions to human liberty and free institutions are glorious. She is a symbol of freedom and of peace.

In observing this anniversary of a great event in the history of Poland, let us recognize that the fate of this old, brave, great nation still disturbs the world and America. At Yalta, Teheran, and Potsdam we played a role not entirely compatible with our ideals. Let us all hope and pray that Poland, the first nation in Europe to adopt a democratic form of government, will be permitted to work out her own destiny under a government of her own, chosen by her own people.

Mr. HELLER. Mr. Speaker, exactly 163 years ago a great document in the

annals of human freedom was born which has since become a landmark in the development of constitutional government. I refer to the Polish Constitution which was adopted on that memorable date in Poland's history, May 3, 1791, a date which takes on new meaning and significance in our own day.

The desire for human freedom and dignity, for human rights and social justice, for democracy and religion toleration, is perhaps stronger today than it has ever been in the history of mankind. And yet the great paradox of history is the fact that the Polish people, the same nation which has brought forth this notable document more than a century and a half ago as a charter of liberty, cannot celebrate its anniversary in a free Poland today.

The homeland of the Polish people is sealed off behind the Iron Curtain where freedom is not tolerated, where human rights are trampled upon, where social justice and religious toleration are unknown, and where democracy has been perverted in its meaning and purpose. Americans of Polish descent, however, have not forgotten their kinsmen in Poland and are giving them the fullest moral and spiritual support in their hours of anguish. They are hoping and praying that this nightmare of Communist tyranny and oppression, their enslavement and degradation, will soon end and Poland will once again rise as a free nation.

On this occasion of Polish Constitution Day, I am happy to join with all friends of a free Poland and with freedom-loving people everywhere in praying that the delivery of all the nations suffering under the yoke of the Communist oppressors will not long be delayed. As we pay our tribute to the bravery of the Polish people, let their struggles of the past and of the present serve as a beacon of light to us in the days ahead.

Mr. LANE. Mr. Speaker, Poland is watching and waiting May 3, 1954—163d anniversary of Polish Constitution Day.

What does it mean when Poland is garrisoned by Russian Armies and governed by Communist puppets?

How can a piece of paper outlive a tyranny that has all the material power in its hands—May 3, 1955—1956—1957?

Is there any hope for the miracle of independence? I believe that there is. The faith and the patience of the Polish people inspires me with this confidence.

The struggle against communism will be long and grim. We will suffer defeats in the process. We will be discouraged by the weakness of Allies. We will wonder how some intelligent people can be fooled repeatedly by Communist propaganda. Sometimes we will think that the American people will never wake up to the responsibilities of our world leadership for freedom in time. And as we see our own politicians trim their sails—fearful of taking a resolute stand because of possible political repercussions next November—there will seem to be no realistic basis for any hope.

I deliberately point up some of the liabilities we face—and only some—because we have got to know what we are up against before we face what must be done.

There are no sure and packaged answers for the problems inherent in the Communist menace.

Except the faith to outlast communism.

The faith to think and act effectively; to give us steady and unyielding determination.

The Polish people have it.

We must acquire it.

We are on record against the Communist seizure of Poland.

From this moral base, how are we to move forward with practical measures that will help the Polish people to throw off the yoke of Communist enslavement and reestablish their independence?

There is no immediate chance. But, day by day and year by year, perhaps, we must gradually mobilize and put into action every weapon that will bring pressure to bear against the cracks in the Iron Curtain.

That curtain is not evidence of Communist strength. It is a sign that they fear contact between their own peoples and those of the free world. This is the weakness in their armor that we must find and open wide by every means possible.

The Polish people are watching and waiting.

And the Soviets are worried, wondering what they are waiting for.

We can tell them now.

It will be the May 3, when the Polish Constitution will once again be the law of that courageous country, and the stony silence of captivity will be replaced by the joy of freedom.

The history of Poland demonstrates that its people have those resolute qualities to survive any tryanny.

Their history is similar to our own.

Brothers in spirit, we shall help one another to defeat communism, and to liberate the world.

The steadfastness of our faith in God and in freedom is a power that communism can never match.

The Polish people are watching and waiting for the day when they will have the opportunity—with our help—to send communism reeling back into the slime that spawned this monster.

That day will come, and the observance of Polish Constitution Day strengthens us in this mutual purpose.

Mr. ADDONIZIO. Mr. Speaker, throughout their recorded history the Poles as a nation have had their ups and downs. In medieval times when they first established their kingdom this was accomplished by heroism and daring deeds. They successfully subdued strong local leaders and founded the kingdom about the year 966. This kingdom continued for more than 600 years. Then late in the 16th century Poland was united with Lithuania, and its territory was considerably enlarged by the annexation of certain territories of ancient Russia. Thus, early in modern times Poland was a major power in Europe.

As long as Russia was weak and Germany remained disunited, Polish monarchs successfully held their own against all comers, and in fact played a major role in the defense of Europe against Asiatic invaders. Late in the 18th century, however, Poland's envious and avaricious neighbors—Austria, Prussia and Russia—joined forces for the purpose of partitioning Poland. In their dark plots they were successful partly because Poland was internally weak, and this weakness was caused by the prevalent disunity and dissension among the Poles themselves. A large number of them were thoroughly dissatisfied with the governmental machinery of the kingdom, and they wanted to overhaul that machinery. Finally the task of drafting a constitution was begun by the Great Parliament in 1788, and a new constitution was completed early in 1791. On May 3 the Parliament voted for the adoption of this constitution. It is this day, the 163d anniversary of the Polish Constitution of 1791, that is being celebrated today.

As an historic document, that constitution is a veritable landmark not only in Polish history but in the political and constitutional history of entire eastern Europe. For the first time constitutional monarchy with limited powers and a responsible cabinet form of government was adopted in that part of Europe. By that constitution ancient class distinctions and privileges were wiped out, and the arm of the central government was strengthened. This was done by extending the protection of the law to the peasantry and thereby enlisting their support. Most significant, however, for those days and for that part of Europe, was the fact that this constitution guaranteed absolute religious freedom. In this and in many other ways the Polish Constitution of 1791 was in the vanguard of democracy's advance into central and eastern Europe. Although the Polish state was shortly thereafter devoured by her predatory neighbors, this constitution remained a beacon to the Poles in their never-ceasing efforts for freedom and independence—efforts which were crowned with success in 1918. And today, though Poland has again been under the oppressor's heel since 1939, the ideal and principles of that constitution continue to inspire Polish patriots in their struggle against the worst tyranny of all.

Today in commemorating the 163d anniversary of the adoption of that constitution we pay our respects to the memory of its creators—men of vision and of courage. In celebrating that historic anniversary we strengthen the bonds of sympathy and understanding between ourselves and the Polish people who have been sealed off from the free world by their heartless oppressors. We ardently hope that soon all Poles will again be able to celebrate this anniversary in their free and peaceful homeland.

Mrs. BUCHANAN. Mr. Speaker, today, the 3d of May, we commemorate the 163d anniversary of the adoption of the Polish Constitution of 1791.

To all Americans of Polish descent and to the millions of Poles everywhere the 3d of May is a symbol of liberty and democracy. On that memorable day in 1791, King Stanislaus exhorted the deputies of the Polish Diet to accept the new constitution as the last means of saving their country and himself set the exam-

ple by swearing to defend it. Under this constitution all invidious class distinctions were abolished, the franchise was extended to the towns, serfdom was mitigated preparatorily to its entire abolition, absolute religious toleration was established, and every citizen declared equal before the law.

The rights and liberties proclaimed in the constitution of 1791 make it easy to understand why the 3d of May is to the people of Poland what our Fourth of July is to us.

Although designed to establish liberty and order under law together with the stability to discourage the familiar aggressions of Poland's strong and avaricious neighbors, these hopes were destined to an early disappointment and the Polish nation was allowed only a brief period in which to enjoy the blessings of its Democratic rule. The second partition came in 1793 followed by the third partition in 1795 and Poland as an independent state disappeared from the map.

The bitter disappointment, the more bitter because of the golden promise of those earlier days, still saddens the hearts of the freedom-loving people of Poland as they watch and experience the dictates of a puppet government under the domination of the Kremlin.

A nation with such a proud heritage will never die. Americans of Polish ancestry are joined today by their fellow citizens in solemn tribute to the brave people of Poland and in the profound hope that the day is not far distant when that ancient country will again take her rightful place among the democratic nations of the world.

UNEMPLOYMENT SITUATION REQUIRES ACTION NOW

The SPEAKER pro tempore (Mr. ALLEN of Illinois). Under previous order of the House, the gentleman from Rhode Island [Mr. FORAND] is recognized for 30 minutes.

Mr. FORAND. Mr. Speaker, unemployment in this country has reached a point where the administration and the Congress can no longer afford to ignore it.

The situation requires action now to reverse the trend and return workers to their jobs. The fact that some 3,750,000 workers are unemployed means hardship and suffering to many families. It means also lessening in buying power. Unless this buying power is restored goods will not move, inventories will pile up, and production will be further curtailed. In other words progress will be stopped and we will go from what official circles call a readjustment or a recession, to—what I am sure we all wish to avoid—a depression.

In fact, for many of the unemployed, those who have exhausted their unemployment-compensation benefits, a depression is here. Group IV, the United States Department of Labor classification for areas where there is a serious unemployment problem, is increasing by leaps and bounds. The unemployed worker who has no income and a family to support looks at today's economic situation as a depression. His hopes of getting a job cannot be very high when he notes that, instead of hiring additional help, employers are laying off their own workers.

THE CURRENT ECONOMIC SLUMP IN RHODE ISLAND

My own State of Rhode Island is currently passing through one of its most serious economic slumps since World War II. Employment has been declining steadily and rapidly since last summer, and unemployment has been rising just as fast. The number of jobs in the State has fallen to the lowest level since the recession of 1949, and the total of idle workers at present is exceeded only by the peak figures in that year.

The heaviest employment losses of the past year have occurred since December. In the 1-month period from mid-December to mid-January, the total number of jobs was cut by 12,000, followed by a further drop of some 2,000 through the middle of February. There are strong indications that the decline in more recent weeks has again resumed a more rapid pace after a temporary slowing down between January and February. As a result it is believed that currently the employment total in the State has in all likelihood fallen below 280,000, the lowest point since August 1949.

A number of salient figures on the trend in employment and unemployment over the past several years will point up how serious is the plight in which the Rhode Island economy now finds itself. For example, in February, the employment total had fallen to 283,000. This represents a loss of some 20,000 jobs, or about a 9-percent shrinkage, since September when the employment total stood at over 303,000. The loss is much more severe when compared with the postwar peak of 319,000 jobs in December 1950. The February total represents a contraction of some 36,000 jobs or of 11 percent, compared with that peak figure.

The December 1950 high was not merely an isolated one-time phenomenon in Rhode Island's postwar employment picture. Actually, this level was approached again in the early months of 1951 and the later months of 1952, when the job total reached as high as 319,000. In view of the State's steadily growing population and labor force, a job volume of 310,000, or more, represents no more than normal full employment for an economy like that of Rhode Island.

Thus, any substantial drop from such a level has inevitably been accompanied by a high rate of unemployment and heavy drains on the State's jobless benefit fund.

This fact has again been well borne out in the experience of the past several months. As a result of the sharp employment cuts since last September, particularly since the closing weeks of 1953, unemployment has been mounting rapidly in Rhode Island. From an estimated 17,500 in September, the jobless total jumped to 30,000 in December and is estimated currently at not less than 45,000. This means a jobless rate of 12 out of every 100 workers in the State. Although unemployment presently is high in the Nation as well, the Rhode Island rate is still about twice as high as the national average.

Claims for unemployment compensation benefits have been rising so greatly and so rapidly since the first of the year that the State Department of Employment Security has found it necessary to hire 115 new employees to service these claims.

The current business slump has hit the manufacturing industries the hardest of all. It is in fact the sharp cuts in these industries which have caused most of the employment losses in the States not only during the past year, but in other years as well. Manufacturing employment stood at nearly 147,000 in August, and it has been declining steadily since then. By the end of the year, it had dropped to 136,400, and contracted by another 6,000 to a February total of 130,400. From all indications, this decline has not ended yet and by this time the total has fallen well below 130,000, or to the lowest point since July 1949.

Compared to the postwar peak of 164,600 in February 1951, the decline in manufacturing employment to date would represent a loss of some 35,000 jobs, or a 20 percent contraction since that time. Although manufacturing employment never again reached that February 1951 peak, it had been close to or above the 160,000 level during other periods in 1947, 1948, and 1950. To meet the demands of its increased population since those years, Rhode Island needs a minimum of 160,000 manufacturing jobs, since manufacturing industry constitutes the backbone of its economy.

One industry—textiles—has been responsible chiefly for the employment losses in Rhode Island during the past several years. From a peak of 70,000 in 1947, employment in this industry had fallen to 37,700 in February, and is still on the decline. There seems to be little doubt that this reduction of some 33,000 jobs in textiles represents a permanent loss for that industry. As a result, the industry which once provided 45 percent of the State's manufacturing employment now represents only about 25 percent of the latter. Had there been a compensating expansion in other industries, the textile contraction would not have affected the economy so seriously.

Efforts have been made, and are still being made, to bring new industries into Rhode Island so as to build our economy on a more solid base through a greater diversification of industries. The State development council, the chambers of commerce, and privately financed groups are making every effort to that end. But, thus far, such expansions as have taken place in other industries have only partially offset the textile losses.

The textile decline has been even more rapid during the past year. At the beginning of 1953, employment in the industry stood at 52,200, which means that more than 15,000 textile jobs have been lost since then.

In more recent months other major Rhode Island industries have also suffered curtailed production and employment. Machine tools, rubber products, electrical equipment, and currently jewelry as well, have been experiencing substantial decreases in business activity. These curtailments have further aggravated the serious economic conditions in

the State. Although the textile decline set in much earlier, the growing curtailments in machine tools, jewelry, and to a lesser extent in other industries, are being felt more and more in the State's rising unemployment and in the payment of jobless benefits.

The impact of the employment declines has been heaviest in the State's main textile centers—Providence, Pawtucket, Woonsocket and the Warren-Bristol community. Woonsocket has been the hardest hit because of its much greater dependence upon textiles. Indeed, this community easily takes rank among the most seriously distressed areas in the country, with practically a third of its working population left jobless because of the textile layoffs, and the remaining workers suffering underemployment and reduced earnings.

Because of the increased rate of decline in machine tools and jewelry since mid-February, in addition to the earlier layoffs in textiles, conditions in the greater Providence area have also taken a turn for the worse in recent weeks. This is true of the employment picture in the entire State as well.

Trends in unemployment benefit payments reflect the sharpened employment decline since last September. In that month, a total of 35,890 weekly payments for a dollar amount of $811,858 were made to the unemployed. The number of payments steadily increased through the intervening months to 104,434 in February, a percentage rise of 191 percent; and the amount paid rose to $2,388,925, an increase of 194 percent. For March, payments totaled $2,747,599. Total benefit expenditures through the first 3 months of this year, amounted to $7,284,882, as compared to the corresponding period of 1953, when payments totaled $3,366,322.

If payments continued at the same rate through the next 3 months, the total outgo for the first half of 1954 would exceed $14 million. Total income into the benefit fund would, it is estimated, amount to some $8 million, which would leave a deficit of about $6 million for the first 6 months of this year. It is of course impossible to forecast what may actually happen in the coming months as to the course of employment and benefit payments. But in all probability, on the basis of expenditures and trends to date, 1954 will show a substantial deficit of outgo over income in the employment security fund.

The employment trend at the moment appears to be still downward. How soon this decline may be checked is not at all certain. There is as little certainty on the future outlook for Rhode Island as there is for the Nation; and there seems to be no agreement at all as to the latter. Since recovery in Rhode Island depends upon developments in the national economy, no improvement can be expected here until there is an upturn in the national picture. Even then, however, Rhode Island has much more lost ground to recover, employmentwise, than the country as a whole, since it has twice as high an unemployment rate.

Secretary of Labor Mitchell, in a recent letter to the governors of several States, suggested that unemployment compensation maximum weekly benefits be raised to at least 60 to 67 percent of the State's coverage weekly wage, and the President has urged that all States provide 26 weeks of benefit uniformly to all claimants, in order to assure that even in a minor business downturn most of the workers would remain protected by the program until they could find other jobs.

These suggestions sound good. But what are the facts? What is the Federal Government itself doing to bring about this improvement? It is doing nothing. It is leaving it up to the States. And history shows that the States are not doing the job.

The facts are that the unemployment compensation system is no longer the stout bulwark against recessions and depressions that many believe it to be. In recent years, it has been made the victim of neglect, of a failure to keep pace with changing circumstances and needs, and of constant erosion by forces opposed to its basic purposes.

This program came into being as the result of action by the United States Congress. The Congress and the Federal Government have the duty now to assure that this program lives up to and performs the objectives for which it was intended. This is a national, not a State, or local responsibility. The problem with which it is designed to deal is a national problem and is not amenable to State or local solutions.

The kind of action that is required to repair the fatal defects that exist in the program today is the kind of action that only the Congress can take. In the absence of action by this Congress to remove the flaws, loopholes, and inequities with which the unemployment compensation system is now honeycombed, those who look to that system for substantial aid and those who draw from it the hope that another depression cannot possibly occur may be grievously disappointed.

The unemployment compensation program was designed to ease the burden of unemployment, both upon the jobless worker and the economy locally and at large, by providing an adequate proportion of the wages lost during a period of sufficient duration to afford the jobless worker time to find new employment before confronting acute distress. It is a public-interest program in the fullest sense of the term. It is intended to serve both a humanitarian purpose and a sound economic purpose by maintaining purchasing power and the market for goods and services during periods of transition.

But if that program decays to the point where the loss of a job results in a very sharp drop in income and purchasing power; where a large proportion of unemployed workers are "gimmicked" out of their rights to any benefits whatsoever; where an evergrowing number of workers exhaust their benefits because the duration of payments is too short to cover the longer period needed to find work in a shrinking job market; where the program operates in such a manner as to place industry in one State at an artificial competitive disadvantage with that of another, thereby further curtailing job opportunities for the unemployed—then I submit to you that the program is fulfilling neither its humanitarian nor its economic purpose. It is a frail and withered reed, rather than a strong support for the Nation's economy.

If such a condition is permitted to exist, then the consequences of unemployment today will be little different from what they were 25, 50, or 100 years ago. Unemployment will still lead to distress sales, foreclosures and repossessions, and the curtailment of purchases down to the barest necessities for survival. These, I submit, are the ingredients from which depressions are made.

When the unemployment compensation program was enacted, with all its original defects and inadequacies, it was far better equipped, relatively speaking, to perform the functions required of it than it is today. Since that time, there have been no real substantial or basic improvements in the structure of the system. There have been many acts and attacks, both on the Federal and the State level, which have damaged and weakened that structure. And meanwhile, our economy, our price and wage levels, living costs and living standards have grown up around the program, leaving it farther and farther behind the requirements of the times.

In 1939, all but 2 States had ratios of maximum benefits to average wages of 50 percent or more. Today, only 3 States have maximum benefit ratios as great as 50 percent. In 18 States today, the maximum is 20 to 39 percent of average weekly wages; there were none so low in 1939. In 29 States today, the maximum is 40 to 49 percent of average weekly wages. Only 2 States were so low in 1939.

In 1939, 33 States had maximums equal to from 50 to 69 percent of average weekly wages. Only 3 States are in that category today. In 1939, 16 States had maximums equal to 70 percent or more of average weekly wages. There is no State in that category today.

As benefits have declined relative to wages and living costs over the years since the inauguration of this program, the proportion of unemployed workers who have been deprived of benefit rights through the introduction of new and ever-more-ingenious disqualification provisions and harsh eligibility requirements, have steadily grown. Promoted by pennywise employer organizations, under the stimulus of experience-rating which reduces an employer's tax rate to the extent that he succeeds in preventing his ex-employees from securing benefits, these provisions have twisted and perverted the entire purpose, emphasis and philosophy of the program. They have created gross, inexcusable inequities among the various States.

For evidence of the consequences of this disqualification drive in the States, I refer you to page 170 of the March 13 issue of Business Week, where the facts are set forth in a clear and concise manner. During the period from July to September 1953, the disqualification rate in the State of Ohio was 47.3 for every 1,000 applicants. In Iowa, the rate was 47.7 per thousand. In South Carolina, the rate was 38.5 per thousand. On the other hand, during this same period, the

disqualification rate in Florida was 10.6 per thousand. In Pennsylvania, it was 12.3 per thousand. In Kentucky the rate was 7.0 per thousand. In the face of such gross disparities, can anyone deny that these provisions work unfairly and unjustly, to the disadvantage of employees and of the basic purposes of the program itself, in many areas of this country?

According to Business Week:

It's in the interest of almost any company to have as few of its ex-employees drawing jobless pay as possible. All States have some form of "experience-rating"—whereby a company's payments into the State unemployment fund are figured according to the number of its ex-employees drawing compensation.

The Toledo unions say that some companies hire actuarial firms to protest, wholesale, all claims filed by those companies' ex-employees. Most of the claims are paid eventually, the unions say, but the protests succeed in holding up qualifications for a long time.

The inadequacy of the duration of the period of benefit payments under State laws today is reflected in the constantly increasing number of persons who have exhausted all of their benefit rights, but for whom there are no jobs available. The exhaustee problem, in turn, is reflected in a steadily increasing burden and steadily increasing demands upon the facilities of State and local relief agencies. This means that the amounts that are saved by employers, through lower tax rates, when benefit levels and the duration of payment are held down and State laws are loaded with disqualification devices, are, to a large extent, being shifted to the general public which supports the cost of relief programs.

Proposals for the improvement of the unemployment compensation system have often aroused the outcry of States' rights and Federal encroachment. But the fact of the matter is that the most serious problems that now exists in this field do not revolve about the issue of the States versus the Federal Government. Rather the issue is one of States versus State, and of State inaction, and inability to act, versus the fundamental purposes of the program and the needs of the country. The situation that prevails in the unemployment compensation field today is precisely the type of situation that the Federal Government was created to avoid, to prevent, and to correct.

The structure of the unemployment compensation system today contributes to the development of unfair competition among States, to the detriment of the employees and workers in every State. It contributes to the dislocation of industry and tends to make chronic rather than to correct, conditions of unemployment in the States which get the worst of it. Coming from the State of Rhode Island, I can speak with some authority on this aspect of the subject.

Rhode Island has suffered from the migration of industry, attracted by artificial inducements offered by other States, mainly in the South. A lower scale of unemployment taxes and benefits is one of those inducements.

Employer tax rates for unemployment compensation are lower in the Southern States than the maximum of 2.7 percent which has been the established rate in Rhode Island since 1949. Migration of industry and the consequent unemployment, in turn, have made necessary the maintenance of that rate in order to maintain the solvency of the unemployment compensation program.

Yet, neither in its benefit rate nor in its duration of benefits is the Rhode Island law unusually liberal. There are 29 States whose maximum benefit rates constitute a higher percentage of the average weekly wage than is the case in Rhode Island. Seventeen States have maximum weekly benefit rates of $30 or more, while 14 States have maximums of from $26 to $28 per week. Thirty-one States, therefore, have current maximums above the Rhode Island maximum of $25 payable for 26 weeks. This, incidentally, is exclusive of dependents' allowances which are paid by 9 States, each of which has a higher basic maximum rate than Rhode Island.

Maximum benefits paid in Rhode Island are well below the standard of 60 to 67 percent of wages advocated by President Eisenhower and recommended by him to the States. The attainment of that level would require raising the Rhode Island maximum to $38 or $42 a week, while extending the uniform duration of 26 weeks to all claimants.

But Alabama has a maximum of $22 for 20 weeks; Arkansas, $22 for 16 weeks; Florida, $20 for 16 weeks; South Carolina, $20 for 18 weeks; and Virginia, $22 for 16 weeks.

The point should be obvious. So long as the States can act or fail to act according to their individual discretions and the direction of the dominant pressures upon them, the problem will not be solved. Those States which try to maintain a decent program will continue to be victimized by those which choose to rely upon unfair labor standards as a competitive attraction. And the best State program will be chained down and placed in jeopardy by the worst.

So long as these cold realities persist, suggestive letters to State governors will be no substitute for direct and forthright Federal action, commensurate with the degree of Federal responsibility and the nature and extent of the problem. The approach adopted by the administration, of recommending improvements in benefits and durations to the States, while laudable in its objectives is clearly foredoomed to failure.

In the first place, only 14 State legislatures meet this year. In the second place, there has been little evidence of enthusiasm for the President's suggestions on the part of those legislatures that are meeting, and no greater disposition to act than has been the case in the past. The Legislature of the great sovereign State of New York, under the guidance of the political organization of Thomas E. Dewey, who is no stranger to the President, flatly rejected the improvements in benefits recommended by President Eisenhower. It adopted a bill providing for the extension of coverage to additional employees, only when and if such extension is made mandatory by act of the United States Congress. That is the sum total of what New York State has to show for the session of its legislature just completed, as far as unemployment compensation is concerned. And if Governor Dewey cannot deliver on the urgent request of the man whom he helped to make President, what can we expect from the other 13 States whose legislatures meet this year? And how about the many more that do not?

Certainly New York is not so far ahead of the van that no improvements in its Unemployment Compensation Act are necessary. The maximum benefit in New York is only 40.4 percent of the average weekly wages. An $8 increase in the weekly maximum would be required to bring it up to 50 percent of the average weekly wage. To bring the maximum up to 60 percent would require a $15 increase in the maximum weekly benefit.

The obligation to act rests here in Congress and nowhere else. It cannot be left to the States. The old Army game of passing the buck may be safe and tolerable in other spheres of activity, but it is not appropriate to the conduct of a responsible Government in a time of crisis and danger.

And what is the situation here in Congress? The only bill that is anywhere near the point of final action is the Reed bill—H. R. 5173—a measure that would not improve the Federal-State unemployment compensation system, but would in fact do infinite harm to that system.

I am sure, Mr. Speaker, that you and all other Members of the House will recall that when H. R. 5173 was being considered in this Chamber last July, I called your attention to this fact and offered amendments to improve the bill. Much to my regret, however, my pleas fell on deaf ears. The lobby for those who oppose the basic purpose of this program won another victory.

At a time when economic conditions demand a strong assertion of the role of the Federal Government in the strengthening and administration of the system, the Reed bill is patently designed for the purpose of weakening the role of the Federal Government and undermining the force of such meager administrative standards as are now contained in the law.

Time is running out. In the absence of prompt, constructive action by this Congress to strengthen and improve the unemployment-compensation program, and to correct its grave deficiencies, it will offer no real barrier against the advent of a depression, but only the fatal illusion of one.

SOCIAL AND ECONOMIC RELATIONSHIP OF UNITED STATES AND PUERTO RICO

The SPEAKER pro tempore (Mr. ALLEN of Illinois). Under the previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, on April 14, 1954, I introduced in this House, House Resolution 512, creating a Select Committee To Conduct a Survey and Study of the Social and Economic Relationship

of the United States and the Commonwealth of Puerto Rico.

Since the introduction of the resolution I have received many letters of support from the continental United States and from the island of Puerto Rico.

I should like to discuss briefly and objectively the reasons for the resolution and what I hope would be accomplished by such a select committee.

I shall not discuss the tragic events which occurred on this floor on March 1 of this year, except to say that they hastened and brought into focus questions which some day must be answered.

I must say, however, that neither the Commonwealth nor the people of Puerto Rico can be charged with the responsibility for the acts committed here that day.

The Commonwealth of Puerto Rico is one of the most densely populated agricultural areas of the world, and their chief problem is a continuous struggle against extreme poverty. Handicapped by limited natural resources, they formerly produced approximately one-half of their necessary foodstuffs.

With the technical assistance of our point 4 program operating throughout the world in close harmony with their own agricultural experts, the people of Puerto Rico are growing in their knowledge of modern techniques and diversified enterprises which will make them much more self-sufficient in food within the next few years. Obviously, in any densely populated area where much of the land is uncultivable, industrialization is another necessary step toward economic stability.

By applying courage, imagination, and determination to their very great difficulties and acquiring know-how, the people of Puerto Rico are on the road to abolishing the poverty which is their chief problem.

The goal for 1960 has been set at a minimum income of $2,000 per year per family, and by adopting the most intensive use of the land for production of foodstuffs and for the production of raw materials for industrial uses, it is entirely possible this goal may be reached.

In view of these circumstances, Puerto Rico offers an ideal testing ground for our point 4 program in learning what can be done on a small island with limited resources to solve the grievous and difficult problem of extreme poverty for the mass of its population. The results have been so amazing that in the past 3 years over a thousand young people, students and professionals, have come to study conditions in Puerto Rico. They came from Asia, the Orient, the Middle East, from Africa and from Europe, but the majority came from Latin America to the University to study this Operation Bootstrap. This affords an opportunity for close observation of American democracy at work.

Geographically and traditionally, Puerto Rico is the link of the Americas and as such they have a perspective available to few Latin American countries.

It should be observed that even the opponents of the Commonwealth cannot complain of taxation without representation because they do not have Federal taxes. Puerto Rico has some advantages not afforded to other sections of our country, whether they be islands or territories.

Puerto Rico is in the unusual situation of having our Federal benefits including among others, housing, education, agriculture, and national defense without contributing to the Federal Treasury.

People born in Puerto Rico are automatically citizens of the United States, having free rights of immigration and migration just as we have between Hawaii and Alaska, yet they pay no income tax or any other Federal tax. Puerto Rico is subject to all tariff laws applied by the United States to imports from foreign countries but the only taxes in Puerto Rico are those levied by the legislative assembly of Puerto Rico.

On the other hand, all Federal agencies that operate in the United States operate in Puerto Rico and that expense is borne entirely by the United States Government. In other words, Puerto Rico gets the benefit of all Federal services, and Federal agencies operate there just the same as in any State, but the people of Puerto Rico are not taxed to support those agencies.

They have no independent defense establishment to maintain except the National Guard, which is only partly supported by Commonwealth appropriations. They have no army or navy, but there are many Puerto Ricans in the United States armed services, enlisted simply as United States citizens. In fact, in the Korean war the percentage of volunteers was so high the Selective Service Act was almost unnecessary in Puerto Rico.

Mr. Speaker, I could not make reference to Puerto Ricans in the Armed Forces without again calling attention to the gallantry which has been displayed by these troops. On March 1, 1951, I spoke on this floor in commendation of Puerto Rican troops in Korea. This appears in the CONGRESSIONAL RECORD, volume 97, part 2, page 1748.

I have said, Mr. Speaker, that Puerto Rico receives our Federal benefits. I should like to report the latest and most complete figures I have been able to obtain from the staff of the Appropriations Committee giving our contributions to the Commonwealth:

FEBRUARY 9, 1954.

Hon. FRANK T. BOW,
Member of Congress,
House of Representatives,
Washington, D. C.

DEAR MR. BOW: This is in reply to your letter of February 1 requesting certain information with respect to income received by Puerto Rico from Federal appropriations and Federal taxes. The following table summarizes the information you requested. The statistics are for the fiscal year 1953 except for grants, and Federal aid payments which are for 1952, the latest year for which final statistics are available without contacting each individual Federal agency involved.

Direct grants to Puerto Rico	$15,478,167
Federal aid payments to individuals, etc.	32,456,244
Estimated salary of Puerto Ricans on the Federal payroll in Puerto Rico	20,750,000
Federal internal revenue collections paid to the Puerto Rican treasury	$15,708,413
Federal customs duties and related revenue paid to the Puerto Rican treasury	4,103,396
Approximate total annual income from Federal sources	88,496,220

Attached as tables I and II is a detailed breakdown of the first two items listed in the above table. The attached table III shows the Federal civilian employment in Puerto Rico as of June 30, 1953, by agency. It is on the basis of table III and additional detail submitted to us by the Civil Service Commission that we estimated the salary item in the above table. The figures on internal revenue and customs duties were taken from the President's budget for 1955.

Respectfully yours,

KENNETH SPRANKLE.

Recently there appeared in the Dorvillier News Letter published in San Juan, P. R., by an editor—William Dorvillier, former Washington correspondent of El Mundo, who perhaps is the outstanding authority on Puerto Rican affairs not connected with government—the following statement:

You will find much of this letter devoted to the political status of Puerto Rico. The reasons are obvious. People are discussing it in Congress, in the financial houses of the Nation, here and elsewhere. You do business in Puerto Rico, or with it. Anything that affects the economy is your concern and ours. Misunderstanding related to the so-called commonwealth status is becoming more widespread every day. Clarification is imperative, we think, as soon as possible—for the best interests of all the people concerned. We believe that the proposed congressional study will dispel the doubts and allow the people to carry on the battle for a larger share of the good things in life. Business will be on a firm foundation of fact, rather than subject to the present confusion that makes long-range planning difficult, though perfectly safe and sound. We are certain the outcome will be to cement Puerto Rico's connection with the United States more firmly than ever.

I think one cause of misunderstanding, perhaps, is the fact the term "commonwealth" is alien to the vernaculars of the United States and Puerto Rico. Historically, members of a commonwealth are wholly and completely sovereign in all matters domestic and external. The nature of the Puerto Rican Commonwealth is, therefore, misconceived in the States and fosters the many misunderstandings now coming to light. Americans think of commonwealths such as India, Pakistan, Canada, and Australia, and assume, in many instances, that Puerto Rico is independent. It is not, of course. It is a part of the United States.

How was this status created? Public Law 600 of the 81st Congress granted the people of Puerto Rico the right to adopt their own constitution. Certain limitations were contained in that act—"no amendment to this constitution shall alter the republican form of government established by it or abolish its bill of rights."

On June 4, 1951, 506,185 American citizens—registered voters of Puerto Rico, with full confidence in the Congress—voted on the constitutional refer-

endum; that is, to adopt Public Law 600. Three hundred and eighty-seven thousand and sixteen voted in favor of a constitutional convention.

On August 27, 1951, 92 delegates were elected by the people of Puerto Rico to a constitutional convention created under authority of Congress. For 62 days they labored and deliberated—delegates composed of all walks of life and from three of the major political parties of the island.

On March 3, 1952, 457,562 American citizens—again exercising the right of franchise—voted on the adoption of the constitution written by these citizens of the United States under the authority of Congress; 374,649 voters—82 percent—cast their ballots in favor of adoption of their constitution.

I witnessed this election. Some of the aged were taken to the polling places on stretchers so that they might vote. I saw literally thousands in rural areas walking miles through the hot sun to the polling places to exercise their rights, which as a proud people they cherish—rights given them by Congress—the right of self-government.

It is my opinion that the wisdom of Congress and the people of Puerto Rico has been proven by the establishment of the Commonwealth. Certainly the island has progressed in recent years. Industrialization has become a fact. The economy has improved. We have shown the world that we want no part of colonialism. The recent action of the United Nations regarding Puerto Rico was not only proper, but was evidence of the development of Puerto Rico under the pattern approved by Congress.

Mr. Speaker, my resolution provides that two members from each of several pertinent committees of the House be appointed to make a study, survey, and appraisal of all phases of the existing relationship between the United States and the Commonwealth of Puerto Rico, with particular reference to the extension and application of the United States statutory laws in Puerto Rico, the economic effects thereof, and the conditions existing in Puerto Rico which may affect the population movement between Puerto Rico and the United States.

This would, of course, include a study of appropriations, contributions, and other financial arrangements, and a reconsideration of the Puerto Rico Federal Relations Act.

Mr. Speaker, I urge the early consideration and adoption of this resolution.

ST. LAWRENCE SEAWAY

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Michigan [Mr. RABAUT] is recognized for 5 minutes.

Mr. RABAUT. Mr. Speaker, I wish to speak today on S. 2150, the bill which would create the St. Lawrence Seaway Development Corp. It comes before this House day after tomorrow.

At this stage the battle lines are drawn. The issues are clear.

The question should transcend partisan lines. For all Americans stand to benefit from the seaway.

The issue does not turn on whether our people want it. On the contrary, I believe it has been demonstrated, in all of a thousand and one ways, that public sentiment favors the seaway—overwhelmingly.

Gentlemen, on a matter of such unrivalled importance, the people must be heard.

The questions, then, are these:

Is the St. Lawrence Seaway good for us?

Is it good for our economy and national defense?

Is it worth the effort it will take to make it work?

Will it serve ever to strengthen the bonds of amity which have existed for generations between the United States and her friends in the Canadas, nations, who as an example to all the world, have never mounted their borders with the traditional barriers of distrust and fear?

To each of these queries, I answer—emphatically yes.

Every possible force and energy of seaway opposition has been marshaled to befuddle, if possible, those who would make an honest effort to understand its worthwhile objectives.

They seek to beat down with specious objection those salutary provisions which, as reported from committee, the bill embodies.

Seemingly, they attempt to make difficult an issue whose greatest persuasion lies in its simple practicability and necessity.

These groups, in their irresponsible dedication to local interest, would have us eliminate from the bill, as proposed, the provision authorizing the Secretary of the Treasury to buy the revenue bonds of the seaway corporation. Instead, they would offer them for sale, unguaranteed by the Government in the market place of public investment.

Such a move is unprecedented, unwise, and unworkable.

Over the long haul, it would place the project on an unrealistic, unsound business basis.

It would embarass us in the eyes of our neighbors and fellow nations.

It is a gimmick by which seaway opponents endeavor to do indirectly what they know they have failed to do directly.

Gentlemen, in my judgment, they are wrong.

We must act, as the guardians of our great Nation's security and well-being, to turn aside any effort to scuttle the St. Lawrence Seaway program.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HILLELSON.

Mr. RHODES of Pennsylvania and to include extraneous matter.

Mr. HAGEN of California and to include extraneous matter.

Mr. SMITH of Wisconsin.

Mr. BYRD and include extraneous matter.

Mr. HARRISON of Nebraska and include an address by the Assistant Secretary of Defense at Lansing, Mich., on February 3.

Mr. SAYLOR in two instances and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6896. An act to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 24. An act to permit review of decisions of the heads of departments, or their representatives or boards, involving questions arising under Government contracts.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 4, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1492. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Maritime Board and the Maritime Administration, Department of Commerce, for the fiscal years ended June 30, 1952 and 1953, pursuant to section 207 of the Merchant Marine Act, 1936 (46 U. S. C. 1117) (H. Doc. No. 383); to the Committee on Government Operations and ordered to be printed.

1493. A letter from the Assistant Secretary of the Interior, relative to certifying that an adequate soil survey and land classification has been made of the lands on the Dalton Gardens project, Idaho, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1494. A letter from the Assistant Secretary of the Navy, relative to the proposed transfer by the Department of the Navy of a 26-foot motor whaleboat, hull No. 17982 (without engine), to the Franciscan Brothers of Brooklyn for use at a summer camp, pursuant to section 6 of the act of August 7, 1946 (60 Stat. 898; 34 U. S. C. 546k); to the Committee on Armed Services.

1495. A letter from the Secretary of the Navy, transmitting a draft of legislation entitled "A bill to amend the Career Compensation Act of 1949, as amended, to authorize incentive pay for personnel engaged in the hazardous duty of helium-oxygen diving"; to the Committee on Armed Services.

1496. A letter from the Secretary of the Air Force, transmitting a draft of legislation entitled "A bill to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes"; to the Committee on Armed Services.

1497. A letter from the Secretary of Commerce, transmitting a list of projects for the development of class IV or larger airports included in the current revision of the national airport plan, pursuant to section 8 of the Federal Airport Act (Public Law 377, 79th Cong., as amended by Public Law 445, 81st Cong.); to the Committee on Interstate and Foreign Commerce.

1498. A letter from the Chairman, Federal Power Commission, transmitting a copy of

the newly issued publication entitled "Statistics of Electric Utilities in the United States, 1952, Publicly Owned"; to the Committee on Interstate and Foreign Commerce.

1499. A letter from the Assistant to the Director, National Trust for Historical Preservation, transmitting additional material to the annual report for calendar year 1953, submitted April 13 as executive communication No. 1440, pursuant to section 6 of Public Law 408, approved October 26, 1949; to the Committee on Interior and Insular Affairs.

1500. A letter from the Assistant Secretary of the Interior, transmitting one copy each of certain laws enacted by the Second Guam Legislature (1st and 2d regular sessions), pursuant to section 19 of Public Law 630, 81st Congress; to the Committee on Interior and Insular Affairs.

1501. A letter from the Assistant Secretary of the Interior, relative to a proposed award of a concession contract to the Majestic Hotel Co. which will, when finally executed on behalf of the Government, authorize the company to obtain hot waters from the Hot Springs National Park, Ark., for a period of 10 years from January 1, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1502. A letter from the Assistant Secretary of the Interior, relative to a proposed award of a concession contract to St. Joseph's Hospital which will, when finally executed on behalf of the Government, authorize the hospital to obtain hot waters from Hot Springs National Park, Ark., sufficient to supply 10 tubs used in the St. Joseph's Hospital bathhouse, for a period of 10 years from January 1, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1503. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the act of Congress approved July 1, 1948, Public Law 863; to the Committee on the Judiciary.

1504. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a)); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of April 29, 1954, the following bill was reported April 30, 1954:

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 8357. A bill to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–257i) to provide for a three-eighths basket for fruits and vegetables; with amendment (Rept. No. 1550). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HILLELSON:

H. R. 8963. A bill to provide for the construction of sewage disposal facilities at Grandview, Mo.; to the Committee on Banking and Currency.

By Mr. HUNTER:

H. R. 8964. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Luis division (initial phase) of the Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. ANGELL:

H. R. 8965. A bill to amend the penalty provisions applicable to persons convicted of violating certain narcotic laws, and for other purposes; to the Committee on Ways and Means.

By Mrs. BUCHANAN:

H. R. 8966. A bill to provide that parcel post packages for Korean relief be sent free of postage; to the Committee on Post Office and Civil Service.

By Mr. COLE of New York:

H. R. 8967. A bill to create an Assistant Secretary of Defense for Continental Defense; to the Committee on Armed Services.

By Mr. DEANE:

H. R. 8968. Authorizing the Secretaries of the Army, Navy, or Air Force to acquire quarters by lease or purchase; to the Committee on Armed Services.

By Mr. HOFFMAN of Michigan:

H. R. 8969. A bill to extend from 3 to 6 years the time within which certain criminal prosecutions may be commenced; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H. R. 8970. A bill to authorize the construction of a sewage-treatment plant at Fort Lewis, Wash.; to the Committee on Public Works.

By Mr. PHILLIPS:

H. R. 8971. A bill to encourage the disposal of agricultural surpluses and to improve the foreign relations of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. RADWAN:

H. R. 8972. A bill to provide that a special gold star shall be added to the flag of the United States in honor of the members of the Armed Forces who have died in the service of their country; to the Committee on the Judiciary.

By Mr. TALLE:

H. R. 8973. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

H. R. 8974. A bill to permit investment of funds of insurance companies organized within the District of Columbia in obligations of the International Bank for Reconstruction and Development; to the Committee on the District of Columbia.

By Mr. BOLLING:

H. Con. Res. 229. Concurrent resolution to establish a joint congressional committee to conduct a special study of the ways in which existing and proposed Federal economic powers and programs can make their greatest contribution to defense against modern atomic attack; to the Committee on Rules.

By Mrs. BOLTON:

H. Con. Res. 230. Concurrent resolution providing for 20,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations"; to the Committee on House Administration.

By Mr. BURDICK:

H. Con. Res. 231. Concurrent resolution directed for the release of United States soldiers now prisoners of Red China; to the Committee on Foreign Affairs.

By Mr. SMITH of Wisconsin:

H. Res. 524. Resolution creating a select committee to conduct an investigation and study of farm problems; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Ohio, memorializing the President and the Congress of the United States relative to transmitting a photostatic copy of the mutual aid interstate compact developed by the State of Ohio and executed by the State of Alabama; to the Committee on Armed Services.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States requesting favorable action on Senate bill 1276, amending the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to grant immediate statehood to Hawaii and reaffirming the position of the people of Hawaii on the issue of statehood; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 8975. A bill for the relief of George Ellenikos; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 8976. A bill for the relief of William Badinelli; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. R. 8977. A bill for the relief of the dependents of 1st Lieuts. William Henry Werfelman and Gerald A. LaForce; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 8978. A bill for the relief of Federico Cano-Valera, Angela Da Silva De Valera, Jose Federico Valera, and Ricardo Valera; to the Committee on the Judiciary.

By Mr. VELDE:

H. R. 8979. A bill for the relief of Mrs. Irene Emma Anderson; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 8980. A bill for the relief of Frances Irene Smart; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

688. By Mr. CANFIELD: Resolution of the Board of Commissioners of the city of Passaic, N. J., opposing the provisions of H. R. 8648 for the classification of positions and determination of rates of pay in the Post Office Department; to the Committee on Post Office and Civil Service.

689. By Mr. GRAHAM: Petition of 41 residents of Butler, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children, and urging passage of Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

690. By the SPEAKER: Petition of the secretary, the Hawaii Education Association, Honolulu, T. H., requesting the granting of immediate statehood to Hawaii; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Postal Pay and Reclassification Proposals

EXTENSION OF REMARKS
OF

HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1954

Mr. RHODES of Pennsylvania. Mr. Speaker, under leave to extend my remarks, I include herewith the following statement I made before the House Post Office and Civil Service Committee on Friday, April 30, 1954:

Mr. Chairman, members of the committee, I appear before you to express support for an adequate pay increase for postal workers and other Federal employees. A pay bill which I introduced is identical with the Withrow bill and calls for an $800 increase and the elimination of the first 2 grades. I am for this legislation because I think it is meritorious and in the best interests of the postal service and our economy.

My second objective, and a very important one, is to oppose the legislation which embodies the proposals offered by Postmaster General Summerfield and the Fry report. Employees have much more to lose than gain by the Summerfield bill, even though it would give a $100 annual pay increase to the average postal worker. Their security would be undermined and their pay standards jeopardized as one-man rule, and spoils-system politics could replace the merit system.

In my humble opinion, the Summerfield approach is basically wrong. I say this because it reflects an economic philosophy held by special-interest groups which have opposed every intelligent social advance in the last generation. It is the thinking of those who accept the trickle-down philosophy on economic issues. On tax legislation this philosophy calls for a disproportionate burden on those least able to pay. On postal rates it would put an extra burden on those who already pay more than their proportionate share. It is not difficult to understand how those who accept this philosophy would offer as little as $10 a year increase to those in the greatest need, while in the high brackets they would suggest an increase of $100 a week.

I can't agree with that kind of thinking and I don't believe members of this committee can be sold on it, despite high-pressure salesmanship and the slick, deceptive advertising campaign. I know that some members of this committee resent some of the tactics which are being used to force this bill through the Congress.

At the outset of our hearings, the Postmaster General submitted the salary study and pay adjustment plan which had been prepared by George Fry & Associates, of Chicago, Ill. I have examined that study rather carefully and have reached the following conclusions:

The study apparently covered a period of approximately 2½ months from mid-November of 1953 to February of this year. According to exhibit No. 11, which is titled "Representative Locations and Installations Study" (p. 45 of the report), the study covered some 29 post offices out of a total of approximately 40,000. In 15 instances it appears that some consideration may have been given to the principal function of the postal service, which is the movement of mail. In all other instances, it appears that the study was limited to such things as supply sections, inspection division offices, traveling mechanicians, and things of that sort.

I believe that the Postmaster General, or one of his representatives, stated that the study was made by eight people. From the length of time involved, the number of offices visited, and the number of people who were engaged in the project, I have reached the conclusion that the study was, of necessity, something less than complete and authoritative. While I would not question the ability of the Fry organization to make an objective study of this nature, I do not believe that the report submitted can qualify as a complete or authoritative finding.

It seems to me, based on the testimony we have heard, that the study is merely a sort of window dressing prepared to support a preconceived objective. On page 24 of the report, under the caption "Legislative Approach," we find the following:

"It is recommended that every effort be made to have the principles rather than all the mechanics of the post-office pay structure incorporated in any new legislation, and that such legislation be broad in text and import. In this way, without any lessening of the overall responsibility by Congress for salary control, the Post Office Department and its field services could administer and control salaries effectively, fairly, and economically in changing times and changing conditions."

If that language means anything at all, it means that those who prepared the report are recommending that the Postmaster General be given the authority "to administer and control salaries effectively • • • in changing times and changing conditions."

Any request for authority to control salaries to meet changing times and conditions can only mean authority to reduce salaries when the economic condition permits. In plain English, the Fry report recommends that the Postmaster General be given authority (which now rests with Congress) to upgrade or downgrade positions, increase or decrease salaries, in accord with his own economic views. That, in my opinion, is cause for alarm, not only among postal employees, but among Members of Congress, because of confusion and discontent which would have a terrifying effect on employee morale and the postal service.

The report makes reference in several instances to an alleged lack of incentive in the present pay system. However, it seems to me that if the recommendations were adopted, there would be an even greater lack of incentive for superior work and accomplishment. At the present time, employees have only the hope of a limited number of promotions and the possibility of securing more desirable assignments as an incentive. Under the proposal, both of these would be greatly diminished if not entirely eliminated. Referring to the Inequities of Present Promotion System (p. 4) the report states:

"The Postal Pay Act, by providing fixed service requirements for those eligible for promotion to supervisory positions (7 years as clerk or carrier in first- and second-class post offices, 7 years as clerk in the postal transportation service, except for the requirement of 9 years as clerk in class B railway and highway post office runs) has restricted the lateral entry of qualified personnel into supervisory positions in the postal field service.

"Although it is traditional in the postal service for supervisory positions to be filled by employees advancing up through the ranks, there should be no arbitrary barriers to prevent these positions being filled if necessary by qualified personnel who have gained the necessary experience outside of the postal service."

I wonder if there are any members of this committee who believe that the adoption of this proposal would lead to anything other than the filling of supervisory positions by political patronage? While it may well have been traditional to fill such positions by employees advancing through the ranks, that condition will no longer prevail once we allow such positions to be filled through the back door. I am sure that all postal employees will recognize that once the way is opened for those politically favored to enter the service at the top, all hope of reward for efficiency will disappear.

On pages 14 and 15 of the report, we find the "Recommended installation and operating policies." No. 4 provides that, "Each job specification should be assigned to a salary grade by the Bureau of Personnel under the Postmaster General."

However, No. 9 provides, "Authority to allocate individual jobs to grades for which specifications have been published should be delegated to the lowest practical level of field supervision (postmasters, district superintendents, terminal managers, and the like) subject to review and correction by the Bureau of Personnel."

The adoption of such policies will perhaps result in a certain flexibility of operation but it would equally provide for a pattern of flexible discrimination in each individual post office. Job descriptions or specifications would be subject to interpretation by each local postmaster and through him, by each supervisor. Under such circumstances, there will be a natural tendency to evaluate a given position solely for the purpose of showing a saving whether such saving results in an injustice to the employee or poorer service to the public. I believe postal employees are justified in their objections to any such proposal.

In dealing with basic pay policies under the caption "Installation and Administration," on page 13 of the report, we find that "no individual should receive a reduction in pay as a result of this plan." Further, the report states that "employees who are now earning more than the approved maximum of their grade should not be reduced in pay. Where practical, they should be moved in the future to higher grade positions for which they are qualified and in which openings exist." I believe that when considering these recommendations we have to keep in mind the recommendation previously referred to that "Every effort be made to have the principles rather than all the mechanics of the post office pay structure incorporated in any new legislation, and that such legislation be broad in text and import."

I have always looked with a certain amount of skepticism on requests from administrators of Government departments and agencies for broad-sweeping powers. It smacks of totalitarianism and is in sharp conflict with the spirit of good labor-management relations. While we all have a high regard for anyone who occupies the position of Postmaster General, we know that no matter who happens to hold the position at a given time they are necessarily subject to those fallacies which beset the human race. None of us are perfect, and that goes for Postmasters General as well as for Members of Congress.

On page 4, under caption "Preferred Assignment System," the Fry report states, "Another outgrowth of the present pay plan is the so-called preferential assignments system whereby employees may be transferred, on the basis of seniority, to positions of lesser responsibility and difficulty and continue in the same pay range."

It seems to me that those who prepared the report might have elaborated somewhat on the precise positions to which they had reference. Most of the preferential assignments within post offices, or, at least, within post offices with which I am familiar, are those listed in the proposed grades 4 and 5 on pages 52, 53, 54, 55, and 56 of the report. Those preferred assignments involve employees assigned to postal savings, wholesale stamps, information windows, time clerks, and general window clerks, all to be found in the proposed grade 4; and claims clerks, station clerks, clerks performing multiple finance functions, all of which are to be found in the proposed grade 5. If these so-called preferential assignments are really positions of lesser responsibility and difficulty, then it seems to me that those who prepared the report have been guilty of some serious errors.

It is apparent that no effort was made to consult with those who could, if given the opportunity, present helpful information. I note from the report (p. 19) that, "the program was announced at a meeting of representatives of the employee organizations early in November, prior to the starting of the field study." However, from conversations with the employee representatives, I have not been able to find a single instance where any of the employee representatives were consulted in any manner while the study was in progress. I was told by several of the employee leaders that when the announcement was made in November they were also told that they would be consulted and that they would be given an opportunity to discuss the study, and they understood at least that such discussions would take place before the plan was approved. From all I have been able to learn, however, every effort was made to keep the results of the study a closely guarded secret until it was presented to this committee by the Postmaster General on February 16. I wonder if this secrecy was purposely designed to keep the employees and their representatives from knowing anything about the proposal until it was too late for them to do anything about it. I understand that some of the employee representatives were invited to discuss the plan with Assistant Postmasters General Lyons and Abrams on the afternoon of the day in which it was presented to the committee. All of us must recognize, however, that this action amounted to nothing more than window dressing, since the plan had already been presented to the committee and a press release covering the presentation had been given out by the Postmaster General.

I have never before heard of a study of this sort being made entirely without participation of employees or their representatives. Certainly it is not the practice of progressive private employers that President Eisenhower suggested in his statement approving the Summerfield plan. I can only conclude that this was done purposely and that it was intended to place postal employees and their organizations in a defenseless position. I, for one, am entirely unwilling to proceed on that basis. There must be a reason, first, for the secrecy in the preparation of the plan itself, and, secondly, for the introduction of legislation so long a time after the proposal was presented to this committee.

I am not at all impressed with comparisons made with private industry. Furthermore I believe government should set a pattern for private industry to follow—a pattern of sound, practical, and progressive labor-management relations.

We should give thought to what would have the most favorable effect on the service and on the economy. We should take a closer look at the mounting surpluses, not only of food, but of almost everything else. We should give some consideration to human needs, and what income is required for at least a minimum standard of living on a decency level.

I am afraid the human side was overlooked in this proposal. It looks backward rather than forward. The practice in private industry it attempts to follow is that which was outlawed in every case when working people won a voice in determining conditions under which they work and live.

In a White House statement, the President expressed support of the recommendation of the Postmaster General because "it combines the best practices of progressive private employers."

As one who has had experience in the field of labor-management relations, I say that this proposal is not the kind that progressive employers would offer. No progressive employer would attempt to change his employment policies and job classifications without taking into confidence the workers in his employ. No such confidence is evidenced in this proposal.

On page 5 of Mr. Summerfield's statement of February 16, he said, and I quote: "The management of the Post Office Department believes that a superior postal service can be built only on the dedicated efforts of employees who feel in their hearts that they are being treated fairly, that they are being paid fairly, and that extra effort and initiative on their part will be rewarded."

My contention is that the Summerfield bill would have the opposite effect from the expressed objective. It would create widespread dissension in the postal service. The adverse effect on morale would lower the quality of the service. At the present time reaction among postal employees does not indicate that this proposal is one that offers fair salaries or inspires good morale or initiative. The volume of protests from all over the Nation speaks for itself.

If this proposal follows the practice of progressive employers in private industry it should contain a provision for recognition of employee oganizations to require Federal departments and agencies to deal with them on all personnel matters, employee appeals and grievances.

Progressive employers recognize the rights of employees to be consulted before sweeping changes, such as proposed in the Summerfield bill, are made. Proper grievance machinery is particularly important when such a change is proposed, yet the Post Office Department has shown no desire to grant such rights to postal employees.

It would be unwise of this committee to adopt this plan without a more thorough study. The pressure on this committee to accept this program should not cause hasty action of approval. Over the past years, under the former administration, it was charged that the Executive was bringing undue pressure on the legislative branch of the Government. But I have never, since I have been a Member of Congress, seen such pressure tactics as have been used to put over this proposal.

Never since I became a member of this committee have so many letters and telegrams come to me from big corporate interests from all parts of the country on a postal-pay bill. I believe that such letters were sent to all Members of Congress. All of them asked that the Summerfield plan be adopted. There is little doubt that this flood of endorsements from the big business interests was inspired by someone. Few, if any, of those who sent these messages really understand what it is all about. It is not at all surprising that they oppose an adequate pay increase for Federal employees. For the most part the telegrams came from sources which have consistently opposed every social advance that the people have won during the past generation.

Some telegrams implied that a pay raise for postal and Federal employees would set off a round of demands for pay increases by workers in private industry. Such a statement is pure nonsense. The recession trend and the millions of unemployed workers in industry throughout the Nation prove how deceptive such talk really is.

Radio commentators and news columnists, who reflect the extreme conservative point of view, have joined in pressing for the Summerfield measure. They have given the public a one-sided picture and a false impression of this proposal. In one case, a radio commentator said that the men and women who came to Washington in recent weeks to contact their Representatives on postal pay were CIO members, whose only interest was to set off a series of pay increases which would benefit workers in private industry.

When we hear charges about pressure and smokescreens, it is well to keep these things in mind.

I do not believe we should yield to pressure from any source. I do not think we should say "Yes" to every request that Federal employees make. But I sincerely believe they have a good case and deserve a much better deal than offered in the administration bill. My viewpoint, I can assure you, is not due to pressure of any sort, but because of practical experience in dealing with economic problems of this kind.

Mr. Summerfield told this committee that the average pay of clerks and carriers increased 94 percent since 1939 and the cost of living went up only 93.6 percent. What has not been considered is that the national income went up something like 300 percent in the same period.

The Postmaster General also pointed out that custodial laborers had a 127-percent pay increase in contrast with the 93.6-percent rise in living costs. But percentage figures, like charts, can be deceptive and very confusing. It is certainly true of laborers whose wages never did reach the point where they were on a level sufficient for a decent American standard of living.

I know of no one who asks that the same standard of living be guaranteed to every worker, but I do believe that before we start figuring how wide the margin should be between the highest and lowest pay of employees, we should be sure to consider a minimum standard based on the needs of an average family.

In spite of across-the-board increases, the present minimum pay does not permit much more than the bare necessities, and why shouldn't all people in the Federal service feel that their children should also have the right and opportunity for a college education? That possibility is limited for many children of Federal employees.

In private industry pay margins are wide. But I don't think we should follow that practice in the Government service. Ability and initiative should be recognized. Compensation should be paid according to skill and effort. There is no disagreement on that.

If we are realistic, we will agree, too, that private industry is not a state of perfection. There may be evils in the Federal service, but they can be found also in private industry. Those in control or at the top frequently set their own salaries—whatever the traffic will bear and sometimes more. The determination is not always on their worth or contribution to the industry.

Employers also differ widely on what practices are most sound. Some employers accept the right of workers to have an organization. Others bitterly oppose. What is right is frequently a matter of opinion of progressive and backward employers and there can be an honest difference of opinion among us as to what is sound and progressive.

The Postmaster General is doing a good selling job on his proposal. His TV and radio programs, newspaper releases, and bulletins are well done and well timed.

The public is getting but one side of the story. It sounds good if you don't get the

whole story. But we on the committee have a chance to see what's inside the pretty looking package the Postmaster General is trying to sell. I, for one, don't think it's what it's advertised to be.

From what I have seen and heard in the past 15 months, I can't help but wonder if all members of the new team believe that the postal service should be operated as a public enterprise. I recall a United States News article of about 2 years ago which listed the post office as one of the Federal operations that the United States Chamber of Commerce thought should be considered for sale to private owners.

The post-office service has been pictured in a false light for a long time. I suspect that there have always been some in high places that can't accept public enterprise as part of a free-enterprise system.

And now, before closing, Mr. Chairman, I want to add other and even more important reasons why I think we ought to scrap this Summerfield proposal.

There are many "gimmicks" in the bill which can be interpreted in such a way as to permit civil-service and employee organizations to be weakened or destroyed. They give the opportunity for a strong top man to force his will on all employees in the service. I am sure none on this committee wants to give one man the right to hire and fire in the postal service—to cut pay or raise salaries as he wishes. Fear among Federal employees does not promote good or efficient Government service. The postal workers, thanks to their splendid organizations, have not felt the lash of unscrupulous strong-arm policies as have many unfortunate Federal employees who lack organization strong enough to successfully block abuse and injustice.

I could accept Mr. Summerfield's proposal in better faith if I would not remember some of the incidents which I thought were less than fair and not in accord with sound democratic principles and policies.

I have not forgotten his statement made on January 21, 1954, before the National Industrial Conference Board in New York City when he said, and I quote:

"Meanwhile, the Government has had a soul-searching. Almost 2,200 people who were security risks are no longer using up your tax money. I am here to tell you that we are not hiring new ones. Somehow I do not feel too amicably inclined toward people who make treason a preoccupation."

Does anyone on this committee believe as it has been charged that 2,200 traitors were fired as the Postmaster General inferred? After all the evasion, sidestepping and ducking of Civil Service Commissioner Young on that question, I don't think any member of this committee will accept such a statement as anything but false and morally wrong. I am sure that no normal, intelligent and informed person believes it, and those who have been saying it know it is false and deceptive.

It has been said that those opposed to the administration bill are using smokescreens. It seems to me that the air is full of smoke and a good portion comes from the Post Office Department.

We all remember the poll on postal rate legislation that was launched by the Post Office Department and paid for with tax funds.

The loaded questions made it quite evident that the poll was not intended to measure public opinion but to influence it—and to influence Members of Congress.

I remember past criticism that the Truman administration used tax funds to popularize social security and public housing. I thought the criticism was farfetched. But what about the Post Office Department Information Service that everyday is pouring out a flood of propaganda bulletins? The last bulletin was numbered above 3,000. These bulletins proclaim the great virtues of the Department. They tell of great savings, improved postal services greater efficiency, higher employee morale, which we know is largely fictional and empty self-praise.

I have too much respect for the intelligence of the average citizen to think that he can be made to believe that black is white, even if it is repeated time and again. And I am even more sure that members of this committee cannot be influenced in that manner—and I feel confident that you will ditch this proposal until we can take a good and thorough second look.

It is not members of this committee who are putting up smokescreens, as inferred on April 6, only several weeks ago, by Mr. Summerfield. He told this committee that it must be apparent to all that criticism of his reclassification proposal is nothing more than a smokescreen. On that same day, Mr. Summerfield used the name of Richard J. Gray, head of the Building and Construction trades department of the AFL, as a supporter of his proposal. I was surprised, as no other labor leader in America has endorsed the Summerfield bill. I had a chance to speak to Mr. Gray later, and he admitted that he didn't know much about it. I doubt if most of the other inspired letterwriters, commentators, and businessmen knew any more about it than Mr. Gray. I think it would be most interesting to have Mr. Gray appear before our committee on the matter.

I have introduced legislation for an across-the-board pay bill, but I would be quite willing to see a compromise which would call for a flat increase together with a percentage hike.

I hope we can get together on a bill promptly. I further hope that we will not meet some of the experiences as on the postal rate bill where even my good friend, Mr. Murray, objected that it was unfair to members of the committee and that the Department was going too far with some of its tactics to obtain their objective.

Efforts of Foreign Agricultural Service To Develop New Market Outlets

EXTENSION OF REMARKS

OF

HON. ROBERT D. HARRISON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1954

Mr. HARRISON of Nebraska. Mr. Speaker, as Assistant Secretary Davis pointed out in his talk Agriculture's Course in Foreign Trade, at the Michigan annual farmers week program, at East Lansing, Mich., last February 3, 1954:

> The truth is that we have not needed to push foreign sales for more than a decade and that today we are not properly equipped and tooled to do it. * * * Today they [trade] are attempting to redevelop their old outlets. But in order to do so they have to train new men, develop foreign connections, fill pipelines with goods and launch a selling program. * * * As this takes place we must emphasize promotion to push sales at a fair price rather than to expand sales by means of drastic price cutting.
>
> The problem of expanding exports of farm products has to be approached on a commodity-by-commodity and a country-by-country basis. There is no simple formula that can be followed since many factors influence trade in any particular commodity.
>
> The big fundamental need is for a revisal and further development of international trade through regular commercial transactions and procedures. This requires a freer system of trade and payments than we now have in the world; and for that we all must strive.

Last November, in recognition of this problem, Secretary Benson reorganized the Foreign Agricultural Service to implement the carrying out of a vigorous export trading program. The present Foreign Agricultural Service Organization Chart was not adopted and the funds to hire commodity specialists to make the desired concentrated effort on export programs was not approved until November 12, 1953. On that date the Department of Agriculture began recruitment for marketing specialists. This recruitment has proceeded slowly since the Department has refused to take any persons but those acceptable to the trade and recognized by private business as well as governmental standards as truly expert in their fields. The Foreign Agricultural Service as such, of course, has made no sales, but in accordance with traditional policy of channeling all possible trade through commercial sources has acted as a clearing house, point of contact, expediter, and general adviser.

There are, however, five principal types of market development activities to help private traders that will be carried out by this service. These are: First, working with foreign governments and traders in matters relating to market preferences, trade restrictions, foreign exchange, and discrimination against American farm products; second, providing first-hand information to American agricultural exporters and importers on market situations and trade opportunities; third, bringing together American exporters and foreign importers under conditions favorable to trade; fourth, analyzing and interpreting commodity and trade information for dissemination of American agriculture; and fifth, providing a comprehensive appraisal of foreign production and competition.

It has been only 4 months since it was reorganized, yet the Foreign Agricultural Service has already made significant headway in facilitating the disposal of surplus commodities. By commodity they include:

A. Tobacco: Within the last few months the Foreign Agricultural Service has been able to recruit two tobacco specialists. They are currently negotiating with the trade to procure two more. One expert visited France, Spain, Finland, Sweden, Denmark, Germany, the Philippines, Korea, and Japan.

The results of these visits to date are an agreement by France to purchase in excess of 8 million pounds of tobacco. Negotiations started by the Spanish to take between 12 and 18 million pounds of dark tobacco. Korea began negotiations for the procurement of 11 million pounds of tobacco. Actual orders or negotiations have not been started by the other countries. However, the activities carried on in these countries are very significant. The visits to Finland, Sweden, Denmark, and Germany dealt with tariff and other legal problems detrimental to trade in tobacco between the United States and those countries. Steps are now being taken by the trade

in those countries to get their government to correct these detriments to trade. This has progressed so well in Norway and Sweden that the trade is anticipating sales of tobacco to those two countries. In the Philippines and Japan similar discussions were held with the manufacturers of tobacco products as well as government officials to remove legal barriers.

B. Grain, feed, and seed: Of the 6 commodity specialists the Foreign Agricultural Service has been attempting to recruit, they have 4 now working.

The results of the activities of these commodity specialists follow:

First. Rice: In the face of the greatly increased supply of rice in the world market, United States rice exports for the crop year are equal to those of the previous season which was the highest on record. Specifically, Cuba is importing a million bags more than last year. Japan is importing 3.3 million bags more than last year. Before sales in the Far East could be consummated the pressure of 90,000 tons of surplus rice had to be removed from the market. One expert visited Burma and India and started negotiations which resulted in the consummation of a deal between those two countries for the sale of this rice, thus relieving the pressure on the world market and enabling United States exporters to maintain the alltime record for rice sales at favorable prices.

Second. Grain: They have been very active in working on the recently announced $20 million sale of wheat to the Spanish Government. Also they have aggressively participated in the negotiations with the Japanese Government under which they have recently announced intention to purchase 400,000 tons of wheat and 100,000 tons of barley. In the meantime they have continued negotiations with Mexico on the taking of additional corn; with Korea on the purchase of wheat and barley; and Brazil by attempting to arrange a barter for wheat. A memorandum of understanding has been drawn up with the Millers National Federation in which they are dividing the cost of sending representatives of Asia to promote the sale of grain and grain products in that part of the world.

C. Cotton: Of the 5 cotton commodity specialists the Foreign Agricultural Service hopes to recruit, 4 are now on the staff. Three of these specialists have visited in the past 6 months England, France, Germany, Italy, Spain, Japan, India, Hong Kong, Singapore, Indonesia, Burma, Pakistan, Egypt, British East Africa, Lebanon, Syria, and Sudan.

The activities of these specialists have directly contributed to the sale of some 250,000 bales of cotton under section 550 of the Mutual Security Act, and has resulted in the efforts by the textile manufacturers in France, India, Japan, and Italy to get their respective governments to make foreign exchange available to permit the maintenance of traditional exports of cotton to these countries. Specifically, one specialist assisted in the arrangement of an Export-Import Bank loan to Japan for the specific purchase of American cotton.

D. Fats and oils: Of the 4 commodity specialists the Foreign Agricultural Service is attempting to recruit for this division only 2 are now on the staff. The other two have been selected from the trade but have not yet reported for duty.

Only one commodity specialist has been sent abroad. He is currently in west Africa making a competition study of that export area for vegetable oils—peanuts, palm oil, and palm kernels—and on a special basis arrangements have been made for a specialist on lard to leave for Germany in the immediate future to assist in settling a dispute between United States lard exporters and German importers.

E. Fruits and vegetables: Representatives of the Fruit and Vegetable Divisions have traveled in all the countries of western and southern Europe and most of the principal citrus producing areas of North Africa and the Near East. In addition to facilitating the movement under section 32 of over 300,000 boxes of pears, and 2,000,000 boxes of oranges and grapefruit in the past 6 months, the Foreign Agricultural Service attributes the purchase of 25,000 tons of raisins to the efforts of these two specialists. They also had a leading part in creating the demand abroad which resulted in the sale under section 550 of the Mutual Security Act of $5,000,000 worth of prunes, $2,500,000 worth of canned apricots and peaches and $2,500,000 of fresh oranges and grapefruit, and canned grapefruit to Europe.

In my opinion, the Foreign Agricultural Service is to be complimented for the fine start they have made in helping the trade people in this country recapture lost markets and in finding new export outlets for surplus commodities.

Hidden Subsidies

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1954

Mr. SAYLOR. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter from the Director of the Bureau of the Budget, dated April 13, 1954. This is in reply to my letter of March 31 to the Director, raising certain questions in regard to his report of March 18 on the upper Colorado River storage project and participating projects. In that letter I asked the Director:

In view of the foregoing, how can you, as Director of the Bureau of the Budget and one of the chief officers of the present administration responsible for a sound-money policy and program and for economy in Government, ignore the huge Federal subsidy that would be involved in the repayment plan proposed for the Colorado River storage project and participating projects, and fail to comment upon or point out the amount of such subsidy that would have to be borne by the Nation's taxpayers? And how can you justify your approval, indirectly at least, of the so-called Collbran formula for repayment of reclamation projects which, if authorized for the upper Colorado River Basin development, would constitute a drastic departure from existing reclamation law and would establish a new repayment policy for all future reclamation projects requiring a vast increase in Federal subsidy?

In his reply, the Director discusses at some length the proposal to increase the repayment period from 40 years as provided by existing reclamation law to 50 years. Of course, he knows that this proposed 10-year extension is a relatively minor element in the amount of the Federal subsidy that would be involved in the proposed repayment plan of this billion-dollar project. The important factor that would vastly increase the Federal subsidy involved is the proposed postponement for about 50 years of repayment on most of the irrigation costs. Actually, the proposal is a 50-year repayment plan in name only.

The Director states that the proposed repayment plan for the upper basin project differs from the Collbran formula. However, the differences are merely in detail. The essential element of the Collbran project repayment provisions is the postponement of repayment of a large portion of the irrigation investment for 50 years and more. In essence, the proposed repayment program for the upper Colorado River storage project and participating projects is the same as the Collbran formula, since thereunder a major portion of the irrigation repayment would be postponed for 40 to 50 years according to the Director's own statement.

The Director states in his letter:

The Bureau of the Budget, in acting on the Colorado River project, was fully aware that under the proposed repayment plan the Federal Government would provide a considerable subsidy as a result of deferred interest-free repayments, and that this subsidy would be larger than under 40-year repayment. Our studies showed that the interest subsidy for the participating projects might equal about two-thirds of the construction costs allocated to irrigation. A large part of the subsidy represents postponement of the major portion of the irrigation repayment for as long as 40 to 50 years.

Why, then, did the Director in his report of March 18 omit any mention of a Federal subsidy which he now admits might amount to two-thirds the irrigation construction cost?

But let us examine just what the Director's statement of a two-thirds subsidy would mean.

According to the most recent cost estimates of the Bureau of Reclamation, the construction cost of the participating projects—excluding Eden project, previously authorized—allocated to irrigation, amounts to $200 million in round figures. These participating projects would irrigate 366,000 acres in the aggregate, about 65 percent of which would be furnished only a supplemental water supply from the project, which would average merely a small fraction of a full water requirement. Thus the equivalent acreage that could be furnished a full water supply from the projects would be about 200,000 acres.

Based on the total acreage, the irrigation construction cost would range from

over $200 per acre to nearly $800 per acre, and would average $545 per acre.

The Federal subsidy assumed at two-thirds of the construction cost, according to the Director's statement would, therefore, average $365 per acre or about $50,000 for the average-size farm in the participating projects.

The Federal subsidy per acre would be about 2½ times the average value per acre of fully developed irrigated land in the area of the participating projects.

However, taking into account that about 65 percent of the lands to be served would be furnished only a supplemental water supply, the Federal subsidy would be about $600 per acre on a full-supply basis or 4 times the average value of developed irrigated land in the area.

But this two-thirds subsidy, which the Director now admits, would only be the initial or first cost of the subsidy. Huge as this subsidy would be, the interest subsidy that would accumulate during the so-called repayment period would be manyfold greater. It is conservatively estimated that the increase in national debt at the end of the repayment period occasioned by the necessary payment of interest by the Federal Government on the funds borrowed for construction, including proper allowance for interest during construction and development periods, would amount to about a billion dollars. This would be over $2,700 per acre on the entire area to be served in the participating projects, or about $370,000 for the average size farm.

It should also be clearly understood that the amount of this increase in national debt in accumulated interest charges could never be repaid from project revenues and would keep on increasing indefinitely unless or until paid off through general taxation.

The foregoing figures do not include the Shiprock project, New Mexico, which has also been proposed as a participating project at an estimated construction cost of about $200 million. If included in the program, it would add about a billion dollars more to the national debt in interest subsidy.

Thus, Mr. Speaker, is revealed the huge hidden subsidy that would have to be borne by the Federal Treasury and become a burden on the Nation's taxpayers if this proposed upper Colorado River development is authorized and built. I call it to the attention of the Congress because I believe that the facts as to the true cost and particularly the Federal subsidy involved in this proposed development should be fully revealed before action is taken by the Congress. I believe the Secretary of the Interior and the Director of the Budget Bureau have an obligation to disclose such salient facts and figures to the Congress. As yet, that has not been done.

The letter of the Director of the Budget Bureau is as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 13, 1954.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D. C.

MY DEAR MR. SAYLOR: This is in reply to your letter of March 31, 1954, raising various questions regarding my letter to the Secretary of the Interior on the Colorado River storage project and participating projects.

The questions which you raised relate mainly to the wisdom of, and the financial and economic basis for, the administration's recommendations to the Congress for the development of the upper Colorado River Basin. The Congress itself has the responsibility to determine whether the recommendations shall be enacted into legislation.

The following comments take up the issues you raise in the order followed in your letter.

INVASION OF THE DINOSAUR NATIONAL MONUMENT BY THE PROPOSED ECHO PARK RESERVOIR AND POWER PROJECT

As you have indicated, various enactments by the Congress, beginning with the act establishing Yellowstone Park in 1872, have included statements of policy to restrict use of national parks to certain purposes and to protect and conserve their scenery, historic objects, and wildlife for future generations. Except in the case of overriding considerations of national interest, this administration will strongly oppose proposals to encroach upon national park and monument areas.

The Congress in the Water and Power Act of 1935 has specifically prohibited the Federal Power Commission from issuing licenses for construction of water storage or power projects within national parks and monuments. The Congress, however, has made many exceptions to this general policy in acts authorizing specific national parks, such as the Grand Canyon and the Rocky Mountain National Park. And in other instances the Congress has changed the status of national monuments over the years. For example, on February 16, 1954, the House passed H. R. 6251, deauthorizing the Shoshone Cavern as a national monument.

The Dinosaur National Monument was established in 1915 to preserve an area in which a great concentration of dinosaur fossils was found. It originally consisted of 80 acres. These original monument lands will not be affected in any way by construction of the Echo Park Dam.

In 1938 the monument area was increased to over 200,000 acres by Presidential proclamation, and provision was made for the eventual construction of water storage and power projects in the enlarged area. The proclamation issued by the President specified that the area was to be administered by the National Park Service, but went on to state "except that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended, and the administration of the monument shall be subject to the Reclamation Withdrawal of October 17, 1904, for the Brown's Park Reservoir site in connection with the Green River project."

This history indicates, therefore, that there was no intention to reserve the enlarged national monument area exclusively for park purposes. The intent of the President in 1938 to permit use of this enlarged area for power projects also seems clear. In selecting the Echo Park site for recommendation to the Congress, these historical facts have been taken into account. The Echo Park site is downstream from the above mentioned reclamation withdrawal, and while the reservoir will affect a larger area including the Brown's Park site, it will not affect the original monument area.

With regard to your reference to Under Secretary Tudor's testimony, at the House committee hearings, on the figures as to evaporation losses, we have discussed this matter with the Department of the Interior. We have been advised that the Department has taken up the question of evaporation losses with the committee and that the correct figures were supplied to the committee. We have been further advised that Mr. Tudor's conclusions are still valid.

The Secretary of the Interior and the President have the duty of recommending legislation for the consideration of the Congress which they believe to be in the national interest. The Secretary of the Interior has statutory responsibility for both the reclamation and the national park programs. On the basis of a careful appraisal by Under Secretary Tudor, Secretary McKay has concluded that the advantages of building Echo Park Reservoir outweigh its disadvantages. After review of the Secretary's findings by the Executive Office, the administration is recommending that Congress authorize the Echo Park Reservoir. The final decision on Echo Park, however, rests with the Congress.

USE OF 50-YEAR PERIOD FOR REPAYMENT OF IRRIGATION INVESTMENT

You question the recommended increase in the period for repayment of irrigation investments to 50 years. Insofar as irrigation is concerned, existing reclamation law provides that projects which can repay the irrigation investment within 40 years, exclusive of a development period of not to exceed 10 years, may be administratively authorized by the Secretary of the Interior. Projects which do not meet this criterion must be authorized by the Congress. Thus legislation proposals for new reclamation projects are generally projects on which the irrigation investment cannot be repaid in 40 years.

In the case of the Colorado River storage project and participating projects, the Bureau of the Budget accepted the Department of the Interior's recommendations to permit a repayment period of 50 years. The Department has recommended a repayment period of 50 years or longer on all recent project proposals submitted to this office for clearance. Our approval of the Department's recommendation on the Colorado River project and on other projects recently approved takes into account the fact that it is becoming increasingly difficult to secure repayment of irrigation projects within a 40-year period.

The Congress also, in recognition of the difficulty of repayment in 40 years, has made a number of exceptions in recent years, lengthening the repayment period when projects have been authorized by specific legislation. Among these are the Lewiston Orchards project, 50 years; Preston Bench project, 74 years; Gila project, 60 years; Weber Basin project, 60 years; Paonia project, 68 years. During the past few years it has been the generally accepted practice of all agencies involved in water-resources development, when they propose projects involving direct repayment of Federal investment, to use a 50-year period. Such a period has also been recognized as an appropriate period for repayment of costs allocated to power and municipal water supply. In the light of all these circumstances the Bureau of the Budget believes that 50 years is a reasonable maximum period for irrigation repayments.

FEDERAL SUBSIDY IN THE INTEREST-FREE FEATURE OF IRRIGATION INVESTMENT AND MODIFIED COLLBRAN FORMULA FOR REPAYMENT

The Colibran formula to which you refer is the method provided by the Congress in the authorization of the Collbran Reclamation project (act of July 3, 1952) for repayment of irrigation costs which exceed the repayment ability of the irrigation water users by power and municipal water revenues after investments in those purposes have been repaid with interest. This provision was enacted to exclude use of the interest component of the power revenues, which had been proposed by the Department of the Interior to show repayment of irrigation costs.

Under the Collbran formula, irrigation repayment contracts were authorized to run for 50 years. Costs allocated to municipal water supply were to be repaid with interest

within 50 years. Costs allocated to commercial power were required to be repaid with interest, but no repayment period was specified. The costs allocated to irrigation which were beyond the ability of irrigation water users to repay within 50 years were assigned for return by power and municipal water revenues after the costs of these purposes have been repaid. Under these provisions, the assistance in repayment of irrigation costs will not be available from municipal water supply revenues until after 50 years, and the timing of assistance from power revenues is indefinite, although the Department of the Interior now anticipates that such assistance would be available after the 50th year.

Under the repayment formula recommended for the Colorado River project, the costs allocated to power and municipal water supply would be repaid with interest within 50 years. The formula also requires full repayment of irrigation costs without interest within 50 years, exclusive of any development period. To assure the complete repayment of the irrigation investment within the prescribed period, the formula requires that, before initiation of construction of a participating project, a careful reassessment be made of the probable availability of power and water supply revenues in an amount sufficient to provide full repayment of the share of the irrigation investment not paid by irrigation water users. If sufficient revenues are not expected to be available, the project would have to be deferred.

The principal difference between the Collbran formula and the repayment formula recommended for the Colorado River project, therefore, is that the cost allocated to irrigation cannot be expected to be fully repaid for considerably more than 50 years in the case of the Collbran project, whereas the full irrigation cost is required to be repaid within 50 years, exclusive of any development period, in the case of the Colorado River project.

The Bureau of the Budget, in acting on the Colorado River project, was fully aware that under the proposed repayment plan the Federal Government would provide a considerable subsidy as a result of deferred interest-free repayments, and that this subsidy would be larger than under 40-year repayment. Our studies showed that the interest subsidy for the particpating projects might equal about two-thirds of the construction costs allocated to irrigation. A large part of the subsidy represents postponement of the major portion of the irrigation repayment for as long as 40 to 50 years.

In approving the Colorado River project, the administration recognized the general policy followed by the Federal Government since 1902 of subsidizing irrigation development in the West by interest-free financing. Based on a careful review of the proposed comprehensive plan for the development of the water resources of the upper Colorado River Basin, the administration believes that the national interest in promoting the economic development of this area warrants the interest-free subsidy for irrigation involved in this project. At the same time, the administration believes, and has recommended to the Congress, that no participating project be undertaken until full repayment of the irrigation investment within 50 years can be foreseen, and until there has been a finding of a favorable economic justification of the project based on a careful reexamination of the benefits and costs.

USE OF A SEPARATE REVOLVING FUND IN THE TREASURY TO FINANCE THE PROJECT AS COMPARED TO A BASIN ACCOUNT

In your letter you express the view that the proposed revolving fund is essentially the same as the so-called basin account, which you indicate has serious objections. The separate fund is proposed as the financial entity to account for all appropriations for construction and operation and for all expenditures and revenues on the upper Colorado projects. It permits the use of revenues from whatever source to repay the total reimbursable costs, and in this sense it can be characterized as a basin account. It should be noted, however, that by limiting the uses of the fund and by setting specific requirements for the return of the Federal investment to the general fund of the Treasury, including interest on the cost allocated to power and municipal water supply, a sound financial basis for the development of the upper basin is assured.

Your letter states that the use of a basin account in which surplus revenues would be accumulated and used with the idea of financing additional developments, would constitute advance authorization of future projects and would make possible their construction, regardless of economic merit, need, or financial soundness. In fact, however, the proposed legislation provides that all construction will be financed from appropriations made by the Congress to the fund. It also requires the return to the Treasury of the reimbursable costs, including interest, within 50 years of completion of each unit or feature for which such appropriations are made. Authorization of the projects by the Congress bears no direct relation to the balances in the fund, but depends on their conformance with the conditions outlined in the proposed legislation. On the other hand, the fund is directly concerned with the amount and timing of the capital outlay for project works. Under the provisions of this fund, before initiating construction of any authorized part of the development, it will be necessary to determine that revenues, after deducting the required payments of reimbursable costs and interest on projects already undertaken, will be sufficient within the period specified to repay the project costs. Thus an orderly development of the basin, will proceed in accord with sound principles of financing and repayment.

The proposed language setting up the fund does not permit the use or appropriation of revenues for construction but requires the annual payment to the Treasury of all such revenues in excess of operating needs of the project. Under these provisions no cash surplus may accumulate in the fund. It should also be noted that there is formalized under the proposed fund, a business-type annual budget presentation. Such a presentation will provide complete information on the financial status of all phases of the basin program.

Your letter questions whether the proposed financial procedure will be recommended and applied to future reclamation developments. The fund was specifically designed to provide for financing of the Upper Colorado Basin development. While this type of financing could be adapted to other similar developments, each proposal would have to be appraised on its own merits.

ECONOMIC FEASIBILITY IN RELATION TO FINANCIAL FEASIBILITY OF RECLAMATION PROJECT

In reference to the economic justification of the proposed participating projects, you ask whether the Bureau of the Budget favors and approves the substitution of a benefit-cost-ratio basis for economic justification in place of a finding of financial feasibility as now prescribed by law. As indicated in the above comments on the repayment period and the proposed separate fund, the administration has no intention of departing from sound standards as to financial feasibility for the various projects in the upper Colorado River Basin. But, in addition to the requirement for financial feasibility, the administration also believes careful consideration should be given to the economic evaluation of the proposed projects.

Under reclamation law, the only requirement for feasibility of reclamation projects, aside from engineering feasibility, has been repayment of reimbursable costs within a prescribed period. This is referred to as "financial feasibility." However, in reviewing proposed projects, the Bureau of the Budget, following the usual practice of the agencies, also applies the test of economic evaluation or economic feasibility. Economic evaluation, as expressed in the benefit-cost ratio, is not a substitute for financial feasibility. Rather it is an additional criterion to be used in determining the justification for investing public funds in a water-resource project.

In the case of the upper Colorado River project, the administration has recommended conditional authorization of the participating projects, subject to a new finding of favorable economic justification by the Secretary of the Interior for each project, based on a cooperative study with the Department of Agriculture of the direct agricultural benefits and a reevaluation of the nondirect benefits. This requirement as to favorable economic justification, prior to initiation of construction, would be in addition to the requirement for repayment of the irrigation investment on each project within 50 years.

I hope the above comments on the questions you have raised will be of assistance to you in your consideration of the Colorado River storage project and participating projects.

Sincerely yours,

JOSEPH M. DODGE, *Director.*

Statement Regarding H. R. 8963

EXTENSION OF REMARKS

OF

HON. JEFFREY P. HILLELSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1954

Mr. HILLELSON. Mr. Speaker, I have just introduced H. R. 8963. This provides that the Surgeon General of the Public Health Service and the Administrator of Housing and Home Finance Agency will furnish or make available to the city of Grandview $500,000 on the cost of a sewage plant for Grandview. This bill would allow the $500,000 to be made available only after $325,000 is provided by the city of Grandview.

An application by the city of Grandview was made to the regional HHFA in 1952 under Public Law 139. The amount of $255,000 was approved by the Senate Banking and Currency Committee in a report in 1953. However, the application was too late to receive the allocation of funds from the Federal Government.

The 1952 sewage system was not an extensive system, and will not now meet the State or local requirements. The plan at that time included only main lines and very limited lateral facilities. A plan has now been devised to meet specifications of the State health department for a complete sewage system which would meet the requirements of a city of 5,000 population.

Following are estimates for this sewage system:

Lateral sewers	$361,000
Two pumping stations	42,400
Sewer mains	65,000
Outfall sewer	25,000
Sewage treatment plant	220,000
Contingencies, 5 percent	35,000
Cost of land and easements and rights-of-way	5,000
Engineering, including supervision	50,000
Legal and administrative cost	12,000
Interest during construction	6,000
Project contingencies	3,000
Total	825,000

The reasons the Federal Government has been asked to assist in this project are:

One. The Grandview Air Base is now in active operation. The Air Force has brought in over 2,500 personnel and the alleged strength of this base is to be around 4,000. Personnel at the base are making daily requests for housing units in Grandview which is estimated at approximately 800. Grandview cannot provide these housing units without added facilities.

Two. The United States Navy is operating war plants near this area which has resulted in affecting the normal position of the city of Grandview. In other words, at the present time over 312 students—which represents a very high proportion of the school population in Grandview—come from families belonging to the air base or working in the Federal defense plants in this area. The school children are mentioned to show the influx of personnel caused by Grandview being within a Federal defense impacted area.

It is only right and proper that the Federal Government take steps to assist Grandview in this project. I have previously stated that the Housing and Home Finance Agency recognized the need for such a project by acknowledging the fact that the Federal Government caused this situation. This is further proven by the fact that they have deferred action on this project purely because of the funds involved. Never have they doubted the need nor the priority for the Government to assist in this project. Also, I have not been able to determine why this particular project was refused funds in 1952 when other projects of similar nature were granted Federal money.

Outlawing the Communist Party

EXTENSION OF REMARKS

OF

HON. HARLAN HAGEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1954

Mr. HAGEN of California. Mr. Speaker, in spite of the fact that the Attorney General of the United States has opposed legislation introduced by myself and others to outlaw the Communist Party, there appears to be no unanimity of opinion in the executive branch of the Government on this subject. The U. S. News & World Report issue of May 7, 1954, carries the report that the Vice President is inclining to the view that it would be wise to outlaw the Communist Party on the theory that it has been dealt with most effectively in countries where it has been outlawed. I agree with these views of the Vice President, if they are his views. Mr. Brownell has not been entirely consistent in opposing this legislation and at the same time advocating a law to strip Communists of their citizenship. I say put them in jail.

Further reasons for my opinion are detailed in my testimony before the House Judiciary Committee in support of my bill to outlaw the Communist Party, H. R. 8326, which I submit to this body herewith:

STATEMENT OF CONGRESSMAN HARLAN HAGEN BEFORE HOUSE JUDICIARY COMMITTEE IN RE H. R. 8326, A BILL TO OUTLAW THE COMMUNIST PARTY, APRIL 8, 1954

Mr. Chairman and members of the committee, my resolution declares that our courts have found that there exists a revolutionary Communist conspiracy committed to the overthrow of Federal and local divisions of government by force and violence through its parent party and its affiliated, subsidiary, and frontal organizations and the members thereof. These organizations are declared to be illegal and devoid of the rights, privileges, and immunities belonging to legal organizations in the United States. The resolution further provides that whosoever is a member of or participates in the revolutionary activities of these organizations knowing the said object or purpose are guilty of a Federal crime punishable by a maximum of 10 years in jail or a fine of $10,000, or both.

In effect, I have declared the illegality of the organizations referred to and have made membership or participation in the activities of such organizations a penal offense if such membership or participation was entered upon with knowledge of the revolutionary purpose of the particular organization, including Communist fronts. If its provisions become law, violations thereof would be prosecuted in our courts according to the practices and methods of American jurisprudence, including requirements of reasonable cause for filing an indictment or information.

This legislation and similar legislation should be most carefully considered in order that its justification be established and that workable definitions should be established for defining a penal offense. These considerations apply to any penal legislation, but are particularly vital here because we are dealing with an extension of the concept of criminality to activity which often does not wear the raiment of overt acts of violence or subversion and is often understandably confused with ordinary political or philosophical inquiry or action.

I have no intention in offering this legislation to foreclose the right to minority opinion about proper answers to our political, social, and economic problems. I agree with Justice Robert H. Jackson, of the Supreme Court, when he said, "If there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein." I am certain that we can afford to tolerate any opinions which are advanced, however erroneously, as a proper method of securing the interest of the people of the United States provided that it is true that the proponent is not seeking thereby to promote the interests of a foreign sovereign and is a person who offers his mind and body to the service of the United States in peace or war without qualification and in the belief that this country may be imperfect but it is still the best country in the world.

A Communist does not have this true faith and loyalty to the United States. He is not a mere critic of our institutions or a reformer thereof. He rejects the worth of all our institutions. He is subject to an iron mental discipline emanating from a foreign sovereign which is our declared enemy. He believes that any lie, any dissemblance, any action whatsoever is justifiable if it carries out the latest directive from the Kremlin and promotes the ultimate triumph of a revolutionary proletariat in this and other countries. He is a complete moral bastard and more effectively works against causes which the public endorses because of their appeal to reformers than he does against the capitalist whom he traditionally caricatures and attacks.

In other words it is naive to assume that communism is some kind of a native radicalism. Rather it is an un-American conspiracy directed by foreign masters and it should be treated as such.

My offer of this legislation is not designed to feed the beast of demagoguery which has been loosed in this country and has fattened on the fears of an implacable foreign enemy in an atomic age. In fact its enactment will do much to clear the atmosphere of suspicion by which the Communists and their right-wing counterparts divide and conquer by substituting American methods of prosecution for asserted offenses against the Government for present legal and undefined acts of association or advocacy, sometimes provable only by the rankest hearsay and often lacking in that element of knowledge which is the basis of punishment or other adverse judgment in the American tradition.

My offer of this legislation does not stem from any belief that we are in danger of losing our collective American mind to internal subversion. In a democratic forum of ideas our American traditions of free enterprise, humanitarianism and religion can defeat Communist ideas any day of the week. The danger to America arising from internal communism comes from its ability to pervert otherwise good causes and its ability to attract party followers into the channels of sabotage and espionage to the point that we must regard every true Communist as a potential spy or saboteur. For these reasons we must bar the door to the solicitor and hucksters of this foul movement and my resolution will accomplish that closure.

Per se Communist publications will have to cease their perverted and inflammatory journalistic explorations. Liberals as well as conservatives, if these expressions mean anything in these troubled times, should welcome the disappearance of these sinkholes of untruth. Communist demagogues will no longer be able to defeat good causes for which they have a secret revulsion by their advocacy in the interests of expediency and the demagogues of the extreme right will no longer be able to sell their merchandise on the sole premise that they are taking a position different from the position of the extreme left. Parenthetically I would note that my resolution applies to any organization, Communist or non-Communist, which seeks the overthrow of the Government by illegal methods. Reasonable people, therefore, who seek American answers to our problems of preservation or change, will be less likely to be forced into a nutcracker between the extreme right and left which forced the

disappearance of democracy in Germany and produced Adolph Hitler. Like the snows of tomorrow the fanatics of the totalitarian left and right will fade away or be left talking to and influencing each other with no access to the bulk of our citizens.

We will have a weapon to terminate the activities of Communists and other violent radicals in setting up false fronts or penetrating existing legitimate organizations.

I submit that this legislation is necessary to a proper treatment of security and radicalism dedicated to mass violence in this country today. I trust that you in your good judgment will approve its passage.

St. Lawrence Seaway

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1954

Mr. SAYLOR. Mr. Speaker, unemployment and its grim reality is never a pleasant subject to discuss, and I do so only out of a sense of duty and a regard for the national welfare. I have never believed in an ostrichlike approach to the problems of our time. I deplore the attempt to make political capital out of the misfortune of the jobless, just as I reject any hush-hushing of the subject. The St. Lawrence seaway project will condemn our American economic pattern and add to the volume of unemployment the Nation is confronted with. I say this advisedly and with regret, for no one wants to stand in this Chamber and be a purveyor of gloom.

From my knowledge of the business and industrial complex of my district, I know the small businesses, the coal industry, the railroad business, and workers will be affected if this seaway measure is passed. Through one source alone—that of the increased importation of cheap, residual fuel oil, the coal and railroad industries will be hit a crippling blow, and all the collateral businesses and industries will be damaged. It should be ever uppermost in our minds that this cheap byproduct of the wastes of the foreign oil industry is essentially the result of low-salaried labor competition. What compounds the injury is that much of this residual fuel oil has been made possible in its production by the use of American dollars in the form of foreign aid.

It is an arresting and challenging thought that when the matter of restoring the economies of friendly foreign countries was under discussion following World War II, coal industry officials and labor leaders came up with a plan whereby American coal would be furnished to our allies instead of dollars. In this way, American ships by the hundreds and American seamen by the thousands would have been employed in the implementation of the plan and work would have been furnished for thousands of American miners and railroaders. It is a regrettable fact the plan was rejected by our policymakers and thus all the advantages went to foreign business. We are witnessing the unhealthy results of that decision now. Beyond this we are confronted with the proposal to increase and multiply that grievous economic wrong by facilitating the flow of this foreign fuel product through the construction of the St. Lawrence Waterway, financed through public funds. Its construction would be a direct and serious threat to the security and well-being of the bituminous coal industry. We should be concerned, here and now, with rectifying the damage caused this vital industry instead of giving consideration to step up its import volume through a federally financed project.

We hear much ill-founded talk about the national defense aspects of this so-called seaway, Mr. Speaker. Many of my colleagues have dealt effectively with this aspect and have laid bare its defense claims. I want to insist, however, that when you neglect the industries of the United States, when you weaken them and make it impossible for industry to achieve a degree of prosperity that will allow for modernization, then you are greatly injuring the national defense.

Let us examine the primary economics of the situation. To keep the coal industry in a proper state of fitness, strong and flourishing, its markets need to be protected against unfair, cheap foreign competition. This will not materialize if we increase the advantages of that competition by facilitating its inflow through construction of this St. Lawrence seaway.

Without question, America has the best transportation system in the world. Let us keep it this way and add to its superiority. We know from expert testimony how this waterway would damage the railroad industry. We have abundant testimony of the injury it would do our merchant fleet. We know that the dumping of cheaply manufactured goods from abroad into the American market would cripple small manufacturers and business conditions in this country, and swell the numbers of jobless.

Mr. Speaker, I hope good sense will prevail and that this body will defeat the St. Lawrence seaway project. As a part of my remarks, I include an editorial from the Philadelphia Inquirer of Saturday, May 1, 1954:

ONE "EASY PAYMENT" ON A $2 BILLION BOONDOGGLE

Soon there's going to be "bargain day" on the St. Lawrence.

It is due next week, when the House of Representatives is to vote on the St. Lawrence seaway.

House Members will be told what a big bargain is offered. For only $105 million we will buy equal rights in a vast seaway. For a mere $105 million we'll bolster national defense, promote commerce, foster peace, and acquire other miracles as fast as the seaway publicity boys can think 'em up.

True, the seaway will be frozen up—a regular glacier—5 months of the year. But no doubt the seaway lobby will come up with a scheme to cut the ice into cubes, sell it, and tell us that'll make the project self-liquidating.

Trouble is, Congress will not be told that this $105 million in the seaway bill is a gimmick to sell a $2 billion project with one easy downpayment.

The point of the $105 million bargain is to get Uncle Sam to sign on the dotted line. Once he has signed, he'll be like the chap who finds he's signed up to buy a property he doesn't need and can't afford—because there was no downpayment. From that moment on costs pile up. So with the seaway.

It would soon be obvious that the 27-foot channel in the present bill is almost worthless, since so few ships could use it. To dig the channel to 35 feet would up the price to $2 billion for the United States share alone.

Next would come the cost of deepening all the Great Lakes ports and harbors. That would run into big money.

Nor would that be all. Where does anyone think all the votes came from to put the seaway bill through the Senate?

It was after $3 million was reported for a study of the New Deal Passamaquoddy boondoggle that Maine's votes switched to support of the seaway. Western votes were not so cheap. Only after a start was promised on a $597 million upper Colorado reclamation project did votes from that section fall into line. Time alone will tell what may have been promised to other Senators.

But the taxpayer will pay for those votes and that logrolling. So, in simple honesty, those costs must be added to the seaway—and when they are the $105 million will look like petty cash.

Finally, there will be the cost—beyond calculation—of the harm to commerce, employment, wages, and general prosperity which this artificial project will mean to the natural harbors and ports of America.

Bargain day on the St. Lawrence? How naive can you get?

May Day United States Way at Burlington, Wis., on May 1, 1954

EXTENSION OF REMARKS
OF
HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1954

Mr. SMITH of Wisconsin. Mr. Speaker, all Members of this House of Representatives are proud of our respective congressional districts. At this time I am particularly proud of the citizens of Burlington, Wis., which is in my county and district.

An idea was born there, Mr. Speaker, which ultimately came to full bloom and realization on last Saturday, May 1. It was that here in the United States May Day should have a real meaning for the American people. For the subversive elements within the country it means a time to exploit the Communist system of government whereby the individual is at the mercy of the government.

At Burlington, Wis., May Day-United States Way was a great demonstration of the American way of life where government is the servant and not the master of the individual. Here each person enjoys the blessings of liberty and freedom; in Russia people are the victims of tyranny and oppression.

The feature of this celebration was a 2½-hour parade of floats, marching units and bands. It was a great spectacle. This historic event will never be forgotten in the State of Wisconsin.

To the members of the American Legion of the Ross-Wilcox Post, to the

Department of Wisconsin, to the business organizations, the labor unions, the churches and many other groups, I say "Congratulations to all of you for an outstanding job of Americanism. We left Burlington better citizens for having been there."

Social Security Benefits Should Be Increased

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 3, 1954

Mr. BYRD. Mr. Speaker, a recent survey of the living conditions of people in this country who are receiving social security benefits brought to light at least one individual who found that his benefit was adequate for his needs. This 68-year-old man lived alone in a one-room shack, which he owned, in a rural area in the South. The shack had no utilities and very little furniture. The old gentleman, who had been laid off by his employer in 1950 at the age of 66, found it possible to get along on his social security benefit because he could supplement his income by the fish he caught, the game he killed, and the food he raised.

I cite this instance because it seems to me to highlight the kind of living conditions which are implied as security in a social security system which today pays an average benefit of only about $50 per month. How many of us, I wonder, have really faced up to the problem which confronts so many of those of our fellow citizens who are trying to stretch that pitifully small amount to meet living expenses for one full month? If one has a fishing pole and a gun, and if he owns a small, shabby shack in a rural area, I suppose it can be done. But all of us must recognize that most people receiving social security benefits are not living—and cannot live—in such circumstances. Nor would we want them to.

Can we believe that an average benefit of $50 per month, under today's circumstances, stands for even a minimum of security for the aged people of this country? It is clear to me that we cannot.

How are our senior citizens managing to live on the benefits they are receiving, I ask myself many times. The survey of people receiving social security benefits, to which I referred, has some of the answers in terms of individual circumstances. As you read through these case-by-case stories, two points stand out. One is the cruel incidence of medical expense which arises with the increasing infirmities of age; the other is the story of gradually dwindling savings.

One example is the case of an aged widow with savings of $1,000 at the time she received her first benefit payment of $39.90 per month. This amount took care of her maintenance expenses because she lives with a single daughter in rented quarters in a middle-sized city in the East. But during the year she was hospitalized for 2 months, and then confined to bed at home for 18 weeks. As a result, $600 of her life savings were used to pay the housekeeper needed for one prolonged illness—leaving savings of only $400. The next illness may wipe them out altogether.

Consider the case of another widow, aged 77, living alone in rented quarters in a large city in the East, with a monthly benefit of $25 and cash assets of $214. Occasionally she is able to find work as a babysitter to supplement her tiny income. She obtained a used winter coat from her son's wife. But her savings were used up last year when she was confined to bed at home for 3 weeks with a leg injury, and her only remaining resource is a social security benefit of $25 per month.

Or take the 69-year-old man and his 57-year-old wife living by themselves in rented quarters in a middle-sized city in the South. The total benefit received is $25 monthly, because the wife at age 57 is not eligible for a wife's benefit. The couple use gas for heating and cooking, and kerosene lamps for lighting. They obtain their clothing from second-hand clothing stores or from discarded trash cans in the alleys. A small garden plot and five chickens help to supply food.

Now Mr. Speaker, I cite these real-life stories because they suggest the kind of hardship which is imposed by the existing benefit structure. And, may I remind you that their circumstances are not unique. According to this survey's findings, 1 in 8 men, 1 in 6 women, and 1 in 4 aged widows had only their social security benefits for money income during the survey year. Two-thirds of the men, seven-tenths of the women, and four-fifths of the aged widows were unable to supplement their incomes by odd jobs because they were physically unable to perform those jobs. Almost two-thirds of the beneficiaries had less than $75 per person per year in independent money retirement income other than benefits. Finally—and I want to emphasize this point, because I believe we too often think that social security benefits are almost invariably supplemented by benefits from private plans—only 17 percent of all beneficiary groups had employer or union pensions in addition to their social security benefits, and, of this group, only 2 percent of the aged widows had such pensions.

Summarizing the data assembled in this survey, Margaret L. Stecker wrote:

> Few beneficiaries had enough to meet emergencies or to provide for prolonged and expensive medical care. Some were in debt; but, by and large, it was difficult for low-income beneficiaries to obtain credit; some just tightened their belts and got along.

These, then, are the people with whom I am concerned when I talk about improving our social security system in terms of paying more adquate benefits. Now, it is true that the so-called administration bill, as revised for this session of Congress, makes provision for an increase in the amount of benefits ranging from $5 to $7 per month. But it takes three different sections of the bill to make this small increase. One, as you know, arises from the proposal to raise creditable earnings from the present base of $3,600 to $4,200; another, from the four-year "drop-out" clause which would disregard the 4 years in which earnings were lowest or nonexistent in computing the benefit; and the third revises the benefit formula upward slightly.

All of these provisions are desirable in themselves, but they simply do not go far enough to accomplish the purpose of providing an adequate benefit. In increasing the amount of the average benefit from $50 to $55 or $57 per month will, of course, furnish some relief to our aged citizens and to widowed mothers and their children; but, it still is not a "security" income. In terms of wage replacement, and, for all practical purposes, in terms of purchasing power, it is, indeed, lower proportionately than were the original benefits established in 1935 and 1939.

It is not enough to say, then, that there is no need for a substantial increase in benefits at this time since benefits were increased in 1950 and again in 1952. This is a short-range point of view which overlooks the fact that no change was made in the benefit formula between 1939 and 1950—with the result that the average benefit prior to the 1950 amendments was only about $26 per month. The fact is that the increases provided in 1950 and 1952 hardly translated 1939 benefit levels into present-day price and wage levels.

This brings us to a major point which should underlie all of our decisions in this matter. The purpose of our social security system, as I understand it, is to keep benefit levels current with rising wage levels, so that benefits will represent a meaningful replacement of the money income lost by the worker upon his retirement, or by his family in the event of his death. All of us are aware that the long-term trend of wages in this country has been consistently upward. But I wonder if we are also aware of just how radically the rapid rises in wages in the last decade have distorted the structure of our social security system.

One figure will suggest this distortion. When the 1939 amendments set $3,000 per year as the maximum amount creditable toward benefits, all of the earnings of 97 percent of all workers were covered. Thus the benefits to which they were entitled were much more closely related to the amount of their wages on retirement than is the case under present law or under the administration's proposals. I am told that in order to reestablish the same proportion which existed in 1939, we would have to increase the amount of covered earnings to about $6,000 instead of the $4,200 contained in the administration bill. Certainly this is a matter which calls for our considered attention.

This Congress cannot, in my opinion, either disregard the inadequacy of existing benefits or settle for a token increase in their amount. Each of us must bear in mind the fact that the median income for persons aged 65 and

over in 1952 was just $881 per year—or $73.41 per month—while for the population aged 14 and over it was almost 3 times as much, or $2,315 per year. We must take account of the fact that the cost of living has increased by about 50 percent in the 6-year period from 1947 up through 1952. We must remember that these are just a few of the hard facts which suggest the economic problems which most of the aged people in our country are facing today. We must be concerned, as well, to translate these facts in terms of family needs and family contributions. Clearly the benefit structure of our existing social security system should be substantially revised, so that it will provide genuine security for the men and women who, during their working life, have contributed a portion of their wages each month to that end.

SENATE

TUESDAY, MAY 4, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in a disturbed and troubled time we turn to Thee with hearts that are heavy with anxiety, with minds that are clouded with perplexity, with spirits tempted to be discouraged by the world's catastrophe. As we seek Thy presence in this dedicated moment, steady us with the assurance that these clouds are lies and that the blue sky is the truth. We come solemnly conscious that even as we lift our hearts to Thee at this altar of the Republic, brave men surrounded by fanatical foes are dying for the right to be free.

We thank Thee that on this privileged continent neighbor nations, on whose borders are no guns or guards, join friendly hands in mutual respect and cooperation. In the strength of that unity send us forth against unnumbered foes who challenge it. May we put on the whole armor of faith and righteousness, pledging our loyalty to Thy kingdom of love and brotherhood, never letting our confidence in it nor our devotion to it fail because of the fury of the wicked when they boast themselves in the day of their pride. In this day of destiny for us and for the world may we be worthy of our vocation as keepers of the sacred flame. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 3, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'HARA of Minnesota, Mr. TALLE, Mr. ALLEN of California, Mr. SMITH of Virginia, and Mr. HARRIS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 582. An act to authorize an investigation and report on the advisability of a national monument in Brooklyn, N. Y.;

H. R. 2263. An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service;

H. R. 5913. An act to simplify the handling of postage on newspapers and periodicals;

H. R. 6975. An act authorizing the Secretary of the Interior to convey certain lands to the Siskiyou Joint Union High School District, Siskiyou County, Calif.;

H. R. 8247. An act to provide for the restoration and maintenance of the U. S. S. *Constitution* and to authorize the disposition of the U. S. S. *Constellation*, U. S. S. *Hartford*, U. S. S. *Olympia*, and U. S. S. *Oregon*, and for other purposes;

H. R. 8487. An act to amend the act of June 19, 1948, to provide for censuses of manufactures, mineral industries, and other businesses, relating to the year 1954; and

H. J. Res. 300. Joint resolution to provide for the conveyance to the Texas Hill Country Development Foundation of certain surplus land situated in Kerr County, Tex.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6251) to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes, and it was signed by the President pro tempore.

ACTION FOR PEACE, NOT WORDS—ADDRESS BY HON. WINSTON CHURCHILL

Mr. KNOWLAND. Mr. President, I should like to read a statement from the address entitled "Action for Peace, Not Words," delivered by Mr. Winston Churchill on October 9, 1948. The address is so significant in the light of the developments which have taken place in the intervening years that it is worthy of appearing in the body of the RECORD at this point in my remarks.

Mr. Churchill said:

Nothing stands between Europe today and complete subjugation to Communist tyranny but the atomic bomb in American possession.

If the Soviet Government wish to see atomic energy internationalized and its military use outlawed, it is not only by verbal or written agreements that they must reassure the world but by actions, which speak louder than words.

Let them release their grip upon the satellite states of Europe.

Let them retire to their own country, which is one-sixth of the land surface of the globe.

Let them liberate by their departure the 11 ancient capitals of Eastern Europe which they now hold in their clutches.

Let them go back to the Curzon line as was agreed upon in the days when we were fighting as comrades together.

Let them set free the million or more German and Japanese prisoners they now hold as slaves.

Let them cease to oppress, torment, and exploit the immense part of Germany and Austria which is now in their hands.

We read continually of the blockade of Berlin. The lifting of the blockade at Berlin would be merely the stopping of blackmail. There should be no reward for that.

Let them cease to distract Malaya and Indonesia.

Let them liberate the Communist-held portion of Korea.

Let them cease to foment the hideous protracted civil war in China.

Above all, let them throw open their vast regions on equal terms to the ordinary travel and traffic of mankind.

Let them give others the chance to breathe freely, and let them breathe freely themselves.

No one wants to take anything they have got and that belongs to them away from them. After all, we are asking them to do no more than what the other victorious states have done of their own free will. None of the other allies has tried to add large territories and populations to its domain. Britain, indeed, has gone to the opposite extreme and cast away her empire in the East with both her hands.

Let the Russians be content to live on their own and cease to darken the world and prevent its recovery by these endless threats, intrigues, and propaganda.

When they have done this, or even some of it, and given these proofs of good faith, and given up what they had no right to take, which is all they are being asked, then, indeed, it will be time to raise the question of putting away the one vast, and I believe sure and overwhelming, means of security which remains in the hands of the United States and which guards the progress of mankind.

It was my dream during the war years, when we were all united against the Hitler onslaught, that after the war Russia, whatever her ideology, should become one of the three or four supreme factors in preserving peace; that she would receive all the honor which the valour, fortitude, and patriotism of her armies had won; that she would help to bring about that Golden Age on which all our hearts are set, which would be possible but for the follies of men, and which President Roosevelt heralded with his declaration of the four freedoms.

I hoped that Russia after the war would have access to unfrozen waters into every ocean, guaranteed by the world organization of which she would be a leading member; that she would have the freest access—which, indeed, she has at the present time—to raw materials of every kind; and that the Russians would be everywhere received as brothers in the human family. That still remains our aim and ideal. If it has not been attained, if, on the contrary, enormous barriers have been erected against it, it is the Soviet Government that has set them up and is fortifying them every day over ever-larger areas.

The question is asked, What will happen when they get the atomic bomb themselves and have accumulated a large store? You

can judge yourselves what will happen then by what is happening now. If these things are done in the green wood, what will be done in the dry? If they can continue month after month disturbing and tormenting the world, trusting to our Christian and altruistic inhibitions against using this strange new power against them, what will they do when they themselves have large quantities of atomic bombs? No one in his senses can believe that we have a limitless period of time before us. We ought to bring matters to a head and make a final settlement.

The western nations will be far more likely to reach a lasting settlement, without bloodshed, if they formulate their just demands while they have the atomic power and before the Russian Communists have got it, too.

Mr. President, I merely wish to point out that since that great speech was made by Mr. Churchill on October 9, 1948, all of continental China, which country was then in the throes of a civil war, with the Communists limited primarily to Manchuria and the area north of the Yangtze River, has fallen into Communist hands.

In the intervening years we have had the Korean war, with a definite, overt act of aggression sponsored and inspired by international communism. Today Northern Korea is, to all intents and purposes, being incorporated into the Chinese Communist Empire.

Mr. President, since that speech was made, the Soviet Union has developed the atomic bomb, which at that time the Soviets did not have. Since that time, Communist activities have continued in Indochina, where at present their forces are beating against the fortress of Dien Bien Phu. The press dispatches indicate, I believe, that Dien Bien Phu may prove to be another Alamo or another Dunkerque or another Bataan or another Corregidor; but I believe that the brave defense which has been made there, not only by the Vietnamese, the Laotians, and the Cambodians, but also by the French, may awaken the conscience of the world.

Mr. President, at the Geneva meeting, the other day, Chou En-lai, the Chinese Communist foreign minister and premier, made a statement which I hope every Member of the Senate, regardless of party affiliation, may have taken the time to read. What he said was, in effect, "You can have peace in Asia—you can have peace in Asia by breaking your mutual defense pact with Japan and withdrawing your forces from that country. You can have peace in Asia by breaking your pact with the Republic of Korea and removing your forces from that country. You can have peace in Asia by giving up your great air base at Okinawa. You can have peace in Asia by removing your missions from Formosa and permitting it to pass into Communist hands. You can have peace in Asia by breaking your agreements with the Philippine Republic and removing your naval and air forces from that country." Then he said, in his usual Communist parlance, "And that will mean Asia for the Asians." No, Mr. President, that will mean Asia for the Communists; and then the prediction that Lenin uttered 30 years ago will come true, when he said, "The road to Paris is through Peking."

These are the alternatives and the issues the free world and the people of the Government of the United States must face.

SUPPORT OF SENATOR FERGUSON'S RESOLUTION TO REVISE THE PLEDGE OF ALLEGIANCE TO INCLUDE THE WORDS "UNDER GOD"

Mr. WILEY. Mr. President, in the past few days, I have been glad to receive literally hundreds of messages from the people of Wisconsin, recommending support of a resolution, Senate Joint Resolution 126, which had been submitted by my distinguished colleague, the senior Senator from Michigan [Mr. FERGUSON]. The resolution would amend the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag of the United States, by adding the key words, "under God." I have welcomed this outpouring of sentiment from the people of Wisconsin.

Many of the messages have included clippings from an editorial in the Milwaukee Sentinel which, together, with other Hearst newspapers throughout the nation and with leading veterans' and other patriotic groups, is spearheading this effort.

Certainly, in these days of great challenge to America, one can hardly think of a more inspiring symbolic deed than for America to reaffirm its faith in divine providence, in the process of restating its devotion to the Stars and Stripes and all it stands for.

What better training for our youngsters could there be than to have them, each time they pledge allegiance to Old Glory, reassert their belief, like that of their fathers and their fathers before them, in the all-present, all-knowing, all-seeing, all-powerful Creator.

The historic and hallowed pledge of allegiance is, of course, not a theme which should be lightly revised; but this is, of course, no light or arbitrary revision. It is a sound step. It is wise. It is worthy.

I hope, therefore, that the Senate Judiciary Committee will give its prompt support to the resolution; and I congratulate my colleague from Michigan, and pledge him my own support.

I understand, incidentally, that tomorrow a House Judiciary Subcommittee will take up companion legislation.

I now ask unanimous consent that the text of the Milwaukee Sentinel editorial entitled "Under God" be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNDER GOD

The news has been running so deep and fast lately that it took a letter from a reader published this week in the New York Journal-American to call attention to an idea that deserves support. In fact, the Hearst newspapers are going to make a campaign for it, and are grateful for the suggestion.

It concerns a resolution introduced by Senator HOMER FERGUSON, Michigan Republican, to add the words "under God" to the pledge of allegiance to the flag of the United States. As amended, the pledge would read:

"I pledge allegiance to the flag of the United States and to the Republic for which it stands, one Nation indivisible, under God, with liberty and justice for all."

The letter to the editor, from Margaret Dunkee of New York, stated: "Here is a wonderful opportunity for all Americans to support a worthy change."

The resolution is now before the Senate Judiciary Committee. It is similar to one introduced last year by Representative LOUIS C. RABAUT, Democrat, of Michigan, and unless we can get some action the Ferguson resolution, like the Rabaut one, is likely to die in committee.

It seems to us that in times like these when Godless communism is the greatest peril this Nation faces, it becomes more necessary than ever to avow our faith in God and to affirm the recognition that the core of our strength comes from Him.

This Nation won its freedom under God. It has fought for and preserved that freedom under God. And it will continue to preserve and cherish it, with God's help.

Hence it is fitting that those two profoundly meaningful words "under God" should be included in the pledge of allegiance so that we and our children, who recite the pledge far more often than adults, may be reminded that spiritual strength derived from God is the source of all human liberty.

If you feel as we do, we suggest that you clip this and mail it to Senators WILEY and MCCARTHY in care of the Senate Office Building, Washington, D. C.

OPPOSITION OF WISCONSIN COUNCIL OF CATHOLIC WOMEN TO RECOGNITION OF COMMUNIST CHINA

Mr. WILEY. Mr. President, I have received from the legislation chairman of the Wisconsin Council of Catholic Women a letter expressing that organization's position in opposition to recognition of Communist China.

As my colleagues know, I am of course in thorough agreement with a policy of vigorous opposition to the efforts by Communist China to "shoot her way" into the family of nations.

I ask unanimous consent that the text of Mrs. O'Connell's letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WISCONSIN COUNCIL OF CATHOLIC WOMEN,
April 26, 1954.

The Honorable ALEXANDER WILEY,
Chairman, Foreign Relations Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: The Wisconsin Council of Catholic Women wishes to go on record objecting to our Government recognizing the Chinese Communist government as the legitimate government.

We also feel that the Chinese Communist government not be permitted to become a member of the United Nations now or at any time in the future.

Respectfully yours,
REGINA S. O'CONNELL,
Mrs. J. F. O'Connell,
Legislation Chairman.

ADMINISTRATIVE FUNDS FOR THE UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

Mr. WILEY. Mr. President, for many years I have been glad to do my part on behalf of one of the finest humanitarian undertakings in the world today. I refer to the work of the United

Nations International Children's Emergency Fund.

For an organization which has done so much, with so little, for so many, it has been somewhat surprising to me that we have encountered the difficulties we have in assuring UNICEF's relatively small pittance of United States funds.

I am hoping that this year, however, the universal esteem in which UNICEF is held—as indicated by the United Nations General Assembly's unanimous continuation of it—will be reflected by speedy action by the Congress to assure the necessary appropriations and to give a full green light to UNICEF.

One of the present obstacles to UNICEF's adequate functioning is, however, an administrative limitation. It would attempt drastically to scale down the availability of United States funds in relation to appropriations by other nations.

While I believe that other countries should contribute increasing proportions of UNICEF's total, I would not want a gross slash in the current percentage of America's actual aid to impair UNICEF this year or, for that matter, any year.

I ask unanimous consent that several splendid representative messages which I have received from distinguished American citizens in all walks of life, urging that the full $13.5 million which is being requested of the Congress be made available and not be impeded by administrative undercutting be printed at this point in the body of the RECORD.

There being no objection, the letters and telegram were ordered to be printed in the RECORD, as follows:

(Chairman: Mrs. Guido Pantaleoni, New York, N. Y.; vice chairman: Leo Perlis, New York, N. Y.; acting secretary treasurer: Miss Gertrude Ely, Bryn Mawr, Pa. Committee members: Mr. Norman Acton, New York; Mrs. Arthur F. Anderson, New York; Mrs. Mary M. Bethune, Washington, D. C.; Mrs. Chester Bowles, Connecticut; Mr. Harry Brandt, New York; Mrs. J. L. Blair Buck, Virginia; Mr. Cass Canfield, New York; Mrs. Raymond Clapper, Washington, D. C.; Mrs. Cheever Cowdin, New York; Mr. Gardner Cowles, New York; Maj. Gen. William Donovan, New York; Dr. G. Dwelle-Johnson, Illinois; Mr. Charles Dyer, Illinois; Mrs. Gladys Edwards, Colorado; Miss Gertrude Ely, Pennsylvania; Miss Marguerite Ermen, New York; Dr. Dorothy Ferabee, Washington, D. C.; Mrs. Beatrice B. Gould, Pennsylvania; Miss Anne Guthrie, New York; Miss Helen Hall, New York; Mrs. J. Ramsay Harris, Colorado; Miss Christine Heinig, Washington, D. C.; Mr. H. J. Heinz, II, Pennsylvania; Mrs. Seth Heywood, Massachusetts; Maj. Gen. John Hilldring, New York; Mrs. Dorothy D. Houghton, Washington, D. C.; Dr. John Hubbard, Pennsylvania; Dr. Charles Johnson, Tennessee; the Honorable Louis Johnson, West Virginia; Miss Frances Kernohan, New York; Miss Katharine Lenroot, New York; Mrs. Newton Leonard, Rhode Island; Mrs. Maria Lewis, Washington, D. C.; Mrs. Oswald B. Lord, New York; Dr. Leonard Mayo, New York; Mrs. Guido Pantaleoni, New York; Mrs. E. Bliss Parkinson, New York; Mr. C. G. Paxson, Pennsylvania; Mr. Leo Perlis, New York; Miss Elma Phillipson, New York; Mr. Clarence E. Pickett, Pennsylvania; Mrs. Charles Poletti, New York; Mrs. Hickman Price, Michigan; Mr. Wesley Rennie, New York; Mrs. Francis Sayre, Tokyo, Japan; Miss Josephine Schain, New York; Mr. Stuart Scheftel, New York; Mrs. Martha Sharp, New York; Miss Dorothy Shaver, New York; Judge Sara M. Soffel, Pennsylvania; Dr. Joseph Stokes, Pennsylvania; Miss Anna Lord Strauss, New York; Msgr. Edward Swanstrom, New York; Mrs. George P. Taubman, Jr., California; Mr. Robert Thrun, New York; Dr. Walter Van Kirk, New York; Mrs. DeForest Van Slyck, Washington, D. C.; Mr. J. Jerry Voorhis, Illinois; Mr. William Welsh, New York; Mrs. Giles Whiting, New York.)

UNITED NATIONS,
UNITED STATES
COMMITTEE FOR UNICEF,
New York, N. Y., April 23, 1954.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Your deep interest in assuring that the United States participate in the most effective manner in the international organizations with which it is associated, and especially in the United Nations Children's Fund, makes me certain that you will share our concern that the work for the world's children not be curtailed. You are no doubt aware of the recommendation which the executive branch has submitted to the Congress for the contribution to be made during the 1955 fiscal year.

The Department of State has been kind enough to advise us that this recommendation is for approval of a total not to exceed $13½ million to cover the United States contribution for the 18-month period January 1, 1954, to June 30, 1955. Since this amount, combined with the contributions of other governments, will not make it possible for all of the anticipated requests to UNICEF to be carried out, we would prefer to see a larger sum provided by our Government. If the full $13½ million is made available, however, the great bulk of the essential work can be carried out.

We are deeply concerned, however, to be informed by the Department of State that the executive branch's recommendation includes limitations which will make it impossible for the entire $13½ million to become available to UNICEF. These limitations, as we understand them, are based on the amount of the contributions by other governments to UNICEF for use outside their own areas. Since most of the major contributors have already made their commitments for this year it is, of course, impossible for them to change. The result will inevitably be that the United States will contribute less than $13½ million during this 18-month period—and UNICEF will be forced to reject projects totaling several millions of dollars in value.

Translated into health and welfare services for sick, hungry, and suffering children, these millions of dollars carry a terrible implication for which the people of the United States certainly do not want to be responsible. Each dollar provides more than 50 glasses of milk, cures a child of yaws, protects 24 children against tuberculosis or adds hours of training to the experience of a village midwife. By the same token, for each absent dollar there are children who must continue to suffer. Surely, no one in our country would hesitate to provide the needed funds.

We have already been approached by many people and organizations who fail to understand why new limitations should be proposed to reduce the amount the United States will contribute to the important work of UNICEF. They understand, first and foremost, that there are millions of children who need these services for their health and happiness today and for their future security. Because they have long shared our interest in the children's fund, they also know that it has been, and can continue to be, one of the United States soundest investments. They have heard people from all corners of the world praise UNICEF and express the most heartfelt gratitude to the United States for having had the vision and humanitarian impulses to accept the leadership in making UNICEF possible.

Knowing that you share our convictions concerning the wisdom of United States support for the children's fund and all that it stands for, we most sincerely hope and urge that you do everything possible to insure that no obstacle prevents the full contribution of $13,500,000 from being made available to UNICEF during fiscal 1955.

There are many of us who are entirely devoted to the success of the children's fund because we have seen what its work means to children, to their parents and to the spirit of goodwill in the world. We stand ready to help in every possible way and will be grateful for any suggestions you may have as to action we can take to help translate into congressional action what we are confident is the will of the American people. Your support will be vital.

With the deepest appreciation for your past interest and aid, and for the assistance we know you will render now and in the future to this work which has engaged the enthusiastic support of the American people.

Sincerely yours,
HELEUHE PANTALEONI,
Mrs. Guido Pantaleoni.
Chairman.

ASSOCIATION FOR THE AID
OF CRIPPLED CHILDREN,
New York, N. Y., April 30, 1954.

Hon. ALEXANDER H. WILEY,
Committee on Foreign Relations,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: On the basis of my first-hand observation of the work of UNICEF in several parts of the world during the last year, I want to urge upon you that every possible effort be made to approve the $13,500,000 contribution of the United States to UNICEF at the earliest possible date. I have been deeply concerned to learn that the present recommendation of the executive branch in this respect includes limitations at the present time which will make it impossible for the entire $13,500,000 to become available to UNICEF. Unless these restrictions are lifted the result will inevitably be that UNICEF will be forced to reject projects totaling several million dollars in value.

As I am sure you have heard, each dollar contributed provides more than 50 glasses of milk, cures a child of the dread and usually fatal yaws, protects 24 children against tuberculosis or adds hours of training to the experience of a village midwife. By the same token each absent dollar means that additional children will continue to suffer.

May I urge that you give this important matter your own personal attention.

Very truly yours,
LEONARD W. MAYO,
Director.

COMMISSION ON CHRISTIAN EDUCATION,
Des Moines, Iowa, April 28, 1954.

The Honorable ALEXANDER H. WILEY,
Chairman, Committee on Foreign Relations, Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: This communication is related to the contribution of the United States Government to UNICEF. It is my hope and belief that we should continue to contribute to this children's organization administered by the United Nations just as fully as possible. I am very anxious that Congress should make available the 13½ million contribution approved without any limitations so that UNICEF will be able to continue to minister to the children and youth of our world in as broad as possible manner as we have been doing in the past. I am sure that you would concur that we should move not backward but forward in seeking

to bring health and help to children around the world. I have a great deal of confidence and faith in the organization and I am sure many of our people would concur with my own views.

Yours truly,

M. E. DORR.

HARPER & BROTHERS,
CHAIRMAN OF THE BOARD,
New York, N. Y., April 29, 1954.

The Honorable ALEXANDER H. WILEY,
Chairman, Committee on Foreign Relations, Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: I understand that the executive branch has recommended to Congress that approval be granted for a contribution to the United Nations Children's Fund not to exceed $13,500,000 during the fiscal year 1955, to cover the 18-month period from January 1, 1954, to June 30, 1955. While this amount, combined with the contributions of other governments, will not make it possible for all the anticipated requests to UNICEF to be carried out and a larger sum is, therefore, desirable, the contribution recommended by the executive branch should allow the essential work of UNICEF to be effected.

What concerns those who are familiar with the wonderful work done by UNICEF is that the executive branch's recommendation includes limitations which will make it impossible for the entire $13,500,000 to become available to UNICEF. Apparently, these limitations are based on the amount of the contributions by other governments to UNICEF for use outside their own areas. Since most of the major contributors have already made their commitments for this year, it is, of course, impossible for them to change. The result will inevitably be that the United States will contribute less than $13,500,000 during this 18-month period. Thus UNICEF will be forced to reject projects totaling several millions of dollars.

Inasmuch as you doubtless know about the work of UNICEF and what this organization does to relieve the sufferings of hundreds of thousands of children. I hope that you will exercise your influence so that the $13,500,000 contribution from the United States Government is approved without any limitations. Not only is UNICEF, in my opinion, a vitally useful organization, but it also, probably more than anything else, helps to give this country a good name throughout the world.

Sincerely yours,

CASS CANFIELD.

NEW YORK, N. Y., *May 4, 1954.*

Hon. ALEXANDER H. WILEY,
Chairman, Committee on Foreign Relations, United States Senate:

The National Board of the Young Women's Christian Association believes that each dollar of our contribution to the United Nations Children's Fund is of such vital importance to the children of the world whom it serves that we urge your committee to authorize the full $13,500,000 that President Eisenhower requested for it without any limitations which would make it impossible for this amount to actually become available to UNICEF.

Mrs. EDWARD W. MACY,
President, National Board, Young Women's Christian Association.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE GOVERNOR GENERAL OF CANADA

Mr. KNOWLAND. Mr. President, pursuant to the announcement of yesterday, I now move that the Senate stand in recess, and that then the Senate proceed in a body to the Hall of the House of Representatives to participate in a joint meeting of the two Houses for the purpose of hearing the address to be delivered by His Excellency Vincent Massey, Governor General of Canada.

The motion was agreed to; and (at 12 o'clock and 14 minutes p. m.) the Senate, preceded by its Secretary (J. Mark Trice), its Deputy Sergeant at Arms (C. A. Bottolfsen), and the Vice President, proceeded to the Hall of the House of Representatives to hear the address to be delivered by the Governor General of Canada.

(For the address delivered by the Governor General of Canada at the joint meeting of the two Houses, see pp. 5959–5960 of today's proceedings of the House of Representatives.)

At 12 o'clock and 57 minutes p. m., the Senate returned to its Chamber, and, the recess having expired, was called to order by the Vice President.

TRANSACTION OF ROUTINE BUSINESS

Pursuant to the order of the Senate of May 3, 1954, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

ENACTMENT OF CERTAIN PROVISIONS OF DEPARTMENT OF DEFENSE AND CIVIL FUNCTIONS APPROPRIATIONS ACTS

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes (with accompanying papers); to the Committee on Armed Services.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF MOTOR WHALEBOAT TO FRANCISCAN BROTHERS, OF BROOKLYN, N. Y.

A letter from the Assistant Secretary of the Navy, reporting, pursuant to law, that the Franciscan Brothers, of Brooklyn, N. Y., a nonprofit organization, had requested the Navy Department to transfer one 26-foot motor whaleboat, for use at a summer camp; to the Committee on Armed Services.

AMENDMENT OF CAREER COMPENSATION ACT OF 1949, RELATING TO INCENTIVE PAY FOR CERTAIN PERSONNEL

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend the Career Compensation Act of 1949, as amended, to authorize incentive pay for personnel engaged in the hazardous duty of helium-oxygen diving (with an accompanying paper); to the Committee on Armed Services.

REMARKS OF GREEK MINISTER OF DEFENSE IN GREEK PARLIAMENT ON THE DEATH OF THE LATE SENATOR GRISWOLD

A letter from the Assistant Secretary of State, transmitting a copy of the remarks of Defense Minister Kanellopoulos in the Greek Parliament on the occasion of the death of the late Senator Griswold (with an accompanying paper); to the Committee on Foreign Relations.

AUDIT REPORT ON FEDERAL MARITIME BOARD AND MARITIME ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Maritime Board and the Maritime Administration, Department of Commerce, for the fiscal years ended June 30, 1952 and 1953 (with an accompanying report); to the Committee on Government Operations.

PROPOSED AWARD OF CONCESSION CONTRACTS, HOT SPRINGS NATIONAL PARK, ARK.

Two letters from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed award of concession contracts, Hot Springs National Park, Ark. (with accompanying papers); to the Committee on Interior and Insular Affairs.

CERTIFICATION OF SOIL SURVEY AND LAND CLASSIFICATION, DALTON GARDENS PROJECT, IDAHO

A letter from the Assistant Secretary of the Interior, certifying, pursuant to law, that an adequate soil survey and land classification had been made of the lands on the Dalton Gardens project, Idaho, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of sprinkler irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

LAWS ENACTED BY SECOND GUAM LEGISLATURE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Second Guam Legislature (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTIONS 2 (a), 6 (a), AND 9 (d) OF FEDERAL AIRPORT ACT

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

LIST OF PROJECTS FOR DEVELOPMENT OF CLASS IV OR LARGER AIRPORTS

A letter from the Secretary of Commerce, transmitting, pursuant to law, a list of projects for the development of class IV or larger airports included in the current revision of the National Airport Plan, which may be undertaken during fiscal years 1955 and 1956, together with an estimate of the Federal funds required to pay the United States share of the allowable project costs of such development (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

FEDERAL POWER COMMISSION PUBLICATION ENTITLED "STATISTICS OF ELECTRIC UTILITIES IN THE UNITED STATES, 1952, PUBLICLY OWNED"

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, a copy of the Commission's publication entitled "Statistics of Electric Utilities in the United States, 1952, Publicly Owned" (with an accompanying document); to the Committee on Interstate and Foreign Commerce.

REPEAL OF SECTION 20 (a) OF INTERNAL SECURITY ACT, AND REGISTRATION OF CERTAIN PERSONS ENGAGED IN ESPIONAGE

A letter from the Attorney General, transmitting a draft of proposed legislation to repeal section 20 (a) of the Internal Security Act of 1950, and to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant

to law, copies of orders suspending deportation of certain aliens, together with detailed statements of the facts and pertinent provisions of law as to each alien, and the reason for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the Legislature of the Territory of Hawaii; to the Committee on the Judiciary:

"Senate Resolution 14

"Whereas the several divisions of the court of the First Judicial Circuit, Territory of Hawaii, have been greatly congested for the past 6 years due to unfilled vacancies in the judiciary of the court; and

"Whereas as a result of an accumulated and growing backlog of pending litigation the people of the Territory of Hawaii have been unjustly delayed in and even deprived of their day in court; and

"Whereas the President of the United States of America has nominated Harry R. Hewitt, Albert M. Felix, and William Z. Fairbanks for appointment to judgeships in the First Judicial Circuit, Territory of Hawaii; and

"Whereas said nominations are now pending before the Committee on the Judiciary of the United States Senate; and

"Whereas the Territorial Bar Association has endorsed and approved the qualifications of Harry R. Hewitt, Albert M. Felix, and William Z. Fairbanks; and

"Whereas the Territorial central committee of the Republican Party has endorsed the integrity of the nominated judges; and

"Whereas JOSEPH R. FARRINGTON, Delegate from the Territory of Hawaii in the Congress of the United States, has endorsed and recommended the appointment of the nominated judges; and

"Whereas the Department of Justice of the United States has also recommended the appointment of the nominated judges; and

"Whereas Judges Harry R. Hewitt and Albert M. Felix have served since August 20, 1953, as judges of the First Judicial Circuit, Territory of Hawaii, pursuant to interim appointments of the President of the United States; and

"Whereas the work of Judges Harry R. Hewitt and Albert M. Felix during the past 8 months has been highly commended by the Territorial Bar Association, the citizens of the Territory of Hawaii, and the press of the Territory; and

"Whereas judges of the Territory of Hawaii are unique in that they are actually territorial judges, the counterparts of State judges, and only handle cases involving the laws of the Territory of Hawaii enacted by the Territorial Legislature, but by virtue of the Hawaiian Organic Act are appointed by the President of the United States of America subject to confirmation by the Senate of the United States of America; and

"Whereas all cases in Hawaii involving Federal statutes are handled by the United States district court whose judges are also appointed by the President of the United States with the consent of the Senate of the United States of America; and

"Whereas the members of the senate of the Territory of Hawaii are personally familiar with the reputation, integrity and honesty of these nominated judges of the court of the First Judicial Circuit of the Territory of Hawaii, all having served in the past as public officials: Now, therefore, be it

"Resolved by the senate of the 27th Legislature of the Territory of Hawaii, in special session assembled, That the members of this body do recommend and endorse the appointment of Harry R. Hewitt, Albert M. Felix, and William Z. Fairbanks to serve as judges of the First Circuit Court of the Territory of Hawaii; and be it further

"Resolved, That this senate urgently requests the honorable members of the Committee on the Judiciary of the Senate of the United States of America to exercise the powers of their good offices by taking immediate action recommending the confirmation of Harry R. Hewitt, Albert M. Felix, and William Z. Fairbanks as judges of the First Circuit Court of the Territory of Hawaii; and be it further

"Resolved, That the Senate of the United States of America be and it is hereby respectfully requested to confirm and approve the nomination of Harry R. Hewitt, Albert M. Felix, and William Z. Fairbanks as judges of the First Circuit Court of the Territory of Hawaii; and be it further

"Resolved, That authenticated copies of this resolution be transmitted to the President of the United States Senate, to the chairman and all the members of the Committee on the Judiciary of the United States Senate, and to the Delegate to Congress from Hawaii."

A letter from the Deputy Director, Adjutant General's Department, Civil Defense Corps, Columbus, Ohio, transmitting a copy of the mutual aid interstate compact entered into between the States of Ohio and Alabama (with an accompanying paper); to the Committee on Armed Services.

A resolution adopted by the Fort Bragg, Calif., Parlor No. 210, Native Daughters of the Golden West, protesting against the admission into the United Nations of Red China; to the Committee on Foreign Relations.

The petition of Carolina McDonald Wismiller, of Washington, D. C., relating to her claim against the estate of Henrietta E. Garrett, deceased; to the Committee on the Judiciary.

A resolution adopted by the Calipatria (Calif.) Chamber of Commerce, favoring the enactment of legislation to outlaw the Communist Party; to the Committee on the Judicary.

A resolution adopted by the Hawaii Education Association, Honolulu, T. H., favoring the enactment of legislation to grant statehood to Hawaii; ordered to lie on the table.

AMENDMENT TO CONSTITUTION RELATING TO TREATYMAKING POWER—CONCURRENT RESOLUTION OF TEXAS LEGISLATURE

Mr. JOHNSON of Texas. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Legislature of the State of Texas, petitioning the Congress during the present session to submit to the States for ratification a proposed amendment to the Constitution for the purpose of limiting the treaty-making power.

There being no objection, the concurrent resolution was ordered to lie on the table, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 1

Whereas on April 19, 1920, the United States Supreme Court, in *Missouri* v. *Holland* (252 U. S. 416), held that, notwithstanding the 10th amendment to the Constitution of the United States, a treaty with a foreign power, implemented by an act of Congress subsequently passed for that purpose, authorized the Government of the United States to control and regulate matters which otherwise would be subject to regulation by the States alone; and

Whereas in its opinion in that case (two distinguished Justices dissenting) it was said:

"Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention * * * there may be matters of the sharpest exigency for the national well-being that an act of Congress could not deal with, but that a treaty followed by such an act could. * * * The treaty in question does not contravene any prohibitory words to be found in the Constitution. The only question is whether it is forbidden by some invisible radiation from the general terms of the 10th amendment.

"We cannot put the case of the State upon higher ground than * * * that, but for the treaty, the State would be free to regulate this subject itself.

"No doubt, the great body of private relations usually falls within the control of the State, but a treaty may override its power."

On these grounds, it was decided "that the treaty and statute must be upheld"; and

Whereas the same Court, on February 2, 1942, in the case of *United States* v. *Pink* (315 U. S. 203), with 2 Justices dissenting and 2 others not participating, held that an executive agreement, made by the President with a foreign power but not ratified or concurred in by the Senate (as required in case of a treaty by article II of the Constitution), has the same dignity as a treaty made by the President and ratified by the Senate. In consequence, the Court decided that the insurance laws of the State of New York, made for the protection of policyholders and other creditors, were invalidated by the act of the President alone; and

Whereas in addition to the treaty and executive agreement referred to in the decisions above mentioned, many others have been made, and still more are proposed, or are in preparation, the effects of which, if made, upon the rights and powers of the States, and the rights of the people, would be disastrous. For examples, reference is made to the Atlantic Charter agreement of 1941; those made at the Cairo and Tehran Conferences in 1943, and at Yalta and Potsdam in 1945, all of which were made by the President alone without submission to or ratification by the Senate; also the potato executive agreement of November 23, 1948, likewise unsubmitted and unratified, but which the United States is now attempting to enforce through the Supreme Court, notwithstanding it was held invalid by the Court of Appeals for the Fourth Circuit (*United States* v. *Capps, Inc.* (204 Fed. 2d 655)) and by the trial court (100 Fed. Supp. 30), partly because it constituted a clear violation of a valid act of Congress. Reference is also made to the efforts of our State Department (partly successful) to bypass or nullify, by executive agreements, the will of Congress expressed in the Stockpiling Acts, relating to strategic materials. To the extent of their success, such agreements might make it necessary for this country, in the event of war, to depend upon supplies wholly inaccessible except by

the use of long sealanes. Reference is made, further, to the Warsaw Convention, ratified by the Senate in 1928, whereby the right of recovery of an airline passenger holding an international ticket is limited, even where a crash occurs in this country, to about $8,500; and to the Pandora's box of proposed treaties and covenants (including the Human Rights and Genocide covenants) prepared or preparing in the mills of the United Nations, under some of which a citizen of this country might be haled before and tried and convicted by a foreign court, without a jury, for expressing his opinion or practicing his religion in this country. Finally, reference is made to the fact that at least one of our congressional committees has been refused full information as to all of this Nation's unfulfilled commitments under executive agreements on the ground of national security; and

Whereas to rescue the rights and powers of the States from such Federal encroachments, and to protect the people in the enjoyment of their constitutional rights and liberties, the Senate Foreign Relations Committee in 1953 reported out favorably Senate Joint Resolution 1, introduced by Senator JOHN W. BRICKER, of Ohio, and many other Senators, including the Honorable PRICE DANIEL, but no favorable or satisfactory action has so far been taken thereon; and

Whereas it is evident that under the decisions, treaties, and agreements mentioned above the rights and powers of the sovereign States and the constitutional rights and liberties of the people of the United States have already been violated and are in great danger of further encroachment and possible destruction by unwarranted and injudicious exercise of the so-called treatymaking power; and that this danger is enhanced by the multitude of treaties, conventions, and international compacts and agreements which have been, and probably will be, proposed by the United Nations and other international associations: Now, therefore, be it

Resolved by the Senate of the State of Texas (the House of Representatives concurring):

SECTION 1. That the Legislature of the State of Texas hereby petitions the Congress of the United States that during its present session it submit to the States for ratification a proposed amendment to the Constitution of the United States for the purpose of limiting the treatymaking power so that, if ratified by the States, (1) no provision of a treaty or other international compact or agreement which conflicts with the Constitution of the United States shall have any force or effect; (2) no international compact or agreement which has not been concurred in by the Senate, as provided in article II of the Constitution, shall be, or have the dignity or legal effect of, a treaty under article VI of the Constitution; (3) no treaty or other international compact or agreement shall be effective as internal law within the United States except to the extent it may be made so by an act of Congress enacted to enforce or implement the same; (4) no treaty shall be concurred in by the Senate except by the affirmative vote of two-thirds of a quorum of the Senate, on which the yeas and nays shall be entered on the Journal; and (5) the Constitution shall not be in any way or to any extent altered or amended except by one of the methods provided in article V thereof.

SEC. 2. Promptly after the passage of this resolution the secretary of the senate shall transmit a certified copy of this resolution to each of the following:

(a) The Vice President and the Speaker of the House of Representatives of the United States; and

(b) The members of the Texas delegation in the Congress of the United States.

BEN RAMSEY,
President of the Senate.
REUBEN B. SENTERFITT,
Speaker of the House.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 3392. A bill for the relief of Anna C. Giese; to the Committee on the Judiciary.

S. 3393. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.; to the Committee on Labor and Public Welfare.

By Mr. PURTELL:

S. 3394. A bill for the relief of Mrs. Marie Foley; to the Committee on Finance.

S. 3395. A bill for the relief of Antonio Ribeiro; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 3396. A bill for the relief of Nicola Russo; to the Committee on the Judiciary.

By Mr. ELLENDER:

S. 3397. A bill for the relief of Klara Anna Maria Fleischer; to the Committee on the Judiciary.

By Mr. CLEMENTS:

S. 3398. A bill for the relief of Thomas Kunhyuk Kim; to the Committee on the Judiciary.

By Mr. PURTELL:

S. 3399. A bill for the relief of Mario Remato Talin; to the Committee on the Judiciary.

By Mr. DUFF (for himself and Mr. MARTIN):

S. 3400. A bill to authorize the issuance of commemorative medals to certain scientific and educational societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth; to the Committee on Banking and Currency.

By Mr. SALTONSTALL (by request):

S. 3401. A bill to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes; to the Committee on Armed Services.

ADDITIONAL EXPENDITURES BY COMMITTEE ON APPROPRIATIONS

Mr. BRIDGES submitted the following resolution (S. Res. 243), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 83d Congress, $20,000, in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946, Senate Resolution 121, agreed to June 24, 1953, and Senate Resolution 153, agreed to July 28, 1953.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947—AMENDMENT

Mr. PURTELL submitted an amendment intended to be proposed by him to the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes, which was ordered to lie on the table and to be printed.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution was severally read twice by their titles, and referred, as indicated:

H. R. 582. An act to authorize an investigation and report on the advisability of a national monument in Brooklyn, N. Y.; and

H. R. 6975. An act authorizing the Secretary of the Interior to convey certain lands to the Siskiyou Joint Union High School District, Siskiyou County, Calif.; to the Committee on Interior and Insular Affairs.

H. R. 2263. An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service;

H. R. 5913. An act to simplify the handling of postage on newspapers and periodicals; and

H. R. 8487. An act to amend the act of June 19, 1948, to provide for censuses of manufacturers, mineral industries, and other businesses, relating to the year 1954; to the Committee on Post Office and Civil Service.

H. R. 8247. An act to provide for the restoration and maintenance of the U. S. S. *Constitution* and to authorize the disposition of the U. S. S. *Constellation*, U. S. S. *Hartford*, U. S. S. *Olympia*, and U. S. S. *Oregon*, and for other purposes; to the Committee on Armed Services.

H. J. Res. 300. Joint resolution to provide for the conveyance to the Texas Hill Country Development Foundation of certain surplus land situated in Kerr County, Tex.; to the Committee on Government Operations.

NOTICE OF HEARING ON SENATE JOINT RESOLUTION 25, PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO THE QUALIFICATIONS OF ELECTORS

Mr. LANGER. Mr. President, on behalf of the Standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 11, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 25, a resolution proposing an amendment to the Constitution relating to the qualifications of electors. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

NOTICE OF POSTPONEMENT OF HEARINGS ON SENATE BILL 3178, RELATING TO AMENDMENT OF NATURAL GAS ACT

Mr. PURTELL. Mr. President, as chairman of the Subcommittee on Business and Consumer Interests of the Senate Committee on Interstate and Foreign Commerce, I announced today that hearings on the bill (S. 3178) to amend section 6 (a) of the Natural Gas Act in order to establish a rule with respect to the valuation of gas reserves for the purpose of ratemaking under the provisions of such act, previously scheduled for May 6, 7, and 8, had been postponed for at least a month. The request for postponement was made by the sponsor of the bill, the Senator from Michigan [Mr. FERGUSON].

PUBLIC WORKS CONSTRUCTION FOR THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a message from the House of

Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CASE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CASE, Mr. BEALL, and Mr. GORE conferees on the part of the Senate.

THE AMERICAN WATCH INDUSTRY

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that I may speak for not longer than 4 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Massachusetts is recognized for 4 minutes.

Mr. SALTONSTALL. Mr. President, on April 6, 1954, my distinguished colleague and good friend, the senior Senator from Wyoming [Mr. HUNT], made a statement on the floor of the Senate concerning the American watch industry. In substance he stated that the domestic watch industry was not essential to our national defense and that responsible officials at Frankford Arsenal had so stated.

There is a bit of history which the domestic watch industry made during World War II which must not be overlooked.

It supplied many vital timepieces for our services.

It supplied essential timing devices for the munitions industry.

It supplied jeweled-bearing machinery and delicate instruments vital to the war effort.

I have asked that the industry prepare a record of its achievements, which I hope to put into the RECORD at a later date. But I desire to note here that the domestic watch industry supplied many of the parts which have gone into the time fuses which other companies have assembled.

This point is made not so much as a rebuttal to the remarks of the Senator from Wyoming as to emphasize that this industry is being rather unfairly used by foreign watchmakers and the importers of foreign watches known as the American Watch Association. This group is endeavoring to convince the United States Senate and the Office of Defense Mobilization that there is no need for an American watch industry. This seems singular to me when spokesmen for this group, in a statement before a committee of the House made less than a year ago "agreed with all concerned that the jeweled watch industry is essential to the security of the Nation in wartime."

As a further evidence of the essentiality of the domestic watch industry I ask unanimous consent to have printed at this point in my remarks a letter which the American Watch Manufacturers Association, Inc., sent to Mr. John F. Hilliard, of the Office of Defense Mobilization, on April 8, 1954.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN WATCH MANUFACTURERS ASSOCIATION, INC.,
New York, N. Y., April 8, 1954.

MR. JOHN F. HILLIARD,
Office of Defense Mobilization,
Washington, D. C.

DEAR MR. HILLIARD: Under date of March 24, the American Watch Association, Inc., through its president, Mr. S. Ralph Lazrus, addressed a letter to the Office of Defense Mobilization, and to your attention. The letter attempted to question the essentiality of the American jeweled watch industry to our national defense.

With the exception of the Bulova Watch Co., the members of that association are all exclusively importers of Swiss watches. Only Bulova manufactures watches in this country, and, as you know, Bulova, which is also the largest importer, strongly believes that the maintenance of a domestic jeweled watch industry is a military necessity.

Much of the content and the entire spirit of the importers' communication represents either a reckless disregard for facts or a studied effort to mislead the Office of Defense Mobilization, and the other representatives of the United States Government who are serving on your interdepartmental committee. In our opinion, the statement is a clear attempt to mislead.

The statement filed by the importers demonstrates the type of competition which the domestic watch industry faces and the lengths to which the importers are willing to go. We are familiar with this type of activity from long past experience, and we trust that this unfortunate document will give you some idea of the tactics of confusion which always have been employed. It should show how little concern the importers have for the national interest. It reflects their willingness to change their opinions and convictions according to the purposes to be served; it contains purported statements by unnamed individuals which are alleged to reflect the position of certain companies outside of the watch industry and of the United States Government Arsenal at Philadelphia, Pa., which in general have been distorted to convey a false impression; it contains untruths and half-truths, arranged and presented in such a manner as to give impressions which the importers know, or ought to know, are erroneous.

The letter of the importers' denies that there are any skills peculiar to the watch industry and says that all that is required to make jeweled watches is certain precision machinery, highly skilled labor and experience. Obviously these are the requirements, but they are stated here in a manner and context calculated to give the impression that all these things are available elsewhere than in the jeweled watch industry and can be readily obtained, both as to timepieces and other work, especially military time fuses.

The importers well know that the establishment of watchmaking capacity is an extremely difficult and expensive process, requiring a period of years. The only member of the importers' association which has established facilities for production of watches in the United States, the Bulova Watch Co., has publicly stated, on numerous occasions, that, even with the ability which it had at that time to obtain machinery and technical assistance from Switzerland, and even with the help afforded by its own plants in Switzerland, it required 10 years to establish production in this country.

The weight which should be given to the assertions and the inferences that the facilities and skills of the jeweled watch industry are readily available elsewhere, can best be judged in the light of the contrary statements which Mr. Lazrus made while being examined under oath before the United States Tariff Commission on February 12, 1954:

"Mr. COLBURN. Now, why don't you go into the manufacturing business, Mr. Lazrus?

"Mr. LAZRUS. Because none of the facilities are available to me. If I lived in Switzerland (and there was talk here of being in the manufacturing business in Switzerland) and I went into business, I would have available to me all of the engineers that graduate from I don't know how many schools in Switzerland and all the machinery and everything else that is in that country.

"They may not export it to America, and I don't blame them for trying to protect their interests, but I can't do that in America. How much help could I get from Elgin, how much from Waltham or Bulova, if I tried to do that here?"

Throughout his testimony, Mr. Lazrus continued in strong terms to make the point that he could get the facilities needed for the watch business only from Switzerland or the domestic companies—Bulova, Elgin, Hamilton, or Waltham. He did not mention any other possible source of assistance.

The domestic jeweled-watch industry does not contend, and has never contended, that it is impossible for any company, not now producing watches, to make jeweled watches of quality. It knows, however, as does any person acquainted with the facts, that any new producer would require years to get into volume production. Statements calculated to give the impression that such facilities could be created quickly in event of war are untrue and are a distinct disservice to your study and to the Nation.

Under the heading "Skills Found in Watch Manufacturing Are Precision Skills, Not Watchmaking Skills, and Are Found in Several Related Industries Using Precision Equipment," the importers' letter says that nine listed companies, none of which now produce, or have ever produced, jeweled-watch movements, "are in a position to produce for the defense of the United States all types of material which can be produced in the watch industry." The letter attributes to 4 unidentified officials of 4 of the companies statements that their companies could make precision chronometers. It is reported that 2 of these officials stated that they could do so within 6 months.

Only one company in the United States has ever produced marine chronometers for military use in the United States. This was done under wartime pressures by Hamilton Watch Co. Hamilton required 18 months to get into volume production. Although currently producing small quantities of chronometers, Hamilton estimates that it would require at least 9 months lead time to reestablish mass production. Late in World War II the Elgin National Watch Co. was requested by the Government to establish production of chronometers as an alternative source and by the end of the war was ready to produce.

The discussion of the capabilities of the nine listed companies ranges from production of mechanical time fuses to chronometers, but the general discussions of their facilities and skills is confused to give the impression that each and all of them is capable of manufacturing any of these items. Some of the nine companies have contracts to supply the mechanical time fuse series M500 and nothing more. None of the listed companies manufactures all of the parts it uses. All of them buy parts from the domestic jeweled watch industry or the domestic clock industry. At least one and probably several buy parts from the Swiss watch industry. Several of them have not been used in the fuse program since World War II, during which period they were ob-

taining a tremendous quantity, if not the majority, of parts from the watch and clock industry. One company, which tried to perform without substantial help from the horological industry, has had a contract cancelled for nonperformance.

The jeweled watch industry does not contend that it is impossible for any other company to produce fuses, given time, machinery, tools, and engineering assistance. We know that other companies have had contracts to supply fuses, and that several of them could, if they chose and if the economies of time and money permitted, produce all of their parts. However, to imply that these companies have achieved production without assistance from the watch industry and that they have adequate capacity to supply the requirements for fuses is entirely misleading. To say that they are producing without assistance of the watch industry, even in the present limited emergency, is false.

The extent to which these producers have obtained help from the watch and clock industry, both here and in Switzerland, the amount of work which they have actually subcontracted, and the length of time which they required to get into production, are not factually treated.

To illustrate the errors of fact contained in the statements attributed to representatives of the nine listed companies, we will match some of the statements respecting the alleged independence of these companies with material from our files:

At page 3, paragraph 2, of his letter, Mr. Lazrus states: "Eastman Kodak Co. operates in the Rochester area with complete independence and does not rely on the domestic watch companies for components. * * *" We do not believe that any responsible official of Eastman ever made such a statement. The fact is that the domestic jeweled watch manufacturers have furnished Eastman 5,800,000 escapement springs, 8,281,000 pinions, 400,000 arbors, and 2,282,000 adjusting screws since 1950. We will be glad to substantiate these figures with copies of the purchase orders, if desired.

At page 4, paragraph 1, Mr. Lazrus states: "It is interesting to note that the only component purchased on the outside by Eastman Kodak is an escapement spring of the type normally supplied by domestic watch companies. However, Eastman Kodak purchases this part from a company in Clifton, N. J., whose main business, operated under the name Windsor Manufacturing Co., is a manufacturer of ping-pong balls." This statement is untrue as shown by the information above.

At page 17, paragraph 3, Mr. Lazrus states: "* * * but in no case was IBM supplied with parts by a United States jeweled watch company." At least 2 and perhaps 3 of the 4 domestic jeweled watch companies have recently furnished parts to IBM, including gear and pinion assemblies, adjusting screws, and escapement arbors.

At page 18, paragraph 1, speaking of IBM, Mr. Lazrus states: "They advised that they did not need the help of the American jeweled watch industry in order to make the fuse, nor did they have occasion to call upon them." The falsity of this statement is indicated by the information above and, in addition, is demonstrated by letters from IBM which we have, and will be glad to supply if desired.

At page 10, paragraph 1, Mr. Lazrus states that: "Gibbs officials stated that, starting from scratch, including making of all dies, fixtures, tools, and gages, they could be producing new fuses within 6 months." In a telegram dated April 8, 1954, Mr. Thomas B. Gibbs, president of Gibbs Manufacturing & Research Corp., stated: "Paragraph 1, page 10, must be qualified to the extent that the Government would furnish necessary priorities and/or make the necessary tools, fixtures, and gages available to Gibbs. This would be necessary in order for Gibbs to meet the delivery times as stated in paragraph 1."

In Mr. Lazrus' statement he implied that King-Seeley Corp., the Eclipse machine division of Bendix, Thomas A. Edison Co., and National Cash Register Co. were completely independent of the watch industry during World War II. The fact is that they were highly dependent upon the watch industry, and also upon the clock industry. Mr. Dudley Ingraham, president of Ingraham Watch Co., testified at the recent tariff hearings that "all of those people took these timing parts made in the horological industry and assembled them into the complete fuses." In addition, during the current fuse program parts have been sold to all of these companies by the domestic jeweled watch industry and, undoubtedly, also by the clock industry.

On page 13, the George W. Borg Corp., is represented by Mr. Lazrus as "perhaps one of the most highly qualified corporations in the United States for the production of horological devices." We agree that, of the nine companies listed, Borg is one of the most highly qualified. We attach a photostatic copy of a letter on the subject of Mr. Lazrus' representations, from the vice president of Borg. We call your particular attention to the second paragraph on page 2 of his letter.

Another company cited as authority by Mr. Lazrus is the Underwood Corp. In response to an inquiry concerning the statements attributed to Underwood, the president of that company, Mr. L. C. Stowell states that the material attributed to Underwood "poses quite a mystery to the executives of Underwood Corp. We have checked with the vice president who handles our defense contracts and our Hartford work, and not only can we find no one who made such statements as are attributed to us, but neither the work manager nor the man in charge of our defense work at Hartford has any recollection of a person or delegation ever coming to see us to ask any type of questions about the watchmakers' art.

"Not being able to unearth any direct information on this subject indicates to me a lack of any official Underwood connection with the report."

All of the above information demonstrates the unreliability of the importers' letter. Additional similar information can, no doubt, be obtained if desired.

It is indeed unfortunate that what is supposed to be an accurate appraisal of a national security problem should be confused—apparently intentionally—by the misleading reports and assertions which have been advanced. The letter to you has been widely circulated to officials in the Government. In addition, on Tuesday, April 6, all of the material from page 3 through page 18 was placed in the CONGRESSIONAL RECORD by Senator HUNT, of Wyoming, and it appears there in a manner which leaves the impression that the material originated in the Department of Defense. We do not believe that Senator HUNT knew its origin, and we believe he should be advised of the facts. The entire matter has been the subject of a press release by the importers' association, and will be used by their public relations firm and probably by the public relations firm which represents the watchmakers of Switzerland. We would have much preferred that this important problem should be answered in an orderly manner by your study.

The reasons for the importers' interest in your study are quite obvious. They themselves have no facilities for production of watches in the United States. They are interested only in establishing that the facilities of the domestic producers are not essential and need not be preserved for the security of the country. This is the whole spirit of their letter to you. In this connection, we call your attention to the fact that in May of 1953, a representative of the Importers' Association, Mr. Millard Tydings, stated to the Ways and Means Committee of the House of Representatives: "We agree with all concerned that the jeweled watch industry is essential to the security of the Nation in wartime." This statement cannot be reconciled with the position taken in their letter of March 24. Considered together, they demonstrate that the importers' approach to this important question is simply one of expediency.

We feel confident that this attempt to mislead you will not interfere with your study of the problem.

Respectfully,

PAUL MICKEY,
Vice President.

Mr. SALTONSTALL. Mr. President, we must make a realistic appraisal of the efforts of foreign watchmakers to destroy their American competition. This group, a cartel, if you please, gives every appearance of being prepared to do all within its power to bring our domestic watch industry to an end.

The threat to the domestic industry is illustrated by the figures of the Tariff Commission, which show a drop in production of 45 percent since 1951 and a decrease in average number of workers of 33.8 percent. Another impressive figure should be presented for the record. In 1953 domestic production accounted for only 18 percent of the watches sold in the United States, while Swiss imports accounted for 82 percent.

In defending the domestic watch industry, it should not be forgotten that Great Britain allowed its watch industry to fall by the wayside prior to World War II, and when commerce with the Continent was cut off, the American watch industry supplied British needs. Since 1945 Britain has, at great cost, tried to revive its watch and clock industry. We should profit by the mistakes of others rather than follow the path of error blindly.

The most convincing statement which has been made against the domestic watch industry is that officials of Frankford Arsenal have stated that the industry is not essential. I have inquired into this allegation, and have been advised that no official statement was made to this effect. The Army points out that jewel watch movements are not necessary to the manufacture of mechanical time fuses, but the Army could have and should have informed the Nation that the domestic watch industry has done a magnificent job as suppliers of parts to those companies holding prime contracts for the manufacture of these important items for our defense arsenal.

In the interest of fair play and our Nation's defense, we must not allow this art to wither and atrophy, only to find in time of emergency that our peacetime sources are shut off and our own productive potential gone.

Mr. President, I ask unanimous consent to have printed at this point in my remarks an article which appeared in the New York Times of May 4, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAMILTON TO REDUCE OUTPUT OF WATCHES

LANCASTER, PA., May 3.—The Hamilton Watch Co. said today that because of large

inventories resulting from a poor market since January 1, all its watchmaking departments will be closed for 1 week in May and another week in June. About 1,000 employees will be affected.

A company spokesman said employees engaged in defense production would not be affected.

Walter W. Centerazzo, national president of the American Watch Workers Union, Waltham, Mass., said in a statement to members of the Hamilton union:

"It is important that every Hamilton watch worker understands that this surplus of inventory is industrywide. This condition is due to the heavy flood of Swiss watch imports that have been pouring into the country—over 13 million in 1953.

"It is hoped that in the very near future the Tariff Commission will issue its decision to President Eisenhower in the case before it on increasing Swiss watch duties and that President Eisenhower will immediately thereafter raise the tariff.

"While it is true that the Hamilton Watch Co. has been in a good profit position, that is fundamentally due to its production in other than watches." Mr. Centerazzo said he referred to defense output.

Mr. DUFF subsequently said: Mr. President, I wish to associate myself with the statement with reference to the American watchmaking industry made earlier today by the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], and to have my remarks in this connection appear in the RECORD following those of the Senator from Massachusetts.

I also ask unanimous consent, in that connection, to have printed at this point in the RECORD an editorial entitled "Security and Tariff," published in the Reading (Pa.) Eagle of March 23, 1954.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECURITY AND TARIFF

The case against free trade and the lowering of United States tariff walls has been strengthened by a current rise in unemployment in many American industries. We now discuss the problem as it is presented to the United States Tariff Commission by the American Watch Manufacturers' Association.

The AMWA reports that, as a result of an increase of 500 percent in Swiss imports, American companies now retain only 18 percent of the American market. To our native watch industries that means that they must enter new fields or go out of business. To their employees it means that 2,000 of them have been driven out of the industry by cheap foreign competition.

If this were a matter that concerned only the watchmakers of America it might be possible to view developments in this one industry with composure. However, the strength of the watch industry and the availability of skilled artisans who know how to make precision instruments are matters that must be associated with our national security to a greater degree than most of us realize.

We are reminded that the billions of dollars that are being spent each year for tanks, guns, airplanes, plane carriers, and fighting ships would be wasted were it not possible to equip them with the delicate instruments which only skilled watchmakers can be trusted to produce. Bombs and projectiles are harmless without fuses and timing mechanisms.

To reassure ourselves by reflecting that it always will be possible for our country to get an adequate supply of those essentials from Switzerland is to indulge in wishful thinking that could be our undoing in an international crisis. When survival is at stake the American people are safe only to the extent that they can rely on their own resources.

Most Americans recognize the friendship of other nations as a thing of value. Nevertheless, realism compels us to recognize that our internal prosperity and the jobs of millions of our people are endangered when we undertake to compete on equal terms with foreign workers whose living standards are far below ours.

Moreover, the loss of trade and jobs could be of lesser importance than the deterioration of skills which are basic to our national defense and the efficiency of our industries. No doubt, the spokesmen of other nations recognized the loss of human values that resulted from our own costly handout system when they began to agitate for trade, not aid.

The watch manufacturers now warn us that they can neither keep skills, which can be acquired by many years of training, in mothballs nor compete against a combination of foreign living standards and low American tariffs. It is a warning that the United States Tariff Commission should consider.

For the benefit of those among us who view tariffs as unfriendly devices, it is pertinent to point out that comparisons made in the year 1950 showed our high-wage Nation to have the eighth lowest tariff ratio among 43 nations from which statistics were compiled. Our tariff added only 5.1 percent to the cost of foreign imports on the American market. Cheap-labor Japan was the lowest, with a ratio of 1.6 percent, and Chile topped the list, with a ratio of 46.3 percent.

The tariff ratio of Switzerland, our American watch industry's only effective competitor, was higher than ours at 8.1 percent.

In the light of those figures, the plea of our watch industry for a tariff increase of only a dollar to a dollar and a quarter on each imported movement sounds reasonable. Viewed against the background of national security, it sounds necessary. But if unemployment develops to large proportions in many industries, protection against killing competition may become a widespread demand.

The American people should wish to deal fairly with other nations. But they should not be expected to import another depression.

Mr. DIRKSEN subsequently said: Mr. President, if no other Senator has the floor, I should like to make a brief statement.

The VICE PRESIDENT. The Chair advises the Senator from Illinois that there is no business before the Senate at the present time.

Mr. DIRKSEN. I ask unanimous consent to proceed for 1 minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Illinois may proceed.

Mr. DIRKSEN. From time to time material is inserted in the CONGRESSIONAL RECORD with reference to the watchmaking industry and the interests of watch importers as well as manufacturers. I thought it might be advisable to insert in the RECORD some data and information for the guidance of the Senate with respect to the domestic watch industry. I ask unanimous consent that a statement which I have prepared on this subject be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

I should like to state to the Senator from Massachusetts that I am in complete agreement with his efforts to see that we maintain in this country a healthy jeweled watch industry. I do not see how any Senator could fail to join him. Since the end of World War II, the jeweled watch industry has been slowly choking to death because of competition from low-cost Swiss imports. The American producers have been trying for years to obtain some effective assistance from the Government, with no success. Now their production has been cut almost in half, they have all begun importing, and they have frankly stated that if there is no effective official action in 1954 they will plan to turn entirely to imports and to other lines of manufacture, which will not preserve the watchmaking skills.

After the indispensable job this industry did for the armed services in World War II, after the British experience mentioned by the Senator from Massachusetts and after having seen quite plainly that our small industry has the only jeweled watch manufacturing facilities of consequence in the free world outside of Switzerland, one might think that this problem would be dealt with differently. One would think that before now the Defense Department and the State Department would have used all available means to make sure that we would preserve our industry. One would think that the importers—who say they are Americans, too—and the Swiss—who now have more than 80 percent of our market would see the lack of wisdom in fighting every effort of the American producers to obtain help.

Instead, we find nothing but delay on the one hand and unreasoning opposition on the other. Now I can understand the opposition of the Swiss cartel, for it is seeking a world monopoly. Its activities in this respect are, at this moment, under investigation by the Antitrust Division of the Department of Justice. I can also understand the opposition of the importers. They all want to obtain as much of the American market as they possibly can, and the importers who are leading the fight have factories in Switzerland and are members of the Swiss cartel. They do not care what happens to the American industry and apparently are not concerned with the military implications.

However, I find it more difficult to understand the attitude of the State Department. The Congress has been repeatedly assured by the various Secretaries of State that the Trade Agreements Act would not be administered in a manner detrimental to domestic industry or our national security. It seems to me that the accuracy and sincerity of these assurances is put to the test in the case of the watch industry. If the State Department does not consider this an instance in which we have gone too far in opening our markets to foreign trade, the Congress can hardly continue to accept its assurances that the Trade Agreements Act will be administered in a manner compatible with our national interests.

ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, I know that the Members of the Senate and House heard with great profit, interest, and satisfaction, the splendid remarks delivered by His Excellency, the Governor General of Canada.

It is fitting that perhaps within 48 hours, the House of Representatives will have taken action on a subject which is of paramount interest to our good neighbor to the north—Canada. I refer, of course, to the Wiley bill for the St. Lawrence Seaway.

To my way of thinking, there are few better ways of applauding the Governor General—by deeds—and of manifesting

our deep and sincere friendship for the people of Canada than the following:

(a) To pass speedily S. 2150; and (b) just as speedily to bury the last of the last-ditch efforts which would sabotage the bill, namely, the so-called Brownson amendment, which would wreck the seaway's financing.

I trust that the fullest possible attendance of my colleagues in the House will be available for the historic vote on this amendment and on S. 2150. I trust that every single Member who can possibly be on hand will register his opinion one way or the other.

I am convinced that the larger the House attendance, the more certain is our seaway victory, because I know that only a minority within or outside the House still opposes the seaway.

The majority will is about to assert itself.

The enemies of progress who had thrived for 3 decades on secrecy, on delay, on smokescreen, on diversion, on fear-mongering, on misrepresentation, are in complete disorder.

The forces of progress are on the march and they will not be deterred.

When the roll is called, the eyes of the American people will be on the House, noting how each man stands up and is counted for or against progress, for or against good neighborliness, for or against protecting the interests of future American generations, for or against continental defense, for or against the respectful admonition of President Eisenhower and of every single President in the past quarter of a century.

I send to the desk the text of an editorial which appeared in last Friday's Milwaukee Journal clearly setting forth the principal reason against the Brownson amendment. I append to it excerpts from an address delivered by Mr. Charles E. Broughton, president of Station WHBL, Sheboygan, Wis., recalling the battle down through the years on behalf of the seaway and reflecting the continued devotion of the people of my own State to this vital objective. I am indeed grateful for Mr. Broughton's kind comments. I ask unanimous consent that the two items be printed in the RECORD.

There being no objection, the editorial and excerpts from the address were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal of April 30, 1954]

ONE LAST HURDLE FOR SEAWAY

The Great Lakes-St. Lawrence Seaway bill at last has been broken loose from the Rules Committee of the House and reached the floor for action—probably next week. But the measure to permit United States participation with Canada in construction of the seaway still stands in grave peril of being scuttled by destructive amendments.

Principal remaining hazard is the Brownson amendment which has been called both "joker" and "torpedo." Surely, the latter word fits it precisely.

The Wiley-Dondero bill, as it passed the Senate last January, provides that the United States Treasury shall buy $105 million in seaway bonds to finance our part of the construction. Seaway tolls would liquidate the bonds over a period of years.

What the amendment by Representative BROWNSON (Republican, Indiana) slyly proposes is that the Treasury be barred from such financing and the bonds sold to private investors. It is the type of proposal that appeals to those who want to get "Government out of business."

But consider the proposal a moment. As seaway foes fully know, floating such a bond issue might face many difficulties. The delay alone might end our hopes of getting in on the seaway construction.

The public corporation, which under the bill would handle our end of the program, could not mortgage this public property. It couldn't give bondholders the right to determine tolls to insure repayment of their bonds. Such tolls would be determined by agreement with Canada and couldn't be firmly established until construction was well advanced. Yet construction could not begin until bond financing was assured.

As Representative WOLCOTT, Republican, Michigan, has said, it is a vicious circle.

Canada is already sick and tired of congressional wrangling. Our northern neighbor is going to build the seaway with us or without us. This is our last great chance—and a seaway bill with the emasculating Brownson amendment would certainly destroy our opportunity to help build the mighty project that will mean vastly more to the United States than to Canada.

[Address of C. E. Broughton broadcast over WHBL April 29, 1954]

LEO E. ALLEN, Republican, from Illinois and chairman of the House Rules Committee, predicted yesterday that legislation on the St. Lawrence Seaway would be sent to the floor for final action this week or the early part of next.

It is ALLEN'S committee which decides upon legislation that the House will consider. In answering the question, he said:

"The committee will approve the bill Thursday and send it to the floor of the House." This statement on his part was made after the group had conducted its third and last hearing on the measure authorizing the United States to join with Canada in building the 27-foot deep Atlantic to the Great Lakes waterway.

Over the years since way back in 1926 when the movement was first started for the deep waterway, landlocked Wisconsin and adjoining States have been backing a measure which would open the Great Lakes to ocean-steamship travel.

It was back in 1926 that the writer attended the first joint meeting at Muskegon, Mich., when both Canada and the United States were represented. All through the years we have been fighting for this editorially, and since taking over WHBL we have been waging this same kind of a fight.

We want to commend Senator ALEXANDER M. WILEY who, lone-handed out here in Wisconsin, has continued his fight. He has never wavered in that respect, and it must be a great source of pleasure for him to know that the fight looks more encouraging than ever. Canada intended to build this alone, but this would have been unfortunate for the United States. Jointly we will have control with Canada over the waterway. Together we can work out a system of tolls that will benefit both countries, and we can bring ocean ships into the Great Lakes virtually to every port, including our own Sheboygan. Over the years since 1926 it is safe to say that we have written more than 100 editorials, all based on hastening the day when landlocked Wisconsin, Minnesota, and other Midwestern States would have the freedom of the seas.

Mr. CASE. Mr. President, the remarks of the senior Senator from Wisconsin remind me that the present favorable position for the passage of the St. Lawrence seaway bill is due, in large part, to his persistent and effective leadership and sponsorship of that measure. I hope the bill will be passed by the House and approved by the President promptly, as a further tribute to the work of the Senator from Wisconsin, as well as a gesture, a very appropriate gesture at this time, of our comradeship with the people of Canada.

TAX LEGISLATION AND APPROPRIATIONS

Mr. MARTIN. Mr. President, the Congress has now under consideration tax legislation and also appropriations. A few days ago former President Hoover made a statement, which was commented on in an editorial which appeared in the Pittsburgh Sun-Telegraph of April 29, 1954, under the title "Proper Tandem." The subject is one to which every American should give serious consideration at the present time. It is not safe for the United States to reduce taxes and have deficit financing. It is a question which the people themselves must eventually decide. I, therefore, ask unanimous consent that the editorial be printed as a part of my remarks at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROPER TANDEM

Herbert Hoover has something interesting to propose to Congress, the Federal Government, and the country generally in the vital matter of bringing the cost of conducting national affairs down to the level of the capacity of the American people to pay the bill.

Mr. Hoover says people who have been trying to reduce taxes without a proportionate reduction in the current costs of Government have been putting the cart before the horse.

In order to get things in proper tandem, he says it is spending which has to come down first, after which taxes can be cut without creating new deficits.

Tax reductions based on heavier debts would be no bargain to the country, according to Mr. Hoover, but would further impoverish them, and he is right about that.

The difference between Mr. Hoover and most of those who agree with him that high spending obstructs the way to tax reduction is that he believes the cart can be kept behind the horse and the necessary job still be done.

In other words, he does not believe it is impossible to cut spending enough to make lower taxes a reality.

As head of the Commission on Government Reorganization, he has made an exhaustive study of Government spending, and his conclusion is that a great deal of money is being spent without reason or excuse.

What he will propose as a remedy for that situation is that needless spending be eliminated, and a formal report to that effect will soon be made by the Hoover Commission for an annual reduction in governmental expenditures by not less than $5 billion and perhaps as much as $8 billion.

Knowing Herbert Hoover as we do, we believe he will back up his figures with specific and substantial facts.

When he does, we believe his word is going to carry weight with the American people, President Eisenhower, and the Congress of the United States.

FINANCIAL POLICY FOR THE POST OFFICE DEPARTMENT

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk a brief

statement which I have prepared, and also a letter under date of April 8, 1954, from Mr. Walter D. Fuller, Vice Chairman of the Advisory Council, to the Senator from Kansas [Mr. CARLSON] chairman of the Committee on Post Office and Civil Service, and ask unanimous consent that they be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

On March 31 of this year, Postmaster General Arthur E. Summerfield released a 350-page document entitled "Financial Policy for the Post Office Department." That is a rather impressive title. I think that those who have seen this lengthy statement by the Post Office Department will agree with me that it is an impressive appearing work.

As ranking member and former chairman of the Senate Post Office and Civil Service Committee, I am vitally interested in any problems involving the Post Office Department. It was, therefore, with a great deal of interest and anticipation that I gave time to a careful study of this statement by the Postmaster General. I am sorry to report, however, that the contents did not live up to appearances, title or expectations.

Primarily, this document is the Post Office Department's critical reply to the recent Advisory Council's report submitted pursuant to Senate Resolution 49 of last year. Though titled, "Financial Policy for the Post Office Department," fiscal discussion is confined to an appeal for immediate increases in postal rates and a request that the Congress establish a long-range rate formula and turn it over to the Post Office Department for administration.

Mr. Walter D. Fuller, who was vice chairman of the Advisory Council, in a letter under date of April 8 to the Senator from Kansas [Mr. CARLSON], chairman of the Senate Post Office and Civil Service Committee and chairman of the Advisory Council, answers in considerable detail some of the objections and criticism contained in the Post Office Department statement.

APRIL 8, 1954.

HON. FRANK CARLSON,
Chairman, Post Office and Civil Service Committee, United States Senate, Washington, D. C.

DEAR FRANK: I have read and reread the statement of the Post Office Department dated March 31, 1954, which primarily discusses the report of the Advisory Council to the Senate Committee on Post Office and Civil Service.

It seems to me that this 350-page document coming from the Post Office Department is a real evidence of the importance of the survey undertaken by the Advisory Council, at the Senate's request. While those who have written the post office report appear to differ with the Council in some ways, there are large areas of agreement or near agreement. I cannot but feel that these two reports, that of the Advisory Council and that of the Post Office Department, will be a definite milestone in the progress toward improvement of service and economy of operation by the post office. Both reports certainly point up the need for a definite congressional policy concerning the philosophy underlying the postal service.

In view of the criticism expressed throughout the Post Office Department report, it is gratifying to know that of the 28 specific recommendations made by the Advisory Council the Post Office Department agrees with 24, partially agrees with 2, and disagrees with only 2.

There is a fundamental difference between the approach to the post office problem by the Advisory Council and by the Post Office Department. The Council was appointed by a great legislative branch of the Government, that is, the United States Senate. Hence, we of the Council found it necessary to look at the problem not only from the management viewpoint of the Post Office Department but also in the much broader manner required by a study of the place of the post office in our country's economic, political, social, and educational life. These conclusions are summarized in the Advisory Council's report on page 7, under the heading of "Postal Policy." The Advisory Council was deeply interested in better service and in lower cost, but the fundamental problem was postal service to the American people. A reading of page 7 in the Advisory Council report and of the suggestion on page 5 in the Post Office Department's report will clearly indicate the differences which result from approaching the subject from these two viewpoints.

Apropos of such differences and their place in modern living, I quote two paragraphs from a recent speech by Dr. Courtney C. Brown, dean of the graduate school of business of Columbia University:

"It has become more important for businessmen to comprehend the impact of their decisions, not only upon their own organizations, but upon the society of which they are a part as well. Those in responsible business positions are expected to understand and interpret the relationship of their business actions to the development and strengthening of our free civilization.

"Despite the fundamental modifications that have occurred during the 20th century, there has been, so far as I am aware, no adequate philosophical treatment of business as a social institution, comparable to the profound contemplation given to political institutions some 200 to 300 years ago by the great thinkers of that day. It may be that business is still thought of too much in the singular terms of the market place."

The Post Office Department report criticizes the fact that the Advisory Council has recommended activities some of which had been suggested previously, or which were being considered, or which might actually have been underway. I point out that the Advisory Council was instructed by the Senate to make a complete study and report of the post office and since many of the recommendations had to do either with new matters or differing viewpoints on other matters, the Advisory Council had no alternative other than to report the situations as they found them. Certainly no criticism was intended of any of the present activities of the post office officials or the previous study bodies, such as the Hoover Commission. When there was a parallel or near parallel suggestion, this simply added the support of the Advisory Council to the particular matter.

A great many recommendations for the improvement of the post office have been made in the past few years; however, the Council felt that progress in such matters has been slow. For example, the House Committee on Post Office and Civil Service, in House Report 367, dated May 7, 1953, carried a report by the Comptroller General of the United States on the progress made under the Post Office Department Financial Control Act of 1950. This report stated: "That full advantage of this opportunity had not been taken and that the surface had been barely scratched."

Clearly we are all working together toward postal improvement. In the Advisory Council report, on page 8, the Council definitely commends the post office officials for the effort which is now being made.

As a result of the discussions in the Advisory Council, that body came to believe that it was its duty to investigate and report, and only in the most limited manner to recommend definite ways and means. We were an "advisory" body with no power to enforce our decisions. We were reporting to a congressional committee that does have power. We knew that the final executive implementation for action would have to come from the post office executives—it could never come directly from our Council.

The Post Office Department report repeatedly regrets that the Advisory Council did not talk over with the Department the details of the Council's studies. The fact is that we were appointed as a group to report directly to the Senate. We had the right of investigation, but we could not arbitrate, or compromise, or qualify our positions, or enter into controversial discussion with post office officials. We had no such right.

There are various differences between the conclusions of the Advisory Council and those of the Post Office Department.

The first of these differences concerns the Council's statement that the post office is fundamentally a public service to the people of the United States. The Post Office Department's report uses the term "public utility" instead of public service. There is a world of difference between the meanings of these two expressions. The decision in this matter necessarily will rest with the Congress.

The second point of difference is that the Council, after careful consideration, is certain that the operations of the post office both now and for many years in the past reflect the view that the post office is designed primarily for the handling of first-class mail. There are a great many factors which confirm this position. The prominent location of many post offices in center city sites or adjacent to railroad passenger stations in order to speed the dispatch of first-class mail, the very great number of post offices and branches maintained widely for service to the public, the many uses of the post office dicates that priorities, value of service, etc., The Post Office Department report does not agree with this point of view. While it indicates that priorities, value of service, etc. should be considered in the matter of rates, it waves aside such considerations in measuring the significance of the postal service. The Post Office Department states clearly that costs should continue to be apportioned among postal classes according to their use of postal personnel and facilities. The Council discussed this question at length and concluded that there should be congressional recognition of the prior position which first-class mail and its auxiliaries enjoy in the handling, dispatch, and delivery of such mail.

The Post Office Department report recognizes that this situation is a factor by its specific recommendation that in rate consideration the intangible factors of preferment or deferment in handling, of values, of ability to pay, etc., should be considered. But the fundamental difference here between the Advisory Council and the Post Office Department is the Council's belief that the preferred character of first-class mail should be definitely recognized by Congress.

The Council suggests two ways in which this can be solved: Either there can be recognition of the general public service character of first-class mail and its auxiliaries, with an annual appropriation to meet this service expense, or, as a less desirable alternate, these specialized service costs can be apportioned to first-class mail and its auxiliaries.

There is lengthy argument in the Post Office Department report against the so-called incremental method of accounting. No one in the Advisory Council has felt that the Price Waterhouse figures in this connection were more than indicative. They merely showed the two extremes—one, the present cost-ascertainment method, which is supposed to be on the basis of use, with no consideration of underlying philosophy; and the other on the incremental or out-of-pocket basis outlined by Price Waterhouse. Somewhere between the two extremes may lie a reasonable alternative. In this connection it is interesting, in view of the Post

Office Department's efforts to discredit any turn toward even partial incremental accounting, that the hypothetical formula suggested by the post office seems to be, in effect, a modified incremental method. To leave the accounting of first-class mail as it is now handled certainly creates an unfairness which will never be satisfactorily adjusted by the varying human factors involved in a ratemaking body.

The third difference between the recommendations of the two groups is that the Council advises definitely that Congress should set all postal rates. The Post Office Department, instead, urges the establishment of a rate formula by Congress and then the delegation of rate changes to an independent commission. The Council considered a similar possibility, but decided against it as being bureaucratic, liable to abuse and human error, and tending to erect improper and artificial barriers between the Congress and its constituents.

The Council feels that the matter could best be handled by studies undertaken by a group of rate experts, who would make their recommendations for changes in rates direct to Congress. Hence the Council made recommendation No. 23 suggesting the creation of a special permanent body for this purpose.

While the Post Office statement criticizes the Council for "no long-range financial plan" (p. 20, pt. VI), the Department's answer is postal-rate increases (last paragraph, p. 14). In this connection it may be well to spell out one of the dangers involved in the Department's request to have the Congress establish a rate formula and the setting up of an independent commission to carry out the principles of such a formula. Under such a program, the prospect of economical operations within the postal service could be all but wiped out. Dependence upon the efficiency of postal management would be absolute. There might be little incentive to do a good job or to operate within a budget, no matter how large it might become. Any time operational costs appeared to be outdistancing revenues, the Postmaster would be authorized to appeal to the commission for increased rates and the commission's only authority then would seem to be to add up the figures, determine that the Department was actually going into the red, and, on the basis of that, grant the increase.

There is evidence in the Post Office Department report of a feeling that the Advisory Council is suggesting the immediate accomplishment of very large economies. The Council is sure that substantial economies can be made in the near future, particularly in the matter of transportation, but its comment upon an overall saving of "hundreds of millions of dollars" obviously was intended to cover a longer period. Some members of the Council have wide experience in methods of engineering, particularly in lines similar to those used by the Post Office. It may take 5 years, more or less, for the improvements to be developed and achieved which should have been undertaken long ago; but if expense reductions in that time are not well over 10 percent, then there is something radically wrong with those who are responsible for the activity. Ten percent is approximately $300 million, and that should be a minimum figure. Postal operations involve much hand work, and in such a situation changes in methods and the introduction of labor-saving machinery often can produce remarkable results. In addition, less-expensive transportation and other ways of saving money should result in large cost reductions. Such a result should be accompanied with improvements in service and a stimulus to the economic and educational needs of the country.

The Post Office Department refers to some of the figures used by the Council as "inaccurate." Most of these figures came from Post Office Department reports and in some cases they were provided by the Post Office either directly or in estimates from postal employees.

It should be pointed out that the Subcouncil on Costs and Ratemaking did not establish a definite percentage of operating costs which might represent a public service, but only recommended that the Congress recognize that there are many operations of a public service nature contained in the post office organization.

The Post Office Department remarks that 53 percent of the pieces handled by the post office are for first-class mail, although they constitute but 7 percent of the weight in bulk handling. The Advisory Council properly but not exclusively stresses the importance of pieces because a large proportion of postal expense is in sorting, facing, and delivery, in which the piece is the major consideration rather than the weight or bulk.

No research group can do more than report its findings. The actual implementation and leadership must come from within the responsible bodies. It is a cliché that "management can always produce failure of the best ideas if it sets out to do so." The Advisory Council believes that the results they have indicated can be exceeded if intense, continuing, and enthusiastic effort is made to effect the measures recommended, recognizing, of course, that there is disagreement on a fundamental premise adopted by the writers of the two reports.

Sincerely,

WALTER D. FULLER.

CALL OF THE CALENDAR

The VICE PRESIDENT. If there be no further morning business to be transacted, under the order entered yesterday the calendar will be called for the consideration of measures to which there is no objection.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Monroney
Anderson	Green	Morse
Barrett	Hayden	Mundt
Bennett	Hendrickson	Murray
Bowring	Hickenlooper	Neely
Bricker	Hoey	Pastore
Bridges	Holland	Payne
Burke	Hunt	Potter
Bush	Ives	Purtell
Butler, Md.	Jackson	Robertson
Byrd	Johnson, Colo.	Russell
Carlson	Johnson, Tex.	Saltonstall
Case	Johnston, S. C.	Schoeppel
Chavez	Kennedy	Smathers
Clements	Kilgore	Smith, Maine
Cordon	Knowland	Smith, N. J.
Dirksen	Langer	Stennis
Douglas	Lehman	Symington
Duff	Long	Thye
Dworshak	Malone	Upton
Ellender	Mansfield	Watkins
Ferguson	Martin	Welker
Frear	McCarran	Wiley
Fulbright	McCarthy	Williams
Gillette	McClellan	Young
Goldwater	Millikin	

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER], the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KUCHEL], and the Senator from Maryland [Mr. BEALL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senator from Georgia [Mr. GEORGE], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The VICE PRESIDENT. A quorum is present.

Pursuant to the order heretofore entered, the clerk will proceed to state the measures on the calendar, beginning with Order No. 1179, to be followed by measures added to the calendar since the previous call.

MR. AND MRS. EDWARD LEVANDOSKI

The bill (H. R. 887) for the relief of Mr. and Mrs. Edward Levandoski was considered, ordered to a third reading, read the third time, and passed.

Mr. SMATHERS subsequently said: Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMATHERS. I should like to ask whether this calendar call was supposed to start with Calendar No. 1224, Senate bill 2670?

The PRESIDING OFFICER. The Chair advises the Senator that the call started with Calendar No. 1224, but by previous order Calendar No. 1179, House bill 887, was to be called on the calendar today.

Mr. SMATHERS. In view of that fact, Mr. President, I should like to ask unanimous consent that the vote by which House bill 887 was passed be reconsidered. Apparently, Mr. President, it passed this morning without knowledge of either the minority calendar committee or the majority calendar committee.

Mr. HENDRICKSON. Mr. President, the Senator from Florida is entirely correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? Hearing no objection, it is so ordered.

TERMINATION OF FEDERAL SUPERVISION OVER CERTAIN TRIBES OF INDIANS IN THE STATE OF UTAH

The bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, was announced as next in order.

Mr. SMATHERS. Mr. President, I wonder if we may have an explanation of the bill.

Mr. WATKINS. Mr. President, S. 2670, which has been favorably reported by the full Committee on Interior and Insular Affairs has for its purpose the termination of Federal supervision of six

small bands of Indians located in the State of Utah. The report No. 1218, which accompanies the bill, sets forth in detail the amendments which were made to the bill in committee plus a section-by-section analysis and I will, therefore, not take the time here to repeat those things but rather wish to call to the attention of my colleagues here the overall purpose of this proposed legislation.

The tribes or bands affected by this legislation are the Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of the Paiute Indian Tribe, and the Skull Valley and Washakie Bands of the Shoshone Indians. These people, numbering some 400, have been under the jurisdiction of the Indian Bureau for over half a century and due primarily to neglect by the Government guardian they have been obliged to enter the communities surrounding them. Fortunately these people recognized their problem and have successfully attacked it and have fully integrated themselves into the communities around them. They have had the kind assistance of the religious and civic organizations and though they are not rich, prosperous people, having valuable resources upon which to fall back in the event of adversities, they are an ambitious, deserving people who should and will prosper once the yoke of Federal supervision is removed.

Much opposition has been raised in the past few months to what has been publicized as Congress' move to terminate Federal supervision over Indian groups, however, these six groups have expressed their willingness and desire to be released from Federal wardship and they have obtained the consent and cooperation of the Governor of the State of Utah together with the county commissioners of each and every county affected. This is remarkable because these Indians do not own valuable lands which would mean any great tax revenue to the State of Utah but rather they are normal, average Americans who are entitled to have their property to do with as they choose and the State and county governments are willing and anxious to accept them and assist them in the same manner as is customary for the non-Indians in their locality.

This then may very well be the first group of Indians to seek and obtain the full rights and privileges to which they have shown the competency and ability to enjoy and to which they are most certainly entitled. They should be complimented on their progressive approach in welcoming and seeking this freedom rather than lying back and objecting to the same, as is being done by other equally advanced Indian people throughout the Nation. In view of the request for first-class citizenship which these Indian people have made of Congress, I solicit the support of my colleagues in the Senate and seek immediate passage of the bill.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I have a few questions to ask about the pending measure, but before doing so I wish to make a statement as to the future policy of the Independent Party in regard to protecting its rights when the calendar is called.

Yesterday, my administrative assistant, when he was not sure that I would be able to be present in the Senate today, made the request, through the clerk of the Republican calendar committee, that an objection be raised by the Republican calendar committee to the first bill on the calendar. He was advised that the committee would take the matter under consideration, and later was informed that the committee would not agree to object to any bill in my absence, but in the case of each bill would exercise its wise discretion as to whether it would object.

Mr. President, I have a sense of humor about it. In my 9 years in the Senate I have not known of any time when a Senator had an objection to a bill and asked the courtesy, if he should happen to be absent, of having his objection registered that the request of the Senator was not automatically granted. However, the Republican calendar committee certainly is within its rights to refuse to extend to me such a courtesy. It has served notice on the representative of the Independent Party that such is the intention, and I have accepted that service of notice. Of course this singular announcement of refusal to object in my behalf as a matter of form really goes to the matter of comity between and among Senators.

I announce today that I shall henceforth ask for no courtesies whatsoever either from the Republican calendar committee or from the Republican organization in the Senate. If that is to be the policy of the Republican organization in the Senate I shall look to the Democratic side of the aisle to protect my procedural rights in the Senate. I do not know of a single Democrat who does not appreciate the fact that comity between Senators will be destroyed if we ever adopt the practice of refusing to grant to each other the type of parliamentary courtesy that I asked the Republican calendar committee to extend to me yesterday. I have been advised by the Democratic whip and by the chairman of the Democratic calendar committee that they will protect my parliamentary rights in these matters.

I believe my position ought to be made a matter of record today, because I certainly would not wish to embarrass any Senator on the Republican side of the aisle by asking that he do any favor for the representative of the Independent Party. We might as well have the issue clearly drawn, although I have tried always to extend to my Republican colleagues all possible courtesies consistent with the rules and historic traditions and practices of the Senate.

TERMINATION OF FEDERAL SUPERVISION OVER CERTAIN TRIBES OF INDIANS IN THE STATE OF UTAH

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 2670?

Mr. MORSE. I should like to ask the Senator from Utah a few questions about the bill. I do not know what the facts are. I have certainly stood shoulder to shoulder with the distinguished Senator from Utah during the past few years in trying to get for the Indians what he and I in debate on the floor of the Senate have called emancipation. I believe the Indians ought to be emancipated as rapidly as it can be done.

I do not know whether there is any merit in the material which has been handed to me. It comes from a lawyer in Washington, D. C., and raises a question as to whether there may not be some oil under this particular land, and whether there may be economic forces which believe they can get a better deal from the Indians in their efforts to obtain the oil, if any there be under the land, than they can by negotiation with the Bureau of Indian Affairs. All I want from my friend from Utah is a statement as to whether he believes there is any basis for the contention. I am perfectly willing to make available to him the information which has been given to me concerning this matter.

Mr. WATKINS. Mr. President, I do not know whether there is any oil under what little land is owned by the Indians, but I hope there is.

The pending bill and other bills which will come before Congress in due time were introduced largely in response to House Concurrent Resolution 108, which was adopted during the last session of Congress. It sets forth that it is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and to accord them the same privileges and responsibilities as are applicable to other citizens of the United States; to end their status as wards of the United States, and to grant them all the rights and prerogatives pertaining to American citizenship.

The resolution goes on to name the individual groups of Indians which Congress at that time thought were ready to assume the rights of citizenship, and requested the Department of the Interior to draw up some recommendations along that line.

The groups of Indians named in the pending bill are very small Indian bands in the State of Utah. They have not been receiving any help, to speak of, from the United States for a long time. They live near white communities and are a part of the white communities in the areas of the State where their lands are situated. Their lands are for the most part, unless there are some minerals under the ground, not very valuable. There are perhaps 300 or 400 Indians involved.

Mr. MORSE. Does the Senator know of any reason why these Indians would not be as well protected, so far as their economic interests are concerned, after the passage of the bill as under the present procedures?

Mr. WATKINS. I believe they would be better protected, because they would have a choice of different methods in handling their affairs. Incidentally, prospecting for oil in Utah is going on all the time.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

FLOOD-CONTROL PROJECTS IN THE COLUMBIA RIVER BASIN

Mr. KNOWLAND. Mr. President, on the basis of my discussion with the members of both calendar committees I should like to state that the Senator from Oregon [Mr. CORDON] must attend a meeting of the conference committee on the supplemental appropriation bill, as one of the conferees on the part of the Senate. He has asked me to request unanimous consent that the Senate now proceed to the consideration of Calendar 1253, H. R. 8377. I make such unanimous consent request.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 8377) authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California for the present consideration of the bill?

The Chair hears none.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I wonder whether we may have an explanation of the bill for the record.

Mr. BUSH. Mr. President, a comprehensive plan for flood control and other purposes in the Columbia River Basin was authorized by Congress in the Flood Control Act of 1950. In approving this comprehensive plan the Congress authorized only enough money to initiate the more important projects. Subsequent acts of Congress included additional money authorizations for continuing this work. The total authorizations approved by Congress to date amount to $267,300,000. Congress has appropriated about $233 million through the present fiscal year, which leaves a balance of about $34 million available for the appropriations now being considered by Congress. This balance is not sufficient to cover the approved budget estimates for continuing the work now in progress.

The committee has recommended that the authorization be increased by $17 million in order to cover the deficiency under the approved budget estimates and to provide for continuing the original construction schedule on the Dalles Dam in Oregon. This authorization will not provide for starting any new construction. It will only provide for continuing projects now under construction with a small balance remaining for preparation of plans for other authorized projects. Since the appropriation bill for this work is now being considered by the Senate Appropriations Committee, the Public Works Committee recommends early passage of this legislation.

Mr. MORSE. Mr. President, reserving the right to object, I wish to make a brief statement in regard to the amendment which has been adopted by a majority vote of the members of the Committee on Public Works. I make my statement preliminarily to a statement which my colleague will make on the subject. We are of one mind as to the objective we seek to accomplish.

Beyond question my colleague's bill providing funds to proceed with the Dalles Dam is agreeable to me. He and I have been of one mind concerning the project from its very beginning. In fact, we are of one mind when it comes to the matter of seeking the funds needed for making available to the Pacific Northwest the quantity of power necessary for the economic life of that area. I have urged for months an increase in the authorization for the Dalles Dam so that its construction can be kept on schedule.

However, Mr. President, I have received a great many requests from the State of Oregon and from other areas of the Pacific Northwest for additional funds in connection with other projects, particularly with respect to planning. Such funds are needed by the Army engineers. The Senators from Montana and from Washington, and the junior Senator from Oregon, have pending in the Senate a series of amendments to the civil functions appropriation bill, which will come before the Senate in due course of time, seeking to provide the funds needed for new starts in the Pacific Northwest. This particular group of Senators believes that new starts are highly essential if the cheap electric power which we so sorely need is to be supplied.

So I offered to this particular bill in committee an amendment calling for $1 million additional in authorizations. As the record of the committee will show, the amendment, in the first instance, provided for $2½ million, because that was the amount which our calculations showed the Army engineers were short in connection with proceeding with the planning of the John Day Dam, with some planning in regard to Look Out Point, and with a group of so-called miscellaneous projects.

Colonel Whipple was at the hearing in the Public Works Committee and testified that the Army engineers had some excess money from unexpended funds which could be used to meet, in part, the necessities of the case, and that a million dollars would suffice. He suggested that my amendment be changed from $2½ million to $1 million. I acceded to his request, because all I seek, Mr. President, is the funds which the Army engineers need for planning, in order, as the chairman of the committee said in the committee hearing, that the plans may be available on the shelf and the blueprints may be ready. Some of us feel that they are long overdue. But, be that as it may, we certainly should proceed with the planning. As I said to my colleague in a conversation with him this morning, that was the objective of my amendment. I know my colleague has the same objective, so far as planning is concerned, and I think he has a suggestion as to the course of action we should take jointly in respect to my particular amendment.

I have made this preliminary statement for the record to show what my intention is, and I am sure the senior Senator from Oregon and I can join forces to bring about an acceptable solution.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CORDON. Mr. President, I, of course, have no objection to the amendment which my colleague has submitted. However, since the time the amendment was submitted a situation has arisen which, I believe, obviates the necessity of the amendment and the appropriation of $1 million for which it provides. I refer to the fact that in the appropriation estimate for this year there is an item for a dam in the State of Oregon requiring $4 million. The House appropriated $3 million for that project. When the bill dealing with civil functions came before the Senate committee the Corps of Engineers advised that they were not seeking a restoration of the $1 million which had been cut by the House from that particular item. They advised that that amount was not essential to carry on their construction program, but represented an amount which might be needed during the year to settle certain payments in connection with the relocation of a railroad, although it might not be needed for that purpose. Therefore the amount might well go into next year's appropriation. That amount would offset the precise amount in the amendment offered by my colleague from Oregon.

It is my hope that the Senate will now pass House bill 8377 with the amount originally contained in the bill, because there will be an authorization to offset the amount which otherwise we would have had to cut from the amendment.

Mr. MORSE. Mr. President, will the Senator from Oregon yield?

Mr. CORDON. I yield.

Mr. MORSE. If we pass the bill without my amendment in it, it would mean that the bill would not have to go to conference, would it not?

Mr. CORDON. That is correct.

Mr. MORSE. And we could go ahead and use the funds for the dam; is that correct?

Mr. CORDON. Exactly.

Mr. MORSE. On the basis of the explanation which my colleague has made in regard to what really amounts now to an excess in the engineers' funds, so far as authorization is concerned, of $1 million, there is nothing which would stand as a barrier in the way of the Army engineers using that authorized money, provided the appropriation is made, and to plan for the John Day project and the so-called miscellaneous projects.

Mr. CORDON. The Senator is correct in both matters to which he has adverted.

Mr. MORSE. Mr. President, I suggest that the bill be considered as it came from the House, without the Morse amendment added.

Mr. BUSH. If I correctly understand the situation, it would mean changing the figures in line 8, "$167,000,000" to "$166,000,000."

Mr. MORSE. That is correct.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R.

8377), authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes, which had been reported from the Committee on Public Works with an amendment, at the beginning of line 8, to strike out "$166,000,000" and to insert "$167,000,000."

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Would not the desired result be accomplished, since the committee reported an amendment to the bill, to reject the amendment, and then the bill will be in its original form?

The PRESIDING OFFICER. That is correct.

The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was read the third time and passed.

PAYMENTS FROM UTE INDIAN TRIBAL FUNDS

The Senate proceeded to consider the bill (S. 2742) to amend the act of August 21, 1951, relating to certain payments out of Ute Indian tribal funds, which had been reported from the Committee on Interior and Insular Affairs with an amendment, in line 9, after "Stat.", to strike out "192", and to insert "193", so as to make the bill read:

Be it enacted, etc., That the first proviso in the first section of the act entitled "An act to provide for the use of the tribal funds of the Ute Indian Tribe of the Uintah and Ouray Reservation, to authorize a per capita payment out of such funds, to provide for the division of certain tribal funds with the Southern Utes, and for other purposes", approved August 21, 1951 (65 Stat. 193), is amended by inserting after the word "section" the words "exclusive of per capita payments from interest."

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. WATKINS. Mr. President, S. 2742 was introduced by me in the opening days of the second session of this Congress at the request of the Ute Indian Business Council. The bill after being introduced was referred to the Department of the Interior and the Bureau of the Budget for reports. The reports were both in favor of this legislation which has as its purpose the removal of a technical misunderstanding as to the intent of Congress. The bill amends the act of August 21, 1951, relating to certain payments out of Ute Indian tribal funds.

When Congress passed that act in 1951 it was the intention, as expressed in the hearings, that the tribe should have full use of the interest accruing after that date but that the tribe should not be authorized to spend more than one-third of the principal then on deposit in the Treasury. The act of 1951 authorized payment out of funds on deposit for the purpose of completing a long-range program for development and integration of the Ute Indians and that program was proposed upon the assumption that this interest would be available for expenditure in compliance with those expressed plans. Therefore, when due to an interpretation of the phraseology of that act it was determined that only one-third of the interest could be used the tribe found itself under obligation to Congress to carry out its long-range program but they were hampered by a shortage of funds which they had not contemplated.

The judgment fund which this tribe depends upon for its development program financing is some $13 million which earns for them around $500,000 per year. After reading the hearings which were conducted at the time this act was passed in 1951 it was clear to the members of the committee that it was the intent of Congress that this interest be available to the tribe for expenditure in the development of their long-range program and the present interpretation which has been placed upon that language in the act threatens the successful operation of this program and seriously jeopardizes the effectiveness of the balance of funds which the tribe presently expends.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISSUANCE OF PATENT IN FEE TO LUCY YARLOTT OTHERMEDICINE

The bill (S. 1301) authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott Othermedicine was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue to Lucy Yarlott Othermedicine a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Mont.: The west half of the northeast quarter, and the southeast quarter of the northeast quarter of section 22, and lot 3 of section 10, township 9 south, range 34 east, Montana principal meridian. The prior disposition of the homestead land of Lucy Yarlott Othermedicine is hereby ratified and confirmed.

TRANSFER OF HAY AND PASTURE SEEDS

The Senate proceeded to consider the bill (S. 2987) to provide for the transfer of hay and pasture seeds from the Commodity Credit Corporation to Federal land-administering agencies, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 19, after "SEC. 3", to strike out "The Secretary of the Treasury is hereby authorized and directed to cancel notes issued by the Commodity Credit Corporation to the Secretary of the Treasury in such amounts as the Secretary of Agriculture determines and certifies to the Secretary of the Treasury are required" and to insert "There are hereby authorized to be appropriated such sums as may be necessary", so as to make the bill read:

Be it enacted, etc., That the Commodity Credit Corporation is hereby authorized and directed to transfer to the following agencies, free on board transportation conveyance at point of storage, surplus hay and pasture seeds acquired under the price-support program, as follows: To the Forest Service, Department of Agriculture, not to exceed 485,000 pounds; to the Fish and Wildlife Service, Interior Department, not to exceed 163,000 pounds; to the Bureau of Land Management, Interior Department, not to exceed 252,000 pounds. The kinds and quantities of seeds transferred within such maximum quantities, subject to determination of availability and surplus supply by the Commodity Credit Corporation, shall be determined by such agencies, but shall not exceed quantities which may be utilized for the purpose specified in section 2 of this act with funds made available under this act and funds available for such purpose out of appropriations to such agencies for the fiscal year 1954.

SEC. 2. The seeds transferred pursuant to this act shall be used by the transferee agencies only for the purpose of seeding grazing lands administered by them. To defray costs of transporting and seeding, there is hereby authorized to be appropriated the following sums: To the Forest Service, not to exceed $95,000; Fish and Wildlife Service, not to exceed $25,000; and to the Bureau of Land Management, not to exceed $25,000.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in the seeds transferred pursuant to this act.

Mr. SMATHERS. Mr. President, may we have an explanation of the bill and the amendment?

Mr. DWORSHAK. This bill authorizes the Commodity Credit Corporation to transfer hay and pasture seed acquired under its price-support program to specified agencies which are able to use it in seeding grazing lands. The Forest Service would receive up to 485,000 pounds; the Fish and Wildlife Service up to 163,000 pounds; and the Bureau of Land Management up to 252,000 pounds. The seed is surplus and likely to lose its germinating quality if not used for some beneficial purpose.

The bill authorizes appropriations for handling and planting the seeds as well as to reimburse Commodity Credit Corporation. Increased cooperation from grazing permittees would, however, be required to accomplish the planting.

The committee amendment would provide that reimbursement of Commodity Credit Corporation would be accomplished through appropriation rather than cancellation of notes. This is consistent with the action taken by Congress in enacting Public Law 312 of this Congress.

I might add that the bill was drafted after consultation with the various Federal agencies involved, and it has the approval of the executive branch and the unanimous approval of the Senate Committee on Agriculture and Forestry.

Mr. SMATHERS. Can the Senator from Idaho state whether an opinion was received from the Department of the Interior? As I understand, the Bureau of

the Budget recommended that an opinion be obtained from the Department. I wonder if one was procured.

Mr. DWORSHAK. The three agencies involved are all within the Department of the Interior. So far as I know, more than 3 months elapsed during the interim when the bill was being drafted and was under consideration. I am very confident that the three agencies in the Department of the Interior which are directly involved have given full approval to the bill.

Mr. SMATHERS. The letter of the Bureau of the Budget, as I have read it, stated that, in the opinion of the Bureau, the seed which it was contemplated would be used was not the best for the purpose of restoring rangelands.

Mr. DWORSHAK. Mr. President, the Government, through the Commodity Credit Corporation, presently owns in excess of 100 million pounds of surplus seed, which has been acquired under the support-price program. It is true that the bill affects only about 900,000 pounds of seed, because only about 1 million pounds could qualify for use in the grazing areas under the jurisdiction of Federal agencies. Otherwise, I am certain the amount of seed would have been far in excess of the number of pounds involved in the bill.

Mr. SMATHERS. I repeat my question: In view of the fact that the Bureau of the Budget said that they did not believe the seed was the best for the purpose of restoring range lands, I wonder if the Senator had in mind getting some other kind of seed.

Mr. DWORSHAK. Absolutely not. Only those seeds which are valuable for the reseeding program will be used. A few weeks ago, when the Director of the Bureau of Land Management appeared before the Subcommittee on Interior Appropriations, of the Committee on Appropriations, he was asked concerning the program and its relationship to combating halogetin in the public areas of the several States of the West. He very emphatically and specifically said that the surplus seed owned by the Federal Government could be utilized to good advantage in reseeding the public domain and in combating weeds like halogetin.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHAPEL FACILITIES FOR MEMBERS OF CONGRESS

The concurrent resolution (H. Con. Res. 60) to provide chapel facilities for Members of Congress was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. MORSE. May we have an explanation of the concurrent resolution?

Mr. MONRONEY. I appreciate the opportunity of advising the Senate that the concurrent resolution which has been pending since the first session of this Congress is to provide private, nondenominational chapel facilities for Members of the Senate and the House, where, amidst the problems of the day, they may retire to meditate or to engage in prayer.

There will be no religious symbols of denominational faith involved. The chapel will be strictly for the use of Members of the Senate and the House.

In anticipation of the adoption of the resolution, a room, formerly used as a clerk's room, has been secured, abutting the Rotunda of the Capitol on the House side. It will be appropriately decorated for the purpose for which it is to be used, and will be available, during the sessions of the Senate and the House, directly and solely for the private meditation and prayer of Members of the Senate and the House.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield.

Mr. MORSE. Will the chapel contain appropriate offices for the chaplains of the Senate and the House?

Mr. MONRONEY. I am sorry to say that the room is not large enough for that purpose. Unfortunately, it will be only for the use of Members of Congress for purposes of prayer and meditation. The room is quite small. We should have liked to be able to provide facilities for the chaplains. I think it is unfortunate that the two clergymen who minister to our spiritual welfare in the Capitol are required to occupy desk space in committee rooms and to shift from pillar to post. If it should be possible to obtain larger facilities, I think it would be very proper that the chaplains be provided with office space separate from the chapel itself. But the idea of providing a chapel was for the use of the Members of the Senate and the House alone.

Mr. MORSE. I know there has been informal discussion from time to time among Members of the Senate as to the desirability of an appropriate chapel to be used, for example, if it were decided by either House of Congress to do so, to hold the funeral services of Members of Congress. Facilities with good acoustics for the holding of so-called state funeral services are not available at present. I was wondering if the committee had given consideration to the desirability of a religious chapel sufficiently large for conducting state funerals, when it is desired that such state funerals be held.

Mr. MONRONEY. I think it would be very proper to do so. However, I might say that the facilities of the Capitol are so limited and so crowded that in order to provide for this particular need, which it was felt was real and pressing among the membership of Congress, a chapel was proposed which would not require expensive rebuilding of, or alterations to, the Capitol at this time.

I wish facilities were available so that such a service could be held for Members of Congress who die while here. However, since such a large space is not available, it might be that this small chapel could be used so that a deceased Member might lie in state and Members of the House and the Senate could thus pay their last respects.

I regret that the present space limitations and the chapel provided for under this concurrent resolution do not permit an auditorium of sufficient size to be useful for the purpose suggested by the distinguished Senator from Oregon.

Mr. MORSE. How large would the chapel be?

Mr. MONRONEY. It would not be much larger than an office. It would be appropriately decorated and furnished to offer facilities to the members for private meditation and prayer. It is not anticipated that space would be sufficient to hold services there. It seems to me that the need is so vital at this critical time in world history that we should go forward as rapidly as possible to minister in this way to the spiritual needs of Members of Congress. Here they could be away from the everyday problems in an atmosphere which would be conducive to meditation and prayer. Such a chapel as is provided for would enable them to have a place for spiritual inspiration.

Mr. MORSE. Mr. President, I have no objection to the proposal. I think the symbolism is very important. I believe it is well, in the critical times in which we live, that Congress use appropriate means to call attention to spiritual values, each man to his own faith when it comes to communion with his Creator. If the particular religious chapel under discussion will be of assistance to anyone in the Congress in order that he may be in communion with his Creator, far be it from me to raise any objection. I think it would be more appropriate if the Senate gave consideration to making available a chapel which could be used for religious services when there was a need, along the lines I have suggested. However, I have no objection to the concurrent resolution.

Mr. MONRONEY. I thank the Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 60) was considered and agreed to.

EXPORT-IMPORT BANK AND INTERNATIONAL BANK OPERATIONS—PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 1082

The concurrent resolution (S. Con. Res. 74) authorizing the printing of additional copies of Senate Report No. 1082, a study of the operations in Latin-American countries of the Export-Import Bank and the International Bank and their relationships to the expansion of international trade, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Banking and Currency 5,000 additional copies of Senate Report No. 1082, current session, a study of the operations in Latin-American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade.

AUTHORIZATION FOR THE COMMITTEE ON RULES AND ADMINISTRATION TO MAKE EXPENDITURES AND EMPLOY TEMPORARY PERSONNEL—RESOLUTION PASSED OVER

The resolution (S. Res. 234) authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMATHERS. Over.

Mr. BARRETT. Mr. President, will the Senator withhold his objection for a moment?

Mr. SMATHERS. I am happy to withhold it.

Mr. BARRETT. I asked the Senator from Florida to withhold his objection for a brief time in order that I might say that a moment or two ago I was looking at the Associated Press dispatches, and I noticed one from Santa Fe, N. Mex. Apparently a primary election is being held there today, and the Associated Press significantly reported that for the first time in the history of New Mexico there would be voting booths in every precinct and voting place in the State of New Mexico. I think the investigation made by our committee last year and the early part of this year has had a very salutary effect on the officials of New Mexico.

I thank the Senator from Florida for permitting me to make this comment.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. SMATHERS. There is no objection to the purposes of the resolution on the part of the calendar committee. The only reason I ask that it go over is that we do not think the resolution should be agreed to on the Consent Calendar. If the majority leader cares to schedule the resolution for debate and discussion, that will be eminently agreeable with us.

The PRESIDING OFFICER. The resolution (S. Res. 234) will be passed over.

HOMESTEAD ENTRIES FOR MILITARY OR NAVAL SERVICE

The bill (S. 1823) to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask for an explanation of the bill.

Mr. DWORSHAK. Mr. President, the purpose of the bill is to extend to veterans of the Korean war the same homestead rights which are now enjoyed by veterans of World War II. In addition, it extends for a 5-year period the time in which veterans may exercise their preference right to secure title to lands released from withdrawal.

The committee has added an amendment recommended by the Department of the Interior to correct a defect in existing law under which some homestead applications have been granted without any compliance with the normal cultivation requirement of the homestead laws. The whole purpose of the homestead laws is to grant land to those who have demonstrated they intend to use it for farming. On that basis, lands should not be granted except to those who have placed at least a portion of the lands under cultivation. The committee amendment makes sure that that condition will be complied with.

The bill is approved by the Department of the Interior and the Bureau of the Budget, with an amendment closing the loophole in existing law.

I might add that with respect to Alaska there was a loophole in the law which would make it possible for veterans to file on homesteads and then to qualify without actually living on the land or complying with the regular homestead regulations. The bill under consideration would correct that inequality, and would merely extend to veterans of the Korean war the same preferential rights which have been enjoyed heretofore by veterans of World War II.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1823) to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 7, after the word "That", to insert "such compliance shall include bona fide cultivation of at least one-eighth of the area entered under the homestead laws:", so as to make the bill read:

Be it enacted, etc., That (a) the first sentence of the first section of the act of September 27, 1944, as amended (43 U. S. C. 279–284), is amended to read as follows: "That any person who has served in the military or naval forces of the United States for a period of at least 90 days at any time on or after September 16, 1940, and prior to the termination of the Korean conflict as determined by Presidential proclamation or concurrent resolution of the Congress, and is honorably discharged from the military or naval forces and who makes homestead entry subsequent to such discharge shall have the period of such service, not exceeding 2 years, construed to be equivalent to residence and cultivation upon the land for the same length of time."

(b) The proviso at the end of the first section of such act is amended to read as follows: "*Provided,* That such compliance shall include bona fide cultivation of at least one-eighth of the area entered under the homestead laws: *Provided further,* That no person who has served in the military or naval forces of the United States for a period of at least 90 days at any time on or after September 16, 1940, and prior to the termination of the Korean conflict as determined by Presidential proclamation or concurrent resolution of the Congress, and is honorably discharged shall be disqualified from making homestead entry or from any other benefits of this act merely by reason of not having reached the age of 21 years.".

(c) Section 4 of such act is amended by striking out "ten years" and inserting in lieu thereof "fifteen years".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict, and for other purposes."

CONVEYANCE OF CERTAIN LAND IN POWELL TOWNSITE, WYOMING

The bill (H. R. 6988) to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell townsite, Wyoming, Shoshone reclamation project, Wyoming, to the University of Wyoming was considered, ordered to a third reading, read the third time, and passed.

INCREASE IN TOBACCO MARKETING PENALTIES

The bill (S. 3050) to amend the Agricultural Adjustment Act of 1938, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE subsequently said. Mr. President, I ask unanimous consent that the Senate revert to Senate bill 3050, calendar 1236, to amend the Agricultural Adjustment Act of 1938, as amended. I make this request for the purpose of having an explanation made. Previously, I objected to consideration of the bill during the call of the calendar; I did so on the assumption that it was a major agricultural bill. However, I have been advised that it is a minor bill, but I should like to have an explanation of it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none. Without objection, it is so ordered, and the bill is before the Senate.

Mr. MORSE. Mr. President, may we now have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested.

Mr. GORE. Mr. President, the author of the bill, the senior Senator from Kentucky [Mr. CLEMENTS] is temporarily absent from the Chamber.

Mr. HOLLAND. Mr. President, I am prepared to attempt to explain the bill, if the distinguished Senator from Tennessee wishes me to do so.

Mr. GORE. Mr. President, I was about to explain the bill; but I know that the distinguished Senator from Florida, a member of the committee, can do a much better job of explaining the bill than I can. Therefore, I am very glad to yield to him, for the purpose of having the explanation presented.

Mr. HOLLAND. I thank the distinguished Senator from Tennessee.

Mr. President, let me say to the Senator from Oregon that the bill was introduced by the senior Senator from Kentucky [Mr. CLEMENTS] and had the support of the junior Senator from Kentucky [Mr. COOPER] and of most of the

other Senators from the tobacco-producing States without having any opposition which was made known to our committee.

The purpose of the bill is not to weaken, but, on the contrary, to strengthen the allotment provisions of the tobacco portion of the price-support program, by raising the penalties on tobacco produced on excess acreage over and above any allotted amount, from 40 percent of the average market price for the preceding marketing year to 50 percent of such average market price.

I checked on this matter with the people of my State who are in that industry and other members of the committee, such as the distinguished senior Senator from North Carolina [Mr. HOEY], the distinguished junior Senator from South Carolina [Mr. JOHNSTON], and other members of the committee did likewise. The reports all of us received were that the tobacco industry in general believes it would be helpful to have this measure enacted into law. It does not weaken the present law; on the contrary, it strengthens the provisions of the present law.

Mr. GORE. Furthermore, I understand that the bill applies only to tobacco.

Let me say that so far as I am advised, I have heard no objection to the bill from any Senator, any Representative, or any farmer.

Mr. HOLLAND. Mr. President, the statement the distinguished junior Senator from Tennessee has made is borne out by my experience. I received no objection from any source, and no one appeared before the committee to object. On the contrary, after all the investigation we could make, it appeared that the tobacco industry in general favors the bill.

Mr. MORSE. Mr. President, I have no objection to the bill. I believed it was a parity bill; I was mistaken about its identity.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3050) to amend the Agricultural Adjustment Act of 1938, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first sentence of section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows: "The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 50 percent of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year."

This amendment shall become effective October 1, 1954, except that in the case of flue-cured tobacco such amendment shall become effective July 1, 1954.

COL. RICHARD ORME FLINN, JR.

The Senate proceeded to consider the bill (H. R. 4735) for the relief of Col. Richard Orme Flinn, Jr., which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That Lt. Col. Richard Orme Flinn, Jr., O-260011, Chaplains' Reserve, Army of the United States, of Carrollton, Ga., be, and he is hereby, relieved of all liability to refund to the United States any part of the moneys erroneously paid to him by the United States as subsistence and rental allowances on account of a dependent child (his ward, Jack Wheeler) for the period from March 26, 1942, to February 18, 1946, inclusive, while the said Lt. Col. Richard Orme Flinn, Jr., was on active duty as an officer in the Army of the United States. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. MADELEINE ALICE AQUARONE

The bill (H. R. 7559) for the relief of Mrs. Madeleine Alice Aquarone was considered, ordered to a third reading, read the third time, and passed.

GIUSEPPE FRUSCIONE

The bill (H. R. 2385) for the relief of Giuseppe Fruscione was considered, ordered to a third reading, read the third time, and passed.

RICHARD E. RUGHAASE

The bill (H. R. 2368) for the relief of Richard E. Rughaase was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. I wonder if we might have an explanation of the bill?

Mr. BUTLER of Maryland. Mr. President, under the proposed legislation there would be paid to Richard E. Rughaase the sum of $669.97, which represents the amount required for return passage of his wife, Mrs. Margaret T. Rughaase, from Colombo, Ceylon, to the United States. Mrs. Rughaase was an employee of the Foreign Service, having entered thereon on March 1, 1948, as a single person. Under the regulations at that time, Foreign Service personnel would be returned to the United States from foreign duty at the expense of the Government if they had completed 2 years of duty in the Foreign Service, whether such service was performed at home or abroad. After Mrs. Rughaase had been sent to Ceylon, the regulations were changed so that a person could only receive travel expenses back to the United States if the 2 years of service was entirely in a foreign country. Mrs. Rughaase had completed 2 years of service under the regulations in effect when she entered and would have been entitled to return passage had not the regulations been changed.

The Department of State considers the cost of Mrs. Rughaase's return not to be an obligation of the Government under the revised regulations, but is sympathetic with the view that the change did constitute a modification of the terms of her original employment after she had gone overseas.

The committee was and is of the opinion that there is an equity existing in this situation, entitling the claimant to reimbursement for the amount claimed, and that he is entitled to rely upon the regulations existing at the time of the contract of employment. Therefore, the committee recommends that this claim be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2368) was considered, ordered to a third reading, read the third time, and passed.

THERESA MIRE PIANTONI

The bill (H. R. 1755) for the relief of Theresa Mire Piantoni was considered, ordered to a third reading, read the third time, and passed.

FRANK M. HILL MACHINE CO., INC.

The bill (H. R. 1689) for the relief of the Frank M. Hill Machine Co., Inc., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested.

Mr. BUTLER of Maryland. Mr. President, this bill simply gives the claimant company permission to file a suit in the Tax Court of the United States in order to have that court hear, determine, and render judgment upon the claim.

The bill does not waive any of the defenses of the United States, except that of the statute of limitations.

The fact is that the company, having 90 days within which to file such a claim, used the postmark date of the notification—July 13, 1944—when, in fact, the date of the letter, to wit, July 11, 1944, should have been used; and thus the Tax Court held that their petition had not been timely filed, it being 2 days late. Accordingly the Tax Court held that it then had no jurisdiction.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1689) for the relief of Frank M. Hill Machine Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

KIM MI HAE

The bill (H. R. 858) for the relief of Kim Mi Hae was considered, ordered to a third reading, read the third time, and passed.

GEORGE P. SYMRNIOTIS

The Senate proceeded to consider the bill (H. R. 683) for the relief of George P. Symrniotis, which had been reported from the Committee on the Judiciary

with an amendment, on page 1, line 4, after the name "George P.", to strike out "Symrniotis" and to insert "Smyrniotis."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of George P. Smyrniotis."

MICHELE PACCIONE

The bill (H. R. 666) for the relief of Michele Paccione was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF MARY BEATON DENNINGER, DECEASED

The bill (S. 3064) for the relief of the estate of Mary Beaton Denninger, deceased, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

Mr. BUTLER of Maryland. Mr. President, this measure would pay to the estate of Mary Beaton Denninger the sum of $780.36. Mary Beaton Denninger was the wife of a serviceman who, under the Servicemen's Indemnity Act of 1951, was found to be the proper person to receive 120 installments of indemnity at the rate of $65.03 a month. This award was to have commenced as of November 20, 1952.

On the 20th of November 1952, Mr. Floyd E. Henderson was appointed the legal guardian of Mary Beaton Denninger, on the grounds of her incompetency. As such legal guardian, Mr. Henderson applied for the benefits accruing to her. The sum of $3,000 was paid to such guardian under United States Government life insurance, and the death gratuity provided for was also paid. Payment under the Servicemen's Indemnity Act was delayed by reason of an investigation by the Veterans' Administration as to whether or not she was the proper beneficiary. When this determination was made, a check for the money then accrued, amounting to $780.36, was forwarded from the Veterans' Administration. But in the meantime Mary Beaton Denninger had died. There is no question that Mary Beaton Denninger was the proper beneficiary of this award; and had the check been issued and delivered prior to her death, she would have been the proper person to receive the same. This measure in no way affects the balance of the 120 installments to be paid under the law to others, but only concerns itself with the $780.36. In view of the fact that it was only routine administration which precluded the legal guardian of Mary Beaton Denninger from receiving the award on her behalf, it is considered that this fact should not in any way prejudice her estate as to the amounts which had accrued to her previous to her death. Inasmuch as the check was issued, the committee believes that the money represented by such check should go to the party or the estate, in case of that party's death, to which it would have gone had it been paid finally. Favorable consideration of the bill is therefore recommended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3064), which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the words "sum of", to strike out "$715.33" and to insert "$780.36", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mary Beaton Denninger, deceased, the sum of $780.36. The payment of such sum shall be in full settlement of all claims of the said estate against the United States for payment of the proceeds under the Servicemen's Indemnity Act of 1951, accruing to said Mary Beaton Denninger, deceased, during her lifetime: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

E. S. BERNEY—BILL PASSED OVER

The bill (S. 46) for the relief of E. S. Berney was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. I ask that the bill be passed over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

Mr. MALONE. Mr. President, will the distinguished Senator from New Jersey withhold his objection, in order to permit an explanation of the bill to be made?

Mr. HENDRICKSON. I gladly do so, Mr. President.

Mr. MALONE. Mr. President, the Senator from Nevada [Mr. McCARRAN] is not in the Chamber at this time. This is his bill. However, I happen to know the man for whom relief is sought; I have known him very well for many years. He is a very responsible stockman who lives near Fallon in the State of Nevada; and I know something about the circumstances of the case.

There is a naval base in that area, and the establishment has been growing very rapidly.

About the middle of the summer of 1943, the Navy commander there notified Mr. Berney that the Navy would take charge of that area on October 1, 1943. He was notified that he would have to remove his livestock from the range. Considerable Government ranch land had been allocated to him, and he was also using certain leased land, as well as his own property in the area. That land was being taken over by the Navy. I know he hired a number of cowboys to go with him to cover the miles of land involved and to herd the 500 or more head of cattle and bring them in at great sacrifice, in the middle of the summer.

Mr. Berney then sold the cattle, because he had no other place to pasture them; and he sold them at a sacrifice price.

The fact is that the Government did not take over until the following year. The affidavit states that when the condemnation proceedings took place no evidence was allowed to be introduced in court dealing with the period prior to the 11th day of April 1944. Therefore, there was no opportunity to place in evidence in court testimony as to the amount of money expended in gathering the cattle from the range, which is a considerable job in a State like Nevada, Wyoming, or Arizona. In some places as much as 75 to 140 acres are required for each cow unit. So 500 head of cattle would cover a wide area. Much of the area involved in this case is either mountainous or desertlike.

The evidence was very clear, based upon personal knowledge, that Mr. Berney incurred much greater expense in gathering his cattle, in the sacrifice of the half year which he lost, and in selling his cattle at a loss, than the amount which was granted him in the court case, based upon testimony covering the period following April 11, 1944. Mr. Berney was granted relief to the extent of $766.67, which did not include any of the prior expense.

I am heartily in sympathy with the bill. I think it is entirely fair. I am sorry the senior Senator from Nevada is not present. I am sure that if the Senator from New Jersey would go into this case he would be entirely satisfied.

Mr. HENDRICKSON. That is one reason why I want the bill to go over. I should like an opportunity to go into it before the next calendar call. I cannot find in the report any legal basis upon which the award of $12,000 is arrived at.

Mr. MALONE. If there had been a legal basis, it probably would have included in the judgment; but the affidavits show that evidence covering the period prior to April 11, 1944, was not permitted to be presented to the court. The expense was incurred beginning about the middle of the summer, in August 1943. It involved gathering the cattle off the range and the sacrifice in price, which would not have been occasioned if the Government had not served notice that it was taking over on October 3. Only a couple of months remained in which to gather the cattle.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. BUTLER of Maryland. As I understand, the expense and damage came about by reason of the removal of the cattle from the range. Is that correct?

Mr. MALONE. There was also involved a sacrifice in price received for the cattle. When cattle are placed on the range in the spring they are thin.

If they can be left there until September or October, they will bring a higher price. If they are taken off in the middle of the summer and there is no suitable place to put them, there is no gain in weight, and they cannot be sold in the higher-price brackets. That is the procedure which is followed in the case of stock cattle on the range.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. HENDRICKSON. How was the figure of $12,000 reached? What basis was used?

Mr. MALONE. For one thing, the wages and expenses involved in collecting the cattle amounted to four or five hundred dollars. They had to be brought into town and held there. They had to be fed until they could be sold. They were sold at a sacrifice in price. There is a difference between the type of cattle sold in the middle of the summer and the type of cattle sold in the fall. The difference in price depends upon the condition of the cattle. If they could have been left on the range until the end of the season, Mr. Berney would have had something to sell. When range cattle are taken off the range in the middle of the summer, there is nothing to sell, except at a sacrifice in price.

The PRESIDING OFFICER. The Chair advises the Senator from Nevada that his time has expired.

Mr. HENDRICKSON. Mr. President, I ask that the bill be passed over until the next call of the calendar. In the meantime the Senator from New Jersey will make a further study as to the basis which was used in arriving at the amount proposed to be awarded.

Mr. GORE. Mr. President, reserving the right to object, inasmuch as there is some controversy regarding the bill, would the Senator from New Jersey and the Senator from Nevada entertain the suggestion that this case might properly be referred to the Court of Claims? If it is necessary to confer jurisdiction upon the Court of Claims to adjudicate the case and determine the amount of damages and the proper amount of award, that might be a more propitious procedure than the procedure which is being followed.

Mr. HENDRICKSON. I agree with the Senator. That is the way the case should be handled. That is the way many such claims bills should be handled. However, again and again we are called upon in the Judiciary Committee and on the floor of the Senate to pass judgment on facts which are not before us.

The PRESIDING OFFICER. Objection is heard.

Mr. BUTLER of Maryland. Mr. President, reserving the right to object——

The PRESIDING OFFICER. Objection has already been entered.

Mr. BUTLER of Maryland. I am still entitled to my 5 minutes, am I not?

The PRESIDING OFFICER. The Chair advises the Senator that objection has been entered.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senator from Maryland be permitted to proceed for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey? The Chair hears none, and the Senator from Maryland may proceed.

Mr. BUTLER of Maryland. I wish to address my remarks to my distinguished friend from Tennessee [Mr. GORE]. In this particular case I think it would do no good to relegate this claim to the Court of Claims, because the legal basis for recovery was completely destroyed when the claimant took the word of a naval officer of the United States that the Government of the United States was about ready to move in on his land. As I understand, the minute he took his cattle off the range, he lost all his grazing rights, and all the value in the property itself.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. GORE. I would not object to conferring jurisdiction upon the Court of Claims, with directions to determine whatever legal equities, if any, are involved.

Mr. BUTLER of Maryland. I am not prepared to say to the Senator that the Court of Claims has that type of jurisdiction. In my judgment, this is one of those equity cases which the Judiciary Committee must pass upon. The committee passed upon this case. We heard all the facts, and we were satisfied that this man had reasonable ground for taking the word of a man in the uniform of the Navy of the United States. We based our judgment on that reasoning. I do not think he has any legal remedy, unless he obtains it from the Congress.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. MALONE. Was there any dispute as to what the Navy official told this man?

Mr. BUTLER of Maryland. The only question the committee had was whether or not the rancher should have taken the word of the Navy officer, without going further. We felt that he had reasonable ground for believing that the officer who was speaking to him had authority to speak for the Government of the United States. As a matter of fact, the Government did move in on his land the next April.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. GORE. I listened to the distinguished Senator from New Jersey inquire upon what basis the decision was reached with respect to the payment of $12,000. I wonder if the able Senator from Maryland can advise the Senate upon what basis he reached the conclusion that $12,000 should be awarded in this case?

Mr. BUTLER of Maryland. It is quite usual, in cases involving condemnation of property, to give a subsequent claimant that which has been awarded to other claimants similarly situated. The $12,000 finding was based upon what was awarded to other people with like kind, quantity, and character of land in that locality.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

Mr. McCARRAN subsequently said: Mr. President, with reference to Calendar No. 1248, Senate bill 46, for the relief of E. S. Berney, which was called during my absence, I respectfully ask unanimous consent that the bill may be called the next time bills on the calendar are considered.

The PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. I was under the impression that I had already made that request. But if I have not, I certainly agree to it.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHARLES W. GALLAGHER

The Senate proceeded to consider the bill (S. 555) for the relief of Charles W. Gallagher, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 10, after the word "Army", to insert a colon and the following proviso: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles W. Gallagher, the sum of $430, in full satisfaction of his claim against the United States as compensation for a piano which he had loaned to the March Field Service Club, March Field, Calif., in 1942 for the use and entertainment of Army personnel, and which was lost by the Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD NAARITS

The Senate proceeded to consider the bill (S. 1602) for the relief of Edward Naarits, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and to insert:

That, notwithstanding the time limitation provided for in section 330 (a) (2) of the Immigration and Nationality Act, Edward Naarits shall be deemed to be within the

purview of the said action provided his petition for naturalization is filed within 1 year from the effective date of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAJOS SCHMIDT AND HIS WIFE, MAGDA

The Senate proceeded to consider the bill (S. 1725) for the relief of Lajos Schmidt and his wife, Magda, which had been reported from the Committee on the Judiciary with an amendment, in line 8, after the word "fees," to strike out "and head taxes," so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Lajos Schmidt and his wife, Magda, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER subsequently said: The Chair is advised that on April 6 the House passed H. R. 2505, for the relief of Lajos Schmidt and his wife, Magda. That bill is identical with S. 1725, except that the House bill, in line 3, refers to "the Immigration and Nationality Act," whereas the Senate bill, S. 1725, in line 3, refers to "the immigration and naturalization laws."

Without objection, the vote whereby Senate bill 1725 was passed will be reconsidered, the Committee on the Judiciary will be discharged from further consideration of H. R. 2505, for the relief of Lajos Schmidt and his wife, Magda, and the Senate will proceed to the consideration of the House bill.

The Senate proceeded to consider the bill (H. R. 2505), for the relief of Lajos Schmidt and his wife, Magda.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1725 is indefinitely postponed.

APPOINTMENT OF CERTAIN OFFICERS TO GRADE OF GENERAL

The Senate proceeded to consider the bill (S. 2468) to authorize the President to appoint to the grade of general in the Army of the United States those officers who, in grade of lieutenant general, during World War II commanded the Army ground forces, commanded an Army, or commanded Army forces which included a field Army and supporting units, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a statement by the senior Senator from Texas [Mr. JOHNSON].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF TEXAS

S. 2468 will correct an injustice to a few great generals who served our country during World War II. These men, some retired and others now deceased, were all entitled by their commands during the war to the rank of full general. For various unavoidable administrative reasons their promotions were not made prior to retirement.

One of the generals who will be a beneficiary of this bill is Lt. Gen. William H. Simpson of San Antonio, Tex. During World War II, General Simpson commanded the Second Army with great distinction and ability.

While we can never adequately repay the tremendous public service of General Simpson and the others affected by this bill, we can, by paying the fitting tribute which this bill represents, at least acknowledge our recognition of the great debt we owe them.

I am very happy that this bill is now at last to pass the Senate. I hope that action in the House will be favorable and prompt so that very little more time need pass before the inequities corrected by this bill will be eliminated.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that an explanatory statement of the bill by the Senator from Massachusetts [Mr. SALTONSTALL] be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

This bill is identical in purpose with S. 3186, which passed the Senate on July 4, 1952, but failed of action in the House due to adjournment.

The purpose of the bill is to extend to a distinguished group of Army officers a form of recognition for their outstanding service to the United States during the hostilities incident to World War II. These officers whose names are shown in the committee report have all either died or have been retired.

During the period of hostilities these officers, although actually filling positions which by custom and tradition called for the 4-star rank, served in 3-star rank and were either killed in action, deceased, or retired before they could be given 4-star rank while on active duty.

The bill would remedy this obvious inequity by advancing these officers to 4-star rank, such advancement to be made either in the form of a posthumous promotion or advancement on the retired list, whichever is appropriate.

The Department of the Army interposed no objection to this bill. The bill does not involve any increase in pay or retirement pay or allowances. Its sole purpose is to provide a form of recognition to a gallant and distinguished group of officers from whom this recognition has already been too long denied.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment, on page 1, line 7, after the word "Army", to strike out "ground forces", and to insert "Ground Forces", so as to make the bill read:

Be it enacted, etc., That the President is authorized to appoint to the grade of general in the Army of the United States any officer who, while serving in the grade of lieutenant general, by virtue of assignment was—

(1) the commanding general of the Army Ground Forces at any time between March 8, 1942, and August 16, 1945,

(2) in command, as Army commander, of an army of the United States in either the European-African-middle eastern theater of operations at any time between December 11, 1941, and May 8, 1945, or the Asiatic-Pacific theater of operations at any time between December 8, 1941, and August 16, 1945, or

(3) in command of Army forces which included one or more field armies and supporting units in the above-designated theaters of operations at any time between March 8, 1942, and August 16, 1945,

and, if retired, to advance any such officer to such grade of general on the retired list. Any such officer who died prior to the date of enactment of this act, or prior to appointment hereunder, may be so appointed posthumously. No increase of basic or retired pay or allowances shall result from the enactment of this act or any appointment hereunder.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the President to appoint to the grade of general in the Army of the United States those officers who, in grade of lieutenant general, during World War II commanded the Army Ground Forces, commanded an army, or commanded Army forces which included a field army and supporting units, and for other purposes."

THOMAS SZABO

The bill (S. 234) for the relief of Thomas Szabo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Thomas Szabo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

RABBI EUGENE FEIGELSTOCK

The bill (S. 843) for the relief of Rabbi Eugene Feigelstock was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Rabbi Eugene Feigelstock shall be held and considered to have been lawfully admitted to the United States for permanent resi-

dence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

SARAH KABACZNIK

The Senate proceeded to consider the bill (S. 543) for the relief of Sarah Kabacznik, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Sarah Kabacznik shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT L. HILTON

The Senate proceeded to consider the bill (S. 857) for the relief of Robert L. Hilton, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Robert L. Hilton, a minor, of Silver Spring, Md., the sum of $10,000 in full settlement of all claims against the United States for personal injuries, pain and suffering, and facial disfigurement sustained by the said Robert L. Hilton on April 6, 1952, when he was severely injured on the Fort Devens Military Reservation, Mass., by the explosion of a phosphorus grenade which had been found near the reception center on said military reservation and thereafter exploded by a small child with whom the said Robert L. Hilton was playing: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Robert L. Hilton, a minor."

BRUNO EWALD PAUL AND MARGIT PAUL

The Senate proceeded to consider the bill (S. 912) for the relief of Bruno Ewald Paul and Margit Paul, which had been reported from the Committee on the Judiciary with an amendment, at the top of page 2, insert:

SEC. 2. The Attorney General shall not hereafter exclude or deport Bruno Ewald Paul from the United States on the ground that he has been convicted of a crime involving moral turpitude or admits the commission thereof: *Provided*, That this exemption shall apply only to a ground for exclusion or deportation of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

So as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Bruno Ewald Paul and Margit Paul shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SEC. 2. The Attorney General shall not hereafter exclude or deport Bruno Ewald Paul from the United States on the ground that he has been convicted of a crime involving moral turpitude or admits the commission thereof: *Provided*, That this exemption shall apply only to a ground for exclusion or deportation of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KIM DONG SU

The Senate proceeded to consider the bill (S. 1130) for the relief of Kim Dong Su which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Kim Dong Su shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BORIVOJE VULICH

The bill (S. 1508) for the relief of Borivoje Vulich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Borivoje Vulich, a Yugoslav flier, who served honorably with the 15th Air Force of the United States, and who died August 22, 1944, while engaged in a bombing mission over enemy territory, shall be held and considered to have been a citizen of the United States at the time of his death.

ANDRE STYKA

The bill (S. 1520) for the relief of Andre Styka was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Andre Styka shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BRANIMIR V. POPOVITCH AND MILA B. POPOVITCH

The bill (S. 1682) for the relief of Branimir V. Popovitch and Mila B. Popovitch was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of the Immigration and Nationality Act, Branimir V. Popovitch and Mila B. Popovitch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

DR. MOURAD ARNOUX

The bill (S. 1696) for the relief of Dr. Mourad Arnoux was announced as next in order.

Mr. SMATHERS. Mr. President, I should like to ask for an explanation with reference to one feature of the bill. As I understand, the person named in the bill came to this country as a visitor and later became an exchange student. I should like to know whether he ever received a grant of money from the United States Government as an exchange student.

Mr. BUTLER of Maryland. I understand that he has never received any grant from the Government of the United States. In explanation of the bill——

Mr. SMATHERS. That was the only question I desired to ask with respect to the pending bill. I believe we are familiar with the terms of the bill. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1696) for the relief of Dr. Mourad Arnoux was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Mourad Arnoux shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control

officer to deduct one number from the appropriate quota for the first year that such quota is available.

DR. TAKEO TAKANO

The bill (S. 1883) for the relief of Dr. Takeo Takano was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Dr. Takeo Takano, who lost United States citizenship under the provisions of section 401 (d) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Dr. Takeo Takano shall have the same citizenship status as that which existed immediately prior to its loss.

DR. YEN-YU HUANG AND HIS MINOR DAUGHTERS, LILLIAN AND JEAN HUANG

The Senate proceeded to consider the bill (S. 1204) for the relief of Dr. Yen-Yu Huang and his minor daughters, Lillian and Jean Huang, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 2, to strike out:

SEC. 2. Notwithstanding the quota limitations of the Immigration and Nationality Act, upon application hereafter filed, immigration visas may be issued, and admission for permanent residence granted, to Lillian and Jean Huang, the minor daughters of Dr. Yen-Yu Huang, if they are otherwise admissible under the Immigration and Nationality Act. Upon the issuance of such visas, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

So as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Yen-Yu Huang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VLADIMIR BATENKO

The Senate proceeded to consider the bill (S. 1519) for the relief of Vladimir Batenko which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (1) of the Immigration and Nationality Act, Vladimir Batenko may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSA STEPHAN

The Senate proceeded to consider the bill (S. 1734) for the relief of Rosa Stephan, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", insert a colon and "*Provided*, That her marriage to her United States citizen fiance, Sgt. James Robert Lay, shall occur not later than 6 months following the date of the enactment of this act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Rosa Stephan may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That her marriage to her United States citizen fiance, Sgt. James Robert Lay, shall occur not later than 6 months following the date of the enactment of this act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OSCAR F. BROWN

The bill (H. R. 1769) for the relief of Oscar F. Brown was considered, ordered to a third reading, read the third time, and passed.

REFERENCE TO COURT OF CLAIMS OF CLAIMS OF COLUMBIA BASIN ORCHARD, AND OTHERS

The Senate proceeded to consider the bill (H. R. 2033) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.

Mr. HENDRICKSON. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 7, after the name "Grand Coulee," it is proposed to strike out the period, and insert a colon and the following proviso: "*Provided however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHARLES T. DOUDS

The bill (H. R. 2634) for the relief of Charles T. Douds was considered, ordered to a third reading, read the third time, and passed.

MARTIN G. SCOTT AND HANNA VON GUSMANN

The bill (H. R. 2666) for the relief of Martin G. Scott and Hanna von Gusmann was considered, ordered to a third reading, read the third time, and passed.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the next measure on the calendar.

OTHO F. HIPKINS

The bill (H. R. 4799) for the relief of Otho F. Hipkins was considered, ordered to a third reading, read the third time, and passed.

S. A. HEALY CO.

The resolution (S. Res. 240) for the relief of S. A. Healy Co. was announced as next in order.

Mr. SMATHERS. Mr. President, may we have an explanation of the resolution?

Mr. BUTLER of Maryland. Mr. President, this resolution refers a bill, Senate bill 1762, for the relief of the S. A. Healy Co., to the Court of Claims for findings of fact and conclusions of law to aid the Congress in determining the ultimate disposition of the bill. The claim involves difficult questions of fact and law, including the measure of damages, which may better be determined by a forum established to hear such claims. Consequently, the committee favors referral of this bill to the Court of Claims.

When this proposed legislation was considered in a previous Congress, the Department of Justice recommended referral to the Court of Claims. Claimant's attorneys now have also suggested this procedure.

Mr. SMATHERS. Mr. President, it has been difficult to hear what the Senator from Maryland stated.

Mr. BUTLER of Maryland. The resolution provides for the referral to the Court of Claims of a bill involving a claim containing difficult questions of fact and law, because it is felt that that court is better able to pass on those questions,

and then to certify the matter back to the Congress. That has been recommended by the Department of Justice.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the resolution (S. Res. 240) for the relief of S. A. Healy Co. was considered and agreed to, as follows:

Resolved, That the bill (S. 1762) entitled "A bill for the relief of S. A. Healy Co.," now pending in the Senate, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same, in accordance with the provisions of said sections, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS—RESOLUTION PASSED OVER

The concurrent resolution (H. Con. Res. 197) favoring the granting of the status of permanent residence to certain aliens was announced as next in order.

Mr. GORE. Mr. President, may we have an explanation of this concurrent resolution in some detail?

Mr. BUTLER of Maryland. Mr. President, the effect of the House concurrent resolution is to record congressional approval of the adjustment of status of a number of displaced persons whose cases have been recommended to the Congress by the Attorney General. Under the Displaced Persons Act of 1948, as amended, certain displaced persons who gained admission into the United States prior to April 30, 1949, and who cannot return to the countries from which they came, may have their status adjusted to that of permanent residence, and be charged against future quotas.

Included in the concurrent resolution as it was adopted by the House of Representatives were 538 cases. However, the committee has added 5 cases, making, in all, a total of 543 cases contained in the resolution, each 1 of which has been carefully examined by the appropriate committee and is recommended for approval by the Senate.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I am very happy to yield.

Mr. GORE. Will the Senator from Maryland identify the countries from which the aliens come, and the number from each country?

Mr. BUTLER of Maryland. I do not have that information, but it can be supplied by the time of the next call of the calendar, if it is the wish of the Senator from Tennessee that the resolution go over.

Mr. GORE. Is the Senator from Maryland personally acquainted with any of the cases, or have they been treated entirely as a group?

Mr. BUTLER of Maryland. I am not personally acquainted with any of these cases.

Mr. GORE. Would the Senator give the Senate the names of the beneficiaries of the measure?

Mr. BUTLER of Maryland. They are all set forth in the resolution.

Mr. CHAVEZ. I ask that the resolution go over.

Mr. BUTLER of Maryland. An enumeration of the names would take some time.

Mr. CHAVEZ. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

FAIR EMPLOYMENT PRACTICES—BILL PASSED OVER

The bill (S. 692) to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry was announced as next in order.

Mr. MORSE. Mr. President, reserving the right to object, and I shall not object, I simply wish to suggest, in case there is objection—which would not surprise me—I think the bill is so important from the standpoint of domestic tranquility in the United States, and the doing of justice to all our citizens that it should be scheduled for early debate. The Senate now is considering proposed labor legislation, and I think it would be very appropriate to consider the bill as an amendment to the Taft-Hartley Act. I am, therefore, giving serious consideration to the thought of affording the Senate an opportunity to consider it as an amendment to the proposed legislation relating to the Taft-Hartley Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. I wonder if we might have a further explanation of the bill by the author?

The PRESIDING OFFICER. An explanation of the bill has been requested.

Mr. SMATHERS. In view of the fact that no Senator is present to explain the bill——

Mr. MORSE. Mr. President, in the absence of the author, I shall be very much delighted to explain the principles of the bill, if the Senator from Florida really desires to have an explanation. I am sorry I am limited to only 5 minutes, but the subject matter of the bill is so crystal-clear that I think the basic principle can be set forth in 5 minutes.

I am very much disturbed that there has been so long a delay in giving to fellow Americans the guaranty of first-class citizenship, not only in respect to employment, to which the bill relates, but also in respect to all our political and economic relationships.

What the bill seeks to do, Mr. President, is to recognize that the Federal Government has an obligation under the Constitution to bring to an end in the United States discrimination in employment practices because of race, color, or creed. The bill, which is modeled very much after the law of the State of the distinguished senior Senator from New York [Mr. IVES], and contains many features of the Oregon antidiscrimination law, is, I think, one of the soundest antidiscrimination bills which has been proposed. I am proud to stand on the floor of the Senate today and to boast a little about the social consciousness of the State of Oregon, because the basic principle of the bill was enacted into law in the State of Oregon at a time when the pessimists said it could not be done.

Of course, the bill raises the question whether there is to be any provision for enforcement, or whether its enforcement is to be only on the basis of voluntary action or moral preachment.

In the bill, the Senator from New York [Mr. IVES] has very wisely included every possible voluntary sanction; has provided, step by step, for the exercise of every possible persuasion where there are charges of discrimination; and has provided a procedure for a sort of prehearing consideration of a charge of discrimination in employment based on race, color, or creed. Then he has provided for an opportunity on the part of the parties to see if they cannot reconcile their differences by an exchange of points of view.

Finally—and I think this represents one of the greatest differences of opinion among sincere and honest men on the subject—the Senator from New York has provided for the obligation of enforcement and the imposition of a penalty.

As I said when I testified in support of the bill before the Committee on Labor and Public Welfare some weeks ago, I am satisfied that the enforcement type of case will be a rarity if this kind of bill is passed. The experience in the States—the experience in the State of New York, for example, and in my home State, as well—is that it is not necessary to resort to enforcement, because usually when the record is made, and the proof which supports discrimination is established, it is found that the parties involved will then agree to desist from the un-American practice of unfair discrimination. But the enforcement principle is a sort of gun-behind-the-door necessity, because, after all, it is necessary to have an enforcement sanction. It is important to have a bill really with teeth in it. But the Senator from New York has very wisely, I think, provided for a procedure which will reduce to a minimum the necessity of using the enforcement procedure of the bill.

I may say to my friend, the distinguished junior Senator from Florida [Mr. SMATHERS], that if he does not know what is involved in the bill, the purpose of the bill is to end in this country discrimination against persons the color of whose skin is different from that of the Senator from Oregon, the Senator from Florida, and the other Members of the Senate. It is a bill, Mr. President, which I think is based upon a great moral, Christian principle, namely, that, after all, we are brothers, in the society in which we all live, and we have the obligation also to be our brothers' keeper, in that we should seek to bring to an end what I consider to be the un-Christian practice of discrimination

based upon race, color, or creed, prevailing in too large a part of American employment.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. In view of the very conclusive statement made by the distinguished Senator from Oregon as to the effect of the bill, and the importance of such legislation to everyone in the country, and as to how it would affect the customs, traditions, and mores of most of the people of the United States, it would appear to me that the bill is not properly calendar business. For that reason, I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

REVISION OF ORGANIC ACT OF VIRGIN ISLANDS—BILL PASSED OVER

The bill (S. 3378) to revise the Organic Act of the Virgin Islands of the United States was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, for the purposes of study. We have been unable to obtain the committee report. Until the report can be studied, I think no action should be taken on the bill.

Mr. BARRETT. Mr. President, the report on the bill has not been printed, but I am advised that it will be printed. Therefore, I ask unanimous consent that the bill remain on the calendar and be taken up on the next call of the calendar.

Mr. KNOWLAND. Mr. President, reserving the right to object, I think the calendar committees on both sides of the aisle are quite correct in saying that no bill should be called up and passed without a committee report, except under most unusual circumstances. For that reason, it seems to me that if there are any bills which have been or will be objected to because of the lack of committee reports, all of them should be included in the next call of the calendar, rather than as bills to which there is objection, if that be agreeable to Senators on both sides of the aisle.

The PRESIDING OFFICER. Is the Chair correct in his understanding that the Senator from New Jersey had asked that the bill go over?

Mr. HENDRICKSON. I ask unanimous consent that the bill go over and be included in the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, in response to the statement of the distinguished majority leader, I may say that as to the last three bills on the calendar, namely, H. R. 6870, S. 2370, and S. 3245, reports have not been available for study. At the appropriate time, I shall ask that the bills go over and be included in the next regular call of the calendar.

The PRESIDING OFFICER. May the Chair inquire if the Senator is asking that Calendar No. 1277, S. 2818; Calendar No. 1278, H. R. 6870; Calendar No. 1279, S. 2370; and Calendar No. 1280, S. 3245, go over?

Mr. HENDRICKSON. No; not Calendar No. 1277; just Calendar Nos. 1278, 1279, and 1280.

The PRESIDING OFFICER. The request of the Senator includes Calendar No. 1276, does it not?

Mr. HENDRICKSON. Yes; that will be included, under the circumstances.

BIENNIAL INSPECTION OF HULLS AND BOILERS OF CARGO VESSELS

The Senate proceeded to consider the bill (S. 2818) to amend sections 4417 and 4418 of the Revised Statutes, to authorize biennial inspection of the hulls and boilers of cargo vessels, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 3, line 12, after the word "the", to insert "passengers and"; on page 7, line 19, to change the section number from "5" to "4"; on page 9, line 5, after the word "her", to strike out "under" and insert "until"; and on page 10, line 6, before the word "section," to insert "SEC. 5", so as to make the bill read:

Be it enacted, etc., That section 4417 of the Revised Statutes, as amended (U. S. C., 1946 ed., title 46, sec. 391) is further amended to read as follows:

"SEC. 4417. (a) The head of the department in which the Coast Guard is operating shall require the Coast Guard to inspect before the same shall be put into service, and at least once in every year thereafter, the hull of every steam vessel carrying passengers; to determine to its satisfaction that every such vessel so submitted to inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation, with safety to life, and that the vessel is in full compliance with the applicable requirements of this title or acts amendatory or supplementary thereto and regulations thereunder; and if deemed expedient, to direct the vessel to be put in motion or to adopt any other suitable means to test her sufficiency and that of her equipment.

"(b) The head of the department in which the Coast Guard is operating shall require the Coast Guard to inspect before the same shall be put into service, and at least once in every 2 years thereafter, the hull of each steam vessel, not carrying passengers; to determine to its satisfaction that every such vessel so submitted to inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew, and is in a condition to warrant the belief that she may be used in navigation, with safety to life, and that the vessel is in full compliance with the applicable requirements of this title or acts amendatory or supplementary thereto and regulations thereunder; and if deemed expedient, to direct the vessel to be put in motion or to adopt any other suitable means to test her sufficiency and that of her equipment.

"(c) The head of the department in which the Coast Guard is operating shall require the Coast Guard to inspect before the same shall be put into service, and at least once in every year thereafter, the hull of each sail vessel of over 700 gross tons carrying passengers for hire and all other vessels and barges of over 100 gross tons carrying passengers for hire; and to determine to its satisfaction that every such vessel so submitted to inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the passengers and crew, and is in condition to warrant the belief that she may be used in navigation with safety to life.

"(d) Whenever it is found on board any vessel subject to the provisions of this title, or any acts amendatory or supplementary thereto, that any equipment, machinery, apparatus, or appliances do not conform to the requirements of law or regulations promulgated thereunder, the owner or master of said vessel shall be required to place the same in proper condition; and if there shall be found on board any such vessel any life preserver or fire hose so defective as to be incapable of repair, the owner or master shall be required to destroy the same in the presence of an official designated by the head of the department in which the Coast Guard is operating. In any of the foregoing cases the requirements may be enforced by revoking the certificate of said vessel, and by refusing to issue a new certificate until the requirements have been fully complied with. In any case where the head of the department in which the Coast Guard is operating has delegated to a Coast Guard official the authority to enforce the said requirements by revocation of certificates of inspection, the action of said Coast Guard official may be reversed, modified, or set aside by the head of the department in which the Coast Guard is operating on proper appeal by the owner or master of said vessel. Appeals shall be made to the head of the department in which the Coast Guard is operating within 10 days after the final action of the aforesaid Coast Guard official.

"(e) Vessels subject to inspection under this title or acts amendatory or supplementary thereto while laid up and dismantled and out of commission may, by regulations established by the head of the department in which the Coast Guard is operating, be exempted from any or all inspection under sections 4417, 4418, 4426, and 4427 of the Revised Statutes."

SEC. 2. Section 4418 of the Revised Statutes, as amended (U. S. C., 1946 ed., title 46, sec. 392), is further amended to read as follows:

"SEC. 4418. (a) The head of the department in which the Coast Guard is operating shall require the Coast Guard to inspect, before the same shall be put into service and once at least in every year thereafter, the boilers, unfired pressure vessels, and appurtenances thereof, also the propelling and auxiliary machinery, electrical apparatus and equipment, of all passenger vessels subject to inspection.

"(b) The head of the department in which the Coast Guard is operating also shall require the Coast Guard to inspect, before the same shall be put into service and at least once in every 2 years thereafter, the boilers, unfired pressure vessels, and appurtenances thereof, also the propelling and auxiliary machinery, electrical apparatus and equipment, of all vessels subject to inspection other than passenger vessels.

"(c) The head of the department in which the Coast Guard is operating shall require the Coast Guard to determine to its satisfaction by thorough examination that the boilers, unfired pressure vessels, and appurtenances thereof, also the propelling and auxiliary machinery, electrical apparatus and equipment of all vessels which are subject to inspection under subsections (a) and (b) herein are in conformity with law and the rules and regulations of the head of the department in which the Coast Guard is operating, and may be safely employed in the service proposed. No boiler, unfired pressure vessel, or appurtenances thereof shall be allowed to be used if constructed in whole or in part of defective material or which because of its form, design, workmanship, age, use, or for any other reason is unsafe.

"(d) At each original inspection and at each annual or biennial inspection thereafter, whichever is applicable, all boilers, unfired pressure vessels, and main steam piping shall be subjected to hydrostatic tests or such other tests as may be prescribed by the head of the department in which the Coast Guard is operating. The ratio of the hydrostatic test to the maximum working pressure shall be determined by action of the head of the department in which the Coast Guard is operating."

SEC. 3. Section 10 of the act of May 28, 1908 (ch. 212, 35 Stat. 428, as amended (U. S. C., 1946 ed., title 46, sec. 395)) is amended to read as follows:

"SEC. 10. (a) The head of the department in which the Coast Guard is operating shall require the Coast Guard to inspect, before the same shall be put into service and at least once in every year thereafter, the hull and equipment of every seagoing barge of 100 gross tons or over carrying passengers; and to determine to its satisfaction that such barge is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew and passengers, and is in a condition to warrant the belief that she may be used in navigation with safety to life.

"(b) The head of the department in which the Coast Guard is operating also shall require the Coast Guard to inspect, before the same shall be put into service and at least once in every 2 years thereafter, the hull and equipment of every seagoing barge of 100 gross tons or over, not carrying passengers; and to determine to its satisfaction that such barge is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew, if manned, and is in a condition to warrant the belief that she may be used in navigation with safety to life.

"(c) Upon the satisfactory completion of the inspection authorized herein, a certificate of inspection shall be issued in the manner and for the purposes prescribed in sections 4421 and 4423 of the Revised Statutes."

SEC. 4. Section 4453 of the Revised Statutes, as amended (U. S. C., 1946 ed., title 46, sec. 435) is amended to read as follows:

"SEC. 4453. In addition to the annual or biennial inspection, the head of the department in which the Coast Guard is operating shall require the Coast Guard to examine, at proper times, inspected vessels arriving and departing to and from their respective ports, so often as to enable them to detect any neglect to comply with the requirements of law, and also any defects or imperfections becoming apparent after the inspection aforesaid, and tending to render the navigation of such vessels unsafe; and if there shall be discovered any omission to comply with the law, or that repairs have become necessary to make such vessel safe, the master shall at once be notified in writing as to what is required. All inspections and orders for repair shall be made promptly. When it can be done safely, repairs may be permitted to be made where those interested can most conveniently do them. And whenever it is ascertained that any vessel subject to the provisions of this title or acts amendatory or supplementary thereto, has been or is being navigated or operated without complying with the terms of the vessel's certificate of inspection regarding the number and class of licensed officers and crew, or without complying with the provisions of law and her said certificate as to the number or kind of life-saving or fire-fighting apparatus, or without maintaining in good and efficient condition her lifeboats, fire pumps, fire hose, and life preservers, or that for any other reason said vessel cannot be operated with safety to life, the owner or master of said vessel shall be ordered to correct such unlawful conditions, and the vessel may be required to cease navigating at once and to submit to reinspection; and in case the said orders shall not at once be complied with, the vessel's certificate of inspection shall be revoked, and the owner, master, or agent of said vessel shall immediately be given notice, in writing, of such revocation; and no new certificate of inspection shall be again issued to her until the provisions of this title or acts amendatory or supplementary thereto have been complied with. Any vessel subject to the provisions of this title or acts amendatory or supplementary thereto operating or navigating or attempting to operate or navigate after the revocation of her certificate of inspection and before the issuance of a new certificate, shall, upon application by a department or agency charged with the enforcement of such title or acts, to any district court of the United States having jurisdiction, and by proper order or action of said court in the premises, be seized summarily by way of libel and held without privilege of release by bail or bond until a proper certificate of inspection shall have been issued to said vessel: *Provided*, That the owner, master, or person in charge of any vessel whose certificate shall have been so revoked may within 30 days after receiving notice of such revocation appeal to the head of the department in which the Coast Guard is operating for a reexamination of the case, and upon such appeal the said head of the department shall have power to revise, modify, or set aside such action of revocation, and direct the issuance to such vessel of her original certificate or of a new certificate of inspection; and in case the said head of the department shall so direct the issuance of a certificate, all judicial process against said vessel based on this section shall thereupon be of no further force or effect, and the vessel shall thereupon be released."

SEC. 5. Section 4454 of the Revised Statutes, as amended (U. S. C., 1946 ed., sec. 436), is amended by deleting the word "steamer" and inserting in lieu thereof the words "inspected vessel"; and by deleting the words "Coast Guard" and inserting in lieu thereof the word "examining."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize biennial inspection of the hulls and boilers of cargo vessels, and for other purposes."

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Do I understand correctly that, pursuant to the unanimous-consent request of the junior Senator from New Jersey, Calendar No. 1276, S. 3378; Calendar No. 1278, H. R. 6870; Calendar No. 1279, S. 2370; and Calendar No. 1280, S. 3245, are to be considered as included in the next calendar call?

The PRESIDING OFFICER. The Senator from California is correct.

Mr. KNOWLAND. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Under the prior order of the Senate, do I understand correctly that the Senate will now proceed to the beginning of the calendar, and proceed to the point where the call was started today?

The PRESIDING OFFICER. The Senator is correct. The Senate will now begin with Calendar No. 19.

Mr. BUTLER of Maryland. Mr. President, for the information of the Senate, in connection with Calendar No. 1279 (S. 2370), when that bill was reported yesterday afternoon I filed a brief statement in connection with the bill, which appears on pages 5814–5815 of the RECORD of yesterday. I make that statement for the information of the Senate.

BILLS PASSED OVER

The PRESIDING OFFICER. The clerk will resume the call of the calendar from the beginning.

The bill (S. 242) to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo., was announced as first in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, over, by request.

The bill (S. 56) for the relief of Erich Anton Helfert was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (S. 59) for the relief of Felix Kortschok was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (S. 101) for the relief of Phed Vosniacos was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

AMENDMENT OF RULE XIII OF THE STANDING RULES OF THE SENATE—RESOLUTION PASSED OVER

The resolution (S. Res. 57) to amend rule XIII of the standing rules relative to motions to reconsider was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

Mr. MORSE. Mr. President, may we have an explanation?

Mr. SMATHERS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. SMATHERS. Did I not correctly understand that the Senator from New Jersey had already objected to Calendar No. 79, Senate Resolution 57?

Mr. HENDRICKSON. No; I did not.

The PRESIDING OFFICER. No objection had been entered as to Calendar No. 79, Senate Resolution 57.

Mr. SMATHERS. The Senator from Oregon has asked for an explanation.

Mr. KNOWLAND. Mr. President, I do not desire to prevent an explanation,

but I would have to object to the resolution being considered at this time. I think it might require some debate and discussion.

The PRESIDING OFFICER. The resolution will go over.

BILLS PASSED OVER

The bill (S. 978) to amend the Interstate Commerce Act in order to expedite and facilitate the termination of railroad reorganization proceedings under section 77 of the Bankruptcy Act and to require the Interstate Commerce Commission to consider, in stock modification plans, the assents of controlled or controlling stockholders, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, may we have an explanation?

The PRESIDING OFFICER. An explanation is requested.

Mr. GORE. I ask that the bill go over, since there is no explanation.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 1663) to increase the salaries of Member of Congress, judges of the United States courts, and United States attorneys, and for other purposes, was announced as next in order.

Mr. MORSE. Over.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION PASSED OVER

The resolution (S. Res. 20) amending the cloture rule with respect to the number required for adoption of a cloture motion, was annonnced as next in order.

Mr. GORE. Mr. President, may we have an explanation of the resolution?

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GORE. I suppose, Mr. President, in the absence of some explanation of the resolution, I must object.

The PRESIDING OFFICER. The resolution will go over.

BILLS PASSED OVER

The bill (S. 1857) to amend certain statutes providing expeditious judicial proceedings for the condemnation of lands for public purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I understand this bill is to be scheduled for debate. Under the circumstances, I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1396) to authorize the adoption of certain rules with respect to the broadcasting or telecasting of professional baseball exhibitions in interstate commerce, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (S. 1806) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 848) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (S. 2314) to prohibit transmission of certain gambling information in interstate commerce by communications facilities, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation has been requested. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The bill (S. 281) to amend section 1 (17) (a), section 13 (3), and section 13 (4) of the Interstate Commerce Act in order to extend to the Interstate Commerce Commission power to prescribe the discontinuance of certain railroad services in intrastate commerce when found to be unreasonably discriminatory against or to constitute an undue burden on interstate commerce was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (H. R. 1026) to amend the Public Health Service Act, with respect to the provisions of certain medical and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service and for dependents and widows of officers and employees of such Service was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The bill (H. R. 3704) to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

VOTING PRIVILEGE FOR THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The bill (S. 2413) to provide an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives, for the District of Columbia, and for other purposes, was announced as next in order.

Mr. GORE. Over.

Mr. MORSE. Mr. President, will the Senator withhold his objection for a moment?

Mr. GORE. Certainly.

Mr. MORSE. As a member of the Committee on the District of Columbia, I may say I hope that at an early date the majority leader will see fit to schedule this bill for debate in the Senate by motion, because I do not believe this session of Congress should adjourn without giving to the people of the District the voting privileges which all other American citizens enjoy. I consider it to be inexcusable that Congress should continue to deny to the people of the District of Columbia the right of franchise, such as this bill provides, for instance, to elect their own mayor, to elect the members of the school board, and to elect the District Commissioners.

Many of us frequently say that our democracy can be no stronger than its strength at the local level, that we cannot expect our government to be a truly representative one unless it is strong and vital and active at the local city, county, and State levels. By this bill we have an opportunity to put into practice that very fine political professing of ours. I know of no meritorious argument which justifies the Congress coming to the close of another session without giving to the people in the District of Columbia voting control over their municipal government.

Furthermore, Mr. President, I believe we have the duty to set an example to the world, to take away from the Communists the opportunity to spread one of their vicious bits of propaganda, namely, that we are strong on professing but weak on practicing when it comes to many matters involving democratic processes.

As I have said, we now have an opportunity to show to the world that we guarantee to the citizens of the Capital City of the greatest democracy in the world the voting right to conduct their own municipal government.

For these reason I sincerely hope the majority leader will see fit to schedule

the bill for early debate and vote in the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

AUTHORIZATION FOR THE POSTMASTER GENERAL TO ENTER INTO CERTAIN CONTRACTS—BILL INDEFINITELY POSTPONED

The bill (S. 2457) to authorize the Administrator of General Services and the Postmaster General to enter into building purchase contracts; to extend the authority of the Postmaster General to lease space for post-office purposes, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this bill should be postponed indefinitely. On or about April 20, as I recall the date, the Senate passed almost an exact counterpart of the bill, and on April 27 it was in conference. I discussed the matter with the Senator from Illinois [Mr. DIRKSEN], who introduced the bill, and he would like to have the bill postponed indefinitely.

The PRESIDING OFFICER. Without objection, the bill will be postponed indefinitely.

Mr. GORE subsequently said: Mr. President, I ask unanimous consent to revert to Senate bill 2457, Calendar No. 615, for the purpose of moving that it be removed from the calendar, for the reason that a bill on this subject——

The PRESIDING OFFICER. The Chair will advise the Senator from Tennessee that the bill has been removed from the calendar by action previously taken; and the bill has been indefinitely postponed. That was done approximately 5 minutes ago.

BILLS PASSED OVER

The bill (S. 1243) to amend the War Contractors Relief Act with respect to the definition of a request for relief, to authorize consideration and settlement of certain claims of subcontractors, to provide reasonable compensation for the services of partners and proprietors, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951 was announced as next in order.

Mr. GORE. Mr. President, may we have an explanation of the bill?

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1688) to amend the Civil Service Retirement Act of May 29, 1930, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF MERCHANT SHIP SALES ACT OF 1946

The Senate proceeded to consider the bill (S. 1918) to amend section 9 of the Merchant Ship Sales Act of 1946, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause, and insert:

That section 9 (c) (2) of the Merchant Ship Sales Act of 1946 is hereby amended to read:

"(2) the liability of the United States for use (exclusive of service, if any, required under the terms of the charter) of the vessel on or after the date of enactment of this act under any charter party executed prior to such date shall not exceed 15 percent per annum of the statutory sales price of the vessel as of such date of enactment; and the liability of the United States under any such charter party for loss of the vessel shall be determined on the basis of the statutory sales price as of the date of the enactment of this act, depreciated to the date of loss at the rate of 5 percent per annum; and."

SEC. 2. Section 9 (c) (3) of such act is hereby repealed, and in lieu thereof there shall be added to section 9, a new subsection to be known as section 9 (c) (3) to read:

"(3) Any obligation incurred by an applicant by reason of the acceptance of an adjustment under section 9 of this act, shall be modified as of March 8, 1946, to conform to the provisions of such section 9 as hereby amended, and the Secretary of Commerce is authorized and directed to enter into an agreement with any such applicant to conform the obligations of such applicant to the provisions of section 9 as hereby amended."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 6648) to amend section 205 of the Small Business Act of 1953 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2404) to authorize the Secretary of Agriculture to require reasonable bonds from packers was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

STATEHOOD FOR HAWAII—BILL PASSED OVER

The bill (S. 49) to enable the people of Hawaii to form a constitution and state government and to be admitted into the Union on an equal footing with the Original States was announced as next in order.

Mr. SMATHERS. Mr. President, I wonder whether we may have an explanation of the bill. [Laughter.]

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. SMATHERS. Is this the same bill that was passed by the Senate approximately 3 weeks ago, after the bill was amended?

The PRESIDING OFFICER. The Senate passed the corresponding House bill, in lieu of the Senate bill, the Chair will advise.

Mr. SMATHERS. Mr. President, would it be in order for me to move that this bill be indefinitely postponed and be removed from the calendar?

The PRESIDING OFFICER. Such a motion would be in order.

Mr. SMATHERS. Mr. President, I so move.

Mr. HENDRICKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may withdraw my motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. At this moment I do not think there has been any actual objection to the present consideration of Senate bill 49, Calendar No. 886. An explanation was requested, and a motion to postpone the bill indefinitely and to remove it from the calendar was made, and then was withdrawn. The result is that at this moment the bill remains on the calendar, and no objection has been made to its present consideration. Is not that correct?

The PRESIDING OFFICER. The Senator from Oregon is correct.

Is there objection to the present consideration of Senate bill 49, Calendar No. 886?

Mr. MORSE. Mr. President, I call the attention of the Senator from Florida [Mr. SMATHERS] to the fact that this bill, Calendar No. 886, is the so-called Hawaiian statehood bill; and up to this time, no objection has been made to its consideration during the present call of the calendar.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I thank my good friend, the Senator from Oregon; and, Mr. President, at this time

I object to the present consideration of the bill.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 685) for the relief of Walter Carl Sander was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4030) to repeal section 4 of the act of March 2, 1934, creating the Model Housing Board of Puerto Rico was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation of the bill is requested.

Is there objection to the present consideration of the bill? No objection being heard——

Mr. GORE. Mr. President, I object.

The PRESIDING OFFICER. Upon objection, the bill will be passed over.

COLLECTION OF INDEBTEDNESS OF MILITARY AND CIVILIAN PERSONNEL—BILL PASSED OVER

The bill (S. 2728) to authorize the collection of indebtedness of military and civilian personnel resulting from erroneous payments, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, during the last call of the calendar, the Senator from Kentucky [Mr. COOPER] asked that the bill be passed over, for further study. Inasmuch as he is absent today, I think the bill should be passed over at this time, until a subsequent call of the calendar.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

COMPENSATION FOR CARRYING MAIL ON WATER ROUTES—BILL PASSED OVER

The bill (S. 361) to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, the distinguished author of the bill is on the floor of the Senate at this time, and I ask for an explanation of the bill.

Mr. BUTLER of Maryland. Mr. President, an explanation of the bill has previously been made, for the RECORD; and during a subsequent call of the calendar, the bill was passed over. If the bill may be placed at the foot of the calendar, I shall be happy to obtain the explanation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I object.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

BILLS PASSED OVER

The bill (S. 50) to provide for the admission of Alaska into the Union was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. I object.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 2244) to provide for promotion by merit of employees in the postal services and to establish uniform procedures for examination and appointment of candidates for promotion to supervisory positions was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 509) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Let the bill go over.

Mr. GORE. I ask that the bill go over, Mr. President.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

JOSEPH DI PASQUALE

The bill (S. 431) for the relief of Joseph Di Pasquale was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of Senate bill 431, Calendar No. 1057.

Mr. BUTLER of Maryland. Mr. President, this bill waives the excluding provision of existing law relating to the commission of a crime involving moral turpitude, in behalf of the brother of a United States citizen. The record discloses that the beneficiary was convicted in Italy, in 1935, for having taken over, for profit, a chicken worth 4 lire. Without the waiver provided for in the bill, the beneficiary will be unable to qualify for a visa to enter the United States to join his citizen brother.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I should like to ask the able Senator from Maryland whether it is his opinion that the stealing of the chicken did not constitute a violation of law involving moral turpitude?

Mr. BUTLER of Maryland. I think it undoubtedly did; but according to the record, the crime was committed in 1935, and we have no record of any other acts by this person involving moral turpitude.

Mr. SMATHERS. I should like to ask the able Senator from Maryland whether it is against the law of Maryland to steal a chicken? [Laughter.]

Mr. BUTLER of Maryland. Not a Florida chicken, Mr. President. [Laughter.]

Mr. SMATHERS. Mr. President, I should like to ask a further question of the Senator from Maryland: Was it the unanimous opinion of the Judiciary Committee that the question of moral turpitude should be waived in this case?

Mr. BUTLER of Maryland. I do not think there was any objection to the bill in the committee. Without looking up the record, I would not wish to say that the vote was unanimous in the committee, but to the best of my recollection there was no objection to the bill.

Mr. HENDRICKSON. Mr. President, the Senator from Maryland is quite correct. No objection was raised in the committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, to insert a proviso, so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) 9 of the Immigration and Nationality Act, Joseph Di Pasquale may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN DOYLE MOCLAIR

The Senate proceeded to consider the bill (S. 670) for the relief of John Doyle Moclair, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the

Immigration and Nationality Act, John Doyle Moclair may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

Mr. GORE. Mr. President, may we have an explanation of the bill?

Mr. BUTLER of Maryland. Mr. President, this bill waives the excluding provision of existing law related to the conviction of a crime involving moral turpitude in behalf of the husband of a United States citizen. The beneficiary is a 44 year old native and citizen of Australia and served in the Royal Australian Air Force from 1940 to 1945. The record discloses that the beneficiary was convicted in New South Wales in 1929 for stealing and in 1950 for having goods in custody. Without the waiver provided for in the bill the beneficiary will be unable to accompany his wife to the United States for permanent residence.

Mr. GORE. Mr. President, will the Senator state——

Mr. BUTLER of Maryland. I have a further explanation, if the Senator would like to have it. In a letter submitted to the Senator from New Jersey [Mr. SMITH] by the wife of the beneficiary of the bill, it is stated:

Since I have this police record I find that they have listed also a goods in custody, which is not a conviction in any sense of the word. There had been airplane parts missing from dismantled bomber planes at an airdrome about one-half mile from where we lived, and Jack worked there at the time, and they made a routine search of our house, as well as many other men that worked there. They found nothing for which they were searching, but went into the kitchen and in the cabinet drawer took out six old spoons and knives and forks, and said to Jack "these are restaurant silver and we will have to charge you as having in custody, may have been stolen." Well, my husband's mother had given us the cutlery when I first went to Australia in 1943, as you couldn't buy any during the war, and it was some she had had for years in her own home and am sure it was never stolen from anywhere, as a better Christian person you could never find than Jack's Scotch mother.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VOTING RIGHTS OF CITIZENS AT AGE OF 18—JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GORE. Mr. President, reserving the right to object, may we have an explanation of the proposed constitutional amendment? The distinguished Senator from Maryland [Mr. BUTLER] is a very able lawyer. He is a member of the Judiciary Committee. He is present in the Chamber at this moment, and I am sure he will favor the Senate with an explanation.

Mr. BUTLER of Maryland. I shall be very happy to provide the Senate with an explanation of the joint resolution.

The joint resolution proposes an amendment to the Constitution which would prohibit the United States or any State from denying or abridging the right to vote of citizens 18 years of age and older. The resolution, in effect, grants the right to vote to citizens between the ages of 18 years and 21 years.

At the present time each State determines the minimum age qualification of those entitled to exercise the right of franchise subject to the restriction of section 2 of the 14th amendment to the Constitution. One State, Georgia, has granted the right to vote to citizens 18 years of age and over. According to a former Governor of that State, experience has demonstrated that the action of the State of Georgia was very salutary.

Many reasons have been advanced for lowering the minimum voting age to 18 years, but the primary argument has been that citizens who are old enough to be drafted in the military service are old enough to vote. This consideration, plus the attestation of the former Governor of the State of Georgia, constitute the primary reasons for the committee's recommendation that the resolution be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GORE. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I am very happy to yield.

Mr. GORE. The Senator has given a very able explanation of the proposed amendment, but does he think that a joint resolution proposing an amendment to the Constitution of the United States should be passed on the call of the calendar?

Mr. BUTLER of Maryland. No, I do not. I think this is a subject which should be fully debated on the floor of the Senate. I know that some opposition has been expressed. I happened to vote in favor of the proposed amendment in the committee, but there were members of the committee who voted against it. I think they have a right to express their views on the floor of the Senate.

Mr. GORE. Does not the Senator think an objection to the consideration of a proposed constitutional amendment on the call of the calendar would be proper at this time?

Mr. BUTLER of Maryland. That is up to the Senator who wishes to make the objection. I do not care to make the objection. If the Senator from Tennessee does, I certainly will not criticize him for exercising his right.

Mr. GORE. The Senator has just said that he does not think it ought to pass on the call of the calendar. Why is he not willing to enter an objection?

Mr. BUTLER of Maryland. The Senator from Maryland said that he would not object. He also says that he recognizes the right of every Senator to express his views on a subject which goes as deep as this one does.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. BUTLER of Maryland. I yield.

Mr. GORE. I follow the Senator with some difficulty. On the one hand, he says that he does not think a joint resolution proposing an amendment to the Constitution of the United States should pass on the call of the calendar, and on the other hand he says that he is unwilling to support his judgment by entering an objection.

Mr. BUTLER of Maryland. I do not think any amendment to the Constitution of the United States should pass without the most thorough debate.

Mr. GORE. Then, will the Senator not support his conviction by entering an objection?

Mr. BUTLER of Maryland. No; I will not. If the Senator from Tennessee wishes to do so, I will let him do it.

Mr. GORE. Mr. President, on behalf of the Senator from Maryland, I object. [Laughter.]

The PRESIDING OFFICER. Objection is heard, and the joint resolution will be passed over.

CONSTRUCTION OF JEFFERSON NATIONAL EXPANSION MEMORIAL AT SITE OF OLD ST. LOUIS, MO.

The Senate proceeded to consider the bill (H. R. 6549) to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes, which had been reported from the Committee on Rules and Administration with amendments, on page 4, line 1, after "SEC. 4", to insert "(a)"; after line 17, to insert:

(b) The authorization for an appropriation contained in subsection (a) shall not be effective until such time as—

(1) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or

(2) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year.

And on page 5, after line 4, to insert:

SEC. 5. The authorization for an appropriation contained in this act shall not be deemed to authorize the appropriation of any funds to be available for expenditure in any manner for the planning or construction of the stainless steel arch provided for in the so-called Saarinen plan, approved May 25, 1948, by the United States Territorial Expansion Memorial Commission, or any modification of such arch, and the Secretary of the

Interior is directed not to expend any Government funds in planning for or constructing such arch or any modification thereof.

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

Mr. MORSE. Mr. President, I am not a member of the committee, but I served for several years on this particular Commission as a representative of the Senate. I think it is pretty well known in the Senate that this is a joint enterprise between the Federal Government and the citizens of St. Louis, Mo., who have formed a commission—I think that is the proper description—to erect a fitting national memorial to Jefferson. The motif is that the memorial shall be a shrine commemorating the westward migration following the Louisiana Purchase, and the part which Jefferson played in it. Many who have been in St. Louis know of the very large tract of land which has been set aside. Many of the buildings which were on the site at the time of the Louisiana Purchase and the westward migration have been preserved.

This bill has been on the calendar for some time. I think the people of St. Louis are entitled to the cooperation of the Congress by the way of approval of this great national monument. I hope the bill can be passed on the call of the calendar. I have never known a Republican or Democrat serving on the Commission at any time who was not of the same mind as to the desirability of cooperating with the citizens of the city of St. Louis by approving this national shrine.

Mr. GORE. Mr. President, reserving the right to object, it was my pleasure to spend the past weekend in the city of St. Louis. I believe it is fair to say that there is widespread public interest in the development of this memorial. A suitable site has been selected for it. The design has been perfected. I am glad it appears that at this time there is no objection to the passage of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REQUIREMENT OF YEAS AND NAYS ON RATIFICATION OF TREATIES—RESOLUTION PASSED OVER

The resolution (S. Res. 207) requiring a yea-and-nay vote on the question of advising and consenting to the ratification of treaties was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. LEHMAN. Mr. President, I wish to call attention to the fact that yesterday I submitted two amendments to the resolution. I ask that they be stated.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. KNOWLAND. Mr. President, reserving the right to object, may we have the amendments read?

Mr. LEHMAN. I shall be very glad to explain the amendments. Perhaps it would save time to do so.

Mr. KNOWLAND. I believe so.

Mr. LEHMAN. Mr. President, the resolution as it now reads calls for a yea-and-nay vote on advising and consenting to the ratification of treaties. My two amendments would enlarge the responsibilities of the Senate by providing that a yea-and-nay vote also be had on all proposed constitutional amendments. The amendments would further safeguard the situation by requiring, before the yeas and nays are taken, that there be a quorum call, which cannot be dispensed with even by unanimous consent. The amendments would follow substantially the provisions covered by the original resolution, which I submitted to the Senate a number of months ago.

I do not believe anything more important than a constitutional amendment could come before the Senate. Therefore, I believe that the consideration of a proposed constitutional amendment should be safeguarded in the manner in which I have described.

I recall that a joint resolution proposing a constitutional amendment was passed last year, I believe, on the call of the calendar when only 6 or 7 Members of the Senate were present, if my memory serves me correctly.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LEHMAN. I am glad to yield to the distinguished majority leader.

Mr. KNOWLAND. So far as the question of having a yea-and-nay vote on a proposed constitutional amendment is concerned, it has been and will continue to be, rule or no rule, the policy of the majority leader to ask for a yea-and-nay vote on proposed constitutional amendments, as well as on treaties, with respect to which that policy has been followed.

However, I wish to say that this resolution deals with the rules of the Senate, and was reported by the Committee on Rules and Administration without amendment. Several amendments have been submitted by the distinguished Senator from New York, which would make quite a substantial change, although personally I may favor some of the changes proposed.

For that reason, I shall object to the consideration of the resolution on the call of the calendar today. I suggest that the amendments submitted by the Senator from New York be printed and lie on the table, so that Members of the Senate, particularly the members of the Committee on Rules and Administration, may have an opportunity to examine them.

Mr. LEHMAN. Mr. President, will the Senator from California withhold his objection?

Mr. KNOWLAND. I am glad to withhold my objection.

The PRESIDING OFFICER. The Chair will advise the Senate that the amendments submitted by the Senator from New York have been printed and are lying on the table.

Mr. LEHMAN. I was about to explain that situation. I also wish to take up another matter in connection with the remarks made by the distinguished majority leader.

I know that we have the assurance of both the majority leader and the minority leader that so long as they occupy their present positions there will be no vote, either on a treaty or on a constitutional amendment, except a yea-and-nay vote, and that there will also always be a quorum call before a yea-and-nay vote is taken.

That is entirely satisfactory so far as it goes and for so long as it goes. However, we know that changes occur in human relationships, and that changes occur even in the Senate of the United States. I do not believe that a matter of this importance should be left to the discretion of any individual, whether he be the majority leader or the minority leader of the Senate. I hasten to make it perfectly clear that I do not for a moment question the good faith of either the majority leader or the minority leader. But with respect to a matter of such importance I believe the procedure should be written into law, which we would be bound to follow, and that no discretion whatever should be left in any individual regardless of the position he may hold. Certainly such discretion would not be binding on any successor in such a position.

Therefore, I very much hope that the amendments which I have submitted, and which are substantially identical with those which I submitted some months ago in the form of an amendment to rule XXXVII, will be agreed to by the Senate.

Of course I do not quarrel with the majority leader when he says that the amendments should be discussed with the sponsors of the resolution which is presently before the Senate and with the members of the Committee on Rules and Administration.

The PRESIDING OFFICER. The Chair advises the Senator from New York that his time has expired.

Mr. LEHMAN. Mr. President, I ask unanimous consent that I may be permitted to continue for not more than 2 minutes.

The PRESIDING OFFICER. Without objection the Senator from New York may proceed.

Mr. LEHMAN. I would ask the majority leader, if at any time he desires to move the consideration of the resolution to give me prior notice, so that I may offer my amendments on the floor, even if they may not be satisfactory to the sponsors of the resolution.

Mr. KNOWLAND. It is standard operating procedure, and will be so long as I occupy my present position, for the majority leader always to give advance notice to the minority. I generally try to do so several days in advance before I move the consideration of any measure of importance on the calendar.

However, I would not wish to bind myself as the Senator from New York suggests, because the situation might de-

velop that the sponsor of a measure would ask to have it considered at a given time. I am sure that at least 24 to 48 hours' notice will always be given in advance. If the distinguished Senator from New York will give notice to the minority leader, in the event he wants to be present when such a measure comes before the Senate for consideration, I am sure it will be called to my attention by the leader on the other side of the aisle.

Mr. LEHMAN. Of course, if the resolution comes up for consideration on the call of the calendar there is no difficulty about it. The junior Senator from New York could ask that an objection be made to its consideration on the call of the calendar. What I am thinking about is that it might be brought up otherwise than on the call of the calendar. I have noticed, if I may say so—and I believe I am correct—certain instances when a bill which was objected to on the call of the calendar being made, almost immediately after the conclusion of the call of the calendar, the subject of a motion for its consideration.

Mr. KNOWLAND. I will say to the Senator from New York that it was not done without first giving notice that it would be done. The Senator from New York can understand the practical problem involved. During the time I have occupied the position of majority leader, I have kept in the closest touch possible with the minority leader. I intend to do so in the future, and to give him just as much advance notice as I can possibly give. However, frequently Senators have many amendments to offer, and if I undertake to say that no bill will be called up unless every Senator who may have an amendment to propose to it is on the floor, even though I have given advance notice, such a situation may develop that my many commitments will prevent me from efficiently discharging my duties.

If the Senator will work through his leadership, I am sure that any reasonable request will be taken care of.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. KNOWLAND. Mr. President, I object.

The PRESIDING OFFICER. The resolution will be passed over.

EXTENSION OF EMERGENCY FOREIGN MERCHANT VESSEL ACQUISITION

The bill (S. 2371) to extend emergency foreign merchant vessel acquisition and operating authority of Public Law 101, 77th Congress, and for other purposes, was announced as next in order.

Mr. SMATHERS. Mr. President, I notice that the distinguished Senator who reported the bill is present in the Chamber. I wonder if he would explain the bill.

Mr. BUTLER of Maryland. Mr. President, the purpose of this bill is to make permanent certain provisions of Public Law 101, 77th Congress, as amended, which will give to the Secretary of Commerce in time of national emergency the authority to requisition, purchase, or charter foreign merchant vessels lying idle in United States waters.

I think it is a very important measure. I believe the legislation should be permanent, and that in these times of stress the Secretary of Commerce should have such authority at the direction of the President of the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2371) to extend emergency foreign merchant vessel acquisition and operating authority of Public Law 101, 77th Congress, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended, the President is authorized and empowered through the Secretary of Commerce to purchase, or to requisition, or for any part of such period to charter or requisition the use of, or to take over the title to or possession of, for such use or disposition as he shall direct, any merchant vessel not owned by citizens of the United States which is lying idle in waters within the jurisdiction of the United States, including the Canal Zone, and which the Secretary finds to be necessary to the national defense. Just compensation shall be determined and made to the owner or owners of any such vessel in accordance with the applicable provisions of section 902 of the Merchant Marine Act, 1936, as amended. Such compensation hereunder, or advances on account thereof, shall be deposited with the Treasurer of the United States in a separate deposit fund. Payments for such compensation and also for payment of any valid claim upon such vessel in accord with the provisions of the second paragraph of subsection (d) of such section 902, as amended, shall be made from such fund upon the certificate of the Secretary of Commerce.

SEC. 2. During any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended, the President is authorized through the Secretary of Commerce to acquire by voluntary agreement of purchase or charter the ownership or use of any merchant vessel not owned by citizens of the United States.

SEC. 3. (a) Any vessel not documented under the laws of the United States, acquired by or made available to the Secretary of Commerce under this act, or otherwise, may, notwithstanding any other provision of law, in the discretion of the Secretary of the Treasury be documented as a vessel of the United States under such rules and regulations or orders, and with such limitations, as the Secretary of the Treasury may prescribe or issue as necessary or appropriate to carry out the purposes and provisions of this act, and in accordance with the provisions of subsection (c) hereof, engage in the coastwise trade when so documented. Any document issued to a vessel under the provisions of this subsection shall be surrendered at any time that such surrender may be ordered by the Secretary of the Treasury. No vessel, the surrender of the documents of which has been so ordered, shall, after the effective date of such order, have the status of a vessel of the United States unless documented anew.

(b) The President may, notwithstanding any other provisions of law, by rules and regulations or orders, waive compliance with any provision of law relating to masters, officers, members of the crew, or crew accommodations on any vessel documented under authority of this section to such extent and upon such terms as he finds necessary because of the lack of physical facilities on such vessels, and because of the need to employ aliens for their operation. No vessel shall cease to enjoy the benefits and privileges of a vessel of the United States by reason of the employment of any person in accordance with the provisions of this subsection.

(c) Any vessel while documented under the provisions of this section, when chartered under this act by the Secretary of Commerce to Government agencies or departments or to private operators, may engage in the coastwise trade under permits issued by the Secretary of Commerce, who is hereby authorized to issue permits for such purpose pursuant to such rules and regulations as he may prescribe. The Secretary of Commerce is hereby authorized to prescribe such rules and regulations as he may deem necessary or appropriate to carry out the purposes and provisions of this section. The second paragraph of section 9 of the Shipping Act, 1916, as amended, shall not apply with respect to vessels chartered to Government agencies or departments or to private operators or otherwise used or disposed of under this act. Existing laws covering the inspection of steam vessels are hereby made applicable to vessels documented under this section only to such extent and upon such conditions as may be required by regulations of the Secretary of the Department in which the Coast Guard is operating: *Provided*, That in determining to what extent those laws should be made applicable, due consideration shall be given to the primary purpose of transporting commodities essential to the national defense.

(d) The Secretary of Commerce without regard to the provisions of section 3709 of the Revised Statutes may repair, reconstruct, or recondition any vessels to be utilized under this act. The Secretary of Commerce and any other Government department or agency by which any vessel is acquired or chartered, or to which any vessel is transferred or made available under this act may, with the aid of any funds available and without regard to the provisions of said section 3709, repair, reconstruct, or recondition any such vessels to meet the needs of the services intended, or provide facilities for such repair, reconstruction, or reconditioning. The Secretary of Commerce may operate or charter for operation any vessel to be utilized under this act to private operators, citizens of the United States, or to any department or agency of the United States Government, without regard to the provisions of title VII of the Merchant Marine Act, 1936, and any department or agency of the United States Government is authorized to enter into such charters.

(e) In case of any voyage of a vessel documented under the provisions of this section begun before the date of termination of an effective period of section 1 hereof, but is completed after such date, the provisions of this section shall continue in effect with respect to such vessel until such voyage is completed.

(f) When used in this act, the term "documented" means "registered," "enrolled and licensed," or "licensed."

COMPOSITION AND JURISDICTION OF THE SUPREME COURT—JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 44) proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court was announced as next in order.

Mr. KNOWLAND. Mr. President, in view of the fact that this joint resolution involves an amendment to the Constitution of the United States, I object to its being considered at this time.

The PRESIDING OFFICER. The joint resolution will be passed over.

KIRILL MIHAILOVICH ALEXEEV, ANTONINA IVANOVNA ALEXEEV, AND MINOR CHILDREN, VICTORIA AND VLADIMIR ALEXEEV

The Senate proceeded to consider the bill (S. 855) for the relief of Kirill Mihailovich Alexeev, Antonina Ivanovna Alexeev, and minor children, Victoria and Vladimir Alexeev, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 9, after the word "fees", to strike out "and head taxes"; and on page 2, beginning in line 2, to strike out "the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)" and insert "the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Kirill Mihailovich Alexeev, Antonina Ivanovna Alexeev, and minor children, Victoria and Vladimir Alexeev, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct four numbers from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ATTORNEYS' LIENS IN PROCEEDINGS BEFORE COURTS, ETC.—BILL PASSED OVER

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that this bill be passed over.

Mr. McCARRAN. Mr. President, will the Senator from New Jersey withhold his objection?

Mr. HENDRICKSON. I shall be glad to do so.

Mr. McCARRAN. Mr. President, this is a bill which passed the Senate during the last Congress.

At common law, an attorney had two types of liens. He had a holding lien, which entitled him to retain documents or other property given into his possession by his client, until his fee was paid. He also had a charging lien, which could be enforced by an action, against the recovery in the suit; that is, the attorney had a lien enforcible at law, for the amount of his fee, against the amount of his client's recovery.

In common-law States, these liens exist today. In many States, by statute, these liens are specifically recognized. In the District of Columbia, however, the charging lien is not recognized except in certain specialized circumstances.

Federal courts will recognize and enforce an attorney's charging lien in any jurisdiction where under State law he would be entitled to enforce it. Thus, the rule differs in various Federal jurisdictions, as we go from State to State. The District of Columbia is, of course, entirely a Federal jurisdiction.

The bill now before the Senate would give attorneys in Federal cases the right to have a charging lien against their client's recovery. This bill follows closely the New York statute on this subject, which has worked well for a number of years and which has been thoroughly construed by the courts.

It should be pointed out that this bill does not impose any liability upon the Government, nor place the Government under any additional burden in connection with any action at law or in equity. The attorney's lien would attach only to his client's net recovery; so that in the case of an action against the Government, where the Government had a counterclaim, the lien would not attach until the Government's counterclaim had been adjudicated, and then the lien would attach only to that portion of the claim which the court apportioned to the plaintiff.

This bill has the strong endorsement of the American Bar Association. It was thoroughly discussed in the Judiciary Committee, and came out of the committee without objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. Mr. President, I renew my objection.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McCARRAN. Mr. President, I ask unanimous consent that Calendar 1152, Senate bill 42, may be called on the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATURALIZATION OF FORMER CITIZENS OF THE UNITED STATES—BILL PASSED OVER

The bill (S. 1303) to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask that the senior Senator from Maryland explain the necessity for this bill, the number of persons involved, and the justification for it.

Mr. BUTLER of Maryland. Mr. President, this bill affects approximately 2,000 persons who voted in the Japanese election in order to sway the election, according to the psychology of government in which they then believed. They were American citizens and, when they voted, they lost their citizenship. It is necessary to pass this bill in order that their naturalization as American citizens may be more readily obtainable. It involves a situation similar to that which occurred in connection with the Italian elections. At that time a bill was passed, as I recall, by the 79th Congress, providing precisely what this bill provides, making it easier to naturalize former American citizens who had taken part in a foreign election.

Mr. GORE. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER of Maryland. I yield.

Mr. GORE. A letter from the State Department seems to indicate that a great many of the persons covered by this bill considered themselves to be loyal citizens of Japan during the war. In view of that fact which is set forth in the Department's letter, does not the able Senator think it would be better for some committee carefully to consider each case, rather than to treat 2,000 persons as a group and to restore citizenship to them, even though the actions and the loyalties of the individuals may have differed widely?

Mr. BUTLER of Maryland. Will the Senator refer me to the place in the report where the letter to which he has referred may be found?

Mr. GORE. It is on page 6 of the report, and I am referring to the first paragraph of the letter on page 6.

Mr. BUTLER of Maryland. Yes, but those persons were all American citizens and were unable to return to the United States because of the state of war which existed between the United States and Japan.

Mr. GORE. Let me read one sentence from the letter to which I have referred:

From all practical indications, they conducted themselves as loyal subjects of the Emperor of Japan during the time Japan was at war against the United States, and were regarded as such by the Japanese authorities.

Therefore, Mr. President, I inquire of the able Senator if the committee has given consideration to the individual cases, or have the 2,000 persons been treated as a group?

Mr. BUTLER of Maryland. I did not hear the last part of the Senator's question.

Mr. GORE. I inquired if the Committee on the Judiciary considered the respective individuals named in the bill, or if the committee treated them as a group.

Mr. BUTLER of Maryland. I understand the committee did not consider them separately; the cases were considered in a group.

Mr. GORE. I think, under the circumstances, that I must ask that the bill go over.

The PRESIDING OFFICER. There being objection, the bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 887) for the relief of Mr. and Mrs. Edward Levandoski was announced as next in order.

Mr. SMATHERS. I ask that the bill go over.

The PRESIDING OFFICER. There being objection, the bill will be passed over.

The bill (S. 975) to amend the Home Owners' Loan Act of 1933, as amended, was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5416) to authorize the advancement of certain lieutenants on the retired list of the Navy was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3200) to amend section 3 of the Travel Expense Act of 1949, as amended, to provide an increased maximum per diem allowance for subsistence and travel expenses was announced as next in order.

Mr. HENDRICKSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES—BILL PASSED OVER

The bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, was announced as next in order.

Mr. HENDRICKSON. Over by request.

Mr. KNOWLAND. Mr. President, at the request of the senior Senator from Wisconsin [Mr. WILEY] who had to leave the Chamber, I should like to ask whether the calendar committee would be willing to indicate at whose request the bill is asked to be passed over, so that the Senator from Wisconsin might have an opportunity to discuss the matter with those who object.

Mr. HENDRICKSON. I am glad to furnish that information. The records of the calendar committee show that the bill is opposed by the Senator from Idaho [Mr. WELKER], the senior Senator from South Dakota [Mr. MUNDT], the junior Senator from South Dakota [Mr. CASE], the Senator from Maryland [Mr. BEALL], and the junior Senator from Wisconsin [Mr. MCCARTHY].

Mr. KNOWLAND. I thank the Senator.

The PRESIDING OFFICER (Mr. UPTON in the chair). The bill will be passed over.

DISTRIBUTION OF FISHERY PRODUCTS—BILL PASSED OVER

The bill (S. 2802) to further encourage the distribution of fishery products, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. I ask that the bill go over, by request.

Mr. SMATHERS. I wonder if the Senator from New Jersey will withhold his request for one moment.

Mr. HENDRICKSON. With pleasure, I shall withhold my request.

Mr. SMATHERS. Mr. President, may I be permitted to ask the Senator from New Jersey if the request that the bill go over comes from the distinguished Senator from Delaware [Mr. WILLIAMS]?

Mr. HENDRICKSON. The Senator from Delaware was one of the Senators who requested that the bill go over.

Mr. SMATHERS. I do not desire that the bill should not go over, but, in view of the fact that the Senator from New Jersey has stated that a request that the bill go over had been made by the Senator from Delaware, I may say that I have talked with the Senator from Delaware since he originally filed his request, and he has indicated to me that he no longer has an objection.

Mr. HENDRICKSON. As I understand, the Senator from Delaware desires to propose an amendment, and the sponsors of the bill will not accept the amendment. It is quite possible that between now and the time of the next call of the calendar the Senators concerned can consult with one another with respect to the situation.

Mr. SMATHERS. I thank the Senator from New Jersey. I observe in the Chamber the Senator from Pennsylvania [Mr. DUFF], who steered the measure through the committee. I wonder if the Senator from Pennsylvania has any observations to make about the bill.

Mr. DUFF. The only observation I can make is that I had heard an objection had been lodged by the Senator from Delaware and the Senator from Vermont.

I am also advised that the Senator from Delaware has withdrawn his objection, as has been suggested by the Senator from Florida, but that the Senator from Vermont has not withdrawn his objection.

Mr. HENDRICKSON. I do not wish to take issue with the Senator from Pennsylvania, but I do not believe that is quite the fact; I think the situation is somewhat in reverse.

The PRESIDING OFFICER. The Chair inquires whether there is objection to the present consideration of the bill.

Mr. KNOWLAND. I understood that objection had been raised.

Mr. HENDRICKSON. Yes; I raised the objection, but I want the RECORD to show that it was by request.

The PRESIDING OFFICER. There being objection, the bill will be passed over.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

Mr. KNOWLAND. Mr. President, the next bill, S. 2650, is the unfinished business of the Senate. Obviously it would not be taken up by unanimous consent.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes.

Mr. LEHMAN. Mr. President, as a member of the Senate Committee on Labor and Public Welfare since I came to the Senate more than 5 years ago, I have been intimately involved and deeply interested in legislation dealing with the vital issue of labor and management relations.

I feel very strongly about the irregular procedures employed by the majority in reporting S. 2650 to the Senate. I feel with equal force that the bill itself represents a backward step along the difficult road toward harmonious labor-management relations. Finally, as the Senate knows, I have presented an amendment to the pending bill about which I feel very strongly, too—an amendment which would seek to prevent unfair discrimination, either by unions or by employees, because of race, religion, color, or national origin.

Regarding each of these three factors involved in the consideration of the pending legislation, I intend to address myself at considerable length at a later date. It is my purpose to address myself today to the pending amendment, offered by the junior Senator from Arizona, and to the provision of the so-called Smith bill which he would amend. I know that section 16 of the bill, and to an even greater extent the Goldwater amendment, deal with a subject about which many Members of this body have very strong and almost emotional feelings—the question of Federal-State jurisdiction in labor-management disputes affecting the health and safety of the people of any State.

I hope that I can make my position very clear on this basic issue right now. I served as Lieutenant Governor and Acting Governor of New York State for 4 years, following which I was elected for four successive terms as Governor of that State. I know the problems of State government and the powers of State governors. I am as sympathetic as any other Member of this body to the proposition that those powers which can properly be exercised by the States to protect the welfare of the people should be so exercised without interfence from the Federal Government.

I think that I can safely say that during my service in the State capitol at Albany I dealt with many different problems quite as often as any other governor of any of the 48 States. I am certain I do not have to recall to my colleagues that New York State was and is the most populous State in the Union. During my tenure as Governor the economic

problems of New York State were diverse, and the number of serious labor-management disputes were at least sufficient during my 14 years in Albany to test the effectiveness of the State power concerning the health and safety of the people.

At no time during that period did I ever experience an occasion when the Governor or State officials generally were foreclosed from adequate protection of the health and safety of the people by virtue of the inadequacy of their legal, constitutional authority.

Mr. President, the powers of a governor are extremely wide. They are probably much wider than most persons believe. So far as the health and welfare of the people are concerned, the powers of a governor are even broader than those which lodge in the Federal Government. The power to protect the people is, of course, built on a very broad base. The governor at all times can call out the National Guard. The governor has behind him the courts and the district attorneys. At least in New York State, and I imagine it is true in many other States, the governor has the power and authority to remove virtually every elected official in the State, including the mayors of the cities of New York, Buffalo, Albany, and other large municipalities. The governor has the power to remove the sheriffs of the different counties. The laws provide that the sheriffs have the authority and the duty, in case of disaster, or threatened disaster, to appoint just as many deputy sheriffs as in their opinion may be necessary. Such authority and duty were invoked in a great many different instances during the 14 years I was in Albany.

Yesterday when I made a similar statement it was pointed out to me that the period during which I served as Governor of New York State preceded court decisions involving the Taft-Hartley Act, which had the effect of preempting this particular field entirely for the Federal Government. I may say that while I am not a lawyer, certainly not a constitutional lawyer, I am not aware of any decision by the Supreme Court which removes one scintilla of authority from the States in the exercise of the police powers of the States. The decisions which have been referred to in the debate on this matter, and again I do not wish to appear to be an authority on the decisions cited, seem to have struck down State statutes or actions setting up separate codes of labor relations inconsistent with the Federal code of labor relations. I have not heard any convincing arguments on the floor of the Senate or elsewhere that the court decisions which have been mentioned have interfered with traditional State police powers to protect public health and safety. Indeed, I could not conceive, under our Constitution, of any responsible judge acting to deprive a State of this vital authority for the protection of its people.

I am so opposed to the two suggested amendments—section 16 of the pending bill and the Goldwater amendment—which seek, in the words of their authors, to "spell out" the authority of the States in the exercise of their police powers dealing with labor disputes because under either of these provisions, should they be enacted, a Governor of a State or any State official delegated with such authority, or even an official of a political subdivision of the State, could act in any labor dispute to end such dispute. I do not exaggerate when I use the word "any," for I genuinely believe that the language of either section 16 of the Smith bill or the Goldwater amendment could be interpreted broadly enough to apply to any labor dispute, if it is so desired.

Mr. MORSE. Mr. President, will the Senator from New York yield for a question?

Mr. LEHMAN. I am very glad to yield.

Mr. MORSE. Has the Senator from New York reached the conclusion that the amendment of the Senator from Arizona [Mr. GOLDWATER] has the effect of seeking to enlarge further the delegation of Federal power over interstate commerce?

Mr. LEHMAN. I was not able to hear all of the Senator's question.

Mr. MORSE. I shall repeat it: Has the Senator from New York reached the conclusion that one of the effects of the amendment of the Senator from Arizona [Mr. GOLDWATER] is to enlarge further the delegation of Federal power over interstate commerce?

Mr. LEHMAN. I think there is no doubt that it does. I believe it would give to the State administrations powers over matters relating to interstate commerce which would be unlimited in scope, in effect, and in influence.

Mr. MORSE. Mr. President, will the Senator from New York yield for a further question?

Mr. LEHMAN. I am very glad to yield.

Mr. MORSE. Does the Senator from New York believe that one of the effects of the amendment of the Senator from Arizona will be to create a great many discriminatory practices and policies in the regulation of interstate commerce, through the delegation of authority to the States?

Mr. LEHMAN. It is my belief that if either 1 of the 2 amendments were adopted and enacted into law, there would be no limit upon the power of the governor of a State to affect matters which we now recognize as coming within the jurisdiction of the Federal laws.

Mr. MORSE. Mr. President, will the Senator from New York yield for a further question?

Mr. LEHMAN. I am glad to yield.

Mr. MORSE. Does the Senator from New York agree with me that businessmen—manufacturers and industrialists in all sections of the Nation—are entitled to have assurance of a uniformity of practice in the regulation of interstate commerce, so that their industries will not be subjected to unfair discrimination, or to a different labor policy in one State, as applied to interstate commerce, as compared to that applying in another State?

Mr. LEHMAN. A little later in my remarks I shall call attention to a colloquy I had with the Senator from Arizona [Mr. GOLDWATER], in which I asked him the following question, in effect: Suppose a large company had plants or did business in 43 States. Under the amendment, is it not conceivable or likely or at least possible that in the determination of various question there might be 43 separate and differing opinions and regulations under State jurisdiction?

In answer, the Senator from Arizona very frankly and honestly admitted that what I have said was completely true, namely, that there would be a possibility—although he did not believe it would be a probability—of having 43 different jurisdictions on substantially the same question, thus completely destroying uniformity, and creating confusion which would be endless.

Mr. MORSE. Mr. President, will the Senator from New York yield to me for a further question?

Mr. LEHMAN. I am very glad to yield.

Mr. MORSE. Does the Senator from New York agree with me that any labor legislation Congress may pass, in keeping with the Federal jurisdiction over interstate commerce, should declare a public policy that will be fair to business and industry, as well as labor and the public?

Mr. LEHMAN. I believe the Taft-Hartley Act certainly has not been a perfect one, under any circumstances; and I believe it should be amended in such a way as to dispose of and destroy its inequities and injustices. I believe the pending bill, instead of bringing about closer harmony and a mutuality of interest as between employer and worker, will widen the gap infinitely more and will give cause for added distrust, added dissatisfaction, and added misunderstanding. I believe the pending bill, which has been reported by the distinguished Senator from New Jersey [Mr. SMITH] will do just that, if it is enacted into law.

Mr. MORSE. Mr. President, will the Senator from New York yield to me for a further question?

Mr. LEHMAN. I am glad to yield.

Mr. MORSE. Does the Senator from New York share my opinion that those of us in the Senate who are urging that any amendments to the Taft-Hartley Act be uniform in their application to all business throughout the Nation, under the Federal jurisdiction of matters relating to interstate commerce, are demonstrating our desire to follow a course of action which will result in labor legislation that will be eminently fair to all business, without discrimination?

Mr. LEHMAN. I fully and thoroughly agree with the Senator from Oregon.

Mr. MORSE. Then I ask the Senator from New York to permit me to summarize this discussion in the following question: Do I correctly understand that one of the major objections of the Senator from New York to the amendment of the Senator from Arizona is that the Senator from New York believes it to be an amendment that is not fair to the business interests of the Nation, because the amendment would result, not in uniformity of application of Federal statutes to interstate commerce but in delegation of authority to the States, resulting in a variety of laws, and therefore

likely to do injury to some businesses in some sections of the country, and to confer unfair advantages to businesses in other areas of the country?

Mr. LEHMAN. I thank the Senator from Oregon for his very great contribution.

Mr. President, I wish to point out that what is proposed by the amendment of the Senator from Arizona would be bound to lead to injustices, because there would be absolutely no uniformity whatsoever in the rulings or the jurisdiction of the 48 States.

I wish to say further to the Senator from Oregon that what I am saying today on the floor of the Senate is exactly what I have been saying in the committee room for the past many weeks when the bill and the amendments suggested to it by the President were under consideration.

I pointed out that the amendment was a contrived and artificial proposal, not based on sound ground, because under the guise of safeguarding the health and the welfare of the people, it was seeking to do something which already was made possible, and, in fact, was a solemn duty on the part of the governors and administrations of all the States.

I believe it can well be stated that it has never been questioned that the governors of the States have the power to safeguard the health and welfare of the people of the States. This amendment is merely an attempt to obtain additional power for certain States, under the smokescreen of the plea that the amendment is necessary in order to protect and safeguard the health and welfare of the people of the States.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I am very glad to yield.

Mr. GOLDWATER. I should like to ask the Senator from New York if the tax laws of the State of New York are the same as the tax laws of the State of New Jersey.

Mr. LEHMAN. Oh, no. I assume not. I do not know the tax laws of either State, as a matter of fact.

Mr. GOLDWATER. Would the Senator assume that the tax laws of New York were the same as the tax laws of California?

Mr. LEHMAN. I assume not.

Mr. GOLDWATER. Would the Senator from New York assume that the regulation of trucking in his State, as regards axle weight, cubic capacity and height, is the same, let us say, as that of Illinois?

Mr. LEHMAN. I am quite certain that it is not. I am perfectly willing, in order to limit the debate, to acknowledge that there are many differences in the laws of the various States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GOLDWATER. If the Senator will indulge me for a moment, I should like to ask 1 or 2 additional questions.

Mr. MORSE. I thought the Senator was through.

Mr. GOLDWATER. I should like to ask 1 or 2 further questions along this line.

Is it not true that today businesses in many fields operate in the various States under 48 different sets of laws? We seem to operate very effectively. There is nothing wrong with the operation of our economy, as between the various States.

Mr. LEHMAN. I have no objection whatsoever to the States having their own laws affecting their own citizens, and affecting intrastate relationships. But we are dealing here with interstate relationships, which are very different.

Mr. GOLDWATER. I should like to ask the Senator from New York one further question. Does he consider that the circumstances of the Garner case were fair either to labor or to the management of the Garner concern?

Mr. LEHMAN. I do not think the distinguished Senator from Arizona was present in the Chamber when I made the statement that I was not a constitutional lawyer—or, in fact, any lawyer at all.

Mr. GOLDWATER. Neither am I.

Mr. LEHMAN. I think that what the Garner case did was simply to reverse decisions which would overturn, destroy, or weaken the provisions of the Taft-Hartley Act.

Mr. GOLDWATER. I think the Senator is correct in that statement. I was pursuing this thought: The Senator stated that he wished to be fair to both management and labor. I was wondering if he felt that the time element involved in obtaining relief through the National Labor Relations Board in that case, which resulted in putting the man out of business and putting 24 drivers out of work, was fair.

Mr. LEHMAN. I do not know that case, frankly. I cannot reply. However, I shall rest on what I said as to my interpretation of the decisions of the Supreme Court of the United States.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. MORSE. Does the Senator from New York know of any lack of uniformity in the application of Federal tax laws to the State of Arizona, as contrasted with the State of New York?

Mr. LEHMAN. I certainly do not know of any discrepancies.

Mr. GOLDWATER. Mr. President, I did not mention Federal tax laws. I mentioned State tax laws. I hope there is no difference so far as the application of Federal laws is concerned.

Mr. MORSE. I am quite aware of the fact that the Senator from Arizona did not mention a Federal question in connection with this problem. What the Senator from New York is bringing out is that we are dealing with a Federal question, and the Senator from Arizona is proposing that we delegate Federal jurisdiction to the States, the result of which would be a lack of uniformity in the application of a Federal jurisdiction. So the Senator from Arizona cites to the Senator from New York the fact that there are State laws, on State jurisdiction questions, in Arizona and other States, which are different from New York State laws on State jurisdiction questions. It is a completely non sequitur argument. It has absolutely nothing to do with the major premise which the Senator from New York is laying down, namely, that when we come to the question of Federal jurisdiction and the application of a Federal principle to the States, we ought to keep faith with the basic American principle of justice. There ought to be uniform application of American justice.

But the Senator from Arizona, in order to buttress his fallacy, seeks to point out that in various State fields there are different State laws. We can take judicial notice of that fact. What he is proposing is that there be a different law in the State of Arizona in regard to the exercise of a Federal jurisdiction. All the Senator from New York and the Senator from Oregon are pointing out is that we should stop the delegation to the States of Federal jurisdiction over interstate commerce. As I understand the Senator from New York, that is the essence of his argument on this particular objection to the amendment of the Senator from Arizona.

Mr. LEHMAN. That is exactly so.

Mr. GOLDWATER. Mr. President, will the Senator yield for one comment?

Mr. LEHMAN. I am glad to yield.

Mr. GOLDWATER. I think the Senator from Oregon has brought out the basic argument which will evolve in this debate. He refers to the powers the Federal Government can give the State, whereas I refer to the powers which the States can give the Federal Government.

My reason for this amendment is that we are talking about the people on the main streets of America, the small-business men who, by an interpretation of the Supreme Court, are now regarded as being in interstate commerce. My feeling is that they are in intrastate commerce. That is in part the reason for offering this amendment.

Mr. LEHMAN. Mr. President, the Senator from Arizona made the statement that what he is seeking to do is justice, both to employers and workers. I have no doubt of that. I know what an honorable, public-spirited, and patriotic man he is. But what he proposes to do, I think, might have just exactly the opposite result. What he is proposing to do is to break down all uniformity whatsoever among the various States. I asked him yesterday what would happen if, in 43 States in which a company did business or maintained plants, there were great divergencies in the laws to carry out the edicts of the Taft-Hartley Act. What would happen if, in State A, in a certain situation involving a great company, laws were enacted which would favor management in the administration of the provisions of the law, and if, in another State, laws were enacted which would favor labor? We would then have in 2 States, dealing with a question which related to 1 company or 1 dispute, the possibility of completely divergent rulings, laws, and administrative regulations. As I recall, the Senator from Arizona agreed that that was a possibility.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LEHMAN. I am glad to yield.

Mr. MORSE. Unless there are objections, I think it very apropos that we place in the RECORD at this point two provisions of the Constitution. We are

not dealing with the question of States giving the Federal Government power. We are talking about the power which the constitutional fathers vested in the Federal Government when the organic law was adopted. I refer to this paragraph of article VI:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof, and treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

In article I, section 8, the Founding Fathers delegated to the Federal Government, for the application of the constitutional provision which I have just read, this Federal jurisdiction:

> To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

I believe the Senator from Arizona is quite right in conceding that when we are discussing this point, we are really discussing the heart of the issue. There is no question about the fact that what the amendment seeks to do is what the constitutional fathers did not see fit to do.

The amendment seeks to have the Federal Government redelegate to the States authority over interstate commerce in this limited and restricted aspect. What the Senator from New York and the Senator from Oregon are trying to point out is that one of the reasons why the constitutional fathers, in the exercise of their wisdom, conferred this power on Congress was that when it came to the regulation of interstate commerce they considered it necessary that there be a uniform application of economic justice across the country to the people and to the businesses which might be affected.

Therefore we have before us, in my judgment—and I say it most respectfully and very sincerely—an indirect method of seeking to modify the intention of the Founding Fathers when they placed the commerce clause in the Constitution and when they made very clear that the Constitution was the supreme law of the land.

I do not believe we ought to try to get around the Constitution or undermine the Constitution in this way. I believe the Federal Government should continue to regulate interstate commerce on a uniform basis.

Mr. LEHMAN. The Senator from Oregon is completely right. I am very glad to have the support of such a great constitutional lawyer, who has drawn my attention to provisions of the Constitution with which he is so much more familiar in detail than am I.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. LEHMAN. I yield.

Mr. MORSE. I believe what we have before us is a contest between the articles of the Constitution and the Articles of the Confederation. In my judgment the principle of the amendment of the Senator from Arizona is what the proponents of the Articles of the Confederation had in mind. That principle was rejected, and in lieu thereof there was adopted the so-called doctrine of supremacy of the law of the land, so far as Federal jurisdiction was concerned, and in the organic law this jurisdiction was granted to Congress. I do not believe we should in any way weaken that delegation of authority.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. GOLDWATER. I wish to answer the statement of the Senator from Oregon by saying that I believe he is again describing the fence that stands between the two sides on this subject.

Article X of the Constitution provides:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Neither the Taft-Hartley Act nor the Wagner Act has shown any intention of invading this field. In fact, as I stated yesterday, the Supreme Court has made two requests for clarification of the issue.

I agree with the Senator from Oregon that we are on a very basic field in this debate, and I am very happy to see the distinguished Senators who are opposed to the amendment express themselves honestly on it, because out of it all will come much good.

Mr. MORSE. Mr. President, I wish to say two things to my friend from Arizona. First, the article of the Constitution which he cites is not applicable at all to the issue before the Senate. We are talking about jurisdiction that was delegated, and the delegation is as clear as the English language can make it.

It is made perfectly clear, in article I, section 8, that there is delegated to Congress jurisdiction over commerce among the States and with foreign nations. It does not delegate such authority to the States; it is delegated to the Federal Government.

The point which the Senator from Arizona makes is completely answered by the Bethlehem Steel case. In the Bethlehem Steel case the Supreme Court left no room for doubt as to the complete jurisdiction of the Federal Government over interstate commerce.

I do not propose to support an amendment which seeks in any way to bring about discrimination, lack of uniformity, and unfair policies among the States, because to do so would work an injustice to the businessmen of America.

Here again, as so many times in the past, it is on the liberal side of the Senate that one hears so many voices raised to protect the legitimate rights of American business. The best way to protect the legitimate rights of American business and of labor and of the farmers is to preserve the uniform application of constitutional legal principles. That is all we are doing. We are simply saying to the proponents of the pending amendment that we will not be a party to the drawing of discriminatory lines on a State boundary basis in the application of the interstate commerce laws by the Federal Government.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Is it not true that in recent years there have been some very careful studies made of the meaning of the terms in the commerce clause? For example, as I remember, in 1937 Prof. Walton H. Hamilton published a book which went into the contemporary meaning of the term "commerce," based upon a wealth of contemporary discussion and usage ranging from 1760 to 1800. Professor Hamilton showed that the term "commerce" then meant not merely the physical movement of commodities but meant at that time all economic activity, including mining, lumbering and forestry, manufacturing, banking, shipping, and so forth.

Therefore, when the Founding Fathers used the term "commerce" it was not in the restricted sense which later became attached to it. Is that not correct?

Mr. LEHMAN. That is correct.

Mr. DOUGLAS. In a recent learned two-volume work published by Dr. W. W. Crosskey, the same points are gone into in great detail.

Last summer I spent 3 weeks in the beautiful State of the Presiding Officer, the Senator from New Hampshire [Mr. UPTON], reading Crosskey in the morning and swimming in the cool lakes in the afternoon.

I may say that Dr. Crosskey demonstrates with a wealth of learning that the term "commerce," at the time the Constitution was adopted, meant, as Professor Hamilton also holds, all forms of economic activity.

Secondly—and this point Professor Hamilton had not developed—Dr. Crosskey points out that when the Constitution provides that Congress has the power to regulate commerce among the States, the contemporary use of the word "among" meant "within."

Therefore a study of the words in common usage in the English language at the time indicates that the Founding Fathers knew precisely what they wanted to effect, and they did, as the Senator from Oregon has stated, intend to give to the National Government control over economic activity. Is that not correct?

Mr. LEHMAN. That is quite true.

Mr. DOUGLAS. Is it not also true that there was a motivating reason why the Federalists and others who held to this idea favored a strong commerce clause, namely, because they wanted to have a uniform law on commercial instruments and commercial transactions which would cover business transactions throughout the 13 States. They did not want businessmen, in selling and buying and manufacturing and trading, to be subject to 13 different laws in 13 different States on commercial transactions?

Mr. LEHMAN. That is correct. Certainly a strong nation could not possibly have been built up in any other way.

Mr. DOUGLAS. If it was necessary to have a strong commerce clause in 1787 when, after all, trade and manufacturing was much more local than today, how much more important is it now after 167 years?

Mr. LEHMAN. The Senator from Illinois is absolutely correct. I thank him.

I think the uncertainty is greatly increased by the language of the amend-

ment. The bill itself gives authority to the States in emergencies to deal with labor disputes "which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the State." I do not believe there has ever been a completely authoritative interpretation of what is meant by "a clear and present danger," which phrase is used in the pending bill.

Mr. President, strikes could be broken by the use of injunction or even force. Picketing, no matter how peaceful or how limited or how relevant to the dispute, could be banned. Those responsible for a work stoppage—whether they be union officials or employers—could be prosecuted and jailed. Compulsory arbitration could be imposed upon unwilling employers and employees.

I desire to repeat what I said yesterday afternoon. With reference to the legal questions which are involved, I think other Senators can speak with far more authority than I can, but from the practical considerations which I have had the privilege and the duty of observing for a great many years, I wish to say again, as I said yesterday, that I am convinced that if this bill shall prevail, so far as it relates to section 16, or the Goldwater amendment—and the Goldwater amendment simply goes somewhat further than does the Smith amendment—any governor who has a complacent legislature which is willing to do his bidding, can, either through willful intent, mistaken judgment, or arbitrarily, do rank injustice to the contending parties in any labor dispute.

That does not necessarily mean that such power would always be invoked against labor. It could be invoked equally against employers.

I referred a moment ago to the possibility of imposing compulsory arbitration upon unwilling employers and employees. For 30 years I have been interested in the work of arbitration and mediation. I helped to adjust many of the labor disputes in my State, both before I became a public official and during my tenure of office. I was convinced that the worst thing which could possibly happen, both to labor and to employers, would be the imposition of compulsory arbitration. I am not against arbitration. I am completely sold on the effectiveness of mediation, and, in certain cases, of arbitration, but it must be voluntary arbitration, not compulsory arbitration. I have never yet known a single large employer of labor or a single large industrialist who favored compulsory arbitration. Yet, under this amendment, Mr. President, the governor of a State could, among many other things, impose on an unwilling group of men, workers and employers alike, compulsory arbitration.

Mr. DOUGLAS. Mr. President, will the Senator from New York further yield?

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Did the Senator from New York notice with some interest that the members of the majority were opposed in committee to allowing any recommendations by the Presidential Board with reference to the settlement of national emergency strikes at the time of filing their original report on the ground that they smacked, in their opinion, of compulsory arbitration?

Mr. LEHMAN. I recall that very distinctly.

Mr. DOUGLAS. Of course, it was not compulsory arbitration; it was simply a recommendation; but the members of the majority feared that such a proposal would have some elements of compulsion involved.

Mr. LEHMAN. That is true.

Mr. DOUGLAS. Is it not true that the members of the majority declared themselves against anything that smacked of compulsory arbitration in the matter of the settlement of national emergency strikes?

Mr. LEHMAN. That is correct.

Mr. DOUGLAS. Is it therefore not peculiar that most of these same men, nevertheless, think that the States should have compulsory arbitration powers in local emergencies, though they would deny such powers to the National Government in national emergencies?

Mr. LEHMAN. The Senator is absolutely correct. But I think the situation is even worse than that which he has outlined. I can assure the Senator from Illinois, from my long acquaintance and friendship with many State officials, that if power is given to impose compulsory arbitration on contending factions in a labor dispute, and the dispute should become hot and should last for some time, the governor could impose mandatory arbitration.

Mr. GOLDWATER. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. GOLDWATER. Does the Senator from New York contend that in view of the Garner case the governor might still impose what the Senator has just described?

Mr. LEHMAN. I cannot discuss the Garner case with the Senator. I am not a lawyer. But I can say that there is no question whatsoever in my own mind, at least—and I believe that most unbiased persons will agree with me—that almost anyone who has had close relationship to State government and who is honest in expressing his opinion would say that the powers which the Senator proposes to give to State administrations are almost unlimited in scope and that they would permit the governor, or, possibly, even lesser officials, to force the settlement of any labor dispute, regardless of the merits of the dispute, or regardless of the injustice of the settlement proposed.

Mr. GOLDWATER. Mr. President, the Senator from New York and I disagree on that point. In view of the Garner decision, which simply states that when there is Federal relief available, State relief cannot be applied. It is a very serious question.

Mr. LEHMAN. I am sorry, but I shall have to leave the discussion of the legal aspects of the subject to some of my associates who are much better equipped to discuss it than am I. But I wish to make it clear, as forcefully as I can, that I am convinced, without a shadow of doubt—and my conviction is based on some experience—that the adoption of the Senator's amendment would give to a State government authority which was never intended under the Constitution of the United States, never intended by the Congress of the United States, and never expected by State legislatures.

In other words, Mr. President, the whole field of labor-management relations could be thrown into a state of such turmoil as to create the most serious economic strife we have yet experienced in this country.

I think that was highlighted by the very timely remarks of the distinguished Senator from Oregon [Mr. MORSE] when he pointed out the complete breakdown of conformity and uniformity which would ensue if the proposed amendment should be agreed to.

What I have described, Mr. President, in my opinion, is no parade of horrors. These are situations which could, and, I fear, would exist in many States and localities if this provision of the Smith bill or the amendment of the junior Senator from Arizona should be adopted.

I am not suggesting that those supporting either of the amendments to the Taft-Hartley Act desire the extremes which I have predicted. I know that those who truly believe in the free-enterprise system want to enact amendments to the Taft-Hartley Act which will make labor-management relations more peaceful, more friendly, and of greater benefit to both labor and management as well as to all the people. That goes regardless of whether one may be described as prolabor or promanagement.

But these amendments, as I have outlined them, will result not only in serious injustice and strife in many areas, but in confusion everywhere in the field of labor relations. Such confusion would particularly arise under the Goldwater amendment. Yesterday—and I am referring to what I said a few minutes ago, but I wish again to emphasize it—I inquired of the junior Senator from Arizona whether it was not a fact, if his amendment were adopted, that a company with plants in 43 States could conceivably face 43 different methods of dealing with labor relations according to 43 different State labor codes interpreted by 43 different decisions of State courts.

The Senator from Arizona quite frankly and honestly stated that this could be the case but he would not anticipate such violent differences between State laws. Aside from the fact that I am not quite as sanguine on this matter as my friend from Arizona, I do not think that this body should be in the position of granting broad authority in this important field in the hope that that authority will either not be used, or if used, will be employed with discretion and great wisdom. The Senate cannot and should not legislate on that basis when the results of what might be our bad judgment in this case could mean confusion at best and serious economic strife at worst throughout the country.

In conclusion, Mr. President, I repeat what I said in the beginning of this statement; I believe fully and unequivocally in the right and the duty of State officials to protect the public safety and order, whether in labor disputes or in any other field. I have performed my duties as Governor of New York State with that

deep-rooted philosophy, and I am confident that every governor of every State would do so with or without section 16 of the pending bill or the Goldwater amendment. There is no issue about the protection of traditional State rights or the health and safety of the people of any State. On that we are and should be agreed. The very strenuous objection the junior Senator from New York has to the two amendments is that their enactment will accomplish what our Communist enemies have failed for years to do in this country, namely to pit labor against management and employer against employee to such an extent as to jeopardize our democratic economic structure.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. DOUGLAS. The Senator from New York in his very able address has primarily concentrated his criticism of the Goldwater amendment on the ground that it would deal with strikes, boycotts, and such matters, upon State lines, rather than upon national lines.

Mr. LEHMAN. Under the guise of protection of State rights.

Mr. DOUGLAS. Yes. But is it not also true that the Goldwater amendment would make it possible for the States to strike at section 9 of the Wagner Act and the Taft-Hartley Act? In reading the discussion in the CONGRESSIONAL RECORD of yesterday, at page 5843, the Senator from Arizona said, as I understood him, that section 7, which outlined the rights of employees generally, would not be affected by his amendment, and that section 8, which dealt with unfair-labor practices, restraints, and coercion, would not be affected. But the Senator from Arizona was very quiet as to whether or not his amendment affected section 9, which deals with representatives and elections.

I noticed that in the later comment of the distinguished chairman of the committee, the Senator from New Jersey [Mr. SMITH] stated at page 5843 of yesterday's RECORD, as follows:

> The safeguards which are contained in section 7 of the Taft-Hartley Act, for instance, which section guarantees the right to workers to organize and select representatives who shall collectively bargain, are preserved. No State can take away such rights. Furthermore, no State can take away rights provided in section 8, having to do with fair labor practices.

Both the Senator from Arizona and the Senator from New Jersey were conspicuously silent on the question of what the amendment would do to section 9, which prescribes methods of collective bargaining, methods by which representatives are to be chosen, how they are to deal with employers, and so forth.

Mr. SMITH of New Jersey. Mr. President, will the Senator from New York yield to me, so that I may correct a statement made by the Senator from Illinois?

Mr. LEHMAN. I yield.

Mr. SMITH of New Jersey. After the distinguished Senator from Illinois had stopped questioning the distinguished Senator from Arizona yesterday, and had left the Chamber, I remarked upon this matter which the Senator from Illinois has brought up, because I was as concerned as he was. In the last column of page 5852, I raised the question, as follows:

> I wish to emphasize again my own feeling that the Senator has adequately covered this point, but I raise the question whether anything would be gained by spelling out or including the specific sections of the Taft-Hartley which are of particular concern to the workers and to the unions, namely, section 7, section 8 (a), and, as has been pointed out, sections 9, and so forth, as a part of those guaranties.

The guaranties to which I referred, of course, were the guaranties in the Taft-Hartley Act. I wished to assure myself that the proposal of the Senator from Arizona covered all the guaranties in the Taft-Hartley Act, and the answer given by the Senator from Arizona was in the affirmative.

Mr. DOUGLAS. It was a somewhat guarded affirmative.

Mr. GOLDWATER. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. GOLDWATER. I understand the constant desire on the part of the Senator from Illinois for truth and accuracy, and I respect him for it. I refer him to page 5851 of the RECORD of yesterday. In the middle column, in my colloquy, I stated as follows:

> The procedure for determining representation question, established by section 9 of the Federal law, would remain fully operative.

I was short in my statement, but I was not silent.

Mr. DOUGLAS. I welcome the statement by the Senator from Arizona, and I appreciate it very much.

I point out that in the colloquy which I had with the Senator from Arizona, which appears at page 5846 of the RECORD, my question was as follows:

> The Senator states that the power to regulate labor conditions in the field of manufacturing rests not in the Federal Government, but in the States? Is that correct?

The distinguished Senator from Arizona replied:

> The Senator from Illinois is correct.

I then said, and wholeheartedly so:

> I am glad to have the Senator make that statement. It is a very frank statement.

Then I went on to ask:

> In other words, the amendment of the Senator would permit a State to pass a law forbidding collective bargaining in manufacturing, and the Federal Government could not interfere in the slightest. Is that correct?

The Senator from Arizona replied:

> I am sure the Senator from Illinois is reading something into my amendment that is not there. I will agree with him that if we can imagine a State so inclined, under my amendment it could do so.

That, it seems to me, is a very clear statement. The Senator from Arizona deserves commendation for his frankness in saying that, under his amendment, collective bargaining, as such, could be swept away, presumably, by State laws which would in effect strike out section 9, or which would alter section 9 beyond recognition. I am certain the Senator from Arizona is just as desirous of obtaining accuracy and truth in these matters as I am. I think the record speaks for itself.

Mr. GOLDWATER. In answer to the Senator from Illinois, I can only say that I wish he had finished quoting me, when I said:

> However, the Federal Government can do it now. Why not be afraid of the Federal Government also?

The distinguished Senator from Illinois will remember also that in 2 or 3 other places, including, I believe, in my opening statement, I said that all the rights now given to employees or guaranteed employees by the Taft-Hartley Act are protected by my amendment, and that includes collective bargaining.

Mr. DOUGLAS. Mr. President, will the Senator from New York yield further, so that I may reply to my good friend from Arizona?

Mr. LEHMAN. I am glad to yield.

Mr. DOUGLAS. I point out that the amendment of the Senator from Arizona states that those rights are protected from interference by employers or by labor organizations. But, as the Senator from Massachusetts [Mr. KENNEDY] brought out in his questioning yesterday, his amendment does not protect employees from action by State governments as such. It does not protect them from being deprived of these rights by State action, rights which they would otherwise have under the Federal labor law.

Mr. GOLDWATER. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. GOLDWATER. During a colloquy I had yesterday with, I believe, the senior Senator from New York [Mr. IVES], although I am not certain it was with him, I made the remark that my amendment was not closed, and that if I became convinced that any rights which are now guaranteed to employees by the act were endangered by the amendment, it certainly would be open to alteration. The Senator from New York knows that. I have told him that repeatedly.

I want the Senator from Illinois to know—and I mean this from the bottom of my heart—that if I become convinced during the debate that any rights are impaired by this amendment, certainly the door for additional words will be open.

Mr. DOUGLAS. I never have doubted the goodness of heart or purity of motives of the distinguished junior Senator from Arizona. He has an enviable reputation among all those who know him as being a kind, generous, and fair-minded man. I mean this very sincerely and it is not said with any mock senatorial courtesy.

I simply question whether the distinguished Senator from Arizona quite realizes how extremely dangerous is the language which he employs; that is all. I hope that during the course of the debate the Senator from Arizona will be found on our side.

Mr. GOLDWATER. Mr. President, on the contrary, I do not feel that the language of the amendment is dangerous at all. I think it is fully protective. However, debate has been engaged in for

the purpose of bringing out needed changes in the proposed legislation. The debate has only begun. As I say, if I can be convinced that the amendment is unfair in any way, I am not opposed to changing the wording of it. I have been a Member of the Senate only a short time, but I have seen many apparently splendid amendments changed on the floor into more splendid amendments.

Mr. LEHMAN. Mr. President, I had not yielded the floor.

Mr. GOLDWATER. The Senator from New York has the floor.

Mr. LEHMAN. I merely wanted to say that I do not think the question involved is one of minor amendments in language; I think there is involved a principle. If from now until the end of this session, and many sessions which will follow, the Senator from Arizona should try to select different words so as to change the language, he still would not make this amendment either palatable, justified, fair, or in the interest of the people of the country.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. LEHMAN. I am glad to yield.

Mr. DOUGLAS. Does not the experience through which we have just gone, namely, the fact that the proponent of the amendment admits the need for further discussion and consideration of the amendment, indicate that the chairman of the committee and the majority members of the committee were most unfair and unwise in preventing the subject from being considered in committee and in attempting to have the bill written on the floor of the Senate? Is not the best place for such detailed discussion, on a point as important as this is, the Committee on Labor and Public Welfare?

Mr. LEHMAN. Of course, I fully agree with the distinguished Senator from Illinois. He will probably recall that on the very last day, when we were told, much to our surprise, that the door had been slammed in our faces, and we could not possibly have any of our amendments considered, I sought to offer two amendments. One of the amendments related to discrimination in employment. The other amendment was a motion to strike out the new part of section 16, which is really the main devil in the bill, and the Senator from Arizona has made it a little worse.

Mr. GOLDWATER. Mr. President, will the Senator yield so that I may answer the Senator from Illinois?

Mr. LEHMAN. I yield.

Mr. GOLDWATER. The Senator from Illinois has a very brilliant way of playing with words. The proponent of this amendment did not admit that there are changes needed in the amendment as it stands. The proponent of the amendment said that if he was convinced during debate that further language was needed, he would not stand on the floor of the Senate and say it was not needed. I think the Senator from Illinois will admit that that is what a Senator should do.

Mr. DOUGLAS. Would not it have been better to have considered that question in the committee?

Mr. GOLDWATER. I wish to point out, both to the distinguished Senator from New York and the distinguished Senator from Illinois, that the Taft-Hartley Act was written on the floor of Congress; it was not written in committee. Most of the amendments were written on the floor of the Senate and the floor of the House; and in 1949 the door was closed in the faces of the Republicans.

Mr. DOUGLAS. The fact that the Taft-Hartley Act was so written should not be cited as proof that good labor legislation can be written on the floor of the Senate. For the bad features of the Taft-Hartley law are proof that good labor legislation cannot be written so cavalierly on the floor of the Senate.

Mr. GOLDWATER. I might comment that the people of the country disagree with the Senator from Illinois.

Mr. IVES. Mr. President, in the light of the dissertation which has just occurred, I should observe that, as I recall, the question under discussion was quite extensively discussed in committee, even though the particular amendment now pending was not before it at the time.

As I understand the amendment offered by the distinguished junior Senator from Arizona, it would, if enacted, grant concurrent jurisdiction to the several States with the Federal Government over labor disputes after the States had enacted legislation guaranteeing the rights of employees set forth in section 7 of title I of the Labor-Management Relations Act of 1947, including implementing provisions to assure such rights consistent with the provisions contained in sections 8 and 9 of that act. In other words, a State would be required to adopt labor-management relations statutes which are not inconsistent with the basic provisions of title I of the Labor-Management Relations Act of 1947 as a condition precedent to the exercise of jurisdiction over labor disputes.

I would like to point out that the National Labor Relations Board presently has the authority to cede jurisdiction to State or territorial agencies over labor disputes when the provisions of such statutes, applicable to the determination of the particular problem, are not inconsistent with the corresponding provisions of the Federal act. It is interesting to note that, since the enactment of such provisions in 1947, the National Labor Relations Board has not ceded jurisdiction to any State or territorial agency pursuant to that provision. This fact might be construed as indicating a certain reluctance on the part of the States to enact so-called little Taft-Hartley acts.

I am certain that some States, for various reasons, have felt that certain provisions of title I of the Labor-Management Relations Act of 1947 would be undesirable if enacted under State law, and, as the amendment offered by the junior Senator from Arizona would apparently require the adoption of the provisions of section 8 and 9 as well as section 7 of the Federal act, it is quite possible that few, if any, States would or could take advantage of this provision of his proposed amendment.

It would seem to me that, if it is the will of the Congress to return to the States general jurisdiction in the field of labor-management relations, the States should be allowed to enact whatever legislation they determine appropriate to protect the public welfare of their citizens and to guarantee the rights of employees to self-organization and collective bargaining, which have become an inherent part of our American way of life.

It should be remembered that the Wagner Labor Relations Act was adopted primarily to assure employees of such rights which are also guaranteed by the Taft-Hartley Act. Most of us will agree that, at the time of the adoption of the Wagner Labor Relations Act, Federal legislation in the field of labor-management relations was necessary to protect the right of employees to self-organization and collective bargaining. Moreover, experience under the Wagner Labor Relations Act clearly showed the need for amendment to protect employers, as well as employees, in labor-management relations; and the Taft-Hartley Act was enacted for the purpose of equalizing the positions of the parties in interest on a uniform basis throughout the United States and its Territories.

If we have reached a condition of maturity in the field of labor-management relations when it is no longer necessary to regulate this relationship at the Federal level in order to preserve such rights guaranteed to employees, as well as to protect employers against the abuse of such rights by employee representatives, then we should suspend or repeal such Federal legislation. By such action the Congress would clearly indicate that it was surrendering its jurisdiction over labor-management relations, and the several States and Territories could then enact whatever legislation they might determine to be necessary in this field.

The amendment offered by our distinguished colleague appears to be a bonanza for the legal profession. By granting concurrent jurisdiction to the Federal Government and to the States, which would enact legislation in accordance with the amendment's broad standards, the parties to a labor dispute would have a choice between a State or Federal forum. This would create not only a choice of tribunal but also a choice of law, State or Federal, which would be applicable to a particular labor dispute. Needless to state, the results might be most conflicting and inconsistent as to uniformity. Moreover, the complaining party would be encouraged to shop around and to seek the forum most favorable to his position.

Second. It is probable that the defending parties to a labor dispute would challenge the choice of forum selected by the complaining parties on the ground that the applicable State law did not meet the standard set forth in the amendment. I assume that such litigation would ultimately be determined in the Federal courts because the standards set forth in the amendment incorporate by reference provisions of the Labor-Management Relations Act of 1947. Such litigation could occur wherever a State

labor-management relations act was involved. Such litigation, moreover, could only further confuse and dumfound the primary parties in interest in a labor dispute, namely, the employees and employers involved and the general public affected by such disputes.

With respect to the subject of the State-Federal relationship in labor-management relations, I have long felt that certain industries which are essentially local in nature should be exempt from the coverage of the Federal Act, and that States should be free to regulate labor disputes occurring in such industries through legislation which they deem necessary to protect the general public. However, I do not feel that the time has come when we can cast aside uniform Federal legislation guaranteeing to employees and employers, subject to its jurisdiction, basic rights in their relationship. I reiterate, however, that, if the Senate and House of Representatives feel otherwise, then we should suspend the existing Federal legislation for a limited period of time and should leave the States free to regulate labor-management relations in order to determine whether the absence of Federal regulation has an adverse effect on any or all segments of our society.

Mr. DOUGLAS. Mr. President, will the Senator from New York yield for a question?

Mr. IVES. I yield.

Mr. DOUGLAS. Does the Senator from New York feel that in an industry whose market is largely national, there could be effective regulation by any political unit smaller than the Nation?

Mr. IVES. I doubt it very much, indeed. That is what I tried to point out. I listened with great interest to the questioning of the Senator from Illinois when the junior Senator from New York [Mr. LEHMAN] was speaking. I feel very strongly that all that is involved in this matter is a great deal of complication and a great deal of trouble for business generally.

Mr. DOUGLAS. Is it not true that if there is only State regulation of industries making products that are sold in the national market, there will be conflicts and there will be a tendency, other things being equal, for industry to gravitate to the States having the lowest standards?

Mr. IVES. That will inevitably happen. That would be one of the consequences of legislation of the nature of this amendment.

Mr. GOLDWATER. Mr. President, will the Senator from New York yield to me for a question?

Mr. IVES. Certainly.

Mr. GOLDWATER. If the argument of the Senator from New York that the States should not control labor-management relations is correct, would not it be equally true that the Federal Government then should control everything that affects business in the States?

Mr. IVES. I did not say the States should not control any labor-management relations within their jurisdiction.

Mr. GOLDWATER. Is there any reason to assume that if Federal domination would work in one instance affecting the commerce of the country, it would work in all instances affecting the fields of taxation, interstate trucking, and so forth?

Mr. IVES. I think that situation was taken care of by the comment of the junior Senator from Oregon [Mr. MORSE] with reference to the questions asked by the Senator from Arizona during the course of the statement made by the junior Senator from New York [Mr. LEHMAN].

Mr. GOLDWATER. Of course I disagree with that.

Mr. IVES. I agree with it. I think there are two distinct fields, one interstate and the other intrastate. I do not see how they can be mixed up without causing a great deal of trouble.

Mr. GOLDWATER. Mr. President, will the Senator from New York permit me to make a brief comment at this point?

Mr. IVES. Certainly.

Mr. GOLDWATER. Let me say that the very nature of American business is such that American businessmen expect Federal regulation of business within and between the various States. On the other hand, the subject matter of my amendment is, in fact, outside that field.

The field of taxation and the field of interstate transportation of certain commodities, such as gas, and so forth, are the only ones in which the businessmen of America are confronted with Federal control, and I suggest that in the States they have gotten along without Federal control for a long, long time.

Mr. IVES. Mr. President, I am not quite clear as to whether the junior Senator from Arizona seeks in his amendment to place all industry in the United States under laws dealing with labor-management relations in the several States and Territories. I am also in doubt as to whether he seeks to scuttle the Taft-Hartley Act, insofar as its administration and operation are concerned. Were the States and Territories themselves to enact legislation in line with his proposal, such could be the eventualities. And such results could be most unfavorable and most inconvenient with respect to truly interstate business.

I assume that the junior Senator from Arizona is primarily interested in protecting small business, whose operations are primarily intrastate in character. If such is his intent, I am strongly in sympathy with it.

However, I do not believe it is necessary to take the extreme action he proposes in order to safeguard the interests of intrastate business. Section 2 of the pending bill provides that in certain areas where the National Labor Relations Board may decline to assert jurisdiction over labor disputes or fails to assert jurisdiction over such disputes, jurisdiction may be asserted by the States and Territories. These provisions should go far in assisting labor-management relations in intrastate business.

I proposed, in committee, a further amendment which would permit the ceding of jurisdiction over such cases to the States and Territories, even though the business or businesses involved might to some degree affect interstate commerce in their operations. The provision of section 10 (a) of the present act, to which I have already referred, now authorizes the cession of such jurisdiction in certain instances, although, as I have indicated, thus far the Board has not acted pursuant to this provision.

My proposal was dropped from committee consideration because nothing of the kind had been recommended by the President, and also because there is the question of constitutionality with regard to the matter of cession. I would point out, however, that the present act does provide for cession in certain cases. Insofar as I am aware, the constitutionality of this provision has never been questioned.

I would point out also that under the Wagner Labor Relations Act it was common practice for the Board to cede to the State agencies which were qualified to assert it, jurisdiction over industries which were essentially local in character. Nothing in that act authorized such cession, and this procedure was followed for the convenience and benefit of all the parties concerned, and to assure expeditious action on labor-management disputes.

I know of no reason why the present statute cannot be amended in such a way as to provide for that kind of procedure. If so, such an amendment should take care of the basic situation the junior Senator from Arizona presumably is seeking to correct. If his main purpose is something else, I am not in sympathy with it.

In any event, for the reasons I have indicated, I cannot support the amendment he proposes.

Mr. MORSE. Mr. President, will the Senator from New York yield to me?

Mr. KNOWLAND. Mr. President, has the Senator from New York concluded?

Mr. IVES. I have been asked to yield.

Mr. KNOWLAND. I have no desire to prevent the Senator from New York from yielding. I was going to make an announcement regarding the recess of the Senate today.

Mr. IVES. I yield for that purpose.

Mr. KNOWLAND. Mr. President, I wish to say that when the Senator from New York has completed his remarks, following any inquiries which Senators may desire to make of him, I am planning to move that the Senate take a recess until 12 o'clock noon tomorrow.

Before the recess is taken, I desire to make a brief statement, for not longer than 5 minutes, on another matter.

Mr. MORSE. Mr. President, will the Senator from New York yield to me?

Mr. IVES. Mr. President, I shall yield to the Senator from California, if it is understood that thereafter I can recover the floor.

I now yield to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. MORSE. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MORSE. Mr. President, before a recess is taken I should like to make a 5-minute statement on another subject.

Mr. KNOWLAND. I will see that the Senate does not take a recess before the distinguished Senator has an opportunity to make his statement.

The PRESIDING OFFICER. Does the Senator from New York yield the floor?

Mr. IVES. I yield the floor with the understanding that I shall regain the floor following the statement of the Senator from California.

FILLING VACANCIES IN THE HOUSE OF REPRESENTATIVES CAUSED BY PUBLIC DISASTER OR ENEMY ATTACK

Mr. KNOWLAND. Mr. President, the chairman of the Senate Judiciary Committee has announced that the committee will hold a hearing, May 5, on a proposed constitutional amendment I have offered relating to the filling of vacancies in the House of Representatives caused by public disaster or enemy attack.

Due to my membership and experience on the Joint Committee on Atomic Energy, I have become increasingly concerned in recent years about the public confusion which could result should an atomic explosion take place in the Nation's Capital.

Due to the fact that known enemies of the United States possess powerful nuclear weapons, it seems to me that it becomes absolutely essential that proper and adequate planning for the affairs of the Government be provided and that the Federal Government, especially its legislative and executive branches, be fully able to instantly mobilize its forces in order to perform the necessary governmental functions that such a crisis would require.

During such a period—and let me say here that I devoutly hope that such an exigency never transpires—the seat of the Federal Government would have to be moved from Washington—and this can only be done by an act of Congress—emergency laws would have to be passed, appropriations provided, military induction authority delegated and, in all, a great amount of congressional action would be imperative to instantaneously and constitutionally coordinate the Nation's resources and manpower and to provide the necessary preparation for our national security.

Our constitutional forefathers, recognizing the continuous nature of the Senate arm of the legislative branch of the Government, wisely provided for the filling of vacancies in that body by a delegation of appointive power to the chief executives of the several States. Thus it can be readily seen that an enemy attack which would destroy even the entire membership of the United States Senate would only constitute a temporary obstacle to the continuance of that body's legislative operations. The Governors of the 48 States would be in a position to fill vacancies immediately. However, in viewing the House of Representatives as a legislative organ which should be responsive to the public weal through elections every 2 years, the draftsmen of the Constitution did not provide for a similar delegation of appointive power with respect to vacancies occurring in that body. When a vacancy occurs in the House of Representatives, it can be filled only through the holding of a special election which, at a minimum, requires a period of 60 days in most States. In my judgment, this constitutes a dangerous loophole in our Constitution which would place the country at a serious disadvantage should a national disaster take place resulting in the death of all or a majority of the Members of the House assembled in session.

In an effort to provide an adequate solution to this difficulty, which I believe is the Achilles heel of our American constitutional system in this atomic age, and to assure the continuance of our representative form of government during such a crisis, I have proposed an amendment which will authorize the chief executives of the several States to make temporary appointments to fill any vacancies which occur in the representations in their States during such a period of national emergency or national disaster, until elections could be held.

Mr. President, I ask unanimous consent that a copy of my joint resolution, Senate Joint Resolution 39, be inserted in the body of the RECORD at this point in my remarks.

There being no objection, the joint resolution (S. J. Res. 39) proposing an amendment to the Constitution of the United States to enable the Congress, in aid of the common defense, to function effectively in time of emergency or disaster, was ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Whenever, in time of any national emergency or national disaster, the number of vacancies in the House of Representatives shall exceed 145, the Speaker of the House of Representatives shall certify that fact to the President. In case there is no Speaker, or in the event of the inability of the Speaker to discharge the powers and duties of his office, such certification shall be made by the Clerk of the House of Representatives. Upon receipt of such certificate, the President shall issue a proclamation declaring such fact. The executive authority of each State shall then have power to make temporary appointments to fill any vacancies in the representation of his State in the House of Representatives which may exist at any time within 60 days after the issuance of such proclamation. Any person temporarily appointed to fill any such vacancy shall serve until the people fill the vacancy by election as the legislature may direct.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within 7 years from the date of the submission hereof to the States by the Congress."

Mr. KNOWLAND. In conclusion, I should like to state that I take no personal pride of authorship in the language that I have proposed and I would welcome any constructive suggestions or changes that the Judiciary Committee may wish to make in this regard. Nor do I take any pleasure in proposing a constitutional amendment which is in recognition of the serious international situation in which we find ourselves today.

Mr. President, a strategic agency of the executive branch of the Federal Government has already indicated its interest in my resolution. The Office of Defense Mobilization, in reply to a letter from me, strongly favors action by the Congress to close this gap in our national security. I ask that a copy of this letter, dated April 15, 1954, be inserted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF DEFENSE MOBILIZATION,
Washington, D. C., April 15, 1954.

Hon. WILLIAM F. KNOWLAND,
United States Senate, Washington, D. C.

DEAR SENATOR KNOWLAND: Mr. Lay, executive secretary of the National Security Council, has submitted to us for reply your letter to the Council, asking for its views on Senate Joint Resolution 39.

We strongly favor action by the Congress to close this gap in our national security. While we do not think it would be appropriate for us to suggest the particular manner in which Congress should provide for its continuing effectiveness in the event of emergency, we agree that the proposal contained in the joint resolution which you introduced would accomplish the desired result.

Sincerely yours,

ARTHUR S. FLEMING,
Director.

Mr. KNOWLAND. Because I feel very strongly about representative government and because I view the recent developments in nuclear energy with its vast destructive powers of such great significance, I would seriously urge all interested persons and organizations to bring their views to the attention of the Senate Judiciary Committee to assist it in its deliberation of what I view as a most serious constitutional loophole.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes.

Mr. IVES obtained the floor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. DOUGLAS. Was the Senator from New York present in the Chamber yesterday when a certain colloquy ensued

between the senior Senator from Minnesota [Mr. THYE] and the junior Senator from Arizona [Mr. GOLDWATER] concerning the question as to whether or not there was White House approval of the amendment of the junior Senator from Arizona?

Mr. IVES. I was in the Chamber during most of that colloquy. I think I participated briefly in a part of it.

Mr. DOUGLAS. Does the Senator from New York remember the crucial question asked by the Senator from Minnesota?

Mr. IVES. I do not know how crucial it was.

Mr. DOUGLAS. A crucial question was asked by the Senator from Minnesota:

Am I to understand that the President has placed his approval on the amendment of the Senator from Arizona as a desirable amendment to the committee bill?

The Senator from Arizona replied:

If I were to answer the Senator's question "Yes," I would not be telling the truth. I can say, though, that the sources from which we obtain information from the White House have agreed to the language of the bill.

Mr. IVES. What is the Senator's question?

Mr. DOUGLAS. Was the Senator from New York aware that such was the case?

Mr. IVES. No; it is all news to me.

Mr. DOUGLAS. Had the Senator from New York been consulted about the language of this amendment?

Mr. IVES. No; I knew nothing about it.

Mr. DOUGLAS. Does not the Senator think it would have been better to consider this amendment in committee than to have it sprung upon us on the floor?

Mr. IVES. I think it would have been better to have had this particular amendment before the committee for committee consideration.

Mr. DOUGLAS. I thank the Senator.

Mr. IVES. I do not believe in proposing, on the floor of the Senate, amendments of this character which have not been presented to the committee. As the Senator from Illinois will recall, however, the general subject of Federal-State relationship was considered, and there is a provision in the pending bill covering it.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I have a very brief statement to make in reply to a couple of anti-Morse editors in the State of Oregon.

Some time ago I raised certain criticism of the administration's handling of the 3¼-percent Government bonds. I pointed out that a juicy windfall came to certain investors in those bonds. I said that I thought it would be a good thing to find out who bought them.

I must have touched a sore spot among Republicans, because certain Republican editorial spokesmen in my State, instead of merely dipping their pens in my blood on this occasion, jabbed them into my veins, with anything but a surgeon's technique and not in keeping with very good journalistic practice, either. However, they did it. I am sure when they were through they must have felt so emotionally good about it that they will be pleased to have me put their critical editorials in the RECORD. I am sure they want them recorded for history. Therefore, I ask unanimous consent to have published at this point in the CONGRESSIONAL RECORD an editorial from that anti-Morse editor of the Oregon Statesman, of April 12, 1954, entitled "MORSE's 'Lucky' Bondbuyers."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORSE'S "LUCKY" BONDBUYERS

Senator MORSE takes note that the Government bond issue of 1952, long-term 3¼s, are now selling at 109½, and concludes that the buyers have received "an astonishing profit windfall." He thinks the taxpayers ought to know who were on the list of "lucky purchasers."

If the Senator will look up the records he will find that up to a few months ago the first buyers couldn't count themselves very lucky on their purchases of these bonds. Shortly after they were issued the price sagged to around 98. In other words holders stood to lose if they sold. (The Victory 2½s dropped to the low 90s.) Then a hue and cry was being raised over the Government policy of "hard money" and MORSE was among those who condemned the administration for letting interest rates rise.

In the intervening months interest rates have softened, in part due to Federal reserve policies, and the effect is to boost the prices of bonds. The only Government issues which are immune from price fluctuation are the savings bonds which are redeemable at fixed rates.

Another fact should be set down and that is that while these 3¼s do fluctuate that doesn't mean that the holder is necessarily any better off if the price rises or worse off if it goes down. Large quantities of this issue undoubtedly were purchased by banks, trusts, endowment funds, insurance companies for steady holding. If held to maturity they will pay 100 cents on the dollar, no more, no less. To get the apparent profit of 9½ points the holder must sell, but if he turned around to reinvest he would find that other bonds of like quality and terms are similarly high-priced. In effect he has just moved "sidewise" and maintained his investment position.

We presume the Senator is scolding the administration for letting a chosen few in on the purchase of these bonds. The long-standing custom has been to apportion Government bonds on a pro rata basis when the issue is oversubscribed though often those who subscribe in smaller amounts receive the full portion of their asking. It is quite unfair to impute favoritism in the distribution of these bonds; and as had been noted the "luck" of the purchasers has run both ways since the bonds were sold.

MORSE really ought to be a little more adult when he discusses a topic like this.

Mr. MORSE. Mr. President, the first paragraph of the editorial—and I shall discuss it in some detail in a moment—reads:

Senator MORSE takes note that the Government bond issue of 1953, long-term 3¼s, are now selling at 109½, and concludes that the buyers have received "an astonishing profit windfall." He thinks the taxpayers ought to know who were on the list of "lucky purchasers."

After the editor got through in the body of the editorial paying his disrespects to me I am sure he felt that he had pointed the rapier for the fatal thrust when he concluded the editorial with the observation:

MORSE really ought to be a little more adult when he discusses a topic like this.

I wish to help out the editor by giving him some facts which he overlooked when he wrote his editorial. Of course the trouble with this man is that he is not doing a very good job with his book work; he is apparently relying too much on the AP wire service. He does not like it when I utter criticism of the press. I can understand that fraternal spirit, but, as is so frequently true with him in these days, the editor does not have his facts straight. Therefore, I shall help him out by giving some to him this afternoon.

Mr. President, I also ask unanimous consent to have published at this point in my remarks a companion editorial published in the Baker Democrat Herald, of Baker, Oreg., of April 13, 1954, the first paragraph of which reads:

Senator WAYNE MORSE is constantly drumming up complaints against the Eisenhower administration.

Mr. President, let me say that it is not necessary to drum them up; one need only keep his eyes open, and they will hit him right between the eyes day after day.

To go on with this interesting paragraph:

In his diligent search he comes up with this: The Treasury last year issued a long-term bond issue bearing 3¼ percent interest. Now, it develops, the bonds are quoted on the market at 109¼, a new high mark. This means that the issue is $95 million above par. Senator MORSE claims the issue was placed so that the big bondholders received the benefit and have a profit of $95 million.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TRIBUTE TO GOOD MANAGEMENT

Senator WAYNE MORSE is constantly drumming up complaints against the Eisenhower administration. In his diligent search he comes up with this: The Treasury last year issued a long-term bond issue bearing 3¼-percent interest. Now, it develops, the bonds are quoted on the market at 109¼, a new high mark. This means that the issue is $95 million above par. Senator MORSE claims the issue was placed so that the big bondholders received the benefit and have a profit of $95 million.

This complaint is a new high in absurdity. Secretary Humphrey was successful in placing a portion of the huge Federal debt on a long-term basis and he did so at a time when 2½ percent Government bonds were selling in the low nineties. This was a condition that prevailed all through the latter part of the Truman administration. The interest rate of 3¼ percent was fixed to attract money. High-grade corporation bonds were selling on a comparable basis, down many points from their former market price. His action was only a part of the Eisenhower administration's program to place Government finances on a sound basis.

In the ensuing months, when results of the program to reduce expenses came into effect, business confidence improved. The entire money market, including prices of corporation bonds and stocks, State, municipal, and school district bonds, showed such marked improvement that the price of 2½-percent Government bonds rose to par for the first time in years. All of this occurred while opponents were crying "depression." Lately the stock market has registered a 25-year high. Prior to this some of the largest corporations announced expansion programs totaling billions of dollars. Last week a survey of leading economists, Government and private, indicated that a high percent think now that the business recession has leveled off and that 1954 will be one of the best business years since the end of the war.

The $95 million, of which Senator MORSE complains, is only a paper profit at best. Only a small amount of the 3¼-percent issue actually changes hands. The issue continues to be held largely by the original owners. If they were all to take their profit, they would have a problem of reinvestment. They would be obliged to reinvest in other securities carrying no higher rate, or even a lower rate. As a result they hold on to the bonds. This is what the Treasury wants.

Senator MORSE's "complaint" is in reality a tribute to the sound money management of the Treasury and the good business sense of the Eisenhower administration in reducing Federal expenditures. The goal of a balanced budget in a period of relatively high economic activity is blocked off still by the insistence of politicians on excessive tax cuts and further high spending. If Senator MORSE and others would join with the administration in carrying further its objective of a sound dollar, they would be doing the people they represented the genuine service.

Mr. MORSE. I wish to supplement my previous speech which gave rise to these editorials. I was right then on the facts, and I wish to present further facts which bear out the position I formerly took. What are the facts about the Treasury 3¼-percent bonds?

Who got them?

The Statesman of Salem, Oreg., in its editorial states:

Large quantities of this issue undoubtedly were purchased by banks, trusts, endowment funds, and insurance companies for steady holding.

What are the facts?

Individuals, partnerships, and personal trusts got $254,600,000 of the 3¼-percent issue, more than any other investor class. Nonbanking corporations and pension trusts got $214,400,000. Dealers, brokers, and investment houses got $158,200,000.

The Treasury Department's survey of ownership showed that as of June 30, 1953, out of a total of $1,592 million of the 3¼s outstanding, $1,059 million were held by "all other investors" other than the 7,600 banks, 918 insurance companies, United States Government trust accounts and the Federal Reserve banks covered by the Treasury survey. Banks and insurance companies included in the Treasury survey account for 95 percent of all security holding held by all banks and insurance companies in the United States. In brief, over $1 billion of the bonds went to investors other than banks and insurance companies.

The New York Journal of Commerce, April 14, 1953, following the Treasury announcement of the 3¼-percent bond offer reported:

Joyriders were out in force yesterday seeking the terms upon which they could subscribe to the Treasury's new issue of 30-year 3¼s for the sake of making an immediate profit on resale.

A joyrider, sometimes called a freerider, is a speculator who hopes to buy as much of a new issue as he can carry for the purpose of immediately cashing in an expected premium on the bonds when they are issued.

The signs of joyriding interest are not hard to find. Dealers were asked what premiums might be quoted on the new 3¼s. Banks were inundated with inquiries as to the terms upon which they would lend money to enable customers to subscribe.

The Treasury belatedly issued caveats to the banks not to lend unsecured to prospective bond buyers and not to lend on the new 3¼s as collateral. Some bank and dealer circles said the caveat came too late, for some loan commitments were made last week.

That is what the Journal of Commerce had to say about this little fiscal policy of the Eisenhower administration which, I repeat today, resulted in some undeserved windfalls.

This is what the New York Times of May 10, 1953, said about the issue:

It is now clear that the new bond issue was grabbed up to a large extent by temporary—that is, speculative investors. Even before the subscription period had expired Government bond dealers were apprehending a miscarriage of this sort, and the Treasury's subsequent decision to allot the new bonds on an equal basis made the outcome inevitable.

The New York Times article then raises this question, which I have raised a number of times in my speeches on the whole fiscal policy of the Eisenhower administration:

Why weren't proper steps taken to keep free-riding speculators from winning possession of bonds they did not intend to keep and could not dispose of readily to others?

To date the Treasury has not volunteered the answer. I have been trying to get the answer from the Treasury Department. I would not want to be unfair.

I am inclined to think that the reason why I have not received any information from the Treasury on this point is that there is no answer to the criticism I made when I first discussed the question on the floor of the Senate—a criticism which the anti-Morse editors in my State did not seem to like. It is very difficult in my State for these Republican editors with the job they have in the 1954 elections, to alibi this kind of an administration record. So I say to the editor of the Salem Statesman that if he may think my criticism was not sufficiently adult, he should write to the editors of the New York Times and the New York Journal of Commerce and tell them that they were not very adult in having the journalistic courage to tell the American people what actually happened with the 3¼'s, because this is what happened and this is what I was protesting against in my earlier speech. These two anti-Morse editors do not want to square up to the facts in regard to the injustice which resulted from the Eisenhower fiscal policy.

Mr. President, did the speculating "free riders" profit from the 3¼-percent bond issue? I said they did. The Salem Statesman said on April 12, 1954, which statement I have obligingly inserted in the RECORD:

If the Senator will look up the records he will find that up to a few months ago the first buyers couldn't count themselves very lucky on their purchase of these bonds. Shortly after they were issued they sagged in price to 98. In other words, holders stood to lose if they sold.

What were the facts? The new 3¼-percent bonds were quoted at a premium as soon as trading began.

Mr. President, we can say many things concerning the Wall Street Journal, but I do not think it is ever proper to say that it is not adult. The surprising thing is that I have found myself in agreement with the Wall Street Journal many times in the past 14 months on these matters of fiscal policy.

I think we would have been much better off in this country if we had followed the financial program which the Wall Street Journal would have put into effect than by following the financial program of the Eisenhower administration.

This is what the Wall Street Journal said on April 16, 1953:

Quoted on a "when issued" basis the 3¼s ranged between 100$^{8}/_{32}$ and 100$^{12}/_{32}$ on the bid side. Some traders closed them at 100$^{9}/_{32}$ bid, 1$^{1}/_{32}$ asked. That's a bit better than the ⅛-point premium some experts had expected on the eve of trading.

It is true that the Treasury 3¼s subsequently fell below the premium price. This was not surprising, since large quantities were allotted, not to investors who purchase for steady holding, but to free-riding speculators who subscribed only to resell them at a quick profit. As the New York Times on April 18, 1953, pointed out:

"Free riders" tried to take advantage of the issue to make a quick profit. They made "the required 10-percent downpayment with borrowed funds (in the) hope that the demand for the bonds will be so great they can sell them at more than their face value within a few days."

This, of course, is precisely what happened.

Subsequently the banks helped drive the issue down below par first by raising the prime commercial lending rate to 3¼ percent and then by engaging in heavy bond sales to establish losses for tax purposes.

The banks, insurance companies, and astute investors then reentered the market purchasing the 2½s at 90 and the 3¼s at 98.

But the editor of the Salem Statesman was in error as to the chronology of the transaction, and he was in error as to what happened at the date of issue.

The 3¼s regained par by July 14, 1953, and have sold at a rising premium since that date.

The editor of the Salem Statesmen said in his editorial:

To get the apparent profit of 9½ points the holder must sell, but if he turned around

to reinvest he would find that other bonds of like quality and terms are similarly high-priced. In effect he has just moved "sidewise" and maintained his investment position.

What are the facts?

As has been generally acknowledged the bulk of the bonds went not to investors but to speculators. So raising the issue of the return on other bonds is really begging the question. The fact is that substantial capital gains were made immediately upon the issuance of the bonds and subsequently when the deflationary consequences of the issue led to a general decline in the demand for credit—as business activity dropped—with a corresponding fall in rates and rise in bond prices.

For the banks and insurance companies the rise in long-term rates—short-lived though it was—has resulted in a substantial increase in net profits, though the volume of lending has since declined.

So, Mr. President, for the enlightenment of these two editors, in light of the facts which I have presented, I repeat the charges which I made when I first discussed the 3¼ bond issue, and I respectfully refer to them to such authorities on the financial transactions of the Government as those which I have cited in this account.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. UPTON in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Morehead Patterson, of New York, to be deputy representative on the United Nations Disarmament Commission, which was referred to the Committee on Foreign Relations.

NOTICE OF CONSIDERATION OF NOMINATION OF MOREHEAD PATTERSON

Mr. WILEY. Mr. President, the Senate received today the nomination of Morehead Patterson, of New York, to be Deputy Representative of the United States of America on the United Nations Disarmament Commission during the meetings of the subcommittee scheduled to begin in London on May 13, 1954. Notice is given that the nomination will be considered by the Committee on Foreign Relations after 6 days have expired.

RECESS

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 12 o'clock tomorrow.

The motion was agreed to; and (at 5 o'clock and 47 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 5, 1954, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 4 (legislative day of April 14), 1954:

UNITED NATIONS DISARMAMENT COMMISSION

Morehead Patterson, of New York, to be deputy representative of the United States of America on the United Nations Disarmament Commission during the meetings of the subcommittee, scheduled to begin at London May 13, 1954.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 4, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, our Father, as we again assemble in the fellowship of prayer, may we be blessed with the assurance of Thy guiding and sustaining presence.

Grant that our President, our Speaker, and all the Members of this legislative body may be richly endowed with clear judgment and wise decision.

May they be calm and courageous as they daily find themselves challenged by difficult tasks and heavy responsibilities.

Show us how our beloved country may lift and lead struggling humanity out of the lowlands of fear into the lofty heights of freedom.

May we continue to pray fervently and labor zealously for peace on earth and good will among men.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1954

Mr. TABER. Mr. Speaker, I ask unanimous consent to have until midnight to file the conference report on the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PUBLIC WORKS CONSTRUCTION, DISTRICT OF COLUMBIA

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. O'HARA of Minnesota, TALLE, ALLEN of California, SMITH of Virginia, and HARRIS.

RECESS

The SPEAKER. The Chair declares the House in recess, subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p. m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO HEAR AN ADDRESS BY HIS EXCELLENCY THE GOVERNOR GENERAL OF CANADA

The SPEAKER of the House of Representatives presided.

At 12 o'clock and 20 minutes p. m. the Doorkeeper announced the Vice President and Members of the United States Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints as members of the committee to escort His Excellency the Governor General of Canada, into the Chamber the gentleman from Illinois, Mr. ARENDS; the gentleman from Texas, Mr. RAYBURN; the gentleman from Illinois, Mr. CHIPERFIELD; and the gentleman from Illinois, Mr. GORDON.

The VICE PRESIDENT. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from California, Mr. KNOWLAND; the Senator from Texas, Mr. JOHNSON; the Senator from Wisconsin, Mr. WILEY; and the Senator from Rhode Island, Mr. GREEN.

The Doorkeeper announced the following guests, who entered the Hall of the House of Representatives and took the seats reserved for them:

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Chief Justice and Associate Justices of the United States Supreme Court.

The members of the President's Cabinet.

At 12 o'clock and 30 minutes p. m. the Doorkeeper announced His Excellency the Governor General of Canada.

His Excellency the Governor General of Canada, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great pleasure and distinguished honor to present to you the Governor General of a great and friendly people, the Right Honorable Vincent Massey, Governor General of Canada. [Applause, the Members rising.]

ADDRESS OF THE RIGHT HONORABLE VINCENT MASSEY, GOVERNOR GENERAL OF CANADA

His Excellency the GOVERNOR GENERAL OF CANADA. Mr. President, Mr. Speaker, and Members of the Congress, first may I thank you for the high compliment you have paid my country this morning, and for the warmth of your welcome which has touched me very deeply. I feel greatly honored that I should be asked to meet, on this occasion, the Members of the two great legislative bodies assembled in this Chamber. I am conscious at this moment—and who would not be—of the relation between the course of world events and the decisions which are arrived at here. You have given me a rare privilege today, and I am very grateful to you for it.

I feel no stranger in this city. [Applause.] I spent several very pleasant years here long ago, when my task was to set up the first diplomatic mission from Canada to your country, and my privilege to serve as envoy. This was when the nations of our Commonwealth commenced to send their own representatives abroad—first to this capital—each concerned with his country's business but all looking on the same sovereign as the head of the Commonwealth.

As Canadian Minister I bore credentials from our sovereign. I now come to you again as a representative of the Crown—this time not in a post abroad but in one at home. "Governor General" is, perhaps, a rather misleading term. A person holding that office does not govern. His functions, indeed, can easily be confused with those of governors in some other countries who, unlike him, are administrators. We, no less than yourselves, are, or course, a completely free and independent nation. Canada alone among the countries of the Americas is a constitutional monarchy. Under our system the Governor General represents the sovereign, who is the head of our Canadian state and with us, all actions in the field of government, from the passing of legislation to the delivering of mail are performed, to quote the ancient phrase we use, "On Her Majesty's service."

In June of last year, an event took place of high significance to us in Canada In none of Her Majesty's realms was her coronation celebrated with greater fervor. May I say that as your neighbors, we Canadians were greatly touched by the deep and widespread interest displayed by the American people in this event. May I be permitted to convey to you the sincere appreciation of the Queen's subjects in Canada, for your sensitive understanding of a ceremony which meant so much to us and, we believe, much to the world. [Applause.]

On an occasion such as this, made possible by your graceful hospitality, one is reminded of all that our Commonwealth owes to you, and, indeed, has owed ever since you established your free Republic here on this continent. The principles enshrined in your Declaration of Independence and in your Constitution were a challenge to the British peoples in the 18th century, and since, to seek out the sources of their ancient freedom—sources from which we all have fed. Thus, you helped us to cultivate our own institutions under the Crown, which to us is a symbol of freedom and duty. We are grateful to you for aiding us in the Commonwealth to preserve and enrich our own way of life.

Even at the very beginning, the noble emotions inspired by the declaration of the fathers of this Republic, and the solid framework of the Constitution which they built, were comprehended and welcomed by many in Great Britain. I belong to a club in London—a stronghold of the Whigs in the 18th century—many of whose members used to receive the news of General Washington's victories with undisguised satisfaction. One of them, indeed, boasted that he had drunk the general's health every night during the course of the war in America. [Applause.]

To say that you in the United States and we in Canada have much in common, is a venerable platitude. Living as we do side by side on the same continent, our resemblances are many. We have, too, similar views on fundamental things. Among our common characteristics, one of the greatest, I believe, is our dislike of regimentation—our respect for the differences which lend color to everyday existence. We believe that each man should lead his own life; that each group of men should preserve its own customs. It is not surprising, therefore, that for all that we have in common, you and we should each preserve certain habits and traditions which we cherish because they belong to us. We know it is not your wish to have on your borders a mere replica of your own country, but rather a self-respecting community faithful to its own ways. We are thus better neighbors, because self-respect is the key to respect for others. On our side of the border you will find a country in which parliamentary government has been, we believe, successfully married to a federal system; a country whose people cherish 2 languages and 2 cultures—English and French; a land which has inherited from its mother countries in the Old World many forms and customs which have been happily fitted into life in the New. These ways of ours you respect because they are ours, just as we respect your ways because they are yours. Thus, in the words of the Treaty of Amity, Commerce, and Navigation, which laid the foundation of our present concord as long ago as 1794, we "promote a disposition favorable to friendship and good neighborhood."

In Canada we are indeed fortunate in our neighborhood. We have a warmhearted neighbor. This your people have shown us over the years. There are countless bodies in this country in which, through your invitations, Canadians share membership with their American friends. We are not unmindful of what we owe to your great universities and foundations. Let me say, too, that we are ever conscious of the warmth of the hospitality we receive when we are your guests.

We have a powerful neighbor. Your massive strength, economic and military, excites a sense of wonder at its magnitude. The dedication of this power to the cause of freedom evokes the gratitude of all who love freedom everywhere. Your Canadian neighbors know that when you assumed the grave responsibilities you bear today, it was not of your choosing. And for what you have done, we honor you.

We have a friendly neighbor. There is no need to enlarge on the traditions of neighborly good sense which for so long have marked our relations. We can only hope that they may be reflected elsewhere in this troubled world. [Applause.]

We are happy to think that we know you well. Countless Canadians have personal friends on this side of the border. Many of us have relatives here. It is, of course, natural that a small community should know more of a larger neighbor than that neighbor knows of it. We are getting to know each other better as the years pass. We welcome your visits to us. Often your objective may be the river or the forest, and we are happy to offer you a playground. But perhaps you will let me say that we would not have our visitors show too strong a preference for those parts of Canada which are not yet inhabited by Canadians. We should like you to know our people—what they do and how they do it. I would not, of course, suggest that you are unaware of what is going on in Canada in the field of engineering and industry for example. Much of our development in these spheres, I need not say, is a result of your confidence in our future. Nowhere has our recent growth met with warmer acclaim than in this country. It is true that quite extraordinary things have happened of late in Canada, but we prefer sober adjectives with which to describe them. Our expansion has been rapid, but it is steady and it is built on sound realities. It is based on the character of our people and on the quality of our national life. It is based on a hardihood and spirit of adventure as remarkable as that shown by our first explorers; on the disciplined intellect of our men of science seeking out new horizons of knowledge and usefulness; on the devotion of our legislators working to fulfill the conscious vision of the fathers of our Confederation who almost a hundred years ago came together to found a new nation. We believe that the Canada of today is not unworthy of inspection. I invite you to come and see us.

I have talked about ourselves as your neighbors. I have said little about ourselves as your partners. You and we work together in the international community. Along with kinsmen and friends across the seas, we are allies in defense of the things we value. [Applause.] And, if I may say so, I think that we in Canada, like you, have given proof that those values must be actively and zealously defended. [Applause.] Thus, in the far north we are working

with you to strengthen the defenses of this continent on our territory and on yours. In Korea there has been, from an early stage, a brigade group of Canadian troops. They are now standing guard against the possibility of renewed attack. Twelve squadrons of the Royal Canadian Air Force and a further Canadian brigade group are stationed in Europe. Such formations, I need hardly say, should naturally be related in our minds to the size of the population which provides them.

We are also supplying our European friends with mutual aid on a considerable scale. Canada, too, is giving help under the Colombo plan to the countries of southern Asia. We believe—as you do—that the problems of our time cannot be solved by military strength alone. The line can be held only by the deployment of force, but the objective—peace—can be won only by the quality of infinite patience. [Applause.] In our collaboration, we may not always agree on every detail of the plans we must discuss together, but there is no difference between us on the fundamental aims which we pursue; we may differ now and then on the "hows" but never on the "whys." You may depend upon us as faithful friends and comrades. [Applause, the Members rising.]

At 12 o'clock and 50 minutes p. m., His Excellency the Governor General of Canada, accompanied by the Committee of Escort, retired from the Chamber.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice and the Associate Justices of the Supreme Court.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The purposes of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Thereupon (at 12 o'clock and 52 minutes p. m.) the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 30 minutes p. m.

PROCEEDINGS DURING THE RECESS

The SPEAKER. Without objection, the proceedings during the recess will be printed in the RECORD.

There was no objection.

SPECIAL ORDERS GRANTED

Mr. BOW asked and was given permission to address the House for 30 minutes on Thursday next, following the legislative program and any special orders heretofore entered.

Mr. D'EWART asked and was given permission to address the House for 30 minutes on Thursday next, following the legislative program and any special orders heretofore entered.

Mr. LONG asked and was given permission to address the House for 25 minutes today, following the legislative program and any special orders heretofore entered.

OUR AMERICAN GOVERNMENT

Mr. LONG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include certain letters.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LONG. Mr. Speaker, if you have not already read Our American Government, by the Honorable WRIGHT PATMAN, of Texas, I would advise you to get one and read it. I think it is one of the most informative little booklets I have ever come across.

I sent a number of these books to my constituents in Louisiana, and the response that I got thanking me for them was surprising. I thought you might like to know about it. The letters to which I have previously referred follow:

ALEXANDRIA, LA., *March 31, 1954.*

Hon. GEORGE S. LONG,
Member of Congress,
Washington, D. C.

DEAR CONGRESSMAN LONG: I received your book entitled "Our American Government" and would like to take this opportunity to express my appreciation for your thoughtfulness in sending it to me. I have not had an opportunity to finish it as yet, but have read approximately half of it and I find it is one of the most interesting books that I have had the occasion to read. There are so many questions that it answers which are not completely understood by a very large number of our citizens.

Again thanking you and assuring you that any time our office can be of service to you, we will be happy to do so.

Yours very truly,
GRADY L. KELLEY, Jr.,
Sheriff.

STATE OF LOUISIANA,
HOUSE OF REPRESENTATIVES,
Baton Rouge, April 5, 1954.

Hon. GEORGE S. LONG,
Member of Congress,
Washington, D. C.

DEAR CONGRESSMAN LONG: This will acknowledge receipt of the booklet you sent to me entitled "Our American Government," compiled by Congressman WRIGHT PATMAN, for which I thank you.

Although I have not completed reading this booklet, I have found it extremely interesting and would like to take this means of expressing my appreciation for your thoughtfulness.

With kindest personal regards, I remain

Sincerely yours,
LLOYD G. TEEKELL.

ALEXANDRIA, LA., *April 5, 1954.*

CONGRESSMAN GEORGE S. LONG,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN LONG: I received a copy of Our American Government by the Honorable WRIGHT PATMAN, which you so kindly sent to me, and would like to express my thanks for the book and appreciation of your thoughtfulness in remembering me.

Certainly this book gives the clearest explanation of our Government, behind the scene, of any I have ever read. I refer to it almost every day. Thank you again.

Sincerely yours,
LEROY CHANDLER.

W. H. DICK & CO.,
Alexandria, La., April 12, 1954.

Hon. G. S. LONG,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN LONG: I recently received from your office a copy of WRIGHT PATMAN'S new edition of Our American Government.

I wanted to take time out to thank you and tell you that this was one of the most enjoyable and informative booklets that I have had the occasion to read.

Thank you for making it available to me.

Very truly yours,
W. H. DICK.

THE HOBSON MEMORIAL

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, a year ago last Sunday one of the most tragic accidents happened in the history of this Nation when the U. S. S. *Hobson* had a collision with the U. S. S. *Wasp* during maneuvers, in which 176 Americans from 38 States lost their lives.

There has been constructed in Charleston, home of the *Hobson*, being headquarters for the Atlantic Mine Fleet, a memorial by the Hobson Memorial Association. A week ago last Sunday that memorial was dedicated.

Two outstanding addresses were made at that dedication, one by the Deputy Chief of Chaplains of the Navy and the other by the commander of the Atlantic Mine Fleet.

I shall ask unanimous consent to include those two memorable addresses, along with the proceedings on that occasion, as a part of the RECORD. Never have so great a number of Americans given so much in the cause of learning how to preserve this Nation's freedom in time of peace.

The proceedings are as follows:

First. List of those who made supreme sacrifice in the service of our country on the U. S. S. *Hobson*.

Second. Description of the memorial.

Third. History of the *Hobson*.

Fourth. The U. S. S. Hobson Memorial Society.

Fifth. Address by Capt. J. Floyd Dreith, CHC, United States Navy, Acting Chief of Chaplains, United States Navy.

Sixth. Address by Rear Adm. Harry H. Sanders, United States Navy, commander, mine force, United States Atlantic Fleet.

The U. S. S. Hobson Memorial is dedicated to the glory of God and in abiding memory of 176 valiant young men of the United States Navy who made the supreme sacrifice in the service of our country.

Name	Rate or rank	Branch	Age	Hometown
Amico, Michael	ENFA	USN	20	Detroit, Mich.
Antley, Lawrence A	SA	USN	19	Charleston, S. C.
Allen, William E	SA	USNR	20	Columbia, Tenn.
Arayes, George	SN	USN	24	Brooklyn, N. Y.
Baker, David	QMSA	USN	18	Elmsford, N. Y.
Baker, Sam R	SH3	USN	25	Muskogee, Okla.
Balzer, Andrew J	MM3	USN	21	Beaver Falls, Pa.
Bass, Arthur J	QM3	USN	21	Mohawk, N. Y.
Baker, Harold K	FN	USN	22	Dansville, N. Y.
Becker, Efracio L	FN	USN	26	Philadelphia, Pa.
Behnke, Gary R	SA	USN	19	Royal Oak, Mich.
Bells, J. C	TN	USN	27	Wesson, Miss.
Berry, William J	YNSN	USNR	21	Spartanburg, S. C.
Blackburn, Willie R	SN	USN	25	Blanco, Tex.
Bloomfield, Louis E	SN	USN	20	Richmond, Va.
Bond, Alvin C	FA	USNR	20	Wichita Falls, Tex.
Boney, Leroy	SD2	USN	30	Wilmington, N. C.
Booker, Julian R	FT3	USN	21	Americus, Ga.
Braunschweig, Wallace J	BT3	USN	21	Beaver Dam, Wis.
Burr, Dwight L	MM	USN	20	Wadesboro, N. C.
Brennan, John J	RMSA	USN	19	Southampton, N. Y.
Breuer, Buell C	FCS2	USNR	29	Rolla, Mo.
Brobst, James H., Jr	CS3	USN	22	Allentown, Pa.
Brooks, Joseph T	MMC	USN	39	Elberton, Ga.
Brooks, Robert A	FA	USN	19	Buffalo, N. Y.
Bryant, Clayton E	SA	USNR	18	Houston, Tex.
Buckner, Ernest B	SN	USN	23	Alexander City, Ala.
Burchett, Oscar L., Jr	ET2	USN	22	Nevis, Minn.
Callahan, William T	BTC	USN	38	Zebulon, Ga.
Carlson, Harold R., Jr	SA	USN	17	Delavan, Wis.
Carr, Patrick E	SN	USN	21	Galesburg, Ill.
Chrobak, Casimir M	BM3	USN	29	Worcester, Mass.
Clements, John J., Jr	SN	USN	21	Audubon Park, N. J.
Cofer, John M	BMC	USN	34	Cleveland, Tenn.
Cole, Paul L	FN	USN	21	North Lewisburg, Ohio.
Comins, John P	ENS	USNR	22	Reading, Pa.
Cornell, Richard D	BMSN	USN	21	Richmond, Va.
Costello, William H	SN	USN	27	Winchester, Mass.
Craver, Samuel D	QM1	USN	27	Rochester, N. Y.
Cropsey, Richard L	ET2	USN	23	New York, N. Y.
Crotts, Porter L., Jr	QM3	USN	24	Spindale, N. C.
Culham, Merrill M	ETSN	USN	19	Lansing, Mich.
Cutler, Donald L	BMSN	USN	19	Dover Plains, N. Y.
Davis, Basil	SN	USN	21	Jacksonville, Fla.
Davis, Jerry P	SOSN	USN	20	Kirksville, Mo.
Degaglia, James D	FT3	USN	19	Norwalk, Conn.
Deuel, Norman J	SA	USN	19	Grand Ledge, Mich.
Dingman, Frank A	MMFA	USN	18	Alexandria Bay, N. Y.
Duke, Herman J., Jr	MMFN	USN	22	Richmond, Va.
Dunst, Joseph	FN	USN	20	Bronx, N. Y.
Earnst, Samuel P	BTL1	USN	22	Brookville, Ohio.
Eisenbrey, Harry Y	SA	USN	21	Edgely, Pa.
Eisenach, Robert O	SKSN	USN	22	Kenora, Ontario, Canada.
Ellis, Roland T	SA	USN	23	Washington, D. C.
Enfinger, Clevy	FN	USN	21	Hilton, Ga.
Erwin, Edward M	MMFN	USN	27	Decatur, Ill.
Fey, James R	SA	USN	20	Hyattsville, Md.
Flannery, James A	EM3	USN	21	Cincinnati, Ohio.
Floyd, Boyd E	SH2	USN	34	Chadbourn, N. C.
Gleason, James D	FN	USN	19	Pittsfield, Mass.
Gould, Theodore III	ENS	USN	23	Lutherville, Md.
Grammer, Adron F., Jr	SN	USN	20	Hughes, Ark.
Griffin, Roy S., Jr	DK3	USN	23	Lexington, Ky.
Hannigan, Charles W	SA	USN	19	Elysian, Minn.
Hardy, Dow F	FN	USN	21	Schenectady, N. Y.
Haugen, Harley J	SN	USN	20	Ironton, Minn.
Havens, Clifford E	FN	USN	19	Ogdensburg, N. Y.
Henry, William O	MMC	USN	34	Prince George, Va.
Herman, Hugo C	FA	USN	20	Ashley, N. Dak.
Hess, Ned W	FN	USN	19	Annville, Pa.
Hogan, William J	TA	USN	19	Port Huron, Mich.
Hoitala, Gary N	EMFN	USN	20	Bronx, N. Y.
Hopkins, Hubert D	BMC	USN	29	Oriental, N. C.
Hummel, Trenton A	QM1	USN	34	Charleston, S. C.
Jones, Homer E	SN	USN	19	Burlington, Ky.
Jones, Otis W	FN	USN	20	Richmond, Va.
Klimauskas, Frank W	SN	USN	21	Detroit, Mich.
Kline, Loring B	MM1	USN	31	Paw Paw, W. Va.
Kotzman, John M	EMFA	USN	20	Staunton, Ill.
Kovack, Joseph R	MM1	USN	28	Charleston, S. C.
Kreger, Robert D	LTJG	USN	26	Oxford, Ohio.
Kruichak, Kazan P	SA	USN	18	Tomah, Wis.
Kuney, Charles F	BT3	USN	23	Duncansville, Pa.
Kunz, Raymond C	FN	USN	20	Utica, N. Y.
Kupper, Harold L	SA	USN	20	Hamilton, Ohio.
Lacio, Frank	SA	USN	20	St. John, Kans.
Lambert, George D	SN	USN	20	Jackson Heights, N. Y.
Lamison, Jack E	BT3	USN	26	Temple Hills, Md.
Laverty, William R	MM3	USN	20	Philadelphia, Pa.
Lea, Byrn B	ENS	USN	23	La Crosse, Wis.
Lebert, Morris	MM3	USN	24	Lake Charles, La.
Lee, Obie A	CS1	USN	21	Palestine, Tex.
Leonard, Joseph A	SA	USN	20	Baltimore, Md.
Lewis, Karl E	FA	USN	17	South Clinton, Iowa.
Lindsay, Lawrence C	SN	USN	27	Hogansville, Ga.
Liska, Edward	MM2	USN	29	Bronx, N. Y.
Lowe, Clarence H	SA	USN	18	Birmingham, Ala.
Mansfield, William S	MAC	USN	40	South Boston, Mass.
Martin, A. Wayne	FA	USN	21	Sanford, Colo.
Mauzy, Cecil R	EN3	USN	24	Drakesboro, Ky.
McAnulty, Charles W	SN	USN	18	Ventura, Calif.
McBride, James T	RMSN	USN	22	Wilmington, Del.
McCord, Zack H	LT-MC	USNR	29	Hodges, S. C.
McCrory, William P	SN	USNR	21	Alabama City, Ala.
McFarlane, James H	SN	USNR	21	Calhoun, Ala.
McManus, Stanley	BT1	USN	28	Liberty Hill, S. C.
Merdzinske, Francis J	SA	USN	19	Pittsburgh, Pa.
Millington, Robert D	QM3	USN	21	South Sanford, Maine.
Milton, Carl C	QMC	USN	38	Monroe, N. C.
Mocelka, Robert A	BT3	USN	27	Pittsburgh, Pa.
Morgan, Harold D	HM2	USN	22	New Marshfield, Ohio.
Moss, James R., Jr	SK3	USN	23	Milton, Fla.
Mullin, Kenneth L	FA	USN	18	Peaks Island, Maine.
Nave, James, Jr	FA	USNR	23	Reading, Pa.
Noonan, Thomas M	FN	USN	22	Bronx, N. Y.
Norlock, Casimer A	CS3	USN	20	Bay City, Mich.
Norman, Richard L	SA	USNR	20	Malta, Ohio.
Oliveira, Robert G	SA	USN	27	Fall River, Mass.
O'Neill, Edward J	SA	USNR	20	East Providence, R. I.
Ortlip, Robert J	DCFN	USN	20	Feasterville, Pa.
Paine, Proctor P	EM3	USN	21	Thompson, Ohio.
Patterson, Grady	EDC	USN	36	Warsaw, N. C.
Phillips, Irvin L	SN	USN	21	Baltimore, Md.
Pothier, Roland H	FN	USN	20	Leominster, Mass.
Potts, Robert J	FA	USN	22	Commerce, Ga.
Praul, Joseph N	FA	USN	18	Philadelphia, Pa.
Racinowski, Boleeslaw	QM3	USN	21	Milwaukee, Wis.
Read, Edmund L	CS3	USN	21	Hamburg, Pa.
Reeves, Eddie J	RMSN	USN	21	Cottageville, S. C.
Rhodes, Reginold	MM3	USN	21	Sterling, Ill.
Roth, Donald F	FA	USN	19	Highspire, Pa.
Royce, Richard A	SN	USN	22	East Granville, Vt.
Sawyer, Thomas C	SN	USN	19	Park Rapids, Minn.
Seel, Arthur H	SOSN	USN	21	Norton, Mass.
Sherrill, Richard D	FN	USN	23	Muskogee, Okla.
Shore, Jack W	SK3	USN	21	Ronda, N. C.
Sites, Richard P	YN3	USN	24	Lima, Ohio.
Slater, John B	BT1	USN	28	Little Rock, Ark.
Smith, Charles D., Jr	QM2	USN	26	Milo, Mo.
Smith, David H	LTJG	USN	27	Walpole, Mass.
Southworth, Monite R	BM3	USN	25	Charlottesville, Va.
Sterling, Robert W	SHSN	USN	22	Minneapolis, Minn.
Story, James G., Jr	RD3	USN	20	Morganton, N. C.
Swan, George E., Jr	MN3	USN	24	Shavertown, Pa.
Sweeny, Paul N	FN	USN	21	Toledo, Ohio.
Tanner, H. Dean	FA	USNR	19	Dacusville, S. C.
Torrisi, Joseph A	HMC	USN	32	Harrison, N. J.
Tierney, William J	LCDR	USN	31	Philadelphia, Pa.
Turner, David A	MM2	USN	24	Port Arthur, Tex.
Turner, James L., Jr	FA	USN	22	Buffalo, N. Y.
Ushock, William M	FN	USN	20	Shenandoah, Pa.
Vincent, Robert E	FA	USN	17	Indianapolis, Ind.
Vogtman, Richard M	SA	USN	20	Park Rapids, Minn.
Wagner, Elmer H	FA	USN	22	Chattanooga, Tenn.
Wagner, Horst H	EM3	USN	23	Hamden, Conn.
Wallace, Malvin S	MMFA	USN	20	Spartanburg, S. C.
Walton, Joseph M	MM3	USN	22	Bellevue, Ky.
Warhol, William J	SN	USN	20	Minneapolis, Minn.
Washington, Warren A	CS3	USN	23	Union, N. J.
Wassertheurer, Walter E	MM1	USN	28	Los Angeles, Calif.
Webb, James L	BM1	USN	31	Charleston, S. C.
Wessel, Nelson E	SA	USN	21	Cincinnati, Ohio.
White, Benjamin	FA	USN	19	Gibsonville, N. C.
White, Ervin S	FA	USN	19	Lynn, Mass.
White, Robert P	SN	USN	23	Dundalk, Md.
Wilks, Chester J., Jr	MM3	USN	21	Miami, Fla.
Williams, Robert C	BM3	USN	26	Charleston, S. C.
Willis, Bobby C	SA	USN	24	Greer, S. C.
Willis, Richard E	SN	USN	18	Tipton, Mo.
Willis, Robert E	QM3	USN	25	Tipton, Mo.
Willms, Joe D	SA	USN	20	Watseka, Ill.
Wolfe, F. Kenneth, Jr	LT	USNR	28	Savannah, Ga.
Woods, James L	SD3	USN	35	San Antonio, Tex.
Wright, Jodie, Jr	TA	USN	19	Morganton, N. C.
Yates, James T	QM3	USN	46	La Grange, Ga.
Zwingman, Frank C., Jr	FA	USNR	20	Saginaw, Mich.

DESCRIPTION OF THE MEMORIAL

The U. S. S. Hobson Memorial was designed by the staff of the American Institute of Commemorative Art, of New York City, and was erected by the Claude W. Brown Memorials, of Florence, S. C. The main monolith, the curbing, and the benches are Salisbury pink granite from the quarry at Salisbury, N. C. The shaping and actual cutting of the stone and the lettering thereon was done at the quarry under the supervision of Mr. William Henry Deacy, executive director of the institute noted above. The main stone weighing 37 tons, 20 feet high, 5 feet wide, and 3 feet thick, required a very substantial foundation which was donated and constructed by the city of Charleston. The stones laid in the circular platform are from the home States of the officers and men lost aboard the U. S. S. *Hobson*.

A bronze arrow laid in the circle surrounding the main stone gives the appearance of passing through the monolith and points to the scene of the disaster with the exact position thereof inscribed on the shaft of the arrow—latitude 42° 21 minutes north, longitude 44° 15 minutes west.

A sundial, signifying time eternal, is cut into the face of the stone on one side with a bronze gnome on a part of it. Directly above the sundial are the words "Ten Twenty Six," indicating the actual time of the disaster.

Underneath the sundial are inscribed the names, rates/ranks, ages, and hometowns of the 176 men honored with the memorial.

On the other side of the main stone the following is inscribed:

Two-inch letters: "To the glory of God and in abiding memory of 176 valiant young men of the United States Navy who made the supreme sacrifice in the service of our country."

One-and-one-half-inch letters: "The U. S. S. *Hobson* (DMS 26) sank in less than

four minutes as a result of a collision with the U. S. S. *Wasp* (CV 18). This tragic accident occurred in mid-Atlantic on the night of April 26, 1952, while both were engaged in a fleet wartime training maneuver."

One-inch letters: "This tribute was erected April 26, 1954, by the U. S. S. Hobson Memorial Society composed of shipmates, relatives, and friends. The stones in the surrounding platform came from the 38 home States of those lost."

Directly above the inscription a picture of the bow of the U. S. S. *Hobson* sinking beneath the waves is cut into the stone. The number 26, the official Navy number of the ship, appears on the bow.

The memorial is erected in the White Point Gardens (Battery Park) at Charleston, S. C., on a site donated by the city of Charleston through the courtesy of the Honorable William McG. Morrison, mayor.

The U. S. S. *Hobson* (DSM–26), the first ship so named, was originally christened a destroyer (DD–464). She was named for Adm. Richmond P. Hobson, United States Navy, and was built in the United States Navy Yard, Charleston, S. C., her keel being laid on November 14, 1940. She was launched as DD–464 on September 8, 1941, and was sponsored by Mrs. Richmond P. Hobson of New York, N. Y., widow of Rear Admiral Hobson in whose honor the ship was named. Admiral Hobson who died on March 16, 1937, received the Medal of Honor in 1933. "For distinguishing himself conspicuously by extraordinary courage and intrepidity at the risk of his life and beyond the call of duty on June 3, 1898, by entering the fortified harbor of Santiago, Cuba, and sinking the partially dismantled collier *Merrimac* in the channel under persistent fire from the enemy fleet and fortifications on shore" during the Spanish-American War.

Hobson was commissioned on January 22, 1942, and during World War II took part in the following campaigns and engagements: Allied landings at Casablanca, French Morocco, in November, 1942; carrier strike at Bodo, Norway, in October, 1943; sank German submarine in March, 1944; allied landings in Normandy, France, in June, 1944; allied landings on southern France in August 1944; American landings on Okinawa in April 1945.

The U. S. S. *Hobson* was converted to destroyer-minesweeper—26, while at the Charleston Navy Yard during an availability period from November 10 to December 18, 1944. She received the Presidential Unit Citation for her participation in antisubmarine patrol in the Atlantic which reads as follows:

"For extraordinary heroism in action against enemy submarines in the Atlantic area in 1943 and 1944. Carrying out powerful and sustained offensive action during a period of heavy German undersea concentrations threatening our uninterrupted flow of supplies to the European theater of operations, these six antisubmarine task groups (of which *Hobson* was a member) tracked the enemy packs relentlessly and by the unwavering vigilance and persistent aggressiveness of all units involved, sank a notable number of hostile U-boats. The gallantry and superb teamwork of the officers and men who fought the embarked planes and who manned the *Bogue* and her escort vessels were largely instrumental in forcing the complete withdrawal of enemy submarines from supply routes essential to the maintenance of our established military supremacy."

Hobson received her real test in Okinawa where she was one of the minesweepers assigned to that campaign. During operations in that area, she was badly damaged by suicide plane attacks during her vigorous efforts to carry out her assigned duties. She was ordered back to the United States for repairs arriving at the Norfolk Navy Yard, Va., in June, 1945. Repairs were completed in November 1945 but the war had ended.

Hobson operated along the eastern seaboard as far north as Argentina, Newfoundland, but her home port was always Charleston, S. C., where she was attached to the United States Atlantic Fleet Mine Force until her tragic end on April 26, 1952. The end of her career came when she became involved in a collision with the *Wasp* during the evening while engaged in wartime training operations with other ships of the task group. Split amidships by the collision, the U. S. S. *Hobson* sank within 4 minutes carrying with her 176 officers and men, members of the crew, who thus gave their lives in the service of their country.

Successive commanding officers of the *Hobson* were: Lt. Comdr. R. N. McFarlane, United States Navy, January 22, 1942-June 15, 1942; Comdr. K. Loveland, United States Navy, June 15, 1942-November 22, 1944; Comdr. J. I. Manning, United States Navy, November 22, 1944-February 22, 1946; Comdr. H. S. Graves, United States Navy, February 22, 1946-January 10, 1947; Lt. Comdr. D. S. Bill, United States Navy, January 10, 1947-April 15, 1948; Comdr. Philo Wood, United States Navy, April 15, 1948-July 15, 1950; Comdr. L. A. Harrison, United States Navy, July 15, 1950-February 9, 1951; Lt. Comdr. J. H. Floyd, United States Navy, February 9, 1951-March 23, 1952; Lt. Comdr. W. J. Tierney, March 23, 1952-April 26, 1952.

Shipmates of the men lost

Name	Rate or rank	Branch	Home town	Name	Rate or rank	Branch	Home town
Leland R. Archer	FN	USN	Point Pleasant, N. J.	Irwin I. Moss	PNI	USN	Brooklyn, N. Y.
Joseph F. Arnold	FA	USN	Lebanon, Pa.	Kenneth E. Murdock	FN	USN	Onawa, Iowa.
Joseph H. Arsenault	SA	USN	Chelsea, Mass.	Cecil E. Myers	RD2	USN	Kankakee, Ill.
Richard G. Boller	ENS	USNR	Union, N. J.	William C. Neagley	LTJG	USN	Mechanicsburg, Pa.
Harold M. Brooks	EMC	USN	Detroit, Mich.	Richard A. Nelson	SN	USN	Waterville, Maine.
Walter R. Byers	RD3	USN	Do.	Ernest J. Niskala, Jr	RDSN	USN	New York Mills, Minn.
Carter Y. Camp	YN2	USN	Charleston, S. C.	Bertram B. Noennich	QM3	USN	Los Angeles, Calif.
Thomas G. Cardwell	DC3	USN	Do.	Francis W. O'Connor	SO3	USN	Dorchester, Mass.
Richard K. Carr	CS3	USN	Bristol, R. I.	George T. Oliver	FA	USN	Charleston, S. C.
Donald E. Cummings	LTJG	USNR	Aliquippa, Pa.	Vincent J. Oliveri	SR	USN	Lawrence, Mass.
Reingold C. Dahlke, Jr	SN	USN	Buffalo, N. Y.	Ralph E. Painter	SN	USN	Gaffney, S. C.
Cleo D. Denton	SA	USN	Mechanicsburg, Pa.	Raymond P. Parks	QMQ2	USNR	Winter Haven, Fla.
Albert Desrosiers	EM3	USN	Fall River, Mass.	James B. Price	SN	USN	Coaldale, Pa.
Donald A. Drury	RDSN	USN	Lockport, N. Y.	Iredell Proffer	SA	USN	Clarkton, Mo.
Edward W. Elliott	HM1	USN	Warsaw, Wis.	Harry C. Raps	SN	USN	Port Washington, N. Y.
James H. Evans	SA	USN	Steubenville, Ohio.	Anthony J. Rinck	FT2	USN	Jacksonville, Fla.
Patrick E. Gardner	LTJG	USN	Milwaukee, Wis.	John S. Ross	SN	USN	Hillsboro, Ohio.
William A. Hoefer, Jr	LT	USN	Ocean Springs, Miss.	Jean J. St. Martin	CSC	USN	Charleston, S. C.
Paul E. Iseman	SN	USN	Washington, D. C.	David D. Sanford	SN	USN	Starrucca, Pa.
Lloyd F. Keleher	ENS	USN	Red Bank, N. J.	Marion A. Sawmiller	FN	USN	Lincoln Park, Mich.
Osman F. Kezer, Jr	ICFN	USN	Cedarville, Ark.	Arthur H. Schmidt, Jr	IC3	USN	Jackson Heights, N. Y.
James H. King	RMN1	USN	Nashville, Tenn.	James L. Shiel	RM3	USN	Osage, W. Va.
Donald D. Lane	ENS	USN	Buchanan, N. Y.	James A. Stefanko	FA	USN	Masontown, Pa.
Edwin I. Lankowski	BT1	USN	Grand Rapids, Mich.	John W. Stewart	RMSA	USN	Syracuse, N. Y.
Arthur G. Laquiere	QM3	USN	Charleston, S. C.	John J. Wycor	FA	USN	Brooklyn, N. Y.
James B. Laughter, Jr	SA	USNR	Winston-Salem, N. C.	Raymond M. Wasilkowski	SN	USN	Carteret, N. J.
Peter A. Mahoney	SA	USN	Warwick, R. I.	Leroy R. Weidner	FN	USN	Union City, Pa.
Paul J. Mancuso	SA	USN	Baltimore, Md.	Von Dale White	RD3	USN	Elkland, Mo.
Harry K. Manning	BM2	USN	Charleston, S. C.	Frank B. Williams, Jr	MM1	USN	Charleston, S. C.
James F. McIntyre	SA	USN	Fall River, Mass.	Harrison J. Wilson	SA	USN	Birmingham, Ala.
Ellwood S. Moss	SA	USN	Mastic Beach, N. Y.				

THE U. S. S. HOBSON MEMORIAL SOCIETY

The U. S. S. Hobson Memorial Society was the germ of an idea that persisted in growing in the mind of Comdr. Edward P. Brennan, United States Naval Reserve, retired, whose youngest son, John was sacrificed in the tragedy which swept away 176 young men, many of whom were an only child barely out of high school, on their first sea duty following "boot" and special training, full of enthusiasm, idealism, and high hopes for a tour of duty in the United States Navy. The idea to honor them would give no peace. Finally, shortly after the first desolate Christmas without his young son, Commander Brennan sent out a bulletin to the next-of-kin and survivors setting forth his idea. The response was immediate and enthusiastic. From all parts of the country came letters, telegrams, and telephone calls applauding the movement.

Many letters told of hardship and suffering in the families of the men, all expressed grief and anguish with a desire to know the other folks and to do something in memory of their loved ones. A few letters showed doubt and skepticism which could be expected in these days. Investigation being welcomed, and fear dispelled, letters continued to arrive urging the continuation of the idea into an actuality.

As the first anniversary of the disaster approached, Commander Brennan formulated plans for a memorial service to be followed by a meeting of the interested parties. The purpose of the meeting was to consider the formation of a U. S. S. Hobson Memorial Society to:

1. Erect a memorial as soon as possible.

2. Meet each year for a simple memorial service.

Through the efforts of Mr. A. E. Lamison, father of Jack E. Lamison, a Navy chapel in Washington, D. C. was made available for the memorial service and meeting. The suggested service was beautifully carried out by Lt. Comdr. Merlin A. Ditmer, Jr. CHC, United States Naval Reserve. The business meeting was then called to order by Commander Brennan who appointed Mrs. James Evans of Steubenville, Ohio, the recording secretary of

the meeting. It was unanimously voted to form the society to be composed of survivors, relatives, and friends of the men lost aboard the *Hobson*. A suggested constitution and bylaws was adopted and the following officers elected:

Comdr. Edward P. Brennan, executive secretary; Theodore Gould, executive committee; Mrs. Marlene Moss, executive committee; Lt. (jg.) D. E. Cummings, United States Naval Reserve, executive committee, Herman L. Duke, treasurer.

A suitable memorial site was discussed. Inquiries had revealed that regulations governing national cemeteries prohibited the erection of a Hobson Memorial in the cemetery at Arlington, Va. An invitation extended to the group by the Honorable William McG. Morrison, mayor of Charleston, S. C., through Mr. William D. Huff, his personal representative, that the memorial be erected in his city was considered and gratefully accepted. A buffet supper at the Hotel Raleigh followed the meeting giving the members an opportunity to meet one another and exchange ideas.

At this time, the executive committee held its first meeting electing Mr. Theodore Gould, of Baltimore, Md., chairman, and discussing fund-raising measures. In a few weeks, a pamphlet was printed and given a trial run by Mr. Gould. It proved successful enough to be adopted as the fund-raising vehicle. Twenty-eight thousand pamphlets were printed and distributed during the full scale campaign which was launched in August 1953. The goal was to have sufficient funds realized by October 21 for the executive and selection committee to be in position to consider submitted plans and award contracts. In the meantime, members were urged to submit ideas, publicize the project and solicit bids and designs. Sculptors, architects, and specialists in memorials were invited to compete.

On October 31, the executive and selection committee met in Baltimore, Md., to consider the designs submitted and to receive the treasurer's report. Of the designs submitted, none exactly suited the majority of the committee, but, from the discussions within the committee, a fairly clear composite design emerged. Commander Brennan was requested to have the ideas incorporated into a workable design to be drawn up by the American Institute of Commemorative Art in New York City. This was done and modified design, with a few minor changes, was subsequently approved.

Realizing that not even so perfect an architectural achievement as the Taj Mahal itself would adequately express our affection for the boys we humbly memorialize, let us pray that the spirit which inspired this tribute and caused it to be erected will glow above and beyond the confines of White Point Gardens into eternity. The U. S. S. Hobson Memorial Society, having accomplished its first purpose, will now carry on the second—to honor each year the memory of the 176 valiant young men who on April 26, 1952, went down with their ship, the U. S. S. *Hobson* (DMS-26).

Captain Dreith's Address

We assemble here today to pay fitting tribute to some of the fairest flowers of the land, plucked by an unseen hand at that moment when they gave greatest promise of strength and beauty still unfulfilled. Time has only eased, but not erased, nor ever will, the pain which you still feel and the burden of sorrow which you will continue to bear as long as memory endures. Whereas I cannot and do not hope to relieve you of that pain or remove that burden, nor, may I add, would I want to if I could, perhaps I can share with you some thoughts which, while not mine, since they are as old as time, may serve to make the pain endurable and the burden lighter. The question which all of you asked at the time of the tragedy was: Why? Why, during a normal peacetime training maneuver did my brother, my son, my husband, or my father have to lose his life in such a manner as to make it seem of little consequence either to me or to posterity? I am sure that question will continue to plague you until eternity itself shall provide the answer. But perhaps it may not trouble quite as insistently or quite as emphatically as a result of our gathering today.

It has been both the tragedy and the glory of man that nothing truly worthwhile in the development, attainment, and preservation of his noblest heritage is accomplished without great, and sometimes seemingly needless, sacrifice. It is man's great tragedy that his blessings must be dearly bought. It is his glory that he is permitted to give his all for something beyond price. This is true in many fields of human endeavor. The goals sought, and ofttimes won, are set amongst the stars, and like the stars, continue to shed their radiance upon the generations that follow. We have examples of it in the philanthropist. He gives not only of his substance, but of himself, in alleviating the sufferings and hardships of the unfortunates of this world. From the refuse heaps of humanity, an occasional flower blooms in the person of one who, having been given an opportunity to develop his greatest potentialities, in turn devotes them to the service of his fellow men.

The man of medicine in his constant struggle against invisible microbes courts death, and frequently finds it, in an effort to discover another drug which by destroying the destroyers will lengthen, beautify and strengthen human life. A nurse, dedicated to the services of humanity, deliberately exposed herself to dread yellow fever, and succumbed, but you and I are relatively immune to this once fearful scourge of humanity. A mother spends sleepless nights following arduous days giving not only of her physical energy but of her spirit and soul to nurture life and health in the stricken body of her afflicted child. Dramatic sacrifices are made upon the field of battle that a way of life, without which life itself would not be worthwhile, may endure. Had these, our shipmates, given their lives on a flaming field of battle or had their ship gone down in heroic combat with an enemy, you and I would accept their sacrifice in the spirit in which it was made; with deep sorrow, with regret because of the necessity of it, but with a certain degree of understanding. I must remind you, however, that as much as America owes to those who lie in the Flanders' Fields throughout the world and at the bottom of the seven seas, she owes an equally great debt, perhaps greater, to those who lie in comparable fields because they sought the welfare of their country and of her people in manning her ramparts and serving their fellowmen. Theirs is a greater devotion and courage since it was not accompanied by the fanfare of martial music nor the emotional incentive of a very real and desperate conflict for personal as well as national survival. Great nations have made greater demands upon their people in times of comparative peace than in times of actual conflict. Heroes die for their country; patriots live for theirs. The men of the U. S. S. *Hobson* did both. So we assemble here today in sacred memory and reverent devotion to young men who dedicated their lives to the service of their country and in so doing, paid the last full measure of devotion. Even as the church draws her strength from the blood of the martyrs, so the nation must draw her strength from the lives of her sons and daughters who willingly give themselves to her and the service of humanity, to her defense and the defense of the rights and dignity of man, to her honor in upholding the principles without which she becomes merely a geographical entity and her colors become merely a flag instead of Old Glory.

Now may I say just a few words to each of you personally, speaking solely as a Christian minister. Be assured that He who was wounded for our transgressions and bruised for our iniquities is not unmindful of your sorrow. Even as He bore all griefs upon the cross of Calvary so now He would share your burden. He knows, He understands, and in time, He will reveal. If you will only dare to believe, you will find that His love still shines through the gloom and points you to the skies.

You have very fittingly determined that the devotion of your loved ones should not die with their memories. The monument which you have erected, will alert posterity for ages to come to the very real debt of gratitude we owe to those who have gone before. And if this monument will serve but a very minute portion of that which we hope, and I am confident it will, 176 men shall for ages to come inspire the love, the devotion and the gratitude of all who may be privileged to call themselves Americans. So here they remain, still manning their ship at the bottom of the sea, but manning also the minds and the hearts of all who shall be made aware of their sacrifice by this fitting monument to the tragedy and the glory that was theirs. Long after our lights are extinguished their sacrifice shall light the paths of men to selfless dedication to duty, to country and to humanity through the U. S. S. *Hobson* memorial monument. We salute you who have served better than you know; missed, mourned, and honored by we who are ever your debtors.

This, the U. S. S. Hobson Memorial Monument, is more than lifeless mass of stone and metal artistically designed and created. It is an emblem of affection which has grown from human hearts; a guiding beacon pointing to the skies; a clarion call to dedication. Until heavens morning breaks and earth's vain shadows flee, it shall symbolize honor, service, and that greater love, "that a man lay down his life for his friends."

To the glory of God and in abiding memory of 176 valiant young men of the United States Navy who made the supreme sacrifice in the service of our country, we dedicate ourselves and the U. S. S. Hobson Memorial.

God bless us. Amen.

Adm. Harry Sanders' Address

Parents, widows, children, and loved ones of the ship's company of the U. S. S. *Hobson*, we have gathered here today to pay our deep and humble respect to the gallant officers and men who gave their lives to their country on the fateful night of April 26, 1952. What we say here is of no importance. What is of importance is the profound realization in our hearts that these men, while engaged in essential operations to keep the Navy fit for war at sea, gave their lives that this Nation might keep its precious heritage of freedom and honor in this troubled world.

The circumstances of the collision between the huge aircraft carrier *Wasp* and the destroyer-minesweeper *Hobson* are well known. These two ships were engaged in a training exercise at night in the middle of the Atlantic, together with other combatant vessels. The sea was moderate and the night was clear, but it was very dark. The ships were maneuvering at high speed, about 27 knots. The *Wasp*, of nearly 40,000 tons displacement, was executing a turn of nearly 180° and the *Hobson* was maneuvering to maintain her same position relative to the *Wasp*. All ships were, of course, completely darkened, which condition is a primary requisite for ships at sea during wartime and when training for war. No one who has not been with naval vessels maneuvering at night at high speed with all lights blacked out, who has not felt the tremendous momentum of 40,000 tons of steel hurtling at high speed through the

black night, who does not realize the use of radar and the tenseness and quick thinking which are a routine part of such operations, can visualize the awful majesty, the tremendous military power, and the superb seamanship which characterize operations of this nature.

I have heard the question, "Is it necessary that these huge ships shall engage in high-speed maneuvers at close quarters at night and completely blacked out?" Such operations are, of course, essential in war and are frequently a matter of nightly occurrence. The Navy must be proficient in such operations if it is to carry out the ordinary necessities of war at sea. The safety of ships and their crews depends upon how well they are trained to carry out these normal war operations. The Navy, as well as the Army and the Air Force, knows that to prepare for war we must train in peace, and that this training must be realistic. Great effort is made to attain the maximum degree of safety consistent with obtaining the necessary training. There is inevitably an element of risk in all military training and everybody in uniform knows that these risks are always present. They know that eternal vigilance is required to keep the risks within acceptable limits and they accept these hazards as a part of their daily duty. The only military forces which can go into battle without disastrous casualties are those forces which through long and arduous and realistic training have prepared themselves for the greater risks of war.

It must also be remembered that at the time of the *Hobson* loss, the United States was engaged in a war with the Communist aggressors in Korea. At the time of the loss of the *Hobson*, the land battle in Korea was active, about 12 allied planes had been lost behind the enemy lines within the week, and naval vessels pounding enemy troops and positions on the beach suffered casualties. It has been recently announced that United States casualties in the Korean war exceeded 142,000, with over 33,000 killed in action.

Throughout the Korean war units of the Atlantic Fleet, mainly battleships and destroyers, were dispatched to the Pacific to participate in the Korean war. The Navy carriers in Korean waters with the supporting cruisers and destroyers constituted Task Force 77, whose aircraft ranged over northeast Korea, destroying railroads, munitions trucks, enemy supply dumps, and encampments. These same carrier aircraft blasted the dams of the huge power plants close to the Yalu River and they also provided daily close air support for the troops along the battle line. The routine nightly maneuvers of Task Force 77 in carrying out these widespread air operations over Korea were very much like the maneuvers in which the *Wasp* and the *Hobson* were engaged.

No words and no ceremonies can assuage the grief in the hearts of mothers and fathers, wives, and children, and all the loved ones of the heroic dead of the *Hobson*. There is much comfort, however, to be found in the fact that these brave men did not die in vain. These men were directly engaged in preparing themselves, in preparing their ships, and in preparing the United States Navy to maintain our precious heritage of freedom which was at the very time challenged in combat by strong and well-trained Communist forces. The fact that the training operations were conducted in an area remote from the war zone does not detract from the supreme sacrifice which they made. To us who are left they have pointed out anew that no man can have a higher calling than to serve his country, and that he who gives his life for his country has made the supreme sacrifice for his loved ones, his country, and his God.

WATERSHED TREATMENT

Mr. MILLER of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MILLER of Kansas. Mr. Speaker, a recent issue of the Topeka Daily Capital carried an Associated Press dispatch which is of great interest to all the people of the United States, and especially those of the Missouri Valley which is subject to great extremes of flood and drought. Following the disastrous flood of July 1951, great interest has been taken in the question as to how best to minimize or prevent damage from excessive rainfall. There have been 2 schools of thought, 1 to build dams on river channels with reduced outlets to prevent flood damage below. This, along with levees, channel improvement was championed by the Army Corps of Engineers.

The other school of thought is to begin on the land where the rain falls and slow down the runoff by means of terraces, waterways, and smaller detention dams on the farms, to be supplemented by larger detention dams where necessary to prevent flooding on the tributaries leading into the river channels.

In the past 2 years this latter program has been completed on a part of the Sandstone Creek area of the Washita River, Okla. Recently two heavy rainfalls on this watershed have furnished the long-awaited opportunity to observe how effective these measures can prove to be. Speaking of this observation and experience Mr. L. L. Males, banker of Cheyenne, Okla., made the following remarks:

We are greatly elated because the agriculture flood-control project worked 100 percent.

He further stated:

The latest rains proved that when all the subwatersheds are treated in the upstream manner, there should be no worry about floods along the main rivers.

If it will work on the Sandstone in Oklahoma, it will work on Walnut Creek in Kansas, on the Nemaha in Nebraska, on any watershed in the Missouri Valley that needs flood prevention measures.

What we now need is the go-ahead sign in the way of the passage of such a bill as H. R. 8602—introduced by myself, by the way—providing loans to farmers for conservation purposes, and passage by the other body of H. R. 6788 providing for flood-control dams on the larger streams. The passage of these bills will make it both possible and practicable to save our soil and prevent floods in one comprehensive, integrated program, a program that will redound to the welfare of all the people for all time. The Associated Press dispatch follows:

Soil conservationists hailed the success of upstream flood-control projects in western Oklahoma after they received a severe test from drought-breaking rains last week.

L. L. Males, a banker at Cheyenne and a leader in conservation said Saturday he was elated over the way the small detention reservoirs and other conservation measures upstream from the Washita River had held back the waters.

"We are greatly elated because the agriculture flood-control project worked 100 percent," Males said. "Rainfall on the Sandstone Creek area went as high as 3.66 inches within a few hours. This was preceded 2 days before by 2 inches making a total of about 5.66 inches in places.

"Sandstone, Kiowa, and Beaver Dam creeks have the Soil Conservation Service program, and not one of the structures overflowed the spillways."

The projects, which are side by side empty into the Washita and consist of small detention reservoirs, gully plugs and contour conservation treatment including terraces, regrassing, and contour furrowing.

A 10-inch cloudburst also fell west of the Sandstone area at the top of the Washita watershed and Males said this area was not treated by the SCS program. He pointed out this produced the rapid runoff with some flooding downstream.

"But the Sandstone-Kiowa-Beaver Dam project took the load off the flood," Males pointed out. "If those projects has not been there, this year's flood would have been worse than that of 1934, which centered on Sandstone."

The 1934 flood was what was termed a 100-year flood because of its volume and intensity.

Soil conservation officials said that four other projects in the Washita program—West Oil Creek, Upper Barnitz Creek, Cloud Creek and Mill Creek—also had severe tests since the projects got under way in 1949.

The officials said the latest rains proved that when all the subwatersheds are treated in the upstream manner, there should be no worry about floods along the main rivers.

GOVERNMENT SUBSIDIZED PIPELINES SERVE ONLY TO CREATE FURTHER DISPLACEMENT OF AMERICA'S MINE WORKERS AND RAILROAD EMPLOYEES

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the Petroleum Administration for Defense, which was abolished May 1 and whose remaining functions were transferred to the Interior Department's Division of Oil and Gas, is scheduled to issue a report on the emergency movement of crude oil from the gulf to the east coast. While it has already been proved conclusively that there are adequate existing facilities for serving the needs of the east coast even under all-out wartime conditions, the study now being made by PAD contains implications of such inherent importance that I feel the matter should be brought to the attention of the Congress.

The idea of a superinch pipeline to the Atlantic seaboard originated in the National Security Council, and it received turndown No. 1 when petroleum industry leaders decided that no oil company or group of companies would undertake such a project on a commercial basis. If the Government wanted such a pipeline, the oil industry said, in effect, let the Government build or subsidize it. Next it was proposed that a pipe-

line be constructed for the transportation of natural gas that would be sold on a so-called interruptible basis, with the line to be converted for the handling of petroleum products in time of emergency. This proposal was declared economically unsound by a committee of gas engineers, who offered the opinion that there were already ample natural gas lines from the Texas gulf region to the east coast; it was pointed out, in fact, that the current flow of natural gas through these lines could be vastly increased merely by augmenting existent compression facilities, thus releasing a portion of total capacity for the transportation of crude oil if and when needed.

That decision has not closed the books for keeps on the original pipeline dream, however, as we shall learn in the swansong of the Petroleum Administration for Defense. Attempts are still being made to have the Defense Department issue a certificate of essentiality on a Texas-to-the-east coast line in order that the Government would guarantee the necessary investment for such a project. It is this possibility for which Members of Congress must remain alert.

Mr. Speaker, America's natural gas industry has made such extremely important contributions to the living standards enjoyed in this land of ours that it is unfortunate to have the record blighted by official proposals to which, at least ostensibly, the industry itself is in opposition. While it is true that there have been instances of unscrupulous promotions within the industry that have led to reckless disregard of the laws of conservation for the sake of a fast dollar, interstate pipeline companies are regulated by a Government agency—the Federal Power Commission—and are therefore not themselves alone responsible for whatever extravagant use may be made of this precious and limited fuel resource.

It has long been recognized by fuel experts that one of the most wasteful practices in fuel usage is to burn gas under industrial boilers in areas where other more abundant fuels are available for this purpose. Instead of preserving gas resources for convenience in the kitchen and other special uses, there has been a tendency to dissipate gas reserves by attempting to market this fuel anywhere and everywhere. Not only are such practices unrealistic from the viewpoint of long-range supply, but they also constitute unfair competition for coal, in particular.

Coal constitutes more than 92 percent of America's total fuel reserves, whereas the share attributed to natural gas is less than 1 percent. There is therefore no economy nor foresight in permitting the use of natural gas as an industrial fuel in areas where there are ample supplies of coal. By doing so, gas displaces coal in the industrial market, causes mines to be closed, and puts miners and railroad workers on the rolls of the unemployed. What then will happen is that, as natural gas reserves become exhausted, the coal and manpower will not be ready to fill the fuel gap.

The Federal Power Commission recognizes this situation, having in a number of cases rejected proposals to bring natural gas into electric generating stations and industrial plants in areas accessible to adequate coal supplies. Under the circumstances, it is difficult to understand the logic of another Government department's recommendation that an additional pipeline be constructed to supply natural gas on an interruptible basis to a section of the country already receiving all the gas it requires. The interruptible qualification means only one thing: it means that the gas would go to industrial plants that could convert to coal when an interruption—such as a war emergency occurs. Mr. Speaker, inasmuch as the gas is not needed and since it has already been shown that one of the existing pipelines from Texas to the East can be devoted to the transportation of petroleum without reducing gas supply, I recommend that this fantastic scheme be abandoned once and for all. It is not in the national interest for the Government to underwrite unnecessary expenditures that have no public merit and would serve only to create further displacement of America's mine workers and railroad employees.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

MRS. CARIDAD ROSA AVILA LEYVA DE ERNEST

The Clerk called the bill (H. R. 5816) for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Caridad Rosa Avila Leyva de Ernest shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert "That, notwithstanding the provision of section 212 (a) (12) of the Immigration and Nationality Act, Mrs. Caridad Rosa Avila Leyva de Ernest may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or Department of Justice have knowledge prior to the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEAN HOLLIS VOCK

The Clerk called the bill (H. R. 795) for the relief of Jean Hollis Vock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jean Hollis Vock shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the Private Calendar.

AMENDING SECTIONS 3185 AND 3186 OF TITLE 18, UNITED STATES CODE

Mr. CHENOWETH. Mr. Speaker, I call up House Resolution 488 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2556) to amend section 3185 of title 18, United States Code, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on the Judiciary now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The Chair understands that a point of order of no quorum may be made and suggests to the gentleman from Colorado [Mr. CHENOWETH] that he withdraw his request for the consideration of the resolution at this time.

Mr. CHENOWETH. Mr. Speaker, I withdraw my request for the consideration of the resolution at this time.

OUR FOREIGN RELATIONS

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. LONG] is recognized for 25 minutes.

Mr. LONG. Mr. Speaker, some months ago, during the debate on the foreign-aid bill, I made some remarks.

At that time some of my colleagues did not agree with me, but I believe there are more of them now who will agree with some of the things that I said then than did at that time. I want briefly to talk about some of the things that are going on today.

I said at that time that Russia had invited us to come along and play the game with them; that we had gone from place to place seeking a place to sit down, and each time we could not come to an understanding as to just how we would play the game. But finally they got us over to Geneva. They have been trying to wear us out for a long, long time. Our diplomats sat down across the table from the Russians and I think that the Russians dealt the cards. Mind you, there were two other people present standing behind our diplomats, and I think they were tipping our hole card, because the press intimated that we had been caught bluffing. Who told the Russians that we only had a deuce in the hole and that we were bluffing? It is bound to have been either England or France, because they were both standing behind us. They are bound to have tipped our hand.

Let us be somewhat realistic about this. If we are going to have a United Nations and we are going to find out whether we must punish aggressors or not, why not just wait and go to the United Nations, instead of starting to bluff? This bluff has not done us any good in Europe. The English say that they will not go along. The French say that they will not go along with us, that this is just another bluff of the United States of America. Do you think that is doing us any good?

I will tell you the bluff that I would like to make, and it is not a bluff. It has to do with about $3.5 billion that we are fixing to give away to just such people as that. Do you think we are getting along all right diplomatically with the English when they are now trading with Russia to the tune of more than $100 million? Do you think we are getting along all right when France is trading with them, too? They are called our great friends. This does not look like friendship to me, when these people are aiding and abetting the enemy in almost every possible way.

Today I think we are about to go up another blind alley. We did not win the war in Korea. We just postponed it a little bit and have probably traded it for a bigger war. Whoever thought that the millions of trained Chinamen relieved from fighting in Korea would not go to the aid of other Chinamen in Indochina? We made it possible for those people to go over there and help them. Let us be a little realistic. Let us start doing business at home. Let us start helping our own people.

In India today we are carrying on a lot of flood-control programs. We are carrying on a soil-reclamation program. Why do we not do it at home? We do not have money enough here, they say. We are spending our money in a place where it is not going to do us any good.

Right today we need levees, we need dams, we need to conserve the soil of this country to raise food and fiber at a future date for our people for our increase in population Why not use some of this money here where it may do some good, instead of trying to find some place to give it away?

It did not take Pakistan long to get on its feet when they got the $1 billion that we said was given to the hungry and the poor. We did not give it to the hungry; we did not give it to the poor; we gave it to bolster the economy of Pakistan, to pay the salaries for the big, high-salaried fellows. We are doing the same thing with England. She reduced her taxes by 6 percent this year, but we can hardly pay ours, and our debt is so high we are going to have to increase the debt ceiling. I hope we do not, but I believe we will.

Let us come on back home. Let us start doing business at home for a while and see if we do not get along a little better.

We are not doing so well with our allies. They are trading with Communist China. They have Communist China now trying to break down our resistance in order that they can take her into the United Nations, or they can cause us to trade with her or to deal with her as a power.

What is this all about? It is for the purpose either of forcing us out of the United Nations or forcing us to submit to the will of the Communist people in the United Nations. That is the game they are playing.

When negotiations to settle the Korean war began, they took all kinds of time. They would not agree to anything. Finally they beat us down to where it was satisfactory to them, and we got a cease fire. Today they are doing the same thing. They are going to settle in Indochina on their own terms, and we might just as well find that out and quit fooling with them. How are you going to deal with a people who do not believe in God and whose word is worthless? What they say or what they write does not mean anything, yet we still deal with them. They know one rule and that is all, that is, the rule of power.

I think when we say we are going to do something, we ought to do that thing.

I am making these remarks merely because I know that soon on the floor of this House we will be talking about the poor and the hungry throughout the entire world. I call to your attention people out of employment and hungry in this country, too. I want you to be thinking about that, so that when this bill comes before the Congress of the United States maybe we can take half of that $3.5 billions and use it at home to take care of our own people, instead of sending it to a country where we know we are not going to get any help. We are just trying to buy friendship, and money will not buy friendship.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LONG. I yield.

Mr. GROSS. They will also be talking about appropriating many more millions of dollars for the support of this Tower of Babel in New York known as the United Nations. We pay for some 33⅓ percent of the total cost of operation, while the Russians contribute, I believe, 10 or 11 percent.

Mr. LONG. I thank the gentleman.

Mr. Speaker, that brings me to this point. I would say it does not make good sense to have a United Nations organization composed of some 50 allied nations and when we get into a conflict there is talk only of sending American boys to war. That is what we have been talking about during the past few days—who is going to fight the war in Indochina? American blood is going to be spilled over there. Where are these allies of ours who are supposed to be helping us to defeat communism? Where do they stand today, when we are getting ready to send our boys far away into Indochina to bleed and to die for the rest of the world, for the 600 million people who are to be defended? Are we, the 160 million, to have to defend the 600 million? Or will we say to them, "Let us meet around the diplomatic council table and treat with this matter. Let us understand one another. We have 160 million population. You have 200 million people, you have 40 million people, you have 30 million people, and according to the population of each country let us send troops." I am willing to say that perhaps we may have to bear the lion's share of the money. Perhaps they do not have the money. I do not know. I have not gone into their economy. But I can tell you one thing. Just as sure as you are sitting here, if this Congress sits idly by and lets Russia bleed us white, you will be sorry, and the people of this country will say that the Congress of the United States did not do its duty.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LONG. I yield.

Mr. GROSS. Korea is pretty good proof of that. There are 44 member nations of the United Nations, representing a total population of a billion people, who contributed not one combat soldier to help us in Korea—not one.

Mr. LONG. I was about to say, How foolish can we get? Russia has been fighting us for 5 years. She has not lost a man. Yet today Members on this floor know that we are about to reach the point where we cannot pay the pensions of our soldiers. An amendment to an appropriation bill was offered on the floor of the House making it impossible for soldiers to have their teeth fixed after a certain time because the economy of our country will not stand the expense. Yet we are ready to send billions of dollars to foreign countries. It is my humble hope and prayer that what I am saying here today will cause the Members of this Congress to stop and think before it is everlastingly too late.

I am going to offer to this Congress what I think is the solution to the Indochina problem: Let France declare that she is withdrawing her ideas of colonization and set these people free. They are fighting for the same reasons we fought the Revolutionary War. They, like all other people, want to be free. How can nations such as France and England claim to be democracies when they want

to keep their heel upon a people who want to be free? Give these people their freedom today. They have the manpower and this will give them the will to fight, and they will whip the Chinese Communists. They do not want to embrace communism. It may be their only way out, and communism to them today may seem better than the heel of the oppressor—France. Let us give to them the same thing that we fought and bled and died for. This whole world will be better off. Then we will be practicing what we preach. When the whole world is free, communism will almost disappear.

Mr. Speaker, may I repeat, in closing, let us say to the United Nations—if they are a United Nations, and I say I doubt it—but let us say to them, "Let us meet on an equal basis. Let us see how many men you will send, how many men we will send, and how we are going to carry on this war." Let us not, the minute trouble flares up in the world, start sending our boys to die on foreign battlefields to defend everyone else and to furnish all the money.

S. 984

The SPEAKER. The gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes, to revise and extend my remarks, and include certain extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PATMAN. Mr. Speaker, on yesterday a rule was granted for consideration of the bill S. 984, a bill from the Committee on the Judiciary. The House did not take any action after the rule was granted, as I understand it. Today the bill has not been called up. I wonder when that bill is to be called up.

The SPEAKER. The Chair will state he has no exact idea when the bill will be brought up. It certainly will not be brought up this week. It will be programed by the majority leader later.

Mr. PATMAN. Since we naturally expected it to be brought up after the rule was granted, and the House adjourning early yesterday and early today, I would like for the Committee on the Judiciary to notify me when that bill comes up.

The SPEAKER. The Chair will state that the reason consideration was not had yesterday or today is on account of the fact that there are primaries today in five different States. That bill being controversial would demand rollcalls, and it was decided to postpone it until next week.

JUDICIAL REVIEW OF CERTAIN TAX DECISIONS

Mr. PATMAN. Mr. Speaker, this bill—S. 984—has excited my curiosity. It involves excess-profits taxes during World War II. I do not know whether the amounts are millions of dollars or billions of dollars. I do not know and I cannot ascertain from the printed hearings whether it involves 1 company, a dozen companies, or 50 companies, or the amounts or the issues involved. It occurs to me that we should have hearings that are more full and complete on this type of legislation. It is granting additional rights to people who have had their rights adjudicated under the excess-profits-tax law. I expect to call on the chairman of the committee to furnish to the House additional information for the Members of the House—the names of the concerns that are involved in this bill, the names of the concerns that will probably take advantage of this act, a summary or statement of the issues involved, and why the concerns have been unable to get justice under the present procedure. I would just like to know that, and I believe it should be done before this bill is taken up.

MEMBERS OF CONGRESS NEED ADDITIONAL HELP

It brings to my mind something that I have thought about for a long time. I believe that a Member of Congress is unable to carry out and perform the duties of his office in the manner that he should be equipped to do. It is my belief, after having spent more than 25 years in this great body—and it is one of the greatest bodies on earth—I have never served with better or finer people in the world. I do not believe it would be possible for the 160 million people of the United States to elect to the United States House of Representatives finer and better men and women than they have sent here. That goes for the past also. But there is a limit to the ability of a Member to perform his duties in the House of Representatives. He is not equipped in a way that a Representative should be equipped.

AN ECONOMIST FOR EACH MEMBER

I believe that every Member of the House and Senate should have an economist to help him. Practically all bills that we consider now, or laws that are enacted, in one way or another, relate to our national economy. Even if it just involves an appropriation, it involves our economy—the raising of money and the expenditure of money. I believe it is necessary that a Member be in a position to ascertain for himself the facts concerning every bill. We know that we often boast about the fact that our system is so well organized, and it is well organized. Members of the House are elected every 2 years, as they should be. People can change any bad trend in government or can approve any good trend in government by the election or failure to elect 435 Members of the House of Representatives who are elected every 2 years. Two years is too long for a bad Congressman or a bad Congress. The people should not be required to suffer a bad Congress longer than 2 years. So we will say that our system is the best in the world; that this House where bills concerning revenues and appropriations must originate—all bills concerning revenues and appropriations must originate here in this body—and the people being allowed to elect this body every 2 years, a new body every 2 years, that means that the people have their hands on the purse strings of the Nation and can absolutely control the Congress, the executive branch, and the entire Government by the election of the 435 Members of the House of Representatives here in the United States Congress every 2 years.

But these Members are not well enough equipped to do a good job. I refer to the tax bill that we passed recently. There was a bill of about 875 pages; it involved the remaking of the entire tax laws. I venture to say that that bill went through the House of Representatives without six Members knowing everything the bill contained. That is certainly no compliment to our great body, the House of Representatives, but it is a fact; we know it is a fact. It is impossible for each Member of the House of Representatives to understand thoroughly all these important bills; to expect them to would be an injustice to them, for they are not equipped to do it.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. H. CARL ANDERSEN. I wish to compliment the gentleman on his remarks and to state that he is absolutely correct when he says that the average Congressman is not sufficiently equipped with office force to do the job that is expected of him here. Some years ago we refused to give each Member of the House an administrative assistant, but we gave each member of the other body an administrative assistant, and it was right and proper; but an administrative assistant is needed today by each Member of Congress. It becomes progressively more difficult for a Member to keep up with the load that is thrown upon him and the task he is supposed to do here in the House of Representatives. I compliment the gentleman from Texas on opening up this subject.

Mr. PATMAN. I thank the gentleman and I am glad he too is interested in an administrative assistant for the Members.

We gave the members of the other body an administrative assistant. That is all right; they are entitled to it; but we are entitled to one also. We are also entitled to an economist, and the Members of the United States Senate are entitled to an economist. We need one to be equipped to do the job that is expected of us. We are here, we have the power to vote upon legislation, but we are not well enough equipped properly to pass upon the legislation that comes before us.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. WILLIAMS of Mississippi. I wish to join in commending the gentleman on pointing up this deficiency in the facilities that the Members of the House have to carry on their regular business. I find, and I am sure every other Member of the House finds, that it is physically impossible for him to do all of the things required of him by his constituents and also to attend to the business he was sent to Congress to handle. What with being in committee meetings from

10 to 12 in the morning and then coming to a session of the House which lasts most of the afternoon, it leaves us precious little time to attend to the great volume of office work which faces us. I hope that the House will eventually provide its Members with the facilities necessary to carry on their operations. As a matter of fact, I think it would be much wiser for the House to provide itself with an administrative assistant than to consider raising the salaries of its Members. It would be much more important and would contribute a great deal more to expediting business if we were to permit ourselves to engage the services of an administrative assistant.

Mr. PATMAN. I thank the gentleman for his contribution. But something should be done in that direction.

I hope that the committee that handles this question in the House of Representatives will give it consideration. The bill that passed the other day, the $28 billion appropriation bill, involved a large amount of money. The members of the Appropriations Committee studied that bill. I would not say that all members of the full committee studied it, but the subcommittee members did. Outside of those members, how many actually knew what was in the bill? Think about how little the cost of an economist or administrative assistant for each Member of the House and Senate would be in comparison to the amount involved in that one bill.

Mr. MILLER of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Kansas.

Mr. MILLER of Kansas. I was rather intrigued by the remark made by the gentleman from Mississippi [Mr. WILLIAMS], to the effect that eventually the Congress would get around to doing this. If it is to be done at all it should be done soon. Very likely the country is losing millions of dollars every year on account of this deficiency. In private business we used to have a saying that ran something like this: "Eventually—why not now?"

I just wanted to raise that question.

Mr. PATMAN. I thank the gentleman.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate insists upon its amendments to the bill (H. R. 8097) entitled "An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CASE, Mr. BEALL, and Mr. GORE to be the conferees on the part of the Senate.

INTERNAL REVENUE CODE OF 1954

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 232.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the hearings on H. R. 8300 (Internal Revenue Code of 1954) held by the Senate Committee on Finance for the use of the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

There was no objection.

The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

SOCIAL SECURITY ACT

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 525.

The Clerk read the resolution as follows:

Resolved, That there be printed for the use of the Committee on Ways and Means 1,300 additional copies of the hearings held by the subcommittee during the current session relative to the Social Security Act amendments.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

Mr. PATMAN. Mr. Speaker, reserving the right to object, may I ask the gentleman when that bill is coming up, and I refer to the social-security bill.

Mr. LECOMPTE. May I refer that question to the gentleman from New York [Mr. REED]?

Mr. REED of New York. We hope to call a meeting very soon of the full committee to consider this matter and I think we will report it out very shortly.

Mr. PATMAN. Does the gentleman mean it will be considered before the 1st of June?

Mr. REED of New York. Yes; it ought to be ready for the floor at that time.

Mr. PATMAN. Is there any objection in the committee to the bill? Would it be opposed in the committee?

Mr. REED of New York. I have not any idea about that. That is to be determined by the full committee.

Mr. PATMAN. And the full committee has not passed on it?

Mr. REED of New York. No.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PERMISSION TO FILE REPORTS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow to file a report to accompany the two resolutions just considered.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SPECIAL ORDER GRANTED

Mr. RABAUT asked and was given permission to address the House for 15 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

THE GROWTH OF COMMUNISM IN THE WESTERN HEMISPHERE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on February 25, 1952, over 2 years ago, I made a speech in the House. That speech began as follows:

> For several years I have been warning of the growth of a Soviet beachhead in the Western Hemisphere right under our noses in Guatemala. * * * Now, new confirmation comes from irreproachable independent sources that this Guatemalan penetration by the Soviets has reached the point that Guatemala is now truly a Soviet Guatemala. We of the United States have to recognize that we have a full-fledged Soviet beachhead on our flank, and that the Latin American nations which are friendly to the United States have a full-fledged Soviet beachhead on their flank, too.

Speaker MARTIN echoed my thoughts that same day and gave the same warning. That was over 2 years ago.

How right Speaker MARTIN and myself were 2 years ago has been proved by subsequent events. These include the struggle for the resolution passed by the Caracas Conference attended by Secretary Dulles condemning international communism and emphasizing the danger it constitutes to Latin America, adopted over fierce Guatemalan opposition.

In corroboration of how dangerous that situation has become even since Caracas, I ask permission at this time to introduce into the RECORD three pieces of conclusive evidence of the utmost significance.

The first is the Easter pastoral letter of the archbishop of Guatemala concerning the desperate stage of communism in Guatemala. I am submitting this in an English translation from the Spanish original, together with New York Times reports of April 11 and April 18 about this pastoral letter.

The second is the Associated Press dispatch of April 26, 1954 describing a report of the United States Information Agency on how deeply Russia is involved, summarized in the opening paragraph of the dispatch as follows:

> The United States Information Agency reported yesterday that communism in America despite a drop in membership is stepping up its activities through national liberation fronts and lavish help from Moscow.

The third is an article from the Saturday Evening Post of last week, April 24, entitled "Red Beachhead in America," by Daniel James and subtitled "One Latin American Country Already Has a Communistic Government, Others Are Partly Infected—Here Are the Startling Facts on Moscow's Inroads Right Next Door to the United States of America."

I urge every Member of Congress to read these articles and understand their deep significance. And I am saying to the administration that a mere declaration of words at Caracas in an anti-Communist resolution, left to stand by itself without further action, will not be effective to squelch the kind of tough operators we have found these Communists to be in China, in the Middle East, in southeast Asia and now under our noses in Latin America. We cannot simply depend on the fact that a resolution was passed at Caracas, do nothing more, lose the initiative, and wait for the Communist enemy to take the initiative from us again. We must follow up Caracas against Guatemala—speedily and firmly—and give leadership to all the decent forces in the Western Hemisphere to bring hope and help to the decent law-abiding and God-fearing majority of Guatemalans struggling under this alien yoke of Russian communism.

Many fronts in our war against the alliance of Russian imperialism and international communism threaten us today. We must continue to work as hard as we can to stop communism in Korea, Indochina, or any other part of Asia or Europe.

But let us not, while doing so, neglect the urgent job of preventing Korea, or Indochina from breaking out in our own hemisphere. The Communists in the Caribbean are not neglecting their job in our backyard since Caracas. I hope the Eisenhower administration is not neglecting our job in the same backyard. The United States cannot afford a Soviet beachhead in its own backyard.

EASTER LETTER—PASTORAL LETTER BY THE ARCHBISHOP OF GUATEMALA CONCERNING THE ADVANCES OF COMMUNISM IN GUATEMALA

Obedient to the commands of the church ordering us to combat and destroy the forces of communism (Divini Redemptoris, No. 73/553), we again lift our voices to alert Catholics that at this time the worst of atheistic doctrines of all times, anti-Christian communism, advances in our country and tries to insinuate itself under the cloak of social reform for the needy. We warn you that those to whom today they offer aid, they will tomorrow condemn to forced labor and misery. This is communism. To govern they must divide. Those whom they might aid today they will condemn to the gallows tomorrow, as has been the case in the black and tragic history of Russia.

In 1946, in a collective letter, all the bishops of Guatemala voiced an alert that communism was at the door of our country. At that time the Communists commenced a sordid campaign against national unity, sowing division and irreconcilable hatred. As a consequence of that campaign there are now those who are obedient to the doctrines of Moscow and who are neither Guatemalan nor Catholic.

It is necessary for us now to again speak out. There is a definite demarcation between the spirit of communism and the spirit which carries one on to love of the country of Guatemala. Those who love their country must fight against those who, without country, scum of other countries, have repaid the gracious hospitality of Guatemala by attempting national assassination.

The words of the Popes (Pius IX and XII in condemnation of communism) should orient Catholics in a just and dignified national compaign against communism. Guatemala should rise as a man against the enemy of God and of country. The nature of our struggle against communism should be national and Catholic.

We go to the campaign against communism in the name of God and with God, but never guided by petty politicians.

Communism contains in itself an idea of false redemption. It promises the countryman, the worker, and the poor a redivision of the badly distributed riches of the world. It teaches people belief in the proletariat, that there is nothing better than material things, that there is no eternal life because there is no God, that religion is the opiate of the people, that children are children of the state, that the married man has no obligation to his spouse, that there is but one god and that god is the state, etc. In other words, the Soviet paradise is a concentration camp backed by tanks and cannons where everyone works for the state. Neither God, nor religion, nor country, nor love, nor good sentiments, nor anything noble comes from this enslavement. The cells of this enslavement have multiplied in Guatemala. As with a gigantic octopus they are attempting to enslave our country as they have with other nations more powerful than ours and with longer traditions of democracy.

Communism is highly astute and its tactics innumerable. It values anything that helps it to gain its ends. Communists hide under the manners of good Catholics in order to capture the confidence of simple people. Those who are naturally enemies of discord and of war are easily gathered together for "peace" campaigns. Meanwhile day by day they continue to gather arms clandestinely. They never cease day or night in the manufacture of arms and articles of war. They take advantage of the division between capital and labor, utilizing the division in families to come into power. Their false promises to workers are never kept. When the Communist regime is established workers and countrymen are in a far worse condition than before. The state is the cruelest of all lovers. It would be just as cruel in Guatemala as it has been in other nations of the world. Tyrant state is the worst tyrant of all tyrants. History teaches us this lesson from the remotest antiquity to the present. Communists, in their quest to deceive, publish graphic seductions on the Soviet paradise but they never publicize their concentration camps where workers, not slaves are far worse off than beasts of burden. Millions of human beings systematically die when they are no longer able to produce, when they lose their powers, when age and infirmity come upon them.

There is no single code of justice that obligates us to search for peace with a power which has converted into slavery millions of human beings and which systematically blots out the name of God and the dignity of the human being all over the world.

Communism searches for economic inequality in order to seduce the "have-nots." It also foments lack of initiative and the other more necessary media of subsistence in order to exasperate the poor and to make them believe that the situation is so hopeless that communism only will better their state in life. But reality is on the other side. When in 1918 Communists came to power in Russia, far from bettering the misery of the countrymen, they died by the millions to such an extent that other nations of the world rushed to aid them. Picture the situation in Hungary—even more so in impoverished Communist China.

The church has always proclaimed the existence of the right to property as a natural inalienable right. Meanwhile it has condemned excessiveness, waste, and ostentation. For centuries the church has asked for a more just redistribution of wealth among the nations. It has spoken for a just wage for the workingman. For more than a century the church has opposed unjust riches and unjust power. The church in much more recent social legislation has concerned itself with the solution of the problem of the misery of the workingman. Precisely because of this stand of the church and because of its defense of the workingman and the poor against the powerful, communism, to succeed, requires more than armed forces. History proves that in countries of militaristic tradition and genuine military power communism has been able to penetrate and to annihilate this power. But wherever social legislation of the church has been met, communism has not been able to advance its conquests. The best manner to favor communistic penetration is to put aside the works of social justice of the church. The historical anticommunistic dam is and has been the word and social action of the church.

Because of this, hope is great for Guatemala, where the voice of the church is still able to carry to you this anguished alert at a time in which there is no nation on the earth safe from the communistic pestilence. This hope, founded on divine protection and shown on each page of our history from yesterday to the present, does not excuse us from our obligation to call on all to unite against communism with the most effective arms which we possess—social justice and Christian charity.

The church in the matter of social justice is intransigent in favor of the proletariat, and since time immemorial it has preached to the powerful, not only its obligations of giving to those who have not, but social justice, which the church recognizes without haggling, the principle of which is to require from individuals as much as is necessary for the common welfare.

The church offers the worker a generous and just plan, a program of genuine social recovery as distinct as light from darkness as is the deceit presented by communism.

The church closely examines the right of association of the underprivileged, of the proletariat, in opposition to their exploiters; and it is not able to do less than fight when the right of such association is in the hands of Communist leaders, Marxists, and suspects of such ideologies.

In order to alleviate misery and inequality in the world as a consequence of original sin, the church has always preached Christian charity not as a matter of mere devotion nor as a practical piety, but as an imperative moral obligation.

The grace of God has awakened in Guatemala a sincere crusade against communism embracing the same workingmen and countrymen who have heard the anti-Christian preachments of the Communist leaders and who have discovered the hypocritical and criminal intrusion of communism in the social life of Guatemala.

All Catholics must struggle against communism if they wish to retain their faith.

[From the New York Times of April 18, 1954]

GUATEMALA CLERIC VOWS WAR ON REDS—CATHOLIC ARCHBISHOP STRESSES AIM TO DRIVE COMMUNISTS OUT OF NATIONAL POWER

(By Paul P. Kennedy)

GUATEMALA, April 18.—The Archbishop of Guatemala said today that the Roman Catholic Church in Guatemala would fight communism until it was driven out of the country.

In a private audience the archbishop, Msgr. Mariano Rossell y Arellano, conceded that communism had made significant inroads in this country, but he said he felt that Roman Catholics, who make up about 95 percent of the population, had awakened to the danger and are now ready to combat it.

Msgr. Rossell y Arellano, in a pastoral letter last week, called the attention of all Catholics to the presence of communism

here and demanded that the people of Guatemala must rise as a single man against this enemy of God and country.

The pastoral letter, Msgr. Rossell y Arellano said, met with immediate success during holy week. Demonstrations of faith have been more fervent throughout the nation than in any other holy week in his recollection, he said.

The letter will be read in all Catholic churches here and be the subject of sermons tomorrow. Because of its forthrightness and insistence on church action, it has aroused press reaction not only in Guatemala but throughout Central America.

"The danger of communism is here and is growing daily," the archbishop said. "We of the church have nothing but our faith to combat it, but that faith must be and is stronger than the Communist ideology."

The relationship between the church and the Government of Guatemala has ceased to exist, the archbishop said. The church, he said, is not in accord with the present Government's policies and will continue to maintain its distance while these policies, which he termed "Communist in sympathy," remain in force.

Msgr. Rossell y Arellano said his pastoral letter had expressed his entire feelings on the Communist issue. In the letter, which aroused immediate protest from the Communist Party here, the archbishop asked for "Catholic and national action in the struggle against communism."

In the letter he warned Catholics that "the Communists even go so far as to present themselves with the manners of good Catholics in order to succeed in winning the confidence of simple people." He said the Communists here had "the boldness to stage peace campaigns, trying to deceive the nations while day by day they seek weapons clandestinely and day and night they run armament and munitions factories."

In his audience, the archbishop said, his pastoral letter had understated the seriousness of Communist influence in this country. He said that while numerically the party was relatively small, it presented a "dangerous force" in the nation.

Msgr. Rossell y Arellano is a white-haired, soft-spoken man, slight in build. He is extremely well liked by the Catholics of Guatemala. Some time ago, when there were rumors that he was to be expelled from the country, thousands of his followers paraded and slept on the pavement before the archbishopric, refusing to let officials enter the house.

[From the New York Times of April 12, 1954]

GUATEMALANS WARNED—ARCHBISHOP ASKS CATHOLICS TO FIGHT COMMUNISM

GUATEMALA, April 11.—Archbishop Mariano Rossell y Arellano of Guatemala published a strong pastoral letter Saturday addressed to Guatemalan Roman Catholics, appealing to them to rise as one man against communism as an enemy of God and country.

"It is the church's duty to warn Catholics at this moment when communism continues its bold advances in the country shielding itself under the cloak of social benefits for the working class," he wrote.

The archbishop said his warning of 1946 that communism was "at our doors" went unheeded and while the doors were closed on Catholic priests the frontiers were opened to a mob of international adventurers well versed on Communist tactics.

[From the Washington Post of April 26, 1954]

LATIN AMERICA REDS BUSIER, USIA REPORTS

(By the Associated Press)

The United States Information Agency reported yesterday that communism in Latin America, despite a drop in membership, is stepping up its activities through national liberation fronts and lavish help from Moscow.

The USIA is sending this commentary by wireless to its information outlets throughout the free world.

The Agency, headed by Director Theodore C. Streibert, was set up last year as an independent unit outside the State Department to operate the Voice of America, a worldwide radio outlet. The Agency also has press, library, and motion-picture facilities abroad.

The Agency said a recent Government survey shows that Communist Party membership in Latin America has declined one-third since the end of World War II.

However, the Agency said, South American Reds have strengthened their ties with the Kremlin and satellite countries through national liberation fronts, deeper infiltration of labor unions, and other key organizations, and have increased their attendance at Communist-sponsored meetings in Europe and Asia.

It estimated that the Communist Party in Latin America now has a select membership of 200,000.

This group operates throughout Latin America, it said, although 13 of the 20 republics have outlawed the party.

Free trips and indoctrination courses are available to potential Communist leaders, the USIA commentary said. Since 1950, it added, the number of Latin American visitors to Communist strongholds in Europe have increased tenfold.

The Communist Party has practically no direct power in lawmaking bodies outside of Guatemala, the USIA said, but the Reds have been able to build front organizations into instruments of pressure on governments.

In Guatemala Communists occupied 4 of the 56 seats in Congress, it said.

A USIA breakdown of Communist Party membership in South America showed approximately 40,000 in Argentina, 40,000 in Chile, 30,000 in Cuba, 60,000 in Brazil, 20,000 in Venezuela, 15,000 in Uruguay, 5,000 in Mexico, and 2,000 in Bolivia.

These compare with 25,000 Communist Party members in the United States.

[From the Saturday Evening Post of April 24, 1954]

RED BEACHHEAD IN AMERICA

(By Daniel James)

ONE LATIN AMERICAN COUNTRY ALREADY HAS A COMMUNISTIC GOVERNMENT, OTHERS ARE PARTLY INFECTED—HERE ARE THE STARTLING FACTS ON MOSCOW'S INROADS RIGHT NEXT DOOR TO THE UNITED STATES OF AMERICA

Will the Western Hemisphere become the scene of future Koreas or Indochinas? Is Latin America evolving into another Asia, with civil and international wars a likely prospect? These grim questions are posed by a fact known to hardly anyone in the United States: Communism is making such rapid advances south of the Rio Grande that it already controls one country and is coming close to dominating some others.

Preoccupied with hot and cold wars in Asia and Europe, we Americans have given little thought to what is happening in our own part of the world. We seem to have the comfortable feeling that violent struggles with communism cannot take place in our hemisphere. But while we have been trying to stop communism in the East and the West, communism has been sneaking up on us from the south. While we have been erecting defenses across the sea, the enemy has been outflanking us next door. Communist penetration of our Latin neighbors has now reached the point where it constitutes a distinct threat to our peace and security.

Two situations point up the threat. Last year Moscow forces took over the Government of British Guiana, a colony bordering Venezuela, our most important source of oil outside the United States. London was compelled to speed troops to oust the Red regime before it could consolidate itself. Today the Central American Republic of Guatemala is under Communist domination. A very few hours from the Panama Canal and our New Mexico atomic plants, Red-ridden Guatemala is an object of increasing concern in the hemisphere.

British Guiana and Guatemala are deadly symptoms of Red infection that is spreading among 175 million people in 20 republics and 18 colonies to the south of us. How serious that infection is was emphasized by John Foster Dulles when our Secretary of State, in his recent speech before the 10th Inter-American Conference at Caracas, Venezuela, said that "if the international Communist movement should come to dominate the political institutions of any American state, that would be a threat to the sovereignty and political independence of us all, endangering the peace of America and calling for an appropriate action in accordance with existing treaties."

The inescapable fact is that Moscow is gradually acquiring two great spheres of influence in the Americas. One radiates out from Guatemala over Central America and the Caribbean; the other casts its shadow over the south-central portion of South America. In these areas communism has embarked upon the most intensive effort it has yet made in the New World to establish regimes controlled by or favorable to it.

The same areas contain the bulk of Latin America's population, territory, and resources, and many sensitive United States defenses. Should they become much more susceptible to communism or its unwitting ally, neutralism, we could be threatened with political isolation and the loss of major sources of strategic materials and key defense bases. Eventually, if we waited until the 11th hour to act, we might find ourselves faced with the unpleasant prospect of violent intrahemisphere conflict.

Until perhaps 5 or 6 years ago, Moscow was meeting with small success in Latin America primarily because communism holds no real attraction for Latin Americans. That fact caused it to revise its approach drastically. If today the Communists are gaining ground, it is because, following new Kremlin orders, they rarely preach communism.

Moscow took its cue from the Chinese Reds. For years, China's Communists fooled the world by masquerading as agrarian reformers and national liberators. Promising land to peasants and freedom from feudalism and imperialism to everybody, they grew in a dozen years from a tattered band isolated in remote Yenan, North China, into a victorious army with Peiping their capital. Not till Mao Tse-tung enslaved China did free people begin to realize that Chinese communism was fundamentally no different from Russian.

In Latin America today the Communists are once more posing as agrarian reformers and national liberators. Their goal, they tell Latin Americans, is not to create Communist states, but to free all Latin nations from domestic feudalism and foreign imperialism. And once more, unhappily, too many unsuspecting people—facing, as the Chinese did, such seemingly insuperable problems as landlessness, inflation, illiteracy, poverty, tyranny, and corruption—are following the Red pied piper down the "Yenan Way" to doom.

The first successful experiment in adapting Mao Tse-tung's formula to Latin American conditions is Guatemala, which in 3 years has been brought close to Red dictatorship. It all began, as it had in China, with a genuine Nationalist revolution which overthrew a semifeudal regime and promised to usher in capitalist democracy. Guatemala's Reds called themselves "Nationalists" and

got in on the ground floor. Acquiring their first important foothold through labor, they soon captured the Nationalist Parties forming the government, the congress in which those parties comprise the majority, vital government agencies, and such basic institutions as the judiciary. Now they also influence President Jacobo Arbenz Guzmán and, through him, domestic and foreign policy.

Pounding incessantly upon the need for agrarian reform, the Communists pushed through Congress a law to break up unduly large and uncultivated landholdings and divide them among some 2 million landless Indian peasants. The law became, in practice, a means of promoting Communist revolution. The Reds used it to incite the peasants to seize and pillage land at will, to kill recalcitrant landowners and to inaugurate a reign of terror and chaos. These acts were instigated by underground cells known, appropriately enough, by such names as Mao Tse-tung and Chou En-lai. These cells took over the local agrarian committees authorized by law and converted them into virtual soviets.

The chief victim of the Reds' drive was the United Fruit Co., of Boston, whose banana-growing operations had made it Guatemala's biggest landowner. All told, 400,000 acres of its property were expropriated—an act which may compel it to close shop and throw nearly 10,000 Guatemalan employees out of work. The Communists, meanwhile, broadened their anti-United Fruit attack into a campaign to expel all large American companies from Guatemala and into a general propaganda offensive against the United States. This reached its height on last January 29, when the Arbenz regime accused us of plotting to invade Guatemala.

Undeclared civil war rages in Guatemala today. Red-armed peasants in the highlands conduct bloody forays against reactionaries. Police squads swoop down at night on suspected anti-Communists. Officials threaten independent newspapers with suppression. Communist influence extends over an increasing area, including Guatemala's largest and richest department (state). If the Reds do not bid for total power before long, it will be largely because they fear that an openly Communist government cannot survive without support from elsewhere in Latin America. Hence the Cominform is laboring mightily to create new, and, if possible, greater Guatemalas.

The biggest target happens to be the hemisphere's second largest country in extent and in population: Brazil. A subcontinent of 3,289,000 square miles and 54 million inhabitants—nearly half of South America's area and people—Brazil has the biggest Communist Party in the Western Hemisphere. It totals, according to a report issued by a Senate Foreign Relations Subcommittee, under 60,000 members. The party itself claims 130,000. But what counts more than their numbers is that Brazil's Reds have infiltrated four vital national institutions: the army, the government, the labor movement, and the press.

Brazil's resemblance to pre-Communist China is so marked that its Reds refer to Brazil as the "Latin American China." There are even "Soviet" enclaves and a Red capital. They lie within a great triangle running from Mato-Grosso State, in the west bordering Bolivia, eastward through Minas Gerais; thence northward along the San Francisco River to the junction of Pernambuco and Bahia states, where is located the Communist capital of Juazeiro. This triangle contains most of Brazil's natural wealth. Its base rests upon Rio de Janeiro, the nation's capital, and São Paulo, its industrial heartland. The apex points at Natal, allied wartime bastion on the Brazilian bulge. Much of this expanse is studded with Red strongholds in ideal guerrilla territory. From a similar fastness, Mao Tse-tung overran a subcontinent akin to Brazil.

The Brazilian Communist Party, unlike most Red parties, but uncomfortably like the Chinese, has military roots. Its leader, Luiz Carlos Prestes, was one of the famous tenentes (lieutenants) who, in 1930, spearheaded a revolution that made incumbent President Getulio Vargas a virtual dictator. In 1935, Prestes staged an army revolt that ignited a nationwide, but abortive, insurrection. Imprisoned thereafter, his popularity remained so great that upon his release years later he was elected a senator. In 1947 the Reds were outlawed and Prestes fled into the interior, where he has since been tirelessly preparing another revolution.

The Brazilian Communists reportedly have a well-trained guerrilla force with plenty of arms. They had so thoroughly infiltrated the regular army that when a purge was ordered almost 2 years ago, Defense Minister Newton Estillac Leal, a Prestes intimate, refused to conduct it and was fired by President Vargas. Many Red sympathizers were discharged. But it is doubtful that the cleansing was complete.

At least three reservist generals are considered fellow travelers. One, Gen. Felicissimo Cardozo, heads the Committee for the Defense of Petroleum, whose intense propaganda—built around the Red-conceived slogan, "O Petroleo e Nosso" ("The Oil Is Ours")—was instrumental in pressuring Congress last September into passing legislation prohibiting foreign exploitation of Brazil's oil resources and turning them over to the State. Since then President Vargas has threatened to nationalize American and Canadian power companies, and the United States has become the No. 1 scapegoat of Brazilian politicians. In contrast, Soviet friendship is being cultivated. Brazil's top trade expert, João Alberto Lins de Barros, made an Iron Curtain tour which is resulting in a series of trade agreements, "an inevitable consequence" of which, predicts Lins de Barros, will be diplomatic exchanges. In that event, Brazil will be flooded by Russian agents.

In a far-reaching move last summer, Vargas replaced his anti-Communist Minister of Labor with João Goulart, who is his godson. Goulart became the leading aspirant for Vargas' job. He hoped to insure his nomination and election to the Presidency in 1955 by wooing the powerful labor movement through its most influential grouping, the Communist Party. The CP started building a "mass base" for Goulart among the workers, while Goulart reciprocated by purging labor of communism's foes. Goulart's plans received a setback recently when army leaders forced his resignation, but he remains a power in Brazilian politics.

Meanwhile, the CP has not been neglecting direct action. Exploiting Brazil's current inflation, it has been calling strike after strike. A Red-provoked walkout in March 1953 shut down São Paulo's big textile industry and laid the groundwork for a projected general strike in that city which the Communist intend—according to one Red labor leader I interviewed—to make nationwide. That could well become a dress rehearsal for revolution.

Brazilian communism is backed by a party propaganda apparatus rivaled on this side of the Iron Curtain only by those of the French and Italian Reds. It includes no fewer than five daily newspapers in as many cities, more than 20 periodicals, and a publishing house. This machine brazenly flouts the anti-Communist law. Thus, Rio de Janeiro's Communist daily, Imprensa Popular, printed a New Year's manifesto by fugitive Red chieftain Prestes which openly called upon the army, trade unions, and intellectuals to make a revolution.

Behind the alarming rise of communism and ultranationalism in Brazil lies the worst economic crisis in the country's history. It is marked by rising living costs, chronic power and machinery shortages, a depreciated currency, and harsh business restrictions. Brazilian leaders frequently declare that large injections of foreign capital are needed—but just as frequently denounce foreign investors as imperialistic and frighten them off.

The Brazilian CP's new draft program, printed in full on February 26, 1954, by the Cominform to emphasize its world importance, declares that Brazil cannot be "freed • • • by means of state or military coups, partial reforms, or elections which leave untouched the present reactionary system" and boldly calls for an armed "democratic revolution of national liberation."

Bolivia, Brazil's landlocked neighbor to the west, narrowly escaped communism in April 1952. A bloody revolution, led by the now-dominant Nationalist Revolutionary Movement, in alliance with the Reds, overthrew a military junta that had been hindering the democratically elected President, Victor Paz Estenssoro, from taking office. Once in power, Paz nationalized the tin mines and instituted other revolutionary measures. The Reds tried to get Paz to declare a "workers' and peasants' government," but he, a true nationalist, rejected sovietism.

A year later the Reds attempted to push Paz onto the Yenan Way from below. Bolivia's peasants, like Guatemala's, are Indians who have been veritable serfs for four centuries. The Bolivian Communists did exactly what their counterparts in Guatemala were doing at exactly the same time—incited the Indians to seize land, to loot, to kill, to create chaos. Economic conditions favored the Reds. A severe drop in world tin prices had slashed dollar income by more than 50 percent. Red agitation and complications attending Paz' agrarian reform cut farm production. Starvation faced Bolivia's urban and mining populations. The specter of Red revolution loomed again.

At that point Washington tabled earlier objections to nationalization and contracted for 10,000 tons of tin. Then we advanced $3 million worth of surplus foodstuffs which are forestalling famine in Bolivia right now, and $6 in more food and in technical assistance and equipment designed to raise farm output. Communism was staved off a second time.

But Bolivia is not yet out of the woods. She must find an outlet for the 28,000 tons of tin she will mine this year, and between eighty and a hundred million dollars to finance President Paz Estenssoro's long-range plan to reduce her dependence on tin by diversifying agriculture and increasing its yield.

Bolivia's southwestern neighbor, Chile, is in a similar fix. Copper, upon which Chile is overly dependent, has slumped in price. Unable to sell any of it for 9 months to her best customer, the United States, for a variety of complicated reasons, she has meanwhile piled up an inventory of 150,000 tons and lost 60 percent of her dollar revenue. These and other factors have resulted in soaring living costs, a falling peso, intensified wage demands and popular discontent.

Tempted to sell her copper to Russia, Chile is inhibited by fear of losing her American market and, in particular, by a mutual-defense pact with us which forbids the shipment of copper—a strategic metal—to the Soviets. But Communist-nationalist pressure to sell to Russia is growing. The President of the Chilean Chamber of Deputies himself, fellow-traveling Baltasar Castro, recently went to Moscow to pave the way for a deal. He is backed by a good third of the chamber and a fifth of the senate, as well as the 200,000-strong non-Communist labor movement and many respected public figures.

The copper issue is producing a sharp rise in anti-American feeling. On the basis of this, the Reds are building a new popular

front. Last May, half a dozen parties joined in protesting successfully a government ban on the Santiago Red daily, El Siglo. In October, a larger Communist-nationalist bloc defeated the candidate of President Carlos Ibañez del Campo in a crucial senatorial by-election. In January of this year, the front won an astounding victory when the Chamber of Deputies voted unanimously to oppose unequivocally any aggression in Guatemala—which echoed the fantastic Guatemalan charges against the United States.

If the Communist-nationalist forces persuade Congress to authorize a copper deal with Russia, that will automatically kill the Chilean-American defense treaty—a major Red objective—and seriously strain Chilean-American relations. It may also lead to a new drive to repeal the anti-Communist law. The success of such a drive could prove disastrous to a government already staggering under a tremendous economic burden and successive political defeats.

Argentina, though not on the critical list with Brazil, Bolivia, and Chile, nevertheless has a Communist problem. Dictator Juan Domingo Perón's official doctrine, justicialismo, is a compound of Fascist and Communist ideas, and his totalitarian regime is a practical expression of them.

The Argentine Communist Party, with 30,000 to 40,000 members, is the strongest non-Peronist political force. Perón has stifled his democratic opponents, but not the Communists, who function clandestinely for the most part, in any case.

Perón is now giving the impression of cracking down on the Communists, having arrested a few minor ones and ordered others expelled from the General Confederation of Labor. But these gestures—designed to please the United States in the hope of obtaining capital to revive Argentina's economy—were preceded, characteristically, by a move highly beneficial to communism: the conclusion of a $150 million trade agreement with Russia. This pact, followed by similar ones with the satellites, has begun a disturbing trend in Latin America. Brazil has since emulated Argentina. Chile may do likewise, and Bolivia is thinking of it. Soviet trade emissaries have suddenly become active in other republics. While strictly economic Soviet-Latin American relations cannot appreciably affect our own trade, their extension into the diplomatic and cultural fields, apparently an inevitable concomitant, will open up vast opportunities for further Soviet penetration south of the Rio Grande.

The Kremlin's preparations for a grand offensive in Latin America are well advanced. While the United States is drastically cutting its foreign-service and informational personnel from Mexico to Argentina, the Soviet Union is pouring literally hundreds of new agitators into the field. They are being graduated from a school in Prague, Czechoslovakia, whose sole function is to train them.

Euphemistically called the Institute for the Study of Latin American Relations, the Prague school enrolls 750 students at a time, most of them Latin Americans carefully drawn from the Communist Parties of Latin America and their labor and intellectual fronts. Each student is rigorously drilled in the theory and tactics of Communist revolution, and the techniques of espionage and sabotage. However, it is not the institute's chief aim to produce spies and saboteurs, but experts at infiltrating non-Communist organizations and institutions and at leading or influencing mass movements, as the Yenan Way requires.

European Communists are trained at Prague alongside their Latin comrades, with a view to their eventual assignment in Latin America as members of Iron Curtain trade or diplomatic missions—hence the significance of the Soviet economic drive in the south. In the country of assignment, the Europeans make contact with their Latin American fellow alumni. They form closely knit teams possessing the twofold advantage of having native roots and foreign backing. Most of the institute's graduates have been assigned to the two spheres of growing Red influence: the south-central part of South America and the Central America-Caribbean area.

Central America and the Caribbean are receiving special attention at Prague. Graduate agitators are being instructed to exploit such issues as American control of the Panama Canal, England's possession of British Honduras, and the United Fruit Co.'s areawide interests. The reason for this attention is clear. Central America and the Caribbean command the main sea, air, and land approaches to the continental United States from the south, and swarm with bases that form as integral a part of our national defense as the radar nets along the New England coast. Moscow aims to neutralize those bases by subverting the peoples surrounding them.

The nerve center of Moscow's Central America-Caribbean operations is Guatemala. From here, an endless stream of agents, money, arms, and propaganda descends upon nearby republics and colonies. Inside Guatemala are headquartered an army of Latin American Red exiles, some of whom get paid by and ostensibly work for the Guatemalan Government; they devote their time to planning and organizing strikes, demonstrations, and revolutions against their respective native governments. Guatemala's embassies in Latin American countries are often nests of Red intrigue.

The "little Cominform" in Guatemala, heeding Prague orders, has accorded top priority to the Panama Canal. To paralyze this indispensable waterway in time of war, it is attempting to turn the Panamanians against us in time of peace. Although Panamanian President José Antonio Rémon, an ardent friend of the United States, has just outlawed the Communist People's Party of Panama, it remains a danger because it lurks behind a force impossible to outlaw: ultranationalism. Now quiescent, ultranationalism is rooted in Panama's resentment toward our Canal Zone government, which competes with Panamanian private enterprise and functions in general as a "state within a state"—which, Panamanians contend, violates their sovereignty. American and Panamanian diplomats are presently trying to resolve these issues through negotiation, and it is hoped that they will succeed. For if they don't, the ultranationalists, who in 1947 forced us to vacate valuable airbases in Panama, will demand the "internationalization of the canal" and may thus precipitate a Suez-type dispute worth an army of saboteurs to the Soviet.

Guatemala is fostering unrest all over Central America. That was strikingly evidenced late in January, when the Arbenz regime accused Nicaragua and El Salvador—along with the United States, Venezuela, and the Dominican Republic—of conspiring to invade Guatemala. The charge culminated a months-long Communist propaganda barrage and followed the return of Guatemala's leading Reds from their latest trip to Moscow. Prior to that, Guatemala had caused considerable tension by withdrawing from the Organization of Central American States upon Red advice. She has since rejected pleas to rejoin the OCAS, making it impossible for it to act on many regional problems.

Guatemala is trying especially hard to create trouble in neighboring Honduras and British Honduras. The Honduran Liberal Party has been well supplied with funds and literature from Guatemala and espouses a Guatemala-like platform including agrarian reform. A split in the dominant Nationalist Party may enable the Liberals to win this October's elections. In British Honduras, Guatemalan and local leftist agitation has grown so intense that the governor has just been granted emergency powers to prevent the colony from going the way of British Guiana and, in this case, joining Guatemala. Since the colonials are dissatisfied with London's rule, anything can happen. If either or both countries teamed up with Guatemala, Central America would boil over.

Moscow's Guatemala base is complemented by bases in Mexico and Cuba. The Soviet Embassy in Mexico reportedly guides the work of 32 Latin American cells. Mexico's Vicente Lombardo Toledano originally sparked the Guatemala operation when he organized that nation's first trade-unions and put local henchmen in charge. Mexican communism itself has lost ground in recent years, but manages to maintain two parties—one openly and the other covertly Red—and has reestablished friendly relations with some leaders of the Government party. Cuban communism, too, has fallen on lean days, particularly now that Fulgencio Batista has outlawed it. Still, with 50,000 dues-paying adherents and firm holds in important labor unions, it can hardly be considered a negligible factor.

The same forces are at work in the Caribbean colonies as in the republics. That is proved by British Guiana—which is politically part of the British West Indies, although situated in South America—where last April the Reds won a majority of legislative seats by applying the Yenan formula. National liberation and economic reform, plus superior organization—in the form of a non-Communist People's Progressive Party which attracted even some businessmen—and plenty of money proved an unbeatable combination in a land which abounds in poverty and ignorance. It required British troops to oust the Reds from office.

Conditions are so bad in many Caribbean colonies that Britain has had to use force before to quell subversion. In June 1951, she dispatched soldiers to Grenada, one of the Windward Islands, to crush a general strike that seemed to herald a leftist revolt. Seven weeks later, Tommies were landed on nearby Antigua for the same reason. Jamaica, Britain's largest Caribbean possession, has often experienced bitter strikes and demonstrations. But communism's strongest colonial bastions are Martinique and Guadeloupe, which lie between Trinidad, a wartime Allied base, and Puerto Rico, an important link in our defense chain. Four of the six representatives these islands send to the National Assembly of France are Reds.

What are the Kremlin's overall aims in Latin America? It has two in simultaneous operation. One, long range, is to bring about the formation of Communist States and incorporate them into the Soviet Empire. The second, of more immediate concern, is to turn all Latin America into an anti-United States camp in an effort to isolate and weaken us in the world struggle for freedom. In pursuit of that aim, Moscow has set its Latin sections these specific tasks.

1. To undermine our prestige. The intention is to evoke fear, mistrust, and hatred for the United States by propagating the idea that we are imperialists, warmongers, and reactionaries. These falsehoods even some educated Latin Americans seem to believe; conversely, they do not regard communism as dangerous. Whoever raises the Communist issue risks being denounced as interventionist, as the United States has been by Guatemala.

2. To destroy inter-American economic relations. The Reds, making Wall Street the symbol of United States imperialism, have mounted a strong offensive to expel American business enterprises from Latin America. The purpose: to kill or disrupt inter-American trade. That, in turn, would dislocate many Latin American economies and make them a relatively easy Communist prey. It would also hit us hard, for 40 per-

cent of our total private investment abroad is in Latin America.

3. To cut off major sources of strategic materials. Latin America is a major supplier of 10 out of 12 items listed by the President's Materials Policy Commission as essential to the United States in wartime. The Reds need not create Communist or pro-Communist governments, but only neutralist ones, in countries producing big quantities of oil, iron, tin, or copper, in order to cripple our defense output in the event of war.

4. To wreck inter-American defense plans. We have mutual-defense treaties with Brazil, Chile, Colombia, Cuba, the Dominican Republic, Ecuador, and Peru. A basic purpose of these treaties is to encourage Latin American participation in hemisphere defense and relieve us of some of the burden. But the Reds want a defenseless or poorly defended hemisphere. Hence they are making every effort to keep more republics from signing defense pacts and to nullify—as they are attempting to do in Chile's case—the few that have been consummated.

5. To prepare for wartime sabotage. The Communists, as noted earlier, are particularly active wherever we have actual or potential defense bases. Guatemala herself is but a short hop from the Panama Canal. Communism's sabotage program consists of two parts: the training of saboteurs at schools in Moscow and Prague, and the creation of an "anti-yanqui" or sabotage atmosphere among Latins in defense areas.

Considering that our Latin American neighbors are essentially freedom-loving and desirous only of improving their lot, and that deep down they admire and like the United States, can Moscow win them over to its evil designs? Dr. Milton S. Eisenhower, after an official tour of Latin America, made a report to the President, his brother, in which he pointed out:

"The possible conquest [by communism] of a Latin American nation today would not be * * * by direct assault. It would come, rather, through the insidious process of infiltration, conspiracy, spreading of lies, and the undermining of free institutions. * * * Highly disciplined groups of Communists are busy, night and day, illegally or openly, in the American Republics. * * * While many persons may now think of Latin America as not being in the line of attack in the modern world struggle, success by the Communists in these nations could quickly change all the maps which strategists use in calculating the probabilities of the future."

We must continue to work as hard as we can to stop communism in Korea, Indochina, or any other part of Asia or Europe. But let us not, while doing so, neglect the urgent job of preventing Koreas or Indochinas from breaking out in our own hemisphere. The Communists next door are not neglecting their job.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. Bow and to include charts and tables.

Mr. SHAFER.

Mr. BENTLEY.

Mr. D'EWART.

Mr. FORAND.

Mr. PRICE (at the request of Mr. KARSTEN of Missouri) and to include extraneous matter.

Mr. BYRD in two instances and to include extraneous matter.

Mr. McDONOUGH and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6251. An act to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 3, 1954, present to the President, for his approval, a bill of the House of the following title:

H. R. 6896. An act to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

ADJOURNMENT

Mr. H. CARL ANDERSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 12 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 5, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1505. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend section 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended"; to the Committee on Interstate and Foreign Commerce.

1506. A letter from the Assistant Secretary of the Interior, transmitting a proposed award of a concession permit to the Colorado Transportation Co. which will, when approved by the regional director, region No. 2, National Park Service, authorize the company to provide accommodations, facilities, and services for the public in Rocky Mountain National Park, Colo., for a period of 1 year from January 1, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1507. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 8981. A bill to provide for further beneficial development of the water resources of the Columbia River Basin; to the Committee on Public Works.

By Mr. D'EWART:

H. R. 8982. A bill to provide for more effective extension work among Indian tribes and members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H. R. 8983. A bill to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.; to the Committee on Veterans' Affairs.

By Mr. FORAND:

H. R. 8984. A bill to extend for 2 years the present matching formula for public assistance payments; to the Committee on Ways and Means.

By Mr. HARRISON of Nebraska:

H. R. 8985. A bill to amend the Federal Seed Act; to the Committee on Agriculture.

By Mr. MILLS:

H. R. 8986. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

By Mrs. ROGERS of Massachusetts:

H. R. 8987. A bill to provide for the equitable adjustment of compensation for physicians assigned to residency training in the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. SMALL:

H. R. 8988. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to encourage the voluntary retirement of officers and employees whose effectiveness may be impaired through age and accompanying infirmities; to the Committee on Post Office and Civil Service.

By Mr. TRIMBLE:

H. R. 8989. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

By Mr. WITHROW:

H. R. 8990. A bill to provide a minimum rate of additional compensation for night work performed by wage-board employees of the United States; to the Committee on Post Office and Civil Service.

By Mr. BARTLETT:

H. R. 8991. A bill to authorize the sale of certain land in Alaska to the Anchorage Independent School District, of Anchorage, Alaska, for the use of the site for school and related purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

H. R. 8992. A bill to designate the lake formed by the Canyon Ferry Dam in the Missouri River, Mont., Canton Valley Lake; to the Committee on Interior and Insular Affairs.

H. R. 8993. A bill to establish a comprehensive program for maintaining economic prosperity; to the Committee on Ways and Means.

By Mr. ALLEN of California:

H. J. Res. 515. Joint resolution to amend section 84 (a) (2) of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. J. Res. 516. Joint resolution to amend section 84 (a) (2) of title 28 of the United States Code; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to take favorable action on certain legislation vital to the welfare of the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8994. A bill for the relief of Harold C. Nelson and Dewey L. Young, of Fairbanks, Alaska; to the Committee on the Judiciary.

By Mr. D'EWART:

H. R. 8995. A bill for the relief of P. H. McConnell; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8996. A bill authorizing the United States Government to reconvey certain lands to J. W. Clonts; to the Committee on Public Works.

By Mr. ROONEY:

H. R. 8997. A bill for the relief of James J. Bach; to the Committee on the Judiciary.

By Mr. SMALL:

H. R. 8998. A bill for the relief of Mrs. Marianthi A. Baicou; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8999. A bill for the relief of Marianne Gerke; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

691. By Mr. BUSH: Petitions of Tioga Point Council No. 206, Daughters of America, Athens, Pa., favoring the Bricker amendment, Senate Joint Resolution 1; to the Committee on the Judiciary.

692. By Mr. GROSS: Petition of 11 residents of Marshalltown, Iowa, favoring H. R. 1227, the Bryson bill, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

693. By Mr. KEATING: Petition of a group of citizens of Monroe County, N. Y., asking that H. R. 1227 be presented to the House of Representatives for consideration; to the Committee on Interstate and Foreign Commerce.

694. By Mr. NORBLAD: Petition of Bessie B. Keil and 29 other citizens of Benton County, Oreg., urging the enactment of the Bryson bill, H. R. 1227, and the Thompson bill, H. R. 7710; to the Committee on Interstate and Foreign Commerce.

695. By Mr. PRICE: Petition of the Ursuline Sisters, Convent of the Holy Spirit, Belleville, Ill., calling upon Congress to enact legislation to add the words "under God" to the American pledge of allegiance; to the Committee on the Judicary.

696. Also, petition of members of the Womens Christian Temperance Union, corresponding secretary, Mrs. Maude Whiteman, at the Regional Institute of Madison and St. Clair Counties, Ill., calling for the enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

697. By Mr. SMITH of Wisconsin: Petition in support of House Concurrent Resolution 58, from the Syracuse Branch of Ukrainian Congress Committee of America, Inc., Syracuse, N. Y.; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Gen. Milan R. Stefanik

EXTENSION OF REMAPKS
OF
HON. ALVIN M. BENTLEY
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1954

Mr. BENTLEY. Mr. Speaker, I should like to call the attention of the House to the fact that today is the 35th anniversary of the tragic death of Gen. Milan R. Stefanik, one of the great heroes of Slovakia.

General Stefanik was the first Minister of War in the early Czechoslovak state and helped to form and organize the independent Czechoslovak Army in World War I. Along with Benes and Masaryk, he was one of the outstanding leaders in the Czechoslovak movement for independence.

Stefanik came to the United States in June 1917 to gain Czech and Slovak recruits in this country for the Czechoslovak Legion which was then being formed in France. His success in these efforts was not marked but he did a tremendous amount of good in securing the cooperation of the Czechs and Slovaks in the Czechoslovak movement. The American Slovaks agreed to cooperate in this movement on the basis of a program of the Slovak League of America. This was Stefanik's greatest success in the United States.

Milan Stefanik, a true Slovak patriot, was killed in an airplane crash on May 4, 1919. This day is celebrated everywhere by Slovaks as Stefanik Day in honor of their beloved war hero. His death is especially tragic in view of the fact that he was so able to achieve Czechoslovak cooperation, while never losing sight of the true interests of his own Slovakia. I am proud to join all Slovaks in commemorating this anniversary.

Let us hope that the example of General Stefanik will inspire all of the Slovak people, both in this country and abroad, to continue the fight for liberation of their homeland. I am confident that, when this liberation is finally achieved, the Slovak people will then be given the opportunity freely to choose the type of government under which they wish to live in accordance with the policy of self-determination which this country advocates for all peoples throughout the world.

Rhode Island Icdependence Day

EXTENSION OF REMARKS
OF
HON. AIME J. FORAND
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1954

Mr. FORAND. Mr. Speaker, today is Independence Day for the great and glorious State of Rhode Island. One hundred and seventy-eight years ago, on May 4, 1776, the State of Rhode Island declared with impunity her independence from Great Britain. It repealed an act entitled "An act for the more effectual securing to his Majesty the al'egiance of his subjects in this His Colony and Dominion of Rhode Island and Providence Plantations." This was Rhode Island's formal severance of the proverbial "umbilical cord" of social, political, and economic ties from her mother country. This was the "shot heard around the world." This was the day that the State of Rhode Island led the Colonies in taking similar action, which was taken 60 days later on July 4, 1776.

Among her many notable firsts, Rhode Island's great initiative for freedom was in its founding. It was in Rhode Island that Roger Williams, one of the preeminent benefactors of mankind, instituted his practice of religious tolerance, enabling the populace to pursue their choice of worship.

The second great initiative in the cause of freedom was the procuring of the first charter making Rhode Island an independent colony of Great Britain. This was accomplished fearlessly while the trained guns of the British Navy breathed heavily down the necks of the subscribers to the charter.

The initiative by Rhode Island in opposing the taxation acts was exemplified in the agitation over the Sugar and Stamp Acts which brought on the hostilities that culminated in the Revolution. In this Rhode Island was conspicuously aggressive.

The initiative in the war did not find Rhode Island wanting. The battle of Lexington was fought April 19, 1775; the next day 1,000 men were on the march from Providence to Boston, but they were stopped by dispatches from Lexington.

The first gun fired upon the ocean at any part of His Majesty's Navy in the American Revolution was discharged from a sloop under command of Capt. Abraham Whipple on June 15, 1775, 2 days before the battle of Bunker Hill. This was the beginning of a glorious era in the naval enterprise of Rhode Island. The affair led to the correspondence between Captain Whipple and Captain Wallace, of the British frigate, which contained the following repartee:

You, Abraham Whipple, on the 10th of June 1772, burned His Majesty's vessel the *Gaspee*, and I will hang you at the yardarm.
JAMES WALLACE.

This was answered as follows:

To Sir JAMES WALLACE.
SIR: Always catch a man before you hang him.
ABRAHAM WHIPPLE.

This bravery and humor is typical of Rhode Island. Our State's firmness lies in her record. Rhode Island still remains the land of "firsts." The circum-

stances have changed the times, but the character and determination still lies dormant only to be kindled by any sort of tyranny over the mind of man.

Though small in size, Rhode Island has led the Nation in its biggest controversies. The accomplishments of our great State can be summed up in the inimitable words of Winston Churchill when, in addressing the Royal Air Force, he said:

Never before have so few contributed so much to so many.

Social and Economic Relationship of United States and Puerto Rico

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 4, 1954

Mr. BOW. Mr. Speaker, yesterday I addressed the House in support of House Resolution 512, creating a Select Committee To Conduct a Survey and Study of the Social and Economic Relationship of the United States and the Commonwealth of Puerto Rico. These remarks appear on page 5901 of the RECORD of May 3, 1954.

During the course of my remarks I told the House that the Appropriations Committee had advised me that the approximate total annual income from Federal sources paid to Puerto Rico is $88,496,220. Members of the House have asked me for a breakdown of the figures. I am pleased to submit herewith tables which reflect these Federal contributions:

TABLE I.—*Direct grants to Puerto Rico, fiscal year 1952*

Department of Agriculture:	
Agricultural experiment stations—regular grants	$253,656
Cooperative agricultural extension work—regular grants	620,348
National school-lunch program—regular grants	2,885,387
National forests—shared revenues	2,654
Research and Marketing Act of 1946—cooperative projects in marketing	40,707
State and private forestry cooperation, etc	350
Removal of surplus agricultural commodities—value of commodities distributed	326,856
Commodity Credit Corporation—value of commodities donated	505,000
Department of Commerce:	
Civil Aeronautics Administration: Federal airport program—regular grants	591,757
Bureau of Public Roads—highway construction — regular grants	1,618,993
Department of the Interior:	
Federal aid, wildlife restoration—regular grants	9,270
Department of Labor:	
Unemployment compensation and employment service administration — regular grants	381,585
Department of Health, Education, and Welfare:	
American Printing House for the Blind—regular grants	$1,363
Vocation rehabilitation—regular grants	240,268
Colleges for agriculture and mechanic arts — regular grants	50,000
Vocational education—regular grants	478,540
Survey and school construction—emergency grants	19,701
Venereal disease control—regular grants	288,814
Tuberculosis control—regular grants	195,123
General health assistance—regular grants	331,634
Mental health activities—regular grants	52,447
Cancer control — regular grants	53,918
Heart disease control—regular grants	35,412
Water pollution control—regular grants	17,800
Hospital construction, survey and planning — regular grants	1,737,928
Old-age assistance — regular grants	1,721,304
Aid to permanent and totally disabled—regular grants	367,384
Aid to dependent children—regular grants	1,393,852
Aid to the blind — regular grants	43,384
Maternal and child health services—regular grants	372,083
Services for crippled children—regular grants	315,329
Child welfare services—regular grants	226,028
Other:	
Public Housing Administration, Federal annual contributions—regular grants	289,282
Payments to States under Federal Power Act—shared revenues	13
Veterans' Administration, supervision of on-the-job training—regular grants	7,997
Total, direct grants	15,478,167

Source: Annual report of the Secretary of the Treasury.

TABLE II.—*Federal-aid payments to individuals, etc., in Puerto Rico other than direct grants and loans, 1952*

Agricultural conservation program	$980,435
Sugar Act program	17,127,255
National Guard—Army	1,351,914
National Guard—Air Force	399,090
National Cancer Institute research grants	11,286
National Institutes of Health general research grants	18,165
National Heart Institute research grants	14,148
National Neurological Diseases and Blindness Institute research grants	11,124
National Microbiology Institute research grants	3,000
National Cancer Institute teaching grants	25,000
Automobiles for disabled veterans	1,600
Veterans' Administration readjustment benefits and vocational rehabilitation	12,513,227
Total payments to individuals, etc	32,456,244

Source: Annual Report of the Secretary of the Treasury.

TABLE III.—*Paid civilian employees, Puerto Rico, June 30, 1953*

Department or agency	Puerto Ricans	Other	Total
Treasury	326	34	360
Defense	4,902	361	5,263
Justice	27	67	94
Post Office	816	0	816
Interior	209	5	214
Agriculture	517	45	562
Commerce	53	79	132
Health, Education, and Welfare	99	21	120
Housing and Home finance Agency	75	17	92
Selective Service	163	0	163
Veterans' Administration	612	36	648
All other	50	27	77
Grand total	7,849	692	8,541

Source: Civil Service Commission.

Transfer of Extension Work in the Bureau of Indian Affairs

EXTENSION OF REMARKS
OF
HON. WESLEY A. D'EWART
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 4, 1954

Mr. D'EWART. Mr. Speaker, I have had prepared and have introduced in the House today a bill providing for the transfer of extension work in the Bureau of Indian Affairs to the Department of Agriculture and the States.

The bill provides for the transfer of funds and authority from the Indian Bureau to the States through the Department of Agriculture to expand their present extension program to include extension assistance to Indians. The Federal funds previously available to the Indian Bureau for carrying on this work will now be made available to the States.

Indians are citizens of the States in which they live and should in their own interest be obtaining the technical assistance they need in agriculture and home economics through the same channels as all other citizens. This transfer of activities will not mean less service to the Indians, but will really mean more service, as it will make available to them the assistance of the technicians of the Montana State Extension Service and Experiment Station. It will also bring the Indians and non-Indians into closer working relationships with each other and make for a better understanding of community problems of mutual interest to both. To continue a special extension service in the Indian Bureau for Indians only tends to keep them segregated and encourages them to look to the Federal Government for all services, instead of the agencies through which other citizens receive their services.

I have had a number of complaints that the extension experts of the Indian Service are giving advice and indeed instructions requiring practices almost diametrically opposed from those of the State extension people.

If there are such conflicts, I feel that they should be resolved, and I believe this bill will accomplish that purpose.

The State college with its technically trained research and extension staffs,

who are studying constantly the agricultural and economical problems of the State, is in a better position to render extension assistance to the Indian citizens of the State than an independent group of extension workers under the supervision of the Indian Bureau in Washington.

It is the belief that this transfer will prove effective in educating Indians to their responsibility as citizens, and also in helping non-Indians to recognize Indians as citizens through their more frequent contacts with them.

The Indian population of Montana, according to the 1950 United States census, is 16,606, which is being served by 13 extension employees of the Bureau of Indian Affairs and 4 extension agents employed under a State contract with the Montana State Extension Service.

The combining of these two extension services in Montana, with all of their funds and resources, will provide a strong single State extension service for all people of Montana.

I feel confident that the same situation prevails in other States where large Indian groups are located.

Red China Using Dope to Defeat Democracy

EXTENSION OF REMARKS

OF

HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1954

Mr. McDONOUGH. Mr. Speaker, the Capitol at Washington is the mecca for hundreds of thousands of Americans who travel from all parts of our Nation to Washington each year to see this great edifice which has become the symbol of our representative and democratic form of government.

High atop the dome of our Capitol stands the figure of a woman clad in flowing draperies with her right hand resting upon the hilt of a sheathed sword. This figure is officially known as the Statue of Freedom, and it is especially appropriate as it is symbolic of the devotion to individual freedom which is traditional to all Americans and is the very foundation of our form of government.

Communism is the antithesis of every principle of Americanism which we cherish, and we must be constantly aware of this fact in our efforts to defeat the Communist purpose.

Communism is an active vicious force loose in the world today. It recognizes no territorial boundaries. It denies all religion, all spiritual values, and, therefore, it has no soul, no moral sense, no decency. It considers the individual only a cog in the Communist machine, a part useful only so long as it does the bidding of its Red masters. Human life, as such, has no importance in communism. It is always expendable in the furtherance of cause.

The goal of international communism is not limited expansion of the Soviet Union, not even continued growth of the Communist growth. It is world conquest to place all peoples under the heel of the masters in the Kremlin. Communism knows no compromise. Communism may retreat, but only to await another day when aggression may be more successful.

The ways of communism are devious, stealthy, unscrupulous. The Communist agent acting on orders from the Kremlin is a man without honor, a man who stands ready to commit any crime, any atrocity, at the bidding of his Red masters.

The warfare against communism is not a struggle far removed from the individual American. It is not a war of great nation against nation on the battlefield, a warfare that can be met, force with force. It is a warfare carried on by individual agents moving under Red direction in our own Nation as well as in other free countries where Red infiltration is in progress. It is a propaganda warfare of individual Red agent against individual American to pollute the mind, a warfare where only constant ever alert vigilance by every loyal American in our land can bring ultimate and final victory.

The Communist agent in America is not only after the vital war secrets guarded by the Government. This type of espionage is known to all of us, and the heroic work of congressional committees has brought the spotlight of fearless investigation upon the traitors in Government, and the foreign agents who seek to undermine our national security.

But the Communist agent does not stop here. His job is to undermine the very foundation of our Nation. He is out to spread distrust and dissatisfaction among our people. He is out to foment trouble in every section of our land. He is out to warp the minds of our youth. And his job includes the spreading of vice and crime to demoralize our citizenry.

The Federal Bureau of Investigation, the Central Intelligence Agency, all the intelligence agencies of our armed services, the law-enforcement divisions of every State, county, city, and town, are constantly investigating any suspected Communists and are on guard against the spreading scourge of communism.

But this is not enough. The battle against communism and Communist ideology is being waged within the borders of the United States. It can be won only by a constant, vigorous fight by each American for the democratic ideals of liberty, for the protection of individual freedom of thought and action, and thus against the lies, deceit, and false lures of communism which would destroy all individual liberty everywhere.

The Communist bullet on a battlefield can take the life of an American soldier, but Communist propaganda and infiltration in America is aimed at the destruction of an American's immortal soul.

Even with all we have learned about the Communist foe, Americans are not yet aware of the full danger, the limitless bounds of Communist iniquity, the lengths to which the Red menace will go to rot away the foundation of our Nation and destroy the moral fiber of the American people.

As an example, a recent editorial in the Saturday Evening Post, based on the statement of Commissioner Harry J. Anslinger, of the Federal Bureau of Narcotics, brought to the attention of the Nation the efforts made by the Reds in China to make dope addicts of our boys in Asia. It reports the Red campaign in dope warfare as follows:

RED CHINA EXPORTS OPIUM TO MAKE DOPE ADDICTS OF OUR BOYS IN ASIA

There is one form of Red warfare against the civilized world which the armistice agreement did not suspend or even mention. That is dope warfare.

This form of campaigning, designed to make United Nations soldiers into drug addicts, did not begin with the outbreak of hostilities in Korea. The use of opium derivatives, as an adjunct to aggression and conquest, has been familiar to the Far East for at least 25 years. Before and during the Japanese war on China, hordes of Korean gangsters, in the earlier years enjoying extraterritorial rights as Japanese subjects, and later acting as agents of the Japanese Army, smuggled great quantities of heroin into China. The smuggling of the deadly heroin into China had one major purpose—the demoralization of a people marked for conquest. The dope traffic was designed to bring in revenue.

Ever since the latter part of 1949, when the Communists obtained control of south China, the Burmese and Siamese Governments have been complaining that tons of opium were moving into and through their countries by jungle trails from southwest China. In recent years the Chinese press in Hong Kong has been reporting monotonously and laconically the arrests of dope peddlers and seizures of opium, morphine, and heroin smuggled into the crown colony from Red China.

Meanwhile, the Japanese and Korean police, plus the United States military authorities, have been increasingly busy for 6 years, keeping tabs on opium derivatives smuggled into Japan first, and then into South Korea—from North Korea and northern China directly, and from south China by way of Hong Kong. As long ago as July 10, 1952, Commissioner Harry J. Anslinger, of the Federal Bureau of Narcotics, submitted to the United Nations Commission on Narcotic Drugs a report which the United States Government had received from the Supreme Commander of the Allied Powers in Japan a few months earlier. It dealt with the smuggling of narcotics from North Korea and Communist China into Japan.

According to this report, the first Japanese police seizures of smuggled dope in quantity had been made late in 1947. The stuff was heroin, and the arrests made immediately involved high Communist Party functionaries on Japan's southern island of Kyushu and a party organization in Rashin, North Korea. Then the poison began coming in from all directions. In 1951, 2,208 traffickers in dope were caught in Japan, and of these 377 were Chinese and 269 were North Koreans, all Communists. Mr. Anslinger told

the U. N. Narcotics Commission that, in view of the evidence, it is not slanderous to state that Communist China is at the present time the biggest source of the illicit traffic in narcotic drugs in the world.

That was in 1952. In April of 1953 a much longer and more detailed report was submitted to the U. N. Narcotics Commission, packed with the names of Red Chinese official patrons of the dope trade and of their agents abroad. The commission has shown that the dope was coming down the west coast of Korea in small boats from the Communist Koreans in the north to the Communist guerrillas in southwest Korea. Its ultimate destination was, of course, the U. N. armed forces.

In the Japanese press it is commonly assumed that the smuggling of heroin and other drugs into their country serves a double purpose. It yields funds for the purchase of strategic materials by Communist underground agents, and for the support of the Japanese Communist Party. The second and incidental purpose is the demoralization of the American and other occupation forces in Japan.

Meanwhile addiction is growing in this country, notably among teen-agers, as every newspaper reader is aware; and the commodity involved is usually heroin, the deadliest of opium derivatives and one that has no place in American medical practice and is not, therefore, diverted from the legal manufacture and distribution of narcotics. It comes from abroad. The Federal Narcotics Bureau says that Red China is the major source of supply.

A fuller knowledge of Red China's dope traffic as an instrument of policy ought to help doubting Americans get a clearer understanding of Bolshevik ethics.

Mr. Speaker, the word "dope" is a word that holds a special loathing. It is a synonym for the lowest level of vice, corruption, and crime. And the United States has been shocked in recent years at the unbelievable increase in the dope traffic and aghast at the record of teenage addicts which has been brought to light.

The traffic in narcotics aimed by Communists at our young soldiers abroad is evidence enough of the deadly seriousness of the Red intent.

In his statement on the dope traffic, Commissioner Anslinger also declared that in Red China "the traffic in narcotics is closely related to other organs of the Communist government."

And in April of this year, just a few weeks ago, Commissioner Anslinger announced the seizure in San Francisco of millions of dollars worth of heroin and stated "the source of the heroin was Communist China."

If, as the foregoing indicates, heroin, the drug most widely circulated among our teen-agers, is also coming into America under Communist supervision from Red China, if this is also a part of the Communist campaign to undermine the morale of America and bring ultimate destruction to our Nation, then how can any American anywhere remain complacent to the Communist threat. How can any American fail to realize that there can be no compromise with communism in its self-styled crusade for world conquest.

Salute to Armenians

EXTENSION OF REMARKS
OF
HON. PAUL W. SHAFER
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 4, 1954

Mr. SHAFER. Mr. Speaker, today marks the 36th anniversary of the independence of the Armenian Republic.

The irony of the occasion is that the independence of this brave people was tragically short-lived. On December 2, 1920, slightly more than 2½ years later, Armenia by force of arms became a subject of Soviet Russia, which it remains to this day.

This independence day cannot be celebrated in Armenia, on pain of death. Only secretly and in their hearts can these people recall the freedom they won in battle in 1918 and lost so swiftly. But those of Armenian ancestry in this country and elsewhere in the free world honor the day and the freedom and independence they covet for the land of their origins.

I welcome the privilege of joining in a salute to these brave people. I share the hope that freedom and independence may one day be restored to them. And I offer this reminder that for Americans, too, freedom, to be preserved, must be guarded with eternal vigilance.

Rumania's Independence Day

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 4, 1954

Mr. BYRD. Mr. Speaker, the League of Free Rumanians has just brought to my attention, on the occasion of their national independence day, May 10, the sufferings and slavery of their country under the Soviet yoke.

I feel it proper to pay homage to the enslaved Rumanian nation, to her spirit of resistance and her unshakable faith in the ideals we share. It is appalling that, after a war in which so many young Americans gave their lives, slavery and totalitarian rule, instead of receding, have enlarged their dominion even to the inclusion of nations formerly free. We are now faced with a Communist empire controlling 800 millions of people. There is no longer any doubt today, especially after the recent developments in Asia, that our own future and security are fatally jeopardized by the formidable threat of this immense, expanding tyranny. Consequently, I consider it none too soon to freshly reexamine the problem of the subjugated nations. At this moment of crisis for the United States, it is certain that these peoples, crushed under the oppressive heel of the Russian Communists, will be our natural and active allies. There are no other nations in the world whose fate is more inexorably bound to our own. They will rise again in freedom, or fall deeper in their mire of misery, according to our victory or defeat in the world struggle for liberty.

Among these peoples the Rumanians have brought an eminent contribution throughout their history to the defense of Europe and Christianity. One of their great princes, in the 15th century, Stephen the Great, was called Athleta Christi by Pope Sixtus IV. Rumania, situated as it is on the eastern borders of Europe, bore the brunt of all the barbaric invasions from the East. The Rumanians emerged, after a long period of trials and vicissitudes caused by the invaders, fighting by force of arms for their independence, which was eventually reestablished by the Congress of Berlin in 1878. The existence of a free Rumania as an element of European stability had already been recognized after the war against Russia by the Treaty of Paris in 1856.

We now realize that, by destroying the independence of countries like Rumania, at the end of World War II, the European equilibrium was ipso facto abolished. We now see clearly how right were the American advocates of self-determination and independence in Europe at the conclusion of World War I. Unfortunately, those sound principles have been infringed, the consequence being that, in order to maintain the balance destroyed through the condoned swallowing up by the Soviet Union of 100 million people, we are compelled to keep troops in Europe.

Concerning the case of Rumania, it is perhaps interesting to note some reactions from the Rumanians themselves. I herewith insert the following letter addressed to the Secretary of State by the League of Free Rumanians on March 6, 1954:

MR. SECRETARY: Nine years ago, on the 6th of March 1944, Rumania was victim of the well-known, brutal, and overt Soviet seizure. Thus, immediately after the Yalta Declaration, a Communist puppet government was installed through the Kremlin's Diktat, while the whole of the Rumanian army was fighting on the allied front, being considered at that time as its fourth combat force.

At the Moscow Conference in December 1945, the United States and the United Kingdom, aware of this Soviet-Communist seizure, tried to help restore freedom in Rumania by asking that free and unfettered elections be held. But the elections of November 19, 1946, held under Russian occupation and controlled by its Communist stooge government, proved to be a flagrant denial of democracy. In its official statement of November 26, 1946, the Department of State fully exposed the fraud perpetrated under duress and terror. The satellite and nonrepresentative character of the government imposed in Rumania was, thus, again identified and denounced.

For yet undisclosed reasons, the United States signed in February of 1947 a peace treaty with this same government implicitly confirming its recognition. The only significant provisions of this treaty under the circumstances, namely article III, regarding the securing of human rights in Rumania,

were never carried out by the Moscow-sponsored government. This fact was officially denounced by the United States on the occasion of the repeated rejection of the demand for admission presented by the Bucharest Communist government before the United Nations. (The Department of State has published two volumes—No. 4376 and No. 4376A, released respectively November 1951 and February 1952, presenting abundant evidence which demonstrates the violation of the peace guarantees of human rights in Rumania.)

It is also common knowledge that other provisions of this treaty, viz, article II, regarding the limitation of Rumanian armed forces, have not been respected. Consequently, there is no doubt whatsoever that the de jure position of the present Rumanian government is that of a forcibly imposed, totalitarian government, illegitimate, nonrepresentative, and a violator of international law. A recognition of such a government cannot have any foundation in principle.

The ordeal of the Rumanian people under the ruthless foreign occupation of Soviet communism, their economic exploitation, and their deprivation of elemental human rights and liberties are now a matter of record. On the other hand, through Soviet political and military pressure, Rumania has been transformed against the will of its people into a satellite base for the aggressive schemes of Moscow.

In view of these facts, the further maintenance of the recognition of the Bucharest government appears to be clearly detrimental to the prestige and political interests of the United States. The thesis advocated in certain circles, that the presence of an American legation means encouragement for the enslaved, is, in our view as Rumanians, utterly specious. On the contrary, such a presence with all its correlated humiliations and flagrant impotence performs a single major role—it shows the Rumanian people that the United States considers the Moscow-imposed Communist government as rightful and legitimate. This obvious inference brings increased discouragement and a feeling of total abandonment which are conducive to complete conformity and exhaustion of the moral forces of resistance.

It is for these reasons, sir, that we take the liberty to respectfully ask you to give your consideration to the urgent problem of the withdrawal of recognition. The League of Free Rumanians is expressing the earnest hope of thousands of Rumanian exiles that such a moral and political reparation, represented by the withdrawing of recognition and condemnation of the unlawful, criminal, Soviet-quisling government in Bucharest, would be forthcoming for a suffering and oppressed people, who are deeply and sincerely devoted to the United States and to its noble humane and political ideals.

Yours respectfully,

MIHAIL FARCASANU,
President.

Mr. Speaker, the people of eastern Europe are undoubtedly awaiting with anguish that we reaffirm the Wilsonian principles of national freedom and self-determination. It is only natural that they need something substantial from us in order to sustain their hopes and their will to resist. It is not reasonable to expect that the great reservoir of faith in the United States could be maintained without our responding to its aspirations.

Our propaganda, in order to be effective with regard to the subjugated peoples, must be the expression of a policy which would take into consideration their legitimate desires. The moral and political vacuum which is felt behind our weak propaganda toward the countries within the Soviet orbit cannot inspire and strengthen the vast potential of forces against Soviet domination. We have to give some positive encouragement to these enslaved peoples if we are interested in keeping alive the spark of resistance and revolt, which in the hour of decision could ignite the powder keg within the bastions of our enemy. It is my belief that now is the moment to formulate and take measures for the implementation of a constructive American policy in regard to the subjugated nations of Eastern Europe.

The Pearl Harbor Charge: Honor Walks the Plank

EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1954

Mr. PRICE. Mr. Speaker, the concept of honor has always been fundamental in the code of behavior of our professional military corps.

Therefore it comes as something of a shock when a retired admiral allows honor to walk the plank in order to promote the sale of a book.

The suggestion that President Franklin D. Roosevelt deliberately planned and provoked the attack by the Japanese on Pearl Harbor has been made in a recently published book.

Such a suggestion has been properly branded as outrageous by Owen J. Roberts, a retired associate justice of the Supreme Court of the United States, and chairman of an investigating committee appointed in 1941 to get the facts on the Pearl Harbor attack.

Mr. Roberts, a long-time arch foe of President Roosevelt, with his investigating committee went thoroughly into the question of what happened at Pearl Harbor. He said recently:

> Certainly I was no partisan of Franklin D. Roosevelt, but I think it little less than an outrage to attribute to him a political motive which would involve the possible sacrifice of many American soldiers and sailors.

Certainly it is something of a new low, Mr. Speaker, when a man retired from the honorable profession as an officer in the United States Navy, in order to sell copies of a book, makes such a charge unsupported by evidence.

And certainly Owen J. Roberts is a man of integrity best qualified to assess the validity of such a charge. He did so in an interview with Edward T. Folliard, of the Washington Post and Times-Herald, published on May 2, 1954.

Provide Social-Security Benefits for the Totally and Permanently Disabled

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1954

Mr. BYRD. Mr. Speaker, I am convinced that this Congress can and should improve our social-security system by increasing its benefits and its coverage, and that other suggested improvements should be made. But, to my mind, one of the very striking deficiencies in the administration bill covering these points is the fact that it fails to provide benefits for totally disabled workers. In so doing, it completely ignores one of the major deficiencies of our social-security system.

First of all, let us be sure that we understand very clearly the kind of family situation which calls for this type of protection. Consider the case of a 35-year-old worker who, as a result of an automobile accident, has been completely disabled. If he had been killed, the present law would give benefits to his wife and children until the children reach the age of 18. But because he managed to survive, through the miracles of modern science, his family is entitled to no benefits at all until he reaches the age of 65. Do we honestly intend to allow this kind of discrimination in a system which purports to give the American people a form of social security?

Or take the case of a 55-year-old carpenter who is forced to lay down his tools following a heart attack. He, too, must wait until his 65th birthday—10 long years—before he is entitled to any social-security benefit, and, furthermore, the amount of his benefit at age 65 will be reduced for each year he is not working. Sometimes the right to that benefit is lost altogether because the disabled wage earner cannot work for a period long enough to qualify him for benefits.

The administration's proposal would improve the present law in this respect, at least, by its provision to freeze benefit status at the point of disability. But it fails to provide any disability benefit. How much, I wonder, will it comfort a family victimized by such a tragedy to know that they will receive a benefit 30 years, 20 years, or even 10 years from the time when they most need it? Total disability is a triple threat to family income. First of all—and unlike retirement—it is unpredictable and may strike at any age without warning.

Secondly, the wages upon which the family was living and planning for the future stop almost immediately. And finally, at the time when those wages stop, a large medical bill is probably added to the family budget.

I have been concerned first with the human factors involved because it is my considered opinion that we sometimes lose sight of them in the discussions of social-security benefits for the totally disabled. We have been too prone to meet prejudice with prejudice and argument with argument in verbal jousts which are not without eloquence on both sides, but which lose sight of the basic purpose of any sound social-security system; namely, protection against wage loss caused by commonly shared hazards.

Let us bear in mind, then, that the instances of family tragedy which I have cited are not isolated cases in our country. Statistics tell us that over 2 percent of the civilian population between the ages of 14 and 65 are away from their jobs on a given day because they have been disabled for 7 months or more. Since only 1 such disablement in 20 is work-connected—and thus covered by workmen's compensation—the other 19 people cannot qualify for disability benefits under social security.

Recent studies show that almost 73 percent—or 1,486,000—of the persons with long-term disability had been in the employed labor force immediately before becoming disabled. Of this group, 1,093,000 were men, and 393,000 were women. In the age group 55 to 65, almost 98 percent were working when disability struck. And may I suggest that this last figure points up one of the features which makes a benefit program covering total disability an appropriate extension of our old-age and survivors insurance system. For, in essence, it views total and permanent disability as a form of premature but enforced retirement. In this respect, it faces up to a fact which all of us recognize—namely, that an arbitrary retirement age, such as age 65, disregards the human factor that some of us are forced to retire before that time for physical reasons, while other more fortunate men and women can continue to work well beyond any given age. In effect, therefore, a system providing benefits for those persons forced by ill health to retire prematurely, will reach down to furnish retirement benefits on an individual basis to meet individual need.

But, someone will say, establishing such a program will open up the opportunity for thousands of false claims; it will encourage malingering; and it will destroy individual initiative. First of all, let me remind you that these very familiar charges have been brought against practically every forward-looking piece of social legislation which has been proposed. If we had really believed, in this country, that most of the people most of the time are both lazy and dishonest, we would never have founded our public schools, our farm programs, or our social-security system. It is always possible, of course, to cite a few individual cases which buttress this philosophy of suspicion. As for myself, I am thoroughly convinced that the great majority of Americans are honest, decent, hard-working people who are chiefly concerned with getting and holding a good job so that they can properly support their family. From a strictly hard-headed point of view, does it make sense that any American father would choose to retire from the labor force at existing wages for benefits which average today around $50 per month?

Again, someone else will say that total disability insurance is a good program on paper, but that it opens up the insoluble problem of determining what constitutes disability in a public program. I have heard this argument advanced repeatedly, and I have heard it answered to my own satisfaction. For it simply does not make sense to me that it is possible to determine the extent of disability for our veterans' programs, for our railroad retirement system, for workmen's compensation, for the civil-service retirement system, and for our vocational rehabilitation programs, but not for persons covered by social security.

On this point may I remind you of one further fact. The development of our State vocational rehabilitation programs in the past decade is, to my mind, one of the best arguments for providing benefits for the totally and permanently disabled. First of all, the magnificent advances in methods of rehabilitation which were developed during and after World War II, have made it possible for many people, who would heretofore have been considered hopelessly disabled, to return to new hope and new jobs. In terms of a program for total disability benefits, this means that younger workers, in particular, need not remain permanently on the benefit rolls. They will be entitled to such benefits during the retraining program provided by the rehabilitation services, but can gradually be returned to self-sufficiency.

Secondly, rehabilitation tests serve as a double check on the extent of disability. For if, after all the resources of our agencies of rehabilitation have been used, the decision is that the individual cannot by any means become able to work, then, certainly, we can be reasonably sure that he is entitled to benefits as a totally and permanently disabled worker.

Let us bear in mind that the disabled people who would benefit from such a program are a fair cross section of our population who have become the victims of an unpredictable fate. The Office of Vocational Rehabilitation, in analyzing the situation of some 66,000 persons rehabilitated during the year ending June 30, 1951, found that, of the group, 56 percent were disabled by disease, 30 percent by accidents, and 14 percent by congenital conditions. The greatest single group—30 percent of the total—had lost the use of arms, legs, or back. In practically every instance, according to this report, the financial situation of the families "varied between precarious and disastrous." One in eight was on relief, and 1 in 12 was living on insurance payments, most of which were temporary. Can this Congress in conscience hold that these people are not entitled to disability benefits?

Some people would have us believe that the alternative of public relief through a means-test program is the appropriate way to provide for the family needs arising from the disability. I am convinced that it is not. Most people who have been self-respecting and independent wage earners all their lives wait until the last possible moment before submitting to such a means test, and when they finally must ask for help, they do it as an admission of defeat and surrender. For such people, rehabilitation becomes a psychological task as well as a physical or vocational task. A disability-insurance program would save valuable time and preserve self-respect by meeting the difficult problem at its most critical moment—in the early stages following the occurrence of the disability.

Finally, the argument has been advanced that such a program would be difficult to administer, that it would create a new program and a new bureaucracy in our Government. Now here are the facts. According to most estimates, the number of professional persons who would be added to the old-age and survivors insurance staff to administer the plan would be from 60 to 75. All of these would be physicians, and their work would be primarily to determine medical policy and to consult on medical problems. All medical findings would be in the hands of physicians in private practice—as they are for other public programs. With regard to administrative features, the system would gear directly into the old-age and survivors insurance system. Employers would have no new tax forms to prepare and no new records to keep, since the existing central record system and the regional offices maintained for old-age and survivors insurance could service the new program.

I urge upon the Members of this Congress that our present concern for improving the social-security system must not overlook its improvement in this vital respect. I remind you that the House passed a bill providing such benefits in connection with the 1950 social-security amendments, only to have it deleted by the Senate and in conference. I remind you that the social-security plan adopted in 1935 established social-insurance systems covering wage loss caused by old age or unemployment. Our State workmen's compensation systems furnish protection against occupational disability. The one essential area we have done nothing about is the risk which every worker faces of being totally disabled. Not until we have provided the benefits of social insurance covering this exigency will we have achieved a truly protective system of social security in the United States.

SENATE

WEDNESDAY, MAY 5, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rabbi Albert Plotkin, Temple Emanu-El, Jewish representative to the national chaplains' board of the Civil Air Patrol, Spokane, Wash., offered the following prayer:

O Father, Thou who art the source of all blessings, be with the Senate, its Members and executives, prosper them in their work, help them with faith, inspire them with confidence to do Thy will. Bless those who guide and serve our Nation, and who contribute to its strength through the dedication of what is best in them by a consecration of noble service. Reward them, O Father, with the joy of goodness that we, the people, may grow strong as a righteous and just nation.

Fervently we ask Thy blessings upon our Nation. Guard it, O God, from calamity and suffering, protect us by Thy might that our enemies triumph not over us, but let the spiritual ideals of our Founding Fathers increase from age to age. Give hope to those whom our people have called to service; enlighten them with Thy knowledge and sustain them with faith—our President, our Senators, lawgivers, and executives, and all who are entrusted with our safety and with the guardianship of our rights and liberties. May brotherhood and understanding bind us in holy union, that, through justice and love, our Nation will triumph in all adversity and bless humanity with peace. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 4, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 795. An act for the relief of Jean Hollis Vock; and

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 232) authorizing the printing of additional copies of the hearings of the Senate Committee on Finance on the bill (H. R. 8300) to revise the internal revenue laws of the United States, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Douds;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell Townsite, Wyo., Shoshone reclamation project, Wyoming, to the University of Wyoming;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 7559. An act for the relief of Mrs. Madeline Alice Aquarone; and

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT ON RECONSTRUCTION FINANCE CORPORATION

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Reconstruction Finance Corporation, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

PROPOSED AWARD OF CONCESSION CONTRACT, ROCKY MOUNTAIN NATIONAL PARK, COLO.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed award of a concession contract to provide accommodations, facilities, and services for the public in Rocky Mountain National Park, Colo. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON BACKLOG OF APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission as of March 31, 1954 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the Territory of Hawaii; ordered to lie on the table:

"Joint resolution requesting the Congress of the United States to grant immediate statehood to Hawaii and reaffirming the position of the people of Hawaii on the issue of statehood

"Whereas H. R. 3575 of the 83d Congress of the United States has passed both the House of Representatives and the Senate, and as amended by the Senate is now before the House of Representatives; and

"Whereas the enactment of said bill will enable the people of the Territory of Hawaii to establish a State government and will make Hawaii a State of the United States of America; and

"Whereas the people of Hawaii will accept no less a status than statehood and are unalterably and unequivocally opposed to a commonwealth status or any other political status inferior to statehood; and

"Whereas the people of the Territory of Hawaii have demonstrated their capacity for statehood by their economic stability, political maturity, the development of their social and educational institutions, and their proven loyalty, and are entitled to immediate statehood in accordance with the American tradition of according local autonomy wherever justified: Now, therefore,

"Be it enacted by the Legislature of the Territory of Hawaii:

"SECTION 1. The Congress of the United States is hereby respectfully requested and petitioned to enact H. R. 3575 in the present session of Congress to enable Hawaii to become a State and to admit Hawaii into the Union as a State without any further delay.

"SEC. 2. The legislature does hereby reaffirm and reassert the aspirations and demand of the people of the Territory of Hawaii for immediate admission to the Union as a State and that they are ready and willing and determined to assume and fulfill the full responsibilities and obligations incident to statehood, and further state that the people of the Territory of Hawaii are unalterably and unequivocally opposed to a commonwealth status or any other political status for Hawaii inferior to statehood.

"SEC. 3. Duly certified copies of this joint resolution shall be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives and each Member of the

Senate and House of Representatives of the Congress of the United States, the Secretary of the Interior, the Delegate to Congress from Hawaii, each State governor and the presiding officer of the senate and house of representatives of each State in the United States.

"SEC. 4. This joint resolution shall take effect upon its approval.

"Approved this 27th day of April A. D. 1954.

"SAMUEL WILDER KING,
"Governor of the Territory of Hawaii."

A resolution adopted at a mass meeting of citizens of Allegheny County, Pa., at Pittsburgh, Pa., favoring the enactment of House bills 2446 and 2447, to liberalize the social-security law; to the Committee on Finance.

A resolution adopted by the Los Angeles (Calif.) Parlor 124, Native Daughters of the Golden West, opposing the admission of Red China into the United Nations; to the Committee on Foreign Relations.

A telegram in the nature of a memorial from the Union League Club of Chicago, Ill., signed by Russell L. Peters, president, embodying a resolution adopted by that organization, protesting against the rules of procedure in congressional investigating committees; to the Committee on Rules and Administration.

A resolution adopted by the Los Angeles (Calif.) Parlor No. 124, Native Daughters of the Golden West, protesting against the adoption of the Hayden rider to the equal-rights amendment to the Constitution; ordered to lie on the table.

INDEPENDENCE OF THE ASSOCIATED STATES — RESOLUTION OF MASSACHUSETTS DEPARTMENT OF JEWISH WAR VETERANS

Mr. KENNEDY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted at a convention of the Massachusetts Department of the Jewish War Veterans on April 1, 1954, relating to the independence of the Associated States.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas events amply demonstrate that a loss to the free world of Indochina would be a catastrophic blow to the democratic nations, and would result in the facilitation of despotic communistic expansion; but

Whereas the pouring of money, material, and men into the jungles of Indochina without at least a remote prospect of victory would be dangerously futile and self-destructive; and

Whereas despite a series of optimistic reports about eventual victory, such victory today appears to be desperately remote, in that no amount of American military assistance in China can conquer an enemy which is everywhere and at the same time nowhere, unless we have the sympathy and support of the people of Indochina; and

Whereas the difficulties in the military situation which would result from a French withdrawal would not be greatly different from the difficulties which would prevail after the intervention of American troops without the support of the Indochinese or the other nations of Asia; and

Whereas the battle against communism should be a battle not for the economic or political gain but for the security of the free world and for those values which are held dear in France and throughout the non-Communist world as well as in the United States; and

Whereas a victorious fight can be maintained by the French with the support of this Nation, many other nations, and the support of the Vietnamese and other peoples of the Associated States once it is recognized that the defense of southeast Asia and the repelling of Communists are the objectives of such a struggle, and not the maintenance of political relationships founded upon ancient colonialism: in which such struggle the United States and other nations may be properly called upon to play their fullest part: Therefore be it

Resolved, That it is the unanimous desire of this convention, if the French persist in their refusal to grant substantially the independence and freedom desired by the peoples of the Associated States and if these people and the other peoples of Asia remain aloof from the conflict, then the Secretary of State, before pledging our assistance at Geneva, recognize the futility of channeling American machines and men into that struggle, and that a copy of this resolution be forwarded to our national headquarters for its consideration and expression to the President of the United States and the Secretary of State, and since the next national convention will take place after the scheduled Geneva Conference it is further recommended that appropriate emergency action be taken by the national commander and the national policy committee for timely representation.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDRICKSON:

S. 3402. A bill for the relief of Macit Cigdemoglu; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 3403. A bill for the relief of Rosina Livia Ferrante; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 3404. A bill for the relief of Anni Jacobsen; and

S. 3405. A bill for the relief of Marjorie Ann Whitney; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (for himself, Mr. NEELY, Mr. HUMPHREY, Mr. CHAVEZ, Mr. LEHMAN, Mr. HUNT, Mr. KEFAUVER, Mr. PASTORE, Mr. MCCARRAN, Mr. JACKSON, Mr. MAGNUSON, Mr. MURRAY, Mr. HENNINGS, Mr. SMATHERS, Mr. KILGORE, and Mr. DOUGLAS):

S. 3406. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT NO. 87 ENTITLED "REVIEW OF THE UNITED NATIONS CHARTER—A COLLECTION OF DOCUMENTS"

Mr. WILEY. Mr. President, I submit a concurrent resolution authorizing the Committee on Foreign Relations to have printed for its own use 1,000 additional copies of Senate Document No. 87 of this session, and ask that the concurrent resolution be appropriately referred.

Senate Document No. 87, entitled "Review of the United Nations Charter," is a collection of documents bearing on this question. It was assembled by the staff of the committee with the help of the Library of Congress. It has become a basic reference volume for those studying possible changes in the United Nations Charter. The demand has been very heavy for this collection. The committee's original supply of 1,000 is almost entirely exhausted and I understand that both document rooms are completely out.

In view of the continuing requests received by the committee, and in view of the fact that the Subcommittee on the United Nations Charter, for which the volume was prepared, has another 9 months remaining for its study of the United Nations Charter, I urge that the printing of additional copies be speedily approved.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 80), submitted by Mr. WILEY, was received and referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations 1,000 additional copies of Senate Document No. 87, 83d Congress, 2d session, Review of the United Nations Charter—A Collection of Documents.

REVISION OF INTERNAL REVENUE LAWS OF THE UNITED STATES—AMENDMENT

Mr. MAGNUSON submitted an amendment intended to be proposed by him to the bill (H. R. 8300) to revise the internal revenue laws of the United States, which was referred to the Committee on Finance, and ordered to be printed.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT, 1947—AMENDMENTS

Mr. IVES. Mr. President, I send to the desk an amendment which may be offered by me to the bill (S. 2650) to amend the Labor-Management Relations Act, 1947, and for other purposes. The amendment would empower the National Labor Relations Board, in its discretion, to cede jurisdiction over labor disputes and matters of representation, which it might otherwise process, to any State or Territory or appropriate agency of such State or Territory. This provision would be a substitute for the inflexible proviso contained in section 10 (a) of title I of the Labor-Management Relations Act, 1947, which permits the National Labor Relations Board to cede jurisdiction to the several States and Territories only when the applicable provision of the State law is consistent with the corresponding provision of the Federal Act.

As I stated yesterday, this amendment would go a long way toward clarifying the State-Federal relationship with respect to labor disputes, as the National

Labor Relations Board could again return to the States jurisdiction in labor-management relations over industries which are essentially local in nature.

I ask unanimous consent that the amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received and printed, and will lie on the table.

Mr. KENNEDY. Mr. President, on behalf of myself and the Senator from Illinois [Mr. DOUGLAS], I submit amendments intended to be proposed by us jointly to the bill (S. 2650) to amend the Labor-Management Relations Act of 1947 and for other purposes. The amendment provides an alternative approach to the problem of Federal-State jurisdiction in labor relations than that contained in the bill reported by the majority and the amendments submitted by the Senator from Arizona [Mr. GOLDWATER]. This amendment, by repealing section 14 (b) of the Taft-Hartley law and amending section 8 to make it clear that congressional policy on union security contracts shall apply equally in all States, permits each State to be on an equal footing with all others, and permits the pertinent collective bargaining agreements of labor and management in interstate commerce to be free from the multiple and conflicting restraints of many States in addition to those imposed by the Federal Government.

I ask unanimous consent that the amendment be printed and lie on the table, and that it be printed in the body of the RECORD following these remarks.

The VICE PRESIDENT. The amendments will be received and printed, and will lie on the table, and, without objection, the amendments will be printed in the RECORD.

The amendments submitted by Mr. KENNEDY (for himself and Mr. DOUGLAS) are as follows:

On page 12, between lines 24 and 25, insert a new section, as follows:

"SEC. 4. The first proviso in section 8 (a) (3) of such act is amended by inserting after the words 'United States' the words 'or of any State or Territory'."

On page 14, beginning with line 13, strike out down through the word "section" in line 15, and insert in lieu thereof the following:

"(e) It shall not be unlawful or an unfair labor practice under this act or any other statute of the United States or of any State or Territory."

On page 18, strike out lines 4 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 16. Section 14 (b) of such act is repealed."

Renumber sections 4 to 23, inclusive, as sections 5 to 24, respectively.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred to the Committee on the Judiciary:

H. R. 795. An act for the relief of Jean Hollis Vock; and

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest.

NOTICES OF HEARINGS ON PROPOSED AMENDMENTS TO THE CONSTITUTION

Mr. LANGER. Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, May 13, 1954, at 10:30 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 30, a joint resolution proposing an amendment to the Constitution relating to appropriations. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, May 13, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 61, a joint resolution proposing an amendment to the Constitution relating to the taxation and borrowing powers of the Congress. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, May 13, 1954, at 11 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 87, a joint resolution recognizing the authority and law of Jesus Christ. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, May 20, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 136, a joint resolution empowering Congress to grant representation in the House of Representatives and in the electoral college to the District of Columbia. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, May 14, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 150, a joint resolution providing for the filling of temporary vacancies in the House of Representatives by appointment and providing for a term of 4 years for Members of the House of Representatives. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

NOTICE OF HEARING ON NOMINATION OF JOSEPH MAY SWING, TO BE COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, May 12, 1954, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization, vice Argyle R. Mackey. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER].

NOTICES OF HEARINGS ON NOMINATIONS OF UNITED STATES DISTRICT JUDGES

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, May 12, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Missouri [Mr. HENNINGS]:

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia, vice Abraham Benjamin Conger, deceased.

John R. Ross, of Nevada, to be United States district judge for the district of Nevada, to fill a new position.

Waldo H. Rogers, of New Mexico, to be United States district judge for the district of New Mexico, to fill a new position.

Mr. President, on behalf of the committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, May 12, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place

all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER]:

Francis L. Van Dusen, of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania, vice Guy K. Bard, resigned.

John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania, vice William A. Stewart, deceased.

John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania, vice James P. McGranery, resigned.

INDEFINITE POSTPONEMENT OF HEARINGS ON S. 3021, RELATING TO TERMINAL PLACEMENT OF RAILROAD CARS WITHOUT SEPARATE CHARGE THEREFOR

Mr. SCHOEPPEL. Mr. President, as chairman of the Subcommittee on Surface Transportation of the Senate Committee on Interstate and Foreign Commerce, I desire to give notice that the hearings on the bill (S. 3021) to amend the Interstate Commerce Act in order to authorize the terminal placement of railroad cars without separate charge therefor in certain cases, scheduled for May 7, 1954, have been indefinitely postponed.

JUNE, DAIRY MONTH — LETTER FROM PRESIDENT EISENHOWER

Mr. WILEY. Mr. President, next month will mark the annual celebration of June, Dairy Month. Never before has the observance of this month been more important to the welfare of American dairying and of our country as a whole.

Now in its 18th year, June, Dairy Month will be confronted this year by the greatest single challenge of that entire period. It is a challenge so to focus the attention of the Nation on the nutritional value of dairy products, on the importance of dairying to our economy, to our soil, and the importance of dairying to the bodies of both young and old, as greatly to increase dairy product consumption.

The national sponsors for June, Dairy Month are: The American Butter Institute, American Dairy Association, American Dry Milk Institute, Dairy Association Executives, Dairy Industries Supply Association, Evaporated Milk Association, International Association of Ice Cream Manufacturers, Milk Industry Foundation, National Cheese Institute, National Creameries Association, National Dairy Council, National Milk Producers Federation, and the Purebred Dairy Cattle Association.

The sound official theme for 1954 is "Dairy Foods for Taste, Health, Economy."

I send to the desk the text of a letter sent by President Dwight D. Eisenhower to Mr. Daniel L. Dent, chairman of the National Sponsor Committee of June, Dairy Month, of the National Dairy Council. The council, I should like to point out, is a nonprofit organization, which since 1915 has been devoted to nutritional research and education in the use of dairy products.

I ask unanimous consent that the text of our Chief Executive's splendid letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, April 9, 1954.

Mr. DANIEL M. DENT,
Chairman, National Sponsor Committee of June Dairy Month, Care of National Dairy Council, Chicago, Ill.

DEAR MR. DENT: Every American has a vital interest in the maintenance of a thriving, productive dairy industry. I am, therefore, very happy, through this message, to participate in the observance of June Dairy Month.

One year ago, in connection with this annual observance, I remarked on your industry's urgent need to find larger markets. Today, as I prepare this message, that urgency still exists. But during the past year we have made real progress toward a sound, workable farm program and toward the constructive use of excess supplies of farm produce. And I am firm in my confidence that the need for finding larger markets for our dairy products will be met successfully.

The future, with its promise of a greatly increased population, promises also a greatly increased demand for dairy products—a demand greater, in fact, than could very well be met by today's production. Added to that prospect is the likelihood that the long-time trend toward proportionately increased consumption of fluid milk will continue, thus adding significantly to the industry's income.

The more immediate future holds a similarly encouraging promise—a promise whose achievement depends on the vigorous cooperation of industry and government. This cooperative action should be based on the logical theory that we must devise and effectuate the means of moving greater amounts of dairy products not into storage, but onto the dinner table. The dairy industry deserves such an approach to its problems.

To move greater amounts of dairy products into consumption, we need a program of promotion designed to make the consumer increasingly aware of the importance of these products to a well-rounded diet. We need also certain merchandising programs that would help regain for these products their proper position in the American diet.

To such a program—which at this moment is being worked out by your industry in cooperation with the Department of Agriculture—the members of your industry will, I know, lend their support and their energy. With such cooperation in so sound a venture, the dairy industry will overcome the problems which it now faces. And because this approach attacks the basic aspects of the problems, the victory will be lasting and meaningful. It will make it possible for a prosperous and healthy dairy industry more profitably to play its vital role in the life of a better, stronger America.

Sincerely,

DWIGHT D. EISENHOWER.

ASSISTANCE TO THE STATES' PROGRAMS OF WILDLIFE AND RELATED CONSERVATION—LETTER FROM THE WISCONSIN CONSERVATION CONGRESS

Mr. WILEY. Mr. President, I have previously commented in the Senate on the importance of legislation to assist the States in carrying out programs for wildlife and related conservation activities, by distributing funds available for that purpose. I was pleased, therefore, to receive from Mr. John R. Lynch, chairman of the Wisconsin Conservation Congress, a letter endorsing a bill to this effect, introduced by Representative HOMER ANGELL, of Oregon. I ask unanimous consent that the text of Mr. Lynch's letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE CONSERVATION COUNCIL,
WISCONSIN CONSERVATION CONGRESS,
Gordon, Wis., April 28, 1954.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: The executive council of the Wisconsin Conservation Congress at its regular meeting on April 10 and 11, 1954, at Stevens Point, Wis., discussed very thoroughly House bill 7764, authored by HOMER ANGELL, Congressman from Oregon.

This bill sets forth the distribution of the unexpended balance in the wildlife restoration act on the basis of 20 percent each year for 5 years, for the purpose of assisting States in carrying out programs which will benefit wildlife and all of its related activities, within all of the States of the Nation for the benefit of all the people.

The executive council instructed me as chairman of the Wisconsin Conservation Congress to write to you to urge that every attempt be made to bring this bill out of the Merchant Marine Committee for hearing and consideration by the House.

For your information the Wisconsin Conservation Congress is comprised of citizen committees from each of the 71 counties of the State of Wisconsin, who act as an advisory group to the Wisconsin Conservation Commission on matters pertaining to all phases of conservation and more specifically fish and game regulations. These citizens are vitally interested in the utilization of moneys for conservation programs which affect the State as a whole and the Nation in general. Therefore, we respectfully urge that you do everything you can to obtain favorable consideration of bill H. R. 7764 as it now stands.

We, of the Wisconsin Conservation Congress, wish to thank you for any consideration that you may be able to give us on this matter.

Respectfully yours,

JOHN R. LYNCH, *Chairman.*

INTERSTATE SHIPMENT OF FIREWORKS

Mr. CASE. Mr. President, during the call of the calendar yesterday, I was absent from the Chamber for a short period. I notice that during that time there was called House bill 116, a bill to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited. Objection was made to its consideration, and the distinguished Senator from New Jersey [Mr. HENDRICKSON], in response to a request, gave the names of the Senators who, according to the records of the calendar committee, had indicated that they were opposed to the bill. I was listed, among several other Senators, as being opposed to the consideration of the bill.

That is an erroneous report of my position. In the first session of this Congress this bill, or a similar bill, was

reported. At that time I raised some question to it, and did object to its consideration, because I understood that it had not been considered by the committee, but had been reported without hearings. Certain constituents had desired to be heard on the bill. I told them I would object to it until an opportunity was given them to be heard.

However, at the conclusion of the session, after they had had an opportunity to be heard, and before the bill was reported in this session, I indicated that I would not object further to the bill. I have written several persons to that effect. I therefore make this statement in order that the RECORD may clearly show that I am not objecting to the consideration of the bill. On the contrary, I think the bill should be considered and passed.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. HENDRICKSON. The junior Senator from New Jersey wishes to express the apologies of himself and of the calendar committee to the distinguished Senator from South Dakota. Unfortunately, this error came about as a result of the records of the staff of the calendar committee. It is our practice, when an objection is entered, not to remove that objection from our records until we are requested so to do. The names of Senators who were mentioned as opposing the bill were taken directly from the records of the counsel for the calendar committee. This is an unfortunate mistake, but mistakes will happen in the best regulated families.

Mr. CASE. The error was perhaps my own, in not conferring with the calendar committee sometime during this year to indicate that I no longer had any objection.

Mr. HENDRICKSON. We consistently try to protect Senators when they enter objections. I suppose the practice should be—and perhaps I shall recommend such a practice—that whether the calendar committee or some other Senator objects, there should be an authorization in writing, and the cancellation of the objection should be in writing.

Mr. CASE. In any event, I do not wish my remarks to be construed as any criticism of the calendar committee. They perform a very useful service—almost a thankless service, one might sometimes think, because of the time they are required to be in the Chamber and work on bills. They perform a very useful service in protecting Senators when they wish to register an objection.

I make this statement in order that my own record may be clear and not as a criticism of the calendar committee.

Mr. HENDRICKSON. The junior Senator from New Jersey quite understands the Senator from South Dakota, and commends him for his care. I am sorry the error occurred.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 1 minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. DIRKSEN. A subcommittee of the Judiciary Committee, and also the full Judiciary Committee, have considered a bill relating to the interstate shipment of fireworks. I now invite the attention of Senators to the fact that about 60 days hence, in every village, hamlet, and city in the country, we shall be observing the anniversary of our independence. There will be rather edifying displays and spectacles which will be monitored. They will be on the safe side. In addition, there will be sundry million individual observances by young and old, rich and poor, including children. While we shall be edified in some areas by fine spectacles, there will be some children, and perhaps some grownups, who will lose their eyesight as a result of the use of fireworks. Fingers will be blown off, and there will be bruises, burns, and lacerations.

In view of the interest which has been manifested by many States of the Union in this subject, I sincerely hope that the bill now on the Senate Calendar will receive early consideration before we get around to that spectacle, and to all the damage and injury which may ensue as a result of using fireworks which are certainly unsafe for the youngsters of the country.

REQUEST FOR INFORMATION FROM HOUSING AND HOME FINANCE AGENCY REGARDING LOANS

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated May 3, 1954, which I have written to Hon. Albert M. Cole, Administrator, Housing and Home Finance Agency, requesting certain information regarding loans.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 3, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: Your reports indicate there are some 6,531 projects for which the Federal Housing Administration insured loans totaling $3,238,055,006 under the housing program authorized in section 608 of the National Housing Act.

The Joint Committee on Reduction of Nonessential Federal Expenditures has certain information on more than 1,800 of these projects. This information indicates that, of the 1,800, FHA insured loans on more than 700, or approximately 38 percent, for amounts in excess of the combined land and construction figures.

I submit in justice to all American taxpayers whose credit is obligated by this insurance, to conscientious builders who did not engage in such unconscionable profiteering, to those who are paying rents based on windfall loans, and to the honest employees of your Agency, you should immediately make public:

1. The names of those who received loans in excess of costs;
2. How and why such loans were approved and insured; and
3. Who was responsible.

I submit further that you should examine all loans and commitments under all programs under all units within your Agency and make public in similar manner all irregularities you find.

I suggest that you consider, as a matter of policy, full disclosure on public records all pertinent information relative to all projects, not classified under military security requirements, which are financed by public funds or insured by the Federal Government committing the public credit.

Very truly yours,

HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures.

Mr. BYRD. Mr. President, I make this demand to Mr. Cole for prompt disclosure of those who have profiteered by receiving guaranteed loans, far in excess of project costs, which have been insured by public credit. This information should be made public in fairness and justice to conscientious builders, those paying inflated rents based on profiteer loans, and the taxpayers of the United States whose credit has been committed.

I have called upon Mr. Cole for this information before, and I earnestly submit that it should not be longer delayed, as millions of dollars in loans guaranteed by the Government are involved.

J. EDGAR HOOVER

Mr. McCARRAN. Mr. President, in more than 50 years of public life, including more than 20 years in the Senate of the United States, I have had occasion to comment upon many subjects. No occasion which has moved me to rise and speak has given me more pleasure than the subject upon which I wish to address the Senate briefly today.

On May 10, 1954, J. Edgar Hoover will complete 30 years of service as the Director of the Federal Bureau of Investigation. I want to take this occasion to put upon the records of the Senate of the United States my high regard for this extraordinary public servant, my gratitude for the years he has devoted to furthering the welfare and the security of his country, and my thankfulness for the fact that he is still at his post, with every prospect of remaining there for many years to come. If there is an irreplaceable man in Government today, it is J. Edgar Hoover. Some day, I know, the time will come, as it must come with respect to any man, when the post this great American now fills will be filled by another. But J. Edgar Hoover's successor, whoever he may be, will never replace J. Edgar Hoover either in the discharge of the duties of the office he now holds, or in the hearts of the people of America. Substitutes for mediocrity are abundant; but there is no substitute for greatness; and J. Edgar Hoover is a great American.

On many occasions my work in the Senate has brought me close to the work Mr. Hoover was doing through the FBI, and I think I may claim to have come to have a very special insight into his problems and his way of dealing with them, which is one of the facets of his character. His achievements, of course, are blazoned on the public record as one of the finest chapters of American public service. I propose to speak, therefore, from my own experience and knowledge of J. Edgar Hoover, and from the open record of his personal life and his career.

What I propose to do is something the FBI never does—evaluate the evidence. I have spent a good portion of my life in tasks that called for the evaluation of

evidence; but never have I taken more pleasure in the evaluation of evidence and the presentation of my conclusions than I take now, in the case of J. Edgar Hoover.

Looking back upon the history of the past 20 years, and placing J. Edgar Hoover's contribution to that history in what seems to me a reasonably true perspective, I am constrained to evaluate him on the very topmost level with that handful of men of our time who, in their respective fields, have advanced and strengthened Western civilization.

What J. Edgar Hoover has proved to the free world more effectively than it has ever been proved before has become one of its indispensably basic principles; for he has proved that in time of utmost national peril a democratic republic can protect itself internally from crime and subversion, from treachery and from sabotage, without at any time endangering or infringing upon constitutional principles and traditions. J. Edgar Hoover has proved not only that this can be done, but that the highest standards of precision efficiency can be rigidly maintained at the same time. He has also proved that a job of almost total effectiveness could be accomplished without any of the police-state methods so much in vogue in other countries of the world: without the third degree, without modern will-weakening drugs, and without "brain washing," as we understand them to be.

J. Edgar Hoover has demonstrated that a free people can protect itself without adopting the inhuman techniques of the slave governments. He has done this without impairing in any way the revered American principle of equal justice under law. This, in sum, has been J. Edgar Hoover's outstanding service to the American people.

It is a service to mankind.

It is a service to our age.

It is a service to posterity.

In my judgment, in the struggle between the slave and the free worlds, this is the rock upon which the Kremlin may yet stumble to its fall. For in a police state the police is the state. If history has proved anything, it is that states which derive their power from a police despotism cannot stand. In the overwhelming battle for men's minds in which we are now engaged, this fact becomes of increasing importance. The inspiration of J. Edgar Hoover's performance with the Federal Bureau of Investigation runs more brilliantly, more dramatically, and more effectively against the dreadful current of totalitarian evil than a thousand libraries and 10 million books. He has established the fact, for all the world to see, that in spite of all the constrictions, the inhibitions, and the limitations, which democratic government imposes upon those who would enforce the laws, the work of law enforcement can yet be spectacularly successful.

Looking at it in this light, it seems to me that J. Edgar Hoover has, within the extremely delicate and strategic area of his operations, done more to preserve the Bill of Rights, the dignity of the individual, and the inviolability of the persons and property of our citizens under law than any other American of his time. He began with these principles when he was asked to take the job 30 years ago by Attorney General Harlan Fiske Stone—afterward Chief Justice of the United States Supreme Court—and he has held to these principles, down through the years, even to the present hour. Those who know him, like those who know his record, can be sure he will hold to these principles as long as he lives. If ever a Government official has devoutly obeyed his oath of office, and has securely kept the faith entrusted to him, it is J. Edgar Hoover.

The irony of J. Edgar Hoover's enormous contribution to the enduring freedoms embedded in our Constitution is that the sporadic criticisms which have assailed him focus largely upon complaints upon these very points where he has deserved the most praise.

One of the things that makes J. Edgar Hoover stand out so eminently is that he has never been swept away from the basic precepts of the Constitution of the United States by any climate of opinion, or by any forces of propaganda or of pressures.

The literature against nazism and the even greater literature against communism undoubtedly has done good work in the world's fight for freedom. But none of it compares in effect—nor would it, if multiplied a thousandfold—to the exposures, the damning real life evidence, that J. Edgar Hoover and the FBI have produced from day to day, to show the world how nefarious are the institutions of totalitarianism. From J. Edgar Hoover's work, books have been written, and a vast body of newspaper and magazine literature has been created the world over. The record of this work, thus disseminated, has, in my judgment, proved to be the greatest single propaganda weapon of all in the contest for a free world. And yet this was and is only a byproduct of J. Edgar Hoover's service to his nation and to mankind.

There are so many byproducts of J. Edgar Hoover's 30 years of achievement, that I shall not try to name them all. J. Edgar Hoover lifted the public image of a law enforcement officer to a position of respect and regard in the community never before attained. The whole world knows about the graduates of the FBI academy. The FBI's scientific crime laboratory is internationally noted, as much for protecting and freeing the innocent, as for pointing the finger of accusation at the guilty. The uniform crime reports compiled by the FBI are the fundamental arithmetic of crime in the United States, and the statistical basis upon which local and Federal legislative action may be predicated. The rackets, the gang crime of the 1920's, met their master in this Government official. The crime problems of the depression were confronted with similar skill.

Early in 1939 J. Edgar Hoover saw the FBI, by Presidential order, become the clearing house and coordinating agency for all matters bearing on our internal security. This produced perhaps the crowning achievement of his career, for it enabled him to employ to the full the magnificent organization he had built up since 1924. More than 2,300 industrial plants were surveyed to render them safe from saboteurs for the protection of war material. Again and again, spies were either caught in the FBI net, or by skillful management were made harmless to us. Often they became useful to our own operations, and completely confusing to the enemy. It is ancient history now that the FBI made more than 16,000 arrests within a matter of hours after Pearl Harbor, and that more than 1,700 dangerous enemy aliens were taken into custody the day after the enemy struck.

Yet when J. Edgar Hoover reported before an Appropriations Committee in December 1939 that he had been compiling a list of potentially dangerous individuals, the same hue and cry went up that we occasionally hear today about kindred FBI preparations against catastrophe. The result of that 1939 list and those 1941 arrests was that we had no enemy-directed acts of sabotage in this country in World War II—none at all. What insignificant and sporadic sabotage we did have was committed by the disgruntled, by pranksters, and by the mentally unbalanced. Yet our country was studded with targets for sabotage, of dimensions and in an abundance unparalleled in our history. The lives that J. Edgar Hoover's industry and foresight saved, the property of strategic war value that he protected, are beyond estimate.

By the very nature of its function, sometimes by Executive order from the President of the United States, or by orders from the Attorney General of the United States, or as a part of duties legislatively imposed, the Federal Bureau of Investigation is required to compile dossiers on many of our citizens. I venture the expression without fear of contradiction that no honest citizen of the United States has ever been injured in his reputation or his honor by information released by the Federal Bureau of Investigation from any of its files. That is another measure of the outstanding achievement of J. Edgar Hoover.

Mr. President, before I close, I desire to say something which needs to be said, and I hope I will not be misunderstood. I have already expressed my view that J. Edgar Hoover is an irreplaceable man, if there is such a man in Government today. I think the people of America will agree with me on that. Because that is the way we feel about J. Edgar Hoover, there is a clamp of fear about our hearts when we think about the prospect that J. Edgar Hoover will some day leave the service of the Government of the United States. We pray that day may be far away; yet we know in our hearts it will be closer tomorrow than it is today, and it is a chilling thought. I wish to say, by way of reassurance, that J. Edgar Hoover has been too good an executive, over too long a period, to have created a one-man organization. I firmly believe that so far as this generation is concerned, the FBI is safe, as the reliable institution J. Edgar Hoover has made it, even should he determine to retire, provided only that this organization is not disturbed, is not uprooted and torn apart for partisan political purposes, or for any other purposes. I do not believe that is likely to happen, for

I do not believe the people of America would permit it. And if the organization J. Edgar Hoover has built is permitted to carry on his work, we shall have nothing to fear; for the men J. Edgar Hoover has trained bear the imprint of his integrity. He selected his top executives with unerring insight into character, and they work and breathe the spirit of devotion to our country and to service which he has instilled into them over the years. They are, as I well know, fiercely loyal to him, and loyalty begets loyalty. No man can be loyal to J. Edgar Hoover who is not at the same time, and in the same way, loyal to his country. J. Edgar Hoover has no "alter ego" within the FBI; he has not sought to create one. He has no "heir apparent." But he has an organization so thoroughly impressed and imbued with his spirit, his ideals, and his standards, that it can be trusted to preserve the tradition which under his guidance it has established. America need never fear that the FBI will crumble or degenerate from within; we need only be concerned with protecting it against attacks from without.

These are the accomplishments of J. Edgar Hoover, one of the greatest living Americans.

Mr. THYE. Mr. President, I desire to commend the Senator from Nevada for bringing to the attention of the Senate and of the people of the United States the splendid record of the FBI and of J. Edgar Hoover. If ever a nation and its people could rightfully say they are grateful to any man, they can say they are grateful to J. Edgar Hoover for that which he has created in the FBI for the safety of this Nation and its people.

I again commend the Senator from Nevada, and, if it is possible, I should like to associate myself with his statement.

Mr. McCARRAN. I thank the Senator from Minnesota.

CALL OF THE ROLL

Mr. THYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Flanders	Lehman
Anderson	Frear	Long
Barrett	Fulbright	Magnuson
Beall	George	Malone
Bennett	Gillette	Mansfield
Bowring	Goldwater	Martin
Bricker	Gore	McCarran
Bridges	Green	McCarthy
Burke	Hayden	McClellan
Bush	Hendrickson	Millikin
Butler, Md.	Hennings	Monroney
Byrd	Hoey	Morse
Carlson	Holland	Mundt
Case	Hunt	Murray
Chavez	Ives	Pastore
Clements	Jackson	Payne
Cooper	Johnson, Colo.	Potter
Cordon	Johnson, Tex.	Purtell
Dirksen	Johnston, S. C.	Robertson
Douglas	Kennedy	Russell
Duff	Kerr	Saltonstall
Dworshak	Kilgore	Schoeppel
Ellender	Knowland	Smathers
Ferguson	Langer	Smith, Maine
Smith, N. J.	Upton	Williams
Stennis	Watkins	Young
Symington	Welker	
Thye	Wiley	

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Indiana [Mr. CAPEHART], the Senator from Indiana [Mr. JENNER], and the Senator from California [Mr. KUCHEL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senators from Alabama [Mr. HILL and Mr. SPARKMAN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from West Virgina [Mr. NEELY] are absent on official business.

The Senator from South Carolina [Mr. MAYBANK] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

PRINTING OF ADDITIONAL COPIES OF SENATE COMMITTEE ON FINANCE HEARINGS ON H. R. 8300, TO REVISE THE INTERNAL REVENUE LAWS

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 232, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the hearings on H. R. 8300 (Internal Revenue Code of 1954) held by the Senate Committee on Finance for the use of the Committee on Ways and Means.

Mr. CARLSON. I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

There being no objection, the concurrent resolution was considered and agreed to.

COMPENSATION OF CERTAIN PERSONS FOR LANDS DAMAGED BY FLUCTUATIONS IN WATER LEVEL OF LAKE OF THE WOODS, MINN.

The PRESIDING OFFICER (Mr. UPTON in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2098) to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MARTIN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BUSH, Mr. BEALL, and Mr. HOLLAND conferees on the part of the Senate.

IMPORTANCE OF RETAINING COMPETITIVE BIDDING IN ISSUANCE AND SALE OF SECURITIES OF PUBLIC UTILITY COMPANIES

Mr. DOUGLAS. Mr. President, during the last 2 days we have been discussing the amendment proposed by the Senator from Arizona [Mr. GOLDWATER], which would surrender to the States a large field of legislation in connection with labor matters, which since 1935 has been regarded as the province of the Federal Government.

Today, I wish to discuss a cognate question dealing with matters in the field of the issuance of securities, now before the Securities and Exchange Commission, which may result in a similar cession of Federal powers to the States.

Mr. President, a generation has been born, fought in two wars, and come of age since the halcyon times of the Insulls, the Hopsons, the Whitneys, and other men who played fast and loose with other people's money in the wild days of the 1920's and early 1930's.

The members of this generation—without hardly thinking of the real causes—have become accustomed to accepting securities at face value, and to investing on the presumption that they are solid and sound, and not a waterlogged mass of worthless paper. They buy so-called securities without thinking of the Securities Act, the Public Utilities Holding Company Act, or other great pieces of legislation passed during the 1930's to end what was called by some an era of "robber barons."

This legislation and the rules have in general been beneficial; they largely put an end to stock jobbing, inside rigging, and flimflamming the unsuspecting public by the utilities and the favored bankers through and with whom the utilities chose to conduct their operations. The proposal of this legislation brought cries of "socialism," that it would destroy business, and that it would mean an end to business expansion. I remember one occasion when I sat in a committee room and heard a prominent investment banker testify that it would "hurt business" if business had to "tell the truth about securities which it issued." This statement has always seemed remarkable to me.

Despite the fearful crisis of the 1930's, business has not been hurt by the "Truth in Securities" Act or by the other Securities Acts put on the statute books. Instead, business has expanded to enormous proportions. It has always been able to obtain its financing for expansion and other requirements. In fact, as the Senator from Arkansas [Mr FULBRIGHT] pointed out only a few days ago the expansion of plants—regardless of all taxes and other legislation relating to above-board operations—has proceeded at as high a rate as it did in the 1920's. It has met the requirements of national and industrial growth; and no one can produce any conclusive evidence that decent business has suffered in the

least from healthy, fair, and honest practices induced by laws now on the statute books. Indeed, business has benefited thereby.

Mr. MURRAY. Mr. President, is the Senator from Illinois willing to yield at this point for a question?

Mr. DOUGLAS. I am glad to yield.

Mr. MURRAY. Is it not true that in 1937, when there was a recession, a Senate committee was instructed to investigate the causes of the recession? I recall that many of the leaders of finance and industry appeared at the committee hearing and blamed the recession on the Democrats and on the measures the Democrats had enacted during that period. One of the measures the witnesses attacked very strenuously was the Securities and Exchange Commission Act. They also criticized the deposit insurance system.

I remember that our present Ambassador to Britain, Mr. Aldrich, appeared at the hearing and said those acts had a very serious effect upon business and were very detrimental to it. I asked him, "Don't you think the act should go far enough to prevent those in Wall Street from cheating and defrauding the American people, as has previously been done?" Mr. Aldrich replied that he would not use that kind of language; he said that if they had known what they were doing, and what was transpiring in our economy, they might have stopped it to some degree. At any rate, that was a subject of discussion at the hearing the committee held on the causes of the recession. At that hearing they charged that those measures enacted created "a fog of fear and uncertainty."

It seems to me that some of those men are still contending that those measures were injurious to the country.

Mr. DOUGLAS. I thank the Senator from Montana. He was then, as he has been for many years, a Member of the United States Senate. I was not then a Member of the Senate, so I cannot bear personal testimony to the evidence to which the Senator from Montana has alluded. However, what he has said is true.

It is also true that for some years, business continued to be fearful of and opposed to the Truth in Securities Act and the law prohibiting utility holding companies beyond the third degree. Yet, I think people now admit that these measures were salutary, that they raised the ethical level of the securities business, and that they have saved money for the American people.

It seems to me that the investment bankers should make large contributions to the Democratic Party because those measures not only have saved the money of the investment bankers, but also have helped preserve their character. If they do not care for their money, at least they should care for their character, and therefore they should contribute to the party which has improved so markedly their general level of behavior.

Mr. MURRAY. I think that is a most excellent suggestion. Of course, the Democrats always find it very difficult to obtain sufficient funds with which to conduct their election campaigns. Perhaps some of the grateful persons in the securities business who have benefited so largely from the action taken by the Democratic Party will contribute to the Democratic Party campaign funds.

Mr. DOUGLAS. I think we should make our appeal, not on the ground that we have benefited them economically, but on the ground that we have benefited them spiritually. On the ground of the spiritual benefit which has resulted because of our efforts, they should give material acknowledgment. After all, we should be grateful if we are not led into temptation and if we are preserved from evil. For this we pray and when it materializes gratitude should be our attitude. Let the lesson not be lost upon our friends, the investment bankers.

I am not condemning business or bankers. The fact that it required legislation to clean up a whole variety of bad situations is a historical fact; but it is not something to be unduly alarmed about. History is to some degree a case of malpractices or of bad situations which are later corrected by beneficial and remedial legislation.

The passage of the Public Utility Holding Company Act in 1935 was the great step to tone up the level of honesty in the utilities field. The history of securities rigging in this industry, of trading with favored bankers, of whch I shall speak in a moment, of pumping water into securities and jacking up rates to the public on the basis of waterlogged valuations is familiar to the older persons among us. I remember it clearly because I was one of the leaders in Illinois, with the late Harold Ickes, in the fight against the Insullism, with all that such a term implied.

There we witnessed the inflation of the securities of holding companies and of operating companies, and then a great pressure to increase rates or to prevent rates from falling, in order to justify a return upon the securities already issued to an excessive amount.

Then, in pursuance of the provisions of the act, after trying many other remedies, the Securities and Exchange Commission on April 7, 1941, unanimously issued its famous rule U–50. It is about that rule that I wish to speak today.

That rule was simple in purpose—honesty; it was simple in operation—registered public utility holding companies and their electric and gas utility subsidiaries, in selling bond issues of more than $1 million, were to sell them on the basis of competitive bidding by the banks and investment houses, unless the SEC should make a special exemption in a specific case. The purpose was equally simple—to compel banks and utilities to do business at arm's length, and to avoid any market-rigging, stock-jobbing operations or undue commissions. In the 1920's and early 1930's, we found that whenever the utilities and the issuing houses fell into each other's arms, it was time for the investing and consuming public to watch out.

But, as I have said, a new generation has come up since then. It does not know at first hand the abuses of the former era, or the battles waged to check them. I pray that they will never have to go through the bitter experiences and struggles we had to suffer before such laws as the Utilities Holding Company Act were enacted. I believe it is time for this new generation to get interested in this subject and to become acquainted with it.

I, personally, am amazed at the persistence with which the SEC under the leadership of its new Chairman, Ralph H. Demmler, is driving toward a broad amendment of rule U–50. I was amazed at a statement publicly made by Mr. Demmler on February 18:

> I want to state on behalf of myself and my fellow Commissioners that the proposal was developed wholly within the Commission and in consultation with its staff without any suggestion from anyone outside the Commission and without the prior knowledge of anyone outside the Commission.

Opponents of the proposed amendments to rule U–50 claim that hereafter the only securities which would be subject to the rule would be:

First. Those of a holding company, regardless of whether or not such holding company is a subsidiary of another holding company.

Second. Securities of a subsidiary located in a State where the State commission does not expressly authorize issuance of a security.

Third. Securities of subsidiaries which render no gas or light service in the State under whose laws they are organized.

In other words, operating companies would be exempted from Federal requirements for competitive bidding when they were incorporated in States in which they operated, and when the particular security issue has been authorized by the State commission of the State in which they are operating.

Says Halsey Stuart & Co.:

> The effect would be to eliminate all subsidiary utilities which are organized and operated in a State whose laws empower the State commission to expressly authorize the issuance of securities.

Says the memorandum of Baxter, Williams & Co.:

> There is no warrant in the Public Utility Holding Company Act for giving holding company subsidiaries a license to carry out their financing without regard to the public interest and the interest of investors and consumers. These are the interests which would be sacrificed if the proposed amendment were adopted.

Stripped of any niceties, the least that can be said is that the Commission has undertaken a move which, if carried out, may gut a vital section of the Utility Holding Company Act. It could and possibly would return us—at least, so far as operating companies are concerned—to the old days of the 1920's, when the utilities played fast with the bankers, the bankers played hob with the investors, and both played the devil with the consuming-paying public. If rule U–50 is emasculated, it will be possible for operating utilities to sell securities at a predetermined rate to an underwriting syndicate, who will then dispose of them to the public. This rate will be determined by negotiations, the considerations of which the investor and

consumer public can know nothing. It will be possible—and it was standard practice 20 years ago—for one group of bankers or underwriters to handle the securities of a utility, on terms mutually fixed by them. These frequently and perhaps commonly provided for excessive commissions to the underwriters and issuing houses. The ultimate investors and the consumers paid the freight for these excessive charges.

State public service commissions, because of the interstate structure of these giant holding companies, and also because of the difficulties of State regulation, were found powerless to regulate their financial and securities operations. In some instances, State commissions were corrupted, and openly winked at outrageous violations of the public interest.

There was little or no protection, and no adequate means of protecting the public interest. In a national market for securities, national protection was needed but was not forthcoming. The consumer was helpless under rates based on inflated valuations and waterlogged securities.

I should like to point out that once an excessive number of securities were issued, then pressure was put upon the utility commissions to grant to the utility companies a rate which would earn a money return upon the securities issued, and thus pressure was exerted upon the rate base in an upward direction.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. MURRAY. Is it not true that during the period in which the utilities were being built up throughout the country in many instances when a corporation bought a plant for, let us say, $1 million, it would value it on its books at $10 million; and later, when the Federal Power Commission undertook to wipe out some of the watered stock thus made possible, the corporation contended it was entitled to the benefit of its bargain? Since it had bought a plant for $1 million, which it believed was worth $5 million or $6 million, it felt it was entitled to value the plant at $5 million or $6 million, because the officers of the corporation were smart and were therefore entitled to receive the benefit of their good judgment and of the good bargain they had made.

Mr. DOUGLAS. The Senator from Montana is completely correct. Frequently the companies would be dealing with themselves; that is, one group would buy the property and then sell it to what was apparently another group at an inflated value, and the second group would then issue securities based on the inflated value. But two groups were frequently only the left and right hands of the same set of interests.

Mr. MURRAY. That is correct.

Mr. DOUGLAS. The result was overcapitalization and excessive rates. There was no effective competition, favorable to the public, in bidding for the sale of securities.

In this connection, I should like to quote the testimony of Mr. Donald C. Cook, former Chairman of the SEC, before the House Committee on Interstate and Foreign Commerce on January 11, 1952:

> One of the evils found by Congress to exist in the industry was the absence of arms' length bargaining in the sale of securities and utility assets. This situation arose in large measure from the existence of traditional banker relationships between certain large investment bankers and particular holding-company systems, which gave these bankers virtual monopoly over the financing of the system companies, permitting the charging of exorbitant underwriting fees.

Mr. Cook is very experienced in these matters, as he served for many years as a member of the staff of SEC, and then, I believe, for 4 years as member and chairman of the SEC. So, obviously, he knows whereof he speaks.

I should now like to ask this question: Does the present Securities and Exchange Commission, which has been revamped under the new administration, propose to take us back 20 years into a new era of stock jobbery and rigging?

What is back of this move? What suddenly convinced the SEC that, after 13 years of successful operation, rule U–50 was bad and should be junked? The mere fact that it brought up the question indicated doubt in its mind, to say the least. If this move came from within the Commission, who sparked it? Why initiate action of such doubtful wisdom when no one outside the Commission has requested it, as Mr. Demmler said was the case?

I have examined SEC annual reports back to the time the rule was adopted. In every instance, these reports state that the rule was fair, beneficial, and no burden on the utilities. I quote from the 1952 report:

> The experience gained in the 11 years of administration of rule U–50 has adequately demonstrated its workability and effectiveness in maintaining competitive conditions in the marketing of securities and in achieving minimum costs in the procurement of capital.

These annual reports also make it very clear that in such instances as it deems advisable, the SEC may exempt issues from the competitive bidding requirements. That it has not been niggardly on this is shown by the fact that 201 issues of securities have been so exempted in 11 years, aggregating proceeds of $1.5 billion.

Is this self-initiated move of the SEC a harbinger of acts still to come? Utilities have already received what in 30 years will amount to a $3 billion tax writeoff through accelerated depreciation, according to briefs filed in the Federal Power Commission.

Mr. President, I do not believe it will be found that utility rates will be reduced as a result of these writeoffs and savings to the utilities. I believe it will be found that the accelerated depreciation in the case of the utility companies will be pure gravy for them.

Where are the administrators going to chisel away next at the public safeguards we have enacted into the law? Railroads regulation, Federal power, or what next?

First it is tidelands oil; then accelerated depreciation for the utilities; then a squeeze on REA and a whack at the public power preference provisions of the law; then the natural-gas companies come rushing in for theirs; now come the big bankers and the big holding companies.

Here let us note that the Federal Power Commission has held that it has no power to regulate the rates charged by any nontransporting producer of gas as the gas enters the pipeline. Thus far its decision has held, despite the fact that a bill specifically exempting these companies passed Congress but was vetoed by President Truman and was not passed over his veto. Nevertheless, the Commission has done by administrative order what the processes of legislation did not do.

Then to follow this up the Commission has held, in the Panhandle case, that the transporting producers, the pipeline companies which themselves own gas properties, should not, in connection with the gas they have produced, be restricted to fair rates based on their actual cost of production, but, instead, should be privileged to charge the unregulated rates, or field prices, at which the nontransporting producers put the gas into the central pipelines.

Therefore, the decisions of the Federal Power Commission have actually put into effect also the provisions of the Moore-Rizley bill which was before Congress in 1947 and 1948, but which Congress refused to enact.

Who will be the next on the gravy train; and where?

I have a mental picture of the little man, the small-business man, the little banker, the director of rural co-ops, and men of that caliber—honest, hard working, sincere—standing off to one side, amazement written all over their faces, as they watch the greedy scramble and scramble for a chance to soak the needy. And succeed at it.

I just wonder who gave the Commissioners the brilliant thought that after 13 years of success, rule U–50 ought to be scuttled. There must be some very extraordinary intellects loose in the Commission.

Who are the people supporting this move on rule U–50? We know some of them: Blyth & Co. of New York, the Middle South Utilities, Inc., of New York, Morgan, Stanley & Co. of New York, the successor of the firm of J. P. Morgan—and I shall not make J. P. Morgan and Kuhn-Loeb the sole whipping boys—the Southern Co. and its subsidiaries, Ohio Edison and its subsidiaries, the American Gas & Electric Co. of New York, the committee on Federal regulation of the American Bar Association of New York, the First Boston Corporation of New York—a happy wedding of those two great cities—the General Public Utilities Corp. of New York, the Investment Bankers Association of America, Stone & Webster Securities Corp. of New York, Sullivan & Cromwell of New York, a firm which has given many of its distinguished members to public service in recent months, and others.

Even some State regulatory commissions have joined in support, obviously seeking to enlarge their own powers and unmindful of their impotency in the

1920's. In that connection I regret to say that the public utility commission of my own State, the Illinois Commerce Commission, under the new direction which has come in since 1952, has added its support to this program.

Who are opposing the change? The Alleghany Corp. of New York; Baxter, Williams & Co. of Cleveland; Halsey Stuart & Co. of Chicago; the Brotherhood of Locomotive Firemen and Enginemen of Cleveland; the Brotherhood of Railroad Trainmen of Cleveland; the City Securities Corp. of Indianapolis; the Congress of Industrial Organizations; the Cooperative League; the National Rural Electric Cooperative Association; Mr. Robert R. Young, of New York; and the Mutual Services Insurance Co. of St. Paul, Minn.

I may say, in connection with Mr. Young, that while I do not know the real merits of his struggle with the New York Central, at times I feel like saying about Mr. Young, as was said of Grover Cleveland, that we love him for the enemies he has made.

Thus the Alleghany Corp. on March 29 stated that from 1944 to 1953 no less than 106 issues had been sold under conditions of competitive bidding for 62 railroads. The total of the principals of these issues amounts to $2,991,283,000 or virtually $3 billion. The total estimated savings amounted to $50 million or 1.67 percent.

In addition, there were other large savings made in the sale of securities of electric, gas, and telephone companies.

These savings helped the investor who got more solid worth for his money and they also helped the consumers who were protected from having the rate base of these properties unduly increased by the pressure exerted from an inflated capital structure.

So far as I know, the legality of Rule U–50 has never been directly attacked in a judicial proceeding. I should like to quote from the Halsey Stuart & Co. brief before the Securities and Exchange Commission. Before doing so, however, let me say that this company is a very welcome addition to the ranks of those who favor competitive bidding, because in the 1920's they were not always such.

I quote from the brief of Halsey Stuart & Co.:

> Unlike the ordinary corporation, the management of a public utility is under a trustee's obligation, not merely to its stockholders, but to the consuming public as well, to obtain its capital upon the best terms available. It should be obvious that the "judgment of the market place" can only be had by competition. The fact that consistently for many years the managements of each of these companies followed the adversely interested advice of the same banker is conclusive evidence, either that the managements' discretion was controlled or influenced by outside and adverse interests or that the management was strangely neglectful of its trust and duty.

Mr. President, all that rule U–50 does is to put competition into the sale of public securities which are sufficiently standardized so that they can be objects of competitive bidding by groups knowing all the circumstances. If we believe in the competitive system, we must believe in competitive bidding for standardized securities so that investors may pay a proper price, but no more, so that companies may realize as much from the sale of securities as may be possible, and so that the money realized may go into actual investment and not be absorbed by the investment bankers and, in turn, be dissipated on golf courses and country clubs in Westchester County, Nassau County, and in the pleasant, rolling greens of Connecticut.

I wonder if this is the time to assume that, lacking rule U–50, these same interests would prove that they have fully reformed themselves and will maintain a due regard to trust and duty.

Certainly, some of their own associates who oppose tinkering with rule U–50 do not assume so. Nor can I.

That a commission, charged with enforcement of a highly successful rule in so dynamic a field as public utility financing, would, on its own motion, initiate practical rescission of that rule is astounding.

The Commission has not yet handed down its final decision.

Mr. President, I am making this speech today to bring this matter to the attention of the Senate, and of the country; to alert the people of the United States to the danger which is impending, and to ask the Commission to stop, look, and listen before it finally cripples rule U–50.

I think this is a proper legislative function, because the Commission is not considering a judicial case. If it were considering a judicial case, I would not make such a speech on the floor of the Senate, believing it would be a matter for a judicial body to deal with in its conscience, and on the law and the evidence, without any notice or argument from the legislative branch. But this is not a judicial matter. It is instead a legislative matter, initiated by the Commission itself, dealing with the Commission's administrative rulings and rule-making power under the various public utility acts of the 1930's. Therefore, it is proper for a member of a legislative body, a continuation of the legislative body which passed the original act, to protest against what may be happening.

In the face of history and in the face of strenuous opposition, that the Commission would persist in this course is more than astounding.

I respectfully suggest to the SEC that the Commission should stop the whole thing, in the best interest of the national economy, the consumer, and this administration itself

Mr. GORE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I shall be happy to yield for a question.

Mr. GORE. I wish to preface my question with an expression of deep appreciation for the able address which the distinguished senior Senator from Illinois has delivered.

Competitive bidding is a safeguard in the public interest in Government securities fields. Is the Senator aware of the extent to which the Government is now resorting to negotiated bids, to arbitrary decisions, and the extent to which the administration has departed from the sound principle of supplying Government needs from the lowest responsible bidders?

Mr. DOUGLAS. I thank the Senator from Tennessee for that question. When I have made inquiries of the Defense Department I have been shocked by the fact that a very large percentage of contracts are now let on a negotiated basis rather than on a competitive basis. The defense which the Department brings forward is that in many cases the articles desired are not standardized and that, therefore, it would be very difficult to have competitive bidding.

But I do not think that is an adequate defense, because, in many cases, articles are standardized, and yet the Department does not throw them open to competitive bids.

Furthermore, I have received many complaints from small contractors that in so-called competitive bidding they never quite get the terms of the proposal in time to make a bid, and when the kissing takes place under the mistletoe they are always left out. They either do not get the invitations to bid, or they come in too late, or perhaps very frequently the terms are changed and new bids are requested. So that there is a strong suspicion on the part of small-business men that in the purchases from the Department of Defense they tend to be left out and the insiders get the contracts.

This, I think, as the Senator from Tennessee will agree, is an abuse which we are trying to prevent from occurring in the field of public utilities. The public utility companies are able to sell relatively standardized securities. The facts concerning utility investments are fairly well known. The rates of earnings are well known and are a matter of public record. The valuations are well known, so that the issuing houses can estimate fairly accurately what the relative rates of earnings will be and can make their bids accordingly. There is, therefore, every reason why the utilities should call for competitive bidding from the bankers. It will save money for the utilities. The utilities, in the long run, will get more for the securities which they issue, because the margin which the favored investment bankers formerly received will be reduced. So it will be good for the utilities. It will be good, also, for the investors and for the consuming public.

What we are witnessing, I am afraid, is an attempt by the inside banking houses to inject themselves into the situation and to recapture the powers which they had from 1900 to 1935.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I am glad to yield to the Senator from Tennessee.

Mr. GORE. It is my hope that the speech which the able Senator from Illinois is making will be read by each member of the Commission. In the event that the timely suggestion on the part of the Senator is not heeded, does the Senator think legislation will be necessary?

Mr. DOUGLAS. If rule U–50 is abrogated by administrative fiat, then I

think it will be necessary to put rule U–50 into effect by statutory law.

Mr. GORE. I wish to associate myself with the statement of the distinguished and able Senator. If such an alternative becomes necessary—and it should not be necessary, because, surely, the Commission is able to handle the problem, and should handle it—but in the event it becomes necessary, I will join with the Senator from Illinois in his effort.

Mr. DOUGLAS. I thank the Senator from Tennessee. The Senator comes from a State which has always appreciated the importance of free competition. From the days of Andrew Jackson, who broke the banking monopoly in this country, down through Cordell Hull, the State of Tennessee has always stood for a competitive economic system.

The distinguished junior Senator from Tennessee, as I remember, when he served so ably in the other body, filled the seat of the same congressional district which that great American, Cordell Hull, filled with distinction for so many years.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Montana.

Mr. MURRAY. I believe the Senator from Illinois has already expressed the feeling that, as a result of the policies enacted during the past 20 years, the growth of American industry has been tremendous. I think that President Eisenhower, on the occasion of his acceptance speech in Chicago, in 1952, stated that fact in language to this effect: Today, under God, the United States has become the greatest industrial power in the world and the greatest moral force on earth.

That certainly is very strong commendation of what has transpired during the past 20 years.

Mr. DOUGLAS. I thank the Senator from Montana for putting the past 20 years in more correct perspective than was done during the recent Lincoln's birthday weekend.

It is true, of course, that the volume of investment in American industry has never been greater than during the period since 1946. During this period of 7 years the volume of investment has been high and business has been prosperous. Stocks have increased greatly in value, not only in the market place, but also in reality, because of the reinvestment of undistributed corporate surpluses. So the stockholders of the United States have fared well. And this has some relationship to the pending tax bill, in which our Republican friends are proposing that the stockholders should fare still better.

Mr. MURRAY. Does not the Senator from Illinois feel that during the period of the wild speculation on the stock exchanges, the people of America had lost faith and confidence in the stock markets, and that if Congress had not enacted the legislation to which reference has been made, the growth which we have witnessed never could have happened? I recall how wild the speculations and gyrations were on the stock exchanges at the time, because the manipulators were endeavoring to run Anaconda Copper stock up to $200 a share. It collapsed at about 170, or in that neighborhood, and went down to $3 a share.

Mr. DOUGLAS. I must now make a confession. In 1920, I did not have a great deal of money, but because the National City Bank was sponsoring Anaconda Copper, I was so very unwary as to buy a considerable number of shares of Anaconda at $120. I bought a lot of experience at that price of $120 a share, and I also learned something about stock manipulations both from what happened thereafter and what was disclosed about prior happenings.

Mr. MURRAY. Anaconda at that time went down very, very low.

Mr. DOUGLAS. It certainly did; and every time it fell, my heart fell with it.

Mr. MURRAY. Since the Senator from Illinois comes from Chicago, I suppose he recalls a merchant on one of the streets there who was conducting a sale and who was giving a share of Anaconda stock with every suit of clothes purchased.

Mr. DOUGLAS. I had not known of that; but certainly at one time it was not a very great bonus.

The point which the Senator from Montana makes is thoroughly correct. The practices employed were so much at variance with good faith and decent practice that finally, when the rains came, and the storms beat and fell upon that house, since the house was built upon sand, it collapsed; and with it collapsed much of the faith which Americans had in those who had dominated the business and financial structure.

We have been slowly building up that faith again, partially, I think, by improved behavior on the part of most of the leaders of business, but also because of legislation which has protected the better elements in the industry from the practices of the less scrupulous. Are they going to try to wreck the structure of popular confidence once again?

As I have said, I think the investment bankers of the United States ought to be grateful to the Democratic Party for helping to preserve their character. If they do not want to give us their money, they should, at least, give us their prayers; and every morning and every evening, as they kneel to say their prayers, they should thank the Democratic Party for protecting them against the moral evils which formerly swept in upon them and in all too many cases carried them away.

Mr. MURRAY. There are many important industrialists who entertain the sentiments the Senator from Illinois has expressed. I had a visit the other day with a gentleman from Chicago, Mr. Shinner, a very successful industrialist, who has devoted his money to an effort to try to retain the great advances that have been made during the past 20 years, and who thinks they can even be improved upon.

Mr. DOUGLAS. I thank the Senator from Montana.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks various exhibits, including two advertisements on competitive bidding, sponsored by the Alleghany Corp.; a letter to the Securities and Exchange Commission signed by Burton K. Wheeler, formerly the colleague of the distinguished senior Senator from Montana; a letter to the Securities and Exchange Commission from the Mutual Service Life Insurance Co., of St. Paul, Minn.; a letter to the Securities and Exchange Commission from the National Rural Electric Cooperative Association; a letter to the Securities and Exchange Commission from the Cooperative League of the United States of America; a letter to the Securities and Exchange Commission from the Northwest Public Power Association; a letter to the Securities and Exchange Commission from the National Farmers Union; and, finally, on the other side of the fence, a letter to the Securities and Exchange Commission from the Illinois Commerce Commission, under its present direction, asking that rule U–50 be changed as the Commission apparently desires.

There being no objection, the advertisements and communications were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times-Herald of March 29, 1954]

MEMO NO. 1 ON COMPETITIVE BIDDING: A $3-BILLION SUCCESS STORY—HOW THE ALLEGHANY CORP. SMASHED THE PRIVATE NEGOTIATIONS SYSTEM FOR SELLING BONDS TO THE HOUSE OF MORGAN AND KUHN, LOEB & CO. AND HELPED TO GAIN COMPETITIVE BIDDING FOR THE ELECTRIC RAILROAD INDUSTRY

A picture of rust and ruin dominated the landscape of America's largest industry. Thirty percent of its class I railroads lay crippled in the bankruptcy courts. The coaches on which the country traveled by day rattled with age. At night it slept in pullmans 22 years old. Freight cars were kept in repair, although battered by the shuntings of a quarter century. A hog could cross America without changing trains, but you couldn't.

Then in May 1937 Robert R. Young and Allan P. Kirby purchased with their personal funds roundly 42 percent of the voting stock of Alleghany Corp. To insure owner-management they assumed the offices of chairman and president, respectively. They believed at least one large segment of the railroad industry could be revitalized by a fresh approach.

The key to the problem was banker control. There were $10 billion principal amount of railroad bonds outstanding. It was a notorious fact that during the previous 50 years two New York banking houses had gradually captured, as their almost exclusive domain, the control of the issuance, sale, and reorganization of most of these bonds. Fees to the syndicate managers and members, for the period 1927 to 1931 alone, exceeded $36 million.

Few railroads dared to allow any competition for this business. Friends on the board or pliable directors of the major companies without substantial stock ownership almost invariably arranged that the favored banking house was awarded the bonds. The amount of the bank's fee was fixed by the banker and the board in secret behind-the-scenes "negotiations" with no one really representing the road's security holders.

A major test of the Young-Kirby policies soon came with respect to the Chesapeake & Ohio Railway which, along with many weaker properties, was controlled by Alleghany. In the fall of 1938 the C. & O. board was faced with the problem of refinancing

a $30 million bond issue. For the first time in the modern history of virtually all the 130 class I railroads, bankers other than Morgan and Kuhn, Loeb were invited to submit their proposals to the board at its next meeting. This was done at Alleghany's insistence, and over the protest of three bankers who had been forced on the C. & O. board by the Morgan affiliated Guaranty Trust Co.

The two hand-in-glove investment bankers who attended the December 1938 meeting avoided putting their ideas in writing. They orally stated that a suitable price for the new C. & O. bonds, based on that day's market conditions, was $95.50 per $100 bond. Thereupon the board accepted the bid of $100 for the same bond made that same day by two Midwestern bankers. This resulted in a savings of $1,350,000 over the indicated price submitted by the traditional bankers.

Within the next 5 years, under Alleghany leadership, the old system of closed-door private negotiation with one favored banker was broken 4 different times. Banker competition was obtained for the financing of the Cincinnati Union Terminal, the St. Louis Terminal Association, and the Erie Railroad, the latter twice selling successfully its bonds by competitive bidding in 1941 and 1943 respectively.

Alleghany's long campaign triumphantly culminated on May 8, 1944, in a decision by the Interstate Commerce Commission which ruled that all railroad bonds, except those issued under special circumstances, should thereafter be marketed by means of competitive bidding publicly held and open to all. Said the Commission:

"We know of no good reason why a railroad should deal with a single investment house or why it should not consult more than one investment firm as to any piece of financing."

Strangely, the only railroads to appear in support of this industry-wide decision so important for the shareholders, the shippers, and the passengers, were three in which Alleghany had a substantial direct or indirect investment. Against the competitive bidding rule at the public hearing were the two traditional New York banking houses and the massed weight of all the other 130 railroads rounded-up and brought into line by the Association of American Railroads and such influential American banker family interests as the Mellons, the Harrimans, and the Morgans. Yet the success of the rule during the subsequent 10 years is now undeniable:

Issues sold at competitive bidding, 1944–53

Total number of railroads	62
Total number of issues	106
Total principal amount	$2,991,283,000
Total estimated savings	$50,000,000

The enthusiastic acceptance by other bankers of the competition which Alleghany introduced, and the remarkable savings brought further dramatic events culminating in a $19 billion success story to be told in subsequent memos.

(On November 25, 1953, the Securities and Exchange Commission announced a proposed relaxation of its competitive bidding rule with respect to subsidiaries of public utility holding companies. To preserve this rule, Alleghany Corp., which has the investment responsibility for some $1½ billion, appeared on February 18, 1954, before the SEC in opposition to this modification of the rule. Appearing on behalf of the relaxation of this rule were Morgan Stanley & Co., Blyth & Co., and members of two Wall Street law firms for certain utility companies. Each of these law firms has previously appeared as counsel for banking houses opposed to competitive bidding. Alleghany is publishing this ad in the public interest and that of the 500,000 security holders for whom it bears a trust.)

For the preservation of the American principle of competition:

ALLEGHANY CORP.,
ROBERT R. YOUNG,
Chairman.
ALLAN P. KIRBY,
President.

[From the Washington Post and Times-Herald of April 2, 1954]

MEMO NO. 2 ON COMPETITIVE BIDDING: CONGRATULATIONS TO A. T. & T. FROM ALLEGHANY CORP. ON SAVING $58 MILLION IN BANKERS' FEES BY BREAKING THE PRIVATE SYSTEM OF SELLING BONDS TO THE HOUSE OF MORGAN, WITH SIDELIGHTS ON THE USE OF A DUMMY DIRECTOR IN THE SECRET FIGHT FOR CONTROL OF THE WORLD'S LARGEST INDUSTRIAL CORPORATION

Following the dramatic events surrounding the Chesapeake & Ohio Railway Co. financing of 1938, as told in Memo No. 1, and the Cincinnati Union Terminal's sealed bid financing of February 1939, the Federal Communications Commission unanimously found in a summary of its report on the American Telephone & Telegraph Co.:

"In view of the company's earning position, it could have taken care of its needs for financing since 1906 at a lesser cost if (the) securities issued had been opened to competitive bids rather than being disposed of exclusively through J. P. Morgan & Co. and its successor, Morgan Stanley & Co."

The Commission recommended to the Congress in its report dated June 14, 1939, that the law be amended so as to require approval by it of the sale of telephone company securities.

On April 7, 1941, after full hearings, the Securities and Exchange Commission promulgated its rule U–50 requiring that henceforth all securities issued in excess of $1 million principal amount by a registered public utility holding company, or subsidiary thereof, should be sold at compulsory competitive bidding. Meanwhile in July 1939 and September 1941 Alleghany Corp. successfully forced to competitive bidding the financing of the St. Louis Terminal Association and the Erie Railroad. The management of A. T. & T. finally took the successive hints and sold on September 29, 1941, at competitive sealed bidding, $90 million of A. T. & T. 2¾ percent debentures.

Since then 41 bond issues of the Bell System companies totaling $2,940 million have been sold at competitive bidding. The bankers' gross commissions on these issues have averaged 0.52 percent, or a total of roundly $15,600,000. This compares with an average of approximately 2.50 percent, or a total of more than $48 million levied by the Morgan group in the prior noncompetitive era on only $1,900 million total principal amount of financing. The difference is $1.98 per $100 bond unit, or a total indicated savings of more than $58 million.

Thus the example of huge savings for the stockholders obtained by Alleghany in the railroad industry marches on in this outstanding competitive record of the world's largest industrial corporation. One more financial monopoly has been broken in the interest of the public and A. T. & T.'s 41 million customers and 1,250,000 stockholders.

New York banking interests first boarded the American Telephone & Telegraph Co. in 1902, when it was a proven success, and some 26 years after Alexander Graham Bell had obtained the basic telephone patent. The rapidly expanding system, with headquarters in Boston, had been financed mainly in New England by a handful of original stockholders whose number had grown to 6,863 by 1898. That year the company's mangement entered the money markets and by 1899 had obtained $10 million of new capital from sale of 3 different debenture issues, at competitive bidding, which were won by 3 different banking groups.

Then from 1900 to 1902 one Boston banking house, Kidder, Peabody & Co. bought without competitive bidding, 4 issues of A. T. & T. bonds totalling $25 million. Some $7,650,000 additional funds were needed, however, and could only be obtained by sale of stock in New York at a price which included the placement of two Morgan-affiliated bankers on the A. T. & T. board. As a result an undersurface contest for control of A. T. & T. soon was brewing.

The company's management, seeking to preserve its independence, stalemated the rival banking groups in 1904 by again opening its financing, this time a $20 million note issue, to competitive bidding. Lee, Higginson & Co., of Boston, in alliance with the London banking house of Speyer & Co., won the note issue.

The growing company required huge amounts of fresh capital as each year brought new demands for farflung telephone installations. J. P. Morgan & Co. and Kidder Peabody & Co., knowing this, offered to buy $100 million of new bonds noncompetitively in installments throughout 1906 and 1907 provided they were made convertible into the company's voting stock.

The company's financial vice president, its secretary, and its counsel analyzed the plan. In a joint report to the President, dated February 16, 1905, they stated it was of questionable legality, might give the bankers an absolute control, and would adversely affect the outstanding security holders.

President Frederick P. Fish thereupon vetoed the New York bankers' plan, and later in 1905 the management again resorted to competitive bidding to finance a $20 million issue of collateral trust bonds. This time Kidder Peabody in association with the London banking house of Baring Bros. was the successful bidder.

The New York bankers now persuaded the management to put their vetoed plan to a stockholders' vote. Despite a storm of controversy, enough votes were mustered to carry the plan.

The harassed President Fish subsequently wrote the banker William Salomon: "I am not at present in a position to state whether or not we shall be in a position to allow competitive tenders, as has been the case heretofore * * *. You undoubtedly recognize the complexities of my position."

In February 1906 the Morgan group quietly obtained by private negotiation, without competitive bidding, the right to purchase from the company in installments and sell to the public $100 million principal amount of new convertible bonds at a price to the bankers of only $92 million. In its 5 prior bond sales at competitive bidding the company had received $94.19 to $102.32 per $100 bond, a weighted average of $97.06 per bond or $5,060,000 more on a $100 million basis.

By 1908 President Fish was forced to resign. He was replaced by the bankers' nominee Theodore N. Vail. Within less than 1½ years Vail granted the Morgan group, without charge, a new and exclusive option to handle A. T. & T.'s future financing. Meanwhile the board was reorganized so as to put partners of J. P. Morgan & Co., Kidder Peabody and other banking houses in control of the directorate. On April 10, 1910 Vail wrote Morgan partner Henry P. Davison, an A. T. & T. director:

"In regard to the directorship, I acted as you suggested. I did not propose Mr. Morgan's name, but instead put in dummy director to await his pleasure."

The company refused to put on the board any representative of its largest stockholder, the Mackay Companies, owner of nearly $10 million worth of A. T. & T. stock, although Clarence Mackay indignantly wrote: "We own more stock than all your directors combined."

On May 5, 1920, J. P. Morgan invited to his library his partner Davison and Robert Winsor, senior partner of Kidder Peabody. The three bankers secretly realined and divided among themselves and associated banks by specific percentage allotments all future A. T. & T. financing. Mr. Winsor then wrote a memorandum for the files describing these allotments as the bankers' proprietary interests.

The famous midwestern banker, Harold L. Stuart, when informed of this secret agreement remarked in 1939 before the Temporary National Economic Committee: "I have learned more in the last week than I ever dreamed about the manner in which these syndicates in the East are handled. * * * It amused me very much to find out that the boys all divide up something that they don't own."

(On November 25, 1953, the Securities and Exchange Commission announced a proposed relaxation of its competitive-bidding rule with respect to subsidiaries of public-utility holding companies. To preserve this rule, Alleghany Corp., which has the investment responsibility for some $1½ billion, appeared on February 18, 1954, before the SEC in opposition to this modification of the rule. Appearing on behalf of the relaxation of this rule were Morgan Stanley & Co., Blyth & Co., and members of two Wall Street law firms for certain utility companies. Each of these law firms has previously appeared as counsel for banking houses opposed to competitive bidding. Alleghany is publishing this ad in the public interest and that of the 500,000 security holders for whom it bears a trust.)

For the preservation of the American principle of competition:

ALLEGHANY CORP.,
ROBERT R. YOUNG, *Chairman.*
ALLAN P. KIRBY, *President.*

WHEELER & WHEELER,
Washington, D. C., March 15, 1954.

Re proposal to amend rule U–50.

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission,
Washington, D. C.

DEAR MR. CHAIRMAN: At the hearing on February 18, Mr. Daniel James and others, speaking for investment banking houses or public utility companies, stated that the real issue before the Commission is to determine the intent of Congress as declared in section 6 (b) of the Public Utility Act of 1935. Similarly, the chairman stated, "You understand, sir, there is no attack on rule U–50 generally. What we are looking at is the question of this 'shall exempt' language of section 6 (b) which was written in."

At the hearing, in response to the chairman's statement, I pointed out that "it simply says in section 6 (b) that you shall exempt them under certain conditions and one of the conditions is that the consumers and the public interest and the investors are protected. That is what it says and that is what is intended by the conference committee." (Tr. p. 135.)

To further clarify my statement I wish to point out that section 6 of the Wheeler-Rayburn bill (S. 2796), as it passed the Senate, did not provide for exemption of securities issued by subsidiary public utility companies. It made section 7 applicable to both holding companies and their subsidiaries.

The House substitute bill sought to modify this section by providing for a complete exemption of subsidiary companies, the issuance of whose securities was regulated by a State commission. In substance the House amendment was similar to the position which is now being urged by the proponents in support of the proposed modification of rule U–50.

In the conference committee we attempted to compromise the difference between the Senate bill and the House amendment by taking an intermediate position. The intermediate position partakes of both the Senate bill and House amendment. Those of us representing the Senate agreed to exempt from the provisions of section 7 the issues of public utility subsidiaries which were expressly authorized by a State commission, but such exemption was to be granted only on the condition, which is the basic objective of the entire act, that the interests of the public, of investors and of consumers be protected.

Thus, the Senate did not accede to the complete exemption proposed by the House amendment. It was recognized that regulation by a State commission might not always protect investors and consumers against abuses. In rejecting the blanket exemption proposed by the House amendment, the Senate and the Conference Committee rejected precisely the same arguments which are now being advanced in support of this proposal to modify Rule U–50. A blanket exemption of State regulated securities from the protective provisions of the act would subvert the basic objectives of Congress in enacting the statute. Thus, the bill, as reported by the Conference Committee and as enacted by Congress, in substance forbids the Commission to grant exemptions under Section 6 (b) unless the Commission has provided for the protection of the public, investors and consumers.

I am sure the Commission does not wish to ignore the action of Congress as a whole or to override the Senate and the Conference Committee's actions on this legislation. It seems to me that the adoption of the proposed modification of Rule U–50 would not only violate both the Senate and Conference version of section 6, but it would stand in plain violation of section 1 (c) of the act which directs the Commission to interpret all sections so as to meet the problems and eliminate the evils enumerated therein.

This Commission has heretofore carefully adhered to the provisions of the act and has interpreted them in the light of the policies established by Congress in section 1. It has steadfastly resisted the pressure of special interest groups in developing over a period of 18 years high standards for the issuance and sale of public utility securities. Following this Commission's adoption of Rule U–50 in 1941, the Interstate Commerce Commission extended its competitive bidding requirements in 1944 to include debt financing. In 1949, the Federal Power Commission adopted a similar rule. And in its Annual Report to Congress for 1953, just released, the Interstate Commerce Commission has requested Congress to enact legislation which would permit more extensive use of competitive bidding in the marketing of securities. These progressive steps afford ample proof of the necessity of maintaining competitive bidding.

Thus, it seems to me that there can only be one conclusion in this proceeding. I urge this Commission to consider its duty under the statute and its responsibility to the many thousands of investors and consumers who will be affected by any modification of Rule U–50. This Commission should not scuttle a wholesome administrative rule, the "workability and effectiveness" of which is uncontested and admitted. This Commission should not abdicate its duty and responsibility under the statute. If this proposed modification of Rule U–50 is adopted, the Commission will be taking away the very protection which the act seeks to assure.

Respectfully,

BURTON K. WHEELER.

ST. PAUL, MINN.,
March 15, 1954.

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission, Washington, D. C.

DEAR SIR: It is our understanding that on March 31 of this year your Commission will be resuming its public hearings on the pending proposal to amend rule U–50.

The proposed amendment would grant to the operating subsidiaries of registered holding companies an automatic exemption from the competitive bidding requirement which has been in effect continuously since 1941. We believe the proposed amendment would be very undesirable in that the present requirement of competitive bidding is entirely in the public interest and we feel it should not be abandoned. We should like to outline the basis for our views and request that you and the other members of the Commission consider them as part of the public record on which you will base your final decision.

Our interest in this matter comes first as citizens who are concerned that the public interest be adequately protected and also as consumers and investors. Our companies are made up of approximately 200,000 policyowners in the upper Midwestern States consisting largely of farmers and average working class people. It is obvious, therefore, that our policyowners make up a substantial group of power consumers in this area.

An important function in the operation of our insurance companies is the sound investment of our policyowners' funds. As investors of other people's money we are naturally concerned with soundness of principal, adequacy of return, and the economic interests of the people to whom the funds belong. From our viewpoint as an investor, we feel that competitive bidding is fair and equitable for all investors and at the same time in the best public interest so far as the consumers of power are concerned.

You will see from what I have just said that our membership is concerned that power rates should not be increased because of failure on the part of utilities to achieve economies in the raising of capital. The record of Rule U–50 since it was first issued by the Commission in 1941 shows what a significant contribution the competitive bidding requirement has made in this respect. All of our membership, rural and otherwise, is the beneficiary.

In spite of these benefits, the proposed amendment would discard the competitive bidding requirement so that the operating subsidiaries of holding companies would be free to raise their capital by the old and much more costly method of negotiated financing. This would be a return to the old abuses which Congress wanted to eliminate when it passed the public utility holding company act. Indeed, it would be the equivalent of imposing a tax on consumers so that higher investment return may accrue to a relatively small group of large investors who have traditionally opposed competitive bidding.

We feel that in our role as an investor of funds which belong to our policyowners we would be adversely affected by the lessening of competitive conditions in the market for capital.

We believe it is the duty of your Commission to protect the public interest and the interest of investors and consumers. The way to do this is to reject the backward-looking proposal now pending for amending rule U–50.

Very truly yours,

MUTUAL SERVICE INSURANCE CO.,
F. F. RONDEAU, *President.*

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Washington, D. C., January 26, 1954.

Re proposed change of rule U–50

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission,
Washington, D. C.

DEAR SIR: National Rural Electric Cooperative Association is a service organization of the rural electric cooperatives and public utility districts of the United States rep-

resenting 900 electric consumers composing the membership of the cooperatives and public utility districts.

This association is concerned that the proposed change in Securities and Exchange Commission Rule U–50 might well increase the cost of utility financing which increased cost would be probably reflected in increased rate schedules of utility companies that supply power wholesale to the members of this association who buy large blocks of power throughout each year from such suppliers.

It is believed that the record of the application of rule U–50 over all is one that is healthy and constructive, and certainly has indirectly benefited the rural-power program by retarding increased costs in utility financing and reducing such costs in many instances.

We think it is consistent with and in furtherance of the best interest of our farmers, farmer cooperatives, and public utility districts, in the interest of whom we speak, that the proposed rule change be rejected and we do therefore respectfully submit for the record this informal statement and do (1) object to the granting of the proposed rule change, and (2) do insist that any change of rule U–50 should not be made looking toward its elimination or adverse modification without a public hearing and full exploration therein as to the merits of such change.

We request leave of the Commission to file in the record this statement.

Respectfully submitted.

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
CLYDE T. ELLIS,
Executive Manager.

THE COOPERATIVE LEAGUE OF THE U. S. A.,
Washington, D. C. February 17, 1954.

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission, Washington, D. C.

DEAR MR. DEMMLER: I am writing to you on behalf of the Cooperative League of the U. S. A. in my capacity as executive director. The league is a business association and educational agency for cooperatives and mutual-type businesses in the United States. Our membership includes regional wholesale farm supply and consumer cooperatives, mutual insurance companies, and national associations of credit unions and rural electric cooperatives. Excluding the national associations our membership would be about 2 million families. The 2 national associations have together nearly 10 million member families, but there is, of course, some duplication in these figures. Almost three-fourths of the league's membership is farm and rural people, about one-fourth city people. We request that this statement be made a part of the hearing record.

It is desired in this statement to oppose any change in rule U–50 of the Securities and Exchange Commission which requires competitive bidding with respect to issuance of securities by utility companies. It is our belief that experience under rule U–50 has reduced the cost of utility-company financing. This in turn has made possible at least somewhat lower rate structures. Therefore, the cooperative league, having in its membership many persons as well as organizations which purchase electric power from utility companies, has a direct interest on behalf of its membership in the maintenance of the competitive-bidding requirement.

In the past utility companies have been subjected to high underwriting costs where they negotiated with underwriting companies for the marketing of their securities. Since rule U–50 was put into effect in 1941, this has been much less frequent. Furthermore, the rule has stimulated competition among investment banking houses which is certainly desirable from the point of view of maintaining economic freedom. Especially has the effect of the rule been good in that it has permitted small underwriters to compete for the business of financing local utility enterprises.

It is understood that the Commission has from time to time used its discretion in exempting certain particular issues from the competitive bidding requirement where circumstances seemed to make this desirable. It is, therefore, hard to understand why the rule should be changed. We have heard of no convincing objections to the general principle of competitive bidding and certainly believe that the burden of proof should rest heavily on those requesting a change in this rule.

Rule U–50 was, we understand, not adopted in 1941 until very careful and lengthy public hearings had been held and all facets of the situation explored. It is hard to understand what new circumstances could possibly have arisen meanwhile to change that sound decision.

If the rule is changed, it is probable that the great bulk of public utility financing will fall back into the hands of the larger New York City investment banking houses. Furthermore, arm's-length bargaining between utilities and financial institutions will come to an end. These are in our view undesirable consequences.

Competitive bidding under rule U–50 has been a real safeguard of the American free enterprise system. What a colossal blunder if we fail to foster the free-enterprise system and permit the forces of competition to crumble. The proposed change in rule U–50 would stifle competition. The league, always strongly opposed to monopoly, believes this change would be a severe backward step.

Sincerely yours,

JERRY VOORHIS,
Executive Director.

NORTHWEST PUBLIC POWER ASSOCIATION, INC.,
Vancouver, Wash., February 10, 1954.

Re amendment of rule U–50.

The CHAIRMAN,
Securities and Exchange Commission, Washington, D. C.

DEAR SIR: This association desires to go on record in opposition to the proposed amendment of rule U–50 so as to exempt public utilities from the competitive bidding rule on the grounds that an authorization by a State regulatory commission is an adequate substitute for review by the Securities and Exchange Commission.

The members of this association and the public interests represented by the members of this association are affected by the proposed rulemaking because of our interest in avoiding the inflation of capital's structures of private utilities.

The staffs of the great majority of the State regulatory commissions are entirely inadequate to do the type of analytical work on proposed security issues such as has been done by the Securities and Exchange Commission. It would also appear to be logical that this function of maintaining competitive conditions in the field of bond interest rates should be in the hands of the Securities and Exchange Commission because of the desirability of uniform practices throughout the United States, and secondly because of the more economical administration which is and would be possible because the Commission already performs a considerable amount of kindred work.

Respectfully submitted.

NORTHWEST PUBLIC POWER ASSOCIATION,
GUS NORWOOD, *Executive Secretary.*

FEBRUARY 15, 1954.

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission,
Washington, D. C.

DEAR MR. DEMMLER: I am writing to you on behalf of the Farmers Educational and Cooperative Union of America (generally abbreviated as "National Farmers Union") in my capacity as president. Farmers Union is a general farm organization having a membership of 215,801 farm families, with chartered State organizations in 15 States.

We understand that the SEC has fixed February 18, 1954, as the date for a public hearing on a proposed amendment of its regulation relating to competitive bidding under the Public Utility Holding Company Act of 1935. The proposed amendment would grant to operating utilities throughout the country a very broad exemption from the SEC competitive bidding requirements which have been in effect since 1941. It is the purpose of this letter to inform the Securities and Exchange Commission of the reasons why Farmers Union strongly opposes this proposed curtailment of competitive bidding and urges that your Commission act to protect the public interest by rejecting the amendment.

Members of Farmers Union have a vital interest in the sound administration of the Public Utility Holding Company Act of 1935. We believe it is most important that there should be no recurrence of the abuses which once existed in the field of privately owned public utilities and which the Public Utility Holding Company Act of 1935 was intended to eliminate once and for all.

The proposal to amend rule U–50 would strike at the heart of the competitive-bidding requirement. The history of the SEC's competitive-bidding rule since it was adopted in 1941 shows the very wholesome results which it has produced. These results have been of particular importance to farmers in all sections of the country.

The farmers of this Nation suffered greatly from the evil effects of centralized control by investment-banking firms over privately owned public utilities. This centralized control was encouraged by the absence of arms'-length bargaining between investment-banking firms and the utilities prior to 1941, when rule U–50 was adopted. We believe that the proposed amendment of rule U–50 would open the door to a return of these evil practices.

Farmers use large amounts of electric power, and the cost of this electric power is important to their economic well-being and success. Our members are interested in assuring that the wholesale rates of electric power to Rural Electric Administration-financed cooperatives are kept at the minimum practicable level. They likewise are interested in assuring that the retail costs of electricity to individual farmers are kept at the minimum practicable level. Any change in Federal regulations which would bring about unjustifiable increases in rates for power would be extremely unfortunate. Yet this is exactly what must be expected if your Commission adopts the proposed amendment to rule U–50.

For more than 10 years, rule U–50 has been a bulwark in maintaining competitive conditions and for reducing the costs of capital to privately owned utilities. This is well documented in the statistics and evaluations which your Commission has included in its annual reports to Congress.

For these reasons, we feel it is clear that the proposed amendment of rule U–50 would be contrary to the public interest and would be particularly injurious to the welfare of the farmers throughout the country. This proposed amendment should not be adopted. We feel your Commission will not adopt it

if you give the matter the full investigation and careful consideration which it deserves.

We request that this statement of our views be included in the public record of the hearing on this matter.

Sincerely yours,

JAMES G. PATTON,
President, National Farmers Union.

ILLINOIS COMMERCE COMMISSION,
Chicago, Ill., March 26, 1954.

Mr. RALPH H. DEMMLER,
Chairman, Securities and Exchange Commission, Washington, D. C.

DEAR MR. DEMMLER: Your letter of March 5 at hand and the contents therein noted. I have not been able to locate whatever became of your letter of January 29. I am sorry, but it must have been sent to some other commission in the building and did not get through to my office.

The proposed amendment to rule U-50 section 6 (b) of the Holding Company Act would have very little effect upon Illinois public utilities—since substantially all of our utilities are not subsidiaries of any holding company.

As I understand the proposed amendment, it exempts another well-defined class for the requirement for competitive bidding. It is my opinion that competitive bidding should be required only under those conditions when there is a favorable outlook that competitive bidding will obtain more favorable terms than will a negotiated sale. I can see no objection to the proposed amendment. It has been the policy of this commission in general to consider the proposal of the company and to authorize and approve the financing if the commission felt the terms were reasonable. Therefore, I do not see any reason why our commission would have any objections at all to the proposed amendment. I am aware of the fact that there is definitely two schools of thought on this matter as several of our utilities almost invariably resort to competitive bidding, and while a like number almost invariably use the negotiated bid route. The commission looks over the prospectus presented to us at the hearings in regard to the bidding and the arguments pro and con for competitive bidding and/or negotiated bidding and then makes its decision—in other words—each offering of securities is treated as a separate matter and what appears to be to the best interest to the utility at the time of the offering is followed in this State.

Your letter also requests an expression of opinion as to whether, under the applicable law of the State of Illinois, the Illinois Commerce Commission, and I quote, "expressly authorizes" the issue and sale of securities of electric and gas companies organized and doing business in Illinois with the addendum—and again I quote "as those words are used in the above quoted sentence of section 6 (b) of the Holding Company Act." I have no way of telling the precise meaning of the words "expressly authorized" and I presume the matter is a legal question. However, in Illinois, it is the opinion of the Commission that it has full and complete authority to approve or disapprove proposed financing of any public utility in this State.

By way of summation of your letter, allow me to state that it is our opinion that the amendment as proposed is a good one and should be adopted. I am sorry that my comments have come at a late hour, but I assure you that they are sincere.

Trusting that we can continue to cooperate with one another about our mutual problems, I remain

Sincerely yours,

GEORGE R. PERRINE, *Chairman.*

Mr. DOUGLAS. Mr. President, I yield the floor.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arizona [Mr. GOLDWATER].

Mr. GORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Anderson	George	Martin
Barrett	Goldwater	Monroney
Beall	Gore	Murray
Bowring	Hendrickson	Robertson
Burke	Hennings	Russell
Bush	Holland	Smith, N. J.
Byrd	Johnson, Tex.	Stennis
Carlson	Johnston, S. C.	Symington
Case	Knowland	Thye
Clements	Lehman	Upton
Douglas	Long	Williams
Frear	Mansfield	

The PRESIDING OFFICER (Mr. BEALL in the chair). A quorum is not present.

Mr. KNOWLAND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mr. BRICKER, Mr. BRIDGES, Mr. BUTLER of Maryland, Mr. CHAVEZ, Mr. COOPER, Mr. CORDON, Mr. DIRKSEN, Mr. DUFF, Mr. DWORSHAK, Mr. ELLENDER, Mr. FERGUSON, Mr. FLANDERS, Mr. FULBRIGHT, Mr. GILLETTE, Mr. GREEN, Mr. HAYDEN, Mr. HOEY, Mr. HUNT, Mr. IVES, Mr. JENNER, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. MAGNUSON, Mr. MALONE, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. WATKINS, Mr. WILEY, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the New York Times of May 4, 1954, with reference to revisions of the Taft-Hartley Act.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TAFT-HARTLEY IN THE SENATE

Revisions of the Taft-Hartley Act which substantially carry out President Eisenhower's recommendations are now being debated in the Senate. That is as it should be. It is high time that Congress faced up to a vote on issues which have been discussed again and again in committee. The last major debate on a series of important changes in the labor-relations law took place in 1949.

The amendments proposed in the Senate bill, offered by Chairman H. ALEXANDER SMITH, of the Labor Committee, deal with national emergencies, free speech, injunctions, secondary boycotts, union security, non-Communist affidavits, and State powers to deal with local emergencies. The President's proposals for a Government-supervised strike vote and minimum standards for administering union welfare funds are omitted from the Smith bill. These subjects will be handled separately. The bill does not satisfy labor proponents, who urge complete repeal, nor does it satisfy some employers, who prefer more drastic changes. However, it is a beginning that merits full and fair debate. This is no time for extremists on either side to play politics with what should essentially be a subject calling for consideration solely on its merits.

As Senator SMITH said in opening the debate: "We should try by degrees to pull the Government out of these controversial situations and challenge the two real principals—employers and employees—to get together and agree on what should be the rules governing their relationships and covering sound principles of collective bargaining." The Senate would not be dealing justly with a problem of labor-management relations if it sent the Smith bill back to committee, as proposed by the minority of the Labor Committee.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the decision in the Garner case, together with a compilation showing the probable effect of that decision on certain State laws with respect to labor-management relations.

There being no objection, the decision and compilation were ordered to be printed in the RECORD, as follows:

THE DECISION IN THE GARNER CASE

Listed below are the important statutes dealing with labor relations in many of the States of the Union. The Garner case raises the question—will it nullify these State laws? That is the question for which the Goldwater amendment seeks to provide a solution.

Briefly summarized the facts in the Garner case are as follows:

Garner brothers were partners in a trucking business in Harrisburg, Pa., under the name of Central Storage & Transfer Co. They used a loading platform at the Reading freight station as a local pickup and delivery point.

The company employed 24 persons as truckers and helpers. The teamsters union had attempted, over a period of 15 years, to organize Garner's employees but had succeeded in enrolling only 4 out of the 24. Garners had never objected to any of their employees joining the union.

On June 7, 1949, the union began picketing the freight platform used by the Garners with placards which read "Local 776 Teamsters Union (AFL) wants employees of Central Storage & Transfer Co. to join them to gain union wages, hours, and working conditions."

As a result of the picketing, union members employed by other carriers refused to make deliveries or pickups at the platform used by the Garners and their business fell off 95 percent, causing a loss of about $500 a day.

The Garners obtained an injunction in the State court to restrain the union picketing. The Pennsylvania Supreme Court set aside the injunction on the ground that the case involved a violation of the National Labor Relations Act, as amended, and therefore the remedy was exclusively Federal.

The United States Supreme Court affirmed in a decision which clearly indicated that the States, for all practical purposes, may not enact or enforce their own laws to deal with labor disputes.

In the event the Goldwater amendment or some similar States' rights provision is

not adopted, there will remain serious doubts, under the Garner decision, about the validity of the following State statutes governing labor relations. (State laws relating to public utilities have not been included because it is considered that the proposed emergency provisions would be adequate to protect the States with respect to situations involving such instrumentalities.)

ARIZONA

I. Provision making unlawful (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting picketing where there is no labor dispute.

III. Provision against secondary boycotts.

ARKANSAS

I. Provision making unlawful (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision (1) prohibiting payment of dues as condition of employment, and (2) requiring authorization of employees for checkoff.

COLORADO

I. Provision permitting union shop only if authorized by three-fourths of the employees.

II. Provision requiring authorization of employees for checkoff and making authorizations terminable on 30-day notice.

III. Provision prohibiting mass picketing and making picketing illegal except after strike vote.

IV. Provision prohibiting secondary boycotts.

V. Provision requiring strike notice, strike vote, and waiting period.

VI. Provision prohibiting sitdown strike or seizure of property.

VII. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

CONNECTICUT

I. Provision prohibiting picketing of homes.

II. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

FLORIDA

I. Provision making unlawful (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting picketing of homes and confining picketing to entrances and exits and to area where dispute arises.

III. Provision prohibiting jurisdictional strike.

IV. Provision requiring strike vote.

V. Provision prohibiting sitdown strike or seizure of property.

GEORGIA

I. Provision making unlawful (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision (1) prohibiting the payment of dues as a condition of employment, (2) requiring authorization of employees for dues checkoff.

III. Provision prohibiting mass picketing.

IV. Provision making it unlawful to prevent any employer from lawfully conducting his business or acquiring materials.

V. Provision requiring 30-day strike notice.

IOWA

I. Provision making unlawful (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision (1) prohibiting payment of dues as condition of employment, and (2) requiring authorization of employees for checkoff.

III. Provision prohibiting jurisdictional strikes and secondary boycotts.

KANSAS

I. Provision authorizing an all-union agreement only if authorized by majority of employees to be governed thereby.

II. Provision prohibiting the picketing of homes, (2) making it unlawful to restrict entrances or exits, and (3) confining picketing to area where dispute arises.

III. Provision prohibiting jurisdictional strikes.

IV. Provision requiring a strike vote.

V. Provision enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

KENTUCKY

I. Provision requiring the authorization of employees for union checkoff.

LOUISIANA

I. Provision prohibiting the picketing of courts.

MARYLAND

I. Provision reciting that agreements requiring union membership are against public policy and are not enforceable in the courts.

II. Provision prohibiting sitdown strikes or seizure of property.

MASSACHUSETTS

I. Provision making it an unfair labor practice to discharge employees for nonmembership in a union unless ineligible for membership because of occupational disqualification or breach of discipline.

II. Provision requiring authorization of employees for union checkoff.

III. Provision prohibiting the picketing of courts.

IV. Provision making it illegal to boycott to bring about an unfair labor practice, to coerce employees in choice or rejection of bargaining representative after determination has been made that they do not desire to be represented by such union.

V. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

MICHIGAN

I. Provision prohibiting mass picketing, picketing of homes, and making it unlawful to restrict entrances or exits.

II. Provision making it unlawful to interfere with roads or means of travel.

III. Provision providing for no jurisdictional strike pending attempt to mediate (if this fails, election must be held to determine the issue).

IV. Provision requiring a strike vote and a 10-day strike notice (the provision for the holding of strike authorization elections was declared unconstitutional by the U. S. Supreme Court (*U. A. W.* v. *O'Brien*, 339 U. S. 454) as applied to an employer engaged in interstate commerce.)

V. Provisions against sit-down strikes or seizure of property.

VI. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

MINNESOTA

I. Provision prohibiting picketing by nonemployees and restricting picketing where no strike is in progress.

II. Provision regulating jurisdictional strikes.

III. Provision requiring strike vote.

IV. Provision prohibiting sit-down strikes or seizure of property and prohibiting strikes (1) to deny rights of certified union to bargain and (2) to coerce other employers to encourage or discourage union membership.

V. Provision providing for compulsory mediation with respect to certain concerns.

VI. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

NEBRASKA

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting mass picketing.

NEVADA

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

NEW YORK

I. Provisions enumerating unfair labor practices for employers. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment the States would be preempted and could not enforce their laws governing such acts.)

NORTH CAROLINA

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting payment of dues as condition of employment.

OREGON

I. Provision prohibiting picketing unless union is certified as bargaining for employees.

II. Provision prohibiting secondary boycotts.

PENNSYLVANIA

I. Provision requiring that majority of employees in the collective-bargaining unit vote for check-off and secret ballot.

II. Provision prohibiting picketing by nonemployees.

III. Provision prohibiting jurisdictional strikes and secondary boycotts.

IV. Provision prohibiting sit-down strikes or seizure of property.

V. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment the States would be preempted and could not enforce their laws governing such acts.)

RHODE ISLAND

I. Provision requiring authorization of employees for union check-off.

II. Provision enumerating what constitutes unfair labor practices for employers.

(With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment the States would be preempted and could not enforce their laws governing such acts.)

SOUTH DAKOTA

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting (1) mass picketing, (2) picketing by nonemployees, and (3) picketing where no labor dispute exists, and (4) picketing which obstructs entrances or exits or picketing with violence.

III. Provision making it illegal to interfere with movement of farm products because not union-made.

TENNESSEE

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting payment of dues as condition of employment.

UTAH

I. Provision requiring authorization of employees for union checkoff, and making authorization revocable at will of employees (dues to be not more than 3 percent of monthly wages).

II. Provision prohibiting mass picketing, picketing of homes, and permitting picketing in any event, only if majority have voted in favor of a strike.

III. Provision regulating secondary boycotts.

IV. Provision requiring a strike vote.

V. Provision against sitdown strikes or seizure of property.

VI. Provisions enumerating what constitute unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

VERMONT

I. Provision prohibiting sitdown strikes or seizure of property.

VIRGINIA

I. Provision prohibiting (1) closed shop, (2) union shop, and (3) maintenance of membership.

II. Provision prohibiting the payment of dues as a condition of employment.

III. Provision prohibiting picketing by nonemployees.

WASHINGTON

I. Provision prohibiting sitdown strikes or seizure of property.

WISCONSIN

I. Provision against all union agreements unless authorized by two-thirds of employees voting, if the two-thirds constitutes a majority of the employees.

II. Provision requiring authorization of employees for union checkoff (authorization must be terminable on 30-day notice).

III. Provision against mass picketing, picketing where no labor dispute exists, and picketing of homes.

IV. Provision against jurisdictional strikes.

V. Provision requiring a strike vote.

VI. Provision prohibiting sitdown strikes or seizure of property.

VII. Provisions enumerating unfair labor practices for employers and unions. (With respect to State unfair labor practices, if the Goldwater amendment is enacted, the States will be able to exercise concurrent jurisdiction with the Federal Government. In the absence of such an amendment, the States would be preempted and could not enforce their laws governing such acts.)

In addition to the laws enumerated above, there are a number of States which have no statutory provisions regulating labor relations but which operate in this field under the common law and court decisions. Under the preemption doctrine set out in the Garner case, this body of law would also be nullified and of no force or effect.

Mr. MURRAY. Mr. President, as I rise to present my position concerning the pending matter, I am reminded of an old American maxim which was forged out of the experiences of our forefathers. The words of that maxim are, "Nothing is ever settled until it is settled right."

Mr. President, the Senate has heard the able, kindly, and highly respected chairman of the Committee on Labor and Public Welfare [Mr. SMITH of New Jersey]. After listening to his eloquent and moving words, I am sure Senators are convinced that the majority on this committee constitutes a veritable paragon of virtue. One would think that the only object and purpose of the majority was to be kind, sympathetic, and helpful to labor—to protect it from its leaders and from politicians who might be inclined to lead it astray. To accomplish this end, they conceived the idea that they should permit only the President's proposals for amendments to be considered—and this, having been accomplished, labor would be protected in every respect and there would be no need for the amendments about which the minority is concerned.

I should like to have the Senate give close attention to what actually happened in the committee in relation to this matter. Every Member of the Senate should be vitally interested in the manner in which the legislative processes of the committee were discharged. There can be nothing more important to our country than the preservation of the integrity, the dignity, and the reputation of the United States Senate and its legislative processes. The Senate of the United States has won the reputation of being the greatest deliberative body in the world. Anything that would detract from that reputation and make it appear that the legislative processes of this great deliberative body are not sound, that full and fair hearings were not held, that amendments proposed on behalf of labor were refused consideration, and that every segment of our population interested was not given full opportunity to present proposals for amendments or changes in the law, would be hurtful and damaging, and bring this body into disrepute.

In the proposed legislation now being considered by the Senate we are undertaking to regulate the relations between labor and management. We are under obligation to see that labor is given fair treatment; that it is protected in every way in its right to organize and bargain collectively for decent wages and living conditions. No segment or group of our population is so quickly affected by recessions, depressions, "rolling readjustments" or other gyrations of our economy. They are the first to be thrown out of employment when any of these adjustments or readjustments occur.

We have in this country the greatest mass of skilled and common workers in the world. They constitute the backbone of our economy. In the late war, they accounted for what has been termed "the miraculous American production which won the war." We produced the war materials and munitions, not only for our own forces but, in large part, for the forces of our allies. All this could be accomplished only with the patriotic cooperation of American labor.

These workers live largely in the big industrial centers and are seriously affected when out of employment as a result of recessions, strikes, or lockouts in connection with labor disputes.

I recall that in 1947, when we were considering the Taft-Hartley bill, Harold Stassen, former Governor of Minnesota, appeared before the committee and in a colloquy with the then Senator Ball, of Minnesota, he said:

> I think it is important that we remember the experience of 1920 to 1929. In 1920 the average wages in 25 leading industries in this country which were sampled, were 61 cents an hour. In 1921 and 1922 those wages were driven down to 49 cents an hour, a drop of 12 cents. Then we went through the boom up to 1929, and they still only got up to an average of 59 cents an hour. That lagging behind of wages of workers was accompanied by the knocking down of union membership from 5 million to 3,400,000 of membership. So that you had profits rising rapidly in industry, total production going up to new highs, but wages held down below the 1920 level. I think that was the result of weakness on the part of labor organizations. (Hearings, U. S. Senate, pts. 1-3, 1947, vol. 1, p. 572.)

I am recalling these matters to show how important it is that labor, as well as all other segments of our economy, should be given full and fair opportunity to present its position in connection with national legislation. Any attempt to deny labor this right is fraught with danger and is injurious to the whole economic system. If labor had been protected by proper laws in the twenties, we probably would not have had to undergo the serious depression of that period.

So, Mr. President, I think the Senate should carefully examine the procedures by which this bill, S. 2650, to amend the Labor Relations Act of 1947, has reached this body.

Mr. President, the accomplishments or lack of them, of the 83d Congress will be hotly debated in the next few months. But one accomplishment of this Congress seems to be in the making, and about its merit there would seem to be little room for debate. I refer, Mr. President, to certain innovations in the legislative processes of the majority which may be designed to streamline the functioning of this preeminent legislative body—to give it a "new look," as it were. But certainly, Mr. President, this new procedure is not in harmony with the thoughtful deliberation which, under our form of Government, ought to characterize the legislative procedures of a Senate committee. Indeed, since the convening of this session of the Congress, the Senate Committee on Labor and Public Welfare has shown a disposition to legislate by whim and caprice.

The able chairman of the committee has undertaken to introduce a radical change in committee procedure. It has

been the uniform rule in committees, where hearings are held on proposed legislation, that all sides of the question involved should be heard and amendments from all sides should be considered. In this case the chairman said he proposed to allow the committee to consider only the proposals of the President.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MURRAY. I am glad to yield.

Mr. LEHMAN. Is it not very clear, from the statement of the chairman of the committee himself, that the ruling which he made was purely arbitrary and unusual, and did not even have the wholehearted, sincere support of the other members of the majority of the committee? On May 3, only 2 days ago, the distinguished chairman of the committee made a statement which I am about to quote. After explaining that at the opening of the executive session meetings of the committee he, as chairman of the committee, announced that the deliberations of the committee would be confined to the subject matter of the President's recommendations as well as to the bill, S. 2650, he said later on:

> However, as I have said before, there were members of the committee, both Republicans and Democrats, who desired to offer additional amendments to be incorporated in the bill. As chairman of the committee I felt it necessary to urge upon my committee the limiting of the bill to be reported by the committee to those matters covered by the President's recommendations. The Republicans on the committee reluctantly agreed to this procedure and supported the chairman when the matter came before the full committee. The minority opposed the procedure on the ground that it was arbitrary and contrary to the spirit of Senate procedure in dealing with important matters of this kind.

It seems evident to me, and I might ask if it does not seem evident to the distinguished Senator from Montana, that that statement is a confession that the chairman of the committee made up his mind deliberately that he was going to follow the definite instructions and mandate of the President of the United States, who wished only a certain few amendments to be considered, and that he was able then, as the result of the influence he had on the other members of the committee, to persuade them, "reluctantly," as he said, to follow that procedure and to follow his lead in the matter, and thereby to shut off the Democratic members of the committee from proposing amendments which they thought wise, and which they thought would improve the relations between workers and employers.

Even on the last day, I am certain that the distinguished Senator from Montana will remember that a number of minority members of the committee sought to offer amendments, but we were ruled out of order in each instance.

Mr. MURRAY. The Senator from New York is exactly correct in his analysis of what happened in the committee. I am certain that the able chairman of the committee will agree that the statement is entirely in accord with the facts.

I believe that the chairman of the committee was entirely sincere in his efforts to comply with the directions from the White House. I think he was acting—at least, he so gave me the impression—under urgent instructions from the White House in the matter. But, of course, it was a complete violation of the rules of procedure which the committee has uniformly followed, and it seems to me that the members of the minority should have been allowed to propose their amendments.

Mr. LEHMAN. Mr. President, will the Senator further yield?

Mr. MURRAY. I yield.

Mr. LEHMAN. If it be true—and I am certain it is true—that the distinguished chairman of the committee knowingly and willfully decided to permit consideration only of the amendments which were satisfactory to the President of the United States, did not that constitute an encroachment by the Executive on the functions and powers of the legislative branch of the Government?

Mr. MURRAY. The Senator is exactly correct. There can be no question about that.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I feel that it is necessary to correct the last implication of the statement of my distinguished colleague from New York, because I can say that the White House had nothing whatsoever to do with my action except to submit certain recommendations. As chairman of the committee, with the responsibility of endeavoring to get the President's program before the Senate at the earliest possible date, in order to permit the Senate to pass upon some of these recommendations, I felt that it was my duty to request my committee to limit its discussions upon the bill to the recommendations made by the President.

I made it clear that I would be glad to continue with the committee if they desired to introduce another bill with additional recommendations, and I am still willing to do so between now and the time of adjournment.

But in order to get the bill to the floor and to give the Senate the opportunity to pass on the President's recommendations, I felt, in the interest of expedition, that this was the best procedure to follow and, as I said before, I followed the precedent of the Democrats in 1949, when they were confronted with the same situation, in which they felt it was necessary, in order to enact Mr. Truman's program, to deny to Senator Taft, Senator Donnell, and myself, of the minority, the privilege of submitting amendments. I do not quarrel with that procedure, but I state it as a fact. They did the same thing, as is evidenced by the minority views on that occasion, which I read on Monday, and which I shall read again so that there will be no question on this score. This is the statement which was prepared by the late Senator Taft, former Senator Donnell and myself. I do not think we can be charged with stating an untruth. We stated the facts in the RECORD. We said:

> In reporting out S. 249 in its present form (hereinafter referred to as the committee bill), the majority of the Committee on Labor and Public Welfare—

Meaning the Democratic majority—

> are asking the Senate to pass a law which the committee had no part in formulating.

That is the same charge as is now being made against me. I continue to read:

> According to the Secretary of Labor, the committee bill was drafted under his direction with the advice and assistance of the heads of several executive agencies and departments and approved by the President. Consideration by the committee of the committee bill as a whole or of any of its specific provisions was completely denied. Minority members were not even permitted to offer amendments. Without discussion in committees, by an 8–to–5 vote which strictly followed party lines, the committee bill was sent to the floor just as it had been drafted by persons outside the legislative branch of the Government. The many and valuable suggestions made by various responsible witnesses during the hearings were completely ignored. The entire procedure followed with respect to this bill represents a complete abandonment of the legislative principles upon which our Government was founded.

There existed at that time the same situation in which we find ourselves today. There was a need to get a bill on the floor of the Senate. The procedure referred to was adopted. The committee did the same thing this time. I am not defending the procedure, but I am stating that if members of the minority want to offer some more amendments, I am perfectly willing to sit down with them and report another bill, if the Senators will prepare the amendments they desire to have adopted. However, my purpose was to get the bill before the Senate at the earliest possible date so that all the Members of the Senate could consider it. I had been asked by many Members of the Senate, "When are you going to get the recommendations out of committee so we can debate them on the floor?" That is why they are now before the Senate, and we are prepared to debate the various amendments, and any other amendments which may be offered on the floor, just as we did in 1949. At that time the late Senator Taft and I offered certain amendments, which were debated by the Senate.

When there is before the Senate a controversial matter such as one having to do with labor relations, it is not unprecedented to have such a procedure. I am very much surprised to have the procedure termed "steamroller tactics" and "gag rule." The committee is merely trying to carry out the President's program.

That is the defense I have. I am glad the question has been raised. I feel my position is perfectly sound. If any Member of the Senate feels that he has been shown any disrespect, I take responsibility for the committee's action. The committee supported me. The question was put to the committee whether additional amendments were to be considered. By majority vote, the committee reported the bill as it has been submitted. The

action was that of the committee; the President had nothing to do with it except to offer the recommendations. I felt it was my duty and responsibility to try to get the recommendations before the Senate for consideration.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from New York.

Mr. LEHMAN. I have listened with great interest to the reply of the chairman of the committee to the remarks I made a while ago. I may say that while I have very high personal regard for the Senator from New Jersey, I do not think his reply was either persuasive or responsive. I quote from the speech which the Senator made on May 3, in which he stated:

> At the opening of the executive session meetings of the committee, I, as chairman, announced that our deliberations would be confined to the subject matter of the President's recommendations, as well as the bill, S. 2650—

which is the unfinished business.

The Senator stated in the remarks which he made a little while ago that any Senator could offer amendments to the Taft-Hartley law on the floor of the Senate. However, I think the Senator from New Jersey overlooks the fact that many of the amendments which we sought to have considered in the committee referred to the very bill which is now before the Senate, as introduced by the distinguished Senator from New Jersey, S. 2650. I know that at least two of the amendments were, because they were amendments which I sought to have considered. One was the antidiscrimination amendment, on which I was ruled out of order. The other one was a request that section 16 of the Smith bill be stricken out completely. It is a section which I believe, while not quite as bad as the Goldwater amendment, would permit the governors of the States to enforce any settlement of a labor dispute which such governors believed to be right or wished to have accepted. Both of those amendments distinctly referred to S. 2650, which was then reported out by the committee.

While I realize that the experience of the Senator from New Jersey in the Senate is somewhat longer than my experience, I do not recall any instance where the Members of a committee were refused the right to submit and have considered amendments to legislation which was then pending before the committee.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from Arizona.

Mr. GOLDWATER. During the course of the debate constant reference has been made to the fact that no amendments were allowed to be brought up. I should like to ask the distinguished Senator from Montana if it is not his memory that in 6 executive sessions of the committee there were 12 amendments offered by Members of the minority, which were thoroughly discussed.

Mr. MURRAY. Yes, but there were other amendments which were desired to be offered besides those which were brought up during the course of those executive sessions. Amendments were discussed during the course of these sessions, but when the chairman of the committee concluded the executive meetings, he stated positively that he was going to permit consideration only of the President's proposals. He stated that such action was in the interest of expediting the legislation, that he had to get it through, and that he was not going to permit any other amendments except those proposed by the President.

Mr. GOLDWATER. Mr. President, will the Senator yield for another question?

Mr. MURRAY. I yield.

Mr. GOLDWATER. Then, the Senator from Montana does not wish his remarks to imply that there were no amendments offered by the minority, does he?

Mr. MURRAY. No amendments, which members of the minority were trying to offer, were accepted by the committee. Such members were pressing the committee at the last minute to receive amendments which they desired to offer, but they were shut off and advised that no amendments would be considered except the amendments proposed by the President.

The chairman of the committee has referred to what he calls a precedent which he claims occurred in 1949. I was very familiar with the proceedings concerning the Taft-Hartley Act at that time. Very lengthy hearings, which went on for months, were held by the committee. Six volumes comprised the proceedings. At no time were members of the minority precluded from offering amendments. The statement which was made in the minority views, to the effect that members of the minority were shut off, does not give any facts. The views do not refer to any specific amendments. They merely contain general conclusions of the Senators who presented those minority views.

Mr. GOLDWATER. If the Senator will yield further, I should like to say that I do not believe it is the intention of the Senator from Montana to doubt the word of the Senator from New Jersey or the word of the late Senator from Ohio when, in their statement in the minority views, they said that the minority members were not even permitted to offer amendments. I am sure the Senator does not want to doubt the veracity of that statement.

Mr. MURRAY. If anything like that occurred, I certainly would have known it. If those members were refused that opportunity, I certainly would have known of it at the time; and I state positively now that I have no recollection of any denial of that kind. Such a denial would have been unusual. It would have been an innovation in the procedure of the committee, and would have been the first time I would have heard of any such thing as shutting off the minority members and preventing them from having the right to present amendments. I know of no case, since I have been in the Senate, where proposed amendments were refused to be considered. Amendments are often defeated but their consideration is never denied.

Mr. GOLDWATER. If the Senator will yield further, I should like to ask him a question. Did the Senator from Montana challenge the statement when it was offered on the floor as part of the minority views? The Senator from Montana was present in the Senate, and I was not, and I have to ask the Senator that question, because if the Senator from Montana felt the statement was incorrect, I think he should have objected at the time. Did the Senator from Montana object at the time?

Mr. MURRAY. During the debate on the floor of the Senate there was no fight about it. No effort was made to prove that there was any denial of the right of members of the committee to present amendments. The failure to discuss that phase of it on the floor of the Senate would seem to me to prove that there was no denial of such an opportunity.

Mr. GOLDWATER. Mr. President, I suggest it has been the practice of the Senate, at least since the time I have been a Member of it, to accept as truthful statements which are made in these reports.

Mr. MURRAY. Oh, yes.

Mr. GOLDWATER. And if they are not truthful, the time to doubt them would be at the time they are offered, and a Senator ought not to stand on the floor of the Senate 3, 4, or 5 years later, and say the Senators, one of whom is present on the floor of the Senate at this time, the Senator from New Jersey [Mr. SMITH], in effect lied in making such a statement.

I am sure the Senator from Montana does not wish to imply that.

Mr. MURRAY. Senators often make mistakes. They often arrive at conclusions which are not justified by the facts. That occurs frequently.

I wish to say that if there had been a denial in the 1949 proceedings of the right of the then minority to submit amendments, certainly we would have heard in most vigorous fashion from those on the other side of the aisle. Does any Senator think the late Senator Taft would have permitted the committee to "get away" with such conduct?

Mr. GOLDWATER. I think very vigorous action was taken. In fact, the amendments submitted by the late Senator Taft were the ones which were accepted. That must have taken some vigorous action on the floor. The mere fact of the printing of the protest in the minority views indicates clearly a rather vigorous protest.

Mr. MURRAY. Minority views frequently are prepared by staffs; and sometimes when the Senators who submit the minority views actually read them they do not agree at all with them and reject or change them very substantially. That frequently happens.

No merit attaches to the minority views merely because they contain a

statement to the effect that the minority members of the committee had been denied the right to submit amendments, for if they had been denied that right we would have heard very vigorous protests from the late Senator Taft.

The chairman of the committee at that time, then the Committee on Education and Labor, was the late Senator Thomas, of Utah, one of the kindest, most sincere, honest, and honorable chairmen the committee ever had. I am sure he never would have declined to permit the late Senator Taft or any other member of the committee to submit appropriate amendments.

Mr. GOLDWATER. Mr. President, I have only one more question to ask the distinguished Senator from Montana. Inasmuch as he was on the committee at that time, I believe his memory will serve him sufficiently to enable him to answer the question I have in mind, which is this: Is it the recollection of the Senator from Montana that the executive session of the committee, with reference to which the minority members stated, in the minority views, they were denied an opportunity to submit amendments, lasted approximately 20 minutes?

Mr. MURRAY. We had several sessions.

Mr. GOLDWATER. I am referring to the executive session at which the committee decided to report the bill to the floor of the Senate.

Mr. MURRAY. Does the Senator from Arizona refer to the last meeting, at which the executive sessions were concluded, and at which the committee voted to report the bill to the floor of the Senate?

Mr. GOLDWATER. Yes.

Mr. MURRAY. I cannot recall that the meeting lasted only 20 minutes. I remember we had several sessions, and very extensive hearings. I know the late Senator Thomas, of Utah, was especially generous, friendly, and cooperative with the Republican members of the committee; and I am confident he never would have acted arbitrarily or would have denied them the right to submit amendments.

Mr. GOLDWATER. Mr. President, to end this colloquy, insofar as I am concerned, let me ask one more question: Is it not true that, this year, in connection with the preparation of the pending bill, lengthy executive sessions of the committee were held, and at the committee meetings 12 amendments that had been submitted by minority members of the committee were voted on?

Mr. MURRAY. The committee held meetings only in the mornings, so the meetings were not lengthy.

Mr. GOLDWATER. Of course, the Independent Party has changed the practice of holding committee meetings in the afternoons. So we cannot compare the present committee procedure with that in prior years.

Mr. MURRAY. So the committee did not have extensive executive sessions. The meeting at which the committee finally acted on the bill took place in the morning, and lasted only a short time. Then the chairman of the committee decided to close the proceedings and to report the bill without giving the minority members of the committee an opportunity to submit the amendments they were prepared to offer and wished to offer right then and there.

Mr. LEHMAN and Mr. WATKINS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and, if so, to whom?

Mr. MURRAY. I yield first to the Senator from New York.

Mr. LEHMAN. Mr. President, I was not a Member of the Senate prior to November 8, 1949, so of course I cannot speak from personal experience about what transpired at those meetings of the committee, of which I have been a member since 1950. Neither can I refer to what occurred at that time on the floor of the Senate, in connection with this matter.

However, regardless of what occurred in 1949, I do not concede the accuracy of the statements made by our friends on the other side of the aisle, to the effect that that is any excuse whatsoever for the use of arbitrary methods in the year 1954, inasmuch as the bill has loomed large in the conscience of the people of the United States, and there has been a real desire on the part of both workers and industry, as well as the public generally, to see steps taken to strengthen the labor relationships between those two great bodies of our people.

I also wonder whether the Senator from Montana remembers—I remember very distinctly—that at various times during the hearings, proposals were made looking toward amendment of the Smith bill, as originally submitted. I believe there were two versions of the Smith bill.

Mr. MURRAY. Yes.

Mr. LEHMAN. In each instance when the amendments did not apply directly to the proposals made by the President of the United States, the chairman of the committee ruled the amendments out of order. However, there was a clear understanding—at least, there was on my part, and I believe there was also a clear understanding on the part of other members of the committee——

Mr. MURRAY. Yes, I think so.

Mr. LEHMAN. I am sure there was a clear understanding on the part of at least some members of the committee that although the committee would consider first the amendments suggested by the President of the United States, the committee members would not be estopped from submitting other amendments at a later time.

Mr. SMITH of New Jersey. I said that just now. I shall be prepared to meet with the other members of the committee just as soon as the Senate concludes its action on the pending bill, and to have them submit amendments—but not to this bill.

Mr. LEHMAN. I refer to the submission of amendments in the committee, during the time when the bill now before the Senate was under consideration by the committee.

Mr. President, when I was interrupted, I was about to say that in the committee there was a clear understanding that the minority members would have an opportunity to submit amendments to Senate bill 2650, then being considered by the committee, prior to the time when the committee voted to report the bill to the floor of the Senate. However, certainly that is not what happened. On the contrary, we were ruled out of order when we attempted to submit our amendments. I was the most surprised man in the world when, at the last meeting of the committee, before that arbitrary action was taken by my distinguished and highly respected friend, the Senator from New Jersey [Mr. SMITH], we were ruled out of order when we attempted to submit our amendments. I had no thought other than that the amendments I wished to submit and the amendments other members of the committee wished to submit would be received and considered by the committee.

Mr. WATKINS. Mr. President, will the Senator from Montana yield to me?

Mr. SMITH of New Jersey. Mr. President, will the Senator from Montana yield to me, to permit me to clarify a statement he made a moment ago?

Mr. WATKINS. I should like to ask a question in order to clarify this matter, in which I am very much interested.

Mr. SMITH of New Jersey. If I may do so, I should like to correct the RECORD, following a statement the Senator from Montana made, that I know is not a correct one.

Mr. MURRAY. Very well; I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. At the session held in this Chamber 2 days ago, when the Senator questioned me on the procedure in 1949, and, again, just now, the Senator said that in 1949 there was no discussion on the floor of the Senate in regard to the action of the committee in refusing to permit the submission of amendments.

I have had an examination made of the CONGRESSIONAL RECORD of June 8, 1949. From the CONGRESSIONAL RECORD, volume 95, part 6, page 7429, I now read the statement made by the Senator from Oregon [Mr. MORSE], then a member of the minority:

> It was my hope, and I think it was the wish of the Nation, that the labor bill reported to the floor of the Senate this year might be a bipartisan bill, the product of careful, thorough committee discussion. But the Thomas bill is not the product of executive-session discussion. The fact is that we did not have any executive-session discussions of the Thomas bill. At the very first executive session held by the committee, after the hearings were closed, a Democratic Senator moved that the bill be reported favorably to the Senate. Another Democratic Senator seconded the motion. When Republican Senators sought to offer amendments, they were declared out of order, on the ground that the motion was not subject to amendment. Even an appeal from the decision of the Chair did not change the determination of the Democrats on the committee to report the Thomas bill to the Senate without amendment.
>
> Thus we find ourselves in the present unfortunate predicament of trying on the floor of the Senate to write the detailed provisions of labor legislation which should have been written in the committee. If we are to

do anything which will approach a statesmanlike job, it is important that all the various suggestions with reference to handling the many problems which will arise in connection with this piece of labor legislation which must now be written on the floor of the Senate be considered as in Committee of the Whole. We are forced here to look at suggestions which would have been and should have been made in the committee had we been permitted by the Democratic majority to follow the usual course of action in executive sessions of a Senate committee.

That is the statement of the Senator from Oregon, who felt that the procedure at that time was wrong. I am being charged with the same thing now. I wished to make the RECORD clear. The subject was brought up on the floor. Senator Taft offered his amendments on the floor, and they were agreed to.

Mr. MURRAY. Mr. President, I will say positively that I recall no ruling by the chairman of the committee at that time refusing the right to present amendments. Amendments might have been presented, and they might have been denied consideration after discussion by the committee. They might have been rejected, but I have no recollection of any instance in which Senators were denied the right to present them.

Mr. SMITH of New Jersey. I suggest to the Senator from Montana and other Senators who are interested that they read the CONGRESSIONAL RECORD, volume 95, part 6, page 7429. The RECORD shows that there was a great deal of debate on this question. Objection was made by Senator Taft, myself, and other Senators because of the fact that we were not allowed to present amendments.

I will say to the Senator from New York that I do not recall that he offered any amendments to the pending bill in committee, except on the last day, when the issue arose. I may be mistaken about that. I asked the minority members to present their amendments in writing, and I said I hoped that amendments would be limited to the recommendations of the President. I received a very fine memorandum from the Senator from Massachusetts [Mr. KENNEDY] covering a number of points, which we discussed carefully day by day in the committee. Some days only 2 or 3 members of the minority were present, but the majority were there every day in full force. As I remember, the Senator from Massachusetts was there twice alone, representing the Democratic side.

We did not deny any discussion of amendments relating to the President's recommendations. We simply tried to report, as the first bill, a measure within that particular area, namely, the President's recommendations. I constantly said I would be willing to have further discussion, after this bill was disposed of, if Members desired to introduce a further bill embodying their views, and I am still willing to do so.

Mr. LEHMAN. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield.

Mr. LEHMAN. I think the Senator from New Jersey is quite accurate in saying that the junior Senator from New York did not offer the amendments to which he has referred until the last day. It seems to me that that proves my case. I understood—and I believe all the other Members of the minority on the committee understood—that while we would dispose of the recommendations of the President first, there would be ample opportunity to offer other amendments, which would be considered by the committee prior to reporting the bill to the Senate.

Mr. SMITH of New Jersey. That is where the misunderstanding arises.

Mr. LEHMAN. May I finish? I am sure the Senator from New Jersey will recall that on many occasions during the hearings and during the consideration by the committee, I made the definite statement that I believed that the bill which was to be reported should contain a provision making it an unlawful labor practice to practice discrimination in employment by reason of race, color, creed, national origin, or ancestry, either on the part of the employers or on the part of the unions. I had every intention of offering such an amendment prior to the closing of the committee executive sessions.

Furthermore, very frequently during the hearings and on other occasions at committee meetings, I stated my strong opposition to the separation of Federal and State powers, and pointed out the disastrous effect which the turning over of such powers to the States would have on the industry of the country and on relations between workers and employers.

I never had any other thought but to make a motion to strike the gist of the provisions now contained in section 16 of the Smith bill. I will say to the Senator from New Jersey that it is my very definite intention to offer such an amendment on the floor of the Senate, now that I have been barred from offering it in committee.

Mr. SMITH of New Jersey. With respect to the so-called antidiscrimination feature, of course, that was not covered by the President's recommendations. I did my best to find an antidiscrimination provision which might be acceptable. I talked with many Senators on both sides of the aisle. That subject was not included in the President's recommendations, and that is the only reason the Senator from New York was ruled out on that point. I felt that we should limit our deliberations to the recommendations of the President.

With respect to the other point, I thought the Senator expressed himself very fully in the discussions with regard to what appeared in the bill as section 14 (c), namely, the emergency provision relating to health, safety, and so forth. The Senator expressed himself quite fully on that subject. I thought that was what he had in mind.

Mr. LEHMAN. I believe the Senator will agree, however, that sections 8 (a) and 8 (b) in the part of the bill referring to unlawful labor practices was included——

Mr. SMITH of New Jersey. In the President's recommendations?

Mr. LEHMAN. Yes.

Mr. SMITH of New Jersey. I do not think so.

Mr. LEHMAN. It is in the Smith bill.

Mr. SMITH of New Jersey. Not an antidiscrimination provision.

Mr. LEHMAN. Oh, yes. There is reference to it.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MURRAY. I shall be glad to yield as soon as I make an observation.

In connection with the subject now under discussion, I wish to say that I am confident every member of the committee who was present, both the minority side and the majority side, will admit that at the close of the hearings, when the chairman ruled that we were not to be permitted to offer certain amendments, there was great excitement, consternation, and loud talk. There was reference to steamrollering, and gag rule. It was the most boisterous ending of a committee session I have ever attended. I think that is pretty clear evidence that we were being denied something at that time.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. LEHMAN. I am glad the Senator from Montana has emphasized that point. I should like to remind him of one thing which I believe some members of the press may recall. At the conclusion of the hearings, members of the press were invited in, and they were advised of the action of the committee by the distinguished chairman of the committee. Some of us remained. I believe the Senator from Montana remained. I know I did, and I believe some other members of the minority remained. Immediately we emphasized the steamroller tactics. I can remember what I said better than what others said. I suppose that is human nature. I remember that I used the words, "I shudder to think what may happen if this provision for the separation of powers as between State and Federal governments remains in the bill."

I told members of the press about my efforts to introduce the antidiscrimination provisions, and my disappointment and shock because I was prevented from bringing them up in the committee.

Mr. MURRAY. The Senator from New York was very eloquent.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. WATKINS. Did I correctly understand the Senator to say that the action he is charging against the committee chairman and the majority was without precedent? I thought that was what he was saying when I entered the Chamber.

Mr. MURRAY. Does the Senator mean in this case?

Mr. WATKINS. Yes. Did the Senator say that the action was without precedent?

Mr. MURRAY. It is without precedent, so far as I have observed. The close of the committee hearings was the most boisterous closing of a committee hearing I have ever attended.

Mr. WATKINS. I invite the Senator's attention to what transpired after I entered the Chamber. Attention was called to the record of the minority views, in which it was stated that mem-

bers of the minority were not permitted to offer amendments. I ask the Senator if it is not a fact that in the press at the time, in 1949, there appeared long stories and editorials on the same subject, namely, that the majority had forced the bill out of committee without the changing of a single word or even a comma. As I recall, the newspapers were very caustic in their reports of what happened in committee.

Mr. MURRAY. Mr. President, we will always have newspaper articles of that kind, so long as there are commentators who write articles along that line, and who often actually write the opposite of what happened. Nothing can be proved by newspaper articles. It would be a very poor system to follow, it seems to me, if we had to depend on newspapers to tell us what happened in situations like that.

Mr. WATKINS. Is it not true that generally, at least, newspapers print a truthful account of what happens?

Mr. MURRAY. Newspapers that are independent and fair would undoubtedly acknowledge that Congress would be making a great mistake if it were to enact the kind of stringent provisions which were being proposed during the last 7 or 8 years.

Mr. WATKINS. I should like to invite the Senator's attention to the views of the minority of the House committee on the National Labor Relations Act of 1949. This is what it says:

> Although the bill deals with the most important subject that will probably come before the House this session of Congress, neither the bill itself nor the subject matter which it covers, received any consideration worthy of the name by the committee. The highhanded and undemocratic tactics employed by a majority of the Democratic members to steamroller this measure through the committee without discussion strike at the very heart of legislative procedures which have governed not only Congress for a century and a half, but all legislative bodies since the beginning of democratic government. Never before in the history of this committee has the majority refused to permit members of the committee an opportunity to offer and discuss amendments.

Is it not a fact that the same thing happened in the House in 1949 that happened in this body. We have heard reference made time and time again to the fact that the minority was unable to offer a single amendment, and had to take the bill as it was sent to the Congress by the executive department.

Mr. MURRAY. From what report has the Senator read?

Mr. WATKINS. I have read from the minority views of the House Committee on Education and Labor on H. R. 2032, the National Labor Relations Act of 1949, the companion bill which had been introduced in the House.

Mr. MURRAY. Who wrote the minority views?

Mr. WATKINS. The minority members of the Labor Committee of the House.

Mr. MURRAY. In other words, it was the staff that wrote the minority views. Is that correct?

Mr. WATKINS. It was signed by the minority members. It probably was written by the staff.

Mr. MURRAY. I do not believe the minority members knew what was in it.

Mr. WATKINS. The same remark may apply to some things that happen here. Sometimes a speech is prepared by someone else, and a Senator does not know what is in it until he reads it.

Mr. MURRAY. It demonstrates in this case that arbitrary action has been taken, which created consternation at the time. Then representatives of the press came into the room, and it was the subject of discussion for 15 or 20 minutes after the committee had adjourned.

Mr. WATKINS. I do not know what happened in the particular instance the Senator is talking about; but when he said that there was no precedent for the action, I thought it would be best to look at the record.

Mr. MURRAY. I do not consider what the Senator has mentioned to be a precedent. I knew Senator Taft very well. I know what an able Senator he was and how aggressive and vigorous he was. I cannot conceive of Senator Taft allowing the committee to get away with anything like that.

Mr. WATKINS. There was a majority present and the majority did it.

Mr. MURRAY. The then Senator Thomas, of Utah, was chairman of the committee, and it seems to me if a mistake had been made and if Senator Taft had expostulated with the chairman, Senator Taft would have had an opportunity to do whatever he had in mind.

Mr. WATKINS. I have my doubts about it.

Mr. MURRAY. At any rate no one can justify that kind of practice no matter when it occurs or where it occurs.

Mr. WATKINS. Why does the Senator say this action is without precedent? It appears that there are plenty of precedents for the action. When the Senator's party was in control that is what it did.

Mr. MURRAY. We should not change the procedures of the Senate.

Mr. WATKINS. I do not believe it is a good thing to do. From what I have heard, the minority was given an opportunity during the discussions in committee to offer their amendments.

Mr. MURRAY. The Senator from Utah believes that?

Mr. WATKINS. I believe the minority members were given that opportunity. I heard the statement made.

Mr. MURRAY. The Senator from Utah was not present, of course.

Mr. WATKINS. No; any more than the Senator from Montana was present when some of the other subjects were discussed.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. GOLDWATER. I have in my hand the minority views on the pending bill. I should like to ask the Senator from Montana whether they were prepared by the staff.

Mr. MURRAY. The minority views? Yes.

Mr. GOLDWATER. Did every Senator who signed the minority views read them?

Mr. MURRAY. Yes. I take it the original draft was prepared by the staff, but we went over it. Sometimes Senators do not have the time to review a report, but in this case we examined the minority views very carefully. I will ask the other Senators to say whether we did go over our views very carefully. I will ask the Senator from Massachusetts whether that is true.

Mr. KENNEDY. Yes; it is.

Mr. GOLDWATER. I have been very much interested in the reluctance of the Senator from Alabama [Mr. HILL] to join with his distinguished colleagues in this case. I am sorry he is not in the Chamber, because I should like to ask him why he disagreed to the point that he wrote a separate report.

Mr. MURRAY. But he agreed as to steamroller tactics being practiced.

Mr. GOLDWATER. I read it in his statement. I wanted to bring out the fact that the staff did prepare the minority views.

Mr. MURRAY. Oh, yes; we acknowledge it.

Mr. GOLDWATER. I was hopeful that the minority members had sat down and wrote them out themselves.

Mr. MURRAY. The members of the minority went over the minority views very carefully, and made them read the way they now read.

Mr. LEHMAN. Mr. President, will the Senator yield for an observation?

Mr. MURRAY. I yield.

Mr. LEHMAN. I was amused to hear the Senator from Arizona refer to the minority view of the Senator from Alabama [Mr. HILL]. When I looked through the report on the bill, I found that four separate supplemental reports were written by the majority members of the committee. One of the supplemental reports, in the form of supplemental views, was written by the chairman of the committee. Other supplemental views were written by the Senator from Arizona [Mr. GOLDWATER], by the Senator from Kentucky [Mr. COOPER], and by the Senator from New Hampshire [Mr. UPTON]. There are four separate supplemental views in the committee report. In each case the Senators say they disagreed with a substantial number of provisions contained in the committee report. I find no fault with that at all. I am only saying that it is rather amusing to hear the Senator from Arizona complaining that the Senator from Alabama has made one reservation, even though he is fully in accord with the minority views.

Mr. GOLDWATER. What I said was not in the nature of a complaint, but more in the nature of a query. I will say that I wrote my views myself. They were not prepared by the staff.

Mr. LEHMAN. They are very fine views.

Mr. GOLDWATER. I thank the Senator from New York. I am hopeful that the Senator from New York will join with me after he has had an opportunity to read my views.

Mr. LEHMAN. I have read them. I believe I can give the Senator from Arizona my reply right now.

Mr. GOLDWATER. I suspect the Senator can do so.

Mr. MURRAY. Mr. President, as I said, in this case the chairman said that the committee should consider only the proposals of the President. This would seem at a glance to be a repudiation of our committee system. The able Senator from Illinois expressed the belief that it was taken from the British House of Commons' practice. Wherever it comes from, it is not in line with the American processes of legislation.

I think the Senate ought carefully to examine the procedure by which the bill, S. 2650, to amend the Labor Management Relations Act of 1947, reached this body, and determine whether or not it is in consonance with our democratic procedure.

This bill does not deal with a novel situation, nor with an emergency. The Wagner Act was declared to be constitutional by the United States Supreme Court in 1937—*N. L. R. B.* v. *Jones & Laughlin Steel Corp.* (1937, 301 U. S. 1)—and thereafter constituted the legal foundation upon which a vast and nationwide superstructure of labor-management relations has grown. It provided great impetus to the organization of workers in interstate industry. And, equally as important, it encouraged the great majority of American employers, who desired peaceful relations with their workers, to recognize duly constituted labor unions, to participate with them in collective bargaining, and with them to create a fair, orderly, efficient, and incomparably productive industrial system in this country. The Nation has had 17 years in which to study the effects of the Wagner Act.

Mr. President, in 1947 the Taft-Hartley Act was enacted. Its impact upon labor-management relations was profound and widespread. It has been the law of the land for nearly 7 years. The Nation has had almost 7 years in which to study the effects of the Taft-Hartley Act, to recognize its virtues, and to discover and analyze its defects.

The instant bill would revise both of these basic laws, as they have been welded together by the Congress, the Labor Board, and decisions of the courts. It is not too much to say that this law affects the most important segment of our economy, that of industrial production. It affects our total economy. It applies directly to our most numerous group, the industrial workers, who in recent years have grown even more numerous than has our agricultural population. It affects them, not remotely and by indirection, but directly. It affects the workers in their pocketbooks, in their standard of living, in the conditions under which they work and live. It affects their families. It affects the education, health, and future welfare of their children. It has a direct and compulsive effect upon every employer in interstate commerce and our entire capitalistic system. It is inseparably related to our peacetime prosperity. Upon its smooth functioning, to a very large extent, depends our capacity for defense production. Changes in the language of the act may be trivial or substantial, but before any changes become law, their true nature and probable effects should be studied exhaustively and with calm deliberation.

That the Taft-Hartley Act should be amended is not a new proposition. As my colleagues know, I vigorously opposed passage of the Taft-Hartley Act. I have, in several Congresses, introduced legislation to repeal that act. I am vigorously and outspokenly opposed to many of its basic provisions. But I served on the Senate Committee on Labor and Public Welfare with the late Senator Taft, who was its principal author. I was chairman of the committee when his party was in the minority, and I served as a ranking member when he was chairman. No Member of this body ever championed the Taft-Hartley Act with greater zeal or more ability than he. But in his long service, and in our continuing debate on the merits of this legislation, I never once heard him propose that the act should be amended without careful deliberation on all the proposed amendments. I never saw him engage in activities designed to legislate by gag rule.

In every instance where bills have been considered that were designed to correct, amend, or alter the Taft-Hartley Act, the procedure has always been to hear all sides of the controversy and consider all appropriate amendments offered by labor as well as management or the administration.

I conceived it to be a bill designed to weaken labor, to lessen its power at the bargaining table.

The late Senator Taft, who fathered the Taft-Hartley Act, repeatedly conceded the need for basic amendment of the act. In several Congresses, he introduced as many as 22 amendments to the act, many of which would have accomplished basic changes in its operation and application. Perhaps there is no proposition in which there has been more universal concurrence than that the Taft-Hartley Act ought to be amended. The present administration has championed that proposition. In his campaign for the Presidency, General Eisenhower repeatedly promised that he would recommend basic changes in the act. Candidates for office in both Houses of Congress made the same and even more extensive promises. Upon the inauguration of this administration, the time seemed propitious for a careful and comprehensive study of our labor relations law with a view to its improvement in the interest of all economic groups, and the entire Nation. Some gestures in that direction have been made.

Early in the first session of this Congress there were many indications that the administration and the majority intended to undertake a careful study and revision of the Taft-Hartley Act. It appears that experts sympathetic to the act were assembled in Washington. It is undisputed that many conferences were held in which representatives of the Department of Labor, the White House, and other public agencies participated. The new administration's first Secretary of Labor was a distinguished labor leader, whose opposition to some of the provisions of the act was well known. Frequent accounts in reliable newspapers indicated that he was participating in conferences and was making proposals designed to correct evils which had been exposed in the collective-bargaining processes. On one occasion a distinguished newspaper, which supports the majority, the Wall Street Journal, printed a news story purporting to set forth amendatory proposals which had been sponsored by the then Secretary of Labor. This is not the time to discuss the merits of those abortive proposals. But that such a story could appear and that the opposition to the purported amendments was so swift and vigorous that the purported proponent of the amendments felt impelled to resign from the Cabinet—all of these and many more facts which have gained public attention demonstrate that at that time, at least, the administration and the majority were giving careful and thoughtful consideration to thoroughgoing amendment of the act.

In his address on the state of the Union, which opened this session of the Congress, the President again promised that he would recommend amendments to the Taft-Hartley Act. I am confident that both opponents and proponents of the act welcomed that announcement.

It is altogether proper that the President should recommend legislative changes. We of the minority awaited with sincere and hopeful anticipation the recommendations of the administration. The special message containing them reached the Congress on January 11, 1954. The chairman of the Senate Committee on Labor and Public Welfare, the distinguished senior Senator from New Jersey, promptly introduced the instant bill, S. 2650, announcing that it was intended to embody the President's recommendations.

I do not think it is appropriate at this time for me to discuss the merits of this legislation. I think an even more important proposition should first receive the attention of the Senate. I refer to the question of procedure—the right to be heard before being condemned under a one-sided act. On a later occasion I shall expand my view that this bill is, in almost every respect, a trifling paring away at the fringes of the deficiencies of the Taft-Hartley Act, and is in practically no respect a substantial effort to improve it. But, I repeat, at this time, the most important aspect of this bill requiring the urgent and immediate attention of the Senate is the procedure by which it reached this body. I want to review that procedure in some detail.

The Senate committee held its initial meeting on this legislation on March 12. It was made quite clear at that meeting, and on many occasions, it has been reiterated, that the administration and the majority were very anxious that the President's proposals should have primary consideration, and that it was the intention of the majority to make every effort to report them out and bring about their enactment at an early date. The minority, while opposing some of the President's proposals, accepting others, and regarding still others as superficial and innocuous, understood and agreed

to the policy of giving first consideration to the President's recommendations.

My career in Congress will show that, although I have frequently opposed the proposals of both Democratic and Republican administrations, I am a firm believer in the highest degree of cooperation between the Executive and the Legislature. Indeed, the record of this Congress will show that on many important issues, I have voted oftener with the administration than many stalwarts of the President's party. I believe that the Legislature has an important duty to receive the President's recommendations with courtesy and with consideration. But I believe that courtesy to the administration is not the basic principle of our democracy. I do believe that the separation of powers, the system of checks and balances, which characterizes our Government, is basic, is indispensable, and cannot be threatened or weakened without imperiling the Nation and its institutions.

It is the function of the President to lead the whole Nation. He and the Vice President are the only officials of the Federal Government elected by all of the people. As the executor of the laws, he has the best sources of information, and is in the best position to formulate a nationwide view of the national needs and interests. It is his duty to recommend legislative proposals which he deems to be in the public interest. This duty is clearly set forth in article II, section 3, of the Constitution, which provides, inter alia:

> He [the President] shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

It will be noted that that provision sets forth, not only the extent but the absolute limit of the powers of the Executive with respect to the initiation of legislation. It is still written indelibly in the Constitution that:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Any encroachment upon the legislative power of the Congress, by the executive, or by any other branch of our Government, whether intentional or unintentional, whether it results from a dynamic assertion of superexecutive powers by the President, or from the carelessness or neglect of the Congress itself, is an attack upon our form of government.

With respect to the bill, S. 2650, and in accordance with the announced policy of the majority, the minority, without opposition or reluctance, gave consideration to the recommendations of the President, acquiesced in their preferential consideration, and cooperated in the examination of their merits. But the minority did this with the understanding—the only understanding consonant with the duties of the Senate and the separation of powers—that after the President's recommendations had been given first and preferential consideration, other proposals to amend the act would and could be introduced and considered, and their merits carefully examined and weighed. But, after the committee had considered the President's proposals, had incorporated some of them in the bill, and had clarified others, and at the point in the proceedings when, by what the minority had believed was unanimous agreement, the time had come to consider other proposals to amend the act, the chairman abruptly announced that any other proposed amendments would be ruled to be out of order.

I have already referred to the almost innumerable proposals of the proponents and opponents of the Taft-Hartley Act to amend it. I have pointed out the national importance and significance of these proposals. Here, then, was a problem which deserved, and will never be solved without, the most careful and thoughtful deliberation of the Senate committee, the Senate itself, and the whole Congress. But how can this problem be solved if proposals to amend the law, proposals originated by management, labor, and Members of the Senate; proposals which have grown out of the process of collective bargaining; proposals which have been studied by labor unions and their lawyers, by managements and their lawyers, by the great national federations of labor, and the great associations of employers, cannot even be considered, cannot even be voted upon in accordance with ordinary methods of procedure? Let us analyze this situation.

Under the Constitution, the President may not legislate. But if a committee of the Congress refuses to entertain any legislative proposals except those of the Executive, if the proposals of members of the legislative body are aborted by gag rule, if the only proposals which are permitted to emerge from the committee are the proposals of the Executive, and all proposals on behalf of labor are rejected, then what is that except legislation by Executive fiat? But, that is precisely what happened with respect to this legislation in the Senate Committee on Labor and Public Welfare.

It was in complete defiance of the rules of procedure that guide such committees. This, it is plain to see, will form a dangerous precedent in committee procedure. If this committee can act in this manner in the present instance, and refuse to consider any proposal except proposals from the Executive, then it could on another occasion accept and act favorably only on proposals from the National Association of Manufacturers or some other powerful body, such as the United Steelworkers or the United Mine Workers.

All the time-honored rules of parliamentary procedure were sacrificed to some expediency which was unexplained, but which in any event was unworthy of the traditions of this great deliberative body.

Let me review the effects. There must still be many Members of this body who respect the judgment and the knowledge of the late Senator Taft, on this subject. He made practically a lifetime study of labor-management relations and legislation. Out of his experience and his scholarship evolved many proposals to amend the Taft-Hartley Act. But these have not been considered by the Senate committee in this session of Congress. Neither opponents nor proponents of his amendments have been heard. None of the possible effects of his proposed amendments have been considered. And the same facts are true of many of the proposals of labor leaders, management representatives, spokesmen for the great industrial associations, and public officials of both Federal and local governments. All of the wisdom and experience and creative thought of these spokesmen most directly concerned with the effects of amendments to the Taft-Hartley Act have been suppressed, destroyed, and rejected by a parliamentary steamroller.

The inevitable results of this type of steamroller legislating are seen in the pending bill:

First. It constitutes a wholly superficial and inadequate approach to the problems presented by the Taft-Hartley Act;

Second. It contains language hastily devised without opportunity to study and consider its long-range implications; and

Third. It leaves unaffected provisions of the law which spokesmen of all groups have declared to be ineffective, inadequate, or evil in their effects.

Let me cite an example: Sections 206 through 210 of the Taft-Hartley Act establish certain procedure to be followed by the President in the event of a strike or a lockout which threatens to imperil the national health or safety. At the time of their enactment, these provisions were novel, and no one could have known how effective they were to be. Experience has shown that they are wholly inadequate. Even the most ardent proponents of the Taft-Hartley Act, including the late Senator from Ohio, himself, have publicly acknowledged that the provisions do not constitute a solution of national emergency strikes. Certainly, no other type of strike, indeed, no other kind of industrial crisis, transcends in importance the national emergency strike. We have had 7 years in which to study the provisions. We have seen them invoked only to fail in numerous cases.

What does the Smith bill propose to do about national emergency strikes? It would not change in the slightest degree any of the important provisions of the Taft-Hartley Act. The present board of inquiry, the injunction, the cooling-off period, and the rest of the important provisions are left unaffected. But the Smith bill does not completely evade the problems of national emergency strikes. If enacted, it would provide, forsooth, that 40 days after the issuance of an injunction, the President may direct the board of inquiry to make recommendations for the settlement of the dispute; but, in the language of the Smith bill, neither party to the dispute shall be under any duty to accept, in whole or in part, any such recommendations.

What will be the effect of empowering the board of inquiry to make recommendations? No one is able to predict with any degree of certainty that such recommendations would have the slightest effect upon any labor dispute. Indeed,

our experience under the Railway Labor Act would indicate that the greater the emergency created by the strike, the less is the heed given by the parties to outside recommendations. It is practically certain that empowering the board of inquiry to make recommendations will prove to be wholly innocuous.

What contribution, therefore, is made by the Smith bill to the problems of national emergency strikes? The most flattering thing one can say about it is that it would be wholly ineffective.

In the December 28, 1952, annual report of the Committee on Un-American Activities, House of Representatives, it was recommended that the non-Communist affidavit provisions of the Taft-Hartley Act be repealed. This recommendation, according to the report, was based on the complete ineffectiveness of the provisions. The record will show that practically every union which is charged with being Communist-dominated is in full compliance with the provisions. Except for the efforts of the labor movement itself to destroy Communist domination, no national or local action or legislation has thus far diminished the influence of Communists in some of our strategic unions. What would the Smith bill do about the problem of communism in the labor unions? Not a single word of the pending bill is directed to meet that problem.

It would have been courageous of the administration and the majority if they had acknowledged the ineffectiveness of these provisions, and recommended their repeal. It would have been stimulating and provocative if they had proposed some bold, new, dynamic crusade against Communists in the labor movement. But having experienced the ineffectiveness of the provisions referred to, the administration and the majority would multiply their ineffectiveness by making them apply to American employers. These provisions, as I said in the Congress which enacted the Taft-Hartley Act, were never anything but a calculated insult to the American labor movement. That insult is now, if the Smith bill is to be enacted, to be extended to American management. Having smeared labor, the Smith bill would now smear management.

But the problem of communism in the labor movement remains unsolved, untackled, and unchanged.

Examples of this type could be multiplied indefinitely.

The Smith bill has reached this body by gag-rule tactics in contravention of the traditions of the Senate. It is packed with confusion and subterfuges. It multiplies existing inadequacies. It wholly fails to face up to the major problems in labor-management relations which beset us. It contains hidden dangers to management, labor, and the public.

It falls far short of the President's promises and of the majority's announced objectives. It is the abortive offspring of expediency and manufactured urgency. It satisfies no one, and leaves, not only untouched, but unapproached, the problems it was designed to solve.

Since the minority members were prevented at the executive sessions from presenting amendments to perfect the act, the bill was improperly reported to the Senate. It should be recommitted, with instructions to hear and consider all substantial and germane proposals which may be offered.

In this connection, it is ironic that most of the majority members of the committee have publicly declared that they are not satisfied with the bill as reported. Of the 6 present majority members, 4 have filed separate views with respect to the bill.

Certainly, this fact alone should convince the Members of the Senate that the bill is the illegitimate product of shameful political expediency.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

Mr. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

Mr. KNOWLAND. Mr. President, I send to the desk a proposed unanimous-consent agreement, which I ask to have read.

Mr. JOHNSON of Texas. Mr. President, if the Senator will yield to me, let me say that for several hours the majority leader and the minority leader have been conferring with their colleagues. In view of the discussion that already has occurred and in view of the proposed unanimous-consent agreement, it is my hope that such an agreement may be reached.

Mr. KNOWLAND. Mr. President, as the distinguished minority leader has pointed out, we now have been discussing for several days the prospect of reaching a unanimous-consent agreement which will meet the needs of Members on both sides of the aisle. After full consultation with him and, in turn, after each of us has had an opportunity to discuss the matter with a number of other Senators on each side of the aisle, I have sent to the desk the proposed unanimous-consent agreement, on behalf of both the majority leader and the minority leader.

The PRESIDING OFFICER. The proposed agreement will be read.

The legislative clerk read as follows:

Ordered, That following the morning business on Friday, May 7, during the further consideration of S. 2650, to amend the Labor Management Relations Act of 1947, and for other purposes, debate on any amendment or motion (including appeals) shall be limited to not exceeding 90 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from New Jersey [Mr. SMITH], in the event he is opposed to such an amendment or motion; otherwise, by the mover and the minority leader or some Senator designated by him: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 2 hours; to be equally divided and controlled, respectively, by the Senator from New Jersey [Mr. SMITH] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, in further explanation, let me say that if the proposed unanimous-consent agreement is entered, there will be an opportunity during the remainder of the session today for any Senator to make whatever remarks or additional remarks he may wish to make. Furthermore, during all of the session tomorrow there will be opportunity for Senators to make speeches on any of the amendments or to submit motions. In other words, until Friday, under the rules of the SENATE, speeches will not be limited to the pending amendment.

For example—and I say this in response to questions which have been asked—although the pending amendment is the so-called Goldwater amendment, Senators would be able to discuss that amendment, either pro or con; or, if debate on that amendment were exhausted, or if Senators wished to discuss the so-called Purtell amendment, they could proceed to do so; or if Senators wished to discuss a possible motion to recommit, they could do so; or if Senators wished to discuss the so-called Ives amendment or the so-called Lehman amendment, they could do so. In short, Senators who wished to speak would be in a position to do so, for under the proposed unanimous-consent agreement, the time limitation would not go into effect until Friday.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, I read from a dispatch which has just come over the news ticker:

President Eisenhower said he generally favors giving the States responsibility in labor matters if this does not damage the rights guaranteed under the Taft-Hartley Act.

Mr. Eisenhower was asked at his news conference if he favored an amendment proposed by Senator GOLDWATER to give the States broad powers in dealing with labor disputes now generally under Federal jurisdiction.

The President did not answer directly. He said he did not have the language of the Goldwater proposal at hand. But he said his general feeling is that so long as there is no damage to the rights of labor, employers, and the public as set out in the Taft-Hartley Act, the States should be given responsibility.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. On Monday the Senator from Arizona stated that he understood that, while the President had not taken a position on his amendment, labor aides at the White House had indicated approval. Is that correct?

Mr. GOLDWATER. I do not think I used the term "labor aides."

Mr. KENNEDY. Aides at the White House?

Mr. GOLDWATER. People at the White House.

Mr. KENNEDY. People in the President's official executive family at the White House had indicated approval. As I understand, no one at the White House has indicated disapproval.

Mr. GOLDWATER. That is true.

Mr. KENNEDY. So, it is the Senator's understanding that those at the White House in positions of responsibility in connection with labor matters have indicated their approval of the Goldwater amendment.

Mr. GOLDWATER. That was the way I expressed it the other day.

Mr. KENNEDY. I thank the Senator.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KILGORE. I ask the Senator whether he and the President realize that in the past 20 years employers have gone across State lines. So no single State has a composite jurisdiction. In other words, the laws of one State differ from those of another State. An employer may transfer a worker from one State to another, and entirely change his rights, under the theory of the Senator from Arizona.

Mr. GOLDWATER. That is a misconception on the Senator's part. My amendment specifically provides, in paragraph 2, that all rights guaranteed labor under the Taft-Hartley Act must be respected by the several States. There is no question about that. That refers to all the rights which labor now has.

CONDITIONS IN THE SHIPBUILDING INDUSTRY

Mr. BUTLER of Maryland. Mr. President, at the risk of boring some of my colleagues who may have heard me speak many times on this vital question; but in the hope that such constant repetition may finally strike a responsive chord, I would like to present very briefly some most revealing statistics about conditions at the moment in the great shipbuilding industry of our country.

Yearly reports usually are factual presentations, of interest mainly to the members of the industry covered by the report. Occasionally, however, they disclose some exceptional facts, that by their very nature become of interest to the general public.

Such is the case with the annual report of the Shipbuilders Council of America, which has just come to hand. As the name indicates, the Council is an organization composed of the various shipbuilding companies of the Nation, large and small. The membership includes some 22 firms, operating 45 separate construction facilities throughout the country. It is a truly representative group of shipbuilding companies and allied industries.

The basic question facing the shipbuilding industry at the moment, of course, is the amount of construction under contract.

Second only to that point in interest is the production achieved in 1953—and this, let it be noted, was exceptionally favorable in total. Let us have the good news first.

During the year 1953, the report shows, 45 merchant ships of more than 1,000 gross tons were delivered, for a total of 570,326 gross tons. This was 14 more vessels than were produced in 1952, and an increase of more than 170,000 gross tons.

Of this grand total, I am gratified to say that our own Maryland yard, Bethlehem-Sparrows Point, delivered 140,000 gross tons, or approximately 25 percent.

Now, against this splendid total of production, the outgo, so to speak, during 1953, what was the income in new contracts placed during 1953?

The answer to that query is shocking. The full year's total of new ship construction contracts placed during 1953 was exactly four vessels, of a combined gross tonnage of 19,465 tons.

Not a single passenger vessel, not one combination passenger-cargo vessel was ordered, delivered, or under construction during 1953. Not one vessel of as much as 3,000 tons was contracted for with any shipyard on the Atlantic, the Pacific, or the gulf coast.

Is it any wonder that Admiral Leggett, speaking for the Navy Department before our subcommittee, declared that the Navy officials are gravely concerned over the plight of the American shipbuilding industry? It is only right that there should be concern over a situation which, if not corrected speedily, can only spell doom for an industry which is vital alike to the economy of the Nation and to its security, in time of emergency.

As a Senator from a State whose great port area is menaced by this decline in shipbuilding, I am vastly concerned. But it properly is a matter of concern to all Senators and all Members of Congress, whether they come from coastal areas, or from the heart of our country, many, many miles from ocean or gulf.

There can be no real prosperity in a Nation so dependent upon shipping as is the United States, when that shipping industry goes into decline.

There can be no assurance of security in these uncertain times, without a strong merchant marine and a healthy shipbuilding industry.

So I ask Senators to keep in mind the figures I have quoted—570,000 tons of shipping produced in 1953, and less than 20,000 tons contracted for during the same 12 months.

There are the seeds of disaster in such a situation.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this evening it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MRS. ORINDA JOSEPHINE QUIGLEY—CONFERENCE REPORT

Mr. WILEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the Senate recede from its amendment.
>
> ALEXANDER WILEY,
> JOHN MARSHALL BUTLER,
> HARLEY M. KILGORE,
> *Managers on the Part of the Senate.*
>
> EDGAR A. JONAS,
> USHER L. BURDICK,
> THOMAS J. LANE,
> *Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WILEY. Mr. President, House bill 3832 passed the House awarding Mrs. Quigley the sum of $5,000. The Committee on the Judiciary of the Senate reported the bill favorably with an amendment, in which the amount awarded Mrs. Orinda Josephine Quigley was raised to $10,000. The Senate on March 2, 1954, passed the bill with the Senate amendment. The House disagreed to the amendment and believes that the sum of $5,000 is the proper amount to be awarded to this claimant, particularly in view of the fact that this amount is agreeable to all of the parties concerned. In conference, the conferees on the part of the Senate, in view of the lack of objection to the award of $5,000, rather than that of $10,000 recommended that the Senate recede from its amendment and accept the bill as originally passed by the House. I therefore ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

PROPOSED POSTAL WAGE INCREASE

Mr. JOHNSTON of South Carolina. Mr. President, the Committee on Post Office and Civil Service has begun its hearings on a postal wage increase and we are all aware of the efforts of post-office employees to gain a living.

I have already become thoroughly convinced of the justice of their cause. After having met with the clerks, letter carriers, supervisors, and other postal workers from my State and discussed their wage situation in great detail, I believe that they desperately need and definitely deserve an increase.

These employees must come to us for a change in wages. They cannot bargain collectively on salaries and basic

working conditions, as do workers in private industry.

Experience has shown that this situation makes their fight for an increase a very much harder one.

Consider these facts, for example.

Employees in private industry have received virtually annual wage increases since 1946. Post-office employees have obtained only four in that period, their last raise coming nearly 3 years ago.

Employees in private industry have received increases ranging from a minimum of 20 percent to a maximum of 130 percent more during the last 15 years than post-office employees during the same period.

Employees in private industry have been able to improve their purchasing power over its 1939 level. Post-office employees are today several hundred dollars a year behind their spendable income of 1939.

The fact that the battle over a postal wage increase is held in the Halls of Congress, rather than in a negotiating room, has had another tremendously important consequence. It has led both sides—the employees and the Post Office Department—to seek the active support of the American people, because they know that Congress will act on the people's wishes.

The press, radio, television, publications, and other media of communications have become very important weapons for both sides.

The employees have spared no efforts. They have gone ot the editors and told their stories. They have received a great deal of news and editorial space as a result.

The Postmaster General has used his appearance before congressional committees and his addresses before other groups to gain editorial support for his side of the case. The Post Office Department also has thereby received reams of editorial copy.

I have no quarrel with these means of presenting arguments to the American people. The public must be informed and these methods have been open and aboveboard—the American way of getting at the facts.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG. I recall to the Senator's mind the fact that about 5 years ago the junior Senator from Louisiana had the honor of serving under the chairmanship of the Senator from South Carolina on the Post Office and Civil Service Committee. At that time the distinguished Senator from South Carolina entrusted me with the responsibility of working on the pay raise bills. We determined that the postal employees, as well as other employees of the Government, were entitled to an additional pay raise. The Senator may recall that we were successful in persuading the Congress to grant a pay raise. It was more than the administration at the time was willing to give, but we were able to persuade the administration that the raise was justified, and the President signed the bill. I am sure the Senator recalls that fact.

I am convinced that since that time the increase in the cost of living has been such that the postal employees are entitled to a rather substantial pay raise. I am frank to say that I feel they are perhaps asking for a little more and perhaps substantially more, than they are entitled to at the present moment. However, I hope the committee will look into the matter and perhaps split the difference between what the employees are asking for and what the Postmaster General is recommending, and then report a bill which all of us can support, in order to assure the employees of an adequate pay raise during this session of Congress.

I should like to ask the distinguished Senator from South Carolina whether in the course of his speech he will discuss the reason why there has not been any committee action on this subject.

Mr. JOHNSTON of South Carolina. I appreciate the remarks of the Senator from Louisiana reminding me of the pleasant memories of his association with the committee.

I shall answer his question by saying that the committee did not take up the matter of an increase in the wages of postal employees until recently. We have conducted a few days of hearings, and we intend to continue to hold further hearings in the near future. As of this time—and I am leading up to this point—I am introducing a bill which I believe is a compromise with what the workers started off by asking. We shall take it up in committee and probably discuss the various phases of the bill.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. JOHNSTON of South Carolina. I yield further to the Senator from Louisiana.

Mr. LONG. If I had the pleasure of representing any laboring group, and the employer was willing to grant the full pay raise I had requested, I would be somewhat embarrassed, and would feel that perhaps I had not asked for enough and should have asked for more.

Generally speaking, any able representative of a laboring group will ask for what might be on the high side, so to speak, in the hope that the employer will settle for less, but in any event get a raise for his workers.

However, I hope that either the Senator from South Carolina or another member of the committee will try to resolve the impasse by offering a middle-of-the-road solution of the problem now confronting us. The Postmaster General is recommending a bill which would mean virtually no increase for many post-office employees, and, on the other hand, the representatives of the unions are asking for an amount which may prove to be too high.

Mr. JOHNSTON of South Carolina. Answering the question of the Senator from Louisiana, I wish to say that I appreciate his coming forward and asking questions at this time. I shall call off the names of the sponsors of the bill I am introducing, and the Senator will find that practically every member of the committee from this side of the aisle favors the proposal I am making, and other Senators, who are not members of the committee, also favor it.

I believe we will probably get some action. I am told that tomorrow the House will begin hearings on the request of the Post Office Department employees for a raise. Naturally that bill will come from the committee a little later. I should like to say, also, that all Government employees will have to be considered, because they all stand in the same situation, so far as being affected by the increase in the cost of living is concerned.

Mr. LONG. Mr. President, I am sure the Senator from South Carolina realizes that there will be no opportunity for these employees to obtain a pay raise if Congress adjourns before such legislation is considered. I hope the committee will report a bill on this subject in good time so that it may be passed by Congress and sent to the President before the close of this session of Congress.

Mr. JOHNSTON of South Carolina. I can assure the Senator from Louisiana that, so far as the junior Senator from South Carolina is concerned, we mean to do everything in committee that we can do to expedite the matter and bring a bill to the floor of the Senate for consideration and discussion.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Massachusetts.

Mr. KENNEDY. The Senator's proposal would cost, I understand, approximately $200 million. I agree with the Senator that those whom the bill would affect have not been treated fairly by their employer. However, the Post Office Department has a large deficit. What would the Senator from South Carolina feel would be the most appropriate way to increase the income of the Post Office Department so that we could deal fairly with the employees of that Department?

Mr. JOHNSTON of South Carolina. I will answer the Senator from Massachusetts by saying that we are also holding hearings on bills dealing with the subject of postal rates. I cannot speak for the entire committee, but it is my feeling that some increases in the rates will be made.

Mr. KENNEDY. If we should grant an increase in wages is it the Senator's opinion that Congress should make provision for increasing the income of the Post Office Department so as to more or less equalize the deficit, at least on the same ratio it is now?

Mr. JOHNSTON of South Carolina. I believe one of the things most needed in the Post Office Department is better efficiency. In my opinion, if we could bring about more efficiency in the Post Office Department we could considerably reduce the deficit of the Department.

However, we must remember that a great many corporations and people are "riding the post office," so to speak, at the present time. If we want to put the Post Office Department on a purely business basis, then of course we will have to raise enough revenue to enable the Department to balance its budget. But,

in doing that are we going to charge all the little newspapers, the small country newspapers, some of which do not do outside the county, the full cost of carrying them through the mails? That is what we are up against. There are other considerations, too. We are subsidizing the carrying of books everywhere in the United States through the mails.

Of course, the Postmaster General says he has saved approximately $280 million since he has been in office. How has he saved that amount of money? He has saved it by not charging to the Post Office Department, for example, the cost of the franking privilege, and also the cost of the penalty mail, which alone amounts to $70 million. Those and other costs are being paid out of a different pocket of the Government, not out of the Post Office pocket. That is how he has reduced the costs by about $280 million. However, there are still a great many people riding, so to speak, the Post Office. They are taking a free ride at the expense of the Post Office Department. Whether we can cure that situation is a question that will require a great many hearings and very careful study.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LONG. I agree with the Senator from South Carolina that there are some necessary subsidies; but I believe the most inexcusable subsidy is that whereby the Federal Government pays the cost of subsidized advertising through the mails. I have in mind particularly the situation of a company that does a mail-order business and advertises its product by sending literature through the mails, which costs the company perhaps a half cent apiece, but costs the Government 2½ cents apiece to deliver. Such a company sends out thousands of such pieces of mail. If it gets 3 letters in reply to every 100 pieces of mail sent out, it can make a profit.

Many times, if we made a cost accounting study of such a business we would find that for every dollar such a company makes it costs the Government $10 in subsidy payments to keep the company in business. That is completely ridiculous. It is certainly ridiculous for the Federal Government to be paying out that much money to subsidize advertising through the Post Office Department. It is a burden on the taxpayers.

I hope we will be able to raise the rates on mail-order advertising, so that when a company or a person advertises through the mail he will not be billing the receiver of the mail, the taxpayer, for mail which the receiver may not care to be bothered with in the first place.

I recall that when I started to practice law in my home State I was on the mailing list of persons who sold lawbooks—it might be called a sucker list. Every morning when I reached the office I found a pile of letters on my desk, because I was a young lawyer who might be interested in buying additional lawbooks.

I did not have the time to read all the letters. I could not read all of them. Most of them went into the wastebasket without being read. Yet, as a taxpayer, I was paying for that mail, even though I had not requested that it be sent to me. Certainly, I did not care to be bothered with such advertising. That is an imposition on the taxpayer, in my opinion.

I hope the committee will work out some way of preventing the taxpayers from being imposed upon in that manner.

Mr. JOHNSTON of South Carolina. The Senator knows that we have been holding hearings and have worked along that line. Personally, I have always believed that probably second-class mail should be divided into 2 or 3 categories. It should not be placed in the same category.

Mr. KENNEDY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KENNEDY. As the Senator has said, the Post Office Department is carrying certain categories of mail under a subsidy. Who is going to bear the burden? The post-office employees, the persons who are receiving a subsidy from the Post Office Department, or the taxpayers? I do not think the post-office employees should be expected to bear it if their wages are not comparable to the rise in the cost of living, but, on the other hand, I do not see how those of us who would like to see an increase in salary accorded to postal employees could vote for it if it should mean that an already large deficit would be extended. I hope the Senator, who is rightfully concerned about this problem, will encourage the Post Office Department to seek an additional means of revenue from those who in the past have been benefiting from the service of the Post Office Department.

Mr. JOHNSTON of South Carolina. Mr. President, I am glad to have in the RECORD the remarks of the Senator from Massachusetts. It is not right, in my opinion, to penalize the workers of the Post Office Department because of a deficit in that Department. Neither is it right as concerns other Government workers. If we do not increase the wages of the post-office employees, we certainly cannot increase the wages of other employees of the Government. I am in favor of the workers getting better pay. As the Senator from Massachusetts and the Senator from Louisiana know, when one party is in power it is difficult for the other party, the minority party, to say what kind of program shall be put forward. That is the situation in which I find myself at the present time. I am a member of the minority party. Certain plans and specifications are being made. Whether I shall agree with them I do not know. They have come before the committee only in a general way.

Mr. President, very recently a series of propaganda devices that are far from laudatory have been evolved by the Post Office Department.

In fact, Mr. President, some of these means seemingly are against the law. I should like to discuss these:

On March 11 the Post Office Department turned the Postal Bulletin, an official Government journal, into a propaganda medium for the so-called Fry report. I understand that this was the first time in postal history that this publication has taken up, in any partisan way, a controversial measure.

The United States Official Postal Guide states the purpose of the Postal Bulletin as being to publish "current orders, instructions, and information relating to the postal service—philatelic, airmail, money order, parcel post, and so forth—together with changes in the Official Postal Guide, part I and part II."

That official description is a far cry from propagandizing for, to say the least, a controversial measure.

Within a week after the Postal Bulletin episode, a series of stories attacking the postal employees' efforts to gain a wage increase appeared in a number of newspapers in various parts of the country. Newsmen call the articles of this particular type "dope stories," because they do not cover a specific news event. Instead, they are supposed to interpret an entire situation or predict developments on the basis of observations or inside information.

These dope stories were amazingly uniform. They showed that a half-dozen newsmen interpreted the postal pay dispute and predicted its outcome in virtually identical ways. What is more unusual, they used the same statistics and in some cases the identical language.

It is not unreasonable to suspect that these stories were inspired by the same source.

Let me hasten to add that I do not for a moment condemn the newspapers or the newspapermen. It is their job to get the news and to prepare interpretation stories. And they obviously got these bits from a very important source. I am aiming my criticism at that source, not at the newspapers or the reports.

I shall use 6 of the stories—3 from syndicated services and 3 from Washington offices of newspapers—to point out the similarities. All of the six appeared under a Washington dateline during the week of March 17 through March 23.

Five of the six stories stated or inferred that the post-office employees' pay requests were election-year raids on the Treasury and would do serious damage to the national economy.

All six argued that the postal-pay raise will trigger other raises. In fact, several of them charged that the post-office employees' requests were simply facades for the actual purpose of securing an excuse to be used by industrial labor to get a further round of wage increases.

Four of the six articles referred to massive lobbying drives and inferred that Congress was selfishly bowing under unjust pressure.

Three predicted the very same outcome—that Postmaster General Summerfield would ask President Eisenhower to veto any post office increase that was larger than the so-called raises prescribed by the Fry report.

But the similarities do not stop here, with major points. They continue with the details in the argument against the employees' efforts.

Thus, for example, three stories pointed to the number of days annual leave

that postal employees receive, even though this is not a factor in the wage-increase controversy. The reports used the same statistical reasoning.

Three stories quoted the same employee organization in its attempts to have its members state their financial difficulties in letters to Congress and newspapers. The reports inferred this was somehow illegitimate lobbying.

A newspaper in New York State and one in the Midwest used virtually the same language in predicting that the postal pay legislation will be tied together with the postal rate bills. This "tacking" together—in the phraseology of both newspapers—is a hope of the Post Office Department.

Finally there are similarities between some stories and a letter written to a Florida newspaper by Mr. Gerald Culliman, who described his job as confidential assistant to the Postmaster General. Both Mr. Culliman and one "dope story," for example, compare post office salaries to wages paid to railroad conductors. That is a rather unusual comparison, which is not contained in either the Fry report or any of the other statistics widely distributed by the Post Office Department.

In short, I do not believe these similarities occurred by accident. I believe these stories were planted by the same person or persons. And the orders for the planting probably came from the Post Office Department.

The Department apparently wants to scare the American people into falsely believing that the postal wage increase will lead to wage boosts in private industry.

It apparently wants to make the postal employees look like selfish lobbyists who seem to have Congress under their thumbs.

These are shameful efforts to discredit the post office employees' needs and merits for a wage increase in the eyes of the American people, so that the latter will have Congress oppose the raise.

The use of the Postal Bulletin and the planted stories were followed on April 3 by still another propaganda tactic that must be roundly condemned.

In a long teletype message, carried over the private line leased by the Post Office Department, postmasters throughout the United States were directed as follows:

> Contact local newspaper editors at once with the following text and arrange for its release to Monday papers.

The text referred to was a radio broadcast made by Postmaster General Summerfield attacking bills that would give the employees wage increases and supporting the bill that would affect the Fry report.

In other words, postmasters are to be organized into a propaganda machine. They are to take time off from their jobs of administering the post offices and supervising the moving of the mails to fight congressional legislation for employees' wage increases.

There is a further reprehensible aspect to this maneuver. The messages were carried over the Government-leased teletype facilities. The taxpayer, therefore, had to bear the costs of communications that were obviously aimed at stirring up pressure to use on Congress.

This, Mr. President, is clearly illegal.

The spending of public funds, as was done by the Post Office Department in the Postal Bulletin incident, in the teletype message, and probably in inspiring the news stories, to influence Congress on legislation is clearly a violation of the legal provisions concerning lobbying with appropriated moneys in title 18, U. S. C. A., section 1913.

For the sake of the Post Office Department, which apparently is unfamiliar with this section of the law, I shall quote the germane parts, as follows:

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal services, advertisement, telegram, telephone, letter, printed, or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation. • • •
>
> Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than 1 year or both; and after notice and hearing by superior officers vested with the power of removing him, shall be removed from office or employment.

That is the law.

It forbids categorically the spending of appropriated money—and that includes the post office appropriations—for means of influencing congressional legislation.

Yet the Post Office Department has on 2 and probably 3 different occasions, as I have shown, used public funds in an attempt to generate propaganda to pressure Congress.

Mr. President, the Postal Bulletin of May 4, received in my office this morning, carries another propaganda story on the postal salary plan of the administration.

Many newspaper reporters have recently informed me of the volumes of propaganda being sent to their offices by the Postmaster General.

Staggering totals of appropriated funds are being recklessly spent by the Post Office Department in this campaign, and I shall insist that the Senate Committee on Post Office and Civil Service look into this matter very carefully to determine the amount being spent and the legality of the operation.

I urge the Postmaster General to take steps to make certain that these violations do not occur in his department again. Congress does not enact legislation to have it flouted by an executive department. Neither are Post Office Department officials above the law. They must meet its spirit and letter just as any other American citizen must do.

Mr. President, for myself and on behalf of the junior Senator from West Virginia [Mr. NEELY], the Senator from Minnesota [Mr. HUMPHREY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from New York [Mr. LEHMAN], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Nevada [Mr. MCCARRAN], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. JACKSON], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. HENNINGS], the Senator from Florida [Mr. SMATHERS], the senior Senator from West Virginia [Mr. KILGORE], and the Senator from Illinois [Mr. DOUGLAS], I introduce a bill for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3406) to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department, introduced by Mr. JOHNSTON of South Carolina (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. JOHNSTON of South Carolina. Mr. President, I shall introduce similar proposed legislation later this session for the benefit of other Federal employees.

The bill which I have just introduced for myself, and on behalf of several other Senators, would provide substantially the same increase as the last bill which was enacted by the 82d Congress.

It proposes to increase postal salaries by 10 percent. The bill establishes a $400 floor and an $800 ceiling. An additional provision to simplify the accounting procedure would round off the annual salaries to the nearest multiple of $100 and would add an additional $30 to most of the grades.

This proposal embodies the principle of reclassification to the extent that it widens the gap between the lower and higher grade employees by an additional $400.

In the interest of some immediate relief for the employees who need it most, I urge the Senate Committee on Post Office and Civil Service to give immediate consideration to the bill and to begin hearings immediately, in order that proposed legislation may be before not only the committee, but also the Senate of the United States, in the hope that there may be passed at this session of Congress a much needed increase in salary for the employees of the Federal Government.

RECESS

Mr. BEALL. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, May 6, 1954, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 5, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou infinite and eternal God, may Thy divine spirit of wisdom and power now fill us with sincere longings and aspirations to pursue and perform our appointed duties faithfully and courageously.

Grant that, when the future appears to be growing darker and we seem to be the victims of a conspiracy of wicked circumstances, we may be strengthened with a deepening experience of Thy sustaining grace.

Help us to believe that nothing can ever separate us from Thy love or extinguish that kindly light with which Thou art always encircling our life.

May we continue our earthly pilgrimage with joy and confidence, assured that as our days so also shall be our strength.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Douds;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell townsite, Wyo., Shoshone reclamation project, Wyo., to the University of Wyoming;

H. R. 7559. An act for the relief of Mrs. Madeleine Alice Aquarone;

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes;

H. Con Res. 60. Concurrent resolution to provide chapel facilities for Members of Congress; and

H. Con. Res. 232. Concurrent resolution authorizing the printing of additional copies of the Senate Committee on Finance hearings on H. R. 8300.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 683. An act for the relief of George P. Symrniotis;

H. R. 2033. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.;

H. R. 4735. An act for the relief of Lt. Col. Richard Orme Flinn, Jr.; and

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 234. An act for the relief of Thomas Szabo;

S. 431. An act for the relief of Joseph Di Pasquale;

S. 543. An act for the relief of Sarah Kabacznik;

S. 555. An act for the relief of Charles W. Gallagher;

S. 670. An act for the relief of John Doyle Moclair;

S. 843. An act for the relief of Rabbi Eugene Feigelstock;

S. 855. An act for the relief of Kirill Mihailovice Alexeev, Antonina Ivanovna Alexeev, and minor children, Victoria and Vladimir Alexeev;

S. 857. An act for the relief of the legal guardian of Robert L. Hilton, a minor;

S. 912. An act for the relief of Bruno Ewald Paul and Margit Paul;

S. 1130. An act for the relief of Kim Dong Su;

S. 1301. An act authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott Othermedicine;

S. 1508. An act for the relief of Borivoje Vulich;

S. 1519. An act for the relief of Vladimir Batenko;

S. 1520. An act for the relief of Andre Styka;

S. 1602. An act for the relief of Edward Naarits;

S. 1682. An act for the relief of Branimir V. Popovitch and Mila B. Popovitch;

S. 1696. An act for the relief of Dr. Mourad Arnoux;

S. 1734. An act for the relief of Rosa Stephan;

S. 1823. An act to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict, and for other purposes;

S. 1883. An act for the relief of Dr. Takeo Takano;

S. 1918. An act to amend section 9 of the Merchant Ship Sales Act of 1946;

S. 2371. An act to extend emergency foreign merchant vessel acquisition and operating authority of Public Law 101, 77th Congress, and for other purposes;

S. 2468. An act to authorize the President to appoint to the grade of general in the Army of the United States those officers who, in grade of lieutenant general, during World War II commanded the Army Ground Forces, commanded an army, or commanded Army forces which included a field army and supporting units, and for other purposes;

S. 2742. An act to amend the act of August 21, 1951, relating to certain payments out of Ute Indian tribal funds;

S. 2818. An act to authorize biennial inspection of the hulls and boilers of cargo vessels, and for other purposes;

S. 2987. An act to provide for the transfer of hay and pasture seeds from the Commodity Credit Corporation to Federal land-administering agencies;

S. 3050. An act to amend the Agricultural Adjustment Act of 1938, as amended;

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased; and

S. Con. Res. 74. Concurrent resolution authorizing the printing of additional copies of Senate Report No. 1082, a study of the operations in Latin American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2098) entitled "An act to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUSH, Mr. BEALL, and Mr. HOLLAND to be the conferees on the part of the Senate.

INDOCHINA

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Speaker, the most crucial issue of the day is whether the United States will intervene in the Indochina struggle. Is it not tragic that a vast number of our citizens and public officials are watching a sideshow circus on television instead of devoting their intellectual capacities to the grave problem of war and peace?

I would like to call to the attention of the House the plight in which our country finds itself in regard to the Indochina problem. It has been an enigma for at least 10 years.

The very able Washington representative of the New York Times, James Reston, in his last Sunday's column quoted a letter from Franklin D. Roosevelt to Cordell Hull. President Roosevelt stated:

> I saw (Lord) Halifax (the British Ambassador) 10 days ago (Mr. Roosevelt wrote to his Secretary of State, Cordell Hull, on January 24, 1944) and told him quite frankly that * * * Indochina should not go back to France but that it should be administered by an international trusteeship.
>
> I see no reason to play in with the British Foreign Office in this matter (Indochina). The only reason they seem to oppose it is that they fear the effect it would have on their own possessions and those of the Dutch. They have never liked the idea of trusteeship because it is in some instances aimed at future independence. This is true in the case of Indochina.
>
> Each case must of course stand on its own feet, but the case of Indochina is perfectly clear. France has milked it for 100 years.

The people of Indochina are entitled to something better than that.

In the March 17, 1952, issue of Newsweek, in its feature, the Periscope, written by the equally able Arthur Hadley, these views were set forth:

THE PERISCOPE

WASHINGTON TRENDS

What could happen in Asia is a nightmare to Washington foreign-affairs experts. The key to it all is Indochina. France is already having its hands full stemming the Viet Minh tide there. If Red Chinese, now poised at the border, intervene, it's an odds-on bet Indochina would fall.

This could set off a disastrous chain reaction:

Shaky Burma would be next. Peasants there are poverty-stricken, still torn by the discords of Japanese occupation. They could go Communist with startling suddenness.

Rich but weak Thailand would follow. Thailand is now free from internal Red threats. But if Indochina and Burma fell, the noncombative Thais couldn't hold out for long.

The British might hold the tip of Malaya. They have the Reds on the run in Malaya now. But if the Reds had a supply line from a Communist Thailand, it would be different. Most of the peninsula would surely fall, unless the West was willing to commit ground troops for a jungle war.

Malaya would be a gun pointed at Indonesia. Dissident Indonesians aren't yet happy about the new central government. Playing on this, the Reds would in all probability grab the wealth of Indonesia as a prize. And the riches of all southeast Asia would be in Communist hands.

To stave off this, the West would have to act positively in Indochina. It has been suggested that the U. N. take naval and air action against Red China if it attacks.

The threat of this might scare off the Reds for a little while. But it's questionable, according to most military experts, whether anything short of a heavy commitment of ground troops could contain a Red onslaught indefinitely. To be effective, this would mean United States ground troops. And the United States is far from likely to approve this in an election year.

Foreign-affairs experts don't think the United States people realize what is at stake. These observers see the present situation as similar to that just before Pearl Harbor. If the Japanese had not attacked Hawaii but had merely moved into the East Indies and Malaya, they might have gobbled up Asia before the United States was aroused.

This school of thought doesn't believe the Reds will make the same mistake. They think the Communists will take care to secure Asia first.

The author of these articles, as well as great leaders of both the Republican and Democratic Parties, Henry L. Stimson and Franklin Delano Roosevelt, foresaw and feared the tragic future that lay ahead of Indochina if we were indecisive.

All the world, at this particular juncture in history, is watching the United States. However, I would particularly like to call to the attention of the House that the new nations of southeast Asia, such as the Republic of India, the Dominion of Pakistan, the Republic of Indochina, and Thailand are waiting to see whether we, as a nation, show indecision. If we show weakness, how can we expect these nations to support our programs and ideologies? The leaders of these lands are interested in survival. They will lean toward the stronger orbit and away from weakness.

Control of southeast Asia, as this Congress well knows, lies in control of Indochina. Is it proper for us to turn over to the recognized Communist enemy this great source of tin and crude rubber? In the neighborhood of 80 percent of all the world's production of these products would be added to the Communist ledger and subtracted from our own.

Finally, if we show indecision and weakness we will be surrendering one more free nation to the enemy. Does the Congress believe that the enemy will stop here? Or, do my colleagues join me in believing that the free world must say "no" somewhere along the line? Aggressive Communist action all over the world indicates that the enemy is seeking world war III. Why should we back down? Why not face the facts? It is painfully obvious to some of us that we are in a similar situation in history to that which existed in the early 1930's, during the rise of Hitler. The time to crush Hitlerism was in 1932, 1933, 1934, 1935, and 1936. World War II would thus have been averted. I believe that because of the free world's strength, even at this late date, the Soviet enemy will back down and retreat as Hitler would have done in the early thirties. In 1939 it was too late; and possibly, it is too late now in 1954.

In the article referred to above by Mr. Reston, he states:

Outside of Admiral Radford and perhaps Vice President NIXON they are not prepared to fight for a military solution. They are afraid of partition (though that's probably what they're going to get) and even more afraid of a coalition government that would include the Communists.

I hope Mr. Reston is wrong. I have faith in not only the Members of the United States Congress, but also in our officials in the executive branch, particularly in the Departments of State and Defense, wherein it is realized that the end is in sight. I agree that the method of attack and retaliation and the location of such an attack must be of our own choice and selection. However, I do not agree that we must wait for an incident to arise in an area wherein the terrain is suitable for ground warfare. I have asked my many friends who feel as I do to call upon their Representatives in Congress and particularly the President of the United States to lead us in arriving at a decision. I, for one, hope that the decision will be to stand firm. Then, if the evil enemy attacks us, our people will rise as one to crush the Communist disease once and for all.

MR. MICAWBER—WAITING FOR SOMETHING TO TURN UP

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. CELLER. Mr. Speaker, the administration's handling of the Indochina affair has been a failure.

We have suffered a humiliating diplomatic defeat at Geneva.

Due to indecision and ineptitude, we have been rebuffed as to Indochina. Reluctance to lay down a realistic policy and failure of consultation with our allies prior to announcement of policy has dangerously split western unity.

Even the Asian NATO has died aborning.

For months the country has been misled. Administration spokesmen from the top down boasted of the New Look and the solidarity of our allies.

We were told that the loss of Indochina would be a national calamity.

Indochina now seems lost.

Unfortunately the administration has talked big but wielded only a feather.

We must now pick up the pieces.

What is our policy now?

We want no more babel of tongues with Vice President NIXON and everybody's brother announcing policy "off the cuff" and "on the cuff."

The President must exercise vigorous leadership and courage. Only thereby can he unite the Nation. He can no longer act like Mr. Micawber—waiting for something to turn up.

A FILM ON THE STORY OF MONEY

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, some say that money is energy. On the shelf or in a vault it would not dig a trench or build a house. In use, in flow, like blood, it energizes man, and thus its value might be measured in units of energy. Others hold that, as a convenient medium of exchange, its value can continue to be established on the ebb and flow of production or consumption of goods or the use of services.

In any league, the story of money and its management appears to be rather a complex thing. Once, too, was the writing of a letter or the reading of one.

Under unanimous consent, Mr. Speaker, I should like to take the liberty of assembling at this point in the RECORD various remarks it was my privilege to make in the 1955 subcommittee hearings on Treasury and Post Office appropriations. It is hoped that the observations might, in some measure, help create a story on money as easy for the greatest possible number of our citizens to understand as it is for them to read and write:

THE STORY OF MONEY

Mr. SIEMINSKI. Mr. Parsons, may I ask a few questions? If you do not care to answer them, the Department can fill them in for me later.

Mr. PARSONS. I will be glad to answer them, if I can.

Mr. SIEMINSKI. To your knowledge, do you know if there is a film in existence anywhere in this country on the story of money?

We know production. We know distribution. We know manufacturing. We know almost everything there is to know, from Boy Scouts, cops and robbers, cowboys and Indians and the purple sage, right on up to the greatest industrial plant the world has ever seen, America, but can you tell me

where there is a film that the people in my district can see, the schoolchildren, the college students, the Rotarians, and others, on the story of money?

Mr. PARSONS. I do not believe there is such a comprehensive film; certainly none that we have in the Treasury Department. We have various materials in the Secret Service on the problem of money, which I am sure you are familiar with, such as the "Know Your Money" materials, and we also have in the Savings Bond Division some films that have been prepared and donated to the Division to aid in the stimulation of the sale of savings bonds. None of those, however, point specifically to the broad subject that you are getting at; at least, I do not believe they do. I would be very happy, if you would care, to have assembled two or three of these to see if they would be of any help to you, though I am sure they would not meet what you have in mind.

Mr. SIEMINSKI. We know that one thing Communists hold back from people is a knowledge of money, what makes it flow, what holds it in check, its distribution, and how it has affected people in their historical development. They hold back the facts and blame financiers. We know as kids in school that man and civilizations sprang from the Nile, fanned out along rivers and valleys wherever there was irrigation. We know down in Mexico, for instance, that the Mayan civilization flourished from 500 to 1500. There we see pyramids and chapels and temples and works of man. We find coins, but surely there must be a thread somewhere from the start of man right on through that could piece together a story on money that could be told dramatically. We hear it is a medium of exchange. We know Government officials handle it, spend it, collect it, and how governments are run on it, and homes and families build dreams by it; but I wonder if we could find out a little more on who sits on the supreme court of finance, who pulls the strings, to what tunes? Must man sweat for it? Fight and die for it? Must the flow of money be geared only to the pressing energies of man? And not in the arid, barren regions of the earth to create more energy and wealth with less wear and tear on the body?

I think we have reached a place where we can no longer, as I said yesterday, afford to make capitalists and financiers whipping boys in depressions and wars. One way, I think, that the whip can be held back is to give our people here and now and all over the world a greater appreciation of the part money plays, so that it will not, like financiers of the past, be thought of as something wicked or heretical. It takes money to live.

I thought in my lectures, previously referred to, in the Army that if I had been able to show soldiers something about money and not just something about price tags on clothes handed them, show them something on money as big in scope and coverage as we did on strategy in World War II with a film series called Why We Fight, we could not only get their fullest cooperation while in uniform, but also, later in private life, hold them steadfast to the things that help keep America humming, foreign and domestic enemies notwithstanding. The Story of Money, by Norman Angell (1929), might serve as an approach on the topic.

MONEY TO MATCH ENERGY

Mr. SIEMINSKI. I read a statement by the Indian Ambassador recently, no doubt thrown out as a challenge to people in government all over. He said in effect, if I remember it, 15 of the poorest countries of the world, representing over 50 percent of the world's population, earn less than 9 percent of the world's total income. Certainly that is a mark for any public servant to shoot at. If I were in private industry today as a sales-promotion manager and I were told that my performance was 9 percent of a maximum, I would have quite a target to shoot at.

I just wonder if we should wait for men of industry and good will alone to lift the level of income among the poor, and all, or is there something that people like you in public service and we in public service can do to focus the fact that what we are interested in really is that the flow of money, like the flow of blood, be harnessed fast to our energy from birth to death.

Is it not a reasonable thing to say that we are working to match human energy with the availability of cash, or must cash availability depend upon accountants behind corporate desks?

Secretary HUMPHREY. You spoiled it all with the last few words. I do not know what they mean.

Mr. SIEMINSKI. I mean that money must match energy, keep pace with it through life.

Secretary HUMPHREY. I do not know what that corporate thing means. I agree with you a hundred percent that it is our job here, it is Government's job, to try to promote in every way the opportunity for the American people to advance themselves. I think it is our job to do it, to remove every obstruction we can and provide every assistance we can. I think that is what has made America great. I think the thing that has made America is the fact that we have 160 million people all trying to help themselves, and just nothing can stop them. We have put in all kinds of barricades in their way and they have still progressed. If we take some of those barricades away, particularly extremely high taxation, it will give them a chance to progress much more rapidly in the next few years than they have in the past. I think it is a great opportunity, and I think that is the job that all of us should work at. We are working at it right today, by trying to get these expenditures down, trying to bring government down in its levels of participation, trying to get smaller government, trying to get more money in the hands of the people for them to handle as they want to rather than bringing it in here and trying to handle it the way we want to handle it.

We are not smart enough, and no group of people is smart enough to equal the abilities of 160 million people who look after themselves, if we will just let them do it.

Mr. SIEMINSKI. I am honored with your very fine statement, your interest, and your desire to help me think this thing through. I shall make further observations during these hearings and during debate on problems that trouble me which I do not fully understand. I am new in this game. I guarantee you, though, that I come forward with one thing, and that is, that if the energies locked in the heart of every individual in America, and in the hearts of everyone on the face of the globe, were tapped as we have tapped knowledge concerning the circulation of the human body, and if we could harness that energy for good during a man's lifetime on this globe, the Creator, I am certain, will give us all a helping hand when we get upstairs.

He says to us now, I am sure, "that if only you people could get together, couple your energy with what I give you to work with down below, show me you can do it with one another, I will reveal the next mystery," which is probably what we are all hoping for.

Secretary HUMPHREY. God bless you. I am for you.

THE IDEA IS TO KEEP ALL THREE PEOPLE IN THE GAME

Mr. SIEMINSKI. Mr. Chairman, before complimenting the Postmaster General on his lively and easily understood report and before expressing the hope that his Department receives the fullest amount needed for Mr. Summerfield to make every adjustment necessary to effect the reported savings required to set his Department in balance, I would like to clarify various formulas as they apply, economic formulas, through the eyes of three figurative people—first, the private citizen on his doorstep; second, the businessman, at his desk; and, third, agencies of Government. Presumably, each operates under a different formula, varied by its motivating force: the citizen, to have enough cash to pay his bills, including taxes; the businessman, enough profit with which to promote business; Government agencies, enough resilience to satisfy both. Cash in hand and within reach is fundamental. The idea is to keep all three people in the game.

I trust, Mr. Speaker, that the above will help put the story of money on the road and into the homes of all concerned.

COMMITTEE ON HOUSE ADMINISTRATION SUBCOMMITTEE ON PRINTING

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Printing may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SPECIAL ORDER GRANTED

Mr. PATMAN asked and was given permission to address the House today for 15 minutes, after the legislative program and any special orders heretofore entered, to revise and extend his remarks and to include extraneous matter.

MAREA STRAIT

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 515 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of contingent fund of the House of Representatives to Miss Marea Strait, sister of Alyce E. Warren, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate she was receiving at the time of her death, and an additional amount not to exceed $350 toward defraying the funeral expenses of the said Alyce E. Warren.

The resolution was agreed to, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. ANGELL asked and was given permission to address the House for 20 minutes today, following the legislative program and any special orders heretofore entered.

THE ST. LAWRENCE SEAWAY

Mr. ALLEN of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 523 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee

of the Whole House on the State of the Union for the consideration of the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH], and I now yield myself such time as I may require.

Mr. Speaker, this is an open rule and waives points of order because of the financial provisions in the bill. It provides for 4 hours of general debate, after which it will be open for amendment under the 5-minute rule.

Mr. Speaker, this is a nonpartisan bill. Since the time of Woodrow Wilson and his economic and military advisers down during the administrations of all the other Presidents, they have all favored the participation of the United States in the St. Lawrence Seaway. This bill, after much consideration, passed the other body by 51 votes to 33. It then came to this body and went to the Committee on Public Works. They had extensive hearings and it was reported out by that committee by a vote of 23 to 6. I might add both as to the vote in the other body and as to the vote in the Committee on Public Works, it was a nonpartisan matter, both Democrats and Republicans supporting the bill very strongly. The Committee on Rules had hearings which lasted over 8 hours. There were over 24 Members of Congress who came before the Committee on Rules, some in favor of it and some opposed to it. After these lengthy hearings, the Committee on Rules voted the rule in order that the membership of this body should have the final determination in regard to the passage of this bill.

Mr. Speaker, I think the most important thing, at least in my opinion, which came before the Committee on Rules was the fact that Canada has passed legislation and has gone into the matter of financing this seaway, and whether or not we participate in this great waterway, the Canadian Government is going to do it. So briefly, Mr. Speaker, the point, as I see it, which is now before us is whether or not the United States wants to take part in this greatest of all seaways on the North American Continent. This seaway, as we all know, goes right into the heart of the North American Continent, and military advisers, both of Canada and of the United States, have met and have agreed that it is important from a military standpoint. I cannot conceive of having this great waterway right in the heart of our country to be absolutely controlled by a nation whereby the United States will not have anything to say in regard to it, both from an economic standpoint as well as a military standpoint. I believe, Mr. Speaker, that this body without hesitation should vote for the adoption of this rule, and I hope finally that the bill itself will pass in order that we can have a voice in this waterway which means so much to the American people from a military and economic standpoint.

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is a very important measure and I think we should have a quorum here. I feel constrained to make a point of no quorum.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield me a half minute?

Mr. SMITH of Virginia. Mr. Speaker, I yield such time as he may require to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. I want to ask this question which many Members are interested in. Is it the purpose of the gentleman from Michigan [Mr. DONDERO] that when the House adjourns today that general debate will be completed?

Mr. DONDERO. That is the understanding.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HALLECK. It is my understanding, and that was indicated in the whip notice, and I think it was clearly indicated in the statement I made about the program for this week. Of course, that means that we cannot finish if the gentleman insists on his point of order. I might say there is no opposition to the rule.

Mr. SMITH of Virginia. In this instance the matter is of such importance that I think we should have a quorum present.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. RABAUT. I want to pose this question: Is it the intention to read the first paragraph of the bill today?

Mr. HALLECK. To read the first section, and then have the Committee rise.

CALL OF THE HOUSE

Mr. SMITH of Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Virginia makes the point of order that a quorum is not present. The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 59]

Andrews	Fulton	Moss
Ashmore	Gamble	Moulder
Barrett	Graham	Philbin
Battle	Grant	Phillips
Bender	Gregory	Powell
Bentsen	Haley	Rains
Boykin	Hays, Ohio	Reed, Ill.
Camp	Herlong	Rhodes, Ariz.
Carlyle	Hoffman, Ill.	Richards
Chatham	Howell	Roberts
Chelf	James	Simpson, Pa.
Chiperfield	Jones, Ala.	Taylor
Clardy	Kelley, Pa.	Thompson, Mich.
Coudert	Kelly, N. Y.	Tollefson
Crosser	Kersten, Wis.	Utt
Deane	King, Calif.	Vursell
Dempsey	King, Pa.	Walter
Dingell	Mahon	Weichel
Dodd	Martin	Wier
Dorn, S. C.	Merrill	Wilson, Calif.
Doyle	Miller, Calif.	Wilson, Ind.
Eberharter	Miller, N. Y.	Wilson, Tex.
Engle	Morano	Young
Frelinghuysen	Morrison	

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON EDUCATION AND LABOR

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit during general debate during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. HOPE. Mr. Speaker, I ask unanimous consent that during general debate today the House Committee on Agriculture be permitted to sit during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

JOINT COMMITTEE ON ATOMIC ENERGY

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the House members of the Joint Committee on Atomic Energy be permitted to sit during general debate this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO REVISE AND EXTEND REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that all Members who speak on the St. Lawrence seaway bill today be permitted to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ST. LAWRENCE SEAWAY

Mr. SMITH of Virginia. I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAILEY. Mr. Speaker, may I inquire if the rules of the House permit an amendment to the pending rule to provide additional time for general debate?

The SPEAKER. The Chair will state to the gentleman from West Virginia that that is within the jurisdiction of the chairman of the Committee on Rules. He would have to yield to the gentleman from West Virginia in order to get his amendment considered.

Mr. BAILEY. I thank the Chair for the timely information.

Mr. Speaker, I rise to oppose the pending rule, which would make possible S. 2150, legislation obligating the United States to pay a share of the cost of constructing the St. Lawrence seaway.

My objection, Mr. Speaker, is fourfold.

First. The time for general debate allotted under the rule is wholly inadequate. There are 30 members on the House Committee on Public Works. They will probably insist on being heard and will preempt all of the available time. This will leave scores of Members of the Congress who represent districts that are vitally affected by the seaway, with no time to discuss this unusual legislation. Mr. Speaker, I use the term unusual legislation advisedly.

Second. While the rule received a numerical majority in the Rules Committee of the House, I venture to assert that it does not represent their wishes in the matter. Furthermore, I predict some who voted for the rule will not support the legislation on the floor of the House.

Today we witness in the drive for the passage of this legislation, one of the most flagrant usurpations of legislative powers on the part of the executive branch of the Government. It is proper for the President and members of his Cabinet to recommend legislation to the Congress. However, when the boondoggling and logrolling, also lobbying that has taken place in order to bring this matter to a vote comes to light, the travesty that is being enacted in the name of orderly legislative procedures will be readily understood.

Mr. Speaker, no one within the sound of my voice is so gullible as to believe the timely visit of the Governor General of Canada, to address a joint session of the Congress just 1 day prior to our vote on the seaway, was merely coincidental.

Among other charges, there is the personal and possible monetary interest of a Cabinet member involved. I refer to the connections of Secretary of the Treasury, Mr. Humphrey, with the M. A. Hanna Co., of Cleveland, one of the foremost boosters of the seaway project.

I have before me an editorial dated May 1, 1954, from one of the Nation's leading daily newspapers, referring to commitments having been made by the administration to Members of Congress from Maine and Colorado. This is a positive intimation that many other promises have been given on other pet projects in order to line up support for a proposal that cannot be justified economically or from the standpoint of national security. Today is bargain day, my friends. What will you have?

Third. Unless the Senate joins the House action in authorizing an increase in the national debt level, and at present there are no indications the other body intends to do so, then the legislation contemplated under this rule is not in order and raises grave doubts of its legality.

The Treasury Department officials only yesterday indicated that while our present obligations are below the legal debt level now, and the current budgets when approved and obligated prior to June 30, with estimated expenditures of $3,274,000,000 in excess of revenue receipts, the situation will become acute. Midfiscal year 1955 or January 1, 1955, may see the debt level at $280 billion.

Fourth. Since the proposed rule waives all points of order, the contents of the proposed bill becomes automatically germane. My colleagues should be reminded that the constitutional legislative process is that all bills raising revenue—and this is a revenue raising bill—must originate in the House of Representatives. You will recall that this bill originated in the Committee on Foreign Affairs of the Senate.

In view of the grave questions involved, and which I have called to your attention, I wish to appeal to my colleagues in the House to join in helping defeat this rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may require to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, I rise in opposition to the rule and the bill itself.

First of all, with reference to the rule and entirely aside from the merits or demerits of the St. Lawrence Seaway project and participation or nonparticipation by the United States, I feel that the House of Representatives does not have the constitutional authority to pass upon this matter. The very fact that the proposed seaway would lie partly in Canada and partly in the United States and the further fact that united action by two separate and independent sovereignties is contemplated, all of which will necessarily involve much international negotiation, many governmental contracts and numerous reciprocal sovereign commitments and concessions, it is apparent on the face of it that the entire plan is in the nature of and should be handled under constitutional mandates as a treaty between nations. In such cases, the House of Representatives has no authority to act. Article II, section 2, clause 2 of the Constitution expressly states that "two-thirds of the Senators present" shall concur with the President in the making of treaties. This strict limitation upon America's intercourse with foreign powers was imposed by the framers of our Constitution not by accident but by prudent purpose and with judicious foresight. When this bill passed the Senate, the vote was 51 to 23. Had this been a treaty subject to ratification by the Senate, it would not have passed, because the vote necessary to pass it would have been 56. The Congress should not be seeking to do by circumvention what it cannot do directly under the Constitution.

Mr. Speaker, should the rule be adopted, I shall ask for further time during the course of general debate to state my position in opposition to the merits of the project.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. JENKINS] and ask unanimous consent that he may speak out of order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEDICATION OF FRIEZE IN ROTUNDA OF CAPITOL

Mr. JENKINS. Mr. Speaker, there was sent to each and every Member of the House an invitation to attend a dedication ceremony to be held in the Rotunda of the Capitol on Tuesday May 11 at 11 a. m. That invitation was accompanied by a copy of the program which will be carried out at that ceremony. Similar invitations were sent to the Members of the Senate.

As every Member knows, there is located high in the dome of the Capitol a beautiful frieze which depicts many of the historic events of our great country. The painting of this frieze was commenced more than 75 years ago. After much delay it was finished last year. The Joint Committee on the Library, which has jurisdiction over the paintings and artistic work in the Capitol decided to have this historic frieze appropriately dedicated. To this end the committee has made plans for a public ceremony to be held next Tuesday morning in the Rotunda of the Capitol.

It is hoped that every Member of the House and Senate will be present at this very important ceremony. The President of the United States will be present and will address the group and will dedicate this famous work of art.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Speaker, I have just a few remarks to make in connection with urging approval of the rule. Although I have been a lifelong supporter of the project, I do believe that regardless of how any Member of the House may feel about the issue before us today, this will be the final opportunity that this body will ever have to consider the merits or any opposition arguments on this great proposition.

In urging favorable adoption of the rule, we ask no Members of this House to change or to transgress any convictions which they may have. We ask no Members to consider any action which they feel may be harmful to any particular economic group in their district. But we do ask that this rule be approved so that this body be given this final opportunity to consider an issue of greatest importance.

The area which is involved, the Great Lakes area, is a large and important area. About 50 million people, almost one-third of the population of this great

country of ours, live there and are concerned with this issue today. I am particularly interested from the standpoint of the production of iron ore and the manufacture of steel therefrom. This is the greatest industrial area in the world. With only 2 percent of the population of the world, and three-fourths of one percent of its land area, it yields 35 percent of the total iron and steel production of the entire world, and over 79 percent of the total produced in the United States. Finally, the proposition considered today will be whether or not we, the United States, shall voluntarily relinquish our claims and our interests to an international waterway which lies on our international boundaries on the northeast. I say that never in the history of the world has any nation at any time done so—voluntarily given up its rights or its claims or its interest to an international waterway. So, the importance of the St. Lawrence Waterway from the standpoint of our own economic growth and development, the importance of the waterway from the standpoint of our national defense, the importance of the waterway to the well-being and continued economic growth and development of that great hinterland, the heart of the North American Continent, the importance of developing the last large remaining water resource on the North American Continent—all of those are issues which I do believe many Members on both sides would like to hear discussed, and participate in the discussion thereof.

I do urge that every one of you give the House an opportunity to debate and take final vote on this measure. This is the first time in its long history that the St. Lawrence Seaway issue has come before the House. As certainly as I stand before you this afternoon, as certain as the day is long, I am convinced that within the next 30 hours, between now and the final vote which we expect late tomorrow afternoon, will be not only the first but also the last opportunity which will be ours for consideration and a vote on this important issue, an issue with a history of discussion for over 40 years.

All we ask of those who may have misgivings about the project, or who feel that it may do injury to their respective areas of the country, all we ask is that you allow the issue to come before this body where, for the first and final time, we may expose it to the light of day and thrash out all the issues and subjects on that great question before the public and make a public record.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Michigan.

Mr. RABAUT. I want to commend the gentleman because I can say from my own knowledge that from the time he first came here he has been a real champion for the St. Lawrence Waterway. I want to commend him for the part he has played in helping to bring this great worthwhile undertaking to the floor of this House.

Mr. BLATNIK. I thank the gentleman. It has been a pleasure to work with the gentleman from Michigan.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. BROWNSON].

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. BROWNSON].

Mr. BROWNSON. Mr. Speaker, I rise to speak in favor of the granting of the open rule on the seaway bill as requested by the Rules Committee. I am glad they are requesting an open rule, because tomorrow I shall offer an amendment to the seaway bill.

Mr. Speaker, the amendment that I will offer tomorrow is very simple in its application to the bill. The only thing it does is provide that the bonds to be sold by the St. Lawrence Seaway Development Corporation to finance the United States share of the St. Lawrence Seaway are to be sold to the public without any guaranty by the Federal Government.

Mr. Speaker, I would like to point out that this amendment did not originate in some railroad roundhouse or in some coal mine, as some who are opposed to it would have you believe. It is born, rather, to allow economy minded Members to support a genuinely self-liquidating seaway.

Mr. OLIVER P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. BROWNSON. I yield.

Mr. OLIVER P. BOLTON. Does the gentleman then contemplate that all the irrigation projects and other conservation projects shall be put on the same basis?

Mr. BROWNSON. If the gentleman will wait he will find that that is taken care of in the balance of this speech.

Mr. OLIVER P. BOLTON. I thank the gentleman.

Mr. BROWNSON. Upon my election to the Committee on Public Works at the beginning of the 83d Congress I was brought in direct contact with the issue of the St. Lawrence Seaway for the first time. I listened to part of the hearings before our committee in June of 1953 and read thoroughly all the testimony presented to the committee by both proponents and opponents at that time.

As I reviewed the testimony of those hearings and went back over some of the testimony of previous hearings, I was struck by the repeated statements of those sponsoring and supporting the legislation that the seaway was "economically feasible and would not cost the taxpayer a cent."

Witnesses before the Senate and House committees who have had vast experience in large corporate structures have repeatedly said that they were so convinced that the seaway would be a good investment that they would welcome the chance to invest in it.

Two such men were Charles E. Wilson, former president of General Electric, who testified before the House committee in 1951 when he was Director of Defense Mobilization, and George M. Humphrey, present Secretary of the Treasury, who also appeared in 1951 as president of the M. A. Hanna Co. Mr. Wilson, when being questioned by one of the members of the committee as to the economic feasibility of the project, answered as follows:

Mr. WILSON. Well, it is a big subject, sir, but I have to admit that at the conference in the White House on the subject I said that I thought it was good enough to employ private capital to do the job; that it could pay out. Maybe that is the best recommendation I could give it. I believe it could pay out with private capital.

Mr. Humphrey was equally emphatic when he answered a query by the gentleman from Tennessee [Mr. DAVIS] as follows:

Mr. DAVIS. You consider this seaway a good business proposition, do you not?

Mr. HUMPHREY. I believe the seaway is going to pay out. I believe this: I would like to have the concession on the seaway and be able to finance it and build it for private enterprise.

Mr. OAKMAN. Mr. Speaker, will the gentleman yield?

Mr. BROWNSON. I prefer not to yield until I have completed my prepared statement.

Mr. OAKMAN. But it deals with this particular subject matter.

Mr. BROWNSON. I yield briefly to the gentleman from Michigan, a fellow member on the committee.

Mr. OAKMAN. I think the gentleman first suggested his amendment to the Committee on Public Works approximately 3 months ago.

Mr. BROWNSON. That is right.

Mr. OAKMAN. I hope, then, that the gentleman from Indiana will be prepared to submit to the House the form of trust indenture under which these bonds are to be issued, setting forth the rights and privileges of the holders of the bonds.

Mr. BROWNSON. I am not here as a financial expert. I am certain that the Corporation will have the help of financial experts who can draft the necessary bonds within the framework of my amendment. Toll-road issues have been issued under similar circumstances. I would suggest that many details of S. 2150 will have to be worked out by experts available to the Corporation before it can operate satisfactorily.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. BROWNSON. I yield to the gentleman from Michigan.

Mr. RABAUT. Does the gentleman know of any similar situation where private capital is part of a tremendous development of this size that belongs to entire nation?

Mr. BROWNSON. Yes; I know of one that is going on right now where they are building a bridge between Denmark and Sweden which is financed over 60 percent by private capital.

Mr. RABAUT. By what private capital?

Mr. BROWNSON. Private capital in Denmark and Sweden.

Mr. RABAUT. By private capital from both countries, but that is not similar to your seaway plan where one government supplies their share of the money and the money from the other country is forced to be supplied by private capital.

Mr. BROWNSON. That is exactly the same situation.

Mr. RABAUT. No, it is not the same. The gentleman says the capital comes from private sources.

Mr. BROWNSON. Sixty percent of the financing is by private capital.

Mr. RABAUT. That is a percentage formula, each government supplying a percentage, and private interests in each country supplying the balance.

Mr. BROWNSON. Mr. Speaker, my time is limited. I regret I must refuse to yield further.

Further testimony offered at various times by the Department of Commerce, the United States Army engineers, and testimony inserted in the RECORD concerning traffic estimates of the Canadian Army engineers, convinced me that the seaway would produce revenues over a period of years sufficient to retire any bonded indebtedness necessary to provide for its construction.

Being a strong believer in private enterprise and reassured by the provisions of the original bill that provided for the sale of the seaway corporation debentures to the public, I was prepared to support the project as outlined in House Joint Resolution 104, introduced by my good friend and chairman of our committee, the gentleman from Michigan [Mr. DONDERO].

It was with some shock that I realized that the Treasury Department was opposed to the financing provisions of House Joint Resolution 104 as introduced by the gentleman from Michigan [Mr. DONDERO].

Last November the Indiana State Chamber of Commerce forwarded to me a resolution they had passed wherein for the first time they had looked upon the seaway with favor. Their resolution, however, favored the construction of the seaway only if it could be built without the use of public moneys, either directly or indirectly.

Upon receipt of the resolution, I began to have some doubts as to the bill in light of the Bureau of the Budget recommendations to the financing provisions of the bill.

When the Senate amended their bill to conform to the Treasury and Bureau of the Budget recommendations as to financing, I began to seek in earnest a method of providing financing that would carry out the pledges of the proponents that the seaway would not cost the taxpayer a cent.

In an effort to correct the bill in the Public Works Committee, I offered an amendment that would provide for the sale of the revenue bonds to the public without the guaranty of the Federal Government as to either principal or interest.

The amendment was defeated at that time, but conversations I have had with members of the committee since then have convinced me that it was defeated primarily because in the short time available in the committee it was not understood by the members.

I wish to make it perfectly clear that Chairman DONDERO did not attempt to hinder in any way the discussion of the amendment, but the Members of the House can readily understand that my amendment was only one of several offered at that time and in fairness to the rest of the committee, it received its just share of our time.

To avoid the handicap of misunderstanding, I have introduced H. R. 8177, which is identical to S. 2150 except for section 5 on page 7 which provides for sale of the revenue bonds of the St. Lawrence Seaway Development Corporation to the public instead of the Treasury. Copies of H. R. 8177 are available in the Chamber.

My good friend and chairman, the gentleman from Michigan [Mr. DONDERO], recognized the principle of public sale when he provided in his bill, House Joint Resolution 104, for the sale of bonds to the public. I borrowed from his bill the language dealing with the matter of making the bonds available to the public.

Mr. DONDERO stated that he preferred this type of financing when he appeared before the Committee on Rules on March 22.

The Treasury Department's objections to the financing in the original bill, House Joint Resolution 104, were presented to the committee by the Bureau of the Budget, together with a suggested amendment to section 5 of the bill as follows:

> The new section 5 provides that the Corporation shall sell its obligations to the Treasury, rather than market its obligations directly to the public, as authorized by section 6 of the present bill. There is no significant difference between a corporation obligation, fully and unconditionally guaranteed by the United States, and a Treasury obligation. Both are carried in the Federal budget as part of the public debt of the United States. In 1947 it was recommended that the authority of Government corporations to sell guaranteed obligations to the public be discontinued and that in the future all borrowing be from the Treasury. This recommendation with some minor exceptions, has been carried out. The Treasury Department is opposed to the issuance and sale of guaranteed obligations by the St. Lawrence Seaway Development Corporation and recommends that it obtain its funds by borrowing directly from the Treasury. The Treasury Department states: "Centralized financing by the Treasury avoids competition in the investment market between the Treasury and other Government agencies and makes for fiscal efficiency and economy. This is especially important in view of the magnitude of the problems involved in the management of the public debt at the present time." In keeping with the intent of the bill that the Corporation be completely self-liquidating, it is provided that borrowings from the Treasury should bear interest at the current average rate on current marketable obligations of the United States of comparable maturities rather than the average rate on all outstanding marketable obligations of the United States.

The Bureau of the Budget's objection pointed out that there is no difference between a corporation obligation fully guaranteed and a Treasury obligation. Both are carried in the budget as part of the public debt.

Aware of this fact, I introduced the amendment providing that the bonds be issued without the guaranty of the Government, thus avoiding any chance of a charge against the Treasury.

Another objection raised by the Treasury was that they did not want Government corporations competing with the Treasury in the money market. Somewhat concerned with this objection I asked the Legislative Reference Service of the Library of Congress to determine whether or not my amendment would set up a precedent for this type of financing and was given information that showed substantial sums were outstanding in the form of obligations issued by Government corporations that were nonguaranteed. Over a billion dollars worth were held by the public with over $2½ billion by Government agencies other than the Treasury.

Nonguaranteed obligations of Government Corporations, Sept. 30, 1953

Corporation	Amount	Held by—
	Millions	
Farm Credit Administration:		
Banks for cooperatives.	$131.2	Government corportations, agencies and co-op members.
Federal intermediate credit banks.	775.7	Public.
HHFA:		
Federal home loan banks.	348.6	Do.
Federal National Mortgage Association.	2,466.4	Government agencies other than Treasury.

I doubt very much if the addition of $105 million will upset either the money market for Federal bonds or will set any precedent that will handicap the operations of the Treasury. In fact, the method of financing I am advocating will not increase the pressure on the public-debt ceiling as would a public-debt transaction. Prior to 1947 many Government corporations issued independent issues. The CCC, RFC, and several other Government corporations had over $6 billion outstanding at one time just prior to World War II. It did not seem to hamper Treasury borrowing operations at that time.

I do not discount the wishes of the executive departments but I am aware of the fact that the responsibility for policy rests with the Congress. The courts reaffirmed this fact when they held that the determination of the necessity for a given improvement of navigable capacity and the character and extent thereof is for Congress alone—*U. S.* v. *Chicago, Milwaukee, St. Paul & Pacific Railroad Co.* (1941, 312 U. S. 592). The courts also held in 1943 that Congress can employ any appropriate means to serve a legitimate public end—*U. S.* v. *Marin* (1943, 136 F. 2d 388).

The system of financing I advocate is based on that used by the various States in financing and building toll roads. My own State of Indiana sold $280 million in toll-road bonds last January. The State of Ohio funded $326 million during 1952 without trouble. New Jersey and Pennsylvania have sold successfully several different toll-road bond issues. Florida, Georgia, Virginia, and Kansas have planned toll roads financed by revenue bonds not backed by the State. Certainly, if State governments can finance toll roads without difficulty for amounts far in excess of the $105 million necessary to construct the seaway, then the Development Corporation should have no difficulty in selling its bonds to the public.

That the bond market will purchase the revenue bonds of the Corporation at reasonable rates of interest is evidenced by the figures on bond issues by public utility companies in 1953 and 1954 supplied me by the Security and Exchange Commission. Over $400 million worth of public utility bonds carrying a Moody's rating of A or better were sold during 1953 and 1954 at interest rates of from 3 to 3.78 percent. I have used the public utility offerings as an example because if the prospects of the seaway are as they have been represented by the proponents they surely will carry an equal or better rating than A.

Another reason for the use of utility offerings rather than the toll road issues as a basis for comparison is to show that the interest rate on the seaway bonds need not be excessive in relation to toll road bonds many of which carry tax exemptions. The rates of interest carried by the toll road bonds I have checked run from 2½ percent in Maine to 4 percent in Florida. The bulk of the issues in 1950, 1951, and 1952 range from 3.2 percent to 3.7 percent.

It is my judgment, based on the estimates of tonnage and the suggested probable tolls by the Department of Commerce, that the seaway financing would have no trouble at interest rates of 5 percent or more.

With our national fiscal affairs in the precarious shape they are today, I cannot help but feel that if the desired benefits of the seaway are as the proponents claim, every Member of the Congress will welcome this chance to build a worthwhile project without Federal funds.

The Bureau of the Budget opposes H. R. 8177 on the same grounds as the Treasury insofar as the financing of the Corporation calls for bonds sold to the public. In addition the Bureau of the Budget in its report submitted to the chairman of the Public Works Committee on February 11 has an additional objection as follows:

> It the corporation were to market its bonds directly to the public, in the event of default the facility might come under the control of private bondholders. While such an eventuality is regarded as highly remote, even the slightest possibility of private domination of the St. Lawrence seaway should be avoided. In view of its international character, it would be entirely inappropriate for anyone other than the agency of the United States Government to operate the seaway and carry on the necessary negotiations with Canada.

Anticipating that such an issue might be raised against my amendment, I asked the Library of Congress to determine what the legal aspects of such an amendment would be. In their answer dated February 12, is contained the following information which to my mind completely answers the Bureau of the Budget on this point.

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. BROWNSON. I yield.

Mr. BLATNIK. Referring to the matter of the rule, the gentleman urges the adoption of the rule that is before the House today?

Mr. BROWNSON. That is correct.

Mr. OAKMAN. Mr. Speaker, will the gentleman yield?

Mr. BROWNSON. I yield.

Mr. OAKMAN. The gentleman from Indiana has discussed the similarity between toll-road bonds and the bonds which he proposes for the development of the St. Lawrence Seaway. May I ask whether any of those toll roads are located in international waters that the gentleman is speaking of?

Mr. BROWNSON. No; the toll roads are not located in international waters as the gentleman well knows. The wisdom of the toll-road builders exceeded that possibility.

Returning to my statement, I repeat:

Anticipating that such an issue might be raised against my amendment, I asked the Library of Congress to determine what the legal aspects of such an amendment would be. In their answer dated February 12 is contained the following information which to my mind completely answers the Bureau of the Budget on this point:

> While the Corporation could not claim Government immunity from suits because of the provisions of section 4 (a) (3), it does not follow that bondholders could attach either the property or the funds securing the bonds. The funds of corporate agencies of the Federal Government are, for all practical purposes, Government funds. *Inland Waterways Corp. v. Young* ((1940) 309 U. S. 517, 524), and a congressional waiver of immunity from suit in case of a Government corporation does not mean that funds and property of the United States can be levied on to pay a judgment obtained against such a corporation. *Federal Housing Administration* v. *Burr* ((1940) 309 U. S. 242, 250).

If the seaway is sound economically, and I think it is, there is no chance of a default. If a default does occur I cannot see that the bondholders can take control of the corporation or its assets.

Advocates of the seaway construction at Federal expense have recently contended that my amendment is an underwater torpedo designed to scuttle the seaway.

Most of those who condemn my amendment are the same people who so ably have touted the seaway as self-liquidating and claim it will not cost the taxpayers a cent.

Their objections are confusing. On one hand they claim the bonds I advocate will not sell because investors could not foreclose on the physical assets of the seaway hence they would have no protection in the event of a default. On the other hand, they claim the seaway is completely sound economically and is self-liquidating.

I might point out, Mr. Speaker, that none of the toll-road bonds I have ever heard of provide that in the event of default the bondholders could stake out a claim to some few feet of highway or a tollgate to protect their investment. Yet toll-road bonds sell readily to eager investors.

There are those who oppose my amendment on the grounds that the bond issue could not be sold in time to allow us to guarantee to Canada we will proceed on schedule with our end of the construction.

I might remind these gentlemen that the division of the power project from the seaway left some $100 million worth of navigation facilities that are to be constructed by the New York Power Authority in cooperation with a counterpart authority in the Province of Ontario. The New York Power Authority is going to finance its share of the power phase, including $50 million worth of navigational facilities, by means of a public issue of nonguaranteed bonds.

The seaway cannot be built without the navigational facilities charged to the power phase, hence it cannot be built until New York floats its bond issue. Under what circumstances can the New York Power Authority float a $300 million bond issue any quicker than the Seaway Corporation can float its bond?

The cries of "Wreck" and "Scuttle" that many of the proponents of the St. Lawrence Seaway have raised over my amendment give me some concern that perhaps they have been less than forthright in their claim that it is such a sound economic proposal and will be self-liquidating.

Mr. Speaker, I have great faith in the public of these United States and certainly their willingness to accept or reject this project, gaged by their response to the offer of the revenue bonds of the St. Lawrence Seaway Development Corporation, will speak far more eloquently as to their desire for the seaway than the combined efforts of both proponents or opponents to pass or defeat this bill.

It is my belief that we should give them the opportunity to settle once and for all an issue that has plagued the Congress for over 40 years by leaving it in their hands. My amendment will do just that.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, St. Lawrence Seaway would isolate New England.

We in New England serve notice that we are opposed to participation by the United States in the development of the St. Lawrence Seaway.

In this, as in other matters, we must join in a regional bloc to prevent further attrition of our economy.

As no consideration has been shown for the problems of our area, through the medium of positive help, we have no recourse but to band together and resist any project that would worsen our situation.

The proposed St. Lawrence Seaway would detour business away from our ports and our railroads, with side effects that would compound our present difficulties.

Is it in the national interest to add to our unemployment?

Is this the way to assist our depressed communities that are fighting against serious odds to attract new industries?

The giveaway of New England by the Federal Government must stop, and we are determined to make our first stand against such policies on this bill.

Strip it of all its guarded language and you will find the naked truth that this legislation would sacrifice all the Atlantic States just to bring a few ben-

efits to the inland ports of the Great Lakes, and a handful of industries that are doing quite well as it is.

This is one project where the arguments advanced for it, turn around and contradict it.

First we were told that it was necessary for our national security, only to find out from the military authorities themselves that the 15 locks and 2 dams could not be defended from air attack and sabotage.

Then we were told that it would be the most convenient way of transporting ore from the new Labrador fields. The considerable defect in this approach is that the seaway is unusable for 4 to 5 months at a stretch. What good is a transportation system that is put out of action by Mother Nature for more than one-third of each year?

Finally, the cost.

The beginning cost.

Disarmingly cheap, it would appear, to forestall criticism or suspicion.

This is the real boobytrap.

Concealing the fact that the eventual cost for a channel of adequate depth would be 20 times the original and deceptive figure of $100 million.

It was sweet music to hear at the beginning that the project would be self-liquidating, without taking a single penny from the taxpayers of the United States.

This was too good to be true.

When caution intervened with the proposal that the seaway be financed on a genuine revenue bond basis, not requiring the money or credit of our Government as a guaranty, advocates of the project suddenly became panicky, and the sweet music turned sour.

The proponents knew that, without free and continuing access to the Treasury of the United States, the project would never have a chance. They knew that private capital regarded it as speculative.

The main arguments advanced in behalf of defense, utility, and cost all have a hollow ring.

Now to the other side of the case, where we must consider the injurious effects of this project upon the United States.

In exchange for this venture, we are being asked to disrupt the integrated rail, port, and inland water facilities of the Atlantic coast, the gulf, the Mississippi Valley system, and the vital network of the American economy that is presently and efficiently served by them.

It is estimated that 30 percent of Boston's foreign trade would be lost to the seaway.

Similar losses would be suffered by all the other Atlantic and gulf ports, and traffic along the Mississippi would diminish.

There would be far-reaching dislocations harmful to coal, oil, and other industries.

So many regions of the Nation will be injured, and they will have eloquent spokesmen who will rise in opposition to this bill, that I must confine myself to the dangers threatening the area from which I come.

The St. Lawrence "iceway" would freeze out New England.

It would strike a decisive blow against our railroads, ports, and shipping.

It would throw more workers out of jobs, and increase the number of our unemployed which is already critical.

We need help to acquire replacement industries, and not legislation causing a further loss in those remaining to us.

With other regions that would be jeopardized by the St. Lawrence scheme, whose ill-concealed purpose is to subsidize six midwestern steel companies as a starter, we oppose this bill.

We welcome this opportunity to get the issue out into the open.

To debate, expose, and defeat the seaway project—once and for all.

Mr. SMITH of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, I am most pleased to learn that those who will seek to put an amendment on this bill are at least going to vote for the rule. I hope the rule will pass.

I want to make a special appeal to the Members of the House today in the name of the great automobile industry, which is located in the Great Lakes area. The automobile industry has brought wealth into the economy and a change into the lives of the people of almost every section of the world. It has done a tremendous job for the United States. It has increased the real-estate values in every section of this country. Almost everyone of you would admit that you could not live where you reside today if it were not for the good roads and if it were not for the automobiles. You who bring your produce to market from your districts recognize that the automobile is the cause of the good roads. It is the goose that laid the golden eggs. Yet that industry that has served so well, that has grown from a luxury to a necessity in our very way of life, you would seek to disrupt and have moved to other sections of the country because you would deny it steel, of whose production it consumes such a large amount.

The automobile industry purchases products from every State in the Union. It has made a tremendous business throughout this Nation. It is the first business of the Nation, surpassing in gigantic strides every other phase of economic activity in the country. The automobile is dependent upon steel, and the Detroit area in the dark days of World War II earned for itself, because of its significance, its know-how, its genius, and its manpower, the name of the hub of the arsenal of democracy. This is the industry that is dependent upon the Great Lakes area. This is where it exists. It appeals to this House today for its support of this bill.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Speaker, in my 10 years of service in the House this legislation has come before our committee almost every year. I heard justifications 10 years ago that are not used any more today. Each succeeding time the bill came before our committee new justifications were used.

I oppose this seaway and I have opposed it from the time I first heard of it. This is not because it does any particular damage to the city I come from. I have that interest, but that is not my whole interest. I have served on the committee that has investigated and has to judge projects of this nature in every State of the Union, in every river and every harbor, and I must say that up until this legislation came before our committee all of them were justified on their economic feasibility. We acted on that and that alone. We took into consideration the ratio benefits against the harm it might do to other sections.

This legislation we have before us today may accomplish what the proponents say it will accomplish, but they have not told you the damage it will do to the other parts of our economy. This legislation is designed to shift the economy of this country from one section to another. I have heard on this floor by the proponents of the bill and from the people who live in the lake region, that great prosperous region, that probably has a higher standard than any other location or locale in the United States—I have heard the presidents of chambers of commerce from cities in this region come before our committee and tell us that 75 percent of a certain item is manufactured in this region, that 80 percent of another item is manufactured in this region, and that some 90 percent of the automobiles are manufactured in this region—but they say "We are not satisfied with that, we want the other 10 percent or the other 30 percent, or the other 40 percent to come in this region, thus taking away from our other American manufacturing centers and ports."

What does this seaway do? I have been on this floor a number of times as a member of this committee, and I have argued time and time again against the Government subsidizing anything which would be directly in competition with our established, private enterprises. This does exactly that. During the last war, the greatest contribution made to our defense was made by the American railroads which are wholly owned and operated by private capital. This will tend to destroy the railroads that gave to this country in the last war the greatest exhibition of transportation the world has ever seen. And what are you going to do with this? You want to create a competitor at Government expense so that when you call on the railroads, perhaps 10 years after the seaway is built, and the seaway has put the railroads out of business, and crippled them to such an extent that they cannot be kept up to the necessary standards, you are going to call on them to furnish you the same services that they rendered in our past emergencies. Well, they may not be there.

We hear statements made that we should get into this thing so that we might have some say in it. What say do we want in this seaway? If the Canadians build it, they have to under international law give us the same privileges and charge us the same tolls as the Canadian ships and any other foreign ships. I might remind you at this point, when you talk about shipping, last year of all the ships that went through the present 14-foot canal which they now have up

there in Canada, not one ship flew an American flag. And it was testified and not disputed before our committee, that if it is built to 27 feet, only 2 percent of our merchant marine will be able to use it. With the dwindling merchant marine that we now have and a sick merchant marine, you want to give them a further dose of bad medicine.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, this was a most controversial measure when it came before the Committee on Rules. It is a subject which, as most of you know, has been kicking around in the Congress for 20 years. There is a tremendous amount of opposition, serious and sincere opposition to this project from many parts of the country; but, particularly so, along the eastern seaboard. I do not think this thing has been thought through to its final effects, and as to what effect it may have upon the economy of this country. Undoubtedly, it is designed to take away from your eastern railroads much of their revenues. Just remember, in times of emergency we need those railroads. The Government is going to see that they run. You are in a position where you may be forced to carry a tremendous burden in order to keep these railroads running. The same thing is true as to all of the eastern seaboard ports, the great port of New York, the great port of Norfolk, the great ports of Philadelphia and Baltimore and Boston. This is designed to deprive those ports of business. Frankly, that is what it is. As a net result of the building of this waterway, if it does what it is designed to do, you are going to destroy a great part of the economy of this Nation along the eastern seaboard. I wonder if we want to do that on such short notice.

Mr. Speaker, I have been very much interested in the budget of this country. I am one of those who has stood up and been counted with the Republicans in wanting to try to balance the budget. I was very much heartened when the Republican Party promised the country that they were going to balance the budget; that they were not going to raise the debt limit any further. I am anxious to help carry out that promise. I want to help you balance the budget. I want to help you to put the financial affairs of this country on an even keel. Well, you are not going to do it by issuing $105 million of bonds on the Federal Treasury in order to help a few steel companies get their steel supplies down to their mills in the Middle West at a cheaper rate. That is what it boils down to.

Are you in earnest about economizing in the fiscal affairs of this country? Are you in earnest about balancing the budget? If you are, and if you are going to take this bill with all of its faults and defects, let us have the Brownson amendment and let us have this financed by private industry instead of further unbalancing the budget of this Nation.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. WAMPLER].

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WAMPLER. Mr. Speaker, I rise in opposition to the rule.

I am opposed to the construction of the St. Lawrence Seaway project.

One of my main objections to the project is cited in the minority views on the bill, S. 2150. I quote:

> The United States should not go further in debt to build an inherently defective waterway which would have greater potentialities for harm than for good in its effect on our economy.
>
> (b) The waterway would definitely harm the railroads, the Atlantic and Gulf ports, the coal industry, the independent oil producers, the American merchant marine, and labor serving all of those industries and localities, while it would help primarily 5 steel companies, 1 ore company, the port of Montreal, and foreign vessel owners.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Speaker, to listen to the discussion today you would think that we are not involved in any navigation projects anywhere in the United States, and that the only navigation we are interested in is the St. Lawrence Seaway, which, of course, is not true.

We have navigation projects, and properly so, all throughout the United States, none of which produces any tolls; and they are not toll producing, because the law is so written.

Let me point out some of the projects that the United States is involved in, where navigation is the paramount issue today, and properly so. Let us look at the Ohio River. The total estimated Federal cost of the Ohio River for the existing project and scheduled lock-and-dam replacement is $535,400,000. The tonnage transported in the calendar year 1952 was 5,957,000 tons, which is fine and proper.

On the Monongahela River in Pennsylvania we have scheduled lock-and-dam-replacement projects with a total estimated Federal cost of $114,736,000, and the tonnage transported in calendar year 1952 was 28 million tons.

The Black Warrior, Warrior, and Tombigbee Rivers have existing projects, lock-and-dam replacements, with a total estimated Federal cost of $124,579,000, and carried a tonnage in calendar year 1952 of 2.5 million tons.

The Atlantic Intracoastal Waterway, running from Norfolk to the St. John River in Florida, at a cost of $25,446,000, carried a tonnage in calendar year 1952 of 4,665,000 tons.

Upper Mississippi River, which includes new lock 19 and harbor projects proposed on the waterway, $227,437,000, carried 12,855,000 tons in calendar year 1952.

In the lower Mississippi River, where we have flood control and navigation together, which is fine and proper, we have a total Federal estimated cost of $1,292,748,000; appropriated to date, $848 million, and total tonnage transported in calendar year 1952, 77,585,000.

We have great projects in the Columbia River area where we have flood-control, power, and navigation projects which are fine and proper and have assisted a great deal in the development of that particular area. But there is a Federal estimate showing the cost to be $2,275,418,000 and the tonnage which was transported in calendar year 1952 was around 63 million.

Let me say this that progress in any section of the Nation is progress for the whole Nation. We find throughout the history of this country from time immemorial, from the Louisiana Purchase in 1803 which was disputed on the floor of Congress, we find that those who opposed it were wrong, and those who opposed the development of the great resources of the country have been wrong. We do not want to make any mistake this time. This subject has been before the American people for years and years; it has had the support of administrations on both sides of the aisle over the years, but there has been violent opposition to it on the part of the railroads and other special interests; however the railroads are not consistent at all because they do not oppose many of the other navigation projects in other areas of the country.

We have had testimony before the Civil Functions Subcommittee of the House Committee on Appropriations of which I am a member. When witnesses are asked the question: Have the Railroads opposed a navigation project in your area? The answer most always is, They have not. As a matter of fact you will find—if you will permit me to read just one instance, the Gulf Intercoastal Waterway, page 358 of the hearings this year, that Mr. Miller, who is the vice president of the Intercoastal Canal Association of Louisiana and Texas, testified. I asked him this question:

> Mr. CEDERBERG. Do you know approximately what the Federal investment is in the waterway to date?
>
> Mr. MILLER. Federal appropriations to date for the entire thousand-mile waterway between Florida and Mexico—amount to $58,760,600.

What I wanted to bring out in this is the fact that the railroads have not opposed this particular project, and in the testimony you will find that some of the witnesses said that the railroads in the area have prospered. For instance, I read from the hearings:

> Mr. CEDERBERG. I take it the railroads in that area have prospered?
>
> Mr. MILLER. They have.
>
> Mr. CEDERBERG. The reason I bring that up, there is another important waterway that seems to have violent opposition from the railroads, for instance, the St. Lawrence seaway. We feel it is going to be of benefit to the railroads as well as the entire economy of the area. I am amazed they are opposed to it.
>
> Mr. MILLER. They have not opposed us recently on the shallow-draft waterways. I have thought for some time our railroad friends are shortsighted in regard to navigation projects. When the Houston Channel was authorized the railroad witnesses appeared and said the effect would be catastrophic and pointed out how many people

would be laid off. It was not long after the channel was completed that Houston was advertised as the city where 17 railroads met the sea, and Houston has prospered and the railroads have prospered.

The testimony is here with such comments on behalf of those who have been trying to urge us not to cut off any navigation projects, which have been fine as far as the United States is concerned. We have the coal people who have been interested in doing something to block the St. Lawrence Seaway, yet they are interested in the Green River project in Kentucky, a navigation project which has been requested by the coal people so they could get in there, open a new field, and haul the coal out at 40 cents a ton cheaper than the railroads can haul it out, and there is no opposition on the part of the coal people to that navigation project, nor is there any from the railroads.

We have heard a great deal about a picture which was published in the papers last night and this morning saying that the St. Lawrence seaway would be frozen up over 4 months of the year. The Soo Locks are frozen up over 4 months of the year, yet we haul more tonnage through the Soo Locks during the open season than the combined total tonnage hauled through the Suez and Panama Canals.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I rise in support of this rule and do so to try to clarify somewhat the situation that has been suggested here by other Members who have spoken against the rule. I represent the 16th District of Ohio which is a large steel-producing area. A number of mills owned by a number of companies are located there. When it is suggested that the railroads will suffer, may I suggest the ore that is brought in to the blast furnaces and mills in the area I represent, has been brought down in the past over the Great Lakes, then by railroad to my area, and will continue to be so transported with the St. Lawrence seaway. So the actual hauling by the railroads of the ore and the bringing in of these materials needed is not greatly affected. However, if you stop the ore from coming to those mills, then the railroads will lose the hauling of the finished product. They lose sight of the fact that the hauling of the finished product is by far greater than any amount involved in the hauling of the ore into that area. So actually there will be little loss. Close these mills and the railroads will lose millions each year.

The suggestion has been made that this is for the benefit of a few great corporations. I should like to point out to the House that in my district there are some 60,000 steelworkers, members of the steelworkers union, many of whom are homeowners. It is an area that has been built up by steel through the bringing in of the ore over the lakes, which will continue to be done, and by the hauling of the finished products by the railroads, and over the highways by trucks. You are not going to affect just a few large corporations if you vote down this bill; you are going to close those mills and send them to the seaports and 60,000 or more steelworkers and others who are dependent upon these mills in this area will lose their homes.

Mr. Speaker, it is a serious situation to the entire economy not only of a few corporations that perhaps could move from these areas, but it is also important to the people who live in those districts that we continue to make steel.

A question of national defense and the railroads has been brought up. We recognize the railroads as an integral part of national defense in this area, but in this area are situated Canton and Massillon in the 16th District of Ohio, 50 miles below Cleveland, the largest producers in the world of electric steel regardless of what area you may go to.

Mention has been made of national defense. The largest producers of steel in these areas would be devastated if the time ever comes when the ore cannot be brought in in the manner provided by this bill. I therefore support the rule.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. DONDERO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in the United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2150, with Mr. BROWN of Ohio in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DONDERO. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, it is not very often that I ask the indulgence of the House, and for that reason I am going to request that I not be asked to yield until I have finished my statement. After that, if time permits, I shall be glad to yield to anyone who has some questions to ask.

Mr. Chairman, in that matchless volume of Hebrew literature, the Bible, we are told, "Where there is no vision, the people perish"—Proverbs 29:18.

About a century ago the men, whose places we now occupy in this House, were confronted with an issue which involved about a half-million dollars. The question was whether or not the Federal Government should take over, as a Federal project, from the State of Michigan the locks at Sault Ste. Marie.

Like many other questions that proposal had its opponents. Among them was a man who tried three times to become President of the United States, and who was elected Speaker of the House, where we now serve, on the first day of his membership in this body—Henry Clay, of Kentucky.

Henry Clay was a man of great influence and power. He sought to belittle the proposal by inquiring whether or not the canals and locks were in the moon, or so far removed from civilization that only the Indians had ever heard about it.

Other minds prevailed, the project was adopted, and men of vision in Congress a century ago laid the foundation for what has become one of the greatest water highways and one of the greatest arteries of commerce on this earth. They built better than they knew. No doubt they could not foresee that they were providing a water highway for the future through which would pass more commerce than the Panama and Suez Canals combined; through which would pass 100 million tons of cargo annually, during approximately 8 months of the year; through which would pass nearly 85 percent of the iron ore essential and necessary to sustain the steel industry of our country.

Who can say that this vital fact alone, this water resource, has not contributed mightily to our national defense during the past century and now to the defense of the entire free world.

Today, we who now serve in the place of those who wrought so well and so wisely a century ago for the common welfare and preservation of our Republic are presented with a similar proposal, namely, whether or not the same water which flows through the locks at the Sault Ste. Marie shall flow unvexed to the sea through the St. Lawrence River under the joint management and control of our Government and the Dominion of Canada, or whether Canada shall dominate and control this great waterway alone. Will we have the same vision and foresight of those who have gone before and join in the completion of this great strategic waterway?

The bill before us, S. 2150, presents the only opportunity we shall have to determine that question and what course our country will take.

The defense and security of the United States and the North American Continent are involved in this issue. The defense of our country and Canada are strategically interwoven.

I stated that we have but one opportunity and one only to say which way we shall go, because Canada has given notice that if we do not now decide to participate with her in the joint construction of this master project of the North American Continent, she is ready, able, and willing to undertake the work alone and build the seaway entirely in Canadian territory. Should this happen it will be the first time in history when a government having joint or complete control over an important waterway will stand by and relinquish that control to another government.

What a spectacle we would present to the rest of the world if we should fail to cooperate with our friendly neighbor to the north with whom we have always joined and agreed in all international and boundary line questions over a period of 135 years. I should add that all such problems were resolved for the happiness and benefit of the people of both countries, and this has been done without a fort, without a gun, without a soldier on either side of the line.

This is not a political question. All our Presidents, Republican and Democrat, for over 40 years, have endorsed and advocated the construction of the St. Lawrence Seaway. Now the time has come when we must act. President Eisenhower has expressed the great need for the seaway for economic and national security reasons in language which cannot be misunderstood.

On January 7, this year, in his state of the Union message the President said:

> Some of our vital heavy materials come increasingly from Canada. Indeed our relations with Canada, happily always close, involve more and more the unbreakable ties of strategic interdependence. Both nations now need the St. Lawrence Seaway for security as well as for economic reasons. I urge the Congress promptly to approve our participation in its construction.

He wants our joint participation with Canada as contained in the bill before us, S. 2150, as reported by your Committee on Public Works.

What does the seaway project consist of? It consists of removing obstructions in the St. Lawrence River to make a navigation channel 27 feet deep to the sea with locks to control the water level. Three locks would be built on the American side of the international boundary, and four locks would be constructed in the lower part of the river, which would be wholly in Canadian territory. Both of these include the necessary channel work. The details are set forth in the bill and report.

The estimated cost of the project made by the Corps of Army Engineers of the United States places our cost at $105 million, while the Canadian cost is estimated at somewhat less than $200 million.

The power feature of the undertaking is not in this bill. That part of the entire project will be constructed by the State of New York and the Province of Ontario jointly.

The cost of the seaway will be paid by tolls to be charged the users of the seaway in amounts sufficient to amortize the total cost of the navigation project over a period of 50 years.

Under this bill the Corporation created by the legislation is authorized to issue to the Treasury, from time to time, revenue bonds, not exceeding $105 million with maturities not exceeding 50 years to finance our share of the cost. Principal and interest to be guaranteed by the Government. This follows the established policy of the Government to finance its operations of this kind. This is the only way we can assure Canada that we will carry out our part of the project in the same manner we demand from Canada assurance that she will compiete the Canadian portion of the navigation.

I am informed that an amendment will be offered by the gentleman from Indiana [Mr. BROWNSON], and which has already been introduced, being H. R. 8177, to compel the sale of the bonds to the public instead of the Treasury, without Government guaranty. This is completely contrary to the established policy of the Treasury and the Bureau of the Budget. It has no precedent in financing Government corporations. It is no secret that the purpose of the amendment is to kill the bill by making it impossible to finance our participation with Canada.

This is the only navigation project in the United States which contains the self-liquidation or self-payment feature from tolls, and the issuance of revenue bonds to defray the cost of construction.

The Corps of Engineers of both governments have estimated sufficient commerce to pay for the building of the seaway within the specified period, namely, 50 years.

The reserves of high grade ore in the United States are dwindling or running out. In a few years they will be exhausted. A rapidly expanding steel industry now requires 100 million tons annually and by 1960 testimony showed we would need 150 million tons.

Where is that enormous amount of ore coming from when our supply is gone? A kind providence has deposited in Labrador and Quebec what may prove to be the greatest deposit of iron ore in the world. This was discovered within the last decade.

If the seaway is built that ore can be brought to the steel industry of the United States with the same ships, the same equipment, the same docks for unloading the ore as now used in bringing iron ore down from Mesabi range through the Great Lakes and the locks at the Soo.

In the event of war, we would be vulnerable if compelled to import iron ore from across the seas. Our experience in the last war demonstrated that inexorable truth. Every agency of our Government charged with the defense and security of our country from the President down are unanimously in favor of this bill.

Progress can be thwarted and obstructed for a time and then the people revolt. Recent polls taken in different parts of the United States show in some degree the sentiment and thinking of a large segment of the American people on this issue. On the question whether or not they favored United States participation in the St. Lawrence Seaway with Canada, the answers speak for themselves and are most compelling.

Public opinion is overwhelmingly in favor of our participation with Canada in building the St. Lawrence Seaway. The latest American Institute of Public Opinion, Gallup poll, April of this year, shows that, among voters familiar with the seaway proposal, they are 11 to 1 in favor of United States participation.

In New England and the Middle Atlantic States, the polls showed 7 to 1 in favor of participation. In the Midwestern States, from the Appalachian Mountains to the Rockies, believe it or not, the ratio showed 25 to 1 favoring participation. In the South, including Texas and Arkansas, it was 6 to 1 favoring participation. In the Mountain and West Coast States, 12 to 1 in favor of participation.

In addition, four Members of Congress took separate polls of their constituents in which they asked whether or not they favored United States participation with Canada in construction of the seaway:

	For	Against
	Percent	*Percent*
Representative GEO. H. BENDER, 23d District of Ohio (CONGRESSIONAL RECORD, Aug. 4, 1953)	89	11
Representative ALBERT S. HERLONG, Jr., 5th District of Florida (press release Mar. 4, 1954)	86	14
Representative THOMAS E. MARTIN, 1st District of Iowa (CONGRESSIONAL RECORD, Apr. 5, 1954)	81	19
Representative WILLIAM B. WIDNALL, 7th District of New Jersey (supplied by Congressman's office) [1]	71	24
Representative J. HARRY MCGREGOR, 17th District of Ohio (supplied by Congressman's office)	68	32

[1] No reply, 5 percent.

In addition, Representative WIDNALL introduced into the CONGRESSIONAL RECORD the results of a poll conducted by the American press, which is read by 7,500 editors and publishers of small-town weekly newspapers from Maine to California. The polls showed that there were 73 percent favoring participation and 22 percent against it; 5 percent did not reply (CONGRESSIONAL RECORD, March 17, 1954).

The propaganda of the lobby in opposition to the seaway attempts to create the impression that only a few steel companies favor the seaway project. The record shows that all agricultural organizations, the Farm Bureau, the Grange, the Farmers Union, the grain and dairy producers—all of them favor it. This, in fact, is the only issue on which all major farm organizations are unanimous. Numerous labor, business, and professional groups throughout the country favor it. In fact, even a majority of the membership of the New England Council went on record favoring the project. The VFW and Amvets are on record in favor of it and many more, including the United Steelworkers of America, the UAW-CIO, and the National CIO.

The Foreign Relations Committee of the Senate examined this bill and approved it by the decisive vote of 13 to 2. The bill was approved by the Senate itself 51 to 33. To show that it is bipartisan by nature, this bill was supported by 25 Republicans, 25 Democrats and 1 Independent. Your Committee on Public Works approved the bill 23 to 6.

My colleagues, no doubt many of you, like myself, have often raised your eyes to the quotation from Daniel Webster on the wall of this historic Chamber immediately above the Speaker's chair and have read in thoughtful silence the statement of that legislative giant of 100 years ago:

> Let us develop the resources of our land. Call forth its power, build its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

The opportunity now presents itself to the membership of this House to perform something for which we may be worthy to be remembered by voting overwhelmingly to participate with Canada in the construction and completion of one of the greatest projects of our day and generation. A project which can be well designated as "the master project of the North American Continent."

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. DONDERO. Mr. Chairman, I yield myself 1 additional minute.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Ohio.

Mr. McGREGOR. As a member of the committee, I wish to take this opportunity to express the views of both the minority and majority members on this particular subject and in paying high regard to our distinguished chairman, the gentleman from Michigan [Mr. DONDERO]. He has been fair in his discussion. He has made a valiant battle for this particular seaway project for many, many years; and if and when it becomes a reality, the name of GEORGE DONDERO should be inscribed at the top of the emblem signifying the project. Your people should say to you, Congressman DONDERO, "A job well done."

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. DAVIS of Wisconsin. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. BROWN of Ohio). The Chair will count. [After counting.] Seventy Members are present; not a sufficient number.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 60]

Andrews	Engle	Morano
Ashmore	Fernandez	Morrison
Barrett	Fulton	Moss
Battle	Graham	Moulder
Bender	Grant	O'Brien, Mich.
Bentsen	Haley	Poage
Bonin, Pa.	Hays, Ohio	Powell
Boykin	Herlong	Rains
Budge	James	Reed, Ill.
Camp	Johnson, Wis.	Richards
Carlyle	Jones, Ala.	Roberts
Celler	Jones, Mo.	Rogers, Fla.
Chatham	Kelley, Pa.	Scherer
Chelf	Kelly, N. Y.	Sikes
Chiperfield	Kersten, Wis.	Sutton
Clardy	King, Calif.	Taylor
Cooley	King, Pa.	Teague
Coudert	Krueger	Thompson, Mich.
Crosser	Lantaff	Tollefson
Deane	McCarthy	Walter
Dempsey	McCulloch	Weichel
Dingell	Mahon	Wilson, Ind.
Dodd	Martin, Iowa	Wilson, Tex.
Doyle	Merrill	Withrow
Eberharter	Miller, N. Y.	

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HALLECK] having assumed the chair, Mr. BROWN of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 2150, and finding itself without a quorum, he had directed the roll to be called, when 349 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, I am unalterably opposed to S. 2150.

We are again considering an old issue—one which has been before every Congress for a generation or more. The St. Lawrence Waterway has been presented to us in many guises, mainly in recent years as a necessity to the welfare and the growth of the area in this country which is tributary to the Great Lakes. An examination of the progress of the Great Lakes area does not give the idea of a need for any great stimulus to its development. I will not attempt to give you a lot of figures on that subject—the progress of that section of our Nation is too well known.

We have been asked at various times to approve this waterway to provide employment during periods of depression, to provide a deep-water passage from the Great Lakes to the ocean, to provide a channel for the shipment of Labrador ore to the lake ports, and make more secure the defense of the Nation. To none of these appeals has the Congress given ear.

Now that the public power project in the St. Lawrence has been approved we are again asked to pass legislation to construct this waterway, after Canada has already announced its intention to build a similar canal on the Canadian side of the river, and the reason given is that if Canada builds this canal we will be at a great disadvantage in conducting our national defense because the Canadian Government will control 46 miles of a waterway about 2,000 miles long. Such reasoning completely disregards the fact that Canada will control the whole water route from the foot of the canal to the sea, all of which is in Canadian territory, and that the vital link between 4 of the 5 Great Lakes and the St. Lawrence is the Welland Canal, built, operated, and controlled by Canada.

This proposal is for a 27-foot canal, about 46 miles long, on the American side of the St. Lawrence. This channel will accommodate, at full load, only about 8 percent of the oceangoing shipping registered under the flag of the United States. It will, however, accommodate any ship now included in the Great Lakes fleet. These lake vessels are so constructed as to form an excellent class of vessels for navigation on the lakes, but they are not at all suitable for navigation on the open sea. The result of the building of this canal will likely be that, to the extent of its use, traffic which has traditionally moved through the North Atlantic ports of the United States will move in lake-type vessels to Montreal, to be transshipped there to oceangoing ships.

These United States ports have been developed, and the facilities provided, at the expense of the Federal and local governments and of private enterprise, and are fully capable of handling the export and import traffic which has moved through them. This was sufficiently demonstrated by the promptness and efficiency with which the tremendous war traffic was handled 10 years ago. Every ton of this traffic diverted to this waterway will help to increase the importance of the port of Montreal, and contribute to its revenues, at the expense of the United States ports.

Another factor of this diversion from United States ports is the effect on our rail transportation system. We have here a network of railroads manned and equipped to do an all-year job of moving freight, not only between our own cities, but to and from shipside at the Atlantic ports. A substantial diversion of traffic from our own ports to Montreal would mean, to that extent, the idleness of the facilities, not only of the American ports, but also of the railroads. This does not mean the abandonment of those facilities, for the St. Lawrence Waterway would be frozen tight and out of operation for about five months of the year, and the ports and railroads of this country would have to assume the load. Under these circumstances, of course, the cost of maintenance of these 5-month facilities will have to be paid out of the general pool of railroad revenues, and will tend to increase the general transportation cost of the public at large, for the benefit of the port of Montreal and of the small minority of shippers of freight who can use it.

Aside from the lake-type freighters, no maritime interest of this country will be benefited by this canal. At full load, 92 percent of our registered marine tonnage is in the form of ships which cannot navigate a 27-foot channel. So far as foreign trade is concerned, any increase in direct foreign sailings from American ports will be in the small foreign ships, either of the type now using the 14-foot Canadian canal or somewhat larger foreign bottoms which will be able to navigate a 27-foot channel, but are still somewhat smaller than the modern American freighter which draws too much water for such a channel.

This, of course, will increase the proportion of our foreign commerce which moves in foreign-flag ships, with the corollary bad effect on our own merchant marine.

Now, as to Labrador ore, it was testified that, regardless of the construction of the 27-foot waterway, the production of iron ore in the Labrador-Quebec field would, within a few years, amount to as much as 10 million tons. There are now three different routes over which this ore can move from Seven Islands, Quebec, the terminus of the new railroad which will bring the ore from the mines to the St. Lawrence River.

The first is over the St. Lawrence River to Montreal in large ships, transshipping at Montreal into small ships, which can navigate the present 14-foot canal on the Canadian side of the river, to the Great Lakes ports, and thence, if for inland use, by rail.

The second is again on large ships to Montreal and thence by rail to furnaces in the steel-producing districts. For

this movement ample railroad lines are available and the cars used for transporting coal to Canada would provide adequate car supply.

The third route is by large ore vessels plying down the St. Lawrence River and out over the Atlantic Ocean to Atlantic ports and thence by rail. The growth of the steel industry along the Atlantic seaboard indicates a substantial tonnage over this route. Ample facilities for transfer from ship to railroad car exist at both Philadelphia and Baltimore, and again ample car supply is available, due to the heavy eastbound movement of coal to the seaboard area.

It was testified that the Labrador ore can be marketed as far west as Pittsburgh as well without the proposed waterway as with it, if it were built. That leaves a very large steel market, Pittsburgh and east, available for this 10 million tons of Labrador ore.

Now as to the effect of this waterway on our coal business. Practically all of the true anthracite in this country lies in a small area—484 square miles—in northeastern Pennsylvania. In addition, there are huge reserves of bituminous coal lying in the State. The production of coal, of both varieties, is of extreme importance to the State of Pennsylvania. Nearly 4 million of our people live in the coal-producing counties. These counties are in deplorable condition economically. The market for coal, either anthracite or bituminous, has shrunken seriously since 1948.

Canada has for many years been a fruitful market for Pennsylvania anthracite. However, in the years following World War I, there began a serious diversion of this business to transatlantic sources of supply, reaching a maximum of 1,877,590 tons in 1936. Subsequently, these overseas sources declined somewhat, due apparently to the political disorders abroad. Then, with the beginning of World War II, the availability of the foreign coal declined severely, and the Canadian overseas imports were reduced to an inconsiderable factor, while the imports from Pennsylvania materially increased. The production from European mines did not increase for several years after the war, and the imports from Pennsylvania increased to a little over 5 million tons in 1948. Since that time, we have lost about 1½ million tons of our Canadian market, while the overseas imports have increased from 28,382 tons in 1945 to about 400,000 tons in 1953.

In the days before the war, this overseas anthracite was used almost exclusively in that portion of eastern Canada directly tributary to the lower reaches of the St. Lawrence River—that is to say, in the territory surrounding Montreal and east thereof. Very little moved to the area reached through the 14-foot canal.

The construction of the 27-foot channel would throw wide open for the direct importation of overseas anthracite, in small or medium size foreign ships, the entire area in upper Canada tributary to the Great Lakes, to say nothing of the corresponding portion of this country. Of course, the construction of the canal by Canada would have a good deal of the same effect, but why should this country use its money to construct this canal for the benefit of foreign interests and to the detriment of the American coal industry and American railroads?

Another danger to American producers which is implicit in the construction of this waterway is the importation of heavy residual fuel oil. In the years since the last war, the Atlantic coast of this country has been practically inundated under a flood of residual fuel oil, imported principally from the Caribbean region. This heavy oil, a waste product from foreign refineries, is being dumped on our coast at prices lower than the price of crude oil in the countries of its origin. This operation has tended not only to disrupt our domestic oil business, but has displaced many millions of tons of domestic coal in the markets along the Atlantic coast. This displacement, in the last year or two, has amounted to over 30 million tons of coal annually.

The construction of this waterway will throw wide open the St. Lawrence-Great Lakes area to an extension of this flood of residual oil, to the extreme detriment of the coal and railroad industries of this country.

Now as to the question of cost. The bill as it now stands would authorize a Government corporation to incur an indebtedness of $105 million, the bonds covering which would be guaranteed, as to both principal and interest, by the United States.

This is, of course, a pronounced change from previous efforts to sell this big ditch to the American people. But let us look ahead, beyond this 46-mile opening wedge. What good would the 27-foot channel be with all of our Great Lakes harbors, and the interlake channels, restricted to drafts ranging up to 25 feet? The answer is obvious, that it would be of no use whatever until those harbors, those interlake channels, had been deepened to accord with the depth of the canal.

What would be the cost of that deepening? The estimates vary, but they run into hundreds of millions of dollars. A careful study of the estimates of these costs, tabulated by the Chicago Association of Commerce in August 1951 showed that, including the deepening of the Great Lakes connecting channels, the cost to the United States for the 27-foot channel would be about $567 million. Deducting from this the $192 million estimated as the cost of the St. Lawrence dams which will be charged to the power project, and we still have, as waterway cost, a total of $375 million. This is based on Army engineer estimates, made from office studies, with no soundings or borings.

No one expects that the 27-foot channel will silence the clamor for a really deep waterway. Before the 27-foot channel can be built, the clamor will arise for a 30-foot or 35-foot channel. What would these cost?

The Army engineers have foreseen this clamor, and have made the estimates. Here they are. For a 30-foot channel, $768 million; for a 35-foot channel, $1,085,000,000. These also are estimates from office studies, without soundings or borings. More important, they do not include the deepening of harbors or turning basins.

For 17 representative Great Lakes harbors, the Army engineers estimated the cost of deepening entrance channels and turning basins alone to be about $29 million. If the cost of deepening harbors, as well as channels and turning basins, be added, the harbor cost increases to $104 million.

Thus we see that the cost of the 27-foot waterway, excluding the power dams, to the United States would be—

Waterway and connecting channels	$375,000,000
Harbor deepening, 17 harbors only	104,000,000
Total	479,000,000

Analysis of estimated and actual costs of 6 large Government projects indicates an excess of actual over estimated figures of 105 percent. Adding this 105 percent to the estimate above, we get a total cost of $981,950,000 to the United States Government for a 27-foot channel, which will permit navigation at full load for much less than 10 percent of American flag shipping.

It can be readily seen that the cost of a 35-foot channel will run well over $2 billion.

I give you these figures that you may see that this $105 million is just a drop in the bucket compared with the cost that this country will eventually be asked to bear. Even the most exaggerated estimates of volume of traffic will not make this project self-sustaining.

To recapitulate, therefore, we have here a proposal to commit this Government to an initial expenditure estimated at $105 million for a project which, before it is even completed, may be expected to expand to $2 billion.

For this tremendous expenditure we get—

First. The possibility of cheaper transportation of Canadian iron ore to five steel companies.

Second. The possibility of cheaper transportation of certain products of the Great Lakes area to foreign destinations.

At the expense of—

First. A further diminution of the proportion of our foreign commerce handled in American bottoms.

Second. A diversion of foreign commerce heretofore handled through our North Atlantic ports to the port of Montreal.

Third. Diversion of export and import traffic to and from our North Atlantic ports from our American railroads to foreign shipping through the canal.

Fourth. An increase in the unit cost on American railroads, due to the maintenance cost of transportation and harbor facilities for 5-month use during the periods when the canal will be frozen.

Fifth. The opening of the Great Lakes Basin to direct imports of overseas anthracite, heretofore furnished from Pennsylvania mines.

Sixth. A duplication in the Great Lakes Basin of the disastrous dumping of foreign residual fuel oil which has already ruined the market for both anthracite and bituminous coal on the Atlantic seaboard.

I believe, and hope that you also will believe, that the cost is too great and that this Government should have nothing to do with this project.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. DAGUE].

Mr. DAGUE. Mr. Chairman, in the light of the fraternal greetings conveyed to this country by the Governor General of Canada in his appearance this week before the joint session of the two Houses of Congress, it seems highly inappropriate that we should now be feverishly driving for the enactment of the pending bill on the primary contention that it would be unthinkable for Canada to have sole control of this important waterway. Those who are so vigorously urging the enactment of this bill seem to determinedly ignore the amicable relations which have obtained between our two great Nations for the past 100-odd years and apparently dismiss as scraps of paper our treaties of 1871 and 1909, which stipulate that the St. Lawrence shall forever remain free and open to the United States and that in case of canals built by either Canada or the United States the citizens of both countries shall have equal rights of navigation and full equality in the use thereof. Aside from these sentimental considerations, the idea of another nation proceeding with such a project without imposing a burden on the American taxpayer is so unique as to invite our blessing on such a unilateral undertaking instead of this unseemly scramble to get into the act.

My considered opposition to this proposal long ago prompted me to label it an "economic monstrosity," and the more I consider the fact that it will be out of commission for 5 months out of the year due to climatic conditions—frozen solid, if you please—the more I am persuaded that America is selling herself, if not a dead horse, at least a spavined one. Indeed, the same circumstances which point up its vulnerability from an economic standpoint also emphasize its weakness as a military asset. If the defenses of this Nation are to be implemented transportationwise, it must be with facilities which are available around the clock and around the calendar; and to say that we must have the seaway if we are to properly defend ourselves is to ignore the fact that Malenkov is as likely to attack us in the winter as he is when the St. Lawrence may be thawed out. In further consideration of the impact this project will have on us economically we also cannot ignore the limitations placed on its full use by American shipping, since the planned depth of 27 feet would bar about 97 percent of our vessels from using the new channel. In this connection I am sure that east coast shipping interests cannot help but be appalled at the prospects of seeing traffic diverted from our Atlantic ports while at the same time they are being denied access to this dreamer's waterway because of its inadequate depth.

The citizens of Pennsylvania are becoming increasingly incensed over these recurring demands that their tax dollars be diverted to the development of public projects—to the direct subsidizing, if you will, of industry which will compete with established industrial plants and transportation facilities. In two world wars and a misnamed police action, our great Commonwealth has delivered to our fighting men the bulk of those sinews of war which were vital to victory. And with our industrial plant now geared for all-out production in the event of a new conflict in the unpredictable future, it is unthinkable that new plants should be thus subsidized in order to utilize—even for only part of the year—materials which must be imported from beyond our borders.

It must be evident to even the most naive that the downpayment on this international boondoggle—a substantial $105 million—will be but a drop in the bucket when we have come to tote up the final cost. If this bill passes, I predict that the ink will not be dry on the validating signatures before these seaway salvationists will be back here asking for the additional billion or so that will be required to increase the depth to 40 feet. That, however, will be only a part of the additional cost which will be billed to the American taxpayer, since we will almost immediately have to shoulder the extra expense of new docks and harbors as well as deepened channels all the way around the lakes from Cleveland to Chicago. As it looks from here, the suggestion made by the gentleman from New York [Mr. TABER], that the total cost may approach $5 billion is not fantastic by any means.

Perhaps it is only a coincidence, but the fact that the Upper Colorado River project has had official blessing at a time when the proponents of the seaway were beating the bushes for votes seems to be a planned operation where we are going to be forced to spend money on one questionable project in order to finance another. It is my intention to explain my opposition to the Colorado River deal when it finally reaches us for legislative action, but I will content myself in this instance by expressing the opinion that the farther we thrust ourselves into the fields of subsidized transportation and public power, the farther we are getting away from free enterprise and relief from excessive taxes which press down upon our people and stifle their initiative. I can only hope that those who want to get our Government out of business and away from the socialistic trend which we thought we had halted will stand foursquare against both of these ill-considered projects.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CARRIGG].

Mr. CARRIGG. Mr. Chairman, my opposition to this legislation is based on my personal knowledge of the harm it will do northeastern Pennsylvania where the coal and railroad industries are the backbone of our regional economy.

Others may have vague notions that the proposed seaway will do little or no harm to the coal industry but we who come from the coal-producing areas know that it will seriously affect it adversely.

There can be little question that the seaway, if it becomes a reality, will facilitate the flow of residual fuel oil into the United States, and this development will be a body blow to the coal industry. Already great damage is being done the coal industry by the large imports of this product into the eastern United States; in the best interests of the country, the present traffic in residual fuel oil should be regulated by quota—certainly it will be well nigh ruinous to the vital, basic, coal industry to increase the flood of this product via a federally financed seaway.

The Members of the House are well aware, I am sure, that coal is the prime industry which sparks and sustains our dynamic American industrial machine. In wartime coal is always called upon for herculean output and it is to the enduring credit of the industry that it has been equal to the challenge in the three past wars in which our country has been engaged.

Certainly it is not sound national policy, to my way of thinking, to jeopardize the well-being of an industry like coal and make our Nation dependent upon foreign sources of supply of fuel, for when war comes we know that such sources are largely, if not entirely, shut off to us.

Neither is it good judgment, as I see it, to talk about the seaway as a defense measure when we create with public funds a subsidized transportation system that will undermine one of our greatest defense assets, the railroad system of America. If this 7-month seaway becomes a reality, the railroads will be required to maintain operational efficiency on a year-round basis with the prospect of operating at a substantial loss. Let us bear in mind that during the last war the railroads carried 90 percent of the freight and 97 percent of the organized military travel. The lakes' traffic shrinks to the vanishing point in wartime.

There can be small doubt that the seaway would seriously damage the coal industry, hard and soft, and endanger the survival of the country's railroad network. Very definitely it would have an unbalancing effect on the national economy.

Thus far, Mr. Chairman, I have been addressing myself to the unfavorable economic impact of this legislation. I know there is no need to remind you gentlemen of the sad and serious results it would have in swelling unemployment, boosting unemployment-compensation claims, adding to distress.

By a peculiar rearrangement of congressional districts in northeastern Pennsylvania, the district I represent not only includes the hard-coal valley but also embraces surrounding farm areas. And so I have been thinking about the seaway in this respect, too. Despite all the imaginative claims that have been made for the seaway, it can be said that the waterway will not enable farmers to get their wheat to Europe more cheaply. We ought to be aware of the fact that an international wheat agreement controls both the volume and price of wheat sold abroad.

In conclusion, Mr. Chairman, I would like to bring to your attention the knowledge that economic conditions are so bad in our section of the country, in the three hard-coal producing counties—Lackawanna, Luzerne, and Schuylkill—that we are being compelled to try some heroic measures to bring about some relief for the area and its people. For some time I have believed that some sort of a body might be established in Government in the nature of a Coal Recovery Administration in an endeavor to effect the rehabilitation of this area, which embraces some 2 million people. I have in mind that a loan from the Government might be made available to such a quasi-governmental body as a weapon to fight the enveloping depression in our section of the country. Our Government has been asked to give help to restore the coal industry of Europe. I feel that it cannot afford to do less for the coal industry of the United States. Our plight being what it is, you can understand why we so strenuously object to this seaway project.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I am opposed to the St. Lawrence seaway.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BUSH].

Mr. BUSH. Mr. Chairman, one thought I would urge on the House today is: Do not sell America short.

To hear some people here talk, America is all washed up when it comes to iron ore, a basic mineral essential to a flourishing steel industry.

I choose to disagree with the viewers-with-alarm in this Chamber and out of it, Mr. Chairman, when it comes to the subject of iron-ore supply for America. Instead of this Nation being pinched in this vital area of mineral supply, the fact is that we are now witnessing in the United States the beginning of one of the great mineral booms of our times.

I am speaking of taconite, Mr. Chairman, and those fabulous ranges out in Minnesota, Wisconsin, and Michigan, where in nature's storehouse, there are vast taconite deposits which are ample for the needs of America's security and expanding economy for centuries to come.

"Acres of diamonds," that is what those taconite deposits have been aptly termed, Mr. Chairman, and in the unmeasured stores of taconite this country has its assurance of a never-failing iron-ore supply.

Already, Mr. Chairman, more than one-half billion dollars in private capital has been invested in the development of these taconite fields in the United States, and preparations are under way for the additional investment of another one-half billion dollars. Again, private capital, Mr. Chairman. Not one, red, single, solitary penny of taxpayer funds is being spent for this taconite development. At this moment, the investment in taconite in the United States is twice as large as the investment of Labrador ore, and the developers of this taconite industry are not asking Uncle Sam to build them a seaway for cheap, subsidized transportation.

Republic Steel Corp. is one of the prime investors in the Labrador ore field, Mr. Chairman, and is one of the group of Midwest steel companies who are promoting the St. Lawrence seaway. Under the circumstances then, we should find it of surpassing interest that Republic Steel's chief metallurgist, Earle C. Smith, speaking before the Cleveland Society of Security Analysts, on April 10, 1952, declared that the American steel industry could operate 500 years on domestic ores, ores lying within 3,000 feet of the surface, and ore of a quality superior to that commonly used in England and most countries on the European Continent.

Speaking of the development of taconite fields in the United States, Einar W. Karlstand, staff writer for the Duluth News-Tribune, discussing a revolution in iron mining in this country has this to say:

> Gigantic taconite developments which stagger the imagination are in the works. They will involve multi-million-dollar investments to blast, dig, and treat more raw material than ever before on the iron ranges.
>
> Taconite treatment means complex processes. Vast amounts of water, heat, and power will be consumed. Large plants with complicated equipment will be built.
>
> The product will be high in iron content, low in impurities, and desirable in structure and form for steelmaking.

Further in the same article, Mr. Chairman, the author, Mr. Karlstand, states:

> For the Lake Superior ranges the new industry promises unparalleled economic growth. There will be new towns, railroads, and harbors. There will be new markets and a rise in population.
>
> Industry leaders say that taconite processing will become increasingly important with each succeeding year. Reserves are almost limitless. Some estimates have placed these reserves at 60 billion tons.

Mr. Chairman, this is a story of American enterprise at its best. It is truly an "acres of diamonds" development. Lake Superior taconite projects, involving hundreds of millions of dollars, have already been undertaken by the following firms: Reserve Mining Co.; Erie Mining Co.; United States Steel's Oliver mining division; Cleveland-Cliffs, Ford Motor Co.

The conclusion of this interesting, informative article, Mr. Chairman, is one that warrants our attention. The writer says:

> Prospects are good that the taconite industry can improve its competitive position. Min'ng men are confident that the region's low grade ores and taconites will be the principal source of raw materials for steel mills for generations to come.
>
> The only qualification is that the new industry remain in a competitive position. This, they believe, can be done.

Mr. Chairman, I ask you in all sense of fair play, is it right, would it be right, to confront this new industry, the developers of which are investing $1 billion in private funds, to face the competition of Labrador ore brought in by a subsidized steelway canal? Certainly the builders of America are entitled to a better deal than that by their own Government.

This taconite industry in the Lake Superior region is certainly good for America, Mr. Chairman. Its development, under fair, healthy, economic conditions, is in the national interest. And when I say that, I want to add quickly that the national interests do not require the construction of a waterway for the development or movement of Labrador ore. The ore from the Labrador fields can be marketed economically by existing transportation routes. What the federally financed waterway would accomplish would be to give an artificial transportation advantage to Labrador ores over Lake Superior ores—in other words, the United States Government would be penalizing its own citizens and members of its own business and industrial community who had the vision and confidence in the future to invest hundreds of millions of dollars in ore development—the Government would be penalizing the investors in America and rewarding the investors in Labrador. This boon in the form of a substantial transport subsidy from the United States Government would greatly strengthen the competitive position of the Labrador companies and imperil the successful operation of the Lake Superior projects.

Mr. Chairman, I would like at this point, briefly, to call to the attention of the House the statements of the iron-mining industry of Minnesota on taconite. In a published advertisement in the Duluth News-Tribune, the iron-mining industry of Minnesota devotes a whole page to this interesting subject of taconite. In one part the advertisement asks the question:

> Does this (taconite) make good ore?

The answer, in part, is as follows:

> Yes. The concentrate will probably run about 62 percent iron as against 50 percent in the ores presently shipped from Minnesota.

Many people, of course, ask just what is taconite? I will give you the definition, Mr. Chairman, of the iron-mining industry of Minnesota:

> Taconite is iron formation—a layer of rock containing 20 to 30 percent iron mixed with silica and other impurities. It was laid down in early geological ages as silty sediments on the bottom of a shallow ancient sea which then covered this area. It outcrops along the Mesabi Range.

This valuable mineral deposit is not only found in Minnesota, Mr. Chairman, but is also found in Wisconsin, Michigan, and southern Canada.

There is another question and an answer in this presentation of the iron-mining industry of Minnesota, Mr. Chairman that I would like to present at this time. The question is asked:

> Do the steel companies want to get their iron ore from Minnesota?

The answer:

> Yes. Both from the standpoint of their present organizations and the present locations of their steel plants, and from the standpoint of national security, they would like to continue getting a large part of their iron ore requirements from Minnesota and the Lake Superior district.

These are cogent and compelling reasons, Mr. Chairman. I note especially that the Iron Mining Institute places emphasis on the national security aspect of getting their ore supply from the Minnesota and Lake Superior district.

In this connection I would like to refer to the claims of the proponents of the proposed St. Lawrence seaway that it is a defense asset. It has been claimed that the seaway would be a sheltered route in the event of war. As a matter of fact, it would be a highly vulnerable route. In the first several months of World War II, enemy submarines sank 13 Allied vessels right in the so-called sheltered route. The multiple locks of the proposed waterway would be shining targets for bombs or for sabotage. The waterway would be a distinct defense liability. In case of war, the waterway would not move iron ore from Labrador, one of the main purposes claimed for it, but instead would be a serious bottleneck to war activity.

On this aspect of the case, Mr. Chairman, I would like to offer the considered judgment of Prof. E. W. Davis, mines experiment station, University of Minnesota, who, in a brilliant article on the subject of taconite, entitled "Golden Era on Horizon for Ranges," has this to say:

> Even in Washington, our military planners can begin to relax. It will not be fatal to our national security to have interruptions in the importations of iron ore from abroad. It is perfectly obvious now that, if necessary, the Lake Superior district could produce all the iron ore needed by this country for years to come.

Then Professor Davis goes on with these significant words:

> There is no shortage of iron in northern Minnesota. What we must worry about is a possible shortage of talent and capital. We must have scientists and trained engineers coming into this area to work out the problem of the utilization of new kinds of taconite, and we must attract enormous quantities of capital to provide the men and the tools to mine and process them.

There is an expert, Mr. Chairman, who believes in America, who believes in the "acres of diamonds" philosophy. We have them right in this country—there is no need to go off into faraway Labrador to develop iron-ore supplies when they are right in our own backyard—in Minnesota, Michigan, and Wisconsin.

Does it make sense, Mr. Chairman, with this great, vast, national asset right in our own backyard, awaiting only encouragement and fair play from our own Government, for us to be considering subsidizing a steelway canal, and that is what the proposed seaway would be, subsidizing a waterway that would virtually cut the throat of this promising enterprise of the Mesabis?

Let us stop and think what we are about, Mr. Chairman. This country was founded and expanded and built into a mighty power by pioneers who had vision and courage and backed their dreams with sweat and sacrifice and risked their all to build the industrial strength that makes America great. Are we, in this day of challenge, when America is the arsenal of the free world, and we are confronted with a threat to our survival as a world power—are we going to turn our backs on American history—are we going to renounce the American virtues—are we going to neglect our assets, dissipate our resources—are we going to squander our inheritance?

I plead with the Members of this body: Do not sell America short.

Let us bet on America—develop the vast taconite resources of the Mesabis—let us fortify ourselves and protect our flanks. Let us give every measure of help and encouragement and practical aid to those Americans who want to put private capital to work to develop our mighty natural resource—taconite.

Your vote on the seaway issue will be your answer. As for me, I am betting on America and taconite and voting to defeat a measure which is a calculated, carefully planned scheme to give a Federal subsidy to a project that will jeopardize the success of an industry America needs—taconite.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. BENTLEY].

Mr. BENTLEY. Mr. Chairman, I wish to rise in support of S. 2150, a bill to authorize United States participation in the construction of the St. Lawrence seaway. I further trust that the bill will be enacted exactly as passed by the Committee on Public Works and that such action will be taken by the House tomorrow. This is our only chance to participate with Canada in this project, since otherwise the Canadians will "go it alone."

I understand that the gentleman from Indiana intends tomorrow to offer an amendment which would eliminate from the bill the provision authorizing and directing the Secretary of the Treasury to buy the revenue bonds of the St. Lawrence Seaway Development Corporation. This, of course, would force the Corporation to sell its revenue bonds to the public without Government guaranty.

I understand this proposition is without precedent. The St. Lawrence Seaway Development Corporation will require funds for construction extending over a 5- or 6-year period. These funds must be obtained in increments as the work progresses and as they are required. For example, S. 2150 provides that only 10 percent of the bonds may be issued the first year and not more than 40 percent in any one of the following years. This will give the Corporation an assured market for its bonds over a period of several years so that our part of the work can be funded. But a private market for nonguaranteed revenue bonds of the Corporation would have an uncertain stability to say the least. I understand that Congress has never before been willing to reply on the private financing of a Government corporation under such circumstances. The upshot of the matter is that the adoption of this amendment would make United States participation impossible in the seaway.

Mr. Chairman, this investment of $105 million, in limited installments, is basically for the purpose of providing for the construction of certain locks and canals on the St. Lawrence River on United States soil and thereby giving us control over the waterway. The argument is not whether the seaway should be built since the Canadians will do it regardless of the action that we take here tomorrow. But if we join with them and put these 2 canals and 3 locks on American soil, we thereby acquire joint ownership and control of the seaway.

There are innumerable other reasons why we should cooperate in the construction and operation of the seaway, not the least of which is the statement by the Joint Chiefs of Staff that such action is necessary in the interests of American security. Members of the House are also aware that President Eisenhower strongly supports S. 2150 in its present form.

I repeat, the one significant issue before this House today is the fact that the waterway is going to be built by Canada through the St. Lawrence River in any event and it is not in the best interests of this country to have any foreign government completely control an inland waterway which touches our frontiers, regardless of how friendly our relations may be with the Canadian Government. I endorse the viewpoint of the Joint Chiefs of Staff that our participation in the construction of the seaway and consequent joint control is just as important from the standpoint of national security as is the seaway itself.

I urge that S. 2150 be passed in the form in which it came out of committee. I wish to insert at this point in the RECORD certain examples of the large volume of correspondence received by me in support of this project:

MORLEY BROS.,
Saginaw, Mich., November 25, 1953.

The Honorable ALVIN M. BENTLEY,
House of Representatives,
New House Office Building,
Washington, D. C.

DEAR MR. BENTLEY: Inasmuch as I am one of those who feel that the St. Lawrence Seaway is inevitable and that great benefit to the economic development of the United States as a whole will result from it, I was very pleased to see the Detroit Board of Commerce take the stand they do in the enclosed article.

I feel sure that when the time comes you will give this matter the earnest and thoughtful consideration it deserves.

Best regards,

Sincerely,

R. C. MORLEY, JR.

[From Detroiter, weekly publication of the board of commerce, of November 23, 1953]

SEAWAY BATTLE REACHING CLIMAX

President Eisenhower's forthright St. Lawrence Seaway statement before the Canadian Parliament emphasized the tremendous forward strides made by seaway proponents in 1953. From a hopeless task at the beginning of the year to the success of recent weeks we've reached a point that puts us on the threshold of complete victory.

The most important accomplishment in 1953 was authority granted the State of New York to develop, with Ontario, power at the International Rapids section. Without power dams there can be no deep-draft waterway. With dams, at least we are assured of an all-Canadian waterway. Litigation should delay the project by no more than a year.

The question of United States participation still remains unanswered. The Wiley-Dondero bill creates a St. Lawrence Seaway Development Corporation to build and operate the seaway jointly with Canada. Tolls would liquidate the debt. On the Senate side, Senator FERGUSON has been successful

in getting the bill placed high on the agenda in January, but in the House a crucial test must be faced. Apparently House leaders MARTIN and HALLECK think it better to serve special interests of the seaway opposition rather than advance the interests of the Nation at large. The House Public Works Committee is loaded against the seaway, and only determined efforts will provoke effective action by House leadership.

This deplorable situation should be taken as an affront by every Congressman from the Great Lakes region. Billions of dollars have been spent on public projects in all sections of the country. Yet, seaway supporters have been unable to secure a $105 million loan that won't cost American taxpayers a dime.

Last week Congressman CHARLES G. OAKMAN, member of the House Public Works Committee, gave an example of the kind of aggressive leadership needed to gain United States participation in the project. He announced that, for his part, not one of the multi-million-dollar projects now under consideration by Congress will receive his approval until Representatives demanding such public improvements assure him of their support for the St. Lawrence Seaway.

We urge other members of the Michigan congressional delegation to join with OAKMAN and provide a hard core of opposition to the spending of funds on public improvements until Congress first acts on the seaway.

Full exploitation of the St. Lawrence River as a water highway with United States participation is a responsibility that rests squarely on the shoulders of Congress. Favorable action on the project will assure Detroit and the Midwest an opportunity to continue to pace the prosperity of the Nation.

GERALD E. WARREN.

THE CHAMBER OF COMMERCE,
Greenville, Mich., February 1, 1953.

Representative ALVIN M. BENTLEY,
House Office Building,
Washington, D. C.

REPRESENTATIVE BENTLEY: Perhaps it is needless to propose to you that you support the participation of the United States in the St. Lawrence Seaway project, as we feel that everyone in our State of Michigan should be in favor of it. However, it is the wish of the Greenville Chamber of Commerce that we should write you and state the wishes of the chamber in this matter.

We are unanimously behind this movement, believing it to be in the best interests of Michigan.

We are hoping to hear your viewpoint on this matter by letter which will be read before the chamber of commerce.

Your very truly,

D. E. EDSALL,
Secretary, Greenville Chamber of Commerce.

MICHIGAN FARM BUREAU,
Lansing, Mich., February 10, 1954.

Michigan Senators and Representatives in Congress:

I understand that a bill to authorize the construction of the St. Lawrence Seaway will soon be before the House of Representatives for consideration.

For many years the Michigan Farm Bureau has registered its approval of the St. Lawrence Seaway. This was reaffirmed at the annual meeting last November.

We have not anticipated opposition on the part of any Members of our Michigan delegation. However, we felt that we should try to help the measure along by expressing the keen interest of the farmers of our State in the early approval of the measure.

This is a matter of great importance to all Michigan interests, and we are hoping that we may soon be able to join with Canada in getting construction of the seaway under way.

Yours sincerely,

C. L. BRODY,
Executive Vice President.

JANUARY 13, 1954.

At a meeting of the Shiawassee County Pomona, No. 61, in regular session assembled in Perry, Mich., on the above date, the following resolution was adopted regarding the St. Lawrence Seaway and power project:

"Whereas it is felt that in the interest of national economy and national protection, the United States should participate in the construction of the said St. Lawrence Seaway and power project; and

"Whereas without the United States aiding Canada in the promotion and construction of said project, we would be compelled to pay toll continuously, thereby continuing to pay, even after the construction of the project has been paid for: Therefore be it

"*Resolved*, That Shiawassee County Pomona, No. 61, go on record as approving the construction of said St. Lawrence Seaway and power project."

WAYNE SESSION,
Master.
Mrs. E. SIMPSON,
Secretary.

BANCROFT, MICH.

FERRIS SCHOOL,
Highland Park, Mich., April 22, 1954.

DEAR REPRESENTATIVE BENTLEY: As you know, the St. Lawrence Seaway bill has passed through the Senate. Our class in the last 2 years has been writing to the Senators of all the States asking them to vote in favor of that valuable project. We are now asking you to vote for it, too. As you probably know, it will help us in defense, travel, getting iron ore from Labrador, and many, many other reasons.

We have a seaway association in our class and have more than 500 members, including United States Senators. We have done a lot of work to get the seaway. If you would like to join, would you please let me know?

I sincerely hope you will vote in favor of it for the sake of our country.

I chose your name because I once lived in your fair city of Owosso. Thank you very kindly.

Sincerely your new friend,

NANCY LYON.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, as I indicated in my remarks when the rule was under consideration, I cannot bring myself to support the St. Lawrence Seaway project at this critical time in our national financial history. The proponents of the bill say that it will cost the United States only $105 million. The present bill projects the 27-foot seaway only as far as Lake Erie. This would get the camel's nose under the tent. The next step would be a request to extend it to Lakes Huron, Michigan, and Superior, and the ultimate cost has been estimated at over $2 billion. Our good friend to the north, Canada, through which the major portion of the channel would be cut, has already agreed to finance the entire project. Indeed, Canada, recognizing that the greatest benefit will accrue to her, has already constructed part of the project, and I see no reason why the American taxpayers should be called upon to assume this additional burden.

The real behind-the-curtain proponents of the seaway are six large steel companies which have invested a vast amount of money in an iron-ore deposit situated in Labrador and Quebec and the seaway would provide a cheap transportation water route to their steel mills in the Great Lakes industrial region. It is urged that this ore is essential to national defense. There are three answers to that; first, that the ore bed lies in Canadian soil; second, that America already has a 100-year supply of iron ore situated in the Lake Superior area within easy access of the steel mills; and, third, the Labrador ore can always be shipped by sea to American mills located on the eastern coast.

It is said that national security demands that the United States obtain equal control over the seaway by participating in its construction cost. To me, this reasoning is unsound. We have nothing to fear from Canada herself, but 12 of the 16 locks in the channel will be situated in Canadian territory, and the closing of one of them by a mutual enemy would close the entire seaway. In time of war, one act of sabotage or one well-placed enemy bomb would completely destroy its utility. Even without enemy action, ice would close the channel at least 5 months of the year. Moreover, the 27-foot channel would accommodate only a few American seagoing vessels which means that the great bulk of transportation would be by foreign-flag ships.

As far as American control is concerned, America will retain effective control even if Canada constructs the project alone, because: first, 35 miles of the shipping channels in the Thousand Islands section of the St. Lawrence lie in United States territory; and, second, the treaties of 1871 and 1909 guarantee United States vessels equal treatment with respect to tolls and use of the canals through the St. Lawrence.

The real inequity of the project, however, is that the Federal Government would be using tax dollars collected from all Americans to build a project which would benefit one segment of the national economy at the expense of another segment. Port facilities, shipbuilding and repair yards would be uprooted from the eastern coast and moved inland to the coasts of the Great Lakes, thereby idling thousands of workers. Railroads shipping cargoes to and from eastern seaports would be crippled by the unfair competition from cheap foreign cargo vessels. Foreign coal importation to the industries surrounding the Great Lakes would expand. Importations of cheap foreign residual fuel oil, produced by cheap foreign labor, would increase and the industries along the Great Lakes would soon convert from coal-burning to fuel oil-burning furnaces. As a result of these two factors, it has been estimated that at least 5 million tons of domestic coal would be displaced in the domestic market. This would mean that those who work in coal mines and those who work for railroads which transport the coal would soon find themselves in the ranks of the unemployed.

In our Sixth Congressional District, the principal traffic of the three Pocahontas railroads—the Norfolk & Western, the Virginian, and the Chesapeake &

Ohio—is bituminous coal, and the revenues of these carriers have already declined markedly due to the reduction in coal traffic occasioned by the dumping of foreign residual oil along our coast. This decline in revenue is of serious concern to my constituents, for the economy of my district is inseparably interrelated with the financial health of the Pocahontas railroads.

The Norfolk & Western's general offices are located at Roanoke, as are the shops at which the railroad's motive power and many of its freight cars are fabricated. The Chesapeake & Ohio has extensive facilities, including yards and shops, at Clifton Forge, and the Virginian has a large yard at Roanoke.

All together, these railroads employ 10,957 persons within the Sixth Congressional District alone, and out of a population of about 338,000 in that district, it is estimated that approximately 36,600 persons are directly supported by railroad wages. This is over 10 percent of our population, and it is impossible to calculate how many other businesses and how many other workers depend upon these railroad people as patrons and consumers. In short, railroading is the principal heavy industry of my district, and any decline in coal traffic is directly felt not only by railroad employees but by our farmers, grocery men, barbers, theater owners, retailers and wholesalers, and those who depend upon them for their jobs.

It is extremely regrettable that the issue of administration loyalty should be interjected here. I am willing to place my record of loyalty to the administration alongside that of any Member of the House, and I intend to continue that loyalty so long as it is consistent with my personal convictions. Indeed, the President has always made it plain that he does not expect or desire that degree of loyalty which compromises personal principle. Accordingly, whenever I am compelled to make a choice between fidelity to the administration on the one hand and what I conceive to be the welfare of the people whom I was elected to represent on the other hand, I intend to make the latter choice.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, there are many reasons why the present proposal for the construction of the St. Lawrence Seaway is inadvisable and impractical. I believe these reasons can be summarized as follows:

First. It would be open only part of the year.

Second. It is useless from a defense standpoint.

Third. It will not make ore available at lower prices.

Fourth. It is on the United States soil and cannot be a Canadian venture.

Fifth. It will disrupt the extremely important railroad transportation system in the eastern United States. This is a prime defense facility.

Sixth. It will not be deep enough—even if constructed—to be available for use by American maritime vessels.

Seventh. It will severely hurt the coal industry on which the Nation must depend in case of national emergency.

Eighth. The power can be developed separately and privately, if needed.

It is obvious, of course, that the people of Maryland in general and of the Sixth Congressional District of Maryland in particular, have a vital interest in preventing this unwise project. It is possible that such a project may cause irreparable damage to the railroads of the Eastern Seaboard which are much more vital to the national defense than the St. Lawrence Seaway could ever be. If this project were real progress then, of course, one could not complain if as an incident to progress some established businesses or industries are adversely affected. However, for the reasons summarized above it is not progress but merely a project which will benefit a few industries and a few localized interests. Of course, it will benefit Canada but I fail to see why the taxpayers of the United States should pay for something which might benefit all of Canada but which would benefit only a few interests in the United States to the detriment of many others.

Mr. Chairman, I respectfully submit that the House should defeat this bill.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MACK]

Mr. MACK of Washington. Mr. Chairman, it is apparent, now, that the St. Lawrence Seaway is going to be built whether the United States participates in its construction or not. If the United States does not join with Canada in financing and building this seaway, then Canada, as the Canadians already have announced, will build this seaway without United States participation. If Canada, alone, builds this seaway, then Canada alone will have complete control over it. Canada, if she, alone, builds the seaway, can and will fix the tolls American shipping must pay to use that waterway.

The St. Lawrence Seaway, whoever builds it, will be paid for by the tolls paid by the ships which use this waterway. Whatever the United States invests in this project it will get back, principal and interest, from the toll revenues of the project. In short, the seaway will not cost the American taxpayer anything. It is a self-liquidating project, just as our large power dams in the West are self-liquidating projects.

These being the facts it would be shortsighted for the United States not to become a partner with Canada in financing the construction of the St. Lawrence Seaway, and thereby gain some control over the toll rates that will be charged American shipping that travels this waterway.

All Presidents of the United States, Democratic as well as Republican, from Calvin Coolidge to Dwight Eisenhower, have favored American participation with Canada in building this seaway. Herbert Hoover, when Secretary of Commerce under President Coolidge, recommended the building of it. Jesse Jones, the Texas banker, when head of the RFC, urged American participation in building it. Most of the chiefs of the United States Army Engineers of recent years have endorsed it and appeared before congressional committees urging American participation in the project.

Several years ago I was one of the members of the House Public Works Committee whom President Truman called to the White House. At that meeting President Truman urged our committee to approve the St. Lawrence project. The committee, although Democratically controlled at the time, failed to approve the project and the bill for American participation never reached the House floor for consideration.

When control of the country passed from the Democrats to the Republicans, the new President, General Eisenhower, like his Democratic predecessor, urged passage of a St. Lawrence Seaway bill. That bill has passed the Senate and now appears very likely to pass the House this week.

I hope it will.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Chairman, President Eisenhower in his state of the Union message said regarding the seaway project it was one of the integral parts of the national defense program of the United States and said "both Nations now need the St. Lawrence Seaway for security as well as for economic reasons. I urge the Congress to approve our participation in its construction."

Our Joint Chiefs of Staff and the National Security Council agree that we participate with Canada as it is of national security and so advantageous to our country.

Admiral Radford stated that such participation is necessary in the interest of national security and strongly recommended the enactment of S. 2150. He also said the concept of control by a foreign government, however cordial our relations may be, of an inland waterway touching the borders of the United States is inconceivable to the Joint Chiefs of Staff from a defense standpoint; therefore, from our viewpoint, United States participation in its—the seaway's—construction which in effect would give us equal control, is just as important from the national security aspect as the seaway itself.

In the event the United States would not join with Canada in this construction, then the admission of foreign ships to American waters would be solely controlled under a foreign but friendly nation. Defense of the seaway from sabotage and military action would be beyond our responsibility and even beyond our jurisdiction except as might be permitted by Canada by mutual agreement. Furthermore, if in time of emergency the capacity of the seaway should become a critical factor in its operation as might well be the case, Canada would have complete control over priorities on the use of the seaway by various ships and cargoes.

Inasmuch as the Senate has passed S. 2150 by a comfortable majority and which project has received the support of every administration for the past 30 years, I believe that every phase of study

of its usefulness was touched upon, and, therefore, in my opinion, this bill should receive the support of this House.

It is to be noted that S. 2150 is quite different from the past bills, namely:

First. It provides only for the construction of 3 locks and 11 miles of canals on the United States side of International Rapids section of the St. Lawrence, in return for a joint voice with Canada in the operation and control of the entire seaway. The power facilities are not a part of the present bill. This change alone has reduced United States share by $395 million as compared with the bill in the 82d Congress.

Second. S. 2150 contains no provisions which relate to the so-called connecting channels of the upper Great Lakes areas. Previous bills combined the navigational aspects of the St. Lawrence River and connecting channels in the same package. This has reduced the cost by another $99 million.

Third. The participation of the United States thus limited to a single short stretch of the St. Lawrence will be on a self-liquidating basis. The official estimates of Canada and the United States indicate the volume of traffic which will use the seaway will produce more than enough revenues at reasonable rates of tolls, to meet the annual costs of operation and carrying charges, including amortization so that the project will pay for itself in not more than 50 years.

Fourth. The cost of this limited project will be $96 million and includes interest during construction. Previous bills because of power facilities and connecting channels were included along with the St. Lawrence navigational project called for expenditures in the neighborhood of $600 million.

I believe time is of the essence. The sooner we begin the construction of this important project, which will pay us untold dividends and which at this time we cannot comprehend, similarly we could not comprehend what revenues we would receive when we undertook the construction of the Panama Canal. However, it is needless to reiterate the importance of this project, as much as it is for the security of our country and the revenues gained through its operation. Therefore, I urge the passage of this bill.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, Senate bill 2150 will permit the United States to cooperate with Canada in constructing the St. Lawrence Seaway. When this legislation was before the Rules Committee, I supported and voted to report the bill to the House floor for debate and to be considered under an open rule. I think the Members of Congress should have an opportunity to express themselves and vote on this important project which has been recommended by every President, Democrat or Republican, since World War I.

The main issue before Congress is whether the United States will join with Canada in the construction, control, and ownership of this great international waterway. Testimony which was recorded by the Committee on Public Works establishes beyond all question of doubt that if the United States does not participate, Canada will proceed with the construction of this commercial waterway and do the job alone.

Testimony was presented during the hearings on this bill outlining the fact that a St. Lawrence Seaway will be a great step toward perfecting and expanding a transportation highway which will be invaluable to our country as a defense measure. The construction of this waterway will add great advantages to the industry located in the Great Lakes areas and this in turn will bring about a much needed expansion of manufactured products and eventually provide additional facilities for employment throughout the great mid-West area of the United States.

This waterway will also provide an artery of transportation so that the steel mills of the Middle West can be amply provided at reasonable cost with iron ore from the great Labrador deposits and other areas beyond our borders.

Testimony was further introduced before the Public Works Committee that the high-grade iron-ore deposits in the northern ranges of Minnesota are rapidly being depleted. This fact will help to further preserve our national economy and strengthen our national defense.

This waterway will also promote greater utilization of the shipping and ship-repair facilities of the Great Lakes as part of our national defense. It will increase our production potential and also aid our mutual defense interest with Canada. These interests with our neighbor to the north are becoming more entwined as the years pass. It will bring the industrial areas of the Midwest closer to the markets of the world and in this way advance our economy and eventually bring about more business for all forms of transportation, including the railroads and the airlines.

To my mind the question to be considered by this Congress is not whether the seaway should be built, but whether we are willing to allow Canada to build it alone. This would be a fatal mistake and affect our economic interest and possibly our good relations with Canada in the years to come.

Admiral Radford and other military officials have expressed themselves that the seaway is highly essential for national security. The chairman of the House Armed Services Committee testified before the Rules Committee, stating that the seaway was highly essential from the standpoint of our defense preparation and expansion.

Of course, this seaway project is infinitesimal compared with the construction of the Panama Canal at the turn of the century. Nevertheless, at that time, terrific opposition was voiced against the expenditures involved in that project. Only a few years after its operation our Nation realized that it was one of the greatest steps forward that our country could take. When the St. Lawrence Seaway comes into operation the people of this country will realize that we delayed too long in bringing about this great step forward in our transportation economy and national defense.

I hope the St. Lawrence Seaway legislation passes and the United States is given an opportunity to cooperate with our friendly neighbor on the north in another step toward hemisphere friendship, transportation prosperity, and national defense.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, our colleague the gentleman from New Mexico [Mr. DEMPSEY] is unavoidably detained. He is a member of this committee, and he has requested me to read a statement for him during his absence. The statement is as follows:

ST. LAWRENCE SEAWAY WOULD BE AN ECONOMIC HAZARD

Mr. DEMPSEY. Mr. Chairman, as a member of the Public Works Committee who has sat through hours of hearings on this bill and carefully considered the extensive arguments presented, both pro and con, I have reached a most carefully considered conclusion that its passage by this honorable body will be a serious blow to the economy of this Nation, and manifestly against the public interest.

The St. Lawrence Seaway proposal is not new. The provisions of this measure vary in considerable detail from previous legislation which has been considered by the Congress at intervals for the past 40 years. Fundamentally, however, the same considerations which have prompted its rejection in the past exist today.

I do not propose to discuss other than the purely economic factors involved. I do not feel that it is necessary to burden you with a prolonged recitation of statistics or to ask you to consider this proposal from the standpoint of the immediate financial commitments which this Government would have to make.

The most dangerous aspect of this bill is the dire effect it eventually must have on this Nation's economic welfare. In the first place it is proposed to build a channel only 27 feet deep which will accommodate less than 2 percent of the American ocean-going vessels at full load draft. The other 98 percent could not be utilized economically for operation through this waterway. On the other hand a large percentage of the ships of Canadian registry, which are of lesser tonnage, could utilize a 27-foot channel and thus be given a distinct competitive advantage at our expense.

Not only would this have an adverse effect upon our shipping industry but it would provide even more unfair competition for our American railroads, reducing their business volume drastically. The only possible outcome of this would be the unemployment of many thousands of American transport workers and the destruction of the investment of other thousands of Americans who are stockholders in those railroads. It does not require any great amount of business acumen to understand how great the impact of such a blow to our American economy would be.

Let us consider the effect construction of this seaway would have upon our petroleum industry, for instance. That industry already is hard hit by the vast importation of petroleum products into this country. Many of our oil wells are operating at so small a ratio of their capacity as to make that operation unprofitable. They cannot be shut down without destroying the oilfields. Exploration for new petroleum sources in

this country is virtually at a standstill. On the other hand, exploration and development of Canadian fields is being carried on to a greater extent than ever before. It is not hard to understand that continuation of this condition will soon have disastrous effect upon our own petroleum industry and result in throwing out of employment additional thousands of Americans.

We recently passed a tax bill in this House which will result in forcing many Americans to invest their money in enterprises abroad. American capital will not be slow to finance operations in a foreign country on which we levy a 38-percent income tax while continuing to collect a 52-percent tax on domestic operations. With the competitive advantage offered Canadian industries by the construction of the seaway, which we virtually close to American ships, the additional incentive is certain to lure far too many American dollars away from our own economy.

We have a desperately sick coal-mining industry. In the last year 53,500 additional coal miners have lost their jobs. More mines are being closed down and more miners are joining the army of unemployed daily. The St. Lawrence Seaway would make the Great Lakes industrial area—one of the most important in our Nation—even more accessible to foreign competitive fuels. It would deprive the coal industry of some of its best traditional markets. It would wreck that important segment of our Nation's economy.

The proposed seaway has been characterized by some as a valuable defense adjunct but no convincing proof of that has been offered. Quite to the contrary it has been shown that it would be one of the most vulnerable of all our transport lanes in event of attack. Its construction would impair the defense capacity of coal, petroleum, railroad, and myriad other United States industries so seriously that they could not be really effective in event of a national emergency. It is axiomatic that, when we weaken our economy, we weaken our defense potential equally as much, probably even more.

I could continue to cite many more instances where we will be inflicting serious injury if we pass this legislation. The door has already been closed to the only tangible financial benefit we might derive from this seaway. That is through the generation of hydroelectric power, which was bestowed upon the State of New York by Executive order of the President last November 4. I can find no justification for calling upon the people of the United States to assume the financial obligation imposed upon them by this legislation when there is no opportunity for resultant benefit. If we, as directors of this greatest of all enterprises known as the United States, are indiscreet and unwise enough to approve a project which involves certain loss for the people we represent we are doing them a great disservice. I, for one, do not propose to be a party to the enactment of this destructive and unjustified legislation.

Nor can I in good conscience support a proposal which I firmly believe can quite conceivably lead to a deterioration in international relationships. We are already too deeply involved in international misunderstandings in too many parts of the world. I feel that the Members of this honorable body will be wise also to consider the fact that the financial obligation we are placing upon the people of this country may well involve them further to the extent of billions of dollars. I recall that previous St. Lawrence Seaway proposals have brought forth estimates by qualified and recognized authorities that it would take further developments costing at least $5 billion to make the St. Lawrence Seaway a satisfactory and efficient waterway project that could be tied in with this Nation's ocean commerce. I do not believe we have the right to make such a commitment in the face of the enormous amount of public opposition that has been evidenced toward this legislation.

Mr. MACHROWICZ. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Michigan.

Mr. MACHROWICZ. I notice the figures the gentleman quoted as the additional cost were $5 billion to make this seaway complete. Could the gentleman quote any authority?

Mr. DIES. This is the statement of my colleague, the gentleman from New Mexico [Mr. DEMPSEY]. I have read verbatim this statement at his request.

Mr. MACHROWICZ. But he has quoted no authority?

Mr. DIES. No. I simply accommodated him by reading his statement.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. ZABLOCKI].

OUR OPPORTUNITY TO GO FORWARD

Mr. ZABLOCKI. Mr. Chairman, the long-awaited moment of decision on the St. Lawrence Seaway project has finally arrived. After many delays, and having surmounted numerous obstacles, we are happy to see this vital legislation debated by this House. To those of us who have worked on behalf of the seaway—and to the entire Nation—this is, indeed, a historic moment.

The issue which is at stake before us today is of extremely grave importance. It has a vital bearing on the security and the economic well-being of our Nation. It centers on the question as to whether or not our people want a convenient and inexpensive mode of transportation between our heartland—the Great Lakes region—and our eastern seaboard.

Despite the efforts of the opposition to becloud the issue, the question which we must resolve is simple. We are asked to decide whether the interests of our people are uppermost in the hearts of the people's representatives. Our people need and want the seaway—this tremendous waterway which can inexpensively bring raw materials to our plants, and equally well carry our products to their various distant markets. It is in our national interest to make this great waterway a reality.

I am certain that it is not necessary for me to review all the arguments which have been advanced in behalf of the St. Lawrence Seaway. This subject has been discussed and debated for decades. The fact remains that the seaway had been endorsed by our past Democratic Presidents, as well as by the present administration. The entire Cabinet, the National Security Council, and the Joint Chiefs of Staff have urged that the seaway be authorized. They urged that this be done on the basis of the security interests of our Nation and on the basis of our economic interests.

The seaway will be built. It will be built even if the opponents of this measure should succeed in thwarting the will of the people. It will be built because Canada recognizes its worth and is ready to proceed with the construction of the seaway—if necessary, entirely on the Canadian side of the border.

Therefore, the immediate issue before us is whether our Nation will participate in the construction and the control of this vital waterway. The question is whether we are going to put 2 canals—a total of 11 miles long—and 3 locks on American soil, and thereby acquire and assure joint ownership and control.

The bill before us calls for our investment—not a giveaway—of $105 million over a period of about 5 years. This money will be paid back into the Treasury out of the earnings of the seaway itself. It will be paid back out of the charges and fees collected for the use of the seaway. Before this full investment is returned, however, our Treasury will receive interest on the outstanding amount invested by our Nation in the seaway. This interest will be paid at a rate comparable to that being paid by Government bonds of comparable maturities.

The bill which we are debating contains these provisions which will safeguard the investment of the American people in the St. Lawrence Seaway. There is no doubt, no argument, about this. The provisions of the bill are clear to anyone who reads them.

But the opponents of this vital measure desire to ignore this fact. In their efforts to scuttle the seaway, they have come upon a number of devious plans whereby—under the pretext of protecting the people's interests—they want to cripple this legislation. They want to amend this bill in such a way as to defeat its purpose. This is the underhanded way of killing a piece of legislation.

The attempt of the opponents of the seaway to prevent our Government from investing in this project would delay and most probably forestall our participation in the construction of this vital lifeline to our heartland. For that reason, it is my hope that these attempts will be resoundingly defeated and that this House will approve the St. Lawrence Seaway bill without any crippling amendments.

The eyes of the Nation are upon this House today. Let us live up to the faith which the people have placed in us. Let us vote in our best interests and approve the St. Lawrence Seaway project.

Mr. DONDERO. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. FALLON. Mr. Chairman, I yield 8 minutes to the gentleman from New Jersey.

Mr. AUCHINCLOSS. Mr. Chairman, I propose to confine my remarks in opposition to this project to four main points—first, that Canada prefers to build this seaway alone without the help of the United States; second, that Canada controls the seaway now and will whether we participate in it or not; third, that the estimated cost is very much below the probable ultimate cost of this project; and, fourth, that under the most favorable conditions it is not possible for this project to be self-liquidating, especially when it is realized that the estimated income will not even meet the cost of maintenance as estimated by the Army engineers.

As a member of the Committee on Public Works, I filed separate views on the committee's report on the St. Lawrence Seaway and I hope my colleagues have had an opportunity to read them. I tried to make it clear that in voting to report the matter favorably out of committee I was doing so only because I wanted the House to have an opportunity to vote on a measure that has been discussed in committee for so many years.

I would like to quote the language I used in filing my separate views to the committee's report. I said:

> I want to support the President in every way possible but I conceive it to be my duty as a Member of Congress to investigate this proposal with care, especially as to the reason why Canada should not build the seaway alone.

To me that is of the greatest importance and I am sure the committee would like to know the reaction in Canada at the time that the Wiley-Dondero seaway bill was passed in the other body.

The sentiment in Canada, as reported by the Ottawa Citizen, was clearly against American participation. That publication had this to say:

> Despite passage in the United States Senate, all-Canadian seaway still Ottawa's policy.

That was the headline of the story, and I now quote the first paragraph:

> Canada is going to push for an all-Canadian seaway on the St. Lawrence River, government informants say, regardless of what the United States Congress does about the deep waterway.

Another Canadian newspaper, the Toronto Star, treated the story as follows:

> Hope United States won't get in seaway now.

Then the story, which was filed out of Ottawa, stated:

> After 30 years of praying for favorable congressional action on the St. Lawrence Seaway, the Canadian Government is now praying just the opposite.
>
> The hope and belief here is that the House of Representatives at Washington will not follow the lead of the Senate and approve legislation authorizing the United States to construct a deepwater channel past the International Rapids in the St. Lawrence.
>
> The issue will become so complicated if the House does approve such legislation that Canadian officials are not even trying to predict what Canada would do then. At the moment, Canadian Government policy is to construct an all-Canadian canal at an estimated cost of about $280 million.

Certainly this is abundantly clear, and lest there be those who say that it is only newspaper talk, permit me to quote the statements made along the same line by present officials of the Canadian Government. Lionel Chevrier, Canadian Minister of Transport, is on record declaring:

> Canada is not seeking financial aid on the St. Lawrence Seaway. On the contrary, Canada is ready, willing, and anxious to proceed with the seaway at her own expense and without cost to the American taxpayer.

In a similar vein, C. D. Howe, Canadian Minister of Trade and Commerce, has contended publicly that the proposals being advanced "that the United States should build the new canal in the International Rapids section would only complicate the situation."

And again, Mr. Howe stated that part ownership by the United States would "not only add to the overall construction cost, but would complicate problems of maintenance and operation of the canal system."

These reports and statements are eloquent testimony concerning the official position of the Canadian Government on the seaway. As I stated in my separate views in the committee's report:

> The present proposal differs greatly from the original seaway project which included power development. A different route for the waterway is now proposed which would be located entirely in Canadian territory. As a member of the Canadian Parliament has said, "The United States can get along without the waterway while we cannot." And again another member of the Parliament said, "There are many reasons why the United States may be less interested in carrying out this development." Canada recognizes our position and does not seek our financial help, nor does she need it.

It is refreshing, Mr. Chairman, in this day and age to know of a friendly nation which does not want any assistance, financial or otherwise, from the United States.

Now to get to the argument that it is necessary for the United States to participate in the seaway construction project in order that we may have some kind of control. I would like to point out, and put special stress on the fact, that to the east of the 46-mile section involved in the United States proposal lies 1,200 miles of the St. Lawrence River, located wholly in Canada, and to the west is the Canadian-owned Welland Canal through which all vessels must pass to enter the Great Lakes. The 46-mile stretch where the United States would have an investment would be hemmed in on both sides by Canada. The movement of vessels to this area and the movement of vessels out of it would be wholly under the control of Canada. Now the stern reality of the situation is that there is no possible way, short of the use of physical force, that the United States can improve its present position in the river—and what is our position there? By treaty, we have the right to the use of the river on equal terms with Canada. In the face of this fact, the argument that we need to buy a piece of this project to secure a favored position is so much bunk.

There are two important phases of this whole proposition which, approached from a businessman's point of view, must have the most serious consideration. I refer to, first, the cost of construction which, in businessmen's parlance, is represented by the capital invested; and, second, to the possibility that this project will be self-liquidating. In the limited time allotted to me, I will endeavor to discuss these essential points with the understanding that the figures I quote have only been arrived at after careful study, but I am frank to observe that accurate figures on both these points are elusive. In all the estimates made about how much this project would cost the United States of America the figure of $105 million which is authorized in the bill under consideration is only one of a number of estimates.

It is interesting to note that the estimated cost of Government projects comparable in size to this St. Lawrence Seaway proposal has been far less than the actual cost of these projects when completed. For instance, Bonneville Dam was estimated to cost $42 million—its actual cost was $80 million, or about twice as much. The Welland Canal was estimated to cost $40 million—its actual cost was $120 million, or 3 times as much. The Chicago Drainage Canal was estimated to cost $16 million—its actual cost was $53 million, or over 3 times as much, and the New York State Barge Canal was estimated to cost $62 million—its actual cost was $176 million, or almost 3 times as much.

With such examples before us, it is reasonable to assume that the estimated cost to the United States of $105 million for this St. Lawrence Seaway project might easily reach well over $200 million on completion of the work. Therefore, in order to avoid criticism and to be eminently fair, I suggest we consider the sum of $175 million as the ultimate cost of this work and this is a conservative estimate in the light of the historical facts.

Now, of course, if vessels with a draft of over 21-feet are to use this waterway and expect to deliver cargoes to the large cities on the Great Lakes, it will be necessary to undertake harbor improvements of considerable extent because there is no harbor on the Great Lakes with a channel deeper than 21-feet. It has been estimated by the Army engineers that the total cost of deepening and providing a turning basin in only the three harbors of Chicago, Cleveland, and Buffalo, would amount to $18,692,000, which is considered by others to be entirely too low. However, if vessels that pay tolls for the use of the waterway are to be able to deliver their cargoes in these three terminals, much less in the 25 or more other harbors on the Great Lakes, a substantial sum of money must be added to the United States share of the cost of preparing this waterway for practical use. The conservative figure of $175 million, which I have mentioned, might easily run as high as $200 million, if only the harbors of these three large cities are dredged. So, I believe it is fair to consider at least $200 million as the ultimate cost to the United States for

the deepening of the channels and the construction of turning basins in only these three harbors in the Great Lakes.

Now the carrying charges for this project must be considered and here we find a great difference of opinion among the experts. According to the estimate of the Army engineers, the carrying charges for a 27-foot channel would be $16,712,000 and, as near as I can gather from the studies that I have made, this is a most conservative figure, but I am doing my utmost to be as conservative as possible in all these estimates. This sum, however, does not take into consideration the increase in construction costs which I have already indicated and so it must be recognized as an extremely low figure.

The next item that must be taken under consideration is the volume of transportation which will use this waterway, because based on this volume an estimate may be arrived at as to what the possible tolls will amount to. Here again estimates have been varied and most of the figures are nothing more than guesses. I do not say this in the spirit of captious criticism because I cannot see how under the ever-changing economic conditions anyone can possibly estimate with any accuracy what the volume would be of the various cargoes which would be shipped through this canal. A vast number of different commodities have been suggested as cargoes, such as grains, dairy products, bananas, crude rubber, machinery, automobiles, wood pulp and newsprint, burlap and jute, iron ore, petroleum, and so forth, but there is one yardstick which can measure to a certain degree of accuracy the volume of the tonnage and that is lock No. 2 of the Welland Canal. Every vessel which enters the Great Lakes must go through the Welland Canal and lock No. 2 is estimated by the Canadian Government as the limiting lock on the seaway.

It is generally agreed that lock No. 2 can handle 28 lockages per day and taking the estimate of the Department of Commerce that the shipping season is 240 days, that makes a total of 6,720 lockages a year. When the lockages necessary for the present-day traffic are deducted from this total, there would be available for new traffic 1,703 lockages a year. This would provide for an estimated increase of tonnage amounting to 16,500,000 tons, and added to the present tonnage accommodated by the locks in the Welland Canal, a fair estimate would be a total of about 25 million tons of cargo per year.

Various tolls have been suggested to be charged for this tonnage, but as no tolls have been decided on and as the estimated cargoes are so varied it is difficult to tell what the income from this traffic might be. However, accepting the suggestions of the Department of Commerce of tolls of 50 cents per ton for iron ore, about 30 cents per ton for grain and coal, 25 cents per ton for petroleum, general cargo at about $1 a ton and ballast shipping of 15 cents for dead weight ton, and allotting these rates as fairly as possible to the variegated cargoes, we reach a liberally estimated income in the neighborhood of about $12 million. With an income of $12 million and an estimated carrying charge of $16,712,000, it is easy to see that the estimated volume of traffic will not pay for the carrying charges by quite a margin. In all these figures, I believe I have been conservative in the item of cost, as well as generous in the estimates of income.

From a businessman's point of view the investment is not a sound one, and from the point of view of the already overburdened taxpayer it would be a waste of money especially when our neighbor, the Dominion of Canada, is ready and willing to pay the entire cost.

To refer again to the cost of preparing the harbors in the Great Lakes for vessels of 25-foot draft, it is interesting to note that the Brookings Institution, as far back as 1929, estimated that the dredging and preparation of the harbors of 10 important cities on the Great Lakes would amount to $250 million. According to the Engineers' News Record Construction Cost Index, costs have increased 162 percent as of April 1, 1951, so the estimates of the Brookings Institution for these harbor improvements would be increased to $655 millions as of 1951, and perhaps even more as of today. These facts should give us pause for thought, because I cannot imagine that these cities, or even the States, where they are located, would undertake to bear the burden of this expense. They would turn to the Federal Government, and the American taxpayer from every walk of life would be asked to make his contribution to such an improvement.

The building of this seaway, Mr. Chairman, might well be likened to the opening of Pandora's box—nothing but trouble and expense for our citizens will fly out of it and, of course, if we make a financial contribution to this project when we do not have to, the situation becomes even worse. Our steel mills do not need the ore from Labrador—taconite in unlimited supply has been developed by the steel industry; our merchant marine fleet cannot use a 27-foot canal, although foreign vessels can; the seaway cannot add to our national security when it is admitted that it would be difficult to protect against sabotage or attack; the expense of harbor development and maintenance would only add to our load of taxes; and it would tend to drain the economy of our eastern seaports for the questionable advantage of inland cities which could only use its benefits for 6 months in the year. The whole idea is fantastic.

I oppose this proposal because it is economically unsound and it will not benefit the country as a whole; but if Canada, our friendly neighbor, wants it, let them build it at their expense.

Mr. DONDERO. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. McGREGOR], a member of the committee.

Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I am glad to yield to my distinguished chairman.

Mr. DONDERO. As I have listened to the arguments against the seaway, it occurred to me that every argument that we offer on this floor today is known to Canada. Canada is not so dumb; and knowing those arguments which are being advanced, she is still ready, willing, and able to proceed to build the seaway.

Mr. McGREGOR. I thank the gentleman for his contribution.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I am glad to yield to my distinguished friend, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. May I say to the distinguished chairman that we have no agreement with Canada, and if they do build the seaway, they might make it a freeway, just as they have it at the present time. There is no agreement with Canada on anything in that connection.

Mr. McGREGOR. Mr. Chairman, you can readily see that there seems to be a considerable difference of opinion between the proponents and the opponents of this legislation. We live in a great country where it is our privilege to express our views. It has been my privilege to serve here for something more than 12 years, and the St. Lawrence Waterway project has been one of those subjects that we have discussed nearly every year. I rather imagine, whether we pass this legislation or defeat it, in time to come the question will still be raised whether we should or should not have authorized the St. Lawrence Waterway project. I am told that similar arguments were made, both pro and con, with reference to other projects having to do with water transportation as, for instance, the Panama Canal. It is the right of each and every Member of the House to express his views. I am certain that the integrity, the honesty of opinion, of any Member cannot be questioned, because he cites his views as he sees them—simply a difference of opinion exists.

I have listened to the arguments on the St. Lawrence Seaway ever since I came to Congress more than 12 years ago. Prior to the present time, I did not feel the project would be feasible to construct, because it involved an expenditure of approximately a billion dollars of taxpayers' money, according to the figures given us by the Corps of Engineers. Also, we had no assurance tolls would be charged, no branch of our Federal Government was to look after our interests, and in many instances, the Congress of the United States was completely bypassed. Everything controversial was refuted by the proponents by use of verbal, rather than written, agreements.

It is rather amusing, and I am sure the historians will smile when they read some of the debate that is taking place. We hear that the railroads and other forms of transportation will be destroyed because of a loss of traffic, and the next moment we hear someone say that the traffic will not sustain the operations. I do not question anybody's opinion and argument. The truckers have the right to their views, and my good friend from Maryland [Mr. FALLON], representing that great area of the eastern coast, has a right to his views; and those I have mentioned are not the only ones opposing this project.

But let us see just exactly what this is. I was opposed to the St. Lawrence Seaway for many years. But, being a Scotchman, there is a great difference between $1 billion and $105 million, which this proposed legislation will cost. My distinguished friend says that this is only a drop in the bucket, that it will cost more than $105 million. Perhaps it will; I do not know. But what is before us today is a proposal to authorize an expenditure of $105 million—the future proposals will be considered by other Congresses.

S. 2150 passed the Senate Foreign Relations Committee 13 to 2, and the Senate 51 to 33. The bill clarifies the objections I previously stated which were my efforts to protect the taxpayers. It establishes a St. Lawrence Seaway Development Corporation, appointed by the President and confirmed by the Senate, to initiate agreements concerning construction, operation and maintenance, and tolls. It also provides that the Corporation must submit to the President for transmission to the Congress at the beginning of each regular session an annual report of its operations so that the Congress will act as a watchdog over the project. It establishes an amount not to exceed $105 million with the issuance of no more than 10 percent of the obligations the first year after the passage of the act, and no more than 40 percent any one year thereafter.

There is a tremendous difference between $105 million and the previously estimated $1 billion. The project now will be of no cost to the taxpayers as the bonds will be redeemed through the collection of tolls.

Mr. AUCHINCLOSS. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to my distinguished friend from New Jersey.

Mr. AUCHINCLOSS. The gentleman spoke of his views as a Scotchman. I am also a Scotchman.

Mr. McGREGOR. I know it, and a fine gentleman and legislator.

Mr. AUCHINCLOSS. And I have a great deal of respect for the difference between $105 million and nothing.

Mr. McGREGOR. I will spend $105 million when I think it is going to help the economy of the United States—or even $106 million. I will vote for any reasonable expenditure when it can be shown it is worth while and for the benefit of our people. We talk about a $105 million expenditure and about balancing the budget. I was one of those chaps in this Congress who voted not to increase the debt limit. And I am firmly of the same opinion today. But I will take care of this $105 million if the Members of this House will vote for an amendment when the European aid bill comes before us. I will take $105 million out of the European aid bill and put it on the St. Lawrence Seaway. Let us take care of our neighbors.

Canada is our neighbor, Mr. Chairman. This question involves more than defense. Some people say that we need it for the ore. Certainly I do not think that we have to base our whole defense program upon one little canal.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the distinguished gentleman.

Mr. DEVEREUX. Would not this proposal be of great benefit to European shipping and a detriment to our own shipping, in view of the fact that our vessels cannot use, or only a very small percentage of our oceangoing or seagoing vessels can ever use this canal?

Mr. DONDERO. Mr. Chairman, will the gentleman yield to me?

Mr. McGREGOR. I yield to my chairman.

Mr. DONDERO. I will say to the distinguished gentleman that the testimony before our committee showed that 73 percent of the oceangoing vessels can use this canal.

Mr. DEVEREUX. American-flag vessels?

Mr. DONDERO. I do not know under what flag they are.

Mr. DEVEREUX. But that is the important point.

Mr. DONDERO. I am talking about the amount of water that they would draw.

Mr. DEVEREUX. I have a communication from the Chairman of the Maritime Commission that indicates that less than 10 percent of our American-flag vessels could use the proposed canal.

Mr. DONDERO. Does the gentleman mean because of the amount of water they would draw?

Mr. DEVEREUX. Exactly.

Mr. McGREGOR. This is another example that there is a difference of opinion. I can get an admiral to say that we have to have this seaway for defense, and I can get an admiral to say that the seaway would be vulnerable to attack. You are going to have to vote your honest and sincere convictions. I have listened to it for 8 years, and I am supporting this legislation because, as I said before, there is a difference between $1 billion and $105 million. There is a difference regarding the friendly relationships we must have with Canada.

I do not think there is a single member of this committee that does not honestly feel that Canada is going to build this project. If we do not participate in it, she will build it alone. I would like to read a statement I made. I have given this matter some thought, and this is my honest conviction:

> Since Canada has served notice it will act anyway, the narrow question now is, shall we sanction the expenditure of $105 million, which will be paid by the users, accept the hand of Canadian friendship, and participate in our country's interest, or have Canada construct it alone, and have full control over the regulation of tolls and all other operations.

Mr. Chairman, in my opinion Canada's friendship and our participation in the development and the mechanics of the program are worth $105 million. I trust that the Committee will accept this bill.

Mr. FALLON. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Chairman, over many years as a member of the Committee on Public Works I have listened to hundreds of thousands of words of proof on whether our Government should participate in the construction of the St. Lawrence Seaway.

I have reached the very definite conclusion that our country should authorize $105 million for the building of certain locks and canals on the river on a reimbursable investment basis. After 40 years of discussion in which all of the Presidents without regard to political party affiliation have given support and with all of our high military Chiefs of Staff and various Cabinet officers and responsible policymakers in the Federal Government in warm agreement we have now reached the point where we must make a final positive decision in this matter. The Canadians are going to build the seaway alone if we do not join with them.

I represent a congressional district midway between Chicago and New Orleans, La. The only opposition to this project among my constituents was found in certain railroad circles and among the members constituting the Memphis Chamber of Commerce. In recent months the chamber of commerce took an entirely new look at this proposal and changed its position from one of opposition to one of enthusiastic approval.

In our part of the country we are more and more coming to the realization that a development relating itself to the progress of one particular section of our Nation will, as night follows the day, influence the economy, the progress, the growth, and the happiness of all the people.

For a long time the railroads were opposed to the development of the inland waterways system as it particularly involved the Mississippi. As time grew on these very same railroads had to conclude that their own business had increased and that the two means of transportation became helpful one to the other.

I hope to see the day come when the threat of war is removed from our country that more and more attention may be given to this long and great Mississippi River in which so many of us have a vital interest. Unquestionably that time is ahead as we more nearly approach the control of the waters of this river against the damage of high water and floods. Already we are harnessing this stream, building ports along its way to accommodate ever increasing traffic and we visualize very substantial progress in the future.

As a long standing member of this committee, I have been impressed by the high character, the industry, the fairness, and the devotion to the public interest and to this particular St. Lawrence Seaway project on the part of my friend and chairman, the distinguished gentleman from Michigan, GEORGE DONDERO. He has been most patient in building the record on this worthwhile development of our water shipping facilities and in approaching the remedy for our rapidly depleting supply of first class, open fire furnace ore from the Mesabi Range.

I went with other members of the committee to the Mesabi Range a couple of years ago. I do not think there is any question but that we can reasonably

expect a complete depletion within a decade at the rate that we are withdrawing the ore in the Mesabi Range. We must have first-class ore and despite the fact that there are some efforts now being made at the cost of a great deal of money to develop taconite, but that is in the distant future and even then with the threat of war today we have to have open ore for the open first-class ore that we can get out of the ground easily and quickly for our economy and for all of our purposes. So you can see if I had a great deal of time, I would really like to make a speech on this subject.

So many have requested time to speak in this debate that I feel fortunate to have these few minutes for the presentation of one argument in support of this bill. The splendid treatment accorded the whole proposal by so many able Members has convinced me of the widespread interest and support of this bill. So, then, in this brief time I want my colleagues to know that I am supporting this bill with sincerity after very real consideration and with the assurance in my mind that I bespeak the attitude of those I have the privilege and honor of representing.

If I may, I should like to discuss only one point—namely, the international aspects of the seaway.

After years of waiting for our Government to ratify the United States-Canadian Agreement of 1941, the Canadians became understandably impatient. In December 1951 their Parliament unanimously passed an act creating the St. Lawrence Seaway Authority and directing the Authority to proceed with the construction of the seaway, either alone or in conjunction with an appropriate agency of the United States—Volumes 15–16, George VI, chapter 24, assented to December 12, 1951.

In June of 1952, the United States Senate struck the final blow at the agreement of 1941 when it recommitted it to the Committee on Foreign Relations.

On November 4, 1952, the Canadian Ambassador informed our Secretary of State the agreement of 1941 was no longer effective, because the two Governments had taken other steps by way of the International Joint Commission for the approval of plans for the development of the seaway. These plans included an undertaking by Canada to construct the seaway, without American help, on the Canadian shore of the river. Later, on January 9, 1953, the Canadian Cabinet gave a memorandum to our Ambassador which left the door open for American participation in the seaway if we would put forth a specific proposal for joint construction in time so as not to delay the completion of the project as a whole.

Premier St. Laurent, when he visited Washington in May 1953, issued a joint statement with the President of the United States, confirming this position of the Canadian Government.

As recently as March 15, 1954, the Secretary of State for External Affairs, the Honorable Lester Pearson, on a visit to Washington, made a public statement reiterating the Canadian position.

On the public record, therefore, official statements of the Canadian Government and its responsible officials leave no doubt of the accuracy of their intentions.

The new found power and wealth of Canada will make the construction of what would be the American share of the seaway such a slight additional burden to the Canadians that they would not hesitate for a moment to undertake it. The Canadians are already going to spend approximately $200 million for their share of the seaway navigation facilities. The Hydro-Electric Commission of the Province of Ontario will spend about $300 million for their half of the dam and the electric power generating works. Convinced as the Canadians are of the economic soundness and self-liquidating ability of the seaway, the prospect of investing another $100 million for the completion of the project as an all-Canadian enterprise gives them no pause.

We come then to the question of why we should not let the Canadians go ahead and build it themselves, if they want the seaway so much.

Besides the other reasons expressed in this debate, there is one which I would specially like to stress.

We have always worked out our problems with the Canadians by conference and agreement, as witness the many joint United States-Canadian boards, commissions, and committees. The history of some of these goes back many, many years. We have always been able to solve our mutual problems by sitting down at a table with the Canadians and negotiating a successful conclusion, man to man and nation to nation.

Naturally, there will be a host of problems that will arise out of the construction and operation of the seaway, but only if we participate in the construction of the seaway will we have a voice in the decisions to be made.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. DAVIS] has expired.

Mr. FALLON. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DAVIS of Tennessee. I do thank my colleague and my fraternity brother as we of the Five, without further reference to March 1, 1954, but we have agreed we are going to get along together the rest of our days.

We must be in a position to negotiate on seaway problems with the Canadians promptly and before the problems have had a chance to grow beyond their original scope and develop into conflicts of national interest.

Our generous neighbors want it so. We must not be so foolish as to turn our backs on their offer.

We of western Tennessee feel we know something of the value of inland water transportation. The Mississippi River has no equal in the world.

It takes little imagination to envisage the results of opening the Great Lakes to the sea. The value to the Nation as a whole that will accrue from the inception of this trade route is incalculable.

As a member of the Commitee on Public Works, I have sincerely and actively supported the development of our inland waterway resources. The St. Lawrence River is a special case. It is an international river, besides being an inland water route. It brings ocean shipping lanes of the North Atlantic 1,200 miles inland, the very heart of our country, to the great centers of its industrial might. There is nothing like it in the world.

In S. 2150, I know we have a bill which takes proper recognition of the special aspects of the St. Lawrence River and the problems of the seaway.

I hope that this bill may be passed as it was in the other body by a very substantial majority in order that we may assure our own people that we are thinking of the defense of our country, the improvement of our economy, and in joint venture with our Canadian friends to the north of us are contributing to the prosperity, the future usefulness, the improved living standards, and the wholesome economy of so many millions of people. Yes, and may by this important project make another contribution toward the peace of the world.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. DONDERO. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

ALL AMERICA'S BEST INTERESTS COMMEND PASSAGE OF ST. LAWRENCE SEAWAY BILL

Mrs. FRANCES P. BOLTON. Mr. Chairman, I have long felt that the building of the Great Lakes-St. Lawrence Seaway is imperative to the ultimate development of the country as a whole, as well as to its position in international trade. Unless ways are found to lower the cost of transportation we shall have difficulty in competing in world markets. The seaway would seem to be one step along the way. Certainly the ever-increasing need for steel brings into high relief the requirements of the mills in such cities as Cleveland, Pittsburgh, and Youngstown for raw materials. With the recent discoveries of ore in certain areas of Canada the seaway becomes even more urgent.

The Canadians have made it perfectly plain that they are going to build the seaway by themselves if we do not wish to participate with them. They have been gracious enough to leave the door open for us however if we would like to come in with them on this project, so long as we do not delay the completion of the works.

The United States is called upon to invest $105 million in this enterprise, and we are given assurances by those who should know that the revenues to be derived from tolls from the use of the seaway will be more than ample to pay off its bonded indebtedness in 50 years or less.

Thus, we have, in my opinion, a unique proposition as to a Government works project or Government corporation. The $105 million called for in S. 2150 is not to be considered an expenditure, because it will be returned to the Government, with interest paid by the corporation, at the same rate as provided in Government bonds.

Participation with Canada in the construction of the seaway will give us a voice, jointly with Canada, in the control and operation of the seaway, and the setting of tools for its use. Since three-quarters or more of anticipated traffic through the seaway will be moving to or from American ports, the necessity for our participation in these decisions would seem selfevident.

From the standpoint of our national security, as has been pointed out by the officials of the administration, we must participate with Canada in the defense of a vital trade route such as this. We must have a voice in the settings of priorities for its use in wartime. We must share responsibilities for its defense from military attack and sabotage.

Only by participating in the construction of the seaway can we attain these rights. Only by the passage of S. 2150 can we participate in the construction of the seaway.

Therefore, I favor the passage of this bill, and urge the membership to vote for it.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BONIN].

Mr. BONIN. Mr. Chairman, many times in the past, I have inserted editorials from two of the newspapers in my congressional district, the Wilkes-Barre Record and the Times-Leader Evening News, voicing opposition to the construction of the St. Lawrence Seaway. These editorials are very strong in setting forth the reasons why this project would be detrimental to my congressional district and are indicative of the feeling among all my people back home. I have previously stated my position on the matter and wish finally to stress my complete opposition to this legislation. There is no benefit to my people, the industries located in our area, nor to the overall economy of northeastern Pennsylvania. Because my area is a distressed labor area, because the mines have closed and the resultant unemployment numbers the thousands, this project, I feel, would create additional unemployment in my area.

It is a well-known fact that among others, the United Mine Workers are against this project because they feel that additional burdens would be placed on the taxpayers and they are in no position to be friendly to the steel interests of the Great Lakes who have been trying to push this project through the United States Congress for many years.

To the proponents of this bill, I say that, for the price of $105 million, my people will be glad to mine coal for the Government in order to bring relief to my area and that of the distressed areas around us.

The debate on the Senate floor has stressed the dangers of foreign competition with respect to trade, ship repairs, industries on the Great Lakes, and dependency on European ships for vital supplies. In a recent poll of the people in my district as to their views on the seaway, I received the return that 87 percent were in opposition to this project. I shall continue to be guided by the voice of my constituents as I have in the past.

It is a well-known fact, also, that the Canadians themselves are opposed to the United States doing the navigation work in the 46-mile International Rapids section of the St. Lawrence River. They feel that our $105 million would entitle us to too much of a bargain in joint control of navigation and shipping tolls.

This is a 20-year-old project and I say do not let it pass the House just because it is 20 years' old this year. Let us reflect for many years more on the economic hardships it would cause to United States eastern railroads, coal interests, Atlantic and Gulf coast ports.

For more than 2 years, the construction of the seaway has no longer depended upon our participation in the work of our spending of the taxpayers' money for its cost. We all know that Canada can build this seaway herself—in fact, prefers to build it herself—should we enter into this and accept the hazards, that will come with it. Is it possible and feasible to expect or foresee the long period of time involved in our Congress cooperating with the Canadian Parliament in a partnership of this sort when we can and should take the simple solution of not involving ourselves in an old and obsolete option on this partnership?

Let us heed the warnings of the railroad executives and railroad workers, the mine officials and miners, the directors of our great ports and the workers in the ocean traffic industry and not listen to the financial interests who wish to twirl the minds of many and attune them to the will of a few.

Mr. DONDERO. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. SCUDDER], a member of the committee.

Mr. SCUDDER. Mr. Chairman, this is the first time in my recollection that there has ever been offered for the consideration of the Congress a legitimate seaway bill. The public-power-hungry bureaucrats who would like to dominate the economy of our country have had the whip hand in the former proposals. I believe the Public Works Committee was fully justified in defeating past legislative proposals, and the Congress, as a whole, displayed good judgment in exposing and smoking out the schemes previously offered. Under their plan they would have tried to dominate the economy of the northeastern portion of our country. Their plans, from what I could learn, were so contrary to my concept of the duties of government, that I opposed these so-called seaway bills since I have been a member of the Public Works Committee.

Only 3 years ago we were presented a proposal that would have cost Canada $251,269,000 and the United States $556,794,000, or a total of $818,063,000, and this was estimated at 1950 cost levels. Today's cost would show a 10.84-percent increase.

On January 31, 1952, I made a speech from the well of the House in which I expressed my views regarding the proposal before us at that time, and I called for a separation of the power project from the navigation proposal.

On February 28, 1951, Mr. J. E. Burton, chairman of the Power Authority of the State of New York, was testifying before the Public Works Committee. I asked him this question:

Would there be any hesitancy upon the part of the Power Commission of the State of New York in working in conjunction with the Federal Government so that they could develop the St. Lawrence Canal? If you had a franchise to go ahead with this project, there would be no reluctance on your part to cooperate with the Federal Government so that they could operate and construct the canal?

Mr. BURTON. Our laws say that we are to do both things. We are to get power for the State of New York, but we must get power in such a way that navigation can also be improved.

Mr. SCUDDER. But you are willing, under your power authority, to go ahead with the construction of the powerplant and set up the entire power project, and cooperate with the Federal Government to the point where they can build and operate a canal?

Mr. BURTON. Yes, sir.

Further on in the hearings I again interjected myself into the discussion:

Mr. SCUDDER. Could I ask one more question? What is contemplated in order to construct this series of dams that is proposed? A statement was made yesterday that this project would cost about $450 million. Is that somewhat in line with what you said?

Mr. BURTON. Four hundred and fifty million dollars is the Ontario and New York cost of the power project, including about $90 million of costs common to power and the seaway. In other words, if we were to have done the job under the old priority plan with a license from the Federal Power Commission, that was denied, we would have paid on the New York side—and Ontario would have done the very same thing. We would have paid about $40 million to $45 million more than the plan before you contemplates. We would have been putting in on the New York side about $45 million to the seaway, and we were willing to do it because the cheap power from the St. Lawrence means to New York a $20-million-a-year savings, and it would take a little over 2 years to pay back that excess cost that we were willing to throw into the seaway.

Mr. SCUDDER. In other words, the project we have before us today costs some $566 million?

Mr. BURTON. That is the total from Duluth to Montreal.

Mr. SCUDDER. That is right. Now, if you would build it, that total would run about $818 million?

Mr. BURTON. Eight hundred and eighteen it is.

Mr. SCUDDER. Then if you would put in the $450 million, that would reduce the cost under the present bill for the construction of the canal. In other words, the Government would be getting a better deal and would be appropriating less money than if the two jobs were done together and handled entirely by the Federal Government. In other words, we would be saving the difference between $450 million and the total amount of the project.

Mr. BURTON. Not under section 5.

Mr. SCUDDER. No. I mean if we separated it and allowed you to proceed with your power development you would be willing to go ahead with, then all we would have to do is to construct the canal, and the water would be available for the operation of the locks.

Mr. BURTON. That would take a $450 million cost, approximately, out of that $566 million.

Mr. SCUDDER. Yes.

Mr. BURTON. But New York and Ontario would then be giving into the seaway about $40 million to $45 million apiece.

Mr. SCUDDER. Yes.

Mr. BURTON. That is the real saving there.

Mr. SCUDDER. That is a concession you would be granting for the right to get cheap power.

Mr. BURTON. That is what we would grant in order to get going. (Pp. 329 to 335, pt. 1, of the hearings on St. Lawrence Seaway before the House Public Works Committee.)

On October 9, 1951, Mr. John Burton, chairman of the New York Power Authority, again appeared before the House Public Works Committee. Congressman SCUDDER intervened with the ensuing remarks:

Mr. SCUDDER. I have been listening to this discussion all morning. I did go on the trip to the St. Lawrence. I have quite a bit of interest in this project and I just want to ask Mr. Burton a question. Did I understand you to say that the cost of the seaway would be reduced to about $96 million if the authority were given the right to construct the power facilities? After the dams are built, the use of the water would be provided and the costs of the canals would be about $96 million?

Mr. BURTON. Mr. SCUDDER, that would be in the International Rapids section only.

Mr. SCUDDER. Yes.

Mr. BURTON. I haven't figured it out for the whole stretch, from Montreal to Duluth, but in the International Rapids section where power is involved, if the power priority plan had been adopted and New York and Ontario had their license we would today be paying $232 million each and the seaway in that section in the International Rapids, some 40 miles there, would cost our Federal Government $96 million.

Mr. SCUDDER. That is the big part of the seaway cost, is it not?

Mr. BURTON. That would be the big part, as far as the United States is concerned.

Mr. SCUDDER. Going further, Mr. Chairman, this whole question, as I see it, resolves itself in the point as to whether or not we are going to delegate complete national bureaucratic control to the Federal Government. It seems to me there is an easy solution of this plan and can be done in the American way. That is to provide that the New York Authority be permitted to go ahead with the construction of the power facilities with the Province of Ontario. When we were on the trip, a Mr. Saunders, who is president of the Ontario Power Authority, made quite a talk to the delegation. After he finished I asked him if he was correct when he said that the Province of Ontario would be paying all the cost and not the Canadian Government. In other words, it would not be the Dominion Government, but the Province of Ontario, and that they then had to pay taxes to the Dominion Government, which is the reverse of what we do in this country on such a project. I asked him if they would be willing to work with the New York Authority in the construction of these facilities, and he said they would.

This was a public hearing, and those of you who were there heard it. I asked him if he would be willing to go ahead with the construction and provide for enough surplus water for the operation of the locks. He said they would.

To my way of thinking, that makes the problem rather simple and stops a lot of confusion, because if the State of New York assumes all of the responsibility for the construction of the project and makes available the water for the operation of the locks, the project can be divided into two separate developments and you reduce the cost of the seaway to a minimum, and it may be able to pay its way out.

The way it looks to me, this is strictly a political, bureaucratic plan to control the economy of the Northeast, and I am dead against it. I will be against the program until it resolves itself into a practical plan. I do not believe the Federal Government should inject itself in a project such as this when the area concerned desires to develop their own resources. I do not believe that the Federal taxpayers should involve themselves in such a program. (Pp. 1630 and 1631, pt. 3, of hearings on St. Lawrence Seaway before the House Public Works Committee.)

Having made a record at these public hearings bearing out my views in this matter, and then having heard the pronouncement of President Eisenhower regarding the position he assumed as to the method of procedure and the development of hydroelectric and the construction of the canals, I found that they were directly in line with my thinking and substantiated by the testimony brought before our committee during the previous hearings.

The power will be developed on the local level by the Power Authority of the State of New York and the Hydroelectric Power Commission of the Province of Ontario. The necessary license has already been granted by the Federal Power Commission. The United States Court of Appeals for the District of Columbia has affirmed the grant of the license. Contracts are being let and work is soon to commence.

The bill before you is strictly a navigation bill, and has nothing to do with the development of power. It provides for the building by the United States in the 46-mile International Rapids section of the following facilities: Three locks, 800 feet long, 80 feet wide, and 30 feet deep over the sills, 1 guard gate and the necessary excavation and dredging of 2 new lateral canals, having an aggregate length of 11 miles to a controlling depth of 27 feet. There is also the lowering of certain rock shoals in the Thousand Islands section to provide a 27-foot depth.

This bill does not provide for anything else. It does not include the deepening of the connecting channels or the enlarging of harbor facilities on the Great Lakes. Those projects will be considered on their own merits, just as any internal improvement when and if the Congress decides to authorize them, and to provide the necessary appropriations.

The limited participation by the United States will be in an overall navigation project, 66 percent of the construction cost will be borne by Canada. The cost of our 34-percent share will be approximately $96 million which takes into effect a cost rise over 1950 of 10.84 percent and interest during construction over a 5-year period at 3½ percent. To this is added approximately $9 million for working capital for early years of operation, making a total cost to the United States of approximately $105 million.

We will share jointly with Canada in the operation and management of the entire project. The cost of the project will be met by revenues raised from tolls levied on the traffic which the seaway will carry. The two official agencies of the United States and Canada which are immediately concerned with estimating the traffic which will be carried are the United States Department of Commerce and the Canadian Department of Trade and Commerce. These two agencies have estimated a potential volume of commerce ranging from 40 to 50 millions of tons per year. Revenues raised by tolls are expected to be $26 to $28 millions, which is more than enough to meet the total annual operating costs, which include amortization of the bonds over a 50-year period, of 14.6 millions to 16.8 millions. Canada's eagerness to build the seaway, alone if necessary, is predicated on its conviction that the project is economically sound. Our own Cabinet's approval represents its considered judgment that the project will be self-liquidating and will pay for itself.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Maryland.

Mr. DEVEREUX. Would it not be necessary if the ultimate use of the canal should be authorized and constructed for the Corps of Engineers to go in and do all of this dredging and would not that be a direct responsibility of the Federal Government?

Mr. SCUDDER. I do not believe so. I believe the great amount of traffic that will develop on the St. Lawrence will be through the transportation of ore. The present harbors are adequate to take care of all of the ore movements. I do believe, as you have said, that deep-draft vessels will not be able to enter these harbors. However, the cargo vessels that are presently using those facilities and the ore boats will be able to navigate the entire length and breadth of the project with craft usual for ore shipment.

Mr. DEVEREUX. What is wrong in using the present ore boats that are now using the 14-foot channel?

Mr. SCUDDER. The present ore boats draw more than 14 feet.

Mr. DEVEREUX. The ones that are using the canal do not.

Mr. SCUDDER. They are small and uneconomical. When it is deepened to 27 feet the large ore boats now plying between Superior and Duluth and the lake cities will be able to go to Montreal and pick up ore from the Labrador area.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Michigan.

Mr. DONDERO. There are no ore boats using the 14-foot canal. May I say to the gentleman from Maryland that we are doing 25 percent of the Nation's waterborne commerce with 25 feet of water in the Great Lakes.

Mr. SCUDDER. That is correct. The ore boats will be able to use the facilities presently installed.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Indiana.

Mr. BROWNSON. The gentleman mentioned the fact that $90 million worth of navigational assistance was incorporated in the power project financed

privately by the State of New York and Canada cooperatively, is that correct?

Mr. SCUDDER. Yes.

Mr. BROWNSON. Does the gentleman know that half of the $90 million being so financed is being financed by sale of revenue bonds to the public according to the principle behind the amendment which I shall offer tomorrow. In other words it is financed by private capital and is not guaranteed by the State of New York?

Mr. SCUDDER. That is the money referred to. I brought that out in questioning before our committee when the president of the Power Authority of New York was before the committee. I asked him if they would be willing as a concession to assume all of the responsibility for building the dam and to make water available in the operation of the canal and he said they would be very glad to do so.

Mr. BROWNSON. I think the gentleman is absolutely right in that point. The only matter to which I direct attention is the fact that New York State is raising its half of that $90 million by the sale of revenue bonds to private interests in the general public.

Mr. SCUDDER. According to this gentleman's testimony in 2 years they could pay their share in the power developed from this project.

Mr. BROWNSON. In other words, the seaway cannot be built until New York State sells bonds to private investors? Surely the United States can sell seaway corporation bonds to private investors as quickly. It is right that the seaway cannot be built until the New York State bonds are sold, is it not?

Mr. SCUDDER. I think that is right. The building of the canal hinges upon the development of power facilities on the St. Lawrence River.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Michigan.

Mr. DONDERO. I think the gentleman is in error in one particular. The question of the power to be generated is entirely settled. There is no more question about that at all. It will not hold up navigation or commerce. And I want to point out to the gentleman from Indiana that there is a vast difference between the sale of power and navigation and commerce which can only be carried on by the Congress of the United States.

Mr. SCUDDER. The gentleman from Michigan [Mr. DONDERO] is very right. I expressed the thought that the power facilities were under way and contracts were being let; so there will be no question of the power portion holding up navigation; the power project is under way and should be completed ahead of the seaway; the dams are built to impound the water for the use of the canal. They must both go simultaneously with each other. I cannot see where there would be any chance of it being held up.

Mr. Chairman, I have given a great amount of time and study to this entire project. The St. Lawrence River, in my opinion, has the greatest potential for the development of power of any river in the world, because its flow is almost constant and the necessity for firming-up power is negligible.

With the power development assured, the cost for the construction of the canal will be greatly lessened. There is a great potential for navigation in the St. Lawrence-Great Lakes area if proper facilities are constructed. From the information I have been able to gather, I feel the project will be self-supporting and self-liquidating, and will be of great economic value to the entire northeasterly and north central section of our country. The thoroughness of the work of our committee, I feel, was responsible for separating these projects, thereby saving the general taxpayers of the entire country almost a half billion dollars, which will be assumed by the people in the area to be benefited by the power facilities, and is another step toward reducing Federal bureaucratic control.

I, therefore, most strongly urge the adoption of S. 2150, the pending bill for the construction of the St. Lawrence development on the proposed plan on a reimbursable basis.

Mr. BLATNIK. Mr. Chairman, I rise in support of S. 2150, the bill now under consideration which provides for the construction of the St. Lawrence Seaway project and for United States participation therein. This is one of the most important measures ever to be debated by the Congress of the United States, and it is my sincere hope that it does pass.

It is not my intention, Mr. Chairman, to consume a great deal of time discussing the many economic, commercial, transportation, power, and military aspects of the St. Lawrence Seaway. The seaway has been an issue before the Congress for over 30 years. During this period it has received the endorsement of every President, Republican and Democrat, which this country has elected. It has been considered and reconsidered by various House and Senate committees. It has been the subject of thousands of speeches given in the Congress. It has been discussed and debated by the press and on our public forums.

Therefore, there is very little that is new to be added, and my remarks today represent in reality a restatement of the basic facts and considerations relative to the seaway project.

THE ISSUE BEFORE THE HOUSE

The issue before us today differs from the St. Lawrence issue as we knew it in the past. In yesteryears the policy question which we faced relative to the project was whether or not the waterway and power project was desirable and practical, that is, whether it should or should not be built.

The issue facing us today is entirely different—this change in the nature of the main issue is the result of a change in the overall situation surrounding the project. We now know that the seaway is going to be built regardless of what action is taken by this Congress—the evidence is conclusive that Canada will build the seaway alone unless the United States joins in this undertaking.

The inevitability of the seaway means that the only real issue remaining before the Congress is whether the United States will join in the construction, ownership, operation, and control of this international waterway, or whether this country shall, by default, allow Canada to build the seaway by herself, and therefore exercise exclusive control over it for time immemorial. Thus, such former issues as whether the seaway will benefit or injure any one region, State, or industry have become moot and academic.

Although the advantages and alleged disadvantages of the seaway have become pretty much relegated to the status of side issues by Canada's decision to go it alone if necessary, I think we should always keep in mind the inherent merits of the project itself. In other words, Congress should pass S. 2150 not merely because Canada will build it anyway, but because the project is justified in terms of the Nation's self-interest and economic well-being.

As I see it, there are five major benefits which will accrue to the United States by the construction of the St. Lawrence Seaway. I will enumerate:

First, the seaway will make it possible for some 50 million Americans to participate directly in world trade. This project will bring such cities as Duluth, Milwaukee, Chicago, and Detroit into the mainstream of world commerce. This will directly benefit the entire population of the St. Lawrence-Great Lakes regions which embraces one-third of the entire population of the United States.

Second, the seaway will provide cheaper transportation costs for the products of farm and factory. It has been estimated that these savings will be substantial on such commodities as grain, dairy produce, ore, and timber which are shipped from the Midwest to the East and like savings will be obtained on manufactured goods shipped west from eastern factories. This in turn will help in the economical marketing and distribution of goods of all kinds to the benefit of producer and consumer alike.

Third, the power facilities of the seaway is capable of generating an average of 12.6 billion kilowatt-hours of electricity a year. The United States share of this power will be 6.3 billion kilowatt-hours, costing no more than 2.3 mills per kilowatt-hour at the dam-site. The great block of cheap power will go far to relieve the present acute power shortage in New England and will lead to greater industrial expansion in this area.

Fourth, by bringing world commerce and trade into the heartland of America, the seaway means industrial expansion and an expanding population in the entire Great Lakes area. It means more manufacturing, a greater consumer market, more jobs, and an expanding economy throughout the entire region.

Fifth, the seaway will strengthen our national defense and economic security by making possible the fuller utilization of high grade iron ore from Labrador when circumstances require that we supplement the iron ore and taconite ore of Mesabi from sources outside the United States.

All these benefits which I have enumerated are compelling reasons for passing S. 2150—they are considerations of greatest importance to the long-range

goals of security and economic stability. In other words, Mr. Chairman, the seaway project will stand on its own feet as a desirable project. The overwhelming preponderance of the evidence shows the project to be technically feasible and economically sound. Congress should approve the project not only to give the United States a voice in its operation and control, but because the project itself is in the best interests of the American people.

RELATION OF SEAWAY TO OUR IRON-ORE SUPPLY

Thus far I have been speaking only in broad general terms, but now I will become specific and direct my remarks to one very important aspect of the seaway, namely, the relation of the seaway to our iron-ore supply.

This iron-ore situation is a subject with which I am somewhat familiar. It so happens that I represent the Eighth District in Northeastern Minnesoto here in Congress. In the middle of that large district lies the famous Mesabi Iron Range. Just a little northeast of this lies the pioneer Vermillion Range. Southwest of the Mesabi, and in the district of my neighbor and friend, the gentleman from Minnesota [Mr. MARSHALL] lies the Cuyuna Range.

The Mesabi Iron Range has supplied about two-thirds of America's iron ore needs for the last 50 years, and may therefore be looked upon as the backbone of the Nation's steel industry. However, America's need for iron ore is constantly increasing, but our reserves of high-grade open-pit ores are decreasing, and therefore we have been forced to seek other sources of iron ore. This is where the seaway enters the picture.

Our economy is solidly based on the United States steel industry and our steel industry depends upon an adequate supply of high-grade ore. And I say to you, Mr. Chairman, that anyone who understands the world iron-ore situation as it relates to our country, and who realizes the importance of the seaway in this whole picture, cannot help but be in favor of the seaway.

Let me briefly summarize the iron-ore situation. As I stated before, the Great Lakes area is the greatest industrial area in the world. Although this area embraces only three-fourths of 1 percent of the world's land and only 2 percent of the world's population, the Great Lakes produce 79 percent of all the steel made in the United States, and 35 percent of the steel made in the whole world. The chief source of the iron ore used in this industry is the iron mines of Minnesota's Mesabi, which provide about 67 percent of our total ore supply.

However, the iron ore situation is changing, and changing significantly. In the first place, America's need for steel is constantly expanding. In 1860 this country produced only 13,200 tons of steel. Today we produce that much in 1 hour. In 1900 we produced 11.4 million tons—a thousandfold increase in 40 years. In 1929 our steel production was up to 63 million tons; by 1951 we produced 105 million tons, and now our capacity is around 120 million tons. Of all the iron ore mined in this country since the discovery of America, one-third of it has been removed during and since World War II.

During all this time the Lake Superior region, and especially the Mesabi Range, has given us the ore to make possible this phenomenal expansion of steel production. Unfortunately, there is an upper limit in the ability of this country to produce iron ore—our reserves are not unlimited. No one says this with more regret than do I. I wish I could report to you that up in northern Minnesota, or even elsewhere in the United States, that we had on hand a thousand years' supply of readily available high-grade, open-pit, direct-shipment iron ore. I regret I cannot say this. However, I do say that the major share of high-grade ore shall continue to come from northern Minnesota through the increased beneficiation of the existing low-grade ores and particularly by the rapidly growing new development in taconite—literally a manufacturing process that extracts 1 ton of high-grade premium iron ore out of 3 tons of hard iron ore bearing taconite rock, which exists in almost limitless quantities in northern Minnesota. But more on that later on.

The facts show that our iron ore reserves are being rapidly depleted. According to the most recent report of the United States Bureau of Mines and the Geological Survey, there is only a reserve of about 2 billion tons of high-grade ore remaining in the United States, of which 1.5 billion tons are in the Lake Superior region. When you consider that in 1951 we used about 120 million tons of ore in this country, then after working a little problem in division we find that this high-grade ore can be exhausted in less than 15 years. Of course, we have larger supplies of lower-grade ore and an unlimited supply of taconite rock to supplement our high-grade ore; yet the fact remains that we face a crisis in the iron ore in the form of depletion of our better grade ores. In the interest of our national economy and for defense we must find a solution to this problem of a future iron-ore shortage.

Not only are we exhausting the open-pit reserves, but even more important—and to this I call your special attention—we are losing our expansibility. I said "reserves" and I said "expansibility." What is the difference? Let me show you briefly.

Expansibility is the capacity to greatly increase manyfold the output of iron ore within the space of a year or so. That is the ace in the hole from the standpoint of defense, not only the amount of the ore—that is, the reserves—but how readily can its output be multiplied—that is, expandible. For example, in 1938 we produced 13.3 million tons for the year. By 1939, when lend-lease had started and the war clouds were gathering on the world horizon, we went from 13.3 million tons in 1 year to 30 million tons. By 1940, a year later, 40 million tons were produced, or 3 times the amount; in other words, 300 percent expansion within 3 years. By 1941 the figure was 60 million tons of ore and in 1942, 70 million tons. In 1953 almost 75 million tons of ore was produced. That is called expansibility.

You cannot get that rapid expansion anywhere else except from high grade open pit ores. You cannot get that out of underground mining. You cannot get it out of beneficiating plants. You cannot get it out of taconite, for all of those require much more time, more labor, and large and expensive plant construction. You cannot get it anywhere except from open-pit high-grade, direct-shipment ore where you can boost the production overnight. That is the ace in the hole.

From the standpoint of defense, this one factor is more important than any other of the factors that can be brought into the picture in connection with iron ore. Where, then, do we get this expansibility which we are now losing? Testimony showed, without contest or dispute, that the only other remaining expansibility on the North American continent is in Labrador where over 400 million tons of open-pit high-grade ore can be mined and shipped as is now being done on the Mesabi Iron Range—sent down by rail to the docks, dumped into large ore carriers, and brought to the blast furnaces on the lower lake ports or on the east coast by water.

Finally, the irrefutable, convincing evidence that we are losing our remaining high-grade ore reserves of open-pit ores and the vital expansibility that lies therein, lies in the fact that the same mining companies that have operated in northern Minnesota for so many years, and that own 75 percent of the steel ingot capacity of the country, are right now, and have been for the past several years, spending hundreds of millions of dollars on the development of new taconite processing plants in northern Minnesota, while many of them at the same time are also spending hundreds of millions of dollars in the development of foreign ores in Venezuela, Liberia, and Labrador.

In taconite development alone, in my district, several steel companies have already under way in actual construction a capital investment of half a billion dollars—developing the quarries from which to get the taconite rock, huge crushing, pulverizing, and sintering plans, new railroads, harbors, and docks, building several complete brand-new communities in what was recently a rugged wilderness.

Mr. Chairman, I say actions speak louder than words, and the proof is in the pudding—for these mining companies would not spend such enormous sums were it not absolutely necessary because of the diminishing supply of readily available high-grade ores.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Maryland.

Mr. FALLON. I do not know whether or not the gentleman has seen an article in regard to the ore situation in Minnesota that was in the April 1951 issue of the Stock and Dairy Farmer. There was an ad in that magazine put there by the Hanna, Republic, and Wheeling steel companies. It was designed to use the

threat of foreign ores to bring down mining taxes in Minnesota. Their ad said:

> The fact is that Minnesota no longer has an ore monopoly. Today, for the first time, Minnesota's ore industry faces big-time competition from the high-grade ores of Labrador and Venezuela, from the taconites of other States.
>
> The surest way to hobble Minnesota's chances of meeting and beating this competition is to load still higher taxes atop the $31.5 millions the iron-ore industry is already paying.

This ad painted a brilliant future for Minnesota ore if the tax authorities would cooperate. There was nothing in this ad about Minnesota ores vanishing or of the country's dependence upon foreign ores.

Mr. BLATNIK. The record shows that this is entirely a State matter, of not imposing exorbitant State tax rates.

Mr. FALLON. They say, "We have the Labrador ore. You bring your taxes down or we will not use any more of your ore."

Mr. BLATNIK. In my opinion, the answer to the problem requires action along two lines. First, we must push forward in the development of taconite as a new source of iron ore, and, secondly, we must prepare to import, when necessary, iron ore from outside the United States.

It so happens that in Labrador there is a tremendous new supply of high-grade ore of the open-pit variety, and the utilization of this new ore supply is a partial answer to our problem. However, the utilization of Labrador ore requires the St. Lawrence Seaway, since it is only by means of the seaway that this ore can be brought to the steel mills in the Midwest. Without the seaway our Midwest steel mills cannot benefit from the Labrador ore.

It has been said that the seaway will mean that the newly discovered Labrador ore will compete with Minnesota ore. Consequently, certain of my friends have asked me why I, the Congressman from Minnesota, who represents Duluth and the Mesabi Range, can still support the seaway. They pose the question: Will not the importation of large amounts of Labrador ore over the seaway to the blast furnaces of the lower lakes region be a threat to the old and established markets for Mesabi ore? I now propose to discuss this question and give my frank answer thereto.

It is my firm conviction that Labrador ore will not be a threat to the ore from the Lake Superior region. This is because Labrador ore will not displace the markets for Minnesota ore, but will be a supplementary supply. The report of the President's Materials Policy Commission, dated June 1952—the Paley report—makes this clear. Since 1910, or for more than 40 years, over 80 percent of the ore necessary to provide the constantly expanding steel tonnage has come from the Lake Superior region. According to the Paley report, there now remains 1.6 billion tons of high-grade ore in the Mesabi. At 1951 levels of consumption, this ore would be exhausted in 13 years if it alone were used throughout the country. In addition to these limited reserves of high-grade ore, there, of course, remain vast deposits of ore with iron content ranging from 35 percent to 50 percent and 25 percent to 35 percent. The latter are know as taconites, which require further processing known as beneficiation, before they can be economically used in the manufacture of steel. Tremendous sums have been invested by the United States Steel Corp., the Republic Steel Corp. and other companies in the development of beneficiating plants along Lake Superior. But our present reserves of high-grade ore and the vast reserves of taconites are not sufficient to meet the growing demand for steel. As the Paley report pointed out—volume II, page 15:

> During the next quarter century there will be marked shifts in the sources from which the steel mills of the United States will draw their supplies of ore. Production from high-grade reserves in the Lake Superior region must eventually decrease. Production from taconite may be able to offset this decline, leaving output of the Lake Superior region close to the present level of 90 million tons. Expansion in consumption can be achieved only through larger imports. Shipments from Canada and Venezuela in the volume approaching 65 million tons could meet the probable requirements, and it is likely that such a volume of shipments can eventually be attained.

In other words, gentlemen, Labrador ore is no threat but is most necessary as a supplementary source to supply our growing demands for steel. As the Paley report points out, the demand for taconites will tend to offset the depletion of high-grade reserves in the Mesabi Range, with the result that the present level of output of 90 million tons would be maintained for the indefinite future period. As further evidence of the truth of the statement that foreign sources of ore are needed in addition to the sources in the Lake Superior region, let me point out that the Republic Steel Corp. is not only one of the American companies participating in the Labrador ore development but, in addition, is committed to an expenditure of about $160 million in the development of taconite-processing facilities in the Mesabi Range. This is further proof, if such confirmation be needed, that we in Minnesota can expect a high level of iron-ore output for many years to come which will not be affected by the import of foreign ores either from Labrador or elsewhere.

But, even if Labrador ore was a threat to Minnesota, I could not conscientiously oppose the seaway for this reason. I cannot accept such a narrow and sectional view of my responsibility as a Representative. The seaway is going to be built whether Canada does it alone or whether we decide to participate by passing S. 2150. It has been demonstrated to my complete satisfaction that military and economic reasons of compelling necessity require that the United States participate and that our national interest lies only in such direction. The Senate, by an overwhelming vote of 51 to 33, a vote which, I might point out, saw 25 Democrats join with 25 Republicans and 1 Independent, has already given its approval to this measure. Our Public Works Committee has favorably endorsed this bill by a vote of 23 to 6. Public opinion in this country is overwhelmingly in favor of the seaway—the Gallup poll taken 3 weeks ago showed that among all those voters who are familiar with this project—about 54 percent are familiar—there is a lopsided 11-to-1 margin in favor of United States participation.

All that remains for this great example of international cooperation to become a reality is favorable action by this body. I am confident that this approval will be forthcoming. Speaking as a Representative from Minnesota, and as a Democrat, but speaking primarily as an American who believes that our paramount national interest requires our participation, I wish to go on record now as supporting this legislation, and strongly urge all of my colleagues on both sides of the aisle to do likewise.

FALLACIOUS ARGUMENTS AGAINST SEAWAY

Mr. Chairman, the seaway project has received longer and more careful examination and expert study than any other public-works bill in the history of Congress. And, after long study as a member of the Public Works Committee, I have been unable to find a single valid argument against it. The advantages to be gained from its construction are so great that the opposition just hasn't a leg to stand on.

However, from the fertile brains of certain lobbying wizards have come certain oft-repeated but fallacious arguments against the seaway. These objections to the waterway can be easily exploded.

The opposition has made the claim that the 27-foot channel provided for in Senate bill 2150 is not deep enough to enable oceangoing ships to use it. But studies made by Government agencies show that at least 75 percent of the United States merchant marine can utilize the 27-foot channel.

Seaway opponents have made the claim that since the seaway will be blocked by ice 5 months of the year, it is therefore useless. To answer this argument one need only mention the fact that at the Soo Locks—where there is the same ice problem—more annual tonnage has passed than that through the Suez Canal and the Panama Canal combined. The MacArthur lock at the Soo alone handles some 57 million tons of traffic each year as compared to the 50 million annual cargo estimated for the seaway.

The opponents claim that the seaway is worthless in terms of national defense, inasmuch as its locks could be destroyed by a few blockbusters or one A-bomb. Let me point out that the same argument can be used against the Panama Canal, the Soo locks, any railroad terminal or atomic energy plant.

It has been alleged that the volume of traffic on the seaway will be so small that the project cannot be self-liquidating. The facts show otherwise. The Army engineers have estimated that total annual costs to both United States and Canada for operation, maintenance, and carrying charges on the bonds—at 3-percent interest—will be $14.6 millions.

To secure the minimum amount of revenue to make the project self-liquidating—50-year amortization—the seaway would have to handle only about 25 million tons of cargo a year at the estimated average toll of 60 cents per ton. The various estimates of probable annual cargo passing over the seaway range from 44.3 million tons per year—Canadian Department of Trade and Commerce, 1953—to 80 million tons. In other words, if the lowest estimate of probable annual cargo was overestimated by 40 percent, the seaway is still self-liquidating.

It has also been claimed that the seaway will divert such a large amount of traffic that certain eastern seaports will be injured. Probably the best argument of the fallacy of this type of argument is found in the speech of the junior Senator from Massachusetts, Mr. KENNEDY, given in the other body on January 14 in support of S. 2150. After analyzing the port traffic for Boston—which is one of the seaports the opposition claim will be hurt by the seaway—the Senator from Massachusetts pointed out that first, 75 percent of Boston's port traffic is coastwise, intraport and local; second, that practically all the remaining 25 percent of traffic was in the form of imports for New England consumption and manufacture, and certain exports, most of which would not be affected by the seaway. In summing up, the junior Senator from Massachusetts stated:

> I do not feel that the effect of the seaway upon the port of Boston will be of any lasting significance; and there are some who believe that in the long run traffic at the port will be stimulated.

It is clear, Mr. Speaker, that these opposition arguments voiced now and in the past will not stand the test of logical analysis. Instead, such arguments fall flat when we look at the facts.

Mr. Chairman, I strongly urge the House to pass S. 2150 in its present form in the interests of the Nation and the American people. The facts of the case speak for themselves. The overwhelming preponderance of the evidence establishes beyond doubt the necessity and feasibility of the St. Lawrence Seaway not only as an artery of commerce and trade, but also as an important defense installation. I appeal to my colleagues on both sides of the aisle to cast their vote for the seaway. By so doing, you will be voting for our economic welfare and the national security.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Chairman, the issue before us today is not whether or not the St. Lawrence Seaway will be built or completed. Our good and friendly neighbor Canada has already determined to build the seaway wholly in Canadian territory if we do not make it a joint project. If we do not join in partnership with our Canadian friends, the United States will lose control in operating or policy decisions affecting a major waterway to the sea which in part forms the international boundary. Since the Senate has already passed the bill, favorable action by the House is the last hurdle in the long race.

In my opinion the reasons for the Congress to give approval to joint participation in the seaway project are very compelling. In the first place, President Eisenhower, the National Security Council, the Joint Chiefs of Staff, and the Cabinet have unanimously endorsed it in the interest of national security. Our participation in the seaway would increase its defense advantages to the United States and would in time of emergency assure us of the full benefits of joint participation. Furthermore, permitting control by a foreign government, even a good friend like Canada, of an inland waterway forming an international boundary with the United States is certainly contrary to precedent and threatens our security.

Secondly, the deepening and improvement of the navigation channels will reduce transportation costs for both producers and consumers in the great inland industrial area of the Nation, and our participation will strengthen our strategic position for the transportation of basic material, as well as munitions. The seaway will provide economical and safe access to the large iron-ore deposits in Labrador and Quebec.

Thirdly, the seaway will be built without net cost to the taxpayers. The construction cost of not over $105 million for the United States will be spread over 5 to 6 years. The revenues from tolls will make the project self-liquidating in a period of 50 years or less, and thereafter substantial profits may accrue to the Federal Treasury. Moreover, this is not another United States handout or giveaway program, for our Canadian neighbors have already spent much more than we in developing the seaway and will now spend about $200 million more.

Although the power phase is not at issue in this legislation since our part is being handled by the State of New York, the seaway construction, to be done economically, must follow the development of the power project, or be built concurrently with it.

Finally, I wish to say that the seaway will be very beneficial to the people of my district, and I believe, to the Nation as a whole. I do not share the fears of many of my good friends that their industries and ports will be ruined or greatly harmed by the seaway. I am optimistic and confident about the future growth and development of our great country, and I believe that the seaway will contribute to such growth.

Mr. DONDERO. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. OAKMAN].

Mr. OAKMAN. Mr. Chairman, the matter under discussion today is of great importance to our great country. It has to do with an important system of transportation, the development of which was started 160 years ago. Our Government and the Dominion Government of Canada have given respectively to the New York State Power Authority and the Ontario Hydroelectric Commission the right to proceed to develop the power potential in the international rapids for power purposes. This will wipe out the existing transportation in the St. Lawrence Waterway. It will inundate a portion of the present system of canals and locks. We cannot stand by and see this happen. While it only has a 14-foot depth, it carries 10 millions of tons of important traffic every year.

At this very hour, the United States occupies the unenviable position of leadership in the free world. In Europe, a united army is being put together with our help, and under our tutelage, to help stem the bruising tide of communism. In Asia, free armies are fighting with our equipment and our technical guidance in this same cause. When it was deemed necessary, we sent our own troops into the battle in Korea. This very minute, the liberty-loving nations of the world, which have not been swallowed up by the oppressor, are looking to Geneva and the efforts of our statesmen to somehow solve the multitude of troubles that beset them.

We did not seek this responsibility, but there are few among us who do not willingly shoulder the burdens that result from it.

No, we certainly did not seek it. Rather, it was foisted upon us by circumstances over which we had absolutely no control.

But how, then, did this great Nation, still in its infancy, come into such an exalted position? Was it through provincialism, sectionalism, and petty bickering with our neighbors and friends throughout the world? We know it was not. In fact, we have become the hope of freedom-loving people everywhere for exactly the opposite reasons. The Governor General of Canada, Mr. Vincent Massey, who stood in our midst just yesterday, propounded that fact.

This Nation has become great because we have stood together, both at home and with our friends abroad when our principles were at stake. United action has developed our beloved land, a spirit that tells us what is beneficial to one of the parts is equally beneficial to the whole.

We are now faced with a piece of legislation—the St. Lawrence Seaway—which calls for a revival of that spirit.

With your indulgence, I would like to read a short statement I came across written by George A. Haberman, president of the Wisconsin Federation of Labor. Mr. Haberman says:

> But the listing of areas, or groups, that stand to benefit by the St. Lawrence seaway widening, risks a great error. For what builds and develops one area of a continent strengthens and benefits all sections of the continent.

Still quoting:

> Prosperity is not a pie of fixed dimensions to be cut in certain sized pieces and dished out. National prosperity is a living, growing thing to be thought of in terms of a multiplication, not a division, table. What stifles growth and causes blight anywhere, hurts the Nation. What opens communications and develops production anywhere strengthens the Nation, and every section in it.

We are able to maintain the independence we cherish so dearly only because we respect ourselves and we respect each other, one for all and all for

one. I believe this philosophy is nowhere more manifest than in the great midwestern section of this great country. Sectionalism is not a charge often, if ever, leveled against this great industrial heartland of the United States.

But maybe we have been wrong. Maybe we have been cutting off our noses to spite our faces. Is it possible that when a great city like Philadelphia, say, comes before us and requests some $90 million, as it is said they will for the deepening of their port, that we representatives of the millions of people who live in the midwest should say, "No, what do we care about Philadelphia?" Or, when those who are concerned about the Mississippi River going astray come to this Congress for help—for money which will never be returned from the project itself—should we say, "So what? Let New Orleans dry up." We have never taken so short-sighted an attitude as this and you members from other regions which require Federal aid in your great economic projects know it. We have adhered to the theory that good business in the ports of New Orleans and Philadelphia, and benefits for every other section, are good for us in the Midwest.

So often those who fear progress the most, discover in the end, that their fears were unfounded and that what they would retard is their own welfare. Why, unless my recollection of history is faulty, were not the very railroads who are fighting the development of the St. Lawrence seaway themselves the victims of myopic resistance? But did not they, with great help from the Federal Government play a vital role in making this country great? Did the minor dislocations or problems that resulted from the thousands of miles of railroad track laid across this Nation hurt the country? In the end, it was the Nation which benefited. And it seems to me that there were selfish interests which opposed the automobile, the product which has become the heart of our economy and the bulwark of our defenses. The Panama Canal was denounced, so was the purchase of the Louisiana Territory and Alaska. It is a well-known principle that every action has a reaction, and by this theory it is true that every progressive step which this country has traversed has had some effect of adversity. But, it is the very step ahead which makes the nation stronger and permits those immediately set back to become stronger with it in the ultimate result.

The step ahead we can take by joining our good neighbor Canada in building the waterway has many, many implications. You have heard them all. There are just two points I would like to touch on briefly, one affecting our economy and the other our national security.

First, the construction of the seaway will open up a completely protected inland water route which will provide cheap transportation to the vast steelmaking facilities of the northeastern and midwestern States of the rich new strikes of iron ore discovered in Labrador, which we need so urgently to replace the rapidly depleting sources of ore in Minnesota.

If this ore had to be moved by rail alone the inevitable result would be the relocation of the huge steel plants to points along the eastern and southern seaboards where they would have accessibility to not only the new ore from Labrador, but to that ore we are receiving from Venezuela. What greater victory could Russia achieve than to have our great steel plants abandoned only to be duplicated in other areas at a cost of billions of American dollars? Earlier I quoted the president of the Wisconsin Federation of Labor. I would like to read you his comments on this score, a viewpoint which is not unique with him, incidentally; he says:

> Two steel giants, in the driver's seat in the Venezuelan iron development, may see a chance to get a strangle hold on an entire industry by thus placing midwest plants at a competitive disadvantage, but most steel interests see the danger and have joined the ranks of seaway proponents to avert the junking of Midwest steel plants, the uprooting of steel worker families and a subsequent drift of steel using industries away from midwestern plants.

I need only remind this House that leading officials of many of our large steel corporations supported this contention in testimony before the Public Works Committee when it was considering this important legislation.

From the defense angle, we have the words of President Eisenhower, as great a military mind as this Nation has ever seen, that the seaway is essential.

One of the reasons for this is the susceptibility of our present iron ore operations to disruption by submarine warfare. In World War II—from December 7, 1941, to August 14, 1945—we lost 676 merchant vessels.

Think of it. Nearly 700 merchant ships and over 4 million tons of vital cargo capacity lost.

Our military men inform us that Russia presently has more than 300 long-range submarines capable of carrying on warfare against our merchant fleet right in our own waters.

Last January Adm. Arthur Radford, Chairman of the Joint Chiefs of Staff, wrote Senator FERGUSON, of Michigan, a letter in which he warned of the danger of possible submarine attack. Admiral Radford said that a protected route to bring high-grade iron ore to Great Lakes steel mills is considered a necessity because of this threat. Speaking for the Joint Chiefs, he said in that letter—these are his exact words:

> This is more clearly illustrated by the fact that Germany entered World War II with a total of only about 50 submarines, and at the present time Russia possesses over 300 submarines.
>
> In view of the potential threat of the Russian submarine it would be an unacceptable military risk to rely solely on our ability to safely supply our tremendous steel mills with iron ore from Venezuela.

Admiral Radford went on to say that it is inconceivable that this country would refuse to share in the St. Lawrence Seaway. Equal control of the Seaway, he said, is as important to the United States as is the construction of the project.

He said:

> Although the Joint Chiefs of Staff can hardly conceive of a war in which we would be involved with Canada remaining neutral, from a national security viewpoint, we cannot ignore the possibility of such an eventuality.
>
> Since it is not customary for neutral nations to permit the use of their inland waters to belligerents, its use could possibly be denied to us at the very time we needed it most by a failure on our part to participate jointly with Canada in the construction of the waterway, thereby insuring joint control to the United States.
>
> The concept of unilateral control by a foreign government, however cordial our relations may be, of an inland waterway touching the borders of the United States is inconceivable to the Joint Chiefs of Staff from a defense standpoint.

Admiral Radford concluded by saying that plans for defending the United States against air attack or any other form of aggression are closely intertwined with Canadian strategy. These plans, he said, are heavily dependent upon cooperation between our two nations.

Now, the truth of the matter is that development of the St. Lawrence River no longer depends upon our cooperation. Canada has given sufficient evidence that she is prepared to forge ahead without us. She needs the seaway, as we do, and she is willing to act.

Never in the history of civilization has one nation voluntarily relinquished its voice in a vital boundary water, but that is precisely what we will do if we defeat this legislation, either outright or by attaching amendments which would effectively scuttle it. As it now stands, this country is already a 95-percent partner with Canada in the St. Lawrence Seaway system. There remains only the 5 percent involved in widening and deepening the river itself.

I am convinced that we will and must have the seaway. The battle for the seaway has been won. Canada made this decision in December 1951. The question then is, Will we have a voice in it?

I would not ask you to support this project if I considered for a single moment that it would in its effect undermine any great facet of our economy. The arguments on this score are worn thin, but experience, which is the only true measure, is all on our side. I ask you to consider this legislation as you would any other which is in the interests of the whole country, in the spirit of greatness which always characterizes Americans when the chips are down, the outstanding quality that has catapulted us into world leadership.

Let me conclude by telling you what George Washington, whose wisdom we know was far beyond that of the average man, said after a visit to the Midwest. Our first President put it in these words:

> I could not help taking a more contemplative and extensive view of the vast inland navigation of these United States, and could not but be struck with the immense diffusion and importance of it.

Then Mr. Washington added these words to which I hope you will give serious thought:

> Would to God we may have wisdom enough to improve them.

At the same time, Mr. Chairman, the opponents of this great continental im-

provement cannot find a President, from Washington to Eisenhower, who has ever opposed it.

Mr. FALLON. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, I first became acquainted with this project in 1951 at the hearings before our committee, when both the national and the international aspects of the matter were presented in great detail; how the proposed seaway will effect our national economy; how it will affect our national defense; our relations with our neighbor to the north, Canada; and in a broader sense, our relations with the rest of the world.

Many grave statements have been made about the bad effect from an economic sense upon other sections of the country if this project is completed. They are the same type of statements that were made in years past, when it was first suggested that we build the Panama Canal; that we build a transcontinental railroad or a transcontinental highway; when we developed water commerce on the Mississippi and Ohio Rivers; when it was proposed that we develop the harbors of our great seaboard cities. This American economy is not a pie which we can divide in such a way that if one man's share gets larger the other man will naturally have to get some more. This economy of ours has to continue to expand and develop. If all sections of our country are to continue to get a larger share, if all of us are to continue to enjoy a better standard of living, if the American way is to provide a better life for all of us, we must do everything we can to develop all of the economic potential of our country, without regard to sectionalism, without any regard to whether this will help somebody a little more than it will help me.

The St. Lawrence Seaway project will, of course, be of great benefit to the States which border upon the Great Lakes, but it will be of greater benefit to this Nation of ours as a whole.

I hope that the House of Representatives tomorrow, when it takes final action on this measure, will give its overwhelming and enthusiastic endorsement, which will show to the country and the rest of the world that we are attempting to act on this project without any spirit of sectionalism, and that that spirit will carry over into the future so that other projects of this same type will be met with the same attitude.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. FALLON. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, as other speakers have already stressed, the construction of a seaway is inevitable because Canada will proceed to build the seaway alone, if we do not pass S. 2150. The sole issue is, therefore, whether the national interest requires that we join with Canada in the construction, ownership and control of a great international waterway. Those of us who agree with the position taken by every national administration for more than 30 years, are convinced that our national interest, for reason of our national security as well as important economic reasons, compels our participation in this project with Canada. I propose to discuss a phase of the economic justification for our participation. I refer to the commerce which this waterway will attract, and the revenues which such commerce can be depended upon to produce. These are important matters and go far to explain Canada's eagerness to proceed with the project, even though she has to go it alone.

Mr. Chairman, what is the annual volume of commerce and type of commerce which the seaway can be expected to carry? First, let us consider the matter of volume. The existing 14-foot waterway on the Canadian side, which is to be abandoned on completion of the seaway, presently handles 10 millions a year. The Labrador iron ore movement, which will commence within the next year, is expected to reach 20 million tons in the relatively short-term future. Therefore, we have at the outset a volume of at least 30 million tons a year definitely available as a base for making a prediction concerning the total volume of commerce which the seaway will transport. Now several estimates on total volume have been made in recent years by public as well as private groups. I will confine myself to those made by the two official agencies of Canada and the United States, that is, the Canadian Department of Trade and Commerce and the United States Department of Commerce. What have these official governmental agencies reported regarding the total volume of commerce which the seaway can be expected to transport?

First. The United States Department of Commerce, in February 1952, estimated the annual volume of traffic at 64.5 to 83.5 million tons.

Second. The Canadian Department of Trade and Commerce in 1953 arrived at an estimate of 44.5 million tons. This was done on a commodity by commodity basis and has so convinced the Canadian Government of the economic soundness of the project that it is willing to undertake the whole project alone, if necessary.

Third. The United States Department of Commerce in May 1953, and bear in mind that it was now under Republican control, has estimated the tonnage at 50 million a year. In arriving at this figure, it started with 30 million base figure above referred to, and applying a progressive growth factor, concluded that the traffic would reach 51.75 millions at 15 years, 62 millions at 25 years, and 86.75 millions at 50 years. It then imposed the ceiling figure of 50 million tons a year because of the limitations of the Welland Canal.

The most recent estimates of those official bodies which are in the best position to form a reasoned judgment about this important matter, therefore, indicate a level of tonnage ranging between 40 and 50 millions of tons per year. These figures are not speculative or imagined. They are the conservative estimates of public officials who must set the policy and make the decisions as to whether or not their countries should make the investment required. In the case of Canada, a country far smaller than we are in industrial capacity and resources, the estimate of 44.5 million deserves our special attention, because Canada is willing to do the entire job by itself.

Mr. Chairman, let us next consider the type of commerce which the seaway can be expected to carry. These commodities consist of raw materials and bulk cargoes for the most part, but finished manufactured goods are also to be included. Using the Canadian report as a guide, the following is a list of the commodities which will be carried up and down the seaway, with the estimated tonnage of each:

	Short tons (thousands)
Downbound:	
Wheat	6,000
Other grain	2,200
Flour and mill products	2,200
Iron and steel	1,586
Soft coal	3,000
Coke	200
Petroleum and products	50
Autos and parts	790
Fertilizer	75
All other	2,000
Total down	18,101
Upbound:	
Iron ore	20,000
Paper	850
Woodpulp	300
Pulpwood	865
Lumber	375
Hard coal	500
Soft coal	500
Petroleum and products	1,041
All other	2,000
Total up	26,431
Grand total	44,532

To summarize, the Canadian Government and our own Government have made official estimates of the volume and type of commerce to be carried by the seaway. The estimates were made independently of one another and involve different methods. Yet the conclusions reached are substantially the same. They both indicate a potential of 40 to 50 million tons per year.

Finally, Mr. Chairman, what revenues may this volume of commerce be expected to produce? This, of course, depends on the tolls which are charged. Representatives of both Governments have consistently accepted the reasonableness of a level of tolls ranging from 50 cents to $1.25 per ton, with the weighted average approximately 60 cents. Woodpulp, pulpwood, and general cargo would be charged $1.25, whereas the rest of the commodities, including grain, coal, iron ore, and petroleum, would pay 50 cents. Applying the weighted average of 60 cents per ton to the Canadian estimate of 44.5 million tons, it is easy to see that $26.7 million in annual revenues will be raised by tolls. From this figure of $26.7 million in revenues must come the costs of operation and maintenance, and the carrying charges on the bonds over a 50-year period. These total annual costs, based upon total construction costs to both countries of $286 million, will be $14.6 million, if the bonds

bear 3 percent interest, and $16.8 million, if the bonds bear 3½ percent interest. Using the higher of these two figures as the total annual costs which must be paid out of revenues, there is an indicated operating ratio of 1.59 to 1, or $1.59 in potential revenues for every $1 in operating costs and carrying charges. These figures vividly demonstrate the conviction of both Governments that the seaway is not only economically justifed but will pay for itself.

Mr. Chairman, in completing these remarks within the few minutes allotted to me, I should emphasize and stress, with all the vigor at my command, that even if the seaway had little or no economic justifications, our participation is compelled because of reasons of the highest national policy. As other speakers have pointed out, our national defense requires that the United States join with Canada. Our highest military leaders, who are in the best position to speak on this subject, support this position. In a world where the forces of freedom are engaged in a death struggle with the forces of Red communism, can we take the risk and refuse to adopt any measure which will add to our national security and our capacity to defend ourselves? The issue which confronts us cannot be stated more plainly. Mr. Chairman, it seems to me that we have but one course, and that is to make this great undertaking a reality by prompt passage of Senate bill 2150.

May I also say here, Mr. Chairman, that I would like to pay special tribute to a distinguished and beloved colleague, the gentleman from Michigan [Mr. DINGELL], who has for many years fought steadfastly and unrelentingly for the accomplishment of the St. Lawrence Waterway. He has been the author of legislation which would have enabled its construction many years ago. I regret that he is unable to be with us today to assist in the debate which is now going on here, and I am sure that if he were here he would give a most convincing and stirring argument for the passage of the bill.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from New York.

Mr. DONOVAN. Of this 50 million tons a year, which I adopt as a compromise between the Canadian and United States figures, what part would be foreign commerce as distinguished from inter-American commerce?

Mr. MACHROWICZ. Very little would be foreign commerce.

Mr. DONOVAN. Can the gentleman come a little closer?

Mr. MACHROWICZ. The chairman has those figures. I do not have the figures available.

Mr. DONOVAN. Has anybody looked into that?

Mr. MACHROWICZ. Yes. The figures are available.

Mr. DONOVAN. Who has the figures?

Mr. MACHROWICZ. I will present them in a few minutes.

Mr. DONOVAN. Will the gentleman suggest somebody on the committee who has the figures?

Mr. MACHROWICZ. I will be glad to produce them for the gentleman in a few minutes.

Mr. DONDERO. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. NEAL], a member of the committee.

Mr. NEAL. Mr. Chairman, I must oppose this bill. My congressional district lies in the heart of an area whose economic welfare depends primarily upon the production, processing, marketing, and distribution of coal. Southern West Virginia and eastern Kentucky produce the finest multipurpose coals to be found anywhere in the world, and in quantities still undeveloped which would meet normal requirements for many generations. Millions of dollars are invested in facilities, both at the source and along rail and river transportation lanes. Railroads serving these mines depend largely upon coal cargo for their existence. In addition, rail-water transportation on the Ohio River and its tributaries has reached an alltime high far greater than the proponents of canalization had ever dreamed.

The enormous investments in mining and transportation facilities, made necessary by demands for coal, a commodity so essential to industry and so satisfactorily delivered when needed for our national defense, are already suffering dangerous depreciation from a number of causes. Chief among these is the increasing competition from imported residual fuel oil.

It is apparent that the creation of a deeper draft channel in the St. Lawrence system would permit cheap coals, from whatever source, together with imported fuel oils, to further compete with our all-year-round peacetime coal market. Without this market the incentive to preserve the investment and potential production of these coal fields would be lost. In the long run, it would destroy this great chain of investments with all its economic contributions. One needs only to look at the plight of unemployed miners and employees of allied agencies to grasp the seriousness of further competition to the coal industry.

While other factors have contributed to the decreasing demands for coal, we cannot overlook the significance of annual imports of fuel oil, which, at this time, are replacing the use of coal to the extent of 32 million tons each year. This has resulted not only in serious unemployment, with its attendent cost to State and Federal Governments, but, what is more serious, large numbers of active producing mines are being compelled to seal and abandon facilities that may never again be reactivated for obvious reasons.

An important industry, located in the heart of the Nation, is being threatened at a period when world conditions may at any time require full mobilization of all our resources. For this reason, the preservation of these facilities for ready production in event of national emergency, certainly, is of vital importance to every part of the Nation. Without markets, production facilities cannot be maintained.

As a result of the abundance and availability of high grade coal and a network of transportation facilities, the Ohio Valley has grown to be one of the most highly developed industrial areas of the world. By and large, these industries, and the citizens depending upon them for their material welfare, are united in their opposition to the St. Lawrence Seaway.

In view of all the evidence developed during the extensive hearings held by our committee last year, I find myself wondering why the representatives of the Great Lakes region are so anxious to see this project initiated. If this waterway envisioned ultimate deepening of the lake channels and port facilities to accommodate modern oceangoing vessels, I could understand why they would be enthusiastic in its support. But such a dream is not economically feasible. Evidence at the hearings indicated that the greatest possible depth to be hoped for would be 27 feet, and that, only after years of effort and incalculable expense to the Federal Government, to the cities bordering the lakes, and to the owners of shipping craft, who would be forced to replace existing carriers with vessels of different design and deeper draft. The trends in construction of ocean going ships require depths of 32 to 35 feet. These ships could never proceed inland beyond Montreal, where transfer of incoming and outgoing cargo would still have to be made at considerable cost. As is the case now with 14-foot vessels, only the lighter 27-foot draft vessels could navigate the upper St. Lawrence and the Great Lakes. Also, unless existing foreign trade policies are radically changed, business interests of the lake ports would face disastrous competition from cheap foreign labor products dumped in their laps by low-cost operated foreign ships. Even the reduced freight, promised to the farmers of the Great Lakes area, can be only partially realized, since the bulk of grain shipped from the Northwest to ocean ports would have to be transferred to oceangoing vessels at some point on deep water.

No industrial section of the country has contributed more to the civilian economy, nor, I doubt, to the defense of the Nation, than have the communities along the lakes from Buffalo to Duluth. This has been possible because of an unlimited supply of multipurpose coals originating in the Ohio Valley delivered to their yards by an efficient system of transportation. These fuel needs are available throughout the year, and in turn, this market helps to sustain a profitable coal industry. Fuel oil is a byproduct from crude refineries and represents a fringe profit. Its principal source is overseas. Importers set its price just low enough to tempt users of coal to convert. Once this is accomplished and coal producers are out of business, who can deny that cartels will make the most of their advantages? Besides, without enormous storage capacities, the industries of this region will not be able to depend on an adequate supply of fuel during the winter months, to say nothing of the possibility that one hydrogen bomb dropped in a vital spot could completely cut off their fuel supply. This Great Lakes industrial

empire cannot survive without adequate year-round fuel.

Representatives of this area might well reassess their immediate enthusiasm in the light of its long-term significance. This area can never enjoy the advantages of locally produced hydropower. Their power needs come from steam, and as the power demand grows, so will the quantity of coal to produce it increase. This important area of industrial potential and the coal-producing areas of the Ohio Valley are mutually interdependent. Let both communities think well before parting company.

Preservation of the Ohio Valley coal potential and its allied transportation system, assuring dependable deliveries to Great Lakes industrial facilities, is the best guaranty that the lake States will continue to enjoy their present superior advantages over many less fortunate parts of the country.

But aside from purely local self-interests, coal is basic to the economy of this Nation. The stability of the enormous investments to make possible its utilization cannot long endure against further competition. Without coal, of what use is iron ore?

It is apparent that authorizing expenditures of public funds which would create additional hardship on coal and rails, both fighting for their very existence, would not be in the general interest and therefore unjustified.

Passage of S. 2150 means another step toward Government ownership, a trend most Americans reject. If for no other reason, this House should defeat the bill.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Chairman, viewing this seaway from a national angle, it does not make sense to me that a nation, with 7,000 miles of coastline, many of whose ports are already feeling keenly the competition of foreign shipping, and which is facing a debt very close to $275 billion, would undertake this additional expense, to create artificial seaports, which would further harm the existing ports on its coastline.

We have been told the seaway will not cost the taxpayers a cent, that the $105 million, which covers only purely navigational works, will be repaid from the toll charges, which are expected to liquidate the bonds in 50 years. How that statement can be arrived at I cannot understand, since there is no way of estimating the amount of revenue to be produced by toll charges, and a toll rate has not even been considered.

Furthermore, there are many hidden costs involved. The bill calls for a 27-foot channel. Not a single lake port at present is dredged to 27 feet, and it can certainly be expected that when such a channel is completed, every port in the Great Lakes area will be requesting funds from the Government to deepen its harbors.

Maritime Commission figures show that far less than 10 percent of the privately owned American flag-carrying vessels have drafts of less than 27 feet. Such ships could not get through the first lock. Thus, only about 2 percent could operate with full utilization of capacity load.

This would soon lead to the request for additional funds for the deepening of the channel, and a subsequent deepening of the Great Lakes ports.

Also, there has never been a canal built for anything like the estimated cost. The Welland Canal was supposed to cost $40 million—it cost $120 million. The Panama Canal cost twice what it was supposed to. And in any case, it will never pay for itself.

The seaway has also been recommended as a protected inland route for the transportation of much-needed ores. In his letter to Senator FERGUSON, Admiral Radford, Chairman of the Joint Chiefs of Staff, stated that it would afford a relatively protected route. I think the word "relatively" needs to be emphasized, since the facts are, that during 1942, the first year of World War II, there were 13 enemy sinkings, that is, the sinking of our ships by the enemy, in this so-called sheltered route, right in the neighborhood where the iron ore is to be loaded in the St. Lawrence River.

Furthermore, the construction calls for several dozen locks, all of which would be vulnerable targets for a bombing mission, or sabotage, and the disabling of any of the locks would shut down much of the seaway for an indefinite period.

There is also the question of what problems might arise from apportioning the defense of the project, between the United States and Canada.

Another argument for the seaway has been that, should capacity of space of the seaway become a critical factor, then Canada would have control over priorities on the seaway use and various ships and cargoes, in wartime, as well as in peacetime.

This argument can easily be refuted, as Canada, in any event, will have this control for 1,100 miles, before the International Rapids are reached. No tonnage will originate in the Rapids section, which we would build, and, presumably, control. And downbound traffic from the Lakes would be subjected to Canada's ownership of the Welland Canal. So from either direction, the ships would pass through the Canadian-owned projects before reaching the relatively small link which we would build and finance.

One of the latest developments in this matter, and one which would be highly amusing, if it were not a matter of concern to the pocketbooks of the taxpayers, is the fact that even before the construction of the seaway, there are suggestions being made to limit its use to certain vessels.

For years, the Great Lakes people have agitated for this project, which they claimed would be a great boon to the so-called heartland of America, which would be opened up to oceangoing vessels from all the seven seas. Now they are beginning to realize some of the ill-effects the seaway would create, and are getting ready to impose restrictions on shipping in the Great Lakes, and ask for subsidies if they get the St. Lawrence Waterway.

The Lake Carriers Association is asking for a pact between the United States and Canada, to prohibit all except American and Canadian vessels from using the waterway, except for oceangoing trade.

The idea is based on reasons of both security and economics.

European ship operators recognize the Lake trade as a good thing. From one ship which entered the Lakes in 1945, the foreign fleet jumped to 144 at the close of the past navigation season. More and more, these European vessels have been hustling up loads to carry as they return homeward. For instance, they pick up grain at Superior and dump it off at Montreal.

The Lake Carriers Association fears this competition. Their fears are based on the fact that the European ships are much cheaper to build and operate. In addition, European shippers profit by avoiding certain taxes our operators must pay.

Should European ships drive some Americans out of business, it would endanger the Great Lakes fleet in event of war, when it would be needed to move vital cargoes over the Great Lakes. In times of war, European shipping is immediately pulled off the lakes and returned for service at home, and a depleted Great Lakes fleet, would find it difficult, if not impossible, to meet the demands of the Great Lakes shipping.

The United States, of course, does not permit foreign vessels to engage in coastwise traffic. But in the case of the Great Lakes traffic, it is suggested that two countries get together, to confine commerce between them, to their own vessels.

It seems to me there is little likelihood that Canada would consent to any such agreement, in view of the fact that it would exclude vessels of the British Commonwealth.

According to reports in the Canadian newspapers, Canada prefers to build the seaway without United States help, and has proceeded with plans to build it entirely within Canada. Just recently the Canadian Minister of Transport stated that while they are committed to consider any firm proposal for United States participation, should the United States approve joint participation now, construction would be delayed. Canadian authorities believe that with an all-Canadian seaway, there would be less redtape, greater speed, and more satisfactory administration of maintenance and toll collection under a single authority.

Since they prefer to build it alone, are in a better financial position to do so, and would derive the greatest benefits from it, why not let them do it?

Representatives from seaboard States have been accused of being selfish in their objections to the seaway. Perhaps we are, I believe, rightly so, especially as far as Maryland, and the port of Baltimore are concerned.

After all, Baltimore is largely a port developed under the free-enterprise system. Our oceangoing facilities are almost entirely owned and controlled by private business. Therefore, it is an

honest protest of businessmen, opposing a Government project that threatens serious damage to their taxpaying, employment creating private enterprises.

And the labor organizations are opposed to it, because of the serious unemployment situation it would create during approximately two-thirds of the year.

And if there is any motive more selfish than a proposal to tax the whole country for the construction of a seaway of limited benefit, to a limited area, then I do not know what it is.

It is conservatively estimated that 40,000 citizens of Baltimore are directly employed in port activities and allied industries. Approximately $1 billion of Baltimore's annual income is derived from the port.

The investment in piers, wharves, channels, storage facilities and other necessary equipment for the operation of a modern seaport, is estimated at more than $350 million, and millions more are being spent annually in new construction.

The port and its activities are, without a doubt, the greatest single economic asset of the State of Maryland. With approximately one-half of the population of the State living in Baltimore and surrounding areas, the effects of the port's commerce is felt throughout the State.

Weather studies have definitely established that the seaway would be usable only about 7 months out of each year. Naturally, the transportation of materials to the points where they are needed would be necessary during the 5 months the seaway could not be used, and it could be expected that during those 5 months, Baltimore would receive her share of the shipping business.

This would mean that all of our facilities, piers, cranes, labor force, and so forth, would have to be maintained at a high level, to meet the needs of commerce during the winter months, and there would be a sharp drop in our shipping tonnage during the remaining 7 months.

This spotty type of employment of our facilities and labor, is certainly not desirable, and would greatly affect our economy.

This same situation, of course, applies to all of the seaports on the east coast—Boston, New York, Philadelphia, and so forth.

Under the circumstances, there are many excellent reasons for opposing the construction of a portion of the seaway by the United States, and few, if any valid reasons for supporting it. Therefore, I strongly urge the Members of the House to vote against the passage of S. 2150.

Mr. DONDERO. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. RADWAN].

Mr. RADWAN. Mr. Chairman, the people of Buffalo have in the past been traditionally opposed to the seaway, and perhaps on justifiable grounds. However, we in Buffalo are not naive. We recognize the fact that the question before this Congress at the present time is whether or not the United States shall participate in the building of the seaway. I submitted that question to the voters in my particular Congressional district, and they have come up with a 3 to 1 affirmative answer. So at this time, abiding by the wishes of the people of my district, I want to state I am going to support President Eisenhower in his request for the passage of this particular legislation.

Mr. DONDERO. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. STAUFFER], a member of our committee.

Mr. STAUFFER. Mr. Chairman, I appear before you today in opposition to this legislation. In the few minutes allotted to me in this debate, I wish to discuss some of the economic aspects of this legislation.

We have heard much about the defensive nature of this project—that it is necessary in times of great national emergency to provide an inland waterway from the iron mines of Labrador to the great steel mills of the Midwest.

We have heard the cost minimized to such an extent that we almost visualize a small canal with river barges plying its waters propelled by mules.

But this is not a small canal handling local traffic only. It is a deep-water channel from the Atlantic Ocean to the shores of the Great Lakes whose coastline within the borders of the United States exceeds by nearly 1,000 miles the coastline from Maine to Florida and from Florida to Texas.

It will open up the ports of this area to oceangoing traffic in competition with the great seaports on the Atlantic Coast and the Gulf of Mexico.

Now the whole economy of the East and the South has been built up around these seaports.

Sisal, jute, and hemp from the Far East are imported through these ports to supply the local cordage industries. They in turn ship their products by rail and truck to interior points.

Cork from southern Europe comes through these ports to supply the great linoleum companies in Pennsylvania and New Jersey with this important raw material.

Cargo after cargo of raw sugar from the West Indies are docked right at the door of the great sugar refineries in Philadelphia and Baltimore where it is refined and distributed over a wide area. This industry has contributed much to the economy of these cities.

The great fertilizer industry of the East and South import potash and other raw material through these ports.

Manganese, chrome, ferroalloys are imported in large quantities for the eastern steel mills and for shipment by rail to the mills in the Pittsburgh and Great Lakes areas.

Mr. Chairman, I wonder if the proponents of this legislation from the Great Lakes area realize the terrific impact the St. Lawrence Seaway will have on many of the local industries of that area.

I wonder if the great cement industry of Michigan, Illinois, Indiana, and Ohio realizes that foreign cement from Europe can be delivered at their own lake ports at a lower cost than the present market price of their product.

This is no idle threat for in times past foreign cement has been a serious threat to the cement industry in the South and East in the areas around their seaports.

I wonder if the beet sugar industry of Michigan realizes that raw sugar and molasses and even refined sugar from the West Indies can be laid down at lake ports at only slightly higher cost than at our east coast ports.

I wonder if the great coal industry of Ohio, Indiana, and Illinois realizes that residual oil will be dumped at their ports in competition with coal in their already dwindling markets.

I have only mentioned a few of the industries adversely affected by this legislation.

Wool from Europe and Australia, wallpaper from Europe, gypsum from Canada, glass from Europe, beef and pork products from Europe and South America, all are threats to the industrial and agricultural industries of the Midwest.

Mr. Chairman, my plea today to this Committee is that this bill be defeated and that a thorough study be made of the effect of a deep-water channel to the Great Lakes not only on the economy of the East and South but that of the Great Lakes area itself.

Mr. FALLON. Mr. Chairman, I yield 11 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, a great number of my colleagues in the House are at a loss to understand how a proposal that has been kicked around the Halls of Congress for the past 40 years has so suddenly acquired such unusual qualities as to become an obsession with a few special groups and of those in the Congress who do their bidding.

Why is the Congress being asked today to approve a project that cannot be justified economically today any more than it could be justified economically in the past?

Why is the Congress and the Nation at large being asked to approve this project on the ground that it is necessary as a matter of national defense, when it is a matter of public knowledge that it will, if approved, put a select group of steel companies owning Labrador ore deposits on a better competitive basis with ore from the Mesabi Range by having the Government subsidize the cost of constructing transportation facilities?

As proof of the statement I make as to who will benefit, let me read into the RECORD the list of contributors to the St. Lawrence Seaway lobby group for the first quarter of 1954:

Bohn Aluminum Co., Detroit, Mich.	$500.00
Ex-Cell-O Corp., Detroit, Mich.	500.00
City of Detroit, Mich.	15,000.00
County of Wayne, Mich.	10,000.00
J. L. Hudson Co., Detroit, Mich.	2,000.00
Burroughs Co., Detroit, Mich.	1,000.00
Youngstown Sheet & Tube	2,157.50
Republic Steel, Cleveland, Ohio	5,393.75
Wheeling Steel Co.	1,726.00
National Steel Co., Pittsburgh, Pa.	4,315.00
	500.00
	500.00
City of Milwaukee	2,761.30

County of Milwaukee	$4,620.77
Wheeling Steel Corp	1,600.00
The Hanna Co., Cleveland, Ohio	5,400.00
Republic Steel Corp	5,000.00
State of Wisconsin	5,047.82
Do	4,947.96
Armco Steel Co., Middleton, Ohio	2,000.00
City of Milwaukee	3,693.61
Total	78,663.71

These contributions total over $78,000. When you add the $45,000 in contributions for the last quarter of 1953, you have a total of $123,600 for a 6-month period and this does not include gifts, of less than $500. My thought is it might be well to build the seaway with contributions from those who are to be the beneficiaries.

Truly, Mr. Chairman, this is "bargain day" in the House of Representatives. Members will be told what a big bargain is offered. For only $105 million, we will buy equal rights in a vast seaway. For a mere $105 million, we will bolster national defense, promote commerce, foster peace, and acquire other miracles as fast as the seaway publicity boys can think them up.

True, the seaway will be frozen up—a regular glacier—5 months of the year. But no doubt the seaway lobby will come up with a scheme to cut the ice into cubes, sell it, and tell us that it will make the project self-liquidating.

The trouble is, Congress will not be told that this $105 million in the seaway bill is the gimmick to sell a $2 billion project with one easy downpayment.

The joint of the $105 million bargain is to get Uncle Sam to sign on the dotted line. Once he has signed, he will be like the chap who finds he has signed up to buy a property he does not need and cannot afford—because there was no downpayment. From that moment on, costs pile up. So with the seaway.

It would soon be obvious that the 27-foot channel in the present bill is almost worthless since so few ships could use it. To dig the channel to 35 feet would up the price to $2 billion for the United States share alone.

Next would come the cost of deepening all the Great Lakes ports and harbors. That would run into big money.

Nor would that be all. Where does anyone think all the votes came from to put the seaway bill through the Senate?

It was after $3 million was reported for a study of the New Deal-Passamaquoddy boondoggle that Maine's votes switched to support the seaway. Western votes were not so cheap. Only after a start was promised on a $597 million upper Colorado reclamation project did votes from that section fall into line. Time alone will tell what may have been promised to other Members of Congress.

But the taxpayer will pay for those votes and that logrolling. So, in simple honesty, those costs must be added to the seaway—and when they are, the $105 million will look like petty cash.

Finally, there will be the cost—beyond calculation—of the harm to commerce, employment, wages, and general prosperity which this artificial project will mean to the natural harbors and ports of America.

Bargain day on the St. Lawrence? How naive can you get?

It is the effect the building of the seaway will have on the economy of other sections of our Nation that should concern us most. It is generally agreed that the seaway will benefit the Great Lakes section. Let us see what it will do to the economy of our major eastern and gulf port seaport cities, such as Boston, New York, Philadelphia, Baltimore, Norfolk, Charleston, Mobile, and New Orleans.

Let us see what it will do to our established rail-transportation system. Is the Congress ready to face the problems of providing Government subsidies to our railroads? In view of the possibility that we will have to fight another world war, it is essential that our major transportation facilities be kept at the peak of readiness and not depreciated as is sure to happen if the seaway is approved.

Let us see what the seaway means to our already crippled merchant marine. Less than 2 percent of American-owned tonnage can use the seaway. What you propose to do is build a seaway to benefit tramp ships of foreign registry. Every one of the 10 million tons that cleared through the existing Welland Canal last year was carried in this type of foreign-owned ships.

Let us see what this seaway will do to other existing and basic industries that go to make up our economy. There is no way, Mr. Chairman, that we can separate the ill effects of building this project from the already harmful effects of our reciprocal trade policy. What you propose to do will open up vast new areas of our Nation to increasing competition from abroad of products produced under low wages and lower cost of raw materials.

The best example of this is the coal industry. Coal is king in West Virginia. We are the Nation's largest producer of soft coal. Already we have lost 38 million tons of our production to the inroads of residual fuel oil being dumped into this country under the terms of the new trade agreement with Venezuela. Well over a half-million barrels of this oil enters the United States daily. This is 35 percent of all of this type of fuel consumed in this country in 1953.

Today the Great Lakes are landlocked. More than 60 percent of my State's production goes into the lakes trade. Build this seaway and let the oil tankers that have already taken our export and eastern seaboard markets into the lakes and we will lose what is left of our markets. This will double the 51,000 miners already idle in West Virginia. It will destroy our basic industry. There will be no profits from the operators, no jobs for our workers, and no tax base from which to raise State and local taxes. This can mean only starvation, want, and misery to a people who deserve more generous consideration by the Congress.

Four major coal hauling railroads cross West Virginia. Today, thousands of their employees are furloughed because there is no coal to haul. I refer to the Baltimore & Ohio, the Chesapeake & Ohio, the Norfolk & Western, and the Virginian-New York Central. Let us take the case of the Baltimore & Ohio. Seventy percent of its revenue comes from coal shipments. Today, over 10,000 of its workers are idle. It is bonded to the limit and owes the Government $80 million borrowed from the RFC. Will it be Government ownership or free enterprise? Will it be Government subsidies or rusty rails, rotted ties, and depreciation to a point that the railroad will be a liability instead of an asset in time of war?

What I say of the B. & O. can be said of other railroads, whose financial stability will be endangered and their employees thrown into idleness. Canada is not asking us to make a sacrifice of such magnitude. Only the greedy special interest groups are demanding it. What will your answer be, ladies and gentlemen of the Congress?

Before the vote comes tomorrow, and it will come, I ask you to ponder these added reasons, which time will not permit me to detail. They are—

The cost of the proposed St. Lawrence Waterway will be added to the United States national debt, now near the legal ceiling.

Canada is well able to go it alone on the project; the Canadian dollar is higher in the international fiscal market than the United States dollar.

Canada has finished another fiscal year with a comfortable surplus; the United States deficit will approach $5 billion, it is reliably estimated.

More than $3 billion American tax-free dollars are invested in Canada; this is a good reason for Canada to shoulder the costs.

This is the first time in American history that a project has been proposed to economically improve one section of the country by punishing another.

Eastern and gulf ports would be robbed of the greater part of the traffic that would go over the waterway; sectional economies in the United States would be ruined; 400,000 eastern and gulf port workers and employees of related industries would be adversely affected; billions of dollars of investments jeopardized—that is, if the proponents accomplish their goal.

The United States Army engineers have never made a report on the economic feasibility of the project.

All future dealings relative to the operation of the waterway are left to hazard; the whole proposal is shot through with loopholes; a multitude of loose ends are not tied up; definite areas of understanding on many particulars should be arrived at before the Wiley-Dondero bill is passed. There is no sort of understanding with Canada, oral or written.

Once more, I plead with you. What will your answer be?

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman—

Whether the unsophisticated citizen bases his judgment on no more evidence than a map of North America, or whether he carefully studies the volumes of testimony for or against, he can scarcely escape the conclusion that the St. Lawrence Seaway and power project should be built because it is inevitable, and essentially right.

The truth of this statement, which appeared in an article in the December 1950 issue of Fortune magazine, should be self-evident to anyone who approaches the question objectively and does not allow himself to be taken in by the somewhat specious arguments which have been raised against the proposal.

Assuming, however, that such arguments may have had some degree of validity in the past the undeniable fact remains that they are no longer tenable. For the hydroelectric project will be undertaken jointly by the State of New York and the province of Ontario and the seaway will be constructed either by Canada alone or in partnership with the United States. The question then is not whether the seaway shall be built but whether or not the locks and canals shall all be on the Canadian side of the St. Lawrence River and under the exclusive control of the Canadian Government.

Americans of vision have long maintained that it is in the interest of the United States to participate in this venture which is of a self-liquidating nature and will not cost American taxpayers one penny. This point of view is reflected out of considerations involving national defense as well as those relating to our economic well being. These considerations have been thoroughly discussed by previous speakers and no purpose will be served by exploring them further at this time. Suffice it to say, however, that President Eisenhower, the Joint Chiefs of Staff, the National Security Council, together with many business, farm, and labor leaders urge that the United States be a partner in this enterprise.

The seaway will complement another project for the greater utilization of our inland waterways which I am advocating and which will prove of tremendous value to Vermont and to the entire northeastern section of the country generally. This project, sometimes known as the Champlain Cutoff, will require the enlargement of the canals running from the St. Lawrence into Lake Champlain and of those connecting Lake Champlain with the Hudson River. This will reduce the distance between Great Lake ports and New York by nearly 1,500 miles and will contribute to a vast industrial expansion in the entire Northeast.

H. R. 7526, which I have introduced, relates to this project and I am tremendously encouraged at the widespread interest being manifested in the proposal, both in this country and in Canada.

Today we are considering a great project for the removal of obstacles to the free flow of commerce from the Atlantic Ocean, up the St. Lawrence River and into the Great Lakes, to join together the several efficient segments of water transportation and provide another important feature of effective economic functioning in this country.

While we should not allow purely sectional interests to influence our thinking upon the economic life of the Nation as a whole I should, nevertheless, like to consider briefly the effect of the seaway upon New England's economic institutions. Will it have a good or bad effect upon the productive activity now being carried on in that important part of industrial America?

It is my opinion that the seaway will be extremely beneficial to New England as a whole. Major farm groups have long maintained that it would be highly advantageous to New England's agricultural economy and have supported the proposal wholeheartedly. Last month the New England Council and the New England Association of Commercial Executives revealed the results of a poll taken among their members. This poll indicated that New England business and industrial leaders favored United States participation in the St. Lawrence Seaway by a margin of about 2 to 1.

The completion of the St. Lawrence Seaway would probably increase the waterway imports into New England from the Great Lakes area. Many products from this area would be loaded on barges and boats and transported through the St. Lawrence for use within the New England area.

New England is always concerned with improvements to its economic position, and for this purpose it is vital to secure the great multitude of needed raw materials and manufactured products as cheaply as possible. The completion of the St. Lawrence Seaway creates a distinct likelihood that various products now coming into New England will be able to come in at lower transportation costs and would thereby strengthen its economy.

Under the conditions of freedom in this country, all sections have been able to develop their own basic advantages, carrying on those activities, not only for the benefit of the people in their own area but also being able to ship products freely to other parts of the United States. It is under this set of circumstances that New England has become an area of a high degree of concentration of manufacturing many products with scarcely any of the raw materials produced within New England. Other sections carry on the heavy industries, while New England specializes in lighter manufactures. It is the large pool of highly skilled and trained workmen in New England that has led to a great concentration of manufacturing in the finer types requiring high degrees of skill but generally not involving the handling of bulky commodities.

There has recently been a very rapid expansion in the manufacturing of steel products, not automobiles and farm machinery, but rather typewriters, calculating machines, many instruments of precision and engineering use, all of them requiring high degrees of skill but generally not heavy, bulky materials. This high degree of specialization in New England is possible only under a set of circumstances where other sections, as, for instance, the heavy industrial region between Pittsburgh and Chicago, concentrate largely upon the manufacturing of heavy machinery and the making of the basic steel products requiring the use of 5 or more tons of raw materials to produce 1 ton of the finished product.

These factories are located where the cost of assembling the raw materials can be held to a minimum and then the finished products are available for further processing either in that area or in other parts of the United States. A continuance of this division of labor is one of the best guaranties that New England can continue to specialize in the lighter types of steel manufacturing requiring highly skilled and abundant labor. Here is an opportunity for New England to actually advance its own economic position by helping, through its approval of this great project, to improve and perpetuate the low cost and effective producing situation in the steel and other industries in the area around the Great Lakes that will be aided distinctly by completion of the St. Lawrence Seaway.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, the gentleman from Vermont who has preceded me has given a very concise and well-reasoned statement in the support of this legislation. It is a pleasure for me to associate myself with the remarks which he has just made.

Quite to the contrary, it seems to me that the gentleman who preceded him, the gentleman from West Virginia, made a very emotional argument which might have been effective at another time but certainly, in my opinion, has very little bearing upon the issue now before us.

Before I discuss some of the comments which he has made I should like to suggest to him, when the reporter submits his statement to him for revision, that he complete the list of contributors which he submitted by informing us the sources of the funds for the full-page newspaper advertisements which have appeared at regular intervals in newspapers distributed throughout the country, including the newspapers here in the Nation's Capital, in opposition to this legislation. I would be grateful to him too, if he would inform us of the source of funds for the voluminous third-class mail which has flooded the desk of every Member of Congress during the past several weeks. I might say too that I have seldom seen a more shortsighted or self-interested group of organizations than those which are listed on the stationery of the National St. Lawrence Project Conference, an organization with headquarters here at Washington which has been fighting this legislation tooth and nail.

To use an expression which appears particularly appropriate in dealing with this great navigation project, these people have missed the boat. For as the very distinguished chairman of the Committee on Public Works and my very able colleague, Mr. DONDERO, has pointed out the fundamental issue here is not whether this project will be built but whether the United States will join with Canada in the construction, ownership, control, and operation of a great international waterway, as S. 2150 provides, or whether the United States will stand aside and permit Canada to do the job alone.

We have heard a great deal of discussion here this afternoon to the effect that this project should not be built at all. This argument might better be addressed to the members of the Canadian Cabinet than to the Members of the

House of Representatives. The Canadian Government has already decided that this navigation project is to be built. This decision makes the arguments on that issue which have been presented irrelevant to the issue which confronts us. That issue has been discussed many times during these many years.

A series of Presidents of both parties have advocated the construction of the seaway project. The position of the Canadian Government makes this decision of pressing importance. The determination of our neighbor to the north to "go it alone," if we fail to take affirmative action places us in the position where we must fish or cut bait.

My State of Wisconsin has always been vitally interested in this project because we believe it will contribute to the economic development and the stability of America's great heartland. Nor have we been, nor are we now, completely selfish in our interest. The arguments which have been used against this project are substantially the same as have been used against practically all of the great internal improvements which have contributed so much to the development of our Nation's resources.

Very frankly, the logic of the opponents of this measure almost completely escapes me. Having fought the construction of the project by anyone, in any form, for decades and recognizing now that the project will be built whether or not the United States participates, they now seek to block United States participation. Failing in that they are prepared to fall back on a secondary line of defense and to conduct a delaying action. That delaying action is represented by the so-called Brownson amendment which our colleague from Indiana discussed this morning. It is simply another tactic for throwing sand into the gears. At most, the Brownson amendment would throw this entire legislation into a deadlock. At least, it could so seriously delay the project as to seriously weaken the necessary cooperation between the American entity and the Canadian construction entity.

Let no one be confused that the Brownson amendment represents a compromise point of view. A vote for the Brownson amendment is a vote against the seaway project.

I hope the House will follow the leadership of the chairman of the Public Works Committee in supporting this legislation essentially in the form in which it has been brought to us by the Public Works Committee.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I wish to state my vigorous opposition to Senate bill 2150. The St. Lawrence Seaway project is unnecessary; it is not needed and will be just another burden to the already burdened taxpayer. There are so many sound reasons why this project should not be approved that it is impossible to state all of them in a short time.

The proposal to construct a seaway in the St. Lawrence River has been debated and rejected by the United States for over a quarter of a century. Perhaps it is a little more dressed up now than before and those Members who are new here may be fooled by its outer cloak. However, remove the cloak and we find last year's dress. Proponents of the seaway use the same arguments today that they used last year and the year before. They make much of the argument that the seaway is needed for national defense and national security. Yet it is known beyond question of a doubt that because of climatic conditions the proposed seaway would be completely frozen over or blocked by ice 5 to 7 months out of every year. Its defense value, therefore, could be considered only on a 5 or 6 months' basis. What if a defense emergency should arise in the winter months when the seaway is frozen over? It is difficult to comprehend how it will aid our national defense then. It will be a defense liability and not an asset.

Present plans call for a 27-foot seaway. According to testimony that has been presented, less than 5 percent of American seagoing vessels can navigate a 27-foot channel. The seaway then would prove to be more of a handicap than a help to the American merchant marine. It would operate to the advantage of foreign shipping.

The question of cost has been thoroughly explored. The facts and figures bear out the fact that the seaway is not economically sound.

Mr. Chairman, if the seaway is built it will propose a serious threat to Pennsylvania industry. Our mines, our railroads, our agriculture and other kinds of industry will be affected. Today in western Pennsylvania, which is the area I represent, there are thousands of persons out of work. The unemployment situation grows more serious daily. Many of the coal mines are working only 2 or 3 days a week. Some of them have closed down entirely. Western Pennsylvania held first place in the production of coal until just a few years ago. Recent years have shown a steady decline in production. If the St. Lawrence Seaway is constructed, it will make ghost towns out of a large section of western Pennsylvania.

In addition to coal, the seaway will hurt the railroad industry. While the plight of these industries in my district and elsewhere throughout the country may not be of interest to high Government officials here, they are of great concern to me.

Many and various groups in Pennsylvania have gone on record as opposing the construction of this seaway. They include representatives of business, labor, agriculture, shipping, and so forth. The seaway is strongly opposed by the United Mine Workers of America; by several railroad brotherhoods, by many other laboring groups and by the State chamber of commerce.

Mr. Chairman, I strongly and vigorously urge the House to vote against the passage of Senate bill 2150. There is no genuine merit in this proposal. It is not justified from a navigation standpoint; it is not justified from an economic standpoint, and it is not justified from the standpoint of national defense.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Chairman, the St. Lawrence Waterway proposal is impractical, unjustified, and an indefensively expensive gamble. It is a threat to the port of Boston, and as a consequence to the economic life of the surrounding area. It thus becomes a matter of vital concern to all New Englanders.

Boston is one of the great cities of the United States which sprang from a seaport. Directly or indirectly, between 20 and 25 percent of its people make their living from the sea. The great fortunes of New England were founded on the commerce of the port. It brought the exporters, importers, railroads, warehouses, banking institutions, truckers, and the increased population and wealth which resulted from these activities.

It has taken over 175 years to develop the commercial status of Boston, and this development has played a major part in the financial life of the Nation as a whole. Hundreds of millions of dollars have been invested in Boston by people all over the country. They, too, stand to suffer from any project which could destroy commerce through the port and thus its usefulness to our country. Each and every ship which misses the port of Boston is not only a loss to its inhabitants, but to its nonresident investors.

The St. Lawrence Waterway is impractical for the reason that it would be closed to navigation for about 5 months of the year—from early December to May. It would mean that those who might make use of such a waterway in the open season, must either make use of such other transportation as may be available, or suspend their operations altogether during the frozen period. This would be unsatisfactory not only to the traders from the standpoint of lack of regularity and interrupted flow of goods, but financially disastrous to the port of Boston which simply could not hope to operate on a part-year basis.

Over the past 30 or 40 years, attempts have been made to justify the St. Lawrence project by claiming it to be vital to our national security. It is interesting in this connection to note that whenever a war threatens, the frenzied activity to bring the project into reality is abruptly terminated. Expert military testimony has proved it would be very vulnerable to attack, and has also noted its limited use by reason of the 5 months closing due to weather conditions.

The St. Lawrence project is an indefensively expensive gamble both from the standpoint of potential damage suffered by established major seaports from whom tonnage might be attracted, and from the inadequacy of the many cost estimates which have been presented. The differences in the navigation facilities estimates alone have varied tremendously, and do not allow for necessary work in the Great Lakes such as the deepening of entrance channels, harbors, slips, and the maintenance of docks. Further, it is proposed that the work be done under a Government-authorized corporation which would issue hundreds of millions of dollars of bonds which would be guaranteed by the Government

both as to principal and interest. It is the contention of those who favor the project that the waterway would handle enough tonnage at sufficiently high tolls to be self-sustaining.

It is a generally accepted fact that guesses as to possible tonnage on waterways have always been more optimistic than later realities justified. Why should the American taxpayer have added to his tax burdens any outright appropriation or any guaranty on any bonds on such an unsound proposal?

It has been suggested that if the waterway is completed, somehow new business will be found to make use of the facility. This, too, is more propaganda to be fed to the gullible. Logically, tonnage for the waterway would be that which was diverted from normal patterns. This means existing seaports who will not only be deprived of their established business, but whose residents must expect to be taxed in order to provide support for their competitor.

Mr. FALLON. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Chairman, I am opposed to passage of this bill (S. 2150) for many reasons.

It has been affirmed by both the proponents and the opponents that the seaway would be frozen over 4 or 5 months a year. It would be a part-time project, and surely this cannot be classified as a defense measure. A weak defense is no defense at all, and especially in an atomic age when destruction can come like a flash of lightning.

Traffic would be nowhere near the totals estimated by the proponents. But what traffic it would attract would be sufficient to create an unbalancing effect on the national economy.

The other transportation systems of the country would have to maintain costly facilities on a year-round basis to meet the subsidized competition of the seaway.

This legislation, Mr. Chairman, would be a dagger aimed at the heart of the American merchant marine—the seaway would operate to the advantage of foreign tramp steamers.

I ask the Members of the House to make a mental note of this one all-prevailing fact: Only 2 percent of American privately owned oceangoing vessels, fully loaded, could utilize the 27-foot waterway. The seaway would wreck American maritime interests. Does anyone believe in this day of global tensions that the way to strengthen America and the free world alliance is to weaken and virtually destroy our maritime power?

Maritime strength spells destiny. Even in this age of airplanes, no nation can hope to be a major world power without a commanding control of the sea and a dominant position on the maritime commerce lanes.

With this warning before us, should we contemplate taking steps that would penalize our American merchant marine, by establishing a waterway that would be a boon to foreign tramp steamers and consigning the greater part of our maritime strength to drydock?

Mr. Chairman, one of the most condemning aspects of this ill-considered legislation is that it represents the first time in American history that a project has been proposed to economically improve one section of the country by punishing another. What we propose to do here is to encourage an economic civil war.

All the major eastern and gulf ports would be gravely injured by this seaway. The regional economies built around those port cities would suffer, jobs would dry up, investments would be forfeited, property values would be destroyed, and, most importantly, great national assets, assets which have helped make this country strong and prosperous, would go down the drain.

And the ironic part of it all would be, Mr. Chairman, they would go down the drain because of a Government subsidy to a few special interests, who only a few short years ago, before they had bought into the Labrador ore fields, were strongly opposed to the waterway.

Let us get this point straight: The present bobtailed version of the seaway is a handout to the Midwest steel crowd. This is a specially tailored, cut to order measure, to suit the requirements and needs of the steel crowd that want a cheap means of transporting ore in from Labrador. As the measure stands, it is a sellout to the steel lobby—at the expense of the whole American economy.

The national interest demands the defeat of this giveaway which will harm the Atlantic and gulf ports, the railroads, the coal industry, the independent petroleum producers, the American merchant marine, and the labor of all those industries.

This issue reduced to its simplest terms is: The steel lobby versus the national interest.

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I would like to know if the gentleman from Maryland appreciates the fact—referring to what he said about jobs drying up—that the majority of the people living in port cities, like the city of Baltimore, earn their living through the port activities. I represent the seaport of the city of Boston. Ten percent of the people living in that particular area earn their livelihood from the port; in other words, in the city of Boston, with a population of 800,000 in the city alone, 80,000 people earn their livelihood from the port of Boston. I am sure the statistics and the figures are the same for the city of Baltimore. Take the New York metropolitan area, with a population of 14 million people, 1.4 million earn their livelihood out of the port of New York.

Mr. FRIEDEL. I thank the gentleman.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Chairman, the St. Lawrence Seaway is a big project. But the United States is a big country. Our bigness is not in size alone. It is in the magnitude of our dream, the vastness of our vision, and the immensity of our accomplishment. In what is but a brief span in the whole history of man, we have transformed the face of the earth with our machines to help nature better serve the needs of man. We have learned to cooperate more fully with nature in order to realize the abundance it is capable of providing for us.

The American farmer has always been in the forefront of this great effort. He has not been content to dream dreams but has forced reality from the pioneer vision. The foresight of the pioneering farmer makes it possible today for so few to feed so many so well. It is significant, therefore, that farmers were among the first to recognize the tremendous value of an outlet to the sea from the heartland of America.

FARM GROUPS UNANIMOUS

And today, every major farm organization in this Nation urges the immediate authorization of the famed St. Lawrence project. Let me read you a list of the farm organizations whose representatives have repeatedly testified before the committees of Congress in wholehearted support of the seaway: National Grange, American Farm Bureau Federation, National Farmers Union, National Milk Producers Federation, National Federation of Grain Cooperatives, Cooperative League of the United States, National Rural Electric Cooperative Association. Thus, millions of farm families have evidenced their support for this project which will link the breadbasket of the world to the seven seas of the world. The St. Lawrence Seaway will serve what Abraham Lincoln called the magnificent region and the great body of the Republic. It is the same area of which he said:

> In the production of provisions, grains, grasses and all which proceeds from them, this great interior region is naturally one of the most important in the world. * * * We shall be overwhelmed with the magnitude of the prospect presented.

GREAT PRODUCTIVE AREA

These farsighted words, addressed to Congress by a great President in 1862, are well borne out in our own time. The 14 agricultural States of this magnificent region—Minnesota, Iowa, Wisconsin, North Dakota, South Dakota, Montana, Wyoming, Colorado, Nebraska, Kansas, Indiana, Ohio, Illinois, and Michigan—represent only one-third of the land area of our country. Yet, their farms produce more than half of our wheat and our barley, three-fourths of our corn, four-fifths of our oats, three-fourths of our hogs, and more than half of all our livestock products.

Over a third of our Nation's crops are planted in these States and our farms produce near a half of all of the farm products sold in this country. The farmers here receive almost half of the Nation's net farm income and own more than half of all farm real estate, livestock, and machinery value. More than this, our Department of Agriculture predicts that this region will increase its output by one-fourth by 1970.

BREADBASKET OF THE WORLD

Surely, these 14 States are the breadbasket of the Nation and the world. As

the most productive food-growing area on the face of the globe, this agricultural heartland is truly the arsenal of democracy in the life-and-death struggle for the survival of freedom. Food is by far one of our major weapons in the struggle against communism. Our abundance, skillfully used, can well overshadow the importance of our arms in this era of uncertainty known as the cold war. As I have said before in this House, our food may yet do more permanent damage to world communism than our armies.

As the rich production of our Midwest farmlands continues to increase, cheap and easy transportation to any place in the world becomes increasingly important. The incomparable productivity of our farms makes it imperative that American farmers have ready access to the markets of the world. We need only review the effect of decreased exports in the past few years to realize that American agriculture must move into the market place in every continent if we are to serve our best interests at home and abroad.

TRANSPORT COSTS CRIPPLE

The growth of an area so rich in human and natural resources is being hampered by expensive transportation which requires that we pay twice—once for the finished manufactured products coming to us and again for the products of our harvest and our dairy herds moving out. The world is begging for food. We can grow the food but we must get it to the market at a price that will not only meet existing demands but that will increase and enlarge present markets. The abundant produce of this fruitful region may well be the margin of victory in the decisive struggle that rages about us, but it must be moved from our storehouses to the ports of the world. Because of this I say that the value of the seaway to American agriculture may eventually prove to be the greatest value of all.

Historically, the great midcontinental area of our country has suffered from discriminatory transportation costs. This has been true not only of the farm products and raw materials we send to market but also of the finished products of industry which we use on our farms and in our industry. The construction of the seaway will help to stimulate the agriculture and industry of the Midwest both by reducing the charges on the standard articles of commerce and by providing economical and ready access to both import and export markets. Thus, a fast and cheap outlet to the sea becomes a two-way highway of commerce doubly beneficial to the people of this great area and the country.

ENTIRE NATION BENEFITS

Think of the tremendous benefits the entire Nation will reap when midwest farmers can send their dairy products and grain to the east coast and to ports overseas without rehandling and without high freight costs. It will benefit not only the 50 million people who live and work in the Great Lakes area, but it will benefit all of the people because the United States is a great union of people with a common purpose and a common fate.

We know from our own experience that any economic improvement in one great area of our country benefits every other area. In an integrated and interdependent economy such as ours, we are dependent upon one another for our economic well-being. New markets mean new jobs and new jobs mean more markets for others. Not only will our farmers benefit, but so will our manufacturers, our railroads, our workers, and the countless thousands who sell services to all of these.

We cannot forget that this same rich agricultural area also supplies four-fifths of our iron ore, almost three-fourths of the machinery manufactured in this country, and almost all of the automobiles we drive. Other seaway States supply three-fourths of our steel and nearly half of our coal and chemicals. Here the sinews of modern life and modern industry are gathered together in one of the most richly endowed areas anywhere on the globe. For a hundred years men have talked of a sea channel into the midst of this plenty. For nearly a half century, our Presidents of both parties have urged that the seaway be built. It is within our power today to make this dream a reality.

GRAIN COSTS CUT

The widespread transportation benefits of the St. Lawrence project to American agriculture can readily be seen in the example of wheat. Estimates of the tonnage of grain shipments through the seaway vary from 6½ million to 11½ million tons, but it is generally agreed that transportation costs by seaway would be 5 to 8 cents a bushel cheaper than presently. When we realize that the world price of wheat has an effect on domestic prices and that world prices are influenced by transportation costs, we can see that farmers have more than an indirect interest in transportation costs.

Wheat is only the symbol here. Dairy products and other farm products will benefit proportionately, whether moved to the consuming centers of the East or to the ports of the world. The total effect of the seaway on agriculture is so far-reaching and all-pervading that it is impossible to catalog the ultimate effects now. The potential for expanded markets and for better marketing is yet to be realized.

The legislation before us today is the beginning. What the future holds, we will see. It is a modest beginning, requiring a relatively small investment in money and materials. It leaves room for improvement and expansion, as we see the full effect of the seaway. We would have liked to see the connecting channels of the upper lakes deepened, but in the interest of early cooperation with Canada in getting the project underway, we are prepared to let the eventual need speak for itself when the time comes.

COOPERATION WITH CANADA

It is also appropriate, Mr. Chairman, that we show the entire world what cooperation between friendly nations can mean for the good of both. It is desirable that we work with Canada in sharing the construction, administration, and operation of the seaway. It is good economics, and it is good diplomacy. More than that, it is a good-neighbor policy at work for mutual well-being. No better example could be set for other nations of the world, beset by borders that have become barriers.

Furthermore, we have come to the point in our history where we know that the seaway will be built, whether we cooperate or not. It is only commonsense that we should share in a joint venture. On the basis of population, 90 percent of the potential shipments would be leaving from or destined for the United States. This would mean that American agriculture and American industry would pay 90 percent of Canada's investment in the form of tolls without a voice in the operation of the seaway. And we would not only pay 90 percent until the investment is liquidated, but as long as the seaway stands.

Mr. Chairman, although the district which I represent will probably be a direct and substantial beneficiary of the construction of the St. Lawrence Seaway, whether by Canada alone or by the joint efforts of the United States and Canada, I firmly belive that the larger aspect of this great project is as sound a reason to support it as the local effect.

FROM FARM STANDPOINT

As you know, a large part of my work in Congress has been concerned with agricultural matters, and naturally I have tended to examine the seaway problem in the light of its effect on farmers and the markets for their products.

As I see the seaway, it will substantially reduce the cost of transportation of farm products from our great midcontinental farms to the markets of the world.

Use of the seaway will eliminate 1 or possibly 2 elevatorings of a shipment of grain. It will be possible to transport our grain directly overseas by loading into ships at ports such as Duluth and Superior. Handling and storage for grain and for dairy products can be substantially reduced.

We are now faced with many problems created by the abundance of our production. I cannot see how anyone with a knowledge of the problems of agriculture could hesitate to take every step we can to open new markets for this abundance. The stability of the free world may again be dependent upon the products of American agriculture.

In closing, Mr. Chairman, I want to pay my respects to our able colleague from Minnesota, JOHN BLATNIK, one of the men of vision who have worked tirelessly in behalf of this project. It was men like him who kept the grand idea alive during periods of disinterest and active opposition and who helped day by day to create the favorable climate in which we are acting today. We who support the seaway owe much to the leadership and inspiration JOHN BLATNIK has given us.

Mr. Chairman, I regard it a privilege to participate in this historic action which will give our country one of the greatest developments on the face of the earth.

Mr. DONDERO. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, this bill presents a most difficult problem, particularly for those representing areas in which there is substantial and sincere opinion that the construction of the St. Lawrence Seaway will have injurious results upon certain important economic activities there.

Although I have real doubt that the results would be as injurious as feared and believe that increased and improved economic activities in one part of this country usually bring good results to other areas, it seems clear to me that this argument against the bill now has no validity because Canada has made it clear that it will build the seaway if we decline to join.

Therefore, the issue is narrowed down to the question of whether it is in the best national interest of the United States to join in the construction and operation of the seaway. In my opinion, it is.

President Eisenhower and every President since World War I has urged joint action in constructing the seaway.

The National Security Council, consisting of the President, the Vice President, the Secretary of State, Secretary of Defense, and Director for Mutual Security have approved it.

The Joint Chiefs of Staff recommend it.

A special Cabinet committee consisting of the Secretaries of State, Defense, Commerce, and Interior, after a study of the entire matter, approved it and the Cabinet unanimously approved that report.

It will serve no useful purpose for me to go into the details of the arguments and justifications leading to the conclusions of these responsible officials which they submitted to Congress. They have been stated fully in the hearings, the committee reports, and during this debate.

It seems sufficient for me to say that I believe these conclusions are fully justified upon the grounds of an improved national transportation system, of the probability of an improved national economic position, of the extension of our close and vitally important relations with Canada, and of the national security considerations which were so concisely and well stated in a letter from Admiral Radford, Chairman of the Joint Chiefs of Staff, January 18, 1954, to the chairman of the Senate committee.

May I add that on April 27, the New England Council and the New England Association of Commercial Executives gave the New England congressional delegation a report on major congressional issues. The 11th question was, "Do you favor United States participation in construction of the seaway?"; 481 replied "Yes," 228 replied "No," and 67 had no opinion.

On April 28, this report was further broken down by States as to distribution and we were advised that 392 residents of Massachusetts participated in this vote.

For these reasons, I shall support the bill.

I would like to add a brief comment on the so-called Brownson amendment.

I have stated my main reasons for supporting the bill. They are of a national, so far as Canada is concerned, and international nature. That precludes the placing of control in private hands. In my judgment, there is a serious doubt as to the constitutionality of the proposed amendment. Beyond that, the proponents of the bill are confident that the seaway will be self-liquidating. If they are right, there is no need for private financing. If they should be in error, the complications involved in foreclosure are obvious. Certainly the United States could not and would not consent to private control of an international boundary development. And it is equally clear that Canada could not be expected to join in action involving any such possibility.

Consequently, I shall oppose the proposed amendment.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I support S. 2150, the St. Lawrence Seaway bill. I will oppose the Brownson amendment requiring public sale of bonds without Government guaranty for our share of the seaway cost.

Mr. Chairman, I announced my support of the St. Lawrence Seaway in a speech on the floor of the House March 6, 1952. My statement appears on pages 1946–1949 of the CONGRESSIONAL RECORD, volume 98, part 2. I reaffirm the position I then took and the reasons upon which it was founded.

In my opinion this great and far-reaching international public work is long overdue. The bill before us relates only to transportation aspects of the seaway project; the power development already being handled on another basis. The measure thus is a far simpler proposition than other similar proposals in the past.

Others have developed with facts and figures the great benefits, not only to the great middle western areas of the United States and Canada, but also to the entire economies of both countries, by opening the Great Lakes to ocean-going vessels. I should like to emphasize another important aspect of this project. In joining with our great neighbor to the north in this undertaking for the common benefit of both our peoples we are practicing the highest and most effective foreign policy. By emphasizing the things we have in common we tend to minimize our differences.

Our relations with Canada have been exemplary. It is important that those friendly relations be maintained and strengthened. Joining on a project such as the St. Lawrence Seaway will perpetuate our tradition of cooperation. Permitting Canada to go it alone and refusing to join on a project of mutual benefit would have the opposite tendency. In a seaway built and controlled by Canada alone, as she has indicated she intends to do, we would be without an equal voice in the determination of tolls on various types of commodities and in other phases of control and operation of this transportation artery. This would be an intolerable and unwise position for us to assume.

The amazing record we and Canada have made in peaceful cooperation on projects of mutual interest constitutes a guide and a challenge to world leaders in foreign affairs.

The Brownson proposal would require that the seaway be financed by the sale of bonds to the general public without Government guaranty. This novel and untried method of Federal financing has been well analyzed by Representative JESSE WOLCOTT, chairman of the House Banking and Currency Committee. Representative WOLCOTT's statement appears on page A2872 of the daily CONGRESSIONAL RECORD of April 15, 1954.

In arguing for his proposal, Representative BROWNSON makes an analogy to toll road financing. It is my understanding that customarily a commitment is made by a State that no action will be taken by the State which will tend to impair the revenue from such toll roads. The situation with respect to the seaway is quite different. First, it is an international public work. Any action with respect to it must be by joint agreement between two sovereign governments. Second, undertakings with respect to the seaway similar to those mentioned above relating to State toll roads would be an unwise limitation upon the sovereignty of the United States and its freedom to make such decisions in the future as conditions might require.

The question must naturally arise in the minds of those who agree the St. Lawrence Seaway should be built why this project should be treated differently than other river and harbor improvements or other public work programs. We are assured that the seaway project is self-liquidating and that the tolls will reimburse our Government for the funds advanced for its construction. An international public work of this far-reaching character and with widespread indirect benefits should not be undertaken solely on the basis of whether it will pay for itself or not. A general national benefit of an additional important artery of transportation and the advancement of our foreign policy are considerations above and beyond the question of self-liquidation.

Mr. Chairman, I commend the administration and the leadership of the Congress for bringing this long disputed program before the Congress for a final determination. I am happy to serve as a member of this great legislative body and to have a part in achieving a landmark in our Nation's history.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. DONDERO. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, I have been a Member of the Congress for 8 years. It is my great honor to represent the Fifth Louisiana District.

It is rare indeed for me to address the House on any subject not directly related to my own committee, that of appropriations, or to legislation pertaining to flood control and rivers and harbors development projects. Therefore, I hope that the membership will understand my interest in the legislation under consideration. It is my honor to be president of the great Mississippi Valley Flood Control Association which has for its purpose to sponsor worthy flood control and rivers and harbors projects in the seven Valley States.

I shall be rather forthright in my remarks but in so doing I should not like to have any Member of this body construe my remarks as impugning the motives of my colleagues who may be opposed to the St. Lawrence Seaway project.

I have never been afraid to be factual even though in so doing it may be a slight reflection on my own neglect in occasionally opposing legislation without first ascertaining the facts so as to fortify my position.

When I came to Congress almost 8 years ago I was immediately contacted by certain individuals from the port cities of New Orleans and Baton Rouge, as well as outstanding railroad attorneys, requesting that I take a position of opposing the St. Lawrence Seaway project. So, it was only natural that I listen to the opposition and I soon found myself on record as opposing the St. Lawrence Seaway. For 7 years I maintained this position and only last year, after being confronted with direct questions from many of my colleagues from Michigan and other States as to why I opposed the project, did I determine that I had better read the Corps of Army Engineers' report and other available information so as to be better fortified.

Lo and behold, after reading reams of information I discovered that I could not substantiate my position, and based upon facts as I understood them I was forced to admit that I had been wrong, and I willingly so admitted. Therefore, last December I announced publicly in the great port city of New Orleans that I would in the future support the St. Lawrence Seaway project based entirely upon justification and merit.

As I stand before this body, I say to you sincerely that I am supporting the legislation upon its merit and for no other reason.

Support for the St. Lawrence Seaway should not be a matter of partisan politics or fear of competition. It should not be considered on a sectional basis because I contend that what is good for Michigan is good for Louisiana and vice versa. It is my understanding that for 30 long and patient years every national administration, Republican and Democratic alike, has sponsored legislation to make the great St. Lawrence Seaway a reality. The recent favorable vote in the other body is further proof of the bipartisan support this proposal has always received. But despite this impressive evidence of nonpartisan support, and the endorsement of every President for the past 30 years, this measure until now has never reached the floor of the House of Representatives for consideration. Today, for the first time, the Members of the House have an opportunity to examine the legislation and I trust act favorably based entirely upon merit and justification.

Undoubtedly, it is known to every Member of this House, opponents and proponents alike, that construction of the seaway is inevitable regardless of what we may decide on the pending bill. I shall outline briefly what in my opinion are the reasons why a seaway is assured.

Previous legislative efforts took place pursuant to an agreement between United States and Canada, signed in 1941. This agreement envisioned joint United States-Canadian construction of a seaway from Montreal to Duluth, and joint development of the power resources of the St. Lawrence. Efforts to obtain legislation pursuant to this agreement were unsuccessful and Canada decided to explore alternate methods. Fundamentally, this involved a determination to separate the navigation phase of the overall development from the power phase and an attempt to obtain by separate, yet concurrent, methods the requisite administrative and legislative sanctions.

First, the navigation phase. In December 1951 the Canadian Parliament passed an act to establish the St. Lawrence Seaway Authority. This act created a Government corporation to construct, maintain, and operate, either wholly in Canada or in conjunction with work undertaken by an appropriate authority of the United States. The Canadian Government Corporation was given power to borrow from the Canadian Government amounts up to $300 million to complete the navigation project. The amount of $300 million is significant because it is sufficient to finance the cost of the entire seaway should the United States not cooperate and leave Canada to proceed alone.

It is my understanding that both the power and navigation projects must be constructed concurrently because as a practical matter the power project without the new seaway would render inoperable the existing navigation facilities. This is by reason of the fact that the power dam to be constructed would have flooded the existing 14-foot canals. So the Canadian Government after discussions with our Government made a joint application with the United States to the International Joint Commission requesting approval of plans to develop power in the International Rapids section. The actual construction operation was to be undertaken by designees of each Government, for instance, the Power Authority of the State of New York and the Ontario Hydroelectric Power Commission.

These joint applications were approved October 29, 1952, and on November 4, 1952, the Canadian Government notified us that in view of the foregoing events, it considered that the 1941 agreement was superseded.

Mr. Chairman, any doubt as to Canada's intention to proceed with the seaway was completely removed by the White House press release issued May 8, 1953, which reported the substance of the talks between President Eisenhower and Prime Minister St. Laurent, of Canada. It quoted the Prime Minister of Canada as saying:

> The Canadian Government was still prepared to discuss with the United States participation in the international section, provided that arrangements for power are completed and provided the whole seaway would not be delayed.

Prime Minister St. Laurent stressed again Canada's readiness and intentions to proceed at once with the work under the present St. Lawrence legislation of 1951.

Is it not true that the arrangements for power referred to by Prime Minister St. Laurent were virtually completed on July 19, 1953, when the Federal Power Commission granted a license to the Power Authority of the State of New York to construct our share of the power facilities. On January 29, 1954, the United States Court of Appeals for the District of Columbia unanimously affirmed the action of the Federal Power Commission.

Mr. Chairman, may I stress again the fact that in voting on this measure we should not be motivated by sectional considerations, by selfishness, or by pressure from railroad lobbyists or from lobbyists from large port cities. Certainly you understand that on a partisan or political basis I could very easily have continued my opposition to this project and would have received the praise and commendations of those in the great State of Louisiana who have opposed this legislation from a standpoint of selfishness and fear of competition.

I shall never cast a vote on any measure based upon such thinking. Rather, in the future as in the past, once I have ascertained the facts, I shall vote accordingly, having no fear of political repercussions. And if such actions should shorten my tenure in the Congress, then I will involuntarily retire to private life, happy and content.

May I repeat that all legislation should be considered upon merit and sound justification. However, I cannot constrain myself from commenting as follows:

The great State of Louisiana has been the recipient of more Federal funds for kindred projects on a per capita basis than almost any other State in the Union. May I refer briefly to the great Intercoastal Canal System and also to the lower Mississippi and its tributaries. The Congress in its wisdom over a period of years authorized for the lower Mississippi and its tributaries the staggering total of $1,300 million, and the people of Louisiana, through necessity, must again in the very near future come to the Congress for tens of millions of dollars in additional authorizations to meet an approaching crisis. May I refer briefly to the Old River closure project, and later the navigation locks which will be a part of the finished project.

Mr. Chairman, speaking plainly, is it not true that we are all human and, therefore, possess human weaknesses? May I say this, How can we in Louisiana expect other sections of the Nation to listen to our pleas and requests for such projects as the lower Mississippi and its

tributaries, the New Orleans seaway, and the Old River project, unless we give consideration to the problems of other sections of this country, provided their requests are based entirely upon facts and justifications?

Now, may I also say this, that I have never impugned the motives of any of my colleagues. I have not meant to be offensive, but I am in possession of irrefutable facts as to why the port cities of Baton Rouge and New Orleans and railroad attorneys are opposed to the St. Lawrence Seaway.

I hold in my hands several of the many telegrams that have been pouring into my office in the past 24 hours. Excerpts from these telegrams most assuredly place me on solid ground in my support of the St. Lawrence Seaway, because these telegrams indicate selfishness and fear of competition. Such tactics as those expressed in the telegrams would retard the development of our great Nation and certainly work against our best national interests. All of the telegrams are from the port city of New Orleans.

Telegram No. 1:

Maritime interests have always opposed this program as seriously affecting the American merchant marine and transportation interests. Also would ultimately reduce movement of tonnage through gulf ports.

Telegram No. 2:

Continued objection is based on damaging effects this project will have on the city and port of New Orleans and the lower Mississippi Valley, especially the State of Louisiana.

Telegram No. 3:

Wish to reaffirm its long opposition to this legislation as being extremely detrimental to New Orleans.

Telegram No. 4:

Contrary to the interests of our subsidized merchant marine.

Telegram No. 5:

Opposes that project on the basis that it is economically unsound and at the same time would harm the Nation's economic pattern, particularly that of gulf port States.

Telegram No. 6:

Our organization has consistently opposed this costly and in our opinion unnecessary project which besides being economically unsound and unnecessary to the national defense, would seriously, affect the economy of all gulf ports, including New Orleans.

Telegram No. 7:

Not necessary for our national defense, detrimental to United States merchant marine, and will seriously impair economy of all gulf ports, including New Orleans.

Telegram No. 8:

Vote against the project in view of damaging effects of this seaway upon our economy and maritime interests.

Mr. Chairman, this is a serious matter with me. My convictions are deeper than ever that the St. Lawrence Seaway is a worthy and justifiable project. I have said exactly what I wanted to say. I have expressed myself in strong terms in keeping with strong convictions. After this legislation has been disposed of I shall hold all of my colleagues in the same high esteem in which I hold them at this time, whether they vote for or against the project. If I have been outspoken relative to the pressure that my fellow Louisianians have imposed upon me, I want the Members of this body to know that I know of no other way to express myself other than in the strongest of terms when I have had so much pressure brought upon me in an endeavor to force me to vote against my own convictions and the best interests of this great Nation of yours and mine.

Mr. Chairman, may I say again that in my considered judgment the St. Lawrence Seaway project is a worthy project and after it is completed, it will directly or indirectly benefit all sections of the United States simply because it is a part of the United States, and such development is the type of progress that has made this Nation the strongest, the wealthiest and the freest Nation the world has ever known.

Let us go forward, not backward. Let us unite in a common effort to develop our natural resources and to make the United States even stronger rather than to approach the matter on a sectional and partisan basis.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. RABAUT. I glory in the fact that I have the privilege of commending the gentleman for his splendid, statesmanlike address, showing the principle that is foremost in his heart and mind, to serve his Nation as a whole.

Mr. PASSMAN. I thank the distinguished gentleman from Michigan.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. DONDERO. I want to confirm everything my colleague the gentleman from Michigan [Mr. RABAUT] has said regarding the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. I thank the distinguished gentleman.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. FORD. I think the statement just made by the gentleman from Louisiana [Mr. PASSMAN] is typical of the fine service he has rendered not only to his State but to the Nation. I commend him for his long and faithful service.

Mr. PASSMAN. I thank my distinguished friend from Michigan.

Mr. DONDERO. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, the financing provisions of section 5 of this bill are sound. They comply with established Government policy and have the unqualified approval of—and in fact were recomended by—the Treasury Department and the Bureau of the Budget.

By contrast, any proposal to be made for scrapping these provisions and providing for sale of nonguaranteed revenue bonds to private investors will violate our Government policy and will be nothing but a trap for the unwary among us—a boobytrap, if you like, camouflaged as a financing proposal.

The bait consists of easy references to successful revenue-bond financing by various States for turnpike construction. But the delays experienced in those cases between the passage of the enabling act and the first sale of bonds would be fatal to the purpose of the bill before us. The minimum delay in 10 representative cases was 14½ months—in New Jersey. In Massachusetts it was 22 months, in Ohio 33 months, in Indiana 34 months, and in West Virginia and Maine nearly 5 years. The prospect of any such delay would certainly lead Canada to proceed at once with an all-Canadian seaway.

In Pennsylvania the first stretch of the turnpike, before traffic experience could be acquired, was financed by a grant of approximately $29 million from the United States and the purchase of approximately $41 million of revenue bonds by the RFC. The RFC later sold the bonds over a period of 2 years, but the financing was assured in the first place by Government action.

However, there is a much clearer analogy to this seaway than any turnpike project—and that is the construction of the Panama Canal. In that case the bonds sold were direct, full-credit obligations of the United States.

It is intended that the New York power project in the St. Lawrence will be financed through the sale to the public of revenue bonds of the New York Power Authority; but that furnishes no analogy for this seaway project. In the first place, there is plenty of past experience in determining the extent of the market for power in a given territory. That has been done thoroughly by and for the New York Power Authority since it was created in 1931—23 years ago. Secondly, the New York Legislature has committed itself not to legislate so as to impair in any way the powers granted to the power authority. Those powers are extensive in the contractual protection that can be extended to bondholders, including the power to define the remedies that bondholders shall have in event of default on the bonds. Thus, if necessary to sell the bonds, the bondholders can be given the right, upon default, to have a receiver appointed to operate the power project for their benefit. Thirdly, the amount of power to be generated by the New York Power Authority and the revenues to be drived by it from the sale of power cannot be affected by any future Canadian action, as the revenues can be in the case of this seaway. Fourth, the power authority has had full legislative authority for 5 years—ever since April 1949—to work out with underwriters and their counsel all the problems that are inherent in this method of financing even in the case of a power project.

Those are basic and decisive differences between that situation and the one before us.

In short, there is no basis in experience for even a glimmer of hope that public revenue-bond financing, without Government guaranties, would achieve the sole objective of this bill—participation with Canada in the construction and operation of the seaway.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Chairman, I am very grateful to the distinguished gentle-

man from Michigan for yielding this time.

Mr. Chairman, I ask unanimous consent to proceed for 1 minute out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and ask that they be included at the end of the debate. I should say, Mr. Chairman, that the article and the extraneous matter is estimated by the Public Printer to exceed the limit.

The CHAIRMAN. That consent will have to be obtained in the House.

Mr. JACKSON. Is that necessary under the circumstances?

The CHAIRMAN. It is necessary under the rules of the House.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Chairman, there are compelling economic reasons why the United States should participate in the St. Lawrence Seaway project.

This project would provide a 27-foot channel from Lake Erie to Montreal and would make available modern ocean-going vessels that would carry freight and agricultural products from the great Midwest area to far ports all over the world. The Department of Commerce has indicated a potential seaway traffic in excess of 57 million tons annually. A Canadian Department of Trade and Commerce report estimates that potential traffic to be in excess of 44 million tons. These estimates represent traffic potentially available in the near future and are not intended to reflect the growth of traffic volume that may be reasonably expected in the next 50 years.

The history of traffic growth on inland waterways and harbors, coupled with expanded populations in both Canada and United States makes it reasonable to expect that the St. Lawrence Seaway will attract during its economic life an average annual traffic of 50 million tons or more, as I have previously stated. This means that the whole United States will benefit by this increase in water transportation and it does not follow, as some have alleged, that it will strike at the heart of other important transportation systems in this country. With traffic at 50 million tons a year, savings could well be $60 million annually. With total average annual carrying charges for the navigation works of about $14,600,000 the shipping savings would substantially exceed the annual charges. Thus it would seem to follow that the project is economically sound.

There is, Mr. Chairman, an important fact that we should not forget, namely, that our friendly neighbor, Canada, intends to proceed immediately rather than permit any further delay. In view of this situation and the further fact that the project is one that is self-liquidating, it should appeal to Americans generally. The details of the plan will of necessity call for some negotiation with Canada, but it is not anticipated there will be any difficulty in working out proper plans for self-liquidation.

Mr. Chairman, I would like to point out the economic advantages of the United States participation in this project. Construction of the seaway will stimulate and strengthen our Nation economically. It will assure the delivery of a needed supplemental supply of iron ore to our Midwest steel-producing centers at the lowest possible cost. Further it will place our farm products in a better competitive position for world markets. It will also reduce transportation costs generally to and from the vast agricultural and industrial centers of the Nation. Although many of these advantages are assured in any event, since Canada will build a seaway alone if we fail to take advantage of the opportunity to participate, there are compelling economic reasons why the United States participation is of the utmost importance. On its face it is obvious that such transportation will permit us a voice in the management and control of the seaway. Here we can work with Canada in the matter of fixing construction standards, operating rules and regulations, standards of maintenance, and the setting of priorities for ships in transit that will use the waterway. Certainly a high percentage of the volume of seaway trade will originate or be destined for the great heartland of the United States.

We will also have a voice in determining the rates of tolls on commodities that are transported on this waterway. There is, I am informed, a Boundary Waters Treaty of 1909 with Canada which prevents the charging of different rates of toll as between Canadian- and American-flag ships, but this is a matter of mutual concern between our two countries.

Mr. Chairman, in connection with the self-liquidating aspects of the seaway there are a number of factors that point up the importance to the United States of having a voice in decisions made. The interest rate used, the term of years selected for amortization, and the method of computing amortization charges all would have a bearing on the income required to make the project self-supporting, thus directly affecting the toll rates charged. After the investment in the seaway has been amortized the question of reducing toll charges must be decided. Since our commerce will have paid for the larger share of the cost of the seaway, it would seem only proper that the United States should have a voice in determining the levels at which tolls should be continued. Under sole Canadian control, however, there would seem to be no incentive to operate the project as a revenue-producing investment, with the United States interests, in effect, continuing to pay rental for its use.

Since a large share of the cost of the seaway—regardless of who builds it—will be paid for by our traffic, and ultimately by the American producer and consumer, I am convinced that substantial economic advantages will accrue to the United States through a joint ownership and control of the seaway.

ST. LAWRENCE SEAWAY WILL BE A GREAT BOON TO AMERICA

Mr. SMITH of Wisconsin. Mr. Chairman, I ask unanimous consent that my colleague, the gentleman from Wisconsin [Mr. KERSTEN], may extend his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KERSTEN of Wisconsin. Mr. Chairman, any person looking at a map of North America is immediately struck by the obvious desirability of the St. Lawrence Seaway. In this present era when we have constructed so many public works throughout the United States, many of them no doubt useful, it seems incongruous that the most obvious public-work development, the St. Lawrence Seaway, has not yet been constructed.

Here is a project which will put the heart of America on the world's sea lanes. The value of this commercially to all the people in the United States can hardly be underestimated. It will mean lower prices and a higher standard of living for everyone in America, by reducing the cost of transporting a vast quantity of the goods and materials which America buys and sells.

There is no question that the Middle West would be particularly benefited by the St. Lawrence Seaway. The construction of the seaway would bring into balance to some extent the expenditures made by the Federal Government on public works projects. The Northeast, the Southeast, the Southwest, and the Far West and the Northwest have all had various projects which have benefited their sections of the country. But to date there has been none which has particularly benefited the Middle West. The construction of the St. Lawrence Seaway will help to bring these public projects into greater balance with respect to the areas of the country which they serve.

Objections to the seaway may be raised by those who are concerned with its effect on certain railroads and eastern ports. However, even if the argument is valid that certain railroads and eastern ports would suffer a loss in traffic by reason of the construction of the St. Lawrence Seaway, nonetheless the public good which would result to so many more people by reason of the seaway, more than outweighs whatever private loss there might possibly be to certain particular railroads or ports. Certainly no one today would advance the proposal that the Panama Canal should not have been constructed because it diverts certain traffic from the transcontinental railroads. Surely such an argument would be regarded as absurd. It is equally absurd with respect to the St. Lawrence Seaway.

I would like to offer in brief the following reasons for the construction of the St. Lawrence Seaway:

First. It would better secure our national defense. Labrador iron ore will be necessary in any future war. Shipment of this ore to our steel mills in the Middle West can be done through the St. Lawrence Seaway without being endangered by enemy submarine attack.

Second. The price of all products shipped through the St. Lawrence Seaway into our Great Lakes ports would be lower for American consumers because of the saving in cost of transportation.

Third. Midwest exporters would be better able to compete in foreign markets because of their saving on transportation costs.

Fourth. The seaway could actually earn an income on the investment, on the tolls charged.

Fifth. The seaway can provide an additional means of transportation from the Middle West to the eastern seaboard. Thus in case of war, when one means of transportation might be crippled by sabotage, an alternative method of transportation would be essential to our national safety.

Sixth. The hydroelectric byproduct from the waterway would be an economical source of power to New York, New England, and eastern Canada.

Seventh. Making our Great Lakes cities ocean ports, would greatly benefit their economic growth and would tend to diversify their activities from their present highly industrialized concentration. Five of the 15 largest cities in the United States are on Great Lakes, indicating what a boon inland transportation alone is to these cities. The potential economic growth of the Middle West can be easily envisioned, when these cities will have become ocean ports as well.

Mr. DONDERO. Mr. Chairman, I yield such time as she may desire to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, when I first ran for Congress in 1946, the St. Lawrence Seaway was already a controversial subject in my district. The vast majority of our workers were very strongly opposed to the measure. As I agreed with their point of view I made it one of the planks in my platform to oppose this measure if it should come to a vote in the House of Representatives. Nothing has happened since to change my thinking, or the thinking of those that I have the honor to represent.

It seems to me that there are four objections to the seaway. At the same time, Mr. Chairman, I want to make it very clear that I am completely in favor of the St. Lawrence power which will be of the utmost value to the State of New York, and to my district. The four objections are as follows:

First, because we cannot afford it. The cost estimate is only the camel's nose under the tent. It has been reliably estimated that the total cost, far from being the $105 million in the bill, will run to at least $2 billion.

Second, the fact that for 4 or 5 months of every year the seaway would be frozen solid. This poses a very real, practical problem. Are we to keep our railroads on ice for 7 months out of the year so that they can be ready for the necessary service during the 5 months that the seaway is impassable? This is a question that railroaders in my district are asking at the present time.

Third, Canada is ready and able to build the seaway. The Canadian budget has been balanced for the last 8 years. This can certainly not be said of the United States.

Fourth, it has been suggested that it is essential that the United States be a party to building the seaway for reasons of national defense. The answer to that is that if we cannot trust Canada we are lost anyway, because it would mean that we are indeed completely friendless in a hostile world. Besides, through the treaties of 1871 and 1909, United States vessels and commerce are given complete equality of treatment with Canadian vessels and commerce. Canada now, and in the future, controls the essential locks that all vessels will have to use regardless of who builds the seaway.

For the above reasons, which have not been successfully refuted, at least to my way of thinking, I shall vote against S. 2150.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. BLATNIK. Mr. Chairman, the gentleman from Arkansas [Mr. TRIMBLE], is unable to be present. He has a 4–H delegation at the White House. On his behalf I ask unanimous consent that he may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. TRIMBLE. Mr. Chairman, from the standpoint of national defense, from the standpoint of the economy of our country and from the standpoint of cooperation with Canada, our friendly neighbor, I think the construction of this project is wise. What helps one section of our great country helps all of it. The seaway should be built and now is the time to begin.

Mr. FALLON. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, there is little that I can add to the arguments that will take place in this committee today and tomorrow. Thousands of words will be uttered and thousands of lines will be printed detailing the pros and cons of the proposition that is now before us. The Committee on Public Works has spent untold hours on this question; listened to innumerable witnesses and brought forth a report of better than 100 pages recommending that the House pass this bill. I understand that this matter has been under consideration by various Congresses and administrations for the past 30 years. And yet, despite the lengthy arguments, reams of reports and careful considerations, no matter in what direction all of these lean, we face the stark reality that the seaway is going to be constructed. No matter what we do on this floor, the seaway, in the not too distant future, will be a very tangible thing, for Canada will build it alone. I think we ought to keep that fact before us as this matter is debated in this committee. Since the construction of the seaway, no matter what our attitude, is no longer ethereal but an actuality, it would be folly for the United States to sit idly by and allow the construction, operation and administration to be handled entirely by our Canadian friends.

Mr. Chairman, since I come from a State where heretofore there has been solid congressional opposition, I would like to address myself briefly to some of the arguments that have been used in the New England region. We in Massachusetts are told that the seaway would work an economic hardship upon Massachusetts; it would strike a crippling blow at the port of Boston; our New England railroads would be seriously injured; the seaway would never be of any direct economic benefit to Massachusetts. Now, these are dire consequences and no one with an ounce of intelligence and an interest in his area would vote a proposition that would produce them.

Happily, the facts belie the charges. The Boston Port Authority indicates that 75 percent of the port traffic is coastwise, intraport and local—the remaining foreign traffic, practically all of the goods coming through the port are consumed in the New England area. Much of the raw materials entering the port, such as wool and rubber, is processed by New England manufacturing concerns. Thus, it can be seen that none of this traffic will be diverted by the seaway.

An analysis of New England rail traffic indicates that rail exports are in the main consumption goods and manufactured goods and equipment with a high unit value in which the cost of transportation is a relatively small portion. I cannot believe that these goods would be shipped 1,500 miles to the Gaspé Peninsula to go over the seaway instead of the more direct and faster route by railroad.

No one likes to deal in speculation and it is difficult to foretell what, if any, direct economic benefits would inure to the Northeast. But, Mr. Chairman, this great new transportation route opens up vast territories. There can be no question but a tremendous population growth and development will occur in the areas that are to be serviced by the seaway. We, in New England, are close to the Canadian markets. It is reasonable to assume that our trade will increase and our industry will benefit.

So, Mr. Chairman, we in New England should not fear the arguments that have been propounded by the opposition. They are a farrago of misinformation designed to kill a proposition that, of course, defies death. The seaway is going to be built with or without us. We ought to approach the problem from a national and not a sectional viewpoint. Our national interest dictates that the United States should participate in the construction, operation and administration of the seaway. We ought to follow the advice, opinions and assertions of every President and their high-ranking advisers over the past 30 years. We can do so by passing this bill.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, I take the floor to say a word concerning one who would like to be here today, the distinguished gentleman from Michigan [Mr. DINGELL]. Nothing has been said

here today that has not been voiced by my colleague from Michigan [Mr. DINGELL], during his more than 20 years as a Member of this House on the St. Lawrence Seaway, a champion of this project from the beginning.

He regrets his inability to be here because of sickness. And I want to say for him that those who know him best know he is here in spirit championing a cause so close to his heart.

Mr. FALLON. Mr. Chairman, I yield 6 minutes to the gentleman from West Virginia [Mr. BYRD].

Mr. BYRD. Mr. Chairman, the construction of the proposed St. Lawrence Seaway can very easily compound an economic situation in the domestic petroleum and coal industries which has already reached great proportions. In addition, the railroads, manufacturing groups, and business houses of all kinds will feel the effect of this impact. Uncontrolled imports of residual oil presently reaching our eastern seaboard markets, when avenued via a waterway to the interior, will inundate the markets in the Midwest and the Great Lakes areas.

Proponents of the seaway have often stated that great quantities of foreign-produced oil will reach these markets, and they use estimates of tolls from this source as a substantial contribution to the income which they say will make the seaway self-liquidating. The Senate committee report on this bill, under date of June 16, 1953, estimates a movement of from 6 to 20 million tons of foreign oil annually into the Great Lakes area by way of the St. Lawrence Seaway. Translated into barrels, this means that from 40 to 125 million barrels of foreign-produced oil would reach this area each year.

Thomas Campbell, in his Lochiel's Warning, wrote:

Coming events cast their shadows before.

No truer application of this quotation could be made than in appraising the effect which an invasion of foreign oil imports will have upon midwestern markets as a result of the proposed St. Lawrence Seaway. We have only to look at what is now taking place on the eastern seaboard as a result of unrestricted petroleum imports.

Foreign residual oil, in the main, is dumped on eastern industrial markets and into a territory approximately 100 miles inland at prices that have no relation to the cost of production, and admittedly at much lower prices than the actual cost of the crude itself.

This heavy oil is used principally by industrial installations, most of which already have standby equipment to burn coal, or could be easily converted to burn either coal or an accessible grade of domestic fuel oil. These heavy oils have no practical value as a source of heat for homes, or for powering American railroads, or for fueling essential war machines, such as tanks, planes, and motor vehicles.

The flood of this product, which by domestic refining standards is considered an unwanted commodity, has been growing annually, while at the same time domestic refiners have been improving their refining processes in order that the residue product might be eliminated completely or reduced to a bare minimum. In 1946, residual oil imports amounted to 45 million barrels; in 1952, they amounted to 128 million barrels; and in 1953, the flood amounted to 134 million barrels. This increasing flood of residual oil unfairly undersells coal and destroys its markets; causes mines to close; impairs the capital investment of the coal industry; retards domestic exploration and development of new domestic oil fields; decreases potential traffic for American railroads; reduces opportunity for livelihood for thousands of small-business men; and imperils the Nation's security by building up unwise dependence on foreign oil sources.

On the basis of figures supplied by the National Coal Association, residual oil imports in 1953 were the equivalent of 32 million tons of coal lost to American production. The 1953 residual oil imports were at the rate of 366,515 barrels a day. In 1954, on the basis of the imports for the week ending January 23, the imports have increased to a daily rate of 529,900 barrels. The economic losses in 1953 from such a tonnage displacement affected a wide segment of our American economy.

Coal producers lost $155 million.

Railroads lost $88 million in revenue.

Coal miners lost $79 million in wages—equal to 22,000 jobs for 1 year.

Railroad labor lost $44 million in wages.

Federal, State, and local taxes lost $40 million—direct.

These statistics are very impressive, but I wish it were possible for the Members of Congress and the leaders of this administration to take a trip into West Virginia and other coal-producing States where they might see for themselves something more impressive than mere statistics. They would see that which is becoming a familiar sight to those of us who represent coal-producing areas—long lines of unemployed men applying for unemployment insurance, more and more children requesting free-school lunches, corner grocers with doors closed by creditors, families forced to depend upon Government surplus foods for existence. These are the things that are becoming commonplace in the coal-producing areas, and over the past year many Members of Congress have attempted to awaken official Washington to the situation. I have tried for weeks to get a hearing with the President, but in vain.

With the economy of West Virginia and other coal-producing States already seriously disturbed, partially as a result of uncontrolled imports of residual oil, it seems paradoxical that this Government would even consider building this seaway—a step which would contribute further injury to bituminous and anthracite coal, the basic industry of the Nation.

In the future, it is possible that coal from Europe could be taken through the seaway and dumped or sold for less than American coals in the territories affected. There is no question but that when coal production in Europe reaches the height planned for, the seaway will permit invasion of our markets and thus provide for indiscriminate dumping or selling of these foreign coals. Coal will be taken over the ocean practically as ballast. This would apply to English coal, to Welsh anthracite, coal from Russia, and coal from Poland. Coal could be sent in under subsidies, and the St. Lawrence Seaway is right down the alley of these countries where the coal is surplus.

It is my judgment that, when coal production reaches its height in Europe, 100 million tons of American coal could be displaced annually by the seaway. This would mean additional unemployment in the coal industry and also among railroad employees. Electricity generated by the St. Lawrence Seaway project will displace coal, and for every ton of coal displaced one man loses a day's work. How, then, can we help but show real concern as we view this legislation?

Foreign-produced goods which would come in through the St. Lawrence Waterway may well, because of their low-wage cost, be able to compete with and replace our own domestic products. This may result in total loss of operations to existing glass and pottery manufacturing plants in our own country because of their inability to operate in competition with foreign-produced goods. This cannot help but result in further employment reduction which, in turn, means further reduced purchasing power.

The St. Lawrence Waterway would bring competition enhanced by slave labor right into the heart of our industrial section, and damage the blast furnace, the steel mill, the finished-products operations, and, therefore, the whole economy.

There are those who propose that this seaway monstrosity will be in the better interest of our national defense. I do not claim to be an authority upon national defense, but it has been stated that there were more submarines infesting the Gulf of St. Lawrence and the St. Lawrence River than anywhere else along the Atlantic coast during World War II. Assuming that the seaway is built and that there were hundreds of vessels plying the seaway from lake ports to the Gulf of St. Lawrence, the destruction of 1 lock on the seaway would probably block out the effectiveness of these locks in 1 blow. In reality, the St. Lawrence would probably become the most vulnerable point of attack in America. On economic grounds alone, the seaway is not in the interest of national security, because national security must be founded upon a strong economy. The seaway will undermine our economy by pitting domestic industries against the cheap products of slave labor in Communist-controlled countries. Real national defense can best be secured by having at its base, factories that are running, machines that are humming, men who are working and earning dollars for purchasing power.

There are those who say that, whether or not the United States participates in the project, Canada will build it alone. I say that Canada is well able to go it alone on the project. The Canadian dollar is higher in the international financial market than the American dollar. Canada has finished its eighth consecutive year with a comfortable surplus,

while it is reliably estimated that the United States deficit will approach $9 billion this year. Why should we add the cost of the proposed St. Lawrence seaway to our national debt, now near the legal ceiling, thus placing an additional burden upon the American taxpayers for a part-time seaway which will be ice blocked 5 months out of the year, and which will ultimately cost many more hundreds of millions of dollars than are provided for in this legislation, when more than $3 billion American tax-free dollars are invested in Canada. Let Canada build the seaway. I do not propose to be a party to using the old county fair shell game in trying to pawn off their boondoggle on the American taxpayer.

The proponents of this measure claim that, if Canada builds this seaway, we will be at their mercy regarding toll rates. This reasoning is rather odd, in view of the fact that so far we have not given up our rights on the Great Lakes. In fact, one lake—Lake Michigan—is completely American, and in other lakes the channels are almost invariably on the American side, where we do all the maintenance and improvements. At the Sault Ste. Marie, indispensable to the Canadian grain movement, we own and operate 4 of the 5 locks. A fifth, owned by Canada, is practically obsolete, and the St. Lawrence River is 95 percent Canadian owned. Why not let Canada take care of the river? We can take care of the Great Lakes.

In conclusion, I might say that, all factors being considered, I think the same reasons exist today as have existed for many years which indicate that the sensible and proper thing to do in the interests of all the people of the United States is to reject this proposed legislation. In other words, special privileges and subsidies at the taxpayers' expense should not be accorded to a few States at the expense of others. Equal rights to all States and to their economy must prevail.

There is no sound economic reason for the building of the seaway. Great Britain and other European countries will stand to profit most by the all-water shipment of their exports, many of which will be subsidized, into the Great Lakes section of our country, in competition with American products. When, and if, that occurs, you will hear a mighty roar of protest, and we will meet ourselves coming back. Leave well enough alone, and my repeated suggestion, respectfully submitted, is to reject this measure and confirm the good judgment and common sense of past Congresses which refused to pass similar legislation.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, the House now has the responsibility for final and decisive action on one of the most important pieces of legislation that has been presented for its consideration in recent times. The Senate has already passed the measure and it has been given approval by the House committee. Action by the House itself will be final and decisive. Since the issues are complex and have been presented in a new guise these issues are not completely understood. The strategy has been to break up an extremely complex project into many segments and present only a few of these in a simplified setting that is both unreal and unsound.

Prior to any vote on this measure by this Chamber it is important that we examine the specific features of each proposal by itself and then give careful attention to its essential place in the complex whole in which it must operate. But of even greater importance are the many basic departures from established policies that have been so carefully considered and emphatically approved by Congress over the last several decades.

Many basic natural resource policies that have for a long time been in the course of formulation by an enlightened public opinion and on which Congress has recorded its beliefs many different times will be set aside if this legislation is approved.

The specific question before the House is the approval or disapproval of building a segment of the proposed St. Lawrence Seaway project. Approval once granted will make it difficult to come back at a later time for any broad gage reappraisal of the whole problem or to square it with the basic natural resource policies that have been given extensive application in other parts of the United States.

Specifically we are called upon at this time to render our decision on a limited segment of an extensive project. Proposals for improved transportation on a portion of the St. Lawrence River that may seem plausible in the guise in which they are now presented may appear quite differently when considered as a part of the total navigation project with the postponed features appraised and their high costs visualized.

In great contrast to the brief hearings and proposed quick approval of this fractional project are the extensive hearings and thorough discussion given to the policies and programs that have become thoroughly established in this country that would be breached for the first time if we approve this legislation.

The task of appraisal of the proposal which is now before the House requires that we ascertain its logical position in the patterns of development of transportation facilities and of use of natural resources that have been long under consideration by the Congress. This appraisal falls logically into three subdivisions. In a preliminary way may I briefly describe each of these phases and then return for a more complete examination of facts and conditions within each subdivision.

In the first place, there is an evident new policy and program proposed for developing the hydroelectric facilities on the St. Lawrence River which is one of the greatest hydropower streams in the United States. After extensive experience with the development and successful operation of multiple-purpose projects for securing maximum benefits in the use of water and other resources, we are asked to approve a plan for disjointed single-phase development and a scattered rather than a unified plan of management. Multiple-purpose projects under unified management have now had more than a quarter of a century of successful application on many of the country's rivers. In many different river basins the various phases of resource development have been brought together in a comprehensive, overall plan with each resource assigned to its logical position among all others.

Such overall plans supplanted a long history of drifting and piecemeal resource development. There comes now before the House a new policy of piecemeal handling of one aspect only that has not even had the usual treatment of presentation and discussion within the committees of Congress. There cannot be sufficient opportunity for the required discussion now on the open floor.

Those in charge of this program have sidetracked consideration of the alternative programs for developing and using the river's power potential so that Congress is relieved of the need of giving to this vital problem any time or attention whatever. The hydroelectric power project and plan of management have been segregated and are to be handled separately and by an agency not subject to the control of Congress. Laws with provisions and policies that have been set up for entirely different purposes are being utilized to dispose of the power phase of the St. Lawrence project without having to bring it before Congress.

This other method permits the Federal Power Commission to approve applications for private or non-Federal public developments which do not require or permit the proposal to be brought before Congress. So the power resources of the St. Lawrence have been segregated and all responsibility and authority for undertaking this phase of the project have been turned over to the Power Authority of the State of New York. Policies long established and which generally have had bipartisan support are being reversed without even the formality of any preliminary or detailed discussion within appropriate committees or in Congress itself.

In still another way there is a fundamental departure from policies that have been carefully hammered out within the committees and on the floors of both the Senate and the House. Instead of the power resources in this great drainage basin of the St. Lawrence being used for the benefit of all the people within the basin, all uses and benefits are handed to a small subsection of the basin.

All of this is transpiring in spite of the fact that the excluded parts of the basin constitute the watershed, which supplies the water and contains extensive lakes which provide great regulatory reservoirs and give to the St. Lawrence River its very large and special values as a power stream. All those States which supply these resources and facilities are specifically excluded from any sharing in the great benefits from the low-cost power of this strategic river. Instead, all the power benefits from the entire river system are transferred to one State which happens to be contiguous to the rapids in the river which provide the logical site for the building of the hydropower facilities.

The second phase of the project, and really the only part that is before Con-

gress for its active consideration, is a proposal to prepare the river for navigation—not the total navigation channel but rather only a limited segment of the total. While it is true that this segment now represents the chief bottleneck and obstacle to enlarged transportation, it is segregated for separate early construction by a special agency. Other phases of the transportation system are left in the background and are not to be considered or appraised in connection with the current proposal.

It would seem difficult for Congress to make a judicious appraisal of this fragment without having before it the plans for the total of the transportation system. However, this is all probably taking place against a background of understanding in which residents in the area now left out of consideration will come back to get what they want at a later date.

In order to secure approval for the segment of the river involved in this legislation, the people of these other areas are generally giving their support to the project now before Congress, but with the expectation that once the proposed phase is completed the other segments in which they have a more special interest will be brought before Congress. They will then have the argument that in order to make what has already been approved useful it will be necessary to build all the other segments that are now left out.

It is this piecemeal presentation of a complex and costly project that constitutes a revolutionary departure from the procedures that have been followed by Congress in recent years. This unusual type of program makes it doubly difficult to appraise the total when many of the important features have not been before the committees of Congress for reports and appraisal. It is, therefore, extremely difficult to evaluate the specific segment that is before the House in its relationship to the total overall program.

There is a third phase that merits careful consideration and must be viewed realistically by Congress. There is evident restriction in the depths and dimensions of the channels and other facilities in the proposed project to less than what is necessary in modern water transportation. This so-called seaway measure presents only a limited development and will only partially meet the requirements. It will provide a link in the St. Lawrence River with restrictive transportation capabilities to a limited depth of 27 feet. But next in order will come proposals for approval of the other segments to be carried out to match this depth of 27 feet.

Then it will be necessary under the logic of the situation to come back and ask for approval to deepen all segments to a realistic depth of 32 to 35 feet or more. All of this will be necessary to provide a complete and effective transportation system with depths that will permit efficient ships to move into and out of the system. This is only the first round of a many-sided and costly project, and it must necessarily be that the larger units must be completed before many of the advantages claimed for this proposal now before Congress can ever be realized.

With these introductory remarks, may I now proceed to develop more fully each of the significant defects in the proposed projects.

REVOLUTIONARY CHANGES IN RIVER BASIN POLICIES

The revolutionary changes in power policy inaugurated by the proposal now before the House can best be seen against the background of the historical development of Federal natural resource policy which has been in the course of formulation for more than 30 years.

Following a long period of careful investigation in the years following World War I, there was inaugurated what was essentially a unified basinwide approach to the development of water and other natural resources. First in a series of imposing projects was the Boulder Canyon project on the Colorado River. In this first program there was a set of policies which provided the pattern that was to be followed in many succeeding acts. The most unique feature was a multiple-purpose plan of development where all the various needs served by the waters of an entire drainage basin were incorporated in a comprehensive and balanced project. Each of the several uses was synchronized with all other uses and provision was made for unified operation. Important uses of water such as: power, irrigation, navigation, flood control, fish and wildlife, and sedimentation control benefits are provided for in comprehensive basinwide plans.

Within the framework of this comprehensive planning the water resources of the Colorado River were first brought under control. With the completion of the Hoover Dam, the impounding of waters in Lake Mead, and the installation of the power generating equipment, the project was placed in operation and has had 2 decades of highly successful operation. Fundamental to this whole plan, power resources were to bear their full share of financial obligations and there was generally incorporated an additional provision to use any surplus power revenues to pay for certain other benefits.

Since completion of the Colorado River project, revenue from the power generated has already repaid much of the capital costs with interest and has defrayed all operating costs. After the pay-out period, about 30 more years, large revenues will be available for meeting other costs or for developing additional resources. The project will continue indefinitely to furnish surplus power revenues for uses by the United States Government and the cooperating States.

In succeeding stages of development of this multiple-purpose program additional projects have been approved, constructed, and placed in operation. These same provisions were incorporated in the Tennessee Valley Authority Act where the great power generating capabilities of that river system have been completely harnessed and are currently returning investments including interest, and making additional contributions to the economic development of the region in the form of low power rates to municipalities and industry. When the investments have been returned, surplus revenues will be available for other desirable social purposes.

Soon after this, in 1935, construction of the Bonneville Dam and power project on the Columbia River in the Northwest was undertaken to which was later added the Grand Coulee project. Still other projects have been completed or are in the course of construction in the Northwest.

Within the framework of this same program and through application of the same policies, the Shasta and Friant Dams in central California, a series of dams along the Missouri River, additional dams and powerhouses along the lower Colorado River, and a considerable number of other smaller projects have been completed. Within this program of multiplepurpose development there are a number of highly favorable power generating situations which not only carry their own cost but contribute substantially to other benefits.

It does not seem a fitting sequel, therefore, to this long period of basic resource development with its widespread benefits and public support to find a completely different program for another great drainage basin with some of the Nation's most advantageous power resources. Policies so long in the making have suddenly been reversed and a project presented in new and unexplored form.

Instead of a comprehensive basin program, Congress is now confronted with a proposal for a fractional part of a single phase of the problem. This project comes stripped of any relationship to the great power resources of the St. Lawrence River. What has been so effectively used to pay a large portion of the costs in other projects has no place in this project.

There is really less of a revolution in the manner of handling the interrelated natural resources than there is in the fact that Congress is not even given an opportunity for considering the power phase of this project. In all previous problems presented to Congress on the St. Lawrence Seaway project the power phase was an essential part. Now through decisions by those who have assumed responsibility for reversing the policies of this country an entirely different procedure has been adopted. All the power resources have been transferred to a State agency with very little experience and resources.

The power resources, instead of forming a part of a multiple-purpose project are set aside for separate development. Furthermore, instead of these great power resources being available to all the people of the drainage basin, they are set aside for the exclusive use of the State that happens to be contiguous to those reaches in the river where power generating facilities must logically be built.

It is important to recognize that the favorable power resources on the St. Lawrence River are predominantly due to the regulating mechanism of the Great Lakes that form great reservoirs and permit a steady, almost uniform,

year-round flow of water. Nature itself performs this function on the St. Lawrence but for most of our river valleys it has been necessary to construct expensive artificial lakes and river-regulating facilities, and then seldom is a matching equalization obtained.

A third striking innovation in the proposed program comes from turning over to non-Federal agencies, more specifically the Power Authority of the State of New York, complete control of a great revenue producing resource without in any way providing protection to the welfare of the general public or of the people in other sections of the drainage basin. The Federal Government is taking the unprecedented position of transferring to a State authority full power and control over rich resources, without specifying how these resources are to be utilized. Since the New York State Power Authority lacks both experience and resources, nor even do they have a distributing system, it is evident that they will at once be confronted with many problems for which they are not equipped. They must build needed generating facilities but transmission lines are not provided. As a matter of necessity they may transfer power at the generating plant to the public utilities of the area but there is no assurance as to how the power will be utilized and who will secure the benefits.

The amazing part of this new program and policies is that all of this has been formulated without any action on the part of Congress. This method gets around the difficulties that would normally be encountered in a thorough congressional investigation of the subject. This procedure is so in clear opposition to established methods of determining policies and programs that it would seem that those in charge were especially anxious to prevent application of accepted policies.

Two additional features need to be visualized clearly in this program that has sidestepped direct action by Congress. Nothing is said of how the surplus revenues from this highly favorable hydroelectric power stream will be used.

Some of the earnings will be used during the first 50 years to return the capital investment including interest. In the period beyond, these revenues will be available for other public uses, in all probability within the State of New York. Other parts of the drainage basin, those around the Great Lakes and those close at hand in New England, will not share in these benefits although they must underwrite the other features of the plan by guaranteeing the repayment of the funds needed in the navigation phases of the project.

There is also treatment by neglect of surplus earnings above rates that will be charged for liquidating the investment in the power facilities. There will be a substantial margin between the costs as they will be figured for the hydroelectric power generated and the cost of alternative steam generated power. This margin could be available for use by the general public but there is no assurance that this will be the result.

Power could be available on a preferential basis to public bodies and agencies as has been the continuous and unbroken policy through the long period of this country's multiple purpose water resources development. Under the circumstances, however, where all this will be at the disposal of the New York Power Authority, this need not happen. If low rates are charged it will merely add to the profits of the private utility concerns and will not be available for public purposes or spread widely to public agencies. But much of this power may be used by the New York Power Authority to induce new industries to come into the region by offering low rates. This is a powerful force that may be used to attract to the New York area industries that would otherwise have located in other parts of the country.

In all other projects that have come before Congress for approval provision for public sharing in these surplus earnings has been the general rule. Since this proposal, however, sidesteps Congress, and all the power facilities are scheduled for development without congressional approval, there will be no opportunity for Congress to vote on this break with the past.

Those who have opposed the construction of multiple purpose projects under congressional approval are finding in this new method a complete, or nearly complete, triumph for their points of view. In the first place, the Federal Government is eliminated as an active agent in the development of the power resources on one of the Nation's greatest rivers.

In the second place, instead of these power resources being tied to a basin-wide multiple purpose development they are detached for separate development without reference to the other phases of what is clearly a multiple use of water resources. There is a further triumph in a new policy of localized development of resources through denying their availability to the people of an entire river basin as has been incorporated in all projects that have come before Congress over the last 25 years.

Finally, the power resources are turned over to an agency without stipulation that there shall be any priority for any public agency or other public sharing in the benefits. It is left entirely to the discretion of the New York Power Authority how the advantages of this rich resource shall be used. The extensive benefits of a great natural resource are not allocated to the public generally and there is the distinct possibility that large-scale benefits will be available to the very public utilities that have so long opposed the policies that Congress has adopted in connection with river-basin projects in other parts of the country.

It has ordinarily been assumed that Congress was the great policymaking branch of the Federal Government, but in this series of transactions Congress is ignored and executive agencies are setting the policy. Legislation passed by Congress for other purposes is now used to bypass Congress and allocate to a State agency a great resource that seems by logic of the circumstances to belong to all the people or at least all those in the river basin itself. These specific actions have allocated the major power resources of the river to only a fractional part of the basin, where it may be used for purposes and in a manner diametrically opposite to the policies that have been hammered out by Congress over a long period of time.

This is an important piece of legislation which so completely flouts the usual prerogative of this House and of the committees of Congress that it constitutes an open challenge to the accepted mode of functioning of this great body. The problem is now before us, however, in a form that does not permit full expression of other points of view, nor does it permit the orderly procedure of careful investigation by committees, a procedure that has been so carefully and thoroughly maintained in all other comparable cases.

The hydroelectric power capacity of the St. Lawrence is placed at 2,200,000 horsepower. With half of this developed on the American side there would be 1,100,000 horsepower, or approximately 800,000-kilowatt capacity, available for use within the United States. This will yield approximately 6,300,000,000 kilowatt-hours of available electricity annually and, of this, probably as much as 5 billion kilowatt-hours will be available as a continuous, dependable supply, or as firm power.

This tremendous potential energy supply will be available at a low comparative cost because of several natural features.

First, the amount of water flowing in the St. Lawrence, averaging 227,000 cubic feet per second, makes it one of the large rivers of America. The annual flow of 160 million acre-feet is about the same as the Columbia River in the Northwest.

Second, nearly all the fall in the river is confined to a short stretch of the river—a fall of 92 feet in the 46-mile International Rapids section.

Third, the flow of water in the river is remarkably uniform—the maximum usually no more than twice the minimum. In great contrast, under natural conditions, the Columbia River maximum was 30 times the minimum, while the unregulated Tennessee River sometimes showed a maximum 100 times the minimum.

It has been necessary in other river basins to build expensive reservoirs to achieve even a part of the regulation which is supplied by nature on the St. Lawrence. Along with the volume of water and the fall in elevation the pattern in the seasonal flow of water determines the amount of dependable electric energy.

The importance of this may be more clearly seen by comparing the American share of the St. Lawrence power potential which is less than two-thirds the installed capacity of all New England hydro powerplants, but it has a prospective annual yield of 20 percent more kilowatt-hours. This superior yield is due to the equalized flow on the St. Lawrence River made possible by the equalizing power of the enormous storage in the Great Lakes.

There has been too much of a tendency to dismiss the power resources on the St. Lawrence River as a limited supply—after all it is less than a third of the

installed capacity of steam-generating plants in New England and less than one-fifth the steam installations in the State of New York.

Such comparisons, however, do not give a realistic picture of the importance of these hydro resources. The St. Lawrence power resources may very well have an influence comparable to those of the Tennessee River and the Columbia Basin. The following shows the approximate annual kilowatt-hour generation:

Grand Coulee	12,000,000,000
Bonneville Dam	4,000,000,000
Hoover Dam	6,000,000,000
Tennessee Valley (hydro)	11,000,000,000
New York Power Authority:	
St. Lawrence	6,300,000,000
With Niagara	12,000,000,000

These large blocks of low-cost hydropower have had a profound effect on the industrial and general economic functioning in all these areas. The availability of extensive power at lower than normal rates had provided a decisive influence on the number and type of industries locating in the region. There is probably no less of a reason for economic influences of like nature in the development of the full potential hydropower resources on the St. Lawrence. This will depend largely on how the power output is managed and the policies that are adopted to govern the mode of marketing the power and the prices to be charged.

The dynamic influence of the hydropower in these other areas has been due fundamentally to the low cost of generating the power—in the neighborhood of 2 mills per kilowatt-hour. The costs will be just as low on the St. Lawrence.

Furthermore, the contrasting cost of steam-generated electricity is higher in the St. Lawrence Basin because of the higher general cost of coal. This will leave a wider margin of surplus earnings which is the measure of power to confer economic favors on industries, groups of citizens, or communities.

This great economic resource is going by default to the State of New York when it rightfully belongs in part to the Great Lakes States and New England as well.

The margin between the level of power rates necessary to pay operating costs and return the investment in power facilities together with interest, and the cost of steam-power generation is a measure of the economic power placed in the hands of the New York Power Authority. This margin will be even greater after the plant investment has been liquidated.

This great energy resource can be used for the special benefit of limited groups and limited areas or it can be used to spread benefits to wide areas and for a long list of public purposes. But no guaranty of such use is provided for in the program now before us.

NOT A SEAWAY—JUST A BEGINNING

Congress is now asked to make a decision on this many sided and extremely complex St. Lawrence Seaway project by giving approval or disapproval to only one feature, when it is clear that many other features must inevitably soon come before Congress. The important power phase of the project was first removed from the jurisdiction of Congress as I have indicated in the first part of my discussion. Then instead of grappling with the whole of the transportation problem, there has been a segregation into several subdivisions with present consideration limited to only a fragmentary part of the total.

The St. Lawrence Seaway measure establishes a St. Lawrence Seaway Development Corporation and provides it with funds from the United States Treasury to proceed with the building of the navigation facilities on a 46-mile section of the river. This Corporation is made responsible for charging tolls on commodities sufficient to make this phase of the project self-liquidating. This is clearly a case of taking but one phase of a complex project and giving priorities and special treatment that cannot be accorded to other phases.

The section of the seaway project that has been selected for presentation to the United States Congress represents only a first stage improvement to a 27-foot depth even though it is freely recognized that a real seaway would necessarily be dredged to depths several feet greater than this to harmonize with what has come to be the accepted practice in all harbors connected with transoceanic shipping. Under these circumstances the proposed seaway project is really not a seaway, but rather an attempt to provide a connecting link between two segments of internal transportation neither of which is ready to receive oceangoing vessels of the type that modern practice has shown to be needed.

This is only a first stage affair and its approval will lead only to a later presentation of other phases of the project required to make it a real seaway. This of course minimizes the present costs and burdens and gives to the Corporation, along with Canada, full power and direction to set tolls heavy enough to make this phase of the project self-liquidating. This line of action will clearly preempt available funds from later use in connection with other phases of the project or for costs of additional deepening that will be required. Funds on all transportation are by this proposal to be exclusively devoted to the completion and financing of this single segment. Other vital phases of the project, necessary to make a real seaway, the deepening and improvement of locks, channels, and harbors on the Great Lakes, are all carefully left out of present consideration, clearly with an understanding on the side that these other phases will be brought up for consideration later.

Present strategy, however, is to secure approval for this single phase and then with it completed or approved the other parts will be brought before Congress. There will be the added logic of having to complete the other phases in order to make the total useful.

This project is presented in a form that preempts the total possible tolls by giving the proposed corporation full power to set tolls required to make this part self-liquidating. This is all without reference to how this action may complicate the problem of making needed funds available for other phases of the project.

The corporation is also given responsibilities and powers to manage only a segment of the total transportation facilities, and does not have authority over the other phases. Nor will those responsible for the other phases have power to interfere with the management of the segment under the direction of the proposed corporation.

Under such provisions transportation on the St. Lawrence and Great Lakes is being broken into segments for separate management and diverse treatment. This is contrary to the fundamental physical fact that the whole of the transportation system is linked by nature as inseparable parts of a total. These cannot be handled separately without the risk of violence to unified, concerted, and logical overall management.

All recent experiences have indicated the need for unification or at least coordination of all phases of a basin-wide development of river systems. The experience with these problems over the last 25 years has led Congress to formulate and approve policies for unified operation. The whole trend has been to bring about by various means, methods of unified action, usually short of centralized control. In this case, however, a diametrically opposite program has been presented.

First the power resources are handed over to an agency without rules or restriction on its actions. Then in this proposal that is now before Congress there is a matching fragmentation of a unified program by selecting a certain limited phase of the transportation route for separate development and this same act confers full power to place a mortgage on all traffic regardless of its origin and degree of use of other facilities. Since all traffic must move through all segments of the river the power to levy tolls in one part is power to regulate the traffic on all other segments. This fragmentation of the control runs the risk of failure of coordination and maintenance of proper relationship to other phases of the project.

All of this seemingly is part of a movement to simplify the project, to reduce its cost, to present it in a form that appears plausible so that adoption may be secured. But approval of this phase of the project will get us so deeply involved that we will have to take many additional steps in order to restore a logical relationship with other factors that are now specifically excluded.

The method of handling this phase of the project, the setting up of a public corporation to which is delegated many powers, seems to simplify the problem before Congress but this may not be the end result. There is a general feeling of confidence in the use of a corporation to carry on semipublic types of activity. On closer examination, however, it is evident that the proposed action in this case is without precedent. It is generally the case that the responsibility delegated to a public corporation is clear-cut and definite and there are ample provisions for unified management. It does not take more than a superficial examination, however, to see that the

circumstances under which this corporation must function are unprecedented and its powers will be so circumscribed that it is difficult to see how it can operate with success.

Other corporations to which comparison might be made have by contrast complete unified control of operation of all phases of river-basin development. This clear line of responsibility has been the reason for much of the success that has come to the Tennessee Valley Authority. But instead of following this pattern of unified control, the corporation, in the plan now before the House, is given responsibility for only one phase of one segment of the entire problem.

The navigation project extends for only a 46-mile segment of the river, but in order to operate effectively there must be a close working cooperation with Canada, on the one hand, and with the operators of the joint facilities that have been transferred to the New York Power Authority and the Province of Ontario. Furthermore, the operation must also be synchronized with all of those interconnected operations in the Great Lakes under control of still other agencies.

In all phases of this proposed project now before us there is a clear-cut treading of new paths that have been only partially explored, and virtually all of the fundamentals of effective administration and unified resource management that have been worked out in this country over the last quarter of a century are discarded. This, seemingly, has been done in order to devise a plausible program that would induce this country to early action.

The brief hearings before the committees have not included the presentation of materials on the interrelationships with many other facilities that are inseparably connected by the very nature of the complicated resource with which we are dealing. A unified, instead of a disjointed, plan of operation would appear necessary in order that the separate segments of the total facility could be properly managed.

In order to make this system of water transportation what its opponents even now misguidedly call a seaway, it will necessarily mean a future request for a project for increasing the depths and the size of the locks, and to deepen the channels to make it possible for this project to fulfill the purposes for which it is even now claimed this project will serve. When Congress is again faced with the proposition of making it what it logically should be, according to the proponents, then proposals for further deepening will necessarily be made and these must also come to Congress for action.

Sharp on the heels of approval of this project will probably come plans for elaborate and expensive works required to deepen and enlarge the channels, locks, and harbors on the Great Lakes to the 27-foot standards of this project. Following this will be other proposals to equip the entire system with depths of channel and size of facilities that will accommodate the modern ships that form the basis of the justification for a real seaway project.

When these additional phases of the program come up for consideration it will be evident that Congress will already have committed the potential revenues and facilities to a mode of administration and limited use that impairs freedom of action and the opportunities of synchronization of the various parts into an efficient operating whole. The hydropower phase of the project, with its dams, reservoirs, and generating plants, will require the regulation of water depths and channel flow that will come into conflict with the needs for maintenance of levels of lakes and rates of waterflow for other purposes.

These complex and interrelated features are, however, broken into conflicting segments without present consideration of their relationship to the overall operation of the project. All of this is under the guise of simplification of what is essentially a complex problem in order to secure present approval of a basic unit. But this is enough to commit this country to a line of action which, once started, the opportunity for careful overall appraisal and consideration cannot be retrieved. One illogical step leads to the necessity of taking other illogical steps and the probable result will be a conglomeration of programs instead of whatever would have been possible by a unified overall consideration of all phases. Unification in harmony with the basic interrelation of the resources with which we are dealing and of the navigation and other phases of the project will no longer be possible.

It is significant to recall that this project has undergone so many changes since the last one presented to Congress that there has not been time for Congress to consider and weigh all phases of the problem. Each passing period has brought new arguments and changes in the whole manner of presentation of the project. In earlier years there was tremendous emphasis on the relationship of this project to the prosperity of the great farming area in the central part of the country and the need for cheaper transportation to the markets of the world to insure the economic health of the great agricultural sections to the west of the Great Lakes. But little is now said of this phase of the project.

Much has also been said about the military and the defense phases of the project but this manifestly now has taken quite a new turn and is presented in a different way. Improvements projected by Canada that will be made if the United States does not build this project will make it possible to bring iron ore from Labrador to the great industrial part of the country over an all-Canadian route. This will be taken care of without further action by the United States and does not depend upon either the building of this unit in the transportation system on the United States side of the St. Lawrence or on other action that would necessarily come before this Congress.

It is important also to note that many changes have taken place over the last number of years in the whole iron ore situation and these transform the complexion of this whole seaway problem. Great improvements in the technology of concentrating low-grade iron ores have been made and a number of large plants have been built to process these abundant deposits in the Lake Superior region. Large, new, high-grade deposits have been opened up in central Canada that will move over the Great Lakes by essentially the same route as the Mesabi iron ores. Enormous, rich, new deposits in South America are now ready to ship large supplies of iron ore to the United States. None of these, however, will make use of the St. Lawrence route and they make its use that much less necessary. The future will probably bring additional changes which must be given consideration and should be the basis of appraisal instead of former conditions that have become obsolete through progress.

We are now asked to approve a project with facilities related mainly to the iron and steel industry, the basic phases of which are passing through important changes and are likely to be different in the future. By dramatizing passing phases of the project we are almost certain to find ourselves in the illogical position of having designed the project for one type of traffic and then discover that other types are more important and will require larger channels and locks. Changes will then have to be made in the design to bring about a logical relationship between the facilities available and the traffic.

The 27-foot channel authorized by this legislation is aimed primarily to meet the requirements for passage of the ore-carrier type of lake boat now extensively used in the iron ore and other Great Lakes traffic. Such boats will be appropriate for the depth of channel provided for in this legislation but, unfortunately, it is not deep enough for most of the ships of the American merchant marine. Many of these might make use of a real seaway but they will be excluded from the use of this expensive and shallow channel. The proposition before us meets but a fraction of current needs and ignores the future and the trend to bigger ships especially those built in America.

But this is only part of the story. The limited depth of channels adopted for this project, while effective in excluding the bulk of the American merchant fleets, will be adequate for numerous craft of foreign nations. A large fleet, chiefly of the tramp-steamer type, operating on unscheduled voyages, can invade and take over most of the general traffic that may move through the 27-foot channel. A large number of these foreign ships which ply the ocean routes are of shallow draft, are not held to expensive regular schedules, and they are manned by low-wage labor.

These features are all the very opposite to the conditions under which the American merchant fleet operates. The American vessels are large and of modern design, generally requiring channels deeper than 27 feet. They are operated by American labor drawing high wages required to maintain high standards of living. The higher expenses of operation do not permit the flexibility in types

of cargo, sailings with partial loads, and unscheduled voyages that are open to many foreign vessels.

Here is a project presented to Congress for approval that is designed to meet a special but limited situation but which is made to have the appearance of low cost by substituting shallow for realistic depths and dimensions. In order to carry the appearance of feasibility of self-liquidation they propose to mortgage the whole of a many-sided project to pay for the construction of but a segment.

And then on top of all this piecemeal and uncoordinated program there is the unintended but nevertheless powerful contribution to the competitive advantage of foreign over American shipping by providing a facility of transportation that only their ships can use. This watered down seaway will be essentially unavailable to American ships, the larger size of which is dictated by necessity because of high construction and operating costs. A larger payload per voyage and greater speed of travel are effective ways of keeping unit costs low enough to meet foreign competition. These methods cannot be employed on the proposed seaway and most certainly not by the typical American ship.

The American shipping industry is now sinking rapidly into a bad economic position and the shipbuilding part of the industry is in still worse comparative condition. Orders for new ships to be built in American ports are falling rapidly and in some yards have almost ceased. If Congress is planning to do something fundamental for American security it may be well to recall the almost tragic condition of American shipping in both World Wars. Preceding both events there had been a long period of neglect of American shipping. We came dangerously close to losing both wars because of the length of time required to build enough ships to make our military might effective. The feverish haste and the high cost of building many ships to meet those emergencies—most of the ships then becoming obsolete for peacetime use—should be a real lesson in the fundamentals of real American security. There seems little evidence in present plans and programs that we will avoid the almost tragic mistakes of the past.

In world war III we may not be so fortunate as to have allies who will hold the enemy at bay for a sufficient number of years or months for us to restore our merchant marine to a strong position.

It would seem quite important, therefore, that we place alongside the security needs for more iron ore the other necessity of maintenance of a strong and efficient merchant fleet.

To proceed to accomplish one objective by methods that will retard the achievement of the other objective is open to serious question.

Mr. Chairman, I would like to make a few observations. It has been pointed out in debate that not more than 10 percent of our merchant marine would be able to use this St. Lawrence Seaway after it is built. I would like to ask the gentleman from Maryland [Mr. DEVEREUX] if that is not true.

Mr. DEVEREUX. I was so informed by the chairman of the Merchant Marine Commission that less than 10 percent of American-flag seagoing vessels could use this 27-foot canal.

Mr. STAGGERS. The natural assumption, then, would be that foreign vessels, manned, as has been stated, by cheap, slave labor, would be employed in bringing in the goods. May I ask further, is it not true that at the present time a railroad is being built from Seven Islands up to this ore deposit in Labrador? I would like to ask the chairman of the committee if that is true.

Mr. DONDERO. That is true.

Mr. STAGGERS. After this work is completed, is there other work to be done later that is not even mentioned now or that I have not heard discussed, such as connecting channels to be built later on, probably?

Mr. DONDERO. If at some time, when you and I are grayer than we are now, and the people of the future determine that they want to lower the connecting channels, that will be done. May I say to the gentleman that whether we participate or not, if Canada builds it, the same requirement will be there.

Mr. STAGGERS. That is true; I will admit that.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Maryland.

Mr. FALLON. This canal, for which we have legislation proposed here today, the purpose of it is to bring the sea level to Lake Ontario up to a 140-foot elevation. In other words, the canal is designed to lift these ships from the ocean to Lake Ontario, and when they get to Lake Ontario there is no place for them to go because there the channel will not provide passage for the ships drawing 27 feet. So that from there on expenditures will be required to deepen and widen these channels.

Mr. STAGGERS. That is what I understood, and I thank the gentleman from Maryland [Mr. FALLON] for his contribution.

Now I should like to ask another question. In order to utilize this to the utmost, after we have spent all this money, will it not be necessary for the harbors to be deepened in these lake areas? I should like to ask that question of the chairman of the committee.

Mr. DONDERO. If the gentleman is yielding to me, if the cities so desire. And may I say to the gentleman that we have estimates on that.

Mr. STAGGERS. I understood that. The estimate given to me was $96 million. Is that right or wrong?

Mr. DONDERO. That is correct.

Mr. STAGGERS. I am just trying to sum up this matter. We have determined in the House in this debate that the merchant marine of the United States is going to be hurt, and it is really hurt today. It is in bad circumstances. The railroad industry of this Nation is going to be hurt. The railroads are in bad circumstances today. The coal industry of West Virginia and Pennsylvania and the rest of the Nation is going to be hurt.

Mr. DONDERO. Will my able friend yield to me at this point?

Mr. STAGGERS. I yield.

Mr. DONDERO. The gentleman says that the merchant marine is going to be hurt. Will the gentleman tell the committee how the merchant marine of the United States is going to be hurt?

Mr. STAGGERS. They are not going to be able to carry this commerce. The fact is that the ships of other nations will be carrying the commerce. That is the reason why it will be hurt.

Let me make this further statement. The coal industry of the country is bound to be hurt. In time of war it is one of the basic industries to which we must turn. Ninety-five percent of the fuel reserves in this Nation are in coal. I believe no one is going to deny that the railroads are going to be hurt by this proposal. I know there are a lot of industries that would like to have it, that is true. But we are proposing to do this at the expense of other men and women. For instance, I had one superintendent of schools in my district call me and tell me that out of a hundred children attending one country school, 25 of them who were coal miners' children did not have anything to eat that day and nothing with which to buy lunch. Should such a situation have any effect upon the Congress and the people of the United States? It has an effect on me when I hear that children do not have enough to eat. I say that when we hurt the coal industry, or, for that matter, when we hurt any human beings, we had better watch out.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from West Virginia.

Mr. NEAL. Inasmuch as this seaway will provide a 27-foot depth through to Lake Ontario, I wonder if the gentleman knows what would happen if Canada builds this seaway.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FALLON. I yield the gentleman 1 additional minute, Mr. Chairman.

Mr. STAGGERS. I would like to make this one further observation. I should like to ask how long it will be, if we pass this legislation, before this seaway will be completed.

Mr. DONDERO. Between 5 and 6 years.

Mr. STAGGERS. That is what I understood. This is being called for in the name of national security. We have done a lot here in the name of national security, and yet it has been said that for 5 months of the year they will have to ship overland anyhow. These shipments will have to move by rail. There are rails on the Canadian side and on the United States side, from Montreal to the lake area.

Mr. DONDERO. There are no rails from the Seven Sister Islands.

Mr. STAGGERS. I know there are not, but there is the open seaway.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. DONDERO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the gentleman from West Virginia has described the conditions in his State. No one is pleased over conditions of that kind, the present speaker included. Certainly he cannot blame the St. Lawrence Seaway for the conditions that exist in the State of West Virginia at the present time.

However, when the gentleman speaks of the importation of coal I am satisfied he is in error, and badly so, for this reason: The Port of Quebec and the Port of Montreal are wide open to the importation of British coal any time they want to send it over here. They do not send it here because it is not possible economically to do so and make it pay. For that reason, no coal is coming into Quebec. We provide Canada with 70 percent of her coal. I cannot see how the seaway would injure you one ton in the amount of that trade, and I would not want it to injure you in the slightest. I am just saying to the gentleman that he is mistaken in that particular statement.

Mr. STAGGERS. I believe if the gentleman would look at the RECORD he would find that I did not make the statement that coal is being imported. It was my colleague who made that statement. I would say that we are hurt now, and I just do not want to see an industry that has been hurt, hurt more.

Mr. DONDERO. The opening of the seaway will in my judgment have no effect on your coal industry. I can say to the gentleman that oil and gas do hurt the coal business in all sections of the country.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. Chairman, it has been with keen interest that I have followed the debate this afternoon. Coming after my review of the pertinent parts of the record, it is of special interest.

Inasmuch as I will not be here tomorrow because of official business that will take me out of the city, I should simply like to express my interest in this measure and my support thereof. It means a great deal to the Plains States of our area. I hope the House will approve the measure, as was done by the Senate.

Mr. FALLON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman, may I ask the chairman of the committee, the gentleman from Michigan, whether or not he has any accurate estimates as to the amount of oceangoing tonnage that will pass through this canal after it has been built and is in operation?

Mr. DONDERO. I can give the gentleman the estimate of the Army engineers, which is around 45 million tons a year. That includes domestic commerce in the Great Lakes States.

Mr. DONOVAN. No, I asked the gentleman how much foreign commerce will pass through that canal.

Mr. DONDERO. I do not have that in my mind at the present time, but I will furnish it to the gentleman.

Mr. DONOVAN. Has any study been made of it?

Mr. DONDERO. There certainly has.

Mr. DONOVAN. Does the gentleman think the Representatives from the eastern seaboard should know something about the foreign tonnage that will go through that canal so that they can make a decision as to how to vote on this question?

Mr. DONDERO. I am sure the information that the gentleman is asking for is available in the hearings, but I do not have it at my fingertips.

Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. FALLON. Mr. Chairman, I also yield 2 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, my opposition to S. 2150 commonly known as the St. Lawrence Seaway bill is nothing new.

As many of you know, since becoming a Member of Congress in the 1930's, I have militantly opposed the project, because of the devastating effect it will have on the State of Pennsylvania and especially the residents of my congressional district.

The people of Pennsylvania are not selfish, but they refuse to stand idly by and remain silent when a project such as the St. Lawrence Seaway is being foisted upon the American people.

This project will strike at the very heart of our industrial economy and will destroy the jobs of thousands upon thousands of good American citizens.

We who represent the great industrial empire of Pennsylvania in this Congress have been accused of being selfish because we seek to protect the coal, railroad, and related industries.

In reply to those who have given us that label let me be brutally frank by pointing out that only 15 percent of the population of the United States will benefit from the St. Lawrence Seaway project.

The remaining 85 percent of American citizens will be called upon to pay their share of the overall cost of the St. Lawrence Seaway estimated to exceed $2 billion.

It is common knowledge that many of the Great Lakes cities have visions of their ports being converted overnight to great inland seaports.

They envision American and foreign-flag ships arriving and departing from and to all parts of the world.

They see them unloading their passengers and dumping their cargoes that are now carried to them from Atlantic coastal ports by rail, air, and bus transportation.

Of course, advocates of the St. Lawrence Seaway claim that their dream of glorified seaports is not selfishness.

Nor can we forget the selfish role of six midwestern steel companies who have made investments in Labrador ore and are seeking cheap transportation for their product at the expense of the taxpayers of this country.

This steel combine according to the report of the pro-seaway lobby contributed to date approximately $200,000 in pressurizing Members of Congress to vote for this economic monstrosity.

According to the advocates of the St. Lawrence Seaway the activity of the half dozen midwestern steel companies is not selfishness.

Debunking the oft-repeated charges of selfishness levied against those of us who oppose the St. Lawrence Seaway, I should like to discuss the adverse effect the St. Lawrence Seaway will have on American markets and transportation facilities.

Upon completion, the St. Lawrence project will open the Great Lakes to world shipping and within a few months you will have dirty, cheap, ill-manned foreign tramp steamers flying foreign flags dumping their cargoes at Great Lakes ports instead of on the Atlantic seaboard, as is being done at the present time.

These foreign vessels do not meet the standards of American shipping—in wages, living, or sanitary conditions.

As a result, it costs $500 a day more to operate an American vessel as compared to the cost of operating a foreign tramp steamer.

The average wage paid foreign seamen is about half of the amount paid our American seamen. In addition the foreign vessels or their crews pay no taxes.

On the other hand, American shipping interests pay large taxes, only to see such revenue applied to building a project that will establish ruinous competition and sabotage American shipping and American markets.

To date as a nation we have spent over $19 billion developing our merchant marine, in which we take great pride.

Yet, because of the size of American-flag ships, and the fact they are being built larger, only about 2 percent of our merchant ships could use the proposed seaway; while a greater number of larger foreign vessels—than are now using the 14-foot waterway—will be able to use the proposed 27-foot seaway.

Already small foreign-flag ships have taken nearly 25 percent of the Great Lakes business from American ships and if the St. Lawrence Seaway becomes a reality, American shipping on the Great Lakes will suffer further losses of cargo.

I mentioned a moment ago about the selfish interest displayed by the six midwestern steel companies in their frenzied efforts to sell the St. Lawrence Seaway to the American people.

According to the Associated Press these Labrador ore interests have made contracts with the Canadian shipping interests to handle this Labrador ore at the expense of American shipping and railroads.

Industries in the Great Lakes area should realize that if this St. Lawrence Seaway is completed, their fields, mines, factories and forests will be brought into direct competition with the slave type of labor that prevails in foreign countries.

These foreign tramp steamers, in addition to disrupting the American market, will deal a death blow to the transportation facilities of our Nation, and to

the anthracite and bituminous coal industry.

At the present time, American railroads employ more than a million American citizens, and long trains carry millions of tons of freight to and from seaboard ports.

It is estimated that American railroads will suffer an annual loss in freight revenue from 100 million to 250 million dollars, should the St. Lawrence Seaway become a reality.

These foreign tramp steamers will deprive the railroads of this freight traffic and the devastating effect is more fully realized since every thousand tons of freight lost to the American railroads means the elimination of one freight train.

When you remove freight trains you destroy the jobs of railroaders.

Thus we have foreign seamen on these dirty tramp steamers benefiting at the expense of the American railroad employees.

Nor can we ignore the ill effects of the St. Lawrence project on the coal industry of the United States.

We must not forget that these tramp steamers coming into the Great Lakes region with cargoes of foreign coal will create a greater import market for subsidized and tariff-preferred coal of Great Britain, Nova Scotia, and Russia.

This foreign coal produced by cheap labor, and transported at distress rates, will displace American coal produced at American mines under American working conditions.

This would be in addition to the competition of crude and fuel oil produced from foreign sources under the same conditions.

Taking into consideration the importation of foreign-mined coal, and crude and fuel oil, you will have destroyed a 35,000,000-ton American coal market.

For every million tons of coal displaced we must keep in mind 1 million mandays are lost to good American citizens in the mining and transportation industries.

The St. Lawrence project is nothing new.

For the past 50 or more years it has been talked of at different intervals, only to be shunted aside as impractical and unsound.

Mr. Chairman, the bill before us, S. 2150, has given the St. Lawrence Seaway project a new look.

Now we are told that it is vital to our national defense.

Nothing could be further from the truth.

In fact, the St. Lawrence Seaway will become a target that could not be defended in the event of an all-out war.

From the standpoint of aerial attacks, according to military experts, the some-40 locks and dams will be an easy prey for enemy bombers and guided missiles, despite the millions of dollars it will cost to try and protect them.

From the standpoint of enemy submarines most of you will recall that during World War II traffic on the St. Lawrence River was practically paralyzed because of enemy submarine attacks on shipping.

If the St. Lawrence project becomes a reality the piers and other facilities that will have to be erected at Seven Islands to load Labrador ore on ships will definitely be vulnerable—first to sabotage—and second, to action by enemy submarines.

Some of us who have had experience with submarines know that the depth and temperature of the water in the vicinity of the Seven Islands and the general area provides the enemy submarine with almost unlimited possibilities in the destruction of ships.

To be frank, there is no possible way of defending the St. Lawrence Seaway in the event of an all-out war.

Therefore, the St. Lawrence Seaway project instead of helping our national defense will broaden the job by adding more targets and making our Nation more difficult to defend.

The proponents of S. 2150 tell us that the need for Labrador ores is indispensible to our own national security because of an impending shortage of domestic high-grade ore principally from the Mesabi Range in Minnesota.

While there have been conflicting statements regarding the remaining deposits of ore in the Mesabi Range, the facts reveal that from 1917 to 1948 for every 12 tons of ore shipped, 7 tons of ore were added to the ore reserves of the Nation.

In the postwar period 1946–49 for every 7 tons of high-grade ore mined, 6 tons were added to the reserves.

In addition to this high-grade ore, huge deposits of taconite—a lower grade ore—have been located in Minnesota.

According to my colleague, Congressman BLATNIK, of Minnesota, he stated on February 22, 1951, before a congressional committee that "taconite concentrate will compete favorably with direct-shipment, open-pit ore."

In addition to the high- and low-grade ore reserves of the Mesabi Range, there exists on the north shore of Lake Superior at a site known as Steep Rock Lake in Ontario a source of high-grade ore that, according to the United States Bureau of Mines, may mount to no less than 1 billion tons.

Transportation for this ore deposit is already available by utilizing existing railroad facilities from Steep Rock Lake to Port Arthur, where iron ore vessels now plying the Great Lakes can carry it to its destination.

In addition to iron ore deposits in Minnesota, both high and low grade, and the deposits in Ontario, we cannot ignore the huge deposits of ore in Venezuela and Chile that are available to us.

Today we have four principal sources of iron ore—all of them developed in the spirit of free enterprise—with adequate transportation facilities available to transport the ore to the mills.

Let me repeat for the sake of emphasis that back of the argument that the St. Lawrence Seaway is necessary to transport ore from the Labrador-Quebec area is the fact that a half-dozen midwestern steel companies are promoting the Labrador-Quebec project.

This group sees in the St. Lawrence Seaway the opportunity to subsidize the transportation costs of bringing the ore to market.

Such a subsidy would affect the price of Labrador-Quebec ore and put it in competition with ore from other sources.

In other words, six midwestern steel companies have invested in the Labrador-Quebec project and they are asking the American people—now burdened with high taxes—to finance the St. Lawrence Seaway so that they can get cheaper transportation rates.

Let me add that these six midwestern steel companies concerned in the exploitation of the Labrador ore deposits have emphasized that this ore will move whether or not the so-called seaway is provided.

Present plans without the seaway call for marketing 6 to 8 million tons annually by means of large vessels from Seven Islands to Montreal.

At Montreal part of it would be transshipped for further movement by barges through the present 14-foot channel to Lake Erie ports and part transferred to cars for all-rail movement to interior steel centers.

Two to four million tons of Labrador ore would move by ocean vessels from Seven Islands to eastern seaboard ports.

Should the so-called seaway be provided, the only change would be that the bulk of the ore would move by lake-type ore vessels from Seven Islands to lower lake ports, instead of by the canals and by rail.

In the light of these facts, it is clear that the defense argument for the seaway hinges not upon availability of the Labrador ore but simply upon the transportation cost at which it will be available.

The more the arguments relating to Labrador ore are analyzed, the more clearly it becomes apparent that what is at stake is nothing more than the protection and improvement of the competitive position of the owners of this ore as against ore from other sources.

Seen in this light, the project is a case of the taxpayers of America being assessed to provide a transportation benefit for this group of midwestern steel companies.

I ask you in all sincerity, is this a necessary or even a proper occasion for huge expenditures of Government funds?

While these Great Lakes ports and midwestern steel companies feather their own nests by seeking congressional approval of the St. Lawrence Seaway, very little is being said of the overall cost of the project itself.

We are being told that it is not going to cost the American taxpayers anything, because the project will be financed through Government bonds, the cost of which will be liquidated by the collection of toll charges.

In all fairness, the $105 million worth of bonds is only the beginning of an ultimate $2 billion expenditure that will be saddled on the shoulders of the already overburdened American taxpayers.

Should the steam shovels start digging the St. Lawrence Seaway tomorrow,

there will be American tax dollars in every bucketful of earth.

This is true because this project plus the necessary deepening of lake harbors and defending it is expected to cost better than a billion dollars.

Worse still, a billion dollars is only the estimate of what the project will cost.

Bonneville Dam cost nearly twice as much as estimated; the Suez Canal cost 2½ times, and the Chicago drainage canal 3½ times as much as the engineers estimated.

The original estimate of the Panama Canal was $160 million, but the total cost amounted to $375 million.

Finally, it should be kept in mind that the St. Lawrence would cost annually millions more of tax dollars to operate and maintain it.

So let us add it all up—thousands of Americans would lose their jobs and the rest of us would face lifelong taxes that would reduce our already dwindling purchasing power due to high living costs.

Mr. Chairman, I cannot, for the life of me, understand how the advocates of the St. Lawrence Seaway can expect Congress to consider this proposal when all of us in Congress are pledged to economy and a reduction of governmental expenditures as well as our national debt.

To prove that the issuance of Government bonds to finance the St. Lawrence project will increase governmental expenditures and the national debt, let me quote Mr. Harold Seidman, Government corporation specialist for the Bureau of the Budget, when he appeared before the Senate Foreign Relations Committee on May 21, 1953.

When asked if the bonds to be sold to finance the St. Lawrence Seaway would be a burden on the national debt if the Treasury furnished the money, Mr. Seidman replied:

> If the St. Lawrence Seaway Development Corporation sold its own obligations it would still appear on the budget of the United States as part of the public debt.

Mr. Chairman, I repeat again that all of us in Congress are pledged to economy and a reduction in governmental expenditures, and likewise the national debt. Therefore, based on the statement of Mr. Seidman, to approve S. 2150 is to disregard our pledge, and in so doing, to violate the trust reposed in us by the American people.

In conclusion, I respectfully submit that if we have $105 million to make as a downpayment on an ultimate $2 billion expenditure, to build a military target such as the St. Lawrence Seaway will be, we had better take the $105 million and spend it on the building of more military aircraft and guided missiles to intercept the enemy bombers and missiles as they fly over the polar regions on their way to destroy existing targets represented by the great metropolitan areas of Chicago, Milwaukee, Detroit, Cleveland, and Buffalo, all located in the established target area that is vulnerable to enemy aerial attack.

Mr. Chairman, S. 2150 is detrimental to the best interests of this Nation, both from a military and economic standpoint and should be defeated.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Minnesota.

Mr. BLATNIK. The gentleman mentioned the submarine menace to the seaway. The gentleman also recalled the testimony to the effect that of the 7 ships hauling ore from the only foreign source at that time, South America, 3 were quickly sunk and the others were withdrawn from service. We have a chart which shows that the import of foreign ore at that time was around 5 million tons a year. It dropped to zero and remained at zero during the entire duration of the war.

Mr. VAN ZANDT. Enemy submarines did sever our lines of communication with South America and the Caribbean area. At the same time enemy submarines closed the port of Montreal when they sank ships at the mouth of the St. Lawrence River.

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. O'NEILL. I would like to note that according to the National Division of American Shipping they pointed out that less than 4 percent of American commercial shipping could transit the seaway at any time.

Mr. VAN ZANDT. According to the information I have, only 2 percent of American oceangoing vessels could use the St. Lawrence Seaway with full loads necessary for economically successful operations.

Mr. DONDERO. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it so happens that the gentleman from Pennsylvania who has just left the floor, is a warm personal friend of mine, and I have known him many, many years—I admire him greatly—he is a great veteran, he has a great war record, but the statements he has made here in the well of the House have been so violent that I am compelled to answer.

He said this was an economic monstrosity. He used that term before the Committee on Rules in my presence. When he says that, he is practically saying to the House, and to the country, that the President of the United States is supporting an economic monstrosity, that the Cabinet of the United States is supporting an economic monstrosity, that the Joint Chiefs of Staff and every officer of Government of high rank charged with the responsibility and duty of defending this country and its destiny, are supporting a monstrosity. They are in complete disagreement with him.

I regret that this fine American and Member of Congress should take that position. He sets himself up and gives figures entirely contrary to the estimates and the figures given to our committee and the country by the Corps of Army Engineers, who certainly know something about this seaway.

And, what is more, he said something about $200,000 being raised to further the cause of the seaway. It would be interesting indeed to know just how much money, how many thousands of dollars, were spent by those who oppose the seaway, for full page ads and other devices to defeat the seaway, including the amendment which we are to consider tomorrow when it is offered to this bill.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. VAN ZANDT. I would like to correct the gentleman by stating that my military service was in the United States Navy. Therefore, I was not a soldier but a sailor.

Mr. DONDERO. I will call you a veteran of the United States.

Mr. VAN ZANDT. Thank you.

The figure of $200,000 was correct because it was taken from the records of the Congress of the United States concerning registered proseaway lobbyists and as having been contributed by the six midwestern steel companies. Therefore the figure is correct.

Mr. DONDERO. But you do not mean to imply that there has been $200,000 of Federal money——

Mr. VAN ZANDT. Not Federal funds, but private contributions reported under the Lobbying Act.

Mr. DONDERO. You said "taken from the Congress of the United States."

Mr. VAN ZANDT. I said "taken from the lobbying records of the Congress" as having been contributed by proseaway lobbyists.

Mr. DONDERO. Now tell us what has been contributed by the opponents of the seaway.

Mr. VAN ZANDT. I am sorry I cannot answer your question. My reason for mentioning the contributions of the six midwestern steel companies who want the St. Lawrence Seaway as a transportation benefit to permit them to compete with the eastern steel mills that transport their ore from Venezuela and Chile.

As far as the overall cost of the St. Lawrence project is concerned I said it will cost eventually $2 billion, and I have not found anybody yet who will deny that overall and ultimate cost figure.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. REAMS].

Mr. DONDERO. Mr. Chairman, I yield 4 additional minutes to the gentleman.

Mr. REAMS. Mr. Chairman, I am very appreciative of the courtesy of the gentlemen on both sides of the aisle in yielding me this time.

Mr. Chairman, I am persuaded that the most vociferous opponents of this St. Lawrence Seaway project should have made their speeches today in the Parliament at Ottawa, because I believe that all of the evils which have been predicted, and all of those which they threaten, will take place regardless of who builds this seaway. The only difference will be, if Canada builds it alone, that the United States will have no part, no advantage, no opportunity to pass on the tolls. This Congress will then have no say with reference to the use of this seaway for defense purposes except through agreement and treaty with a foreign country, although it be a foreign country that is now very friendly to us. Every hungry child in West Virginia will be just as hungry and every ship of the merchant marine that will be put out of service will be put out of service just exactly

the same whether it be a Canadian project or a project which is built in cooperation with the United States.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. REAMS. Very briefly.

Mr. BAILEY. When the tens of thousands of coal cars, gondolas, and others cease coming through Toledo, Ohio, from West Virginia, the gentleman will understand what we mean.

Mr. REAMS. Yes. I will feel just as badly if that should happen, which I think it will not, whether the canal is built by Canada or by the United States.

Mr. Chairman, in supporting this bill which provides for cooperation between the United States and Canada to construct a part of the St. Lawrence Seaway in the United States territory, and the financing of the same on a self-liquidating basis, I am representing not only the views of the vast majority of the people of my district but a deep conviction which I personally have held for more than 25 years.

Both in the other body of the Congress and in this Chamber Members have enumerated in great detail the advantages that will inure to this country and its people from this improvement. I wish to associate myself with those who have so ably presented this cause, already too long delayed, of joining with our good neighbor, Canada, in opening a seaway into the very heartland of North America.

I have been familiar for many years with all of the arguments which are now being made against the building of the St. Lawrence Seaway. As a member of the port commission of my home city, Toledo, Ohio, more than a decade ago, I was one of two of the nine members who supported the St. Lawrence Seaway project. The other members were directly or indirectly representatives of railroads, lake shipping, towing, or shipbuilding industries who feared the competition of the outside world. They were supported by people of the salt-water ports of America who feared competition.

The position of the Port Commission of Toledo has changed in the past 10 years and it now unanimously and enthusiastically supports the seaway as called for by the bill now before this House. The Toledo Chamber of Commerce, long under the influence of the interests who feared progress by way of world commerce, conducted a referendum last year of its entire membership. The results showed an overwhelming approval of United States cooperation with Canada in the building of this seaway.

The change of opinion on the Toledo Port Commission, by the Toledo Chamber of Commerce and the people of the community from opposition to enthusiastic support of this great international development typifies the ability of this entime Nation to appreciate this development when the people become convinced that it is for the economic good of the whole country.

My home city is a railroad center. The men who operate the trains were until a few years ago almost unanimously opposed to the seaway because they were honestly convinced that it would injure their ability to secure work in their chosen field. As the opportunity to study and evaluate this problem has come, these railroad workers have developed an understanding of the increased railroad activity that can come to the Midwest through the seaway. Just recently Mr. Guy L. Brown, grand chief engineer of the Brotherhood of Locomotive Engineers, withdrew his opposition to the St. Lawrence Seaway. He said to the members of his brotherhood, in a meeting in San Francisco last January:

> I tell you frankly that the St. Lawrence Seaway is something which must inevitably come. And the sooner you and I accept it and adjust to it the less we can be hurt by it. * * * The seaway will offer access to inland ports, a factor which can do much to enlarge our economy and standards of living even beyond its present recordbreaking levels. * * * Its contribution to the national defense potential alone precludes arbitrary, personal opposition.

This statesmanlike analysis of the seaway by the grand chief engineer of the Brotherhood of Locomotive Engineers is an opinion developed by a sincere leader of the men who have a large part in the operation of the trains of America. He arrived at the conclusion after weighing all of the arguments against it. These arguments came from both the management above him and thousands of members he represents in his organization. But Mr. Brown, like millions of other American citizens who have béen considering this St. Lawrence Seaway through the years, examined all of the evidence and weighed all the facts and he came to the inevitable conclusion that the best interests of the country demand action and favorable action now on the St. Lawrence Seaway.

Mr. Chairman, every President of the United States for more than 40 years has approved of our joint construction of the St. Lawrence Seaway with Canada. President Eisenhower's ardent position on the matter is too well known to need further emphasis. The Joint Chiefs of Staff have unanimously approved of it in the interests of national security. Every member of the President's Cabinet has endorsed it and the National Security Council has unanimously approved of the project. It appears that the sentiment of a strong majority of the Members of this House is for the passage of this bill.

As a last-minute desperate effort to defeat it, the Brownson amendment was concocted. This effort is an attempt to torpedo this worthwhile project by submarine tactics. Certainly no one advocating the Brownson amendment could really believe that in view of the international character of this seaway and its vital defense uses that this project could be constructed by sale of bonds to the public. A bond issue under which bonds are sold to the public must have provisions under which a trustee can take over the project, operate and protect the interests of the bondholders. This is true, however valid and sound the securities issued thereunder may be. It seems exceedingly regrettable to me that those who have reasons, however sincere, for opposing this St. Lawrence Seaway project are not willing to meet it squarely and frankly on the ground of opposing it in principle and in fact. If this Brownson amendment is brought before the House, I do not believe that it will mislead anyone who believes that the St. Lawrence Seaway is a just and proper project.

The obvious indirection of attack by this amendment should not cause anyone to vote for the amendment who believes that a seaway can be built under this act so amended. To vote for the Brownson amendment is to vote to kill this bill and to defer indefinitely this project, which seven Presidents of the United States have advocated; which a majority of the people of this country believe in; which President Eisenhower and every member of his Cabinet have unanimously endorsed; which the Joint Chiefs of Staff have approved as a measure of security; which the National Security Council has endorsed and which the other body of this Congress has decisively passed.

Mr. FALLON. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I have but a few minutes left, so I would just like to sum up my feelings in regard to this long, drawn-out debate on the seaway which I have been in for the last 10 years.

Much has been said in regard to Canada going at this project alone. If Canada does, they know a good business deal when they see one. Canada now has a toll-free seaway running from the Atlantic Ocean to Lake Ontario. They feel that it is such a good business deal for them that they do not even charge tolls. That seaway is almost entirely used by Canadian and foreign vessels, so much so that not one ship in 1953 sailed under the American flag. We have no agreement with Canada at the present time. They have expressed a desire to build this canal with their own money and on their own side of the river because they said that if we build the 46-mile stretch on our side of the river it is going to cost more money. We are trying to buy our way into a proposition where we are not wanted. They withdrew from this agreement last year or the year before last.

This bill also bypasses the Appropriations Committee. That is something that no other public works bill has done since I have been in the House.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman.

Mr. BAILEY. It also bypasses the usual legislative processes by being a revenue measure but not originating in the House, originating in the Senate Committee on Foreign Relations.

Mr. FALLON. That is true, and I thank the gentleman.

Much has been said in regard to the economic feasibility of this legislation. May I call the attention of the House to the fact that the Army engineers have not made any study of its economic feasibility. That has never been denied.

When anyone talks about the harm that it is going to do to our shipping, I have here a clipping from the Washington Post of April 27, 1954. It is by Michael Bartley, of the London Observer.

The byline is, "Canada Seeks Curb on Foreign Shipping." It goes on to say:

> Canada's shipping interests fear a flood of foreign shipping which might result when the St. Lawrence Seaway is built and are considering steps to restrict coastal shipping to the nation's own ships.

He goes on further to say that there is some apprehension as far as the United States is concerned because there has recently been introduced in the other body a bill that would restrict all traffic on the Great Lakes, except that originating overseas, to the United States and Canadian ships.

So that you can see that Canada itself at the present time has some apprehension about what might happen even to Canadian shipping. They are just as much concerned about their economic situation if they build the canal at the present time.

There has been a great deal of talk here today with regard to the benevolent people who have put up $200,000 to get this great economic seaway through. But let me tell you how benevolent these people are. I should like to call the chairman's attention to the fact that the first 10 million tons of ore that has to be taken out of the Labrador ore mines is going to be shipped east, not west. It has already been contracted for. And how is it going to be shipped? It is going to be shipped in ships that are now being built in Japan and be used to carry ore from the Labrador ore mines down to the east coast, through Philadelphia, Baltimore, and the final destination will be Pittsburgh. As I understand, that is a little better break on the shipping charges than through the canal back into Pittsburgh. So that you can see that these benevolent people who are for the interests of this great country are having their ships built in Japan. I should suppose according to their past record, the ships will fly a Canadian flag for the company that is mining the ore.

You also know that when the bonds are sold to build this seaway that the seaway has no obligation at all for the interest. Whether the seaway earns it or not does not make any difference, because the people will get their money just the same. It will be paid out of the United States Government Treasury, and the seaway is not responsible in any way, shape, or form. It is just being said that this seaway is going to be self-liquidating, but they are scared to high heaven ever to try to put these bonds on sale to the general public, because if you want to evaluate whether a thing is sound or unsound, turn it over for sale to the general public. The general public are smarter than we are on financial propositions, as a rule.

I heard the gentleman from New England say that Boston was not going to be affected in any way, shape, or form. Our committee took a trip through New England this last summer. We looked at river and harbor projects that they would like to have and that they certainly need. New England needs help. These great people from New England, the great founders of our Nation, made it possible for the people in the West to build the empire they have built today, because the people that moved from New England out west were the pioneers. I say to the great people who moved from New England out west, have a little pity on the poor people who have remained on the east coast. They need help in their river and harbor projects up there worse than this seaway is needed.

I saw an oil tanker go through a drawbridge in Boston with a tolerance of 6 inches on each side. Some windy day an oil tanker is going to take drawbridge and all away, so that there will be no oil in the upper part of Boston Harbor until the wreckage can be cleared away.

Many recommendations have been made about this seaway, but the first one I ever heard for this project was back in 1914, when somebody said, and it is in the RECORD, that if the seaway was not built, and built immediately, Detroit would dry up and blow away. That was the justification in 1914.

It is just like a lot of other legislation that has hung around in these committees for a long time, until old man national defense has come along and they could put that label on the legislation. So that is their justification today. There is no more justification for this project as national defense than there is for any other project that there might be in Boston, New Hampshire, or Louisiana, and we are still not moving, I think, too rapidly.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Maryland.

Mr. DEVEREUX. I would like to compliment the gentleman on his presentation. In connection with the thought of national defense, supposedly the Chairman of the Joint Chiefs of Staff has said that this is a desirable thing. Was he at any time questioned as to whether or not the money that would be necessary for the complete utilization of the canal and the ports and all of that could be spent in another direction rather than pouring it into the canal and the dredging of the ports, and so forth?

Mr. FALLON. Is the gentleman talking about Admiral Radford?

Mr. DEVEREUX. Yes.

Mr. FALLON. Admiral Radford never appeared before our committee, so I could not answer the gentleman's question, but I am sure the admiral would find many more places for $100 million than to build this seaway.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Back in February of 1952 General Bradley, then Chairman of the Joint Chiefs of Staff, was supposed to have placed his stamp of approval on this seaway when he said:

> The St. Lawrence Seaway should be built if it does not interfere with rearmament.

Mr. FALLON. I think that answers the question of the gentleman from Maryland.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from West Virginia.

Mr. BAILEY. One of my colleagues earlier today said he told his office force yesterday to whip some stuff together for a good speech in favor of the seaway, and they said, "Boss, you can't make a good speech in favor of that proposal."

Mr. FALLON. I agree with the gentleman, and thank him for his contribution.

Many questions have been asked here today as to whether $105 million is the complete cost of this seaway. To be honest with you, and the proponents will be honest, they have said, "No, it is not the complete cost. It is only the cost of these couple of locks to bring you into Lake Ontario, dump you there with a 27-foot draft boat, and with no place to go except to go around the lake a few times and back down the stream again."

So that the estimates for the cost of connecting channels and deepening channel basins to the Federal Government run anywhere from $90 million to $300 million. That is the estimate I have heard before our committee whether they were opponents or proponents. Those are the figures. Let me say this to you: That the cities on the lakes where these harbors are being dug are going to have to dig their harbors from the channels into their ports. We have no indication that they will do it. I imagine they are going to be very unhappy and the taxpayers of their cities are going to be very unhappy when they are asked to put up more tax money in order to rebuild their piers and deepen their harbors so that the 27-foot boats can come in there. Now we go back to the proposition of our merchant marine, our coal, and our oil. Anybody who can tell me that it is good for the people in the Midwest and that it is going to be built for our merchant marine and our coal miners and our railroads and railroad workers and our oil people certainly could not convince me and as benevolently as our chairman represents this cause and as many times as I have had trouble with the eloquent way in which he presents this in keeping my feet on the ground and keeping me from getting my head up in the clouds with other of the proponents of this measure have not been able to prove to me that this is correct because this canal creates not one ton of traffic—not one ton of traffic. It has to come from some place and it is going to come in the form of foreign oil and residual oil going into the Great Lakes so that you people from West Virginia and Pennsylvania will not have to ship coal over the railroads into the Great Lakes region because these benevolent boys who are building ships in Japan can buy at much lower costs even though you are American citizens.

Mr. Chairman, I ask unanimous consent to include following these remarks my own personal statement.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FALLON. Mr. Chairman, one of the most confusing, and possibly the most dangerous features of the measure now before Congress is its fractional and piecemeal approach to the ever-present

proposal for the construction of a St. Lawrence seaway. On previous occasions the whole program of the St. Lawrence seaway has come before Congress as a comprehensive measure and in all such cases the beginning of any construction or any part of the program by the United States or any of its agencies has been denied. The tactics of the proponents of the project, however, seem now to have changed to presenting the various features piecemeal and attempting to secure approval for each phase by itself.

Unless great care is exercised there may result a hodgepodge program without coherence and without overall economic soundness. Already action has been taken that has essentially bypassed Congress through a policy of segregating the power phase of the program so that under general authorization of the Federal Power Commission the power potential has all been turned over to New York State to develop as a State project. This is highly favorable to the section around New York but for those looking at the project from the point of view of the whole country this step may have unfortunate results.

Action has already been taken to remove the most remunerative and most logical Federal part of the entire program and give this into the hands of New York State to build and operate for the special benefit of the people in the immediate vicinity. In previous experience the United States Government has built many multiple-purpose projects and almost universally the hydroelectric power phase of the project has been found to be most profitable and has been utilized to help improve the economic soundness of the entire project and through the use of power revenues set up as a means of defraying the cost of other features of the projects that could not be undertaken on the basis of their own earning power. This has been especially true of navigation, flood control, and recreational values; and in western sections of the country, the irrigation features of multiple-purpose projects.

In this case, however, the highly profitable hydroelectric phase of the project has been segregated from the rest and turned over to New York State through a program that bypasses Congress and the need for direct authorizations. With the hydroelectric part of the project separated from the rest of the project it will be possible for New York State to derive large surplus earnings to be used for the benefit of citizens of a small part of the total drainage area, or the low cost power can lead to low power rates for a restricted group of industries within the country.

And now here we come with another phase of the project that has been segregated in the new piecemeal approach that will require action by Congress, and it has already received the approval of the Senate. It is highly important that the House of Representatives, which has initial responsibility with regard to the expenditures of funds, take deliberate action that will insure a complete appraisal of the entire project and just what this piecemeal action entails. Each separate project should be considered as a part of the total project.

It is claimed by the proponents that this proposal, the authorization of the St. Lawrence Seaway Development Corp. to build a 27-foot section of the channel on United States territory, will provide a self-liquidating phase of the project, and that there will be no need to call upon the people of the United States for special financial assistance. It is conceivable that when this section is completed and since it will have to be used, tolls could be placed high enough to pay operating costs and liquidate the obligation that will be incurred in its construction. This, however, does not present a fair picture of the overall obligations for the completed seaway that will be incurred. It is evident that there will be no chance to use a deepened part of the total navigational channel until all other parts are given similar treatment. The opposite of this is exactly what is provided for in the proposed program. Under the circumstances when this segment has been completed by the United States other steps will have to be taken to construct the remaining phases of the project.

The control and operation of the hydroelectric plants, which are usually the chief paying partners of multiple purpose projects, are almost always maintained along with all other phases. In a precedent-shattering line of action two parts are taken by themselves and ways of self-liquidation are set up for each of these. It will not be possible to use the segment of the canal that is proposed to be constructed under the bill now before Congress until these other segments of the total transportation system have been improved and their channels deepened to a similar depth. Not only must the other sections of the canal be deepened and their locks increased in size but the whole problem of the use of the harbors within the Great Lakes will then necessarily come up for consideration. All these have been rigidly excluded as a part of the project now before Congress, yet it is evident that because of the need and interrelationship of these improvements to the harbors in other sections of the transportation system they will all be necessary before any one phase of the total transportation system can be effectively used. Congress cannot escape the logic of these physical facts and it is evident that the proponents of the seaway will come back again later in this session of the Congress or in coming sessions to present the other needed features.

It is also significant that those parts of the project, especially the harbors, the improvements on other canals, and locks, are the very ones that cannot and will not be placed upon a self-liquidating basis; but these will all be presented at a later date for congressional approval. There will come before Congress at a later date proposals to complete the project and it is incumbent upon the Members of the House of Representatives to save the country from action that has been so precipitous and ill-advised in the other body. Only a segment of the total picture has been under consideration without bringing in all of the elements that need to be given consideration.

As a matter of fact it is evident that the action by Congress in taking this one segment and putting it under a special corporation with power to levy tolls high enough to make it self-liquidating is an act in and of itself that will limit the amount of tolls and the financial resources that will be available to the Congress as it gives consideration to these other segments of the total program. This surrender of financial resources is probably not of as great importance as the action that has already been taken in transferring to New York State the authority to install the hydroelectric facilities and reap benefits of a great natural resource that is, more strictly speaking, the rightful possession of all the people of the country. In a special sense these energy resources should be shared by those living in the great central part of the country whose watersheds supply most of the water that flows into the Great Lakes which are great natural reservoirs that perform an effective job in giving to the St. Lawrence an equalized flow superior to that of any major river in the United States. The Great Lakes provide a natural regulation that can only be achieved in other areas through expensive construction of reservoirs. Under the piecemeal program that is now under way these people in the area surrounding the Great Lakes from which the water drains into these great natural reservoirs are literally surrendering or more strictly speaking are being deprived of the benefits of their own great natural resources. The low cost power potential on the St. Lawrence River has its origin in the Great Lakes area, principally in the large volume of water and the well regulated streamflow. These advantages have been transferred to the people in the New York area where low electric rates and tremendous supplies of hydroelectric energy will give them a definite advantage in their competitive relationships with people in other parts of the United States. It will not be urtil the lake harbors and the other segments of the transportation system between the lakes have been improved that the people in the Great Lakes area will be permitted to secure the advantages of improved navigation. But when these matters are brought up there will not be surplus revenue from the hydroelectric power resources to help defray these costs and it will then be necessary to come back to Congress to find the necessary funds. The same basic inconsistency is inherent in the legislation that is now before Congress to transfer to a public corporation the resources to build another part of the project with full power to charge enough tolls so that this one phase can be made self-liquidating. In taking this line of action a substantial portion of the total income producing power of the overall project is earmarked for a restricted phase. This will obligate the total waterway funds and potential earning power over the next 50 years. Such preferential treatment cannot be given without taking income producing power away from other features of the project.

The St. Lawrence Seaway project has been before the Congresses of the United States now for a long period of years. It is interesting to go back through these hearings and the speeches that have been made on the floor of the Senate and the House of Representatives and see, running through all of these, scare headlines, threats, and reports that the building of the St. Lawrence Seaway is essential to national defense and so vital to the security of the country. Such arguments have been used time and time again and one wonders how the country has survived without the seaway being available for use.

One needs only to recall that in the First World War the tremendous need for ships, because of unrestricted submarine sinkings, led to the use of every ship that could serve in any fashion on the ocean. All local and internal uses were restricted and all useful boats were diverted into the international trade field. We even went so far as to build concrete ships to supply the deficiency that had been created by the German submarine campaign. It is evident that during that time we could not have spared ships to indulge in this St. Lawrence or any other internal seaway trade as long as the railroads were available to provide the necessary transportation facilities. The scarcity of ships was the bottleneck that kept piling goods up on the ocean terminals at the end of the railroad hauls. Almost the same kind of situation developed in World War II when again ships were in short supply and it was necessary to divert all of the vessels that could be used to foreign trade. These experiences should at least raise some question as to the relevancy of these cries of the need of this seaway for defense or security purposes.

Another feature of this same argument is the contention that the seaway is necessary in order to provide the iron ore for the inland furnaces and that in case of war we would be dependent upon the iron ores from Labrador in order to make it possible for our furnaces to run. It is important in this case, while admitting that it is desirable to secure iron ore from other sources of supply and thereby prolong the life of our own high grade iron ore deposits, to recognize that we will do the same thing that we did in the First World War and in World War II and that is to greatly accelerate our rate of production from the open pit, high grade iron ores on the Mesabi range. These deposits are essentially stockpiles of high grade iron ore, and it is possible by using more steam shovels and by working longer shifts to greatly accelerate production from these great iron ore fields. These ores can serve these same basic purposes for a considerable time in the future for a short range but large increase in the output of iron ore. The need of the St. Lawrence Seaway for emergency purposes in times of warfare must therefore be looked at in a little more calm and realistic way.

Much evidence introduced at the various hearings raises serious questions on the wisdom of the proposal to undertake this project on the basis of a channel depth of 27 feet. It is evident that this will exclude many vessels from its use and lead to a revised plan for deeper dredging at a later date. All the Atlantic coast harbors have recently been deepened, many of them to 35 feet.

Only a small fraction of the vessels registered in the United States merchant fleet could use a 27-foot channel and it is reported that none of the new ones under construction would find such a channel adequate. This would then limit the use of the waterway to barges and other lake vessels or to small tramp steamers, still quite numerous in ocean trade. Nearly all of these, however, are under foreign flags and are manned mainly by low wage foreign labor. This is the type of competition American shipowners would have to meet.

The cost of a 35-foot channel has been estimated to be approximately double costs of the 27-foot plan now before Congress. This high cost would, however, make it more difficult to secure approval and it is being held back with the hope that the less costly kind of program can be put through Congress.

The whole history of construction of transportation facilities on the St. Lawrence has been characterized by limited plans that were inadequate almost as soon as completed. We will only be fooling the people again by approving a 27-foot channel when all evidence points to the need of deeper channels. This will only add another chapter to the succession of piecemeal programs that have been approved because they appeared to be reasonable in cost while great claims were made for economic and security transformations which seem not to have come about.

One need only review the shift in emphasis in the arguments used to secure approval of the comprehensive seaway project. At an early stage it was the farmers on the great grain-growing prairies west of the Great Lakes in both the United States and Canada to whom would flow the gains of cheapened transportation. The timber growers around the head of the lakes would also find an increased dollar value for their products.

No longer are these arguments given prominence. In the passage of time the conditions appropriate for large volumes of such trade have ceased to exist and it is more likely that the outflow, and therefore potential use of seaway facilities, will recede still further rather than grow.

In more recent times extreme statements have been made of the need of the seaway to save the great central steel industry of the United States. Scare headline statements have been made of dire consequences not only to the economy of the Nation but to its security if the seaway was not rapidly constructed to make Labrador iron ore available to the Great Lakes iron and steel industry. However, it has only taken a few years to modify this picture, chiefly the rapid advance in the installation of plants to concentrate the enormous deposits of low-grade iron ore in the Lake Superior region and the opening up of rich new deposits in South America.

These events should show the necessity of appraisal of this whole project on a more fundamental base and as a long-range proposition. Instead the project is being broken up into segments and two of these have been selected for early construction, one by a State agency with all the inducements of a monopoly of the high earnings from favorable, low-cost power production and the other by a public corporation with cost held down by specification of shallow channels.

These are the features of the program we are now asked to approve, but there seems to be a real need to challenge all this before it is approved by the Congress of the United States.

After careful appraisal of this proposal, I recommend sincerely and honestly that we withdraw from any participation in the seaway project by congressional defeat of the current St. Lawrence Seaway bill.

Mr. DONDERO. Mr. Chairman, I do not intend to take the 5 minutes remaining, but I cannot restrain myself from at least answering my able and warm friend, the gentleman from Maryland, for some of the things that he said. This debate has disclosed this situation. Some people on this floor have said, "Well, let Canada build it—let Canada build it alone." When they say that, they mean to say that if Canada builds it alone, it will not hurt American railroads, but if the United States builds it with Canada then, of course, it will hurt the railroads. That kind of statement does not lend itself to logic or common sense.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I cannot refuse to yield to my colleague.

Mr. FALLON. Mr. Chairman, I did not say that. I did not even indicate that that was true.

Mr. DONDERO. No, I did not say that you did.

Mr. FALLON. All I said in my opening statement this morning when we had the rule under consideration was that if it is being built in competition with our present system of transportation we will not be contributors to the wrecking of our railroads. What Canada does is no concern of ours.

Mr. DONDERO. I did not interrupt the gentleman in the time that he had.

Mr. FALLON. Mr. Chairman, I would have been glad to yield.

Mr. DONDERO. I did not make the statement that you said that, but on this floor today I have heard that statement and I am replying to remarks made generally in the debate. Of course, there is no foundation of logic for that kind of argument. I do not believe anybody has said a word in this debate today in opposition to the seaway which Canada does not know about herself, and yet she is ready and willing to go ahead and build the seaway at her own expense. Then she may levy tolls to such an extent that we will be compelled to pay the major part of the cost.

Another thing I want to say to the gentleman from Pennsylvania, Mr. VAN ZANDT, and to my able friend, the gentleman from Maryland, is with reference to the residual oil coming into the United States and impoverishing the people of West Virginia. Residual oil is

coming into the United States now without the seaway.

As to the question that ships could not use the canal, let me give you a line to show you how fallacious your argument has been.

Lake-type vessels for which the 27-foot depth is ample will carry about 75 percent of the traffic; iron ore and coal—

Just as they are doing now—

paper, pulpwood, and some of the grain, et cetera. Although a large part of our seagoing merchant fleet could not use the 27-foot seaway on the basis of registered draft, 75 percent could with profitable loadings—

Which of course controverts the statements that have been made here all day.

Mr. FALLON. May I ask who made that statement?

Mr. DONDERO. The name is not here, but it was made in the Senate hearings, and you will find it on pages 83 to 85 of the House hearings, and 501 and 506 of the Senate hearings.

Mr. FALLON. We had statements from our own Merchant Marine Committee today which said less than 10 percent would be able to use it.

Mr. DONDERO. You asked who made this statement. My recollection is that General Robinson of the Army engineers made that statement.

Mr. FALLON. Is he a sailor or an Army officer?

Mr. DONDERO. He is an Army engineer, and a general in the Corps of Engineers.

Mr. Chairman, in closing I wish to say that this debate has been informative and spirited. Some violent statements have been made which the facts do not warrant in any degree. I regret that that has been so. We are closing debate on perhaps the greatest project that will ever come before us in our day and generation. The only chance offered to the United States of America to participate with Canada in building the seaway will come tomorrow when we vote to make the seaway a reality.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc.—

CREATION OF CORPORATION

SECTION 1. There is hereby created, subject to the direction and supervision of the President, or the head of such agency as he may designate, a body corporate to be known as the St. Lawrence Seaway Development Corporation (hereinafter referred to as the "Corporation").

Mr. DONDERO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. CANFIELD having assumed the chair as Speaker pro tempore, Mr. BROWN of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security, authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway, empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis, to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway, to authorize negotiations with Canada of an agreement on tolls, and for other purposes, directed him to report it had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER pro tempore (Mr. CANFIELD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

SEVENTY-FOURTH BIRTHDAY ANNIVERSARY OF HON. JOHN TABER

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time to call to the attention of the House, in the absence of the leadership in a very important conference, that today marks the 74th birthday of a great American and a great Member of this House of Representatives. I refer to Hon. JOHN TABER, of New York, chairman of the Committee on Appropriations. [Applause.]

I think each and every one of us can testify to the fact that JOHN TABER has rendered great and unusual service to his country. I am sure that each and every one of us, and I know I express the desire and wishes of the leadership on both sides of the House, wants to express to him our appreciation of his wonderful service, and best wishes to him for a great many more years, not only in the House of Representatives but in a happy, healthy life.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. RABAUT. I thank the gentleman. I want to concur on this occasion in the remarks of the gentleman from Ohio. I have spent many years at the side of JOHN TABER on the Committee on Appropriations. You may call him the watchdog of the Treasury. He has made many of the great decisions for his party and for the benefit of his Government. I compliment him on his sterling devotion and his splendid character, the things for which he stands and the things in which he believes. I salute the 74-years-young JOHN TABER, from New York, a friend of every Member of the House, and champion for his country.

Mr. BROWN of Ohio. I thank the gentleman very much.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. BROWN]?

There was no objection.

THE SURPLUS DAIRY PROBLEM

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include a portion of an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, for more than a year the Department of Agriculture has been struggling with the dairy surplus problem. Much of this struggle has been conducted in the public prints in what might be called a goldfish bowl atmosphere. About a year ago last spring the dairy industry was told by the Department in so many words that if it did not get its house in order it would have to take the consequences in the form of lower prices.

The industry was given a year to get itself straightened out, so to speak. In the meantime, speech after speech about the dairy problem was made. Studies were launched. Committee after committee was named. Meeting after meeting of various dairy groups was held. Finally, the National Agricultural Advisory Commission was called in to help make a decision. And all during the time this talk and publicity about the problem was going on, there was very little being done in a realistic way to dispose of the surplus butter that was continuing to accumulate because of a record high production of milk and dairy products.

Finally, as all of you know, the Department arrived at a decision. The decision, Mr. Speaker, was to lower the dairy support from 90 to 75 percent of parity. In other words, it was to let the farmer take the rap, Mr. Speaker.

Last month the new and lower price support for butter and other dairy products went into effect. Dairy prices have been going down since. In March the average price of factory milk was $3.30 a hundred with parity at $4.20 a hundred. In April, with the new support in effect, the average price of factory milk was $2.95 a hundred, and parity had dropped to $3.99 a hundred.

How come parity for factory milk dropped so fast? The Department of Agriculture pulled the hidden ball trick on the farmer. It not only lowered his price support, it also changed the base period on which parity for factory milk is calculated. The result of changing this base period lowered parity for factory milk by 21 cents a hundred. So you see what has happened insofar as factory milk prices are concerned, Mr. Speaker?

The farmer has taken not only a reduction in the level of price support, but a 21-cent reduction in parity as well.

Now that prices are down, the Department is beginning to take some action to move dairy surpluses. I commented on Thursday, April 29, about the fact that the Department is now selling dried milk on the domestic market for feed at prices a half or more below the world market price.

It is difficult for me to understand why we should dispose of a good product like dried milk to hogs and poultry at prices lower than we could get on the world market as food for humans. Maybe the fact that two men whose principal business has been the manufacture and selling of feeds are head of the agency handling disposal operations has something to do with it. At any rate, the program represents some kind of action by the Department, even if it does not make good sense.

Now the papers tell us that the Department is finally negotiating for the sale of 40 million pounds of our surplus butter to Great Britain, which has just taken butter off its ration list, at the world market price. We certainly hope that the President will approve disposing of some of our stocks of butter in this manner. Members of the House will recall that our colleague, JAMIE WHITTEN, has repeatedly urged the Department to offer commodities for sale at competitive prices. It is far better to have some of our good butter going as human food to friendly nations than to keep on piling it up in Government stocks indefinitely and making a political football out of our butter situation.

What I am wondering, Mr. Speaker, and what I imagine the farmers in my district are wondering, is: Why has not something along this line been done before? Why did we have to wait a year before practical steps were taken? Why did we have to wait until prices to the farmer were lowered before taking such action? Why could not some action of this kind have been taken during the time the study clubs were meeting, the committees were recommending, and the Department officials were making speeches about the dairy problem?

For more than a year, Mr. Speaker, I have been urging the development and use of milk vending machines for public use. I am of the opinion that if we had as many milk dispensing machines located in public places as we have soft drink vending machines we would have no problem with dairy surpluses.

The Secretary announced Monday that milk dispensing machines are to be installed in the Department of Agriculture. A visiting farm editor told the Secretary that fine milk from Minnesota and Wisconsin could be delivered to Washington at a price about 40 percent below prices prevailing here. The Secretary told the editor he would be unable to fill his milk dispensing machines with good Minnesota and Wisconsin milk because of local regulations over which the Department had no control.

I wish the Secretary every success in this venture, Mr. Speaker, and I hope the idea will be adopted by other departments in the Government. At the same time, I would like to add that it would be most helpful to the dairy farmers of the Midwest and to the consumers in the big population centers of the East about whom the Secretary so often expresses concern, if the Department of Agriculture would support legislation to break down these artificial barriers that are keeping midwestern milk out of city markets and denying housewives a quality product more nearly within the reach of their pocketbooks.

Mr. Speaker, in recent weeks we have begun to get some warnings from the Department about the use of diverted acres. Do not put too many of the acres taken out of wheat, corn, cotton, and so on into competing crops, the Department tells us. Why does not the Department do something about the use of diverted acres, Mr. Speaker. It is fair to ask if we can expect something of the same kind to happen on diverted acres as happened on the dairy price support. In other words, are we going to have a year of talk and inaction, followed by a crackdown on the farmer?

Fred Bailey has a story in the May issue of the National Grange Monthly that has a bearing on this point, Mr. Speaker. Some of you may be interested in it. The piece deals with some of the problems of the Department and the Secretary of Agriculture as they are viewed from that office. It suggests that unless farmers knuckle down and do something themselves about the diverted-acre problem, the Secretary may get tough, just as he did with the dairy supports. Here is the part of the Bailey article dealing with the diverted-acre problem:

YOU RASCAL YOU

Again Benson blamed his troubles on rigid supports. We, he said, had priced ourselves out of world markets because of our own rigid supports. And, he added, if farmers' customers at home and abroad don't realize who was to blame they ought to be ashamed of themselves.

While Benson's attention was focused on such mischievous imps as surpluses, rigids, and grain storage, another little uninvited rascal called drought sneaked up on him and started raising havoc. Here, again, Benson was at a disadvantage because several years ago the Weather Bureau had been transferred from the Agriculture to the Commerce Department.

The Weather Bureau investigated and reported that sure enough it was dry over a large part of the country, especially in the Great Plains and Southwestern States. This, the Bureau said, was due to a deficiency in moisture caused by a subnormal amount of rainfall over an extended period of time.

Benson now knows everything about a drought except how to end it. All we need, says the Weather Bureau, is a few good rains. Here, for once, the Democrats get off scot free; no one has yet accused them of being responsible for the drought.

High cost of production in another of the troubles that cause Washington to worry. Costs, it seems, have been growing up even while farm income declined. The result has been a painful squeeze on farmers' pocketbooks. And when farmers' pocketbooks feel a pain it hurts in Washington.

Diverted acres is still another of the problem children that nobody seems to be able to control. Early this year Benson announced that there were some 30 million acres that ought to be taken out of production and forced into a life of idleness. He said the unwanted acres were principally in cotton, corn, and wheatfields.

Benson strongly suggested to farmers that these excess acres be diverted. Wheat farmers did a good job of chasing the acres out of bread grains, and cotton farmers are expected to do the same. But corn growers say they don't think much of the idea. They are going to keep the acres in corn and raise more hogs, a commodity so far very little affected by declining prices.

Benson, however, hasn't heard the last of diverted acres. They are turning up in soybean, flax, rye, grain sorghum, and other fields where they seem sure to cause a still greater bloat of surpluses later this year.

An exasperated Secretary of Agriculture now is admonishing farmers that unless they lend a hand in caring for some of the problem children he will be forced to use controls to an even greater extent. Farmers, he knows, have very little use for the other problem brats, but they have an especial dislike for controls.

Benson insists that he is not spoofing farmers about getting tough. Look, he says, what I did to dairymen when they failed to reduce production as I told them to last year. I cut their supports, and if the rest of you think you won't get the same treatment, just let Congress give me a big enough knife and see what I do to you.

CITIZENS SUPPORT CONGRESSIONAL POWER TO INVESTIGATE

Mr. JACKSON. Mr. Speaker, congressional investigating committees are, as we all know, under constant and unremitting attack from the Communists and left-wing press. Scarcely a day passes without some derogatory mention in the press, or by commentators and news analysts, whose ambition has long been the destruction of the congressional powers to investigate in the area of Communist propaganda activities. Charges are broadcast that the committee procedures are unfair, or that witnesses before the committees are deprived of their constitutional rights, or badgered by committee members and committee counsel.

I have not made it a practice, Mr. Speaker, to insert into the CONGRESSIONAL RECORD the viewpoints and expressions of the many thousands of American citizens who support the congressional power to investigate, and who communicate with the House Committee on Un-American Activities to express their strong and loyal support. I shall in the future, however, seek permission from time to time to insert such material.

Several weeks ago, the House Committee on Un-American Activities, in the course of continuing investigation into the extent and nature of Communist efforts to infiltrate into the Baltimore, Md., area, called before the committee a Reverend John Hutchison, ordained minister, presently engaged as a member of the faculty at Williams College, Bronxville, N. Y. Reverend Hutchison was not subpenaed to appear before the committee because he was an ordained minister, but because of certain testimony under oath by other witnesses which indicated that Reverend Hutchison had personal knowledge of Communist activities in the Baltimore area.

Following Reverend Hutchison's appearance before the committee, the Wil-

liams Record, a college publication, made editorial comment on the conduct of the hearing. I think the membership of the Congress would be interested to know the reaction on the Williams campus to the conduct of the committee members who heard the testimony of Reverend Hutchison. The editorial is as follows:

[From the Williams Record of March 24, 1954]

THE CLEAN SLATE

While many people on the Williams campus have been following the activities of various congressional investigation committees and knew that the House Un-American Activities Committee had been looking into Communist influence upon the clergy, most were very shocked to hear that Prof. John Hutchison was called before the committee last week. It was a great relief, however, that Representative DONALD JACKSON declared during the hearing that "there are no implications or allegations that you [Hutchison] have been a member of the Communist Party."

Those undergraduates and alumni, who have had any contact with Hutchison in class or have heard him speak in chapel or in several Williamstown churches, where he served as temporary pastor, are convinced that he is not a Communist. There has never been any allegation that he has expressed in these situations attachment for any system of values but that of the Christian religion.

NO PUBLICITY SEEKER

It is gratifying that this committee has not fallen to the level of headline seeking that some investigators have, for the function of a committee investigating the Communist problem is to ferret out subversives. It is not to gain newspaper space and radio time for its members. It is also a pleasant change to note that Hutchison has come out of the hearing with no mud sticking to him—Representative JACKSON'S statement having eliminated that possibility.

Professor Hutchison has made it clear that he feels that communism is altogether an evil thing that freemen should resist at any cost. The United States, however, can retain its allies and friends more easily if the cost is not the damaging of the reputations of innocent men. When all congressional investigators, who are attempting to defeat communism, feel that they are able to accomplish their task without resorting to browbeating, this Nation will be better able to sell its cherished democracy and freedom to the world. The Record, therefore, would like to commend Representative JACKSON and the House Un-American Activities Committee for maintaining a high degree of courtesy and respect for an honored and trusted member of the Williams faculty.—J. H. K.

Ten days ago, a subcommittee of the House Committee on Un-American Activities held a 4-day hearing in San Diego, Calif.; a hearing conducted to determine the extent, if any, of Communist efforts to organize in that vital national defense area. Upon the conclusion of the hearings, which were televised throughout lower southern California, the San Diego Union commented editorially as follows:

WHO TOOK THE BEATING?

The hearings conducted by a subcommittee of the House Un-American Activities Committee have done much to dispel the erroneous impression that the investigations here would be other than a dignified attempt to unravel the story of Communist conspiracy.

If there was any browbeating involved it was on the part of the defiant witnesses, not the committee conducting the hearing.

Representative JACKSON, Republican of California, and Representative DOYLE, Democrat of California, are to be commended for their ability to keep the investigations on a constructive level despite the obvious attempts by some witnesses to make the hearings a hoax.

The committee added much to San Diego's knowledge of the workings of the Red conspiracy. This is one of the advantages of taking the hearings to local communities.

Representative JACKSON recently commented that the nine men selected by Congress for the Un-American Activities Committee "take more of a day-to-day beating than any other Members of the House."

He added "only when entering the field of communism is there a public effort to stop investigations." What he says unfortunately is true. It is time we made more effort to support this committee.

While it is apparent that the Communists in the past made a major attempt to gain a stronghold in San Diego, testimony would indicate that their program failed. The Reds retain cells in San Diego, but they have fought a losing battle. Such setbacks, however, give no cause for apathy in the constant effort to guard the many military secrets in this country.

Two of our distinguished colleagues from the House of Representatives were in San Diego during the course of the committee's hearings. Upon their return to Washington, both Representatives JAMES B. UTT, of Santa Ana, and BOB WILSON, of San Diego, communicated with me, as chairman of the subcommittee, expressing their personal gratification on the conduct of the hearings, and on the general approval and public acceptance which had been expressed to them by their constituents.

It is with a sense of gratification and appreciation that I am able to insert their communications at this point:

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 3, 1954.

Hon. DONALD JACKSON,
Old House Office Building,
Washington, D. C.

DEAR DON: I was in southern California during the time your Committee on Un-American Activities was holding hearings in San Diego. I heard many complimentary remarks on the manner in which you and Congressman DOYLE conducted the hearings. The local television stations gave you complete coverage and the public was well advised as to the abuse that such investigating committees have to take from the witnesses. I think it gave the public a good insight as to the existence of the Communist conspiracy reaching down into every level of Government.

I heard many complimentary remarks from those who had viewed the hearing and I am certain that you have full public support in your untiring efforts. If at any time I can be of any assistance to you I will be more than happy to do so.

With kindest personal regards, I am

Cordially yours,

JIM,
JAMES B. UTT,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 26, 1954.

Hon. DONALD L. JACKSON,
House of Representatives,
Washington, D. C.

DEAR DON: Having just returned from San Diego, I am hastening to commend you for the outstanding performance of your Subcommittee on Un-American Activities there, during the week of April 19.

I arrived in San Diego 2 days after your committee began hearing testimony from former Communists and fellow travelers. You will be pleased to know that your fairness and patience made a tremendous impression on those who viewed the hearings. Everyone mentioned it. The conduct of your subcommittee, including counsel, did much to dispel the idea that such investigations are "witch-hunts" and "inquisitions." You certainly opened the eyes of many of our citizens to the realities of subversion and espionage within our own community.

I am proud to have been allowed to associate myself with you in your very commendable efforts to expose the activities of the international communistic conspiracy within this country.

Sincerely,

BOB WILSON,
Member of Congress.

A most unusual development came during the course of the San Diego hearings, a development which I feel is adequate refutation of those who claim that witnesses are maltreated before the committee. For the first time in my knowledge, and in my personal experience as a member of the committee, four voluntary witnesses, all former and self-acknowledged members of the Communist Party, were so impressed by the fair and objective methods employed in the questioning, that they voluntarily came to the committee hearing room and gave valuable testimony, relative to the extent of their own associations while members of the conspiracy. In the opinion of the gentleman from California [Mr. DOYLE], and myself, this voluntary act on the part of former Communists represented a most significant milestone in congressional investigations relative to communism.

Mr. Martin Berkeley, a former member of the Communist Party in Hollywood, whose testimony relative to the purposes of the conspiracy in the entertainment field made it possible for the committee and the moving picture industry to destroy the apparatus, wrote to me several days ago. He, and other former Communist witnesses, have been greatly concerned with the obvious efforts presently being made to destroy congressional investigations. Mr. Berkeley's letter is as follows:

BEVERLY HILLS, CALIF., *May 1, 1954.*

Hon. DONALD L. JACKSON,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: It has been brought to my attention that certain politicians are attempting to smear you and the House Committee by starting the rumor that witnesses appearing before you are treated harshly and unfairly.

As a former Communist, one who testified in open session in 1951, I would suggest that these stories originated with the Communist Party and its sympathizers and have been picked up and spread by the gullible and unknowing.

The House committee has given former Communists a sympathetic forum wherein to let the world know where they stand today and, what is more important, to aid the Nation by their disclosures.

I must say, in all honesty, that the committee has been fair and generous in its treatment of those who appear before it, that you, personally, have shown a remarkable grasp of the subject and have gone out

of your way to help former Communists adjust themselves socially, economically, and professionally.

I have sat in the committee's chambers and listened to Communists rant and rave at the gentlemen of the committee—and through them at the people of the United States—and I have often wondered at the committee's patience and forebearance. Such actions in the country they love—the Soviet Union—would long since have brought them before firing squads.

Sincerely,

MARTIN BERKELEY.

During the past several months, the House Committee on Un-American Activities has received many hundreds of letters from American citizens from all walks of life, endorsing and paying high praise to the work the committee is doing. I have taken just a sample of the letters and telegrams relating to the San Diego hearings, and I should say in this connection that not a single adverse communication was received during these hearings, or since. The letters are characteristic of those which are received daily in the committee and by committee members individually.

[Card postmarked April 29, 1954, addressed to Representative JACKSON]

DEAR SIR: Just a line to say how much your committee hearings in San Diego meant to me and my family. We feel you are doing a fine job and hope you continue it. Please thank those of your associates who are helping you also. You are doing a patriotic job and don't let your Communist enemies get you down.

JANET BERNARDINI.

SAN DIEGO, CALIF., *April 23, 1954.*

Representative DONALD L. JACKSON,
House of Representatives,
Washington, D. C.

DEAR SIR: I am a student at Point Loma High School in San Diego. During the week of the investigations of the subcommittee here, I was home recuperating from an operation, and while home I watched, on television, nearly all of the hearings that I could possibly see. I wish to commend the committee and all concerned for what, in my opinion, and that of many other people I know, was an expertly conducted session.

When on the last day of the hearings, the television facilities went off your committee, the next program happened to be the McCarthy-Army dispute hearings. I noticed right away the differences in the two hearings and I greatly prefer the way the committee you headed was run. I know other people hold this same opinion, as was shown by the number of voluntary witnesses.

I would like to thank you both very much for coming to San Diego and taking charge of these hearings, and again I would like to commend you and every person concerned for a very fine job. Thank you.

Sincerely yours,

CATHERINE SCHULTE.

SAN DIEGO, CALIF., *April 26, 1954.*

Hon. DONALD L. JACKSON,
House of Representatives,
Washington, D. C.

DEAR MR. JACKSON: I watched with a great deal of interest the televised session of the House Un-American Activities Committee in San Diego and I wish to compliment you and Congressman DOYLE on the patience which you displayed.

Nothing either of you said or did could be criticized. Every witness was given every consideration and I know that it was with a great deal of effort that you kept from showing temper or annoyance at the tactics that some of the witnesses and attorneys displayed.

I feel personally that a great deal of good was done as the result of this hearing and that such hearings should be continued if the Congressmen in charge will show the same courage, patience and courtesy which you gentlemen displayed.

Yours sincerely,

J. K. STICKNEY, Jr.

SAN DIEGO, CALIF., *April 22, 1954.*

Representative DONALD JACKSON,
Chairman, House Committee on Un-American Activities.

DEAR MR. JACKSON: I have followed the complete proceedings of the investigations you and Representative DOYLE have been conducting.

I would like to thank you as a taxpayer and voter for the service you are rendering to me.

As long as we have men of your caliber in the driver's seat of this Nation, we need not fear the inroads of aggression from any party or nation.

I would like to compliment you for the tact and decorum you displayed in conducting this investigation, in face of all the personal abuse you have taken.

Yours truly,

W. K. MCINTIRE.

SAN DIEGO, CALIF., *April 22, 1954.*

Representative DONALD L. JACKSON,
House Un-American Activities Committee, Washington, D. C.

DEAR SIR: Permit me to commend the courteous and patient manner used in the questioning of witnesses. Keep up the good work.

Sincerely yours,

BENJ. H. HADDOCK.

SAN DIEGO, CALIF., *April 21, 1954.*

Congressmen DOYLE AND JACKSON,
San Diego, Calif.:

Congratulations, Congressmen DOYLE and JACKSON, re your investigation. Regardless of what political party or partisan matters your committee shows a very fair and independent manner regarding a subject very close to my heart. Irregardless of party or otherwise, no discrimination shown re subversives. Carry on.

AMERICAN.

LA MESA, CALIF., *April 21, 1954.*

Representative DONALD L. JACKSON,
San Diego, Calif.:

Want to congratulate you and your committee on the manner in which you have conducted the hearing. We are proud of you.

ELEANOR GILLILAND.

LA MESA, CALIF., *April 21, 1954.*

Congressman DONALD L. JACKSON,
Chairman, Subcommittee Un-American Activity, San Diego, Calif.:

Congratulations on excellent work your committee is doing. This is our effort to counteract at least some of the adverse criticism aimed at you by Communist pinkos and left wingers of both parties.

GEORGE and MABEL WALKER.

ALPINE, CALIF.

Representative JACKSON,
House Committee on Un-American Activities, San Diego, Calif.

DEAR SIR: My respect for the elected Representatives of both parties has increased a thousandfold after watching telecasts of the work of your committee.

How you wonderful gentlemen can restrain yourselves in the face of such insults as offered by that Alexander last Monday is beyond me.

God bless you all and keep up the good work.

JIM BLACKTON.

CORONA DEL MAR, CALIF., *April 23, 1954.*

Congressman JACKSON,
House Un-American Activities Committee, House of Representaitves, Washington, D. C.

DEAR MR. JACKSON: We heard the radio recordings and on some days could view the television covering of your committee hearings in San Diego this week.

I should like to extend our gratitude and compliments for the high standard and the good taste with which you conducted the hearings, especially at times when abuse was about all you got in return.

We, and I am sure many other Americans, are proud of men like you and Mr. DOYLE. It is most reassuring to know that men of your fidelity and integrity are working so hard at keeping this great country safe besides the many other tasks you perform in the Congress.

Please don't take the time or bother to acknowledge this letter. I know your schedule is very full and I know you appreciate getting a little word of gratitude, I shall not expect a reply and shall not be offended with not hearing that you received this.

Most cordially,

R. J. VAN WAGENEN, M. D.

LA MESA, CALIF., *April 27, 1954.*

DEAR CONGRESSMAN JACKSON: Would like to take this opportunity to commend you and the subcommittee on the conduct of the recent Un-American Activities Committee hearings at San Diego, Calif. The hearings drive home the dangers of the ever-present Communist scourge.

I have the highest of admiration for you committee members.

Very truly yours,

FRANK C. MAYER.

HOLLYWOOD, CALIF.

Mr. DONALD L. JACKSON,
Congress of the United States.

DEAR SIR: Congratulations on today's hearing (April 27). It is true Americans like you who make the country what it is, the leader of the world.

Sincerely,

JIM
Jas. Cornelius, Jr.

DEL MAR, CALIF., *April 22, 1954.*

DEAR MR. JACKSON: May I congratulate you on the fine Un-American Activities Committee hearings which you conducted in San Diego. I believe these hearings brought home to the people in the street the fact of Communist activity, as well as, we hope, crippling their activity here—in some instances permanently.

Your attitude was most commendable. You were fair and firm, and very able, when under great duress.

MRS. MERLE RANKIN FRANCIS.

LOS ANGELES, CALIF., *April 26, 1954.*

DEAR CONGRESSMAN JACKSON: Congratulations on your work in San Diego. Unfortunately I was unable to secure a seat, but watched TV.

May your excellent work continue.

I am vigorously behind legislation with "teeth" to deal with Reds, and other subversive elements.

ANNE TRAUPPE.

SAN DIEGO, CALIF., *April 27, 1954.*

Representative DONALD L. JACKSON.

HONORABLE SIR: We watched all the televised hearings here at San Diego. You were wonderful—one of the most patient, fair, and long-suffering men in the United States.

May you continue to dig these traitors out, and may Congress pass some law to deal with them real soon.

For our survival, yours,

Mr. and Mrs. M. F. LABRUM.

APRIL 29, 1954.

Hon. DONALD JACKSON,
House of Representatives,
Washington, D. C.

DEAR MR. JACKSON: May I, in behalf of my family, thank you for the wonderful job you and your committee did in making the people of southern California realize the importance of the work you are doing for the American people. If there were only more people like you in our Government, I think it would be a lot better.

I wish to congratulate you again on your wonderful work and I wonder if it would be possible to obtain any literature on your activities up to date on the work you have done so far?

Respectfully yours,

ARCHIE C. ACKLY.

[From the April 17, 1954, issue of America, National Catholic weekly review]

CURRENT COMMENT

We believe the work of the investigating committees of Congress is necessary, even in regard to universities and religious organizations. Without fanfare, the House Un-American Activities (Velde) Committee and the Senate Internal Security (Jenner) Committee have done a tremendous amount of good work. The House committee in 1953 heard 280 persons it had subpenaed. According to Robert Lowe Kunzig, its counsel, the committee had sworn testimony that every one of them was a member of the Communist Party. With one exception, they all either gave valuable information or invoked the fifth amendment. Mr. Kunzig is convinced, as we are, that the "congressional committees investigating communism have a vitally important task." "But," he added, "the investigations must be carried on with care, caution, and fairness." The Jenner and (with one or two exceptions some time ago) the Velde committees have fine records on that score. Some members of both committees are interested in improving their procedures. Finally, it would be foolish to deny that the McCarthy subcommittee has done some good. That is not the issue.

Mr. Speaker, while the insertion of some of these communications may appear to be unduly laudatory of the individual members of the subcommittee, I am sure that I speak for the gentleman from California [Mr. DOYLE] as well when I say that we are not seeking personal approval or compliments in the work we are performing together with the other members on the House Committee on Un-American Activities. Each member of that committee, under the able leadership of Chairman HAROLD VELDE, is seeking to do an honest and forthright job under very difficult conditions. We are individually, collectively, and quite understandably, jealous of the investigative prerogatives of this great body, and each of us is determined that no amount of left-wing pressure is to deprive the Congress of its well-established duty to inquire and legislate. As the two members of the subcommittee responsible for the conduct of the San Diego hearings, the gentleman from California [Mr. DOYLE] and I are most appreciative of the splendid praise and public reaction to those hearings.

It is strange, but nonetheless true, that hearings conducted in cities outside of Washington, D. C., win public support and acclamation which contrasts vividly with the treatment sometimes accorded the activities of the committee here in the Nation's Capitol. This is unfortunate, and it is to be hoped that more of our hearings can be taken directly to the people of the United States, so that the citizens of this great country can observe for themselves congressional investigations in progress.

SUPPLEMENTAL APPROPRIATION BILL, 1954

Mr. TABER submitted a conference report and statement on the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

DEPENDENTS OF MILITARY PERSONNEL

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON of California. Mr. Speaker, the problem of housing for dependents of military personnel is one of the toughest nuts to crack in the administration's current program to improve morale and increase reenlistments. The Armed Services Committee is in the process of approving authorization to construct a substantial number of homes in France, on a guaranteed-lease basis similar to those constructed under the Wherry Act in this country. In my opinion this is a commendable step toward improved morale.

An unfortunate situation also exists in Japan, where families of men ordered to foreign duty for a 2-year period must wait as long as 18 months before joining the serviceman. They stay but a few months and then return home. Thus, in a 2-year period the dependents of four different servicemen may have been transported to Japan at considerable expense to enable the families to spend at least part of the time with them during their period of foreign duty. The only solution to the extraordinary expenses of transportation and the miseries of long separations of service families is to substantially increase the number of homes available to servicemen in Japan and surrounding areas.

Ample native labor and building materials are available in Japan if we can negotiate lease-guaranty agreements similar to those now being arranged in France. Building costs are in fact so low that guaranteed-lease agreements of 5 to 7 years could pay off the entire cost of construction of adequate quarters for our servicemen and their families. I hope we can get some action by the Pentagon on this problem.

We have serious dependent housing problems in this country, too. The Government practices a peculiar policy of double standards in assessing rental charges for military personnel. In many of the Government housing projects near military bases, the rents chargeable to servicemen have been raised by order of the Comptroller General on a basis of comparability with rents for similar houses in the area. In cases such as this, the serviceman has a quarters allowance, part of which he uses to pay the rent. This rent increase naturally hits him directly and is another out-of-pocket expense.

At the same time, the services have a considerable number of quarters of varying quality on the military bases which are arbitrarily assigned to certain service families, both officers and enlisted men. When they are assigned to these quarters—many of which are pitifully substandard—they lose their full quarters allowance, regardless of comparability of their quarters with quarters obtainable outside.

For example, I have seen woefully inadequate quonset huts at Port McGrew and in San Diego, for which a chief petty officer was charged his full quarters allowance of $97 per month, while suitable quarters outside the base were obtainable for much less. It seems to me that the policy of comparability should be at least consistent.

Fortunately, this situation is due for correction this session. It is my understanding that Dr. John Hanna, Assistant Secretary of Defense for Manpower and Personnel, and Franklin G. Floete, Assistant Secretary of Defense for Properties and Installations, have this week sent recommended legislation to the Bureau of the Budget intended to correct the inequities of full deduction of quarters allowances for substandard quarters. This type of legislation is another step forward in the program of career improvement of the military services. Slowly but positively the services are being made more attractive for the long pull ahead.

EXTENSION OF REMARKS

Mr. WILSON of California. Mr. Speaker, on behalf of my colleague, the gentleman from California [Mr. JACKSON], I ask unanimous consent that he may include telegrams and other extraneous material in the remarks he made earlier today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EIGHTY-THIRD CONGRESS, SECOND SESSION, FIRST REPORT

The SPEAKER pro tempore (Mr. CANFIELD). Under the previous order of the House, the gentleman from New York [Mr. JAVITS] is recognized for 20 minutes.

Mr. JAVITS. Mr. Speaker, it is widely recognized that the record of this Congress remains to be written within the coming few months. Momentous issues are before the country and the world for consideration, and from these governmental policies are developing, but specific legislation by the Congress is only now in the process of being written on the major foreign and domestic issues.

PROSPECTS FOR PEACE

The dreadful implications of the H-bomb, which we are informed is so powerful that one bomb could wipe out most of New York City, are beginning

to have a deep effect upon the thinking of our people. The Communist bloc, under its new leader, Malenkov, has advised the world that it is ready to retaliate with similar weapons should there be any World War III. The President, in his historic declaration before the United Nations asking the Soviet Union to discuss the pooling of means for the peaceful development of atomic energy, has set the tone for the whole free world. Despite the turmoil in which the Communist bloc is keeping the whole world through its aggression and subversion, it is still necessary to explore every avenue for agreement upon the control of weapons of mass destruction and for the peaceful uses of atomic energy.

In addition, we must constantly strive, as we did in the recent four-power negotiations at Berlin and in the conference at Geneva, to deal with the problems of the Asian conflict to find some grounds for agreement, if at all possible, with the Communist bloc and ways and means, for relieving international tension. The willingness to talk and negotiate does not imply appeasement or a Munich, which, it may be clear, could only lead more certainly to another world war.

INDOCHINA AND THE FAR EAST

We are firmly committed to bringing about freedom and independence for the Indochinese people. The struggle in Indochina may well prove to be a struggle for the whole of the 600 million people of south and southeast Asia, which includes also Thailand, Malaya, Burma, India, Pakistan, and Indonesia, and which will have the most profound effect upon the future of Japan, Formosa, and the Philippines. It must be constantly emphasized that should the Communists be successful in taking this whole area they would for the first time have a greater concentration of population in the Communist bloc than there is in the free world. The grave dangers to our national security in such an eventuality should be clear to all. It would be a crisis equaled only by the sneak attack on Pearl Harbor. We must recognize at the same time that it is too late for the Indochinese people standing alone to be able to muster an adequate defense against Communist aggression even though we were successful in bringing about their complete freedom and independence at this time. I believe that the realistic lines of our policy must be to see that freedom and complete independence for the people of Indochina is trusteed either with the United Nations or, if the Russians make that impossible, with an international group of nations so that the people are sure they will get it; second, that we seek first through the United Nations and, if the Russians make that impossible, then by international action the assumption of the responsibility for the defense of this whole area by substantially the whole free world, in which we will do our share.

France should be encouraged to continue to carry a large share of the burden in Indochina as her situation there is analogous to the situation which we faced as having the preponderant free world forces outside of the indigenous forces in Korea. This can be done by assuring her of massive material and technical assistance which we are indeed already giving—an estimated $800 million for the next fiscal year as part of the mutual-security program—and also of the security and defense of Western Europe. This the President has done with the assurance to France that if she ratifies the proposal for the European Defense Community—European army—United States forces will maintain their position in assuring the security of Western Europe until major threats to that security have been dispelled. Coupling these actions with every effort which we are making as at Geneva to bring about a conclusion of hostilities in Indochina, consistent with the security of the free world, this is as constructive a policy as we could pursue in that area to avoid for ourselves the suffering of another Korea and for the world another world war.

It is the well nigh universal opinion in our country that Communist China cannot be permitted to shoot its way into the United Nations as it tried to do in Korea and as it is again trying to do in Indochina. We have every reason to believe that over 900 American soldiers taken prisoner in Korea are still being held by the Communist Chinese without any disclosure of their whereabouts or the fact that they are being held and that a reported 32 American civilians are languishing in Communist jails in China or their equivalent with an absolute refusal to return them to us though they have committed no crime of which the civilized world takes cognizance.

Another development of the momentous character is the step initiated by our Government to bring about a Pacific treaty organization for the self-help in their own security of the people of South and Southeast Asia and the Pacific. At present it is contemplated that 10 nations shall be in this organization and it is not expected that India, Burma and Indonesia will participate. Yet they belong in such an organization in their own interest as do all the countries in this area and our policy must be directed toward showing them that this is the right course for them in their own interest and in the interest of the whole free world.

FOREIGN ECONOMIC POLICY

The report of the Presidential Commission on the Foreign Economic Policy of the United States has now come in and the struggle in the Congress to implement this policy will shortly ensue. The Commission recommended that the reciprocal trade agreements program be renewed for 3 years with the right of the President to reduce tariffs on a reciprocal basis 5% a year for 3 years or a total of 15% on active items of United States imports. The report also made various other recommendations including recommendations for encouraging overseas private investment which is very important to our foreign policy and for stimulating international travel. The report also supported the views of the Administration with regard to trade in nonstrategic materials between the free world and the Communist bloc.

I have introduced legislation to stimulate the development of international travel and have conducted extensive hearings on this subject. It has capabilities for implementing the slogan of "trade—not aid" to the extent of $1,300,000,000 in trade to the other free peoples which will have a very material effect on American prosperity through building up their capability to buy from us.

As the chairman of the Subcommittee on Foreign Economic Policy I also conducted a series of hearings on East-West trade. They demonstrated that such trade in nonstrategic goods is not a threat to our security; the free world gets more out of it than it gives to the Communist world because it enables especially the nations of Western Europe to get foodstuffs and raw materials which they urgently require and reduces the need for United States foreign aid which would otherwise be much greater. Despite all the talk about trade with the Communist bloc—including Communist China—it is not very large, constituting only 3.2% of the exports and 3.4% of the imports of Western Europe.

ADMINISTRATION FOREIGN POLICY IN EUROPE—NEAR EAST AND ISRAEL—PAKISTAN AND INDIA

The principal foreign policy issue in Europe and our No. 1 objective continues to be the European Defense Community. This is the project for the six-nation European army which is to become part of the North Atlantic Treaty Organization—NATO. It is the best means which has been devised for utilizing the defense potential of Western Germany without incurring the danger of renewal of German militarism through making this defense potential part of an all-European Army. This project has now been approved by West Germany, Belgium, Holland and Luxembourg and awaits only enactment by France and Italy. The principal sticking point is France which is very fearful of German dominance in the European Defense Community. The British have endeavored to reassure the French by undertaking extensive commitments for the coordination of the British military effort with that of the proposed European Defense Community. Our country has taken a great step in this regard by its commitments to maintain forces in Western Europe too.

It is no small element in the need for approval of the European Defense Community that there are constant reminders of the Nazi days in West Germany which indicate how very urgent it is that Germany be cemented into free Europe. Among these are the recent appointment of a former Nazi Party member as the observer for West Germany at the United Nations, an appointment which I strongly protested; the reported agreement to grant further amnesty to major war criminals and the continued unsatisfactory nature of the arrangements for restitution and compensation of persecutees and refugees from the Nazi terror, obligations which are those of the present German Federal Government.

The situation in the Near East is critical and explosive. With serious border incidents between Israel and the Arab States of almost daily occurrence, the intransigent refusal of the Arab States

even to meet to discuss peace or enforcement of the armistice terms with Israel, and the continued boycott and blockade of Israel by the Arab States all contribute to the serious situation. Our Government has now announced that it is going to furnish arms to one of the Arab states—Iraq. This extremely serious decision immediately raises the question of how our Government intends to see that these arms are not used for aggression either by Iraq directly or through some other Arab state against Israel, with which Iraq is technically at war and to which all the members of the Arab League of which Iraq is a member are extremely hostile. I have joined with 29 other Representatives and 6 Senators in the most urgent protest to the State Department against supplying arms to any Arab state. In addition the grave problem of resettlement of the Palestine-Arab refugees within the Arab countries continues to be a nettling problem urgently requiring permanent solution.

Our Government has taken a real step forward in the security and defense of the critical Middle East area through our undertaking to supply arms aid to Pakistan and the conclusion of an agreement for the defense of this area between Turkey and Pakistan. This only emphasizes the inadvisability and danger of furnishing arms to Iraq or any other Arab State.

Other foreign policy developments include legislation which I have introduced to establish a Foreign Service Academy for the purpose of training officers for the diplomatic and international technical-assistance activities of the United States and giving it a broad citizen participation. Appointments to the Academy would be made in the same way as appointments are made to the service Academies.

The Bricker amendment to greatly restrict the power of the President to act in foreign policy negotiations has been settled by its defeat in the Senate, in this way avoding the mistake of overturning the time-honored and thoroughly interpreted procedures of the Constitution on treaties.

It will be of interest to many also that the right of persecutees to file claims against German, Japanese, or other belligerent property sequestered in this country was extended by appropriate legislation until February 9, 1955, or two years from the vesting of the property, whichever is later.

THE ECONOMIC SITUATION

There has been great concern in the country about recession and indeed this concern was fully justified by the rapid increase of unemployment beginning in January. The last reported figure on March 31 shows 3,725,000 unemployed or 5.8 percent of the civilian labor force. Since that time the situation has leveled off and as far as we can ascertain there was an April decrease in unemployment. The production and income in the country continues at near record levels exceeded only by those of 1953 with a gross national product as of March 31 of $359 billion and personal consumption expenditures plus capital investment of $277,500,000,000 annually.

There is no room for complacency. We must be sure that the Federal Government does everything which it possibly can to avoid a serious economic decline. The President has properly stated that it will do so and implied that the Federal Government will accept deficits rather than mass unemployment. Full implementation of the whole program of the President by the Congress will be the greatest antirecession effort. This includes the improvement and expansion of the concrete base of greater social security and unemployment insurance coverage including higher benefits, major encouragement to housing construction, liberalization of foreign trade and investment opportunities, a national health program and aid to hospitals, schools, and road construction. The House of Representatives has already passed the bill for aid to highway construction of $966 million a year for 2 years which is twice the previous rate. In addition, we must be prepared to take other measures in terms of making credit readily available at low interest rates, undertaking further public works and tax reduction programs should these additional measures be indicated by any further softening of the economic situation. A hopeful feature is the leveling off in the consumers price index presenting the opportunity to our people of a stabilized cost of living and a higher living standard without the danger of a runaway inflation.

There is a struggle going on in the Congress between the advocates of high fixed farm price supports and of flexible price supports determined by the extent to which the supply of farm products is meeting the demand, the system advocated by the Secretary of Agriculture. It is heavily in the interest of the city consumer that there be flexible price supports, and it is in the interest of the farmers, too. The high fixed farm price supports make the consumer pay two ways—one, in higher food prices, and, two, in taxes to sustain the Government program. The United States now has over $6,750,000,000 tied up in agricultural surpluses and commitments undertaken with respect to them and is paying for commodities on hand alone about $500,000 a day in storage charges. Despite the claims of the farm bloc here, while this high fixed farm price policy has been in effect the farmer's income has fallen by 13% in the last two years. This has been largely attributable to heavy inroads into export markets due to the distorted economic situation in agriculture.

I also waged a fight here on a scandalous situation under price supports which resulted in the piling up in Government store of over a billion pounds of milk products, including 300 million pounds of butter in which the Government had invested over $250 million which was in danger of spoiling. The Secretary of Agriculture on April 1 cut the support price to 75 percent of parity and brought about a price reduction in butter available to the consumer by about 10 cents a pound. It is strongly urged that the consumer by the increased use of butter should show to the farmer that lower prices will increase consumption.

There has been a struggle here in the Congress, too, about the price of coffee, which has been going up very rapidly, it is claimed, due to shortages occasioned by adverse growing conditions; nevertheless, the Senate has passed a measure to bring trading in coffee under Government regulation. I believe this is an elementary precaution which we should take.

The full school lunch program for $83,464,000 was recently voted in the House and $100 million in surplus agricultural commodities were set aside to be used at the discretion of the President in aid of the foreign policy of the United States. Bearing also upon other farm matters, I opposed the bill dealing with the entry into the country of laborers from Mexico, the so-called Wetback bill, on the ground that this is the kind of program which should be effected in agreement with the Government of Mexico and with adequate precautions against any kind of abuse in the areas where this type of labor is much employed.

CONGRESSIONAL INVESTIGATIONS

One of the most bitterly fought struggles in the Congress concerns the controversy about the excesses in the course of investigations of communism and subversion by congressional committees. It is alleged on the one side that these investigations must be pursued to root out Communists who would otherwise be left in key places and on the other side that the excesses in the investigations have done violence to national security, to higher learning, to religion, have seriously impaired the morale of Government employees and have hurt our foreign policy and the morale of the defense forces. I have taken the position that the power of the Congress to investigate is essential to freedom in our country but we do not have to pay a price of serious jeopardy to the civil liberties of individuals or to our national interests in connection with it. It is for this reason that I have worked hard for rules of fair procedure for congressional investigating committees and that I have finally developed a plan for a joint committee of the House and Senate to replace existing committees in this field as designed to give the highest prestige and the greatest assurance of fairness to this kind of investigation. Such a joint committee would not create the divisiveness which has resulted from the Senator McCarthy-Secretary Stevens row.

The House of Representatives has passed a bill to legalize wiretapping subject to court order and confined only to treason and espionage cases. Under court order this has been possible in New York for a considerable number of years and has worked out reasonably. I supported the incorporation in this measure of the court order provision.

BUDGET AND TAXATION

The Administration budget for the next fiscal year is estimated at $65,600,000,000; tax revenue is estimated at about $62 billion leaving an expected deficit of about $3 billion. It is generally considered that this is an extremely economical budget with the New Look

in our defense preparations, taking account of modern ideas in defense, accounting for a reduction of about $5 billion in defense expenditures and with a material reduction in estimates of foreign aid of over $1 billion bringing the figure for 1954–55 down to $3,500,000,000.

Taxes have come in for extensive consideration so far in this session. Excise taxes have been cut, in the main, in half on such things as home appliances, toilet preparations, luggage, jewelry and furs, theater and other admissions, reduced still further on long-distance telephone calls, and eliminated entirely upon moving-picture admissions of 50 cents or less. It is estimated that the gain to consumers—and expansion in purchasing power—in New York City alone from these excise-tax reductions will amount to $50 million a year. In addition, the 10-percent reduction in the personal income tax was permitted to take effect on January 1. The combination of these reductions in taxes to the individual consumer amount to about $4 billion a year. The excess-profits tax on corporations also expired on the 1st of January.

A general tax revision bill has passed the House of Representatives which continues at the present rate of 52 percent the corporate tax which was to have been reduced by about $3 billion on April 1. In addition, this bill makes certain other desirable provisions, such as exemption of $1,200 of the income of annuitants from income tax, increase of the exemption for medical expenses from the excess over 5 percent of income to the excess over 3 percent of income, granting up to a $600 deduction for working parents paying for the care of dependent children under 10 years of age, and dealing realistically with the earnings of college students who are dependents by granting the parents the allowance of $600 where the taxpayer supplies more than half the child's support.

I could not, however, support this bill because, on the one hand, it was sought to use the bill for purely political purposes by seeking to increase income-tax exemptions by $100 which would have doubled the expected deficit in the operations in the Federal Government this year and was an impossible situation if we expect to meet our obligations in terms of national security, housing, a national health program, expanded social security and unemployment insurance, foreign aid, increased aid to schools, roads, and hospitals, immigration, and liberalized foreign trade policy. On the other hand, while it dealt with the unfairness of double taxation of corporate dividends, it did so at a time when nonsecurity holders could not be similarly helped.

I appreciate the attractiveness to our community of income-tax reductions, but I know, too, that our people love their country and put our national interest above every consideration and that they rely upon me to represent the best interests of our community both for today and for tomorrow. I am pledged to see that if there is to be income-tax reduction it is fair and neither jeopardizes our national security nor prefers any class in the community above any other. I am very hopeful that when the measure comes back from the Senate it will be possible to support it and that its objectionable features will have been eliminated. The per capita debt of our country is now $1,674.16 per person. We are not afraid of this per capita debt, and, indeed, will increase it, if we have to, to deal with emergencies. But we certainly cannot do it in terms of a play at tax reduction for purely political purposes.

HOUSING, HEALTH, AND SOCIAL SECURITY

It used to be considered adequate to plan for 1 million housing starts per year; we now recognize that our objective must be at least 1,500,000 housing starts per year. A fair proportion of these housing starts must consist of public housing. The Federal law authorizes as many as 135,000 Federal public housing units per year, but there has been continuing great opposition to this program in the Congress and it has been continually cut until last year it was down to 20,000 units. This means only about 4,000 units for New York City at the most. The President has asked for 35,000 public housing units, which is a modest enough figure, but even this has been stricken out by the House of Representatives despite the strong fight put up by me and others. Federal public housing is vital as a lead for States and cities and in slum clearance. The fight is continuing in the Senate, and I am very hopeful that not less than 35,000 public housing units will be authorized, providing over 7,000 for New York.

One of the major achievements in the House of Representatives on the pending housing bill was in the reduction of downpayments on new housing for nonveterans to as little as $1,000 on a $12,000 and $500 on a $10,000 FHA mortgage loan, in view of the fact that most housing due to the high downpayments was being sold only to veterans.

The big lack continues to be in middle-income housing and measures to extend mortgage maturities, reduce interest rates, and otherwise encourage middle-income and cooperative housing need urgently to be undertaken. Adequate mortgage financing is vital and for this purpose new areas for mortgage financing must be found. The mortgage banking industry, which includes also life-insurance companies, savings banks, and pension funds, must recognize this urgent need. The Congress has authorized the extension of the program of direct loans to veterans for housing to June 30, 1955, and an additional $100 million of allowability, making a total of $476,231,400 now authorized.

Interest is at this time centered on the administration's proposal for reinsurance for some 90 million Americans who belong to plans like Blue Cross and Blue Shield which mainly deal with hospitalization and surgical attention, the proposal seeking with the help of the Federal Government to make the benefits which they afford more adequate to the need. A bill to encourage medical group practice units is also receiving attention. The problem is a very urgent one as about $10 billion per year is spent for medical care and hospitalization. The House of Representatives has passed a program of expanded aid for hospital construction and the construction of diagnostic centers, nursing homes, and rehabilitation facilities. I still believe that a national health program is essential and that the best one is the National Health Act which I sponsored, together with others, to give Federal-State aid for local cooperative health plans sustained by payment of a premium based upon income and giving complete coverage for hospitalization as well as ordinary medical care.

I am sponsoring legislation to devote a part of the excise taxes realized on cigarettes and liquor for emergency cancer and heart disease research for a 2-year special program to deal with these the Nos. 1 and 2 killers of our time and to devote $20 million a year in special research funds for this purpose.

The Administration's proposal to extend social-security coverage to ministers, lawyers, doctors, farm workers, and similarly excluded categories, expanding the number covered by 10 million is deserving of full support. So too is the Administration's program for extending unemployment insurance coverage to employees in establishments having one or more employed, as in many States there are restrictions to establishments with 4 (New York) or more or 8 or more employed which are much too high. We must give urgent consideration to increasing the benefits available under social security and under unemployment insurance coverage to make them more realistic in terms of the present-day cost of living. It is essential to eliminate or materially raise the earnings limitation of $75 monthly for social-security recipients under 75. Americans covered by social security have shown remarkable cooperation in accepting without complaint the increase for both employees and employers in the social-security tax from 1½% to 2% on earnings up to $3,600 per year. What we must do in the Congress is to see that the social-security system fulfills its complete national objectives.

VETERANS

Developments under this heading continue to be the urgency for adequate medical care for veterans and vigilance to see that it is in no way impaired. I am doing all I can to help with the increase of pensions for disabled veterans and the raising of the earnings limitation for beneficiaries who are receiving pension benefits in view of living costs.

There is a considerable amount of interest in the increase of the pension now fixed at $63 per month for veterans over 65 and this, too, is related to a realistic appraisal of present-day living costs.

Armistice Day has been established as Veterans Day. The right to file POW claims against segregated assets of belligerents in World War II has been extended to August 1, 1954.

IMMIGRATION

One of the pledges of the President in his campaign of 1952 was to see that the McCarran-Walter immigration law was rewritten to eliminate discrimination and injustice. I have just joined with others here in introducing a new immigration bill to eliminate such injustices and discrimination and to provide for a modern-

ization of the immigration laws. It permits quota immigration on the basis of the 1950 instead of the 1920 census, as is presently the law. It will increase admissions into the United States from 154,000 to an estimated 216,000 per year and provide for a redistribution of unused quotas among the quotas which are heavily oversubscribed—Italy, Greece, Baltic States, and Central Europe—in view of the fact that we have averaged about 65,000 unused quota numbers per year since the end of World War II.

I have also been working to see that there is effective implementation of the Refugee Relief Act of 1953 for the admission to the United States as nonquota immigrants of 209,000 refugees and escapees from behind the Iron Curtain and also for help with the immigration problems of those from Italy, Greece, Holland, and West Germany, as only a handful have been admitted under it.

POST OFFICE AND CIVIL SERVICE

A great effort is being made to eliminate the deficit in the operations of the Post Office which now stands at an estimated $425 million for the coming fiscal year through the increase in postal rates. If this effort be made, it must be fair. This is especially true as it is claimed that first-class mail is carrying itself but the second- and third-class mail, especially by magazines and periodicals earning large sums of money, is not paying its way but is showing very heavy deficits. It is essential, too, that service be given by the Post Office Department to realize the reasonable expectations of the American people and this is one of the reasons for my fight for the restoration of two-a-day residential deliveries.

Postal employees are suffering seriously now, their compensation having lagged behind realistic costs of living. Favorable action on a satisfactory increase is urgently required and I have supported this effort vigorously in the Congress. As has been the practice, increase to meet living costs for other Federal employees will be correlated with the increase for postal employees.

MISCELLANEOUS ISSUES

I am deeply appreciative of the solicitude of many people in our district who expressed their concern for my safety in the shooting which took place in the House of Representatives on March 1. It should be gratifying to every American to know that Members of Congress realize this dreadful outrage was the act of irresponsible fanatics and that there was no vindictiveness, only the determination that the guilty who promoted this outrage be punished, and that greater security precautions be taken.

As a result of the revelation of fraud and other excesses in solicitations for charity disclosed by the outstanding work of the Tompkins-Rabin Committee of the New York State Legislature, I have introduced Federal legislation both to implement the law in New York requiring greater public accountability by organizations which engage in such solicitations and for stricter supervision by the Post Office Department to avoid fraud and to protect the legitimate charitable institutions soliciting contributions from the public.

I continue to be strongly in favor of statehood for Hawaii and for Alaska, which has passed the Senate while only statehood for Hawaii has passed the House, and will support both measures.

In the controversy over whether private utility companies or public agencies should develop the power potential at Niagara Falls, I have supported development by the public agencies which, in turn, can undertake where appropriate distribution through private utility companies undertaking to pass on the benefits of low-cost power to the public. The cooperative development between the United States and Canada of the St. Lawrence Seaway I believe to be entitled to support as it involves the full development of our country and of much needed power.

I have heard from a great many people in our district about matters involving our natural resources and will continue my efforts to see that the resources of our country are developed in the fullest public interest and that the national parks and monuments are maintained and improved for the full enjoyment of our people.

Puerto Rico continues to develop under the unique commonwealth form of government its people have chosen giving it both independence and attachment to the United States. Our national objectives there should continue to be to develop the economy and to help train and educate the people so that they may seek opportunity anywhere and without being under any necessity to leave Puerto Rico in order to realize their full opportunities in life.

CONCLUSION

The understanding of what is going on in the country by the people of our community and the expression of their views is indispensable to the effective carrying out of our part in the development and progress of our country and in its security and integrity as what we believe is the most ethical and moral as well as the greatest nation on earth.

AMEND THE PLEDGE OF ALLEGIANCE TO FLAG TO INCLUDE THE PHRASE "UNDER GOD"

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Michigan [Mr. RABAUT] is recognized for 15 minutes.

Mr. RABAUT. Mr. Speaker, this morning I appeared before a subcomittee of the House Judiciary Committee in support of a measure I have introduced, House Joint Resolution 243, to amend the pledge of allegiance to the flag of the United States to include the phrase "under God."

This resolution was introduced on April 20, 1953, and is the earliest of the resolutions now before the committee. Since its introduction, I have received a tremendous amount of favorable correspondence on this matter, including the endorsements of a number of leading patriotic, religious, and service organizations.

A very brief history of the pledge may be of interest at this time.

The author of the pledge was Francis Bellamy, who was born at Mount Morris, N. Y., May 18, 1855, and died August 28, 1931. Bellamy was trained for the ministry and was ordained in 1879 at the Baptist Church in Little Falls, N. Y., but at the time he wrote the pledge, he was an employee of the Youth's Companion magazine, and the chairman of the executive committee for the National Public School Celebration which was being held throughout the country in connection with the dedication of the World's Columbian Exposition Grounds in Chicago on October 21, 1892, the 400th anniversary of the discovery of America.

In its original form, the pledge first appeared on the official program of the celebration, and has been recited from that day to this, with some changes, by schoolchildren all over America.

Bellamy's original wording was changed slightly by the First and Second National Flag Conferences in 1923 and 1924 and his work was officially designated as the Pledge of Allegiance to the Flag by Public Law 287, 79th Congress, approved December 28, 1945.

The pledge, with the proposed amendment, would read as follows:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

My reason for introducing this resolution may be very briefly stated. The most fundamental fact of this moment of history is that the principles of democratic government are being put to the test. The theory as to the nature of man which is the keystone in the arch of American Government is under attack by a system whose philosophy is exactly the opposite. This conflict may be waged with the material implements of war, either hot or cold, but ultimately it will be won by the system of government which is founded on true and lasting principles, and whose people cling to those principles regardless of the sacrifices entailed.

"We are a religious people," said Mr. Justice Douglas, of the United States Supreme Court, in a recent decision, "whose institutions presuppose a Supreme Being."

This is true in a very fundamental sense. Our political institutions reflect the traditional American conviction of the worthwhileness of the individual human being. That conviction is, in turn, based on our belief that the human person is important because he has been created in the image and likeness of God and that he has been endowed by God with certain inalienable rights which no civil authority may usurp. These principles of the worthwhileness of the individual human being are meaningless unless there exists a Supreme Being. That is why, in four separate places in our Declaration of Independence, the fathers of our Nation referred to God, justifying, by the law of "nature and nature's God," the aspiration of the Thirteen Colonies to the status of an independent nation, invoking the "Supreme Judge of the world" to determine the rectitude of their actions, and seeking the

blessings of divine providence on their undertaking.

Truly, therefore, this Nation is founded "under God."

I think it proper that the phrase "under God" be added after the word "nation." The religious influence in the origins of American Government was not directed to any particular attribute of our political institutions; rather, it permeated the whole tremendous effort of the fathers of our country to erect this monument to human freedom and liberty. It is the Nation itself which was born and lives "under God."

The manner in which Lincoln inserted this phrase in his Gettysburg address was not, I believe, mere coincidence.

This Nation, at the moment he spoke, was in its darkest hour. The field on which he spoke had been the scene of a bloody battle to preserve this Union. This fact must have been uppermost in Lincoln's mind. He could have invoked divine providence to uphold the Union of the States. These, however, were the words he used:

> That this Nation, under God, shall have a new birth of freedom.

Clearly, he meant this phrase to apply to the life of the Nation as a whole.

Now, in our pledge of allegiance to the flag, we salute the symbol of this Republic, and I think it most proper that this pledge express everything for which this Republic stands. The pledge is an expression of our love of country, of our devotion to an institution that finds its origin and development in the moral law and commands our respect and allegiance so long as it provides that "liberty and justice for all" in which free men can work out their own immortal destinies.

Has it ever occurred to you that the present wording of the pledge could serve any republic claiming to be indivisible and to insure liberty and justice for all. Remember, when you hear your own children recite the pledge of allegiance that these same words could come from little Muscovite children standing before the red, hammer and sickle flag of Soviet Russia. You know and I know that the Union of Soviet Socialist Republics would not, and could not, while supporting the philosophy of communism, place in its patriotic ritual an acknowledgment that their nation existed "under God." Indeed, the one fundamental issue which is the unbridgeable gap between America and Communist Russia is belief in Almighty God.

By the addition of the phrase "under God" to the pledge the consciousness of the American people will be more alerted to the true meaning of our country and its form of government. In this full awareness we will, I believe, be strengthened for the conflict now facing us and more determined to preserve our precious heritage.

More importantly, the children of our land, in the daily recitation of the pledge in school, will be daily impressed with a true understanding of our way of life and its origins. As they grow and advance in this understanding, they will assume the responsibilities of self-government equipped to carry on the traditions that have been given to us. Fortify our youth in their allegiance to the flag by their dedication to "one Nation, under God."

I am happy to report that this resolution received unanimous approval from the subcommittee this morning.

CRIMINAL TRAFFIC IN NARCOTICS IS A SHOCKING, DEGRADING INFLUENCE UPON THE YOUTH OF OUR NATION

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentleman from Oregon [Mr. ANGELL] is recognized for 20 minutes.

Mr. ANGELL. Mr. Speaker, in 1951, I introduced a bill which had for its objective bringing under more strict control and the eradication of the infamous traffic in narcotics which has grown to be a menace of gigantic proportions to the youth of America. I have again reintroduced this bill, H. R. 8955, in the hope that the American public is sufficiently aroused to the menace of this degrading influence on the youth of America that this legislation or other similar legislation will be enacted which will bring the traffic under control and eventually eradication.

This bill has for its purpose the imposing of much heavier punishment upon violators of the Narcotic Drug Act by imposing sentences with fines and imprisonment, the latter as high as 20 years for third offenses, and for second and subsequent offenses with no suspension or probation granted. It also provides that for selling or making available of narcotic drugs in violation of the Narcotic Drugs Import and Export Act or of the applicable sections of the Internal Revenue Code to minors as defined in the Federal Statutes, the violator may be punished by death unless the jury qualifies its verdict by adding thereto "without capital punishment," in which event a life sentence shall be imposed.

This menace, particularly in the large cities of America, has become so pernicious and diabolical that thousands of young people in our schools, and others without supervision in the larger cities are made subjects of this nefarious practice. Certainly the narcotic peddlers who engage in such practice, which not only blasts the lives of our young people but leads them into a life of crime, should be subjected to the severest penalties in order to stamp out the practice.

Commissioner Anslinger of the Bureau of Narcotics has pointed out that a practical and simple method of stopping drug pushers is to impose heavier sentences by the courts for violation of narcotic laws, which has resulted, where such stiff sentences are imposed, in a tendency for pushers to move on to other areas where lighter sentences are given. The Commissioner states that if the stiff sentences were common rather than the unusual manner of handling these cases, the volume of drug peddling would fall off.

The Subcommittee To Investigate Juvenile Delinquency in the United States of the Committee on the Judiciary, United States Senate, 83d Congress, 2d session, has reported the following statistical information which shows the necessity for the enactment of criminal statutes which will bring about not only the punishment of narcotic violators preying upon the youth of our Nation but will eradicate the evil practice, so far as it can be done, with legislation.

The use of narcotics by those under the age of 21, while not accounting for a large percentage of juvenile and youthful offenses, is, because of the serious nature of the offense and the resulting effects it has upon youth, found to be a serious problem among young people of the Nation.

Youthful addiction has not occurred generally throughout the country but has been confined mostly to the urban areas, and more particularly to very large cities. It is found to be concentrated most heavily in those areas of the city that are the most economically deprived. However, addiction is not confined solely to the lowest economic groups alone, but extends to some extent into the higher economic class levels.

In most instances, it has been found that addiction follows delinquency. Most of those arrested for narcotic offenses or arrested as addicts or as users of narcotics have a police record extending back for some period of time before they are picked up on a charge involving narcotics. Addiction followed association with either addicts or pushers who introduced them to narcotic drugs. After becoming addicted to the drugs, they became further delinquent and found it necessary to rob, steal, become pushers of narcotics, and commit acts of violence to support their habits. Among girls, many turned to prostitution as a means of securing the money necessary to purchase drugs. An addict required between $20 and $30 a day to support his narcotic habit and the only method for youthful addicts to secure money in this amount was to engage in criminal activity.

Figures as to the number of juvenile and youthful offenders arrested for narcotic violations for the years 1951 and 1952 show that in 1951, 5,081 were arrested and in 1952, 4,108 were arrested for a total of 9,189 over the 2-year period. This figure falls short of presenting the full picture of youthful addiction in the country since it reflects only those arrested by Federal, State, and local authorities for narcotic violations and reported to the Federal Bureau of Narcotics.

In a study conducted by the New York Welfare Council through its committee on use of narcotics among teenage youth, a partial unduplicated account of youthful addicts disclosed 4,000 juvenile addicts in New York City alone, and it was estimated that by the time the survey was completed, a total of 7,500 juvenile narcotic addicts in New York City would be found. Youth House, New York City's detention home, admitted 141 boys ranging in age from 9 to 16 years on

drug-connected causes between January 1951 and October 1953. Of this group, 53 boys used heroin hypodermically, 1 boy sniffed cocaine, 24 had drugs or drug equipment in their possession or had used drugs, and 12 boys sniffed heroin. This group was of the following ages: 9 years, 1; 11 years, 3; 12 years, 2; 13 years, 10; 14 years, 28; 15 years, 86; 16 years, 11; total, 141.

It was further found that 45 percent of the women and girls confined to the Women's House of Detention in New York have been found to be narcotic users, an increase of 15 percent over 1952. The Riverside Hospital established by the city and State of New York on North Brothers Island for the treatment of narcotic addiction among juveniles, has been running to full capacity, 100 persons, since its establishment.

In a poll of 64 cities, conducted by the Bureau of Narcotics, 20 percent showed an increase in 1952 over 1951 in the number of teen-agers arrested for narcotics violations.

For the first 9 months of 1953, over 3,000 narcotic offenders had been arrested in Los Angeles, Calif. San Diego and Sacramento also have shown a heavy incidence of arrests of narcotic offenders. At the present time in Los Angeles County, Calif., approximately 8 percent of the boys and girls that appear before the juvenile court have had some contact with narcotics. Those in the 18- to 20-year group and under use marihuana in most instances, although there is some heroin addiction in this age group. California and the west coast, where an alarming increase in narcotics traffic has been noted, is receiving narcotics from three directions—New York, Mexico, and Communist China.

A survey conducted in Chicago during 1953 revealed 5,000 known addicts in Chicago; one-third or more under the age of 21 years. Ninety percent of those under 21 years of age are addicted to heroin. Testimony in Denver, Colo., reveals that among the Spanish-American population, 80 to 90 percent of the teen-agers had used marihuana at least occasionally. The superintendent of the State Training School for Girls of Iowa testified that 25 percent of the girls coming into her institution had used marihuana.

An enlarged traffic in illicit drugs depends upon finding new customers. Youths, with their natural inclination to seek out new experiences, represent potential victims for the narcotics pusher.

The development of adequate international controls relative to the production of narcotics is of the utmost importance. The subcommittee urges ratification of the United Nations Protocol on Narcotics Control.

Testimony of the Federal Bureau of Narcotics Commissioner, H. J. Anslinger, revealed that—

While Communist China had denied the allegation that she is supplying a large part of the narcotics in the international illicit traffic and has stated that, in fact, a strict control has been placed on narcotics, dispatches from newspapers and documents show that traffic in narcotics has been encouraged for monetary reasons and sabotage; that cultivation of the poppy plant has not been prohibited, and that efforts to control addiction within Communist China have been feeble and ineffective. There can be little doubt of the true purposes of Communist China in the organized sale of narcotics. These purposes include monetary gain, financing political activities in various countries, and sabotage. The Communists have planned well and know a well-trained soldier becomes a liability and a security risk from the moment he first takes a shot of heroin.

The Chinese Communists have reactivated the world's largest narcotic plant at Mukden, Manchuria. This factory can produce 50,000 kilos—50 tons—of heroin a year and in addition there are other smaller plants known to be operating and manufacturing as much as 160 kilos weekly. Illicit opium production is estimated today at 12,000 tons although the exact output in Red China, Manchuria, and Mongolia is unknown. United Nations figures show legal opium production to be 1,033 tons while the legitimate total world requirements for opium amounts to only approximately 500 tons per year. The distribution of all opium produced above the figure of 500 tons per year must be through illicit channels.

The Federal Bureau of Narcotics has only 3 men in Europe and 6 men in England seeking to stop the flow of illicit drugs from the European market. It has no men in Asia or the Far East. To halt the flow of illicit narcotics into and within the United States, there are only 260 narcotics agents and only 272 customs agents and port patrolmen charged with apprehending dope smugglers. It has been estimated before the subcommittee that enforcement agencies were seizing only 5 percent of the narcotics arriving at our ports and borders.

Seizures and purchases of narcotic drugs at ports and borders of the continental United States for 1952 were 9,941 ounces of narcotics and of marihuana, 41,385 ounces. In 1951, the figures were 3,135 ounces of narcotics, and 36,091 ounces of marihuana.

These figures include the narcotics that were bought by the Bureau of Narcotics personnel in their efforts to make arrests of narcotic sellers. There was no reliable estimate given as to the amount of drugs that is being smuggled into the United States through its ports and borders. In New York City, the major port for heroin, the narcotics are approximately 5 percent pure upon reaching this country, while heroin reaching the west-coast ports and borders of our country was said to be approximately 90 percent pure.

The financial attraction of dealing in narcotics is apparent from the fact that marihuana, ready for rolling into cigarettes, costs between $10 and $15 on the Mexican market. In the United States, its costs $100 to $150 a pound wholesale, and when rolled into cigarettes retails at about $1,200 at the price of $1 for each cigarette. Heroin, which would sell for $2,000 on the illicit market in Europe or Asia, has a value when cut and sold to addicts on the streets of our major cities of some $600,000.

A very practical and simple method of stopping drug pushers was pointed out by Commissioner Anslinger. He stated that where stiff sentences were meted out by the courts for violation of narcotic laws, the tendency was for pushers to move on to other areas where lighter sentences were given. If stiff sentences were the common rather than unusual pattern, he felt, the volume of drug pushing would fall off.

The Bureau of Narcotics, with its small staff, carries the large burden of work in policing the illicit narcotic traffic. California, Pennsylvania, New Jersey, Florida, and New York are the only States having State narcotic squads which specialize in combating this problem on a statewide basis. Some of the larger cities, including New York, Chicago, Los Angeles, and Detroit have effective narcotic squads policing the city area, but the control of narcotics is considered by many to be a Federal problem since the Federal Government is given jurisdiction under the Harrison Narcotic Act.

Some dispute exists between the Bureau of Narcotics and some of the State and local agencies as to the propriety and value of education of both our adult and youth population on the subject of the effect of use of drugs. Commissioner Anslinger opposes publicity on the subject, feeling that such literature would stimulate curiosity and lead to experimentation. On the other hand, it was stated that literature on the subject of venereal disease, originally objected to for the same reason, was found to have a salutary effect. Samples of literature being disseminated on the subject were presented. Included therein were pamphlets prepared by the Bureau of Narcotics for use in those localities where local demands therefor existed.

It is believed that properly edited, educational matter is of great value and that a knowledge of the body and soul destruction caused by addiction will serve to stem the increased use of drugs.

Another significant factor in juvenile delinquency is found to be the synthetic drugs, such as benzedrine, barbiturates, and amphetamines. These drugs have had wide use by those of juvenile age in many areas of the country. These drugs act as a stimulant, causing the user to lose all inhibition and control. These drugs are not harmless, and after continued use will cause addiction, requiring long and continued treatment to overcome the habit of their use. Juveniles were found to be having "goofball" parties where benzedrene and other synthetic drugs were being mixed with beer and served. Many of these parties turned into wild sex orgies of juveniles. In Oklahoma City, Okla., over 250 juvenile addicts were arrested early last year in a police roundup. These young people were between the ages of 13 and 18 years old and were spending their lunch money, allowances, and any other money they could get to buy "yellowjackets," "redbirds," "bluebirds," drugs identified by the color of the capsule in which they were sold.

They staged wild parties in rented "pads" or apartments in either mixed groups of both sexes or parties made up entirely of one sex or the other. Many

deviated sex practices, including homosexuality, were found to have resulted from the loss of inhibitions after use of these drugs. This group of juveniles came mostly from middle and upper economic and social level homes. It was found upon investigation that the great majority of druggists and wholesalers were cooperating fully in controlling the sale of synthetic drugs. There were, however, some unscrupulous druggists and wholesalers making illegal sales of these synthetic drugs at great profit.

Food and Drug Administration investigators, Department of Health, Education and Welfare, disclosed that there is a definite relationship between illegal sale of dangerous drugs and juvenile delinquency in that stimulants bolster courage to the point that juveniles may indulge in antisocial activities ranging from theft to the most degrading sex conduct. One youth arrested by Food and Drug agents described his experience with benzedrine as follows:

> The pills are worse than marihuana because after you take them you are ready to do anything. You feel like you could lick anybody and want to.

Many instances of older people furnishing dangerous drugs to teen-agers and having sex relations with them were reported by Food and Drug Administration, to the congressional committees. In New Orleans, La., more than 60 youths were arrested in a raid on a recreation center which had become a meeting point for sex deviates preying on juveniles after influencing them to take drugs.

The Food and Drug Administration, with a staff of 200 agents in the United States, is charged with the responsibility of policing the illegal sale of synthetic drugs, in addition to the responsibility of enforcing the many food and drug laws on the Federal level. These officers are able to devote only the equivalent of 25 men's time to the control of dangerous drugs. Moreover, these agents are not trained in undercover work nor, because of the pressure of other duties, do they have the time to investigate all reports of illegal sale and use of these dangerous drugs.

Most of the States have either very weak statutes regarding these drugs or no statute at all and the drugs can be secured by anyone with comparative ease with or without a prescription.

Mr. Speaker, I most sincerely hope that before this session of the 83d Congress adjourns legislation will be enacted placing greater curbs on the nefarious practice of peddling narcotics to the young people of America.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. FORD.

Mr. SIEMINSKI in two instances.

Mr. CELLER in five instances.

Mr. PATMAN, his remarks in the Committee of the Whole on the St. Lawrence Seaway bill and to include extraneous matter.

Mr. O'BRIEN of New York.

Mr. DONDERO to include extraneous matter in his remarks made today.

Mr. HESELTON to include certain tables in his remarks made today.

Mr. FALLON to include extraneous matter in his remarks made today.

Mr. LAIRD.

Mr. DORN of New York.

Mr. YORTY in seven instances and to include additional matter.

Mr. WOLVERTON.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mrs. KELLY of New York (at the request of Mr. CELLER) for an indefinite period on account of illness.

SENATE BILLS AND CONCURRENT RESOLUTION

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 234. An act for the relief of Thomas Szabo; to the Committee on the Judiciary.

S. 431. An act for the relief of Joseph Di Pasquale; to the Committee on the Judiciary.

S. 543. An act for the relief of Sarah Kabacznik; to the Committee on the Judiciary.

S. 555. An act for the relief of Charles W. Gallagher; to the Committee on the Judiciary.

S. 670. An act for the relief of John Doyle Mociair; to the Committee on the Judiciary.

S. 843. An act for the relief of Rabbi Eugene Feigelstock; to the Committee on the Judiciary.

S. 855. An act for the relief of Kirill Mihailovice Alexeev, Antonina Ivanovna Alexeev, and minor children, Victoria and Vladimir Alexeev; to the Committee on the Judiciary.

S. 857. An act for the relief of the legal guardian of Robert L. Hilton, a minor; to the Committee on the Judiciary.

S. 912. An act for the relief of Bruno Ewald Paul and Margit Paul; to the Committee on the Judiciary.

S. 1130. An act for the relief of Kim Dong Su; to the Committee on the Judiciary.

S. 1301. An act authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott Othermedicine; to the Committee on Interior and Insular Affairs.

S. 1508. An act for the relief of Borivoje Vulich; to the Committee on the Judiciary.

S. 1519. An act for the relief of Vladimir Batenko; to the Committee on the Judiciary.

S. 1520. An act for the relief of Andre Styka; to the Committee on the Judiciary.

S. 1602. An act for the relief of Edward Naarits; to the Committee on the Judiciary.

S. 1682. An act for the relief of Branimir V. Popovitch and Mila B. Popovitch; to the Committee on the Judiciary.

S. 1696. An act for the relief of Dr. Mourad Arnoux; to the Committee on the Judiciary.

S. 1734. An act for the relief of Rosa Stephan; to the Committee on the Judiciary.

S. 1823. An act to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1883. An act for the relief of Dr. Takeo Takano; to the Committee on the Judiciary.

S. 1918. An act to amend section 9 of the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

S. 2468. An act to authorize the President to appoint to the grade of general in the Army of the United States those officers who, in grade of lieutenant general, during World War II commanded the Army Ground Forces, commanded an Army, or commanded Army forces which included a Field Army and supporting units, and for other purposes; to the Committee on Armed Services.

S. 2742. An act to amend the act of August 21, 1951, relating to certain payments out of Ute Indian tribal funds; to the Committee on Interior and Insular Affairs.

S. 2818. An act to authorize biennial inspection of the hulls and boilers of cargo vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2987. An act to provide for the transfer of hay and pasture seeds from the Commodity Credit Corporation to Federal land-administering agencies; to the Committee on Banking and Currency.

S. 3050. An act to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased; to the Committee on the Judiciary.

S. Con. Res. 74. Concurrent resolution authorizing the printing of additional copies of Senate Report No. 1082, a study of the operations in Latin American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Douds;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell townsite, Wyoming, Shoshone reclamation project, Wyoming, to the University of Wyoming;

H. R. 7559. An act for the relief of Mrs. Madeleine Alice Aquarone; and

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes.

ADJOURNMENT

Mr. NICHOLSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 22 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 6, 1954, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1508. A letter from the Acting Comptroller General of the United States, transmitting the report on audit of Reconstruction Finance Corporation for the fiscal year ended June 30, 1953, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 384); to the Committee on Government Operations and ordered to be printed.

1509. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of March 31, 1954, pursuant to section 5 (e) of the Communications Act, as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

1510. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1511. A letter from the Secretary of Commerce, transmitting a certification by the Administrator of Civil Aeronautics of the cost of rehabilitation and repair of damages caused by the United States military forces at the Elko Municipal Airport, Elko, Nev., in the sum of $69,449, pursuant to section 17 (b) of the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LECOMPTE: Committee on House Administration. House Resolution 515. Resolution providing for the payment of 6 months' salary and $350 funeral expenses of Alyce E. Warren, late an employee of the House of Representatives; without amendment (Rept. No. 1551). Ordered to be printed.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. Senate Joint Resolution 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.; without amendment (Rept. No. 1552). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Resolution 525. Resolution authorizing the printing of additional copies of the hearings on the Social Security Act amendments; without amendment (Rept. No. 1553). Ordered to be printed.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 232. Concurrent resolution authorizing the printing of additional copies of the Senate Committee on Finance hearings on H. R. 8300; without amendment (Rept. No. 1554). Ordered to be printed.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 5833. A bill to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes; with amendment (Rept. No. 1555). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6328. A bill permitting the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii; with amendment (Rept. No. 1556). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6386. A bill to authorize the use of land in Yosemite National Park, Calif., for public-school purposes; without amendment (Rept. No. 1557). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 7111. A bill to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land; with amendment (Rept. No. 1558). Referred to the Committee of the Whole House on the State of the Union.

Mr. SEELY-BROWN: Committee on Merchant Marine and Fisheries. H. R. 8538. A bill to provide for the revocation or denial of merchant marine documents to persons involved in certain narcotics violations; without amendment (Rept. No. 1559). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6890. A bill to approve Act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend Act 24 of the Session Laws of Hawaii, 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa, on the island of Kauai, T. H."; without amendment (Rept. No. 1560). Referred to the House Calendar.

Mr. DONDERO: Committee on Public Works. S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches thereto, across the Piscataqua River at Portsmouth, N. H.; without amendment (Rept. No. 1561). Referred to the House Calendar.

Mr. TABER: Committee of conference. H. R. 8481. A bill making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes (Rept. No. 1562). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHORT:

H. R. 9000. A bill to integrate the Judge Advocate's promotion list with that of the Army to restore lost seniority and grade, and for other purposes; to the Committee on Armed Services.

H. R. 9001. A bill to provide for the award of certain medals, crosses, and other similar awards, in cases where the statement or report recommending the award was not completely processed because of loss or inadvertence; to the Committee on Armed Services.

H. R. 9002. A bill to amend the Officer Personnel Act of 1947 to provide for the retirement of certain officers of the Regular Army and the Regular Air Force at age 60, and for other purposes; to the Committee on Armed Services.

H. R. 9003. A bill to amend further the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

H. R. 9004. A bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; to the Committee on Armed Services.

H. R. 9005. A bill to continue the effectiveness of the act of July 17, 1953 (67 Stat. 177); to the Committee on Armed Services.

H. R. 9006. A bill to amend the act of May 22, 1896, as amended, concerning the loan or gift of works of art and other material; to the Committee on Armed Services.

H. R. 9007. A bill to amend the Universal Military Training and Service Act; to the Committee on Armed Services.

H. R. 9008. A bill to provide for the deposit of savings of enlisted members of the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

By Mr. SAYLOR:

H. R. 9009. A bill to provide for the establishment of national cemeteries in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mrs. FRANCES P. BOLTON:

H. R. 9010. A bill to amend the Tariff Act of 1930 to provide that the duty on refractory grade bauxite (regardless of the purpose for which it is imported) shall be $1 per ton; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 9011. A bill to amend title 18, United States Code, with respect to intercepted communications; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H. R. 9012. A bill to authorize the San Luis Reservoir, the San Luis West Side Canal, the Avenal Gap Reservoir and the Avenal Canal, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. HARRISON of Wyoming:

H. R. 9013. A bill authorizing modifications in the repayment obligation of the Shoshone Irrigation District, Wyo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HAYS of Arkansas:

H. R. 9014. A bill to amend section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended, to permit the disposal of surplus property to State health departments and publicly owned water districts; to the Committee on Government Operations.

By Mr. HELLER:

H. R. 9015. A bill to liberalize the requirements of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 for retirement of reservists who served on active duty during both World War I and World War II; to the Committee on Armed Services.

By Mr. JAVITS:

H. R. 9016. A bill to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes; to the Committee on House Administration.

By Mr. LESINSKI:

H. R. 9017. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide a uniform rate for the computation of all annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCORMACK:

H. R. 9018. A bill to further encourage the distribution of fishery products, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PASSMAN:

H. R. 9019. A bill to provide for the control of the Old and Atchafalaya Rivers; to the Committee on Public Works.

By Mr. RADWAN:

H. R. 9020. A bill to provide increases in the monthly rates of compensation and pension payable to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. GRAHAM:

H. R. 9021. A bill to amend section 794 of title 18, United States Code, relating to

espionage; to the Committee on the Judiciary.

By Mr. MILLER of Kansas:

H. R. 9022. A bill to provide direct Federal aid for construction of highways by local governmental units; to the Committee on Public Works.

By Mr. REED of Illinois:

H. R. 9023. A bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 9024. A bill to provide for works of improvement on Middle Creek, Calif.; to the Committee on Public Works.

By Mr. WAMPLER:

H. R. 9025. A bill to assist in alleviating the effects of unemployment resulting from Federal tariff or trade policy by establishing a temporary program of supplementary grants for States which provide for liberalization of their unemployment compensation payments to persons unemployed because of Federal tariff or trade policy; to the Committee on Ways and Means.

By Mr. BAKER:

H. J. Res. 517. Joint resolution designating the period beginning on June 30 and extending through July 5 of each year, commencing with the year 1954, as National Hillbilly Homecoming Week; to the Committee on the Judiciary.

By Mr. LANE:

H. J. Res. 518. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. J. Res. 519. Joint resolution amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag; to the Committee on the Judiciary.

By Mr. GORDON:

H. Res. 526. Resolution to express the sense of the House with respect to the attitude of the Soviet Union toward free elections and related matters; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. GOODWIN: Resolutions of the Massachusetts Legislature urging favorable action by Congress on H. R. 3685 so that the veterans services contact office may retain its present quarters at 1 Beacon Street, Boston; to the Committee on Veterans' Affairs.

By Mr. HESELTON: Resolutions of the House of Representatives, Commonwealth of Massachusetts, urging favorable action by Congress on H. R. 3685 so that the veterans services contact office may retain its present quarters at 1 Beacon Street, Boston; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H. R. 9026. A bill for the relief of Jose Diogo; to the Committee on the Judiciary.

By Mr. BURLESON:

H. R. 9027. A bill for the relief of Angela Sfounis and Alkista Sfounis; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 9028. A bill for the relief of Maria Theresia Reinhardt; to the Committee on the Judiciary.

By Mr. MILLER of Kansas:

H. R. 9029. A bill for the relief of Paul James Patrie; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H. R. 9030. A bill for the relief of William Joseph Perella; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 9031. A bill for the relief of Anthony Duppke; to the Committee on the Judiciary.

By Mr. WILSON of Texas:

H. R. 9032. A bill for the relief of Esther Geisslinger; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

698. By Mr. GRAHAM: Petition of citizens of suburban Butler, Pa., disapproving of the widespread advertising of alcoholic beverages on radio and television where it can be heard and seen by children, and in magazines and daily papers where it can be read by children, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

699. By the SPEAKER: Petition of T. S. Kinney and others, Orlando, Fla., requesting passage of H. R. 2446 and H. R. 2447, social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

700. Also, petition of Oscar Davis and others, St. Petersburg, Fla., requesting passage of H. R. 2446 and H. R. 2447, social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

701. Also, petition of Townsend Club No. 1, St. Petersburg, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Bill To Amend Section 2 (a) (3) of Title I of the Public Utility Act

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. WOLVERTON. Mr. Speaker, I have today introduced into the House a bill to amend section 2 (a) (3) of title I of the Public Utility Act of 1935. The bill has three basic objectives. These are: First, the expeditious development by private companies of atomic energy for peacetime and defense purposes; second, the development of essential electric-power resources by private capital under the President's partnership program rather than at the taxpayers' expense; and third, the recognition of the primary responsibility of States to regulate companies affected with a public interest.

Projected atomic-energy power projects involve such a large expenditure of funds that it has been found impossible for one electric-utility company to finance such a project alone. Such development as has so far taken place has been through the pooling of resources of a number of electric-utility operating companies. This program has been slowed down, however, through the duplicate regulation exercised over participating companies by State and Federal Commissions. One company, for example, wishing to participate in a project of this kind is subject to the jurisdiction of five State commissions, the Federal Power Commission and, under the law as now written, the Securities and Exchange Commission.

My bill would eliminate a part of this duplicate regulation by making it possible for the Securities and Exchange Commission, by order, to declare a generating company, created to pool the resources of several companies for the development of atomic-power projects and other such large power projects, not to be an electric-utility company within the meaning of title I of the Public Utility Act of 1935. The Commission could issue an order, however, only upon an application and upon a showing by the generating company that enumerated safeguards are present. These tests are ones which will make certain that participating companies will not become holding companies in the conventional sense and that the public interest is fully protected.

If atomic energy is to be speedily developed for peaceful purposes by utility companies, and if the President's power-partnership program is to be made effective, I believe it essential that this bill be speedily enacted into law.

Leonard E. Kopitzke

EXTENSION OF REMARKS
OF
HON. MELVIN R. LAIRD
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. LAIRD. Mr. Speaker, I was profoundly grieved last week to learn of the untimely passing of Leonard E. Kopitzke, cheesemaker of Marion, Wis., with whom many of my colleagues here in the House of Representatives had become acquainted on his various visits here in our Nation's Capital in the interests of the dairymen.

Mr. Kopitzke was widely known as an outstanding dairyman and was perhaps best known as the president of the Wisconsin Cheesemakers Association, a position which he held since 1940. He was a member of the Wisconsin Cheesemakers Association board of directors for 24 years, served on an advisory committee to the Office of Price Administration and

the United States Department of Agriculture during World War II, was a director of Cheesemakers Mutual Insurance Co. since 1934, a director of the Northeastern Wisconsin Cheese and Buttermakers Association since 1932, and was a director of the American Dairy Association of Wisconsin since 1949. He operated the Star cheese factory in Marion, Wis., and I am sure that many of my colleagues will recall having partaken of his splendid cheese which has been so widely distributed here on Capitol Hill.

The dairymen of the State of Wisconsin and of the Nation have lost an outstanding leader. I am sure that the membership of the House joins me in this expression of sympathy to the family of the late Leonard E. Kopitzke.

Prayer Is a Weapon, Too

EXTENSION OF REMARKS
OF
HON. LEO W. O'BRIEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. O'BRIEN of New York. Mr. Speaker, the city of Burlington, Wis., deserves the high tribute paid to it by the Nation and its leaders for the manner in which it conducted its patriotic May Day celebration last Saturday.

Without in any way detracting from this fine, patriotic endeavor, I think we should take note, also, of a celebration which took place on that same date in the city of Albany, N. Y.

More than 85,000 persons took part in a moving demonstration of the great and growing American belief that prayer is the mightiest weapon in our cold war arsenal and that without it sheer material power will not suffice.

On May 1 last, while booted Russian soldiers marched through the streets of Moscow under a canopy of destructive planes, 50,000 persons walked through the streets of my city, while 35,000 others lined the streets.

None of those marchers carried a gun. Not a single war machine rumbled through the streets or shattered the silence of the skies.

Why did those thousands march and what was their rendezvous? They marched because they wanted to give visible proof of their calm belief that prayer can succeed where guns fail and that faith is more potent than the clever phrases of diplomacy.

Their rendezvous was the spacious park which stretches in front of the Capitol of New York State. They went there to pray and to listen to the words of religious leaders. Not a single threat came from a single throat. There were neither clenched fists nor vindictive shouts. The multitude prayed for peace and then went home, their final prayer being for the peoples who live under the iron rule of those who would destroy us.

I am proud of what happened in my home city last Saturday and I am sure that the words of prayer which assaulted the skies over Albany on May 1 are echoed in millions of hearts across our great land.

I should like to pay special tribute to a group of young ladies who had this moving demonstration in charge. They are students at the College of St. Rose in Albany. Seven years ago they started this annual demonstration as a campus affair. A few hundred students took part. Seven years later, 85,000 citizens participated. The young ladies of St. Rose are to be complimented upon their religious fervor and their high patriotism.

Memorandum on Brownson Amendment to St. Lawrence Seaway

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. FORD. Mr. Speaker, we have heard a great deal about a proposal by the Congressman from Indiana [Mr. BROWNSON] to finance United States participation in the St. Lawrence Seaway by the issuance of revenue bonds without Government guaranty. This is an unusual and unique proposal and quite unworkable as far as the seaway is concerned.

Since debate on this issue is somewhat limited, I think it will be helpful to have the pertinent facts in the RECORD. I therefore wish to have printed in the RECORD a memorandum on the reasons why the Brownson proposal would, in effect, defeat the administration's program for the most worthwhile project:

MEMORANDUM ON BROWNSON AMENDMENT TO ST. LAWRENCE SEAWAY BILL (S. 2150)

1. The proposal now known as the Brownson amendment to the St. Lawrence Seaway bill is that the United States portion of the seaway be financed by the sale to the public of the revenue bonds of the Government corporation to be created by the bill, without Government guaranty of either the principal of or interest on the bonds.

2. All of the traditional bitter-end opponents of the seaway, and now of United States participation in the seaway that Canada intends to build anyway, have leaped to the support of this revenue bond proposal because they know that it will without question scuttle United States participation in the project.

3. There is no congressional precedent whatever to support this proposal. In every other case in which Congress has created a corporation to be financed by the issuance of its stock or bonds or both, Congress has recognized that the Government either must subscribe to enough capital stock and paid-in surplus to enable the corporation to get its revenue-producing operations well established or Congress must authorize the issuance of the necessary amount of bonds to be sold to the Treasury or to be guaranteed as to principal and interest by the Government—or a combination of such assured financing methods.

4. As among the foregoing financing methods, the Treasury Department and the Bureau of the Budget have a strong preference for the method of financing now provided by S. 2150—the sale of the corporation's bonds to the Treasury. In fact, the bill as originally introduced in both Houses of Congress was amended in the Senate to meet the views of the Treasury and the Bureau of the Budget on this subject. Furthermore, in response to a request by the chairman of the House Public Works Committee, the Treasury at least (and perhaps also the Bureau of the Budget) is understood to have stated that it is in favor of the sale of bonds to the Treasury as against the Brownson financing method.

5. Those supporting the Brownson amendment refer to the turnpike and bridge authorities created by various States in recent years and to the successful sale to the public of the nonguaranteed bonds of those authorities. Those situations, however, differ basically and radically from the St. Lawrence Seaway project.

(a) The interest on the bonds of such State authorities is exempt from all Federal income taxes. Without that exemption the interest rate on such revenue bonds, instead of ranging from 3¼ to 4 percent as it does, would doubtless have had to range from 5¾ percent or 6 percent on up. The results in the case of this seaway project would be: First, an increase of $4,500,000 to $5,500,000 in interest charges during the construction period, thus increasing the cost of the project by that amount; and, second, an increase of from $2 million to $3 million per year in interest charges in the operating years prior to any substantial retirement of bonds. Those increases would, of course, have to be reflected in higher rates of tolls to be levied on the seaway traffic. Those higher tolls would, of course, increase the price to our people of commodities brought through the seaway for domestic consumption and would also minimize the advantage of the seaway to our producers who would like to sell their farm or factory products in the world market.

(b) To grant a Federal income-tax exemption to the bonds of this Government corporation would, however, be to reverse the established Government policy in such matters. This policy is stated in section 742 (a), of title 31, United States Code, which provides that interest upon obligations issued on or after March 28, 1942, by the United States or any agency or instrumentality thereof shall not have any exemption, as such, under the Internal Revenue Code.

(c) Furthermore, in the turnpike and bridge bond cases it has been found necessary, and possible, for the States to give certain firm assurances to the investing public which Congress could not, as a matter of law or of national policy, give in this case.

(i) The greater part of this seaway will, in any event, be in Canadian territory and be operated under the jurisdiction of the St. Lawrence Seaway Authority of Canada; and no assurance could be given by Congress or our Government corporation to private investors that Canada would never take any action, either in respect of tolls or otherwise, that would prejudice the payment of our corporation's bond interest and principal when due. Without such assurance, however, the revenue bonds could not be sold.

(ii) Furthermore, Congress could not, either as a matter of law or of national policy, give potential private investors assurance in the seaway bill that the United States will do nothing while the bonds are outstanding that would prejudice the payment of the bond interest and principal when due. Any such assurance would be an attempt by Congress to contract away its power to legislate in the future in respect of this great artery of interstate and foreign commerce and an attempt to remove the legislative discretion of future Congresses in this field. Also, even if it could do so, Congress certainly would not, as a matter of national policy, so tie its own hands. An economic depression of the future might call for action by Congress or our seaway corporation, in respect of tolls or otherwise, to help revive trade and commerce. Again, the

security of this country might, at some time, require the imposition of such strict controls over the passage of ships through the seaway as to affect substantially the volume of seaway traffic and the revenue derived therefrom. Again, because the seaway will be a great instrument of defense in time of need, the Government must remain free to use it as such an instrument in time of emergency, regardless of the effect upon the bonds.

(iii) In the turnpike and bridge bond cases further protection is given by complicated and precise provisions relating to the tolls to be charged; and, in addition, there is a covenant not to reduce the tolls that are initially put into effect, except when certain carefully defined protective requirements can be met. In those cases the sole and exclusive consideration in the fixing of tolls is the servicing and retirement of the bonds. Here, however, we have a great international project in the operation of which the economic interests of all of our people, not of just a relatively few bondholders, will have to be taken into account. And we must operate our portion of the project in cooperation with Canada. The proper balancing of the various considerations entering into the fixing of tolls in this case cannot possibly be determined at the time of the bond financing, which would be 5 to 6 years in advance of the opening of seaway operations; and yet, without such a determination on a firm contractual basis, one of the essential elements of public financing through revenue bonds is missing. Also, in recognition of the obvious public interest in the seaway operations and of the different public groups—consumers, producers, shippers, carriers, etc.—who will have an economic interest in such operations, the bill contemplates that the tolls originally established may be changed from time to time after due notice and public hearing. Obviously in these circumstances Congress should not approve any present covenant with private investors not to reduce tolls except under certain specified, limited conditions which would be calculated to assure their bonds full protection. Yet without such a covenant, another of the essential elements of this proposed form of public financing is missing.

(d) This form of public financing would, moreover, present problems in addition to those of the Federal income-tax exemption and the firm legislative assurances required by private investors in such cases. There would be, for example, the matter of assuring that the bonds would be negotiable instruments and would be legal investments for public bodies, banks, and fiduciaries. There would be the question of the ability of the trustee for the bondholders, in event of default on the bonds, to secure the court appointment of a receiver to operate the United States corporation and its Government-owned properties for the benefit of the bondholders. And these would doubtless not exhaust the problems that would arise.

6. Even if it were possible, which it is not, to put the financing of this seaway project on a par with the turnpike and bridge projects by making extensive revisions of the seaway bill to provide in some fashion for the matters discussed above, that would not be good enough. The experience in those cases shows that we might expect a period of from 15 to 30 months to pass before the bonds could be offered to the public. In the New Jersey Turnpike case it was only 14 months, but that was a speedy exception. In the case of the Ohio Turnpike it was 33 months, and in Indiana, with plenty of outside experience to go on, it was 34 months—2 years and 10 months. Of course, Canada would not wait for any such period of time to pass. It would proceed to construct an all-Canadian seaway. And the national policy adopted by Congress, i. e., to obtain United States participation in the national-security interest of the United States, would collapse; and this Government and the Congress would be a laughingstock wherever the seaway is known.

Case No. 3

EXTENSION OF REMARKS
OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. CELLER. Mr. Speaker, here is still another case of extreme hardship caused by the rigidity of the provisions of the McCarran-Walter Act, discussed by J. Bruce Campbell in his book, The Golden Door. The difficulties encountered here highlight the absurdity of the suffering endured by the honorable wife of an American citizen.

Mrs. Nelson was born in Alexandria, Egypt, holds 2 graduate degrees from the University of Paris and 3 degrees from the University of Berlin; taught at the University of Berlin from 1927 to 1938, and achieved fame in Germany as a radio lecturer. She was first married to Rolf Redwitz, an anti-Nazi, who was impressed into the German Army and killed in combat against the Russians in 1945. Mrs. Nelson was herself dismissed from the University of Berlin in 1938 for her refusal to join the Nazi Party, and 2 years later was sentenced to hard labor in a German munitions factory with her 10-year-old son, Kurt. After 3 years she suffered a physical breakdown. She is listed as Blue Booklet member No. 221 of "the persecuted people and prisoners of the Nazi system," and an honorary member of the Comite Sanitaire Suisse, a similar organization in Switzerland.

Mrs. Nelson was an interpreter, after the war, for the Director of the Office of Economics, United States Military Government in Germany for a year, and then worked in Italy on International Refugee Organization problems before she established her own language school. In 1952 she and her son, Kurt, then 18, traveled to Mexico on the Sidarma Line vessel *Andrea Gritti*. In Tijuana, Mexico, she married Forrest Nelson, an American citizen, whom she had previously met in Europe.

Forrest Nelson asked for nonquota status for his bride, as the wife of an American citizen. This seemed agreeable to the United States Immigration Service. However, the vice consul in Tijuana objected because Mrs. Nelson had arrived in "territory contiguous to the United States on a nonsignatory line." A nonsignatory steamship or air line is one that has not entered into an agreement with the Attorney General to permit inspection of passengers. This is so even though it penalizes passengers who may otherwise qualify to enter the United States legally. As a result of this eccentric circumstance, she would have to wait in Mexico for 2 years before she could become eligible to enter the United States.

Since Mrs. Nelson's Mexican visa was good only for 6 months, the vice consul suggested that at the expiration of her visa she go to Cuba, which was not considered contiguous territory. She was assured her papers were all in order and that a visa would be issued shortly. She flew to Habana and her file followed, but certain records were found to be missing from her file. Also, disaster following upon disaster, the United States Immigration Service sent word that the Nelsons were not actually married. Apparently a clerk had failed to record the marriage, and Nelson flew to Habana, where he and his wife were married once again.

Now the Immigration Service was satisfied, but the American consul in Habana was not, and he ordered a new investigation. This meant getting duplicates of papers obtainable only in Europe, which Mr. Nelson did obtain at considerable outlay of time and money. But by this time Mrs. Nelson's Cuban visa had expired, and she was granted an extension of time. When this extension ran out the consul in Habana had all the necessary documents required by law. He advised her then that the required investigation was completed, but he wanted to check a little further, and at last her visa would be forthcoming.

Unfortunately, however, the Cuban authorities refused to grant her a further stay, so she flew back to Tijuana. It may be that she will have to fly back to Cuba again in 6 months' time, while the consul in Habana is making his further check.

Mr. Nelson was able with no difficulty to bring his stepson, Kurt, into the United States on a student visa, and the boy is studying at a California college. Mrs. Nelson's brother lives in Los Angeles and has been an American citizen for more than 20 years. But Mrs. Nelson for almost 2 years has been traveling back and forth between Tijuana and Habana, waiting to be admitted to the United States.

It is little wonder that Forrest Nelson, an American citizen who can trace his family back to the Pilgrims on the *Mayflower*, finds himself in the miserable predicament of not knowing whether to give up his wife or give up his country.

Pledge to the Flag

EXTENSION OF REMARKS
OF

HON. FRANCIS E. DORN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. DORN of New York. Mr. Speaker, I should like to speak in support of my resolution, House Joint Resolution 502, or any of the many resolutions which have been introduced by my colleagues, designed to insert the words "under God" in the pledge of allegiance to our flag.

I believe it particularly significant that these words be added to this pledge. The Great Seal of the United States carries on the reverse side the pyramid which "signifies strength and duration"; the eye over it and the motto "Annuit Coeptis," "He [God] has favored our undertakings," allude to the many signal interpositions of providence in favor of the American cause. Many of our coins carry the words "In God we trust."

Throughout the history of our Nation we have by words and deeds expressed the faith of our fathers in God. He is the God, undivided by creed, to whom we look, in the final analysis, for the well-being of our Nation. Therefore, when we make our pledge to the flag I believe it fitting that we recognize by words what our faith has always been.

Let Us Use Our Abundance To Help Needy Americans

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement to be made by me before the Committee on Agriculture, House of Representatives, May 7, 1954:

Mr. Chairman, we have heard a great deal indeed during the past few years concerning agricultural surpluses. In many instances these agricultural supplies are referred to as "burdensome surpluses" and as "agriculture's leading problem." To be sure, supplies which are allowed to accumulate out of proportion to desirable carryover stocks and which are in danger of deteriorating to the extent of becoming unfit for human consumption adversely affect farm prices and present serious difficulties to those who are charged with the responsibility of administering the numerous programs through which surpluses must be distributed.

According to recent estimates, about 70 percent of the world's population is underfed, and with the cost of living at an all-time high, many millions of our own citizens, living on fixed incomes such as social-security payments, pensions or other forms of compensation, simply cannot afford to enjoy an adequate diet. If unemployment increases, a growing number of low-income families may lack proper nutrition.

Millions of our citizens who have retired after long years of service to their country and who have planned for their advanced years, either through private annuities or through the social-security program, have for some time been finding it increasingly difficult to buy the foods required for an adequate diet because of their fixed incomes and a constantly increasing cost of living. While the cost of living has continued to increase, there has been little or no adjustment in social security or other pension or compensation benefits to offset these rising costs.

In view of these conditions it appears ironic that we in the United States speak of burdensome surpluses. We are indeed a fortunate Nation to be blessed with abundant resources and the capacity to produce an abundance of food and industrial products to provide a high standard of living for our own people and for export to other nations. Certainly this productive capacity should not be viewed as a serious problem, rather it should be looked upon as a great blessing. It can be considered a problem only if we do not find ways to bring the two sides of the market, supply and demand, together, and means to make it possible for our citizens to purchase and consume the products of agriculture as well as nonagricultural products.

This high standard of living in the United States is a model for the world of what free people can achieve—an accomplishment which no form of communism or totalitarianism can match. That standard of living cannot be maintained and improved under a program of scarcity. A plentiful food supply is an indispensable element to a fuller material life for all of our people. If the time ever comes that we are faced with shortages of the various foods and fibers then we would be justified in speaking of problems, far more serious than those of surpluses.

As we look at our carryover stock of agricultural commodities and those held in price-support inventories, there is a tendency to take a short-time view of the situation and think of the accumulation of stocks as something that will continue. However, if we should be so unfortunate as to experience a serious drought or a major crop failure in any one year we would have no surpluses, but instead we would be faced with the problem of inadequate supplies.

There is one other important factor that often escapes mention in all of these discussions concerning excessive food supplies, and that is the fact that our population is increasing at the rate of about 2½ million people each year who need to be fed. Looking ahead, say to 1960, we are likely to have a population close to 175 million people. If the people in this country in 1960 consume food and other farm products at the same rate as in this past year, our domestic consumption of farm products would then be about 9 percent higher than this past year. On this basis, by 1960 we would probably need about 2 billion more pounds of meat each year, nearly 500 million dozen more eggs, an additional billion pounds of milk solids, and approximately 8 million tons more feed grains than we produced in 1952, as well as greatly increased quantities of fruits and vegetables.

It is my belief that H. R. 9048, "A bill to provide supplementary benefits for recipients of public assistance under Social Security Act programs through the issuance to such recipients of certificates to be used in the acquisition of surplus agricultural food products" is a step in the right direction in using our abundant food supplies to assist needy citizens of the United States.

This bill provides that each individual receiving assistance or benefits for any month under a program of old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled provided for in the Social Security Act, as amended, shall be entitled to receive, as a supplementary benefit for such month, $10 in face amount of surplus food certificates to be applied by these individuals toward the retail purchase price of surplus agricultural food products. The agricultural products to be available for purchase with these certificates will be those announced each month by the Secretary of Agriculture and will include those commodities the supply of which exceeds domestic demand to such an extent as to depress the market price below the parity price.

The provisions of this bill have several merits. First, it makes it possible for needy people in this country to consume an additional $10 worth of food per month and at the same time prevents an equivalent quantity from going into storage. The program carried out under this bill will assist in reducing stocks of those commodities which are now in storage and will help prevent future accumulation of excessive food supplies.

There have been numerous proposals to give our surplus food to other friendly countries to relieve suffering and strengthen the cause of democracy throughout the world. While this is a most worthy cause and one that should not be overlooked, we can still make it possible for our own people to enjoy the advantages of our abundant production.

In view of the merits of H. R. 9048, I sincerely hope the bill will receive early consideration and passage by the Congress.

There are several bills before the Congress which have for their purpose the stimulation of consumption and use of our abundant foods and fibers. Mr. HARRISON of Nebraska has introduced an interesting proposal to accept foreign currencies for our agricultural products. I feel we should be willing to take new approaches and to experiment with proposals tending to encourage use of our productive capacity instead of curtailment of it. I hope the committee will feel inclined to go along with and try as many ways as possible to base our solution of our so-called surplus problem on increased use and consumption both at home and abroad.

Is Spain as Fortunate as Canada?

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. SIEMINSKI. Mr. Speaker, today's press carries reports of precautionary measures now being taken in Madrid and other parts of Spain to avoid hostile demonstrations on the occasion of Queen Elizabeth's impending visit to Gibraltar. It is reported there are factions in Spain which oppose British control of the rock; and, unless checked, they would only further aggravate international tension at this time.

A question one might well ask is: Can a benefit be spelled out for Spain in British control of Gibraltar the same as one can spell out a benefit to Canada in American control of Alaska? Or in having American interests in Newfoundland? In this respect is not Spain as fortunate as Canada?

Canada knows that if Alaska is attacked the might of America will come to its defense, and, incidentally that of Canada. The same would apply to an attack upon Newfoundland.

An assault on Spain from Africa would bring the might of Britain to the defense of Spain, via the defense of Gibraltar. The people of Spain might well have wished for such help when Islam, on the march from 632 to 1050, swept from China through Spain into France, where Charles Martel, grandfather of Charlemagne, stopped it in its tracks in the Battle of Tours.

Did not Stalin say that the road to Paris was through China, and, by implication, through Africa and across Spain, thus, outflanking EDC, Maginot Europe,

and NATO? The Moslems made that sweep once. It can be tried again. Rommel swept eastward across Africa via that route; did he not?

One wonders whether the powers that be in Spain should not be congratulated for the precautionary measures they are taking on this occasion. It is good to see the factions in Spain warned to stop racing their engines long enough to stop, look, and listen, eastward. The spirit of Rommel or Genghis Khan, in a red cap, may be coming their way.

Case No. 4

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. CELLER. Mr. Speaker, here is a case of an escapee from Communist tyranny who suffered undue hardship because of the restrictive provisions of the McCarran-Walter Act. J. Campbell Bruce discusses it in this book, the Golden Door, and it impressed me not only because of the distress it details, but also because it became necessary for Congress itself to step in and offer relief in a situation which should not have required such an extreme measure.

Gustavs Ildimars Freibergs managed to escape from Latvia in the midst of the fire of Communist troops. He was able finally to enter the United States in 1947 on a visitor's visa. When, however, he tried to apply for permanent residence because of his great desire to become an American citizen, it was found that this could not be granted him on the ground that Latvia's quota was way oversubscribed, and a quota number was not available.

He asked to have his temporary visa extended twice, and during that time he was drafted into the Army. So much a part of this country did he become that he married an American girl even before his induction. Freibergs served in Korea for 6 months and was then rotated back to this country. Shortly after his return the immigration authorities ordered him deported to Latvia—while he was in Korea his temporary visa had expired. When his story came to the attention of the Los Angeles Times interest in his case was aroused. A private bill was introduced for his relief in the Congress, and his deportation was halted.

We have since passed a law which would have helped Freibergs in view of his service in the Armed Forces. But still we are faced with the vivid fact that the Latvian quota is minute. This boy who fled from Communist fire had to seek congressional help because of that rigid limitation. It still remains part of the McCarran-Walter Act. We have permitted those boys who served in Korea to remain, but we refuse to reexamine the quota provisions of the act—inequitable, unfair, and restrictive as it is.

Let's Build a Better America

EXTENSION OF REMARKS

OF

HON. SAMUEL WM. YORTY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, as we move through one crisis to another it sometimes seems that our "time of troubles" is endless. Yet history records many such periods. Studying them, one is encouraged to feel that by calm, dispassionate, intelligent action, we too can win through to a better day. Certainly we know we must preserve for our children the freedom and liberty which was won and preserved for us by former generations of Americans.

THE CHALLENGE OF TYRANNY

The existence and awesome threat of tyranny is not new. It has long been a challenge to free men. Whether it be dictatorship of the right or the left; divine right of kings; Nazism; Communism; or by whatever other name, it is the same old tyranny ever challenging the will of men to achieve and protect freedom, and to direct their own destiny.

FREEDOM THROUGH STRENGTH

History teaches that only the strong and the brave can remain free. The aggressor who would destroy liberty is tempted by weakness but deterred by strength. A strong America, brave, prepared, and confident, is far less likely to have to fight an aggressor than an America weak and divided. Better then that we err, if we must, on the side of too much strength rather than too little. We must strive through strength to avoid the barbarous carnage of war. This means we must not only build strength, we must maintain it until the threat has vanished.

INTERNAL STRENGTH

Of course, we all know that strength is more than planes, atom bombs, guns, and military forces. Strength is also people with a reverence for justice; a respect for each other; and a tolerant attitude toward honest differences of opinion. These attributes come easily to Americans but, nevertheless, they need to be constantly cultivated and encouraged. Conversely, demagogues who would divide must ever be discouraged. Truth is the most reliable shield of democracy.

AID TO OUR FRIENDS

The air age has brought us close to once distant lands and peoples. We have now learned from experience that we have a stake in their freedom as well as our own. No people in all history have ever given to others so unselfishly as have Americans. Unselfishness and economic development have combined to make possible this vast material help to others. Our economic progress should not be neglected. Certainly it has not been completed. We are a comparatively new Nation—still less than 200 years old. We have come far. There can be even brighter horizons in the future. Of course, helping our friends has also caused them to help us. Our vital protective airbases close to Russia are on the soil of our friends. Without them our chance to avoid war would be considerably lessened.

FALSE PROPHETS

Of late, we have witnessed defeatist governmental action based upon a false assumption that we are tired and old; that we must "pull in our horns" and stop expanding. So we had "hard money," and sudden sharp curtailment and cutbacks, which so slowed our economy that we have not yet recovered from the shock. These erroneous policies have needlessly brought upon us the specter of millions of workers unemployed. Farmers are now threatened with a downward flexing of their already reduced income. This is not the road Americans intended to take. It is a road from which we must soon depart.

EXPANSION OPPORTUNITIES

Wherever we look, opportunity challenges our imagination. We need only the confidence and courage to move boldly ahead—modern pioneers of a better, finer America. We truly have nothing to fear but fear itself. True taxes are a staggering burden but they are high mainly because of defense costs. In reducing taxes we should give relief first to those who need it the most. The personal exemption for income-tax purposes should be increased to a more realistic level. No person can today subsist on $600 per year.

MUCH NEEDS TO BE DONE

Education is the very foundation of democracy. Yet years of enforced neglect have left us critically short of schools. Why not build them now while we need employment for millions of workers?

Our roads are literally falling apart. The traffic they carry is rapidly increasing. We need a real highway construction program with wide freeways criss-crossing the entire Nation.

We need hospitals. Our crowded cities need hospitals. Rural areas need hospitals. The Veterans Administration needs hospitals. In some areas the shortage is very critical. And incidentally we all need to agree on a sound plan to bring adequate medical care within the financial reach of all our people.

Many of our people need improved diets. Here is the place to look for a sound answer to so-called farm surpluses. If we bring consumption into balance with production, there will be no surpluses. We need not start at the wrong end and try to solve the problem by bankrupting American farmers.

Old age is still a hazard to too many of our people. Why should this be so in our abundant land? But, we are asked,

can we afford a real program of old-age security which will protect all of us in our later years? Of course, we can and we should. We will all benefit.

Last, but not least, we need to more fully develop and conserve our natural resources. As an example, far too much valuable water regularly wastes into the sea. Again we are asked, Can we afford to conserve it? The truth of the matter is we cannot afford to go on wasting it.

Our great national parks are beginning to show the signs of long neglect. There are power dams to be built and floods to be brought under control. These things add to our wealth and well-being. They add to our strength.

PROMISES VERSUS PERFORMANCE

Yes, Mr. Speaker, all around us we see challenge and opportunity. Yet the present administration seems hesitant and uncertain. It appears to be divided between those who write the speeches and those who write the program. The promises are plentiful but the performance is not up to par.

Sometimes one is almost forced to conclude that the smug, cynical critics of what they call "do-goodism" are stalling us on dead center by their "do-nothingism." But doing good offers us a key to progress. Moreover, it fits in with our deep religious beliefs. God gave us the intelligence to visualize progress and the will to achieve it.

Fortunately, as we strive for the common good, we not only help ourselves, but we also build a better Nation to pass on to our children. Frankly, I hope the time will never come when a majority of Americans frown on doing good. It is much better that we continue to teach our children to know the deep satisfaction, the spiritual inspiration that comes from devoting oneself to the selfless service of others.

Yes, Mr. Speaker, let us teach America's children to be strong and confident, to trust each other, to have faith in the right, and to know that our great Nation, with its free institutions, is a priceless heritage they too will one day hold in sacred trust for Americans yet unborn. Let us forever resolutely rekindle and keep alive that American pioneering spirit which charted our great Nation's pathway of progress.

Let Us Build a Better America—Part II

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, I should like to add to my remarks on this subject the following:

"SMEAR" TACTICS

Now, Mr. Speaker, one final word, our Republican friends need to learn to campaign on issues instead of relying on "smears." I was first chairman of California's Committee To Combat Subversive Activities. This was way back in 1939. We vigorously fought Communists, Nazis, and other subversives but we did not permit "smears" or loose charges.

In those day, as now, the Communists were attacking the FBI. I came to its defense and helped expose the real source of these attacks. Mr. J. Edgar Hoover, who is now being justly congratulated for 30 years of outstanding public service, sent me a personal letter of thanks. I am proud of this letter, written 14 years ago. It reads as follows:

FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES DEPARTMENT OF JUSTICE,
Washington, D. C., June 20, 1940.

Mr. SAMUEL W. YORTY,
Los Angeles, Calif.

DEAR MR. YORTY: Your committee's Resolution No. 26, introduced in the State Assembly on May 24, 1940, has just been called to my attention, and I want to write you this personal note to thank you for your expressions of confidence in the work of the Federal Bureau of Investigation and my administration as Director.

The support of such outstanding men as you is a source of real encouragement and inspiration at this time when certain elements are attempting to undermine public confidence not only in the FBI but in law enforcement generally.

I am reassured, however, after reading resolutions such as yours that the people of this Country will evaluate the sources of the attacks.

Your action in this matter is deeply appreciated, and I do hope that our future activities will always merit your high esteem.

With best wishes and kind regards.

Sincerely yours,

J. EDGAR HOOVER.

Mr. Speaker, in spite of my long and active fight against the Communists, a Republican-financed professional "turncoat" Democrat is now planning a last-minute "smear" against me, deliberately distorting my record. It is time they stopped such juvenile tactics and debated important issues in an adult manner.

Case No. 5

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. CELLER. Mr. Speaker, here is a case, discussed by J. Campbell Bruce in The Golden Door, of a man who was able to regain his permanent residence in this country after a period of residence here of 23 years, only because he managed to return just before the McCarran-Walter Act came into effect. The McCarran-Walter Act might have penalized him forever for a crime he committed when he was a youngster, and for which he had paid the penalty, even after years of proof of his good behavior as a resident of this country.

Gilberto Benitez-Villalba is a man in his fifties. He lives in Los Angeles where he works as a grocer. He is married to an American citizen, has 5 citizen children, 1 of whom is a disabled veteran of World War II.

He came to this country from Mexico with his parents in 1912. Nine years later, at the age of 20, he was convicted of burglary in Texas and served 14 months in prison, with time off for good behavior. Benitez was then deported to Mexico, and in 1926, with the Attorney General's permission, he was permitted to return to this country. Benitez lived an exemplary life from that time on, and always regretted the crime of his youth.

In 1949, he applied for naturalization and was told, when his record was checked, that he was not entitled to it. Not only that, but he was served with a warrant of arrest because it was deemed that his original reentry in 1926 was unlawful, and in the investigator's opinion should not have been granted to him.

Benitez applied for the privilege of voluntary departure under the seventh proviso, which would entitle him to return on another visa regardless of the legality of his 1926 entry, because he had had a good record for at least 7 years. This matter was debated for 2 years, and Immigration denied voluntary departure and ordered him deported. This would have meant that he could never return to the United States. His family, all American citizens, would have had to become exiles in order to be with him, including his disabled veteran son.

Two months before the McCarran-Walter Act came into effect, Benitez' appeal of the above verdict came through, and he was granted voluntary departure. Benitez departed and a time limit of 90 days was placed on his return, or he would be permanently barred. He returned in time and was reunited with his family. The vagueness of the definition of what constitutes good moral character might, under the McCarran-Walter Act, have concluded that Benitez' 1-time conviction, even though it had happened 32 years before, preclude voluntary departure, and he would then have been barred from this country forever.

Dien Bien Phu

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, the tragic fall of Dien Bien Phu in accordance with the Communists predetermined timetable will come as a sobering shock to those who have been lulled into complacency by the administration's verbal gyrations between oft-repeated soothing slogans—to justify defense cuts—and sporadic tough talk which fooled our own

people but patently failed to bluff or deter the Communists.

Only power can deter the Communists. Only existent, evident, unchallengeable power can give us the peace we all fervently desire. There will be no peace through weakness.

The significance of Dien Bien Phu is far greater than it need have been except for administration statements. If nothing could be done or would be done to save it, obviously it was a psychological, strategic, and political blunder to magnify it to huge proportions and thereby increase the damage its fall has done to the cause of the free world.

Korea and Indochina are two ends of one battle line. After our strength was frozen and immobilized in Korea, it was obivious Communist strength would shift to Indochina. Although not a military strategist, I stated this fact months ago, and predicted that Indochina might well be another case of "too little and too late."

Now the cruel blow has fallen. The sterile vacillating and confused policies of this badly divided administration have brought us to the brink of diplomatic and military disaster. It is time for the administration to call off its family quarreling, its disgraceful circuses, and begin to give this Nation responsible leadership accompanied by frank explanations of policy to the American people.

In my speech to the House on February 26, I warned that "Talking tough and carrying a small stick" would not fool the Communists. This was several months ago. The dangerous drift with lack of a clear policy was very clear to me even then. The administration still appears to lack a policy. A policy of political expediency cannot prevent catastrophies from piling up one after another. It is time some firm guidance was given to our floundering ship of state.

Case No. 6

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. CELLER. Mr. Speaker, Mrs. E. L. Moulton, cochairman of the New Mexico Republican National Committee, has drawn my attention to the case of Dr. Alma Stefanie Wittlin Frischauer, museum educator and author, who faces deportation by the end of August, unless Congress acts immediately on a private bill which has been introduced on her behalf.

Dr. Wittlin is a naturalized British subject, born in Lemberg, Austria, now Polish territory, and must come, therefore, within the Polish quota for immigration purposes. She was first invited to the United States in the spring of 1950 by the education department of the American Museum of Natural History, then again in March 1952 by UNESCO, and also in connection with a special project of the American Museum of Natural History. During this last visit, she was requested by a New Mexico group of educators to start a pilot young explorers museum, and it appears that, should she be deported, this undertaking would cease to exist.

Mrs. Moulton informs me that she has examined Dr. Wittlin's credentials thoroughly, and has found that they, along with letters from renowned American and Europeon educators, testify to her character and ability. Unless the private bills introduced by Senator ANDERSON and Representative FERNANDEZ are acted on with dispatch, Mrs. Moulton advises me we will lose a trained, skilled, and enthusiastic educator.

It should have been possible to handle Dr. Wittlin's case administratively, but the McCarran-Walter Act and its adherence to the quota system has made this impossible. The quota for Poland is oversubscribed for years to come, and Dr. Wittlin falls within it. A private bill should not be necessary in a case of this caliber. Senator LEHMAN and I have offered a bill which would have permitted administrative action in this worthy case instead of the unwieldy mechanism necessarily involved in the processing of a private bill.

Cases of this sort point to the imperative need to change drastically the McCarran-Walter Act.

Proposed Internal Revenue Code Revision and Its Failure To Give Relief to Low-Income Groups

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, the administration's revision of the Internal Revenue Code fails to give due consideration to wage earners and other persons of low income. I protest the lack of opportunity which we in the House of Representatives had to amend the tax revision bill to give effect to our thoughts. I hope that the Senate can and will do better.

Let me explain what I mean.

The House Ways and Means Committee reported out an 875-page revision of the tax code. We in the House, though severely critical of many provisions in it, could only talk about it. The rules of the House denied us any real opportunity to amend the bill. We had to accept it or reject it in toto.

The revenue-reducing aspect of this revision bill is an extremely one-sided affair. Under the guise of presenting a measure which would rewrite many of the technical and administrative provisions of the tax law and introduce clarity and simplicity into other provisions, the majority members of the Ways and Means Committee presented a bill full of important substantive changes. When we now ask for consideration of a proposal to raise exemptions in order to grant a small bit of relief to persons of low income, they strongly protest that this is a tax-reform bill, not a tax-relief bill. But when we point to many of the tax-reducing substantive changes already in the bill, they defend on the grounds of equity and alleged reform. A recitation of some of the facts will clearly show on whose side equity lies.

The bill which has already passed the House of Representatives will reduce taxes by $1.4 billion. According to the Ways and Means Committee, corporations during 1955—and I emphasize 1955—will receive $619 million of relief under the bill while individuals will receive $778 million. What the majority of the committee fails to point out is that the relief accorded to corporations in years after 1955 will be very much greater, while the relief to individuals will undergo no such increase.

Now we come to another important point which I want to emphasize. And that is that the benefits actually accruing to individuals do in fact accrue almost exclusively to persons in the upper brackets. As the minority of the Ways and Means Committee pointed out, there are only two relatively minor provisions benefiting the average wage or salary earner. The first one is concerned with interest on installment contracts, and the other is liberalized deductions for medical and dental expenses.

Contrast these with the hundreds of millions of dollars of relief granted in the form of dividend exclusion and tax credit to stockholders, much more liberal depreciation allowances to business, tax relief to pension trusts, increase in authorized percentage depletion allowances, and a net operating loss provision, as well as very favorable treatment for big businesses operating abroad. The revenue loss from the liberalized depreciation deductions to corporations over the next decade or so will be fantastic and will result during the single year of 1960 in a tax loss of about $2.2 billion.

It is sometimes almost funny to see the extent to which some go in attempting to show how it is the little man who is going to benefit from the tax bill. This becomes almost absurd when efforts are made to prove that it is the low-income group which will benefit from the dividend tax credit proposal. An example of this sort of misleading suggestion can be found in the testimony of Secretary of the Treasury Humphrey before the Senate Finance Committee. The Secretary said that three-fourths of all individuals who received dividends earn less than $10,000 a year. What the Secretary did not tell was the percentage of all dividends received by persons with incomes over $10,000 a year. The answer to that is that they receive almost three-fourths of all dividend income. This group accounts for less than 4 percent of all taxpayers. Ninety-two percent of American families own no stock whatever. Of the remaining 8 percent,

six-tenths of 1 percent own 80 percent of all publicly held stock.

If the time for tax reduction has arrived, then personal exemptions under the income tax should be raised at least $100 from $600 to $700. When you realize that a man with a wife and 2 children, and an income of $2,000 in 1939 would need to have an income well over $4,000 in order to be as well off—taxes and cost of living considered—you can understand what I mean. In 1939 a married man had an exemption of $2,500. Today he has only $1,200.

I strongly protest the philosophy of those who claim that we should first give tax relief to the well to do, who—they say—will invest the savings in new business and somehow have the benefits trickle down to the mass of the people. They say nothing about the fact that already our industrial capacity to produce exceeds our capacity to consume, simply because people do not have the money with which to buy. It is my belief that we should give tax reductions to consumers who will spend the money for food to eat and clothing to wear. I have much more faith in the benefits of that kind of action trickling up to corporations and the well to do than I do in any trickling down which may come from tax reductions to General Motors and United States Steel. Anyway, General Motors already got $200 million knocked off its tax bill by the termination of the excess-profits tax. I think that is enough relief in one year for one corporation. Let us give the next break to the employees of General Motors and the 60 million other wage earners in the United States.

Breakfast at the Wigwam, Headquarters for the Cleveland Indians, Daytona Beach, Fla.

EXTENSION OF REMARKS

OF

HON. ALFRED D. SIEMINSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. SIEMINSKI. Mr. Speaker, any kid would have given his right arm to have had breakfast at the Wigwam, headquarters for the Cleveland Indians, at Daytona Beach, Fla., that recent cool, crisp morning of April 20, 1954. He would have been with people in the big time—ballplayers, managers, sports writers, scouts, and others.

In addition, had he taken a good peek, the kid would have seen two Congressmen and the boy of one of them load their trays to the gunwales with orange juice, oatmeal and cream, ham and eggs, bacon, country sausage, hot cakes, jelly, marmalade, toast, coffee, and milk. All the food they could carry.

At table, he would have heard Congressman HAROLD HAGEN, of Minnesota, thank Tony Pianowski, secretary of the Cleveland farm system, for the gracious breakfast invitation extended to himself, to his son Harold, Jr., of the United States Navy, and to Congressman ALFRED D. SIEMINSKI, of New Jersey. Had he asked, the kid could have had the right arm of all three of them.

Talk was lively and brisk. As ballplayers trooped into chow, one suddenly became aware of a bounce, a spunk and a sparkle of give and take that appears to make it impossible for anyone to vanquish an American, be he ballplayer, soldier, coach, sportswriter, manager, secretary, or scout.

Mamma's boys, prima donnas, flash in the pans, wise guys, and hot rocks were raked over the coals. In every case, kids who listended, who were willing to learn, to absorb the lore of the game were the kids who fielded their leagues into the big time. Mamma's boys, prima donnas, flash in the pans, wise guys, and hot rocks fizzled and folded. Names were mentioned, games were reviewed, and the big time rolled by. What a treat, Mr. Speaker, what a treat. And the ball players? Young, clean-cut kids in their upper teens and early twenties. There's great hope for America, Mr. Speaker. These kids have got it, just as did the kids in North Korea, on the Yalu, and in the Chosen Reservoir, and the Tokyo hospital, frostbite or not, Reds or not. One wished the crying towels, the prophets of gloom and doom could have been at breakfast in the Wigwam with us, Mr. Speaker. It was a treat we shall ever remember.

A slip of paper sent to me at my request, through the Congressman from Minnesota [Mr. HAGEN], records quite modestly the following, which, under unanimous consent, is now cited:

Present at the Wigwam, headquarters for the Cleveland Indians minor league spring training base at Daytona Beach, Fla., for breakfast on April 20 were Phil Seghi, manager of the Fargo-Moorhead Twins of the Northern League; Eugene Fitzgerald, sports editor of the Fargo Forum, of Fargo, N. Dak.; Laddie Placek, head scout for the Cleveland Indians farm system; Harold Hagen, Jr., son of Representative HAROLD HAGEN, Republican, of Minnesota; Representative ALFRED SIEMINSKI, Democrat, of New Jersey; Len O'Donnell, sports editor of the Sherbrooke Daily Record of Sherbrooke, Quebec, Canada; Ivan Boisvert, photographer for La Tribune, Sherbrook French language daily; and Representative HAROLD HAGEN and Harry Oram of Pt. Myers Beach, Fla., a former Fargo resident, now retired.

The Congressmen were guests of Tony Pianowski, secretary of the Cleveland farm system, who is in charge of the spring training base, known as Indianville.

Aid To Education

EXTENSION OF REMARKS

OF

HON. SAMUEL WM. YORTY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, Americans are justly proud that the United States has risen to a position of leadership among the free countries of the world. I wonder how many of our citizens have thoughtfully pondered the reasons for our national rise to greatness.

No doubt many factors have contributed to our phenomenal national development, but certainly one of the most basic factors—and perhaps the most important cause—has been our nationwide emphasis upon education in years past.

For many decades our Federal, State, and local governments, working together, provided educational advantages for our people as a whole superior to those made available to the whole populations of most other countries. Some other nations living in lands having resources equal to those of the United States have not equally progressed. Why? Objective studies support the conclusion that the lesser advancement of some other nations has been due mainly to their failure to provide the education necessary for the development of their resources—especially their human resources.

Within recent years, however, a number of other countries have awakened to the cry of their whole people for better educational advantages, while America has neglected the educational needs of millions of her children. The effect may be disastrous for our great Nation. Already a warning is heard in the alarm over widespread juvenile delinquency in this country.

We are not lacking in knowledge of our educational deficiencies. Data compiled by our Bureau of the Census, Selective Service System, United States Office of Education, National Education Association, and other agencies and organizations, public and private, have furnished ample evidence of the educational shortcomings and inadequate educational opportunities of millions of our people. Many official and authoritative publications have drawn attention to the facts that in numerous localities in every State of the Union, teachers' salaries are lower than they should be, there is a shortage of qualified teachers, classrooms are overcrowded, instructional materials are lacking, and school housing conditions are deplorable.

In December 1953 the United States Office of Education published its report of a nationwide school facilities survey which was carried out by Federal, State, and local educational agencies with the aid of an appropriation by the 81st Congress. The survey showed that in 1952 there was a need for about 312,000 classrooms to house nearly 9 million pupils. The need is rapidly growing greater. Many hundreds of thousands of the Nation's children are attending school in firetrap buildings, barracks, garages, church basements, former industrial buildings, and other makeshift quarters.

The national school facilities survey revealed that in 1952 about 870,000 or 43 percent of the schoolchildren of California needed new school housing. Because of the rapid growth of school population in this State a greatly accelerated rate of

construction will be necessary to overtake the need for additional facilities.

Early this year President Eisenhower recommended the convening of State and National conferences to consider the crucial problems of public education. More recently Mrs. Oveta Culp Hobby, Secretary of Health, Education, and Welfare, has suggested that legislation providing Federal aid to school construction be deferred until after these conferences have been held—probably in 1955 or 1956. She advanced arguments to support her position. On May 12, a spokesman for the American Federation of Labor, testifying before the Senate Subcommittee on Education, called these arguments "spurious" and "ludicrous" and gave his reasons for using these epithets.

Some other persons have expressed the opinion that the administration, by delaying tactics, is attempting to prevent establishment of a general program of Federal participation in financing school construction.

A cartoon in the Washington Post and Times-Herald of May 13, represented the "Department of Not-Too-Much Health, Welfare, and Education," shutting out two schoolchildren representing "immediate school-construction needs." The departmental leadership represented in the cartoon is telling the children, "You can go to school a few years from now."

It will be an inexcusable blunder for any political party in this country to ignore the present great and urgent needs of public education. Our school-construction needs, especially, are immediate and critical. The education of our Nation's children cannot be postponed.

Several millions of dollars were spent on the national school facilities survey just completed. It has shown that the States and localities are unable to raise, from revenue sources presently available to them, all the money needed for school facilities. Part of the money must come from sources of revenue already being utilized by the Federal Government.

The term "Federal aid to education" is a misnomer—an unfortunate misrepresentation. Under the Constitution the Federal Government is responsible for the national defense and for the promotion of the general welfare. It can, with propriety, assume some responsibility for helping to finance public education, which is essential to the national defense and to the general welfare.

The question is only one of how much of the necessary funds for education should be drawn from Federal sources of revenue, and how much should be drawn from State and local sources of revenue. Data already compiled indicate that it has become necessary to draw a larger percentage of school support from Federal sources of revenue.

I have introduced a bill to provide Federal participation in financing school construction throughout the country. My bill is H. R. 9179, and is similar to a measure, S. 536, introduced by Senator HUMPHREY, of Minnesota, in January 1953.

The bill would provide for an allotment of Federal funds by the United State Offices of Education to the respective State educational agencies in accordance with a prescribed, objective formula. The bill would place upon the State educational agency the responsibility for the allotment of funds to the school districts within the State. The bill would give slightly greater allotments per schoolchild to States in which the per capita income is relatively low.

I am also in favor of measures to increase the attractions of the teaching professions, including increase of salaries for teachers and increase of teachers' pensions, and other retirement benefits. I believe that by maintaining the prestige of the teaching profession and otherwise adding to its attractions, and by strengthening all other provisions for education we can greatly strengthen our Nation for its tremendous task of leadership in the free world.

Agricultural Foreign Service Should Be Reestablished

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. YORTY. Mr. Speaker, at this time I want to speak in support of House bill 8033. This bill authorizes the creation of an Agricultural Foreign Service in the Department of Agriculture. It provides that the Secretary of Agriculture may appoint and assign personnel to service abroad, responsible to, and subject only to the orders of the Secretary of Agriculture with respect to their technical duties. Of course, they should be otherwise under our chief of mission in the country to which they are assigned.

At the present time the Secretary of Agriculture is compelled to work through representatives stationed abroad who, while they carry the title "agricultural attaché," are in fact employees of the Foreign Service of the Department of State. All contacts with, instructions to, and reports from the agricultural attachés must be relayed through the Department of State.

Investigating committees have reported that the agricultural attachés in many of our diplomatic missions have been relegated to inferior positions from the standpoint of compensation and prestige, and therefore, cannot perform as effectively as they should.

At one time we did have a Foreign Agricultural Service. An act in 1930 created a distinct Foreign Agricultural Service in the Department of Agriculture. Officers in this Service abroad were regularly and officially attached to the diplomatic mission of the United States. In 1939, under a Presidential reorganization plan, this Service was transferred to the Department of State. The Foreign Service Act of 1946 repealed the act of 1930 which authorized a Foreign Agricultural Service and at the present time the Secretary of State is charged with the collection and dissemination of agricultural information abroad.

At the present time many of our agricultural attachés abroad do not fully understand the objectives, purposes, and operations of our farm programs. Our agricultural representatives abroad should be familiar with every part and parcel of the farm program and should be taking a more active part in creating a better understanding of them in foreign countries.

We particularly need representatives abroad who can counsel with the agricultural people in foreign countries regarding the quality and quantity of farm products available for export.

To a large extent our present sharp decline in farm prices and income is the result of a one-third drop in farm exports. We desperately need the best Foreign Agricultural Service possible. Instead we are now operating through a State Department currently loaded down with diplomatic problems.

House bill 8033 has been drawn as a result of many investigations and much study of the problem of how best to develop and maintain a high-caliber, effective staff of agricultural representatives abroad. The need has never been greater; surely House bill 8033 should get early and favorable consideration by this Congress.

Case No. 7

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 5, 1954

Mr. CELLER. Mr. Speaker, here is a case of extreme and exasperating hardship caused by the rigidity of the McCarran-Walter Act.

Helga Josefa Wiley committed what section 212 (a) (9) of the McCarran-Walter Act calls "a crime involving moral turpitude." In 1946 she took some firewood from a forest in Bremen, Germany, when no other fuel was available in that devastated part of Germany. She was fined the equivalent of 5 cents for her crime.

In 1952 her husband, Harold Wiley, of Meridian, Okla., applied for a visa for his bride. The visa was denied because of this theft of firewood, which was determined to constitute a crime for which existing immigration laws bar an alien from this country.

Were the the hardship caused in this instance not so severe, it could, indeed, be called laughable. It is mandatory that we direct our energies toward a drastic evaluation of the provisions of the McCarran-Walter Act.

SENATE

THURSDAY, MAY 6, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in all the confusions and perplexities of these troubled days, help us to keep inviolate in our souls a little shrine of quietness, a chapel of peace within, an altar of contrition, a sanctuary of sure and swift retreat, where the world's angry voices die, where Thou alone art real. May we fear only to be disloyal to the best we know, to betray those who love and trust us, and to disappoint Thy expectations concerning us. Make us forgiving and forbearing, gentle with others' failings, grateful for others' favors, remembering with each new day that the time for loving and serving is so short as swift to its close ebbs out life's little day. Teach us to value a conscience void of offense and the royalty or self-respect above all the pedestals, prizes, and preferments earth can give. May the tyranny of majorities and the tirades of minorities be equally impotent to sway us from the right as Thou dost give us to see the right. By faith bring us, we beseech Thee, at last to the worldwide victory of justice and righteousness, as we keep step with Thy eternal purpose for mankind; as, in spite of all evil designs and devices, Thy truth goes marching on. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 5, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 2033. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.; and

H. R. 4735. An act for the relief of Lt. Col. Richard Orme Flinn, Jr.

LEAVE OF ABSENCE

Mr. FLANDERS. Mr. President, I have found the unanimous-consent agreement to begin voting tomorrow on the proposed revisions of the so-called Taft-Hartley Act to be quite embarrassing. I have been unable to make certain arrangements which I have endeavored to make, and I therefore ask unanimous consent of the Senate that I may be absent tomorrow because of official business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont? The Chair hears none, and it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Mansfield
Anderson	Gore	McCarran
Barrett	Green	Murray
Beall	Hendrickson	Neely
Bowring	Hill	Payne
Bricker	Holland	Purtell
Bridges	Ives	Schoeppel
Burke	Johnson, Tex.	Smathers
Clements	Knowland	Smith, N. J.
Cordon	Lehman	Stennis
Ferguson	Magnuson	Wiley

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Pennsylvania [Mr. DUFF], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Indiana [Mr. JENNER], and the Senator from California [Mr. KUCHEL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BENNETT, Mr. BUSH, Mr. BUTLER of Maryland, Mr. BYRD, Mr. CARLSON, Mr. CASE, Mr. CHAVEZ, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. FLANDERS, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GREEN, Mr. HAYDEN, Mr. HENNINGS, Mr. HOEY, Mr. HUNT, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. LONG, Mr. MALONE, Mr. MARTIN, Mr. MAYBANK, Mr. McCARTHY, Mr. McCLELLAN, Mr. MILLIKIN, Mr. MONRONEY, Mr. MUNDT, Mr. PASTORE, Mr. POTTER, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mrs. SMITH of Maine, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, Mr. WATKINS, Mr. WELKER, Mr. WILLIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CERTIFICATION OF COST OF DAMAGES CAUSED BY UNITED STATES MILITARY FORCES, ELKO MUNICIPAL AIRPORT, ELKO, NEV.

A letter from the Secretary of Commerce, transmitting, pursuant to law, a certification by the Administrator of Civil Aeronautics of the cost of rehabilitation and repair of damages caused by the United States Military Forces at the Elko Municipal Airport, Elko, Nev. (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT ON SYNTHETIC LIQUID FUELS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on synthetic liquid fuels, for the year 1953 (with accompanying documents); to the Committee on Interior and Insular Affairs.

MANAGEMENT AND DISPOSITION OF RECONVEYED CHOCTAW AND CHICKASAW LANDS, OKLAHOMA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the management and disposition of the reconveyed Choctaw and Chickasaw lands in the State of Oklahoma (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF NATIONAL TRUST FOR HISTORIC PRESERVATION

A letter from the Secretary, National Trust for Historic Preservation, Washington, D. C., transmitting, pursuant to law, a report of that organization for the calendar year 1953 (with an accompanying report); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of certain aliens from lists of aliens whose deportation has been suspended, heretofore transmitted to the Senate (with accompanying papers); to the Committee on the Judiciary.

REPORT OF DIRECTORS OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the Secretary, Federal Prison Industries, Inc., Department of Justice, transmitting, pursuant to law, a report of that organization, for the fiscal year 1953 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS

Petitions were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A letter from Raestaff Housing Institute, Washington, D. C., signed by Mrs. Jency

Price Houser, national organizer, transmitting petitions signed by sundry citizens of the United States, relating to the need for housing for those who are compelled to live alone (with accompanying papers); to the Committee on Banking and Currency.

A resolution adopted by the Republican Women's Federation of San Diego County, Calif., relating to a revision of article 17 of the Status of Armed Forces Treaty; to the Committee on Foreign Relations.

REPORT OF A COMMITTEE

Mr. FLANDERS, from the Committee on Armed Services, to which was referred the bill (H. R. 2274) to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes," reported it favorably, without amendment, and submitted a report (No. 1278) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 3407. A bill to make retroactive section 6 (b) (2) of the act of August 24, 1912 (37 Stat. 555), as amended, dealing with the restoration to Government service of persons improperly discharged, suspended, or furloughed without pay under section 14 of the Veterans' Preference Act of 1944, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCARRAN:

S. 3408. A bill authorizing the construction of flood-control works on the Truckee River, Calif. and Nev., and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. McCARRAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BRICKER (by request):

S. 3409. A bill to amend the Civil Aeronautics Act of 1938 in order to permit reduced rates for certain transportation furnished to the Department of Defense, and to establish finality of contracts with respect to such rates; and

S. 3410. A bill to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BRICKER when he introduced the last above-named bill, which appear under a separate heading.)

By Mrs. SMITH of Maine:

S. 3411. A bill for the relief of Iris Olsson; to the Committee on the Judiciary.

By Mr. PAYNE:

S. 3412. A bill to provide an increased penalty for the sale of narcotic drugs to persons under the age of 21, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. PAYNE when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3413. A bill for the relief of Shigeko Nakamura Bulmer; and

S. 3414. A bill for the relief of Zelda Baumzveiger; to the Committee on the Judiciary.

By Mr. BEALL:

S. 3415. A bill for the relief of June Rose McHenry; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3416. A bill for the relief of Kyrriakos Tsambis; to the Committee on the Judiciary.

By Mr. WILEY:

S. J. Res. 153. Joint resolution to prepare triennially a cumulative supplement to the revised edition of the Annotated Constitution of the United States of America as published in 1953 as Senate Document No. 170 of the 82d Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. WILEY when he introduced the above joint resolution, which appear under a separate heading.)

FLOOD-CONTROL WORKS ON THE TRUCKEE RIVER, CALIF. AND NEV.

Mr. McCARRAN. Mr. President, I introduce a bill authorizing the construction of flood-control works on the Truckee River, Calif. and Nev., and for other purposes, and request that it be referred to the Committee on Public Works.

The purpose of the bill is to authorize the comprehensive plan for flood control and upstream development of the Truckee and Carson Rivers, which are located partly in California and partly in Nevada. The plan for developing the resources of these two rivers has been worked out by the Corps of Engineers in cooperation with the Bureau of Reclamation, the appropriate State agencies, and with the full cooperation of the Truckee-Carson Water Users Committee. Thus as the plan has developed, all of the various interests concerned have worked closely together in its formulation.

Because of certain peculiar conditions which are found on these two rivers, and this is especially true of the Truckee River, it is imperative that the flood-control features and the upstream development go forward at the same time. This matter has been fully coordinated at field level and at the Washington level. Both Federal agencies concerned are in full agreement and officials of the Corps of Engineers and the Bureau of Reclamation have assured me that their respective parts of the comprehensive plan have been fully coordinated and they recommend that work on the various features of the comprehensive plan be started at the same time.

It is vital that work start on this project without further delay. Each year, the cities, towns, and adjacent ranches are threatened with destructive floods. In 1950 the city of Reno sustained heavy damage from the floodwaters of the Truckee River. Much damage is sustained each year by the ranches adjacent to the Truckee and Carson Rivers. The comprehensive plan calls for clearing the channels of these rivers, so that the destructive floodwaters may be kept within the river channel, the construction of upstream storage, and so forth. Thus two things will be accomplished, damage from flooding will be eliminated and excess water will be conserved so that the people of this area will have the beneficial use of such excess water. I know that I do not have to dwell on the vital importance of additional water in all parts of the West.

Mr. President, because time is of the essence in this matter, I sincerely hope that the Public Works Committee will be able to expedite its consideration of this proposed legislation and that it will be possible to secure congressional approval of the comprehensive plan this session.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The bill will be received and appropriately referred.

The bill (S. 3408) authorizing the construction of flood-control works on the Truckee River, Calif. and Nev., and for other purposes, introduced by Mr. McCARRAN, was received, read twice by its title, and referred to the Committee on Public Works.

AMENDMENT OF SECTIONS 2 (A), 6 (A), AND 9 (D) OF FEDERAL AIRPORT ACT, AS AMENDED

Mr. BRICKER. Mr. President, by request of the Secretary of Commerce, I introduce for appropriate reference a bill to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended. I ask unanimous consent that a letter from the Secretary of Commerce addressed to the Vice President, relating to the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3410) to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended, introduced by Mr. BRICKER, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. BRICKER is as follows:

THE SECRETARY OF COMMERCE,
Washington, May 3, 1954.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is submitted herewith a proposed bill "to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended." The Department of Commerce believes this proposed legislation to be highly desirable and recommends its enactment.

The first of the proposed amendments, which would amend the definition of the term "airport development" in paragraph (3) of section 2 (a), would have the effect of prohibiting further grants under the Federal Airport Act for the construction, alteration, or repair of airport terminal buildings.

The second proposed amendment would amend section 6 (a) by reducing from 75 percent to 50 percent the percentage amounts of future appropriations and unobligated balances of funds previously apportioned among the States, which are required to be apportioned among the States in accordance with the population—area formula prescribed by that section. The effect of this amendment is to increase from 25 percent to 50 percent the percentage amounts of such appropriations and unobligated balances which are available for use as part of the "discretionary fund," as provided by section 6 (b).

In addition, the proposed amendment to section 6 (a) would add clarifying language to the existing provision of that section requiring redistribution and reapportionment of all apportioned funds not obligated during the fiscal year for which they were ap-

portioned. The proposed language would specifically recognize the fact that unobligated balances may result from the absence of sufficient eligible projects in a given State, as well as from other factors.

The proposed amendment to section 9 (d) would add to the existing provision of that section a clause providing that projects shall be approved only if they are of "sufficient national importance to warrant financial participation by the United States."

The Department of Commerce believes strongly that these proposed amendments will provide a more effective basis for administering the Federal-aid airport program, and will assure the maximum national benefit from any Federal funds expended thereunder. We have reached this conclusion as the result of a reevaluation of the entire program made by the Department, in part on the basis of studies recently completed by special panels established for that purpose by the Transportation Council of the Department. Based upon the findings of those panels, and of our own review, the Department has concluded that there is justification at this time for continued Federal participation in airport development, but that such participation should be concentrated upon airport locations and types of construction which are of greatest importance from a national standpoint.

The proposed amendment to section 9 (d), having to do with the approval of proposed airport projects, is designed to clarify and make more specific the authority of the Department to administer this program in accordance with the changed emphasis indicated above. While the discretionary authority granted by the present language of the act is, in our opinion, adequate to accomplish this objective, in view of the previous pattern of administration of this act, we believe it desirable for the statute itself to embody the concept that Federal financial participation should be concentrated on projects which have national rather than purely local importance.

It is contemplated that the determination of national importance for purposes of defining airport eligibility will be based upon stated, objective criteria, utilizing such measurements of aeronautical activity as volume of airline passenger traffic and number of based aircraft. Using these criteria, it would be possible to define appropriate cutoff levels, indicating the minimum amounts of aeronautical activity regarded as necessary to establish that degree of national importance which would warrant Federal financial participation. The Department has under study the criteria to be established for this purpose.

The proposed amendment to section 6 (a) with regard to the reapportionment of unobligated funds is related to the amendment in section 9 (d) discussed above. It is intended to make it clear that the absence of sufficient projects eligible for approval might result in an unobligated balance of funds apportioned to a given State, thereby requiring reapportionment of such funds.

The other change proposed in section 6 (a), reducing from 75 percent to 50 percent the percentage of future appropriations which must be apportioned among the States in accordance with a statutory formula, is required as an additional aspect of our overall effort to concentrate this program in accordance with national needs. Under this amendment, the discretionary fund which could be spent without regard to specific apportionment formula would be increased from 25 percent to 50 percent. By including in the original act the present 25-percent discretionary fund, the Congress recognized the need in this program for flexibility to depart from a rigid geographical distribution of Federal funds. However, on the basis of actual experience, and in view of the increased emphasis which the Department proposes for projects of clear national importance, an increase in the discretionary fund to 50 percent is now required.

The fact is that the apportionment formula prescribed by the Federal Airport Act has not had a very close relationship to the geographical distribution of public airport development needs. In fact, in the very nature of this program, it is doubtful whether any rigid formula could provide on a continuing basis a distribution of funds that would be closely related to the pattern of most urgent needs. The rapid changes in the design and performance of aircraft, and the expanding uses of aircraft in the economy, result in changing airport requirements. Airports vary significantly in size, condition, and in the cost of additional work required to overcome existing deficiencies. The geographic distribution of airport development most urgently needed from a national standpoint is subject to considerable change from year to year. If the Federal Government is to be in a position to relate its expenditures to the changing geographic pattern of high priority projects, it needs the increased flexibility that would be provided by a 50 percent discretionary fund.

The remaining proposed amendment would modify section 2 (a) so as to exclude terminal buildings from Federal aid, just as hangars are now excluded. Terminal buildings are revenue-producing facilities and are therefore most likely to be financed without Federal aid. We believe that local communities should be expected to finance such development, assuming a sufficient need for a building to warrant its construction. Because of the revenue-producing character of terminal buildings, it may even be possible in many cases for the communities to provide for their financing on a private basis, either through revenue bond issues, or by lease agreements with prospective users.

Equally important to our conclusion on this point has been the fact that, by excluding airport terminal buildings from the program, the Government will be able to concentrate upon other types of airport development which are of greater importance from a Federal standpoint. We refer particularly to the construction of runways, the installation of airport lighting systems, the removal of airport hazards, and other items of airport development which are required for the safety of civil and military flying, and at the same time have potential value from a national defense standpoint.

Although terminal buildings may now be excluded from Federal-aid participation through administrative action under the present law, we feel it appropriate to include the above-noted legislative amendment in order to reflect specifically in legislation the changed policy which we are proposing. This would establish a more clear-cut reorientation of the program than would be accomplished were this handled by administrative action alone.

It is pertinent to note that the exclusion of terminal buildings from Federal aid was recommended by the Airport Panel of the Departments Transportation Council. The Airport Panel which prepared this recommendation consisted entirely of representatives of various segments of the aviation industry, including airport operators, airlines, and general aviation.

In conclusion, it should be emphasized that the proposed amendments would provide for greater flexibility in the allocation of grant funds and otherwise facilitate the conduct of the program, thereby making it possible to accomplish the objectives of the act at a lower annual appropriation rate than would be otherwise be required, and reducing the overall cost of the program.

In view of the relationship of this proposed legislation to the effective administration of a reactivated Federal-aid airport program, it is considered of great urgency. Accordingly, it is hoped that its consideration by the Congress can be expedited to the extent possible. Your cooperation in this matter will be greatly appreciated.

The Bureau of the Budget has advised that this proposed legislation is in accord with the program of the President.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

PENALTY FOR SALE OF NARCOTIC DRUGS TO CERTAIN PERSONS

Mr. PAYNE. Mr. President, one of the most disturbing symptoms in the United States today is the increase in juvenile delinquency and crime. All too frequently these young people are found to be using narcotic drugs or smoking marihuana. The present law does not distinguish the sale or furnishing of narcotics to minors from sales to adults. Certainly anyone who aids a minor, in any way, in becoming a drug addict is guilty of one of the most serious crimes that can be committed. In view of the serious nature of selling or furnishing narcotics to minors, the present penalties provided by law are extremely low. For the first offense the present penalty is a fine of not more than $2,000 and imprisonment of from 2 to 5 years; for the second offense the present penalty is a fine of not more than $2,000 and imprisonment of from 5 to 10 years without eligibility for suspension or probation; and for the third or subsequent offense the present penalty is a fine of not more than $2,000 and imprisonment of from 10 to 20 years without eligibility for suspension or probation.

Because I believe these present penalties are inadequate punishment for selling or furnishing narcotics to minors, I introduce for appropriate reference a bill to provide for much stiffer penalties for the sale or furnishing to minors of narcotic drugs or marihuana.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3412) to provide an increased penalty for the sale of narcotic drugs to persons under the age of 21, and for other purposes, introduced by Mr. PAYNE, was received, read twice by its title, and referred to the Committee on Finance.

SUPPLEMENT TO REVISED EDITION OF ANNOTATED CONSTITUTION

Mr. WILEY. Mr. President, no doubt my colleagues are familiar with the 1953 edition of the Annotated Constitution, which was published as Senate Document No. 170, of the 83d Congress.

This 1,361-page document represents the culmination of efforts which began at my request during my chairmanship of the Senate Judiciary Committee during the 80th Congress.

The reaction to the document, which had been edited by Dr. Edward S. Corwin, together with Library of Congress staff, has been universally favorable. Senate Document No. 170 has been found indispensable, not only to legislators, but to practitioners of the American bar,

teachers, librarians, students, and countless other sources.

Within slightly less than 6 months following its release, more than 7,000 copies were sold, at $6.25 a copy, and this sale has been attained without benefit of any facilities for publicity and advertising, such as are commonly available to commercial booksellers. I am advised, moreover, that as regards direct messages from the American people to the Congress, the Annotated Constitution is one of the most sought after of all publications. But only a very tiny supply of complimentary copies had been made available to each Member of Congress.

Ordinarily, we might perhaps wait a period of years before a new edition of this document would be published. For example, 15 years elapsed between the publication of Senate Document No. 232, of the 74th Congress, and the publication of the latest edition.

Yet, so many crucial court decisions have come forth and will come forth that it would be most unfortunate to permit even so much as half a decade to elapse.

In view of that, I have taken up with the Senate Rules Committee the possibility of approval of a joint resolution which I am introducing today for the purpose of preparation of current supplements once every 3 years of the Annotated Constitution. For a relatively small sum, this great reference source will be available in up-to-the-minute form.

It is estimated that only one professional staff member, and one secretary would be necessary to prepare a triennial supplement, and that the cost of preparing each issue would not exceed $15,000.

I have received the welcome assurance of the distinguished chairman of the Rules Committee, my colleague from Indiana [Mr. JENNER] of the interest of his colleagues and himself in promptly reviewing the joint resolution. I send the joint resolution to the desk and ask unanimous consent that it be printed in the body of the RECORD at this point, and be referred to the Committee on Rules and Administration.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred, and, without objection, will be printed in the RECORD.

The joint resolution (S. J. Res. 153) to prepare triennially a cumulative supplement to the revised edition of the Annotated Constitution of the United States of America as published in 1953 as Senate Document No. 170 of the 82d Congress, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Joint resolution to prepare triennially a cumulative supplement to the revised edition of the Annotated Constitution of the United States of America as published in 1953 as Senate Document 170 of the 82d Congress

Whereas the revised edition of the Annotated Constitution of the United States of America, published in 1953 as Senate Document 170, 82d Congress, has enjoyed and is continuing to enjoy widespread and uniformly favorable popular acceptance and demonstrably is satisfying an official and public need for a single volume publication supplying essential information and at a very reasonable price; and

Whereas the maximum usefulness of Senate Document 170 and the popular demand therefor could be sustained by the preparation of supplements thereto with annotations; and

Whereas the printing of supplements with annotations for each interval of 3 years succeeding publication in 1953 of Senate Document 170 is now considered appropriate: Now, therefore, be it

Resolved, etc., That the Librarian of Congress is hereby authorized and directed to have supplements to the revised edition of the Anotated Constitution of the United States of America, published in 1953, prepared triennially to include annotations of decisions of the Supreme Court rendered subsequently to October 6, 1952, and construing the several provisions of the Constitution correlated under separate provision and to have these supplements printed at the Government Printing Office. The first supplement thereto to be printed shall contain annotations of decisions of the Supreme Court rendered subsequently to October 6, 1952, and prior to June 30, 1955, and the second and each additional succeeding supplement thereafter printed, shall contain cumulative annotations of decisions of the Supreme Court rendered subsequently to October 6, 1952, and prior to June 30 of the third year following the final, concluding year of each supplement immediately preceding. Three thousand copies of each triennial supplement shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate.

SEC. 2. There is hereby authorized to be appropriated for carrying out the provisions of this act, with respect to the preparation, but not including printing, the sum of $15,000 for each triennial supplement, to remain available until expended.

PROHIBITION OF TRANSPORTATION OF FIREWORKS INTO CERTAIN STATES—AMENDMENT

Mr. BRICKER submitted an amendment intended to be proposed by him to the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, which was ordered to lie on the table and to be printed.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT, 1947—AMENDMENTS

Mr. MARTIN submitted an amendment intended to be proposed by him to the bill (S. 2650) to amend the Labor-Management Relations Act, 1947, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. DOUGLAS (for himself, Mr. LEHMAN, and Mr. KENNEDY) submitted amendments, intended to be proposed by them, jointly, to Senate bill 2650, supra, which were ordered to lie on the table and to be printed.

Mr. DOUGLAS (for himself and Mr. LEHMAN) submitted amendments, intended to be proposed by them, jointly, to Senate bill 2650, supra, which were ordered to lie on the table and to be printed.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT, 1947—AMENDMENTS

Mr. LEHMAN. Mr. President, I submit an amendment intended to be proposed by me to the bill (S. 2650) to amend the Labor-Management Relations Act, 1947, and for other purposes.

This amendment would delete section 16 of the bill of the Senator from New Jersey [Mr. SMITH], a bill which, in my opinion, has already been largely discredited. In the debate which has proceeded for some days on the Goldwater amendment, I fear the fact has been overlooked by Members of the Senate and the public generally that section 16 of the Smith bill is substantially as dangerous as the Goldwater amendment.

Section 16 of the Smith bill, under the false guise of protecting health and safety, for which ample powers already exist in every State, proposes to give to the States broad powers to enact and to enforce laws which might be in complete variance with Federal statutes. Since different laws and procedures could be adopted in all of the 48 States, such powers if exercised could completely destroy the uniformity of our statutes dealing with labor-management relations and lead to endless and complete confusion. What is equally serious, however, is the fact that it would make it possible for any governor of any State, if supported by a complaisant legislature, arbitrarily to have enacted destructive and unjust laws and to force the settlement of labor disputes in the manner which seemed desirable to him. This section 16 which I seek to delete could be indescribably harmful both to labor and to management and might easily destroy any chance of harmonious relations between them.

I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

PROPOSED POSTAL WAGE INCREASE—ADDITIONAL COSPONSORS OF BILL

Mr. JOHNSTON of South Carolina. Mr. President, yesterday, on behalf of myself and several other Senators, I introduced Senate bill 3406, to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department. At this time I ask unanimous consent that the names of the Senator from North Dagota [Mr. LANGER] and the Senator from Oregon [Mr. MORSE] be added as cosponsors of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

DR. YEN-YU HUANG—CORRECTION IN TITLE OF ENGROSSED BILL

Mr. BUTLER of Maryland. Mr. President, when the calendar was called on Tuesday, May 4, 1954, the bill (S. 1204) for the relief of Dr. Yen-Yu Huang and his minor daughters, Lillian and Jean Huang, a private immigration bill, passed

the Senate with an amendment to the text of the bill.

An examination of the engrossed copy of the bill discloses that the title does not conform with the amended text of the bill. Therefore I ask unanimous consent that the title be amended so as to read: "For the relief of Dr. Yen-Yu Huang."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? The Chair hears none, and it is so ordered.

NOTICE OF HEARING ON SENATE JOINT RESOLUTION 4, PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO THE INDIAN TRIBES

Mr. LANGER. Mr. President, on behalf of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 11, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 4, proposing an amendment to the Constitution of the United States to restore the same rights to the Indian tribes which are enjoyed by all citizens of the United States. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from Illinois [Mr. DIRKSEN]; the Senator from Maryland [Mr. BUTLER]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

NOTICE OF HEARING ON SENATE JOINT RESOLUTION 133, TO MAKE THE ANTITRUST LAWS APPLICABLE TO PROFESSIONAL BASEBALL CLUBS

Mr. LANGER. Mr. President, on behalf of the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 133, a joint resolution to make the antitrust laws applicable to professional baseball clubs affiliated with corporations subject to the antitrust laws.

The subcommittee consists of myself, chairman; the Senator from New Jersey [Mr. HENDRICKSON]; the Senator from Illinois [Mr. DIRKSEN]; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Tennessee [Mr. KEFAUVER].

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, as in executive session, from the Committee on Armed Services I report favorably a group of nominations covering general officers in the Army, Navy, and Marine Corps, and ask that they be placed on the Executive Calendar.

In addition to the above, the committee reports a group of 721 routine nominations in the Navy and Marine Corps in the grades of ensign, lieutenant, junior grade, second lieutenant, and first lieutenant. In order to save the expense of printing on the Executive Calendar of this large number of names, which have already appeared once in the CONGRESSIONAL RECORD, it is requested that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDING OFFICER. Is there objection to the requests of the Senator from Massachusetts? The Chair hears none.

The nominations placed on the Executive Calendar are as follows:

Brig. Gen. Claude Bayles Mickelwait, Army of the United States (colonel, Judge Advocate General's Corps, U. S. Army), for appointment as the Assistant Judge Advocate General of the Army, and as major general, Judge Advocate General's Corps, Regular Army, and major general (temporary), Army of the United States;

Brig. Gen. William Murlin Creasy, Army of the United States (colonel, U. S. Army), for appointment as chief chemical officer, United States Army, as major general in the Regular Army of the United States, and as major general (temporary), Army of the United States;

Brig. Gen. Claude Henry Chorpening and sundry other officers, for temporary appointment in the Army of the United States;

Adm. Oscar C. Badger, United States Navy, retired, to be a vice admiral in the line of the Navy;

Rear Adm. Austin K. Doyle, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as chief, Naval Air Training;

Rear Adm. Frederick W. McMahon, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as commander, Air Force, Atlantic Fleet; and

Maj. Gen. Merwin H. Silverthorn, United States Marine Corps, to have the grade of lieutenant general on the retired list in the Marine Corps, effective from the date of his retirement.

KOREAN RELIEF—A GREAT CHALLENGE

Mr. WILEY. Mr. President, I send to the desk the text of a brief statement on one of the most important humanitarian subjects in the world. I refer to relief aid for the valiant Korean people. I ask unanimous consent that the text of this statement be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

I was extremely interested to receive a letter in this morning's mail from Mrs. Kenneth E. Glass, general chairman of a unique and inspiring effort in the city of Milwaukee. It is an effort which I believe will constructively echo throughout America, and it will reverberate in turn across the waters to far-off Korea, throughout Asia, and the rest of the world.

A small group of mothers has banded together to help raise funds to provide for the opening of a model bottle-feeding station for infants in Korea. This splendid project has been gathering momentum and is well on its way toward furnishing outstanding aid to the Korean people.

The campaign has been carried on with no paid staff, no overhead expenses, but solely with the volunteer help of fine women of my State.

I have in my hands a writeup from the April 23 Milwaukee Sentinel, which describes this grand project.

The article reads:

"PLAN FUND FOR KOREA MILK STATION

"Through the efforts of a group of Milwaukee women, a model bottle feeding milk station—the first of its kind—will be established in Korea.

"The initial reason Milwaukee can be credited with the station is that Mrs. John Harkness, West Argonne Drive, moved to Milwaukee. The 24-year-old wife of Dr. Harkness was born in Korea and reared by missionary parents in Seoul. She lived in Korea for 13 years and came to Milwaukee to live a year ago. She has many friends in Seoul and until recently two of her brothers were missionaries there.

"One of her missionary friends, Mrs. Edward Adams, wrote Mrs. Harkness of the need for supplies at the milk stations in the Pusan and Seoul areas. 'I read the letter to Mrs. Kenneth Glass, Ravenswood Circle, and she was determined to help,' she said.

"Mrs. Glass enlisted her friends and they collected infant nursing bottles which were sent to Korea. The group soon decided to raise funds as well for powdered milk to fill the bottles.

"Their fund-raising event will be a fashion show at 8 p. m., May 7, at the Athenaeum, 813 East Kilbourn Avenue. The independent group recruited the help of more than 17 professional and nonprofessional dressmakers to make summer apparel which will be modeled and sold at the show. Materials were donated by Milwaukee merchants.

"When Mrs. Adams learned of the group's plans she wrote: 'Our objective (if you agree) is that your money establish a model bottle feeding milk station, under the supervision of Dr. Cho, pediatrician at Severence Union Medical College. This institution is interdenominational and it is soon to build its main hospital (and college buildings ultimately) at Chosen Christian University which was founded by Grace Harkness' grandfather.

" 'There is so much malnutrition in Korea,' Mrs. Harkness said. 'It is not unusual to see infants lying in a ditch. The model station will strive to teach the young mothers supplementary feeding. It will be staffed by nurses and Korean Christian volunteers.'

"Mrs. Ellis O. Briggs, wife of the American ambassador in Korea, was told of the show to benefit the infants. She wrote Mrs. Glass, enclosing a check for a ticket. 'Please let me feel I have a part in your effort by buying a ticket. There have been a few milk feeding programs but none for infants. I saw one started in a refugee school in Pusan for children. Mothers and teachers in the school built a little outdoor kitchen and did all the preparing and serving. A kind of gruel with rice was made and eaten with gusto by the children who were not accustomed to straight milk. It was terribly hard to decide which children were to get it, as there were 1,200 in the school but finally 500 of the thinnest were chosen. They were able to weigh them, and in 1 month most of them gained two pounds,' her letter read.

"The show is open to the public. Chairman of the event, Mrs. Glass, will be assisted by Mrs. Sidney Persion, solicitation and donations; Mrs. Edwin T. Lee, tickets; Mr. H. V. Ballam, advisory, and Mrs. Harkness, treasurer."

The Milwaukee Journal, in turn, has written in part about the project:

"Six thousand miles separate Seoul, Korea, and the stage in the Woman's Club of Wisconsin. Well-groomed women and children modeling late spring and early summer apparel are quite different from starving Korean children standing in line at a milk station in one of the small villages outside of the Korean capital. But the route from Milwaukee to Seoul is direct for one independent group of Milwaukee women."

It seems to me most appropriate that America's dairyland should incubate a dairy project of this nature.

Milk is the basic sinew of Wisconsin's farm economy. Milk is the sinew of all life. We begin life with milk and, unfortunately, too many of us get out of the milk-drinking habit.

Today, America is faced with a so-called dairy surplus. This dairy surplus would be wiped out overnight if every American were to drink one more glass of milk per day.

But, until we do increase dairy consumption to sufficient levels, we have got to find constructive uses for the surpluses. We have got to use every ounce for constructive purposes. I can think of few better uses than to feed hungry stomachs abroad, and I can think of no people more deserving of our aid than that magnificient little country which stood the test as no people in this century has stood such a test of aggression and which has gallantly paid so terrible a price in blood and destruction.

We are bound today to Korea by a pact of mutual defense, but we are bound by ties infinitely closer—the ties of one brave people whose sons have shed their blood with another people, the ties of one people who have proven that they are willing to die on their feet, rather than live on their knees with another people who have demonstrated that very same fact.

Right now the American Korean Foundation, under the able general chairmanship of Gen. James A. Van Fleet, is collecting necessary funds for Korean relief. I cannot urge too strongly that my countrymen dig down into their pockets as this countrymen dug down into the foxholes to maintain Korea free and independent.

I want to congratulate all the folks who are working with the American Korean Foundation, and I want in particular to congratulate all of those who, known or unknown, independently or together, are working for Korean relief projects as these women of Milwaukee County are working.

Like a candle which pierces the darkness with light, so their outstanding deed sets an example which all men and women can see and be inspired by from afar.

REPLY BY MEMBERS OF ITALIAN PARLIAMENT TO COMMUNIST ATTACKS UPON AMBASSADOR CLARE BOOTHE LUCE

Mr. FERGUSON. Mr. President, on May 3, as shown on page 5825 of the RECORD of that date I made some remarks on the floor of the Senate in relation to speeches by approximately 30 Communist in the Italian Parliament with reference to our Ambassador to Italy, Mrs. Clare Boothe Luce. I said at that time I was confident that the Italian Government would make a vigarous reply to the Communists. I have received a memorandum which I should like to insert in the RECORD as a part of my remarks. It comes from Alberto Tarchiani, Ambassador from Italy to the United States, who states in a letter to me that not only is Mrs. Luce "persona grata" but is "gratissima" to the Italian Government. I know that the Members of the Senate, the people of the United States, and all who believe in real democracy and not the sham democracy of communism, will be grateful to know that steps have been taken in the Italian Parliament with reference to the matter.

Mr. President, I ask unanimous consent that the letter and memorandum may be printed in the RECORD as a part of my remarks.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

AMBASCIATA D'ITALIA,
Washington, D. C., May 3, 1954.

The Honorable Senator HOMER FERGUSON,
Senate Office Building.

MY DEAR SENATOR: I have noticed in an Associated Press dispatch that today you have "protested attacks made by Communists in the Italian Parliament on Mrs. Clare Boothe Luce," and that you have told the Senate that you are confident the Italian Government would make a vigorous reply to the Communists."

I am pleased to tell you that this vigorous reply has already been made by our Foreign Minister, On. Attilio Piccioni, who speaking in the Senate last Thursday, the 29th of April, rejected the attacks of the Communists and declared Mrs. Luce not only "persona grata" but "gratissima" to the Italian Government.

Another vigorous reply was also made by the Italian Prime Minister, On. Mario Scelba, when the Communists introduced a motion against Mrs. Luce before the Easter recess of the Senate.

I here enclose a dispatch of the Italian news agency ANSA from Rome concerning On. Piccioni's speech.

Believe me, my dear Senator,
Yours sincerely,

ALBERTO TARCHIANI,
Ambassador of Italy.

ROME, April 29.—This morning, as previously planned, an inquiry came up at the senate, presented by 30 social-communist senators, 4 leftist independents, and 1 member from the MSI, soon after the publication in an Italian weekly of statements attributed to United States Ambassador Luce. The inquiry read as follows: "In order to find out whether they—the Premier and the Minister of Foreign Affairs—understand how necessary it is to communicate to the United States Government that Ambassador Luce is no longer persona grata because of her interference in the internal questions of our country, which is inadmissible by and offensive to the highest state authorities, the political personalities and parties, for all Italians." The Minister of Foreign Affairs, Honorable Piccioni, was present at the session.

The inquiry was illustrated and reaffirmed by Senator Lussu. Honorable Piccioni replied that Ambassador Luce has formally denied the statements attributed to her and has qualified the article which has caused the inquiry as nothing but a fabrication. It is not possible to recognize a decisive and definite value to such a denial which therefore does away with any different interpretation of the context of the statement. It must be added that one of the principal exponents of the American journalism, Roscoe Drummond, of the New York Herald Tribune, who was present at the meeting following which the alleged statements were attributed to Ambassador Luce, has characterized them as false in spirit and in substance. Logically, then, the motive of the inquiry falls, and none of its formulations can therefore be considered. Minister Piccioni concluded saying that Ambassador Luce is persona grata, in fact quite grata to the Italian Government, as the representative of the United States of America.

THE GENEVA CONFERENCE

Mr. SMITH of New Jersey. Mr. President, recently some remarks reflecting on the ability of John Foster Dulles, our Secretary of State, have been made, and I desire publicly to express my complete confidence in John Foster Dulles, what he has done, and the manner in which he has been handling a very difficult situation. I wish it to be perfectly clear how one Member of the Senate stands. I know there are many other Senators who take the same stand, but I am speaking for myself.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, a statement made by the President of the United States yesterday morning on the subject of the Geneva conference, pointing out that there was no retreat in any way there, and, that while great difficulties were encountered, the action was in line with our over-all policy. I also ask unanimous consent to have printed in the RECORD an article written by David Lawrence entitled "Red Allegation of a Retreat by Dulles Called Unfounded."

I make this statement because I desire to stress as strongly as I can the importance of our standing behind the President and the Secretary of State in the handling of our foreign relations.

There being no objection, the President's statement and the editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times-Herald of May 6, 1954]

PRESIDENT'S TEXT ON GENEVA

With the return of the Secretary of State from Geneva, there will, of course, be a series of conferences on foreign affairs both within the executive department and between the Secretary of State and bipartisan groups of the Congress. Because of these forthcoming conferences and the probability that the Secretary of State will himself have something to say, and because, also, of the delicate nature of the issues now pending before the Geneva Conference, I shall limit my comment on the Indochina situation to a brief written statement.

United States foreign policy has consistently supported the principles on which was founded the United Nations. A basic expression of this policy was the Vandenberg resolution of 1948. The United States believes in assuring the peace and integrity of nations through collective action and in pursuance of the United Nations principle, has entered into regional security agreements with other nations. Examples are the Inter-American agreement, the NATO agreement, and a whole series of pacts in the Pacific. These arrangements are invariably to assure the peaceful security of the contracting nations and to prevent likelihood of attack; they are not arrangements designed primarily for waging war.

PRODUCED NO SURPRISES

The Geneva Conference, now 9 days old, has produced no surprises. The expressed fears of some have proved unfounded.

It has not been a five-power conference as the Soviet Union tried to make it.

It has not involved establishing express or implied diplomatic recognition by the United States of the Chinese Communist aggressors.

The Korean phase of the Conference has been organized. Here the Communists came up with a scheme for Korean unification which was a Chinese copy of the Soviet scheme for the unification of Germany. Under their proposal no election measures could be taken without Communist consent, and there could be no impartial supervision of the election conditions or of the voting.

This scheme was rejected for Germany. Secretary Dulles tells me that it is equally unacceptable to the Republic of Korea and United Nations members which took part in the Korean war under the United Nations command now represented at Geneva.

The Indochina phase of the Conference is in process of being organized and the issues have not yet been clarified. In this matter a large measure of initiative rests with the Governments of France, Vietnam, Laos, and Cambodia, which are the countries most directly concerned.

ALLIES ADVISED IN ADVANCE

Meanwhile, plans are proceeding for the realization of a southeast Asia security arrangement. This was publicly suggested by Secretary Dulles in his address of March 29. Of course, our principal allies were advised in advance. This proposal of the Secretary of State was not a new one; it was merely reaffirmation of the principles that have consistently guided our postwar foreign policy and a reminder to interested Asian friends that the United States was prepared to join with others in the application of these principles to the threatened area. Most of the free nations of the area and others directly concerned have shown affirmative interest, and conversations are actively proceeding.

Obviously, it was never expected that this collective security arrangement would spring into existence overnight. There are too many important problems to be resolved. But there is a general sense of urgency. The fact that such an organization is in process of formation could have an important bearing upon what happens at Geneva during the Indochina phase of the Conference.

The countries of the area are now thinking in constructive terms, which include the indispensable concept of collective security. Progress in this matter has been considerable and I am convinced that further progress will continue to be made.

TODAY AT GENEVA CONFERENCE—RED ALLEGATION OF A RETREAT BY DULLES CALLED UNFOUNDED

(By David Lawrence)

GENEVA, May 4.—Efforts are being made to repair the cleavage that developed 10 days ago between Great Britain and the United States, and it may be said there is a fair chance of getting back on the track of allied unity.

Whatever the basic cause of the misunderstanding, the fact is that a painful impression of disunity was created upon the minds of American officials both here and in Washington when the British Cabinet seemed to veer away from the principle of united action which Secretary Dulles had carried away as approved after his last visit to London just before the Geneva Conference began.

It is most discouraging to read here the erroneous interpretations which have appeared in some American newspapers concerning the efforts of Secretary Dulles. It is just as wrong to say he lost his leverage here because of what various Republican Senators back home were saying as to argue that an alleged American desire to intervene immediately in Indochina was rebuffed by the British. What went wrong was the timing. There was a sudden reversal in London due to the discovery—after the original commitment to Mr. Dulles was given—that the conference of Asian Prime Ministers in Ceylon was about to meet and that any implementation of a collective-action policy might thereupon muddy the waters there. As it happened, while the resolutions adopted at Ceylon were by no means palatable, they were not as bad as might have resulted if the British Government had not exercised a restraining influence.

NO RETREAT BY DULLES

What some American readers perhaps do not realize is that the United States came here with a constructive and far-reaching policy of collective security to be worked out for southeast Asia and that the departure of Mr. Dulles, far from being a retreat as the Communists are picturing it, was really an important step on his part toward a reinvigoration of the broad American program from the vantage point of Washington rather than Geneva. There are better opportunities in Washington than there are here for consultation between the various nations concerned on a specific project like the southeastern Asia alliance, especially the military aspects.

America's policy has for its object the building up of a deterrent factor which is designed to bring peace rather than war to southeast Asia. But it requires a firm hand and a resoluteness of spirit, to which political leaders on both sides of the aisle in Congress can contribute a great deal by studying the basic principles involved rather than going off half-cocked with criticism of the piecemeal details. These mistakenly portray the administration as being eager to get into the Indochina war but being prevented either by a British Cabinet rejection of such proposals or by the lukewarm attitude of American public opinion.

The truth is Secretary Dulles is working on a plan for the southeast Asian problem which, viewed in either its long-range or short-range aspects, can become a historic move in the world toward assuring peace for a large area of the earth's surface. American public opinion, of course, is not ready for such concrete proposals as the submission to Congress of a joint resolution empowering the President to use our Armed Forces to maintain peace in southeast Asia. There is as yet no understanding in America that the checkmating of aggression in southeast Asia can have as direct a bearing on the safety of the United States as the American policy of repelling aggression in Korea was a step taken for the protection of our interests in Japan and the Philippines.

Just because the British Cabinet hesitated and an ephemeral phase of the problem—the rise and fall of military fortunes in Dien Bien Phu—got the headlines is no reason to underrate the main value of the Dulles policy. Though stymied last week it now bids fair to progress toward a logical and deserved acceptance.

REDS PUT ON NOTICE

It should be borne in mind that if the thesis is accepted that military force is the only language the Communists understand, then the assembling of local allies in and around Indochina is of crucial importance, whether consummated next week or next year. For the relevant fact is that, when America and her allies act in unison to plan a military alliance for southeast Asia, the Communists are put on notice. It would be better for them to agree to a withdrawal of their forces and a peaceful solution now in Indochina than to assume, as they mistakenly do today, that the western allies have weakened and that the Dulles plan was torpedoed in Paris or London or both.

The truth is collective action for collective security is irrepressible as a policy. Its acceptance is inevitable by our allies, and the Geneva Conference before many days have passed will reflect this very important turn of events as American leadership once more comes to the fore.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate bill 2650.

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

Mr. PURTELL obtained the floor.

Mr. GOLDWATER. Mr. President, will the the Senator from Connecticut yield to me for the purpose of allowing me to make a brief statement?

Mr. PURTELL. I shall be happy to yield to the distinguished Senator from Arizona, provided I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. I have a very short statement which I desire to make regarding my amendment.

Some of the critics of this proposed amendment seem to me to make a shibboleth of uniformity among the various States in the field of labor legislation. I wish to deal with two aspects of their argument.

It was of more than passing interest to me that the debate on Tuesday, May 4, found the distinguished junior Senator from Oregon [Mr. MORSE] and the distinguished junior Senator from New York [Mr. LEHMAN] pleading for uniformity as a boon to business and, particularly, of big business, those giant corporations which make and sell goods throughout the Nation.

The Senator from Oregon said at page 5948 of the RECORD:

> Does the Senator from New York agree with me that businessmen—manufacturers and industrialists in all sections of the Nation—are entitled to have assurance of a uniformity of practice in the regulation of interstate commerce, so that their industries will not be subjected to unfair discrimination, or to a different labor policy in one State, as applied to interstate commerce, as compared to that applying in another State?

In reply, the Senator from New York semed to deplore the fact, and it is a fact, that under the proposed amendment a large company having plants or doing business in 43 States might conceivably or possibly be subject to 43 separate and different regulations under State jurisdiction.

I dare say that business, and particularly big business, will welcome the distinguished Senators as champions of business interests.

I should like to repeat, however, what I said in proposing my amendment, that in testifying before our committee, 42 employer witnesses favored restoring to the States the authority they had before Congress passed the Taft-Hartley Act to deal with strikes, picketing, lockouts, and like matters. Only one employer witness, representing an industry in which conspiracies between employers and unions to violate the antitrust law have been notorious, opposed such an amendment.

In the railroad industry, it is the employers, together with some employees, who are defending State laws that forbid compulsory unionism in States having such laws.

I refer especially to the State of Texas, and to the particular case of *Sandsbery* v. *Santa Fe Railroad*, No. 28013, in the District Court of Potter County, Tex. The case was decided February 6, 1954, when the court upheld the validity of the State act.

I also have pointed out that both employers and labor organizations must operate under a great variety of State laws that differ from each other. The corporation laws and those regulating partnerships and voluntary associations, which control the very existence of employers and unions, differ greatly as between the several States. A variety of State blue-sky laws, as well as the Securities Act, apply to corporate stocks. A variety of State laws govern child labor, hours of work for women and children, health and safety standards in the shops, workmen's compensation, accident and health insurance, and a myriad of other subjects.

A variety of State laws govern the internal affairs of unions, the accountability of officials for dispensing union funds, settling conflicting claims of local unions to union funds, the right of members to appeal to the courts from disciplinary measures that unions take against them. A variety of State laws govern the reponsibility of unions for what their officials do. Sixteen States as well as the Federal Government have Norris-LaGuardia Acts in one form or another—even they are not uniform—and the other 32 States do not.

All these regulations apply as well as to employers and unions whose operations are interstate as to those whose operations are purely local.

It seems to me that the distinguished Senators who are so deeply and sincerely concerned about uniformity might wish to see where their reasoning leads them. Do they demand uniformity in all the laws I have mentioned, and particularly those that affect the employer-employee relation? If so, should we cut back the State laws which they imply place employers in one State at a disadvantage with those in another, or should we strive, by making the laws uniform, to take away from the citizens of some of the States the right to compete with others for the business and jobs they need? Should we, by imposing uniform regulations on each industry in all States, take away from the public the benefits that, up to now, we have assumed flow from flexibility in our competitive economy?

Should we, in order to protect employers in one State against possible "discrimination," impose uniform wage rates, uniform pension and welfare programs, uniform paid holiday and vacation programs, uniform hours of work, uniform output per man-hour of work?

Should we, in short, establish a corporate state on the Fascist pattern? I say, "No."

It is my impression that many of the critics of the proposed States' rights amendment in the past, since 1947, have favored repealing the Taft-Hartley Act and restoring the original Wagner Act. Union officials generally, I believe, still favor that course.

If Congress should repeal the Taft-Hartley Act and reenacted the Wagner Act, the States would have still greater authority than the proposed amendment would give them to deal with stirkes, lockouts, boycotts, and picketing. It is only since and because of the Taft-Hartley Act that the theory of preemption, insofar as misconduct of labor organizations is concerned, has arisen.

Why complete uniformity in these matters is important under the Taft-Hartley Act but was not important for 12 years under the Wagner Act and would not be important if we repealed the Taft-Hartley law and reenacted the Wagner Act is something that those who oppose the amendment must find difficulty in trying to explain. That is why, I assume, no one has tried to explain it.

Mr. SMITH of New Jersey. Mr. President, the amendment of the Senator from Arizona, which I have before me, contains a proviso which I think goes part way in meeting my thoughts concerning protection of the rights of workers protected in the Taft-Hartley Act, but I do not think it quite covers the whole field. Some comments have been made on the floor suggesting the present proviso is not quite adequate. I wish to ask the distinguished Senator from Arizona whether he would be willing, before the amendment is submitted to a vote, which probably will be tomorrow, and before the debate comes under the unanimous-consent agreement, to accept additional language which would make the proviso which is now before the Senate a little clearer. I have before me a suggested change. This suggested language was prepared at my request. This change has been prepared by those who are thoroughly familiar with the Taft-Hartley Act. They believe the suggested change would preserve all the protections which workers obtained under the Taft-Hartley law, and which were intended from the beginning by that act. It is a very important point and should be considered.

I ask the distinguished Senator from Arizona whether, in paragraph 2, in line 9, of his amendment, in the proviso, he would be willing to have inserted the letter (A) between the words "may" and "be", and then to incorporate additional language after the last word on page 2, in line 3, so that the amendment would read:

Provided, That no such law may (A) be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act—

That is the way the proviso now reads. Here is the additional language which I suggest—

or (B) be enacted or enforced so as to determine questions of representation affecting commerce or impair the right to bargain collectively granted by this act.

I think that would enlarge the scope of the present proviso. Many Senators have expressed the fear that the amendment as it now reads would in some way interfere with collective bargaining or with the right of representation in interstate commerce cases.

Would the Senator from Arizona be willing to comment on the proposal, and tell me whether he would accept the suggested additional language before his amendment is submitted to a vote tomorrow?

Mr. GOLDWATER. Mr. President, during the debate—and I have reviewed it assiduously from time to time—I have determined that there might be strength to the argument that paragraph (2) of my amendment does not go far enough. I have found that there is some doubt in the minds of some Senators as to the protection which my proposed amendment in its present form affords regarding the full rights of workers as specified and guaranteed by the Taft-Hartley Act.

Several times during the debate I announced that it was my intention, in drawing up the amendment, that all rights of labor now guaranteed by the Taft-Hartley Act be further guaranteed by the amendment as it applied to States rights. I have discussed the question with the distinguished Senator from New Jersey this morning. I have discussed the question with other Senators who are interested in the proposal. I have no objection to accepting the wording suggested by the distinguished Senator from New Jersey.

I believe that the amendment as originally written fully guarantees such benefits and rights, but I do not wish any doubt to be in any Senator's mind when he votes on the amendment. Therefore, Mr. President, I accept the suggested wording of the Senator from New Jersey, and I send to the desk the modifying language.

The PRESIDING OFFICER. The Senator from Arizona modifies his amendment, as he has a right to do.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the modified amendment may be printed and lie on the desk.

Mr. SMITH of New Jersey. I thank the Senator from Arizona.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Arizona as modified.

The LEGISLATIVE CLERK. The amendment as modified reads as follows:

On page 18, strike out all of lines 6 to 16, inclusive, and insert in lieu thereof the following:

"(c) Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—

"(1) to exercise its police powers, and to deal with labor disputes causing, or likely to cause, emergencies affecting the health or

safety of citizens of such State or Territory; or

"(2) in any other case, to give effect to its law: *Provided*, That no such law may (A) be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act, or (B) be enacted or enforced so as to determine questions of representation affecting commerce or impair the right to bargain collectively granted by this act."

The PRESIDING OFFICER. The amendment will be printed as modified.

The question is on agreeing to the amendment of the Senator from Arizona, as modified.

Mr. GOLDWATER. Mr. President, I accept the language as modified.

The PRESIDING OFFICER. Does the Senator from Arizona yield the floor?

Mr. GOLDWATER. No; I have just a few words more to say, and then I shall return the floor to its proper owner.

Mr. President, I have said before, and I repeat, that in my view we should have a national policy on collective bargaining. I believe that, having such a policy, no employer, no labor organization, no State should have the right to defeat or impair it. I have felt, and I still feel, that, properly construed, the amendment I proposed would, in its original form, have preserved that policy.

In order to dissipate sincere doubts as to the effect of the amendment, I am perfectly willing to spell out in the amendment that no State may impair the right to bargain collectively and that no State may supersede the right of employees under section 9 to choose their own representative, or substitute for the procedures section 9 sets forth procedures of their own for determining representatives.

I have given much earnest thought to every aspect of this question. I am thoroughly satisfied that, as modified, the amendment meets every reasonable doubt as to its effect and every reasonable objection to it.

I wish to thank the distinguished Senator from Connecticut for having yielded the floor to me.

Mr. PURTELL. I am very happy to have yielded to the distinguished Senator from Arizona.

Mr. UPTON. Mr. President, will the Senator from Connecticut yield so that I may ask the Senator from Arizona a question?

Mr. PURTELL. Mr. President, I had yielded to the Senator from Arizona with the understanding that he would take not more than 5 minutes. I believe the proposed amendments will be debated tomorrow, when questions may be asked. However, if the Senator from New Hampshire wishes me to yield in order that he may ask the Senator from Arizona a question, I am happy to yield to him.

The PRESIDING OFFICER. The Senator from Connecticut yields with the understanding that he does not lose the floor.

Mr. UPTON. Under the proposed amendment, the right of collective bargaining is guaranteed to labor organizations and to management. There is nothing in the proposed amendment about the right to strike, which is a separate and distinct right under the National Labor Relations Act. Will the Senator from Arizona tell us whether he understands that the right to strike will be preserved to employees under the proposed amendment?

Mr. GOLDWATER. In answering the question of the Senator from New Hampshire, I should like to suggest that if he will refer to the original debate appearing in the CONGRESSIONAL RECORD, he will find that the right to strike is protected in section 7. I do not know the exact wording, but the language provides for "such other action," and that has been construed as meaning the right to strike. As I construe my amendment, it would certainly protect the right to strike.

Mr. UPTON. Would the Senator from Arizona be willing to have included in his amendment language protecting the right to strike?

Mr. GOLDWATER. I do not believe such language is necessary, because such a right is already guaranteed. It would be guaranteed further under the wording which I have just accepted, which guarantees the right to bargain collectively.

Mr. PURTELL. Mr. President——

The PRESIDING OFFICER (Mr. BUSH in the chair). The Senator from Connecticut has the floor.

Mr. PURTELL. Mr. President, I have submitted an amendment to Senate bill 2650. The amendment requires that a secret ballot be taken prior to the beginning of a strike in any labor dispute coming within the provisions of the Labor-Management Relations Act, commonly known as the Taft-Hartley Act.

I think Senators are entitled to know the attitude with which this problem was approached and the atmosphere in which the amendment was prepared. Let me make it plain now that not only am I not antilabor but, to the contrary, I consider myself truly prolabor. Not only is the amendment not antilabor but I believe it is prolabor. Its enactment would in nowise weaken organized labor; to the contrary, I believe it would strengthen organized labor. I accept the charge that the amendment would not benefit some types of labor leadership; but, Mr. President, it is my firm conviction that the adoption of this amendment would strengthen the hands of decent labor leadership. Certainly most labor leadership is decent; but when we speak of labor we are speaking of the rank and file of labor, organized or unorganized, subject to the Labor-Management Relations Act.

Before further discussing the amendment, I should like briefly to discuss some of the basic concepts that pertain to the rights of workers and their labor organizations.

The Labor-Management Relations Act, as its very name indicates, provides that "in order to promote the full flow of commerce, to prescribe the legitimate rights of employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing interference by either to the legitimate rights of the other," and, Mr. President, this is most important, "to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, and to define and prescribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce."

First, I wish to make it very plain that organized labor is here to stay. It has become, and properly so, an integral part of our whole economic structure. It has been effective in bettering the material welfare of its members. Its growth has been rapid; and, with this growth, the impact of its actions on our economy and on the public has of course, also increased. Obviously, its responsibilities to its members, to those with whom it bargains, and to the general public, as well, have likewise increased.

A labor union exists for the purpose of expressing the will of the individual members who make up the organization, and also for the purpose of representing their legitimate interests in regard to their relations with their employers. A labor union, therefore, which does not properly express the will of its members is not performing its true function, Mr. President. When a union becomes the instrument of a minority group who substitute their own will for the will of the majority of the membership, the basic principle of unionism becomes distorted; and when this occurs, the role of the union changes from that of the servant of its members to that of master and oppressor of the rank-and-file membership. The natural evolution of this type of unionism leads to a situation in which the organization becomes the political tool of those who control its machinery, and it exists for the purpose of serving their ends. In these circumstances, the individual workers may well be worse off under such a union than they were before they formed a union at all. I wish to emphasize that today there are in the United States vast numbers of labor unions which are closely attuned to the wishes and desires of their members, and which seek to act only in conformity with such wishes and desires.

It is not my purpose, therefore, to impugn in any way the integrity of such unions or their leaders. On the contrary, I believe that through their intelligent and able cooperation, our system of society will continue to provide the foundation for greater prosperity and happiness for our Nation.

Our laws should be designed, therefore, to protect the legitimate exercise of the function of unions against any persons who would attempt to frustrate or subvert such legitimate activities. The underlying purpose of the National Labor Relations Act is to protect the rights of individual employees.

Mr. President, I wish to emphasize that the protection which this law affords to activities of unions is derivative; that is to say, union activities are protected only because they derive from, and are in furtherance of, the rights of the individual members to bargain collectively with their employers. At present, the law makes it unlawful for an employer to interfere with the formation

or administration of any labor organization; and adequate sanctions are provided in that connection. A fact we must face, however, is that threats to voluntary association in labor unions come, not alone from employer interference or domination, but also from individuals within labor organizations who would subvert the legitimate functions of the organizations to their own ends. In this respect, of course, labor unions are not unique; this is a problem which is common to all types of organizations which are affected with a public or quasi-public interest.

It is my very strong conviction that if, in connection with Taft-Hartley Act amendments, we establish certain reasonable safeguards and protections against those abuses, which in their end result weaken true labor unions, we can truly say we are helping to strengthen such unions. Mr. President, when a community prescribes certain traffic laws to be observed by those who use its streets and highways, there is no implication that all motorists are a menace to society. The traffic laws are accepted as an orderly means of maintaining the flow of traffic, for the good of the community. Similarly, our antitrust laws do not suggest that all business organizations have monopolistic objectives. On the contrary, Mr. President, the antitrust laws are based on the premise that the vast majority of businesses, in carrying on their legitimate functions, need protection against the very small minority who might engage in restrictive practices, to the detriment of the many.

It is in this light that we approach the problem of labor-management legislation. If all employers and all labor unions at all times scrupulously observed the rights of each other, and particularly the rights of the individual workers, there would be no need for any legislation of this character. It is a fact of life, however, that situations arise whereby the rights of one party are infringed or violated by another. When this condition affects the paramount public interest, it is necessary for public authority to take action to correct the situation.

In the conduct of union affairs, the strike weapon is a very valuable adjunct to the union's collective bargaining processes. The strike weapon is a legitimate weapon when it is used in support of legitimate union purposes. Without the strike weapon, the economic strength of unions would be greatly diminished. At the same time, however, it must be recognized that strikes are drastic measures which frequently have very grave consequences in terms of the welfare of the workers affected, the business of the employers, and the interests of the general public. Even when properly used for legitimate purposes, strikes have serious consequences for those who are directly affected. The income of the worker and his family is cut off; the employer's investment in his business is jeopardized; the public is deprived of the goods and services which are halted by the strike; and frequently the jobs of other workers in other industries are adversely affected. Moreover, the backwash of resentment and ill will which results from strike situations inevitably leaves it mark upon the employer-employee relationship and upon the community as a whole.

In the employee-employer relationship there is nothing which so vitally affects the individual employee as the loss of his pay when he is called out on strike. In such an important decision, he should have an opportunity to express his free choice by secret ballot held under Government auspices. In such an important decision, the worker should have an opportunity to express his free choice by secret ballot, so conducted that he shall be free from coercion, intimidation, threat, or restraint, whether from union leaders, fellow workers, or employers. I hold that a secret ballot under Government auspices would assure him free expression.

Mr. President, I have had some experience as an employee, and likewise I have had some experience as an employer. I have sat at bargaining tables. I have also sat in hearings and listened to vivid descriptions of strike situations where it appeared that the strike was called without the approval and support of the majority of the workers involved. The consequences of such strikes are not to be minimized. These situations may erupt into violence and bloodshed and serious destruction of property—and rarely, if ever, are these strikes settled to the satisfaction of the worker or the employer. No one gains from such strikes, least of all the individual employees who have been deprived of a voice in a matter which so greatly affects their interest and well-being, and the interest and well-being of those near and dear to them.

I am confident that disruptive and unpopular warfare would be greatly reduced, most importantly, the right of workers which our Federal labor law seeks to guarantee, would be made more secure by a secret strike ballot. In recognition of this principle, President Eisenhower, in his labor message to Congress on January 1954 specifically pointed out that in the employer-employee relationship there is nothing which so vitally affects the individual employee as the loss of his pay when he is called out on strike, and the President further stated that he should have, in such an important decision, an opportunity to express his free choice by secret ballot held under Government auspices. The President's recommendation in this respect is fundamentally sound, and in my opinion deserves complete support.

In developing the procedure set forth in this amendment, I have listened to testimony of others. I have discussed it with and sought the advice of many. I have approached this problem with the object in mind of arriving at the most fair and effective procedure for a strike ballot. The proposed amendment is sound and workable and will not interfere with, nor diminish, the legitimate exercise of the right to strike, but will afford protection for the affected worker against arbitrary and unreasonable strike action.

Mr. President, my amendment provides, first, that—

(i) No strike shall be called by a labor organization—

(1) Until the Federal Mediation and Conciliation Service has certified to the Board that a threatened strike cannot be settled by mediation.

Let us use all the mediation and conciliation we can, but when it has been exhausted, let us require the Federal Mediation and Conciliation Service to certify that an impasse has been reached.

(2) until adequate notice is given the employees in the collective bargaining unit or units affected, of the status of the dispute at the time of such certification.

In other words, "What did management offer? What did the labor organization ask for? What has been the final offer, and does labor wish to accept it?"

(3) unless and until a majority of the employees voting in such bargaining unit or units shall have voted by secret ballot in favor of such strike and the results of such vote shall have been certified to such labor organization and to such employer or employers concerned.

That is a very simple and democratic way. The question shall be determined by a majority of those voting in the unit. That means that all those in the affected unit will have a right to vote. However, the decision is not predicated upon a majority of those eligible to vote. I wish to make it clear that it means that a majority of those who cast a ballot shall determine whether or not a strike shall be called.

Any such secret vote shall be conducted by the Board which may utilize other Federal, State, or local agencies whenever available. Such agencies may be reimbursed for such services. A certification by the Board that a majority of the employees voting have cast their ballot in favor of a strike shall be valid for the purposes of this subsection for a period not to exceed 30 days from the date of such certification.

(j) For a period of 1 year following a determination by the Board that a labor organization has commenced a strike without complying with the requirements of the preceding subsection, no petition filed by such labor organization pursuant to subsection (c) of this section and no charge made by such labor organization pursuant to subsection (b) of section 10 shall be entertained by the Board nor shall such labor organization be deemed the exclusive representative for the purposes of collective bargaining within the meaning of subsection (a) of this section.

There are sanctions. Those sanctions, I believe, are reasonable. It is not our purpose to make such action an unfair labor practice, but I think certain sanctions are necessary.

I invite attention to the fact that this proposal utilizes existing machinery of government.

I have sought to ascertain some of the objections to the secret strike-ballot principle. I might say the vociferous criticism has come from some leaders of organized labor, but I have heard criticisms of it from management leaders also. But all information available to me indicates that it meets with the overwhelming approval of the rank and file of union members, and approval of the general public as well. I am interested in the rank and file of union membership.

I do not wish to start a controversy with respect to the merits of the public-opinion polls, but I believe it is worth-

while to point out that the results of a poll conducted by Dr. Gallup, February 1954, showed that after the President's proposal had been sent to Congress union members had expressed themselves strongly in favor of a strike-ballot amendment to the Taft-Hartley law. Even in union strongholds like Pittsburgh, union members were more than 5 to 1 in favor of a secret strike-ballot requirement in the law.

In my opinion, this is a very significant indication that union members themselves attach such great importance to strike decisions that they feel they should be submitted to a referendum of the membership.

It is charged that secret strike-ballot requirements in the Federal law would constitute undue interference with internal union affairs, and would be an unwarranted intervention by the Federal Government in labor-management relations. I am not impressed by this objection.

It may be noted that the National Labor Relations Act now requires an election by secret ballot in four different types of situations; namely, selection of bargaining representatives, decertification of bargaining representatives, deauthorization of union-shop contracts, and emergency strike situations.

This is no new thing. It is a part of the law. We already have the agency to supervise the ballot. All we have to do is to see to it that a secret ballot is had in the case of a threatened strike, as well as in the four other types of situations in which the secret ballot is employed today by the same Board.

This policy of encouraging individual employee participation in decisions which vitally affect their interests finds further expression in section 203 (c) of the Taft-Hartley Act.

I am not talking about proposed amendments now. I am talking about what is in the Taft-Hartley law. Section 203 (c) of the Taft-Hartley law directs the Federal Mediation and Conciliation Service to seek to induce the parties to adopt a secret-ballot procedure as a method of settling disputes which exist between them.

All these provisions of the law are manifestations of congressional recognition of the overriding importance of permitting individual employees to participate fully in decisions made by their labor organizations which vitally affect their interests. Strikes affect the interests of employees more substantially than any other form of labor-union action. A day on strike is a day without pay. It seems wholly reasonable that if an employee is given a voice in matters such as selection of bargaining representatives and deauthorization of union-shop contracts, he should be permitted a voice in determining whether he should lose a substantial portion of his wage income by strike.

The act now projects itself to some extent into the internal operations of unions. The law presently so provides. It requires that they report their finances, that they report their organizational structure, that they take a non-Communist oath, that in cases where contracts are in existence they notify the Conciliation Service before a strike can be called, and that they give a 60-day notice to the employers in such cases as well. All these so-called interferences with unions are safeguards of the employees' rights. These regulations are necessary to protect the rights of the employees which was the chief purpose of the Taft-Hartley law. Unions cannot make political contributions; they may not check off an employee's dues without getting his individual written authorization. These are regulations imposed upon the unions as of now. There would be nothing to the Taft-Hartley law if it lacked regulatory provisions; and if we are regulating—and the Taft-Hartley law is a regulatory statute—then let us see that we regulate fairly and that we protect the interests of the workers. We must never forget that the underlying purpose of the National Labor Relations Act is to protect the rights of the individual employees.

I have heard another criticism, to the effect that the cost would be prohibitive. Certainly, if it is agreed that in the interest of diminishing labor disputes, it is important by secret governmentally conducted ballot to protect the worker in his right to select his bargaining representative, then in that same interest of diminishing labor disputes, it is certainly as important to protect, by secret ballot, the worker in his exercise of the right to strike.

Mr. President, this is significant. Let me point out that today, under the Taft-Hartley law, about 10,000 governmentally supervised secret-ballot elections in representation cases are conducted each year. That is done today, and we do not consider the cost too high. I have not heard any criticism of it. In the light of that fact, how can anyone reasonably argue that to use the same machinery to conduct the same kind of secret ballot in the matter of a strike for a maximum of less than 5,000 cases will be too costly? That does not make sense to me.

If the Federal Government is willing, as it is, to send its agents into every nook and cranny of the land to handle 10,000 representation cases a year, certainly it should not hesitate to send them into the same nooks and crannies to handle less than half that number of strike-vote cases a year.

There is another significant point I should like to make. The total budget for the NLRB is less than $9 million. The function of the NLRB is not only to conduct approximately 10,000 representation elections a year, but, in addition, it maintains its hearing examiners, decides questions involving unfair labor practices, investigates unfair labor practices, and performs other related duties.

As I have pointed out, the average number of strikes of all kinds and character average fewer than 5,000 a year. By the best estimate that can be had today of the cost of conducting secret strike elections, it is less than one and a half million dollars a year—and I believe I am being extremely liberal in estimating it at one and a half million dollars a year—and that truly seems a very small price, as the President in effect said, to assure the workers the right of decision. What a picayunish amount, when compared with the loss of wages, earnings, and, yes, taxes, from strikes which the proposed amendment might well avoid.

Last year I was furnished the approximate costs by the Honest Ballot Association, as follows:

100 to 500 employees	$75 to $200.
500 to 1,000 employees	$200 to $350.
1,000 to 2,000 employees	$350 to $600.
2,000 to 3,000 employees	$600 to $900.
3,000 to 4,000 employees	$900 to $1,100.
4,000 to 5,000 employees	$1,100 to $1,500.

If voting machines are used, the cost for 1 voting machine is $125 and for 16 voting machines $66 apiece.

Nine hundred and ninety-nine persons may vote on a voting machine.

From other sources of actual experience the cost has run as high as 50 cents for each employee, but the ballots in that case were taken in almost inaccessible places at times. That was the coal strike, and secret strike ballots were held in 4,000 different units. The cost averaged only 50 cents for each employee. Yet some persons refer to the so-called prohibitive cost of holding secret strike elections.

Let us forever dispose of the argument, therefore, that the cost would be prohibitive. It is not so.

I have heard the objection that a strike-ballot provision in the law is unnecessary, because most unions provide for a strike ballot in one form or another prior to the calling of a strike. We explored that question.

All we want is the truth. What are the facts, Mr. President?

We have received some data from the Labor Department relative to an examination of the constitutions of 112 major unions covering more than 80 percent of union members in the United States.

Of the 112 union constitutions examined, 49 did not require a strike vote, while 63 did require some form of strike vote. However, let me make it plain that these are not all secret strike votes. Action under them may amount to merely the statement, "We had better have a strike vote on it." Of the 63, 30 required a secret strike vote, 2 simply provided a vote by ballot, but did not specify that the voting must be by secret ballot, 11 provided for a referendum—and I do not know what that means—and in 20 cases there was no reference at all as to how the strike vote should be taken.

In other words, only 30 out of 120 unions required the ballot to be a secret ballot. The strike vote, therefore, in many of the other cases might, in effect, involve only a show of hands at union meetings, with only a small percentage of the membership present.

I may say that in some cases—and I concede they are isolated cases—if in a union hall the question came up whether the employees wanted a strike vote, the question might well be put: "All those not in favor of a strike, stand up." Is that a strike ballot? Do we need a secret strike ballot? Of course we need one.

Studies conducted by the New York School of Industrial Relations at Cornell University show that attendance at regular meetings of the large industrial

unions average from 2 to 8 percent of the total membership. Participation in strike votes is usually somewhat higher than attendance at regular meetings, but rarely approaches 50 percent of the total membership. On the other hand, when balloting is conducted on company premises, as high as 90 percent will take part in elections.

There have been irregularities in union-conducted strike ballots, but such cases are certainly in the minority. I stress that fact. It is not my wish or desire to impugn the honesty or integrity of the unions or of union leadership generally. However, let me point out that in virtually all cases in which union constitutions require a vote—and of 112 constitutions, 49 do not—participation in union-conducted strike ballots is limited to union members, although, as I pointed out before, nonunion members are bargained for by the unions, and they may constitute a substantial percentage of the employees in the bargaining unit, sometimes as high as 49 percent.

We will perhaps hear the argument made on the floor of the Senate, as I have heard it made elsewhere, that there is no greater justification for requiring a strike ballot among employees than there is for requiring a similar provision for polling the views of stockholders of a corporation in regard to the issues involved in a labor dispute. That analogy simply will not stand up. Strikes are initiated by representatives of the employees, and therefore the employees should have a right to participate in the decision. They initiate them, and they should know what they are initiating. The proper analogy would be the imposing of a lockout by employers, and in that case I would heartily favor legislation which would give stockholders the right to vote on the lockout, except, of course, that the National Labor Relations Board has already determined that lockouts are illegal. Stockholders' rights are, by State laws, protected against malfeasance or misfeasance on the part of corporate officials. So, the attempt to draw such a parallel approaches the ridiculous.

The stockholder of a corporation may sell his stock and sever his connections with the company at will, but the individual employee does not have such a free choice with respect to his employment rights or his relationship with his collective-bargaining representatives.

Corporate officials are subject to a cause of action on the part of stockholders, if their acts can be construed as being detrimental to the interests of any minority stockholder. But what right has the individual worker, called out on strike by a union official? What right of action has he against a union official? What recovery has he got against the abuses of arbitrary action by his union leader in the matter of a strike? The question of democratic participation in a decision which can mean a reduction of wages or loss of complete income is infinitely more important than a decision which deals with such things as dividends. Oh, there is little meat in this argument; but there is probably as much meat in it as I can find in any of the arguments advanced against the secret strike ballot.

The claim is made that experience has proven that strike votes are ineffectual because they are always won by the union advocating the strike; and as an example of this, the experience under the Smith-Connally Act during World War II is referred to. It is well to examine the facts. Now let us see what the facts were in the Smith-Connally Act: First, this was a wartime measure and in view of the then existing no-strike pledge, an employee voting in favor of strike knew that in fact, no strike would occur, and that his vote would merely qualify the dispute for consideration by the War Labor Board. But what was the question that went on that ballot? It is interesting to note what it was. The question was: "Do you wish to permit an interruption of war production in wartime as a result of this dispute?" That was the question that went on the ballot. How different that is from a strike ballot when we are not in war.

In spite of that, under the Smith-Connally Act, there were involved 2,100 strike votes, although the workers knew they would not go out on strike; but even in those cases and under those circumstances in 300 unions the membership voted against the strike.

Cited at times by the opponents of this measure is the experience of the union shop authorization elections under the Taft-Hartley law. There is no parallel between the interest and action which an individual might take in a strike vote, and his interest and action in a union-shop vote. But, again, it is claimed that the "last offer" vote suggested by the present law, was a failure. As a matter of fact, when the Conciliation Service followed that suggestion during the period from August, 1947, through June 1948, the employer's last offer was accepted in 55.4 percent of the cases in which a vote was taken.

I desire to make it perfectly clear that this is no strike-breaking or union-busting amendment. I would not be a party to such legislation. Testimony such as received from some labor leaders indicate that they have insisted that the workers universally support their leadership in strike vote situations. If this be true, why should they oppose the secret strike ballot? If this be true, what is any labor leader to fear from this amendment? If their opinions are correct, will not the secret strike ballot strengthen their hands, verify their statements, and unify their leadership? I was shocked to find union leadership opposed to this amendment. Can it be that I have more faith in the worker and in union leadership generally than have they? I have no fear that the worker guaranteed the right of decision in the matter of a strike will not exercise intelligent judgment.

The objection has been raised—but not too loudly—that this amendment is an interference with bargaining. To the contrary, it encourages bargaining. It specifically provides that bargaining shall be exhausted, in the opinion of the Conciliation and Mediation Service, before any strike ballot is taken. Then, the further but even weaker objection has been heard that management might well make a further offer subsequent to the certification by the Mediation Board; and therefore, the workers would not be apprised of it. There is nothing in the Taft-Hartley law, and nothing in this proposed legislation, that prevents management from indicating in a proper and conspicuous way, right up to the day of the balloting, any changes it wishes to make in its final offer. And if the union should find such final offer acceptable, there is nothing in this amendment which would prevent the Board from calling off the election at the request of the employer and the union which had accepted the final offer. There is nothing at all that in any way prevents union and management at any time getting together in adjusting their differences. It is my belief, that the result of this amendment may well be, that management's best offer may be forthcoming much quicker because of it.

Now, let us examine the argument that a prestrike vote diminishes the effectiveness of the union's weapon of the strike timing. What are the facts? Under the present law, where a contract is in effect, the union must give a 60-day notice before striking. This does not indicate that the union is free to time its strike as it sees fit. Labor leaders who testified before our committee asserted that before striking they always consulted their membership. If this be so, it diminishes the effectiveness of the timing of the strike. No, the plain truth is, that as unions become more responsible and management also becomes more responsible, the strike-without-notice—the surprise strike—the "quickie," is rapidly becoming a thing of the past, since there is no further need for it under the protection of the law itself.

Mr. President, I am deeply convinced that some means must be provided in the law to prevent unjustified and harmful deprivation of the rights of workers in the determination as to whether or not they shall strike. We should protect the innocent victims of impetuous, thoughtless, unfit union leadership in the matter of strikes and to give the added protection, too, to responsible labor leadership—and I might say most leadership is responsible—when strikes are called. A secret strike ballot by all of those in the bargaining unit will forever remove any doubt as to whether or not the affected workers wished to strike. The responsibility is placed where it properly belongs, on the workers affected, on the boys who pay the price.

I am convinced that many fruitless and unpopular strikes may well be avoided when the rank and file workers can express their will and desire in the matter of instituting such strikes.

The rights of workers which the Federal policy seeks to guarantee should in this respect be made more secure. In recognition of this principle, President Eisenhower, in his labor message to Congress, on January 11, 1954, said:

> In the employer-employee relationship there is nothing which so vitally affects the individual employee as the loss of his pay when he is called on strike. In such an important decision, he should have an opportunity to express his free choice by secret ballot held under Government auspices.

Mr. President, the worker is not assured of that free choice today. It is in our hands, my colleagues, and in ours alone, in this Congress, as to whether these rights to which he is entitled shall be guaranteed him. Not because I present it, not even because even the President proposed it, but because it is right and just, I urge the Senate to adopt this amendment.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Connecticut yield?

Mr. PURTELL. I am happy to yield.

Mr. SMITH of New Jersey. I wish to commend the distinguished Senator from Connecticut for the presentation of his amendment. As I stated in my supplemental views to the committee report, I am seeking to find a formula for a secret strike vote which we can readily consider, and which will be in accordance with the recommendations of the President of the United States. I think the Senator from Connecticut has presented a very clear case for an approach to the matter, which might be a proper solution, but there are one or two questions which have been called to my attention, which I desire to have the Senator from Connecticut answer, in order to try to obtain as much light on the subject as we can.

Mr. PURTELL. I shall try to answer the Senator's questions.

Mr. SMITH of New Jersey. A question has been raised as to whether it is desirable to require the Mediation and Conciliation Service to certify to an impasse. The position of that Service, as I understand it, is that to require such certifications of that agency might destroy the usefulness of the Service as a mediator.

It has been suggested that if the Mediation and Conciliation Service should be asked to participate in a labor dispute and then is required to make such a certification, the usefulness of the Service in bringing about a settlement of the dispute might be destroyed. That is one question which has been presented to me.

Mr. PURTELL. It is true, and I think Senators should know that Mr. Whitley P. McCoy, Director of the Federal Mediation and Conciliation Service, opposed this particular provision. I think he was speaking about my amendment and the amendment of the Senator from New Jersey at the same time. He said:

> As to the strike vote amendment, I shall confine my comment to the proposal of Senator PURTELL that the Federal Mediation and Conciliation Service certify to the National Labor Relations Board that the dispute cannot be mediated. Such a statement, though not as a formal certification and not provided for by law, is, in practice, sometimes made to the President in the case of emergency disputes.

He is saying he does that now. I continue to read:

> So it may be said that there is precedent in practice for it. Certifications to the War Labor Board also furnished a seeming precedent. But to extend this device to all disputes, as a prerequisite to a strike, would in my opinion be most unwise.

Let us examine the reasons given by Mr. McCoy:

> In the first place it is only in rare instances that anyone can assert with any confidence that a dispute will not yield to mediation. Disputes and strikes are constantly being settled by mediation a few hours or a few days after they looked hopeless. In the case of the rare emergency disputes, if we notify the President that mediation seems hopeless we do so reluctantly and with misgivings, and only because the results of further delay might be disastrous.

There are different degrees of disastrousness. I think it is pretty disastrous when a worker becomes involved in a labor dispute and does not have an opportunity to vote by some valid means on the question of whether a strike shall be called. But I shall not argue the point. I continue to read:

> If we were required to make such certifications with respect to disputes generally—

This is the crux of the question. I read:

> we would find ourselves in an impossible position, a position which would endanger our existence as an effective agency. If we refused to certify, we would be castigated by unions as a promanagement agency engaged in defeating the right to strike guaranteed by law. If we certified too freely or too quickly, we would be requiring strike votes and perhaps precipitating strikes which might otherwise be delayed or prevented. Whichever horn of the dilemma we took, the Federal Mediation and Conciliation Service would lose its reputation for impartiality, and would thus completely lose its effectiveness.

I disagree with Mr. McCoy's conclusions; but there is nothing at all, I may say to the Senator from New Jersey, to prohibit or prevent the Conciliation Service from setting up a separate organization to deal only with this subject and to continue to do its conciliation work as at present.

Mr. SMITH of New Jersey. Then, the Senator from Connecticut is suggesting that the certification simply would be physically located in the Mediation and Conciliation Service, which has the responsibility?

Mr. PURTELL. I examined the matter very closely before I presented the amendment. As the Senator knows, I have been working on the question for a year. I may say that, after having given the question considerable thought, and after having done much research, it seemed to be the sensible way to act, is along the lines of my amendment, because conciliation is available. In many cases the Mediation and Conciliation Service acts because it has been invited to do so, so why not use that Service?

I do not happen to share the fear which Mr. McCoy has. I do not think we should fear anything if we are right; and I think we are right.

Mr. SMITH of New Jersey. I thank the distinguished Senator from Connecticut for his reply. I have another question which I wish to ask him. On page 2 of his amendment, beginning on line 6, I read as follows:

> Any such secret vote shall be conducted by the Board which may utilize other Federal, State, or local agencies whenever available.

The Board to which the amendment refers is, I take it, the National Labor Relations Board.

Mr. PURTELL. That is correct.

Mr. SMITH of New Jersey. Might not other public or private agencies be used, such as, for example, the Honest Ballot League, or whatever its correct name may be, or any other agency at all which the National Labor Relations Board might feel was adequate to take care of the situation?

Mr. PURTELL. I have no objection if the Senator from New Jersey wishes to amend my proposed amendment in order to include such agencies as are not Federal, State, or local agencies, so long as such an agency is selected under the supervision and regulation of the National Labor Relations Board.

Mr. SMITH of New Jersey. I might suggest that in line 7, after the word "local," there be inserted the words "public or private agencies."

Mr. PURTELL. I should be very happy to entertain that suggestion.

Mr. SMITH of New Jersey. It seems to me that such an amendment would clarify that point.

Mr. PURTELL. I should think that the less Congress tried to direct the National Labor Relations Board as to how it shall act, the better the situation would be.

Mr. SMITH of New Jersey. We should endeavor to provide them with sufficient leeway in which to act.

Mr. PURTELL. I shall be happy to entertain the suggestion of the Senator from New Jersey that the amendment be changed or clarified as he has suggested.

Mr. SMITH of New Jersey. I have another criticism of the amendment of the Senator from Connecticut.

On page 2, line 9, the language is as follows:

> A certification by the Board that a majority of the employees voting have cast their ballot in favor of a strike shall be valid for the purposes of this subsection for a period not to exceed thirty days from the date of such certification.

It has been suggested that 30 days is too short a period; that 60 days might be better. I am inclined to think that it might be wiser to make the period 60 days. I think if the possibility of a ballot every 30 days is anticipated, it will be pretty heavy going for the entire machinery. I do not think that is needed. I agree with the Senator from Connecticut that the question of a strike vote should not be left in the hands of the negotiators for an indefinite period. But I wonder if 60 days would not be better than 30 days.

Mr. PURTELL. I may say to my dear colleague from New Jersey that I have no objection to 60 days. I think 30 days is a reasonable time. I do not think the question of time is important once there has been a definition of the time in which the action must take place.

Mr. SMITH of New Jersey. I feel so, too. But the question has been raised.

Mr. PURTELL. I shall be very happy to entertain that suggestion, but I think that making changes on the floor of the Senate, without having thoroughly considered them to find what impact they

might have, is unfair. However, I shall be glad to study the suggestion made by the Senator, and if it can be fitted into the amendment, I shall be glad to adopt it.

Mr. SMITH of New Jersey. I have one more question I should like to ask the Senator from Connecticut, which may be difficult to answer. Suppose workers were substantially unanimous in contemplating a strike, but the Mediation Service had not made any certification that the dispute had come to an impasse. Suppose no action had been taken by the Mediation Service.

Mr. PURTELL. I say to my esteemed colleague that if the Conciliation and Mediation Service fails in its duty, the members involved should be fired.

Mr. SMITH of New Jersey. Suppose there was a sincere feeling that, for example, there would be repentance, and a settlement might be brought about, and the Conciliation and Mediation Service did not wish to make a certification, which would virtually encourage a strike. I am asking the Senator from Connecticut what would happen to the right of a worker to strike in such a situation. I am troubled by that question.

Mr. PURTELL. I might ask the Senator from New Jersey if it is not a fact that the whole purpose, or the most important purpose, of the Taft-Hartley Act is to diminish labor disputes. If there is any possibility of the Conciliation and Mediation Service bringing about a settlement without a strike, I would have no objection to the Senator's sugestion; but if one of the parties should notify the NLRB or the Mediation Service that no further negotiations could be had, I think the matter should be brought to the attention of the Conciliation and Mediation Service, or Mr. McCoy, and action should be taken.

If that is definitely the answer, and they say, "An impasse has been reached," whether on the part of labor or management, and they say further, "We cannot bring about any agreement; bargaining has ended," then secret balloting has to take place. I do not foresee any trouble in that respect.

Mr. THYE. Mr. President, will the Senator yield?

Mr. PURTELL. I have already yielded to the Senator from New Jersey.

Mr. SMITH of New Jersey. I merely wish to say to the Senator from Connecticut that I am propounding these questions because they have been brought to my attention. I feel they should be explored.

Mr. PURTELL. I am happy that the Senator from New Jersey has asked them.

Mr. SMITH of New Jersey. Of course, I think it is important that every possible criticism be brought out in the debate.

Mr. PURTELL. Criticisms should be welcomed.

Mr. SMITH of New Jersey. So far as I am concerned, the Senator from Connecticut knows that it was one of President Eisenhower's recommendations, and I personally am strongly in favor of the Senate passing the secret strike ballot amendment to the act. If it is something on which the Senate can agree, I shall be very happy, as chairman of the committee, to take it to conference, as I shall be in regard to the other matter which was brought up yesterday.

Mr. PURTELL. I wish to pay tribute to the chairman of the Committee on Labor and Public Welfare. I have had the privilege of working under his able direction and as one of his aides. I know of no more pleasant duty than working on the committee of which the very able Senator from New Jersey is the chairman. What I have said is very sincerely meant by me.

Mr. SMITH of New Jersey. I wish to thank the Senator from Connecticut for his compliment, and I wish to thank him for his aid in the deliberations of the committee.

Mr. THYE. Mr. President, will the Senator from Connecticut, yield?

Mr. PURTELL. I yield to the Senator from Minnesota.

Mr. THYE. Assume that a controversy exists between management and labor, and they cannot get together, and a strike or walk-out is inevitable. At that stage, what must be done on the part of the Federal Government?

Mr. PURTELL. I may say to the Senator from Minnesota that at this time, if there is a contract in existence, the union must notify the Mediation Service if it intends to strike. The union must also give notice to the employer of its intention to strike.

Under my proposed amendment, if labor and management are negotiating, or if there is a dispute, the Conciliation Service must be asked to step in. The Conciliation Service steps in and tries to conciliate or mediate. If such conciliation or mediation fails, and representatives of the Conciliation and Mediation Service say, "We have exhausted our efforts to bring about a settlement, and there is nothing left to talk about; there is an impasse; we cannot get a settlement," then the workers must decide whether they will strike or not. The secret ballot then comes into operation.

Mr. THYE. When such an impasse is arrived at, and a strike is inevitable, what does the Federal Government do? Does it say, "You cannot walk out"?

Mr. PURTELL. Yes; there cannot be a strike until a secret strike ballot is taken.

Mr. THYE. In other words, representatives of the Government tell the workers, "You cannot walk out," and then the agency representing the Federal Government has a specified time in which it must prepare to conduct the secret ballot. In the amendment proposed by the Senator from Connecticut, that period of time is 30 days, is it not?

Mr. PURTELL. No; no time is specified.

Mr. THYE. No time is specified?

Mr. PURTELL. No.

Mr. THYE. The Senator from Connecticut made reference to a period of 30 days, and the Senator from New Jersey referred to a period of 60 days. Would the Senator from Connecticut mind telling me what those periods of time referred to?

Mr. PURTELL. I am happy that the Senator from Minnesota has asked the question. Obviously, I had not answered the question in such a way as to make it clear to all, and I do desire to make it clear.

The 30 days referred to the time in which the certification of the secret ballot would continue to be valid. If the workers had voted to strike, but they did not then strike, they could strike any time up to 30 days thereafter. However, subsequent to the period of 30 days after the secret ballot has been taken to strike and a strike had been certified, it would no longer be a valid ballot. The workers must thereafter take another ballot if they wished to strike.

Mr. THYE. Another question occurs to me. Assuming an order for a secret ballot has been entered, and all preparations are made for the ballot to be taken, and the time comes when there is a matter of only 12 hours before the workers proceed with the balloting, and management and the union then get together, and practically arrive at what seems to be a reasonable agreement or possibility of agreement, what would the agency of the Government do, under the amendment proposed by the Senator from Connecticut?

Mr. PURTELL. Management and labor would be free to continue to offer one another terms of settlement which would be satisfactory, until even after the ballot had been taken. The Board could even call the ballot off.

Mr. THYE. Let us try to visualize what a bargaining room looks like when there is a dispute between management and the workers. We can visualize a group in the conference room representing labor, and a group representing management, who have been making propositions, and are about to arrive at an agreement. How is the final decision to be conveyed to the membership of the labor organization? If a ballot has been ordered and preparations have been made for taking the ballot, and the membership of the union has been informed as to what they shall vote on, one member may be away, and the union may not be able to reach him by telephone, or the news may not reach him by radio, but such a member will know that he can go, for example, to Seventh Street, in the city of Washington, and cast his ballot at a certain hour on a certain day.

Mr. PURTELL. May I interrupt so that I may clarify the matter?

Mr. THYE. Certainly.

Mr. PURTELL. It is assumed that the balloting will take place on the premises where the members of the union work, not in a union hall.

Mr. THYE. Under the provisions of the amendment, the Government will specify where the balloting is to take place, will it not?

Mr. PURTELL. Yes.

Mr. THYE. The place for balloting may be on the premises, in the union hall, or somewhere else.

Mr. PURTELL. I know the vote is taken on the premises, unless there are unusual circumstances.

Mr. THYE. The balloting is to occur at the place the Government may designate. I have set through quite a number of conciliation proceedings. I have

sat in on such proceedings when I thought that without question a strike was inevitable, and I have seen an agreement brought about at the last minute. I know the difficulty involved in trying to reach and inform the membership of what a last-minute agreement is. I also know that if a last-minute agreement has been arrived at, and a strike vote ordered to take place within the next 7 or 8 hours, difficulty will be encountered in attempting to reach the membership and inform them that an agreement has been arrived at, and that no vote will be taken, or to inform them that there is a change in policy in the work agreement, or that a new wage rate has been agreed to, or that some fringe benefit has been agreed to.

How is the membership to be notified in the last 4, 5, or 8 hours before the time set for the strike vote? The membership may be spread out over an entire city, or several cities, or they may be away in the country and planning to be back before the time set for the balloting. All such factors must be taken into consideration as the Senate proceeds to lay the very concrete foundation for what we are trying to write into the labor bill.

Mr. PURTELL. May I ask the Senator from Minnesota what kind of foundation he just referred to?

Mr. THYE. The very concrete foundation for what the Senate is going to make as a part of the bill. Once such a foundation is laid, it will be very difficult to change.

Let me say that I have sat through some labor-management negotiations that have lasted for 24 or even 36 hours, without a recess. Finally a truce was agreed to at midnight, although the strike had been set for midnight. However, it was decided to hold the strike in abeyance, either until the next meeting or until the union committee was able to inform its membership of the last offer and the tentative agreement.

In writing proper legislation in this field, we must keep such situations in mind.

Mr. PURTELL. We are not trying to ignore them. Apparently I had not pointed out with sufficient clarity that even if a strike vote is taken, or even 25 days after a strike vote is taken, and after the workers decide they wish to go on strike, if management and labor finally agree, there will be no strike. Eventually there must be such an agreement, or else the union will be defeated, and I do not wish to see that occur.

So under the amendment they will be able to agree at any time. A strike ballot can be taken, and the workers can decide to strike; but if management and labor reach an agreement prior to the time when the walkout is to occur, there is nothing in the law and there is nothing in my amendment to prevent an agreement from being reached.

Mr. THYE. I grant that is true However, I am trying to call attention to the problem involved as negotiations proceed between the committee representing the union and the committee representing the employer. During the give-and-take process between the two committees, there is no way of conveying to the union members the last-minute information regarding the final offer by management or the final demand of the union.

Under the amendment of the Senator from Connecticut, I can foresee a time when the two groups will be in disagreement, and when the committee representing the union will say, "There is no use proceeding further; we will ask the Federal agency to conduct a strike vote, so as to determine whether our members wish to strike."

I know the Senator from Connecticut has that situation in mind. However, my question is this: Under the amendment of the Senator from Connecticut, will the doors to the conference room then be closed? In effect, at that point, will the participants to the conference say, "We are through conferring. We will not negotiate any further?" Perhaps the representatives of the employer will say, "This is our final offer"; and perhaps the union committee members will say, "We will not agree to it." Or perhaps they will say, "We will submit the question to our membership, and will ask them whether they wish to accept your final offer. If they don't, we will proceed to have a vote taken on the question of whether they elect to go on strike."

I point out that under the amendment, the doors to the conference room will then have been closed, and it will then be impossible to have further negotiations, once certification is made as to what the workers will vote on.

Mr. PURTELL. I disagree with the Senator from Minnesota; the amendment does not so provide. Under the amendment, the Federal Government will have nothing to do with the negotiators until they themselves say an impasse has been reached and that they can no longer negotiate. Under the amendment, negotiation will be encouraged. However, at the point where a strike might be called, anyway, the amendment provides that the procedure therein set forth must be resorted to. As a result, all members of the union will have a right and an opportunity to vote.

The amendment provides that when the secret ballot is being voted, the employees in the units affected must be notified of the status of the bargaining at the time when the impasse occurred; they must be notified by the National Labor Relations Board.

What will happen in that particular case is this: The National Labor Relations Board will say, "The management has offered 14 cents an hour, but the union wants 16 cents an hour. The management has offered 7 paid holidays, but the union wants 8 paid holidays." Those facts would be known by the workers when they proceeded to vote. So the amendment would not close the doors at all.

The strike ballot is resorted to only when bargaining has stopped. However, whenever there is a desire to resume bargaining, I am sure it will be welcome by the Government, as well as by the sponsor of the amendment.

Mr. THYE. My point is that after the last offer by management was made—for instance, if the management were offering an increase of 2 cents an hour, as its final offer—but if the offer was unsatisfactory to the committee representing the union, and if there were no agreement between the two groups, negotiations would then be called off. At that point the issuance of a strike notice would be the next order of business, after which a vote would be taken on the question of whether the workers wished to strike. The responsibility of conducting the vote would be that of the Federal agency.

Mr. PURTELL. Yes.

Mr. THYE. However, there must be a time between the holding of the last conference between management and labor and the time when the workers are called upon to cast their ballots or to register their votes by means of voting machines. My point is that there must be a period of time between the closing of the door to the conference room, following the submission of the last offer by management, and the time when the door is opened to the room in which the workers will cast their votes on the question of what they wish to do. There must be a time interval between the two.

I wish to know how much time will be allowed between the closing of the door to the conference room and the opening of the door to the room in which the ballots will be cast.

Mr. PURTELL. It will be the period of time between the time when the two groups decide there is an impasse and the time when the workers walk out, if they do walk out.

Mr. THYE. The Senator from Connecticut is not answering my question in a way that I can understand.

Mr. PURTELL. Let me try to make my reply plainer. If an impasse is reached, it occurs because each party to the conference says, in effect, "I will retreat no further from my original position." That is correct, is it not?

Mr. THYE. Yes.

Mr. PURTELL. If at that time each side insists it will retreat no further, and if no agreement is reached, the Conciliation Service then will enter the picture. However, if each side continues to insist it will retreat no further, there cannot be any bargaining. On the other hand, if management is willing to increase its offer or if labor is willing to decrease its demand a little——

Mr. THYE. Let me interrupt long enough to say that if there is not sufficient give and take between the two groups to make it possible for a proposed agreement to be arrived at, a certified statement to that effect must be posted, and the union members will be informed of it. That certified statement will be a public notice to the workers prior to the taking of the vote.

So my question is this: If, on the other hand, the committee representing management and the committee representing the union finally get together on the basis of subsequent offers, how will that fact be known by a worker who has gone downstate to visit his folks or by a worker who has gone upstate to do a little fishing? It seems to me it will be impossible for such workers to know that

labor and management have gotten together at the last minute. Certainly such a situation is an important factor in connection with a labor dispute, and must be considered.

Mr. PURTELL. If the worker does not know that management and labor have gotten together at the last minute, then when he returns to go on the picket line, he will find there is no picket line, because the boys are working.

Mr. THYE. But if the Senator from Connecticut agrees with me that a negotiating committee cannot arrive at a settlement until the union membership have been notified, and if at that time many of the members are away on trips, and do not know anything about the last-minute agreement, obviously it will be necessary for them to reassemble and be informed. In this situation it does not suffice to say that the worker who has been away will find, when he returns, that the picket line has been removed, because a picket line cannot be removed, once it has been established, until a majority of the union members have been informed of the offer and have agreed to accept it and not to continue the dispute.

I am asking these questions, not because I am in disagreement with what the Senator from Connecticut is endeavoring to accomplish——

Mr. PURTELL. I am sure the Senator from Minnesota is not in disagreement with me as to that.

Mr. THYE. But I am endeavoring to have the facts stated clearly, so we shall not enact legislation which will be administratively impracticable, with the result that we shall find that in ultimate effect it will cause more grief than good, in terms of being of assistance to both management and labor. That is the reason I am asking these questions.

Mr. PURTELL. Let me say in answer to the Senator's question that he knows that under the law they must continue to bargain if there is anything to bargain for. If not, it is an unfair labor practice. So we are not closing the door to bargaining.

Mr. THYE. That is the thing which disturbs me. The Senator is not closing the door, but a notice must be posted as to what the vote is on.

Mr. PURTELL. There must be notice as to what the last offer was when the impasse was reached and the case was certified.

Mr. THYE. It cannot be, because a notice must be printed and made public showing what the vote is to be taken on. That cannot be done in the last hour, or overnight.

Mr. PURTELL. Let us assume that the vote is taken. That vote must be certified, which requires some time. It must be certified both to the employer and the employees that the vote has resulted in a strike, or some other outcome.

Mr. THYE. Yes.

Mr. PURTELL. Certainly in that time, no matter whether a man has been fishing or not—unless he has gone up to Alaska—he can come back and find that the union knows the terms of the latest offer of management, and that the management knows the terms of the latest offer by the union. There is nothing in the law or in my amendment to prevent the employer and the employees from getting together and agreeing that there shall be no strike, even after the ballot is taken. We hope that will be the situation. In the Senator's State, as he knows, there is a secret strike ballot law.

Mr. THYE. I administered the act. That is one reason why I ask these questions. As Governor, I have sat through many conferences, with the committee representing the employer on one side of the room, and the committee representing the labor union on the other side of the room. I acted as moderator. On one occasion midnight was the hour for the walkout, which involved the utilities furnishing electricity to the Twin Cities, the Stillwater Prison, and the St. Cloud Reformatory. The situation was very serious. I know what a conference room is like under such circumstances. That is the reason I ask these simple questions.

Mr. PURTELL. Mr. President, will the Senator yield to me for a question?

Mr. THYE. The Senator from Connecticut has the floor.

Mr. PURTELL. Let me ask the Senator this question: Is it not true that the negotiations to which the Senator is referring related to a strike vote which had already been taken, and that the hour of midnight was set for the walkout?

Mr. THYE. Under our law, there is a cooling-off period, as we call it. A factfinding commission makes an investigation of the question in dispute, and reports to the Governor. The commission states what the situation in the grievance is, and what it recommends. At that stage there is something upon the basis of which the Governor can discuss the case with both sides. I have always described the Minnesota law as affording an opportunity to step back and cool off, to count at least to 10, if not higher, and then proceed in a cool frame of mind to give consideration to the case. The factfinding commission lays before the public, in a public statement, what the grievances are, and what it finds the situation to be. In that manner the parties can proceed to try to bring about a settlement. I have always said that Minnesota has developed a relationship between management and the workers which is most commendable, and which has done much to improve not only working conditons, but all the relationships between management and the workers.

From the national standpoint, I am just as much interested in protecting the worker as the employer. Remember, it is our children who constitute the working population of the land to a large degree. The adult may have a job, but it is his children who constitute the army of workers, whether in factories or in business establishments.

My concern is that when we legislate we should legislate in such a manner as not to tie the hands of the army of youths who make up the force of workers, whether in factories and public utilities, or on the streets of the city. Legislation looking toward negotiations so as to prevent a strike is probably the most important legislation we have to consider. That is why I take it upon myself to ask these questions. I have sat through quite a number of labor disputes. I have been accused by management, on the one hand, of being unreasonable. On the other hand, unions have told me that I was unreasonable. However, many of the settlements arrived at at that time seemed to work satisfactorily and afford security and continued peace between the worker and management in the particular cases in which I helped to negotiate a final settlement.

Mr. PURTELL. I thank the Senator from Minnesota for helping me to explore these new explanations of the act. I am sure that we have covered much ground which I had not covered in my speech.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MILLIKIN, and by unanimous consent, the Subcommittee on Reclamation of the Committee on Interior and Insular Affairs was authorized to sit during the session of the Senate tomorrow.

Mr. KNOWLAND subsequently said: Mr. President, the distinguished minority leader, the senior Senator from Texas [Mr. JOHNSON], called my attention, a short time ago, to the fact that earlier today, while both he and I were absent from the Chamber on committee business, a unanimous-consent request was made, and agreed to, for the Reclamation Subcommittee of the Committee on Interior and Insular Affairs to meet tomorrow afternoon, during the session of the Senate.

Let me say that it has been the custom of the majority leader, as a matter of policy, to have prior consultation with the minority leader before the submission of such requests. Apparently that did not occur in this case.

Therefore, Mr. President, at the request of the minority leader, I now ask unanimous consent that the previously given authority for the subcommittee to meet tomorrow during the session of the Senate be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I wish to thank the majority leader for the request he has made, and I desire to commend him for the courtesy he always extends and for his high standards and integrity.

I knew he was unaware of the request. Undoubtedly, tomorrow will be an unusual day; I assume there will be voting every few minutes throughout the afternoon. It is bad enough to have only 3, 4, or 5 Members present when an important bill is being discussed; and certainly I would not want any committees to meet during a session of the Senate at which it is likely that several votes will be taken. I know the majority leader shares that view, and I appreciate very much the attitude he always takes when such little slipups occur.

Mr. KNOWLAND. Mr. President, let me say that as soon as I called the matter to the attention of the Senator from Nebraska [Mr. BUTLER], the chairman of the Committee on Interior and Insular

Affairs, and to the attention of the junior Senator from Colorado [Mr. MILLIKIN], the chairman of the Reclamation Subcommittee of that committee, both of them told me that if it was the desire of the minority leader to have the order vacated it would be agreeable to them to have that done.

Mr. JOHNSON of Texas. Mr. President, I would be the last to attribute bad motives to either the distinguished senior Senator from Nebraska [Mr. BUTLER] or the distinguished junior Senator from Colorado [Mr. MILLIKIN]. I realize very well, of course, that they are not nearly so aware of the agreements that operate between the majority and the minority as are the majority and minority leaders.

So I am glad the Senator from California has seen fit to act so promptly in this matter; and I wish to thank him again and to express the gratitude and appreciation of the minority for his sincerity, integrity, and cooperation.

Mr. KNOWLAND. I thank the Senator from Texas.

AMENDMENT OF LABOR-MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor-Management Relations Act of 1947, and for other purposes.

Mr. IVES. Mr. President, in opposing the amendment which has been proposed by the distinguished junior Senator from Connecticut [Mr. PURTELL], I am not opposing the principle of a secret strike ballot as a step which should be taken before a strike can be called. For many years I have been endeavoring to discover or devise a just and workable procedure by which action of this nature may be taken, but thus far I have been unable to find a satisfactory answer to this serious problem in labor-management relations. The proposal of the Senator from Connecticut as I see it, provides neither a satisfactory nor a workable means by which to attain the objective which primarily is sought. In fact, instead of contributing to industrial peace, it might well prove a most powerful factor in augmenting industrial strife.

This amendment, which would require a secret strike ballot upon certification by the Federal Mediation and Conciliation Service and under the supervision of the National Labor Relations Board, would write into the Labor-Management Relations Act of 1947—the Taft-Hartley Act—functions which are entirely new and entirely different from any function now required or authorized under the act. I am constrained to oppose this amendment for a number of reasons.

In the first place, the provision in the amendment requiring a certification by the Federal Mediation and Conciliation Service to the National Labor Relations Board that a threatened strike cannot be settled by mediation is wholly unsound and would go far in destroying the use and effectiveness of the Federal Mediation and Conciliation Service itself. In my criticism of this particular provision I need only quote from a statement made by Federal Mediation and Conciliation Service Director Whitley P. McCoy, which appears in part 6 and on page 3289 of the hearings before the Senate Committee on Labor and Public Welfare, on the question of Taft-Hartley Act revisions. The quotation from Mr. McCoy which I am about to read has already been read in large part by the junior Senator from Connecticut [Mr. PURTELL], but I desire to read it now in full, so that it will be in the RECORD in complete context:

> As to the strike vote amendment, I shall confine my comment to the proposal of Senator PURTELL that the Federal Mediation and Conciliation Service certify to the National Labor Relations Board that the dispute cannot be mediated. Such a statement, though not as a formal certification and not provided for by law, is, in practice, sometimes made to the President in the case of emergency disputes, so it may be said that there is precedent in practice for it. Certifications to the War Labor Board also furnished a seeming precedent. But to extend this device to all disputes, as a prerequisite to a strike, would in my opinion be most unwise.
>
> In the first place, it is only in rare instances that anyone can assert with any confidence that a dispute will not yield to mediation. Disputes and strikes are constantly being settled by mediation a few hours or a few days after they looked hopeless. In the case of the rare emergency disputes, if we notify the President that mediation seems hopeless we do so reluctantly and with misgivings, and only because the results of further delay might be disastrous. If we were required to make such certifications with respect to disputes generally, we would find ourselves in an impossible position, a position which would endanger our existence as an effective agency. If we refused to certify, we would be castigated by unions as a promanagement agency engaged in defeating the right to strike guaranteed by law. Is we certified too freely or too quickly, we would be requiring strike votes and perhaps precipitating strikes which might otherwise be delayed or prevented. Whichever horn of the dilemma we took, the Federal Mediation and Conciliation Service would lose its reputation for impartiality, and would thus completely lose its effectiveness. Certifications during World War II to the War Labor Board are not real precedents, for those certifications were in furtherance of continued mediation, not prerequisites to strike action.

In that connection, I wish to point out that I wholly disagree with the proposal made by the junior Senator from Connecticut during colloquy that the Federal Mediation and Conciliation Service take on a new function and that for performing this new function a new kind of service be established in that agency. In my judgment, it would be the same as having the Federal Mediation and Conciliation Service do the work itself in the first instance. No salutary result could come from any such plan. In the end it would wreck that particular service of the Government.

In the second place, this amendment would necessitate a sizable increase in the National Labor Relations Board personnel, requiring a substantial increase in appropriations for the purpose in question. I realize that estimates with regard to this cost may vary and that there has been an inclination to minimize them, as was done in the statement just made by the able junior Senator from Connecticut [Mr. PURTELL]; but I point out that it is impossible actually to anticipate what the additional cost would be. I understand that over the past number of years there have been approximately 5,000 strikes a year in the United States, a sizable percentage of which would fall within the purview of the amendment. I understand also that last year the number of strikes approximated 4,700. It is obvious that supervising a major portion of secret strike ballots in so large a number of instances would require added personnel who could not be employed in other operations of the agency. Only experience could serve as a guide in estimating the cost of this undertaking, and there has been no real experience in this field.

A very serious factor which might confront the Board in complying with the provisions of this amendment would be a lack of adequate appropriations. That is something to which the junior Senator from Connecticut did not refer. Judging from the past record of the Congress in dealing with matters of this nature, there is no assurance that sufficient funds would be made available. In this connection, I have in mind the continual failure of the Congress to allow adequate funds for the administration of the unemployment-compensation laws in the several States. Were such a condition to obtain where strikes are threatened, I doubt that it would be possible many times to prevent the strikes, regardless of the secret-ballot requirement. In any event, under the conditions I cite, bad situations might be greatly aggravated, and, instead of serving as a remedy to meet the problem demanding solution, the proposal of Senator PURTELL might actually make the problem more serious.

I realize the amendment provides that State or local governmental agencies could be enlisted in the supervision of so-called secret strike ballots, but I point out that even by such procedure the Federal Government itself would have to foot the bill and Federal appropriations would be required for such purpose. As I see it, it matters little whether this Government supervision were to be conducted at the Federal, State, or local level, so long as it must be financed by the Federal Government. The net result with respect to expenditures would be substantially the same in any case, and the disastrous effect of inadequate funds would be clearly evident regardless of the level of government to which might be assigned the actual supervising of the balloting.

In the third place, for the first time government would be interfering in the internal affairs and operation of labor organizations. That is not done under any provision of the Taft-Hartley Law as it is now on the statute books. It is something new.

I feel that such a policy is entirely unwise and without justification. Moreover, it is contrary to the philosophy proclaimed by the present administration, which has called for less and less governmental interference in the private affairs of the American people.

To those in management who may be supporting this or any similar proposal I would suggest a word of warning. Should the plan proposed by the junior

Senator from Connecticut be placed in operation, it definitely would constitute an entering wedge by which government might engage also in the internal affairs of ownership and management. If government is to act as a sort of policeman in charge of one of the more important functions of labor organizations, is there any particular reason, by the same token, why government should not act as a policeman with respect to the stockholders' and directors' meetings of corporations? Certainly such intrusion in the conduct of labor organizations would set a precedent for comparable intrusion in the conduct of corporations.

In the fourth place, it seems to me extremely doubtful, even with sufficient governmental personnel, that the procedure provided in the amendment could be effectively or satisfactorily carried out through administration. Presumably a vote would be taken at some hour, date, and place after due and sufficient notice would have been given and upon an employer's last offer. But what would be the employer's last offer when the hour of balloting might actually arrive? That is the question that was raised by the distinguished senior Senator from Minnesota [Mr. THYE].

We all know that in the course of negotiations over matters at issue in a labor dispute where a strike may threaten, the employer's last offer is frequently wholly uncertain until the last moment prior to the final breaking off of negotiations. Between the date on which due and sufficient notice would be given with regard to the time and place of balloting and the substance of the employer's then stated offer and the actual hour on which the balloting would be scheduled to commence, a substantial difference in the employer's attitude and position might take place, as was pointed out by the distinguished senior Senator from Minnesota [Mr. THYE], and actually the workers might be asked to vote upon a proposition or propositions which were not in existence at the time of balloting. In short, the pure mechanics of this proposed operation would make its effectiveness almost impossible in many cases. I am sure the distinguished senior Senator from Minnesota will agree with me in that statement.

Mr. THYE. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Does the Senator from New York yield to the Senator from Minnesota?

Mr. IVES. I yield.

Mr. THYE. That was the main and major question with which I was concerned when the distinguished Senator from Connecticut was making his statement on his amendment, when a negotiation is under way from the time management and labor representatives sit down in conference to ascertain what one will yield and what the other is willing to offer. This goes on until the doors are closed in the business establishment in which the strike has occurred. It will go on, oftentimes, even after the doors are closed. The committee of the union and the representatives of the management continue to negotiate so long as the dispute is in existence. Therefore, the question of how to arrive at a time for a vote and what to do in the period between the announcement of what the dispute is and the time the worker goes to the balloting place to cast his vote leaves me in the twilight. Through the questions I asked the Senator from Connecticut I was searching for information.

Mr. IVES. The Senator cannot find it, because there is nothing in the proposal which in any way provides an answer.

Mr. THYE. That is the reason why I was questioning the Senator from Connecticut.

Mr. IVES. I thank the Senator from Minnesota for his comments in this connection.

Mr. President, in the fifth place, even if it were possible always to obtain a vote on an employer's actual last offer, there is every indication that in a substantial majority of instances the workers would support their union leadership. This was the record under the Smith-Connally Act, which required a similar procedure, and no reason has been advanced to cause one to doubt that the same situation would exist under the terms of the proposed amendment.

I listened with great interest to the comment of the junior Senator from Connecticut on this point, and I do not think he established his case at all. We all know that when it comes to a showdown between labor and management, where the position of the union leadership is involved, the members of the union support their leadership at least 9 times out of 10. In a controversy between a labor organization and management the workers are not inclined generally to desert their own leadership.

In the sixth place, whenever workers voted in favor of a strike by the proposed process—and this is something which has not been discussed—their action would, in effect, have the blessing of Government because it would have taken place through Government edict and supervision. This condition many times would have the effect of increasing the impasse between labor and management and making it still more difficult to settle the dispute, over which the strike would have occurred. In other words, instead of serving as a medium by which to bring labor and management into agreement, this proposed governmental intrusion might have the effect of driving labor and management even further apart.

In the seventh place—and this is probably the most important of all from the standpoint of labor-management relations—this proposal, if adopted, might prove very destructive of sound and satisfactory collective bargaining. Most definitely, during the period after the notice of the strike ballot would have been issued, the union leaders, instead of continuing negotiations with the management, would be actively engaged in securing support for the strike.

In other words, in that period of time the negotiations would completely break down and a bad situation would become considerably worse. It could not avoid being that way.

This activity would occur always at a most critical moment in the negotiations and, instead of serving to remedy the bad conditions then existing between the managen.ent and the union, could only make those conditions decidedly worse. Far from serving as a vehicle by which to bring about agreement and restore harmony in the controversy, this kind of procedure generally would tend to intensify the controversy and delay a settlement of the dispute.

All the procedure which I have indicated and all the difficulties which I have cited, instead of improving labor-management relations, would have the effect of causing them greatly to deteriorate, in my judgment. I think such a proposal is a step backward in our efforts generally to improve relationships between workers and employers in the United States.

For the foregoing reasons and for other reasons I might mention, I cannot support the amendment which has been offered by the Senator from Connecticut.

Mr. SMITH of New Jersey. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield.

Mr. SMITH of New Jersey. Hearing the able address of the Senator from New York, I feel that his objections are based on the proposed interference of the Federal Government. I have been studying this question, as the Senator knows, and I should like to ask him whether possibly the correct approach to the secret ballot matter would not be by trying to work out a code of procedure within labor unions themselves, where the rights of the workers could be protected, so that a worker who is a member of any union may be given an opportunity to express himself on vital questions of policy. Why should there not be democratic procedures within all unions to protect the workers so they can express themselves on these questions?

Mr. IVES. As the distinguished Senator knows, I would strongly favor such an objective if the Government itself could be kept out of the procedure. In other words, if it could be done directly and independently by the labor organizations without the supervision of the Government, I would favor it. The minute we put Government into the internal affairs of labor organizations, as this or any other similar proposal would do, we shall be opening a Pandora's box with respect to the whole economy.

I think the idea the Senator has expressed is a wonderful one if it can be translated into a workable plan, but I would not want anything like Government supervision of it, so far as I am concerned.

Mr. SMITH of New Jersey. I have the impression that the Senator's main objection is not to the idea that there should be democratic processes——

Mr. IVES. Not at all.

Mr. SMITH of New Jersey. But his objection is to the Government being included in such a plan. That is also the general line of my own thinking.

Mr. IVES. In my judgment, the way to handle it, in the first instance, if we want to make sure, so far as we can at this time, that secret-strike ballots are taken, is merely to put a mandatory provision in the law stating that they shall be taken under the supervision of the labor organization.

As pointed out in part by the Senator from Connecticut [Mr. PURTELL], a large percentage of labor unions already have secret-strike ballot procedures, although not anywhere nearly enough. So let us provide definite language. Let us include a mandatory provision in the statute, calling for secret-strike ballots under the supervision of labor organizations themselves. Then let us see what will happen. If that does not work, it will then be time to take some other approach.

Mr. SMITH of New Jersey. Would the Senator from New York provide any penalty?

Mr. IVES. I would not provide any penalty whatever in that particular instance. In the amendment which the Senator from New Jersey has suggested, he seems to provide for some kind of supervision in order to carry out the purpose of the amendment.

Mr. SMITH of New Jersey. That was one of the problems.

Mr. IVES. That is one of the big problems.

Mr. SMITH of New Jersey. I wish to thank the Senator from New York for having made what I think is a very fine contribution to the debate. I think the people of the United States should understand some of the problems involved in this proposed legislation. I think we have been trying to find a solution, but we have not been able to determine upon a formula.

Mr. IVES. I do not know of any formula which has been discovered that will work.

Mr. SMITH of New Jersey. I do not feel as hopeless as does the Senator from New York.

Mr. IVES. I am not hopeless. I hope it will be possible to devise such a formula, but I have not been able to find such a formula has been devised.

Mr. SMITH of New Jersey. I am aware of the Senator's position. I thank him for his comments.

Mr. IVES. I thank the very able Senator from New Jersey. I, too, wish to pay tribute to his leadership as chairman of the Senate Committee on Labor and Public Welfare, on which he has been handling the work so splendidly and to the advantage of the Democrats and the Republicans on the committee. I am certain the Democratic members of the committee will join me in my tribute to the chairman of the committee.

Mr. SMITH of New Jersey. I thank the Senator from New York for his kind words.

Mr. KENNEDY. Mr. President, the amendments introduced on behalf of Mr. DOUGLAS and myself would repeal section 14 (b) of the Taft-Hartley Act and amend section 8 of that law, including the new language submitted by the majority committee, to make it clear that congressional policy on union security contract shall apply equally in all States.

First. Section 14 (b) is frequently called a "States' rights" provision. This is not the case; not only is there no absence of Federal regulation in the field, the State restrictions being merely added to the Federal restrictions; but, more important, State laws under section 14 (b) prevail only if they are more restrictive than the Taft-Hartley law. There are several States, such as Massachusetts, whose State labor relations laws are less restrictive than the Taft-Hartley law, but they are not permitted to take precedent. If section 14 (b) was truly a States' rights measure it would read:

> Nothing in this act shall be construed as authorizing or prohibiting the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited or authorized by State or Territorial law.

In other words, if it were genuinely a State rights amendment it would provide that in those State laws which permit a more liberal union shop arrangement, as well as the more restrictive type would be supreme.

But in 1947, when the Taft-Hartley Act was written, the far-reaching and unusual step was taken of providing that the State law should be supreme in those cases where it was more restrictive; and in cases where the State law was more liberal then the Federal law should be supreme. It is the opinion of the Senator from Illinois [Mr. DOUGLAS] and myself that that is a most unsatisfactory method of dealing with the important question of union security.

Second. The amendment supported by the Senator from Illinois and myself is a "States' equality" amendment. It subjects interstate commerce employers and employees in each State to the same basic requirements on union security. It permits each State to foster sound labor relations without fear that its standards will be undercut by other States seeking to use antiunion legislation as one means of attracting industry from those States whose State laws meet the standards established by congressional policy. It frees each State from the pressures of those seeking, for various motives, to require the State legislature to enact legislation on this national problem.

Experience with section 14 (b) has demonstrated that these are not idle fears. For example, the two most recent States to enact laws prohibiting the union shop both did so with other objectives in mind. According to the February 21 New York Times report of the enactment of such a law in Mississippi, "proponents of the measure called it a bill to induce industry to come South." In South Carolina, Governor Byrnes requested such legislation because without it South Carolina's "free but serious competition with other Southern States to secure new industrial plants" faces a "handicap"; and "South Carolina's natural advantage of willing and competent workers has been lessened by the recent enactment of right-to-work legislation in other Southern States. Representatives of some of these Southern States are actively engaged in having South Carolina manufacturers move plants to their States." We, therefore, have a clear opportunity to see how the enactment of right-to-work statutes, permitted by the Taft-Hartley Act of 1947, are working to the disadvantage of those States which have, up to now, refused to pass them. The fact that some of the States which are competing with South Carolina for industry have passed this type of legislation has forced the South Carolina Legislature, in order to protect South Carolina's industrial position, to take action in this field.

In other words, the right-to-work statute is a misnomer. Its provisions are being used by certain States to attract those employers who desire to get away from what they consider to be the disadvantages of unionism. Therefore, they leave States which have disadvantageous laws and move to States which which have enacted such statutes.

Third. The application of section 14 (b) regardless of whether the plants are in interstate commerce and regardless of whether the union security arrangement is agreed upon by an employer and a union, each of whom have units in several States, has resulted in a hodgepodge of national policy, and a lack of uniform treatment of a single industry or even a single company with plants in many States. This was best illustrated by the case before the NLRB which arose shortly after the passage of this section of the Taft-Hartley law and subsequent State laws. In the case of the *Giant Food Shopping Center* (77 N. L. R. B. 791 (1948)), the NLRB found that the bargaining unit agreed upon by the employer and the employees consisted of employees in 3 stores, 2 of which were located in the District of Columbia and 1 in the State of Virginia. It was clear that this was the appropriate bargaining unit and that the employees were engaged in interstate commerce. Nevertheless, a union-shop contract was not available to such bargaining unit. Instead, employees in the District stores were allowed to have such a contract under the limited provisions of Taft-Hartley; but the employees in Virginia doing the same work in the same bargaining unit with the same employer could not share in these advantages of union security because that State had a law prohibiting such agreements. Similarly, when the United States Steel Co. and the United Steelworkers conclude a union-security agreement which the Federal law permits, and which is lawful in Pennsylvania, Ohio, Illinois, Indiana, and California, they must negotiate substitute arrangements for Alabama and Tennessee. Presumably, when a ship out of New York City with a union-shop agreement puts into Charleston, a sailor hired in that port may defy the contractual provision until the ship sails and passes the 3-mile limit. Then, on the high seas, Federal law controls, he is subject to discharge for not having joined the union, and presumably he is unpaid and unemployed until the ship puts into Houston, at which time under Texas law he must be put back to work.

Fourth. The issue involved is not the permissible limits of union security arrangements; for Congress has already decided that in the Taft-Hartley Act

by outlawing the closed shop and permitting a limited union shop. The issue instead is whether the decision of Congress should be carried out in all States; whether we shall return in labor relations to the conditions which prevailed during the Articles of Confederation whereby those engaged in interstate commerce were subjected to multiple and conflicting State restrictions, used by each State in order to gain an advantage over her sister States. Such conditions induced the founders of our Republic to confer on the Federal Government power to deal with "commerce among the several States"—article I, section 8—and to declare that, as to such power—

> The laws of the United States * * * shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding (art. VI).

When the Annapolis Convention was held, previous to the Constitutional Convention, one of its purposes was to arrange for uniform terms in the regulation of commerce in every State.

It was the opinion of the commissioners assembled at Annapolis that the different standards and different regulations on commerce in the various States had a deleterious effect upon the whole economy of the entire country. When the State of Virginia appointed its commissioners to the Annapolis Convention, it provided in the resolution as follows:

> To take into consideration the trade of the United States; to examine the relative situations and trade of the said States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act relative to this great object as, when unanimously ratified by them, will enable the United States in Congress effectually to provide for the same.

In other words, it was the ambition of the commissioners to the Annapolis Convention that a uniform system of regulating commerce should be provided.

Fifth. This is not a partisan issue; for one of the best statements in favor of eliminating this crazy-quilt pattern of labor relations is found in the unanimous bipartisan report of the Senate Labor Committee of the 82d Congress concerning the Taft-Humphrey bill on union security in the construction industry. That bill provided that the policy of Congress as stated therein was to apply "despite any other provision of the act or any other Federal, State or Territorial law." The reasons for this, clearly stated in the report, are equally applicable to all industries:

> The needs of contractors, labor organizations, and employees in this industry are the same throughout the country. Failure to meet these needs has resulted in problems which are nationwide. * * * Their impact upon the national economy, and especially upon defense activities, does not vary from State to State. * * * The problems of this industry are indivisible and national in scope. * * * In providing the remedies which would be afforded by this bill, the committee is convinced that the provisions of this bill should take precedence over all local regulations.

The Taft-Hartley law is a National Labor-Management Relations Act, the stated purpose of which is to adopt for all industries in interstate commerce measures which will promote industrial peace and free collective bargaining. It should not provide for national problems of labor-management relations to be governed by 48 separate acts. An amendment of this type was recommended for these reasons by the recalled White House message of last year which is now known as the Durkin 19 points. This was provided in the commerce clause at the Philadelphia Convention in 1787.

Section 14 (b) of the Taft-Hartley Act is a throwback. It permits an atomization of the labor laws of the country. It works against the development of a uniform code of regulation for labor-management matters affecting commerce.

II

New proposals, however, are even more unfortunate. Under the proposals submitted by the distinguished Senator from New Jersey [Mr. SMITH] in the bill reported by the committee by a 7 to 6 vote, and the amendment offered by the Senator from Arizona [Mr. GOLDWATER], the whole tradition of the United States to provide for uniform regulation of commerce will be reversed in a far more serious manner. Therefore, in addition to the Senator from Illinios [Mr. DOUGLAS] and myself desiring to have section 14 (b) of the Taft-Hartley Act repealed, we are also extremely anxious that the section dealing with State emergencies, offered by a majority of the Senate Committee on Labor and Public Welfare be defeated, and also the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

The Goldwater amendment, as I shall discuss subsequently, in actuality has nothing to do with State emergencies; for the grant of power to the States contained in the second subsection is so broad as to render unnecessary any grant of authority concerning emergencies in the first subsection. However, it should be pointed out that even if the Goldwater amendment were restricted to its first subsection on State emergencies, that subsection is even more undesirable than the provision on State emergencies reported by the Labor Committee. The basic differences between those two amendments are as follows:

(A) The Smith amendment gives effect to the "enactment and enforcement by the States of"—certain—"laws." The Goldwater amendment, on the other hand, permits any kind of State action "to deal with" such situations, thus opening the way to State and local police actions in the absence of a State law.

(B) The Smith amendment permits the enforcement of such laws "in emergencies." The Goldwater amendment, on the other hand, authorizes action in labor disputes "causing or likely to cause emergencies," a far looser test.

(C) The only standard for determining the existence of such emergencies contained in the Smith amendment states that there must be "labor disputes which, if permitted to occur or continue, would constitute a clear and present danger to the health or safety of the people of the State." The Goldwater amendment, on the other hand, applies to those emergencies "affecting the health or safety" of such citizens, again an extremely broad standard.

(D) The Smith amendment provides that under this amendment no State can take action in any national emergency labor dispute in which the Federal Government is acting under the provisions of the Taft-Hartley law. The Goldwater amendment, on the other hand, contains no such provision, thus leaving open the possibility of State and Federal authorities taking conflicting action with respect to the same dispute at the same time.

However, I believe it would be in the interest of sound labor relations to reject the provision contained in the Smith amendment as well as the emergency provision contained in the Goldwater amendment.

First. It is not generally realized that the States already have extensive powers to act in emergencies of this sort. The decisions of the Supreme Court make it clear that the State under the Taft-Hartley law retains the authority to exercise its basic police powers, and to protect the public health and safety by all available means consistent with the Taft-Hartley Act, including the seizure of plants, the injunction of violence, the protection of workers crossing picket lines, the operation of facilities by public employees or National Guard men, the prevention of injurious conduct which the NLRB is powerless to prevent, the prohibition of mass or coercive picketing, and the provision of violence, breaches of peace, trespasses on private property, interference with the public highway, sitdown strikes, mutiny, partial strikes, and even peaceful picketing where other contemporaneous violence stems from the dispute which led to the picketing.

In *Garner* v. *Teamsters Union* (346 U. S. 485 (1953, after Taft-Hartley)) the Supreme Court stated that—

> The National Labor Management Relations Act * * * leaves much to the States. * * * The area in which State action is still permissible—

Said the Court, includes within it power over—

> injurious conduct which the NLRB is without express power to prevent * * * mass picketing, threatening of employees, obstructing streets and highways, or picketing homes * * * such traditionally local matters as public safety and order and the use of streets and highways * * * activity [which] threatened a probable breach of the State's peace or would call for extraordinary police measures by State or city authority.

On February 9, 1954, the United States District Court, Eastern District of New York—*Ozone Metal Products Corp.* v. *Steel, Metals, Alloys and Hardware Fabricators and Warehousemen*, AFL (No. 14100)—specifically relied on the language quoted in the Garner case in holding that the State court in New York had jurisdiction over an action by an employer to restrain picketing by a union in an effort to obtain a collective

bargaining contract, even though the employer was engaged in interstate commerce, because the complaint alleged that the union was using false picket signs, interfering with delivery of goods, following employer's trucks and using threats and intimidations.

In *Auto Workers* v. *Wisconsin Board* (336 U. S. 245 (1949, after Taft-Hartley)), the Supreme Court stated:

> Policing of * * * conduct [consisting of] illegal methods [of strikes] * * * considerable injury to property and intimidation of other employees by threats * * * is left wholly to the States. No one questions the State's power to police coercion by those methods. * * * We think that this recurrent or intermittent unannounced stoppage of work to win unstated ends is neither forbidden by Federal statute nor was it legalized or approved thereby. Such being the case, the State police power was not superseded by congressional act over a subject normally within its exclusive power.

In *Allen-Bradley Local* v. *Wisconsin Employment Board* (315 U. S. 740 (1941)), the Court stated that the State was empowered to prohibit "mass picketing, threatening employees desiring to work with physical injury or property damage, obstructing entrance to and egress from company's factory, obstructing the streets and public roads surrounding the factory, and picketing the homes of employees."

In addition, the Federal courts have held that a State may regulate in cases of sitdown strikes—*NLRB* v. *Fansteel Metallurgical Corp.* (4 L. R. R. M. 515); *NLRB* v. *Sands Mfg. Co.* (4 L. R. R. M. 530); mutiny—*Southern Steamship Co.* v. *NLRB* (10 L. R. R. M. 544); partial strikes—*C. G. Conn, Ltd.* v. *NLRB* (L. R. R. M. 806); and peaceful picketing where other contemporaneous violence stemmed from disputes which led to picketing—*Milk Drivers* v. *Meadownoor Dairies* (312 U. S. 287).

Second. Such an amendment is not necessary in order to give the State authority to take action in cases where the NLRB declines to act; for another provision in this bill makes that authority clear. Nor is it necessary to give the State authority to regulate labor relations in intrastate commerce which it has always had; or in industries not substantially affecting interstate commerce, where again the bill provides that the Board may decline jurisdiction and the State may assert it. Thus, where the operations of a public utility are almost exclusively local in character, recent decisions of the Board in *Inter-County Rural Electric Cooperative Corp.* (106 N. L. R. B. No. 239), and *San Jose City Lines* (106 N. L. R. B. 201), demonstrate that the Board will decline jurisdiction in such cases, and the State will be able to assert such jurisdiction.

Third. However, unlike the State laws in Massachusetts, Florida, and elsewhere, the proposed amendment does not restrict itself to public utilities or even industries vitally affected with the public interest. The amendment leaves the door open for a finding of emergency in any type of industry. Similarly, no meaningful standards for the definition of emergency are provided by either the Smith or the Goldwater amendments. Experience has shown that emergencies are frequently defined in order to suit the political or economic convenience of those authorized to make the definition; in Wisconsin, for example, State authorities once declared a strike of bookkeepers in a telephone company created a state of emergency—*Wisconsin Telephone Clerical Union and Wisconsin Telephone Co.* (Wisconsin Employment Relations Board Case No. 2273 PU–9 (1949)).

Of course, the language "clear and present danger" is most unsatisfactory language in the Senate bill. I do not think it has ever been used successfully in the field of labor relations; and the courts which have attempted to interpret it, in passing on constitutional questions involving freedom of speech, have indicated before how inexact are the words "a clear and present danger."

In Dennis against the United States, the Supreme Court said:

> No doctrine can be sound whose application required us to make a prophesy of that sort in the guise of a legal decision. The judicial process simply is not adequate to a trial of such far-flung issues. The answers given would reflect our own political predelections and nothing more.

If the language "clear and present danger" is so indefinite in cases involving the overthrow of the Government by violence, which question was involved in the case of Dennis against the United States, how less certain must the language be when applied to the determination by States as to when there was a clear and present danger from labor disputes to the people of the various States?

In the case of Dennis against the United States, the concurring opinion by Mr. Justice Jackson, citing the case of the Associated Press against the United States, stated:

> Formulated as it was to protect liberty of thought and of expression, it would degrade the clear and present danger doctrine to fashion from it a shield for business publishers who engage in business practices condemned by the Sherman Act.

In other words, I think the Court has made it clear in Dennis against United States, and in many other cases, that the doctrine of clear and present danger should be applied with care and discretion It is inappropriate in its proposed usage.

The terms under discussion should be carefully drawn, because there has been experience in many of the States where laws, which have been drawn up without the full knowledge of the Members of Congress, are interpreted differently in the different States.

Fourth. These "State emergency" amendments present the same problem with respect to uniformity and consistency of labor relations regulations. Under the proposed amendments, a State would not be limited in its authority to industries of a local or regional nature, but could take action within its borders concerning labor relations of the railroads, airlines, maritime industries, steel and coal industries, and others. The same labor dispute involving a company and union in interstate commerce could be declared to be an emergency in some States, and subject to special provisions of those State laws, and declared not to be an emergency in other States. As previously mentioned, under the Goldwater amendment, a State could take action with respect to a national emergency dispute contrary to the action being simultaneously taken by the Federal Government under the Taft-Hartley Act. As long as Congress makes a judicious determination as to the proper balance between the practices of employers and unions to be outlawed and the practices to be permitted, is it not undesirable to subject those same employers and unions to additional obligations or requirements imposed by the States? Would it not be better to maintain State labor laws on a more equal basis by permitting States only to exercise their traditional police powers to maintain public order in a fashion consistent with the guaranties of the Taft-Hartley law.

Fifth. Finally, although the Massachusetts and other laws which I have examined establish carefully defined procedures for dealing with emergency disputes in specified public utilities, neither the Smith nor the Goldwater amendments provide any safeguards of any kind. A State would be authorized to eliminate the right to strike under any conditions which it deems to be the type of emergency described in this amendment; it would be authorized to take any action interfering with the rights of labor and management that are guaranteed by the Taft-Hartley law; it conceivably would be authorized to require the dissolution of a labor organization for a violation of its State emergencies law; and very obviously it could require compulsory arbitration of such disputes or even outlaw strikes and lockouts without substituting compulsory arbitration. Obviously, such a grant of authority goes far beyond the President's request for a provision permitting the State to exercise "its traditional police powers for maintaining public order," powers which, as I previously pointed out, the Supreme Court has repeatedly insisted that the States now retain. Unlimited use of compulsory arbitration and other more stringent measures, which are opposed by both management and labor, means repeated invasion of free enterprise and free collective bargaining, as President Eisenhower pointed out as a candidate when he declared compulsory arbitration to be inconsistent with a free society. As the late Senator Taft observed:

> An ultimate resort to compulsory arbitration * * * would interfere with the whole process of collective bargaining.

Proposals for the inclusion of compulsory arbitration in Taft-Hartley were rejected by the 80th Congress—see House conference report No. 510, 80th Congress, 1st session, pages 63 and 64, 1947. The case against such laws on a State level was well summarized by the 1947 inaugural address of Governor Driscoll, of New Jersey:

> We should seek to avoid compulsory arbitration of wage matters, since it would mean the end of collective bargaining, without

which neither free enterprise nor free labor can long endure. From the viewpoint of a working federalism, moreover, I doubt whether any State can or should undertake to direct any substantial segment of its economy pursuant to a policy which has not been accepted by the Federal Government.

I therefore think that those Senators who are anxious to give their States power to deal with State emergencies on the basis that the Federal Government does have some power under the Taft-Hartley Act to provide for national emergencies, should consider the powers still available to the States. They should consider carefully whether, in order to take care of those apparently few occasions involving the health and safety of the people of a State which could not be dealt with under the State's present powers, it is worthwhile to agree to the Smith or Goldwater amendment, which would permit, in certain States, extensive powers over matters which have been heretofore under the control of the Federal Government.

It seems to me that the statute of the State of Florida, which was discussed by the Senator from Florida the other day, indicates that if the Senate is going to write a law which would permit the Florida government to operate freely under its law, the Senate will have to write an extremely general law. The Florida law provides:

> It is hereby declared to be the public policy of the State of Florida that it is necessary and essential in the public interest to facilitate the prompt, peaceful and just settlement of labor disputes between public utility employers and their employees which cause or threaten to cause an interruption in the supply of services necessary to the health, safety, and well-being of the citizens of Florida.

The language "an interruption in the services necessary to the health and safety" is rather general language. The Smith amendment at least calls for an emergency which is a clear and present danger to the health and safety of the people; but the Florida statute is rather general, and would therefore permit, in those categories, action by the State government which would be in contradiction to the Taft-Hartley law, action more repressive than the Taft-Hartley law permits in cases of national emergency.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I am interested in the observations of the Senator from Massachusetts. It occurs to me, however, that perhaps the Senator from Massachusetts has not realized the tremendous public damage which could be done from an interruption, for instance, in the furnishing of electric current and power to a great community such as the city of Miami. There would be involved interruptions of electric current and power to not less than a dozen hospitals. Of course, the Senator from Massachusetts knows how many activities which require the use of electrical energy are involved in a hospital. Work stoppage in such a utility would involve interruption in the service of power to the municipal pumping plants which furnish water to the city. Such a strike would involve the interruption of service affecting, it seems to me, not only the health and safety of the people, but, in many cases, the very lives of people in the community involved.

Would the Senator from Massachusetts mind telling me why he feels that a law controlling such an eventuality is too far reaching if it has as its objective the continuance of a service in a field which is so definitely linked with the public safety and even the lives of citizens?

Mr. KENNEDY. My answer to the question of the Senator from Florida would be twofold. First, I point out the extensive powers, which I have named, that States already possess. It seems to me the power of seizure is a great power, and I am not talking about cases of violence, and so forth, which would call into play the police powers of the State; but I think the remedy of seizure would be open to a city which was in the position stated by the Senator from Florida. Personally, I would not object to an amendment to the Taft-Hartley Act which would permit a State to take action in a case in which the lives of its citizens were actually at stake, in connection with a local emergency of a type similar to that mentioned by the Senator from Florida. However, the Florida law goes far beyond that, and provides that the term "public utility employer" means an employer engaged in the business of rendering electric power, light, heat, gas, water, communication, or transportation service to the public of the State.

The Wisconsin case itself involved bus drivers. I cannot imagine a situation in which a strike by bus drivers would imperil the lives or safety of the people of a State in the present transportation age. Yet in the Wisconsin case, as the Senator from Florida knows, the Wisconsin law permitted the State to provide for compulsory arbitration of the dispute. Under the definition of public utility employer in the Florida law, a similar decision would be reached in Florida.

So, while the Senator from Florida and I would agree if we could draft language that would cover a situation involving hospitals or relating to other situations in which lives or health were at stake, yet I would hate to see the Congress enact a statute permitting action on as broad a basis as that contained in the Florida statute.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield further to me?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Would the Senator from Massachusetts prefer a statute similar to the Virginia statute, which provides for seizure and State operation of public utilities, rather than a statute similar to the Florida statute, which simply provides for compulsory arbitration and prevents work stoppage while the arbitration is underway?

Mr. KENNEDY. In view of our experience under section 14 (b), I am most reluctant to turn over to the States, by means of the two amendments we have been discussing—namely, the amendment of the Senator from New Jersey [Mr. SMITH] and the amendment of the Senator from Arizona [Mr. GOLDWATER]—these extensive powers, I prefer to leave the Taft-Hartley Act as it now stands in that regard, this will permit the States to enact legislation in their sphere of control which they believe will protect them and at the same time will retain the provisions of the Taft-Hartley Act and will maintain the normal limits that have existed for the last 6 years over the control of commerce.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield further to me?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Does the Senator from Massachusetts mean to indicate by his most recent statement that he does not think a State, in the exercise of State discretionary power, based on State experience, has the right to rely upon and to impose compulsory arbitration as a legal condition in connection with such operations as those of public utilities, in view of their importance to the people of a State, although not of national importance, in that the average public utility serves only a State or perhaps only portions of a State?

Mr. KENNEDY. I have no objection to having the State of Florida or the State of Massachusetts do anything it wishes to do with the commerce under its control. But I see no reason why Congress should cede to the State of Florida jurisdiction to deal with strikes or labor disturbances which hitherto have been under the jurisdiction of the Federal Government.

So the question is not one of permitting the States to do what they can properly do. Instead, the question is whether the Federal Government shall surrender to the States part of its responsibility, without having any assurance that the State laws will be in general agreement with the spirit of the Federal law.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield further to me?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Then I understand that the philosophy of the Senator from Massachusetts is that he believes the Federal Government, in working on the national level, knows more than the States do about how to deal with these problems on the local levels and in connection with the experience the people of the States may have had.

Mr. KENNEDY. No. Instead we are being asked to chip off a piece of the authority of the Federal Government over commerce. I am not opposed to having a State do anything within its own sphere that it believes proper to be done.

On the other hand, the Senator from Florida is suggesting that the Federal Government, which has a responsibility in its own sphere, should surrender part of that responsibility and jurisdiction to the 48 States, which then would be able to enact legislation that would remove from the protection of the Federal law workers and employers who, under the

decisions of the Supreme Court, have been held to come within the sphere of responsibility of the Federal Government and its laws. The Senator from Florida is asking us to permit these persons to become subject to the decisions of the various States. This should be of concern to us when we find as in the Florida law so broad a definition of the term "public utility employer."

I know the Senator from Florida is entirely sincere in his desire to permit the States to protect themselves in cases of emergency. I believe the Federal Government has such authority under the Taft-Hartley Act, and that, therefore, the States should have it. I would not object if the amendment of the Senator from New Jersey [Mr. SMITH] were drawn in language sufficiently specific to provide for State action in a case involving a public utility employer whose work involved the lives of the people, but not in a field as broad as that defined in the Florida statute.

Mr. HOLLAND. Mr. President, if the Senator from Massachusetts will yield further to me, let me say that I never thought a time would come when an entire group of Senators, who apparently have never thought the Taft-Hartley Act was a good or a necessary law, would seemingly be unwilling to have that law amended and unwilling to permit the Senate to vote on amendatory legislation, some of which would be of help to the States, some of which would be of help to labor, some of which would be of help to industry, and all of which is designed to improve the existing law.

It seems to me that the distinguished Senator from Massachusetts and his associates are taking the unyielding position that they wish to have the pending bill recommitted, without having provision made for a definite date on which the bill will again be reported to the Senate, thus probably precluding Congress from applying at this session any remedial amendments to the Taft-Hartley Act.

I close by saying that it seems to me that, in effect, the Senator from Massachusetts is arguing for preservation of the status quo—a position which I had never expected to see him and his associates take.

I thank the distinguished Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I thank the Senator from Florida.

I have referred to various amendments because I am proceeding under the assumption—inasmuch as I do not know what will happen to the motion to recommit—that the bill will remain before the Senate, and will be open to amendment. Therefore, I am attempting to improve the bill. Yesterday, I offered one amendment; and today I am offering a number of others.

The only question is whether the amendments of the Senator from New Jersey [Mr. SMITH] and of the Senator from Arizona [Mr. GOLDWATER] will improve the Taft-Hartley Act. I am not sure it will.

I should like to join the Senator from Florida in attempting to ascertain whether we can agree upon amendatory language which would really give the States the right to deal with genuine emergencies, under language drawn with sufficient care so that it will not permit the States to stray over into a wide area which hitherto has been under the protection of the Federal act.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield again to me?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I appreciate the tender of the good services of the Senator from Massachusetts, and I hope there will be forthcoming from the committee an acceptable specific proposal that will give the States the right to protect their own people. Certainly they are not now clothed with that right.

It seems to me that in the reported bill a good-faith effort is being made to protect the health and safety of the people of the various States and to protect the States themselves. So I think it comes with very little force simply to say that the particular method of treatment now proposed by the bill is not as perfect as one will like it to be, but not to have the committee or any member of the committee suggest a formula which in their judgment would better take care of the situation, as compared with the formula or procedure set forth in the measure reported by the committee.

Mr. KENNEDY. I appreciate that. I think it is up to those of us who hope to win the support of the Senator from Florida to suggest altenative language to the amendment of the Senator from New Jersey, because I am aware that unless we do so, the amendment of the Senator from New Jersey [Mr. SMITH] or the amendment of the Senator from Arizona [Mr. GOLDWATER] will be adopted if the bill is not recommitted; and I think its enactment under those circumstances would be a mistake.

III. THE GOLDWATER AMENDMENT OF STATES RIGHTS

The amendment submitted on behalf of Mr. DOUGLAS and myself is intended as a substitute for the amendment offered by the Senator from Arizona. One approach would provide consistency and uniformity in the regulation of labor-management relations in interstate commerce, applying equally to all employers and unions in all States. The other would provide a hodgepodge of conflicting State and Federal regulations, discriminating against employers and unions in those States which do not yield to the pressures of more restrictive labor laws.

First. The States already retain extensive authority with respect to strikes, picketing, and boycotts to a degree appropriate for State regulation.

I have already cited the cases demonstrating the State's authority with respect to emergencies, violence, coercion, and public health and safety generally. With respect to those cases, it should be particularly noted that the Supreme Court has frequently ruled that States have the power to prohibit mass picketing, and that the Goldwater amendment is not necessary to give the States such authority.

In *Teamsters* v. *Hanke* (339 U. S. 470), the Supreme Court held that a State can prohibit picketing of self-employed businessmen, aimed at forcing them to observe union standards, where the overriding State policy is to protect the operations of small-business men from external coercion.

In *Giboney et al.* v. *Empire Storage and Ice Co.* (336 U. S. 490 (1949, after Taft-Hartley)), the Supreme Court held that a union that pickets a wholesaler to force limitation of his sales to union retailers only can be enjoined by State courts if such picketing violates a State antitrust law.

In *Carpenters and Joiners Union* v. *Ritter's Cafe* (315 U. S. 722 (1942)), the Supreme Court held that in the interest of keeping the economic conflict within reasonable grounds, the State may prohibit peaceful picketing of business enterprises owned by an employer, that are miles distant from and in no way connected with the site of the primary dispute with the union.

In *Algoma Plywood Company* v. *Wisconsin Board* (336 U. S. 301 (1949—after Taft-Hartley)), the Supreme Court held that a State board was authorized to prevent the discriminatory discharge of employees under the State union security laws, inasmuch as that was an area of activity specifically left open to State regulation by Congress.

Second. But the Goldwater amendment goes far beyond this authority which the States now have. In fact, there is nothing which confines State action under this amendment to the regulation of strikes, picketing, boycotts, and lockouts, as has been implied. Thus instead of a States rights amendment which curtails Federal regulations, it merely subjects the bargaining of multi-State employers and unions to the conflicting restrictions of not only the Federal Government but also the 48 States. The result will be not less governmental interference with collective bargaining and labor relations, but more. Indeed, the grant of authority contained in this subsection is so broad that it renders unnecessary as mere surplusage the first part of this amendment dealing with State emergencies and section 14 (b) of the Taft-Hartley law dealing with union security; for the phrase "to give effect to its law" is without limitation. Moreover, it permits a State to establish separate municipal labor relations laws as well, thus creating an intolerable multiplicity of inconsistent and harassing restrictions upon management and labor. Such a law undermines the Federal supremacy clause of the Constitution, abandons congressional responsibility over a national problem affecting interstate commerce, prohibits Congress from applying its national policies to all parts of the Nation and confuses completely the line between Federal and State jurisdiction in this field. By attempting to divide national labor problems along State borders with chaotic, crazy-quilt results, it openly invites States to compete for industry by undercutting each others legislative standards. In addition, it subjects companies and unions to costly and burdensome compliance with from 2 to 49 different sets of requirements, and imposes upon employers and employees the threat of additional obligations on

top of those delicately balanced by Congress.

Third. The Senator from Arizona has insisted that basic limitations upon State action are provided in his amendment by the proviso which reads as follows:

> Provided, that no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act.

But this proviso is so restricted that it is of little value. How many of the provisions of the Taft-Hartley law involve rights guaranteed to employees without interference from employers or labor organizations? The right to strike, the right to picket, and even the right to bargain collectively are not rights granted to the employees by their employers, nor does interference from employers, or unions, constitute the greatest threat to the exercise of such right. The Senator from Arizona maintains, on the basis of a recent case involving the civil rights laws, that these fundamental rights were "protected only against adverse action by employers and unions," and not against all the world. But the truth of the matter is that the Supreme Court has held many times that these are rights granted to workers by the Federal Government with which State and local governments cannot interfere; and the Goldwater amendment would remove that restriction on State interference with these basic rights.

In *Garner* v. *Teamsters Union* (346 U. S. 485 (1953, after Taft-Hartley)) the Court stated:

> We conclude that when Federal power constitutionally is exerted for the protection of public or private interests, or both, it becomes the supreme law of the land and cannot be curtailed, circumvented, or extended by a State procedure merely because it will apply some doctrine of the private right.

In *UAW* v. *O'Brien* (339 U. S. 454) the Court held that the right to strike was protected concerted activity under the terms of the Federal statute; and that although "Congress forbade strikes for certain objectives and detailed procedures for strikes which might create a national emergency, none of these sections can be read as permitting concurrent State regulation of peaceful strikes for higher wages"; and therefore Michigan could not prosecute the union for conducting such a strike without complying with special limitations imposed by the State.

In *Hill* v. *Florida* (325 U. S. 538) the Supreme Court held that the States could not place impediments upon employees in the free and peaceful exercise of their federally protected rights of self-organization.

In *Amalgamated Electric Railway Employees* v. *Wisconsin Board* (340 U. S. 383), the Court held that a State could not constitutionally prohibit public utility employees from engaging in a strike because such a statute was in conflict with the rights of collective action guaranteed by section 7 of the Taft-Hartley law.

The Supreme Court has followed a similar ruling in the cases of *Bethlehem Steel Company* v. *New York State Labor Relations Board* (330 U. S. 767); *La-Crosse Telephone Corporation* v. *Wisconsin Employment Relations Board* (336 U. S. 18); and *The Plankinton Packing Company* v. *WERB*, (338 U. S. 953 (1950)).

Thus, although the State would be prohibited under the Goldwater amendment from enacting any law which would "permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights" guaranteed to them by the act, there is nothing to prohibit the State from enacting a law whereby the State itself would deny employees within that State the rights now guaranteed to them by section 7. A State could prohibit any or all peaceful strikes, could prohibit the use of more than one picket per plant—it would be unconstitutional to prohibit all picketing—and even to prohibit all unions, even within the new reservation on collective bargaining. In addition, there is nothing to prevent a State from finding employers guilty of unfair labor practices; on the basis of their statements to the union—unlike the free speech section of Taft-Hartley—from establishing different definitions and standards of collective bargaining which conflict with section 8 (b) of Taft-Hartley, and from establishing duplicate and inconsistent procedures for representation elections, filing requirements, affidavits, etc. Presumably employers and unions in interstate commerce could be subjected to an entirely new set of unfair labor practices, entirely new rules for strike notices, entirely new types of injunctions, provisions wholly inconsistent with the national emergency disputes section, entirely new welfare funds requirements, a conflicting set of legal procedures for suits by and against labor organizations, permission for union political contributions and kickbacks, and possibly even strikes by Federal employees. None of these provisions of the Taft-Hartley law can properly be termed as among those providing rights to employees which are protected from employer interference. The Taft-Hartley Act does not even make it clear that employees have the right to be free from company unions or secondary boycotts. The obligation on the part of management and labor to bargain collectively is not listed in the act as a right of employees. The ban on inclusion of guards and professional employees in regular bargaining units is not a right guaranteed to employees. On all of these and many other matters, we find that the provisions of the Taft-Hartley law do not involve rights of employees which are protected against employer or union interference; or even if they fall under that category, they are rights with which no State can now interfere but which, under the Goldwater amendment, any State could take away.

Fourth. The Senator from Arizona has indicated that he is not certain whether under his amendment a union or an employer would be permitted to engage in practices which the Federal law prohibits. If this is true, then his amendment is a dangerous abandonment of congressional responsibility. But if it is not true, then we have again an example of a so-called States rights amendment which is not truly States rights in nature, but gives priority only to those States with more restrictive laws.

Fifth. If the Goldwater amendment passes, there is little use in Congress continuing to deliberate on a national labor-management relations law, for the result of our deliberations will apply only in a few States. Indeed, we would be making a contribution to clarity and relieving employers and unions from 1 of their 49 restrictions if we simply repealed all Federal legislation in this field; for once the constitutional mandate that the laws of Congress shall be the supreme law of the land is set aside in favor of 48 different State laws, we have abdicated our power over interstate commerce by permitting the States to denounce and nullify our decision whenever they so desire.

Sixth. The President did not recommend any amendment of this nature; and the Senate Labor Committee did not see fit to include it in its recommendations. With all of the confusion and contradiction which exist with respect to the implications of its broad language, it should not be adopted on the Senate floor.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Massachusetts yield to me?

Mr. HOLLAND. Mr. President, before the Senator from Massachusetts yields to the Senator from New Jersey, will he yield again to me?

Mr. KENNEDY. I yield again to the Senator from Florida.

Mr. HOLLAND. Has the distinguished Senator from Massachusetts an alternative proposal which he thinks will better take care of the situation, and yet will correct the evil which he admits exists, in that communities within the States and the States themselves are not now protected, under the present decisions of the Supreme Court of the United States which interpret the Taft-Hartley Act?

Mr. KENNEDY. I am going to ask the Senator from New Jersey several questions about his amendment; and when he has answered them, perhaps we may be able to decide upon proposed legislation that we can offer as a substitute.

I now yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I have just one question. As a participant in the preparation of section 14 (c) in the reported bill, I felt that we reported suitable language to take care of emergencies involving the health and safety of the people; but I notice from reading the Goldwater amendment that his first section aims to deal with that question. Passing up for the moment the second section, the first section reads as follows:

> Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—
>
> (1) to exercise its police powers, and to deal with labor disputes causing, or likely to cause, emergencies affecting the health or safety of citizens of such State or Territory.

Does the Senator feel that that is better than the language in the bill as reported?

Mr. KENNEDY. I think the Goldwater amendment would be a legislative monstrosity.

Mr. SMITH of New Jersey. I am not speaking of paragraph (2). I am speaking of paragraph (1).

Mr. KENNEDY. I do not see how anyone who reads the Goldwater amendment carefully, even with the improvements suggested by the Senator from New Jersey, and who has had an explanation of what powers a State potentially could have under the Goldwater amendment, could support it. In answer to the Senator's question dealing with emergencies, the language of the Goldwater amendment is much less exact even than the language of the bill as reported. At least the language in the bill provides for "a clear and present danger." The Goldwater amendment, as I remember, uses the language "labor disputes causing, or likely to cause, emergencies."

Mr. SMITH of New Jersey. I have before me the language of the Goldwater amendment. It reads:

Except as provided in subsections (a) and (b), nothing in this act shall be construed to nullify or impair the power of any State or Territory—

(1) to exercise its police powers——

Mr. KENNEDY. Of course it can exercise police powers, whether this amendment is adopted or not. So that part of the language means nothing—

and to deal with labor disputes causing, or likely to cause, emergencies—

The language "likely to cause" leaves a wide area of decision for the State governments.

In answer to the Senator's question—and I think it is a good one—there are extensive differences between the amendment he suggested dealing with emergencies, and the amendment suggested by the Senator from Arizona [Mr. GOLDWATER]. In his amendment the Senator from Arizona says:

Nothing in this act shall be construed to nullify or impair the power of any State or Territory—

(1) to exercise its police powers, and to deal with labor disputes causing, or likely to cause, emergencies affecting the health and safety of citizens of such State or Territory.

I invite the Senator's attention to the words "deal with labor disputes," the words "likely to cause, emergencies," and the words "affecting the health or safety of citizens of such State or Territory." The language in the bill is:

Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies—

The Goldwater bill's emergency provisions are substantially different from the Smith bill. I think the Senator from New Jersey should fight to maintain that difference.

The language of the Smith bill states:

with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the State.

I have already spoken of the vagueness of the language of the words "clear and present danger." They are inappropriate in this type of bill. Nevertheless, they indicate that a high standard must be met by an emergency before the State should be free to act.

The language of the Senator from Arizona is, "labor disputes causing, or likely to cause, emergencies affecting the health or safety of citizens of such State or Territory."

In the *United States* v. *Public Utilities Commission* (151 Federal Reporter, 2d series, at p. 613) it is stated:

It is true that the term "person affected" is one of uncertain meaning.

Webster's New International Dictionary defines "affect":

Affect * * * to act, or produce an effect, upon.

The long controversy over whom commerce "affects" indicates how vague that language is, as I know the Senator will agree. President Eisenhower, in his press conference stated that he was very reluctant to turn over to any State any powers which are not essential to the State's maintaining, in an emergency, the health and safety of its people. However, I believe he should be quite concerned about the vagueness of the language in the Goldwater amendment. Does the Senator care to comment on that point?

Mr. SMITH of New Jersey. I asked the distinguished Senator from Massachusetts a question, because earlier in his remarks he seemed to indicate that he favored a clause to take care of an emergency within a State comparable to the emergency clause in the national act. I was citing an example of other language which aims at the same result. Perhaps before we get through with the debate the distinguished Senator from Massachusetts will produce something that is the last word in defining what we are trying to do. I am sure we are all trying to do the same thing. Certainly we want to give the State an opportunity, in an emergency which affects the health and safety of the people, to take care of that emergency, because the national law covers only a national situation.

Mr. KENNEDY. Suppose there is a strike in a public utility, as was the case in Wisconsin, and bus drivers went on strike, and the State moves in, as was the case in Wisconsin, with compulsory arbitration.

Would not the Senator be concerned?

Mr. SMITH of New Jersey. Many people consider compulsory arbitration under any circumstances as a terrible thing. I feel that where human lives are involved compulsory arbitration may be the best way to handle the situation. I shall always stand on the side of protecting the health and safety of the people and shall favor a governor exercising his responsibility to take care of such a situation.

Mr. KENNEDY. In other words, a State governor or a State legislature should be free to declare when an emergency exists, and then be free to invoke compulsory arbitration, in spite of the guaranties of the Taft-Hartley Act.

Mr. SMITH of New Jersey. Absolutely. I do not know how a national law can cover such a situation. A national law can cover a national emergency, but a national law cannot say to my State of New Jersey that my governor must determine, according to some national definition, what the situation with respect to the health and safety of the people of Trenton is when heat and light are cut off.

Mr. KENNEDY. The Senator from New Jersey states that if a State government determined that a strike of bus drivers, or a strike in any other public utility, would cause or would likely cause an emergency affecting the health and safety of the citizens of a State, the Senator from New Jersey would turn over to that State the power to deal with that emergency, even though the emergency did not meet the standard of an emergency as defined in the national law?

Mr. SMITH of New Jersey. If it involved an intrastate question.

Mr. KENNEDY. Interstate, I mean.

Mr. SMITH of New Jersey. Well, we must consider the subject of milk, and other situations, which our national-emergency provisions do not take care of at all.

Mr. KENNEDY. The States do have the power to deal with intrastate questions. I am talking about interstate situations.

Mr. SMITH of New Jersey. The question was raised about the overlapping of jurisdiction with respect to State lines. I say if the emergency affects the health and safety of the people of any State, the Governor of that State should have the right to protect the people in that State.

Mr. KENNEDY. He should have the power, without any limitation, to make a determination as to what affects the health and safety of the people in the State, even in cases of interstate commerce? Is that correct?

Mr. SMITH of New Jersey. Absolutely. No one else should have the same right as the State to determine what affects the health and welfare of the people of a State. That is the foundation of our law. The individual States did not give that power to the National Government in the first place.

Mr. KENNEDY. No; the people of the country gave the Federal Government control over commerce.

Mr. SMITH of New Jersey. I would reserve to the States the powers which are reserved to them.

Mr. KENNEDY. The Senator from New Jersey, I believe, is talking about power that was given to the Federal Government, and which he would turn back to the States.

Mr. SMITH of New Jersey. I would not turn back any power to the States; I would reserve to the States their inherent power to protect the health and safety of their people.

Mr. KENNEDY. Would the Senator from New Jersey maintain for the Federal Government its powers over commerce and labor matters which it has had in the past?

Mr. SMITH of New Jersey. That is a very broad question. I will say that any question affecting the health and safety of our people is definitely a State matter,

and must be made so. That is not clear in the legislation, and that is why I supported the amendment in the present bill, or I shall support the Goldwater amendment if it is necessary to get that point made clear.

Mr. KENNEDY. Even over interstate commerce?

Mr. SMITH of New Jersey. Anything that affects the health and safety of the people of a State is a matter that a State has a right to take care of.

Mr. KENNEDY. In other words, in section 14 (c) the Senator from New Jersey would give to the States more than their traditional police powers to maintain public order. Is that correct?

Mr. SMITH of New Jersey. Section 14 (c)? That is in the bill. Oh, yes; that is bound to do so. I do not see why we should limit it just to that point.

Mr. KENNEDY. The Senator from New Jersey would turn over to the States more than their traditional police powers?

Mr. SMITH of New Jersey. The bill provides:

> SEC. 16. Section 14 of such act is amended by adding at the end thereof a new subsection reading as follows:
>
> "(c) Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permited to occur or continue, will constitute a clear and present danger to the health and safety of the people of the State."

Then there follows the proviso to the effect, of course, unless it is already covered under the national act.

Mr. KENNEDY. Apparently there would be action by the governor of a State before an emergency could be found to exist.

Mr. SMITH of New Jersey. It would provide for any action that a State saw fit to take. I believe it is an inherent power of a State to make such a declaration.

Mr. KENNEDY. Would it be limited to a public utility?

Mr. SMITH of New Jersey. No; it might be in the food industry or in transportation. It could be with respect to milk, for example. It could be with relation to anything that affects the health or safety of the people. Anything that affects the health or safety of the people could be declared by that State to be a matter for action by the Governor or any agency of the State government, as provided by the State. Such a provision would have to be broad enough to do the job; otherwise a State might be left in the position in which Wisconsin found itself, and could have such an act declared unconstitutional.

Mr. KENNEDY. The Wisconsin case involved bus drivers. I cannot conceive that the Senator from New Jersey, in a case involving bus drivers, would feel that the health or safety of the people would be so vitally involved that it would call for the declaration of such an emergency.

Mr. SMITH of New Jersey. It depends on the facts, of course.

Mr. KENNEDY. But the Senator from New Jersey is setting up as the only judge the State government in the various States which can find whether an emergency exists. In the Goldwater amendment particularly there are provided rather unsound and indefinite standards by which such a determination could be made.

Mr. SMITH of New Jersey. I have so much more faith in the integrity of the 48 State governors and legislatures, and in the people of those sovereign States, than the Senator from Massachusetts seems to have. However, that is the difference between us, apparently. I do believe that a State must primarily take care of its own people, and I do not believe that the Federal Government should interfere with a State in connection with anything that the State should properly be able to legislate on. I shall always stand for that principle, and I believe it is a sound principle.

Mr. KENNEDY. The President yesterday, in his press conference, stated that his own general feeling was that as long as the rights and privileges of labor and employer set up by the Taft-Hartley Act were not violated, the traditional responsibilities of the State for health, for keeping the peace, and so on, should not be interfered with.

The Senator from New Jersey goes much further than the President is willing to go.

Mr. SMITH of New Jersey. I will say to the distinguished Senator from Massachusetts that I have talked to the President many times on this subject. If I go further than the President, I must be misinterpreting the President, because he felt very definitely about protecting the States under these circumstances.

Mr. KENNEDY. The other day, the Senator from Arizona stated that while the President had not made a statement about his amendment, the White House aides in charge of labor were in favor of his amendment. The President yesterday made a rather general statement from which I cannot comprehend how he really feels about the Goldwater amendment. However, he did say that the rights given to labor and to employers by the Taft-Hartley Act should be protected. The Senator from New Jersey would go so far as to permit a State to have compulsory arbitration over employees in interstate commerce, which the Taft-Hartley Act does not permit. Therefore, the Senator's amendment, under some conditions, would cover conditions which the President has opposed.

In addition he says that the powers concerning intrastate commerce, which the States have held for a long time, should not be changed. Of course, we agree on that.

Of course, we agree with that. How the Senator can get an endorsement for his amendment from the President's statement, I do not understand.

Some of the States have passed laws providing for compulsory arbitration. The late Senator Taft came out strongly against compulsory arbitration.

Mr. SMITH of New Jersey. If the distinguished Senator will read the amended Goldwater amendment, which guarantees collective bargaining, I think he will find that compulsory arbitration would be prohibited except in emergency cases.

Mr. KENNEDY. But the State can determine when an emergency takes place, and it seems to me——

Mr. SMITH of New Jersey. It depends upon the circumstances. It must be related to the whole picture.

Mr. KENNEDY. In the case of *Bus Employees* v. *Wisconsin Board*, reported in United States Reports, page 340, it was held:

> Far from being legislation aimed at "emergencies," the Wisconsin act has been invoked to avert a threatened strike of clerical workers of a utility.

Mr. SMITH of New Jersey. A strike of clerical workers might very well cause an emergency.

Mr. KENNEDY. Clerical workers in a utility company?

Mr. SMITH of New Jersey. Yes. The Senator tries to limit himself to certain language, but the whole question has to be related to the welfare and safety about which I have been speaking. A strike of utility workers might well be an emergency.

Mr. KENNEDY. It is up to the State to determine according to the Senator. In the Wisconsin case it was determined that a strike of clerical workers involved an emergency.

Mr. SMITH of New Jersey. Of course, there is a variation of view, but I would trust the State people to take care of their own citizens as soon as I would trust the Federal Government to do so. I think a State should very definitely take care of its own citizens. I so advised my Governor when there was a strike in Trenton threatening the safety and health of the people. It almost involved compulsory arbitration. The closing of hospitals was involved. I think the Governor was right in acting as he did.

Mr. KENNEDY. In our own national emergencies we do not permit compulsory arbitration.

Mr. SMITH of New Jersey. Just because we do not, from a national standpoint it does not mean that a State could not determine a particular question of an emergency nature. For us to say that we must lay down rules for all the States with reference to these questions I think is going too far. The Senator's argument here is that whatever we decide in our great wisdom will be adequate to satisfy every State legislature in the country as to what is to be done in connection with the health and safety of the people.

Mr. KENNEDY. My position is that as to those employees who are under our jurisdiction we should write a law which would be applicable in every State. I referred earlier in my speech to the strange uses to which some States have put so-called right-to-work statutes in attracting industry from one area to another area.

The Goldwater amendment would permit different labor standards to be established in interstate commerce, and, obviously, there would be a natural flow of workers to those States having the more restrictive labor legislation.

Mr. SMITH of New Jersey. In regard to the rights of the working man—and I want to emphasize the words "working

man"—it was attempted to take care of the fundamentals of the Taft-Hartley Act in the last amendment which I studied and presented, and which was accepted.

Those are the fundamentals of the old Wagner Act. We are giving in the Goldwater amendment everything the Wagner Act gave to the working man.

Mr. KENNEDY. The Goldwater amendment deals only in the first part with emergencies. The second part does not deal with emergencies. If it protects every right of the employer and employee, if it guarantees all the rights hitherto given by the Taft-Hartley Act and the Wagner Act, why does the Senator from Arizona propose it?

Mr. SMITH of New Jersey. That is only a proviso to the part of the amendment which gives States the power to legislate in this field.

Mr. KENNEDY. I should like to ask the Senator from New Jersey if the States can pass any legislation with reference to secondary boycotts, under the Goldwater amendment as changed.

Mr. SMITH of New Jersey. I do not feel that I can answer all the implications of the Goldwater amendment. I did not originate it. I am simply trying to interpret it. I assure the Senator that an attempt was made to protect the fundamentals of the Taft-Hartley Act for the benefit of the working man. In some States there is a return of union control to the States, and I am sympathetic with that. I am not sympathetic with anything which in any way curtails the protection of the working man. That is one reason I favor the secret ballot, because I think democracy in a union is a very important thing. The working man is entitled to be protected. I am sure the Senator will agree with that.

Mr. KENNEDY. Under the Goldwater amendment, as amended, would it not be possible for a State to prohibit strikes?

Mr. SMITH of New Jersey. I simply do not know, but I do not think so. The Senator from Massachusetts will have to ask the Senator from Arizona those questions, because the Senator from Arizona has made a study of the matter. I am not endeavoring to answer all the questions.

Mr. KENNEDY. It was my feeling that under the amendment offered by the Senator from Arizona, not only could the right to strike be prohibited, but also that picketing could be restrained, up to the limits of the free-speech amendment of the Bill of Rights. It could be provided that only one picket be permitted to operate, and that an employer could be permitted to escape from his obligation to bargain collectively.

I believe that the extensive powers, which a State would still posses under the amendment of the Senator from Arizona, indicates that the amendment goes beyond protecting the rights of citizens in cases of emergency, which I know is the primary concern of the Senator from New Jersey, but, instead, would provide for 48 different standards of labor-management relations.

I think it is important that the Senate understood that the Goldwater amendment is not an emergency section, as is the amendment of the Senator from New Jersey. The amendment of the Senator from Arizona would provide for varying degrees of State interference with labor matters, which I think would have an unfortunate effect upon the economic structure of the United States.

Mr. SMITH of New Jersey. I should like to suggest to the distinguished Senator from Massachusetts, in the light of the record which has been made on the Goldwater amendment yesterday and today, that it has been brought out clearly that the rights in sections 7, 8, and 9 of the Taft-Hartley are protected, as are all the other guarantees relating to any fundamental features, and that nothing has been denied to the workers, so far as I can determine.

Mr. KENNEDY. What the amendment of the Senator from Arizona provides is that a State cannot give an employer the right to coerce his employee, but there is no prohibition against a State itself doing so.

Mr. SMITH of New Jersey. A State cannot itself interefere in representation cases, and it cannot interfere with collective bargaining. So those fundamentals are taken care of directly. The reason why I suggested my addition to the Goldwater amendment is to provide that a State would be prohibited from interfering with those fundamentals.

Mr. KENNEDY. In other words, could a State pass a law which would make it unnecessary for an employer to bargain collectively with a union?

Mr. SMITH of New Jersey. Under the suggestion I made the State could not possibly do that.

Mr. KENNEDY. I am afraid it could.

Mr. SMITH of New Jersey. I suggest that the Senator from Massachusetts read the amendment as modified. I do not have it before me, but I suggest that the Senator read the amendment. It provides specifically for collective bargaining.

Mr. KENNEDY. Do I understand, then, that employees will have a right to bargain collectively, but the amendment does not provide that the employer must bargain collectively with the employees.

Mr. SMITH of New Jersey. The amendment provides that a State cannot pass any legislation interfering with the right to collective bargaining, which is provided for in section 7 of the Taft-Hartley Act.

Mr. KENNEDY. Obviously, it does not provide real protection at all, otherwise it would not be proposed.

Mr. SMITH of New Jersey. Yes; because there is no authority for the States to act unless there be such a provision as this. States are given the right to act in other cases only when they provide for the protections specified.

Mr. KENNEDY. In other words, does the Senator state it as his conviction that a State should have the right to act in cases involving the health and safety of its citizens?

Mr. SMITH of New Jersey. Those instances would be emergencies.

Mr. KENNEDY. Does the Senator from New Jersey now state that the States should have the right to act in other cases?

Mr. SMITH of New Jersey. No; I am saying that the Goldwater amendment makes such a provision. I am trying to interpret it.

Mr. KENNEDY. Is the Senator from New Jersey offering an amendment to the Goldwater amendment?

Mr. SMITH of New Jersey. Yes. I offered it this morning and it was accepted by the sponsor. I think the Goldwater amendment is a sound one. I have discussed the question with the President of the United States. He agrees that the principle of the Goldwater amendment is sound. He insists only that precautions must be taken to protect the workers, under the Taft-Hartley Act, in any proposal such as the Goldwater amendment.

This is a very simple matter, but there is an attempt being made to make it a complicated matter, which I do not agree with.

Mr. KENNEDY. I do not wish to take much more time to ask the Senator from New Jersey how he can reconcile the statement which he has just made with the statement of the President of yesterday?

Mr. SMITH of New Jersey. I did not see the President's statement yesterday. Does the Senator from Massachusetts intend to quote the President?

Mr. KENNEDY. I read from the New York Times, as follows:

> His own [the President's] general feeling was that as long as the rights, privileges of labor and employer, set up by the Taft-Hartley Act were not violated, that the traditional responsibilities of the State for health, for keeping the peace, and so on, should not be interfered with.

The only question I wish to ask is: Does not the Senator from New Jersey feel that the Goldwater amendment goes far beyond the feeling expressed by the President?

Mr. SMITH of New Jersey. No; I do not. And what the President told me this very day is entirely consistent with the statement which the Senator from Massachusetts has just read. An attempt has been made to draw the amendment in question, and other amendments, to protect those rights and privileges, which protection I myself would have wanted. I never would have gone along with the Goldwater amendment otherwise. I am still weighing the amendment, but I would not have gone along with it at all unless it contained these protections.

Mr. KENNEDY. Mr. President, when the proper section of the Taft-Hartley Act is reached for amendment, I urge that section 14 (b) be stricken and that the amendment offered by the Senator from Illinois [Mr. DOUGLAS] and myself be agreed to. I urge that the amendment offered by the Senator from Arizona be defeated and that the amendment offered by the Senator from New Jersey dealing with emergencies be either redrafted or defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this afternoon, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KNOWLAND. A number of inquiries have been made of me during the course of the afternoon as to whether or not the Senate would consider the supplemental appropriation bill conference report this afternoon, or would act on the amendment to the St. Lawrence Seaway bill which I understand has been adopted by the House. My reply was that while those two matters are privileged in character, they would not be taken up this afternoon, in deference to the requests of a number of Senators. So Senators may have assurances that neither of these matters will be taken up during the afternoon.

THE ST. LAWRENCE SEAWAY

Mr. FERGUSON. Mr. President, I invite the attention of Senators to the fact that the House has passed the St. Lawrence Seaway bill by a vote of 241 to 158, with 3 voting "present." I know the Senate, which passed the bill by a vote of 53 to 35, will be glad to receive that news.

I am satisfied that the changes in language made by the House are not changes in substance. Therefore, when the bill comes from the House, I shall ask the Senate to concur in the House amendments without referring the bill to a conference between the two Houses. I hope we may have the signature of the President on the bill in a few days.

Mr. THYE. Mr. President, will the Senator yield in order that I may raise a question or two in connection with the action of the House on the St. Lawrence Seaway bill?

Mr. FERGUSON. I yield.

Mr. THYE. The Senator says that the House version of the bill is substantially the same as the bill which the Senate passed, and that he will recommend that the Senate concur in the House amendments, without sending the bill to conference.

Mr. FERGUSON. That is correct. The so-called Brownson amendment was defeated by a vote of 173 to 76, I believe, or perhaps 79. That was the controversial amendment.

One of the House amendments deals with lake levels. Another provides for the use of revenue bonds, instead of money to be paid out of the Treasury; but the Treasury will buy the bonds, so the difference is one of language only, and not of substance.

Mr. HOLLAND. Mr. President, will the Senator yield to me for the purpose of making a brief comment on the same matter?

Mr. FERGUSON. I yield for that purpose.

Mr. HOLLAND. I merely wish to say that I share the pleasure of the distinguished Senator from Michigan and the distinguished Senator from Minnesota in this announcement.

I call attention to the fact that the action of the House is completely bipartisan and indeed nonpartisan, as was the action of the Senate. I am sure that it is believed by Senators and Representatives from all sections of the Nation that the seaway is important to our Nation. It is important to national defense. It would have been a very unwise thing, in my judgment, for us to allow Canada to take this step by herself, without our having the fullest participation in the operation and control of what will undoubtedly be a most important lifeline of our national commerce. I am glad to hear the news.

Mr. FERGUSON. Mr. President, I am very happy to have the Senator from Florida make that statement, because it shows very clearly that this project is for the entire United States. In a sense, the State of the Senator from Florida is at the other pole, having a seacoast practically entirely around it. However, the Senator from Florida states on the floor a view, which we now all share, that this project is not only for the Midwest but for the entire United States.

Mr. THYE. Mr. President, will the Senator yield for another moment?

Mr. FERGUSON. I yield.

Mr. THYE. I, too, wish to comment more specifically about the legislation embodied in the St. Lawrence Seaway bill. Those of us who live in the central part of the United States have endeavored for a great many years to have such legislation enacted. It is a worthwhile accomplishment, and it will greatly aid the development of the United States to have the St. Lawrence Seaway, which will make it possible for oceangoing vessels to approach the interior of the United States.

However, the project will not be completed until we have the connecting links between the Great Lakes, which will permit development of the St. Lawrence to the Head of the Lakes—to Duluth, Minn., and Superior, Wis.

While I am elated over what has been accomplished in this legislative session, I still say that to complete the project, connecting links must be developed.

I wish to go on record as commending the administration for having achieved this result, but I call attention to the fact that the job is not complete.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

ATOMIZING LABOR RELATIONS

Mr. MORSE. Mr. President, I desire to make a very brief speech in opposition to the Goldwater amendment, under the heading "Atomizing Labor Relations."

The Goldwater amendment would, in effect, return labor-management relations to the chaotic conditions which existed before 1935 and 1932.

It is an open invitation to government by State court injunction.

The philosophy of the Goldwater amendment is that labor-management relations is a form of combat. The Wagner Act was based upon the sound premise that collective bargaining between management and the freely chosen representatives of employees is the most peaceful and soundest means of adjusting the differences of opinion between employer and employees. Even the Taft-Hartley Act left undisturbed the following declaration of policy:

> Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

Experience has also proven that employers and the public benefit from collective bargaining and the orderly adjustment of differences that stem from mutual understanding. Ignorance and misunderstanding of varying points of view frequently dissolve after the free interchange of information and opinion across the bargaining table.

The essential interests of employer and employees are the same—uninterrupted production, uninterrupted wages, and uninterrupted sales.

No one wins a strike, but the right to strike is an indispensable condition of meaningful bargaining. It is not its use, but its availability that makes it an effective means of inducing good faith bargaining in many instances. Thousands of employers have learned that in the past two decades and more.

Bargaining is not always easy. It does not always seem to be the most comfortable means of resolving an employer-union dispute. But honorable negotiation, however painful, is less costly and hurtful than war. The strike and lockout are more costly and hurtful than bargaining.

How many times have I sat as an arbitrator or mediator only to have the proceedings discontinued when the opposing parties learned the facts or came to understand the proposals put forward by the other side. That is the essence of collective bargaining.

The Goldwater amendment would not encourage bargaining. On the contrary it would discourage it. It is a means of putting weapons for industrial combat into the hands of employers.

In effect, it gives to antiunion employers an opportunity to shop for the most favorable forum. The Senator from Arizona is undoubtedly an expert on shopping, but that does not add anything to the appeal of his amendment.

Under his amendment an employer would have an almost unlimited choice between Federal and State law and the Federal law and State courts. If the Federal law is not suitably restrictive, he need only take his trade to the State courts. To my knowledge only one State, New York, has general labor relations legislation in force which is less restrictive than the Taft-Hartley law.

The States of Arizona and Colorado, unfortunately my own State of Oregon, and other States, have restrictions upon union activity that were accepted by William Howard Taft to be legitimate at common law.

Of course, we note that under the old doctrine of common law in the field of industrial relations, labor was looked upon as a commodity.

Those State statutes are of dubious legality because they deny the exercise of rights which have been recognized and protected by Federal law. At the time of the 1949 hearings, Colorado prohibited picketing by any union unless it was the recognized or certified bargaining representative of the picketed employer. Other States have similar laws.

This undercuts Federal protection which is afforded even by the Taft-Hartley Act. Indeed, some State limitations may be unconstitutional under the 14th amendment as denials of free speech. The Oregon courts have struck down similar strict prohibitions of picketing on just that ground.

Under the Taft-Hartley Act, States may impose more stringent limitations upon union security than those contained in section 8 (a) (3), which provides for a very limited form of union shop—section 14 (b).

However, the Supreme Court has held in several cases—*UAW* v. *O'Brien* (339 U. S. 454), *Amalgamated Association* v. *Wisconsin Employment Relations Board* (340 U. S. 383), and *Garner* v. *Teamsters* (Dec. 14, 1953)—that State statutes or court action which limit federally protected activities subject to the Federal labor law are invalid.

The Senator from Arizona [Mr. GOLDWATER], in his supplemental views on S. 2650, declares:

> I believe it is essential that the doctrine of preemption be reversed and the powers of the States returned.

Mr. President, I wish to emphasize that statement of the Senator from Arizona because it shows the clear intent of the proponents of the amendment. What they apparently want to do is repeal what was done by the Constitutional Convention in this respect. What they are saying, in effect, is that they think it was a mistake for the constitutional fathers to delegate to the Federal Government jurisdiction over interstate commerce. I shall take my stand with the constitutional fathers, and I shall not be a party in the Senate to an effort to repeal, in effect, a provision adopted by the Constitutional Convention. I have no intention of being a party to this device which would take away from the Federal Government jurisdiction over interstate commerce. In order to keep the record straight, let me place the provision in the RECORD. I read from article I, section 8, of the Constitution, which gives to the Federal Government jurisdiction "to regulate commerce with foreign nations and among the several States, and with the Indian tribes."

I think I ought also to read for the benefit and the information of the proponents of the amendment section 2 of article VI of the Constitution:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby.

When Senators come to a vote on the Goldwater amendment, they will have to decide whether or not they will go along with the Senator from Arizona, who tells us that it is essential that the doctrine of preemption be reversed and that the powers of the States be returned to them. To what powers does the Senator from Arizona refer? When the constitutional fathers came forth with this organic law, they gave jurisdiction over interstate commerce to the Federal Government. The regulation of interstate commerce became a Federal power and ceased to be a State power.

I can think of no greater trespass we could make upon one of the cardinal principles of American jurisprudence, namely, uniform application of the law, than to adopt the Goldwater amendment. Moreover, what the Goldwater amendment does is to play right into the hands of the antilabor forces across the country, and once again to put labor in the field of interstate commerce at the mercy of antilabor State judges—and there are still too many of them—antilabor State legislatures—and there are still too many of them—and antilabor economic forces in too many States where they, unfortunately, control too many of the actions of the States in the field of industrial relations.

My colleagues might as well face up to the fact that what we are dealing with here is a device which seeks to place a yoke upon the necks of labor. One would think Congress never enacted the Wagner and Norris-LaGuardia Act, or that Federal preemption is peculiar to labor relations. It is not. It is based on the supremacy clause of the Constitution, which I have just read. Does it not make sense that when the Federal Government has legislated on a particular subject matter, which is within its jurisdiction, the States may not take inconsistent action? Otherwise, no one in the field affected could know what his rights and duties were.

Mr. President, let me say once again that in the Senate opposition is being evidenced against a group of us who are fighting for fair labor legislation, in order to protect the best interests of American business. It will be recalled that in 1947 some of us stood on the floor of the Senate and warned our colleagues, as the debates of that time will show, that if the Taft-Hartley bill were enacted into law, containing delegations of power to the States, they would see serious repercussions upon industries in their own areas. The fear some of us had in mind was that under such a delegation of authority, industries which were operating plants in fair labor States, in their own interests, would move their plants into antilabor States. If the sweeping changes proposed by the Goldwater amendment should be adopted, Congress would be doing a great injustice to business concerns in every State which has fair labor legislation.

The Goldwater resolution provides that regardless of the Federal labor law the States may make any regulation, by statute or court action, which is more restrictive of union activity than Taft-Hartley.

It provides:

> • • • nothing in this Act shall be construed to nullify or impair the power of any State or Territory—
>
> (1) to exercise its police powers, • • •

Under Supreme Court decisions the States now have that power—*Carpenters and Joiners Union of America* v. *Ritter's Cafe* (315 U. S. 722 (1942)); *Gilioney* v. *Empire Storage and Ice Co.* (336 U. S. 490 (1949)), violations of State antitrust laws by secondary picketing; *Milk Drivers Union* v. *Meadowmoor Dairies* (312 U. S. 287 (1941)), violence. So, on the basis of existing decisions, that portion of the Goldwater amendment is completely meaningless.

However, what the Senator from Arizona seeks to do, of course, is to turn over to the State courts and the State legislatures control and jurisdiction over interstate commerce. That is the objective of this amendment, which also would validate State action "to deal with labor disputes causing, or likely to cause, emergencies affecting the health or safety of citizens of such State or Territory."

Mr. President, that is interesting language, but we need to analyze it, because it contains a very interesting "sleeper" clause. I ask my colleagues to note in particular the language, "affecting the health or safety of citizens of such State or Territory."

How many citizens would have to be affected? The amendment does not use the words "of the people of the State," or the words "of the citizens of the State." Instead, it merely says "of citizens."

This is a loosely drawn provision which could be applied widely, and antilabor courts in some States would not hesitate to do so. The word "emergencies," as the minority points out in their discussion of a similar but less extensive committee amendment, can mean many things. It can mean many more under the Goldwater amendment. The committee amendment, which I do not support, would permit State action in emergencies which "constitute a clear and present danger to the health and safety of the people of the State."

Which, of course, means that the emergency would have to be of general application to the State.

Under the language of the Goldwater amendment, State action would be allowed in disputes causing "emergencies affecting the health or safety of citizens of such State." We should note the interesting changes and omissions. Under the Goldwater amendment, the dispute need only affect health or safety—and whose health or safety? Not that of "the people of the State," but only that of "people of the State." That could be any number of persons more than one; it could mean only the health of the board of directors of Goldwater's Department Store.

On Monday, in discussing preemption, the Senator from Arizona cited his business as an example of a local enterprise which does 98 or 99 percent of its business within Arizona. Last year the Republican slogan was "What is good for

General Motors is good for the country." Today, the slogan is about to be rewritten as "What is good for Goldwater's Department Store is good for labor-management relations." I submit that is a somewhat narrow test.

On the off chance that the Federal law might preclude some State action not permitted by the language of his proposed section 14 (c) (1), there is a subsection (2), whereby nothing in the Federal law shall be construed to preclude a State "in any other case"—Mr. President, note that there is no limitation—"to give effect to its law: *Provided*, That no such law may be applied so as to permit employers or labor organizations to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed to employees by this act."

Mr. President, I know there are those who do not believe free workers should have the right to organize and bargain collectively, although in these days such persons are more hesitant to say so publicly. After all, we have made some progress. Thus, such persons are more hesitant, these days, to say, "What we should do is abolish unions." On the other hand, Mr. President, there are ways of abolishing the effectiveness of unions; and I do not know of a more effective way to abolish the effectiveness of unions in antiunion States than to have Congress adopt and enact into law the Goldwater amendment.

Mr. President, it is a well-known tactic to try to divide, in order to conquer one's opposition. Of course, throughout the long and arduous history of the American labor movement, organized labor has been confronted with that tactic. Today, we see that tactic being attempted again, in connection with the pending amendment. Instead of providing for a uniform procedure, a uniform policy, and a uniform law applicable to interstate commerce from coast to coast and from north to south, it is proposed, by means of the pending amendment, to have 48 different State jurisdictions take over control of interstate commerce within the States. I wish to say today to American labor that a more serious threat to the American labor movement than the one represented by the meaning of the Goldwater amendment has not developed in the United States for some years.

We should note that the proviso in the Goldwater amendment, just referred to, is appended to section 14 (c) (2). Is it intended that in so-called emergencies of the kind dealt with in section 14 (c) (1), the rights of employees under the Federal law may be impaired? That language might be so construed, I submit.

The scheme of the Goldwater amendment is to prohibit the States from relaxing any of the prohibitions of Federal law, but to permit greater restrictions.

Mr. President, is not that rather odd in a proposal that is designed to return to the States what the Senator from Arizona says was always theirs until the "wicked" Supreme Court intervened? If he desires to have the States exercise their powers in the labor-management field, why should not the States be permitted to apply to the subject their more liberal laws? Does not the State of New York or the Commonwealth of Massachusetts, in the opinion of the junior Senator from Arizona, have the right to permit the closed shop, as they do in intrastate enterprises? Or does a State only have the right to be antiunion?

In discussing the predecessor of this amendment in his supplemental views, the Senator from Arizona said:

> The proposed amendment would permit State action barring, for example, recognition strikes which under NLRB determinations are not prohibited by Federal law. It would permit a State court to act to stop mass and coercive picketing which are prohibited by Federal law. It would validate State laws prohibiting secondary boycotts, stranger picketing, picketing in the absence of a labor dispute, picketing for an illegal objective, and State laws requiring a vote to authorize a strike.

This latest version would have the same effect.

In support of his argument the Senator points to the problem of delay in securing relief under the Federal act. Certainly there is sericus delay. Let us inquire why. Who is responsible for it? The Congress of the United States, because it put into the Taft-Hartley law a great many provisions which never should have been in it in the first place—provisions which were bound to cause delay, making it difficult really to reach the crux of the important issues involved in major disputes. Let us see why that is true.

After 1947 the Board, although expanded to five members and given larger appropriations than under the Wagner Act, had many new duties and functions added to it.

It had to set up and maintain on a current basis data on the compliance status of dozens of international unions and thousands of locals, each with many officers whose affidavits must be renewed yearly.

The Board must give priority to secondary boycott cases. This means in practice that at least one lawyer and one field examiner must spend full time on an 8 (b) (4) (A)–(C) charge from the moment it is filed. Some regional offices of the NLRB have only a handfull of employees.

After the enactment of the Taft-Hartley Act the Board had to hold thousands of union security authorization elections in addition to regular representation elections. The security elections numbered 46,146, including statewide units of telephone employees, gigantic steel plants, and many other enormous establishments. And yet the Senator from Arizona talks about delay. Congress is the cause of the delay, by imposing upon the National Labor Relations Board such chores as the particular provisions, to which I am referring, call upon it to perform.

In New York City the Board polled some 25,000 employees in an industry-wide unit of clothing manufacturers in a union election. Those referenda cost thousands of dollars and thousands of man-hours.

They were found to be useless, and after the validity of a majority of them was put into question by the Highland Park decision the requirement was finally eliminated from the law. But there are still many other features of the law which should be eliminated.

And the Board has had as one of the principal items of business the policing of union security agreements for technical violations. At first it was generally assumed by labor and management representatives and many Board personnel that a union security agreement could be entered into with the oral understanding that the union shop provision would not be operative until a union shop referendum was held and a certificate that the referendum approved the provision was issued by the Board. Indeed, the Board conducted many elections where that situation prevailed after the execution of such contracts.

Despite such action it later held that technical inadequacies of union security provisions constituted unfair labor practices and, in addition, prevented such contracts from operating as a bar to an election.

In the ordinary election case the Board will not order an election where there is in effect a valid contract. Even if the contract is of unreasonable duration the Board permits the contract to be a "bar" to an election for a reasonable period, usually its first 2 years.

This line of decisions invalidating a contract as an election bar necessitated many hundreds of new elections, costly and time-consuming, and resulting in inevitable delay.

There are no statistics on this point, but I venture to guess that a majority of the unfair labor practice cases processed by the Board since 1947 have been based upon technical inadequacies in union security provisions. Most, or a major portion, of these cases were against employers whose operations were disrupted.

After 7 years, employers and unions have some idea of what is expected of them. But the workload manufactured by the boobytraps of Taft-Hartley have prevented quicker adjudications of more meaningful provisions of the act.

So, too, the new Taft-Hartley rules on who could be parceled off into small units, craftsmen, professionals, and guards, caused time-consuming cases.

I could go on. The point is that Taft-Hartley contained the seeds of its own inefficiency.

The Board's operations should be more expeditious if they are to be meaningful. To that end, Taft-Hartley should be stripped down to smaller dimensions and more simple provisions. The committee amendments do not do that job. In my opinion, they are entirely insubstantial; they are but face-saving amendments—to save face on a campaign promise. What the American people ought to ask is, What about the quality of these administration amendments? When the quality of the amendments is analyzed, it is apparent that they do not come to grips with the problem of revising the Taft-Hartley law.

I shall address myself to that problem in another speech when I will submit improving amendments which I think will do the job.

But the Taft-Hartley law is bad enough without overlaying it with the State laws and court opinions of 48 separate jurisdictions. This would be unfair to unions. It would constitute an unbearable burden upon management. I am of the opinion that once industrial statesmen among managers today come to see the true implications of the Goldwater amendment American business will be found to be against the amendment.

Businessmen who conduct interstate operations have a right to be subjected to one set of rules. Uniformity is of major importance in this already too complicated field. Businessmen who operate in only one State but who necessarily deal with interstate concerns should also have the advantage of being subject to the same rules as those with whom they do business.

We cannot afford to make every State court judge an independent labor board. Nor can we justify, in my opinion, an attempt by indirection to repeal the interstate commerce clause of the Constitution of the United States. In effect, that is exactly what the Goldwater amendment would do. It seeks to strip the Congress of the United States of its jurisdiction over interstate commerce in the field of industrial relations. It would set back for many years harmonious, peaceful labor relations.

I think American labor and American business had better keep their eyes on the rollcall on this amendment, because it will show to what degree the Senate of the United States is antilabor.

Mr. SCHOEPPEL. Mr. President, I send to the desk an amendment to the pending bill and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. SCHOEPPEL. Mr. President, on February 19 of this year the senior Senator from Kansas spoke on the floor of the Senate on the Labor Management Relations Act of 1947, and especially with reference to the secondary-boycott provisions.

In that speech I pointed out, by way of explanation of the amendment to the Labor Management Relations Act of 1947 dealing with secondary boycotts, what that amendment provided.

I do not wish to burden the record this afternoon. Those who are interested in the amendment which I have sent to the desk to be printed and lie on the table will find an explanation thereof in the remarks which I made on February 19 of this year, showing in detail what the amendment seeks and provides.

Mr. MURRAY. Mr. President, I send an amendment to the pending bill to the desk and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment proposed by the Senator from Montana will be received and printed, and will lie on the table.

Mr. MURRAY. Mr. President, the amendment which I am proposing to S. 2650 is identical with certain provisions of a measure introduced by me on January 23, 1952, as S. 2503. These measures have the full support of the Allied Printing Trades Council, an organization representing employees in the printing and publishing trades, including the printing pressmen, bookbinders, stereotypers, photoengravers, compositors, and mailers. These proposals are entirely consistent with the position on labor legislation taken by all branches of organized labor.

The amendment would serve three principal purposes. One, it would restore full and free collective bargaining on the issues of union security and union discipline in the printing industry. Secondly, it would permit unions in an industrial dispute to seek allies to the same extent permitted to employers under present law. Third, it would make it clear that an economic struggle between a group of union, and a group of nonunion, employees is, as everyone understands, not a "jurisdictional dispute." All these matters require correction if the law is to have a semblance of fairness and equity.

1. RESTORATION OF FREE COLLECTIVE BARGAINING

The amendment provides that—

Employers of employees in the printing and publishing industry, the operation of whose enterprises affect interstate commerce, may, without regard to the provisions of this act or of the law or policy of any State or Territory, enter into an agreement or agreements with labor organizations (not established, maintained, or assisted by any action defined in section 8 (a) (2) of this act as an unfair labor practice) to require as a condition of employment membership therein, and may enforce the terms and provisions of such agreement or agreements.

This is a simple declaration of an important principle. All it says is that in the printing and publishing industry the parties shall have the right, which they enjoyed for more than a century, to engage in free collective bargaining on certain important issues, including the terms and conditions under which persons may be hired, and the terms and conditions under which they may be discharged. It would compel no one to agree to anything; the parties would be free, as they traditionally have been, to negotiate, to agree on that which they deemed wise, and to enforce the bargain they had concluded.

This is all that we mean by free collective bargaining. Every speech on labor relations pays its respects to free collective bargaining. Yet our law forbids it on some of the most vital issues which arise in negotiations.

The first question is, Who is to be hired? The Taft-Hartley law, in effect, says that this question must be committed to the unfettered discretion of the employer. Our labor history shows that this is a bad answer. Where employers have had complete control over hiring the consequences have often been discrimination against union men, kickbacks, crimp joints, and, necessarily, wage cutting. The Senators know my profound respect for that majority of American employers who are fair and decent, as they know my contempt for those who are chisellers and unfair. Present law does nothing to protect the fair employer who wants to hire without discrimination at current wage rates; but it puts powerful new weapons in the hands of the unfair employer who seeks to defeat the right of men to belong to a union and to undercut wage standards.

There is only one decent answer to this problem: joint union-employer control over hiring achieved through the process of free bargaining. The internal pressures within unions will see to it that available jobs are fairly rotated, as they have been in the printing trades, in maritime hiring halls, and in many other industries. The employer can, as he always has through the process of collective bargaining, obtain such protection as he feels necessary against unsuitability or incompetence. He will thus have assurances at all times of a competent, disciplined, trained work force.

Trade unions have a vital interest in this matter. It is of the essence of trade unionism itself that unions seek jobs for their members, nor will anyone suggest that there is anything reprehensible about this objective. This being true, what reason can be advanced for not permitting the parties to regularize this ambition through the medium of collective bargaining? An employer who feels that his business interests are best served by relying on a union to supply him with the skilled work force he needs, should not be denied the right to enter into an agreement to that effect.

Many unions, including all the unions in the printing trades, undertake to train apprentices in their crafts. This work is highly skilled; it requires an unusual combination of manual and intellectual abilities; and only those already skilled in the craft can pass their learning down to the next generation. But that whole system depends on the sure knowledge that such training will not go for naught; that is, that when an apprentice emerges as a full-fledged craftsman, there will be work for him, under good working conditions and with reasonable tenure of employment. By denying craft unions the right to contract on these issues, the Taft-Hartley Act jeopardizes the apprentice system which has developed over more than a century of experience.

The unions in the printing trades have developed elaborate rules designed to spread available work fairly among those working at the trade. Under these rules, those with the greatest skill and seniority acquire a certain priority for positions. These rules have worked well; they afford a substantial inducement to men to continue in the trade, and on the job; they have provided a stable work force without impinging on the free mobility of American labor. But the continued enforcement of such rules depends largely upon craft union obtaining agreements with employers based upon them.

It has never been demonstrated that this system is wrong. Neither in the printing and publishing field, nor any other, has it, as is often asserted, led to a monopoly. If there have been abuses of a joint system of control over hiring, I suggest that the proper course for the Congress is to restore the freedom of the parties, make an objective survey of the field through duly qualified experts, and then legislate against abuses, if any are found. This is the course

recommended by so conservative an expert as Prof. Sumner Schlichter, of Harvard, in a speech at the Wharton School on April 10, 1953, when he advised that "the closed shop with proper safeguards should be permitted." There is no justification for throwing out the baby with the bath, as the absolute prohibition of the Taft-Hartley law does.

S. 2650 only scratches the surface of this problem. It deals only with a limited number of industries, on the entirely irrelevant ground that employment in them is casual or intermittent. It may be true that in such industries the need for fairness in assignment of available jobs is most evident; that does not mean that it is lacking in others. S. 2650 retains the basic vice of the Taft-Hartley Act in leaving the question of hiring to the employer's sole discretion; only 7 days after hiring may a person be required to become a union member. But it is getting the job that is important; this is the critical point; and there is every reason why we should permit collective bargaining on that issue.

2. THE RIGHT OF UNIONS TO SEEK ALLIES

The regulators of our economic system are the right to strike and to lock out. It is a system with its inconveniences; but the only alternatives that have ever been proposed or tried entail Government dictation of wages and working conditions, and our observations of the consequences in Nazi Germany, Fascist Italy, and Communist Russia should be sufficient to show where that road leads. The right to strike is the touchstone of the free labor and free enterprise system of which we are so justly proud.

Strikes entail losses; we suffer them in the interest of a free and democratic state. These losses may radiate widely through our society. A strike at the plant of a parts supplier may shut down an automobile factory, idle its men and lose its stockholders dividends. This is unavoidable if there is to be a right to strike at all. No one has suggested that these "innocent" or "neutral" stockholders or workers be reimbursed for their losses, nor could they be.

The Taft-Hartley law does not protect "neutral" or "innocent" third parties. It protects only those who are in a business relationship with a struck or unfair employer and who have thereby made themselves allies of the struck or unfair employer in helping him win a fight with a union. An employer in an industrial dispute is completely free to seek such allies as he desires; he may ask fellow employers to lock out their union members, he may ask another employer to turn out his work during the strike, he may seek financial or other assistance, he is free to buy his materials and sell his finished product where he will. Not only that, but under the Taft-Hartley Act he has a legal protection in the continuance of those relationships, since a union may not induce the employees of such other employer to cooperate with the striking employees. The employer therefore is free to seek such allies as he desires, and has the protection of law in doing so.

Unions, on the other hand, have no freedom whatsoever to seek allies. They are forbidden to induce by peaceful means a willing group of employees to cooperate with them in winning a strike, under the heavy penalties of mandatory injunctions, damage suits, unfair labor practice proceedings, and loss of employee status. In consequence, while the employer retains a legally protected freedom of action in widening the scope of the dispute, the striking employees are by law isolated and forbidden to ask the aid of other workers, even in retaliation against employer action. This is patently and grossly unfair. It is this situation which my amendment seeks to correct.

We have retained those provisions of the law which forbid secondary action to obtain recognition unless there has been a certification, and strikes against NLRB certifications. These represent the only abuses in this field which have ever been pointed out. We have attempted to protect the right of peaceful picketing as the "worker's freedom of speech" under all circumstances.

This amendment, if adopted, would place unions on an equality with management in the conduct of strikes. The prohibitions of present law weaken the ability of unions to win industrial disputes and hence weaken their position at the collective bargaining table. Our economic life is shrinking because of the inadequate purchasing power of our industrial workers. By giving unions a measure of freedom, this change in the law will assist in reversing this downtrend.

3. JURISDICTIONAL DISPUTES

Every layman—and every expert—knows what a jurisdictional dispute is. It is defined as, and understood to be, a fight between two unions over the allocation of work. Only the Taft-Hartley law takes a different view. It defines as a jurisdictional dispute a conflict between a group of nonunion employees, and then forbids any action in aid of such a dispute.

The consequences of this are drastic. The whole effort of a union is, of course, to seek uniform wages for those working at a trade or in an industry and thereby to place competition on a stable and fair basis. One great threat to this effort comes from nonunion employees, who, for one reason or another, are willing to work at wages below union scales. It is a continuing threat, more serious in times like the present when the economic pressures of unemployment leave men no choice but to take what they can get. As the consequences of Republican policies again take hold, as they did in the late 1920's and early 1930's, the severity of these pressures may be expected to increase, with ensuing damage to the trade-union movement and our entire economic structure.

As one example of the impact of this section on the trade-union movement, consider the facts in a case recently decided by the NLRB—*Woodworkers* (33 LRRM 1328). There a union had a contract with two employers. The two employers banded together to establish a logging operation at another place, and to man it hired nonunion employees, apparently at scales below union wages. The unionized workers at the mills struck in protest. The NLRB decided that this was a jurisdictional dispute and that the strike was therefore unlawful. Hence we have a ruling that workers are by law prohibited from striking to protect their jobs and their union wage scales, and that an employer has a legally protected right to hire nonunion men at chiseling rates.

No one suggests, of course, that an employer should not have the right to assign his work to anyone he pleases, or to hire nonunion men, or to pay them what he will. All I propose is that we recognize that trade-unions should have exactly the same right and freedom to take action against an employer when their interests are jeopardized. This is simple justice. We now have a system of partially forced labor, in which union men are compelled by law to render services while their economic throats are cut by the competition of nonunion men.

In order to remedy this glaring injustice my amendment would, therefore, make it clear that the law applies only where the employer assigns work to employees in a particular labor organization rather than to employees in another labor organization.

I have suggested amendments dealing only with certain glaring inequities in the present law. It is not an exhaustive list of the abuses of the Taft-Hartley Act, nor, in some instances, do my proposed amendments go as far as the interests of true justice and equity would require. But they are an effort to call attention to a few of the sorest points, and to suggest rational alternatives to them. If adopted, they will go far to allay further agitation and discontent concerning present law, and thereby make a notable contribution to the cause of industrial peace. By this time, we must be aware that no piece of labor legislation can indefinitely survive which places such heavy fetters on one group and grants substantial favors to the other. These amendments will go far to redress the balance.

Mr. POTTER. Mr. President, the lawmaking process is one in which it is rarely possible to accurately anticipate the trend of future events and make provisions accordingly in the shaping of new legislation. The fact that we have had 22 amendments to our Federal Constitution is evidence that not even our Founding Fathers with all their wisdom and high purpose could foresee many of the problems and difficulties which were later to perplex or injure our people in their forward development.

Indeed the recognition that continuing experience with the law over the years would reveal imperfections and inequities calling for new measures looking toward solution is inherent in the structure of representative government.

The Wagner Labor Relations Act was adopted to deal with a condition in which it was claimed by individual workers, or a considerable body of them, that their efforts to organize into unions

and bargain with their employers were being thwarted. Congress recognized their claim as valid and the ensuing legislation spelled out certain basic rights which employers were directed to respect.

But over the years experience with the Wagner Act demonstrated certain weaknesses and inequities which made advisable the enactment of new legislation. It was found necessary to spell out equities for employers, for individual workers in their dealings with their own organizations, and for the general public. The time had come to proclaim that labor organizations had duties and responsibilities as well as rights and privileges. Hence, the Taft-Hartley Act was adopted.

Mr. President, one of the factors, if not the principal one, which necessitated such legislation as the Taft-Hartley Act was the increasing frequency of work stoppages in industries of nationwide importance. Irrespective of the merits of the demands put forward by the workers, the effect of such concerted action, either because of the number of workers and number of plants affected or because of the key position occupied by these industries, was very serious. Large and important segments of our entire economy were disrupted. In various instances the health and welfare of the general public were threatened.

The only logical approach to this problem appeared to be action on the Federal level. Too many workers and plants were affected, too many State boundaries crossed, too large areas of the public interest were impinged upon, to render solution through State laws desirable or feasible.

Today, Mr. President, we have a different problem—a problem of too much power at the Federal level, with a subordination or practical exclusion, of the exercise of State powers, in labor disputes. This has come about, as a result of the position taken in various court decisions to the effect that since, under the Taft-Hartley Act, the Federal Government had asserted its powers in labor relations matters, as it had the right to do under the interstate commerce clause in the Constitution, there was no room left, practically speaking, for the exercise of State powers although a considerable body of State law has been built up over the years dealing with this subject.

Hence, we have a Federal body, the National Labor Relations Board, mixing into labor disputes of purely local character, or, just as bad or even worse, failing to act with expedition due to its heavy workload, thus prolonging the duration and multiplying the disruptive effects of labor disputes on local economies.

The extremes to which we have gone in the direction of concentrating power at the Federal level in this field are pointedly illustrated in the committee amendment to section 6, which purports to deal with this problem—page 13 of the bill. Not only does it appear necessary, from this proposed amendment, to grant power to the Board to yield jurisdiction over labor disputes, in its discretion, but it also seems required that the States be empowered to take over jurisdiction in those instances where the Board bows out. Elsewhere, apparently, there would be created a sort of no-mans land, in the field of labor disputes, where, because we have elevated Federal powers to such a level, no one at all could act, and the situation would go by default.

I feel sure that the authors of the Taft-Hartley Act did not anticipate the problems that were to arise in this area, the extent to which State labor laws could and would be over-ridden, or nullified, by the law which had been made necessary to deal with great national problems developing in the labor-relations field. In fact, I am sure that Senator Taft himself would have been the last to maintain that the act which bore his name was the last word in equitable labor relations legislation. In fact, he clearly recognized that experience with the law would probably reveal the need for amendments from time to time, by making provision in section 401 of the act for a watchdog committee to study developments and report its recommendations at later date.

Had this committee been continued during the ensuing years, instead of scrapped at the end of 1948, I feel certain they would be in here with recommendations looking to the return of many powers over labor disputes to the States, which is the intent of the amendment I am supporting.

The basis for the assertion of more State powers in labor disputes is afforded, if on no other grounds, on the very composition of the American economy. Even though we have many large industrial combinations and large labor organizations, the fact remains that by far the largest body of manufacturing, distribution and service units are small.

According to figures gathered by the Census Bureau in 1951 only about 2 percent or some 50,000 establishments of more than 2,800,000 reporting had over 100 employees each. Putting it around the other way, 98 percent, or 2,826,030 establishments out of 2,876,030 in their survey, had fewer than 100 workers each. Almost 91 percent, or 2,610,047 of the total, had less than 20 employees each.

I would not seek to minimize the need for action at the Federal level where large combinations of plants and workers are involved in disputes and the national interest is threatened. As shown by previous experience these can be very serious in their effects on our economy. Yet, the fact remains that in terms of individual units, most American business is small and jurisdiction over labor-relations matters, in the vast majority of instances, rightfully belongs at the State level. Moreover, in numerous instances, where labor disputes are primarily local in character, affecting only one or a very few plants, and a few score workers, there can be very acute damage to the local economy, through loss of sales, loss of wages, bitterness, and even violence between the parties at interest, all of which can be as critical in its effects on the local economy as some of the prolonged industrywide disputes with which the Taft-Hartley Act was devised to deal, upon the national interest.

One of the arguments that the supporters of Federal preemption have made is that if State authority in the labor-management field is restored, the States would attempt to destroy unions and would wipe out all the gains the labor movement has made in this country. This is the purest kind of false propaganda. The States universally recognize the right of employees to unionize and to bargain collectively. At least 43 States and Territories provide legislative protection to these rights. Anti-injunction statutes, patterned after the Norris-LaGuardia Act, exist in at least 21 States. At least 10 States have labor-relations acts similar in many respects to the Federal law, and States which have not enacted such laws recognize the right to strike and picket in aid of the collective-bargaining process in a variety of other ways, such as judicial decisions. The cry that States would adopt union-busting measures is, therefore, a phony one.

I wish to emphasize, Mr. President, that this amendment does not in any sense derogate the authority of the Federal Government to establish a national labor policy. On the contrary, this amendment recognizes the soundness of the national labor policy as expressed in the Federal law and specifically provides that the States may not take any action contrary to or inconsistent with the Federal labor policy. The entire effect of this amendment is to recognize the authority of the States to prevent and redress harm to their citizens caused by unlawful or irresponsible conduct. I reiterate that this is a function which the States had always exercised prior to the development of the Federal preemption doctrine and it should now be reaffirmed. In my opinion, there is involved here a principle which is of the greatest importance to the preservation of the political system which has made this Nation a symbol of the highest development of mankind in the history of the world.

Let us be constantly mindful of the fact that the form of Government with which we in this country have been blessed began as a federation of independent sovereign States which, having agreed among themselves to form a Federal Union, created a central Government of limited powers and functions. Through a combination of good fortune and sound judgment the men who formed this structure of Government brought into being a political system which has proved to be far more successful than any other in the history of the world and has made possible a degree of individual liberty and well-being that had previously been merely a utopian dream. Under this Federal system of States our Nation, in 150 years, has become the most prosperous and enlightened Nation on the face of the earth. In the pursuit of life, liberty, and happiness our people have been the most fortunate people in the history of the world.

It is not an unreasonable conclusion that our system of Government has been primarily responsible for this remarkable development. Let us now act to assert once again, as was intended, the rights of our States to function as independent sovereign bodies.

CONCERN REGARDING POSSIBILITY OF INTERVENTION IN THE INDOCHINESE WAR

Mr. WATKINS. Mr. President, there is a great deal of concern throughout the country over the possibility that the United States may intervene with its Armed Forces in the Indochina war.

This concern is heightened by the desperate situation faced by the heroic defenders of Dien Bien Phu, by the confusing and vacillating actions of the French Government, and by equally confusing pronouncements made by administration officials, pundits of the radio-newspaper press, and by Members of this body. In my own State a high official has added to this public concern and confusion by reporting that he found Washington on the verge of intervention in Indochina and urging people to write their Congressmen to stave off this inevitable disaster.

These remarks should not be construed as critical of these people who are feeling or voicing concern. Their anxiety is real and their concern is aggravated by memories of American casualties and economic losses suffered in the tragedy of Korean intervention. They, and I am sure that most of us, feel strongly that we do not want to go through the frustrating agonies of another Korea.

However, people who live in dread of "another Korea" are overlooking two salient facts:

First. President Eisenhower and his administration got a cease-fire in Korea within a few short months after taking office. There is also a prospect for an acceptable Korean settlement as a result. If anyone feels that a leadership responsible for this achievement in world peace will let us become involved in a similar mess elsewhere, without good cause and overwhelming public support, then he is looking at something besides actual accomplishments.

Second. Intervention in Korea represented the first and only time the United States has become involved in a major foreign war by Executive order instead of by a declaration by Congress. There was not the same anxiety and public discussion of probabilities in the days preceding our intervention in Korea simply because the public and the Congress were not so well informed of the imminence of war on that forbidding peninsula. We were woefully unprepared, militarily and psychologically, for the rigors of the inconclusive Korean campaign; but, in spite of it and in defiance of an explicit constitutional safeguard, the Nation was plunged into a foreign war by an order issued by President Truman.

So I submit that the mere discussion of disturbing possibilities of a forthright and courageous course of action by the world's strongest democracy in the so-called cold war against Communist aggression should not be alarming to the people of the Nation in and of itself. After our experience in Korea, such open talk on this acute problem should itself be reassuring.

On the other hand, there are several facts that should go a long way to reassure the American people in this hour of international crisis. For one thing, President Eisenhower has made it clear in several recent statements that this country has no intention at this moment of intervening singlehandedly in the conflict in Indochina.

Furthermore, the President has given his pledge that his administration will not intervene in Indochina unless and until the Congress has passed a resolution authorizing such intervention. The President has made this clear in several statements, and I received personal assurance to that effect in an interview with him a few days ago at the White House. As a result of that interview, I am convinced that the President will never come to the Congress with a request for intervention unless the most compelling and overriding reasons exist to support such a request.

In addition, the President has given his assurances that he will not come to Congress for such authority without the most definite assurances on the part of governments located or with interests in the area that they will act collectively with the United States in an effort to stop the spread of communism in southeast Asia. Korea, as Senators recall, was almost a solo performance by the United States, in an area where many others of our so-called allies have more at stake than have we.

My conversation with the President reassured me that he will carry out his assurances and consult with Congress on our course of action. Fortunately for the country, our President is a man who earnestly desires and constantly strives for world peace. And I am convinced that his administration's foreign program is a positive, courageous program for peace, well deserving the calm support of all freedom-loving Americans.

Furthermore, I came away from the interview with a feeling that the people of this country should be deeply grateful that they now have in the White House a President who honors the Constitution and who recognizes a very wise provision in the Constitution that only Congress was given the power to make war, if the country is not actually under attack.

And the fact that a decision on intervention in Indochina—if it has to be made—will be made by the people's elected representatives in Congress, and not by one man, is reassuring news in these difficult days. We need collective judgment on the Nation's course in these perilous times, and our Founding Fathers were inspired to recognize this in their Constitutional assignment of the power to declare war. This was and is a very wise provision.

I am not underestimating the gravity of the situation in Indochina. Nor am I trying to suggest that we must appease the Communists in their ruthless drive for world domination. We do not like war, but neither do we like to see free nations succumb to Communist slavery and we are not appeasers of communism or any other ism.

I am merely trying to call to the attention of the people that constitutional safeguards on the exercise of national military power are a reassuring, stabilizing influence in these troubled times. Had they been scrupulously observed in the Korean crisis, it is possible that our course in the hopeless conflict might have been different. At least many good citizens of the country would not be so concerned today lest the Chief Executive again involve the country in a foreign war.

If these prescribed procedures are followed in the Indochina crisis—and I am convinced they will be—we will not become involved militarily there until and if the President comes before the Congress asking such action to protect the interests of the United States. Furthermore, from the tenor of the Congress today, the President would have to be prepared to present an exceedingly strong case to justify intervention, even in concert with other nations. If such a case is not made, even though a request for intervention be made, then I am confident that the Congress will refuse to pass such a resolution.

As one of the few who protested against our going to war in Korea by Executive order and who fought for reassurance of constitutional processes in the North Atlantic Treaty, I am taking a deep personal interest in this matter and intend to speak up about it whenever it appears to be necessary.

In this connection, I have been impressed that there is a great deal of talk about offers which have been made to France to get that nation to approve the European Defense Community Agreement. It is said that the Secretary of State and our diplomats have told France that the United States would agree to keeping our troops in Europe for an indefinite period, even beyond the 20-year period agreed to in the North Atlantic Pact. Some stories even credit our representatives with agreement to a 50-year period in which to maintain our forces in Europe under the treaty.

I have no means of knowing whether these stories are true, but I have strong reasons for believing, as a result of my interview with the President, that no such agreements will be entered into with France, or with any other nation, extending the North Atlantic Pact by Executive agreement. Further, I believe that, if such a program is ever contemplated by this administration, the President will come to the Senate for ratification of any new agreement or modification of the original terms.

There are strong reasons why the President should do this, aside from the provisions of the Constitution. I am convinced that the President is fully aware that any move involving the lives, the fortune, and the future of this country will be ineffective unless such moves are supported by an overwhelming majority of the people of the United States.

Mr. President, having made the above statement, I think I should go one step further and say that Congress should not close the door to any approaches or any proposals the President may feel compelled to present to the Congress in the critical period through which we are passing. I think he should present his views and his recommendations, even though the overwhelming majority of the Congress may disagree with him initially. I do not see how he could discharge his duty under the Constitution

if he failed in any manner to present to the Congress of the American people the facts with respect to the present critical situation and also to give to the Congress his recommendations.

Mr. President, as a commentary on the general situation, I may point out that it is becoming clear, as events happen with great rapidity, that many of our leading allies will not support us in a firm stand against communism if they think they will become involved in war or if their economy will be greatly interfered with by taking such a stand. It is becoming apparent, for example, that a large section of the officialdom, as well as of the population, of Great Britain feels that the United States is unduly alarmed over the spread of communism and that this country is taking steps which will inevitably lead to world war III.

Evidence is also accumulating that many of our European allies would rather endure Communist occupation than run the risk of being bombed with hydrogen or atomic bombs. They have a feeling they could work out from under Communist occupation, but if bombed, they might be completely annihilated.

This feeling is understandable. After visiting these areas last autumn, I am wondering if millions of Americans would not feel the same way if they had gone through a bombing such as occurred in World War II, and in addition to that, knew that their enemies were occupying airfields only 30 minutes away from objectives in European capitals and other great centers in those countries.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

Mr. ELLENDER. Mr. President, a little more than 7 years ago, I discussed with my colleagues in the Senate Chamber the question of enacting a more equitable and more realistic labor law. We were engaged in amending the one-sided Wagner Act, so as to provide ways and means of placing labor and management more in balance.

I was a member of the Senate Labor Committee at the time. I worked long and hard hours with other members of the committee to find a middle ground which would be fair to both management and labor and, at the same time, protective of the public welfare.

Today, we are reexamining some of the work that was done 7 years ago. No longer a member of the Labor Committee, I have not had the time to follow its deliberations in detail. I shall limit myself to a few general observations on one aspect of the present debate.

In my speech of 7 years ago, I dwelt at some length on one of the most ruthless and unjustified of union practices—the secondary boycott. I referred to the obvious need to prohibit this unfair strategy. There was general agreement on the point. Indeed, the elimination of secondary boycotts was one of the major objectives in the passage of the Taft-Hartley Act. Congress intended to accomplish the objective by the enactment of section 8 (b) (4).

The objective has not been fully achieved. This fact has become increasingly apparent during the past few years. Many of the very same secondary boycott situations which were described so vividly before congressional committees in 1947 still plague us today.

I am not interested here in labeling the guilty parties. I am not interested in placing the blame. I am interested only in eliminating the evil and in carrying out the job which was undertaken in 1947.

To me, it has always been significant that few, if any, voices are raised to defend the use of secondary boycotts. The President of the United States expressed the sentiments of most Americans when he said that the true secondary boycott was indefensible. It is up to Congress to see that a remedy or a prevention is provided for this wrong.

The bill introduced by the chairman of the Committee on Labor and Public Welfare contains three provisions on secondary boycotts. None of them relates to the basic problem of more effective secondary-boycott protection. In view of the Presidential expression of opinion on the subject, I assume that this fact does not indicate a lack of awareness on the part of the committee members of the need for positive action. The need is too apparent for many to assume otherwise.

I shall not undertake to discuss in detail just what should be done to wipe out secondary boycotts. There are others more qualified than I am to elaborate on the details which, although technical, are of great importance.

It is my understanding that the bill introduced on February 19 by my much respected colleague, the Senator from Kansas [Mr. SCHOEPPEL], achieves the desired objective. I hope that it will be offered as an amendment to the committee bill. If it is offered, I shall support it, or, for that matter, any other proposed legislation which will remove the harmful effects of secondary boycotts.

Let me say that this is a specific problem which calls for specific action. It will not be solved by giving States more control over labor relations. It will not be solved by changes in the membership of the National Labor Relations Board. It will be solved only by affirmative action of the Congress of the United States. The responsibility lies with us. In 1947, we recognized this fact. Let us not fail to recognize it today.

Mr. President, at this point in my remarks I should like to offer for the record an analysis of the provisions of the pending bill, with regard to secondary boycotts, and an analysis of the amendment which has been offered by the Senator from Kansas [Mr. SCHOEPPEL], to which I have just referred.

There being no objection, the analyses were ordered to be printed in the RECORD, as follows:

The bill (S. 2989) closes loopholes that have been found in the secondary-boycott language and in interpretations of the Taft-Hartley Act during the past 7 years.

It is designed to outlaw the indefensible pressures unions put on disinterested and innocent employers and employees through taking advantage of the loopholes.

In essence, the bill makes it unlawful for a union or its agents to exert any form of economic pressure or threats for the purpose of compelling an employer to cease doing business with some other person.

The provisions of the bill are outlined below:

1. THE PRIMARY-SITE LOOPHOLE

The inducement of unlawful secondary boycotts at any place is made unlawful by the proposed language. The proposed wording will make it unlawful for pickets to follow trucks of an employer involved in a labor dispute to the premises of an employer not involved in a labor dispute. It will prevent all picketing and other inducement wherever it may take place which is directed toward the employees of a disinterested employer.

2. THE EMPLOYEE LOOPHOLE

Because the language of the present act does not include railroad employees, agricultural workers, and certain other groups within the technical definition of the term "employee," it has been held by NLRB that these individuals may be urged by unions to engage in a secondary boycott without penalty. By changing the word "employee" to "person," this loophole will be closed.

For example, the NLRB held in a California case that an otherwise illegal secondary boycott by an agricultural-workers union was lawful because agricultural employees are not covered by the Taft-Hartley Act definition.

3. THE CONCERTED-ACTIVITY LOOPHOLE

There are Supreme Court and NLRB decisions which say that the secondary boycott by a single employee of a neutral employer is not unlawful. Support for this thinking is based on the use of the word "concerted" in section 8 (b) (4). The proposal eliminates that word.

In one case, a union induced an employee to quit his job and the Board held that such inducement was not a violation of the Taft-Hartley Act because only one employee was involved and the quitting was not concerted. The employee involved held a vital position and his absence from his job put effective pressure on his employer.

4. HOT-CARGO BOYCOTTS

The Board's decisions have the effect of permitting unions to engage in secondary boycotts where the employees of the neutral employer are covered by a union-contract clause approving the refusal to handle "hot goods."

"Hot goods" are products labeled by a union as unfair, for any reason, such as not bearing the union label, not having been produced by union labor, being farmed-out work, etc.

This is a secondary boycott by union-contract clause. It creates a tremendous loophole in the present secondary-boycott protection.

THE SCHOEPPEL AMENDMENT

The Schoeppel amendment specifically prevents such an interpretation in clause (ii):

"(ii) to cause or attempt to cause an employer to enter into or give effect to any contract or agreement permitting employees in the course of their employment to refuse to use, manufacture, process, or transport or otherwise handle goods, articles, materials, commodities, or to perform services."

5. THREATS TO SUPERVISORS AND SECONDARY-CONSUMER BOYCOTTS

The present law has been construed by the NLRB to permit threats of secondary boycotts directed against employers, supervisors, and other managerial persons. In

some industries, such threats are more effective from the union's point of view than the inducement of the employees themselves.

Because the act prohibits a union from inducing employees, it has been held that pressures may be put on officials of employers without fear of penalty.

For instance, NLRB found that a boycott called through supervisors of a neutral employer who were threatened by a union was not an illegal secondary boycott.

Clause (iii) will close this loophole:

"(iii) to coerce or restrain employers by force or economic reprisals, or threats thereof."

Secondary consumer or customer boycotts are left untouched by the wording of the present act. The customer entrances of a department store can be picketed simply because the union has an argument with the manufacturer of a product sold by the store.

A filling station can be boycotted merely because it sponsors a program on a radio or television station with which the union has a dispute. These secondary boycotts are made unlawful by the language of this particular clause.

6. THE "REFUSAL TO ACCEPT EMPLOYMENT" LOOPHOLE

A union in Joliet, Ill., with NLRB approval, has conducted a secondary boycott without breaching the law by telling its members not to accept employment with unfair contractors. The reasoning is that the law, as written, forbids only the inducement of employees who are actually working.

The Board held that the union action in telling them not to work on unfair goods prior to employment was legal because the inducement did not occur "in the course of their employment."

The wording of clause (iv) takes care of this problem:

"(iv) to prevent or discourage the members of any labor organization from entering employment, where an object thereof is—."

The PRESIDING OFFICER. The Chair will state that the Senator from Kansas has offered the amendment, and it has been ordered to be printed and lie on the table.

Mr. ELLENDER. I am glad to hear that, and, as I have said, I hope to support it when and if it comes before the Senate for a vote.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 3, 6, 7, 8, 13, 23, 25, 26, and 28 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 9, 17, 19, and 24 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

RECESS

Mr. SMITH of New Jersey. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess, the recess being, under the order, previously entered, until tomorrow, Friday, May 7, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 6 (legislative day of April 14), 1954:

IN THE NAVY

The following-named (naval R. O. T. C.) to be ensigns in the Navy, subject to qualification therefor as provided by law:

Bradford L. Abele
Frank J. Aguilar
Benjamin H. Aiken
David J. Albert
James E. Alexander
Walter D. Aldrich
Berel P. Altman
Alan C. Ambler
William G. Appleton, Jr.
Richard F. Archer
Albert A. Armstrong, Jr.
Richard E. Armstrong
Richard W. Armstrong
John McC. Arnold
Richard L. Aston
Donald F. Bale
William E. Barbary
Richard P. Barden
Don E. Batten
Daniel A. Baugh
Robert "O" Beeson
Donald W. Belcher
Richard G. Bell
Robert "C" Bennett
John E. Bentley
John M. Bergesen
Charles J. Berthe, Jr.
Thomas J. Bitar
Hartnell T. Blaine
William S. Bliss, Jr.
Thomas S. Blount
Norman A. Blum
W. C. Blumenstein
William E. Boardman
James M. Bodenheimer
David C. Bonar
John G. Bond
Richard E. Boraks
Morton Botshon
Roger J. Bourassa
David W. Bradley, Jr.
W. T. Branthoover
F. Breitenfeld, Jr.
Rudi M. Brewster
Walter K. Brinn
Ronald M. Bristow
Robert W. Brodd
Julian Brown, Jr.
Malcolm C. Brown
Philip M. Brown
Richard B. Brown
Wilber K. Brown
Edward O. Buchanan
Jenie L. Burke III
Edward C. Bursk, Jr.
Don E. Burnham
Roland E. Camfield, Jr.
Michael J. Cantella
Stuart D. Caplow
Marriner P. Cardon
Norman D. Cassel
John W. Charlton
Stephen J. Christensen
Allison L. Christopher
Donald J. Cianto
James F. Coleman
Lawrence O. Conner
Alfred C. Conrod
Charles E. Cook
Wendell P. Coombs
Marion W. Corey
Wayne R. Cottingham
Peter R. Coughlan
John K. Crabbe
Donald L. Creighton
Frederick P. Crowell
Robert D. Culbertson
Dale V. Cunningham
Edward M. Cutler
Allen H. Dailey
Lawrence F. Dane
Donald D. Davis
Kenneth F. Davis
Norman W. Davis
Parke Davis II
Frank V. DelVecchio
Leo E. Denlea, Jr.
Alfred J. Dillon
Joseph S. Donnell III
Charles Donovan
Kenneth L. Douglas
Henry E. Drayton, Jr.
Charles E. Drummey
Arthur N. Dubois
James R. Dugan
Edward F. Dyer
Arthur L. Edwards
Thomas G. Edwards, Jr.
Joseph D. Early
Donald H. Edgren
Donald N. Ekvall
David R. Ellis
James N. Ellis
Donald R. Elliott
Edwin D. Evans
John M. Fairfield
John F. Felter
Conard C. Fowkes, Jr.
James C. Frampton, Jr.
"M" Allan Frank
John P. Fucigna
Mark A. Fuller, Jr.
Ronald Gadolin
Peter W. Gavian
Jack E. Geary
Francis P. Gehring, Jr.
Edward A. Geier
Peter F. Geithner
Paul L. Gerard
Thomas A. Gibbins
Donald W. Gilchrest
Charles E. Gillam
Richard F. Gilliland
Dennis C. Glover
John C. Gobel
Francis M. Goodwin, Jr.
Stewart L. Gordon
Thomas A. Graham
Chester L. Gray, Jr.
Garold G. Gray
John T. Gray III
Stanley E. Green
James A. Greer II
Donald W. Griesinger
John H. Grobey
Gordon W. Grossman
Charles H. Guigou
Alan M. Gunn
Lee E. Gunnerson
Walter J. Gurney
John F. Hagerty
Alan N. Halkett
John C. Hall
John V. Hall
Charles J. Hallberg, Jr.
Prentiss W. Hallenbeck
Donald C. Hamill, Jr.
Clyde E. Hamilton
Paul B. Hanrahan
Richard B. Hardy
Richard E. Harkins
Gordon S. Harman
James E. Harris
James L. Hart
Donald J. Hartley
John W. Hauck
William E. Haugh
Fred H. Haynie, Jr.
James F. Heady
Charles A. Heimbold
Ralph E. Helper, Jr.
George Herman
Robert M. Heydon
Robert M. Higbee
George A. Higgins, Jr.
Robert H. Hildenbrand
John R. Hill
John L. Hills
David C. Hoke
Benjamin T. Hopkins II
Leland S. Hopkins II
Charles A. Horn, Jr.
John B. Housley
Maynard L. Howard
George A. Howell
William D. Howells II
James F. Howlett
Louis D. Hunt
John W. Hunter, Jr.
Robert C. Huntley, Jr.
William T. Hussey
Thomas S. Inman
Thomas W. Jackson
Jerry J. Jester
Kenneth R. Jillson
Gordon A. Jobe
David W. John
Martin L. Johnson
Robert A. Johnson
Robert N. Jonassen
James L. Jones
Paul E. Jones, Jr.
Alan R. Joyce
David E. Judson
Edmund L. Judy
Harold A. Judy
John A. Karsten
John F. Keane
William E. Kearfott
Robert W. Kenney
Thomas W. Kern
Arnold L. Kessler
Lyle H. Kershner
John M. Kingsland
Stephen S. Kingsley
Charles R. Kinnaird
Donald H. Kirby
Walter H. Kieffel
Richard L. Kolbe
John F. Kooken
Robert B. Kramer
Theodore D. Kujawski
Francis X. Kuntz
Frederick K. Kunzel
Lauri J. Kurki, Jr.
Kenneth W. Kyle
Harold McC. Lacy, Jr.
William E. LaFratta
Mark L. Lambken
Harold W. Learson
Thomas E. Lee
Donald E. Leonard
Herkus W. V. Letkemann II
John W. Lewis
Martin E. Lewis
David F. Limroth
Robert E. Litfin
Jerry W. Little, Jr.
Donald E. Lloyd
Joe C. Lochridge
Lyman D. Long
Christopher Loring
Lawrence L. Loughead
James L. McArdle
Kenneth C. McCartney
William H. McCarty
James B. McCollum
John F. McCormack
John A. McCullough
David W. McGarvey
Edward J. McKay, Jr.
Peter B. McKay
Robert H. McLean
Edward F. McMahon
James P. McMullan
John O. Mack
James J. Maher
Michael H. Maliniak
John W. Malone
Gerald A. Mandeville
William A. Manly, Jr.
Barry B. Marsh
David H. Marshall
Wilmer B. Martin
Harry L. Mathias II
Paul C. Matthews, Jr.
Harold G. Mayfield
Jay R. Mayhall
David Meek
Michael L. Meier
Robert L. Melrose
Chauncey S. Miller
Henry L. Miller
Roy F. Miller, Jr.
Thomas D. Miller
Ernest J. Miranne, Jr.
Paul J. Mode
Edward J. Molloy
Joseph F. Montgomery
Richard C. Moore
William E. Moran
Edward B. Moreton
Ralph W. Morton, Jr.
Peter B. Mulloney
Werner F. Mundt
Charles W. Murphy
Robert E. Murphy
David M. Murray
David S. Murray
William M. Neel
Duane C. Nelson
Jesse R. Nelson
Theodore E. Nelson
James F. Newcomb
Hugh T. Nolin
Russel P. Nystedt
James E. O'Brien
Kevin S. O'Brien
Jean M. O'Dell
Robert W. Osmond
Arthur L. O'Toole, Jr.
John "E" Packard III
Charles M. Packer
Lawrence A. Paine
Walter P. Parks
Jon G. Parrish
David E. Parsons
Clements E. Pausa
Daniel D. Payne
John E. Pearson
Floyd T. Pease
Daniel J. Perry
Dewey D. Peterman
William P. Phipps, Jr.
Harry H. Phillips
John A. Pierce
David T. Pitts
William deG. Pitts
Fredric W. Platner
Henry M. Pollak
James C. Poole, Jr.
Floyd H. Popell
Paul S. Powers
James R. Quinlivan III
Charles A. Quinn
Robert Rappaport
Everett T. Rattray

John A. Reed, Jr.
Russell R. Reinhard
Robert W. Reip
John F. Resek
Ronald P. Ritcher
Rodman D. Rhodes
Helm B. Roberts
James V. Robinson II
Robert G. Rogers
Henry S. Romaine
James A. Ross
Thomas F. Roth
Joseph S. Rozen, Jr.
Donald H. Rumsfeld
John H. Russell
Arthur C. Ryder, Jr.
Fedor R. Salva, Jr.
Dante A. Salvetti, Jr.
William J. Samuels
Charles H. Scampini
William J. Schnedar
William J. Schnurr
John P. Schurman
Thomas H. Scott
William T. Scott
Robert J. Seifert
Wade E. Selph
Robert L. Sewell
Farrel L. Schell
Richard J. Shaffer
Warren J. Short
Ebert F. Shrader
Daniel W. Sifferd
James P. Siken
John F. Simons, Jr.
Herman S. Siqueland
Wesley D. Skidmore
Richard S. Slocomb
Richard C. Smith
Charles R. Specter
Donn N. Spencer
Gary F. Spidell
Alden C. Sprague
Edward VanR. Spurgeon
George P. Stahl, Jr.
Lewis A. Stallworth III
George C. Staten, Jr.
David R. Stefferud
William T. C. Stevens
Richard H. Stewart
Thomas M. Stoner
James G. Storms III
Conrad W. Stout
John C. Stovall
Richard W. Strong
Roy L. Sumner
Robert G. Sur
William K. Sur
Edward H. Sussenguth, Jr.
William L. Sweet
Loyd S. Swenson, Jr.
Vincent H. Swoyer
John P. Tanner
David J. Taylor
Stephen C. Taylor
Edward T. Tedeschi, Jr.
Richard Terhune
Robert C. Terry, Jr.
Norman S. Thayer, Jr.
Dean A. Thie, Jr.
John J. Thomas
Phillip W. Thompson
Ronald L. Thompson
Russell J. Thorne
Chester A. Thorp, Jr.
George J. Thum, Jr.
David S. Tingler
Robert C. Todd, Jr.
Joseph Tom
James R. Tomonto
Theodore E. Torok
John L. Townley
Jesse M. Townsley, Jr.
John A. Tracey
Edgar P. Trott, Jr.
John Tuck, Jr.
Kent Turner
Howard T. Urband
George E. Uthlaut
Lee S. Vellom
John E. Vilett
Robert N. VonKlock
Frederick H. Voss
Crayton C. Walker
John Watson
Clifton R. Webb, Jr.
Daniel J. Weintraub
Dwight R. Wells
Sidney F. Wentz
Douglas West
William E. West
Robert R. Wheeler
Leonard J. Wierek
David L. Williams
Arthur A. Willis, Jr.
Sylvester S. Wisneiski
Donald E. Wolf
Gerald B. Wood
Melvin J. Woodford
Vaden M. Yelton
James H. Yon, Jr.
Charles O. Young, Jr.
William E. Zidbeck

Glen "J" Miller (Naval ROTC) to be ensign in the Navy, as previously nominated to correct name, subject to qualification therefor as provided by law.

The following-named (Naval ROTC) to be ensigns in the Supply Corps in the Navy, subject to qualification therefor as provided by law:

Robert C. Agee
Donald J. Albares
John M. Alderman, Jr.
Newton T. Anderson III
James B. Archer
James H. Armitage
Harry H. Arnold
Perry "C" Ausbrook
Harry W. Barnard
William G. Bell
Edward F. Boyle
John W. Brand, Jr.
Walter L. Brewer
Cecil D. Brisco
Curtis W. Brotherton
James E. Burgess
Bernard L. Caldwell
Patrick J. Campbell
Lynn W. Casselberry, Jr.
Michael K. Caverly
Jay A. Cedarleaf
Wayne K. Clemens
Gerald W. Cook
Laurence W. Corbett, Jr.
Luke T. Corcoran, Jr.
William W. Cunningham
George E. Delehanty
Philip H. deRoulet
Harold T. Draeger
David M. Ebner
George S. Ensz
Richard T. Erb
Robert F. Fachet
Edward J. Flocco, Jr.
Frank J. Forelli, Jr.
Daniel W. Fox
Francis L. Fraenkel
Franklyn P. Futch
Eugene K. Garber
Duane C. Geitgey
Lee S. Gill
Jerry M. Gordon
Richard T. Gray
James W. Harkin
Frank M. Hensley
Samuel T. Hollowell, Jr.
Richard C. Hulbert
Eldon M. Johnson
Roger A. Johnson
David A. Jones
Robert S. Jones
Mark R. Joseph
Preston B. Kavanagh
Frederick H. Kela
Prentis H. Kidd
Donald H. Kutil
George J. LeBlanc, Jr.
John B. Lee
Russell D. Leverette
Langdon E. Longstreth
Lynn R. McDougal
Ronald M. Mankoff
Thomas H. Mathis
Jack A. Meyer
David H. Murray
Edward McC. Neal
Arthur M. Nease, Jr.
Frederick S. O'Brien
Kenneth G. Patton
William H. Patty
Ian G. Pottinger
Gilbert G. Ragan
John R. Rogers
Paul J. Rohman, Jr.
James A. Rolfe
Mark "A" Rolfe III
John R. Sanders
George B. Scarrah
Elmer W. Schirmer
Joel W. Schmidt
Edward "A" Schrag, Jr.
William D. Schulte
David H. Seelig
Robert B. Settles
Gerald Sitomer
John W. Smaby
Jerard H. Solinger
John R. Stahr
Avery Stirratt, Jr.
Norman G. Sterner
James J. Strain
Geoffrey G. Strange
Howard A. Thompson
Marvin J. Weishaar
Armand B. Weiss
John S. Wilson
Joseph J. Witt

The following-named (Naval R. O. T. C.) to be ensigns in the Civil Engineer Corps in the Navy, subject to qualification therefor as provided by law:

Albert G. Melcher
Joseph J. Ranieri

The following-named (Naval R. O. T. C.) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Daryl E. Benstead
Gerald P. Carr
Sterling W. Carter
William D. Coats
Richard W. Deakin
James J. Delaney II
Richard A. Elms
William G. Garner
Robert W. Gromme
Edward J. Hobbs
Theodore T. Hogan, Jr.
William G. Honsaker
William P. McGinn
Muri B. Moore
Gerald H. Murray
Robert J. Patrick
Peter E. Schmitt
Richard E. Schoenhardt
William R. Self
Robert H. Southgate
Noel W. Spencer, Jr.
Charles J. Sutton III
Thomas L. Thorkelson
Harry W. Wiles
John W. Witt

The following-named (Army R. O. T. C.) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Carl B. Bliesener
Phil E. Brookshire
Johnnie F. Carter
Phillip J. Craul
Michael R. Freidman
Gerald S. Griffith
Harrison W. Kimbrell
Solon C. Mills
William S. Morgan, Jr.
Thomas J. Ortman
William H. Parker III
Norton J. Schlesinger
Donald B. Watson

The following-named (civilian college graduates) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Douglas T. Day III
William R. Fails
George A. Jansen
Edward G. Milone
Edgar R. Stoddart, Jr.
Richard L. Walters

Jack V. Crawford (Reserve officer) to be a lieutenant (junior grade) in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Howard G. Balogh
Lawrence W. Fisher
Charles D. Glattly
Robert G. Hawkins
Clyde D. Mitchell, Jr.
John R. Schuesler

Raymond K. Crabtree to be a temporary chief ship's clerk in the Navy, subject to qualification therefor as provided by law.

IN THE MARINE CORPS

Lt. Gen. Gerald C. Thomas, United States Marine Corps, to have the grade, rank, pay, and allowances of a lieutenant general while serving as Commandant of the Marine Corps Schools, Quantico, Va.

Maj. Gen. Randolph McC. Pate, United States Marine Corps, to have the grade, rank, pay, and allowances of a lieutenant general while serving as Assistant to the Commandant of the Marine Corps.

Maj. Gen. Robert H. Pepper, United States Marine Corps, to have the grade, rank, pay, and allowances of a lieutenant general while serving as Commanding General, Fleet Marine Force, Pacific.

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Edwin A. Pollock
Randolph McC. Pate
Clayton C. Jerome
John C. McQueen
George F. Good, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

William W. Davies
Reginald H. Ridgely, Jr.
William G. Manley
Lenard B. Cresswell
Homer L. Litzenberg
Robert E. Hogaboom
Joseph C. Burger
Verne J. McCaul
Matthew C. Horner
Ion M. Bethel

The following-named officer of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefor, as provided by law:

Chester R. Allen

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Herbert R. Nusbaum
DeWolf Schatzel
John H. Earle, Jr.
Bryghte D. Godbold
Glenn C. Funk
Robert C. McGlashan
Harold J. Mitchener
Leonard M. Mason
Joseph P. Sayers
Max C. Chapman
John D. Harshberger
John L. Smith
James S. Blais
Robert E. Galer
Cliff Atkinson, Jr.
Henry H. Crockett
David W. Stonecliffe
Milo G. Haines
Malcolm O. Donohoo
Stuart M. Charlesworth
Walter N. Flournoy
Robert F. Scott
Thomas C. Moore, Jr.
Kenneth A. King
Paul J. Fontana
Allen B. Geiger
George S. Bowman, Jr.
James G. Bishop, Jr.
Thornton M. Hinkle
Ronald K. Miller
Edward W. Johnston
Louis A. Ennis
Charles L. Banks
James L. Neefus
James C. Murray, Jr.
William H. Barba
George P. Britt
Robert W. Boyd
Spencer S. Berger
Marion M. Magruder
August F. Penzold, Jr.
George W. Killen
Noah P. Wood, Jr.
Jean H. Buckner
John S. Twitchell
Robert T. Stivers, Jr.
John W. Stage
Charles W. Harrison
Frank L. Kilmartin
Robert D. Moser
John A. Anderson
Wilfrid H. Stiles
Ben F. Prewitt
Noah J. Rodeheffer
William K. Davenport, Jr.
Orin C. Bjornsrud
Thomas G. Roe
Marlowe C. Williams
Wood B. Kyle
Russell E. Honsowetz
Ellsworth G. Van Orman
Donald K. Yost
Frederick R. Payne, Jr.
Robert W. Rickert
Howard G. Kirgis
Arthur R. Stacy
Lewis W. Walt
Robert W. Clark
Edward W. Durant, Jr.
John B. Heles
Joseph O. Butcher
John J. Wermuth, Jr.
John F. Dobbin
Robert H. Richard
John P. Stafford
Frank Shine
Arthur H. Weinberger
Stephen V. Sabol
Erma A. Wright
John E. Willey
Carl A. Youngdale
Robert J. Johnson
Douglas E. Reeve
James E. Mills
William R. Campbell
George D. Rich
Ormond R. Simpson
Henry P. Crowe
Kimber H. Boyer
Albert Creal
John G. Bouker
Ernest P. Foley
Thomas W. Brundage, Jr.

William F. Hausman
Sylvester L. Stephan
August L. Vogt
Norman J. Anderson
Desmond E. Canavan
Richard C. Nutting
John G. Walsh, Jr.
Robert T. Vance
Woodrow M. Kessler
Arthur W. Fisher, Jr.
Paul R. Byrum, Jr.
Donald E. Huey
Kirk Armistead
Clarence A. Barninger, Jr.
Merritt Adelman
Rivers J. Morrell, Jr.
Arthur J. Stuart
Hewitt D. Adams
Joseph A. Gerath, Jr.
Thomas A. Culhane, Jr.
Guy G. Narter
John R. Lirette
Owen A. Chambers

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

John J. Padley
Frank R. Porter, Jr.
Walter E. Gregory
James M. Joyner
Charles P. Weiland
John S. Payne
John P. Newlands
Albert W. Campbell
Fenton J. Mee
Spencer H. Pratt
Elwyn M. Stimson
Albert Arsenault
Frank A. Gunner, Jr.
David A. Van Evera
John V. Kelsey
Warren S. Sivertsen
John F. Corbett
Robert B. Farrelly
Frank H. Vogel, Jr.
James H. Clark
Kenneth R. Chamberlain
Philip L. Crawford
Clifton N. Harvel
Leslie T. Bryan, Jr.
James W. Poindexter
Wilbur A. Free
Martin C. Roth
Robley E. West
John E. Gorman
John H. King, Jr.
Robert J. Bear
Arthur K. Bourret
Hoyle R. Barr
Douglas A. Bangert
Thomas G. Bronleewe, Jr.
Richard J. Ofstad
Julius W. Ireland
Harold E. Allen
Harold G. Schlendering
Charles E. Hinsdale
Clay A. Boyd
William J. Howatt
John R. Burnett
William G. Shoop
David S. Randall
James W. Sperry
James A. Michener
George G. Pafford
Edwin G. Winstead
William C. Esterline
William H. Marsh
Herbert H. Hawkins
James R. Blackwell
Leo J. Dulacki
George W. E. Doughtry
Raymond M. Hogue
Bruce B. Hammond
Stanley J. Nelson
John H. Brickley
David R. Griffin
Raymond H. George
John W. Hughes
William N. Wilkes, Jr.
Edward W. Bryan
Robert L. Anderson
Edward R. Polgrean
George G. Ryffel
Derek W. Price
Ernest E. Schott
Emile P. Moses, Jr.
Robert C. Hammond, Jr.
James R. Haynes
Francis K. Coss
Kirby B. Vick
Robert T. Knox
Francis R. Schlesinger
Shelton C. Ingle
Edgar B. Watson
Robert V. Allen
Donald W. Sherman
Merlin R. Olson
Stanley D. Low
Robert E. Smith, Jr.
Eugene W. Kelley
Roy D. Miller
William R. Bonner
Harry D. Clarke
Benton H. Elliott
William R. Norton
Edward G. Kurdziel
John O. Blackwell
Reginald R. Myers
James Leffers
Vernon H. Broertjes
Frederick D. Cortner
Glen E. Martin
Joseph D. Trompeter
Kenneth B. Pickle
George R. Helmer
Roland E. Carey
Duncan H. Jewell
Ernest G. Atkin, Jr.
Edmund E. Allen
Donald E. Asbury
Norman A. Miller, Jr.
Paul L. Andre, Jr.
Sherman A. Smith
Joe H. McGlothlin, Jr.
Charles M. Kunz
Thomas M. Coles
Robert R. Baker
Warren H. McPherson
Hugh B. Calahan
Ernest R. Hemingway
John E. Reynolds
Michael R. Yunck
William M. Ritchey
Joseph F. Quilty, Jr.
Francis H. Smyth
Boyd C. McElhany, Jr.
Robert J. Holm
Arthur M. Moran
Jack R. Moore
Frank L. Maerz
William R. Lear
Jack W. Morrison
Robert F. Flaherty
Jack C. Scott
Perry L. Shuman
Joseph W. Mackin
Alexander W. Chilton, Jr.
William E. Abblitt
Harold A. Eisele
William M. Lundin
John P. Sigman
Herbert H. Long
Ernest E. Pegau
Robert T. Whitten
Brenten C. Myking
John P. McMahon
William H. Whitaker
Robert O. White
Israel E. Boniske
Edwin W. Allard
Robert M. Patterson
Richard R. Amerine
Christian C. Lee
Kenneth M. Ford
James W. Love
Lincoln N. Holdzkom
Charles F. Widdecke
Bruno J. Andruska
John G. Dibble
Cleland E. Early
William R. Burgoyne, Jr.
Louis H. Wilson, Jr.
William M. Watkins, Jr.
William L. Flake
Vincent J. Gottschalk
George A. Gilliland
James B. Maguire, Jr.
William R. Adams
Bryan B. Mitchell
Thaddeus P. Wojcik
Rodney V. Reighard
John N. McLaughlin
Fenwicke W. Holmes
Winfield S. Haltom, Jr.
Lewis F. Treleaven
Royal E. North
Maurice E. Roach
James P. Prowell
Vernon A. Peltzer
Lewis E. Poggemeyer
Anthony Caputo
Robert W. L. Bross
Robert Q. Grider
Vincent R. Kramer
Jack R. Rhoades
Frank M. Platt, Jr.
Bruce F. Hillam
Lonnie D. McCurry
Alan R. Cason
Maurice J. Coffey, Jr.
Oscar T. Jensen, Jr.
Carl A. Sachs
James P. Jacobson
Laverne W. Wagner
Howard G. Gunter
Harold A. Hayes, Jr.
Donald J. Kendall, Jr.
David L. Mell
William L. Batchelor
Donald M. Beck
Kirt W. Norton
Fredric D. Feezell
Arthur J. Barrett
Thomas J. O'Mahoney
John S. Flickinger
Theodore F. Spiker
Clarence J. Mabry
Maurice C. Goodpasture
Carl E. Fulton
Peter H. Hahn
William J. Heepe
Thomas F. Cave, Jr.
John F. Ross, Jr.
Eugene A. Siegel
Harry C. Olson
Duane Fultz
Donald S. Callaham
Raymond V. Fridrich
Harold L. Lantz
Lewis D. Baughman
Ray D. Horner
Arthur J. Bachhuber
Warren Morris
Frank R. Stewart, Jr.
Jack E. Conger
Oliver T. Koch
Russell R. Riley
Elton Mueller
Hardy Hay
Alexander D. Ceregghino
John H. Papurca
Mason H. Morse
Lawrence P. Harris
Lynn H. Stewart
Albert L. Jones
Sam H. Fletcher
Jacob E. Glick
James M. Callender
John E. Williams
John T. Hill
Thomas M. Coggins
Walter W. Stegemerten
Robert C. Armstead
Herbert D. Raymond, Jr.
Harold A. Harwood
Murray L. Thompson
Richard D. Opp, Jr.
Kenneth P. Dunkle
Allan H. Ringblom
Wayne L. Edwards
Robert M. Richards
Alton L. Hicks
Richard A. Glaeser
Donald D. Blue
Henry J. Woessner II
Bernard W. Giebler
Frank G. Casserly
Andrew Hedesh
Evans C. Carlson
William C. Stoll, Jr.
John B. Berteling
Eldon H. Railsback
Gelon H. Doswell
James N. Cupp
Arnold A. Lund
Henry S. Sabatier
Joe L. Warren
John B. Maas, Jr.
John "E" Hughes
Robert W. Teller
Daniel L. Cummings
John R. Stack
Louis R. Smunk
Thomas B. Tighe
Bert Davis, Jr.
Robert W. Nelson
Hugh J. Irish
Thomas M. Leineweber
Thell H. Fisher
James L. Fawley, Jr.
Henry Matsinger
John E. King
James H. Naylor
Thomas T. Grady
William W. Curtis
Carl O. J. Grussendorf
Arthur L. Adams
George P. Wolf, Jr.
Webster R. Hood
Robert W. Anderson
Vernon L. Bartram
Robert B. Neville
Howard F. Stevenson
George Codrea
Thomas C. Dutton
James A. Pounds III
Robert R. Fairburn
Robert B. McBroom
Charles A. Lipot
Walter E. Reynolds, Jr.
George J. De Bell
Donald B. Otterson
James G. Juett
William E. Baugh
Drew J. Barrett, Jr.
Harry B. Smith
Robert L. Cochran
Charles D. Barrett, Jr.
Gerard T. Armitage
Frank J. Clarke
William A. Murphy

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of lieutenant colonel:

George M. Chinn
Charles D. Gray
John A. Reeder
Richard L. Blume, Jr.
Herbert C. Langenfeld
Robert J. Shelley, Jr.
Frank C. Drury
Robert L. Bryson
Merle T. Wetton
John L. Clark
Linus N. Hardy
Roland Davis
Robert H. Rankin
Lyford Hutchins
John D. Cannon

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

James R. Einum
Gerald P. Averill
Alfred V. Soupios
Russell E. McCreery
William T. Miller
Max D. Smith, Jr.
Arthur L. Sherbondy
Karl E. Faser
Ernest C. Bennett
Walter D. Pickerell
Eugene H. Haffey
James H. Pope
Lowell T. Keagy
Robert L. Autry
Charles E. Westbrook
Robert R. Sedgwick
Vernon W. Shapiro
Francis A. McMullen
Dale D. Meyers
Rex Z. Michael, Jr.
Kermit H. Shelly
Royer G. Warren
Frank J. Sheppard
Gerard Dethier
Donald J. Gehri
Wesley H. Rodenberger
James J. Larkin
Paul J. Blasko
Joel E. Bonner, Jr.
Robert H. Nuess
William A. Lamont
William T. Phillips
Edward L. Barker
Nathan R. Smith
Richard R. Breen
Harold G. Todd
David M. Johnston
Charles Schultz, Jr.
Virgil D. Olson
Godfrey H. Reed
Raymond E. Knapp, Jr.
Robert H. Mitchell
Thomas C. Hurst
Michael T. Savino
Lee F. Bennett
Thomas Parran, Jr.
Dwain L. Lengel
Ray B. Wall
Marshall Salvaggio
Robert C. Hilliard
Harold R. Gingher
Ben E. Baker
Oscar B. Johnston
Hubard D. Kuokka
Paul "A" Noel, Jr.
David D. Rickabaugh
Sandy J. De John
Walter F. Jacobs, Jr.
Thomas M. Horne
Robert W. Kersey
Henry G. Maeger
Grover C. McClure, Jr.
James E. Warren, Jr.
Marion B. Bowers
John J. Tooley
Edward L. Schnettler
Rosario J. Augeri
Ovis D. Hunter
William T. O'Neal
John Skorich
Vincent T. Cleveland
Robert M. Butler
Herbert R. Merrick, Jr.
Harry D. Wortman
Everet A. Hedahl
James E. Stauffer
Glenn O. Cole
John A. MacNeil
Howard M. Humphrey
Samuel "I" McElhoes, Jr.
James M. Burris
Clark D. Morrow
Clarence L. Morrison
Don H. Fisher
David A. Brewster, Sr.
Harold S. Hill
Ward J. Lytle
Lloyd S. Penn
Bruce J. Matheson
Edwin H. McCaleb III
Alan D. Smith
James M. Walley
John H. Scherer
Jack E. Hanthorn
Jack B. Baker
Joseph G. Cerveli
Albert E. James
Francis F. Rotter
Norman C. Smyle
Paul Fuss
James J. Shute
James A. P. Binfield
Mauro J. Padalino
Wallace M. Halbert
Hardy E. Foster
Walter Moore
John L. Kelly
John H. Paetow
Robert A. Mills
Emil J. Radics
Edward F. Ganschow
Howard T. Pittman
Wilbur D. Wilcox
Horace C. Reifel
George W. King
Dean N. McDowell
James D. Jordan
Frank C. Kleager
Dermott H. MacDonnell
Edward Cook
Harold N. Mehaffey
Victor M. Johnson
George O. Ross
James W. McCall, Jr.
Clarence B. Beasley
Thomas W. Pearson
Fred C. McDaniel, Jr.
Edgar L. Smith
Leroy T. Frey
James A. Sawyer
Kenneth B. Nelson
Charles B. Guy
William S. Witt
David M. Cox
Eugene H. Winchester
Stanley F. Legan
Edwin O. Reed
Henry H. Morgan
Alfred L. Nelson, Jr.
Jack R. Sloan
Thomas J. Saxon, Jr.
William R. Rozier
John E. Palmer
Neal "A" Boortz
Thomas J. Ciszek

Elmer W. Rothenburger
Mark Jones
Robert R. Peebles
Lesley V. Strandtman
William R. Holt
John Stepanovich
George C. Schmidt, Jr.
Nicholas Zabitchuck

The following-named officers of the Marine Corps for permanent appointment to the grade of major for limited duty:

Robert A. Smith
Raymond L. Luckel
Harvey W. Gagner
Francis L. Churchville
Leonard I. Beatty
James K. Harris

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Charles S. Wilder
Joseph B. Harrison
Frank P. Stivers, Jr.
Loren R. Smith
Miller M. Blue
Patrick J. Dayson
Francis E. Finch
Jack Glenn
Melvyn H. Kerr
Richard H. Mample
Charles A. Arneson
William R. Affleck, Jr.
Thomas P. O'Callaghan
Ernest R. Olson
Mildridge E. Mangum
Wallace W. Crompton
Jack C. Elrod
Guy W. Rowlett
David W. Graybeal
Don D. Ezell
Robert Zeugner.
Joseph T. Odenthal
Theodore D. Hess
Thomas J. Horgan, Jr.
George E. Smith
William B. Creel
Willie J. Mixson
Hugh M. Steele
Stewart C. Barber
Samuel L. Eddy, Jr.
Albert W. Snell
Walter L. Hill
John B. Wilson, Jr.
Albin L. Lindall, Jr.
John L. Hamilton, Jr.
Almarion S. Bailey
Charles E. Wydner, Jr.
George B. Woodbury
Chester V. Farmer
Daniel R. Evans
Robert A. Henry
William D. Pomeroy
Paul B. Byrum
Henry A. F. Vonderheyde, Jr.
Theodore J. Mildner
William H. Lanagan, Jr.
William M. Smith
Paul D. La Fond
Jay V. Poage
Ralph E. Brandel
William F. Koehnlein
Amo F. Judd
John Craig
Donald E. Watterson
Edwin B. White, Jr.
Victor Stoyanow
Harry G. Robinson, Jr.
Louis J. Sartor
Frank A. Eidracher, Jr.
Marvin D. Volkert
John Ladutko
Donald McGuire
Ralph D. Call
William J. Beer

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Clement C. Chamberlain, Jr.
Richard A. Bonney
Robert P. Kuhn
Victor A. Ruvo
Ronald L. Walsh
Palmer A. Roessle
Thomas P. Bartleson, Jr.
James M. Bannan
Dalvin Serrin
Joseph J. Marron
Donald R. Stiver
Donald L. Rice
Ralph A. Graninger
Cecil G. Dunnagan
Francis L. Delaney
John W. Unkle
Preston E. Howell
Douglas E. Erway
Paul W. Niesen
Whitlock N. Sharpe
Ralph D. Wallace
Frank E. Weitz
Dwight E. Howard
Frank D. McCarthy
Leonard M. Gillespie
Jack W. Conard
Daniel M. Wilson
James R. O'Mara
Jimmie W. Duncan
John H. Strope
James G. Doss, Jr.
Edward F. Penico
Vance E. Brown
James M. Murray
Charles H. Walker
Keith H. Helms
Thomas L. Curtis
John R. Day
Joseph A. Corvi
Andrew V. Mincey
Kenneth K. Case
Marion A. Andrews
Philip W. Haley
Donald P. Piante
James H. McGee
Ernest G. Schauppner
John H. Gilmore
Gerard M. Kieswetter
Marshall B. Armstrong
Robert F. Koehler
Albert W. Wallach
Everett D. Bedwell
Robert M. Tremmel
Robert K. Damon
Tom W. Williams
George L. Newton
Richard V. Molesky
Themistocles T. Annas
Warren F. Wolff
Elmer H. Holthus
Charles R. Kerr, Jr.
Alan D. Albert, Jr.
Herbert O. Smith
Wade E. Branen
Robert J. Norton
Richard E. Kutz
William E. Clemens
Robert N. Burhans
Elmer N. Snyder
Peter A. Soderbergh
Herbert L. Pogarty
Arnold G. Ziegler
Elmer M. Thompson
Reginald J. Cox
Harry L. Morris, Jr.
William C. Vielhauer
Rodger E. Rourke
Frank L. Bourne, Jr.
Ermil L. Whisman
Conway L. Austin
Walter A. Weston
Marion M. Etheridge, Jr.
Hubert I. Frey
Roland L. McDaniel
Robert L. Simons
Howard R. Mead, Jr.
Henry Englisch
Theodore Lowdermilk, Jr.
Norman L. Padgett
Leonard E. Fuchs
Jack W. Evans
William A. Thompson
Edwin C. King
Gary Wilder
Joseph K. Griffis, Jr.
Clyde Lee, Jr.
James S. G. Turner
Thomas A. Hodges
Robert B. McIntosh
William R. Miller, Jr.
Paul E. Wilson
Arthur M. Brown
William H. Stoetzer
Edward R. Mahoney
Garry M. Pearce, Jr.
Raymond J. O'Leary
Leo N. Nagrodsky
Gordon M. B. Livingston
Joseph A. Swartz, Jr.
Lester E. Bazinet
Charles M. Chidester
John E. Watson
Theodore H. Watson
George L. Bartlett
Edward R. Toner
William J. Dinse
William D. Kent
Louis Z. Slawter, Jr.
Albert O. Nelson
Billy M. Adrain
Joseph D. Jackson
Donald L. Mitchell
Kenneth W. Williams
John J. Ross III
Bernard J. Mulligan
Robert J. Chadwick
John J. Kane
John B. Carr, Jr.
Charles G. Little
Charles Fimian
Karl E. Moore
James Everett, Jr.
William C. Simanikas
Martin I. Penner
Walter F. Glowicki
William S. Daniels
Ben C. Rowe
William R. Kephart
Milton Shaw
John W. Parchen
Robert J. Grady
Richard K. Jones
Gerald R. Hayes
Dale E. Shatzer
John G. Metz
Riley E. Cruse
Richard I. Sudhoff
John S. Martinez
John J. Unterkofler
Thomas V. A. Wornham
Haig Donabedian
John G. Word
Marshall A. Staunton
David D. Francis
Donald A. Gerber
Frederick E. Grube
Garret J. Fitzgerald
Henry J. Conlin
William B. Wilson, Jr.
Robert W. Howland
Lavern W. Larson
Robert L. Christian, Jr.
Robert Schueler
Eric B. Parker
Frederick H. Kruck
Richard P. Johnson
Paul J. Madden
Cyrus N. White, Jr.
Val R. McClure
Robert P. Chaney
William A. McMahon
Charles W. Burke
John L. Coffman
Robert C. V. Hughes
Don W. Lee
Richard C. Marsh
Elvyn E. Hagedorn
Dale Norman Davis
Thomas R. Kelly
Joseph S. Dorset
Cordon W. Poindexter, Jr.
Billy R. Standley
Carroll T. Deal
Peter A. Wickwire
Howard P. Robinson
Cooper L. Gilman
William B. Springfield
John W. Clayborne
William C. Holmberg
Edward H. Utley
Vincente T. Blaz
Richard A. Pape
Samuel P. Berzon
Charles E. Nicholas
Harold W. Range
James L. Smith
Arthur F. McGinn, Jr.
Frank S. Cannon
Gerald C. Thomas, Jr.
William E. Buckon
William E. Hutchison
Chester T. Jones
David E. Jones, Jr.
Thornton M. Howard
Robert A. Dukes, Jr.
Robert G. Riddle
Jack E. Dausman
William B. Duncan
William W. Shewman
William P. Heim
Glen Allen
Joseph P. Goodson
Charles H. Cullum
Windsor R. Smith, Jr.
Landon W. Parker
Samuel T. Milliken, Jr.
Gerard P. O'Keefe
Robert E. Delaney
James P. Connolly II
William H. Thousand
Donald L. Sellers
James L. Riggs
Francis G. Balderston
Hugh R. Bumpas, Jr.
William J. Grunske
Drew I. Matthews
Lowell R. Burnette, Jr.
John R. Collin
Richard B. Taber
Charles D. Roberts, Jr.
Bernard E. Trainor
Charles G. Boicey
Richard C. Stockton
Robert R. Meeker, Jr.
Vernon L. Sylvester
Edward K. Maxwell
Maurice B. Lynch
William L. Buergey
Lewis H. Abrams
Harold A. Johnson
John R. Bradley
Richard S. Hartman
Hiram B. Crosby III
Frank G. Perrin
Richard W. Smith
Lee O. Richards, Jr.
Charles W. Tonnacliff
Harold E. McKinney
William F. Hohmann
Phillip E. Megna
William J. Knight, Jr.
Duncan D. Chaplin III
Charles L. McElheny
William Banta
Charles R. Casey
Stuart T. Clark
James D. Bailey
Paul C. Mogensen
Jerome W. Stranahan
Dean H. Morley
Robert C. Cherry
William R. Maloney
Paul L. Siegmund
Merton J. Batchelder, Jr.
Cowles Andrus, Jr.
Gilbert C. Hazard
James B. McMath
Paul A. Shrader
Joseph T. Smith
Raymond F. Schramel
John R. Love
Paul L. Bartlett
Herbert M. Hart
William A. Lawrence
Paul S. Byrne, Jr.
Donald P. Young
Donald H. Helgeson
Richard B. Slater
Thomas J. Culkin
Marc Anthony Moore
John J. Grace
Fred D. MacLean, Jr.
John J. P. Reddy
Philip J. Dooley
Tom G. McCreless, Jr.
Leonard E. Wood
Robert E. Harris
Robert J. Miille
Robert M. Searles
Thomas C. Fields
Robert A. Fuller
David B. Barker
John J. Donahue
John T. Carroll
Thomas E. Mattimoe
Robert E. Haebel
Raymond B. Ingrando
Pat Morgan
Harry U. Carpenter
Albert L. Yunko, Jr.
Harold E. Cottrell
Tullis J. Woodham, Jr.
Charles T. Williamson
Charles B. Webster
Branch Jordan
Donald R. Navorska
Charles J. Keever
Joseph F. Inman
Brooke F. Read, Jr.
John F. O'Mara
Donald E. McQuinn
Stanley J. Loferski
James E. Maher, Jr.
John H. Mason
Ernest L. Ittner
Robert J. Hurley
Frank J. Murray
Ronald M. Proudfoot
Edward B. McDonald
James H. Landers
Leonard M. Horner
Gary L. Yundt
Richard B. Twohey
John E. Dornan
Hampton K. Snell, Jr.
William P. T. Hill, Jr.
Thomas M. Marshall
Hillmer F. Deatley
Richard E. Hawes, Jr.
John W. Holden, Jr.
Robert E. Eidson
Charles R. Armbruster, Jr.
Thomas C. Edwards
Guy C. Packard
Samuel M. Morrow
Dallas P. Brewton
Thomas G. Davis
James B. Vanairsdale
David J. Maysilles
Milton D. Drummond, Jr.
Richard A. Busse
John C. Wyman, Jr.
Bernard J. Ypelaar
Eugene R. Howard, Jr.
Harry E. Atkinson
Victor G. Fortin
Harry M. Sartin
Richard E. Wray III
William G. Bates
Warren P. Kitterman
Donald E. Allstrom
Roderick M. Stewart
Hunter B. Whiteseli
Donn J. Prendergast
John D. Baylor
Russell W. Walters
John L. Woods
Frederick R. Bowie
Paul H. Westenberger
Daniel B. Jordan
Ernest O. Northcutt, Jr.
William R. Rice
Frank J. Mulholland
Charles C. M. Woodward
Gerard E. Lawler
Hodgen P. Montague, Jr.
William P. Gorski
Kent D. Hollen
Ralph Thuesen
Oliver W. Vandenberg, Jr.
Victor E. Patrick
Jack D. Rowley
James W. Hammond, Jr.
Malcolm S. Jolley
Eugene A. Silverthorn
Kenneth G. Sletten
Richard L. Anderton
Martin E. Farmer
Thomas P. Qualls
Richard V. Gamsby
William H. Rice
David C. Venable
William D. Shippen
David B. Hayes
Kenyon J. Frazier
Thomas C. Smith
James L. Black, Jr.
Chester J. Stanaro
Walter H. Kelly, Jr.
William F. Farley
Albert M. Desselle
Robert D. Rosecrans
Cedric C. Gifford
Wilbur W. Dinegar
Richard M. Wadsworth
Paul E. Pearson
Leo M. Schneider
Clarence E. Hogan
George H. Gentry, Jr.
Edward J. Murphy
Clark R. Wozencraft
Robert E. B. Palmer
Peter L. Hilgartner
Thomas R. Stuart
August A. Glazer
Daniel K. Macklin
Jack W. Cain
Stephen G. Olmstead

Ronald G. Lutsko
Philip N. Frazier
Roy M. Miles
John H. Cobb, Jr.
Thomas A. McPheeters
Orville C. P. Camp
Leonard W. Deden
Lee C. Reece
Steve F. Kriss
Robert E. Benson
Sylvester P. Bussing, Jr.
Robert W. Dyer
Oswald O. Paredes
William M. Kull
James R. Quisenberry
Henry T. Cook
Thomas B. Epps, Sr.
Henry L. Harmon
John E. Fahey
Alfred J. Croft, Jr.
Jack L. Norman
Charles R. Lee, Jr.
Jacob H. Duran
Orville L. Mitchell, Jr.
Cecil E. Woodcock, Jr.
John J. Peeler
Albert R. Bowman II
Richard L. Etter
Robert A. Elder
James B. Wilkinson
Harold B. Roth, Jr.
Bernard Q. Striegel
John J. Keefe
Clarence E. Watson, Jr.
Carl W. Skaugen
David H. Tinius
William Netka
Theodore J. Willis
William N. Jackson
William K. Capper
Philip A. E. Leigh
Robert O. Barnes
Charles R. Swilley, Jr.
Thomas M. Kauffman
Ernest H. Graham
David S. Tolle
John J. Walsh, Jr.
Warren H. Day, Jr.
Jack W. King
Paul R. Hunter
Thomas P. Wareham
Glenn A. Stephens
Robert F. Ritchie III
William E. Wilson, Jr.
Charles F. Jones
Frank Dicillo, Jr.
Lewis C. Habash
Stanley H. Rauh
Charles E. Pangburn
Larry R. Vandeusen
Kyle W. Townsend
William H. Heintz
William J. Longshaw
Billy D. Bouldin
Louis A. Gulling
John D. Shoup
John Colia
James W. Quinn
Frank D. Topley
Michael E. Spiro
William A. Scott, Jr.
Donald K. Cliff
James B. Ryckman
David A. Clark
Harry H. Holmberg
Emil W. Herich
Maurice H. Ivins, Jr.
William J. Livingston
Walter W. Grant
Richard A. Mueller
Charles C. Chisholm, Jr.
Lawrence R. Seamon
Lawrence F. Sullivan
Herbert G. Fischer
William C. Drumright
Richard L. Woodruff
James W. Hanker
Bruce G. Brown
Charles R. Poppe, Jr.
Benjamin B. Skinner
Roy E. Moss
Neil A. Nelson
Duane W. Chisman
Donald G. Robison
Roy A. Seaver
Joseph F. Paratore
James L. Richard
Charles N. Dezer III
Harold R. Anker
Henry J. Huntzinger
William C. Britt
James K. Coody
Frank P. Marcus
Kenneth C. Garner
Cecil J. Bennett
Delos M. Hopkins
Willard J. Suits, Jr.
George L. Bruser
Robert R. Moody
William R. Hutchisson
Lytton E. Bulwer, Jr.
John B. Richards IV
William A. Kratzert, Jr.
Edward B. Corrigan
James L. Hoffmann
David I. Greenstone
Richard W. Griggs
Raymond J. Start
Frederick L. Farrell, Jr.
James C. Gerard
William M. Erbe
Richard H. Marciniak
Marvin E. Day
Herbert J. Recker
Marcus D. McAnally
Rylen B. Rudy
Richard T. Spencer
Coyle H. Willis
William K. Hutchings
Reginald G. Sauls IV
John F. Heiland
Donald W. Anderson
William H. Stewart, Jr.
Marque C. Debenport
Charles E. Hollaway, Jr.
Ralph F. Kenyon
Alfred N. Drago
Louis W. Schwindt
Michael A. Ciaburro
James W. Kirk
George M. Lawrence, Jr.
Allan H. Robb
Roy A. Lilly
William E. Garman
Charles R. Kucharski, Jr.
Eugene Lichtenwalter
Edward H. Stansel
David R. Stanton
Harold J. McMullen
Robert L. Zuern
Robert D. Jameson
Robert D. Purcell
Joseph B. Brown, Jr.
Billy D. Conrad
John R. Fox
Joseph P. Mitchell, Jr.
John S. Bugg, Jr.
Joseph R. Lepp
Cyril H. Cornwallis-Stevenson, Jr.
Joe E. Willis
Thomas F. Rochford
William H. Keith
Robert E. Nicholson
John C. Love
Robert E. Cook
Franklin C. Broadwell
Donn E. Seaman
Homer M. Neelley, Jr.
John A. Hennelly
James W. Dion
John H. Strandquist
Morgan L. Spence
Marion G. Austin
Theo F. Aschenbeck
Jack K. Griffith

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant for limited duty, subject to qualification therefor as provided by law:

Leonard F. Blake
Ulysses F. Cunha
Samuel R. Coffey
Everett W. Frank
Claud R. Swisher
Wesley D. Lamoureux
Walter W. Fleetwood
Harry D. Persons
William C. Bittick, Jr.
James F. Lancaster
Kenneth D. Smith
Stephen Sedora
John H. Menjes
Waldron E. Thomas
Walter R. Swindells
Cecil O. Seal
William E. Gardner
Francis X. Clegg
William K. Buskirk
Charles M. Schmidt
James W. Wilson

The following-named women officers of the Marine Corps for permanent appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Eileen F. Parker
Sara F. Hanan
Carol A. Paice
Valeria F. Hilgart
Constance Baker
Wanda L. Lively
Phyllis Y. Scagel
Virginia A. Hajek
Joyce M. Hamman

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 6, 1954

The House met at 10 a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art near unto us in every place and at all times, throughout the entire day may we feel Thy presence in this Chamber, directing our deliberations and our decisions.

We pray that our vision of Thy divine purposes may never grow dim and our understanding of Thy will may never become darkened by our self-will and selfish interests.

Grant that in all our tasks we may have Thy help; in all our difficulties, Thy counsel; in all our dangers, Thy protection; and in all our sorrow, Thy consolation and peace.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3832) entitled "An act for the relief of Mrs. Orinda Josephine Quigley."

MRS. ORINDA JOSEPHINE QUIGLEY

Mr. JONAS of Illinois submitted a conference report and statement on the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley.

CLAIMS OF COLUMBIA BASIN ORCHARD ET AL.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2033), to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, after "Coulee", insert ": *Provided, however,* That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that all Members who speak on the St. Lawrence Seaway bill today have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COL. RICHARD ORME FLINN, JR.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4735) for the relief of Lt. Col. Richard Orme Flinn, Jr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That Lt. Col. Richard Orme Flinn, Jr., O-260011, Chaplains' Reserve, Army of the United States, of Carrollton, Ga., be, and he is hereby, relieved of all liability to refund to the United States any part of the moneys erroneously paid to him by the United States as subsistence and rental allowances on account of a dependent child (his ward, Jack Wheeler) for the period from March 26, 1942, to February 18, 1946, inclusive, while the said Lt. Col. Richard Orme Flinn, Jr., was on active duty as an officer in the Army of the United States. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. AUCHINCLOSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 61]

Andrews	Grant	Powell
Ashmore	Haley	Rains
Battle	Hart	Reed, Ill.
Bentsen	Hays, Ohio	Richards
Boykin	Herlong	Roberts
Camp	Holifield	Roosevelt
Carlyle	Hope	Sieminski
Chatham	Hruska	Stringfellow
Chelf	James	Sutton
Coudert	Jones, Ala.	Taylor
Crosser	Kelly, N. Y.	Thompson, Mich.
Dawson, Ill.	King, Calif.	Tollefson
Deane	King, Pa.	Walter
Dingell	Magnuson	Weichel
Dorn, S. C.	Martin	Wigglesworth
Doyle	Miller, Calif.	Williams, Miss.
Engle	Miller, N. Y.	Wilson, Ind.
Gamble	Norrell	Wilson, Tex.
Graham	Patten, Ariz.	

The SPEAKER. On this rollcall 375 have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE ST. LAWRENCE SEAWAY

Mr. DONDERO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 2150, with Mr. BROWN of Ohio in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the first section of the bill had been read.

Mr. NICHOLSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLSON. I would like to ask the Chair when would be the proper time to cut out the last four words in the title of the bill.

The CHAIRMAN. Under the rules of the House, any amendment to the title must be made in the House after the bill has been passed by the House.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, over 300 years ago, a Frenchman, searching for a route to the Orient, landed his canoe a short distance from the site now occupied by my birthplace, Green Bay, Wis. He had come from Montreal, over a thousand miles away, by water.

In the following years, his native land, France, built an empire stretching from Montreal to the Mississippi River based upon the natural water route of the Great Lakes and its connecting streams. It was an empire which persisted beyond its time, in spite of inner weaknesses, by virtue of the strength of this trade route.

Much has transpired in the years which have passed since the first discovery of the Great Lakes but nothing has happened to destroy the original French concept of the economic importance of this great system of inland lakes. For the French understood that the Great Lakes system offered the means to throw open to ocean commerce the vast heart of the North American continent.

The amazing thing to me, as we debate this bill today, is that Americans, ingenious as we are, have been able to postpone for so long a project so inevitable and so vital to the continued growth and development of our entire Nation. Perhaps never before in our history has an economic necessity stared us so long in the face with so little recognition on our part.

Now, of course, the time for postponing, for ignoring basic economic facts, even for lengthy debate, is past. The seaway will now be built, regardless of what we do with this legislation. The only real questions before us are, shall this Nation participate in its construction, and if so, how shall our share of the construction costs be financed?

On the face of it, a debate over our participation in this construction assumes aspects of the ridiculous. Here is a transportation project which is designed primarily to move cargo between United States ports and the Atlantic Ocean. It would, it seems to me, be the acme of irresponsibility for this Congress to turn over to another nation the control of a project designed to encourage the commerce of our country. Let us not forget, too, that the construction of this seaway is not only inevitable from an economic standpoint, but that it is urged as a military necessity by the Joint Chiefs of Staff and the National Security Council. As the chairman of the Joint Chiefs has stated:

> The concept of control by a foreign government, however cordial our relations may be, of an inland waterway touching the borders of the United States, is inconceivable to the Joint Chiefs of Staff from a defense standpoint.

Leaving in the hands of a foreign nation the control of the admission of foreign ships to American waters, the defense of the seaway and the priorities of cargoes in time of war is unthinkable. All evidence convinces me that we must, in the interest of our national security, participate as a Nation in the construction of the seaway.

The important thing about the financing of this project, it seems to me, is that the financing must, first of all, provide the funds to insure that the project will be built. I believe the method proposed in this bill will insure construction. The so-called Brownson amendment, on the other hand, calling for a public bond issue, without Federal guaranty, will not provide the funds in time to permit participation by this country in the project.

The defects of the Brownson proposal will, I believe, be covered by those more expert in this field than I am. I would like to content myself with the observation that it seems fantastic to me, and I am a believer in free enterprise, to turn over to private owners an international project so intimately connected with our national defense and security. Such a proposal, if adopted, can only prevent the participation of this Nation in the construction of this project.

I heartily support the bill as presented by the committee, Mr. Chairman. This project is of vast economic importance to the entire Nation. It is vital to our national security. This Nation must participate in its construction, and thus exercise control over the completed seaway. We must provide sound and workable financing. The committee's bill provides all of these necessary elements. It should receive the support of all Members.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. LAIRD. Mr. Chairman, I join with my distinguished friend from Green Bay in the statements that he has made and support the St. Lawrence Seaway bill and oppose the Brownson amendment.

The question is no longer whether a seaway will be built, but only whether we shall have a voice in the control of the seaway. The seaway will be an important transportation facility, and it is imperative that this country have a share in a project so important to our well-being and defense.

The development of the navigation and power resources of the St. Lawrence has been urged by each administration and by all Chiefs of Staff since World War I. It was not until the Eisenhower administration took office, however, that any administration lent real and honest support to the St. Lawrence Seaway project. The passage of the St. Lawrence Seaway will not only be a great accomplishment for the Eisenhower administration, but it will be a major accomplishment for the 83d Congress.

Participation will enable the United States to have a voice in the seaway administration and in fixing tolls on shipping, which is estimated will be 80 percent United States origin and destination. The related power project will be built by the State of New York and the Province of Ontario without Federal participation. The navigation project will be self-liquidated with toll revenues to retire its cost.

The seaway will provide a great new transportation resource. It will open a large new source of waterpower. It will stabilize the steel industry. It will open new outlets for cheap transportation of agricultural products from the great Midwest. It will strengthen our national security.

Affirmative action on the seaway has been recommended wholeheartedly by this administration. The President, every member of the President's Cabinet, the National Security Council, and the Joint Chiefs of Staff have placed this administration squarely behind the St. Lawrence Seaway. It is my sincere hope that you will vote for this important legislation today and defeat the Brownson amendment.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

ST. LAWRENCE SEAWAY SOUND AND BENEFICIAL

Mr. KERSTEN of Wisconsin. Mr. Chairman, the St. Lawrence project has three great economic justifications. It will harness the greatest undeveloped source of waterpower on the North American Continent. It will provide a great new highway of commerce by linking the Great Lakes with the Atlantic Ocean. It will add immeasurably to the national defense of this country and to the continental security of the United States and its friendly neighbors.

The project to harness the waterpower of the St. Lawrence River, now running wastefully into the Atlantic, will make available another 13 billion kilowatt hours of energy per year for the use of this country and Canada. This power will be divided equally between the two countries, each having its own generating plants on the respective sides of the international boundary in the St. Lawrence River. This power will be distributed to several provinces of Canada, to upper New York, and the New England area. We in the Middle West have no direct interest in the power development, as it could not be transmitted economically to this region. We are concerned, however, with the industrial health of Canada, upper New York State, and the New England region which would be greatly improved if this power can be harnessed. A healthy New England makes for a healthy Nation and a healthy New England, it also follows, offers a better market for the produce of this region.

We in Wisconsin and the Middle West have looked upon the St. Lawrence primarily as a new transportation facility. We see it as an opportunity to participate in world trade on a basis of equality with the seaboard areas. This is not just a romantic concept but is rather concerned with the hardboiled economics of transportation.

It is a natural law of water transportation that ocean ships will penetrate inland as far as possible before discharging cargo. The workings of this natural law are proven by the location of most of the world's major seaports; for example, New Orleans far up the Mississippi River; Baltimore, at the head of Chesapeake Bay; London far up the Thames; and scores of like cases. Perhaps the best example of all is the great port of Montreal, a thousand miles from the open sea.

There is nothing radical or experimental about the idea of ocean ships penetrating the Great Lakes. Small ocean vessels have been blazing this trail for many years past. In the very early days of Wisconsin, schooners made the long voyage from Lake Michigan to European ports and returned safely. Since the mid-1920's, a growing volume of ocean shipping has used this route, in spite of the physical handicaps of antiquated locks and canals which limit the service to ships of about 3,000 tons in size.

We have brought into our own Milwaukee harbor ships carrying wool pulp from the cold countries of the Baltic and palm oil from Africa. We have unloaded cargoes of sugar which only a few short days before were loaded at ports on the south coast of Cuba.

We have sent out of Lake Michigan ports for years past a steady procession of ships carrying the agricultural and industrial products of this area. We have loaded vessels with Milwaukee-made oil pipe going to the Caribbean area. We have loaded cargoes of Wisconsin milk going to Naples and Trieste on the Mediterranean and have also loaded Milwaukee-built machinery going to Kirkenes, Norway, practically on the Arctic Circle.

When we think of this as a transportation project, I like to think of it as a normal and timely expansion of our national transportation plant. We are adding something like 3 million people to our population every year. The population of Canada is growing very rapidly and a great immigration movement is taking place to Canada, so that the overall transportation needs of this country and of Canada are growing constantly. We are thinking in terms of some four million new consumers a year. Obviously you cannot supply those consumers with the same physical plant that was used 20 years ago. We cannot continue to serve a hundred and sixty to a hundred and seventy million people with a transportation plant that did the job for a hundred and twenty million in 1925.

I would like to touch now upon the national defense significance of the St. Lawrence project.

The St. Lawrence Seaway would permit development of the great iron-ore resources of Labrador now in process of development for national defense production. We know that wars today are wars of steel, and as steel goes, so will go the security of the United States. So our military leaders are much concerned about questions of iron-ore supply, the future of the steel industry, and the utilization of the great new resources which has been discovered in a friendly country practically on our own borders in Labrador.

Thus, the question of availability of the raw materials of steel becomes very critical to any major world power today, considering its national security and its war potential as well as, of course, the development and protection of its domestic economy. One or two essential facts: Ninety percent of American steel production is based on the shores of the Great Lakes. The principal source of iron ore for that industry has been the Mesabi Range, which lies in northern Minnesota. There are some supplementary sources of ore in northern Michigan and Wisconsin but the Mesabi Range is the great basic source. But the Mesabi Range will eventually be exhausted.

Providentially, as Mesabi approached exhaustion, a great new source of iron ore was discovered north of the Gulf of St. Lawrence, in Labrador, and in Quebec. Now, if we do not develop Labrador as a source of raw material for our steel industry, we will, as Mesabi approaches exhaustion, look abroad to sources of iron ore in Venezuela, Brazil, Chile, Liberia, Sweden, and Norway.

Every one of those sources of raw material involves an ocean haul averaging some 6,000 miles. You know what the Soviet Union is doing in the way of submarine development. When you look at a map of the world showing the principal iron ore routes from these distant sources to eastern steel producing areas, a grade school child could see at a glance the terrible vulnerability of those sources. We drew heavily upon Chilean ore before the war. Bethlehem supplied its Baltimore plant with Chilean ore. Almost every ship in that ore fleet was sunk by German submarines in the first few months after Pearl Harbor. We are facing a much greater submarine menace today than we faced at that time. We have a choice of relying upon those distant overseas sources or of developing Labrador ore which is practically on our continental borders. It can come down into the Great Lakes, using either lake or ocean carriers, in protected routes, easily protected by naval and air cover in the Gulf of St. Lawrence against submarine attack, against aerial attack, and we can thus assure the future of Great Lakes steel.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I move to strike out the last word and to revise and extend my remarks.

Mr. Chairman, I did not on yesterday get a chance to speak on this bill. The full time was taken up by the committee. At this time I wish to say that while my district borders on the Mississippi River, and it does not in any way touch on the Great Lakes which the St. Lawrence Seaway will benefit most, the majority of the people of my district are behind the St. Lawrence Seaway, and while we have the Mississippi River traffic up and down the river, we also realize the importance of the St. Lawrence Seaway and are anxious to see this great project become a reality.

Ever since the potentialities of the St. Lawrence River were first discussed as a seaway the people of Wisconsin have been deeply interested in the development of this project. The interest of our people has not abated. As a matter of fact, the interest and concern of people in Wisconsin has increased over the years in the St. Lawrence Seaway.

While I cannot speak for the citizens outside of my district, I know that Wisconsin citizens from all walks of life are very nearly unanimous in their support

and endorsement of a program for the full development of the Great Lakes-St. Lawrence Seaway. This is one issue and project on which Wisconsin Democrats and Republicans have no disagreement—we see eye to eye on the proposition.

The support in my district—and I believe that this is true for all of Wisconsin—comes from industry, business, agriculture, labor and professional people. All of these people want to see our landlocked midwestern industry, business and agriculture eventually enjoy the advantages of ocean ports for world-wide trade and commerce in the commodities we raise, produce and manufacture. There are also certain foreign commodities in which our people are interested.

Our dairy farmers and the dairy industry are very much interested in world markets for dairy products. The same is true of the numerous manufacturing industries in Wisconsin. The dairy farmers in our State are well aware of the fact that our industries fabricate all manner of steel products, and that this is made possible only because of the nearness of blast furnaces and steel mills to our factories.

The industries involved in the fabrication of steel products employ thousands of workers, and these workers are consumers of dairy products. Therefore, the farmers in Wisconsin have a definite stake in the maintenance and continuation of the States in the Great Lakes region as the steel and heavy industry center of the Nation. We also feel that this is also sound from a strategic and military point of view.

Our people realize very well the present proposal for development of the St. Lawrence seaway will not benefit us directly and immediately. We know that the full benefits of the project will not be realized by the people of Wisconsin, Minnesota, North and South Dakota, Iowa, Illinois, and even Michigan until certain channels are deepened in the future to permit access to Lake Superior and Lake Michigan. However, we must have the first stage of development—which is covered in the present bill—before we can have the second stage of developing the Great Lakes-St. Lawrence seaway. It is for that reason that I am supporting the bill.

Finally, in closing, I wish to say that complete development of the Great Lakes-St. Lawrence Seaway will benefit all people in the United States from an economic and a military viewpoint.

The Clerk read as follows:

MANAGEMENT OF CORPORATION

SEC. 2. (a) The management of the Corporation shall be vested in an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $17,500 per annum.

(b) To assist the Administrator in the execution of the functions vested in the Corporation there shall be a Deputy Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $16,000 per annum. The Deputy Administrator shall perform such duties as the Administrator may from time to time designate, and shall be Acting Administrator and perform the functions of the Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

(c) There is hereby established the Advisory Board of the St. Lawrence Seaway Development Corporation, which shall be composed of 5 members appointed by the President, by and with the advice and consent of the Senate, not more than 3 of whom shall belong to the same political party. The Advisory Board shall meet at the call of the Administrator, who shall require it to meet not less often than once each 90 days; shall review the general policies of the Corporation, including its policies in connection with design and construction of facilities and the establishment of rules of measurement for vessels and cargo and rates of charge or tolls; and shall advise the Administrator with respect thereto. Members of the Advisory Board shall receive for their services as members, compensation of not to exceed $50 per diem when actually engaged in the performance of their duties, together with their necessary traveling expenses while going to and coming from meetings.

FUNCTIONS OF CORPORATION

SEC. 3. (a) The Corporation is authorized and directed to construct, in United States territory, deepwater navigation works substantially in accordance with the "Controlled single stage project, 238–242" (with a controlling depth of 27 feet in channels and canals and locks at least 800 feet long, 80 feet wide, and 30 feet over the sills), designated as "works solely for navigation" in the joint report dated January 3, 1941, of the Canadian Temporary Great Lakes-St. Lawrence Basin Committee and the United States St. Lawrence Advisory Committee, in the International Rapids section of the St. Lawrence River together with necessary dredging in the Thousand Islands section; and to operate and maintain such works in coordination with the St. Lawrence Seaway Authority of Canada, created by chapter 24 of the acts of the 5th session of the 21st Parliament of Canada 15–16, George VI (assented to December 21, 1951): *Provided*, That the Corporation shall not proceed with the aforesaid construction unless and until—

(1) the St. Lawrence Seaway Authority of Canada provides assurances satisfactory to the Corporation that it will complete the Canadian portions of the navigation works authorized by section 10, chapter 24 of the acts of the 5th session of the 21st Parliament of Canada 15–16, George VI, 1951, as nearly as possible concurrently with the completion of the works authorized by this section;

(2) the Corporation has received assurances satisfactory to it that the State of New York, or an entity duly designated by it, or other licensee of the Federal Power Commission, in conjunction with an appropriate agency in Canada, as nearly as possible concurrently with the navigation works herein authorized, will construct and complete the dams and power works approved by the International Joint Commission in its order of October 29, 1952 (docket 68).

(b) The Corporation shall make necessary arrangements to assure the coordination of its activities with those of the St. Lawrence Seaway Authority of Canada and the entity designated by the State of New York, or other licensee of the Federal Power Commission, authorized to construct and operate the dams and power works authorized by the International Joint Commission in its order of October 29, 1952 (docket 68).

Mr. SECREST. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the decade from 1930 to 1940 I opposed the St. Lawrence seaway. I did so because mining was vital to my district and much of our coal was sent to the Great Lakes region. I fought to protect our deep-shaft mines at Rigby, Senecaville, Walhonding, Belle Valley, and Caldwell. At that time England and other European countries were exporters of coal. I did not want them to take the only market we had. Today, two new powerplants and many new factories are using our coal at home, which is far better for all of us. Furthermore, no European country has any call to export. Also, I wanted to be sure the railroads of my district would not be harmed.

Today the situation has changed. Canada can, and will, build the seaway, no matter what the United States does. Unless we join in the project, my district and the whole Midwest will suffer. Twenty years ago I fought the seaway to protect my district. Today circumstances have so changed that I must support it to protect my district.

My reasons for supporting the seaway are as follows:

First. Unless we join in the project we will have no voice in setting the toll rates on the waterway. Canada could set them so low that our east to west railroads would be ruined.

Second. Canada could so favor, by varying rates on commodities, her own producers or the producers of England, Australia, and other nations, that American agriculture and industry would be at a terrible disadvantage even in our own markets. With our present low tariffs many industries are being ruined now. We must have a voice in setting the amount of the tolls in order to protect agriculture, industry, workers, and railroads in the Midwest.

Third. If the United States got into a war and Canada remained neutral, would Canada let us use the waterway unless we have joint control over it? Our national security demands that we have a voice in the operation of the seaway, making certain that we can use it in case of war.

Fourth. If we do not get a deep-sea waterway to the Great Lakes region, we will lose much of the great steel industry of the Middle West, as well as our chance to get new industry using steel products. Already the United States Steel Co. has built a new steel mill at Morrisville, Pa., that will produce over 2 million tons of ingots each year. The ore is shipped by ocean freighters from Venezuela up the Delaware River direct to the plant. The St. Lawrence Waterway will permit the vast deposits of iron ore in Labrador to be shipped direct to Great Lakes ports. The mining of iron ore outside the United States was not dreamed of 20 years ago. The great demands of World War II depleted our domestic supply to the extent that the large steel companies have developed sources of supply outside the United States. To keep our plants from moving to the ocean we must bring the ocean to our Midwest plants.

Fifth. Construction of the canal, if we have joint control of it, will assure the agricultural products of Ohio and other Midwest States direct access by ocean freighters to the markets of the world. That is why it is now endorsed by the National Grange, the American Farm Bureau, and the Farmers' Union.

Sixth. If ocean ships come to Lake Erie, new plants making products for export would find my district an ideal

place to locate. We have four major railroads in the district. The Wheeling & Lake Erie has terminal facilities at Cleveland, Lorain, and Toledo, all lake ports. The Pennsylvania has a direct line from Marietta to Cleveland that bisects three of my counties. This railroad also has port facilities at Ashtabula, Sandusky, and Toledo. This line would furnish a direct connection between four Lake Erie ports and the navigable Ohio River. The New York Central has port facilities at Cleveland, Ashtabula, Lorain, Sandusky, and Toledo. The Baltimore & Ohio has terminals at Cleveland, Lorain, Sandusky, and Toledo. The Baltimore & Ohio and the New York Central jointly have built recently the most modern dock on Lake Erie at Toledo. It cost $40 million. Railroad workers in my district stand to gain far more than they will lose.

Seventh. The cost of the project to the United States will be $100 million, all of which will be paid back to the Treasury from tolls.

Eighth. The question of power is no longer involved in the seaway project due to the fact that the Federal Power Commission in July 1953 granted the Power Authority of the State of New York a license to develop power on the United States side of the border.

Ninth. I think the President is right in recommending that the United States join with Canada in building the seaway and I intend to support him.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. SECREST. I yield.

Mr. BAILEY. Did the gentleman ever give any thought to the possibility of the effect on the 14 plants of the Pittsburgh Plate Glass Co., whose major business is in the Great Lakes Area, if the seaway were opened up to the admission of foreign-manufactured goods under the Reciprocal Trade Agreements Act?

Mr. SECREST. I am coming to that.

Mr. BAILEY. I wish the gentleman would deal with it.

Mr. SECREST. First, to permit residual fuel oil to come through the canal with favored toll treatment would destroy our remaining market for coal.

Second, the low tolls through the canal would have a disastrous effect upon the pottery and glass factories in my district, industries which have been the foundations of industrial prosperity over the years. Suppose for some reason Canada should say "We will let all pottery and glass come through the canal free"? What protection would we have against Japanese pottery, for instance, whose workers are paid 11 cents an hour, when the pottery and glass workers in my district are paid $1.90?

If we have no voice in setting these tolls I fear the effect it will have on our pottery and glass. We would see French, Italian, Japanese ships coming into Cleveland, Detroit, and other ports in the midwest and take away from us about the only market we have left for our pottery and glass.

I think it would be foolish if we did not take part in this, since Canada is going to build this canal if we do not take part in it. If we participate we will have a voice in setting these tolls.

Mr. SHORT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentleman from Ohio [Mr. SECREST] has just made a logical, impassioned, eloquent, and unanswerable argument. I am convinced, Mr. Chairman, that Canada will build the St. Lawrence Seaway if we do not take this last opportunity to authorize United States participation.

This is a view which most Members hold, whether they are for or against the pending bill. The seaway is therefore assured and the only issue is whether we shall join with Canada in the construction, ownership, and control of a great international waterway or whether we should stand aside and let Canada proceed alone. The reasons compelling us to take this action fall into two broad categories: First, the national security; and, second, the national economy. I intend, in the time allotted me, to discuss the matter of the national defense and security reasons which make it essential that we participate.

Speaking as chairman of the Armed Services Committee, it is my firm conviction that even if the national economy advantages were relatively unimportant I should feel duty bound to vigorously support this bill because I feel it is vital to our national defense and security.

United States participation in the St. Lawrence Seaway has the support of every public official and every department of the executive branch of our Federal Government charged with the grave responsibility of determining our defense strategies: the President, the Cabinet, the National Security Council, the Joint Chiefs of Staff. No member of this body but will agree that their views must be given our most serious consideration.

President Eisenhower, in his state of the Union message, on January 7, 1954, is explicit:

> Another part of this foundation (of our national defense) is, of course, our continental transportation system. Some of our vital heavy materials come increasingly from Canada. Indeed our relations with Canada, happily always close, involve more and more the unbreakable ties of strategic interdependence. Both nations now need the St. Lawrence Seaway for security as well as economic reasons. I urge the Congress promptly to approve our participation in its construction.

Mr. Chairman, the principal advantage of the St. Lawrence Seaway, from the standpoint of national defense, lies in the essential and vital transportation facilities that it will supply. It will not only provide an avenue to the important agricultural, commercial, and industrial area surrounding the Great Lakes, but it will provide an additional thousand miles of protected water in the overseas route to the British Isles and Europe. This latter fact is of great importance, particularly in terms of 20th century warfare in which the submarine plays such a devastating role against all shipping on the open seas.

Let me ask why our national defense requires additional transportation facilities. To present this question is also to answer it. All will agree that the equipment and facilities of America's railroads were burdened to the extreme during World War II. As outstanding as the record of accomplishment was, no one can deny that additional transportation routes and facilities are not only desirable but vitally necessary in defense efforts as well as war mobilization. It is from such a point of view that I think we should approach the St. Lawrence Seaway.

The seaway will be important as a transportation route because it will serve an area which is already highly industralized. This important area meets the defense demands as well as the peacetime needs of the entire Nation. The importance of the seaway will greatly increase the availability of large supplies of raw materials, notably iron ore from the Labrador-Quebec area—with promise of titanium and manganese—which materials are all essential to any modern defense effort. It is common knowledge that our own reserves of high grade open pit iron ore in the Mesabi Range of the Lake Superior region were grately diminished by the heavy demands of World War II. It therefore becomes of ever-increasing importance to look to other sources of supply of high grade iron ore, especially so that we will not completely exhaust our own reserves. The recently discovered rich ore fields in Labrador are the closest sources available.

In passing, I should point out that taconite deposits—a low-grade ore—have been found in abundance in the Lake Superior region. However, the full utilization of taconite depends to a large extent upon technical advancements. We need them and other ore besides. As stated in the Paley report of the President's Materials Policy Commission of June, 1952, the United States, due to steadily increasing demands for steel, will become more and more dependent upon foreign sources for ore, even though Mesabi tonnage remains at its present high rate of production.

The importance and necessity of the St. Lawrence seaway to transport this high grade open pit iron ore from Labrador rests upon the simple geography of the situation. Four-fifths of the smelting capacity of the United States is located north of the Ohio River between the Allegheny Mountains and the Mississippi River, an area that will be directly served by the St. Lawrence Seaway.

In addition to making raw materials more available to the industrial centers of America's heartland, the seaway will make the industrial potentials of this area more readily available to meet the needs of national defense. This is particularly true regarding the shipbuilding and ship repair facilities of the Great Lakes area. Experience during World War II demonstrated that these facilities were sorely needed. The coastal port yards and docks were overcrowded. Yet, full use of the Great Lakes facilities could not be made because of the restrictions preventing ships with over 14-foot drafts from entering the Great Lakes area from the Atlantic. Furthermore, this same 14-foot draft seriously limited the removal of ships constructed. For example, the construction of submarines was simple but an elaborate and compli-

cated pontoon system had to be developed—and heights of bridges adjusted—to get them down the Mississippi to the Gulf.

Participation by the United States in construction of the seaway insures us of full partnership in its management, operation, and maintenance. Direct participation in the management and control of the seaway is demanded for the protection of our national interests. Canada's economic and security interests are close to those of the United States, but we cannot expect Canada alone to assume defense obligations which are our own, nor can we assume that her interests and viewpoints will necessarily coincide with ours at all times in the future.

To take one specific subject as an example, I suggest that our national interests in setting toll rates on commodities are such that we should have a say in their determination and not leave the decision unilaterally to Canada, as the case would be if she built and operated the seaway alone. In this category I can conceive of different viewpoints on the toll rates on grain, ore, coal, pulp wood, and manufactured products. I think we should have a voice in the toll rate determination as a partner—not merely as a customer. Similarly in the case of traffic priorities, we should be in a position to see to it that our wishes are carried out. We should not have to depend on the goodwill of even a friendly neighbor.

Participation by the United States in the construction of a portion of the seaway will give us actual physical custody and control over three of the locks, which will permit us to take all measures we feel necessary for national security, including protection from sabotage. By such participation we will have a higher checkpoint on the water route where we can make legitimate inspections of ships, cargoes, and personnel—a cutoff point as well as checkpoint before they reach our ports on the Great Lakes.

Since this general area is regarded as one of critical importance on the continent by the Permanent Canadian-United States Board on Defense, there is no reason to believe that our defense commitments or costs will be greatly increased. Also, while it cannot be denied that locks and canals are always potential aerial targets, the facilities on the St. Lawrence are no different in this respect than the Soo locks, our various port facilities, our highly concentrated industrial areas, our vast railroad marshalling yards, our Nation's Capital, and many strategically located railroad bridges. As a matter of cold, hard military fact, since the St. Lawrence Seaway will increase the number of our transportation routes, especially for bringing high-grade iron ore to the steel manufacturing centers of the Great Lakes area, it will strengthen our national security rather than create additional defense problems. In this regard, Maj. Gen. Bernard L. Robinson, Deputy Chief of Engineers, has testified:

I am firmly convinced that the hazards to wartime national security are much greater without the seaway than with it.

Admiral Arthur Radford, Chairman of, and speaking for the Joint Chiefs of Staff, has stated that participation by the United States in the construction and operation of the St. Lawrence Seaway is "necessary in the interests of national security." Who in this body is more competent than he to express an opinion on such a matter?

Gentlemen, every administration—Republican and Democratic—for over 30 years has recommended construction of the St. Lawrence Seaway. The present administration is giving this bill its strongest support. In the decisive Senate vote—51 to 33—25 Republicans were joined with 25 Democrats and the 1 Independent. Our own Public Works Committee reported it—23 to 6—by an almost 3 to 1 majority. All that remains to make United States participation a reality is favorable action by this body. I hope that this great legislative assembly, convinced about the overriding national-security features, will now pass S. 2150 and make it another milestone of achievement in international cooperation with our good neighbor Canada.

Mr. KEATING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEATING:

On page 5, line 2, after the words "(docket 68)", strike out the period and add the words "or any amendment or modification thereof."

Page 5, line 10, after the words "(docket 68)" strike out the period and insert "or any amendment or modification thereunder."

Mr. KEATING. Mr. Chairman, this amendment is offered for the purpose of protecting thousand of property owners along the shores of Lake Ontario who have suffered so severely from high-water levels. As appears from the bill, the International Joint Commission approved plans for the power development which is to be carried out by the State of New York and an authority in Canada. They made this order on October 29, 1952. It now appears from further studies by the engineers that it may and probably will become necessary to modify or amend this order for the purpose of ensuring that the method of construction will not bring about conditions creating such high-water levels that serious additional damage will be done to property along the lakeshore. The purpose of the amendment is to insure that this order of October 29, 1952, will not freeze the method of construction of the power project.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. DONDERO. The gentleman submitted this amendment to me some time ago. I immediately submitted it to the State Department because it involves an international question, namely, the level of Lake Ontario. There is no objection to the gentleman's amendment whatever and if the gentleman will look on page 58 where order No. 68 is recorded, the last section practically controls what the gentleman is really trying to do, namely, that the International Joint Commission still holds jurisdiction over the lake levels between Canada and the United States. There is no objection so far as I am concerned, and I think that the gentleman from Maryland has been consulted about it as well.

Mr. KEATING. I submitted the amendment to the gentleman from Maryland [Mr. FALLON] and he stated to me that he had no objection and would not oppose the amendment.

Mr. FALLON. Mr. Chairman, if the gentleman will yield, we have no objection on this side.

Mr. KEATING. Mr. Chairman, I obtained permission in the House to include in my remarks the letter from the Department of State to the gentleman from Michigan, which I will insert at this point. Permit me to express to all of the members of the committee my deep gratitude for the generous cooperation which they have extended in connection with this amendment which means so much to the affected property owners.

The letter is as follows:

DEPARTMENT OF STATE,
WASHINGTON, D. C., *February 3, 1954.*

The Honorable GEORGE A. DONDERO,
Chairman, Committee on Public Works,
House of Representatives.

MY DEAR MR. DONDERO: Reference is made to S. 2150 providing for the creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security, and for other purposes.

It is noted that on page 5, lines 2 and 10, reference is made to the order issued by the International Joint Commission on October 29, 1952 (docket 68). Since this order was issued, a Joint Board of Engineers has been engaged in a study of the project authorized by this order and according to its press release issued on January 28, 1954, the Commission now recognizes that "there are indications that the criteria used in the development of method of regulation No. 5 requires modifications."

In the circumstances, it is considered desirable to recognize in this legislation the possibility that the Commission's order of October 29, 1952, may be amended or modified. Accordingly, it is considered advisable to add in line 2 on page 5 of S. 2150 after the words "(docket 68)," the words "or any amendment or modification thereof." A similar amendment should also be added in line 10 after "(docket 68)." The Bureau of the Budget has no objection to these amendments.

Sincerely yours,
THRUSTON B. MORTON,
Assistant Secretary
(For the Acting Secretary of State).

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. OSTERTAG. I would like to associate myself with the gentleman's amendment.

Mr. KEATING. I thank the gentleman for the fine cooperation he has extended in this matter. His effective and sincere efforts with regard to this amendment have contributed greatly to the result which I hope will shortly be the passage of this amendment.

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from New York [Mr. KEATING]. This change is vital to thousands of property owners in my district residing along the shores of Lake Ontario.

The text of the amendment is "or any amendment or modification thereof." The amendment should be added to line 25 on page 4 of S. 2150, after the words "docket 68," and also after the words "docket 68" in line 8, page 5, of the bill. This amendment has the approval of the Department of State, the Bureau of the Budget, and the Senate Foreign Relations Committee.

This amendment is necessary and desirable to expedite construction of both the seaway and the St. Lawrence power project. It is a technical amendment which takes into account the pending amendment and modification of the rules and regulations under which the power project may be constructed, under the authorization issued by the International Joint Commission. Those rules and regulations are embodied in docket 68.

Construction of the seaway, as envisioned in S. 2150, is made contingent upon the concurrent construction, as nearly as may be, of the power project, in conformity with the conditions laid down in docket 68. At present S. 2150 does not take into account the fact that those conditions will be modified. The amendment would add to the words "docket 68," the words "or any modification or amendment thereof," so that construction of both projects may proceed in an orderly manner, without becoming ensnarled in legal technicalities, or at the worst, halted completely because the enabling legislation and the International Joint Commission's order of approval are not in conformity with each other.

The method of regulation of the water levels under the power project—method No. 5—was tentatively approved by the International Joint Commission in its order issued October 29, 1952. It was subsequently found, however, in preliminary investigations by the engineers, that this method of regulation, embraced in docket 68, would permit the water levels of Lake Ontario to be raised to disastrous levels, which would result in the destruction of millions, if not tens of millions of dollars' worth of shorefront properties. Individual homeowners, commerce and industry, and municipalities could be adversely affected by the unmodified use of this method of regulation.

Accordingly, the International Joint Commission formally announced, in a statement issued to the press on January 28, 1954, its intention to correct its order. The statement issued over the names of A. O. Stanley and A. G. L. McNaughton, respectively chairmen at that time of the United States and Canadian sections of the Commission, set forth the requirements involved in its authorization of the power project, and said:

To the extent that the method of operation, known as method No. 5, which was tentatively approved in the order, does not fully satisfy all of those requirements, it will be modified by the Commission as provided for in the Commission's order of October 29, 1953, which makes the method of regulation subject to such further modification as the Commission deems necessary.

The investigation now being conducted by the International Lake Ontario Board of Engineers has thus far shown that in respect to some of the datum points, and also in relation to the calculation of flow, there are indications that the criteria used in the development of method of regulation No. 5 require modification. These are matters which the two chairmen announced the Commission will correct as soon as the International Lake Ontario Board of Engineers has completed its investigations and given the Commission the required basis for constructive action.

In summary, then, the proposed amendment will expedite the legal groundwork for construction of the seaway and power project, and to that end it is vitally important. On the other hand, failure to include it in the seaway legislation, may throw a serious roadblock in the way of both projects. If the reference to docket 69 is allowed to stand without taking into account the pending modification, it will provide a legal elephant trap which could be frustrating and potentially damaging in years to come.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. KEATING].

The amendment was agreed to.

The Clerk read as follows:

CORPORATE POWERS

SEC. 4. (a) For the purpose of carrying out its functions under this joint resolution the Corporation—

(1) shall have succession in its corporate name;

(2) may adopt and use a corporate seal, which shall be judicially noticed;

(3) may sue and be sued in its corporate name;

(4) may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(5) may make and carry out such contracts or agreements as are necessary or advisable in the conduct of its business;

(6) shall be held to be an inhabitant and resident of the northern judicial district of New York within the meaning of the laws of the United States relating to venue of civil suits;

(7) may appoint and fix the compensation, in accordance with the provisions of the Classification Act of 1949, of such officers, attorneys, and employees as may be necessary for the conduct of its business, define their authority and duties, delegate to them such of the powers vested in the Corporation as the Administrator may determine, require bonds of such of them as the Administrator may designate, and fix the penalties and pay the premiums on such bonds;

(8) may acquire, by purchase, lease, condemnation, or donation such real and personal property and any interest therein, and may sell, lease, or otherwise dispose of such real and personal property, as the Administrator deems necessary for the conduct of its business; and

(9) shall determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed and paid, subject to provisions of law specifically applicable to Government corporations.

Mr. PHILBIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not propose any extensive discussion of the seaway proposal but desire briefly to set forth some of the views I hold in opposition to the project.

This measure or one like it has been under consideration for many years and has never been able to secure favorable support from the Congress. It should be noted that the present bill does not provide for the complete seaway—the deepwater route to Duluth, as originally proposed—but, calls only for completion of a sealane to Erie ports.

I am not persuaded that the national interest requires this project. There are present adequate transportation services of every kind to serve, not only the section sought to be served by this bill, but also the Nation. It is a fact that no nation in the world has such an efficient system of general transportation—rail, road, and air.

It is also a fact that the seaway would be frozen and, therefore, unavailable to traffic, for 4 or 5 months every year depending on the weather.

Under the present plan only a small percentage of the American merchant marine could utilize the relatively shallow water route. Almost all the traffic would move in foreign bottoms, it is said.

In my opinion, it would be a liability rather than a liability in time of war because, clearly, one well-placed bomb would put it out of action and it would be frozen over almost one-half of the time in any event.

To what extent large steel interests vitally interested in transporting Labrador ore have been able to generate support for this proposal would be difficult for the Congress to determine. While their interest would be served, no doubt, as they believe, the interests of other groups and sections of the Nation would be definitely harmed.

It is clear that the seaway would be harmful to the Atlantic ports and I have received a great deal of evidence bearing out this fact. It would also be harmful to the gulf ports. It would strike a damaging competitive blow at both industry and labor, including railroads, the American merchant marine, so vital to economic well-being as well as national defense, and the oil and other industries. Naturally, the workers in these industries would be the chief sufferers by the reduced traffic and activity in their respective industries.

I am convinced, from the evidence reaching me and from my careful studies of this question, that the proposed seaway would seriously damage and impose additional economic handicaps upon Massachusetts and New England. By diverting traffic away from our New England section and ports the seaway would unquestionably displace specific labor, rail workers, longshoremen, and many others, add to the existing unemployment rolls, impair our various transportation systems, and inflict permanent damage upon our national economy.

This proposal is hailed by its advocates as a great national benefit and a desirable utilization of natural resources and an evidence of international cooperation. I am unable to subscribe to these views.

Apart from the benefits that a few special interests would derive from the seaway, its net effect would be to develop and expand the trade and commerce and maritime interests of other nations at the expense of our own, and particularly at the expense of the section which I have the honor to represent in this House.

Measured by other gigantic outlays which we have made overseas to develop the resources of other nations the cost of the present leg of this project estimated to be in the neighborhood of $105 million is not particularly imposing. But neither is it a mere bagatelle. This is a sizable, substantial sum of money taken from the pockets of American taxpayers which could well be used for many better purposes right here in our own country. It could be used very effectively to try to rid the country of growing unemployment and to extend a helping hand to some of those who are now out of work because of the present recession. It could be used to build up the national defense to equip the Nation for the great international contingencies of the moment and the future. In any event, this expenditure strikes me as unjustified and this project as unwarranted at this time and in this form.

For these reasons, and on the whole case which I am convinced has been made out against the St. Lawrence Seaway, I propose to vote against it.

At the same time I recognize and respect the views and position of those on the other side who have urged their cause with sincerity, patriotism, and ability. I am simply unable to agree with them.

Mr. LANHAM. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I am in favor of the St. Lawrence Seaway and believe it is for the best interest of our country to join with Canada in building it. My main reason for voting for this bill is that I believe it to be important to the defense of the United States. In addition, it has always in the past proven true that great public works of this and other kinds which benefit one section of our country in some special way, nevertheless, in the end, are important to the economic welfare and development of our country as a whole.

In this connection, I am including with my remarks an editorial which appeared in the Atlanta Journal for May 3, 1954:

ST. LAWRENCE SEAWAY IS IMPORTANT TO UNITED STATES DEFENSE

Progress is being made toward congressional approval of the St. Lawrence Seaway. A bill appropriating funds for the project is expected to reach the floor of the House of Representatives on Wednesday or Thursday.

Two methods have been proposed for financing the seaway. Original plans called for the waterway to be built by direct Federal appropriation to supplement a Canadian appropriation. Now an amendment has been added to the bill which seeks to raise the funds by sale of bonds to the public. This amendment has been introduced by Representative CHARLES BROWNSON, Republican, of Indiana.

The Brownson amendment, its opponents say, is designed to kill the entire seaway bill. Far from facilitating the financing of the project, the amendment merely complicates it. BROWNSON proposes setting up a Government agency empowered to borrow $105 million from the Treasury through the floating of a bond issue.

The St. Lawrence Seaway is needed now. BROWNSON'S amendment, in the guise of a helping hand, is aimed at preventing United States participation in the project. Canada already has indicated it will build the waterway alone, if necessary.

The St. Lawrence Seaway is too important to the economy and defense of the United States to be shunted aside by special interests and pressure groups. Congress should act quickly to provide Government support for the project.

The Clerk read as follows:

FINANCING

SEC. 5. In order to finance its activities, the Corporation is authorized and empowered to issue to the Secretary of the Treasury, from time to time and to have outstanding at any one time in an amount not exceeding $105 million, its notes, debentures, bonds, or other obligations: *Provided,* That not to exceed 10 percent of the notes, debentures, and bonds on other obligations herein authorized shall be issued during the first year after the effective date of this act and not to exceed 40 percent during any year thereafter. Such obligations shall have maturities agreed upon by the Corporation and the Secretary of the Treasury, not in excess of the longest term bonds of the United States outstanding at the time of issue. Such obligations may be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Corporation. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on current marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of the obligation of the Corporation. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Corporation to be issued hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Corporation's obligations hereunder.

With the following committee amendments:

Page 7, line 6, strike out "notes, debentures, bonds or other obligations:", and insert "revenue bonds which shall be payable from corporate revenues."

Page 7, line 8, strike out "notes, debentures, and bonds on other obligations", and insert "revenue bonds."

Page 7, line 14, strike out "the longest term bonds of the United States outstanding at the time of issue." and insert "fifty years."

The committee amendments were agreed to.

Mr. BROWNSON. Mr. Chairman, I offer an amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. BROWNSON:

"FINANCING

"SEC. 5. (a) The Corporation shall have a capital stock of $2,000,000, which shall be subscribed by the United States. There is hereby authorized to be appropriated to the Secretary of the Treasury the sum of $2,000,000 for the purpose of enabling the Secretary of the Treasury to make payment for such capital stock when payment is called by the Board. Receipts for payment by the United States for or on account of such capital stock shall be issued by the Corporation to the Secretary of the Treasury and shall be evidence of stock ownership by the United States.

"(b) In order to finance its activities, the Corporation is authorized and empowered to issue from time to time and to have outstanding at any one time in an amount not exceeding $105,000,000, its revenue bonds, which shall be payable from corporate revenues: *Provided,* That not to exceed 10 percent of the revenue bonds herein authorized shall be issued during the first year after the effective date of this act and not to exceed 40 percent during any year thereafter. Such obligations shall have maturities determined by the Corporation, not in excess of 50 years. Such obligations shall not be purchased or guaranteed by the United States or any agency or instrumentality thereof. Such obligations may be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Corporation."

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to proceed for an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Chairman, the amendment that I have just offered to the bill does one thing. It provides that the St. Lawrence Seaway shall be financed by private risk capital instead of out of the general revenues of the Treasury.

The amendment is embodied in H. R. 8177 which is available in the Chamber. H. R. 8177 is identical to the bill before the House with the exception of section 5, page 7, which changes the financing provisions to provide for the sale of the St. Lawrence Seaway Development Corporation bonds to the public without any Government guaranty.

In addition the amendment provides that a capital-stock issue of $2 million shall be subscribed by the United States and authorizes the Treasury to be appropriated the necessary $2 million to enable it to buy the stock.

The purpose of the $2 million capital stock issue is twofold. It is to provide evidence of Government ownership of the Corporation and it is to provide immediate funds for the operation of the Corporation until such time as the Corporation can issue the revenue bonds necessary to finance the construction of the seaway.

Much has been said about the economic soundness of the seaway and we have been told repeatedly that it is to be a self-liquidating venture. This

amendment will do just what the advocates of the seaway have claimed their bill will do and will accomplish something the bill before us will not do.

The bill now on the floor requires a charge against the public purse and with the debt daily threatening to crash its statutory limits, is in my opinion an unwise measure. This amendment would prevent any pressure upon the debt other than a token $2 million which is far less than the $105 million required by the bill we are amending.

It provides that the $105 million necessary to finance the United States share of the proposed St. Lawrence Seaway shall be raised by selling nonguaranteed revenue bonds to the public.

This business of nonguaranteed bonds sold to the public by instrumentalities of the Federal Government is not new. As I pointed out yesterday during general debate, Federal intermediate-credit banks and Federal home-loan banks had over $1 billion outstanding in nonguaranteed indebtedness as of last September 30.

Of course, the use of this type of financing is new insofar as the financing of Federal public works are concerned, but it has been used time and time again by States and municipalities in financing toll roads, toll bridges, and other public works. It seems to me that if this method of financing had been adopted earlier our public debt would not be as large as it is.

It has been charged that the bonds will not sell. I am convinced that the bonds will sell as readily as any of the many toll-road issues which do not carry a guaranty by the State government as to principal or interest.

Another reason why I can give assurance that the seaway can be financed in this manner without hindering its development is that the other half of this project, the power phase, is being constructed, so far as the United States is concerned, by the power authority of the State of New York.

The act of the New York Legislature setting up and governing the power authority clearly states that it is to finance this project by means of nonguaranteed State bonds. If one portion of the project is to depend on this type financing, it necessarily follows that similar financing on the part of the Federal corporation building its share, cannot cause any delay or difficulty in raising the necessary funds that is not to be encountered by the New York Power Authority.

Since the seaway cannot be completed until the navigational features of the power project are finished the financing of the two projects must run concurrently and construction must likewise be carried on in both the waterway and power portions of the development at the same time.

Objections will be raised to my amendment on the grounds that it is going to complicate the joint construction of the project because of the international issues involved. Again let me remind you that no difficulties in this field will be met by a Federal corporation that will not have to be overcome by the State of New York before the power plants can be constructed.

Many private corporations are today developing resources in foreign countries all over the globe. The problems of operating on an international scale in the St. Lawrence River are very little different than those encountered by private companies that operate along or across international boundaries.

The New York Times of April 25 tells of a bridge being jointly constructed between Sweden and Denmark by a joint effort of not only the two governments but with private construction companies in the two countries playing an important part in a four-way project.

Surely the United States and Canada, with a history of 135 years of cooperation along the boundary, can work out amicably and swiftly any problems necessary to make this project work as readily as did the Swedes and the Danes.

It is my opinion, Mr. Chairman, that the time has come for us to follow the lead of the many States by financing toll-bearing projects in the manner they have pioneered so successfully in the toll-road field.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I am very happy to yield to the distinguished chairman of our committee who has been most considerate in the handling of my amendment before the committee and on the floor.

Mr. DONDERO. I thank the gentleman very much. The question I wish to ask the gentleman is this: If your amendment is not adopted, will you support the bill?

Mr. BROWNSON. I do not know, to be perfectly frank, Mr. Chairman. I was committed to your seaway bill, House Joint Resolution 104, as you know. I could have supported your bill because the financing is without direct drain on the Treasury and the taxpayers, very similar to my amendment. Whether I can bring myself to vote for S. 2150 with the financing provisions the way they were written in the Senate, with the national debt the way it is, I do not know. I am going to have to go into the cloakroom and do a little soul searching before I determine whether I can swallow so large a gulp. But, I am still fighting for my amendment.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I yield.

Mr. BLATNIK. I am sorry I did not get quite clearly the gentleman's answer to the question of the gentleman from Michigan. I understood the question was: Will you support this with your amendment?

Mr. BROWNSON. With my amendment included, I definitely will support S. 2150. Without my amendment, as I very frankly said, I will have to do some soul searching. I would have had no qualms about supporting the chairman's bill, House Joint Resolution 104 which was originally introduced providing for revenue bonds to be sold to the public.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I yield.

Mr. DONDERO. I must say to the gentleman from Minnesota that the gentleman understood me incorrectly. The question was: Would the gentleman from Indiana support the bill without his amendment?

Mr. BROWNSON. With the amendment, I definitely will. Without it, I do not know.

Mr. MACHROWICZ. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I yield to the gentleman from Michigan, a valuable member of the committee.

Mr. MACHROWICZ. I wholeheartedly agree with the gentleman. He has not introduced this amendment for any selfish reason or in the interest of any small group. But I think the gentleman will agree with me, will he not, that the small group of selfish interests who are opposed to the bill are openly advocating the Brownson amendment, are they not?

Mr. BROWNSON. I think that is correct; yes. However, I do not regard these groups as essentially selfish because they exercise their rights in petitioning the Congress. However, there are some people who are going to vote for the Brownson amendment in the belief that it is the only way they can get the seaway built without obligating public funds to the extent where they would have to oppose it on economy grounds. So I do know of some votes my amendment would pick up in favor of the seaway bill, if it is adopted. It will enable some additional Members to supoprt the seaway.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Has the gentleman as a member of the Committee on Public Works supported other navigation projects throughout the United States?

Mr. BROWNSON. We have not had very many before us. This year has been a rather budgetwise year, up to now.

Mr. CEDERBERG. But the ones you have had?

Mr. BROWNSON. Yes.

Mr. CEDERBERG. Have you presented the same type of financing for those projected projects?

Mr. BROWNSON. No, because I think there is a very essential difference. This is a revenue-producing, toll-bearing proposition involving the creation of a Government corporation whereas the other navigational aids have not been this complex or of this nature.

Mr. DONDERO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I stated on the floor yesterday, there is no secret about this amendment which the gentleman from Indiana has just offered. The purpose of it is to kill the bill, and it will kill the bill if it is adopted. I might say that the gentleman offered in our committee an amendment which is substantially the amendment which he is proposing to the committee today, and our committee overwhelmingly rejected it. This question when it came up was submitted by me to every agency of our Government which has anything to do with the national debt and finances of the United States. I submitted this question as far back as February or the latter part of January, and several times since then,

and the last time the question or amendment was submitted on April 30, just 6 days ago, and I wish to read the reply which I received from the Treasury.

I quote:

This is in reply to your inquiry this morning whether there are any agencies of the Government which finance their operations in the manner in which the St. Lawrence Seaway would be financed under H. R. 8177—

Which of course is the gentleman's amendment, the amendment which he has just spoken about.

The Treasury also makes this statement:

There is not any agency in the United States which finances its operations in this manner.

That ought to be sufficient, but on April 12 the Treasury gave me in detail the reasons why this amendment should not be adopted, they gave seven reasons. I will place them all in the RECORD, but I want to call attention to them briefly.

Their letter is dated April 12:

Reference is made to your request for further views of the Treasury Department on H. R. 8177, the St. Lawrence Seaway bill which has been introduced as a substitute for S. 2150, and which was reported by your committee on February 19.

The date of the report of the committee bill is in error. It was February 3.

The Treasury's principal interest in the St. Lawrence Seaway bill relates to their financing provisions. H. R. 8177 would provide for a St. Lawrence Development Corporation with a capital stock of $2 million to be subscribed by the United States to the authorized Corporation, and sale in the market of not to exceed $105 million in obligations. The Treasury's objection to financing provisions of the character included in H. R. 8177 has been expressed on many occasions, and were restated in the Department's letter to you on March 17, in part, as follows:

"The Treasury Department would not favor financing actual projects of this character by the sale of the Corporation's obligations in the market either with a Government guarantee, as in House Joint Resolution 104—

Which was the bill which I recently introduced—

or without a Government guarantee as in H. R. 8177."

I might say that the two bills, which were almost identical, were introduced in January of this year both in the Senate and in the House, and provided for financing as indicated by the amendment offered by the gentleman from Indiana [Mr. BROWNSON].

When the Senate committee discovered that the method of financing was not the policy of the United States Government, they immediately changed it, and the Senate passed it exactly as the bill is before you today, providing for $105 million to be sold to the Treasury as that money is needed for financing and carrying on the construction of the seaway. So that the question before the House is this: If we are going to have private financing, then we are doing something we have never done before, and the Treasury cannot finance it, and the result would be to prevent the United States from carrying out its part of the agreement with Canada to finance this matter, and have the finances ready as the construction proceeded. In this bill you perhaps have noticed one thing. We ask Canada that she give to the United States assurance that she will carry out her part of the agreement. That means financing as well as construction. We are also dutybound to assure Canada that we will carry out our part of the program and have the finances ready to proceed with construction and discharge our obligation under the agreement. It could not be done if the bonds were offered to the public and they were not sold. What is more, offering the bonds to the public means that we would pay a higher rate of interest.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Let me give you reason No. 2 stated by the Treasury:

Higher interest rates to finance the project will require higher tolls, since under section 12 (b) and so on toll rates are required to cover practically all costs of operating and maintaining the seaway.

Canada is interested in the method by which we finance the seaway, for the reason that if we are required to raise the rate of tolls Canada could object; and we would be required to raise the rate of toll when the cost of money is greater than the Government financing.

Do we want to do that? It would, of course, kill the bill.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Not at this juncture; I will yield to the gentleman in just a moment.

The third reason why we should not adopt this amendment is:

It may not be possible to market the nonguaranteed revenue bonds of the corporation authorized by section 5 (b) of H. R. 8177 in view of the requirements that such bonds shall be revenue bonds and shall be payable from corporate revenues. Construction will proceed for a number of years before the project produces revenue which could be used to pay the interest on the revenue bonds during that period.

Private investors do not ordinarily purchase securities if there is any question as to the ability of the issuer to pay current interest rates on its obligations.

And the Treasury informs me that in all of the Government financing of such projects where a project is under construction they find a way to defer the interest rate until the revenues are available to discharge it. That could not be done if the bonds were held by private investors.

Reason No. 4:

Question can also be raised as to the security, if any, other than the corporate revenue behind the bonds. In the event of a major catastrophe or if some other unforeseen event should sharply curtail revenues, the value of the bonds to investors would be seriously impaired. There is no provision in the bill permitting the corporation to pledge the physical assets included in the project.

And may I point out there and emphasize that you do not mortgage the property of the United States to anybody. There could be no mortgage placed upon the seaway, there would be none whatever because the United States would own the project and not the investors.

Now I yield to my friend the gentleman from Maryland.

Mr. FALLON. May I say to my distinguished chairman that I do not think he wanted to leave a false impression with the Members, so when he speaks of keeping the agreements with Canada he does not want to leave the impression that we have any agreements at all with Canada at the present time.

Mr. DONDERO. That may be correct, but I want to answer the gentleman by saying that this bill provides for an administrator, and an assistant, and an advisory committee appointed by the President and confirmed by the Senate who will speak for the United States in the formation of agreements with Canada and as to the details.

Mr. FALLON. I was sure my distinguished chairman did not want to leave a false impression. He has never done so in the past and I do not want to see him do so in this instance.

Mr. DONDERO. I appreciate the consideration of my friend whom I greatly admire—and he is my friend—but I regret very deeply the fact that the gentleman from Maryland can be mistaken as he is on this bill.

Here is another reason why the Treasury says this amendment should not be adopted:

On the other hand—

Says the Treasury—

if it would be possible to issue the nonguaranteed bonds to the public and a default in payment of principal or interest should occur there undoubtedly would be a considerable demand by the holders that the Congress appropriate funds to pay back the bonds.

I think there is no question about that whatever.

And may I say in this connection that the opposition to this bill by certain interests in this country, if this amendment is adopted those same interests, in my judgment, would use every effort at their command—and they have a propaganda machine that is rather powerful—they would use every effort at their command to repudiate these bonds and see to it that they were not sold to the public in order to prevent the United States from carrying out its participation with Canada.

I could go on with more reasons given by the Treasury but I would like permission to include them all in the RECORD so that the House may see and understand them.

I repeat just one line again. The Treasury says: "There is not any agency of the United States which finances its operation in this manner" as offered by the gentleman from Indiana.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Wisconsin.

Mr. KERSTEN of Wisconsin. Would this not provide an indirect way of possibly killing the entire project?

Mr. DONDERO. It would kill the bill.

Mr. MACHROWICZ. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Michigan.

Mr. MACHROWICZ. The gentleman has stated the position of the Department of the Treasury. I wonder whether the chairman of the committee could state what the position of the present administration is as to the Brownson amendment?

Mr. DONDERO. That came in a release from the President of the United States saying he wanted this bill as reported by our committee.

Mr. MACHROWICZ. In other words, the present administration is opposed to the Brownson amendment?

Mr. DONDERO. That is what it means.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Maryland.

Mr. DEVEREUX. As a matter of clarification, my understanding is we authorize this corporation to make agreements with Canada for things connected with the seaway.

Mr. DONDERO. The detail for its construction.

Mr. DEVEREUX. And for other purposes. Now, when they make agreements of various kinds, must they come back to the United States Senate for confirmation or not?

Mr. DONDERO. You mean for details?

Mr. DEVEREUX. Yes, for everything.

Mr. DONDERO. I think it would be reported to the President, and the Congress of the United States. They would not do anything counter to the better interests of our country.

Mr. DEVEREUX. I want to know this: If they entered into an agreement—possibly it is an executive agreement that we have heard so much about—suppose they entered into an agreement that only a certain number of our ships could go through the canal, would they have to go back to the executive and have that action confirmed?

Mr. DONDERO. I think they would come back to the executive department of the Government which administers the law.

Mr. DEVEREUX. In other words, we are delegating authority to this corporation?

Mr. DONDERO. Only as stated in the bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPRINGER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, may I say in the beginning that I am going to vote for the St. Lawrence Seaway bill with the Brownson amendment or without the Brownson amendment; however, there are certain questions that I want to ask about this before I vote on the Brownson amendment.

It seems to me that the Treasury Department coming in and asking us to vote $105 million, in view of the state of our finances, is quite a serious question. They came in and asked us last spring to raise the ceiling on our national debt. In my opinion, it would be wrong for them to ask for $105 million today if there is any other way to finance this project. In other words, this is a strange paradox to me when those who are looking after the financial interests of this country ask for $105 million under these circumstances unless there is a strong case against the Brownson amendment.

These are questions I want to ask, and I direct them first to the gentleman from Indiana, then I shall direct them to the chairman of the Committee on Public Works.

I want to know if the financing of this seaway under the Brownson amendment is going to cause any substantial delay in the building of the St. Lawrence Seaway?

Mr. BROWNSON. I would have to answer the gentleman by saying that I cannot see any substantial delay. Some of the very important navigational aids involved are a part of the power phase of the project. It is proposed by the State of New York that they be financed in exactly the same way that the seaway would be financed under my amendment. The revenue bonds would be sold to private investors without pledging the credit or assuming any obligation on the part of the State. The seaway cannot be completed until these navigational aids are finished. They cannot be finished until this financing from private sources is an accomplished fact. Since you are definitely faced with this private-enterprise financing to the extent of $50 million in the State of New York, I cannot see any reason that financing the whole seaway project on the same basis would introduce any significant additional delay.

Mr. SPRINGER. Let me ask this question: Is it assumed that under either phase of financing the tolls are not going to pay out the cost of this project in 50 years? Is that correct under the gentleman's amendment?

Mr. BROWNSON. No; I agree with the proponents that, if the seaway is sound, tolls will be sufficient to retire the bonds under my proposal.

Mr. SPRINGER. Now, is it just as likely under the financing either way that it will pay out?

Mr. BROWNSON. In my opinion, it will pay out under both methods of financing the project. I fall back to what Mr. Charles E. Wilson, president of General Motors, said when he testified before the Public Works Committee. He said and I quote:

> I have to admit that at the conference at the White House on the subject I thought it was good enough to employ private capital to do the job; that it could pay out. I believe it could pay out with private capital.

Secretary Humphrey, then president of the M. A. Hanna Co., said the same thing in the hearings 2 years ago. He said:

> I believe the seaway is going to pay out. I believe this: I would like to have the concession on the seaway and be able to finance it and build it for private enterprise.

I want to give him that chance.

Mr. SPRINGER. The chairman raised a very serious question in his speech just previous to this. Is there any doubt about the ability to sell these bonds on the open market?

Mr. BROWNSON. I do not honestly think there is. Some gentleman who spoke earlier today said he was afraid the M. A. Hanna Co. and their associates would buy all the bonds themselves. I believe even in the remote chance the general public does not want this revenue issue, that by and large there are enough people and firms directly interested who would buy them. I do know that in the State of Indiana we sold $280 million worth of toll-road bonds, which were not backed by the full faith and credit of the State, in about 30 minutes. Figures on bond issues of public-utility companies in 1953 and 1954, supplied me by the Securities and Exchange Commission, show over $400 million worth of revenue bonds were sold during the last 6 months at interest rates of from 3 to 3.78 percent. The seaway bonds should sell equally as well. So, it seems to me there is a ready market for those bonds.

Mr. SPRINGER. Has there been any statement, formal or informal, by the Government of Canada, that they would not be willing to proceed with the kind of financing which has been suggested in the Brownson amendment?

Mr. BROWNSON. I know of no such statement, and I know of no statement directly from the White House on the matter of the Brownson amendment. This has been discussed for about 3 months. I think some of the proponents of S. 2150 have been a little disappointed that no direct statement came out of the White House in spite of two press conferences in the last 10 days.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. DONDERO. The statement that the President made was on March 17 last that he wanted the bill as reported by the Public Works Committee of the House. There is one question the gentleman asked, and that is the question as to the effect on the debt limit. That question I submitted to the Treasury, and here is their answer:

> It is understood that a question has been raised concerning the effect on public-debt limitation, problems of financing the corporation directly through the Treasury.

They said that if S. 2150 is enacted, it will have a relatively insignificant effect on the problem. Might I say that $5.8 million is the amount in the budget for the first year of construction.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I suggest that instead of asking those questions of the sponsor of the amendment you get some information either from the Chairman or our colleague, the gentleman from Michigan [Mr. FORD].

Mr. SPRINGER. I will say to the gentleman from Michigan that I am trying to get the truth, and I am perfectly willing to accept it from both sides.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. FORD. It has been stated that the State of New York is planning to finance the power aspects of this program in a somewhat similar method to that advocated by the gentleman from Indiana. That is quite true. He also states, however, that there will not be any substantial delay if we approve this amendment. It should be pointed out, however, that the State of New York Power Authority has been in existence for a great many years, 23 to be exact, and they have actual authority for the power financing of this program and have had for about 5 years. I understand from good, competent authority that because they have had this authority, they are practically ready to go ahead with the financing as soon as the Supreme Court turns down the writ of certiorari from the Circuit Court of Appeals. It is hoped and expected that the Supreme Court will act prior to the conclusion of this term, which means that the New York Power Authority will go ahead with that financing within the next 8 to 10 weeks. If we approve this proposal, the Brownson amendment, it will take a considerable period of time to go ahead with the underwriters and others who might be interested.

One other point: The interest rate anticipated, if the committee bill is approved, would be something under 3 percent. It is anticipated, from good sources, that if we approve the Brownson amendment, the interest rate will be almost double, between 5 percent and 6 percent. If that is the case, the burden on this seaway would be substantial and it would seriously affect the means of financing.

Mr. JONAS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Illinois.

Mr. JONAS of Illinois. Does not the gentleman agree with me that basically the St. Lawrence Seaway project is really a Federal project because of the international relationship that exists; and secondly, if that is true, is there not going to be a serious clash between what is planned that the Federal Government will do as such, and what is being recommended here under the Brownson amendment which is confined to private industry activity?

I want to ask about the objection raised by some of my colleagues relative to spending of $105 million which is proposed to be expended for this project, which will probably extend over some 3 or 4 years, and point out that the other day we voted some $28 billion in one bill. We are usually talking in billions here, and not in millions. Does the gentleman think that an expenditure of $105 million would seriously disturb the economy of this country? Furthermore, what effect, if any, will this expenditure have on balancing the Federal budget?

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. BROWNSON. I should like to say in answer to the gentleman that perhaps we ought to paraphrase that old adage we learned in school. Let us take better care of the millions here and maybe the billions will take care of themselves. I believe the interest rate will be less than 5 percent. The thing that concerns me is that every time we create a lower interest rate we achieve it by dipping into the taxpayers' pocketbooks. Shall we do that sort of thing continually in order to finance projects of this kind? Is it fair to seize the taxpayers' money just because we can get it cheaper? We are now in the process of trying to get the Government out of some of the businesses into which it has crowded itself. We are dissolving and refinancing some of the Federal corporations that we formed in the past. Is it appropriate that we shift our course in that connection and form a new corporation at public expense when this seaway can be built by private financing?

Mr. VAN PELT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Wisconsin.

Mr. VAN PELT. Mr. Chairman, I rise in opposition to the Brownson proposal and ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin [Mr. VAN PELT]?

There was no objection.

Mr. VAN PELT. Mr. Chairman, I rise to speak in opposition to the Brownson proposal and in favor of S. 2150, to authorize United States participation in the construction of the St. Lawrence Seaway.

The importance of this project to the economy of the Nation has been clearly demonstrated; therefore I do not propose to discuss the merits of the program at this time. My concern is over the necessity of action now while there is still time for the United States to share in the construction and the control of this vital Seaway.

Canada is prepared to proceed with this project immediately. If we are to participate we must enact legislation to enable the United States to join in this work without delay.

I am opposed to the Brownson proposal because I believe it will result in further delay and may possibly defeat United States participation in the program.

I have carefully studied the legislation before us and am convinced that the financing provisions contained in S. 2150 are sound and afford the best means of insuring construction of the seaway at this time. The bill provides for the creation of the St. Lawrence Seaway Development Corporation with authority to sell its revenue bonds to the United States Treasury. These bonds would be held in the Treasury as an asset of the Government and would be retired from the revenues the Corporation will receive from tolls charged for use of the navigation facilities.

Originally it was proposed that this Corporation should have a capital stock of $5 million to be issued to and held by the United States Government and have the authority to sell to the public its bonds in the amount of $100 million, the bonds to be guaranteed by the United States.

This plan was considered by the Treasury Department and the Bureau of the Budget and rejected as being contrary to the policy of the Government to finance all Government corporations by having them sell their obligations to the Treasury.

It was recognized that the proposal would be unworkable in connection with the seaway project. This view was concurred in by the Senate Foreign Relations Committee, the Senate and the House Public Works Committees. Action was taken to change the financing provisions so they would be in accordance with established Government policy and incorporated in S. 2150. This legislation has been approved by President Eisenhower, the entire Cabinet, the National Security Council and the Joint Chiefs of Staff.

The Brownson amendment seeks to restore the unworkable provisions of the original bill by compelling the Seaway Corporation to sell its revenue bonds to the public instead of to the Treasury, without Government guaranty. I am convinced that this would result in such prolonged delay that United States participation would be threatened.

In my judgment we must act promptly and the only way this can be done is through the machinery provided in S. 2150. The Brownson amendment would endanger the entire seaway project. I earnestly hope that it will be defeated.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield so that I may ask the gentleman from Indiana [Mr. BROWNSON] a question?

Mr. SPRINGER. I yield.

Mr. CEDERBERG. If this Federal project were located entirely within the borders of the United States, would the gentleman be in favor of financing it as we do all other navigation projects?

Mr. BROWNSON. This is entirely different than any other navigation project that I know of because it is a revenue-producing, toll-charging project.

Mr. CEDERBERG. The gentleman has not answered my question. If it were entirely within the borders of the United States, would the gentleman be in favor of financing it as we do all other Federal navigation projects?

Mr. BROWNSON. Not if it were a toll project and revenue producing. If it were going to be completely free of revenue-producing features I would agree that it should be financed as any other navigation project is financed.

Mr. CEDERBERG. Then the toll-charging aspect of this project should make it more palatable to the gentleman. It is the only one in the United States or on the borders of the United States that has any tolls connected with it.

Mr. BROWNSON. This is a business operation involving the creation of a Government corporation, which is altogether different from an ordinary public-works project for deepening a channel or improving a harbor with free access to all.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on the surface the amendment offered by the gentleman from Indiana [Mr. BROWNSON] has considerable superficial appeal. However, I honestly and conscientiously believe that if approved, it will, in effect, preclude the United States from participating in the construction of the project for the following reason. It is hoped that both the power and the navigation aspects will get underway during this construction season. If we approve the Brownson amendment, we are, in the words of the gentleman from Indiana, adopting a method of financing which is comparable to the means by which a number of turnpike authorities have financed their projects. That means then that we could expect or anticipate about the same time lag and the same procedures for the raising of money here as they have in these turnpike authorities. The time lag in such instances are substantial. If that is true, Canada will say, "We cannot wait that long."

The record shows that in the turnpike authority cases there has inevitably been a considerable delay between the enactment of the basic enabling legislation and the actual first financing of the bonds. I have before me a compilation of just how long it has taken in a number of cases between the enactment of the enabling legislation and the first financing of these turnpike authorities.

For example the State of Massachusetts Turnpike Authority Act setting up the authority was approved in May of 1952. The first financing came in April of 1954, a 22-month time lag.

Let us consider the New York Thruway. The enabling act was approved in March of 1950. The first financing took place in June of 1953, a 38-month delay.

As you go down the list before me, the shortest time between the enabling legislation and the first financing was in the case of the New Jersey Turnpike, and that was 14½ months.

I say to you that through this method of financing proposed by the gentleman from Indiana we would so delay the actual construction that Canada will say, "We cannot wait one bit longer. We are going ahead on our own."

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Indiana.

Mr. BROWNSON. I have asked for the appropriation of $2 million, in order to get the preliminary planning and site work underway at the time the legislation is finally passed, so that they will not have to wait for the full bond issue to be floated.

Mr. FORD. It must be admitted, however, that if this legislation is approved incorporating the amendment offered by the gentleman from Indiana, there is a considerable likelihood that the opponents, the long-standing opposition to this project, will institute litigation in the Federal courts. We know from our past experience that that kind of litigation can take month after month after month. Why do we not proceed with a method which is tried, which is acceptable to the Treasury, and which will not in any way whatsoever impede the construction of this project but will permit the United States to participate in the construction and the control of the seaway?

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Michigan.

Mr. MEADER. Because of the gentleman's long experience on the Civil Functions Subcommittee of the Appropriations Committee, may I inquire of him whether there is anything essentially different in character between the St. Lawrence Seaway project and many of the rivers and harbors projects which his committee handled?

(By unanimous consent, at the request of Mr. MEADER, Mr. FORD was allowed to proceed for 3 additional minutes.)

Mr. FORD. From my experience both on the Committee on Public Works and on the Civil Functions Subcommittee of the House Committee on Appropriations, I can say that this project is somewhat different from others because of its international aspect. This is very significant. If we approve the Brownson amendment, it may well set a precedent, a far-reaching precedent which would be, I am sure, opposed by those who now have various river, harbor, and flood-control projects. This precedent, if approved, might well cause all Members of the Congress to say, "Well, if we can do it this way in this case, we ought to do it in all cases." I do not think the Members of this body are prepared to take that step.

Mr. MEADER. Mr. Chairman, will the gentleman yield further?

Mr. FORD. I yield.

Mr. MEADER. If this program of financing offered by the gentleman from Indiana is sound, then should he not be obliged when any similar public works projects come before this House to suggest that they be financed in this fashion? I am referring to projects such as TVA or any revenue-producing projects, hydroelectric developments, dams, or other river and harbor improvements.

Mr. FORD. I agree and I also submit that anyone who joins with the gentleman from Indiana in support of the amendment in good conscience ought to agree that he, hereafter, will support a similar amendment on any river, harbor, or flood-control project that this Congress hereafter approves.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. DONDERO. Something has been said here about private financing and public financing and who has jurisdiction. I want to call the attention of the House to this fact—that the Congress alone shall have the power to carry on commerce with foreign governments. That is exactly the position we are in today. No one else can carry out that power.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. RABAUT. Those who agree with this amendment also must agree to accept the responsibility on the increased interest rates.

Mr. FORD. Absolutely.

I would like to ask the gentleman from Indiana, if I may, whether he would be willing to state to this body the attitude of the administration. I am asking that of the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Since you have asked me, I think I am very definitely in a position to say first of all with respect to the seaway that the President and his advisers in both the executive department and the Department of Defense gave the matter very, very careful study and came to the conclusion that the seaway should be constructed. The gentleman from Michigan [Mr. DONDERO] has referred to the President's statement about wanting the bill as the committee reported it. That was in direct answer to a question regarding the so-called Brownson amendment. I am likewise stating here that the administration today is opposed to the Brownson amendment.

Mr. FORD. I thank the gentleman from Indiana.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. BEAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BEAMER. Mr. Chairman, I rise in support of the amendment by my colleague from Indiana [Mr. BROWNSON] to S. 2150, an act to provide for the creation of the St. Lawrence Seaway.

Arguments for and against the construction of the St. Lawrence Seaway have been advanced by numerous speakers and I do not propose to argue either side. In fact, my interest, and I believe the interest of every Member of this House of Representatives, will be to act only in behalf of those measures that provide and advance the welfare and the defense of our country.

My argument in this instance is not to defend nor to attack the St. Lawrence Seaway program but to ask that a very careful look be given at the spending policy of our Government.

The cost of $105 million is only a beginning. One of the New York State—Watertown—newspapers quoted the respected chairman of the Appropriations Committee that it would cost $5 billion, another estimated cost was $88 million.

Our Federal debt of $275 billion is almost to the limit—$274¾ billion now. In the CONGRESSIONAL RECORD, volume 99, part 7, page 9534, there is evidence that Canada has a debt of less than $17 billion. They have been reducing their debt and our debt continues to increase.

The total public debt of the United States is $60 billion and more in excess of the total public debt of all other countries combined, or 16 times the total public debt of Canada.

Attention is given to this subject of dollars and cents because it is time that in the United States we must become conscious of the fact that we dare not continue this spending spree. The best and easiest method of bringing this great country to a defeat, is to continue this spending. There are many projects that seem good, but, in the final analysis, all spending today that is not indisputably necessary can be considered another process of bleeding the financial reserve of this country.

Let us look down the road we are traveling. Will it be one that ends in red ink and red blood or one that leads to a balanced budget and an end to increased Federal business ventures?

I was pleased and shall continue to praise the present administration in the move to stop and turn back the socialistic trend of Federal participation in projects that can be financed by private individuals, corporations, and by private enterprise.

Are we not spreading ourselves too thin with all of this spending? If we continue to spend and spend, is it not going to follow that the debt we place on unborn babes will so weaken our economic structure that a future generation will be an easy prey to a foreign aggressor or even to a disturbance from within our own country?

If a private or some form of non-Federal financing plan is adopted, and these private bonds are sold as they well and reasonably can be expected to be sold, then the St. Lawrence Seaway can become a reality instead of a dream as it has been for many years. The experience of State financing programs and other similar Government projects proves that the amendment is fair and sound.

Mr. FALLON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, so far in this debate this morning on the financing of this seaway, I have felt that there have been several admissions, some misgivings, and a little bit of mistrust. First of all, the proponents of the bill, without the Brownson amendment, state that if the bonds are for sale to the public, it will kill the bill. That means that the public, as I said yesterday, might be a little bit smarter than we sitting here because they know whether a project can liquidate and amortize itself and pay interest, but we do not know here in the House of Representatives. Another thing is the impression that this seaway has the responsibility for the amortization and paying of interest on these bonds. It is not responsible for that. The seaway has no responsibility for the payment of these bonds. The Federal Government and the taxpayers are the people who have to share the burden and carry the load. There have been some speakers here today who have created the impression, in my mind, that they have a mistrust for our neighbor on the north—that if she builds the seaway alone, she is going to put certain tariffs on certain imports and exports that are going to give her an advantage over the manufactures of this country and that is the reason why we should buy our way into this project.

The gentleman spoke about agreements. I know my distinguished chairman did not mean to misrepresent anything when he said we have to keep these agreements. Well, we have no agreements at all with Canada at the present time on this seaway, but we will have to enter into a lot of agreements with Canada on this seaway, whether we participate in the financing or whether we do not, because the seaway is no good to Canada or to the United States if only the seaway is built, because the only thing you can do with a ship is to lift it up 140 feet from the Atlantic Ocean to Lake Ontario and park it there. It can go no further than that. So Canada has to enter into agreements with this country, to deepen and widen lake ports in order to be able to utilize this canal 27 feet deep.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. FALLON. Certainly.

Mr. DONDERO. I know the gentleman does not mean to leave the impression that all ships will have to do that. If they draw more than 25 feet of water, yes; but below that, no; because we are now doing 25 percent of the entire waterborne commerce of this country in the Great Lakes on 25 feet of water.

Mr. FALLON. The testimony before our committee was that 70 percent of the channels and harbors in the Great Lakes section will not take over 22-foot draft ships.

There was a great speech made by a very competent orator, in which he said this should be built, even if it did not pay for itself, it should be built for national defense purposes, because they could get the ore out of Seven Islands into Montreal. Let me remind the House that in the last war submarines sunk Canadian and British ships almost up to Montreal, within sight of Montreal, which is much farther down the river from the Atlantic Ocean than Seven Islands. There are several hundred miles in the section of the St. Lawrence where ships were sunk, farther down than the loading point where this ore would be loaded on the ships. It was testified yesterday by a naval officer who was in Montreal during the war that the port was closed, due to the submarine warfare in that section. So that is eliminated as a waterway during wartime.

Mr. OAKMAN. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Michigan.

Mr. OAKMAN. Is not every word that the distinguished member of the committee has said academic, because Canada will build it anyway?

Mr. FALLON. I have no control over what Canada might do. If I were sitting in the House of Parliament in Canada, I would be advocating it, and I will tell you why.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

(By unanimous consent, Mr. FALLON was granted 3 additional minutes.)

Mr. FALLON. Canada now has a 14-foot canal running into the Great Lakes through Canada. It is toll free. It is good business for them, because this has made Montreal a great transport city. If a 27-foot seaway is built, Montreal will be the greatest transshipping port in the world. I am not so sure but that Canada might be willing to build this canal and have it toll free, because it will be most of their shipping, as they thought up until yesterday when a statement was made which perhaps made them a little apprehensive about themselves at the present time.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Is it not true that we have made treaties with Canada for over a hundred years so that citizens of the United States would have free use of the lakes without any tolls, or anything else?

Mr. FALLON. That is correct.

Mr. NICHOLSON. And the same is true with Canada. If Canada put a toll on us to circumvent the International Rapids, we could say, "Stay out of the Great Lakes."

Mr. FALLON. That is correct.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. The distinguished gentleman has been a member of this committee for a number of years. Has he been participating in the authorization of other navigation projects throughout the United States all through those years?

Mr. FALLON. Yes, sir.

Mr. CEDERBERG. If this particular body of water ran from Baltimore up through Pennsylvania and into the Great Lakes, would the gentleman support that navigation project like you have others—toll free?

Mr. FALLON. I know that the Army engineers are against any tolls on navigable streams.

This is a revenue-producing project and it is different from what we have in this country.

Mr. CEDERBERG. Would the gentleman support a project, then, if it were so located?

Mr. FALLON. I do not think so; it is in a different category entirely. It is the same thing as we had here a few weeks ago when we appropriated almost a billion dollars for roads specifying that none of the money could be used for toll roads. But in the bill provision is made for a study of Federal aid to toll roads.

Mr. CEDERBERG. In other words, if this project were within the borders of the United States, the gentleman would support it for navigation.

Mr. FALLON. I would support Government participation, but I am not so sure that I would support it for revenue.

Mr. CEDERBERG. We better change the law.

Mr. FALLON. No, no; I have supported all improvements for rivers and harbors in my 10 years on the committee. I do not think there is a river in this country which has been the subject of deepening or widening to improve navigation that I have not supported.

(By unanimous consent (and on request of Mr. NICHOLSON), Mr. FALLON was allowed to proceed for 1 additional minute.)

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield.

Mr. NICHOLSON. Is it not true that in the case of all rivers and harbors that are dredged and improved along the Atlantic coast, for instance, that the State, the city, and even the towns and communities have to chip in to have it done?

Mr. FALLON. I will give you 1 example, something I know about: Since 1827 the Federal Government has spent $8 million on the harbor of Baltimore, whereas the city of Baltimore, the State of Maryland, and private interests have spent hundreds of millions of dollars—$8 million in 125 or 130 years is all that has been spent by the Federal Government.

In the case of the original bill introduced 2 years ago—the Wiley-Dondero bill—it was testified before our committee that this project would cost more than the Federal Government has spent on all of the seacoast harbors of this country since the Army engineers took over the navigable streams.

Mr. DONDERO. Mr. Chairman, we have been debating this matter now for about an hour. I wonder if we could have an agreement about ending the debate and coming to a vote on this amendment.

I ask unanimous consent, Mr. Chairman, that debate close at 12:30 p. m.

Mr. FALLON. Mr. Chairman, reserving the right to object, how many want to talk on the amendment?

Mr. DONDERO. I assume that those standing want to be heard.

I will modify my request, Mr. Chairman, and make it 12:45 p. m.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I object.

Mr. DONDERO. Mr. Chairman, I again modify my request, and ask that all debate on this amendment close at 1 o'clock.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I object.

Mr. DONDERO. Mr. Chairman, I move that all debate on this amendment close at 1 o'clock.

Mr. BAILEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BAILEY. Is the motion of the gentleman from Michigan subject to amendment?

The CHAIRMAN. It is.

The gentleman from Michigan moves that all debate on the pending amendment close at 1 o'clock.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SIMPSON of Pennsylvania. Is that motion subject to amendment, Mr. Chairman?

The CHAIRMAN. It is.

Mr. DONDERO. Mr. Chairman, I withdraw the motion for the time being.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, for the life of me it is beyond my understanding why this Congress wants to deliberately and unnecessarily increase the national debt by $105 million. It is beyond my considered reasoning why in times like this, when the Secretary of the Treasury has come before the Congress and told us that our national debt limit has practically been reached, that we must increase that limit in order to pass the debt on to the people of another generation. Why at this particular moment do we come in, and for any reason whatever, seek to increase the debt by $105 million on a project which no one denies but which all claim is self-liquidating, which will pay its own way, which will make money for somebody and for which American investors are seeking the opportunity of buying bonds? It is a ridiculous thing to ask us to increase the national debt under such circumstances.

Mr. Chairman, in legislation shortly to come before the House for consideration there will be proposals to make it easy, if you please, for the American investor to invest private money in any and every nation of the world to help in a point 4 program to get American dollars overseas in order to permit the other countries to make money so that they might have dollars with which they can buy American products. Right here is a chance made to order, if you please, to permit American dollars, not dollars taxed from the workingmen and the workingwomen, not dollars taken from the tables of the unemployed through taxes, not dollars taken from the individual who needs the money with which to live, but the dollars which the wealthy man or the investing public are seeking a place to work and to provide capital for an enterprise which I repeat, the proponents of this bill admit, will be a self-liquidating project.

How foolish can we be? Do we mean what we say when we state that we want to balance the budget? Do we mean what we say when we allege that we believe in the free enterprise system? Let us prove it in connection with this legislation, worthy as it is claimed to be. Let us support the legislation, if it is to be supported, but let us do it by providing for financing in what I like to term the American way, namely, through the private and free enterprise system.

Mr. DEMPSEY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, as a member of the Public Works Committee I sat in on practically all of the hearings and listened to all of the testimony in connection with the St. Lawrence Seaway. In my lifetime I do not think I have heard so many statements that were changed, contradictory, and confused. Eventually another witness had to be sent over to our committee to correct some of the misstatements that previous witnesses had made. This was about a billion dollar project to start with, and it was not received very favorably on either side of the aisle. They cut and trimmed and did everything possible, stating at all times that it would pay out in 30 years. Yet, when we asked the question, "How many tons of cargo are going to be handled?" the answer was, "We do not know." "What are the tolls going to be?" "That has not been decided." As a matter of fact, I do not believe there are going to be any tolls, because Canada will be quite satisfied to haul the ore and the oil from Canada into the heart of the United States without tolls. The Canadians will be perfectly satisfied to take the royalties that they get from the ore and the oil and compete with American shipping insofar as United States oils are concerned. That will eventually destroy our oil industry, the same as is now being done to the coal industry of America.

Mr. Chairman, this project, it is true, will help some areas of this country—some few—but no area is going to be successfully and permanently benefited if the Nation as a whole is going to be injured, and that is what is going to happen if the St. Lawrence Seaway is constructed, especially with American money. One of the Members here this morning soared to oratorical heights about ships coming and going between the Great Lakes and the ocean. American ships cannot use the St. Lawrence seaway with only 27 feet of water. Most of our ships draw from 31 to 32 and 33 feet. This is not being planned to be built for American shipping; it is being built for Canadian shipping and for foreign shipping. That is the only purpose which a 27-foot channel will serve. It is not going to help the United States in any way, shape or form, in my opinion. If it was, I would vote for the project, but I am voting my convictions, and I am going to vote against it.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I yield to the gentleman from Michigan.

Mr. DONDERO. I do not think the gentleman meant to say that all the ships on the Great Lakes draw 31 and 32 feet.

Mr. DEMPSEY. I thought the gentleman wanted to ask me a question and not for a correction of my remarks. He can correct them on his own time. I did not say that. I said most of the American ships.

Mr. DONDERO. The gentleman means Great Lakes ships?

Mr. DEMPSEY. No, I did not say anything about Great Lakes ships.

Mr. DONDERO. They do not draw any more than 25 feet.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. A moment ago a Member inquired about foreign ships taking over the Great Lakes. Let me

read from a statement attributed to Senator POTTER, of Michigan:

Senator POTTER has warned that foreign interests are looking jealously at the lakes trade and waiting for the time when the seaway will be completed.

Mr. DEMPSEY. There is no question about that at all. I am talking about the American fleet of merchant ships, and not more than 2 percent of them can use the St. Lawrence Seaway. That is my statement. We have small ships on the Great Lakes, of course, but when we bring into the United States oils from Canada, which we are going to do if we build the proposed seaway, it will require larger ships. I notice that our chairman—and I have great respect for him—referred to the Treasury. The Secretary of the Treasury, the present incumbent, testified against this seaway. That was before the Hanna interests bought the ore in Canada. Probably he might change his mind again. I am not accusing him one way or the other, but I am telling what he said. So, do not bring up what the Secretary of the Treasury said. It depends on who is in the Treasury when it is said and what the particular interest might be when it is said. I am speaking for the United States as a whole, and not for Detroit only. Of course, Detroit will benefit by this; there is no question about that, but I think the United States as a whole should be taken into account. I have listened to every word of testimony before our committee, and some of the ablest men we have, in the Army and the Navy, testified against this.

Those engineers and shipping experts have taken the position that a 27-foot channel will not be adequate for our oceangoing merchant ships. Yet we are asked to spend our people's money for the very thing that has been pronounced inadequate. In presenting cost estimates for the proposed seaway, Maj. Gen. Lewis Pick, former Chief of the Corps of Army Engineers, and one of the ablest men in his profession, testified before the committee in February 1951 that, based on December 1950 estimates, the total cost of the 27-foot channel planned would be $818 million, of which the United States would have to pay $566 million. That did not include necessary work on Great Lakes harbors. Yet we are asked now to approve something that will cost one-fifth of that amount as our share. We cannot get something for $105 million now that would have cost us more than $500 million at 1950 prices. If we approve this bill we are letting the American taxpayers in for something that is bound to cost them plenty before they are through with it—and no one seems to know just when that will be.

To me, it looks like another giveaway plan, with no end to the giveaway in sight once we start it.

Mr. OAKMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, before, during, and immediately following World War I, I had the pleasure of being controller of the city of Detroit. As such, I was a member of the American Municipal Association, the United States Conference of Mayors, and the Municipal Finance Officers Association. So, I kept pretty close tab on what was going on throughout the United States relative to municipal improvements and their financing.

We have financed streetcars and buses through revenue bonds; sewage-disposal plants; bridge bonds; city and county buildings; water-revenue bonds; sewage disposal plant revenue bonds; college-dormitory bonds and State-expressway bonds.

Mr. Chairman, I want to point out that the Brownson amendment does not provide for the issuance of revenue bonds. It prohibits them.

Mr. Chairman, let me point out a few other things in the limited time that I have. I asked the gentleman yesterday to come up with a trust indenture that the public might buy these bonds under, but we find that in over 3 months of time that the highly paid lawyers of the American Association of Railroads and all of the other antiseaway interests who are fighting United States participation in the seaway but who at the same time are backing the Brownson amendment, have not been able to come up with a suggested trust indenture under which the Brownson revenue bonds could be sold, because it would not bear scrutiny.

Mr. Chairman, secondly, the Brownson amendment has been given nationwide publicity for the past 3 months. During this entire period, I doubt that the gentleman from Indiana [Mr. BROWNSON] has had a single representative of any bond house or financial company in America show the tiniest bit of interest in his spurious means of financing.

Furthermore, Mr. Chairman, experience has shown that toll-road bonds, to which the gentleman from Indiana referred yesterday, take all the way from 14 to 57 months from the time of their authorization to their issuance. And the question of the constitutionality of the so-called Brownson revenue bonds, I guarantee you, would have to go to the Supreme Court of the United States before any bond house would take the first look at them.

Mr. Chairman, under S. 2150 we will have equal control in the operation and the setting of tolls with the Canadians. The Canadians are putting up $180 million cash to finance their share.

The distinguished gentleman from Indiana [Mr. BROWNSON] says in effect, "We will go along with $2 million but the other $103 million will come out of profits. We will go that on the cuff." What will Canada say? We know what they will say. They too are a very intelligent people.

There has been reference to the similarity of these bonds with those to be issued by the New York State Power Authority for the development of the water potential on the St. Lawrence River. Does the gentleman know that this is such a vast piece of wealth, this power potential, that a New Jersey company before the Federal Power Commission offered as a bonus to build the seaway and give it free to the people of the American continent to get the right to develop the power? And the gentleman compares that with his revenue bonds.

If the gentleman from Indiana [Mr. BROWNSON] is serious about this, I shall offer an amendment to his amendment in effect as follows:

That in the event of destruction of the locks or canals due to sabotage or enemy attack—either or both—the United States Government guarantees to make whole the owners of the Brownson revenue bonds.

Will the gentleman accept that amendment to his amendment?

Mr. BROWNSON. Will the gentleman read that amendment again?

Mr. OAKMAN. That in the event of the destruction of the locks or any part of the canals in the St. Lawrence Seaway, due to sabotage or direct enemy attack—either or both—the United States Government will guarantee or make whole the owners of the Brownson revenue bonds.

Mr. BROWNSON. Will the gentleman vote for my amendment if I accept his amendment?

Mr. OAKMAN. I will not.

Mr. BLATNIK. Mr. Chairman, I move to strike out the last nine words.

Mr. Chairman, speaking in opposition to the Brownson amendment, I want to point out that it is extremely significant that those who have been the stanchest opponents of the seaway now come forth as proponents of the Brownson amendment, which is supposedly to perfect the financing of this project.

Last February and again as of today every Member of the House received a letter from the National Coal Association, advising the Members on the Brownson amendment. I quote the letter of the National Coal Association:

While expressing to your Congressman unequivocal opposition to the entire St. Lawrence project, it might be well to call to the attention of your Representative the Brownson amendment, in the hope that such proposal as a last resort would at least in part dilute the proposal.

I will come back to that word "dilute."

The advice was well taken. The following day practically all the Members received letters from the Sahara Coal Co., and I quote:

While our company is still unequivocally opposed to the St. Lawrence Seaway bill as it passed the Senate, I hope that it still can be defeated and you will vote against it.

I wish to call to your attention the Brownson amendment. If Congress still insists on passing this bill, the Brownson amendment should be adopted.

"To dilute" as a last resort, to dilute this whole proposal—this is the smoothest terminology I have seen in a long time. Now, just what do the opponents propose to do in diluting this proposal?

When you dilute you think of liquids. Of course, the seaway deals with a liquid, water, a very valuable resource. When you talk about diluting liquids, you also think of "to liquidate," and we have heard of that process.

To liquidate you build up a record of phony, fantastic arguments, accusations, charges, and statements. You say them with a serious, straight, poker face, and go through the motions of having

a sort of trial, to give a sort of semblance of legality and propriety, and then you liquidate, you bump off, you eliminate, and that is exactly what the present proposal will do.

It is not strange that the opponents, who have without exception opposed the seaway for 40 years, are still against the proposal. They opposed the seaway without tolls and they oppose the seaway with tolls. They opposed the seaway without our participation with Canada and they oppose the seaway with our participation with Canada. Why, they would even oppose the seaway if Canada built the seaway herself, paid for it and undertook all the costs, and offered to give it to the United States on a silver platter. An admission to that effect was made in the House Public Works Committee when I was questioning the opposition witnesses.

The opposition have called the seaway a monstrosity. Then they proceeded for years to club and batter and bash in the head of the so-called monstrosity. But they failed to bash it in with crude assaults so now they come around with a little more finesse—they will do the job a little more neatly. They come around with this smooth proposal which would neatly and quietly but effectively slip a nylon cord around its neck and strangle it.

Some proponents of the seaway call the Brownson amendment a torpedo. I think they seriously underestimate just what this Brownson amendment will do. It is not a torpedo, it is a cleverly devised time bomb.

The Brownson amendment contains none of the important guaranties that are contained in various forms in every one of the projects which they have cited as being financed from the public sale of bonds, these other projects, such as toll roads, and so on, which the gentleman from Indiana himself listed. Why even a newspaperboy offers more guaranty in selling his newspapers, for it is supposed to be the news of the hour. The newsboy guarantees it is fresh news and is at least only a few hours old. But what guaranty can you have running up and down the street on Wall Street with a lobby bill peddling bonds without a single guaranty on a project that would not yield any revenue for 5 or 6 years, as it will take that long for construction. How can you anticipate good faith in anyone who says, "I am for the seaway, but I do not like the way it is financed"—and who then comes up with a proposition like this that has never been heard and has never been studied in committee or in any other committee that I know of?

No, it is not a torpedo, but it is a cleverly devised time bomb. Just put this time bomb into S. 2150, and it certainly will be a self-liquidating project, believe me, for it will scuttle itself—it will liquidate itself, not today, but later on. It is a time bomb because there simply would not be time to work out in the remaining months of this year the financial arrangements which would be acceptable to Canada in time for us to join with Canada when she undertakes the project. It took up to 2¾ years and a minimum of 14 months to finance these other projects cited here by the gentleman from Indiana. So, I say to those of you who are for the St. Lawrence Seaway to vote against the Brownson amendment. If you are against the St. Lawrence Seaway, I say vote against the Brownson amendment and meet the seaway issue head on and vote against it on final vote on the basis of the reasons which you believe to be just and convincing. And if you are uncertain and you have not made up your mind on the Brownson amendment, then I say for the sake of uniformity follow the policy established by the fiscal and financial departments of the executive branch of the Government, and as also set forth in the Corporation Act of 1947, which Congress itself adopted, and then vote against the Brownson amendment.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are probably no persons more competent to pass on matters of navigation than landlubbers. I do not profess to be a sailor, but I do come from a long line of sailors and captains on the Great Lakes. My great grandfather sailed into Green Bay when it was occupied by the French. He built his own boat. One of the first cargoes to go into what is known as Chicago Harbor was taken in by my grandfather and upon that they based their appropriation for the development of that harbor. My grandfather also was the first one to sail into Michigan City, and he was given $100 in gold by the citizens who built a causeway out to where his ships were unloading. In those days, they unloaded ships with wheelbarrows. I have seen the development of the Great Lakes. Naturally, I have been interested over the years in that. I have heard captains, my father and my brothers talk about it. My brothers sailed the biggest steel boats on the lakes. They only passed away a short time ago; and they knew something about those great ships that were developed on the Great Lakes. No finer ships were ever built for the purpose for which they were built than those which now carry the great cargoes on the Great Lakes. Those ships cannot go into the ocean at all. I have heard them talk about the St. Lawrence from a navigation point of view as being simply fantastic. I am telling you what you all know—that the St. Lawrence is frozen up solid and, of course, when it is made into a canal it will freeze up deeper and quicker. They cannot get ice breakers that could possible keep it all open. When the St. Lawrence project is built, if it is, and maybe it will be some day—I do not know—but at any rate when it is built, we will have to figure out just what the cost will be and what the realities are. In the first place, it will be frozen up solid for months. It cannot be broken open until very late in the spring and it will be frozen up fairly early in the fall. Our ships would then be tied up in the lakes all winter long. There are at least thousands of tramp steamers on the oceans. I have been on them and I know about them. I know they are not curtailed at all in regard to labor by the La Follette Act. They will move into the Great Lakes during the summer months when you have that canal and they will take off the cream of the freight business from the Great Lakes. The result will be that they will gradually strangle and starve the great shipping fleets which we have built on the Great Lakes, which will have to lay idle and which will have to be guarded and taken care of with high insurance costs during the winter months. But the tramp steamers can move out into the ocean and go to every port in the world, and they with their low-labor costs will then come back again in the summertime and take the cream of the business. There is no question about that.

That is not all. Take my harbor of Dunkirk. I have been here 36 years. During all that time they have been working on that harbor trying to get it in shape so that even the lake steamers could come in. The city has financed the dock. Every inch of dredging in that harbor is out of solid rock. I will admit the rock dissolves when it gets into the open air, but under water it is just like flint. It has to be blasted at great expense. Our engineers and the Congress have been reluctant to do that work. When this St. Lawrence project comes along, not one of these ships except the small tramp ships could get into the Dunkirk harbor, and then the fight would begin to try to dredge the harbor again. I have some projects now pending, but I cannot get any appropriations for them. I have been up and down the Detroit River and the St. Clair River and the Sault St. Marie River. I know the lakes and the connecting rivers. I sailed with my father when I was 17 years old. I know something about navigation facilities. Today the large ships going up the Detroit River have a leeway of only 2½ inches in depth, and they have to slow down their speed to avoid scraping the bottom. They cannot carry the full capacity of their load on that stretch of the river. The St. Clair River is the same way. I know something about the curves and the depths of those rivers.

Then we come to the locks at Sault St. Marie. The leeway of our ships is under 5 inches. Yet our navigators are so skilled that they can take those ships over 700 feet long through the locks and not even scrape the edges.

I shall support the Brownson amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DONDERO. Mr. Chairman, I rise to see whether we can agree upon time. We have been debating more than 1 hour and a half on this amendment. I suggest that we continue the debate for 1 hour.

The CHAIRMAN. Is that a unanimous-consent request?

Mr. DONDERO. That is a unanimous-consent request, Mr. Chairman.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Chairman, how much time will that give each of us?

The CHAIRMAN. The Chair noted 19 Members standing. That will allow approximately 3 minutes for each Member.

Mr. RABAUT. Is the request of the gentleman to limit the debate on the amendment and all amendments thereto?

Mr. DONDERO. To the pending amendment and all amendments thereto.

Mr. NICHOLSON. Mr. Chairman, a parliamentary inquiry. How many other amendments are there before the Chair?

The CHAIRMAN. There are no amendments to the pending amendment on the desk.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that we continue debate on this amendment and all amendments thereto for 1 hour and 5 minutes, the last 5 minutes reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. WAINWRIGHT. Reserving the right to object, Mr. Chairman, is that on the bill or on the amendment?

The CHAIRMAN. On the amendment and all amendments thereto.

Is there objection?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry. How much time does that give us?

The CHAIRMAN. That gives 5 minutes to the committee and slightly more than 3 minutes to each Member.

Mr. HOFFMAN of Michigan. That is fine for some of us who have an election coming up and want to support this bill.

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 3 minutes.

Mr. HOFFMAN of Michigan. And I would like to ask, Mr. Chairman, what can a fellow do who has been sitting around here since the bill has been called up thinking about this thing, what can he say in 3 minutes?

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

I ask unanimous consent——

Mr. HOFFMAN of Michigan. You cannot do that under the rule.

Mr. RABAUT. I want to yield my time to the gentleman.

Mr. HOFFMAN of Michigan. That is out of order.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Michigan.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 6 minutes.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. OLIVER P. BOLTON. Mr. Chairman, I ask unanimous consent that the time allotted to me may also be given to the gentleman from Michigan.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BURDICK. Mr. Chairman, I do not have any time, but I would like to yield it to the gentleman.

The CHAIRMAN. Inasmuch as the gentleman from North Dakota has no time, the gentleman can yield no time.

The gentleman from Michigan [Mr. HOFFMAN] is recognized for 9 minutes.

Mr. HOFFMAN of Michigan. And I ask unanimous consent that my time begin now.

The CHAIRMAN. The gentleman from Michigan is recognized for 9 minutes.

Mr. HOFFMAN of Michigan. Mr. Chairman, after listening for several hours to the debate, one is forced to the conclusion that our views to a very large extent are affected by the interests of our constituents.

No one could have a greater degree of respect or affection than have I for the gentleman from New Mexico [Mr. DEMPSEY] and for my colleague the gentleman from Pennsylvania [Mr. SIMPSON].

I wonder what the gentleman from New Mexico would say if Mexico was proceeding to do something to the Rio Grande which would adversely affect, or at least did not benefit, the people of his State?

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Sorry; I cannot.

Mr. DEMPSEY. I want to answer the gentleman's question.

Mr. HOFFMAN of Michigan. The gentleman from Pennsylvania made the statement that this was a foolish, wasteful appropriation and would increase the national debt. Well, now, that may or may not be. I do not think it is foolish, nor do I think it will ultimately increase the debt. The gentleman is opposed to the bill. He wants to do something for the taxpayer, so he says.

I suggest to him that instead of hanging on to that bill of his which would prevent the coming in of residual fuel oil, or perhaps coal and other merchandise from abroad—and I voted with him on that—and which would result, if he gets what he wants, in a higher price to you and to me of the things we buy, that if he would just forget it and let us buy those things cheaper, it would increase the amount of money which we would have available to pay to the Government in the form of taxes. Our votes, naturally, will be influenced by how we think our people's interests will be affected.

It seems to me we are dealing with this seaway project as though all that was involved was a little millpond down on some farm. Go out in the lobby and look at the map—New York, Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, and last, but not least, Michigan, with many thousands of miles of coastline and great industries on the borders of those lakes, all interested in this matter—and you will see that the seaway affects a great and important section of our country.

We have spent billions upon billions of dollars abroad. Remember? We built a hotel, a whale of a big hotel, in Italy. Have you forgotten that? The gentleman from New York [Mr. REED] called it to our attention on one occasion.

Then we built a canal in Italy that cost millions of dollars. We shipped hundreds of thousands of dollars' worth of farm machinery to the mountaineers in Italy and other countries. Even they were of but little, if any, use to the people of those countries.

But when it comes to something for this group of great States which would help the whole Midwest, and I believe the country as a whole, then we attempt to pinch the pennies.

Now, why? Why?

Heretofore I have never been an enthusiastic supporter of this project. I listened to the railwaymen. They are very active in my district, they are very effective political workers, and they are on the job, not only at election time but also at primary time; so, not knowing very much about it, I went along with them and said, "Well, I guess I cannot vote for it if it comes up and is to be built at the taxpayers' expense." Fortunately for me, it never came up.

But now we have reached the issue where Canada intends to build this canal, this seaway, if you please. Moreover, I do not believe, if built, it will adversely affect the business of the railways. Many projects which it was thought would hurt have been helpful. Inasmuch as the seaway will be built do we want a part of it or do we want Canada to build and control it?

I do not think too much of the Canadians just at the moment. In former years I used to go up there and I got 10 cents on every dollar I spent. They paid me 10 cents extra because of the value of our dollar. Last year I ran a little short and those credulous people cashed a check for $100 for me to cover expenses over there, but they took out $5. I did not like that. They had been paying me 10 cents the other way, but when it cost me 5 cents it was different.

I love the Canadians. They apparently have more sense than have we; they have at least twice reduced their tax rate recently and they do not, I repeat, conscript their men to fight abroad. They have some good hunting and fishing up there. They are a fine people, but they are a shrewd people. They have learned some of the tricks of trade from our northeastern people, the Yankees, like those who are the constituents of our good friend the gentleman from Massachusetts [Mr. NICHOLSON], and of Maine, Vermont, and New Hampshire. So they deal and they work and live, as do our Yankee folks.

If we are to have the waterway, as we are, why not have something to say about the building and the control and operation of it? My thought has always been that I would like to be a partner in something that was good and which vitally affected my interests.

I have the greatest respect for the real opponents of this bill, those who for any reason oppose it. That is their prerogative, and that is all right, but why come along with something like the pending amendment, the real purpose of which is to defeat the bill?

There is no resemblance whatsoever between the bonds which it is proposed to sell through this amendment and the bonds which are issued, for example, for toll roads. No doubt my colleague, the

gentleman from Michigan [Mr. WOLCOTT] will point out these differences.

Here we have a situation where if the bonds are sold the holders of those bonds have no guaranty whatever as they have in toll-road bonds and other bonds as to what the toll rates may be or as to the management of the project. So they would be holding the bag. The gentleman realizes that the bonds will not be sold and cannot be sold, because there will be no control over the management as there is where tolls are controlled in other projects.

Is there anything wrong in the Federal Government guaranteeing bonds of this kind? I recall that 35 years ago I think it was—30 anyway—in our little village, of 4,000 or 5,000 people, the village of Allegan in which I live, we wanted to build a municipal light plant. What did we do? We could not sell bonds to private investors, but we went to the Federal Government. The Federal Government lent us $600,000. It bought the bonds. We built the plant. We paid the interest on the bonds for a time, the Government sold the bonds at a profit and they were paid off.

Is this not a similar situation, only on a bigger, much bigger scale? Of course it is. If you want to defeat the waterway, that is all right, that is your business, but do not come along with an amendment designed to do that job in an underhanded way.

Mr. Chairman, that is about all I care to say on this subject except to add that the Congress over the years has voted millions to aid the folks in the South, for TVA, for many other purposes. Why we even voted quite a little money for fighting the hoof-and-mouth disease which affected the people down in Texas and New Mexico a little more quickly, a little more acutely, than it did up in the North. We have voted millions upon millions for the development of the West.

While our colleague from Indiana is weeping and crying over the expenditure of Federal funds, giving voice in mournful tones to his apprehension that the national debt will be increased by the passage of this bill, pointing out the need for economy at all levels of Federal operations, pleading for the saving of tax dollars; realizing that he would not knowingly be inconsistent, I have been wondering if he is suffering from a temporary lapse of memory.

Near the close of his address, among other things, he in substance said that if we would save the millions, the billions would take care of themselves. Perhaps he was paraphrasing Lord Chesterfield, who, in a letter dated November 6, 1747, quoted William Lowndes, who died in 1724 and was the Secretary of the Treasury in the reigns of two kings and a queen, as saying:

> Take care of the pence, for the pounds will take care of themselves.

There is logic in that, and it occurred to me that the gentleman had forgotten that admonition when, at the taxpayers' expense, he and perhaps members of his family, took advantage of the Government's cheap transportation dollar-per-day rate on his trip to Panama. Whether he and the family went to South American countries, I neither know nor care.

In his today's enthusiasm for economy, for the interests of the dear taxpayers, and his great concern for private enterprise, he is voicing a sentiment with which I can heartily agree. But did he have those same thoughts in mind when, in the 82d Congress, he took a 42-day trip around the world at the taxpayers' expense?

Education, we all know, is desirable. Travel abroad, it is said, broadens our educational outlook. Perhaps it was with that in mind that our colleague the gentleman from Indiana [Mr. BROWNSON] again, during the last session of this Congress, took a 24-day trip abroad—again at the taxpayers' expense and traveling via Government transportation. From a statement he made about that trip as to the hardships he endured while traveling in a Government plane with Air Force personnel, I sometimes suspect that he might be thinking of asking for a Distinguished Service Medal or some form of Federal compensation for the inconveniences he endured.

An advocate of economy today, but previously a willing recipient of Government largess during 66 days' travel in foreign lands. That inconsistency tends to cause me to doubt the soundness of his argument, the desirability of the adoption of the amendment which he offered. It should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, I rise in support of the Brownson amendment. Frequently, during the debate yesterday and today, we have heard the words "economically justified," "self-liquidating" and "without cost to the public" used by the proponents of the seaway. If these economic contentions are true, there is every reason for adopting this amendment and putting this project on a genuine revenue-bond basis so that the Government will not be required to put up the necessary money or to have its credit employed to guarantee the bonds. There is plenty of private capital available in the United States for investment in sound projects. Over a period of a number of years our experience in Oklahoma has proved this to be true and the self-liquidating or revenue bond has proved to be a workable solution to many of our State's financial problems.

Beginning back in the depression days and continuing on down to the present, our university, our A. & M. College, the various teachers' colleges, and the secondary schools, have found the revenue bond a practical and workable method of financing the construction of dormitories where students could find living quarters at reasonable prices. We have also constructed recreational facilities and lodges at some of our resorts by the use of self-liquidating bonds—notably, at Lake Murray. We have also just completed the construction of a toll road from Oklahoma City to Tulsa, financed entirely with the use of revenue bonds.

That this method of financing is not only practical but meets popular approval, is demonstrated by the fact that at the last session of our State legislature the toll-road plan, to be financed in this manner, has been extended. On a referendum, that extension legislation was approved by the people.

Mr. Chairman, every one of those millions of dollars in bonds issued in Oklahoma has written on its face that it is to be paid solely out of the revenues from that particular project, and that the faith and credit of the State are not pledged to their repayment. Notwithstanding that fact, these bonds are readily salable at an attractive rate of interest. It is our experience that a prospective investor wants only to know whether the particular project is feasible and satisfactory, and whether it will pay for itself. When he is satisfied as to that, he is anxious to invest in the bonds. The whole tenor of all the argument in favor of this project is that it is self-liquidating and that it will pay out.

If these arguments are sound, I can see no reasonable or logical objection to this amendment.

On the other hand, if private capital decides that the seaway is not a sound investment, there is every reason for voting against S. 2150, because the United States Government cannot afford the unnecessary expenditure of $105 million, the first step of what has been estimated to be in the final analysis a multibillion-dollar project. For proof of this conclusion we need but remember that the Government is now operating at a deficit of an estimated $3.5 billion this year, that we have a national debt of over $274 billion and the taxes are high and burdensome for nearly every American citizen. The United States Government cannot afford to spend any amount of money unnecessarily.

Mr. Chairman, I urge the passage of the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WAINWRIGHT].

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield briefly to my good friend from Michigan.

Mr. CEDERBERG. I would like to ask the gentleman from Oklahoma [Mr. JARMAN] a question. Is the gentleman in favor of financing the proposed navigation project in Oklahoma from Catoosa, Okla., to the Mississippi River through this same type of bonds, which is requesting over $700 million?

Mr. JARMAN. I would say anything that is justified as far as private capital is concerned in the financing would be a solution to State and Federal problems.

Mr. CEDERBERG. That does not answer the question.

Mr. WAINWRIGHT. Mr. Chairman, the reason I rise at this time is, primarily, to address certain remarks to my colleagues from New York. It is my understanding that a large number of them are opposed to this project and I, for the life of me, am unable to understand their reasons. It is quite apparent that upstate New York will be the beneficiary of much of the funds that will be spent in behalf of this great construction project. I have heard it said

that my colleagues are opposed to this magnificent program because it will hurt the railroad industry. I am inclined to believe that the barge-canal people must have opposed the first railroad with a great deal of vigor during the early days of the Erie and New York Central. My research in this field has led me to believe that the motivating force behind the barge-canal group in the early 1800's was purely on a selfish monetary basis. Is it not true that the underlying force behind the railroads' antagonism is basically the same? As no one rises to deny me, then, why should my colleagues from New York listen to the railroad arguments?

Now, it is quite true we have been pressurized by certain labor leaders, particularly the maritime and CIO groups. I applaud the vigor and energy with which these leaders are defending the jobs of those who elected them to office. It is my understanding that labor leadership should represent their men. It is quite possible that certain workers will be out of jobs when the project is completed. While I admit this possibility, I do not believe the event will occur. Why? Because of the vast number of new jobs that will be created by this seaway project. Furthermore, I have just been told by my friend from New York [Mr. POWELL] that he has a letter in his possession from Mr. Reuther, president of the CIO, urging support for the project. Labor antagonism should not keep us from voting for this measure.

Earlier today you listened to the distinguished chairman of the Armed Services Committee, the gentleman from Missouri [Mr. SHORT]. He made it clear that the National Security Council and the Cabinet have studied this question and unanimously determined that our participation is in the national interest. The Joint Chiefs of Staff consider such participation to be in the interest of national security for the many reasons given by the gentleman from Missouri. I agree with him completely.

Finally, I would like to call to the attention of my colleagues from New York that we have done away with the objections of the railroad people and of labor. Furthermore, we have pointed out the great advantages that the program would be to our national security. The economic advantages this project would have on many parts of our great Nation have been adequately covered in this debate. My friend, the gentleman from Illinois [Mr. MASON] convinced me, in a conference held a short time ago, of the overwhelming benefits that would accrue to the Illinois-Midwest area.

This is an obvious occasion, it seems to me, when the Members of the House of Representatives must subjugate their own personal interests, the interests of their districts, and examine this program in the overall interests of our country.

If each Member will follow this reasoning, he cannot help but vote against the Brownson amendment and for the bill on final passage.

(By unanimous consent Mr. BAILEY transferred the time allotted to him to the gentleman from West Virginia [Mr. STAGGERS].)

The CHAIRMAN. The gentleman from West Virginia [Mr. STAGGERS] is recognized for 6 minutes.

Mr. STAGGERS. Mr. Chairman, I spoke yesterday probably too long on this subject. But there are some phases of it which I should like to cover again. This morning I heard raised the point that anyone who was opposed to this seaway project was serving selfish or special interests. If that is the case, I will have to plead guilty, because I am against the project. If serving the people of my district and their interests to the best of my ability is selfish, or special, that is what I am trying to do.

I thought what the gentleman from Michigan [Mr. HOFFMAN] said, was very fair, when he made the statement that he could understand why people representing certain districts were trying to serve the interests of the people of those districts. When they spoke and voted as they did I can understand why the people of the lakes region would want this seaway project, and perhaps some of the gentlemen from the great State of New York, who would want it in conjunction with their power projects.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from West Virginia.

Mr. BAILEY. Does the gentleman think that these people from the Great Lakes who are so vitally interested in this are as much interested in the matter of national defense as they are in the matter of profits?

Mr. STAGGERS. I could not answer that question. I shall try to get into the background of that just a little bit later.

If this administration is for this project so much, why did they not come forth with some solution to the unemployment problem which will be caused by it, or to the unemployment problem that now faces the country, the existence of which is denied by this administration? There are now thousands upon thousands in the State of West Virginia who are unemployed. It is one of the hardest-hit States in the Nation today. The administration is doing nothing about it. They are offering no solution. There is nothing done to help out in any way. They did not go to the coal operators of the Nation and say that this seaway is going to open up traffic in residual oil from other countries and therefore they were going to do something to alleviate the unemployment situation already in the country. Nor did the administration say that they would insure that there would be quota limitations on handmade glassware and other products that are now flooding this country from abroad, made by cheap labor. Nor did they say to the districts that are going to be injured that they would try to compensate them in some way.

Mr. BAILEY. If the gentleman will yield further, may I remind my colleague from West Virginia that they are not only not going to give us that relief but they are advocating a further invasion of the economy of West Virginia by a further lowering of tariff rates under the Randall Commission report, which will further complicate our situation.

Mr. STAGGERS. Again, I would like to say there that that is not only in West Virginia, but I believe if we get down to it nearly every district in the United States is going to be affected adversely in some way sooner or later if the Randall Commission report is to be adopted.

It has been said many times that this is to be a defense project. The speaker who preceded me said that we should lend great weight to the speaker earlier this morning, the chairman of the Committee on Armed Services, when he spoke on the defense worth of this project. It has been stated that this canal would be frozen for about 5 months of the year, and that there are 2 railroads today down the Canadian border from Montreal to the Great Lakes region, and 1 on the United States side. I would like to ask the chairman of the committee if I am correct on that.

Mr. DONDERO. I do not know too much about the railroads, but I will take the gentleman's word for it.

Mr. STAGGERS. I thought perhaps the gentleman would know.

They come to Montreal, and the testimony has been that in the last World War the submarines stopped commerce from there on down. Now, where is the defense worth of this canal?

Mr. DONDERO. Will the gentleman yield for one correction?

Mr. STAGGERS. I yield.

Mr. DONDERO. I believe the gentleman stated that the port of Montreal has been closed. I never knew that that port had been closed in wintertime.

Mr. STAGGERS. I did not say it was closed.

Mr. DONDERO. Or as the result of war.

Mr. STAGGERS. I did not say it was closed. I said that shipping was stopped on account of submarines. I know it is open. I know it is an all-year port. The waters from Seven Islands down are open because it is a warm-water route even in wintertime.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I would like to ask if anybody here wants to give me their time? Apparently they do not, Mr. Chairman, so I will take this 3 minutes, after sitting on this proposition for a long, long time on the Committee on Rules, on both sides of it, and this is the first opportunity I have had to address the House. I doubt if it will mean very much, but at least I can express my opinions on it.

This, Mr. Chairman, is the strangest bill I think I have ever seen, and I have been in State and Federal legislatures for many years.

Mr. BURDICK. Mr. Chairman, I make the point of order that the House is not in order. The gentleman is entitled to be heard.

The CHAIRMAN. The point of order is well taken. The House will be in order.

Mr. NICHOLSON. I thank the gentleman from North Dakota for giving me a little bit more attention. I would just

as soon talk to him, because he is somebody that knows what he is talking about, usually.

While I am on that subject, I am going to say that when I came into this Congress I did not know anything about what was going on, so I followed solid, substantial men who had been here for years, men like DAN REED and JOHN TABER and Mr. HOFFMAN of Michigan, because they knew more than I did.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I have only another minute. I asked the gentleman yesterday to yield to me several times, and he did not. However, I yield to the gentleman.

Mr. DONDERO. I want to give the gentleman 2 minutes of the time allotted to me.

Mr. NICHOLSON. I thank the gentleman very much.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that 2 minutes of the time allotted to him be allotted to the gentleman from Massachusetts. Is there objection? The Chair hears none, and the gentleman from Massachusetts is now recognized for an additional 2 minutes.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield to the gentleman from West Virginia.

Mr. NEAL. Mr. Chairman, I ask unanimous consent to extend my remarks at the conclusion of the remarks of the gentleman from Massachusetts, and further ask that the time allotted to me be given to him.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

Mr. NICHOLSON. I thank the gentleman from West Virginia.

Mr. Chairman, this bill is a money bill, and as is the case in my own State of Massachusetts, I thought that all money bills originated in the House of Representatives. But, strangely enough, this bill was reported in the other body and referred to the Committee on Foreign Affairs. When it came here to the House, it went to the Committee on Public Works. I had always supposed that money bills originated in the House of Representatives. The Committee on Public Works is the committee that authorizes these projects, and it has nothing to do with the appropriation of the money. Yet we find in this bill that the Committee on Public Works recommends the expenditure of $105 million for some seaway in the Midwest. Now, that is a good way to fix things up so that the committees who ought to have hearings on these matters never get a crack at them. I think that is one reason why the Committee on Rules had the bill so long because they were hearing so many objections to this sort of thing. We have heard talk about the railroad lobbyists and all of that. I want to tell the Members that throughout all of these hearings, there has not been a railroad in the United States that has even written me a letter regarding the St. Lawrence seaway one way or another. I know, or at least I feel I know, that if this proposition is going through for a 27-foot channel, probably all the ports of the Great Lakes will have to widen and deepen their channels, and I would not be surprised and I think it would be a nice thing if we can afford to do that, to build a 35-foot channel through the International Rapids and everywhere else in the Great Lakes and so open up the great Midwest which, of course, it would certainly do. But, Mr. Chairman, I was elected on a platform of cutting down the expenses of this country and to make it easier for the taxpayers in the country to balance the budget and to do all the things that we promised them we would do. I do not know what the Democratic platform was, and I do not care, but most of the Democrats that I know are just as substantial on that as I am, and that is why I am standing up here speaking against the St. Lawrence Seaway at the present time because we cannot afford to do it. This bill provides for $105 million. In the Committee on Public Works, there are now at least $4 billion of authorized projects which we cannot afford to go ahead with. You all have them—certainly everybody from tidewater districts have them or from districts on great rivers and so on. But we have had to forego those projects so that we could meet the expenses of the country. I think it is about time that we stopped this everlasting spending of money. We should stop getting mixed up in these world affairs and spending millions and millions and billions and billions of dollars, as the gentleman from Michigan [Mr. HOFFMAN] points out in Indochina where we are spending billions of dollars. We had better forget Indochina and a lot of those other places that ought to look after themselves the same as we here in America look after ourselves. It is all right to tell me that the Cabinet is for this: How else could they be? How else could the man who runs the United States Army or the Navy be? He has to do it. But he does not have to get elected. He is appointed by the President, and if the President asks him to do something, of course, he is going to do it just as you and I would do if we were appointed. It has just been called to my attention about the gentleman who comes from Massachusetts, but when he was in the United States Senate, he never voted that way. It makes a lot of difference, as I said before, whether you have to go back to the people to get elected, or whether you are appointed to some job.

Everybody connected with this St. Lawrence Seaway are friends of mine. I would like to go along with them, but there are things in this proposition aside from personal admiration and friendship. We are here to represent the people who sent us here. They do not want us to spend $105 million. In the polls they have taken the question was asked if you do not want to cooperate with Canada. Of course, everybody answered "Yes." They took a poll in my State. I think there were six or seven hundred business concerns in the small district that I represent. There was a full-page ad in the New Bedford Standard, one of the greatest newspapers in Massachusetts, in which they said, "Vote for the St. Lawrence Seaway." And yet I never received one letter asking me to vote for it.

Mr. NEAL. Mr. Chairman, I rise in support of the Brownson amendment. In the first place, I oppose this bill for reasons previously expressed.

I do not think the Federal Government should engage in any business that can be financed and operated by private or corporate funds.

Federal investment in navigation, electric powerplants, irrigation projects, and recreational facilities, most of which are based on an amortization period of 50 years, can be justified wherever the cost exceeds the financial ability of private capital to assume the risk and where the improvement is calculated to serve the public interest. This project does not fall within that category, and, besides, unlike projects within our boundaries, this applies to an international waterway.

This amendment provides an opportunity for investors to purchase the bonds. The proposed cost, $105 million, is well within the realm of private financial support. If the project appeals to bond syndicates, the buying public will welcome the chance to invest their money.

If the proponents of the bill are entertaining fears that these bonds will lack public appeal, then, certainly, this Congress would be unfaithful to its citizens if it authorized funds for its construction.

If tolls are contemplated in either event, and private investors furnish the money to purchase the revenue bonds, then tolls will continue pending retirement of the bonds. Tolls, however, have never been charged either by Canada or the United States for use of existing navigation facilities on this international waterway.

It would be only natural if tolls are established on that part of the canal to be built on the American side that Canada could be expected to resort to tolls on the much more extensive canal facilities on her side of the river. This would subject American shippers to a great financial disadvantage. Then what? You have probably guessed it—an appeal to Congress to rescind the tolls, wipe off the investment, and retire the Government bonds with taxpayers' money.

I hope this amendment will pass.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. NICHOLSON] has expired.

The gentleman from New York [Mr. ROOSEVELT] is recognized.

Mr. ROOSEVELT. Mr. Chairman, I have listened to the debate on this proposal with a great deal of sympathy for many of my friends, like the gentleman from West Virginia [Mr. STAGGERS]. My conclusion is that many of the arguments that have been raised, such as the one he raises, are not pertinent to the proposal we are considering. This seaway is going to be built. To remedy the unemployment situation in your district you have many other approaches and many other methods, but to vote against

this bill will not remedy that problem. You are simply saying, "No. We do not want the United States to participate with Canada in its construction." Canada is committed to build it. The only question for us to consider is, Shall the United States be a coowner and cooperator in the project?

I would like to tell the House, as a Member of Congress from New York City, that the mayor of our great city, Mr. Robert F. Wagner, Jr., and his Republican predecessor, Mayor LaGuardia, have both supported this proposal.

On the immediate question before the House—the Brownson amendment—I would like to ask the gentleman from Indiana [Mr. BROWNSON], if I may, if his amendment is defeated, will he still vote for the bill?

Mr. BROWNSON. No. I cannot vote for the bill if the amendment is defeated because I object too strenuously to the financing methods. If it is adopted, I will vote for the bill.

Mr. ROOSEVELT. Thank you. I agree with my colleague the gentleman from Minnesota [Mr. BLATNIK] that I consider the amendment offered by the gentleman from Indiana [Mr. BROWNSON] as an attempt to torpedo this bill and this proposal. I do not believe that any banker will put up the money for this project unless it is guaranteed by the Federal Government. In time of war this project will be taken over by the Governments of Canada and the United States. The revenue will be of secondary consideration. National defense will be the paramount issue. No banker is going to put this kind of money into a project where he is not assured that his interest and amortization will be taken care of. That cannot be guaranteed. I do not believe that on this project private financing is available without Government guaranty. But even if private financing for the United States participation were available, it would mean a higher interest rate and more rapid amortization, which would require higher tolls.

Mr. Chairman, for these and many other reasons stated by previous speakers, I oppose the Brownson amendment, and strongly urge the passage of the bill.

The CHAIRMAN. The time of the gentleman from New York [Mr. ROOSEVELT] has expired.

The gentleman from New York [Mr. JAVITS] is recognized.

Mr. JAVITS. Mr. Chairman, I am opposed to the Brownson amendment because I feel that in this kind of situation, considering its magnitude and its international implications and the long time it has awaited action, restraints on the method of financing would be an impediment and would not facilitate progress of the plan.

I want to take a moment's time to say a word about New York City and the St. Lawrence Seaway.

New York City is our greatest city. It has 5 percent of the population of the country. The Members from New York City should consider that our town is big enough and important enough so that it has a stake not alone in what happens within its confines, but as America's first city, it also has an enormous stake in what happens in the country. I believe that we are accomplishing a historic development of our country here which is conducive to the prosperity of the whole country and is, therefore, directly conducive to the prosperity of New York City.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. My time is so limited.

Mr. DONOVAN. Just for one question?

Mr. JAVITS. I yield for a brief question.

Mr. DONOVAN. Would the gentleman support the bill if subparagraph (2) of section 3 which ties it up with public power in the International Rapids were not in the bill?

Mr. JAVITS. I believe that it is much better to develop the power and the seaway and I am supporting them here today.

Mr. Chairman, I have four reasons as a Member from New York City for supporting this proposal:

First. A great city like New York will profit, not lose, by the improved development of the whole area attributable to the seaway and to increased and cheaper power production from the St. Lawrence.

Second. The decision of the Canadian Government to proceed in any event with the project and the vital importance of Canadian-United States partnership to our national security makes it essential that we join with Canada in this effort.

Third. Strategic and defense considerations dictate an alternate route for oceangoing vessels to the heart of United States industrial production now located in the Middle West.

Fourth. Necessary utilization of Labrador's iron-ore resources for our steel production makes it essential that transportation costs be kept low by providing for direct shipment to major steel centers via the St. Lawrence as steel is the basic material of all United States industry.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. DODD].

Mr. DODD. Mr. Chairman, the impression is abroad that the vast majority of the people of New England are opposed to the St. Lawrence Seaway. This impression is supported by the fact that most New Englanders, who are in the Congress of the United States, are opposed to the seaway.

I am of the opinion that a very large number of the people in New England are for the seaway.

I am for the seaway and I will vote for this bill.

There is no doubt in my mind about the fact that temporarily at least, the seaway will adversely affect certain economic elements in New England. But this will be a temporary thing and ultimately the good that will come from the seaway will help New England. We of New England are a versatile people. We will make adjustments and we will continue to make progress in the future as we have in the past. New Englanders originally opened up and developed most of this country and that same New England spirit believes in the further development of this country. There are some who believe that the development of the St. Lawrence Seaway will mean the end of New England as an important economic factor in this Nation, but let me remind you that we have been prematurely buried before. New England has the initiative, and the skill, and the industry, and the leadership necessary for a prosperous economy.

Thus while I am for this legislation which will give us the St. Lawrence Seaway, despite temporary adverse effect on the New England area, I am also for the Brownson amendment to this bill.

We in New England believe in private enterprise. We have been told in the debate yesterday and today that the St. Lawrence Seaway is a guaranteed success and that as a business proposition it cannot fail. That seems to me to be the best argument for the seaway and it is likewise the best argument for the Brownson amendment. For if this project is a guaranteed success then private investment should be given an opportunity with respect to it. And the argument against the Brownson amendment to the effect that private capital will not invest in the seaway appears to me to be without merit and not well founded.

Since I have been here, I have observed that too many of us talk about free enterprise but do little or nothing about it. If we really believe in the free private enterprise system we should make every effort to help it succeed. Last year on the floor of this House we had an opportunity to give a vote of confidence to private business with respect to the Niagara River Power Development.

Some Members who say they believe in free private enterprise voted for State operation on the Niagara and some other Members who likewise assert their faith in free private enterprise system voted for Federal operation on the Niagara River. Some of us said: "Here is a place to apply the free private enterprise doctrine" and we voted to give the private companies a chance to operate on the Niagara River.

Again today we have an opportunity to demonstrate in a practical way our faith in this free private enterprise system. We can do so by voting for the Brownson amendment and after thus amending this seaway proposal we can then pass the bill. That is what I intend to do and I urge my colleagues to do likewise although I want to make clear that I will vote for the seaway even if the Brownson amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, I am in favor of this seaway, so I am opposed to the Brownson amendment because in fact it would defeat the seaway.

This is not a case of developing a waterway project within our own borders for which the Brownson proposal might be suitable; this is a joint project requiring an agreement between two Governments. It has to be done by public funds, in my opinion, if it is to be done at all.

The St. Lawrence Seaway would not directly benefit my congressional district. My district is at the head of navigation on the Mississippi waterway. The St. Lawrence Seaway will divert traffic, at least in the beginning, from my congressional district. A lot of freight may move to and from the sea via the Great Lakes route rather than the Mississippi River. There are interests in my district who are opposed to the seaway for that very reason.

I am for the St. Lawrence Seaway because I am convinced it is in the best interests of our country. What would not any other country in the world give to have a natural resource like the Great Lakes, lacking only the seaway to create almost another ocean? Here we have unbelievable facilities that God gave us; and we ourselves do not develop them. That seems to me almost morally wrong as well as economically unsound, from the standpoint of the long-range development of our country, incredibly shortsighted.

Mr. Chairman, I have voted for billions of dollars for projects in the South and in the West that did not help my State and my district. But I thought they were in the interest of our country. I am a little surprised to hear some Members who have received literally hundreds of millions if not billions of dollars from public funds for developments in their area, now saying that this project must not be voted because it affects some other part of the country rather than their own.

Every new invention or improvement causes some trouble. When the bridge was built it put the ferries out of work, and I suppose the ferries fought it. When the railroads were built, the stage coaches were put out of business, and I suppose the stage coaches fought it. When the trucks and planes came into being, they injured the railroads, and the railroads fought them. But each led to greater trade and traffic and more jobs and greater prosperity. Whatever develops our national economy, even though it causes a dislocation, is the thing that is in the best interest of our 160 million people.

Here is a case where unequaled natural facilities exist for the meeting of a great need. Furthermore, it is not a question of whether there is to be a seaway or not. That has been settled by Canada. It is a question of whether the United States is to have a part in constructing it, whether the United States is to have some share in controlling the seaway, regulating tolls, establishing priorities of transportation, especially in time of war. Are we to develop an alternative route for iron ore for our great steel mills around the Great Lakes, so we can have 2 sources rather than 1, as nature gives a man 2 eyes and 2 ears, not just 1? Are we to be a good neighbor in a partnership with Canada which must be close and mutual and solid if our defenses to the north are to be secure? Are we to share in this development so as to create as many new industries and jobs as possible for our country? These are the questions before us.

I hope we will be farsighted and vote against the Brownson amendment and vote for this seaway bill to bring into being this project which can be of the greatest benefit to ourselves and the security of the whole North American Continent.

Mr. PROUTY. Mr. Speaker, I ask unanimous consent to yield the time allotted me to Mr. CEDERBERG.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CEDERBERG].

Mr. PROUTY. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Vermont.

Mr. PROUTY. Not long ago I asked a prominent investment banker if, in his opinion, the seaway could be financed in accordance with the provisions contained in the Brownson amendment. He said absolutely not; that it was just plain stupid to think that it could. The people who are backing the Brownson amendment are the same ones who spent thousands, perhaps millions, of dollars throughout the years in opposition to the St. Lawrence Seaway. They have not changed their views one iota. If you vote for the Brownson amendment, you are voting against the seaway.

Mr. CEDERBERG. I thank the gentleman.

Mr. Chairman, I realize the time is short, but there is one thing that ought to be clear to all of us. If this project were located wholly within the borders of the United States, it would have been authorized years ago and functioning right now and no tolls charged on it whatsoever, because we have ample evidence of that throughout the United States today. But, this happens to be on an international border, and by agreement we have to have it on a toll-producing basis. Members of the Committee on Public Works have sat year after year and authorized these navigation projects for many years.

I would like to give you just one brief example. The gentleman from Oklahoma said that in Oklahoma they want to finance a program on a nonguaranteed bond revenue basis. They have a project in Oklahoma now which has been authorized on the Arkansas River. On pages 176 and 177 of the hearings regarding this particular project, which is a long-range project, from Catoosa, Okla., to the Mississippi River, a distance of some 480 miles, I was questioning General Chorpening of the Corps of Engineers:

Mr. CEDERBERG. Of course, it has always been done, but I do not see how you can authorize a project for navigation when you have a river there that has never by nature been even remotely intended to be navigable, but, of course, I realize that is something that the corps does not have to determine.

The corps, using 1951 prices, estimates that the first cost of the multipurpose plan is $1,043,244,000, of which $796,123,000 will represent the so-called navigation features of this overall project. Is that correct?

General CHORPENING. Those figures are approximately correct; yes, sir. I do not know the document from which those came but, generally, that is correct and includes the stabilization work.

Mr. CEDERBERG. That is on a stream which at the present time, in some areas, we could probably walk across. Then, it has a cost-to-benefit ratio estimate by the Corps of Engineers of 1.16, which even itself might be subject to question, I would think.

We have other examples all over the country.

Mr. JOHNSON of California. Mr. Chairman, this bill which provides for the St. Lawrence Seaway is one of the type that presents a national policy. It may directly effect a certain area but by and large it is a bill which benefits the Nation as a whole.

This bill, if made a law, will culminate the dream of many men who for years were looking for a way to permit ships from the Great Lakes to move to the Atlantic Ocean on their way to various ports of the world.

The project has a distinct defense aspect. It would increase our defense posture. Hcwever, the gentleman from Missouri [Mr. SHORT] made an eloquent presentation of that aspect of the benefits to be derived from this project if we give it the green light by passing the bill. I think he convinced everyone as to the defense merits of the project.

I shall dwell briefly on the aspects of the project as it effects our economy. Along the Great Lakes are some of the greatest industrial centers of the world. In Chicago, Milwaukee, Detroit, Cleveland, and other cities we manufacture goods that are in demand in every part of the world. This commerce can, if the bill is passed, load on a ship that will take the goods to any part of the world; in other words, just one loading will put our products in position to go to all parts of the world for delivery to the multitudinous places where our manufacturers have customers. Also, we should join with our neighbor to the north in making this great improvement a reality. Canada decided that she wanted and needed this seaway and informed the world that she would build it alone if the United States did not join in the program, but preferred to have the United States as a partner in the venture. Today we will, I hope, authorize that partnership. We cannot measure what this seaway will do for some special interest or locality. We must consider it from the national viewpoint. It will prove a great and fruitful investment from which practically all parts of the Union will derive benefits. Frankly, I cannot overlook this chance to give a national project a boost by my feeble words and by my vote. I am convinced that I am doing the constructive thing by doing so.

The national nature of this project is demonstrated when we consider that every President from Calvin Coolidge to Dwight D. Eisenhower has recommended this project. Irrespective of their political affiliations all these Presidents have made this recommendation. Certainly that must convince anyone that the project is truly a national project.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. OAKMAN].

Mr. OAKMAN. Mr. Chairman, we have heard so much about the Great Lakes freezing over that I think our good friends in other sections of the country would be interested in one brief statistic at this late hour. In the 8 months that the Great Lakes are open to navigation they carry two-thirds as much traffic as is handled in all 12 months by the Atlantic, gulf, and Pacific coast ports combined; two-thirds of all that traffic. Now, is there any merit in opposition to a more economical method? We do not think so. We think all economic wastes or undesirable barriers should be eliminated.

Now, Mr. Chairman, I do not believe that there is a decent or respectable law firm in the United States that would ever opinionate these bonds for sale to the public. I agree with the gentleman from Vermont that there is not a decent or reputable bond house in the United States that would try to put these spurious bonds in the hands of the public.

Mr. Chairman, the gentleman from Indiana and those who are associated with him, I do not think fully realize the fervent patriotism of the American people. If they did, they would not have tried to attempt to deceive the American people by telling them that they were really friends of the seaway and interested in its construction and operation, thus the Brownson amendment.

I urge every Member of this House to vote against the Brownson amendment and for the passage of the bill, S. 2150.

Mr. Chairman, here and now I want to issue a word of warning to those who might vote for the Brownson amendment in the hope that it is a way of killing American participation in the seaway. Mr. Chairman, should that amendment pass, when the American people wake up tomorrow morning and see what has happened to them, I predict that they will rise up in their rightful wrath and say, "We are going to do this. The politicians can't deny to the United States what God has given them." They will demand that the Treasury sell the bonds to the people. I predict that these bonds will be sold, not opinionated, but will be put out at a predetermined rate of interest and sold in the villages, townships, counties, and cities, in the school houses, to veterans' funds, to pension funds, to the churches, to the homeowners, and to the small-business man.

I say you cannot thwart the will of the American people. The American people have spoken overwhelmingly, more unitedly and decisively on this than on almost any matter that has been on the floor of this Congress for a third of a century.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. BROWNSON] for 3 minutes.

Mr. BROWNSON. Mr. Chairman, I have just heard from the gentleman from Michigan [Mr. OAKMAN] the finest, most rousing ovation for the Brownson amendment that I have ever heard on behalf of any bill. He advocates exactly what I want to do. Let these bonds be sold to the people in the villages, in the little shops, the stores, the investment houses, and American industry, he says. I am glad to see that the gentleman has finally gotten straightened out on our project and is on the side of the Brownson amendment. It is exactly the mass public participation he predicts which will make possible the financing of the seaway by public sale of revenue bonds.

I should like to quote a very revealing and I think a very significant statement Allen Kline, of the American Farm Bureau Federation, made in 1952. I wish to point out that the position of the American Farm Bureau Federation has changed since 1952, but I am quoting this statement because of the cogency and force with which this argument is made. It parallels my own reasons for the amendment I have offered. That statement of Mr. Allen Kline was:

> The American Farm Bureau Federation is unable to cut through the conflicting arguments of proponents and opponents and determine of its own knowledge that the project as submitted is economically feasible. However, the history of projects placed under a truly revenue-bond type of financing is that they have been successful for the reason that investors will not support them without such projects being on a sound business basis. The American Farm Bureau Federation wants the project to be a success. It seems clear that since revenue bonds cannot be sold unless the project is economically sound, the use of such bonds would be the greatest guaranty that the project would be successful. We do not see how the other proponents of the project can be for anything less.

Then, of course, Mr. Wilson of General Electric made his significant statement. He said:

> I thought it was good enough to employ private capital to do the job, that it would pay out. Maybe that is the best recommendation I could give it. I believe it could pay out with private capital.

Secretary Humphrey, when he was president of M. A. Hanna Co. said:

> I believe the seaway is going to pay out. I believe this: I would like to have the concession on the seaway and be able to finance it and build it for private enterprise.

I say, let us make it possible for private enterprise, including the M. A. Hanna Co. to invest their funds in this worthwhile project. They are certainly in a more liquid financial position than our Treasury. Those who, without proof, or logic to support their case, assert that this amendment kills the seaway are trying to say that black is white, that war is peace, that truth is untruth. The actual facts are that the money is available. The capital investment is negligible to the great business empires who stand to benefit.

This amendment will work and will give to the people the seaway without digging into public funds snatched from the National Treasury. It will build a seaway without further mortgaging unborn generations by further increasing the Federal debt.

It has been charged that this amendment would place the project in private hands. "The Government would not be able to control a project of international character," say those opposed to the amendment.

Mr. Chairman, let me point out once again to the House these facts: The corporation will be a Government corporation; the directors and administrators will be appointed by the President; the corporation will be responsible to the President and the Congress to the same extent under the Brownson amendment as it will under the bill S. 2150.

This amendment is the businesslike, the American way to build the seaway. Let us do it the proper way. Let us let the interested parties and the public invest their funds voluntarily. Seizing a part of this income to finance this project through tax-raised funds is short of the best tradition of free enterprise.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, these are the last few words I shall have to say on this project, I hope, for all time to come. I know many of you are getting tired of it. Certainly I have been listening to the debate pro and con for the past 10 years. I do not think there is much I can say in these closing minutes of the debate that would change anybody's mind.

Perhaps there have been some things said here today and yesterday in criticism on both sides of the people on the outside who are for and against this bill, criticism because of pressure put on by the railroads, the coal people, and other people who are going to be affected. They were criticized severely.

It is a sad commentary that people have to come down to Washington and spend their time and money to protest against Government bureaus, businesses they have built up over the years. That is exactly what one side of the lobby has been. The other side of the lobby, the proponents of this project, have come down here for a special interest that will help them in their business. It will bring more money into their pockets. It will be a revenue-bearing thing for them. The other people, as I said before, came down here fighting for the life and the very existence of the organizations they put their money and time into building up over the years. That is my idea of what has happened here as far as the lobbies are concerned.

The gentleman from New York [Mr. REED] made a statement here today, and it was the first time it was called to my attention even over the period of years we had testimony before our committee, on exactly what this would do to lake shipping and lake shippers. He said that the foreign ships could come into this lake and do business all summer while the lakes were not frozen, and then duck out and do business in warmer climates in the winter, and leave our own shipowners high and dry. They could do it because of their low cost of operation. These foreign low-cost ships have almost driven our merchant marine off the seas. Certainly when this bill is pased, if it is, it looks as if the Great Lakes ships are going to have the same competition and problem.

I do not know that there is anything I can add that has not already been said here today, but I know that it will be anywhere from 7 to 10 years before this canal is actually in use. I predict that

before this canal is built many agreements will have to be made with Canada, and that we will have to spend anywhere from $75 to $300 millions extra in order to make this what everybody says here today it will be. There will be many an agreement and many a concession made, because when this bill was first introduced, the first time I saw it the American Government was paying two-thirds of the cost, and now it has come to us with the Canadian Government paying two-thirds of the cost. I am apprehensive.

Mr. H. CARL ANDERSEN. Mr. Chairman, I rise in opposition to the Brownson amendment. In my opinion, it was designed to kill this bill which, after 40 years time, has finally reached this floor for debate.

I doubt, Mr. Chairman, that any legislation in the history of the House has ever had that long a row to hoe. I have supported the St. Lawrence Seaway project ever since I came to Congress in 1939 and I earnestly hope that S. 2150, which provides for the creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States Territory in the interest of national security, authorizes the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway, empowers the Corporation to finance the United States share of the seaway cost on a self-liquidating basis, establishes cooperation with Canada in the control and operation of the St. Lawrence Seaway, and authorizes negotiations with Canada of an agreement on tolls, as well as other purposes, will pass this House today.

The Brownson amendment, Mr. Chairman, compels the sale of bonds to the public instead of the Treasury without Government guaranty. This is completely contrary to the established policy of the Treasury and the Bureau of the Budget. The Corps of Engineers of both the United States and Canadian Governments have estimated that there will be sufficient commerce to pay for building this project within the specified period—50 years. As has been brought out here on the floor, the reserves of high grade iron ore in the United States are running out. In a few years time they will be exhausted. Our steel industry now requires 100 million tons annually and by 1960 we will need 150 million tons Fortunately Labrador and the Province of Quebec have the greatest deposits of iron ore in the world. If this seaway is built, that ore can be brought to the United States for our steel industry. In the event of war, no one here doubts that we would be more than vulnerable if we had to import iron ore from overseas. Certainly we should profit from our experiences in the last two wars.

It is interesting to note that all the defense agencies in the Government favor this project. All agricultural representatives, the Farm Bureau, the Farmers Union, the National Grange, grain and dairy producers, favor this bill. Labor, business and professional groups in the country favor it. Veterans organizations support it. This legislation is absolutely nonpolitical. Members of both parties are working hard for its passage.

Mr. Chairman, as I stated in my opening remarks, this legislation is more than 40 years overdue. I am very much pleased that it finally got to the floor for thorough debate.

This project would be of unlimited benefit to our people in the Midwest. The consequent cheap transportation rates for the farm products grown in the breadbasket of the Nation would be of immeasurable benefit. Of course their transportation by truck and railroad will go on but we are entitled to have this more effective and less expensive mode of transport.

There are 50 million people now living in the Great Lakes area, who would benefit through the passage of this bill. Why not do a little something for our own folks for a change? We have not hesitated to give billions to Europe to bolster business. Decentralization of industry on the East coast and the promotion of the establishment of new industries to the Great Lakes area would result if this project is approved here today. New ports will be built up on the Great Lakes system. A new industrial empire can be created there in the safest location in the United States farther away from possible enemy attack.

From the standpoint of our national security, it is definitely not to America's best interests to have any foreign country, regardless of how friendly it is, completely control an inland waterway which touches our frontiers. Two canals and three locks on American soil will acquire joint ownership and control of the proposed seaway for us. The defense of our country and Canada's are closely interwoven. We must not overlook that fact. Nor can we afford to overlook the importance of hydroelectric development through this project. The power feature is not covered in this bill. That part of the entire project will be constructed by the State of New York and the Province of Ontario jointly.

Obviously, Mr. Chairman, one of our land's greatest blessings is its natural resources.

Are we going to pass up the opportunity for economic growth and development along that line by voting this legislation down here today? I certainly cannot go along with that reasoning, Mr. Chairman.

Canada has passed legislation financing this seaway and as everyone knows, has announced that if the United States decides not to participate she will go it alone. She is ready to go ahead with it and we will have no further opportunity after this vote is cast to join forces and look after our own interests as we should have done long since. The unfortunate delay in action on this legislation has resulted in placing the United States in the embarrassing position of getting on the bandwagon at a very late date when actually the project was initiated by us. But in this instance, as is often the case, it is better to be late than never. We cannot afford not to adopt this bill.

Mr. Chairman, this proposed project will be one of the greatest in our day. It has been well described as the master project of the North American Continent. May I again urge that the Brownson amendment be voted down and that S. 2150 be adopted. The people of Minnesota will hail the passage of this legislation as one of the most progressive and worthwhile acts of the United States Congress in many, many years.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. WOLCOTT].

(Mr. DONDERO and Mr. MEADER asked and were given permission to yield the time allotted to them to Mr. WOLCOTT.)

Mr. WOLCOTT. Mr. Chairman, I quite agree with the gentleman from Maryland who just preceded me that probably no new thought could be injected into this debate. So, I do not quite welcome all of this time, but I am grateful to my colleagues who have yielded their time to me, and I hope I will not burden you if I use the entire 9 minutes.

Mr. Chairman, there are 1 or 2 things which have been brought up here on which I have made notes, which have rather impressed me, and which present rather fundamental questions and problems. First, I believe, was advanced by the gentleman from Maryland when he propounded a query as to whether this agreement entered into between this Corporation and the Canadian Government, or a subsidiary of the Canadian Government, would have to be referred to the Congress. I might say there is a treaty between the United States and Canada at the present time under which the traffic on the Great Lakes and connecting waters is regulated. Of course, that being the case, and inasmuch as a treaty, as we have recently had brought to our attention is, with the Constitution of the United States, the supreme law of the land, then no agreements which are entered into between Canada and the United States which are in conflict with a treaty between the two nations, and which had been affirmed by the Senate would be operative. So, we need have no fear that any new agreement is going to be entered into contrary to the use of the Great Lakes and connecting waters under the Canadian treaties.

I think we should start out with the premise that the amendment offered by the gentleman from Indiana specifically states, as I recall it, that no part of these bonds are to be purchased or held by an agency of the Federal Government, which makes it impossible even if they were issued and sold for the Federal Government in time of stress, under an emergency, to perpetuate, as a matter of national defense, these facilities. Surely they could not refinance them. While we are on this question of financing privately or by the Federal Government, perhaps our attention should be called to the fact that toll roads in the United States, so far as we in this modern day know toll roads, were set up by the Federal Government which gave impetus to the creation all over the United States of toll roads. A pattern was created, and we could all tell almost to a dollar what the incomes of these toll roads would be before they were constructed. Now we are pioneering a new endeavor, not of highway transportation, but waterway

transportation, and until it has been tried out, and until we have had some history behind the financing of such a project, of course, no one in his own senses is going to buy any bonds. That is so primarily because of a certain risk involved that the bonds may not pay out, although everyone agrees, whether they are for the project or not, that they will pay out. Of course, when you are investing money you are a little more certain about it than when you are being as optimistic as all of the people of the United States are in respect to this project. They do not know. There is no guaranty anywhere, either predicated upon historic data or anywhere else, that this is going to pay out to the point where the bonds may be retired. The only way you can collect on bonds that are privately issued—the usual way of doing it—is to throw the concern into receivership, liquidate the assets, and sell them and pay off a certain percentage on the bonds. This is a Government Corporation, and it is impossible to do that. So the potential bondholders are going to say, "We have no guaranty whatsoever that these bonds are going to be paid out."

When this country was set up, it had as one of its purposes the development of our national resources for the benefit of all of the people. Throughout the 160 years of our existence we have had Government assistance, moral and financial, for developing our natural resources. This is a new venture in the development of natural resources—the development of this waterway.

Let me go back to the toll roads once more. I remember the first major toll road which was established in the United States in our times. As I recall, it ran for a matter of 160 miles through the State of Pennsylvania, a beautiful, scenic, limited-access highway. It connected within a few miles two very important points, Harrisburg on the east and Pittsburgh on the west. The State of Pennsylvania did not have one red cent in that highway. Never, so far as I know, did the State put any money into it. Fifty-five percent of the original cost of $90 million was donated under grant by the Federal Government through the Public Works Administration. So the Pennsylvania Turnpike alone got a $49,500,000 grant, nearly one-half of what we are asking for this project. There is some probability, I think it is a foregone conclusion, that the Federal Government is going to get its money back here. There is no chance of getting $49,500,000 which the Government granted to the Pennsylvania Turnpike Authority. The other 45 percent of the bonds issued by the turnpike authority, or about $40,500,000, were sold to the Reconstruction Finance Corporation, thereby guaranteeing them. After they had seasoned, the RFC later sold them at a profit. After this experience, the bonds of privately financed toll roads were readily marketed.

This bill contemplates that the Federal Government shall give the same service to the development of a major waterway. After the tolls have been established and collected it is certain that the bonds can be retired. Thereby there will be created historical data upon which to predicate other income producing self-liquidating waterways. Herein lies the obligation of the Federal Government to create an economic climate, a foundation upon which may be built a sound, ever-expanding economy. This is why the United States is dynamic; why it is more progressive and productive through private enterprise than all other countries. The adoption of the pending amendment would be a repudiation of the American tradition; as a precedent it might well be interpreted as retrogressive; surely not in conformity with what has become known as the American spirit which has made us strong and great.

The amendment should be defeated.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time on the amendment has expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. BROWNSON].

The question was taken; and on a division (demanded by Mr. BROWNSON) there were—ayes 79, noes 173.

Mr. BROWNSON. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. BLATNIK. Mr. Chairman, I am truly gratified by the decisive 173 to 79 defeat of the Brownson amendment by the Committee. As we now go into the closing minutes of debate before the final vote on Senate bill 2150, in rather informal and general manner I should like to make rebuttal to the major objections to the seaway which have been raised by the opposition.

OPPONENTS ARGUE SEAWAY WILL CAUSE MORE UNEMPLOYMENT FOR COAL MINERS

The opponents have raised the issue that the seaway will cause further unemployment in the already economically distressed coal-mining areas of West Virginia, Pennsylvania, and other coal-producing States. I am, and always have been, deeply sympathetic with the plight of the working families in those areas, and no one here would be more concerned with this charge if there were any real basis for such fears. My record in Congress has consistently been a strong one in behalf of labor and full employment. I am the son of an immigrant iron-ore miner, who, by the way, although past the retirement age of 65, is still working in the dry house of a mine—he has to keep on working if he wants to continue to afford the luxury and the burden that goes with keeping a son in Congress.

The unemployment in the coal-mining areas now cannot be attributed to the seaway, for there is no seaway, except the obsolete 14-foot canal. But there will be a seaway, because Canada is going to build it alone, regardless. Our only decision to make here is whether or not to join in that undertaking and have some control whereby we can directly protect our economic interests.

If the opponents from West Virginia and Pennsylvania can show me how one unemployed coal miner will be put back to work if United States participation in the construction and eventual ownership and management of the seaway is prevented, then I will sit down and pay some serious attention to their contentions, and I may even go along with them.

Am I to understand from the arguments by these gentlemen that the solution to their grave economic problems of unemployed coal miners lies in continuing to impose a blockade upon the iron ore miners of northern Minnesota and the steelworkers of the lower lake furnaces and steel mills? Am I to understand that keeping the Great Lakes area landlocked will improve or alleviate unemployment of coal miners?

If anyone has cause for real serious concern about the economic competition because of the proposed seaway, it is not the coal industry and its miners, but rather the iron ore miners in my district and those at the head of the lakes district that produce almost 80 percent of the iron ore requirements of the country. It is iron ore that will be carried up the St. Lawrence and into Great Lakes. Believe me, we had to consider this matter very seriously before we could go all out for the seaway. We do not want any unfair competition from foreign ores, but we are going to get foreign ores with or without the seaway, and they are going to implement or supplement our domestic supplies and give us assurance of an adequate supply for our peacetime and any wartime needs. Furthermore, as I pointed out yesterday, with the reserves and expansibility of our Minnesota high-grade ores diminishing, Labrador is the only new source of expansible high grade open pit ores within the continental borders of the North American Continent.

RESIDUAL OIL ARGUMENT

We have next heard much talk about the residual oil coming up the St. Lawrence, as though it had some particular selective preference for the St. Lawrence Seaway and would automatically head up that way and bypass the many other ports of entry in our country. The way the opposition has hammered away on this, maybe we ought to call this the St. Lawrence oilway, where residual oil just keeps sliding along.

Why everyone knows that ports of entry do not control the volume of foreign imports. We have got ports of entry all along our coasts—the Atlantic, the gulf coast, and the Pacific—and it can even come up the Mississippi River all the way to Minneapolis or St. Paul now, or up the Ohio to Pittsburgh. You do not have to wait for the St. Lawrence Seaway to make possible any overflowing invasion by residual oil. No, it is not ports of entry, but it is tariffs that control the volume of foreign imports of any product. In being so concerned with this spurious argument the gentlemen are wasting their time and our time. I suggest they confer with the Ways and Means Committee and the Foreign Affairs Committee.

Furthermore, we in northern Minnesota already have an oil pipeline from the fabulous oilfields of western Canada with a large refinery at Wrenshall, near Duluth, Minn., at the head of the lakes. We get the oil day and night directly

from Canada now. So if any residual oil will be moving on the St. Lawrence, it most likely will be traveling downstream from the Great Lakes rather than upstream.

Finally, it is rather difficult to follow the logic of the other arguments these same opponents make, and if I were to paraphrase their terminology and logic, residual oil could never get up the St. Lawrence in the first place.

First of all, the opposition claims that the St. Lawrence would be frozen most of the time, so this oil obviously just could not get through. Furthermore, if the oil did get through, it would be so cold that the oil would jell and they never would be able to pump it out of the tankers.

Mr. Chairman, I do not mean to be facetious or irresponsible in my arguments and I thank you for your indulgence during these few minutes of humoring; but seriously, it just does not make sense to have the opposition continually claim that there would be no new traffic up the St. Lawrence, and if there were such traffic it could not get through because of the ice, and finally, the economic consequences of such diversion of waterborne traffic would work just awful economic consequences for the coal-mining areas, the railroads, and the ports of Boston, New York, Philadelphia, Baltimore, and even way down south in New Orleans and Houston.

Speaking of New Orleans, I had occasion to make two trips down there with our House Public Works Committee since I have been in Congress, and I must say I was tremendously impressed by the tremendous economic growth and development since the beginning of World War II, due largely to their access to the oceans of the world. Theirs was a magnificent record of wartime shipping, and I have always felt and do feel that the Government had a definite responsibility to make its share of contribution to the efforts which those folks are making to further enlarge their facilities. They know far better than some of us the advantages of cheap water transportation, whether salt water or up the Mississippi River. So I could not for the life of me understand why so many of them were opposed to extending a helping hand to those of us in the Great Lakes area, so we, too, may enjoy some of the benefits of access to the sealanes of the world. There were many others, however, who are of a much broader frame of mind, and, without slacking their zeal one iota for their own area improvements and developments, are fully cognizant of the needs and aspirations of other areas of the country, in the belief that all of such development contributes to the sum total forward advance of this great country of ours. The Lower Mississippi Valley Association has been particularly understanding and helpful along those lines, and I not only express my appreciation to the membership of that alert, active, and effective organization, but I pay special tribute to our friend and colleague from the South and president of this association, Mr. OTTO PASSMAN, from Louisiana's Fifth Congressional District along the Mississippi River in the northeastern section of that State, who has so ably presented their constructive point of view in behalf of the seaway. This great country of ours never did in the past and never will in the future continue its forward march of economic progress and advance if such views shall prevail that only by suppressing, by holding back and retarding growth and development, especially in sound resource use, in any other part or parts of the country can you maintain prosperity in another given area. It was not such restricted vision that gave us the heritage of our greatness today. But rather it is an understanding of the mutuality of all of our needs, hopes, and aspirations that compound themselves into a magnificent sum total of growth and development that is our greatness today.

ST. LAWRENCE SEAWAY GREAT EXAMPLE OF RESOURCE USE

In the full utilization of that tremendous and majestic water resource of the St. Lawrence for navigation and for hydropower, we find one of the finest examples of sound resource use—sound both in principle and reality. We proponents are asking the House to allow our Government to join Canada in undertaking the development of the last and largest remaining undeveloped water resources on the North American Continent. Water—next to soil—is one of our most valuable and precious resources God gave man.

This seaway will in effect add a fourth coast to the United States by extending the sealanes of the world up to Duluth, at the head of the lakes, by a distance of 2,200 miles. We, way up in that hinterland may be regarded as landlocked landlubbers by some, but we do know something about moving enormous quantities over water. A fact little known along this eastern coast is that Duluth, in terms of tonnage, handles more tonnage than any inland port in the whole wide world. Not only that, but in terms of tonnage, it handles more tonnage than any of our salt-water seaports with the exception of New York City. Through the Soo Locks, connecting Lake Superior with Lake Michigan, within 8½ months out of the year, passes a greater tonnage than the combined tonnage of the Suez and Panama Canals handled in 12 months of the year.

New, large, swift carriers are now making their appearance on the Great Lakes. Put into service less than 2 years ago is the famous *Joseph H. Thompson*, the new queen of the Great Lakes, 714 feet 1¼ inches long, 71½ feet wide, with a capacity of 18,500 gross tons at a 24-foot draft. This is the longest and the fastest cargo boat in the world, and of the entire United States merchant saltwater fleet, only two are longer—the steamship *United States* and the steamship *America* ocean liners. The *Joseph H. Thompson*, like the other Great Lakes boats more than 14-foot draft, can travel 1,100 miles from Duluth to the St. Lawrence—then it is stopped—blocked by the International Rapids, a 46-mile bottleneck. If these boats could get through this block, which they could with the seaway we are now considering, they could travel another 1,000 miles to the Atlantic Ocean.

Let me give you a picture of the significance of what a waterway means dollarwise to such shipping. I cannot say what the exact rates will be on the proposed St. Lawrence Waterway—they are yet to be determined, and there will be no difficulty on that, I am certain. But I can show you the existing rates on our present Great Lakes system: The rail haul in my congressional district from the Mesabi Iron Range to Duluth, a distance of 73 miles, costs $1.03 per ton of ore. At the other end the rail haul from Cleveland to Youngstown, a distance of 67 miles, costs $1.48. But the water haul between Duluth and Cleveland, covering a distance of 833 miles is only $1.60. So you can see that the cost here per ton-mile by water is only about one-tenth of that by rail. This helps explain in some measure the Army Corps of Engineers contention that the economic benefits ratio of the St. Lawrence project, without any tolls, is 4 to 1—4 times the economic benefits than the cost. But I shall not go into further details on water commerce.

In essence, however, the seaway is to us in the Great Lakes area what navigation by inland waters or by ocean is to New Orleans and other great coastal ports. The seaway is to us what water is to the arid areas of the Southwest, the Far West, and the Yakima Valley, and other areas in the Northwest. The St. Lawrence is to us what hydropower is to the areas that have the TVA, the Hoover Dam, the Boulder Dam, Grand Coulee, and other areas—all of which have benefited tremendously their respective local areas, and in so doing have contributed to our general national economic strength and well-being. None of these projects, mind you, would have been possible if a Brownson amendment had to be attached to the legislation which created those projects.

INTERNATIONAL COOPERATION

I shall conclude with a brief generalization of the international significance of this joint undertaking by two friendly and neighborly countries. This factor has not been mentioned much, due to the press of time, and the vast amount of technical and fiscal details involved in this whole debate, but I do believe it is tremendously important in these days of international strife and conflict. A joint construction of this great project, lying on the boundaries of two countries, could be one of the finest examples to the whole world of what can be achieved if nations could work to win the peace, as they fight and expend in blood and treasure to win a war. Here we would have an international undertaking where governments of different countries have their citizens engage in a constructive undertaking for benefit to their people, in contrast to the tragic results of war when one country befalls its neighbor by violence and force of arms.

Instead of soldiers with guns crossing frontiers, we will have workmen armed with picks and shovels. Instead of tanks rumbling across the boundaries, we will have bulldozers. Instead of cannon and bombs to blast cities and wreak devas-

tation, we shall have explosives to blast out the rock. Instead of concrete bunkers and trenches and fortifications, we shall have concrete dams, powerhouses, locks and channels. Instead of peoples of different countries facing each other in anger and hostility, we shall have them working shoulder to shoulder, working on a common job with a common goal, a better standard of life for both of them. No finer opportunity has been given us to make such a splendid example for the world to see than is ours today.

We have spent billions upon billions of dollars for economic and military foreign aid in the 7½ years that I have been here, and so much of that was granted on the basis of the argument that it was a calculated risk. Today we are talking about a sum of around $100 million. This is a calculated risk with very little risk, if any at all, but plenty of calculations. Should there be any risk involved, as claim the opponents, I say to them that never has America risked so little to gain so much. Within the hour we shall cast our final votes on this historic proposal. I am most hopeful that the outcome will be a decisive majority that we shall join Canada in that undertaking. When that project is completed 5 or 6 years from now, this Government and our people will be more than proud of the decision we have made today, for I am confident the seaway will be one of the most outstanding and successful international projects of its kind in the world. America and Canada will have made a great step forward in promoting our continued economic growth and development and in increasing our mutual strength. To the future and its generations, we shall have contributed greatly to their heritage.

Mr. FEIGHAN. Mr. Chairman, I am opposed to the Brownson amendment and heartily support passage of S. 2150. Some of the arguments which have been advanced favoring the St. Lawrence Seaway project are as follows:

First. The interests of the Nation as a whole make desirable participation by the United States in the project.

Second. It would strengthen our strategic position at all times respecting use of the seaway for transportation of basic materials.

Third. Participation by the United States would increase its defense advantages to this country and in time of emergency ensure it of full benefits of joint participation.

Fourth. It can be constructed at no ultimate expense to the Nation since toll charges may be expected to repay costs of construction plus costs of operation and maintenance.

Fifth. United States participation is necessary to ensure that no foreign nation will control, with possible disadvantages to this Nation, a vital and strategic waterway leading directly to the heart of the United States.

Sixth. The United States, because of greater population and industry, will pay for the seaway in any event through providing the major proportion of revenues in navigation tolls. It would be better to participate and have a voice in control and administration of the project.

Seventh. Failure to participate might result in certain undesirable situations:

(a) Admission of foreign ships to American waters by a foreign, though friendly, nation.

(b) Defense of the seaway from sabotage and military action would be beyond United States responsibility.

(c) Should use of the capacity of the seaway become a critical factor, then Canada would have control over priorities. This would be extremely serious in emergency or wartime periods.

(d) An all-Canadian project would place all locks on the Canadian side and the United States would have no voice in the control of traffic. Canada would make all decisions as to tolls, priorities, defense.

(e) In wartime, Canada, if neutral, could deny use of the seaway to the United States, a dangerous possibility.

(f) Canada will have the final determination as to prevailing depths, a possible disadvantage to the United States.

Eighth. In general the seaway is needed:

(a) As a means of obtaining iron ore cheaply and quickly from Labrador and Quebec to replace diminishing Midwest sources.

(b) To provide a protected waterway with quicker access from the center of the Nation to our allies overseas, especially in time of emergency or war, which is less vulnerable to submarine attack.

(c) To relieve the railroads of the need for maintaining standby rolling stock in order to provide for peak traffic periods.

(d) It will increase the prosperity of a large proportion of the United States—the Great Lakes States—and will inevitably have a like effect on the whole Nation.

(e) It is financially sound and can be made self-liquidating.

(f) It will provide an alternate route for low-cost mass movement of vitally needed iron ore.

(g) It will provide access to shipbuilding and repair facilities in a relatively secure area to supplement coastal shipyards.

(h) It is needed as a reserve route in case of interruption of other routes.

(i) In case of war, it will release the strain on rail transportation and port facilities of the gulf and Atlantic coasts.

In summary, therefore, I shall vote for S. 2150 because it clearly will benefit the people of Cleveland, the State of Ohio, and will serve the best interests of our Nation in time of peace and in the eventuality of war.

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Chairman, I have listened with great care and deep respect to the arguments advanced by the proponents of this new measure to authorize United States participation in the construction of the so-called St. Lawrence Seaway. I say new because it is an old proposition that has been in and out of this Congress for some 20 years; today it is offered in a little different fashion and somewhat streamlined version.

However, despite the forcefulness of its chief advocates, I cannot become convinced that long-standing questions and serious objections have now been adequately answered.

Conscientiously analyzing the evidence presented here, it yet remains factually true the proposed waterway would be frozen and unusable 4 to 5 months of each year. It seems clear to a great many of us this suggested sea lane could not be vital to national defense in time of emergency because of its obviously extreme vulnerability from modern strategic atomic bombing. So far as has been demonstrated here, it would be usable, because of insufficient depth, by oceangoing vessels operating almost exclusively under foreign flags; only 2 percent of American privately owned oceangoing vessels could now use the waterway with the full loads necessary for economically successful operations.

It has been claimed, but not by any means proved, that this waterway construction is necessary in the national interest as the only practical method of developing and moving the ore in Labrador. In that respect, let us keep in mind that the ore is being developed anyway and can be marketed economically by transportation routes already existing. Furthermore, in time of any war, Labrador ore would be needed to supply our eastern steel mills, which it could and would reach without using the waterway even if it were actually in existence. Also, the region bordering the proposed water lane is now being served by a highly modernized network of economic transportation by inland water, highway, rail, and air.

It has been stated with itemized clarity, without contradictory reply, the waterway would inevitably and definitely harm the Atlantic and Gulf ports, the railroads, the coal industry, the independent oil producers, the American merchant marine, and labor serving all of those industries and localities, while it would help primarily a few private steel and ore companies, the port of Montreal, and foreign-vessel owners.

Let us not forget that the proponents of this legislation have insisted this suggested seaway would be self-liquidating, and, if such is true, then this proposition logically would be one to appeal to private investors, and therefore could be financed by bond sales to private investors, rather than from subsidies through further levies upon already overburdened American taxpayers. Canada has expressed its complete willingness to build this project alone, without any expenditure by the United States taxpayers. Therefore, it is most difficult to reasonably justify our debt-ridden Government borrowing money, at great interest, to help promote an expanding Canadian economy, particularly when it would be at the expense of important elements of the United States economy. Of course, the Canadian Government has a perfect right to spend its money in any way it chooses.

Because of the unanswered factual objections, its most doubtful defense contribution, and its substantially vague

merit, it is decidedly difficult to discover overwhelming evidence indicating such a waterway construction is imperatively necessary to our national and local welfare, especially at this time of American economic adjustment.

Many of us dutifully question whether our deficit-plagued Government is in any condition today to make a down payment of $105 million for the beginning of an unproved project. It is widely understood, though perhaps not openly revealed, this amount would be only the first step in the ultimate spending of an estimated $2 billion or more to accomplish the overall objectives of the final seaway plans.

It seems to me that attempting to balance the budget and finding ways to reduce taxes are now of far greater and more immediate importance to the welfare of all the citizens of the United States than impetuous participation by Government borrowing and subsidy in a project of still doubtful and yet unproved primary value. May I urge you, my colleagues, to seriously and carefully consider both sides of this proposal before casting your conscientious vote.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the balance of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The balance of the bill reads as follows:

GOVERNMENT CORPORATION CONTROL ACT

SEC. 6. Section 101 of the Government Corporation Control Act is hereby amended by inserting after the words "Federal Housing Administration" the words "St. Lawrence Seaway Development Corporation."

PAYMENTS IN LIEU OF TAXES

SEC. 7. The Corporation is authorized to make payments to State and local governments in lieu of property taxes upon property which was subject to State and local taxation before acquisition by the Corporation. Such payments may be in the amounts, at the times, and upon the terms the Corporation deems appropriate, but the Corporation shall be guided by the policy of making payments not in excess of the taxes which would have been payable for such property in the condition in which it was acquired, except in cases where special burdens are placed upon the State or local government by the activities of the Corporation or its agents. The Corporation, its property, franchises, and income are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision thereof, but such exemption shall not extend to contractors for the Corporation.

SERVICES AND FACILITIES OF OTHER AGENCIES

SEC. 8. (a) The Corporation may, with the consent of the agency concerned, accept and utilize, on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any data relating to any of the matters within the jurisdiction of the Corporation shall, upon request of the Administrator, make such data available to the Corporation without reimbursement.

(b) The Corporation shall contribute to the civil-service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission, for the Government's share of the cost of the civil-service retirement system applicable to the Corporation's employees and their beneficiaries. The Corporation shall also contribute to the employee's compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of the Corporation's employees. The annual billings shall also include a statement of the fair portion of the cost of the administration of the respective funds, which shall be paid by the Corporation into the Treasury as miscellaneous receipts.

MISAPPROPRIATION OF FUNDS

SEC. 9. (a) All general penal statutes relating to the larceny, embezzlement, or conversion, of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 5 years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than 5 years, or both.

REPORTS TO CONGRESS

SEC. 10. The Corporation shall submit to the President for transmission to the Congress at the beginning of each regular session an annual report of its operations under this act.

SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

RATES OF CHARGES OR TOLLS

SEC. 12. (a) The Corporation is further authorized and directed to negotiate with the St. Lawrence Seaway Authority of Canada, or such other agency as may be designated by the Government of Canada, an agreement as to the rules for the measurement of vessels and cargoes and the rates of charges or tolls to be levied for the use of the St. Lawrence seaway, and for an equitable division of the revenues of the seaway between the Corporation and the St. Lawrence Seaway Authority of Canada. Such rules for the measurement of vessels and cargoes and rates of charges or tolls shall, to the extent practicable, be established or changed only after giving due notice and holding a public hearing. In the event that such negotiations shall not result in agreement, the Corporation is authorized and directed to establish unilaterally such rules of measurement and rates of charges or tolls for the use of the works under its administration: *Provided, however,* That the Corporation shall give 3 months' notice, by publication in the Federal Register, of any proposals to establish or change unilaterally the basic rules of measurement and of any proposals to establish or change unilaterally the rates of charges or tolls, during which period a public hearing shall be conducted. Any such establishment of or changes in basic rules of measurement or rates of charges or tolls shall be subject to and shall take effect 30 days following the date of approval thereof by the President, and shall be final and conclusive, subject to review as hereinafter provided. Any person aggrieved by an order of the Corporation establishing or changing such rules or rates may, within such 30-day period, apply to the Corporation for a rehearing of the matter upon the basis of which the order was entered. The Corporation shall have power to grant or deny the application for rehearing and upon such rehearing or without further hearing to abrogate or modify its order. The action of the Corporation in denying an application for rehearing or in abrogating or modifying its order shall be final and conclusive 30 days after its approval by the President unless within such 30-day period a petition for review is filed by a person aggrieved by such action in the United States court of appeals for the circuit in which the works to which the order applies are located or in the United States Court of Appeals for the District of Columbia. The court in which such petition is filed shall have the same jurisdiction and powers as in the case of petitions to review orders of the Federal Power Commission filed under section 313 (b) of the Federal Power Act (16 U. S. C. 8251). The judgment of the court shall be final subject to review by the Supreme Court upon certiorari or certification as provided in sections 1254 (1) and 1254 (3) of title 28 of the United States Code. The filing of an application for rehearing shall not, unless specifically ordered by the Corporation, operate as a stay of the Corporation's order. The filing of a petition for review shall not, unless specifically ordered by the court, operate as a stay of the Corporation's order.

(b) In the course of its negotiations, or in the establishment, unilaterally, of the rates of charges or tolls as provided in subsection (a), the Corporation shall be guided by the following principles:

(1) That the rates shall be fair and equitable and shall give due consideration to encouragement of increased utilization of the navigation facilities, and to the special character of bulk agricultural, mineral, and other raw materials.

(2) That rates shall vary according to the character of cargo with the view that each classification of cargo shall so far as practicable derive relative benefits from the use of these facilities.

(3) That the rates on vessels in ballast without passengers or cargo may be less than the rates for vessels with passengers or cargo.

(4) That the rates prescribed shall be calculated to cover, as nearly as practicable, all costs of operating and maintaining the works under the administration of the Corporation, including depreciation, payment of interest on the obligations of the Corporation, and payments in lieu of taxes.

(5) That the rates shall provide, in addition, for the Corporation revenues sufficient to amortize the principal of the debts and obligations of the Corporation over a period not to exceed 50 years.

The CHAIRMAN. Are there any amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROWN of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construc-

tion and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes, pursuant to House Resolution 523, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. FALLON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FALLON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FALLON moves to recommit the bill, S. 2150, to the Committee on Public Works.

Mr. DONDERO. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. FALLON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 157, nays 242, answered "present" 2, not voting 33, as follows:

[Roll No. 62]

YEAS—157

Abbitt	Donohue	Latham
Abernethy	Donovan	McConnell
Adair	Dorn, N. Y.	McCormack
Albert	Dowdy	McMillan
Alexander	Durham	Mahon
Auchincloss	Edmondson	Miller, Calif.
Bailey	Fallon	Mollohan
Baker	Fenton	Morano
Barden	Fino	Morgan
Barrett	Fisher	Morrison
Bates	Forrester	Moulder
Beamer	Fountain	Mumma
Bishop	Friedel	Nelson
Boggs	Fulton	Nicholson
Bonin	Garmatz	Norrell
Bonner	Gary	O'Brien, N. Y.
Bosch	Gavin	O'Neill
Bramblett	Gentry	Osmers
Bray	Golden	Patten
Brooks, La.	Goodwin	Perkins
Brooks, Tex.	Granahan	Philbin
Brown, Ga.	Grant	Pilcher
Brownson	Green	Pillion
Burleson	Gregory	Poage
Bush	Hale	Poff
Byrd	Hand	Preston
Byrne, Pa.	Hardy	Reece, Tenn.
Carlyle	Harrison, Va.	Reed, N. Y.
Carrigg	Hart	Rees, Kans.
Chudoff	Hays, Ohio	Regan
Cole, N. Y.	Hébert	Rivers
Colmer	Hyde	Robeson, Va.
Corbett	Ikard	Rogers, Colo.
Cotton	Jarman	Rogers, Mass.
Cretella	Jones, N. C.	Rogers, Tex.
Curtis, Mass.	Kearney	Rooney
Dague	Kee	Sadlak
Davis, Ga.	Kelley, Pa.	St. George
Delaney	Keogh	Saylor
Dempsey	Kilday	Scott
Devereux	Landrum	Seely-Brown
Dies	Lane	Shelley
Sheppard	Taber	Wharton
Shuford	Taylor	Wheeler
Sieminski	Teague	Wigglesworth
Sikes	Thomas	Williams, Miss.
Simpson, Pa.	Thompson, La.	Williams, N. Y.
Small	Thompson, Tex.	Willis
Smith, Kans.	Tuck	Wilson, Tex.
Smith, Va.	Utt	Winstead
Staggers	Van Zandt	Wolverton
Stauffer	Vinson	
Steed	Wampler	

NAYS—242

Addonizio	Gordon	Miller, Nebr.
Allen, Calif.	Gross	Mills
Allen, Ill.	Gubser	Moss
Andersen, H. Carl	Gwinn	Multer
	Hagen, Calif.	Murray
Andresen, August H.	Hagen, Minn.	Natcher
	Halleck	Neal
Angell	Harden	Norblad
Arends	Harris	Oakman
Aspinall	Harrison, Nebr.	O'Brien, Ill.
Ayres	Harrison, Wyo.	O'Brien, Mich.
Becker	Harvey	O'Hara, Ill.
Belcher	Hays, Ark.	O'Hara, Minn.
Bender	Heller	O'Konski
Bennett, Fla.	Heselton	Ostertag
Bennett, Mich.	Hess	Passman
Bentley	Hiestand	Patman
Berry	Hill	Patterson
Betts	Hillelson	Pelly
Blatnik	Hillings	Pfost
Boland	Hinshaw	Phillips
Bolling	Hoeven	Polk
Bolton, Frances P.	Hoffman, Ill.	Powell
	Hoffman, Mich.	Price
Bolton, Oliver P.	Holifield	Priest
	Holmes	Prouty
Bow	Holt	Rabaut
Bowler	Holtzman	Radwan
Brown, Ohio	Hope	Ray
Broyhill	Horan	Rayburn
Buchanan	Hosmer	Reams
Buckley	Howell	Rhodes, Pa.
Budge	Hunter	Riehlman
Burdick	Jackson	Riley
Busbey	Javits	Robsion, Ky.
Byrnes, Wis.	Jenkins	Rodino
Campbell	Jensen	Rogers, Fla.
Canfield	Johnson, Calif.	Roosevelt
Cannon	Johnson, Wis.	Schenck
Carnahan	Jonas, Ill.	Scherer
Cederberg	Jonas, N. C.	Scrivner
Celler	Jones, Mo.	Scudder
Chatham	Judd	Secrest
Chenoweth	Karsten, Mo.	Selden
Chiperfield	Kean	Shafer
Church	Kearns	Sheehan
Clardy	Keating	Short
Clevenger	Kersten, Wis.	Simpson, Ill.
Cole, Mo.	Kilburn	Smith, Miss.
Condon	Kirwan	Smith, Wis.
Cooley	Klein	Spence
Coon	Kluczynski	Springer
Cooper	Knox	Stringfellow
Crumpacker	Kreuger	Sullivan
Cunningham	Laird	Talle
Curtis, Mo.	Lanham	Thompson, Mich.
Curtis, Nebr.	Lantaff	
Davis, Tenn.	LeCompte	Thornberry
Davis, Wis.	Lesinski	Tollefson
Dawson, Ill.	Lipscomb	Trimble
Dawson, Utah	Long	Van Pelt
Derounian	Lovre	Velde
D'Ewart	Lucas	Vorys
Dodd	Lyle	Vursell
Dollinger	McCarthy	Wainwright
Dolliver	McCulloch	Warburton
Dondero	McDonough	Watts
Dorn, S. C.	McGregor	Westland
Eberharter	McIntire	Whitten
Elliott	McVey	Wickersham
Ellsworth	Machrowicz	Widnall
Evins	Mack, Wash.	Wier
Feighan	Madden	Williams, N. J.
Fernandez	Magnuson	Wilson, Calif.
Fine	Mailliard	Withrow
Fogarty	Marshall	Wolcott
Forand	Mason	Yates
Ford	Matthews	Yorty
Frazier	Meader	Young
Frelinghuysen	Merrill	Younger
Gamble	Merrow	Zablocki
Gathings	Metcalf	
George	Miller, Kans.	

ANSWERED "PRESENT"—2

Mack, Ill. Miller, Md.

NOT VOTING—33

Andrews	Bentsen	Chelf
Ashmore	Boykin	Coudert
Battle	Camp	Crosser
Deane	James	Reed, Ill.
Dingell	Jones, Ala.	Rhodes, Ariz.
Doyle	Kelly, N. Y.	Richards
Engle	King, Calif.	Roberts
Graham	King, Pa.	Sutton
Haley	Martin, Iowa	Walter
Herlong	Miller, N. Y.	Weichel
Hruska	Rains	Wilson, Ind.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Graham for, with Mr. Herlong against.

Mr. Miller of Maryland for, with Mr. Martin of Iowa against.

Mr. Reed of Illinois for, with Mr. King of California against.

Mr. James for, with Mr. Haley against.

Mr. Walter for, with Mr. Jones of Alabama against.

Mr. Coudert for, with Mr. Hruska against.

Mr. Battle for, with Mr. Engel against.

Mr. Mack of Illinois for, with Mr. Dingell against.

Mr. Boykin for, with Mrs. Kelly of New York against.

Mr. Ashmore for, with Mr. Rains against.

Mr. Camp for, with Mr. Doyle against.

Mr. Crosser for, with Mr. Roberts against.

Until further notice:

Mr. Rhodes of Arizona with Mr. Andrews.

Mr. Miller of New York with Mr. Richards.

Mr. Weichel with Mr. Deane.

Mr. Wilson of Indiana with Mr. Chelf.

Mr. King of Pennsylvania with Mr. Sutton.

Mr. MILLER of Maryland. Mr. Speaker, I have a live pair with the gentleman from Iowa, Mr. MARTIN. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. MACK of Illinois. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. DINGELL. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BAILEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 158, answered "present" 3, not voting 32, as follows:

[Roll No. 63]

YEAS—241

Addonizio	Bowler	Curtis, Mo.
Allen, Calif.	Brown, Ohio	Curtis, Nebr.
Allen, Ill.	Broyhill	Davis, Tenn.
Andersen, H. Carl	Buchanan	Davis, Wis.
	Budge	Dawson, Ill.
Andresen, August H.	Burdick	Dawson, Utah
	Busbey	Derounian
Angell	Byrnes, Wis.	D'Ewart
Arends	Campbell	Dodd
Aspinall	Canfield	Dollinger
Ayres	Cannon	Dolliver
Becker	Carnahan	Dondero
Belcher	Cederberg	Dorn, S. C.
Bender	Celler	Eberharter
Bennett, Fla.	Chatham	Elliott
Bennett, Mich.	Chenoweth	Ellsworth
Bentley	Chiperfield	Evins
Berry	Church	Feighan
Betts	Clardy	Fernandez
Blatnik	Clevenger	Fine
Boland	Cole, Mo.	Fogarty
Bolling	Condon	Forand
Bolton, Frances P.	Cooley	Ford
	Coon	Frazier
Bolton, Oliver P.	Cooper	Frelinghuysen
	Crumpacker	Gamble
Bow	Cunningham	Gathings

George	Lanham	Rayburn
Gordon	Lantaff	Reams
Gross	LeCompte	Rhodes, Ariz.
Gubser	Lesinski	Rhodes, Pa.
Gwinn	Lipscomb	Riehlman
Hagen, Calif.	Long	Riley
Hagen, Minn.	Lovre	Robsion, Ky.
Halleck	Lucas	Rodino
Harden	McCarthy	Rogers, Fla.
Harrison, Nebr.	McCulloch	Roosevelt
Harrison, Wyo.	McDonough	Schenck
Harvey	McGregor	Scherer
Hays, Ark.	McIntire	Scrivner
Heller	McVey	Scudder
Heselton	Machrowicz	Secrest
Hess	Mack, Wash.	Selden
Hiestand	Madden	Shafer
Hill	Magnuson	Sheehan
Hillelson	Mailliard	Shelley
Hillings	Marshall	Sheppard
Hinshaw	Mason	Short
Hoeven	Matthews	Simpson, Ill.
Hoffman, Ill.	Meader	Smith, Miss.
Hoffman, Mich.	Merrill	Smith, Wis.
Holifield	Merrow	Spence
Holmes	Metcalf	Springer
Holt	Miller, Calif.	Stringfellow
Holtzman	Miller, Kans.	Sullivan
Hope	Miller, Nebr.	Talle
Horan	Miller, N. Y.	Thompson, Mich.
Hosmer	Moss	
Howell	Multer	Thornberry
Hunter	Murray	Tollefson
Jackson	Natcher	Trimble
Javits	Norblad	Van Pelt
Jenkins	Oakman	Velde
Jensen	O'Brien, Ill.	Vorys
Johnson, Calif.	O'Brien, Mich.	Vursell
Johnson, Wis.	O'Hara, Ill.	Wainwright
Jonas, Ill.	O'Hara, Minn.	Warburton
Jonas, N. C.	O'Konski	Watts
Jones, Mo.	Ostertag	Westland
Judd	Passman	Whitten
Karsten, Mo.	Patman	Wickersham
Kean	Patterson	Widnall
Kearns	Pelly	Wier
Keating	Pfost	Williams, N. J.
Kersten, Wis.	Phillips	Wilson, Calif.
Kilburn	Polk	Withrow
Kirwan	Powell	Wolcott
Klein	Price	Yates
Kluczynski	Priest	Yorty
Knox	Prouty	Young
Krueger	Rabaut	Younger
Laird	Radwan	Zablocki

NAYS—158

Abbitt	Fallon	Mumma
Abernethy	Fenton	Neal
Adair	Fino	Nelson
Albert	Fisher	Nicholson
Alexander	Forrester	Norrell
Auchincloss	Fountain	O'Brien, N. Y.
Bailey	Friedel	O'Neill
Baker	Fulton	Osmers
Barden	Garmatz	Patten
Barrett	Gary	Perkins
Bates	Gavin	Philbin
Beamer	Gentry	Pilcher
Bishop	Golden	Pillion
Boggs	Goodwin	Poage
Bonin	Granahan	Puff
Bonner	Grant	Preston
Bosch	Green	Ray
Bramblett	Gregory	Reece, Tenn.
Bray	Hale	Reed, N. Y.
Brooks, La.	Hand	Rees, Kans.
Brooks, Tex.	Hardy	Regan
Brown, Ga.	Harris	Rivers
Brownson	Harrison, Va.	Robeson, Va.
Burleson	Hart	Rogers, Colo.
Bush	Hébert	Rogers, Mass.
Byrd	Hyde	Rogers, Tex.
Byrne, Pa.	Ikard	Rooney
Carlyle	Jarman	Sadlak
Carrigg	Jones, N. C.	St. George
Chudoff	Kearney	Saylor
Cole, N. Y.	Kee	Scott
Colmer	Kelley, Pa.	Seely-Brown
Corbett	Keogh	Shuford
Cotton	Kilday	Sieminski
Cretella	Landrum	Sikes
Curtis, Mass.	Lane	Simpson, Pa.
Dague	Latham	Small
Davis, Ga.	Lyle	Smith, Kans.
Delaney	McConnell	Smith, Va.
Dempsey	McCormack	Staggers
Devereux	McMillan	Stauffer
Dies	Mahon	Steed
Donohue	Mills	Taber
Donovan	Mollohan	Taylor
Dorn, N. Y.	Morano	Teague
Dowdy	Morgan	Thomas
Durham	Morrison	Thompson, La.
Edmondson	Moulder	Thompson, Tex.
Tuck	Wharton	Willis
Utt	Wheeler	Wilson, Tex.
Van Zandt	Wigglesworth	Winstead
Vinson	Williams, Miss.	Wolverton
Wampler	Williams, N. Y.	

ANSWERED "PRESENT"—3

Hays, Ohio	Mack, Ill.	Miller, Md.

NOT VOTING—32

Andrews	Dingell	King, Pa.
Ashmore	Doyle	Martin, Iowa
Battle	Engle	Rains
Bentsen	Graham	Reed, Ill.
Boykin	Haley	Richards
Buckley	Herlong	Roberts
Camp	Hruska	Sutton
Chelf	James	Walter
Coudert	Jones, Ala.	Weichel
Crosser	Kelly, N. Y.	Wilson, Ind.
Deane	King, Calif.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Herlong for, with Mr. Graham against.

Mr. Martin of Iowa for, with Mr. Miller of Maryland against.

Mr. King of California for, with Mr. Reed of Illinois against.

Mr. Haley for, with Mr. James against.

Mr. Hruska for, with Mr. Coudert against.

Mr. Engel for, with Mr. Battle against.

Mr. Dingell for, with Mr. Mack of Illinois against.

Mr. Rains for, with Mr. Ashmore against.

Mrs. Kelly of New York for, with Mr. Boykin against.

Mr. Doyle for, with Mr. Camp against.

Mr. Roberts for, with Mr. Hays of Ohio against.

Mr. Buckley for, with Mr. Crosser against.

Mr. Jones of Alabama for, with Mr. Walter against.

Until further notice:

Mr. King of Pennsylvania with Mr. Andrews.

Mr. Wilson of Indiana with Mr. Deane.

Mr. Weichel with Mr. Richards.

Mr. HAYS of Ohio. Mr. Speaker, I have a live pair with the gentleman from Alabama, Mr. ROBERTS, who has not fully recovered from the recent shooting. Had he been here, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. MILLER of Maryland. Mr. Speaker, I have a live pair with the gentleman from Iowa, Mr. MARTIN. Had he been here, he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. MACK of Illinois. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. DINGELL. If present, he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. CORBETT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mrs. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Mrs. BUCHANAN. Mr. Speaker, the St. Lawrence Seaway is, and has been for many years, a highly controversial issue in my congressional district. Until recent years sentiment has been quite strongly against the project. Now it is more evenly divided, largely due to the development of the Labrador iron ore deposits. Large and influential groups of citizens in the 30th district are now actively promoting the seaway, while other groups fight it, and just as strenuously.

Because of this division of opinion, my decision in voting on this legislation has not been an easy one. I have no inclination to favor any one economic interest in the district over another; I have always tried to vote for what was best for all the people of the district, and all the people of the United States. Since my vote is bound to raise questions in the minds of many of my constituents, I want to make absolutely clear my reasons for voting as I did.

I support the United States participation in the seaway because—

First. This project is going to be built, whether the United States participates officially or not. If not built jointly by the United States and Canada, it will be built by Canada alone. That much is now absolutely certain. It was made clear throughout the hearings before the House Public Works Committee, of which I am a member.

Second. Since this project is going to be built regardless of what the Congress does, I am convinced that America's national self-interest and the self-interest of every industry and business in the United States require that our Government have a full, equal voice in the construction and operation of so important a waterway—a full and equal voice on every aspect of the operation.

I cannot see how any American interest could possibly be served by the complete ownership and sole voice in the operation of the seaway being held by another nation, no matter how friendly.

The situation is not exactly comparable to the Panama Canal because the canal does not constitute a border between the United States and a neighboring nation. If it did—if it were a canal separating the United States and Mexico, I am sure no American would want to see it wholly owned and completely controlled by Mexico.

As far away as it is from our continental borders, we still feel tremendously more secure because the Panama Canal is American-owned and American-operated. Yet it was almost built without our participation. We all agree that would have been a colossal blunder.

I feel the same way about this seaway. If it is going to be constructed in any event, it must be a joint undertaking on which our Government has the power to represent us effectively. I believe the logic of that position is understood even by those who strongly desire that it not be built at all.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UTT. Mr. Speaker, as one who lives far from the territory to be served by the proposed St. Lawrence waterway, I believe that I can view the project more dispassionately than most. I must say I become more mystified at the attitude and behavior of the proponents of the St. Lawrence waterway with each new development in connection with that project. For instance, some year and a half ago when the Canadians renounced the old Executive Agreement of 1941, providing for construction jointly by the United States and Canada but with the United States footing practically the whole bill, and announced their willingness and even their desire to build the waterway alone without any cost to the American taxpayer, I looked for great rejoicing on the part of the proponents. Here at last was the perfect answer to what, in the final analysis, had always caused the Congress to reject or lay aside consideration of the St. Lawerence waterway year after year, namely the tremendous expense to the United States. No approval by Congress would be required and no part of the cost would be borne by the United States, yet the same project would be built and by reason of guarantees in existing treaties American vessels and commerce would have the right to use it on terms of complete equality with Canadian vessels and commerce.

But not at all, instead of rejoicing the proponents talked and acted as though this would be a near calamity and have used this as the newest, and perhaps the weirdest, of all the many different arguments that have been advanced through the years as to why it was urgently necessary that the United States join with Canada in building the waterway.

Many Members of Congress have decried the failure of European countries to expend enough effort and money on their own behalf along with their constant requests for more money and aid from the United States. Then along comes a country that can stand on its own two feet and has the pride and courage to want to do so—that country wants to build in its own country with its own money a project with the unusual characteristic of being available and useful to us on the same terms as to the citizens of that country—and instead of saying "congratulations, more power to you" many Members of Congress are conjuring up silly reasons why this would be hurtful to our national interests. Personally, I think the continuing fight is merely a reflection of a state of mind possessed by many that nobody is capable of doing anything without United States help or else it is because certain individuals feel their pride and prestige is at stake. As I said at the beginning, I am mystified at the attitude and behavior of the proponents of the waterway, particularly those dedicated to the balancing of the budget, the reduction of taxes, or the elimination of unnecessary spending.

Then, Mr. Speaker, along comes another proposal to save the taxpayer from having to bear the cost of the proposed St. Lawrence waterway and this time the reaction from the proponents is violent and almost hysterical. This second proposal to spare the taxpayers the cost of building the works in the St. Lawrence River called for by S. 2150 is a proposal known as the Brownson amendment.

I need not spend any time describing this amendment, as that has already been done. It is sufficient to say that the Brownson amendment would put the financing of the United States share of the St. Lawrence waterway on a genuine revenue-bond basis under which the bonds of the Seaway Corporation would have to be sold directly to the public without any guaranty of principal or interest by the Federal Government or any agency thereof. This would put the financing of the proposed waterway on the same basis as toll bridges and toll roads in California. Under our California Toll Bridge Authority Act it is provided, by section 30235, that—

> Bonds issued pursuant to this chapter shall not constitute or be a debt, liability, or obligation of the State.

It further provides that—

> The payment of both principal and interest of all bonds shall be secured only by the tolls or other revenues collected from the particular toll bridge or other highway crossing for which the bonds were issued, other revenues and interest thereon, and sinking funds created therefrom received by the Authority.

I hear proponents maintaining that it is not feasible to build projects through the issuance of bonds that do not constitute a lien on any particular property but are dependent solely upon the revenue from the project. This clearly is not so where the investors are convinced that the project has been carefully planned and thought out and will produce adequate revenues. On this basis, hundreds of millions of dollars of bonds have been quickly and easily sold to the investing public by the California Toll Bridge Authority. If the investing public has faith in the cost estimates of the Army engineers and the revenue estimates of the Department of Commerce, there should not be the slightest difficulty in marketing revenue bonds of the St. Lawrence Seaway Corporation for the purpose of building the works called for by S. 2150. According to the estimates of the Department of Commerce, the revenues from the project are expected to be 2½ times the annual cost of the project, including not only the cost of operation and maintenance, but interest and amortization on the investment. No one ever contended that the provision of our California statutes requiring the financing of the construction of toll bridges by revenue bonds was a means of killing such projects, but rather it is looked upon as a means of insuring that only sound projects will be constructed. The opponents of the St. Lawrence waterway maintain that the costs will greatly exceed the estimates of the Army engineers and that the revenues from the project will be far less than the amount estimated by the Department of Commerce, and that as a consequence, the waterway could never be self-liquidating and will be an economically unsound project.

There is a very easy way to determine which side in this controversy is correct and that is to leave it up to the private investor to determine whether he will buy revenue bonds for the purpose of raising money to construct the project. If the project is considered sound by the investors, there will be no delay whatsoever in raising the amount of money required. On the other hand, if they do not believe the project is economically sound, not only will there be delay, but in all probability the bonds will never be sold and the project will never be built by the United States, and that is exactly as it should be.

When you consider that the endorsement of this project by the Cabinet and by the President himself was on the assumption that the project would be self-liquidating and economically sound, it seems to me entirely reasonable and consistent to put this one fact to the best known practical test, and I know of no better practical test than the judgment of private investors.

In addition to the unsound argument about delay resulting from the use of revenue bonds, the proponents have said that the use of revenue bonds is impractical as a means of constructing an international project. Again the proponents are on very weak ground because the works to be constructed pursuant to S. 2150 are to be entirely on the United States side and the project has an international aspect only by reason of the fact that Canada plans to build works of a comparable nature in the section of the river that lies wholly in Canada. The only truly international part of the project is in the construction of the dams and the powerplant. These structures constitute single physical entities running across the international boundary and requiring international cooperation, and yet the portion of the work to be done by the New York Power Authority, an agency of the State of New York, is to be done with money raised through the issuance of revenue bonds by the New York Power Authority. These bonds will not be backed by the faith and credit of the State of New York .

In short, it is entirely clear to me that the objections raised by the proponents to the use of the revenue-bond method is nothing more than a showing of complete lack of faith in the soundness of the project they advocate having built with funds of the Federal Government. Actually, Mr. Speaker, it is the attitude of the proponents toward the Brownson amendment that has weighed more heavily with me in reaching the determination that the St. Lawrence waterway project would be economically unsound than any other single bit of evidence.

Mr. KERSTEN of Wisconsin. Mr. Speaker, the St. Lawrence Seaway has finally become a reality. This represents one of the most important accomplishments of the present Republican administration. The seaway will mean more jobs and more business for the people of Milwaukee.

The bill which has now passed both the Senate and the House creates the St.

Lawrence Seaway Development Corporation, which will cooperate with Canada in building and maintaining a 27-foot-deep channel to the Atlantic Ocean. Estimated total cost to the United States: Only $105 million.

The St. Lawrence Seaway has been dreamed of for more than a century. In 1895 Canada and the United States set up a Deep Waterway Commission to study the seaway problem. This body reported on it favorably as did many other commissions which have been created since.

Finally in 1932 a seaway treaty was negotiated by Canada and the United States. The treaty was defeated in the Senate in 1934.

In 1941 another agreement was made with Canada but World War II deferred any action on it.

In 1946 the Senate Foreign Relations Committee presented another bill to the Senate but no action was taken on it.

In 1947 another bill to construct the seaway was defeated in the Senate.

In 1952 the Senate again took up the matter of the seaway and again it defeated the measure.

Now finally, in 1954, with a Republican administration and a Republican Senate and a Republican House, the seaway bill has been enacted.

We in Milwaukee are probably only partially aware of the great boon a deep channel to the ocean will be to us. On products we buy from abroad, it will mean lower prices for us as consumers. On products which we sell, it will improve the competitive position of Milwaukee industry with respect to other industries throughout the United States and the world.

The increased traffic through our port will mean more business and more jobs for Milwaukee.

Milwaukee, as the closest transfer point between Europe and South America and the agricultural Midwest, could become the most important port on the Great Lakes.

Furthermore, thanks to the keen foresight of the municipal port director, Mr. H. C. Brockel, and our other Milwaukee city officials, the Milwaukee port is well equipped to handle the expected increase in traffic which will result from the construction of the seaway.

Milwaukee has long prepared itself for the advent of the St. Lawrence Seaway and now has adequate pier and shore frontage right on Lake Michigan with adequate access by both the Chicago & North Western and the Milwaukee Road, and by trucks. Milwaukee could become the port for Chicago traffic.

We all know that Chicago has developed practically all its entire waterfront into a parkway and will have a difficult time reconverting in order to handle oceangoing vessels.

Even today, many goods destined for Chicago are unloaded here in Milwaukee because Milwaukee has the equipment to unload various types of vessels. For instance, Milwaukee has a gantry crane with a 70-ton capacity which is capable of unloading and loading the heaviest cargoes.

It is thus possible that Milwaukee could become the port to handle the goods coming and going from all of Wisconsin, Illinois, Iowa, Missouri, and the entire breadbasket of the plains States. This could develop many new businesses and jobs for our Milwaukee people in handling this great increase in traffic.

Thus, the St. Lawrence Seaway may be the most important economic factor in the development of Milwaukee and Wisconsin since the first barrel of beer was rolled out of the aging caverns on the bluffs overlooking the Milwaukee River.

Mr. WOLVERTON. Mr. Speaker, the arguments made for and against the bill now pending before the House for the construction of the St. Lawrence Seaway have been numerous and varied. I have recognized the necessity of giving more than usual care and consideration in determining the relative merits of these differing viewpoints.

After giving full consideration to the matter, I am convinced that the development of the St. Lawrence Seaway, as provided for in the bill now before us, would not be advisable at this time for the following reasons:

First. Its development would adversely affect the welfare of each of the North Atlantic ports and other existing seaports of the Nation through the diversion of traffic from them, thus nullifying the usefulness of facilities and equipment in which billions of dollars have been invested to provide for the efficient and economical handling of waterborne commerce. Two wars have shown the vital need for strong seaports. To weaken these ports by the construction of the St. Lawrence Seaway with all its inadequacies and limitations would not promote the national defense.

Many of the North Atlantic port facilities are maintained by municipal and State agencies at a cost of many millions annually. They are not large revenue producers. In these ports there are also huge private investments in piers, terminals and other harbor facilities, which likewise provide only a small return on the investment represented. Any diversion of traffic from these facilities is quickly reflected in operating results. Even the loss of a small percentage of the traffic now moving through these ports would spell the difference between profitable and nonprofitable operation.

These ports, which handled the tremendous volume of traffic in support of our Armed Forces and of our allies during the war should be kept in healthy and efficient operating condition. This can be done only by maintaining an adequate and steady movement of commerce.

Second. The utilization of port facilities and the employment of labor would be subject to fluctuating seasonal demands for the proposed seaway would be usable only 7 months of the year. For 5 months it would be choked by ice. Yet these seaport facilities must be maintained in maximum operating capacity to meet the peak requirements of the 5-month winter season, despite the inevitable losses incurred in the remaining 7 months. In this regard we would direct attention to the fact that in the New York area alone, an area of some 14 million people, it has been estimated that 1 out of every 10 people earn their livelihood from the movement of waterborne commerce. Similar conditions prevail at all North Atlantic ports and therefore any action which would affect this vast working segment of our Nation can only result in a severe economic impact upon the Nation as a whole.

Third. The same problem faces the railroads. The amount of traffic claimed by proponents that would be diverted to the waterway would seriously affect the interests of existing railroad transportation without compensating benefits to shippers or other interests. These existing land transportation facilities would have to be maintained at a high operating level to meet peak requirements during the 5-month winter season when the waterway is closed to navigation, although they would be confronted with a new source of competition during the 7-month open season of navigation. It is evident that efficient ports can remain efficient only so long as a strong rail transportation machine backs them up.

Fourth. Less than 4 percent of existing American-flag vessels, and none of the American ships now being built could, fully loaded, transit the proposed 27-foot seaway channel. Only foreign-flag shipping would benefit and do so at the expense of the American merchant marine. The experience of World War II emphasizes the importance of a strong American merchant marine and therefore any action which would jeopardize this position is neither in the best interests of the Nation nor those engaged in foreign commerce.

Fifth. The project is labeled as being in the interest of national security. However, it probably could not be militarily defended if constructed. As is well known, canals and locks are most vulnerable objects of air attack and the destruction of a single segment could put the entire seaway out of commission. Such an event could be disastrous to our national defense, particularly if a number of vessels, so vital in the event of war, were bottled up in the Great Lakes.

Sixth. There can be no basis for the contention of the proponents that this project would be self-liquidating because they have no idea, in the first place, of just what part it is they plan to make self-liquidating. The amendment adopted by the House Public Works Committee does not make it self-liquidating. It only provides that the revenues from the project would be earmarked for the retirement of the project's indebtedness. An amendment offered in the Public Works Committee by Congressman BROWNSON, of Indiana, which was turned down by a voice vote, but which is to be presented on the floor, would take care of the self-liquidating controversy in that the bonds would have to be sold on the market without Government guaranty. As the bill now stands the bonds would be sold to the Treasury, and therefore would be Government bonds.

Seventh. The present bill, which contemplates an expenditure of over $100 million is but a limited part of the total project as envisioned by the proponents and is merely an effort on their part to get "the foot inside the door." The inadequacies and limitations surrounding the proposed 27-foot seaway channel are

shown in paragraph designated fourth above and need not be repeated here. It suffices to observe that the seaway as proposed is virtually obsolete before construction and that it is reasonable to expect that authorization for a deeper channel will be sought should the 27-foot channel be authorized. In addition, many more Federal millions would be necessary in order to make the harbors of the Great Lakes ports and the connecting channels suitable for oceangoing ships. The Army engineers in 1950 estimated the cost of the complete waterway to this country as about $600 million. This first $100 million would be but the opening wedge for a subsidy which would grow and grow so that the initial sum would shrink into relative insignificance.

Mr. KLUCZYNSKI. Mr. Speaker, I speak in behalf of S. 2150, to provide for the construction of the St. Lawrence Seaway project.

I voted in committee to report this bill for two reasons: First, because I believe the purpose of the legislation—to provide a large navigable channel in the St. Lawrence River—is meritorious; and, second, because I feel that the membership of the House of Representatives should have an opportunity to express itself one way or the other on the project.

For more than 50 years efforts have been made to provide effective navigation and power facilities in the St. Lawrence River. These efforts had the support of many Presidents of the United States, Democrat and Republican alike. The drive to enact legislation for the seaway gained momentum when President Franklin D. Roosevelt, on March 19, 1941, caused to be negotiated a seaway agreement with Canada which, by way of ratification, required but a majority vote of both the Senate and House instead of the two-thirds majority of the Senate required by treaties. But the enacting legislation was not reported from committee.

In 1947, in another effort to get the bill from committee, the suggestion was made that the navigation part of the project be made self-liquidating by charging tolls for passage through the locks. The committee, however, did not report the proposal.

Renewed efforts for approval of the project were made during the 1st and 2d sessions of the 82d Congress under the sponsorship of President Harry Truman. One bill called for approval of the March 19, 1941, seaway agreement by a majority vote of both Houses. Lengthy hearings were held on this and other suggested procedures. No legislation was reported.

Bills introduced in the past provided for both navigation and hydroelectric power facilities. However, New York State is willing to assume the power's construction costs, leaving the navigation to Canada and the United States, so the bill now before us is limited to the deep-water navigation facilities. The hydroelectric part of the project will be built by the State of New York under a license granted by the Federal Power Commission, which means that power quite properly will be distributed according to the provisions of the Federal Power Act.

Canada has made clear that she intends to put in the navigation on her own if we do not join her. The question to be decided, therefore, is whether the United States will join with its neighbor on the north in the construction and operation of this great international waterway or whether we will permit Canada to do the job alone and have entire control over the St. Lawrence waterway traffic.

The navigation facilities provided in S. 2150 will help to give Canada and the United States a new seacoast more than 2,500 miles long and will open up major ports on the Great Lakes to oceangoing traffic, including Buffalo, Cleveland, Toledo, Detroit, Duluth, Milwaukee, and my own city of Chicago.

The seaway will be a valuable aid in the shipment of iron ore from the mines in Labrador to the steel mills of the Middle West. The critical iron ore situation is largely responsible for the fact that many former opponents of the project have changed their position and are now supporting the seaway.

A developed St. Lawrence River will prove a boon to Midwest manufacturers who will use its facilities to ship their wares cheaply and export them to other countries. The auto industry and the steel mills in particular will benefit by the new transportation route.

I am convinced that this waterway project will benefit industry and agriculture, that it will open up many new seaports and act as a stimulant to commerce and trade generally. I look for a tremendous increase in commerce and business, not only in the Great Lakes area, but throughout the Nation if this project is approved. Its benefits far outweigh any disadvantages claimed by its opponents. I urge the Congress to approve the project on a self-liquidating basis as provided in the bill reported by the House Committee on Public Works and utilize to the fullest extent the great natural resources which are available to us—the Great Lakes and the St. Lawrence River.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the call of the calendar, in order on Wednesday next, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZATION TO SIGN ENROLLED BILLS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I take this time in order to inquire of the gentleman from Indiana [Mr. HALLECK] what we may expect in the way of legislation for next week.

Mr. HALLECK. Mr. Speaker, it appears at the moment as though a conference report from the Committee on Appropriations may be called up yet this evening. I thought it well to state that before the Members leave.

Next Monday is District day, and I understand there is one bill ready for action, S. 2305, having to do with safety and responsibility with respect to automobile insurance.

Then on Monday and Tuesday we expect to go on with the bill (S. 984) making provision for judicial review of certain Tax Court decisions. A rule has been adopted on that measure, so we will be ready for the general debate and final action on the bill.

We shall also take up the bill (H. R. 2556) to amend the United States Code relative to the extradition of fugitives in the United States. That has also heretofore been scheduled for action.

We hope that on Monday a rule may be granted on the bill (H. R. 573) prohibiting lithographing on envelopes, and the bill (S. 2846) to amend certain provisions of the Securities Act of 1933.

We hope to reach those on Tuesday. Also, it is possible that on Tuesday certain contempt citations, which have been ordered by the Committee on Un-American Activities may be taken up.

There is also the possibility of a conference report being taken up on the District public-works bill, which would, of course, be in order at any time. We are hoping that on Tuesday rules will be granted so that on Wednesday and the balance of the week we can take up the following bills: H. R. 7601 providing for a White House conference on education, H. R. 7434 establishing a National Advisory Committee on Education, and H. R. 9040 to authorize cooperative research in education. I might say that those three bills are part of the administration's program and have been reported by the Committee on Education and Labor, and we hope to reach them.

As is obvious, we have a considerable number of bills for action next week and it is sincerely hoped that we may proceed to consider them and act upon them.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 5 minutes today, following the legislative business and any special orders heretofore entered.

COMMITTEE ON EDUCATION AND LABOR

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tomorrow night to file reports on certain bills.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SPECIAL ORDER GRANTED

Mr. PHILBIN asked and was given permission to address the House for 30 minutes today, following the legislative business and any special orders heretofore entered.

PAY LEGISLATION

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I was pleased to note that steady progress is being made concerning pending legislation providing for pay raises for postal workers and Government employees in general.

There is unquestionably great need for this legislation and I hope that my good, illustrious friend, the distinguished gentleman from Kansas [Mr. REES], may soon be successful in his long-continued earnest efforts to report these measures to the House. I appreciate that he and his distinguished committee have given the matters most careful, painstaking, and extended consideration.

Even a cursory review of national price levels and wage increases since the base year 1939 will unmistakably indicate that the pay of postal workers and Government employees as a class has lagged behind the national averages by a substantial degree.

Every Member here is familiar with the many wage and salary increases that have taken place in private industry since 1939, particularly during and since the war. While it is true that postal workers and Government employees have enjoyed about four different raises, the average pay as measured against prices, cost-of-living indexes, and the advance in private wages and salaries during that period, falls considerably short of the standards prevailing in private industry. The cold figures will amply bear out that statement.

Postal and Government workers labor under many disadvantages and unfavorable features. To begin with, they are necessarily a part of the largest bureaucratic system in the world subject to the many curious and unpredictable whims and caprices of their various superiors who shift and change direction and policy sometimes with startling speed. While they are led to believe their jobs are secure, they often find that because of changes in administration and states of mind, they appear to have actually less security in their jobs than any group in the Nation. Moreover, they frequently must work and live in an atmosphere surcharged with factionalism, favoritism, petty administrative bickering, and personal envies and animosities. All these are decidedly unfavorable and unpalatable features of Government work. It is regrettable that so many fine, loyal, efficient, splendid workers must be visited with such conditions while they uncomplainingly and faithfully render outstanding meritorious service to the Government and the Nation.

Perhaps the Congress cannot fully correct these conditions though it should certainly strive by every means to improve them. But the Congress can, should, and must bring their pay up to the national standard and enable them to secure equal benefits from their wholehearted, devoted labors as their contemporaries in private industry.

I urge that adequate pay raises for postal and Government workers be voted as soon as possible.

SPECIAL ORDER GRANTED

Mr. FEIGHAN asked and was given permission to address the House today for 10 minutes, following any other special orders heretofore entered and to revise and extend those remarks.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1954

Mr. TABER. Mr. Speaker, I call up the conference report on the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1562)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 11, 12, 15, and 27.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 10, 14, 16, 18, 21, 22, 29, and 30 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,537,500"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$20,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 6, 7, 8, 9, 13, 17, 19, 23, 24, 25, 26, and 28.

JOHN TABER,
R. B. WIGGLESWORTH,
CLIFF CLEVENGER,
CLARENCE CANNON,
JOHN J. ROONEY,
Managers on the Part of the House.

STYLES BRIDGES,
HOMER FERGUSON,
GUY CORDON,
LEVERETT SALTONSTALL,
CARL HAYDEN,
RICHARD B. RUSSELL,
PAT MCCARRAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

District of Columbia

Amendment No. 1: Appropriates $1,537,500 for "General administration, supervision and instruction", public schools, instead of $1,500,000 as proposed by the House and $1,575,000 as proposed by the Senate.

Amendment No. 2: Appropriates $24,000 for "Vocational education, George-Barden program", as proposed by the House instead of $24,500 as proposed by the Senate.

Amendment No. 3: Reported in disagreement.

Amendment No. 4: Appropriates $29,625 for settlement of claims and suits, as proposed by the Senate, instead of $21,625 as proposed by the House.

CHAPTER II

Legislative branch

Amendment No. 5: Inserts title, as proposed by the Senate.

Amendments Nos. 6, 7, and 8: Reported in disagreement.

CHAPTER III

Department of State

Amendment No. 9: Reported in disagreement.

Department of Commerce

Amendment No. 10: Appropriates $29,500,000 for "Operating-differential subsidies", Maritime Activities, as proposed by the Senate instead of $19,500,000 as proposed by the House.

Amendment No. 11: Strikes out the proposal of the Senate to transfer funds from the appropriation "War Shipping Administration Liquidation, Treasury Department".

Amendment No. 12: Strikes out Senate proposal to appropriate $30,000 for Advisory Committee on Weather Control.

CHAPTER IV

Treasury Department

Amendment No. 13: Reported in disagreement.

CHAPTER V

Department of Labor

Amendment No. 14: Appropriates $12,100,000 for "Grants to States for unemployment compensation and employment service administration" as proposed by the Senate, instead of $14,500,000 as proposed by the House.

Amendment No. 15: Restores House language relating to the foregoing amendment limiting the manner in which the appropriation can be spent.

Amendment No. 16: Appropriates $24,400,000 for "Unemployment compensation for veterans" as proposed by the Senate, instead of $5,500,000 as proposed by the House.

Department of Health, Education and Welfare

Amendment No. 17: Reported in disagreement.

Amendment No. 18: Appropriates $58,000,000 for "Grants to States for public assistance", as proposed by the Senate, instead of $57,300,000 as proposed by the House, and eliminates the House restriction on the amount that shall be available for state and local administration.

CHAPTER VI

Department of Agriculture

Amendment No. 19: Reported in disagreement.

Amendment No. 20: Increases the amount that may be used for administrative expenses of the Commodity Credit Corporation to $20,000,000, instead of $19,100,000 as proposed by the House, and $20,100,000 as proposed by the Senate.

CHAPTER VII

Department of the Interior

Amendment No. 21: Inserts title as proposed by the Senate.

Amendment No. 22: Appropriates $138,000 for "Operation and maintenance, Southeastern Power Administration", as proposed by the Senate.

Amendment No. 23: Reported in disagreement.

CHAPTER VIII

Executive Office of the President

Amendment No. 24: Reported in disagreement.

Independent offices

Amendment No. 25: Reported in disagreement.

CHAPTER IX

Department of Defense—Civil Functions

Amendment No. 26: Reported in disagreement.

CHAPTER X

Department of Defense

Amendment No. 27: Strikes out the Senate proposal for rehabilitation of certain buildings at the United States Military Academy.

CHAPTER XI

Claims for damages, audited claims, and judgments

Amendment No. 28: Reported in disagreement.

CHAPTER XII

General provisions

Amendments Nos. 29 & 30: Change chapter and section numbers, as proposed by the Senate.

JOHN TABER,
R. B. WIGGLESWORTH,
CLIFF CLEVENGER,
CLARENCE CANNON,
JOHN J. ROONEY,
Managers on the Part of the House.

The SPEAKER. The gentleman from New York [Mr. TABER] is recognized for 1 hour.

Mr. TABER. Mr. Speaker, most of the items included in the conference report are items where the disagreement was minor or related to some amount involved. Anything that might create particular interest is in the items in disagreement to which I will refer later, where we have some amendments which we will have to bring in.

I think that is all I care to say at this time.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. ROONEY. Would the gentleman advise the House the amounts carried in this conference report as compared with the amounts when it passed the House.

Mr. TABER. I do not have those figures at hand, but I will place them in my remarks.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. MAHON. There is a great deal of interest in the areas of the country where we have had prolonged droughts. In amendment No. 19, which involves this matter——

Mr. TABER. That is in disagreement. I would rather not discuss that until we come to it. When it comes up and we offer the amendment which we have agreed to offer, I will yield to the gentleman for any questions he would like to ask at that point.

Mr. MAHON. Then there is a proposed amendment that will be different from the language in the bill?

Mr. TABER. There is.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. In the proposed amendment under amendment No. 19——

Mr. TABER. Suppose we leave that until we get to it. It will be much better to get rid of the conference report first.

Mr. H. CARL ANDERSEN. I think the gentleman from Texas [Mr. MAHON] has a wrong conception of what may be embodied in that particular amendment.

In the amendment as contained in the bill there is no date; is there?

Mr. TABER. No.

Mr. H. CARL ANDERSEN. But under the amendment to be proposed by the gentleman from New York I understand that any farmer who has done any work prior to April 30 is not eligible to receive any of these particular sums of money. Is that not correct?

Mr. TABER. That would be correct; yes.

Mr. H. CARL ANDERSEN. I just want the gentleman from Texas [Mr. MAHON] to understand the situation.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Missouri.

Mr. CANNON. That point will later be brought up following the adoption of the conference report, as I understand.

Mr. TABER. The amendments in disagreement will be brought up separately where there is any possible chance of disagreement, and amendments will be offered, and I will be prepared to yield at that time as reasonable as possible to bring about a full understanding of just what is before the House.

Mr. CANNON. I am glad the gentleman is going to remedy that defect of the bill, because I heartily approve the position taken by the gentleman from Minnesota, chairman of the Subcommittee on Agricultural Appropriations.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

Mr. TABER. Mr. Speaker, I ask unanimous consent to consider en bloc the amendments on which the House managers will offer a motion to recede and concur, as follows: Senate amendments Nos. 3, 6, 7, 8, 13, 23, 25, 26, and 28.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Senate amendment No. 3: Page 3, line 1:

PUBLIC WELFARE

"Agency services

"For an additional amount for 'Agency services', $60,000, to be derived by transfer from the appropriation for 'Operating expenses, protective institutions, Public Welfare', fiscal year 1954."

Senate amendment No. 6: Page 5, line 16:

"For payment to Erma E. Griswold, widow of Dwight Griswold, late a Senator from the State of Nebraska, $12,500."

Senate amendment No. 7: Page 5, line 19:

"Salaries, officers, and employees

"Office of Sergeant at Arms and Doorkeeper: Effective May 1, 1954, the appropriation for salaries of officers and employees of the Senate contained in the Legislative Branch Appropriation Act for the fiscal year 1954 is made available for the compensation of seven additional pages at the basic rate of $1,800 per annum each."

Senate amendment No. 8: Page 6, line 1:

"Contingent expenses of the Senate

"Motor vehicles: For an additional amount for maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $4,275 to be derived by transfer from the appropriation for 'Folding Documents', fiscal year 1954."

Senate amendment No. 13: Page 10, line 22:

"The unobligated balance of the lapsed appropriation of the Bureau of Narcotics available for the payment of salaries and expenses for the fiscal year 1948, shall be available for payment of claims settled by the General Accounting Office and otherwise chargeable to appropriations for the fiscal year 1949."

Senate amendment No. 23: Page 17, line 23:

"Office of Territories

"For an additional amount for 'Construction, Alaska Railroad', for the authorized work of the Alaska Railroad, including improvements and new construction, to remain available until expended, $4,594,000: *Provided*, That funds appropriated under this head may be transferred to the Alaska Railroad Revolving Fund for purposes of accounting and administration."

Senate amendment No. 25: Page 19, line 9:

"Office of the Administrator

"Salaries and expenses: In addition to amounts appropriated under this head, the Administrator may transfer to this appropriation from any other funds available for administrative expenses, not to exceed $50,000, for expenses of investigations of irregularities or abuses in connection with the administration of programs of mortgage and loan insurance as authorized by the National Housing Act, as amended (12 U. S. C. 1701)."

Senate amendment No. 26: Page 21, line 9, strike out all of lines 9 to 15 and insert in lieu thereof the following: *"Provided further,* That with the exception of certain necessary preliminary expenses, no part of these funds shall be obligated until agreement has been entered into, by the United States Government and the United States entity authorized to construct the power works in the International Rapids section of the St. Lawrence River, providing for the reimbursement of the expenditures (including necessary preliminary expenses) of the United States section of this Board by the construction entity."

Senate amendment No. 28: Page 23, line 9:

"CHAPTER XI

"CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS

"For payment of claims for damages as settled and determined by departments and agencies in accord with law, audited claims certified to be due by the General Accounting Office, and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in Senate Document No. 110, 83d Congress, $1,553,745, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or in certain of the settlements of the General Accounting Office or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided,* That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further,* That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than 30 days after the date of approval of this act."

Mr. TABER. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 3, 6, 7, 8, 13, 23, 25, 26, and 28 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 8, line 14, insert the following:

"INTERNATIONAL CONTINGENCIES

"For an additional amount for 'international contingencies', $200,000, to be derived from transfer from 'Government in occupied areas', fiscal year 1954."

Mr. TABER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"INTERNATIONAL CONTINGENCIES

"For an additional amount for 'International contingencies,' $175,000, to be derived by transfer from 'Government in occupied areas,' fiscal year 1954."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 12, strike out lines 22 to 25, inclusive, and on page 13, strike out lines 1 to 7, inclusive, and insert the following:

"For an additional amount for grants to local educational agencies in federally affected areas as authorized by section 209 (c) of Public Law 815, 81st Congress, as amended by section 2 (e) of Public Law 246, 83d Congress, including not to exceed $250,000 for necessary expenses of technical services rendered by other agencies, $55,000,000, to remain available until expended: *Provided,* That unpaid entitlements, reduced to the extent requests therefor are not filed before October 1, 1954, shall be paid on a pro rata basis if the amount herein appropriated for grants is not enough to cover all such entitlements: *Provided further,* That applications which meet the requirements of section 205 of such Public Law 815 may be amended not later than December 31, 1954, to (1) substitute a different project or (2) substitute a reimbursement request based upon construction of the original project under a contract entered into before the date of enactment of this act or upon construction of other facilities under a contract entered into before such date and after June 30, 1952, and in either case the adequacy requirements in subsection (c) (1) of such section 205 shall not apply."

Mr. TABER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment as follows: In lieu of the matter stricken and proposed to be inserted by said amendment insert the following:

"For an additional amount for grants to local educational agencies in federally affected areas as authorized by section 209 (c) of Public Law 815, 81st Congress, as amended by section 2 (e) of Public Law 246, 83d Congress, including not to exceed $125,000 for necessary expenses of technical services rendered by other agencies, $55,000,000, to remain available until April 1, 1955: *Provided,* That unpaid entitlements, reduced to the extent requests therefor are not filed before October 1, 1954, shall be paid on a pro rata basis if the amount herein appropriated for grants is not enough to cover all such entitlements: *Provided further,* That applications which met the requirements of section 205 of such Public Law 815 may be amended not later than December 31, 1954, to (1) substitute a different project or (2) substitute a reimbursement request based upon construction of the original project under a contract entered into before the date of enactment of this act or upon construction of other facilities under a contract entered into before such date and after June 30, 1952, and in either case the adequacy requirements in subsection (c) (1) of such section 205 shall not apply: *Provided further,* That the foregoing substitutions herein permitted shall not cost more than the project originally filed for."

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I looked over that amendment yesterday and I thought there was a conflict there. You are making the deadline for clearing applications as of December 31 of this year and you are also stopping the payments as of that time.

Mr. TABER. No.

Mr. BAILEY. Was any change made in that?

Mr. TABER. The date of payment is made April 1, 1955.

Mr. BAILEY. That is all right if you gave them time.

Mr. TABER. We did.

Mr. BAILEY. At the time it was not in there, and I thank the gentleman very much.

Mr. TABER. I may say that I had this up with the chairman and the ranking minority member of the Committee on Education and Labor and they have approved the suggestion. We went over the thing and we worked that out together.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: On page 14, line 21, insert the following:

"AGRICULTURAL CONSERVATION PROGRAM

"For an additional amount for 'Agricultural conservation program', in addition to the program authorized under this head for 1954, under the Department of Agriculture Appropriation Act, 1954, $15 million to remain available until December 31, 1955, to enable the Secretary of Agriculture to make payments to farmers who carry out emergency wind erosion control measures under the 1954 agricultural conservation program, including payments for such protective measures carried out by farmers on adjacent or nearby lands of other farmers, in counties designated by the governors of the respective States with the approval of the Secretary of Agriculture as subject to damages by excessive wind erosion during 1954: *Provided,* That the payments for such emergency wind erosion control measures shall not exceed the cost per acre of the practices or a total of $1 per acre, whichever is smaller, and that such payment may be made only upon a finding by the county agricultural stabilization and conservation committee that the land treated by control measures has been subject to excessive wind erosion in 1954 and is in danger of further such erosion during 1954 and certification by the county committee that the recommended control measures have been performed: *Provided further,* That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h (e)), and may be distributed among States and individual farmers without regard to any other provision of law."

Mr. TABER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate

numbered 19, and concur therein with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 19, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"AGRICULTURAL CONSERVATION PROGRAM

"For an additional amount for 'Agricultural conservation program', in addition to the program authorized under this head for 1954, under the Department of Agriculture Appropriations Act, 1954, $15 million to remain available until December 31, 1955, to enable the Secretary of Agriculture to make payments to farmers who carry out emergency wind erosion control measures under the 1954 agricultural conservation program after April 30, 1954, in counties designated by the governors of the respective States with the approval of the Secretary of Agriculture as subject to damages by excessive wind erosion during 1954: *Provided*, That the payments for such emergency wind erosion control measures shall not exceed the cost per acre of the practices or a total of $1.25 per acre, whichever is smaller: *Provided further*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590 h (e)), and may be distributed among States and individual farmers without regard to any other provision of law: *Provided further*, That this appropriation may be used to reimburse the emergency fund of the President authorized by Public Law 875, 81st Congress (42 U. S. C. 1855), for such funds as have been allocated to the Secretary of Agriculture for payments for the specific purposes authorized herein."

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Speaker, I offer an amendment.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Colorado for the purpose of offering an amendment?

Mr. TABER. I do, Mr. Speaker.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HILL: In lieu of the date of "April 30, 1954" mentioned in the motion of the gentleman from New York, insert "March 30, 1954."

Mr. HILL. Mr. Speaker, all this amendment does is to strike out the date April 30, 1954, and insert in lieu thereof March 30, 1954, which will give these farmers who have been trying to save their land in the Dust Bowl an opportunity to receive credit for work they have done since the 30th of March in place of using the date the 30th of April. Our winds, I hope, are about over at this time. The real strong winds that carry away this soil and actually spoil the crops and do the damage usually come late in February and through March. As I say, this amendment will give them credit for all the work they have done beginning March 30, 1954. Frankly the bill, I felt, should have been made retroactive to February 19 when the first disastrous windstorm occurred. However I appreciate the kindness of Chairman TABER in accepting my amendment placing the beginning of operating date for soil protection as of March 30, 1954, in lieu of April 30, 1954.

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, I appreciate the fact that the chairman of the full Committee on Appriations has agreed to the amendment offered by the gentleman from Colorado. This will help to undo what would otherwise be a serious injustice if the date April 30 remained unchanged. It does not go as far as I would like to see it go, back to February 19, the day of the big storm, but at least it will give the farmers who performed the work during the month of April an opportunity to be reimbursed in part for that work. Many thousands have done their share voluntarily and should not be penalized after showing their willingness to cooperate.

Mr. CANNON. Mr. Speaker, if the gentleman will yield, I would like to inquire of the gentleman from Minnesota, to leave the date as it is here would serve to penalize those who have endeavored to help themselves and who are really entitled to the largest benefits under this bill.

Mr. H. CARL ANDERSEN. That is correct. As I have said, those who have gone ahead on their own will suffer if the date "April 30" remains.

Mr. CANNON. And the amendment offered by the gentleman from Colorado [Mr. HILL] will remedy to some extent this situation?

Mr. H. CARL ANDERSEN. Yes, I believe that this is the best possible compromise of a difference of opinion between the other body and the House. Apparently March 30 is the best date we can get in here, and if the amendment offered by the gentleman from Colorado is agreed to, it will help a lot. I do want to say again, however, in justice to everybody concerned, these payments should have been made retroactive for all work done following February 19. I am accepting this compromise very reluctantly.

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I rise in support of the amendment offered by my colleague, the gentleman from Colorado [Mr. HILL]. I am very happy to see this amendment offered, and I hope it will be adopted.

I was in my district in Colorado a couple of weeks ago and visited the area damaged by the recent dust storms. I found in the counties that I visited that about 75 percent of the farmers had taken steps to prevent further damage to their land by listing or chiseling their soil. It would be manifestly unfair to deprive these farmers of benefits that are being made available to others for doing the same work.

I realize that the date of March 30, 1954, is a compromise figure. I would personally have preferred an earlier date. However, it is certainly highly desirable to fix March 30 as the date for starting these benefits, rather than a later date. I feel that those administering this program will be able to handle the situation satisfactorily and make any adjustments that may be necessary. It is obvious that the payments must be made retroactive in order to do justice to all concerned.

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I want to concur in the statement made by the gentleman from Colorado that this amendment will be helpful. I think it would have been better to have had no date fixed at all. I am afraid the entire provision is so worded that it will not be an adequate answer to the problem but the committee has no doubt done the best it could under the circumstances.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Speaker, I am very happy that this solution has been arrived at and that the motion has been made to set the date back to March 30.

The people of my State and of the Southwest, who have been suffering the ravages of the drought and the abnormal winds on their farms, are very appreciative of the action here being taken at the instance of the managers on the part of the House in the conference committee. With the adoption of the amendment offered by the gentleman from Colorado [Mr. HILL], substantial justice will be done. I hope the amendment will be unanimously adopted, and that the motion of the gentleman from New York [Mr. TABER] will be agreed to.

The amendment was agreed to.

The motion as amended was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

FUNDS APPROPRIATED TO THE PRESIDENT

Refugee relief

For an additional amount for expenses necessary to enable the President, by transfer to such officer or agency of the Government as may be appropriate, to carry out the provisions of the Refugee Relief Act of 1953 (Public Law 203, approved August 7, 1953), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), at rates not in excess of $50 per diem for individuals; printing and binding outside the continental United States without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111); hire of passenger motor vehicles; and expenses of attendance at meetings concerned with the purpose of this appropriation; $750,000: *Provided*, That funds appropriated herein shall be available in accordance with authority granted hereunder or under authority governing the activities of the Government agencies to which such funds are allocated.

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read, as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment as follows: In lieu of the sum of "$750,000" named in said amendment insert "$250,000."

Mr. TABER. Mr. Speaker, I have the figures on the bill as it passed the House, as it passed the Senate and the figures of the conference report. As it passed the House the figure was $456,470,496; the Senate, $476,248,741; and the conference report calls for $505,218,741.

The reason the final report is larger than the original figure in the House or the figure in the Senate is that certain items, where attempts had been made to accomplish a purpose by a transfer of funds, were not approved by the House conferees. This does not make any more money available than it would otherwise. As a matter of fact, the actual result of the conference is a figure below the amount that could be expended the way the bill passed the Senate.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TABER. Mr. Speaker, I ask unanimous consent that all who have spoken on the conference report just agreed to, who so desire, have leave to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AIR TRANSPORTATION

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, as a member of the Appropriations Committee, Subcommittee on State, Justice, and Commerce, I have had occasion to hear testimony regarding the operation of air transportation in this country.

I have been impressed by the progress that has been made in this field. Here again American ingenuity has forged to the forefront of this new but important industry.

I must say very frankly that I was surprised by the many ramifications surrounding this interesting and vital segment of our industrial expansion. After careful study I found that air transportation and Government subsidy were most interesting, but sometimes misunderstood.

There are very few subjects on which there is more confusion today than the problem of airline subsidies. For many reasons, none of which are important for this discussion, a good many people are unable to differentiate between subsidy paid to the airlines and mail payments made by the Post Office Department for services rendered in carrying the mail. In view of the present interest of the Congress in the appropriation which has been considered for the Civil Aeronautics Board, it seems to me important that this problem be set out clearly and in understandable fashion.

I should like to address myself to a discussion of air transportation, Government subsidy, and Government mail payments.

Since the very inception of our Federal system of government it has been found to be in the public interest to provide financial assistance directed to the development of sound transportation systems. Almost all forms of transportation have, at one time or another, received Federal assistance of one kind or another. This assistance has been provided in different ways and has included the development of inland waterways, the development of ocean ports, land grants to the railroads, grants-in-aid to develop the highways, flood control for the protection of rail and highway routes, operating and other subsidies to the maritime industry, and subsidy to the air transportation industry. Although in the past financial assistance has been provided by the Federal Government in many other fields, such as agriculture, education, social security, housing, and health, it is my purpose to talk only of the problem of mail pay and subsidy as it applies to air transportation.

The air transportation subsidy problem can be broken down into four basic questions. They are:

First. What is subsidy?

Second. How much does it cost?

Third. Who receives it and why?

Fourth. What does the American taxpayer get for his subsidy dollar?

It is much easier to answer these questions and to outline the problems now than it was before October 1953. Since that latter date, the Civil Aeronautics Board has been required to break down the payments made to the airlines as subsidy and to come before the Congress and justify their requests for funds to cover those subsidy payments. On the other hand, mail payments are appropriated for and paid out for services rendered by the Post Office Department. I might note further that, ever since fiscal 1951, the Board has administratively been able to determine and has the figures distinguishing between payments made for services rendered and payments made on a straight subsidy basis to all of the certificated airlines of the United States.

The basic problem is: What is subsidy? Section 406 (b) of the Civil Aeronautics Act states plainly and vigorously what the power and responsibility of the Civil Aeronautics Board are in fixing rates for the transportation of mail:

> In determining the rate in each case, the Authority shall take into consideration, among other factors, the condition that such air carriers may hold and operate under certificates authorizing the carriage of mail only by providing necessary and adequate facilities and service for the transportation of mail; such standards respecting the character and quality of service to be rendered by air carriers as may be prescribed by or pursuant to law; and the need of each such air carrier for compensation for the transportation of mail sufficient to insure the performance of such service, and together with all other revenue of the air carrier, to enable such air carrier under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required for the commerce of the United States, the postal service and the national defense.

It is clear from this language what factors the Board must consider in fostering and promoting civil air transportation. The statutory language specifically noted that air transportation is not only necessary to the commerce of the United States and the postal service but also that air transportation is an indispensable adjunct of our national defense.

The language of the President in transmitting the plan breaking down subsidy and mail pay clearly outlines the intention of the Executive in accomplishing this reorganization:

> The reorganization plan provides for the separate payment of airline subsidies, which are now merged with payments for the transportation of airmail. The purposes of the plan are to place responsibility for subsidy payment in the agency which determines the subsidies and to enable the Congress and the President to maintain effective review of the subsidy program. The plan accomplishes these objectives by transferring from the Postmaster General to the Civil Aeronautics Board that portion of the present airmail payments which relates to subsidy assistance.
>
> The reorganization plan will not alter the basic national policy of promoting the sound development of air transportation through Federal aid. Nor will the plan itself change the aggregate amount of revenue for which any airline is eligible. The policy of providing financial aid for airline development was adopted in the Civil Aeronautics Act of 1938, and reflects broad national interest in securing a system of air-transport services adequate to the needs of defense, commerce and the postal service. Federal aid provided under that act has contributed greatly to the rapid development of commercial air transportation during the past 15 years. Continued subsidy support will be required for some time to enable certain segments of the industry to achieve the full measure of growth required by the public interest.

Under this reorganization plan it becomes obvious what portion of the total moneys paid to air transportation are for the cost of transporting the mail and what portion covers the subsidy determined by the Civil Aeronautics Board to be necessary in order to maintain a strong air-transport system in accordance with the directive of the Congress of the United States.

Subsidy is not a guarantee on the part of the Government to underwrite unlimited expenditures or unlimited operations on the part of the air carriers. In determining airline operating costs that may properly be reimbursed through subsidy payments, the Civil Aeronautics Board disallows such items as advertising beyond reasonable limits, excessive administrative expense, and other items reflecting unsound business practices. Also, the Civil Aeronautics Board may deny subsidy for flights the Board believes to be economically unjustified considering the total volume of traffic and the service requirements of the particular route.

The next item of interest would seem to me to be: "How much does subsidy really cost?"

The Civil Aeronautics Board has indicated to us that, in fiscal 1954, subsidy payments will be made along the following lines:

Domestic trunk carriers	$3,581,000
Domestic local service carriers	23,895,000
Domestic helicopters	2,325,000
Territorial carriers (Alaska, Hawaii, and Puerto Rico)	9,167,000
International carriers	41,687,000
Total	80,655,000

It is interesting to compare these figures with those for fiscal 1951, the first year of administrative separation, on the Board's own initiative, of subsidy from mail pay:

Domestic trunk carriers	$18,881,000
Domestic local service carriers	17,057,000
Domestic helicopters	0
Territorial carriers (Alaska, Hawaii, and Puerto Rico)	3,572,000
International carriers	35,691,000
Total	75,201,000

It is an interesting fact that subsidy requirements for fiscal 1954 have increased only $5 million over fiscal 1951. The $5 million differential, however, has been accompanied by substantial increases in volume of services of both passengers and mail, rising operating costs, and heavy reequipment expenditures, which reflect themselves in greater depreciation with diminished operating profits, and affects subsidy requirements.

Who receives this subsidy and why do they receive it? Originally, all air carriers of mail and passengers required some assistance. Gradually, the domestic trunk airlines emerged from the developmental stage and attained an economic maturity that today enables most of them to operate without any subsidy. Some of these carriers are only an empty seat away from subsidy, so great care must be exercised by the carrier, in its management, and by the Board, in its regulatory functions, to maintain this situation. Subsidy payments now are made largely to two segments of the air transport industry—the international air carriers and the local service carriers, with substantially lower amounts going to the three smallest trunklines, the newly created helicopter services, and Territorial carriers.

INTERNATIONAL AIR CARRIERS

In most instances, the American-flag carrier engaged in international air transportation is in competition with nationally owned or wholly subsidized foreign-flag carriers, which makes some financial assistance mandatory if the American-flag carriers are to continue to operate successfully. Higher, and, therefore, more expensive safety standards, a higher standard of living, and, therefore, a higher labor cost, prevail in this country and result in higher operating costs to air carriers.

A considerable prestige value is involved, which is not a matter of mere pride but of tremendous import in relationship to the position of world leadership which has been thrust upon us. As Senator McCARRAN said in a recent address to the Aero Club of Washington:

In an air age, to be predominant in the world, the United States was required to be predominant in world aviation. We have achieved that position.

DOMESTIC TRUNKLINE CARRIERS

Of the 13 domestic trunkline air carriers, only 3 now receive subsidy. These carriers constitute the smallest of the trunklines, who are faced with some of the same problems existing in the local service field, and whose route structures are such as to result in a greater proportion of short-haul traffic than is experienced by the larger trunklines. The Civil Aeronautics Board is presently endeavoring to bring about mergers of two of these small trunklines to produce stronger and better-balanced route systems.

LOCAL SERVICE CARRIERS

In the case of the local service carriers receiving the next largest dollar amount of subsidy, several factors must be considered. The local service, or feeder airline, constitutes a new type of air service coming into being since the end of World War II. There are 14 local service carriers serving 381 cities throughout the United States, 195 of these cities are served only by local service carriers and 186 are served by both trunk carriers and the local service lines.

The Civil Aeronautics Board has issued to these carriers temporary certificates of public convenience and necessity for a limited period of time, during which a judgment will be reached as to whether circumstances warrant the continuation of the operations of these carriers.

The Civil Aeronautics Board has not renewed all of the original certificates which have been reviewed up to the present time, indicating that the experience gained under these limited certificates will be carefully weighed with respect to the question of whether potential traffic exists in an amount sufficient to justify continued Government support during an extended developmental period.

The expenditure of public funds for this purpose must be weighed in the light of the benefits to the communities served, most of which would not otherwise have available to them this most modern form of transportation, and would be deprived of rapid transportation connection with the large cities with whom commercial intercourse must be maintained. In this instance, there is a parallel between the providing of governmental services such as RFD mail service and making airmail and attendant benefits available.

It is more costly to serve the less densely populated cities and States, whether by Government or private enterprise. This additional cost factor does not permit us to withhold service from those areas, for more than 51 percent of the population of the Nation lives either on farms or in places of under 10,000 population. That Congress should be particularly aware of this distribution would seem self-evident from the fact that 75 percent of the United States Senators represent predominantly countryside States, and 61 percent of the Representatives come from predominantly countryside districts. These areas, well represented in Congress, should and do ask that their needs be dealt with in an intelligent manner. Local service air transportation is one of their needs.

TERRITORIAL CARRIERS

The subsidy requirements of the Territorial carriers assume some of the characteristics of the local service carrier and the small trunk carriers, in that they serve sparsely populated areas, which, in this case, have the additional compensation of being, to a great extent, outside of both the domestic and international route structures. Alaska provides an excellent example of how assistance to Territorial air carriers has at the same time provided assistance in the opening up and developing of the Territory itself. Here, again, national-defense considerations are paramount.

HELICOPTER AIRLINES

The providing of financial assistance to aid the newly created helicopter services is an indication of the fact that the Government must constantly be alert to new modes of transportation, and carry out its responsibilities for assuring to the country a sound transportation system by participating in experiments designed to prove the value of new developments.

What does the American taxpayer get for his subsidy dollar? The answer to this must be related to the requirements of the Civil Aeronautics Act, and again I refer to the mandate of the Congress as it is set out in the ratemaking power given to the Board in section 406. The only fair way to assess, over the 15 years of commercial aviation's regulation, the extent of benefit to the American taxpayer is to analyze the contributions of commercial aviation to the commerce of the United States, to the postal service, and to the national defense.

Since 1938 the certificated airlines of the United States have developed air commerce to a point where the United States receives the best service in the world from the safest airlines in the world. A rundown of the increases in air service provided is some index of this contribution. The number of cities to which air service is now provided has increased since 1938 from 146 to 580. The number of airplanes providing that service has multiplied from some 300 two-engine aircraft to close to 1,300 airplanes, the majority of the most modern four-engine type. Whereas in 1938 only 1,500,000 people used this service, in 1953 close to 32 million flew the scheduled routes of our certificated carriers. The number of people who are employed by the airlines is now about 115,000, as compared with the approximately 13,000 in 1938. I need not specifically detail the substantial increase in the number of scheduled services provided on a daily basis to almost every traffic center, large or small, not only in the continental United States but in our Territories and possessions and to foreign points. This seems to me precisely what the act called for, and, over a 15-year period, a substantial contribution to the increasing commerce of this country.

Even more significant is the contribution which has been made by the certificated airlines to postal service. Airmail service is now provided, of course, to every city to which the scheduled airlines

operate. In addition, there is in progress an experiment whereby all first-class mail between certain selected points, such as New York and Washington and Chicago and Miami, is being carried by the airlines which serve those cities. Significantly, during the pre-Christmas period, the 14 local service carriers supplemented the operation of the larger trunkline carriers in hauling first-class mail in order to expedite the Christmas load.

As I noted very recently at the House appropriation hearings on the Civil Aeronautics Board appropriation, the Post Office Department itself has pointed out to us that it showed a profit on both domestic and international air mail carried in fiscal 1952. This profit amounted to close to $16,500,000 and constituted a profit of 8 percent against the gross revenues from domestic air mail and 21 percent as the profit percentage of the gross revenues of the international air mail.

The American taxpayer receives a substantial benefit from the airlines. In 1953, the taxpayer received $2.40 as a result of the revenues developed by the airlines for every $1 invested by the United States Treasury in the certificated carriers. These figures illustrate that point:

The airlines received from the Federal Government:	
Mail payments of which $53,972,000 was for services rendered and $75,708,000 was subsidy	$129,680,000
Certificated airlines' share of maintaining and operating Federal Airways System in 1952	11,500,000
Total	141,180,000
The airlines developed revenues for the Federal Government:	
The certificated scheduled airlines paid Federal income taxes of	60,423,850
The certificated scheduled airlines paid Federal gas and oil taxes	15,106,629
The certificated scheduled airlines paid miscellaneous excise taxes of	1,802,512
The certificated scheduled airlines accounted for transportation excise taxes of	110,071,256
The certificated scheduled airlines created postage revenues for the Post Office Department of	151,900,000
Total	339,304,247

In addition to these specific monetary benefits, the commercial airlines of the Nation maintain, on an immediate standby basis, an emergency reserve standby fleet of 300 of the most modern 4-engine aircraft. This alone would cost the American taxpayer $350 million a year. In addition to this fleet, the certificated airlines of the United States have available a reservoir of trained personnel equipped to operate and maintain these aircraft.

Over the years, there has been a greater trend to self-sufficiency. As indicated above, 10 of the 13 domestic trunk lines receive no subsidy, and, in 1953, these 10 carried 96 percent of all the airmail. In addition, it is significant to note that, in 1953, mail payments to the domestic trunk lines constituted less than 4 percent of their total revenues, the balance being made up of passenger and other revenues. These figures are important when compared with those for 1941, when about 23 percent of the total revenues of the trunk lines were comprised of mail and subsidy payments received from the Government.

In the case of the local service carriers, during 1946, their first year of operation, about 80 percent of their total revenues were made up of mail pay and subsidy payments, and, in 1953, this percentage has been reduced to approximately 50 percent, showing good progress. A similar situation exists in the international field where, in 1941, 40 percent of the total revenues were derived from mail pay and subsidy payments and, in 1953, the figure was about 15 percent.

It seems to me that the certificated airlines of the United States have made substantial progress in accordance with the directives of the Civil Aeronautics Act of 1938. We must recognize that there will continue to be areas in which subsidy will be required for some time. I am thinking particularly of the local service field and the international flag carriers. I would not be surprised if there were greater demands on the part of some of the domestic trunk lines in coming years.

A significant fact that we must never forget is the importance of the relationship between commercial aviation and the national defense. This requires a continuing adjustment and utilization of aircraft of the most modern type so that the reserve fleet is never obsolete. There is no question that, if the airlines were to stabilize their equipment, the trend to continuing self-sufficiency, or even to greater self-sufficiency, would be accelerated. This, though, would be violative of the purpose of the Civil Aeronautics Act. The necessity to acquire the newest and the best equipment resulted, in 1953, in a total commercial certificated fleet depreciation of about $70 million. This is likely to increase, affecting subsidy requirements, and we should anticipate it.

On balance, the progress has been amazing. I feel that the American taxpayer has secured an extremely good return on his investment and feel that the national defense has an auxiliary in the certificated airlines of the United States which is incomparable.

PROBLEMS ARISING FROM FEDERAL OWNERSHIP OF REAL PROPERTY

The SPEAKER. Under previous order of the House, the gentleman from Montana [Mr. D'EWART] is recognized for 30 minutes.

Mr. D'EWART. Mr. Speaker, throughout America there is a great deal of interest in the problems that arise from Federal ownership of real property, both urban and rural, and the effect of such ownership upon the tax revenues of city, county, and State governments. Evidence of this interest is the fact that some 17 bills have been introduced providing for various systems of Federal payments in lieu of taxes on the various categories of Federal real property.

As chairman of the Subcommittee on Public Lands, House Committee on Interior and Insular Affairs, this is a problem of great concern to me. The subcommittee has been studying it over the years. An excellent report was prepared under the direction of the gentleman from Texas [Mr. BENTSEN] in the 82d Congress. And in the 83d Congress we have been endeavoring to gather information that would enable us to come to grips with the problem and start to provide remedies for its solution.

With the consent of the gentleman from Nebraska [Mr. MILLER], the staff of the Committee on Interior and Insular Affairs has been endeavoring to establish the extent and value of the Federal rural and urban land holdings, the effect of Federal land ownership on tax revenues of State and local governmental subdivisions, and current law covering in-lieu payments and shared revenue.

We have called upon the Legislative Reference Service, Library of Congress, to assist in this undertaking, and a preliminary report has been prepared by Mr. Raymond E. Manning, of that org..nization.

At my recommendation, the Committee on Interior and Insular Affairs has agreed to print this preliminary report, so that it will be available for all concerned as a basic working document for use in the study of legislation now pending before the committee, and for the use of executive departments. I believe it will prove to be invaluable for this purpose.

The preliminary report supplies information on the following questions:

First. Federal ownership and acquisition of rural and urban lands, and its effect on Government subdivisions.

Second. Extent, location, and value of Federal land holdings, and estimates of tax losses by reason thereof.

Third. Benefits to affected areas by reason of Federal ownership of property, including:

(a) What are the Federal laws currently in force permitting State and local taxation of Federal property in the same manner as privately owned property?

(b) What are the Federal laws authorizing contributions by Federal agencies from revenues based on a specific percentage of receipts?

(c) What are the Federal laws authorizing contributions of an unspecified proportion of revenues by Federal agencies, the actual amount to be determined by agreement or other arrangements?

(d) What are the Federal and State constitutional and statutory provisions for taxing or exempting Federal property?

(e) What proposals are currently being made for changes in Federal law with respect to these matters?

(f) What are the arguments for and against the existing law and the currently proposed changes in law?

The answers to these questions in the preliminary report outline the scope and seriousness of the problem, and the need

for continuation of this body and both legislative and executive action with regard to it.

I have asked George W. Abbott, committee counsel, to summarize for me highlights of the report, and in reciting them I will refer to the paragraph numbers in the report which is to be printed. They are as follows:

101. Federal Government owns approximately one-fourth of the total land area in the United States; a 1937 study indicated the value of such lands at 2.89 percent of the assessed valuation of all privately owned property being taxed.

106. There is no central record, nor are there reasonably complete and readily available, dispersed records of what the Federal Government owns and what it is worth. Few States know the amount or value of Federal property within their limits. The preliminary report concludes that agreement is general that the Federal Government should provide the facilities for a continuing inventory of Federal property.

117. One of the first concerted efforts on the part of the Executive to study the problem came in 1935, when the President appointed a committee to make a study of Federal ownership of real estate and of its bearing on State and local taxation. Report was rendered in 1938.

118. As a result of the 1938 recommendations, a Federal Real Estate Board was appointed by the President to "study and make appropriate recommendations regarding the situation in different communities adversely affected by the loss of tax revenues on land purchased or acquired by the Federal Government."

119–122. The Federal Real Estate Board report was submitted in 1943; during the same period the Treasury Department, through a special committee, had undertaken a study of the whole subject of Federal, State, and local fiscal relations and presented its report in 1943. In 1949, following the conference of Federal, State, and local officials on the subject of intergovernmental tax problems and fiscal relations, the Bureau of the Budget was requested to develop comprehensive recommendations on the subject of in-lieu tax payments. Several of the broader bills of the 17 now before the Public Lands Subcommittee had their genesis in the Budget Bureau's prototype bill.

128–129. Doubt is expressed that any one piece of legislation can provide the answer. It appears that one single agency, to act as a clearing house for payments in in-lieu proposals, must be established. Realistic approach suggests—and the attitudes of several national organizations reflect this suggestion—that piecemeal legislation may provide the only satisfactory overall solution. The National Association of County Officials in 1953 reached this conclusion:

"Past efforts looking to the enactment of comprehensive legislation have failed partly because they attempted too much. Federal properties are held under a variety of conditions; no blanket formula can easily bring about the desired bounds between local and State interests. Experience has conclusively proven that the problem cannot be solved by enactment of piecemeal legislation, but as a general approach, we must concentrate on first relieving those aspects of the problem which have grown in recent years."

203. The States and the Federal Government have preempted most revenue sources other than the property tax; local government contends that the presence of tax-exempt Federal property has so reduced the economic capacity of some units that their financial independence is in fact threatened.

207. The allegation was made that the original concept which gave rise to the constitutional immunity (namely, that if the States and local units have the power to tax Federal instrumentalities, they could destroy the Federal Government itself), is now available as a tool for the former potential victim to throttle the former potential destroyer.

212. Accusations of bad faith have come where the United States has taken property—either through condemnation or by donation—and has later leased it to private operators for commercial purposes or otherwise turned it into a revenue producing venture of the Federal Government at the expense of the local government: e. g., the purchase and lease of piers at Hoboken, N. J., by the Maritime Commission; purchase in Rochester, N. Y., of the Duffy-Powers Building and subsequent lease to Eastman Kodak Co.; transfer to the United States of title to the taxpaying Defense Plant Corporation "Symington" plant in Rochester, N. Y., 3 days before the end of the year.

216–223. Examples of extreme hardship are many:

(a) Taking of by the United States Navy of Hoboken, N. J., terminal facilities during World War II; 21.3 acres assessed at $7.2 million so that the total assessed value of Government-owned property in Hoboken is $19.5 million; total area is 57.33 acres, or 14.4 percent of the total land area of the city, 19.462 percent of the total assesaments; the pier property controlled and operated for commercial purposes by the Maritime Commission amounted from 1918–19 to $16,046,000, in additional tax burden.

(b) City of San Francisco: Federal Government owns approximately 6.5 square miles of a total of only 44 square miles; if State-owned property is deducted, Federal ownership amounts to 6.5 square miles of 28. As of 1949 Federal real property in San Francisco approximates in value $178 million with a minimum tax loss of approximately $5 million, which must of course be borne by all property owners.

(c) Stratford, Conn.: On the basis of 70 percent valuation for tax purposes, the value of a single defense plant in Stratford is fixed at $83.2 million as compared with a total valuation of all taxable property at $67.7 million. The problems posed by such exemption in matters of providing educational and other services suggest immediate tax relief.

(d) Renton, Wash.: Boeing-Renton airplane manufacturing plant and the new foundry at the Pacific Car & Foundry plant were transferred from the Federal Reconstruction Finance Corporation to the United States; the transfer had the effect of removing this property from the tax rules, with a resultant loss of approximately $99,450 anticipated tax revenue—two-fifths of the total tax yielding properties in the city of Renton (1949 figure); it is noted that the Federal Government derived income from lease rentals for this property.

(e) Cuyahoga Falls, Ohio: Proposed defense installation at Cuyahoga Falls, a village of 800 people, would create the following problem. A $40 million to $60 million tax-exempt installation in a community having a present tax base of $60 million; insurance rates for the entire area would probably be doubled; present police facilities would have to be increased 100 percent; fire protection required is an unknown factor but would of necessity be much greater than ever contemplated by the village; additional traffic contemplated would require construction of a new bridge and traffic approaches. (Testimony before the Senate Committee on Government Operations on S. 2473, July 19, 1953.)

(f) Muskegon, Mich., presents an example where an affected area has a large outstanding indebtedness at the time a substantial portion of the taxpaying property comes under Federal ownership; on December 18, 1952, Army Ordnance directed the Continental Motors Corp. to not pay the 1952 taxes assessed against its property by the Orchard View School District; immediate loss of revenue to this small school district of 52 percent of its total revenue or $41,427. The district had obligated itself to bonds totaling $385,000 for a new school, then under construction; 1952 bond payments totaled $27,680 which would leave only $14,000 for operations; the burden is made doubly odious in view of the fact that the school facilities were enlarged to accommodate the children of this defense plant's employees.

(g) Schenectady, N. Y.: The Federal Government took over a plant which had lain idle for years, reconditioned and improved it, then leased it to the General Electric Co. for the manufacture of armament and ordnance control systems; Federal representatives objected to its assessment for tax purposes, city officials agreeing to the Government's demands; county and school officials took the position that a private firm using such property for profit should not be exempt from the power of the local government to tax its property.

A 1944 interim report (H. Rept. No. 1884, 78th Cong., 2d sess.), beginning at page 11 and running through page 33, sets out by States some of the Federal land ownership problems. Illustrative of the examples included is that of California. It is indicated that counties where more than half the area is federally owned included: Alpine, 90.68 percent; Inyo, 86.37 percent; Trinity, 75.53 percent, etc., with at least 8 other counties shown as having more than 50 percent federally owned land; on the other extreme, Sutter County has no federally owned acreage and at least 5 counties have less than 1 percent of their areas under Federal ownership.

Other examples: Greenwood Township, Pa. Of an area of 19,387 acres, 13,500 acres were in 1944 in the Keystone Ordnance Works, leaving 5,887 acres in the township. Before Federal acquisition the ordnance works land had an assessed valuation of $493,000; after taking, the assessed valuation was only $235,150. In addition, the number of miles of roads constructed by the township and State at great expense were taken over by the Federal Government with no payment made therefor.

Bettendorf, Iowa: Federal Government acquired the property of 3 corporations having a total assessed valuation of slightly in excess of $1 million against the total assessed valuation of the community of three plus million dollars, resulting in a loss of 33 percent of the tax valuation.

It is perhaps significant to note that in the 1944 hearings representatives of the various governmental subdivisions frequently referred to the taking or acquisition by the Federal Government as resulting in removal from the tax rules of a substantial portion of the assessed valuation without any other benefits accruing. Query: Would increased payroll and purchasing power of the community at large as a result of this expansion constitute some other benefits?

231. In the absence of a Federal property inventory, no accurate estimate can be made of the extent and value of Federal holdings. Nor can any worthwhile estimate be made of the tax loss suffered by the governmental subdivisions by reason of Federal property exemption.

232. A 1937 estimate showed that the Federal Government owned 394.7 million acres of real estate (this obviously does not include the more than 300 million acres in the Territory of Alaska), about 20.74 percent of the total land area of the United States; both land and improvements cost $6.2 billion with an estimated assessed value of $3.3 billion, or 2.89 percent of the assessed valuation of all privately owned property then being taxed. Note: It is pointed out as an interesting contemporary fact that all tax-exempt real estate (private and public) was

more than six times the value of all Federal tax-exempt real estate.

233. For reasons not entirely clear on the record, some 50 million acres were "lost" or left out of the 1937 estimate. Exclusive of net additions since 1937 but inclusive of this 50 million "lost" acres, Federal holding should have been shown as 444.6 million acres, instead of 394.7 million acres; the total land area would then become 23.36 percent instead of 20.74 percent.

Net additions since 1937 indicate a total of nearly 456 million acres. Ratios of the value of Federal property in relation to all State-assessed properties are not available other than the 2.89-percent figure shown in paragraph 232, supra. A 1948 estimate by the National Education Association for the 11 Western States gives a figure of 12.83 percent.

234. The County Supervisors Association of California in 1953 prepared a report summarizing the 1939–52 picture in that State: In that 13-year period the Federal Government acquired 2,114,516 acres of California land; estimated assessed valuation of this land was in excess of $73 million with the assessed value of improvements thereon estimated at nearly $245 million. Estimated yearly property tax loss to local government in California on Federal property acquired since 1939 is $16.9 million. Military and defense plants alone represent more than $280 million in estimated assessed valuation loss to local government in California.

236. While the 50 million lost acres of Federal property may have found urban Federal holding acreagewise can only be discussed in terms of estimates, the most recent of which was made in 1937, as being 47,444 acres. In view of greatly increased Federal activity during the period of World War II, it is highly probable that the total urban acreage is far in excess today of the 1937 estimate. No figures are available to indicate the value of this urban property; no available subsequent reports have been made to suggest current estimates; nor is there in existence any Federal agency having authority to make such studies and to inventory such property.

241. Referring to paragraphs 232 and 233: The 1950 total would approximate 455.6 million acres or 23 percent of the land area of the 48 United States; geographically, 88.5 percent of a total Federal holding of rural lands were in the 11 Western States.

246. There are not now available any reliable estimates of the amount of tax lost by reason of Federal property ownership. The estimates range from a possible $91 million (1937) to $125 million (1948, Council of State Governments), to $250 million (1948, National Association of County Officials) in which would cover only what are described as 11 relatively unimportant categories of Federal property; to from $300 million annually (1952, Section of Municipal Law of the American Bar Association), and the source of this estimate in 1954 now states that he considers the $300 million figure too low. As one representative of an executive department put it, "Just to be safe, add a digit to the $300 million estimate, making it $3 billion, and we can then work inside those figures."

A cursory examination of the preliminary report prepared for the Subcommittee on Public Lands indicates:

1. That this report should be circularized among the various Federal agencies concerned in order for them to present current factual data, to help reconcile numerous patent ambiguities, and to obtain the points of view of the executive agencies having under their jurisdiction (and all of them apparently have) federally owned lands. Reproduction of this report, as a preliminary report, also makes it possible for the various non-Federal agencies interested in this subject (and all of them apparently are) to comment on a suggested legislative approach. In addition, the Commission on Intergovernment Relations, until recently designated the Manion Commission, has shown a great deal of interest in having made available this subcommittee's report.

2. It is perhaps understatement to say or to express surprise that, figuratively speaking, an item so insignificant as 50 million acres of land could be lost. The preamble to House Joint Resolution 381 indicates that title to 1 billion acres of public land has passed from the United States since the earliest days of the Republic. This exchange has included, chronologically: (a) Selling of land to meet expenses of the Government in the early days of the Republic; (b) land grants as bounty for military service and for public improvements, such as canals, railroads, highways, and for the benefit of schools, colleges, and other public institutions in the various States; (c) following the close of the Civil War, disposition through homesteading and land settlement, which expanded the American system westward to the Pacific; until (d) the present era of conservation and resource management of the remaining seven-hundred-odd-million acres in the United States and Alaska.

It might be in order at this point to remark that at the present rate of reacquisition it will not be too long before the sovereign United States has taken back its billion acres, if and when they can be located.

3. A minimum requirement would seem to be an inventory of Federal land holdings, rural and urban.

4. Whether establishment of a current inventory for purposes of permitting continuing future inventory should be carried out through creation of a new agency (or designation of an existing agency for that function) is a matter, of course, for congressional judgment.

5. It is suggested that Congress give its early attention, as to whether the very real problem of locally distressing conditions economically by reason of Federal property holdings should be approached on a broad or piecemeal basis. The indications are that many cities and counties, school districts, and other governmental subdivisions having a tax authority find very little solace in the promise today that at some date in the future, the date unspecified, some broad, comprehensive, overall, far-reaching equitable and universally agreeable program will be developed. If these governmental subdivisions are bleeding to death financially in 1954 as a result of Federal property cuts, it is very doubtful that a 1975 legislative tourniquet will save the patient.

Mr. D'EWART. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

OUR WOOL BUSINESS AND THE FREETRADERS

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial and an article.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, we in Massachusetts are having a very difficult time with the textile business. We need all the assistance we can secure, instead of being told by the freetraders that the tariff should be reduced and more goods from other countries should come in.

I read a fine editorial appearing in the Boston Record of April 20, 1954:

OUR WOOL BUSINESS

It isn't enough to gloat over the fact that Boston is the most important wool center of the world.

It is much more practical and sensible to make sure that Boston keeps on enjoying that distinction.

This making sure business won't be easy.

The freetraders are up to their old tricks. They want to reduce the tariff on cloth brought into the United States from England, Italy, and Japan. They say this concession will make the people in those countries feel good.

Maybe so. But what about the people in the United States and especially the people who owe their livelihood to the woolen and worsted industry? Is the best interest of America to be served by plunging these people into bankruptcy or by taking away their jobs and forcing them to accept paltry doles and handouts from the Government?

We don't think anything worthwhile can be expected from such nonsensical policies.

The frivolous freetraders ought to look around the world. There's a cold war with an Iron Curtain and a lot of A-bombs and H-bombs. We could be cut off in an instant from the low-wage, long-hour mills of England, Italy, and Japan. And what would our people and our troops do then? Where would they get their warm clothing, blankets, and medical and surgical supplies?

Our wool business and the employment it affords are as vital to our peacetime prosperity and wartime security as the mightiest weapon in our military arsenal.

Then I read from an article by Mr. J. W. Cohn, of the Fairchild News Service:

MANCHESTER, ENGLAND, March 31.—The end of the first quarter of 1954 finds the British cotton textile industry in a prosperous condition.

Current demand is outstripping supply. Order books are well filled. The great majority of companies, with good balance sheets for 1953, are in a sound financial position. Production is slowly, but steadily, increasing. Prices are firming.

Not all these favorable signs are affecting all sections of the industry to the same degree. For instance, order books are better filled in the medium and upper quality sections than in the cheaper end. Spinners have been making bigger profits than weavers. But, in general, Lancashire is in the midst of a boomlet—if not a complete boom.

Those are the countries that our free traders would have us help. It is no wonder that both manufacturers and labor are extremely bitter.

SIGNING OF THE POLISH CONSTITUTION

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 30 minutes.

Mr. PHILBIN. Mr. Speaker, May 3 is always a significant and proud day in the life of the brave Polish people because it marks the anniversary of the signing of their constitution.

Since I first came to this House it has been my practice to recognize the birthday of Polish independence by re-

marks on the floor of the House. It is my high privilege, therefore, once again to make note of this epochal day in the history of a great people and to join with them, their descendants in this country, and in fact all over the world, wherever they may be, in hailing and celebrating the modern-day establishment of their free government.

We are all reminded on Polish Independence Day of three things: first, the glorious history of Poland and the Polish people, secondly, the unexcelled contributions of the Polish people to our own great Nation and the world, and thirdly, the tragic present plight of the Polish nation and people who are bound firmly with the chains of an unspeakable bondage, annihilating their free institutions and depriving them of their God-given rights to liberty and self-determination.

I am saddened beyond expression by the stark tragedy of present-day Poland where oppression and tyranny have taken the place of freedom, where brutal force has stifled every semblance of self-government and liberty. There are many grave tragedies in world history. There are many chapters written in blood, barbarism, cruelty and treachery. There are many crimes flagrantly committed by arrogant despots and man-tyrants. But these are certainly none I know of which reflect more despicable tyranny, more calloused betrayal or more cynical, willful injustice than those to which the Polish nation and the historic, God-fearing Polish people have been so mercilessly subjected.

I have frequently referred to certain events concerning Poland, diplomatic as well as military, as constituting one of the most outrageous political crimes of the ages. But I fear sometimes that no language is adequate, and no voice powerful enough, to describe the true magnitude of the insidious betrayals which have lead to the unconscionable subjugation of Poland by Red Soviet tyrants.

Who is there among us who could question the perfidy and the sinister objects of some of the principals in this tragedy, and the grossly unjust consequences of this wholesale delivery of a great, God-loving nation into the hands of ruthless, atheistic, God-hating masters? Who would seek to defend the moral obliquity and political folly of the ill-fated policies of so-called enlightened statecraft and the unprovoked acts of aggression and the unwarranted, illegal, and unmoral methods by which the noble Polish people were rendered captive to unspeakable world Communist conspirators?

If there be those who would sanction and defend the diplomatic agreements at Teheran and Yalta and elsewhere by which this delivery of Poland was consummated, then I wish once again to record my unceasing voice of protest. If there are those who seek to justify this colossal iniquity as a necessary compromise of those seeking to impose the cruel, godless, Marxist system on the world in order temporarily to appease their insatiable appetite for territory, power, and dominion over helpless peoples, and put them in a complacent mood, then I wish once again to voice my unalterable opposition and to reassert once again my indignation and to reaffirm my purpose, not only to question, but to continue to oppose and denounce this palpable, gross injustice directed against the rights of free men and women.

Has this Machiavellian and sordid diplomatic deal achieved its expected result of appeasing the Reds and staying for a moment the campaign of constant infiltration and sporadic aggression against the democracies and the free world? Look around the world today and you will find the answer to that question. You will find it in almost every nation where Communist conspiracies besiege and threaten the domains of freedom. You will find it behind the Iron Curtain, where more than 800 millions of people are literally shackled in a debasing captivity. You will find it written in blood on the battlefields of Korea and Indochina. And you will find it in the dark clouds of deliberately inspired insurrection, revolution, and violence which are rolling across eastern Europe, the Near East, the plains of Asia, yes; and even in some of the nations of the Western Hemisphere, where American liberty has its proud abode. Is it any wonder that the American people are disturbed and worried as never before?

But there is no really satisfactory answer, my friends, at this time, to the problem of Poland because it is part and parcel, by virtue of some of the very policies which our own Nation so unfortunately pursued during and following World War II, that it is now inextricably bound up with the whole question of whether or not our Nation and the free world are going to stand by idly, passively, and submissively, while world communism develops atomic and hydrogen weapons stolen from us by traitors, and spreads its power, orbit, and control over the rest of the earth. Some of our allies want to do so. That is evident to a child. But I am not convinced that the American people propose to accept such a verdict. On the other hand, it is my considered opinion that the American people as wholeheartedly as ever, firmly intend to oppose by all means in their power the diabolical aims and activities of communism, its patent conspiracy against liberty and its willful aggression against the weak and the helpless.

Many times I have said that strength of purpose and strength of capacity and power are urgently required to meet the grave situation that now confronts us in the world. It is clear that so long as tensions caused by communism are extant, and they are growing daily in intensity, it will be necessary for this Nation to develop and maintain most powerful force of arms, most powerful air components, most powerful development of the A-bomb and the H-bomb and other deadly weapons. This is a deplorable but absolutely necessary requirement if we would be prepared to cope with the evils of communism, including the threats and possibilities of aggression against this Nation. It is of the utmost importance, it is in fact imperative, that we should move with all practicable rapidity toward the goal of building such powerful Armed Forces and such overwhelming air complements and such great economic vitality and productive potential that no nation or combination of nations will ever dare to attack us because they will respect our power of massive retaliation, or call it what you will, which will enable us if the occasion requires it and, God forbid, to strike with swift fury and devastating power and destructiveness those who would seek the ruin and conquest of this Nation.

We must then, my friends, be prepared militarily and economically to meet current dangers. Vital though military strength is and vital though economic strength and productivity are, they will of themselves not suffice. The enemy may well have these things, though not so well implemented or developed. But there is another element that is needed more urgently than the other two and this is, I think fortunately for us, the one ingredient which the potential enemy does not possess, namely, spiritual strength out of which springs and flourishes faith in our Creator, faith in our Nation, faith in our democratic institutions, faith in our cherished freedom, as well as all those other great values which derive from the nobility of the God-believing human spirit. It is from this strong faith which emanates from God-given spiritual sources that we can weld the inflexible purpose, receive inspiration and strength of will and power to meet every contingency, to ward off every danger, to throw back every enemy, and to preserve our way of life. The people without the will and determination to defend their freedom will not long enjoy it.

Poland then is a part, a vital part of the pattern which makes it necessary for Americans once again to turn our minds and hearts with a sense of great urgency and a spirit of rededication toward the great problem of combating the enemies of freedom and freeing the oppressed. We hail today the people of historic Poland who throughout the centuries have gloriously fought, bled, and died for liberty. We hail all the magnificent people of Polish blood who are our respected and beloved friends and neighbors in this country for their unsurpassed contributions in war and peace to the sacred cause of our great Republic. On its natal day we proudly and gratefully celebrate and salute the anniversary of Polish freedom.

Let us once again at this auspicious time assure the Polish nation and the Polish people and all the oppressed and tyrannized of the earth whom organized communism debases and enslaves that we are not only concerned by their hapless and tragic predicament, that we not only send them the profound sympathy that is in our hearts, but that we firmly resolve, as all Americans should who believe in the principles and ideals of this great Government, that every possible act of ours will be exerted toward speeding the day of their liberation from slavery and enabling them once again to enjoy the fruits and blessings of democracy and freedom.

Noble Poland—I hail and salute you. God willing, may peace and freedom soon be with you.

INDOCHINA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, Members of Congress have for some long time been very much concerned with developments in Indochina. Their concern, in large measure, results from the news received daily from that area which indicates that ruthless Communist aggression is desperately threatening the existence of the associated states of Indochina and thereby all of southeast Asia. For more than 8 years this war of aggression has been carried on by the Communists. After the ruthless masters of the Kremlin were certain that an effort to resolve this war of aggression would be made at the Geneva Conference, they immediately engineered an all-out military assault in an effort to force the free world to make crucial concessions in order to bring their kind of a peace to southeast Asia. It is now clear that the Communist's tactics of delay at Geneva are playing for time in the expectation that with each passing day the position of the defenders of human liberty and freedom will be further weakened. Finally, they expect to strengthen their position in such a way as to force the free world to grant the impossible demands they are making for their kind of a peace in Asia.

For some long time we have also been told by some competent authorities that if Communist aggression wins in Indochina it will not be long before all of southeast Asia falls under the despotic domination of Moscow. Some political analysts have called the war in Indochina "a rice war." They point out that Communist China seeks to get control of these rice resources because Communist doctrine holds that food is a political instrument and those who control the source of food thereby control the people. If they were to succeed in this, automatically the free people of Asia would be deprived of this food. Since Indochina is one of the principal sources of food for millions of people in Asia, the free world would be compelled to take on the job of providing food to replace the food which the Communists had stolen.

We are also aware that the great natural resources of Indochina and southeast Asia have long been coveted by the Communist aggressors. They want these vast natural resources in order to further strengthen their war machine and more rapidly prepare them for the all-out assault they plan eventually to make against all the non-Communist countries of the world. If the Communist aggressors were to succeed in taking over southeast Asia, they would deprive the United States and its allies in the free world of access to all those natural resources. Thus the Communists would be strengthening their ability to make all-out war and at the same time would be seriously weakening the free world in its efforts to defend human freedom.

The American people are very much concerned with the events taking place in Indochina. They are aware that a victory for Communist aggression anywhere in the world is a serious threat to the survival of the United States and other free nations. They are also aware that the struggle between the forces of aggression and the forces of freedom is worldwide in nature and that the protection we once enjoyed by virtue of the Atlantic and Pacific Oceans is no longer a reality. It has become increasingly apparent to all Americans that you cannot negotiate with the Communists for a just and lasting peace any more than we could negotiate with Hitler or Tojo. All of us are aware of the possibility of a Red Munich at Geneva and the terrible consequences that would follow in the wake of such a surrender.

Unfortunately, neither the Members of Congress nor the American people have been told the full facts about the situation in Indochina and the manner in which developments there are affecting the long-range security interests of the United States. On top of this, a series of conflicting statements have been made by high-ranking members of the administration as to exactly what the state of affairs is in Indochina, their relation to our vital interests, and what we can or must do about it. All of this has tended to confuse the American people at a time when we desperately need a clear and forthright understanding and a unity of purpose in doing what must be done to protect our vital interests.

I have the utmost confidence that Congress, once it is advised of all the facts concerning developments in Indochina, will be able to face up to any decisions that must be made to protect our national interests. However, Congress cannot be expected to face up to this situation unless the hard, cold, unvarnished facts are laid before it. If the situation in Indochina is as desperate as we have been led to believe, and if the long-range security interests of the people of the United States are involved in the resolution of that situation, the time has arrived for the President, as our Commander in Chief, to immediately call a joint session of the Congress. It is the duty of the President to put the facts squarely before Congress and, in so doing, before all the people of the United States. It is his responsibility to tell us just how serious the situation in Indochina is and to announce his decision on what we can and must do about it. I, therefore, urge the President to appear before a joint session of Congress, and I do so in the confidence that he will not find the Members of Congress hesitant in doing their duty to protect the interests of our country.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. DONDERO and to include extraneous matter in his remarks on the Brownson amendment.

Mr. HOFFMAN of Michigan and to include certain material.

Mr. LANE.

Mr. O'HARA of Illinois in two instances.

Mr. MILLER of Nebraska and to include resolutions passed by the Committee on Interior and Insular Affairs on park concessions.

Mr. MCGREGOR.

Mr. VURSELL.

Mr. OSTERTAG.

Mr. DAVIS of Georgia and to include extraneous matter.

Mr. KLEIN.

Mr. HELLER in two instances.

Mr. MULTER.

Mr. HAGEN of Minnesota.

Mr. PHILBIN.

Mr. BROOKS of Louisiana.

Mr. SIEMINSKI.

Mr. RIEHLMAN (at the request of Mr. ARENDS).

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COUDERT (at the request of Mr. ARENDS) for 3 days, on account of illness.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Douds;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 6251. An act to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell townsite, Wyoming, Shoshone reclamation project, Wyoming, to the University of Wyoming;

H. R. 7559. An act for the relief of Mrs. Madeleine Alice Aquarone; and

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control, and other purposes.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 32 minutes p. m.),

under its previous order, the House adjourned until Monday, May 10, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1512. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide for the management and disposition of the reconveyed Choctaw and Chickasaw lands in the State of Oklahoma"; to the Committee on Interior and Insular Affairs.

1513. A letter from the Assistant Secretary of the Interior, transmitting the annual report on progress of the synthetic liquid fuels for the year 1953, pursuant to the act of April 5, 1944 (30 U. S. C. 321–325 as amended); to the Committee on Interior and Insular Affairs.

1514. A letter from the Secretary, Federal Prison Industries, Inc., Department of Justice, transmitting the annual report of the Directors of the Federal Prison Industries, Inc., for the fiscal year 1953, pursuant to the act approved June 23, 1934 (18 U. S. C. 4127); to the Committee on the Judiciary.

1515. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting additional evidence relative to certain cases involving suspension of deportation, and requesting that they be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee of conference. H. R. 3832. A bill for the relief of Mrs. Orinda Josephine Quigley; without amendment (Rept. No. 1563). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 9033. A bill to amend title 18 of the United States Code to give United States district courts jurisdiction of certain offenses committed by Americans outside of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HÉBERT:

H. R. 9034. A bill to amend the Flood Control Act of May 15, 1928, with respect to the control of Old River, La.; to the Committee on Public Works.

By Mr. HYDE:

H. R. 9035. A bill to amend section 11 of the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 9036. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

By Mr. MACHROWICZ:

H. R. 9037. A bill to provide for the issuance of a special postage stamp in commemoration of the centennial of the first Polish settlement in the United States, established in 1854 at Panna Maria, Tex.; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H. R. 9038. A bill to amend the Flood Control Act of May 15, 1928, with respect to the control of Old River, La.; to the Committee on Public Works.

By Mr. RADWAN:

H. R. 9039. A bill to provide for the issuance of a special postage stamp in commemoration of the centennial of the first Polish settlement in the United States, established in 1854 at Panna Maria, Tex.; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Arizona:

H. R. 9040. A bill to authorize cooperative research in education; to the Committee on Education and Labor.

By Mr. THOMPSON of Louisiana:

H. R. 9041. A bill to amend the Flood Control Act of May 15, 1928, with respect to the control of Old River, La.; to the Committee on Public Works.

By Mr. WILLIS:

H. R. 9042. A bill to amend the Flood Control Act of May 15, 1928, with respect to the control of Old River, La.; to the Committee on Public Works.

By Mr. WOLVERTON:

H. R. 9043. A bill to amend section 2 (a) (3) of title I of the Public Utility Act of 1935; to the Committee on Interstate and Foreign Commerce.

By Mr. KEAN:

H. R. 9044. A bill to amend section 23 (g) (4) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LANDRUM:

H. R. 9045. A bill to designate the lake created by Buford Dam in the State of Georgia as Lake Lanier; to the Committee on Public Works.

By Mr. O'KONSKI:

H. R. 9046. A bill to extend wartime rates of compensation to veterans and their dependents for service-connected disabilities incurred during periods when individuals may be inducted for training and service in the military or naval service; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H. R. 9047. A bill to authorize the construction of a sewage-treatment plant at Fort Lewis, Wash.; to the Committee on Public Works.

By Mr. YORTY:

H. R. 9048. A bill to provide supplementary benefits for recipients of public assistance under Social Security Act programs through the issuance to such recipients of certificates to be used in the acquisition of surplus agricultural food products; to the Committee on Agriculture.

By Mr. YOUNG:

H. R. 9049. A bill to amend the Flammable Fabrics Act so as to prohibit the introduction or movement in interstate commerce of blasting caps unless they are stamped or labeled so as to indicate that they are dangerous; to the Committee on Interstate and Foreign Commerce.

H. R. 9050. A bill to promote the apportionment of the waters of the Columbia River and tributaries for irrigation and other purposes by including the State of Nevada among the States authorized to negotiate a compact providing for such apportionment; to the Committee on Interior and Insular Affairs.

By Mr. MORGAN:

H. J. Res. 520. Joint resolution to provide for the proper participation by the United States Government in a national celebration of the 200th anniversary of the Battle of Fort Necessity, Pa., on July 3 and 4, 1954; to the Committee on the Judiciary.

By Mr. ROONEY:

H. J. Res. 521. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H. Con. Res. 233. Concurrent resolution expressing the sense of the Congress that, in accordance with the Reorganization Act of 1949, the President should create within the Department of Defense a civilian Department of Civil Defense and transfer all functions of the existing Federal Civil Defense Administration to such new Department; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. THORNBERRY: Resolution of the House of Representatives, State of Texas, urging restoration of funds reduced in H. R. 8067, the appropriation bill for the State, Justice, and Commerce Departments for international educational exchange activities, by the United States House of Representatives; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 9051. A bill providing for the extension of Patent No. 2,102,620 issued December 21, 1937, relating to a mail box; to the Committee on the Judiciary.

By Mr. DODD (by request):

H. R. 9052. A bill for the relief of Stavros Manousos; to the Committee on the Judiciary.

H. R. 9053. A bill for the relief of Ioannis Xepteras; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. R. 9054. A bill for the relief of William Frederick Werner; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. R. 9055. A bill for the relief of Mrs. Maisie K. Bartholomew (nee Fisher); to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 9056. A bill for the relief of Mrs. Evangelina Alvarado Trevino and her daughter, Mrs. Gloria Trevino Perez; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 9057. A bill for the relief of Joseph N. Cohen; to the Committee on Post Office and Civil Service.

H. R. 9058. A bill for the relief of Eufemia Bencich; to the Committee on the Judiciary.

By Mr. MORGAN:

H. R. 9059. A bill for the relief of Evangelos Foradis; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 9060. A bill for the relief of Dorothy Claire Maurice; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 9061. A bill for the relief of David Abraham; to the Committee on the Judiciary.

By Mr. YORTY:

H. R. 9062. A bill for the relief of Kam Man Leung; to the Committee on the Judiciary.

H. R. 9063. A bill for the relief of Shintaro Miyagi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

702. By Mr. BENTLEY: Resolution of the Michigan Society of the Sons of the American Revolution and petitioning the Congress to investigate various organizations which promote various formulas for world government, determine the fitness of leaders

and members of such organizations for public employment, and make a full report of such investigations on the floors of the Senate and House; to the Committee on Rules.

703. By Mr. HARRISON of Virginia: Petition of certain citizens of Rockingham County, Va., deploring the advertising of alcoholic beverages by newspapers, periodicals, radio, and television, and urging prohibition of such advertising in interstate commerce by approval of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

704. Also, petition of certain citizens of the city of Harrisonburg, Va., deploring the advertising of alcoholic beverages by newspapers, periodicals, radio, and television, and urging prohibition of such advertising in interstate commerce by approval of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

705. By Mr. VORYS: Petition of 41 residents of Franklin County, Ohio, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

706. By the SPEAKER: Petition of Mrs. Lillian Baker, secretary, Allegheny County Citizens, Pittsburgh, Pa., urging that the House Ways and Means Committee report out, with recommendation of enactment, H. R. 2446 and H. R. 2447 as a substitution for the present social-security program; to the Committee on Ways and Means.

707. Also, petition of Mrs. E. Peterson and others, Holly Hill, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Rotobroilers: A New Industry

EXTENSION OF REMARKS
OF
HON. ARTHUR G. KLEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. KLEIN. Mr. Speaker, in this amazing country of ours an industry can develop from insignificance to overwhelming import in the space of a very few years. The development of a new industry can have double meaning—it can result in creating jobs where there were none, and if the right kind of a product is involved, it can add to the comfort and improved living conditions of millions of people.

Such an industry, indeed, is that of manufacturing and selling rotobroilers, those amazing portable cookers which every day are finding their way into homes across this great country of ours.

Looking back just a few years would find no mention of rotobroilers in any cookbook. It was not until after World War II that American ingenuity and progress began to make strides in developing this product.

As the capabilities of rotobroilers were developed sales increased. Let us look for a moment at the sales figures of the industry during the past few years: In 1951, $9 million in sales were registered; in 1952 this figure was upped to $13 million; and in 1953 the total sales of rotobroilers was $72 million.

The increase in the number of employees which has come along with these increased sales has, of course, been reflective of the number of sales.

The growth of this industry is, indeed, remarkable considering the short span of years. One manufacturer, the Roto-Broil Corp. of America, recently purchased its second huge plant in the short space of a year and already operates its own stainless steel plating plant and plastic molding division, employing hundreds of people.

For the housewife this new appliance has been a tremendous boon. Consider the fact that she now has a cooking device that will barbecue, roast, toast, boil, broil, grill, fry, and yes, even bake, for her in a compact, portable, table height unit that does not get excessively hot.

Let other nations make their claims for their inventiveness and aggressiveness. American ingenuity has continued and will continue to make this land a happier and more prosperous place for all to live.

Israel's Sixth Anniversary

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. HELLER. Mr. Speaker, this weekend the State of Israel is celebrating the sixth anniversary of its independence. The citizens of that country and the many friends of Israel in the United States and throughout the world will rejoice on this occasion, although their joy is tempered by the fact that Israel still has not been successful in establishing peaceful relations with its neighbors.

In fact, at this very moment, tension between Israel and the Arab States is reaching new heights because of the constant friction and border incidents. Open hostilities may break out unless the United States and the United Nations succeed in convincing the Arab countries that peace is imperative in the Near East and that they will be endangering the security of the whole area if they persist in their warlike acts and provocations.

Unfortunately, our own country has recently embarked upon a policy of so-called "impartiality" as between Jews and Arabs, which only serves the cunning purposes of the Arab States. The most recent phase of this policy of impartiality is to enter into agreements with individual Arab States whereby American arms and military supplies are made available to them, ostensibly against possible Soviet aggression in the Near East. Such an agreement was announced last week with Iraq, and a similar agreement is reported to be in the final stages of negotiation with Saudi Arabia.

It is of interest to recall that Iraq's military forces were among the first to invade Israel when the latter declared its independence just 6 years ago. Now, we are informed that the military aid being made available to Iraq by the United States is being done so unconditionally. Under such circumstances, it is proper to ask: What will prevent Iraq from using these arms from America against Israel?

When I question the wisdom of our diplomacy in the Near East at this time, I do so because I am convinced that its present policy is fraught with great danger for the peace, the security and the stability of the Middle East. We are coddling the Arabs at the expense of Israel, our only true ally and friend in that area.

On this occasion of Israel's anniversary, we should reconsider our relationship with that country and seek to reaffirm our bonds of friendship and cooperation with it. Its people are staunch believers in the principles of freedom and human dignity, as are the American people. We must therefore continue to help Israel preserve its freedom and independence, to make her economically self-sustaining, and militarily secure.

In this spirit, let us renew our cordial relationship between the United States and Israel, and let us extend to the Government and people of Israel our congratulations and sincerest wishes for genuine peace for them and for all mankind. May the coming year see Israel at peace with its neighbors and with the world, and may it continue to grow and develop as a free and independent nation.

In Justice to the Aged

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. OSTERTAG. Mr. Speaker, a bill to expand and improve our social-security program will soon be before this House. It is a good bill and I expect to support it. However, it still leaves a great many injustices in our program, and it is my intention, therefore, to offer several amendments to it.

One group who are victimized today by legislative oversight are widows of workers who died without becoming fully insured. They are victimized because their spouses died at the wrong time. And the law has never been modified to correct this injustice.

Widows of men who contributed to the social-security fund for as long as 25 quarters before 1951 are today ineligible for survivors benefits under the program, although the widow of a man who died after 1951 after contributing for as little as 18 months or 6 quarters, may receive a benefit up to $63.75 a month as his survivor. How can we justify such discrimination? What is the rationale of such a program?

Mr. Speaker, I have received innumerable letters from women caught in this legal boobytrap.

They are elderly ladies, well beyond the age of employability, and either eligible now, or soon to become eligible for social-security benefits, if the law were fairly written. As it is, they must either eke out a living as best they may, or turn to the bitter bread of charity, with its humiliating investigations and means tests.

Mr. Speaker, it is long past time to correct this injustice. I shall, therefore, offer an amendment to the administration bill which will enable survivors of covered workers to qualify for minimum benefits if such workers contributed to the social-security fund for the minimum period possible under the law, which, under the 1950 amendments was six quarters.

Under leave to extend my remarks, Mr. Speaker, I include in the RECORD a letter from a correspondent in Batavia, N. Y., which well illustrates the injustice of the present system:

BATAVIA, N. Y., *April 14, 1954.*

DEAR MR. OSTERTAG: My husband died March 5, 1949, at which time it was required that an applicant for benefits under social security must have had deductions from his pay for 24 quarters. My husband had deductions for only 21 quarters, because prior to that period he was self-employed.

The law passed in 1950 granted benefits to those with only 6 quarters of deductions, who were living, but forgot survivors of those who passed on. Surely, there is no fairness nor justice in giving benefits to those who contributed for 6 quarters and refusing benefits to those who had contributed for 21 quarters. Sixty-three months of deductions, 45 more than the requirement today, but unfortunately my husband did not live until today. I believe that the term "discrimination" could be correctly used for such laws.

I am leaving my case with you, believing that you will do the best that anyone can do. All good wishes,

Cordially,

(Name withheld.)

I might add, Mr. Speaker, that when I first took up this matter with the Social Security Administration in 1951, it was pointed out that Congress had declined to make the 1950 amendments retroactive, as they affected survivors, because to do otherwise would be "administratively difficult." I can only say that if we are enacting laws here for the convenience of the administrators rather than to secure justice for the people, we have certainly lost sight of the very foundations upon which this Government rests.

The General Tax Revision Bill

EXTENSION OF REMARKS

OF

HON. CHARLES W. VURSELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 6, 1954

Mr. VURSELL. Mr. Speaker, in the general tax-revision bill we recently passed in the House of Representatives, we filled the longfelt need when we wrote into that legislation a provision that all taxable annuities or pensions received by annuitants or pensioners up to and including the first $1,200 would be exempt from any taxes. This legislation will give relief to retired schoolteachers, municipal employees and annuitants and pensioners in other categories. It was a splendid step and will be greatly appreciated by those in the teaching profession and others who will benefit by such legislation.

It embodies the main provisions of the Mason bill, H. R. 5180, which were merged in the general tax-revision bill by the Ways and Means Committee and passed by the House. The Mason bill would have gone a step farther and made certain provisions for those who found it necessary to retire before reaching 65 years of age.

This general tax-revision bill was passed and sent to the Senate and now is being given consideration by the Senate Finance Committee of that body. I hope that body will give particular consideration to liberalizing this particular provision referred to, which would provide for retirements, under certain conditions, at less than 65 years of age.

Schedule of Meetings in the Seven Counties of My District

EXTENSION OF REMARKS

OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 6, 1954

Mr. McGREGOR. Mr. Speaker, since I have been in Congress I have always attempted to keep in close contact with the people of the 17th Ohio District, whom I represent.

While a Congressman is expected to have a broad grasp of national and international matters, and to give information on many troublesome subjects, I deem it most advisable to keep in touch with the people of our district so that I might have their views and endeavor to be of service to them in their personal problems.

Having been assured by the leadership that the Congress will not be in session, I will again, this year, follow the procedure of holding meetings in the courthouses of the seven counties in my district.

I have established the following schedule:

Monday and Tuesday, August 23 and 24, Ashland, Ashland County.

Wednesday and Thursday, August 25 and 26, Mansfield, Richland County.

Friday and Saturday, August 27 and 28, Mount Vernon, Knox County.

Monday and Tuesday, August 30 and 31, Delaware, Delaware County.

Wednesday and Thursday, September 1 and 2, Newark, Licking County.

Friday and Saturday, September 3 and 4, Millersburg, Holmes County.

Tuesday and Wednesday, September 7 and 8, Coshocton, Coshocton County.

Weekdays 9 a. m. to 5 p. m. Saturday conferences will last only until noon, when the courthouse closes.

It is surprising how much can be accomplished when a citizen and his Congressman can sit down and talk over national and personal problems.

No appointments are necessary for these conferences and I urge any or all of my constituents to meet with me on the date most convenient to them.

With the knowledge thus obtained, I know I will be better able to truly represent them in the Congress of the United States.

We Should Pursue the FHA Investigation With All Speed

EXTENSION OF REMARKS

OF

HON. OVERTON BROOKS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 6, 1954

Mr. BROOKS of Louisiana. Mr. Speaker, under leave to extend and revise my remarks, I am concerned about the apparent failure to push the investigations into the Federal Housing Administration frauds and irregularities. The investigations which started off with so many charges and so many promises now seem to be bogged down. We hear little from the investigators and see less in the papers. Congress cannot afford to let this scandal go dry on the vine.

The American people want a full and complete investigation of FHA frauds and wrongdoing. If there is nothing wrong, we should complete the investigation fully and exonerate the Federal housing agency and its officials of wrongdoing. On the other hand, if fraud, corruption, and dishonesty are found in FHA transactions, these matters should be given to the public with all possible speed, and regardless of who is involved, proper penalties for fraud, corruption, and dishonesty should be applied.

Of course, only a full investigation can disclose what has been done. From what I have read and heard, and what I believe, it is my judgment that the Government has been fleeced by wrongful use of its credit, tens of millions of dollars. This has been done, I am informed, by falsifying of records, by getting wrongful appraisements, by watering charges made against construction, and causing the issuance of Government guaranty in instances not justified and in other instances beyond the limit of the guaranty which is justified under the statute. These are all technical matters. They may involve officials of Government, lending agencies, contractors, and business people. The chips should fall where they may; wherever the blight of corruption and dishonesty casts its sinister shadow, there investigators should be found. The American people want and expect punishment of those who have betrayed their trust as Government officials, and they want

punishment meted out to private interests who, in violation of our laws, have gotten rich in times of emergency when the Government was trying to help its people on housing programs.

Regardless of how the violations have occurred, and regardless of whom they touch, the investigation should proceed and proceed quickly.

Senator BYRD started with an investigation but I have recently heard little further from his investigating committee. Senator CAPEHART has announced an investigation and the Housing Administration has announced an investigation.

The more of these investigations where dishonesty and corruption is involved, the better we like it.

Protection for the American Press

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. HELLER. Mr. Speaker, just a year ago, on May 5, 1953, I introduced a bill, H. R. 5003, which provides that newspapermen shall not be required to reveal the sources of their information in Federal courts, before Federal grand juries, or before congressional committees, except under certain circumstances involving the security of our country or where there is concealment of a crime.

My bill aroused considerable interest throughout the country and received wide support in the Nation's press. It was reported in the news columns, discussed in editorials, and commented upon by columnists. Only a few days ago the Washington Post and Times Herald made reference to my bill in an editorial on press responsibility, in its issue of May 1, 1954.

At the time I introduced my bill a year ago, I made certain comments and observations about the privilege of a free press. I wish to quote a few brief passages from my remarks as they appeared in the RECORD at that time:

> The rights and liberties enjoyed by the American people will remain safe as long as we have a free press in this country. When there is an abridgment of that time-honored right, then the safety of our whole national structure is threatened for our free press has always been one of the great champions for liberty and democracy. * * *
>
> One of the major keys which make possible for our newspapers to present to their readers the true facts is the privilege of newspapermen to refuse to reveal the sources of their information. Very few people realize, however, that under the present Federal laws and jurisdiction no newspaperman can either claim this privilege or be guaranteed protection for refusing to divulge the sources of his information. * * *
>
> Through passage of my bill, Congress can prove its faith and trust in the American press, it can reiterate its belief in freedom of the press, and it can voice its confidence in newspapermen and in their code of ethics. Newspapermen are not asking for protection based on mere relevance or pertinence of material. They want a specific safeguard which will give them the necessary protection of the law. They want official recognition of a traditional privilege which will strengthen the freedom of the press in this country.

Mr. Speaker, exactly a year has gone by since then and nothing has been done. The House Judiciary Committee, to whom my bill was referred for action, has taken no action on the measure and has not even submitted it to a subcommittee for study. Meanwhile, the newspaperman's privilege or right to protect his sources remains unprotected and it is bound to hurt seriously the freedom of the press in this country and the methods of news gathering as we know them today.

That this issue is very much alive now and will undoubtedly continue to grow in importance is clear from events of these last few days. I am sure my colleagues have not failed to notice that in the current Army-McCarthy hearings, the Senator from Wisconsin has claimed the right not to divulge his sources of information and his claim was sustained by the chairman. In handing down the ruling, Senator KARL E. MUNDT stated as follows at the hearings on May 5, 1954:

> The Chair is prepared to rule. He unhesitatingly and unequivocally rules that in his opinion, and this is sustained by an unbroken precedent so far as he knows before Senate investigating committees, law-enforcement officers, investigators, any of those engaged in the investigative field who come in contact with confidential information are not required to disclose the source of their information. The same rule has been followed by the FBI and, in my opinion, very appropriately so.

Mr. Speaker, I submit that the "unbroken precedent" referred to by Senator MUNDT is even older and dates back much further in our history where it concerns the right and privilege of newspapermen not to disclose their sources of information, than it does in the case of "those engaged in the investigative field" or the FBI. The newspapermen's privilege goes back to the days of John Peter Zenger, one of the earliest pioneers in the struggle for freedom of the press in America, whose fight for freedom of expression in 1735 helped to establish the fact that the affairs of government should remain public. Since then there have been a number of instances where newspapermen chose to go to jail rather than reveal their sources of information, and in this way they upheld the unbroken precedent.

I desire to raise this question: Why should the right not to disclose sources of information be recognized for those engaged in investigations and for the FBI, but not for newspapermen? Why should our press—and this applies also to the periodical press, news-gathering agencies, radio and television—be denied this privilege to which it lays claim and precedence extending over 2 centuries or more? If we cherish our freedom of the press, then we should give the American press the protection it needs.

Mr. Speaker, the editorial in the Washington Post and Times Herald referred to above was as follows:

> PRESS RESPONSIBILITY
>
> Canadian courts recently handed down a ruling which, if allowed to stand, will hobble Canadian newspapers in their obligation to report the news. Blair Fraser, Ottawa editor of MacLean's magazine, was ordered by a provincial court to reveal the sources of his information for an article on politics in British Columbia. Mr. Fraser refused to do so and appealed the order. But his appeal was rejected by the Appeal Court and by the Supreme Court of Canada.
>
> There have been similar cases in the United States. Some newsmen have gone to jail rather than reveal their sources of information. Two Newburgh, N. Y., reporters spent 5 days in jail in 1948 for refusing to tell a grand jury their confidential sources of information. In 1934, 2 Kentucky reporters spent several days in jail when a Danville police judge charged them with contempt for refusing to disclose where they had obtained certain information. Twelve States now accord reporters the same protection of law as given to lawyers, doctors, or clergymen with respect to confidential information. It has been argued that the right is implicit in the first amendment and that it is now a part of the common law. But the reporter's right to protect his sources is not yet recognized in some jurisdictions.
>
> To remedy this defect, Representative LOUIS B. HELLER, of New York, is sponsoring a bill to accord reporters the legal right to refuse to disclose sources of information except in special circumstances involving national security or concealment of a crime. "Newspapermen are not asking for protection based on mere relevance or pertinence of material," Mr. HELLER properly said when he introduced his bill last year. "They want official recognition of a traditional privilege which will strengthen the freedom of the press in this country." This right must be protected or newspapers will be unable to obtain information or even tips from persons who do not want their identity known.

National Park Concessions

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6 1954

Mr. MILLER of Nebraska. Mr. Speaker, I insert at this point in the RECORD four resolutions which were adopted by the Interior and Insular Affairs Committee of the House on May 4, 1954, in compliance with the act of July 31, 1953—Public Law 172, 83d Congress, 67 statute, page 261.

The act of July 31, 1953, provides that the Secretary of the Interior shall report in detail all proposed awards of concession leases and contracts, including renewals thereof, 60 days before such awards are made, to the President of the Senate and the Speaker of the House of Representatives for transmission to the appropriate committees.

Meeting in open session on May 4, 1954, the committee was apprised of no reason to disapprove the Secretary's recommendations on the four proposed concession awards covered by the following resolutions:

> COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
> HOUSE OF REPRESENTATIVES.
>
> Whereas the act of July 31, 1953 (Public Law 172, 83d Cong., 67 stat. 261), provides that the Secretary of the Interior shall report in detail all proposed awards of concession

leases and contracts, including renewals thereof, 60 days before such awards are made, to the President of the Senate and the Speaker of the House of Representatives for transmission to the appropriate committees; and

Whereas the Speaker has referred to the Committee on Interior and Insular Affairs a letter dated March 9, 1954 containing the recommendations of the Secretary of the Interior with regard to a proposed award of a concession permit to Fred Harvey which will, when approved by the regional director, region 3, National Park Service, renew for the period January 1, 1954, through December 31, 1954, concession permit No. I–29np–43, under which the company is authorized to operate the Painted Desert Inn, Petrified Forest National Monument, Arizona; and

Whereas the Committee on Interior and Insular Affairs has, in session with a quorum present, this day found no reason to disapprove the recommendations of the Secretary of the Interior in this matter: Now, therefore, be it

Resolved, That the Committee on Interior and Insular Affairs of the House of Representatives give notice in writing to the Secretary of the Interior that it has no objection to his recommendations in this matter.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS.
A. L. MILLER, *Chairman.*

Adopted this 4th day of May 1954.

COMMITTEE ON INTERIOR,
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES.

Whereas the act of July 31, 1953 (Public Law 172, 83d Cong., 67 Stat. 261), provides that the Secretary of the Interior shall report in detail all proposed awards of concession leases and contracts, including renewals thereof, 60 days before such awards are made, to the President of the Senate and the Speaker of the House of Representatives for transmission to the appropriate committees; and

Whereas the Speaker has referred to the Committee on Interior and Insular Affairs a letter dated March 16, 1954, containing the recommendations of the Secretary of the Interior with regard to a proposed award of a concession permit to Drs. Alfred M. Lueck and John A. Pearson which will, when executed by the Regional Director, region two, National Park Service, extend for 1 year authorization to operate the hospital and furnish medical and dental care in Yellowstone National Park, Wyo., for a period of 1 year from January 1, 1954; and

Whereas the Committee on Interior and Insular Affairs has, in session with a quorum present, this day found no reason to disapprove the recommendations of the Secretary of the Interior in this matter: Now, therefore, be it

Resolved, That the Committee on Interior and Insular Affairs of the House of Representatives give notice in writing to the Secretary of the Interior that it has no objection to his recommendations in this matter.

COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
A. L. MILLER, *Chairman.*

Adopted this 4th day of May 1954.

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES.

Whereas the act of July 31, 1953 (Public Law 172, 83d Cong., 67 Stat. 261), provides that the Secretary of the Interior shall report in detail all proposed awards of concession leases and contracts, including renewals thereof, 60 days before such awards are made, to the President of the Senate and the Speaker of the House of Representatives for transmission to the appropriate committees; and

Whereas the Speaker has referred to the Committee on Interior and Insular Affairs a letter dated March 16, 1954, containing the recommendations of the Secretary of the Interior with regard to a proposed award of a concession permit to Catherine W. Verkamp, Margaret Mary Verkamp, John George Verkamp, Mary Janet Trisler, and Catherine Martin, which will, when executed by the Director of the National Park Service, extend for 1 year from January 1, 1954, authorization to the aforesaid persons, doing business as Verkamp's, to provide accommodations, facilities, and services, for the public on the South Rim of Grand Canyon National Park, Arizona; and

Whereas the Committee on Interior and Insular Affairs has, in session with a quorum present, this day found no reason to disapprove the recommendations of the Secretary of the Interior in this matter: Now, therefore, be it

Resolved, That the Committee on Interior and Insular Affairs of the House of Representatives give notice in writing to the Secretary of the Interior that it has no objection to his recommendations in this matter.

COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS.
A. L. MILLER, *Chairman.*

Adopted this 4th day of May 1954.

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES.

Whereas the act of July 31, 1953 (Public Law 172, 83d Cong., 67 Stat. 261), provides that the Secretary of the Interior shall report in detail all proposed awards of concession leases and contracts, including renewals thereof, 60 days before such awards are made, to the President of the Senate and the Speaker of the House of Representatives for transmission to the appropriate committees; and

Wheeras the Speaker has referred to the Committee on Interior and Insular Affairs a letter dated March 19, 1954, containing the recommendations of the Secretary of the Interior with regard to a proposed award of a concession permit to Robert Eslinger and Maxine Lambert which will, when approved by the regional director, region 1, National Park Service, authorize the sale of firewood at campgrounds in Great Smoky Mountains National Park, Tenn., for the period April 15, 1954, to October 31, 1954; and

Whereas the Committee on Interior and Insular Affairs has, in session with a quorum present, this day found no reason to disapprove the recommendations of the Secretary of the Interior in this matter: Now, therefore, be it

Resolved, That the Committee on Interior and Insular Affairs of the House of Representatives give notice in writing to the Secretary of the Interior that it has no objection to his recommendations in this matter.

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS.
A. L. MILLER, *Chairman.*

Adopted this 4th day of May 1954.

Time To Stop Dragging Feet in Cal-Sag Appropriation

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. O'HARA of Illinois. Mr. Speaker, the passage of the St. Lawrence Seaway bill makes imperative the passage by this Congress of an appropriation bill for the Calumet-Sag Waterway. I have spoken many times on the urgency of this matter. Now that the St. Lawrence project is assured surely the 83d Congress will not continue to drag its feet on the rest of the program to give our country a system of inland waterways from the Atlantic to the Gulf of Mexico. Let it not be said of us that we went half way and then stopped.

I am extending my remarks to include the last paragraph of a letter from Henry C. Woods, chairman of the board of Sahara Coal Co., of Chicago:

> If this bill (St. Lawrence Seaway) is passed I think that you should give those people in the midcontinent and especially those in Chicago, the right also to ship by river through the port of New Orleans from Chicago. This involves your voting for an appropriation called the Cal-Sag project.

Mr. Speaker, there can be no excuse for further delay in providing the money for an immediate start on the work of construction.

A Proposal To Create a Department of Civil Defense in the Department of Defense

EXTENSION OF REMARKS
OF
HON. R. WALTER RIEHLMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. RIEHLMAN. Mr. Speaker, the recent discussions on the floor of the House concerning the Defense Department appropriation bill have brought out some startling facts about our plans for military defense of the United States in the atomic-hydrogen age. I fully concur with the administration's efforts and its policies in building a strong retaliatory force. Our best hopes for preservation of the free world lie in international negotiation from a position of strength. Although it is now a matter of hindsight, it is generally agreed that much of our current troubles might have been averted had we not disarmed as rapidly as we did following World War II.

However, the recent public releases on the destructiveness of the hydrogen bomb have shocked the people of this Nation into giving more thought to our civil defense. In fact, one of the main reasons for releasing to the public the hydrogen bomb information was to bolster the efforts of the Federal Civil Defense Administration and to increase its effectiveness.

The Federal Civil Defense Administration, as presently constituted, is primarily an information coordinating headquarters which must depend upon the voluntary efforts of each State in the Union to develop the kind of individual civil defense operations which each State can afford. The limit of each State's plan is dependent upon the

amount of State money available for this activity. Even where the people of the individual States are made conscious of the great necessity for their State's civil-defense program, and even where adequate State funds could be made available for civil defense, the process of translating this concern into governmental action in a democratic society is bound to be a slow one. Can we as a nation afford, at this period of technological development, the luxury of such a system? I do not believe that we can. Although I have opposed in the past, and shall continue to oppose in the future, the shifting of many legitimate State functions to the Federal Government, it would seem obvious today that civil defense, as well as military defense, is a proper responsibility of the National Government.

This is not a radical idea by any means. It long ago became apparent that State militias were an outmoded form of military organization for the United States. State militias had to be disbanded in favor of a more integrated approach through the National Guard program, operated from the Department of Defense. Independent State civil defense organizations are, today, as outmoded as independent State military organizations.

When it was announced last summer that the Soviet Union had conducted a test explosion of the hydrogen bomb, it became increasingly clear to me that the civil-defense program of the United States was becoming outmoded. The potentialities of this Soviet weapon were further pointed up by the recent release of information concerning the United States hydrogen bomb detonated in March of 1953, and also by the various reports on the most recent hydrogen bomb explosion. Many of us are convinced that our entire civil-defense program is obsolete.

One fact which has become apparent is that civil defense is no longer a program which we can afford to relegate to a subordinate position in our governmental structure. The task of civil defense cannot be entirely separated from the main effort of our national-defense program. This means that the Federal Government must assume a greater share of any responsibilities now borne jointly with the several States. The present division of civil-defense functions between the Federal Government and the States is wholly unrealistic in view of the destructive characteristics of the hydrogen bomb. The civilian sanctuaries of a few years ago have become the military targets of today. We must be just as concerned about the defense of the civilian populations of our great industrial and commercial centers today as we have been about the defense of our military bases and installations in the past.

It is not only necessary that there be a greater concentration of authority at the Federal level, but it is also necessary for the Federal Government to shoulder the principal financial burden. Every American citizen is entitled to a minimum and equal share of effort for his defense should a war be brought into our backyards. The problem, therefore, is a national one. The responsibility of our National Government to the people can be carried out only by an intelligent program developed and operated from a central point.

The present civil-defense program, established pursuant to the Federal Civil Defense Act of 1950—approved January 12, 1951—is a loose confederation of individual State programs. While much progress has been made, both at the State level and by the Federal Civil Defense Administration—particularly with regard to negotiation of interstate mutual-aid compacts—the basic system itself has proved to be wholly inadequate.

It is not a secret that the civil-defense program has been a stepchild agency in the executive branch of the Government. The Congress has repeatedly made drastic cuts in the appropriation requests of that agency from its inception. Whether the cuts were made as a result of lack of confidence on the part of the Congress in the program being proposed, or whether these cuts were a necessary economy measure is almost beside the point. As an economy measure, the argument may hold up if the priority for that program were to be based on the conditions existing in 1941, in 1949, or even in 1951. In that period our military position, as it was affected by the development of atomic weapons and hydrogen weapons, was an entirely different one from that with which we are faced today.

The people of the United States have never refused to face up to a problem involving our national safety merely because of the monetary costs involved. We can no longer depend upon the dual system of charging the Department of Defense with the responsibility of a military defense of our people from enemy action on the one hand, and charging the Federal Civil Defense Administration, through a loose confederation of State civil-defense agencies, with the problem of taking care of our citizens in the event of military attack upon our homeland.

While I realize that this approach is radically different from any civil-defense program previously adopted in the United States, the time has come to face the facts that military and civil defense cannot be separated. We must develop an entirely new concept of civil defense.

Voluntary participation in civil defense is, like voluntary armies, largely a phenomenon of the past. We are being faced with the realities of total war. Civil defense now requires an effective corps of trained personnel. In terms of importance, it is no longer possible to distinguish this type of service from purely military service.

There is no real answer to the inadequacies of our present civil-defense program. Indeed, it is no longer a question of whether our civil-defense officials have succeeded or failed in their assigned tasks, or whether this person or that party was responsible for the success or failure. It is, rather, a matter of lifting our conception of civil defense out of the framework of pre-atomic-hydrogen days. It is a matter of carefully examining the realities of defense requirements in a completely new and modern setting. It is a matter of considering, in the light of new realities, the problem of constructing a rational program for civil defense.

While the experience accumulated by the Federal Civil Defense Administration will, naturally, be of great importance in developing a new civil-defense program, a study of the problem itself should be much broader; it should be dealt with on a level encompassing our entire national-defense program. Civil defense must be considered as a part of our military planning by the Joint Chiefs of Staff and by the National Security Council. It cannot merely be coordinated with the military plans being developed at that level. When civil defense is developed along lines of mere coordination or cooperation with these basic military policy planning groups, civil defense becomes a kind of second-class agency, regardless of the sincerity of both the military and the civil-defense leadership.

Because of these considerations, I am introducing a concurrent resolution, expressing the sense of Congress that the President, in accordance with the Reorganization Act of 1949, as amended, should provide such a positive program.

The program outlined in this resolution provides for the abolition of the Federal Civil Defense Administration and for the creation of a Department of Civil Defense. This newly created Department would be established within the Department of Defense, and would be headed by a Secretary with a status equivalent to that of the Secretaries of the Army, the Navy, and the Air Force. The Secretary of Civil Defense would be assisted by a civilian Chief of Staff who would become a member of the Joint Chiefs of Staff.

The new Department of Civil Defense would be similar to the military departments in many respects. Its functions would be carried out under the direction, authority, and control of the Secretary of Defense, and its recommendations for further legislation would be submitted through the Secretary of Defense, who is a member of the National Security Council.

An incidental advantage which would accrue as the result of incorporating the civil-defense program within the Department of Defense is the possibility for more intensive utilization of surplus military property. Large quantities of surplus military property are now being offered for sale to the public. Under the military surplus-property program, as presently constituted, the Federal Civil Defense Administration has no priority in claiming excess military property, much of which would be usable in the civil-defense program. State and municipal civil defense organizations, at present, are not even eligible to participate in the Federal donable surplus-property program. Inclusion of the new Department of Civil Defense within the Department of Defense would make available to civil-defense activities much of the surplus military property now being sold, and a considerable portion of such property could be transferred from

the military departments without reimbursement.

As to manpower requirements, it is suggested that the President's reorganization plan request legislation to permit an allotment of personnel to be made through the machinery of the existing United States Selective Service System. Such a system would be a most fortunate program for utilizing the services of those who cannot meet their obligations in the national military service for reasons of conscientious objection, physical disqualifications, or for any other reason. It is not intended to imply that the manpower requirements for this department shall be supplied solely from the pool of those who are rejected for or exempt from military service. Such a limitation would be unfair to the many patriotic citizens who, for reasons entirely beyond their control, have not been fortunate enough to serve our country in the past. It is my belief, furthermore, that this civil-defense program, within the Defense Establishment, might be studied to determine the possibilities for including it in the plans for the universal-military training program.

This new department would be charged with the primary responsibility for preparing a comprehensive program for civil defense geared to the hydrogen bomb age. It would be able to exert leadership in the development and operation of a positive and effective national civil defense system.

One argument is frequently advanced against giving undue prominence to defensive measures such as civil defense and the Air Defense Command. It is argued that our best defense is a strong offensive power, and that programs emphasizing defense rather than offense are isolationist in character, seeking to hide America behind some mysterious wall of impenetrable defense without entangling international responsibilities. As part of this same line of reasoning, it is argued that the men, money, and materials necessary for such defensive measures would result in a dangerous drain upon our offensive capabilities.

These viewpoints deserve full and serious consideration, of course, but I cannot agree that they preclude much more ambitious defensive measures than we have yet undertaken. The problem cannot be phrased in terms of alternative choices. The simple fact is that we must achieve a stronger defense without weakening or subordinating our offensive power. Adequate defensive measures coupled with powerful offensive capabilities do not add up to either isolationism or bankruptcy. The leadership of the United States would be strengthened by the world knowledge that we are prepared to repel as well as to invade. In the event of war, there would be scant hope for the survival of the free world if we were able to destroy the enemy, but incapable of preventing the annihilation of our own cities and people.

Our homes, our cities, our families, our skilled industrial workers, are just as much a part of the total national defense potential as our uniformed military forces. It would be disastrous to continue to ignore this simple truth.

Salute to Israel

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. MULTER. Mr. Speaker, it is my privilege at this time to offer a tribute to the bravest of young democracies. On May 8, 1954, the State of Israel reaches its sixth anniversary. We join with it in proudly acclaiming a series of achievements unparalleled in history.

Israel is a small country—in fact, it is among the smallest countries on the face of the earth, comprising somewhat less than 8,000 square miles. It is of great cultural, spiritual, and moral value as the cradle of modern civilization and the place of origin of three major religions, all based on the belief in one God.

Upon the completion of its sixth year of independence, the people of Israel have every reason to be proud of their achievements. During these fateful years Israel has engaged in building solid economic foundations, a sound economy which will enable its citizens to achieve a high standard of living, and to absorb the many newcomers who have returned to their ancestral homeland in such huge numbers from the far corners of the globe.

Side by side with agricultural and industrial development, Israel successfully established a truly democratic government in the Western sense, including the most essential democratic institutions, such as, a parliament—freely elected by secret ballot, a well-functioning judicial system, a free press, freedom of religious worship, compulsory education, and many other institutions characteristic of democratic nations. There are many more achievements in the development of education and culture, scientific research, progress in social welfare, and the tremendous effort to improve public health.

Today Israel has thriving new villages, cities, industries, farms and mines, and every citizen of Israel can look upon these achievements with pride, just as they look forward to even greater accomplishments.

We are proud that the United States was destined to play such a significant part in the creation of the Jewish state and we will never cease to thank President Harry S. Truman for being the first head of a state to extend formal recognition to it. This country and its people have aided it in many ways in the formative years of its early existence and with a continuance of this aid will come the goal of economic independence.

I am happy to extend my heartfelt greetings, and I know my colleagues join me on this occasion in extending their felicitations, too, to the Government and the people of Israel. Together with them, and all peace-loving nations the world over, working together we are assured that Israel will continue to be a bulwark of democracy in the Middle East.

With the aid of the United Nations, the hatreds of enmity must be dissipated and peace between Israel and its neighbors must be established, not only in treaties, but in reality.

War Is on the Horizon

EXTENSION OF REMARKS
OF
HON. CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. HOFFMAN of Michigan. Mr. Speaker, on Wednesday, May 5, the press gives Senate Majority Leader WILLIAM F. KNOWLAND as authority for the statement that we must now draw the line against Red aggression in Indochina, and without Britain, if she will not join, form a Pacific alliance to hold that line. The Senator is further quoted as saying that he will lead a Senate fight to send United States troops to Indochina if the President finds it is "in the vital interest" of the United States to do so.

If we are to stay out of a fourth world war, the people—you—must act.

The save-the-world foreign policy of President Wilson, who won office on the slogan that he "kept us out of war," put us into that war 5 months after he was reelected.

Franklin D. Roosevelt, on October 23, 1940, at Philadelphia, said:

> We will not participate in foreign wars and we will not send our Army, Naval, or Air Forces to fight in foreign lands outside of the Americas except in cases of attack.

On October 30 of the same year, speaking at Boston, he added:

> I have said this before, and I shall say it again and again and again: Your boys are not going to be sent into any foreign wars.

Secretly, through the use of our ships and men, he was aiding Great Britain fighting Germany, and soon we were openly in World War II.

While President Truman was proclaiming his desire for peace, at the request of the United Nations and apparently because of secret executive agreements, which the Bricker amendment would have prevented, he put us into the war in Korea.

Three wars fought to help other nations—because we were fooled into thinking that our national existence depended upon the winning of those wars. More than a million American casualties. Thousands of young Americans still prisoners of war in the hands of mutual enemies.

Billions upon billions of dollars given to reform the world, purchase the friendship of other nations.

Now, with a showdown in Indochina, the nations to whom we have given so much desert us.

India has told us to quit sending our planes transporting French soldiers over her territory to Indochina.

Germany and the other nations of that continent do not want our Armed Forces in Europe.

With Canada, Britain, Australia, and every other nation with military power refusing to draft its men to fight beyond the borders of its own country, we are still conscripting our young men—and, if some internationalists had their way, our young women—to fight thousands of miles from home, on the theory that we must do so in order to preserve our national existence.

With Britain and France trading with Red Russia and Red China, Britain refusing to fight by our side in Indochina, we can, in my opinion, find no quicker, more effective way of enslaving our people, destroying our own freedom, our own prosperity, imperiling the future of our country, than permitting ourselves to be sucked into this war in Indochina.

The people of this country—you—can now prevent that catastrophe by protesting vigorously and unceasingly to those who, through the press or otherwise, they learn favor the present foreign policy—which means war.

If we sit silent now, fail to protest the policy which is involving us in world war IV, we cannot consistently protest when our men—the sons, the fathers, the husbands—are shipped abroad. Nor will we have anyone except ourselves to blame when, year later, many are shipped back in flag-draped caskets, thousands lie in unmarked graves, other thousands remain until relieved by death as prisoners of war in the hands of a cruel, conscienceless enemy.

I am doing everything I can think of to keep us out of this war. If you oppose war, why not write the President, your Senators?

Public Laws 312 to 322, Inclusive

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 6, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include my reports to my constitutents in the Second District of Illinois covering Public Laws 312 to 322, inclusive. The reports follow:

SEVENTEENTH REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Continuing where we left off:

PUBLIC LAW 312

S. 2714, increases borrowing power of Commodity Credit Corporation

The Commodity Credit Corporation is the financial organization through which are carried out loans and purchases providing price supports for farmers. The agricultural bloc regards it as the most important of all the agencies of the United States Government in maintaining the economic health of the Nation. It has operated as a protection of agricultural stability.

Nevertheless, it has been costing us a great amount of money. At present the storage item alone amounts to $14 million a month. As a member of the committee (Banking and Currency) with jurisdiction over CCC legislation, I have maintained that instead of storing excessive amounts of perishable products such as butter the benefit in part should go to urban centers like Chicago in helping out in our relief problem and in more adequately caring for our aged. Old-age assistance allowances could be helped out tremendously by distribution of good butter, otherwise either going to ruin or running up staggering storage bills.

The merit of CCC and the policies underlying its administration, however, were not involved in the consideration of Public Law 312. This law increases the borrowing power of CCC from $6,750,000,000 to $8,500,000,000, an increase of $1¾ billion. It does nothing else. It does not authorize additional spending. Its sole purpose is to provide the money for contracts previously authorized and agreements already entered into. To that extent it is an honest measure.

Public Law 295 (see my report No. 12) was a dishonest approach. It sought to avoid the lifting of the debt ceiling by ordering the United States Treasury to cancel CCC's I O U for some $741 million, thus keeping CCC within the legal debt limitation by a subterfuge. On this the Honorable True D. Morse, Under Secretary of Agriculture, took issue with me, my questions and his replies covering 5 pages (96–101) in the House public hearings.

Fortunately, Public Law 312, as finally passed, was amended (by the Senate, the House agreeing) to prohibit such subterfuge in the future. The exact wording is: "Such capital impairment shall be restored with appropriate funds as provided herein rather than through the cancellation of notes."

To me it was as clear as crystal that giving CCC close to a billion dollars to spend (in excess of the authorized ceiling) merely by ordering the Treasury to cancel the notes of CCC could not measure up with recognized standards of honest dealing.

PUBLIC LAW 313

H. R. 5509, Medical Corps colonels in the Regular Army

This is intended to aid in making service in the Medical Corps of the Regular Army more attractive to career officers. In 1947 the Pharmacy Corps (where officers became full colonels in 26 years) was abolished and officers therein transferred to the Medical Corps. The act of 1947 limited the number of medical colonels (that included those from the old Pharmacy Corps) to 2 percent of the authorized officer strength of the corps, whereas in other male corps the number of colonels could be as many as 8 percent. Public Law 313 wisely removes that limitation and places the Medical Corps on the same footing as the other corps.

Since 1947 the trend has been to relieve Army doctors from administrative duties that they may devote themselves to professional work. With the prevailing scarcity of doctors the 2-percent restriction proved a handicap in procuring and retaining officers with the requisite qualifications. There just was not enough future in prospect. Private practice was more alluring.

The House passed the bill by consent.

PUBLIC LAW 314

H. R. 4558, policing the air

Radio transmission amateurs (and others) should take notice. Hereafter there will be rigid prosecution of violations of section 501 of the Communications Act prohibiting operation of a radio transmitter without an FCC license.

Policing the ether is the important responsibility of the Federal Communications Commission. But the Commission could not do the job well because existing law was too stringent. It subjected the violator (usually an overenthusiastic air fan) to a possible 2-year term in prison. Result: Federal prosecutors and grand juries shied away. Since 1940 there have been only a dozen or so prosecutions.

On the recommendation of the Commission Public Law 314 reduces a violation of section 501 from a felony to a misdemeanor for a first offense. For those who persist (after a fine for a first dereliction) prison will be ahead.

PUBLIC LAW 315

S. 489, Bradley Field, Conn.

During World War II the United States acquired a 58-acre tract adjacent to Bradley Field, Windsor Locks, Conn., for a post engineer area for the Army Air Force. Since 1947 it has been rented to Connecticut for its National Guard. As Connecticut is willing to maintain the area for defense purposes, and to surrender it back to the Federal Government in the event of an emergency, Public Law 315 authorizes its conveyance to the State. United States prudently reserves all mineral rights. There was no objection in the House to this routine legislation.

PUBLIC LAW 316

S. 2348, redcedar shingles

You may never have known it—I did not until this measure was explained in the House—but since 1937 redcedar shingles have been in the driver's seat as far as the census was concerned. Each and every month the Director of Census had the busy job under existing law of compiling fulsome statistics on the production, shipment, and importation of redcedar shingles. Reason was we had a trade agreement with Canada which provided for a tariff when our imports exceeded a certain figure which required a mixture of statistics and mathematics to fix. It cost our Government a lot of money to keep the statistics monthly current.

The old agreement with Canada having been superseded, and the tariff on recedar shingles eliminated, Public Law 316 follows up by doing away with the monthly census. Hereafter redcedar shingles will get the same census treatment as other products: (a) annual total production reports, (b) inclusion in quinquennial census of manufacturers.

PUBLIC LAW 317

S. 1827, waiver on Seattle real estate

If you have had experience with a Chicago Title & Trust Co. title opinion you will understand the why of Public Law 317.

Owners of property in Seattle adjoining the Lake Washington Ship Canal (United States Government facility) asked the Washington Title Insurance Co. for a guaranteed title policy. The title company demanded a waiver by the United States of any interest in the property. Federal attorneys agreed that the United States had no valid claim of any nature. It was necessary, however, to pass another law (Public Law 317) before anyone could give a waiver binding the United States.

The measure met with no objection in the House.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

EIGHTEENTH REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Continuing where we left off:

PUBLIC LAW 318

Senate Joint Resolution 34, admission to West Point and Annapolis of subjects of Thailand and Belgium

Under Public Law 318 two subjects of the Kingdom of Thailand (Siam) will be admitted to the Military Academy at West Point, and two subjects of the Kingdom of Belgium to the Naval Academy at Annapolis. They will not be entitled to commissions in the United States Armed Forces on graduation.

I found interesting the historical background furnishing the precedents for Pub-

lic Law 318. Two cadets from Chile were admitted to West Point in 1816, two from Colombia in 1823. Since 1884 to the present, acts of Congress have admitted cadets from Nicaragua, Guatemala, China, Siam (now Thailand), Costa Rica, El Salvador, Cuba, Colombia, Ecuador, and Panama. In addition since 1908 the Secretary of War has been empowered to appoint Filipino cadets, since 1946 to appoint persons from the American Republics and since 1948 to appoint Canadians.

Although the first foreign national admitted to the Naval Academy was a Frenchman (1861) most of those admitted later were subjects of the Japanese Empire. The number of cadets from Japan was large. In 1906 Congress authorized the admission of a student from Cuba, in 1922 one from Venezuela, and in 1923 one from Cuba and one from Holland.

As Public Law 318 was recommended by the Department of State and the Department of Defense it passed the House by voice and I heard no dissenting vote. In the Senate there was reference to the timeliness of the action as regards Thailand because of the difficulties that kingdom is having in fighting communism.

PUBLIC LAW 319

S. 2111, our Star-Spangled Banner

In casting your vote for Public Law 319 I experienced the same patriotic thrill that you will on the reading. The flag of our country—and the story of the writing of the Star-Spangled Banner—are part of our national pride and heritage.

Public Law 319 permits Old Glory to fly 24 hours a day over Flag House Square in Baltimore. There in fact will be two banners always in the air at this historic national shrine—the present flag of our country and a replica of the flag in use during the War of 1812.

Under existing law (enacted in 1942) it is the rule that the flag usually may be displayed only from sunrise to sunset. The exception is made for Flag House Square because this is the birthplace of the flag that inspired Francis Scott Key to write the Star-Spangled Banner.

Standing in this square at Albermarle and Pratt Streets in Baltimore is the home of Rebecca Young, who had made flags for Washington's army, and of her daughter, Mary Pickersgill, and her granddaughter, Caroline Pickersgill, during the War of 1812. Here it was that Mary and Caroline Pickersgill made the great battle flag that flew over Fort McHenry during the 3-day attack on Baltimore in September of 1814 and which Francis Scott Key immortalized.

The House Judiciary Committee recommended the measure as in keeping with the respect and dignity due the flag. It said that granting the 24 hour flying privilege would promote a better and more diffused knowledge of the history of our flag. I agreed with the committee.

PUBLIC LAW 320

H. R. 4558, amends Communications Act

This is a minor amendment to the Communications Act of 1934. It extends from 15 to 30 days the time in which the Federal Communications Commission must act on protests against the grant of any radio authorization. The Commission's calendar is crowded and questions raised are complex. No one objected to giving it a little more time.

PUBLIC LAW 321

H. R. 4557, mobile radio stations

Persons planning the operation of (a) mobile radio stations, and (b) common carriers, safety and special radio services take note. Public Law 321 exempts those in (a) from the requirement of a construction permit as a prerequisite to an application for a license to operate a radio station and for those in (b) authorizes the Federal Communications Commission to waive the requirement.

The reason that radio stations engaged in broadcasting (unaffected by Public Law 321) must obtain permit before beginning construction is to keep the FCC free from pressure when later an application is made for the license to operate. Otherwise the pressure argument could be expected from an applicant for a radio station license that his large expenditure for construction would go out the drain if he were not permitted to operate. So he properly is required to take the matter up with the Commission at the very start. Mobile stations, however, do not call for such plant installations and equipment.

As Public Law 321 will eliminate much unnecessary paper work, and thus save money for the taxpayers, it had the hearty blessing of your representative.

PUBLIC LAW 322

S. 79, Mammoth Cave National Park

This I found interesting. The original cost (1937) to the Government of Mammoth Cave National Park in Kentucky was $300,000. The remainder of $3,200,000 had been raised through contributions. The sum was insufficent to purchase all of the property, so Onyx Cave and Crystal Cave were left in private hands. Together they comprise some 440 acres.

Since then Mammoth Cave has proved a large tourist attraction. The Government takes in (admission, guide, elevator fees) much in excess of administration expenses. But the two privately owned caves have been a source of confusion to the public and embarrassment to the park officials who have no jurisdiction over them. Moreover, they divert revenues otherwise coming to the Government.

Public Law 322 authorizes the Secretary of the Interior to cooperate with the State of Kentucky for their acquisition. It is estimated that their cost will be around $600,000. The plan is for Kentucky to raise the money by a bond issue, buy the two caves and then turn over title to the United States. Kentucky will be reimbursed in installments from the profits of the Mammoth Cave National Park, which then will comprise the entire scenic area.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

Veterans of Foreign Wars Loyalty Day

EXTENSION OF REMARKS
OF
HON. JAMES C. DAVIS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. DAVIS of Georgia. Mr. Speaker, on May 1, which was Veterans of Foreign Wars Loyalty Day, it was my privilege to have a United States flag flown from the Capitol for the future use of the VFW in Georgia. As the flag was flying from our Nation's Capitol, Veterans of Foreign Wars in Georgia and throughout our country were observing Loyalty Day.

In the rush of everyday life many of us tend to forget the great privilege of being an American. A brief reminder now and then makes us appreciate the fact that we live in a free country. The VFW Loyalty Day program was inaugurated as an annual event to help supply this reminder, to counterattack the Communists May Day celebrations, and to help minimize the effects of Communist propaganda.

In Georgia the program was directed by State Commander Joe T. Wood, of Gainesville, and State Loyalty Day Chairman Charles A. Moran, of Atlanta. In discussing the fine program they state:

> Loyalty Day is a nonpartisan, nonsectarian, and cooperative effort to exhibit national unity and rededication to our democratic ideals.
>
> It is gratifying that each year more and more of our fellow citizens are demonstrating their interest and concern and are eager to help spread the movement so that eventually all will participate in some way. As the world situation continues to become more serious and the security of our country and the safety of our fellow citizens imperiled, our thoughts turn more to the Almighty to whom we must intercede for victory in this global life-and-death struggle with the Red hordes.

The VFW asked all denominations in the State "to build up sermons and messages around the theme of loyalty—loyalty to God—being mindful of the fact that the very foundation and framework of our Government is based on belief in God, and that it is to Him that we must look for aid."

Organizations and schools were urged to use the pledge to the flag that was adopted at the last State encampment: It is:

> I pledge allegiance, under God, to the flag of the United States of America, and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all.

I consider it an honor to serve as an honorary vice chairman of the Georgia Loyalty Day Committee. The foundation of the program is the same as that of our great country, a fundamental belief in God.

This country, while recognizing the dignity of the individual, has developed into the richest and most powerful Nation in the world. For example, the United States has only 6 percent of the world's land and only 5 percent of the world's population, but we produce in this country well over 40 percent of the world's total output of goods. We are the world's largest exporter and importer and we have created about two-thirds of the world's savings.

It is well for all patriotic Americans to observe loyalty day by rededicating themselves to the principles of our tried and proven American way of life. In fact, we might all follow the suggestion of the Georgia VFW—"Loyalty day—every day."

Christ a Threat?

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. SIEMINSKI. Mr. Speaker, because of the defection of Judas, and because of prior association with that arch-conspirator, I trust that it will never follow that our Lord Jesus Christ was ever a threat to Christianity.

As a five-star general, still on active duty, still drawing the pay and receiving the emoluments bestowed upon him by a grateful and victorious Nation, I trust that Gen. George C. Marshall will yet live to witness the charges leveled against him nullified in the RECORD of the Congress of the United States.

Perhaps a conscience-stricken people will yet signal its Commander in Chief to summon a joint session of the Congress to enable it to do just that.

Time To Establish a Federal Agency for Handicapped

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, I am informed that the House Committee on Education and Labor, of which our distinguished colleague, the gentleman from Pennsylvania, Hon. SAMUEL K. MCCONNELL, JR., is chairman, will now consider and discuss a bill to cover the varied and grave problems of our 38 million handicapped citizens.

I hope that committee will report out, favorably, H. R. 2096, to establish a Federal Agency for the Handicapped, which I had the honor of introducing. This bill makes a businesslike approach to what is, in fact, one of the gravest problems before our Nation today.

Unquestionably, when we reflect that, now, some 35 Federal agencies each have a piece of the handicapped program, but, there is no coordination of their efforts, such condition, unquestionably leads to duplication, waste, and unnecessary expense, on one hand, and does not contemplate the necessity or range of an overall program.

H. R. 2096 provides, among other things, means to grapple with important phases of the handicapped program that are not now even dealt with in the present, inadequate program. The bill establishes—

First. An independent agency, based for housekeeping purposes, and also, because of the proximity of the Employment Service, without which the whole handicapped program would be virtually useless from an economic standpoint, in the Department of Labor.

Second. An Advisory Council on Affairs of the Handicapped, consisting of 3 representatives of industry; 3 of labor; 3 who are, themselves, physically handicapped; 3 to represent farmers and stockraisers, and 3 from those experienced in public affairs.

Third. An Interagency Committee on Rehabilitation and Employment of Handicapped, in which all Federal agencies having a part of the program, would be represented, with the objective, through proper coordination, of developing efficient, economical, and at the same time adequate services to handicapped.

Fourth. An Office of Services to Blind, to bring under one head the present far-flung activities of blind in the Federal Service.

Fifth. Cooperative enterprises for handicapped.

Sixth. Rehabilitation centers at strategic points throughout the Nation.

Seventh. Special programs for severely handicapped—those from 60 percent to 100 percent disabled.

Eighth. Sixty dollars a month grant to those who are totally disabled and/or are termed by Federal or States' rehabilitation agencies to be unfeasible for rehabilitation.

Ninth. Federal services to handicapped revolving loan fund, from which fund States may borrow money at such times as their own funds may be exhausted, between sessions of their legislatures, so that fundamental, needed services to handicapped, by these agencies, will not suffer failure or prolonged interruption, as is now too frequently the case.

Tenth. A Division of Handicapped in the United States Civil Service Commission, to facilitate recruitment, examination, and appointment of otherwise qualified but handicapped applicants.

Eleventh. Promotes public-safety programs designed to eliminate and prevent conditions which tend to promote injuries and disease in public buildings, institutions, parks, and so forth.

Twelfth. Provides for reports from all Federal agencies which may now receive, or may in future receive, as a part of their functions, reports relating to handicapped persons.

Thirteenth. Provides variable grants, based upon the successful experience of more than 30 years of Federal-State relationships, and operation in this field, to States for vocational rehabilitation.

Fourteenth. Provides grants to handicapped who require special home training, being bed-bound, in wheelchairs, and so forth.

Fifteenth. A second injury act, which is a logical and necessary part of any worthwhile program for handicapped.

Mr. Speaker, this is a clear-cut plan which embraces all phases of the needs and problems of handicapped, and, in good faith to our handicapped people, we should stand squarely behind it, as a matter of sound public policy, since it has been proven that, for every dollar spent by Government in the handicapped field $10 has been returned in productive services, taxes, and so forth.

I believe most Members join with me in hoping that the Committee on Education and Labor will approve the Federal Agency for Handicapped bill and soon bring it out for immediate action.

Slovak Independence Day

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. PHILBIN. Mr. Speaker, on Slovak Independence Day, I am privileged, indeed, to address the House in behalf of the great Slovak people who in spite of Communist tyranny are still struggling bravely for national sovereignty and liberty.

The Slovakian people early demonstrated their ability to govern themselves. As far back as the ninth century these people established the Great Moravian Empire. Again, on March 14, 1939, after centuries of submergence and domination, Slovakia, following traditional democratic principles, was established and recognized by many great nations. At the end of World War II the Red Army put a tragic end to the short-lived freedom of the Slovak people, and the nation was speedily transformed into a Communist puppet regime. Notwithstanding that fact, the Slovak people, faced with great obstacles and discouragements, are tenaciously clinging to democratic principles and gallantly fighting against communism.

The Slovak people are deeply religious, and that is the strongest reason why they are so anti-Communist. The words of a great Slovak scientist-astronomer, Gen. Milan Tastislav Stefanik, after completing a trip through Russia in 1919, typify, not only Slovak, but democratic, reactions to communism. He said:

> Say it loudly to everybody: bolshevism is not only a philosophical ideology, but also a morbid phenomenon, an apocalyptic chaos, in which the lowest instincts manifest themselves and the Bolshevist leaders are dictators in the most terrible sense of the word. Clad in rags, they seize wealth and in reality claim privileges. Democracy must fight against this movement. To flirt with bolshevism means to leave the path of honor and of human commonsense. And I tell you out of the depth of my soul: The fight against all phenomena of bolshevism must dominate our policy. Let us act energetically as long as there is time. If we will not decide ourselves to act, bolshevism will weaken small nations and, at the end, cause their full dissolution.

I cannot conceive of any statement being more accurate or prophetic. It is tragic that the timely warnings of this able Slovak statesman were not heeded by the nations of the world and especially by the statesmen at Yalta, Teheran, and Potsdam. But it is not too late for us to heed them now.

Another Slovak leader, Dr. Jozef Tiso, spoke as follows in 1945:

> The Slovak people do not rely on international Moscow because under its rule, their national independence would be devoured and would disappear. The Slovak people will never support the power position of Moscow, because bolshevism is only a brutal negation of religion, the negation of higher culture, the destruction of human nature and the undermining of the bases of human society.

For these remarks, Dr. Tiso later paid with his life. Thus he joined the glorious martyrdom for human freedom.

I cite the above expressions, however, to indicate the obstinate, unyielding opposition of the Slovaks to communism. Their bishops, priests, nuns, and religious have been imprisoned and cruelly persecuted. Their people have been tyrannized and martyred. But they have not surrendered their honor, they

have never ceased to clamor, struggle, and fight for independence and freedom.

Such a people are entitled, not only to encouragement but help. They are not alone in this fight. Many small nations and small peoples are with them in the tragic circle of Communist oppression. Poland, Lithuania, Estonia, Rumania, Bulgaria, and others are in human bondage. The time will come just as surely as God is in heaven, when they will be liberated. But that day will come only when the free world, the democratic world, awakens to the enormity of the present situation in which millions of people are bound with the heavy chains of oppression. If the principle of self-determination means anything, if the United Nations means anything, if our professions of freedom means anything, if the sacrifice of our boys mean anything, then the American people must stand by the great principles, heretofore so boldly espoused, that what we seek "is a reign of law based upon the consent of the governed and sustained by the organized opinion of mankind." We must stand for liberation and freedom. We must cancel out the terrible diplomatic blunders that consigned so many helpless free peoples to brutal Communist domination.

Let us never forget that we are the hope of these poor, helpless, oppressed peoples from Poland to Slovakia, and from the Baltic to the Mediterranean and Black Sea. Yes, everywhere men and women are in chains. We remain in their minds as the great inspiring hope of the future and the one great power in the world with strength, power, and idealism to stand boldly for the right, to lead the campaign for liberation and bring freedom and peace to the world.

Italian Independence Day

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 6, 1954

Mr. LANE. Mr. Speaker, by nature, Italians are individualists. Their strongly developed sense of independence is reflected in their approach to Government and to all problems of life.

An Italian will cooperate voluntarily. He can never be driven.

In honoring Italian Independence Day, we pay tribute to its people.

No nation has had greater experience with various forms of government. From tyranny to anarchy, they have tried and tested all types, and, finally, have chosen responsible representative government—beholden to the people—as the best political instrument for achieving progress with justice.

Individual expression flowered among the Italians.

It resulted in magnificent achievements that, in some fields have never been equalled since.

In art and science, and in every activity where the human mind and spirit work unfettered, the Italians have proved that only under freedom can man go forward.

Independence releases the God-given talents of all the people. In contrast to the authoritarian system which limits vision, expression, and performance. Where richness of the many, is imprisoned by the harsh and narrow dictates of the few.

With the wisdom distilled from long experience, the people of Italy know that, although man comes from dust and returns to dust, during life he is animated by a divine spirit that makes him more than clay.

The spirit that is eternal.

No state can mold him as if he were putty.

Without independence, he is as good as dead.

So long as he breathes he will resist all efforts to reduce him to the role of an obedient and unquestioning slave.

It makes no difference whether brute force, or the more subtle tyranny of brainwashing is applied against him, the spirit in man will triumph over his oppressors.

It was ever so. And will be. Today and tomorrow as well as yesterday.

It is encouraging to note, and never forget, the passionate love of liberty that animates the people of Italy.

Their Independence Day is similar to ours—uniting both nations in a common cause.

With admiration for the superb contributions that Italy has made to civilization, with gratitude toward our fellow-citizens of Italian ancestry for the way in which they have strengthened our own traditions of freedom, and with confidence that the people of Italy will make democracy triumphant in the struggle with communism in their own country, we celebrate Italian Independence Day.

SENATE

FRIDAY, MAY 7, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of all mercies, in whose love and wisdom lies all our hope, still our anxious, fretful hearts as we bring our weakness to Thy might, our failure to Thy perfection, our littleness to Thy greatness. From a sad and mad world with its inhuman horrors we turn for this hallowed moment to be still and know that Thou art God.

May a renewed loyalty to the precious things we hold nearest our hearts summon all true patriots to strengthen by their own example the solidarity of our dear Nation, freedom's last, best hope, as it faces the principalities and powers of darkness which plot the destruction of our Republic. O hear us when we cry to Thee to make us fit to set men free. We ask it in the Name that is above every name. Amen.

C——389

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the procedings of Thursday, May 6, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Interstate and Foreign Commerce.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. WILEY, from the Committee on Foreign Relations:

Morehead Patterson, of New York, to be deputy representative on the United Nations Disarmament Commission.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

IN THE ARMY

The legislative clerk read the nomination of Brig. Gen. Claude Bayles Mickelwait to be Assistant Judge Advocate General of the Army, and as major general, Judge Advocate General's Corps, Regular Army, and major general (temporary), Army of the United States.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Brig. Gen. William Murlin Creasy to be chief chemical officer, United States Army, as major general in the Regular Army of the United States, and as major general (temporary), Army of the United States.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk proceeded to read sundry additional nominations in the Army.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the remaining nominations in the Army be confirmed en bloc.

The VICE PRESIDENT. Without objection, the remaining nominations in the Army are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. KNOWLAND. Mr. President, I ask that the nominations in the Navy be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Navy are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk read the nomination of Maj. Gen. Merwin H. Silverthorn to be lieutenant general on the retired list in the Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

APPOINTMENTS OR PROMOTIONS IN THE NAVY OR IN THE MARINE CORPS FAVORABLY REPORTED BUT NOT PRINTED ON THE CALENDAR

The legislative clerk proceeded to read sundry nominations in the Navy and Marine Corps which had been favorably reported, but not printed on the calendar.

Mr. KNOWLAND. Mr. President, I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

That completes the Executive Calendar.

COL. CLARENCE JONATHAN HAUCK, JR.

Mr. MANSFIELD subsequently said: Mr. President, I desire to inquire whether the nominations in the Army have already been confirmed.

Mr. KNOWLAND. They have.

Mr. MANSFIELD. Mr. President, I know the group of men being given these promotions are all very worthy; but, in particular, I desire to call the attention of the Senate to the nomination of Col. Clarence Jonathan Hauck, Jr., O18360, whose name is included in the list for promotion to brigadier general.

I have had the pleasure of knowing Colonel Hauck for a number of years. I wish to take this opportunity to commend him for his fine service while he was liaison officer between the Congress and the Department of the Army, and also for his fine service while he was attached to the North Atlantic Treaty Organization headquartered in Paris. His promotion is not only well deserved but, if I may be allowed to say so, is long overdue.

I am very happy, Mr. President, that at long last this capable and efficient officer has been given this promotion. He has always been, and will continue to be, a distinct asset to the service he has represented so ably over the years.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

PERSONAL STATEMENT BY SENATOR BRIDGES

Mr. BRIDGES. Mr. President, while the Senate is still in executive session, I should like to speak for a few minutes so that it will not interupt the program of business before the Senate.

I have heard over the radio and read in the press, with great perplexity, about the purported opposition which I am supposed to have to the assignment of Mr. John Muccio, former Ambassador to Korea, to another diplomatic post.

These channels of communications have announced that the Department of State is unwilling to assign Mr. Muccio to responsible duties, on the ground that Senator BRIDGES would exercise a whimsical political veto over any such appointment. The implication is that I would use my position as President pro tempore of the United States Senate, and as chairman of the Appropriations Committee, to bring pressure upon the State Department not to submit Mr. Muccio's name for appointment. In effect, it is inferred that I am willing not only to disrupt the careers of trained and experienced officials, but also—and this is the important consideration—that I would interfere improperly with the orderly conduct of our foreign affairs. That appears to be the inference that is drawn in some quarters.

Mr. President, nothing could be further from the truth. I feel impelled to respond to these ridiculous charges, and to cite how unfair they are, in order that there may be no uncertainty in the public mind. Until these recent reports came to my attention, I had not heard or thought of Mr. Muccio for 3 long years—not since the so-called MacArthur hearings. It is true that I did ask questions about Mr. Muccio during the MacArthur hearings 3 long years ago, after Mr. HUGH SCOTT, former chairman of the Republican National Committee, and a distinguished Member of the House of Representatives, called to the attention of the members serving on that committee a conversation which he had with Mr. Muccio. I questioned the then Secretary of State and others about him, and that is a part of the official records of the hearing.

I do not need to be prompted by anyone if I intend to interpose objection to any individual. I am competent to express my own opposition. I have opposed people before, and I will oppose them again. When I think they are all right, I shall favor them. When I think they are wrong, I shall say so.

Until these recent reports came to my attention I had not heard or thought of Mr. Muccio for 3 long years.

In 1951 there was information concerning reports made to the committee about the conversation Representative SCOTT had with Mr. Muccio. My colleagues will remember that at that time we were fighting communism in Korea. He is purported to have said that we were not fighting communism in Korea, but we were simply fighting aggression, and that the North Koreans had justifiably been armed by the Russians.

That was the point with which I took issue, and if Mr. Muccio said it—and it was stated by competent authority that he did state it—I think there was justification in asking questions about Mr. Muccio.

I felt that such statements, if true, certainly reflected upon the type of representation we had in our top diplomatic representative in Korea, and I felt it my duty and responsibility to interrogate the Secretary of State with regard to them. It will be remembered that American blood was being spilled in the hills of Korea, including that of boys from my own State of New Hampshire. Therefore, it was of extreme importance that we know exactly where our diplomatic representative in Korea stood, and whether or not he was supporting the full American effort.

The newspaper reports, the news reports on the air, and the editorial in the Washington Post, stating that I am blocking Mr. Muccio's appointment to any post for which he is fitted, are completely false and without foundation. A telephone call to me or my office certainly would have given anybody the full information as to what my stand was.

I have made this statement so that my position and the facts may be known.

I reserve the right, now that the question has been raised that I am opposed to Mr. Muccio, to say that I am not opposed to him, but if his name should

come before the Senate for confirmation, I shall ask that the Senate of the United State scrutinize him carefully.

I am unbiased and unprejudiced, and I do not like to have words put in my mouth that I am opposing someone when I have not even thought of that person's name or had him in my mind for many, many months.

FALL OF DIEN BIEN PHU

Mr. KNOWLAND. Mr. President, I hold in my hand a dispatch which has just come over the news tickers of both the United Press and the Associated Press. The one I have happens to be a United Press statement from Paris:

> Premier Laniel announced that the besieged French Indochinese fortress of Dien Bien Phu has fallen.
>
> Laniel said the main fortress was overrun by Communist Viet Minh forces.

That is the end of the dispatch. As I pointed out the other day, the defense of Dien Bien Phu may in history be comparable to the defense of the Alamo and also Bataan and Corregidor, which also fell, and to the disaster at Dunkerque. But in all those instances the loss of the battle by brave men did not win the war for totalitarian powers. In each case it awakened the conscience of the world and aroused the people in those areas to their danger.

LEGISLATIVE SESSION

The VICE PRESIDENT. Is there further executive business?

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, as I understand, under the unanimous-consent agreement, there is to be a morning hour.

The VICE PRESIDENT. Yes; following a quorum call.

Does the Senator wish to ask unanimous consent that the quorum call be dispensed with?

Mr. JOHNSON of Texas. If that ruling is to be applied to Senators on this side of the aisle, I shall be glad to ask unanimous consent to that effect.

The VICE PRESIDENT. Without objection, the Senator from Texas may proceed, prior to the call of the roll.

Mr. JOHNSON of Texas. Mr. President, I may observe that the distinguished majority leader made a statement without asking unanimous consent that he might do so prior to the call of the roll; and the distinguished President pro tempore did the same. I have no objection to asking unanimous consent, because all of us are in such good mood today, and I want us to remain that way.

Mr. BRIDGES. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. BRIDGES. I wish to explain to the distinguished minority leader, who is in such a nice mood today, after the celebration at the Mayflower Hotel last evening, that I spoke during the executive session in connection with the Executive Calendar, and I did not know that a 2-minute limitation was in effect or that I needed to request unanimous consent. If I had so understood, I would have abided by the rules.

Mr. JOHNSON of Texas. Mr. President, the Senator from Texas is in a good humor today, as he has every right to be. We had a very nice celebration, and there will be many more of them.

INCREASE OF FEDERAL AID TO THE AGED, BLIND, DISABLED, AND DEPENDENT CHILDREN

The VICE PRESIDENT. The Senator from Texas has been recognized.

Mr. JOHNSON of Texas. Mr. President, together with all other Democratic Senators, I am introducing today a bill to meet a serious crisis which confronts our needy aged people, our blind and disabled, and our dependent children.

Two years ago, the Congress enacted legislation which increased the Federal share of the public-assistance payments to States for aid to the aged, blind, and disabled by $5 a month, and $3 a month for grants to dependent children. I had the privilege of cosponsoring that measure.

Under the prior formula on old-age-assistance grants, the Federal Government paid $15 of the first $20 and half of the next $30 a month. Under the formula as revised by section 8 of the Social Security Act Amendment of 1952, the Federal share became $20 of the first $25 and then half of the next $30. This increase was for 2 years. Unless action to extend it is taken in this session, it will expire September 30.

Mr. President, this could be a tragedy for many of our fine senior citizens who are dependent upon these payments. To a large group, it would mean the difference between a few comforts and none at all. To some, it would mean the difference between a bare minimum for existence and a standard below a bare minimum.

Human considerations of the utmost significance are at stake in this connection.

In my own State of Texas, more than 222,000 elderly men and women are on the old-age-assistance rolls. Unless the provisions of section 8 of the Social Security Amendment Act of 1952 are extended, the loss to Texas in Federal funds for old-age assistance will amount to approximately $13,400,000 annually. The loss in other States will be proportionate.

Mr. President, no one can truthfully say there has been any substantial decrease in the cost of living. There certainly has been no drop of the kind that would put meat on the table for people who are struggling to survive against handicaps which they have incurred through no fault of their own.

The heart of America is too big to begrudge these few dollars for the aged, the blind, and the disabled. The soul of America is too generous to deprive its dependent children of this small sum.

The measure which I and my colleagues are introducing today would extend these programs for another 2 years. By the time that period has expired, it is my earnest hope that we shall have settled this problem on a basis that will more nearly approach permanency.

To fail to act will mean a sharp reduction in the living standards of these worthy people, including those fine men and women of advanced years to whom our Nation owes such a tremendous debt.

I ask that this measure be referred to the appropriate committee. I hope action on the bill will be expedited, since its sponsorship by 48 Democratic Senators is assurance that it will pass.

The bill (S. 3417) to amend the public assistance provisions of the Social Security Act by extending for 2 years the increased Federal financial participation to the States for assistance to the aged, blind, and disabled, and aid to dependent children, introduced by Mr. JOHNSON of Texas (for himself, Mr. ANDERSON, Mr. BURKE, Mr. BYRD, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DANIEL, Mr. DOUGLAS, Mr. EASTLAND, Mr. ELLENDER, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GILLETTE, Mr. GORE, Mr. GREEN, Mr. HAYDEN, Mr. HENNINGS, Mr. HILL, Mr. HOEY, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MAYBANK, Mr. MCCARRAN, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mr. SPARKMAN, Mr. STENNIS, and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Finance.

ORDER OF BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent to modify my previous request as follows: Instead of having a quorum call before the morning hour, since so many Senators are present at this time, I believe we shall save time by having the morning hour before the quorum call, which will be had prior to the resumption of consideration of the amendments to the Labor-Management Relations Act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, the distinguished minority leader has just called to my attention the following situation: Under the unanimous-consent agreement entered into, concerning the further consideration of Senate bill 2650, to amend the Labor-Management Relations Act of 1947, and for other purposes, debate is limited to 90 minutes on each amendment. I had been under the impression, as I think the distinguished minority leader also had been, that a motion to recommit would be in order at any time. However, it seems that under the precedents of the Senate, although a motion to recommit can be made, under the unanimous-consent agreement it cannot be made until after there have been 90 minutes of debate on the so-called Goldwater amendment.

Since there will be 90 minutes of debate on the motion to recommit, it seems to me that in the interest of saving time and in the interest of orderly procedure, it would be wise to modify the unanimous-consent agreement so as to permit the motion to recommit to be made prior to debate on the Goldwater amendment. After consultation with the distinguished minority leader, I so request, on behalf of both of us.

The VICE PRESIDENT. Without objection, the unanimous-consent agreement is modified accordingly.

Mr. HILL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Alabama will state it.

Mr. HILL. As I understand the unanimous-consent agreement, as now modified, after the conclusion of morning business, it will be in order for any Senator to move to recommit the bill amending the Labor-Management Relations Act. Therefore, I wish to advise the Chair that as soon as the morning hour is concluded, I desire to be recognized for the purpose of making such a motion.

The VICE PRESIDENT. Under the unanimous-consent agreement, as modified, any Senator may so move, after the morning hour.

Mr. KNOWLAND. I understand that in connection with such a motion, 90 minutes will be available for debate, to be divided equally between both sides.

The VICE PRESIDENT. That is correct.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF BOARD OF TRUSTEES, FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND (S. DOC. NO. 121)

A letter from the Chairman and members of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund, transmitting, pursuant to law, their 14th annual report for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Finance, and ordered to be printed.

AMENDMENT OF FEDERAL POWER ACT RELATING TO CHARGES PAID BY CERTAIN FEDERAL POWER PROJECTS

A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend section 10 (f) of the Federal Power Act to provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF ACT RELATING TO ADMINISTRATION OF WASHINGTON NATIONAL AIRPORT AND INCORPORATION OF WASHINGTON NATIONAL AIRPORT CORPORATION

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

PETITIONS

Petitions were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A letter from the chairman, the Municipal Council of St. Thomas and St. John, Virgin Islands, transmitting a resolution adopted by that council, favoring the enactment by Congress of the Organic Act for the Virgin Islands; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Wheel of Progress, Washington, D. C., relating to the admission of any delegate from Iron Curtain countries into the second assembly of the World Council of Churches, to be held at Evanston, Ill., August 15–31, 1954; to the Committee on the Judiciary.

A resolution adopted by the Wheel of Progress, Washington, D. C., relating to the abolition of the new department in the United States Information Agency, entitled "Chief of Religious Policy"; to the Committee on Foreign Relations.

A letter in the nature of a petition from William C. James, Berkeley, Calif., embodying a statement of the quarterly meeting of Friends (Quakers) from central California, relating to military aid to Indochina; to the Committee on Foreign Relations.

STUDENT EXCHANGE PROGRAM—RESOLUTION OF TEXAS HOUSE OF REPRESENTATIVES

Mr. JOHNSON of Texas. Mr. President, during a recent special session of the Texas Legislature, the House of Representatives of that body adopted a resolution setting out the value of the student exchange program and urging that the United States Senate restore funds cut by the National House of Representatives from the appropriation for international educational exchange activities.

In order that the views of the Texas House of Representatives may be made known to Members of the Congress, I ask unanimous consent that the text of the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and, under the rule, ordered to be printed in the RECORD, as follows:

Whereas the world may be destroyed if men do not learn to live without war; and

Whereas in order to make peace with one another, men must observe and study the ways and speech of people that they do not know; and

Whereas the Congress of the United States, has for several years supported the exchange of persons, students, leaders, and specialists, between the United States and nations of the free world and from this exchange has come an increasing evidence of better understanding and more friendship toward the United States; and

Whereas the cost of this exchange of persons to the American taxpayer has been much less than the cost of any other investment against war; and

Whereas the masters of Russia are spending large sums in training young men to pursue their plans for tyranny in other countries, and have to show much evidence of success, such as domination of China by the Kremlin-educated Mao; and

Whereas the United States House of Representatives, in approving an appropriation for the Departments of State, Justice, Interior, and Labor, drastically cut the appropriation for international educational exchange activities so that if approved by the Senate, our educational exchange activities abroad would suffer the following serious specific effects:

1. House action would reduce the requested budget from $15 million to $9 million of which $7,500,000 is in foreign currency, thereby reducing the dollar appropriation approximately 80 percent;

2. This action if sustained by the Senate would eliminate educational exchanges completely in 46 countries such as Egypt, Turkey, Korea, Iran, Formosa, Indonesia, Spain, and all of the American Republics and would eliminate entirely the extremely important leader program in all countries;

3. Would cause the abrogation of the educational exchange provisions of the Buenos Aires Convention at a time when we can ill afford it;

4. Would eliminate entirely the teacher education program with all other countries. This program is designed to reach foreign youth through their teachers;

5. Would provide no assistance to private educational exchange programs;

6. Would eliminate grants-in-aid to American-sponsored schools in Latin America, which schools exemplify the use of a very small amount of American money to create a large influence in furthering American foreign policy;

7. House action would cut off United States educational exchange relationships with two-thirds of the important foreign countries when Communist countries are extending and expanding such activities: Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the exchange of students, specialists, and leaders be endorsed as an indicated means of securing peace and strengthening the place of our Nation among nations, and the Congress of the United States is urged to restore those funds that have been reduced by action in the House; and that a copy of this resolution be sent to each Texas Member of the United States Congress.

REUBEN E. SENTERFITT,
Speaker of the House.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 5862. A bill to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy (Rept. No. 1279); and

H. R. 7329. A bill to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men (Rept. No. 1280).

By Mr. SALTONSTALL, from the Committee on Armed Services, with an amendment:

H. R. 4231. A bill to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress (Rept. No. 1281); and

H. R. 7541. A bill to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics (Rept. No. 1282).

By Mr. SALTONSTALL, from the Committee on Armed Services, with amendments:

H. R. 6374. A bill to revise certain laws relating to warrant officers of the Army, Navy,

Air Force, Marine Corps, and Coast Guard, and for other purposes (Rept. No. 1284).

By Mr. CASE, from the Committee on Armed Services:

H. R. 7328. A bill to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research; without amendment (Rept. No. 1283).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas (for himself and Mr. ANDERSON, Mr. BURKE, Mr. BYRD, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DANIEL, Mr. DOUGLAS, Mr. EASTLAND, Mr. ELLENDER, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GILLETTE, Mr. GORE, Mr. GREEN, Mr. HAYDEN, Mr. HENNINGS, Mr. HILL, Mr. HOEY, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MAYBANK, Mr. MCCARRAN, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mr. SPARKMAN, Mr. STENNIS, and Mr. SYMINGTON):

S. 3417. A bill to amend the public assistance provisions of the Social Security Act by extending for 2 years the increased Federal financial participation to the States for assistance to the aged, blind, and disabled, and aid to dependent children; to the Committee on Finance.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 3418. A bill for the release of United States soldiers now prisoners of Red China; to the Committee on Foreign Relations.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 3419. A bill for the relief of Concetta Speranza Tapp, widow of Floyd William Tapp; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 3420. A bill to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3421. A bill for the relief of Shizue Yoshimi; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself, Mr. HOLLAND, and Mr. SCHOEPPEL):

S. 3422. A bill to encourage a stable, prosperous, and free agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. DIRKSEN (for himself, Mr. JENNER, and Mr. BUTLER of Maryland):

S. 3423. A bill to amend the Trading With the Enemy Act; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. J. Res. 154. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the Congress caused by a disaster; to the Committee on the Judiciary.

RELEASE OF UNITED STATES SOLDIERS NOW PRISONERS OF RED CHINA

Mr. LANGER. Mr. President, I introduce for appropriate reference a bill. This is a bill looking toward the release of United States soldiers who are now prisoners of Red China. I believe the Department of State should take action to see that the boys who are prisoners over there are released.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3418) for the release of United States soldiers now prisoners of Red China, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENT OF THE TRADING WITH THE ENEMY ACT

Mr. DIRKSEN. Mr. President, in the report submitted by a subcommittee examining into the administration of the Trading With the Enemy Act, certain policy recommendations were made which have now been effectuated in the form of an omnibus bill as an amendment to the Trading With the Enemy Act.

On behalf of myself, the Senator from Indiana [Mr. JENNER], and the Senator from Maryland [Mr. BUTLER], I introduce for appropriate reference a bill to amend the Trading With the Enemy Act. I ask unanimous consent to have printed in the RECORD a preliminary statement dealing with the subject.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3423) to amend the Trading With the Enemy Act, introduced by Mr. DIRKSEN (for himself, Mr. JENNER, and Mr. BUTLER of Maryland), was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement by Senator DIRKSEN is as follows:

STATEMENT BY SENATOR DIRKSEN

The final report of the Subcommittee To Examine and Review the Administration of the Trading With the Enemy Act made seven recommendations which were approved by the full Judiciary Committee and contained in the final report of the subcommittee. The objectives set forth in the report may be accomplished by—

1. Providing for the return of private property confiscated under the act to individuals not convicted of war crimes; holding in trust property of individuals under the domination and control of governments of Communist and Communist satellite nations.

2. Providing for retention of the property of former enemy governments.

3. Providing for a reasonable and appropriate charge against property so returned as a reimbursement for custodial charges.

4. Providing for adequate protection of claims pending against the confiscated assets.

5. Providing the President of the United States with the discretionary power, upon a finding of national interest, to dispose of alien holdings in property located in the United States to bona fide American purchasers, the proceeds of sale less custodial charges to be returned to the alien owners.

6. Providing for the payment of claims under the War Claims Act of 1948 from sources other than funds of confiscated private property in order that there may be assurance of the satisfaction of all legitimate claims which are an obligation of this Government to its citizens.

7. Providing as an addition to item 6, equalization of benefits to American prisoners of war taken in Korea with those granted to veterans of World War II. Payment of this moral obligation of the United States should be made by direct appropriation rather than conditioning such payment upon the adequacy of an already depleted and uncertain fund being administered by an entirely separate agency.

Section 40 of the proposed legislation provides for the return of all vested property and any increment thereon except such property as may have been seized from enemy governments, from persons convicted of war crimes, or from individuals resident as of January 1, 1954, in countries under the domination and control of Communists and Communist satellite nations. This section further provides for the divestiture of foreign interest and control in any property so returned which the President of the United States may find to be in the national interest, the former owner to receive the proceeds of liquidation.

This section further provides for the same safeguards to the Government of the United States and to American creditors which were provided in section 32 of the Trading With the Enemy Act. This section 32 made return of certain property to individuals who fell within the restrictive classifications of this section. During the administration of section 32 of the act the subcommittee found no cause for complaint would have been registered with regard to the safeguarding of the interests of the Government and the creditors holding claims against the property and have therefore adopted in toto similar provisions with regard to the proposed return of property as recommended by the Judiciary Committee.

These safeguards are:

(a) That the provisions of the Renegotiation Act of October 19, 1942, insofar as it applies to returned property shall be fully assumed by the claimant and the Office of Alien Property relieved from all further liability.

(b) That the claimant have a right to reopen cases under the Renegotiation Act which were settled during the time the property was held by the Government.

(c) That any person to whom an invention is returned shall be bound by any notice or order in respect of such invention and such invention and such claimant shall succeed to the licensor's rights granted by the Office of Alien Property.

(d) This provision provides that the claimant shall have no cause of action against any individual or the Government of the United States with respect to any deduction made against the property for the purpose of paying taxes, costs or expenses, nor shall such person acquire any right of action against the United States or any person employed thereby founded upon the retention, sale, disposition, or use of the property during the time it was vested.

(e) No return of property under the provisions of this section shall bar the prosecution of any suit at law or in equity against a person to whom return has been made. With respect to any such suit the period for determining the application of the statute of limitations shall not include the time during which the property was vested.

(f) Provides protection for creditors who now claim against property held under the terms of the Trading With the Enemy Act. No property may be returned without appropriate notice in the Federal Register and any property returned shall be subject to attachment in the suit of any citizen or resident of the United States.

This provision should enhance the position of creditors now claiming against assets now held in the Office of Alien Property. Testimony before the subcommittee by officials of the Department of Justice indicates that there is no foreseeable conclusion to the adjudication of the thousands of debt claims now filed against vested assets. This section will provide those claimants their remedy in the courts of law and provide further for the adjudication of such claims within a period of time which will be equitable to such creditors.

Section 41: This section provides for the machinery necessary to accomplish the return of property and the speedy liquidation of the Office of Alien Property. A commission of three members, to be known as the Vested Property Commission, appointed by the President, shall operate as the administrator of the program of return.

This commission shall employ clerical and technical personnel not to exceed 50 persons and its authority shall terminate at the expiration of 3 years from the date on which the majority of its members first appointed take office. The 3-year date is fixed inasmuch as it is estimated that this program should be effectuated well within this period.

Section 42 makes provision for the administrative filing of claims for return of property under section 40.

Section 43 provides that the Office of Alien Property shall carry the administrative burden of making the returns except that under section 44 claimants aggrieved by a decision of the Office of Alien Property may appeal to the Vested Property Commission.

Section 45: The Vested Property Commission is authorized and directed to make a study with respect to intercustodial conflicts with foreign Allied countries insofar as they relate to vested property and make such recommendations to Congress as will fairly and properly deal with other nations as a result of the adoption of a policy by the United States to return property pursuant to section 40.

Section 46: The Vested Property Commission is authorized to expend from vested assets an amount not to exceed $350,000 per annum during the life of the Commission.

The Commission shall determine the sum which has been and will be expended in the administration of vested assets from December 7, 1941, until completion of return as envisioned by section 40 hereof. The Office of Alien Property shall then retain from all property returned its pro rata share of the expenses as determined by the Commission and, inasmuch as the return is a matter of grace, all claimants must consent to this retention in order to receive their property.

Claimants desiring to have property liquidated for payment of the costs of administration may provide the funds authorized for retention.

No retention shall be made from patent applications, company rights, or trade-marks other than from the proceeds collected therefrom. The expenses of the administration of these properties has not been excessive and a determination of their value would be impossible.

Section 47: The Commission shall determine by estimate within 30 days after a majority of its members have been appointed the sum which will be necessary to carry out the purposes of return as set forth in section 40 and report the same to Congress.

The bill further authorizes the appropriation of such sums for the credit of the Office of Alien Property as the Commission may report. This provision is necessary, inasmuch as liquidated sums of confiscated assets have been credited to the War Claims Commission and paid out to satisfy awards under the War Claims Act of 1948. Approximately $200 million has thus been transferred and is not available for return.

This sum does not necessarily represent the amount which will be needed to effectuate the return. There will remain in the hands of the Government of the United States the property of enemy governments and individuals ineligible to recover by reason of their residence in Communist-dominated nations and conviction of war crimes. Furthermore, the sums which have been expended heretofore for the operation of the Office of Alien Property have not been from the general funds of the United States, but have been authorized from vested property, and to this extent will not be returned.

All funds remaining after administration and liquidation pursuant to the foregoing sections shall be paid into the Treasury of the United States.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT, 1947—AMENDMENT

Mr. SALTONSTALL submitted an amendment intended to be proposed by him to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON NOMINATIONS OF UNITED STATES MARSHALS

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, May 14, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Missouri [Mr. HENNINGS].

Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii, vice Otto F. Heine, term expired.

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan, vice Joseph L. Wisniewski, resigned.

William Ernest Smith, of Tennessee, to be United States marshal for the western district of Tennessee, vice Ben Ivy King, resigned.

NOTICE OF HEARING ON NOMINATION OF MELVIN H. FRIEDMAN, TO BE AN EXAMINER IN CHIEF IN THE PATENT OFFICE.

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, May 14, 1954, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Melvin H. Friedman, of the District of Columbia, to be an Examiner in Chief in the Patent Office, Department of Commerce. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Missouri [Mr. HENNINGS].

POLAND'S CONSTITUTIONAL INDEPENDENCE DAY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared relative to Poland's Constitutional Independence Day.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It is a distinct privilege for me to join my colleagues today in celebrating the Constitutional Independence Day of Poland. It is appropriate that today, May 3d, that we in the Congress take note of this day because just within the last few days the Senate Committee on Foreign Relations reported a resolution favoring the immediate holding of free and fair elections in Poland. As a member of that committee, I enthusiastically joined in voting for it.

The people of Poland are today enslaved by international communism. We in the United States must never forget that one of our goals as a free nation in the free world must be the eventual emancipation of Poland and its people from Communist totalitarianism. The spirit of Poland remains free. I am confident that Poland itself will again soon be free.

THE TAX BILL—AMENDMENTS

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed at the appropriate point in the RECORD a letter I have written to the Senate Committee on Finance, urging the committee to incorporate in the tax bill, House bill 8300, three amendments I have submitted.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., April 23, 1954.

Hon. EUGENE D. MILLIKIN,
Chairman, Committee on Finance,
United States Senate,
Washington, D. C.

DEAR GENE: I am submitting herewith, and urging the earnest consideration by your committee in connection with the pending general tax revision bill, three amendments to the farm tax law, to aid in the solution of pressing agricultural problems. It is my intention to introduce these amendments formally next week, but I should like to submit them for your consideration before you begin executive session work on the bill.

The amendments are:

1. A provision that farmers may deduct, for income-tax purposes, the cost of construction of farm ponds, up to a maximum of $15,000 in 3 years, or $5,000 in any one taxable year. If a farmer should spend less than $5,000 on a farm pond or ponds in 1 year, the entire amount would be chargeable against his gross income, in computing his taxable income for that year.

The bill, as received by your committee from the House (sec. 175, p. 28 of the committee report), makes some provision for such deduction, but it is, I believe, inadequate.

My amendment, as does the House provision, covers also expenses for grading, terracing, contour furrowing, diversion channels, ditches, seeding waterways, planting windbreaks, etc., all operations essential to

the success and permanence of farm-pond programs.

The House bill, however, limits the tax writeoff in any 1 year to 25 percent of the gross income from farming operations. This is inadequate. I have obtained figures from the Department of Agriculture Soil Conservation Service which indicate that a good farm pond costs between $800 and $2,500 and up to $4,200.

Sixteen percent of farms are 30 acres or less, 30 percent are 100 acres or less, and 20 percent from 100 to 180 acres.

Farms of this size do not produce sufficient gross annual income to allow, on the 25 percent basis, the writeoff of the costs of an adequate farm pond.

Because farmers must maintain a heavy investment in livestock, land, machinery, and other equipment, the average farmer does not have sufficient liquid operating capital to permit him to carry along portions of these expenditures from one year to the next.

I do not feel that it is necessary to labor the point of the value of a farm pond program. In many parts of Missouri, Nebraska, Colorado, Iowa, Illinois, Indiana, and other States, the water table has receded dangerously, and supply of water for livestock, family use and city storage has become a major problem. In fact, the distinguished conservationist, Dr. Paul B. Sears, of Yale University (formerly of the University of Oklahoma and Oberlin College in Ohio), regards the situation as critical.

If it is desired, I shall be happy to submit to the committee data on this problem, including Dr. Sears' views, rainfall reports, etc.

The House estimates that its provisions would cost the Treasury $10 million a year. I do not believe my more liberal proposal would add greatly to this estimate, and would give a real impetus to adequate water storage.

2. An amendment providing a similar tax writeoff for grain storage facilities erected by farmers on their own farms. Over the past few years the storage problem has been acute. It has been estimated by the Department of Agriculture that the shortage of facilities this year will amount to approximately 250 millions of bushels. This figure, given a bountiful crop, may be much greater.

Until adequate storage is provided, it will be impossible for the farmer to receive the Government guaranteed support price. In checking in scores of counties in Illinois, I found that farmers were for the most part forced to dispose of their crops at the time of harvest, through market facilities; and while they were guaranteed 90 percent of parity, they got only from 63 to 75 percent of parity for corn, wheat, and soybeans because they lacked storage facilities and had to sell.

If my amendment is approved, the Government will be relieved of:

A. The rental costs of land upon which to erect grain bins.

B. The employment of personnel to handle the storage arrangements, checking, etc.

C. The cost of maintaining the storage facilities, which must be a considerable item.

In other words, I propose by my amendment to give the farmer a tax credit for doing for himself exactly what the Government now does. This would relieve the Government of overhead, maintenance, and other charges.

The same arguments as enumerated in the case of an amendment for farm-ponds programs, I sincerely submit, apply here. Farmers haven't the resources to carry such charges over a period of years.

3. My third amendment provides a tax writeoff for amounts expended for new farm machinery necessary in farming operations. This doesn't mean automobiles and such, but tractors, plows, seeders, and similar equipment. The purpose of this amendment is severalfold—to improve farming operations, to lower farming costs, to encourage the replacement of outmoded machinery, and to stimulate production and employment in the farm-equipment industry which has been seriously hit since October of 1953.

It is not possible to estimate the costs of the latter two amendments in terms of tax revenues, but I do not believe they will be excessive.

I should like to call your attention, respectfully, to these situations in connection with my three proposals: If the farmer should hire his water hauled to himself and his livestock, rent storage for his grain, and hire his farming operations carried out by a second party for him, the entire amounts could be deducted as costs necessary to his operations.

It seems to me that we should encourage him to improve his own farm and farming operations through these amendments. I believe that the House bill was aiming in the right direction in section 175, but I believe it fell far short of the mark in meeting the problems of water and grain storage, as well as improved farm machinery.

I hope also that your committee will substitute an increase of $200 in personal exemptions for the tax credit on dividends which is included in the present bill.

It is my earnest hope that your committee will see real merit and worth in these suggestions and incorporate them in the amended tax bill when it is reported.

With kind regards,

Respectfully,

PAUL H. DOUGLAS.

EXPORT MARKETS FOR UNITED STATES FARM PRODUCTS—STATEMENT BY SENATOR SCHOEPPEL

Mr. SCHOEPPEL. Mr. President, in July of last year the Senate unanimously passed Senate bill 2475. At present the bill is being considered, together with other bills, by the House Committee on Agriculture.

Today I appeared before that committee and spoke in support of Senate bill 2475, which is jointly sponsored by a number of my colleagues who serve on the Senate Committee on Agriculture and Forestry.

I ask unanimous consent to have printed at this point in the body of the RECORD the remarks I made on the bill when I appeared today before the House Committee on Agriculture.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL BEFORE THE HOUSE COMMITTEE ON AGRICULTURE REGARDING S. 2475, MAY 7, 1954

Mr. Chairman and gentlemen of the House Agriculture Committee, I appreciate this opportunity to appear before your committee to support S. 2475. This is a bill to develop export markets for United States farm products. I sponsored this bill originally. I was honored to have been joined by Senator ANDERSON, of New Mexico; Senator CLEMENTS, of Kentucky; Senator EASTLAND, of Mississippi; Senator HOEY, of North Carolina; Senator JOHNSTON, of South Carolina; Senator MUNDT, of South Dakota; Senator AIKEN, of Vermont; Senator THYE, of Minnesota; Senator WELKER, of Idaho; and Senator YOUNG, of North Dakota. As you know, the bill passed the Senate on July 6 last without one dissenting vote. This was a unanimous recognition 10 months ago of agriculture's vital need to expand export markets for United States farm products. It was the soundest alternative to more severe acreage controls.

I need not describe to you gentlemen that in the last year our agricultural situation has worsened and the need to expand exports has increased. Investments of the Commodity Credit Corporation have about doubled; exports of wheat are further down. The prospects are not good. The time has come to close ranks and take concerted action to expand our export markets for farm products.

For 10 months S. 2475 has been subject to scrutiny, debate, and comparison with alternatives. There have been feverish attempts to devise alternatives to expand our export markets for farm products. But the principles of S. 2475 are the only program proposals that come to grips with the problem of expanding export markets for farm products. There has been some tidying up of the language and some refinements in procedures and administration, but no alternative program has been developed to expand export markets for farm products on a scale commensurate with the need and the job to be done.

The reasons for this are clear. The program provided in S. 2475 is tailored to fit the needs of expanding export markets for farm products. Expanding any market is difficult, but expanding an export market for farm products is more difficult and more complex. All of these problems were considered in drafting S. 2475 and the solutions, so far as possible, are included.

The program embodies an imaginative yet dignified and businesslike approach to our problem. It treats our agricultural abundance as the asset it is, not as an unmanageable surplus of which we are ashamed and therefore feel obliged to give it away.

I know you have considered many phases of this program in your deliberations until now. But I would like to review with you very briefly some of the elements that were considered in formulating the principles of S. 2475.

We considered the responsibility of the United States as leader of the free world; we considered the protection essential to the welfare of friendly competing exporters of farm products; we considered the needs of our customers and their potential ability to pay for the products they need; we considered the trade practices of competing exporters; we considered the stocks of CCC as assets, as capital with which we could promote economic development, expand markets, increase production and employment among cooperating nations—accomplishments needed for national security and for national economic strength and which otherwise might not get done in time. The bill was drafted to accommodate these considerations.

It provides for the export sale of farm products for foreign currency. This removes the limitation on purchases of farm products due to a shortage of foreign exchange. There is nothing new about accepting foreign exchange among international traders. It's an age-old practice. It is only new for the United States. The bill sets up standards to be met in order for a nation to become eligible to buy farm products for foreign currency. These standards were designed to protect our dollar markets for farm products that are running over $2½ billion per year.

The sale of farm products for foreign currency is not in itself a solution to the problem. The key to the program is the use to be made of those currencies. S. 2475 provides six general uses of funds. Rather than enumerate those uses, I would rather explain their general intent. The basic idea is to sell farm products for foreign currency which is to be deposited to the account of the United States. The currencies are to be used as a revolving fund. We thought of the use of the funds in two phases.

First, for increasing the ability of customers to buy all manner of products, and, second, to get maximum possible repayment for the United States.

The foreign currencies in the first phase should concentrate on increasing the earning power of individual consumers and customer nations by means of relatively short-term loans. They should focus on increasing the foreign exchange earnings of customer nations in a way that would lead to greater currency convertibility. This would mean promoting economic development, increasing production for export, expanding international trade, increasing gainful employment, and stimulating economic activity generally. This visualized the use of revolving funds to create conditions which would attract private investment capital for economic development. The free world needs capital to expand, to develop, to build, to create new wealth. The mechanisms set up in S. 2475 provide the means to convert unsold stocks of farm products into that capital the world needs.

The second phase in the use of this revolving fund is to assure maximum repayment to the United States. There are four important uses of the foreign currencies which could give the United States value received. One is to create continuous new markets for farm products, either with grants or loans. A second is to use the foreign currencies to pay some part of the $50 billion per year we are spending on defense materiel. This offers a big field of opportunity for customers to earn dollars to buy farm products. A third use of currencies is to buy strategic materials for United States stockpiling. Our dependence on imported minerals is increasing. Adequate supplies are fundamental to our security. We can well afford to stock up on the minerals we are bound to need later. Finally, the currencies may be used as aid and assistance or in achieving free-world security objectives in lieu of dollar appropriations.

There is a vitally important aspect in the use of these currencies. In order to provide the maximum possibility to use them effectively and provide maximum assurance to achieve repayment to the United States, the program must provide for the transfer of obligations to the United States from countries which cannot repay the United States directly, to countries that can. S. 2475 visualizes the use of the revolving funds in one country as loans to third countries and the acceptance of the currencies of the third countries in repayment of the obligations to the United States. It may be that better devices can be developed. In any case, freedom to transfer these obligations among countries is essential to accomplish three objectives: to increase the opportunity of the United States to be repaid, to increase the opportunities of customers to increase their earnings with which to continue to buy more, and in order to use the capital to promote the maximum economic development. The point of providing flexibility to enable triangular or multilateral trade is so important, I would like to illustrate with a case. (1) We sell $100 million worth of wheat to Japan for yen; (2) we loan the yen to India to buy Japanese industrial products for India's economic development; (3) we accept Indian rupees in payment of that loan; (4) we use those rupees for any of the purposes in the act, including the purchase of strategic materials. So much for the uses of currencies accruing from the sale of farm products.

There is another important element in the proposal which I would like to emphasize. No American program of this kind should be allowed to seriously injure the trade of any friendly exporting country. Therefore, safeguards were built into the bill to protect friendly competing countries. They are protected in several important ways. Most important, it is not a giveaway with which none of them can compete. Second, sales are to be made at prices which the ultimate consumer would have to pay if the products were purchased from any other source. It is not a dumping program. However, the most important protection is that the funds that accrue are to be used to expand and create new markets, to establish orderly marketing facilities, to promote consumer industries, to increase the ability of customers to buy more of all products. In this expanded market, all competing exporters may share. Finally, the program removes the uncertainty resulting from unsold supplies overhanging the market. It removes the threat of dumping or giveaways.

I would like to make a suggestion which I believe will improve the legislation. Based on my observations of our agricultural export programs during the last year, I believe it is essential that primary authority for an export program be vested in the Secretary of Agriculture, who has the primary responsibility for protecting our present dollar markets, for expanding and creating new markets and minimizing the cost of the farm price-support program. The Secretary has this responsibility; his authority to deal with it should be made commensurate.

I would like to call your attention to specific uses that have been made of farm products to further our national interest. They illustrate actual accomplishments within the severe handicaps and limitations of present authority:

1. Japan bought $50 million worth of grain for yen. The yen will be used primarily for military procurement in lieu of further dollar appropriations;

2. Spain bought $20 million worth of wheat for pesatas. The pesatas will be used entirely to cover the local cost in building United States airbases in Spain;

3. I understand that a program is being developed to sell over 10 million bushels of grain to a country on deferred payments. Repayment will be made in full, partly in strategic materials;

4. Even under the serious and unfortunate limitations of section 550, over $230 million of purchase authorizations have been issued to buy United States farm products. These have been or are being done under the existing serious limitations. These opportunities could be multiplied under this proposed legislation.

Let me cite you four illustrations from the many offers to buy farm products which have been brought to our attention and that could be made under S. 2475:

1. There is a specific offer to buy as much as $30 million worth of wheat, vegetable oil, milk, and butter for local currency. We could get full payment by using that currency to add a large quantity of a very strategic material to our national stockpile.

2. We have for consideration an offer to buy $70 million worth of wheat, cotton, soybeans, tobacco, and dairy products for local currency from a country in which the United States has a vital strategic interest. These currencies could be used to carry on a United States program in that country which would otherwise have to be paid with appropriated dollars.

3. Another country is prepared to open negotiations to buy $50 million worth of United States farm products per year for 5 years. This country will repay in full in 6 or 7 years, if a portion of the repayment can be made in goods or services.

4. Still another country is prepared to open negotiations for the purchase of nearly 20 million bushels of corn to establish a stabilization reserve. Payment is to be made in the local currency which may be redeemed in full in goods or services.

These propositions are on the shelf ready to be acted upon as soon as this legislation is enacted. They represent only a sample of those which have been brought to our attention by foreign buyers on the expectation this legislative proposal will be enacted early by this Congress. Enactment of the program will bring many, many more such offers.

Let me inject here that the program in S. 2475 is sound, businesslike, and dignified. It is far more humanitarian than gratuities. Nothing builds human dignity like buying what people produce to sell. This program is based on a concept of producing, selling, and buying—a concept that has made our country great. This program preserves the fundamental attribute of human dignity. It then goes far beyond that and uses the otherwise frozen assets of CCC as capital to increase production and gainful employment, to expand trade, and to promote economic development so that people can continue to buy more with their earnings. It is a program based on mutual aid—through trade. It is a new, imaginative, and creative program. Wherever it has been explained and thoroughly understood, across this Nation and around the world, it has been hailed as a sensible approach. All who help enact this program, will take increasing pride in having contributed to this constructive legislation.

Finally, the time has come to get this program under way. Another crop is nearly upon us. This program should be in working order to move the new wheat crop beginning in June and other crops in due course. The time is already late. S. 2475 has passed the Senate. I urge you gentlemen to add your improvements to S. 2475, based on a further year of study, manage it through the House, and bring it to conference as soon as possible. Let us be in a position to report to our farmers that we passed a bill to do the job—in time.

SIXTH ANNIVERSARY OF THE INDEPENDENCE OF THE STATE OF ISRAEL

Mr. LEHMAN. Mr. President, 6 years ago on May 6, a new nation was born, a new republic, a new democracy. The State of Israel was officially proclaimed and thus the symbolic temple of the Jewish faith, destroyed 2,500 years ago, was reerected.

I will not refer to the desperate struggle in which the State of Israel was actually born. That heroic tale is well known. The story of that conflict against terrific odds will rank among the epics of all time.

But the record of the years since independence was won and established, since the end of Israel's war of liberation, is, in my opinion, an equally heroic tale, an equally dramatic and inspiring recital. In these 6 years, while facing on every side unfriendly and even menacing neighbors, despite the unfortunate necessity of maintaining a large military establishment to guard her security, Israel has built not only a state but an economy. In 6 short years this newborn nation has taken her place among the responsible nations of the world with a voice that is listened to with respect in the councils of nations.

A haven has been provided for hundreds of thousands of homeless and hopeless refugees, for displaced persons, for the persecuted and disinherited of the earth. Israel has taken more than her share of broken and wasted lives, individuals to whom no other nation would give harbor, and has sustained and supported them. From chaos, order has been developed. Side by side with

an agrarian economy an industrial economy has been built.

The rate of construction—of building and making—has been as great as anywhere else in the world, in the history of the world.

Israel has been the recipient of much assistance from many quarters of the globe. She had many friends to begin with. She has won new friends.

Just as no individual is perfect, and no institution is perfect, no nation is perfect. There have been mistakes. There have been failures.

But the direction has been constantly upward and forward. Above all, the State of Israel has built its institutions on the solid ground of freedom. Nowhere are the institutions of freedom more zealously protected or more fervently advocated. As the nations of the world become polarized, Israel cast her lot with the nations of the West; with the freedom-loving and freedom-seeking nations which have accepted the challenge of Communist imperialism.

On the occasion of the sixth anniversary of the independence of Israel, I salute that nation and its people as friends and allies, as one of the bright new stars in the firmament of world freedom.

CALL OF THE ROLL

The VICE PRESIDENT. Morning business is concluded.

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	McCarran
Anderson	Gore	McCarthy
Barrett	Green	McClellan
Beall	Hayden	Millikin
Bennett	Hendrickson	Monroney
Bowring	Hennings	Morse
Bricker	Hickenlooper	Mundt
Bridges	Hill	Murray
Burke	Hoey	Neely
Bush	Holland	Pastore
Butler, Md.	Humphrey	Payne
Butler, Nebr.	Hunt	Potter
Byrd	Ives	Purtell
Carlson	Jackson	Robertson
Case	Johnson, Colo.	Russell
Chavez	Johnson, Tex.	Saltonstall
Clements	Johnston, S. C.	Schoeppel
Cooper	Kefauver	Smathers
Cordon	Kennedy	Smith, Maine
Daniel	Kerr	Smith, N. J.
Dirksen	Kilgore	Sparkman
Douglas	Knowland	Stennis
Duff	Kuchel	Symington
Dworshak	Langer	Thye
Eastland	Lehman	Upton
Ellender	Lennon	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Wiley
Frear	Malone	Williams
Fulbright	Mansfield	Young
George	Martin	
Gillette	Maybank	

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indiana [Mr. JENNER] are necessarily absent.

The VICE PRESIDENT. A quorum is present.

AMENDMENT OF LABOR MANAGEMENT RELATIONS ACT OF 1947

The Senate resumed the consideration of the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks an editorial entitled "Labor Rights and States Rights," published in the Wall Street Journal of May 6, 1954.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LABOR RIGHTS AND STATES' RIGHTS

In the fuss and furore about amending the Taft-Hartley law, it would be well if the disputants do not lose sight of the reason why an amendment has been proposed to give the States more say-so in labor disputes.

Senator GOLDWATER has offered such a change and his statement that it has White House backing remains undisputed. President Eisenhower, in his January last message to the Congress on the labor law, pointed to the necessity of clearing up areas of responsibility made murky by some Supreme Court decisions.

Opponents of State control over any labor-management difficulties say that Mr. GOLDWATER's amendment could result in prohibiting collective bargaining. We do not believe that is the intent of the amendment, nor ought it to be. Nonetheless, it is on this chance that those who oppose any State controls have centered their fire. Senator HUMPHREY went so far as to call those who support lessening of Federal control enemies of organized labor.

The point that is likely to be forgotten—and the issue that the amendment seeks to clear up—is whether the Congress in its enactment of labor laws through more than a quarter century meant to deny to the States rights to control labor quarrels and to give only to the Federal Government the powers to act in disputes which are essentially local matters.

In 1951 the Supreme Court ruled that Taft-Hartley had preempted the field of labor relations and so a Wisconsin law which sought to make arbitration compulsory in public-utility strikes was declared illegal. The Court said: "Congress occupied this field and closed it to State regulation."

This rule formed the pattern which led to outlawing a Michigan statute forbidding a strike unless a majority of workers voted to strike. In this case the Court said the law "conflicted with the exercise of federally protected labor rights."

Thus the Supreme Court posed the issue that the President and Senator GOLDWATER seek to settle. If it was the intent of Congress to preempt the field in labor relations, it should make that clear by incorporating just that power into the Taft-Hartley law. But if the Congress recognizes that the States ought to have the right to pass laws regulating labor-management disputes, then the Congress ought to amend Taft-Hartley and say so plainly.

For Congress to upset this Supreme Court pattern might be inconvenient to some labor monopolists and to those who believe that the more centralized a government is the better off the people are. But the fact is that local governments are better able to determine what is best for the order, safety, and happiness of their people than others in a faraway place who may know nothing of local conditions.

Mr. HILL. Mr. President, I send to the desk a motion to recommit the bill, and ask that it be read.

The VICE PRESIDENT. The motion will be read.

The LEGISLATIVE CLERK. The Senator from Alabama [Mr. HILL] moves to recommit the pending bill to the Committee on Labor and Public Welfare.

Mr. HILL. Mr. President, I yield myself 15 minutes.

The issue before us today goes far beyond the merits of any single piece of legislation.

We are confronted with a proposition that cuts sharply across the traditional divisions—across the separation of powers which is the genius of our form of government.

This is not a bill in the ordinary sense of the word. This is an Executive fiat—rapped out of a Senate committee without even a nod of courtesy to the time-honored proposition that the minority is entitled to have a voice.

As a member of the Senate Committee on Labor and Public Welfare, I was deeply distressed at this procedure. But my concern is not limited to that point. It goes directly to the precedent that we will establish if we approve this kind of action.

The stake in this debate is the prestige of the Senate—the prestige of Congress itself—in fulfilling its constitutional functions.

Let us be perfectly clear as to what happened in the committee. Let there be no misunderstanding as to the steps which were taken. The President sent to Congress certain recommendations. They were referred to the Senate Committee on Labor and Public Welfare. Hearings were held on the proposals.

In due course, the hearings were closed and the committee went into executive session. The President's recommendations were considered. The minority cooperated fully in the consideration of those recommendations. There were no delaying tactics of any kind on the part of the minority, but there was constructive, helpful cooperation all the way in the consideration of the President's recommendations.

After this genuine cooperation the minority members of the committee received a rude shock. They were told not merely that their amendments were unacceptable but that they could not even be considered if they were not within the President's recommendations.

Mr. President, something new has been added to the legislative process. This is truly an innovation—and like many other innovations it does not represent progress.

I am accustomed to the majority outvoting the minority. That is an essential part of our Government. But an equally necessary part of our Government is the right of the minority to offer amendments and have them considered.

This is a case in which the minority has been denied any effective voice at all. I remind Senators that the Founding Fathers, in writing the Constitution and in providing for amendments thereto, wrote a notable and historic exception, in providing that no State, no matter how large or how small, how powerful, or how weak, could be denied its voice, its representation, its two Senators in the United States Senate. Yet we find a committee of the Senate denying to Senators from sovereign States their right to offer amendments and express their views on such amendments.

Mr. President, grave as is this denial, it is not the full extent of the danger of the precedent set by the committee. Of challenging importance to the Senate is the refusal of the majority to consider, in a Senate committee, any aspect of a question because it is not a part of the President's recommendations.

The attitude of the committee majority can be summed up in a few simple words. The committee would have the right to vote "yes" or "no" on the President's program—and no other right whatsoever.

Mr. President, over the years, we have become accustomed to considering programs that are originated by the President of the United States. I always consider with great respect any recommendation made by any President.

The President is charged with the responsibility of administering the laws. It is fitting and proper that his voice should be heard. It is right that he should have an opportunity to make recommendations and that his recommendations should carry great weight.

The privilege—indeed the duty—of the President to recommend legislation is not in dispute. That is not only his constitutional function. It is a clear necessity if the machinery of Government is to operate smoothly.

But there is another necessity that is equally urgent. It is that the Congress, the branch of the Government which determines the policy of the people, shall weigh carefully the President's recommendations.

We have the right—and the duty—to accept his recommendations; to reject them; or—and this is the most important duty—to change them as we deem advisable.

Even more imperative, we are under a solemn obligation, as the legislative branch of the Government under the Constitution of the United States, to initiate legislation if the circumstances make such a course advisable.

Mr. President, any time we abdicate that right, we have taken a long step down the road toward abdicating the authority of the Senate. When we abdicate that authority, we are undermining one of the very cornerstones of our democracy—the Senate, the fortress for the protection and preservation of the rights and liberties of the American people.

The case before us is one which does not even have to be established by the evidence. It is a case that is conceded by those in the majority.

It was conceded by the chairman of the Senate Committee on Labor and Public Welfare the day this bill was ordered reported. The chairman himself confirmed this concession a few days ago when he made his opening statement on the bill.

I have studied his remarks in the RECORD carefully. I was particularly struck by his statement on page 5836 of the RECORD:

> I thought it was my responsibility to get before the committee and to report to the Senate, a bill containing the recommendations of the President.

Mr. President, that is not a remark taken out of context. It is a pure and simple statement of the majority policy in handling this proposed legislation.

Let us turn back a few pages and look at another quotation. It can be found on page 5829 of the RECORD. Here, the chairman said:

> At the opening of the executive session meetings of the committee, I, as chairman, announced that our deliberations would be confined to the subject matter of the President's recommendations, as well as the bill S. 2650, which embodies those recommendations.

I could continue these quotations, Mr. President; but I think it might be well to examine some of the reasons for this extraordinary action. As one explanation, the chairman says, again on page 5829 of the RECORD:

> In view of the extensive hearings in 1953 and the limited nature of the President's recommendations and the bill reflecting those recommendations, the committee decided to limit the 1954 hearings specifically to the recommendations.

In other words, Mr. President, the philosophy here appears to be: The President did not ask us for very much. Let us not take time trying to improve the legislation he recommends.

Of course, there are other reasons, too. On the same page, the chairman of the committee said:

> That was done for the purpose of making it possible for the committee to report a bill in line with the President's program, and to avoid becoming sidetracked on many other issues that had not been raised.

Mr. President, since when does a Senate committee decide that it is being "sidetracked" because somebody proposes that it consider a proposal outside a Presidential recommendation?

In the future is the White House going to determine what is, and what is not, germane to Senate debate and to Senate consideration? Are the executive agencies going to take the Senate manual and rewrite the rules to suit their own whims and conveniences and provide that the Senate shall consider only what they wish considered?

We have not finished the category of reasons for forbidding the minority to offer amendments to this bill. On page 5830 of the RECORD, the chairman of the committee said:

> I did the best I could to insure the reporting of a bill reflecting the wishes and recommendations of the President. That was my responsibility.

When has it become the responsibility of a Senator sitting in this great legislative body created by the Constitution under our great system of checks and balances, to assume that his responsibility is to do whatever the President of the United States may happen to recommend?

Mr. President, here we get down to the meat of the question. This can be stated simply: The President wants it; so let us give it to him exactly as he wants it.

I can remember many occasions during my years in the Senate when my colleagues on the other side of the aisle raised the cry of "Executive dictatorship," and applied the term "rubber stamp," on far less provocation.

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). The time of the Senator from Alabama has expired.

Mr. HILL. Mr. President, I yield myself an additional 10 minutes.

I desire to be completely fair. There is one more reason cited by the distinguished chairman of the committee for his action. He states it on page 5830 of the RECORD, as follows:

> Had we continued the discussions covering the many amendments that all the members of the committee, including the chairman, felt they would like to offer, it is obvious our committee sessions would have been so prolonged that it would not have been possible to conclude our work and have action taken by the Senate before adjournment.

In other words, the committee majority was not willing to take the time to do a real job for the Senate of the United States. Remember, Mr. President, that this bill was ordered reported by the committee on March 31 and the Senate did not take it up for consideration until May 3. Five long weeks elapsed. Would it not have been wiser and better for the Senate and the country to have consumed at least a part of those 5 weeks in considering some of the amendments? As a member of the committee, I believe each and every amendment the minority offered or was prepared to offer could have been easily disposed of, if not in 1 day's time, certainly in 2 days' time. But we were denied the right to offer those amendments. Then we sat and waited 5 long weeks.

Mr. LONG. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I should like to yield, but my time is very limited.

Mr. LONG. Can the Senator give us the date when the President's recommendations were made?

Mr. HILL. I will get the date for the Senator. It was January 11, 1954.

Mr. President, we can summarize at this point. The committee majority refused to let the minority offer any amendments outside of the President's recommendations because:

The President did not ask for much in the first place.

The committee did not want to be sidetracked by the presentation of proposals disliked by the committee majority.

The chairman felt it was his responsibility to insure the reporting of a bill that rubberstamped the President's recommendations.

Finally, the committee majority felt it did not have the time to consider different aspects of one of the most complex and important pieces of legislation to come before the Senate.

So far as I am concerned, there is not a single one of these reasons that is adequate.

I care not whether the President of the United States asks for much or for little. We should know what we are doing when we cast our votes on any proposal. We should make our decisions, the decisions of the Senate of the United States, constituted of the elected, chosen representatives of the people of the great sovereign States. The Senate needs and

is entitled to the best advice and the best judgment of its committees. This is the purpose, the reason, for the committee system, and it is that system which, through the years, has made for wiser and better legislation.

Mr. President, we cannot separate the Senate from the Senate committees. Senate committees are an essential part of the legislative process.

And if consideration and debate can be denied in a Senate committee, it is only a matter of time until it can be denied in the Senate itself.

As Members of this body we have always been proud of the Senate's tradition of free and full debate. We have conceded time and again that there may be occasions when it is inconvenient; but I think most of us recognize that it is an essential protection for the rights of the minority.

I doubt whether even those who believe in limiting debate have ever advocated a limitation on the right to make a proposal.

I doubt whether even the most ardent advocates of executive power have ever asserted that executive recommendations are sacrosanct, and not subject to change.

Make no mistake, if we permit this action to go unchallenged, we will be setting a precedent that will plague all of us for years to come.

Frankly, I do not believe we will ever lose our freedoms through the enemies of democracy. But I frequently feel apprehensive because of the activities of some of the friends of democracy who feel that a given proposal is so vital that democratic processes must be short-circuited to achieve it.

Mr. President, there is another aspect of this question which concerns me deeply.

Let me start by conceding that in one sense, the majority was fair. It forbade the minority to offer amendments outside the President's recommendations. It also forbade itself to offer amendments outside the President's recommendations.

I submit that for the majority to forbid the minority to offer amendments is an abuse of authority.

I also submit that for the majority to forbid itself the right to offer amendments is a surrender of authority. And authority, once surrendered, is rarely regained. To my mind, this is no time for the Senate to surrender authority to the executive branch. This is no time to permit another body of government to determine what we will—and what we will not—consider. This is no time to weaken a structure that has served well for decades in the preservation of our liberties.

The fact that the surrender is voluntary on the part of the majority does not make the precedent any less dangerous. The fact that the surrender may not even have been requested by the executive department—and it was not so far as I know—does not make it any the less a surrender.

It is true that we can do anything we want to on the Senate floor. We can offer amendments, support amendments, reject amendments. We can even write a substitute bill, but that is no answer to the question that is before us.

Committee work is a basic part of the legislative process. I do not have to recount to my colleagues the danger of writing complicated legislation on the Senate floor.

If committee work is essential to the legislative process, then it must be work that is not restricted—that is not chained to a narrow set of recommendations.

We cannot operate effectively half chained and half free—chained in our committee work; free in our floor work.

If the committees are to be relegated to the status of a rubber stamp, we might as well abolish them altogether. We might as well send the President's recommendations directly to the floor and ask for a vote on them up or down.

My attitude toward this issue does not reflect my attitude toward the bill itself. Some of the recommendations I can support; others I am against. That is beside the point. The important point is that we should not be restricted in the consideration of legislation so basic to the welfare of our people. We should have the right to consider the whole question in the calm atmosphere of the committee before having to vote on the floor.

It is obvious that the Members of the Senate feel the necessity for amending this bill. There are pending at this moment amendments which cannot, by any stretch of the imagination, be considered within the scope of the President's program.

Mr. President, it should be apparent by this time that labor-management legislation is not a simple "yes" or "no" proposition. The basic laws now on our books were in preparation for many months before they were ever brought to the floor.

Any attempt to write complicated labor-management legislation without due consideration will lead us into trouble. We will not be saving time by this process. We will merely be losing one of our most important rights—the right to due deliberation and careful consideration.

Mr. President, I wish to raise one final point. I cannot help but wonder the extent to which we may be undermining public confidence by this procedure.

On April 13, the Washington Post and Times-Herald carried an editorial which I wish to quote in part. It said:

> If the Senate committee had shown similar good judgment in considering the Democratic amendments, even though it might have rejected most or all of them, its recommendations would have much better standing before the Senate. It is not the American way to close the door against minority amendments even when legislators are in a hurry.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. HILL. Mr. President, has the Senator from Alabama consumed 25 minutes?

The PRESIDING OFFICER. The Senator from Alabama has taken 25 minutes.

Mr. HILL. I yield myself an additional 3 minutes.

The editorial I have read goes directly to the point. The minority cannot protest because it is voted down. That is a part of the normal democratic process. But the minority can—legitimately—protest when it is not even allowed to present its point of view in an effective fashion.

No one familiar with legislative procedure can claim that the minority has a full outlet for its views when it cannot present amendments in a legislative committee.

Mr. President, many philosophers contributed their thoughts and their vision to the formation of the American Government. Our Constitution is the product of many minds—not merely the minds of the men who engaged in the actual drafting process, but of men who preceded them.

One political philosopher who was a contemporary of the Founding Fathers proclaimed a principle which is fundamental with us in America. He was Voltaire, the famous French philosopher, whose heart is still preserved today in a library in Paris, but whose memory is in the hearts of those who love liberty. Far more imperishable than even his heart are his memorable words:

> I disapprove of what you say, but I will defend to the death your right to say it.

That is the proposition before us today. This is not a question of approving or disapproving of minority views. This is solely a matter of granting the minority the right to offer its proposals and to express its views, in due order before a Senate committee.

We do not have to battle "to the death" to preserve that right. It can be done by a vote—a vote sending this measure back to the committee where it can receive the study it deserves. If we vote in this manner, we will not only be protecting a minority right, and I need not remind the majority that all history records that the majority of today is the minority of tomorrow——

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. HILL. I yield myself an additional half minute.

But we will be asserting the right of the Senate to accept, reject, or change recommendations made by the executive department.

We boast that this is the most powerful legislative body in the world. We claim that this is the greatest deliberative assembly in the world. We are proud of our traditions of free and full debate, and of our right to pass on the basic questions that affect the destiny of our country.

Here is an opportunity to back those boasts and claims. Here is a chance to make it plain that we do not accept Executive dictates.

Mr. President, I urge my colleagues to support the motion to recommit.

Mr. SMITH of New Jersey. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state it.

Mr. SMITH of New Jersey. Does the minority leader prefer to continue with the debate on his side of the discussion,

or does he prefer to have Senators on this side of the aisle use their time?

Mr. JOHNSON of Texas. The minority leader does not control the time.

Mr. HILL. Mr. President, how much time have I used?

The PRESIDING OFFICER. The Senator from Alabama has used all but 16½ minutes of his 45 minutes.

Mr. HILL. I certainly suggest that the distinguished Senator from New Jersey now use some of his time.

Mr. SMITH of New Jersey. I shall be glad to do so.

Mr. President, I yield myself 10 minutes, in which to begin the debate on our side of the question.

I have listened with real interest to the eloquent address by the distinguished Senator from Alabama. So far as concerns any precedents which may have been established, a precedent, whether it was right or wrong, was established in June 1949 as the debates of the last 2 or 3 days show. The CONGRESSIONAL RECORD of June 8, 1949, discloses that the identical procedure was taken by the Democratic majority with respect to the amendments to the Taft-Hartley Act which were pending at that time. The late Senator Taft, former Senator Donnell, other Senators, and myself were placed in the same embarrassing position in which the Democrats now find themselves. I regret that these happenings are necessary; but, as the majority at that time argued, and as I am now arguing, sometimes, when one has the responsibility to move ahead with legislation, steps must be taken, when the majority approves of those steps, in order to achieve the results needed.

The facts as stated by the Senator from Alabama are not quite as I understand them. I wish to state briefly the understanding of the chairman, and then other members of the committee may desire to comment on the same subject.

On January 11, 1954, the President of the United States submitted his recommendations. Within a week or 2 weeks after the submission of the recommendations, the committee moved ahead and began to hold hearings. At the time, I announced that the hearings would be held on the specific recommendations of the President of the United States. That was because in 1953, before there had been any recommendations by the President of the United States, extensive hearings have been held, so extensive, in fact, that there were 15 printed volumes of testimony on every possible phase of management-labor relations. No attempt was made then to draft a bill, because no recommendations for a bill had been received by the committee from the Executive. In fact, it was requested by the ranking minority member of the committee, the distinguished Senator from Montana [Mr. MURRAY], that a bill not be presented for discussion, although one was ready, until we had received the recommendations of the President. For that reason, the committee postponed any presentation of a bill or any attempt to draft a bill until this year.

This year we held hearings, which were limited, and every witness who came before the committee said that he addressed himself only to the recommendations of the President of the United States; and all the testimony given this year, which appears in part 6 of the hearings, is testimony concerning the Presidential recommendations.

I said, when the committee began its executive discussions on the drafting of a bill, that I hoped we could limit ourselves to a consideration of the President's recommendations, because I felt I had the responsibility, as chairman of the committee and as a member of the President's party, to do what I could to have his recommendations considered. No suggestion ever was made that the President's recommendations should be rubber stamped, as has been implied. Every opportunity was given to Members on both sides to present any comments they had on the President's recommendations. I requested the minority members of the committee to submit their suggestions or recommendations, and the committee received them in writing.

The distinguished Senator from Massachusetts [Mr. KENNEDY], who was spokesman for the Democratic group, spoke to us for 2 days and made splendid suggestions, which were based on meetings of his group. I am sorry to say that during those 2 days the Senator from Massachusetts was the only member of his group present at the executive sessions. We tried to come to agreements with him on a number of the points. There were a total of, I think, 10 or 12 amendments suggested.

No one was prevented from suggesting amendments to the President's recommendations, but I said that, in the interest of expediting the work, and of moving the bill forward, we should begin our discussions with the President's recommendations. I said it was my purpose to try to report a bill based on the President's recommendations and on the views of the committee with respect to his recommendations. No Senator was prevented from voting in any way he desired or from offering to amend the bill in any way he wished. The original bill which I introduced, based on the President's recommendations, was changed in a number of respects; it was not rubber stamped in any way.

A vote was taken on every action relating to the amended bill, and the amended bill, reported in the nature of a substitute for the original bill I had filed, was based on the action of the committee.

Therefore, so far as the handling of the President's recommendations was concerned, I felt that there was absolutely no ground whatsoever for any criticism. No member of the committee was ever prevented from expressing his views. There was complete freedom and fullness of debate, and every opportunity was afforded to discuss the President's recommendations.

When it came time to consider additional amendments, between 50 and 60 amendments were filed, to be considered by the committee. As chairman of the committee, I was in this position: I had the responsibility for the presentation of the proposed legislation. The committee had had referred to it the President's recommendations with respect to proposed health legislation, including four very important bills, requiring immediate hearings. The committee also had before it bills in the field of education which required immediate hearings. Had we continued our hearings on the Taft-Hartley bill until these fifty-odd amendments could have been considered, as was requested, we would not have been able to consider at all the other legislative proposals before the committee. Some of the amendments were offered by Republican Senators; I, myself, had 2 or 3 amendments I wanted to have considered. There were bills involving veterans' affairs, which were within the jurisdiction of the committee and were pending before it. The time for hearings of the committee and subcommittee had been allocated down to the middle or the end of May. I was up against the proposition of either interfering with other hearings and blocking other legislation, or trying to come to some determination as to where the committee should stop with the bill proposing to amend the Taft-Hartley Act.

I said to my committee, "I recommend that we deal with the President's recommendations and prepare amendments on the basis of his recommendations, and draft a bill in line with them."

If the Senate desires to consider further amendments to the Taft-Hartley Act, I shall be glad to take up such amendments, after the changes now under discussion have been passed on, and the education and health bills have been considered. I shall be glad to take up such amendments, and I now offer to do so. Senators can offer any amendments they desire to offer, and the committee will consider them, and, if necessary, report a supplemental bill. But the job before me, as chairman, was to have the amendments to the Taft-Hartley Act considered as soon as they could be, and to consider the President's recommendations. There was no rubber stamping, force, or anything else which would justify the charge that the committee was establishing a wrong precedent.

In the situation in 1949, when one might say we were on the other side of the aisle, the late Senator Taft and I tried to offer some amendments bearing on what was then the Democratic Party committee bill. We were not allowed to introduce amendments to the bill. We were told we could do nothing at all. The bill was reported at that time. However, I do not wish to go into that. We were either right or wrong this time; they were either right or wrong then. It is either proper or not proper for the chaiman of a committee and the majority of the committee to limit the number of amendments which can be offered in order that action might be taken to report a bill to the Senate.

The recommendations of the President were fully considered. Every member of the committee was given every chance to offer suggestions and amendments to the President's recommenda-

tions. I did say that I did not want to consider any amendments outside the President's recommendations, because it seemed to me my first job was to get the President's recommendations considered, and that we should then, on the floor of the Senate, deal with any amendments to the bill as it was reported, so that Senators would have an opportunity to offer such suggestions or amendments.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. SMITH of New Jersey. I yield 5 minutes to the Senator from New York.

Mr. IVES. Mr. President, I wish to associate myself with the remarks made by the distinguished Senator from New Jersey [Mr. SMITH]. I listened with a great deal of interest to the eloquent appeal made by the distinguished Senator from Alabama [Mr. HILL]. While I can agree with the principles he was enunciating, I do not think they apply in this particular instance.

As has been pointed out by the Senator from New Jersey, members of the committee were not trying to stifle consideration of amendments to the Taft-Hartley Act in general. The bill which was before the committee was a bill which contained the recommendations made by the President of the United States, and the bill as it stands contains those recommendations translated into proposed legislation, with the exception of one, and that is the one dealing with the secret strike ballot. We could not agree on that. Therefore, it was not placed in the bill. However, it seemed to us that inasmuch as the President had made certain recommendations, since a specific bill had been introduced by the chairman of the committee to carry out those recommendations, the consideration of the committee should be confined to that bill and to those recommendations.

When it is stated that the minority had no opportunity, in any way, shape, or manner, to present their case, I must insist that the minority had every opportunity to present their case with respect to those specific recommendations; and the fact remains that, as a result of conferences had by both Democratic and Republican members, the bill as originally introduced by the chairman of the committee was substantially revised, and stands before the Senate substantially revised as a result of committee action. So it cannot be said that the minority members were without a voice.

At the same time I wish to insist again, as the chairman of the committee has insisted, that the members of the minority were given to understand that if they had recommended changes dealing with the question of revising the Taft-Hartley Act, aside from the President's recommendations, they could present them in separate legislation, and the committee would be perfectly willing to consider such proposed changes.

I might say that I myself have proposed several amendments, which I should like to see included in this proposed legislation. I have not pressed those amendments, nor did I demand that they be considered in committee. When I did bring up one of them, which I mentioned the other day, the minute I discovered it was thought by the committee that it did not conform to the President's recommendations, I withdrew it from consideration.

That is the way the matter actually stands. Nobody has been muzzled. Nobody has been stifled. The bill before the Senate is a bill which would carry out the recommendations made by the President, and should be considered by the Senate as such.

Mr. President, I wish to say one more thing before I conclude. If our friends on the other side of the aisle insist that the bill must be recommitted as it stands, then in effect they are approving the Taft-Hartley Act as it stands. They cannot get around that fact.

I believe that the amendments to the Taft-Hartley Act which are proposed in the bill before us are amendments which will improve the Taft-Hartley Act. Therefore, I obviously am going to vote against the motion to recommit.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. SMITH of New Jersey. Mr. President, I yield 10 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, the pending motion is in keeping with the activity which the members of the minority displayed throughout the hearings and throughout the executive meetings of the committee. It appears to me that the implication is that the correctness of a position depends only on which side is taking it. When the Democrats proceeded in the manner which has been detailed, they thought it was all right; but when the Republican side does the same thing, it is all wrong. I do not think the decision should be based on that consideration, however, because if either side is guilty of railroading, then that side is certainly wrong.

Last year the excuse of the minority was that no Presidential recommendations were before the committee. The committee went through almost a whole year of hearings. The hearings themselves occupied 45 days. We attempted to arrive at some agreement with the minority, but they refused because there were no Presidential recommendations then before the committee. This year Presidential recommendations were made; so I am at a loss to understand what their excuse now is for not wanting to act on the proposed legislation.

I wish to concur in what the Senator from New Jersey [Mr. SMITH] has said. With the proposed changes which have been voted by a majority of the committee the pending measure may well be considered a prolabor bill. I wish to reiterate what the chairman of the committee has already said. There were six executive sessions. Twelve amendments were offered. The entire minority membership was asked, not once, but twice, to offer written suggestions. The only ones who did so were the Senator from Illinois [Mr. DOUGLAS] and the Senator from Massachusetts [Mr. KENNEDY], but the other minority Senators refrained from doing so.

The argument about the inadvisability of writing legislation on the floor of the Senate is not a relevant argument, because the great majority of legislation which is passed in both Houses is written upon the floors of those Houses. The Taft-Hartley Act was written in its entirety by action on the floor of both Houses. I might point out that the distinguished Senator from Illinois has submitted 36 amendments to bills in this Congress.

From the amount of space in the minority views devoted to the States rights issue, I feel that the States rights issue is the reason the motion to recommit has been made.

Mr. President, in 1953 the majority of the witnesses who testified before our committee were in favor of a States rights provision being incorporated in the law. In 1954, the same situation prevailed at the hearings. The Gallup poll shows that 68 percent of the people of the United States want control of labor-management relations returned to the State and local levels; and I understand that 53 percent of the union members want the same thing done, and only 30 percent of the union members are opposed to it. In other words, by a majority of almost 2 to 1, the membership of the unions want that change made. I believe that is the issue confronting us.

Mr. President, it may seem strange to my Democratic friends to hear a Republican Senator express himself so vociferously in favor of States rights. Certainly when I was younger I used to hear the Democratic Party advocate States rights, down through the years. However, I am very happy to adopt that slogan while the Democratic Party can be organized again around its basic concepts.

I cannot understand how Senators who represent States that cling to that great principle can now be willing to vote to recommit the pending bill and thus kill the bill, which may constitute our last chance to protect the laws of the States in which Senators live.

Mr. President, at this time let me point out the situation existing in some of the States. For instance, Alabama has several labor laws that are in jeopardy by reason of the Garner decision. Colorado has seven that are in a similar status. Let me say to my distinguished friend, the Senator from Louisiana, before he leaves the Chamber, that Louisiana has several labor laws in a similar status. Georgia has on its statute books five laws that are in jeopardy today, as a result of this decision. Iowa has three. I could refer to the situation in a number of other States, because 28 States have labor laws on their statute books. For instance, Maryland has 2; Michigan has 5. A moment ago I saw in the Chamber my distinguished friend, the Senator from Minnesota [Mr. HUMPHREY], who so often visits my State. Let me say that Minnesota has on its statute books six labor laws that now are in jeopardy by reason of the Garner decision. Nevada, my neighboring State, of which I am so proud, has one. Texas has two. Virginia, the grand old State in which I spent so many happy years of my life while I was in school, has on its statute

books three laws that are now in jeopardy as a result of the Garner decision. In similar vein, I could read the remainder of the list.

Mr. President, it seems that the States-rights issue has been the great issue before this session of Congress. The States-rights issue was raised at this session when the tidelands debate began. At that time the Republicans joined with the Democrats in returning to the States a right that had been taken from them. Then came the debate on the so-called Bricker amendment. States rights was the basic issue involved in the debate on that amendment. The amendment was lost by only one vote, but a majority of those voting agreed to go along with the thesis that the States are paramount in our Government.

Now we come to the States-rights issue in connection with the field of labor legislation.

Mr. President, at this time I wish to call to the attention of the Senate a matter which I do not believe the legislative branch of the Government can afford to ignore further. I have heard big business, and free enterprise castigated in the course of the debate on the floor of the Senate. I believe it is time to call attention to the activities of the CIO in attempting to influence voting in Congress on the tidelands issue, a States-rights issue, and in attempting to influence voting in the Congress on the Bricker amendment, a States-rights issue, and now in attempting to influence the voting on the proposed amendments to the Labor Management Relations Act, which also involve a States-rights issue. So I wish to read to my colleagues an item from the New York Times of only a few days ago, giving a quotation from Mr. Rieve, president of the Textile Workers Union of America, CIO. In referring to my amendment, he said:

> If such a proposal should ever dare to become a law—and I defy the Congress of the United States to pass such an act—I would propose to American labor to immediately call a conference of unions affiliated with the CIO, the A. F. of L., or independents, and lay plans for drastic measures.

Mr. President, what have we come to in this country when a labor leader can threaten the legislative branch of the Government. I think this issue transcends all others. If we are going to divide our country—as I see the division coming—between those who want Federal domination of everything and those who want the 10th amendment and the other protections of the Constitution adhered to, I pray God the time will come soon when that decision will be made, so we can get down to fundamental issues, and can stop bickering between and among the political parties.

Mr. President, yesterday a somewhat facetious remark was made in referring to what was called good for GOLDWATER's business, or good for labor, or good for the country, or something of that sort. The reference was to a remark made last year by the Secretary of Defense. I should like the Senate to consider a substitute slogan, as follows: "What is good for the Main Streets of America is good for the country, and what is good for the country is good for the Main Streets of America."

Mr. President, in this instance we are not concerned primarily with giant labor unions or with giant businesses. On the contrary, we are concerned with the hundreds of thousands of small business men all over the country whose very existence now is in jeopardy as a result of interpretations made by the Supreme Court in this field, into which the Taft-Hartley Act never was intended to enter.

Mr. President, I urge the Members of the Senate soberly to consider the issue before they vote on the question of recommitting the bill; because if the bill is recommitted, we may be denying to the American people the last chance they will ever have to return to the doctrine of States rights in this field.

Mr. SMITH of New Jersey. Mr. President, I yield 2 minutes to the Senator from Michigan [Mr. FERGUSON].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 2 minutes.

Mr. FERGUSON. Mr. President, I believe that recommittal of the bill will simply mean the Senate will be avoiding and dodging its responsibility in the field of labor-management relations legislation.

The bill proposes that certain changes and adjustments be made in the 1947 act, the so-called Taft-Hartley Act. After that act has been on the statute books for 7 years, the experience obtained from its administration indicates that amendments are necessary and advisable. The changes provided by the amendments which have been proposed are, in my opinion, equitable. All of us may not agree as to the wording of some of the amendments; but the amendments are fair to employers, to employees, and to the general public, the consumers.

The proposed changes in the law which have come from the committee were suggested by the President of the United States. They are a part of the labor-management program of the administration and the Republican leaders of Congress, and in that respect they deserve to be voted on on their merits, rather than to have the bill returned to the committee.

I suggest that all Senators stand up and be counted on the merits of the amendments, and that the Senate vote against recommittal, in order that the bill itself and the various amendments submitted to it may be voted on on their merits, rather than to return the bill, along with the amendments, to the committee, which I believe has done all it can do on these proposals. Certainly it would be a waste of the time of both the Senate and the committee to recommit the bill and to ask the committee to consider again the bill and the amendments. So, instead let us vote on the bill and the amendments, and vote them either up or down.

Mr. SMITH of New Jersey. Mr. President, how much time remains to each side?

The PRESIDING OFFICER. The Senator from New Jersey has 18 minutes remaining.

Mr. SMITH of New Jersey. How much time remains to the other side?

The PRESIDING OFFICER. The other side has 16½ minutes remaining.

Mr. SMITH of New Jersey. I yield 5 minutes to the Senator from Connecticut [Mr. PURTELL].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. PURTELL. Mr. President, I enjoyed very much the oratory of those who are asking that the bill be recommitted. I had hoped that with the oratory we would have some additional light as to the reasons why the bill should be recommitted. Very frankly, Mr. President, I say I failed to find any light on that issue, in the course of the remarks made by the Members who wish to have the bill recommitted.

Not too many years ago a member of the minority party, known as the Happy Warrior, frequently used to say, "Let's look at the record."

In the light of what has been said here today we might well look at the record. I shall read the words of the chairman on January 25, the day the first hearing was held. He said this:

> This is a meeting of the full Committee on Labor and Public Welfare of the United States Senate, to consider the recommendations of the President for amendments to the Labor Management Relations Act of 1947, otherwise known as the Taft-Hartley Act.
>
> In order to bring before the committee the scope of these hearings, I am inserting in the record at this point President Eisenhower's message, dated January 1, 1954, covering the recommendations affecting labor-management relations.

After inserting that message in the record, he said:

> These hearings are specifically limited to the President's recommendations.
>
> As I stated when I introduced this administration bill—and I quote from my statement at that time—it should be noted that in the President's message he suggests that certain areas in national labor relations should be further studied, to the end that additional legislation can be prepared.
>
> I recognize, also, of course, there may be other areas of controversy that the members of the committee or other Members of the Senate will bring to our attention, and other proposals in the way of amendments may be introduced. I want to assure you that any such suggestions will be given our careful consideration. However, these other and additional matters are not within the scope of these particular hearings.
>
> It is the committee's purpose to consider the President's recommendations immediately, and it is our hope that this bill before us may be passed promptly with such amendments as the committee may deem wise, and without waiting for the results of studies in these other areas.

There was no objection at that time by the members of the minority to the statement of the chairman as to the purpose of the hearings and the intent to deal first with the President's message.

As a freshman Senator, I sat in at the labor hearings last year. I was learning—and I may say that I learned very rapidly. I heard constantly from the side of the minority the question, "When are we going to get the President's recommendations?" All during our hearings last year we heard from the oppo-

sition—as it now develops—"When are we going to get the President's recommendations?" I was naive enough, apparently, to believe that the minute we received them, since the members of the minority were so eager to get them, they would perhaps be approved without objection.

We received the President's recommendations, and we held our hearings. We also held executive committee meetings.

I should like to point out—it has been pointed out before, but I am referring to the record—that there were 11 days of hearings in the 2d session of the 83d Congress. The hearings were held between January 25 and February 9. There were 22 days of hearings previously on the bill.

I invite attention to the fact that in 1954 approximately 168 persons either appeared personally, filed briefs, or placed letters or telegrams before the Senate committee for inclusion in the record of testimony. The printed record of testimony fills one volume.

Were amendments submitted in committee by members of the minority in connection with the President's proposals? I believe they were. The record shows it. On March 12 the Senator from Illinois [Mr. DOUGLAS] submitted amendments regarding casual employment and suggested the language of the Taft-Humphrey bill.

On March 15 the Senator from Massachusetts [Mr. KENNEDY] submitted an amendment regarding the definition of "agency." He also offered one in connection with the language on page 20. As a matter of fact, he offered several amendments. I shall not take the time to read them all.

On March 16 the Senator from Massachusetts also offered amendments. On March 24 he suggested changes in the wording of the national emergency section suggested by the Senator from Illinois. On March 31 additional amendments were suggested.

Apparently there was no question at the beginning of the hearings as to the purpose of the hearings, and what action would be taken by the committee first.

Something was said about precedent. Mr. President, there was a precedent which we might have followed had we so desired.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. PURTELL. Mr. President, will the Senator from New Jersey yield me 2 more minutes?

Mr. SMITH of New Jersey. I yield 2 more minutes to the Senator from Connecticut.

Mr. PURTELL. Yes; there was a precedent which we might have followed had we wished. We did not follow it, but had we been doing so we would have done nothing different from what was done by the then majority, in 1949. Reference has been made to this subject, but I think it necessary to read from the report, so that there will be no question about interpretation. This is the language of the minority views. At that time the minority happened to be sitting on this side of the aisle. Senate bill 249 was reported to the Senate on May 4, 1949, in the 81st Congress, 1st session. The minority views stated:

> In reporting out S. 249 in its present form (hereinafter referred to as the committee bill) the majority of the Committee on Labor and Public Welfare are asking the Senate to pass a law which the committee had no part in formulating. According to the Secretary of Labor, the committee bill was drafted under his direction with the advice and assistance of the heads of several executive agencies and departments, and approved by the President. Consideration by the committee of the committee bill as a whole or of any of its specific provisions was completely denied.

These are not my words. This is from the printed record. The minority members were not even permitted to offer amendments. We cannot be charged with following the example set in 1949.

The PRESIDING OFFICER. The additional time granted the Senator from Connecticut has expired.

Mr. PURTELL. Mr. President, may I have 2 more minutes?

Mr. SMITH of New Jersey. I yield 1 more minute to the Senator from Connecticut.

Mr. PURTELL. I should have liked to read the remainder of the minority views.

The President's recommendations have been asked for. We have them here. If we recommit the bill, in effect we say, "We are refusing to consider and act upon the legislation before us, which would carry out the President's recommendations."

Mr. SMITH. Mr. President, I yield 2 minutes to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, there are few persons familiar with labor law and labor programs who do not realize that amendments to the Taft-Hartley Act are desirable. I believe that for the most part the amendments incorporated in the present bill are good amendments. I realize that other amendments to the bill will be offered. In fact, about 20 have already been submitted. Some are good and some are bad. I intend to vote for the good amendments, and against the bad ones. If the bill becomes loaded with bad amendments, I then propose to vote for recommittal. I do not believe it is fair to labor, to employers, or to the country to admit defeat before we start to improve the bill on the floor of the Senate. I cannot vote for recommitting the bill at this time.

Mr. President, I think this is a good time to say something else. For 13 years I was a member of the Committee on Labor and Education and its successor, the Committee on Labor and Public Welfare. It should be an important committee. It should be doing better work. After 13 years on that committee, I finally came to the conclusion that there was absolutely no hope that the Democratic Party would cease attempting to use the welfare of labor and labor legislation for political purposes. I felt that my usefulness on that committee had come to an end because it was apparent that the Democratic Party had the power to block improved labor laws. Therefore, at the beginning of this session, when the opportunity offered I asked for a transfer to another committee.

I think we should try to improve the Taft-Hartley law, and not try to preserve any of its defects, real or imaginary, to be used during political campaigns from this time on, as they have been used during the past few years.

Mr. SMITH of New Jersey. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMITH of New Jersey. How much time have we left?

The PRESIDING OFFICER. The Senator from New Jersey has 8 minutes.

Mr. SMITH of New Jersey. I now yield to the Senator from Alabama.

Mr. HILL. Mr. President, I yield 3 minutes to the distinguished Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. President, I believe the question before the Senate is whether we should substitute the advice and opinion of the President's advisers for the considered advice and opinion of the members of the Senate Committee on Labor and Public Welfare, for when Secretary Mitchell appeared before the committee, he told us that the Senate bill was drawn by the technicians on the White House staff along with the committee staff.

It seems to me that the Senate committee, with its proud traditions, should not have confined itself to the rather narrow areas in which the President suggested action, but, instead, should have considered the whole range of problems for action at this time. Lengthy hearings were held last year, running for more than 5 weeks, which dealt with the whole range of problems connected with the Taft-Hartley law. The members of the House Committee on Labor and Education have considered a wide variety of proposals which go far beyond the recommendations of the President in his message to Congress.

It has been suggested by the Senator from New York [Mr. IVES] that we should write this bill on the floor of the Senate. It seems to me that——

Mr. IVES. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from New York for a question.

Mr. IVES. I wish to point out that I made no such suggestion on the floor of the Senate.

Mr. KENNEDY. The Senator from New York suggested, as I remember, that there were several amendments to be offered by the other side, and those of us who were not satisfied with the procedure in the committee should offer our amendments also on the floor.

Mr. IVES. Yes; because the bill is before the Senate, and Senators may offer amendments from the floor.

Mr. KENNEDY. That is correct. But to illustrate the dangers of primary reliance upon that approach, I point out what has happened with reference to the Goldwater amendment. We have had, I believe, four drafts of the Goldwater amendment submitted thus far,

and two of those drafts were submitted this week. The debate indicates that no one can say with any precision what the amendment means. Although the Senator from New Jersey [Mr. SMITH] at first attempted to explain the Goldwater amendment yesterday, we have as yet had no precise explanation of its meaning.

We have also before us the involved amendment offered by the Senator from Kansas [Mr. SCHOEPPEL] dealing with secondary boycotts, and other technically complex amendments dealing with a whole range of other subjects, on which we have not had the benefit of the advice which the Committee on Labor and Public Welfare should have given to us on those questions. It seems to me this leads to a most unfortunate state of affairs; and in addition, we would then have, not as the Senator from New York has said, a bill more favorable to labor, but one more inequitable and restrictive.

Mr. IVES. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield for a question.

Mr. IVES. I should like to point out that I insisted in committee that I should like to have the bill passed in its present form, and that unless amendments were offered on the floor that were accepted I did not intend to offer any amendments.

Mr. KENNEDY. The point that I should like to make in answer is that a great many amendments have already been offered and would have been offered during the coming days. These amendments, for the most part, were not considered by the committee or voted on. The chairman of the committee refused to entertain them, and therefore the Senate has not had the advantage of any study which could have been given to them.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. KENNEDY. The results would have been most unfortunate to the interests of labor and of employers.

Mr. HILL. Mr. President, I yield 2 minutes to the distinguished junior Senator from New York.

Mr. LEHMAN. Mr. President, I know that the time allotted to our side is very short. There are many other speakers, and I shall not use the 2 minutes allotted to me.

I merely wish to say that I associate myself wholeheartedly with the very fine remarks of the senior Senator from Alabama [Mr. HILL]. I have prepared a statement, but I shall not read it. Instead, I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

The Senate faces heavy legislative responsibilities on many fronts. We have passed the midway point in the session, and most of our work is still ahead of us. No subject with which we shall deal at this session is of greater importance than the pending one.

Stable and harmonious labor-management relations are the key to our economic life. In this period of national and world emergency, we must be sure—absolutely sure—of what we do on the labor-management front.

This field is delicate. It is highly complex.

I have strongly believed—and still do—that major changes are necessary in our present labor-management relations law. But any changes made should be carefully studied and carefully considered. They should be weighed with all the deliberateness of which we are capable.

Over the years we have developed the committee system, which now occupies the central place in the legislative process. This process should not be sidetracked or subverted, except under the most extreme and unusual circumstances.

In this case, in the case of the pending legislation, the committee process has been completely distorted. It has been used not to study and to resolve differences, but to avoid the study and discussion of differences. The Labor Committee was used, in the case of this legislation, largely to put the formal stamp of approval on a particular set of amendments on which there was the least controversy among the majority of the committee.

Yet even these amendments, those approved by the committee, do not have the united support of a majority of the committee. Out of the 7 members of the committee who voted to report this bill, 4 filed statements of separate views.

Moreover—and this, I think, is the main sticking point—many controversial amendments—those which most urgently require careful committtee debate and deliberation—those were not considered by the committee at all. When offered by the minority they were ruled out of order.

Those other amendments were deliberately left to be considered on the floor of the Senate—which is, I say, a subversion of the committee system.

It was a flagrant steamroller operation.

Mr. President, the capacity for deliberation has been the great hallmark of the United States Senate. If we lose that capacity, or if we restrict the rights of the Members of this body in committee to deliberate on any legislation pending before a committee, we are beginning to tread a very dangerous path.

Let me say to my colleagues, if they desire a partial demonstration of what those of us supporting the motion to recommit are charging, let them look on their desks at the growing number of amendments to this bill which will be before the Senate should this recommital motion fail. These amendments are not minor nor technical. Some of them go to the heart of this vital statute. Very few, if any of them have been considered and debated in the committee.

This Senate cannot permit such a frustration of the committee function.

Therefore, Mr. President, in the interest of the rights of the minority, in the interest of the integrity of the Senate committee system, and not least of all in the interest of enacting legislation to preserve and to advance—rather than to destroy—peaceful labor-management relations in this country, I ask that this bill be recommitted.

Mr. SMITH of New Jersey. Mr. President, I yield 3 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, the question before the Senate is on the motion to recommit the bill to the Committee on Labor and Public Welfare. Should the motion succeed, the result would be to prevent the Senate from considering the bill and from passing directly on it, and on any amendments. It would kill at this session of Congress any effort to improve the Taft-Hartley Act.

I voted with the majority of the committee to report the bill, although I opposed some of its provisions. I voted to report the bill because I believed it important and right that the Senate as a whole should have an opportunity to discuss the bill and to vote upon the amendments which were considered in the committee.

One of the basic pledges in the platform on which the present administration was elected was that it would support a revision of the Taft-Hartley Act, so as to make it fair in its operation to both management and labor.

I believe the Senate has the responsibility of making a decision on the issues. If the motion to recommit is approved it will take that opportunity away from the Senate.

A number of amendments have been proposed and will be offered, should the motion fail. Two of the amendments are of particular significance. They are the strike vote amendment offered by the Senator from Connecticut [Mr. PURTELL], and the States-rights amendment offered by the Senator from Arizona [Mr. GOLDWATER]. It is my intention, if a vote shall be taken on those amendments, to oppose them, as I did in committee. I do not want to discuss them at this time, but it is my conviction that the Federal Government should not extend its intervention in the field of labor-management relations by establishing Government-controlled strike vote machinery.

I doubt that such a provision, if adopted, would have an appreciable effect on decisions regarding strikes. On the other hand, it could have the effect of obstructing true collective bargaining, which is the goal that both labor and management assert to be their objective.

Furthermore, it has been the policy of the Republican Party to lessen Government control, not increase it. These amendments would certainly inject the Government into the internal affairs of unions.

With respect to the States-rights amendment, I shall oppose it, because the ultimate result, it seems to me, would be a division of responsibility on labor-management relations affecting interstate commerce between the Federal and State Governments. It would mean two jurisdictions, and it could lead to two systems of law, perhaps two contradictory systems.

Having voted in committee in favor of reporting this bill I believe it should receive the consideration of the Senate. I agree with the Senator from Vermont [Mr. AIKEN] that we cannot admit that the Taft-Hartley Act cannot be approved. I shall vote against recommittal.

To do otherwise, at least upon my part, would be an irresponsible act. With respect to the arguments that have been made by the minority members on our committee, I say it is my own conviction, as it has been throughout the consideration of the bill in the committee, that there was no desire at all upon their part to reach any agreement at all about any revision, but that their action,

contrary to the statements they have made against the majority membership was dictated by expedience.

Mr. HILL. Mr. President, I yield 5 minutes to the junior Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I shall attempt to speak on this very vital question in the rather brief time available. Mr. President, the character of the Senate of the United States is derived from a compromise of the bitterest issue before the Constitutional Convention of 1787. The Senate is the most ingeniously devised of all of the machinery of checks and balances which has given us the greatest system of government that the world has ever known.

The rules and traditions which govern the Senate are founded deep in human experience. They render stable and secure the rights and liberties guaranteed by the Constitution, those rights and liberties that are the fruits of centuries of conflict in man's quest for freedom.

What makes the Senate of the United States the greatest and most distinctive legislative body in all the history of government? The answer is simple. It lies in those two essentials of wise legislation and of good government, the right of amendment and the right of debate.

The right of amendment in the Senate is as broad as the doctrine of universal salvation which is espoused by some religious groups.

We do not even have a rule of relevancy, unless we impose it upon ourselves by unanimous consent.

The right to offer amendments and to speak to them is important to every Member of the Senate, but in the case of one who belongs to the minority it is the sole weapon with which he is armed. If the Senate, even by implication, adopts a rule or policy which prevents any Senator from proposing changes in the recommendations of the Chief Executive it seriously weakens our system of checks and balances.

Mr. President, I am constrained to reject the argument which is made that we should consider legislation of this kind in two bills, one to be limited to what is proposed by the executive, and the other, what is proposed by the legislative branch. If we ever adopt a policy of that kind we shall be violating the first article of the Constitution which provides that all legislative power is vested in the Congress; and we know that the Chief Executive would veto what the Congress proposed if it were in any wise inconsistent with the recommendations he submitted to this body. The right to send to him some things he may not care for—along with what he has asked—is a considerable element of our power.

Mr. President, we have seen a tendency here of late for the judicial branch to become an arm of the executive branch. Where political implications have been involved, many recent decisions of our highest court have reflected a tendency to rewrite and adopt the arguments filed by the Attorney General in his briefs. And the Attorney General now intervenes in all cases where there is a chance for political advantage—whether or not the Federal Government is a proper party to the case.

Mr. President, it may well be that in the days to come the Senate and its rules will be the last citadel of individual rights in this country.

I care nothing as to the merits of the amendments which the minority sought to propose in committee. Some of them would meet with my vigorous opposition, and some I might favor. But it is perfectly clear from a study of human history that the great power, the great prestige, and the dignity of the Senate of the United States cannot be maintained unless every right of every Member of the Senate is fully protected at every stage of the legislative process. We cannot, Mr. President, separate those rights.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. RUSSELL. I shall vote to recommit the bill.

Mr. MALONE. Mr. President, will the distinguished Senator from Alabama permit the Senator from Georgia to answer a question?

Mr. HILL. The time is very short.

The PRESIDING OFFICER. The Chair suggests to the Senator that the time is running.

Mr. HILL. I will yield the Senator 1 minute.

THREE BRANCHES OF GOVERNMENT—LEGISLATIVE, EXECUTIVE, JUDICIAL

Mr. MALONE. I was very much interested in the statement of the Senator from Georgia. He is to be congratulated upon his clear separation of the duties and powers of the three separate branches of Government as set down in the Constitution of the United States.

I should like to ask him this question: Is it still the opinion of the distinguished Senator from Georgia that the Constitution established three separate and distinct branches of Government, independent and operating as balances and checks upon each other, and that the legislative branch is completely independent of the executive and judicial branches?

Mr. RUSSELL. That is the very genius of the American system of Government.

Mr. MALONE. I thank the Senator from Georgia.

Mr. HILL. Mr. President, how much time do I have remaining.?

The PRESIDING OFFICER. The Senator has five and a half minutes remaining.

Mr. HILL. Mr. President, I yield 2 minutes to the distinguished Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, I wish that on the desk of every Senator there were a copy of the hearings held in 1953 on proposed amendments to the Taft-Hartley Act. If Senators would turn to pages 23 and 24, and then read over to page 25, they would find a discussion of the crux of the question which is before us.

I remember the hearings well, Mr. President, because, presiding at those hearings was the late distinguished Senator from Ohio, Robert Taft. I should like my colleagues to listen to what Senator Taft had to say, as we proceed with the task of amending the act. I read from page 25, after the preliminary statement of the distinguished late Senator from Ohio:

> My theory of these hearings is that we go through just exactly as we did 6 years ago, that we hear everybody who has something to say, that we have our attorneys keep careful track of the different proposed amendments, and that when we get through, the committee sit down and write a committee bill.

Mr. President, further the distinguished late Senator said:

> Those who testify are not confined to any particular amendments before the Senate.

Finally, Mr. President, on page 26 of the hearings, under date of March 24, 1953, the late Senator from Ohio said:

> When the hearings are completed the committee will work out its own solution and its own amendments to the act of 1947.

Mr. President, I have quoted from the record the statement of the man whose name is attached to the Taft-Hartley law, with whom the junior Senator from Minnesota sat for 4 years on the Subcommittee on Labor-Management Relations. During 2 of those 4 years the Senator from Minnesota was chairman of the subcommittee. We made report after report and presented recommendations to the full committee.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

The Senator from New Jersey has 5 minutes remaining, and the Senator from Alabama has 3½ minutes remaining.

Mr. SMITH of New Jersey. Mr. President, I yield 3 minutes to the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. President, we are about to reach a decisive vote in regard to any amendments to the Taft-Hartley Act. A motion to recommit the bill is a motion to kill the bill so far as this session of Congress is concerned. Under the Constitution, it is within the proper functions of the President of the United States to make recommendations. The President of the United States has done that. The bill comes to us as a recommendation of the President of the United States.

It is true, and I think it cannot be successfully challenged, as pointed out by the Senator from New York [Mr. IVES], that there was ample time in the committee for members of the majority and of the minority to present amendments to the bill. In fact, they did present amendments. But I submit that as to a broad, basic policy, such as that of the National Labor Relations Act, the final policy must be determined in the Senate of the United States itself, and not in any committee limited to 13 members, with only 12 States out of the 48 represented.

I believe every State of the Union has a vital interest in this proposed legislation. It is not a new matter which is coming before the Senate de novo. We have debated it; we have overridden a Presidential veto in the past; we have discussed a particular policy, and the policy must be made in the Senate and in the House of Representatives.

So, Mr. President, it would be a repudiation of the recommendations of the President if we recommit the bill.

I think it is a very important issue to the Nation. Certainly, everyone has a right to vote up or down any amendment presented in the Senate, and if, in the final analysis——

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I cannot yield at this time.

If, in the final analysis, the Senate wishes to vote to recommit the bill or to kill it, that is within our legislative procedure, and that can be done. But what is proposed by the motion is a quick death, not even to give the Senate of the United States an opportunity to set forth its policy by a vote of its Members; not even to give to the President of the United States the common courtesy of having considered by this body one of the recommendations in his State of the Union message. It is not an abdication of legislative power for the Senate to vote on recommendations which any President of the United States has a responsibility to make.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I cannot yield now.

It seems to me that it is short courtesy to his recommendations, it is short courtesy to the normal legislative procedures of a committee of the Senate, to say, under these conditions, without any consideration, without any vote, without any opportunity to debate the issues, that we shall fling the issue back into the face of the committee and the President of the United States, and to say that we are not entitled to have a vote on the issue in this Chamber.

Mr. President, I yield the remainder of my time to the distinguished Senator from New Jersey.

Mr. HILL. Mr. President, what is the situation with respect to the remainder of the time?

The VICE PRESIDENT. The Senator from Alabama has 3½ minutes remaining; the Senator from New Jersey has 2 minutes remaining.

Mr. HILL. I yield the remainder of my time to the minority leader, the distinguished senior Senator from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. President, I think the Senate has a clear-cut responsibility in this case. The voice we have just heard pleading for courtesy to the President of the United States is the same voice which told the Chamber a few evenings ago that we are an independent body; that we do not have to run to the other end of Pennsylvania Avenue to get our directions.

Mr. President, I hope the day has not come when the President of the United States cannot have the courtesy of a hearing in the Committee on Labor and Public Welfare. That is what we propose to do. We propose to accord to the President and to those who join with him the same right we reserve to ourselves, namely, the right to offer, to have considered, and to have voted upon amendments offered by any Member who may choose to submit them.

I have had some experience with the committee system, both in the House and in the Senate. Frequently, as a minorty Member, the side which I have represented has been outvoted. But for the first time, to my knowledge, a committee has taken the position that the minority amendments could not be voted upon. Mr. President, I hope that the majority of this, the greatest deliberative body in the world, the last citadel of freedom, never will place its stamp of approval on that kind of railroading tactics. We cannot call ourselves a citadel of liberty, a constitutional government, if we smother the voice of the minority.

The distinguished majority leader has warned us—perhaps it would be a little too strong to say that he has threatened us—but he has informed us and has assured us that if the bill be recommitted, it will be dead. Mr. President, we have only a minority on the committee. I do not know with what cool authority the majority leader speaks, but I know we have not yet reached the time when the youngest freshman in the Senate, coming from the smallest State, and being on the low end of the totem pole, should not have a right to voice his opinion, to offer his amendments, and to have the roll called.

Mr. President, we are ready to have the roll called.

Mr. SMITH of New Jersey. Mr. President, how much time have I remaining?

The VICE PRESIDENT. The Senator from New Jersey has 2 minutes remaining.

Mr. SMITH of New Jersey. I shall speak very briefly, simply to reemphasize the issue. [Laughter.]

The Committee on Labor and Public Welfare has acted, unfortunately, with a divided vote; nevertheless we have reported a bill reflecting the feeling of the committee toward the recommendations of the President of the United States. The issue is whether the Senate will decline to consider the recommendations made by our committee; whether the Senate, as the majority leader has just said, will decline to consider the recommendations which the President of the United States has presented for our consideration. I leave the case there, because we do not need any further discussion of the matter. Everyone knows what happened in the committee.

I have taken the position that what the committee did was entirely proper, and in line with, even more generous than, the action taken by the Democrats in 1949. We tried to do all we could to reach a meeting of minds on the amendments. Every opportunity was given to consider amendments. The amendments are now before the Senate, as I have pointed out.

I urge that the Senate vote against the recommittal of the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama [Mr. HILL] to recommit the bill.

Mr. KNOWLAND and Mr. HILL requested the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	McCarran
Anderson	Gore	McCarthy
Barrett	Green	McClellan
Beall	Hayden	Millikin
Bennett	Hendrickson	Monroney
Bowring	Hennings	Morse
Bricker	Hickenlooper	Mundt
Bridges	Hill	Murray
Burke	Hoey	Neely
Bush	Holland	Pastore
Butler, Md.	Humphrey	Payne
Butler, Nebr.	Hunt	Potter
Byrd	Ives	Purtell
Carlson	Jackson	Robertson
Case	Johnson, Colo.	Russell
Chavez	Johnson, Tex.	Saltonstall
Clements	Johnston, S. C.	Schoeppel
Cooper	Kefauver	Smathers
Cordon	Kennedy	Smith, Maine
Daniel	Kerr	Smith, N. J.
Dirksen	Kilgore	Sparkman
Douglas	Knowland	Stennis
Duff	Kuchel	Symington
Dworshak	Langer	Thye
Eastland	Lehman	Upton
Ellender	Lennon	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Wiley
Frear	Malone	Williams
Fulbright	Mansfield	Young
George	Martin	
Gillette	Maybank	

The VICE PRESIDENT. A quorum is present. The question is on agreeing to the motion to recommit. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. EASTLAND (after having voted in the affirmative). On this vote I have a pair with the junior Senator from Indiana [Mr. JENNER], who is necessarily absent. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I withdraw my vote.

Mr. MAYBANK (after having voted in the affirmative). On this vote I have a pair with the senior Senator from Indiana [Mr. CAPEHART], who is necessarily absent. He was very anxious to be present and vote, and if he were present he would vote "nay." If I were permitted to vote, I would vote "yea." I withdraw my vote.

The result was announced—yeas 50, nays 42, as follows:

YEAS—50

Anderson	Hoey	Malone
Burke	Holland	Mansfield
Byrd	Humphrey	McCarran
Chavez	Hunt	McClellan
Clements	Jackson	Monroney
Daniel	Johnson, Colo.	Morse
Douglas	Johnson, Tex.	Murray
Ellender	Johnston, S. C.	Neely
Frear	Kefauver	Pastore
Fulbright	Kennedy	Robertson
George	Kerr	Russell
Gillette	Kilgore	Smathers
Gore	Langer	Sparkman
Green	Lehman	Stennis
Hayden	Lennon	Symington
Hennings	Long	Young
Hill	Magnuson	

NAYS—42

Aiken	Butler, Nebr.	Flanders
Barrett	Carlson	Goldwater
Beall	Case	Hendrickson
Bennett	Cooper	Hickenlooper
Bowring	Cordon	Ives
Bricker	Dirksen	Knowland
Bridges	Duff	Kuchel
Bush	Dworshak	Martin
Butler, Md.	Ferguson	McCarthy

Millikin	Saltonstall	Upton
Mundt	Schoeppel	Watkins
Payne	Smith, Maine	Welker
Potter	Smith, N. J.	Wiley
Purtell	Thye	Williams

NOT VOTING—4

Capehart	Jenner	Maybank
Eastland		

So Mr. HILL's motion to recommit S. 2650 was agreed to.

Mr. HILL. Mr. President, I move that the vote to recommit the bill be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Alabama.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I think all Members of the Senate know that insofar as the Senator from Florida is concerned, he found much to approve in the bill recently pending, which has just been recommitted. In particular, he had expressed during the debate his strong opinion that the provision of the bill designed to restore to the States the power to avert or control, through State machinery, threatened stoppages or stoppages in public utilities and other stoppages in matters involving very great danger to the health and safety of the citizens in a State, was his idea of needed legislation which he would like to see enacted.

Mr. President, in order that the RECORD may correctly reflect the situation confronting the Senate today, as the Senator from Florida saw it, at this point I ask unanimous consent to have printed in the RECORD, as part of my remarks, the unanimous-consent agreement upon which the Senate was operating today.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

Ordered, That following the morning business on Friday, May 7, 1954, during the further consideration of S. 2650, to amend the Labor Management Relations Act of 1947, and for other purposes, debate on any amendment or motion (including appeals) shall be limited to not exceeding 90 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from New Jersey [Mr. SMITH] in the event he is opposed to such an amendment or motion; otherwise, by the mover and the minority leader or some Senator designated by him: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 2 hours to be equally divided and controlled, respectively, by the Senator from New Jersey [Mr. SMITH] and the Senator from Texas [Mr. JOHNSON]. (May 6, 1954.)

Mr. HOLLAND. Mr. President, I also ask unanimous consent to have incorporated in the RECORD, as part of my remarks, the amendment submitted by the distinguished junior Senator from New York [Mr. LEHMAN], and also the two amendments submitted by the distinguished senior Senator from New York [Mr. IVES].

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. LEHMAN to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, viz: On page 20, line 7, insert the following new section, and redesignate section 2? as section 23, and section 23 as section 24:

"SEC. 22. (a) Section 8 (a) of the National Labor Relations Act, as amended, is amended by inserting at the end thereof a semicolon and a new subsection (6), to read as follows:

"'(6) to refuse to hire, to discharge, or otherwise to discriminate against any individual with respect to terms, conditions, or privileges of employment, because of such individual's race, creed, color, national origin, or ancestry.'

"(b) Section 8 (b) of the National Labor Relations Act, as amended, is amended, by inserting at the end thereof a semicolon and a new subsection (7), to read as follows:

"'(7) to deny directly or indirectly by ritualistic practice, constitutional or bylaw prescription, by tacit agreement or otherwise membership in its organization to any person or persons by reason of his race, creed, color, national origin or ancestry, or to limit, segregate, or classify its membership because of race, creed, color, national origin, or ancestry, or to deny to any of its members by reason of race, creed, color, national origin, or ancestry, equal representation or equal treatment with all other members in any designation of members to any employer for employment promotion or dismissal by such employer.'"

Amendments intended to be proposed by Mr. IVES to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, viz:

On page 12, between lines 24 and 25, insert a new section as follows:

"SEC. 4. Section 8 (a) of such act is amended by adding at the end thereof the following new subparagraph:

"'(6) to discriminate in regard to hire or tenure of employment or any term or condition of employment on account of race, religion, color, national origin, or ancestry: *Provided*, That nothing in this act shall be construed to bar any religious or denominational institution or organization operated for charitable or educational purposes which is operated, supervised, or controlled by or in connection with a religious organization from limiting employment to or giving preference in employment to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.'"

"On page 13, between lines 20 and 21, insert a new section as follows:

"SEC. 7. Section 8 (b) of such act is amended by adding at the end thereof the following new subparagraph:

"'(7) to cause or attempt to cause an employer to discriminate against any of its employees in violation of subsection (a) (6), or to discriminate against any member or applicant for membership with respect to admission or retention of membership or any other right, privilege, or condition of membership, or to classify or segregate any member or applicant for membership, because of race, religion, color, national origin, or ancestry.'"

On page 12, line 25, strike out "SEC. 4." and insert "SEC. 5."; on page 13, line 19, strike out "SEC. 5." and insert "SEC. 6."; and renumber sections 6 to 23, inclusive, as sections 8 to 24, respectively.

Amendments intended to be proposed by Mr. IVES to the bill (S. 2650) to amend the Labor Management Relations Act, 1947, and for other purposes, viz:

On page 12, between lines 24 and 25, insert a new section, as follows:

"SEC. 4. Section 8 (a) of such act is amended by adding at the end thereof the following new subparagraph:

"'(6) to discriminate against or agree to discriminate against any member of a labor organization or member of the class or craft of employees represented by a labor organization with respect to hiring, upgrading, promoting, tenure of employment, or any term or condition of employment on account of race, religion, color, national origin, or ancestry: *Provided*, That nothing in this act shall be construed to bar any religious or denominational institution or organization operated for charitable or educational purposes which is operated, supervised, or controlled by or in connection with a religious organization from limiting employment to or giving preference in employment to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.'"

On page 13, between lines 20 and 21, insert a new section, as follows:

"SEC. 7. Section 8 (b) of such act is amended by adding at the end thereof the following new subparagraph:

"'(7) to cause or attempt to cause an employer to discriminate against any of its employees in violation of subsection (a) (6), or to discriminate against any member or applicant for membership with respect to admission or retention of membership or any other right, privilege, or condition of membership or to classify or segregate any member or applicant for membership because of race, religion, color, national origin, or ancestry.'"

On page 12, line 25, strike out "SEC. 4." and insert "SEC. 5."; on page 13, line 19, strike out "SEC. 5." and insert "SEC. 6."; and renumber sections 6 to 23, inclusive, as sections 8 to 24, respectively.

Mr. HOLLAND. Mr. President, so far as the Senator from Florida is concerned, he is even more opposed to the serious consideration and adoption by the Senate of any FEPC legislation, as contained in each of these three amendments, than he was to the recommittal of the bill for further study.

Under the parliamentary situation, so far as I am concerned, I have much greater antipathy to the adoption of FEPC legislation, which seemed highly probable under the unanimous-consent agreement, changing the normal rules of the Senate, under which we were operating today, than I was opposed to the recommittal of a bill in which I found great merit and on which I was strongly committed in my own State, as to some of its key provisions.

ABOLISH NATIONAL LABOR RELATIONS BOARD, LABOR MANAGEMENT ACT, RETURN TO STATES

Mr. MALONE. Mr. President, on June 27, 1949, I submitted an amendment in the nature of a substitute for the then pending Thomas amendment to the Labor-Management Relations Act, the so-called Taft-Hartley Act. The amendment would have repealed the Labor-Management Relations Act, including the provision setting up a National Labor Relations Board, the greatest disservice ever rendered the labor-management groups in this Nation was the act bringing their disputes to Washington where no one knows anything about them.

I now ask unanimous consent to submit that amendment in the nature of a substitute for Senate bill 2650 and that it be printed at this point in the RECORD, and that it be printed and be referred to the Committee on Labor and Public Welfare.

There being no objection, the amendment submitted by Mr. MALONE was received, referred to the Committee on Labor and Public Welfare, and ordered to be printed, and to be printed in the RECORD, as follows:

Amendment in the nature of a substitute intended to be proposed by Mr. MALONE to the bill (S. 2650) to amend the Labor Management Relations Act of 1947, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

"The Labor Management Relations Act, 1947 (including the National Labor Relations Act), as amended, is hereby repealed.

"It is the policy of the United States that employees and employers alike shall have the right to self-organization, to form, join, or assist organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection.

"SEC. 3. (a) There is hereby created an independent agency to be known as the Federal Conciliation Service (herein referred to as the 'Service'). The Service shall be under the direction of a Federal Conciliation Director (hereinafter referred to as the 'Director'), who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,000 per annum. The Director shall not engage in any other business, vocation, or employment.

"(b) The Director is authorized, subject to the civil-service laws, to appoint such clerical and other personnel as may be necessary for the execution of the functions of the Service, and shall fix their compensation in accordance with the Classification Act of 1923, as amended, and may, without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such conciliators and mediators as may be necessary to carry out the functions of the Service. The Director is authorized to make expenditures for supplies, facilities, and services as he deems necessary. Such expenditures shall be allowed and paid upon presentation of itemized vouchers therefor approved by the Director or by any employee designated by him for that purpose.

"(c) The principal office of the Service shall be in the District of Columbia, but the Director may establish regional offices convenient to localities in which labor controversies are likely to arise. The Director may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this act to any regional director, or other officer or employee of the Service. The Director may establish suitable procedures for cooperation with State and local mediation agencies. The Director shall make an annual report in writing to Congress at the end of the fiscal year. The Director and the Service shall not be subject in any way to the jurisdiction or authority of the Secretary of Labor or any official or division of the Department of Labor.

"(d) It shall be the duty of the Service, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.

"(e) The Service may proffer its services in any labor dispute in any industry affecting commerce upon the request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption of commerce. The Director and the Service are directed to avoid attempting to mediate disputes which would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties. Whenever the Service does proffer its services in any dispute, it shall be the duty of the Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

"(f) Final adjustment by a method agreed upon by the parties is hereby declared to be the desirable method for settlement of grievance disputes arising over the application or interpretation of an existing collective-bargaining agreement. The Service is directed to make its conciliation and mediation services available in the settlement of such grievance disputes only as a last resort and in exceptional cases.

"SEC. 4. The Labor Management Relations Act, 1947 (including the National Labor Relations Act, as amended), is hereby repealed."

Mr. MALONE. Mr. President, I ask unanimous consent that a statement I made on June 27, 1949, be printed at this point in the RECORD, as a part of my remarks. The statement includes a résumé of several States laws at that time relating to labor-management relations. Since then, some changes have been made in the State laws; but, in general, they remain about the same and are subject to change in accordance with actual conditions by the people of other States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEDERAL VERSUS STATE CONTROL OF LABOR-MANAGEMENT RELATIONS

Mr. MALONE. Mr. President, it is evident that a new approach to the entire problem of labor-management relations is necessary.

GOVERNMENT BY REMOTE CONTROL

It is evident that the States must regain and exercise control of the detail labor-management problems under their police powers and that the Congress must realize that any attempt of the Federal Government to assume control of such relations hundreds of miles removed from Washington, D. C., cannot be successful. The States must regain control of their own business.

Mr. President, there have been 19 amendments offered to Senate bill 249—the Thomas labor-management bill—all the way from relatively minor amendments, to amendments providing for injunctions, seizures, and the taking over of industries.

It is apparent, and has been apparent to many of us for a long time, that it is impossible for the Congress of the United States, through one overall act, to handle the labor-management situation.

In other words, it is a good deal like trying to pass a corporation act in a State, and put an antitrust law into the same act. In connection with Senate bill 249, all manner of provisions are included, and the more amendments the more we get involved and the worse the situation becomes, and every amendment which is offered mixes up the objectives, so that not only do we not understand it, but the courts themselves are shown to be doubtful of its meaning.

1947 STATEMENT

On July 26, 1947, I said, as appears in the CONGRESSIONAL RECORD:

"The Taft-Hartley labor legislation is wrong in principle. In the first place, the Federal Government should not be in the business of regulating either the employer or the employees beyond seeing that they obey the laws of the land as everybody else is required to do.

"The principle of the Wagner Act was wrong, in the first place, and the mere fact that we passed another act of a slightly different character on the same principle does not make it right. Under the principle of Federal board control the swing of the pendulum could continue to vibrate with the political philosophy and fortunes of the party in power for generations. It should be decided upon basic principles and then left alone.

"The Taft-Hartley Labor Act, together with the Wagner Act, should be repealed. There should be no Federal Government labor boards with authority to direct either the employer or the employees to do anything.

"In their place there should be enacted a simple statement of national policy which in effect would lay down the principle that:

* * * * *

"Employees and employers alike shall have the right to self-organization, to form, to join, or assist organizations to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection.

"The Federal Government could very well continue the principle of the Conciliation Board—having no authority whatsoever, except to cooperate with both parties to a dispute—and then only when invited to sit in—and perhaps to hold hearings and make public their findings. Any necessary authority should be vested in the States. They alone have the power to keep the peace.

"The maintenance of free collective bargaining and the integrity of contracts between employers and employees is the only solution for that age-old problem between the man who hires the work done and the man who works with his hands. And that should be the scope of the Government statutes."

AUTHORITY WITHIN A STATE

Mr. President, the governor of a State is not going to send the National Guard in to settle a labor dispute, and the Federal Government is not going to send the United States Army in unless the blood is running down the middle of the street and the buildings begin to vibrate. We have all observed their actions under stress.

Mr. President, there is no police power in any city within the Union but the policeman on the corner. There is no power in the country but the sheriff and his deputies once we get outside the city limits.

As I have already said, the State government and the Federal Government are not going to enter into a labor dispute through the National Guard or the United States Army unless property is being destroyed and lives are being endangered.

We have had opportunity to observe what a Federal act does when it is placed on top of a local act. It is just as much against the law to hit a man over the head with a pick handle when he attempts to go through a picket line peaceably as it is to hit a Senator over the head with a pick handle as he goes out this door.

PUBLIC SENTIMENT

I have lived in mining camps and in railroad, industrial, and other labor areas. Just so long as the chief of police does not believe that the majority of the people of the town want the policeman on the corner to see the man hit on the head, he will not see it.

But whenever public sentiment changes, and the chief believes that they want the policeman to see the man injured and do something about it, he will catch him before he hits the sidewalk and have the gang in jail within 5 minutes.

Public sentiment will finally settle a dispute in a community. But when we are

3,000 miles away from the scene of the work, no public sentiment can take over. We have a fine body of men here, but not one of us, unless he lives in Nevada, has any more idea of what a miner at work does in Ely, Nev., than a hog has about holy water. It is not their field and they have no machinery to find out about it. Therefore we are trying to pass on something about which we know very little or nothing. The National Labor Relations Board is in the same situation.

A POLITICAL ISSUE

When we enact a law which provides that the National Labor Relations Board in Washington, D. C., shall settle every dispute in the country, hundreds of thousands of miles away, we are placing upon the National Labor Relations Board a duty which it is impossible for it to fulfill.

When they are put under the gun, there is only one way the decision would be made—and that is to figure out which way the political wind is currently blowing.

This subject will be a political issue for 50 years, or for so long as we insist upon setting up a National Labor Board which has arbitrary powers to rule labor-management relations hundreds of miles removed.

1947 DEBATE

I should like to quote briefly from the debate which took place here a little more than 2 years ago. In the course of the debate on the Taft-Hartley bill, I said:

"Mr. President, the bill as now written outlaws the closed shop; that is, it makes it illegal for an employer or the employee to agree to or operate under, a closed-shop agreement. My amendment is intended to amend that part of the bill which provides for a union shop in lieu of the closed shop."

I had submitted an amendment, and we were debating the amendment.

"Under this amendment, it is provided that an employer shall be required to accept a union shop if three-fourths of the employees of such employer, entitled to vote in an election conducted by the National Labor Relations Board through a secret ballot, vote for such union shop. The legislation presently provides that to establish a union as a bargaining unit a majority of the employees entitled to vote must cast their vote for such union under the auspices of the National Labor Relations Board, and then, and only then, they may negotiate with the employer through collective bargaining for a union shop.

"In a union shop, as contrasted with a closed shop, the employer is entitled to hire anyone he chooses, whether he be a member of a union or not.

"For the purposes of this act, a 'union shop' is defined as a shop where employees, as a condition of continued employment, are required to join within 30 days following the beginning of such employment the labor organization designated as the representative for collective bargaining of the employees, as provided in section 9 (a).

"As provided in the bill, the union may not prevent such employment, nor can it ask an employer to discharge such employee for any reason other than nonpayment of dues."

Further along in the same debate I said:

"If we go far enough to say to free people in America, including both employees and employers, "If you want a closed shop you cannot have it." I agree with the Senator that we should go one step further and provide a fair opportunity for a fair substitute in which necessary protection and collective bargaining power can be provided and preserved.

I point out to the able Senator (further quoting from the 1947 debate) that what he is doing is simply trading the closed shop for an opportunity to bargain for something which, from the employees' standpoint, never could be a satisfactory substitute. * * * But under the presently proposed legislation we simply provide that the employer may hire anyone he wishes to hire and could continuously feed nonunion employees into a plant and gradually get rid of union employees, such as when a union man quit his job, or there was reason for letting him go, the new employee would not need to join the union. In a very short time there would be no union. So I repeat what I said when I offered the amendment, that I will vote for any just regulations of unions and corporations alike, but I will not vote to destroy either."

FIFTEEN YEARS OF AN ARBITRARY LABOR BOARD

After 15 years of struggling with national legislation setting up an arbitrary labor board in Washington to handle all labor-management relations throughout the United States, a considerable sector of public opinion has become convinced that it is impossible for such a board, hundreds of miles from the scene of labor being performed, to understand the situation well enough in each case to render a fair and unbiased decision.

Recent debates on the Thomas bill seem to bear out the conclusion that it is impossible to write a detailed national labor relations act all in one piece of legislation, which will cover every possible contingency throughout the Nation.

Nineteen amendments have been offered to the bill. It is apparent from the debate that even the United States Senate is unable to agree as to what the amendments mean. The amendments even go so far as to say that the President of the United States may take over any property which is involved in a strike situation which can be called a national emergency. We have learned that we can call very nearly anything a national emergency. We learned that we could call almost anything interstate commerce, under the decisions of the Supreme Court.

Some of us thought that interstate commerce was actual movement across State lines, but we found, through Supreme Court decisions, that this is not the case. So it is very easy to call any situation a national emergency if the Court says it is and take the property over.

One amendment provides that the President of the United States may take the property, but that he must come to Congress in each particular case, for a determination in individual cases as to how he shall take over the property, in what manner he must operate. That amendment was submitted by a man whom I greatly admire. I know that he understands labor relations. However, it was final proof to the junior Senator from Nevada of where such legislation is headed, and that if this Congress is to take care of every national emergency and pass a special act each time after listening to 3 or 4 weeks of debate, in addition to the month of debate 2 years ago on the very same question, the Congress must be organized a little differently, with a different caliber of men, men who are especially trained in the particular business on which we attempt to pass, but who perhaps would not be so well trained in the business of handling necessary general legislation for the Nation.

LABOR-MANAGEMENT AMENDMENT

Mr. President, I am about to submit an amendment to the Thomas Senate bill 249, in effect a substitute for that proposal.

Generally speaking, the amendment provides that the Congress shall establish a policy under which both labor and management may organize for the purpose of bargaining. The amendment would repeal both the Taft-Hartley Act and the Wagner Act, but would retain the provisions for the Conciliation Board, which would have only full power to proceed, either on its own motion or by request, to hold hearings and make public its findings.

That provision is recommended because public sentiment is the only thing in the world that will make for settlements in such matters, Mr. President.

We have seen such difficulties develop, and we know that if a strike is wrong in principle, or if management is wrong, the parties advocating a wrong move or taking a wrong stand do not stand up very long in a given community, because, for instance, in the mining camps and other labor areas in Nevada—and I also speak from some observation in other States—the people of the community know the conditions under which the men are working, also the conditions which have been established by the corporations, companies, or individuals hiring the men.

Therefore, in the long run the dispute will be controlled by public sentiment. The people in my State know what a miner in Ely, Nev., is doing or what a worker in industries near Hoover Dam is doing.

They know the climate, the working conditions, the cost of food, etc., So when the workers strike, the people of the community and the people of the State know something about the situation in that connection and will not long tolerate actions not for the best interests of the community.

This amendment would go a step further, as I have said, and simply retain the Conciliation Board and repeal the two major acts here under discussion, and throw the matter back into the States, where it originated, and where the people understand what is occurring.

Several Supreme Court decisions have been referred to in the several days' debate, and I shall later refer to some of them. For the last year and a half all the decisions of the Supreme Court in such cases—for instance, in cases arising in the States of Nebraska and North Carolina—have been to the effect that State laws in relation to labor relations are constitutional, under the police power of the States, if the Congress of the United States has not laid down an express prohibition in the particular field. In other words, the States can take care of the matter if Congress will permit them to do so, and Congress should not be in the business of interfering in States' business.

Later in my remarks I shall refer to the labor laws in my own State of Nevada, so as to show that State labor relations were considered and dealt with long before the Congress took up the matter.

Of course, Mr. President, a great many persons profess to believe that there was no trouble in labor-management relations until the last 2 years, when the Congress passed the Taft-Hartley law. Others think that trouble in labor-management relations were initiated only in the last 15 years, since the enactment of the Wagner Act.

However, I say that disagreement between management and labor is a problem more than 2,000 years old. It was a problem that was old when the Pyramids were constructed by the use of laborers who were paid nothing and received nothing but food—and were not fed very well, so we understand.

I visited the Pyramids just last year and the details of construction handed down through the folklore of the Egyptian communities indicate the terrible conditions and strife existing at that time when human life was about the cheapest commodity in that nation.

So, Mr. President, it is obvious that there will never be an end to problems of labor-management relations.

The disagreements in such cases are over hours of labor, working conditions, and what the laborers are supposed to be paid for the work they do.

That situation will not change in the next 2,000 years, nor, as a matter of fact, at any time in the future.

Some who wish to have the rights of both management and labor protected seem to think that if by some ingenious method the problem can be removed to a place 3,000

miles away from where the work is done, that both of the parties to the dispute will win.

STATE LABOR-MANAGEMENT CONTROL

Mr. President, I now offer the amendment to the Thomas substitute and send it to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. SCHOEPPEL in the chair). The amendment to the Thomas substitute will be read for the information of the Senate.

The legislative clerk read as follows:

"Amendment intended to be proposed by Mr. MALONE to the amendment proposed by Mr. THOMAS of Utah to the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate or foreign commerce, and for other purposes, viz: Strike out all after line 2 on page 1 of the Thomas amendment, dated May 31, 1949, and insert in lieu thereof the following:

"'The Labor Management Relations Act, 1947 (including the National Labor Relations Act, as amended), is hereby repealed.

"'It is the policy of the United States that employees and employers alike shall have the right to self-organization, to form, join, or assist organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection.

"'SEC. 3. (a) There is hereby created an independent agency to be known as the Federal Conciliation Service (herein referred to as the "Service"). The Service shall be under the direction of a Federal Conciliation Director (hereinafter referred to as the "Director"), who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,000 per annum. The Director shall not engage in any other business, vocation, or employment.

"'(b) The Director is authorized subject to the civil-service laws, to appoint such clerical and other personnel as may be necessary for the execution of the functions of the Service, and shall fix their compensation in accordance with the Classification Act of 1923, as amended, and may, without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such conciliators and mediators as may be necessary to carry out the functions of the Service. The Director is authorized to make expenditures for supplies, facilities, and services as he deems necessary. Such expenditures shall be allowed and paid upon presentation of itemized vouchers therefor approved by the Director or by any employee designated by him for that purpose.

"'(c) The principal office of the Service shall be in the District of Columbia, but the Director may establish regional offices convenient to localities in which labor controversies are likely to arise. The Director may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this act to any regional director, or other officer or employee of the Service. The Director may establish suitable procedures for cooperation with State and local mediation agencies. The Director shall make an annual report in writing to Congress at the end of the fiscal year. The Director and the Service shall not be subject in any way to the jurisdiction or authority of the Secretary of Labor or any official or division of the Department of Labor.

"'(d) It shall be the duty of the Service, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.

"'(e) The Service may proffer its services in any labor dispute in any industry affecting commerce upon the request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption of commerce. The Director and the Service are directed to avoid attempting to mediate disputes which would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties. Whenever the Service does proffer its services in any dispute, it shall be the duty of the Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

"'(f) Final adjustment by a method agreed upon by the parties is hereby declared to be the desirable method for settlement of grievance dispute arising over the application or interpretation of an existing collective-bargaining agreement. The Service is directed to make its conciliation and mediation services available in the settlement of such grievance disputes only as a last resort and in exceptional cases.

"'SEC. 4. The Labor Management Relations Act, 1947 (including the National Labor Relations Act, as amended), is hereby repealed.'"

The PRESIDING OFFICER. The amendment to the Thomas substitute will lie on the table and be printed.

NEW APPROACH TO LABOR-MANAGEMENT RELATIONS

Mr. MALONE. Mr. President, I again submit that the whole question of labor-management relations needs a new approach. You cannot force a man to invest his money by law—and you cannot force him to work by law so as long as arbitrary authority rests in an all-powerful national labor board located in Washington, hundreds and thousands of miles removed from the work. Its decisions can only swing with the political winds.

It will always be a political issue and an election-year football in every election, with the division down the line as to what is believed at the time to be of political advantage to the particular voter.

RAILWAY LABOR BOARD

Mr. President, I have heard here from time to time references to the Railway Labor Board as being an example we should follow. There is a considerable difference in the matter of how the Railway Labor Board applies to a semipublic business and how the arbitrary Labor Relations Board applies to private business.

A railroad is not a private business—I served for 8½ years on the Railroad Public Service Commission in the State of Nevada—in other words, railroads are regulated by State and national laws, and they are a regulated monopoly—and as such allowed to make a certain amount of return on their investment, which is determined by the Interstate Commerce Commission, through consideration of the principles laid down by Congress.

A railroad is a regulated monopoly, not a private business. Therefore when the Railway Labor Board is unable to settle a strike and is unable to settle the question of hours, rate of pay, or working conditions between the railroad labor unions and the management, the matter then comes to the Labor Relations Board, and if the Board is unable to settle the dispute, what happens?

Notice is then served that the railroads are going to be shut down at midnight, let us say, on Friday, or at some specified time. If it is midnight Friday, the President, about 11:30 Friday night takes over the railroads and settles the strike without a definite understanding of the specific working conditions in each case.

That method may work, and it does work, in regulating labor-management relations under the Railway Labor Board, because, Mr. President, the railroad management then goes to the Interstate Commerce Commission for a raise in freight rates to cover the additional expense—however, private business cannot do that, they would merely be priced out of the market—it is just as simple as that.

It would, in the long run, result in every business being made a public utility or a semipublic business and completely controlled by the Government—which is exactly what we do not want. Labor is ruined whenever Government control is permanently established over business.

There has been deliberate harm done to the country in the last 15 years by convincing or trying to convince the people that there are definite answers to labor-relations problems. I am saying today, Mr. President, that there is no definite permanent answer to this 2,000-year-old problem. It is, of course, possible to get an approximate answer in each case, in each dispute. Therefore, Mr. President, we need an entirely new approach whereby the Federal Government does not try to settle everybody's business, regardless of how far he is removed from the seat of Government, or how little it can understand such problems—leave something for the States and communities where the problems are understood and their seriousness is appreciated.

SEIZURE AND BANKRUPTCY

Mr. President, probably not more than 10 percent of business enterprises are "liquid" at any one time; therefore, probably 90 percent, if subject to seizure by a Federal Board, would be in the hands of a receiver within 60 days following beginning of operation by a Federal body with its usual disregard for operation and maintenance expenses—with a large number eventually in bankruptcy proceedings as a result of such seizure. Federal seizure of a private business would be an entirely different matter from seizing a regulated monopoly or semipublic utility.

KILLINGSWORTH—STATE LABOR RELATIONS ACTS

I want to quote briefly from a work entitled "State Labor Relations Acts," by Killingsworth. Beginning on page 5, there are some very sensible remarks, it seems to me, and I think the Senate should have the advantage of having them in the RECORD for reference at this point:

"Ultimately, all rights in a civilized society must be relative. As Justice Brandeis once said, 'All rights are derived from the purposes of the society in which they exist: above all rights rises duty to the community.' The community must define its purposes and basic policies; the rights of the individual or group are derived from those purposes and policies. The community must decide whether it is promotion of collective bargaining or some other policy that will best achieve the social order desired by the majority of the people in that community. That is the basic decision that must be made; detailed provisions of the labor laws must flow from that choice."

Now, Mr. President, quoting further from the work that I just named:

"Not infrequently in the field of industrial relations means have been mistaken for ends, and means consciously chosen have led to unexpected ends. It is most important, therefore, to discuss existing or proposed labor-relations measures in terms of the basic policies which they implement.

"The ultimate judgment as to the desirability of a specific measure must depend on the nature of the policy which it furthers. One of the primary objectives of this study, therefore, is to show the relationship between means and ends—to interpret the detailed provisions of the labor-relations laws in terms of the basic policies for which they are appropriate."

He now lays down the policy which I have just described. He says:

"Because the States have had actual experience in administering both types of policy, an analysis of that experience provides a solid foundation for the achievement of this objective."

Now, Mr. President, quoting further:

"It has often been argued that limitations on union tactics and collective bargaining of the type imposed by some of the restrictive labor-relations acts do nothing more than 'equalize' the protective labor policy.

"Careful examination of the intent and effect of some of those limitations shows that, in fact, they convert the protective policy into one basically different—a policy which, as already suggested, may be considered one of restricting organization and collective bargaining. This basic difference in public policy toward organization and collective bargaining has seldom been recognized and its full implications have not been thoroughly explored.

"Too often discussions of labor-relations legislation have floundered in a morass of conflicting 'natural rights.' The right to strike has been proclaimed by some to be a natural right; others have claimed the same status for the right to do business, the right to work, the right to decide whether or not to join a union, and other rights ad infinitum. Specific legislative proposals are supported or opposed on the ground that they implement or conflict with some natural right. Discussion on this basis soon bogs down in metaphysics or dissolves in the heat of emotion."

I think, Mr. President, that it is very well stated. That is what has happened here during the past 2 weeks.

To quote further:

"More important, such discussion is superficial. To debate specific provisions in labor relations laws—like a prohibition of coercion from any source or any antidiscrimination clause—is to debate means, not ends. If the real conflict is over ends, the discussion of means is futile."

The author then quotes Brandeis, as I have already stated.

SUPREME COURT—LABOR-MANAGEMENT DECISIONS

Mr. President, I have said that there recently have been several Supreme Court decisions which support State legislation under the police powers of the State, namely, the right of a State to legislate in the matter of labor-management relations under the police powers of the State.

I have had considerable experience, through being State engineer, railroad commissioner, and holding many other State positions, with problems involving the regulation of many phases of human activities under the State police powers. How did we go about it? We presented a bill to the legislature, under the police powers of the State. Many Senators on this floor have been governors. They know about the police power of a State—it is paramount.

The Supreme Court has made that principle plain. I am about to quote from one of the Court's decisions to the effect that in the absence of specific legislation by the Congress of the United States to the contrary, the laws which may be passed by the States under their police powers in regulating labor-management relations are constitutional.

I quote briefly from a decision in the case of *Lincoln Federal Labor Union No. 19129, American Federation of Labor et al. v. Northwestern Iron & Metal Co. et al.* This decision was handed down on January 3, 1949, so it will be seen that it is a recent decision.

Mr. Justice Black delivered the opinion of the Court, and I now read from his opinion:

"Under employment practices in the United States, employers have sometimes limited work opportunities to members of unions, sometimes to nonunion members, and at other times have employed and kept their workers without regard to whether they were or were not members of a union. Employers are commanded to follow this latter employment practice in the States of North Carolina and Nebraska. A North Carolina statute and a Nebraska constitutional amendment provide that no person in those States shall be denied an opportunity to obtain or retain employment because he is or is not a member of a labor organization.

"To enforce this policy North Carolina and Nebraska employers are also forbidden to enter into contracts or agreements obligating themselves to exclude persons from employment because they are or are not labor union members.

"These State laws were given timely challenge in North Carolina and Nebraska courts on the ground that insofar as they attempt to protect nonunion members from discrimination, the laws are in violation of rights guaranteed employers, unions, and their members by the United States Constitution. The State laws were challenged as violations of the right of freedom of speech, of assembly, and of petition guaranteed unions and their members by 'the first amendment and protected against freedom by the State under the 14th amendment.' It was further contended that the State laws impaired the obligations of existing contracts in violation of article I, section 10, of the United States Constitution, and deprived the appellant unions and employers of equal protection, and due process of law guaranteed against State invasion by the 14th amendment. All of these contentions were rejected by the State supreme courts, and the cases are here on appeal under section 237 of the Judicial Code (28 U. S. C., sec. 344). The substantial identity of the questions raised in the two cases prompted us to set them for argument together, and for the same reason we now consider the cases in a single opinion.

"First. It is contended that these State laws abridge the freedom of speech and the opportunities of unions and their members 'peaceably to assemble and to petition the Government for a redress of grievances.' Under the State policy adopted by these laws, employers must, other considerations being equal, and equal opportunities for remunerative work to union and nonunion members without discrimination against either. In order to achieve this objective of equal opportunity for the two groups, employers are forbidden to make contracts which would obligate them to hire or keep none but union members. Nothing in the language of the laws indicates a purpose to prohibit speech, assembly, or petition. Precisely, what these State laws do is to forbid employers acting alone or in concert with labor organizations deliberately to restrict employment to none but union members.

"It is difficult to see how enforcement of this State policy could infringe the freedom of speech of anyone or deny to anyone the right to assemble or to petition for a redress of grievances. And appellants do not contend that the laws expressly forbid the full exercise of those rights by unions or union members. Their contention is that these State laws indirectly infringe their constitutional rights of speech, assembly, and petition. While the basis of this contention is not entirely clear, it seems to rest on this line of reasoning: The right of unions and union members to demand that no nonunion members work along with union members is 'indispensable to the right of self-organization and that association of workers into unions'; without a right of union members to refuse to work with nonunion members there are 'no means of eliminating the competition of the nonunion worker'; since, the reasoning continues, a 'closed shop is indispensable to achievement of sufficient union membership to put unions and employers on a full equality for collective bargaining, a closed shop is consequently an indispensable concomitant' of 'the right of employees to assemble into and associate together through labor organizations.' Justification for such an expansive construction of the right to speak, assemble, and petition is then rested in part on appellant's assertion 'that the right of a nonunionist to work is in no way equivalent to or the parallel of the right to work as a union member; that there exists no constitutional right to work as a nonunionist on the one hand, while the right to maintain employment free from discrimination because of union membership is constitutionally protected.'"

Mr. President, I will not quote further from this decision because it is available to all.

FORTY-EIGHT STATES—CONDITIONS NOT ALIKE

Further, Mr. President, I wish to invite attention to the fact that of the 48 States of the Union, in no 2 are conditions alike. The status of development and economics cannot be alike in any two States of the Nation. Three thousand miles from here, in California, Oregon, Washington, Nevada, Utah, and in the intermountain country, conditions differ as much as it is possible for them to differ from other sections of the United States. There is a difference between the Southern States and the Northern States. There is a great difference in the degree of industrialization, and while the South is becoming more industrialized, both the South and the West have a long way to go. The only way that these problems can be met is for the States to meet the problems peculiar to their areas as they arise.

When we try to solve a problem in the Congress of the United States we may be right for one State or more States, but we merely complicate it for the remainder. It is like averaging the length of a lot of pairs of pants; the result does not fit anybody.

NEVADA—LABOR-MANAGEMENT LAWS

I wish to quote from the hearings before the Committee on Labor and Public Welfare, part 3, February 8, 9, and 10, 1949—quoting the reference to the laws governing labor-management relations in the State of Nevada:

"1. The State has no comparable labor relations act.

"2. 'Yellow-dog contracts':

"(a) Section 10473 (Compiled Laws of 1929, as amended).

"(1) Makes unlawful entry into agreement whereby as condition of employment any person promises to become or not become, or continue to be, a member of a labor organization.

"(2) The LMRA contains no similar provision but section 8 (a) (1) and (3) prohibits such contracts.

"3. Right to organize and bargain:

"(a) Section 2825.31 (Compiled Laws, etc.).

"(1) Grants workers for the purposes of collective bargaining or other mutual aid (a) full freedom of association, self-organization, and (b) designation of representatives of their own choosing, and (c) freedom from interference, restraint, or coercion of employees.

"(2) Section 7 of the LMRA inter alia contains (a) (1) (a) above and provides that 'Employees shall have the right of self-organization, to form, join, or assist labor organizations to bargain collectively through representatives of their own choosing.'

"Section 9 (a) of the LMRA inter alia contains the equivalent to (a) (1) (b) above but provides that the representatives shall be selected by the majority of employees in an appropriate unit.

"Section 8 (a) of the LMRA inter alia contains (a) (1) (c) above and provides that 'It shall be an unfair labor practice for an employer (1) to interfere with, restrain, or coerce employees in the exercise of rights guaranteed in section 7.'

"(b) Section 2825.32 (Compiled Laws, etc.).

"(1) Makes it unlawful to deny the representative of an adversary the right (a) to be present at hearings concerned with labor conditions of represented employees, and (b) to present the views, contentions, and demands of the parties."

I shall not attempt to read the entire matter, brief though it is; but will ask that all references be included at this point:

"(2) Section 8 (a) (5) of the LMRA makes it an unfair labor practice to refuse to bargain collectively with the representatives of his employees. The proviso to section 9 (a) grants to individual employees the right to present grievances to the employer and to have them adjusted without intervention of the bargaining representative, provided that the bargaining representative has been given an opportunity to be present.

"4. Closed shop and union security limitations:

"(a) Section 10473 (Compiled Laws, etc.).

"(1) Unlawful for an employing organization to enter into an agreement whereby any of its employees, or future employees, as a condition of employment shall promise or agree negatively or positively to become or continue a member of a labor organization.

"(2) The LMRA contains no similar provision, but section (8) (a) (3) prohibits such contracts.

"5. Penalties:

"(a) Section 10474 (Compiled Laws, etc.).

"(1) Provides fines, or imprisonment, or both, for violators of the "yellow dog" and closed shop statutes.

"(2) The LMRA contains no similar provision. However, section 10 empowers the Board to prevent unfair labor practices by cease-and-desist orders, and by affirmative action including reinstatement of an employee with or without back pay as more fully stated therein.

"6. Strikes.

"(a) Section 2788 (Compiled Laws, etc.).

"(1) Notice of strike shall not be issued unless signed by three citizens of the State.

"(2) The LMRA contains no similar provision.

"7. Sabotage and other forms of destruction:

"(a) Section 10271 (Compiled Laws, etc.).

"(1) Willful breach of employment contract endangering human life or exposing valuable property to destruction is a misdemeanor.

"(2) The LMRA contains no similar provision.

"8. Use of militia:

"(a) Section 7140 (Compiled Laws, etc.).

"(1) Forbids use of militia during labor disputes.

"(2) The LMRA contains no similar provision.

"9. Peaceful assembly:

"(a) Section 10482 (Compiled Laws, etc.).

"(1) Forbids restriction or prohibition of peaceful assembly by employees.

"(2) The LMRA contains no similar provision but section 8 (a) (1) forbids such acts by employers.

"10. There are no laws regulating labor unions.

"11. There are no antiinjunction laws.

"15. Interference with employee political activities:

"(a) Sections 10602–10604 (Compiled Laws, etc.).

"(1) Unlawful for any employer to pass any rule or regulation preventing or prohibiting employees' political activities or running for public office. Punishable by fine.

"(2) The L. M. R. A. contains no similar provision. However, section 304 (declared unconsitutional in part by the Supreme Court) prohibits expenditures of funds by labor organizations for political activities.

"16. Continuance of operations during arbitration:

"(a) Section 2768 (Compiled Laws, etc.).

"(1) During arbitration of a labor dispute, no employee party thereto shall be discharged, except for cause. Nor shall any labor organization representing employees, nor the employees, call aid, or write in, a strike against the employer. These obligations continue for 3 months after the award except on 30 days' written notice. Reduction of working force for business reasons not forbidden.

"(2) The L. M. R. A. contains no similar provision except that section 8 (d) (4) prohibits during the life of a collective-bargaining agreement, strikes or lock-outs during the cooling-off period. Further, discharge of an employee under the above circumstances would be protected by section 8 (a) (1) and (3).

"17. Company stores:

"(a) Section 2768 (Compiled Laws, etc.).

"(1) Unlawful for any employer to compel his employees by unlawful means to purchase at a particular store or board at a particular place.

"(2) The L. M. R. A. contains no similar provisions.

"18. Discharge on detective's report:

"(a) Section 2770 (Compiled Laws, etc.).

"(1) No employee shall be discharged without a hearing on the report of a "spotter."

"(2) The L. M. R. A. contains no similar provision.

"19. Mediation and arbitration:

"(a) It is not compulsory.

"(b) Section 510 (Compiled Laws, etc.).

"(1) Written arbitration agreement is enforceable and may not be revoked without consent.

"(2) The L. M. R. A. contains no such provision but section 8 (d) provides that collective-bargaining agreements may not be revoked or terminated without 60 days' notice; offer to bargain; 30 days notice to the Federal Mediation and Conciliation Service; and to lock-out or strikes during the said 60 days.

"(2) 'Yellow-dog contracts': (a) Section 10473, Revised Laws of 1912.

"(3) Right to organize and bargain:

"(a) Section 2825.31, approved March 29, 1937.

"(b) Section 2825.32, approved March 29, 1937.

"(4) Closed shop and union security:

"(a) Section 10473, Revised Laws of 1912.

"(b) Penalties section 10474, Revised Laws of 1912.

"(6) Strikes: (a) Section 2788, approved March 17, 1923."

FEDERAL VERSUS STATE APPLICATIONS

The Clayton Act, passed in 1914, in its section 20, provided procedural safeguards, in the issuance of injunctions, and sought also to give unions exemptions from the antitrust clause. However, it was not until 1932, with the passage of the Norris-LaGuardia Act, that unions obtained full exemption from the antitrust clause, and almost complete immunity in injunction and labor disputes. We would thus have a situation where the Federal courts, as a practical matter, would be forbidden from using the injunction in labor disputes. Neither of these acts, however, has any application in State courts, and the use of injunction would depend entirely upon the status of the law in the respective States.

Mr. President, the particular point I am making in this connection is that the people of each State know their industrial status, they know their agricultural status, they know their mining status, they know what the people of their State are doing and the conditions under which they are working.

When the legislature meets it represents every section of the State. Every precinct of the State, every county in the State, is represented by a State senator and an assemblyman, or whatever the designation might be. Therefore all the people are represented in the State legislature and they have some reasonable chance of knowing the conditions under which labor and management are operating.

BOTH LABOR AND MANAGEMENT LOSE

The State legislature knows how to deal with labor-management questions in its particular area. But for various reasons, political or whatever they may be, the Congress seems to want to remove the source of disputes, hundreds of miles, in some cases 3,000 miles, away from the work itself, and by doing this both labor and management seem to be under some kind of hallucination that each is going to win in any current controversy.

ULTIMATE IN FUTILITY

Mr. President, we know from experience that neither labor nor management can win under such conditions. It becomes and remains a political issue just so long as the Labor Relations Board remains to hand down arbitrary decisions and so long as we insist upon an overall law to settle every labor-management dispute in every mining camp and every industrial area and every agricultural area in the United States without regard to local conditions. Just so long as we insist upon retaining such a board its complexion will change with the political winds—and the merits of any controversy will be lost in the political shuffle.

If the State law should provide for an injunctive process, for example, in mass picketing, the injunction could be obtained in the State court, with the usual appeal to the supreme court of the State, with the usual rules of procedure applicable if an attempt were made to go to the Supreme Court of the United States. Then it becomes a matter of the constitutionality of the law the legislature has passed. The remedy is not to bring each individual quarrel to the Congress. That, to my mind, is the ultimate in futility.

We finally get to the point where each individual dispute could be called a national emergency. We learned from the Supreme Court what constituted intrastate and interstate commerce; we learned that interstate commerce is what the Supreme Court says it is regardless. I dare say, we would finally have one Congress to do the business of the country and another one to settle labor disputes.

Byrnes' Anti-Strike-Breaking Act, the Clayton Act, and the LaGuardia Act, heretofore described, are examples of protective union legislation. The only other Federal law of this type is the Anti-Strike-Breaking Act passed in 1936, title 18 United States Code section 407A. It forbids the transportation of strikebreakers in interstate commerce. This law would still be applicable.

NEW YORK—LABOR-MANAGEMENT LAWS

Mr. President, I ask that the provisions of the State labor laws of New York, Illinois, and Wisconsin, widely scattered as they are in the United States, be included in the RECORD at this point as a part of my remarks as examples of how a State can handle its labor-management problems under its own police power.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

"NEW YORK

"(References are to be consolidated laws of New York, as amended and supplemented, unless otherwise indicated)

"I. Responsibility of labor unions and officers and members for unlawful acts

"New York: Chapter 477, section 2, laws of 1935, relieves from civil and criminal liability any organization, its officers and members, for the unlawful acts of other individual officers, members, or agents except upon proof of actual authorization of such unlawful acts or their ratification by the organization after actual knowledge that such unlawful acts had been committed.

"Taft-Hartley Act: Section 2 (13), title I, provides that in determining whether any person is acting as an agent of a labor union, among others, so as to make such union responsible for his acts, the question of whether the acts were actually authorized or subsequently ratified shall not be controlling.

"II. 'Yellow-dog contracts'

"New York: Chapter 6, section 17, as added by chapter 11, Laws of 1935, makes void agreements whereby the employee promises to join a company union, or the employer or employee promises to withdraw from or not to join a union or an employers' organization as a condition of the employment relationship.

"Chapter 40, section 531, makes it a misdemeanor for an employer to coerce anyone to agree not to join a union as a condition of getting or holding a job.

"State Labor Relations Act, chapter 443, laws of 1937, section 703, gives employees the rights of self-organization and of forming and joining labor unions. (See also New York Constitution, art. I, sec. 17, for similar guaranty.) Section 704, paragraph 3, makes it an unfair labor practice for an employer to dominate, interfere with, or contribute support to labor unions. Section 704, paragraph 4, makes it an unfair labor practice for an employer to require an employee or applicant for employment, as a condition of employment, to join a company union or to refrain from joining or forming a union of his own choosing. Section 704, paragraph 5, makes it an unfair labor practice for an employer to encourage membership in a company union or to discourage membership in a labor union by discrimination in hire or tenure of employees, and section 704, paragraph 10, makes it an unfair labor practice for employers to interfere with, restrain, or coerce employees in their right to join unions.

"Taft-Hartley Act: Section 8 (a) (1), title I, makes it an unfair labor practice for an employer to restrain, coerce, or interfere with employees in their right to join a union.

"Section 8 (a) (3), title I, makes it an unfair labor practice for an employer to discriminate against employees and applicants for employment because of membership in labor unions.

"Section 8 (a) (2), title I, makes it an unfair labor practice for an employer to dominate or interfere with or contribute support to any labor organization.

"III. Strikes against the public welfare

"New York: Chapter 40, section 1910, makes it a misdemeanor to break a contract of employment knowing or having cause to believe that the probable result will be to endanger life, cause bodily injury, or expose property to destruction or serious injury. This provision has been held applicable to certain strikes tending to have the results enumerated above.

"Taft-Hartley Act: Section 206–210, title II, authorize the Federal courts to grant temporary injunctions (effective for not more than 80 days) to the Attorney General against actual or threatened strikes and lockouts which will imperial the national health or safety.

"IV. Discrimination by labor organizations

"New York: Chapter 6, section 43, as added by chapter 9, section 1, laws of 1940, and as amended by chapter 292, section 5, laws of 1945, forbids labor unions to deny membership or equal treatment of members because of race, creed, color, or national origin.

"The State's Fair Employment Practice Act, chapter 18, Consolidated Laws, incorporated in the executive law, chapter 23, laws of 1909 by chapter 118, laws of 1945, section 131, makes it an unlawful employment practice for a labor union to discriminate in any way against employees, employers, or its members because of race, creed, color, or national origin.

"Taft-Hartley Act contains no comparable provision.

"NEW YORK STATE LABOR RELATIONS ACT (CH. 443, LAWS OF 1937, AS AMENDED BY CHS. 4, 126, 569, 634, 689, 750, 773, LAWS OF 1940; CHS. 210, 518, LAWS OF 1942; CH. 138, LAWS OF 1945; CH. 463, LAWS OF 1946) COMPARED WITH THE TAFT-HARTLEY ACT, TITLE I, UNLESS OTHERWISE INDICATED

"1. Findings and policy

"New York: Section 700 makes findings substantially similar to those contained in section 1 of this old Wagner Act by declaring the necessity for granting employees actual liberty of contract and equality of bargaining power with employers, and for encouraging collective bargaining as a means of lessening industrial strife inimical to the public safety, health, and welfare.

"Taft-Hartley Act: Section 1 declares that industrial peace can be best promoted if employers, employees, and labor unions respect each others' legitimate rights, and if they recognize that the public interest is paramount.

"Section 1, title I, is substantially similar to section 700 of the State law, supra, except that its object is to prevent industrial strife in industries affecting interstate commerce, and that it finds that such strife is due not only to denial by employers of the right of their employees to organize freely, but also to certain undesirable practices of labor unions.

"2. Definitions

"A. Employer

"New York: Section 701, paragraph 1, includes all employers except labor unions unless acting as an employer.

"Taft-Hartley Act: Section 2 (a) excludes the United States, Federal agencies and corporations, Federal Reserve banks, States or political subdivisions thereof, nonprofit hospitals, persons subject to the Railway Labor Act, and labor unions unless acting as an employer.

"B. Employees

"New York: Section 701, paragraph 3, is substantially the same as Taft-Hartley section 2 (3), except that it specifically excludes temporary strikebreakers but does not specifically exclude independent contractors, supervisors, and employers of employees subject to the Railway Labor Act.

"C. Company unions

"New York: Section 701, paragraph 6, defines same as a labor organization initiated, created, or suggested by the employer or in whose administration or operations the employer participates, or which receives financial or other support from the employer.

"Taft-Hartley Act does not define the term.

"3. Organization of the Board

"New York: Section 702 is substantially similar to sections 3–6, Taft-Hartley Act, except that there is no separation of the prosecuting and decision-making machinery, no prohibition on the employment of attorneys for the purpose of reviewing transcripts of hearings or preparing drafts of opinions, and no prohibitions on the review of trial examiners' reports or on consultation by trial examiners with the Board.

"4. Rights of employees

"New York: Section 703 grants employees the rights of self-organization, to form, join, or assist labor unions, to bargain collectively through their freely chosen representatives and to engage in concerted activities for mutual aid or protection.

"Taft-Hartley Act: Section 7 grants employees the same rights but, in addition, it grants them the right to refrain from any of these activities.

"5. Unfair labor practices by employees

"New York: Section 704 forbids employers to engage in the following unfair-labor practices:

"1. Spying upon the activities of employees or their representatives in the exercise of their rights of self-organization, collective bargaining, and concerted activities.

"2 and 9. Utilizing the blacklist for the purpose of preventing individuals from getting or holding employment because of their union affiliation or activities.

"(Taft-Hartley Act does not specifically forbid practices 1, 2, and 9, but sections 8 (a) (1) and (3) have the same effect by making it an unfair-labor practice for an employer to interfere with, restrain, or coerce employees in their union activities and to discriminate with respect to hire or tenure of employment against employees because of union membership or activities.)

"3. Assisting or dominating labor unions. [Substantially the same as Taft-Hartley, sec. 8 (a) (2).]

"4 and 5. Requiring employees or applicants for employment to join a company union or to refrain from joining any union, and encouraging membership in any company union or discouraging membership in any labor union in regard to hire or tenure of employment. However, collective agreements with unions which are the exclusive representatives of the employees in an appropriate unit, may require union membership as a condition of employment, i. e., the closed shop.

"(Taft-Hartley Act, sec. 8 (a) (2), makes it an unfair-labor practice for an employer to assist or dominate a labor union, and sec. 8 (a) (3), to discriminate in regard to hire or tenure of employment by encouraging or discouraging membership in any labor union. However, employers may enter into collective agreement with the recognized exclusive bargaining representatives of employees requiring all employees, as a condition of continued employment, to join the union within 30 days, provided a majority of the employees in the unit have voted in a Board-conducted election to authorize such an agreement. Furthermore, no employer may justify discrimination against any employee for nonmembership in a union if the employer has reasonable grounds for believing that such nonmembership was the result either of discrimination by the union or some other reason other than failure to pay the required dues or initiation fees.)

"6. Refusing to bargain collectively with the exclusive bargaining representative of the employees, which is identical with section 8 (a) (5) of Taft-Hartley.

"7. Refusing to discuss grievances with the exclusive bargaining representative. Taft-Hartley has no comparable provision.

"8. To discriminate against any employee who has initiated proceedings under the act or testified thereunder, which is identical in substance with section 8 (a) (4), Taft-Hartley.

"10. Doing any acts, other than those enumerated above, which interfere with the rights granted employees by this act. This is substantially the same as section 8 (a) (1), Taft-Hartley.

"Representatives and elections

"1. New York: Section 705 provides that the exclusive bargaining representative shall be the free choice of the majority of employees in an appropriate unit, that employees shall have the right, individually, to present grievances, and that the Board shall decide whether the appropriate unit is the employer unit, multiple-employer unit, craft unit, plant unit, or any other unit, except that a majority of employers in a particular craft may choose a craft unit.

"(Taft Hartley Act, sec. 9, is the same, except that employees may have grievances individually adjusted so long as not inconsistent with the collective agreement and the bargaining representative has an opportunity to be present, that professional employees may not be included in a unit unless a majority of them vote for inclusion, that craft workers may not be included solely on the basis of previous inclusion unless a majority so votes, that no unit is appropriate if it includes guards with nonguards, and no labor union shall be certified as bargaining representative of guards if such union admits nonguards or is affiliated with organizations admitting nonguards.)

"2. New York: Section 705, paragraph 3, is similar to section 9 in the old Wagner Act. It provides that when an employee or union files a certification petition, the Board shall investigate, and if a question of representation exists, the Board shall provide for a hearing on due notice, conduct a secret ballot either before or after such hearing, and certify the bargaining representative selected. The Board is specifically prohibited from conducting a representation proceeding involving disputes between members of the same union or between unions affiliated with the same parent organization.

"(Taft-Hartley Act, sec. 9 (c), authorizes such petitions to be filed by employers as well, limits elections to 1 in 12 months, and does not permit prehearing elections.)

"3. New York: Section 705, paragraph 4, authorizes the Board to decide who are eligible to vote, and prohibits voting by temporary employees hired for the duration of a strike or lockout.

"Taft-Hartley Act, section 9 (c) (3), deprives of voting eligibility strikers who are not entitled to reinstatement. There are no other statutory limitations on the Board's power to determine voting eligibility.

"4. New York: Section 705, paragraph 5, provides for runoff elections between the two nominees for exclusive representative who receive the largest number of votes where no nominee receives a majority.

"Taft-Hartley Act, section 9 (c) (3), provides for a runoff election between the two choices receiving the largest number of votes even if one choice is "no union."

"5. New York: Section 705, paragraph 6, authorizes the board to exclude from the ballot any organization found by the board to be company assisted or dominated in the course of the investigation of the question concerning representation.

"Taft-Hartley Act contains no similar provision.

"Prevention of unfair labor practices

"New York: Section 706 authorizes the board to prevent employer unfair labor practices. It is substantially similar to section 10 of the Taft-Hartley Act except that it contains no time on the filing of charges, no requirement of service of a copy of the charge on the employer, no recommendation that the customary rules of evidence be adhered to, and no prohibition against reinstatement and back pay of an employee discharged for cause.

"Judicial review

"New York: Section 707 authorizes the board to petition the State supreme court to enforce its orders. It is substantially similar to section 10 of the Taft-Hartley Act except that it makes the board's finding conclusive if supported by substantial evidence, rather than supported by substantial evidence "on the record considered as a whole" as required by Taft-Hartley Act.

"Investigatory powers

"New York: Section 708 gives the board wide powers to investigate, subpena of witnesses, documents, etc., and is substantially similar to section 11 of the Taft-Hartley Act.

"New York—Index to statutory citations

"The sections of the Consolidated Laws of New York, set forth in the preceding pages, were enacted or amended on the dates indicated below:

"I. Responsibility of labor unions, etc.: Chapter 477, section 2, enacted in 1935.

"II. 'Yellow-dog contracts': Chapter 6, section 17 enacted in 1935. Chapter 40, section 531 enacted in 1887. State Labor Relations Act enacted in 1937 (see infra).

"III. Strikes against the public welfare: Chapter 40, section 1910 enacted in 1881.

"IV. Discrimination by labor organization: Chapter 6, section 43 enacted in 1940; amended in 1945. Fair Employment Practice Act, chapter 18, section 131, enacted in 1945.

"New York State Labor Relations Act, chapter 443

"1. Findings and policy, section 700 enacted in 1937, amended in 1940.

"2. Definitions, section 701 enacted in 1937.

"3. Organization of the board, section 702 enacted in 1937, amended in 1940, 1945.

"4. Rights of employees, section 703 enacted in 1937, amended in 1940.

"5. Unfair labor practices by employers, section 704 enacted in 1937.

"Representatives and elections: Section 705 enacted in 1937, amended in 1942.

"Prevention of unfair labor practices: Section 706 enacted in 1937.

"Judicial review: Section 707 enacted in 1937, amended in 1942.

"Investigatory powers: Section 708 enacted in 1937.

"ILLINOIS—LABOR-MANAGEMENT LAWS

"(References are to the Illinois State Bar Statutes unless otherwise indicated)

"1. Illinois has no separate labor relations act similar to the NLRA.

"2. 'Yellow-dog' contract void:

"(a) Chapter 48, section 2b, makes agreements between an employer and employee or prospective employee against public policy and void if either party promises not to belong to an employer or labor organization.

"(b) Sections 8 (a) (1) and (3) and 8 (b) (1) (B) make such promises unfair labor practices.

"3. Interference with employment:

"(a) Chapter 38, section 376, makes it unlawful for two or more persons to combine for the purpose of preventing by threats or any unlawful means any person from being employed by the owner or possessor of property on such terms as the parties concerned may agree upon.

"(b) There is no similar provision in the NLRA. However, it is an unfair labor practice under section 8 (a) (1) for an employer to interfere with, restrain, or coerce and under 8 (b) (1) for a labor organization to restrain or coerce employees in the exercise of their right, under section 7, to self-organization, to form, join, or assist labor organizations and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection or to refrain from any or all such activities.

"4. Intimidation of workmen:

"(a) Chapter 38, section 377, provides a fine for any person who by threat, intimidation, or unlawful interference seeks to prevent any other person from working or from obtaining work at any lawful business on any terms that he may see fit.

"(b) There is no similar provision in the NLRA. However, it is an unfair labor practice under section 8 (a) (1) for an employer to interfere with, restrain, or coerce and under 8 (b) (1) for a labor organization to restrain or coerce employees in the exercise of their right, under section 7, to self-organization, to form, join, or assist labor organizations and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection or to refrain from any or all such activities.

"5. Entering premises to intimidate:

"(a) Chapter 38, section 378, makes it unlawful for any person to enter the building or premises of another with intent by means of threats, intimidation, or riotous or other unlawful doings, to cause an employee therein to leave his employment.

"(b) There is no similar provision in the NLRA. However, section 8 (b) (1) makes it an unfair labor practice for a labor organization to restrain or coerce an employee in the exercise of the right, guaranteed in section 7, to self-organization, to form, join, or assist labor organizations for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any or all of such activities.

"6. Extortion in the name of employees:

"(a) Chapter 38, sections 242, 243, 244, makes it unlawful for any person representing any organization of workmen to extort, demand, accept, or obtain from an employer money or other property as a consideration for withholding or terminating any demand or controversy relating to the employment of workmen or handling delivery, or use of materials. Chapter 38, section 246 makes violations punishable by imprisonment from 1 to 5 years.

"(b) Section 302 (b) NLRA makes it unlawful for any representative of employees in any industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value. Section 302 (d) makes violations a misdemeanor punishable by fine of not more than $10,000 or imprisonment for 1 year, or both.

"7. Injunctions prohibited in labor disputes:

"(a) Chapter 48, section 2a, prohibits restraining orders or injunctions in any case growing out of a labor dispute concerning terms or conditions of employment, or from terminating any relation of employment, or from peaceably recommending others to do so; or from peaceably being upon any public street to obtain information, or to persuade others to work or abstain from working, or to employ or discharge peaceably any party to a labor dispute.

"(b) The NLRA does not contain a prohibition similar to the above.

"Sections of the Illinois bar statutes cited in the preceding pages were enacted as follows:

"2. 'Yellow-dog' contract void: (a) Chapter 48, section 2b; section 1 of the laws of 1933.

"3. Interference with employment: (a) Chapter 38, section 376, division 1, section 158, Revised Statutes 1874.

"4. Intimidation of workmen: (a) Chapter 38, section 377, division 1, section 159, Revised Statutes 1874.

"5. Entering premises to intimidate: (a) Chapter 38, section 378, division 1, section 160, Revised Statutes 1874.

"6. Extortion in names of employees: (a) Chapter 38, sections 242, 243, 244; sections 1, 2, and 3, laws of 1921.

"7. Injunctions prohibited in labor disputes: (a) Chapter 48, section 2a, section 1, laws of 1925.

"WISCONSIN—LABOR-MANAGEMENT LAWS

"(Chapter III enacted in 1939 and amended in 1947 is designated the Employment Peace Act [1])

"Section 111.01. Policy

"It is the policy of the State to protect and promote three major interests: The rights of the public, the employee, and the employer. Industrial peace, regular and adequate income for the employees and uninterrupted production of goods and services promote these interests and these depend upon the maintenance of fair, friendly, and mutually satisfactory employment relations and the availability of adjustment machinery. Certain employers, including farmers, etc., face special problems with regard to perishable commodities and seasonal production. Rights of disputants, however, should not intrude, in the conduct of their controversy, into primary rights of third parties to earn a livelihood, transact business, etc., free from interference or coercion. Negotiation of terms and conditions of work should result from voluntary agreement between employer and employees and for this purpose employees have the right of association and collective bargaining without intimidation or coercion. The State's policy is also to establish standards of fair conduct in employment relations and to provide a convenient, expeditious, and impartial tribunal for adjudications of respective rights and obligations.

"As compared with this stated policy, section 1 of the Federal statute finds that denial of right to organize and refusal to bargain collectively by some employers leads to strikes and industrial strife. This burdens commerce. Inequality of bargaining power between employees without freedom of association of actual liberty of contract and well-organized employers burdens commerce and aggravates business depressions. Protection of right to organize and bargain collectively safeguards commerce. The acts of some labor organizations by strikes and industrial unrest burden or obstruct commerce and impair public interest therein.

"The policy is to eliminate the causes of obstructions and the obstructions to commerce by encouraging collective bargaining and protecting the right of association and designation of representatives for negotiation of terms and conditions of employment or other mutual aid or protection.

"Section 111.02. Definitions

" 'Person' is defined as in section 2 of the Federal statute, except 'labor organization' is not specified, and includes every recognized legal entity.

" 'Employer' is defined to include all who engage services of an employee and any person acting on behalf of an employer within the scope of his authority, express or implied, but excludes the State and its subdivisions and labor organizations and their agents unless employers in fact. The Federal statute, section 2, omits the first definition of the State statute. It includes anyone acting as an agent of an employer, directly or indirectly, and excludes Federal and State Governments and their agencies, nonprofit hospitals, persons subject to the Railway Labor Act and labor organizations and their agents unless employers in fact.

" 'Employee' as in section 2 of the Federal statute includes all who work for hire (limited, of course, to those in the State) except executives and supervisors, domestics, children or spouses of employers, and employees subject to the Railway Labor Act. It does not exclude agricultural workers like the Federal statute. It includes those out of work because of a current labor dispute or unfair labor practice of the employer, unless (1) he has refused or failed to work after a competent tribunal acceptable to the employee has disposed of the dispute or charge of unfair labor practice, (2) he has been found to have committed or to have been a party to an unfair labor practice, (3) he has obtained regular and substantially equivalent work elsewhere, (4) he has been absent from his employment for a substantial period of time during which reasonable expectancy of settlement has ceased (except by employer's unlawful refusal to bargain) and his place has been filled by a permanent worker not a strikebreaker. The Federal statute has a similar inclusion but contains only the third exception.

" 'Representative' includes any person the employee has chosen to represent him while the Federal statute specifies any individual or labor organization.

" 'Collective bargaining' is negotiation in good faith between an employer and a majority of his employees in a collective-bargaining unit or their representatives concerning representation or terms and conditions of employment. In the Federal statute the term is defined in section 8 (d) only for the purposes of that section as performance of the mutual obligation of the employer and the employees' representative to bargain in good faith with respect to wages, hours, and other terms and conditions of employment or negotiate an agreement or question thereunder or to execute a written contract if either party requests it. Neither party, however, is compelled to agree to a proposal or make a concession.

" 'Collective bargaining unit' means all the employees of an employer within the State unless a majority of them in a single craft, division, department, or plant, vote by secret ballot to constitute a separate unit or unless the Board with the agreement of all parties affected thereby finds the unit to be an industry, trade, or business of several employers in an association in any geographical area. Several units may bargain collectively through one representative if a majority of each unit votes by secret ballot to do so. There appears no definition of collective bargaining unit in the Federal statute but in section 9, which deals with representatives and elections, subsection (d) authorizes the Board to decide whether the appropriate unit shall be the employer, craft, plant unit, or subdivision of plant unit. The unit may include both professional and nonprofessional employees only if a majority of the professionals so vote and may not include guards. The Board may not decide the unit is inappropriate because previously a different unit has been established by it.

" 'Labor dispute' means controversy between an employer and the majority of his employees in a collective bargaining unit concerning the right process or details of collective bargaining or designation of a representative. Organizations with which the employer and the majority of employees are affiliated may be considered parties. Section 2 of the Federal statute defines the term at greater length but to the same effect except that it does not limit the parties to a majority of employees nor to those who have employer-employee relationship.

"All-union agreement is one between an employer and an employee representative whereby all employees in the unit are required to be members of a single labor organization. This definition of a closed shop does not appear in the Federal statute nor is a closed shop permitted although under section 8 (3) upon the fulfillment of stated conditions an agreement may be made that membership in the union after 30 days from the beginning of employment shall be required.

"Election means employees in a bargaining unit casting secret ballot for representative or for other purpose under the statute and includes elections conducted by the Board and by any tribunal of competent jurisdiction or whose jurisdiction the parties accept. No such definition appears in the Federal statute. Section 9, however, provides full machinery for elections which are conducted only by the Board and are by secret ballot.

" 'Secondary boycott' includes combining or conspiring to cause or threaten injury to one with whom no labor dispute exists, whether by withholding patronage, labor, or other beneficial business intercourse, by picketing, refusing to handle, etc., particular materials, or by any other unlawful means in order to force him into a concerted plan to coerce or damage another. 'Jurisdictional strike' means one growing out of a dispute between employees or employee representatives as to the appropriate unit for collective bargaining or as to which is to act as representative or as to whether employees represented by one or the other representative are entitled to perform particular work. Neither of these definitions appear in the Federal statute. Section 8 (b) (4), however, makes it an unfair labor practice for a union to engage in or induce or encourage employees to engage in a strike or concerted refusal to handle, etc., goods or perform services for four named objects, the first of which is forcing or requiring any employer to cease dealing, etc., in products of another producer or to cease doing business with any other person, and the fourth of which is forcing or requiring any employer to assign particular work to employees in one union, trade, craft, or class rather than to those in another unless the employer is not conforming to a board order.

"Section 111.03

"This section creates the board.

"Section 111.04. Rights of employees

"This section defines the right of employees to organize, to join unions, to bargain collectively through their chosen representatives and to engage in concerted activities as well as to refrain from doing so in the same terms as section 1 of the Federal statute. Section 1, however, limits the right to refrain to the extent that agreement requiring union membership as a condition of employment is authorized.

"Section 111.05. Representatives and elections

"The first paragraph like section 9 (a) of the Federal statute provides for the selection of exclusive bargaining representatives subject to the right of individuals or groups to present grievances to the employer. In the latter case the State statute as contrasted with the Federal statute permits these individuals or groups to choose a representative for the purpose and the right is not limited as in the Federal statute to the adjustment being consistent with the collective-bargaining agreement then in effect and to the right of the collective-bargaining agent to be present.

"The second paragraph provides for a secret ballot to determine the collective-bargaining unit. In section 9 (b) the Federal statute leaves this to the determination of the board.

"The third paragraph defines the methods of selecting exclusive bargaining representatives. The Board is empowered to exclude from the ballot anyone who at the time of the election has been deprived of his rights because of an unfair labor practice. The

[1] *La Crosse Telephone Co.* v. *Wisconsin Employment Relations Board*, U. S. S. Ct. January 17, 1949, holds that the Wisconsin board is without jurisdiction of representation proceedings involving employees whose employer is engaged in interstate commerce in an industry over which the National Labor Relations Board has consistently exercised jurisdiction, regardless of the fact that the National Labor Relations Board has taken no action with regard to these employees or this employer.

ballot must permit a vote for no representation. Subject only to court review (as provided in Section 111.07) the Board's certification of the result is made conclusive. In general the method of election is similar to the method in section 9 (c) of the Federal statute but the Federal statute contains no provision for eliminating from the ballot one who has been found to have committed an unfair labor practice nor does it permit a vote for no representation except where a petition is filed asserting that a recognized or certified representative no longer is the choice of the majority.

"The fourth paragraph provides for runoff elections, which eliminate from the ballot the representative receiving the fewest votes or of a vote for no representation if that received the fewest votes. The runoff provided in section 9 (b) (e) of the Federal statute is between the two receiving the largest and second largest number of votes.

"The last paragraph provides that the question of representation may be raised by petition of employer, employee, or representatives of either. This is similar to section 9 (e) of the Federal statute.

"The paragraph further provides that the fact that one election had been held shall not prevent holding another if the Board finds sufficient reason exists. Section 9 (c) (3) of the Federal statute prohibits more than one valid election per year.

"Section 111.06. Unfair labor practices

"(1) As to employers it is an unfair labor practice individually or in concert with others—

"(a) To interfere with, restrain, or coerce his employees in the exercise of their rights in section 111.04. This is the same as section 8 (a) (1) of the Federal statute.

"(b) To dominate or interfere with the formation or administration of a union or contribute support except that the employer may reimburse employees for time spent conferring with him and may cooperate with a representation chosen by a majority of employees by permitting use of company facilities and premises if the use creates no additional employer expense. This subsection is similar to section 8 (a) (2) of the Federal statute in its prohibitions but the exception in the Federal statute is only that the employer may permit conference during working hours without loss of pay.

"(c) To encourage or discourage union membership by discrimination with the exception that an employer may make an all-union agreement if two-thirds of the voting employees and at least a majority of the unit so vote. The authority to make the agreement continues until either party to the agreement requests a new vote. The Board then investigates and if it finds there may be a change of attitude conducts a new referendum. A vote for the continuance continues the authority and a vote against terminates the authority at the termination of the contract or at the end of 1 year, whichever is earliest. The Board must declare the agreement terminated whenever upon request of any interested party it finds that the union has unreasonably refused membership to an employee. The Board is prohibited from entertaining an employer's petition for a referendum where he has or is negotiating a contract with a duly constituted bargaining representative unless he has agreed with the union that he will make an all-union contract if the referendum shows employee approval.

"The portion of the subsection providing against encouragement or discouragement of unionization is similar to that section 8 (a) (3) of the Federal statute. The exception in that section, however, permits only an agreement requiring as a condition of employment membership in the union after 30 days following the beginning of employment or effective date of the agreement, whichever is later. The agreement may be made only with the exclusive bargaining representative, as certified, for the unit involved and only if a majority of those eligible to vote have so authorized in an election which, under section 9 (e), may be held only on petition alleging that 30 percent or more of the employees in the unit desire the agreement and only if no question of representation exists.

"(d) To refuse to bargain collectively with a majority of his employees in a unit except, where the employer has filed a representation petition, he is not deemed to refuse to bargain until the Board has certified the results of an election. This subsection is similar in purport to section 8 (a) (5) of the Federal statute.

"(e) To bargain collectively with representatives of less than a majority of his employees in a unit or to enter into an all-union agreement except as provided. This provision does not appear in the Federal statute but the acts would constitute unfair labor practices under section 8 (a) (1) and 8 (a) (2).

"(f) To violate the terms of a collective-bargaining agreement, including an agreement to accept an arbitration award. There is no such provision in the Federal statute.

"(g) To refuse or fail to recognize or accept as conclusive the final determination of any issue as to employment relations by a tribunal of competent jurisdiction or whose jurisdiction the employer accepted. There is no such provision in the Federal statute.

"(h) To discharge or otherwise discriminate against an employee because he has filed charges or given information or testimony in good faith under the statute. Section 8 (a) (4) of the Federal statute is to the same general effect except that the word 'information' is omitted as is the requirement of good faith.

"(i) To deduct union dues or assessments from an employee's earnings except under order signed by the employee and terminable annually on 30 days' notice. This is not an unfair labor practice under the Federal statute but, by section 302, it is made unlawful for an employer to pay or any employee representative to receive money or other valuable things. One exception to this prohibition is money deducted from wages in payment of membership dues in a union if the employer has an employee's written assignment irrevocable for not more than a year or beyond the termination date of the collective agreement, whichever occurs sooner.

"(j) To employ any person to spy upon employees or their representatives respecting their exercise of any rights under the statute. This provision does not appear in the Federal statute but under some circumstances it would be an unfair labor practice under section 8 (a) (1).

"(k) To make, circulate, or cause to be circulated a blacklist. This is not specified in the Federal statute but it would be unfair labor practice under section 8 (a) (1).

"(l) To commit any crime or misdemeanor in connection with any controversy as to employment relations. There is no such provision in the Federal statute.

"(2) As to employees, it is an unfair labor practice individually or in concert with others to do 11 stated acts. The Federal statute has no provisions relating to unfair labor practices by employees.

"(3) It is an unfair labor practice for any person to do or cause to be done on behalf of employers or employees or in connection with any controversy as to employment relations any act prohibited by subsections (1), 'employers,' and (2) 'employees.' Since this provision would affect labor organizations and their agents, the prohibitions of subsection (2) are compared here with unfair labor practices of unions in section 8 (b) of the Federal statute.

"(a) To coerce or intimidate an employee in enjoyment of his rights or to intimidate his family, picket his domicile, or injure the person or property of an employee or his family. Section 8 (b) (1) of the Federal statute proscribes restraining or coercing an employee, but does not contain reference to family or property. That section reserves the union's right to prescribe its own rules with respect to membership.

"(b) To coerce, intimidate, or induce an employer to interfere with employees in enjoyment of their rights or to engage in any unfair labor practice with regard to them. Section 8 (b) (2) of the Federal statute proscribes causing or attempting to cause an employer to discriminate against an employee, to encourage or discourage union membership, or against an employee whose membership in the union has been denied or terminated on some ground other than failure to tender regular dues and initiation fee.

"(c) To violate the terms of a collective-bargaining agreement (including an agreement to accept an arbitration award). There is no such provision in the Federal statute.

"(d) To refuse or fail to recognize or accept as conclusive the final determination of any issue as to employment relations by a tribunal of competent jurisdiction or whose jurisdiction the employee or their representatives accepted. There is no such provision in the Federal statute.

"(e) To cooperate in engaging in, promoting or inducing picketing (except constitutionally guaranteed free speech), boycotting or any other overt concomitant of a strike unless the majority in a bargaining unit of an employer against whom the acts are primarily directed have voted to strike by secret ballot. There is no such provision in the Federal statute although under section 8 (b) (4) such acts would be an unfair labor practice if they induced or encouraged employees of an employer to strike or refuse to handle goods or perform services where an object of the strike or refusal is to force or require an employer or self-employed person to join a union or employer organization or an employer to cease dealing in the products of or doing business with another; to recognize a union unless it has been certified; to recognize a union if another has been certified; or to assign particular work to a particular union, craft, or class rather than to another except under Board order.

"(f) To hinder or prevent by mass picketing, threats, intimidation, force, or coercion the pursuit of lawful work or to obstruct or interfere with entrance to or egress from a place of employment, or to obstruct or interfere with free and uninterrupted use of roads, streets, highways, railways, airports, or other ways of travel or conveyance. There is no such provision in the Federal statute, but under some circumstances the acts would be an unfair labor practice under section 8 (b).

"(g) To engage in a secondary boycott; to hinder or prevent by threats, intimidation, force, coercion, or sabotage, the obtaining, use, or disposition of materials, equipment, or services, or to combine or conspire to do so. Sympathetic strikes in support of those in similar occupations working for other employers in the same craft are permitted. The secondary boycott has been compared with section 8 (b) (4) of the Federal statute under 'Definitions.' The other provisions do not appear in the Federal statute, but under some circumstances the acts would be unfair labor practices under section 8 (b).

"(h) To take unauthorized possession of property of the employer or to engage in concerted effort to interfere with production except by leaving the premises in an orderly manner to strike. There is no such provision in the Federal statute, but the acts would be an unfair labor practice under section 8 (b) (2) or (4) under some circumstances.

"(i) To fail to give notice of intention to strike provided in section 111.11 (this provides that employees in production, harvesting, or initial processing of dairy or farm products where a strike would tend to cause destruction or serious deterioration of the product must give the Board 10 days' notice of intention to strike). There is no such provision in the Federal statute.

"(j) To commit any crime or misdemeanor in connection with any controversy as to employment relations. There is no such provision in the Federal statute.

"(k) To engage in, promote or induce a jurisdictional strike. The comparison of this provision with that of section 8 (b) (4) of the Federal statute has been discussed under 'Definitions.'

"Section 111.07. Procedures

"The procedures relating to the filing of charges, the hearings before the Board or hearing commissioner, the issuance of orders by the Board and review and enforcement by courts as substantially the same as those provided in the Federal statute with one exception. In addition to the remedies which may be contained in Board orders under the Federal statute, the State statute provides that the order may suspend the rights, immunities, privileges, or remedies granted by the statute as respect any party complained of. (Note that this includes omission from the ballot refer section 111.05, 'Representatives and election,' and from the definition of employee—out of employment—in 'Definitions.')

"Section 111.08. Financial reports to employees

"Every employee bargaining representative is required to submit annually to each member a detailed written financial report and the Board may order compliance.

"Under section 8 (f) of the Federal statute, the Board is prohibited from investigating representation questions, entertaining union-shop petitions, or issuing complaints in behalf of a union which has failed to submit to its members a financial report similar to that required by the State statute. The Board, however, may not order the submission of such report.

"Section 111.09. Board regulations

"As in the Federal statute, the Board is empowered to issue procedural regulations.

"Section 111.10. Arbitration

"On petition of the parties the Board is authorized to arbitrate a labor dispute or appoint disinterested persons as arbitrators. The Federal statute contains no such provision.

"Section 111.11. Mediation

"On request or on its own initiative the Board may appoint a mediator in any labor dispute. The mediator, however, has no power of compulsion. The section also provides for strike notices in disputes regarding agricultural industries as discussed previously under section 111.06 (3) 'unfair labor practice.' The Federal statute in section 4 forbids the appointment of mediators by the Board. Title III, however, provides for the Federal Mediation and Conciliation Service directed toward the same purpose of peaceful settlement. The Service is to avoid attempts at mediation of disputes having only a minor effect on commerce.

"Section 111.12. Duties of Attorney General

"The Attorney General is directed to act for the Board upon request. The Federal statute sections 3 and 4 permits the Board to appoint attorneys to represent it in court and the Board has delegated this authority to the general counsel.

"Section 111.13

"This provides for the appointment by the Board of an advisory committee. There is no such provision in the Federal statute.

"Section 111.14

"Penalties are provided for interference with the Board or its agents in the performance of their duties. Section 12 of the Federal statute provides penalties for similar acts.

"Section 111.15

"This provides that the statute shall not be construed to interfere with right to strike or to work or to invade the right to freedom of speech. Section 13 of the Federal statute reserves the right to strike and section 8 (c) provides that expression of views shall not be evidence of unfair labor practice if they contain no threat of reprisal or force or promise of benefit.

"Section 111.16

"Validates existing agreements. Section 102 of the Federal statute provides that no act shall be an unfair labor practice if performed under an existing agreement or under one entered into prior to the effective date, if for a period not exceeding a year, provided the act would not have been an unfair labor practice under the prior statute.

"Section 111.17 through 111.19

"These are technical legal provisions.

"Subchapter III

"This chapter provides at length for conciliation and arbitration of labor disputes involving public utilities. It makes unlawful strikes, slowdowns, work stoppages, and lockouts in these industries as well as the inducement, encouragement, or conspiracy to engage in strikes, slowdowns, work stoppages, or lockouts. The violation of this later provision is made a misdemeanor. There are no specific provisions in the Federal statute dealing with public utilities as such, although title II provides for injunctions and arbitration in labor disputes which the President finds imperil the Nation's health and safety.

"In addition to the Employment Peace Act the State statutes have other miscellaneous provisions relating to labor relations.

"Sections 103.46 and 103.52, 'yellow-dog contracts'

"Agreements between employer and employee to join, not to join, or remain a member of an organization or to withdraw from employment upon joining or remaining a member are void and unenforceable.

"There is no specific provision in the Federal statute but such agreements would be unfair labor practices under section 8 (a) (1).

"Section 133.05. Antitrust laws

"Labor organizations and collective bargaining by producer associations in agriculture and by unions are exempted from the antitrust laws. There is no such provision in the Federal statute but exemptions appear in the antitrust statutes.

"Section 103.43 (1a). Strikes, etc.

"The section defines when a strike or lockout exists. There is no such provision in the Federal statute.

"Sections 103.535 and 103.62 (3) and 343.681 picketing

"Picketing or interference with business is unlawful unless there is a labor dispute which is defined as in the Employment Peace Act. Such interference or compelling one to act against his will by two or more is a misdemeanor. There are no such provisions in the Federal statute. Related unfair labor practices are discussed under the Employment Peace Act.

"Section 343.683. Interference with employment

"It is a misdemeanor to prevent a person from engaging in lawful work except by peaceful persuasion during a strike or lockout. There is no such provision in the Federal statute but under some circumstances the act would be an unfair labor practice under sections 8 (a) (1) and 8 (b) (1).

"Section 347.02. Unlawful assembly

"Assemblage of three or more in violent manner to do or attempt to do an unlawful act is unlawful and if disturbance of others results, the acts constitute a riot. This police measure is not contained in the Federal statute.

"Section 103.54. Responsibility for agents

"Unions are not responsible for unlawful acts of officers or agents except upon proof of the act and the union's actual participation, authorization, or ratification after actual knowledge nor are officers or members liable for such acts except on similar proof.

"The Federal statute in section 301 provides for suits against labor organizations and specifies that unions are bound by the acts of their agents and that for the purpose of that section agency is not to be determined by the question whether the acts were authorized or subsequently ratified. The section also provides that money judgments against a union may not be enforceable against a member.

"Section 343.682. Blacklisting

"Blacklisting is a misdemeanor. The act would be an unfair labor practice under section 8 (a) (1) of the Federal statute.

"Section 348.472. Strikebreaking

"Use of armed guards for protection of property or suppression of strikes except where authorized is unlawful.

"The acts would be an unfair labor practice under section 8 (a) (1) of the Federal statute under some circumstances.

"Section 104.10. Discrimination for testimony

"Discharge or discrimination or threats thereof for testimony relating to Women's and Minors' Minimum Wage Act is a misdemeanor.

"Related unfair labor practices under the Federal statute are discussed under Employment Peace Act.

"Sections 348.22, 348.221, and 6.047. Political activities

"Influencing employees' votes by threats or promises and distribution of written matter containing the same are unlawful nor may an employer refuse to allow an employee to serve at the polls.

"Employer may not require labor on primary election days and 3 hours' leave with pay must be allowed for elections or primary elections.

"The Federal statute contains no such provision.

"Mediation by State agency

"The constitution provides that the legislature shall enact laws for the regulation of conciliation tribunals which shall have power to render judgments that are obligatory upon the parties when they voluntarily submit and agree in writing to abide by the judgment.

"Section 101.10 (8)

"Provides for appointment and regulation of arbitration boards by the industrial commission, a deputy of which shall be chief mediator.

"Other provisions relating to labor relations appear under Employment Peace Act wherein applicable sections of the Federal statute are discussed.

"Section 103.43. Advertisements

"Advertisements for labor without stating the existence of a strike or lockout, if any, is unlawful. A strike or lockout exists as long as do the usual concomitants or as long as unemployment continues or strike benefits are paid or picketing is maintained. The Federal statute contains no such provision.

"Chapter II of the statutes of the State of Wisconsin, referred to in the preceding pages,

incorporating sections 111.01 through 111.65, was enacted in 1939. The following sections were added or amended on the following dates:

"111.02. Collective bargaining unit, amended, 1945.

"111.02. All-union agreement, amended, 1945.

"111.02. Jurisdictional strike, added, 1947.

"111.05. Fourth paragraph providing runoff elections, added, 1947.

"111.06. (1) (c), amended, 1943 and 1945.

"111.06. (2) (e), amended, 1943.

"111.06. (2) (k), added, 1947.

"111.07. Amended, 1943.

"111.13. Amended, 1943 and 1947.

"The other sections of the statutes of the State of Wisconsin, referred to in the preceding pages, were enacted or amended on the following dates:

Section	Enacted	Amended
103.46	1929	
103.52	1935	
133.05	1921	1923.
103.43 (1A)	1925	
103.535	1939	
103.62 (3)	1931	1935 and 1939.
343.681	1887	
347.02	1878	
103.54	1931	1935.
343.682	1887	
348.472	1893	
104.10	1921	1923.
348.22	1913	
348.221	1911	
6.047	1945	
101.10 (8)	1931	
103.43	1911	1913, 1915, 1919."

ABRAHAM LINCOLN ON PROPERTY AND LABOR

Mr. MALONE. Mr. President, in closing, I wish to quote briefly from a statement made by Abraham Lincoln, but before I do that, I wish to say again that after listening to the 2 weeks' debate on the labor legislation, about the performance of the Wagner Act, and what has happened under the Taft-Hartley Act, it is my firm conviction that an entirely new approach is needed to the entire problem, so that in any State from Nevada to New York—Nevada being the smallest State in the Union and New York the largest—in their processes of development, whether they are predominantly industrial, predominantly mining, or predominantly agricultural.

I submit the legislature of the State, which represents every precinct and every county of the State, will know what to do in regulating labor-management disputes, and that if we do not insist upon taking charge of the problems the States will.

They will represent the public sentiment of the State, and that is what we are working with and that is what must ultimately settle such disputes.

I submit again that there never will be a permanent settlement of a labor dispute until public sentiment takes over.

As an illustration of that, I may say that I have worked in all kinds of employment in my youth, from the farm, mines, and to a boilermaker's helper on a railroad, and then finally a business of my own, employing as many as 150 to 200 men at a time.

I, however, do not remember anyone ever paying me what I thought I was worth during that early period, but I suppose that if my old employers could be found—and they were men who were pretty rough and tough in those days—they would say that they paid me twice as much as I was worth.

Mr. President, that illustrates the problem we will always have with us and it will never be permanently settled satisfactorily to both the employer and the employee. Of course, the Congress of the United States cannot and of course is not going to settle it.

It has been a little intriguing and a little puzzling to me to note that when someone is elected to the United States Senate, as I was elected, for example, and arrives in the Senate, we may have had a tough time running our own business, and understanding the affairs of the county and the State in which we live, but when we come here we know how to settle everything.

We can settle every question in the world to our complete satisfaction. It would have been like putting me in charge of a hospital, when I was in the engineering business. I could run it very handily, because I would not know any of the problems. Somebody said there is no one who can talk quite so convincingly on a subject as someone entirely unhampered by the facts.

Abraham Lincoln made this statement on March 21, 1864:

"Property is the fruit of labor; property is desirable; it is a positive good in the world; that some should be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built."

NO SEPARATE CLASSES OF PEOPLE

Mr. President, I submit that that is a very sensible expression. It was sensible when he said it, and it is sensible now, and it can be applied to the rights of labor and management. There is something else which has also puzzled me. We seem to continually deal with classes in this country. We deal with what we call labor, we deal with what we call management, and once in a while a stockholder is mentioned, but very seldom. The general public practically never comes into the picture, they are very generally ignored. I submit to this body that there are no classes of citizens in this country—a ditch digger today may be the manager or the president of the company tomorrow. And if we return in 10 or 15 years we may find him to be governor of his State.

We should not be talking about classes of people in our country. There are no classes. Where we make our mistake is in making such references. In Washington we are prone to conclude that everything is well with the country—we are living in air-conditioned rooms and are living very well. But, Mr. President, I have traveled 7,000 miles in the last 5 days and have been in 15 or 20 States during that time, and have had an opportunity to observe conditions in 3 or 4 of them. I say to the Members of the Senate that right at this moment in the United States of America 60 percent of our population is not getting along very well. They are having a tough time paying the taxes and keeping the children in school. There are 5 million persons unemployed at this moment. Ten millions more are partially unemployed. Many who are unemployed are not saying anything, but the going is rough.

Therefore, Mr. President, I say, let us not deal in terms of classes. Let us keep this a country where one part is not set up against another part. Let us not make one class out of the workers and another out of management, rather let us all work together for the common good. Let us consider men in all walks of life as human beings. If I must work in a mine when I am 25 years old in order to be running an engineering business when I am 45 years old, give me that opportunity. All I should like to do is to retain that opportunity for the young people now coming out of school. But we have been dividing them. We divided them by the Wagner Act. We divided them further by the Taft-Hartley Act. We have divided them in such a manner that it is almost impossible to get them to sit down together—they are arrayed against each other.

If we were to see them sitting down together we would think they were violating some law passed by Congress.

REPEAL CLASS LAWS

I say, Mr. President, let us repeal these laws that set class against class. Let us get down to cases. Let us lay down a Federal principle that both the workers and management may organize for the purpose of bargaining. Let us retain the Conciliation Board, a nonpartisan or bipartisan board, whatever one wants to call it, with both parties represented on it, so it may hold hearings and develop public sentiment from the facts, from the States where the conditions are known to lay down the specific conditions under which the work and direction of the work must be done.

Let us allow the people of the States to run their own businesses and run them well without Federal Government interference.

Mr. MALONE. Labor-management relations cannot be handled in Washington by a Labor Relations Board or in any other manner.

Public sentiment is the only thing that ever settles a dispute between labor and management, and there is no public sentiment in Washington.

The people in the respective States know the working conditions—wages, hours, and circumstances.

THE DANGERS TO DEMOCRATIC FORM OF GOVERNMENT

Mr. LEHMAN. Mr. President, as my colleagues know, for nearly 4 years I have, on the floor of the Senate and elsewhere, constantly opposed McCarthyism and sought to alert people to the grave dangers it poses to our constitutional and democratic form of government and to the unity of the free world. In recent months I have particularly emphasized the harm being inflicted on us at home and abroad by reason of the fact that the Government has allowed itself to be intimidated and has not only permitted congressional usurpation of its powers but has surrendered to that usurpation.

In an address on October 11, 1953, in which I pointed out that Congress was encroaching on executive powers, I said, in part, as follows:

This development consists in the increasing dominance of the legislative branch of the United States Government over the executive branch. In the past year this trend has become dynamic and self-accelerating. Congressional committees and individual Members of Congress have come to intervene more and more directly in the administration of Government, including the conduct of foreign policy. There has occurred a substantial legislative usurpation of executive authority, a drift which, unless checked, can lead to complete destruction of the constitutional balance of power.

The executive branch has contributed to this development by an apparent lack of basic understanding of its own functional responsibilities and prerogatives. There has been an abdication as well as a usurpation.

On February 25, 1954, in a statement I issued in commenting on the difference of the Senator from Wisconsin [Mr. MCCARTHY] with Secretary of the Army Stevens, I wrote as follows:

Along with many of my fellow citizens, I am deeply disturbed by the practically unconditional surrender of Secretary of the Army Stevens to the demands of Senator

McCARTHY. This latest development further reflects the growing domination which Senator McCARTHY is achieving over the executive branch of the Government, a development which is unhealthy and even frightening.

It is, however, part of a pattern—a pattern of consistent surrender on the part of the Eisenhower administration to the unreasonable encroachments of Senator McCARTHY upon the prerogatives of the administration.

A very interesting article entitled "Nightmare in Washington," written by the noted author, Walter Lippmann, which appeared in the New York Herald Tribune on May 4, very eloquently emphasizes the same point of view I have expressed on this highly important and deeply frightening subject. I ask unanimous consent to have Mr. Lippmann's article printed in the body of the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIGHTMARE IN WASHINGTON

(By Walter Lippmann)

Disgraceful and damaging as is the whole squalid business, it would only make matters infinitely worse to close down or to interrupt the hearings. This is a committee acting under the authority of the Senate and before it are high officials in the executive branch of the Government. The country had better be shown to the bitter end, no matter how long it takes, what grave damage McCarthyism has done to America.

The damage cannot be repaired by smothering the Senate's inquiry. The confidence of our own people is profoundly shaken. Our prestige in the world and our claim to be the leader and defender of free peoples have been hurt by McCARTHY, as they never were hurt by the worldwide apparatus of the Communist propaganda.

The heart of the damage is the fact that the Government has allowed itself to be intimidated by an ambitious and ruthless demagog. The damage, permitting ourselves to be intimidated, can be repaired only when it has been proved to ourselves and to the world abroad that nobody is afraid any longer.

As we watch the spectacle of a great Government in disorder, we ask ourselves what is it that has gone so wrong. The Constitution, the Government, American institutions, the churches, the schools and universities, the press are all still there, and yet the sanity and the security of the country, its self-respect, and its liberties are shaken and impaired.

The immediate answer to the question of why we are so stricken leads directly, I believe, to the remedy for the trouble. McCARTHY's power is built not upon the constitutional right of Congress to investigate but upon a flagrant abuse of that right. The abuse of that right is unchecked because the Senate is not observing faithfully its constitutional obligations and because of an unnecessary, unwarranted, and, in the spirit at least, an unconstitutional acquiescence by the President in the abuse.

The abuse lies in the taking over by a congressional committee of powers which belong to the executive and to the judicial branch. Take, for example, McCARTHY's investigation at Fort Monmouth. Just what was it that the Senate had a right and duty to investigate there? The Army was already investigating the possible security risks before McCARTHY got into the act.

For what purpose did he get into the act? Was he presuming to substitute himself for the Army in judging each specific case? Was he questioning the good faith of the Army which was dealing with the allegations of security risk? What was McCARTHY doing at Fort Monmouth? Was there any legislation contemplated or required? Was there any allegation that the Army was itself tainted with disloyalty and was not trying to eliminate the security risks which it, not Senator McCARTHY, had found it necessary to examine?

What, I repeat, was the Senate investigating at Fort Monmouth? The answer is that it was not investigating anything that was its business as a legislature which makes the laws and then inquires into whether they are faithfully and efficiently and honestly administered and enforced. The Fort Monmouth cases were entirely within the prerogative and the responsibility of the executive branch of the Government. If after that, there had been, which there was not, any case of espionage, it was the duty of the executive to take the case to the courts. The McCarthy investigation in all this is a usurpation of power which belongs to the executive branch of the Government.

Why does not the Senate forbid its own committees to commit this usurpation of power and to bring the Government of the United States into such disorder and disrepute? There are, I would argue, many contributing but only one central and decisive reason for the Senate's behavior.

One of the contributing reasons is that the party bosses have regarded McCARTHY as a political asset. Another is that a large number of the Senators have been afraid of him, afraid of being attacked personally or politically by him. Another contributing reason is that many Senators have not known how to meet the charge that only Communists are opposed to McCARTHY, and have reluctantly had to admit to themselves that the cheapest and easiest way not to look red or pink was to be yellow.

But these are not the decisive reasons for the pusillanimous failure of the Senate to curb McCARTHY. The decisive reason is that in this hard world and under the American system of government, which is designed for the kind of hard world that the world is, the abuse of power is not often curbed unless the abuse is resisted.

McCarthyism is an invasion of the prerogatives of other branches of the Government, particularly the executive branch. It is for the executive to repel the invasion, to resist the usurpation, to defend its constitutional prerogatives. It would be nice, no doubt, if in a nicer world the Senate would observe the self-restraint which would make it unnecessary for an amiable and peace-loving President to fight for the rights of his office. But the Senate is not that nice, and so it will tolerate and connive at the abuses of McCARTHY until and unless the President, whose administration is being abused, stands up and says so far and no farther.

The day that happens the Senators, all but a mere handful of them, will rally to the President, relieved and rejoicing that the nightmare of their humiliation is over.

THE MUNDT SUBCOMMITTEE INVESTIGATION

Mr. BRIDGES obtained the floor.

Mr. HENNINGS. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. Mr. President, I yield 5 minutes to the distinguished Senator from Missouri, with the understanding that I shall not lose my right to the floor.

Mr. HENNINGS. I thank my distinguished friend, the senior Senator from New Hampshire.

Mr. President, there has been much comment during the past week concerning the Mundt committee investigation of the Army-McCarthy dispute. Most observers have been very critical of the hearings. Few, if any critics, have been specific in their comments. I think this investigation is necessary and useful, despite the sordid picture being unfolded.

Mr. STENNIS. Mr. President, will the Senator yield to me to make a point of order?

Mr. HENNINGS. I yield.

Mr. STENNIS. I make the point of order that the entire Senate is out of order. Persons who are not Members of the Senate are standing around in the Chamber carrying on conversations and using the Chamber as a social spot. As a Member of the Senate, I make the point that only the Presiding Officer can remedy a situation of that kind.

The VICE PRESIDENT. The point of order is well taken. The Chair points out to the Senator from Mississippi that most of the disturbance was caused by Members on his side of the aisle congratulating the minority leader [Mr. JOHNSON of Texas]. The Senate will be in order.

Mr. HENNINGS. I thank the distinguished Senator from Mississippi.

I have long hesitated to comment upon this unhappy and even tragic spectacle, because I have hoped that out of the charges and countercharges, the attempts of some to confine this inquiry to the real issues would somehow succeed. But instead of improvement, day by day, the hearings deteriorate and become more expansive, enlarging the scope of the controversy.

These proceedings are, of course, unsavory and sordid because important public officials are repeatedly calling each other liars. This is distressing because even if all the principals to the dispute are proved to be liars and all become eligible for President Theodore Roosevelt's Ananias club, the violence of the attacks are inappropriate in orderly government.

The picture is sordid because of the basic one-sidedness of the hearings and their monopoly by one party to the dispute through dilatory and time-wasting tirades and self-serving soliloquies loaded, as they are, with unproved assertions in the guise of questions and points of order—things which would not be tolerated for an instant even in a justice-of-the-peace court.

The investigation is, nonetheless, necessary because it involves fundamental issues of integrity and the abuse of power and influence. It is necessary and useful because the American people can see at first hand some of the methods that have been employed, such as doctored pictures and counterfeit, phony letters. It is necessary and useful because it shows clearly the arrogance and the challenge to lawful procedures involved in inviting Government employees to violate security laws and defy regulations in order to provide a Senator with top secret information to which he is legally not entitled.

It is necessary and useful because it shows clearly that President Eisenhower

has failed to protect his executive departments from attacks and the invasion of their proper functions and responsibilities by individual Members of Congress. This trend, so evident during the last 16 months, culminated in the attack on the Army. We have seen other instances of unwarranted infringement on the executive branch by the legislative—instances such as the abuse and investigation of the State Department and our Foreign Service officers; the attack on the Overseas Information Service and the farce of the book-burning episode; and the abuse of Mr. Stassen and his aids. It is understandable that Secretary Stevens, having observed these attacks and the administration's abject appeasement, should have concluded, that capitulation was the order of the day and that, in line with Army discipline, Cabinet officers were to accommodate themselves to the unwarranted demands made upon them as best they could. In other words, it appeared that the executive branch was to live with this degrading situation and to keep peace at any price.

At the outset of these hearings it was natural for the public to assume that the Army has not coddled Communists. The assertion that they have, is about as plausible as the absurd charges of "20 years of treason." It was also natural for the public to assume at the outset that the Army charges of undue pressure were, in all likelihood, true, because of repeated evidence of the abuse of power. Nothing so far developed in the hearings would change these assumptions.

President Eisenhower could have put an end to these attacks, threats and pressures by throwing the whole weight of his great personal prestige behind his administrators. This he did not choose to do, and the result was the disintegration of the State Department, the destruction of the morale and usefulness of the Foreign Service, and the deterioration of other Government agencies. At this point, in spite of the heavy damage already inflicted on the executive branch, the President, by personally intervening in the present squabble in vigorous support of his Secretary of the Army, can still save his administration. This involves a fundamental choice on the part of President Eisenhower and his national chairman, Leonard Hall; shall the Republican Party leaders continue to defer to the junior Senator from Wisconsin because of some illusions as to his political potency in campaigns, or stand up to him and hope to save themselves further embarrassment and humiliation? The President cannot suffer these indignities to be further compounded and prolonged and still hope to save his administration.

The current hearings make it quite clear that the split in the Republican Party is so deep that neither in the Congress nor in the executive branch does the majority party appear willing or able to take the responsibility for restoring the integrity of the three separate branches of our Government. If these hearings serve no other end than to demonstrate to each and every American the flagrant violation of the spirit of our Constitution that continues unchecked they may have served some useful purpose.

Some Republicans would like to bring these hearings to a speedy close—but not, at least as expressed by some, for the right reasons. They are concerned—and understandably so—about the damage that this spectacle is doing to their party politically and to their prospects in the coming elections. But if they fear that the hearings are showing up the lack of unity in their party, have they given any thought to what they are doing to the unity of our country and the extent to which this Donnybrook is inescapably bringing to the American people a distorted and disproportionate view of what the Government and the United States Senate is trying to do in the performance of the really vital and less sensational day-to-day tasks of government? Or are they concerned about what harm they are doing to our prestige with the rest of the world? If so, they have not been overwhelmingly vocal on this score.

The Democrats have felt that the hearings should be allowed to continue—not because they take any delight out of this sorry mess, but because they recognize that since the damage has already been done, it is long past time for the full facts concerning the encroachments on the agencies of Government through the abuse of the power of office by some committee chairmen to be brought out into the open. The failure to resist these encroachments should be made just as clear. Then, perhaps, there will be enough pressure from a disillusioned and dismayed people to force the Eisenhower administration into action.

Mr. President, I believe that the Congress has an obligation, too; and these hearings have made it clear that we must enact a code of fair procedures governing congressional committee investigations which, as a minimum, would permit congressional committees to expedite their work in an orderly, business-like manner, and at the same time provide adequate protection to persons whose character, integrity, or loyalty has been impugned or questioned before a committee.

I thank the distinguished Senator from New Hampshire.

Mr. LONG. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I do not have the time to yield, except through the courtesy of the distinguished Senator from New Hampshire.

THIRD SUPPLEMENTAL APPROPRIATIONS, 1954—CONFERENCE REPORT

Mr. BRIDGES. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read by the legislative clerk.

(For conference report, see House proceedings of May 6, 1954, p. 6164, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. BRIDGES. Mr. President——

The PRESIDING OFFICER (Mr. BARRETT in the chair). The question is on agreeing to the conference report.

Mr. CASE. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CASE. Can the distinguished Senator from New Hampshire advise what action was taken with reference to amendment No. 12, dealing with the Advisory Committee on Weather Control, and providing $30,000?

Mr. BRIDGES. I am happy to advise what happened in connection with that item. The Senator will recall that he appeared before the committee and asked for a sum of money to carry on the work of the committee in connection with the assembling of material having to do with weather.

The committee felt that it was a worth-while project, but that it would be appropriate in a supplemental appropriation bill to appropriate money only for carrying on the work until the first of July of this year, and that after that time the matter should be handled in a regular appropriation bill.

The conferees could not reach an agreement. The Senate conferees agreed to take a lesser amount than $30,000. They agreed to take even as little as $7,500 in order to have the work proceed. The conferees on the part of the House were adamant, and finally the Senate conferees yielded.

Mr. CASE. Mr. President, I should like to inquire as to what happened with respect to the $15 million item for the alleviation of the effects of the drought in the Southwest.

The point I seek to bring out is that Congress often provides money to poultice a bad situation, yet hesitates sometimes to spend a fraction of that amount to prevent the condition from arising.

Mr. BRIDGES. Mr. President, the $15 million item for wind erosion in the southwestern section of the United States was in dispute between the House and Senate conferees. In our first session no agreement was reached on the subject. At subsequent sessions the Senator from New Hampshire, as chairman of the committee of conference, proposed a compromise which saved the $15 million, but placed certain restrictions on how it should be used, and also allowed the President's disaster fund to be reimbursed by this amount for work that had already been started.

It seemed to us to be a reasonable compromise, because it gave this great area the protection it needed by allowing the full amount which the Senate had approved, and it more specifically spelled

out the provision, in place of the general language which the Senate had adopted.

Mr. CASE. Will the Senator from New Hampshire yield me a few minutes so that I may speak to this question?

Mr. MONRONEY. Mr. President, before the Senator from South Dakota makes his observation, will the Senator from New Hampshire yield to me for a question on this particular point?

Mr. BRIDGES. I yield.

Mr. MONRONEY. Are the local soil agencies in the counties still left with the power to do this job at the local level, as was provided in the Senate bill?

Mr. BRIDGES. I shall read what was done, and in doing so I shall pass down to the section in which the Senator from Oklahoma is interested. The $15 million remains available until December 31, 1955, "to enable the Secretary of Agriculture to make payments to farmers who carry out emergency wind erosion control measures under the 1954 agricultural conservation program after March 30, 1954, in counties designated by the governors of the respective States with the approval of the Secretary of Agriculture as subject to damages by excessive wind erosion during 1954: *Provided*, That the payments for such emergency wind erosion control measures shall not exceed the cost per acre of the practices or a total of $1.25 per acre, whichever is smaller."

The section which immediately followed, dealing with findings by the county agricultural stabilization and conservation committees, was omitted. Therefore, the matter was left with the counties designated by the respective governors under the general provisions of the agricultural conservation program and the general parts of the President's program on disaster aid.

Mr. MONRONEY. I regret that the local soil agencies were not given a greater degree of responsibility, in order that the overhead might be cut down and the maximum amount of money could be spent on the land itself. These people live on the soil. I know that the distinguished Senator from New Hampshire has done his best to furnish as fine a description of the use of this money as could be made. There is a very disturbed situation in the affected areas in the Southwest. We could save millions of dollars if we met the threat now, instead of letting it worsen. In view of the emergency, I believe the distinguished senior Senator from New Hampshire has done the Southwest and the country as a whole a great service in this regard.

Mr. BRIDGES. I thank the Senator from Oklahoma. Having served in both Houses of Congress, the distinguished Senator from Oklahoma is well aware of the fact that in a conference it is a matter of give and take. In the conference the full amount provided by the Senate was preserved and, in the main, the essential purpose of the provision was retained. We had to give in on some points, but it seems to me we could afford to do so.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CARLSON. Mr. President, I appreciate very much the report which the chairman of the Committee on Appropriations has made with respect to the items dealing with funds to combat wind erosion in the great Southwest. I believe I understood correctly that these payments can be made for work done after March 1, 1954.

Mr. BRIDGES. After March 30, 1954.

Mr. CARLSON. Yes. They may be handled through the regular soil conservation agencies. Is that correct?

Mr. BRIDGES. That is correct.

Mr. CARLSON. I thank the Senator. He has rendered these sections of the country and the Nation as a whole a great service.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CASE. Mr. President, I wish to express my appreciation for the efforts of the Senate conferees to provide funds for the work of the Advisory Committee on Weather Control. In asking the two questions which I asked, first about what the conferees did with respect to the Advisory Committee on Weather Control and, second, with respect to the funds for the relief of the drought in the Southwest, I was seeking to highlight exactly what has happened.

Congress has denied funds that would enable the Weather Advisory Committee to swing into full action during the remainder of this fiscal year. At the same time it has provided millions of dollars in an attempt to put a poultice upon the drought in the Southwest. No funds are provided with which to investigate the correction of the cause. I fear that there has been a misunderstanding of the purposes of the Weather Advisory Committee on the part of the House conferees. I desire to speak briefly of the importance of this work. Essentially, the committee was created to correlate and evaluate the independent efforts now going on in cloud seeding and to report to the Congress by June 30, 1956, whatever they find to be the facts.

This program is extremely important. Only yesterday, when some of us were at the White House to witness the signing of the highway bill, the President chatted with us for a few moments. He mentioned his hope for the passage of the St. Lawrence Seaway bill, and then, apparently, because it was on his heart and mind so much, without prompting by anyone he expressed concern over the growing shortage of water in this country.

Also, Mr. President, in the current number of the Country Gentleman, for May 1954, there appears an editorial headed, "Water Supply Is a Worry," in which it is said:

> Right now one of the biggest worries over the country is the lack of subsoil moisture and lowering water tables. Washington, too, is watching the situation closely. The Weather Bureau says the average snow and rainfall in the 17-State Great Plains, Midwest-Southwest area from last October until April was one-half of normal. This was on top of an accumulated water deficiency of last year. Double the normal seasonal moisture will be needed in many parts of the country to correct this condition.

Under these circumstances, it is difficult for me to understand the reluctance in any quarter to provide the very small amount of funds required for the work of the committee.

The committee is composed of some of the outstanding meteorologists of the country. The President appointed the members and the Senate confirmed their nominations early in the present session. Under the language of the act the committee was charged with the responsibility of finding out who was doing what in the field of weather modification and to prepare a report to be delivered to the Congress not later than the 30th of June 1956. It was hoped thereby to have a report on two full seasons of weather modification efforts being made by various agencies. Up to this time there has been no authentic definitive report on what is going on. The nearest to such a report at present is a study prepared under the auspices of the Harvard Graduate School of Business, by six graduate students and reviewed by the faculty, which, although it has not been made public, has been examined by members of the Advisory Committee on Weather Control.

The report states, in part:

> There is little doubt that the seeding of clouds under the proper conditions will induce precipitation in greater quantities than would have occurred naturally. The authors of this report firmly believe that extensive evidence exists to substantiate the conclusion that the use of cloud seeding in its proper context will increase precipitation by an amount that is statistically significant. Although the degree of control and the extent of the area affected will be subjects of further development, man's ability to alter the weather process and produce favorable results is now a reality.

Of course, these graduate students had no authority to require reports, as the committee has and their survey was, therefore, necessarily limited, but their conclusions are highly interesting, to say the least.

I wish to cite a few other authorities on the possibilities in this field.

During the hearings before the Senate committee in 1951, which preceded the action of the Congress in passing the bill to create the Advisory Committee on Weather Control, Dr. Vannevar Bush, president of the Carnegie Institution and head of the Office of Scientific Research and Development during the war, said:

> I have become convinced that it is possible under proper circumstances to make rain. * * * I am convinced myself that it is possible, and I am also convinced that this art is in the state where a great deal more careful experimentation is necessary before it can be entirely understood. Certainly it is in the state where there is plenty of room at the present time for controversy * * * as it stands today, we are on the threshold of an exceedingly important matter, for man has begun for the first time to affect the weather in which he lives, and no man can tell where such a move will finally end.

The magazine Power, the trade magazine of the power industry, said in its September 1952 issue:

> There is no longer doubt that properly handled seeding makes rain * * * argument still rages as to whether it increases

total rainfall or merely causes rain to fall in one place instead of another.

Dr. Vincent J. Schaefer, of the General Electric Research Laboratory, told the Senate committee in the hearings:

The experimental studies using aircraft for seeding stratus and cumulus clouds have always shown positive reactions whenever supercooled clouds were present. The observed effects have ranged from converting stratus clouds into areas of tiny snow crystals to the development of heavy local rainstorms in large cumulus clouds.

So the present question is, How effective is this tool under varying conditions and how should we use it? The purpose of the Advisory Committee on Weather Control is to answer that question.

I can only regret, Mr. President, that the House conferees did not see fit to concur in the amendment which the Senate adopted to the supplemental appropriation bill. I understand it was suggested that the item be presented for inclusion in the regular annual appropriation bill. While that suggestion is appreciated, it will mean losing a part of the interpretative knowledge which could be gained had the committee been able to require registration with the first of the cloud-seeding operations this spring. But whenever the work starts, I venture to predict that the results will be worth many times the trifling cost.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a list of the membership of the Advisory Committee on Weather Control, an outstanding group appointed by the President and duly confirmed by the Senate. I wish to express the hope that they will not be discouraged by the fact that they have had to pay their own expenses thus far, and I trust that in time the Congress will provide operating funds so that the full benefits from their labors can be realized.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Capt. Howard T. Orville, United States Navy (retired), Chairman: Captain Orville is now associated with Friez Instrument Division, Bendix Aviation Corp., at Baltimore, Md. He has many meterological achievements to his credit. During World War II he charted weather for the famous Doolittle raid on Tokyo and advised on many other important military operations. He has pioneered methods for locating and tracking hurricanes and typhoons by radar and has helped establish the first statewide radar tornado warning system in Texas. He is a past president of the American Meteorological Society.

A. M. Eberle, Vice Chairman: Mr. Eberle is dean of agriculture at South Dakota State College. He has been especially active in matters connected with water resources, development, and conservation. He is past chairman of the Northern Great Plains Council, past president of the South Dakota Reclamation Association, chairman of the Coordinating Committee for Missouri Basin Development, member of the South Dakota Natural Resources Commission and the South Dakota Rain Increasing Commission. He is author of many papers on irrigation.

Lewis W. Douglas, member: Mr. Douglas is chairman of the board of the Mutual Life Insurance Co. of New York, and principal owner and chairman of the board of the Southern Arizona Bank & Trust Co. He is president of the Academy of Political Science, trustee of many foundations, and director of many corporations. He has been a Member of the Congress, Director of the United States Budget, principal and vice chancellor of McGill University, and Ambassador to Great Britain. He has a cattle operation in southeastern Arizona and is consulting director of the Institute of Atmospheric Physics at the University of Arizona.

Joseph J. George, member: Mr. George is superintendent of meteorology for Eastern Air Lines at Atlanta, Ga. He is the highest ranking weatherman in the United States Air Force Reserve with the rank of brigadier general. In 1940 he received the Meisinger award from the American Meteorological Society and in 1943 the Losey award from the Institute of Aeronautical Science, for outstanding studies in meteorology. In 1953 Secretary of Commerce Weeks appointed Mr. George chairman of the Department of Commerce Advisory Committee on Weather Services.

Kenneth C. Spengler, member: Mr. Spengler is executive secretary of the American Meteorological Society with headquarters at Boston, Mass. During World War II he served as a weather officer in the United States Air Force. He has served as delegate to international conferences, and is representative on the council of the American Association for the Advancement of Science, member of the board of overseers of Harvard University, the Department of Commerce Advisory Committee on Weather Services, and adviser to the Weather Amendment Board of Massachusetts. He is a fellow member of many other scientific societies and associations.

In addition to the above 5 members from private life, representing science, agriculture, and business, the Advisory Committee on Weather Control has 6 members representing departments of the Federal Government. These include:

Department of Defense: Donald A. Quarles, Assistant Secretary of Defense for Research and Development.

Department of the Interior: Ralph Tudor, Under Secretary of the Interior.

Department of Agriculture: J. Earl Coke, Assistant Secretary of Agriculture.

Department of Commerce: Robert B. Murray, Jr., Under Secretary of Commerce for Transportation.

Department of Health, Education, and Welfare: Leonard A. Scheele, Surgeon General.

National Science Foundation: Alan T. Waterman, Director.

Mr. CASE. Mr. President, I ask unanimous consent also to have inserted in the RECORD some data on the importance of water to modern industry.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE ON THE SENATE FLOOR RELATIVE TO S. 5, DESALINATION BILL, JUNE 1952

Many persons do not realize the immensity of our present and future water needs. The Senators who heard testimony on this subject last year, however, were given many eye-opening examples of water use, some of which were quoted in the committee report on S. 5. I would, in turn, like to quote an excerpt from that report:

"The magnitude of modern need for and use of water is illustrated by a fact reported at the hearings, that the Baton Rouge oil refinery in Louisiana uses more water than the entire city of Cleveland, Ohio, although it is only one plant. The Bay Refinery in New York uses more water than the city of Buffalo, N. Y. The committee was told that in such plants water is pumped through the cooling towers at the rate of approximately 260,000,000 gallons per day.

"Not less than 30,000 gallons of water are required to make a ton of newsprint, some 60,000 to 120,000 gallons to make steam from a ton of coal. For every thousand pounds of cotton used to produce mercerized cotton, 30,000 gallons of water are consumed. Even the basic operation of sizing cotton requires 820 gallons for a thousand pounds. It takes 70,000 gallons to finish a thousand pounds of woolen fabrics, and 77,000 gallons of water to refine 100,000 barrels of oil. It takes 500 gallons of water to manufacture a ton of soap, and one-half gallon to make a pound of sugar.

"As the canning industry grows the use of water apparently grows. Seven thousand gallons are required to process 100 cases of No. 2 cans of tomatoes, 12,500 gallons for the same amount of succotash, and 25,000 gallons for the same amount of lima beans.

"In every field of industry—production of electrical energy, the testing of airplane engines, the manufacture of aviation gasoline, the manufacture of aluminum, the processing of iron ore, the manufacture of explosives, the operation of slaughterhouses—more and more water is required.

"Many States are finding it necessary to pass legislation to limit the drilling of water wells. The need of additional water to solve the problems of the arid West has long been known. Indeed, acute water shortages have developed in many areas of the West and there is every reason to believe that if fresh water can be economically made from salt water, both agriculture and industry will benefit to the great economic advantage of the whole country.

"Domestic and municipal uses are also increasing. An average office building uses from 27 to 45 gallons per day per person. Hospital uses, as might be expected, are very much greater. The daily rate runs from 135 to 350 gallons per day per patient. Hotels, growing in number throughout the country, like hospitals, use huge quantities, running at the rate of 300 to 525 gallons per day per guest room.

"It was represented to the committee that while a few decades ago a per capita supply of 100 gallons of water per day was considered sufficient for all human needs, that amount of water would not begin to meet requirements at the present time.

"In the case of many municipalities the per capita use now is more than 200 gallons per day, thus illustrating the widespread basic need for research of the character provided in this bill."

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Arizona.

Mr. HAYDEN. I merely wanted to say, in response to the Senator from South Dakota [Mr. CASE], that the Senate conferees insisted to the limit upon the Senate amendment, but we found the House conferees absolutely adamant. I am certain that the Senators who worked on this amendment will be glad to try, in every way possible, to see to it that an item of this nature is included in the regular annual appropriation bill, because I am thoroughly convinced of the merit of the proposal.

Mr. CASE. I wish to express appreciation of the comment just made by the distinguished senior Senator from Arizona.

Mr. BRIDGES. I may say to the Senator from South Dakota that the sentiment expressed by the distinguished Senator from Arizona reflects the gen-

eral sentiment of the Senate members of the committee of conference.

Mr. CASE. I thank the distinguished Senator from New Hampshire.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. STENNIS. I wish to express disappointment that the Senate conferees were unable to reach an agreement with the House conferees on amendment No. 27, which provided for the rehabilitation and repair of certain cadet barracks at the United States Military Academy at West Point, N. Y. I appreciate the fact that it was a last-minute amendment. Even though the item is highly justified on its merits, the Senate members of the committee of conference doubtless did not have a fair opportunity to present the case fully before the committee of conference.

Mr. BRIDGES. I may say to the distinguished Senator from Mississippi that while we might not have had an opportunity to bring the full case before the committee of conference, we did a good job of presenting the Senator's side of the argument, but we were not able to achieve our end.

Mr. STENNIS. I appreciate the efforts of the distinguished Senator from New Hampshire and the other members of the committee of conference. Perhaps there were additional facts which I should have placed in the hands of the conference.

Nevertheless, this is an emergency situation. The Academy faces a dire need. I have learned from Representative CUNNINGHAM, who is chairman of the Public Works Subcommittee of the Committee on Armed Services of the House, that he also has visited the barracks and is very much impressed with the need for the improvement. The urgency now is to have the contract let, so as to take advantage of the vacation months. To that end, I am having prepared a very brief authorization bill. In view of the fact that no new money need be appropriated, since only a reappropration of existing appropriated funds is necessary, I wonder if the chairman of the Committee on Appropriations would look with favor upon contract authority being provided in the Authorization Act. In effect, that would make it possible to make a contract and to use the funds already appropriated.

Mr. BRIDGES. I may say to the distinguished Senator from Mississippi that, as he well knows, I believe as he does. But, as chairman of the Committee on Appropriations, I do not wish to be a party, on the floor, of bypassing the committee. Therefore, I could not agree with him on that point. But if the Senator from Mississippi obtains authorization, my understanding from the House is that there will be another small supplemental appropriation bill which will be ready for action about the first of June, which will still afford time to act on the proposal of the Senator from Mississippi. When we have obtained additional facts, I think the item can be included and the appropriation for it agreed to.

Mr. STENNIS. I appreciate the statement made by the distinguished Senator from New Hampshire and I will work with him toward that end.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the distinguished Senator from Colorado.

Mr. MILLIKIN. I wish to congratulate the distinguished Senator from New Hampshire and his colleagues upon the excellent work that was done with respect to wind-erosion control. Those who have been especially interested in the matter are anxious that there be nothing resembling a pauper's oath. So does the distinguished Senator mind if I inquire whether, in the case of hardship cases, the Government can contribute up to the full cost of the emergency work, under the limitations in the act, and can submit to the county committee a statement in writing that the higher rate of cost sharing is necessary in order to carry out such emergency measures, and that in such cases the county committee, with the prior approval of the State committee, may be authorized to approve a rate in proportion to the true cost?

We are all very anxious that the so-called pauper's oath be avoided. Therefore, we are hopeful that there may be a simple substitute for it, to wit, a statement of the farmer, with whom the authorities may be working, that he is unable to meet the full cost, and that under that kind of statement the Government may come in and do the work up to the total amount authorized, without the necessity of a so-called pauper's oath.

Mr. BRIDGES. I may answer the Senator from Colorado in this way: It is not specifically spelled out in the amendment or in the conference report, but I should say, as chairman of the Committee on Appropriations and as chairman of the committee of conference, it is my belief that it is the intention of the Senate conferees, at least, that such a general agreement shall be made.

Mr. MILLIKIN. I thank the Senator from New Hampshire.

Mr. BRIDGES. But it is not spelled out. This is the sort of understanding we have: It is understood that the Department is authorized to make payments in hardship cases up to the full cost of emergency work, and that for a farmer to be eligible for the increased rate, he would submit to the county committee a statement in writing that a higher rate of cost-sharing is necessary for him to carry out the emergency measures. In such cases, the county committee, with the prior approval of the State committee, would be authorized to approve the rate of cost-sharing up to the total cost.

That language was proposed, but it was not adopted. However, it was our feeling, and it is my belief and interpretation, that there is sufficient latitude so that the intent of the Senate and of the conferees can be carried out.

Mr. MILLIKIN. Is it the Senator's judgment that it can be carried out?

Mr. BRIDGES. It is.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER (Mr. BARRETT in the chair) laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8481, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
May 6, 1954.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 3, 6, 7, 8, 13, 23, 25, 26, and 28 to the bill (H. R. 8481) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes," and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"INTERNATIONAL CONTINGENCIES

"For an additional amount for 'International contingencies,' $175,000, to be derived by transfer from 'Government in occupied areas,' fiscal year 1954."

That the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment, as follows: In lieu of the matter stricken and proposed to be inserted by said amendment, insert the following:

"For an additional amount for grants to local educational agencies in federally affected areas as authorized by section 209 (c) of Public Law 815, 81st Congress, as amended by section 2 (e) of Public Law 246, 83d Congress, including not to exceed $125,000 for necessary expenses of technical services rendered by other agencies, $55,000,000, to remain available until April 1, 1955: *Provided*, That unpaid entitlements, reduced to the extent requests therefor are not filed before October 1, 1954, shall be paid on a pro rata basis if the amount herein appropriated for grants is not enough to cover all such entitlements: *Provided further*, That applications which meet the requirements of section 205 of such Public Law 815 may be amended not later than December 31, 1954, to (1) substitute a different project or (2) substitute a reimbursement request based upon construction of the original project under a contract entered into before the date of enactment of this act or upon construction of other facilities under a contract entered into before such date and after June 30, 1952, and in either case the adequacy requirements in subsection (c) (1) of such section 205 shall not apply: *Provided further*, That the foregoing substitutions herein permitted shall not cost more than the project originally filed for."

That the House recede from its disagreement to the amendment of the Senate numbered 19, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"AGRICULTURAL CONSERVATION PROGRAM

"For an additional amount for 'Agricultural conservation program,' in addition to the program authorized under this head for 1954, under the Department of Agriculture Appropriation Act, 1954, $15,000,000 to remain available until December 31, 1955, to enable the Secretary of Agriculture to make payments to farmers who carry out emergency wind-erosion-control measures under the 1954 agricultural conservation program after March 30, 1954, in counties designated by the governors of the respective States with the approval of the Secretary of Agriculture as subject to damages by excessive wind erosion during 1954: *Provided*, That

the payments for such emergency wind-erosion-control measures shall not exceed the cost per acre of the practices or a total of $1.25 per acre, whichever is smaller: *Provided further*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h (e)), and may be distributed among States and individual farmers without regard to any other provision of law: *Provided further*, That this appropriation may be used to reimburse the emergency fund of the President authorized by Public Law 875, 81st Congress (42 U. S. C. 1855) for such funds as have been allocated to the Secretary of Agriculture for payments for the specific purposes authorized herein."

That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum of "$750,000" named in said amendment insert "$250,000."

Mr. BRIDGES. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 9, 17, 19, and 24.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire.

The motion was agreed to.

TERMINATION OF FEDERAL SUPERVISION OVER CERTAIN TRIBES OF INDIANS IN UTAH

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1224, Senate bill 2670, merely to have the bill made the unfinshed business before the Senate. It is not proposed to have the bill considered this afternoon, but merely to have it made the unfinished business. After the bill has been called up, I shall yield to the distinguished Senator from Wisconsin, who desires to call up the St. Lawrence Seaway measure.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

Mr. HUMPHREY. Mr. President, may I have the number of the bill?

Mr. KNOWLAND. It is Calendar No. 1224, Senate bill 2670.

Mr. HUMPHREY. I was asked to register an objection to the bill at the last call of the calendar. I do not wish to object now, but would the majority leader permit the bill to go over for a moment, until I can make inquiry into the matter?

Mr. KNOWLAND. I have given notice to the minority leader that this is one of the bills to be considered. I do not propose to have it considered this afternoon. I have merely moved that it be made the unfinished business, but it is not proposed to have the bill considered until Monday.

Mr. HUMPHREY. I thank the majority leader.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments.

THE ST. LAWRENCE SEAWAY

Mr. KNOWLAND. Mr. President, there is at the desk a privileged matter, relative to the House amendments to the St. Lawrence Seaway bill, S. 2150, which I ask to have laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2150) providing for the creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes, which were, on page 5, line 2, after "(docket 68)", insert "or any amendment or modification thereof"; on page 5, line 10, after "(docket 68)", insert "or any amendment or modification thereof"; on page 7, line 6, strike out "notes, debentures, bonds, or other obligations" and insert "revenue bonds which shall be payable from corporate revenues"; on page 7, lines 7 and 8, strike out "notes, debentures, and bonds, on other obligations" and insert "revenue bonds"; and on page 7, line 13, strike out all after "of" where it appears the first time down to and including "issue," in line 14, and insert "fifty years."

Mr. WILEY. Mr. President, I move that the Senate concur in the amendments of the House of Representatives. They make no substantial changes whatsoever.

On page 7, the House has inserted "revenue bonds which shall be payable from corporate revenues."

Also, on page 7, there is an amendment to insert the words "fifty years."

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. FERGUSON. Is it not true that these are only changes of language and not of substance? After all, these are debentures and bonds, and the Treasury is to finance the funds. The mere fact that they are now revenue bonds and are to be paid out of revenue will not change the situation at all.

Mr. WILEY. I think the Senator from Michigan is substantially correct. There is no substantial modification of the bill as it passed the House. If I were to read the language, it would be seen how insignificant the changes are.

On page 7, line 6, the House has stricken out "notes, debentures, bonds, or other obligations," and inserted "revenue bonds which shall be payable from corporate revenues."

On page 7, lines 7 and 8, the House has stricken out "notes, debentures, and bonds or other obligations" and inserted "revenue bonds."

Thus the language would read:

In order to finance its activities, the Corporation is authorized and empowered to issue to the Secretary of the Treasury, from time to time and to have outstanding at any one time in an amount not exceeding $105,000,000 of its revenue bonds which shall be payable from corporate revenues.

Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BARRETT in the chair). Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. FERGUSON. Is it not true that what the Senator from Wisconsin has just read represents the intent of the Senate that the cost should be paid from the revenues?

Mr. WILEY. Yes; and it will be so paid.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. DOUGLAS. I think that at long last we are nearing the final step in the legislative history of the St. Lawrence Seaway proposal. I am delighted that the measure, which has received bipartisan support through the years at least from the North and Midwest, is now on its way to completion.

I should like to add a word of congratulation to the eminent chairman of the Committee on Foreign Relations for the part which he has played in securing the passage of the bill. As a somewhat junior Member of the Senate, I have watched his very effective work, not only in committee and on the floor, but off the floor; and I would say that his has been perhaps the greatest effort toward getting the bill passed. We of the Midwest owe a great debt to the Senator from Wisconsin. I am sure the citizens of his State are grateful. We hope that the river at Detroit may be deepened, so that the large vessels may come through to Lake Michigan and Lake Superior, as well as to Lake Ontario and Lake Erie. However, I want to express the appreciation of the members of all parties for the very effective and untiring work which the distinguished senior Senator from Wisconsin, who is chairman of the Committee on Foreign Relations, has devoted to this task.

Mr. MAYBANK. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. MAYBANK. In connection with what the Senator from Illinois has just said, I was going to ask whether the bill contemplates the deepening of the rivers. Does it?

Mr. DOUGLAS. No; it does not.

Mr. MAYBANK. Does the bill contemplate the development of any power?

Mr. WILEY. The bill has nothing to do with power.

Mr. MAYBANK. I had understood that the bill which was recommended by President Roosevelt some years ago authorized the development of power. It did, did it not?

Mr. WILEY. There have been a number of bills before the Senate. The bill now under discussion contemplates simply the deepening of the particular channel covered by it.

Mr. MAYBANK. I appreciate what the Senator from Wisconsin has done, but I want to keep the record clear, because I voted against the bill, whereas I supported previous bills relating to the St. Lawrence Seaway. The bill which was passed at this session does not provide for what the other bills contemplated, deep draft navigation, and power. The pending bill provides merely for a shallow canal, which will take business away from the railroads, as I see it.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield further?

Mr. WILEY. I yield.

Mr. DOUGLAS. Now that the Senator from South Carolina has stirred me up, I wish to say that I agree with him. I regard this bill as very much inferior to the previous bills introduced, because it does not contain power features, and under it deep-draft vessels would not be able to come into Lake Michigan, Lake Superior, and Lake Huron. Nevertheless, for small favors let us be grateful, and I am willing to pay tribute to the Senator from Wisconsin for doing a good job—a limited job, but a good job.

Mr. MAYBANK. Let me pay the same compliment to the distinguished Senator from Wisconsin. I intended no disrespect to him. I was merely stating the reasons why I voted against the bill, which was that the bill was entirely different from the provisions contained in the bills for which I voted. Those bills contemplated power developments, which were to have been self-liquidating, and also deeper channels which would permit larger boats to enter.

Mr. DOUGLAS. The Senator is correct.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield, and, if so, to whom?

Mr. WILEY. Mr. President, if I may be permitted to make a brief statement, I will appreciate it.

The victory of S. 2150 in the House of Representatives yesterday by an overwhelming vote of 241 to 158 is, to my way of thinking, one of the greatest single achievements of the 83d Congress.

Needless to say, it is extremely gratifying to me that after 3 decades of legislative struggle, including 15 years of my own small efforts, and the efforts of countless others who had preceded me and had worked simultaneously with me, at long last our efforts are crowned with victory.

The people of Wisconsin have, I know, greeted the news with a profound sense of satisfaction in the triumph of the right, as have the people of the other Lake States most immediately affected. To them, S. 2150 opens up new economic horizons, for at long last we shall have a United States-Canadian deep waterway linking the oceans with the heart of the American Continent.

But these Lake States rejoice that, not simply have they won a victory, but America has won a victory alongside the best neighbor that any nation has in the world—Canada. As I said last week, we had at that time a distinguished gentleman from Canada visiting us, and I think it was a happy omen that before he departed the House passed the bill.

In this, the hour of climax of over a quarter century of legislative struggle, I do not think it would be amiss if we paused to refer briefly to a few of the many men and women who contributed to this triumph.

No list, however long, could possibly be complete, because far too many names would have to be included—the names, for example, of all the Chief Executives of the United States and their staffs, and the Secretaries of Cabinet Departments and their staffs who worked down through the years; the names of Members of the Senate and House of Representatives who, known and unknown, advanced the seaway legislation, inch by inch, step by step, down through the years.

For this current 83d Congress, however, no list would be complete without referring to the magnificent contribution of the Chief Executive of our country, Dwight D. Eisenhower, who gave the seaway his unflagging support.

Nor should there be omitted his able lieutenants who so ably carried out his wishes—the industries, efficient White House chief of staff, Gov. Sherman Adams, who always had time for this project in spite of all his many other responsibilities, and the individual who worked most directly with us on the project, the Honorable Homer Gruenther, both of whom cooperated fully—always within the careful bounds of proper executive-legislative relationship.

I should like to refer to my colleagues on the Senate side, our distinguished Senate majority leader, the senior Senator from California [Mr. KNOWLAND], and the able senior Senator from Michigan [Mr. FERGUSON], chairman of the majority policy committee. Without their help, we could not have possibly taken up the St. Lawrence Seaway promptly and victoriously on the Senate side, and arranged for its due consideration on the House side.

I want to refer also to my colleagues on the Senate Foreign Relations Committee, particularly the members of the subcommittee who had, with myself, initially favorably reported S. 2150.

If I were to single out any single Member of the Senate who deserved special commendation, I know that it would be the senior Senator from Vermont [Mr. AIKEN]. Although he came from an area not directly concerned with the navigation phase of the project, but, rather, principally with the power phase, I know of no Senator who worked harder for the navigation phase.

I might say, incidentally, at this point, that we are all familiar with the fact that now the Congress is confronted by an important challenge to approve the connecting channels so as to provide access of the deepwater ships to the ports on the upper lakes. This is imperatively necessary in justice and fairness to the upper Lake States, including my own.

In the House of Representatives, no list could be complete without reference to the House leadership. Perhaps the most eloquent single fact of all is that the distinguished Speaker of the House of Representatives, Mr. MARTIN; the able majority leader of the House, Mr. HALLECK; the chairman of the Rules Committee, Mr. ALLEN; and the House whip, Mr. ARENDS, cooperated with us so excellently in gaining this final objective. Many of these and other leading Republicans of the House did so, perhaps with mixed feelings, because much of their constituencies had hardly been counted traditionally in the proseaway camp. But I take off my hat to these men, particularly to CHARLIE HALLECK, and to other Members of both the majority and minority in the House, who were willing to give the President of the United States the benefit of whatever doubts they may have held. Congratulations, Charlie, to you and all your fine team.

I should like to say further that my admiration is unbounded for the distinguished chairman of the House Public Works Committee, the Honorable GEORGE DONDERO, of Michigan, whose name will be inscribed as one of the great forward movers of the seaway. Without his help, we could not possibly have attained victory in what had for so long been a seesaw struggle within and outside his own committee.

In private life, the list is particularly long—the list of individuals in my own State and of others across the country. For many years, they were spearheaded by the Great Lakes-St. Lawrence Association and its able president, Dr. N. R. Danielian, as well as by its predecessor group, the National St. Lawrence Association.

Dan Danielson has not only been a tower of strength but a storehouse of expertness on this complex issue.

With him and the association, I think that particular credit is deserved by two long-time battlers for the St. Lawrence Seaway. I refer to two great men of Duluth, Julius H. Barnes, honorary chairman, and Lewis G. Castle, chairman of the executive committee; and I am glad to mention other members of the executive committee, including Foster Winter, Earl Richards, Gerald Lynch, and the never-tiring vice president of the association, F. Hugh Burns.

For each of the proseaway organizations in private life—farm, business, labor, veterans, fraternal, women's, and countless others, which contributed so greatly to the victory, there were many "laborers in the Lord's vineyard." I refer to the many industrious staff people who did yeoman work, such as Matt Triggs, of the American Farm Bureau Federation, and many others.

So, too, in the Government departments there were fine stalwarts, such as

Ray Stellar, of the Corps of Engineers, working under Gen. Bernard Robinson, and the Corps Chief, Gen. Samuel Sturgis, who deserve to be gratefully remembered.

I hope I may be forgiven for the names I have inevitably omitted in this brief review.

To sum up, there is no gloating in our seaway victory. We are sorry that our opponents fought us so long, but we have no bitterness in our heart toward them. Instead, there is in our hearts only a sense of quiet joy in the fivefold victory.

It is a victory by the 83d Congress. It is a victory by the Eisenhower administration. It is a victory by both major parties, because, fortunately, the seaway has never been a partisan issue. It is a victory for good relations between the United States and Canada. It is a victory for the Midwest heartland for which this opens a new chapter of economic development.

It is with a deep sense of pride that I, for one, have been the sponsor of Senate bill 2150. I regard it in all humility as one of the most significant bills with which I have had the honor to be associated in my decade and a half in the Senate.

Mr. DIRKSEN. Mr. President, I think it was Chauncey Depew who once said it takes about 75 years for the incubation and complete hatching of an ideal. But, Mr. President, even an ideal will not hatch unless a chicken sits on it. Similarly, there are no riffles in a stream unless a line is first cast on it.

So, Mr. President, today I pay tribute to the man who has so consistently sat upon and hatched the ideal that has at last come into fruition in the legislative measure about to be acted on finally by the Senate. I pay tribute to the senior Senator from Wisconsin [Mr. WILEY]. His great humility and fine self-effacement have, of course, caused him to omit mentioning his own name. However, all his colleagues pay testimony to the persistence, vigor, and great vision with which he has pursued this great cause. Today we salute him for his victory in connection with this great ideal.

Mr. STENNIS. Mr. President, some 20 minutes ago, while I was very temporarily sitting in the seat of the minority leader, I learned that the St. Lawrence Seaway bill was about to come before this body for final consideration. At that time I saw sitting in his seat in this Chamber the senior Senator from Wisconsin [Mr. WILEY], ever the guardian over the St. Lawrence Seaway.

I recall that when I first came to the Senate, more than 6 years ago, the Senator from Wisconsin was working on a bill on the same subject matter. He has spoken on this subject many times since then, always with great sincerity, earnestness, and persuasion. I know he has worked very persistently for the bill, both among his colleagues in the Senate and elsewhere.

As one who did not vote for the bill, I wish to commend him very highly. There were others who contributed greatly to the work; but he was always in the front rank, "taking the hard licks" and working hard as an outstanding leader of the project.

I feel that at times his work made the difference between abandoning the bill and continuing with it. I salute and congratulate him on his fine achievement, which I know will prove to be most worth while for a great many people, even beyond his own State.

Mr. WILEY. I thank the Senator from Mississippi.

Mr. POTTER. Mr. President, I wish to pay tribute to the leadership shown by the senior Senator from Wisconsin [Mr. WILEY] throughout the work on this momentous piece of legislation. For more than 30 years the St. Lawrence Seaway has been a project in which the people in our section of the country have been most deeply interested.

This is the first Congress in which the bill has received favorable consideration by either House of Congress. I wish to join the other Senators who have spoken in expressing my appreciation, not only for the leadership shown by the senior Senator from Wisconsin [Mr. WILEY] but also for the leadership shown by the senior Senator from my own State [Mr. FERGUSON], who has rendered valuable aid and has been an effective worker in the effort to secure the enactment of this measure. I know the people of our State of Michigan are proud of his contribution and are thoroughly cognizant of the fact that without the drive of the senior Senator from Michigan this measure would never have been enacted.

So, Mr. President, this occasion is a momentous one which the people of the great Midwest will cherish for many, many years to come.

Mr. THYE. Mr. President, I wish to speak very briefly on the pending question. I desire to commend the administration of President Eisenhower for the positive and assured leadership he expressed to the Members of the Senate as well as to the Members of the House of Representatives, in stating that it was his desire, in the interest of the national defense and in the interest of the further development of the United States, that the St. Lawrence Seaway be constructed.

Because of the driving incentive, which came from President Eisenhower, we obtained at this session support for the project that we never have been able to obtain in the 30 or more preceding years during which we had been working for the development of the St. Lawrence Seaway.

Mr. President, I came to Washington in behalf of the St. Lawrence Seaway before I became a Member of this body. I first came to Washington, in that connection, when I was Governor of Minnesota. I have always worked for the creation and development of the St. Lawrence Seaway. When I came to Washington at that time I found such Members as the senior Senator from Vermont [Mr. AIKEN] working earnestly and persistently for the development of the St. Lawrence Seaway. I found such Members as the senior Senator from Wisconsin [Mr. WILEY] working vigorously to accomplish the development of the seaway. Later, when I became a Member of the Senate, I found such Members as the senior Senator from Michigan [Mr. FERGUSON] endeavoring to bring about the construction of the seaway.

When I noted that proposals were being made to have the project developed in certain sections, such as the rapids section in the area of New England, and to exclude the connecting links in the region of the Midwest which I, in part, represent, I was greatly disappointed. In fact, I spoke many times in my effort to have the complete St. Lawrence Seaway considered and acted on as one project, so that the connecting links between the Great Lakes and through the rivers would make it possible for oceangoing vessels to reach the harbor of Duluth and other harbors on Lake Superior. I know the day will come when that will be accomplished. It is not accomplished by means of this measure, however.

Nevertheless, I wish to say this is a step that for all these thirty-some years we have been endeavoring to have taken by means of the enactment of appropriate legislation. The Senate is about to take final action on this measure. The bill will be enacted, thus taking the first necessary legislative step to start the work on its way. I earnestly hope that in the course of the next few years we shall proceed to authorize and to appropriate the necessary funds to make the connecting links a reality.

Mr. President, in closing, again I wish to thank the leadership—the Senator from California [Mr. KNOWLAND] and the Senator from Michigan [Mr. FERGUSON], the chairman of the Republican policy committee—for having given this measure the right of way.

Again I wish to commend the Senator from Vermont [Mr. AIKEN] and the Senator from Wisconsin [Mr. WILEY], the chairman of the Foreign Relations Committee. In that capacity, of course, the senior Senator from Wisconsin gave this measure the opportunity of being considered by the committee and of being voted on by the Senate. By giving this legislative bill his approval, President Eisenhower afforded the incentive which sent it through the two legislative bodies.

Mr. AIKEN. Mr. President, first I thank the distinguished senior Senator from Wisconsin, chairman of the Foreign Relations Committee, for the kind words he had to say with reference to my efforts in the past in behalf of the St. Lawrence Seaway.

Next, let me say that for the past 2 years it has been a great pleasure to be a cosponsor of the St. Lawrence seaway bill, under the able, sincere, and enthusiastic leadership of the senior Senator from Wisconsin.

I have a confession to make. Yesterday I absented myself from the Senate without leave. I went over to the House to listen to and enjoy the rollcalls on the two votes in connection with the St. Lawrence Seaway bill. I make the confession, but I make no apology for doing that, because I had waited nearly 15 years for that hour, and it was a very happy hour when it came.

I believe that the action of the House yesterday in virtually completing the work of enacting the St. Lawrence seaway legislation was a great work for

our country as a whole. In most places the result was received enthusiastically. In a few places—but only a few—there was a little disappointment. Over the country as a whole, I believe the result was received with satisfaction.

I think that this event will be one of the great milestones in the history of the economy and the security of the United States. I believe it will benefit all parts of the Nation, even those which were apprehensive of the results. I believe we should feel, as the officials of the Brotherhood of Locomotive Engineers feel, that in the long run this project will result in more business for everyone. I do not believe it will hurt any of the ports on the Atlantic coast. I do not believe it will hurt our railroads, but that in the long run there will be more business for them. I think it will be generally good for the country.

I wish to say to the Senator from Minnesota [Mr. THYE], who has labored long and earnestly for this great project, that I do not regard the work as completed. I supported the St. Lawrence Seaway bill as it was introduced during the past 2 years because it seemed the most feasible approach to the whole problem; but I am no less in accord with those who would extend the 27-foot channel to Chicago and Duluth than I have ever been. I think that result is inevitable. We must recall that there is already a 23-25-foot channel past Detroit. By the time the St. Lawrence Seaway itself is completed I hope we shall be well on the way toward completing the other links, which will provide a deep-sea channel all the way from the heart of America to the far corners of the world.

I believe this is a good day for all of us.

Mr. KNOWLAND. Mr. President, I should not want this opportunity to pass without first of all paying tribute to President Eisenhower, who recommended the St. Lawrence Seaway legislation to the Congress in his state of the Union message. As the distinguished Senator from Wisconsin pointed out, this issue was not narrowly partisan in any sense of the word. Both Democratic and Republican Presidents have recommended the St. Lawrence Seaway legislation to the Congress. There have been times in the past when our party had substantial margins in the House and in the Senate; and yet, because of the legislation being brought up so late, and because of the amount of debate which took place on it, it was impossible to get it through the Congress at that time, despite the margins. In the House of Representatives the problem has been pretty much the same. During the period of Democratic administrations, when our party membership in the Senate was reduced to about 16 at one time, and when the party on the other side of the aisle had overwhelming majorities in both the Senate and the House, despite the recommendations which had been made by President Franklin D. Roosevelt in that period of time, the St. Lawrence Seaway legislation was not enacted into law. It so happens that this is the first time that a President of the United States, after recommending the project to Congress, has been able to see the completion of action upon the legislation. It is indeed a historic moment.

I should not want this opportunity to pass without also paying my tribute to the distinguished Senator from Wisconsin, chairman of the Foreign Relations Committee [Mr. WILEY]. Over a period of a great many years he has diligently worked for the enactment of this legislation. It has been a rather heartbreaking job over the years, because of the obstacles of one type or another which have been thrown in the way.

I should not want the opportunity to pass without also paying my tribute to the Senator from Vermont [Mr. AIKEN]. When I first came to the Senate about 9 years ago, I think one of the first major pieces of legislation on which I was approached was the St. Lawrence Seaway. I was approached by the Senator from Vermont, who did quite a sales job. As I remember, I was a little noncommittal until I had had an opportunity to study the proposed legislation. However, I did support it, and on numerous occasions have been a cosponsor of bills on the subject.

I also wish to pay tribute to my close friend and colleague, the senior Senator from Michigan [Mr. FERGUSON], chairman of the policy committee. When the Senator from Wisconsin [Mr. WILEY] came to us and asked if the St. Lawrence Seaway bill could be scheduled for consideration at an early date, realizing that the longer consideration was delayed the more the proposed legislation would be endangered, very promptly the Senator from Michigan agreed that the bill would be called up before the majority policy committee. In that committee we agreed to recommend the scheduling of this bill for consideration very early in the session, because we knew that not only would it require a great deal of debate—it occupied almost a month—but that, in addition, it would have to clear the House of Representatives. By scheduling its consideration early in the session, we made possible final action by the House, and completion of the work today in the Senate.

I join in paying tribute to my good friend from Wisconsin and my colleague from Michigan, both of whom, with other Senators, have contributed a great deal to this project.

Mr. SMITH of New Jersey. Mr. President, I wish to add a word on this happy occasion. When I came to the Senate 10 years ago it was to fill an unexpired term. On the day I took the oath of office my good friend the Senator from Vermont [Mr. AIKEN] was holding forth eloquently on the subject of the St. Lawrence Seaway. I remember that he yielded for a few minutes in order that I might be sworn in. I have always felt grateful to him for yielding. I thank him, and I congratulate him.

ALEX WILEY, my pal on the Foreign Relations Committee, has worked strenuously in connection with this legislation. At one time the bill was sent back to the committee in order that further figures might be furnished. We almost broke up our intimate friendship at that time. In the long run he realized that I had been working for the legislation. I think I have been of some help in getting it through.

My distinguished friend from Michigan [Mr. FERGUSON] is another faithful worker in this vineyard. I am happy to add these paeans of praise for this particular trio, as well as for many others, but particularly this trio, who did such a wonderful job. I am glad to be here today to say these words.

Mr. FERGUSON. Mr. President, I wish to say a few words on this subject in praise of the distinguished Senator from Wisconsin. At times it can be said that, after all is said and done, there is more said than done. I believe this is an exception. The exception is that, in this instance, we have finally done more than we said.

About 12 years ago, when I came to the Senate, it appeared that this was one of the proposals on which we were reaching for what was not obtainable. After 12 years in the Senate that which on the surface appeared to be something about which nothing could be done and would never become a reality, because of the roadblocks and objections to it, has finally become a reality.

I shall never forget the last day of the first session of the 83d Congress, when we attempted, at midnight or a few minutes after midnight, to make the St. Lawrence Seaway bill the order of business for the following January.

I wish to pay tribute to the Senator who refused to allow us to make it the order of business, the Senator from Maryland [Mr. BUTLER]. He indicated that, as the phrase goes, it would be over his dead body that it would be made the order of business of the Senate for the coming session.

I am certainly delighted, after all the debates, and after all the objections and reasons for this great project have been made known to the people, that legislation providing for it has been passed. It shows the way to the future. It shows that the project will become an accomplished fact.

Mr. LEHMAN. Mr. President, I take great pleasure and satisfaction in congratulating the distinguished chairman of the Committee on Foreign Relations, the senior Senator from Wisconsin [Mr. WILEY], on the final enactment by both Houses of Congress of the St. Lawrence Seaway bill.

As one who has been deeply interested in this undertaking for upwards of 30 years, I wish to express my satisfaction and appreciation for the efforts of the senior Senator from Wisconsin. Without his interest, without his determination, and without his continued agitation for this legislation, particularly after he became chairman of the Committee on Foreign Relations, the final enactment of the bill would have been impossible.

I cannot tell the Senate how happy I am that this great project will be undertaken. I believe it will be of great benefit to the entire country, including my own State of New York and all the other States on the eastern seaboard. I congratulate the senior Senator from Wisconsin.

Mr. HUMPHREY. Mr. President, I cannot help notice how much joy and happiness there is in this Chamber. In victory there is great joy. There is today no Member of the Senate who deserves to feel a sense of accomplishment and fulfillment of purpose more than the Senator from Wisconsin.

I have often said that there is nothing wrong with the Senator from Wisconsin [Mr. WILEY] that a change of politics would not cure. [Laughter.]

In view of the great achievement in the passage of the St. Lawrence Seaway bill, as one on this side of the aisle who momentarily occupies the Senate minority leader's chair, I welcome his leadership and his cooperation and his genuine fellowship.

I was highly honored to be privileged, through the good advice of the Senator from Wisconsin, of being a cosponsor of S. 2150. As we all know, the measure as passed does not fulfill all the hopes and desires of some of us. It is a measure which is the first step in the final fulfillment of the St. Lawrence Seaway—a seaway which will run from the Atlantic to the heartland of the Nation.

A moment ago a distinguished Member of the House of Representatives was on the floor of the Senate, paying me a visit. He is the Representative in Congress from the Eighth Congressional District of Minnesota. I do not know whether the rules of the Senate deny a Senator the opportunity to say a kind word about a visiting Member of the House. However, if there is any one man from our section of the Nation, particularly in Minnesota, who has worked with steadfastness of purpose and diligence and a genuine desire for the passage of the St. Lawrence Seaway legislation, it is Representative BLATNIK, of Minnesota. I am happy that Representative BLATNIK could be on the floor of the Senate when the chairman of the Committee on Foreign Relations made the motion to concur in the House amendments to Senate bill 2150.

Finally, Mr. President, those of us who wish to see the St. Lawrence Seaway completed in its full area and in its full design will in the years ahead seek to have the channels depened to Superior and Duluth, the twin harbors of Wisconsin and Minnesota.

I conclude, as I look across the aisle to a good friend, by saying that I see even on his face the reflection of a sense of happiness. He was one who battled vigorously and honorably in opposition. Of course, I refer to my friend the Senator from Maryland [Mr. BUTLER]. I recall the vigor with which he approached the subject and also the intelligence and sincerity with which he opposed it. It is marvelous that in this achievement we can forget our partisanship and our differences as we hail the achievement.

As a Democratic Member of the Senate I commend President Eisenhower for his very able leadership in the fulfillment of this accomplishment. I certainly commend the Republican leadership in this area of legislation. I know they will say with me, as the majority leader has said, that every President since the time of Warren G. Harding has supported St. Lawrence Seaway legislation. There have been differences within the respective parties, but these differences have finally been reconciled to the point where we have achieved a big victory. It was not a victory achieved with only a handful of votes. It was by a clear-cut majority, which leaves unmistakably clear the fact that we have learned and that we have progressed.

This should be a lesson to us. It took us 30 years to accomplish what is now being realized. In that 30-year period of time the American people have learned of the prospective benefits of the St. Lawrence Seaway. I predict that there will be a new day, so to speak, for America, because of this seaway. There will be new industries, new jobs, new commerce, and new opportunities. The arguments against it which we have heard over the years will sound somewhat ridiculous in terms of what I believe will happen in the future.

I desire to thank the Senator from Wisconsin. He is a dear friend, a fine man, a great Senator, and I cherish his friendship. I really and truly, in all the sincerity of my convictions, commend him. I served on his subcommittee and I helped to cosponsor this measure, as a junior partner, so to speak, and it is a joy to me to be present as he presents his symbol of victory on the floor of the Senate.

Mr. BUTLER of Maryland. Mr. President, I feel that the occasion requires some brief remarks from those of us who were in the forefront of the opposition.

First, may I thank my friend from Minnesota for his kind words, and, second, may I say that I congratulate my very worthy adversary, the Senator from Wisconsin, not only on behalf of myself but of others who participated in the opposition. As the Senator from Minnesota has said, the opposition had no element of filibuster. It had no element of chicanery. It was a straightforward and honest opposition put forward from the depths of conviction. I thought at that time, and I must say that I now feel, that this is not wise legislation, but, nevertheless, I bow to the victors and I wish them all the best of it. I hope the seaway will provide all those things for America which its proponents predicted it would provide.

Mr. KEFAUVER. Mr. President, I cannot let this occasion pass without adding a word of commendation of the distinguished senior Senator from Wisconsin and the other Senators who joined him in bringing about the fulfillment of the long-time dream of a St. Lawrence River Seaway.

When I first became a Member of the House of Representatives, some 15 years ago, I joined in sponsoring proposed legislation for the construction of a St. Lawrence River Seaway, over a great deal of opposition in my own State. I felt that, while it might not directly affect the Southland, the region from which I come, things which help other sections of America also help us. With all the opposition at that time, it seemed that the idea would never become a reality. But the senior Senator from Wisconsin has exercised a great deal of statesmanship in bringing together the Senators and the interests of various sections of the country and finally accomplishing the passage of the proposed legislation.

As time goes on, Mr. President, I predict that many persons who opposed the building of the seaway will see that it is a great step forward in bringing about the advancement of all sections of the United States.

The Senator from Wisconsin has shown his fine capacity of leadership and his interest in other sections of the Nation, and when there is proposed legislation affecting the Tennessee Valley before the Senate, I hope he and other Senators from other sections will remember that many of us from the southern area of the United States have helped the Senator from Wisconsin in connection with the St. Lawrence Seaway. We hope he will use his influence in securing similar assistance to us, on the ground that what is good for the Tennessee Valley section will also be beneficial to Wisconsin, Minnesota, Michigan, and other States around the Great Lakes.

Mr. BEALL. Mr. President, as a member of the opposition, I congratulate the Senator from Wisconsin for the tremendous job he has done. For 10 years in the other body of the Congress I was a member of the Public Works Committee where we, as opponents of the St. Lawrence project, were able to keep the bill in committee. We never permitted it to reach the floor of the House.

I think the Senator from Wisconsin is to be congratulated for his generalship in the handling of parliamentary matters in connection with the bill. I hope the project will do all that has been claimed for it by the proponents, but I am still one of the Doubting Thomases. However, I cannot refrain from congratulating the Senator from Wisconsin on his victory today.

Mr. COOPER. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. COOPER. Mr. President, I should like to join my colleagues in expressing admiration for the successful fight which the senior Senator from Wisconsin [Mr. WILEY] has made in connection with the passage of the St. Lawrence Seaway bill. I include, also, in my commendation, the work of the distinguished Senator from Michigan [Mr. FERGUSON], the distinguished Senator from Vermont [Mr. AIKEN], the distinguished Senator from Minnesota [Mr. THYE], as well as the Senators on the other side of the aisle who worked for the passage of the bill.

In Kentucky there was not unanimous approval of this great project. I voted for it because I did not think we should stand in the way of projects which, in the long run, might contribute to the welfare of the Nation. It was the long-continued insistence and the fine and convincing arguments of my friend the Senator from Wisconsin which removed any doubt I may have had about the bill. I congratulate him for the successful outcome of his efforts in connection with the great St. Lawrence River project.

Mr. WILEY. Mr. President, I began my remarks today with a statement expressing my appreciation of the efforts of all those who have taken a part in what I think is a great accomplishment for the Republic. Since then a number of Senators have been good enough to say some kind words about my own activity in the matter.

Of course, like anyone else, I am grateful for words of appreciation. As I said in my previous statement, I realize that I was simply the spearhead, as it were, in the previous Congress and also in this Congress. When the late Senator Vandenberg, when he was chairman of the Committee on Foreign Relations, appointed me chairman of the subcommittee to hold hearings, I then became very well acquainted with the issues, and I carried on, although we lost the fight in the Senate.

However, somehow or other, public opinion began to shape the minds of men in the Senate and the House. So public opinion is the big factor which should be given the credit.

I wish to say again that I am very grateful for the kind words which have been spoken regarding my work on the bill.

Now, Mr. President, I renew my motion that the Senate concur in the amendments of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin [Mr. WILEY], that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, before taking a recess, let me say that a number of Senators have asked to be recognized, and they will be recognized.

In order that Senators may have the information before them, I wish to list some of the bills which we will have before us next week.

The unfinished business is calendar No. 1224 (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes. We expect to take up that bill on Monday and dispose of it.

There are a number of other bills of which I have given prior notice to the minority leader. They will not necessarily come up in the order in which I shall state them, but, I believe, will come up in this approximate order:

Calendar No. 1216, S. 2802, to further encourage the distribution of fishery products, and for other purposes.

Calendar No. 1205, H. R. 116, to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Calendar No. 1190, S. 975, to amend the Home Owners' Loan Act of 1933, as amended.

Calendar No. 1091, Senate Joint Resolution 44, proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court.

Calendar No. 1066, Senate Joint Resolution 53, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

Calendar No. 644, H. R. 6287, to extend and amend the Renegotiation Act of 1951.

Calendar No. 320, S. 1461, to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates.

Calendar No. 139, S. 978, to amend the Interstate Commerce Act in order to expedite and facilitate the termination of railroad reorganization proceedings under section 77 of the Bankruptcy Act, and to require the Interstate Commerce Commission to consider, in stock modification plans, the assents of controlled or controlling stockholders, and for other purposes.

Calendar No. 1233, Senate Resolution 234, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

Calendar No. 1279, S. 2370, to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil.

Calendar No. 1280, S. 3245, to amend the act of April 6, 1949, as amended by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes.

TREATY WITH JAPAN ON AVOIDANCE OF DOUBLE TAXATION, RELATING TO INCOME TAXES — REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER (Mr. BARRETT in the chair). As in executive session, the Chair lays before the Senate Executive D, 83d Congress, 2d session, a convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954.

Mr. WILEY. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the convention, and that the convention, together with the message from the President of the United States be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954.

I also transmit for the information of the Senate the report by the Acting Secretary of State with respect to the convention and the copy of each of the notes and the memorandum referred to in and enclosed with that report. The convention has the approval of the Department of State and the Department of the Treasury.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 7, 1954.*

(Enclosures: (1) Report by the Acting Secretary of State; (2) convention between the United States and Japan relating to taxes on income; (3) copy of each of two notes, with accompanying memorandum.)

TREATY WITH JAPAN ON AVOIDANCE OF DOUBLE TAXATION, RELATING TO TAXES ON ESTATES, INHERITANCES, AND GIFTS—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER. As in executive session, the Chair lays before the Senate Executive E, 83d Congress, 2d session, a convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates, inheritances, and gifts, signed at Washington on April 16, 1954.

Mr. WILEY. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the convention, and that the convention, together with the message from the President of the United States, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none.

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DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 7, 1954.*

(Enclosures: (1) Report by the Acting Secretary of State; (2) convention between the United States and Japan relating to taxes on estates, inheritances, and gifts.)

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors today, it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE FALL OF DIEN BIEN PHU

Mr. COOPER. Mr. President, the unhappy news came over the wires today that the gallant fight at Dien Bien Phu, in Indochina, had ended, and that the Communist forces at last had overrun and captured that distant point.

It is worthwhile for the American people to remember that the desperate fight at this post had continued for 57 days, and that its band of defenders had been greatly outnumbered during the entire battle. In the last stages of the battle, after 20 hours of hand-to-hand fighting, the brave defenders of the fort were overrun by Communist forces aggregating 20,000 men. It is reported that the final message of the gallant leader, General de Castries, was to order the one unconquered artillery outpost to shell his own command post when it was taken.

But, Mr. President, this fight has been one part of a much larger and longer fight, a battle which actually has been in progress since the close of World War II. According to reports, it has claimed 177,000 casualties in the long struggle. Of that number, 70,000 have been killed or are missing. Some 16,000 French casualties have been reported, and 1,500 of the best French officers have been killed.

In the past 3 years, often we have spoken regretfully and bitterly of the failure of our allies to assist us in larger measure in the war in Korea. In justice and fairness, the fall of Dien Bien Phu should make us remember that the French and the Vietnamese in Indochina led by their gallant leaders, also have been making a fight for freedom for 9 years. The United States Senate would be remiss and ungrateful on this day if it did not pay its tribute of praise to the brave force and brave leader who have made this fight.

The fall of Dien Bien Phu raises somber questions for the future. There is fear that the loss of Dien Bien Phu will create such a psychological opinion in France and in Indochina that the defense against the Communist forces will quickly deteriorate. I think there is a good chance that the outcome of this fight and the great defense that has been made will so arouse and quicken the national pride of France, and the associated states, as to enspirit a much larger effort for their security and freedom. I hope it will be the effort of our own Government to encourage and give to them needed aid.

I have not prepared a speech, and I do not wish to comment at length upon the situation in Indochina this afternoon. I do wish to say that, contrary to the criticisms which have been directed against the policy of the President of the United States and of the Secretary of State, I believe their action in recent weeks to develop a collective effort to save Indochina has been brave and positive. It is in my opinion the only possible action which could have been taken during the last few weeks, short of our armed intervention.

Indochina is not a new problem for the Senate or for Congress. Since the close of World War II we have known the issues and we have recognized the importance of Indochina in our appropriations and military aid.

A year ago Mr. Dulles and the administration emphasized their concern over Indochina by their request for direct and military aid approximating almost a billion dollars.

Today we are confronted with the same problem which we faced in Korea and China, whether it is possible to devise measures in concert with other nations which can prevent the loss of Indochina and other Asian states, vital to the security of the United States and to the freedom of the world. It is made more difficult because we are dealing with a situation where aggression has not been open as in Korea. We have also had to take into account that there has been no true independence of these states and the necessity for the continuing efforts of France.

When the crisis came a few weeks ago, what other steps could have been taken than those which the Secretary of State has so bravely tried—that is, the attempt to find a basis upon which our European allies and the free countries of Asia could unite to save Indochina?

Criticism has been directed at the administration because of the suggestion of certain courses of action which could be taken in Indochina. Among these are the criticisms against massive retaliation and the use of American troops. It seems to me that it was perfectly natural and proper to have suggested every possible alternative for action in connection with the battle in Indochina. But it must not be forgotten that a great and continuing effort was made and is now being made to find a basis for collective action which will make unnecessary the use of these alternatives.

It is suggested now that it may be possible through negotiation to find a basis of settlement in Indochina. Considering that our alternatives are losing Indochina entirely, or war with the entry of our troops, I believe that the choice of negotiation may be the only possible choice available to us. If it can be accomplished without the compromise of freedom, we should pursue it.

It seems to me that Mr. Dulles and the administration have not been wrong in considering all the possible courses of action. It may well be that the Congress itself has limited the choices which could have been made by its speeches against negotiations—its insistence upon conformity with its policies.

I read with great interest today the news of the speech of my good friend, the distinguished senior Senator from Texas [Mr. JOHNSON], criticizing very strongly the policy of the administration during the last few weeks. I wish to ask again: What alternatives, what choices, were there, except the complete loss of Indochina or the use of American troops? The effort of the administration to find a basis for collective action by our allies to prevent either the loss of Indochina or intervention of American military forces was the only course available.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. KNOWLAND. I should like to make what I consider is not in any sense in the nature of a partisan comment, but what I think is a comment based only on historical fact. In view of some of the speeches which were made yesterday, I think it would be worthwhile to point out that when the Korean war broke out, on Sunday, the 25th of June 1950, Congress was then in session. Despite that fact, at no time was the matter of sending American air, sea, or land forces brought before the Congress. In the present emergency, however, President Eisenhower, recognizing his constitutional responsibility, has clearly indicated that, should a decision as to United States participation have to be made, he would come to the Congress, under our normal constitutional procedures.

In the interest of historical accuracy, in contrast to the very full and complete bipartisan discussions which have been held with the leadership of the House and the Senate on both sides of the aisle, the chairmen and the ranking members of the Armed Services and the Foreign Relations Committees of the House and the Senate, some 24 of whom met with Secretary of State Dulles the other day, and had a complete and frank exposition of all the problems facing this great Government, I think it is well to point out that at the time of the invasion in Korea, though the Congress was in session, the record will show that at the conference which was held at the Blair House at that time, neither the responsible leaders of the opposition party, nor, so far as I know and have been able to determine from an examination of the record, even the representatives of the majority party in the Congress, were invited to attend the meeting which was held in the evening hours of June 25, 1950, when the decision was made to commit American air, land, and sea forces in Korea. And on the 27th of June 1950, on which date the announcement was finally made to the American public, a very limited number of Members of Congress were called to the President's office and were read the statement, less than an hour in advance of the time when the President intended to make a statement to the press.

I merely wish the RECORD to be clear that in the history of this country I do not believe there has been a more candid, full, and complete discussion with the responsible leaders of the Democratic Party, and the responsible ranking members of that party, and with the responsible leaders of the Republican Party in the House and in the Senate, than has taken place under this administration.

In addition to that, I desire to say that we have had a clear statement by the President that, should the international situation become such that he felt other steps should be taken, he would recognize his constitutional obligation to lay the matter before the Congress.

I wish to thank the Senator from Kentucky for yielding to me, because I think that what I have stated needed to be said.

Mr. COOPER. I thank the Senator from California for his statement.

Mr. President, I am not one of those Members of Congress who was consulted,

but, on my own responsibility, I have felt very strongly that there should be bipartisan action in the matter. In the situation which faces us today there is the greatest need for action and agreement by both parties, in the best interests of our country.

If the efforts of the administration have not been successful thus far, it does not prove that such steps were not proper and right.

Neither is it true that they will not yet succeed. We may yet secure agreement with our friend. And if it is possible to negotiate and reach an agreement which will not be a surrender of our principles regarding freedom in Indochina, we with our allies can come to agreement, the breaching of which would provide a moral and legal basis on which there could be unity and concert of action on the part of all.

On my behalf, I simply want to say that I support and approve, with all the strength I have, the great efforts which have been made by the President of the United States and Secretary of State Dulles. If they had decided that stronger military steps should be taken I would have supported them, or shall so decide in the future I will support them. Today I support the effort toward negotiation—to arrive at some common position, which, if breached—and we hope it would not be breached—would provide a basis for common action. It is our hope, of course, that such an understanding would provide a basis for the end of aggression in Indochina.

Mr. MANSFIELD. Mr. President, the loss of Dien Bien Phu may well serve as a symbol—not of defeat, not of disaster, but of the ultimate triumph of freedom in Indochina. The gallant resistance of the soldiers of France, the French Union, Laos, and Vietnam may well have been worth its terrible cost if out of this battle comes the strengthening of the three-pronged effort which can establish fully the independence of the three nations and preserve that independence against Communist totalitarianism.

In the stillness of death and desolation that now hangs over the battlefield at Dien Bien Phu, there emerges one dim but persistent hope for the future. General DeCastries and his 12,000 soldiers fought with the courage and conviction of men who know that the future of mankind lies with freedom. The men in the doomed battalions who came from France and other distant parts of the French Union upheld the finest traditions of their culture. Those who came from Vietnam to the number of 4,700, and from Laos, to the number of 1,500, showed that they already understood the price of liberty, and demonstrated, for the world to see, their willingness to pay that price. Together, against great odds and in the face of insurmountable obstacles, those soldiers made clear what free men can do and will do to stop the march of aggressive communism.

To withdraw now, to negotiate a settlement which would lay open all of Indochina to the conqueror's heel, would be to break faith with those of Dien Bien Phu who gave so much.

To continue the struggle for freedom in Indochina is the responsibility of France and the associated states; to continue to aid that struggle, as we have in the past, is ours.

This three-pronged effort, if it is pursued with the inspired determination of the defenders of Dien Bien Phu, can insure the independence of the three states.

Dien Bien Phu is not necessarily the end; it may yet prove to be but the beginning. Militarily, it is a loss, but not an irretrievable loss. Spiritually it can be a great victory.

The monsoon rains now envelop in the silence of inaction the struggle in the deltas and the jungles. Six to eight months stretch ahead in which the free nations may restore their strength and take the steps which can lead to ultimate success. They can achieve this success—

If the French will find in the magnificent resistance at Dien Bien Phu the inspiration to stay with the struggle and to move at once to proclaim the full and unqualified independence of the Indochina States.

If the nationalist leaders of Indochina demonstrate in word and deed their devotion to their people and rally those people to the fight for independence.

If the United States does not abandon the forces of freedom in Indochina in their hour of greatest need.

Mr. HUMPHREY. Mr. President, I listened with close attention to the remarks of the Senator from Montana. The Senate is deeply indebted to the counsel and genuine education it has received from him on the very critical situation in Indochina and the aspirations of freedom of the peoples of the associated states.

I have had the privilege of reading the report which is a product of the trip made last year to Indochina by the Senator from Montana. As all Members of the Senate know, he is a student of far-eastern political, economic, and social matters. He is one of the outstanding spokesmen in the United States for an intelligent policy toward the Far East.

I desire to associate myself, if he will permit me to do so, with the general statement he has made concerning objectives and purposes in the Indochina area. I note, and I should like to underscore, that the Senator from Montana has repeated again and again on this floor his statement of the urgent necessity of an unequivocal statement of independence for the peoples of Indochina. He has done that at the same time that he has praised the valor, courage, and sacrifices of the French in their struggle in Indochina, as well as the valor, courage, and sacrifices of the peoples of Vietnam, Cambodia, and Laos. He has taken a sensible approach, namely, that the manpower for effective resistance is available there. If the will is there to resist Communist aggression, adequate numbers of people are available to make the resistance an effective instrument for freedom.

I was again pleased to note that the Senator from Montana has properly judged, at least in my view, the significance of the struggle at Dien Bien Phu and also the significance of the military defeat in that fortress. I hope I am not in error in saying that a psychological misinterpretation has developed in the United States in recent weeks concerning the fortress of Dien Bien Phu. It has been heralded as being a most significant fortification; and prior to the final defeat there, the contemplated loss of that fortress was regarded as a major disaster to the cause of freedom and to the cause of the free Indochinese people. I believe it would be fairer to say that, at worst, loss of that fortress is a military defeat which, of course, makes the burden of resistance in Indochina just that much more difficult; but it is not a catastrophe. After all, there is a difference between a disaster and a catastrophe. The fortress of Dien Bien Phu has been lost, but huge areas of Indochina are still in the possession of the free peoples of Indochina; and, as the Senator from Montana has noted, there is still time. Those of us who have heard the testimony given before the committee by some of the leading officials of our defense and foreign-policy establishments, know that General Navarre, the French commander in that area, has a long-range plan of military operations which, if given an opportunity to be worked out and put into effect, can and should lead to ultimate victory. But it must be underscored in our country, where the decision as to our policy in this area is now being debated, that what is most needed is the will to win on the part of the people of Indochina and the will to win on the part of the French, who now are in the position of being partners in this struggle.

I think we should commend the French for their declaration of independence for Vietnam within the French Union. As one who is interested in this area and who has deep concern regarding it, I would have preferred to have had that declaration of independence be the unequivocal declaration of independence that we in the United States have had as our own experience and tradition.

Mr. President, I have not been particularly critical of the Secretary of State in connection with the handling of our foreign affairs. I may say one of the reasons why I have not been critical is that I have sensed, during the few years I have been a Member of the Senate, what I consider to be an intemperate and irresponsible attitude on the part of far too many toward any man who is Secretary of State. I cannot help but feel that had the former Secretary of State, Mr. Acheson, been given more support and less harassment, he could have done an even better job.

I wish to make quite clear that, because of the experience we have gone through in the past few years in the postwar period, it is most important that the American people not lose their sense of long-range judgment, and that they realize that temporary defeats do not necessarily mean ultimate disaster or catastrophe.

As the Senator from Montana has justly noted, from so serious a situation as the loss of the fortress of Dien Bien

Phu can come a revival of spirit, if there is a will for victory.

I believe our Government must continue to be generous with its assistance to those who wish to fight and work for their freedom. I also believe we must recognize that we must have a concert of policy. When we discuss matters pertaining to the Far East—and when I say "we," I mean the representatives of our Government—I believe it very important that we consult with the nations of the Far East. I am of the opinion that the peoples of the Far East are sick and tired of having the diplomats of the Western World go to London, Paris, or Washington to determine what is to be done with respect to the area of the world known as the Far East. London and Paris are known in the minds of the peoples of Burma, Indonesia, India, and Indochina, as the capitals of former colonial power. Whether we like it or not, this hangover of prejudice is still in the minds of the peoples of the southeast Asiatic countries—in fact, of the peoples of all the Far East.

My friendly advice, for whatever it may be worth, to those who are responsible for conducting our foreign affairs is that we never make a move in these critical, sensitive areas, where nationalism is a passion, where the desire for liberation and freedom is the keynote of the day, unless we first consult with those who are really the important people in the struggle, those who are fighting for their own freedom. I think we have been derelict and remiss in our responsibilities in this connection.

I can well imagine that the people of Burma, Ceylon, Thailand, Indonesia, the Philippines, or any of the other countries, wonder why it is that our great Nation, which professes its affection for those people and professes its desire to be of help to them, never consults with them first.

For example, the new President of the Philippines, Mr. Magsaysay, delivered a very important address only recently about the importance of the nations of southeast Asia formulating their own policy. It seems to me that we ought to act as a friend, as an adviser and counselor of these newly founded nations, urging them to take leadership on their own, and supporting them with our material and economic assistance, as well as our advice and counsel.

I am of the opinion that the United States can never single-handedly save this area, which is now filled with emotion and passion for independence and a nationalistic spirit; but I am of the opinion that if we properly interpret to those people the fact that we are the product of a war of independence, that we are the product of a war of revolution to gain our liberty and our freedom; and if we go to them with the helping hand and the warm heart of a friendly people, we can do much to guide them, help them, and share in their responsibilities. It is in that spirit that I believe we must approach our destiny and our responsibility as a world leader.

At the same time, we must never lose sight of the fact that the ultimate objective of the Soviet Union within this immediate period of time is to divide the United States from its allies. Let us never forget that the first objective of the Soviet Union today, in its foreign policy, its diplomacy, and its power politics, is to destroy the North Atlantic Treaty Alliance. Let us never permit them to accomplish that objective.

Therefore, when our Nation takes steps without proper consultation with Great Britain and France, it opens up the possibility for the exploitation of natural differences of opinion. We do not have satellites. We have allies. We are a part of a great partnership, and it is inevitable that partners and allies should have differences of opinion. That is all the more reason why we should work with caution and a constructive purpose. We cannot order our allies. We cannot tell them what to do, nor should we wish to do so, because they are free and equal partners in a great system of mutual security and alliance.

The Soviet Union has the power to direct its satellites, and to crush their will if it so desires. Therefore we must always approach our problems of foreign policy in a spirit of understanding and cooperation, which means unbelievable patience and a willingness to see the other man's point of view, but, at the same time, as Lincoln said, "with malice toward none, with charity for all," but "with firmness in the right as God gives us to see the right."

If I see any weakness at all of late in our foreign policy, it is a lack of firmness in what we believe to be the right. We have seemed to be uncertain. There has been a moving ahead and a retreat, so to speak. Once we arrive at what we believe to be the right policy, let us hold to it firmly, in a spirit of charity and friendship.

While it is our duty to watch and study the foreign policy of our country, I hope that those of us on this side of the aisle will not criticize merely for the sake of criticism. I hope that whatever criticism we may offer to the President or the Secretary of State will be on the basis of constructive criticism, advice, and counsel.

Let me say with equal candor that I plead with the administration to share its burden, to share its information, and to share its responsibility with those of us who would like to be partners in a common effort. There should be no politics in foreign policy. We ought to arrive at a central point of view and work around it, and work to its fulfillment.

I thank the Senator from Montana again for his guidance. He has been a source of help and inspiration to me, in giving us direction in this crucial era.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Watson, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 8481) making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes, and it was signed by the President pro tempore.

RECESS TO MONDAY

Mr. STENNIS. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 26 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, May 10, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 7 (legislative day of April 14), 1954:

IN THE COAST GUARD

Rear Adm. Alfred C. Richmond to be Commandant of the United States Coast Guard with the rank of vice admiral for a term of 4 years.

Rear Adm. James A. Hirshfield to be Assistant Commandant of the United States Coast Guard with the rank of rear admiral for a term of 4 years.

Rear Adm. Kenneth K. Cowart to be Engineer in Chief of the United States Coast Guard with the rank of rear admiral for a term of 4 years. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7 (legislative day of April 14), 1954:

IN THE ARMY

ASSISTANT JUDGE ADVOCATE GENERAL OF THE ARMY

Brig. Gen. Claude Bayles Mickelwait, O10287, Army of the United States (colonel, Judge Advocate General's Corps, U. S. Army), to be the Assistant Judge Advocate General of the Army, and as major general, Judge Advocate General's Corps, Regular Army, and major general (temporary), Army of the United States.

CHIEF CHEMICAL OFFICER

Brig. Gen. William Murlin Creasy, O16397, Army of the United States (colonel, U. S. Army), to be chief chemical officer, United States Army, as major general in the Regular Army of the United States, and as major general (temporary), Army of the United States.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Claude Henry Chorpening, O12088.

Brig. Gen. Rex Van Den Corput, Jr., O12700.

Brig. Gen. Alvin Levi Gorby, O16546.

Brig. Gen. Eugene McGinley, O12318.

Brig. Gen. Edward John McGaw, O12631.

Brig. Gen. James Malcolm Lewis, O12650.

Brig. Gen. William Edmund Waters, O14700.

Brig. Gen. Numa Augustin Watson, O14968.

Brig. Gen. James Robinson Pierce, O14979.

Brig. Gen. Oliver Perry Newman, O15016.

Brig. Gen. Harry McKenzie Roper, O15176.

Brig. Gen. Elwyn Donald Post, O15243.

Brig. Gen. John Murphy Willems, O16176.

Brig. Gen. Lawrence Russell Dewey, O15575.

Brig. Gen. Bertram Francis Hayford, O12272.

Brig. Gen. Hobart Hewett, O12328.

Brig. Gen. Nathaniel Alanson Burnell 2d, O12337.

Brig. Gen. Robert Parker Hollis, O15079.
Brig. Gen. Earl Shuman Gruver, O15259.
Brig. Gen. Ira Kenneth Evans, O16215.
Brig. Gen. William Peirce Ennis, Jr., O16436.
Brig. Gen. Harry Purnell Storke, O16468.

To be brigadier generals

Col. Earl William Heathcote, O28800.
Col. William Henry Nutter, O16095.
Col. Ernest Victor Holmes, O16100.
Col. Ernest Andrew Barlow, O16116.
Col. William Holmes Wood, O16135.
Col. Edwin Lynds Johnson, O16158.
Col. John Franklin Bird, O16179.
Col. George Patrick Lynch, O16226.
Col. William Wheeler O'Connor, O16348.
Col. Elmer Peter Hardenbergh, O28940.
Col. William Clyde Baker, Jr., O16371.
Col. Clerin Rodney Smith, O16388.
Col. Lewis Sherrill Griffing, O16413.
Col. Samuel Pickens Collins, O16444.
Col. Robert Campbell Aloe, O16916.
Col. Paul Alfred Disney, O17004.
Col. Webster Anderson, O17101.
Col. Clarence Jonathan Hauck, Jr., O18360.
Col. Robert George Butler, O17191.
Col. Henry Ray McKenzie, O17623.
Col. Hugh Mackintosh, O17716.
Col. Nelson Marquis Lynde, Jr., O17730.
Col. Charles Edward Beauchamp, O18238.
Col. Philip Ferdinand Lindeman, O272444.
Col. Francis Thomas Pachler, O18488.
Col. Cyrus Abda Dolph 3d, O19170.
Col. Frank Willoughby Moorman, O19444.

IN THE NAVY

Adm. Oscar C. Badger, United States Navy, retired, to be vice admiral in the line.

Rear Adm. Austin K. Doyle, to have the grade, rank, pay, and allowances of a vice admiral while serving as chief, naval air training.

Rear Adm. Frederick W. McMahon, to have the grade, rank, pay, and allowances of a vice admiral while serving as commander, Air Force, Atlantic Fleet.

IN THE MARINE CORPS

Maj. Gen. Merwin H. Silverthorn, to have the grade of lieutenant general on the retired list in the Marine Corps effective from the date of his retirement.

IN THE NAVY AND IN THE MARINE CORPS

The nominations of Charles R. Greene, Jr., and 606 other persons for appointment or promotion in the Navy or in the Marine Corps, and the nominations of Robert J. Anderson and 109 other officers for permanent appointment or promotion in the Navy, which were confirmed today, were received by the Senate on April 27, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Charles R. Greene, Jr., the first name in the first group, which is shown on page 5587, and ending with the name of Debbie B. Smith, the last name of the second group, which is shown on page 5589.

SENATE

MONDAY, MAY 10, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Vasile Hategan, rector, St. Dumitru's Rumanian Orthodox Church, New York, N. Y., offered the following prayer:

O Lord, God of our forefathers, who by Thy inscrutable goodness and rich providence rulest all things, look down upon Thy servants who humbly bow their heads before Thy incomparable majesty and give thanks for all the blessings which Thou hast bestowed upon them. Send them the spirit of wisdom, of understanding, of piety and godly fear, so that in strength and steadfastness, they may obey Thy holy will and fulfill Thy divine purpose.

We beseech Thee, have mercy upon us and guide the United States of America and all the nations which have put their faith in Thee and look to our country for strength, courage, and hope. Deliver us and all God-fearing people from tribulation, wrath, danger, and necessity. Protect us from all adversaries and every hostile assault so we may help unite the world in a firmer fellowship, in peace and tranquillity.

We commend to Thy fatherly goodness all those peoples who are persecuted throughout the world. Grant them Thy grace, patience, and fortitude that they may be speedily delivered from bondage and tyranny. We especially remember the subjugated Rumanian people on this their day of independence and pray that they and the other oppressed peoples of the world may gain their freedom and liberties of old.

Receive, O God, this prayer of gratitude and supplication, so that we may glorify Thee above, now and forever, unto ages of ages. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 7, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 8, 1954, the President had approved and signed the following acts:

S. 364. An act for the relief of the Advance Seed Co., of Phoenix, Ariz.;

S. 893. An act for the relief of David T. Wright; and

S. 2247. An act to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 2033. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.; and

H. R. 4735. An act for the relief of Lt. Col. Richard Orme Flinn, Jr.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. LANGER, from the Committee on the Judiciary:

Alexander Bicks, of New York, to be United States district judge for the southern district of New York, vice Vincent L. Leibell, retired.

NOMINATION OF ROSZEL C. THOMSEN TO BE DISTRICT JUDGE, DISTRICT OF MARYLAND—EXECUTIVE REPORT OF A COMMITTEE

Mr. BUTLER of Maryland. Mr. President, from the Committee on the Judiciary, it is a very great privilege and pleasure for me to report the nomination of my good friend and colleague of the Maryland bar, Roszel C. Thomsen, to be a United States district judge in the State of Maryland. The Committee on the Judiciary has acted favorably upon the nomination.

The VICE PRESIDENT. The nomination will be received and placed on the Executive Calendar.

NOMINATION OF EDMUND L. PALMIERI TO BE DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK—EXECUTIVE REPORT OF A COMMITTEE

Mr. HENDRICKSON. Mr. President, from the Committee on the Judiciary, it gives me a great deal of pleasure to report favorably the nomination of Col. Edmund L. Palmieri, of New York, to be United States district judge for the southern district of New York, to fill a new position.

I say it gives me a great deal of pleasure to report the nomination, because I had the great privilege of serving with Colonel Palmieri in the now historic Italian campaign as the American Fifth Army moved up the boot of Italy. Colonel Palmieri is a great soldier and a

great citizen. He has a very distinguished record, and I know he will make an excellent judge.

The VICE PRESIDENT. The nomination will be received and placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

UNITED NATIONS

The Chief Clerk read the nomination of Morehead Patterson, of New York, to be deputy representative of the United States of America on the United Nations Disarmament Commission during the meetings of the subcommittee scheduled to begin at London, May 13, 1954.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Holland	Neely
Beall	Ives	Payne
Bowring	Johnson, Tex.	Purtell
Butler, Md.	Johnston, S. C.	Saltonstall
Case	Knowland	Schoeppel
Cordon	Langer	Smith, N. J.
Gillette	Mansfield	Thye
Green	Maybank	Watkins
Hayden	Monroney	Wiley
Hill	Murray	Young

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. LENNON], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The VICE PRESIDENT. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BARRETT, Mr. BENNETT, Mr. BRICKER, Mr. BRIDGES, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. CHAVEZ, Mr. CLEMENTS, Mr. COOPER, Mr. DANIEL, Mr. DIRKSEN, Mr. DUFF, Mr. DWORSHAK, Mr. EASTLAND, Mr. FERGUSON, Mr. FLANDERS, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GOLDWATER, Mr. HENDRICKSON, Mr. HICKENLOOPER, Mr. HOEY, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KERR, Mr. KILGORE, Mr. KUCHEL, Mr. LEHMAN, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MARTIN, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. POTTER, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON, Mr. WELKER, and Mr. WILLIAMS entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

REPORT OF RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

In compliance with the provisions of section 10 (b) (4) of the Railroad Retirement Act, approved June 24, 1937, and of section 12 (l) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I transmit herewith for the information of the Congress, the report of the Railroad Retirement Board for the fiscal year ended June 30, 1953.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 10, 1954.*

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON WORKING CAPITAL FUNDS, DEPARTMENT OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law a report on the financial condition of the working capital funds of the Department of Defense, as of June 30, 1953 (with an accompanying report); to the Committee on Armed Services.

TWO ADDITIONAL ASSISTANT SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE

A letter from the Assistant Secretary of Defense, transmitting a draft of proposed legislation to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively (with accompanying papers); to the Committee on Armed Services.

PROPOSED DEFENSE FACILITIES PROTECTION ACT OF 1954

A letter from the Attorney General, transmitting a draft of proposed legislation relating to the Defense Facilities Protection Act of 1954 (with accompanying papers); to the Committee on the Judiciary.

PROPOSED COMMUNIST-INFILTRATED ORGANIZATIONS ACT OF 1954

A letter from the Attorney General, transmitting a draft of proposed legislation relating to the Communist-Infiltrated Organizations Act of 1954 (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered in the cases of certain aliens who have been found admissible into the United States under section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from Fritz H. Kuck, Jr., of Charleston, S. C., relating to allegcd discrimination against veterans at the Charleston Naval Ship Yard; to the Committee on Armed Services.

Resolutions adopted by the House of Delegates of the National Association of Pro America, at Fort Worth, Tex., protesting against the raising of the national debt, and so forth; to the Committee on Finance.

A letter from the mayor of Philadelphia, Pa., transmitting a copy of a declaration of the mayors of 16 cities, relating to an adequate housing program; to the Committee on Banking and Currency.

A resolution adopted by Carquinez Parlor 310, Native Daughters of the Golden West, Crockett, Calif., protesting against the admission of Red China into the United Nations; to the Committee on Foreign Relations.

A resolution adopted at a mass meeting held on the anniversary of the adoption of the Polish Constitution, in Lackawanna, N. Y., relating to the liberation of Poland; to the Committee on Foreign Relations.

A letter in the nature of a memorial from Geo. Barnett, of Parkersburg, W. Va., relating to proceedings before the subcommittee of the Committee on Government Operations; to the Committee on Rules and Administration.

A letter in the nature of a memorial from the vice chairman of the Legislative Assembly of the Virgin Islands, Charlotte Amalie, St. Thomas, V. I., remonstrating against some of the provisions contained in the draft of the Organic Act for the Virgin Islands recommended by the subcommittee on Interior and Insular Affairs of the House of Representatives; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BRIDGES (for Mr. MCCARTHY), from the Committee on Appropriations:

H. R. 7893. A bill making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes; with amendments (Rept. No. 1286).

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 66. A bill for the relief of Guillermo Pedraza (Rept. No. 1288);

S. 1702. A bill for the relief of Emilia Pavan (Rept. No. 1289);

S. 1841. A bill for the relief of Carlo (Adiutore) D'Amico (Rept. No. 1290);

S. 1860. A bill for the relief of Amalia Sandrovic (Rept. No. 1291);

S. 2450. A bill for the relief of Lt. Hayden R. Ford (Rept. No. 1292);

H. R. 1167. A bill for the relief of W. A. Sampsel (Rept. No. 1293);

H. R. 2696. A bill to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy (Rept. No. 1294);

H. R. 3349. A bill for the relief of Mrs. Margarete Burdo (Rept. No. 1295);

H. R. 4135. A bill for the relief of George Telegdy and Julia Peyer Telegdy (Rept. No. 1296);

H. R. 4475. A bill for the relief of Curtis W. McPhail (Rept. No. 1297);

H. R. 4864. A bill for the relief of Mrs. Hildegard Noel (Rept. No. 1298);

H. R. 5090. A bill for the relief of Mrs. Magdalene Zarnovski Austin (Rept. No. 1299);

H. R. 5961. A bill for the relief of Marianne Schuster Dawes (Rept. No. 1300);

H. R. 6563. A bill for the relief of Zdzislaw (Jerzy) Jazwinski (Rept. No. 1301);

H. R. 6647. A bill for the relief of Yoko Kagawa (Rept. No. 1302);

H. R. 6754. A bill for the relief of Mrs. Hooey Shee Eng (Rept. No. 1303);

H. R. 7452. A bill for the relief of Therese Boehner Soisson (Rept. No. 1304); and

H. R. 7460. A bill to pay Warren P. Hoover for services rendered the Army of the United States (Rept. No. 1311).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 884. A bill for the relief of Arthur Sroka (Rept. No. 1305);

S. 1129. A bill for the relief of Jozo Mandic (Rept. No. 1306);

S. 1807. A bill for the relief of William Jeffrey Jonas (Rept. No. 1307);

S. 1882. A bill for the relief of Antonio Jacoe (Rept. No. 1308);

H. R. 3191. A bill conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California (Rept. No. 1309); and

H. R. 3725. A bill for the relief of Curtis W. Strong (Rept. No. 1310).

By Mr. DIRKSEN, from the Committee on the Judiciary:

S. 2420. A bill to amend section 32 of the Trading With the Enemy Act, as amended; with amendments (Rept. No. 1285).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 2910. A bill providing for the creation of certain United States judgeships, and for other purposes; with amendments (Rept. No. 1312).

PLEDGE OF ALLEGIANCE TO THE FLAG—REPORT OF A COMMITTEE

Mr. FERGUSON. Mr. President, on behalf of the chairman of the Committee on the Judiciary, the Senator from North Dakota [Mr. LANGER], I report favorably, with an amendment, Senate Joint Resolution 126, amending the joint resolution of June 12, 1942, with respect to the pledge of allegiance to the flag; and I submit thereon a report (No. 1287) thereon. The joint resolution, as reported, would amend the pledge of allegiance to the flag by adding to the present pledge the words "under God, indivisible." The pledge of allegiance as thus amended will read:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mr. President, I hope the joint resolution will receive early consideration by the Senate.

I ask unanimous consent that the report be printed in the RECORD.

The PRESIDING OFFICER (Mr. THYE in the chair). The report will be received and the joint resolution will be placed on the calendar, and, without objection, the report will be printed in the RECORD.

The report is as follows:

The Committee on the Judiciary, to which was referred the resolution (S. J. Res. 126) amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag, having considered the same, reports favorably thereon, with an amendment, and recommends that the resolution, as amended, be agreed to.

PURPOSE

The purpose of the proposed legislation is to amend the pledge of allegiance to the flag so as to make it read, in appropriate part, "one Nation under God, indivisible,".

STATEMENT

Since the introduction of this resolution the committee and a great number of individual Members of the Senate have received communications from all over the United States endorsing enactment of the resolution.

The most cogent and compelling reasons for the passage of the resolution have been submitted to the committee by way of a letter addressed to the chairman of the committee by the author of the resolution. This letter is set forth below and is adopted as a part of this report for the information of the Senate:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
March 10, 1954.

Senator WILLIAM LANGER,
Chairman, Senate Judiciary Committee, Washington, D. C.

MY DEAR MR. CHAIRMAN: In connection with the committee's consideration of Senate Joint Resolution 126, which amends the pledge of allegiance by adding the words "under God," I wish to submit the following information which may be of assistance to the committee.

Our forefathers recognized and gave voice to the fundamental truth that a government deriving its powers from the consent of the governed must look to God for divine leadership. America's first instrument of government, the Mayflower Compact, signed in 1620, invoked the name of God in the first sentence.

The Declaration of Independence declares that the laws of nature and nature's God entitle the United States to freedom. That great statement points out that men are endowed by their Creator with unalienable rights and then appeals to the supreme judge of the world that this Nation be free.

Throughout our history, the statements of our great national leaders have been filled with reference to God. Our Presidents have not failed to recognize the supremacy of God in our national destinies.

It was during the Presidency of Abraham Lincoln that Congress passed the act directing that the inscription "In God We Trust" be minted on our coins (31 U. S. C. 324). This statement of faith has appeared on billions of coins minted during the last 90 years.

The archives indicate that on November 20, 1861, the then Secretary of the Treasury wrote the Director of the Mint, stating, in part: "No nation can be strong except in the strength of God or safe except in His defense. The trust of our people in God should be declared on our national coins."

If this declaration is desirable on our coins, is it not greatly more appropriate in relation to the pledge of allegiance to our flag and country?

Introduction of this joint resolution was suggested to me by a sermon given recently by the Rev. George M. Docherty, of Washington, D. C., who is pastor of the church at which Lincoln worshipped. Dr. Docherty discussed the Pledge of Allegiance in these words:

"I could sit down and brood upon it, going over each word slowly in my mind. And I came to a strange conclusion. There was something missing in the pledge, and that which was missing was the characteristic and definitive factor in the American way of life. Indeed, apart from the mention of the phrase, 'the United States of America,' it could be the pledge of any republic. In fact, I could hear little Moscovites repeat a similar pledge to their hammer-and-sickle flag in Moscow with equal solemnity. Russia is also a republic that claims to have overthrown the tyranny of kingship. Russia also claims to be indivisible."

Dr. Docherty's remarks highlight one of the greatest differences between the free world and the Communists, a belief in God. The spiritual bankruptcy of the Communists is one of our strongest weapons in the struggle for men's minds and this resolution gives us a new means of using that weapon.

Adoption of the resolution would in no way run contrary to the provisions of the first amendment to the Constitution. This is not an act establishing a religion. A distinction exists between the church as an institution and a belief in the sovereignty of God. The phrase "under God" recognizes only the guidance of God in our national affairs, it does nothing to establish a religion. Neither will this resolution violate the right of any person to disbelieve in God or reject the existence of God. The recognition of God in the pledge of allegiance to the flag of our Nation does not compel any individual to make a positive affirmation in the existence of God in whom one does not believe.

Since introducing the resolution, I have received expressions of support for it from people of all faiths from all sections of the Nation. Spiritual values are every bit as important to the defense and safety of our Nation as are military and economic values, and I believe passage of the resolution will enable us to strike another blow against those who would enslave us.

With best wishes.

Sincerely,

HOMER FERGUSON.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Section 7, Public Law 623 (77th Cong., 56 Stat. 377, as amended)

"SEC. 7. That the pledge of allegiance to the flag, 'I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, [one Nation indivisible,] *one Nation under God, indivisible,* with liberty and justice for all', be rendered by standing with the right hand over the heart; extending the right hand, palm upward, toward the flag at the words 'to the flag' and holding this position until the end, when the hand drops to the side. However, civilians will

always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute."

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 3424. A bill for the relief of Anneliese Hofmann; and

S. 3425. A bill for the relief of Evangelia Antoniades Jordan; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 3426. A bill to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FERGUSON:

S. 3427. A bill to provide a machinery to liquidate Communist-controlled organizations which are in a position to affect adversely the national defense or security; and

S. 3428. A bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage or other subversion; to the Committee on the Judiciary.

(See the remarks of Mr. FERGUSON when he introduced the above bills, which appear under separate headings.)

By Mr. McCARRAN:

S. 3429. A bill to authorize the assessment of costs and reasonable attorneys' fees against the United States in certain appellate proceedings; to the Committee on the Judiciary.

By Mr. CASE:

S. J. Res. 155. Joint resolution proposing an amendment to the Constitution of the United States providing for a term of 4 years for Members of the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. CASE when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AMENDMENT TO THE CONSTITUTION PROVIDING FOUR-YEAR TERMS FOR MEMBERS OF HOUSE OF REPRESENTATIVES

Mr. CASE. Mr. President, both in the 82d Congress and the 83d Congress, I introduced joint resolutions proposing a constitutional amendment, one section of which would provide for the filling of temporary vacancies in the House of Representatives, while the other section would provide for a term of 4 years for Members of the House of Representatives.

In view of the fact that I understand the Committee on the Judiciary is reporting a joint resolution introduced by the distinguished majority leader, the Senator from California [Mr. KNOWLAND], on the first subject, namely, that of providing for the filing of vacancies in the House, I now introduce a joint resolution for appropriate reference, which deals with the second part of the constitutional amendment I have proposed, namely, the provision for a 4-year term for Members of the House of Representatives.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 155) proposing an amendment to the Constitution of the United States providing for a term of 4 years for Members of the House of Representatives, introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on the Judiciary.

FELICITATIONS TO NEW YORK STATE AND ITS BOARD OF REGENTS

Mr. IVES submitted the following concurrent resolution (S. Con. Res. 81), which was referred to the Committee on the Judiciary:

Whereas 170 years ago, in 1784, the Legislature of the State of New York established the board of regents of the University of the State of New York as the first State board of education in our Nation; and

Whereas 100 years ago, in 1854, the New York State Department of Public Instruction was established, marking the beginning of increased recognition of the basis of free public schools for all; and

Whereas 50 years ago, in 1904, the Board of Regents of the University of the State of New York and the New York State Department of Public Instruction were joined by the Unification Act which established the present New York State Education Department and introduced the modern era of educational administration in the State of New York under the board of regents; and

Whereas in New York State there has evolved over the past 170 years a system of education unique in our country and without peer throughout the rest of the world, providing a steady expansion of opportunity for the education of our citizens and a continuing elevation of the standards in education: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Government of the people of the United States join with all others in felicitating and congratulating New York State and its board of regents on the anniversary of the founding of the board of regents and on the other two anniversaries now being observed in New York State as significant milestones in the history of American education.

DISTRIBUTION OF FISHERY PRODUCTS—AMENDMENTS

Mr. AIKEN. Mr. President, I submit amendments intended to be proposed by me to the bill (S. 2802) to further encourage the distribution of fishery products, and for other purposes. I ask that the amendments be printed, and lie on the table.

Mr. MAYBANK. Mr. President, did the Senator say the amendments relate to fisheries?

Mr. AIKEN. Yes; they are amendments to provide the money, for which those interested are asking, for the purpose of promoting fisheries research without raiding section 32 funds which are appropriated to the Department of Agriculture.

Mr. MAYBANK. I thank the Senator.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

TRANSPORTATION OF FIREWORKS—AMENDMENT

Mr. McCARRAN. Mr. President, I submit an amendment intended to be proposed by me to the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, when this bill comes before the Senate for consideration.

The purpose of this amendment is to make the effective date of the bill September 1, 1954.

I have picked this date with the purpose in mind of allowing a minimum of 90 days after enactment of the legislation before it becomes effective. This bill has already passed the House, and I think the House probably will accept the Senate amendment. That would mean the bill would become law the latter part of May. If there is to be substantial postponement of enactment of the legislation, then I would favor moving the effective date still farther ahead, so as to preserve the 90-day minimum between the day of approval of the act and the date on which it is to go into effect.

There are several reasons for this. They can all be summed up by saying that some minimum period of time is required for transition in the fireworks industry.

Some manufacturers of fireworks and some fireworks distributors, I am advised, will choose to go out of business rather than comply with the new law. That is all right with me. I am content that they should go out of business. But I think it is only fair to allow them a reasonable minimum within which to put their affairs in order and get out of business in an orderly manner.

Those companies which stay in business, especially those which are engaged in distribution over wide areas, will have very substantial obligations under the new legislation. They will have to become familiar, for instance, either through their own legal departments or through their trade association, with the laws respecting fireworks which are in force in each of the different States. In many cases, established customs and practices with respect to the handling and advertising and shipping of fireworks, and possibly in connection with the manufacture as well, will have to be changed. I do not believe it is right to make the bill effective and to impose all these obligations immediately upon enactment of the bill. We should only be trapping a great many good persons into law violations.

I desire to make it clear that I have supported House bill 116; I had a hand in smoothing the way for the bill in the Committee on the Judiciary; and I do not desire to delay its enactment. This amendment is offered in good faith, and in order to give those who will be affected by the proposed law an opportunity either to take themselves out of the field of its effectiveness, or bring themselves into compliance with its provisions.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

TAX-EXEMPT MUNICIPAL BONDS—LETTER FROM CITY COMPTROLLER OF MILWAUKEE, WIS.

Mr. WILEY. Mr. President, on numerous occasions I have taken up with the Senate the problem of State and municipal home rule, and preservation of their financial basis from encroachment by the Federal Government. I send to the desk an important communication which I have received from the city comptroller of Milwaukee on one of the provisions of the omnibus tax revision bill, H. R. 8300. I believe that it merits the most careful consideration by the Members of the Senate, and I ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF MILWAUKEE,
COMPTROLLER'S OFFICE,
City Hall, May 6, 1954.

The Honorable ALEXANDER WILEY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Mayor Frank P. Zeidler has requested that I present to you the view of the city of Milwaukee on paragraph No. 274 of the general tax revision bill that is now before the Senate for consideration. The bill proposes that rent paid for the use of municipally owned structures financed with revenue bonds shall be considered ineligible as business expense deductions.

This provision cannot be considered as a revenue measure. Its sole purpose is to prevent the use of revenue bonds by States and municipalities in the financing of buildings or facilities for lease for "manufacturing" articles. The term "manufacturing" has been broadly construed in the House of Representatives. Opposition to paragraph 274 should not be considered as an endorsement of the practice it attempts to prohibit. Rather, the city of Milwaukee is opposed to the measure because it attempts to accomplish by indirect methods what the Federal Government cannot and, more importantly, should not attempt to do by direct methods—namely, specify the purposes for and means by which municipalities may seek to finance certain types of projects.

Although the unconstitutional features of direct Federal taxation or prohibition of this type of municipal bond have been removed through the use of the device contained in paragraph 274, the bill nevertheless violates the principle of State and municipal home rule and the spirit if not the letter of the Constitution.

The city of Milwaukee objects to the basic principles of paragraph 274 because they represent merely the first step in the undermining of tax-exempt municipal bonds not only of this type and for this purpose but also of other types used for other purposes. If the Federal Government can prevent the use of municipal revenue bonds for industrial development purposes through the use of its tax power, it can also prevent the use of general obligation bonds for these purposes. If it can prevent the use of revenue bonds for manufacturing purposes, it can likewise prevent the use of revenue bonds for toll roads or other purposes through a device similar to the one used in paragraph 274. In short, we are opposed to the measure because we are opposed to Federal supervision of municipal government—a function that belongs only to the States.

We therefore request that you take every action possible to prevent the passage of this paragraph of the general tax revision bill into law.

Respectfully,

VIRGIL H. HURLESS,
City Comptroller.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KUCHEL:

Statement prepared by him dealing with a celebration to be held on May 16, 1954, at Anaheim, Calif., in commemoration of Capt. (Ch. C.) William A. McGuire, United States Navy, retired.

THE ISSUES AT GENEVA

Mr. SMITH of New Jersey. Mr. President, as we all know, on last Friday night the Secretary of State delivered an important nationwide address over a radio and television hookup, entitled "The Issues at Geneva." I feel that it is such an important statement of our foreign policy that the address should appear in the body of the RECORD in connection with my remarks. I ask unanimous consent that that be done.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ISSUES AT GENEVA

I welcome this opportunity to talk with you about the Conference now going on in Geneva and the related aspects of our foreign policy.

First of all, I join with you in paying tribute to the gallant defenders of Dien Bien Phu. May it be given us to play a worthy part to defend the values for which they gave their lives.

This week I returned from the Geneva Conference. My return was not connected with any developments at the Conference. As long ago as last February when the Conference was called, I said I would attend only the opening sessions, and then have my place taken by the Under Secretary of State, General Bedell Smith. He is highly qualified to head our delegation at Geneva.

Since the Conference may last for some weeks, I did not feel able to stay with it that long. I have been out of the United States during much of the last 6 months to attend the Bermuda Conference, the Berlin Conference, the Caracas Conference, and two NATO Council meetings in Paris. These meetings strengthen the links with our allies and enable us to present the position of the United States to others. But the Secretary of State must also keep in close touch with our own people and with the Congress. In order to exercise our full influence in foreign affairs, the Government must have the understanding and support of the American people for its policies.

The Geneva Conference has two tasks. The first is to try to find a way to unify Korea. The second task is to discuss the possibility of restoring peace in Indochina.

The Soviet delegation, however, has sought to use the Conference for other purposes. By various devices, it has tried to create the false impression that this meeting accepted Red China as one of five great powers or conferred on it a new international status.

Both of these issues had been fought out in connection with calling the Conference and the Soviets had then conceded that the Conference would not be a five-power affair nor involve any recognition for Red China. We and our allies stood firmly and solidly on that position and the Soviets ended by accepting it.

By the time I left Geneva, the Korean phase of the Conference had been organized and was well underway. I will speak first of that, and then of Indochina where the fighting is still active and where the question of possible United States participation has to be considered.

For many years Korea has been the pawn of great powers. Russia, Japan, and China have abused and exploited Korea and kept its peoples in servitude. The Koreans now want only to be united and free and left alone. Yet, in fact, Korea is divided, and North Korea lives under the Chinese Communist yoke. In all decency it would seem that the Communists should allow the Korean people at long last to live their own lives and to satisfy their aspirations for freedom.

When the Geneva Conference was organized, the Communists put up their program for uniting Korea. Unhappily it was not a program to satisfy the desires of the Korean people for unity and freedom. It was, as President Eisenhower said, "a Chinese copy" of the Soviet scheme for the unification of Germany. Their idea is to have elections so set up that the Communists can dictate the outcome and thus impose their rule upon the whole country.

In the case of Germany, the Communists controlled Eastern Germany, with about one-fourth of the total German population. In the case of Korea, they control about one-sixth of the total Korean population. They insist, however, in both cases, that this gives them the right to equal participation in determining the election conditions. Also, they stipulate that there must be no impartial supervision or observation of the elections to be sure that they are fair and free of coercion.

The Communists feel confident that under these conditions they can make their candidates seem to win.

This scheme, when offered for Germany, was turned down by the Federal Republic of Germany and by the three Western Powers at Berlin. The same scheme is equally objectionable for Korea.

I can assure you that the United States delegation will do all that lies within its power to promote, by peaceful means, the independence and freedom and unity of Korea.

More than 140,000 Americans were killed or wounded under the United Nations Command to keep Korea from being overrun by armed invasion. I promise you that we shall not surrender at the council table at Geneva the freedom for which so many fought and died.

We are pressing the Communists to accept honest elections which will be supervised by responsible outside observers, who will assure a really free election. Whether the Communists accept that remains to be seen. If they would, then I think that Korea could be unified.

THE PROBLEM OF SOUTHEAST ASIA

Let me turn now to the problem of southeast Asia. In that great peninsula and the islands to the south live nearly 200 million people in 8 States—Burma; the 3 States of Indochina—Laos, Cambodia, and Vietnam; Thailand; Malaya; and Indonesia. Communist conquest of this area would seriously imperil the free-world position in the Western Pacific. It would, among other things, endanger the Philippines, Australia, and New Zealand, with all of which the United States has mutual-security treaties. It would deprive Japan of important foreign markets and sources of food and raw materials.

In Vietnam, one of the three Indochinese States, war has been going on since 1946. When it began, Indochina was a French colony just liberated from Japanese occupation. The war started primarily as a war for independence. What started as a civil war has now been taken over by international communism for its own purposes. Ho Chi Minh, the Communist leader in Vietnam, was trained in Moscow and got his first revolutionary experience in China.

In the name of nationalism, the Communists aim to deprive the people of Vietnam of their independence by subjecting them to the new imperialism of the Soviet bloc.

What is going on in Indochina is a perfect example of the Soviet Communist strategy for colonial and dependent areas which was laid down by Lenin and Stalin many years ago and which the Communists have practiced to take over much of Asia.

The Indochina area was vulnerable. The Governments of Vietnam, Laos, and Cambodia had not yet received full political independence. Their peoples were not adequately organized to fight against the Communist-led rebels, and they did not feel that they had a stake in the struggle which justified great sacrifice.

President Eisenhower became familiar with the problem when he was the Supreme Commander of NATO in Europe. He had seen the strain and the drain which the Indochina war put upon France. He was aware of the growing discontent in France resulting from the long war where the French were assuming the principal burden of the fight and where human and material costs were mounting.

I recall in December 1952 when General Eisenhower, as President-elect, was returning from his Korean trip on the cruiser *Helena*, we discussed gravely the problem of Indochina.

We realized that if Vietnam fell into hostile hands, and if the neighboring countries remained weak and divided, then the Communists could move on into all of southeast Asia. For these reasons, the Eisenhower administration from the outset gave particular attention to the problem of southeast Asia.

Our efforts took two complementary lines. We sought to strengthen the resistance to communism in Indochina. We sought also to build in southeast Asia a broader community of defense.

INDOCHINA MEASURES

In Indochina itself, the following steps seemed to us important:

1. The French should give greater reality to their intention to grant full independence to Vietnam, Laos, and Cambodia. This would take away from the Communists their false claim to be leading the fight for independence.

2. There should be greater reliance upon the national armies who would be fighting in their own homeland. This, we believed, could be done if the peoples felt that they had a good cause for which to fight and if better facilities for training and equipment were provided for them.

3. There should be greater free-world assistance. France was carrying on a struggle which was overburdening her economic resources.

Much progress was made in each of these respects. The French declaration of July 3, 1953, pledged full independence to Vietnam, Laos, and Cambodia. Already a treaty of independence has been concluded with Laos, and Emperor Boa Dai told me, in Paris, 2 weeks ago, that he felt that Vietnam was assured of its independence.

On the military side, a 2-year plan was worked out by General Navarre. It was designed to speed the training of native forces.

The cost of this operation would be considerable. The United States, which was already paying part of the cost of the war, agreed to bear the greater part of the total cost. We are now paying at the rate of about $800 million a year, plus a very large provision of military equipment.

Despite the gains on these fronts, there has been a growing belief by the French people that France was overextended, in view of its responsibilities in Asia, in Africa, and in Europe. As a result, when I met in Berlin last January and February with the Foreign Ministers of France, Great Britain, and the Soviet Union, the French Government asked that the projected conference on Korea be expanded to discuss also the problem of peace in Indochina.

Shortly after the Berlin conference adjourned, the Communists, as was to be expected from them, began to expend their military assets, human and material, in a desperate effort to win some victory which they would exploit for political purposes. They concentrated on a mass assault against one of the French outposts—that of Dien Bien Phu. That assault was pushed with a callous disregard of human life.

Now, Dien Bien Phu has fallen. Its defense, of 57 days and nights, will go down in history as one of the most heroic of all time. The defenders, composed of French and native forces, inflicted staggering losses on the enemy. The French soldiers showed that they have not lost either the will or the skill to fight even under the most adverse conditions. It shows that Vietnam produces soldiers who have the qualities to enable them to defend their country.

An epic battle has ended. But great causes have, before now, been won out of lost battles.

The Chinese Communists have been supplying the forces of Viet Minh rebels with munitions, trucks, antiaircraft guns, radar, and technical equipment and technical advisers. They have, however, stopped short of open intervention. In this respect, they may have been deterred by the warnings which the United States has given that such intervention would lead to grave consequences which might not be confined to Indochina.

COLLECTIVE DEFENSE

Throughout this period the United States has also followed the second course of trying to develop strength in southeast Asia through collective measures.

Back in 1951, I negotiated treaties with the Philippines, Australia, and New Zealand. These recognized that this area was one of vital importance to the United States. These treaties also recognized that they were only initial steps toward the development of a more comprehensive system of collective security in the area.

This we have constantly sought. However, it has proved difficult to achieve this result. There were differences of race and culture and differences in the development of national self-government. The countries which had won or were winning their independence from western colonialism and Japanese imperialism were often more concerned with past dangers from which they were extricating themselves than with the threat of new peril. The memories of the past blinded them to the present perils of Communist imperialism. They were not disposed to make the sacrifices inherent in any collective security system.

However, this situation began to change and by the spring of this year it seemed that there could be a broader program of collective defense.

On March 29, 1954, after consultations with congressional leaders of both parties, and after having advised our principal allies, I stated: "The imposition on southeast Asia of the political system of Communist Russia and its Chinese Communist ally, by whatever means, would be a grave threat to the whole free community. The United States feels that that possibility should not be passively accepted, but should be met by united action."

This declaration was nothing new, although the circumstances of the moment gave the words a new significance.

President Eisenhower speaking almost a year earlier, in his address of April 16, 1953, had said that "aggression in Korea and in southeast Asia are threats to the whole free community to be met by united action."

After having explained our purposes to the American people, we promptly conferred with the representatives of nine free nations having immediate interest in the area, namely Vietnam, Laos, Cambodia, Thailand, the Philippines, Australia, New Zealand, France, and the United Kingdom. We informed others whose interests could be affected.

The Governments of the United Kingdom and of France asked me to visit their capitals to develop further our concept. After conferences at London on April 12 and 13 with Sir Winston Churchill and Mr. Eden, we issued a joint United States-United Kingdom communique which, after reciting the danger to the entire area of southeast Asia and the Western Pacific caused by Communist warfare in Indochina, concluded: "Accordingly we are ready to take part, with the other countries principally concerned, in an examination of the possibility of establishing a collective defense within the framework of the Charter of the United Nations to seek the peace, security, and freedom of southeast Asia and the Western Pacific."

A similar agreement was reached in Paris with Prime Minister Laniel and Foreign Minister Bidault.

The progress thus made was that which the United States had sought. We had never sought any sudden spectacular act such as an ultimatum to Red China. Our goal was to develop a basic unity of constructive purpose. We advanced toward that goal. I feel confident that unity of purpose persists, and that such a tragic event as the fall of Dien Bien Phu will harden, not weaken, our purpose to stay united.

The United States and other countries immediately concened are giving careful consideration to the establishment of a collective defense. Conversations are taking place among them. We must agree as to who will take part in the united defense effort and what their commitments will be.

It must be recognized that difficulties have been encountered, but this was expected. The complexity of the problem is great. As I have pointed out, the complications were such that it was not possible even to get started until recent months. Under all the circumstances, I believe that good progress is being made. I feel confident that the outcome will be such that Communist aggression will not be able to gain in southeast Asia the results it seeks.

This may involve serious commitments by us all. But free peoples will never remain free unless they are willing to fight for their vital interests. Furthermore, vital interests can on longer be protected merely by local defense. The key to successful defense and to the deterring of attack is association for mutual defense. That is what the United States seeks in southeast Asia.

The question remains as to what we should do about the current hostilities in Viet Nam.

In Korea we showed that we were prepared under proper conditions to resort to military action, if necessary, to protect our vital interests and the principles upon which stable peace must rest.

In Korea, we, along with others, joined in the defense of an independent government, which was already resisting an armed assault. We did so at the request of the Republic of Korea and under a United Nations mandate. The Korean people were inspired by a deep sense of patriotism and eager to develop a

power of their own. The issues were clarified before the world by decisions of the United Nations. Under these circumstances, we and our allies fought until the enemy sued for an armistice.

In Indochina the situation is far more complex. The present conditions there do not provide a suitable basis for the United States to participate with its Armed Forces.

The situation may perhaps be clarified as a result of the Geneva Conference. The French have stated their desire for an armistice on honorable terms and under proper safeguards. If they can conclude a settlement on terms which do not endanger the freedom of the peoples of Viet Nam, this would be a real contribution to the cause of peace in southeast Asia. But we would be gravely concerned if an armistice or cease-fire were reached at Geneva which would provide a road to a Communist takeover and further aggression. If this occurs, or if hostilities continue, then the need will be even more urgent to create the conditions for united action in defense of the area.

In making commitments which might involve the use of armed force, the Congress is a full partner. Only the Congress can declare war. President Eisenhower has repeatedly emphasized that he would not take military action in Indochina without the support of Congress. Furthermore, he has made clear that he would not seek that unless, in his opinion, there would be an adequate collective effort based on genuine mutuality of purpose in defending vital interests.

A great effort is being made by Communist propaganda to portray it as something evil if Asia joins with the nations of the Americas and Europe to get assistance which will help the peoples of Asia to secure their liberty. These Communist nations have, in this connection, adopted the slogan "Asia for the Asians."

The Japanese war lords adopted a similar slogan when they sought to subject Asia to their despotic rule. The similar theme of "Europe for Europeans" was adopted by Mr. Molotov at the Berlin Conference when he proposed that the Europeans should seek security by arrangements which would send the United States back home.

Great despotic powers have always known that they could impose their will and gain their conquests if the free nations stand apart and none helps the other.

It should be observed that the Soviet Communist aggression in Europe took place only against countries which had no collective security arrangements. Since the organization of the North Atlantic Treaty, there has been no successful aggression in Europe.

Of course, it is of the utmost importance that the United States participation in creating collective security in Asia should be on a basis which recognizes fully the aspirations and cultures of the Asian peoples. We have a material and industrial strength which they lack and which is an essential ingredient of security. Also they have cultural and spiritual values of their own which make them our equals by every moral standard.

The United States, as the first colony of modern history to win independence for itself, instinctively shares the aspirations for liberty of all dependent and colonial peoples. We want to help, not hinder, the spread of liberty.

We do not seek to perpetuate western colonialism and we find even more intolerable the new imperialist colonialism of communism.

That is the spirit that animates us. If we remain true to that spirit, we can face the future with confidence that we shall be in harmony with those moral forces which ultimately prevail.

RUMANIA'S INDEPENDENCE DAY

Mr. SALTONSTALL. Mr. President, 77 years ago—on May 10, 1877, during the Russo-Turkish War—Rumania proclaimed its independence from Turkey. Rumania is an old nation, dating back to A. D. 101 with the Roman colonization of the Dacian Kingdom. The modern nation of Rumania dates from January 24, 1859, when the principalities of Wallachia—Muntenia—and Moldavia were united.

Today, May 10, 1954, Rumanians throughout the world are commemorating their country's independence, unification and regality, which took place 77 years ago.

We in America, who cherish our own Independence Day, fully realize what independence means to a nation. Liberty and union are two words of special significance to all freedom-loving and peace-loving nations of the world. Liberty—the determination of a free people to remain free—and union—the coordinated efforts of a people to stand strongly united behind their nation at all times—are goals toward which Rumanians are ceaselessly working.

We can only hope and pray that for the Rumanian people there will be a speedy return to real independence, peace, and freedom of worship, as they today dedicate May 10 as the symbol of their country's independence, unification, and regality.

Mr. GREEN. Mr. President, I request unanimous consent to have printed in the body of the RECORD a copy of an address which I delivered in Detroit, Mich., on Sunday, May 9, in connection with Rumanian Independence Day.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR GREEN, MAY 9, 1954, DETROIT, MICH., ON THE OCCASION OF RUMANIAN INDEPENDENCE DAY

Mr. Chairman, Governor Williams, Reverend Fathers, my colleague Senator FERGUSON and my former colleague, Blair Moody, officers and members of the Rumanian-American National Committee, it is a pleasure for me to be here with you good Americans of Rumanian descent and to have at my side Blair Moody. He and I are fellow alumni of Brown University and we have been good friends ever since he was initiated into my college fraternity—Psi Upsilon.

Tomorrow, May 10, is a great date in Rumanian history. On that date in 1866 Prince Carol, who was to become King Carol I, arrived in Rumania and the existence of the Rumanian Kingdom was proclaimed. On the same date 11 years later in 1877, Rumania gained her full independence. And, again on the same date 40 years later in 1917, the unification of all Rumanian provinces took place. This day is, therefore, more than the anniversary of one specific event. It is a holiday on which we celebrate both the birth and growth of a nation which through the centuries has played a leading role in the cultural, political, and social development of the Western World.

Our celebration of May 10 is, however, not a wholly joyous occasion. For I am certain that as we are gathered here the thoughts uppermost in your minds, as in mine, are of the tragic lot that has now overtaken Rumania. The forward march of the Rumanian people has come to a stop under Communist rule. The Soviet Union has annexed much of Rumanian territory, and the puppet government of Gheorghin-Dej, aided by Soviet agents and secret police, is attempting to destroy the very fiber of the nation.

The Communists are doing everything in their power to crush the spirit of the Rumanian people. The traditional freedom of thought and of expression no longer exists. Since 1948, the Rumanian Orthodox Church has been suppressed. All Roman Catholic bishops and almost all priests are at present in prison. For the past 10 years, the Soviet Union has been carrying out a policy of economic plunder. Under the guise of the "Sovroms," supposed joint Soviet-Rumanian companies, the Russian Government has been robbing Rumania of her mineral wealth and the rich yield of her fertile soil. This policy of plunder has become so evident that even the Communist Deputy Foreign Minister could not deny it when an American newspaperman asked him to compare what Russia was taking out of Rumania with what she was sending into Rumania.

Probably the most vicious of Communist tactics have been the attacks made upon the family. We in America had a sample of exactly what this means when Soviet agents approached Mr. Georgesco and threatened that unless he did their bidding his sons would be killed. This case, which caused such great concern among us, typified what has become an everyday occurrence behind the Iron Curtain. Children are taken away from their parents, husbands are separated from their wives, in a ruthless effort to demoralize the population to such a point that it will no longer be able to resist Soviet rule.

However, Soviet attempts to bludgeon the Rumanian people into obedience have failed. As was the case with Mr. Georgesco, Rumanians have withstood the terrible pressures applied against them. Just as Mr. Georgesco's courage resulted in the return of his sons, so the courage of all Rumanians will we hope result in the restoration of the independence of their country.

There are many signs of the Soviet failure to intimidate the Rumanian people. Since Rumania is a predominantly agricultural country, the Soviets have expended a great deal of their energies in appealing to the farmers to turn against their more prosperous neighbors and abandon their farms in favor of the "kolhoz." But the Rumanian farmers have stood solidly together, and in spite of the tremendous taxes which have been levied on them and the fact that a large portion of their crop has been taken away from them by the government, they have resisted collectivization. By a ministerial decree, Rumanian workers are now bound to their jobs, and are in fact serfs rather than free laborers. But this stringent measure, intended to frighten the workers, has only served to intensify their opposition to communism.

Numerous purges have taken place among the Rumanian journalists, professors, and artists, and other professional men and women, yet the Communists have not been able to force any cooperation from the intelligentsia. All outstanding Rumanian writers, who had in the past made rich contributions to our literature, are now demonstrating their hatred of communism by the only means available to them—a silence which is as full of meaning as any anti-Communist book ever written could be.

We, of course, had good reasons to feel that Rumanians would oppose communism, for the people of that country have always remained true to their democratic heritage. But the extent and effectiveness of their opposition are greater than could have been expected of even so courageous a nation as Rumania.

However, while we take heart from the knowledge that the Soviets are failing in Rumania, and while we pay tribute to the brave men and women who are responsible

for this failure, we must dedicate ourselves to one chief purpose. It is that of extending all possible aid and protection to the Rumanian people. For while we all work and pray and wait for the time when Rumania will be freed from Soviet rule, a struggle goes on between the Rumanian people and their masters. The Rumanians are suffering and dying in this struggle to maintain their culture and their nation. We must never forget this, and we must support them now with something more substantial than declarations of our faith that one day they will again become free.

Firstly, it should be the dedicated purpose of us citizens of this free United States of America to exert constant pressure upon the Soviets to change their present policy of brutality in the subjugated countries. We can do this by ratifying the Genocide Convention (an international law declaring all measures aimed at the destruction of a nation to be illegal), and by exposing all such Soviet acts as deportations, mass executions, and attacks on the church and the family. In this way we can marshal world public opinion to such an extent that the Soviets will have to mitigate their policies or risk immediate defeat in the ideological war in which we are engaged.

Secondly, we should make it possible for the thousands of displaced persons who have fought communism and have managed to escape it, to come here to the United States. At the present time we are repaying those who have opposed communism by refusing to allow them to immigrate to the United States. In the last 9 months only about a dozen refugees from communism have been admitted under the Refugee Relief Act of 1953.

Thirdly, we should expand the Voice of America, for a knowledge of the truth is an indispensable weapon with which the people fighting communism must be provided.

In marking the anniversary of Rumanian independence, let us pledge to the Rumanian people that we will stand by them now and always. Let us assure them that we are their allies in a common struggle to rid the world of tyranny.

REPORT OF NATIONAL EDUCATION ASSOCIATION WITH REFERENCE TO TEACHER SUPPLY AND DEMAND

Mr. HILL. Mr. President, the National Education Association, representing 48 State educational associations, has published the results of its annual national survey of teacher supply and demand. I believe that the results of this survey are deserving of the earnest study and thoughtful consideration of every Member of Congress.

The survey reveals that the teacher shortage, instead of improving, has grown worse and the crises in education more severe. The study shows that the Nation's elementary schools are this year struggling under the highest enrollments in the history of our country and that an increasing number of overcrowded classrooms and of double and even triple shifts make effective teaching almost impossible.

Yet, as the survey shows, we will face even worse conditions when the schools reopen this fall, for the Nation's colleges and universities will turn out this June far fewer teacher graduates than last year, despite the fact that elementary-school enrollment will increase by more than a million in September, when another tidal wave from our huge postwar baby crop will hit the first grade.

It would be bad enough if this were only a temporary situation—but it is not. The alarming fact is, as the NEA survey shows, that unless immediate measures are taken the situation will grow worse, year by year, for at least the next 6 years; far more babies were born last year than ever before—4 million of them. These 4 million children will be ready for school in 1959, at which time, if present trends continue, there will be even fewer qualified teachers in our schools, largely because of the inadequate pay offered the teaching profession.

On tomorrow the Education Subcommittee of the Senate Committee on Labor and Public Welfare will begin hearings on measures to aid the States and local communities in the building of desperately needed school facilities. One of the bills to be considered is S. 2779, which I am cosponsor with the senior Senator from Arkansas [Mr. McCLELLAN], and other Senators. Our bill offers the means to aid the States and local communities in overcoming the serious shortage of school buildings and will at the same time enable the hard-pressed States and local communities to concentrate more of their efforts and limited resources on the critical problem of overcoming the shortage of qualified teachers. I hope that every member of the subcommittee and of the full committee and of the Senate will give earnest study to the NEA report entitled "Teacher Supply and Demand, 1954," some of the highlights of which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

To neglect the Nation's children is a grievous mistake. To neglect the building of the character and the education and training of our children—our future citizens—is to weaken the future strength and security of our country. Now is the time for action. Let us hope that it will be forthcoming.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HIGHLIGHTS FROM NATIONAL EDUCATION ASSOCIATION 1954 REPORT OF TEACHER SUPPLY AND DEMAND

The facts regarding the elementary schools are as follows:

1. In June the Nation's colleges will graduate a total of 35,000 fully qualified elementary teachers. There is good evidence, based on past experience, that at least 7,000 of these will never actually teach.

2. In September 1954 elementary school enrollments will increase by approximately 1,200,000. Before the new school term begins next fall, we can assume from trends of the past, from 7 to 10 percent of the elementary teachers employed this year will not be teaching in September because of such factors as the changing of jobs, marriage, retirement, or death. Thus, the schools will require from 75,000 to 85,000 new elementary teachers next fall merely to hold the line, without doing anything about the overcrowded classrooms, the double sessions, and replacing emergency teachers.

3. The number of elementary teachers graduating this June is 6 percent less than the number graduated last June. The small size of junior classes in colleges this year makes it possible to predict that next year's supply of new teachers will be even smaller.

4. Nearly 72,000 emergency certificates were issued to poorly qualified persons this year.

5. A large majority of the States had to employ persons with less than 2 years of college education to teach in public elementary schools this year. In at least 8 States schools are employing elementary teachers with 1 year or less of college preparation. In 1 State 2[illegible] percent of the new elementary teachers had never been to college at all, and an additional 39 percent had less than 1 year of college education.

The facts regarding high schools are:

1. In June the Nation's colleges will graduate a total of 50,000 fully qualified high-school teachers. There is good evidence, based on records of previous years, that not more than half of them will actually be teaching next September.

2. In September we shall need about 50,000 new high-school teachers to handle enrollments and replace teachers who leave the teaching profession. The evidence indicates that there actually will be about half this number available.

3. In certain high-school fields we are graduating almost no teachers at all. For example, the number of qualified teachers graduating this year from all the Nation's colleges in two critical sciences is: Physics, 259; chemistry, 608.

Many, perhaps most, of these will accept jobs in industry rather than in the schools.

4. The number of high-school teachers graduating this year is 42 percent less than the number who graduated in 1950; and in some of the science fields the decline is as high as 75 percent. This decline in number of persons prepared for high-school teaching will continue.

But the worst is yet to come. The following projections will bear this out.

1. The Census Bureau estimates that total school enrollments, in public and private elementary and secondary schools, will increase from 30½ million this year to 44 million by 1965.

2. Elementary-school enrollments will increase by approximately 1 million per year until at least 1959. Total elementary enrollments will increase from about 24 million in 1954 to 32 million in 1960, a total increase of 8 million.

3. High-school enrollments will increase from about 7 million in 1954 to 9½ million in 1960 to 12 million in 1965, a total increase of 5 million. By 1960 there will be 4 high-school students in school for every 3 now enrolled. By 1965 there will be 5 high-school students for every 3 now enrolled.

THE FARMER'S SHARE OF THE CONSUMER'S FOOD DOLLAR—ARTICLE BY SENATOR MUNDT

Mr. YOUNG. Mr. President, the May issue of the Country Gentleman contains an excellent article by one of agriculture's best friends in Congress, the able Senator from South Dakota [Mr. MUNDT]. The article is entitled "I Believe the Farmer Should Get More of the Consumer's Dollar That Is Being Spent for Food and Clothing."

As is so often the case, our friend, KARL MUNDT, packed a lot of good horse sense in a few words. This article will be of great interest, I am sure, to every Member of the Senate and particularly to farmers who believe their position in this great economy of ours is often misrepresented. Far too many people, Mr. President, have come to believe that the farmers are receiving exorbitant prices for their commodities, little realizing, as the Senator from South Dakota points out, that the farmer's share of the con-

sumer's food dollar is at the lowest level since the depression years of the thirties.

Mr. President, I ask unanimous consent to have this article printed in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

I BELIEVE THE FARMER SHOULD GET MORE OF THE CONSUMER'S DOLLAR THAT IS BEING SPENT FOR FOOD AND CLOTHING

(By KARL E. MUNDT, United States Senator from South Dakota and member of the Senate Committee on Agriculture and Forestry)

The cost of living, reported by the Government each month, stays around the same high level or even goes up another notch. City people, reading in their newspapers the arguments over farm price supports, are apt to conclude that farmers are to blame for the continued high prices they are paying for food and fabrics. Too few of them are aware of the steady drop in prices farmers have suffered since 1951.

I believe it is time for the facts to be made known to everybody. It is the responsibility of those of us living in farming regions to point out that the increasing spread between the farmer and the consumer is now taking the biggest part of the city family's food and clothing dollar and is what is keeping the cost of living so high.

The facts are available. They should be told, not only in fairness to farmers but also because an informed public opinion can help to right the situation.

We are now in a period of adjustment to a peacetime economy. Most farmers are receiving considerably less for their products than they did during the Korean war. This was to be expected, because peace always brings an economic adjustment. However, the retail prices paid by both city and farm folks have not dropped correspondingly and that condition should neither be expected nor continued. Not only is the farmer getting less for his product, but his share of the consumer's dollar is becoming smaller. His portion was 52 percent in 1946. It is barely 45 now. This trend must be corrected lest a condition of relative disadvantage become fastened upon farming.

I believe now is the right time to press forward in developing methods by which farmers will receive more of the consumer's dollar. We should tell our city neighbors the facts about today's price trends so that they will cooperate with us in seeking a fair solution. I think we should also ask Congress and the Department of Agriculture to study these facts for the purpose of finding a proper remedy.

For example, when the housewife paid the family milk bill in 1946 the dairy farmer received 54 percent of it, and now he gets only 48 percent. When she bought a choice cut of beef for the family dinner in 1946 the farmer's share of the price was 73 percent. It's down now to 65 percent. Bread has been going up in price while the farmer's share has been going down—from 20 percent in 1946 to only 15 now. (This is something to remember when you hear talk about the cost of supporting wheat prices.) For potatoes the drop from 1946 to now is from 53 to 33 percent, for canned tomatoes from 21 to 17. And the farmer's share in the price for one of the kiddies' favorite breakfast cereals is now 17 percent where it was 25 in 1946. All these are official statistics of the United States Department of Agriculture.

When our Senate committee was holding hearings on the plight of the American woolgrower we had various eastern wool buyers and suit makers before us. I asked the direct question: "What part of the $50 paid for a man's suit at retail goes to the wool producer?" After some time for calculation the suit makers came back with this startling answer, "Less than $5 of the retail price goes to the sheepman." If the producer gave the wool away it would still cost us more than $45 for that $50 suit.

It's the same story with other fabrics. The farmer's share of the dollar consumers spend for cotton articles of clothing and housefurnishings comes to only 12½ cents—31 cents out of the price of a $3.64 business shirt.

What are the reasons for all this spread and why is it growing? Wages account for a little over one-half of the cost of distribution, and they have increased steadily as labor became more strongly organized. Freight rates on farm products have gone up 70 percent since 1946, express rates 94 percent. Like charges for truck haul, electricity, telephone, and other public utility services, these rates are fixed by Government agencies. The costs of more processing and packaging are charged into the consumer's bill. In fact, everybody but the farmer is getting more of the consumer's dollar.

What can be done to correct this situation? Our Senate committee is now studying the causes for this great and growing spread between what the producer receives and the consumer pays. It is hoped methods may be recommended and adopted that will give the farmer a more equitable share. In the meantime, here are some of the proposals being suggested and examined:

1. Reduce the number of middlemen who process and handle food. This should leave more for the farmer and mean fewer costs for the consumer to pay.

2. Bring the processing plant closer to farm production areas so that less transportation costs will pile up on heavy and bulky raw materials from the farm.

3. Provide closer and more effective producer controls over the marketing of his own products.

4. Develop new methods of processing and preserving foodstuffs so as to reduce handling charges and the seasonal slumps in farm prices caused by the necessity of selling under pressure and through fear of spoilage.

5. Spotlight the precise places where our food dollar goes so that efforts can be made to reduce these costs and to provide the farmer with a fairer percentage of the food dollar.

I believe that all of us—farmers, consumers, and Government—should thoroughly consider these and other methods that may be suggested. By working together on this common problem we should be able to contribute mightily toward giving the farmer the parity of income he deserves without increasing the overall cost of living.

J. EDGAR HOOVER

Mr. WELKER. Mr. President, today marks the 30th anniversary of the public service of the Nation's top law officer; namely, Mr. J. Edgar Hoover. I have had the honor of meeting Mr. Hoover only once in my lifetime, but long before I came to the Senate I thought highly of the efficiency of his great organization, especially when I was engaged in criminal cases in the West. Mr. Hoover, who took over that great law-enforcement branch, the Federal Bureau of Investigation, made it a scientific institution. He is the man who brought into use the spectrograph and the fingerprinting records which are so valuable today. I believe there are in his files more than 130 million fingerprints of persons.

Mr. Hoover has been a selfless public servant. Certainly he has not sought the riches which a man of his ability and experience might acquire. As most of us know, he had a very humble beginning. I heard in a broadcast last night that only within the past few weeks or months was he enabled to pay off the mortgage of the home which his mother had left to him.

Mr. Hoover has lived a unique life in trying to safeguard our country. We all know of his great work during World War II and prior thereto, during the Korean war, and also of his effective efforts in opposing subversive activities.

His work in dealing with Communists, kidnapers, prohibition violators, and other lawbreakers, will go down in history as that of a great American and a great police officer. J. Edgar Hoover is a living refutation of the old saying, "Nobody loves a cop."

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, to follow my remarks, an article entitled "The Nation's Top Policeman Celebrates 30th Anniversary," written by William A. Millen, and published in the Washington Star of Sunday, May 2, 1954.

We all wish J. Edgar Hoover many more years of productive service to the American Nation, and may his coming years be as good to him as those in the past have been bad for enemies of society. The people of the United States owe him a debt of gratitude they can never repay. He has never let them down.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NATION'S TOP POLICEMAN CELEBRATES 30TH ANNIVERSARY

(By William A. Millen)

A week from tomorrow John Edgar Hoover rounds out 30 years as Director of the famed Federal Bureau of Investigation.

This lengthy record as a bureau chief sets Mr. Hoover apart, for he has weathered the ebb and flow of partisan politics. And perhaps equally important to him, he has survived threats upon his life by hardened criminals who have vowed to "get" him.

The past generation has indeed been an eventful one for Mr. Hoover and the Nation he has served so well. They have been sprinkled with gang fights, prohibiton wars, kidnapings, espionage, subversion, the Red menace, and high crimes and misdemeanors generally. And in the solving of some of the blackest crimes Mr. Hoover has had a vital part.

For this man has put crime detection on a hard, cold, scientific basis. He has brought the laboratory, the microscope, the camera, and all the latest scientific lore to bear on crime and criminals. He has devoted himself to youth and the problems of juvenile delinquency.

Mr. Hoover's is the success story that America loves so well, that of the poor boy who achieved the heights. Called Speed because of an active body and mind as a boy, Mr. Hoover speaks in short, sharp sentences. He comes to grips with a problem directly. And this Federal Bureau of Investigation, which he has nurtured for so many years, is his very life's blood.

NO-POLITICS RULE

From the outset, when the then Attorney General Harlan F. Stone, later to become the Chief Justice of the United States, offered him the job as Bureau Chief, Mr. Hoover was insistent that it be divorced from politics. And it has remained so to this day. The

G-men must prove themselves on their own merits—not on the recommendation of some politician on the Hill.

Now 59 years old, Mr. Hoover can look back with intense satisfaction upon that day in the Coolidge administration when he assumed the post of head of the Bureau.

From a comparatively few fingerprints of criminals in the old Justice Department office at Vermont Avenue and K Street NW., Mr. Hoover has seen his Bureau grow to include a valuable fingerprint library of 130 million records.

When Mr. Hoover set about to remold the Bureau from top to bottom, he looked for God-fearing young men with high records of academic and athletic worth, and a capacity for leadership. These men became his special agents, and the incompetents, the politicos, the do-nothings, and the undesirables got the ax.

Mr. Hoover was born on Seward Square SE. (near Providence Hospital) on January 1, 1895. His father was the superintendent of printing and engraving in the Coast and Geodetic Survey—a good enough job, but not one to make a man rich. Consequently, after a public school education, John Edgar was unable to study for either the law or the Presbyterian ministry. But the time he was ready for college, to make matters worse, his father was seriously ill, and family finances were stretched almost to the breaking point.

CONGRESSIONAL MESSENGER

The young Hoover got a job, paying $30 a month, as a messenger at the Library of Congress. Nights, he studied at the George Washington University School of Law and received a bachelor of laws degree in 1916.

Shortly after his graduation Mr. Hoover went to the Department of Justice.

Mr. Hoover's father died in 1921, but his mother lived until 1937. After her death he left the Southeast and took up bachelor quarters in the Rock Creek Park area, where he now lives.

The FBI Director is strictly what is known as a job man. He lives for his work and sets a rigid example of conduct, on and off duty, for his agents. Only on social occasions does he drink and he smokes but rarely. For a hobby he has a jade collection, by now augmented with rare pieces brought by friends from all parts of the world.

On the way up Mr. Hoover had many interesting assignments. One was building the case against Emma Goldman, the Red queen, an early indication of Mr. Hoover's awareness of the Communist menace.

In his time as Assistant Director of the Bureau of Investigation under the ace detective, William J. Burns, Mr. Hoover handled deportation proceedings against alien agitators. In World War II—by then in the top FBI job—Mr. Hoover assisted the Attorney General in the prosecution of German saboteurs who landed on the Long Island and Florida coasts from Nazi U-boats. He won the Medal for Merit—a top civilian decoration—for his wartime service.

Except for his appearance before a congressional committee in the recent Harry Dexter White case, the FBI Director has deftly managed to keep aloof from anything remotely approaching partisan politics.

And though the FBI has become big and its problems and responsibility have increased, its Director has managed to keep it a guardian of, rather than a threat to, the people's liberties.

After a generation of public service, J. Edgar Hoover can justly reflect on the fact that he provides a living refutation to the old saying that "nobody loves a cop."

Mr. MARTIN. Mr. President, I desire to be associated with the remarks made by the distinguished Senator from Idaho [Mr. WELKER] with reference to J. Edgar Hoover. All the people of the United States should be proud of Mr. Hoover's magnificent record. It is one which should be emulated by all public officials.

J. Edgar Hoover probably has one of the most difficult roles ever undertaken by any American, during either times of peace or times of war. I have never known any real American to criticize any action of J. Edgar Hoover's. Again, I think his actions and record should be emulated by, and should be an inspiration to, the young people of our country.

Mr. CASE. Mr. President, as has already been pointed out by the distinguished Senator from Idaho [Mr. WELKER] and the distinguished Senator from Pennsylvania [Mr. MARTIN], today marks the 30th anniversary of the appointment of J. Edgar Hoover to be the head of the Federal Bureau of Investigation.

I wish to endorse what the Senators said in praise of this illustrious American, and to say that on a recent day I enjoyed the temporary occupancy of the chair and to hear the very eloquent tribute paid to Mr. Hoover by the distinguished senior Senator from Nevada [Mr. MCCARRAN]

There was published in yesterday's Washington Post an excellent review of Mr. Hoover's career, which was written by one of America's top reporters, Don Whitehead, of the Associated Press. It occurred to me that since the CONGRESSIONAL RECORD is a repository of such interesting articles on our times, this article likewise should be published in the RECORD. Therefore I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, the article entitled "Thirty-Year FBI Director Still Going Strong," written by Don Whitehead, and published in the Washington Post and Times Herald of Sunday, May 9, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THIRTY-YEAR FBI DIRECTOR STILL GOING STRONG

(Serving through five administrations, J. Edgar Hoover has raised the Federal Bureau of Investigation from a hack-ridden Government bureau to the Nation's top law-enforcement agency. It hasn't been easy, and criticism has been plentiful. Here's a vivid closeup of Hoover on the eve of his 30th anniversary as FBI Director.)

(By Don Whitehead)

Thirty years ago, on May 10, 1924, United States Attorney General Harlan Fiske Stone summoned a dark-haired young lawyer into his office, peered at him over his glasses, and said, gruffly:

"Young man, I want you to be Acting Director of the Federal Bureau of Investigation."

Thus began the remarkable partnership between J. Edgar Hoover and the FBI, a partnership that has endured through and into the administrations of 5 Presidents and 11 Attorneys General—a partnership that has brought recognition and fame, brickbats and attacks, but no sign of interruption.

The graying FBI chief looked back over those 30 years the other day as he sat still for a rare and surprisingly long interview in his office in the Department of Justice Building on Pennsylvania Avenue between 9th and 10th Streets NW.

It's a quiet, comfortable office. Except for an intercommunications box, there is nothing to indicate that from this point J. Edgar Hoover controls and directs a huge law-enforcement agency touching the safety, the freedoms, and the security of a nation.

POLITICS RULED OUT

Hoover recalled the 1924 Stone interview and grinned.

"Mr. Stone was scowling when I came in. He always scowled. He was a rugged, gruff, but fair man. The scowl was a mannerism, and not something in his personality. I told him I would take the job only on two conditions.

"He said, 'What are they?'

"I said the Bureau had to be divorced from politics, with appointments made solely on merit. Second, promotions would be made on proved ability; the FBI would not be a catchall for political hacks and would be responsible only to the Attorney General.

"Mr. Stone scowled again and said: 'I wouldn't give it to you under any other conditions. That's all. Good day.'"

Then Hoover added: "I never thought in those days the Bureau would be the size it is today, or that I would be sitting in this chair as Director. At the time I considered the job as temporary."

INTO THIRD GENERATION

"The other day I gave one of our agents his 20-year key, something that always gives me a thrill. He said: 'Mr. Hoover, I'll start my next 20 years with the FBI if you'll start your next 30.' And that made me realize I have been around here a long time. Now I'm beginning to see the sons and grandsons of FBI men apply for jobs with the FBI. That gives me a lot of satisfaction."

Hoover's 59 years rest lightly on him. His dark hair has grayed at the temples. He's heavier than the 29-year-old he was when he took the job. But he still talks rapidly, and he's quick in his movements. His eyes are black. He is 5 feet 11 inches tall and weighs 180 pounds. His broken nose—smashed by a baseball as a youngster—gives his face a look of bulldog tenacity.

In the course of the talk I asked Hoover a question that has cropped up intermittently from the day the FBI was first formed, in 1908.

"Is there a danger of the FBI becoming a Gestapo? What is to prevent the FBI from using police-state methods?"

Hoover's reply was quick and emphatic:

"No, there is no danger of the FBI becoming a Gestapo—not if we have men of character in the organization and an alert public opinion.

"We must continue to have men of good moral character such as we have today. We may make some mistakes in our choices, but if we get the right type of men they will refuse to stoop to Gestapo-type methods."

EXTERNAL SAFEGUARDS

"Public opinion is a great force, too. The inquiring attitude of the American press is a magnificent factor in keeping an organization honorable and clean. We couldn't get the approval of the press with unethical and improper methods.

"Then, too, there are the checks and restraints under which we operate, and properly so. The FBI is not an independent entity. It's under the Attorney General, and he is the first check against us. We must go before the Bureau of the Budget and justify the funds to carry on our work.

"Then there is the greatest check of all—Congress. I must give reasons for the funds I request, and report on our stewardship. We must have the support of Congress to exist, and the FBI could not become a Gestapo so long as there is a searching attitude by Congress.

"Finally, there are the courts with their check against our procedures. The courts soon would expose the use of improper searches and seizures—and so would public opinion.

"I must explain every item in our budget and how the money is used. I want to account for every cent, because an unexplained fund can lead to abuses.

"As it stands, we don't have to apologize for being in the FBI. There has never been a scandal involving the FBI in the past 30 years. We are fair and we are hard. But that's the way it should be."

I asked about reports and insinuations that FBI files are opened to some congressional investigators—and that the FBI tips off Members of Congress to subversives on whom its own agents can't get evidence for a court case.

Hoover replied: "I can say unqualifiedly that is an absolute lie.

"I'm pretty sensitive to the matter of our files. There's nothing more important than the sanctity and integrity of our files. I've consistently resisted every attempt to make the raw files available. Data from FBI files have leaked out through other agencies. People like to throw the name of the FBI around. They wave a report and say 'This is from the FBI'—but the report was not furnished by the FBI.

"Some former FBI agents are on congressional committee staffs. People think a former agent has an open pipeline to the FBI, but it isn't true. If anything, we'd lean over backward in order to give no reason for such a suspicion. We can't be responsible for former agents. Many fine men have left the organization. But we can't speak for all of them.

"If people ever get the idea that our files are a sieve—then there will be a loss of confidence in us by the people, and the country's security will be in peril."

Hoover created a flurry when he appeared as a witness last November to testify in the case of the late Harry Dexter White, after Attorney General Herbert Brownell charged former President Harry Truman promoted White despite FBI reports of espionage activities.

Some Democrats said privately they regarded Hoover's testimony as political—and pro-Republican. There was some questioning of Hoover's motives.

"I always have resisted appearances before any congressional committee, except those dealing with appropriations," Hoover explained. "The only exceptions I have made have been on orders from the Attorney General or on the insistence of the committees.

"I testified in the White case solely to clarify the role I had played in the situation. I never could have been a party to any agreement with White. The President has a Cabinet to advise him, and it's not my place to do it. My relations with Mr. Truman, while friendly, were not such that I ran in and out of his office."

Then Hoover added: "During Republican administrations, I have been accused of being a Democrat—and during Democratic administrations, I've been accused of being a Republican. As a matter of fact, being a resident of Washington, I've never voted and I have no politics.

"At least, I've never been accused of being a Communist."

His sense of what is right and what is wrong leaves few gray areas in his own standards of conduct. There is a strong religious streak in Hoover's character and to him God, home, and country are sacred things which must be protected from evil forces.

"I find my own rules of conduct laid down in the 6th chapter, 8th verse of Micah," he said. "This says, 'And what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?' "

And this philosophy encompasses also a stern code for the wrongdoer. Hoover said: "We must pay the penalty for the wrongs we do."

The clergy almost won young Hoover to its ranks before the FBI claimed him, partly because of the religious atmosphere of his home and the influence of a young Presbyterian minister.

Hoover was born January 1, 1895, only a few blocks from the United States Capitol, the youngest of four children. His father worked with the Coast and Geodetic Survey. His mother was a grandniece of a one-time Swiss Consul General to the United States. The family was a tightly knit group, and home life left its mark on Hoover.

"I strictly believe the molding of character begins at home," the FBI chief said. "There's the best place to reverse the trend in juvenile delinquency.

"In my own home, I never remember having a meal that wasn't opened by someone saying grace. I always had to go to Sunday school. I was given a little Testament for attendance on 52 consecutive Sundays—and it was one of my treasures. I still have it.

"In those days, we always read from the Bible so that our home environment developed a deep religious belief and faith.

"And my father was a strong influence, too. I used to look forward to Saturday afternoons. That's when I'd go to my father's office and wait for him to get through work—then we'd come home together. He was close to me as a pal."

In Central High School, young Hoover was known as "Speed"—not because he was particularly fleet of foot, but because he always wanted to get things done in a hurry.

The pull of law won out over the ministry. Hoover was graduated from George Washington University in 1916 with a bachelor of law degree and he won his master of law degree a year later. He was an honor student.

Young Hoover figured the Department of Justice was the place where he could get the greatest amount of experience in the shortest possible time. He took a job as clerk—and 7 years later was on his way to becoming one of the best known names in the United States.

Before Hoover took over, the FBI was an inept, politics-ridden agency tainted by past Government scandals. There was no requirement—as there is today—that FBI agents must be lawyers or accountants with a background of good moral character. They got their jobs by political pull. They had no authority to carry weapons (that authority was not given until 1934). There was no fingerprint file, no crime-detection laboratory, no training program—and no prestige.

As FBI chief, Hoover tossed out the political hangers-on, the incompetents, and some with criminal backgrounds.

"I started weeding out the hacks," he chuckled, "and it so happened that the great bulk were Republicans because there happened to be a Republican administration in office. This brought down on my head the outraged cries of politicians and appeals over my head to the Attorney General."

Hoover and his FBI zoomed to national prominence in the gun-blazing gangster era of the early 1930's, and with the solution of the Lindbergh kidnap case. He made the FBI a center for scientific crime investigation and brought a prestige to law enforcement that never had been attained before in this country.

Mr. WILEY. Mr. President, I should like to join with countless other Americans in paying tribute to one of our greatest public servants, the Honorable John Edgar Hoover, Director of the Federal Bureau of Investigation, who today is celebrating three decades as head of the Federal Bureau of Investigation.

It has been profoundly gratifying to me to note the spontaneous outpouring of congratulatory expressions from Members of the Congress, from the newspapers, radio, and television stations of our Nation, and from leaders in private life, in helping Mr. Hoover, so to speak, to "blow out the 30 candles on his anniversary cake."

I have had the honor and privilege of knowing this great American for 15 years—ever since I came to the Senate. There has never been a time when he has failed to live up to my highest expectations of exemplary conduct.

He has been a model, not only for his own devoted immediate staff and for his skilled organization as a whole, but a model for other public servants, a model for America's young people.

He has met every test, whether it be the test of gangsters, or the test of Communists.

The Bureau, under him, has come to symbolize unwavering professional integrity, efficiency, economy, fair dealing, impartiality, courage, justice— and I use these words advisedly.

As chairman of two committees—the Judiciary Committee during the 80th Congress, and the Foreign Relations Committee during the 83d Congress—I have seen his work at particularly close hand, and I have been proud indeed of that work.

I was interested to read in the current issue of Kiwanis magazine an article which is prefaced by this brief statement:

Thirty years ago this month, a young man named J. Edgar Hoover became head of the Federal Bureau of Investigation. We join with the men of Kiwanis in presenting this tribute to Mr. Hoover and the organization which he has guided so successfully for three decades.

It is fitting that this particular article disproves certain oft-repeated base accusations which have been hurled by the enemies of the FBI at Mr. Hoover.

It is a fact that we admire Mr. Hoover for the un-American enemies he makes. The character of the phony charges against him and the Bureau are in effect their own best disproof.

I conclude these brief comments by asking unanimous consent that the text of the article be printed at this point in the body of the RECORD.

Congratulations, Mr. Hoover. Good luck and Godspeed to you in continuing to protect this great Nation which you have served so well.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NINE RED CHARGES AGAINST THE FBI

(By Jerry D. Lewis)

"Vote against the United States and the FBI." "De Gasperi will bring the FBI to spy on you."

Posters with those and other similar slogans appeared in large Italian cities before the 1953 elections in that country. De Gasperi, before his government fell last July, was accused of asking President Eisenhower to lend-lease FBI men to help him fight Italian Communists. Both the posters and the accusation came from those same Reds whose apoplectic hatred for the FBI is par for the course, according to the current international party line. American Communists hate the G-men with a special fervor, and with good reason.

On July 29, 1953, FBI special agents arrested six top United States Communists, and this action crippled the party's underground apparatus in Pennsylvania. Similar blows had already been struck in California, New York, and other areas of large population.

Characteristically unhampered by logic or truth, the United States wing of the party, using their every constitutional guaranty, continues even today in their attempt to inform the American people of a dread bogeyman—Director Hoover and his men. Daily, the Red's wheezing, overworked mimeograph machines echo vicious slanders against the FBI. Is there any truth to the kangaroo court indictments? Read them and give yourself an object lesson in the warped ways of Communist thinking.

Red charge No. 1: The FBI taps lines in direct violation of the law. This is a museum-perfect example of the trained Communist mind at work. Using a pinch of truth, these political Borgias dish up casseroles of calumny with the speed of an expert short-order chef. J. Edgar Hoover has made numerous public statements explaining that the FBI does tap wires—but only under the strictest supervision and control. No tap may be made by special agents without the express consent of the Attorney General, received in advance and in writing.

Even under those circumstances, evidence obtained via a tapped wire may not be introduced in any of our courts. Attorney General Brownell, through administration supporters in Congress, is attempting to have a law passed making such evidence admissible in the types of case where wiretapping is now authorized—i. e., cases involving internal security or human lives, such as kidnaping.

In answer to a Congressman's question on the subject, Mr. Hoover once said:

"The FBI has less than 170 telephone taps in existence, confined to internal security cases throughout the United States and its possessions."

Red charge No. 2: The FBI is conducting a ruthless "witch hunt" in which civil liberties are ignored.

In the past fiscal year FBI special agents have conducted 1,841 investigations to protect civil rights, an average of more than five cases a day, Sundays and holidays included.

In haste to fight the Red menace, some have suggested weakening civil rights to get at Communists who take advantage of basic freedoms.

"Don't do it," J. Edgar Hoover has warned time and again. "The minute you start putting limits on anybody's freedom, you're signing a death warrant for your own liberty. No people can be half free. The United States has become the greatest Nation in the world because under our system even the most despised is guaranteed equal justice. Remove that cornerstone and you change the country's respect for law and order to suspicion that the law, as in some other nations, can be tampered with."

Red charge No. 3: FBI agents break into homes and grab everything in sight. If they find anything valuable, they use it. If they don't, you're supposed to thank them for not shooting their way in.

This is a prime example of the Communists' 1 part truth, 9 parts fiction recipe. The one part truth is that FBI agents have broken into homes, but—and this point the Reds neglect mentioning—only after obtaining a search warrant. (No court will admit evidence obtained without a warrant as the Reds well know.)

By law FBI agents have authority to break open doors, windows, or any part of a house to execute a search warrant. They have on occasion had to do so, since it has not become part of the party line for suspected Reds to invite the FBI into tea.

Red charge No. 4: When an FBI man wants a warrant, he picks up a phone, gets one in the name of John Doe and arrests anybody he pleases.

Even for the Communists this charge is crude, since it happens to be false on all counts. Use of this charge can be attributed only to the Red technique of the big lie. Repeat a lie often enough, the Red primer teaches, and some people will believe it.

According to law, search warrants are obtainable only for a specific address. In swearing to the need for one—an oath never taken lightly—the special agent must (a) specify exactly what evidence he is searching for, and (b) detail good reason for believing the evidence is at that address.

As the Communists well know, there is no such thing as a blanket search warrant. Nor is it enough for an agent to have only a vague suspicion. Warrants can also be denied, as agents have learned to their sorrow and anger when later events proved their suspicions correct.

Red charge No. 5: The FBI keeps every letter, even anonymous spite notes, in files under the names of the people accused. Those charges stay in the FBI files forever, whether investigated or not.

Shocking as it at first may seem, that statement is true. But the FBI has a reason, and a valid one, for its filing system. Each week thousands of letters pour into the FBI's Washington headquarters. Some are signed with full name and address. Some are labeled "Loyal Citizen" or another anonymous pseudonym. Each is handled the same way.

Assume one of the letters accuses a man of being a member of the Communist Party. A preliminary investigation is instituted to prove or disprove the anonymous information. If the information is disproved, the letter goes to file.

Why is it filed?

"Any person," Director Hoover says, "attempting to decide without investigation that a letter about Mr. A is true and should be filed, but that one about Mr. B is false and should be destroyed, would merely be setting himself up as a dictator. He'd have the power to destroy letters about friends and insert only those describing enemies.

"Democracy doesn't work that way. The FBI had two alternatives—either destroy all uninvited, unofficial mail or keep all of it. Many letters are written out of sheer spite. We realize that. We know, too, that useful information may come from only 1 letter in 10,000, but we dare not willingly overlook a needle in any haystack when the life of every American may depend upon it."

If no derogatory information is located regarding the accused, then why doesn't the FBI "clear" that person?

The FBI does not grant or deny clearance to any person or organization other than its own employees. The FBI does, however, conduct loyalty investigations pursuant to Executive Order 10450.

In the approximately one-half of 1 percent of cases where some incriminating information is on file—possibly one of the abovementioned anonymous letters—a full field investigation is undertaken. The results are then furnished to the appropriate Government agency. That report contains only such facts as special agents have been able to learn.

The FBI does not, and never did, recommend the hiring or disqualification of any person. That decision is made by the agency where the investigated person is working or job seeking.

Red charge No. 6: J. Edgar Hoover has one ambition—to be head man of an American gestapo.

Mr. Hoover, always No. 1 on the Red's hate parade, has lost count of the number of times he's rejected the suggestion to turn the FBI into a national police force. The idea sprouted most recently after the so-called Kefauver hearings. At that time Mr. Hoover made the following statement to that Senate committee.

"The United States," he said, "has no need for a national police force. Cries frequently are heard that America, to meet the problems of the day, must create a master, overall law enforcement agency whose authority would reach to every part of the Nation.

"I disagree. My experience has demonstrated that the present system is best. Law enforcement hasn't always performed at peak expectations, but the fault is in the way it has been used, not in the system.

"The time has come for some straight thinking on the subject of responsibility. In the past few years there has been too much buckpassing to the Federal Government. Too often, when pressures mount in local communities, local officials, either to escape the wrath of their citizens or to conceal their own inability, have advanced the alibi that 'This is a job for the Federal Government.'

"In law enforcement the Federal Government can never be a satisfactory substitute for local self-government.

"The experience of people in other lands who suddenly found themselves living in a totalitarian state discloses that the trend always started with people being unable or unwilling to take care of local conditions. I hope that day never comes to America."

Red charge No. 7.: The FBI gets all its information from stool pigeons.

The FBI files on the Dr. Klaus Fuchs-Harry Gold atomic spy ring investigation provide a documented answer to this charge.

Dr. Fuchs was arrested in England, and confessed, after British authorities received information worked up by the FBI. In his confession Fuchs mentioned contact with only one Communist courier in the United States. He knew the courier as Raymond. Just the one name. From his few conversations with Raymond he volunteered the following details:

Raymond spoke fluent English, with no accent. He mentioned early childhood incidents in the United States. He was heavyset, probably between 35 and 40 years old. He understood some chemistry and engineering, but was not a physicist, nuclear, or otherwise. The first half dozen meetings had taken place in New York. Raymond seemed familiar with the city.

That was all.

Obviously, the place to start looking was New York. Looking for whom? A heavyset man in his thirties, who might be either a chemist or an engineer? In the single year of 1945, the date of the Fuchs-Gold contacts, the city of New York issued more than 75,000 licensing permits to chemical firms.

The FBI began laboriously to check out suspects who fitted the available facts. Some men were ruled out immediately by age or appearance. The field narrowed to 1,000 men. Then to 500. Then to 100. To 25. To 5. And finally, to 1.

Because of the enormity of the case, Mr. Hoover was in with personal advice. He read the report, and wasn't quite satisfied. No rule of investigative procedure had been violated, but some sixth sense—the kind you develop after spending years in any profession—caused him to order further exploration. Nobody was sadder than the Director when it developed he'd been right—that one man was not the Fuchs courier.

Fortunately for the Nation, the FBI started over again. The group of special agents assigned to the case went through months of tedious, unmovielike detective work. Ultimately they tunneled through the labyrinth to the laboratory of a Philadelphia hospital—and to Harry Gold.

No stool pigeon took them to that hospital, not even Dr. Fuchs.

Red charge No. 8: The FBI are Fascist lovers. They never touch rightwing hate-

mongers. They concentrate on wrecking any liberal movement.

Fact: The most recent successful prosecutions of Ku Klux Klan members were based entirely on evidence supplied the United States attorneys by the Federal Bureau of Investigation.

Fact: The FBI cannot decide on its own to investigate any person or group. The Bureau must base every investigation on either a violation of a Federal law over which it has jurisdiction (approximately 130); an order from its boss, the United States Attorney General; or a request from another Government agency.

Fact: The proof of the Bureau's apolitical behavior is obvious when the record is studied. Director Hoover's job is not protected by civil service. He can, therefore, be ousted at the whim of the current Attorney General, yet he has worked under 11 Attorneys General, of both Republican and Democratic persuasion.

Fact: After 6½ years of close association and friendship with FBI men from one end of the Nation to the other, this writer, a professional reporter who will discuss politics at the drop of a straw vote, has no idea of the political affiliations of a single agent.

Red Charge No. 9: The FBI, a 100-percent Aryan organization, has no sympathy or understanding of minorities.

The Communists, whose hearts bleed so publicly for all minorities, are again contradicted by the facts. The FBI has both white and Negro special agents. The Negroes are far outnumbered, since on most investigations they would be at a severe and obvious disadvantage. No legitimate Negro organization, incidentally, has ever protested against the ratio.

So far as religion is concerned, there are FBI agents of Protestant, Catholic, and Jewish extraction. Their religious beliefs are, of course, their own business, though Director Hoover actively encourages agents to attend religious services.

There are other charges shrieked by American Communists and their stooges against the FBI. However, the above listed are the nine basic big lies.

Since any organization is the lengthened shadow of its leader, this country should be eternally grateful that from among its millions it had the wisdom and the fortune to find a J. Edgar Hoover. This man, who directs the fingers in our dike against domestic and imported crime waves, who by dishonesty or carelessness could help wreck the Nation, was rewarded until recently with the miserly pittance of $10,000 a year. Through the largess of Congress, he has since been raised to an annual salary of $20,000, almost one-third less than the district attorney of Brooklyn.

Money happens to be unimportant to Mr. Hoover, especially when he thinks he can still render a service to the Nation. The writer happens to know that Director Hoover was offered a hundred thousand dollars a year plus an unlimited expense account to become the czar of American thoroughbred racing. This offer was instantly rejected.

J. Edgar Hoover and his men are as strong a link as our matchless chain of justice possesses. Moscow papers please copy.

RESPONSIBILITIES OF THE LEGISLATIVE AND EXECUTIVE BRANCHES

Mr. LEHMAN. Mr. President, for many months, on the floor of the Senate and elsewhere, I have pointed out one of the most harmful and widespread effects of McCarthyism as reflected in the constantly growing encroachment of Congress, and certain Members of Congress, on the powers, duties, and authority of the executive.

Last Saturday night, in New York City, I had the honor of speaking from the same platform with the former President of the United States, Harry S. Truman, at a celebration in honor of his 70th birthday. Former President Truman made a memorable, timely, and convincing speech on the subject to which I have referred. He pointed out the degree to which the Senate and its committees have encroached on the constitutional powers and responsibilities of the executive branch of our Government. It is a tragic fact, however, that there has been not only a usurpation by Congress but also a complete surrender on the part of the executive to the demands of Members of Congress. These men have been able through threats and intimidation to control and dominate many of the powers of the executive, both in the foreign and in the domestic fields.

The New York Times of today contains an editorial entitled "Wise Words From Mr. Truman," which comments on the great speech made by the former President of the United States. It is so important that I ask unanimous consent to have it printed in the body of the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WISE WORDS FROM MR. TRUMAN

Mr. Truman did his countrymen a service at his birthday party in this city on Saturday evening by speaking for a group much larger and a group infinitely smaller than the Democratic Party. He spoke for all Americans who might find themselves less free or less well governed if the legitimate power of the Executive were usurped by Congress. He spoke also as one of that little company of men, so varied in character, intellect, and strength, the living and the dead, who have been called upon to fill the increasingly exacting position of President of the United States. He spoke against the current attempt to infringe upon the constitutional and traditional separation of powers. He spoke with obvious goodwill toward a political opponent, the man who succeeded him in the White House. He evidently wished success—and this must baffle foreign students of our political system—for this man, who was not his candidate and does not belong to his party.

The issue is more important than the success or failure of an administration, the rise or decline of a party. Mr. Truman correctly stated that this country is suffering from an unreasonable fear, that this fear has been played upon by persons who see in it an easy way to influence votes and that the legislative branch of the Government has expanded its functions and activities into the very center of the power of the executive branch. He properly added that "it is not the business of Congress to run the agencies of Government for the President."

Mr. Truman mentioned no names—these can be supplied by anybody who reads the newspapers or looks at television or listens to radio. We all know the heads and fronts of this legislative arrogance. We all know, or should know, the harm they have done to the honor, influence, and effectiveness of executive agencies. We all know, or should know, how they have served the personal and pitiful ambitions of third-rate and fourth-rate men. We all know, or should know, how, under the pretense of serving democracy, they have prostituted democratic ideals.

Mr. Truman spoke with a sense of responsibility, and more mildly than some of the rest of us, unhampered by his special background, might do. But he spoke wisely. President Eisenhower may take him as a voice, at this time, for a great mass of opinion, not primarily partisan in its nature, that demands for an elected President freedom to fulfill, without arbitrary and unjustified legislative interference, the mandate of the electorate.

Mr. KEFAUVER subsequently said: Mr. President, while the Senate is still in the morning hour, I wish to associate myself with the remarks made by the distinguished Senator from New York [Mr. LEHMAN] with reference to the address delivered on last Saturday night by former President Truman in New York City. The address is so pertinent that I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 9, 1954]

TEXT OF TRUMAN ADDRESS ON DEFENSE OF PRESIDENTIAL POWERS

(Following is the text of the address by former President Harry S. Truman as prepared for delivery at the Truman birthday dinner at the Waldorf-Astoria Hotel last night:)

Mr. Patterson, distinguished guests, ladies, and gentlemen, I would like to thank, personally, everyone who had a part in arranging this wonderful birthday party, and all of you who have come here. You have all helped to create the Truman Library, and that is not simply a personal matter with me, but a project in the national interest.

The papers of our Presidents are among the most valuable source materials of our history. They ought to be preserved. More than that, they ought to be used.

I think that the method we are following in our plans for the Truman Library, that is, having these papers placed under the care of the National Archives, in facilities which permit study and research, is a method which ought to be applied to the papers of all future Presidents. It is a method which keeps the papers as the property of the people, and makes them available to scholars as soon and as completely as possible. In this way, we can make sure that the historical facts are not lost or misrepresented.

The papers of Presidents of the United States are important because of the unique character and importance of the Presidential office. It is the greatest office in the history of the world.

GROWTH OF PRESIDENCY TRACED

When the Founding Fathers outlined the Presidency in article II of the Constitution they left a great many details vague. I think they relied on the experience of the Nation to fill in the outlines. The office of Chief Executive has grown with the progress of our Republic. It has responded to the many demands that our complex society has made upon the Government. It has given our Nation a means of meeting our greatest emergencies. Today, it is one of the most importanct factors in our leadership of the free world.

Many diverse elements entered into the creation of the office, springing, as it did, from the parent idea of the separation of powers.

There was the firm conviction of such powerful and shrewd minds as that of John Adams that the greatest protection against unlimited power lay in an Executive secured against the encroachment of a national assembly. Then there were the fears of those who suspected a plot to establish a monarchy on these shores. Others believe that the experience under the Confederation showed above all the need of stability through a

strong administration. Finally, there was the need for compromise among these and many other views.

The result was a compromise, a compromise which that shrewd observer, Alexis de Tocqueville, over 120 years ago, believed would not work. He thought that the Presidential office was too weak. The President, he thought, was at the mercy of Congress. The President could recommend, to be sure, but he had no power and the Congress had. The Congress could disregard his recommendations, overrule his vetoes, reject his nominations. De Tocqueville thought that no man of parts, worthy of leadership, would accept so feeble a role.

This was not a foolish view and there was much in our early history which tended to bear it out. But there is a power in the course of events which plays its own part. In this case again, Justice Holmes' epigram proved true—a page of history is worth a volume of logic. And as the pages of history were written they unfolded powers in the Presidency not explicity found in article II of the Constitution.

EARLY IDEAS SOON OUTMODED

In the first place, the President became the leader of a political party. The party under his leadership had to be dominant enough to put him in office. This political party leadership was the last thing the Constitution contemplated. The President's election was not intended to be mixed up in the hurly-burly of partisan politics. The people were to choose wise and respected men who would meet in calm seclusion and choose a President. The runner-up would be Vice President.

All of this went by the board, though most of the original language remains in the Constitution. Out of the struggle and tumult of the political arena a new and different President emerged—the man who led a political party to victory and retained in his hands the power of party leadership. That is, he retained it, like the sword Excalibur, if he could wrest it from the block and wield it.

Another development was connected with the first. As the President came to be elected by the whole people, he became responsible to the whole people. Our whole people looked to him for leadership, and not confined within the limits of a written document. Every hope and every fear of his fellow citizens, almost every aspect of their welfare and activity, falls within the scope of his concern—indeed, within the scope of his duty. Only one who has held that office can really appreciate that. It is the President's responsibility to look at all questions from the point of view of the whole people. His written and spoken word can command national—often international—attention.

These powers which are not explicitly written into the Constitution are powers which no President can pass on to his successor. They go only to him who can take and use them. However, it is these powers, quite as much as those enumerated in article II, which make the Presidential system unique and which give the papers of Presidents their peculiar and revealing importance.

For it is through the use of these great powers that leadership arises, events are molded, and administrations take on their character. Their use can make a Jefferson or a Lincoln administration; their nonuse can make a Buchanan or a Grant administration.

WEAK GOVERNMENT A DISASTER

Moreover, a study of these aspects of our governmental and political history will save us from self-righteousness—from taking a holier-than-thou attitude toward other nations. For, brilliant and enduring as was the work of our Constitution makers, they did not devise a foolproof system to protect us against the disaster of weak government—that is, government unable to face and resolve—one way or another—pressing national problems. Indeed, in some respects, the separation of powers requires stronger Executive leadership than does the parliamentary and cabinet system.

As Justice Brandeis used to say, the separation of powers was not devised to promote efficiency in government. In fact, it was devised to prevent one form of deficiency—absolutism or dictatorship. By making the Congress separate and independent in the exercise of its powers, and the Executive separate and independent in the exercise of its powers, a certain amount of political conflict was built into the Constitution, for the price of independence is eternal vigilance and a good deal of struggle. And this is not a bad thing—on the contrary, it is a good thing for the preservation of the liberty of the people—if it does not become conflict for its own sake.

Having been in these two branches of Government, legislative and executive, I think I am expressing a considered and impartial opinion in saying that the powers of the President are much more difficult to exercise and to preserve from encroachment than those of the Congress. In part this comes from the difficulty of the problems of our time, and from the fact that upon the President falls the responsibility of obtaining action, timely and adequate to meet the Nation's needs. Whatever the Constitution says, he is held responsible for disaster.

FOR PRESIDENTIAL LEADERSHIP

And so a successful administration is one of strong Presidential leadership. Weak leadership—or no leadership—produces failure, often disaster.

This does not come from the inherent incapacity of the people of the Nation. It is inherent in legislative government where there is no executive strong and stable enough to rally the people to a sustained effort of will and prepared to use its power of party control to the fullest extent.

Today, also, one of the great responsibilities and opportunities of the President is to lead and inspire public opinion. The words of a President carry great weight. His acts carry even more.

All of us remember the words of Franklin D. Roosevelt in his first inaugural address which did so much to rally the spirit of a nation struggling through the depths of a depression—"the only thing we have to fear is fear itself." These words, however, would have had little effect if President Roosevelt had not backed them up by action. Following that speech, President Roosevelt plunged into a vigorous course, striking at the depression on all fronts. He backed his words by his action, and words and action restored the faith of the Nation.

Today, there is the same need for a similar combination of words and action concerning the hysteria about communism. In recent years we have had a justifiable concern about the dangers of communism. Our country has acted firmly and resolutely to hold Communist imperialism in check. Nevertheless, that concern has created fear and fear has been played upon by persons who see in it an easy way to influence votes. There is no dispute any more that this unreasonable fear exists. The leaders of both political parties have acknowledged it. I do not wish to go into this subject at length tonight. I have talked a good deal about it of late, and most recently at Westminster College in Missouri, where Churchill made his Iron Curtain speech. We all know the corrosive effect of this hysteria and the dangers it holds.

But, as I have said, the office of the Presidency is the one office of our Government to which all the people turn when they are beset by fears like these. It is to the President that they look to say a firm "No" to those who wish to destroy others through fear and innuendo; to defend the unjustly accused and demonstrate in the executive branch of the Government that the ancient principles of fair play and decency prevail. By such deeds and acts the Presidency can reassure the Nation and stem the growth of hysteria.

Again, we see today history repeating itself as the legislative branch of the Government, under the overshadowing fear of communism, expands its functions and activities into the very center of the power of the executive branch.

The President is responsible for the administration of his office. And that means for the administration of the entire executive branch. It is not the business of Congress to run any of the agencies for him.

Unless this principle is observed, it is impossible to have orderly government. The legislative power will ooze into the executive offices. It will influence and corrupt the decisions of the executive branch. It will affect promotions and transfers. It will warp and twist policies.

Not only does the President cease to be master in his own house, but the whole house of government becomes one which has no master. The power of decision then rests only in the legislative branch, and the legislative branch by its very nature is not equipped to perform these executive functions.

To this kind of encroachment it is the duty of the President to say firmly and flatly "No." The investigative power of Congress is not limitless. It extends only so far as to permit the Congress to acquire the information that it honestly needs to exercise its legislative functions. Exercised beyond those limits, it becomes a manifestation of unconstitutional power. It raises the threat of legislative dictatorship.

PRESENT CONTROVERSY NOTED

Our Nation was once almost torn apart by such an expansion of congressional power. That was in the days of President Johnson, when the radical Republicans of that time tried to take over the functions of the President. But we cannot afford such an attack on the Presidency by today's version of the radical Republicans.

Today the perils and problems which threaten us and our allies make all the difficulties of the reconstruction period—that tragic era—seem pale. Today the tasks of leadership falling upon the President spring not only from our national problems but from those of the whole world. Today that leadership will determine whether our Government will function effectively, and upon its functioning depends the survival of each of us.

And today our Government cannot function properly unless it functions constitutionally. Our Government cannot function properly unless the President is master in his own house and unless the executive departments and agencies of the Government including the Armed Forces are responsible to the President.

I hope and believe that we will pass through this present crisis successfully. I do not believe that the Congress will succeed in taking over the functions of the executive if the President presents the problem in its constitutional light. I have always maintained that the internal security of the executive branch was a matter for the President to handle. President Eisenhower in his first state of the Union message announced the same principle. If this administration under his leadership will act upon this principle, we can look forward to the continuation of constitutional government as our Founding Fathers intended it to be.

SECRET MEETINGS OF CONGRESSIONAL COMMITTEES

Mr. MORSE. Mr. President, V. M. Newton, Jr., managing editor of the Tampa (Fla.) Morning Tribune, in a letter he has written to me under date of

March 10, 1954, has called my attention to an alarming development in the American Government today, a development, as he puts it, "wherein secret government, originating in the Federal Congress, has spread to all levels of Government. If this development is not arrested and is permitted to spread further, American freedom is certain to suffer."

Mr. Newton continues by saying:

In 1953 congressional committees held 1,357 secret meetings from which both press and public were barred and wherein the restraint of public opinion was missing and political privilege ruled supreme. This was 44 percent of the 3,105 congressional committee meetings held in 1953.

Mr. Newton then proceeds to discuss the trend of what he calls secret government in the United States, and points out that it is the basis for a resolution recently adopted by the Sigma Delta Chi fraternity, deploring the development of this type of secret government.

I ask unanimous consent that the letter be printed in the body of the RECORD, as a part of my remarks, because I wish to reassert that, in my judgment, there is no substitute for public disclosure in the conduct of the people's business through their Government. I highly commend to the Senate the observations of Mr. Newton and also the contents of the resolution adopted by the Sigma Delta Chi fraternity.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TAMPA MORNING TRIBUNE,
Tampa, Fla., March 10, 1954.

Senator WAYNE L. MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: I am writing this letter as chairman of the Committee for Advancement of Freedom of Information of Sigma Delta Chi, national professional journalistic fraternity which has 22,000 newsmen, editors and publishers as members.

This to call your attention to an alarming development in American government today, a development wherein secret government, originating in the Federal Congress, has spread to all levels of government. If this development is not arrested and is permitted to spread further, American freedom is certain to suffer.

In 1953, congressional committees held 1,357 secret meetings from which both press and public were barred and wherein the restraint of public opinion was missing and political privilege ruled supreme. This was 44 percent of the 3,105 congressional committee meetings held in 1953.

These 1,357 secret congressional meetings dealt with such important matters of the American people's business as appropriations, expenditures, taxes, drought relief, foreign aid, disposal of surplus farm products, financing of the Korean war, investigation of waste in Government, tariffs, public housing, immigration, and virtually every matter before Congress.

Very few of these secret meetings were concerned with matters of national security.

Much of the legislation conceived and congealed behind the locked doors of these secret congressional committee meetings was railroaded through Congress with a minimum of public debate and with little opportunity for the restraint of public opinion to be exerted. Some of it did not see the light of public print until it was adopted.

To give you a concrete example, the House Appropriations Committee held more than 200 secret meetings. In July, Newsweek magazine reported to the American people: "Congress is now passing complicated appropriations bills in hours instead of weeks."

Thus, the American people were deprived of the opportunity of exerting the restraint of public opinion upon the matter of how their tax funds were to be spent, and it is doubtful, indeed, that as many as 25 percent of our Congressmen even knew what was contained in these complicated appropriations bills.

This dangerous congressional precedent of secret government has been seized upon by our public servants on the lower levels of American government. In 1953, for instance, the North Carolina Legislature threw Raleigh newsmen out of a meeting of its joint appropriations committee and then rushed through a bill permitting secret legislative committee meetings.

In the debate over this issue, a North Carolina legislator rose and shouted:

"The press stands convicted of inequity and injustice to this general assembly unless they attack the rules of Congress which permit closed sessions."

Similarly, in the debate over the decision of the common council of the city of Milwaukee to bar press and public from its secret executive meetings, one of Milwaukee's aldermen declared:

"The Wisconsin Legislature's committees always make their decisions in closed session."

Thus, it is not difficult for you to see why my national Sigma Delta Chi committee was called upon in 1953 to file scores and scores of protests against the secret meetings of school boards, boards of public health, tax commissions, city councils, and county commissions from one end of our country to the other.

Congress has set the precedent of secret government. Why shouldn't our public officials of the lower levels of American government follow suit and also eliminate the restraint of public opinion in favor of the somewhat tarnished philosophy of political privilege?

The problem became so critical in 1953 that the legislatures of four States—Indiana, California, Washington, and Idaho—were persuaded by representatives of the free American press into adopting State laws barring public officials from holding secret meetings.

The legislature of a fifth State—Texas—adopted a resolution memorializing Congress and the legislatures of all of our States against secret government. I would like to quote to you a part of this resolution, as follows:

"That citizens everywhere be alerted to the ever present danger that free government may be subverted by secret proceedings that throughout the history of the world have been the refuge of corrupt, wicked, and reactionary governments."

This memorial apparently fell on deaf ears, for our Congress picked up in 1954 where it left off in 1953 in holding its secret committee meetings. Yet some of the best political minds of our time have condemned the practice.

President Woodrow Wilson said:

"Legislation, as we nowadays conduct it, is not conducted in the open. It is not threshed out in open debate upon the floors of our assemblies. It is, on the contrary, framed, digested, and concluded in committee rooms.

"It is in the committee rooms that legislation desired by the interests is framed and brought forth. There is not enough debate on it in the open House, in most cases, to disclose the real meaning of the proposals made. Clauses lie quietly unexplained and unchallenged in our statutes which contain the whole gist and purpose of the act; qualifying phrases which escape the public attention, casual definitions which do not attract attention, classifications so technical as not to be generally understood, and which everyone most intimately concerned is careful not to explain or expound, contain the whole purpose of the law. Only after it has been enacted and has come to adjudication in the courts is its scheme as a whole divulged. The beneficiaries are then safe behind their bulwarks."

President Wilson went on to comment on secret committee meetings as follows:

"They promise you a particular piece of legislation. As soon as the legislature meets, a bill embodying that legislation is introduced. It is referred to a committee. You never hear of it again. What happened? Nobody ever knows what happened.

"I am not intimating that corruption creeps in; I do not know what creeps in. The point is that we not only do not know, but it is intimated, if we get inquisitive, that it is none of our business. My reply is: That it is our business, and it is the business of every man in the State; we have a right to know all the particulars of the bill's history. There is not any legitimate privacy about matters of government. Government must, if it is to be pure and correct in its processes, be absolutely public in everything that affects it. I cannot imagine a public man without a conscience having a secret that he would keep from the people about their own affairs."

The diary of Harold Ickes, former Secretary of the Interior, just published, quotes John Nance Garner, former Vice President, as follows:

"Vice President Garner remarked that there ought not to be any executive sessions of any congressional committee. He made the point that it was all public business and that reporters should be permitted to attend any committee meetings."

In 1953, Representative JOSEPH MARTIN, majority leader of the House of Representatives, wrote me as follows:

"I certainly do not believe in closed chamber proceedings out of Congress, nor do I approve of it in Congress."

In view of the foregoing, I respectfully urge that you, an honorable Member of the greatest governmental body in American government do give serious consideration to this matter of secret government, and that you take direct action to eliminate it from Congress and thus restore to the American people control over the instrument which they have created.

I will be grateful, for the record, for your views.

Sincerely yours,

V. M. NEWTON, Jr.

ORDER OF BUSINESS

Mr. KEFAUVER. Mr. President, I ask unanimous consent that I may proceed for about 3 or 3½ minutes.

Mr. KNOWLAND. Mr. President, I wonder if the Senator from Tennessee will withhold his request, so that the Senate may conclude with its morning business. There are Senators who intend to ask unanimous consent to have matters printed in the RECORD. Then the Senate will have before it for consideration the conference report on H. R. 8097, a bill to authorize the financing of a program of public works construction for the District of Columbia. That is a privileged matter, and the desire is that it be considered and disposed of, before the Senate proceeds to the consideration of the unfinished business, which is the bill relating to the Indians in Utah. I also understand that the Senator from New Jersey has a very brief statement to

make. I wonder if, under the circumstances, the Senator from Tennessee will withhold his statement until the conclusion of the morning hour.

Mr. KEFAUVER. The statement which I intend to make will be very brief. I did want to try to leave the city shortly after 2 o'clock. If I could be recognized so that I might leave at that time I would appreciate it.

Mr. KNOWLAND. There will be no problem in that respect.

(At this point several Senators submitted matters in the nature of morning business, which appear elsewhere in the RECORD under the appropriate headings.)

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Has the morning business been completed?

The PRESIDING OFFICER. It has not been completed.

OLD-AGE ASSISTANCE

Mr. KUCHEL. Mr. President, I wish to speak a word in behalf of 271,000 citizens of the State which I have the honor to represent; 271,000 individuals who are now receiving old-age assistance in California by reason of the present Federal statutes and the participation of the people of California through their own Government.

On October 1, 1952, section 3 (a) of title I of the Social Security Act was amended to provide a formula for reimbursing the States for old-age assistance. Other sections pertaining to children and the blind were amended at the same time. These amendments provided that the Government should give to the several States up to $35 per case as the Federal share of the State's maximum expenditure.

Section 8 of the Social Security Act Amendments of that year contain a provision that the increased Federal grants should terminate as of September 30, 1954. That would mean that unless legislation were enacted by the present Congress, the Federal grants would again revert to a maximum of $30. Official representatives of my State have informed me that California, inasmuch as it is a high-income State, would suffer materially if the sharing ratio of the formula under the present law should expire and no provision be made by the Congress for its continuance. Old-age assistance to the people of my State would drop from a maximum of $80 to each recipient to $75.

California has a peculiar problem by reason of the fact that in recent years thousands of new residents have come to our State every week to remain there permanently. If the government of California were required to assume the burden which would result from the failure of the Congress to continue the present Federal grants-in-aid, it would for this reason place an undue burden upon the 12 million people of my State.

Accordingly I had intended today to introduce a bill continuing for 2 years the present provisions of the law to which I have alluded, but toward the end of last week—I believe on Friday—my friend, the distinguished minority leader [Mr. JOHNSON of Texas], for himself and other Senators on the other side of the aisle, introduced proposed legislation which would take care of that problem. Because I do not wish to introduce parallel legislation upon the subject, I ask unanimous consent to have my name included as one of the cosponsors of that piece of legislation. I have already received the consent of the Senator from Texas.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF PUBLIC WORKS IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, is the morning hour now completed?

The PRESIDING OFFICER. If there is no further business to be transacted under the morning hour the Chair declares the morning hour to be concluded, and lays before the Senate the unfinished business, which is Senate bill 2670.

Mr. KNOWLAND. Mr. President, there is at the desk a privileged matter, the conference report on the construction of public works in the District of Columbia. The distinguished Senator from South Dakota desires to present the conference report and have it considered. I might say that I have previously discussed it with the minority leader, the Senator from Texas, and I understand there is no objection to considering the conference report at this time.

Mr. CASE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. THYE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: On page 4, line 17, of the Senate engrossed amendments strike out "$13,500,000" and insert the following: "$13,000,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert in lieu thereof the following:

"SEC. 804. Subsection (a) of section 40 of said Act, as amended (sec. 25–138, D. C. Code 1951), is hereby further amended by striking out '$1' and inserting in lieu thereof '$1.25.'"

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "and boats (to the extent of the first $1,000 of their value)"; and the Senate agree to the same.

FRANCIS CASE,
J. GLENN BEALL,
ALBERT GORE,
Managers on the Part of the Senate.

JOS. P. O'HARA,
HENRY O. TALLE,
JOHN J. ALLEN, Jr.,
HOWARD W. SMITH,
OREN HARRIS,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, may we have a brief explanation of the report?

Mr. CASE. Mr. President, so far as I know, there is no disagreement to the conference report, which was signed by all members of the conference committee, from both the Senate and the House.

I might mention three principal items. One was the so-called bus-mileage tax, which at the present time is 8 mills. The conference agreement is that it shall be 1 cent, as proposed by the House.

The next major item was that of the earmarking of the Federal funds. The House had proposed that amounts in excess of $12½ million be earmarked for matching with Federal appropriations. The Senate's figure was $13½ million. The compromise was at the midway figure of $13 million.

Another item I might mention is the tax on beer. The present rate is $1. The bill as passed by the Senate provided for a tax of $1. The House had proposed that the tax be $1.50. The figure was compromised at $1.25.

Mr. MORSE. The Senate proposed no increase.

Mr. CASE. The Senate proposed no increase, which would have left the tax at $1. The compromise put the tax at the midway mark between $1 and $1.50, or $1.25.

The final compromise was on the question of taxing boats as personalty. The conference agreed that the tax was not to apply on boats to the extent of the first $1,000 of their value.

The rest of the changes were purely technical in nature, such as revising the section numbers.

I ask for the approval of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. MORSE. Mr. President, as one who opposed the bill, and who still opposes it, because I do not think it does justice to the taxpayers of the District of Columbia, in that all the taxpayers of the United States are not assuming

the share of the cost of operating the Nation's Capital City which I believe they should assume, nevertheless, I wish to compliment the chairman of my committee for what I consider to be a very good job of negotiation performed by him as chairman of the Senate conferees.

I particularly wish to compliment him on what seems to me a very fair trade on the tax on beer, the poor man's drink. Of course, I wish to point out that if a group of us had not opposed any increase, during the consideration of the bill in the Senate committee, when some members of the committee wished to increase the tax to $1.75, the natural compromise, if that proposal had been adopted, would have been somewhat above the figure $1.25. I think my good friend, the Senator from South Dakota [Mr. CASE] on that point, as on other points, demonstrated that he is a very competent negotiator, as we have found him to be in the committee as its chairman.

However, Mr. President, I still think the bill is a very unjust one.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

THE SITUATION IN THE FAR EAST

Mr. SMITH of New Jersey. Mr. President, the heroic defense of Dien Bien Phu may well be a turning point in the present tense world situation. Many times in history those who have fought and died for the basic principles for which they believed have led the way to new and better days. We have examples in our own history, and we have seen it in many instances all through the history of the world.

We have recently heard from Geneva the hypocritical talk of "Asia for the Asians." All of us believe in Asia for the Asians. All of us know that the present unrest in the Far East and the urge for freedom and independence constitute a major problem to which the world must give attention. But when we state our belief in Asia for the Asians, we do not admit that Asia must be turned over to the domination of the ruthless totalitarian type of control from the outside that Moscow has been exhibiting in its contacts with the other nations in the world. "Asia for Asians" really means exactly that, rather than a substitution of Communist colonialism for the vestiges of 19th century imperialism.

If we are to look forward to ultimate peace in the Far East, we must have a long-range objective; and we must continue to strive for that objective, irrespective of how long it takes before the difficulties are overcome. That long-range objective should be real freedom and independence for all of Asia. In order to accomplish this, we must take care of the key situation just as soon as it possibly can be done. The key is a free and independent China. So long as China is subject to the control of Moscow, there can be no freedom in China, there can be no freedom in Asia, and there can be no freedom in the world. No matter what the temptations for appeasement may be, there can be no compromise of any sort on this basic principle, which is behind the Eisenhower-Dulles policy.

This is a subject on which I plan to address the Senate from time to time as the situation develops, but in the meantime I wish to pay the highest possible tribute to our President and to our Secretary of State for the real accomplishments they have achieved in the face of the greatest odds.

Mr. President, in connection with my remarks, I desire to insert in the RECORD some editorials on this important subject that appeared recently. The first is an editorial entitled "'Submerged,' Not Conquered," from the New York Times of May 8. It pays a worthy tribute to the heroic defenders of Dien Bien Phu, and points out that their splendid acts of self-devotion to a great cause may well be a turning point in world history. I ask unanimous consent that the editorial be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"SUBMERGED," NOT CONQUERED

It may have been a mistake to permit the little French fortress with the unfamiliar name and its garrison of a few thousand men to become a symbol of resistance to communism in Indochina. Southeastern Asia does not fall because one garrison is, as Premier Laniel said yesterday, "submerged." The fate of some 12,000 men cannot determine the fate of Asia's restless, hoping, fearing, despairing millions. But Dien Bien Phu did become a symbol. So let it be.

Is this a symbol of defeat for the cause of liberty throughout Asia? No. What happened at Dien Bien Phu? The force of the enemy may easily have been misjudged. The determination of Red China to spread tyranny outside its own borders may also have been underestimated. But liberty will not be lost in our time by misjudgments. It will be lost, if it is lost, by irresolution, by hesitation, by cowardice.

This was not the spectacle that was seen by the whole world inside the tiny and shrinking perimeter of Dien Bien Phu. What was seen there was the determination of outnumbered, weary, and wounded men not to give in to overwhelming numbers, not to yield to the fear of death and worse than death. The soldiers who fought inside the fortress of Dien Bien Phu were not supermen. They were young officers newly graduated from schools in France. They were professionals doing the full professional duty of a soldier. They were Vietnamese who were voting against communism by the best means within their control, by lead, steel, and explosives. They stood their ground not until their will to resist gave way but until their strength was no longer adequate, until wounds, sickness, and overwhelming numbers had worn them down. They took their toll of the enemy. They were submerged, indeed, but conquered they were not.

Twelve thousand men are but a small fraction of freedom's strength in Indochina. They are an infinitesimal part of freedom's strength in the whole world. If the spirit that lived among these 12,000 men exists—and it does exist—among the many millions of the free who were not called upon to do battle at Dien Bien Phu or anywhere else, then freedom will live in the world. We need more wisdom in our councils. But the wisdom of valor we have. It was present at Dien Bien Phu and at the mention of that name from now on we may well bow and uncover. For it revealed qualities which will bring a final victory for liberty and for humanity.

Mr. SMITH of New Jersey. Mr. President, at this point I call attention to an article entitled "The Road Stretching Beyond Dien Bien Phu," written by Anne O'Hare McCormick, and also published in the New York Times of May 8. Mrs. McCormick points out very properly that the fall of Dien Bien Phu has cast a shadow over the free world larger than the event itself justifies, and in her article she calls attention to the importance of having the free nations stand together behind those who fought so valiantly for the freedom of mankind. At the end of her article she makes this important and pointed statement:

But there is an obvious attempt to get together at Geneva. In this what are we to think of the politicians at home * * * who choose this delicate moment to give notice that bipartisan foreign policy is at an end or that Mr. Dulles' threats of united action are all bluff? Allied disunity in this crisis is worse than 100 Dien Bien Phus; dissension in the country that has to set the pact, whether it wishes to or not, would be a disaster of incalculable magnitude.

Mr. President, I can endorse everything Mrs. McCormick says in that statement; and I feel that we should take grim warning of the consequences of the present talk of allied disunity, or disunity among our own people; I deplore it, and I shall do all I can to work against any such unsound approach to the solution of world difficulties. I ask unanimous consent that Mrs. McCormick's article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ROAD STRETCHING BEYOND DIEN BIEN PHU

(By Anne O'Hare McCormick)

The fall of Dien Bien Phu casts a larger shadow over the free world than the event itself justifies. It was a grave mistake to exalt it into a symbol, for the one thing clear in the dark picture is that all is by no means lost as the fortress and its valiant defenders are overwhelmed at last.

The Communists have paid a terrible price to score a victory as they confront the French at Geneva. They virtually stopped fighting at every other point to hurl battering rams of human flesh against the French defenses. In the end, tragic as it is, they have only a devastated little valley to show for the sacrifice of countless thousands of their best troops. The bulk of Vietnam, after the rebels have struggled more than 7 years to conquer it, remains in the hands of the French Union forces.

Dien Bien Phu is not a symbol of disaster or defeat. As far as the Indochinese war is concerned, this battle will affect the outcome only as it affects the morale of the people outside the fortress, in France and in the Associated States of the Asian peninsula. If it lives as a symbol it will be of something else—of human endurance and human courage. History is starred with legends of sieges in which dauntless men held out to the death, but it is strangely significant that none is more glorious than the stand made by this mixed company of Europeans and Asians in a remote corner of the Far East. It will be remembered as a legendary example of magnificent foolhardiness.

WHAT IT PROVES

Though the Communists at Geneva are sure to squeeze every advantage they can out of their victory, the truth is that their losses

are incomparably greater than those of the defenders. If Dien Bien Phu proves anything, it is that the conflict for Vietnam is and must remain a stalemate, soluble only by negotiatitons unless it is indeed extended into a world war by large-scale intervention by Communist China or the Western Powers.

As it is, in spite of the strong sentiment for withdrawal in France, the French cannot get out and leave more than 100,000 French colonists and millions of loyal natives, relying on French pledges of independence, to the mercy of conquerors who will reduce them to a kind of servitude they have never known. Nor can Ho Chi Minh win control unless all aid to native resistance is withdrawn.

The Indochinese fear and detest the Chinese, the enemy they know, more than they dislike communism, which as yet they hardly know. This reporter once asked a Vietnamese official why the Chinese coveted his country. "Because we are rich," he answered with a note of pride. "We are the 'fat people' of the Orient. Can you not imagine that people whose common greeting is not 'How are you?' but 'Have you eaten?' long to possess our fertile valleys, our brimming rice bowl? They have always envied us."

BASIS FOR AN ARMISTICE

Dien Bien Phu has indeed accomplished its mission, if it demonstrates the capacity of the free peoples to hold out against hopeless odds and warns the Communists that resistance is still so strong that they cannot add the Indochinese peninsula to their empire without risking a major war.

The battle remains as inconclusive as it was before the fortress fell, and for both sides this bleak fact furnishes the basis for a reasonable armistice. And if a reasonable armistice can stabilize for awhile what everyone must admit to be a thoroughly unsatisfactory situation, the world could breathe in the hope that the course of aggression could be dammed and that in time the natural pressures of human forces would be freed to work for peaceful change.

But the remote fulfillment of such a hope calls for statesmanship of a high order and it must be said there are few signs of that in the confusion and disorder that currently envelop the capitals of the West.. The cause of the dissidence at Geneva among the ministers who were united at Berlin is that all are so hampered and harassed by domestic politics that they literally are unable to negotiate.

A PACIFIC PACT

After all the furor in Parliaments and public prints over the plan to organize a kind of Pacific NATO, they are reported to be agreeing that some kind of defense system is necessary if the free nations of Asia are to be saved.

Return of the Western Powers to a common purpose is imperative if the West is to have any bargaining position vis-a-vis the Communists. And it should be added that all our mistakes and so-called defeats in foreign policy cannot prevent the United States from taking the lead in making Allied policy. The French are in an agony of cross-purposes and the British are desperately afraid we will goad Peiping to reckless action, but in the showdown the two powers are bound to cooperate with Washington. That is the main reason, of course, they are terrified when we move.

But there is an obvious attempt to get together at Geneva. In this what are we to think of the politicians at home, Republicans and Democrats, who choose this delicate moment to give notice that bipartisan foreign policy is at an end or that Mr. Dulles' threats of united action are all bluff? Allied disunity in this crisis is worse than 100 Dien Bien Phus; dissension in the country that has to set the pace, whether it wishes to or not, would be a disaster of incalculable magnitude.

Mr. SMITH of New Jersey. Mr. President, finally I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial entitled "The Long Range View," from the New York Times of Sunday, May 9. Toward the end of the editorial appears the following:

The most important thing, in the long-range view, is to put the Communist world on notice that Southeast Asia is not to be had for the asking. We and the other nations of the free world are quite willing to discuss terms under which there can be an end to bloodshed while these problems are worked out. But the Communists should be told that such terms do not include the surrender of the very freedoms to which we are committed.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE LONG-RANGE VIEW

Whether the free world can hold one embattled bastion, such as Dien Bien Phu, can be important. It can have meaning because of the gallant men who died there for freedom. It can have import because there are still heroes who prefer death to slavery. The men who lost and died at Dien Bien Phu did not make their supreme sacrifice in vain. They have made all of us more aware of the deadly earnestness of the conflict between two modes of life. They have raised a standard to which all of us must still repair. Indochina has had its Bataan, in a sense, and we may not forget this one, as we have not forgotten the other.

But in the longer view, one battle does not constitute a campaign, nor one campaign a war. The major issues in respect to Indochina and to the whole of Southeast Asia are still unresolved. The conference at Geneva is making an effort to resolve some of them around the negotiation table at the same time that the Communists made their supreme effort to effect that resolution by a maneuver in the field. It is well recognized that the siege of Dien Bien Phu was a political rather than a military assault. How its results are assessed will be determined more importantly in the political than in the military field.

At stake, in this political field, is primarily the freedom of the Associated States of Indochina, Vietnam, Cambodia, and Laos. It has been said, rather naively, that their independence must be a future consideration of the first importance. That is naive because their only chance of independence is not a question of the future but of the present. They must be defended if they are to have the very freedom to which France has made full commitment. And France, under the existing conditions, must carry the heaviest weight of that defense.

It is well known that there will be a better chance of rallying the maximum defense effort among the Indochinese peoples if the French commitment to this independence is made dramatic and forceful. This cannot mean, however, that France, at this stage, can simply wash her hands of the Far East and announce a withdrawal, both political and military. A French retreat from the heavy obligation in Indochina at this point would mean simply a surrender to Communist attachment of the entire peninsula. Independence and freedom are the accepted goals, of course, but they must be defended. Vietnam, Cambodia, and Laos are not at this time in a position to assume the full burden of that defense.

What has been suggested by this country, therefore, in some sort of united commitment, among the interested free nations for that defense. There is no reason to modify that goal or to slacken the efforts to achieve it. These efforts are continuing, President Eisenhower has stated, and they should. Additional emphasis was given to the need for unity in Friday's strong report to the Nation by Secretary Dulles. This is one of the great causes that can be won, as he said, "out of lost battles."

The most important thing, in the long-range view, is to put the Communist world on notice that southeast Asia is not to be had for the asking. We and the other nations of the free world are quite willing to discuss terms under which there can be an end to bloodshed while these problems are worked out. But the Communists should be told that such terms do not include the surrender of the very freedoms to which we are committed.

It is pointless to talk about the end of colonialism in southeast Asia—and that end is at hand—if we consider as an alternative the delivery of the southeast Asian peoples into a more vicious subjugation than any they have ever experienced, the tyranny of Moscow and Peiping. The opposition to that tyranny is not merely "Western," and it is a mistake so to label it. It is an opposition of free men, Asians and Occidentals, to the present menace.

The Communists may be expected to show a fresh intransigence at Geneva as the result of any setback for freedom in the field and as the result of any suggestion of divided counsels among the free nations. This is therefore the time for fresh efforts to achieve real unity of tactics as well as of purpose. This is not the time for frustration, despair or even timidity. Least of all is it a time for division.

Dien Bien Phu can be a symbol, if we make it so. It can be the rallying point for new courage, new dedication, new confidence. We have not been deceived. We are not defeated.

Mr. KEFAUVER. Mr. President, the loss in Indochina of the fortress of Dien Bien Phu and our reversals at Geneva have caused sorrow to every thoughtful American. They demand the fullest reexamination of our foreign policy and the means by which we implement that policy.

In the space of less than 2 years we have witnessed the decline of American leadership of free world forces. It is now at the lowest point since the day when the United States entered World War II.

In part, this is due to the fact that vultures have now come home to roost.

Foreign policy, as it ought never to have been, was made a major issue in the campaign of 1952. The irresponsibility demonstrated by many of those attacks on American foreign policy plagues our Nation today. Echoes of such phrases as "Mr. Truman's war," in reference to the war in Korea, helped to make this great Nation ineffective in dealing with the threat of Communist aggression in Indochina. They make it doubtful whether in our time, in cases of limited aggression, the forces of the nations of the free world can again be united in active opposition to it.

The conference at Geneva was a failure before it started. The reason for that failure lies very largely in this body, in the Senate of the United States. We sent to Geneva a Secretary of State with his hands tied behind his back. We sent to Geneva a Secretary of State without the power to negotiate freely, for the simple and tragic reason that he did not have the full confidence and support of

the members of his own party in the Senate of the United States. Our allies knew this. What is more, our enemies knew this.

As a result, there is likely to be no acceptable peace in Korea, and it is likely that the United States will be forced for a long time to come to maintain its fighting forces there. The result may be that the Communist forces will have a permanent foothold in Indochina while we look on helplessly.

The American people were sometimes misled and almost always confused by the varying statements of their leaders during the days leading up to the fall of Dien Bien Phu. They ranged from the false optimism of last fall to the declaration of this spring in which we were alternately taking a more active role in the battle and not doing so. This would be serious enough if it did not indicate something much more serious. That is that our own leaders were misinformed and confused. Events show that our intelligence failed. Events demonstrate that our own leaders vacillated when they should have been firm.

One thing I wonder about in this connection is whether we are getting the kind of reports from our Foreign Service officers on which sound decisions can be based, or whether these postmortem investigations of foreign policy are resulting in having our Foreign Service officers word their reports in a way that they think will be pleasing to Washington. Certainly there has been a great deal of speculation to this effect; and having seen how their colleagues were, from the China days, pilloried for reporting the facts as they saw them at that time, I think it is quite possible.

One reason for the vacillation on the part of our Government seems to be the growth of government by committee in our land. The National Security Council has become increasingly important in the affairs of our country. It has become more important for one reason only. That is that National Security Council today is exercising powers which under previous administrations were exercised by the President himself. Whatever else it is, and no matter what powers it wields, that National Security Council is a committee. I ask you when ever there was a committee of one mind or capable of straight, unfaltering leadership.

The most consistent and effective support of the foreign policy of the United States, where it has been wise, has come from the Democrats. Yet we have been little consulted. When it would be known to any reasonable man that Democratic help would be needed, our party and its leaders have been reviled.

It is apparent that we have moved to a crisis in matters of foreign policy. New determinations needs to be made of our role. We must make sure that our intelligence on which our decisions are to be based are correct. We at least can hope that the President will by now have discovered the futility and danger of merely presiding over his responsibilities and will give both Government and the American people the leadership they lack.

We need, as well, a new and serious effort at bipartisanship. The times demand a fully national foreign policy, arising from the minds and hearts of all loyal Americans. We Democrats will do our share, as we always have and always will, when danger threatens the interests of our Nation.

When these things have been done, Mr. President, we shall see the return to respect for American leadership. This we have on our side: The longing of all men for freedom. Once we give dynamic and positive leadership, the prospects for freedom and peace will be brighter than they are at this hour.

BASIC POLICY IN ASIA

Mr. FLANDERS obtained the floor.

Mr. WATKINS. Mr. President——

Mr. FLANDERS. Mr. President, I promised to yield to any Senator who asked me to do so.

Mr. WATKINS. I should like to proceed with the unfinished business, but I do not wish to interfere with these brief statements. I do not know how long they will take. They may require 10 or 15 minutes or an hour, so I will not ask the Senator to yield to me at the moment.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. FLANDERS. I promise to be through in 14½ minutes—perhaps 14¼ minutes.

Mr. President, the course of our foreign policy continues to be perilous and cloudy. It would seem to be well at this point to divert our attention from the multitude of details which change from day to day and focus it on the fundamentals.

When we try to do this a puzzling question arises: What is our foreign policy?

We can start conventionally by saying that our foreign policy must support our own national interests. It cannot be based only on the notion of doing good to all the world, rushing here and rushing there as trouble spots develop, spreading lavish offers of help, military and economic, in all the threatened and needy parts of the earth. We are aware of the difficulties in which other parts of the world find themselves, but to attempt to remedy all these difficulties would drain us financially and lead us into such a state of irresolution and confusion as to make any sane and sober advancement in the cause of humanity difficult or impossible.

It would seem that for us our vital national interests can be expressed in very simple terms. We seek for ourselves, our children, and our grandchildren the great privilege of living at peace in a free world.

That we shall be able to do so in the future is not at all clear. While Britain was freeing India, while the Netherlands was freeing Indonesia, while the United States was freeing the Philippines, Communist Russia was taking over great territories in Central Europe and Communist China was engaged in a not unsuccessful endeavor to expand its territory and its dominion in Korea and in Indochina.

This is all a part of a program of world conquest which has been publicly announced time after time by the leaders of the Soviet Government—Lenin, Stalin and others. While in a military way the only present activity is in Indochina the expansion of Soviet power by subversion is being pressed with all vigor in Western Europe and with increasing vigor in Africa and Latin America. The intent of this conquest is to bring the whole world beneath the dominion of Communist dictatorship. Of that there can be no doubt.

There are far too many of our fellow citizens who view this program of conquest without concern. They feel that America and Canada can withstand it and remain free. They believe that the freedom of these two democratic countries can be maintained by resisting subversive forces within while paying little or no attention to the external threat which is rolling in upon us from without. This judgment of world events is so terribly wrong that it is difficult to understand how otherwise sensible people can hold it. Yet hold it they do. If they are willing to see the rest of the world go Communist if we can keep free, the rest of us must not be so short-sighted and must diligently undertake to preserve our freedom in a free world. The free world is the objective of our foreign policy.

What happens if we fail to reach our objective? The United States and Canada surrounded by a Communist Asia, Africa, Latin America and, ultimately, Europe, become besieged peoples. We will be surrounded by an iron curtain not of our own making. We will not be permitted to travel, to trade, or even to communicate with the other nations of the world except as permission is granted by the Communist powers who will have reduced us to pitiable impotence so far as our relationships with the outside world are concerned.

It is this objective of Soviet power which makes our concern with the expansion of world Communism a matter of supreme importance. It is this which should lead the most of us and the best of us to do our best thinking and take our most decisive action in opposing the external menace of Soviet power.

Now this external menace at the moment shows itself in the conflict which has been waged between the revolutionary forces of the Vietminh munitioned and guided by Communist China and the French military forces allied with such Vietnam military support as the French have been able or willing to muster. This is not merely a current critical situation. The situation is critical for long years in the future. Food supplies are at stake which become available to Communist or non-Communist countries as runs the tide of war. More than that, a Communist victory in this area opens the way for Communist military and subversive advance westward into the countries of southern Asia and southeastward through the islands of the sea toward the British Dominions of Australia and New Zealand. In all this great area the nations and peoples who desire freedom have a common interest with our foreign policy, if we state that

policy as being determined to live at peace in a free world.

The interests of freedom cannot be served only by plunging more deeply into the military effort. No military effort we might make, however strong, can be of any avail unless it is acceptable to the people of Vietnam, Laos, and Cambodia. Whether in the mountainous jungles of Dien Bien Phu or the watery jungles of the Red River Valley, military action is helpless and hopeless without the good will of the people. Their neutrality is not enough. Their active participation is necessary. Our tendency to think of these problems only in terms of military action may well be fatal to the support of our national interest. We are rapidly putting on the role of Atlas supporting the globe. We become the "weary Titan" carrying the sole responsibility for the well-being of the world. That role is one in which we cannot play an effective part. It is a role which will ruin us financially and which will lead us to such a confusion of thought and action as will ultimately leave us helpless and alone.

Thus, our great problem in Asia is political rather than military. Military action has to be considered as an essential of our program, but the constructive work has to be done politically. The term "political" is being used in its highest and deepest sense as coming to cooperative terms with the peoples of the earth.

Specifically what we have to do is so to act and so to speak as to make it clear that our interest lies in making a free world an actuality instead of a dream. We are concerned with the freedom of Indochina. We are concerned with the threatened freedoms of all the people of southern Asia and the islands of the Pacific. To make our concern real and convincing is our problem.

The cooperation we seek cannot be bought by offering lavish development programs for the people concerned. It cannot be obtained by threatening them with the withdrawal of such programs. It can only be obtained by an honest interest in the solving of a mutual problem. We have to develop and build up the support by peoples and nations of the common cause.

To the junior Senator from Vermont it seems that there is much more hopefulness in the conference which has been going on in Colombo than in that which is taking place in Geneva. The conferences between the Asiatic nations at Colombo for the first time denounced both communism and colonialism as the enemies of the people of Asia. With these sentiments we can and must ally ourselves.

Our detestation of and hostility toward Soviet and Chinese communism are well known the world over. The eternally necessary reasons for our attitude may not be so well understood. To President Eisenhower and Secretary Dulles it is fundamental that there can be no greater evil visited by man upon man than contempt for the individual soul and an endeavor to seize his personality, destroy its form; and mold it like putty into an alien and unspiritual conformation. This belief is firm and convincing in the minds of our leaders. Have they conveyed it in its full force to foreign statesmen and foreign peoples? The junior Senator from Vermont anxiously scans the news for some evidence of this, but scans in vain.

We have failed even to inform our own soldiers. General Dean comments on the crusading spirit of the North Korean Communists and the lack of inspiration in our own men. That lack of inspiration afflicts our Armed Forces. More than that, it afflicts the majority of our fellow citizens. Worse still, the free nations the world over are blind to the meaning of this culminating crisis of mankind.

Hiroshima and Nagasaki were ghastly enough, God knows. We shall ever be burdened in the sight of mankind with the responsibility for having loosed upon our fellowmen the ultimate destructive force of the universe which the physical law has committed and permitted to man.

But this force destroyed the body only. Among all the peoples under the Soviet yoke, the destruction of individual thought and moral responsibility is a commonplace. It is practiced upon the plastic young as these millions come to the age of self-consciousness, and even before. Their elders have already been grasped and molded. Such of them as have been determined to retain their individuality and moral responsibility are subjected to such psychological and physical tortures as history never before has witnessed.

We have seen something of this in the pitiable remnants of individual souls whose bodies have been brought to public trial in Soviet courts. The full horror of this attack on the personality and soul of man was not revealed to us until the Korean truce returned to us the victims of this hellish assault. A brave marine colonel, through brain and soul washing, confessed to lies. A lieutenant general confessed that had the process been continued the only escape for him would have been suicide.

The crime against outstanding individuals is great. The crime against whole peoples, with their innocent children, is incalculably greater.

Our British allies have been restless because we are making a moral issue of our anticommunism. Yet we must press that issue. Their own history bears us out in our insistence.

Nehru complained a few months ago that to America everything is black and white. He says we go on crusades. He would remain neutral. He must understand that when the moral values are scorned and the souls of men are attacked there can be no neutrality. There can only be a crusade.

Yet this must be a crusade in which the intellect guides while the emotions drive. Patiently, persistently we must present the world's case to our European allies, and particularly to the peoples and governments of Asia. It is their cause and humanity's cause that supervenes any private interest of our own.

Honestly feeling this, patiently presenting this, we can support Asia for the Asiatics against the supremely dangerous threat of conquest which is facing them as it is facing us.

As for us, we cannot long be free ourselves unless the people of Asia are a part of the free world. This is our national interest, and it must determine our national policy.

Mr. WATKINS obtained the floor.

Mr. MORSE. Mr. President, will the Senator from Utah yield to me with the understanding that he will not lose the floor and that I shall take a maximum of not more than 5 minutes?

Mr. WATKINS. With that understanding I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, it is always reassuring to listen to commonsense on the floor of the Senate, as we did to the Senator from Vermont [Mr. FLANDERS]. One does not need to agree with every point in his speech to go along with its major premises.

I think it is a very good thing today that the Senator from Vermont stood up and laid down some principles of the application of the moral law to American foreign policy. I should like to say about his speech that in my opinion the problem in Asia not only involves our facing it from the standpoint of political action, but also from the standpoint of economic action, because in the long run we must beat Russian communism on the economic front. We can beat Russia on the military front at any time we become involved in a military contest with her. However, beating Russia does not beat communism. We shall beat communism when we demonstrate to Asia the advantage of freedom of economic choice for the individual. Such freedom constitutes the basic principle of American political democracy. Without economic freedom of choice there can be no political freedom of choice for the individual either.

I rise to make these comments because it is important, after the insertion that was made in the RECORD of the McCormick article by the Senator from New Jersey [Mr. SMITH], that at least a voice of dissent be raised in respect to some of the implications of Mrs. McCormick's article and to some of the remarks of the Senator from New Jersey [Mr. SMITH].

It is the Congress that stands as the people's protector, functioning as a check upon the foreign policy of any administration at any time in our history. I am a Member of the Senate who believes it it important that Congress proceed with vigilance to exercise its duty of checking the Secretary of State and the foreign policy he has been evolving for the last few weeks. In my judgment, if we follow the Secretary of State we shall be following the administration into war in Asia. Dulles has demonstrated time and time again that he represents a point of view in this country which will lead us to war if we do not check him. He has made one mistake after another in recent months, the latest being, in my opinion his fiasco at Geneva. Let no one be fooled by any claim of this administration that Dulles did well at Geneva. He led us into a diplomatic defeat of major significance. I listened to his con-

fused pronouncement to the American people on Friday night, highly vacillating in nature, containing sentences which cannot be reconciled with each other. He constructed verbal exits by use of language that can mean many things and serve as escape outlets for the administration if our allies continue to reject our half-concealed war threats.

In my judgment, we had better recognize that we should not follow a policy of military intervention in Indochina unless we go into it through the United Nations as a part of a United Nations program. At the present time our friends in the United Nations are not united on this whole matter of Indochina. The Secretary of State is much to blame for that fact.

Some may say, Mr. President, that the Secretary of State is the greatest Secretary of State in memory, but I suggest that they are persons of very short memory. It was the Secretary of State who, on January 12, announced the massive retaliation doctrine which threw our allies almost into diplomatic hysteria. In my judgment, it lost us Nehru, and as India goes, southeast Asia will go for the next half century.

Of course, there exists the terrible, threatening danger of the advancement of communism in southeast Asia. But we cannot stop it with United States military intervention or by alienating our allies as the Secretary of State has been doing for months. Take the tragic blunder of the Secretary when he entered into an agreement with Syngman Rhee guaranteeing that India would not sit at the truce table.

What did it cost us? It cost us a majority vote in the United Nations, and we have not recovered from the loss of it. The only thing that saved our face was the two-thirds vote requirement of the United Nations.

Think what has happened to us in India as a result of it. India is a country which ought to be standing with us, and we with India, but the best we can say is that Nehru is neutral when he should be marching forward with us in the cause of freedom.

The Secretary of State, on Friday night, discussed Communist imperialism in southeast Asia, but the fact still remains that most of the southeast Asians want an end of foreign colonialism in southeast Asia. They want an end of western imperialism in southeast Asia. I do not think the people of southeast Asia realize what a serious threat communism is to them. They have suffered for decades and decades under the exploiting practices and rule of western imperialism in southeast Asia. They see that as their No. 1 political and economic enemy. They are going to get rid of western domination first, and we had better recognize that fact. We should be sitting down with our friends in the United Nations, working out a common agreement based upon a sound economic and diplomatic approach to southeast Asia. We are not going to sell political freedom and democracy to southeast Asia until we start meeting the economic needs of southeast Asia. We do not meet the economic needs of Indochina through a continuation of the French colonial policy. We do not guarantee independence to Indochina by attaching any strings to an independence agreement that enables France to drag Indochina into a French union. Western powers must give up their political control and domination of southeast Asia if we want to promote peace in that section of the world and bring those people over to our side of the struggle between freedom and communism.

It is time we made it clear to France that we are not going to support, under another name, any scheme or proposal for a continuation of colonialism in Indochina. We must make clear to France we are not going to enter into any agreement which will result in shiploads of coffins draped in American flags being shipped from Indochina to the United States in any attempt to support colonialism in Indochina.

I think the Secretary of State had better face what he will find is the determination of the American people, namely, that the overwhelming majority of the American people are opposed to American military intervention in Indochina. They will not go along with an Eisenhower-Dulles-Radford program which will take us into an all-out war if they can prevent it. The President of the United States does not help the situation any by assuring the American people that we shall not get into a war unless there is a declaration of war by Congress. We shall never see the time when we get into a war, first, by a declaration of war by Congress. The next time we go to war we will find that we were plunged into it by events and then the Congress will be called upon to draft a declaration of war, simply to make it legal.

Mr. President, I shall go along with my President, whoever he may be, as I have in the past, whenever he gives us the facts which will support a military intervention in order to protect the rights and the liberties of the American people and of our allies who are willing to stand with us for freedom. But I shall not go along with a Secretary of State who time after time has made a record of unilateral action in the field of foreign policy without consultation with the Congress itself, or with our allies, and then asks us to support him after the policy has been determined.

Mr. President, I think it is important that men in the Senate be willing to stand up and differ with the foreign policy of this administration if we feel that we are being led into an unnecessary war. I grant to the Senator from New Jersey [Mr. SMITH] a complete sincerity in his views, many of which are contrary to mine. But I resent the implications of administration spokesmen that agreeing with Eisenhower and Dulles is somehow a test of a Senator's patriotism. It is not right to raise doubts of a man's patriotism if he stands up and questions this administration's foreign policy. Have we reached the point in this country where, if we question the foreign policy of the administration, based upon facts which have been given to us, we are unpatriotic? Some of us have even been smeared with the charge of being pro-Communist because we disagree with the administration's Indochina policy. Mr. President, not even the occupant of the White House is more anti-Communist than I am. I happen to be one of many here in the Senate who do not believe that the way to beat communism in southeastern Asia is to follow the Eisenhower-Dulles-Radford program as it has developed to date. I happen to be one of many here in the Senate who believes that we owe it to the American people to make this administration prove its case for military action in Indochina which may very well involve American boys before our flag is sent forward to battle in that section of the world.

We must make a grave decision in American history in the next few weeks as to which direction our foreign policy is to travel. The first thing to do is for the administration to take us into its confidence. Recently the administration has been giving more information to bipartisan members of the Foreign Relations and Armed Services Committees of both branches of the Congress, but still members of those committees have told me, as late as this morning, that they do not have the facts they should have in order to render judgment on the issues.

As the tension increases, as I believe it will increase, the President has a duty to call an executive session of this Congress, because we are the people's choice in exercising checks upon the Executive. He should inform us of the facts in support of any foreign policy in Asia which he and his Secretary of State propose. He should make clear that we as a nation will not be used to bolster French and British colonialism in southeast Asia. He should make clear to our allies that through the United Nations we will stand united with them against the threat of communism taking over the people of southeast Asia, but that means they must stand with us in the immediate ending of western economic and political domination of those nations.

TERMINATION OF FEDERAL SUPERVISION OVER CERTAIN TRIBES OF INDIANS IN THE STATE OF UTAH

The Senate resumed the consideration of the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

The PRESIDING OFFICER. The amendments of the committee will be stated.

The amendments of the Committee on Interior and Insular Affairs were, on page 2, after line 12, to insert:

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 8 of this act.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

On page 4, line 17, after the word "the", insert "tribal"; in the same line, after the word "property", strike out "real and personal, held by the United States in trust for the tribe,"; in line 19, after the word "transfer", insert a colon and "*Provided*, That the Secretary of the Interior shall not approve any form of organization that provides for the transfer of stock or an undivided share in corporate assets as compensation for services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary;" on page 5, line 3, after the word "the" insert "tribal"; at the beginning of line 4, strike out "held by the United States in trust for the tribe"; in line 25, after the word "any" insert "tribal"; in the same line, after the word "property" strike out "held by the United States in trust for the tribe"; on page 6, after line 12, insert:

(c) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of his section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Utah that relate to the selection of trustees: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of paragraphs (1) and (2) of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

On page 8, line 2, after the word "of", insert "all or"; in line 3, after the word "cause", strike out "such" and insert "all or any"; in line 21, after the word "States", insert "Territories, possessions, and the District of Columbia"; in line 24, after the word "of", insert decedents"; on page 9, at the beginning of line 7, strike out "is" and insert "he deems"; in line 8, after the word "which", strike out "is" and insert "he deems"; in line 21, after "SEC. 10", strike out "Nothing in this act shall affect any claim heretofore filed against the United States by a tribe" and insert "Nothing contained in this act shall deprive any Indian tribe, band, or other identifiable group of American Indians of any right, privilege, or benefit granted by the Indian Claims Commission Act of August 13, 1946 (ch. 959, 60 Stat. 1049), including the right to pursue claims against the United States as authorized by said act."

On page 10, line 9, after the word "approved", insert "Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency and may transfer such function, in whole or in part, to a State agency with the consent of such agency and the other party or parties to such instrument."

In line 19, after "SEC. 13.", strike out "For the purposes" and insert "Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions"; on page 11, after line 15, insert:

SEC. 16. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this act and to deposit the amounts set off to the credit of the tribe or the United States as the case may be.

In line 23, change the section number from "16" to "17"; on page 12, line 16, change the section number from "17" to "18"; in line 17, after the word "section", strike out "16" and insert "17"; on page 13, line 1, after the word "section", strike out "16" and insert "17"; in line 12, change the section number from "18" to "19"; in line 17, change the section number from "19" to "20"; in line 22, after the word "section", strike out "16" and insert "17"; in line 23, change the section number from "20" to "21", and on page 14, after line 3, insert:

SEC. 22. (a) Not later than 2 years after the date of this act, the management and operation of irrigation works for Indian lands of the tribe by the Bureau of Indian Affairs shall be discontinued.

(b) The Secretary may transfer the title to such irrigation works to water users, water user's associations organized for such purpose, or to corporations organized, or trustees designated, as provided in section 5.

(c) Effective on the first day of the calendar year beginning after the date of the proclamation provided for in section 17 of this act, the deferment of the assessment and collection of construction costs provided in the act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386), shall terminate with respect to any lands within the irrigation works on the reservation. The Secretary shall cause any first lien against such lands which may be created by the act of March 7, 1928 (45 Stat. 200, 210) to be filed of record in the appropriate county office.

So as to make the bill read:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in the State of Utah and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this act—

(a) "Tribe" means any of the following tribes or bands of Indians located in the State of Utah: Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of the Paiute Indian Tribe, Skull Valley Band of the Shoshone Indian Tribe, and the Washakie Band of the Northwestern Band of Shoshone Indians.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" mean real property, interests therein, or improvements thereon, and include water rights.

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 3 of this act.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Each tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. If a tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed role for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5 (a) The Secretary shall, within 6 months after the publication of each final membership roll, notify the tribe of the period of time during which the tribe may study means of disposition of tribal property, real and personal, under supervision of the United States. Such period shall not be less than 3 months and not more than 2 years, including any authorized extension of the original periods. The Secretary is authorized to provide such reasonable assistance as may be requested by the tribe in the formulation of a plan for the disposition or future control and management of the property, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Utah and political subdivisions thereof, and members of the tribe. During such period, the tribe may elect—

(1) to apply to the Secretary for the transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary of title to all or any part of the tribal property, and the Secretary is authorized to make such transfer: *Provided*, That the Secretary of the Interior shall not approve any form of organization that provides for the transfer of stock or an undivided share in corporate assets as compensation for services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary;

(2) to apply to the Secretary for the transfer to one or more trustees designated by the tribe of title to all or any part of the tribal property, real and personal, the title to be held by such trustee for management or liquidation purposes under terms and conditions prescribed by the tribe, and the Secretary is authorized to make such transfer if he approves the trustees and the terms and conditions of the trust;

(3) to apply to the Secretary for the sale of all or any part of the tribal property, and for the pro rata distribution among the members of the tribe of all or any part of the proceeds of sale or of any other tribal funds, and the Secretary is authorized and directed to sell such property upon such terms and conditions as he deems proper and to make such distribution among the members of the

tribe after deducting, in his discretion, reasonable costs of sale and distribution; and

(4) to apply to the Secretary for a division of all or any part of the tribal land into parcels for members and for public purposes, together with a general plan for the subdivision showing the approximate size, location, and number of parcels, and the Secretary is authorized to issue patents for that purpose.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary either to all members of the tribe as tenants in common or to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement.

(c) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Utah that relate to the selection of trustees: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of paragraphs (1) and (2) of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 2 years after the date of this act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor) are hereby removed 2 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance. The title to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

(1) upon reequest of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 2 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of a tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents estates shall apply to the individual property of members of the tribe who die 6 months after the date of this act.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to a tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary to public use and from which members of the tribes will derive benefit.

SEC. 9. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 10. Nothing contained in this act shall deprive any Indian tribe, band, or other identifiable group of American Indians of any right, privilege, or benefit granted by the Indian Claims Commission Act of August 13, 1946 (ch. 959, 60 Stat. 1049), including the right to pursue claims against the United States as authorized by said act.

SEC. 11. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency and may transfer such function, in whole or in part, to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 12. Nothing in this act shall abrogate any water rights of a tribe or its members.

SEC. 13. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of a tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 14. Pending the completion of the property dispositions provided for in this act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 15. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 16. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this act and to deposit the amounts set off to the credit of the tribe or the United States as the case may be.

SEC. 17. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

SEC. 18. (a) Effective on the date of the proclamation provided for in section 17 of this act, the corporate charter issued pursuant to the act of June 18, 1934 (48 Stat. 984), as amended, to the Kanosh Band of Paiute Indians of the Kanosh Reservation, Utah, and ratified by the band on August 15, 1943, and to the Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah, and ratified by the band on August 30, 1941, are hereby revoked.

(b) Effective on the date of the proclamation provided for in section 17 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 19. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 20. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 17 of this act.

SEC. 21. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 22. (a) Not later than 2 years after the date of this act, the management and operation of irrigation works for Indian lands of the tribe by the Bureau of Indian Affairs shall be discontinued.

(b) The Secretary may transfer the title to such irrigation works to water users, water user's associations organized for such purpose, or to corporations organized, or trustees designated, as provided in section 5.

(c) Effective on the 1st day of the calendar year beginning after the date of the proclamation provided for in section 17 of this act, the deferment of the assessment and collection of construction costs provided in the act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386), shall terminate with respect

to any lands within the irrigation works on the reservation. The Secretary shall cause any first lien against such lands which may be created by the act of March 7, 1928 (45 Stat. 200, 210), to be filed of record in the appropriate county office.

The amendments were agreed to.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). That completes the committee amendments. The bill is open to further amendment.

Mr. WATKINS. Mr. President, I send to the desk an additional amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 7, line 2, it is proposed to insert:

(d) Notwithstanding any other provision of this section, the Secretary is directed to reserve subsurface rights in tribal property from any sale or division of such property, and to require any trustee or trustees to whom title to tribal property is transferred to retain title to the subsurface rights in such property for not less than 10 years.

Mr. WATKINS. I desire to make an explanation of the amendment.

The amendment is offered in order to protect for a period of years any rights which the Indians may have in the subsurface of the lands which are owned by the tribe in a tribal capacity. Some question has been raised as to whether or not the area has oil or other minerals under it. In 10 years it ought to have been determined whether there is or is not any oil or other minerals under the area. The amendment is offered for the purpose of providing the fullest protection to the Indians with respect to their subsurface rights in the property.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. WATKINS. Mr. President, I send to the desk another amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 7, line 13, after the word "encumbrance", it is proposed to strike out the period, insert a colon and the following proviso:

Provided, That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than 10 years.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WATKINS. The preceding amendment, which was agreed to, had to do with the protection of the rights of the tribe in the tribal property. The amendment which has just been read by the clerk provides for the protection of the subsurface rights in lands which have been allotted and are held in trust for the Indians individually.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. WATKINS. I send to the desk additional amendments, which might be agreed to in the order in which they are submitted.

The PRESIDING OFFICER. The clerk will state the amendments.

The CHIEF CLERK. On page 11, line 16, it is proposed to strike out the present language in section 16, and insert the following:

The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the tribe arising out of any loan made by the United States to such tribe, and any indebtedness, whether payable to the United States or to the tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment offered by the Senator from Utah will be stated.

The CHIEF CLERK. On page 14, line 7, after "discontinued.", it is proposed to insert the following:

Upon such discontinuance, the Secretary shall cancel the unpaid irrigation operation and maintenance assessments and reimbursable irrigation construction charges against such lands.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. CLEMENTS. Mr. President, I think it would be well if the Chair would give the proposer of the amendments sufficient time in which to explain them. I think the RECORD ought to be made clear in the matter. As I understand, the Senator from Utah is ready to explain the amendments, if the Chair will allow him time in which to do so.

Mr. WATKINS. Mr. President, a number of amendments have been offered to the bill, which relates to a difficult subject. When the bill was before the Senate recently on a call of the calendar, I explained that it had to do with the giving to the Indians, in time, full control of their properties. The bill has been called a liberation bill, according to one philosophy. If one holds another philosophy, it might be called a withdrawal bill.

The United States has been the trustee and guardian of these Indians for more than 55 years. The bill affects between 350 and 400 Indians in the State of Utah, in small bands. They have very little property, but they have been taking care of it by themselves for many years.

The first of the two amendments which were just read by the clerk is as follows:

The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the Tribe arising out of any loan made by the United States to such Tribe, and any indebtedness, whether payable to the United States or to the Tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

A number of years ago a bill was passed making it possible for Indians to obtain money from the Treasury or from their own funds, to be loaned to members of their tribes. A loan was made by the United States to these Indians. I think the balance owed is about $17,000. Inasmuch as it is proposed to have the United States withdraw from supervision of the Indians and to place them on their own, it is also proposed to cancel their tribal indebtedness and the indebtedness of the individual Indians to the fund. There is not much chance of collecting what is owed. These Indians, although they are very poor, have been on their own for a long time. They did not succeed in the enterprise which they undertook and they have very little to show for that expenditure.

Mr. President, a number of years ago a small reclamation project was built for some of these Indians. Under the policy adopted in those times, so long as the land was held in trust by the United States, the Indians could not be required to pay the installments which were due for payment of the cost of the reclamation project. That went on for a number of years. In my opinion, the Indians should not be required to pay for the cost of the project, now that the United States is preparing to withdraw its supervision and to give the Indians their properties. The committee believes it would be unfair to ask the Indians to repay the obligation incurred for the construction of that small reclamation project. The project was not too successful. The Indians concerned have not been too successful as farmers, because of the nature of the land given to them by the Federal Government. The obligation represented $40,000 for the operation and maintenance and irrigation construction charges which would be due if the land went out of the hands of the United States into the hands of the Indians themselves. The amendment just stated seeks to cancel the indebtedness, because we know the Indians can not pay that obligation, and we do not think they should be required to pay it.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. FERGUSON. Does the bill relate only to one particular tribe?

Mr. WATKINS. It relates only to the Indians named in the bill. They comprise a few small bands in Utah. The bill does not cover the major portion of the Indians in Utah.

Mr. FERGUSON. I am of the opinion that there should be a bill which would cover all Indians and make them free Americans, without having the United States Government acting as their trustee.

Mr. WATKINS. I have pointed out that this is a very involved subject. Not all the Indians have advanced to the same stage of civilization as others have.

The committee believes that it is necessary to consider the Indians a tribe at a time. The Subcommittee on Indian Affairs has been working on this question for many months, holding hearings and studying the problem.

In the first session of the 83d Congress, a resolution was adopted directing the Bureau of Indian Affairs to make recommendations and to prepare proposed legislation which would withdraw the United States from the control of the affairs of Indians who were then ready, or were thought to be ready, for full liberation and for the complete withdrawal of the United States as their guardian.

This bill is keyed to that philosophy, but, as the committee has studied the

problem it believes it is impossible to withdraw the United States or to take away the protection or guardianship of the United States from all Indians at one time. For instance, there are Navahos in New Mexico, Arizona, and Utah, who have not advanced anywhere near the same stage as other Indians in the United States have advanced. From 75 to 80 percent of them cannot speak, read, or write the English language. Many of them never have been off the reservation. It will require many years to educate those Indians and to train them to the point where they can take care of their own affairs.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. WATKINS. I yield.

Mr. FERGUSON. I have a feeling that one of the reasons why people have been saying that the Indians have not been able to take care of themselves as citizens is that the Indians have been under the domination of the Government as wards of the United States. I believe they would be better off to have their freedom the same as other Americans have. I think they would then immediately begin to become educated in our ways of life and soon become qualified to be citizens.

Mr. WATKINS. There is much to be said for that philosophy. However, the United States Government undertook the guardianship of the Indians many years ago. I think it began 150 years ago with some of the Indian tribes during the early period of our history. For some reason or other that guardianship has been continued, and the Indians have not been given the responsibility which they should have had. They would have learned from carrying responsibility. They would have learned if they had been placed in a position where they would actually have had to go to work and to take care of their own affairs.

The committee feels that it is not too late to start this movement now. Many Indians have had an education. Many of them have been working in the fields and in manufacturing industries, and have taken part in the activities of the communities in which white people live. The particular group of Indians with which the bill is concerned is in that class. They are not wealthy Indians; they are poor. But they have been able to take care of themselves pretty well for a number of years.

The amendments which I have offered constitute an effort to withdraw fully the United States protection of these Indians, except with respect to the mineral rights in their lands. The amendments represent an effort to place the Indians in a position so that within 2 years the United States can transfer the property of the Indians to them, subject to the amendments protecting their mineral rights.

Mr. FERGUSON. Does the Senator have any doubt that the committee will work in behalf of giving all the Indians their freedom, and doing away with the wardship which now exists?

Mr. WATKINS. That is what the committee is intending to do. There are a number of bills intended to be reported out along this line, in compliance with the resolution adopted by both Houses of the Congress.

Mr. FERGUSON. This is a first step, and a proper one, but I hope the Senate can move a little faster in liberating the Indians from the wardship of the Government.

The PRESIDING OFFICER. The Clerk will state the next amendment offered by the Senator from Utah.

The CHIEF CLERK. On page 14, line 12, it is proposed to strike out all of subsection (c) and insert the following new section:

SEC. 23. Prior to the issuance of a proclamation in accordance with the provisions of section 17 of this act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there are no further amendments, the question is on the third reading of the bill.

Mr. WATKINS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WATKINS. Have all the amendments which were sent to the desk been acted upon?

The PRESIDING OFFICER. Yes, the amendments have been agreed to.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield to the Senator from South Dakota.

Mr. CASE. Does the bill in any way have any effect upon the law which was enacted about a year ago, which extends jurisdiction to States upon their own application?

Mr. WATKINS. No; it has no bearing on that. The bill has to do only with 6 bands of Indians, comprising from about 350 to 400 Indians in the State of Utah.

Mr. CASE. The bill is wholly and exclusively applicable to the State of Utah?

Mr. WATKINS. The Senator is correct.

Mr. President, referring to the amendment which would provide a new section 23 for the bill, that amendment proposes a program which will give the Indians concerned a stepped-up vocational program for those who want it, because it is a voluntary program. The vocational program is intended to put those Indians in better condition to manage their own affairs and make their own living. We feel it is only fair to the Indians concerned that they be given this stepped-up vocational training program. We also feel that the same amendment should be adopted in all the other so-called liberation or withdrawal bills, which the committee will present to the Senate.

I may say that hearings on this bill and the other Indian bills were held jointly by both Houses of Congress. The problems involved were extremely difficult. After 150 years of having the United States act as guardian for the Indians it is difficult to change the pattern of the living of these people and grant them full liberty and full control of their affairs. There had been so many Indian measures passed during that long period of time that it is exceedingly difficult to devise a program which will fit the entire situation.

The committee staff has been working on the problem industriously for a long time. The Indians themselves have come to us with some very fine suggestions. The committee was very happy to receive the cooperation which it did from the Department of the Interior and the Indian Bureau. This is only the first step in a series of measures.

What is proposed is really historical, in that a measure is presented for enactment which will provide that the United States shall withdraw from the guardianship of its Indian wards who have been more or less under the control of the Government for many years. It is a compliment to the Indians in that it indicates that they have arrived at a point where they can control their own affairs and manage their own property. It is only because of the fears of some with respect to the ownership or loss of control of property of the Indians which might come about by reason of mineral rights in their properties that some of the amendments are being offered.

One of the amendments was proposed for the purpose of helping the Indians in the 2 years while they are preparing to take over their property, to become better trained to take over the management of their own affairs.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2670) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in the State of Utah and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this act—

(a) "Tribe" means any of the following tribes or bands of Indians located in the State of Utah: Shivwits, Kanosh, Koosharem,

and Indian Peaks Bands of the Paiute Indian Tribe, Skull Valley Band of the Shoshone Indian Tribe, and the Washakie Band of the Northwestern Band of Shoshone Indians.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" mean real property, interests therein, or improvements thereon, and include water rights.

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 3 of this act.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Each tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. If a tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed role for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) The Secretary shall, within 6 months after the publication of each final membership roll, notify the tribe of the period of time during which the tribe may study means of disposition of tribal property, real and personal, under supervision of the United States. Such period shall not be less than 3 months and not more than 2 years, including any authorized extension of the original periods. The Secretary is authorized to provide such reasonable assistance as may be requested by the tribe in the formulation of a plan for the disposition or future control and management of the property, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Utah and political subdivisions thereof, and members of the tribe. During such period, the tribe may elect—

(1) to apply to the Secretary for the transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary of title to all or any part of the tribal property, and the Secretary is authorized to make such transfer: *Provided*, That the Secretary of the Interior shall not approve any form of organization that provides for the transfer of stock or an undivided share in corporate assets as compensation for services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary;

(2) to apply to the Secretary for the transfer to one or more trustees designated by the tribe of title to all or any part of the tribal property, real and personal, the title to be held by such trustee for management or liquidation purposes under terms and conditions prescribed by the tribe, and the Secretary is authorized to make such transfer if he approves the trustees and the terms and conditions of the trust;

(3) to apply to the Secretary for the sale of all or any part of the tribal property, and for the pro rata distribution among the members of the tribe of all or any part of the proceeds of sale or of any other tribal funds, and the Secretary is authorized and directed to sell such property upon such terms and conditions as he deems proper and to make such distribution among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution; and

(4) to apply to the Secretary for a division of all or any part of the tribal land into parcels for members and for public purposes, together with a general plan for the subdivision showing the approximate size, location, and number of parcels, and the Secretary is authorized to issue patents for that purpose.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary either to all members of the tribe as tenants in common or to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement.

(c) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Utah that relate to the selection of trustees: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereo to a corporation, other legal entity, or trustee in accordance with the provisions of paragraphs (1) and (2) of subsection (a) of this section, and that the trustee shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(d) Notwithstanding any other provision of this section, the Secretary is directed to reserve subsurface rights in tribal property from any sale or division of such property, and to require any trustee or trustees to whom title to tribal property is transferred to retain title to the subsurface rights in such property for not less than 10 years.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 2 years after the date of this act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrances of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor) are hereby removed 2 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance: *Provided*, That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than 10 years. The title to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance two years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may—

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become restricted 2 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of a tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents estates shall apply to the individual property of members of the tribe who die 6 months after the date of this act.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to a tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit any such property which he deems necessary to public use and from which members of the tribes will derive benefit.

SEC. 9. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 10. Nothing contained in this act shall deprive any Indian tribe, band, or other identifiable group of American Indians of any right, privilege, or benefit granted by the Indian Claims Commission Act of August 13, 1946 (ch. 959, 60 Stat. 1049), including the right to pursue claims against the United States as authorized by said act.

SEC. 11. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole, or in part, to any Federal agency with the consent of such agency and may transfer such function, in whole or in part,

to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 12. Nothing in this act shall abrogate any water rights of a tribe or its members.

SEC. 13. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of a tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 14. Pending the completion of the property dispositions provided for in this act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 15. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 16. The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the tribe arising out of any loan made by the United States to such tribe, and any indebtedness, whether payable to the United States or to the tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

SEC. 17. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

SEC. 18. (a) Effective on the date of the proclamation provided for in section 17 of this act, the corporate charter issued pursuant to the act of June 18, 1934 (48 Stat. 984), as amended, to the Kanosh Band of Paiute Indians of the Kanosh Reservation, Utah, and ratified by the band on August 15, 1943, and to the Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah, and ratified by the band on August 30, 1941, are hereby revoked.

(b) Effective on the date of the proclamation provided for in section 17 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 19. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 20. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 17 of this act.

SEC. 21. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 22. (a) Not later than 2 years after the date of this act, the management and operation of irrigation works for Indian lands of the tribe by the Bureau of Indian Affairs shall be discontinued. Upon such discontinuance, the Secretary shall cancel the unpaid irrigation operation and maintenance assessments and reimbursable irrigation construction charges against such lands.

(b) The Secretary may transfer the title to such irrigation works to water users, water user's associations organized for such purpose, or to corporations organized, or trustees designated, as provided in section 5.

SEC. 23. Prior to the issuance of a proclamation in accordance with the provisions of section 17 of this act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

COMPOSITION AND JURISDICTION OF THE SUPREME COURT

Mr. BUTLER of Maryland. Mr. President, I move that the Senate proceed to the consideration of Senate Joint Resolution 44, proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S. J. Res. 44) proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court, which had been reported from the Committee on the Judiciary with amendments.

Mr. BUTLER of Maryland. Mr. President, on February 16, 1953, I introduced a joint resolution proposing an amendment to the Constitution relating to the composition and jurisdiction of the Supreme Court, which was given the designation, Senate Joint Resolution 44, and referred to the Committee on the Judiciary.

Because of the nature of this proposal, I have from the outset attempted to make as clear as I possibly could that this joint resolution was not born of partisanship, but solely from a desire to strengthen the independence and integrity of the unique instrument of American constitutional law, the Supreme Court of the United States.

As the joint resolution emerged from the Judiciary Committee, it related not alone to the Supreme Court of the United States but also to the inferior courts, because the committee saw fit to extend the compulsory retirement provision of Senate Joint Resolution 44 to include judges of the inferior courts as well as Justices of the Supreme Court. While I agree with the purposes of this amendment, I had not proposed it as a part of the original joint resolution for the reason that the joint resolution otherwise dealt solely with the Court of last resort.

With this committee addition, this joint resolution embodies four distinct features.

First of all, it fixes the number of Justices of the Supreme Court at nine.

Second, it compels the retirement of all Justices and judges at the age of 75 years, except judges serving for a specified term of years.

Third, it prevents the Congress of the United States from ever withdrawing the authority of the Supreme Court to consider constitutional cases within its appellate jurisdiction.

Fourth, the joint resolution would prevent a member of the Supreme Court, sitting at the time it becomes effective, from running for the Presidency until 5 years have elapsed after the termination of his service on the Supreme Court bench.

I shall proceed to discuss these propositions in the order I have listed them.

MEMBERSHIP OF THE COURT

There are some in this Chamber who were present during, and participated in, the debate which followed the request of President Roosevelt for an increase in the membership of the Supreme Court. The President's draft bill, which was attached to a message to Congress, was introduced in the House of Representatives by Representative Maverick, of Texas. In its pertinent part, this bill provided that if any judge in any court in the United States reached the age of 70, after 10 years service in such Court, and would not retire or resign within 6 months, the President, for each such judge who had not resigned or retired, could nominate, with the advice and consent of the Senate, one additional judge. Following the introduction of this joint resolution, there was an immediate uproar; and the President of the United States was accused of attempting to pack the Supreme Court of the United States in order to make that body more responsive to the economic and social concepts he espoused.

To my mind, that proposed legislation clearly constituted an attempt to undermine the independence, and consequently the integrity, of the Supreme

Court. Fortunately, it was defeated upon the floor of the Senate through the efforts of a determined group of legislators, principally members of the Committee on the Judiciary. As I remarked on the floor at the time when I introduced this legislation, the relatively slim margin by which that most recent major assault was repelled should serve as a warning that the defenses require enforcement.

This, however, does not represent the sole instance in which the membership of the Supreme Court has been used as a pawn in an attempt to influence judicial thinking. The Congress of the United States, in 1866, was guilty of the same wrong as the President of the United States in 1937, except that in 1866, the attempt was successful and the number of justices on the Supreme Court was reduced from 9 to 7 in order to prevent President Johnson from having an opportunity to fill the vacancies with persons who were friendly to his policies.

We cannot know, with these historical illustrations fresh in our minds from what quarter and at what time the next attempt to influence the judgment of the Supreme Court may come. We are all aware, however, that the emotional conflict occasioned by the last attempt to pack the Court has subsided sufficiently to enable the Congress and the legislatures of the several States to determine objectively the need for, and the precise terminology of, legislation fixing the number of Justices on the Supreme Court in the Constitution. To my mind, this interlude represents an excellent opportunity to forestall future attempts to undermine the integrity and independence of the Supreme Court.

The question immediately arises, of course, as to the number of Justices who should serve on the Supreme Court. That body must have a sufficiently large membership to permit it to consider the large volume of cases annually presented to it, and at the same time have a membership which is small enough to assure the Nation as a whole, and litigants particularly, of the expeditious consideration of their controversies.

On this subject, it seems to me that experience has shown that nine represents the best number of Justice on the Supreme Court, all things considered. I say experience has indicated this, for that has been the number since 1869. In addition, we have the observations of former members of the Supreme Court upon which to rely.

For example, Mr. Chief Justice Hughes, in his letter to Senator Wheeler during the debate on the Court-packing plan, observed:

> An increase in the number of Justices of the Supreme Court, apart from any question of policy, which I do not discuss, would not promote the efficiency of the Court. It is believed that it would impair that efficiency so long as the Court acts as a unit. There would be more judges to hear, more judges to confer, more judges to discuss, more judges to be convinced and to decide. The present number of judges is thought to be large enough so far as the present adequate and efficient conduct of the work of the Court is concerned. As I have said, I do not speak of any other consideration in view of the appropriate attitude of the Court in relation to questions of policy. (P. 13, hearing before a subcommittee of the Committee on the Judiciary, January 29, 1954.)

Former Justice Roberts, in his testimony before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, stated that he did not believe that increasing the size of the Court would increase its efficiency—page 41, hearing before a subcommittee of the Committee on the Judiciary, January 29, 1954.

In addition, we have the remarks of Mr. Justice Story regarding the increase in the number of Justices to eight in 1837. He is quoted by Chief Justice Hughes in his Columbia lectures on the Supreme Court of the United States as saying:

> You may ask how the judges got along together. We made very slow progress and did less in the same time than I ever knew. The addition to our numbers has most sensibly affected our facility as well as rapidity of doing business. * * * If there were 12 judges we should not do business at all or at least very little. (P. 5, report to accompany S. J. Res. 44.)

Experience then seems the basis for fixing the number of Justices on the Supreme Court at nine in this resolution. Yet some may question the advisability of fixing the membership of the Supreme Court in the Constitution on the basis that future growth in the country and increased litigation may necessitate increasing the number of Justices. At the hearings, such a question was put to Mr. Justice Roberts who replied that future growth might change his opinion that nine was the proper number for the membership of the Court, but he could not see that it would, because the gross amount of applications to the Court for hearing cases has not increased remarkably in the past 10 years—page 14, hearing before a subcommittee of the Committee on the Judiciary, January 29, 1954.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I am very happy to yield.

Mr. LONG. Is it not true that the Supreme Court is somewhat in a position to determine the workload which comes before it, particularly with regard to the number of cases in which the Supreme Court grants certiorari?

Mr. BUTLER of Maryland. Yes; that is true. I am very glad the Senator asked that question, because it is extremely important.

I shall read the portion of the hearings dealing with that subject as it appears at page 11:

> 3. The statute relating to our appellate jurisdiction—

This is from the letter of Chief Justice Hughes to former Senator Wheeler—

> is the act of February 13, 1925 (43 Stat. 936). That act limits to certain cases the appeals which come to the Supreme Court as a matter of right. Review in other cases is made to depend upon the allowance by the Supreme Court of a writ of certiorari.

In that way the volume of business before the Court can be absolutely controlled by the Court. It can take those cases which it feels it should take, and refuse to take those cases which it feels it should not take.

Mr. LONG. If there should be an effort to bring more cases before the Court, the Court would still be in a position to determine what the law of the land is, based on its ability to control the number of cases it hears on certiorari. Is that correct?

Mr. BUTLER of Maryland. That is correct. All that is pointed out in the letter from Chief Justice Hughes to former Senator Wheeler.

One further reference to section 1 may assist in clarifying the intent. When this resolution was drafted, a problem was presented by section 371, title 28, United States Code. That section indicates that Justices who are retired, theoretically continue to hold their offices. Yet such retired Justices should not be included in the number of Justices allowed under this resolution. Thus, it became necessary to find some terminology which would exclude retired Justices in this computation and yet not disturb the present provision of law relating to retirement and resignation of Justices. It was for this reason that the condition "in regular active service" was added in the first section of Senate Joint Resolution 44. With the addition of this provision, when a Justice retires, the office which he occupied becomes vacant and the President is permitted to appoint a successor. Without this language and in view of the language of sections 371 and 372 of title 28, United States Code, it is possible that a retired Justice might be considered to be a member of the Supreme Court under the resolution thus thwarting the President's ability to appoint a successor. I do not desire such a result and I know of no one who does.

COMPULSORY RETIREMENT

Senators will recall that one of the reasons given for the attempt to pack the Court in 1937 was the allegation that the Court was composed of nine old men. This was a reference to the unwillingness of several members of the Court to retire after they had reached an age when some thought their usefulness was somewhat impaired. There can be little question that when a man has been a member of the Supreme Court of the United States for a period of years he hesitates to remove himself from such a position of preeminence and authority. As Charles Fairman commented in volume 51 of the Harvard Law Review, at page 443:

> When it is left entirely to a judge to decide whether he should give place to another he becomes a judge in his own case. Some men are so rigorously objective as to know how long they ought to continue in active service. Some are so conscientious that they would resolve the slightest doubt against any personal inclination to remain. Several of our justices have given us example of lives so greatly lived that it would be unthinkable that they should be brought to an inartistic conclusion. These are the unusual cases. Considerations moving in the other direction will ordinarily seem the more persuasive. One is reluctant to take a step which irrevocably closes one's active life. It is difficult to imagine a satisfying retirement, and there are few precedents to point the way. One descends from a bench where one's judgments guide history, and with the conviction

that one's successor must be far inferior in wisdom. In times of stress the hope is indulged—vain though it has often proved—that one may be the means of saving society from impending doom. It is not to be expected that the public interest will generally be well served in deliberations where so many subjective elements are likely to enter.

This statement, I think, likewise applies, perhaps in lesser degree, to the judges of the inferior courts as well.

I think all of us have observed at some time or another a justice or judge who has rendered exemplary service after attaining the age of 75 years, but it has likewise been our experience that some justices and judges have served far beyond the date when they should have retired. Mr. Justice Strong who retired from the court at the age of 73 is reputed to have said that he thought it preferable to resign while people would exclaim "Why does he?" than to delay until they asked "Why doesn't he?" Such an attitude seems the exception rather than the rule. It probably is impossible to pick a given age at which all of us would agree resignation or retirement is desirable. Consensus seems to be, however, that 75 constitutes the most desirable age at which to compel retirement of judges. Of the few States which require compulsory retirement of their judges, most fix 70 as the age of retirement, but as Chief Justice Charles Evans Hughes pointed out in his volume The Supreme Court of the United States, at pages 76–77:

> Under present conditions of living, and in view of the increased facility of maintaining health and vigor, the age of 70 may well be thought too early for compulsory retirement. Such retirement is too often the community's loss. A compulsory retirement at 75 could more easily be defended. I agree that the importance in the Supreme Court of having judges who are unable properly to do their work and yet insist on remaining on the bench, is too great to permit chances to be taken, and any age must be somewhat arbitrary as the time of the failing in mental power differs widely. The exigency to be thought of is not illness but decrepitude. Men who take good care of themselves and live the protected and regular life of a judge, are more likely now to be fit at 70 than were their predecessors at 65 under the conditions of 50 years ago.

Testimony before the subcommittee which held hearings on this resolution indicated that among the members of the bar which had considered the matter, 75 was the best age for compulsory retirement. Mr. Justice Roberts, for instance, indicated that he felt continued active service by Justices over the age of 75 tended to weaken public respect for the Supreme Court and to lead to efforts like the court-packing plan to correct the situation by undesirable routes—hearings, page 29.

An interesting insight to human behavior respecting retirement is portrayed in the volume of Chief Justice Charles Evans Hughes entitled "The Supreme Court of the United States," to which I have already alluded several times. Chief Justice Hughes addressing himself to compulsory retirement of Judges makes reference to the failure of Justice Grier to retire although he had failed perceptibly at the time of the first argument of the legal tender case. A committee of the Court waited upon Justice Grier to advise him of the desirability of his retirement and the unfortunate consequences of his being in a position to cast a deciding vote in an important case when he was not properly able to address himself to it. Mr. Justice Field was one of those who waited upon Mr. Justice Grier at that time. Yet years later Mr. Justice Field tarried too long on the bench. Several members of the Court decided that it might be a good idea to recall that incident to Mr. Justice Field in an effort to aid him in a decision to retire. Mr. Justice Harlan was deputed to make the suggestion, and according to Chief Justice Hughes, in his book at page 76, the following occurred:

> He went over to Justice Field, who was sitting alone on a settee in the robing room apparently oblivious of his surroundings, and after arousing him gradually approached the question, asking if he did not recall how anxious the Court had become with respect to Justice Grier's condition and the feeling of the other Justices that in his own interest and in that of the Court he should give up his work. Justice Harlan asked if Justice Field did not remember what had been said to Justice Grier on that occasion. The old man listened, gradually became alert and finally, with his eyes blazing with the old fire of youth, he burst out:
>
> "Yes. And a dirtier day's work I never did in my life."
>
> That was the end of that effort of the brethren of the Court to induce Justice Field's retirement; he did resign not long after.

I feel that I should call to the attention of the Senate a notable difference between the provisions of this amendment relating to the retirement of the Justices of the Supreme Court and the judges of the inferior courts. Justices of the Supreme Court, under this amendment, are not permitted to render service on the Supreme Court after they attain the age of 75 years; that is, they cannot be recalled for service on the bench after retirement. On the other hand, section 6 of the amendment is so drawn as to permit the recall of such judges after their retirement for such service on the lower courts as the chief judge of the circuit in which they serve feel that they can render. Such service is not compulsory on the part of these judges under present law, for they may refuse to serve, but this ability to recall retired judges has in many cases proved a boon to advancing the work of the lower courts. As pointed out in the committee report on this resolution, this differentiation in treatment between the Supreme Court and the lower Federal courts is based primarily upon the fact that the Supreme Court is a court of last resort.

Mr. Justice Roberts testified in this connection that—

> As the statutory system now exists, no retired Justice of the Supreme Court can be called back ad hoc to sit in the Court to make a quorum, and he ought not to be. If there were a case involving a trial question, as the Great Utility Case, where we could not get a quorum because a lot of the Justices had been concerned as attorneys, and what not, and there were only five Justices to serve and we could not get a quorum, to permit the Chief Justice to call me back, if I were retired, would cause everybody over the country to say that the Court was packed, that Roberts voted for the utility and the Chief Justice was smart to call him back. That would be fatal, to call retired Justices back. The question of disqualifying one's self is a touchy point in the Supreme Court. The situation arises where a Justice says, "If I disqualify myself, you cannot replace me." (Hearings, p. 27.)

In my judgment, one further aspect of these sections dealing with compulsory retirement needs emphasis. Both section 2 and section 6 provide that upon compulsory retirement at age 75, Justices and Judges shall continue to receive the emoluments of the office which they occupy. Present statutory provisions permit Judges and Justices to retire or resign upon attaining the age of 70 years if they have completed 10 years of service. If a Justice or Judge elects to retire he continues to receive the salary of the office, whatever that may be. If on the other hand he resigns he receives the salary of the office as of the date of his resignation. Retired Judges are not permitted to engage in the private practice of law but are subject to recall for occasional service on the bench by the Chief Judge of the circuit in which they serve.

When I introduced this resolution I had no desire to penalize any Justice who served up to the date of his compulsory retirement by subjecting him to the loss of such retirement benefits as he may have had prior to that time. Consequently, I felt it necessary to add a provision which would insure that the Justice should continue to receive all the emoluments of his office notwithstanding compulsory retirement. I am in entire accord with the amendment of the committee which applies that same treatment to judges of the inferior courts of the United States.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. BUTLER of Maryland. I am glad to yield.

Mr. LONG. Is not the Senator from Maryland providing for a far more liberal pension system for members of the Supreme Court than now exists for Members of the Senate and the House of Representatives?

Mr. BUTLER of Maryland. This joint resolution does not affect that matter. The members of the Supreme Court always have had a much more liberal pension provision than have Members of Congress.

Mr. LONG. Is the Senator from Maryland, in his proposal, making it even more liberal?

Mr. BUTLER of Maryland. No, I am not proposing to make it more liberal. Under existing law a judge who reaches the age of 70, after 10 years of service, and who resigns, can then enter the private practice of law, but he will receive only the emoluments of his office to which he is entitled as of the date of his retirement; whereas a judge who does not resign, but retires and is subject to call by the chief judge of his circuit, even though he has left the active service of the bench, is entitled to any increase in salary which may thereafter

occur, because he is still subject to call, and he cannot practice law.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. BUTLER of Maryland. I yield.

Mr. LONG. I should like to have this matter quite clear in my mind. Suppose Congress should grant a pay raise for judges, as is proposed by a bill presently before Congress. Would that mean that judges who have retired could be recalled to hear a few cases, and thereafter again could retire, with the result that they would have had a gradual increase in their retirement benefits?

Mr. BUTLER of Maryland. That is possible under existing law, and the resolution would have nothing whatsoever to do with that.

Mr. LONG. Does the proposal of the Senator from Maryland freeze the existing law in that regard, or does it leave it so that Congress may pass on the question again?

Mr. BUTLER of Maryland. It leaves the situation as it is, Congress may review it from time to time.

Mr. LONG. The situation is left so that Congress may change it if it so desires?

Mr. BUTLER of Maryland. That is correct. It is not dealt with by my resolution.

Mr. LONG. I thank the Senator.

APPELLATE JURISDICTION

Mr. BUTLER of Maryland. The Constitution outlines the judicial power of the United States in article 3 and the jurisdiction of the Supreme Court is, by the second paragraph of section 2 of that article, divided into two categories. The original jurisdiction of the Supreme Court relates to all cases affecting Ambassadors, other public ministers and consuls and those in which a State is a party. This jurisdiction may not be altered by the Congress of the United States short of a constitutional amendment. The remainder of the jurisdiction possessed by the Supreme Court of the United States is its appellate jurisdiction. This jurisdiction is conferred upon the Supreme Court by the Constitution subject to such exceptions and such regulations as the Congress shall make.

A prime example of the use of this authority by Congress occurred in 1868. Congress in 1867 had amended the Judiciary Act—the basic act conferring appellate jurisdiction upon the Supreme Court—to confer authority upon the Federal courts to grant writs of habeas corpus in all cases where any persons might be restrained in violation of the Constitution or any law of the United States. This provision specifically stated that appeal might be taken to the Supreme Court in habeas corpus proceedings. After the adoption of this provision, however, one McCardle, a newspaper editor in Mississippi, was taken into custody by military authorities and held for trial before a military commission on charges that articles published in his newspaper were incendiary and libelous. McCardle petitioned for a writ of habeas corpus. His petition was denied by the lower Federal courts, but he appealed to the Supreme Court of the United States. The case was argued before the Supreme Court and then taken under advisement, but while it was under advisement, the Congress, in March 1868, passed a further amendment of the Judiciary Act which expressly eliminated the right of appeal to the Supreme Court in habeas corpus cases, whether such appeals were taken before or after the amendment.

There is reason to believe that this amendment was designed solely to cope with the McCardle situation. The bill was vetoed by President Johnson, who commented that—

> It cannot fail to affect most injuriously the just equipoise of our system of government; for it establishes a precedent which, if followed, may eventually sweep away every check on arbitrary and unconstitutional legislation (34 Michigan Law Review 650, 664 (1935–36)).

President Johnson's veto, however, was overriden by the Congress, and the McCardle case was then argued before the Supreme Court again, this time primarily on the effect of the amendment adopted by the Congress. The Court was strongly urged at the time that the amendment could not affect the Court's jurisdiction over a case already argued and awaiting decision. Nevertheless, the Court held that Congress had the right, under the Constitution, to determine the appellate jurisdiction of the Court, and that jurisdiction having been expressly withdrawn in habeas corpus cases, the Court could not rule on the validity of the appeal. For the information of Senators who may care to review this case, its name is Ex parte McCardle, and may be found in Seventh Wallace, at page 506 (1868).

I believe that President Johnson had every reason to fear this expression of passion on the part of the Congress. This act, and the decision of the Supreme Court indicating its validity, demonstrates the manner in which the Congress could take away all of the appellate jurisdiction of the Supreme Court involving constitutional questions. I consider such a possibility as great a potential threat to the independence of the judiciary as any plan for packing the membership of the Court. The possibility that Congress might take away appellate jurisdiction of the Supreme Court involving constitutional questions, thus leaving decisions of State courts and lower Federal courts with a finality which they do not now possess under our judicial system, might well result in chaos within our judicial system. It is a common complaint today that litigants are uncertain as to the law of the United States because of decisions by the Supreme Court overturning prior decisions of the same body. It does not take much imagination to conceive the effect of the withdrawal of the appellate jurisdiction of the Supreme Court over constitutional cases. It is so abhorrent to me personally that I could not conceive of its ever being accomplished, were it not for that fact that the McCardle case stands as an eloquent example of what can happen in moments of passion. Also we should not forget that much more recently, there has been introduced in both Houses of Congress proposed legislation seeking to eliminate the authority of the Supreme Court to declare acts of Congress unconstitutional. Some of these measures propose to accomplish this through utilization of the authority of Congress to prescribe exceptions to the appellate jurisdiction of the Supreme Court, as permitted by the second paragraph of section 2 of article 3. Take, for example, the bill introduced by Senator Owen in 1917. That bill read:

> That from and after the passage of this act Federal judges are forbidden to declare any act of Congress unconstitutional. No appeal shall be permitted in any case in which the constitutionality of an act of Congress is challenged, the passage by Congress of any act being deemed conclusive presumption of the constitutionality of such act. Any Federal judge who declares any act passed by the Congress of the United States to be unconstitutional is hereby declared to be guilty of violating the constitutional requirement of "good behavior" upon which his tenure of office rests and shall be held by such decision ipso facto to have vacated his office.

A somewhat analogous approach was proposed by Representative Sisson, of New York, in 1936, in a bill carrying the designation H. R. 10315.

I do not believe, and I am sure that no one here is prepared to assert, that the Congress of the United States is at this moment apt to act so irresponsibly as to remove any substantial portion of the appellate jurisdiction of the Supreme Court. But we cannot know, and certainly cannot guarantee, the exercise of restraint by future Congresses. The question here is one of power and the possibility of abuse of that power. It seemed to me well to include a provision such as section 3 in any amendment designed to protect the independence and integrity of the Supreme Court of the United States.

The change actually made in paragraph 2 of section 2 of article 3 of the Constitution is comparatively simple, although the fact that section 3 consumes 9 lines of type may cause some question of its simplicity. Actually, section 3 is almost entirely a restatement of paragraph 2, section 2 of article 3, except there is inserted a new sentence which affirmatively provides that the Supreme Court shall have appellate jurisdiction both as to law and fact in all cases arising under the Constitution.

PRESIDENTIAL ASPIRATIONS

There remains one further area in which it seems to me Congress and the several States might act to prevent any impairment of the independent exercise of judgment by the members of the Supreme Court of the United States.

The office of Chief Justice of the United States has often been termed "the No. 2 office in this country." The office of Associate Justice of the Supreme Court is only slightly less important. Having attained the No. 2 office of the United States, or even office No. 3 or No. 4, there may well be a desire on the part of persons to seek the No. 1 office of the United States. Yet the creation of the Supreme Court, and the safeguards with which it was surrounded, clearly indicate that the occupants of these offices were to consider their attainment as the pinnacle of their success. In support of this it should be recalled that the Founding Fathers provided that

membership on the Supreme Court should be for good behavior, that is, for life, and that the pay to which a Justice was entitled could not be reduced during the period of his incumbency. Despite these indications that selection for the Supreme Court constituted a selection for a lifetime job, many members of the Court throughout its history have entertained presidential aspirations. Most of the activity of the Justices in this regard has been limited to an effort to secure the nomination of one or another of the political parties. Yet one man, Chief Justice Hughes, after ducking an effort to secure the nomination in 1912, was presented with the nomination of the Republican Party in 1916. In 1912, when he was first pressed to run for the Presidency of the United States, Mr. Hughes is reported to have said:

> The highest service that I can render in this difficult situation is to do all in my power to have it firmly established that a Justice of the Supreme Court is not available for political candidacy. The Supreme Court must be kept out of politics.

Even a man of such formidable character as Justice Hughes could not repel the desire to become President of the United States. Yet in later years, Chief Justice Hughes informed some members of the bar that it would have been a fortunate thing for the Court, for him, and for the country, if at that time there had been in the Constitution a provision preventing him from running for the Presidency—hearings, page 38.

As I indicated earlier, however, although the presidential aspirations of Chief Justice Hughes culminated in his official candidacy, other Justices harbored ambitions to become President of the United States but never received the nomination. According to Mr. Justice Samuel Miller, Justice David Davis was such a person. In a letter which Justice Miller wrote to Mr. Ballinger on December 5, 1875, he remarked—

> I can't hinder Davis from governing every act of his life by his hope of the Presidency, though I admit him to be as honest a man as I ever knew. But the best of us cannot prevent ardent wishes from coloring and warping our inner judgment.

Mr. Justice Miller himself was a presidential possibility in 1880, and again in 1884. According to Charles Fairman in his volume, Mr. Justice Miller in the Supreme Court, the same Mr. Ballinger to whom Miller had written concerning the presidential aspirations of Davis, repeated an observation that—

> Miller's heart was fixed on it [the Presidency]—though he is as prudent as possibly he can be.

On June 15, 1884, Justice Miller himself wrote Ballinger:

> Perhaps you would like to know what became of my presidential boom. Well as I wrote you last spring I never permitted it to rise to the dignity of a boom. It was, however, the nicest and quietest little scheme and well arranged that you ever.

Charles Warren, in his lengthy treatise The Supreme Court in the United States History, wrote of Chief Justice Chase:

> Chase retained his ambition to succeed to the Presidency, and he was undoubtedly desirous of receiving the nomination both in 1868 and 1872. While this ambition never influenced his judicial decisions, it seriously impaired the popular confidence in his impartiality and weakened the effect of some of his opinions.

Mr. Justice Field also entertained hopes that a presidential nomination might be conferred upon him.

Not all the Justices of the Supreme Court who have been approached as candidates for the Presidency have given such pleas so favorable an ear. Mr. Chief Justice Waite, for instance, in a letter which he wrote to his nephew who had become party to the movement to nominate him to the Presidency of the United States, wrote:

> In my judgment, my predecessor detracted from his name by permitting himself to think he wanted the Presidency. Whether true or not, it was said that he permitted his ambitions in that direction to influence his judicial opinions. I am not one of those who believe he did so consciously, but one who occupies this position should keep himself above suspicion. There can't be a doubt that in these days of political judicial questions it is dangerous to have a judge who thinks beyond the judicial in his personal ambitions.
>
> • • • Can I with propriety permit my name to be used for the formation of political combinations? If I do, can I remain at all times and in all cases an unbiased judge in the estimation of the people? If I am not, shall I not degrade my office? Put these things in your pipe and smoke them, and tell me if you think I ought to permit my name to be used.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. LONG. I am very much pleased to hear the Senator make this argument, because I certainly share his feeling that the judiciary should by all means be completely above suspicion, with regard to any political ambitions of members of the Court. All too often it has been said that perhaps there might have been political motivation or personal ambition involved in certain decisions, or in the position taken by certain Justices of the Court. I hope that this amendment will for all time settle any doubt which may exist in the mind of anyone as to whether some vote with regard to a particular decision might perhaps have some connection with the personal aspirations of a particular individual. This would be a good way to see to it that there would be a bare minimum of politics involved in decisions by the Supreme Court.

Mr. BUTLER of Maryland. I thank the Senator from Louisiana for his fine support of this measure. I think he is eminently correct in his view.

Mr. Justice Roberts, in his testimony before the subcommittee, indicated that he successfully resisted urging by friends to become a candidate for the Presidency. On page 9 of the hearings he said:

> I happen to have a personal knowledge of what that pressure is like, for twice ill-advised but enthusiastic friends of mine urged me to let my name go up as a candidate for President while I was on the Court. Of course, I turned a hard face on that thing. I never had the notion in my mind.

He went on to remark—and I think his comments are worthy of attention coming from so eminently qualified a source:

> Men ought not to have the notion in their minds and ought not to be subject to those pressures. Chief Justice Hughes ought not to have been practically sandbagged into becoming a candidate for President. I think that that is a salutary amendment to protect the Court exactly in the same sense in which the Founding Fathers wished to protect the Court by the two devices that they thought of as freeing the Court from possible pressures.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. Those two devices, as the Senator knows, were the device of life tenure and providing that the salary could not be reduced during such tenure.

I now yield to the Senator from Louisiana.

Mr. LONG. Can the Senator tell me whether the American Bar Association has taken a position with regard to his suggestion that justices on the Supreme Court should resign from that body at least 5 years before serving as President of the United States?

Mr. BUTLER of Maryland. I will say to the Senator from Louisiana that the proposed amendment, in its entirety, was submitted to the meeting of the American Bar Association in August, while that association was meeting in Boston, and the amendment was approved in each and every one of its aspects. It has the full support of the American Bar Association.

I will say also to the Senator from Louisiana that in my opinion the amendment is supported in large part, if not totally, by the Attorney General of the United States. While I am not at liberty to state the position of the President of the United States on this proposal, I have reason to feel that the President of the United States is favorable to it.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. BUTLER of Maryland. I yield.

Mr. LONG. As a practical matter, this particular phase of the Senator's proposal would mean that when a man accepted an appointment to the highest court in the land he should feel that under no conditions would it be a stepping stone into the White House.

Mr. BUTLER of Maryland. That is exactly correct, and that is the purpose of the amendment. If he wishes to become a partisan and take part in partisan politics, he should shed the robe of his judicial office.

Mr. LONG. Would it be fair to say that if this proposal were adopted, a judge, in considering any controversy before the Court, would be on notice that while, of course, there would be the moral reward for deciding what is right for right's sake, there could be no political reward, no matter what the decision might be?

Mr. BUTLER of Maryland. That is correct.

Former Chief Justice Waite had much earlier in history remarked:

> In my judgment the Constitution might wisely have prohibited the election of a Chief Justice to the Presidency.

There have undoubtedly been other instances in Court history in which a Justice either sought, or was sought after in connection with, the nomination and election to the Presidency of the United States. I have deliberately refrained from making any reference to any present members of the Court for I do not wish anyone to conclude that this amendment is pointed at any single Justice. With me, it is a matter of principle. I do not believe that a man can conscientiously perform the judicial tasks assigned to him if he must ever be mindful of the political implications of the decisions which are presented to him. In my mind it would be well to remove such an impediment from the thinking of our best judicial minds. At the same time I have no desire to permanently deny any citizen the opportunity to attain the high office of the Presidency of the United States. I have tried to embody this idea in my joint resolution by requiring a sufficient lapse of time after termination of service as a Justice of the United States to prevent any influence in the thinking of Justices based upon political aspirations.

The joint resolution as I introduced it, and as it has been reported from the Committee on the Judiciary, provides that a Justice of the Supreme Court shall not be eligible to serve as President or Vice President of the United States until 5 years have elapsed following the termination of his service. I think this is a reasonable requirement, and one which will adequately correct the possibility of influence which I have heretofore outlined.

CONCLUSION

I think that we can all agree with the remarks of Chief Justice Marshall concerning the Supreme Court. He observed:

> The judicial department comes home in its effects to every man's fireside; it passes on his property, his reputation, his life, his all. Is it not, to the last degree important, that he (the judge) should be rendered perfectly and completely independent, with nothing to influence or control him but God and his conscience?

The judicial department of the United States has indeed assumed increased importance in our constitutional system. The respect which the people of this Nation bear for the Supreme Court, and for the lower courts too, for that matter, is based upon the learning and wisdom applied by those who are chosen for the bench, but that respect can be maintained only if the people of the United States are satisfied that the judgments reached by the courts of the United States are arrived at without influence and with a minimum of personal bias. By introducing this joint resolution and urging its adoption I seek only to maintain the position of preeminence for the courts which they have attained in spite of the shortcomings of some of their members. I commend the joint resolution and the proposals it contains to this body, confident that all other Senators are interested, as I am, in serving the people of this Nation by protecting from influence this citadel of our rights and liberties, insofar as it lies within our province to do so. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEARING BEFORE SUBCOMMITTEE OF COMMITTEE ON GOVERNMENT OPERATIONS

Mr. LEHMAN. Mr. President, I have been deeply concerned with the weekend reports that an attempt will be made to bring the McCarthy-Army hearings to a close without calling the major witnesses on both sides of this dispute.

The issues which have been raised during the past 2 weeks in these hearings go to the very heart of the form of government we will have in the United States in future years.

In my opinion it is essential that these hearings continue until we have a clear understanding of whether or not we will live under a governmental system in which the powers of the Congress and the powers of the executive branch are clearly defined and respected, or whether we will move into an area where all executive agencies are declared fair game for Senator MCCARTHY'S forays.

Last Saturday, in New York City, former President Harry S. Truman warned the Nation of the desperately dangerous example now before us of the legislative branch extending itself to the very heart of the power of the executive branch.

Any attempt to stop the public hearings at this point will, in my opinion, place the responsibility for ignoring this primary question, and for failing to resolve it before the American people, squarely on the shoulders of the majority party in Congress, and on the President himself.

Mr. LONG. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. LONG. I agree with the Senator that there have been charges made involving many different individuals other than the Senator from Wisconsin [Mr. MCCARTHY] and the Secretary of the Army. There have been charges made which involve Mr. Cohn, Mr. Schine, Mr. Adams, and Mr. Hensel. It seems to me it would be unfair to permit two witnesses in the controversy to be heard without also requiring the others against whom charges have been made to testify and have a chance to be heard in the same forum and before as large an audience.

Therefore, I certainly agree with the Senator from New York. I should like to state also that, in my judgment, the charges are extremely serious. There is nothing minor about the charge that the Secretary of the Army has been coddling Communists. If these charges are true, I believe the truth should be developed. If the charges are not true, then I believe the committee owes it to the Secretary of the Army to state affirmatively that the charges are not true.

Mr. LEHMAN. I thank the Senator from Louisiana. I wish to say that he is entirely right, and that he and I are of exactly the same mind on this question.

These charges are directed against not only the junior Senator from Wisconsin [Mr. MCCARTHY], but also against Mr. Cohn, Mr. Schine, Mr. Adams, and others. They are extremely serious charges. They affect the entire structure of our Government, and its integrity and good faith, and also the relative powers and responsibilities of the executive and legislative branches of the Government.

To stop the hearings or to hold them in camera, would, in my opinion, be absolutely inexcusable, because to do so would be resented by the people and would be, I think, a betrayal of the principles of justice of which we are rightly so proud in this country.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. LEHMAN. I am glad to yield.

Mr. LONG. Some reference has been made to the impression which might be made on people overseas For my part, I could think of no worse impression which could be made on people outside the United States than to have it said that after the hearings had begun, and had developed the subject matter, then, for one reason or other, it was felt that the hearings should be closed and should be no longer made available to the public, or that the public should not be taken into the confidence of the Senate. I think all these matters should be developed completely in the open, where all persons can judge what the facts are. Therefore, I agree with the Senator from New York that the hearings should not be closed hearings, particularly since they have been begun as open hearings, from which everyone is entitled to have the facts.

Mr. LEHMAN. I thank the Senator from Louisiana. I might point out that there were published in the newspapers this morning several articles descriptive of the attitude of European countries, notably the attitude of some of our allies, upon whose confidence and friendship we must depend. The articles reflect a deep misunderstanding of the McCarthy phenomenon and of the current hearings. This bad impression of us already is most unfortunate. I can speak from my own knowledge, as I know the Senator from Louisiana can too, from what he learned in Europe a few months ago, when traveling around the world.

This issue is far more important, in my opinion, than any legislative program submitted by the President. This question must be resolved in the clear view of all the American people. If the control of the executive branch of our Government remains in dispute and the McCarthy-Army hearings are terminated without all the facts clearly in the record, then the Republican leadership will have been party to one of the greatest subversions of constitutional government in our history.

In my opinion these hearings must not be permitted to go underground. This investigation must not become a whitewash. All hearings should be in public save when considerations of national security are clearly indicated.

Finally, Mr. President, I predict that an end to the McCarthy-Army hearings at this point will mean that the infamous practice of violating the security of governmental files and documents will spread like a plague through the Government.

Mr. Walter Lippmann, in his column today, has pointed to this terrible danger. I venture to predict that a closing of these hearings, and a failure to resolve the issues, will mean a vindication of the practice of slipping Senator McCarthy secret security reports. The junior Senator from Wisconsin will go out on a rampage of investigations—investigations fed by illegally obtained documents—the like of which we have never seen.

We in the Senate of the United States cannot gamble with this possibility. We have a historic obligation to carry through with these hearings, to reach a clear and indisputable resolution of the proper role of congressional investigations. We are fighting for our constitutional system of government. This is a fight which must enlist the forces of all men of good will in both our great political parties.

I ask unanimous consent, Mr. President, that the editorial from the New York Times and the article by Mr. Walter Lippmann, to which I referred, be printed at this point in my remarks.

There being no objection, the editorial and article referred to were ordered to be printed in the RECORD, as follows:

[From the New York Times of May 10, 1954]

WISE WORDS FROM MR. TRUMAN

Mr. Truman did his countrymen a service at his birthday party in this city on Saturday evening by speaking for a group much larger and a group infinitely smaller than the Democratic Party. He spoke for all Americans who might find themselves less free or less well governed if the legitimate power of the Executive were usurped by Congress. He spoke also as one of that little company of men, so varied in character, intellect, and strength, the living and the dead, who have been called upon to fill the increasingly exacting position of President of the United States. He spoke against the current attempt to infringe upon the constitutional and traditional separation of powers. He spoke with obvious good will toward a political opponent—the man who succeeded him in the White House. He evidently wished success—and this must baffle foreign students of our political system—for this man, who was not his candidate and does not belong to his party.

The issue is more important than the success or failure of an administration—the rise or decline of a party. Mr. Truman correctly stated that this country is suffering from "an unreasonable fear"; that this fear "has been played upon by persons who see in it an easy way to influence votes"; and that the legislative branch of the Government has expanded "its functions and activities into the very center of the power of the executive branch." He properly added that "it is not the business of Congress to run the agencies of Government for the President."

Mr. Truman mentioned no names—these can be supplied by anybody who reads the newspapers or looks at television or listens to radio. We all know the heads and fronts of this legislative arrogance. We all know, or should know, the harm they have done to the honor, influence, and effectiveness of executive agencies. We all know, or should know, how they have served the personal and pitiful ambitions of third-rate and fourth-rate men. We all know, or should know, how, under the pretense of serving democracy, they have prostituted democratic ideals.

Mr. Truman spoke with a sense of responsibility and more mildly than some of the rest of us, unhampered by his special background, might do. But he spoke wisely. President Eisenhower may take him as a voice, at this time, for a great mass of opinion, not primarily partisan in its nature, that demands for an elected President freedom to fulfill, without arbitrary and unjustified legislative interference, the mandate of the electorate.

[From the Washington Post and Times Herald of May 10, 1954]

JENKINS AND THE MCCARTHY PROBLEM

(By Walter Lippmann)

Last Wednesday Mr. Jenkins found himself face-to-face with the fundamental issue of the McCarthy problem and missed the point entirely. As a result of his incomprehension—surely for no other reason—he advised the chairman of the committee, of which he is the counsel, to make a ruling. If it is sustained and becomes a precedent, it is a license to lawlessness and an invitation to anarchy. Mr. Jenkins upheld Senator MCCARTHY's claim that Government employees, including officers of the Army, are not bound by their oath or by the laws or by any ties of loyalty to their superiors and to the service if—in their own private and secret opinion—it would be a good thing to break the law.

Mr. Jenkins could not have realized what he was doing. For the doctrine that men may break their oath and violate the law secretly—if it suits their private convictions—is the very principle of disloyalty. It was in accord with this very principle—that their own consciences were superior to the laws of the land—that Fuchs and Allen Nunn May and the Rosenbergs acted.

For the benefit of those who have not followed closely this tortuous and badly conducted hearing, what happened was this. Senator MCCARTHY produced what he said was a copy of a letter written in 1951 by J. Edgar Hoover to General Bolling, of the Army Intelligence.

As a matter of fact, Mr. Hoover never wrote the letter, of which Senator MCCARTHY's paper pretended to be a copy, to which his name was signed though in fact he never signed it. It is established that this document was fabricated by, or at least with the collaboration of, an officer in the military intelligence. The fabricated letter is based on a confidential and genuine document which the fabrication misrepresents. The Senate Committee had, therefore, been offered a piece of paper which was not what it pretended to be, which not only used material that it was against the law to use, but falsified the meaning of that material as well.

Manifestly, the law had been violated. An officer in a position of trust and of high sensitiveness had violated the law by the unauthorized disclosure of confidential documents. And, second, a document had been fabricated and offered to the Senate as evidence. When counsel for the Army, Mr. Welch, asked for the name of the officer who had participated in this lawless operation, Senator MCCARTHY, who was under oath, refused, saying that "you will never get that information."

Senator DIRKSEN then intervened to ask Mr. Jenkins and Chairman MUNDT for a ruling as to whether it would "be required of a witness, consonant with his oath, that he reveal the source of a document when he had pledged himself to respect the confidence and not reveal the source." To this, Mr. Jenkins replied, "It is elementary that the Senator does not have to reveal the name of his informant. That is one of the most elementary principles engrafted in the law. Otherwise, law-enforcing officers would be so hamstrung and hampered that they would never be able to ferret out crime. I unhesitatingly rule that Senator MCCARTHY does not have to reveal the name of his informant."

Mr. Jenkins would have been wiser to have been less unhesitating and less categorical. For he has put himself and the committee and the Senate in the position of protecting a Government employee who knowingly violated the law. This is an untenable position for a lawmaking body. The Senate cannot make laws, and then rule that it will support a Senator who is protecting a violator of the law.

Where did Mr. Jenkins lose his way and end up as the defender of the subversive doctrine that a man may violate the law secretly if, in his own private opinion, it would be a good thing to violate the law? The clue to Mr. Jenkins' error is in the sentence above—in his saying that without the power to protect their informants "law-enforcing officers would be so hamstrung and hampered that they would never be able to ferret out crime." That is quite true of law-enforcing officers. Mr. Jenkins' error, which is the fundamental error at the root of the MCCARTHY problem, is to assume that committees of the legislative branch of the Government are "law-enforcing officers" who "ferret out crime."

It is precisely this error of Mr. Jenkins—that Senate committees may act as law-enforcing officers—which has caused all the violence, the confusion, the injustice, and the demoralization. For the American system of Government is founded upon the separation of powers, and the MCCARTHY problem has been created by his invasion of the powers of the executive and by the failure of the executive to resist the invasion and to defend its powers.

McCarthyism is fundamentally unconstitutional in spirit and in practice. The American Government cannot be made to work if its fundamental principle is flagrantly and systematically violated. It is systematically and flagrantly violated if the legislature takes upon itself the law-enforcing functions of the Executive.

This affair of the fabricated letter is a demonstration of how the violation of the fundamental principle of the Constitution leads to lawlessness and anarchy.

Why did Senator MCCARTHY encourage an officer of the Army to violate his oath and to break the law? Because that was the only way he could obtain for his committee information collected by the legitimate law-enforcing officer of the Government. Why did he have to break the law to get the information? Because it is not the business of Congress to enforce the laws, and the use and disclosure by congressional committees of information needed for law-enforcement makes it much more difficult for the legitimate law-enforcing officers to enforce the law.

In short, the Senator was engaged in work which is contrary to the principle of the Constitution, and so he resorted to lawless methods to carry out his lawless enterprise. Since there was no lawful method by which a legislative committee could take over the function of law enforcement, he resorted to illegitimate methods including the encouragement and the protection of the violation

of the law by the employees of the Government.

Is it necessary to spell out for Mr. Jenkins and Chairman MUNDT why the doctrine is indefensible and intolerable, the doctrine of which they are—I truly believe—the thoughtless and unintentional authors? Let them try to realize what they have done. They have told each and every man to use his own judgment as to which of the secrets of the United States Government he will disclose secretly to any member of the legislature. If Army officers can fabricate documents based on material in the secret files for the use of McCARTHY, then who is to say what some other employee may not disclose to some other legislator, secretly and according to his own private views?

Talk about loyalty. This is the acid that corrodes the bonds of loyalty—to hold that men who in secret violate the law as a private right are, God save the mark, loyal people in McCARTHY's words, who ought to be encouraged and protected by the Senate of the United States.

Mr. LEHMAN. Mr. President, I also ask unanimous consent that a portion of a radio report I recorded last week for the people of New York on this subject be printed in the body of the RECORD following these remarks.

There being no objection, the portion of the radio report referred to, was ordered to be printed in the RECORD, as follows:

Fellow New Yorkers: This is Senator HERBERT H. LEHMAN reporting to you from the Capitol in Washington.

During the past 2 weeks the Senate and the American people have been watching with fascinated interest, the hearings in the critical dispute between Senator McCARTHY and the United States Army.

Unfortunately, these hearings have drawn public attention away from the many urgent national and international problems confronting our country today.

I do not mean to suggest that the hearings should be cut off or suspended. There are deep and crucial issues involved in these hearings * * * issues which go to the very heart of our form of constitutional government.

I do not know what is going to be the result of these hearings. I shall not prejudge them. Certainly, however, they have already shown the vast and unchecked power which Senator McCARTHY, in the past, has exercised over the Army and many other administrative and executive agencies of our Government.

This successful usurpation by the Senator from Wisconsin of powers clearly reserved by the Constitution to the executive branch is a matter we must all note with the deepest concern.

The hearings which have been witnessed by millions of Americans throughout the United States have reflected a consistent pattern of surrender on the part of the Eisenhower administration to the unreasonable demands of Senator McCARTHY. This has been the unvarying shape of events until recent weeks.

It is not, of course, a question of ferreting out Communists. The FBI has been doing that for many years. That is not an issue. The basic issue is the usurpation by Senator McCARTHY of power over the executive branch of Government. He has assumed—and successfully thus far—that in addition to intimidating and smearing many individuals and organizations—that he had the right to intimidate and to direct the executive branches of Government, without any restrictions whatever. And the executive branches, for the most part, knuckled under.

To me, the McCarthy-Army hearings have been further proof that the Congress should immediately enact a mandatory code of fair procedures to govern the conduct of congressional investigating committees.

I believe, among other things, that if a comprehensive code of fair procedures were now in effect, the present hearings would be greatly expedited.

The delays and dilatory tactics we have witnessed would have been prevented, and the committee investigating the Army-McCarthy feud would be well on its way toward ascertaining the facts in this case.

I have been working very hard with a number of other Senators, including Senators KEFAUVER, DOUGLAS and MORSE, on a new code of fair procedures which we will shortly submit to the Senate. I hope it will have broad public support. It is my hope that an aroused public—fresh from the front-row seats they have had on the Army-McCarthy hearings—will rally behind the proposals to provide Congress with rules for conducting future investigations.

I would like to list the main points of the new code of procedures I am sponsoring.

The rights which would be guaranteed to witnesses appearing before congressional committees are:

The right to be accompanied by legal counsel.

The right to prior notice of the subject of the investigation.

The right to cross-examine witnesses who have given defamatory testimony in public hearings.

It may seem strange to you but none of these rights are today guaranteed to any witness who is called before any committee. These rights were never granted to witnesses who appeared before the McCarthy committee in the past—even though Senator McCARTHY has claimed these rights and many others, in his current arraignment before the committee.

Other provisions of our proposed code of fair procedure would effectively prevent 1-man subcommittees, and 1-man control by the chairman of committees.

Finally, we are working out an effective method of enforcing these proposed rules—to put teeth into them, so that they will be observed.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. McCARRAN. Mr. President, I should like to have the attention of the minority leader when I state that on the last call of the Consent Calendar, when Calendar No. 1274, House Concurrent Resolution 197, favoring the granting of the status of permanent residence to certain aliens, was called it was objected to by the Senator from Tennessee [Mr. GORE], who is one of what I would call the watchdog committee on this side of the aisle. The Senator from Tennessee asked the question as to whether or not the concurrent resolution had been considered with the names en bloc or whether the names involved in the concurrent resolution were taken up and considered individually in the committee.

The Senator from Maryland [Mr. BUTLER] said the names had been considered en bloc. The Senator from Maryland was inadvertently in error, because every one of the names was considered as a separate bill with the same meticulous care which is given to any other bill.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes.

Mr. BUTLER of Maryland. The Senator from Maryland made the statement, at the time the bill was called on the calendar that the case of each person named had been separately considered. I was then advised by a staff member of the committee that that was not true; that they had been considered en bloc. I then stated I had made an error; but apparently I had not.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Texas. Do I understand that the Senator from Nevada has communicated with either the Senator from Tennessee or his representatives in connection with this matter?

Mr. McCARRAN. I communicated with the office of the Senator from Tennessee, and was in touch with his representative on the question. He stated that the Senator from Tennessee would be satisfied to have the concurrent resolution considered and agreed to.

Mr. JOHNSON of Texas. Has the Senator explained to the other side the mistake which was made, and is the explanation satisfactory to the other side?

Mr. McCARRAN. This has to do with a resolution which would grant the status of permanent residence to a number of people.

Mr. JOHNSON of Texas. In view of the representations made by the distinguished Senator from Nevada, to the effect that the representatives of the Senator from Tennessee had the matter fully explained to them, and that they had no objections, and in view of the statement made by the acting majority leader [Mr. BUTLER of Maryland], I certainly have no objection.

Mr. McCARRAN. Mr. President, I ask unanimous consent that Calendar No. 1278, the concurrent resolution (H. Con. Res. 197) favoring the granting of the status of permanent residence to certain aliens, be presently considered.

Mr. BUTLER of Maryland. Will the Senator from Nevada yield for just a moment?

Mr. McCARRAN. I yield.

Mr. BUTLER of Maryland. May I send a message to the office of the majority leader and ask if he has any objection? So far as I know, there is no objection to the request of the Senator from Nevada, and I should very much like to accommodate him, but I feel the majority leader should be advised.

Mr. LONG. Mr. President, reserving the right to object, I suggest that the unanimous-consent request simply include the provision that any Senator may have the concurrent resolution reconsidered upon motion during the next 2 days, which is the customary period of time. If any Senator cares to object, he could have the concurrent resolution reconsidered during that period of time.

Mr. BUTLER of Maryland. That would be entirely satisfactory to this side of the aisle.

Mr. LONG. Under a unanimous-consent request, ordinarily, it could be reconsidered, but under my suggestion it could be considered on a simple motion made by a Senator.

The PRESIDING OFFICER. The Chair is informed that any Senator has that privilege.

Mr. LONG. However, it would require a majority of the Senate to agree to the motion. I am simply asking that action on the resolution may be reconsidered on the suggestion of any Senator.

Mr. McCARRAN. Mr. President, I am entirely content with that.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the concurrent resolution (H. Con. Res. 197) favoring the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 25, after line 4, to insert:

A-6661397, Dimian, Bella Berca.
A-7903809, Saganich, Giuseppe Bruno or Joseph Bruno Saganich or Saganey.
0501-19738, Wang, Ting Pang or T. P. Wang.
A-7609403, Yen, Ung Yu.
A-7609402, Yen, Gwendoline Tsunglan nee Hwang.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. KNOWLAND subsequently said: Mr. President, during my absence from the Chamber, Calendar No. 1274, House Concurrent Resolution 197, favoring the granting of the status of permanent residence to certain aliens was agreed to.

It has been the general policy, which has been thoroughly understood by the majority leader and the minority leader, that the Senate would not take up any measure on the calendar without prior notice to the Senate, and until both the majority leader and the minority leader had been notified of the desire to consider such measure.

In that connection, I have tried to give at least 1 day's notice to the Members of the Senate, so that they may be advised in advance, in case any Member should have an objection to a measure.

While I am frank to say that I have no objection to the concurrent resolution which has been agreed to, I believe, as a matter of orderly legislative procedure, and in the interest of the orderly functioning of the Senate, that the action of the Senate should be rescinded and the concurrent resolution should be returned to the calendar. Then I shall give notice that either tomorrow or on the following day the concurrent resolution will be taken up in order.

Mr. President, I ask unanimous consent that the action of the Senate with reference to House Concurrent Resolution 197, favoring the granting of the status of permanent residence to certain aliens, be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNIST-INFILTRATED ORGANIZATIONS ACT OF 1954

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to provide a machinery to liquidate Communist-controlled organizations which are in a position to affect adversely the national defense or security.

The bill is intended to supply a machinery for the liquidation of certain organizations, both business enterprises and labor organizations, which are controlled by Communists and which are in a position to affect adversely the national defense or security.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BUTLER of Maryland. Is the Senator from Michigan aware of the fact that three bills are now pending before the Senate upon which extensive hearings have been held over a period of some 5 months?

Mr. FERGUSON. I am aware of that fact.

Mr. BUTLER of Maryland. Those bills deal with the same question.

Mr. FERGUSON. Yes; I should like to have the bill I have introduced considered by the committee also.

Mr. BUTLER of Maryland. I wondered whether the Senator from Michigan was aware of the fact that the committee has been holding hearings on those bills.

Mr. FERGUSON. Yes, I am familiar with that fact.

While the bill is not an amendment to the Internal Security Act, it utilizes machinery established by that act, adopts, and reaffirms its findings and uses the same definitions of terms. In addition, it also finds that, first, Communist-action organizations or their members have infiltrated into positions of influence or come into control of organizations which have been established for legal and legitimate purposes and that such infiltration or control presents a clear and present danger to the national defense and security of the United States; and, second, that legislation to eradicate such danger is appropriate—section 2.

In the definition section—section 3—the bill defines a new type of Communist organization designated a "Communist-infiltrated organization." This would be any organization, as that phrase is defined in the Internal Security Act—other than a Communist-action or Communist-front organization—"which (A) is substantially directed, dominated, or controlled by a Communist-action organization or by a member or members thereof, and (B) is in a position to affect adversely the national defense or security of the United States."

In the event that the Attorney General determines that any organization is a Communist-infiltrated organization, he is authorized by section 4 to file a petition with the Subversive Activities Control Board—established under the Internal Security Act—for an order determining such organization to be a Communist-infiltrated organization and requiring it to take appropriate action to liquidate and to wind up its affairs expeditiously. The Board would then hold a hearing on the question, receive evidence, hear arguments, and so forth, in the same manner as proceedings are now conducted before the Subversive Activities Control Board under the Internal Security Act. Procedures before the Board would be subject to the provisions of the Administrative Procedure Act—section 7. If the Board should determine that the evidence does not establish the organization to be a Communist-infiltrated organization, it would dismiss the Attorney General's petition—section 5 (a). If it should determine that the organization is Communist infiltrated, it would enter an order to that effect. Such order would also require, in such detail as the Board would consider appropriate, the organization, or any of its component parts, to take the necessary steps to dissolve, liquidate, and wind up its affairs expeditiously—section 5 (b). Such orders of the Board would be subject to review by circuit courts of appeals and upon certiorari by the Supreme Court—section 6 (a).

If, after issuing an order determining an organization to be a Communist-infiltrated organization and requiring it to dissolve, and such order has been affirmed by the courts or not taken to the courts by the organization, the Subversive Activities Control Board would have authority to issue such further orders as might be necessary to effectuate the liquidation of the organization—sections 4 (c) (2), 5 (c). Such orders would be enforceable by an injunction issued by the appropriate United States court—section 6 (c). Pending court review of the basic determination of the Board that an organization is Communist infiltrated and should be dissolved, the Board could require any specified individual or individuals to cease acting as an agent or representative, except for purposes of proceedings before the Board, until such time as its basic order has been affirmed by the courts. Thereafter such person or persons could, if the Board deemed it appropriate, be barred even from exercising that function—section 5 (c).

It should be noted that the bill does not make membership in a "Communist-infiltrated" organization illegal or impose any sanction upon members of such organization. In fact, it expressly provides that in exercising its power to issue orders under the act the Board shall take into consideration, and, to the extent it deems such action feasible, preserve the "legitimate rights and interests of the members, stockholders, or other participants" in the organization—section 4 (d). However, it would impose substantial liabilities on any organization which has been determined to be Communist infiltrated by final order of the Board. No employer would be required to collectively bargain with such an organization which is a labor organization and the union shop provisions of any collective bargaining contract entered into by such an organization would be nullified. The organization would have no right to access to the National Labor Relations Board. However, any employee who might be discriminated against by an employer because he remained a member of the organization could bring an unfair labor practice charge against the employer so long as the employee has not attempted to compel the employer to recognize a Communist-infiltrated organization—section 4 (e).

In framing its orders the Subversive Activities Control Board could take into

consideration problems relating to preserving the interest of members in union welfare funds, the union's property, and the like. In the meantime, it could eliminate from the organization any individual who might impede its liquidation or be otherwise undesirable. The same considerations would affect any order relating to business organizations.

Any provision of a charter of an organization depriving membership or other rights to individuals who are members of rival organizations would lose its legal effect—section 5 (f). Accordingly, members of a union could immediately join other organizations when their union has been held to be Communist infiltrated and thereby protect their collective-bargaining rights without losing rights under closed-shop agreements or pension or similar funds.

Mr. President, I ask unanimous consent that at this point in my remarks a copy of the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. BEALL in the chair). Without objection, the bill will be received, appropriately referred, and will be printed in the RECORD.

The bill (S. 3427) to provide a machinery to liquidate Communist-controlled organizations which are in a position to affect adversely the national defense or security, introduced by Mr. FERGUSON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Communist-Infiltrated Organizations Act of 1954."

NECESSITY FOR LEGISLATION

SEC. 2. The Congress hereby adopts and reaffirms the findings contained in section 2 of the Subversive Activities Control Act of 1950. In addition, it hereby finds—

(1) Communist-action organizations or their members have infiltrated into positions of influence or come into control of organizations which have been established for legal and legitimate purposes and are in a position to affect national defense or security, and such influence or control may be used in aid of the objectives of the world Communist movement; and

(2) Such infiltration or control presents a clear and present danger to the national defense and security of the United States and makes it necessary that the Congress enact appropriate legislation to eradicate such danger.

DEFINITIONS

SEC. 3. Any term referred to in this act which is defined in section 3 of the Subversive Activities Control Act shall have the meaning assigned to it by that section. For the purposes of this act the term "Communist-infiltrated organization" means any organization in the United States (other than a Communist-action or Communist-front organization) which (A) is substantially directed, dominated, or controlled by a Communist-action organization or by a member or members thereof, and (B) is in a position to affect adversely the national defense or security of the United States.

PROCEEDINGS BEFORE BOARD

SEC. 4. (a) Whenever the Attorney General shall have reason to believe that any organization is a Communist-infiltrated organization he shall file with the Board and serve upon such organization a petition for an order determining such organization to be a Communist-infiltrated organization and requiring it to take appropriate action to liquidate and to wind up its affairs expeditiously. Each such petition shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order.

(b) Upon the filing of any petition pursuant to subsection (a) of this section, the Board (or any member thereof or any examiner designated thereby) may hold hearings, administer oaths and affirmations, may examine witnesses and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpenas may be signed and issued by any member of the Board or any duly authorized examiner. Subpenas shall be issued on behalf of the organization or the individual who is a party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage paid witnesses in the district courts of the United States. In case of disobedience to a subpena, the Board may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. No person shall be held liable in any action in any court, State or Federal, for any damages resulting from (1) his production of any documentary evidence in any proceeding before the Board if he is required, by a subpena issued under this subsection, to produce the evidence; or (2) any statement under oath he makes in answer to a question he is asked while testifying before the Board in response to a subpena issued under this subsection, if the statement is pertinent to the question.

(c) (1) All hearings conducted under this section shall be public. Each party to such proceeding shall have the right to present its case with the assistance of counsel, to offer oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. An accurate stenographic record shall be taken of the testimony of each witness, and a transcript of such testimony shall be filed in the office of the Board.

(2) Where an organization declines or fails to appear at a hearing accorded to such organization by the Board pursuant to this section, the Board may, without further proceedings and without the introduction of any evidence, enter an order directing, with such specificity or detail as the Board may deem appropriate, such organization and any of its component parts to take the necessary steps to dissolve, liquidate, and wind up its affairs expeditiously. It shall thereafter retain jurisdiction over the matter and have authority to issue such further orders as it may determine to be appropriate under subsection (c) of section 5. Where in the course of any hearing before the Board or any examiner thereof a party, counsel, or other individual is guilty of misbehavior which obstructs the hearing, such party or counsel may be excluded from further participation in the hearing.

(d) In determining whether any organization is a Communist-infiltrated organization, the Board shall take into consideration—

(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives of, or are members of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2 of the Subversive Activities Control Act;

(2) the extent to which its funds, resources, or personnel are used to further or promote the objectives of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2 of the Subversive Activities Control Act;

(3) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2 of the Subversive Activities Control Act; and

(4) the extent to which it is in a position to impair the effective mobilization or use of economic resources or manpower in connection with the defense or security of the United States.

ORDERS OF THE BOARD

SEC. 5. (a) If, after hearing upon a petition filed under subsection (a) of section 4 of this act, the Board determines that the evidence adduced at the hearing does not establish that an organization is a Communist-infiltrated organization, it shall make a report in writing in which it shall state its findings as to the facts and issue and cause to be served upon the Attorney General an order denying such petition.

(b) If, after a hearing upon a petition filed under subsection (a) of section 4 of this act, the Board determines that an organization is a Communist-infiltrated organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order directing, with such specificity or detail as the Board may deem appropriate, such organization and any of its component parts to take the necessary steps to dissolve, liquidate, and wind up its affairs expeditiously.

(c) The Board, after issuing an order pursuant to subsection (b) of this section or pursuant to paragraph 2 of subsection (c) of section 4 shall retain jurisdiction over the matter to issue, on petition of the Attorney General or on its own motion, such further detailed and specific orders as it may determine to be appropriate to effectuate the expeditious dissolution, liquidation, and winding up of the affairs of such organization and its component parts. Such order or orders of the Board may, without limitation by reason of this enumeration, (1) prohibit any specified individual or individuals from acting as an officer or representative of such organization or of any of its component parts, or exercising, directly or indirectly, any of the ordinary and usual functions of an officer or representative of such organization or any of its component parts, or exercising any substantial administrative or policy-making functions with respect thereto, and (2) approve the individuals who shall exercise functions and duties in connection with the dissolution, liquidation, and winding up of the organization and its component parts. No such further order shall be issued, however, if an order has been issued under subsection (b) of this section and such order shall not have become final: *Provided*, That, after the issuance of such an order by the

Board under subsection (b) of this section and before such order shall have become final, the Board shall have authority to issue such order or orders as it may determine to be appropriate prohibiting any individual or individuals from acting as officers or representatives or exercising substantial administrative or policy-making functions, as provided above: *Provided further*, That no such order shall prohibit any individual from acting for such organization in proceedings before the Board or for judicial review or enforcement of orders of the Board until the order issued under subsection (b) of this section shall have become final; and (3) determine any issue relating to compliance by any individual or organization with the terms of its orders.

(d) In exercising its powers under subsections (b) and (c) of this section, the Board shall take into consideration, and, to the extent it determines it to be consistent with the purposes of this act, preserve the legitimate rights and interests of the members, stockholders, or other participants in such organization, or of persons represented by such organization; nor shall any order under this act have the effect of changing or terminating any collective-bargaining agreement except as expressly provided herein or require that any change be made in the wages, hours, or other terms and conditions of employment established thereby.

(e) No organization against which the Attorney General has instituted proceedings under this act shall be deprived of any benefits or rights to which it would otherwise be entitled under the National Labor Relations Act unless there is in effect a final order of the Board determining it to be a Communist-infiltrated organization. After such order shall have become final, the National Labor Relations Board shall not make any investigation of any question affecting commerce concerning the representation of employees under subsection (c) of section 9 of that act, or consider a charge or issue a complaint under subsection (b) of section 10 of that act, raised, made, or requested by such organization. The provisions of that act relating to unfair labor practices shall continue in full force and effect with respect to members of any organization determined to be a Communist-infiltrated organization by final order of the Board except that (1) the provisions of any contract requiring membership in such organization as a condition of employment shall be without legal force or effect, and (2) no employer shall be required to bargain collectively with such organization. Nor shall it be an unfair labor practice for an employer to discriminate in regard to hire or tenure of employment, or any term or condition of employment against any employee who attempts in any manner to compel recognition of such organization for collective-bargaining purposes.

(f) Any provision of any charter, bylaws, constitution, articles of incorporation, or similar body of governing rules of any organization which requires, as a condition of membership or participation in such organization, or of the receipt of rights or benefits, that such members or participants refrain from becoming members or participants of any other legitimate organization shall be without legal force or effect after any order of the Board determining such organization to be a Communist-infiltrated organization has become final.

JUDICIAL REVIEW AND ENFORCEMENT

SEC. 6. (a) The party aggrieved by any order entered by the Board under subsection (a) or subsection (b) of section 5 may obtain a review of such order by filing in the United States Court of Appeals for the District of Columbia, within 60 days from the date of service upon it of such order, a written petition praying that the order of the Board be set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the Board shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Board. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Board; but the court may in its discretion and upon its own motion transfer any action so commenced to the United States court of appeals for the circuit wherein the petitioner resides. The findings of the Board as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Board, the court may order such additional evidence to be taken before the Board and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Board may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence shall be conclusive, and its recommendations, if any, with respect to action in the matter under consideration. If the court shall set aside an order issued under subsection (b) of section 5 it may enter a judgment relieving the organization and any individual from complying with any orders issued by the Board under that section. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in title 28, United States Code, section 1254.

(b) Any order of the Board issued under subsection (a) or subsection (b) of section 5 shall become final—

(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time;

(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States court of appeals, and no petition for certiorari has been duly filed;

(3) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States court of appeals; or

(4) upon the expiration of 10 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Board be affirmed or the petition for review dismissed.

Any other order of the Board shall become final as of the date specified by the Board in such order.

(c) The Attorney General, on behalf of the Board, shall have power to petition any district court of the United States (including the District Court of the United States for the District of Columbia), within any district in which any individual who, or organization which, has failed to comply with a final order of the Board resides or transacts business, for the enforcement of such order.

(1) With any petition for the enforcement of an order issued under paragraph 2 of subsection (c) of section 4 or under subsection (b) of section 5, there shall be filed with the court a copy of such order, with a showing that such order has become final, and the court shall cause notice of such filing to be served on the person or organization alleged to have failed to comply with such order. The court shall thereupon have jurisdiction to determine that such order is a final order and whether the person or organization has failed to comply therewith; but the validity of the findings of the Board, or the authority of the Board to issue such order shall not be in issue in such proceedings. The court, upon determining that such order is final, and that the individual or organization has failed to comply therewith, shall have power to enforce obedience to such order by injunction or other proper process, temporary or final, mandatory or otherwise.

(2) With any petition for the enforcement of any order of the Board issued under subsection (c) of section 5, there shall be filed with the court a transcript of the record in the proceedings relating to the issuance of such order, including the pleadings and testimony upon which such order was entered, and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served on the individual or organization alleged to have failed to comply with such order, and thereupon shall have jurisdiction of the proceeding and of the questions determined therein and shall have power (A) upon determining that the Board was authorized under this act to issue such order and that the individual or organization has failed to comply therewith, to enforce obedience to such order by injunction or other proper process, temporary or final, mandatory or otherwise, (B) to make and enter a decree modifying such order and enforcing it as so modified, or (C) setting aside such order in whole or in part. No objection that has not been urged before the Board shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts (other than whether the individual or organization has failed to comply with the order) if supported by substantial evidence shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Board, the court may order such additional evidence to be taken before the Board (or any member thereof or examiner designated thereby) and to be made a part of the transcript. The Board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings as to the facts (other than whether the individual or organization has failed to comply with the order) if supported by substantial evidence shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order.

Except as provided in subsection (a) of this section, the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals and by the Supreme Court of the United States upon writ of certiorari or certification as provided in title 28, United States Code, section 1254.

APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 7. Nothing in this act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions, or conduct of proceedings by the Board under this act: *Provided*, That the provisions for the review and enforcement of orders of the Board contained in this act shall be exclusive.

RULES AND REGULATIONS

SEC. 8. The Board may make such rules and regulations, not inconsistent with the provisions of this act, as may be necessary for the performance of its duties or for the enforcement of this act.

REPEAL OF NONCOMMUNIST AFFIDAVIT PROVISION

SEC. 9. Subsection (h) of section 9 of the National Labor Relations Act is hereby repealed. Paragraph 3 of subsection (a) of section 8 of the said act, as amended, is

further amended by deleting therefrom "section 9 (f), (g), (h)," and inserting instead, "section 9 (f) and (g)."

SEPARABILITY OF PROVISIONS

SEC. 10. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this act or the application of such provisions to other persons or circumstances, shall not be affected thereby.

DEFENSE FACILITIES PROTECTION ACT OF 1954

Mr. FERGUSON. Mr. President, I wish to introduce a bill which is to be known as the Defense Facilities Protection Act of 1954.

The purpose of the proposed bill is to provide the Federal Government with new authority to guard strategic defense facilities by barring from them that limited number of individuals who are subversive and may be reasonably believed to be disposed to commit acts of sabotage, espionage, or other subversion. It is understood that a definite number of such individuals has already been identified. Some of these individuals are known to be employed in facilities where sabotage in time of war or emergency would seriously impair the military effectiveness of the United States.

The facilities involved are privately owned and are primarily engaged in what is regarded as normal civilian production. Although there is authority for barring subversive individuals from facilities directly engaged in the performance of defense contracts, there is no similar authority with respect to these facilities, although, as in the case of a powerplant or a producer of other basic materials or supplies required by a defense contractor, sabotage or interruption of production by these facilities could very materially curtail defense production. Espionage is also an important consideration.

The Magnuson Act (50 S. U. C. 191), relating to vessels, piers, and waterfront facilities, has served as a model for the proposed bill. Although the bill has a potentially broader coverage than the Magnuson Act, by reason of the procedures provided by the bill its operations will, in fact, be confined to the screening of a relatively small number of persons.

SECTION 1

This section provides a short title for the proposed enactment, the Defense Facilities Protection Act of 1954.

SECTION 2

Section 2 is a statement of legislative findings as to the basic considerations applicable to this legislation, reciting the dependence of the Nation in time of war upon its production economy, and the fact that injury or impairment of such economy and capacity has become a major objective of aggressor nations; the existence in the United States of a small number of subversive individuals reasonably believed to be disposed to engage in sabotage or espionage at the strategic time; and the necessity of barring them from access to those facilities where they could seriously impair the Nation's power and ability to meet internal or external threats.

SECTION 3

This section authorizes the President whenever he finds and proclaims that the security of this country is threatened, to protect defense facilities from sabotage and espionage within a framework satisfying requirements of due process and with as little inconvenience to both employers and employees as the circumstances permit.

Subsection (a) authorizes the President, upon finding of enumerated emergency conditions, to prescribe rules and regulations to prevent access to defense facilities by those likely to commit sabotage, espionage, or other subversive acts. It is anticipated that the act will be put into effect by the issuance of an Executive order reciting the conditions mentioned above and naming an official or officials who shall take the necessary steps to accomplish its objectives. These steps would include the issuance of rules and regulations consistent with the limitations of subsections (b) and (c) of section 3.

Subsection (b) provides that, except for the summary procedures authorized in subsection (c), no measure, rule, or regulation shall operate to bar an individual from access to a defense facility—as later defined—under this bill unless he shall have first been notified of the charges against him and given an opportunity to defend himself against such charges. He is to be granted an expeditious hearing if he requests it, and any charges made must be sufficiently specific to permit him to respond to them. However, no hearings under the act will require that any Government investigative organization disclose its informants or other information if, in its judgment, disclosure would endanger its investigatory activity. The requirements that charges be specific enough to enable a defense to be made, despite the provision for protection of security for information, would appear on the basis of recent decisions involving the Magnuson Act to meet the requirements of due process—*United States* v. *Gray* (207 F. (2d) 237, 241–242 (C. A. 9th, 1953)); *Parker* v. *Lester* (112 F. Supp. 433, 443–444 (N. D. Calif., 1953)). See also *United States* v. *Nugent* (346 U. S. 1), involving hearing procedures under the Selective Service Act.

The necessity of expeditious action and of protecting security information makes appropriate the provisions of section 2 (b) that the Administrative Procedure Act shall not be applicable to proceedings under the bill.

Section 3 (c) authorizes summary suspension of individuals from access to defense facilities without prior charges or hearing. However, if such a procedure is followed the individual involved must be notified of the charges against him within 15 days and, if he requests it, must be granted a hearing within 30 days, from the time he is barred. A determination must be made and transmitted to him within 30 days from the date of termination of the hearing or, if no hearing is requested, of the individual's submission of his defense to the charges. The subsection provides that any administrative appellate proceedings shall be determined promptly. No such administrative appeal proceedings would be constitutionally required.

The requirement of specific charges and hearings either before an employee is barred—subsection (b)—or, if summarily barred, immediately thereafter—subsection (c)—is intended to prevent any procedure involving the screening of the general body of civilian employees or placing a burden upon them to prove their loyalty. The procedure provided is, however, adequate to eliminate the known subversives expeditiously.

Finally, subsection (c) provides for compensation by the United States for the loss of earnings in or in connection with the defense facility during the period he is barred without a prior hearing, if he is thereafter cleared. The inherent fairness of such a provision and its desirability from the standpoint of due process are self-evident.

Subsection (d) provides that the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950. Section 3 (7) of title I of that act—title 50, United States Code, section 782 (7)—defines the term "facility' broadly, and the term "defense facility" as a facility designated and proclaimed by the Secretary of Defense pursuant to section 5 (b) of title I—title 50, United States Code, section 784 (b)—and included on the list published and currently in effect thereunder. Section 5 (b) directs the Secretary of Defense to designate and proclaim a list of defense facilities with respect to which he finds and determines that the security of the United States requires the exclusion of members of Communist organizations; such list must be published in the Federal Register and the management of any listed facility notified. The management must post notice of designation in such manner as to give reasonable notice thereof to all employees and applicants for employment.

SECTION 4

This section authorizes the imposition of penal sanctions for willful violations of any regulation, rule, or order issued pursuant to the act or for knowing obstructions or interference with the exercise of any power conferred by the act. Such offenses are made punishable by a fine of not more than $10,000 or by imprisonment for not more than 5 years or both. It is believed that such penalties are adequate punishment for violation of the proposed act.

SECTION 5

This section provides that nothing in the proposed enactment will deprive any person of the rights or benefits he may enjoy under the National Labor Relations Act, as amended.

Both of the bills introduced by me attempt to carry out, and will carry out, the recommendations of the administration, which were discussed by the Attorney General of the United States in his address to the Nation on April 9, 1954, on the subject The Fight Against Communism.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Defense Facilities Protection Act of 1954.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and will be printed in the RECORD.

The bill (S. 3428) to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion, introduced by Mr. FERGUSON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That is act may be cited as the "Defense Facilities Protection Act of 1954."

SEC. 2. The Congress hereby finds that—

(1) The history of modern warfare has established that the defense of any country is greatly dependent upon the effective and continued operation of its industrial economy and the full utilization of its productive capabilities. In time of war or of preparation for defense from attack by a potential aggressor, injury to the industrial economy or impairment of the productive capabilities of a country may severely curtail its military effectiveness, and such injury or impairment has become a major objective of aggressor nations in their preparation for and prosecution of war.

(2) There exists in the United States a limited number of individuals as to whom there is reasonable ground to believe they may engage in sabotage of the industrial economy and productive capabilities of the United States, espionage, or other subversive acts in order to weaken the power and ability of the United States to cope with actual or threatened war, invasion, insurrection, subversive activity, disturbance, or threatened disturbance of international relations.

(3) In such circumstances it is essential that, without impairing the rights or privileges of the great bulk of loyal United States citizens, such individuals be barred from access to facilities injury to which would be harmful to the industrial economy and productive capabilities of the United States, and, therefore, to its military effectiveness.

SEC. 3. (a) Whenever the President finds by proclamation or Executive order that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbance or threatened disturbance of the international relations of the United States, the President is authorized to institute such measures and issue such rules and regulations as may be necessary to bar from access to any defense facility or facilities individuals as to whom there is reasonable ground to believe they may engage in sabotage, espionage, or other subversive acts. The President may perform any function vested in him by this act through or with the aid of such officers or agencies as he may designate.

(b) Except as provided in subsection (c) of this section, no measure instituted, or rule or regulation issued, pursuant to subsection (a) of this section shall operate to deprive any individual of access to any defense facility or facilities unless such individual shall first have been notified of the charges against him and given an adequate opportunity to defend himself against the charges. Such charges shall be sufficiently specific to permit the individual to respond to them, and such opportunity shall, if the individual so desires, include a hearing. The Administrative Procedure Act shall not be applicable to proceedings under this act. Nothing contained in this act shall be deemed to require any investigatory organization of the United States Government to disclose its informants or other information which in its judgment would endanger its investigatory activity: *Provided, however,* That in the event that such information is not disclosed the individual charged shall be furnished with a fair summary of the information in support of the charges against him.

(c) The measures instituted, or rules or regulations issued, pursuant to subsection (a) hereof may operate to bar summarily any individual from access to any defense facility or facilities provided that such individual shall be notified in writing of the charges against him within 15 days from the time he is so barred and given an adequate opportunity to defend himself against such charges, including, if he so requests, a hearing within 30 days of the date of such request. Reasonable continuances may, however, be permitted if consistent with expeditious disposition of the matter. A determination shall be made and transmitted to the individual affected within 30 days from the date of the termination of the hearing or, if no hearing is requested, of the submission of the individual's defense to the charges, and if administrative proceedings are provided by the rules or regulations for review of any such determination they shall be promptly determined. In the event that the summary bar against such individual is removed as a result of any proceeding, the individual shall be compensated by the United States solely for his loss of earnings in or in connection with any defense facility during the period he was so barred.

(d) As used in this act the term "defense facility" shall have the same meaning as it has in title I of the Internal Security Act of 1950, as amended, but shall not include vessels, piers, or waterfront facilities.

SEC. 4. Whoever willfully violates any rule, regulation, or order issued pursuant to the provisions of this act, or knowingly obstructs or interferes with the exercise of any power conferred by this act shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

SEC. 5. Nothing contained in this act shall be construed to deprive any individual of any rights or benefits conferred upon him by the National Labor Relations Act, as amended by the Labor Management Relations Act, 1947.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this afternoon, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, the Senate is now considering the proposed constitutional amendment relating to the membership of the Supreme Court, which is Calendar 1091, Senate Joint Resolution 44.

I understand the distinguished junior Senator from Florida [Mr. SMATHERS], desires to make a speech to the Senate this afternoon. I assume that following the conclusion of his address, and following any insertions which Senators may desire to make in the RECORD, the Senate then will be prepared to recess until 12 o'clock noon tomorrow.

Mr. WILEY. Mr. President, reserving the right to object, I have seen the remarks of the distinguished Senator from Florida, and I want to have something to say about them before the Senate recesses today.

Mr. KNOWLAND. I merely desired to state that the Senate would not have any votes this afternoon.

Mr. WILEY. I beg the Senator's pardon. I thought he had said he intended to have the Senate recess after the Senator from Florida had completed his remarks.

Mr. KNOWLAND. No; when the Senate had completed its work this afternoon.

The RECORD of last Friday, May 7, beginning in the first column of page 6225, contains the legislative program as announced on that day. I had given notice of several bills which it was desired to have taken up if time would permit this week, before the Senate proceeds to the consideration of some of its major legislation.

The only bill I desire to add to the list is the Treasury-Post Office Departments appropriation bill, which was acted upon by the Senate Committee on Appropriations on Saturday and was reported to the Senate either over the weekend or today. I hope that by Thursday that bill may be acted on.

There is a measure on which earlier today colloquy was had in the Senate, Calendar No. 1274, House Concurrent Resolution 197, favoring the granting of the status of permanent residence to certain aliens. When the Senate has concluded its action on the proposed constitutional amendment, which I hope will be within the next day or two, it should be possible to dispose of House Concurrent Resolution 197. As I announced earlier, I should like to give, for the RECORD, a day's advance notice of the taking up of such matters.

The distinguished Senator from Michigan [Mr. FERGUSON] informs me that Senate Joint Resolution 126, which deals with the oath of allegiance to the United States, and adds, as I understand, the words "under God," was reported to the Senate today. He hopes that later during the course of the week, the Senate may give consideration to the joint resolution.

I wish to thank the Senator from Texas.

Mr. JOHNSON of Texas. The Senator from Michigan talked to me about his joint resolution. I understood he wished to be prepared to have it taken up tomorrow or the next day. The majority leader plans to move to take it up, does he not?

Mr. KNOWLAND. Yes. I wished to give advance notice of that. I thought it would be a good idea to get it on the calendar and have printed copies available for Senators.

Mr. JOHNSON of Texas. As the majority leader can appreciate, it is sometimes difficult for Senators to arrange their schedules so they can be present when bills in which they are interested are to be considered. I have a letter from the distinguished Senator from Nevada [Mr. MCCARRAN], in which he asks that the Senate withhold action on the so-called fireworks bill, H. R. 116, until he returns to Washington. He states that he is leaving town, and will

be gone about 10 days. Does the majority leader contemplate calling up that bill?

Mr. KNOWLAND. Yes; I would contemplate that the bill would be called up during this week.

Mr. JOHNSON of Texas. Would it be called up prior to consideration of the Treasury-Post Office appropriation bill, or afterwards?

Mr. KNOWLAND. I would think it would be called up prior to consideration of the Treasury-Post Office appropriation bill on Thursday. I was hoping the Senate would get to the consideration of the bill sometime Thursday afternoon.

The junior Senator from Texas had mentioned to me that there are some amendments he thought might be offered, and asked if I would be willing not to take it up tomorrow, and he hoped not on Wednesday. I told him I would explore the situation. But I would like to dispose of the fireworks bill this week.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WILEY. I was glad to hear the statement just made by the Senator from California. I may say that the junior Senator from Texas [Mr. DANIEL] spoke to me about the bill, and I told him I would be very happy to get a vote on it if the Senate could act on any day but Friday. I might say that a meeting of the United Nations subcommittee is to be held in South Carolina, and the members of the subcommittee have to leave Friday afternoon. If a vote on the bill is delayed that long, it seems to me that the Senate might agree to vote on it on Monday. The majority leader must admit that I have never asked for such an accommodation.

Mr. KNOWLAND. I suggest that the Senate move along, and see what the situation is in a few days. It is one thing to put off voting on a bill from a Friday to a Monday, and another thing to have a delay of a week or 10 days. There has been advance notice of the intention to act on the bill, as I am sure the minority leader will agree. I have certainly tried to lean over backward in working out a number of problems. A number of bills are ready for consideration by the Senate. If those bills are not considered within the next couple of weeks, they will become lost in the final crush of legislation.

Mr. JOHNSON of Texas. I have not only sympathy for the majority leader, but an understanding of the situation. I may say that I have another letter which asks that the same bill to which I referred before be considered immediately. One letter asks that action be postponed for 10 days, and another asks that action be taken as soon as possible. I understand the problems faced by the majority leader. He has always given the minority ample notice. I am merely passing on the requests, and I know the distinguished majority leader will give to them such consideration as they deserve.

Mr. KNOWLAND. I thank the Senator from Texas.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6549) to provide for the construction of the Jefferson National Expansion Memorial at the site of Old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 74) authorizing the printing of additional copies of Senate Report No. 1082, a study of the operations in Latin American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade.

NEED FOR STRONGER ALLIANCE BETWEEN UNITED STATES AND OTHER NATIONS OF WESTERN HEMISPHERE IN FIGHT AGAINST WORLD COMMUNIST AGGRESSION

Mr. SMATHERS. Mr. President, few events have shocked the free world as has the fall of Dien Bien Phu—unless it has been the increasing trend toward appeasement of the Communist aggressor marked by developments at the Geneva Conference.

The implications for us as leader of the free world are so grave that it is with reluctance and only because of an impelling sense of urgency that I rise to speak.

Mr. President, perhaps the time has come, as has been suggested by some, for the agonizing reappraisal of American aid program, to which Secretary Dulles looked forward as an alternative some months back.

This agonizing reappraisal also must touch our time-honored and traditional alliances, wherein the historic pattern of friendship seems continued in an increasingly one-way trend.

For what are the facts about our allies?

Does it not appear that Britain is now unmistakably committed to a policy of appeasement?

Is not the French Nation, which for generations and centuries has been resourceful, hardy, and liberty-loving, indicating now, least of any of us, a stomach for continuing the hard, self-sacrificing resistance to Communist aggression?

In Asia have we not irretrivably lost China and in fact is not Indochina now headed into the Communist camp?

Must we not, Mr. President, admit in all candor that our long and stubbornly held hope for uniting the nations of the Western World as the free world may well be slipping beyond our grasp?

Must not the agonizing reappraisal be accompanied by an admission that we have unwisely spent—perhaps foolishly wasted—some of the billions of dollars that have been used for foreign assistance? For, Mr. President, the facts clearly indicate we seem to be losing the enthusiasm of our allies, rather than building greater resoluteness to stand by our side. Our historic and dearly held allies seem to have become less constant, less firm in their devotion to what have been our common ideals, and more fickle in their allegiance and their friendship.

We must, in frankness, admit these weaknesses in the ranks of what we have hopefully been calling the free world.

It may well be that our old alliances are not meeting the challenge of aggressive communism, but at any rate, we must recognize that the failures of our historic and honorable allies to support us at Geneva indicate that we no longer can fully rely upon them to stand with us in determined opposition to Communist advancement and aggression. We need perhaps to reinforce these ancient and honored, but tired and worn allies of the Old World, with vigorous, young, forward-looking nations of the New World if we are to keep Communist aggression from eventually breaching the Western Hemisphere. The forces of freedom cannot hope to withstand Communist aggressions, and ambitions, if within our ranks there are those who have not the will to stand firm in resistance, those who in negotiations for peace use appeasement as their trump card. We must face the fact that recent developments at Geneva have some of the awesome aspects of a Munich, and are a shuddering reminder of the harvest of an historic effort to "keep peace in our time" by making a deal with the power-mad total tyrant.

But, while we must admit, as our great minority leader, the distinguished and able Senator from Texas [Mr. JOHNSON], pointed out a few nights ago that "We stand in clear danger of being left naked and alone in a hostile world," the threat of total tyranny offers few alternatives, and appeasement is not yet within our capabilities as a proud and free nation.

What has happened to the sound underlying principles of our foreign policy of former years? France and Britain, numbered among our Western allies and recipients of our foreign aid, are apparently convinced that the difficulties which they, and we, are now having with the Communists can be solved by making concessions in Asia, and by admitting Red China to the United Nations. What has prompted them to pursue this line of thought? Surely they could not believe that trade with the Communists is more important than freedom itself. It may be they do not believe that trade with the Communists will result in a loss of freedom. On that point we find ourselves in disagreement. Or could it be they lack faith in the now shifting foreign policies of the United States and believe that they can effect a livable compromise with the Communists, if they do not stand too close to us?

No one will deny the great importance to the free world of a successful conclusion to the bitter and bloody struggle raging in Indochina. Wars, like fires, have a way of spreading with the changing winds. And yet we do not want to lose that area if the price for saving it is not too high. We are all well aware that the loss of this area to the free

world would pave the way for further Communist aggression—against Thailand, Burma, Malaya, Indonesia, Japan, and perhaps even Australia and New Zealand. Because of the failure of united action within the free nations, it is understandable that under present circumstances such a stunning loss is possible, even though, we hope, not probable. The disappearance of Indochina behind the Iron Curtain would deprive the free world of its major rice bowl, would cut off 80 percent of the supply of natural rubber, and half of its tin, would wreck important defense lines in the Far East, and would cut away from the free world more people than there are in the United States.

In view of this threat, our Government has sought to bolster the French and Associated States in their battle against the Communist menace. Prior to 1951, we bore 40 percent of the cost of the war in Indochina; in the 1951–52 period, our share amounted to 60 percent, and for the fiscal year 1953–54 we are carrying 78 percent of the financial burden, representing an expenditure of $785 million. The administration increased its request to Congress for the next fiscal year to $1,133,000,000. No one can justifiably claim that in recent years we have been indifferent to developments in Indochina. We may have been guilty of not concerning ourselves soon enough with the problem. But the fact is that in the past 2 years we have contributed materially to the effort in Indochina against the Communists.

Mr. President, I am sure that all of us are firmly convinced that every effort on the part of the free world should be exerted cooperatively to frustrate Communist aggression in southeast Asia. Moreover, I am sure we are equally convinced that the problem is not ours, alone. United action is the only course to save us, and it appears to me that we should not proceed one step further into Indochina unless and until we have practical united action on the part of all the nations that are concerned in the Far East.

But, Mr. President, I did not come here today to talk about the Far East. There is much information about that area that has not been given to the Congress; and, of course, there is much about it that I do not know. I have mentioned Indochina only to put in proper perspective what I do wish to say. An old maxim of the farmer is, "Don't worry about the pastures when the barn is on fire." Mr. President, the barn is not on fire, but it is smoldering dangerously. It seems to me highly unwise to continue to pour what is not an unlimited supply of money and energy into crisis areas far off in the world, while at the same time neglecting less distant regions not yet in the critical stage, but already smoldering.

It is in this respect that we must seriously undertake to strengthen the trunk of the tree of freedom. Instead of concentrating our attention and resources in attempting to rid the branches of the tree of disease, we must, as practical people, look to the dangerous dry rot which already has taken hold of the trunk of the tree of freedom.

Our attitude toward our sister republics in this hemisphere is a striking example of our shortsightedness in our present foreign policy. So preoccupied are we with problems in Europe and Asia that we often forget how vital are our relations with our neighbors to the south.

The pattern of events in Indochina and our belated response to them may well serve as a warning in our relations with Latin America. It is pointless to indulge in post-mortem recriminations as to what should have been done earlier to save Indochina. I have mentioned the Indochinese situation at this time as a vivid example of how precautionary measures at the proper time may prevent development of a subsequent crisis. We failed to take such measures in southeast Asia. Mr. President, are we repeating that failure in Latin America, today?

The Caracas Conference, in March, served to remind us of this danger. The Conference met, not in an aura of hostility, but certainly not in one of complete accord. The United States delegation concentrated on awakening our neighbors to the insidious infiltration into the hemisphere of international communism. We sought a declaration of solidarity against this Communist evil. We got it, but in the process, a number of very revealing comments were made by Latin American delegates. Mr. President, I believe we can be satisfied in having secured the declaration pledging consultation and joint action against international Communist penetration of this hemisphere; but we should not mistake for action itself, the declaration of intention to act. If the time should ever come when we must put the anti-Communist declaration to a test, its success will depend on our past and future policy toward Latin America. It is in our own national interest to demonstrate by action, and not merely by words or by flattery or by platitudes, that we are genuinely interested in Latin America.

All of us like to believe the lyrical eulogies so often delivered in praise of Pan-Americanism. But Pan-American unity is not self-generating, Mr. President. If we would heed the warning sounded both on and off the record by Latin American delegates at the Caracas Conference, we would realize that discontent in any one of these nations endangers all of us. At Caracas, the one thing upon which all the delegates from south of the Rio Grande agreed was their sharp criticism of United States economic policies with respect to their countries. It soon became apparent that Latin Americans were at least as concerned about their pressing economic problems as they were about the threat of Communist penetration and subversion. This concern, Mr. President, should also be our concern.

Already the pattern of Communist infiltration demonstrated in Indochina is visible in Latin America, where a Communist beachhead has already been established. We have seen how a small group of hardcore Communists were able to maneuver themselves into positions of great influence in Guatemala. In spite of the fact that probably there are no more than 3,000 Communist party members in a population of 2,800,000, Communists now occupy key positions in Guatemala in the labor unions, the agrarian department, on legislative committees, and on the government-operated newspaper and radio stations.

The great majority of the coalition parties that came into power in Guatemala after the revolution in 1944 were not Communists. They were men honestly opposed to a paralytic dictatorship, and in favor of a long overdue reforms. The Communists were able to accomplish their infiltertation by identifying themselves with the aims of the revolution. Unfortunately, the coalition parties were divided by old rivalries, and were not prepared with a positive course of action to accomplish by themselves the changes they advocated. So the Communists, experts in the art of deception, well organized, and strictly disciplined, came forward with a reform program; and the government found itself depending upon Communists for action and support.

Although Guatemala is the only Latin American country in which the Communists have been able to entrench themselves in a position of influence, nevertheless, the Communists have been active throughout Latin America.

A recent report of the United States Information Agency, based on data gathered by United States intelligence agents, warns that Communist activities, bountifully financed by Moscow, are on the increase throughout all of Latin America. Successful attempts have already been made by the Communists to infiltrate labor and student organizations. Last year, approximately 1,000 Latin Americans visited Communist countries in Europe and attended Red-controlled meetings there. That is a 100-percent increase over the number of Latin Americans who attended such meetings in European countries in 1952. How many more warning signals must be flashed before action is taken to protect our national interest in South America? The danger should be apparent to all of us.

Latin Americans, stirred by the great wave of optimism over allied victory in World War II, were given new hope for a better and fuller life. They were no longer content with their meager lot. Latin American governments heeded their demands for amelioration of their substandard living conditions. It is a well-known fact that Communists are ready, as in Guatemala and elsewhere, to seize upon the disease of poverty, and turn legitimate desires for a more abundant life, into a vehicle for Communist rise to power. The poor of Latin America are for the most part uneducated and inexperienced in self-government. They know only that they wish to better their standards of living—and if their governments cannot provide solutions, the Communists at least are providing promising slogans.

Communist penetration into Latin America now threatens the entire structure of Western Hemisphere defense, and surely the architects of our foreign policy

should realize that a disaffected, divided continent would be disastrous to our own survival as well as to theirs and to world civilization as well.

I cannot emphasize too strongly the indispensability of the role that Latin America plays in this hemisphere's defense. In 1950, Latin America supplied us with 100 percent of our vanadium and quebracho. It supplied us with over 90 percent of quartz crystals that we used; it supplied us with over 60 percent of our needs for antimony and copper and more than half of our beryl, bismuth, lead, and cadmium which we used. Venezuela supplied us with oil and, as we all know, all the oil production in the Western Hemisphere would be vitally needed in the event of a major conflict. In addition Latin America has an unlimited supply of other essential raw materials, without which we cannot construct a very effective military machine.

In the past war Latin America helped to guard our vital lines of communication and shipping. It provided necessary air and sea bases for essential war operations. We must, at this time, recognize, though it is dreadful to contemplate, that a future world battle may well be between continents; and it is extremely important that we count on hemisphere solidarity to maintain future survival of the civilization we jointly cherish.

I know that I need not remind my distinguished colleagues of the Senate, that United States and Latin American relationship extends far beyond mutual cooperation against a common enemy. In 1952, this country's trade with Latin America amounted to nearly $7 billion. According to the mutual security program report to Congress dated December 31, 1953, trade during the first 9 months of 1953 was running at about the same rate. Latin America is second only to Western Europe as a market for United States exports. In addition, our direct private investment in our sister Republics at the end of 1952 totaled almost $6 billion, or approximately 40 percent of all United States direct private investment abroad. With its rapidly growing population, which has already exceeded that of the United States, Latin America promises to be an ever greater market for United States products, provided mutually satisfactory trade policies are quickly instituted.

In spite of this strategic and economic interdependence, in recent years we have paid much more attention to the problems in the Old World than to those of our neighbors to the south. We have been lulled into the belief that the foundations of hemisphere solidarity, laid so painstakingly at the various inter-American conferences since 1890, can stand any shock. The various agreements we have made with our sister Republics for the settlement of disputes in this hemisphere, and for mutual defense in the event of aggression from outside, are great strides toward preserving our peace and security. Yet, Latin American delegates at Caracas in March sounded the warning that the entire structure of hemispheric cooperation may collapse unless our present policy of a play on words is backed up by positive and immediate action. The time has come when we can no longer take Latin American friendship for granted. It is a two-way street, and the sooner we recognize that fact the better off it will be for both our peoples.

Our great hope lies, Mr. President, right here in our own front yard—at our very door, in fact. While Dien Bien Phu marks a point of despair, and Geneva makes us feel alone and naked before the world, when we come home and embrace again the friends and neighbors who surround us, we must admit a warm, secure feeling.

So, not a moment should be lost in bringing the United States and our good neighbors of the Americas together into a closer, firmer alliance.

We might well take the advice of Shakespeare, who said—in his play Julius Caesar, I believe—"Those friends thou has both tried and true, bind them to thy soul with hoops of steel."

So, we need make supreme efforts to make up for the long neglect of Latin America, and, if it is not too late—and I know it is not—we must move to elevate our Latin American neighbors to the roles of most favored and most cherished allies.

Despite our tragic sins of omission of the past, we must not allow our shortsightedness to alienate these allies or to blind us to the almost infinite possibilities of strength available to us through the development of the friendships and natural resources in our hemisphere.

If there is any need indicated in the Free World today, it is for a closer tie of the nations and the peoples of North America and South America in all realms of international intercourse—trade, culture, and mutual security.

The first step should be to give consideration to inverting perhaps, the foreign spending program. We need but examine the proposed Mutual Security budget request for the fiscal year 1955 to obtain a clear picture as to the meager concern by these United States for Latin American relationships.

The Foreign Operations Administration has asked the Congress to appropriate a total of $3,497,700,000 for the foreign-aid program. Of this amount a total of $947,700,000 is earmarked for military assistance to Europe; $1,768,900,000 is earmarked for the Far East and the Pacific; $165 million is earmarked for special nonregional undertakings—we do not know where; $569,100,000 for the Near East, Africa, and South Asia; and $104 million for India, which just the other day refused to allow our planes to fly over her borders when an effort was being made to strengthen the fortress at Dien Bien Phu. We look at these stupendous figures and then we see that the paltry sum of $47 million, or 1.3 percent of the total requests for foreign aid, has been earmarked for Latin America.

In the light of the extreme importance which Latin America has to the security of the United States, a considerably greater portion of our foreign-aid program should be allocated to that area. In so doing, we would insure the defeat of communism in this hemisphere at a price infinitely smaller than that which will be required if we continue the delay in adequately recognizing our neighbors to the south of us.

We have in the past assisted Latin America in technical development. This type of assistance is not enough. We must now mutually cooperate for the purpose of eliminating the economic problems which affect both continents. Chaotic economic dislocation is now present in Latin American countries as a result of their assistance to us during two world wars and the war in Korea. During those wars the demand for their raw materials made it necessary for them to gear their production to the increased demands of the United States. This, of course, brought boom times to that continent, accompanied by a period of wild inflation. At the conclusion of the war, this country's demand for Latin American products shrank considerably. We turned once again to our prewar sources of supply in the Far East and other areas of the world. Is it any wonder, therefore, that this treatment encouraged the belief among the Latin Americans that we are concerned with them only in emergency situations and neglect them when the moment of danger passes?

This has given rise to many complaints on the part of Latin America toward the attitude of the United States. It may well be that some of these complaints are unjustified. But if we are to have a truly unified hemisphere, we must try to separate the justified from the unjustified criticism; then seek to remedy where we find we can, or explain our position when there is an honest disagreement. We must not simply ignore their vociferous grievances, as we would the sting of a small fly. What may at this time appear inconsequential in comparison with the grave threats to peace in Europe and Asia, may in the near future prove to be explosive.

At the recent Caracas Conference, Mr. Jorge Prat, of Chile, stated:

> Our delegation understands that the struggle against communism and for the strengthening of the security of the democratic nations has priority over any other problem. What it cannot understand is that one can speak of free market prices for countries that produce strategic materials in circumstances in which, for reasons of common necessity, those markets are limited.

I am hopeful that at the forthcoming Inter-American Economic Conference in Rio de Janeiro a plan will be developed that will guarantee the Latin American nations steady markets for their raw materials so that they can with some certainty lay out economic development projects.

Mr. President, I would not go so far as to condemn the motives of this administration or any other administration for not backing up with action and policies its flowery statement of lofty aims and high purposes with regard to pan-American cooperation. The statements of purpose throughout recent years have been fine, and inspiring of confidence, and form a warm, friendly basis for action. The agreeements among the Americas for an arms standardization program, for a stockpiling plan, and for mutual assistance in vari-

ous fields are splendid. But, Mr. President, besides a few gestures to the south which we have been making recently, and besides a few dollars and many roving ambassadors of good will, to what actual, provable, understandable accomplishments can we point with pride? The nations of Europe are outtrading us in Latin America simply because, while we are busy aiding our European friends with our dollars and materials, they are busy helping themselves to our best customers.

In this week's Life magazine there is an inspiring story of the resurgency of Western Germany. In this we can take pardonable pride. With our aid, Germany is again becoming an industrial giant. An interesting aspect of that story to me is that at this very moment the Germans are aggressively seeking markets and trade with the Latin American countries. Ludwig Erhard, industrial and political leader of West Germany, has been visiting with each of the South American countries for the purpose of building trade, commerce, and closer ties. Today, Mr. President, Germany is the second largest exporter to Latin America, and she is fast becoming a serious threat toward displacing the United States which presently occupies the position of the largest exporter to these countries.

Our present policy toward Latin America and our foreign policy in general have created basic problems in trade which are of material concern to the United States. Just recently I have received a letter from Mr. Thomas E. Price, of Price y Cia, Inc., enclosing a copy of a letter addressed to the Department of State by Mr. T. D. Boyd, manager of Maquinaria Universal S. A. Mexico, which company has represented various manufacturing companies in the United States for the sale of sugar machinery equipment and materials. In that letter, a part of which I now quote, it is stated:

> We are now considering closing up our business of representing American manufacturers, because Mexico has recently been invaded by the Germans, in the sale of all types of machinery, equipment, and materials, which have been heretofore sold by us for American manufacturers.
>
> The prices for German machinery and equipment are anywhere from 55 to 65 percent of American prices, some items being even cheaper and others a little bit nearer American prices. The German prices are quoted mostly c. i. f. Veracruz, Mexico, and some are quoted f. o. b., German port.
>
> In addition, the Germans are offering to accept orders with a very small percentage of the value of the order paid down with the order and in some cases nothing at all being paid with the order. The balance of the selling price to be paid in several annual installments, with usually 4 percent interest on deferred payments.
>
> Of course, the American manufacturers, with the exception of very rare cases, require a letter of credit to guarantee payments against shipping documents, and in many cases they require a cash payment with the order.
>
> With prices and terms of payment as described above, from Germany, you can readily understand that it is impossible for us to make any more sales of American-made machinery and equipment. The German manufacturers are turning out excellent products and since they have opened their recent exposition here in Mexico City, of the products of German industry, we have not made one single sale, except in one or two lines which the Germans have not shown in their exposition.
>
> Undoubtedly some of the machinery and equipment the Germans are offering is made out of steel, copper, and other metals which came out of the United States in connection with the Marshall plan. Of course, the German labor is cheap, and it must be sold, but it seems a bit tough on American manufacturers, who pay very high income taxes and support labor which has the highest standard of living in the world, to be cut down in their steel allotments so that American steel can go to Germany, to come back to Latin America in the form of machinery which undersells the products of the American manufacturer. Another thing that causes trouble is the fact that practically everything that Latin American countries purchase from the United States has to be covered by an American export license, which takes time and trouble to get, whereas anything that comes from Germany comes free of such requirements and, therefore, Germany can give faster deliveries.
>
> We are also wondering where the money comes from which enables the Germans to finance, for instance, the purchase of a sugar mill over a period of 5 years, when the American manufacturer, which is part of the financial system of the richest nation in the world, cannot meet prices or terms offered by the Germans.
>
> We might still keep on paying our rent and not sell our furniture if we thought there might be a chance of this situation clearing up to the advantage of the American manufacturers within the next few years.

Mr. President, why is it that European countries are finding such success in building bilateral trade with our neighbors to the south? The answer lies in our unrealistic credit policy.

We cannot expect our best friends to buy from us, no matter how much they would like to, when we require cash on the barrelhead, whereas European countries are offering years of clear credit. For example:

The Brazilian airline—Panair do Brazil—was forced to turn to England to purchase a fleet of airliners after the United States exporter was unable to offer equivalent credit terms. I am sure that American companies manufacturing airplanes would have liked to have made that sale.

The Central Railroad of Brazil was compelled to turn to English suppliers for suburban railway cars after the United States exporter was unable to offer credit terms comparable to those of Great Britain.

Many other countries in Latin America, including Chile, Peru, and Colombia have also had to finally go elsewhere for trade because United States exporters were unable to offer competitive credit terms.

As I pointed out on the floor of the Senate several weeks ago, we are not facing the facts of life in many fields and in the competitive games of trade we are leaving on the bench our most dependable player—the Export-Import Bank, and its tremendous credit resources.

Mr. MAYBANK. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am happy to yield to the Senator from South Carolina.

Mr. MAYBANK. The Senator realizes, of course, that the present administration sent to the Congress last year a reorganization plan which placed the Export-Import Bank in effect under the domination of and certainly in a secondary position to the World Bank.

Mr. SMATHERS. I understand that, and I think that is the reason why the Export-Import Bank has not been able to function in the matter of guaranteeing credit.

Mr. MAYBANK. Mr. President, will the Senator from Florida yield further?

Mr. SMATHERS. I shall be happy to yield.

Mr. MAYBANK. When I was chairman of the Banking and Currency Committee, the Congress increased the Export-Import Bank's lending authority.

I am sorry that I did not have an opportunity to hear all the Senator's remarks. As a matter of fact, I was discussing an engagement for tomorrow with some important officials of Brazil.

We will certainly discuss past and present trade relations between our two countries and ways and means of improving those relationships in the future to our mutual benefit. Coming as I do from a seaport city, I am familiar with many of these problems, and it appears to me that unless the Export-Import Bank's independence is written into the law the usefulness of the bank is likely to be at an end, because it is hamstrung today by the World Bank. I have been advised that over a period of years certain countries have preferred not to deal with, and in some cases will not deal with, the World Bank. Is that correct?

Mr. SMATHERS. That is correct.

Mr. MAYBANK. Commonsense tells us that any nation which is opposed to making financial deals with Communist nations would prefer to deal with the Export-Import Bank and in turn with American businessmen.

Mr. SMATHERS. The Senator is eminently correct.

Mr. MAYBANK. I have been told that this is particularly true of many South American countries. Apparently there is a determination on the part of this administration to favor the World Bank.

It is my intention to cosponsor with the present chairman of the Banking and Currency Committee a bill to correct some of the language of the existing act and guarantee independence to the Export-Import Bank. This bank was created by the Congress as an independent instrumentality and I think it time to restore its intended functions. It is not my intention to stand by idly and see the operation of this very necessary agency tied up by secret administrative orders.

Mr. SMATHERS. I thank the able Senator from South Carolina for his statement, and I think the record will substantiate the fact that he has been a good friend of the countries in Latin America. When he was chairman of the Banking and Currency Committee, the Export-Import Bank was able to function and was able to guarantee loans and purchases, and for that reason the trade carried on with Latin American countries increased.

Mr. MAYBANK. While I cannot speak for the present chairman of the Committee on Banking and Currency, I am

sure he feels the same way as I do about it. To start with, the Export-Import Bank involves private business, and the proceeds of its loans come back to the United States. The World Bank is a bank whose members represent all the nations of the world, and everyone knows everything about everyone's business.

Mr. SMATHERS. The Senator is eminently correct. When we are ready to consider the bill which the able chairman of the committee will introduce, sponsored by the Senator from South Carolina and other Senators, I hope we shall authorize the Export-Import Bank to make credit terms longer than for 2 years. Some foreign governments are making terms up to 8 years.

Mr. MAYBANK. Not only do they give longer terms, they also beat our prices because the European manufacturers are receiving guaranties from their respective governments.

Mr. SMATHERS. I thank the Senator for his contribution.

Mr. President, for several years our diplomats have been following one set of rules while our European friends, for example, are abiding by another set. Even in legislation now pending proposing that the Export-Import Bank may extend credits to 3 years, we are still not undertaking to go far enough to meet the issue and to support our manufacturers and exporters, and to help our friends in Latin America. For, after all, Latin America prefers to trade with us.

For several years our diplomats have been talking of the need for standardization of arms and military equipment in the Western Hemisphere. We wanted them to have standard military equipment.

The speeches have been beautiful, the arguments unassailable, but when the military missions of Latin America seek to place orders, cash in hand, the Pentagon has been paralyzed.

Venezuela, one of the closest friends of the United States and a country which pays cash for what it needs, finally had to buy 3 destroyers and 32 jet planes from England after having unsuccessfully tried to buy them in the United States. We wanted them to have standard military equipment like our own. I am frank to say I do not know why we did not let them buy here in the United States. I do know that we have plenty of destroyers in the State of Florida. There are acres of destroyers in mothballs. Certainly, when a country like Venezuela tries to purchase from us, it is ridiculous to refuse to let her buy and compel her to go to some other country.

The great country of Brazil, our good friend, tried to buy 70 jet planes in the United States, but took its order to England to be filled, after being turned down by the Government of the United States. Certainly some plane manufacturers would have been happy to sell those planes to Brazil. We talk about standardization of military equipment and hemispheric defense, and yet we see many instances of Latin American countries not being able to get the equipment they want.

Our aim is standardization of arms and equipment, but our shortsightedness has forced Venezuela to buy 67 percent of its air force planes from British factories, and our friend Brazil had to go to England for more than 40 percent of its air force equipment.

Much has been said to show how private capital can stimulate production in Latin America and further the economic development of those nations. I have indicated previously that United States private investors have $6 billion invested in Latin America, which is more than they have invested in any other area of the world except Canada. We think, and Latin Americans in general readily admit, that this capital has done much to aid the progress of Latin American economies. But studies show that foreign capital tends to gravitate to public utilities or to industries which produce for export, while earned foreign exchange escapes to pay interest to investors and to repay the initial investment. Investment in basic industries helped at the beginning, but what is needed now is capital which can be invested in production for internal consumption.

The United States and Latin America have shared basic moral principles since the colonial period when both North and South America revolted from the Old World. Over the years we have worked together to form a collective system in defense of our ideals. Today Latin America stands firmly with us in world congresses in support of those same ideals of freedom. But our neighbors are seething with an awakened economic discontent, and unless we are prepared to heed their grievances now, we may be too late with too little to save them from the fate which has befallen Indochina.

I cannot overemphasize the importance and need of developing a more harmonious and stronger relationship between the United States and Latin America if we on this continent are to remain the tower of strength and the light of hope to the free world. Under present world conditions, no one in his right mind will deny that our foreign policy needs a reappraisal, with overdue attention to be given to our Latin American relationships. We in our own national interest can no longer afford to pursue the "take it for granted policy" toward these countries.

Today, we are unquestionably a tower of strength which gives hope to the free peoples of the world. It is from this tower that shines the beacon light of liberty. It is vitally essential that there be no weaknesses in this hemisphere if that light is to continue to give forth brightly the rays of hope to the free world. Today we must recognize that the possibility exists that we are in danger of losing our Latin American neighbors who have thus far continued uniformly to give us their support. If we should lose them, no one here, I am certain, could calculate the catastrophic result. Too long have their voices been crying in the wilderness. Let us make no mistake about it, they need us and we need them, and words, flattery, and platitudes no longer will suffice.

They are our true and tried friends. When we are in a real fight, as we may well be soon, there is nothing so comforting and important as having those who live on our street fighting with us.

We must recognize that the failures in Asia and Europe constitute a breaching of the outer perimeter of our defenses, and now, therefore, is the time to prepare to defend the bastion—the main fort here at home. The outer leaves of the tree of freedom are scorched, but let us keep the fire away from the trunk and let us preserve the taproots.

Mr. President, it seems to me that our course is clear in regard to our duty to ourselves, our good neighbors, and posterity, in the Western Hemisphere.

We must develop and cement our friendships, our common culture, and our natural and intellectual bonds. We must fashion a pattern of cooperation which will lead to the development of our hemispheric natural resources in the common cause of international understanding and good will, as well as of freedom. In developing these resources, we must place greater emphasis than perhaps we have ever contemplated upon mutual trade and mutual aid, encouraging private capital to invest, broadening and extending our credit system, and establishing agreements for bilateral tax programs. All these are essential. Fostering these aims will permit us to pool our cooperative strength and will permit the maximum development of our resources, to the end that each of our nations will become stronger, thus adding not only to the individual strength of each nation, but immeasurably to our collective strength and to the security of the free world.

Finally, Mr. President, realistically facing the world of today, we must without any delay whatsoever put into force our mutual security aims, combine our military strength with that of Latin America, standardize our arms and equipment, and stand ever ready to protect our way of life in the Western Hemisphere.

Once these things are done, and once we are united intellectually, culturally, economically, and militarily, we may, indeed, look ahead to years, even centuries, of peace, happiness, and prosperity not only for all of our peoples but for the world.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. I wish to compliment the distinguished junior Senator from Florida upon the able speech which he has delivered showing the interdependence between the countries of Latin America and the United States of America. I recall that, over the years, the able Senator from Florida has showed a distinct interest in Latin American affairs. I think it is only proper to point out at this time that both the Republican and Democratic administrations have failed in their understanding of the needs of Latin America.

Personally I was pleased when the President sent his brother to Latin America to visit the countries of that area individually and to determine what should be done to improve the relations between them and the United States.

I was pleased when Secretary of State Dulles went to Caracas. I know he made a very excellent impression there until after he had secured the resolution which he desired to have adopted and then left the Conference.

I think the United States should pay a great deal more attention to the countries of Latin America, because we are tied together not only through our past history but also because our own country has now become a have-not nation. We must import more than 50 percent of our strategic metals and materials, with the result that we are no longer self-sufficient, as we used to be, but are now dependent upon other countries as well.

The distinguished Senator from Florida has pointed out that, so far as our relations with Latin Americans are concerned, it is a two-way street. Like the Senator from Florida, I wish that the United States would put more emphasis on our Latin American relations and would do more to encourage private enterprise there and also provide greater aid with Government funds, for, as the able Senator has so well pointed out, the time may come when we will need the help of those people, but, because of faults of our own, we will not have them on our side.

Again, I wish to compliment the junior Senator from Florida upon a very able and distinguished speech. In my opinion, he is the best authority in either House of Congress on Latin American affairs, and therefore his words should be given great consideration and weight.

Mr. SMATHERS. I may say to the able Senator from Montana, who is a member of the Committee on Foreign Relations, and who served with great ability and distinction as a member of the House Committee on Foreign Affairs, that I appreciate his kind remarks about me. I do not pretend, however, to be an expert on Latin American affairs. The subject is one of great concern to the people of Florida, as it is also of great concern to all the people of the United States.

It is certainly clear, as the Senator from Montana has pointed out, that while gestures have been made to the countries of South America; while the President of the United States has sent his brother as an emissary to those countries, which was a very fine act on his part; and while this Government has sent its high representatives to the various conferences held in South America, the fact of the matter is that the Government of the United States has done little for the South American people.

When we consider the present request of the Foreign Operations Administration for funds, which contains $1,768,900,000 for the Far East and Pacific, $569,100,000 for the Near East, Africa, and South Asia, and only $47 million, or only 1.3 percent of the total amount of money requested for Latin America, it will be seen that we have been giving to the people of South America nothing but lipservice. The time has now come when we must actively cooperate with them.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. STENNIS. I wish to add my words of encouragement to the Senator from Florida for his study of the problem and his presentation to the Senate. I hope he will speak more often on the subject.

I know very little about South America. I have never been there. But in studying the European picture, and the problems with which we are confronted there and also in the Pacific area, from the standpoint of my membership on the Committee on Armed Services, I have independently concluded that what we are overlooking are our nearest allies, who perhaps will be most valuable to us in the decades to come.

I hope we shall look more and more to the countries of South America. I believe they possess resources which would be helpful to us; and perhaps we have things which would be helpful to them.

Mr. SMATHERS. I thank the Senator from Mississippi for his very kind remarks. I think he underrates himself with respect to his knowledge of Latin American affairs. I know that he, as a member of the Committee on Armed Services, recognizes the need for having standardization of military equipment among the countries of the Western Hemisphere.

I should like to suggest to the able Senator from Mississippi that officials at the Pentagon be queried as to why, when representatives of South American countries came to the United States seeking to purchase military equipment and an opportunity to build their defense along with ours by using the same type of equipment so as to be able to make transfers back and forth as we had urged them to do, the door was slammed in their faces. This was done despite the fact that they came with some money in hand, though desiring some credit. I commend this to the Senator from Mississippi as a subject for study on the part of his very fine committee.

Mr. President, I yield the floor.

Mr. WILEY. Mr. President, I, too, wish to join with those Senators who have spoken in commendation of the remarks of the distinguished junior Senator from Florida [Mr. SMATHERS] in relation to the importance of Latin America. I share the deep interest of the able Senator in Latin America. Like the Senator, I have been gravely concerned in recent months over Communist encroachments in the Western Hemisphere; but I must also tell the Senator that this Government is not asleep. This Government is on top of that situation. The Eisenhower administration has taken steps to rectify the neglect of Latin America which was shown by our policymakers of the past. The trip by Dr. Milton Eisenhower to Latin America has already been mentioned. He did a great deal to improve our relations.

The Senator has also mentioned the dramatic events which took place at the conference at Caracas. The present administration has further strengthened hemispheric solidarity in many other ways.

I think the distinguished Senator mentioned that there is in the neighborhood of from six to seven billion dollars of American money invested in South America. As he pointed out, that is more than is invested anywhere else in the world outside Canada. Even so, this administration is actively seeking ways and means to increase further American investments in Latin America. And it is also seeking ways and means to increase American trade with Latin America. That trade already amounts to billions of dollars a year, although it is correct, as the Senator says, that we are meeting increasing competition from European, and particularly German, exporters.

The Senator from Florida seemed to think the proposed distribution of funds in the mutual security bill now pending in the House of Representatives is unjust and unfair to Latin America. I do not now argue the merits of the administration's proposals, but I do point out to the Senator that this money is spent in our interests, primarily, and is not distributed on the basis of friendship alone.

If we are going to engage in Government giveaways, that is another thing.

However, Mr. President, these Latin American questions were not what caused me to respond to the distinguished Senator from Florida; it was, rather, that I saw a release which was issued by the office of the Senator from Florida, in which there were a number of very disturbing statements pointing toward our withdrawal from the rest of the world.

Speaking of South America, our relations with the countries there are good. That does not mean they cannot be better. But, Mr. President, improving our relations in one part of the world does not necessarily mean—indeed, it should not mean—deliberately allowing them to deteriorate in other parts of the world. The Senator from Florida, it seems to me, commits a basic error when he proceeds on the premise that we must choose between allies in Europe and Asia, on the one hand, and allies in Latin America on the other. That is an illogical alternative. We can—and we do—have allies in Europe, in Asia, and in Latin America. If we were to take action now that would result in deliberately alienating our allies—whether they be in Europe or Asia—such action would be detrimental to our national interests.

Merely because the battle for Indochina is going badly is no reason to make it easier for communism to gain control of the remainder of free Asia and all of Western Europe. Merely because we have run into stormy weather is no reason we should abandon the ship. The course advocated by the Senator from Florida is both fainthearted and ill advised.

If the same logic had been followed during World War II we would have withdrawn to our own hemisphere after the fall of Corregidor, and allowed Asia and the southwest Pacific to drop like a ripe apple into the laps of our enemy. Fortunately, we chose a far wiser course. We carried on the struggle in the face of adversity, and in the end our forces were victorious.

If we can find nothing in the fall of Dien Bien Phu but despair and defeatism, then, indeed, the almost indescribable heroism of General de Castries

and his men will have been in vain—wasted on a callous, indifferent world, which does not deserve the freedom the defenders of Dien Bien Phu sacrificed themselves to protect.

No, Mr. President, the fall of Dien Bien Phu is not an occasion for despair and retreat behind the watery curtain of our two oceans. It is an occasion for inspiration, for courageous determination to follow through on the course we have set for ourselves.

Mr. President, does the Senator from Florida profess to see the shadow of appeasement hanging over Geneva? Would not the course he advocates amount, in effect, to appeasement so gigantic as to dwarf any that has gone before? And his recommendation comes before the conference is over, before anyone can know what its results will be. Mr. President, let us not be so quick to embrace disaster.

Mr. President, the other day, when there was so much complaint about the course of events at the Geneva Conference, I said that no one should attempt to judge the winner of a race by the position of the horses at the eighth post; that no one should attempt to judge the result of a football game at the kickoff. Figuratively speaking, the Geneva Conference is now only at the eighth post. I, for one, am hopeful of the results.

It is becoming more and more evident, or at least it should be becoming evident, that the Communist tactics never change. The Communists are still trying to pull off their same old tricks, and their hope is that eventually they will be able to destroy unity among the Allies, and to cause a division among them; but, Mr. President, all of us are determined and certain that that unity cannot be broken in any event.

In one breath the Senator from Florida suggests that our allies would run out on us; and in the next breath he proposes, in effect, that we run out on them. The only difference, it seems to me, is that he would have us run farther and faster.

Mr. President, let us maintain our sense of perspective. The free world outside the Western Hemisphere is not the weak, collapsing edifice the Senator from Florida describes. NATO is not jerry-built, Mr. President. NATO is strong and is becoming stronger.

We must always remember the great industrial capacity and the industrial skills in Western Europe which work on the side of freedom. If that complex ever falls behind the Iron Curtain, the balance of strength in the world between freedom and communism will have shifted substantially toward communism.

Then, indeed, if I may borrow a widely quoted phrase from the other side of the aisle, we shall be in mortal danger of standing "naked and alone" in a hostile world.

Mr. President, the time when the going is roughest is the time when we need our allies most. I hope we shall not succumb to the temptation to throw in the sponge before the fight is over. The Communists won a military victory at Dien Bien Phu. I hope we shall not make them a gift of an even greater political victory.

It is so very easy, Mr. President, to find fault with our allies at times such as these. For that very reason, it is desperately important that we resist the temptation to indulge in bickering and petty squabbling. Nothing could please the Communists more than the breaking up of the free world alliance which we have been at such pains to build. It is at times such as these that the unity of the free world becomes more important than ever.

Mr. President, it is true that a good many Americans have deplored the reluctance of some of our allies to follow our lead in certain respects during the past few weeks.

But, let us not be too hasty to condemn. Our allies, thank goodness, are sovereign, independent states who have minds of their own. They are not satellites or captive states like the members of the Soviet satellite system. Our allies are free and equal nations who share with us a common desire to protect ourselves against the insidious attacks of the Communist aggressors.

It is the United States which, in the long run, would be the loser if we withdrew from our European and Asiatic alliances.

For that reason, Mr. President, I appeal to all Senators as earnestly as I can not to let the frustrations and irritations of the moment drive us into a course of action which we would regret for years to come.

Mr. SMATHERS. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield for a question.

Mr. SMATHERS. First, Mr. President, I should like to state to the able Senator from Wisconsin that I do not know how closely he listened to my remarks; but for the sake of the RECORD, at least, let me say that I believe all of us would be better informed and better advised on this matter if I were to read two sentences from the speech I made a few moments ago.

The first of those sentences is as follows:

> It may well be that our old alliances are not meeting the challenge of aggressive communism;

Here let me say that I shall not argue about each of the phrases I used, but certainly I have nothing to take back.

Mr. WILEY. Will the Senator from Florida read the sentence again?

Mr. SMATHERS. Yes; in fact, I wish to read two sentences from my remarks:

> It may well be that our old alliances are not meeting the challenge of aggressive communism; but, at any rate, we must recognize that the failures of our historic and honorable allies to support us at Geneva indicate that we no longer can fully rely upon them to stand with us in determined opposition to Communist advancement and aggression. We need perhaps to—

At that point I had originally written the word "replace," when I prepared the manuscript on Friday; but I say very frankly that I began to consider it at some length, and I realized that "replace" was not the correct word to use. So I struck it out, and inserted the word "reinforce," so as to make that sentence read:

> We need perhaps to reinforce these ancient and honored, but tired and worn, allies of the Old World, with vigorous, young, forward looking nations of the New World if we are to keep Communist aggression from eventually breaching the Western Hemisphere.

Mr. WILEY. In the first draft the Senator from Florida would urge the replacement of "these ancient and honored, but tired and worn Allies of the Old World with vigorous, young, forward looking nations of the New World"——

Mr. SMATHERS. Yes; but——

Mr. WILEY. At that point the Senator from Florida has sent forth to the European press—and it was a European press man who brought this matter to my attention—the suggestion that a Senator of the United States has said, in substance, that we get rid of, and replace, our European Allies. That is the only reason why, when this matter came to my attention, I immediately prepared my answer.

I wish to say in all sincerity that the other evening, when some Members of both Houses heard Secretary Dulles, after his return from Europe, I heard there no statement like what was published in the newspapers the next morning, in relation to "mistakes," "errors," and so forth. When I saw those newspapers, I thought to myself, "Can this be? Men are appraising the world situation. Every nation is virtually in the backyard of every other nation, airplanes have traveled 1,700 miles an hour, men have crossed the American continent in less than 4 hours, and have crossed the Atlantic Ocean in a little more than that, and we have the H-bomb and the A-bomb; but an election is coming on, and all we seem to be able to think about is the election itself. We in America seem unable to continue to recognize the importance of the part we have played so well for so long—namely, at the water's edge we have joined arms and gone forward united, to protect the peace of the world."

After all, our allies did a pretty good job in looking after our interests, when that was needed. Then we joined hands. It is true they are tired, but they are not so tired as they were after the war. Thanks to America's mutual aid and Marshall plan aid, not only have we rejuvenated them physically and helped their morale, but we have also kept our country strong economically and in other ways.

When I read the sentence of the Senator's about "replacing Allies"—and subsequent sentences, as well—I felt that at long last I should say a few words. I have been criticized, as chairman of the Foreign Relations Committee, for not speaking before this. The reason I had not done so was that I did not want to add fuel to the fire. I felt that we were engaged in a great enterprise, namely, the preservation of America, and that if we fell to quarreling among ourselves it might prove disastrous. We do not know what the Russian game is for the immediate present, but I do know that its eter-

nal game is to try to destroy us. It seems to me that the only way for us to remain adequate is to join arms and go down the road together, Democrats and Republicans alike, in these perilous times. That is the only reason I replied.

Mr. SMATHERS. I thank the able chairman of the Foreign Relations Committee for his statement and for his fairness. As I stated to him, originally I used the word "replace." Upon further reflection, I eliminated it.

I should like to say to the able chairman that he should not get the idea from anything I said that I feel that we are leaving our allies. It seems to me that what has actually happened in Geneva is that they may have been leaving us to a certain extent—not permanently, I hope. But certainly they did not stand on the same platform and the same premise the Secretary of State wanted them to stand upon. It appeared that they did not follow the course we wanted them to follow. For that reason, I think it was only a fair conclusion that, if anything, they were leaving us.

What I was trying to point out was this: It seems to me, in all candor and frankness, that there is less disposition on the part of Great Britain and France to stand up and oppose communism than there is here in the United States. Although we are aware of the magnificent battle which was fought to Dien Bien Phu, and although we all take off our hats to the heroic men who struggled and died there, so far as I can recall, France, as a nation, did not even institute a draft. It has not imposed an extra tax on its people to pay for the war. France, as a nation, has not even ratified the European Defense Community Treaty. As I read the newspapers, prior to the Geneva Conference we wanted Great Britain and France to take a firm stand with us against further Communist aggressions. They did not do so. That is the reason why I concluded—I hope mistakenly—that apparently there has been some weakening on the part of the French people and the British people—some lessening of a desire to stand up and resist, head-on, further Communist aggressions.

As I said in my speech, it may be that Great Britain and France believe they would be better off if they could engage in trade with the Soviet Union, and if Red China were admitted into the United Nations. We have not subscribed to that theory. So we find ourselves differing with them.

When we begin to get in trouble all over the world, the smart thing to do is not to retreat—and I have not advocated retreat. When we are on a stormy sea, the thing to do is to look to our food locker and our water locker. We should look to see if our equipment is in good condition. When we begin to get in trouble, we had better look to see if the home folks are with us. If we know that they are standing with us, we have some reason to hope we can win.

I believe that the example of Indochina points out the imperative necessity of taking some action before it is too late. Let us not repeat the mistake we made in Indochina, of ignoring the situation there for 8 or 10 years. Today we are faced with a catastrophe. Let us not make the same mistake in Latin America. Let us give our Latin American friends more than conversation. Let us cooperate with them now economically and militarily. That is all I am trying to say.

I have great affection and admiration for the chairman of the Foreign Relations Committee; but, he must understand that I do not receive much information as to what is happening or what Secretary Dulles says before the committee. He does not report to ordinary Senators and Representatives. I understand how that works. Nevertheless we must rely upon what we read in the newspapers. Thus I get from the newspapers the impression that our allies—probably good, honorable, historic allies—have, nevertheless, not been standing as firm with us as I personally would like to see them stand.

Mr. WILEY. I think one could not disagree with the last sentence. However, those who criticize should have an alternative to suggest for what we have been doing. As the Senator knows, the situation all over the world is of an eruptive nature. The Senator and I know very well that it is not particularly Indochina that the Kremlin is after. I think the best military authorities know that so long as Soviet Russia can get her satellites, her stooges, to do the fighting, she will stir up trouble everywhere. We must keep our eyes on the entire surface of the globe.

The Senator can go to the State Department and talk with the Secretary of State if he wishes to do so, and be informed. We have a terrific problem on our hands.

Mr. SMATHERS. Where am I to find him? I do not mean to be facetious, but when the Senator says we can go to the State Department and talk with the Secretary of State, I remind him that, as I read the RECORD, one day he is in Geneva, and the next day somewhere else.

Mr. WILEY. And I suppose he is to be criticized for that?

Mr. SMATHERS. No.

Mr. WILEY. Is he to be criticized for trying to meet every problem personally, anywhere in the world, whenever he can? If that statement is meant to be facetious, I think it is entirely unfair.

Mr. SMATHERS. The Senator said we could go to the State Department and see the Secretary of State. I should like to know when. As I read the newspapers, during the past couple of weeks the Secretary of State has not been anywhere near Washington. It is easy for the Senator to make that statement, but he well knows that one does not make casual calls upon the Secretary of State in times like these of today. I recognize that fact. I have enough respect for his position not to try to take up all his time, even though I should enjoy talking with him.

Mr. WILEY. If the Senator does not wish to talk with him, he can talk with the Under Secretary of State. The Senator has the right to talk with anyone in the Department.

Mr. President, as I have said before, the practical conditions which we face in the world rarely give us a choice between black and white. We are frequently confronted with situations in which there are no good alternatives, where we have to choose the least undesirable one.

It is easy enough to lambast the President or the Secretary of State in retrospect, but I would be more impressed with the criticism of our foreign policy if the critics displayed more foresight and less hindsight.

Together with our allies, we are, by and large, moving ahead in our building a structure of world peace. Our progress is not perfect nor is it uninterrupted by setbacks. But I challenge our critics either to come up with a better set of blueprints or to pitch in and help execute those that we have.

EIGHTY-FIFTH ANNIVERSARY OF THE DRIVING OF THE GOLDEN SPIKE

Mr. WATKINS. Mr. President, this afternoon my colleagues, the junior Senator from Utah [Mr. BENNETT], Representative WILLIAM E. DAWSON, of Utah, and I went to the White House and presented President Eisenhower with the first official golden spike souvenir.

My remarks on that occasion were brief, and in view of the fact that today is the 85th anniversary of the driving of the golden spike, I request unanimous consent to have the statement to the President printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

See exhibit 1.

Mr. WATKINS. For the benefit of Members of this body who are not familiar with western railroad history, I also would like to take a few minutes to present some facts about the Golden Spike Monument site. The facts were assembled by the Box Elder Chamber of Commerce at Brigham City, a thriving, progressive community located about 32 miles east of Promontory Station.

Promontory Station, Utah, where the golden spike was driven, marks the junction of 2 sections of the 1,776-mile Pacific Railroad, which completed the Nation's first transcontinental railroad.

Both sections of the line were built simultaneously, the Union Pacific Railroad building west from Omaha, and the Central Pacific Railroad, now the Southern Pacific, working east from Sacramento.

This was a hand-built road, constructed at an estimated cost of $181 million, in the days when that figure was looked upon as something astronomical.

Employed on this great construction project were about 15,000 Irish immigrants, 15,000 Chinese, and an unestimated number of native Americans. These workers used hand shovels, wheelbarrows, and thousands of mules, horses, and scrapers to carve a route for the iron horse through mountain passes and across forbidding desert wastelands.

The project was completed well ahead of schedule. Congress alloted 12 years for its completion, but the line was built in 6½ years. One 10-mile stretch of track was laid in a single day, a world's record. Americans have been making construction records ever since.

The original golden spike is now in the Wells-Fargo Bank in San Francisco. It was made of about $400 worth of pure California gold. Four other States also presented ceremonial spikes made of precious metals.

The golden spike ceremony was the occasion of the first major transcontinental communications hookup. The message of the line's completion was sent to all leading cities of the Nation as Gov. Leland Stanford, of California, struck the rail. In his nervousness he missed the spike. Governor Stanford's silver-headed maul had been attached to the telegraph wires, and its swing notified Congress of the event by releasing a magnetic ball from the Capitol dome.

When the last ceremonial spike was driven—at 12:47 p. m. mountain standard time, May 10, 1869—guns roared, bells pealed, and whistles blew in New York, Omaha, San Francisco, and other cities. The Liberty Bell rang out in Philadelphia.

Completion of the Pacific Railroad touched off a tremendous national celebration in 1869. I am proud that the residents of my State are striving to keep alive our memories of that momentous occasion, and doing their utmost to preserve the site of that historic event.

EXHIBIT 1

(Statement of Senator ARTHUR V. WATKINS on the occasion of the presentation to the President of a souvenir of the 85th anniversary of the driving of the golden spike at Promontory Station, Utah. The White House presentation of a piece of the original rail was made by Senator WATKINS, Senator WALLACE F. BENNETT, and Representative WILLIAM E. DAWSON, all of Utah, at 2:45 p. m., eastern daylight time. Anniversary services also were scheduled to be held at Promontory, 32 miles west of Brigham City, Utah, featuring a reenactment of the ceremony at completion of the Nation's first transcontinental railroad on May 10, 1869)

Mr. President, on behalf of the Utah congressional delegation and the golden spike committee of the Box Elder Chamber of Commerce, I take pleasure in presenting you the first official golden spike souvenir.

The souvenir contains a piece of the original steel rail, placed in service 85 years ago on the Promontory section of the Nation's first transcontinental railroad, completed with the ceremonial driving of a golden spike on May 10, 1869.

Mr. President, you devote a good deal of attention in your speechmaking to actions and policies that unite this country and bind us closer together. Completion of that first Nation-spanning railroad was one of the most important unifying achievements in this country's history.

Until the rail-laying crews of the Union Pacific and Central Pacific met at Promontory for that historic ceremony on this day in 1869, this country, still reeling from the economic destruction and the bloodbath of the Civil War, was divided by hundreds of miles of unsettled and still largely unexplored land. In California, where a still-continuing population and construction boom had been launched by the gold rush, there had even been talk of secession, fostered by the frustrations of inadequate transportation and communication. In the great western half of the country prior to 1869, transportation was still largely dependent upon horseflesh, and the era of the stagecoach had not ended.

A new era of modern transportation, ushered in by the golden spike ceremony, Mr. President, gave the West an impetus to growth and development that built a great new economic empire, helped the Nation recover from effects of the Civil War, and contributed to a national unity that is now unsurpassed in world history.

Even though the great distances out West have been largely erased by modern transportation, we, in Utah, feel that the golden spike ceremony was an event worth remembering, and history-conscious Utahans gather at Promontory, north of Great Salt Lake, for an annual reenactment of the ceremony on May 10. These residents also have launched a drive for creation of a national monument at that historic spot.

We appreciate your interest in history and our area, Mr. President, and sincerely thank you for joining with us in this Washington recognition of the 85th anniversary of the driving of the golden spike.

RECESS

Mr. FERGUSON. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Tuesday, May 11, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 10 (legislative day of April 14), 1954:

COMMODITY CREDIT CORPORATION

Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Howard H. Gordon, resigned.

UNITED STATES DISTRICT JUDGES

Ralph M. Freeman, of Michigan, to be United States district judge for the eastern district of Michigan, to fill a new position.

W. Wallace Kent, of Michigan, to be United States district judge for the western district of Michigan, to fill a new position.

Joe McDonald Ingraham, of Texas, to be United States district judge for the southern district of Texas, vice Thomas M. Kennerly, retired.

UNITED STATES ATTORNEY

B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma, vice Whitfield Y. Mauzy, resigned.

UNITED STATES MARSHAL

Joseph P. Job, of New Jersey, to be United States marshal for the district of New Jersey, vice William T. Brady, resigned.

CONFIRMATION

Executive nomination confirmed by the Senate May 10 (legislative day of April 14), 1954:

UNITED NATIONS

Morehead Patterson, of New York, to be deputy representative of the United States of America on the United Nations Disarmament Commission during the meetings of the subcommittee scheduled to begin at London, May 13, 1954.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 10, 1954

The House met at 12 o'clock noon.

Dr. Homer E. Felty, minister, First Presbyterian Church, Ironton, Ohio, offered the following prayer:

Most gracious Heavenly Father, we humbly beseech Thee to hear us as we pray for deliverance from all hatred or evil thoughts which may hinder our progress. Bless Thou our minds and hearts this day that our great heritage will ever be before us, that each individual in this assembly, representing our peaceful and freedom-loving people, may have Thy divine guidance in all deliberations. Hear us when we ask for strength of body and spirit to use ourselves in accordance with Thy will. Make us conscious of the light that ever brightens our pathway and give us faith to walk in this light.

Inspire this assembly to ever make a daring attempt to bring about the kingdom of peace and brotherhood and to do all within its power to preserve the good for our Nation's welfare, ever mindful that a life well lived and rightly ordered is the life abundant of which we have all heard and in which we all believe.

Seal our conscience with a good day's work, free of the bitterness of misunderstanding, and grant us the blessing of Thy love.

May Thy glory ever be upheld and Thy name ever revered.

In Christ's name we pray. Amen.

The Journal of the proceedings of Thursday, May 6, 1954, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 5, 1954:

H. R. 7103. An act to establish limitations on the numbers of officers who may serve in various commissioned grades in the Army, Navy, Air Force, and Marine Corps, and for other purposes.

On May 6, 1954:

H. R. 8127. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes;

H. R. 1100. An act for the relief of Peter A. Pirogov;

H. R. 1111. An act for the relief of Sister Augusta Sala and Sister Elvira Stornelli;

H. R. 1784. An act for the relief of Rito Solis;

H. R. 2018. An act for the relief of Daryl L. Roberts, Ade E. Jaskar, Terrence L. Robbins, Harry Johnson, and Frank Swanda;

H. R. 3836. An act for the relief of Petra Fumia;

H. R. 4099. An act for the relief of Lee Siu Shee;

H. R. 4236. An act for the relief of Nahi Youssef;

H. R. 5627. An act to amend Public Law 472, 81st Congress, approved April 11, 1950,

entitled "An act to promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study";

H. J. Res. 347. Joint resolution giving the consent of Congress to an agreement between the State of Alabama and the State of Florida establishing a boundary between such States.

On May 7, 1954:

H. R. 673. An act for the relief of Dr. Alexander D. Moruzi;

H. R. 998. An act authorizing the Secretary of the Interior to issue a patent to the State of Idaho for certain land; and

H. R. 6020. An act for the relief of the estate of James Francis Nicholson.

On May 8, 1954:

H. R. 4869. An act for the relief of Mrs. Bert I. Biedermann (nee Ermenegilda Vittoria Cernecca); and

H. R. 6702. An act to authorize the care and treatment at facilities of the Public Health Service of narcotic addicts committed by the United States District Court for the District of Columbia, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2150. An act providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) entitled "An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes."

COMMUNICATION FROM THE CLERK

The SPEAKER laid before the House the following message from the Clerk:

MAY 10, 1954.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on May 6, 1954, the Clerk received from the Secretary of the Senate on May 7, 1954, the following messages:

That the Senate has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8481) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes"; and

That the Senate has agreed to the amendments of the House of Representatives to Senate amendments numbered 9, 17, 19, and 24 to the above-entitled bill; and

That the Senate has passed a bill (S. 1204), an act for the relief of Dr. Yen-Yu Huang.

Respectfully yours,

LYLE O. SNADER,
Clerk of the House of Representatives.

ANNUAL REPORT OF RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

In compliance with the provisions of section 10 (b) (4) of the Railroad Retirement Act, approved June 24, 1937, and of section 12 (1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I transmit herewith for the information of the Congress, the report of the Railroad Retirement Board for the fiscal year ended June 30, 1953.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 10, 1954.*

ENROLLED BILL SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1954

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, May 6, 1954, he did on May 7, 1954, sign the following enrolled bill of the House:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

AMENDING THE SECURITIES ACT OF 1933, AS AMENDED; THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED; THE TRUST INDENTURE ACT OF 1939; AND THE INVESTMENT COMPANY ACT OF 1940

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 527, Rept. No. 1566), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended; the Securities Exchange Act of 1934, as amended; the Trust Indenture Act of 1939; and the Investment Company Act of 1940. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON RULES

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file reports and resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on the bill H. R. 7709.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

JEFFERSON NATIONAL EXPANSION MEMORIAL, ST. LOUIS, MO.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6549) to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 4, after "4.", insert "(a)."

Page 4, after line 20, insert:

"(b) The authorization for an appropriation contained in subsection (a) shall not be effective until such time as—

"(1) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or

"(2) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year."

Page 4, after line 20, insert:

"SEC. 5. The authorization for an appropriation contained in this act shall not be deemed to authorize the appropriation of any funds to be available for expenditure in any manner for the planning or construction of the stainless steel arch provided for in the so-called 'Saarinen plan,' approved May 25, 1948, by the United States Territorial Expansion Memorial Commission, or any modification of such arch, and the Secretary of the Interior is directed not to expend any Government funds in planning for or constructing such arch or any modification thereof."

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mrs. SULLIVAN. Mr. Speaker, reserving the right to object, I do not expect to object to the passage of my bill, H. R. 6549, to establish a Jefferson National Expansion Memorial in St. Louis. This is a project on which we all worked a long time in St. Louis and on which we have spent much time in congressional hearings. I am very sorry that the Senate removed from the bill the authority for the steel arch, this arch which was to be the portal to the memorial. Since the Congress has approved a memorial, then, in my humble opinion, I think this memorial should have a meaning, and, in this case, the arch represents a symbol that St. Louis is the gateway to the West.

Frankly, I do not care if the symbol is an arch or a gateway or a steel or concrete shaft; in other words, I am not speaking expressly for the arch itself. However, again I say, in my opinion, it is unwise for the Congress to have gone into the detail of the plan and to remove the authorization for the symbol which the memorial is supposed to represent. I shall not hold up final passage of this bill, at this point, but I do want the RECORD to show that I think a mistake was made.

Mr. LECOMPTE. Mr. Speaker, may I say to the Members of the House that the Senate adopted an amendment, which the House will concur in in all probability, that I think is very important, providing that no money will be appropriated for this memorial, a memorial to the memory of Thomas Jefferson, meritorious as it is, until the Federal budget is in balance. If this bill brings about a balance of the Federal budget at an early date it is truly a gift from heaven.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

STUDY OF THE OPERATIONS IN LATIN AMERICAN COUNTRIES OF THE EXPORT-IMPORT BANK

Mr. LECOMPTE. Mr. Speaker, I call up Senate Concurrent Resolution 74 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Banking and Currency 5,000 additional copies of Senate Report No. 1082, current session, a study of the operations in Latin American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

FOREIGN POLICY

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Speaker, the question of American foreign policy in the southeast Asian area has been the subject of serious discussion not only by those in authority but by the whole Nation. This has been brought to a tragic climax by the fall of Dien Bien Phu. I am of the opinion that the Congress of the United States and the administration, particularly the State Department, should be made aware of public reaction. During the past 10 days I have made five major speeches in the First Congressional District of New York. On each occasion I stated the belief that America should stand firm, that America would stand firm. I stated that this might risk war, that it might risk atomic war.

The reaction, Mr. Speaker, to my remarks was entirely favorable. The American people are completely mature. They recognize the dangers of a vacillating foreign policy. They are aware that hesitation means defeat. They do not want our leaders to fall into the same trap of underlying pacifism which caused the tragic errors of the French and British during the 1932–39 period in Europe.

If we must fight an enemy who has, in effect, declared war on us, let us not wait until he has reached a position of strength greater than that of the free world. If the people of the First Congressional District are a proper sampling of American public opinion, they recognize the facts of life and are willing to face the consequences.

The answer must be "No" to any Communist aggression. We must be prepared to add meaning to the word "no." Every time we show weakness, the enemy cannot help but be encouraged. And, when we say the final "no," the Communist enemy will not believe us any more than Hitler believed the British and French in 1939.

The Newsday editorial of this past Saturday sets forth in chronological order, our plight in this respect. I would like to here set it forth for the benefit of the membership:

THE FALL OF DIEN BIEN PHU

November 20, 1953: French paratroopers seized the plain, 6 miles long and 3 miles wide, and began transforming it into a stronghold. The fortress was to be a base for attack, and a lure to make the Communists fight in the open.

January-February 1954: The Foreign Ministers of Britain, France, the United States, and Russia met at Berlin. The French there persuaded the United States that they must be allowed to negotiate with the Communists for a settlement in Indochina.

February 1954: French Foreign Minister Bidault was warned that any announcement of a conference on Indochina would lead to a new Red thrust in Indochina. The French were confident they could handle any offensive. The Geneva Conference was announced.

March 13, 1954: The Vietminh launched its long-awaited drive against Dien Bien Phu, where an estimated 15,000 French, Vietnam, and colonial soldiers were surrounded. The French Government at Hanoi decided the danger and expense of strengthening the fortress sufficiently by air was too great. The French government at Hanoi decided that it would be politically unwise to send troops into action to relieve the fortress by land, because negotiations at Geneva were soon to be started. The French decided to do nothing but keep the fortress going.

March 29–April 24, 1954: Secretary of State Dulles called for united action to save Indochina. President Eisenhower called Dien Bien Phu "the cork in the bottle." Britain and France turned down Dulles' plea for united action, perferring to wait until the results of the Geneva Conference were known.

April 26, 1954: The Foreign Ministers of the Big Four, plus delegates from Red China, North and South Korea met at Geneva. An immediate stalemate resulted. The United States then decided not to send American troops to Indochina. The fate of Dien Bien Phu was sealed.

May 7, 1954: Dien Bien Phu fell. It was the ninth anniversary of the surrender of Germany to the Allies.

These men of Dien Bien Phu must not have died in vain.

PROGRAM OF PUBLIC WORKS FOR THE DISTRICT OF COLUMBIA

Mr. SIMPSON of Illinois submitted a conference report and statement on the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

SBA'S MANAGEMENT ASSISTANCE TO SMALL BUSINESS

Mr. REECE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, in recent weeks I have had contact with the Small Business Administration, and have examined its activities in behalf of small firms. I think that all Members of the Congress are interested in the work of this independent agency, the first such agency of our Government created to assist during peacetime the numerous small concerns in the American economy.

Because title I of Public Law 163 contained provisions for the liquidation of RFC, and title II of the same law created the SBA, many people may assume that SBA is mainly a smaller lending agency created to replace RFC. Such an impression is not true.

Of course, one of the functions of SBA—and a very worthwhile function it is—is to provide financial assistance and counseling to small firms. It is noteworthy, in connection with this program, that there has been an upsurge of interest in this financial assistance program, as it has become more widely known. The SBA estimates that loan approvals may soon reach a level of about 200 a month. The average loan is now running about $60,000.

But the financial assistance program of the SBA is only one function of this agency. There are other functions, equally as important, although they may not be quite so well known by the public.

One of these functions is to increase the amount of purchases by the Government from small firms—in other words, to make sure that small business gets a fair share of Government contracts. Since the major part of Government procurement is done by the military, the SBA has assigned procurement specialists to the major purchasing centers of the services to screeen their proposed purchases and initiate "joint determinations" on those suitable for placement, in whole or in part, with small firms. Purchases, or portions of purchases, which the military contracting officers agree to earmark for small firms are then placed exclusively with small firms.

However, I have been particularly impressed with another program of SBA designed to help small firms—its management-assistance program.

All of us have seen many small firms get into difficulties because their owners or managers did not have sufficient business training and experience. In a highly competitive society it is inevitable that some business ventures may be ill-conceived. But there are many that could survive and grow, creating jobs and payrolls, if their managers were more familiar with the principles and practices of sound financing, wise controls, buying, accounting, more effective salesmanship, and other techniques of good management.

My opinion is that SBA's program of making available to owners and operators of small firms expert information and training in improving management is one of the best things ever done by a Federal agency. This management-assistance program was not dreamed up in an ivory tower. It is based upon interviews with businessmen themselves who point out their problems and say exactly what they need to know.

As a result of these interviews, a planning committee composed of bankers, officials of chambers of commerce, manufacturers' associations, trade associations and other community groups work with an established and well-recognized school of business to outline a course that will be offered. Recognized experts are obtained to present the courses.

One such course, under the title "Small Business Executive's Institute," was given by the extension division of the University of Wisconsin at Milwaukee. Here an official of one of the largest banks in Wisconsin gave an authoritative presentation of small business financial problems. An engineer working for an established and successful firm gave authoritative information on estimating costs and proper control procedures.

Another small business training course is being conducted at the University of Richmond, Virginia. This course is called "Practical Management for Small Business." The course has stimulated wide interest, and practical problems of interest to the small business owners are discussed.

Many schools of business in virtually all sections of the country have expressed an interest in these courses, and they have urged SBA to help them establish such courses in their schools. Many proprietors of small firms have expressed an interest in the courses, and are eager to sign up for a course when one can be organized in their vicinity.

Here is a program in which the great schools and universities of our country are given an opportunity to cooperate with a Government agency to establish a service that has demonstrated its dollars and cents value to small business.

Here is a truly worthwhile program that merits our support, in line with the declared policy of the Congress that this Government "should aid, counsel, assist and protect insofar as is possible the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts for supplies and services for the Government be placed with small business, and to maintain and to strengthen the overall economy of the Nation."

SMALL BUSINESS ADMINISTRATION

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, the Members of this House, the 83d Congress, made a very definite and useful contribution to the small-business firms of this Nation when they supported, unanimously, the passage of my bill, H. R. 5141, which established the Small Business Administration.

Of course, it has taken time and much effort to organize the Small Business Administration in a form and manner that would really help small business. This has been done, and the present Administrator, Mr. Wendell B. Barnes, is doing excellent work and direct help is being given to all those small-business firms who are desirous of obtaining information and assistance through this organization.

Recently the Small Business Administration issued a document that fills a long-felt need of small-business operators. I refer directly to the new publication, the United States Government Purchasing Directory, which I hold in my hand.

In this publication, some 90 pages in length, SBA has listed approximately 4,000 items and classes of items covering the more than 5 million products and services purchased by the Federal Government, has indicated which agencies buy them and which purchasing offices do the buying, and has explained how to get on their bidders' lists. The directory covers items purchased by both the military and civilian agencies of the Government and is the most complete publication of its kind ever made available to the businessman.

I think it is quite apparent that the directory should be invaluable to the small-business concern that wants to sell to the Government. Through it, the small-business owner is able to have, right in his own place of business, right at his fingertips whenever he wants it, a ready reference to the Government agencies and purchasing offices that buy his products or services. What is more, by careful study of the directory, the businessman can locate other items which his plant is not now making but which it can make and supply to the Government.

In addition to helping small firms, the directory should be of great value in other ways as well.

Through wide dissemination of information on who buys what and where in the Federal Government, the directory should result in more bidders on Government purchases, and this, in turn, should insure more competitive prices and greater savings to the Government.

By increasing the number of bidders on Government purchases, the directory also should help to bring about a better distribution of contracts and a broader mobilization base.

Besides telling the businessman who in the Federal Government buys what he has to sell, the directory provides information on important clauses in Government contracts, such as the defaults clause, tells what steps a small firm should take in seeking subcontracts, and explains how small firms, by listing their facilities with SBA, can obtain help in selling to the Government and other forms of assistance.

I understand that SBA now is preparing, as a companion publication to the Purchasing Directory, a United States Government Specifications Directory. This directory will be a guide to the Government offices and depository libraries across the country where businessmen can consult files of Federal and military specifications to determine whether they want to bid on certain items or to obtain information needed in preparing their bids. The Specifications Directory, like the Purchasing Directory, also should serve to increase procurement opportunities for small firms.

I feel sure that every Member of Congress will want to call the Purchasing Directory, and the Specifications Directory when it is published, to the attention of small-business owners in his district. The Purchasing Directory can be obtained from the Superintendent of Documents for 50 cents—certainly a very reasonable price considering the wealth of information it contains. The Specifications Directory also will be made available from the Superintendent of Documents at a very nominal price.

One of the major responsibilities assigned to the Small Business Administration by the Congress is to see that small-business concerns receive a fair proportion of the total purchases and contracts for supplies and services for the Government.

SBA has taken many concrete steps to carry out this responsibility, but none, I believe, will prove of greater long-range importance than publication of the United States Government Purchasing Directory. By making such a directory available to the small business, SBA in one move has made it possible for all small firms to learn quickly and easily where in the Government they can look for contracts and orders. The result should be more Government business for small firms and better prices and greater savings for the Government.

AMEND VETERANS' READJUSTMENT ASSISTANCE ACT

Mr. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, today I am introducing a bill to correct an apparent injustice in our veterans' laws. The problem was called to my attention by a resident of my district in the State of Michigan, in a letter which in part reads as follows:

> I spent almost 8 years in the Navy. I enlisted in August 1947 and was honorably discharged May 22, 1950. Now I find I do not qualify for a GI loan because I was in between the Second World War and the Korean war.

My constituent is correct in stating that veterans who served between July 25, 1947, and June 27, 1950, do not benefit by the readjustment rights granted to World War II and Korean war veterans. This, to my way of thinking, is unfair discrimination. The fact that a war was not being fought during this time is completely irrelevant. These boys were inducted by Selective Service or volunteered to do their duty to their country as much as the boys who fought during World War II and Korea. Fate put the boys in an age bracket which prevented their serving during World War II. They were too young. By the time Korea started many of them had completed their service and were not recalled.

I believe the Congress should enact this legislation during this session. Time is of the essence for many deserving veterans who are affected by the present injustice.

THE LATE GUY P. GANNETT

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, I take this time in order to say a few words about Guy P. Gannett, of Portland, Maine, who, after a long life of public service, died in New York City on April 25. As president and founder of the Guy Gannett Publishing Co., he was the foremost newspaper publisher in Maine.

Born in Augusta, Maine, on November 27, 1881, the son of William H. and Sarah Hill Gannett, he came naturally by publishing as his father had been a highly successful publisher of popular farm magazines of wide circulation.

Guy Gannett was educated at Phillips Andover Academy and Yale University. In 1905 he married his first wife, Anne J. Macomber, of Augusta, the first Republican national committeewoman from Maine, a woman of great charm, who will long be remembered by anyone who had anything to do with national politics in Maine.

Guy Gannett served in the Maine Legislature as a representative of the city of Augusta in 1917 and 1918. He represented the county of Kennebec in the State senate in 1919 and 1920. From 1920 to 1928 he was Republican national committeeman from Maine.

In the twenties, he began to lay the foundation for the newspaper chain which became the greatest publishing corporation Maine ever had. He was already owner of the Waterville Sentinel, Waterville, Maine, and the Portland Herald when he purchased controlling interest of the Portland Press and the Portland Sunday Press. These papers were merged under the name of the Portland Press Herald, Portland's only morning newspaper today. Then in 1929 he bought the Portland Evening Express, thus joining for the first time in one ownership the morning and evening newspapers in Portland. The same year he acquired the Kennebec Journal of Augusta, Maine, his old hometown. The Kennebec Journal was a well-known paper which at one time had been owned by the Honorable James G. Blaine, former Speaker of this House, later Senator from Maine and Secretary of State.

The daily circulation of the 5 Gannett papers is said to approximate 200,000. In addition to his newspapers, Mr. Gannett operated in recent years two radio broadcasting stations in Maine. To these he had just added a television station.

However a mere recital of Mr. Gennett's achievements does him scant justice. Guy Gannett was an eminently friendly man. He took a keen interest in everything that was going on in his city, State, and Nation. Indeed, he followed closely everything that was happening in the world.

Besides his newspapers, he was active in banking in Maine, was director of the Union Mutual Life Insurance Co., and vice president of the Central Maine Power Co. But of all his activities outside the newspaper field I think he was probably proudest of his work in organizing the Civil Air Patrol of which he was wing commander for Maine. He was also the first chairman of Maine's Aeronautic Commission.

Everyone who had any part in public life in Maine knew Guy Gannett and sought his friendship, not because he was a powerful publisher, but because he was a friendly and lovable man, and a wise counsellor. I was greatly in his debt for countless acts of kindness. His death is a very great loss to the State. His place will stand vacant a long time. I extend my warmest sympathy to his widow and to his daughter who are to carry on in his footsteps the publishing business, and to his son.

AMENDING THE STANDARD CONTAINER ACT OF MAY 21, 1928

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 528, Rept. 1568), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8357) to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–2571), to provide for a three-eighths basket for fruits and vegetables. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

USE OF LAND IN NATIONAL FORESTS FOR HOMES

Mr. LONG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LONG. Mr. Speaker, some time ago I introduced a bill that is now pending before the Committee on Agriculture, H. R. 2725, which has to do with the national forests in the Eighth Congressional District of Louisiana. During debate on another bill, pertaining to other forest lands in other parts of the United States, it was stated on the floor that there was no demand for this land by people who wanted the land for homes. Today I am in possession of more than 100 letters from my district, which I should be glad to show to anyone who is interested. Ninety percent of them are from soldiers who have served in our wars.

I take this time to call the attention of the House to one letter that I am going to put in the RECORD this morning, and later I shall have more to say about selling some of this land to our soldier boys who need it for homes in the Eighth Congressional District of Louisiana.

(The letter referred to is as follows:)

FOREST HILL, LA., *April 30, 1954.*

DEAR SIR: Would you be so kind as to inform me on some land information? I am a GI and served 4 years in armed services, most of it in combat. Now I have come back home to find the State and Government has most all land worth anything tied up. I live near Camp Claiborne, La. My father and I have 40 acres and there is no land that can be bought adjoining us. We have a small dairy herd of 20 cows and would like to expand, but only have this 40 acres.

I know that you did propose a bill to sell more Government- and State-owned land, but never did know whether it was passed or not. I would appreciate it very much if you would let me know about this; also if there is any land that might be homesteaded or bought.

I want to congratulate you on the fine job you are doing as our Representative, and you can count on my support, and my friends' support.

Yours truly,

VINSON J. FRANCIS.

SPECIAL ORDER GRANTED

Mr. O'HARA of Illinois asked and was given permission to address the House on Wednesday next for 40 minutes, following the legislative program and any special orders heretofore entered.

INDOCHINA

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I heard a news report this morning that the Communists had taken two outposts very close to Hanoi, but in the same report it was said the Pentagon stated there was no cause for alarm because the monsoon would prevent the Communists from taking the city of Hanoi. They made the same statement about the fortress of Dien Bien Phu but the monsoon did not seem to work. Apparently this policy of massive retaliation we hear so much about turns out to be rain.

DEDICATION OF FRIEZE IN ROTUNDA OF CAPITOL

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I have previously announced that we have sent notice and invitations to all the Members that on tomorrow at 11 o'clock we will have the dedication of the frieze in the rotunda of the Capitol. I want everyone to know that this is not a political matter in any way. As a matter of fact, Senator GREEN, of Rhode Island, has probably done as much in the furtherance of this program than anyone. I am sure that if the Members will attend this dedication it will be to their advantage. The President will be the principal speaker. I should like this room to be open tomorrow at say half past 10 so that the Members can gather here, not to go over to the rotunda in a body but so that they may meet their friends here and then proceed to the rotunda.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Indiana.

Mr. HALLECK. May I add my suggestion to the Members that as many of us can find it convenient be here in order to be present for the ceremonies tomorrow. I think it will be a historic occasion, a matter of interest to all of us, in which we might very well participate. I am assured that the ceremonies will be over tomorrow in time for Members to take part in the session that will open at 12.

DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from Iowa [Mr. TALLE].

PROMOTING SAFE DRIVING

Mr. TALLE. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (S. 2305) to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Motor Vehicle Safety Responsibility Act of the District of Columbia."

ARTICLE I

Words and phrases defined

SEC. 2. Definitions: The following words and phrases used in this act shall, for the purpose of this act, have the meanings respectively ascribed to them in this article except in those instances where the context clearly indicates a different meaning.

(a) Commissioners: The Board of Commissioners of the District of Columbia, or their designated agent or agents.

(b) Driver or operator: Every person who drives or is in actual physical control of a motor vehicle upon a public highway or who is exercising control over or steering a vehicle being pushed or towed by a motor vehicle upon a public highway.

(c) License: Any operator's permit or any other license or permit to operate a motor vehicle issued under the laws of the District of Columbia including—

(1) any temporary or learner's permit;

(2) the privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and

(3) any nonresident's operating privilege as defined herein.

(d) Motor vehicle: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolly wires, but not operated upon rails.

(e) Nonresident: Every person who is not a resident of the District of Columbia.

(f) Nonresident's operating privilege: The privilege conferred upon a nonresident by the laws of the District of Columbia pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in the District of Columbia.

(g) Owner: A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

(h) Person: Every natural person, firm, copartnership, association, or corporation.

(i) Public highway: Any street, road, or public thoroughfare.

(j) Registration: The registration plates issued under the laws of the District of Columbia pertaining to the registration of vehicles.

(k) Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

ARTICLE II

Administration of act

SEC. 3. Commissioners to administer act: (a) The Commissioners shall administer and enforce the provisions of this act, and may make rules and regulations necessary for its administration.

(b) The Commissioners shall receive and consider any pertinent information upon request of persons aggrieved by their orders or acts under any of the provisions of this act.

(c) The Commissioners shall prescribe and provide suitable forms requisite or deemed necessary for the purpose of this act.

SEC. 4. Commissioners to review order or act of agent: Any order or act of any agent of the Commissioners under the provisions of this act shall be subject to review by the Commissioners. Application for review of any such order or act shall be in writing and filed with the Commissioners within 5 days after the issuance of the order or occurrence of the act in question. If upon review the Commissioners shall sustain such order or act, the same shall become effective immediately.

Any person whose license or motor-vehicle registration shall be denied, suspended, or revoked by the Commissioners under the provisions of this act may, within 30 days after such denial, revocation, or suspension has been reviewed by the Commissioners and sustained by them, file in the Municipal Court of Appeals for the District of Columbia an application for the allowance of an appeal from the order or decision of the Commissioners. If a majority of the court are of the opinion that the appeal should be allowed, the appeal shall be recorded as granted and the case set down for hearing on appeal. If a majority of the court shall be of the opinion that the appeal should be denied such denial shall stand as an affirmance of the order appealed from. Said court is authorized to prescribe fees and promulgate rules governing the application for the allowance of an appeal and the record and proceedings on appeal, and the said court shall have power to affirm, modify, or reverse the order or decision of the Commissioners, where the appeal is allowed pursuant hereto; and the decision of said court whether in denying an application for allowance of appeal or in deciding an appeal after it has been granted shall be final. The application to said court for the allowance of an appeal shall not operate as a stay of such order of the Commissioners.

For the purposes of this section, the phrase "review by the Commissioners" shall mean a review by the Board of Commissioners of the District of Columbia or a review by any board of review established by the Commissioners of the District of Columbia to review the order or act of any agent of the Commissioners pursuant to the provisions of this act. No members of such board of review established by the Commissioners shall review any of his own orders or acts.

SEC. 5. Commissioners to furnish operating record: The Commissioners shall upon request furnish any person a certified abstract of the District of Columbia operating record of any person subject to the provisions of this act, which abstract shall include enumeration of any motor-vehicle accidents in which such person has been involved and reference to any convictions of said person for violation of the motor-vehicle laws as reported to the Commissioners and a record of any vehicles registered in the name of such person. The Commissioners shall collect for each abstract the sum of $2.

SEC. 6. Commissioners to furnish information regarding financial responsibility: The Commissioners shall furnish to any person who may be injured in person or property by any motor vehicle, upon written request, a statement that the owner or operator of any motor vehicle has furnished evidence of

his ability to respond in damages in accordance with the provisions of this act, and if such owner or operator shall have furnished evidence of having had in effect at the time of such injury or damage a motor-vehicle liability policy, the name and address of the insurance carrier writing such policy. The Commissioners shall collect for each abstract the sum of $2.

SEC. 7. Service of process on nonresident: The operation by a nonresident or by his agent of a motor vehicle on any public highway of the District of Columbia shall be deemed equivalent to an appointment by such nonresident of the Commissioners or their successors in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceedings against such nonresident growing out of any accident or collision in which said nonresident or his agent may be involved while operating a motor vehicle on any such public highway, and said operation shall be a signification of his agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally in the District of Columbia. Service of such process shall be made by leaving a copy of the process with a fee of $2 in the hands of the Commissioners or in their office, and such service shall be sufficient service upon the said nonresident: *Provided*, That the plaintiff in such action shall first file in the court in which said action is commenced an undertaking in form and amount, and with one or more sureties, approved by said court, to reimburse the defendant, on the failure of the plaintiff to prevail in the action, for the expenses necessarily incurred by the defendant, including a reasonable attorney's fee in an amount to be fixed by the said court in defending the action in the District of Columbia: *And provided further*, That notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff, or his attorney, to the defendant, and the defendant's return receipt appended to the writ and entered with the declaration, or such notice of such service and a copy of the process may be served upon the defendant in the manner provided by section 105 of the Code of Laws for the District of Columbia (31 Stat. 1206, as amended; § 13–108, D. C. Code, 1951 edition). The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least 20 days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the Commissioners.

For the purposes of this section, the term "nonresident" shall include every person who is not a resident of the District of Columbia and any person who was a resident of the District of Columbia at the time he was involved in an accident or collision in said District, but who, subsequent to such accident or collision, became a nonresident of the District and remains a nonresident at the time the said process is sought to be served on him.

SEC. 8. Operator deemed to be agent of owners: Whenever any motor vehicle, after the passage of this act, shall be operated upon the public highways of the District of Columbia by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall, in case of accident, be deemed to be the agent of the owner of such motor vehicle, and the proof of the ownership of said motor vehicle shall be prima facie evidence that such person operated said motor vehicle with the consent of the owner.

SEC. 9. Establishment of motor vehicle owners' and operators' financial responsibility fund, District of Columbia: (a) There is hereby created in the Treasury of the United States a special fund which shall be known as the motor vehicle owners' and operators' financial responsibility fund, District of Columbia, to which shall be deposited any funds paid to the Commissioners as security or proof in accordance with the provisions of this act.

(b) Said motor vehicle owners' and operators' financial responsibility fund, District of Columbia, is available to the Commissioners for disbursements required under the provisions of this act, such disbursements to be made in the same manner as other disbursements for the District of Columbia are made.

ARTICLE III

Accident reports

SEC. 10. Report of accident required: The driver of a vehicle of a type subject to registration under the motor-vehicle laws of the District of Columbia which is in any manner involved in an accident within the District of Columbia, which accident has resulted in damage to the property of any one person in excess of $100 or in bodily injury to or in the death of any person shall within 5 days after such accident report the accident on a form approved by the Commissioners to the office of the Commissioners subject to the following exceptions in this article.

SEC. 11. Form of report: The form of accident report prescribed by the Commissioners shall contain information sufficient to enable the Commissioners to determine whether the requirements for the deposit of security under this act are inapplicable by reason of the existence of insurance or other exceptions specified in this act.

SEC. 12. Incapacity of driver-owner to report: (a) An accident report is not required under this article from any person who is physically incapable of making report during the period of such incapacity.

(b) If any driver be physically incapable of making a required accident report and is not the owner of the vehicle involved in such accident, then the owner of such vehicle shall within 5 days after he learns of the accident make such report not made by the driver.

SEC. 13. Additional information: The driver or the owner of the vehicle involved in the accident shall furnish such additional relevant information as the Commissioners may require.

SEC. 14. Suspensions for failure to report: The Commissioners are authorized, in their discretion, to suspend the license of any person who fails to report as required by the Commissioners until such report has been filed and for such further period, not to exceed 30 days, as the Commissioners may determine.

SEC. 15. Accident reports confidential: Accident reports and supplemental information in connection therewith required under this article may be examined by any person named in such report or his representative designated in writing, but shall not be open to public inspection, nor shall copying of lists of such reports be permitted.

ARTICLE IV

Security following accident

SEC. 16. Application: The provisions of this act, requiring deposit of security and suspensions for failure to deposit security, subject to certain exemptions, shall apply to the driver and owner of any vehicle of a type subject to registration under the motor-vehicle laws of the District of Columbia which is in any manner involved in an accident within the District of Columbia, which accident has resulted in bodily injury to or death of any person or damage to the property of any one person in excess of $100.

SEC. 17. Commissioners to determine amount of security required; notices: (a) The Commissioners, not less than 20 days after receipt of a report of an accident as described in the preceding article, shall determine the amount of security which shall be sufficient in their judgment to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each driver or owner. Such determination shall not be made with respect to drivers or owners who are exempt under succeeding sections of this act from the requirements as to security and suspension.

(b) The Commissioners shall determine the amount of security deposit required of any person upon the basis of the reports or other information submitted. In the event a person involved in an accident as described in this act fails to make a report or submit information indicating the extent of his injuries or the damage to his property within 50 days after the accident and the Commissioners do not have sufficient information on which to base an evaluation of such injuries or damage, then the Commissioners after reasonable notice to such person, if it is possible to give such notice, otherwise without such notice, shall not require any deposit of security for the benefit or protection of such person.

(c) The Commissioners within 50 days after receipt of report of any accident referred to herein and upon determining the amount of security to be required of any person involved in such accident or to be required of the owner of any vehicle involved in such accident shall give written notice to every such person of the amount of security required to be deposited by him and that an order of suspension will be made as hereinafter provided upon the expiration of 10 days after the sending of such notice unless within said time security be deposited as required by said notice.

SEC. 18. Exceptions to requirement of security: The requirements as to security and suspension in this article shall not apply—

(1) to the driver or owner if the owner had in effect at the time of the accident an automobile liability policy or bond with respect to the vehicle involved in the accident, except that a driver shall not be exempt under this paragraph if at the time of the accident the vehicle was being operated without the owner's permission, express or implied;

(2) to the driver, if not the owner of the vehicle involved in the accident, if there was in effect at the time of the accident an automobile liability policy or bond with respect to his driving of vehicles not owned by him;

(3) to a driver or owner whose liability for damages resulting from the accident is, in the judgment of the Commissioners, covered by any other form of liability insurance policy or bond;

(4) to any person qualifying as a self-insurer under section 79 or to any person operating a vehicle for such self-insurer;

(5) to the driver or the owner of a vehicle involved in an accident wherein no injury or damage was caused to the person or property of anyone other than such driver or owner;

(6) to the driver or owner of a vehicle which at the time of the accident was parked, unless such vehicle was parked at a place where parking was at the time of the accident prohibited under any applicable law or ordinance;

(7) to the owner of a vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such vehicle without such permission;

(8) to the owner of a vehicle involved in an accident if at the time of the accident such vehicle was owned by or leased to the United States, a State or any political subdivision thereof, the District of Columbia, or to the driver of such vehicle if operating such vehicle with permission; or

(9) to the driver or the owner of a vehicle in the event at the time of the accident

the vehicle was being operated by or under the direction of a police officer who, in the performance of his duties, shall have assumed custody of such vehicle.

SEC. 19. Requirements as to policy or bond: (a) No policy or bond shall be effective under section 18 unless issued by an insurance company or surety company authorized to do business in the District of Columbia, except as provided in subdivision (b) of this section, nor unless such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than $10,000 because of bodily injury to or death of 1 person in any one accident and, subject to said limit for 1 person, to a limit of not less than $20,000 because of bodily injury to or death of 2 or more persons in any one accident, and if the accident has resulted in injury to, or destruction of property, to a limit of not less than $5,000 because of injury to or destruction of property of others in any one accident.

(b) No policy or bond shall be effective under section 18 with respect to any vehicle which was not registered in the District of Columbia or a vehicle which was registered elsewhere than in the District of Columbia at the effective date of the policy or bond or the most recent renewal thereof unless the insurance company or surety company issuing such policy or bond is authorized to do business in the District of Columbia, or if said company is not authorized to do business in the District of Columbia, unless it shall execute a power of attorney authorizing the Commissioners to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident.

(c) The Commissioners may rely upon the accuracy of the information in a required report of an accident as to the existence of insurance or a bond unless and until the Commissioners have reason to believe that the information is erroneous.

SEC. 20. Form and amount of security: (a) The security required under this article shall be in such form and in such amount as the Commissioners may require, but in no case in excess of the limits specified in section 19 in reference to the acceptable limits of a policy or bond.

(b) Every depositor of security shall designate in writing every person in whose name such deposit is made, but any single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident.

SEC. 21. Failure to deposit security; suspensions: In the event that any person required to deposit security under this article fails to deposit such security within 10 days after the Commissioners have sent the notice as hereinbefore provided, the Commissioners shall thereupon suspend—

(1) the license of each driver in any manner involved in the accident;

(2) the registration of all vehicles owned by the owner of each vehicle of a type subject to registration under the laws of the District of Columbia involved in such accident;

(3) if the driver is a nonresident, the privilege of operating, within the District of Columbia, a vehicle of a type subject to registration under the laws of the District of Columbia; and

(4) if such owner is a nonresident, the privilege of such owner to operate or permit the operation within the District of Columbia of a vehicle of a type subject to registration under the laws of the District of Columbia.

Such suspensions shall be made in respect to persons not otherwise exempt under this act who are required by the Commissioners to deposit security and who fail to deposit such security, except as otherwise provided under this act.

SEC. 22. Release from liability: (a) A person shall be relieved from the requirement for deposit of security for the benefit or protection of another person injured or damaged in the accident in the event he is released from liability by such other person.

(b) A covenant not to sue shall relieve the parties thereto as to each other from the security requirements of this article.

(c) In the event the Commissioners have evaluated the injuries or damage to any minor in an amount not more than $200 the Commissioners may accept, for the purpose of this article only, evidence of a release from liability executed by a natural guardian or a legal guardian on behalf of such minor without the approval of any court.

SEC. 23. Adjudication of nonliability: A person shall be relieved from the requirement for deposit of security in respect to a claim for injury or damage arising out of the accident in the event such person has been finally adjudicated not to be liable in respect to such claim.

SEC. 24. Agreements for payment of damages: (a) Any two or more of the persons involved in or affected by an accident as described in section 16 may at any time enter into a written agreement for the payment of an agreed amount with respect to all claims of any such persons because of bodily injury to or death or property damage arising from such accident, which agreement may provide for payment in installments, and may file a signed copy thereof with the Commissioners.

(b) The Commissioners, to the extent provided by any such written agreement filed with them, shall not require the deposit of security and shall terminate any prior order of suspension, or if security has previously been deposited, the Commissioners shall return such security to the depositor or his personal representative, or pay such security to the depositor's assignee, as the case may be, when all payments required by such agreement have been made in full, when an amount equal to such security has been paid in accordance with such agreement, or when such security is assigned to the person injured or damaged as a result of said accident.

(c) In the event of a default in any payment under such agreement and upon notice of such default the Commissioners shall take action suspending the license or registration of such person in default as would be appropriate in the event of failure of such person to deposit security when required under this act.

(d) Such suspension shall remain in effect and such license or registration shall not be restored unless and until the person in default has paid all payments then in default.

SEC. 25. Payment upon judgment: The payment of a judgment arising out of an accident or the payment upon such judgment of an amount equal to the maximum amount which could be required for deposit under this article shall, for the purposes of this article, release the judgment debtor from the liability evidenced by such judgment.

SEC. 26. Termination of security requirement: The Commissioners, if satisfied as to the existence of any fact which under sections 22, 23, 24, and 25 would entitle a person to be relieved from the security requirements of this article, shall not require the deposit of security by the person so relieved from such requirement and shall terminate any prior order of suspension in respect to such person, or if security has previously been deposited by such person, the Commissioners shall immediately return such deposit to such person or to his personal representative.

SEC. 27. Duration of suspension: Unless a suspension is terminated under other provisions of this article, any order of suspension by the Commissioner under this article shall remain in effect and no license shall be renewed for or issued to any person whose license is so suspended and no registration shall be renewed for or issued to any person whose vehicle registration is so suspended until—

(1) such person shall deposit or there shall be deposited on his behalf the security required under this article; or

(2) one year shall have elapsed following the date of such suspension and evidence satisfactory to the Commissioners has been filed with them that during such period no action for damages arising out of the accident resulting in such suspension has been instituted.

An affidavit of the applicant that no action at law or damages arising out of the accident has been filed against him or, if filed, that it is not still pending shall be prima facie evidence of that fact. The Commissioners may take whatever steps are necessary to verify the statement set forth in any said affidavit.

SEC. 28. Application to nonresidents, unlicensed drivers, unregistered vehicles and accidents in other States: (a) In case the driver or the owner of a vehicle of a type subject to registration under the laws of the District of Columbia involved in an accident within the District of Columbia has no license or registration in the District of Columbia, then such driver shall not be allowed a license, nor shall such owner be allowed to register any vehicle in the District of Columbia, until he has complied with the requirements of this article to the same extent that would be necessary if, at the time of the accident, he had held a license or been the owner of a vehicle registered in the District of Columbia.

(b) When a nonresident's operating privilege is suspended pursuant to section 21, the Commissioners shall transmit a certified copy of the record of such action to the official in charge of the issuance of licenses and registration certificates in the State in which such nonresident resides.

(c) Upon receipt of certification that the operating privilege of a resident of the District of Columbia has been suspended or revoked in any State pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor-vehicle accident, under circumstances which would require the Commissioners to suspend a nonresident's operating privilege had the accident occurred in the District of Columbia, the Commissioners shall suspend the license of such resident if he was the driver, and all of his registrations if he was the owner of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such State relating to the deposit of such security.

The provisions of this subsection shall be applicable only to a certification from a State which by its laws has made provision for the suspension or revocation of the license and all registrations of a resident of such State for failure to deposit security for the payment of any judgment arising out of a motor-vehicle accident in the District of Columbia, or for failure to make payment of an agreed amount with respect to all claims arising from such accident, in accordance with the provisions of this act.

SEC. 29. Authority of Commissioners to Decrease Amount of Security: The Commissioners may reduce the amount of security ordered in any case within 6 months after the date of the accident if in their judgment the amount ordered is excessive. In case the security originally ordered has been deposited, the excess deposit over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith.

SEC. 30. Correction of action of Commissioners: Whenever the Commissioners have taken any action or have failed to take any action under this article by reason of having received erroneous information or by reason of having received no information, then

upon receiving correct information within 1 year after the date of an accident the Commissioners shall take appropriate action to carry out the purposes and effect of this act. The foregoing shall not, however, be deemed to require the Commissioners to reevaluate the amount of any deposit required under this article.

SEC. 31. Disposition of security: (a) Such security shall be applicable and available only—

(1) For the payment of any settlement agreement covering any claim arising out of the accident upon instruction of the person who made the deposit; or

(2) For the payment of a judgment or judgments, rendered against the person required to make the deposit for damages arising out of the accident in an action at law begun not later than 1 year after the deposit of such security.

(b) Every distribution of funds from the security deposits shall be subject to the limits of the Commissioners' evaluation on behalf of a claimant.

SEC. 32. Return of deposit: Upon the expiration of 1 year from the date of any deposit of security any security remaining or deposit shall be returned to the person who made such deposit or to his personal representative if an affidavit or other evidence satisfactory to the Commissioners has been filed with them stating—

(1) That no action for damages arising out of the accident for which deposit was made is pending against any person on whose behalf the deposit was made, and

(2) That there does not exist any unpaid judgment rendered against any such person in such an action.

The foregoing provisions of this section shall not be construed to limit the return of any deposit of security under any other provision of this article authorizing such return.

SEC. 33. Matters not to be evidence in civil suits: The report required following an accident, the action taken by the Commissioners pursuant to this article, the findings, if any, of the Commissioners upon which such action is based, and the security filed as provided in this article, shall not be referred to in any way, and shall not be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.

ARTICLE V

Proof of financial responsibility for the future

SEC. 34. Application: The provisions of this act requiring the deposit of proof of financial responsibility for the future, subject to certain exemptions, shall apply with respect to persons who have been convicted of or forfeited bail for certain offenses under motor-vehicle laws or who have failed to pay judgments upon causes of action arising out of ownership, maintenance, or use of vehicles of a type subject to registration under the laws of the District of Columbia.

SEC. 35. Meaning of "proof of financial responsibility for the future": The term "proof of financial responsibility for the future" as used in this act shall mean: Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance, or use of a vehicle of a type subject to registration under the laws of the District of Columbia in the amount of $10,000 because of bodily injury to or death of 1 person in any 1 accident, and, subject to said limit for 1 person, in the amount of $20,000 because of bodily injury to or death of 2 or more persons in any 1 accident, and in the amount of $5,000 because of injury to or destruction of property of others in any 1 accident. Whenever used in this act the term "proof of financial responsibility" or "proof" shall be synonymous with the term "proof of financial responsibility for the future."

SEC. 36. Meaning of "judgment" and "State": The following words and phrases when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this section.

(a) The term "judgment" shall mean: Any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any State, the District of Columbia, or of the United States, upon a cause of action arising out of the ownership, maintenance, or use of any vehicle of a type subject to registration under the laws of the District of Columbia, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

(b) The term "State" shall mean: Any State, Territory, or possession of the United States, except the District of Columbia, or any Province of the Dominion of Canada.

SEC. 37. Proof required upon certain convictions: Whenever, under the law of the District of Columbia, the license of any person is suspended or revoked by reason of a conviction or forfeiture of bail in any of the following offenses:

(1) Operating a motor vehicle while under the influence of any intoxicating liquor or narcotic drug;

(2) Any homicide committed by means of a motor vehicle;

(3) Leaving the scene of an accident in which the motor vehicle driven by him was involved and in which there is personal injury, without giving assistance or making known his identity and address and the identity and address of the owner of said vehicle;

(4) Reckless driving involving personal injury; or

(5) Any felony in the commission of which a motor vehicle is used;

the Commissioners shall suspend the registration of all vehicles registered in the name of such person as owner, except that (a) if such owner has previously given or shall immediately give and thereafter maintains proof of financial responsibility for the future with respect to all such vehicles registered by such person as the owner, the Commissioners shall not suspend such registration unless otherwise required or permitted by law, and (b) if a conviction arose out of the operation, with permission, of a vehicle owned by or leased to the United States, a State, or a political subdivision of a State or a municipality thereof, or the District of Columbia or any political subdivision thereof, the Commissioners shall not suspend the registration of any vehicle so owned or leased.

SEC. 38. Suspension until proof furnished: The suspension or revocation hereinbefore required shall remain in effect and the Commissioners shall not issue to such person any new or renewal of license or register or reregister in the name of such person as owner of any such vehicle until permitted under the motor-vehicle laws of the District of Columbia and not then unless and until such person shall give and thereafter maintain proof of financial responsibility for the future.

SEC. 39. Action in respect to unlicensed person: If a person has no license, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license, or for driving a motor vehicle upon the highways without being licensed to do so, or for driving an unregistered vehicle upon the highways, no license shall be thereafter issued to such person and no such vehicle shall continue to be registered or thereafter be registered in the name of such person as owner unless he shall give and thereafter maintain proof of financial responsibility for the future.

SEC. 40. Action in respect to nonresidents: Whenever the Commissioners suspend or revoke a nonresident's operating privilege by reason of a conviction or forfeiture of bail, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility for the future.

SEC. 41. When courts to report nonpayment of judgments: Whenever any person fails within 30 days to satisfy any judgment, then upon the written request of the judgment creditor or his attorney it shall be the duty of the clerk of the court in which any such judgment is rendered within the District of Columbia to forward to the Commissioners immediately upon such request a certified copy of such judgment, which said certified copy shall be prima facie evidence of the facts therein stated.

SEC. 42. Further action with respect to nonresidents: If the defendant named in any certified copy of a judgment reported to the Commissioners is a nonresident, the Commissioners shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registrations of the State of which the defendant is a resident.

SEC. 43. Suspension for nonpayment of judgments: The Commissioners upon receipt of a certified copy of a judgment and a certificate of facts relative to such judgment, on a form provided by the Commissioners, shall forthwith suspend the license and registration and any nonresident's operating privilege of any person against whom such judgment was rendered, except as hereinafter otherwise provided in this act.

SEC. 44. Exception in relation to Government vehicles: The provisions of section 43 shall not apply with respect to any such judgment arising out of an accident caused by the ownership or operation with permission, of a vehicle owned by or leased to the United States, a State or any political subdivision thereof, the District of Columbia or any political subdivision of the District of Columbia.

SEC. 45. Exception when consent granted by judgment creditor: If the judgment creditor consents in writing, in such form as the Commissioners may prescribe, that the judgment debtor be allowed license and registration or nonresident's operating privilege, the same may be allowed by the Commissioners, in their discretion, for 6 months from the date of such consent and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment, or of any installments thereof prescribed in section 50, provided the judgment debtor furnishes proof of financial responsibility.

SEC. 46. Exception when insurer liable: No license, registration, or nonresident's operating privilege of any person shall be suspended under the provisions of this article if the Commissioners shall find that an insurer was obligated to pay the judgment upon which suspension is based, at least to the extent and for the amounts required in this act, but has not paid such judgment for any reason. A finding by the Commissioners that an insurer is obligated to pay a judgment shall not be binding upon such insurer and shall have no legal effect whatever except for the purpose of administering this section. Whenever in any judicial proceedings it shall be determined by any final judgment, decree or order that an insurer is not obligated to pay any such judgment, the Commissioners, notwithstanding any contrary finding theretofore made by them shall forthwith suspend the license and registra-

tion and any nonresident's operating privilege of any person against whom such judgment was rendered, as provided in section 43.

SEC. 47. Suspension to continue until judgments paid and proof given: Such license, registration and nonresident's operating privilege shall remain so suspended and shall not be renewed, nor shall any such license or registration be thereafter issued in the name of such person, including any such person not previously licensed, unless and until every such judgment is stayed, satisfied in full or to the extent hereinafter provided and until the said person gives proof of financial responsibility subject to the exemptions stated in sections 45, 46, and 50 of this act.

SEC. 48. Discharge in bankruptcy: A discharge in bankruptcy following the rendering of any such judgment shall not relieve the judgment debtor from any of the requirements of this act.

SEC. 49. Payments sufficient to satisfy requirements: (a) Judgments herein referred to shall, for the purpose of this act only, be deemed satisfied—

(1) when $10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or

(2) when, subject to such limit of $10,000 because of bodily injury to or death of one person, the sum of $20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) when $5,000 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

(b) Payments made in settlements of any claims because of bodily injury, death, or property damage arising from such accident shall be credited in reduction of the amounts provided for in this section.

SEC. 50. Installment payment of judgments; default: (a) A judgment debtor upon due notice to the judgment creditor may apply to the court in which such judgment was rendered for the privilege of paying such judgment in installments and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the installments.

(b) The Commissioners shall not suspend a license, registration, or nonresident's operating privilege, and shall restore any license, registration, or nonresident's operating privilege suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of such judgment in installments, and while the payment of any said installments is not in default.

SEC. 51. Action if breach of agreement: In the event the judgment debtor fails to pay any installment as specified by such order, then, upon notice of such default, the Commissioners shall forthwith suspend the license, registration, or nonresident's operating privilege of the judgment debtor until such judgment is satisfied, as provided in this act.

SEC. 52. Proof to be furnished for each registered vehicle: No vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility for the future unless such proof shall be furnished for such vehicle.

SEC. 53. Alternate methods of giving proof: Proof of financial responsibility when required under this act, with respect to such a vehicle or with respect to a person who is not the owner of such a vehicle, may be given by filing—

(1) a certificate of insurance as provided in section 54 or section 55; or

(2) a bond as provided in section 60; or

(3) a certificate of deposit of money or securities as provided in section 63; or

(4) a certificate of self-insurance, as provided in section 79; supplemented by an agreement by the self-insurer that, with respect to accidents occurring while the certificate is in force, he will pay the same amounts that an insurer would have been obliged to pay under an owner's motor-vehicle liability policy if it had issued such a policy to said self-insurer.

SEC. 54. Certificate of insurance as proof: Proof of financial responsibility for the future may be furnished by filing with the Commissioners the written certificate of any insurance carrier duly authorized to do business in the District of Columbia certifying that there is in effect a motor-vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate shall give the effective date of such motor-vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all vehicles covered thereby unless the policy is issued to a person who is not the owner of a motor vehicle.

SEC. 55. Certificate furnished by nonresident as proof: A nonresident may give proof of financial responsibility by filing with the Commissioners a written certificate or certificates of an insurance carrier authorized to transact business in the State in which the vehicle, or vehicles, owned by such nonresident is registered, or in the State in which such nonresident resides, if he does not own a vehicle, provided such certificate otherwise conforms with the provisions of this act, and the Commissioners shall accept the same upon condition that said insurance carrier complies with the following provisions with respect to the policies so certified:

(1) Said insurance carrier shall execute a power of attorney authorizing the Commissioners to accept service on its behalf of notice or process in any action arising out of a motor-vehicle accident in the District of Columbia;

(2) Said insurance carrier shall agree in writing that such policies shall be deemed to conform with the laws of the District of Columbia relating to the terms of motor-vehicle liability policies issued therein.

SEC. 56. Default by nonresident insurer: If any insurance carrier not authorized to transact business in the District of Columbia, which has qualified to furnish proof of financial responsibility, defaults in any said undertakings or agreements, the Commissioners shall not thereafter accept as proof any certificate of said carrier, whether theretofore filed or thereafter tendered as proof, so long as such default continues.

SEC. 57. "Motor-vehicle liability policy" defined—(a) Certification: A "motor-vehicle liability policy," as said term is used in this act, shall mean an "owner's policy" or an "operator's policy" of liability insurance, certified as provided in section 54 or section 55 as proof of financial responsibility for the future, and issued, except as otherwise provided in section 55, by an insurance carrier duly authorized to transact business in the District of Columbia to or for the benefit of the person named therein as insured.

(b) Owner's policy: Such owner's policy of liability insurance—

1. shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted; and

2. shall insure the person named therein and any other person as insured, using any such vehicle or vehicles with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of such vehicle or vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such vehicle, as follows: $10,000 because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, $20,000 because of bodily injury to or death of two or more persons in any one accident, and $5,000 because of injury to or destruction of property of others in any one accident.

(c) Operator's policy: Such operator's policy of liability insurance shall insure the person named as insured therein against loss from the liability imposed upon him by law for damages arising out of the use by him of any motor vehicle not owned by him, within the same territorial limits and subject to the same limits of liability as are set forth above with respect to an owner's policy of liability insurance.

(d) Required statements in policies: Such motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this act.

(e) Policy need not insure workmen's compensation, etc.: Such motor-vehicle liability policy need not insure any liability under any workmen's compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance, or repair of any such vehicle nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.

(f) Provisions incorporated in policy: Every motor-vehicle liability policy shall be subject to the following provisions which need not be contained therein:

1. The liability of the insurance carrier with respect to the insurance required by this act shall become absolute whenever injury or damage covered by said motor-vehicle liability policy occurs; said policy may not be canceled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy.

2. The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage.

3. The insurance carrier shall have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in subdivision 2 of subsection (b) of this section.

4. The policy, the written application therefor, if any and any rider or endorsement which does not conflict with the provisions of this act shall constitute the entire contract between the parties.

(g) Excess or additional coverage: Any policy which grants the coverage required for a motor-vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor-vehicle liability policy and such excess or additional coverage shall not be subject to the provisions of this act. With respect to a policy which grants such excess or additional coverage the term "motor-vehicle

liability policy" shall apply only to that part of the coverage which is required by this section.

(h) Reimbursement provision permitted: Any motor-vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this act.

(i) Proration of insurance permitted: Any motor-vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(j) Multiple policies: The requirements for a motor-vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(k) Binders: Any binder issued pending the issuance of a motor-vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

SEC. 58. Notice of cancellation or termination of certified policy: The Commissioners shall be notified of the cancellation or expiration of any motor-vehicle liability policy of insurance certified under the provisions of this article or of any surety or real estate bond at least 10 days before the effective date of such cancellation or expiration. In the absence of such notice of cancellation or expiration said policy of insurance shall remain in full force and effect that any policy subsequently procured and certified shall on the effective date of its certification terminate the insurance previously certified with respect to any vehicle designated in both certificates. Upon receipt of such notice of cancellation or expiration the said Commissioners shall require other evidence of ability to respond in damages and upon failure to furnish the same before the effective date of such cancellation or expiration, the license and all of the registration certificates of the person failing to comply herewith shall be suspended by the Commissioners and shall remain so suspended until such other evidence of ability to respond in damages shall have been given.

SEC. 59. Act not to affect other policies: (a) This act shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of the District of Columbia, and such policies, if they contain an agreement or are endorsed to conform with the requirements of this act may be certified as proof of financial responsibility under this act.

(b) This act shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ or on his behalf of vehicles not owned by the insured.

SEC. 60. Bond as proof: Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within the District of Columbia, or a bond with at least two individual sureties each owning unencumbered real estate within the District of Columbia, and together having equities equal in value to at least twice the amount of the bond which real estate shall be scheduled in the bond approved by a judge of a court of record, which said bond shall be conditioned for payment of the amounts specified in section 35. Such bond shall be filed with the Commissioners and shall not be cancelable except after 10 days' written notice to the Commissioners.

SEC. 61. When bond shall constitute a lien: Such bond shall constitute a lien in favor of the District of Columbia upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond, for damages, including damages for care and loss of service because of bodily injury to or death of any person, or for damage because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use, or operation of a vehicle of a type subject to registration under the laws of the District of Columbia after such bond was filed. Said bond shall be recorded by the principal named therein among the land records of the District of Columbia before the same is filed with the Commissioners. Recordation shall constitute notice as provided by statutes governing the recordation of liens on real estate.

SEC. 62. Action on bond: If such a judgment, rendered against the principal on such bond, shall not be satisfied within 30 days after it has become final, the judgment creditor may, for his own use and benefit and at his sole expense bring an action or actions in the name of the District of Columbia against the company or persons executing such bond, including an action or proceeding to foreclose any lien that may exist upon the real estate of a person who has executed such bond, which foreclosure action shall be brought in like manner and subject to all the provisions of law applicable to an action to foreclose a mortgage on real estate.

SEC. 63. Money as proof: (a) Proof of financial responsibility may be evidenced by the certificate of the Commissioners that the person named therein has deposited with them the sum of $25,000 in cash. The Commissioners shall not accept any such deposit and issue a certificate therefor unless such deposit is accompanied by evidence that that there are no unsatisfied judgments of any character against the depositor in the locality where the depositor resides.

(b) The Commissioners may accept as a substitute for a deposit of money required herein other security under such conditions as they may establish.

SEC. 64. Application of deposit: Such deposit shall be used to satisfy in accordance with the provisions of this act, any execution on a judgment issued against such person making the deposit for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a vehicle of a type subject to registration under the laws of the District of Columbia after such deposit was made. Money so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid.

SEC. 65. Owner may give proof for others: The owner of a motor vehicle may give proof of financial responsibility on behalf of his employee or a member of his immediate family or household in lieu of the furnishing of proof by any said person. The furnishing of such proof shall permit such person to operate only a motor vehicle covered by such proof. The Commissioners shall endorse appropriate restrictions on the face of the license held by such person, or may issue a new license containing such restrictions.

SEC. 66. Substitution of proof: The Commissioners shall consent to the cancellation of any bond or certificate of insurance or return any money to the person entitled thereto upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this act.

SEC. 67. Other proof may be required: Whenever any proof of financial responsibility filed under the provisions of this act no longer fulfills the purposes for which required, the Commissioners shall, for the purpose of this act, require other proof as required by this act and shall suspend the license and registration pending the filing of such other proof.

SEC. 68. Duration of proof—When proof may be canceled or returned: (a) The Commissioners shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the Commissioners shall return to the person entitled thereto any money deposited pursuant to this act as proof of financial responsibility, or the Commissioners shall waive the requirement of filing proof, in any of the following events:

(1) At any time after 3 years from the date such proof was required when, during the 3-year period preceding the request, the Commissioners have not received a record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license or registration of the person by or for whom such proof was furnished; or

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

(3) In the event the person who has given proof surrenders his license and registration to the Commissioners.

(b) The Commissioners shall not consent to the cancellation of any bond or the return of any money in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money has within 1 year immediately preceding such request been involved as a driver or owner in any motor-vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the Commissioners.

(c) Whenever any person whose proof has been canceled or returned under subsection (a) (3) of this section applies for a license or registration within a period of 3 years from the date proof was originally required, any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such 3-year period.

ARTICLE VI

Violation of provisions of act, penalties

SEC. 69. Transfer of registration to defeat purpose of act prohibited: (a) If an owner's registration has been suspended hereunder, such registration shall not be transferred nor the vehicle in respect to which such registration was issued registered in any other name until the Commissioners are satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this act.

(b) Nothing in this section shall in anywise affect the rights of any conditional vendor, chattel, mortgagee or lessor of such a vehicle registered in the name of another as owner who becomes subject to the provisions of this act.

(c) The Commissioners shall suspend the registration of any vehicle transferred in violation of the provisions of this section.

SEC. 70. Surrender of license and registration: Any person whose license or registration shall have been suspended under any provision of this act, or whose policy of insurance or bond, when required under this act, shall have been canceled or terminated, shall immediately return his license and registration to the Commissioners. If any person shall fail to return to the Commissioners the license or registration as provided herein, the Commissioners shall forthwith direct any police officer to secure possession thereof and to return the same to the Commissioners.

SEC. 71. Failure to report accident: Failure to report a motor-vehicle accident or to furnish additional information as required

under section 10, 12, or 13 shall be punished by a fine not in excess of $100.

SEC. 72. Erroneous report and other offenses: Any person who gives information required in such report or otherwise required for such purpose knowing or having reason to believe that such information is false, or who shall forge, or, without authority, sign any evidence of proof of financial responsibility for the future, or who files or offers for filing any such evidence or proof knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than $1,000 or imprisoned for not more than 1 year or both.

SEC. 73. Operating a motor vehicle when license or registration suspended or revoked: Any person whose license or registration has been suspended or revoked under this act and who, during such suspension or revocation, drives any motor vehicle upon any highways or knowingly permits any vehicle of a type subject to registration under the law of the District of Columbia owned by such person to be operated by another upon any highway, except as permitted under this act, shall be fined not more than $500 or imprisoned not exceeding 6 months, or both.

SEC. 74. Failure to return license or registration: Any person willfully failing to return license or registration as required in section 70 shall be fined not more than $500 or imprisoned not to exceed 30 days, or both.

SEC. 75. Penalty for other violations: Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be fined not more than $500 or imprisoned not more than 90 days, or both.

SEC. 76. Prosecutions: All prosecutions for violations of this act shall be in the municipal court for the District of Columbia, in the name of the District of Columbia, by the corporation counsel or any of his assistants.

ARTICLE VII

General provisions

SEC. 77. Effect of headings: Article and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any article or section hereof.

SEC. 78. Exception in relation to vehicles insured under other laws: Except for sections 10 and 65, this act shall not apply with respect to any vehicle the owner of which has complied with the requirements of existing laws of the District of Columbia requiring insurance or other security on motor vehicles.

SEC. 79. Self-insurers: (a) Any person in whose name more than 25 vehicles are registered in the District of Columbia may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Commissioners as provided in subsection (b) of this section.

(b) The Commissioners may, in their discretion, upon the application of such a person, issue a certificate of self-insurance when it is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person. Such certificate may be issued authorizing a person to act as a self-insurer for either property damage or bodily injury, or both.

(c) Upon not less than 5 days' notice and a hearing pursuant to such notice, the Commissioners may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within 30 days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

SEC. 80. Authorization of appropriations: There is hereby authorized to be appropriated out of the general fund of the District of Columbia such sums as may be necessary to carry out the provisions of this act.

SEC. 81. Effect of Reorganization Plan No. 5: Where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by Reorganization Plan No. 5 of 1952, such reference shall be deemed to be the office, agency, or officer exercising the functions of the office or agency so abolished.

SEC. 82. Repeal of existing laws: This act shall in no respect be considered as a repeal of the traffic acts of the District of Columbia, except as specifically provided herein, but shall be construed as supplemental thereto.

The act of May 3, 1935 (49 Stat. 166, ch. 89; title 40, ch. 4, D. C. Code, 1951 edition), as amended, known as the Owners' Financial Responsibility Act of the District of Columbia, is hereby repealed except with respect to any accident or judgment arising therefrom, or violation of the motor-vehicle laws of the District of Columbia, occurring prior to the effective date of this act.

SEC. 83. Past application of act: This act shall not apply with respect to any accident, or judgment arising therefrom, or violation of the motor-vehicle laws of the District of Columbia, occurring prior to the effective date of this act.

SEC. 84. Act not to prevent other process: Nothing in this act shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law.

SEC. 85. Uniformity of interpretation: This act shall be so interpreted and construed as to effectuate its general purpose to make it uniform with similar laws enacted by the several States.

SEC. 86. Constitutionality: If any part or parts of this act shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act.

SEC. 87. Effective date of act: This act shall take effect 1 year after its enactment.

With the following committee amendments:

Page 5, line 20, change the period to a comma and add the following: "unless the applicant shall have deposited with the Commissioners, under protest and subject to the decision of the court, security in the amount required by the Commissioners in accordance with the provisions of this act, or a bond in an amount equal to the amount of security required by the Commissioners, guaranteeing that the applicant, in the event the order appealed from is sustained or modified by the court, will comply fully therewith. In the event said order of the Commissioners shall be ordered vacated, either by the court or the Commissioners, the security deposited under protest shall be returned to the depositor or the bond shall be canceled."

On page 6, line 6, before the word "The" add "(a)."

On page 6, following line 15, add a new subsection as follows:

"(b) The Commissioners shall upon request furnish any person an uncertified abstract of the District operating record of any person subject to the provisions of this act, which abstract shall include enumeration of any motor-vehicle accidents in which such person has been involved and reference to any convictions of said person for violation of the motor-vehicle laws, as reported to the Commissioners. The Commissioners shall collect for each such uncertified abstract a sum equal to the cost to the District of furnishing such abstract, as such cost may be determined by the Commissioners from time to time."

On page 27, lines 13 and 14, after the word "States" strike the following language: "except the District of Columbia."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, it seems appropriate that a word should be said about the history of the bill just agreed to by the House. H. R. 5364 was introduced in the House by myself on May 22, 1953. Subsequently, an identical bill known as S. 2305 was introduced in the Senate. During the course of its consideration in the other body, the bill was amended in several particluars, and was thereafter approved on July 27, 1953. On February 19, 1954, the Subcommittee on Utilities, Insurance, and Banking of the House District of Columbia Committee held a hearing on the bill as amended in the Senate. Thereupon the subcommittee approved the bill with additional amendments, and the bill as so amended was unanimously approved by the full committee. It is hoped that the bill will be passed by the Senate in the form in which it was approved in the House today.

The broad purpose of this legislation is to bring District of Columbia motor-vehicle law up to date. The present law is 19 years old. The legislation just enacted will bring the law in the District in line with what is called the Uniform Vehicle Code, and will conform closely to similar legislation already enacted in 45 States in our Nation.

The specific purpose of the bill is to remove the reckless driver from our streets and highways. As stated in Report No. 1448, 83d Congress, 2d session, which accompanied the bill just passed:

> The proposed legislation would, in effect, remove from the public highway the financially irresponsible motor-vehicle driver or owner who does not have public-liability and property-damage insurance and who fails to deposit security to cover any injury or damage resulting from an accident in which such driver or owner is involved.

Mr. Speaker, it is reckless behavior by some drivers that requires special attention, and all to frequently such drivers are not financially responsible. Every day newspapers and the radio report motor-vehicle accidents, many of them involving costly destruction of property and serious bodily injury. In numerous instances persons are killed or maimed for life. The tragic record is horrible to contemplate. It is not necessary to speak of the need for such legislation. Rather let us all hope that the provisions of law just enacted may serve to diminish in large degree the high rate of such accidents in the District of Columbia.

AMENDING SECTIONS 3185 AND 3186 OF TITLE 18, UNITED STATES CODE

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 488 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2556) to amend section 3185 of title 18, United States Code, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on the Judiciary now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously, a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 64]

Addonizo	Edmondson	O'Brien, N. Y.
Albert	Engle	Osmers
Ashmore	Fine	Patten
Ayres	Fino	Patterson
Barden	Frelinghuysen	Philbin
Barrett	Fulton	Powell
Battle	Gamble	Reams
Bender	Graham	Reece, Tenn.
Berry	Granahan	Reed, Ill.
Boland	Green	Rhodes, Pa.
Bolling	Gregory	Richards
Bonin	Gwinn	Rivers
Bosch	Hand	Roberts
Bowler	Hart	Robeson, Va.
Boykin	Harvey	Rodino
Brooks, La.	Heller	Rogers, Mass.
Buchanan	Holt	Roosevelt
Buckley	Holtzman	Scherer
Byrne, Pa.	James	Scott
Camp	Jarman	Shafer
Canfield	Jonas, Ill.	Shelley
Carlyle	Judd	Sheppard
Carrigg	Kearns	Sieminski
Cederberg	Kelley, Pa.	Smith, Miss.
Celler	Kelly, N. Y.	Smith, Va.
Chatham	King, Calif.	Stringfellow
Chelf	King, Pa.	Sutton
Chudoff	Klein	Taylor
Church	Kluczynski	Teague
Clardy	Knox	Thompson, La.
Condon	Laird	Thompson, Mich.
Cooley	Lanham	Walter
Cotton	Lyle	Weichel
Coudert	McConnell	Wharton
Cresser	Machrowicz	Widnall
Davis, Tenn.	Martin	Williams, Miss.
Deane	Merrill	Willis
Dempsey	Merrow	Wilson, Calif.
Dingell	Miller, N. Y.	Wilson, Ind.
Dodd	Morano	Wilson, Tex.
Dollinger	Morgan	Yates
Donovan	Moulder	Yorty
Doyle	Multer	Zablocki
Durham	O'Brien, Mich.	

The SPEAKER. On this rollcall 292 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SPECIAL ORDER GRANTED

Mr. FEIGHAN asked and was given permission to address the House today for 10 minutes, following any special orders heretofore entered.

AMENDING SECTIONS 3185 AND 3186 OF TITLE 18, UNITED STATES CODE

Mr. CHENOWETH. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. COLMER]. I now yield myself such time as I may require.

Mr. Speaker, this resolution makes in order the consideration of H. R. 2556, a bill amending sections 3185 and 3186, title 18, of the United States Code. This is an open rule providing for 1 hour of general debate, the time to be equally divided and controlled by the chairman of the Committee on the Judiciary and the ranking minority member.

Mr. Speaker, this bill deals with the extradition of fugitives from foreign countries and territories now occupied by the United States.

I understand that there are only two such countries involved at this time, Germany and Austria. The bill has for its purpose the correction of certain provisions which have proven inadequate to take care of the requirements in these occupied countries. I will not go into the merits of the bill at this time. That will be done by the committee in general debate.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CHENOWETH. I am glad to yield to my friend from Iowa.

Mr. GROSS. I wonder if the gentleman could tell us where we can obtain a copy of the hearings that were held on this particular legislation.

Mr. CHENOWETH. I will state to the gentleman that I am not familiar with the hearings. I have not seen a copy. I assume that hearings are available. However, I do not have a copy.

Mr. GROSS. I wonder if anyone representing the Committee on the Judiciary can tell us where we can obtain a copy of the hearings. I understand this bill comes from the Committee on the Judiciary.

Mr. CHENOWETH. Yes; the bill is out of the Committee on the Judiciary. Perhaps the gentleman from Iowa should address his inquiry to the chairman of the Committee on the Judiciary when we go into general debate. I am sorry I cannot advise him concerning the hearings.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield to me for the purpose of answering the question?

Mr. CHENOWETH. I am happy to yield to the gentleman from Indiana.

Mr. CRUMPACKER. The hearings on this particular bill were not printed. They are available through the clerk of the committee, however.

Mr. GROSS. Does the gentleman mean to say that on a bill that has the ramifications of this piece of proposed legislation we have no printed hearings? Were hearings held on this bill?

Mr. CRUMPACKER. Yes; hearings were held.

Mr. GROSS. Who appeared before the committee? Could the gentleman tell us that?

Mr. CRUMPACKER. John M. Raymond, assistant legal adviser, German Affairs, Department of State; Frederick M. Diven, assistant to the legal adviser, Department of State; Fritz Kraemer, Chief of Government Branch, Office of Civil Affairs and Military Government, Department of the Army; Earl P. Shapiro, Department of Justice; James J. Robinson, American Bar Association.

Mr. GROSS. That is a total of 4 or 5 witnesses, perhaps 6 witnesses. No hearings were printed on a bill that would provide that if a GI in any of these occupied territories or jointly occupied territories stole a hundred dollars, and came back to the United States, he could be extradited and tried in the court of that foreign country—in a civil court of that foreign country—is that correct?

Mr. CRUMPACKER. It is the same situation that you have in any other country at the present time—any country except those jointly occupied by the United States and some other power.

Mr. GROSS. The gentleman surely does not mean to say that it is in the law which the committee is trying to amend.

Mr. CRUMPACKER. The pattern of crimes covered in this bill is copied after that already established in the current extradition treaties and in the Status of Forces Agreement which had been entered into in the NATO countries.

Mr. GROSS. If we already have this, why bring in this bill?

Mr. CRUMPACKER. Because we have one loophole in the existing law, in these countries jointly occupied by the United States and other powers.

Mr. GROSS. That is precisely what I am getting at. You are spreading this out. You are providing there that a tourist—the bill says anyone; it may be a GI or an ex-GI or a tourist, or anyone else—may be extradited. If I read this proposed amendment to the law correctly, any person can be extradited and tried in a civil court of some other country which we may occupy exclusively or jointly, and suffer the penalty of some European or, perhaps, Asiatic court. Does this bill apply to Japan?

Mr. CRUMPACKER. We have a peace treaty with Japan, and that is no longer a jointly occupied territory. All this bill would do would be to put Germany and Austria in the same status as practically all the other countries of the world.

Mr. GROSS. I do not like it and certainly shall oppose it.

Mr. CHENOWETH. As I understand the bill, it does provide an additional safeguard in that it requires that extradition is possible only upon the written request of the highest resident United States official participating in the control of the occupied area. Under the present law a person accused may be

extradited from the United States to the occupied country on the request of the military governor, or other chief executive officer of such territory. This officer might be a citizen of some other country, as in the case of joint occupation with the United States. I think it is important that the requisition for extradition should come from an American officer. To this extent, I would say to my friend from Iowa, this bill does provide additional protection for the American accused of a crime in the occupied countries, and who has returned to the United States. We should make certain that his rights as an American citizen are fully recognized and protected.

Mr. COLMER. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, I was somewhat surprised to see a bill come out of the Committee on the Judiciary with the provisions in it which this bill contains.

The effect of it in many instances would be to permit a former soldier, who had served his time in the service and had returned to the United States, to be returned to the country where he served to face trial on such minor things as misdemeanors of various kinds.

I notice, for instance, that it provides that one of the things for which extradition could be exercised would be larceny in an amount not less than $100 in value. I think that would constitute a misdemeanor in most of the States of this Union. Not only does it provide that a man can be returned to face trial in these foreign countries where animosity and hostility are very great against Americans, particularly against American soldiers, for a misdemeanor of this kind, but it provided also that he can be tried even for an attempt to commit a thing like that.

I can imagine an instance where one of our soldiers in Germany had an affair with a girl and then had a quarrel with her. After he had returned to this country she might go before a grand jury, or whatever the means of acquiring an indictment against him may be over there, and allege that he took a ring of hers when he left that was worth more than $100, or she might allege even that he attempted to commit larceny and steal a ring of hers that was worth more than $100. Here would be this soldier, who had served his time and had come back here, and he ought to be permitted to go about his business and forget about his service in Germany, liable to be picked up on an extradition warrant and have to make bond for it, and have to go through the trouble of engaging a lawyer and protecting himself against the extradition on something that, which when it was finally wound up, might not be worth a nickel.

It might be said about that, "Well, that has to go through several hands before an extradition request would ever be honored." It might be said, "It has to go through the highest military officer over there or the person in charge of the military government or the occupation authority. Then it has to go through the State Department over here." Well, that is true. That is provided in the bill, that these officials must pass upon it. But who thinks that the Secretary of State here, although he is charged with the supervision of it—who thinks that the Secretary of State is going to ever look at one of these extraditions and pass judgment upon the question himself of whether this ex-soldier ought to be returned to Germany or not? He will pass it on to an assistant and the assistant will pass it on to somebody else, and it will finally wind up with a clerk over there giving the papers peremptory or cursory examination and passing his own judgment upon it, and that is the judgment that will stand through the entire proceeding so that it does not offer the protection which I think ought to be offered on a thing of this kind. I have heard it said here in the discussion which has gone on about this bill that it was to correct some minor errors that exist, that one of the principal purposes of it was to make some minor corrections and that it really did not do anything except to put these countries in the same category with others with which we already have extradition arrangements. If you turn to page 6 of the committee report where it gives the changes in the bill, you will see quite an addition of all this italicized language at the bottom of the page where a number of offenses are added. They have added manslaughter. They have added abduction or kidnaping. They have added carnal knowledge of a child under the age of 16—and I think that presents something that ought to give the Members of Congress here some concern when you go to making that an extraditable offense to these other countries where there is so much hostility, and all of us know it, against our military. There are many girls of the ages of 15 or 16 where it is impossible to tell whether they are 18, 19, or 20, and when something like that is going on, nobody, and human experience has demonstrated that, nobody is going to stop and ascertain by looking at a birth record or asking some acquaintance or taking any other means of finding out the age of one of these well-developed girls who appears to be 18 or 19 or 20 years old. That could present some problems here which would give a lot of trouble to put this provision in the bill, making it an extraditable offense when up to this time it has not ever been an extraditable offense.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. CRUMPACKER. The language used in this bill was taken directly from existing extradition treaties. The language the gentleman is referring to is in the act of 1900. This relates to extradition treaties existing with many countries, and this language, as contained in the present bill, is already in the extradition treaties with countries like France and Belgium and others.

Mr. DAVIS of Georgia. Then, may I ask the gentleman why it is here in italicized language, which is the way the new language in a bill is always printed?

Mr. CRUMPACKER. Because it is being added to existing law. Extradition treaties, as you know, are treaties and they are not statutory law.

Mr. DAVIS of Georgia. Certainly, that is what I said—this is new language. It is not in the law now, and unless this bill passes, it will not be in the law.

Mr. CRUMPACKER. It is not in the law, but it is in force with all the countries of the world practically with which we maintain friendly relations, except Germany.

Mr. DAVIS of Georgia. To me, that is no recommendation for putting it in the law. This deals with countries with which we lately have been at war. It deals with countries with which we now technically are at war, such as Germany and other countries.

As I pointed out, in many instances there are feelings of hostility toward our soldiers, and this is made principally to apply to people of that kind.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from New York.

Mr. KEATING. I know the gentleman wants to understand the reasons for the bill. The bill is aimed primarily at civilians—not at the military. The military is handled normally by court-martial. This bill is to handle civilians, and it would be an unusual circumstance where any military personnel would be involved.

Mr. DAVIS of Georgia. Would the gentleman be willing to amend the bill, then, so as to exempt military people from its operation?

Mr. KEATING. I would not be willing to accept such an amendment. However, I would say frankly if the gentleman were to offer such an amendment, I would repeat what I am saying now, that it is primarily designed to cover civilians. There might be a case where a soldier committed a serious crime in Germany and then would flee to this country or be discharged and come back to this country and be out of the jurisdiction of the military. Such a person would be covered by the terms of this bill, with the added protection that is contained right in the bill to the effect that his return would have to be cleared through the Secretary of the particular service where the person had served.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. COLMER. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. KEATING. Under the terms of the bill, before he could be sent back it would have to be cleared not only through the highest United States official in the country seeking him but also the Secretary of State, and also the Secretary of the Army, Navy, or Air Force, dependent on where the soldier had served.

Mr. DAVIS of Georgia. As I have already pointed out, those officials are not ever going to see those proceedings. They will go through and these officials will never know that it is asked for. It will be decided by some company clerk, or someone like that, and that provision will not offer any protection to the fellow whose extradition is sought.

Then the bill goes on and lists a lot of new offenses—and they are new offenses. One is assault with a dangerous

weapon, not with intent to kill, but with intent to do bodily harm. That would apply to a drunk who went into a beer saloon over there and got into an argument and picked up a beer bottle and struck another man with it. But it says even "attempt." So even if he did not strike him with the beer bottle but attempted to do so, he would be subject to extradition and carried over there and tried.

There are other provisions here of the misdemeanor class, which it seems to me is carrying the matter entirely too far. Even here in the United States it would be impossible to extradite from one State to another people who would be charged under some of these provisions, which would make a man subject to being extradited and carried all the way across the ocean and facing trial for something which in the final windup might not amount to anything at all.

So I think the best thing to do with it is to kill it.

The SPEAKER. The time of the gentleman from Georgia has again expired.

Mr. CHENOWETH. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, it had not been my intention to speak on the rule, because we will have more time, if the rule is adopted, in the debate on the bill to explain it, but in the light of the remarks of the gentleman from Georgia [Mr. DAVIS], I want to point out the twofold purpose of this legislation. This I might say was passed overwhelmingly in the Committee on the Judiciary.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. Yes, I yield.

Mr. GROSS. Would the gentleman care to state how many Members were present when this bill was reported out?

Mr. KEATING. At least a quorum. I do not remember the exact number, but at least a quorum.

The bill has two purposes. One, to permit extradition to a country which this country is occupying jointly with another power, in the same manner as they can now extradite to a country where we occupy it solely.

It has developed that in the case of Germany and Austria—previously in Japan—existing law would not permit the extradition to those countries because it is worded to apply only to a country where we were in sole occupation. That is the first purpose.

The second purpose is to broaden the list of crimes to cover particularly those which relate to an occupation like the counterfeiting of occupation scrip, which is used the same as money, and also to cover certain other specified serious crimes which are found in all or practically all of the treaties which we have with foreign powers relating to extradition.

It may be, despite the fact that we discussed these particular crimes at considerable length in the committee, that some amendment would be appropriate to change the wording of this, that or the other of the crimes.

For the most part, for the information of the Members, I would say that those crimes which are added to the ones in existing statutes start with No. 17 and also the one on counterfeiting scrip which I think is No. 2.

The question arose primarily in this way: A civilian employee of the United States was drunk and driving a motorcar at high speed in Germany and ran down and killed two people. It was what we would call in this country the crime of manslaughter. Then he got himself shipped back to the United States so that he was not required to respond to this crime which he committed. Attempts were made to extradite him and it was found that for two reasons he could not be extradited: One, we were in joint occupation of Germany with other powers; two, the existing statutes relating to extradition, even though we had been the sole occupying power, did not provide for extraditing for manslaughter, although it did for murder. The man went scot-free after committing this very serious crime. It is that type of situation primarily which is sought to be corrected by this legislation. I feel sure that if the tables were turned and if a foreign national committed a serious crime in this country and then skipped back home we would expect to have him returned to this country to stand trial in the manner in which this bill provides he shall be returned to the country we were occupying jointly with another power.

Mr. DORN of New York. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DORN of New York. Does not this bill give greater powers of extradition to a foreign country than the States have among themselves at the present time?

Mr. KEATING. Oh, no; I would say much less. There are many crimes left out of this bill which would permit extradition from one State to another. I would say that just the contrary of what the gentleman has implied is true; this bill does not go nearly as far as bills permitting extradition from one State to another.

Mr. DORN of New York. You cannot extradite from one State to another ordinarily on a misdemeanor, yet "misdemeanor" is included in the language according to page 6 of the report.

Mr. KEATING. I do not believe any of the crimes listed here are in most States considered to be misdemeanors. Every one of them would be a felony, so far as I know, under the laws of most States.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Certainly we know a simple assault is only a misdemeanor. That is so in all the States I know of. If you hit a man with a stick or with a beer bottle or any other weapon which would be covered under this bill, in most States it is a simple assault and only a misdemeanor.

Mr. KEATING. I do not know which section the gentleman is referring to. In the first place, an assault is normally a felony in most States, according to my experience. I do not know about the gentleman's State. We have under No. 24 assault with a dangerous weapon, if that is the section referred to.

Mr. DAVIS of Georgia. A bottle is a dangerous weapon, a stick is a dangerous weapon.

Mr. KEATING. Is the gentleman referring to section 24?

Mr. DAVIS of Georgia. Section 25.

Mr. KEATING. Section 25 is bribery.

Mr. DAVIS of Georgia. I am referring to the committee report.

Mr. KEATING. I am referring to the bill. The gentleman should refer to the bill because there were some changes made in the committee. The one relating to assault is section 24 which reads: "assault with a dangerous weapon with intent to do bodily harm and without cause or excuse and assault with intent to commit a felony."

Mr. DAVIS of Georgia. That is the same language I am referring to.

Mr. KEATING. That would always be a felony, in my judgment, under the laws of most of our States.

Mr. DAVIS of Georgia. Under the laws of the States I am familiar with, assault with a bottle, as I said, or with an instrument of that kind is a misdemeanor.

Mr. KEATING. I am not an expert on whether a bottle is a dangerous weapon.

Mr. DAVIS of Georgia. I think it would be.

Mr. KEATING. In any event, as I said to the gentleman, there certainly is no pride of authorship on my part or on the part of any of the members of the Committee on the Judiciary. It may be that in certain respects the definition of these crimes can still be improved; but certainly an assault with a gun or assault with a blackjack or something of that kind would be considered a felony. If the gentleman wants to eliminate "bottle" I do not know that I would object to that or seriously oppose it, but certainly the ordinary type of assault which the committee contemplated under section 24 is a felony. It is covered in existing extradition treaties with other countries and is the type of offense for which we would expect a person to be returned to this country if a foreign national committed such a crime here.

Mr. DAVIS of Georgia. The gentleman will notice section 26 of the bill carries it on down to an attempt to commit any one or more of the crimes or offenses listed above or participation therein. The gentleman would not deny those attempts are misdemeanors?

Mr. KEATING. No; an attempt to commit an assault with a dangerous or deadly weapon is not a misdemeanor normally. It would be a felony. In most States it is a serious crime.

Mr. DAVIS of Georgia. Under the statutes of the States with which I am familiar there are many offenses which themselves are felonies, but a mere attempt to commit such offense is by statute designated as a misdemeanor.

Mr. KEATING. I believe there are such statutes, but I do not think they apply in most jurisdictions.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Will the gentleman explain whether there is any reciprocity requirement in this bill? In other words, the gentleman gave an example of a crime being committed in Germany by a person who comes back to the United States. The gentleman stated that we would not like to have the reverse of that situation apply to us. Now, is there any requirement that a citizen of another country over here could be extradited back here under similar circumstances?

Mr. KEATING. Well, under ordinary extradition treaties, it applies to both countries equally. The crimes are set out and the people are extradited from both countries for the same crimes.

Mr. CURTIS of Missouri. In other words, this would have no application once we had a treaty with another country, where we would get the same privilege?

Mr. KEATING. This does not apply to treaties. This is supplemental to treaties and applies only to those countries where we solely or jointly occupy the territory as an occupying power.

Mr. CURTIS of Missouri. I see. So, it is not dealing with another country.

Mr. KEATING. No, it is not.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. If this legislation is covered by treaty, why do we have to enact this bill?

Mr. KEATING. The gentleman misunderstood me. This legislation is not covered by treaty, because we do not now have a treaty with Germany or Austria. Those are the only places where this particular legislation would now apply. Treaties are separate things. What I did say was that the crimes set forth are those which I am advised by the Department of State are normally included in all or nearly all of the extradition treaties between sovereign powers and do not go beyond those, as I am informed.

Mr. SMITH of Wisconsin. It only applies then to those two countries, Germany and Austria?

Mr. KEATING. That is my understanding.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I will be happy to yield, but I think probably, to expedite the business, we should go into the Committee of the Whole as soon as possible.

Mr. SCRIVNER. Just one question. In the first place, we have been in Germany and Austria now for 8 years, is that not correct, and we got along fairly well, and we hope we will be completely out of Austria and Germany before another 8 years, so why not leave the situation as it is?

Mr. KEATING. My answer to the gentleman is this: Under the existing law, it applies only to a country which we solely occupy. The entire concept of world affairs has changed materially since 1900 when this bill was originally enacted. It seems unlikely that in the future we will be in sole occupation of any country, or at least the same rule should apply, it seems to me, to a case where we occupy with another country as to one where we solely occupy. We hope occupation anywhere will soon be ended, but we may be in Germany and Austria for a long time.

Mr. SCRIVNER. What do the other occupying nations provide in the way of extradition?

Mr. KEATING. That I cannot answer, but I will try to get that information for the gentleman.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, I merely wanted to ask some questions of the gentleman from New York [Mr. KEATING] on my time rather than his. There are two things I should like to know. What are the costs of these extraditions, and who will bear them? For instance, we will suppose that one of our ex-GI's commits one of these offenses in Germany and is captured in Kansas. Will Germany pay his expense back over to Germany for trial, or is there any understanding or practice that the United States Government will bear that expense?

Mr. KEATING. Mr. Speaker, if the gentleman will yield, I do not think that is specifically covered in this bill, but my understanding is that in the case of extradition treaties, which is the only parallel I would know to go on, the sovereign power which asks for the culprit is the one that has to stand the expense. I would assume that the expense would be borne by the country asking for the return to stand trial.

Mr. LUCAS. But the gentleman does not know whether the taxpayers of the United States will have to bear that expense in the case of Germany or Austria?

Mr. KEATING. I have not asked that question of the Department of State or others, but I feel certain that they would not, any more than if we were asking for the return to this country of a national over there to stand trial. In such a case we would have to stand the expense of bringing the culprit back and if they wanted him taken back there, they would have to pay the expenses incident to that.

Mr. LUCAS. The reason I asked that question is because you run into practical considerations in the event that the man is arrested by a State officer, and you have to go to another country, and I should not want the State to be penalized by having to bear that expense.

Mr. KEATING. I agree with the gentleman. I feel sure the expense should be borne by the country asking for his return.

Mr. LUCAS. One other question, if the gentleman would be good enough to answer it. Is the gentleman familiar with the case which happened during the war in North Italy, in which a Major Hollohan was murdered by two Americans, who escaped scot free because of some technicality in the extradition law?

Mr. KEATING. Yes, I am familiar with that case.

Mr. LUCAS. I wonder if the proposal before us would cover that.

Mr. KEATING. No.

Mr. LUCAS. Taking into consideration ex post facto laws, and so forth.

Mr. KEATING. No, I do not believe it would cover the facts in that case as I know them.

Mr. LUCAS. Has the Committee on the Judiciary had that matter under study and is there any means by which we can bring those two murderers to trial for the death of this army major in Italy during the war?

Mr. KEATING. The difficulty in that case is that Italy tried to do that, sought to extradite him under our extradition treaty with Italy, and the judge before whom the matter came refused an extradition order to Italy under the terms of our treaty, and since Italy is a sovereign power, one with which we have an extradition treaty, it would not come under the terms of this bill which has application only to a case where we are occupying a foreign country.

Mr. LUCAS. If those are the facts, does not the gentleman think it would be appropriate for the committee to consider the matter of an amendment to this bill so that Italy could extradite those two murders and bring them to trial?

Mr. KEATING. I am inclined to think that it would not be germane to this particular legislation. Of course, in our committee, we would consider any proposed legislation which the gentleman or anyone else introduced to effect that, but that situation has to do with two sovereign powers, I do not believe such an amendment would be germane at this point in this proposed legislation.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. HOFFMAN of Michigan. I would like to ask the gentleman from New York a question. If a GI married in Germany, and their law provides that accessories are principals, and he had brought his wife back here, could they take her back to Germany and try her over there for some offense?

Mr. KEATING. I should seriously doubt that any judge would grant an extradition order under the facts as stated by the gentleman. The gentleman must remember that all of these cases must go to court.

The SPEAKER. The time of the gentleman from Texas [Mr. LUCAS] has expired.

Mr. CHENOWETH. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time to ask the gentleman from New York [Mr. KEATING] a few questions concerning this bill. I wonder if he would tell us whether there were more cases than the one that he described in Germany that were called to the attention of the committee? Could the gentleman give us some history and substantial reason for this legislation?

Mr. KEATING. The one that I referred to, the manslaughter case, is the only one specifically called to the attention of our committee. We were informed that there had been other cases, but how many I do not know.

Mr. GROSS. Did not the committee care to go into those cases in dealing with a piece of legislation that, as I have previously stated, has the ramifications of this bill?

Mr. KEATING. The committee did go into the matter fully with rather extensive hearings, sufficient to be convinced that the legislation was necessary. The manslaughter case that was referred to seemed to me in and of itself to show clearly the need for something along these lines.

Mr. GROSS. Will the gentleman tell me from what agency of Government the demand came for this legislation?

Mr. KEATING. The request came from the Department of State under date of January 19, 1953. Then it was submitted to the Department of the Army, who gave their approval on July 3, 1953, and the Department of Justice, which gave its approval on July 20, 1953. The original request came from the Department of State.

Mr. GROSS. And, as usual, the Department of State applied the pressure for bringing this bill out of the committee.

Mr. KEATING. I can assure the gentleman there was no pressure applied by anyone. Representatives of the Department of State appeared as witnesses. Mr. John M. Raymond, the assistant legal adviser for German affairs, and Mr. Frederick M. Diven, assistant to the legal adviser, appeared, as did representatives of the Department of the Army and the Department of Justice, and also the chairman of the Committee on International Criminal Law of the American Bar Association. All of them supported the legislation and none of them opposed it.

Mr. GROSS. The legislation we have before us today in the nature of an amendment has very few of the appearances of the original legislation that was introduced by the committee in February 1953. Is that not correct?

Mr. KEATING. No; that is not correct. The original bill was introduced by the chairman of the Committee on the Judiciary, the gentleman from Illinois [Mr. REED].

Mr. GROSS. In February of 1953, or January?

Mr. KEATING. In February of 1953. It was introduced pursuant to a request of the Department of State, I assume.

Mr. GROSS. Yes; that is what I am trying to say. This is another State Department bill.

Mr. KEATING. Just let me finish my answer, then the gentleman can go ahead. The bill we are bringing out here is not substantially different from the bill as introduced on February 3, 1953.

Mr. GROSS. It is very different. Let me point out to the gentleman just one place where it is different.

Mr. KEATING. There are some differences.

Mr. GROSS. That is on page 7 of the bill, where you have inserted window dressing that would require an extradition case to go before a Federal judge. The gentleman knows that a judge, if he observes the law, would have to extradite for offenses involving monetary considerations of $100 or less. In the case of illegal distribution of a ration coupon book, it might be worth 50 cents or $5, yet the person who distributed that ration book could be extradited and shipped over to Germany for trial in their courts or to any other territory that we occupy, either exclusively or jointly, and we will probably, at the rate we are going, be occupying a lot of other territory over the world in a short time. If a Federal judge in this country is not going to order extradition for the crimes you have enumerated, then why write such sop into this revised bill?

Mr. KEATING. We consider the bill we have brought here an improvement on the bill as originally introduced. There are many additional protections under this bill which do not exist under the ordinary extradition laws with respect to sovereign powers, because under this bill, first, the highest American officer abroad, then the Department of State, and then the judge, must all pass on it.

Mr. GROSS. I simply want to say to the gentleman from New York that I hope to be able to speak further on this bill during general debate. I merely say to the gentleman from New York that this is a strange proceeding. Here we have a bill which is of so little consequence, in the minds of a few people, that there are no printed hearings and there is no way that any Member of the Congress can find out what was testified to in the hearings unless we go individually to the committee room. That is the only way we can find out what evidence was developed in substantiation of this legislation which I insist has no place on the floor of the House.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I would like to ask the gentleman from New York this question. Suppose a Congressman goes to Germany on these very necessary and helpful trips which Congressmen sometimes make abroad and he commits some offense over there. Then, do we have to deliver the Member back to the Germans or can they come and get him under this bill?

Mr. KEATING. I suppose the matter would go to court and, if they sought to return him to Germany, first the highest American authority in Germany would have to request it, and then it would go to the State Department, and then——

Mr. HOFFMAN of Michigan. It would have to go to the State Department?

Mr. KEATING. Yes, first—then, if both of them said he should be returned, it would be presented to a Federal judge and, I suppose, the gentleman, if he happened to be the one involved——

Mr. HOFFMAN of Michigan. I am interested in this. I have never been there, but some day I might go to Germany.

Mr. KEATING. As I was saying, if the gentleman happened to be the one involved, he could raise these points and claim immunity or make any other defense he might have before a Federal judge. But, I am sure the gentleman has nothing to worry about. I am not worried and I am sure the gentleman need not worry.

Mr. HOFFMAN of Michigan. I thank the gentleman for his long and lawyer-like answer. I think we ought to be careful in a bill of this kind because you cannot tell what some of the Members might do or not do over there, then be called or taken back to Germany for trial.

Mr. KEATING. I agree with the gentleman.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I have asked for this minute to inquire whether there is any reciprocity so far as this bill is concerned. What are other countries doing in the way of the same thing to honor any requests that we make, as is the proceeding on treaties and things like that? Of course, we are covering every country in the world according to this bill. Where is the reciprocity on their part?

Mr. KEATING. In response to the gentleman's question, this bill does not apply to sovereign powers with which we have extradition treaties. In those cases, it is entirely a mutual arrangement between the countries.

Mr. EBERHARTER. In other words, if the gentleman will permit me, you are giving to the countries that will not even make a treaty with us certain definite powers, and you are just granting those other countries with whom we cannot arrive at a treaty agreement certain, definite, sovereign powers, are you not by this bill?

Mr. KEATING. No, we are simply treating them in the same way, we would expect the United States to be treated.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. CHENOWETH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Speaker, pursuing the inquiry of the gentleman from Pennsylvania, I would like to ask the gentleman from New York under what procedure would we bring back a citizen from Germany from the American Occupied Zone in Germany who committed a crime in this country and who went back to the Occupied American Zone or to the British Zone?

Mr. KEATING. I am glad the gentleman asked that question because I did want to follow up on what the gentleman from Pennsylvania said. We are dealing in this bill only with ourselves, with a country where we are occupying it, and I am assuming under the facts that the gentleman stated, if a German national committed a crime here, and then fled back to Germany, our American authorities would return him to this country for trial so this bill is an effort to achieve complete mutuality.

Mr. BENNETT of Michigan. Do our authorities have control over civilian matters of this kind?

Mr. KEATING. Yes, they do. As long as we continue to occupy them, we do have control over them until we sign a treaty, and after that time they would presumably come under the extradition

treaty between the two countries and not be covered by this bill.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CHENOWETH. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Speaker, I would like to direct several inquiries to the gentleman from New York. It seems to me that the committee, perhaps, has considered many contingencies. Has it thought of this one—assuming that a fugitive, as you call him, is picked up in this country and he is taken back, and as I understand the colloquy between the gentleman from Texas [Mr. LUCAS] and yourself, our Government would pay for his extradition. Is that your understanding?

Mr. KEATING. No. I would not think so. I would think the country seeking his return would pay for it.

Mr. SMITH of Wisconsin. I do not believe this bill as it is now written takes care of that situation.

Mr. KEATING. I would certainly favor any amendment to do that. I think it would be understood; and, again, it would be something entirely under our control, because it would only be in a case where we were occupying the foreign country. Of course, I assume that our occupying authorities would force them to pay for the return of the fugitive.

Mr. SMITH of Wisconsin. I think it should be set out so there would be no question about it.

Mr. KEATING. I would not oppose an amendment to do that.

Mr. SMITH of Wisconsin. Assuming further that the fugitive is brought to trial and found not guilty, who pays the cost of his transportation back to the United States? In other words, I can see a very great injustice to some individual who is picked up and extradited, and he goes to Germany or to Austria, and, after exonerating himself, he is then left stranded.

Mr. KEATING. I can see a possible injustice under the facts stated by the gentleman from Wisconsin. I would think that in any specific case before the Department of State would approve extradition, and also if it happened to be military personnel, the Department of the Army, before the judge would grant an order for the extradition, those contingencies would be taken care of. If the gentleman feels that they should be spelled out in the law itself, I personally would not be opposed to an amendment to take care of such a situation and to provide that the government that is seeking his return should pay the expense of bringing him back, and then, if acquitted, the expense of returning him to his home. I think that would only be fair. I have no doubt that the government department and/or the court before which the matter came would so provide.

Mr. SMITH of Wisconsin. I think that should be spelled out, so that the courts could say, "Well, it is provided in the law that it will be thus and so."

Now, with reference to section 2 of the bill, on page 4:

"Counterfeiting or altering money, ration books or coupons, occupation scrip," and so forth.

Does not the gentleman think that to extradite an individual for that kind of offense is very severe?

Mr. KEATING. No, I do not, for this reason: Unfortunately there has been a large amount of that type of crime. To counterfeit scrip in a country like Germany is the same as counterfeiting currency in this country. During certain periods of occupation it passes in the same way as money. I think if you are going to make counterfeiting of currency a crime, we should make it cover scrip as well. We struggled quite a while in committee over that language, and possibly it could be improved, but I think we should have something to cover such a situation.

Mr. SMITH of Wisconsin. I can see where there would be some justification in a matter of counterfeiting, but to cover ration books is quite another matter, it seems to me.

Mr. KEATING. We debated that ration book proposition back and forth, and we concluded that there had been a great many of those crimes, and they were quite serious. Ration books are quite important in some of those countries.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COLMER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I would like to have the attention of the gentleman from New York [Mr. KEATING]. I do not see anything objectionable to this bill. As I went through the bill rapidly without listening to a part of the debate, it seems to me it is desirable legislation, that anybody committing a crime abroad in territory that is described in this bill, "Whenever any foreign country or territory, or a part thereof, is occupied by or under the control of the United States, whether exclusively or jointly with one or more nations," then any person violating the law can be brought back under the conditions prescribed in the bill. I would like to ask the gentleman, referring to page 7 of the bill, where it provides that when one is extradited back, the United States officials shall secure for the person a fair and impartial trial; will the gentleman explain just what is meant by that? I understand the purpose of the bill.

Do you mean a fair and impartial trial under the law conducted in Germany?

Mr. KEATING. Yes; that is what is meant. Of course, it is directive in its purport, but it has a certain amount of teeth in it, because the occupying power has methods of enforcing and seeing to it that an American national brought back, or any other national, shall secure a fair trial. It probably would not be necessary to put it in, but it is felt that it is desirable to have a directive in there.

Mr. MCCORMACK. I agree with that; but I wanted the RECORD to show what the intent of Congress was in connection with this. Does it mean, for example, that one extradited to a foreign country would be furnished counsel at Government expense?

Mr. KEATING. No; it does not go that far. It means specifically that Dr. Conant would have a responsibility, in the case of Germany, if someone were sent back to Germany, to see that the American national got a fair trial in the courts.

Mr. MCCORMACK. Now, on page 8:

No return or surrender shall be made of the person charged with the commission of an offense of a political nature.

That, of course, is not provided for in the bill, but I assume what the committee means is that if under the guise of a specific charge evidence is presented to the court that showed a cover-up to try and get him back because of a so-called political offense, that the court could go behind the specific charge; and if the evidence shows that that is only a means and disguise to get the man back, that actually they want to get him back to try him for an offense of a political nature, the court can refuse to issue the necessary order of extradition.

Mr. KEATING. That is the purpose exactly, and I am glad the gentleman stated it that way for the RECORD.

Mr. CHENOWETH. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. DAVIS of Georgia) there were—ayes 49, noes 33.

So the previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. KEATING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2556) to amend section 3185 of title 18, United States Code.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2556, with Mr. JACKSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KEATING. Mr. Chairman, I yield myself 17 minutes.

Mr. Chairman, I hope that what I am about to say will help clear up some of the questions which were raised in the debate on the rule.

Mr. Chairman, after the close of the recent global conflict, our country found itself in occupation of areas widely scattered throughout the world. From the desolation of Hiroshima and Nagasaki to the ruins and rubble of the German cities we acquired the grave responsibility for establishing and maintaining law and order in a variety of foreign lands. Even to this day, nearly 9 years after the termination of hostilities in Europe, we are still in occupation of Germany and Austria and Trieste. For a number of years we occupied Japan.

Because of our responsibility to maintain law and order in these areas our occupation personnel have been faced with the very crucial problem of apprehending, trying, and punishing those who commit breaches of the law in these foreign lands. Some of those violators are criminals in anybody's language—murderers, arsonists, robbers, and thieves. Others have committed crimes peculiar to an occupation under modern conditions, as black marketing, counterfeiting occupation scrip, and violating currency control laws enacted by the occupation authorities.

Some of those who have committed serious crimes in such areas have circumvented the law by fleeing to other countries to escape arrest and punishment. Others unwittingly have been transferred to the United States by our own authorities prior to the discovery that they had violated the laws of the occupied territory. The only way such individuals legally can be returned to the scene of their crimes for trial is by virtue of some treaty or statute. No extradition treaties have been executed as yet with respect to Germany, Austria, or Trieste. Therefore, we must rely solely upon statutory authority to extradite persons from the United States to any of these occupied areas.

The existing statute on this subject, section 3185 of title 18, United States Code, was originally enacted in 1900 to meet a specific situation which arose during the military occupation of Cuba by forces of the United States following the war with Spain. While Cuba was so occupied, an American who was employed there in the Post Office Department was found to have embezzled various properties of that Department of about $67,000 in value. After committing that offense in Cuba, he fled to the United States. As the crime was against the laws of Cuba he would have had to be tried there and could not be prosecuted in the United States.

It was to meet that kind of a situation that Congress enacted the original statute which became section 3185. Under the terms of that law, persons who had committed any of the crimes listed in the act, if committed in a foreign country or territory which was occupied by the United States, and who had fled from the foreign jurisdiction to the United States, could be arrested here and extradited at the request of the United States authorities in control of the foreign territory. Such a request would be processed much like a request under extradition treaties, that is to say, after his arrest in this country, the accused would be given an opportunity for a Federal court hearing before he could be returned for trial abroad.

In the case referred to, the accused contested the validity of the statute all the way up to the Supreme Court. That Court, in upholding the propriety and constitutionality of the act, stated in its opinion:

> What legislation by Congress could be more appropriate for the protection of life and property in Cuba, while occupied and controlled by the United States, than legislation securing the return to that island, to be tried by its constituted authorities, of those who having committed crimes there fled to this country to escape arrest, trial, and punishment? (*Neely* v. *Henkel* (180 U. S. 109, 121).)

At the commencement of a military occupation of foreign territory there is usually no problem of extradition which cannot be handled by the worldwide jurisdiction of courts-martial, since civilians are not permitted to enter such territory until conditions have reverted to some semblance of normalcy. The military authorities may apprehend military personnel accused of committing crimes and order them to the appropriate place of trial without invoking the extradition statute. It will be recalled that this was done in the case of those responsible for the theft of the crown jewels of Hesse. Once order has been restored to some degree, however, and civilians from the United States are again permitted to enter the occupied territory, problems are bound to arise in which recourse must be had to section 3185.

Such a problem arose in Germany during 1950. An American civilian who had been employed by an agency servicing the Army in the United States zone in Western Germany subsequently was apprehended in the United States and charged with having committed manslaughter in the occupied territory. The case involved drunken driving at high speed on the wrong side of the road, as a result of which the car driven by the American hit another car and killed two people. Before the case could be brought to trial at the place where the offense was committed the accused had returned to the United States.

Clearly, such a crime should not have gone unpunished. But the offense was not one for which the offender could be tried in the United States. Since he was not subject to military law and there being no extradition treaty which could be invoked, the only way he could have been returned to Germany for trial would have been under section 3185. When the statute was examined, however, it was found that while it covered some 16 offenses ranging from murder through forgery, embezzlement, larceny, and other miscellaneous crimes normally included in extradition treaties, as to manslaughter, the words of the section were "manslaughter, committed on the high seas." It was obvious that the statute could not be applied to the case at hand, and as a result the offender was never prosecuted. I believe, Mr. Chairman, that such a result is most unfortunate, particularly since it lends itself to misinterpretation in countries where the United States is charged with the responsibility to recreate conditions based on justice and law.

This case illustrates the serious need for amending the present statute in order to provide proper coverage and to make the law conform to modern conditions on the basis of the experience we have gained in our occupations of Germany, Austria, Trieste, and Japan.

H. R. 2556, as proposed to be amended, accomplishes this purpose. You will note that in its proposed form, section 3185 would provide for the return of persons—whether or not they are citizens of the United States—who have committed offenses in foreign jurisdictions under occupation or control of the United States solely or jointly with other nations. In either case the request must be made by the highest resident United States official participating in such occupation or control.

This is how the proposed measure would work with reference to Western Germany, for example: In the case of Germany there is a United States Zone in which the United States High Commissioner exercises unilateral authority and he may therefore request the return to his zone for trial of a person who has committed a crime therein and who has fled to the United States. With respect to Western Germany as a whole, the United States High Commissioner exercises joint authority with the High Commissioners of the British and French. Under the amendment of the statute which the bill before you proposes, the United States High Commissioner would also be able to request the extradition from the United States of a person who has committed a crime in the French Zone or the British Zone of Occupation, which would not be possible today. The United States shares responsibility for law and order in all three zones, and would have a genuine and proper interest in such a case.

This measure would continue to apply all of the usual procedures which are employed in every extradition proceeding. Four effective safeguards are provided for protecting the rights of the accused, namely, first, requests for extradition must be made by the highest resident United States official in the occupied territory and such requests are within his discretion, a provision which should insure that the procedure will not be used except in serious cases; second, the accused must be given a hearing in this country before a judge of a court of the United States after a request for extradition is received; third, only where the judge finds evidence establishing probable cause to believe that the accused is guilty of the offense with which he is charged may the Secretary of State, within his discretion, order the person to be extradited; and, fourth, the highest resident United States official in the occupied area is directed to secure for the accused a fair and impartial trial.

In addition, there is continued in the statute the special provision forbidding the extradition of a person for a political offense. Another special provision is proposed to be inserted to prohibit the extradition of military personnel without the prior written approval of the Secretary of the Military Department concerned.

The offenses listed include those which are contained in the present statute and, in addition, certain crimes which normally are contained in extradition treaties, such as manslaughter, abduction and kidnaping, bribery, and offenses against possession of or traffic in narcotics. Finally, the proposed amendment adds certain offenses which are not contained in extradition treaties but which are peculiar to countries during the aftermath of a war and while the

country is occupied. Such offenses include the counterfeiting or the altering of ration books or coupons or occupation currency, and offenses against the laws for the control of transactions in property or currency. Such crimes are a modern development, and, of course, were not considered at the time the original statute was enacted.

This, in substance, is the content of the measure before us.

I am sure this House is concerned that the authorities of the United States who are charged with the important responsibility for the administration of occupied foreign territories shall have available the legal means to apprehend and punish those guilty of serious offenses which threaten law and order in such occupied areas.

The bill deserves the full support of the House.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Texas.

Mr. KILDAY. I understand that persons who were extradited would be delivered to the foreign country for trial in that country?

Mr. KEATING. That is correct.

Mr. KILDAY. Under their law?

Mr. KEATING. That is correct.

Mr. KILDAY. So that as to former members of the military and civilians, or as to military who had been returned to the United States, if the military did not see fit to order them back, but did consent, they could be taken back and tried in the country in which they had formally been and served?

Mr. KEATING. If they were still in the military service they would, of course, be governed under court-martial proceedings.

Mr. KILDAY. Not necessarily, because as the gentleman appreciates, as to the military service only the Secretary of the military service concerned is necessary.

Mr. KEATING. That is true. That is intended to cover the case where some military personnel has been discharged and then effort is made to return him for his crime in the foreign country. In that case it would require the clearance of the Secretary concerned.

Mr. KILDAY. That would be returning him for trial in the foreign country, not for court-martial.

Mr. KEATING. That is correct.

Mr. KILDAY. So you would be accomplishing here as to civilians and former soldiers the exact same thing that was accomplished by the status of forced treaty as to the NATO nations, in other words, the delivery of American citizens to foreign countries for trial in their courts.

Mr. KEATING. That is true in the case of former military personnel who are no longer in that country. But I must point out that this bill is directed primarily at civilians who commit crimes, not soldiers.

Mr. KILDAY. That would be accomplishing by legislation in these instances what was accomplished by the forced status of treaties with the NATO nations.

Mr. KEATING. In general there is a parallel but the situations differ.

Mr. KILDAY. For that reason it should be defeated.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that a quorum is not present. I want the Members to hear what the gentleman from Texas is saying. I make the point of order now so that no more of this valuable information will get away.

The CHAIRMAN. Obviously a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 65]

Addonizio	Engle	Moulder
Albert	Fine	Multer
Allen, Ill.	Fino	O'Brien, Mich.
Ashmore	Frelinghuysen	O'Brien, N. Y.
Ayres	Fulton	Osmers
Barden	Gamble	Patten
Barrett	Graham	Patterson
Battle	Granahan	Philbin
Bender	Green	Powell
Berry	Gregory	Reed, Ill.
Bonin	Gwinn	Rhodes, Pa.
Bosch	Hale	Richards
Bowler	Hand	Rivers
Boykin	Hart	Roberts
Brooks, La.	Harvey	Robeson, Va.
Buckley	Heller	Rodino
Byrne, Pa.	Holtzman	Rogers, Mass.
Camp	James	Roosevelt
Canfield	Jonas, Ill.	Scherer
Carlyle	Judd	Scott
Carrigg	Kearns	Shelley
Cederberg	Kee	Sheppard
Celler	Kelley, Pa.	Sieminski
Chatham	Kelly, N. Y.	Smith, Miss.
Chelf	King, Calif.	Smith, Va.
Chudoff	King, Pa.	Stringfellow
Church	Klein	Sutton
Clardy	Kluczynski	Taylor
Condon	Knox	Teague
Cooley	Laird	Thompson, La.
Cotton	Lanham	Thompson, Mich.
Coudert	Lantaff	Walter
Crosser	Lesinski	Weichel
Davis, Tenn.	Lyle	Wharton
Dawson, Ill.	McConnell	Widnall
Deane	McMillan	Williams, Miss.
Dempsey	Machrowicz	Willis
Dingell	Martin	Wilson, Calif.
Dodd	Merrill	Wilson, Ind.
Dollinger	Merrow	Wilson, Tex.
Donovan	Miller, Calif.	Yates
Doyle	Morano	Yorty
Durham	Morgan	Zablocki
Edmondson	Morrison	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 2556, and finding itself without a quorum, he had directed the roll to be called, when 298 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, when the debate on the rule was in progress, I made some of the objections to this bill which I have, and I asked for this time to refer to some more of the objections which I find to it.

Mr. Chairman, I think that the gentleman from Kansas [Mr. SCRIVNER], has put his finger on the meat in the coconut when he asked the gentleman from New York why, since we have gotten along as well as we have with Germany and Austria for 7 or 8 years, suddenly now, when we have about reached the period when we can have a treaty with those two countries, has it become necessary to enact this legislation. There are so many things in this bill which need correction, in my judgment, that it is my purpose when we go back into the House to offer a motion to recommit this bill to the committee. I think that it should be recommitted to the committee, and if there is any need for the legislation, then the committee can work out a bill which will not have all the objections to it which have been voiced here, as evidenced by the questions which have been asked about it today.

Now, at the very outset of the bill we find this provision that—

> Any person who, having violated the criminal laws in force therein—

That means in the country in question—

> by the commission of any of the offenses enumerated below and flees from justice therein, or otherwise departs therefrom—

That is, he does not have to be a fugitive from justice. If he has served as a soldier or member of the military forces and has completed his service and returned to this country and has been honorably discharged, then under this bill he is subject to be extradited and carried back over there to be tried under the charge of any of the offenses set out in this bill.

It is stated in the committee report that to settle the uncertainty and to avoid the possibility of the United States becoming an asylum for persons who have committed crimes in jointly occupied areas, this section should be amended as provided in this bill. Now, I think that there is no possibility of the United States becoming an asylum for people who have violated the laws of these two countries. How are they going to get into this country in the first place so as to make it an asylum? This bill, if it is ever used for anything, is going to be used primarily to extradite United States soldiers who have served over there and who have come back here and have been honorably discharged or who have been discharged. I see no danger of this country becoming an asylum for persons who have committed crimes in these two countries.

I call your attention to another thing which I think deserves some thought on the part of the committee in passing on the need for this bill, and that is on page 4 of the committee report, where you will find this language:

> Moreover, the acts committed abroad do not usually constitute offenses against the laws of the United States which are punishable by the courts of this country. For reasons of justice and of policy it is desirable that such crimes do not go untried and unpunished and that provision be made whereby, in appropriate cases, the offenders may be returned for trial to the area where such offenses were committed.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Who is going to pay the transportation cost of taking those who are charged with crime back

to the country in which they are to be tried?

Mr. DAVIS of Georgia. That is one of the questions which has been asked of the gentleman from New York, and he stated he is uncertain about it.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from New York.

Mr. KEATING. Since the question was raised, the gentleman from Maryland [Mr. HYDE] has been in communication with the Department of State, and they have informed him that it is the uniform practice in all cases of extradition to require the demanding country to pay all expenses, and that is the situation. I believe it is expressly covered in another section of the law.

Mr. DAVIS of Georgia. That is one of the things for which they have to rely upon some other custom or practice. It is not provided in this bill. It is one of those things which I think ought to be made certain in the bill and should not be left to guesswork.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I am glad to yield to the gentleman.

Mr. HYDE. On that point I would like to say that it is not a matter of custom; it is a matter of law. It is written into the law now in title 18, section 3195 of the code, and it provides in specific language that all costs and expenses incurred in any such proceedings shall be paid by the demanding country. That is a matter of law and not a matter of custom.

Mr. DAVIS of Georgia. I had not read that. I assume, if the gentleman has satisfied himself on the point, that it is so, but I have not read it. I do not know, I am not able to say here now whether that applies to treaties only or whether it could be extended to apply to cases under this bill which constitute an entirely separate category of extradition.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I am glad to yield to the gentleman.

Mr. GROSS. The gentleman has not had the benefit of the hearings that were held, because there are no printed hearings available.

Mr. DAVIS of Georgia. That is correct.

Mr. GROSS. So that all of this we have to take largely as hearsay. There is another question I should like to ask, if the gentleman will permit. An American, every American, is guaranteed the right of a trial by jury, is he not?

Mr. DAVIS of Georgia. Yes, indeed.

Mr. GROSS. Is there any provision in this bill for a jury trial in any foreign country to which this would apply?

Mr. DAVIS of Georgia. The provision, as I understand it, is that he is to be tried according to the laws of the country to which he is extradited.

Mr. GROSS. Which may or may not provide for a jury trial.

Mr. DAVIS of Georgia. Of course, I am not able to say. I do not know what their laws are.

Mr. HYDE. Mr. Chairman, will the gentleman yield to me further?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. HYDE. On that same point, the law provides specifically to the provisions of this bill. That is, on page 7 of this bill there is a provision, line 12, that this chapter so far as applicable shall govern proceedings authorized by this section. The section of the chapter to which I have just referred specifically provides for the expenses to be paid by the demanding country, so it is definitely provided to apply to this bill, by law.

Mr. DAVIS of Georgia. I thank the gentleman for furnishing us that information, which is in answer to the question of the gentleman from Missouri [Mr. COLE]. That, however, is not the reason why I rose to oppose this bill.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I am glad to yield to the distinguished gentleman from Texas.

Mr. KILDAY. I call the gentleman's attention to the fact that there is no provision here with reference to any statute of limitations. So I take it, if there is to be any statute of limitations, it would be that under the law of the foreign country.

Mr. DAVIS of Georgia. I assume that is correct.

Mr. KILDAY. We are here dealing with former enemy nations.

Mr. DAVIS of Georgia. That is right.

Mr. KILDAY. They could provide such limitations as they pleased and apply for extradition to that enemy nation of soldiers who served in the occupation of that nation after it was defeated, which would mean the possibility of subjecting an American soldier to trial in a former enemy country; is not that true?

Mr. DAVIS of Georgia. The gentleman is eminently correct, in my opinion.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. Is not this another effort on the part of some people gradually to whittle away and destroy the Constitution of the United States which guarantees to the people of this country the right of trial by jury, a jury of their peers?

Mr. DAVIS of Georgia. Certainly, our Constitution gives to a citizen of this country the right of a jury trial in criminal cases.

I wanted to mention one other matter in connection with the passage that I read in the committee report. I read the report where it said that acts committed abroad do not usually constitute offenses against the law of the United States which are punishable by the courts of this country. What does that mean? With reference to an offense which is committed over there, and which is not usually an offense against the laws of this country, you would have the case of an American citizen committing an act which would be a crime, and he would have no knowledge whatsoever that he had committed a crime, would not be cognizant of the fact that he was violating the law of that country, because his knowledge of the laws naturally would be confined to those of his own country, the United States.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. COLE of Missouri. I can think of another danger point in this bill. We have had our boys serving in these foreign countries, and I can see where a prominent family, with Government connections in a foreign country could force the marriage of their daughter to one of our boys who was serving there by threatening to bring him back to answer a charge of rape if he did not marry her before sailing for home.

Mr. DAVIS of Georgia. It is a serious danger to our boys.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, it is interesting to note the emphasis the gentleman from New York [Mr. KEATING] has placed upon the word "fugitives." I am glad the gentleman from Georgia [Mr. DAVIS], a distinguished jurist, has pointed out that Americans who might be subject to this law need not be fugitives. This bill provides that anyone who departs from an occupied area is subject to the punishment herein proposed.

It is also interesting to note that the committee can cite but one case, only one case, as substantial evidence that this amendment to the law is needed.

It is further interesting and intriguing that the gentleman from New York, during debate on the rule, offered to accept at least five amendments.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. DAVIS of Georgia. I did want to call attention to one other thing which was in this report. You will note in the report and recommendation concerning amendment of section 3185, title 18, United States Code, appearing at the bottom of page 7 of the committee report and running over onto page 8, the following language: "nor do these crimes in the main constitute offenses against the laws of the United States." That is one other thing I want to point out, that here we would have cases of our people being carried back over there to stand trial for things they did not know would constitute offenses when they were done.

Mr. GROSS. I thank the gentleman for his observation.

In other words, we are invited by the proponents to rewrite this bill on the floor even though it has been before the Judiciary Committee since February 3, 1953.

Mr. Chairman, we have before us today in the pending bill, H. R. 2556, another attempt to whittle away the sovereign rights of American citizens.

We have before us another attempt on the part of the State Department to dictate to Congress and ram down the throats of the Members a bill to appease certain foreigners and make Americans subservient to them.

With all due respect for the House Judiciary Committee, I am surprised and deeply disappointed that it would bring

such legislation as this to the House floor.

May I say to my Republican colleagues that during the 4 years I served in Congress under a Democrat administration, I never hesitated to condemn the evils that I thought were apparent in the foreign policies and manipulations of former Secretary of State Dean Acheson. This bill has some of the earmarks and all of the odor of an Acheson production. I had hoped that with a change of administration, and in some respects at least, the first concern of the State Department would be for the sovereignty of this Republic and the citizens who make it live.

This bill provides that when any person violates almost any law of a foreign country in which we have any occupation control whatsoever, and returns to this country, he or she may be extradited and made to stand trial in the civil courts of the country in which the alleged crime was committed.

There is no provision for a jury trial as guaranteed under our Constitution and no provision for penalties compatible with those generally meted out by the courts of this country.

Under the terms of this bill an American civilian or soldier, who brought into circulation two ration books or coupons, regardless of value, whether 50 cents or $5, could be hauled out of this country, shipped across the Atlantic or Pacific, and made to stand trial and suffer the sentence of a European or Asiatic court.

Is the committee aware that in some countries of the Middle East, the penalty for stealing is the lopping off of a hand? I was told by a reliable source a few days ago that an American medical officer at one of our Middle East Air Force bases felt that he had made some progress in behalf of humanity and sanitation when he induced native officials to disinfect the knife or sword that was used to cut off hands for stealing.

You may say that the United States does not have occupation forces in the Middle East. This proposed law carries no termination date and, moreover, a continuation of the New Deal foreign policies will undoubtedly mean that we will be occupying new territories in the future.

It is impossible for me to believe that members of the House Judiciary Committee would want an American's hand chopped off for stealing some article with a value of $100, yet that could happen under the provisions of this bill. And what provision did the committee make to prevent the infliction of other weird and brutal penalties as practiced in foreign countries, particularly by the Orientals? The answer is that they toss Americans to the tender mercies of foreigners, some of whom were our mortal enemies less than 10 years ago.

Apparently the committee failed to delve deeply into the various brands of justice meted out in foreign countries or this bill would never have seen the light of this day.

I have before me a partial record of the case of an American sailor, Lewis H. Pigg, of Crestview, Tenn., who was shot and killed in 1944 on the island of Corsica. Adm. Ross T. McIntire wrote the parents of this American boy that an investigation showed he was shot by a native Corsican without justification.

Rear Admiral Battet, commanding naval and marine forces in Corsica, in a letter dated June 9, 1945, reported that the slayer of this American boy, one Faure, was given a 1 to 5 year sentence in prison, but this sentence provided for surcease. In other words, unless Faure committed another crime within a period of 5 years he would not serve even the 1-year minimum sentence.

Contrast this with the American boy in France who, while drinking wine, drove a French taxicab down a street. He was turned over to a French judge who promptly sentenced him to 5 years at hard labor and, as far as I know, he is now serving that sentence.

I say again that I am surprised the Judiciary Committee would force consideration of this bill while refusing to take action on a measure approved by the other body nearly a year ago, without a dissenting vote, which provides a $10,000 fine or 15 years in jail for any American who takes a job with the United Nations without first obtaining security clearance from the Attorney General.

I can only deduce from this line of action that there are those who feel it is more important to deliver Americans up for trial in foreign courts and incarceration in foreign prisons than it is to provide adequate punishment for those who might play fast and loose with the security of the United States.

In conclusion, I must admit that I am one of a rather scarce and strange breed of Americans who inhabit Congress and who have the temerity to believe that the rights of American citizens under the Constitution and precious Bill of Rights are inviolate. I am proud to have introduced in this House more than a year ago the Bricker amendment. I have not nor do I intend to crawl on hands and knees to do the bidding of the State Department or any other agency of Government.

This bill is anti-American and un-American and, if approved by this House, it will one day rise to haunt those of you who vote for it.

I now yield to the gentleman from New York.

Mr. KEATING. To respond to the point made by the gentleman from Georgia [Mr. DAVIS], because the language may be misleading to the Members—and I am sure the gentleman from Georgia has been misled by the language on page 4 of the report, in the words:

> Moreover, the acts committed abroad do not usually constitute offenses against the laws of the United States which are punishable by the courts of this country.

The reason is that the acts are not committed in this country and therefore the people cannot be brought here. It does not mean that the substantive crimes set forth in this bill are not crimes in this country for which a citizen would be tried here, if they were committed here.

Also, to respond to the point about the military being involved, as I pointed out, in the most unusual case it might involve military personnel, but this bill is directed not at the military personnel, but at civilians who are in the occupied countries, whether they are working for the Government or whether they are tourists or anything else. If a German tourist came over here and committed murder or arson, we would want him to be brought back here to be tried. This simply gives to those countries where we are an occupying power exactly the same rights that they would have under an extradition treaty, and exactly the same rights that we would expect at the other end, if they committed crimes in this country.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to my friend from Georgia.

Mr. DAVIS of Georgia. May I ask the gentleman, inasmuch as we hope we are about to have a treaty with those countries, why we cannot wait and handle it in that way?

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I would like to take these 2 minutes to ask a question of the gentleman from New York [Mr. KEATING], who is in charge of the bill.

Referring to page 4, line 2 of the bill, it reads in part as follows:

> Whenever any foreign country or territory, or a part thereof, is occupied by or under the control of the United States, whether exclusively or jointly with one or more nations—

We have a number of groups all over the world called MAAG's groups. I have visited some 20 or 30 of them. They have military people in charge and they have a number of civilians in connection with those groups. Does the word "occupied" include a situation like that?

Mr. KEATING. No. It would not include a country where we simply have a military mission of that character.

Mr. JOHNSON of California. I would like to ask a further question. In Okinawa we have a curious situation. That country formerly belonged to Japan, and we took it from Japan. We are now there in great numbers, largely military personnel but also a rather large number of civilians. The Okinawans have a civil government. Would this be considered a situation included in the term "occupation" because we are occupying part of the island of Okinawa? Perhaps the gentleman has not thought about it, but it is worthy of thought, so that in the event that would be the case, we might clarify the language of the bill if it goes to the other body.

Mr. KEATING. I have not specifically thought about that situation. However, that would be governed by existing law anyway, because under existing law a person can be returned to the country where we are in sole occupation. If we are occupying Okinawa, we are the sole occupying power, so that this bill would not affect that situation anyway.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, I would advise my friends to take a very careful second look at this bill before they vote on it. I do not criticize the Committee on the Judiciary for having reported it. I do, however, believe that had they had the experience with the matters covered by this bill that the Committee on the Armed Services has had they probably would not have reported the bill.

Last year the Senate reported a treaty known as the Status of Force of North Atlantic Treaty Organization Forces. It was ratified, but I believe many of you now realize that the American people are very unhappy with the provisions of that treaty, and we are forced to the conclusion that it was probably improvidently ratified. Under the provisions of that treaty American troops serving in NATO nations in the case of the violation of the laws of the nation in which they are serving are turned over to that nation for trial. You probably have read quite recently of a boy from Washington, D. C., who is now serving 10 years in a French penitentiary under a conviction by a French court.

The gentleman from New York [Mr. KEATING], who is in charge of the bill, replied to a question that I asked him when he had the floor just before the quorum call, that this would do by statute for former members of the military what is now done to the military by the Status of Force of NATO Treaty.

The American people forget very quickly who constituted the enemies they were fighting, but do not ever think those former enemies of ours forget anywhere near as quickly as we are prone to forget. We have had troops occupying these foreign countries. They were there under orders holding the people in check. The people may have seemed to enjoy our occupation, but do not ever believe it. They are looking for the first opportunity they will have to see revenge meted out on those members of the American forces who occupied those territories.

And here we are going to pass a law which has no statute of limitations in it. The limitation provision of the statutes of the foreign nation in question will control; and they, if they see fit, can make that period of limitation date back to the very first day of our occupation when we came in as a victorious force. They can then make a request for extradition. On the very face of it the legislation is going to apply to American troops abroad, because it states that military personnel shall be extradited only after the Secretary of the military service concerned has approved of the extradition. If you were not going to extradite members of the military force you would not have put that provision in this bill.

Remember these are not tourists abroad on a high good time; they are not abroad of their own free will. You are making this law apply to the American boy whom you drafted into the service without his consent, whom you sent abroad without his consent. Now you make him subject to whatever law or whim of the foreign nation in which he served as to what constitutes a violation of law. After he has returned and been discharged from the service you permit his extradition to a foreign country to be tried in a foreign court—trial or whatever it may be—perhaps without the protection of counsel. Oh, yes, it states that your High Commissioner shall see to it that the American has a fair trial. How is the High Commissioner of Germany going to see to it in Germany that an American receives a fair trial?

How is the highest ranking official in Austria going to see to it that an American has a fair trial—in Austria. I do not know what it would be in Trieste. No matter what kind of trial he gets he certainly will not get anything approaching the fair, just trial he would receive in an American court.

If you do not want this country to become an asylum for fugitives why do you not explore the possibility of making him triable in the Federal court of the district in which he first re-enters the United States? That is the way we now do with persons accused of treason abroad. We have authority over American citizens, and if there is any danger of America's becoming an asylum then let us place venue in the district court of the United States of the first district to which he returns when he returns to the United States.

This bill does not even give the man the benefit of an American court-martial where he would have a trial, review, and a chance for appeal to the Court of Military Appeals, composed of civilians.

This is a very dangerous bill, I assure my friends of the House, and if you do not want a very serious hereafter you had better vote to defeat this bill.

Mr. KEATING. Mr. Chairman, I yield 4 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, we have soldiers stationed in forty countries of the world today, not one of them there constitutionally. We have not had a soldier in Europe since World War II who is there constitutionally. No soldier, no citizen of America, under the Constitution can be sent to serve in a foreign country in the armed services unless there is a declaration of war. We have not had any declaration of war in the present situation. It is a police service.

It is bad enough to force these young men into the Armed Forces by draft and send them to 40 different countries, but, for the love of humanity, let the Constitution of the United States follow them. Do not strip them of that protection. You refer to burglary. If he has been guilty of burglary and he is taken to a foreign country to be tried, what evidence is there presented? Who presents the evidence? The High Commissioner is not there. It is under the machinery of that foreign government. That soldier may not have the privilege of having counsel with him. He is convicted before he starts. On whose evidence? On the evidence they have, not on the evidence that would be screened in this country.

Mr. Chairman, this would be adding insult to injury if you believe, understand and know that our boys now serving in foreign countries are there unconstitutionally. Now, just make it a little bit worse. Shall we let them be tried by the courts of any foreign country which we happen to occupy with troops and tried under foreign law, a foreign court, foreign procedure, and subject to a foreign penalty, which may there mean death, while its same offense here must be a misdemeanor?

I want to say that all members of the Committee on the Judiciary are not for this bill. I see four here who are not, and I think they constitute the most learned element of that committee. They are not for this bill. If this were the last act of a Christian career, I would vote no on the pending bill. If the Constitution does not follow the flag, I want to know it now.

Mr. ROGERS of Colorado. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I agree with the gentleman from Texas and the gentleman from Georgia that this is a very dangerous bill. One of the cardinal and fundamental rights of an American citizen is to be tried by a jury of one's peers. The very fact that such a bill as this is brought on the floor demonstrates how far we have wandered from the purposes of our constitutional Government.

Here we say to an American boy: You have got to go abroad and fight. We say to him that this is compulsory, you have no option. He goes abroad, he is discharged and he comes back. Perhaps the laws of limitation are amended or extended in the foreign land. Then he can be extradited and tried in that country that was formerly his enemy. He can be tried under laws that are wholly different from the laws of the United States and he can be meted out punishment that to us would be cruel and inhuman. No protection would be given him whatsoever. For what? Simply because we ordered him to fight abroad.

I would never have supported these treaties in the first place if it had been left to me. I would not support any principle under which American soldiers who are sent abroad to fight, not only for this country but for other countries, would be tried in foreign courts under procedures that are wholly different from our Anglo-Saxon precedents.

What was it that our forefathers fought for? Have we forgotten that? One of the things was to get away from the kind of laws and procedures that existed in the old country. They wanted to be tried by a jury of their peers, and they wanted to be tried under fair and impartial laws. It is inconceivable to me that this House would extradite an American soldier and send him to a foreign land, among people who have every reason to dislike him, and compel him to be tried for an offense of a minor nature, even if the offense involves $101 and the punishment is cruel and unusual. Would we compel him to be tried in a country that was his enemy?

The bill has a provision that it does not apply to any political offense. What is a political offense? Not long ago the head of the Communist Party, or the spokesman for the Communist Party, testified before the Committee on the

Judiciary that during the late war there were 15,000 Communists in the American Army. Suppose one of those Communists had committed a political offense. Who is to say what is a political offense? Under the ideology and terminology of the Communist movement, practically every offense is a political offense. Suppose, therefore, a Communist departs from an occupied area, whether he is serving in the American Army, or is a civilian, and comes to the United States. Is he to be granted an immunity under this bill? Is he to be protected when an American soldier who is accused falsely of having had carnal knowledge of a girl under 16 years of age is extradited and tried under the laws of a foreign land by a foreign judge?

I think it is a fine thing to cooperate with foreign countries, but it seems to me that we ought to think in terms of our own American soldiers, of our own boys. I happen to have a son who served 3 years in the last war, and if we should have another war, I will have 3 sons serving, and I do not want my boys tried in Germany or Austria, or anywhere else by a foreign court. I think it was disgraceful when we established such an un-American principle by ratifying that treaty, and I am not going to confirm it. I am not going to support it; I am not going to give any encouragement to what I regard as distinctly dangerous, unfair, and un-American.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, what disturbs me about the debate on this legislation is that from listening to it one would suppose that we are proposing to the Congress some brand new piece of legislation. The fact of the matter is that all we are attempting to do here is to amend a piece of legislation, specifically section 3185 of title 18 of the United States Code, which has been on the books since 1900. All we are trying to do is to amend that piece of legislation to conform it to modern conditions. The gentleman from Georgia asks why. That is why, and that is all there is to the proposition that is now before this House, and why all of a sudden we get excited and stirred up about sacrificing the rights of our citizens in foreign countries is really somewhat hard to understand. So, that is all we are trying to do.

As a matter of fact, the law simply covers situations where this country solely occupies another country. It was found that it did not cover a situation such as we have in Germany and Austria where we jointly occupy a foreign nation with other countries, and the primary purpose of this bill is simply to take care of that situation and nothing more. And, in the course of amending the bill to meet that situation, which is peculiar to this time and has not existed before, certain other amendments were made to conform it to modern conditions.

Mr. Chairman, that is all there is before this House. I certainly did not suppose that there would be this excitement about it. The gentleman from Texas has asked what our forefathers would do under these circumstances of sacrificing the rights of our citizens, and so forth. Our forefathers made treaties pretty much to the same effect ever since the founding of this country. We have treaties with foreign countries which we do not occupy. We have these provisions by way of treaty.

What would we expect if some foreign ship, let us say a German ship, should put into the port of New York and one of the crew commit an assault on an American girl? Would we not expect to have the right to try that man in our courts? And would we not expect them to return that man here for trial? If we expect that from our friends, certainly we should afford them the same courtesy.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, there has been a lot of discussion of this bill as though it applied principally to American soldiers. The Status of Forces Treaty which provides the trial procedure for our Armed Forces in the NATO countries, and with which the House had nothing to do, is already ratified and in effect and this bill would simply bring our forces in Germany and Austria in line with the procedure in the 14 NATO countries. What I want to point out is that there are thousands of civilians who are involved; this has hardly been mentioned. There are tens of thousands of American tourists and businessmen each year in Germany and Austria and over 6,000 United States civil service employees in those two countries. Like our soldiers these people generally are, we feel, law-abiding persons, but the small minority who get into trouble should not be immune to answering for crimes that they might commit. This bill also would apply to thousands of foreign immigrants, visitors, students, and trainees, including persons who might have gotten here lawfully before their crimes could be discovered. They may have been screened beforehand, but if we missed something, that does not mean that they have the right to commit a crime and stay here.

As to the status of Americans, I want to read briefly from the case of *Neely* v. *Henkel* (180 U. S. 109), where the Supreme Court passed on this statute when it applied to Cuba, and when the Supreme Court, years ago, settled questions which some of our Members seem to think they have raised for the first time today. The Supreme Court said this:

> It is contended that the act of June 6, 1900, is unconstitutional and void in that it does not secure to the accused, when surrendered to a foreign country for trial in its tribunals, all of the rights, privileges, and immunities that are guaranteed by the Constitution to persons charged with the commission in this country of crime against the United States. * * *
>
> The answer to this suggestion is that those provisions have no relation to crimes committed without the jurisdiction of the United States against the laws of a foreign country.
>
> In connection with the above proposition, we are reminded of the fact that the appellant is a citizen of the United States. But such citizenship does not give him an immunity to commit crime in other countries, nor entitle him to demand, of right, a trial in any other mode than that allowed to its own people by the country whose laws he has violated and from whose justice he has fled. When an American citizen commits a crime in a foreign country he cannot complain if required to submit to such modes of trial and to such punishment as the laws of that country may prescribe for its own people, unless a different mode be provided for by treaty stipulations between that country and the United States. By the act in question the appellant cannot be extradited except upon the order of a judge of a court of the United States and then only upon evidence establishing probable cause to believe him guilty of the offense charged; and when tried in the country to which he is sent, he is secured by the same act a fair and impartial trial—not necessarily a trial according to the mode prescribed by this country for crimes committed against its laws, but a trial according to the modes established in the country where the crime was committed, provided such trial be had without discrimination against the accused because of his American citizenship.

Those same provisions referred to by the Court are in the bill in front of us, and it seems to me the words of our Supreme Court are worth considering when applied not only to soldiers but to civilians. Note that the evidence against the accused is screened by an American judge to find out whether there is probable cause to believe him guilty of the offense charged.

Note that the accused must be assured of a fair and impartial trial.

As occupying powers we expect Germany and Austria to maintain law and order. If foreigners, including Americans, are to be immune from their law, they cannot maintain order. We would expect these countries to send back to us, under proper safeguards, any of their people who committed crimes in our country. We ought to be willing to do the same for them. The Golden Rule ought to have at least this much meaning between friendly countries.

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, I should like to ask certain questions of the chairman of the committee.

First, pursuing the example given by my colleague, the gentleman from Maryland [Mr. HYDE], in re a German ship putting into one of our ports, do I correctly understand that we now have the right to call back foreigners who have committed crimes in this country, but they do not have a similar right?

Mr. KEATING. Under our extradition procedure with sovereign nations we have mutual rights and obligations. Let us take the case of Germany. We would have a right, because we are an occupying power, to take a German national into custody and bring him back to this country for trial, if he had committed a crime here, but if the same crime were committed by an American tourist in Germany, and he had been able to get back here before he was apprehended, under existing statutes, there would be no method of taking him back there for trial. He, of course, could not be tried here so he would go scot free. It is to make that situation mutual as it is with sovereign powers that this bill is brought here.

Mr. WAINWRIGHT. That certainly clarifies that question amply.

A further question: The gentleman from North Dakota indicated our people would be subject to trial without counsel. Does the gentleman know of any instance where this might occur, where for example, one of our soldiers could fall into the circumstances that have been discussed here today and then would be brought to trial without the right of counsel?

Mr. KEATING. Certainly not. I am glad the gentleman asked that question. Of course, the person taken back for trial would be entitled to counsel. After all, we are dealing here with the situation where we are in occupation of that country. It would be incumbent upon the highest occupying official, who is named in this statute, under direction in the statute we are here concerned with, to see that the person taken back for trial secures a fair and impartial trial. Of course it would not be a fair and impartial trial to deny the person counsel. That would absolutely and clearly be understood.

Mr. BUDGE. Mr. Chairman, while it is correct that the present bill before the House seeks to amend existing law, it may also be assumed that at the time the existing law was passed it certainly was not envisioned by the Congress that the United States would be occupying the territory of large nations such as Germany, Austria, and Japan. It seems proper to assume this in view of the fact that the present statute was passed in the year 1900. On the other hand, it would seem that there is no immediate necessity for the passage of this legislation in view of the fact that the United States has been occupying those nations for the past 9 years without the benefit of this specific legislation.

Insofar as it may relate to the activities of civilians voluntarily traveling to the foreign countries, the remedy here sought might be justified, but most certainly it cannot be justified when aimed at those in our military forces who are in those jurisdictions through no choice of their own. We should be extremely wary of subjecting the latter class to any trial in those jurisdictions which do not conform in the element of the crime, the procedure of the trial, particularly as it relates to trial by jury, and to the right to be represented by adequate counsel of the accused's choice. No such conformity could be expected in trials fostered by this legislation. Especially as it relates to military personnel the passage of this legislation at this time would be most unwise.

Mr. O'HARA of Illinois. Mr. Chairman, never before in the legislative body of this or of any other country has a bill comparable to this been presented. I am excusing the members of the Judiciary Committee, all of whom are able lawyers and conscientiously dedicated to the faithful performance of their responsibilities. I cannot be as tolerant with the two representatives of the State Department who appeared before the committee and less can I excuse the one representative of the Department of the Army who testified.

I cannot excuse these witnesses if before going to the hearings of the committee they failed to familiarize themselves with the history of section 3185 of title 18 of the United States Code.

Proponents of the pending legislation have stated in this debate that there is nothing new in what is being proposed today. They refer to the act of 1900, a measure which they say has proved the test of 54 long years, as the pattern of what we are asked to do in this House in the year 1954.

UNPREPARED FOR DEBATE

I excuse them because this debate came on rather unexpectedly when the distinguished gentleman from Georgia [Mr. DAVIS], one of the outstanding jurists of his State before his election to this body, alerted the House to the character of H. R. 2556. It had been expected that this bill would go through much as a matter of course, Members for the most part having the impression that it was of little more controversial interest than the bills we usually pass on the Consent Calendar.

After the gentleman from Georgia [Mr. DAVIS] in the debate on the rule had alerted those Members then on the floor, two quorum calls were given in order that all Members could be informed that this measure, instead of a routine bit of legislation molded out of an old pattern, was in fact a proposal such as never before in all recorded history had been attempted.

The debate because of these circumstances coming on without the opportunity of participating Members to refresh their memories of past events, it is understandable why they referred to the act of 1900 as the pattern.

I trust that my colleagues will accept, as I intend it, as a contribution to a better understanding of the act of 1900 what I have to say. It merely happens that the circumstances of my life had made me more familiar with the events preceding and following the Spanish-American War than reasonably could be expected of one unborn at that period or personally interested to a lesser extent.

CUBAN COURTS WERE AMERICAN COURTS

In 1900, American troops constituted the army of occupation in Cuba. The courts, with the exception of members of the Supreme Court of Cuba, were appointed by the American intervenor. In most instances the judges in the trial courts were Americans. In some instances they were Cubans who had fought side by side with the Americans during the fighting in Cuba, and none was either a former member of the Spanish Army or a Spanish Royalist.

The act of 1900 was enacted for the purpose of extraditing for trial in Cuba but before American courts, with all the protection of the courts in the United States, Americans who had committed certain serious crimes and had fled to nearby United States.

If it had been proposed that American soldiers who had fought in Cuba against the Spanish Army, had returned home and been discharged, then could be returned to Cuba on charges made by former Spanish enemies, and on those charges be tried before a Spanish court, I am very sure that not a Member of the Congress at that time who voted for such a measure would ever again have been elected to a public office.

I am very sure that my father, a circuit judge in the district now represented by the Honorable CLARE HOFFMAN, would not have had very kindly thoughts of any Member of Congress who voted to throw his boy, without protection of American law, to the mercy of the men of Spain whose enmity he might have incurred on the field of battle.

STRIPS GI OF JUSTICE

What we have before us is as far from the pattern of the act of 1900 as the earth is from the moon.

What is proposed now in H. R. 2556 is to subject anyone of the millions of men and women who served in the Armed Forces in Germany or Austria, who returned home and were honorably discharged, to being hauled back on a real or a trumped-up charge made by former enemies and to be tried by a court of former enemies.

This bill would strip any former GI, the victim of a trumped-up charge, of every guarantee given by the Constitution, by the laws and by the decisions of the courts to the accused in American courts of justice.

Except in cases of murder, treason and forgery, in most of the States of the Union felonies are outlawed usually after 3 years. This is in recognition of the fact that people cannot be expected to preserve for longer periods proofs of innocency. There is no limitation provision in the pending bill. There is nothing in this bill to stop the raising of an accusation against a former American GI 10 or 20 years after the alleged offense, and hauling him back to Germany or Austria to be tried by an alien court.

SACRED RIGHTS FORFEITED

It is of the very heart and soul of American justice that one accused of crime shall have his guilt or innocence passed upon by a jury of his peers. There is nothing in this proposed legislation that protects a former American GI, victim of a real or trumped-up charge, to be hauled back to Germany or Austria to be tried, not by a jury of his peers but by a judge who not many years ago may actually have been an enemy in arms.

In American courts of justice—and I think the rule in Illinois holds in most of the States—if the accused believes that the trial judge is prejudiced, and so makes affidavit, it is mandatory upon the court to grant a change of venue.

Likewise, if the community in which the trial is to be held is so filled with prejudice against the accused that a fair trial is unlikely, the judge, in his discretion, may grant a change of venue to another community.

This is our American concept of justice, and I think it is a concept that is sacred to us all.

There is nothing in the pending bill to guarantee to a former GI this protection against a prejudiced court and a biased trial that he would have in an American court, no matter how heinous his crime or how probable his guilt.

To the contrary, the act would operate to do just the reverse. The former

American GI would literally be thrown to the wolves. He would be thrown into the very venue where he might, human nature being what it is, expect the maximum in bias, in prejudice, and in revenge.

THE RIGHT TO COUNSEL

In American courts of justice the accused is entitled to faithful and competent counsel even though he has no money to pay for the service. So sacred is this right that the United States Supreme Court in a decision emanating from the great and towering mind of Mr. Justice Brandeis held that under coram nobis years after conviction one who had not been given opportunity of counsel, or had been represented incompetently or disloyally could on proper showing affect his release. Hundreds of persons, some of whom may actually have been guilty, have been released under that decision, and annually hundreds of others are going before the courts of justice on coram nobis writs. I mention this for the purpose of stressing the weight on representation by counsel that is accorded in our American concept of justice.

There is nothing in this bill now before us that protects a former American GI in the right to representation by counsel that no judge in any American court has the right to deny him.

INTO THE HANDS OF FOES

If we pass this bill, and the bill becomes a law, we will throw every American man and woman, once the vital parts of our great and victorious Armed Forces, participating in the campaigns and activities in Germany and Austria, into the hands of the former enemies of this country.

It is not sufficient to say that the law will not be abused. It is not enough to say that former GI's who are innocent of any mischief while abroad have nothing to fear.

The brutal fact is that the law would open the door for any former enemy, harboring a grudge or a feeling of malicious revenge, to set in operation a chain of events hauling the former GI from the bosom of his family and the protection of the laws of his country to trial, conviction, and imprisonment at the hands of enemies whom he met in the combat of battle and there was not vanquished.

FIFTY-CENT RATION CARD

One of our colleagues, from whom we have great affection and for whose recovery we recently fervently were praying, has based his support of this measure on his refusal to help murderers regardless of their nationality. To that thought I subscribe. I would want any man accused even of murder to have a fair trial under the protection of American law. I am sure the gentlemen will join me in that thought.

I also want the former GI accused of altering a 50-cent ration card to have a fair trial, and under no circumstance would I vote to permit him to be taken from his family and hauled back to Germany or Austria to be tried by an alien judge for altering a 50-cent ration card maybe 10 years ago.

I want the former GI who may have hung around a bank in Germany or Austria to get out of the rain to have a fair trial if he is accused of hanging around for the purpose of snatching some money. I have had too much experience with circumstantial evidence and the proneness to judge a man as being of avaricious intent merely because he was penniless and hungry. I do not want an alien and possibly biased judge trying a former American GI to hold as poppycock the American rule of evidence that poverty unsupported by other evidence cannot support a verdict of guilt of a crime of violence.

So far as this being a bill to aid in the detection and conviction of murderers, the crime of murder is not even mentioned in the amendments. Almost every other offense is, including obtaining money by false pretenses.

SOME RULES OF EVIDENCE

This goes into the field of the confidence game, which is a crime of the mind and the proving of which is carefully restricted by the rules of evidence in American courts of justice.

What constitutes false pretenses can be shown, often conclusively, by competent evidence under the rules governing in our courts. What may have been an entirely honest representation can be held by an alien court, prejudiced against the American accused and not responsible to an American court of review, as constituting the essence of false protenses.

I would say, Mr. Chairman, that the argument that this is a bill to railroad to a foreign court any former GI who had a money transaction of more than a hundred dollars while in Germany or Austria is an argument a million times more valid than the argument that this is a bill to bring murderers to justice.

SHOULD BE RECOMMITTED

Mr. Chairman, this bill should be recommitted to the committee. I know of no body of men here or elsewhere for whom I have a more profound and more justified respect. The chairman of the committee is one of my dearest personal friends. No man in my State of Illinois is closer to the hearts of American Legionnaires, to whom he has given long and devoted service. There is not a member of the great Judiciary Committee who is not a great lawyer and a great American.

This bill apparently was presented to them by the State Department as a gesture of friendliness toward the people of occupied Germany and Austria. I can appreciate the importance, especially at this time, of developing the bonds of a sincere friendship with the peoples of those countries. The committee undoubtedly thought to serve that end in reporting out the pending bill.

What has been developed here today in argument very likely was not gone into, at least, to any length, when the committee passed upon the merits of the bill. As there are no printed reports of the hearings at which two representatives of the State Department we are told appeared, I have no way of knowing what was said in the testimony.

Nevertheless, I venture the thought that there was not one word said in all the testimony before the committee as to the circumstances governing the applicability of the act of 1900.

That, as I have said and as I am now again stressing, provided for the return of Americans under certain circumstances to be tried in Cuba under the protection of American justice in courts appointed by Americans and composed either of Americans or of Cuban allies in arms of the Americans.

FOCUS ON ACT OF 1900

I think, Mr. Chairman, that in view of what has been brought out in this debate the committee would wish to have the bill recommitted to it, that by completely rewriting the act of 1900 it can attain the real purpose of strengthening the administration of justice and encouraging the development of friendship with our former enemies in Germany and Austria without doing a great wrong to millions of former GI's that, I know certainly not by intention, permeates every paragraph, sentence, and even the punctuation marks of this measure.

I think further, Mr. Chairman, that this debate has served a useful purpose in that it has brought into focus the act of 1900. This was an act, as I have twice stated, to apply to the return of Americans, including former American servicemen, for trial in Cuba when the courts there were American courts and the Cubans who served on some of the courts were appointed by Americans and were former comrades in arms of our soldiers.

Attention having been called to the act of 1900 and the circumstances I have mentioned, steps I think should be taken immediately by the great Judiciary Committee either in the repeal or in the amendment of that old law so that it cannot be extended to drag former American soldiers and sailors not to trial in American courts in a friendly country, but to alien courts in a conquered and occupied country and presided over by former enemies in arms.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will read the committee amendment printed in the bill as an original bill subject to amendment.

The Clerk read as follows:

Be it enacted, etc., That section 3185 of title 18, United States Code, is amended to read:

"§ 3185. Fugitives from country under control of United States into the United States

"Whenever any foreign country or territory, or a part thereof, is occupied by or under the control of the United States, whether exclusively or jointly with one or more nations, any person who, having violated the criminal laws in force therein by the commission of any of the offenses enumerated below and flees from justice therein, or otherwise departs therefrom, and is found in the United States, shall be liable to arrest and detention by the authorities of the United States, and on the written request or requisition of the highest United States official participating in the control of the foreign country or territory and resident therein shall be returned and surrendered as hereinafter provided to that official for trial under the laws in force in the place where the offense was committed.

"(1) Murder, manslaughter, or assault with intent to kill;

"(2) Counterfeiting or altering money, ration books or coupons, occupation scrip or any lawful medium of exchange, or uttering or bringing into circulation counterfeit or altered money, ration books or coupons, occupation scrip or medium of exchange;

"(3) Counterfeiting certificates or coupons of public indebtedness, bank notes, or other instruments of public credit, and the utterance or circulation of the same;

"(4) Forgery or altering and uttering what is forged or altered;

"(5) Embezzlement or criminal malversation of the public funds, committed by public officers, employees, or depositaries;

"(6) Larceny or embezzlement of an amount not less than $100 in value;

"(7) Robbery;

"(8) Burglary, defined to be the breaking and entering by nighttime into the house of another person with intent to commit a felony therein;

"(9) Breaking and entering the house or building of another, whether in the day or nighttime, with the intent to commit a felony therein;

"(10) Entering, or breaking and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance or other companies, with the intent to commit a felony therein;

"(11) Perjury or the subornation of perjury;

"(12) Rape;

"(13) Arson;

"(14) Piracy by the law of nations;

"(15) Murder, manslaughter, or assault with intent to kill, committed in an aircraft or on the high seas on board a ship, which aircraft or ship is owned by or in control of citizens or residents of the foreign country or territory and not under the flag of the United States, or of another government;

"(16) Malicious destruction of public roads and highways, railways, trams, vehicles, vessels, bridges, dwellings, public edifices, or other buildings, when the act endangers human life;

"(17) Abduction or kidnaping;

"(18) Carnal knowledge of a child under the age of sixteen;

"(19) Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by anybody in a fiduciary position, where the amount of money or the value of the property misappropriated thereby exceeds $100;

"(20) Crimes and offenses against the laws concerning the possession of or the traffic in narcotics;

"(21) Crimes and offenses against the laws for the control or suppression of transactions in property or currency, where the value or amount of such property or currency exceeds $2,000;

"(22) Obtaining by false pretenses money, valuable securities or other property to the amount or value of more than $100;

"(23) Receiving money, valuable securities or other property to the amount or value of more than $100, knowing the same to have been unlawfully obtained;

"(24) Assault with a dangerous weapon with intent to do bodily harm and without just cause or excuse, or assault with intent to commit a felony;

"(25) Bribery of, or acceptance of a bribe by, a public official;

"(26) Any attempt to commit any one or more of the crimes or offenses listed above, or participation therein as an accessory before or after the fact.

"This chapter, so far as applicable shall govern proceedings authorized by this section. The proceedings shall be had before a judge of the courts of the United States only, who shall hold the person on evidence establishing probable cause that he is guilty of the offense charged. If so held and if the Secretary of State determines that the person shall be returned for trial, he shall order that the person be returned and surrendered to the highest United States official participating in the control of the foreign country or territory and resident therein and that United States official shall secure for the person a fair and impartial trial. The Secretary of State shall not order the return or surrender of any military personnel without the prior written approval of the Secretary of the military department concerned in each case.

"No return or surrender shall be made of a person charged with the commission of an offense of a political nature.

"A person so accused who escapes may be retaken in the same manner as any person accused of any offense.

"SEC. 2. The first sentence of section 3186 of title 18, United States Code, is amended by striking out 'sections 3184 and 3185' and inserting in lieu thereof 'section 8184'."

Mr. KEATING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEATING: On page 8, line 8, after the word "section", strike out the number "8184" and insert in lieu thereof the number "3184."

Mr. KEATING. Mr. Chairman, this is simply correcting a typographical error in the printing of the bill. The number "8184" should be "3184."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. KEATING].

The amendment was agreed to.

Mr. CRUMPACKER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems to me there is a great deal of misunderstanding about this bill, and that it is not nearly as ferocious in its possible import as has been represented here on the floor. It is a relatively simple matter. It seeks to amend a statute which has been on our books since 1900. For 54 years this has been the law of the land. All that is being attempted to be done today by this bill is two things really, first, to extend the existing statute so that it covers countries that are jointly occupied by the United States and some other power. The present law permits it to apply only to the countries that are wholly occupied by the United States. Secondly, it goes beyond that and brings the language up-to-date to conform to the provisions that are now standard in the extradition treaties which we have with most countries with which we maintain friendly relations. How is that so terrible in its import? It is not going to do anything to the boys who are drafted and taken into our Armed Forces and sent abroad. It is not going to do anything to them in Germany which cannot now be done in England, France, and the low countries and many countries throughout the world. What you are proposing to do when you oppose this legislation is to say that Americans, whether they be servicemen or whether they be civilians, shall have a complete immunity from any criminal prosecution in Germany or Austria, if they can succeed in getting out of the country and getting back to the United States before they are arrested.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. I yield.

Mr. HALLECK. If I understand it correctly, if an offense is committed by an American civilian in Germany or Austria at this time, he is subject to prosecution in that country under their laws, and, of course, the same thing holds for a German tourist in this country—if he is here and he violates a criminal law of this country, then he will be tried in our courts. I would just like to say this one thing further, as I understand it this proposition has been urged by the State Department. It was urged by the State Department in 1952. It has been carried over and urged by the present people in charge of the State Department. As I understand, it was given careful consideration in the great Committee on the Judiciary and, with just 2 or 3 votes in opposition, was reported favorably to the House for action. And, of course, it is here today under a rule granted. It does seem to me that quite a furor has been made about it, which I trust will not result in the defeat of the measure.

Mr. CRUMPACKER. The gentleman's statement is absolutely correct. If any American citizen commits a crime in Germany and is caught or he gets out of the country, he is subject to trial before the courts of that country. If he happens to be a member of the Armed Forces he is subject to the treaty which was mentioned by the gentleman from Ohio, which sets up certain priorities as to whether he will be tried by the military authorities or the civilian authorities. The only case where he can escape is if he gets out of the country and back to the United States before they are able to apprehend him.

Those who oppose this legislation propose to give that one man complete immunity to trial for criminal acts committed in Germany or Austria. If he commits acts in Belgium or Holland or France or England, he is subject to trial, either if he is caught before he gets out of the country or after he gets out and gets back to the United States. All this bill proposes to do is to put Germany and Austria in the same status as other countries at the present time.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. I yield.

Mr. BAILEY. Would this law be broad enough to cover the situation that developed a year ago when England had more or less thumbed her nose at us when we asked her for the detention of Gerhart Eisler?

Mr. CRUMPACKER. I do not believe this law would have any application at all. That is a matter of treason between the United States and England and does not pertain to this legislation, as I understand it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion, which I send to the desk.

The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HOFFMAN of Michigan. Mr. Chairman, in many of the States in the

trial of a criminal case the judge must, as a matter of law, if requested, instruct the jury that it is better that 99 guilty men should escape than that 1 innocent man should be convicted.

The gentleman says that a law has been in existence for some fifty-odd years. That law provides the desired procedure in certain felony cases. But it is now proposed to amend it to make it applicable to additional minor offenses. At whose request? At the request of the State Department.

What is the State Department up to? All the time, week after week, month after month, and year after year the State Department has become accustomed to changes each involving us in trouble with other nations. They are not satisfied with that. Now they want, as our colleague, after times have changed, after thousands of men have been drafted or have enlisted to fight abroad, they want to change the situation and have some of our men who have been sent over there or who have gone willingly to help our allies, if they happen to be charged with crimes allegedly committed abroad, surrendered to officers from abroad just because the State Department thinks it will promote good relations. They take them back over there and try them—with or without a jury—with or without the presumption of innocence—with or without a unanimous verdict. We all know how difficult it is to go to a distant State to defend a person when on trial for some alleged offense—many times charged with a minor offense. How much more difficult for an average GI, or his wife, if she happens to be involved in a situation which arose over there, and which someone there alleges is a crime. If she is involved under this bill if enacted they take her back—where are that GI and his wife—where are they—with whom are they to leave their children—where are they to get the money to defend themselves in a foreign land?

Will the State Department come to their aid and defend them? Oh, no, no. Do not worry about the State Department spending any money on them. They will let those people shift for themselves, while it thinks up some new way to help people of other nations—other methods of solving the troubles of people abroad.

My argument is that it is not fair to the American young men and, yes, the young women, because they go over there too now—Wacs and Waves and Spars—it is not fair, it is not in accord with our administration of justice as it is known here, to compel them to go back to Germany or any other land and, on their own resources, make defense to any charge that may be made years after they have returned to the United States of America. The procedure suggested here might well open wide a door to the making of false charges—to blackmail—in any event; the alleged safeguards carried in the bill would not prevent the making of false charges—force the making of a defense at what might well be a prohibitive cost.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Briefly.

Mr. GROSS. Does not the gentleman know that this is devised to meet modern conditions?

Mr. HOFFMAN of Michigan. Oh, we have had too much of that. We have altogether too many new ideas forced upon us—usually with a loss of a part of our heretofore cherished freedom. We have had too many wars fought. So we were told to make secure our freedom—in reality always taking from us some of our liberty—our independence.

Adopt this bill and who will pay any attention when some country asks that the State Department send an individual back to be tried there?

We have recently had an illustration right here of an officer and a private each tried by military courts. The officer was in part at least exonerated but the private was convicted of some of the offenses charged and got 10 years. What will the situation be in Germany if this bill becomes law? Trial without a jury, confronted perhaps—not necessarily, though—by the witnesses, standing alone over in that land thousands of miles from home, no one to defend him because no one cares apparently except his father, mother, maybe his wife and some children—standing practically alone. Without funds to take witnesses to show good character—always a strong point when charged with a crime—without means to take witnesses to prove an alibi.

This bill should be sent back to the committee, with a recommendation that the enacting clause be stricken. The House should then vote to strike the enacting clause. That will kill this bill. Justice and fairnesss to our GI's demand that course.

If those in other lands cannot find time to try them while the man or woman is there why yank him from his home, his family and friends, his fireside and native land and send him abroad to be tried under a judicial system which may or may not grant justice?

Mr. ROBSION of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have had some considerable experience in this particular field, having been connected with the legal department of the Army in Austria after the war.

This bill is aimed at one thing and that is to bring to justice men who have committed serious crimes; and as far as I am concerned a man who commits murder, robbery, or rape, whatever his nationality, should be brought to justice in the most practical manner; but at the same time, of course, he should be given every opportunity to properly defend himself.

Let us see what happens; in the first place someone commits a crime; the suspect is a man who is an American national no longer in the country, so the charge and request for extradition is brought before a United States judge in this country and the suspect is given a preliminary trial. After the judge acts favorably upon the request for extradition, the Secretary of State must determine that the accused should be returned for trial. Then the Secretary of the military department concerned must believe, after reviewing the case, that the man probably has committed a crime and gives written approval for the return of the individual. And after the accused is returned to the country where the crime was committed, the American officials in charge in the particular country have the additional duty under this law to see that the accused is given a fair trial. With all of this preliminary procedure before trial, in my opinion it is almost inconceivable that an innocent person could be done an injustice under this proposed law.

What is the alternative? If this bill is not passed it will mean that persons who commit serious crimes will escape punishment. Why should we try to protect someone who has committed murder or some other serious crime so long as he is given a fair trial?

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. DAVIS of Georgia. I would like to say to the gentleman that the offenses of murder, rape, and robbery are already on the statute books. The thing that is objected to here is the placing of misdemeanors on the list of offenses made extraditable.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from New York.

Mr. KEATING. The gentleman from Georgia apparently does not understand the purpose of the bill. The crime of murder is not covered; nor is any other crime covered by existing statute if the country is occupied by the United States jointly with some other power. It is only in a case like Cuba was back in 1900 when the United States was the sole occupying power that a man could be taken back for murder. Right today, in Germany, if murder were committed by an American citizen over there and then he was able to get back here, he could not be taken back under the existing laws. That seems to me an intolerable situation.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. Mr. Chairman, I refuse to yield further. Now, if my son or your son commits a serious crime, he should be brought to justice wherever it is practicable to try him and where the witnesses are available. Unfortunately, with thousands upon thousands upon thousands of Americans in these foreign countries, we have a few who are criminals, and this Government should not aid them to escape punishment for their crimes—making certain, of course, they are given a fair trial. I cannot believe this House wants to go on record to continue a situation which protects criminals from being given a fair trial.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from California.

Mr. JOHNSON of California. Is it true that the policy in this law is exactly the same as it has been for 54 years except we are applying it to countries where there is joint occupation instead of exclusive occupation?

Mr. ROBSION of Kentucky. Exactly. There is no difference whatsoever. This law does one thing. It permits a man

to be tried where the witnesses are available, near the scene of the crime, and brought to justice. As I say, if an American boy or any other boy commits a serious crime he should be brought to justice and that is all this bill attempts to do.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman says it permits him to be tried where the witnesses are. The witnesses for the prosecution, yes, but what about the witnesses for the defense?

Mr. ROBSION of Kentucky. If a crime is committed in Germany, there could be very few witnesses for the defense in America. The witnesses to the crime, both for the prosecution and defense, would be in Germany.

Mr. HOFFMAN of Michigan. He might have alibi witnesses in the United States. How are they going to get over there?

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and on a division (demanded by Mr. HOFFMAN of Michigan) there were—ayes 66, noes 28.

So the preferential motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2556) to amend section 3185 of title 18, United States Code, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

The question was taken; and on a division (demanded by Mr. HALLECK) there were—ayes 92, noes 27.

Mr. KEATING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-six Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 228, nays 68, answered "present" 1, not voting 137, as follows:

[Roll No. 66]

YEAS—228

Abbitt	Bennett, Mich.	Brown, Ga.
Abernethy	Bentsen	Brown, Ohio
Adair	Betts	Buchanan
Alexander	Bishop	Budge
Andersen, H. Carl	Blatnik	Burdick
	Boggs	Burleson
Andresen, August H.	Boiling	Busbey
	Bolton, Frances P.	Byrd
Andrews		Campbell
Angell	Bolton, Oliver P.	Cannon
Bailey		Carnahan
Baker	Bonner	Chiperfield
Beamer	Bow	Clevenger
Belcher	Bray	Cole, Mo.
Bennett, Fla.	Brooks, Tex.	Colmer
Coon	Ikard	Priest
Cooper	Jarman	Prouty
Corbett	Jenkins	Rabaut
Cretella	Jensen	Rains
Cunningham	Johnson, Wis.	Rayburn
Dague	Jonas, N. C.	Reams
Davis, Ga.	Jones, Ala.	Reece, Tenn.
D'Ewart	Jones, Mo.	Reed, N. Y.
Dies	Jones, N. C.	Rees, Kans.
Dolliver	Karsten, Mo.	Regan
Dorn, N. Y.	Kilday	Rhodes, Ariz.
Dorn, S. C.	Kirwan	Riley
Dowdy	Krueger	Rogers, Colo.
Eberharter	Landrum	Rogers, Fla.
Elliott	Lantaff	Rogers, Tex.
Elsworth	Latham	Saylor
Evins	LeCompte	Schenck
Fallon	Lesinski	Scrivner
Feighan	Lipscomb	Scudder
Fenton	Long	Secrest
Fernandez	Lovre	Seely-Brown
Fisher	Lucas	Selden
Fogarty	McCarthy	Shafer
Forand	McConnell	Sheehan
Ford	McGregor	Shelley
Forrester	McMillan	Short
Fountain	McVey	Shuford
Frazier	Machrowicz	Sikes
Friedel	Mack, Ill.	Simpson, Ill.
Garmatz	Mack, Wash.	Smith, Kans.
Gary	Madden	Smith, Wis.
Gathings	Magnuson	Spence
Gavin	Mahon	Springer
Gentry	Marshall	Staggers
George	Mason	Stauffer
Golden	Matthews	Steed
Gordon	Miller, Calif.	Sullivan
Grant	Miller, Kans.	Talle
Gross	Miller, Nebr.	Thomas
Gubser	Mills	Thompson, Tex.
Hagen, Calif.	Mollohan	Thornberry
Hagen, Minn.	Morrison	Trimble
Haley	Moss	Tuck
Harden	Mumma	Utt
Hardy	Murray	Van Pelt
Harris	Natcher	Van Zandt
Harrison, Nebr.	Neal	Velde
Harrison, Va.	Nelson	Vinson
Harrison, Wyo.	Norrell	Vursell
Hays, Ark.	O'Brien, Ill.	Wampler
Hébert	O'Hara, Ill.	Watts
Herlong	O'Hara, Minn.	Westland
Hess	O'Konski	Wheeler
Hiestand	O'Neill	Whitten
Hill	Passman	Wickersham
Hillelson	Patman	Wier
Hoeven	Perkins	Williams, N. J.
Hoffman, Ill.	Phillips	Williams, N. Y.
Hoffman, Mich.	Pilcher	Winstead
Holt	Poage	Withrow
Hosmer	Polk	Young
Howell	Preston	
Hruska	Price	

NAYS—68

Allen, Calif.	Goodwin	Norblad
Allen, Ill.	Hale	Oakman
Arends	Halleck	Ostertag
Aspinall	Heselton	Pelly
Auchincloss	Hillings	Pillion
Bates	Holmes	Poff
Becker	Hope	Radwan
Bentley	Horan	Ray
Bramblett	Hyde	Riehlman
Brownson	Jackson	Robsion, Ky.
Broyhill	Javits	Sadlak
Bush	Johnson, Calif.	St. George
Byrnes, Wis.	Kean	Small
Chenoweth	Keating	Taber
Crumpacker	Kilburn	Tollefson
Curtis, Mass.	McCulloch	Vorys
Curtis, Mo.	McDonough	Wainwright
Curtis, Nebr.	McIntire	Warburton
Davis, Wis.	Mailliard	Wigglesworth
Dawson, Utah	Meader	Wolcott
Derounian	Metcalf	Wolverton
Devereux	Miller, Md.	Younger
Dondero	Nicholson	

ANSWERED "PRESENT"—1

Pfost

NOT VOTING—137

Addonizio	Boykin	Church
Albert	Brooks, La.	Clardy
Ashmore	Buckley	Cole, N. Y.
Ayres	Byrne, Pa.	Condon
Barden	Camp	Cooley
Barrett	Canfield	Cotton
Battle	Carlyle	Coudert
Bender	Carrigg	Crosser
Berry	Cederberg	Davis, Tenn.
Boland	Celler	Dawson, Ill.
Bonin	Chatham	Deane
Bosch	Chelf	Delaney
Bowler	Chudoff	Dempsey
Dingell	Kee	Rivers
Dodd	Kelley, Pa.	Roberts
Dollinger	Kelly, N. Y.	Robeson, Va.
Donohue	Keogh	Rodino
Donovan	Kersten, Wis.	Rogers, Mass.
Doyle	King, Calif.	Rooney
Durham	King, Pa.	Roosevelt
Edmondson	Klein	Scherer
Engle	Kluczynski	Scott
Fine	Knox	Sheppard
Fino	Laird	Sieminski
Frelinghuysen	Lane	Simpson, Pa.
Fulton	Lanham	Smith, Miss.
Gamble	Lyle	Smith, Va.
Graham	McCormack	Stringfellow
Granahan	Martin, Iowa	Sutton
Green	Merrill	Taylor
Gregory	Merrow	Teague
Gwinn	Miller, N. Y.	Thompson, La.
Hand	Morano	Thompson, Mich.
Hart	Morgan	
Harvey	Moulder	Walter
Hays, Ohio	Multer	Weichel
Heller	O'Brien, Mich.	Wharton
Hinshaw	O'Brien, N. Y.	Widnall
Holifield	Osmers	Williams, Miss.
Holtzman	Patten	Willis
Hunter	Patterson	Wilson, Calif.
James	Philbin	Wilson, Ind.
Jonas, Ill.	Powell	Wilson, Tex.
Judd	Reed, Ill.	Yates
Kearney	Rhodes, Pa.	Yorty
Kearns	Richards	Zablocki

So the enacting clause was stricken out.

The Clerk announced the following pairs:

On this vote:

Mrs. Pfost for, with Mr. Frelinghuysen against.

Until further notice:

Mr. Graham with Mr. Keogh.
Mr. Stringfellow with Mr. Celler.
Mr. James with Mr. Klein.
Mr. Canfield with Mr. Camp.
Mr. Simpson of Pennsylvania with Mr. Lanham.
Mr. Bender with Mr. King of California.
Mr. Bonin with Mr. Fine.
Mr. Coudert with Mr. Dollinger.
Mr. Kearney with Mr. Buckley.
Mr. Taylor with Mr. Dempsey.
Mr. Widnall with Mr. Roosevelt.
Mr. Hand with Mr. Chatham.
Mr. Fino with Mrs. Kelly of New York.
Mr. Cole of New York with Mr. Heller.
Mr. Martin of Iowa with Mr. Addonizio.
Mr. Miller of New York with Mr. Rodino.
Mr. Osmers with Mr. Holtzman.
Mr. Reed of Illinois with Mr. Delaney.
Miss Thompson of Michigan with Mr. O'Brien of New York.
Mr. Scott with Mr. Williams of Mississippi.
Mr. Wilson of Indiana with Mr. Rooney.
Mr. Cederberg with Mr. Yates.
Mr. Cotton with Mr. Zablocki.
Mr. Bosch with Mr. Green.
Mr. Berry with Mr. Granahan.
Mr. Wilson of California with Mr. Barrett.
Mr. Patterson with Mr. Chudoff.
Mrs. Rogers of Massachusetts with Mr. Lane.
Mr. Scherer with Mr. Philbin.
Mr. Harvey with Mr. Multer.
Mr. Gwinn with Mr. Powell.
Mr. Morano with Mr. Rhodes of Pennsylvania.
Mr. Gamble with Mr. Sheppard.
Mr. Clardy with Mr. Hays of Ohio.
Mr. Judd with Mr. Engle.
Mr. Kearns with Mr. Doyle.
Mr. Wharton with Mr. Donohue.
Mr. Weichel with Mr. Boland.
Mr. Laird with Mr. Byrne of Pennsylvania.
Mr. Merrill with Mr. Boykin.
Mr. Jonas of Illinois with Mr. Ashmore.
Mr. Hinshaw with Mrs. Kee.
Mr. Ayres with Mr. Deane.
Mr. Carrigg with Mr. Cooley.
Mrs. Church with Mr. Sieminski.
Mr. Fulton with Mr. Dingell.
Mr. Hunter with Mr. Dodd.
Mr. Merrow with Mr. Edmondson.

Mr. King of Pennsylvania with Mr. Hollfield.

Mr. Knox with Mr. Wilson of Texas.

Mr. LATHAM and Mr. CHIPERFIELD changed their votes from "nay" to "yea."

Mrs. PFOST. Mr. Speaker, I have a live pair with the gentleman from New Jersey, Mr. FRELINGHUYSEN, who if present would vote "nay." I therefore withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded.

SPECIAL ORDER GRANTED

Mr. PATMAN asked and was given permission to address the House for 20 minutes today, following any special orders heretofore entered.

GENERAL PERMISSION TO EXTEND

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD during debate on the bill H. R. 2556.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

HARD-MONEY, HIGH-INTEREST POLICY OF ADMINISTRATION

The SPEAKER. Under special order heretofore entered, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a number of speeches have been made recently about the hard-money policy. In these particular speeches I refer to the responsibility and blame which have been placed upon the Federal Reserve Board or the Board of Governors of the Federal Reserve System.

In the CONGRESSIONAL RECORD of April 22, just a few days ago, at page 5380, there is a speech that was delivered by a distinguished Member of the other body that I desire to comment on.

In this speech it was stated:

> In the first 4 months of 1953 the Federal Reserve followed a restrictive credit policy in order to hold down dominant inflationary pressures prevailing at the time and to help stabilize our economy. As a result the Treasury had to pay higher rates on its borrowings during that period. This was not a new policy but a continuation of the policy begun with the Federal Reserve-Treasury accord in early 1951. The Governors of the Federal Reserve Board were not Eisenhower appointees. They were Democrats, all appointed prior to 1953.
>
> Nevertheless, in early 1953 some critics first tried to pin the tag of hard money on the administration.

In this speech the pattern has been followed which has been pursued for some time by those who are trying to lay the blame on the Democrats so far as this hard money policy is concerned. But the Democrats are not to be blamed for the hard money, high interest policy. It is strictly the policy of the present administration that was commenced immediately after the election in November 1952.

ARCHITECT OF HARD-MONEY POLICY

Immediately after the election in 1952 the present administration selected Dr. Randolph Burgess as the architect of the administration's hard money policy. Dr. Burgess is well known for his views on money in the past and those views on money coincide with the views of the National City Bank of New York with which he was associated for about 25 years. The views of the National City Bank are not always in accord with the views of those who are charged with performing a public service and a public duty. In other words, it cannot be said that anything that helps the National City Bank will help the country. It has not been true in the past and it is not true now.

So, Dr. Burgess came to Washington, armed with a commission from the new President of the United States, to get ready for the hard money policy. Naturally he talked to the Board of Governors of the Federal Reserve System. At that time there were six. There are still just six. The term of 1 of the 6 has expired. He is a holdover and the vacancy is not filled. So there are just 5 whose terms have not expired out of a board of 7. Now, remember this: The Board of Governors is not the board that exclusively fixes and determines the value of money and the volume of money and the rate of interest in this country. It does not determine it exclusively. That is a matter that is passed on by the Open Market Committee of the Federal Reserve System.

MOST POWERFUL COMMITTEE

Now, what is the Open Market Committee? It is composed of the 7 members, when there are 7 members, of the Board of Governors and 5 presidents of Federal Reserve banks who are selected by the private commercial banks of the country. Naturally, they represent their constituents just like we represent our constituents. They are put there by the private banks of the country: 5 members of that Open Market Committee. That committee has more power to determine the value of money, rate of interest, depressions, good times than any other organization in the United States, not excluding the United States Congress, composed of two Houses. The Constitution of the United States says that this power is lodged in the Congress. It is very specific. A great power like that, to determine the value of money, is in the Congress, and the Congress has the exclusive power; that is what the Constitution says. But Congress delegated that power. It was first delegated to the Federal Reserve Board in 1913 under Woodrow Wilson. Then the bankers, of course, opposed the Federal Reserve System; they did not want it, they tried to destroy it, but year by year, with one little amendment after another, so-called harmless amendments, not discussed on the floor of either body, usually inserted in conference between the two Houses on some important bill, the law was substantially changed, and now it is not left up to the public members as under Woodrow Wilson, but they have a new agency entirely put in there by the 1933 act, and in 1935 changes were made to where the private banks have their hands on the money of this country and they can and do control it. Do you think they are going to control it in the public interest? Yes, if it is in their interest, but their first obligation is to their stockholders, to make money for their banks, and it is not always in the public interest to do things to make money for those stockholders; it is not always in the public interest, so that is their first obligation.

Do not forget that Board of 12 members, the most powerful board in the world, that has the power to take the printed money over here at the Bureau of Engraving and Printing and turn it over to a private bank, free of charge, and let them lend it out and no interest on it, and put up nothing for it, no additional stock, no additional security. That is the power they have. They have the power of life and death over the monetary system of this country, which includes interest rates, hard-to-get money, hard money, depressions, prosperity, and everything else. They have that power.

Now, then, let us look at that board. This gentleman is right. All those members were appointed by the Democrats. Why did the present administration leave them in there? That is what I want to discuss with you. Why did they leave the Board as then constituted? When Dr. Burgess came to Washington after the election in 1952 he evidently conferred with the members of this board. He conferred with anybody who had any power. He brought with him a lot of bankers from New York. The majority of the directors of the Federal Reserve Bank of New York were brought down here and placed in bottleneck positions. You know what they would do. They represented the private bankers.

He wanted people kept in positions who served the policy that he wanted carried forward in this Nation. Why did he keep these six members of the Board of Governors? There was one vacancy. The law says that this vacancy shall be filled by the President, but the President has not filled it. It has remained unfilled.

Here is the ace in the hole for Dr. Burgess and the President and the administration. They can tell that Board of six members, "Go right ahead; all we want you to do is to carry out our policies. We are going to be reasonable. We just want money a little more scarce, a little more dear, and interest rates a little higher. We think it will help the country."

They evidently agreed to do that or some changes would have been made. They could not have made any changes if the terms had not expired. But there was one vacancy, and one has expired since that time and has not been filled. But the law says that the President may select the Chairman of the Board of

Governors. He may select that Chairman—that is, the President may. He had that power. It is written into the law. It was deliberately written into the law, so that a new President may select a man for the period of his term, 4 years, to serve as Chairman of that powerful Board. But the President did not exercise that right.

On December 20, 1952, Dr. Burgess gave out a statement which was published in the Wall Street Journal and which said that the administration is satisfied with Mr. Martin, the present Chairman of the Board of Governors, and that they are going to leave him on as Chairman of the Board of Governors of the Federal Reserve System.

Do you think they were helpless in that position? No; they were not helpless. Mr. Martin was, in effect, told—whether they actually spelled it out or not, I do not know, but you know, Mr. Martin is a mighty smart man and you do not have to spell anything out to him. But he knew that the very minute that he failed to carry out that hard-money policy, that high-interest policy, the President could select anybody in the United States and put him in that vacancy on that Board and make him Chairman of the Board immediately. Therefore, Martin became a captive of Dr. Burgess, and he had to go along. If he did not go along, they would replace him and they would replace him immediately. Then they would have a Board that would be in effect captives of the administration, and they could say that they were responsible, do not blame the administration, blame that Board, the Chairman of which was a captive of the present administration.

With an Open Market Committee composed of 11 members—6 members of the Board of Governors and 5 presidents of Federal Reserve banks, who were selected by the private banks—Dr. Burgess knew that the 5 members that were selected by the private banks would be for the administration's hard-money, high-interest policy. He also knew that if he had 1 member out of the 6 members of the Board of Governors that would give the administration's hard-money, high-interest policy a majority on the Open Market Committee. In permitting Mr. Martin, Chairman of the Board, to remain Chairman—although the President could change him if he desired and select someone of his own choice to serve for the next 4 years—evidently meant to Dr. Burgess and to Mr. Martin that the well-known views of the administration concerning hard money and high interest would be carried out.

In making this arrangement the administration could claim—as the gentleman in the other end of the body has claimed and as Dr. Burgess in almost every public statement says that the hard-money, high-interest policy is the result of the actions of the Board of Governors, all of whom were selected by the Democrats. It is not fair to make this charge, that the Democratic Party is to be blamed for the administration's hard-money, high-interest policy, because of the fact that the Chairman of the Board became a captive of the administration and his vote, along with the five members of the Open Market Committee, who were selected by the private banks, constitutes a majority.

There is no escape from it. There is no other explanation of it.

Let us see what that board would do. This great, powerful body, the Open Market Committee, will go into the market and buy Government bonds and pay for them with this printed money over here. In effect, they do that and send the money out into the country to make more money, in order to have a bigger volume of money, to keep up with the expansion of our domestic economy. It is necessary to do that.

In our economy today, we have an increase of about 2 million workers a year, almost 1 million new workers and another million displaced by labor-saving machinery and devices. About 2 million workers have to be provided for every year. There is only one way to take care of those workers and that is to expand your economy 3 or 4 percent a year. That is necessary. You have to do it. Otherwise it stands on a level, an even keel, and you are going backward. You have not taken care of them. You are going to have unemployment, you are going to have distress. So it is necessary that you expand the economy 3 or 4 percent a year.

That is what the Open Market Committee is supposed to do, but do you think they did it in the early part of 1953? Not a penny was paid out, not a penny in the world of Government bonds was bought, not one penny's worth. It is the first time in the history of that Open Market Committee that I can find that they just quit absolutely, quit expanding our economy, came to a dead center, a dead standstill. In January, February, March, and April they did not do one thing toward expanding our economy. That was the hard-money policy carried out by the administration through the Open Market Committee, a committee of 5 private bankers and 6 members of the Federal Reserve Board, 1, the chairman, a captive of the present administration.

So the Democrats over here and in the other body became very active. We began to show up what the hard-money policy was doing. Finally, on May 4, 1953, we gave notice in a public statement that we would, on the next Monday, offer a resolution to make the Open Market Committee resume its buying operations to expand the economy and to take care of the economy as it was obligated to do under the law by supporting Government bonds at par. So, on May 11, we filed that resolution. The resolution was sponsored by Mr. RAYBURN, Mr. McCORMACK, Mr. SPENCE, Mr. MULTER, Mr. RAINS, Mr. DEANE, Mr. O'HARA of Illinois, Mr. ADDONIZIO, Mr. DINGELL, Mr. EBERHARTER, Mr. BAILEY, Mr. PRIEST, Mr. PERKINS, and Mr. ROGERS of Colorado; and since only one person could introduce it under the rules of the House, I introduced the resolution. In other words, a majority of the Democratic members of the Banking and Currency Committee of the House were sponsoring that resolution, and our Democratic leaders, Mr. RAYBURN and Mr. McCORMACK, were sponsoring it.

In the Senate a similar resolution was sponsored by Senator MURRAY and several other Senators, Senators LONG, GREEN, KILGORE, MAGNUSON, MANSFIELD, and HUMPHREY.

That resolution was introduced on May 11.

I am inserting herewith a statement that appeared in the CONGRESSIONAL RECORD, May 11, 1953:

FEDERAL RESERVE CALLED UPON TO SUPPORT GOVERNMENT BONDS AT PAR

Mr. PATMAN. Mr. Speaker, I am introducing today for the joint sponsors a resolution calling on the Federal Reserve Board and the Open Market Committee of the Federal Reserve System to support United States Government securities at par. In the resolution the phrase "should support," etc., is used; the reason the word "direct" is not used is because the Federal Reserve System is an agency of Congress, and its officials will certainly carry out any expressed will of Congress.

In the House, although a bill or resolution can only bear the name of one Member, I have introduced the resolution, but the other cosponsers of it are: Representatives RAYBURN, McCORMACK, SPENCE, MULTER, RAINS, DEANE, O'HARA of Illinois, ADDONIZIO, DINGELL, EBERHARTER, BAILEY, PRICE, PERKINS, and ROGERS of Colorado.

Mr. Speaker, it was the traditional policy of this Government through the Open Market Committee of the Federal Reserve Board System for more than 15 years to support United States Government securities at par. That policy commenced prior to World War II; it was in effect all during World War II; and it was not until March 1951 that the Federal Reserve Board refused through the Open Market Committee to further support Government securities. As a result of that, long-term Government bonds have gone down to 97, 96, 95, 92, and finally to 91.

The new policy is breaking faith with the people of this country who have a reason to believe and who had a reason to rely upon the traditional policy of the Federal Reserve System in the support of those bonds. It has broken that good faith.

Mr. Speaker, this resolution is offered for the purpose of restoring that traditional policy. I hope that there will be an early hearing and a favorable report and that the resolution will be adopted. It is not in the form of a bill because a bill is unnecessary. The Federal Reserve System is an agency of the Congress. Anything that the Congress says that the Federal Reserve System should do, that System must do. It is supposed to represent the will of this body and the Senate. This resolution expresses that will for the purpose of getting those bonds supported again as they were traditionally before March 1951.

In the Senate the resolution is cosponsored, in addition to Senator MURRAY, by Senators LONG, GREEN, KILGORE, MAGNUSON, MANSFIELD, and HUMPHREY.

The text of the resolution is as follows:

"Concurrent resolution to provide for support of the credit of the United States of America by the Federal Reserve System

"Whereas millions of loyal and patriotic American citizens supported their Government during World War II by buying Government bonds and have continued to do so since the end of World War II;

"Whereas the Federal Reserve System has been pursuing a policy of refusing to do its part in supporting the credit of the United States of America by buying its proper share of Government bonds and other Government securities;

"Whereas the credit of the United States of America has been impaired thereby;

"Whereas as a consequence, Government securities have fallen below par and the capital position of those with investments in previously issued Government securities has been seriously impaired;

"Whereas this policy of the Federal Reserve System has made it easier for banks, insurance companies, corporations, and private investors to obtain higher interest rates, and thus higher profits, on money loaned to the Government;

"Whereas the increased interest rates on Government securities will result in vast additional expenditures by the Federal Government and a substantial and unnecessary increase in the national debt;

"Whereas this policy of the Federal Reserve System has increased interest rates not only on funds borrowed by the Federal Government, but has also helped to bring about a dangerous rise in interest rates on funds borrowed by (1) farmers, (2) foreign purchasers of American agricultural products, (3) home builders, (4) veterans who are buying homes and all other home buyers (5) businessmen (particularly small-business men), and (6) local governments for the construction of schools, roads, water supply and sewage systems, and other essential public facilities;

"Whereas this policy of the Federal Reserve System may tend, in combination with other factors, to bring on a decline in business activity throughout the economy and to accentuate the deflationary trend in American agriculture;

"Whereas this policy of the Federal Reserve System is an ineffective and inappropriate substitute for soundly conceived measures to control the supply and use of credit and to maintain the value of the American dollar;

"Whereas whatever flexibility is needed in the prices of Government bonds should take place above par under the alternative policy of Federal Reserve System support of Government bonds at par;

"Whereas this policy of the Federal Reserve System undermines the ability of the United States of America to meet the financial problems that would inevitably result from a new international emergency;

"Whereas this policy of the Federal Reserve System violates the purposes of the Congress in the creation of the Federal Reserve System;

"Whereas this policy of the Federal Reserve System is inconsistent with the maintenance of maximum employment, production, and purchasing power as called for in the Employment Act of 1946;

"Whereas a policy of supporting United States Government securities at par will not only cost the taxpayers nothing, but will also result in a saving to the taxpayers and a profit to the Treasury: Now, therefore, be it

"Resolved by the Senate (the House of Representatives concurring), That the Federal Reserve Board and the open market committee of the Federal Reserve System should support the price of United States Government securities at par, but not exceeding par, as was done before the so-called Treasury-Federal Reserve accord which was announced March 4, 1951."

The joint statement that was prepared by the sponsors and released today was as follows:

"A group of Senators and Representatives announced their intention to introduce in both Houses today a resolution to help stop the rapid and reckless interest rate increases resulting from the policies of the Federal Reserve System and the Treasury Department.

"The resolution would require the Federal Reserve System to support United States Government securities at par, thereby enabling the Government to borrow at lower interest rates. This in turn would permit low rates for farmers, businessmen, home buyers, local governments, and other borrowers.

"Speaking on behalf of the group, Representative WRIGHT PATMAN, Democrat, of Texas, and Senator JAMES E. MURRAY, Democrat, of Montana, charged that in the brief 3-month period from December 1952 to March of this year, while the Government had to borrow large sums of money, the Federal Reserve System dumped about $900 million worth of Government securities. The Federal Reserve System also refrained from buying any new Government securities. As a result, the price of long-term Government bonds has hit a new historic low.

" 'The refusal of the Federal Reserve System to support the credit of the United States,' stated Representative PATMAN and Senator MURRAY, 'would be bad enough if it resulted only in additional billions of dollars in Government expenditures and the national debt.

" 'But it has also led to a dangerous spiral of interest-rate increases for private borrowers.

" 'First, there was an increase in the interest on support loans to farmers and on Export-Import Bank loans for the purchase abroad of American cotton. Then came an increase in the commercial-bank rate on prime-business loans. This was followed by a rise in rates on consumer-installment loans. Over the last weekend the interest rate on VA- and FHA-insured home mortgages was boosted. All of this is happening at a time when there is a serious decline in agricultural prices and a growing danger that the agricultural price decline may spread to the rest of the economy.

" 'The adoption of our resolution will help protect American farmers, veterans, home buyers, and small-business men against the harmful effects of further interest-rate boosts and of undue tightening in the supply of credit. The adoption of our resolution will also provide invaluable insurance against the threat of future depressions, foreclosures, bankruptcies, and unemployment.'

"In past years Representative PATMAN and Senator MURRAY have coauthored many important legislative measures, including the Employment Act of 1946, the legislation which established the Smaller War Plants Corporation, and other statutes protecting American small-business enterprise."

The Open Market Committee's proceedings are very secretive. It is very difficult to get hold of the proceedings. It is usually a year later when you can find out anything they have done. Fortunately, we found out after many months, almost a year after, what the Open Market Committee had been doing during those 4 months, January, February, March, and April of 1953. We discovered then they had not been operating at all, they had not purchased one single dollar's worth of Government bonds to expand our economy or to sup port the rapidly sinking Government-bond market, not a dollar's worth. And we found out some other things. We found out that on May 11, the date this resolution was introduced that I told you about, the Open Market Committee commenced buying Government bonds. It bought $25 million worth immediately, and it has been buying Government bonds ever since. They did not buy a one until we introduced that resolution, not a single one. Then the hard-money policy commenced to ease up because they knew we meant business in the Senate and the House of Representatives, they knew we were not going to stop exposing them on that, that they were vulnerable, they could not defend it, they were not doing anything to help our country.

Mr. MILLER of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MILLER of Kansas. Does not the gentleman think that might have been just a remarkable coincidence?

Mr. PATMAN. I do not think it could have been a remarkable coincidence because I think they deliberately did it knowing that they could not justify and defend the hard-money position they had maintained.

But the most brutal and cruel thing that was done was, after they knew they were going to take an about-face and change the hard-money, high-interest policy, just turn about, running just as fast as they could toward a hard-money, high-interest, stop-quick-and-run-the-other-way policy, when they had stopped and were about to run the other way, they still went ahead and increased the interest rates on veterans' loans one-half of 1 percent. They did that when they knew they were going to change that policy to the easy-money policy, and that that increase would not be necessary. After they did that, they did not lower it—they kept it on. Did you know how much that one-half of 1 percent increase means on a veteran's loan for $9,600 for 25 years? It means $814 extra that that veteran will have to pay. They increased that loan rate from 4 percent to 4½ percent after they knew that they were going to change their policy which was used as an argument to justify the increase. That was the most cruel thing I have even known to be done on interest rates affecting the veterans in any way in the United States.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. McCORMACK. Has the gentleman read the Business Week issue of May 8 as yet?

Mr. PATMAN. No, sir; I have not read it yet.

Mr. McCORMACK. I was reading it yesterday. I suppose they send one to every Member of Congress. It is a very interesting publication. I do not think it is a Democratic publication by any means, is it?

Mr. PATMAN. No; it is not. You could not accuse it of being Democratic, I do not think.

Mr. McCORMACK. In the article in the May 8 issue on the financial policy of the present administration, it starts out by saying, and I quote:

> For 16 months under the Republicans, the money market has swooped and jerked like a roller coaster.

Then it goes on to set forth the policy of the present administration showing how for 4 months after January 20, 1953, the present Republican administration increased interest rates and instructed the Federal Reserve to tighten credit, and they stepped out of the market in Treasury notes. Of course, as we know business started to go back. Then on May 8, 1953, the Federal Reserve started buying Treasury notes again to ease the

money supply. The gentleman remembers that, I am sure. And the interest paid by the Treasury went down as well as the interest on rediscounts by the Federal Reserve.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that I may proceed for 10 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCORMACK. As I was saying, the interest on rediscounts by the Federal Reserve went down. As I understand, that is done to bring about inflation. The article further said—and I quote:

> The administration has moved from easy money, from one easy-money provision to another.

And a further quotation which is very significant from the article is this one:

> This means that for three-quarters of its 16 months' tenure in office, the Eisenhower administration has been on the side of easy money, easy credit, declining interest rates—badges of the very policy they castigated when the Democrats were in charge.

Mr. PATMAN. I am glad the gentleman brought that up. They kept on this hard money policy until United States Government bonds went down to 89. It was a disgrace in our country with our present system. But they made those bonds go down to 89, and during the time they issued that 3¼ percent bond, it even went down to 98½. The purchasers of those bonds and those in the know who knew when to buy those bonds bought them for 98½ and they went up to 110, as they are now, in less than a year's time. That is the difference of 11½ points; and then the 3¼ percent which they get for the interest rate for the first year makes 14¾ percent on a riskless investment on Government bonds in 1 year. That is the way the hard-money policy has been manipulated to make a few people rich. As to who got those bonds, we have not been able to find out.

Mr. McCORMACK. But the other, the 2½ percent Victory bonds, went down to 89 or 90. They are now up to about 99.

Mr. PATMAN. They are above 100 today. They have all gone above a hundred, but confidence has not been restored. The people do not know what to expect, just for the reason stated in Business Week, from which the gentleman read. They do not know what to expect. They have lost confidence.

HARD-MONEY POLICY COMING BACK

Dr. Burgess, and these officials, they do not admit it, but obviously they must see they are wrong. They could not come to any other conclusion. They made terrible mistakes, we all know that; but they do not say they are sorry. They say they just retreated temporarily. They are going back to the hard-money policy later on. That is the reason confidence cannot be restored, with those people in office. Dr. Burgess ought to leave that office. He ought not remain there a minute. As long as he is giving out statements about money, saying it is just a temporary retreat and that they are going back, people can expect bonds to go back to 89 again. They do not know what to expect or how to plan their future. So it is lack of confidence that has caused it all. They do not say they are sorry. No. They are glad of it, and they are going to try it again the first time it is timely and opportune.

Now, let us see what the higher interest rate will do for this country. We have in our Nation today debts aggregating about $640 billion. That includes the Federal debt of $270 billion; the debts of the States, counties, cities, political subdivisions, school districts, drainage districts, and all other districts; it includes promissory notes, installment purchases at department stores; all debts will aggregate about $640 billion. If you increase the interest rate 1 percent across the board, that means you will increase the annual interest burden $6,400,000,000. That is 1 percent. Six billion four hundred million dollars a year means that every person of the 160 million will have his burden increased $40 per capita to take care of that increase of 1 percent. That means a family of 5 will have their burdens increased $200 to take care of that 1 percent increase in the interest rates. That means that that family of 5 will have to fix its budget so that in the future, instead of buying $200 more of comforts and necessities of life, including good food for good diet, good clothing for health, and good housing for health, they will have to spend $200 less, because the $200 will go to the moneylenders. Those moneylenders are the "trickle-down boys." They are the fellows who get the money and who are supposed to let it trickle on down to the masses. But it does not trickle down. It stays right there. The result is that the $200 that is taken out of the bloodstream of business and commerce and causes our country to be more prosperous through the velocity of money, is placed in the hands of moneylenders, who will not buy an extra pair of shoes or an extra automobile or an extra suit of clothes, because they already have all those things. It just paralyzes commerce that much.

Mr. MILLER of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MILLER of Kansas. Do you mean that all that money would go to the banking interests instead of the merchants?

Mr. PATMAN. Well, mostly to the banks—all moneylenders. They make more money. For the first time in history, in 1953 the net profits of the banks was over a billion dollars a year. It never happened before, but the bankers fared mighty well last year. They made more money than they ever made before, after the bankers moved in on this administration. I hope Mr. Eisenhower will take personal notice of it. They moved in and are still moving in. The National City Bank has a man in charge of the budget—Mr. Hughes. He is loaned to the administration by the National City Bank.

Mr. Burgess is known to be a National City Bank man; we do not know much about his connection now because his name was not submitted for confirmation; a special position was created for him in the Treasury, and although his outlined duties are such that he is over four other people in the Treasury who must be confirmed by the United States Senate, he himself above them does not have to be confirmed, and they are getting by with it, too.

So we do not know what is happening, we do not know what the connection is with National City Bank; it might even be worse than what we actually know. But the big national bankers are getting in, have moved in on this administration, and their policy was increased interest rates. Many people pay more.

I have before me here a percentage distribution of our national income for the second quarter and the fourth quarters of 1953. Those figures just for that short period of time show that the investors were getting more, the people who are collecting dividends are getting more, while the people who are paying interest pay more interest, people are getting more interest. But labor income was going down and, of course, the amount of money that people have to spend for goods and services was going down because these other things cannot go up without them going down. That hurts business and it hurts in other ways, so here a while back we had a housing bill and in that bill as introduced was written a provision that would have required interest rates being raised 1 whole percent. Under the traditional practice the housing loans like Veterans' and FHA have been 1½ percent more than the long-term Government rates. The long-term Government rate has been 2½ percent. If you give them 1½ percent more, that makes 4 percent; that is what the veterans were having to pay, and that was all right. A 1½-percent spread is all right, nobody objects to it, everybody accepts it as being a reasonable amount. But in this housing bill they wanted to make that spread 2½ percent. When that got here to the House of Representatives we struck it out. But they will come back and they will try to put it in there again. Let us not let them do it.

HARD-MONEY, HIGH-INTEREST POLICY

First. The election of a Republican President was a green light for the New York bankers to increase interest rates clear across the board.

Second. President Eisenhower immediately after the election—in November 1952—selected Dr. Randolph Burgess, of National City Bank fame, as the architect of his money policy.

Third. Dr. Burgess came to Washington, conferred with people in and out of the Government who believed as he believed, that the interest rates were entirely too low, including the Government debt interest rate.

Fourth. Plans were made for Dr. Burgess to put into effect a hard-money, high-interest policy by—

A. Fixing for himself a berth in the Treasury Department next to the Secretary of the Treasury, as Deputy Secretary of the Treasury, who would have complete charge over the monetary and fiscal policies of the United States Government.

1. This office filled by Burgess would not be subject to confirmation, therefore embarrassing questions could not be asked him about his policies, beliefs, and intentions.

2. This unconfirmed deputy—Burgess—would be next to the Secretary of the Treasury and over four other officials of the Treasury, who were compelled by law to be confirmed by the Senate.

Fifth. Arrangements were made by Burgess to place the right people in bottleneck positions in Government where the person holding the position would have anything to do with carrying out monetary and fiscal policy.

Sixth. The members of the Board of Governors of the Federal Reserve System, particularly Chairman Martin, were advised and found to be anxious and willing to cooperate on the hard-money, high-interest policy.

Seventh. There was a vacancy on the Board of Governors, leaving six members. The law says such vacancies "shall" be filled by the President, but it was not filled and has not been filled.

Eighth. The President has the right under the law to select the Chairman of the Board of Governors to serve for 4 years.

Ninth. December 20, 1952, Burgess announced that the President would keep Martin on as Chairman of the Board, which meant that the administration was willing to risk him in carrying out the hard-money, high-interest policy.

Tenth. The rediscount rate being lowered or raised has a psychological effect only, letting the bankers know by an unconversational understanding that money is to be easy or hard.

Eleventh. Word send out to the Federal Reserve Banks that the Board of Governors wanted the rediscount rate raised, and during the very time that President Eisenhower was being inaugurated—January 20, 1953—the rediscount rate was being raised from 1¾ percent to 2 percent, to let banks know the hard-money policy commenced by Dr. Burgess would continue.

Twelfth. By reason of the hard-money policy, Government bonds went down in price because the Open Market Committee of the Federal Reserve refused any support, in order to carry out the hard-money, high-interest policy. No support was given during January, February, March, and April, 1953, which caused money to get scarcer and interest rates higher.

Thirteenth. Two and one-half percent Government bonds went down and down until they reached 89. During this time interest rates were going up in proportion.

Fourteenth. In April a 3¼ percent bond issue was authorized by Burgess on 30-year bonds. The hard-money policy was so effective that these bonds actually went down to 98½.

Fifteenth. The money managers got scared on May 11, 1953, when Democrats in the House and Senate introduced a resolution calling on the Federal Reserve System to support Government bonds at par.

Sixteenth. The Open Market Committee on that very day—May 11—went back into the market to buy Government bonds to make money easier and have continued in the market since that day, resulting in Government bonds going back from 89 to over 100 and the 3¼ percent bonds going up to 110 from 98½. The 11½ points made by a purchaser on the 3¼ percent bonds added to the 3¼ percent interest for 1 year makes a profit for the purchaser of 14¾ percent in a years' time on a riskless investment.

Seventeenth. After the easy-money policy was agreed upon in early May 1953, the money managers still insisted on interest rates on veterans' loans and Federal Housing Administration loans being raised. This was done with the knowledge that the raise would not be justified when the reverse in policy was known. These rates have not been lowered but remain high after Government bonds have gone back to par.

LITHUANIA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, May 7 marks a most unusual anniversary. It concerns the relationship of two 19th century neighbors, the predecessors of the present-day practitioners of thought control—the Russians—and the ancestors of that ancient race of people behind the Iron Curtain—the Lithuanians.

Power politics, after a series of partitionings, had placed the greater part of Lithuania under Russian control. But physical control was not enough; to hasten the process of russification, the Russians threw a mantle of darkness over it, and from 1864 to 1904 the Lithuanians were forbidden to employ the Lithuanian alphabet in any printed form. From 1864, when the governor general of Lithuania's capital province of Vilnius issued the decree, all textbooks, religious books, and publications of all kinds were to be printed only in Russian characters. Few Lithuanians were familiar with these strange characters and still fewer cared to master them. That the Russian alphabet was entirely unsuitable, entirely foreign to a non-Slavic language like Lithuanian, was immaterial to the dictatorial governor general. A decree was issued and so it had to be. The science of philology itself, if necessary, must be twisted to conform with the decree.

But even if science could be made to conform, the Russian governor general did not foresee that the Lithuanian spirit would not conform. The result was that 40 years of bayonets, confiscations, imprisonment, banishment to Siberia, and similar means of persuasion failed to convince the courageous Lithuanians that an alphabet suited to the Slavonic sounds of the Russian language was of any value or attraction to them. The deprivation by fiat of all its books and printed matter generated a spontaneous and stubborn spiritual revolution throughout the Lithuanian nation. The circumvention of the stupid and barbaric regulations became the main purpose of life. Printing presses were set up on the other side of the western border, and from Prussian Lithuania thousands of leaflets, pamphlets, textbooks, and prayer books were brought back and distributed secretly by devoted and patriotic book carriers through nearly every hamlet and village in the country. Caution and subterfuge had to be used, for this was contraband merchandise. A farmer's load of hay often concealed dozens of copies of the latest booklet. The house of the parish priest might very well be a distribution point for a first-grade reader. Entire lives and every available bit of capital were dedicated to this work. Even children vied with one another to participate in this cultural underground activity.

But despite enormous cost and the great sacrifice required, and despite the fact that thousands of copies of these forbidden publications were seized by the police and destroyed and those caught performing this cultural mission severely punished, the number of publications rolling off the presses in Tilsit and elsewhere grew. From 214 publications in the first 10 years the number steadily rose to 786 new publications in the fourth 10-year period. After 40 years of prodigious effort to stem the tide of books and to stop mothers from teaching their children the Lithuanian alphabet and Lithuanian prayers, the Russians finally gave up. On May 7, 1904, permission was granted to print a small religious publication, thus ending one of the most stupid experiments to suppress the minds of men. The attempt to implant a foreign culture upon a proud and resisting people proved a dismal failure.

On this historical date, it is well to recall, that the Communist oligarchy has been unusually boastful these past several years of the numerous Russian inventions, real and imaginary. This is one invention that they have overlooked to mention. Let us mention it for them, for there is no doubt—living witnesses can prove it—that the idea to destroy the national consciousness of a whole people was actually conceived in the minds of their prototypes, the Russian commissars of the 1860's. Their unique invention did not meet with success.

The free world of today can well emulate the determination and unity of purpose of the 19th century Lithuanian bookcarriers. We need not yield to the godless philosophy which attempts to encircle and strangle us, today. We too

can prove that no system can be successful which threatens to enslave the body and soul of entire nations—no matter how powerful the oppressor or how small the victim, we believe deeply that in the world community of nations there can be no master and no slave, but all nations, irrespective of their size and wealth are equal under God, and with their variety of cultures and languages all have the right to share in the fruits of freedom of the mind and to contribute to the richness of the pattern of life as ordained by the divine wisdom of our Creator.

RUMANIAN INDEPENDENCE DAY

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized.

Mr. FEIGHAN. Mr. Speaker, today the people of the free world commemorate Rumanian Independence Day. The ceremonies appropriate to this occasion will take place tonight in many cities throughout the United States. These ceremonies will be marked by both a spirit of sadness and hope. All free people are saddened by the tragedy which has befallen the freedom-loving people of Rumania who have long stood as one of the great ramparts for western civilization. Free people who are dedicated to the preservation of their freedom and its extension to all the enslaved people of the world see in this occasion the need to hope for the liberation of the Rumanian people and to rededicate themselves to that noble end.

The enslaved people of Rumania shall certainly commemorate this historic occasion, but their commemoration will, of necessity, be characterized by enforced silence which is dictated by the circumstances of absolute tyranny under which they are compelled to live today. We, the people of the free world, understand the tremendous power which is generated by such an enforced silence on the historic occasion which we so freely and openly commemorate. It is a fact of history that no people will long endure a tyranny which enforces a silence on those great truths which spell the difference between life and an existence of slavery. The grand and glorious history of the American Revolution bears eloquent witness to this hard, cold fact of history.

The Rumanian nation, as an integral and inseparable part of the civilization of which we claim allegiance, is as old as that civilization itself. It has known its periods of national sovereignty as well as its martyrdom under the heel of an alien occupier. Seventy-six years ago today, at the Berlin Congress which took place in 1878, the full independence of Rumania was recognized by the powers participating in that congress. At that period in history, the Ottoman Empire took its place at the conference table as one of the great powers. It was in these circumstances that the stalwart Christian faith of the Rumanian people required the other great powers of that time to recognize the moral right of the Rumanian nation to national independence.

Today the Rumanian nation is occupied by an alien force far more terrible, more inhuman, more diabolical and chauvinistic than has ever before been visited upon them. The efforts of the Russian Communists to create a "Soviet man" and the tactics which they employ to accomplish that goal call for the destruction of the distinctive characteristics, national traits, and historical aspirations of the Rumanian people. The real objective is, of course, to destroy all those things that God, in His infinite wisdom, has placed within the hearts and breasts of all mankind, and to replace it with a robot who is devoid of any relationship to God and responsive only to the push-button psychological exploitation of the Russian Communists. This puts an unbelievable burden of terror upon the Rumanian people, but it also heralds the final defeat of the cause of Russian communism.

History teaches us that all those who have tried to put themselves above God's eternal design are defeated by the means they use to attain their evil objectives. A study of the glorious history of the Rumanian people teaches us many lessons that well serve the cause of freedom everywhere in the world and thereby the survival of the American way of life. I would like to cite only two chapters in that inspiring history which today could well guide us in all our dealings with the Russian Communists. On April 16, 1877, the eve of the war between the Russian Empire and the Ottoman Empire, Rumania signed a treaty of mutual assistance with the Russian Empire which assured free passage across Rumania for the Russian armies. The Russian Empire in return pledged itself:

> To maintain and to respect the political rights of the Rumanian state, such as derive from its internal laws and the existing treaties, as well as to maintain and defend the present integrity of Rumania.

On April 3, 1944, Molotov, speaking for the Soviet Union, made the following pledge which was later endorsed by the United States and the United Kingdom:

> The Soviet Government declares that it does not pursue the aim of acquiring any part of Rumanian territory or of changing in whatever manner the existing social order in Rumania.

In both instances, the pledge was almost identical and in both instances, the practical result has been identical. In the first instance, the Russians completely subordinated the Rumanian people and refused their cooperation except on terms which would make them vassals of Moscow. Only after the imperial army of Grand Duke Nicholas had suffered two critical defeats by the military forces of the Ottoman empire, did Nicholas call upon the Rumanian Army to defend its own sovereign territory. Under these circumstances the Rumanian Army, imbued as it was with the spirit of national independence, turned the tide of battle and again proved its place as a rampart of our civilization. In the latter instance, the Russian Communists used this deceptive pledge to mislead the Western Powers and to thereby place Rumania within the new Russian Communist empire. The day will certainly come when the Russian masters will seek to use the heroic Rumanian Army to defend this new empire, but the Rumanians will, with equal certainty, respond as they did in 1877.

One of our really great Presidents, Woodrow Wilson, was faced with questions following World War I, which were quite similar to the questions which the still free world must squarely face today. President Wilson set forth in clear and inspiring language, the basic policy of the Government and people of the United States when he declared that self-determination was the right of all nations, large or small. He spoke out courageously against autocratic governments which had no relationship to the aspirations of the people they control, and which, backed by organized force, posed a constant threat to the survival of the democratic governments of the world. Woodrow Wilson thereby enunciated a principle which has been basic to the American way of life and which was in harmonious concert with the great political and moral principles set forth in the American Declaration of Independence. It was in furtherance of this basic political principle that Rumania regained its national independence in 1918.

The danger which now confronts all free people today is the same danger which Woodrow Wilson clearly defined in 1917. There is a new imperialism at work in the world which we now know best as the international Communist conspiracy. It is a more ruthless colonialism than the world has ever known before. The final objective of this new colonialism is to make all nations of the world subject colonies of Russian imperialism. This is the real challenge that we as Americans must face. The alternatives to this challenge can be simply stated. Either we fully support the natural right of all nations to self-determination, or we eventually shall be standing alone in the world fighting against that new imperialism. There is no other course open to us but to stand firmly by the unalterable principle enunciated by President Wilson and to see to it that all nations have the right to self-determination.

It is in this spirit that the new Russian colonialism advanced by the international Communist conspiracy shall be defeated, and in its place there will be created a new world order based upon the right of all nations, large and small, to national sovereignty within the framework of a world community dedicated to peace and prosperity for all people.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. FORD.

Mr. O'HARA of Illinois in two instances and to include other matter.

Mr. LANDRUM and to include an editorial.

Mrs. SULLIVAN and to include a statement made before the Committee on Agriculture.

Mr. EVINS.

Mr. MACK of Illinois.

Mr. DOYLE (at the request of Mr. McCORMACK) and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $191.95.

Mr. DAWSON of Utah.

Mr. HOWELL.

Mr. RABAUT and to include extraneous matter.

Mr. HILLINGS (at the request of Mr. KEATING).

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1204. An act for the relief of Dr. Yen-Yu Huang; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2033. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.;

H. R. 4735. An act for the relief of Lt. Col. Richard Orms Flint, Jr.; and

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2150. An act providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 7, 1954, present to the President, for his approval, a bill of the House of the following title:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

ADJOURNMENT

Mr. KEATING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 11, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1516. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "The Defense Facilities Protection Act of 1954"; to the Committee on the Judiciary.

1517. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "The Communist-Infiltrated Organizations Act of 1954"; to the Committee on the Judiciary.

1518. A communication from the President of the United States, transmitting a proposed provision for the fiscal year 1955 for the Federal Civil Defense Administration (H. Doc. No. 385); to the Committee on Appropriations.

1519. A letter from the Secretary of Defense, transmitting a report setting forth the financial condition of working capital funds of the Department of Defense at June 30, 1953, and the results of their operation for the year then ended, pursuant to section 405 (c) of the National Security Act of 1947, as amended; to the Committee on Armed Services.

1520. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively"; to the Committee on Armed Services.

1521. A letter from the Acting Comptroller General of the United States, transmitting a report on the audit of the National Bureau of Standards, an agency in the Department of Commerce, for the fiscal years ended June 30, 1951, and June 30, 1952, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1522. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1523. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 10 (f) of the Federal Power Act to provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1524. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1525. A letter from the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund, transmitting the 14th Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund, pursuant to section 201 (b) of the Social Security Act, as amended; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 6, 1954, the following bills were reported on May 7, 1954:

Mr. McCONNELL: Committee on Education and Labor. H. R. 7434. A bill to establish a National Advisory Committee on Education; with amendment (Rept. No. 1564). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCONNELL: Committee on Education and Labor. H. R. 9040. A bill to authorize cooperative research in education; without amendment (Rept. No. 1565). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted May 10, 1954*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 527. Resolution for consideration of S. 2846, an act to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940; without amendment (Rept. No. 1566). Referred to the House Calendar.

Mr. O'HARA of Minnesota: Committee of conference. H. R. 8097. A bill to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes; without amendment (Rept. No. 1567). Ordered to be printed.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 528. Resolution for consideration of H. R. 8357, a bill to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–2571), to provide for a three-eighths basket for fruits and vegetables; without amendment (Rept. No. 1568). Referred to the House Calendar.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6173. A bill to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes; with amendment (Rept. No. 1569). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 8038. A bill to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes; without amendment (Rept. No. 1570). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 1571. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. McCONNELL: Committee on Education and Labor. H. R. 6655. A bill to amend

the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes; with amendment (Rept. No. 1572). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCONNELL: Committee on Education and Labor. H. Con. Res. 206. Concurrent resolution extending best wishes of the Government and people of the United States to Berea College, in Berea, Ky.; with amendment (Rept. No. 1573). Referred to the House Calendar.

Mr. REED of New York: Committee on Ways and Means. H. R. 7709. A bill to continue until the close of June 30, 1956, the suspension of certain import taxes on copper; with amendment (Rept. No. 1574). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H. R. 9064. A bill to amend the Eight-Hour Act of 1912, as amended, relating to payments for overtime; to the Committee on Education and Labor.

By Mr. BROYHILL:

H. R. 9065. A bill to provide for payments to States and Territories and local governmental units thereof and to the District of Columbia, in lieu of real property taxes, with respect to certain real property owned by the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. COLE of Missouri:

H. R. 9066. A bill to provide benefits for members of the Reserve components of the Armed Services who suffer disability or death incident to active duty, active duty for training, or inactive-duty training, and for other purposes; to the Committee on Armed Services.

By Mr. COLE of New York:

H. R. 9067. A bill to provide a new method for apportioning Representatives in Congress among the several States; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 9068. A bill to encourage the use of private benefit plans in lieu of social security by providing that individuals who are eligible for certain benefits under such plans shall not be entitled to social-security benefits or subject to social-security taxes; to the Committee on Ways and Means.

By Mr. CURTIS of Nebraska:

H. R. 9069. A bill to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act, and for other purposes; to the Committee on Agriculture.

By Mr. DOLLIVER:

H. R. 9070. A bill to amend the Internal Revenue Code to authorize the refund of manufacturers' excise taxes paid on gasoline and lubricating oils used exclusively for agricultural purposes; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 9071. A bill to provide for the issuance of a special postage stamp in honor of the Future Teachers of America; to the Committee on Post Office and Civil Service.

By Mr. FORD:

H. R. 9072. A bill to extend certain readjustment benefits now provided to veterans of the Korean service period by the Veterans' Readjustment Assistance Act of 1952 to persons who served in the Armed Forces of the United States during the period from the termination of World War II to the beginning of the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. MILLER of Nebraska:

H. R. 9073. A bill to provide for the management and disposition of the reconveyed Choctaw and Chickasaw lands in the State of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H. R. 9074. A bill to provide for the conveyance of a portion of the Fort Devens Military Reservation, Mass., to the Commonwealth of Massachusetts; to the Committee on Armed Services.

By Mrs. St. GEORGE:

H. R. 9075. A bill to provide for the establishment in the Department of Labor of a Federal Safety Division, and for other purposes; to the Committee on Education and Labor.

H. R. 9076. A bill to amend the Trading With the Enemy Act; to the Committee on Interstate and Foreign Commerce.

By Mr. TALLE:

H. R. 9077. A bill to amend section 405 of the District of Columbia Law Enforcement Act of 1953, to make available to the judges of such District the psychiatric and psychological services provided for in such section; to the Committee on the District of Columbia.

By Mr. WIER:

H. R. 9078. A bill to provide for advancement on the retired lists of the Armed Forces of individuals who did not receive promotions after having been held as prisoners of war or placed in a hospital and from there retired on a disability during World War II; to the Committee on Armed Services.

By Mr. WOLVERTON:

H. R. 9079. A bill to amend section 3 of the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H. J. Res. 522. Joint resolution to establish the Highway Finance Corporation; to the Committee on Banking and Currency.

By Mr. SPRINGER:

H. Res. 529. Resolution to create a fair-play code of procedure for investigative committees of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Virgin Islands, memorializing the President and the Congress of the United States relative to the provisions contained in the draft of the organic act for the Virgin Islands, recommended by the Subcommittee on Interior and Insular Affairs of the House of Representatives; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H. R. 9080. A bill to provide for the advancement of Tom Randle, a retired officer of the Army Reserve, to the grade of colonel; to the Committee on Armed Services.

By Mr. CARNAHAN:

H. R. 9081. A bill to provide for payment of the adjusted service certificate of Loving J. Collins; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 9082. A bill for the relief of Elmer C. Wirtz; to the Committee on the Judiciary.

H. R. 9083. A bill for the relief of Sumiko Takae; to the Committee on the Judiciary.

By Mr. KRUEGER:

H. R. 9084. A bill for the relief of Vasiliki Angelopulou; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 9085. A bill for the relief of Bernhard and Gertrude Horowitz; to the Committee on the Judiciary.

By Mr. McGREGOR:

H. R. 9086. A bill for the relief of William S. Lin, and others; to the Committee on the Judiciary.

By Mr. RADWAN (by request):

H. R. 9087. A bill for the relief of Samson Scholom and Ruth Scholom; to the Committee on the Judiciary.

By Mr. RAINS:

H. R. 9088. A bill for the relief of Jessie W. McWhorter; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H. R. 9089. A bill authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.; to the Committee on Veterans' Affairs.

By Mrs. ST. GEORGE:

H. R. 9090. A bill for the relief of Flemming Gerhardt Hansen; to the Committee on the Judiciary.

H. R. 9091. A bill for the relief of Lucie Doris Hering O'Connor; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 9092. A bill for the relief of Fernando Zerrudo; to the Committee on the Judiciary.

By Mr. WIGGLESWORTH:

H. R. 9093. A bill for the relief of George C. Papanicolaou; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

708. By Mr. REECE of Tennessee: Petition of members of the WCTU at Jonesboro, Tenn., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

709. By Mr. WATTS: Petition of certain citizens of Fayette and Garrard Counties, Ky., deploring the advertising of alcoholic beverages by newspapers, periodicals, radio, and television, and urging prohibition of such advertising in interstate commerce by approval of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

710. By the SPEAKER: Petition of the president, Sons of Utah Pioneers Luncheon Club, Salt Lake City, Utah, recommending the construction of the Echo Park Dam as a vital and necessary action; to the Committee on Interior and Insular Affairs.

711. Also, petition of the chairman, Municipal Council of St. Thomas and St. John, V. I., relative to a resolution adopted by the Municipal Council of St. Thomas and St. John on May 3, 1954, "praying for the enactment by the United States Congress of the organic act for the Virgin Islands recommended by the people on May 20, 1953"; to the Committee on Interior and Insular Affairs.

712. Also, petition of Charles Telfian, Raiford, Fla., relative to the case of *Charles Telfian v. the United States of America*, relating to a redress of grievance; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Hidden Benefits

EXTENSION OF REMARKS
OF
HON. WILLIAM A. DAWSON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. DAWSON of Utah. Mr. Speaker, I am greatly indebted to my good friend and colleague, the distinguished gentleman from Pennsylvania [Mr. SAYLOR], for having extended his remarks in the CONGRESSIONAL RECORD of May 3, under the heading "Hidden Subsidies." I am particularly indebted to my friend for his having reproduced, so that all the world might see it, a letter addressed to him on April 13 by the Honorable Joseph M. Dodge, Director of the Bureau of the Budget. The principal reason for my gratitude to the distinguished gentleman from Pennsylvania lies in the fact that he has thus given wide circulation to a letter from one of the highest officials in the executive branch of the Government, setting forth with clarity and logic the administration's full support for the policy of the reclamation program—for the policy of developing the West. I may add, Mr. Speaker, that Director Dodge's letter of April 13 is, in a very real sense, epoch making, for the Bureau of the Budget has been notoriously conservative in its attitude toward the authorization of Federal reclamation projects. I venture to express the hope that the policy so ably explained by Budget Director Dodge in his letter of April 13, and the recent blessing accorded by this administration to the Colorado River storage project and participating projects, meaningful as they are for the immediate present, will be of greater and greater significance in the years to come for the 17 Western States.

My good friend, the distinguished gentleman from Pennsylvania [Mr. SAYLOR], is noted for taking, let us say, a highly reluctant attitude toward the development of the 17 Western States. My good friend and all his Pennsylvania colleagues ought, in their own interests, to demonstrate greater concern for the development of the West, particularly, through the Federal reclamation program.

It is not the hidden subsidies of the Federal reclamation program with which my friend should be concerned. It is the hidden benefits of that program of which he should take note. Indeed, this House, as well as the other body, and the people of the country as a whole ought to take note of these immense hidden benefits of the Federal reclamation program. As a result of 50 years of effort, some 7 million acres of good farmland are under irrigation in the West; 125,000 family farms are receiving water for irrigation in the West; 125,00 suburban homes in the West are receiving irrigation water.

As a result of some 47 harvests since the Federal reclamation program was put under way in 1902, almost $9 billion worth of agricultural products have been derived. This is the result of the investment of less than $2 billion in the last 50 years. During the fiscal year ending June 30, 1953, some 25 hydroelectric powerplants, constructed under the Federal reclamation program, produced gross revenues of more than $48 million. And, what of the more than $500 million paid back by the water and power users in the West on Federal reclamation projects during the past 50 years? What of the almost $3 billion in Federal tax revenues alone coming into the Nation's coffers from reclamation project areas? What of the fact that retail sales in the 17 Western States, where this Federal reclamation program touches the people directly, have averaged more than $150 per capita higher than in the other 31 States?

My friend should concern himself with the direct financial effect on the railroads in Pennsylvania, on Pennsylvania's manufacturers, and on Pennsylvania's merchants of the Federal reclamation program. If my distinguished colleague will take time to look into the situation, he will find, for instance, that, in 1 year alone, the Federal reclamation program was responsible for the movement out of the State of Pennsylvania of more than 98,000 railroad cars, carrying more than 27 million tons consigned to the Western States. The figures on motortruck loadings are even more stupendous.

The thing that has been too long hidden from the general public, and, apparently, from my good friend, the gentleman from Pennsylvania, is the benefit to the country at large from the Nation's investment in the Federal reclamation program. The President and his aides evidently recognize these benefits. The Congress has recognized these benefits. I hope that the Congress will continue to give evidence of its recognition of these benefits through the authorization of the Colorado River storage project and participating projects .

When my friend speaks of "hidden subsidies" connected with the Federal reclamation program in the West, he must do so with tongue in cheek. I say that, because his 22d Congressional District in the great State of Pennsylvania has benefited from Federal Government aid in the construction of public works for many years. He is active in seeking the authorization of additional works. His constituents do not have to pay, as our western water users have to pay for the cost of these works. Indeed, the taxpayers of my State of Utah, and the States of Colorado, New Mexico, and Wyoming have helped to pay the cost of these works.

Already built in Mr. SAYLOR's district are: the Mahoning Creek Reservoir, at a cost to the taxpayers of the United States of more than $6½ million; the Crooked River Reservoir, at a cost of more than $4½ million; and the Johnstown project, at a cost of almost $9 million. Now bulding in his district is the Conemaugh project, at an estimated cost close to $50 million. His constituents do not have to repay the costs of these works, with or without interest. It seems unreasonable on his part to complain against the established policy—a policy established under Theodore Roosevelt—whereby the western water users are not required to pay interest on the country's investment in their irrigation works.

Celebration in Honor of Capt. William A. Maguire, United States Navy, Retired

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1954

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a short statement concerning the celebration to be held in my home community of Anaheim in commemoration of Capt. (Ch. C.) William A. Maguire United States Navy, retired, on May 16.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL

A celebration honoring the memory of Capt. William A. Maguire, USN, padre-hero of Pearl Harbor, is to be held on the grounds of St. Catherine's Military School, Anaheim, Calif. Following his retirement after 30 years in the Navy, Father Maguire's last assignment before his death last year was chaplain to the cadet corps at St. Catherine's.

Capt. (Ch. C.) William A. Maguire, USN, retired, served as chaplain at the school from the time of his retirement from active duty until his death in London while on vacation last September, and the Dominican Sisters of Mission San Jose, in charge of the school, plan to perpetuate his memory by erecting a new chapel in his honor. The plan has received the approval of Cardinal McIntyre.

Father Maguire wrote two books—Rig for Church and The Captain Wears a Cross—about the Navy and Navy men. Adm. Adolphus Andrews wrote as a foreword in the latter book: "This is a book about the men of our Navy by a man who must know as many of them, and know them as well, as anyone who ever wore the Navy's blue. Chaplain Maguire has, as much as any man I have ever known, a talent which is rare—the talent of knowing other men, not superficially or carelessly or through a veil of personal preconception, but as they are. To the varied, exacting tasks of his profession, he brings deep sympathy for other men and wide tolerance of their human foibles." Admiral Andrews closed his remarks with, "For the men of whom Chaplain Maguire

writes are typical of our Navy. So is the officer who writes of them."

Father Maguire was born December 31, 1890, in Hornellsville, N. Y. He was ordained July 4, 1915, in Louvain and first reported for duty with the Navy in 1917.

While on duty aboard the *Christabel* in the Quiberon Bay on April 17, 1918, he was cited for bravery and was later awarded the Navy Cross by official orders in 1920.

Father Maguire was fleet chaplain, stationed at Pearl Harbor at the outbreak of World War II. The catchy wartime tune Praise the Lord and Pass the Ammunition was "credited" to him; however, he officially denied any part of it.

To have known him as a priest, a man of the Navy, and a friend of all, I can only add "God rest his soul."

The United Nations: 9 Years of Service

EXTENSION OF REMARKS
OF
HON. CHARLES R. HOWELL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 10, 1954

Mr. HOWELL. Mr. Speaker, 9 years ago representatives of 51 nations, united against aggression in a war then near its close, met at San Francisco. It was their purpose to lay the foundations of an international organization dedicated to the preservation of peace among nations and to a cooperative attack on problems of an economic, social, cultural, and humanitarian character—problems from which no country, in all humility, can claim exemption.

Two months later the Charter of the United Nations was signed. This Charter is not a constitution for a world government, but a treaty ratified by sovereign states. Under it, they voluntarily assumed solemn obligations as members of an international organization to work together in building the foundations of peace through greater well-being for all peoples, and in developing a system of collective security against aggression. It should always be remembered that the United Nations is not an entity apart from the nations which form it; their collective efforts for security, which find a permanent focus in the deliberations of United Nations bodies, only reflect the strength of the will to peace existing in the individual governments and peoples of the 60 member states.

Disillusionment has become the fashion in some quarters about the ability of the United Nations to resolve international conflicts—particularly East-West tensions—and to resist aggression swiftly and effectively. Yet in four regional wars, in the Balkans, Palestine, Kashmir, and Indonesia, action by the United Nations brought about a cease-fire. The determined stand taken in 1946 by the United Nations Security Council, strongly backed by the United States and Great Britain, played a major role in the cessation of direct Soviet interference in the internal affairs of Iran and in the withdrawal of Soviet troops. And in the supreme test—that of meeting Communist aggression in Korea backed by the Soviet Union itself—the United Nations, encouraged by the prompt action of the United States, met the challenge.

Human institutions in a free world have a surprising resilience and capacity for adaptation. Faced with paralysis in the Security Council because of Soviet obstructionist tactics, the United Nations turned to the General Assembly to cope with the continuing Communist aggression in Korea. In the Assembly's uniting for peace resolution of November 1950, and subsequent actions, that body showed itself to be an effective forum in which the spotlight of world opinion can be focused on acts of aggression and their perpetrators. Students of the constitutional development of the United Nations believe that there is nothing in history to match the speed and effectiveness with which the United Nations developed in this time of trial.

Achievement less spectacular but of the greatest significance for the long-run development of a peaceful and prosperous world is that of the United Nations and its 10 specialized agencies in combating the economic and social problems which beset the world, particularly in the underdeveloped countries. Our former deputy representative to the United Nations, Mr. Ernest A. Gross, once said that if he had learned anything at the United Nations it was that collective security meant not only collective action against an aggressor but against hunger, disease, and ignorance.

In this struggle against hunger, disease, and ignorance, the one United Nations activity which has perhaps most caught the world's imagination is the expanded technical assistance program—the United Nations own point 4 program for sharing technical skill and know-how. Secretary General Dag Hammarskjold has called this program "one of the great pilot ventures" of the United Nations. In the words of Mr. Hammarskjold, this venture is "a striking confirmation of general faith in the contribution that can be made by the United Nations to the building of a world of justice and peaceful progress, to lifting the lives of all men to a level worthy of man."

Cooperation in the technical assistance program is thus symbolic of the unity of purpose with which the members of the United Nations must push on toward their goal. The United Nations is daily proving its value as an instrument of mankind for the eventual building of a world of peace and well-being. If we here in the United States hold fast to our faith in the United Nations, the momentum which our faith cannot help but give to this worldwide movement will bring nearer the reality of a peaceful and prosperous world.

The time is approaching for the chance for members of the United Nations to reexamine and review the structure of that organization. I urge that the United States strongly support the proposed conference for the revision of the United Nations Charter. Such a conference offers an opportunity to strengthen the U. N. and therefore increase the chances for world peace and a higher order of international morality.

Hon. Clyde Doyle, Representative in Congress, 23d District, California, Reports To His People

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 10, 1954

Mr. DOYLE. Mr. Speaker, each of the four terms I have been elected to serve a great people in Los Angeles County, in my native State of California, I have made written report, directly back to these people, of my work as their Representative in this great legislative body. I have done so, because I believe it is absolutely necessary for my neighbors back home at the "grassroots" of American citizenship to know what their own Representative is doing. As you well know, Mr. Speaker, very many other Members of this House, on both sides of the political aisle, regularly make similar reports. The last two by me were on April 6, 1950, and on April 28, 1952. Since these annual reports, made when I represented the 18th Congressional District, district lines and numbers were changed. In the June 1952 primary, under the "cross-filing" law in California, I was accorded the honor and recognition of my 6 previous years, and won both the Democratic and Republican nominations in the newly created 23d District, the largest portion of which was in the former 18th district.

I again repeat what I stated in our CONGRESSIONAL RECORD on April 28, 1952, to-wit:

> The strength of our democracy and the American way of life depend upon the extent to which the American people know the facts about, as Abraham Lincoln said, "a government of the people, by the people, and for the people."

Mr. Speaker, I thank you and all my other distinguished colleagues for granting unanimous consent to place this report in the official CONGRESSIONAL RECORD of this 83d Congress. As in other years, so again, I shall send this direct through the mail to many hundreds of folks so they may know, first hand, what the actual record is.

No tax money will be spent to print the copies of this "report" which I send back home to my people in the great 23d District:

WASHINGTON, D. C., *May 6, 1954.*

To all my neighbors of the 23d Congressional District:

I have the honor of submitting my first official report to you as residents of the newly created 23d Congressional District. I continue to recognize the responsibility you placed upon my shoulders when you elected me to be your first Representative from the new 23d District, in June 1952, when you further favored me by giving me sufficient of the ballots of both registered Democrats and Republicans. This fact, together with my natural and already established habit of first being an American Congressman ahead of being merely a partisan, gave me a richer realization of high honor and duty. It also redounded to the benefit of the 23d District on frequent occasions.

I know you realize that in this report, I cannot possibly enumerate every one, or even nearly all, of the official duties and acts which I have had the pleasure and duty of representing you in since the beginning of this my 8th year at the Nation's Capital. But, within the limit of time and space allotted me, I want to share with you as many of my official acts as possible. I want you to learn first hand. Furthermore, I believe you are entitled to have me report direct to you at your home. If I have not voted and acted as your elected Representative in Congress as you would have me, I cordially and sincerely invite you to let me promptly and fully hear from you as to how and why you think I was mistaken. How can I know what you think about the performance of my heavy duties and responsibilities, on your behalf, if you do not tell me? So, neighbor, I seek your considered opinion—at all times.

My 23d District office, located in the Post Office Building, Huntington Park, has regularly been open and expertly staffed 6 days a week from 9 a. m. until 5 p. m. Literally hundreds of personal and telephone calls have been promptly served by my two able secretaries. I also have another paid secretary who lives in and serves the residents of the Watts-Willowbrook area of the 23d District. There is maintained close, prompt coordination between my district and my Washington, D. C., office, where I necessarily am, almost all of the time. You will find prompt, courteous, able help from my district staff, who will contact me at Washington, if necessary.

My office at 1030 New House Office Building, Washington, D. C., has been staffed at all times with at least two experienced secretaries who have been with me for about 4 years already. This office has also been open 6 days a week. Four mail deliveries a day bring heavy first-class letters and many important documents, reports, periodicals, telegrams, etc. I still continue to try to personally read every first-class letter addressed to me, and to personally dictate or supervise the answers. Some days I cannot possibly do so, either because my work on the floor of the House itself, or my attendance upon my two major committees, or my official absence from Washington, D. C., on committee work—these are some of the reasons I cannot personally find time or opportunity to do as much as I would like each day. The 23d District is recognized as one of the busiest and most important in the Nation. Some districts in the Nation do not need more office help, but the great metropolitan districts of Los Angeles County, San Francisco, Chicago, Boston, New York, etc., do. But all districts are now allowed the same office budget.

At the opening of the 83d session, I made arrangements, with the consent of the Postmaster General, to have my secretary present at the various post-office buildings in my 23d District on specified hours, which were given publicity. This was in a new and different effort to take my office services to the people. However, so very little use was made of this innovation that it was discontinued in a few months.

Many letters and telegrams come to me at Washington asking me to be present at some lovely dinner, civic group meeting, veterans' convention, public celebration, or political meeting. In this connection, may I again assure you I would like nothing better than to come home for these cordial, important events. But, of course, my 8 years of seniority in Congress means more and more responsibility upon me as your Congressman. More committee meetings and duties at the Nation's Capital, and more official committee assignments away from Washington in other States; or, even in other nations.

You see, the Armed Services Committee, of which I am an established member because of my several years of seniority, is charged with hearing or actually seeing the evidence, wherever possible, before we authorize any appropriation for military expenditures. In keeping with this heavy responsibility as a member of important subcommittees, I have officially inspected and surveyed certain matters in the following foreign nations: Alaska, England, France, Austria, Germany, Italy, Africa, Spain, Portugal, Denmark, Norway, the Azores, Japan, Hong Kong, the Philippines, Okinawa, Kwajalein, Guam, Johnston Island, Hawaiian Islands, Pearl Harbor, Aleutian Islands, and Point Barrow. I have witnessed certain atomic bomb explosions and had the benefit of interviewing and meeting many of the highest staff officials of the United States and other nations regarding world conditions. Before President Eisenhower was a candidate for high office, I was one of a very few sent to Paris to confer with him and his staff. I am a member of the Armed Services Subcommittee No. 1, of which Hon. PAUL SHAFER, Republican, of Michigan, is the chairman. The majority party numerically always has the committee chairmanships and the most members on every committee. I was a member of the special subcommittee assigned to make a study of the synthetic rubber plants of our Nation. There are 35 members of the Armed Services Committee. The chairman of the committee has personally thanked me for my faithful committee work and attendance. On January 6, 1954, Hon. PAUL SHAFER, Republican, my distinguished chairman of the Armed Services Subcommittee No. 1, wrote me a very gracious letter welcoming me back from Christmas vacation recess in which he also said:

"What is most impressive to me is that your interrogation of witnesses is intelligent and understanding and you do not take the time of the committee with unessential questions or observations."

As a member of the House Un-American Activities Committee, I have attended its sessions faithfully. Also, I have fully discharged my heavy duties as a member of subcommittees of the full committee, sitting at San Francisco, New York, Los Angeles, San Diego, Washington, etc. Also, I naturally feel I have functioned patriotically, constructively and ably for the reason, among others, that the committee unanimously chose me as chairman of the Subcommittee on Rules. Not all the rules from my committee were adopted by the full committee of nine members. But, most of them were. Furthermore, it is said this Rules of Procedure, printed July 15, 1953, is the first time in congressional history when such a comprehensive set of rules for the protection of the witness; guidance of legal counsel for the witness; and, for the policy and procedure of the congressional committee itself, was printed and freely distributed to all interested. Furthermore, the committee chairman, on the floor of the House of Representatives, spoke in appreciation of my services on the committee and for my "effort to keep it nonpartisan."

The speech of Chairman VELDE, Republican, of the House Un-American Activities Committee, on the floor of the House of Representatives on February 25, 1954, as reported in the CONGRESSIONAL RECORD at page 2175, is itself clear evidence that my efforts as a member of that committee to have it function on as high a level as possible have been recognized by Congress.

Mr. VELDE said: "I wish to say to the gentleman from California [Mr. DOYLE] as well as to the other members of the committee that I appreciate wholeheartedly the support the gentleman from California [Mr. DOYLE] has given his chairman; that I am sure each one of us realizes the importance of his effort to keep this very important committee nonpartisan; and I am sure each member of the committee has done his utmost to fulfill that obligation."

As to the public bills I have filed in this 83d Congress, they are 16 in number. They are as follows:

House Joint Resolution 29, January 3, 1953: To authorize the President of the United States to appoint a committee to designate the most appropriate day for National Children's Day.

House Joint Resolution 30, January 3, 1953: Proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

House Joint Resolution 124, January 13, 1953: Granting the consent of Congress to joinder of the United States in suits in the United States Supreme Court for adjudication of claims to waters of the Colorado River system available for use in the lower Colorado River Basin.

House Joint Resolution 125, January 13, 1953: Proposing an amendment to the Constitution of the United States with respect to the term of office and qualifications of Members of the House of Representatives, increasing term to 4 years.

House Resolution 69, January 13, 1953: Creating a Commission on the Problems of Aging and Elderly People.

H. R. 1534, January 13, 1953: To amend the Servicemen's Readjustment Act of 1944, as amended, to insure proper review of disability status of persons discharged from the armed services and to provide for a copy of disability record and to provide for presumption of service-connected injury or disease.

H. R. 1535, January 13, 1953: To provide a 1-year extension of the existing 5-year limitation on the period of time for presenting Indian claims to the Indian Claims Commission.

H. R. 1536, January 13, 1953: To amend Veterans Regulation No. 9 (a), as amended, so as to increase the limit of amounts payable thereunder in connection with the funeral and burial of deceased veterans.

H. R. 1537, January 13, 1953: To amend the Social Security Act to provide for payment under the Federal old-age and survivors insurance system of child's insurance benefits to children who have attained the age of 18 but are incapable of self-support because of physical or mental disability, and for other purposes.

H. R. 1538, January 13, 1953: To restore the right of certain veterans to apply for insurance.

H. R. 1539, January 13, 1953: To provide that the tax on admissions shall not apply to admissions to a moving-picture theater.

H. R. 1540, January 13, 1953: To amend the Social Security Act to permit individuals entitled to old-age or survivors insurance benefits to earn $125 a month without deductions being made from their benefits.

H. R. 1541, January 13, 1953: To provide reduced postage on airmail parcel post sent to members of the Armed Forces of the United States in certain areas.

H. R. 1542, January 13, 1953: To provide free postage for members of the Armed Forces of the United States serving in the United States or elsewhere.

H. R. 1543, January 13, 1953: To provide hospital and medical treatment for certain disabled veterans residing abroad for service-connected disability.

H. R. 3473, February 24, 1953: To establish the Federal Agency for Handicapped, to define its duties and for other purposes.

All of these have been referred to committees or subcommittees. Before the committee will proceed with a hearing on any public bill, the executive or administrative agency or department has first to file its approval or disapproval with the congressional committee concerned. Many times Members of Congress file a public bill, well knowing in advance that such bill will not get out of committee or be approved by the department.

But all major legislation is a matter of education; necessity and compromise. Also bills by minority Members of Congress never take precedence over similar bills by majority party Members. My public bills were filed by me aware of these factors. But, each of them stated a principle I felt should have some worthy consideration in any study of related legislation.

During this 83d Congress I have filed 22 private bills. Such bills are generally for the benefit of persons claiming relief from Uncle Sam on account of refunds due, naturalization and immigration relief, compensation claims, alleged damage, etc. These private bills are for the benefit of residents of the 23d District. All such bills also have to have reports thereon from the Federal agency concerned before they can begin being processed in committee.

The daily CONGRESSIONAL RECORD has been placed by me in the 23d District public libraries, college and high-school libraries so as to be available to the largest number of citizens. I have frequently mailed to the public officials throughout the 23d District whatever valuable Government printed matter I could obtain, including valuable printed information to the school faculties for assistance to them in instruction about matters at the Nation's Capital. Some of these publications I have been pleased to be able to obtain, even at my own personal expense. And, many students have also received from me pertinent data and cordial assistance from my offices.

I know of no request for assistance, founded on merit, which has not had attention with dispatch and my best efforts. However, it has been well said, "There are some things that even a Congressman cannot accomplish."

I am also sure that the record speaks clearly of my active and cordial and able assistance, at all times, with the very able public-school officials of the several school districts, who have called upon me for assistance from the Nation's Capital, in important matters there pending. For instance, in April, the Compton Union High School district was given a tentative entitlement of $19,762.23 for 1954, with $14,821 immediate payment. The Bellflower City School district was at the same time given a tentative entitlement of $52,426.20 for 1954 with $39,319 for immediate payment, and the Enterprise School district, Compton, was allowed tentative entitlement of $6,736.70, with immediate payment of $5,052. I now desire to compliment all these school officials and representatives. They have been prompt and thorough. I frequently receive compliments from the Federal level for them. This session I have already been pleased to cooperate with the schools of Paramount, Downey, Bellflower, Compton, and Lynwood, for which I have received their appreciative expressions.

Again in this 83d Congress I did as I have done in the 79th, 81st, and 82d Congresses, personally testified before the Post Office and Civil Service Committee of the House in favor of a decent and necessary raise in salary for the postal clerks, carriers, and employees.

As to the lads I have nominated to compete for entrance to West Point and Annapolis Academies during all my 8 years, I am proud to report that only one has failed in scholarship. And this was in only one subject. I wish to respectfully suggest that if there are boys who wish to take the civil-service examinations for the two existing academies; to wit, West Point or Annapolis, because they have decided to make it their career, I would be proud to arrange so such lads can get a chance to compete. Also, I am invited to name 10 boys from the great 23d District to take competitive examinations for the newly authorized Air Academy. I invite inquiry by interested lads in the 23d District. I always require approval of parents for boys to take the necessary examinations. I cordially invite prompt inquiry. Any boy qualified physically, and of the required age, without regard to creed, color, or politics, is entitled to be considered on his own merits. I have never, nor will I, nominate a lad on account of any political consideration or gain to myself.

Because I know folks at home, in all congressional districts, should know what the attendance record of their own Congressman is, I quote the Los Angeles Times for April 11, 1954, as follows:

"Perfect records: The tally of Los Angeles Congressmen with perfect voting records in the 14 House rollcalls this year, includes 4 Republicans: PATRICK J. HILLINGS, Arcadia; JOSEPH J. HOLT, Van Nuys; GORDON MCDONOUGH, Los Angeles; G. P. LIPSCOMB, Los Angeles, and 1 Democrat, CLYDE DOYLE, South Gate."

My appreciation is hereby given to the newspapers and press of the 23d district for using so much of my newsletter from time to time.

We have not had opportunity to vote on subjects of aid to veterans and veterans' dependents, aid to aged and elder citizens, extension and expansion of social security, benefits for veterans under educational and health programs, etc. But, I have always supported these in principle. I expect to do so again.

As there have been comparatively few rollcall votes as of this date; and, as it is to be hoped there will be several very important votes shortly, it has been stated that a vote schedule or tally sheet of all the California Congressmen will soon be issued. This will give all the rollcall votes of all California Representatives during this 83d Congress. Therefore, it will be interesting for you to know how we all voted on the same measures. I am informed this will soon be generally publicized throughout all the California Congressional Districts. I respectfully urge you to observe my vote in this vote tally and request you to let me know wherein you think I made any mistake and why you think so. I have never claimed to be able to so vote in Congress as to please everybody. But, I have always voted according to the equities and justices as I saw them, when the final text of the legislation was written and presented on the House floor. To this I have always added the factor of my own conscience. I have never voted to please any pressure group, nor any bloc, nor stood in any personal relationship to materially profit or lose on the outcome of any legislation upon which I have voted as your Representative.

Being frequently asked as to when Congress will adjourn for the summer, I can only say that the House now appears to me to be well ahead, several weeks at least, of the Senate. July 31 is the reorganization bill deadline—but, it is not always observed. It is now likely that the House will probably have to wait until the Senate catches up.

However, as June 8 is the date for the California primary election, in every congressional district, it is here expected that every California Congressman, in both parties, who desires to do so, shall leave the Halls of Congress and go to his congressional district and campaign for his own reelection. Here at Washington the long-established and frequent phrase, heard on both sides of the political aisle, is as follows: "If you can't be elected, you can't be a Congressman."

Therefore our committee colleagues and all Members of the Congress naturally expect we California Members to be absent from committee and the House floor long enough ahead of June 8 to meet our reelection campaign needs, whatever they may be.

In fact, some of the California men are already home in their respective campaigns. As the election dates of each State come up, the Members from that State are excused from Congress to go home. Congress expects them to go home in plenty of time and as often as necessary to adequately meet election campaign needs. Two years comes around very rapidly for Congressmen.

There are other matters I would like to visit with you about, but I hope to meet very many of you personally. Mrs. Doyle joins me in this hope. She has now worked side by side with me all these years but has never asked for, nor received, one cent of Federal pay for her services.

Let me name in general outline the geographical outline of the great 23d District, which I have the honor to represent, and in which you and I have the privilege of residing, as including the cities and towns and vicinities commonly known as: Bell, Bell Gardens, Bellflower, Clearwater, Downey, Florence, Graham, Firestone, Watts, Willowbrook, Huntington Park, Maywood, Paramount, Walnut Park, Compton, Lynwood, South Gate, Lugo, Hollydale, Home Gardens, Hondo, and Vernon.

In closing this report to you, my neighbors of the great 23d District, I renew my hope that my wife and I may have the pleasure of meeting and knowing as many of you as possible. Mrs. Doyle will remain at our residence in South Gate until we return to Washington for the 84th Congress (I hope).

I will return to the 23d District from Washington before June 8, the same as the other California Congressmen do, expecting to return to Washington right after June 8, as it is evident Congress will not adjourn for several weeks after that.

So, asking you to let me know what you think, and why; and inviting you to let me know whenever and wherever you think I can be helpful to any person or problem, I have the honor to be,

Your Congressman,

CLYDE DOYLE.

Hon. Sam Rayburn, Distinguished Lawmaker, Made Honorary Member of International Legal Fraternity of Phi Delta Phi

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EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. EVINS. Mr. Speaker, on Saturday evening last in the city of Washington, D. C., Hon. SAM RAYBURN, our beloved colleague and former Speaker of the House of Representatives, was initiated into the International Legal Fraternity of Phi Delta Phi. The ceremony in which Speaker RAYBURN, statesman and distinguished lawmaker, was made a member of this great international fraternity of distinguished lawyers was most impressive. In making Mr. RAYBURN an honorary member, the fraternity has added distinction to the roster roles of its membership. As we know, former Speaker RAYBURN has contributed immeasurably to the growth and development of the law of the land, if not a practitioner of his profession in the courts, certainly in the role of legislator both as a member of the General Assembly of the State of Texas and as a distinguished legislator for many years in the Halls of Congress.

Mr. RAYBURN'S role has been that of advocate for the passage of progressive legislation for the people of this Nation

as a Member, chairman of his committee, majority leader for his party, and Speaker of the House of Representatives longer than any other Speaker in the history of this Nation.

Along with Mr. RAYBURN, a fellow Texas attorney, D. L. McCormack, and Judge W. K. Miller of the district court were also made honorary members of the Phi Delta Phi Fraternity together with some 37 senior law students of George Washington University and Georgetown University in a joint ceremonial.

Mr. RAYBURN delivered on the occasion of the banquet, following the initiation, a brilliant and inspiring message addressed principally to the young lawyers, his fellow initiates. Unfortunately, a manuscript copy of this address is not available for reproduction in the RECORD. In the main, the address was that of an elder statesman designed to inspire the young lawyers of the Nation together with an optimistic faith in the future destiny for our country.

Phi Delta Phi has saluted Mr. RAYBURN and in turn Mr. RAYBURN has brought added honors to the membership of this distinguished legal fraternity.

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. FORD. Mr. Speaker, May 3 is an eventful day in the history of human freedom. On this day in 1791 the Polish Constitution was adopted by the people of Poland. In the annals of human progress it was a great step forward in the evolution of the democratic processes. Listen to the words contained in the preamble of this immortal document:

Persuaded that our common fate depends entirely upon the establishing and rendering perfect a national constitution; convinced by a long train of experience of many defects in our government, and willing to profit by the present circumstances of Europe, and by the favorable moment which has restored us to ourselves; free from the disgraceful shackles of foreign influence; prizing more than life, and every personal consideration, the political existence, external independence, and internal liberty of the nation, whose care is entrusted to us; desirous, moreover, to deserve the blessing and gratitude not only of our contemporaries but also of future generations; for the sake of the public good, for securing our liberty and maintaining our kingdom and our possessions; in order to exert our natural rights with zeal and firmness, we do solemnly establish the present constitution, which we declare wholly inviolable in every part, till such period as shall be prescribed by law, when the nation, if it should think fit and deem necessary, may alter by its express will such articles therein as shall be found inadequate. And this present constitution shall be the standard of all laws and statutes for the future diets.

Subsequent events have torn asunder this great nation dedicated under the terms of this great charter. Poland is still under the yoke of cruel and ruthless Russian domination. Her people, however, forcefully demonstrate to the world that the shackles of freedom are bursting at the seams. The two young Polish fliers who escaped from Poland are the best evidence in support of this statement. From the case of Frank Jarecki I know personally that the cauldron of freedom is boiling over and will soon overflow its sides. When the time is ripe we must and will be ready to offer our helping hand. This is the policy of liberation announced by President Eisenhower when he assumed office. We will not fail our trust. We this day rededicate ourselves to this mission of freedom and liberty for a heroic nation and its sturdy and stalwart people.

Today, the world over, people of Polish descent rejoice and send their spiritual greetings to the gallant men, women, and children in Poland. As our forefathers fought and died for freedom, so, too, has fate required this of the Polish people. From this suffering will come, as sure as we have night and day, a greater freedom-loving Poland.

Let us all join in offering our prayers and best wishes to the people of this great nation.

H. R. 7870, a Bill To Authorize a Food-Stamp Plan

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mrs. SULLIVAN. Mr. Speaker, under unanimous consent, I include in the RECORD a statement I made before the House Committee on Agriculture concerning my bill, H. R. 7870, for the disposal of a portion of the surplus foods now in Government storage to people receiving welfare, under a food-stamp plan:

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF MISSOURI, BEFORE THE HOUSE COMMITTEE ON AGRICULTURE ON H. R. 7870, HER BILL TO AUTHORIZE A FOOD STAMP PLAN

I very much appreciate the opportunity to discuss with the members of this committee my bill to get some of our surplus food into the stomachs of hungry people.

H. R. 7870 would authorize the Secretary of Agriculture to distribute a small portion—up to one billion dollars worth a year—of our surplus, Government-owned stocks of food to needy families in the United States under a food stamp plan.

The members of this committee are, I am sure, thoroughly familiar with the successful food stamp plan in operation during the early years of the Roosevelt administrations. The purpose of that plan was twofold: To help the poor—and how many of them we had then. A large proportion of our population was in want; and second, to provide markets for farmers in desperate financial straits. The food stamp operation, then, of necessity, had to be a huge undertaking for it had to meet a huge dual responsibility in a time of economic disaster.

Of course, our situation today in no way resembles that of the depression days of the middle thirties. There is no depression in the United States. But I think it would be tragic to shut our eyes to the fact that we do have an economic recession, that we do have nearly 4 million unemployed, that we do have other millions on relief and in distress. Simultaneously, we have these mountains of surplus food accumulating in warehouses and storage bins.

My bill does not represent a solution for surpluses accumulating under the price-support program and other programs of aid to agriculture. That is a problem which I know the members of this committee are wrestling with—a terribly complex problem. While my bill is no solution for it and does not pretend to be a solution for it, it does attempt to put part of this food to human use—to get some of it—a small portion of it—to children going without milk and eggs and meat, to families who get up from their tables almost as hungry as when they sat down to eat.

Do we have such families in the United States? Unfortunately, yes, we do. The number is growing. Their plight in the midst of this abundance of food is a tragedy. It is a disgrace. It is a mockery of the resourcefulness of the United States.

I hesitate to say it, but I must be blunt and speak my mind honestly: We have here in the United States hunger. While we may tend to shut our eyes to that fact, I can assure you the Communist conspiracy has not done so. It galls me, as I know it does every member of this committee and every Member of Congress and for that matter every American, that the plight of a small percentage of our people furnishes grist for Communist propaganda throughout the world—half truths intended to convince the minds of men in Europe and Asia that hunger in the United States is proof that the American system does not work and cannot work for the good of all the people.

It does work and it can work and, in the vast majority of cases, it is working. But let's be honest with ourselves: We do have actual need and want and destitution among some Americans. And we have it when our warehouses bulge at the seams with so-called surplus food. I say so-called because obviously much of this food is needed for proper nourishment of American children and for people who because of handicaps or other reasons, including failure to find jobs and ineligibility for unemployment compensation or public assistance, have insufficient income to enable them to eat regularly and adequately.

THE SULLIVAN BILL

I hate to think of any American—or anyone else for that matter—not receiving an adequate diet in these days when our agricultural progress and resourcefulness have provided us the means for assuring abundance for all. I should like to say: Take this surplus and give it away to anyone who is hungry, anywhere.

But, of course, we have to put some limit on our generosity, and pay heed to the possible and the practical. If we sit by doing nothing because we don't yet have the perfect answer to every problem, why of course we would never do anything.

In this bill, I have tried to seek a practical approach. H. R. 7870 does not say we should give away free food to anyone who happens to come by and ask for some. It attempts to channel a portion of this food to those most in need—those whose circumstances are most desperate. Let's at least start with them, and then, if we find we can do more than that, why certainly let's go on from there. Therefore, I have suggested in H. R. 7870 that we establish a food-stamp plan aimed primarily at persons and families on relief—on public assistance—or in need of

such assistance but ineligible because of legal technicalities.

This is not to say that people on social security or on unemployment compensation or participating in other programs of that nature not directly reflecting destitution could not well be included in a food-stamp plan. I think that determination would depend upon information which the Department of Agriculture and the Department of Health, Education, and Welfare and the Department of Labor might be called upon to provide to this committee on the extent of need in these categories and on the extent of the surplus food which could be distributed among them on a practical basis.

But there is no doubt—none whatsoever—of the need of those on relief. Their relief grants are admittedly inadequate to keep any American family in the barest minimum of decency and dignity. Everyone acknowledges that. There is no dispute about it. A millionaire is eligible for unemployment compensation or for social security, but no thousandaire is eligible for relief. Relief clients are destitute Americans with no resources, no income, no funds. They are paupers. And they are hungry.

There is a second category in this tragic situation. They are the unemployed who have no unemployment compensation for one reason or another or who have used up their unemployment-compensation benefits. Whether they have a dollar to their name or not, they are also ineligible for public assistance in many jurisdictions, including Missouri, by reason of the fact that they are employable. Where do they go? Where can they go? They can go to the private charities.

The private charities in the United States—certainly in our cities—are in desperate straits. Here in the city of Washington, both the private charities and the public relief agencies are turning people away—people in need, people who are hungry—people without jobs and without income—because funds are not available to help them. This is not an isolated Washington phenomenon. This is happening in many of our cities and in our States. I have a report dated several months ago from the research bureau of the Social Planning Council of St. Louis—including an analysis of recent trends in relief experience of community-chest agencies. In keeping with the rising trend in unemployment earlier this year—unemployment 73 percent greater than a year ago—it showed a situation of crisis.

In December 1953 the Salvation Army family welfare department assisted 42 percent more cases than a year ago and spent 236 percent more money for direct relief. The St. Vincent de Paul Society assisted 45 percent more cases, but had only 7 percent more money to cover this increased load.

"These two chest agencies represent the ones most acutely affected by the sensitivities of the labor market," the analysis declares, "because of policies directed toward attempting to meet, to some extent, all the demands upon their resources. Data for other chest agencies also show excessive demands for relief in recent months."

Now these were cases in large part resulting from unemployment, from the termination of unemployment compensation or from the waiting period to get unemployment compensation. Many more large families than usual were applying, and the bulk were in the unskilled labor group. In this situation the private Community Chest agencies had to turn people away because they did not have the funds to help them.

The report states, "Experience to date indicates that the family agencies which have the largest relief budgets, Family and Children's Service, St. Vincent de Paul Society, Salvation Army, all have been taxed up to and beyond the limit of their relief budgets" in November and December 1953, and January 1954—the period covered in this analysis.

It is in view of the fact that many of our States limit relief to people who are unemployable that I have included in my bill families which need relief but cannot obtain it because of State or local law.

A key provision of H. R. 7870, and one which I especially urge be included in any legislation which the committee recommends in this area, is that surplus-food allotments made under a food-stamp plan clearly be in addition to and not in place of any public-assistance grants otherwise being extended to recipients.

I would hate to see any public agency use a food-stamp plan as a device or as an excuse for cutting down on already inadequate relief grants. If that were to happen, the whole purpose of this bill would be destroyed. The relief burden on our cities and States is a heavy one, and there might be a disposition in some jurisdictions to reduce benefits as a means of saving local tax funds if the Federal Government were to step in and provide some free food. But the people on relief would be no better off at all.

H. R. 7870 is intended to help them—not to shift a portion of the burden from local or State to Federal shoulders, with no improvement whatsoever in the relative well-being of these unfortunate citizens.

THE MACHINERY OF FOOD-STAMP DISTRIBUTION

I would like to call to the attention of the committee the fact that H. R. 7870 does not attempt to cross every "t" and dot every "i" in the operation of a food-stamp plan. I have deliberately allowed for broad discretion on the part of the Secretary of Agriculture in determining the kind and variety and amounts of food to be distributed under a food-stamp plan. On the other hand, I have assigned to him the responsibility to have the food packaged in a form in which it can be distributed and to provide the distribution machinery.

It may be that he might want to use existing stores for the distribution of this food, as was done under the old food-stamp plan. If not—if he finds central distribution points in the various cities to be preferable—then he can use that method. In a program of this magnitude, I do not believe in tying his hands and requiring that he distribute so much butter and so much milk or other surplus to each person each week or each month. I think that has to be an administrative determination.

At the same time, however, it is incumbent upon the Congress to give to the Secretary, in addition to authority, the funds he needs to distribute this food efficiently and effectively.

In this connection, I think I should acknowledge the fact that I know—and I am sure the committee knows—that we now have some machinery for the distribution of surplus foods to needy families. It is a program requiring State initiative. Its operation varies widely from State to State, and many States, I understand, have never bothered to set up the necessary machinery.

At the time I introduced H. R. 7870 only a very few States among the 48 were participating. Others have since come into the program as their unemployment problems increased. But as I understand it, it is a somewhat haphazard sort of thing, and I don't think it is doing the kind of job which should be done and must be done. My bill is intended to repeal the present program and substitute for it a clearcut, nationwide type of operation in which any city or county welfare agency could participate, whether its State officials cooperated or not. You might have extreme distress in one city or county in a State which was generally experiencing booming prosperity. Under those circumstances, although the State might be slow to act, the locality could act promptly.

Certification of eligibles among those on public assistance would, of course, be a simple matter. Everyone on the public assistance rolls would be eligible and would be certified. The problem would lie in the certification of eligibles not on public assistance. But I think this could be worked out readily by the city or county welfare agencies themselves with the advice and the help of the private charities.

SUGGESTIONS FOR IMPROVEMENT

Because of the importance of this matter and because of its complexity, I have recognized ever since drafting my bill that it can undoubtedly be improved and that it may have provisions in it of a technical nature which would hinder rather than aid the purpose of this bill. That is always possible.

Consequently, I sent copies of my bill to many experts in the social work field in St. Louis—professionals in both the public and private agencies—and to our State director of welfare. Their comments are most helpful. Most of them—I should say virtually all of the letters I have received in reply—endorse the idea of a surplus food distribution program for needy families. I shall include some of those letters for the record, because I think they can be helpful to the committee.

Several raised the question of financing of the necessary certification machinery—the procedure for establishing those eligible for food stamps and surplus foods. They point out that the States and municipalities in many cases have no funds for this purpose. I urge the committee to take that fact into account in its consideration of this bill and recommend your best judgment as to the financing requirements. Perhaps a cooperative financial arrangement could be worked out.

Others who wrote to me suggested that the Department of Health, Education, and Welfare be given joint authority with the Department of Agriculture for the operation of the program. I would have no objection to that; it might be a very useful arrangement. Nevertheless, we must realize that the main burden in this whole program would rest on the Department of Agriculture, and under those circumstances I think the Secretary of Agriculture should have all of the authority necessary in his own hands to make the program operate efficiently and effectively. I am sure he would welcome aid and advice from the Department of Health, Education, and Welfare.

It has been pointed out to me that the wording on one section of my bill could be construed to have the effect of eliminating various programs now in operation for the distribution of surplus food through the school lunch program or for foreign aid or for assistance to hospitals and so on. That is not my intent.

I asked the Legal Section of the Legislative Reference Service of the Library of Congress to study my bill from that standpoint, and I would like to submit the recommended changes in language they have given me to make sure that my bill does not harm any of the successful programs now under way for use of surplus foods, but merely substitutes a better procedure for the distribution of this food to the one category I have in mind here, that is, to people who are destitute.

I urge your favorable consideration of this legislation; your approval of a food stamp plan would bring not only new hope, but new strength and new health to millions of American families whose desperate situation cries out for humane assistance. Thank you very much.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
AMERICAN LAW DIVISION,
Washington, D. C., April 26, 1954.

To: Hon. Mrs. JOHN B. SULLIVAN.
Subject: Comments on H. R. 7870, especially section 6 thereof.

Section 6 of H. R. 7870 would not affect the school-lunch program authorized in

title 42, United States Code, sections 1751–1760. The section, however, might be interpreted as terminating the authority of the Secretary of Agriculture under section 416 of the Agricultural Act of 1949 (7 U. S. C. 1431) to dispose of surplus food commodities in furtherance of a school-lunch program and as preventing his continued use of funds made available under section 32 of the Agricultural Adjustment Act of 1935 (7 U. S. C. 612 (c)) to implement such a program.

Section 6 would prevent the Secretary from continuing to exercise his authority under section 416 of the Agricultural Act of 1949 (7 U. S. C. 1431) to distribute food commodities acquired through price-support operations to the Bureau of Indian Affairs and Federal public welfare organizations for the assistance of needy Indians and to private welfare organizations for the assistance of needy persons within and without the United States. It would also prevent the continuance of the expenditure of the funds provided under section 32 of the Agricultural Adjustment Act of 1935 (7 U. S. C. 612 (c)) for agricultural commodities to donate to persons in low-income groups.

In view of the fact that the bill as presently drafted could interfere with existing programs, we suggest the following amendments, which we believe would clarify the intent of the legislation.

On page 2, line 12, strike the semicolon at the end of section 2 (1) and insert the following: ", and organizations given priorities under section 416 of the Agriculture Act of 1949."

On page 2, line 22, insert after the word "thereof" the following: "and organizations given priorities under section 416 of the Agriculture Act of 1949."

On page 3, beginning on line 3, amend section 3 to read as follows:

"SEC. 3. The Secretary shall issue, to each eligible department, agency, or organization requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. Such stamps shall be reissued by each such department, agency, or organization to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3)."

On page 3, beginning on line 25, amend section 6 to read as follows:

"SEC. 6. The distribution of surplus food to needy persons in the United States under this act shall be in lieu of, and not in addition to, the distribution to such needy persons under section 32 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes, approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949.' Distribution of surplus food under this act shall be subject to the same system of priorities as is presently provided for in such sections."

On page 4, beginning on line 9, amend section 7 to read as follows:

"SEC. 7. For the purposes of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from an eligible department, agency, or organization, or who is, in the opinion of such department, agency or organization in need of welfare assistance but is ineligible to receive it because of State or local law."

As you requested, your statement and the letter from St. Louis are returned herein.

AMERICAN LAW DIVISION.

ST. LOUIS CHAPTER, AMERICAN ASSOCIATION OF SOCIAL WORKERS,
St. Louis, Mo., April 23, 1954.

The Honorable Mrs. JOHN B. SULLIVAN,
House of Representatives,
House Office Building,
Washington, D. C.

MY DEAR MRS. SULLIVAN: I received the copy of H. R. 7870 that you recently sent me and concerning which you asked my comments.

I have discussed this matter with Mr. Rudolph T. Danstedt, executive director of the Social Planning Council of St. Louis, and learned that on March 11, 1954, he sent you his reactions to the bill. Since I agree with the observations contained in his letter I will not trouble you with a repetition of them here.

In short, I feel that the objectives behind the bill are sound but care must be taken that the proper administrative structure, together with adequate funds, be made available so that such a plan could be properly administered.

Sincerely yours,

HERMAN L. KAPLOW,
Chairman.

THE CHRISTIAN WOMAN'S BENEVOLENT ASSOCIATION OF THE CHRISTIAN CHURCH,
St. Louis, Mo., April 8, 1954.

Mrs. JOHN B. SULLIVAN,
Member of Congress, Third District, Missouri, Congress of the United States,
House of Representatives,
Washington, D. C.

DEAR MRS. SULLIVAN: We are in receipt of your letter concerning bill H. R. 7870 which you introduced in the House of Representatives.

I read the bill and approve of it and would urge its passage. I see no reason for the Government storing food when it should and could be made available to people who are actually in need of more food and because of the lack of food do not have the proper diet. Neither do I see any point in sending this food to foreign countries when there is need for it at home.

It would seem that the food stamp plan would be one of the best ways of distributing this surplus food to the needy public.

As a charitable institution, we have received some of the commodities which have been distributed through the Community Chest and we have appreciated them very much and hope we will continue to get these commodities whenever they are made available to the public.

These gifts of food have been a big help and saving to us in our work of feeding the homeless and needy old people and children we care for in our institutions.

Sincerely,

THE CHRISTIAN WOMAN'S BENEVOLENT ASSOCIATION,
SELINA A. HULAN, *President.*

FOREST PARK CHILDREN'S CENTER,
St. Louis, Mo., March 31, 1954.

Hon. Mrs. JOHN B. SULLIVAN,
House of Representatives,
Washington, D. C.

DEAR MRS. SULLIVAN: I am writing in answer to your request that I comment about the proposed bill providing for the distribution of certain surplus food commodities to needy persons. As director of a private social agency, I do feel that it would not be within the confines of my duties to answer your request in a personal vein, for it does have at least the possibility of certain political implications. I have, however, discussed this in our recent board meeting, and I can comment that our entire board, along with myself, believe that the bill you prepared is positive, constructive, and desirable. We all endorse this bill, not necessarily in detail, but certainly in principle.

Sincerely,

RICHARD M. SMITH,
Director.

GEORGE WASHINGTON CARVER HOUSE,
St. Louis, Mo., March 18, 1954.

Hon. LEONOR A. SULLIVAN,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: In reference to bill introduced to the House of Representatives and referred to the Committee on Agriculture, I can only make one comment and that is I think it's wonderful.

This bill will take care of the nutritional diet of so many needy people, as you have already stated in your bill, that are ineligible to receive aid because of State or local laws.

With people like you in there pitching for them the elevation of the health standards will rapidly rise.

Yours faithfully,

RALPH T. YOUNG.

THE SALVATION ARMY,
St. Louis, Mo., March 15, 1954.

The Honorable Mrs. JOHN B. SULLIVAN,
House of Representatives,
Washington, D. C.

MY DEAR MRS. SULLIVAN: Thank you for forwarding copy of H. R. 7870 which you have introduced in the House of Representatives.

We would like to go on record as favoring the enactment of this legislation, as there is very definitely a great need in the State of Missouri at the present time for additional assistance.

We would hope that it might be possible to include an amendment which would make it possible for other agencies to refer families for this assistance, even though they are not eligible for public assistance. Generally speaking, those ineligible for public assistance are coming to private agencies. We are not suggesting that the private agencies handle the distribution—but rather a definite plan be worked out so referrals could be made.

Surplus food might make all the difference between a family eating a proper diet or living at a substandard level.

Be assured of our deep appreciation for your interest in our less fortunate citizenry and we wish you every success in having the bill passed.

Yours sincerely,

Lt. Col. A. E. RAMSDALE,
Divisional Commander.

ST. LOUIS BUREAU FOR MEN,
St. Louis, Mo., March 24, 1954.

Mrs. JOHN B. SULLIVAN,
House of Representatives,
Washington, D. C.

MY DEAR MRS. SULLIVAN: I am in favor of House bill 7870 relative to the use of stamps for the distribution of surplus commodities providing these stamps can be used in the usual retail outlets of the community, and also providing the United States Government pays for the total administrative cost of such a program.

Very truly yours,

ISAAC GURMAN,
Executive Secretary.

JEWISH COMMUNITY CENTERS ASSOCIATION,
St. Louis, Mo., March 23, 1954.

Hon. Mrs. JOHN B. SULLIVAN,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: I received the copy of House bill 7870 which you sent me. I very strongly agree with you that it is necessary to provide for distribution of surplus

food commodities to needy persons in the United States by use of a food-stamp plan.

I feel that this bill is of particular importance today what with layoffs in industry and a state of recession. It, frankly, grieves me to think of people suffering from malnutrition when there are such tremendous quantities of surplus food in warehouses and other storage facilities.

I personally feel that people have a definite right to decent housing, employment, and, needless to say, adequate diets. If for any reason the above mentioned are not available, then I feel this Government has a responsibility.

If the different States would be administering this food-stamp plan, then perhaps some thought should be given to the actual cost of administration and whether some form of Federal assistance and administration be necessary.

I, personally, am quite proud that a Representative from the State of Missouri introduced this very necessary legislation. I would like to state, incidentally, that I am expressing my own point of view and the above comments do not necessarily represent the thinking of the board of directors.

Sincerely yours,

WILLIAM KAHN,
Director.

GOODWILL INDUSTRIES,
St. Louis, Mo., April 1, 1954.

Mrs. LEONOR SULLIVAN,
Congresswoman of Third District of Missouri, United States Congress,
Washington, D. C.

DEAR MRS. SULLIVAN: Because of some very pressing matters here in connection with our organization, I've gotten a bit behind in my correspondence. Please excuse my delay in answering your communication requesting my comments on House of Representatives bill 7870 in regard to surplus foods and their distribution. The handling of the surplus commodities, as they are handled at the present time, is meeting a great need.

The school-lunch program I feel is terrifically worthwhile, and surplus commodities that are furnished organizations such as ours for noon lunches, for handicapped people, and so forth, means a tremendous good is being done for the people in our agencies and also it helps our agencies tremendously.

In reading over bill H. R. 7870, on page 4, lines 1 through 8, it is not clear to me whether this bill is to take the place of the present system of distribution of surplus commodities, or is to be in addition to this present system.

I would not want to see anything done to disturb the present system as it is established and functioning well and meeting a tremendous need in a very systematic and worthwhile way. However, I realize this is only touching a very small portion of the surplus commodities, and if the program, as outlined in this bill, would be in addition to that program, it sounds to me as though it would be very good.

I would suggest that besides public agencies, the private agencies meeting certain standards would be given the privilege of distributing these stamps also. This would necessitate close cooperation to avoid duplication. Thanks for writing to me, and if I can be of any additional help, feel free to call on me.

R. C. ADAIR,
Executive Director.

ST. LOUIS CHAPTER,
1954 RED CROSS FUND,
St. Louis, Mo., March 22, 1954.

Mrs. JOHN B. SULLIVAN,
Member of Congress, Third District, Missouri, Congress of the United States, House of Representatives, Washington, D. C.

DEAR MRS. SULLIVAN: We are pleased to answer your letter regarding the need for a distribution of surplus foods to families in actual need.

You are quite aware of the fact that 55 percent of his budgetary need is supplied to a person who has been determined by a medical advisory team in our welfare office to be so disabled that he cannot be gainfully employed and so support himself. Obviously if this incapacitated man or woman has to pay any of his other living expenses which is presumed when his budget is drawn up by the relief agency, he cannot have more than 55 percent of the amount of money which he needs for food and may have very considerably less. The improvement of his physical condition cannot progress favorably under these conditions. Your plan for distribution of surplus commodities would decidedly assist such ill and handicapped persons on the relief rolls.

There is another group of persons who are handicapped and who are unable to be included in most relief rolls because of the administrative determination that they are employable for light or sedentary work for which many are not at all qualified. Anyone who is unemployed but employable is not entitled to any relief. More people in these two categories are turning to social agencies in this period of readjustment, which is taking place, and which brought increasing numbers of relief requests to social agencies in this area beginning last October. In addition there are increasing numbers of unemployed who are drawing unemployment compensation which cuts down the amounts which they have to spend for health-preserving foods.

In the cases within the public agency involving mothers of young children (to the age of 16) who are eligible to aid to dependent children, support for the mother is not included in the relief given except to the extent of 55 percent of the total budget of the family. This very important group of future citizens would also profit physically from additional food which might be made available to them. This would also be true of the large number of veterans and their families and the wives and children of deceased veterans who have to live on the pensions and compensation which are provided to them by the Federal Government.

The value of surplus items would probably be rapidly noticed in the beneficial effects to ill persons whose physical condition would improve more rapidly and enable them to return to employment and self-support at an earlier date than is now possible. In a relatively short time it would probably be possible to demonstrate that less money had to be spent in medical care on children, the aged and infirmed, and other unemployables who suffer various physical breakdowns due in part to poor nutrition. And, in the long view, the contribution of good nutrition should have its effect on the growing young population which will be our future citizens.

If you have not already done so, I suggest that you write to the social planning council requesting information about a study of recent relief requests which has been undertaken and which is going forward at the present time among all of our family agencies in St. Louis.

Surplus commodities cannot provide the whole answer to the problem but anything which provides additional nutritious food to the people whom we have described above, is a move in the right direction.

Sincerely,

WILLIAM R. EBSINGHAUS,
Director, Home Service.

SOCIAL PLANNING COUNCIL OF
ST. LOUIS AND ST. LOUIS COUNTY,
St. Louis, Mo., March 18, 1954.

The Honorable Mrs. JOHN B. SULLIVAN,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: Your letter to us asking a reaction to your proposed H. R. 7870 providing for the distribution of surplus food commodities by use of a food-stamp plan was discussed by the executive committee of this division.

In our opinion it would be extremely desirable to make surplus foods available to needy people in the United States.

We believe that such foods should be distributed through public welfare agencies. We realize, however, that certain problems of distribution would arise. Certain needy persons are not, of course, receiving public assistance because of the restrictions of categorical assistance. For instance, in the State of Missouri employable persons are not eligible for public assistance regardless of the extent of their need.

Also our public assistance offices are understaffed and are carrying very large caseloads. It might be questionable whether they would be in a position to certify persons not on their rolls, and handle distribution. This would have to be decided by these agencies, however.

We should also be sorry to see any regression with regard to the present practice of providing cash relief. Considerable progress has been made in this State in getting away from a commodity basis for relief. It would be important to make a clear distinction between the regular policy of cash relief and the distribution of surplus foods as a special circumstance.

We appreciate your consulting with us on this proposed bill.

Yours sincerely,

(Mrs.) FRANCES GOODALL,
Executive Secretary, Family, Old Age, and Children's Division.

SOCIAL PLANNING COUNCIL OF
ST. LOUIS AND ST. LOUIS COUNTY,
St. Louis, Mo., March 11, 1954.

Hon. Mrs. JOHN B. SULLIVAN,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: I have examined with considerable interest H. R. 7870 which has been introduced by you which proposes to establish a food stamp plan.

It is my opinion that a food stamp plan would be very useful and helpful to many thousands of individuals in the St. Louis area now receiving public assistance whose grants in many instances are inadequate, as well as to a number of unemployed people who are not eligible for public assistance because they are classified as employables. Several well informed individuals with whom I have discussed your proposal are definitely enthusiastic about it and have indicated their wish to support it.

For your information, I am enclosing a copy of a recent study we have made of the unemployment and relief situation we have here in St. Louis and St. Louis County which indicates that there are quite a few persons in need of relief but unable to get it because they are employables.

It would seem to me for such a food-stamp plan to be effective, however, some of the following conditions would need to be met by the Secretary of Agriculture:

1. That the stamps be redeemable in retail food outlets, perhaps where individuals customarily shop. This was the nature of the food-stamp plan in the prewar years.

2. If the above plan is not possible and distribution depots of some sort have to be established, then Federal funds should be available for financing the cost of maintaining and operating such depots.

3. The probability is very good that our State division of welfare would be the certifying public-welfare agency in Missouri. The division does not have the personnel to certify individuals not on public assistance and some emergency provision for funds to obtain such personnel would need to be provided by the Federal Government.

Four or five years ago, if I recall correctly, an opportunity was presented in the State and in St. Louis for the distribution to individuals of certain surplus foods. We were not able to avail ourselves of that opportunity because there were no funds for financing the cost of distribution and financing the personnel needed for certifying as to need. Unfortunately, this might be the situation again if the Secretary of Agriculture is not given funds for handling distribution and certification.

Sincerely yours,

RUDOLPH T. DANSTEDT,
Executive Director.

SOCIAL SERVICE EXCHANGE, DEPARTMENT OF SOCIAL PLANNING COUNCIL OF ST. LOUIS AND ST. LOUIS COUNTY,
St. Louis, Mo., March 12, 1954.

The Honorable Mrs. JOHN B. SULLIVAN,
Congress of the United States,
House of Representatives,
Washington, D. C.

DEAR MRS. SULLIVAN: I am very glad to have an opportunity to comment on your bill, H. R. 7870, to provide for the distribution of surplus food supplies to needy families through use of a food-stamp plan. I know that many people to whom I have talked recently share your concern about inadequately nourished families and individuals in our midst, and the concurrent accumulation of surplus foodstuffs which might be used in provide them with a diet more conducive to maintenance of health, and to the rehabilitation of individuals now dependent on the community. I have been in the welfare field long enough to recall the benefits provided under the previous plan, which aided not only the recipients of the surplus foods, but also the producers on the farms and the retail merchants who distributed the supplies.

As a first priority, I would think such food should be channeled to recipients of public assistance through our State division of welfare. With the blind, aged, and permanently disabled persons receiving maximum grants of $55 per month, adequate nourishment is impossible for recipients with no outside income. We see these aged and disabled persons constantly faced with the need to make degrading adjustments to this inadequate income. Small wonder that so many of our aged are helpless and lethargic, and that disabled persons are not rehabilitated, but remain dependent on the community the rest of their lives. Recipients of aid to dependent children, which provides a maximum of $60 for a mother with one child, are possibly even worse off and the results even more poignant, since the deprivation of children fosters many later problems for the community and the Nation. The families who must depend on the State-financed general relief program have for years received relief in an amount sufficient to provide only 55 percent of a minimum standard budget. Since this group is composed of people only temporarily or partially disabled, they would appear to have a good potential for rehabilitation and adequate diet is certainly an important factor in such a program.

Since the State division of welfare has no direct-assistance program for families of employable persons who are without jobs, many of these families are now turning for help to the privately financed charities, such as family service agencies of the Community Chest, Red Cross, etc. To illustrate, in December of 1953, the St. Louis city public welfare office had 1,163 cases receiving general relief and the Chest agencies had 1,100 such cases. These families, as well as many who cannot be aided by private charities because of limitations of staff and funds, could certainly be helped by the program you propose.

I am quite sure that the State department of welfare would have to have Federal funds provided to finance the job of certification and distribution. I doubt whether the department could even handle certification of families on their own rolls without additional personnel for which they now have no funds. The previous plan, which provided for distribution through food retailers, placed the surplus commodities in easy reach of aged or disabled persons. If this plan is not feasible at this time, some provision would need to be made for deliveries at home for persons unable to go to a distribution center and carry home packages. This again would have to be financed with Federal funds in all likelihood.

I earnestly hope that this bill will be enacted, and that the problem of financing certification and distribution can be worked out through use of Federal funds.

Very truly yours,

Mrs. ELIZABETH HENDRICKS,
Executive Secretary.

STATE DEPARTMENT OF PUBLIC HEALTH AND WELFARE,
St. Louis, Mo., March 18, 1954.

Hon. LEONOR SULLIVAN,
Member of Congress, Third District, Missouri, Congress of the United States, House of Representatives, Washington, D. C.

MY DEAR MRS. SULLIVAN: Your recent letter and a copy of H. R. 7870, together with excerpts from the CONGRESSIONAL RECORD, containing your remarks on this resolution have been received and read with a great deal of interest. I am taking the liberty of referring this to our St. Louis city welfare commission, which is bipartisan and is composed of four prominent city residents. Mr. Henry F. Chadeayne, of the General American Life Insurance Co. is chairman, and the other members are Mr. Julian Cohn, of the Well Clothing Co.; Miss Edna Emme, president of the Godofroy Manufacturing Co.; and Mr. Chester E. Stovall, director of industrial relations of the St. Louis Urban League. It is believed that their evaluations of this bill would be of more value to you than my own. In addition, a copy of your letter together with a copy of my reply will be forwarded to Mr. Proctor N. Carter, director of the division of welfare, for his information and evaluation. The responsibility of determining whether or not the division of welfare can act as a certifying agent for these food stamps rests with the State director.

Public assistance programs, which are administered by the Missouri Division of Welfare, do not always provide sufficient grants for the complete maintenance of recipients. There are numerous cases who because of statutory limitations on the amount of assistance granted are unable to meet their needs on the grants they receive. In one of the programs, that of general relief, it has not been possible to give adequate grants due to insufficient amount of money available for this program. For many years Missouri has not provided assistance to employable persons or in households in which there is an employable member. During these periods of high employment most people are able to secure jobs and there was little need for assistance. With the retrenchment in the defense program and a general lowering of the employment level there are people who are unable to get jobs and are in need. Under our current regulations it is not possible to provide these persons with assistance grants. From the above, therefore, it would appear that there are three broad generalized groups who would be aided under the provisions of H. R. 7870.

As you may recall the division of welfare did act as a certifying agency when surplus commodities were distributed prior to World War II. Those commodities which were provided by the Department of Agriculture were distributed through the use of WPA labor. In 1940 a food stamp plan was inaugurated whereby these foods were distributed through merchants. I was inducted in the service shortly after this plan started so do not have personal knowledge of it; however, it is my understanding that it worked quite well and was very satisfactory both to the recipients and merchants as well as the administering agency. If such distribution could be made under H. R. 7870, this would seem to better serve the needs of the clients who could redeem the stamps in stores within their areas and not be forced to make long journeys to some warehouse in another section of the city. It would probably be pleasing to the merchants for it would bring people into their stores and give them a part in the distribution, thus they would not be looking upon it as competition. Lastly, it would solve the problem of rental of warehouses, packaging, storage, and distribution for in a city like St. Louis this could be a very costly operation.

I am very grateful to you for this opportunity of reading H. R. 7870, and I am sure you will be hearing from the members of our Commission after they have had an opportunity to review the material.

Very truly yours,

ROBERT D. RIPPETO,
Director, St. Louis City Welfare Office

Buford Dam

EXTENSION OF REMARKS
OF
HON. PHIL M. LANDRUM
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 10, 1954

Mr. LANDRUM. Mr. Speaker, down in the mountains of northeast Georgia, in the Ninth District of Georgia, which I am privileged to represent, there is being constructed by the Corps of Engineers a mammoth multipurpose dam on the Chattahoochee River. The dam structure has come to be commonly referred to as Buford Dam, Buford being the name of the town nearest which the structure is located, but the impoundment will create a large and magnificent lake in the picturesque mountain country of this southern region. The lake will be formed chiefly from the waters of the Chattahoochee River and throughout this Nation the Chattahoochee River has gained fame among school children, lovers of literature and even soil and water conservation experts by reason of the Song of the Chattahoochee written many years ago by Georgia's immortal poet laureate, Sidney Lanier.

Individual efforts leading to the construction of this dam have been numerous. Scores of distinguished citizens from Fulton County, Ga., led by their mayor, the Honorable William B. Hartsfield, have worked closely with the Honorable JAMES C. DAVIS, who represents the Fifth District of Georgia here in the Congress. Congressman DAVIS has worked untiringly and unselfishly for the construction and completion of this project. My predecessor in the Congress, the Honorable John S. Wood, of Canton, Ga., contributed immeasurably to this project. Many distinguished citizens from Gwinnett County and Hall County and Forsyth County and Dawson County,

and Stephens County and Habersham and White Counties where the great river has its beginning, have contributed valuable time and effort toward this development. Georgia's junior Senator, the Honorable RICHARD B. RUSSELL, has worked untiringly, and, sometimes in the face of obstacles which would break the efforts of the ordinary man, to bring this project to complete realization. All of these deserve our praise for their efforts in behalf of this work. Through their foresight we, in that section of Georgia, are going to benefit tremendously. The lake could be appropriately named for anyone of this vast number of distinguished citizens and officials.

However, years ago the renowned Sidney Lanier in his beautiful Song of the Chattahoochee told the real story of why one day man would find it necessary to harness these waters in order to preserve the great natural resources of the region. The poem has been memorized by schoolchildren all over Georgia, and, in many parts of our Nation. Few in Georgia are without knowledge of the moving poem written by Sidney Lanier about this river. Therefore, many hundreds of citizens and scores of civic clubs and organizations in my district have decided that the lake should be named for this immortal poet, and in response to their entreaties I have introduced H. R. 9045 seeking to have this lake named "Lake Lanier." I wish that I had the time to tell you what each of these organizations and individuals have said with reference to their reasons for naming this lake in honor of our great poet. This cannot be done, but in the Gainesville News, a Georgia weekly published in the thriving metropolis of Gainesville, Ga., by the Honorable Charles Hardy, he has summed up all of these reasons in an editorial carried in his paper several weeks ago. That editorial entitled, "Down Through the Valleys of Hall" is inserted herewith so that all of you may understand the real feelings of our people and their reasons for wanting this lake carry the honored name of Sidney Lanier:

DOWN THROUGH THE VALLEYS OF HALL

Not that we have anything to do with naming the new reservoir lake that will be formed by Buford Dam, or that our opinion will amount to much, but the News is definitely for naming the new body of water Lake Lanier, after Georgia Poet Laureate Sidney Lanier.

We base our belief and our like for Lake Lanier on the beautiful Song of the Chattahoochee, written by Lanier, and which all school children have memorized ever since it was written. It is a beautiful poem that ripples along as the waters of the Chattahoochee ripple along "out of the hills of Habersham, down through the valleys of Hall." Those who have traveled the Chattahoochee from its source above Robertstown back to the top of the gap, and along Spoil Cane Creek along the Unicoi Gap Road, and those who have waded it at Helen and fished it east of Mossy Creek Campground, camped on its banks, and followed it over the rapids and through the still waters, marvel at the way Lanier captured the rhythm of the river as it "hurries amain to reach the plain, run the rapid and leap the fall."

Sidney Lanier captured something in his Song of the Chattahoochee. He put it down in words on paper for all generations to enjoy. No more fitting tribute to one of Georgia's immortal spirits and one of Georgia's mighty rivers could be paid than to name the reservoir "Lake Lanier."

The Buford Dam will restrain the wild waters of the Chattahoochee, and will accomplish that which the rushes, waterweeds, laurel, ferns, and the fondling grass could not. The dam will cause the waters to abide, abide here in the valleys of Hall. Naming the lake for Sidney Lanier will also cause his name to forever abide, abide here in the Hills of Habersham and here in the valleys of Hall. It would be a most fitting tribute.

Public Laws 323 to 334, Inclusive

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 10, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include my reports to my constituents covering Public Laws 323 to 334, inclusive, as follows:

NINETEENTH REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Continuing my report on bills passed by House and Senate, signed by the President, and now the laws of the land:

PUBLIC LAW 323

H. R. 5976, Intrastate gas companies

In our district we are interested in natural-gas legislation, especially as it affects the price we as consumers pay for our gas. The interest in the gas and oil areas is influenced by the producing and distributing companies. Back of each group should be of course the broader interest in the national welfare. The responsibility of your Congressman is to examine most minutely and questioningly the legislative proposals of the producers and distributors.

Public Law 323 takes from the jurisdiction of the Federal Power Commission any gas company which (a) is regulated by a State public utilities commission and (b) does business exclusively within the borders of that State.

On the surface this might appear merely a restatement of the rule that a State controls business within its own borders and the Federal Government comes into the picture only when the business is interstate. But gas is an interstate operation. Producers, pipeline operators, distributors, retailers constitute a unified operation from well to gas station. Illustration cited in Senate debate: Ohio gets gas from the Hope Natural Gas Co. at the boundary of Ohio and West Virginia, the East Ohio Gas Co. distributes it solely in Ohio, but both Hope and East Ohio are wholly owned by the Consolidated Gas Co. of New York City.

Since the enactment of the Natural Gas Act in 1938, the gas companies have tried to get from under the control of the Federal Power Commission, which has enabled municipalities like Chicago to get costs and operating expenses previously not obtainable without difficulty. These figures are necessary in the determination whether rates to the consumer are fair.

Public Law 323 accomplishes the desire of the gas companies as far as subsidiaries doing intrastate business is concerned. It overrides the Supreme Court of the United States in the 1950 East Ohio Gas Co. case (338 U. S. 464), in which the Court held that the East Ohio Co. came under Federal jurisdiction because its operations are in fact in interstate commerce. Senator BURKE, who was mayor of Cleveland when the East Ohio case was in the courts, stated in debate that the ultimate cost of the law to the gas consumers of the United States will run into millions of dollars.

I did not like the hurried way in which the measure was engineered through the House. The bill was introduced on June 27, 1953. On June 29 it came up with other gas bills in a brief 1-day committee hearing. On July 30, 1953, it was included in the legislative flood in the hectic closing hours of the first session. Many Members had already left for home, others were eager to be off, and the House was in no mood for record rollcall votes. The vote was by voice. I am sure my "No" was loud enough to be heard in the galleries. When the bill came up recently in the Senate a motion to recommit was defeated on rollcall, 25 to 52.

Public Law 323 presents a challenge to the Illinois Commerce Commission to protect the gas consumers of our State. I always have been happy that opportunity was given me as Lieutenant Governor (and president of the senate) actively to participate in the enactment of the law creating our first public utilities commission. It was one of my earliest public services. That epoch-making measure was passed over dogged opposition and the unprecedented (up to that time) expenditure of money by the gas and traction powers. Unfortunately, State commissions are handicapped in taking over from the Federal Power Commission in this matter because of unavailability to certain figures and a different system of accounting, favorable to the companies, adverse to the consumers.

PUBLIC LAW 324

H. R. 8224, excise-tax reduction

This law will save you a little money on your telephone bill and when you send a telegram or travel. It reduces the excise tax on local telephone messages from 15 to 10 percent, on long-distance calls from 25 to 10 percent, and on telegrams and transportation from 15 to 10 percent. Among other reductions are luggage, jewelry, furs, toilet preparations, from 20 to 10 percent.

Excise taxes generally are reduced to 10 percent except in the case of (a) household appliances, where the tax is reduced to 5 percent, and (b) in the case of automobile gasoline, beer, wine, liquor, and cigarettes, where the present tax is continued another year.

Admission tickets costing 50 cents or less to amusements and entertainments (dog and horse races excluded) are made tax exempt. The original bill did not contain this exemption. I supported the motion to recommit for the purpose of making tickets costing 50 cents or less free of the tax. It seemed to me that with economic conditions tightening and family budgets becoming more and more difficult to include provision for recreation, families should not be forced to pay an excise tax when they went to a 50-cent (or less) movie.

The motion to recommit lost, 200 to 213. Later, however, when the bill came from the conference committee with the 50-cent exemption included, it was adopted on a record rollcall, 395 to 1. Congressman MARSHALL of Minnesota was the sole dissenter. He is a farmer, represents a farming district, believes the Government cannot afford to lose $999 million a year in excise-tax revenue, which in large part comes from city folks. The $999 million estimate of the cost of Public Law 324 in reduced excise tax revenues is furnished by the chief of the congressional staff tax experts.

Public Law 324, thus putting the Government about another billion dollars in the red, smashes to a cock-hat any chance of redeeming Republican campaign pledge of a balanced budget. Real reason for its passage by an almost unanimous vote: fear of the recession going beyond check, hope that excise-tax reductions would spur fresh buying.

(Authority: Report No. 1307 of the House Committee on Ways and Means.)

The excise tax (except possibly on items clearly in the luxury or extravagance class) is an unfair tax. It was imposed in the war-emergency period, when everyone accepted sacrifice as a duty. It should be done away with entirely as soon as conditions will permit.

PUBLIC LAW 325

H. R. 5337, United States Air Force Academy

This is the measure establishing an Air Academy similar to the Army Academy at West Point, the Naval Academy at Annapolis. I cast your vote for it as we are living in an age of air transportation and of specialized education.

I noticed that the "Flying Congressman," PETER F. MACK, JR., voted against the Academy. He is a naval flyer (World War II, now Reserve), believes in separate air forces for Army and Navy. MACK was 1 of 13 Democrats who voted "no"; 171 voted "yes." Of the Republicans 158 voted in the affirmative, 22 in the negative. There was no division along party lines, some difference in judgments.

The site of the Academy will be selected by a board of five Members provided the decision is unanimous. Otherwise the Secretary of the Air Force will make the selection from three sites recommended by majority vote of the board; which includes Merrill C. Meigs, vice president of Hearst Corp. of Chicago.

The Academy will open in temporary quarters in 1955 with a class of 300. By 1960 the entrance class will number 624. Full educational course will cover 3,100 hours of social and scientific instruction, 2,200 hours of airmanship (including leadership, physical, air training).

Authorized appropriation for establishing the Academy is $126 million. The Department of the Air Force hopes that facilities such as a chapel, stadium, field house, may be the subject of donation by philanthropic citizens.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

TWENTIETH REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Continuing where we left off:

PUBLIC LAW 326

S. 1548, exchange of land with Puerto Rico

Under the Treaty of Paris (Spanish-American War) the United States acquired without compensation the area of the original harbor defenses at San Juan, Puerto Rico. Later we purchased additional land for $355,000. Today the total appraised value (land ceded by Spain, plus land we purchased) is $1,561,399 because part is business property that soared in value with San Juan's growth. But it is no longer useful to the United States for military purposes. Reason: Artillery is vastly larger than in Spanish-American War days, military maneuvers require more room.

Public Law 326 authorizes the exchange of the land (1,550 acres) with the Commonwealth of Puerto Rico for 6,500 acres of agricultural land contiguous to our present maneuver site at Camp Salinas. Appraised value of the land traded to us is $820,202, a differential of some $700,000.

It is another evidence of the character of our country that we are not asking the Commonwealth of Puerto Rico to recompense us for the differential. That represents the value of the public lands of Puerto Rico set aside for military use at the time Puerto Rico was ceded to the United States by Spain. No longer of such use to us, it rightfully returns to the public lands of the Commonwealth.

PUBLIC LAW 327

H. R. 5632, Camp Butner Military Reservation

Of Camp Butner's original 40,201 acres in North Carolina the United States retains less than 5,000 acres. During World War II it was used as a small-arms and mortar range; since then by the North Carolina National Guard as a range. Result, the area is contaminated with unexploded shells, too dangerous for the Federal Government to dispose of at public sale.

Public Law 327 provides the happy solution by authorizing its transfer to North Carolina subject to two conditions: (a) its transfer back if used for other than military (National Guard) purposes, and (b) the right of the United States to repossess during (and for 6 months after) a national emergency.

PUBLIC LAW 328

Senate Joint Resolution, 143, Bataan Day

Your representative was happy to join with all other Members of the Congress in the resolution proclaiming April 9, the 12th anniversary of the fall of Bataan, as Bataan Day, to be observed with exercises and the flying of the flags of the United States and the Philippines. You will approve I know of this sentiment in the fourth paragraph of Public Law 328:

"The people of the Philippines have demonstrated to all other nations in the Asian sphere the fact that mutual friendship and mutual security are common goals, and the role of the United States in Asia is that of a friend of peoples, regardless of race."

PUBLIC LAW 329

House Joint Resolution 461, more money for Mexican farm labor program

Renewal of the bilateral agreement by the United States and Mexico governing Mexican farm workers employed in this country was followed by this appropriation of $478,000 for the operation of the program. The $1,250,000 previously appropriated was all gone by mid-March. I believe more of the cost should be borne by the employers who are the beneficiaries of the program. The promise of an employer reimbursement totalling $75,000 for the costs of physical and medical examinations seemed to me insufficient.

PUBLIC LAW 330

H. R. 1568, civil government in Alaska

There are 65 commissioners of the United States district court in Alaska. All an Alaskan commissioner has to do is: (1) perform all the usual civil and criminal court duties of commisioners in continental United States, (2) keep public records and vital statistics, (3) make adjudications of insanity, (4) appoint guardians for minors, insane persons and drunkards, (5) take care of juvenile cases and adoptions, (6) perform marriages, (7) conduct searches for persons missing in the wilds of Alaska, (8) grant writs of habeas corpus, (9) fill in as notary public and (10) when needed to serve as justice of the peace, recorder, probate judge, and coroner. For all this he gets $7,500 a year, provided the fees reach that maximum, otherwise what comes in. Only 4 of the 65 commissioners take in the maximum of $7,500.

Public Law 330 authorizes the judges of the district court to appoint deputy commissioners to help out. The deputy will be paid by the commissioner with whom he is working. Matter of dividing the work (and I suppose the travel, distances in Alaska being vast) and the fees. As this entails no additional expense to the public funds, and seems a commonsense arrangement, it had my support.

PUBLIC LAW 331

H. R. 2747, copyrights

Valuable copyrights are lost when application, fees, and other materials are not received by the Copyright Office in apt time. This has made it necessary to maintain a crew on nonbusiness days for the sole purpose of receiving and stamping mail. Public Law 331 sensibly removes this necessity (and saves the taxpayers' money) by providing that when the last day for copyright filings falls on Saturday, Sunday, or a holiday the Copyright Office may receive the filings on the day following.

PUBLIC LAW 332

H. R. 1529, Katmai National Monument in Alaska

Alaska is in urgent need of local building material, including siliceous volcanic ash, commonly known as pumicite. Huge quantities of pumicite are available along the Shelikof Strait within the Katmai National Monument, not elsewhere in Alaska to any extent. Public Law 332 permits its removal, under conditions affording the maximum protection of the monument. The House acted only after being assured the removal of the pumicite (vital to the building industry at this stage of Alaskan development) would not result in permanent damage to the monument, rains and tides quickly obliterating the effects of removal operation. The law, however, is limited to 15 years; meanwhile field studies will go on to locate other available deposits outside the monument. The Committee on Interior and Insular Affairs unanimously recommended the passage of the measure.

PUBLIC LAW 333

S. 2405, quarantine station at Marcus Hook, Pa.

Quarantine service to shipping entering the Philadelphia area is furnished by the United States Public Health Service at Marcus Hook. Oil refinery developments around Marcus Hook have caused a health hazard and a traffic problem. Public Law 333 relieves the situation by authorizing the exchange of the present site to the Sun Oil Co. for another site of equal market value and more advantageously located for the use of the quarantine station. The Administrator of General Services is charged with the responsibility of determining that the property given the United States has an actual value equal to or greater than that of the present site.

PUBLIC LAW 334

H. R. 4024, Appomattox Court House

Because there is no monument at the historic site of Lee's surrender to Grant, Public Law 334 changes the designation of "Appomattox Court House National Historical Monument" to "Appomattox Court House National Historical Park." Tourists no longer will be confused.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

Suicide Circle

EXTENSION OF REMARKS
OF

HON. PETER F. MACK, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. MACK of Illinois. Mr. Speaker, Washington National Airport is the third busiest airport in the United States. Within one-half mile of its boundaries are located Anacostia Naval Station and Bolling Air Force Base. This additional heavy military traffic in the control area makes the Washington airport traffic circle the heaviest in the country, if not in the entire world. For the past several years, many Members of this body have warned our people of this critical situation, and have proposed several alternatives to alleviate this condition. While

many of us have different views as to how this problem should be solved, we have unanimously agreed that immediate action must be taken. As one who has occasion to pilot planes in and out of this traffic circle, I make no reservation in saying that this situation is intolerable and that the traffic has been at the saturation point for several years. It is my understanding that last year the Secretary of Commerce and Secretary of the Army had agreed on the use of Andrews Field as a joint military-civilian operation to handle part of this traffic, but as of this date no further progress has been made and the traffic situation at Washington National Airport continues to grow worse.

Mr. Speaker, I believe it is time the present administration took positive action to alleviate this condition before we have a recurrence of the tragedy which claimed the life of one of our Members a few years ago.

The Contributions of James E. Scripps and Mr. and Mrs. Edgar B. Whitcomb to the Cultural Life of Detroit

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. RABAUT. Mr. Speaker, my native city of Detroit is known throughout the world by the title it earned in World War II as the Hub of the Arsenal of Democracy. It is a city whose very streets are extensions of factory assembly lines because over them travel the heavy trucks bearing automobile subassemblies of every description. The towering smokestacks, bustling factories, and teeming masses of workers of Detroit give it the appearance of an industrial colossus solely intent on setting new production records.

The nerve cells of this industrial giant, however, are the people of Detroit, who, like men and women everywhere, seek to establish for themselves the full and well-rounded life which human nature demands.

A reflection of the cultural interests of Detroit's citizens is the famous Detroit Institute of Arts, whose early benefactor and constant patron was James E. Scripps. Mr. Scripps established the Detroit News in 1873 and he was the publisher of that paper from 1873 to 1906. His gifts were inspired by a vision of the future cultural life of Detroit, to the assurance of which he devoted a great deal of his time, interest, and fortune.

Of his donations, an article in the New York Times of Sunday, May 2, 1954, had this to say:

> Mr. Scripps must have had both a perceptive eye and a catholic, independent taste. Among the paintings which he gave to the Detroit Institute in 1889 are, for instance, an altarpiece by the 14th century painter in the Marches, Alegretto Nuzi, and a splendid head by the Spanish baroque painter, Ribera. The remainder of his collection, which went to the museum in 1909 and contained many Dutch little master canvases, was until much later the most important bequest of works of art the institution had received.

Mr. Scripps' devotion to the institute was carried on after his death by his daughter and son-in-law, Anna Virginia and Edgar B. Whitcomb. Mr. Whitcomb was a director of the Detroit News. In 1928 he became a trustee of the Founders Society and in 1931 a member of the Arts Commission, and he served as president from 1943 until his death. In 1953, within 6 months of each other, Mr. and Mrs. Whitcomb died.

From 1926 on the Whitcombs donated over 70 art works to the institute and their record of benefaction was climaxed in 1953 with the bequest of 15 master paintings and two sculptures, all of which are now being specially exhibited at the museum. In the 1920's the Whitcombs established a traveling scholarship for Detroit artists and throughout his connection with the institute, Mr. Whitcomb contributed generously of his own funds to provide for the continued progress of this cultural center.

We Detroiters are proud of many things about our city. We are proud, of course, of the production miracles that are worked daily in our huge factories. We are no less proud of our fine cultural institutions and traditions and of some of our most eminent citizens whose enlightened philanthropy has contributed so much to the fullness and happiness of our lives.

I am pleased and honored to offer this simple salute to the memories of Mr. Scripps and Mr. and Mrs. Whitcomb.

Congressman Hillings Supports Better Highways

EXTENSION OF REMARKS
OF
HON. PATRICK J. HILLINGS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. HILLINGS. Mr. Speaker, as the Representative in Congress from California's 25th District, which composes the eastern portion of Los Angeles County, I consider an adequate highway system most important to the welfare of the residents of this area. During the present session of the 83d Congress, we have recognized the need for highway construction and improvement and have passed legislation toward this goal. I voted for the bill so that my constituents who are dependent on the automobile for their transportation will be able to pursue their daily tasks with speed, safety, and convenience.

It is well known that during the past year the 25th Congressional District has grown faster than any other area in Los Angeles County. New subdivisions have sprung up in Pomona, Whittier, Covina, Azusa, El Monte. Construction has increased sharply in Alhambra and in Arcadia. Since we do not have a public rapid transit system, the automobile provides the only means by which we can go from place to place.

This new highway bill corrects a previous injustice suffered by motorists. Formerly as much as 40 percent of Federal taxes collected on gasoline and motor oil sales were diverted for uses totally unconnected with improving highways and roads.

Now, for the first time in history, the expenditures for highways are within a few hundred thousand dollars of tax collections. This means that for the next 2 years, beginning July 1, the Federal Government will match State expenditures with almost $966 million per year. California will receive $43,061,000 for all highway purposes.

How will this benefit the 25th Congressional District? Under the new law, we will receive matching funds for construction of interstate highways and freeways. It should be noted that United States Highway No. 66, and United States Highways Nos. 60, 70, and 99 as well as United States Highway No. 101 pass through our area. We know them more familiarly as Foothill Boulevard, Garvey and Valley Boulevards, and Whittier Boulevard, respectively. The Ramona freeway and the Santa Ana freeway are also parts of this system. These highways carry the bulk of the traffic to and from out-of-State points as well as hundreds of thousands of our citizens who live in the 25th District but work in Los Angeles.

Not to be ignored are the roads and streets which constitute the vast network of our secondary system. These are the feeders to the freeways and they are the streets within our cities, towns, and neighborhoods which are important to our local businessmen.

Recreation is not forgotten either, as funds are available for the development of forest roads and trails.

The farmers in our 25th Congressional District will benefit from better farm-to-market roads, thus preventing undue crop spoilage.

Mr. Speaker, this is the first time that Congress has voted to help our State and district with a problem that we have wrestled with for two decades. A trend has been reversed in that the decision as to spending of the money will be with those who know our needs best—our local officials. Washington will not dictate how or where the funds will be distributed. If we need more freeways, we can build them. If some other part of the State needs some other type of highway, it can build it. Thus we will get a dollar's worth of highway for every dollar of highway tax money sent to Washington.

With these funds, matched by contributions from the State of California, our 25th Congressional District will see the growth of a modern highway system and the beginning of a long-overdue attack on the crucial problem of reducing the annual toll of highway deaths and injuries.

Let us not forget the effect the law will have on our local economy. More jobs will be created by these projects. This is an example of government working to build prosperity based on peace rather than on war.

Mr. Speaker, I was proud to vote for this new highway construction and improvement bill.

Public Laws 335 to 340, Inclusive

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include my reports to my constituents covering Public Laws 335 to 340, inclusive, as follows:

TWENTY-FIRST REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Continuing where we left off:

PUBLIC LAW 335

H. R. 6434, food standards

Fixing of food standards is the responsibility of the Food and Drug Administration. Public Law 335 is intended to simplify procedures. Also, it extends to manufacturers of substances for use in processed foods the same right to hearings on the merits of their products as is enjoyed by manufacturers of the finished product.

As the Committee on Labor and Public Welfare unanimously reported out the bill (recommended by Mrs. Hobby and all the witnesses before the committee) I, with other Members of the House, accepted its judgment.

PUBLIC LAW 336

H. R. 4984, Miles City, Mont.

In 1946 the United States conveyed to Miles City, Mont., some 37 acres with the provision that the title would revert to the Federal Government if the land was not used for recreational or industrial purposes. This reverter clause has made it difficult for Miles City to encourage industrial development because the city could not give clear title to industries otherwise interested. Public Law 336 removes the reverter clause and permits Miles City to sell the tract provided the sale is at a 1946 appraised value and the proceeds go into the United States Treasury.

Uncle Sam owns about a fourth of all the land in the United States. During the war emergency period the Federal real-estate holdings were necessarily increased. The manner of their disposal when no longer needed is reflected in legislation from time to time recorded in these reports.

Since 1935 the matter of Federal ownership of land and its bearing on State and local taxation has been the subject of extensive study.

PUBLIC LAW 337

H. R. 3306, relief for homesteaders

This measure excludes homesteaders in certain divisions of the North Platte reclamation project from the provision of laws of 1909 and 1914 reserving the mineral rights in homestead land patents.

Reclamation homestead entries in this area were allowed early in the century. The entrymen met residential and cultivation requirements (some 40 and more years ago) but a succession of events (including a lawsuit over water rights that dragged on to 1942) delayed the filing of proofs necessary to issue of patents to the lands. Meanwhile the laws of 1909 and 1914 came along. The homesteaders convinced the committee (and the Department of Interior) that they were entitled to their patents under the old law as they had complied fully with their contract with the Government before the laws of 1909 and 1914 were enacted and the delay in filing proofs came from causes beyond their control.

It was an application of an equitable principle which recommended itself to me as a lawyer, granted that the facts justified. In not objecting (the measure passed the House by consent) I of course was guided by the assurance of the committee and of the Department that hearings had established the validity of the factual contentions. Nevertheless, I would have felt easier if the matter had passed the scrutiny of Harold Ickes when he was Secretary of the Interior. Reserving mineral rights to the Government in Federal lands conveyed to others is just commonsense.

PUBLIC LAW 338

H. R. 5529, Manassas National Battlefield Park

On July 21, 1861, the first major engagement of the Civil War was fought 26 miles from Washington, the First Battle of Manassas, also known as the Battle of Bull Run. It was here that "Stonewall" Jackson received his famous nickname because of his marked courage. The Second Battle of Manassas (1862) was the second attempt of the Confederates to seize Washington. The story of the two engagements is known to every American schoolchild.

In 1935 small portions of the battlefield (1,500 acres in all) were acquired by the Federal Government. In 1944 these scattered tracts were established as the Manassas National Battlefield Park. The properties are not contiguous, being separated by non-Federal land. Public Law 338 authorizes the purchase of some 1,400 additional acres so that the entire battle site can be preserved. Necessary funds will come from the revenues of the National Park Service.

Subdividers are as busy as beavers in the Washington suburban areas. Already land between monuments erected by various States on the battlefield site was being subdivided for homes, and but for Public Law 338 the public character of the area and its historic appeal to tourists would have been destroyed.

PUBLIC LAW 339

S. 1456, Gorgas Memorial Laboratory

In 1928 the Gorgas Memorial Institute (named for the famous American sanitation expert of the Panama Canal Zone, Surgeon General of the U. S. Army) was founded for the study of tropical diseases and preventive medicine. It maintains a laboratory in Panama (donated in 1930 by the Republic of Panama) and headquarters in Washington. Cost of maintenance actually is borne almost entirely by the United States since pro rata contributions from other Pan American countries have not been forthcoming. In 1929 donations totaling $760 were received from Ecuador; in 1931 a total of $1,150 from Venezuela, nothing at all after that. Reason: the institute is under unilateral control, the board of administration is determined by the United States. Moreover, some Latin American republic are planning their own laboratories. Nevertheless, under the Act of 1928 the Institute must solicit annually contributions from other Latin American governments for the laboratory's operation. Repeated unproductive requests for contributions have created a feeling of annoyance and irritation.

In the interest of pan-American cordiality the State Department recommended that the Institute be relieved of its annual job of passing the hat, which always came back empty. Congress complied with Public Law 338. Hereafter the Institute in its discretion may accept voluntary contributions and is relieved of the annual hat-passing job.

PUBLIC LAW 340

H. R. 7110, school lands

You will find this an interesting case of how progress in mineral location retarded the school-land program and how an act of Congress set things right.

In 1927 Congress granted to the various States titles to school sections in places even though they were mineral lands. The States, however, could not gain title to school lands under mineral lease (or application therefore) until the lease was terminated. Then came the great boom in oil and gas exploration, more recently in uranium. At present 60 million acres of public land in the United States are under lease. In Utah alone there are 10,330,730 acres of public lands, many belonging to the State of Utah as school lands under the original concept. With the intensive search for uranium and oil resources, several million acres recently have ben made subject to leases. The game is to tie up the property with a mineral lease, wait to see what's your luck.

Result is the States have been kept waiting, some of the Western States, for title to the school lands assigned to them when they were admitted to statehood. Congress solved the problem with Public Law 340. Hereafter, as soon as the land is surveyed and the location of the school sections determined they will be transferred to the States as originally intended even though subject to mineral lease or application for lease.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

SENATE

TUESDAY, MAY 11, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, to this ancient altar of contrition we come, at the beginning of another day of deliberation, seeking light upon our darkened way and strength and cleansing within our own hearts. For this moment of insight, turning from all the turmoil and chaos without, we would look within at our own lives, knowing that out of the heart are the issues of life. We cannot be builders of a clean and true and kind world if our inner lives are unclean, untrue, and unkind. While we strengthen the Nation with liberty's might to withstand sinister forces without, which betray and deny man's most cherished hopes, save the inner life of our land from violence, discord, and confusion, from pride and arrogance, and from every evil way.

Bring to naught all forces that sow suspicion, mistrust, and fear, and which endeavor to undermine the confidence of our people in their government, in their schools, in their churches, and in each other. We ask it in the Name that is above every name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 11, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HOMER FERGUSON, a Senator

from the State of Michigan, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. FERGUSON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 10, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 11, 1954, the President had approved and signed the act (S. 24) to permit review of decisions of the heads of departments, or their representatives or boards, involving questions arising under Government contracts.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 2305) to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 2150. An act providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in United States territory in the interest of national security, authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway, empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis, to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway, to authorize negotiations with Canada of an agreement on tolls, and for other purposes;

H. R. 3832. An act for the relief of Mrs. Orinda Josephine Quigley; and

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes.

LEAVE OF ABSENCE

On request of Mr. JOHNSON of Texas, and by unanimous consent, Mr. MCCARRAN was excused from attendance on the sessions of the Senate beginning today and continuing for the next 10 days.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MILLIKIN, and by unanimous consent, the Senate Committee on Finance was authorized to meet this afternoon during the session of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Knowland
Barrett	Green	Lehman
Bowring	Hendrickson	Mansfield
Bush	Hickenlooper	Maybank
Butler, Md.	Holland	Saltonstall
Chavez	Ives	Schoeppel
Clements	Johnson, Tex.	Smith, N. J.
Cooper	Johnston, S. C.	Wiley
Ferguson	Kennedy	Young

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indiana [Mr. JENNER] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], and the Senator from North Carolina [Mr. LENNON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BEALL, Mr. BENNETT, Mr. BRICKER, Mr. BRIDGES, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. CASE, Mr. CORDON, Mr. DANIEL, Mr. DIRKSEN, Mr. DUFF, Mr. DWORSHAK, Mr. FLANDERS, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GOLDWATER, Mr. HAYDEN, Mr. HENNINGS, Mr. HILL, Mr. HOEY, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. KERR, Mr. KILGORE, Mr. KUCHEL, Mr. LANGER, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MONRONEY, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, Mr. WATKINS, Mr. WELKER, and Mr. WILLIAMS entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

COST ASCERTAINMENT REPORT OF POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the cost ascertainment report of the Post Office Department, for the fiscal year 195^ (with an accompanying report); to the Committee on Post Office and Civil Service.

AUDIT REPORT ON NATIONAL BUREAU OF STANDARDS, DEPARTMENT OF COMMERCE

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the National Bureau of Standards, Department of Commerce, for the fiscal years ended June 30, 1951, and 1952 (with an accompanying report); to the Committee on Government Operations.

THE QUAPAW TRIBE OF INDIANS ET AL V. THE UNITED STATES

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D. C., transmitting, pursuant to law, copies of that Commission's findings of fact, and opinion in the case of *The Quapaw Tribe of Indians et al., plaintiffs,* v. *The United States of America, defendant* (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the committee on the part of the Senate.

AVIATION IMPROVEMENT—RESOLUTION OF MILWAUKEE COUNTY BOARD OF SUPERVISORS

Mr. WILEY. Mr. President, in this aviation age, the future of cities, states,

and nations, depends upon their keeping pace with aeronautical developments.

I send to the desk a resolution relative to aviation improvement which was adopted by the Milwaukee (Wis.) County Board of Supervisors on May 6, with regard to Milwaukee's air needs. I ask unanimous consent that the resolution be printed at this point in the RECORD, and be thereafter appropriately referred.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Whereas a bill has been introduced in Congress providing for payment of airport aid; and

Whereas the county of Milwaukee is engaged in the construction of a terminal building at General Mitchell field and is in need of other airport improvement: Now, therefore, be it

Resolved, That Representatives of Milwaukee County in Congress and the United States Senate be and they are hereby requested to lend all possible support toward the enactment of such legislation; and be it further

Resolved, That the county clerk send a copy of this resolution to the Honorable ALEXANDER WILEY and the Honorable Jos. R. MCCARTHY of the Senate and to the Honorable CLEMENT J. ZABLOCKI and the Honorable CHARLES J. KERSTEN of the House of Representatives.

The foregoing resolution correctly states the action taken by the said committee at a meeting held April 22, 1954.

GEO. J. HERRMANN,
Chairman.

PLEDGE OF ALLEGIANCE TO THE FLAG—RESOLUTION OF COMMON COUNCIL OF CITY OF ST. FRANCIS, WIS.

Mr. WILEY. Mr. President, I am delighted that this very day the Senate will act upon Senate Joint Resolution 126, to add the words "under God" to the pledge of allegiance to the flag of the United States, introduced by the Senator from Michigan [Mr. FERGUSON].

As I have previously stated in the RECORD, I am 100 percent in favor of the joint resolution.

So are the people of my State of Wisconsin, as indicated by a resolution adopted by the Common Council of the city of St. Francis. I present the resolution, and ask unanimous consent that it be printed at this point in the RECORD, and appropriately referred.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas a resolution by Senator HOMER FERGUSON, Michigan, Republican, has been introduced to add the words "under God" to the pledge of allegiance to the flag of the United States; and

Whereas in times like these when Godless communism is the greatest peril this Nation faces, and it becomes more necessary now than ever to avow our faith in God, and to affirm the recognition that the core of our strength comes from Him; and

Whereas this Nation fought for, won and preserved that freedom under God; and

Whereas those two profoundly meaningful words "under God" if included in our pledge will ever remind us that the spiritual strength derived from God is the source of all human liberty: Now, therefore, be it

Resolved, That the Common Council of the city of St. Francis endorses this resolution and encourages our Senators WILEY and MCCARTHY to do all in their power to insure its passage; be it further

Resolved, That a copy of this resolution be forwarded to the Honorable ALEXANDER WILEY and the Honorable JOSEPH MCCARTHY, Senate Office Building, Washington, D. C.

Passed and adopted this May 4, 1954.

Approved:

ROBERT PAUL SCHMERFELD,
Mayor.

HERBERT C. KIEHL,
Alderman and Council President.
LYNDON MCFAUL,
FRANK J. HILTON,
FRED J. SCHOENDORF,
TERRY O'BRIEN,
HERMAN JENNY,
Aldermen.

IMPORTATION OF NATURAL GAS—RESOLUTIONS

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, two resolutions adopted by Local Union 9700, District 27, of Columbus, N. Dak., and Local Union 9701, District 27, of Garrison, N. Dak., both affiliated with the United Mine Workers of America, relating to the importation of natural gas.

There being no objection, the resolutions were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

RESOLUTION PASSED BY UNITED MINE WORKERS OF AMERICA, LOCAL UNION 9700, DISTRICT 27, ON APRIL 20, 1954

Whereas now before the Federal Power Commission is an application for the importation of Canadian gas into the United States; and

Whereas we feel that the importation of this foreign fuel would cause the complete destruction of the coal industry and permit irreparable damage upon the welfare of our great country: Therefore be it

Resolved, That this local union go on record favoring Senate bill 1267, "a bill to amend the Natural Gas Act" introduced by Senator LESTER C. HUNT, of Wyoming; be it further

Resolved, That a copy of this resolution be submitted to each member of the Subcommittee on Business and Consumers Interests of the Senate Committee on Interstate and Foreign Commerce; and be it further

Resolved, That we request that this honorable committee give serious consideration to the threat to the great natural resource in our country. The importation of foreign fuel would displace thousands of workers, disrupt the economy of our country, and cause widespread and unnecessary hardship to railroads, transportation, merchants, and people in all walks of life, aside from the complete dislocation of all coal miners and their families; and be it further

Resolved, That we call upon this committee to help us in face of this grave threat to our American way of life, and the impending danger of complete loss of the coal mines, which might again be called upon to furnish the fuel to man defense plants should the need arise. That in time of national crisis we should not be left to the mercy of foreign fuel, which could be terminated by outside interests.

OLVIRE S. PETERSON,
President, Local Union 9700.
EARL SHIRVEY,
Recording Secretary, Local Union 9700.
LAURITS T. ISAKSEN,
Financial Secretary, Local Union 9700.

UNITED MINE WORKERS OF AMERICA,
LOCAL UNION 9701, DISTRICT 27,
Garrison, N. Dak., April 17, 1954.

DEAR SIR: The members of Local Union 9701, District 27, United Mine Workers of America, passed the following resolutions:

"Inasmuch as the Federal Power Commission in Washington has many applications before them to permit the importation of natural gas from Canada, this local union, along with many other interested parties, feels that this would be a detriment to the economy of the United States, displacing many thousands of miners, railroad and other transportation workers, retailers, and other businesses: Therefore be it

"*Resolved*, That this local union earnestly petition that gas not be imported, and that we respectfully request our Congress to assist us at this time in working for and passing the Hunt bill, known as Senate bill 1287, 'a bill to amend the Natural Gas Act,' which we feel would be a protection to the interests of American citizens; and be it further

"*Resolved*, That a copy of this resolution be submitted to each member of the Subcommittee on Business and Consumers Interests of the Senate Committee on Interstate and Foreign Commerce; also, let it be

"*Resolved*, That we request each and every one on this subcommittee to help us in this critical time and assist in passing Senate bill 1287. The livelihood of so many thousands depends upon their decision."

It is our firm belief that American citizens should have the right to employment, and not be cast aside so that foreign fuel may be used in the United States, and for that reason we plead for help in our cause.

A. J. ABBOTT,
President, Local Union 9701.
JOHN W. CHICKOSKY,
Recording Secretary, Local Union 9701.
HENRY E. YAHN,
Financial Secretary, Local Union 9701.
COLEHARBOR, N. DAK.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs:

S. 118. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma; with amendments (Rept. No. 1315);

H. R. 3598. A bill to consolidate the Parker Dam power project and the Davis Dam project; without amendment (Rept. No. 1316); and

H. R. 7057. A bill to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes; without amendment (Rept. No. 1317).

By Mr. CORDON, from the Committee on Interior and Insular Affairs:

S. 2225. A bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes; with amendments (Rept. No. 1314); and

S. 2761. A bill to approve repayment contracts negotiated with the Hermiston and West Extension Irrigation Districts, Oregon, and to authorize their execution, and for other purposes; with an amendment (Rept. No. 1313).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, without amendment:

S. 1794. A bill to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients (Rept. No. 1318); and

S. 3364. A bill to amend the act of October 13, 1949 (63 Stat. 1049) (Rept. No. 1319).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with amendments:

S. 2744. A bill to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof, and for other purposes (Rept. No. 1321); and

H. R. 2974. A bill to extend the time for enrollment of the Indians of California, and for other purposes (Rept. No. 1320).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 5731. A bill to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes (Rept. No. 1322).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on civilian employment in the executive branch of the Federal Government for the month of February 1954, which I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, JANUARY–FEBRUARY 1954, AND PAY, DECEMBER 1953–JANUARY 1954

PERSONNEL AND PAY SUMMARY [1]

(See table I)

According to monthly personnel reports for February 1954 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures:

Department or agency	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In February numbered—	In January numbered—	Increase (+) or decrease (−)	In January was—	In December was—	Increase (+) or decrease (−)
Total	2,340,767	2,346,892	−6,125	$756,498	$874,505	−$118,007
1. Agencies exclusive of Department of Defense	1,173,040	1,171,840	+1,200	389,428	477,013	−87,585
2. Department of Defense	1,167,727	1,175,052	−7,325	367,070	397,492	−30,421
Within the Department of Defense:						
Office of the Secretary of Defense	1,840	1,818	+22	903	1,009	−106
Department of the Army	450,510	455,728	−5,218	127,879	137,829	−9,950
Department of the Air Force	288,712	288,913	−201	91,101	99,544	−8,443
Department of the Navy	426,665	428,593	−1,928	147,187	159,110	−11,923

[1] Exclusive of foreign nationals shown in table VI.

Table I breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the above employment figures to show the number inside continental United States, outside continental United States, and the number in the so-called industrial categories. This further breakdown in tables II, III, and IV does not include pay figures because payroll reports submitted to the committee by some agencies are inadequate for this purpose.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during February 1954, and comparison with January 1954, and pay for January 1954, and comparison with December 1953*

Department or agency	Pay (in thousands of dollars)				Personnel			
	December	January	Increase	Decrease	January	February	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	23,561	21,164		$2,397	66,897	67,936	1,039	
Commerce [1] [2]	18,921	16,193		2,728	42,831	42,608		223
Health, Education, and Welfare	13,275	12,462		813	36,200	36,398	198	
Interior	20,615	18,297		1,718	51,317	51,776	459	
Justice	13,454	12,099		1,355	29,904	29,901		3
Labor	2,260	2,091		169	5,137	5,004		133
Post Office	229,815	162,573		67,242	506,781	504,558		2,223
State	[3] 6,963	6,494		469	20,054	20,275	221	
Treasury	32,921	29,927		2,994	80,713	82,370	1,657	
Executive Office of the President:								
White House Office	130	125		5	254	259	5	
Bureau of the Budget	264	239		25	420	420		
Council of Economic Advisers	20	21	1		26	26		
Executive Mansion and Grounds	26	25		1	126	127	1	
National Security Council [4]	17	15		2	26	27	1	
Office of Defense Mobilization	195	186		9	377	380	3	
President's Advisory Committee on Government Organization					3	3		
Emergency agencies:								
Defense Transport Administration	20	17		3	35	36	1	
Federal Civil Defense Administration	405	365		40	684	685	1	
Foreign Operations Administration	[3] 2,252	1,966		286	[3] 5,057	5,135	78	
National Security Training Commission	5	5			8	5		3
Renegotiation Board	416	402		14	712	717	5	
Subversive Activities Control Board	19	18		1	32	31		1
Postwar agencies:								
War Claims Commission	67	60		7	154	152		2
Independent agencies:								
American Battle Monuments Commission	88	90	2		449	447		2
Atomic Energy Commission	[3] 3,151	2,706		445	6,367	6,365		2
Board of Governors of the Federal Reserve System	266	244		22	576	570		6
Civil Aeronautics Board	288	263		25	542	540		2
Civil Service Commission	1,903	1,671		232	4,463	4,480	17	
Commission on Foreign Economic Policy	38	19		19	41	35		6
Commission on Intergovernmental Relations	9	13	4		31	32	1	
Committee on Retirement Policy for Federal Personnel	7	7			15	16	1	
Export-Import Bank of Washington	73	68		5	130	129		1
Farm Credit Administration	321	343	22		781	773		8
Federal Coal Mine Safety Board of Review	4	5	1		8	8		
Federal Communications Commission	567	529		38	1,136	1,141	5	
Federal Deposit Insurance Corporation	473	433		40	1,025	1,024		1
Federal Mediation and Conciliation Service	234	220		14	353	353		
Federal Power Commission	343	314		29	668	665		3
Federal Trade Commission	312	288		24	576	585	9	
General Accounting Office	2,536	2,316		220	5,881	5,876		5
General Services Administration	6,998	8,128		870	27,337	27,229		108
Government Contract Committee	3	3			16	16		
Government Printing Office	2,910	2,629		281	7,085	7,067		18
Housing and Home Finance Agency	4,828	4,539		289	10,840	10,820		20
Indian Claims Commission	9	9			14	14		
Interstate Commerce Commission	891	820		71	1,836	1,880	44	
National Advisory Committee for Aeronautics	3,210	2,931		279	7,267	7,282	15	
National Capital Housing Authority	116	105		11	334	333		1

[1] February figure includes 872 employees of the Business and Defense Services Administration, an increase of 8 from the January figure of 864.

[2] February figure includes 1,645 seamen on the rolls of the Maritime Administration and their pay.

[3] Revised on basis of later information.

[4] Exclusive of personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during February 1954, and comparison with January 1954, and pay for January 1954, and comparison with December 1953*—Continued

Department or agency	Pay (in thousands of dollars)				Personnel			
	December	January	Increase	Decrease	January	February	Increase	Decrease
Independent agencies—Continued								
National Capital Planning Commission	10	10			20	19		1
National Gallery of Art	100	93		7	315	315		
National Labor Relations Board	642	601		41	1,249	1,261	12	
National Mediation Board	75	67		8	116	116		
National Science Foundation	79	77		2	176	229	53	
Panama Canal	3,559	4,482	923		16,707	16,517		190
Railroad Retirement Board	800	736		64	2,206	2,201		5
Reconstruction Finance Corporation	611	547		64	1,177	1,168		9
Rubber Producing Facilities Disposal Commission	10	14	4		23	25	2	
Securities and Exchange Commission	411	350		61	729	724		5
Selective Service System	1,732	1,577		155	7,296	7,313	17	
Small Business Administration	226	236	10		460	496	36	
Smithsonian Institution	191	171		20	502	500		2
Soldiers' Home	166	145		21	786	795	9	
Tariff Commission	107	98		9	193	192		1
Tax Court of the United States	72	73	1		138	139	1	
Tennessee Valley Authority	9,709	[1] 9,642		67	22,890	22,965	75	
United States Information Agency	2,151	2,505	354		9,200	9,166		34
Veterans' Administration	59,763	54,567		5,196	182,138	182,390	252	
Total, excluding Department of Defense	477,013	389,428	1,322	88,907	1,171,840	1,173,040	4,218	3,018
Net change, excluding Department of Defense			87,585				1,200	
Department of Defense:								
Office of the Secretary of Defense [2]	1,009	903		106	1,818	1,840	22	
Department of the Army:								
Inside continental United States	124,328	115,268		9,060	405,695	399,429		6,266
Outside continental United States	13,501	12,611		890	50,033	51,081	1,048	
Department of the Air Force:								
Inside continental United States	90,851	83,146		7,705	252,520	251,167		1,353
Outside continental United States	8,693	7,955		738	36,393	37,545	1,152	
Department of the Navy:								
Inside continental United States	149,500	138,338		11,162	398,089	396,093		1,996
Outside continental United States	9,610	8,849		761	30,504	30,572	68	
Total, Department of Defense	397,492	367,070		30,422	1,175,052	1,167,727	2,290	9,615
Net decrease, Department of Defense			30,422				7,325	
Grand total, including Department of Defense	874,505	756,498	1,322	119,329	2,346,892	2,340,767	6,508	12,633
Net decrease, including Department of Defense			118,007				6,125	

[1] Includes $141,774 retroactive pay increases paid in January.

[2] Includes 255 employees assigned to Cataloging, Standardization, and Inspection Agency and 42 employees assigned to the North Atlantic Treaty Organization.

TABLE II.—*Federal personnel inside continental United States employed by executive agencies during February 1954, and comparison with January 1954*

Department or agency	January	February	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	65,365	66,373	1,008	
Commerce [1] [2]	39,811	39,641		170
Health, Education, and Welfare	35,648	35,833	185	
Interior	45,523	45,549	26	
Justice	29,392	29,396	4	
Labor	5,029	4,911		118
Post Office	504,428	502,194		2,234
State	5,940	5,874		66
Treasury	79,712	81,365	1,653	
Executive Office of the President:				
White House Office	254	259	5	
Bureau of the Budget	420	420		
Council of Economic Advisers	26	26		
Executive Mansion and Grounds	126	127	1	
National Security Council [3]	26	27	1	
Office of Defense Mobilization	377	380	3	
President's Advisory Committee on Government Organization	3	3		
Emergency agencies:				
Defense Transport Administration	35	36	1	
Federal Civil Defense Administration	684	685	1	
Foreign Operations Administration	1,454	1,457	3	
National Security Training Commission	8	5		3
Renegotiation Board	712	717	5	
Subversive Activities Control Board	32	31		1
Postwar agencies:				
War Claims Commission	154	152		2
Independent agencies:				
American Battle Monuments Commission	15	15		
Atomic Energy Commission	6,352	6,347		5
Board of Governors of the Federal Reserve System	576	570		6
Civil Aeronautics Board	535	533		2
Civil Service Commission	4,451	4,468	17	
Commission on Foreign Economic Policy	41	35		6
Commission on Intergovernmental Relations	31	32	1	
Committee on Retirement Policy for Federal Personnel	15	16	1	
Export-Import Bank of Washington	130	129		1
Farm Credit Administration	772	764		8
Federal Coal Mine Safety Board of Review	8	8		
Federal Communications Commission	1,110	1,115	5	
Federal Deposit Insurance Corporation	1,024	1,023		1
Federal Mediation and Conciliation Service	353	353		
Federal Power Commission	668	665		3
Independent agencies—Continued				
Federal Trade Commission	576	585	9	
General Accounting Office	5,838	5,833		5
General Services Administration	27,217	27,107		110
Government Contract Committee	16	16		
Government Printing Office	7,085	7,067		18
Housing and Home Finance Agency	10,711	10,689		22
Indian Claims Commission	14	14		
Interstate Commerce Commission	1,836	1,880	44	
National Advisory Committee for Aeronautics	7,267	7,282	15	
National Capital Housing Authority	334	333		1
National Capital Planning Commission	20	19		1
National Gallery of Art	315	315		
National Labor Relations Board	1,228	1,214		14
National Mediation Board	116	116		
National Science Foundation	176	229	53	
Panama Canal	535	536	1	
Railroad Retirement Board	2,206	2,201		5
Reconstruction Finance Corporation	1,171	1,162		9
Rubber Producing Facilities Disposal Commission	23	25	2	
Securities and Exchange Commission	729	724		5
Selective Service System	7,091	7,110	19	
Small Business Administration	460	496	36	
Smithsonian Institution	500	498		2
Soldiers' Home	786	795	9	
Tariff Commission	193	192		1
Tax Court of the United States	138	139	1	
Tennessee Valley Authority	22,890	22,965	75	
United States Information Agency	2,097	2,167	70	
Veterans' Administration	180,907	181,158	251	
Total, excluding Department of Defense	1,113,715	1,114,401	3,505	2,819
Net increase, excluding Department of Defense			686	
Department of Defense:				
Office of the Secretary of Defense	1,762	1,783	21	
Department of the Army	405,695	399,429		6,266
Department of the Air Force	252,520	251,167		1,353
Department of the Navy	398,089	396,093		1,996
Total, Department of Defense	1,058,066	1,048,472	21	9,615
Net decrease, Department of Defense			9,594	
Grand total, including Department of Defense	2,171,781	2,162,873	3,526	12,434
Net decrease, including Department of Defense			8,908	

[1] February figure includes 872 employees of the Business and Defense Services Administration, an increase of 8 from the January figure of 864.

[2] February figure includes 1,645 seamen on the rolls of the Maritime Administration.

[3] Exclusive of personnel of the Central Intelligence Agency.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during February 1954, and comparison with January 1954*

Department or agency	January	February	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,532	1,563	31	
Commerce	3,020	2,967		53
Health, Education, and Welfare	552	565	13	
Interior	5,794	6,227	433	
Justice	512	505		7
Labor	108	93		15
Post Office	2,353	2,364	11	
State	14,114	14,401	287	
Treasury	1,001	1,005	4	
Emergency agencies:				
Foreign Operations Administration	[1] 3,603	3,678	75	
Independent agencies:				
American Battle Monuments Commission	434	432		2
Atomic Energy Commission	15	18	3	
Civil Aeronautics Board	7	7		
Civil Service Commission	12	12		
Farm Credit Administration	9	9		
Federal Communications Commission	26	26		
Federal Deposit Insurance Corporation	1	1		
General Accounting Office	43	43		
General Services Administration	120	122	2	
Housing and Home Finance Agency	129	131	2	
National Labor Relations Board	21	47	26	
Independent agencies—Continued				
Panama Canal	16,172	15,981		191
Reconstruction Finance Corporation	6	6		
Selective Service System	205	203		2
Smithsonian Institution	2	2		
United States Information Agency	[1] 7,103	6,999		104
Veterans' Administration	1,231	1,232	1	
Total, excluding Department of Defense	58,125	58,639	888	374
Net increase, excluding Department of Defense			514	
Department of Defense:				
Office of the Secretary of Defense	56	57	1	
Department of the Army	50,033	51,081	1,048	
Department of the Air Force	36,393	37,545	1,152	
Department of the Navy	30,504	30,572	68	
Total, Department of Defense	116,986	119,255	2,269	
Net increase, Department of Defense			2,269	
Grand total, including Department of Defense	175,111	177,894	3,157	374
Net increase, including Department of Defense			2,783	

[1] Revised on the basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during February 1954 and comparison with January 1954*

Department or agency	January	February	Increase	Decrease
Executive departments (except Department of Defense):				
Commerce	406	440	34	
Interior	2,126	2,050		76
State	140	141	1	
Treasury	6,825	6,757		68
Independent agencies:				
Atomic Energy Commission	111	113	2	
Panama Canal	1,372	1,367		5
Tennessee Valley Authority	14,221	14,342	121	
Total, excluding Department of Defense	25,201	25,210	158	149
Net increase, excluding Department of Defense			9	
Department of Defense:				
Department of the Army:				
Inside continental United States	195,986	190,756		5,230
Outside continental United States	31,575	32,728	1,153	
Department of Defense—Continued				
Department of the Air Force:				
Inside continental United States	143,798	141,797		2,001
Outside continental United States	21,479	22,533	1,054	
Department of the Navy:				
Inside continental United States	259,486	257,375		2,111
Outside continental United States	22,143	22,194	51	
Total, Department of Defense	674,467	667,383	2,258	9,342
Net decrease, Department of Defense			7,084	
Grand total, including Department of Defense	699,668	692,593	2,416	9,491
Net decrease, including Department of Defense			7,075	

TABLE V.—*Federal employees assigned to mutual defense assistance program*

Department or agency	Payroll (in thousands)			Civilian personnel		
	In December was—	In January was—	Increase (+) or decrease (−)	In January numbered—	In February numbered—	Increase (+) or decrease (−)
Total	$7,670	$7,623	−$47	23,996	24,883	+887
State Department	108	136	+28	1,019	1,381	+362
Office of the Secretary of Defense	76	72	−4	144	144	
Department of the Army	[1] 5,420	[2] 5,420		[1] 15,857	[2] 15,857	
Department of the Air Force	1,134	1,063	−71	3,161	3,315	+154
Department of the Navy	932	[2] 932		3,815	4,186	+371

[1] Revised on the basis of later information.

[2] Subject to revision.

TABLE VI.—*Foreign nationals working under United States agencies overseas, excluded from usual Federal personnel reporting because of the nature of their work or the source of the funds from which they are paid, as of February 1954 and comparison with January 1954 (not included elsewhere in this report)*

Country	Total		Army		Navy		Air Force	
	January	February	January	February	January	February	January	February
Germany	117,992	118,331	97,206	97,569	1,920	1,932	18,866	18,830
Japan	174,901	172,548	115,226	113,994	18,374	17,018	41,301	41,536
Korea	[1] 106,359	106,359	[2] 97,040	[2] 97,040			9,319	9,319
Libya	199	199					199	199
Ryukyus	[2] 14,800	14,925	11,073	11,184	[1] 117	146	3,600	3,595
Saudi Arabia	395	390					395	390
Trinidad	[1] 585	585			[1] 585	585		
Total	415,231	413,337	320,555	319,787	20,996	19,681	73,680	73,869

[1] Revised on basis of later information.

[2] Includes 38,408 members of the Korean Service Corps.

NOTE.—The Germans are paid from funds provided by German governments. Ryukyuans reported by the Army are paid from funds appropriated for personal service. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

Executive agencies of the Federal Government reported regular civilian employment in the month of February totaling 2,340,767. This was a net reduction of 6,125 as compared with employment reported for the preceding month of January.

Civilian employment as reported by employing agencies of the Federal Government by months in the current fiscal year 1954, which began July 1, follows:

Month	Employment	Decrease
July	2,454,714	−14,926
August	2,431,430	−23,284
September	2,401,810	−29,620
October	2,372,745	−29,065
November	2,367,330	−5,415
December	2,357,294	−10,036
January	2,346,892	−10,402
February	2,340,767	−6,125

These figures show that during the 8 months of fiscal year 1954 civilian employment was reduced by 128,873. February was the 19th consecutive month in which net reductions were reported.

Civilian employment by the Defense Department continued to decrease during February, dropping 7,325 to a total of 1,167,727. Employment by the civilian agencies increased during the month from 1,171,840 to 1,173,040—an increase of 1,200.

Major decreases were reported by the Department of Commerce, with 223; Department of Labor, with 133; Department of the Post Office, with 2,223; General Services Administration, with 108; Panama Canal, with 190; Department of the Army, with 5,218; Department of the Air Force, with 201; and the Department of the Navy, with 1,928. Major increases were reported by the Department of Agriculture, with 1,039; Department of Health, Education, and Welfare, with 198; Department of the Interior, with 459; Department of State, with 221; Department of the Treasury, with 1,657; and Veterans' Administration, with 252.

Employment outside continental United States increased 2,783, and inside continental United States civilian employment decreased 8,908.

These figures are from reports certified by the agencies, as compiled today by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,340,767 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports included some foreign nationals employed in United States Government activities abroad, but, in addition to these, there were 413,337 foreign nationals working for United States military agencies overseas during the month of February who were not counted in the usual personnel reports. The number employed in January was 415,231. A breakdown of this employment for February follows:

Country	Total	Army	Navy	Air Force
Germany	118,331	97,569	1,932	18,830
Japan	172,548	113,994	17,018	41,536
Korea	106,359	97,040	------	9,319
Libya	199	------	------	199
Ryukyus	14,925	11,184	146	3,595
Saudi Arabia	390	------	------	390
Trinidad	585	------	585	------
Total	413,337	319,787	19,681	73,869

REPORT OF BOARD OF VISITORS TO COAST GUARD ACADEMY

Mr. BUSH. Mr. President, Connecticut has the good fortune of being host to the United States Coast Guard Academy. For the past 2 years I have had the pleasure of being a member of the Board of Visitors to the Academy. A few weeks ago the Board, representing Congress, made its annual trip to the Coast Guard Academy at New London, accompanied by Vice Adm. Merlin O'Neill, Commandant of the United States Coast Guard, and members of his staff.

This is a very impressive Academy, Mr. President, and it is a great misfortune that more people do not understand what a splendid institution the Coast Guard has at New London. With the thought, perhaps, of helping to correct the lack of information and of improving understanding of the Academy, on behalf of the Board of Visitors, I have the honor today to submit a report on our trip to New London a few weeks ago. I ask unanimous consent that the report be printed in the body of the RECORD at this point in my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

BOARD OF VISITORS,
UNITED STATES COAST GUARD ACADEMY.

CONGRESSIONAL BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY, 1954

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to section 194 of title 14 of the United States Code, the following Senators and Members of the House of Representatives were designated to constitute the 1954 Board of Visitors to the United States Coast Guard Academy:

Senator appointed by the President of the Senate:

Hon. PRESCOTT BUSH, Republican, Connecticut.

Senators appointed by the chairman of the Senate Committee on Interstate and Foreign Commerce:

Hon. JOHN M. BUTLER, Republican, Maryland.

Hon. JOHN O. PASTORE, Democrat, Rhode Island.

Representatives appointed by the Speaker of the House of Representatives:

Hon. ANTONI N. SADLAK, Republican, Connecticut.

Hon. THOMAS J. DODD, Democrat, Connecticut.

Representatives appointed by the chairman, House Committee on Merchant Marine and Fisheries:

Hon. HORACE SEELY-BROWN, Republican, Connecticut.

Hon. WALTER M. MUMMA, Republican, Pennsylvania.

Hon. EDWARD J. HART, Democrat, New Jersey.

Ex officio members:

Senator JOHN W. BRICKER, Republican, Ohio (chairman, Senate Committee on Interstate and Foreign Commerce).

Representative ALVIN F. WEICHEL, Republican, Ohio (chairman, House Committee on Merchant Marine and Fisheries).

The following members of the Board were present:

Senator PRESCOTT BUSH, Republican, of Connecticut.

Representative HORACE SEELY-BROWN, JR., Republican, of Connecticut.

Representative ANTONI N. SADLAK, Republican, of Connecticut.

In further conformity to section 194 of title 14, United States Code, the Secretary of the Treasury designated April 9, 1954, as the date for the meeting of the Board of Visitors at the Coast Guard Academy, New London, Conn.

Senator PRESCOTT BUSH, Republican, of Connecticut; Representative HORACE SEELY-BROWN, JR., Republican, of Connecticut, and Representative ANTONI N. SADLAK, Republican, of Connecticut; accompanied by the following officials of Coast Guard headquarters: Vice Adm. Merlin O'Neill, Commandant, and Capt. Allen Winbeck, Chief of the Personnel Training and Procurement Division; departed Washington on April 8, 1954, and arrived in New London, Conn., that evening.

The party was met by Rear Adm. Arthur G. Hall, United States Coast Guard, Superintendent of the Coast Guard Academy, and officers of his staff. The Board was entertained at dinner by the Superintendent and Mrs. Hall, at which time the party was joined by Dr. Joseph W. Barker, president, Research Corp., and chairman of the Coast Guard Academy Advisory Committee. The Advisory Committee is established in conformity to section 193, title 14, United States Code, for the purpose of examining the course of instruction at the Coast Guard Academy, and advising the Commandant relative thereto.

The Board members present met in formal session in the Academic Board Room, and were joined by Assistant Secretary of the Treasury, H. Chapman Rose, who had arrived in New London that morning; Admiral O'Neill and Admiral Hall. Dr. Barker was also invited to be present, in order that the Board might profit from his rich background of outstanding experience in matters relative to the Coast Guard Academy.

The Honorable PRESCOTT BUSH presided. A brief summary of the minutes of the Board meeting are herewith presented for the information of and consideration by the Members of the Senate and the House of Representatives.

Dr. Barker gave a résumé of the results of a study on cadet attrition. This study had been made to determine if the academic standards at the Academy were too high, the resultant effect of which would be too many academic failures. Dr. Barker advised that the Academy compared very favorably with the top engineering schools in the country. He further advised that the mortality rate academically was on a par with the good engineering schools, and the Advisory Committee had come to the conclusion the academic requirements established at the Academy were completely justified. Further studies had indicated that the Academy was successfully performing the educational preparation of cadets for the satisfactory pursuit of the duties of commissioned officers in the Coast Guard.

The obtaining of qualified applicants for cadetship and the method of tendering appointments to the Academy were matters of great interest to the Board. An item of concern was the fact that of those young men who successfully compete in the Academy entrance examinations, approximately a third decline appointments. However, the Academy has been successful in obtaining entering classes of about 200 cadets.

The Advisory Committee is currently undertaking a study on the reasons why successful applicants do decline appointments, to determine what changes, if any, should be made in procedures presently being used in the obtaining of qualified young men for cadetship.

The Board discussed the question of whether sufficient funds had been made available to the Academy to provide for modern equipment and facilities for the efficient instruction of cadets. The Board was assured that the Academy is outfitted with excellent instructional equipment.

Admiral Hall expressed his great appreciation for the outstanding service performed

by Dr. Barker and the members of the Advisory Committee on behalf of the Academy and the Coast Guard.

Admiral Hall next called the attention of the Board to the inadequacy of the present permanent cadet barracks. At present, a considerable number of cadets are housed in temporary wooden barracks constructed during World War II. It was the opinion of Admiral Hall that while wooden barracks are satisfactory for the physical housing of cadets, they do constitute a definite fire hazard.

Admiral O'Neill advised that the Coast Guard keenly realized the need for additional permanent barracks, but that items with a higher priority had to be given first consideration within the limit of funds made available to the Service.

There was a short recess to permit the members of the Board to be honored by taking a battalion review of the Corps of Cadets.

The Board was reconvened and inquired into the medical facilities at the Academy available to Service personnel and their dependents. Dr. Carnes, the medical director of the Academy hospital, stated that there were 49,244 cases of outpatient treatment for military personnel, and 11,460 cases of outpatient treatment for dependents during the preceding 12 months.

After a short recess for lunch, during which the Board had the pleasure of lunching with the Corps of Cadets, the Board met in informal private session without the presence of Coast Guard officials. Principal battalion officers were called to the meeting to express such views on the Academy and cadet life as they might wish to make.

The Board was pleased with the high caliber of the many members of the cadet corps with whom they spoke. In this connection, the Board found that the morale of the cadet corps was satisfactory, and reflects high standards of instruction, training and living conditions.

The Board was most favorably impressed with the Coast Guard Academy and the administration thereof. It is a thoroughly modern educational institution of the highest standards, equipped with excellent facilities. It was particularly impressed with the high type of young men who constitute the cadet corps; young men with a seriousness of purpose, devoted to service to their country. The Board was further pleased with the curriculum of this Academy and with the caliber of the administrative officers and instructors.

The Board was somewhat puzzled by the fact that more qualified young men are not interested in the advantages of cadetship—and a career in the Coast Guard. They were of the opinion that a more concerted effort should be made to inform young men, and the people, of the duties and functions of the Coast Guard, and of the opportunities offered at the Coast Guard Academy for an education and an honorable career. The Board feels that a national lack of appreciation of what the Coast Guard is and does is a primary reason why more young men are not more interested in cadetship. The members were of the opinion that there should be a wide dissemination of information regarding the advantages to qualified young men of the educational opportunities offered by the Academy and of a career in the Coast Guard.

The Board was advised that the Coast Guard is keenly aware of the necessity of bringing the Academy and the Coast Guard to the attention of the public. It was stated that the mediums of motion pictures, radio, and television were being utilized to the greatest extent practicable to inform the public of the Coast Guard Academy and the activities of the Service. Admiral O'Neill advised that motion pictures like The Sea of Lost Ships, The High and Mighty, and the forthcoming Disney series featuring the Coast Guard icebreaker *Eastwind* in northern waters, were examples of close cooperation between the Coast Guard and the motion-picture industry.

The Coast Guard has invited the aid of all Members of the Congress and other Government agencies in its program to further publicize the Academy in its quest for highly qualified young men for cadetship.

The Board strongly urges the Coast Guard to continue its efforts to publicize the advantages of an education in the Academy which is an outstanding service school of which we may be proud.

The Board further urges that the Coast Guard continue its public information program in order that the youth of this country be made aware of the advantages of a career in the Nation's oldest seagoing service, the United States Coast Guard.

The Board is pleased to express its appreciation for the courtesies extended by Vice Adm. Merlin O'Neill, Commandant of the Coast Guard, and Rear Adm. Arthur G. Hall, Superintendent of the Coast Guard Academy.

A complete transcript of the meeting of the Board has been made a part of the record.

PRESCOTT BUSH,
United States Senator.
HORACE SEELY-BROWN, Jr.,
United States Representative.
ANTONI N. SADLAK,
United States Representative.

MAY 11, 1954.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 11, 1954, he presented to the President of the United States the enrolled bill (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence Seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence Seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL (for himself and Mr. KENNEDY):

S. 3430. A bill to authorize the Secretary of the Army to lease, to the Commonwealth of Massachusetts, portions of the Boston Army Base in the port of Boston; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. DWORSHAK:

S. 3431. A bill for the relief of Thekla Drexler; and

S. 3432. A bill for the relief of Mary Ellen Krueger and Alvin Konrad Krueger; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 3433. A bill for the relief of Andreja Glusic; to the Committee on the Judiciary.

By Mr. BRICKER (by request):

S. 3434. A bill to amend section 10 (f) of the Federal Power Act to provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes; and

S. 3435. A bill to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BRICKER when he introduced the above bills, which appear under separate headings.)

By Mr. BENNETT:

S. 3436. A bill for the relief of Maurie Dea Holley; to the Committee on the Judiciary.

By Mr. IVES:

S. J. Res. 156. Joint resolution providing for acceptance by the United States of America of an Instrument for the Amendment of the Constitution of the International Labor Organization; to the Committee on Foreign Relations.

(See the remarks of Mr. IVES when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HENDRICKSON:

S. J. Res. 157. Joint resolution to establish a Joint Committee on Internal Security; to the Committee on Rules and Administration.

(See the remarks of Mr. HENDRICKSON when he introduced the above joint resolution, which appear under a separate heading.)

REHABILITATION AND LEASE TO MASSACHUSETTS OF ARMY BASE PIER AT BOSTON

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts [Mr. KENNEDY] and myself, I introduce for appropriate reference a bill to authorize the Secretary of the Army to lease to the Commonwealth of Massachusetts portions of the Boston Army base in the port of Boston. I ask unanimous consent that I may speak on the bill for not more than 3 minutes.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The bill will be received and appropriately referred; and, without objection, the Senator from Massachusetts may proceed.

The bill (S. 3430) to authorize the Secretary of the Army to lease to the Commonwealth of Massachusetts portions of the Boston Army base in the port of Boston, introduced by Mr. SALTONSTALL (for himself and Mr. KENNEDY), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. SALTONSTALL. Mr. President, on behalf of the junior Senator from Massachusetts and myself I have introduced a bill to authorize the repair and rehabilitation of the Army base pier and pier sheds in Boston and their lease to the Commonwealth of Massachusetts.

The Army base pier is by far the best-equipped facility in New England for use as a military embarkation point in a time of national emergency. It is from 150 to 300 miles nearer the major European ports than any comparable facilities on the Atlantic seaboard, and at the peak of its operation in World War II the pier handled between 1½ million to 2½ million tons of cargo annually.

The Boston Army base pier was built in 1918 and includes 7 covered and 1 open berths with an 8-story warehouse and some half-dozen sheds, with a combined floor area of 697,200 square feet. The channel depth at the berths is 30 feet at mean low water. In 1923 the United States Shipping Board took over operation of the pier from the Army and leased it to private operators. It was then determined that rentals received would go into a revolving fund out of which the Maritime Commission could draw to pay for the maintenance and upkeep of the pier. Within 2 months after the start of hostilities in World War II the Army took over the Army base, and when it reverted to the United States Maritime Administration after the war, the revolving fund was discontinued.

The pier is now in need of major repairs to keep it from collapsing into Boston Harbor. To reproduce equal facilities at present-day costs would demand somewhere between $75 million and $100 million. To put the present pier in first-class condition for the indefinite future would cost a maximum of $11 million.

The alternatives thus facing us are very simple: Either we provide the necessary funds to assure the future usefulness of this great pier, or we permit it to disappear as a national and a regional asset. Not to provide the necessary repairs, in my opinion, would be a shocking waste of a structure potentially valuable in the event of war and immediately valuable for commercial use. The Army base berths account for nearly a fourth of all covered berths in Boston Harbor and in 1953 accommodated 326 ships. In order of tonnage, the principal items handled are wool, latex, hemp and sisal, rubber and steel.

Under this bill the work necessary to put the piers in usable condition would be done by the United States. Thereafter, upon execution of the lease to the Commonwealth of Massachusetts, the obligation of maintenance would rest on the Commonwealth, which would be authorized to sublease. In the event of a national emergency and a determination by the Secretary of the Army that the pier is necessary for military purposes, the Army would have a right to reoccupy it.

This bill thus assures the preservation of a valuable facility. If something is not done very promptly, the loss of the Army base pier will severely cripple the port of Boston and destroy an asset essential in the event of national mobilization. Mr. President, I hope that this project will be made a part of the Army public-works program for the coming fiscal year. Otherwise, the pier may become completely ruined.

AMENDMENT OF FEDERAL POWER ACT RELATING TO CHARGES PAID BY CERTAIN FEDERAL POWER PROJECTS

Mr. BRICKER. Mr. President, by request, I introduce for appropriate reference a bill to amend section 10 (f) of the Federal Power Act to provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, addressed to the Vice President, requesting the introduction of the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3434) to amend section 10 (f) of the Federal Power Act to provide that charges will be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes, introduced by Mr. BRICKER, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. BRICKER is as follows:

FEDERAL POWER COMMISSION,
Washington, May 7, 1954.

The Honorable the PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

MY DEAR MR. PRESIDENT: In his 1955 message on the Federal budget, the President stated that, in simple equity, the Federal Government should make annual payments to the owners of water-use facilities which provide benefits to Federal hydroelectric projects in the same way that non-Federal owners of hydroelectric projects are required under section 10 (f) of the Federal Power Act to pay for benefits received from Federal and other water-use facilities.

There is enclosed a draft of a proposed amendment to section 10 (f) of the Federal Power Act which would provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties. This amendment, if enacted, would place all hydroelectric projects, whether federally owned or otherwise, on an equal footing. The proposed amendment specifies the companies which shall be considered in the determination of benefits from water-use facilities and provides for accounting for payments to Federal facilities for benefits provided by such facilities to other hydroelectric projects.

In addition, provision is made for recognition of the cost to the Federal Power Commission of making benefit determinations for Federal facilities.

We have been authorized to say that the proposed legislation is transmitted to you with the approval of the Bureau of the Budget as an item of the President's program, and the Federal Power Commission recommends its enactment.

Sincerely yours,

JEROME K. KUYKENDALL,
Chairman.

AMENDMENT OF ACT RELATING TO ADMINISTRATION OF WASHINGTON NATIONAL AIRPORT AND INCORPORATION OF WASHINGTON NATIONAL AIRPORT CORPORATION

Mr. BRICKER. Mr. President, at the request of the Acting Secretary of Commerce, I introduce for appropriate reference a bill to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes. I ask unanimous consent that a letter from the Acting Secretary of Commerce addressed to the Vice President relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3435) to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes, introduced by Mr. BRICKER, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. BRICKER is as follows:

THE SECRETARY OF COMMERCE,
Washington, May 6, 1954.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: It is requested that the enclosed proposed bill "to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corporation, and for other purposes," be introduced in the Senate at your earliest convenience.

In its report dated March 31, 1949, on Federal Business Enterprises, the (Hoover) Commission on Organization of the Executive Branch of the Government recommended with respect to Washington National Airport, "We urge the incorporation of this enterprise to bring it under the Government Corporation Control Act of 1945." This recommendation was based upon the finding by the Commission that Washington National Airport is a "straight-line business enterprise" for which incorporation was appropriate "so as to secure greater flexibility in management and simpler accounting, budgeting, and auditing methods."

Most of the activities of Washington National Airport are predominantly of a business nature. It has a large number of business transactions with the public every day. These transactions involve the rental of space at the airport, the collection of landing fees, the supervision of the various concessionaires who sell merchandise and supply services to the public at the airport, and similar matters. The airport is continually expanding its services and finding new sources of revenue. A substantial income is produced every year, which is now paid into the Treasury as "miscellaneous receipts." The expenditures of the airport, on the other hand, must, under present law, be paid out of appropriations made on the basis of estimates submitted long in advance of the periods which they cover.

It is extremely difficult to operate a business enterprise under this system. For example, one major problem has been the budgeting of appropriations for the purchase of electricity and the manufacture of steam used and sold to tenants at Washington National Airport. No reasonable estimate as to their annual cost can be made, because neither the quantity to be used nor the unit cost can be predicted with any accuracy. Several factors contribute to this difficulty.

The notoriously capricious Washington weather makes heating cost prediction extremely difficult.

Fluctuations in the air-transport business as a whole may cause the tenant of a hangar

to increase its use from 1 shift a day to 3 shifts a day. Conversely, a carrier which has been employing multiple shifts may curtail its operations. Carriers can transfer their operating bases to or from Washington. During the winter this is always a possibility, since Washington is the southern terminus of several airlines, and thus the one having the most favorable climate for winter operations. These factors, none of them predictable by this Department, determine the amount of use of both electricity and steam, and consequently the cost of these services to the Government.

Fuel used at the Washington National Airport for the production of steam is purchased through the General Services Administration. The airport has no control over the cost. Within one recent 12-month period it experienced a price rise of about 65 percent.

Electricity is furnished to the airport by the Virginia Electric & Power Co. at a rate base upon the cost of coal, which in recent years has also been subject to substantial fluctuation.

Electric power and steam for heating are metered and charged to the several tenants of the buildings at Washington National Airport on the basis of the quantities used. The cost of these services to the Government is paid from the appropriation for the maintenance and operation of the airport, while the amounts received from the tenants must, by virtue of Revised Statutes 3618 (31 U. S. C. 487), be covered into the Treasury. The appropriation, once made, cannot be augmented except by a deficiency appropriation. The anomalous result is that the greater the Government income from this source, the less funds are available to keep the activity operating.

The business-type budgeting practices possible under the corporate form would permit the automatic adjustment of all of these variable factors by permitting the income from the resale of electricity and steam to be used for their purchase.

The airport has often found that expenditures must be made in 1 fiscal year in order to obtain revenues which will not accrue until the next fiscal year. This makes budgeting and handling of appropriations extremely difficult. A Government corporation, in which appropriated funds can be used until expended, and revenues used as received, will not be subject to this difficulty. Government corporations are also generally operated with business-type accounting systems rather than with the accounting system made applicable by statute to Government agencies in general. This business-type accounting system would greatly facilitate the administration of the airport and its operation on a more businesslike basis; rates could be more accurately keyed to costs, and proper business-type reserves for contingencies and recurrent long-range expenditures could be set up.

Another typical difficulty in attempting to operate a business enterprise under the restrictions which apply to ordinary Government agencies arises from the necessity for advertising for bids on airport contracts. For example:

1. The high intensity lights originally installed on the landing field were made by the Revere Electric Co. When it became necessary to replace some of these lights, and to provide for spare lights in the warehouse, the contract had to be given to the Crous Hinds Co. since it was the lowest bidder. Thus, it now has become necessary for the airport to carry a stock of repair parts for both makes of high intensity lights since only the bulbs are interchangeable. This requires the investment of almost twice the funds in stock that would be required if all were the product of one manufacturer.

2. In the south extension to the Terminal Building, recently constructed, an Otis elevator was requested since all the other elevators in the buildings are of this make. Permission to specify the Otis elevator in the contract could not be obtained from the Public Buildings Administration, and the airport was required to purchase an elevator made by another manufacturer, although the difference in the bids was very slight. A service contract has been in effect with the Otis Co. for several years and the addition of a new Otis elevator to the building would have required only a small addition to this contract. As it is, the airport had to make special arrangements with Otis, on far less favorable terms, for the servicing of this additional elevator.

3. It became necessary to repair certain roofs at the airport, and due to the exposure of these roofs to extreme temperature, a particular kind of roofing was required. It was proposed that the airport personnel replace the material, thus effecting considerable saving of money. However, prolonged negotiations failed to obtain clearance for the purchase of this particular kind of roofing material. Consequently, the contract eventually was let for the application of roofing and the specifications called for this particular product. Such a procedure was, of course, more costly than the proposal made by the airport.

4. In another instance, the concrete apron in front of a hangar was broken at a time when a concrete contractor had his equipment and men at the airport on another job. It was desired that a new contract for repairing the apron be negotiated with this contractor to do the work before moving his equipment, etc., away from the airport. This, however, could not be done. A new invitation had to be issued, bids received and contract let. As a result, the repair work cost more and occasioned an unnecessary delay of several weeks.

With respect to normal business transactions, Government corporations are exempted from the provisions of the statute which requires that contracts be awarded to the lowest responsible bidder after advertisement for bids. This exemption would permit the airport to advertise or negotiate for such contracts in accordance with usual business practices, and would thus obviate the difficulties outlined above.

Under the circumstances, the Department of Commerce feels that the Washington National Airport could be operated much more efficiently as a corporation. We therefore recommend the early and favorable consideration of the enclosed proposed legislation by the Congress.

In general, the provisons of the enclosed bill were taken from the standard form of Government corporate charter prescribed by the Bureau of the Budget for use by executive agencies in drafting legislation of this type. The special provisions of the bill adjusted to fit this particular enterprise were developed in close consultation with the professional staff of that Bureau.

We are advised by the Bureau of the Budget that enactment of this legislation would be in accord with the program of the President.

Sincerely yours,

ROBERT B. MURRAY, Jr.,
Acting Secretary of Commerce.

ACCEPTANCE BY THE UNITED STATES OF AN INSTRUMENT FOR AMENDMENT OF CONSTITUTION OF INTERNATIONAL LABOR ORGANIZATION

Mr. IVES. Mr. President, I introduce for appropriate reference a joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization. This change in the ILO constitution provides for a slight increase in the membership of its governing body and was supported unanimously by the delegates at the 1953 conference. Obviously, this support included the members of our United States delegation. I expect to have more to say concerning it when it comes before the Senate for a vote.

I ask unanimous consent that the joint resolution be printed in the body of the RECORD at this point in my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The joint resolution (S. J. Res. 156) providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization, introduced by Mr. IVES, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the United States of America is a member of the International Labor Organization; and

Whereas the International Labor Conference, considering the desirability of increasing the size of the governing body of the International Labor Office to take account of increases in the membership of the Organization, adopted for this purpose at Geneva on June 25, 1953, at its 36th session, an instrument for the amendment of the constitution of the International Labor Organization; and

Whereas the delegation of the United States of America to the 36th session of the International Labor Conference unanimously supported the aforesaid instrument of amendment, which was approved by 189 votes to 0, with 2 abstentions: Therefore be it

Resolved, etc., That the President is hereby authorized to accept on behalf of the United States of America the instrument for the amendment of the constitution of the International Labor Organization adopted at Geneva on June 25, 1953, by the International Labor Conference at its 36th session.

RELEASE OF UNITED STATES SOLDIERS NOW PRISONERS OF RED CHINA

Mr. LANGER submitted the following concurrent resolution (S. Con. Res. 82), which was referred to the Committee on Foreign Relations:

Whereas it is known that certain members of the Armed Forces of the United States are still being held prisoner in Communist China; and

Whereas the demands made for the release of these American boys during the past 6 months have been without effect;

Whereas there is reason to believe that some of these American boys have died from mistreatment and privation at the hands of their Communist captors, and that unless their release is effected, more will succumb;

Whereas there is further reason to believe that the Communist government of China is holding these men in order to extract political concessions from this country; and

Whereas it is unthinkable that this country would abandon these American boys or would submit to Communist blackmail: Now, therefore,

Be it resolved by the Senate (the House of Representatives concurring), That as a first step in demonstrating to the Communist rulers of China the gravity with which this

country regards the detention of these American boys, it is the sense of the Congress that all negotiations with Communist China should be halted and a resumption of any negotiations or dealings with Communist China should be made contingent upon the release of these Americans.

IMPROVEMENT OF PROGRAM OF EMERGENCY LOANS — AMENDMENT

Mr. WELKER submitted an amendment, intended to be proposed by him to the bill (S. 3245) to amend the act of April 6, 1949, as amended by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes, which was ordered to lie on the table and to be printed.

REVISION OF INTERNAL REVENUE LAWS—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (H. R. 8300) to revise the internal revenue laws of the United States, which was referred to the Committee on Finance, and ordered to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. FERGUSON:

Statement prepared by him relative to 26th anniversary of American Forum of the Air, and letter dated May 3, 1954, to Theodore Granik, founder and producer of the American Forum of the Air.

By Mr. WILEY:

Editorial entitled "Help Others Help Themselves," published in the Wisconsin Agriculturist and Farmer of May 1, 1954.

ADDRESS BY FORMER PRESIDENT TRUMAN CONCERNING NEED FOR UNITY AND BIPARTISANSHIP IN FOREIGN POLICY

Mr. LEHMAN. Mr. President, in the future I hope that the Chair will recognize Senators somewhat in the order of their requesting recognition.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Chair has recognized Senators in the order in which they appeared in their places.

Mr. LEHMAN. I beg the Chair's pardon. I was on my feet immediately after the Chair declared that a quorum was present, and there have been at least 20 Senators recognized in advance.

The PRESIDING OFFICER. The Chair would say that there were other Senators on their feet at the same time.

Mr. LEHMAN. Mr. President, yesterday at the National Press Club, Washington, D. C., former President Harry S. Truman delivered a noteworthy address concerning the need for unity and bipartisanship in foreign policy. The address has been received with strong approval by a great many people and by a large part of the press. Since the views of a former President of the United States on important issues are always of great interest to the Congress and to the people, I ask unanimous consent to have former President Truman's speech printed in the body of the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY FORMER PRESIDENT HARRY S. TRUMAN AT THE NATIONAL PRESS CLUB, WASHINGTON, D. C., MAY 10, 1954

Mr. Vacarro, distinguished guests, members of the National Press Club, I am glad to have this opportunity to see so many of my old friends. The truth is that I sort of miss you fellows out there in Kansas City, and it is good to have a chance to come back here and meet with you again.

Today I want to talk with you about unity and bipartisanship in foreign policy. I believe very deeply that we must have that unity and bipartisanship to meet the crisis that exists in the world today. The responsibilities of the United States are vast. Much as we might wish to, we cannot escape them. We cannot escape the fact that our Nation is looked to for leadership. And leadership requires taking hard decisions, carrying heavy burdens, making great sacrifices. For our people to join in those decisions and sustain those burdens requires, in turn, a broad measure of agreement and support from both of the great political parties and an overwhelming sense that the national interest is being put above partisan interests in the conduct of our foreign policy.

Everyone seems to agree that we must have national unity in foreign policy, that we must have a nonpartisan or bipartisan approach. But it's one thing to agree upon generalities; it is another to take definite and specific action. It's one thing to give lip-service to high-sounding principles; it is another to take practical measures to live up to them.

Bipartisanship goes far deeper than mechanics, important as these matters are. Under President Roosevelt's administration and my own—under the last five Secretaries of State—all sorts of helpful methods were developed to work with responsible members of the other party in and out of Congress. These not only provided consultation—continuing and thorough—with the opposition, but actual participation in the execution of policy by Republicans—Republicans who were trusted and respected by their own party.

Today, I shall not speak further of matters of method but shall talk briefly of the basis upon which all method must rest. I will talk of the foundation which must exist if a bipartisan foreign policy is to be restored.

The first point I want to make is that this responsibility rests squarely upon the administration in power, and in the very nature of things cannot be discharged by anyone else.

It is fundamental, I think, that, however much the minority party wishes to help, its role must be limited to help and cooperation. The responsibility for the conduct of our foreign relations rests and must rest with the administration in power. More specifically it rests and must rest where the Constitution places it—with the President of the United States. Not with either or both parties in the Congress, nor with the Congress at all. "In this vast external realm," said the Supreme Court, "with its important, complicated, delicate, and manifold problems, the President alone has the power to speak or listen as a representative of the Nation."

True, the Congress has its part—and an important one—both in the formulation and in the execution of foreign policy. "He" [the President], continues the Court, "makes treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude; and Congress is powerless to invade it."

Unhappily, the Court was, of course, referring only to legal power, not lung power.

But the point is that bipartisanship means and must mean that the minority must act within the area which the President makes possible. It can consult, advise, participate, support no more than he and his advisers enable it to. This does not make its obligation any the less, but it may make its opportunity and its ability to cooperate and support considerably less.

The second point I want to make is that in order to have a bipartisan foreign policy there must be a will to cooperate.

It is basic to the very meaning of cooperation in foreign policy that those cooperating regard one another as true, loyal, devoted citizens of their common country trying to do their best for her. This is the only basis on which cooperation can be honorably asked or given. This does not, of course, mean that the political battle cannot be, or should not be, fought hard on domestic issues, or any foreign ones where true and irreconcilable differences develop. I have never complained of an honest political fight nor have I run away from one. In fact, I rather enjoy the fights. But I never asked a man to cooperate with me whom I called a traitor; and I never called a man a traitor whom I wanted to work with me.

"Traitor" and "treason" are words that you can't use in friendship, even when you smile. There is no smile, grim or otherwise, which goes with them. This is so—regardless of the manners of the dirtiest gutter politics—because the basis of common work is the unity of common trust. The very basis of trust and mutual respect dissolves under suspicion born of such reckless talk. False charges about "20 years of treason" make a very poor stepping stone to bipartisan cooperation.

"True," you may say to me, "but the President of the United States is the one charged with the conduct of our foreign relations and he is not the one who has said and done these things." But this is not the point. The point is a positive one. If the President wishes a bipartisan foreign policy, it is his responsibility to make one possible. It is his responsibility not to allow it to be made impossible.

No one would suggest that he is able to control all irresponsible and unscrupulous persons who dig out of the dunghill of Hitler's writings the phrase with which he attacked the Weimar Republic—"14 years of shame and treason"—and use it as a weapon of political assassination. But there are many things he can do. He hires and fires his own subordinates, and need not tolerate political assassins within his own executive branch. He is the leader of his party, and can direct that his party chairman follow decent rules of political conduct in the campaign. If there is still a lunatic fringe in his party or in the Congress outside his control, he can at least disavow them. We can certainly ask, Does the basis for bipartisanship—mutual trust and respect—exist when the administration through its political leadership, which seems to include both the Attorney General and the chairman of the Republican National Committee, picks up, sponsors, and itself uses both the originators and the content of this infamous campaign of defamation?

It most certainly does not. And not because Democrats are sensitive and have their feelings hurt. It is because mutual confidence of Americans in themselves and in their Government is undermined and weakened. It is no cause of satisfaction to Democrats that those who have sown the wind now are reaping the whirlwind. The gravest sufferer is our country. Only a week or two

ago a foreign correspondent could write to his paper of our latest attack of political insanity:

"I have been watching a circus so fantastic, so degrading, so puerile, and so recklessly dirty that the disgust one feels is matched only by the alarm over the behavior of our closest ally in the conduct of their domestic affairs."

The problem is not who is responsible for starting a course of conduct which destroys the basis for bipartisan foreign policy—perhaps of any foreign policy—but who is responsible for stopping it. There is only one man—the President of the United States.

No greater danger to this country, no greater aid to communism can be imagined than to permit our people to be split into fiercely partisan groups over issues of foreign policy. For the good of the country, and for the good of the cause of freedom, I hope that foreign policy will be taken out of the partisan arena, and placed once more on bipartisan foundations.

Only then will it be possible to evolve and maintain adequate measures to meet the terrible danger we confront. Only then will the Government receive the firm and united support from the whole people which is necessary for an effective foreign policy.

Surely partisan politics should end at the water's edge. But some political attacks, a good way back of the water's edge, are so viciously destructive that they end in destroying our national unity and our Nation's position in the world. It isn't enough to deprecate these attacks with pious phrases. It takes vigorous action to stamp them out. Surely bipartisan foreign policy is as needed now as it ever was. But cooperation between the parties is not made easy when one party officially brands the other as a betrayer of the Nation in this very field.

I understand it has been suggested that you gentlemen of the press have been printing more about the news that divides the country than about the news that unites it. I do not want to alarm you unduly by coming to your defense, so I will merely observe that the pickings in the latter field have been pretty thin lately.

The third point I want to make is that if a bipartisan foreign policy must rest upon a spirit of mutual trust, it springs from firm and consistent leadership in the formulation and execution of foreign policy. The opposition—indeed the whole American people—must know what the policy is and why it is, before they can support it. They cannot know this if they are subjected to a succession of conflicting, vague, and confusing statements, proposals, and acts.

The times are too critical to illustrate what I think is plain enough by drawing upon recent events. But I believe that I am only stating a common experience of my fellow citizens in saying that both on military and foreign policy the pronouncements of recent months have left me very confused indeed.

Deeply as I regret the apparent abandonment or neglect of bipartisan policy, I could, as a citizen, accept this if only an alternative were offered. Bipartisanship is the best approach. But we cannot always have the best. Is it too much to ask that we have at least something in its place—something that could be recognized as a clear-cut administration foreign policy?

The President must give the lead. The loyal opposition can only play a constructive part if that lead is understandable. It cannot furnish the lead. No one knows better than I how complicated and manifold are the problems in that vast external realm. No one is more tolerant of mistakes in statement of policies. But in all humility, no one knows better than I that this responsibility cannot be delegated, it cannot be avoided. It must be met, and by the President of the United States, or our country, and the cause of world peace, will be the loser.

So, as one who wishes with all his heart to close ranks, to support and strengthen him upon whom now rests the burden which I once bore, I ask for a fully considered and clear lead, however difficult the path may be.

The days and months and perhaps years before us hold dangers and problems of infinite complexity and delicacy. I urge upon my fellow citizens this course. Let us say no word which confuses or obscures the voice of the President as the representative of this Nation in our dealings with other nations. Let us ask only that he speak as the representative of all the people, clearly and with weighed words. Let us turn fiercely upon any who set one of us against another, who undermine our faith in one another or in our Government. Let us support with all our power the great principles through which our own Constitution seeks a more perfect union and the blessings of liberty. Let us support with all our power the principle for which so much has been done and suffered in Europe and Asia—the principle of collective security declared in the United Nations Charter.

ADDRESS BY THE PRESIDENT AT CEREMONIES ATTENDING THE DEDICATION OF THE COMPLETED FRIEZE IN THE ROTUNDA OF THE CAPITOL

Mr. BARRETT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks a copy of the address delivered by President Eisenhower this morning at the ceremonies attending the dedication of the completed frieze in the rotunda of the Capitol.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT OF THE UNITED STATES

Mr. Chairman, Mr. Vice President, Mr. Speaker, members of this distinguished audience, no man could find words to describe the color and romance, the dignity and majesty of this spot. The frieze above us, the paintings and statuary that surround us are symbolically representative of more than 400 years of American history.

It is fascinating to contemplate, if only for a brief moment, the nature of those 400 years. At its beginning, man moved at the same rate and by the same means that were used by the Pharaohs; the horse, the ox, and the tiny sailboat were the best means at hand.

In the last panel of this great frieze is represented the invention of the machine that now allows man to travel almost at the speed that the earth turns toward the sun. Soon undoubtedly he will do so.

We find here represented the great fusion of foreign blood that brought about this Nation that became America. The Spanish in their explorations; the French in their colonizations and their assistance to the Colonists as they fought the War of Independence; the English; and finally the great artistry of the Italians, responsible for the design of this frieze. These are representative of the bloodstreams that, joining here in this great country of promise and opportunity, have produced the Nation that is symbolized in this rotunda.

But more than merely a compressed history of America, this spot is in a very real sense the heart of America. In this room and in the rooms immediately adjoining our greatest have trod and spoken: Lincoln, Webster, Clay, and Jackson—all the names that thrill us merely by uttering them.

Immediately in front of me, for generations, Presidents of the United States have taken the oath of office. Here indeed is not only a spot that reminds us of America, of her past and of her achievements, but it is one that, in a very real sense, is America.

This frieze, through the genius of an American artist, has now been completed, but the thought does not cross our minds that the history of America is completed. Atop the Capitol dome the great statue still faces the east—the rising sun—ready always to meet the challenge of a new day. So the mind is intrigued with the thought as to what would be depicted in another frieze if it should now be started.

Of course, we cannot guess at the exact incidents of our history that would be there placed, but we do know this: They would not be monuments to commemorate the shattering effects of an atomic or hydrogen bomb. Rather, there would be depicted in them progress that brings happiness to humans. There would be something that would indicate and record a stronger America—stronger spiritually, intellectually, economically, in every way needed to allow America to serve her role in leading the world to a more secure and peaceful existence.

Certainly there would be panels commemorating significant events in the long quest that man has made toward peace and which indeed must soon reach some kind of fruition. The alternative is bleak indeed. But we have confidence as we look at the record of America's past that she can so lead. She has not failed. She will not fail.

So, as we gather here today in this remarkable rotunda, I am accorded the great honor of dedicating this frieze to all those future Americans who, from this day on, will come here and gain renewed inspiration to do their work. I pray with you, and I share your confidence, that that future will be one of increasing strength and increasing security for all America and all the world. In that sense, in that spirit, I dedicate this frieze to the future of America. [Applause, the audience rising.]

GREAT LAKES SEAWAY, A SHOT IN THE ARM FOR THE MIDWEST AND AMERICA

Mr. WILEY. Mr. President, within a few days, the President will have signed into law what many people regard as the most important single piece of legislation which thus far has come out of the 83d Congress. I refer, of course, to the St. Lawrence Seaway bill.

From all over the Nation, there have poured in messages in praise of the action of Congress.

Now that the long battle is over, more and more Americans wonder why it should have taken the Congress so long to have approved so vitally necessary a bill.

Be that as it may, the battle has been won. We look forward eagerly to sitting down with our Canadian friends and arranging for the partnership which will make this great resource available.

We know that in spite of any other consideration, our great friends to the north will accept our earnest suggestion for dual construction in the common interest of continental prosperity, neighborly relations, and defense.

Meanwhile, throughout the Great Lakes States, a tremendous economic ferment is developing. Cities and State governments are planning in terms of expanding port and other facilities, in order to achieve maximum benefits from the construction of the deepwater sea-

way. In my own State, every segment of Wisconsin society is thinking of the impact of the seaway.

I desire to say now that I am deeply indebted to the many Wisconsinites who have written to me so graciously regarding my own efforts to bring about the seaway victory.

Mr. FERGUSON. Mr. President, the distinguished Senator from Wisconsin has just referred to the signing today of the bill authorizing the St. Lawrence Seaway. I simply wish to say that activities similar to those which are now in progress in Wisconsin are also under way in Michigan. The people in our port cities, as well as the residents of other cities in the State, are greatly interested in the project, now that the seaway is to become a reality. I hope that in a short time the mayors and others concerned in the various cities which are interested in the development of the seaway will be able to join me, other Members of Congress, and appropriate State and Federal officials to assist in formulating a program of development, so the work of constructing and utilizing the seaway may proceed. An expenditure of about $360 million is contemplated in the various port cities. I think the time has come for a meeting of all who are interested in the construction of the project, and I am sending letters today to advise the officials of various cities of the developments and asking them to assist in furthering the program.

THE WAR IN INDOCHINA

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, excerpts from a speech I delivered on May 10, 1954, before the 72d annual convention of the National Association of Plumbing Contractors in Washington, relative to the situation in Indochina.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The free world today is confronted with the crisis precipitated by the defeat of the French in Indochina.

I am fully aware of the threat of Communist aggression. I am no appeaser, as my record clearly shows.

President Eisenhower has said that America will not fight in Indochina without the approval of the Congress of the United States. This is as it should be.

President Truman invoked what he described as a "police action" in Korea without congressional approval. This police action developed into one of our more bloody and costly wars and lasted more than 3 years, without victory. There is now a truce, but peace does not exist and it is not in prospect.

Like a snake in the grass, the Korean war may strike again any time.

The war in Korea was officially a United Nations war. But excluding South Koreans, the United States did 90 percent of the fighting. We suffered 90 percent of the casualties. We paid 100 percent of the cost.

In view of President Eisenhower's announcement and the daily worsening of the situation in Indochina, immediate consideration by Congress of our position and course of action is urgent because if we are called upon to make a decision it will be a momentous one. If we fight in Indochina, we will fight practically alone. From present indications it seems most unlikely that this will be a United Nations war. To date it seems evident that Great Britain will not be a participant.

Without minimizing the bravery of the French troops, France to date has not drafted a single soldier to fight in Indochina. Our sons were drafted to fight in Korea. If we should become engaged in the Indochina war the selective draft would provide our recruits.

A high military official recently testified before the Senate Armed Services Committee that the war in Indochina was 40 percent military and 60 percent political. The political cause to which he referred was resentment against the French colonial policy.

It is possible and probable that a military victory would not be gained in Indochina without invasion of Red China. This would mean a long war.

If the Korean war should break out again simultaneously with engagement in the Indochina war, we would be fighting 2 wars 10,000 miles from home.

For years I have been convinced that Russia deliberately is seeking to sap our strength and weaken us both financially and militarily by trapping us into sideline wars which may be preliminary to direct attack on this country. It is her purpose to strain our economy and our defense with remote and costly small wars in which there is no chance for military decision.

During the Korean war, as member of the Senate Armed Services Committee, I repeatedly inquired whether a single Russian soldier had been captured or killed among the North Koreans. The answer was "No" in every instance. Our Korean war casualties were numbered by the tens of thousands, and our expenditures were counted in the billions, but Russia did not lose a single soldier.

If we should engage our forces in Indochina, and if the Korean war should break out again, what would be our position against a Russian attack?

I am confident that President Eisenhower will do all he can to avoid the tragic consequences, as he expressed it, of a fighting war in Indochina.

If I should be called upon, as a Member of the Senate, to vote for or against a fighting war in Indochina, I would regard it as the most momentous vote of my 21 years here.

I pray no such contingency will occur, but in anticipation of the possibility the American people are entitled to an opportunity to speak through their elected representatives. An irrevocable decision should not be made on a declaration of war without consideration of all the circumstances at the time it is requested, but as of now I am of the firm conviction that we should not become a fighting participant in the Indochina war. I would welcome the advice of Virginians on this most vital matter.

The United States wants to do its full share for the preservation of freedom throughout the world. No one can deny that we have carried our full share of the load. Economically we have spent some $40 billion in assistance to other countries since the end of World War II. Militarily we are contributing heavily to the rearmament of Europe. We have fought the Korean war.

We must realize our resources are not unlimited. We must not undertake commitments we cannot meet. We must not weaken ourselves to the extent that we cannot carry out our responsibilities at home as well as abroad.

POWERS SURRENDERED BY FORMER CONGRESSES TO THE EXECUTIVE

Mr. LANGER. Mr. President, I wish to read a telegram which I have received from Women for the United States of America, Inc. The telegram is as follows:

NEW YORK, N. Y., *May 10, 1954.*

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We request that the following telegram be read before the full membership of the Senate:

GENTLEMEN: Precisely where, in your oath of office, or in the Constitution to which it binds you, is authority delegated by the people to send our men to distant lands? We all regret the situation abroad, but isn't it about time for our elected representatives to retake from the Executive all powers surrendered by former Congresses, specifically including the clear, sovereign right of our people to examine documents, however classified, that they of right may determine wherein lies the clear and present danger, right here at home.

WOMEN FOR THE UNITED STATES OF AMERICA, INC.,
CATHERINE P. BALDWIN, *President.*
DOROTHY T. SALES,
Chairman of the Board.

NEED FOR SAVING THE BOSTON ARMY BASE PIER, SOUTH BOSTON, MASS.

Mr. KENNEDY. Mr. President, I ask unanimous consent to address the Senate for approximately 3 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. KENNEDY. Mr. President, I have joined today with my colleagues, the senior Senator from Massachusetts [Mr. SALTONSTALL] and Representative MCCORMACK, in introducing a bill to prevent a scandal, which if permitted to develop would cause a serious financial loss not only to the people of Massachusetts and New England, but also to the taxpayers of the United States. The situation in brief is comparable to a parent abandoning his child because he does not wish to pay for its medical expenses. He hopes that someone else will care for the child, but intends to abandon it whether such care is possible or not.

The child in this case is the Boston Army base pier in South Boston, Mass., which was built by the Federal Government in 1918 and which has been of tremendous value to the Army in the course of two world wars. Since 1921, except for the war years of 1942 to 1946, the Maritime Administration has held jurisdiction over the pier by permit of the Army, in order to lease the area for commercial purposes to a public terminal operator, which at the present time is the Boston Tidewater Terminals, Inc.

The Army continues to use the pier for all of its cargo shipments in the area, and the Maritime Administration has consistently netted a sizable profit for the Federal Government through its lease of the property.

But the Department of Commerce has now told the Maritime Administration that it must return control of the property to the jurisdiction of the Army. As the Army originally indicated that the pier was surplus to its needs, if no other arrangements were concluded the waterfront terminal section would be disposed of by the General Services Administration as surplus property. The bill we have introduced today, and on which

we urge prompt action by the Congress, would provide for continued Army jurisdiction over these facilities, and their lease to the Commonwealth of Massachusetts.

The speed with which the Federal Government announced its intention to abandon these maritime facilities was without question induced by the necessity of immediate costly repairs. In 1935, a one-half inch steel underwater skirt and pilings were constructed around the pier to prevent the damage caused by wood-eating marine borers. Rust and corrosion have now worn this steel to tin-can thinness, with hundreds of holes developing each year. A report of a survey made for the Army by the engineering firm of Fay, Spofford, and Thorndike stated that extensive rehabilitation would be necessary to prevent the steel from buckling at any time—even this very day—the sand pouring out, the pilings collapsing, and the whole base sliding into the 30-foot deep channel in Boston harbor. The Army states it has no funds available for such repairs; and the Maritime Administration is apparently unable to undertake them.

While the Army base pier is presently in full use, the state of deterioration is not hypothetical or projected, but very real. Prompt action must be taken if serious disaster, including the loss of many lives and much valuable property, is to be averted.

I. THE VALUE OF THE BOSTON ARMY BASE PIER

1. THE VALUE TO THE ARMY

If Congress fails to take action to prevent the abandonment of these facilities, it will be wasting a valuable national asset in which the Federal Government has invested many millions of dollars since its original investment of $28 million. The replacement value of this pier is estimated to be from $75 million to $100 million. Only 2 years ago nearly $1 million was spent for additional improvements.

During World War II, the facilities were activated by the Army in 2 months; and because of Boston's proximity to the major European ports—it is closer than other eastern ports—the Boston Army pier handled millions of tons of military cargo and was in constant use as a port of embarkation. Presumably the same would be true in case of another emergency, inasmuch as there is no major new pier construction in New England, and all of the remaining facilities in Boston harbor are insufficient for such purposes.

The Boston Army base pier is the only pier in Boston suitable for use as a port of embarkation in time of war. It has a direct, spacious and uncongested approach from the city, and provides the same freedom of movement for railroad cars and trucks. It has ample office and warehouse space. It has the more flexible quay type of pier. It is the only pier with double shipside tracks for direct loading. The Army should also be interested in the fact that some 5,000 reservists use the base as the only available training site. It might also be pointed out, in evaluating the Federal Government's responsibility to maintain the property which has served it so well, that retention of these commercial facilities as Federal property has cost the city of Boston more than $36 million in taxes.

2. THE VALUE TO INTERNATIONAL TRADE AND THE NEW ENGLAND ECONOMY

At a time when the administration seeks to expand international trade, it is important to note that the Army base pier, if properly restored and maintained, is superior to all other facilities in Boston Harbor. Other commercial piers in Boston offer mostly small one-story sheds. The Army base pier, on the other hand, has very ample facilities, all of which are now fully in use. It is the only pier in Boston with shipside warehouse space, double shipside tracks and the other advantages noted above with respect to its role as a port of embarkation. It can handle more than 100 railroad cars or trucks; its upper floors have 550,000 square feet of storage space; and its 7 full-sized covered berths are matched only by the east Boston pier of the Boston & Albany Rail Road.

Moreover, the Army base pier is an integral part of Boston's shipping industry. In 1953, it was used by more than 300 general cargo ships, about 25 percent of Boston's total, carrying about 335,000 tons. This average of 6 ships a week affected the jobs of thousands of railroad workers, truckers, and longshoremen. It is estimated that during the war year of 1944 nearly 2.5 million tons were handled through these Army facilities. If the 326 ships berthed at the Army base in 1953 had not come to Boston, the revenue loss to the port area would have been more than $3.5 million. The Army pier provides approximately 30 percent of the berthing piers in Boston; and its abandonment would leave Boston with only 22 covered berths, when in 1935 it had 35 such berths. The administration has a real opportunity to fulfill its pledge of assistance to our economy.

For these reasons, it would be most unwise, even if it were possible to do so, for the Federal Government to turn these facilities over to private commercial operation, either through an industrial lease from the Army or by its disposal as surplus property through GSA. A firm which converted the property for industrial purposes might be able to amortize the heavy initial cost of rehabilitation; but this would impair the use of the facilities as a port of embarkation to the Army and as a port of international trade for New England.

It seems to me, therefore, to be obvious that the Federal Government must be dissuaded from carrying out its present plans to abandon or otherwise dispose of the Boston Army base pier. Toward this end, I toured the pier on March 7 with the New England Chief of the Army Corps of Engineers; the deputy post commander and the post engineer; and spokesmen for the Boston shipowners, longshoremen, the Port Authority, and the pier operators. Again, on March 12, along with my colleague, the Senior Senator from Massachusetts [Mr. SALTONSTALL], I discussed the question with a similar group which included representatives of the Maritime Administration and the Army. Finally, on April 5, representatives of my office met with other interested parties and agreed upon the course of action embodied in the bill we have introduced today.

II. ALTERNATIVE COURSES OF FEDERAL ACTION

There are three major courses available to Congress and the Federal Government:

First. The first is a hands-off, do-nothing policy. By taking no action to prevent further damage or to rehabilitate the property, and vainly hoping for private acquisition in a manner consistent with national policies of defense and international trade, the Federal Government is openly inviting the disaster which would occur when the snapping of a single steel chain could cause the whole Army base pier to slide into the channel. This is an expensive, not an economical, alternative—expensive in loss of life and property, expensive in loss of the facilities of the port of Boston, and expensive in the cost of removing the collapsed wreck from the channel.

Second. The second major alternative available to Congress is to authorize the Government to take such steps as may be necessary, including the removal of various parts of the wharf structures, to prevent their eventual collapse and the resulting destruction and interference. By letter of March 29, the Corps of Engineers has informed me that two such schemes would be possible:

A. The first would cost from $1.3 million to $1.44 million, but would provide a period of satisfactory safety of not more than 10 years. This plan entails cutting the present bulkhead at approximately the low-water line, removing the supporting rods and the outer 30 feet of the wharf apron, and placing fill on the water side of the bulkhead. This would enable retention of the wharf and pier sheds for land storage, although with a very limited use possible and although the water-side fill might be a hazard to navigation and would have to be strictly maintained in order to insure the stability of the bulkhead.

B. The second scheme for preventing collapse of the pier would cost from $4.252 million to $4.325 million, and would provide safety on a more permanent basis with a lesser annual maintenance cost. This plan entails far more extensive removals, including removal of the entire sheet-pile bulkhead, the tie rods, the apron for a distance of from 80 to 95 feet to the face of the pier, all timber piling within the area in which the apron was removed, and all of the wharf sheds' superstructure. This would leave only the major portion of the pier shed for land storage.

Obviously, the first or temporary plan is unsatisfactory, inasmuch as it simply means the problem must be faced all over again in 10 years and that only a limited unsatisfactory use could be made of the pier. The second scheme is more permanent, but, like any plan which emphasizes merely the prevention of collapse, it renders unusable the piers themselves, and is thus unsatisfactory from a point of view of military and economic value.

Third. The third course of action available—and that adopted in our bill—

is to authorize funds for the rehabilitation of the pier, in order that these valuable maritime facilities may continue to serve the Nation in time of peace and war. The Fay, Spofford & Thorndike survey considered a number of rehabilitation schemes and rejected several. The Army has also eliminated as a practical alternative the partial restoration of the pier in order to make usable only three of the covered berths. This would cost only $5 million, but it is doubtful that it would be of assistance for more than 5 years.

As a result of this sifting, three fundamental plans for rehabilitating the pier are available:

A. Remove the present pier completely and install in its place a new open-deck wharf, at a construction cost of $12.35 million and an estimated life of 40 years.

B. Install a new precast concrete sheet pile bulkhead outside the present structure. This would cost an estimated $9.37 million; but its estimated life would be only 25 years, and its lower resistance and higher maintenance cost make this steelplate scheme which contemplates something which is similar to what is now on the pier, less advantageous.

C. Construct a gravity-type mass concrete seawall supported by steel-bearing piles to be located immediately outside the present steel sheet pile bulkhead. The wharf would be widened by about 30 feet, which might be of some inconvenience, although it would be basically practical. The channel would be deepened and new railroad facilities would be added. Using cast-in-place concrete for the gravity wall would result in a total construction cost of $10.5 million, and an estimated life of 60 years. If precast concrete blocks were to be used in constructing the gravity wall, the cost would be $13.28 million for an estimated life of 75 years.

If these schemes are analyzed in terms of cost per year of life, scheme (C), cast-in-place gravity wall, with a construction cost of only $10.05 million—which is only $700,000 more than the least expensive alternative, the new concrete sheet pile bulkhead—and with an estimated life of 60 years, would have the lowest cost per year of estimated life, $289,118. In addition, it presents an operation which would be practical and economical to maintain, which would present the minimum amount of hazards and disturbance during construction, and which would have a higher resistance to fire and explosion. This would appear to be the best of all possible schemes of rehabilitation, and funds therefor are provided in the bill introduced today; and certainly rehabilitation is to be preferred over the plans for removal, collapse, or inactivity, which are also of considerable expense.

III. THE COST OF REHABILITATION

Mr. President, I hope that the Congress will recognize the responsibility of the Federal Government to undertake the rehabilitation of this valuable national asset in the manner which I have discussed. Here is an asset in which the Federal taxpayers have invested a substantial amount of money, which is valuable to the Nation in peacetime as an aid to international trade and our general economy, and which in time of war or national emergency is of critical importance to the national defense effort. An unwise step now could mean that our future mobilization efforts would be delayed while such facilities were reconstructed or reconverted, a delay which could well be crucial in the race to bring our pier facilities to the necessary level. The $75 to $100 million spent then would be unnecessary if a reasonable maintenance and restoration expenditure were made today. The Congress has an obligation to the taxpayers to eliminate unnecessary expenses; but we also have an obligation to be certain that such economy does not jeopardize the security of the Nation; and we have the further obligation to be reasonably certain that a present reduction of expenses will not result in a much greater expenditure in the future.

Certainly such expenditures would be consistent with the responsibility of the Army and the Maritime Administration, the value they have obtained from the pier and their investment in it, and the present policies of the Federal Government. Certainly such expenditures would not be too large in view of the amount of Federal money allocated to Massachusetts and New England for such projects over the years. In the current Army civil functions appropriations bill as it came to the Senate, for example, $560,000 will be spent in the State of Massachusetts; and more than $281 million in the rest of the country. In fact, the total amount to be spent in the six-State New England area is only $1,735,000, an amount less than that to be received by 24 individual States, practically all of whom contribute less in tax revenues than Massachusetts alone. Similarly, the share of all six New England States in the continental nonclassified projects to be authorized under the 1955 defense public works bill is only 8 percent of a total of $575.2 million; while the three Southern States of Georgia, North Carolina, and South Carolina will receive 11 percent.

However, inasmuch as the Commonwealth of Massachusetts is also vitally affected by the maintenance of these facilities, I urged when first touring the pier on March 7 that it join in the financing of such rehabilitation; and our bill so provides, as well as requiring the Commonwealth to pay all subsequent maintenance and repair costs.

We hear a great deal of talk these days about the partnership of the Federal Government with State and local governments in the development of projects beneficial to both. Here is an opportunity for the Federal Government to demonstrate on a worthy project that it means what it says; and to prevent the national disaster which would result from either the collapse of the pier or its unavailability for military use in an emergency.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

Mr. KNOWLAND. I have discussed with the minority leader the nominations on the Executive Calendar, and it is agreeable to him to have them considered at this time.

The PRESIDING OFFICER. The clerk will proceed to state the nominations on the Executive Calendar.

UNITED STATES DISTRICT JUDGES

The legislative clerk read the nomination of Roszel C. Thomsen, of Maryland, to be United States district judge for the district of Maryland.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BUTLER of Maryland. Mr. President, I am delighted that the nomination of Roszel C. Thomsen to be United States district judge for the district of Maryland has been confirmed by the Senate.

The legislative clerk read the nomination of Alexander Bicks, of New York, to be United States district judge for the southern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Edmund L. Palmieri, of New York, to be United States district judge for the southern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MERCHANT SHIP CONSTRUCTION

Mr. BUTLER of Maryland. Mr. President, prompting my remarks today is the deep-rooted fear that there will be a great number of pink slips handed out in shipbuilding communities all over this country before pending ship-construction programs are translated into legislation, and legislation into shipbuilding contracts.

After conferring with President Eisenhower on March 16, 1954, concerning the

critical plight of the shipbuilding and shipping industries, I was deeply gratified to receive his letter of March 25, 1954. Vitally interested as I continuously am in the five maritime programs which he discussed in his letter, it was heartening to have his reference to them as programs which he believed would provide for a substantial volume of new merchant-ship construction over the next several years.

I believe that real progress is being made to effectuate this program. Nonetheless, it seems to me that we must all realize that these administration-sponsored bills were not designed to produce a large volume of private shipyard work next week or next month, or even perhaps within the next 12 months.

In view of the fact that the decline in ship construction has now reached such alarming proportions, as evidenced by my report of last week that not one major ship construction contract had been placed during the year 1953 with any of our coastal yards, I submit that emergency action is now clearly indicated, and must be taken if we are to prevent almost total collapse of the vital shipbuilding industry in this country.

To that end, and looking toward the prompt introduction of a bill to put needed ship repair and ship conversion work into our withering private yards, a public hearing has been scheduled, to be held on Wednesday, May 19, at 10:30 a. m., to "lay the keel," so to speak, for this emergency shipbuilding legislation.

We are asking the Shipbuilders Council of America, on behalf of the key shipyards of the Atlantic, gulf, and Pacific coasts, and representatives of shipyard labor, as well as spokesmen for the interested Government agencies, to testify at this hearing as to their views as to the proper emergency course to be charted.

In addition to obtaining a firsthand report from the shipyards on their present and prospective workloads, we should acquire therefrom a thorough understanding of the extent to which their recent layoffs and cutbacks have affected their mobilization potential and dispersed their skilled ship-designing and shipbuilding forces.

Comments will be solicited at the hearing on a proposal for which I must accept full responsibility in view of the fact that time has not permitted a detailed discussion, in advance, with the Government agencies involved. Stated briefly, it is this: I am convinced that in our large reserve or "laid up" fleet we must have many vessels—and I am not thinking of Liberties or other marginal types—which the Department of Defense is confident it will want to use if a national emergency arises within the next 10 years.

Some of these vessels, I have reason to believe, are in need of major repairs. If the facts are as understood, we can "kill a whole bag full of birds with one shot" by getting these strategic vessels into the empty shipyards now to have the necessary work done.

Understand me. This is not a make-work program I am proposing. Rather, it is a stitch in time that will be instrumental, I believe, in preserving the nucleus yards of our shipbuilding industry from destruction, and in retaining their irreplaceable technical skills. Further, it will put our firstline reserve vessels "in class" for emergency use if and when the emergency develops, not 30 days or 6 months later.

Finally, it will do this reconditioning work better than it would be done under emergency conditions. And—not to be ignored, and perhaps of equal importance—the cost to the taxpayers will be far less than it would in an emergency.

I recall quite vividly Admiral Leggett's recent statement before our Water Transportation Subcommittee as to the Navy's grave concern over present depressed shipbuilding conditions. The action I am suggesting is definitely in line with this Navy call for an emergency shipbuilding program.

On the desk before me is a letter from the Shipbuilders Council of America that came to hand only yesterday. Let me read from it:

> Naturally the industry favors a reasonable long range shipbuilding program as the only sound solution to the joint Government-industry problem of maintaining an adequate defense potential for shipbuilding in this country, but the immediate problem is how to secure some shipbuilding contracts now so that the industry can carry on until such a program is formulated, presented, and approved by the Congress, of which there appears to be little prospect before next year.

Labor in the maritime field is similarly disturbed at the prospects. In a letter to me dated May 6, 1954, President John S. Grogan, of the Industrial Union of Marine and Shipbuilding Workers of America, lays down this warning:

> As you doubtless know, unless drastic action is taken by this session of the Congress relative to the merchant marine, only two private merchant vessels will remain to be constructed in private shipyards of this country by the beginning of 1955. Not a single private merchant ship will be left on the ways in shipyards after that time.
>
> Our present merchant fleet is inadequate for national defense because it is becoming obsolete en bloc. We are decimating the American shipbuilding and ship repair industry to a point where it will not be able to expand to meet the full needs of war.

Let me make myself clearly understood. This emergency ship-repair program is designed to meet one of the most disastrous situations ever faced by the American shipbuilding industry.

The responsible officials of Government, without exception, have attested to the importance to national security of a vital merchant marine and a shipbuilding industry adequate to service American shipping, and capable of rapid expansion to defense mobilization requirements in time of emergency.

The shipbuilding industry's labor force today is less than a third of what would be required should an emergency strike. And its trend is downward, at a precipitous rate. By October, unless we act promptly, most of our shipyards will be dead, or in the last stages of dying.

We will be risking national calamity if we permit that to happen. But it will happen, just as surely as that I am standing here, unless such a proposal as I have discussed, which would give work to the shipyards immediately, is adopted.

When the bill is ready for introduction, our subcommittee will welcome additional sponsors, not only from the coastal areas directly affected by the shipbuilding decline, but by all Senators who recognize the threat such a situation poses to the security of our Nation.

COMPOSITION AND JURISDICTION OF THE SUPREME COURT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 44.

The Senate resumed the consideration of the joint resolution (S. J. Res. 44) proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court.

Mr. FERGUSON. Mr. President, I desire to speak about the matter of moving to strike out section 5, page 2, lines 21 to 25, inclusive, of the joint resolution. My reason for doing so is that I believe the people of the United States would be reluctant to ratify a proposed amendment which would prohibit the Chief Justice of the United States, or any of the Associate Justices of the Supreme Court, from becoming eligible to be President or Vice President of the United States until after a period of as long as 5 years following the termination of their services from the Supreme Court bench.

I hope that the Senator from Maryland will feel that he can accept the amendment.

Mr. BUTLER of Maryland. I have the utmost respect for the views and opinions of the Senator from Michigan. I simply wish to say, by way of explanation, that when the joint resolution proposing the constitutional amendment was introduced, the present Chief Justice had not even been nominated, and I had no designs against him or any other member of the Supreme Court.

As originally introduced, section 5 provided that no present member of the Supreme Court would be affected by the amendment. Would the Senator feel that that would take care of his objection?

Mr. FERGUSON. I really think that the people of the United States should be allowed to determine their own choice of President and Vice President. I think the entire provision should be stricken.

Mr. BUTLER of Maryland. I am very happy to accept the amendment of the Senator from Michigan.

The PRESIDING OFFICER. The Chair wishes to advise the Senator from Maryland and the Senator from Michigan that the amendment will not be in order until the committee amendments have been disposed of.

Mr. FERGUSON. I had assumed they had been disposed of.

The PRESIDING OFFICER. They have not been disposed of.

Mr. FERGUSON. I shall renew my motion later.

Mr. HENNINGS. Mr. President, Senate Joint Resolution 44 proposes to amend the Constitution of the United States with respect to the composition and jurisdiction of the Supreme Court, and would also provide compulsory retirement for Supreme Court Justices and other Federal judges, and place restrictions on Supreme Court Justices with respect to their eligibility for high office.

I am strongly opposed to this amendment, Mr. President. Because of my attachment to the Constitution of the United States, I am opposed to any attempt to clutter it with unnecessary and surplus verbiage.

Moreover, I am somewhat disturbed over the fact that this session of the Congress seems to have developed into an open season for amending the Constitution. Are we hereby put on notice that the Senate will, in all seriousness, act upon any amendment to the Constitution without giving it any more careful study than was afforded in the 1-day hearing on Senate Joint Resolution 44?

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. BUTLER of Maryland. Ample notice was given of the hearing on the joint resolution, and there were present representatives from every section of the country. Representatives of the American Bar Association appeared. Prior to that time we had a meeting with the Attorney General of the United States, and he went over the proposed amendment, and made no objection to it, and to this day he has made no objection to it. I did not quite hear the first part of the speech of the Senator from Missouri. Did he say this measure has anything to do with the pay of judges in retirement?

Mr. HENNINGS. No, I did not; I said nothing whatever about pay.

Mr. BUTLER of Maryland. Let me say to the Senator from Missouri that, like himself, I would be the last one to attempt to clutter the Constitution of the United States. However, the proposed amendment is a very important one, and would effectuate some very important results. Certainly it would strengthen the Supreme Court. It would make the Court completely independent of all pressure, including the pressure of Government itself. I do not think Congress or the President or anyone else should have a right to bring pressure to bear upon the Supreme Court. However, that right does exist now; all of us know it does. We know that on at least two previous occasions Congress has withdrawn, or legislation designed to withdraw from the Court its right to hear cases arising under the Constitution has been introduced. Two of those cases involved the right of a citizen to move about freely, without hindrance, and his right to the writ of habeas corpus, so that he might be released from what he considered to be an illegal detention and incarceration. I believe it is most important that citizens of the United States be guaranteed the right to have a case arising under the Constitution and involving the sacred right of citizenship heard by the highest Court of the land. I do not think that matter should be subject to the will of Congress. I do not believe that right should be capriciously given or capriciously taken away. It should be a fundamental right of the people.

Mr. HENNINGS. Mr. President, I hope to say in the course of my remarks something about what the Senator from Maryland has said.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Missouri yield further to me?

The PRESIDING OFFICER (Mr. AIKEN in the chair). Does the Senator from Missouri yield to the Senator from Maryland?

Mr. HENNINGS. I do not yield at this time, Mr. President.

Mr. BUTLER of Maryland. I thought perhaps it would be better for me to make notes as the Senator from Missouri proceeds, and then, following his remarks, I will discuss the various points with him.

Mr. HENNINGS. I shall be glad to yield to the Senator from Maryland when I complete my remarks, and then to comment on what I believe to be his misinterpretation of what I have said. Certainly, I do not question the high motives of my distinguished colleague on the Judiciary Committee, who, in my judgment, is a competent lawyer and a legal scholar.

Mr. BUTLER of Maryland. I thank the Senator from Missouri.

Mr. HENNINGS. Mr. President, do we seriously intend to alter the basic law of our land in this fashion? In my judgment, the Constitution of the United States, which is the great charter of our freedom and our liberty, deserves, if not greater respect at our hands, certainly to have any amendment offered to it receive the fullest, most complete, exhaustive study and consideration.

I ask the distinguished chairman of the Judiciary Committee whether any effort was made to secure the opinions or the testimony of witnesses who might not be in favor of the proposed amendment. I seem to find no such evidence introduced, as I read the hearings. I certainly do not suggest there was any effort to cut off the hearings prematurely, and I want my friend, the distinguished author of the joint resolution, to know that I do not mean to sugggest there was any such effort; but, to my mind, it is inconceivable that in connection with a measure so far-reaching as the pending one, there should have been no opposition whatsoever. Yet apparently there was none.

A number of eminent lawyers testified in behalf of the proposed constitutional amendment; but, in all, there were only 10 witnesses. In my judgment the testimony of that number can hardly be considered reperesentative of the views of all the American people.

We hear, too, about the endorsement of the joint resolution by the American Bar Association. I happen to be a member of that association, and I have been for 25 years. But we know fairly well how endorsements of various proposals by various associations and groups are obtained. Certain groups in an association, such as the American Bar Association or the American Legion, may adopt a resolution; and the House of Delegates may vote, as it did in the case of the so-called Bricker amendment, I believe, to support a proposal. However, that does not necessarily mean that the rank and file membership of such great associations are in accord with the determinations reached upon certain measures of this sort by the relatively few in number who may comprise the bodies which represent them.

I wonder whether my distinguished colleagues have had any substantial expression of opinion from the people of their States on this very important issue. I think it may be fair to say, Mr. President, that aside from perhaps 2 or 3 newspapers that have mentioned the amendment in their editorial columns, most of the people of the United States have never heard of the proposed constitutional amendment, much less have they had an opportunity to give it careful thought or deliberate study.

I doubt that many Members of even this body—to judge from some of the questions which have been asked in the Chamber since I came to the floor today—have had an opportunity to give the proposed constitutional amendment the careful study it deserves; indeed, the careful study which any proposal to amend the Constitution of the United States demands, and which I believe it is our solemn responsibility to give to it.

Let us see exactly what is proposed by means of the suggested amendment. As I understand, in the first place the proposed amendment to the Constitution would permanently limit the number of Justices on the Supreme Court of the United States to 9, namely, 1 Chief Justice of the United States and 8 Associate Justices of the Supreme Court. This section of the proposed constitutional amendment obviously is intended to guard against any future attempts at so-called court-packing. Mr. President, any move that flavored of an attempt to "pack" the Court. by either the legislative branch or the executive branch, would certainly meet with the most vigorous opposition; and I would be one to join the opposition. Certainly in the past such opposition has been substantial, effective, and decisive.

Mr. BUTLER of Maryland. Mr. President, at this point will the Senator from Missouri yield to me?

The PRESIDING OFFICER (Mr. SCHOEPPEL in the chair). Does the Senator from Missouri yield to the Senator from Maryland?

Mr. HENNINGS. I am glad to yield.

Mr. BUTLER of Maryland. I do not think the last statement the Senator from Missouri made is completely accurate. The last "court packing" attempt was in 1937. That attempt was defeated, but by such a narrow margin that all of us were very apprehensive of future attempts to "pack" the Court.

Earlier the Supreme Court had been "packed"; it was "packed" during the term of President Andrew Johnson. The Senator from Missouri will remember

that President Johnson's political philosophy was not exactly that of the Congress at that time, and the Congress passed an act reducing the number of members of the Supreme Court, so that two vacancies that were imminent could not be filled by the President. Certainly such a move has as drastic effect upon the Court as a move to increase the number of Justices, for when the number of Justices is reduced, the Court is hurt just as much as it is when the number of Justices is increased.

I do not believe it should be within the right of Congress to tamper with the Court for political purposes. Under such conditions, I do not believe the Court can be independent or can have the integrity it should have.

Mr. HENNINGS. Mr. President, if I may proceed with my remarks, perhaps I shall be able to elaborate somewhat upon that thesis, to the partial satisfaction, at least I hope, of the Senator from Maryland.

Mr. President, as a practical matter, the membership of the Court has remained at 9 for the past 85 years. The effort to increase that number was overwhelmingly defeated, and I know of no one who has any idea of making another such attempt.

Moreover, is there anything magical about the number 9 itself? It is entirely conceivable that at some time, some day, we may wish to increase the number to accommodate a greater workload of the Court.

I am well aware, of course, that more than 100 years ago Justice Story expressed himself to the effect that if there were more judges the Court would do less business, and that more recently Chief Justice Hughes felt that an increase in its membership would not promote the efficiency of the Court. Coming as they do, from such distinguished sources, these opinions carry great weight; but, after all, they are only two opinions, both issued under different conditions from those existing today or which may exist 50 years hence; and certainly they are not necessarily the last word.

By the same token, it is entirely possible that some day we may determine that the efficiency of the Court would be improved by reducing the number of Justices. Why, then, should we burden the Constitution by writing into it a permanent number, which would require another constitutional amendment to alter? Any move, either to increase or decrease the number, should, and of course, would, be subjected to the closest scrutiny by the Congress.

For these reasons, in my judgment a constitutional amendment is unnecessary and undesirable. I believe, too, that if the framers of the Constitution had felt that the number of Justices should be fixed and inflexible, they would undoubtedly have included such a provision in the Constitution. The fact that they did not means that they felt that times and conditions might dictate the wisdom of altering the number at some future time, subject to the deliberation of the entire legislative body, the Congress.

Secondly, as I understand, this amendment proposes to require the compulsory retirement of any Justice or Federal judge who attains the age of 75. I can find nothing in the record of the hearings or in the committee report which makes any kind of effective case for this provision. The point is made, true enough, in the committee report that "continued active service by justices over the age of 75 tends to weaken public respect for the Supreme Court."

I believe this statement is open to very serious question. Does it imply that public respect is turned on and off like a water faucet, and that a man who is highly esteemed at the age of 74 is any less deserving of respect merely by virtue of passing his 75th birthday? I think obviously not.

One witness before the committee suggested that this provision would "insure against physical and mental impairment of individual Justices attendant upon age, and at the same time provide a measure of assurance against stagnation of particular economic, political, social, or philosophical thought on the part of the Court."

This statement too, it seems to me, lacks validity. In the first place, the average span of life is constantly increasing, and, with great advances in the science of geriatrics many older people are living very healthful, useful, productive lives at ages far beyond those which were considered old only a few years ago.

Moreover, are we suggesting that the Nation should have been deprived of the monumental services of Marshall, Taney—from the Senator's own State of Maryland—Fuller, White, and Hughes, or of the immortal Oliver Wendell Holmes and Brandeis? Did they stagnate upon a certain date on the calendar, or does any man who has led a full and active life, mentally and physically, automatically lose touch with modern conditions merely becouse he passes a certain birthday? Did Thomas A. Edison, for example, stagnate, or has our distinguished friend Bernard Baruch stagnated? I could name many others.

If this is the premise upon which we propose to operate, why do we not write into the Constitution a provision setting a maximum age with respect to Members of Congress? There is a minimum age, because the Founding Fathers felt that Members of this legislative body should have attained a degree of maturity before they were entrusted with the heavy responsibilities of office. But they did not suggest that a man's wisdom ended with a certain date; and I, for one, would vigorously oppose any attempt to put out to pasture, to use a familiar phrase, any of the distinguished and deeply respected Members of this body who have passed that critical birthday, age 75. Their invaluable service to the Nation and to their constituents is not and cannot be measured by any arbitrary date on the calendar.

No, Mr. President. It seems to me that his proposal is ill-advised. I do not believe it would hold water. The fact that in the 165 years since the establishment of the Supreme Court only a small handful of outstanding jurists have continued to give the Nation the benefit of the fullness of their wisdom and experience certainly does not justify any such proposal. On the contrary, it would seem to me to argue vehemently against any arbitrary provision, and particularly against writing such a provision into the Constitution of the United States.

The third point is that the proposed amendment would prohibit a Justice from becoming a candidate for President or Vice President until 5 years after he leaves the Court. Only a few moments ago I learned that the distinguished Senator from Maryland had possibly made some revision of that suggestion.

Mr. BUTLER of Maryland. That is correct.

Mr. HENNINGS. I was away from the city yesterday on official business. A few moments before I rose to make these observations, I learned that this provision had been, or would be, revised. If the Senator from Maryland will bear with me, I was prepared to say that the objective of this proposal, of course, is to remove members of the Supreme Court altogether from the influence and pressures of political considerations. The objective, in itself, is desirable, but the practical effect would be drastic. It is extremely unlikely that any Justice would resign from the Court in anticipation of becoming a candidate for either of these high offices 5 years later, so the real effect would be that Supreme Court Justices would never be nominated or chosen for the Presidency or Vice Presidency.

The assumption, of course, is that a man who is motivated by political ambition is, ipso facto, unable to maintain the detached temperament required of nonpolitical posts and is, therefore, unqualified to discharge the duties of his office. It is possible that this may be true; but if so, does not the observation apply equally to other posts; and should we not, in the interest of consistency, apply the same restrictions to all Federal judges, to all members of regulatory commissions, to all Cabinet members, and, for that matter, to Chiefs of Staff and other five-star generals? We expect all of the men who carry the onerous responsibilities of these posts to fulfill their obligations in the national interest and without regard to any possible future political considerations. Are Supreme Court Justices of a different breed that they must be treated as a class apart? If we harbor a fear that they would flagrantly, or by devious means, abuse their high office, would not the same fear apply with respect to the men who hold all these other important posts?

But even more important, Mr. President, the whole philosophy that has motivated our democracy has been our confidence in the free choice of a free people. It is the people of our country who determine at the polls whether a man is qualified for the highest honor it is within their power to bestow. Shall we arbitrarily restrict their choice by denying them, in advance, the services of any distinguished member of the Supreme Court? In my judgment, Mr. President, this proposed amendment vio-

lates our most cherished tradition of the exercise of the democratic process. I have seen no convincing case made for it and I see no demonstrable need for it.

The fourth important point in the proposed constitutional amendment, Mr. President, would remove from the Congress its right to restrict the Supreme Court's jurisdiction in cases involving constitutional questions. As the Constitution now stands, the Congress has the power to withdraw appellate jurisdiction from the Court in cases involving constitutional questions that are not within the original jurisdiction of the Court—article III, section 2. So far as I know this power has been exercised only once, and this was during the administration of President Andrew Johnson, in the case of McCardle, a Mississippi newspaper editor who had enraged the Republican radicals of that period.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. BUTLER of Maryland. I believe there was a second instance.

Mr. HENNINGS. I have referred to the McCardle case.

Mr. BUTLER of Maryland. There was a second instance. It is Ex parte Yerger, reported in 8 Wall. 85, decided in 1868. That case is referred to at page 19 of the hearings.

Mr. HENNINGS. I thank the Senator from Maryland for his contribution. I have already referred to the McCardle case. Mr. McCardle was a Mississippi newspaperman who enraged the radicals of that time. It was during the Thad. Stevens-Ben Wade assault upon the power and office of the Presidency, then occupied by Andrew Johnson. Since that case, with the exception of the additional case referred to by the Senator from Maryland, no serious effort has been made to deprive the Supreme Court of its jurisdiction in such cases, and it is unlikely that such an attempt will ever be made again.

The point is made in the committee report that "the question is one of power and the possibilities of the abuse of that power," and that the proposed amendment to the Constitution would be a protection against any potential threat to the independence of the judiciary. By the same token, Mr. President, we might logically try to anticipate any and all potential threats to the independent functioning of any of the three great branches of our Government that could conceivably arise today or tomorrow or a hundred years from now. And we could attempt to spell out in the Constitution a specific safeguard against any possible or potential infringement upon the powers of each branch of the Government.

I do not mean to be capricious in making this suggestion, but the fact is there has only been one instance in the history of our country, the McCardle case, and that was the outgrowth of the chaotic situation following the great Civil War which had torn the country asunder. The Constitution already contains an elaborate system of checks and balances which have stood the test of time and have, over the years, preserved the independence and integrity of the legislative, judiciary, and executive branches. Because one attempt was made almost 100 years ago to infringe upon the independence of the judiciary does not, in my judgment, constitute any valid reason for amending the Constitution. This proposal appears to me wholly unnecessary. If there are dangers, there is no question in my mind that an aroused public opinion will deal with them promptly.

Mr. President, one newspaper has suggested that the present Congress seems to be amendment happy in the sense that a palsied survivor of the Marquis of Queensberry sport is slaphappy. The paper went on to ask what else could explain this latest bit of attempted tampering with the Constitution in the Senate.

I am opposed to undertaking lightly amendments to the Constitution. I think it is clear from the record that this proposed amendment dealing with one of our great institutions has not had the kind of thorough study and debate that all constitutional amendments should have. I am, therefore, opposed to this proposed amendment on that ground alone; but in addition, as I have pointed out in the course of my remarks, I am not impressed with the validity of the proposals on their merits. I ask that Senators think seriously as I know they will, about these amendments before endorsing the proposals or voting for them. I think possibly some sort of commission or study group should be appointed to consider the proposals in a thorough manner before the Senate is again asked to consider the matter.

Finally, I wish to note that if at any time the Congress feels that corrective measures of the kind suggested in the resolution are needed, it can enact the necessary legislation to bring about the change. I merely go on record as being opposed to any action which would foreclose, or make it extremely difficult for a future Congress likewise to make changes when such changes may seem to be necessary or proper in the interest of the administration of justice.

I yield the floor.

Mr. BUTLER of Maryland. Mr. President, as the Senator from Missouri [Mr. HENNINGS] made his remarks I made some notes on what he said, and I shall attempt, to the best of my ability, to answer the questions he has raised.

Before doing so, Mr. President, let me say to my good friend from Missouri that I do not have much faith in newspapers that write editorials to the effect that, although we have had cases of abuse of power we should not do anything about the situation because we will not have them again. They are the same newspapers that wrote editorials against the Bricker amendment, saying we should not adopt the Bricker amendment because up to now we have not had any examples of the kind of abuse which the Bricker amendment would prevent. They do not want to amend the Constitution when examples of abuse can be cited, because, they say, such abuses will never happen again; they do not want to amend the Constitution when no examples of an abuse can be cited because, they say, such an abuse is not likely to occur. In other words, Mr. President, such newspapers do not want the Constitution of the United States amended, even when such an amendment is in the best interest of the American people. Therefore I have little patience with such newspapers.

I believe there is great validity to the principal points contained in the proposed amendment. In the first place, it would limit the number of Justices to nine. Why do we say nine? The Senator from Missouri has asked that question. It is a very valid question and is entitled to an answer. We selected that number for two principal reasons.

First, Mr. President, the number has been nine since 1869. All the authority and all the expert opinion which the subcommittee and the full committee were able to obtain was to the effect that that was the most acceptable number from the standpoint of disposing of the business of the Court in an efficient manner. With more than nine Justices there would be, in effect, a convention, and too many participants in conferences, with the result that the work of the Court could not be done efficiently. With less than nine Justices the work of the Court could not be done expeditiously.

Furthermore, if the number of Justices were fixed constitutionally at nine, no ambitious President would be able to send to Congress a bill of the kind sent to Congress in 1937, for the purpose of packing the Court. Had that bill passed in 1937 all of us know how disastrous the results would have been.

Why do I say that nine, which has been called a magic number, is the acceptable number? It is because former Chief Justice Hughes, when he wrote to the Honorable Burton K. Wheeler, the former chairman of the Committee on the Judiciary during the Court-packing proposal in 1937, said that the work of the Court can be absolutely governed by the Court.

I refer the Senator from Missouri to page 11 of the hearings, where the former Chief Justice is quoted as writing:

> The statute relating to our appellate jurisdiction is the act of February 13, 1925 (43 Stat. 936). That act limits to certain cases the appeals which come to the Supreme Court as a matter of right. Review in other cases is made to depend upon the allowance by the Supreme Court of a writ of certiorari.

We all know, Mr. President, that the work of the Supreme Court has not increased drastically during the past 10 years. We all know that if the work of the Court should increase, the Court, by that statute, has the instrument within its own hands to govern the volume of work it will undertake. I am certain that the Court will continue to govern itself in this regard by the principles by which it is now bound and would never refuse to hear a case it felt should be heard. What would be lost if possibly 10 or 20 or 30 years from today Congress should adopt a concurrent resolution saying that the membership of the Supreme Court shall consist of a Chief

Judge and 9 or 10 Associate Judges, if, by doing that, we could prevent a packing of the Court and the destruction of the American system of government at the hands of an overly ambitious Executive?

With reference to the age limitation, the Senator from Missouri will find that in most of the States there is compulsory retirement at age of 70. But I agree with the Senator that it is difficult to make a case for retirement at the age of 70 or at the age of 75. Some men are very vigorous at the age of 75. But there are cases of record in the history of the Supreme Court in which it has been necessary that a delegation of Justices wait on a Justice who was infirm and unable to do his work, and request him to retire. I think that is a very lamentable thing, and that we should cure such a situation by providing by law that all Federal judges must retire at the age of 75. It also would put an end to the oft-repeated saying "The nine old men."

Why do I say that such a provision should extend to all Federal judges? I talked with the Attorney General with reference to this proposal, and he told me that was one of the things he wanted more than anything else, because the Federal courts are not getting their work done, for the reason that there are on the bench men who should retire, and in the Attorney General's opinion some method should be found of making the courts younger and more virile. That can be done only by making the judges retire at a reasonable age, which, I believe, is 75 years.

Mr. HENNINGS. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER of Maryland. I yield.

Mr. HENNINGS. Does the Senator from Maryland suggest that the failure of some of the district courts to keep up with their work is due entirely to the age of some of the judges?

Mr. BUTLER of Maryland. Oh, no; I did not make that statement. But I think that if this proposed amendment had been adopted and made a part of the Constitution, the President of the United States would make many appointments to the Federal courts which he would like to be able to make because some persons holding judicial positions are not physically able to do their work. I think that age is a contributing factor.

Mr. HENNINGS. Would the Senator permit his last statement to be stricken and made to read "The President would make many appointments to the district courts that he would like to make"?

Mr. BUTLER of Maryland. No, I do not think so. I do not think there ever was a President of the United States who was less politically conscious than is our present great President. I do not think the President of the United States would desire any legislation permitting him to make appointments to the judiciary for political reasons. I think his history in office has shown that he has been very unpolitical in apportioning positions. But, I think if he had an opportunity to make appointments to the judiciary, he would make them on the basis of expediting the work of the courts and on that basis alone.

I do not know whether I touched the point which the Senator made with reference to freezing into the Constitution this limitation which would make every judge retire from the bench at the age of 75. Under the Constitution of the United States, a Federal judge, even of an inferior court, is appointed for life or during good behavior, and except by impeachment, the only way a Federal judge can be removed is by such a constitutional amendment. That is why we would freeze into the Constitution this limitation which would require every judge to retire from the bench at the age of 75.

Mr. HENNINGS. Mr. President, will the Senator from Maryland yield further?

Mr. BUTLER of Maryland. I yield.

Mr. HENNINGS. One thing which has disturbed me very deeply is that, in my judgment, we have not given sufficient study to the subject in order to enable the membership of the Congress and the people of the country to become familiar with this very important and drastic proposal. Any proposal to amend the Constitution is important, whether it be drastic or not. Even the distinguished Senator from Maryland has abandoned one portion of his original proposal. That would indicate, would it not, that perhaps the Senator, even though he has studied the question, conscientious as he is in pursuing his study, came to the conclusion in that instance that that portion should be abandoned? In his original proposal to amend the Constitution he included that provision, but only yesterday he determined not to include it.

I do not say that in anyway to reflect upon the Senator. I think the fact that he changed his mind is indicative of the fact that his mind is flexible. I can see some merit in some of the propositions advanced by the Senator.

Mr. BUTLER of Maryland. I think they are all meritorious.

Mr. HENNINGS. I do not mean to say that the whole proposal is illconceived or unworthy of thought. I have considered these problems very carefully, but I think this proposal is precipitous and untimely.

Mr. BUTLER of Maryland. Mr. President, if it is precipitous it is not by reason of any fault of mine. I have done the best I could. This proposed constitutional amendment was introduced on February 16, 1953. It has been given wide publicity. It has been before the American Bar Association's house of delegates. It was debated last August at their meeting in Boston, and it was approved by them. I have taken it up with the Attorney General of the United States. Hearings have been held on it, which were widely advertised. I requested anyone who cared to say anything with reference to the proposed amendment to give us the benefit of his views.

Mr. HENNINGS. Mr. President, will the Senator from Maryland yield further?

Mr. BUTLER of Maryland. Before I yield further to the Senator, I should like to say that the reason why I struck out section 5 of the amendment was that it was suggested to me that that section might be considered to be a reflection on the Supreme Court or on some of its members. That was not intended. As I said earlier, this proposed constitutional amendment was introduced in February 1953. I had no member of the Court in mind. Even though I think the proposal contained in section 5 is worthy of the serious consideration of the Senate and of the Nation, I immediately struck it out because I would not wish it to be thought that any part of this amendment was meant to reflect on any man.

I now yield to the Senator from Missouri.

Mr. HENNINGS. I appreciate the fact that that was one of the motives of the distinguished Senator. But so far as I know, this is the only debate which has been had on the proposed amendment. I read the distinguished Senator's statement in yesterday's CONGRESSIONAL RECORD.

Mr. BUTLER of Maryland. There was a brief debate on it yesterday.

Mr. HENNINGS. The United States Senate is being asked to consider a proposed amendment to the Constitution, and there are present on the floor only nine Senators. Only that small group of Senators is present to inquire into this proposal to amend our Constitution.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. BUTLER of Maryland. This is the second day of debate. The joint resolution has been considered by the subcommittee of the Committee on the Judiciary and has been considered also by the full Committee on the Judiciary. The subject has had wide publicity among members of the American Bar Association and of other bar associations.

I am certain that Senators know what is contained in the proposed constitutional amendment. I hope they know it so well that the reason why they are not here is that they have made up their minds that it is a good amendment, and they are going to vote for it.

Mr. HENNINGS. They knew what was in it yesterday, but the language has been changed today, so I do not know whether Senators are advised as to what is now contained in the joint resolution.

Mr. BUTLER of Maryland. I do not think it is fair to say that it has been changed. It may be said to have been changed only in the sense that I have agreed to drop one complete section. I have given my reason for doing so, namely, that I do not wish to reflect on any member of the High Court or anyone else.

Mr. HENNINGS. I am certain the Senator from Maryland means exactly what he has said.

Mr. BUTLER of Maryland. The Senator from Missouri has addressed himself to the amendment proposed in connection with the appellate jurisdiction of the Court, which is granted by section 2, of article III of the Constitution. I pointed out to the Senator that there

had been at least two attempts made to withdraw jurisdiction from the Court at a time of great passion. There is no guarantee that such a time will not again occur in this country.

In the first case, the case of Ex parte McCardle, a civilian was apprehended and incarcerated by the military authority, an action which was contrary to all the laws of this country that I have ever been taught. He made application for a writ of habeas corpus, which he had a perfect right to do under the Judicial Code, and his petition was denied.

McCardle then appealed to the Supreme Court of the United States, which heard the case. But on the day the Supreme Court was about to decide the case, the Congress of the United States, over the veto of the President, passed a law taking away from the Supreme Court the right to hear the appeal. So there we had an American citizen who had been picked up by the military authority and thrown into jail, and who was deprived by the action of the Congress of these United States of a forum in which to ask for restoration of his God-given freedom when the Congress withdrew from the Supreme Court its right to hear the appeal.

Mr. HENNINGS. If I may make one observation, I am certain that the Senator from Maryland is aware of the fact that many of the Southern States were not represented in Congress during that period, the incident having occurred during the early and unhappy period of reconstruction. The Southern States were comprised of a number of so-called military districts and were not represented, in large measure, in either the House or the Senate.

Mr. BUTLER of Maryland. That is correct. Nevertheless, the Congress which passed that law was a perfectly legal Congress, and the law was so valid that the Supreme Court of the United States, even though it had heard the case and was to decide it on the very morning the law was passed, said that it had no right to consider the case, because its right to do so had been withdrawn, and it had no constitutional power in the premises.

Mr. HENNINGS. If I may make this one brief further observation, in instances where some of the States of the late Southern Confederacy were represented, they were represented as the result of so-called carpetbag legislatures electing Senators and in some cases had sent representatives who nominally, although perhaps de jure as well as de facto, served in the Congress of the United States. But the fact is that a majority of the citizens of the late so-called Southern Confederacy had been disfranchised, and many had not been enfranchised and allowed to participate in their Government and its affairs, State or Federal.

Mr. BUTLER of Maryland. That is perfectly true. The fact still remains that what has been done can always be done again. I do not like to think of the day when a citizen of the United States will not have the right to appeal to the highest court of the land in a case involving his constitutional rights. I do not think those rights ought to be subject to the will of Congress. I believe they should be written into the basic law.

In the case of a question arising under the Constitution, I believe a citizen should have the right to have his case heard by the highest court of the land, if that court wants to hear it. If the court does not want to hear the case, it does not have to grant a writ of certiorari. But I think a person should, at least, have the right to make application to have such important litigation heard by the Supreme Court.

I desire to call the attention of the Senator from Missouri to a statement by Mr. Harrison Tweed, a member of the bar of the State of New York, appearing on page 19 of the hearings. The statement illustrates the second example of the abuse of this power. I read the last paragraph of Mr. Tweed's statement, as follows:

> When another editor imprisoned under military authority appealed for a writ of habeas corpus under the original Judiciary Act of 1789 the Court again took jurisdiction (*ex parte Yerger* (Wall. (1868)). But again Congress acted and a bill was introduced prohibiting the Supreme Court from considering any case which involved the validity of the reconstruction acts. That was followed by another, prohibiting the judicial review of any act of Congress. It is fortunate that while these bills were pending, a compromise outside of Court was effected whereby Yerger, on being turned over to the civil authorities, withdrew his petition. Otherwise there might well have been a life-and-death battle between Congress and the Court.

To me, that is a very serious matter. It can happen again. We may not foresee the circumstances under which it may happen, but we should not place the American people under that hazard. We should guarantee to them, by their Constitution, protection of their basic right to be heard by the Supreme Court of the United States in all cases arising under the Constitution.

The ACTING PRESIDENT pro tempore. The clerk will state the first committee amendment.

The CHIEF CLERK. On page 2, at the beginning of line 5, it is proposed to strike out "render regular active service" and insert "serve and shall no longer be eligible to serve."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 2, in line 21, after the word "person", it is proposed to insert "having served as Chief Justice or Justice of the Supreme Court after the date of approval of this amendment."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HOLLAND. Mr. President, I desire to address a question to the distinguished Senator from Maryland with reference to this particular section, section 5. I understood the Senator to state a few minutes ago—and I was sorry to hear him do so—that he had agreed to eliminate section 5 from the joint resolution. It seems to me that section 5 certainly should not be eliminated from the joint resolution, but that the intention sought to be accomplished by its elimination—that is, the withdrawing of any inference that criticism is directed at any present member of the Supreme Court—might be accomplished in another way.

I suggest to the distinguished Senator from Maryland that by inserting after the words "Supreme Court", on page 2, line 22, the words "under appointment made", the section would read in such a way that it would not apply to any present member, but would accomplish the salutary purpose which I am certain the Senator from Maryland had in mind when he first drafted this section of the amendment.

I shall read the section as it would read with the inclusion of the words I have proposed to have inserted:

> No person having served as Chief Justice or Justice of the Supreme Court under appointment made after the date of approval of this amendment shall be eligible to serve as President or Vice President of the United States until 5 years have passed after the termination of such service.

I should like to ask the distinguished Senator from Maryland if he would consider such an amendment, rather than to go to the length of eliminating from the joint resolution this section, which I think is an excellent one from the standpoint of its long-time operation.

Mr. BUTLER of Maryland. I may say to the Senator from Florida that when the resolution was first introduced, on February 16, 1953, it contained a provision identical to the provision which the Senator from Florida is now asking me to accept. The Committee on the Judiciary changed the provision to its present form. I am informed that, in either form, a large number of Senators would find the resolution objectionable, and would not vote for it.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. BUTLER of Maryland. I yield.

Mr. HOLLAND. Does not the distinguished Senator recognize that it has been shown indubitably, by some incidents in the past history of the Court, that there are occasional members of the Court who are tempted to become candidates for the Presidency or the Vice Presidency, as to whom it is certainly true that such temptation brings upon them the pressure to shape their decisions in accordance with their ambitions?

Mr. BUTLER of Maryland. Yes; there are many instances of that kind cited in the hearings and in the report.

Mr. HOLLAND. Does not the distinguished Senator feel that it is wise, and really by way of a protection for the Court, to have in the proposed constitutional amendment a provision along the line suggested?

Mr. BUTLER of Maryland. Yes; I do. I think that if the Supreme Court is to have complete independence, there should be such a provision. However, when I reach the point, from a practical

consideration, of not being able to have any part of the proposed amendment adopted unless I forsake this one clause, I am very much tempered to forsake that provision and get approval of the other parts of the proposed amendment, all of which I believe are very good, and necessary in the interest of all the people.

Mr. HOLLAND. Mr. President, I hope the distinguished Senator will reexamine his conclusion in this matter, because I think it would help him in securing the submission of the proposed constitutional amendment to have in the resolution a provision on this important aspect of the situation.

Mr. BUTLER of Maryland. I may say to the Senator from Florida that I have encountered quite spirited opposition in connection with that section of the proposed amendment, much more so than any others. As a matter of fact, I have found very little opposition to the other sections, but the section under discussion has engendered a great deal of debate and opposition off the floor of the Senate. I may have to face the same opposition on the floor; so I am persuaded to withdraw that section.

Mr. HOLLAND. In view of the fact that I have not been able to be present throughout the debate, may I ask the Senator whether such opposition has been voiced on the floor of the Senate, except in the matter of making this provision applicable to present members of the Court?

Mr. BUTLER of Maryland. It has not been voiced on the floor of the Senate either way, but I have talked privately to Senators who are opposed to it, and who feel that, in the form suggested by the Senator from Florida, or in the form in which it now is, it would be objectionable, and could very well jeopardize the proposed constitutional amendment. I felt that we should by all means secure the passage of the joint resolution at this session if it was possible to do so.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. BUTLER of Maryland. I yield.

Mr. HOLLAND. I am sure the Senator has covered this point in his remarks, but I did not have the opportunity to hear him throughout his presentation. Am I correct in my understanding that nothing in the proposed amendment would interfere in any way with the permissive retirement statute applicable to the Federal judiciary, which is already a part of the law?

Mr. BUTLER of Maryland. The Senator is entirely correct. As I understand the situation, under the existing law, a Federal judge may retire at the age of 70, after 10 years of service, and if at any time the emoluments of the office are increased, he is entitled to them. However, he is subject to call by the chief judge of the circuit in which he serves. On the other hand, if the judge resigns at the age of 70, after 10 years of service, he receives only the emoluments of the office payable at the time of his retirement. The proposed amendment in no wise affects the existing law.

Mr. HOLLAND. The provision would simply direct that in the case of a judge who had elected to continue to serve after reaching the retirement age, when he attained the age of 75 his retirement would become compulsory.

Mr. BUTLER of Maryland. The Senator is correct, but the judge would still be subject to call by the chief judge of the circuit in which he served. Being subject to call, he would be entitled to any increase in salary granted by the Congress even after his retirement. That would not be so if he had resigned.

Mr. HOLLAND. I thank the distinguished Senator for yielding to me.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The question is on agreeing to the amendment on page 2, line 21.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 2, in line 25, after the word "of", where it first occurs, it is proposed to strike out "his" and insert "such."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The CHIEF CLERK. In the same line, after the word "service," it is proposed to strike out "as Chief Justice of the United States or as an Associate Justice of the Supreme Court unless the termination of his service as a member of the Supreme Court occurred before the ratification of this article."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The CHIEF CLERK. On page 3, after line 3, it is proposed to insert a new section, as follows:

SEC. 6. Each judge of any inferior court of the United States entitled to hold office during good behavior shall cease to render regular active service in such office upon attaining the age of 75 years, but shall continue to receive all of the emoluments of his office.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The CHIEF CLERK. On page 3, in line 9, it is proposed to change the section number from "6" to "7."

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

Mr. FERGUSON. Mr. President, I desire to offer two amendments. I move to strike out the words "of the United States" appearing on page 1, in line 9. Section 1 now reads "The Supreme Court of the United States shall be composed of," and so forth. The words in the Constitution are "The Supreme Court shall be composed of." Therefore, I move that the words "of the United States," on line 9, be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. FERGUSON. Mr. President, I move that section 5, which begins on page 2, line 21, be stricken out.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 2, beginning on line 21, it is proposed to strike out the following:

SEC. 5. No person having served as Chief Justice or Justice of the Supreme Court after the date of approval of this amendment shall be eligible to serve as President or Vice President of the United States until 5 years have passed after the termination of such service.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The question is on the passage of the joint resolution.

Mr. KNOWLAND. Mr. President, pursuant to the policy which has been previously announced, I shall first ask for a quorum call, and then for the yeas and nays, the pending joint resolution being a proposal of a constitutional amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Barrett	Hennings	Monroney
Beall	Hickenlooper	Morse
Bennett	Hill	Mundt
Bowring	Hoey	Murray
Bricker	Holland	Neely
Bridges	Humphrey	Pastore
Bush	Hunt	Payne
Butler, Md.	Ives	Potter
Byrd	Jackson	Purtell
Carlson	Johnson, Colo.	Robertson
Case	Johnson, Tex.	Russell
Chavez	Johnston, S. C.	Saltonstall
Clements	Kennedy	Schoeppel
Cooper	Kerr	Smathers
Cordon	Knowland	Smith, Maine
Dirksen	Kuchel	Smith, N. J.
Duff	Langer	Stennis
Dworshak	Lehman	Symington
Ferguson	Long	Thye
Frear	Magnuson	Upton
George	Malone	Watkins
Gillette	Mansfield	Welker
Goldwater	Martin	Wiley
Green	McCarthy	Williams
Hayden	McClellan	Young

The PRESIDING OFFICER. A quorum is present.

The joint resolution having been read the third time, the question is, Shall it pass?

Mr. KNOWLAND. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LEHMAN. Mr. President, when I was Governor of my State in 1937 I opposed the so-called Court packing bill. I mention that only to show that I am consistent in my opposition to this measure. I oppose the joint resolution for several reasons.

In the first place, I believe it is bad government to prohibit, by constitutional provision, a man from remaining on the Court, regardless of his health,

after he has reached a certain age. I have known many cases in which men past the age prescribed in the joint resolution have been outstanding jurists and have served their country with great distinction.

My main objection to the joint resolution relates to section 5.

The PRESIDING OFFICER. The Chair advises the Senator that that section of the joint resolution has been deleted.

Mr. LEHMAN. I am very glad to hear it. That being the case, I shall not continue my remarks on that section. It would have been a very unfortunate thing if it had remained in the joint resolution.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS (when his name was called). On this vote I have a pair with the junior Senator from Texas [Mr. DANIEL] and with the senior Senator from Nevada [Mr. MCCARRAN]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mr. BUTLER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

If present and voting, the Senator from Nebraska [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the senior Senator from Indiana [Mr. CAPEHART], and the junior Senator from Indiana [Mr. JENNER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Illinois [Mr. DOUGLAS] would vote "nay."

The yeas and nays resulted—yeas 58, nays 19, as follows:

YEAS—58

Aiken	Butler, Md.	Dworshak
Barrett	Byrd	Ferguson
Beall	Carlson	Frear
Bennett	Case	George
Bowring	Cooper	Gillette
Bricker	Cordon	Goldwater
Bridges	Dirksen	Hendrickson
Bush	Duff	Hickenlooper
Hoey	Martin	Smith, N. J.
Holland	McCarthy	Stennis
Hunt	McClellan	Symington
Ives	Millikin	Thye
Johnson, Colo.	Mundt	Upton
Johnson, Tex.	Payne	Watkins
Kennedy	Potter	Welker
Knowland	Purtell	Wiley
Kuchel	Saltonstall	Williams
Langer	Schoeppel	Young
Long	Smathers	
Malone	Smith, Maine	

NAYS—19

Chavez	Johnston, S. C.	Murray
Green	Kerr	Neely
Hayden	Lehman	Pastore
Hennings	Magnuson	Robertson
Hill	Mansfield	Russell
Humphrey	Monroney	
Jackson	Morse	

NOT VOTING—19

Anderson	Eastland	Kilgore
Burke	Ellender	Lennon
Butler, Nebr.	Flanders	Maybank
Capehart	Fulbright	McCarran
Clements	Gore	Sparkman
Daniel	Jenner	
Douglas	Kefauver	

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). On this vote the yeas are 58, and the nays are 19. Two-thirds of the Members present having voted in the affirmative, Senate Joint Resolution No. 44 is passed.

The title was amended so as to read: "Joint resolution proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court, and for other purposes."

Mr. BUTLER of Maryland. Mr. President, I wish to thank the Senate for its favorable consideration of the proposed constitutional amendment, and I should also like to thank the members of the American Bar Association and of other associations who helped me in connection with the work on the amendment. They include Hon. Leonard D. Adkins, of the American Bar Association; Hon. Frederick W. Brune, chief judge of the Court of Appeals of Maryland; Hon. Edwin A. Falk, a member of the New York bar, who is now sitting in the family gallery of the Senate; Hon. Albert E. Jenner, Jr.; Hon. Henry W. Nichols; Hon. Owen J. Roberts; Hon. Harrison Tweed, of New York; and Hon. William C. Walsh, a great Marylander, former judge of Maryland's Court of Appeals, and former attorney general of Maryland.

PROMOTION OF SAFE DRIVING IN THE DISTRICT OF COLUMBIA

Mr. BEALL. Mr. President, I understand there is at the desk a message from the House of Representatives relating to Senate bill 2305, and I ask that it be laid before the Senate at this time.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2305) to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia, which were, on page 5, line 20, after "Commissioners", insert: ", unless the applicant shall have deposited with the Commissioners, under protest and subject to the decision of the court, security in the amount required by the Commissioners, in accordance with the provisions of this act, or a bond in an amount equal to the amount of security required by the Commissioners, guaranteeing that the applicant, in the event the order appealed from is sustained or modified by the court, will comply fully therewith. In the event said order of the Commissioners shall be ordered vacated, either by the court or the Commissioners, the security deposited under protest shall be returned to the depositor or the bond shall be canceled."

On page 6, line 6, after "record", insert "(a)."

On page 6, after line 15, insert:

(b) The Commissioners shall upon request furnish any person an uncertified abstract of the District operating record of any person subject to the provisions of this act, which abstract shall include enumeration of any motor-vehicle accidents in which such person has been involved and reference to any convictions of said person for violation of the motor-vehicle laws, as reported to the Commissioners. The Commissioners shall collect for each such uncertified abstract a sum equal to the cost to the District of furnishing such abstract, as such cost may be determined by the Commissioners from time to time.

And on page 27, lines 13 and 14, strike out "except the District of Columbia,".

Mr. BEALL. Mr. President, in a moment I shall move that the Senate concur in the amendments of the House, but perhaps a brief word of explanation would be desirable.

This is a bill to give the District of Columbia a modern motor vehicle financial responsibility law similar to that which has been adopted in some 43 States. Under the proposed "security responsibility" measure, when any motor-vehicle driver or owner becomes involved in a motor-vehicle accident in the District of Columbia, involving personal injury or property damage in excess of $100, he will be required to demonstrate that he is covered by motor-vehicle public-liability and property-damage insurance in certain prescribed amounts, or shall be required to deposit security in certain prescribed forms, in an amount estimated to cover the injury or damage caused to others than himself as a result of such accident. The maximum amount of security to be required is $25,000.

Should the driver or owner of any motor vehicle involved in an accident not be covered by public-liability and property-damage insurance in the prescribed amounts, or if he should not deposit the required security, then his operator's license, or nonresident's operating privilege, as the case may be, and all of his District of Columbia motor-vehicle registrations will be suspended until the required security is deposited, or until he has demonstrated that he is covered by public-liability or property-damage insurance which would protect persons and property injured or damaged as a result of the accident in which such driver or owner was involved.

The proposed legislation would, in effect, remove from the public highway the financially irresponsible motor-vehicle driver or owner who does not have public-liability and property-damage insurance and who fails to deposit security to cover any injury or damage resulting from an accident in which such driver or owner is involved.

Provision is made so that persons aggrieved by any act of the Commissioners of the District of Columbia in denying, suspending, or revoking their operator's license, nonresident's operating privilege, or motor-vehicle registrations, may file an application for the allowance of an appeal from the order or decision of the Commissioners in the municipal court of appeals for the District of Columbia. The decision of that court will be final and conclusive.

The amendments of the House, Mr. President, I believe, constitute improvements in the bill as passed by the Senate.

The principal amendment would permit a driver who appeals to the courts from a revocation of his license to keep his license, pending a decision, if he posts sufficient security or a bond. This preserves the intent of the bill to make drivers financially responsible for accidents or remove them from the highways and at the same time protects a driver's rights during final consideration of his appeal.

The other amendments are of minor importance, merely making available, in addition to certified copies of a driver's accident record, uncertified copies as well.

Mr. President, I now move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland [Mr. BEALL].

The motion was agreed to.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1313, Senate Joint Resolution 126.

The PRESIDING OFFICER (Mr. BENNETT in the chair). The clerk will state the joint resolution by title.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 126) amending the joint resolution of June 22, 1942, with respect to the Pledge of Allegiance to the Flag.

The PRESIDING OFFICER. The question is on the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to the consideration of Senate Joint Resolution 126 amending the joint resolution of June 22, 1942, with respect to the Pledge of Allegiance to the Flag, which had been reported from the Committee on the Judiciary, with an amendment.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The CHIEF CLERK. On page 2, line 5, it is proposed to strike out "one Nation indivisible under God," and insert "one Nation under God, indivisible,".

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. KNOWLAND. Mr. President, the Senator from Michigan [Mr. FERGUSON], wishes to make an explanation of the joint resolution.

Mr. FERGUSON. Mr. President, the Senate now has before it a resolution to amend the act which created the Pledge of Allegiance to the Flag. We are asking that only two words be added to the Pledge of Allegiance, but they are very significant words. They mean much to the people of the United States.

When our independence was declared, we believed in a God, a Creator. We said that men are endowed by their Creator with certain unalienable rights.

Mr. President, we have made much progress in this Nation. We have been believers in a Creator, as I have said, and some time ago we placed upon the coins of America the words "In God We Trust."

I have felt that the Pledge of Allegiance to the Flag which stands for the United States of America should recognize the Creator who we really believe is in control of the destinies of this great Republic.

It is true that under the Constitution no power is lodged anywhere to establish a religion. This is not an attempt to establish a religion; it has nothing to do with anything of that kind. It relates to belief in God, in whom we sincerely repose our trust. We know that America cannot be defended by guns, planes, and ships alone. Appropriations and expenditures for defense will be of value only if the God under whom we live believes that we are in the right. We should at all times recognize God's province over the lives of our people and over this great Nation.

At this time, probably more than in years past, when the act originally was passed, we are seeing nations come into being and others fall under alien control. We now live in a world divided by two ideologies, one of which affirms its belief in God, while the other does not. One part of the world believes in the unalienable rights of the people under the Creator. The other part of the world believes in materialism and that the source of all power is the State itself.

We who believe in the inalienable rights of men realize that there are spiritual values. Therefore, we should remind the Boy Scouts, the Girl Scouts, and the other young people of America, who take pledge of allegiance to the flag more often than do adults, that it is not only a pledge of words but also of belief.

I have said before on the floor of the Senate that over the entrance to the Senate Chamber are the words "In God We Trust." If that belief is not in the hearts of men, especially in the hearts of Members of the Senate, then the words are of no value to America. But, as we are reminded in the Senate, belief in God is a part of our very lives. Therefore, it is proposed to amend the pledge of allegiance to the flag so that it will read:

> I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

In the future, the pledge will be recited by standing with the right hand over the heart; extending the right hand, palm upward, toward the flag at the words "to the flag" and holding this position until the end, when the hand will be dropped to the side. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform will render the military salute.

Thus Congress is being asked to place in Public Law 623 of the 77th Congress (56 Stat. 377), as amended, the words "under God", so as to make the sentence read:

> One Nation under God, indivisible, with liberty and justice for all.

I do not think any further explanation is necessary. I hope the Senate will vote immediately.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. SMITH of New Jersey subsequently said: Mr. President, I desire to congratulate the Senator from Michigan for the explanation he has made in regard to the joint resolution relating to the amendment to the Pledge of Allegiance to the Flag and to identify myself with the very fine sentiments he has expressed. I congratulate the Senator from Michigan.

Mr. FERGUSON. I thank the Senator from New Jersey.

SALE OF CERTAIN VESSELS TO BRAZIL

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1279, Senate bill 2370.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2370) to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2370) to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

PROPOSED CHANGES IN SENATE AND COMMITTEE PROCEDURE

Mr. HENDRICKSON. Mr. President, if there is one topic among all the pres-

ent-day issues before the Senate which should give us most concern, it involves the great good name of this body itself. It is my purpose to address myself today to a subject which places the Senate of the United States on trial before the bar of national, if not world, opinion.

It seems to me that the Senate is on trial today in a great measure because of its archaic procedures, its methods, and in some instances its excesses.

I have risen at this time, Mr. President, to recommend specific legislative changes to correct investigative as well as other legislative processes of the Senate.

The junior Senator from New Jersey believes in his heart that all of us here assembled should pause amidst the dangerous currents and swirling whirlpools which surround us in the conflicts of our modern day and reflect seriously upon those standards and procedures which have reaped in part the present-day harvest of headlines and public concern about this great body.

Mr. President, the Senate of the United States has actually been on trial ever since the House of Representatives had the courage to sweep away those archaic traditions of yesterday and streamline the functions of that body. This left the Senate with a lone, though firm, grasp on antiquity.

Mr. President, we in this body are having our difficulties because we have steadfastly refused to change our ways to meet the needs. We have failed to invoke cloture; we have failed to eliminate filibustering. We have failed to do anything about our irrevelant, time-consuming speeches. All this holds up the business of the greatest Government in the world.

We have failed to meet the tests of the day in our senatorial programs, and it seems to me we had better modernize this machinery of the Senate of the United States, for one day soon the people of America will be demanding a constitutional convention or constitutional amendments to do what we ourselves failed to do.

I saw this happen in my own State, and there is always the possibility when such sweeping reforms come along of going to extremes through some forceful method. Therefore, it behooves us of the Senate to see the need now, and to act with speed and efficiency.

Mr. President, simply because we remain stubborn to the idea of change, we have failed to have our investigative process in the Congress of the United States keep up with the exigencies of modern times, although this right of public inquiry, in my opinion, is one of the most important prerogatives we exercise.

Mr. President, when he says that this process has not kept up with the exigencies of the time, the junior Senator from New Jersey means that before communism appeared upon the scene, with its sinister methods of subversion and overthrowing of our institutions, there was little reason for the fear which has since infiltrated our vitals and colored our approaches to life's problems—those problems which we could ordinarily handle quite well and without the slightest hysteria. But communism as a world movement is indeed all about us.

We have sometimes reacted to its stimulus with harsh actions and methods of our own, in my opinion, in many instances without justification. This is also true, in my judgment, of the way in which we look toward our congressional investigating committees for their responses to the challenges of world communism.

But what does this mean, Mr. President? To me, it means that after the first reaction to the stimulus of communism, we should now begin to reorganize those procedures which have earned for some of our methods of investigation that which is beginning to suspiciously resemble a lessened sense of trust on the part of the American people in the time-honored code of justice and fair play which stand as an American tradition.

Mr. President, if we are being accused of duplicating our efforts in this very important investigative field; if we are in the business of roughing up witnesses; if we are modeling our public forums after those Coliseum days of old Rome; if we are permitting investigations to be conducted unfairly because we are losing sight of those constitutional moorings to which we have long held fast, then let us begin thinking of changing our rules of comportment.

I am sure there is not one among this body who would deliberately lower the prestige of its record of accomplishment. But, sir, this is unfortunately being done, at least in the minds of millions of American people, to say nothing of criticism being heaped upon us from abroad.

Mr. President, I am a member of the Subcommittee on Internal Security under the chairmanship of the Senator from Indiana [Mr. JENNER].

In the 1½ years of my tenure with this subcommittee, I have frequently noted a judicious — extremely judicious — and painstaking effort to arrive at the facts on subversion in Government. This is true not only of the chairman, but of his colleagues and the entire staff as well.

In my capacity, I have therefore seen many of the good works which can accompany the proper discharge of the long-standing and necessary investigative duties undertaken by committees of the Congress.

I therefore reemphasize my belief in the need for protecting the good which can come from such disclosures—congressional disclosures.

It seems to me that we can place in perspective those criticisms which would denounce congressional investigations and congressional inquiries per se, and which would deny the people a rightful avenue of public disclosure and fact-gathering in their own interest.

Mr. President, the junior Senator from New Jersey is frankly disturbed by one practical manifestation of that growing public distrust with which he has had considerable personal contact.

I have the honor, sir, of being chairman of the Subcommittee on Civil Rights. An eminent group of clergymen has contacted the distinguished chairman of the Committee on the Judiciary, the Senator from North Dakota [Mr. LANGER], in an effort to have an investigation launched by my own subcommittee, the Civil Rights Subcommittee, into alleged violations of the civil liberties of persons whose names have been brought up in the course of congressional hearings.

This petition to the Senator from North Dakota underscores what in my opinion is a need for a unified Congressional Committee on Internal Security examining into Communist activities and subversion.

In fact, I am today introducing proposed legislation similar to that already offered in the House by my colleague from New Jersey, Mr. FRELINGHUYSEN. The resolutions are not identical, but the basic principles are the same.

The proposed legislation is rightfully concerned with assuring fair treatment to witnesses and those who may be named and possibly defamed unjustly during the course of hearings.

With the similarly expressed viewpoints of the petition, Mr. President, I find myself fully allied. But what of the total import of the petition which has been referred to the Senator from North Dakota with a request for investigation by my own subcommittee?

In the petition, Mr. President, the church leaders seek to bring so-called informers before our subcommittee and to have the truth developed about accusations which they have made before other committees of the Congress. In other words, sir, we of the subcommittee are to investigate the investigators, or the so-called informers.

In complete fairness, the petitioners do not wish bona fide investigators employed by Government agencies to be investigated, but rather those public accusers who, "though cloaked in immunity, have been profuse in accusations against fellow citizens, and have not been cited for or charged with perjury in a court of law."

I have taken the liberty of quoting from the petition itself.

The distinguished petitioners go on to state:

> We have strong reason to believe that some informers who have traduced large numbers of citizens have not spoken the truth.

Mr. President, the junior Senator from New Jersey does not have the slightest idea who among these so-called informers are telling the truth and who are not.

I certainly wish that anyone having real proof of any such lying testimony would present the facts to me or to any other Member of this body who cares to know the truth.

But, sir, I think it is dangerous and a reflection on the investigative power of the Congress itself for a group of distinguished Americans such as have signed this petition to have to go to another subcommittee of the Senate for a full-scale investigation simply because they feel that the original committee failed to assess testimony in the proper manner, or was unfair in releasing such testimony, or, may I say, failed of proper treatment of those who might have been accused.

But, surely, the answer to the question whether an informer is lying belongs

basically to the committee where the alleged offense took place, and thence from there on to the courts who determine justice in this country.

Mr. President, I hope that I shall never see the day when Americans become so fearful that they spend their time spying and informing upon each other.

I saw those things happen, sir, in Europe, in several countries of Europe, and I shudder when my memory carries me back to those days.

However, it seems to me to be valid that former Communists, or others in a position to have the facts, should inform the American people concerning acts of subversion.

It is certainly not to be automatically assumed that testimony so given has no valid place in the record of an investigating committee.

Where does such suspicion and counter-suspicion leave us, then? It leaves us with a battered public trust in the efficiency and fair-mindedness of our committees.

It demonstrates to me that the well-intentioned can possibly oversimplify their case by automatically assuming that committees which can act unfairly must always be unfair. To this I do not suscribe.

It is very clear to the junior Senator from New Jersey that inasmuch as one side may think it has been wronged, while the other side of the controversy may think it also has been wronged, there is only one successful answer to what is fast becoming in my mind an ever-increasing knot of confusion. That answer is to reform our ways; to consolidate our committees, and protect the rights of all by appropriate, sound, thoughtful legislation.

To fail to do this—and to do it soon, sir, is to let the abscess of public mistrust fester, forcing the hacksaw to remove the entire limb, instead of wisely using the surgical scalpel to do away with the hangnail.

Therefore, Mr. President, I offer this measure as a prospective use of penicillin for the recovery of the patient, who bears the good name of the Senate of the United States.

Mr. President, it might be appropriate to dwell for a moment on the dispute between the Department of the Army and the Permanent Investigations Subcommittee. I think the public good might far better be served if the Senate could find itself a comfortable hole into which all its members could crawl; or, barring that happy state, if the Senate at least would proceed with the business of solving the momentous national and international problems which face us at every turn.

It is the opinion of the junior Senator from New Jersey that the lamentable state of this controversy would never have come about if we had seen fit to adopt a code of fair procedures before now. By that, I mean we would likely never have had to hold hearings in order to clear up misunderstandings which arose during the course of other hearings.

If my mail is any indication, public confidence in our investigative proceedings has sunk to an abysmal low, as a result of this case. The upshot is that all Members of the Senate suffer as a result.

How many times, Mr. President, must the Senate gingerly lock the barn door after the horse has departed? It is always a horse of another color after the damage has been done. It would seem to be the height of wisdom to take no further chances on recurrences of such proceedings.

Before I describe the proposed legislation at somewhat more length, I should like to address a word to the political implications involved, and they are important.

On March 8 the Senator from Illinois [Mr. DOUGLAS] and the Senator from Minnesota [Mr. HUMPHREY] introduced a resolution similar to the measure I am introducing today.

Few Members of this body have greater respect for the wit and the ability of the senior Senator from Illinois than I have, but I must admit my disappointment when he injected a political note into the RECORD while introducing his joint resolution. The Senator from Illinois expressed his "sore disappointment" because the Republican Policy Committee, of which I am very proud to be a member, did not meet the issue of investigative procedures "squarely and head on," as he put it.

In the opinion of the junior Senator from New Jersey, that is exactly the approach which can defeat well-meaning attempts to solve the substantial ethical questions involved in this issue.

I am sure the senior Senator from Illinois realizes that the joint resolution he introduced on March 8 is practically identical with the House joint resolution introduced by Representative FRELINGHUYSEN. Indeed, I wrote many other Members of the Senate, seeking their cosponsorship of this measure. It was this suggestion of mine with which the Senator from Illinois agreed to associate himself in cosponsorship.

Mr. President, both Mr. FRELINGHUYSEN and myself are counted in the Republican column. I understand the viewpoint of the Senator from Illinois in attempting to discredit the efforts of the Republican Party, but it might have been somewhat more graceful on his part if he had refused to use as a lever for partisan argument this Republican proposal which he was originally asked to cosponsor.

The junior Senator from New Jersey knows the Senator from Illinois [Mr. DOUGLAS] fully understands this situation, because, upon introducing the joint resolution on March 8, he made kindly and proper acknowledgment of the interest of Representative FRELINGHUYSEN and myself in that measure.

Mr. President, I cannot for the life of me understand how Senators on both sides of the aisle who are sincere in their efforts to bring reason out of confusion can accomplish this in an atmosphere of partisanship. It simply cannot be accomplished in that way.

Furthermore, Mr. President, I should like to point out that at least 3 of the 7 standards of fair procedure adopted by the Republican policy committee are incorporated in the joint resolution sponsored by the Senator from Illinois and the junior Senator from New Jersey, and also in the House joint resolution sponsored by Representative FRELINGHUYSEN, of New Jersey. They are:

> That no investigating committee is authorized to hold a hearing to hear subpenaed witnesses or take sworn testimony unless a majority of the members of the committee are present.
>
> Second, that no confidential testimony taken or any confidential material presented in an executive hearing of an investigating committee or any report of the proceedings of such an executive hearing shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee.
>
> Third, any witnesses summoned to a public or executive hearing may be accompanied by counsel of his own choosing who should be permitted while the witness is testifying to advise him of his legal rights.

I may add at this point that this provision is even more important and even more protective of the rights of witnesses than the corresponding provisions of the Douglas-Humphrey joint resolution or the Frelinghuysen-Hendrickson joint resolution, in that no qualifications on the right of witnesses to be accompanied by counsel in an executive hearing are included in the Republican policy committee's recommendation.

Mr. FERGUSON rose.

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from New Jersey yield to the Senator from Michigan?

Mr. HENDRICKSON. I yield.

Mr. FERGUSON. I am glad the Senator from New Jersey is bringing this matter to the attention of the Senate, in the course of his remarks on the floor. Although these proposals of the Republican policy committee were sent to the chairmen of the committees, and although some of them have been adopted, yet I believe that if we can have all the committees adopt these rules, they will be sufficient to cover the situation in connection with committee hearings, and in that way the rights, not only of witnesses, but also of any person connected with the hearings, and also the ability of the Senate to do a proper job, will be protected.

Mr. HENDRICKSON. I agree with the Senator from Michigan.

Mr. FERGUSON. So I am glad the Senator from New Jersey has spoken about the protection the presence of counsel would give to a witness.

Mr. HENDRICKSON. I know the Internal Security Committee always permitted witnesses to have counsel and be fully protected.

Mr. FERGUSON. That is correct. When I was a member of that committee, that was the rule. When I was a member of the War Investigating Committee, known as the Truman committee, and later when I was chairman of the committee, these fundamental rules, as incorporated in the seven rules to which reference has been made, were made a part of the committee's rules, and were set forth in a report.

Mr. HENDRICKSON. I am sure the Senator from Michigan understands that

I am really commending the Republican policy committee for the job it has done.

Mr. FERGUSON. I realize that. My purpose in rising was to thank the Senator from New Jersey for bringing this matter to the attention of the Senate, so that these rules may be adopted as the rules applying to committee procedure. Of course, I would prefer to have that done voluntarily by the committees themselves. However, if that cannot be done, then I believe that, by action of the Senate itself, these rules should be made a part of the rules governing the procedure of all committees.

Mr. HENDRICKSON. I fully agree with the Senator from Michigan. I know he understands that I have no pride of authorship in the measure I am introducing today, as I shall state later in my remarks.

Mr. President, as the Senator from Michigan has suggested, I believe these recommendations should be further expanded—and by legislative directive. That is why I am sponsoring this measure to establish a joint committee.

Mr. President, before I touch upon some of the other features of the joint resolution which I am about to introduce, let me say that it seems to me that if we sincerely desire to tighten our rules of procedure, both in the interest of fair play for witnesses and in the interest of the dignity of the Senate, we should approach the subject matter in a way which cannot be interpreted as being aimed at individual Members of the House or the Senate.

Consequently, I feel that the original proposal contained in House Joint Resolution 328 should be changed so as to permit the seating of four additional Members of both Houses rather than to restrict membership to only the members of the Committees on the Judiciary, which was the original plan called for in the Frelinghuysen joint resolution.

To do otherwise would, in my judgment, throw the question right back into the laps of those who would use a sound principle for political purposes.

The junior Senator from New Jersey sees no valid reason why this measure should be forced to the wall by personal motives.

This joint resolution should be passed because it is sane and sensible, and it should not be threatened by the argument that it is special legislation aimed at some who have been connected with the search for subversives over the years.

Such choices should be a matter of party responsibility, not written into the legislation itself.

Mr. President, I prefer to call this joint resolution the Frelinghuysen resolution because Representative FRELINGHUYSEN gave birth to the idea. I take no pride of authorship. The joint resolution provides many other protective features besides those which I have tentatively outlined.

It grants to a witness the right to supplement testimony by a brief written or oral statement.

It grants the witness the right to receive a record of his testimony.

Under its provisions, written questions may be submitted to opposing witnesses.

Indeed, if an individual believes he has been the victim of defamatory testimony or evidence, he may file with the committee a sworn statement to be made a part of the record.

He may appear personally and testify in his own behalf.

Unless the committee, by majority vote shall determine otherwise, he may cross-examine witness personally or through counsel, under certain limitations.

Furthermore, the persons alleged to have been defamed may, at the discretion of the committee, have a reasonable number of witnesses called in his behalf.

The joint resolution provides very clearly that witnesses reflecting adversely on the character or reputation of another person shall be required to disclose his sources of information except in matters which would thus endanger the national security of our country.

Mr. President, Alben Barkley, our former Presiding Officer, has commented on the problem in a recent article in the Saturday Evening Post.

I quote from pertinent paragraphs:

I suppose it is natural in times of hysteria or fear for these injustices to be expected.

But it is surely not in harmony with our process of government, which provides legitimate methods of dealing with violations of law or breaches of public trust, for any official group to blast the reputation of innocent men or worthy institutions by procedures which would not be tolerated in any court of law.

Out of it all has grown what seems to me an urgent and obvious need for a congressional code of procedure, defining the areas in which investigative committees can move and establishing rules for the protection of witnesses.

Both Houses of Congress have the power to correct abuses by any of their committees.

They owe a responsibility to the public to do so.

I think that public confidence in our great legislative institution would be enhanced, and wholesomely so, if Congress itself would enact a sensible code of procedure to achieve these aims.

Mr. President, there are several other provisions of the joint resolution which are self-explanatory, but the junior Senator from New Jersey does not desire to take up much more of the time of the Senate on the proposed legislation to establish a Joint Committee on Internal Security.

Instead, I invite the attention of my colleagues to what I consider an equally important subject. It is cut from the same cloth.

So long as the people of the United States are concerned about the rules of the Senate, let us do a real job at this particular session, and modernize our system not only in our committee work, but in the larger areas of floor procedure.

Back in 1951, in the 82d Congress, I submitted Senate Resolution 158 which would amend the first paragraph of rule 19 of the standing rules of the Senate by adding at the end of the first sentence thereof the following words:

A Senator, upon being recognized, shall confine himself to the question under debate.

This rule of relevancy, Mr. President, would go a long way toward further restoring the confidence of the American people in their Senate.

Sometimes I do not think we realize the impression which we occasionally make upon our fine visitors in the galleries.

As Senators have well noticed their number has increased year by year, and they think and ponder more and more upon the things they see in our Congress.

If we sit down and talk to them frankly about it, some of the finer people will tell us the thoughts that go through their minds.

It is a common practice for visitors to the Senate gallery, after listening to the wandering debate on the floor, to go away in a state of confusion and bewilderment as to what it is all about. Loving the Senate as I do, I do not like to hear the type of criticism which I sometimes hear from the lips of those fine Americans.

Haynes, the great historian of the Senate, wrote:

In other legislative bodies, the presiding officer determines the question of relevancy, but in the Senate, that decision is left to the speechmaking Senators' own conscience.

Haynes went on to write:

Under this fantastic straining of senatorial courtesy irrelevancy has been carried to preposterous lengths.

Filibustering speeches are padded with utterly extraneous matter.

Here I must dispatch that I have seen some long filibusters, but I have seen very little of irrelevancy in those filibusters because the men who filibuster were too shrewd in their canny way to divulge the devilishments of their acts.

When no filibuster is in progress, Senators who secure the floor improve the opportunity to exploit their pet hobbies at portentous length in nearly empty chambers.

Perhaps that is what I am doing this afternoon. However, I mean it from the bottom of my heart when I say I believe—and this will be my last year in the Senate—that if we can correct some of our rules we will go a long way toward meeting the needs of the times.

Some Senators—

And again, Mr. President, I am quoting from Haynes—

trifling with their own self-respect, make a joke of their own irrelevancy and fill their speeches with drivel that discredits them with the public, not to mention their colleagues who go to their offices with a laugh up their sleeves—to the deplorable lessening of popular respect for the Senate few things have contributed more directly and largely than such clownishness and insincere attempts to prevent action upon which the great majority of the Senators at heart—I say, at heart, gentlemen—after long consideration are deliberately resolved.

Why do we not correct our faults?

Mr. President, I am today reoffering this resolution because I believe that its adoption would serve several useful purposes, particularly at this time of crisis involving other questions of the rules.

In the first place, the adoption of the rule of relevancy would greatly expedite the business of the Senate and save much time. Exactly how much money it would save God only knows, because I do not think the Public Printer knows. Perhaps it might save senatorial lives.

I have heard Senators condemn the driving habits of party leaders on this floor, but I have never heard them condemn themselves. They are wearing men down to a state of fatigue.

The rising burden of congressional business requires a more efficient use of the Senate's time.

The workload of the Senate has now become far too heavy for it to waste endless man-hours in irrelevant talk.

Mr. President, we of this body have lost by death the services of all too many colleagues whose physical condition could surely not have been aided by the lengthy sessions—prolonged all too often by the emptiness of irrelevant words.

The Senate of the United States, I believe, can no longer afford the luxury of prolonged excursions from the pending business.

According to the latest budget figures, it is now costing about $1 million a month to run the Senate.

I wish somebody who is not a member would study the printing costs alone of these time-consuming speeches which will rarely be read by either Senators or historians.

Every legislative day the business of the Senate is hamstrung by extraneous matters which cost the American people approximately $33,000.

In the second place, the adoption of a rule of relevancy, if enforced, would enable the Members of the Senate to concentrate on one subject at a time, until it has been disposed of.

We are all familiar with the fact that, on a typical afternoon in the Senate, its attention is often scattered over a variety of unrelated topics.

We, each of us, unconsciously impose upon each other.

My third purpose in offering this resolution is to prevent a single Senator from compelling the entire Senate to discuss any question, whether it wants to hear it or not, and whether it be germane to the pending business or not.

Traditionally, the order of business on the Senate floor is determined by the majority leader, in consultation with the majority policy committee, according to their best judgment of the relative importance of the measures pending upon the Senate Calendar.

Mr. President, this is tradition. It is as it should be.

It is the American way.

Adoption of my resolution would permit the majority leader to proceed with his legislative schedule and timetable without irrelevant interruption.

In the fourth place, this resolution is designed to enhance popular respect for the Senate as an efficiently functioning institution.

The public has been often serious disaffected over the years by the rambling character of Senate debate.

Mr. President, let us look only to recent months.

I would remind the Senate that the House of Representatives has had a rule of relevancy dating back to 1789.

This rule has kept debate in that body within bounds, with the pending business its objective.

This rule has prevented the disconnection of discourse which is so characteristic of debate in the Senate because of its failure to have a rule of relevancy.

The Senator from Georgia [Mr. GEORGE], of the distinguished minority, has never needed more than an hour to convince those on this side of the aisle.

Is there any reason why distinguished Senators from either side should require more time than that?

The rule of relevancy, plus limitations on debate, are the chief reasons why the House is so much more efficient and expeditious than is the Senate in the conduct of its business—and numbering only 96 in size against their 435, we should indeed be ashamed.

In these times of crisis, when representative government is at stake, I believe, very firmly, that the Senate can no longer afford the luxury and the loss of time caused by daily digressions from the scheduled business.

Let us take the digressions under the 5-minute rule. For more than 5 years I have served on the calendar committee of my party and have seen the spirit of that rule violated on calendar after calendar, when the calendar committees on both sides have carefully prepared themselves. I think the digressions are not a fashion of simple decency.

Of course, we all have the spirit of courtesy, but courtesy is so many times abused on this floor that I wonder sometimes how we can continue to be courteous.

In 1946, the Senate amended its standing rules so as to require amendments offered to appropriation bills to be germane to the issues.

I suggest respectfully that the time has come for us to extend this requirement to discussion on all questions.

My proposal would not, however, preclude in the slightest the discussion of various topics which Senators might want to take up.

Provision could well be made, Mr. President, for the reservation of certain hours each day, or at least certain days during the week, when speeches on subjects other than the pending business could be made.

The courts follow this procedure.

They do it in a very orderly fashion, but we, in our holiness, think we can do no wrong.

This is the practice in the House where special orders are granted under which Members may speak on various topics at the end of the afternoon after the regular order of business is finished, but we on this side individually think we are too important to respect the rights not only of procedure—of decent orderly procedure—but of our friends.

The Senate might well set aside one afternoon or evening each week when Members would be free to make speeches on subjects in which they or their constituents are particularly interested.

Mr. President, in concluding my remarks on changing our rules of relevancy, I would point out one largely selfish incentive which my colleagues of this body would surely embrace.

Although I will not be here in the next Congress to gain the benefits of such a windfall—and, oh, it would be a windfall, not so much for the Senate, but for the American people—it is the sort of consideration which should instantly strike the most spontaneous of chords within us all.

By this proposal, we could effectively cut the length of our sessions by many weeks—yes, even months, in my judgment.

Mr. President, the junior Senator from New Jersey has just made reference to his own retirement at the end of this year.

If there is one work the Senate can perform in advance of this day for him, it would be to recognize that there is a gathering storm of public opinion looming on the political horizon. I refer to that mounting concern among the American people that all is not well either with their Senate, their Congress, or their Government: That we must remain changeless in a changing world; that we are incapable of acknowledging that something must be done to protect our institutions, our investigating techniques, and our reckless disregard for time and order.

How long are we to lag behind the people on these issues?

It is surely time to clean our own house, Mr. President.

It does no good to quibble about the rightness or wrongness of conflicting popular viewpoints.

The basic point is that we must react to the lessened public esteem in which this erstwhile great deliberative body is increasingly held.

We are losing our footing. We are losing the footing for those who will succeed us.

The junior Senator from New Jersey could leave this Chamber with a full and happy heart next January, if he only knew that the Senate of the United States was on that even keel where the American people have always rightfully expected it to be.

The adoption of the two resolutions which I have presented today would go a long way toward such a realization.

I hope, sir, that they will have more serious consideration than similar proposals of the past when other much greater Americans in this body urged us to recognize our responsibilities not to the Senate of the United States alone, but to the people of America.

Mr. President, I now send to the desk for appropriate reference the two resolutions of which I have spoken.

The joint resolution (S. J. Res. 157) to establish a Joint Committee on Internal Security, introduced by Mr. HENDRICKSON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The resolution (S. Res. 244), submitted by Mr. HENDRICKSON, was received and referred to the Committee on Rules and Administration, as follows:

Resolved, That paragraph No. 1 of rule XIX of the Standing Rules of the Senate (relating to debate) is amended by adding at the end of the first sentence thereof the following: "A Senator, upon being recognized,

shall confine himself to the question under debate."

Mr. STENNIS subsequently said:

Mr. President, I wish to commend the Senator from New Jersey [Mr. HENDRICKSON] for his very fine speech this afternoon. I am sure its preparation required a great deal of effort. The speech was launched on a very high statesmanlike plane, which is characteristic of the Senator from New Jersey. I believe it goes a long way toward clearing the thick atmosphere which surrounds some congressional investigations. I hope the high plane upon which the speech was launched will be noted and appreciated. I agree with the Senator from New Jersey that one of the things that is greatly needed is to have the Senate and, indeed Congress as a whole, restored to its high position in the eyes of the people, particularly so far as congressional investigations are concerned.

I know that since I have been a Member of the Senate many investigations have been conducted on such a plane that they commended themselves, and commended Congress, to the people.

I shall read the Senator's joint resolution with interest. I believe it is a very definite contribution toward clearing the atmosphere and toward initiating a movement within Congress to establish new standards and new procedures and the creation of a new atmosphere in Congress.

I do not agree with the Senator from New Jersey in what he said about a proposed rule of relevancy. He understands my position. However, I should like to say that his thoughts on that subject also are on a very high plane.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I am very glad to yield to the Senator from New Jersey.

Mr. HENDRICKSON. I thank the distinguished Senator from Mississippi for his very fine remarks. I hope the adoption of my proposal will be a forward step in restoring the full confidence of the people in the Senate of the United States.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 8097) to authorize the financing of a program of public-works construction for the District of Columbia, and for other purposes, and it was signed by the President pro tempore.

VISIT TO THE SENATE BY KOREAN CHILDREN'S CHOIR

Mr. KNOWLAND. Mr. President, it gives me a great deal of pleasure at this time to invite the attention of Senators to the fact that among our guests in the galleries are the members of the Korean Children's Choir, who are to sing at the White House this afternoon. They are here in behalf of the United Korean fund.

I may say that I had the privilege of being in Korea last summer. At that time I had the opportunity to see some of these fine young people from the friendly country of Korea, which was such a stout ally of the United States during the recent Korean war.

All of us who know the Korean people are aware that they are devoted to the principles of human freedom and are determined to help maintain a free world of free men.

At this time I ask members of the choir to rise so that Senators may have the opportunity to see them.

(The members of the choir, who were seated in the gallery, rose, and were greeted with applause.)

Mr. KNOWLAND. Mr. President, if the members of the choir are willing to sing 1 or 2 numbers for the Senate, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 28 minutes p. m.) the Senate took a recess subject to the call of the Chair.

During the recess the Korean Children's Choir sang several selections, which were vigorously applauded, Senators rising.

At 3 o'clock and 33 minutes p. m., the Senate was called to order by the Presiding Officer (Mr. BUSH in the chair).

Mr. KNOWLAND. Mr. President, I am sure I speak on behalf of all Members of the Senate in expressing our appreciation to the Korean Children's Choir for the songs they have sung for us this afternoon.

Mr. HENDRICKSON. It has certainly been a wonderful treat for all of us.

THE IMPORTANCE OF UNITY AMONG THE FREE NATIONS OF THE WORLD

Mr. STENNIS obtained the floor.

Mr. STENNIS. Mr. President, I ask unanimous consent that in deference to the time-consuming duties of the majority leader, I may yield to him to enable him to make an address to the Senate, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from California may proceed.

Mr. KNOWLAND. Mr. President, if we are to have a free world of free men it is essential that we not only get a high degree of unity among the free nations of the world who recognize the vital importance of an effective system of collective security, but it is equally important that the Government of the United States not be paralyzed and rendered impotent by partisan carping criticism in Congress or elsewhere in the Nation.

The very life of the Republic in the years ahead may rest upon decisions that may have to be made in the weeks or months immediately ahead of us.

In this difficult period through which we and the free world must pass, if we are to survive the menace of a godless tyranny of communism what is needed on both sides of the aisle and among those holding positions of responsibility in the Government or in the political parties is a high sense of public responsibility.

Neither of our great political parties has a monopoly on patriotism. Republicans and Democrats alike should and do resent any reflection upon the patriotism and the devotion to the public service of the two great political parties and the lesser ones that now, and from time to time in the past, have played a part in our constitutional system, wherein the right of the people to change their public officials and even the fundamental law of the land by constitutional means is an integral part of our free way of life.

Let us here and now, Republicans and Democrats alike, recognize the fact that there is only one group that can be properly charged with being the "party of treason" and that is the Communist Party and the underground conspirators who may, in the interest of the Communist conspiracy, seek to infiltrate whichever party has the responsibility for determining national policies or has access to information which their espionage agents feel essential to secure.

It is relatively an easy thing to do when one is not charged with the responsibility of making decisions, to sit on the sidelines and be critical of the policies of any administration.

From 1921 to 1933 the Republican Party had control of the Executive Branch of the Government and the Democratic Party occupied the position of opposition. From 1933 to 1953, a period of 20 years, the Democratic Party had control of the executive branch of the Government and the Republicans were in opposition.

In the elections of 1952 the American people, by an overwhelming vote, gave a mandate to the Republican nominee, President Eisenhower, and once again entrusted the responsibility of the executive branch to his party. At the same time the administration's party in the House and Senate rested upon the thinest of margins which, in this body, was eliminated by the determination of one Member to move into an Independent Party status and by the death of Senator Taft and the appointment of a Democrat to succeed him.

It should be obvious that unless the Government of the United States is to be paralyzed, as appears to be the case at times among some of our European contemporaries, it is essential both in domestic affairs and foreign and defense policies to have a high degree of cooperation on both sides of the aisle.

This would, of course, be true if the rolls of the two parties were reversed.

There can be little satisfaction to responsible legislators and party leaders in the once free government which are now behind the Iron Curtain to look back, as a matter of historic interest, and say to each other, "Our country would be free today had we only stopped our partisan bickering and united against a common

foe before we were engulfed by communism."

Mr. LONG. Mr. President, will the Senator yield?

Mr. KNOWLAND. I should prefer to wait until I have finished my remarks, if the Senator does not mind.

Not all of those legislators and party leaders can enjoy the luxury of reminiscing to that extent, for many have since died in the cellars of the secret police with a bullet in their brain or, like Petkov, hanging from a gallows.

I doubt if in the history of our Nation we have ever been faced with a greater menace than now confronts us.

Both the free world and communism are at one of the great turning points of history. Further conquest by communism will so upset the world balance of power that the capacity of the free people of the world to retain their freedom will be rendered dubious.

In a few years from now the stockpiling of atomic weapons in the Soviet world will have multiplied their capacity to such an extent that, when taken with their increased manpower resulting from the overrunning of all of Asia and their increased resources from the same area, the men in the Kremlin may be convinced that their calculated risks of winning a war will be greater than their chances of losing. That will be the hour of mortal peril for what is then left of the free world.

It takes no great imagination to picture the ruthless men in the Kremlin sending their Ambassadors to nations still associated with us and delivering to them an ultimatum, with a time limit measured in hours, that unless they immediately declare their neutrality and agree to prohibit the use of bases in their countries to our forces there will be an atomic attack upon their principal cities and a simultaneous Communist rebellion. Those nations, having nonstable governments and large Communist poplations, may not be able to withstand such a dictate.

When the life of our Nation and the free world may well be at stake the political fortunes of any individual, be he President or legislator, is of small importance. The question each of us must answer to our God and to our conscience is not "is it good for my candidacy or for my party's success, but rather is the course we pursue best for our Nation?" No matter what the immediate political consequences may be, over the long pull, the American people will make their determination as to whether or not we have discharged our responsibilities measured by the yardstick of what is best for America and the free world.

There has been a good deal written and said during the past week or two relative to bipartisan consultation on matters of defense and foreign policy.

In the interest of historic accuracy and so that the Members of the House and Senate, as well as the American people, may have the facts upon which to base their judgments, I desire to offer the following facts for the RECORD.

President Eisenhower has made it clear that in the event the vital interests of this Nation would require the commitment of American forces in Southeast Asia he would feel that it was his duty and responsibility to lay the matter before the Congress. At this point it might be interesting to compare this policy with the situation that prevailed in June of 1950 when the Korean war broke out. At that time Congress was in session.

The first news of the North Korean aggression against the Republic of Korea was received in Washington on Saturday, June 24, 1950, at which time Congress had recessed over the weekend.

President Truman was away from Washington, and returned to this city at 7 p. m. on Sunday, June 25, 1950, and went into an immediate dinner conference at the Blair House with the Secretaries of State and Defense, their senior advisers, and the Joint Chiefs of Staff. Thereupon, that same evening, the President authorized Gen. Douglas MacArthur to begin immediately sending arms, ammunition, and military supplies to the Republic of Korea. This action was made public in a White House press statement issued the next day, Monday, June 26, 1950. So far as I can find out after diligent search, no Members of the Senate or the House attended the Blair House conference on Sunday evening, June 25.

On Monday evening, June 26, 1950, there was a meeting in the Executive wing of the White House. On Monday evening the President met with the Secretary of State, the Secretary of Defense, some of the top officials of the State and Defense Departments, and the members of the Joint Chiefs of Staff. At that time, on motion of Secretary of State Acheson, the decision was made to send the Navy and the Air Force into action. At this Monday evening meeting, where the decision was made to commit Air Force and naval forces, there were no congressional representatives of either party present from either House of Congress.

On the morning of June 28, 1950, at a news conference in Washington, the Secretary of State emphasized that all actions which the United States had taken in Korea in support of the United Nations after June 25, 1950, had been under the aegis of the United Nations.

The chairman of the Foreign Relations Committee of the Senate at that time was Senator Tom Connally, of Texas. In a colloquy on the floor of the Senate on Monday, June 26, Mr. Connally said:

> I will say to the Senator from California [Mr. KNOWLAND] that the Senator from Texas has been in conference already with the Senator from Wisconsin [Mr. WILEY] who is the ranking minority party member on the Foreign Relations Committee, and assured him—and I mean it—that I shall not conceal from him any information I may acquire with regard to this situation in the Far East, and I shall not conceal it from any other Senator.

Later on in the Senate debate Mr. Connally said concerning the President:

> He has had the Chiefs of Staff, the Secretary of State, and the Secretary of Defense in constant communication. They spent almost all last night, the entire night, considering all the angles of this question, seeking to solve it—seeking to solve it, if possible, in peace, but seeking to solve it firmly and with insistence upon the rights of the United States and upon the rights of a free Republic whose sovereignty and sanctity have been challenged and whose soil has been invaded by troops from North Korea. That shall continue to be our policy.

Later on, the chairman of the Foreign Relations Committee said:

> But the responsibility rests upon the President of the United States; and the President of the United States does not want to take a course which might involve the people of the United States in war until all aspects of the matter have been considered.

It might be pointed out here that the late Senator Vandenberg, who, at that time, was the ranking Republican member of the Foreign Relations Committee and its former chairman, was ill and not available. The next senior member of the committee and the acting ranking minority member was the Senator from Wisconsin [Mr. WILEY], as has been previously mentioned.

It is interesting to note at this point that up to Monday evening, the 26th of June, there had been no bipartisan consultation, and apparently neither House nor Senate Members from either the Republican or Democratic Parties had been called into conference, even though some very grave decisions were being made in the executive branch of the Government committing our forces to war in Korea. However, Mr. Connally, the chairman of the committee representing the majority party, informed the Senate that he had told the ranking minority member, the Senator from Wisconsin [Mr. WILEY], that when he, Senator Connally, received any information, he would not conceal it from the ranking minority member.

What a sharp contrast that is to the type of consultation which has constantly gone on during the entire Eisenhower administration.

On Tuesday, June 27, 1950, the majority leader of the Senate, Mr. Scott Lucas, of Illinois stated:

> I will say to the Senator from Missouri that the President had at least 12 to 15 Members of the House and Senate attend the conference at the White House this morning.

So far as the record shows, that was the first meeting in which there had been consultation with the majority and minority Members of Congress relative to the Korean developments. The meeting was held at 10:30 a. m., and the Senators who attended were back on the floor of the Senate shortly after this body convened at noon. I have been informed by those who attended the meeting that the extent of the bipartisan consultation was the reading by President Truman to the assembled group of a statement which had already been prepared, and which was released to the press by the time the White House meeting had adjourned.

The statement speaks for itself. It reads:

> In Korea the government forces, which were armed to prevent border raids and to preserve internal security, were attacked by

invading forces from North Korea. The Security Council of the United Nations called upon the invading troops to cease hostilities and to withdraw to the 38th parallel. This they have not done, but on the contrary have pressed the attack. The Security Council called upon all members of the United Nations to render every assistance to the United Nations in the execution of this resolution.

I call the Senate's attention particularly to the following:

In these circumstances I have ordered United States Air and Sea Forces to give the Korean Government troops cover and support.

The statement of President Truman continued:

The attack upon Korea makes it plain beyond all doubt that communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war. It has defied the orders of the Security Council of the United Nations issued to preserve international peace and security. In these circumstances the occupation of Formosa by communist forces would be a direct threat to the security of the Pacific area and to United States forces performing their lawful and necessary functions in that area.

Accordingly I have ordered the 7th Fleet to prevent any attack on Formosa. As a corollary of this action I am calling upon the Chinese Government of Formosa to cease all air and sea operations against the mainland. The 7th Fleet will see that this is done. The determination of the future status of Formosa must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by the United Nations.

I have also directed that United States forces in the Philippines be strengthened and that military assistance to the Philippine Government be accelerated.

I have similarly directed acceleration in the furnishing of military assistance to the forces of France and the Associated States in Indochina and the dispatch of a military mission to provide close working relations with those forces.

I know that all members of the United Nations will consider carefully the consequences of this latest aggression in Korea in defiance of the Charter of the United Nations. A return to the rule of force in international affairs would have far-reaching effects. The United States will continue to uphold the rule of law.

I have instructed Ambassador Austin, as the representative of the United States to the Security Council, to report these steps to the Council.

In the statement to which I have just referred the President informed the congressional leaders that he had already ordered American air and naval forces into combat for the purpose of giving the troops of the Korean Government cover and support. This action by the Executive, without prior bipartisan consultation with the leaders and responsible committee chairmen and ranking minority members, was taken by the executive branch of the Government alone. Both this initial action and the soon-to-follow commitment of American ground forces, which actions resulted in a war lasting 3 years and involving 140,000 American casualties, were not submitted to the Congress, despite the constitutional provision which states in article I, section 8, that "the Congress shall have power to declare war."

This appears to be a clear circumvention of the Constitution, based on the theory that the Congress would be bypassed and the Executive would act upon a United Nations Security Council resolution.

On Sunday, June 25, 1950, the Security Council of the United Nations passed a resolution which, among other things, called for the immediate cessation of hostilities, called upon the authorities of North Korea to withdraw their armed forces to the 38th parallel, and called upon members to refrain from giving assistance to the North Korean authorities.

On Tuesday, June 27, 1950, the Security Council passed another resolution recommending "that the members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area." This resolution was adopted on that day—Tuesday, June 27—at 10:45 p. m., by a vote of 7 to 1. Yugoslavia cast the only negative vote; India and Egypt abstained, and the representative of the Soviet Union was absent. As I have heretofore pointed out, it was the next morning, Wednesday, June 28, 1950, at a news conference in Washington, that Secretary of State Acheson emphasized that all actions which the United States had taken in Korea in support of the United Nations after June 25, 1950, had been under the aegis of the United Nations.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a list showing under the present administration meetings at which the Secretary of State or the Under Secretary of State met with representatives of both parties from the Senate and the House on major foreign-policy questions.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Private consultations by the Secretary of State or the Under Secretary with Members of Congress of both parties

Date	Subject	Members	Department
1953			
Apr. 17	Forthcoming NATO ministers' meeting.	Senators H. A. Smith, Hickenlooper, Taft, Langer, Ferguson, Knowland, George, Green, Gillette, Mansfield. Representatives Chiperfield, Vorys, Bolton, Judd, Jackson, LeCompte, Adair, Radwan, Bentley, Battle, B. Hays, Kelly, Roosevelt.	The Secretary.
May 9, Department	Communist proposal re prisoners of war not desiring repatriation.	Senators H. A. Smith, Hickenlooper, Knowland, George, Sparkman. Representatives Chiperfield, Richards.	Do.
May 22	Far East	Senators Wiley, H. A. Smith, Hickenlooper, Knowland, George, Sparkman, Ferguson. Representatives Chiperfield, Judd, Vorys, Lanham, Richards.	General Smith.
June 19, Department	Korea	Senators H. A. Smith, Knowland, George, Sparkman, L. B. Johnson. Speaker Martin, Representatives Chiperfield, Vorys, Judd, Richards, Lanham.	The Secretary.
June 30, Department	do	Senators Wiley, H. A. Smith, Hickenlooper, Knowland, Sparkman. Representatives Chiperfield, Vorys, Judd, Lanham.	Do.
July 7, Department	do	Senators H. A. Smith, Hickenlooper, George	Do.
July 9, Department	Foreign ministers proposed meeting	Senators Knowland, Bridges, Millikin, Wiley, Saltonstall, Johnson (Texas), George, Russell. Representatives Martin, Halleck, Chiperfield, McCormack.	Do.
July 25, Department	Korean armistice and relations with ROK.	Senators Knowland, Wiley, Sparkman, H. A. Smith. Representatives Judd, Vorys, Chiperfield, Lanham, Richards.	Do.
Oct. 14, Department	London trip, Bulgaria, etc.	Senators Wiley, Ferguson, Green, Sparkman. Representatives Vorys, Judd, Burleson, Zablocki.	Do.
1954			
Jan. 22, Department	Iranian oil—leadership meeting	Vice President Nixon, Senators Saltonstall, Knowland, Wiley, George, Johnson (Texas). Speaker Martin, Representatives Priest, Halleck, Short, Rayburn.	General Smith.
Feb. 6, Department	Hoover Commission recommendations Foreign Service.	Senators Wiley, George, Ferguson, Mansfield. Representatives Vorys, Bentley, Chatham, Richards.	Do.
Feb. 22, Department	Report on Berlin Conference	Senators Knowland, Saltonstall, Wiley, Ferguson, L. B. Johnson, Clements, George, Russell. Speaker Martin, Representatives Chiperfield, Arends, Vinson, Rayburn, McCormack, Richards.	The Secretary.
Feb. 24	Indochina	Foreign Relations Committee	Do.
Apr. 3, Department	Discussion with Defense, State and Senate and House leadership on broad problems security, especially Indochina.	Senators Knowland, Millikin, L. Johnson, Russell, Clements. Speaker Martin, Representatives McCormack and Priest. Also Admiral Radford, Roger Kyes, and Secretary Anderson.	Do.
Apr. 20, Department	Recent trip Europe, plans for Geneva.	Senators Knowland, Millikin, Ferguson, Saltonstall, Wiley, Bridges, Hickenlooper, L. B. Johnson, Clements, Russell, Green, Fulbright. Representatives Chiperfield, Arends, Fisher, B. Hays.	Do.
Apr. 26	Indochina	Senators H. A. Smith, Hickenlooper, Langer, Fulbright, Gillette, Mansfield. Representatives Chiperfield, L. H. Smith, Fulton, Carnahan, Zablocki.	Do.
May 5	Report on Geneva Conference	Senators Knowland, Ferguson, Millikin, Saltonstall, Wiley, H. A. Smith, Bridges, L. B. Johnson, Clements, George, Russell, Green. Representatives J. W. Martin, Halleck, Chiperfield, Vorys, Judd, Short, Arends, Rayburn, McCormack, Gordon, Lanham, Vinson.	Do.

Mr. KNOWLAND. Mr. President, next, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a list of meetings held under the present administration by the Secretary of State or other principal officers of the Department with the Senate Foreign Relations Committee or subcommittees thereof, to consult on current foreign policy matters.

There being no objection, the list was ordered to be printed in the RECORD.

Senate committee and subcommittees consultations

83D CONG., 1ST SESS.

Date	Subject	Committee	Department
1953			
Feb. 10	Recent European trip with Stassen	Foreign Relations: Full committee	The Secretary (Mr. Stassen).
Feb. 13	Conversations of Secretary Dulles with officials of NATO countries re far eastern policy.	Far East Subcommittee	The Secretary.
Feb. 18	Discussion, basic problems of area, except India and Pakistan areas.	Middle East Subcommittee	Byroade.
Feb. 26	German-debt settlement agreements	Economic and Social Policies Subcommittee	Riddleberger.
Mar. 13	General discussion of problems in Latin America	American Republics Subcommittee	Cabot.
Apr. 2	German Cultural Convention and revival of German Treaty of 1923 of Friendship, Commerce, and Consular Rights.	European Affairs Subcommittee	Riddleberger.
Apr. 10	Palestine refugees	Near East and African Affairs Subcommittee	Byroade.
Apr. 13	Problems before U. N. re Korea. Selection of new Secretary General; security of employees.	U. N. Affairs Subcommittee	Hickerson.
Apr. 17	Forthcoming NATO ministers' meeting	Full Foreign Relations Committee	Secretary.
Apr. 24	Reactivation of 1923 treaty	European Subcommittee	Riddleberger.
Apr. 29	Report on NATO Paris meeting	Full Foreign Relations Committee	The Secretary.
May 2	Far Eastern situation	Subcommittee on Far Eastern Affairs	Do.
May 5	Mutual security	Senate Foreign Relations, House Foreign Affairs (joint).	The Secretary, with Stassen, Humphrey, and Wilson.
May 26	John C. Hughes, permanent representative on North Atlantic Council.	Subcommittee on State Department Organization	Merchant.
May 27	Report on Mr. Cabot's trip	Subcommittee on American Republics Affairs	John Cabot.
June 3	Re trip to Middle East and South Asia	Full Foreign Relations Committee	The Secretary.
June 4	Mr. Monnet, Mr. Edsel, et al	Economic Foreign Policy Subcommittee	Ben Moore.
June 5	Mr. Monnet	Full Foreign Relations Committee	M. Camp.
June 8	Korea (in Secretary's Office)	Subcommittee on Far Eastern Affairs	The Secretary.
June 9	Spanish base agreement	Subcommittee on European Affairs	Merchant.
July 16	Korea report by Assistant Secretary Robertson	Foreign Relations Committee	Robertson.
July 23	U. N. matters	do	Henry Cabot Lodge.
July 28	International Tin Conference	Subcommittee on Economic and Social Policy	Waugh.

83D CONG., 2D SESS.

1954			
Jan. 7	Review, world developments	Foreign Relations Committee	The Secretary.
Feb. 3	Guatemala situation	do	J. W. Fisher.
Feb. 16	Indochina	do	General Smith.
Feb. 19	Panama development program	Subcommittee on Inter-American Affairs	John Muccio.
Mar. 19	General policy	Foreign Relations Committee	The Secretary.
Mar. 26	The Saar	Subcommittee on Europe	Merchant.
Apr. 12	Proposed Convention of Protection of Cultural Objects During Armed Conflict.	Subcommittee on U. N	G. Gray.
Apr. 16	Education exchange program; organization and appropriation	Subcommittee on Public Affairs	Russell Riley.
Apr. 26	Indochina	Foreign Relations Committee	The Secretary.
Apr. 28	Germany	do	Dr. Conant.

Mr. KNOWLAND. Mr. President, next, I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, a list of the meetings since General Eisenhower became President held by the Secretary of State or other principal officers of the Department with the House Foreign Affairs Committee or subcommittees thereof, to consult on foreign policy matters.

There being no objection, the list was ordered to be printed in the RECORD.

House committees and subcommittees consultations

Date	Subject	Committee	Department
1953			
Feb. 17	Recent European trip with Mr. Stassen	Foreign Affairs Committee	The Secretary; Mr. Stassen.
Feb. 25	Current developments in Europe	European Subcommittee	Mr. Bonbright.
Mar. 2	Analysis of political trends, including Guatemala and Argentina.	Latin American Subcommittee	
Mar. 5	Political and economic situation in Near East	Subcommittee on Near East and Africa	Mr. Gardiner.
Mar. 10	Iranian situation; Egypt and Israeli	do	Mr. Byroade.
Mar. 11	Berlin refugee problem	Subcommittee on Europe	Mr. Riddleberger.
Mar. 12	Economic situation in various parts of world	Subcommittee on Foreign Economic Policy	Mr. Linder.
Mar. 18	United Nations	Subcommittee on International Organizations and Movements.	Mr. Hickerson.
Mar. 19	International security situation	do	General Smith.
Mar. 24	Soviet techniques	Subcommittee on Near East and Africa	Mose Harvey.
Mar. 25	United States position at rubber study meeting, Copenhagen, May 10.	Subcommittee on Foreign Economic Policy	Willis Armstrong.
Mar. 27	United States participation in international organizations	Subcommittee on International Organizations and Movements.	Mr. Hickerson.
Apr. 24	General world intelligence picture	do	Mose Harvey.
Apr. 24	Situation in Indochina	Subcommittee on Far East and Pacific	Mr. Bonsal.
Apr. 28	Report on NATO Paris meeting	Foreign Affairs Committee	The Secretary.
May 7	Spanish situation	Subcommittee on Europe	Ambassador Dunn.
May 20	International organizations, Palestine refugees	Subcommittee on International Organization and Movements.	Mr. Ingram.
May 22	Report on Mr. Cabot's trip	Subcommittee on Inter-American Affairs	Mr. John Cabot.
May 26	John C. Hughes, permanent Representative on North Atlantic Council.	Subcommittee on State Department Organization and Personnel.	Mr. Merchant.
June 2	Re trip to Middle East and South Asia	Foreign Affairs Committee	The Secretary.
June 4	Spanish base agreement	Subcommittee on Europe	Mr. Merchant.
July 8	Korea and United Nations	Subcommittee on International Organizations	Ambassador Lodge.
July 16	Report on Korea	Foreign Affairs Committee	Assistant Secretary Robertson.

House committees and subcommittees consultations—Continued

Date	Subject	Committee	Department
1953			
July 16		Subcommittee on Foreign Economic Policy and Subcommittee on Inter-American Affairs.	Assistant Secretary Waugh.
July 28	International Tin Conference	Subcommittee on Foreign Economic Policy	Do.
July 30	Riots and United States food shipments	Subcommittee on Europe	Mr. Lewis.
July 31	(Count Rochefort)	Subcommittee on Far East and Pacific	
1954			
Jan. 19	Report on GATT meeting. Questions on East-West trade	Subcommittee on Foreign Economic Policy	Assistant Secretary Waugh.
Do	Review of world developments	Committee on Foreign Affairs	The Secretary.
Jan. 26	Situation in Guatemala	do	Ambassador Peurifoy.
Jan. 28	Proposed arrangements for settlement of war damage claims under Italian Peace Treaty.	Subcommittee on Europe	Mr. Elbrick.
Feb. 2	Security of American employees of U. N.	Subcommittee on International Organizations	Ambassador Lodge.
Feb. 17	Situation in Japan	Subcommittee on Far East	Ambassador Allison.
Feb. 18	Indochina	Foreign Affairs Committee	General Smith.
Feb. 19	Panama development program	Subcommittee on Inter-American Affairs	John Muccio.
Mar. 23	Caracas	Foreign Affairs Committee	The Secretary.
Mar. 24	Report on conditions in Near East	Subcommittee on Near East and Africa	Mr. Gardiner.
Mar. 25	EDC and statement on the Saar	Subcommittee on Europe	Mr. Merchant.
Apr. 1	Congressman Smith's report on Near East	Subcommittee on Near East and Africa	Mr. Gardiner.
Apr. 5	Mutual security	Foreign Affairs Committee	The Secretary.
Apr. 9	Caracas Conference	Subcommittee on Inter-American Affairs	Assistant Secretary Holland.

Mr. KNOWLAND. Mr. President, in addition to these group meetings, the present Secretary of State has from time to time met with individual majority and minority party members, for the discussion of major foreign-policy matters. I submit the record is clear that the State Department, under Secretary Dulles, has kept in close touch with and has carried on widespread consultations with the responsible leadership in the House and Senate.

In addition to the listings I have just placed in the RECORD, the President, early this year, had a meeting at the White House, attended by the majority and minority leadership of the House and Senate, together with the majority and minority key committee members, and fully discussed, among other things, matters relating to our foreign and national defense policies.

At this point I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a memorandum in regard to the meeting of the legislative leaders of both parties which was held in the White House on January 5, 1954, showing the names of those in attendance and listing both the Republican and the Democratic Members of the House and the Senate who attended that meeting.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

The meeting of the legislative leaders of both parties was held at the White House on January 5, 1954. Those in attendance were as follows:

The Vice President.

Republican side: Senators KNOWLAND, BRIDGES, MILLIKIN, SALTONSTALL, FERGUSON, WILEY.

Democratic side: Senators LYNDON JOHNSON, CLEMENTS, GEORGE, RUSSELL.

House side:

Republican side: SPEAKER MARTIN, Congressmen HALLECK, ARENDS, ALLEN of Illinois, SHORT, CHIPERFIELD.

Democratic side: Congressmen RAYBURN, MCCORMACK, VINSON, RICHARDS.

From the executive branch in addition to the President: The Secretary of State, the Secretary of Defense, the Director of Foreign Operations Administration, the Director of the Budget, the United States Representatives to the U. N. (Lodge), the Under Secretary of State, the Deputy Secretary of Defense.

After the meeting the White House issued the following statement, dated January 5, 1954:

"At the invitation of the President, a conference of legislative leaders of both parties was held at the White House today.

"At the conference the Secretary of State presented a summary by areas of world conditions and the effect those conditions will have on the foreign policy of the United States.

"The Director of the Foreign Operations Administration then summarized the work of his Agency, particularly as it will deal with the request for foreign military, economic, and technical assistance which the administration will make at this session of the Congress.

"Finally, the Secretary of Defense outlined the defense plans of the administration, including a recitation of the general steps by which the program is to be carried out.

"A general discussion and exchange of views was held thereafter on these three presentations."

Mr. KNOWLAND. In addition, Mr. President, the Secretary of Defense or other key officials in that Department, including the Chairman of the Joint Chiefs of Staff, have met with the Armed Services and Appropriations Committees of both the House of Representatives and the Senate, to furnish information, by briefings and testimony, to Republican and Democratic members of those committees.

Under the circumstances, I believe it is important that the extent to which this administration has gone should be known to the Members of Congress and to the American people, so that they may examine in their proper perspective past and future speeches dealing with this subject.

There is no doubt that President Eisenhower, Secretary Dulles, and other State Department and Defense Department officials desire to continue this bipartisan consultation.

As majority leader of the Senate, I can assure the responsible leadership on the other side of the aisle that any constructive suggestions they may care to make in order to augment the successful carrying out of a bipartisan policy will be welcome.

I am convinced that if the people of our country will use the same courage and commonsense that motivated the men who sat at Philadelphia and, under divine inspiration, gave us, first, the Declaration of Independence, and later the Constitution of the United States, there are none of our great domestic problems we cannot solve and there is no foreign foe we need ever fear.

During the delivery of Mr. KNOWLAND'S speech,

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I should prefer not to yield until I have concluded my statement.

Mr. LONG. I must attend a committee meeting, so I shall not be able to hear the entire speech being made by the Senator from California. I hope he will yield now.

Mr. KNOWLAND. With the understanding that the Senator's remarks will appear at the end of my speech, I will yield for that purpose.

Mr. LONG. With that understanding, I desire to ask the Senator from California if he is in any way complaining of a lack of cooperation on the Democratic side of the aisle, because it has been my opinion that there has not been any disposition on this side of the aisle to do anything except to cooperate in a bipartisan effort to defend and preserve this Nation.

Mr. KNOWLAND. If the Senator from Louisiana had the opportunity to remain this afternoon, or if he will read the RECORD tomorrow, I think he will find that what I have been trying to do in my remarks is to make clear that the present administration has been carrying on widespread bipartisan consultation as to the basic defense and foreign policy issue confronting the Nation, and statements which have been made recently to the contrary are without foundation. I have fully documented my remarks in this regard.

Mr. LONG. What I had in mind was that there have been instances when, from the Democratic side of the aisle, the President has received even greater support for some of his proposals than he has received from the Republican side

of the aisle. I am not saying that we should go right down the line on everything which the President recommends. I know that the distinguished majority leader does not expect that even from Senators on his side of the aisle. But certainly I hope the Senator from California is not complaining of a lack of cooperation on this side of the aisle, because I know of no refusal on the part of Democratic Senators to give wholehearted support to bipartisan efforts to preserve this Nation in these perilous times.

Mr. KNOWLAND. I may say to the Senator from Louisiana that I have endeavored in the remarks I have made today to avoid indulging in any narrow partisan argument. I think the challenge and the danger to our country are so great that I hope we can avoid partisanship, but I feel, in the interest not only of Members of Congress, who may not be fully informed as to the numerous bipartisan consultations with both Members of the Senate and the House, but also of the country as a whole, that there should be an opportunity to read the facts and examine the documentation, and then to determine for themselves whether recent statements, to the effect that there has not been full consultation, were indeed founded on fact, and, on the record of this administration—and I say this without any partisan implications at all—to see how it compares with the consultations which took place immediately before the outbreak of the Korean war, during the Korean war, and immediately following that war.

If the Senator from Louisiana will now permit me to continue——

Mr. LONG. I wish the Senator from California would answer my question before he continues, because I am trying to get an answer as to whether the Senator is complaining that there has been a failure on this side of the aisle to cooperate and to go along with the administration in formulating a program to which we could subscribe. If there has been a lack of cooperation, I do not know of it.

The Senator from California has received a very liberal amount of cooperation from the Democratic side of the aisle, particularly so far as foreign affairs are concerned.

Mr. KNOWLAND. The Senator from Louisiana will be able to draw his own conclusions from my remarks. I hope this administration will receive the same type of support and cooperation which, during the 80th Congress, the Republicans gave to the then President of the United States in carrying out the Greek-Turkish aid program, and certain other matters related to the collective security system.

Mr. LONG. I am trying to get from the Senator from California a statement as to the cooperation he has received from the Democratic side of the aisle, but I do not believe I am going to get an answer to that question.

The PRESIDING OFFICER. Without objection, the colloquy between the Senator from Louisiana and the Senator from California will appear at the end of the remarks of the Senator from California.

Mr. BRICKER. Mr. President, will the Senator from California yield to me?

THE PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from California yield to the Senator from Ohio?

Mr. KNOWLAND. I yield.

Mr. BRICKER. I wish to commend the Senator from California for the enlightening explanation he has given of the sequence of events leading up to the Korean war and the contrast with the attitude of the present administration in regard to a declaration of war.

President Eisenhower has given the Congress and the people of the country assurance that American boys will not be sent into war without a declaration by Congress to that effect. That assurance was given during the campaign But recently there has been some suggestion by the Secretary of State to the effect that the power to declare war has been transferred from the Congress of the United States to the President because of the Atlantic agreement and because of the Organization of the American States organization agreements.

Does the distinguished majority leader agree that there has not been a transfer of the power to make war from the Congress of the United States to the President, by means of those two treaties or agreements, and that such cannot be done, and that such was not the intention of the Senate of the United States in connection with the ratification of the treaties, because of the constant assurances from the leadership on both sides and from the Secretary of State himself—Mr. Acheson at that time—that such was not the case?

What is the opinion of the Senator from California as to the legal status of the power of the President under those circumstances?

Mr. KNOWLAND. First of all, Mr. President, the Senator from Ohio is correct when he says President Eisenhower has made it clear that should such a situation develop that it was felt the security of the United States required the commitment of American forces, be they air, sea, or land, in Southeast Asia, he would feel a constitutional obligation to come before the Congress of the United States and lay the matter before the Congress. I think that is in keeping with the Constitution, and is the procedure that should be followed in a case of that kind.

I wish to say to the Senator from Ohio that I feel there are several types of possible enemy action. For the sake of the discussion here today, we might assume a situation in which the Congress of the United States had adjourned, let us say, after July 31, and the Members had returned to their respective States and districts; and we might assume that at that time there would be a Pearl Harbor type of attack upon the United States of America itself, by means of enemy members or some other form of attack. Obviously, as I think the Senator from Ohio will agree, no President of the United States would wait until Congress could reassemble before taking whatever steps would be necessary both to protect the country against such direct attack and to take any counteraction necessary to strike at the sources from which the bombers were coming, because the Nation might be destroyed before Congress could reassemble; indeed, the Nation's Capital might no longer be in existence at that time.

I think a second type of situation could exist by virtue of a treaty or by virtue of the action of Congress in support of sending our troops abroad, inasmuch as at the present time United States forces are serving in various areas of the world. As an example—again using a hypothetical case—let us assume that on any morning when Congress was not in session, the Soviets were to start across the Elbe River, and with armored forces were to bring our own troops there under attack. I do not think any President of the United States, be he a Republican or a Democrat, would send word to the American commander in Europe, "Do not fire a shot at the invading Soviet forces until we can assemble the Congress to pass a declaration of war."

Obviously it would be the duty of the commander there, and I think it would be the duty of the President of the United States, to take whatever steps were necessary to protect our forces which were legally in that area.

Those are two types of situations. I believe that in either case I have mentioned a President would—and should—assemble the Congress as quickly as possible under all the circumstances.

But when it comes to another type of situation such as that in southeast Asia, where we have no armed forces as such, and when the President is recommending, or preparing to recommend, that forces be committed, then it seems to me there is a clear and definite responsibility upon any President of the United States to consult with the Congress. I think it was very unfortunate, historically and constitutionally, that in the case of the war in Korea the President of the United States, while Congress was in Washington, though in recess over the weekend, did not immediately come before the Congress of the United States to obtain authority to commit American forces.

I do not know whether I have answered the question of the distinguished Senator, but I believe there are various types of situations, which fact makes it impossible to give a blanket answer which will apply to each and every situation. The Senator is absolutely correct, in my judgment, in saying that we have not transferred the constitutional power to declare war from the Congress to any other agency of Government or to any international agency.

Mr. BRICKER. Mr. President, will the Senator further yield?

Mr. KNOWLAND. I yield.

Mr. BRICKER. There is no question in the mind of the Senator from Ohio, and I did not intend to imply any, that if any of the territory of the United States were attacked, or any of our forces legitimately anywhere in the world were attacked—and for the purpose of the argument it is conceded that they are legitimately in Europe at the present time—the general in the field can take the proper measures necessary to defend the integrity of our country

or the forces of our country, or even the property of our country.

However, in southeast Asia the situation is a little different from that in Europe or that on the American continent. There is no international defense agreement with respect to southeast Asia. There is one anticipated, in contemplation, and perhaps in preparation.

I think we ought to have a clear understanding of the power of the President to send our forces into South America if there is an attack, or to send our forces to Europe if there is an attack, not upon our forces, but upon the territory of another country. Whether or not the defense agreements within the area where they are in force represent a transfer to the President of the constitutional power of Congress to declare war is a question which should be cleared up. Of course, after we are in war it does not matter who declared it; the same consequences result, as was proved in the case of Korea.

I agree with the Senator from California that if the Korean situation had been debated on the floor of the Senate or the floor of the House, there might have been an understanding as to what our allies were going to do, and we might not have been left alone, holding the bag.

My question was directed to the subject of power. The Secretary of State has implied—I do not know whether he has said so directly—that by reason of the Atlantic agreement and the American States Organization agreement, there has been a transfer of the power to declare war from the Congress to the President. That question ought to be determined definitely before we enter into a south Asia defense pact of any kind.

Mr. KNOWLAND. I will say to the distinguished Senator from Ohio that I did not so interpret any statements by the Secretary of State which I had seen. The statement which I recall reading was directed, I believe, more toward the type of situation which I have mentioned; namely, either an attack upon the United States when Congress is not in session or an attack upon American forces which are in Europe under the NATO treaties which have been ratified by the Senate and which the Congress of the United States has supported by appropriations and otherwise. The Secretary of State desired to make clear, as much to the Soviet Union as to anyone else, that should it try to strike by a Pearl Harbor type of attack the hands of our commanders in the field and the hands of the Commander in Chief, the President of the United States, would not be tied, and they would not be prevented from taking action if our own country or our own forces were subjected to attack.

As a matter of fact, in the ANZUS pact and in the pact with Korea, the pact with Japan, and the pact with the Philippines, it is provided that we shall consult and take such action as our constitutional processes require.

Mr. BRICKER. There is an allusion to that principle also in the Atlantic Pact.

Mr. KNOWLAND. That is true. As the Senator recalls—I do not have the exact language before me—the Atlantic Pact points out that an attack upon one is an attack upon all.

Mr. BRICKER. That is correct.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. I yield.

Mr. STENNIS. I remind the Senator that I yielded the floor to him for a 20-minute speech. I do not object to his taking 40 minutes, but already 40 minutes have passed. If we are to have a general review of the world situation, and the reasons why we went into the Korean war, I ask that I be allowed to take the floor for 10 minutes.

Mr. BRICKER. Mr. President, I should like to ask one further question.

Mr. KNOWLAND. I was prepared to yield the floor.

Mr. BRICKER. I should like to ask one further question for purposes of clarification.

In my judgment, if our country, or our forces, or any of our Territory were attacked anywhere, no Member of the Senate would think for a moment that it would not be the duty of the commander in the field and of the President of the United States to take such steps as might be necessary to repel any such attack and defend the integrity of the country. It would smack of treason if he did not. I think the RECORD should be made clear in that connection.

Mr. KNOWLAND. I do not believe the Secretary of State made a statement which would indicate that the power under the Constitution to declare war had been transferred from the Congress to any other agency, either in the Federal Government or in any international organization.

Mr. BRICKER. I interpret his statement differently.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUSH. I should like to address one or two remarks to the Senator from California. I shall require no longer than 2 minutes.

First, I wish to compliment him on the very fine presentation he has made in coming to grips with the problem and with the criticism which has been leveled against us for alleged lack of bipartisanship in connection with these important matters.

I wish to emphasize that, as I see it, there is no more important question likely to face the Senate before Congress leaves Washington than some votes or actions which may bear directly upon the situation in the Far East.

I urge the Senator from California to use his great influence as majority leader to develop even a better bipartisan approach to this problem than we appear to have, because our friends on the other side of the aisle do not seem to feel that we have done all we could.

I compliment the Senator for clarifying what we have done. I think his statement may provide a substantial answer to the criticism which has been made.

Mr. KNOWLAND. As the Senator may recall, in my remarks I invited any suggestions which Senators on the other side of the aisle may have for the augmentation or improvement of the bipartisan policy, in which I firmly believe.

Mr. BUSH. I compliment the Senator on that statement, because I cannot think of anything so important today as the situation which is developing. I believe there is nothing of greater concern to American families than the situation in the Far East today. So I am very happy that the Senator has brought the subject to the attention of the Senate in the forceful way in which he has presented it.

Mr. KNOWLAND. I thank the Senator.

Mr. BUSH. I also wish to thank the Senator from Mississippi for his indulgence.

Mr. KNOWLAND. I wish to thank the Senator from Mississippi, and apologize for extending my time somewhat.

Mr. STENNIS. The Senator from Mississippi is very much interested in, and very much in sympathy with, the question raised by the Senator from Ohio [Mr. BRICKER] with reference to any suggestion that there has been a transfer of power to declare war by virtue of entering into any pacts, regardless of what their wording may be.

I believe that question has gained new significance in the present state of world affairs.

I am very much in sympathy with what the Senator from California said about the bipartisan approach—or, as Senator Vandenberg used to say, the "unpartisan" approach—to these grave problems.

I do not share all the Senator's criticism of President Truman with reference to the Korean war. I very much regret that President Truman did not submit the matter to Congress. However, the shooting war had already started, and he gave the order without submitting the question to Congress. I was a Member of the Senate at the time, and I did not object on the floor of the Senate. I do not remember that the senior Senator from California [Mr. KNOWLAND] objected, and I do not remember that any other Senator objected to the course taken by President Truman at the time, with the exception, as I recall, of the former Senator from Missouri, Mr. Kem.

Many of the Senators who criticized President Truman later failed to object at the time he issued the order. I always felt that I was bound by what I had done or had failed to do.

As I said, Mr. President, I am entirely in sympathy with the Senator from Ohio [Mr. BRICKER] when he states that, except in very grave and immedate emergencies, the power to declare war still rests in Congress, and that Congress still has the obligation to pass on any declaration of war.

Mr. President, I desire now to turn to another subject, my prepared remarks.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

MILITARY TRAINING FOR THE FREE CITIZENS OF ASIA

Mr. STENNIS. Mr. President, we are told the United States is now considering what steps can and should be taken

with other nations in joint action to overcome Communist expansion in Indochina and all of southeast Asia.

Consideration should be given to every possible basis upon which such a plan can rest. The loss of southeast Asia will carry serious consequences to the United States and to the free world. It would carry far worse consequences to the United States and the rest of the free world for us to become engaged in a long, costly, and indecisive war that left us without victory. Our manpower and resources could be further drained; we could be pinned down in another area that we dare not leave; and, we could at the same time face the possibility of having to fight new wars in line with commitments in other areas of the world.

In considering this grave question we should observe that southeast Asia is a large area and is about 8,000 miles from our western coastline. I mention these physical facts, Mr. President, because sometimes southeast Asia is spoken of as being only a small spot in Asia which we could readily defend if we were willing to do so.

The area of immediate concern may be roughly defined as a triangle with Burma, Indochina, and Indonesia at the three points. Rangoon, the capital of Burma, is about 1,700 miles from Batavia, the capital of Java. From the coast across the three states that comprise Indochina, through Thailand to the far boundary of Burma is several hundred miles. Sea distances are much greater in this area because it is necessary to sail around the Malay Peninsula.

The population and territorial figures for this and adjoining areas point up the vastness of the problem.

Indonesia has a population of 78 million and an area of 735,000 square miles; Malaya has a population of 6 million and an area of 50,000 square miles; Indochina has a population of 28 million and an area of 286,000 square miles. Thailand has a population of 19 million and an area of 200,000 square miles; Burma has a population of 19 million with a 261,000 square mile area; Ceylon has a population of 8 million and an area of 25,000 square miles; Pakistan has a population of 76 million and an area of 365,000 square miles; India has a population of 367 million and an area of 1,269,000 square miles.

The combined population of this 3 million square miles of Asia is 600 million.

In relation to the population, the trained military manpower of Asia is negligible. The figures I have are from public sources and are perhaps somewhat under the actual totals for each country. These public figures give Indochina 259,000; Malaya 150,000; Thailand 80,000; Burma 35,000. The largest well-trained forces in Asia are those of Korea, numbering 470,000 and of Nationalist China, numbering 600,000.

I do not believe the people of the United States are indifferent to the fate of southeast Asia and want to withdraw. I know I do not. But in considering what we can do by united action or otherwise with the free nations of Asia and other free nations of the world, there are certain fundamental facts which I think we must keep before us.

If the people of the nations of southeast Asia are to resist communism, it must be a part of a plan that will lead to their own free self-government.

At the very threshold are the questions: Do the people of these countries in Asia want us to come in? Do they have a will to resist communism to the death? Are they willing to put their manpower and their resources without reservation to the task of resisting communism? Unless the basic condition implied exists, then all the combined action of the so-called western free powers will not have a chance to overcome communism in southeast Asia. If there is strong evidence of the existence of these basic and necessary conditions, then I am willing that the United States make certain commitments which will help these Asiatic nations in their common course. Without these conditions existing I am opposed to any and all Asiatic pacts or alliances of any kind because they will be doomed eventually to certain failure.

For the present, instead of consuming time awaiting a plan of united action between the Western Powers and the nations of southeast Asia, or a Pacific pact, I believe we should quickly determine what countries of southeast Asia want our assistance and wish to start at once training a hard-core army of their own citizens to carry out whatever plan may be agreed upon.

Instead of awaiting the formation of a compact, the United States should now propose to equip fully and to train fully these citizen-soldiers of Asia in modern warfare. It would be in our interest to consider bearing a part of the additional cost of feeding, clothing, and paying these troops of Asia.

Such a program of training native troops is not dependent on a Pacific pact and is not dependent upon any agreement with our allies in Europe. It is free from the delays and cumbrances of divided command and differences in programs. It is free from the charges of colonialism and imperialism and is not burdened with the errors of the past. It is a new start.

We are burning daylight in not starting such a course of action now. This would be our chief contribution, and I believe an effective one. The citizens of Asia who want to be free make fine soldiers when properly trained and equipped. This was demonstrated in South Korea.

At the beginning of the war the soldiers of Korea could not hold their place in the battleline. They were put to rout because they were untrained and unequipped for the demands of modern battle. General Van Fleet has told us that at the time of the truce the South Korean soldiers at the battalion level were just as good as the American troops and could plug a hole in the line as effectively.

I desire to emphasize that it is a great mistake to think that Asiatic communism can be stopped by reliance on western manpower. The distance is too great and the cost would eventually prove too great for our economy. In fact, we do not have the manpower. The main point is that Asiatic freedom can come only through Asia's will to be free.

Before the fighting stopped in Korea, General Van Fleet gave his estimate of the dollar cost of putting into the line a South Korean division that would fight so well that an American division could be released. He said that the cost of the equipment, clothing, the food, and the pay per year of such a Korean division was $9 million. At the same time, the cost of keeping an American division in the line was $250 million.

In an overall estimate of the Communist threat to Asia, General Van Fleet said that it might take 100 well-trained and well-equipped divisions. If this fighting force had to come from America it would take almost 2 million men and cost us $25 billion a year.

In actual experience during the Korean war, we provided training units in South Korea that cost us only $5 million a year and 20 American military advisers to operate. These units turned out enough technicians and junior battle leaders to staff 10 divisions a year. In fighting power these Korean divisions were as effective as were American divisions.

Mr. President, it was clearly brought out that in modern warfare Asiatic soldiers, fired with a will for freedom, when properly clothed, trained, and equipped, beyond the battalion level are capable of meeting any army in the world, soldier for soldier. That was the condition of the Korean troops when the shooting stopped in Korea.

It is one of the most remarkable demonstrations in many decades of what can be done with training and equipment and the know-how to develop an effective fighting force.

I think we are burning daylight today, Mr. President, when we are not utilizing a plan of this kind. Pending any long negotiations, which are necessarily involved in any so-called Pacific pact, should one ever materialize, we should already have in motion training facilities in the nations that want them and are willing to receive instruction, equipment, and training without any strings attached. We have nothing to sell them, and we are not trying to impose our will on them.

Mr. LONG. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. LONG. Mr. President, I am delighted to hear the Senator discuss this subject, and I am very pleased to hear his views. I, too, was tremendously impressed by the article written by General Van Fleet. There is no doubt in the minds of many of us that for far less money than is required to maintain American troops we could in many overseas areas train and equip our allies so they could hold the battleline. I believe the Senator from Mississippi would find, if he compared the costs, that it would be cheaper to arm probably 10 additional Korean divisions than it would to pay only the maintenance cost of 5 American divisions in that area. I realize that we have to keep our troops there to show our allies that we are on their side and that they can depend on us if trouble should come, and it is well

to have troops there so that the Communists may know that we expect to be alongside our allies if they are again attacked. At the same time there is no doubt that we could save enormous amounts of money and have men to replace our troops overseas, if we would give our allies such assistance as the Senator from Mississippi has suggested.

Mr. STENNIS. Mr. President, the substance of one of General Van Fleet's main thoughts is that by training Korean soldiers—and I think other Asiatic soldiers are just as capable, with proper training and equipment—they will become as effective as are the soldiers of any other nation, and it has been shown that we can prepare 20 of them for what it costs to train 1 of our soldiers.

Mr. LONG. It is interesting to note, also, that the man whom the Senator calls as a witness—namely, General Van Fleet—probably on the basis of actual experience, is better qualified than is any other man in the entire free world to know what it takes to arm allied troops and get them in the field. He was successful in Greece and was also the most successful of any of our generals in Korea in undertaking the same type of program.

Mr. STENNIS. Certainly no one has been more successful on the battlefield or in the organizing and training of troops and appraising the effective costs of operations of that kind. No one in his generation exceeds General Van Fleet, in my opinion.

Mr. President, since the developments in Indochina, I have been again attracted to the article by General Van Fleet, and I shall now quote briefly from what he wrote in the February 1954 edition of the Reader's Digest—page 9:

> Farther down Asia's rim, Indochina is tottering, in spite of the $400 million in American aid, which seems to have been largely squandered in costly air drops. I can tell Paris (and even Washington) that this war never will be won with French troops—or American. Had only half our money been spent building an Indochinese army under native command, it would have brought the free world many tough native divisions as effective as our Koreans, which would be more than enough to clear the peninsula.
>
> They need just the type of army we had in Greece—light, highly mobile forces which can strike hard and get away; men who are sure they are fighting for their own freedom, and not for faraway France.

This article was written, presumably, in January and was published in February.

> Indochina may pay the price of our Korean ceasefire. If it falls, Chinese manpower might then be switched to neighboring Burma. Here there is surely time; about 10 divisions should suffice to clean up the bandits and keep out the Reds; we needed no more in Greece. The Burmese divisions need cost us no more than $100 million.

Mr. President, Burma is immediately next to Indochina. Its population is about 20 million. Do Senators know the number of soldiers Burma has? It has only 35,000. They are not trained in modern warfare. What chance will they have to stand for more than a few days, should they be attacked by experienced Communist fighters from Indochina?

I continue to quote from the statement of General Van Fleet:

> This is a fraction of the sum which we and France have squandered down the present Indochinese rathole—bound to be bottomless so long as money goes to pay foreign troops while the natives stand around as bored bystanders, without responsibility for their own freedom.
>
> Preparedness packages of about this 10-division size should also suffice to keep Communists out of Thailand, Malaya, Indonesia, and the Philippines. Without them each small country, conscious of its weakness, may freeze into shivering inaction before the Red advance.

Mr. President, I am certain those words were not written in criticism. They were not quoted by me as being in any way in criticism of France, but merely to show the insight of General Van Fleet and the soundness of his argument as to the need for the training of native troops in connection with the great Asiatic problem, which is far too big for us to face or with which to begin to cope with our manpower, and too big, I think, for us indefinitely to finance. But here is a means, here is a proven method, whereby, as I see it, we can make our contribution.

General Van Fleet is now on a military mission in the Far East. Secretary of Defense Wilson's announcement said that the retired general will visit Japan, Korea, and Formosa. The first part of his mission was expected to be a concentration on the long-term defense and security program for southern Korea. The general has demonstrated in Greece and in Korea his great talents for training and employing native troops. He greatly respects the fighting capacity of such soldiers once they are trained and equipped.

I think that his mission should be expanded to cover all the countries of southeast Asia that wish to seek our counsel and our military-training aid.

The idea of sending our Navy carriers and our Air Force into action in southeast Asia to win a battle or a war might lead us into an all-out war many thousands of miles away on the other side of the Pacific. It might be a war in an area of the world whose people may not have a firm will to resist communism and who may not want us there anyway. In South Korea we were fighting among a people who were intensely loyal to our side and who were pouring out their own lifeblood against the common enemy.

I think we should keep the lessons in mind that we learned in Korea. There we were forced to furnish over 90 percent of the men and the supplies and equipment and money sent to South Korea. We must be realistic in remembering that we have had to remain in every place that we have sent our armies since the beginning of World War II. Our armies helped liberate France; now we dare not leave France. We helped conquer Germany; now our armies remain in Germany to protect her against Russia. We defeated Japan, but we cannot leave Japan and thus expose her to communistic conquest. We fought a war in Korea, and now our soldiers remain there in large numbers because we have no peace there—only a truce.

The United States cannot ignore the fact that very little headway has actually been made toward building a European ground army of Europeans that can defend that area from attack.

Let us go to the side of the man who wants freedom and give him the tools to win it. To do less is dangerous. During the time required for negotiations for a Pacific pact, this plan to train native troops can be put into operation and start bringing results soon.

Mr. President, I say again, as I have said before, that we are burning daylight when we do not utilize this opportunity to obtain a practical solution, and I believe we shall be losing a defense against the further spread of communism in southeast Asia.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG. I wish to congratulate the Senator from Mississippi upon the very fine speech he has made. I desire to assure him that I am in complete sympathy with what he has had to say. I, too, believe that the war in Indochina cannot be won with American or French troops. I think it was Daniel Webster who made a statement to the effect that the only people who long for freedom are those who love it and are always willing to fight for it. I believe the Senator will find that we cannot long preserve freedom on behalf of those who are not willing to make the sacrifices necessary to retain their own freedom.

Certainly the type of program which the Senator from Mississippi has advocated is the sort of approach which would permit this Nation to support those who desire to retain their freedom, and which could be kept within the ability of the American taxpayers to support, while aiding those who are interested in fighting to preserve their own nation.

I congratulate the Senator from Mississippi upon his excellent address.

Mr. STENNIS. I thank the Senator from Louisiana.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. JOHNSON of Colorado. I wish to join with my colleague, the distinguished junior Senator from Louisiana, in commending the distinguished Senator from Mississippi upon the sensible position he has taken.

It seems to me that if the United States has the will to do it, and the good commonsense, it can well adopt the plan General Van Fleet has advocated. If we could adopt that kind of policy, there could be and would be world peace. If we do not adopt that kind of policy, but continue to send American troops to distant foreign places, and try to carry on the same kind of war as was fought in Korea, we shall only end in dismal failure, with great sorrow to ourselves and even greater sorrow to the world.

I commend the Senator from Mississippi for bringing General Van Fleet's proposal before the Senate.

Mr. STENNIS. I thank the Senator from Colorado.

Mr. President, I yield the floor.

SALE OF CERTAIN VESSELS TO BRAZIL

The PRESIDING OFFICER (Mr. UPTON in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2370) to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil.

Mr. BUTLER of Maryland. Senate bill 2370, recommended by the Department of State, was introduced last July by the late Senator Tobey.

The purpose of the bill is to authorize the sale of 12 Government-owned C1–MAV–1 type vessels to Brazil, or citizens of Brazil, for Brazil coastwise trade.

As proposed, S. 2370 would authorize the Secretary of Commerce, at any time within 24 months from enactment of the bill, to transfer to the Government of Brazil or to citizens of Brazil title to not more than 12 C1–MAV–1 type vessels under the conditions and requirements of the bill. Vessels of the C1–MAV–1 type are relatively small, approximately 5,000 deadweight tons each.

As a condition precedent to the sale the bill requires that it be determined, after consultation with the Secretary of State, that the sales would contribute to Brazil's economic development and would serve the interest of the foreign policy of the United States. A further condition precedent is that after consultation with the Secretary of Defense a determination be made that the sales would not adversely affect the defense of the United States.

The vessels would be transferred at prices determined under section 3 of the Merchant Ship Sales Act of 1946, with allowances for putting the vessels in class in accordance with the minimum requirements of the American Bureau of Shipping. Provisions are included as to the downpayments and installments and as to mortgage security. The Secretary of Commerce is given discretion to fix the terms of payment on unpaid balances after consultation with the National Advisory Council on International Monetary and Financial Problems.

The bill would require transfers under it to be subject to an agreement by the Government of Brazil that the vessels transferred shall not engage in international trade or in any trade other than the coastwise trade of that country.

The American Merchant Marine Institute proposed the only amendment suggested. That amendment would permit American citizen owners of such vessels who would be willing to sell their vessels at the same price as the Government vessels to sell their ships to Brazil before any Government-owned vessels were sold.

On April 7, 1954, I presided over a hearing on this bill. Henry Holland, Assistant Secretary of State for Inter-American Affairs, testified in favor of the bill and approved of the suggested amendment.

The Department of Commerce likewise favored the bill and offered no objection to the proposed amendment.

The only substantial objection to the bill came from the Shipbuilders Council, which is opposed to selling any vessels foreign on the theory that such sales adversely affect shipbuilding activity. However, we did not feel the objection of controlling significance especially in view of the fact that before delivery the vessels would have to be put in class by American shipyards.

Mr. Hoyt Haddock, of the Conference of American Maritime Unions, was consulted by the subcommittee staff and stated that his group interposed no objection to the passage of the bill.

Mr. JOHNSTON of South Carolina. How much money is involved?

Mr. BUTLER of Maryland. The ships will be sold under the terms of the Ship Sales Act of 1946, in accordance with the formula laid down by the Congress. A private owner will receive the same amount as would the Government for ships which are sold to Brazil. There are on the American market 3 or 4 such ships which are privately owned, whose owners would like to sell them to Brazil. The bill would give them that opportunity. Private ships would be sold in the same way as would Government vessels in accordance with the terms of the Ship Sales Act.

Mr. JOHNSTON of South Carolina. Do we have more ships in the United States than we need at the present time?

Mr. BUTLER of Maryland. I would not say we have more ships than we need that are in class, and that would be usable in the event of an emergency. There is a difference between the number of ships which are usable as of today and the number of ships we have.

Mr. JOHNSTON of South Carolina. Mr. President, I am going to have to ask for a quorum in order that there may be a yea-and-nay vote on the bill. There are several Members on this side of the aisle who are interested in the merchant marine, and I do not know whether they are for or against the bill.

Mr. BUTLER of Maryland. I can tell the Senator from South Carolina that, so far as I know, there is no objection on the part of Senators on his side of the aisle. As a matter of fact, I think the Senator from Washington [Mr. MAGNUSON], who attended the hearings and knows of the bill, has no objection.

Mr. JOHNSTON of South Carolina. The Senator from Washington is the Senator in particular about whom I was speaking.

Mr. BUTLER of Maryland. If the Senator from South Carolina will contact the Senator from Washington, I am certain the Senator from Washington will state that he has no objection to the passage of the bill.

Mr. BRICKER. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER of Maryland. I yield.

Mr. BRICKER. I think the RECORD will show that the Senator from Washington was in favor of the bill. It was unanimously reported by the committee. There was no opposition except from the Council of Shipowners, and that objection was made on the ground that the ships would be used in competition with American ships. The ships which are to be sold to Brazil will be used only for the coastwise trade of Brazil. Such ships would not be really useful for the purpose of international trade or for any shipping involving long distances, but only for coastwise purposes.

Mr. BUTLER of Maryland. The ships are small, being only of about 5,000 deadweight tons.

Mr. BRICKER. The Ambassador from Brazil came to see me during his recent visit to the United States, and said he was very much interested in having the bill passed, for the reason that Brazil needed the ships, that its passage would tend to help improve their commerce, and greatly improve the friendship between this country and Brazil—a friendship which is very much needed.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Ohio how Brazil can use the ships without their coming into competition with our own ships.

Mr. BRICKER. Our own ships are not in competition with ships in the coastwise trade of South America. I agree with the Senator that we should not further deplete our merchant marine. This sale will not have that result, either in time of peace or time of emergency, and the ships in question will be used only in the coastwise trade of Brazil.

Mr. BUTLER of Maryland. Under the law, our ships could not participate in the coastwise trade of Brazil, because our country does not permit foreign vessels to unload at the port of New York, stop at the port of Baltimore, take on cargo, and then stop at the port of New Orleans, and unload cargo there. We do not permit foreign ships to engage in coastwise trade in this country in that manner. The ships in question would be used exclusively in the coastwise trade of Brazil, in which trade our ships could not engage.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. STENNIS. Will the Senator from Maryland tell us something more about the type of ships involved? They are not tankers, are they? We are building tankers now.

Mr. BUTLER of Maryland. They are 5,000 deadweight ton cargo ships. They are small cargo ships.

Mr. STENNIS. And they are to be used exclusively in the Brazilian coastwise trade?

Mr. BUTLER of Maryland. That is correct, as well as river trade.

Mr. STENNIS. Is there any limitation on the price for which the ships will be sold?

Mr. BUTLER of Maryland. The price will be arrived at according to the formula prescribed in the Ship Sales Act of 1946, under which the Government of the United States has sold vessels up to date. The vessels will sell for about $700,000, under the formula prescribed in that act.

Mr. JOHNSTON of South Carolina. When such ships are put up for sale, will the people of the United States have the same right to purchase them as the foreign country has?

Mr. BUTLER of Maryland. No, the people of the United States will not have the same right to purchase them, because that would not effectuate the purposes of

the act. People who own similar ships in the United States will have the right to sell them to Brazil.

Mr. JOHNSTON of South Carolina. Citizens of this country will not have the same right to buy them at the same price?

Mr. BUTLER of Maryland. No. To begin with, nobody in this country wants the ships. If such a provision were included in the bill, I am certain the Senator from Washington would object to it, because he objects very strenuously to the sale of any of our laidup fleet to American citizens. He feels that the Ship Sales Act should be closed. He does not object to foreign sales.

Mr. BRICKER. The fact is that there are no buyers available in the United States for the purchase of the ships, and it is desired that the ships be sold.

Mr. BUTLER of Maryland. Not only are the ships not wanted by citizens of the United States but the owners who have them desire to get rid of them.

Mr. JOHNSTON of South Carolina. Have citizens of this country been asked if they wanted to buy them?

Mr. BUTLER of Maryland. The ships are on the market today, and those who own them cannot sell them to anybody. The owners have requested an amendment of the act in order that they may have the right to sell the ships to Brazil. The bill is proposed in order to protect the American owners.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUTLER of Maryland. I yield.

Mr. LONG. Do I understand correctly that there are American owners who desire to sell just such ships as the ones in question for the same price it would cost the Brazilian Government to buy them from the United States Government?

Mr. BUTLER of Maryland. There are three such ships. They are called C1-MAV-1's. There are three owners of such ships in America today. They want to be able to sell them, and they asked the committee to recommend an amendment to the act for their benefit, which the committee did.

Mr. LONG. Would it be correct to say that the price which this Nation would get for such ships would be just about the going market price for the ships in the United States today?

Mr. BUTLER of Maryland. It would, and it would be about the same price the private owners would get for the ships.

Mr. LONG. And the private owners are willing to sell at that price?

Mr. BUTLER of Maryland. The Senator is correct.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The amendments of the committee were, on page 2, after line 5, insert:

(c) After investigation it is determined that there are no privately owned C1-MAV-1 type vessels offered and available for sale by American citizens as defined in section 2 of the Shipping Act, 1916, as amended, at prices equal to or less than, and upon credit terms similar to, those provided for below.

In line 12, to change the subsection letter from "(c)" to "(d)"; in line 20, to change the subsection letter from "(d)" to "(e)"; on page 3, line 3, to change the subsection letter from "(e)" to "(f)", and in line 11, to change the subsection letter from "(f)" to "(g)", so as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce is authorized, at any time prior to 24 months from the date of enactment of this act, to transfer to the Government of Brazil or to citizens of Brazil title to not more than 12 C1-MAV-1 type merchant vessels under the following conditions:

(a) After consultation with the Secretary of State it is determined that the sale of such ships to Brazil will contribute to the economic development of Brazil, and such sales would serve the interest of the foreign policy of the United States;

(b) After consultation with the Secretary of Defense it is determined that the sale of such vessels would not adversely affect the defense of the United States;

(c) After investigation it is determined that there are no privately owned C-MAV-1 type vessels offered and available for sale by American citizens as defined in section 2 of the Shipping Act, 1916, as amended, at prices equal to or less than, and upon credit terms similar to, those provided for below;

(d) The sale of such vessels shall be at prices determined under section 3 of the Merchant Ship Sales Act, 1946, as amended: *Provided*, That notwithstanding the last paragraph of section 3 (d) of such act, the Secretary may grant allowances for putting such vessels in class, in accordance with the minimum requirements of the American Bureau of Shipping, such allowances to be determined on the basis of competitive bids.

(e) At the time of sale the purchasers shall pay at least 25 percent of the price determined under subsection (c). The Secretary of Commerce, after consultation with the National Advisory Council on International Monetary and Financial Problems, shall fix the terms of payment on unpaid balances, which terms shall in no event be more favorable than the terms applicable in the case of sales to citizens of the United States.

(f) The obligation of the purchasers with respect to the payment of such unpaid balance of the purchase price and interest thereon shall be secured by a mortgage which shall contain, among others, provisions according to such mortgage, the priorities over other liens and encumbrances accorded such mortgages on merchant vessels under the laws of the country to which the registry of the vessels is transferred; and

(g) Every transfer under the authority of this act shall be subject to an agreement by the Government of Brazil that the vessels whether under mortgage to the United States or not shall not engage in international trade or in other than the coastwise trade of Brazil.

The amendments were agreed to.

The PRESIDING OFFICER. If there be no further amendments, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this evening, it stand in recess until tomorrow at 12 o'clock noon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REQUESTS OF COMMON CARRIERS FOR INCREASED TRANSPORTATION RATES

Mr. KNOWLAND. Mr. President, for the information of the Senate I may say that it is proposed to make order No. 320, Senate bill 1461, the unfinished business. It is a bill to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates. I had previously notified the minority leader as to the program.

I wish to say to the Senate and the acting minority leader, the Senator from Mississippi [Mr. STENNIS], that there is no intention to pursue the bill to the amendment stage or to any voting stage. I am hopeful that the distinguished Senator from Ohio [Mr. BRICKER], the chairman of the Committee on Interstate and Foreign Commerce, is prepared to make at least an opening statement in regard to the bill, so that it will be in the RECORD for the benefit of the Senators who read the RECORD in the morning, and we can then consider the bill tomorrow. There will be no voting on the bill this afternoon.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates.

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the majority leader.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BRICKER. Mr. President, on March 10, as shown at pages 2977 and 2978 of the CONGRESSIONAL RECORD, there was included in the RECORD a statement by me in regard to the substitute bill which is under consideration by the Senate at this time. This is commonly known as the time-lag bill. It has been reported from our committee. There has been a great deal of delay in connection with consideration of the bill.

The purpose of the bill is to avoid long delays in adjusting the rates, fares, and charges of common carriers subject to the Interstate Commerce Act, such as trucks, buses, water carriers, railroads, freight forwarders, and pipelines, to meet rapidly rising costs of operation. It is intended to improve and expedite the handling of general rate-increase cases before the Interstate Commerce Commission when these carriers are subjected to such substantial increases in the wages they pay and the prices of materials they buy that corresponding adjustments in their price structures are necessary; and it is intended to do so without depriving the Commission of its control over the rates of the carriers.

In the years since World War II, it has become apparent that the present law governing the regulation of transportation rates is entirely inadequate to meet the requirements of rapidly changing economic conditions. General adjustments of carrier rates to conform to

rising operating costs are now possible only after extensive and time-consuming proceedings before the Interstate Commerce Commission. Many months elapse between the filing of a petition seeking authority to make a general rate increase and the final decision of the Commission. In the meantime, the carriers are compelled to bear the burden of the increased operating costs on account of which the petition has been filed.

The necessity for remedial legislation has been clearly demonstrated. Of the common carriers affected by this bill, the railroads will serve as a striking example. The postwar period has been one of general prosperity and of great industrial activity, during which the volume of railroad traffic has been exceedingly high, and has, in fact, reached new peacetime records. Yet in the 8-postwar years ending in 1953, the railroads earned an average of only a little more than 3½ percent per annum on their depreciated investment. These depressed earnings and the resulting unsatisfactory financial conditions of the railroads have been due primarily to the wide spread between the increases in the operating expenses of the railroads and the lesser—and much later—increases which they have been permitted to make in the prices at which they are allowed to sell their services.

During hearings before the Senate Committee on Interstate and Foreign Commerce, in 1952, and again in 1953, it was developed that by the end of 1951 the margin of profit—that is, the ratio of net railway operating income to gross revenues—had become much more narrow than ever before, thus rendering the railroads peculiarly vulnerable to financial difficulties in the event there should be a period of declining traffic. The evidence showed that since 1945 there has been a continuous and drastic decline in net working capital, thus endangering the financial condition of the railroads and hindering their maintenance, replacement, and improvement programs. Witnesses pointed out that the cumulative effect of meager earnings was, in a great many instances, making it impossible for railroads to find the money or the credit necessary for desirable improvements and for maintenance work which ought to be done. It was shown that deferred maintenance had accrued in large amounts, and that important improvements which should be made to produce economies and better service could not be undertaken, because of inadequate earnings and lack of money.

I may say that the testimony at another hearing before the committee showed that during the past 20 or 25 years, practically no equity money at all has been flowing into this particular part of the transportation system of the Nation. So all the improvements, betterments, and maintenance had to be made out of profits, out of the income of the railroads, and even rolling stock and equipment have had to be purchased by means of debentures, rather than by means of equity money.

As the committee said in its report on the bill:

> These are matters of grave concern not only to common carriers and their shippers; but to the Nation and the general public as well.

The witnesses who testified before the committee analyzed in exhaustive fashion the causes of the unsatisfactory financial condition of many common carriers in the postwar years. Virtually all the witnesses agreed that the principal cause has been the low rate levels that many common carriers, notably the railroads, have been required to maintain during the period. It was shown that wages and the unit costs of materials which the common carriers have to buy and use had risen swiftly and almost continuously since the beginning of World War II, and that the cumulative increases had reached a staggering amount, while increases authorized in freight rates and increases in average ton-mile revenue received by the common carriers, particularly the railroads, had lagged far behind, both in times and in amount.

It was developed from the testimony that the depressed level of freight rates had been due in large part to the fact that the permission of the Interstate Commerce Commission for such general rate increases as had been authorized had been delayed so long after the impact of the increased operating costs that the railroads lost irretrievably very large amounts of revenue.

During the postwar years, the railroads have been before the Interstate Commerce Commission almost continuously, under petitions seeking permission to adjust their rate levels to meet constantly increasing operating costs; and from time to time during the postwar years, the Commission has authorized a number of general rate increases, but only after prolonged delays. In some instances more than a year, and in every instance many months, elapsed between the filing of the petition for permission to increase the general rate level and the final decision of the Commission. In the meantime, the railroads have had to bear the burden of the increased operating costs. Many of those operating costs have been brought about, Mr. President, because of the findings of Government boards having jurisdiction over wage rates and, oftentimes during the period of the emergency, because of the findings of Government boards having jurisdiction over the cost of equipment, as well.

The harmful effect of such delays is reduced to some extent by the Commission's practice of authorizing interim increases, prior to final decision; but such interim increases as the Commission has authorized in the past have ordinarily been far less than the increases to which the carriers were subsequently found entitled by the Commission in its final decision, and, therefore, have failed to prevent large and unjustified revenue losses to the carriers. Moreover, as the committee report points out:

> Experience has shown that in an inflationary period, by the time one general rate increase has been authorized on account of a round of increased wages or material prices, anywhere from 7 months to a year or more after the wage or price increase is already under way or has gone into effect, another round of cost increases is already under way or has actually occurred.

In other words, before a rate increase could be secured by the railroads, after long-delayed hearings, in order to take care of an increased cost that had developed, especially in the field of wages, another spiral of wage increases was already under way.

This bill, S. 1461, would improve these conditions by directing the Interstate Commerce Commission to enter an interim order within the stated period of 60 days and by providing that in authorizing interim increases the Commission is to apply a standard of ratemaking which will permit adequate earnings. The standard of ratemaking applicable to interim increases will, under this bill, be the same standard of ratemaking applicable to final increases. This is logical and the way it should be.

The introduction of this bill resulted from extensive hearings conducted by the Committee on Interstate and Foreign Commerce in 1952 in connection with S. 2518, 82d Congress. That bill, as originally introduced in the 82d Congress, would have so amended the Interstate Commerce Act as to do away altogether with the necessity for advance approval by the Commission in general rate increases under the circumstances stated in the bill. It would have provided a new and special procedure whereby general rate increases made necessary by increases in operating costs could be put into effect by the railroads within 30 days, without the prior approval of the Commission, but subject, of course, to later review as to the reasonableness and propriety of the increases.

S. 2518, 82d Congress, received the full support of the railroad industry. Almost all the other witnesses who appeared before the committee, or communicated their views to it, recognized the deficiency in the present law, as it is administered, and expressed themselves as favoring reduction of the "time-lag" in general rate increased cases. Nevertheless, much opposition to the bill developed. The principal opposition was based to a large extent on the belief that carriers should not be given blanket authority to make general increases without prior consideration on the part of the Interstate Commerce Commission.

For example, the National Industrial Traffic League, a national shippers' organization dedicated to the policy of promoting sound and economical transportation, believed that the main objective of S. 2518, the bill in the 82d Congress, was desirable; but it was opposed to some of the provisions of the bill. The National Industrial Traffic League offered a substitute measure, which its membership was willing to support.

The bill reported by the Committee on Interstate and Foreign Commerce in the 1st session of the 83d Congress, S. 1461, was substantially the same as the bill suggested by the National Industrial

Traffic League, the only significant changes being a widening of the coverage of the bill so as to include all common carriers subject to the Interstate Commerce Act instead of just the railroads, and an extension from 30 days to 60 days of the period within which the Interstate Commerce Commission is required to enter its interim order.

This bill provides that, within 30 days after the filing of a petition by carriers seeking a general increase in rates by reason of increased operating expenses, the Interstate Commerce Commission shall enter an interim order authorizing rate increases which in its opinion are appropriate or necessary to permit the carriers, under honest, economical, and efficient management, to earn revenues sufficient to enable them to provide adequate and efficient service and protect the public interest. After such interim rate increases have been made effective, the Commission is to proceed with its investigation of the increases proposed by the carriers until a final decision has been reached. If the increases authorized by the Commission in its final decision are less than those which it has authorized in its interim order, the carriers shall, upon demand, subject to rules and regulations prescribed by the Commission, make refunds down to the basis of the finally authorized rates on all shipments which moved at the higher interim rates.

When permission to make rate increases that are necessary to meet increased costs that have already been incurred is withheld for months, a depressed and unreasonably low level of rates results and irreparable loss is imposed on the carriers. Such delays and losses are not necessary to protect the interests of shippers, for if the new rates were allowed to go into effect promptly, as provided in the bill, and if the Commission as the result of its further investigation were to authorize final increases less than those authorized by its interim order, the carriers would be required, upon demand, to make refunds to the basis of the lower rates. Since there is no way in which carriers may recover retroactively from shippers, delay in being able to make effective increased rates which are subsequently found to be reasonable has a seriously harmful effect on the ability of the railroads and other carriers to place and keep themselves in a condition to meet national transportation needs.

When we realize that the railroads carried more than 90 percent of the personnel and materiel shipped during the last war we can fully appreciate the significance of the national need that the transportation system, including the railroads of this country, especially, be in good condition. I have said, and I believe, that one of the great differences in potential power as between this country and what might be an enemy in the world lies in our magnificent transportation system as a whole—not only the railroads alone, but the highway system and the water developments. I think there is no more important national defense problem than that of keeping our transportation system as a whole in healthy operating condition. That means good financial condition as well as good physical and operating condition.

Under existing law, railroads and other regulated carriers cannot follow the general business practice of promptly offsetting increases in their costs by necessary adjustments in their selling prices. Consequently, they have been deprived of large amounts of revenue which would have accrued to them under rates to which the Commission eventually found them entitled. It has been estimated that total revenues of substantially more than $1 billion have been lost to the railroads in the postwar period as a result of the delays in obtaining permission from the Commission to increase their rates. The figure is an estimate of the additional gross revenues that the railroads would have received during that period if, in each of the postwar general rate increase cases, the rates finally approved by the Commission could have been made effective 60 days after the filing of the respective petitions seeking permission for the increases.

Mr. Herschel D. Newsom, master of the National Grange, speaking for the National Grange in a letter which I understand to have been addressed to each Member of the Senate, has pointed out that—

> When the railroads or other carriers experience an increase in labor costs or material costs, it is not only logical and fair to promptly allow freight and passenger rate increases, but it is economically sound from the standpoint of the public and shippers as well. The past delays of the ICC have been inexcusable and very damaging. Such delays should not be allowed to happen in the future.

I have a great deal of sympathy with the Commission in its failure to meet these problems. In the expanding bureaucracy of Washington—and Members of this body well know what that expansion has been in the past 15 or 20 years—the Interstate Commerce Commission is the only body I know of which has a smaller number of employees today than it had 15 years ago. It was the first of all the administrative bureaus to be organized, and seems to be suffering at the present time not only because of neglect of the Commission and its functions, but because of the overemphasis upon the more political organizations in Washington which have been created during the past 20 years. They have not only grown, but have swollen to an abnormal degree.

Secretary of Commerce Sinclair Weeks, in stating the views of the Department of Commerce with respect to legislation of this character, recognized that the public interest is adversely and seriously affected by long delays in permitting carriers to put into effect general rate increases which are required because of increased costs of operation. In a letter to the chairman of the Committee on Interstate and Foreign Commerce, dealing with S. 1461, he said:

> Such delays result in inadequate carrier revenues and earnings which inevitably must bring about not only inferior service but also, in the long run, higher transportation charges. The national transportation policy envisions safe, adequate, economical, and efficient service; and such service can be provided only if earnings are adequate. The only real hope for relatively lower rates as time goes on is to be found in a dynamic and progressive transportation system utilizing the best in the way of plant, equipment and facilities and able to realize fully opportunities for constant improvement. This can be possible only with adequate earnings. It is essential to a sound transportation system that the rate level be fairly adjusted to current costs.

The evils growing out of undue delay in the adjustment of transportation rates to meet increased costs cannot be overcome satisfactorily by permitting a level of rates to become effective after the period of delay higher than would have been necessary in the absence of delay. There can be no justification for permitting traffic during the period of delay to move on a subnormal level of rates and requiring traffic moving later to pay higher than normal rates for the purpose of making up the revenue deficit.

Entirely apart from these considerations, the existence of an unwholesome financial condition in an industry of such magnitude and basic character as transportation cannot but exert a grave and harmful influence upon our national economy. Many millions of American citizens either directly, or indirectly through the medium of insurance companies and other institutional investors, have a stake in railroad and other carrier securities. If sound financial conditions such as inspire confidence in carrier securities are not maintained in transportation, not only will investment of further capital needed to advance transportation be made unattractive, thus retarding the progress essential to the strength of any industry, but present investments, including the savings of countless small investors, will be jeopardized.

Certain interests, including motor carriers and water carriers, expressed opposition to this bill in the form in which it was introduced and reported from the committee, by correspondence with Members of the Senate and otherwise, on the ground that it did not provide that carriers are to show in their petitions for a general rate increase any proposed exceptions to the uniform application of the increase, and that, as introduced and reported, it did not require petitioning carriers to place into effect the full amounts of any increases authorized by the Commission. They regarded the silence of the bill on these matters as a serious weakness from their point of view and one which would permit the railroads, for example, to reduce or hold down certain rates below the level of rates generally, without any opportunity for competing carriers to be heard in opposition and without the protection afforded by the suspension power of the Commission. They foresaw the danger of "selective rate cutting."

This weakness—if it be a weakness—is corrected by the amendment filed on July 2, 1953, by the authors of the bill, the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and myself, and carried over

into the amendment in the nature of a substitute submitted by the same sponsors on March 10, 1954. Under the terms of language now added at the end of S. 1461, petitions filed under the provisions of the bill are required to show any proposed exceptions to the uniform application of the requested increase and petitioning carriers are required to publish and make effective initially the full amount of the increases authorized by the Commission's interim order.

That, Mr. President, is to prevent depressed rates where there is competition from other forms of transportation, without notice and hearing, as is now required in the Transportation Act.

The amendment goes on to safeguard the right of carriers to propose changes in any rate thus made effective initially, but any such change would be subject to those provisions of the Interstate Commerce Act relating to the making of changes in rates, fares, and charges generally. That is to say, no change could be made except upon statutory notice of 30 days, unless a shorter period should be authorized by special permission of the Commission, and the proposed new rate would always be subject to suspension and investigation by the Commission. A proposed new rate would always be subject to suspension and investigation by the common carriers.

With this amendment, the Transportation Association of America, American Trucking Association, Inc., and American Waterways Operators, Inc., interests that were not satisfied with the bill as reported, and others interested in the subject matter of the bill, now strongly favor the enactment of S. 1461.

I would also like to bring to your attention, Mr. President, a number of letters that I have received from Ohio shippers expressing their support of the bill. I do not ask that all the letters be printed in the RECORD. I merely ask that a list of them be made a part of the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

COMMUNICATIONS FROM SHIPPERS IN OHIO

Andrew H. Brown, counsel, the Cleveland Chamber of Commerce, 400 Union Building, Cleveland, Ohio.

J. Mark Radel, president, Radel Concrete Products, Inc., Cincinnati, Ohio.

Morris R. Mandell, president, Mandell Bros., Inc., 215 West Second Street, Cincinnati, Ohio.

Fred H. Eschmeyer, wholesale fruits and produce, 74 Plum Street, Cincinnati, Ohio.

C. R. Weber, assistant manager, the Marietta Paint & Color Co., Marietta, Ohio.

R. J. Meehan, Albers Super Markets, Inc., 266 West Mitchell Avenue, Cincinnati, Ohio.

L. A. Tone, vice president, Bisceglia Bros. Wine Co., 364 Woodland Avenue, Columbus, Ohio.

W. Frank Morris, the C. E. Morris Co., Columbus, Ohio.

N. Schweitzer, the Cooper-Bessemer Corp., Mount Vernon, Ohio.

George A. Popp, service manager, the Crystal Tissue Co., Middletown, Ohio.

H. H. Snyder, Pickaway Grain Co., Circleville, Ohio.

Clifford L. Fishback, president, Michigan & Southern Coal Corp., 974 Broad Street, Columbus, Ohio.

William Thronton, Zimmer & Thronton Co., Cincinnati, Ohio.

Charles Trautman, Trautman Bros., 305 West Second Street, Cincinnati, Ohio.

William J. Kurtz, the Cambridge Tile Manufacturing Co., Cincinnati, Ohio.

Ralph McKasson, the Black-Clawson Co., Hamilton, Ohio.

F. H. Lawson, secretary-treasurer, the F. H. Lawson Co., Cincinnati, Ohio.

I. H. Schiezinger & Sons, Neilston Street, Columbus, Ohio.

E. E. Davis, vice president, the Davis Fire Brick Co., Oak Hill, Ohio.

James A. Slater, 10600 Quincy Avenue, Cleveland, Ohio.

R. Bailey, the General Tire & Rubber Co., Akron, Ohio.

Dale Akrom, Akrom Lumber Co., Circleville.

L. W. Smith, 5331 Grafton Avenue, Cincinnati, Ohio.

Joseph A. Mercurio, secretary, Wm. Enderlein & Co., Inc., Second and Plum Streets, Cincinnati, Ohio.

L. A. Pomeroy, 10600 Quincy Avenue, Cincinnati, Ohio.

William Atlas, Atlas Fashions, Portsmouth, Ohio.

E. D. Cowlin, general manager, Eaton Manufacturing Co., Reliance Division, Massillon, Ohio.

James J. Higgins, Terminal Tower, Cleveland, Ohio.

Winston Pfancuff, sales manager, Globe Iron Co., Jackson, Ohio.

R. V. Oviatt, the France Stone Co., Toledo, Ohio.

Edward J. Merkel, 1146 South Cassingham Road, Columbus, Ohio.

Joseph A. Hand, purchasing officer, Newark Stove Co., 550 Wehrle Avenue, Newark, Ohio.

Wilber L. Betz, 34 South Cassingham, Columbus, Ohio.

John E. Vetter, 1226 Grandview Avenue, Portsmouth, Ohio.

H. G. Noe, Emery Industries, Inc., Cincinnati, Ohio.

W. J. Horstmann and M. D. Raymond, district manager, American Locomotive Co., Terminal Tower Building, Cincinnati, Ohio.

R. B. Buchholzer, the Hower Co., Akron, Ohio.

J. M. Pevaroff, May Co., Cleveland, Ohio.

F. S. Hales, executive vice president, the New York, Chicago & St. Louis Railroad Co., Terminal Tower, Cleveland, Ohio; also L. L. White, president, J. C. Wallace, vice president, operations.

Charles M. Ruprecht, 336 Northcliff, Rocky River, Ohio.

E. F. Buchanan, purchasing agent, the Ohio Steel Foundry Co., Lima, Ohio.

K. A. Tibbetts, secretary, the Brickwede Bros. Co., Marietta, Ohio.

R. M. Meeker, the Whitaker Paper Co., Cincinnati, Ohio.

H. C. McCafferty, the Federal Glass Co., Columbus, Ohio.

J. T. Ball, plant manager, Imperial Glass Corp., Bellaire, Ohio.

Raymond C. Gaston, Gaston Manufacturing Co., 234 West Second Street, Cincinnati, Ohio.

A. B. Efroymson, president, National Terminals Corp., 1200 West 9th Street, Cleveland, Ohio.

Walter Freel, Neon Products, Inc., Neon Avenue, Lima, Ohio.

C. W. Koeppe, plant manager, Magnus Brass Division, 533 Reading Road, Cincinnati, Ohio.

Wayne E. Kakela, executive manager, Toledo Chamber of Commerce, 218 Huron Street, Toledo, Ohio.

Max Bortz, Aaronson-Funck Co., 68 Plum Street, Cincinnati, Ohio.

W. F. Kennedy, Aiken Ridge, St. Clairsville, Ohio.

W. J. Lohnes, the National Supply Co., Springfield, Ohio.

C. E. Smith, the Ohio Seamless Tube Co., Shelby, Ohio.

F. R. Hysell, The Glidden Co., 1101 Madison Avenue, Cleveland, Ohio.

Mr. BRICKER. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point in my remarks a report of the New York Chamber of Commerce entitled "Recommending Congressional Action on Time Lag Bill."

There being no objection, the report was ordered to be printed in the RECORD, as follows:

RECOMMENDING CONGRESSIONAL ACTION ON TIMELAG BILL

To the Chamber of Commerce:

The committee on internal trade and improvements offers the following:

One of the most serious problems confronting the railroads of this country (as well as other common carriers) is the unreasonable delay associated with Interstate Commerce Commission action on requests for general rate adjustments.

This delay is occasioned by the time which elapses between the filing of petitions by common carriers for general rate increases and the final decision by the Commission on such petition, and is commonly referred to as the time lag.

A general rate increase petition has become the most expeditious manner for regulated carriers, acting as a group, or by regions, to obtain revenue relief in order to offset inflationary or emergency increases in costs.

Insofar as the railroads are concerned, there have been since the end of World War II four general rate increase cases placed before the Interstate Commerce Commission in an endeavor to catch up with increased wages and mounting costs of material and supplies. The average time elapsing prior to a final decision by the Commission in these four cases was 354 days.

It has been estimated by railroad officials that the cost to the railroads of these delays has been in excess of $1 billion; and, it is further argued by these officials that had these unreasonable delays not occurred, freight rates today might actually be lower, since the delays themselves made it necessary to obtain higher rate levels.

This inability promptly and adequately to adjust prices to costs is especially oppressive in the railroad industry where wages take an unusually large percentage (48 percent average over past 10 years) of gross revenues, and where wage increases frequently are granted on a retroactive basis.

In order to improve this unsatisfactory condition, there was introduced into the 83d Congress, first session, a bill, S. 1461, by Senators JOHNSON, BRICKER, and CAPEHART, designed to provide an accelerated procedure for the authorization of general increases in the level of rates, fares, and charges of common carriers when they are faced with increased operating expenses in such amounts as to impair their ability to earn adequate revenues.

The measure was referred to the Senate Committee on Interstate and Foreign Commerce; and was reported out of that committee on June 1, 1953, with minor amendments, and with a strong recommendation for passage.

On March 10, 1954, Senator BRICKER, on behalf of himself and Senators JOHNSON and CAPEHART, submitted an amendment in the nature of a substitute to S. 1461. In introducing the amended bill S. 1461, Senator BRICKER stated:

"S. 1461 is designed to lessen the timelag involved when common carriers subject to the Interstate Commerce Act are subject to such substantial increases in the wages they

pay, and the prices of materials they buy that corresponding adjustment in their price structures are necessary.

"The need for remedial legislation of this character has been clearly and repeatedly demonstrated. In the inflationary period following World War II, it has been estimated that the railroads alone have been deprived of more than a billion dollars of added revenues because the regulatory processes in major revenue cases consumed more than the 60-day period which this bill would prescribe. The result has been that in the postwar years of great business activity and general prosperity, the railroads have earned an average rate of return of only 3.74 percent This is obviously inadequate and inconsistent with the public interest in a strong national transportation system.

Senator BRICKER further stated that—

"The proponents of the bill will not object to this amendment in the nature of a substitute, which is intended to meet all substantial objections to the bill that have been advanced, and which is believed to remove whatever substantial cause for objection may heretofore have existed.

"This amended version of the bill incorporates all of the committee amendments and, more important, goes much further in satisfying the various objections that have made to the proposed legislation."

The proposed legislation, as embodied in S. 1461, submitted as an amendment to S. 1461 on March 10, 1954, would, we believe, correct a very substantial part of the inequities inherent in existing procedures.

Under this bill, the carriers, acting by regions, districts, or other appropriate groups (or express company or sleeping-car company acting individually) could petition the Interstate Commerce Commission for a general rate increase, and the Commission would be required to act on such petition within 60 days on a basis which would more nearly meet the carriers' needs for increased revenues than has been the case up to the present.

In the event that the increase finally authorized by the Commission be less than the interim increase determined upon within the 60-day period, all shippers would be entitled to refunds of the excess charges they paid.

We concur with the report of the Senate Committee on Interstate and Foreign Commerce wherein it is asserted that a healthy transportation system is a matter of grave concern not only to the carriers but to the shippers, the Nation, and the general public as well.

In order for the industry to be maintained in a healthy status, it is imperative that unreasonable and restrictive regulatory practices be alleviated.

Accordingly, the committee on internal trade and improvements recommends that the Congress, at the earliest opportunity, enact legislation in the form set forth in S. 1461. Passage of such legislation would constitute a real start toward the much-needed modernization of our Federal transportation statutes.

Respectfully submitted.

FLOYD W. JEFFERSON,
JEROME C. CUPPIA, Jr.,
Chairman,
PERRY M. SHOEMAKER,
WILLIAM WHITE,
FREDERICK C. WOLFE,
Committee on Internal Trade and Improvements.

Attest:

JOHN T. GWYNNE,
Secretary.

Mr. BRICKER. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD at this point in my remarks a letter addressed to the chairman of the committee by the American Bar Association, section of public utility law, recommending that the bill be enacted.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION,
April 30, 1954.

Senator JOHN W. BRICKER,
Chairman, Committee on Interstate and Foreign Commerce,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BRICKER: The problem of the timelag between increases in cost of operation and increases of rates of public utilities has been one of great concern to those interested in an equitable adjustment of rates of public utilities. In 1952 and 1953, it was the subject of specific attention at the meetings of the section of public utility law of the American Bar Association. By unanimous action at a meeting held on March 13, 1954, the council of the section of public utility law of the American Bar Association adopted a resolution favoring the passage of S. 1461 and recommending that officers of the section support the bill by appearances before committees of Congress and otherwise. The action of the council was submitted to the board of governors of the association for approval, and was approved.

The procedure provided by existing statutes and the practices that have grown up under them which met the requirements of other times are not adapted to present-day conditions. This plainly results in harm to the public interest by failure of regulatory laws to permit a steady flow of revenues sufficient to support provision of good service, and we believe that S. 1461 provides a remedy which contains safeguards adequate for the protection of the interests of all concerned.

Accordingly, I am writing to express the endorsement of S. 1461 by the association and the section of public utility law, and to urge its passage. I regret that it was not possible for the section to have a representative appear before the Senate Committee on Interstate and Foreign Commerce before hearings on the bill closed.

I am taking the liberty of sending a copy of this letter to other members of the committee and, if it is appropriate for you to do so, I ask that you communicate to the Senate the view of the association and the section of public utility law that S. 1461 is desirable legislation and should be passed.

Respectfully yours,

VINCENT P. MCDEVITT,
Chairman, Section of Public Utility Law of the American Bar Association.

Mr. BRICKER. The bill as introduced and reported from the committee also drew criticism from some quarters on the ground that it was not purely a procedural bill, but one which would in fact work a change in substantive law. This criticism was based upon the inclusion in the original bill of certain controversial phrases: "establish and maintain sound credit" and "attract equity capital." Those words were originally included as a part of the standard provided in the bill for the guidance of the Interstate Commerce Commission in fixing the amount of any interim increases authorized by it in cases covered by the bill.

The words "establish and maintain sound credit" and "attract equity capital" are not found at present in the Interstate Commerce Act and a good deal of opposition developed because of fear on the part of some that the inclusion of the words in the bill might in some way operate to make the standard for interim rates different from the general standard, or rule of ratemaking, now found in section 15a of the Interstate Commerce Act or might, indeed, work a change in the general rule of ratemaking itself. The Secretary of Commerce, for example, while whole heartedly recommending enactment of legislation for the purpose set forth in S. 1461, objected to "any change in the substantive standard to be applied." Others made the same point.

Mr. President, three amendments have been suggested by Senators to cure this feature of the original bill. Two have been suggested by the Senator from Florida [Mr. SMATHERS], and another by the Senator from Illinois [Mr. DOUGLAS]. All three would strike from the bill as introduced and reported from the committee the words thought to be objectionable.

The amendment in the nature of a substitute submitted by the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and myself on March 10, 1954, adopts the suggestion advanced in the amendment intended to be proposed by the Senator from Florida [Mr. SMATHERS] and the Senator from Illinois [Mr. DOUGLAS], and eliminates from the bill as originally drafted the words "establish and maintain sound credit" and "attract equity capital."

The amendment in the nature of a substitute submitted on March 10 goes even further in its assurance that the bill is to be procedural only and is not to make any change in substantive law. There has been added a provision making it entirely plain that the Interstate Commerce Commission in fixing the amount of any increase, whether interim or final, is to give consideration to all applicable substantive provisions of the Interstate Commerce Act, including the factors enumerated in section 15a of the act, sometimes referred to as the general rule of ratemaking. This new provision begins at line 13 of page 3 of the amendment in the nature of a substitute. It clearly dispels any fear that the bill is other than merely procedural.

Perhaps I should emphasize that the bill in its amended form does not require the Interstate Commerce Commission to authorize any general rate increase at all, even though increased operating costs have been incurred by the carriers, unless the Commission is of the opinion that an increase is appropriate or necessary "to provide revenues sufficient to enable the carriers to provide adequate and efficient service and protect the public interest." It was said by some who opposed the bill as originally introduced that the authorization of an interim increase at the petition of the carriers would be mandatory upon the Interstate Commerce Commission. To dispel any doubt at all about this matter, even though the argument was thought to have no substance, the committee added the words "if any" in that part of the bill directing action upon the part of the Commission.

These words "if any" have been carried forward into the amendment in the nature of a substitute submitted on

March 10, and appear at line 17 on page 2 of the amended version of the bill, where it is provided that the Interstate Commerce Commission is to authorize increases, if any, which, in its opinion, are appropriate or necessary.

I might also add that all of the other committee amendments—for the most part unimportant—are also incorporated in the amended version of the bill. One such amendment, for example, makes it clear that the refund provisions of the bill apply to passenger fares as well as to amounts paid for the shipment of freight.

There had been apprehension on the part of the Comptroller General of the United States that the provision of the original bill as to refund of any amount by which the interim increases might exceed the final increase could be construed as applicable to freight traffic only. The committee changed the language of the provision in such a way that there can be no doubt that it applies to passenger traffic as well, and the change is carried forward into the amended version of the bill.

The amendment in the nature of a substitute dated March 10, 1954, is intended to meet all substantial objections to S. 1461 that have been advanced. I believe that it removes all valid grounds for objection and that it eliminates any legitimate opposition to the bill.

Mr. President, I cannot overemphasize the importance of maintaining a healthy operating and economic condition of the transportation system of our country not only for our own internal welfare but for the building of the power of the United States to meet the increasing opposition throughout the world if it should ever be expressed by violence.

The bill has been pending for a long time. It was reported from the committee before I became chairman of the committee. We have held two series of hearings on its various aspects and phases. Since the bill was reported to the Senate by the former chairman, the substitute amendment which has been submitted by the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], the former ranking Republican member of the committee, and myself, attempts to meet the opposition. I think there is nothing in the amendment which is in any way deleterious to the public interest, but only that which is essential and necessary for the preservation of the ability of the transportation system to meet the demands of the shipping public as well as of the consumers throughout the country.

There are many aspects which might be considered and which may be discussed in the debate which we are likely to have on the bill tomorrow, but I think I can say frankly that the membership of the committee, by and large, supports the position taken in the substitute which has been submitted for consideration.

To emphasize the plight in which the transportation system finds itself because of the inability of the Interstate Commerce Commission to keep its docket up to date, the distinguished former chairman of the committee went before the Committee on Rules and Administration last year and secured an authorization for a survey of the Commission and for the improvement of its procedural practices in order to speed up some of the questions now pending before the Interstate Commerce Commission. We likewise went before the Appropriations Committee and requested more money in order that the Commission might rebuild its staff and force in order to meet the needs not only of the transportation system but of the public, as well, in the regulatory field. The appropriations have not yet been adequate to the needs. Appropriations have not been made to meet the increased burden of work devolving upon the Commission.

During the intervening years in which the Commission's employee staff has fallen off to a decided degree, as I mentioned a moment ago, there have been added two sections to the transportation bill imposing greater burdens on the Interstate Commerce Commission in the field of motor carriers and in the field of water carriers. So although their responsibilities are increasing their staff has been decreasing throughout the years.

Mr. President, I yield the floor.

TERCENTENARY OF THE FIRST JEWISH SETTLEMENT IN THE UNITED STATES

Mr. KUCHEL. Mr. President, the year 1954 marks the tercentenary of the first Jewish settlement in our country.

This historic occasion will be commemorated suitably by a special ceremony later in this year. This is a date of great significance in the history of the United States. I ask unanimous consent that a statement which I have prepared in connection with this anniversary may be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL

Three hundred years ago this year a small band of Jewish immigrants, led by Abraham DeLucena, Jacob Henriquest, Asser Levy, and Joseph d'Acosta, settled in Nieuw Amsterdam. At that time Nieuw Amsterdam, a Dutch colony, was but 30 years old. The arrival of this small group did little to change its complexion. Its population, then just under 1,000 spoke a dozen tongues and included many nationalities besides the Dutch. There were among the peoples Swedes, German, Italians, Finns, Poles, and Irish who worshipped according to their beliefs as Calvinists, Lutherans, Quakers, Episcopalians, and Catholics. Although the language of the people varied and they worshipped according to many concepts, they all had one belief in common. They felt and practiced freedom for all men. They had crossed a vast and terrifying ocean to achieve freedom and freedom in the new world meant the right to build a better life.

The Jewish settlers, who had wandered throughout most of the Western World known at that time in search of freedom, had caught a glimpse of their goal in this little Dutch village and gradually they achieved their goal of freedom step by step. Not long after they landed the Town Council of Nieuw Amsterdam voted the Jews the right to remain as inhabitants of the town. Shortly thereafter they were granted the right to travel and trade along the Hudson and the Delaware Rivers. Later they were granted the right to establish a Jewish burial ground and finally they were given the right to own their own homes. And less than 3 years after the first Jews arrived in Nieuw Amsterdam they were voted the right to burghership—citizenship in their new found home.

At that time there were few other places in the world where Jews could publicly fight for, gain, and achieve their rights. In Europe Jews were living through the darkest period of their history. In the East thousands upon thousands perished in the bloody massacres led by the Ukrainian rebel chieftain, Bogdan Chmielnicki. Thousands more lost their lives in Poland in the path of the warring Swedish and Russian armies. Elsewhere in Europe Jews were crowded into ghettos, compelled to wear a yellow badge and to live daily in fear of mob violence. Thousands were leaving their homes and wandering from city to city, accompanied by hunger, disease, and death. Jews from Spain and Portugal too were still wandering from country to country in search of a home. But on our side of the Atlantic Ocean a handful of Jews were starting a new life and helping to build a new Nation. The landing of the first group of Jews in Nieuw Amsterdam was the beginning of a process which continues to this day. Shortly after the settlement in Nieuw Amsterdam, Jews came to many other parts of America. In 1655 the first Jews settled in Delaware. In 1656 they settled in Maryland, in 1658 in Newport and a short time later in Boston, Philadelphia, and Charleston and other settlements along the coast.

By the end of the nineteenth century the steady flow of Jewish immigration from Holland, England, and Germany became a heavy stream fed by new arrivals from Russia, Poland, Austria, Hungary, and Rumania. To the depressed Jews of eastern Europe, America was indeed a land of miracle. The notion that a Jew from Russia or Poland, denied for centuries the freedom to move or live or work as he pleased, could simply set foot on an American sidewalk and become at once a self-respecting person with limitless opportunity, this was in truth a miracle.

Throughout the 300 years since the first arrival of that small band of Jewish immigrants, Americans of the Jewish faith have contributed their efforts, their ideals, their courage, and their foresight to the building of our country and its ideals. One of the original settlers, Asser Levy by name, resented the fact that Peter Stuyvesant had decreed that the Jews of Nieuw Amsterdam could not stand guard with the other burghers, but instead were required to pay a tax. Levy refused to pay the tax and fought for the right to defend his home until finally the Dutch West Indies Company annulled Stuyvesant's order and granted the privilege of bearing arms and standing guard to the Jews of the community. Many others through the course of 300 years added their names to the list of honored Americans. Men, such as Isaac Franks, Mordecai Scheftell, Benjamin Nones, and the four Pinto brothers, served with valor and honor in the forces of General Washington. Men, such as Haym Salomon, Joseph Simon, Aaron Levy, Isaac Moses, and Philip Minis, served the new Republic in raising funds required to carry on its war with England and to establish the economy of the new country. They were all motivated by the desire to establish for themselves, their descendants and all people a land where men could live in freedom. It might be interesting to note that just prior to the War Between the States, the United States Navy was commanded by Commodore Uriah P. Levy, who is known as the father of the law which abolished the practice of corporal punishment in the United States Navy. Commodore Levy's actions were taken at a time when whipping of men was universal in every navy in the world. Such was his contribu-

tion to the freedom and well-being of his fellow men.

Of course, we all remember well and revere the names of the Americans of Jewish faith who in later years contributed greatly to our American heritage. We cannot but revere the names of men like Louis Brandeis and Benjamin Cardozo who contributed so much to the cementing of legal principle which guarantees to every American his basic freedoms. We are all familiar with the names of Rosenwald, Schiff, and Warburg for their philanthropy and their beliefs that men of wealth should use that wealth for the betterment of their fellow men who could not by their own efforts improve their positions. We, of course, must think of such Americans as Louis Untermeyer, Edna Ferber, Fannie Hurst, Irving Berlin, and Jerome Kern, to name only a very few who have contributed greatly to American letters and arts.

The persons whose names we have just mentioned are but a few of those who have contributed greatly to our country.

In order to commemorate the accomplishment, achievement, and the abilities of the first Jews who settled in the New World and those who followed them, two organizations, the American Jewish Historical Society and the American Jewish Committee, took the initiative to organize a nationwide celebration of the observance of the tercentenary of American Judaism. Jews and non-Jews alike have the opportunity of participating in the observance of the 300th anniversary of the first Jewish settlement in the United States. The event will be celebrated by special programs in synagogues and community centers, programs on radio and TV, newspaper and magazine articles and, of course, many special events. The tercentenary will be launched on Sunday, September 12, 1954, at a public dinner at the Hotel Waldorf-Astoria in New York City. The dinner will be preceded by a reconsecration service at Congregation Shearith Israel, which was founded in 1654. Thereafter there will be large public meetings in all of the major cities of America and other public events. The tercentenary will come to a close in May 1955 with an outdoor ceremony in Washington, D. C., in which will participate rabbis of the orthodox, conservative, and reformed branches of Judaism. The final service will bring the observance of the event to a climax in a spirit of reverence and rededication to the ideals of Americans and Jews. The whole history of Jews in the United States demonstrates the opportunity which exists for man under freedom and just as surely does that history demonstrate how men will rise to their responsibility under freedom.

RECESS

Mr. KUCHEL. Mr. President, I move that, in accordance with the order previously entered, the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, May 12, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 11 (legislative day of April 14), 1954:

UNITED STATES DISTRICT JUDGE

Charles E. Whittaker, of Missouri, to be United States district judge for the western district of Missouri, vice Albert L. Reeves, retired.

UNITED STATES MARSHAL

John Burke Dennis, of Missouri, to be United States marshal for the western district of Missouri, vice Fred A. Canfil, deceased.

IN THE NAVY AND MARINE CORPS

Paul M. Beckham, midshipman (Naval Academy), to be ensign in the Navy, as previously nominated and confirmed to correct name, subject to qualification therefor as provided by law.

Matthew E. Anglim, Jr., midshipman (Naval Academy), to be ensign in the Supply Corps in the Navy, in lieu of ensign in the Navy as previously nominated and confirmed, subject to qualification therefor as provided by law.

The following-named midshipmen (Naval Academy) to be ensigns in the Civil Engineer Corps in the Navy, in lieu of ensigns in the Navy as previously nominated and confirmed, subject to qualification therefor as provided by law:

Mark Z. Hanlon, Jr.
William C. Miller

The following-named (Naval ROTC) to be ensigns in the Medical Service Corps in the Navy, subject to qualification therefor as provided by law:

Joseph H. deRivera
William H. Jennings, Jr.

The following-named (ROTC) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Daniel C. Escalera	George E. Meagher
Robert J. Healey	Louis B. Myers
John T. McKenna	Romaine D. Thorfinnson

The following-named (civilian college graduates) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Ray L. Baker	Richard W. Kocornik
Philip B. Cook	Russell Lloyd, Jr.
Donald C. Gilbert	Edward L. Madden, Jr.
Leroy E. Johnson	

The following-named Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

John M. Adams, Jr.	John G. Howard
Sammy T. Adams	Milton H. Jerabek
Fred J. Ballek	George E. Joyce
Donald J. Bardell	Charles R. Kneale
Sydney H. Batchelder, Jr.	Albert A. Laffin
	Robert E. Lewis
John R. Beck	Francis J. Lynch, Jr.
James L. Belt	Daniel R. Mason
Allen L. Bender	Charles C. McAllister, Jr.
Kay D. Bjorklund	
Charles R. Brindell	Frank T. McCloy
Robert O. Cannon	Armando J. Merola
John B. Cantieny	Donald A. Myers
Charles W. Carroll	Charles B. Palmer
Robert E. Carruthers	Anthony P. Platea
Charles R. Cochran	Joseph C. Purcilly, Jr.
Lawrence J. Des-Jardines	"J" "C" Rappe
	William A. Read
Robert R. Dewey	Edward D. Resnik
Donald C. Evans	James Ryan, Jr.
William C. Filler	Morris S. Shimanoff
James W. Flanagan	John C. Studt
Roger R. Frank	William J. Thomas
Thomas R. Haddock	Edward H. Toms
Howard H. Hall	Robert J. Votava
George C. Harris, Jr.	Robert D. White
William E. Henson	Bruce M. Wincentsen

CONFIRMATIONS

Executive nominations confirmed by the Senate May 11 (legislative day of April 14), 1954:

UNITED STATES DISTRICT JUDGES

Roszel C. Thomsen, of Maryland, to be United States district judge for the district of Maryland.

Alexander Bicks, of New York, to be United States district judge for the southern district of New York.

Edmund L. Palmieri, of New York, to be United States district judge for the southern district of New York.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 11, 1954

The House met at 12 o'clock noon.

Dr. Robert G. Lee, Bellevue Baptist Church, Memphis, Tenn., offered the following prayer:

O God, our help in ages past, our hope in years to come, our shelter from the stormy blast and our eternal home, humbly do we come unto Thee. We come because Thou dost want us to come; we come because Thou dost invite us to come; we come because Thou dost not turn us away when we do come. Thou art the high and lofty God that inhabiteth eternity yet art pleased to dwell with those of a humble and contrite heart. We come to Thee in our weakness asking for Thy strength; we come in the limitations of our human mind asking for Thy wisdom and for Thy prompting in every perplexity. We pray for Thy blessing upon the President of our country and upon his Cabinet. We pray for Thy blessing upon this Congress that they may be guided and lead the people so that as a nation we shall not hand down our blood-bought legacy reduced in quality and quantity. We rejoice in Thy promise that if we will hear Thy voice and obey Thy commandments, Thou wilt be an enemy to our enemies. Thou wilt contend with them that contend with us, and our enemies that come out against us one way shall flee from us seven ways. This is Thy promise, we thank Thee for it in the name of Jesus who is heaven's water for earth's thirst, heaven's peace for earth's strife, heaven's light for earth's darkness, heaven's life for earth's death. In His holy name we make our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXERCISES AT THE ILLUMINATION OF NEW PORTION AND DEDICATION OF THE ROTUNDA FRIEZE

The exercises were held at 11 o'clock a. m., the Honorable THOMAS A. JENKINS, of Ohio, presiding.

PROGRAM OF EXERCISES AT THE ILLUMINATION OF NEW PORTION AND DEDICATION OF THE ROTUNDA FRIEZE, COMBINING THE EFFORTS OF CONSTANTINO BRUMIDI, FILIPPO COSTAGGINI, AND ALLYN COX, IN THE ROTUNDA OF THE UNITED STATES CAPITOL, WASHINGTON, D. C., TUESDAY MORNING, MAY 11, 1954, AT 11 O'CLOCK

CONGRESS OF THE UNITED STATES

The Joint Committee on the Library

United States Senate: FRANK A. BARRETT, chairman, Wyoming; THEODORE FRANCIS GREEN, vice chairman, Rhode Island; WILLIAM E. JENNER, Indiana; JOSEPH R. MCCARTHY, Wisconsin; GUY M. GILLETTE, Iowa.

United States House of Representatives: KARL M. LECOMPTE, Iowa; ROBERT D. HARRISON, Nebraska; ROBERT J. CORBETT, Pennsylvania; KEN REGAN, Texas; OMAR BURLESON, Texas.

In charge of arrangements: David Lynn, Architect of the Capitol.

PROGRAM

Hail America
United States Air Force Ceremonial Band
Harry H. Meuser, W. O. (jg.), United States Air Force, leader.
Hon. THOMAS A. JENKINS, Ohio, author, frieze completion resolution, presiding.
Invocation—Rev. Bernard Braskamp, D. D. Chaplain of the House of Representatives.
Introductory remarks
Hon. THOMAS A. JENKINS
Presentation of distinguished guests
The Vice President, the Speaker of the House of Representatives, and others.
Illumination of new portion
Mrs. Allyn Cox, wife of the artist.
The President of the United States
Dwight D. Eisenhower.
Benediction
Rev. Frederick Brown Harris, Chaplain, United States Senate.
The Star Spangled Banner
United States Air Force Ceremonial Band.

At 10:59 o'clock a. m., the President of the United States entered the rotunda through the west entrance and took his place at the left of the Presiding Officer. [Applause, the audience rising.]

Mr. JENKINS. The United States Air Force Ceremonial Band will play Hail America.

The band played Hail America.

Mr. JENKINS. We will now have the invocation by Dr. Bernard Braskamp, Chaplain of the House of Representatives.

INVOCATION

Dr. BRASKAMP. O Thou infinite and eternal God, in whose divine keeping and control are the coming in and the going out of all our days, we rejoice that Thou wert the God of our fathers and that Thou art also the God of their succeeding generations.

We thank Thee for the large measure of genius and skill, of insight and inspiration with which Thou didst endow Thy servants whose artistry and handiwork portray and commemorate many of the great events in the annals of our national life.

May this not only be an hour of gratitude and commemoration but of consecration when we are uniting our wills in a more daring venture of faith and works to mediate to men and nations everywhere the blessings of freedom and peace.

Show us how we may release the hidden splendor of humanity and hasten the dawning of that blessed day when the spirit of man shall be too strong for chains and too large for imprisonment.

May our minds and hearts be aglow with confidence and courage as we continue to hope and pray that the whole earth may be a spiritual Garden of Eden and all the members of the human family shall live together in brotherhood and good will.

Hear us in the name of the Prince of Peace. Amen.

INTRODUCTORY ADDRESS BY HON. THOMAS A. JENKINS

Mr. JENKINS. Mr. President, Mr. Vice President, Mr. Speaker, distinguished guests, ladies and gentlemen, I think it is an accepted fact that this, the Capitol of our great country is the most beautiful capitol building in the world.

The history of the construction of our Capitol is a very interesting one. George Washington laid the cornerstone with appropriate ceremony.

The British attempted to burn the Capitol during the War of 1812 and succeeded in doing some damage to it. Shortly before the Civil War the two wings in which the House and Senate now meet were built. About the same time the present beautiful high dome was built.

Those who were then responsible for the construction and beautification of the new Capitol Building must have given their task their very best effort. They wanted the artistry of the interior of the building to be beautiful and modern in every respect. They decided that this rotunda in which we are now meeting should be both useful and ornamental. To this end they decided that high up around the circumference of this rotunda should be placed a beautiful frieze with paintings depicting the history of our great country. They studied the methods employed by the great Michelangelo and other great artists, and finally engaged the services of Constantino Brumidi, one of the world's best fresco artists. Mr. Brumidi began his work in 1877. His first picture was Columbus Discovering America. This one is directly above where we are now standing. He painted two other famous pictures, The Landing of the Pilgrim Fathers and The Signing of the Declaration of Independence. Mr. Brumidi died in 1880. Another great artist, Mr. Costaggini, was engaged and he finished all but 30 feet of the space. This vacant space with all its bleak bareness confronted the millions of people who visited the Capitol for the 65 years from 1888 to 1953. No doubt many of them asked the guides who showed visitors around, "Why this bleak vacant space?" This question was partially answered when a bill was introduced in Congress by me in 1939. This bill provided that a portion of that vacant space be used to depict the great contributions of Orville and Wilbur Wright in the field of transportation by giving to the world the first airplane and making the first powered flight which has, in effect, revolutionized the world.

This legislation was pending from 1939 until August 17, 1950, when it was enacted into law. An amendment to my bill was passed providing that in addition to the achievements of the Wright brothers there should be placed in that vacant space paintings appropriately depicting two other great events in American history—the Civil War and the Spanish-American War.

These three paintings—all as beautiful as the others—were painted by Mr. Allyn Cox, an American artist. They are located above where we are standing, and will be more effectively discussed later in these proceedings.

We have met for the purpose of dedicating this beautiful frieze beginning with Christopher Columbus discovering America, and ending with the great accomplishments of the Wright brothers.

This dedication will come later as the principal part of this program.

It is my pleasure and duty also to introduce some of the distinguished guests who have been invited to participate in this great event. There are two of these distinguished guests who by protocol and congressional courtesy supersede everyone else; one of these is one of my personal friends of long standing, I mean the distinguished and busy Vice President, the Honorable RICHARD M. NIXON, whom I now present to you [Applause.]

REMARKS OF HON. RICHARD M. NIXON, VICE PRESIDENT OF THE UNITED STATES

Vice President NIXON. Mr. President, Mr. Speaker, Congressman JENKINS, ladies and gentlemen, as I have sat here listening to Congressman JENKINS describe the history of the Capitol, the thought that has run through my mind is that most of the Members of the House and the Senate are so busy with their official duties that we do not know as much about the Capitol Building in which we work as we should.

I know that along with other Members of the House and the Senate I have walked through this passageway between the two Chambers on many occasions and oftentimes as I have seen guided tours beginning from the other side of the rotunda, I have thought that some day I should take the time to join a guided tour and find out something about the Capitol. [Laughter.]

In the 7½ years that I have been here—and I am sure most of our colleagues in the House and Senate have probably had the same experience—I have never had a chance really to see the Capitol to take that guided tour.

Under the circumstances, I am sure that all of us from the Senate and House appreciate the opportunity of participating in this ceremony and learning more about the Capitol Building in which we have worked for so many years and which we have proudly shown to our constituents from the districts and States we represent.

Speaking for all the Members of the Senate I know we are honored to join with our colleagues from the House in this dedication ceremony, and we look forward to the remarks of the President. [Applause.]

Mr. JENKINS. Mr. Vice President, when you get ready to make that trip I shall be glad to go with you.

It is a great pleasure now to introduce my good friend, JOE MARTIN, whom the world knows as the Speaker of the House of Representatives. [Applause.]

REMARKS OF THE HONORABLE JOSEPH W. MARTIN, JR., SPEAKER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. Mr. President, Mr. Vice President, Chairman JENKINS, distinguished guests, for the information of our beloved Vice President I would say

there are a few legislators who do know this Capitol thoroughly. They tell the story of a Senator whose wealth can be counted in the millions. He acted as a guide one day for a wandering tourist and explained the Capitol so well that the lady rewarded him with a 25-cent fee. The story says that the millionaire Senator pocketed the quarter and the lady never was aware who was her guide.

I am happy to join in these ceremonies today held in this historic rotunda. It brings back to all of us very vivid impressions of the growth of our country. We see this splendid frieze; these magnificent pictures portraying the arrival of Columbus, the founding of the Plymouth Colony, Yorktown, the gold rush, and the airplane, all chapters in the onward march of a great nation.

Surrounded as we are by these sacred memories, we cannot fail to appreciate the glorious past of America, nor can we fail to realize and be firmly convinced that the past is but the prologue to a greater future. So in that spirit I am happy to be here. I am one of those who have not only great pride in the past of America but also great faith in the days ahead. I believe the American people are destined to go on to even greater heights than they have ever reached in the past. So in that spirit I am very happy to welcome the President that he may proudly dedicate this historical freize in this sacred rotunda. [Applause.]

Mr. JENKINS. Ladies and gentlemen, the previous distinguished speakers have told you of the sights and impressions of the Capitol. There is a man on the platform whom I will introduce to you in a minute, whose father was a great painter. When that young man was a boy he went through this room many times. He saw the unfinished frieze. He hoped the time would come when he would be proficient enough as an artist to be invited to finish it. That young man's ambition was realized. He was employed by the Joint Committee on the Library to finish that frieze. He is here now, and I introduce to you Mr. Allyn Cox. [Applause.]

PRESENTATION OF MEMBERS OF THE JOINT COMMITTEE ON THE LIBRARY

Mr. JENKINS. Ladies and gentlemen, in discussing this Capitol and what it contains in the way of paintings, statues, and other historical art work, I have often thought that probably none of us has done what we could in respect of finding out the value of what we have. I have not appraised it, but I have heard people of good judgment say we have 8 or 10 million dollars' worth of paintings in this building in various places.

Congress does not always fail to act. In fact Congress is much more efficient than we think. A good many years ago the Congress appointed a Joint Committee on the Library. That Joint Committee has as one of its duties the care and preservation of the art belonging to the Government and located in the Capitol.

That committee is now on the platform. They have done a magnificent job in bringing about the completion of this frieze; they are responsible for this work.

At this time Senator FRANK BARRETT is chairman of the Joint Committee on the Library. I now introduce and present to you Senator BARRETT. [Applause.]

I will now introduce the other Senators on this important committee: The Honorable THEODORE FRANCIS GREEN, of Rhode Island. [Applause.]

I want to stop long enough to say that this gentleman brought all his youth and vitality into this work. He has been more responsible for the culmination of it than nearly anyone. All of us make mistakes, all of us get discouraged, but he inspired and spurred us on more than anyone else.

I do not see Senator JENNER, nor do I see Senator MCCARTHY. Both are members of this Joint Committee on the Library. I present to you Senator GUY M. GILLETTE, of Iowa. He is a valuable member of that committee. [Applause.]

If Senator JENNER and Senator MCCARTHY come I will introduce them.

On the House side I present the Honorable KARL M. LECOMPTE. Congressman LECOMPTE has been an indefatigable worker on this committee. He has been a member of the committee for years and has done an outstanding job. [Applause.]

I now introduce Congressman ROBERT D. HARRISON, of Nebraska. [Applause.]

Congressman ROBERT J. CORBETT, of Pennsylvania. [Applause.]

Congressman KEN REGAN, of Texas, was an active member of this committee. On many occasions he consulted with me concerning the progress of my bill and I appreciate his help. [Applause.]

Congressman OMAR BURLESON, of Texas. [Applause.]

Let me remind you that one Senator, Mr. WILLIAM A. PURTELL, served on this committee for a long time, but then he got a promotion—I do not know whether it was a promotion or not, but anyway he left this committee and assumed the duties of another committee. I missed him and I think the whole membership on the committee would have preferred if he had stayed on this committee. We are glad to have him with us here today and I am very happy to present Senator WILLIAM A. PURTELL, of Connecticut. [Applause.]

PRESENTATION OF DISTINGUISHED GUESTS

Mr. JENKINS. Ladies and gentlemen, we have some distinguished guests on the platform whom I wish to present to you.

HAROLD E. TALBOTT

Mr. JENKINS. Another of our honored guests is one of the country's outstanding industrialists. A native of the Wright brothers' home city of Dayton, Ohio. He was closely associated with them during their career. In the First World War he was president of the Dayton Wright Co., one of the major aircraft manufacturers of that era. At present he is the distinguished Secretary of the United States Air Force, the Honorable Harold E. Talbott. [Applause.]

GEN. NATHAN F. TWINING

Mr. JENKINS. We welcome as one of our honored guests a gentleman on whose shoulders rests a very large share of the responsibility for maintaining the security of the United States. He is Gen. Nathan F. Twining, Chief of Staff of the United States Air Force, and famed World War II Air Force commander in both the Pacific and in Europe. General Twining. [Applause.]

LT. GEN. L. C. MATHIESON

Mr. JENKINS. Also with us today as one of our honored guests is Lt. Gen. L. C. Mathieson, United States Army, whose present assignment is Director of the Joint Staff. An outstanding airborne corps officer during World War II, General Mathieson is personally representing the Chairman of the Joint Chiefs of Staff, Adm. Arthur W. Radford.

I present Lt. Gen. L. C. Mathieson. [Applause.]

MAJ. GEN. U. S. GRANT

Mr. JENKINS. The first of the three new panels added to the frieze is dedicated to those heroes of the Blue and Gray who bled and died for their beliefs during the 1860's.

Ladies and gentlemen, I had hoped to be able to present Maj. Gen. Ulysses S. Grant III, civic leader, but I understand he has been unavoidably detained. This is a matter of regret to all of us.

Of the Civil War a poet wrote soon after the war:

No more shall the war cry sever
Or the winding river be red;
They banish our anger forever,
When they laurel the graves of our dead;
Under the sod and the dew,
Waiting the judgment day,
Under the laurel the blue,
Under the willow the gray.

May I say that Gen. Ulysses S. Grant III is in his own right a very distinguished man, not only as an officer of the United States Army, but also as a great civic leader here in Washington. He told us he would be here. I am sorry he is not here, both for his sake and for our sake.

JOHN SHROYER

Mr. JENKINS. The 17th panel in this historic frieze depicts the Spanish-American War. We are honored to have as our guest today one of the men who served our country in that war. Mr. John Shroyer, who is now the commander in chief of the United States Spanish War Veterans.

I present Mr. John Shroyer. [Applause.]

ARTHUR J. CONNELL

Mr. JENKINS. When war wings its wide desolation and threatens the land to destroy, it brings to all people the responsibility to care for the wounded and the widows and orphans. The American Legion does this, and much more. It is one of our truly great institutions.

I am glad to present the national commander of the American Legion, Mr. Arthur J. Connell. [Applause.]

GLENN L. MARTIN

Mr. JENKINS. I have some nice things to say about Mr. Glenn L. Martin, because he is pinned to his place in the world and he knows how to occupy it and has demeaned himself as a great American.

It is most appropriate that we have with us today a gentleman who was a contemporary of the Wright brothers, whose achievement is depicted in the final panel of the frieze. He is Glenn L. Martin, one of the truly great pioneers of aviation, who followed closely behind the Wright brothers, in mastery of powered flight. He became one of the leading aviators of his day. He also built some of the finest military planes in the world. He built the first great overocean transports, the China clippers. Today the Glenn L. Martin Co. is the oldest aircraft company in the world in unbroken line of service. I am proud to present Mr. Glenn L. Martin. [Applause.]

MR. MILTON WRIGHT, MRS. H. S. MILLER

Mr. JENKINS. The Wright brothers left no immediate descendants, no children, but we have here on the platform a niece and a nephew of the Wright brothers. I am very glad to present Mr. Milton Wright, a nephew of Orville and Wilbur Wright; and Mrs. H. S. Miller, a niece of Orville and Wilbur Wright. [Applause.]

Incidentally, Mr. Milton Wright is the picture of Mr. Orville Wright, if any of you remember the Wright brothers.

ILLUMINATION OF NEW PORTION OF FRIEZE

Mr. JENKINS. And now, ladies and gentlemen, we come to that part of our program where the frieze is to be illuminated, especially that portion of it immediately above us, done by Mr. Allyn Cox. The illumination will be turned on by Mrs. Allyn Cox.

(Mrs. Allyn Cox threw the switch turning on the floodlights, and the frieze was brilliantly illuminated.) [Applause.]

Mr. JENKINS. I call attention to the three portions of the newly completed frieze: The first is of the Civil War and depicts a Union soldier shaking hands with a Confederate soldier, each having with him the instruments of warfare he used in his day. And each is attended by another soldier. I think this picture represents public sentiment of this day.

Second is a portion depicting the Spanish-American War. This is an attempt to show that in that war our great country became a world power. In other words, because of our participation in and our victories gained in the Spanish-American War we became a world power. We have ever since that time been considered as one of the leading nations in the world.

The third portion is one in which I was personally interested. There is no question but that to the Wright brothers we must assign the honor of having given to us, the airplane. Through this instrumentality transportation has been implemented and expedited immeasurably and the advantages it has brought to humanity are almost incalculable. In the early bills I introduced dealing with the completion of the frieze I designated only aviation, but I did not exclude other things; in other words aviation was my prime interest, and to give the Wright brothers credit was what I wanted to accomplish. I am glad we were able to do it and do it by congressional action.

PRESENTATION OF THE PRESIDENT OF THE UNITED STATES

Mr. JENKINS. Ladies and gentlemen, it is a high honor and a great privilege to introduce the President of the United States.

Ladies and gentlemen, the President. [Applause, the audience rising.]

ADDRESS OF THE PRESIDENT OF THE UNITED STATES

The PRESIDENT. Mr. Chairman, Mr. Vice President, Mr. Speaker, members of this distinguished audience, no man could find words to describe the color and romance, the dignity and majesty, of this spot. The frieze above us, the paintings and statuary that surround us, are symbolically representative of more than 400 years of American history.

It is fascinating to contemplate, if only for a brief moment, the nature of those 400 years. At its beginning, man moved at the same rate and by the same means that were used by the Pharaohs; the horse, the ox, and the tiny sailboat were the best means at hand.

In the last panel of this great frieze is represented the invention of the machine that now allows man to travel almost at the speed that the earth turns toward the sun. Soon undoubtedly he will do so.

We find here represented the great fusion of foreign blood that brought about this Nation that became America. The Spanish in their explorations; the French in their colonizations and their assistance to the colonists as they fought the War of Independence; the English; and finally the great artistry of the Italians, responsible for the design of this frieze—these are representative of the bloodstreams that, joining here in this great country of promise and opportunity, have produced the Nation that is symbolized in this rotunda.

But more than merely a compressed history of America, this spot is in a very real sense the heart of America. In this room and in the rooms immediately adjoining our greatest have trod and spoken: Lincoln, Webster, Clay, and Jackson—all the names that thrill us merely by uttering them.

Immediately in front of me, for generations, Presidents of the United States have taken the oath of office. Here indeed is not only a spot that reminds us of America, of her past and of her achievements, but it is one that, in a very real sense, is America.

This frieze, through the genius of an American artist, has now been completed, but the thought does not cross our minds that the history of America is completed. Atop the Capitol dome the great statue still faces the east—the rising sun—ready always to meet the challenge of a new day. So the mind is intrigued with the thought as to what would be depicted in another frieze if it should now be started.

Of course, we cannot guess at the exact incidents of our history that would be there placed, but we do know this: They would not be monuments to commemorate the shattering effects of an atomic or hydrogen bomb. Rather, there would be depicted in them progress that brings happiness to humans. There would be something that would indicate and record a stronger America—stronger spiritually, intellectually, economically, in every way needed to allow America to serve her role in leading the world to a more secure and peaceful existence.

Certainly there would be panels commemorating significant events in the long quest that man has made toward peace and which indeed must soon reach some kind of fruition. The alternative is bleak indeed. But we have confidence as we look at the record of America's past that she can so lead. She has not failed. She will not fail.

So, as we gather here today in this remarkable rotunda, I am accorded the great honor of dedicating this frieze to all those future Americans who, from this day on, will come here and gain renewed inspiration to do their work. I pray with you, and I share your confidence, that that future will be one of increasing strength and increasing security for all America and all the world. In that sense, in that spirit, I dedicate this frieze to the future of America. [Applause, the audience rising.]

Mr. JENKINS. Ladies and gentlemen, we will now have the benediction pronounced by Dr. Frederick Brown Harris, the Chaplain of the Senate. After that the band will play the Star-Spangled Banner. Now we will all arise for the benediction.

BENEDICTION

Dr. HARRIS. O Master of all good workmen, other men have labored. We have entered into their labor. One good workman drops his brush and another carries on in skill and beauty. Under this vast dome, the shrine of each patriot's devotion, we are conscious of a cloud of witnesses out of a vanished yesterday. Send us forth, we pray, to this torn and tortured world with its unfinished tasks—

"To be true to all truth the world denies,
Not tongue-tied by its gilded lies,
Not always right in all men's eyes,
But faithful to the light within."

We ask it in the Name that is above every name. Amen.

(The United States Air Force Ceremonial Band played the Star-Spangled Banner.)

(Thereupon, at 11 o'clock and 40 minutes a. m., the ceremonies of dedication were concluded.)

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

WHITE HOUSE CONFERENCE ON EDUCATION

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 530, Rept. No. 1575), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7601) to provide for a White House Conference on Education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COOPERATIVE RESEARCH IN EDUCATION

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 531, Rept. No. 1576), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9040) to authorize cooperative research in education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

NATIONAL ADVISORY COMMITTEE ON EDUCATION

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 532, Rept. No. 1577), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7434) to establish a National Advisory Committee on Education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRIVILEGE OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, 2 or 3 weeks ago a question of the privilege of the House was raised and a resolution which was offered to inquire into that through the efforts of a special committee was sidetracked by a motion to refer the matter to the Committee on the Judiciary. Now, I have no objection to that; but the Committee on the Judiciary evidently, in spite of requests, has not been doing anything about it. The same facts which gave rise to the question of privilege of the House also, in my judgment, at least, created the same right for any Member who voted for a resolution to recommit a bill. He has the same right, and if the Committee on the Judiciary does not intend to report on that motion which was referred to them, then it is my purpose to again raise that question of personal privilege, a matter which will take an hour, and I dislike to do that. But that may become necessary.

IMPORT TAXES ON COPPER

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7709) to continue until the close of June 30, 1956, the suspension of certain import taxes on copper.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to suspend certain import taxes on copper," approved May 22, 1951 (Public Law 38, 82d Cong.), as amended, is hereby further amended by striking out "June 30, 1954, or the termination of the national emergency proclaimed by the President on December 16, 1950, whichever is earlier" and inserting in lieu thereof "June 30, 1956."

With the following committee amendment:

Page 1, line 6, after "1954," insert a quotation mark and strike out "or the termination of the national emergency proclaimed by the President on December 16, 1950, whichever is earlier."

Mr. REED of New York. Mr. Speaker, this legislation was unanimously reported by the Committee on Ways and Means. Favorable reports have been received on this legislation from the interested executive departments.

Existing law provides for the suspension of the import tax on copper until June 30, 1954. Since 1940, all imports on copper have been tax free, except for a few months in 1950-51. During World War II and into 1946, the Federal Government imported copper without tax through procurement by the Navy and by the Metals Reserve Company, a subsidiary of the RFC. Since 1947, the Congress itself has enacted legislation suspending the applicable import taxes.

The legislation provides appropriate safeguards to our domestic producers by requiring the termination of the suspension in the event the price of copper should fall below 24 cents per pound and remain at that level for a period of 1 month. In the event the price should drop below that level, the Tariff Commission is required to report such facts to the President who, within 20 days after a report to him, is required to issue a proclamation revoking the suspension of the duty. Congress prescribes the standard to be applied, the Tariff Commission finds and reports the facts, and the President thereupon acts as the law provides.

Statistics for 1953 on unmanufactured copper consumption, production, and net United States imports—imports minus exports—indicate that the United States consumption was 1,840,000 short tons, production was 1,366,000 short tons, and net imports were 555,000 short tons.

While the United States copper production in 1953 was 41 percent above the annual average annual output during 1935–39, the United States copper consumption had increased during the same period by 110 percent. In the immediate prewar years, the United States accounted for 52 percent of total world copper consumption. In 1953, it consumed 61 percent of the total.

America's high standard of living is, in part, dependent upon an adequate supply of copper. Similarly, our national security demands that copper be available for the manufacture of the implements which help to guarantee that security. Employment of millions of industrial workers is bound up with copper. More than half of the free world supply of copper is consumed in the United States. Our strategic metals stockpiling program also depends upon an adequate supply of copper.

Existing contracts for the purchase and shipment of copper are predicated on law as it now stands. Reimposition of the import tax would play havoc with the price and contract features attendant upon the movement of copper through customary commercial channels.

So, Mr. Speaker, I move the prompt passage of H. R. 7709.

Mr. COOPER. Mr. Speaker, if the gentleman will yield, the pending bill was reported unanimously from the Committee on Ways and Means. It continues for 2 years the suspension of duties on copper, which would otherwise terminate on June 30 of this year.

Favorable reports were received on the bill from the Departments of Commerce, Defense, Interior, State, and Treasury. The committee was advised that domestic production still does not meet demand for copper, and that imports are necessary to supplement domestic production.

We were also advised that the domestic mining industry has no objection to the continuation of the suspension of duties on copper for an additional 2 years.

It will be recalled that a provision is contained in the present law suspending the duties on copper whereby the President is required to revoke the suspension in the event the average market price of electrolytic copper, delivered Connecticut Valley, is less than 24 cents per pound for any 1 calendar month. This should prove to be an adequate protection for the domestic copper-mining industry in the event the supply of copper becomes more plentiful.

The SPEAKER. The question is on the committee amendment. The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. PATMAN asked and was given permission to address the House today for 20 minutes, following the legislative program and any special orders heretofore entered.

Mr. BAILEY asked and was given permission to address the House today for 10 minutes, following the legislative program and any special orders heretofore entered.

PROGRAM OF PUBLIC WORKS FOR THE DISTRICT OF COLUMBIA

Mr. O'HARA of Minnesota. Mr. Speaker, I call up the conference report on the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1567)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows:

On page 4, line 17, of the Senate engrossed amendments strike out "$13,500,000" and insert the following: "$13,000,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and insert in lieu thereof the following:

"SEC. 804. Subsection (a) of section 40 of said Act, as amended (sec. 25–138, D. C. Code 1951), is hereby further amended by striking out '$1' and inserting in lieu thereof '$1.25'."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "and boats (to the extent of the first $1,000 of their value),"; and the Senate agree to the same.

JOS. P. O'HARA,
HENRY O. TALLE,
JOHN J. ALLEN, Jr.,
HOWARD W. SMITH,
OREN HARRIS,
Managers on the Part of the House.

FRANCIS CASE,
J. GLENN BEALL,
ALBERT GORE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8097) to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments Nos. 1 and 2: The House bill provided that water and water services furnished from the District of Columbia water-supply system for use by the Government of the United States shall be paid for at the rates applicable to other water consumers in the District.

Under Senate amendments Nos. 1 and 2 where a Federal agency receiving the water is located outside the District the rates to be charged the United States shall be comparable to the rates charged to the State, or political subdivision thereof, within which such Federal agency is situated, for similar water service from the District water-supply system. When water is supplied to such a Federal agency the Senate amendment requires the Federal agency to provide for the meters and other equipment necessary to control and record its use of such water. The Senate amendment also permits the Commissioners to protect the interests of District water consumers by fixing the conditions for service outside the District. The House recedes.

Amendments Nos. 3, 4, 7, and 9: Under the House bill the weight of certain special equipment mounted on certain trucks, tractors, busses, and trailers was taken into account in determining the registration fee to be paid on account of the vehicle or trailer. The House bill also provided that certain specified special equipment mounted on a motor vehicle or trailer not used primarily for the transportation of persons or property should be continued to be taxed as provided by law. Under the Senate amendment the weight of any special equipment mounted on such vehicles or trailers would not be included in computing the registration fee, and such equipment would be taxed as tangible personal property as provided by law. The House recedes.

Amendment No. 5: The House bill amends existing law which requires double registration fees on all motor vehicles not propelled by gasoline, by eliminating double registration fees on those motor vehicles which are not propelled by gasoline and are used for the transportation of passengers. Under Senate amendment No. 5 all double registration fees for motor vehicles not propelled by gasoline are eliminated. The House recedes.

Amendment No. 6: The House bill authorizes the Commissioners to divide registration fees between the general fund and the highway fund in such proportions as they see fit. Under the Senate amendment the Commissioners cannot deposit to the credit of the general fund less than 64 percent or more than 74 percent of all proceeds from registration fees. The House recedes.

Amendments Nos. 8 and 15: These are clerical amendments. The House recedes.

Amendment No. 10: The House bill raises the authorization for the annual Federal payment toward defraying the expenses of the government of the District of Columbia from $11,000,000 per annum to $20,000,000. It provides that that portion of sums actually appropriated to the credit of the general fund which exceeds $12,500,000 shall be used only for expenditure for capital outlay, and that none of such funds may be so used unless an equal amount derived from other sources is used for the same purpose.

The Senate amendment changed the House bill by raising the figure $12,500,000 to $13,500,000. It also provides that the part of the Federal payment which is earmarked shall not be available except for capital outlay, whereas the House bill provides that such funds shall not be available except for expenditure for capital outlay. Under the Senate amendment, in contrast to the House bill, the determination of the relationship between the part of the Federal payment available for capital outlay and the amount required to be derived from other sources shall be made on a cumulative basis.

The House recedes with an amendment changing the $13,500,000 figure in the Senate amendment to $13,000,000.

Amendment No. 11: The House bill would increase the tax on beer from $1 for every barrel containing not more than 31 gallons to $1.50. Under the Senate amendment the existing tax of $1 would remain unchanged. The House recedes with an amendment to increase the tax to $1.25.

Amendments Nos. 12 and 13: These are clerical amendments. The Senate recedes.

Amendment No. 14: The House bill did not include boats in the list of tangible personal property exempt from taxation. Under the Senate amendment boats are included in the list of items exempt from tangible personal-property tax, except for boats used as places of abode. The House recedes with an amendment exempting boats from tangible personal property tax to the extent of the first $1,000 of their value.

Amendment No. 16: The House bill increases, from eight-tenths of 1 cent to 1 cent, the amount which must be paid for each vehicle-mile proposed to be operated in the District of Columbia by persons operating vehicles, not confined to rails or tracks, for the transportation of passengers for hire over all or any portion of any defined route in the District of Columbia. Under the Senate amendment such sum is increased from eight-tenths of 1 cent for each vehicle-mile to 2 cents for each vehicle-mile. The Senate recedes.

JOS. P. O'HARA,
HENRY O. TALLE,
JOHN J. ALLEN, Jr.,
HOWARD W. SMITH,
OREN HARRIS,
Managers on the Part of the House.

Mr. O'HARA of Minnesota. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to, and a motion to reconsider was laid on the table.

SUBCOMMITTEE ON FLOOD CONTROL

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Flood Control may meet this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

MRS. ORINDA JOSEPHINE QUIGLEY

Mr. JONAS of Illinois. Mr. Speaker, I call up the conference report on the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT 1563

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

EDGAR A. JONAS,
USHER L. BURDICK,
THOMAS J. LANE,
Managers on the Part of the House.

ALEXANDER WILEY,
JOHN MARSHALL BUTLER,
HARLEY M. KILGORE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3832) for the relief of Mrs. Orinda Josephine Quigley submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

The bill as passed the House would appropriate the sum of $5,000 to Mrs. Orinda Josephine Quigley as insurance benefits as a result of the death of her husband, Lt. Robert Harry Quigley, who was killed in line of duty on June 20, 1940, at Wright Field, Ohio. The Senate amended the bill to appropriate the sum of $10,000 and, due to certain agreements between the attorney representing Mrs. Quigley and the United States attorney, Ray J. O'Donnell, in the United States District Court for the Southern District of Ohio, dated May 9, 1950, that a recommendation of 50 percent be paid. Therefore, the Senate conferees concurred in the House action.

EDGAR A. JONAS,
USHER L. BURDICK,
THOMAS J. LANE,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. VELDE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ALLEN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 67]

Albert	Donovan	Philbin
Ashmore	Engle	Phillips
Barrett	Fine	Powell
Battle	Gamble	Prouty
Bender	Graham	Reed, Ill.
Berry	Granahan	Rhodes, Ariz.
Boggs	Green	Richards
Bowler	Gregory	Roberts
Boykin	Hart	Robeson, Va.
Brooks, La.	Harvey	Roosevelt
Buckley	Hays, Ark.	Scherer
Byrnes, Wis.	Heller	Scott
Camp	Holifield	Sheehan
Carlyle	Johnson, Calif.	Sheppard
Cederberg	Kee	Shuford
Celler	Kelley, Pa.	Smith, Miss.
Chatham	Keogh	Steed
Chelf	King, Calif.	Stringfellow
Chudoff	Klein	Sutton
Clardy	Laird	Taylor
Crosser	Lanham	Thompson, La.
Curtis, Mo.	Lyle	Walter
Curtis, Nebr.	McConnell	Weichel
Dawson, Ill.	Martin, Iowa	Wharton
Deane	Morgan	Wilson, Calif.
Dingell	Moulder	Wilson, Ind.
Dodd	Patterson	Young
Dollinger	Pelly	
Donohue		

The SPEAKER. On this rollcall, 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROCEEDINGS AGAINST BERNHARD DEUTCH

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (H. Rept. 1578, 83d Cong., 2d sess.).

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Bernhard Deutch, Physics Building, University of Pennsylvania, Philadelphia, Pa. The said subpena directed Bernhard Deutch to be and appear before said Committee on Un-American Activities on April 9, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon Bernhard Deutch is set forth in words and figures as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to C. E. McKillips: You are hereby commanded to summon Bernard [Bernhard] Deutch, also known as Bernard Deutch, to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE, is chairman, in their chamber in Court Room 1, Federal Building, Albany, New York, on Friday, April 9, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 7th day of April 1954.

"HAROLD H. VELDE,
"Chairman.

"Attest:

"LYLE O. SNADER,
"Clerk."

The said subpena was duly served as appears by the return made thereon by C. E. McKillips, investigator, House of Representatives, who was duly authorized to serve the said subpena. The return of the service by the said C. E. McKillips, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Bernard [Bernhard] Deutch, before the Committee on Un-American Activities. Served April 7, 1954, in the Physics Building, University of Pennsylvania. Philadelphia, Pa. 12:15 p. m.

"C. S. MCKILLIPS,
Investigator, House of Representatives.

On April 8, 1954, Henry W. Sawyer, Esq., counsel for Bernhard Deutch, 117 South 17th Street, Philadelphia, Pa., telephoned Frank S. Tavenner, Jr., committee counsel, and requested orally that a continuance be granted his client, Bernhard Deutch, in order to give Mr. Sawyer more time to study the case. Mr. Tavenner agreed, and for the convenience of the witness and his counsel the hearing was continued from April 9, 1954, in Albany, N. Y., to 10:30 a. m., April 12, 1954, in room 225, Old House Office Building, Washington, D. C. This was agreed to by the subcommittee, and counsel for the witness Bernhard Deutch was directed to have his client in Washington, D. C., on that date.

Pursuant to said subpena and in compliance with the later instructions given to Henry W. Sawyer, Esq., attorney for Bernhard Deutch, by Frank S. Tavenner, Jr., the said Bernhard Deutch appeared before the said subcommittee on April 12, 1954, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Bernhard Deutch, having appeared as a witness and having been asked the questions, namely:

"The committee was advised that * * * you acted as a liaison between a Communist Party group on the campus and a member of the faculty at Cornell * * * who was a member of the Communist Party. Will you tell us who that member of the faculty was?

"Will you tell the committee, please, the source of that $100 contribution [for the benefit of the Communist Party]?[1]

"Where were those [Communist] meetings held?

"Do you know the names of the owners of the home or apartment where these [Communist][1] meetings were held?

"Were you acquainted with Homer Owen?

"The witness is directed to give the name of the person by whom he was approached [to join the Communist Party]"[1] which questions were pertinent to the subject under inquiry, refused to answer such questions, and as a result of Bernhard Deutch's refusal to answer the aforesaid questions, your subcommittee was prevented from receiving testimony and information concerning a matter committed to said subcommittee in accordance with the terms of the subpena served upon the said Bernhard Deutch.

[1] Words inside brackets added for clarity.

The record of the proceedings before the subcommittee on April 12, 1954, during which Bernhard Deutch refused to answer the aforesaid questions pertinent to the subject under inquiry, is set forth in fact as follows:

Monday, April 12, 1954.

"UNITED STATES HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
"Washington, D. C., Monday, April 12, 1954.

"EXECUTIVE HEARING

"The Subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:30 a. m., in room 225, Old House Office Building, the Honorable Donald L. Jackson, acting chairman, presiding.

"Committee members present: Representatives DONALD L. JACKSON (acting chairman), GORDON H. SCHERER, FRANCIS E. WALTER, and CLYDE DOYLE.

* * * * *

"Mr. JACKSON. Will you raise your right hand to be sworn, please?

"In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. DEUTCH. I do.

"TESTIMONY OF BERNARD DEUTCH, ACCOMPANIED BY HIS COUNSEL, HENRY W. SAWYER III

"Mr. JACKSON. You may sit down, please.

"Let the record show that for the purpose of taking this testimony this morning, and pursuant to the rules of this committee, the chairman has appointed a subcommittee, consisting of Messrs. SCHERER, DOYLE, and JACKSON, with JACKSON as acting chairman.

"Are you ready to proceed, Mr. Counsel?

"Mr. TAVENNER. Yes, sir.

"Will you state your name, please?

"Mr. DEUTCH. Bernhard Deutch, B-e-r-n-h-a-r-d D-e-u-t-c-h, not D-e-u-t-s-c-h.

"Mr. TAVENNER. Are you accompanied by counsel, Mr. Deutch?

"Mr. DEUTCH. Yes, sir.

"Mr. TAVENNER. Will counsel please identify himself?

"Mr. SAWYER. Henry W. Sawyer III, 117 South Seventeenth Street, Philadelphia, Pa.

"Mr. TAVENNER. Mr. Deutch, during hearings at Albany last week, the committee heard testimony regarding the existence of a Communist Party group or cell operating among undergraduates at Cornell University, among certain graduates at Cornell and in the city of Ithaca.

"In connection with that testimony, the committee was informed that you were a member of one or more of those groups. If so, I would like to ask you certain matters relating to your activity there.

"Were you a member of a group of the Communist Party at Cornell?

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. I will answer that question, but only under protest. I wish to register a challenge as to the jurisdiction of this committee under Public Law 601, which is the committee's enabling legislation. This question, or any similar questions involving my associations, past or future, I am answering, but only under protest as to its constitutionality. But, under your jurisdiction as stated, I answer yes, I was a member of the Communist Party.

"Mr. TAVENNER. The committee was advised that a witness by the name of Ross Richardson has stated that you acted as liaison between a Communist Party group on the campus and a member of the faculty at Cornell, and that you knew the name of the member of that faculty, who was a member of the Communist Party.

"Will you tell us who that member of the faculty was?

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. Sir, I am perfectly willing to tell about my own activities, but do you feel I should trade my moral scruples by informing on someone else?

"Mr. JACKSON. Let the Chair say that moral scruples on your part do not constitute a legal reason for declining to answer the question, and you are directed to answer the question.

"Mr. DEUTCH. At this time I do think so, sir, because I had certain ideas and people I came in contact with had certain ideas. I didn't believe in force or violence, or anything like that.

"Mr. JACKSON. That is entirely besides the point. You have been asked a question and we must insist that you answer the question or decline to answer it, and your declination must consist of something more than your moral scruples.

"Mr. DEUTCH. As to the details of that, I think the whole question has been magnified more than it should have.

"Mr. JACKSON. There is a question pending and the Chair must insist that you answer the question that has been asked.

"(At this point Representative GORDON H. SCHERER entered the hearing room.)

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. I can only say that, whereas I do not want to be in contempt of the committee, I do not believe I can answer questions about other people, but only about myself.

"Mr. JACKSON. You therefore refuse to answer the question that is pending; is that correct?

"Mr. DEUTCH. Yes, sir, but I could amplify that point. I do not mean the point of contempt. I think—I happen to have been a graduate student—the only one there, and the organization is completely defunct, and the individual you are interested in wasn't even a professor. The magnitude of this is really beyond reason.

"Mr. JACKSON. That decision does not rest with you as to whether or not the scope of this inquiry—as to whether or not certain individuals are important now or not. That is the responsibility of we Representatives to determine. That determination cannot rest with you. It may be very true that the individual to whom you have referred is no longer a member of the Communist Party. However, that is a supposition on your part—and a supposition which the committee cannot accept.

"Again I direct you to answer the question.

"Mr. DEUTCH. The committee knows through Ross Richardson's statement that this gentleman had quit the Communist Party—whom you are referring to—and it just happens I was the only contact because I was the only graduate student, so it was an inevitable thing.

"Mr. JACKSON. So you still decline to answer the question asked by counsel?

"Mr. DEUTCH. Yes.

* * * * *

"Mr. TAVENNER. The committee received testimony from Mr. Ross Richardson to the effect that you collected certain donations for the benefit of the Communist Party, and that on one occasion you delivered to him the sum of $100 without designating to him the source of it. Will you tell the committee, please, the source of that $100 contribution, if it was made?

"Mr. DEUTCH. No, this contribution was made—I believe I gave you the reason why I decline to answer regarding names, and this was from a personal friend.

"Mr. JACKSON. Let the Chair make a statement at this time. I think that it is only fair to advise the witness—again advise the witness—that any scruples he may have due to a desire to protect friends and acquaintances is not a legal reason for declining to answer the questions which are now being put to you, and which will be put to you by counsel. It is most important that you be fully aware of the possible consequences of your declination to answer—and I am confident that your able counsel has so advised you.

"I want the record to show the succession of questions from the Chair, so that there can be no possible misunderstanding at any subsequent date, but will show that you were fully advised by the Chair, in the most friendly spirit I assure you, that your reasons, however laudable they may be, do not constitute a legal reason for declining to answer.

"Proceed, Mr. Counsel.

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. JACKSON. I have not issued a directive on the last question.

"The witness is directed to answer the question as to the source of the contribution which he received and about which he has just been asked a question by the counsel.

"Mr. DEUTCH. Is this last question about——

"Mr. JACKSON. The question that was asked by counsel relative to the $100.

"Mr. DEUTCH. That does not refer to your last statement.

"Mr. JACKSON. Well, everything that is being done—my statement refers to the entire proceeding, generally. Specifically, at this moment I am directing that you answer the question asked by counsel.

"Mr. DEUTCH. I feel like I can't answer that question. I realize there are many problems facing me, and it wasn't an easy decision to make.

"Mr. JACKSON. The Chair directs again that you answer.

"Mr. DEUTCH. I am unable to.

"Mr. TAVENNER. Was the contribution of $100, referred to a moment ago, made by a member of the faculty at Cornell University?

"Mr. DEUTCH. No, sir.

"Mr. TAVENNER. It is noted that in response to the question that preceded this last one that you said you were unable to answer the question. I want to know if you refuse to answer the question.

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. Yes, sir.

* * * * *

"Mr. JACKSON. Did you personally know this individual from whom you received the money?

"Mr. DEUTCH. Yes.

"Mr. JACKSON. Do you personally at this moment know his name?

"Mr. DEUTCH. That is right, sir.

"Mr. JACKSON. Very well.

* * * * *

"Mr. TAVENNER. Are you now a member of the Communist Party?

"Mr. DEUTCH. No, sir.

"Mr. TAVENNER. When did you withdraw from the Communist Party?

"Mr. DEUTSCH. The conviction of mine was gradual and for many years as probably—Mr. Richardson knows what my feelings were—but I haven't attended any Communist function at all, nor do I intend to, for at least the last 8 months. I have had no contact or given money to——

"Mr. TAVENNER. What was the last—I didn't mean to cut you off.

"Mr. DEUTCH. Or given any money or anything like that and I don't regard myself as a person under discipline of the Communist Party.

"Mr. TAVENNER. When were the last meetings of the Communist Party which were attended by you?

"Mr. DEUTCH. My memory isn't too good. It was with Mr. Richardson, so his guess is as good as mine. It was either the end of the term of 1953 or maybe one time in the summer—I don't remember too exactly.

"Mr. SCHERER. It was within the last year, however; right?

"Mr. DEUTCH. Just about.

* * * * *

"Mr. JACKSON. How many people were in attendance at the meetings?

"Mr. DEUTCH. During what time?

"Mr. JACKSON. During the period immediately before you separated from the party.

"Mr. DEUTCH. Very few. Maybe a maximum of 4 or 5 that I can recall.

"Mr. JACKSON. Where were these meetings held?

"Mr. DEUTCH. I believe this is the type of question I can't answer.

"Mr. JACKSON. You mean this is the type of question you won't answer; is that correct?

"Mr. DEUTCH. Well, whichever way you want to say it; yes, sir.

"Mr. SCHERER. Let me ask you this question: You knew where the meetings were held?

"Mr. DEUTCH. I don't believe I know exactly where they were. This is because—since Mr. Richardson drove me there [witness laughs].

"Mr. SCHERER. Of course, this is not a funny matter.

"Mr. DEUTCH. No.

"Mr. DOYLE. Do you think it was a private residence?

"Mr. DEUTCH. I don't think it would be considered a private residence.

"Mr. DOYLE. At an apartment house or flat?

"Mr. DEUTCH. Private house, I would say.

"Mr. SCHERER. Do you know the names of the owners of the home or apartment where these meetings were held?

"Mr. DEUTCH. I probably did. At this moment I can't recall. I didn't know them by their last names.

"Mr. SCHERER. What were their first names?

"Mr. DEUTCH. I don't believe I can say. It is very——

"Mr. SCHERER. When you say you don't believe you can say, are you referring to your answer for the reason heretofore advanced?

"Mr. DEUTCH. I do refuse to answer, but on this particular question I don't believe I remember. Just for the record, I will say, even if urged and if I knew, I would say the same thing.

"Mr. SCHERER. You are refusing to answer then, even if you knew the names of the people?

"Mr. DEUTCH. That's right.

* * * * *

"Mr. TAVENNER. Were you acquainted with Homer Owen?

"Mr. DEUTCH. I don't think I should discuss any people from now on because some people I am acquainted with and some I am not, so I don't think I want to discuss the people's names.

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. My refusal about this or any other names does not mean anything incriminating about the gentleman.

"Mr. TAVENNER. I suggest the witness be directed to answer.

"Mr. JACKSON. The witness is directed to answer.

"(At this point Mr. Deutch conferred with Mr. Sawyer.)

"Mr. DEUTCH. I will have to refuse on the same grounds.

"Mr. JACKSON. No; you don't have to. You are under no compulsion. Do you decline to answer the question?

"Mr. DEUTCH. Yes; I decline to answer the question.

* * * * *

"Mr. SCHERER. Mr. Deutch, it seems to me it is more important that you answer these questions than most people who have been before this committee because you were in the party during the last few years. We have abundant evidence before this committee that anybody who remained in the party up to a year ago was a potential agent of the Kremlin—there is no question about it. There is some excuse for those who were in the party in the late thirties or forties, but not after 1951 or 1952. Therefore, it is more important that you answer these questions than most people.

"Mr. DEUTCH. I stated previously that I am not a member of the Communist Party now.

"Mr. SCHERER. But you have information concerning the activities of the Communist Party within the last year.

* * * * *

"Mr. TAVENNER. You were proceeding to tell us the circumstances under which you became a member of the Communist Party. Will you proceed on that?

"Mr. DEUTCH. Well, at that time I had certain views or ideas, but I didn't act on these views. At that time I believed in Marxism. To a great extent it is only fair to say I am a Marxist today—I don't want to deny that. I felt if I had ideas I shouldn't be half pregnant about them, so when I came to college I was approached and joined.

"Mr. TAVENNER. By whom were you approached?

"Mr. DEUTCH. I was approached by a student. I don't wish to give his name.

"Mr. JACKSON. The witness is directed to give the name of the person by whom he was approached.

"Mr. DEUTCH. I decline to give the name."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Bernhard Deutch relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"The committee was advised that * * * you acted as a liaison between a Communist Party group on the campus and a member of the faculty at Cornell * * * who was a member of the Communist Party. Will you tell us who that member of the faculty was?

"Will you tell the committee please, the source of that $100 contribution [for the benefit of the Communist Party]?[1]

"Where were these [Communist][1] meetings held?

"Do you know the names of the owners of the home or apartment where these [Communist][1] meetings were held?

"Were you acquainted with Homer Owen?

"The witness is directed to give the name of the person by whom he was approached [to join the Communist Party][1]" which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived this subcommittee of necessary and pertinent testimony which places the said witness in contempt of the House of Representatives.

Mr. VELDE (interrupting the reading of the report). Mr. Speaker, in view of the fact that all Members have a copy of the report, I ask unanimous consent that the further reading of the report be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. McCORMACK. Mr. Speaker, reserving the right to object—and I shall not object—may I suggest, if a further reading of the report be waived, might that not permit the raising of some additional legal question by attorneys for some one of these people in the courts? Of course, we do not want to do that.

Mr. VELDE. Mr. Speaker, I agree with the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I think it would be best for us to take a little more time and be careful in these matters. I think it would be best to have the report read in full so that there is no possibility of anybody's raising any additional legal question by reason of the waiving of the reading of the committee report. In other words, I am not objecting to the request of the gentleman from Illinois [Mr. VELDE], but my position is that we should be very careful not to do these things today that will permit any additional legal question to be raised.

Mr. VELDE. Mr. Speaker, I withdraw my request.

The Clerk concluded the reading of the report.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 533) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Bernhard Deutch to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Bernhard Deutch may be proceeded against in the manner and form provided by law.

Mr. VELDE. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. DOYLE], and now yield myself such time as I may require.

Mr. Speaker, since the inception of your House Committee on Un-American Activities in 1938 under the able chairmanship of our good colleague from Texas, MARTIN DIES, we have had a large number of witnesses appear before the committee who have had knowledge of un-American activities. They have had knowledge of subversive activities. Since that time, and I am sure all of the previous chairman and all of the previous members of the committee will agree, many witnesses who have appeared have used every excuse under the sun to avoid giving information to the Congress of the United States regarding subversive activities.

This committee was created under Public Law 601, which provides that we are obligated to investigate and determine whether there are subversive elements in this country and then report to you, the Congress of the United States, for the purposes of remedial legislation.

Since the inception of your Committee on Un-American Activities we have cited a number of witnesses for contempt of the Congress. As I said before, they have used every excuse under the sun for refusing to give us the answers to questions regarding subversion. The resolutions I am about to offer are not materially different from those offered in the past Congresses.

In connection with this particular resolution, Mr. Deutch came before the

[1] Words inside brackets added for clarity.

committee and testified that up to 8 months ago he was a member of the Communist Party and he testified further that he was still a Marxist. Then he refused to answer questions concerning his associates in the Marxist movement and in the Communist movement in the United States. This is a clear case of contempt of the Un-American Activities Committee and contempt of the Congress.

I do not wish to take too much of your time in asking you to vote for this resolution for contempt. I intend to ask for a rollcall on the first of these nine contempt cases. After that, I am sure my colleagues of the House will by voice vote unanimously vote the others in contempt of the Congress of the United States.

Mr. JONAS of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I am glad to yield.

Mr. JONAS of Illinois. I want to ask for some information if the gentleman does not mind. How did it occur in this case that the fifth amendment of the Constitution did not clothe this man with some of the asserted or real protection that so many of them are taking advantage of now. In other words, does the fifth amendment apply in this case or is this different from the average run-of-the-mill case that we have had.

Mr. VELDE. No; the fifth amendment was not used in this particular case.

Mr. JONAS of Illinois. Did he plead it?

Mr. VELDE. Of course, I am inclined to disagree with the highest court in the land with regard to the use of the fifth amendment before a congressional committee, but in this particular case the man did not use the fifth amendment.

Mr. JONAS of Illinois. He did not plead the fifth amendment as a defense?

Mr. VELDE. No; and that is the reason that I am sure that this witness is in contempt of Congress.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I yield to the gentleman from New York.

Mr. KEARNEY. I was going to say to the gentleman that the witness refused to take advantage of the fifth amendment.

Mr. JONAS of Illinois. That answers my question. I thank the gentleman.

Mr. DOYLE. Mr. Speaker, I wish to say that it is regrettable, of course, that the gentleman from Pennsylvania [Mr. WALTER] is not present in the House this afternoon. He is absent and is out of the country, and the gentleman from Tennessee [Mr. FRAZIER] and I wish to make it clear here at the table that we are strongly in support of the issuance of these contempt citations.

Mr. VELDE. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I am glad to yield to my chairman.

Mr. VELDE. I forgot to mention that due to the fact that I am leaving Washington this evening, and that other Members cannot be present, we have to bring these contempt citations up today. I notified the gentleman from Pennsylvania by cablegram that we were intending to bring these citations up before the House today and asked him whether or not he had any objections to doing so. In response to that cablegram, I received this cablegram from a United States steamship:

> Glad to concur in action re citations.
> FRANCIS E. WALTER.

Mr. DOYLE. I thank the gentleman. Where did you receive that telegram from, Mr. Chairman?

Mr. VELDE. From on board a ship, a United States steamship. I understand that the gentleman from Pennsylvania [Mr. WALTER] is returning home this evening and will dock this evening in New York City.

Mr. DOYLE. As we know, he is out of the country on official business by permission of the House obtained before he went on that official business.

Mr. VELDE. I might say I am satisfied in my own mind, of course, I cannot speak for the gentleman from Pennsylvania; but I am satisfied in my own mind that the gentleman from Pennsylvania is heartily in favor of all of these contempt citations because he sat in on the meetings when we considered the contempt citations.

Mr. BAILEY. I would like to inquire of the gentleman from California whether the facts and circumstances in other cases are similar to the Deutch case just discussed.

Mr. VELDE. They are similar in a way, but as I said a minute ago, they use all kinds of excuses for refusing to answer. Some of them just refuse outright and do not rely on the fifth amendment whatsoever.

Mr. JACKSON. Mr. Speaker, will the gentleman yield? I am glad to say to the gentleman that in the 2 or 3 minutes that I shall take, they shall be devoted to a brief statement on each of the cases pointing out where they differ.

Mr. BAILEY. I thank the gentleman.

Mr. DOYLE. Mr. Speaker, I wish to say and make it clear to every Member of the House that we, of the committee, have studiously avoided bringing to the House any cases or recommendations for citation for contempt, unless we felt definitely that there was good cause for doing so. I think you, our colleagues, should understand that we understand as your committee that we are not a court, we are not a punitive body, and we are not empowered to find anyone guilty.

I know, I, as a member of the committee, and I am sure the other members of the committee also do, of systematically trying to avoid allowing folks to get into contempt or possible contempt of Congress and therefore subject to prosecution by our courts. I think it should be made clear at this time in connection with these reports from our committee that the Committee on Un-American Activities, and I am sure the record will show, is this morning only reporting to you those cases which it is deemed very essential; by unanimous agreement of the committee, and for good cause, feels necessary to report to you and ask your prompt and full approval. Frequently I am asked, as a member of the committee, what our policy is with reference to contempt. I have been able to say, and I have gladly said it because it is a fact, that I am sure the two distinguished legal counsel of our committee are guiding us on legal points so that as far as possible so we see to it that we do not unnecessarily find the committee in a position where it is necessary to cite anyone for contempt.

In this connection, too, Mr. Speaker, may I urge to the attention of the House that in this case, even though the gentleman from Pennsylvania [Mr. WALTER], the ranking minority member of the committee is out of the country on official business by grant of leave, even though I have been officially absent from the House for several days, this illustrates this morning, that we do join unanimously in our established policy of not coming to this body except in cases where we feel it is extremely important for the welfare of our Nation; our internal security; and ask the House to vote on these citations.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield.

Mr. O'HARA of Illinois. As I understand it, the only issue involved is one of upholding the authority and dignity of the House of Representatives and its committees. Am I right on that?

Mr. DOYLE. No. I would not say that is all. If that were the only cause, of course in my humble judgment that would not be sufficient. The committee is not only interested in upholding its dignity as such. We are interested in establishing legal precedent, where it does not already exist. We are interested in finding out exactly what the law is, where it is not clear. We are also interested in seeing to it in connection with these folks who plead the Fifth Amendment or whom we believe to be a part of the Communist conspiracy, that they do not get by with their contemptuous conduct before the committee. It is not a matter of merely upholding the dignity of the committee. It is more important than that.

Mr. O'HARA of Illinois. I do not know that the gentleman quite understands me. The issues of law, if any, of course, are to be resolved by the courts. Members of Congress are not passing upon any points of law that may be involved. We vest our committees with certain powers for the discharge of investigative responsibilities with which they are charged. Contempt of any committee is a contempt of the House and, indeed, of the legislative branch of the Government. It follows, therefore, that when any committee by a majority vote of its members, finds in its judgment that a witness before it has acted in contempt of the authority of the committee and of the House, the proper and orderly procedure is to support the committee to the extent of having brought into court by citation such witness to show cause. Am I wrong in my understanding of the relative provinces of the legislative and judicial branches?

Mr. DOYLE. No. The gentleman is not wrong. But of course we recognize; I certainly do, that the only place where the law is determined is in the higher

courts. However, the only way we can get to court is by this process in such contempt cases as result before our committee. In other words, it is as a result of citations for contempt.

Mr. O'HARA of Illinois. Certainly it is a way of showing our respect for the courts as well as of the dignity of the Congress. We are referring any related questions to the determination of the courts.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from Ohio.

Mr. VORYS. It seems to me that the record of today's proceedings should show that as to this case and any others that are to come up, the resolution and the very able report from the committee is available to each Member of the House. For instance, in this particular case, on page 6 of the report, are set forth, after a full description of the proceedings, the particular questions which the witness refused to answer.

Then there is the following statement:

> Which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived this subcommittee of necessary and pertinent testimony which places the said witness in contempt of the House of Representatives.

It seems to me that a mere reading of these questions shows that the answers involved information that was necessary and pertinent to the functioning of this committee under the rules of the House and that, therefore, the background of this does not depend on the answer any one member of the gentleman's able committee may make here on the floor, but the real purpose is set forth in the report which is before us. A mere perusal of the questions in each of these cases—I have run over them myself and I am sure every Member of the House is doing so—will show that the testimony was pertinent to an inquiry that the Committee on Un-American Activities of the House was required by law to make. It seems to me it would be a good thing to have our proceedings right now show what is available to every Member of the House and what is being considered by each Member regardless of the discussion on the floor in each of these cases.

Mr. DOYLE. I thank the gentleman for his valuable contribution.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from New York.

Mr. KEATING. Does it appear from the record that at all times when the witness was testifying there was a quorum of the committee present?

Mr. DOYLE. I believe it does show that.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from California.

Mr. JACKSON. It should be understood that all of these cases were not heard by the full committee. Some were heard by subcommittees in some instances. However, I am informed by counsel that in all cases, whether by full committee or by subcommittee, a quorum of the full or subcommittee was present. That is set forth in the reports which are available and the report shows the presence of the appropriate quorum at all times.

Mr. KEATING. That applies not only to this case but to the subsequent ones we will consider?

Mr. JACKSON. To all cases.

Mr. KEATING. Let me ask one other question. In the case of this man Deutch, am I correct that it affirmatively appears he was a member of the Communist Party by his own admission up to a time at least in the years 1951, 1952, and 1953?

Mr. JACKSON. My recollection of the Deutch case is he admitted his own membership in the Communist Party, I believe, much later than that. Up until 8 months ago he admitted his own membership, then refused to go into any further detail relative to his associations or activities in the party.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from New York.

Mr. KEARNEY. I may say to the gentleman from New York [Mr. KEATING]—I do not know whether it was brought out entirely by the gentleman from California [Mr. JACKSON]—that at all times, either under special committee appointed by the chairman or by the full committee, there was a quorum present.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the record should show that the inquiry made by the gentleman from Illinois [Mr. O'HARA] and the response made by the gentleman from California [Mr. DOYLE] are not in conflict with one another. The gentleman from Illinois [Mr. O'HARA] simply wanted to bring out one point for the RECORD, that these cases now before us because of contempt of the House through one of its committees was through refusal of certain witnesses to answer pertinent questions to an inquiry by a special committee properly constituted by this body. So, I think there is no conflict at all, but I just wanted to bring that point out and clear it up. I have read each one of these cases, because when I was a member of the committee passing upon commitment proceedings I considered as a Member of the House I was sitting in the sense of a judge, so last night I read over every bit of evidence in connection with all of these proceedings. I want to congratulate the committee. Any Member reading the reports, the questions asked, the consideration shown, could not help but be impressed and pleased by the conduct of the committee in connection with these cases and in connection with other cases. Every one of them clearly showed me that there was a contempt, a refusal to answer pertinent questions. Some of these people admittedly were Communists but would not want to tell about any of their associates. Well, we can all understand that, but they were wrong in refusing to answer the questions asked. It was clearly within the prerogative of this committee to ask those questions, and the committee, through its counsel and its members should have asked them and they did ask them, and those cited refused to answer some questions. That is contempt. In one case I think there might well be a question of perjury, because one witness said he was not a member of the Communist Party, and I assume that the committee may have found from other witnesses that he was a member. But, in my opinion, in all cases there is a clear case of contempt, so I have no hesitancy in voting for each and every one of the resolutions, the pending one and the others that will be submitted. But, I particularly wanted, having had experience investigating communism, nazism, fascism, and bigotry, as chairman of a committee 20 years ago, to compliment the members of the committee on the dignified manner in which they proceeded in connection with these investigations. Every question was one that could have been asked in a court of law. There was no hearsay evidence asked. Every question asked was pertinent, and I am satisfied that the committee has done everything it could to ascertain the facts. They were very considerate of the witnesses, but the witnesses for one reason or another absolutely refused to respond and to answer questions pertinent to the inquiry.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from New York.

Mr. KEARNEY. I would like to say to the gentleman from Massachusetts that at all times the House Committee on Un-American Activities has bent backward to make sure that the witnesses before the committee had their legal rights protected at all times.

Mr. McCORMACK. I noticed that, and it pays, because no unfortunate results flow that anyone would regret later on. For example, you permitted the counsel and the witnesses before you to leave the room for a conference with each other if desired. I noticed that. The committee was very careful in protecting the constitutional rights and the procedural rights of all witnesses, and every question asked, in my opinion, was a pertinent question. None ever searched for hearsay evidence but for evidence pertinent to the inquiry, and as one who has had experience and knows the difficulties that committees of this kind are confronted with, I want to take this opportunity of complimenting the members of the committee.

Mr. DOYLE. I am sure we appreciate such a compliment thus coming from the distinguished gentleman from Massachusetts [Mr. McCORMACK]. In connection with legal counsel for witnesses, may I say that frequently the chairman presiding advises the witness and the counsel present that if they find difficulty in conferring privately in the committee room, the committee would recess temporarily and allow them to leave the room and go elsewhere to confer. Always, may I state, we urge that a witness have legal counsel present with him,

unless he clearly states, after being under oath, that he does not desire legal counsel with him.

Mr. Speaker, I have no further requests for time.

Mr. VELDE. Mr. Speaker, first of all, I want to thank the gentleman from Massachusetts [Mr. McCORMACK] for his compliment. The Members on the other side of the aisle have always, since I have been a member of the committee and since I have been the chairman of the committee, supported our actions. I appreciate those compliments.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, I shall not use 10 minutes, but I do feel that some explanation should be given relative to the differences in the several citations. That is, those who were cited took several approaches which resulted in the recommendation by the committee that they be cited for contempt. I think I should touch upon each one of these cases, so that the RECORD will be very clear in that regard.

In the case which is presently under consideration, that of Bernhard Deutch, Mr. Deutch admitted membership in the Communist Party until early in 1954. However, he refused to answer any questions having to do with his associates in the Communist Party. The specific questions to which he refused to give answers—and he also refused to invoke the provision against self-incrimination—are contained in the report, copies of which Members have.

The case of John T. Watkins, which is the second case under consideration of the nine: Mr. Watkins admitted that he freely cooperated with the Communist Party from 1942 until 1947. He admitted financial contributions to Communist causes. He admitted signing petitions for Communist causes. However, he denied having been an actual member of the Communist Party. He refused to answer any questions concerning his knowledge of individual members of the Communist Party, or their activities. Also he did not take the provisions of the Constitution against possible self-incrimination.

The next is the case of Wilbur Lee Mahaney, Jr. He admitted membership in the Communist Party from 1935 to 1948. He refused to answer any questions concerning his past Communist Party associates. He also did not avail himself of the provisions of the fifth amendment of the Constitution.

The fourth case is that of Mrs. Goldie E. Watson. Mrs. Watson refused to answer any questions concerning alleged Communist activity; membership in organizations, associations, societies or concerning individuals with whom she met. She also refused to avail herself of the provisions of the fifth amendment to the Constitution but did base her refusal to answer any questions on the first amendment, or the freedom of speech amendment which, up to the present time, has been held by the courts as not a legal reason for refusal to answer questions in an inquiry of this kind.

The fifth case is that of Mr. Lawrence Baker Arguimbau. Mr. Arguimbau admitted membership in the Communist Party from 1937 to 1950. He, too, refused to answer any question concerning his past associates in the Communist Party. He stood upon the fifth amendment which was, however, in the opinion of the committee, not available to him since he voluntarily admitted his own past party membership and had already entered into the record incriminating testimony.

Mr. KEATING. Mr. Speaker, will the gentleman yield on that point?

Mr. JACKSON. I am happy to yield.

Mr. KEATING. The position of the committee is that he had waived immunity that he might have had under the fifth amendment?

Mr. JACKSON. Exactly.

Mr. KEATING. However, he did come in and testify?

Mr. JACKSON. As a matter of fact, he testified to quite some extent so far as his personal activities were concerned.

The Supreme Court, in *Brown* v. *Walker* (161 U. S. 591, 597 (1896)), said:

> Thus, if the witness himself elects to waive his privilege, as he may doubtless do, since the privilege is for his protection and not for that of other parties, and discloses his criminal connections, he is not permitted to stop, but must go on and make a full disclosure.

In the case of Marcus Singer, the sixth before us today, Mr. Singer admitted that he "considered himself a Communist." He admitted he supported the Communist program in terms of money but did not "remember any membership card."

He refused to answer any questions concerning any past Communist Party associates. He took the provisions of the fifth amendment, which, as in the case of Mr. Lawrence Baker Arguimbau, and in the opinion of the committee, was not available to him in that it constituted a misuse in the light of his statements relative to his own membership.

Ole Fagerhaugh was heard by a subcommittee in San Francisco and is the only one of the nine presently being considered who was not heard here in Washington.

Mr. Fagerhaugh refused to answer any questions concerning his alleged Communist Party membership and activities, and refused specifically to answer the question, "Where are you employed?" He stood on the fifth amendment in each instance. The committee felt that saying that he was employed at the Illinois Glass Co., Oakland, Calif., could not possibly incriminate him and, therefore, that he used the fifth amendment improperly. It was further considered by the committee that as a matter of proper identification of Mr. Fagerhaugh his place of employment was necessary and desirable.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from New York.

Mr. KEATING. Is the only basis for the citation against Fagerhaugh his failure to answer the question as to where he was employed?

Mr. JACKSON. I believe that is the specific question which the committee considered to represent a misuse of the constitutional provision.

I should say parenthetically, Mr. Speaker, that the citations under consideration today by no means constitute the sum of the contempt that has been heaped upon your committee during the course of the past year. The sum total of that contempt is quite considerable. If the committee brought to the floor actual cases where in manner and in speech a witness was contemptuous we might well occupy an amount of time entirely out of proportion to the importance of the work we are doing.

However, these are procedural contempts. These contempts, in the opinion of the committee, if allowed to stand unchallenged and not sent through the due process of the courts, would very seriously handicap if not completely destroy the work which is presently being done. If we do not bring these contempt situations to you and future witnesses are permitted to follow exactly these same courses of action the committee will be deprived of almost all the information which is essential to it in the conduct of its work.

The eighth case is that of Mr. Barrows Dunham, who refused to answer questions as to what his formal educational training had been and refused to answer the question, "What is your present occupation?" He stood upon the grounds of the fifth amendment in each instance. The committee felt that had Mr. Barrows Dunham stated his occupation or his formal educational training he could not by the greatest stretch of the imagination have placed himself in any position where he would have incriminated himself.

In the ninth case, Mr. Francis X. T. Crowley refused to answer any questions concerning alleged Communist Party membership and activities, and he also relied upon the fifth amendment provision.

Mr. KEARNEY. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from New York.

Mr. KEARNEY. I was chairman of the subcommittee that held the hearings on Francis X. T. Crowley. He was advised by the counsel to the committee, Mr. Kunzig, and he was advised by me that at all times he would have the right to counsel, the right to consult with counsel. He stated that he had no desire to consult counsel. At no time did he take advantage of the fifth amendment, but at all times his answers were that he just would not answer. The report citing Francis X. T. Crowley speaks for itself.

Mr. JACKSON. I thank the gentleman.

I wish to make a correction. In answer to a question by the gentleman from New York as to whether or not there was a quorum present in the committee or the subcommittee in all instances, I should say that in the case of Wilbur Lee Mahaney, Jr., as you will note from the report there was a 2-man subcommittee but only 1 member was present. However, the witness himself through counsel waived the possible failure of a

quorum. That is specifically stated in the testimony.

Mr. KEATING. By the witness himself?

Mr. JACKSON. By the witness himself.

Mr. KEATING. Referring again to Fagerhaugh who refused to answer the question: "Where are you presently employed?" Would the gentleman just enlighten us a little further on the reason why the committee felt that that question was pertinent to the subject under inquiry?

Mr. JACKSON. Yes, there were two principal reasons why the committee felt that the matter of his place of employment was important. First of all, as a matter of proper identification. Secondly, one of the principal goals of the Communist Party, as has been developed in testimony, has been to place Communist Party members in certain areas of employment. We know, for instance, that during the war an effort was made in the Baltimore area to place white collar workers in heavy industry. That has been developed throughout the country, and in order to determine that pattern, if it exists, the committee has made a very strong effort to determine the place of employment of one who has been identified under oath as a member of the Communist Party.

Mr. KEATING. I think that is helpful and it is convincing as to why that is a pertinent question.

Mr. JACKSON. I thank the gentleman.

Mr. JONAS of Illinois. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I am glad to yield to the gentleman.

Mr. JONAS of Illinois. Did I understand the gentleman's calculations correctly that out of the number of cases that you have cited here, only two invoked the protection of the fifth amendment of the Constitution? I think you said there were only two.

Mr. JACKSON. I would have to check that, but it sounds correct to me at the moment.

Mr. JONAS of Illinois. May I pursue this a little further and say that when the witnesses did invoke the fifth amendment, that position was taken immediately after they were asked 1 or 2 questions—1 of which pertained to their occupation. The gentleman stated here on the floor that the committee concluded, however, that he had not taken the right position or had not taken the position which was considered valid and legal in the eyes of jurisprudence or of the law, and because of that the committee now, of course, asks that these gentlemen be cited for contempt. I do not want my remarks to be understood to mean that I am opposed to invoking these contempt proceedings. I am going to vote for all of them, but I do want to pursue this question a little further, and say if the committee does not set itself up as the judicial tribunal and leave the ultimate disposition of the cases to the courts, as is always our procedure, how would you come to the conclusion that when they invoke the fifth amendment, you have a right now to cite them for contempt regardless?

Mr. JACKSON. The committee has proceeded only on findings in the courts of which it has knowledge. The findings up to this time have been such as to indicate that when one admits his own membership in the Communist Party that he then cannot proceed to refuse to answer further questions relative to his activities and those of his associates by invoking the fifth amendment. I have read one citation. There are a number here which could properly be read into the record. However, we on the committee have proceeded solely upon our own knowledge of what has transpired so far as previous court actions are concerned.

Mr. JONAS of Illinois. I agree with the gentleman from California that we are bound by precedents, and you cited a court decision that where they once began to testify and they opened up the door, and then want to invoke the privilege they have under the Constitution that they are presumed to waive it, but is that the situation in the two cases that you cited?

Mr. JACKSON. I think I understand the gentleman. I do not think we have any cases of that kind where witnesses came in and invoked the fifth amendment straight through the course of their testimony.

Mr. JONAS of Illinois. You do not have any cases of that kind?

Mr. JACKSON. I believe not. I believe all of the cases involved here are cases where the witnesses have opened the door by voluntary statements and then at a later point have invoked the provisions of the fifth amendment.

Mr. JONAS of Illinois. That is the information that I am seeking and I thank the gentleman for making that information available to the House.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. MASON. When I do not invoke the fifth amendment to protect myself, and that is what the fifth amendment is for, and I acknowledge my membership, then I cannot invoke the fifth amendment to protect some of my associates.

I think that is the crux of the whole thing.

Mr. JACKSON. That is the crux of the whole thing, and that is my understanding of the court decisions.

I hope all of the citations will be voted.

The SPEAKER. The time of the gentleman from California has again expired.

Mr. VELDE. I yield to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. I think it would be appropriate to have the RECORD show that the reason committee members, Messrs. SCHERER, CLARDY, and MOULDER, are not present is that they are in committee work in Michigan and so are absent from the Capitol.

Mr. VELDE. I thank the gentleman for making that observation.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. VELDE. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 346, nays 0, answered "present" 0, not voting 88 as follows:

[Roll No. 68]

YEAS—346

Abbitt	Doyle	Kluczynski
Abernethy	Durham	Knox
Adair	Eberharter	Krueger
Addonizio	Edmondson	Landrum
Alexander	Elliott	Lane
Allen, Calif.	Ellsworth	Lantaff
Allen, Ill.	Evins	Latham
Andersen, H. Carl	Fallon	LeCompte
	Feighan	Lesinski
Andrews	Fenton	Lipscomb
Angell	Fernandes	Long
Arends	Fino	Lovre
Aspinall	Fisher	Lucas
Auchincloss	Fogarty	McCarthy
Ayres	Forand	McCormack
Bailey	Ford	McCulloch
Baker	Forrester	McDonough
Barden	Fountain	McGregor
Bates	Frazier	McIntire
Beamer	Frelinghuysen	McMillan
Becker	Friedel	McVey
Belcher	Fulton	Machrowicz
Bennett, Fla.	Garmatz	Mack, Ill.
Bennett, Mich.	Gary	Mack, Wash.
Bentley	Gathings	Madden
Bentsen	Gavin	Magnuson
Betts	Gentry	Mahon
Bishop	George	Mailliard
Boland	Golden	Marshall
Bolling	Goodwin	Mason
Bolton, Frances P.	Gordon	Matthews
	Grant	Meader
	Gross	Merrill
Bolton, Oliver P.	Gubser	Merrow
	Gwinn	Metcalf
Bonin	Hagen, Calif.	Miller, Calif.
Bonner	Hagen, Minn.	Miller, Kans.
Bosch	Hale	Miller, Md.
Bow	Haley	Miller, Nebr.
Boykin	Halleck	Miller, N. Y.
Brambletт	Hand	Mills
Bray	Harden	Mollohan
Brooks, Tex.	Hardy	Morano
Brown, Ga.	Harris	Morrison
Brown, Ohio	Harrison, Nebr.	Moss
Brownson	Harrison, Va.	Multer
Buchanan	Harrison, Wyo.	Mumma
Budge	Hays, Ohio	Murray
Burdick	Hébert	Natcher
Burleson	Herlong	Neal
Busbey	Heselton	Nelson
Bush	Hess	Nicholson
Byrd	Hiestand	Norblad
Byrne, Pa.	Hill	Norrell
Campbell	Hillelson	Oakman
Canfield	Hillings	O'Brien, Ill.
Cannon	Hinshaw	O'Brien, Mich.
Carlyle	Hoeven	O'Brien, N. Y.
Carnahan	Hoffman, Ill.	O'Hara, Ill.
Carrigg	Hoffman, Mich.	O'Hara, Minn.
Chenoweth	Holmes	O'Konski
Chiperfield	Holt	O'Neill
Church	Holtzman	Osmers
Clevenger	Horan	Ostertag
Cole, Mo.	Hosmer	Passman
Cole, N. Y.	Howell	Patman
Colmer	Hruska	Patten
Cooley	Hunter	Perkins
Coon	Hyde	Pfost
Cooper	Ikard	Pilcher
Corbett	Jackson	Pillion
Cotton	James	Poage
Coudert	Jarman	Poff
Cretella	Javits	Preston
Crumpacker	Jenkins	Price
Cunningham	Jensen	Priest
Curtis, Mass.	Johnson, Wis.	Prouty
Dague	Jonas, Ill.	Rabaut
Davis, Ga.	Jonas, N. C.	Radwan
Davis, Tenn.	Jones, Ala.	Rains
Davis, Wis.	Jones, Mo.	Ray
Dawson, Utah	Jones, N. C.	Rayburn
Delaney	Judd	Reams
Dempsey	Karsten, Mo.	Reed, N. Y.
Derounian	Kean	Rees, Kans.
Devereux	Kearney	Regan
D'Ewart	Kearns	Rhodes, Pa.
Dies	Keating	Riehlman
Dodd	Kelly, N. Y.	Riley
Dolliver	Kersten, Wis.	Rivers
Dondero	Kilburn	Robsion, Ky.
Dorn, N. Y.	Kilday	Rodino
Dorn, S. C.	King, Pa.	Rogers, Colo.
Dowdy	Kirwan	Rogers, Fla.

Rogers, Mass.	Spence	Wampler
Rogers, Tex.	Springer	Warburton
Rooney	Staggers	Watts
Sadlak	Stauffer	Westland
St. George	Steed	Wheeler
Saylor	Sullivan	Whitten
Schenck	Talle	Wickersham
Scrivner	Thomas	Widnall
Secrest	Thompson, Mich.	Wier
Seely-Brown	Thompson, Tex.	Wigglesworth
Selden	Thornberry	Williams, Miss.
Shafer	Tollefson	Williams, N. J.
Sheehan	Trimble	Williams, N. Y.
Shelley	Tuck	Wilson, Tex.
Short	Utt	Winstead
Sieminski	Van Pelt	Withrow
Sikes	Van Zandt	Wolcott
Simpson, Ill.	Velde	Wolverton
Simpson, Pa.	Vinson	Yates
Small	Vorys	Yorty
Smith, Kans.	Vursell	Young
Smith, Va.	Wainwright	Younger
Smith, Wis.		Zablocki

NOT VOTING—88

Albert	Donohue	Philbin
Andresen, August H.	Donovan	Phillips
Ashmore	Engle	Polk
Barrett	Fine	Powell
Battle	Gamble	Reece, Tenn.
Bender	Graham	Reed, Ill.
Berry	Granahan	Rhodes, Ariz.
Blatnik	Green	Richards
Boggs	Gregory	Roberts
Bowler	Hart	Robeson, Va.
Brooks, La.	Harvey	Roosevelt
Broyhill	Hays, Ark.	Scherer
Buckley	Heller	Scott
Byrnes, Wis.	Holifield	Scudder
Camp	Hope	Sheppard
Cederberg	Johnson, Calif.	Shuford
Celler	Kee	Smith, Miss.
Chatham	Kelley, Pa.	Stringfellow
Cheif	Keogh	Sutton
Chudoff	King, Calif.	Taber
Clardy	Klein	Taylor
Condon	Laird	Teague
Crosser	Lanham	Thompson, La.
Curtis, Mo.	Lyle	Walter
Curtis, Nebr.	McConnell	Weichel
Dawson, Ill.	Martin, Iowa	Wharton
Deane	Morgan	Willis
Dingell	Moulder	Wilson, Calif.
Dollinger	Patterson	Wilson, Ind.
	Pelly	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Graham with Mr. Keogh.
Mr. Taber with Mr. King of California.
Mr. Stringfellow with Mr. Lanham.
Mr. Pelly with Mr. Camp.
Mr. Reed of Illinois with Mr. Bowler.
Mr. Wilson of Indiana with Mr. Celler.
Mr. Taylor with Mr. Buckley.
Mr. Hope with Mr. Barrett.
Mr. McConnell with Mr. Granahan.
Mr. August H. Andresen with Mr. Dingell.
Mr. Cederberg with Mr. Donohue.
Mr. Clardy with Mr. Heller.
Mr. Scudder with Mr. Kelley of Pennsylvania.
Mr. Martin of Iowa with Mr. Klein.
Mr. Reece of Tennessee with Mr. Boggs.
Mr. Curtis of Missouri with Mr. Chatham.
Mr. Gamble with Mr. Chudoff.
Mr. Patterson with Mr. Green.
Mr. Rhodes of Arizona with Mr. Deane.
Mr. Wharton with Mr. Dollinger.
Mr. Berry with Mr. Ashmore.
Mr. Johnson of California with Mr. Philbin.
Mr. Wilson of California with Mr. Roosevelt.
Mr. Broyhill with Mr. Fine.
Mr. Laird with Mr. Polk.
Mr. Byrnes of Wisconsin with Mrs. Kee.
Mr. Scott with Mr. Sheppard.
Mr. Phillips with Mr. Powell.
Mr. Scherer with Mr. Holifield.
Mr. Weichel with Mr. Engle.
Mr. Curtis of Nebraska with Mr. Hays of Arkansas.
Mr. Bender with Mr. Teague.
Mr. Harvey with Mr. Morgan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JOHN T. WATKINS

Mr. VELDE. Mr. Speaker, by direction of the House Committee on Un-American Activities, I submit a privileged report (H. Rept. No. 1579, 83d Cong., 2d sess.).

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to John T. Watkins, 1224 44th Avenue, Rock Island, Ill. The said subpena directed John T. Watkins to be and appear before said committee, or a duly authorized subcommittee thereof, on Monday, April 26, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon the said John T. Watkins is set forth in words and figures, as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to United States marshal, Dubuque, Iowa: You are hereby commanded to summon John T. Watkins to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE, is chairman, in their chamber in the city of Washington, room 225–A, Old House Office Building, on Monday, April 26, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 6th day of April 1954.

"HAROLD H. VELDE, *Chairman.*

"Attest:

"LYLE O. SNADER, *Clerk.*"

The said subpena was duly served as appears by the return made thereon by Don A. Davis, deputy, who was duly authorized to serve the said subpena. The return of the service by the said Don A. Davis, being endorsed thereon, is set forth in words and figures as follows:

"Return of service: I hereby certify and return that at 6 p. m. on April 13, 1954, I served a subpena, of which this is a true and correct copy, on the within-named John T. Watkins, by delivering the said subpena to him personally and leaving the same with him at his residence located at 1224 44th Avenue, Rock Island, Ill.

"ROLAND A. WALTER,
"United States Marshal, Southern District of Iowa.
"By DON A. DAVIS, *Deputy.*"

On the 22d day of April 1954, pursuant to a request from counsel for John T. Watkins for a continuance, the following telegram was sent to John T. Watkins, which is set forth in words and figures as follows:

WASHINGTON, D. C., *April 22, 1954.*

MR. JOHN T. WATKINS,
1224 44th Avenue, Rock Island, Ill.:

Under continuing authority of subpena served upon you April 13, 1954, your appearance before Committee on Un-American Activities is hereby postponed from April 26 to Thursday, April 29, 1954, 10:30 a. m.

HAROLD H. VELDE, *Chairman.*

The said John T. Watkins, pursuant to said subpena and in compliance therewith, appeared before the said committee on April 29, 1954, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said John T. Watkins having appeared as a witness and having been asked questions, namely:

"Do you know Harold Fisher to be a member of the Communist Party?

"Did you know Charles Hobbe to be a member of the Communist Party?

"Did you know Henry Mack to be a member of the Communist Party?

"Do you know Ernest DeMaio to be a member of the Communist Party?

"Do you know him [Ernest DeMaio][1] to have ever been a member of the Communist Party?

"Did you know Charles Killinger to be a member of the Communist Party?

"Mr. Watkins, I am going to read a list of names to you. I will read it slowly—and I am going to ask you—these are all names identified as members of the Communist Party by Mr. Rumsey in his testimony in Chicago. I am going to read the list and ask you whether you ever knew any of these people to be members of the Communist Party: Lee Landbaker; Morris Childs; Dorothy Hillyerd; Theo Kruse; Charles Lawson; Olaf Lidel, L-l-d-e-l; Sarah Levine; Murray Levine; Harriet Leuth, L-e-u-t-h; Herbert Marsh; Ajay Martin; Harold Metcalf; John Milkevitch; Grant Oakes; Joe Ruick, R-u-i-c-k, or alias Joe Webber; Frank Rogers; Arthur Saunders; Seymour Siporin; Joseph Stern; George Teeple, T-e-e-p-l-e; Ray Teeple; Donald Tieglan, T-i-e-g-l-a-n; Rex Wielock; John Wilson; Marie Wilson; Mrs. John Wilson. Do you know any of those names I just read to you to have been members of the Communist Party?"

Which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of John T. Watkins' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said John T. Watkins.

The record of the proceedings before the committee on April 29, 1954, during which John T. Watkins refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
"WASHINGTON, D. C.,
"Thursday, April 29, 1954.

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:56 a. m., in the caucus room, 362 Old House Office Building, Hon. HAROLD H. VELDE, chairman, presiding.

"Committee members present: Representatives HAROLD H. VELDE (chairman), GORDON H. SCHERER, MORGAN M. MOULDER, and JAMES B. FRAZIER, JR.

* * * * *

"Mr. VELDE. The committee will be in order.

"Let the record show that I have appointed as a subcommittee for the purposes of this hearing Mr. SCHERER, Mr. MOULDER, Mr. FRAZIER, and myself as chairman.

"The hearing this morning is a continuation of the hearings which were held in Chi-

[1] Words inside brackets added for clarity.

cago recently by a subcommittee composed of Mr. SCHERER, Mr. MOULDER, and myself. At that time 2 witnesses were unavailable, at least the committee staff was unable to find these 2 witnesses to issue a subpena for them. Subsequent to that time I believe that these witnesses have been subpenaed, so we will proceed, Mr. Counsel, at the present time with the witnesses.

"Mr. KUNZIG. John T. Watkins. Will you step forward, please?

"Mr. VELDE. In the testimony you are about to give before this subcommittee do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. WATKINS. I do.

"Mr. VELDE. Be seated.

"TESTIMONY OF JOHN T. WATKINS, ACCOMPANIED BY HIS COUNSEL, JOSEPH L. RAUH, JR., AND DANIEL H. POLLITT

"Mr. KUNZIG. Would you give your full name, please, sir?

"Mr. WATKINS. John T. Watkins.

"Mr. KUNZIG. I see that you are accompanied by counsel. Would counsel please state his name and office address for the record?

"Mr. RAUH. My name is Joseph L. Rauh, R-a-u-h, Jr., 1631 K Street, and with me is Mr. Daniel H. Pollitt, P-o-l-l-i-t-t, of 1631 K Street. We are Washington counsel for the United Automobile Workers, CIO.

"Mr KUNZIG. Are you also counsel here this morning for Mr. Watkins?

"Mr. RAUH. In our capacity as counsel we are representing Mr. Watkins.

"Mr. KUNZIG. Would you give your address, please, Mr. Watkins?

"Mr. WATKINS. 1224 22d Avenue, Rock Island, Ill.

* * * * *

"Mr. KUNZIG. Now, Mr. Watkins, on September 3, 1952, at hearings before this committee, one Donald O. Spencer testified as follows:

"'QUESTION. During the period that you were a member of the Farm Equipment Workers did you become a member of the Communist Party?

"'Mr. SPENCER. Yes, sir.

"'QUESTION. When did you become a member?

"'Mr. SPENCER. In 1943, in October.

"'QUESTION. How long did you remain a member of the Communist Party?

"'Mr. SPENCER. Well, my dues were paid until the 1st of January 1946.

"'QUESTION. Who recruited you into the Communist Party?

"'Mr. SPENCER. Walter Rumsey, R-u-m-s-e-y, encouraged me into the party with the endorsement and full knowledge of John Watkins.

"'QUESTION. Is that John Watkins?

"'Mr. SPENCER. Yes, sir. He was district vice president of the FE at that time.'

"Mr. KUNZIG. Did you know Donald O. Spencer?

"Mr. WATKINS. I did.

"Mr. KUNZIG. Were you ever a member of the Communist Party?

"Mr. WATKINS. No.

"Mr. KUNZIG. Are you now a member of the Communist Party?

"Mr. WATKINS. No.

"Mr. KUNZIG. Did you have anything to do with recruiting into the Communist Party Mr. Spencer?

"Mr. WATKINS. I did not.

"Mr. KUNZIG. Did you ever recruit anybody into the Communist Party?

"Mr. WATKINS. I have not.

"Mr. KUNZIG. I will go on with the testimoney.

"'Mr. SPENCER. John Watkins, he approved my recruitment before I was admitted.'

"I will ask you now, did you approve the recruitment of Spencer before he was admitted to the Communist Party?

"Mr. WATKINS. Read your question again.

"Mr. KUNZIG. Mr. Spencer's testimony was that 'John Watkins approved my recruitment before I was admitted.'

"My question to you is, Did you ever approve the recruitment of Spencer to the Communist Party before he was admitted?

"Mr. WATKINS. No, sir.

"Mr. KUNZIG. Now, the question was asked:

"'Mr. Spencer, did you ever attend meetings in the home of John Watkins, Communist Party meetings?'

"And Spencer said: 'No.'

"'Question: Were you acquainted with Catherine Hall, wife of John Watkins?

"'Mr. SPENCER. Yes, she wasn't the wife of John Watkins at that time, though. She was working in the office, the district office of FE–CIO in Rock Island at that time.

"'Question: Was she a member of the Communist Party?

"'Mr. SPENCER. Well, she attended the meetings, and I never saw her card but she would have had to have been or she couldn't attend the meetings.'

"Now, Mr. Spencer goes on:

"'Well, this was a very small meeting, and I was called in there and told to report to Sherman Hotel, and when I got there at the desk I was told to go up to a room on the eighth floor. I went up there and there were only three people present at that meeting and it was Kate Hall, John Watkins, and Jerry Fielde.'

"Did you ever attend any meeting in the Sherman Hotel with Kate Hall and Jerry Fielde?

"Mr. WATKINS. I have. I would like to make a brief statement possibly in regard to——

"Mr. KUNZIG. In regard to this meeting?

"Mr. WATKINS. Yes.

"Mr. KUNZIG. All right.

"Mr. WATKINS. I am not now nor have I ever been a card-carrying member of the Communist Party. Rumsey was wrong when he said I had recruited him into the party, that I had received his dues, that I paid dues to him, and that I had used the alias Sam Brown.

"Spencer was wrong when he termed any meetings which I attended as closed Communist Party meetings.

"I would like to make it clear that for a period of time from approximately 1942 to 1947 I cooperated with the Communist Party and participated in Communist Party activities to such a degree that some persons may honestly believe that I was a member of the party.

"I have made contributions upon occasions to Communist causes. I have signed petitions for Communist causes. I attended caucuses at an FE convention at which Communist Party officials were present.

"Since I freely cooperated with the Communist Party I have no motive for making the distinction between cooperation and membership except the simple fact that it is the truth. I never carried a Communist Party card. I never accepted discipline and indeed on several occasions I opposed their position.

"In a special convention held in the summer of 1947, I led the fight for compliance with the Taft-Hartley Act by the FE–CIO International Union. This fight became so bitter that it ended any possibility of future cooperation.

"Mr. KUNZIG. What was the date you say you stopped cooperating with the Communist Party?

"Mr. WATKINS. I say prior to the convention, 1947. I do not have the date.

"Mr. KUNZIG. When would you say this cooperation with Communist Party started?

"Mr. WATKINS. I could not give you a date.

Mr. KUNZIG. Estimate a date, to the best of your ability.

"Mr. WATKINS. I said approximately 1942 to 1947.

"Mr. KUNZIG. Approximately from 1942 to 1947, to use your own words, you cooperated with the Communist Party; is that correct?

"Mr. WATKINS. Yes; that is in my statement.

"Mr. MOULDER. Mr. Chairman.

"Mr. VELDE. Mr. MOULDER.

"Mr. MOULDER. To what extent or in what manner did you cooperate—did you attend meetings of the leadership of the Communist Party or was your cooperation with some of the movements that they were undertaking in cooperation with labor at that time?

"Mr. WATKINS. Well, the cooperation as I referred to in my statement was had by contributions; I had been present at meetings, caucuses, I referred to; and that is what I mean by cooperation.

"Mr. MOULDER. Did you participate in any political meetings where only Communists were involved?

"Mr. WATKINS. Only Communists were involved? Not to my knowledge. I have attended, in my work in the labor union, thousands of meetings, sometimes as many as four a day, and to answer about any specific meeting it would necessarily have to be pinpointed to some recollection.

"Mr. MOULDER. Well, did you consider yourself as actually affiliating yourself with the Communist cause or the philosophy of the Communist Party movement during that period of time, or were you using the Communist Party in your work as a labor leader, that is the point I was trying to make clear a moment ago. I was trying to distinguish. We do distinguish between those activities.

"Mr. WATKINS. Well, I would say that on occasions there was no difference in opinion on a position, which I might have felt the Communists were also in support of that position, and I did not oppose it, but where I felt that their position differed from mine, I did oppose.

* * * * *

"Mr. SCHERER. Your participation or association with the party as you have described it was entirely separate and apart from any activity on the part of Spencer and Rumsey in connection with the party?

"Mr. WATKINS. That is correct.

"Mr. VELDE. Let me as ask you a question. You say here in your statement, and I think you read the statement into the record, 'I cooperated with the Communist Party and participated in Communist Party activity to such a degree that some persons may honestly believe I was a member of the party.'

"Now, with whom did you participate in the Communist Party in these activities if you didn't participate with Spencer and Rumsey?

"Mr. WATKINS. I have participated in meetings with Fred Fine, who was present; Gil Green was present——

"Mr. VELDE. As you go through these—Fred Fine, what was his capacity in the Communist Party?

"Mr. WATKINS. I do not know what his title was, but he was some representative of the party.

"Mr. VELDE. Well, how did you know him to be a member of the Communist Party?

"Mr. WATKINS. I met him at, as I recall, at the 1946 Milwaukee convention.

"Mr. VELDE. Of the Communist Party?

"Mr. WATKINS. No; of the FE–CIO union.

"Mr. VELDE. Well, I am asking you how you knew he was a member of the Communist Party?

"Mr. WATKINS. Well, it was public knowledge that he was a member, and any time at the meeting that I referred to, in the caucuses, it was no secret that he was an official of some sort of the Communist Party.

"Mr. VELDE. All right. Will you proceed, then, with others that you have participated with in Communist Party activity?

"Mr. WATKINS. I have been in meetings where Bill Sentner has been present. I don't know of any meetings other than union meetings.

"Mr. MOULDER. Were they Communist Party meetings; that is what I want to know?

"Mr. WATKINS. No.

"Mr. KUNZIG. Excuse me. Is that Bill Senter, S-e-n-t-e-r?

"Mr. WATKINS. I think so.

"Mr. MOULDER. Mr. Chairman.

"Mr. VELDE. All right. Mr. Moulder.

"Mr. MOULDER. When you refer to being in a meeting with these gentlemen that were known as Communists, were they Communist Party meetings?

"Mr. WATKINS. No, sir.

"Mr. VELDE. But you participated in Communist Party activity with them at these meetings, as I understand you to say in your statement here, is that right?

"Mr. WATKINS. Well, the Communist Party activities, according to the statement, is the activity the Communist Party was carrying on at such occasions, such as the convention which I have cited, and activities such as a petition they may have been circulating, or a contribution they may have been asking.

"Mr. VELDE. And that is contributions and petitions for the Communist Party cause, is that right?

"Mr. WATKINS. I assume they were, yes.

"Mr. SCHERER. Well, you mean these activities were in connection with the Communist Party's attempt to control the union activities?

"Mr. WATKINS. No, I couldn't say they were directed toward the union as such.

"Mr. SCHERER. Well, you know that that was the general program and policy of the party, to attempt to control the various unions or some unions; you know that is true, don't you, witness?

"Mr. WATKINS. I think that is generally true, yes.

"Mr. SCHERER. These discussions that you had with these men you knew to be Communists at union meetings were in connection with their desire to control to some extent, at least, the union's policy and activities, were they not?

"Mr. WATKINS. I would say that is probably correct.

"(At this point Mr. Watkins conferred with Mr. Rauh.)

"Mr. VELDE. Can we conveniently recess at this point, Mr. Counsel? We have a quorum call. I am sure the members want to get over there.

"Mr. KUNZIG. Yes, I think so.

"Mr. VELDE. The committee will be in recess for 20 minutes in order to enable the committee members to answer a quorum call.

"(Whereupon at 11:10 a. m., a recess was taken, the hearing to be reconvened at 11: 30 a. m.)

"(Thereupon, at 11:40 a. m., pursuant to the taking of the recess, the hearing was reconvened, the following committee members being present: Representatives HAROLD H. VELDE (chairman), GORDON H. SCHERER, and JAMES B. FRAZIER, Jr. (appearance noted in transcript).)

"Mr. VELDE. The committee will be in order.

"Let the record show, that I have appointed a new subcommittee consisting of Mr. SCHERER, Mr. MOULDER, and myself as chairman, and a quorum for this hearing is present, consisting of Mr. SCHERER and the chairman.

"Proceed, Mr. Counsel.

* * * * *

"Mr. KUNZIG. Now, I have here a list of names of people, all of whom were identified as Communist Party members by Mr. Rumsey during his recent testimony in Chicago. I am asking you first whether you know these people. My first question: Warner Betterson?

"Mr. WATKINS. No; I don't know him.

"Mr. KUNZIG. Joan Steele?

"Mr. WATKINS. Not to my knowledge.

"Mr. KUNZIG. Peter Gustafson?

"Mr. WATKINS. I know a Gustafson, but I don't know a Peter Gustafson.

"Mr. KUNZIG. Donald O. Spencer, I already asked you about. You know Donald O. Spencer?

"Mr. WATKINS. Yes, sir.

"Mr. KUNZIG. Harold Fisher?

"Mr. WATKINS. Yes, sir.

"Mr. KUNZIG. You know Harold Fisher?

"Mr. WATKINS. I do.

"Mr. KUNZIG. Do you know Harold Fisher to be a member of the Communist Party?

"Mr. WATKINS. I will ask counsel.

"Mr. KUNZIG. Certainly.

"(At this point Mr. Watkins conferred with Mr. Pollitt.)

"Mr. WATKINS. Mr. Chairman, in regard to that question, I would like to make a very brief statement I prepared in anticipation of this answer.

"Mr. VELDE. You may proceed.

"Mr. WATKINS. Thank you.

"I would like to get one thing perfectly clear, Mr. Chairman. I am not going to plead the fifth amendment, but I refuse to answer certain questions that I believe are outside the proper scope of your committee's activities. I will answer any question which this committee puts to me about myself. I will also answer questions about those persons whom I knew to be members of the Communist Party and whom I believe still are. I will not, however, answer any questions with respect to others with whom I associated in the past. I do not believe that any law in this country requires me to testify about persons who may in the past have been Communist Party members or otherwise engaged in Communist Party activity but who to my best knowledge and belief have long since removed themselves from the Communist movement.

"I do not believe that such questions are relevant to the work of this committee nor do I believe that this committee has the right to undertake the public exposure of persons because of their past activities. I may be wrong, and the committee may have this power, but until and unless a court of law so holds and directs me to answer, I most firmly refuse to discuss the political activities of my past associates.

"Mr. KUNZIG. And I want to get this clear for the record. You are not in any way raising the fifth amendment?

"Mr. WATKINS. I am not.

"Mr. KUNZIG. But you are refusing to answer the question I have just asked you?

"Mr. WATKINS. Based upon the statement just read, yes.

"Mr. KUNZIG. And you, of course, have advice of counsel. He is sitting right next to you at this moment and you just conferred with him, is that correct?

"Mr. WATKINS. That is correct.

"Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer.

"Mr. VELDE. Yes. This committee is set up by the House of Representatives to investigate subversion and subversive propaganda and to report to the House of Representatives for the purpose of remedial legislation.

"The House of Representatives has by a very clear majority, a very large majority, directed us to engage in that type of work and so we do, as a committee of the House of Representatives, have the authority, the jurisdiction, to ask you concerning your activities in the Communist Party, concerning your knowledge of any other persons who are members of the Communist Party or who have been members of the Communist Party, and so, Mr. Watkins, you are directed to answer the question propounded to you by counsel.

"Now, do you remember the question that was propounded to you?

"Mr. WATKINS. I remember the question, Mr. Chairman, and I have read my answer which, among other things, states that your committee may have this power, and I stand on my statement.

"Mr. VELDE. Proceed, Mr. Counsel.

"Mr. KUNZIG. Now, I am going down and ask you other names as I started to do a moment ago of people who were identified by Mr. Rumsey during his testimony in Chicago.

"Do you know Charles——

"Mr. SCHERER. Wait a minute. Identified by Mr. Rumsey as members of the Communist Party?

"Mr. KUNZIG. That is correct. I stated as members of the Communist Party before. This, of course, was at the time Mr. Rumsey was a member of the Communist Party that he knew these people to be members with him.

"Did you know Charles Hobbe?

"Mr. WATKINS. I do.

"Mr. KUNZIG. Did you know Charles Hobbe to be a member of the Communist Party?

"Mr. WATKINS. I stand on my statement.

"Mr. KUNZIG. In other words, you are refusing to answer that question?

"Mr. WATKINS. As set forth in the statement I just read.

"Mr. KUNZIG. I ask that the witness be directed to answer the question, Mr. Chairman.

"Mr. VELDE. Clearly you should in cooperation with the Congress of the United States answer that question, so you are directed to answer the question, Mr. Watkins.

"Mr. WATKINS. I am sorry, Mr. Chairman, but I stand on the statement which I entered into the record.

"Mr. KUNZIG. I want to make the record very clear, Mr. Chairman. You are refusing to answer that question, is that correct?

"Mr. WATKINS. I believe I have answered the question——

"Mr. KUNZIG. No, the question is not answered at all, Mr. Chairman.

"Mr. WATKINS. With the statement, and I state that I stand on the statement that I have read.

"Mr. KUNZIG. His alleged answer makes it clear that his answer is a refusal, Mr. Chairman.

"Do you know Henry Mack, M-a-c-k?

"Mr. WATKINS. I did know him, yes.

"Mr. KUNZIG. Did you know Henry Mack to be a member of the Communist Party?

"Mr. WATKINS. Again my answer, that I stand on the statement I read into the record.

"Mr. VELDE. Again, Mr. Watkins, you are directed to answer the question.

"Mr. WATKINS. Again, Mr. Chairman, I stand on the statement.

"Mr. KUNZIG. Did you know an Ernest DeMaio?

"Mr. WATKINS. I know Ernest DeMaio, yes.

"Mr. KUNZIG. Do you know Ernest DeMaio to be a member of the Communist Party?

"Mr. WATKINS. I stand on the statement that I read.

"Mr. VELDE. Do you know him to have ever been a member of the Communist Party?

"Mr. WATKINS. I stand on the statement, Mr. Chairman, that I read.

"Mr. VELDE. Again you are directed to answer that question concerning Mr. Ernest DeMaio.

"Mr. WATKINS. Again, Mr. Chairman, I stand on the statement entered into the record.

"Mr. KUNZIG. I want to get this record clear, Mr. Chairman, because there were two questions there.

"My question was, Did you know Mr. Ernest DeMaio to be a member of the Communist Party? I wish him to be directed to answer that question.

"Mr. VELDE. All right. You are directed, then, Mr. Witness, to answer the question as to whether you know Mr. Ernest DeMaio

to be a present member of the Communist Party of the United States.

"(At this point Mr. Watkins conferred with Mr. Pollitt.)

"Mr. WATKINS. Mr. Chairman, again I stand on the statement which, among other things, states that I will also answer questions about those persons whom I knew to be members of the Communist Party and whom I believe still are.

"(At this point Mr. Watkins conferred with Mr. Pollitt.)

"Mr. WATKINS. I will not, however, answer any question with respect to others with whom I associated in the past. I stand on that statement, Mr. Chairman.

"Mr. KUNZIG. I am asking you the question whether you know Ernest DeMaio to be a member of the Communist Party, and you are refusing to answer, is that right?

"Mr. WATKINS. Based on the statement entered into the record.

"Mr. KUNZIG. Did you know Charles Killinger, K-i-l-l-i-n-g-e-r?

"Mr. WATKINS. I knew Charles Killinger.

"Mr. KUNZIG. Did you know Charles Killinger to be a member of the Communist Party?

"Mr. WATKINS. I again stand on the statement.

"Mr. KUNZIG. I respectfully request, Mr. Chairman, that the witness be directed to answer the question as to whether he knows Charles Killinger to be a member of the Communist Party.

"Mr. VELDE. Again you are directed to answer the question as to your knowledge of the Communist Party affiliation of Charles Killinger.

"Mr. WATKINS. Again, Mr. Chairman, I stand on the statement.

"(At this point Mr. Watkins conferred with Mr. Pollitt.)

"Mr. KUNZIG. Mr. Watkins, I am going to read a list of names to you. I will read it slowly——

"(Representative JAMES B. FRAZIER, Jr., entered the hearing room at this point.)

"Mr. KUNZIG (continuing). And I am going to ask you—these are all names identified as members of the Communist Party by Mr. Rumsey in his testimony in Chicago. I am going to read the list and ask you whether you ever knew any of these people to be members of the Communist Party: Lee Landbaker; Morris Childs; Dorothy Hillyerd; Theo Kruse; Charles Lawson; Olaf Lidel, L-i-d-e-l; Sarah Levine; Murray Levine; Harriet Leuth, L-e-u-t-h; Herbert Marsh; Ajay Martin; Harold Metcalf; John Milkevitch; Grant Oakes; Joe Ruick, R-u-i-c-k; or alias Joe Webber; Frank Rogers; Arthur Saunders; Seymour Siporin; Joseph Stern; George Teeple, T-e-e-p-l-e; Ray Teeple; Donald Tieglan, T-i-e-g-l-a-n; Rex Wielock; John Wilson; Marie Wilson; Mrs. John Wilson.

"Do you know any of those names I just read to you to have been members of the Communist Party?

"(At this point Mr. Watkins conferred with Mr. Pollitt.)

"Mr. WATKINS. In regard to the name Stern that you mentioned, I believe as Joe——

"Mr. KUNZIG. Joseph Stern; yes.

"Mr. WATKINS. I have knowledge that he carried on Communist Party activities in the Quad City area. I have not known him for several years, or his whereabouts, but at the time he was in the Quad Cities he was carrying on Communist Party activities.

"In regard to the other names that you have read, I will not answer, based upon the statement that I read into the record previously referred to.

"Mr. KUNZIG. Mr. Chairman, I respectfully request that the witness be directed to answer that question.

"Mr. VELDE. Now, the question was as to whether the witness has knowledge of any of the names that you read—whether those persons whose names you read had been members of the Communist Party?

"Mr. KUNZIG. That is correct.

"Mr. VELDE. Yes; you are directed to answer that question, Mr. Watkins.

"Mr. WATKINS. And, Mr. Chairman, I refuse to answer, based upon the statement previously read into the record.

"Mr. VELDE. It seems very clear to me that the witness has pertinent information concerning Communist Party activities which we are authorized and dutybound to investigate, and that the witness should in the spirit of cooperation with his Government answer those questions.

"However, upon his refusal to answer those questions, there is nothing we can do at the present time to force the witness to answer those questions.

"So, unless there is anything further, the witness is dismissed, and the committee will stand in recess until 2 o'clock."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said John T. Watkins, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"Do you know Harold Fisher to be a member of the Communist Party?

"Did you know Charles Hobbe to be a member of the Communist Party?

"Did you know Henry Mack to be a member of the Communist Party?

"Do you know Ernest DeMaio to be a member of the Communist Party?

"Do you know him [Ernest DeMaio][1] to have ever been a member of the Communist Party?

"Did you know Charles Killinger to be a member of the Communist Party?

"Mr. Watkins, I am going to read a list of names to you. I will read it slowly—and I am going to ask you—these are all names identified as members of the Communist Party by Mr. Rumsey in his testimony in Chicago. I am going to read the list and ask you whether you ever knew any of these people to be members of the Communist Party: Lee Landbaker; Morris Childs; Dorothy Hillyerd; Theo Kruse; Charles Lawson; Olaf Lidel, L-i-d-e-l; Sarah Levine; Murray Levine; Harriet Leuth, L-e-u-t-h; Herbert Marsh; Ajay Martin; Harold Metcalf; John Milkevitch; Grant Oakes; Joe Ruick, R-u-i-c-k, or alias Joe Webber; Frank Rogers; Arthur Saunders; Seymour Siporin; Joseph Stern; George Teeple, T-e-e-p-l-e; Ray Teeple; Donald Tieglan, T-i-e-g-l-a-n; Rex Wielock; John Wilson; Marie Wilson; Mrs. John Wilson. Do you know any of those names I just read to you to have been members of the Communist Party?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 534) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of John T. Watkins to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that the said John T. Watkins may be proceeded against in the manner and form provided by law.

Mr. VELDE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, we are here today sustaining the questioning of witnesses by the Committee on Un-American Activities. I have deferred making the remarks I had in mind until it was clear the House would be supporting the committee's right to question witnesses.

I would invite the attention of my colleagues in the Congress to the problems being created in connection with these investigations right now, particularly in the other body, as they affect the executive department of the Government and our Government's standing and prestige at home and abroad. For these investigations are not confined alone to their effect upon witnesses like those being cited today. I urge upon my colleagues, first, the responsibility of the whole Congress as to these investigations; and, second, the necessity of finding new techniques to deal with excesses and new problems arising in such investigations.

The executive department is very directly affected, as are many individuals in and out of Government. We are having a spectacle now of a very important Department of the Government—the Department of the Army—being tied up for a very considerable period of time in matters which are an outgrowth of one of these investigations and being seriously challenged in its whole morale and standing. That is factual and means at least we ought to give the whole matter of the investigations of internal security a New Look.

I have offered a bill—House Concurrent Resolution 202—and there is a discharge petition for it on the Speaker's desk to which I would like to call the attention of my colleagues, to merge the activities of the three committees investigating internal security into one joint committee and to establish mandatory rules of fair procedure. I believe if that is done, it will go a long way toward dealing with what many consider legitimate points which have been made in the country as to excesses occurring and divisiveness created in the way in which certain of the investigations are carried out, and their effect on our country, nationally and internationally, and upon the executive department.

I urge upon my colleagues that they look at my bill and similar efforts to deal with the same problems in order to see whether they agree that we have to have a New Look at the new problems which arise out of the internal security investigations, in order to determine whether we ought to persevere in the same way we have been for some time up to now, or whether we ought to make

[1] Words inside brackets added for clarity.

some revisions in our method and organization for conducting such investigations.

The SPEAKER. The time of the gentleman from New York [Mr. JAVITS] has expired.

Mr. VELDE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST WILBUR LEE MAHANEY, JR.

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (Rept. No. 1580).

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Wilbur Lee Mahaney, Jr., 704 Main Street, Trappe, Pa. The said subpena directed Wilbur Lee Mahaney, Jr., to be and appear before said Committee on Un-American Activities on October 26, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The said subpena served upon said Wilbur Lee Mahaney, Jr., is set forth in words and figures, as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to Earl L. Fuoss: You are hereby commanded to summon Wilbur Lee Mahaney to be and appear before the Committee on Un-American Activities, or duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Hon. HAROLD H. VELDE is chairman, in their chamber in the city of Philadelphia, Pa., United States courthouse, on October 26, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington this 5 day of October 1953.

"HAROLD H. VELDE, *Chairman.*

"Attest:

"LYLE O. SNADER, *Clerk.*"

The said subpena was duly served as appears by the return made thereon by Earl L. Fuoss, investigator, who was duly authorized to serve the said subpena. The return of the service by the said Earl L. Fuoss, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Wilbur Mahaney to appear as indicated before the Committee on Un-American Activities as indicated. Served on same, room 214 West Phila. H. S., Walnut and 47th St., Phila., Pa., 1:55 p. m. 10/13/53, assisted by C E. McKillips, investigator.

"EARL L. FUOSS,
"Investigator, House of Representatives."

On October 22, 1953, the following telegram was sent to Wilbur L. Mahaney, Jr., which is set forth in words and figures, as follows:

WASHINGTON, D. C., *October 22, 1953.*

Mr. WILBUR L. MAHANEY,
704 Main Street, Trappe, Pa.

Under continuing authority of the subpena served upon you, your appearance before the Committee on Un-American Activities is hereby postponed from October 26, to Monday, November 16, 1953, at 10:30 a. m.

HAROLD H. VELDE, *Chairman.*

At the conclusion of 3 days of testimony taken by the committee in Philadelphia, from November 16 to 18, 1953, a statement was made by the chairman continuing the hearings to Washington, D. C., which statement is set forth herein in words and figures, as follows:

"Before adjourning the subcommittee, I would like to make a statement.

"Some weeks ago in Washington, we had scheduled hearings concerning Communist activities in the Philadelphia area which would be held on Monday, Tuesday, and Wednesday of this week. Due to the great pressure of other congressional business upon myself and the other members of the committee, it will be impossible to continue hearings for a longer period in Philadelphia at this time.

"It will, therefore, be necessary, in accordance with the usual custom of the committee, to hear the remaining witnesses at some future time in Washington, D. C.

"I, therefore, order that the witnesses who have been subpenaed to appear in Philadelphia before the House Committee on Un-American Activities either Monday, Tuesday, or Wednesday are hereby continued until further notice. You will be notified as to the time and place of the hearing by telegram."

On Saturday, February 6, 1954, George C. Cooper and Earl L. Fuoss, investigators for the Committee on Un-American Activities, tried, unsuccessfully, to locate Dr. Mahaney at his residence, 704 Main Street, Trappe, Pa., but did at that time talk with Mrs. Mahaney, wife of the said Dr. Mahaney. Mrs. Mahaney was advised that Dr. Mahaney's subpena was continued to the effect that he should be and appear before the Committee on Un-American Activities or a duly authorized subcommittee thereof, on February 16, 1954, in Washington, D. C., and that he would receive confirmation of this by registered letter.

Accordingly, a registered letter, dated February 8, 1954, was sent to Dr. Mahaney by Thomas W. Beale, Sr., chief clerk, Committee on Un-American Activities, which is set forth in words and, figures as follows:

"DEAR DR. MAHANEY: This is to advise that, under the continuing authority of the subpena served upon you October 13, 1953, your appearance before the committee is now scheduled for February 16, 1954, at 10:30 a. m., room 225-A, Old House Office Building, Washington, D. C."

For which registered letter, Receipt for Registered Article No. 221970, dated February 9, 1954, was received by the committee.

The said Wilbur Lee Mahaney, Jr., pursuant to said subpena and in compliance therewith, appeared before the said committee on February 16, 1954, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Wilbur Lee Mahaney, Jr., having appeared as a witness and having been asked questions, namely:

"Who recruited you into the Communist Party?

"Who were the other members that you knew in the Communist Party?

"When you were a member of the Communist Party, did you know any other members of this union [the Teachers Union][1] to be members of the Communist Party?

"Did you know Mary Foley Grossman to be a member of the Communist Party?

"Did you know Miss Sarah Walsh as a member of the Communist Party?

"Did you know Eleanor Fleet as a member of the Communist Party?

"Did you attend Communist Party meetings at the home of Sidney and Geneive Fox, 2220 Pine Street in Philadelphia?

"Did you know Sidney and Geneive Fox?

"Did you know Sidney and Geneive Fox to be members of the Communist Party?

"Did you know any of the following to be members of the Communist Party: Adeline Mahaney, Lillian Lowenfels, Adele Margolis, Harry Fruit, Ethel Fruit, Esther Soler, Abe Engal, Mary Foley Grossman?" which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of the refusal of Wilbur Lee Mahaney, Jr., to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Wilbur Lee Mahaney, Jr.

The record of the proceedings before the committee on February 16, 1954, during which Wilbur Lee Mahaney, Jr., refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
"Washington, D. C.,
"Tuesday, February 16, 1954.

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:40 a. m., in the caucus room, 362 Old House Office Building, Hon. GORDON H. SCHERER, presiding.

"Committee members present: Representatives GORDON H. SCHERER (presiding) and FRANCIS E. WALTER (appearance noted in transcript).

* * * * *

"Mr. SCHERER. The committee will be in session.

"Let the record show that the hearing this morning is a continuation of the hearings held in Philadelphia, Pa., on November 16, 17, and 18, 1953.

"Let the record also show that the Honorable HAROLD H. VELDE, chairman of the House Un-American Activities Committee, has appointed a subcommittee consisting of Representatives FRANCIS E. WALTER and Representative GORDON H. SCHERER for the purpose of conducting the hearing this morning. I understand Mr. WALTER will be here any minute, but Mr. Kunzig will proceed.

* * * * *

"Mr. KUNZIG. Dr. Mahaney.

"Mr. SCHERER. Will the witness raise his right hand.

"You do solemnly swear that the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God.

"Dr. MAHANEY. I do.

"Mr. SCHERER. You may be seated.

"TESTIMONY OF WILBUR LEE MAHANEY, JR., ACCOMPANIED BY HIS COUNSEL, WILLIAM ALLEN RAHILL

"Mr. SCHERER. Mr. Counsel, I understand you have a statement to make for the record.

"Mr. RAHILL. If it please the committee, my name is William Allen Rahill, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pa.

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[1] Words inside bracket added for clarity.

"I would like to make a statement for the record that my client, Dr. Mahaney, has asked me on his behalf formally to waive our objection to the lack of a quorum at this time in order that we may not be required to return tomorrow to be heard by the committee.

"Mr. KUNZIG. Dr. Mahaney, you have heard the statement of your counsel. Are you in agreement with that statement?

"Dr. MAHANEY. Quite all right.

"Mr. KUNZIG. You are in agreement?

"Dr. MAHANEY. I am in agreement.

"Mr. KUNZIG. State your full name, sir.

"Dr. MAHANEY. Wilbur Lee Mahaney, Jr.

"Mr. KUNZIG. And your address, please, Dr. Mahaney?

"Dr. MAHANEY. 704 Main Street, Trappe, Pa.

"Mr. KUNZIG. How is that spelled?

"Dr. MAHANEY. T-r-a-p-p-e.

"Mr. KUNZIG. Trappe, Pa.?

"Dr. MAHANEY. That is right.

* * * * * * *

"Mr. KUNZIG. Now, would you give us the schools in which you have been employed?

"Dr. MAHANEY. Only one, West Philadelphia High School.

"Mr. KUNZIG. And what do you teach there, Dr. Mahaney?

"Dr. MAHANEY. Social studies.

"Mr. KUNZIG. History and social studies?

"Dr. MAHANEY. American history, and any other kind.

* * * * * * *

"Mr. KUNZIG. Now, Dr. Mahaney, have you ever been a member of the Communist Party?

"Dr. MAHANEY. Yes, I have.

"Mr. KUNZIG. Your answer to that question was 'yes'?

"Dr. MAHANEY. Yes.

"Mr. KUNZIG. Would you please state for the record how you became a member, and when this was?

"Dr. MAHANEY. Well, there is nothing spectacular about it. I joined the Communist Party I think about a year after I came back from Europe.

"Mr. KUNZIG. When was that?

"Dr. MAHANEY. About 1934, and I think, my best recollection of that—it has been so long ago—it would be that it was about 1935.

"Mr. KUNZIG. How did you become recruited into the party? Describe the events leading up to your membership.

"Dr. MAHANEY. Well, I was just solicited, asked if I didn't want to join, and I was asked that a number of times, and it was explained to me that the Communist Party was very liberal and very much the same kind of a sociological and political program as the Roosevelt administration, and so far as I could see, it didn't seem to be too different, and so——

"Mr. KUNZIG. You mean as far as you could see, the Communist Party wasn't very different from the Roosevelt administration?

"Dr. MAHANEY. Well, I mean the aims, apparently, as far as I understood them, were in line with the 1934, 1935, 1936 political situation.

"Mr. KUNZIG. Now, who recruited you into the Communist Party?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, now, I have never engaged in, nor could I ever engage in, any subversive activity or believe in any such thing. It would be utterly repugnant to my teaching and to everything that I have ever taught for the past 30 years, and, most emphatically, I have never known anyone to advocate the overthrow of the Government by force or violence, or anything of that sort, and if I had I most assuredly would have reported it to the proper authorities.

"Since my earliest childhood I have been taught at home and at church, by my parents, that talebearing is a very sad, very unworthy business, and, since the question that you have asked me would involve the name of a person now dead, among other things, I don't feel that in good conscience I could possibly discuss anything of that sort.

"I have always believed, and have been taught, that to be an informer as to the friends that you might have or acquaintances that you might meet along the pathway of life is contrary to every tenet of the American way of thinking.

"Mr. KUNZIG. Are you refusing to answer?

"Dr. MAHANEY. Yes. I don't think I could answer that in good conscience, Mr. Kunzig.

"Mr. KUNZIG. Now, to make it clear, and clear for the record, are you refusing to answer on the grounds of the fifth amendment, or are you not invoking the fifth amendment?

"Dr. MAHANEY. No, I am not invoking the fifth amendment. What you are asking me to do, inadvertently, and possibly without intending to do so, you are asking me to violate one of my most deepseated convictions and one which you might say I have held since I was old enough to remember, the sacredness of human relationship and, especially, of 'speak well of the dead.'

"Mr. KUNZIG. Now, to make the record clear, is everyone who recruited you into the Communist Party dead?

"Dr. MAHANEY. No, there is one who is.

"Mr. KUNZIG. So there were others?

"Dr. MAHANEY. No, there was one who did.

"Mr. KUNZIG. And the one who did is dead?

"Dr. MAHANEY. Absolutely.

"Mr. SCHERER. Now, just a minute.

"Doctor, I respect your feelings and appreciate what you said, but I must direct that you answer the question.

"All over this country, in courtrooms and in congressional hearings, persons are required to do just what you say you don't like to do. In every trial and every hearing it is necessary for witnesses, when they are called under oath, to identify individuals that they would rather not identify. I would feel, perhaps, the same way, but that isn't the law, so I am directing you to answer.

"Now, you can refuse to answer.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Mr. SCHERER. That responsibility isn't yours, it is ours, when we ask that question. If it is in the courtroom, it is the court's responsibility. If a witness is compelled, he is not doing it voluntarily, he is doing it in accordance with the laws of the land.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, gentlemen, I——

"Mr. SCHERER. Well, I don't want to labor the point——

"Mr. RAHILL. He wishes to answer your question, I think.

"Dr. MAHANEY. I want to answer the question the best way I think.

"I understand that, and my counsel made that perfectly clear, in other words, I wasn't entirely hazy on it when you brought the thing to my attention again because I had already been told that by my counsel.

"Mr. SCHERER. I understand you have one of the most capable counsel in Philadelphia, and he most likely told you that, but I wanted to put it in the record after your statement.

"Dr. MAHANEY. Yes.

"Well, in following my conscience in this matter, I wish to make it perfectly clear that I do not intend to show any disrespect to the committee——

"Mr. SCHERER. I understand that.

"Dr. MAHANEY. Or to any of its members, or to any organ of our Government, but in all honesty, I would assure you that I would take this stand in a court of law. It is a matter of deep and abiding conscience with me, and so I would probably have to say that, without fear or without hope of favor, I will have to entrust myself to the conscience of my fellow countrymen and, in the words of Martin Luther, I would have to say, 'So help me God, I can do no other.'

"Mr. SCHERER. I understand it is a refusal on your part. Of course, in a court of law, the judge could sentence you immediately for contempt.

"Dr. MAHANEY. Well, that is the dictates of my conscience.

"Mr. SCHERER. I appreciate that, and your answer is 'No,' so let's proceed.

"Mr. KUNZIG. So the record is clear, you have not stood upon any amendment or anything else, you are answering it flatly, 'No'?

"Dr. MAHANEY. No, that is right.

"Mr. SCHERER. I think that is clear, Mr. Counsel. Let us proceed.

* * * * *

"Mr. KUNZIG. Did you know members in the Communist Party?

"Dr. MAHANEY. Yes, of course—I thought they were. I assumed that they were. That is, they seemed to have the same political status in the party that I had.

"Mr. KUNZIG. And you were a member, as you said?

"Dr. MAHANEY. I was a member for some years.

"Mr. KUNZIG. Who were the other members that you knew in the Communist Party?

"(At this point, Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. That is the same question. I answered that to the best of my ability.

"Mr. KUNZIG. This is a different question. You were asked as to who recruited you, and you refused to answer. Now I am asking you, what other members of the Communist Party did you know during the time you were a member?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Mr. SCHERER. Rather than repeat all that you have said——

"Mr. RAHILL. I think he can answer it in a sentence.

"Mr. SCHERER. We understand you are going to refuse to answer this question for the same reasons that you have given up to this point.

"Dr. MAHANEY. I would say it is the same thing, only different.

"Mr. KUNZIG. Mr. Chairman, I want to make it very clear for this record. This is not the same question; there may be the same answer, but it is not the same question.

"Mr. SCHERER. I understand it is a different question, but, as I understand, he is refusing to answer for the same reasons.

"Mr. KUNZIG. But he has been saying, Mr. Chairman, that this is the same question. I would like the record clear.

"Mr. SCHERER. No, it is not the same question.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. So far as I am concerned, there is no difference in the nature of the question. It is my personal integrity involved.

"Mr. SCHERER. Well, whether there is a difference in the questions or not, you are refusing to answer this particular question for the same reasons you have given up to this point?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Yes, sir.

"Mr. SCHERER. All right. Now, let's proceed.

"Mr. KUNZIG. How long were you a member of the Communist Party?

"Dr. MAHANEY. Well, to the best of my recollection, I would say from about 1935 to possibly to the fall of 1948.

"Mr. KUNZIG. The fall of 1948?

"Dr. MAHANEY. 1948, yes.

"Mr. KUNZIG. Did you pay dues during that period of time?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. I think I did, irregularly; I am sure I did. I paid money in, but they were not always necessarily dues.

* * * * *

"Mr. KUNZIG. Now, were you a member of a teachers union and, if so, what union?

"Dr. MAHANEY. Yes. I am a member of a teachers union.

"Mr. KUNZIG. You were a member of the Teachers Union?

"Dr. MAHANEY. A member of the Teachers Union referred to this morning.

"Mr. KUNZIG. The one of which Mr. Jennings is the head?

"Dr. MAHANEY. That is right.

"Mr. KUNZIG. When were you a member of that union?

"Dr. MAHANEY. Well, I was a member of it for quite a while; I would say probably from about, well, this all might have dated back to around the same time, around September or October 1935.

"Mr. KUNZIG. Until?

"Dr. MAHANEY. Until probably about 3 years ago——

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. I would say approximately 1951.

"Mr. KUNZIG. Until approximately 1951?

"Dr. MAHANEY. Yes, when I didn't pay dues, stopped.

"Mr. KUNZIG. When you were a member of the Communist Party did you know any other members of this union to be members of the Communist Party?

"Dr. MAHANEY. That is the same question.

"Mr. KUNZIG. No, that is not the same question. Are you going to give the same answer, which is that you refuse to answer?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, my answer would be somewhat the same, Mr. Kunzig. Since the membership of the Teachers Union is a matter of public record, or is open to this committee, this committee could, if it wishes, and probably does have the names of those people that are members of the union.

"Mr. KUNZIG. But you have said that you are a member of the union, and you are a witness before this committee, Dr. Mahaney, and we are asking you as a man who knows something about this field, as member of the party, we are asking you to help the committee—I understand your viewpoint on it—but we are asking you who you knew from this Teachers Union to be members of the Communist Party with you.

"That is the question. If he wishes to give the same answer, he can say.

"Mr. SCHERER. Now, the chairman will direct you to answer that question.

"Dr. MAHANEY. Well, there may be a fine distinction which I do not see, and so as a matter of conscience, I would have to give you the same answer because I cannot distinguish between my conscience——

"Mr. SCHERER. Are you going to give us the same answer you gave to the question as to who recruited you into the party?

"Dr. MAHANEY. Yes, for the same reason.

"Mr. SCHERER. And the record will so state?

"Dr. MAHANEY. Yes.

"Mr. KUNZIG. May I suggest, then, if it is agreeable with the witness, when he wishes to do that, it will be the same answer and we will understand him to mean he is refusing to answer because of the same grounds given in refusing to answer the question as to who recruited him into the party.

"Mr. RAHILL. We will be happy with that.

"Dr. MAHANEY. That is agreeable."

* * * * *

"(During part of interrogation of the witness which was not set forth Representative FRANCIS E. WALTER entered hearing room.)

"Mr. KUNZIG. Did you know Mary Foley Grossman to be a member of the Communist Party?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Same answer; same reason. In other words, it is a matter of conscience.

"Mr. KUNZIG. We understand. That is already on the record.

"Did you know Miss Sarah Walsh as a member of the Communist Party?

"Dr. MAHANEY. Same answer, Mr. Kunzig."

* * * * *

"(During part of interrogation of the witness which was not included herein, a short recess was taken. At the time the hearing was reconvened, Representative GORDON H. SCHERER (presiding) was present; Representative FRANCIS E. WALTER returned to the hearing room before the next portion of the hearing set forth herein was reached.)

* * * * *

"Mr. KUNZIG. Did you know Eleanor Fleet as a member of the Communist Party?

"Dr. MAHANEY. I'll have to give you the same answer, for the same reason, Mr. Kunzig.

"Mr. KUNZIG. So that the record is clear, I want to make sure it is understood this same answer is the answer you gave earlier today with regard to the first question as to who recruited you into the party——

"Dr. MAHANEY. Yes.

"Mr. KUNZIG (continuing). Which is that you refuse to answer for reasons of conscience and not relying upon any amendment of the Constitution?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Mr. SCHERER. I will direct the witness to answer the question as to whether or not he knew Mrs. Fleet.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Mr. KUNZIG. As a member of the Communist Party is the way I asked the question; to be a member of the Communist Party.

"(At this point Dr. Mahaney conferred further with Mr. Rahill.)

"Dr. MAHANEY. Mr. Chairman, I must respectfully give the same answer as I gave at the first, about the question about who recruited me into the party, even though that person is now dead.

"Mr. SCHERER. I think my question is a little different from Mr. Kunzig's. He asked you whether you knew Mrs. Fleet as a Communist Party member. I am going to ask you the question: Do you know Mrs. Fleet or did you know Mrs. Fleet?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. I think, Mr. Chairman, I can't differentiate in my own mind the difference between your question and Mr. Kunzig's.

"Mr. SCHERER. All right.

"Dr. MAHANEY. So, I just respectfully will have to submit the same answer.

"Mr. SCHERER. I will direct you to answer the question as to whether or not you know Mrs. Fleet."

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Will you repeat that again, Mr. Scherer?

"The question is——

"Mr. SCHERER. I am directing you to answer the question whether or not you know Mrs. Fleet.

"Dr. MAHANEY. Yes; I know her. I have met her.

"Mr. SCHERER. Now, the question is: Do you know whether or not Mrs. Fleet was ever a member of the Communist Party?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, I think my answer will have to be—I'll have to give you the same answer for the same reason.

"Mr. SCHERER. I will direct you to answer that question, Doctor.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, it's the same answer, I think, Mr. Scherer.

"Mr. SCHERER. Same answer?

"Dr. MAHANEY. Same answer.

"Mr. SCHERER. You refuse to answer for the reasons you gave in response to the question asked you about your joining the Communist Party?

"Dr. MAHANEY. Yes.

"Mr. KUNZIG. So the record is clear, those reasons are that you refuse to answer on the grounds of conscience?

"Dr. MAHANEY. That's right.

"Mr. KUNZIG. And you are not relying on any constitutional amendment?

"Dr. MAHANEY. I am not. That's correct.

"Mr. KUNZIG. That is correct. All right.

"Dr. Mahaney, we have sworn testimony here that Communist Party meetings were held at the residence of Sidney and Geneive—G-e-n-e-i-v-e—Fox, 2220 Pine Street in Philadelphia and that you attended the meetings at the home of the Foxes; is that correct?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. That the same answer, Mr. Kunzig.

"Mr. KUNZIG. The same answer.

"Dr. MAHANEY. And for the same reason.

"Mr. KUNZIG. Did you know Sidney and Geneive Fox?

"I am just asking you whether you knew them.

"Dr. MAHANEY. Same answer.

"Mr. KUNZIG. For the same reason?

"Dr. MAHANEY. For the same reason.

"Mr. KUNZIG. I will ask you whether you knew them to be members of the Communist Party.

"Dr. MAHANEY. Same answer, for the same reason, Mr. Kunzig.

"Mr. KUNZIG. The sworn testimony goes on to list a group of people who frequented these meetings of the Communist Party held at 2220 Pine Street in Philadelphia:

"Adeline Mahaney is listed as one—and she was, I believe, your former wife; Wilbur Mahaney; Lillian Lowenfels—L-o-w-e-n-f-e-l-s; Adele Margolis; Harry and Ethel Fruit—F-r-u-i-t; Esther Soler—S-o-l-e-r; Abe Egnal—E-g-n-a-l; and Mary Foley Grossman.

"The question is, with the exception of yourself, did you know any of these other people to be members of the Communist Party?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Mr. Kunzig, I would have to give you, as a matter of conscience, the same answer, for the same reason.

"Mr. KUNZIG. You don't have to. Do you?

"Dr. MAHANEY. I do. I am compelled under my conscience.

"Mr. WALTER. Doctor, don't you realize in taking the position you are taking you are in contempt of Congress?

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Mr. WALTER, I don't believe you were here when——

"Mr. WALTER. Yes; you say you refuse to answer the questions on the ground of your conscience. I don't know what section of the Constitution permits you to do that; but if I understand you correctly I am afraid that you have been advised to take a position that very definitely places you in contempt of the Congress.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. Well, I started to say, Mr. WALTER, you weren't here when Mr. SCHERER explained that to me, and he asked me if this was my conscientious position, and I told him that it was, and he explained to me that I would probably be in jeopardy of contempt of Congress; and I told him

that I had realized that, that my counsel had so advised me, but that some things were a matter of conscience, and I recall William Penn and a lot of other Quakers and pacifists who, for one reason or another, were placed in jeopardy, and I cannot escape it.

"I explained to Mr. SCHERER and to Mr. Kunzig——

"Mr. WALTER. All right; I just wanted to know that you knew. I am sorry that I wasn't here.

"Dr. MAHANEY (continuing). That I meant no disrespect to the committee, as a committee, or to Congress, or to our Government, or to persons on the committee, and that this was a matter of deepest conscience with me; and I'm sorry you weren't here, and I've taken up your time to go over it.

"Mr. WALTER. I am, too.

"Mr. KUNZIG. Mr. Chairman, I want to get directions on the record here.

"I respectfully request the chairman to direct the question be answered as to whether Dr. Mahaney knew Sidney and Geneive Fox.

"Mr. SCHERER. You are directed to answer that question.

"(At this point Dr. Mahaney conferred with Mr. Rahill.)

"Dr. MAHANEY. I thought I answered that, Mr. Kunzig.

"Mr. KUNZIG. Is your answer the same?

"Dr. MAHANEY. The same answer; the same reason.

"Mr. KUNZIG. I respectfully request the chairman to direct the witness to answer the question as to whether he knew Adele Margolis, Lillian Lowenfels, Nathan Margolis, Harry and Ethel Fruit, Esther Soler and Abe Egnal, and Mary Foley Grossman to be members of the Communist Party, or any one of those.

"Mr. SCHERER. I direct you to answer that question, Doctor.

"Dr. MAHANEY. Mr. Kunzig, I will have to say I——

"Mr. KUNZIG. The same answer?

"Dr. MAHANEY. The same answer; the same reason.

"I don't want to seem perfunctory.

"Mr. KUNZIG. All right.

"I have no further questions, Mr. Chairman.

"Mr. SCHERER. Mr. WALTER.

"Mr. WALTER. I have no questions.

"Mr. SCHERER. I have no further questions and, if that is all, the witness will be excused."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Wilbur Lee Mahaney, Jr., relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"Who recruited you into the Communist Party?

"Who were the other members that you knew in the Communist Party?

"When you were a member of the Communist Party, did you know any other members of this union [the Teachers Union][1] to be members of the Communist Party?

"Did you know Mary Foley Grossman to be a member of the Communist Party?

"Did you know Miss Sarah Walsh as a member of the Communist Party?

"Did you know Eleanor Fleet as a member of the Communist Party?

"Did you attend Communist Party meetings at the home of Sidney and Geneive Fox, 2220 Pine Street in Philadelphia?

"Did you know Sidney and Geneive Fox?

"Did you know Sidney and Geneive Fox to be members of the Communist Party?

"Did you know any of the following to be members of the Communist Party: Adeline Mahaney, Lillian Lowenfels, Adele Margolis, Harry Fruit, Ethel Fruit, Esther Soler, Abe Egnal, Mary Foley Grossman?"—which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 535) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Wilbur Lee Mahaney, Jr., to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Wilbur Lee Mahaney, Jr. may be proceeded against in the manner and form provided by law.

Mr. VELDE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST MRS. GOLDIE E. WATSON

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I present a privileged report (Rept. No. 1581).

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Mrs. Goldie E. Watson, 2335 North College Avenue, Philadelphia, Pa. The said subpena directed Mrs. Goldie E. Watson to be and appear before said Committee on Un-American Activities on February 16, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Mrs. Goldie E. Watson is set forth in words and figures as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to Earl L. Fuoss and/or C. E. Owens and G. E. Cooper: You are hereby commanded to summon Goldie Watson to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE is chairman, in their chamber in the city of Washington, room 225-A, Old House Office Building, on Tuesday, February 16, 1954, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and she is not to depart without leave of said committee.

Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States at the city of Washington, this 2d day of February, 1954.

"HAROLD H. VELDE,
"Chairman.

"Attest:

"LYLE O. SNADER,
"Clerk."

The said subpena was duly served as appears by the return made thereon by C. E. Owens, investigator, who was duly authorized to serve the said subpena. The return of the service by the said C. E. Owens, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Goldie Watson, before the Committee on Un-American Activities. Served the within-named individual at the Martha Washington Elementary School, 44th & Aspen, Philadelphia, Pa., 11:00 a. m., February 4, 1954.

"C. E. OWENS,
"Investigator, House of Representatives."

On February 11, 1954, one Philip Dorfman, Esq., counsel for Mrs. Goldie E. Watson, sent a letter to the House Committee on Un-American Activities, which is set forth in words and figures, as follows:

LAW OFFICES, PHILIP DORFMAN,
820–827 LEWIS TOWER BUILDING,
225 South 15th Street,
Philadelphia 2, February 11, 1954.

HOUSE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
225A Old House Office
Building, Washington, D. C.

GENTLEMEN: Please be advised that I represent Mrs. Goldie Watson, who has been subpenaed to appear before you on February 16, 1954, at 10:30 a. m.

I had advised my client that I would be prepared to accompany her to Washington for this hearing, but I have since become engaged in the trial of a case in the United States district court in Philadelphia, the trial of which will continue on Monday and probably Tuesday.

It is therefore impossible for me to be present on the date set for the hearing and I would appreciate a deferment of same to afford me an opportunity to represent my client.

Yours very truly,

PHILIP DORFMAN
(Initialed: S. R.).

On February 12, 1954, a letter was sent to Philip Dorfman, Esq., by Frank S. Tavenner, Jr., counsel to the House Committee on Un-American Activities, which is set forth in words and figures as follows:

FEBRUARY 12, 1954.

Mr. PHILIP DORFMAN,
Attorney at Law, 820-827 Lewis
Tower Building, 225 South 15th
Street, Philadelphia 2, Pa.

DEAR MR. DORFMAN: I acknowledge receipt of your letter of February 11, in which you request postponement of the appearance of your client, Mrs. Goldie Watson, due to your engagement in the trial of a case in the United States district court, in Philadelphia, beginning on Monday and continuing probably through Tuesday.

In the light of this situation, the continuing subpena requiring the appearance of Mrs. Goldie Watson on February 16, 1954, at 10:30 a. m., in Washington, D. C., is continued and extended to February 17, 1954, at 10:30 a. m., in the hearing room of the Committee in the Old House Office Building.

Sincerely yours,

FRANK S. TAVENNER, Jr.,
Counsel.

The said Mrs. Goldie E. Watson, pursuant to said subpena and in compliance therewith, appeared before the said committee to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and

[1] Words inside brackets added for clarity.

under House Resolution 5 of the 83d Congress. The said Mrs. Goldie E. Watson, having appeared as a witness on February 17, 1954, and having been asked questions, namely:

"So I ask have you ever been a member of the Communist Party?

"Did you ever attend a Communist school or a school for instruction of Communist teachers in New York State?

"Have you ever attended any Communist instruction school at any place?

"Now, Mrs. Watson, were you active in work with the National Negro Congress, a Communist-cited organization, Communist-front organization?

"Now, at the time you took the loyalty oath were you a member of the Communist Party?" which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of Mrs. Goldie E. Watson's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Mrs. Goldie E. Watson.

The record of the proceedings before the committee on February 16, 1954, when the hearings commenced, and on February 17, 1954, during which Mrs. Goldie E. Watson refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"Washington, D. C.,
Tuesday, February 16, 1954.

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:40 a. m., in the caucus room, 362 Old House Office Building, Hon. GORDON H. SCHERER presiding.

"Committee members present: Representatives GORDON H. SCHERER (presiding) and FRANCIS E. WALTER (appearance noted in transcript.)

* * * * *

"Mr. SCHERER (presiding). The committee will be in session.

"Let the record show that the hearing this morning is a continuation of the hearings held in Philadelphia, Pa., on November 16, 17, and 18, 1953.

"Let the record also show that the Honorable HAROLD H. VELDE, chairman of the House Un-American Activities Committee, has appointed a subcommittee consisting of Representative FRANCIS E. WALTER and Representative GORDON H. SCHERER for the purpose of conducting the hearing this morning—"

* * * * *

The hearings which began on February 16, 1954, as set forth above, were continued to the following day by the same duly authorized subcommittee.

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"Washington, D. C.,
Wednesday, February 17, 1954.

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:20 a. m., in the caucus room, 362 Old House Office Building, Hon. GORDON H. SCHERER, presiding.

"Committee members present: Representatives GORDON H. SCHERER (presiding) and FRANCIS E. WALTER.

* * * * *

"Mr. KUNZIG. Goldie Watson.

"Mr. SCHERER. Will the witness raise her right hand.

"You do solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

"Mrs. WATSON. I solemnly swear.

"Mr. SCHERER. Be seated.

"(At this point Representative FRANCIS E. WALTER left the hearing room.)

"TESTIMONY OF MRS. GOLDIE E. WATSON, ACCOMPANIED BY HER COUNCIL, PHILIP DORFMAN

"Mr. KUNZIG. Would you state your name, please?

"Mrs. WATSON. Mrs. Goldie E. Watson.

"Mr. KUNZIG. Mrs. Watson, I see you are accompanied by counsel.

"Would counsel please state his name and office address for the record?

"Mr. DORFMAN. Philip Dorfman, D-o-r-f-m-a-n, 820 Lewis Tower Building, Philadelphia.

* * * * *

"Mr. KUNZIG. Now, Mrs. Watson, I believe it is known to you that Mrs. Dorothy Funn, I believe at one time a friend of yours and a member of your race, testified publicly before this committee in Philadelphia just a few months ago to the effect that she had known you as a member of the Communist Party, so I ask: Have you ever been a member of the Communist Party?

"Mrs. WATSON. Mr. Kunzig, I ask your first questions to be completely identified before this committee. I will not answer any other question I am asked about membership in organizations, associations, societies, people I have met with, or anything else.

"Mr. SCHERER. Just a minute. If you are not going to answer the questions, your counsel will instruct you how to take advantage of the fifth amendment.

"Mr. DORFMAN. Mr. Scherer, I think you are presuming that this witness intends to invoke the fifth amendment, and I am going to suggest the witness answer the questions individually as she is asked.

"Mr. SCHERER. That is what I want her to do, answer them individually.

"Mr. KUNZIG. You have been asked whether you have ever been a member of the Communist Party. Would you please answer that question?

"Mrs. WATSON. I said that I would not answer the question, and that it is a violation of my constitutional rights for you to bring me here and attempt to compel me to answer questions about my associations, memberships, conferences, or speeches.

"Mr. KUNZIG. Is that the end of your answer?

"Mr. SCHERER. That is enough, now.

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mrs. WATSON. Yes; it is the end of my answer.

"Mr. SCHERER. In view of your answer, Witness, I am going to direct you to answer the question Mr. Kunzig asked you.

"Mr. KUNZIG. Which is, Have you ever been a member of the Communist Party?

"Mrs. WATSON. I refuse to answer on the basis of my first statement.

"Mr. KUNZIG. Did you ever attend a Communist school or a school for instruction of Communist teachers in New York State?

"Mrs. WATSON. Mr. Kunzig, I have intimated that I am not going to answer your questions——

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mr. SCHERER. Just answer the question, Miss.

"Mrs. WATSON. I will not answer.

"Mr. SCHERER. All right.

"Ask her another question. I am going to direct you to answer the question, but——

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mrs. WATSON. I refuse to answer.

"Mr. SCHERER. All right.

"Mr. KUNZIG. Did you ever attend any Communist——

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mrs. WATSON. Excuse me.

"Mr. KUNZIG. Go right ahead.

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mr. KUNZIG. Are you ready?

"Mr. DORFMAN. Yes.

"Mr. KUNZIG. Have you ever attended any Communist instruction school at any place?

"Mrs. WATSON. Mr. Kunzig, I refuse to answer, specifically on the basis of my rights as guaranteed by the first amendment to the Constitution.

"Mr. SCHERER. I will direct you to answer the question.

"Mrs. WATSON. I refuse to answer, on the basis of the first amendment.

"Mr. SCHERER. All right.

"Mr. KUNZIG. Let the record show that in voice and tone the witness has emphasized the use of the words 'first amendment.'

"Mr. DORFMAN. Mr. Kunzig, let the record show that regardless of voice——

"Mr. KUNZIG. That is——

"Mr. DORFMAN. Pardon.

"Mrs. WATSON. Thank you, Mr. Kunzig. I do mean to emphasize the first.

"Mr. KUNZIG. I want the record to be perfectly clear on that point.

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mr. KUNZIG. Now, Mrs. Watson, were you active in work with the National Negro Congress, a Communist-cited organization, Communist-front organization?

"Mrs. WATSON. Mr. Kunzig, I refuse to answer on the basis of the first amendment exclusively.

"Mr. SCHERER. I will direct the witness to answer the question.

"(At this point Representative FRANCIS E. WALTER entered the hearing room.)

"Mrs. WATSON. I will refuse to answer on the basis of the first amendment.

"Mr. SCHERER. All right.

"Mr. KUNZIG. Mr. Chairman, it is obvious this witness is not going to cooperate. I have no further questions to ask at this time.

"Mr. SCHERER. Of course, I think it is fair to tell the witness—evidently, she already has been told by her counsel—that the manner in which you answered the questions this morning clearly indicates that you are in contempt of the Congress.

"Mrs. WATSON. Why do you say that?

"Mr. SCHERER. I think you understand. I think your attorney can explain.

"Mrs. WATSON. Well, shall I let him explain to me now?

"Mr. SCHERER. Yes.

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mr. SCHERER. Do you have any further questions?

"Mr. DORFMAN. Well, she has to answer Mr. SCHERER's direction, or the last question, I believe.

"Mrs. WATSON. I have been advised by my counsel of the risks and the dangers that I run by taking this position. I still take the risks and the dangers because this position is very sacred to me.

"Mr. SCHERER. All right.

"Mrs. WATSON. A violation of my rights are sacred. I hold them as sacred as anything else, and I would not permit this committee to compel me to violate them.

"Mr. SCHERER. Let me ask you a question. "Did you take the loyalty oath?

"Mrs. WATSON. I will not answer that question.

"Mr. SCHERER. Well, I direct you to answer——

"Mrs. WATSON. It seems to me taking the loyalty oath is a matter between——

"Mr. SCHERER. Just a minute, now. You have made your speech.

"Mrs. WATSON. I haven't made a speech, sir.

"Mr. SCHERER. I direct you to answer that question.

"(At this point Mrs. Watson conferred with Mr. Dorfman.)

"Mrs. WATSON. It is a matter of public record that I took the loyalty oath.

"Mr. SCHERER. All right. Now, at the time you took the loyalty oath, were you a member of the Communist Party?

"Mrs. WATSON. I refuse to answer the question on the basis of the first amendment.

"Mr. SCHERER. I direct you to answer the question.

"Mrs. WATSON. I refuse to answer.

"Mr. SCHERER. Mr. WALTER do you have any questions?

"Mr. WALTER. No questions.

"Mr. SCHERER. The witness is excused."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Mrs. Goldie E. Watson relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"So I ask have you ever been a member of the Communist Party?

"Did you ever attend a Communist school or a school for instruction of Communist teachers in New York State?

"Have you ever attended any Communist instruction school at any place?

"Now, Mrs. Watson, were you active in work with the National Negro Congress, a Communist-cited organization, Communist-front organization?

"Now, at the time you took the loyalty oath were you a member of the Communist Party?" which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and her refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 536) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Mrs. Goldie E. Watson to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that the said Mrs. Goldie E. Watson may be proceeded against in the manner and form provided by law.

Mr. VELDE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST LAWRENCE BAKER ARGUIMBAU

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I offer a privilege report (H. Rept. 1582).

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Lawrence Baker Arguimbau, R. F. D. Box 499, Foxboro, Mass. The said subpena directed Lawrence Baker Arguimbau to be and appear before said Committee on Un-American Activities on April 21, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Lawrence Baker Arguimbau is set forth in words and figures, as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to United States marshal: You are hereby commanded to summon Prof. Lawrence B. Arguimbau to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE is chairman, in their chamber in the city of Washington, room 226, House Office Building, on April 21, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 30th day of March 1953.

"HAROLD H. VELDE, *Chairman.*

"Attest:

"LYLE O. SNADER, *Clerk.*"

The said subpena was duly served as appears by the return made thereon by George A. Reed, deputy for Robert H. Beaudreau, United States marshal, who was duly authorized to serve the said subpena. The return of the service by the said George A. Reed, being endorsed thereon, is set forth in words and figures, as follows:

"UNITED STATES OF AMERICA,

"*District of Massachusetts, ss Boston:*

"Subpena for Prof. Lawrence B. Arguimbau before the Committee on Un-American Activities of the House of Representatives of the United States, room 226, House Office Building, Washington, D. C., on the 21st of April 1953. Served Prof. Lawrence B. Arguimbau, room 208, Building 20A, Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass., at 2:25 p. m., April 2, 1953, in hand.

"ROBERT H. BEAUDREAU,
"United States Marshal.
"By GEORGE A. REED, *Deputy.*"

The said Lawrence Baker Arguimbau, pursuant to said subpena and in compliance therewith, appeared before the said committee on April 21, 1953, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Lawrence Baker Arguimbau, having appeared as a witness and having been asked questions, namely:

"What town did you transfer [your Communist Party membership] [1] to?

"Coming back just a moment to the first [Communist Party] [1] group that you said you were affiliated with in Norwood, Mass., would you tell the committee the names of the officers of that group at the time you were affiliated with it?

"Would you now at this time name the [Communist Party] [1] group to which you moved or the town to which you moved and the second group with which you were affiliated?

"Would you name the officers or any member whose name you still recall of that second [Communist Party] [1] group to which you went?

"Professor Arguimbau, we are up to group No. 3. So far as you recall, who were the officers of that group at the time that you were a member?

"Would you give us the name of any [Communist Party] [1] members who were fellow members with you at that time of that group?

"* * * Give the committee the names of those who were associated with you in the fourth branch of the Communist Party at MIT?

"Were they [Communist Party members] [1] working in the mathematics department?

"Was William Ted Martin one of the individuals of the group?

"Was Norman Levinson one of the individuals of the group?

"Was Isadore Amdur one of the individuals of the group?

"But your position is your declination to give us the names of these individuals [members of the original MIT Communist group] [1]?

"Did you ever know Prof. Bart Jan Bok to be a member of the Communist Party?" which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of Lawrence Baker Arguimbau's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Lawrence Baker Arguimbau.

The record of the proceedings before the committee on April 21, 1953, during which Lawrence Baker Arguimbau refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
"Washington, D. C., Tuesday, April 21, 1953.

"EXECUTIVE SESSION

"The Subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:41 a. m., in room 226, Old House Office Building, Hon. DONALD L. JACKSON, presiding.

"Committee member present: Representative DONALD L. JACKSON.

"* * * * * *

"Mr. JACKSON. Let the record show that for the purposes of this hearing and under the authority vested in the chairman by the provisions of Public Law 601, Congressman DONALD L. JACKSON has been appointed a subcommittee for the purpose of taking testimony.

"Will you stand and be sworn, sir? Do you solemnly swear that the testimony you are about to give before this subcommittee is the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. ARGUIMBAU. I do.

"Mr. JACKSON. Are you represented by counsel?

"Mr. ARGUIMBAU. Yes, sir.

"Mr. JACKSON. Will counsel please identify himself for the record?

"Mr. FRANKEL. My name is Osmond K. Frankel, 120 Broadway, New York.

"Mr. JACKSON. If at any time during the course of this interrogation you desire to confer with your counsel privately, please feel at liberty to leave the hearing room and do so if you care to do so.

"Mr. FRANKEL. Thank you, sir.

[1] Words inside brackets added for clarity.

[1] Words inside brackets added for clarity.

"Mr. JACKSON. Will you proceed, Mr. Kunzig.

"TESTIMONY OF LAWRENCE BAKER ARGUIMBAU, ACCOMPANIED BY HIS COUNSEL, OSMOND K. FRANKEL

"Mr. KUNZIG. Professor Arguimbau, when and where were you born?

"Mr. ARGUIMBAU. Brooklyn, N. Y., March 25, 1906.

* * * * *

"Mr. KUNZIG. What is your present position at MIT?

"Mr. ARGUIMBAU. Associate professor of electrical communications.

"Mr. JACKSON. When did you go to MIT?

"Mr. ARGUIMBAU. In 1939, the fall term, September.

"Mr. KUNZIG. Professor Arguimbau, have you ever been at any time a member of the Communist Party?

"Mr. ARGUIMBAU. Well, now, in an informal group like this, if you don't mind, may I take 3 or 4 minutes to outline my position on this general situation?

"Mr. JACKSON. Yes.

"Mr. ARGUIMBAU. It is roughly that I feel personally that I have never engaged in un-American or improper activities, but at the same time I feel that many of the things that I have been doing could be open to misinterpretation, and I think that a situation of that sort is appropriately handled by the use of the fifth amendment.

"Now I think that has two defects, really. One is it doesn't give you the information that you would like, really. It doesn't give the public the information that would be useful to them; and in the second place it does leave a misinterpretation on why I have used the fifth amendment. Now for that reason I have decided that the thing that I should do is to talk about what I have been doing and at the same time, however, you recognize that a thing of that sort puts a person under strain. I have lost 6 pounds and may lose my job and it is a difficult situation. I do not feel justified morally, not that I feel that it would serve any real interests, to tell other people that have been in this situation. I feel also that to talk about other people's connections with me would be in a sense a thing that is warded against by the use of the first amendment in the business of association, that is freedom of association and freedom of speech.

"I should like to take the position that I can give all the information that is pertinent without talking about other people and subjecting them to the same difficulties that I have been subjected to. I realize that doesn't give you fully what you would like, and I realize it puts me in jeopardy, but I am doing what I can for you and what I feel I morally can do.

"Mr. JACKSON. The committee cannot accept any conditions to the extent that the witness has indicated, that he will not give the names of those with whom he may have been associated in the Communist Party. That appears to me to be conditioning to a certain extent his testimony. We are hopeful that you will see fit to cooperate with the committee to the fullest possible extent. I would also hope that inasmuch as the conspiracy is in essence the people who comprise it, that you would see fit to be fully frank with the committee as to the names of those with whom you were associated in the party, if you were in the party. I recognize, and I think the committee recognizes, the difficult problem which is imposed in this connection, but we cannot leave it to the discretion of the witness as to whether or not the people he might name have left the party or are still in the party. Certainly if the witness sees fit to give the committee full cooperation, including the names of those with whom he was associated in the party, if he was in the party, we certainly hope that where there is knowledge that an individual had left the party that that would be included. However, the full and frank cooperation of the witness must be precisely that, and that, in the opinion of the chairman of the subcommittee, would necessitate being fully frank with respect to those with whom the witness was associated.

"So I say we cannot condition the taking of the testimony in any way upon what is entirely natural reluctance on the part of the witness to disclose it.

"Mr. FRANKEL. We are not suggesting any conditioning, but are merely stating his position. We are not taking the position that has been taken by some others, that unless the committee accepts it we will not testify at all.

"Mr. ARGUIMBAU. I am not discussing this for the purpose of withholding any knowledge of what I consider and what I feel the general public, if they knew all the facts, would consider essential acts or wrongdoing.

"Mr. JACKSON. I think we will proceed.

"Mr. FRANKEL. The original question has been answered.

"Mr. KUNZIG. There is a question pending which has not yet been answered, which is whether you have at any time ever been a member of the Communist Party.

"Mr. ARGUIMBAU. Yes; I have.

"Mr. KUNZIG. Would you state the times that you were a member?

"Mr. ARGUIMBAU. Yes; from 1937 to 1950.

"Mr. KUNZIG. When you say member, I presume you mean a full-fledged, card-carrying member of the Communist Party?

"Mr. ARGUIMBAU. Well, this is technical in some ways. I did at times carry a card and at other times I didn't.

"Mr. KUNZIG. Did you pay dues to the Communist Party?

"Mr. ARGUIMBAU. At times; I think I stopped somewhat at the beginning or slightly before 1950. But I haven't a record of that. You do not keep precise records of things like that usually. But previous to that I did.

* * * * *

"Mr. KUNZIG. What unit, in the sense of terms of the groups or units, did you first become affiliated with?

"Mr. ARGUIMBAU. In this sense, I realize the subcommittee will be a little bit critical of me, perhaps appropriately so, but I should like to keep to the general philosophy that I outlined in my statement initially, to be a little vague in spotting places where individuals might be brought in, and I would say it was a group in a small industrial town that I joined near where I was living.

"Mr. JACKSON. I am sorry, but the question is a specific one, and we must have a more specific answer than that.

"Mr. ARGUIMBAU. I don't mind naming the town. It was the town of Norwood.

"Mr. KUNZIG. What State?

"Mr. ARGUIMBAU. Massachusetts.

"Mr. KUNZIG. Did the group or cell have any specific name?

"Mr. ARGUIMBAU. I cannot remember. I believe it did—English Speaking Group, or something of that sort.

"Mr. KUNZIG. Of the Communist Party?

"Mr. ARGUIMBAU. That is right.

"Mr. KUNZIG. And it was in Norwood, Mass.?

"Mr. ARGUIMBAU. Yes.

"Mr. KUNZIG. In roughly 1937.

"Mr. ARGUIMBAU. In 1937, that is right.

"Mr. KUNZIG. Did you transfer to any other group and, if so, when and where?

"Mr. ARGUIMBAU. Yes, I transferred to a group in a very small town and I think that was a very short time after my being in Norwood.

"Mr. KUNZIG. What town did you transfer to?

"Mr. ARGUIMBAU. That I am sorry but I must reserve naming. I realize you cannot accept that but you will not be able to accept my position right through, but I would like to give you in principle what happened as closely as possible, but without spotlighting individuals and to name the small town would be so.

"Mr. JACKSON. I feel I should point out to the witness that in acknowledging his membership in the Communist Party he has, in effect, waived the provisions of immunity with respect to the names of the groups and the names of the individuals concerned.

"Mr. ARGUIMBAU. I realize that.

"Mr. JACKSON. And I feel I should indicate at this time so that there will be no misunderstanding of the possible consequences of that action.

"Mr. ARGUIMBAU. I realize that and I have had to weigh these problems back and forth and I have taken the course that I feel, although it is the more dangerous one to me, will enable me in conformity with my feeling of principles and my feeling against bearing tales, if you like, and also with my moral principles involved, I feel that I am taking the course that is the best one to do under all circumstances, weighing the difficulties and the differences, and I realize your problem.

"Mr. JACKSON. The committee is not in any manner impugning your motive nor your convictions. However, we have a legislative job to do which has been assigned to us by the Congress and I want to point out the waiver of immunity which has occurred by virtue of your admission of membership in the Communist Party.

"Mr. ARGUIMBAU. I did it understanding that.

"Mr. JACKSON. I am quite sure that is the case.

"Mr. ARGUIMBAU. By the way, I want to say that I feel I can substantially give you the information that is needed for legislative purposes. But this is my feeling and not necessarily yours, still keeping within the principles that I have outlined.

"Mr. JACKSON. That has not been the position nor the experience of the committee in the past. We have felt that identifications, matters having to do with the location of the branches, the means and methods of recruitment and methods of financing were all pertinent, looking to the ultimate end of legislation.

"Mr. ARGUIMBAU. Yes, most of these matters I would be perfectly willing to discuss. The only one I am reserving, and I am not legally reserving, is the one of spotting or spotlighting individuals that I think in my opinion would be unjustified to put under public and private pressure.

* * * * *

"Mr. KUNZIG. Coming back just a moment to the first group that you said you were affiliated with in Norwood, Mass., would you tell the committee the names of the officers of that group at the time you were affiliated with it?

"Mr. ARGUIMBAU. I refuse to answer that on the grounds previously stated.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. Well, I must persist.

"Mr. KUNZIG. Would you now at this time name the group to which you moved or the town to which you moved and the second group with which you were affiliated?

"Mr. ARGUIMBAU. I refuse to do that also on the same ground.

"Mr. JACKSON. The witness is directed to give the committee the name of the town in which the branch is located.

"Mr. ARGUIMBAU. I refuse to do that on the same ground.

"Mr. KUNZIG. Would you name the officers or any member whose name you still recall of the second group to which you went?

"Mr. ARGUIMBAU. I refuse to answer that on the same grounds.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. Well, I must persist.

* * * * *

"Mr. KUNZIG. Professor Arguimbau we are up to group No. 3. So far as you recall, who were the officers of that group at the time that you were a member?

"Mr. ARGUIMBAU. I refuse to answer that one on the same basis.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. And again I persist.

"Mr. KUNZIG. Would you give us the name of any members who were fellow members with you at that time of that group?

"Mr. ARGUIMBAU. No; I feel I should not on the same basis.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. I persist.

* * * * *

"Mr. JACKSON. I think in light of this particular situation that I am going to ask you to give the committee the names of those who were associated with you in the fourth branch of the Communist Party at MIT.

"Mr. ARGUIMBAU. I must again refuse to do so.

"Mr. JACKSON. The Chair directs and I ask you to answer that question again.

"Mr. ARGUIMBAU. I again persist for the previous reasons.

* * * * *

"Mr. APPELL. What percentage of the people with whom you previously met in the MIT group ceased, so far as your knowledge is concerned, an active affiliation with the Communist Party?

"Mr. ARGUIMBAU. Really I have no accurate knowledge of them ceasing. I would merely say that there were at least 3 of the 6 that I cannot recall having any contact with later in the sense of talking with them about Communist Party affairs. Whether they had ceased or not is something that I just don't know. They were not working in my department and so I did not come in daily contact with them and I did not discuss the matter.

"Mr. APPELL. Were they working in the mathematics department?

"Mr. ARGUIMBAU. That question again I must refuse to answer in the sense that I don't think it would help the committee except to pinpoint the individuals.

"Mr. APPELL. Was William Ted Martin one of the individuals of the group?

"Mr. ARGUIMBAU. I refuse to answer the question.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. And I persist for the previous reason.

"Mr. APPELL. Was Norman Levinson one of the individuals of the group?

"Mr. ARGUIMBAU. I refuse to answer that for the previously given reason.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. And I persist.

"Mr. APPELL. Was Isadore Amdur one of the individuals of the group?

"Mr. ARGUIMBAU. I refuse to answer for the previously given reason.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. And I persist.

* * * * *

"Mr. JACKSON. Are there presently employed on the faculty at MIT individuals who are known to you to be members of the Communist Party?

"Mr. ARGUIMBAU. Yes; I mentioned that previously in the testimony about the group at MIT.

"Mr. JACKSON. I am speaking now of the present time.

"Mr. ARGUIMBAU. I am sorry. I misunderstood the question. I have of course no way of——

"Mr. FRANKEL. May I interrupt and go off the record for a moment?

"Mr. JACKSON. Off the record.

"(Discussion off the record.)

"Mr. JACKSON. We will go back on the record.

"Mr. ARGUIMBAU. I would say that all but one are still employed at MIT.

"Mr. APPELL. All but one who were in the original group?

"Mr. ARGUIMBAU. Yes; as of 1939.

"Mr. APPELL. But your position is your declination to give us the names of these individuals?

"Mr. ARGUIMBAU. That is correct.

* * * * *

"Mr. APPELL. Do you know Prof. Bart Jan Bok?

"Mr. ARGUIMBAU. Yes.

"Mr. APPELL. Did you ever know Prof. Bart Jan Bok to be a member of the Communist Party?

"Mr. ARGUIMBAU. I refuse to answer that question on the same grounds as given previously.

"Mr. JACKSON. The witness is directed to answer the question.

"Mr. ARGUIMBAU. I persist.

"Mr. APPELL. May I ask here, Professor, if you did not know a person to be a member of the Communist Party, would you tell us? I know that is a hard question, but you can understand that we do not want to do harm to any individual.

"Mr. ARGUIMBAU. The difficulty, of course, there is a technical one that if you were to present me with a list of 1,000 names and I answered no on each one and yes on a few, or refused to answer on a few, it would be the same thing as saying that I would answer on every one. You would have that implication, and I don't want to give that implication to you.

* * * * *

"Mr. JACKSON. * * * Are you here in answer to a subpena, Professor Arguimbau?

"Mr. ARGUIMBAU. Yes.

"Mr. JACKSON. When was the subpena served upon you, if you recall?

"Mr. ARGUIMBAU. It was on a Thursday, and I know that other subpenas were served for approximately the same period. My recollection is that mine was delivered about a week later than others.

"Mr. JACKSON. It would be approximately how long ago?

"Mr. APPELL. Thursday, March 19.

"Mr. ARGUIMBAU. My recollection is that it was April 2.

"Mr. JACKSON. April 2?

"Mr. ARGUIMBAU. I am not sure of that.

"Mr. JACKSON. You were personally served?

"Mr. ARGUIMBAU. I was personally served.

"Mr. JACKSON. By a United States marshal?

"Mr. ARGUIMBAU. Yes, by a United States marshal.

"Mr. JACKSON. The subcommittee is adjourned.

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Lawrence Baker Arguimbau relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2), of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"What town did you transfer [your Communist Party membership][1] to? Coming back just a moment to the first [Communist Party][1] group that you said you were affiliated with in Norwood, Mass., would you tell the committee the names of the officers of that group at the time you were affiliated with it?

"Would you now at this time name the [Communist Party][1] group to which you moved or the town to which you moved and the second group with which you were affiliated?

"Professor Arguimbau, we are up to group No. 3. So far as you recall, who were the officers of that group at the time that you were a member?

"Would you give us the name of any [Communist Party][1] members who were fellow members with you at that time of that group?

"* * * Give the committee the names of those who were associated with you in the fourth branch of the Communist Party at MIT?

"Would you name the officers or any member whose name you still recall of that second [Communist Party][1] group to which you went?

"Were they [Communist Party members][1] working in the mathematics department?

"Was William Ted Martin one of the individuals of the group?

"Was Norman Levinson one of the individuals of the group?

"Was Isadore Amdur one of the individuals of the group?

"But your position is your declination to give us the names of these individuals [members of the original MIT Communist group]?[1]

"Did you ever know Prof. Bart Jan Bok to be a member of the Communist Party?"—which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 537).

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Lawrence Baker Arguimbau to answer questions before the said Committee on Un-American Activities, together with all the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Lawrence Baker Arguimbau may be proceeded against in the manner and form provided by law.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST MARCUS SINGER

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities I offer a privileged report (H. Rept. 1583).

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Marcus Singer, 109 Iroquois Road, Ithaca, N. Y. The said subpena directed Marcus Singer to be and appear before said Committee on Un-American Activities on May 26, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena

[1] Words inside brackets added for clarity.

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served upon said Marcus Singer is set forth in words and figures, as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to George E. Cooper: You are hereby commanded to summon Marcus Singer to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE is chairman, in their chamber in room 226, House Office Building, in the city of Washington, on May 26, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 6th day of May 1953.

"HAROLD H. VELDE,
Chairman.

"Attest:

"LYLE O. SNADER,
Clerk."

The said subpena was duly served as appears by the return made thereon by George E. Cooper, investigator, who was duly authorized to serve the said subpena. The return of the service by the said George E. Cooper, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Marcus Singer, before the Committee on Un-American Activities for the House. Served in person on the above-named individual—4:45 p. m.—May 7, 1953, Cornell University.

"GEORGE E. COOPER,
"Investigator, House of Representatives."

The said Marcus Singer, pursuant to said subpena and in compliance therewith, appeared before the said committee on May 26 and 27, 1953, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Marcus Singer, having appeared as a witness and having been asked questions, namely:

"Who invited you to become a member of this group [Communist Party group at Harvard]?[1]

"Did you know him [Robert G. Davis][1] as a Communist?

"Did you know Wendell H. Furry as a member of the Communist Party?

"Did you know Isador Amdur as a member of the Communist Party?

"Did you know Norman Levinson as a member of the Communist Party?

"Did you know him [John H. Reynolds][1] to be a member of the Communist Party?

"Did you know Dirk Struik to be a member of the Communist Party?

"Did you know him [William Ted Martin][1] to be a member of the Communist Party?

"Did you know him [Lawrence Arguimbau][1] to be a member of the Communist Party?

"Did you know Helen Deane Markham to be a member of the Communist Party?

"Now, these people we have mentioned up to this time—Robert G. Davis, Wendell H. Furry, Isador Amdur, Norman Levinson, John H. Reynolds, Dirk Struik, William Ted Martin, Lawrence Arguimbau, and Helen Deane Markham—did they attend these meetings to which you testified yesterday?

"Did Wendell H. Furry attend these Communist meetings you testified about yesterday?

"Did he [Wendell H. Furry][1] attend any one of the meetings?

"Did Isador Amdur attend any one of these meetings to which you testified yesterday?

"Did Norman Levinson attend any one of these Communist meetings to which you testified yesterday?

"Did John H. Reynolds attend any one of these Communist meetings to which you testified yesterday?

"Did Dirk Struik attend any one of these Communist meetings to which you testified yesterday?

"Did William Ted Martin attend any one of these Communist meetings to which you testified yesterday?

"Did Lawrence Arguimbau attend any one of these Communist meetings to which you testified yesterday?

"Did Helen Deane Markham attend any one of these Communist meetings to which you testified yesterday?

"Witness, do I understand your refusal to answer to be that you would refuse to respond to any question dealing with the identification of any of these who have been named as members of the group or meetings that you attended?

"You are just making a blanket denial and refusal to answer any questions along that line?

"Your refusal is a blanket refusal?

"Now, in addition to the names that I have already asked you about this morning were there any other names of any other people whom you recollect who attended these Communist meetings with you?

"Was Wendell H. Furry engaged in those [Communist][1] activities with you?" which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of Marcus Singer's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Marcus Singer.

The record of the proceedings before the committee on May 26, 1953, and May 27, 1953, during which Marcus Singer refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"Washington, D. C., Tuesday, May 26, 1953.

"PUBLIC HEARINGS

"The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:38 a. m., in the caucus room, room 362, Old House Office Building, Hon. HAROLD H. VELDE (chairman), presiding.

"Committee members present: Representatives HAROLD H. VELDE (chairman), KIT CLARDY, GORDON H. SCHERER (appearance noted in transcript), and MORGAN M. MOULDER (appearance noted in transcript).

"Mr. VELDE. The committee will please come to order.

"Let the record show that the chairman has set up a subcommittee composed of Mr. CLARDY, of Michigan, and Mr. VELDE, of Illinois, as a subcommittee of two for the purposes of this hearing.

"Do you have a witness, Counsel?

"Mr. KUNZIG. Yes, Mr. Chairman. Professor Singer, will you step forward, please? Will you stand and be sworn?

"Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that the testimony you will give is the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. SINGER. I do.

"Mr. VELDE. Be seated.

"Mr. KUNZIG. If you are accompanied by counsel, Professor Singer, would counsel please state his name and address for the record?

"Mr. POLLITT. Daniel H. Pollitt, office address 1631 K Street NW, Washington, D. C.

"TESTIMONY OF MARCUS SINGER, ACCOMPANIED BY HIS COUNSEL, DANIEL H. POLLITT

"Mr. KUNZIG. Professor Singer, would you please state your name and address?

"Mr. CLARDY. May I interrupt a minute, please? Would you make sure that counsel accompanying the witness is thoroughly familiar with our practices and procedures?

"Mr. KUNZIG. Certainly. Have you ever appeared before this committee previously?

"Mr. POLLITT. No, I have not.

"Mr. KUNZIG. On any committee?

"Mr. POLLITT. No, I have not.

"Mr. KUNZIG. The practice before this committee is that you may confer at any time with your client and that may be done privately and you may even leave the room if you so desire, but you are not permitted to talk before the subcommittee. You may talk to your witness. You may talk through your witness, through your client.

"Mr. POLLITT. Yes, sir.

"Mr. KUNZIG. Is there anything further?

"Mr. VELDE. I think that is sufficient.

"Mr. KUNZIG. Professor Singer, would you please state your name and address?

"Mr. SINGER. My name is Marcus Singer. My address is 109 Iroquois Road, Ithaca, N. Y.

"Mr. KUNZIG. When and where were you born, Professor Singer?

"Mr. SINGER. August 1914, Pittsburgh, Pa.

* * * * *

"Mr. KUNZIG. Would you kindly give the committee a résumé of your employment background, let us say, since you graduated from college?

"Mr. SINGER. Between 1938 and 1942 I was a fellow, teaching fellow, at Harvard University in the biological laboratories.

"In 1942 I received the position of assistant in anatomy at the Harvard Medical School, became instructor in 1944, that is instructor in anatomy and in 1945, I believe, associate in anatomy, and in 1947 assistant professor of anatomy at the Harvard Medical School.

"In 1950 I taught for 2 months as a visiting professor at the Long Island College of Medicine. In 1951 I left Harvard for Cornell to become associate professor of zoology. That is my position at the present time.

"Mr. KUNZIG. Are you associate professor of zoology today, or were you just raised to a full professor?

"Mr. SINGER. I was raised to a full professor which goes into effect on July 1. Today I am an associate professor.

"Mr. KUNZIG. Professor, when you were at Harvard, were you connected with the Communist Party group that met and among whose members were Professor Amdur, Professor Martin, and the others who have already testified before this committee from that group?

"Mr. SINGER. I met with a Communist Party group when I was at Harvard, sir.

"Mr. KUNZIG. What were the dates that you met with that group?

"Mr. SINGER. Either late in 1940 or the beginning of 1941 through approximately in an on-and-off sequence part of the war.

(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. SINGER. May I explain the nature of the group, sir?

"Mr. KUNZIG. I will ask you about that.

"Mr. SINGER. Surely.

"Mr. KUNZIG. I want to get clear the end date of this. I got the first date, that is you became a member of this group or participated in this group in late 1940 or early 1941. What was the end date, if there has been an end date?

"Mr. SINGER. I don't remember clearly, but I would say on and off through the war years?

"Mr. KUNZIG. Through the war years?

[1] Words inside brackets added for clarity.

[1] Words inside brackets added for clarity.

"Mr. SINGER. Perhaps 1945 or 1944, or thereabouts that I attended meetings of this group.

"Mr. KUNZIG. Where were the meetings held?

"Mr. SINGER. The meetings were held at homes.

"Mr. KUNZIG. At the homes of the members of the group?

"Mr. SINGER. Of the members of the group.

"Mr. CLARDY. How many were in that group?

"Mr. SINGER. Well, the group varied, sir, from time to time.

"Mr. CLARDY. Well, I appreciate that. All of them didn't attend all of the meetings but how many in the aggregate attended all the meetings, taken together?

"Mr. SINGER. What I meant by varied, sir, is that for example during the war years there was very little attendance. I mean relatively little attendance than before the war years because of the movement of people away from the university, but I would roughly estimate—it is very difficult—but perhaps 7 or 8 or approximately that number would be the maximum.

"Mr. CLARDY. At each meeting?

"Mr. SINGER. At, say, a meeting which had the maximum. It might be 4 or 5 at another time, and so on.

"Mr. CLARDY. Over a period of years the total number of different persons that would attend such a meeting would be how many?

(Representative GORDON H. SCHERER entered the hearing room at this point.)

"Mr. SINGER. At any one time, if I would estimate the total number who attended the meetings, during the years?

"Mr. CLARDY. Yes.

"Mr. SINGER. That would be extremely difficult for me, but to hazard a guess, perhaps 14 or 15, something like that. It was not a disciplined group in the sense of attendance. There was no compulsion for the individual to attend or to have regular attendance because it was a group which discussed the Marxian philosophy and attempted to apply what they could from the discussions to the present day, that is, present day of that time, present-day events.

* * * * *

"Mr. KUNZIG. Are you now, Professor Singer, a member of the Communist Party?

"Mr. SINGER. No, I am not a member of the Communist Party, sir.

"Mr. KUNZIG. Have you at any time ever been a member of the Communist Party?

"Mr. SINGER. I considered myself a Communist.

"Mr. CLARDY. Sir, you what?

"Mr. SINGER. I considered myself a Communist. I supported the Communist program. I do not remember membership or a card in the Communist Party or any formal dues as such, but I contributed to the Communist Party in terms of support, in terms of money on drives when I could, in terms of their program. I was interested in it and I believed in it and consequently I considered myself as being a Communist.

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"(At this point during the hearing not set forth herein, Representative MORGAN M. MOULDER entered the hearing room.)

"Mr. KUNZIG. Will you tell this committee how you first became a member of the Communist Party at Harvard?

"Mr. SINGER. Yes. I was invited into this group on the basis that I was interested, in the sense that I did not, I think, hold back in any open discussions around the laboratory or elsewhere around the school of my own personal views of the growing international situation which worried me worse than anything. I was extremely depressed when France fell. The world looked unusually black to me in 1940.

"Mr. KUNZIG. Who invited you to become a member of this group?

"Mr. SINGER. Sir, I feel that I am prepared to talk freely about myself, but I honestly feel that in honor and conscience I cannot, I prefer not, I should not talk about my colleagues and associates. I know that you have had before you a number of people and they have spoken freely and I have thought very carefully about this because it is a most difficult position. Yet I should not give you my feelings——

"Mr. KUNZIG. Mr. Chairman, I ask that the witness be directed to answer the question that he has just been asked.

"Mr. VELDE. In order for this committee to do its duty and perform its obligations, it is necessary that we obtain information, complete information, about the Communist Party and all of its various front groups, and we feel that the matter of who asked you to become a Communist is a matter which this committee is entitled to know, a fact which this committee is entitled to know, and so the witness is directed to answer that particular question.

"Mr. SINGER. May I consult with my attorney?

"Mr. KUNZIG. Please do.

"(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. SINGER. Sir, I feel strongly and knowing these people that they were like myself, they did nothing subversive, and I also feel that should I answer this question on advice of my counsel, that this might tend to incriminate me, and for both of these reasons of honor and conscience and of incrimination, I would rather not answer.

"Mr. MOULDER. Would you tell us whether or not the person who solicited your membership was a member of the faculty at Harvard University?

"(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. SINGER. Yes; I feel I could tell you that, sir.

"Mr. MOULDER. The person who solicited your affiliation and membership was a member of the faculty?

"Mr. SINGER. Was on the staff of Harvard University.

* * * * *

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"*Wednesday, May 27, 1953,*
"*Washington, D. C.*

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a. m., in the caucus room, room 362, Old House Office Building, Hon. HAROLD H. VELDE (chairman) presiding.

"Committee members present: Representatives HAROLD H. VELDE (chairman), KIT CLARDY, FRANCIS E. WALTER (appearance noted in transcript), and CLYDE DOYLE.

* * * * *

"Mr. VELDE. The committee will come to order.

"Let the record show, Mr. Reporter, that the chairman has apopinted Mr. CLARDY, Mr. DOYLE, and myself as chairman of a subcommittee for the purposes of this continued hearing of the witness here.

"Mr. KUNZIG. Mr. Singer.

"TESTIMONY OF MARCUS SINGER, ACCOMPANIED BY HIS COUNCIL, DANIEL A. POLLITT—RESUMED

"Mr. KUNZIG. Mr. Singer, you were asked yesterday who invited you to become a member of this group. Your answer was that you would rather not answer. Now, I want to get that definitely on the record. Are you refusing to answer that question?

"Mr. SINGER. I would rather not answer that, sir, in honor and conscience.

"Mr. CLARDY. I can't hear you, Mr. Singer.

"Mr. SINGER. I would rather not answer. I prefer not to answer that, in honor and conscience, sir, and——

"Mr. KUNZIG. Do you——

"Mr. SINGER (continuing). For the reason of incrimination, as I stated yesterday.

"Mr. KUNZIG. All right. It is a question of English now. Are you refusing to answer the question on the grounds of the fifth amendment?

"Mr. SINGER. For that and honor and conscience, sir.

"Mr. KUNZIG. And you are refusing to answer; is that correct?

"Mr. SINGER. I prefer not.

"(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. KUNZIG. Are you refusing to answer?

"Mr. SINGER. Yes.

* * * * *

"Mr. KUNZIG. Did you know a Robert G. Davis?

"Mr. SINGER. No; I'm fairly sure that I never met Robert G. Davis.

"Mr. CLARDY. The question was not whether you met him, but whether you knew him at all.

"Mr. SINGER. I've read about him, sir, but I'm sure I never knew him.

"Mr. KUNZIG. You knew about him, then?

"Mr. SINGER. I knew about him.

"Mr. KUNZIG. Did you know him as a Communist?

"Mr. SINGER. Sir, I've stated my reasons——

"Mr. KUNZIG. Are you refusing——

"Mr. SINGER (continuing). For declining.

"Mr. KUNZIG. You decline to answer on the grounds of the fifth amendment; is that correct?

"Mr. SINGER. On the grounds of honor and conscience and the fifth amendment, which I stated before, sir.

"Mr. KUNZIG. Did you know, while you were at M. I. T., Wendell H. Furry?

"Mr. SINGER. I was never at M. I. T.

"Mr. KUNZIG. I'm sorry. I meant to say Harvard. While you were at Harvard, did you know Wendell H. Furry?

"Mr. SINGER. Yes; I knew Wendell H. Furry.

"Mr. KUNZIG. Did you know Wendell H. Furry as a member of the Communist Party?

"Mr. SINGER. I decline again, sir, on the grounds——

"Mr. KUNZIG. On the same grounds?

"Mr. SINGER. Yes, sir.

"Mr. KUNZIG. All right.

"Did you know Isador Amdur—A-m-d-u-r?

"Mr. SINGER. Yes.

"Mr. KUNZIG. Did you know Isador Amdur as a member of the Communist Party?

"Mr. SINGER. Again, sir, I give the same answer.

"Mr. KUNZIG. Did you know Norman Levinson?

"Mr. SINGER. Yes; I knew him.

"Mr. KUNZIG. Did you know Norman Levinson as a member of the Communist Party?

"Mr. SINGER. Again, sir, I give you the same answer.

* * * * *

"Mr. KUNZIG. Did you know a John H. Reynolds?

"Mr. SINGER. I knew, sir, John H. Reynolds.

"Mr. KUNZIG. Did you know him to be a member of the Communist Party?

"Mr. SINGER. Again, sir, I answer the same way.

"Mr. KUNZIG. Did you know Dirk——

"Mr. VELDE. Just a minute. You answer the same way?

"Mr. SINGER. Yes.

"Mr. VELDE. You decline to answer?

"Mr. SINGER. Yes.

"Mr. KUNZIG. I think the record will show clearly that in all these answers he is declining to answer on the grounds of the fifth amendment.

"Do I understand that?

"Mr. SINGER. And honor and conscience, sir.

"Mr. CLARDY. Honor and conscience?

"Mr. SINGER. Yes; I feel extremely strong about it.

"Mr. KUNZIG. Did you know a Dirk Struik—S-t-r-u-i-k?

"Mr. SINGER. Yes; I knew him.

"Mr. KUNZIG. Did you know Dirk Struik to be a member of the Communist Party?

"Mr. SINGER. I decline again, sir.

"Mr. KUNZIG. Did you know William Ted Martin?

"Mr. SINGER. Yes; I knew him.

"Mr. KUNZIG. Did you know him to be a member of the Communist Party?

"Mr. SINGER. I decline again, sir.

"Mr. KUNZIG. Did you know Lawrence Arguimbau?

"Mr. SINGER. Yes.

"Mr. KUNZIG. Did you know him to be a member of the Communist Party?

"Mr. SINGER. I decline again, sir.

* * * * * *

"Mr. KUNZIG. Did you know a Helen Deane Markham?

"Mr. SINGER. Yes; I know a Helen Deane Markham.

"Mr. KUNZIG. Did you know Helen Deane Markham to be a member of the Communist Party?

"Mr. SINGER. I decline again, sir.

* * * * * *

"Mr. KUNZIG. Now, these people we have mentioned up to this time—Robert G. Davis, Wendell H. Furry, Isador Amdur, Norman Levinson, John H. Reynolds, Dirk Struik, William Ted Martin, Lawrence Arguimbau, and Helen Deane Markham—did they attend these meetings to which you testified yesterday?

"Mr. SINGER. Sir, I decline again on the grounds which I have already stated.

* * * * * *

"Mr. KUNZIG. Did Wendell H. Furry attend these Communist meetings you testified about yesterday?

"Mr. SINGER. Sir, I decline.

"Mr. CLARDY. May I put it another way, Counsel: Did he attend any one of the meetings?

"Mr. SINGER. I decline, sir.

"Mr. KUNZIG. Did Isador Amdur attend any one of these meetings to which you testified yesterday?

"Mr. SINGER. Again, sir, I decline.

"Mr. KUNZIG. Did Norman Levinson attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Again, I decline.

"Mr. KUNZIG. Did John H. Reynolds attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Again, sir, I decline.

"Mr. KUNZIG. Did Dirk Struik attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Again, I decline for the reasons I have said.

"Mr. KUNZIG. Did William Ted Martin attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Again I decline, sir.

"Mr. KUNZIG. Did Lawrence Arguimbau attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Same answer, sir.

"Mr. KUNZIG. Did Helen Deane Markham attend any one of these Communist meetings to which you testified yesterday?

"Mr. SINGER. Again, sir, I decline.

"Mr. KUNZIG. I request, sir, that the witness be directed to answer that series of questions, as they are completely pertinent and relevant to the matter before this committee.

"Mr. VELDE. Yes. Again I want to say to the witness that, under the obligations imposed upon us by the House of Representatives and the duty we have, it is very necessary that, if we are to carry out these duties, the witnesses we bring before this committee not only answer as to their own affiliation with the Communist Party or any other subversive group but also tell about the operations of that particular group, tell who were members, and so forth.

"I know you are represented by able counsel, and I hope you will realize there is a possibility that you will be cited for contempt of this committee and contempt of Congress.

"Bearing that in mind, the Chair feels that these questions put to you by counsel, which you declined to answer, are pertinent to this committee's work; and, therefore, I direct you to answer these questions.

"Mr. SINGER. Sir——

"(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. SINGER (continuing). I am prepared to speak fully about myself, as I did yesterday, and tell you everything about myself, waiving my right to my own opinions, past or present, in honesty and sincerely; but I could never, sir, in honor and conscience, trade someone's career for my own, come what may, and I wish to restate my position; That, in honor and conscience, I just cannot, and also for fear of incrimination——

"Mr. VELDE. Well, let me say——

"Mr. SINGER (continuing). On advice of counsel, sir.

"Mr. VELDE. Let me say, as far as trading your career or trading anybody else's career, to satisfy us, or answer the questions put to you, we are not interested in any way whatsoever in interfering with your occupation or that of any other witness who has come before this committee, or the right and privilege of having a job at a great university.

"(Representative FRANCIS E. WALTER entered the hearing room at this point.)

"Mr. VELDE. We are only interested in obtaining facts relative to the operations of subversive activities in this country, and in particular relative to the operations of the Communist Party, past and present.

"I think that you know—and this committee certainly does—that no witness who has come before this committee and answered questions truthfully has ever been incriminated by this committee; and, further than that, I know of no one who has suffered any loss of employment by reason of his cooperation or his testimony concerning subversive activities in this country.

"Mr. SINGER. I appreciate very much the position of the committee and the rights of the committee to investigate, and it's a position which I honor, sir, and, for myself, I will state emphatically if ever I encounter subversion among anyone, irrespective of whether they are my colleagues, I will gladly report it. It's my duty, I feel, to report it, but we were not subversive, sir. We didn't follow any slavist policy. We were intellectuals. We were scholars. We were pursuing a right, as we thought it, and if we are disinterested at the moment, at the present time, it merely——

"Mr. VELDE. The committee realizes—I am speaking for myself primarily, but I think the other members of the committee realize—you thought you at that time were not engaged in any subversive activities, but it so happens now this committee is attempting to determine the nature of those activities in order to determine whether or not they were subversive and have been subversive for a long time——

"Mr. SINGER. I appreciate——

"Mr. VELDE (continuing). And it is for that reason we are asking you these questions.

"Mr. SINGER. I appreciate that, very well, sir, and I have spoken about my feelings. I have tried to project myself back into a world which was different than it is now. I have completely disassociated myself from those activities, and I have expressed that. I have no interest in those activities at all, but as I look back on them I give you my honest evaluation.

"I do not feel remorse of those things. Perhaps it was a stage in my own development. Perhaps it was a certain need. Perhaps it was a question of inquisitiveness, in part.

"Mr. VELDE. That is just exactly what this committee is trying to find out, Dr. Singer——

"Mr. SINGER. Yes.

"Mr. VELDE (continuing). And if you would answer these questions, it would help us a lot in determining how the Communist Party operated and how they were able to infiltrate almost every phase of our American life.

"Mr. SINGER. I describe that according to my feelings, and I am prepared to continue, sir, even on opinions, on various things; but I just feel——

"Mr. VELDE. We are not too much interested in opinions. We are interested in facts.

"Mr. SINGER. I feel, sir——

"Mr. VELDE. The questions asked you——

"Mr. SINGER. I feel——

"Mr. VELDE (continuing). By counsel are questions of fact.

"Mr. SINGER. Well, sir, I feel I could not possibly work in my laboratory again. It's not that I'm hiding something. It's—it's like the end of a rope, in many ways. It's a basic feeling, sir, and I just cannot——

"Mr. CLARDY. May I suggest——

"Mr. SINGER (continuing). Change my position.

* * * * * *

"Mr. CLARDY. Maybe we could get at it this way: Witness, do I understand your refusal to answer to be that you would refuse to respond to any question dealing with the identification of any of these who have been named as members of the group or meetings that you attended?

"You are just making a blanket denial and refusal to answer any questions along that line?

"Mr. SINGER. Yes; on the grounds which I have stated, sir.

"Mr. CLARDY. Yes; I understand what you have stated, but your refusal is a blanket refusal?

"Mr. SINGER. Yes; I——

* * * * * *

"Mr. CLARDY. Well, there isn't any doubt about the fact if you were willing to answer you could tell us, clearly and distinctly, whether any one or all of these people attended any of the meetings? That is a fact as of this time, isn't it?

"(At this point Mr. Singer conferred with Mr. Pollitt.)

"Mr. SINGER. Yes.

"Mr. CLARDY. Thank you.

"Mr. KUNZIG. Were these other people who attended these meetings professors or on the teaching staff of either Harvard or MIT?

"Mr. SINGER. As I recollect, these people, sir, they were professionals, like myself, associated with the universities.

"Mr. KUNZIG. In the teaching capacity?

"Mr. SINGER. In some capacity with the university.

"Mr. KUNZIG. Harvard and MIT?

"Mr. SINGER. Harvard and MIT.

"Mr. KUNZIG. Now, in addition to the names that I have already asked you about this morning, were there any other names of any other people whom you recollect who attended these Communist meetings with you?

"Mr. SINGER. I decline, sir, on the grounds——

"Mr. KUNZIG. Did you ever work on a Government project?

"Mr. SINGER. Well, I was at the medical school and employed by the medical school.

"Mr. KUNZIG. What year was that?

"Mr. SINGER. That was—I was at the medical school for a long period.

"Mr. KUNZIG. Yes.

"Mr. SINGER. As I pointed out to you, from 1942 until 1951, and during the war years, I worked part time in my research on a

project on blood, on blood plasma, and the fractionation of blood plasma at Harvard Medical School, and as I understand it part of my salary, approximately half, was paid by way of that project, and I was——

"Mr. KUNZIG. From the Federal Government?

"Mr. SINGER. Office of Scientific Research and Development——

"Mr. KUNZIG. Paid——

"Mr. SINGER (continuing). From which I received a citation for my work. So, I presume the pay came from that—either that or other funds which supported the department. I didn't go into that.

"Mr. KUNZIG. Government funds?

"Mr. SINGER. Either Government funds or perhaps Rockefeller funds supported that blood-plasma project.

"I had a specific job to perform.

"Mr. KUNZIG. Would you know whether that job was classified or unclassified?

"Mr. SINGER. That project was classified, and some of the research which I did in relation to it was released during the time of the war, and indeed I published it, with permission, in a paper which came out in 1945 in the Journal of Neurosurgery.

"Mr. KUNZIG. Now, Dr. Singer, since this is during the war years, going back to your testimony yesterday, that meant you worked on this classified project at a time when you considered yourself a Communist?

"Mr. SINGER. Yes, sir.

"Through this period there were very loose associations during the war, but——

"Mr. KUNZIG. Were you ever asked by the college as to whether you were a Communist——

"Mr. SINGER. No.

"Mr. KUNZIG (continuing). Prior to working on this classified work?

"Mr. SINGER. No.

"Mr. KUNZIG. Were you ever asked by any Federal authorities or investigators as to whether you were a Communist——

"Mr. SINGER. No.

"Mr. KUNZIG (continuing). Prior to working on this classified work?

"Mr. SINGER. No, I have no recollection of that. I feel fairly certain not.

"Mr. KUNZIG. Do you know whether you were ever cleared to work for classified work?

"Mr. SINGER. I must have been cleared for work, for classified work. I presume that's the nature of the classified work.

"Mr. KUNZIG. But nobody ever asked you any questions?

"Mr. SINGER. The only thing I remember in connection with that was a form whose character I don't recollect that I signed.

"Mr. KUNZIG. Did you state on that form that you signed that you were a Communist?

"Mr. SINGER. No; I did not.

"Mr. KUNZIG. Do you recall whether you were asked whether you were a Communist?

"Mr. SINGER. I do not think I was asked that at any time.

"Mr. KUNZIG. Were you required to take any oath as to whether you were a Communist?

"Mr. SINGER. No.

* * * * *

"Mr. VELDE. Was Wendell H. Furry engaged in those activities with you?

"Mr. SINGER. Sir, I have already answered.

"Mr. VELDE. No.

"Mr. CLARDY. You've declined to answer.

"Mr. VELDE. No; you declined to answer.

"Mr. SINGER. Yes; I declined to answer.

"Mr. VELDE. Let's get this straight.

"Mr. SINGER. I mean I am repeating my——

"Mr. VELDE. I want to ask you again: Was Wendell Furry engaged in these activities that you have told us about along with you?

"Mr. SINGER. Sir, I decline to answer that on the grounds which I've stated.

"Mr. CLARDY. May I make a statement?

"Mr. VELDE. Mr. Clardy.

"Mr. CLARDY. Witness, I can't let you leave the stand without telling you this, as one individual member: You have placed your judgment above that of your Government and your Congress in deciding yourself whether or not the Communist movement is a conspiracy and all those who take any part in it are engaged in that conspiracy; and so, I must tell you, as one Member, that I think you are in contempt of your Congress and of this committee, and I shall do what I can within my power to see that you are cited for that contempt.

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Marcus Singer relative to the subject matter which, under Public Law 601, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"Who invited you to become a member of this group [Communist Party group at Harvard]? [1]

"Did you know him [Robert G. Davis] [1] as a Communist?

"Did you know Wendell H. Furry as a member of the Communist Party?

"Did you know Isador Amdur as a member of the Communist Party?

"Did you know Norman Levinson as a member of the Communist Party?

"Did you know him [John H. Reynolds] [1] to be a member of the Communist Party?

"Did you know Dirk Struik to be a member of the Communist Party?

"Did you know him [William Ted Martin] [1] to be a member of the Communist Party?

"Did you know him [Lawrence Arguimbau] [1] to be a member of the Communist Party?

"Did you know Helen Deane Markham to be a member of the Communist Party?

"Now, these people we have mentioned up to this time—Robert G. Davis, Wendell H. Furry, Isador Amdur, Norman Levinson, John H. Reynolds, Dirk Struik, William Ted Martin, Lawrence Arguimbau, and Helen Deane Markham—did they attend these meetings to which you testified yesterday?

"Did Wendell H. Furry attend these Communist meetings you testified about yesterday?

"Did he [Wendell H. Furry] [1] attend any of the meetings?

"Did Isador Amdur attend any one of these meetings to which you testified yesterday?

"Did Norman Levinson attend any one of these Communist meetings to which you testified yesterday?

"Did John H. Reynolds attend any one of these Communist meetings to which you testified yesterday?

"Did Dirk Struik attend any one of these Communist meetings to which you testified yesterday?

"Did William Ted Martin attend any one of these Communist meetings to which you testified yesterday?

"Did Lawrence Arguimbau attend any one of these Communist meetings to which you testified yesterday?

"Did Helen Deane Markham attend any one of these Communist meetings to which you testified yesterday?

"Witness, do I understand your refusal to answer to be that you would refuse to respond to any question dealing with the identification of any of these who have been named as members of the group or meetings that you attended?

"You are just making a blanket denial and refusal to answer any questions along that line?

"Your refusal is a blanket refusal?

"Now, in addition to the names that I have already asked you about this morning, were there any other names of any other people whom you recollect who attended these Communist meetings with you?

"Was Wendell H. Furry engaged in those [Communist] activities with you?" which questions were pertinent to the subject under inquiry, is a violation of the subpena made under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 538).

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Marcus Singer to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Marcus Singer may be proceeded against in the manner and form provided by law.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST OLE FAGERHAUGH

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities I offer a privileged report (H. Rept. No. 1584).

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Ole Fagerhaugh, 2265 East 19th Street, Oakland, Calif. The said subpena directed Ole Fagerhaugh to be and appear before said Committee on Un-American Activities on December 1, 1953, at the hour of 10 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Ole Fagerhaugh is set forth in words and figures as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to William A. Wheeler and/or Chief of Police Lester J. Divine: You are hereby commanded to summon Ole Fagerhaugh, 2265 East 19th Street, Oakland, Calif., business, Illinois Glass Co., 601 36th Avenue, Oakland, Calif., to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Hon. HAROLD H. VELDE is chairman, in their chamber in the city of San Francisco, Calif., on December 1, 1953, at the hour of 10:00 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 16th day of October 1953.

"HAROLD H. VELDE,
"Chairman.

"LYLE O. SNADER,
"Clerk."

The said subpena was duly served as appears by the return made thereon by L. K.

[1] Words inside brackets added for clarity.

Holmes, 5270-E, Oakland Police Department, who was duly authorized to serve the said subpena. The return of the service by the said L. K. Holmes, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Ole Fagerhaugh, before the Committee on Un-American Activities, on December 1, 1953. Served 28 Oct. 53—0950. L. K. Holmes, 5270-E, O. P. D."

On November 20, 1953, a telegram was sent to Ole Fagerhaugh by Hon. HAROLD H. VELDE, chairman of the Committee on Un-American Activities, which is set forth in words and figures as follows:

Min NL GOVT CHG B25
Night Letter NOVEMBER 20, 1953.

Upon continuing authority of the subpena served upon you your appearance before the Committee on Un-American Activities is hereby postponed from December 1, 1953, to December 3, 1953, 9:30 a. m., Board of Supervisors Room, City Hall Civic Center, San Francisco, Calif.

HAROLD H. VELDE,
Chairman.

On December 3, 1953, at the conclusion of the day's hearings, the chairman of the committee announced that all witnesses not heard on December 3 were to report in the hearing room promptly at 9:30 a. m., December 4, 1953.

The said Ole Fagerhaugh, pursuant to said subpena and in compliance therewith, appeared before the said committee on December 4, 1953, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Ole Fagerhaugh, having appeared as a witness and having been asked the question, namely: "Where are you presently employed?" which question was pertinent to the subject under inquiry, refused to answer such question; and as a result of Ole Fagerhaugh's refusal to answer the aforesaid question, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Ole Fagerhaugh.

The record of the proceedings before the committee on December 4, 1953, during which Ole Fagerhaugh refused to answer the aforesaid question pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES
HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"*San Francisco, Calif.,*
"*Friday, December 4, 1953.*

"PUBLIC HEARING

"The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 9:30 a. m., in the hearing room of the board of supervisors, city hall, Hon. HAROLD H. VELDE (chairman), presiding.

"Committee members present: Representatives HAROLD H. VELDE (chairman), DONALD L. JACKSON, GORDON H. SCHERER, and CLYDE DOYLE.

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"Mr. VELDE. Let the record show that for the purposes of this hearing I have set up a subcommittee consisting of Mr. DONALD JACKSON, Mr. GORDON SCHERER, Mr. CLYDE DOYLE, and myself, as chairman, for the purpose of this hearing.

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"Mr. KUNZIG. Mr. Fagerhaugh now has arrived.

"Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. FAGERHAUGH. I do.

"TESTIMONY OF OLE FAGERHAUGH, ACCOMPANIED BY HIS COUNSEL, ROBERT E. TREUHAFT

"Mr. KUNZIG. What is your present employment, sir?

"Mr. FAGERHAUGH. I am a warehouseman.

"Mr. KUNZIG. Where are you employed?

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"Mr. VELDE. Will you answer the question, please? What is your employment?

"(At this point Mr. Fagerhaugh conferred with Mr. Treuhaft.)

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"Mr. VELDE. Now, will you answer the question, Mr. Witness, or give your legal basis for refusing to answer the question?

"Mr. FAGERHAUGH. Well, I am trying to give my reasons, including my legal reasons for refusing to answer this question, and I would like to proceed to do that if the committee will permit.

"Mr. JACKSON. Your opinion of the committee is not a legal reason for refusing to answer the questions. As a matter of fact, the committee is not at all concerned with your opinion of it.

"Mr. SCHERER. I am going to object to counsel in this case again telling the witness what to say.

"Mr. TREUHAFT. I am going to object to the committee making inferences that are unjustified.

"Mr. VELDE. The counsel should know his rights to confer with his witness. This is not a court of law as counsel well knows.

"Mr. TREUHAFT. I am aware of that.

"Mr. VELDE. This is a committee of Congress trying to ascertain the true facts about subversion in this country, and I ask that the counsel for the witness please remember that fact and act in accordance with the rules of the committee.

"Will the witness answer the question?

"Mr. FAGERHAUGH. Will you repeat the question, please?

"Mr. KUNZIG. I believe if I recall correctly that the question was, Where are you presently employed?

"Mr. FAGERHAUGH. I am going to continue to stand on my right not to answer that question, because, as I say, the committee is already fully aware of where I am employed, and I don't see any purpose——

"Mr. SCHERER. Frankly, I don't know where you are employed; I have no idea where you are employed, and the record should show where you are employed. It is not on the record, Mr. Chairman.

"Mr. VELDE. Frankly, I don't know, either, and I don't know whether any member of the committee knows.

"Mr. FAGERHAUGH. I would rather the committee enter that fact into the record from their own records. I am not going to be a party to dragging my employer into this smear campaign.

"Mr. JACKSON. Does the committee know where the witness is employed?

"Mr. KUNZIG. Yes, sir. May I answer that in 1 minute? I should like first to request that the witness be directed to answer that question, and then I will ask another one about the address.

"Mr. VELDE. Certainly; the witness is directed to answer the question. Where are you employed?

(At this point, Mr. Fagerhaugh conferred with Mr. TREUHAFT.)

"Mr. FAGERHAUGH. I am going to decline to answer that question on the grounds of my rights under the fifth amendment.

"Mr. KUNZIG. Let me put it this way, Mr. Fagerhaugh: Are you employed at the Illinois Glass Co., 601 36th Avenue, Oakland, so that the record will state correctly?

"Mr. FAGERHAUGH. Same answer.

"Mr. KUNZIG. You feel that to answer 'Yes' or 'No' to that question would incriminate you?

"Mr. FAGERHAUGH. I don't feel that that answer or any answer I might give here might incriminate me. I have committed no crime. I am guilty of no crime, and I have nothing to fear. Now, my rights under the Constitution state that I may decline to answer this question on the grounds that I am guaranteed the right not to act as a witness against myself, and for further reasons——

"Mr. VELDE. In a criminal proceeding; is that not true? And you say you have committed no crime whatsoever. Then do you still feel that you are entitled to the protection of the fifth amendment, when you have committed no crime?

(At this point Mr. Fagerhaugh conferred with Mr. Treuhaft.)

"Mr. FAGERHAUGH. I want to make very clear my position on this, because what is said here today may some day be used in a court of law, and so I want it clearly understood the reason—my reasons for claiming the right not to answer this question under the fifth amendment—and I would like to——

"Mr. VELDE. Proceed, Mr. Counsel.

"Mr. KUNZIG. Mr. Chairman, the witness has refused to answer on the grounds of the fifth amendment and has said under oath he has not committed any crime. I should like, therefore, to ask him this question: Whether you have ever been a——

"Mr. TREUHAFT. Just a moment, counsel. The answer has not been finished, and you have interfered and interrupted.

"Mr. VELDE. Counsel knows his right to advise with his client; it is limited to that.

"Mr. TREUHAFT. I want to consult with my client.

(At this point Mr. Fagerhaugh conferred with Mr. Treuhaft.)

"Mr. VELDE. Give the counsel an opportunity to talk with the witness.

"Mr. KUNZIG. Mr. Chairman, may I continue with the questioning?

"Mr. FAGERHAUGH. I would like to continue——

"Mr. KUNZIG. There is no question before the witness.

"Mr. VELDE. There is no question before the witness.

"Mr. FAGERHAUGH. I have not finished answering my reasons.

"Mr. VELDE. You have been given permission and opportunity to confer with your counsel. No question is pending.

"Mr. FAGERHAUGH. I still didn't finish the question that was asked.

"Mr. KUNZIG. For the record, to make it clear, the previous question the witness declined to answer on the grounds of the fifth amendment. Now I ask this question, Mr. Fagerhaugh: Have you ever been a member of the Communist Party——

(At this point Mr. Fagerhaugh conferred with Mr. Treuhaft.)

"Mr. KUNZIG (continuing). Political Affairs Committee of Alameda County?

"Mr. FAGERHAUGH. I am not going to answer any further questions until I have been given an opportunity for the record to give a complete answer to the last question that was asked of me.

"Mr. VELDE. Well, will you give a complete answer, or will you refuse to answer, as you have done before?

"Mr. FAGERHAUGH. I want to give my reasons for declining to answer.

"Mr. VELDE. You may give your reasons, your explanation, if you will answer the question, but certainly not if you refuse to answer the question.

"Mr. FAGERHAUGH. I think it should be made very clear my reasons for refusing to answer this question, because the committee seems to raise the question—well, what have I to fear to answer a question like where do I work. Well, for the sake of the record, I want my reasons—I want to give my reasons for declining to answer under the fifth amendment because this case may come into a court of law, and I want it clearly

understood what my reasons are. Now, I would like——

"Mr. VELDE. You say you have committed no crime. Then how can you sit there and claim the privileges against self-incrimination?

"Mr. FAGERHAUGH. Because the fifth amendment was drawn up to protect the innocent as well as the guilty, as you well know, and Chief Justice Rutledge has said—and if I may quote him——

"Mr. VELDE. The committee is well aware of the——

"Mr. FAGERHAUGH. I am not so certain the committee is well aware, and for the record I would like to give a brief quote.

"Mr. JACKSON. In regular order, Mr. Chairman, let us have the questions and get the declinations or the answers.

"Mr. VELDE. If the witness continues to make voluntary statements not in answer to the question that counsel asks and the members of this committee ask, I assure you that you will be removed from the hearing room.

"Proceed, Mr. Counsel.

"Mr. KUNZIG. The question now before the witness which he has been evading, Mr. Chairman, is: Have you ever been a member of the Political Affairs Committee of the Communist Party of Alameda County, a very simple question to answer.

"(At this point Mr. Fagerhaugh conferred with Mr. Treuhaft.)

"Mr. FAGERHAUGH. Pardon me, what was the question?

"(Representative Donald L. Jackson left the hearing room at this point.)

"Mr. KUNZIG. Well, I just wonder how you can confer all that time without knowing the question, but I will repeat it for about the fourth time, Mr. Witness. Have you ever been a member of the Political Affairs Committee of the Communist Party of Alameda County, as was testified here yesterday by Mr. Blodgett?

"Mr. FAGERHAUGH. I decline to answer that question on the grounds of the fifth amendment.

"Mr. KUNZIG. Have you ever been a member of the Communist Party at any time whatsoever?

"Mr. FAGERHAUGH. I likewise decline to answer that question on the grounds of my rights under the fifth amendment.

"Mr. KUNZIG. Are you now a member of the Communist Party?

"Mr. FAGERHAUGH. I further decline to answer that question on the grounds of the fifth amendment.

"Mr. KUNZIG. No further questions, Mr. Chairman.

* * * * *

"Mr. VELDE. * * * Is there any reason why this witness should be further retained under subpena?

"Mr. KUNZIG. No, sir.

"Mr. VELDE. The witness is dismissed, and the committee will be in recess for 10 minutes."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answer to pertinent question propounded to said Ole Fagerhaugh relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the same committee was instructed to investigate, and the refusal of the witness to answer the question, namely: "Where are you presently employed?" which question was pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid question deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 539).

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Ole Fagerhaugh to answer a question before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the northern district of California, to the end that the said Ole Fagerhaugh may be proceeded against in the manner and form provided by law.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST BARROWS DUNHAM

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I present a privileged report (H. Rept. No. 1585).

The Clerk read the report, as follows:

The Committee on Un-American Activities as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Barrows Dunham. The said subpena directed Barrows Dunham to be and appear before the said Committee on Un-American Activities of the House of Representatives, or a duly authorized subcommittee thereof, at room 226, Old House Office Building, Washington, D. C., on February 26, 1953, at 10 a. m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Barrows Dunham is set forth in words and figures as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to W. Jackson Jones: You are hereby commanded to summon Barrows Dunham to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE is chairman, in their chamber in the city of Washington, room 226, House Office Building, on February 26, 1953, at the hour of 10 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 11th day of February 1953.

"HAROLD H. VELDE,
"Chairman.

"Attest:

"LYLE O. SNADER,
"Clerk, United States House of Representatives."

The said subpena was duly served, as appears by the return made thereon by W. Jackson Jones, investigator, House of Representatives, who was duly authorized to serve the said subpena. The return of the service made by the said W. Jackson Jones being endorsed thereon, is set forth in words and figures as follows:

"Served upon the within named individual at his residence, 127 Bentley Avenue, Cynwyd, Pa., on February 12, 1953, at 4:25 p. m., e. s. t.

"W. JACKSON JONES,
"Investigator, House of Representatives."

The said witness was not heard by the committee on the 26th day of February 1953, on which date the said witness was directed to appear, and at the close of the session the chairman announced that all witnesses who were subpenaed for appearance before the committee on the 26th day of February 1953, and had not been heard, should appear in room 226 of the Old House Office Building in Washington, D. C., on the following morning, February 27, 1953.

The said Barrows Dunham, pursuant to said subpena, and in compliance therewith, appeared before the said committee on February 27, 1953, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Barrows Dunham, having appeared as a witness and having been asked questions, namely:

"Will you state for the committee, please, what your educational training has been; that is, your formal educational training?

"What is your present occupation?" which questions were pertinent to the subject under inquiry, refused to answer such questions, and as a result of said Barrows Dunham's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Barrows Dunham.

The record of the proceedings before the committee on February 27, 1953, during which Barrows Dunham refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"UNITED STATES HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON UN-AMERICAN ACTIVITIES.

"Washington, D. C., Friday, February 27, 1953.

"EXECUTIVE SESSION

"The subcommittee of the Committee on Un-American Activities, consisting of Hon. HAROLD H. VELDE (chairman), Hon. KIT CLARDY, Hon. CLYDE DOYLE, and Hon. JAMES B. FRAZIER, JR., met pursuant to call at 10:30 a. m. in room 226, Old House Office Building, Washington, D. C., and after hearing the testimony of another witness, the witness, Barrows Dunham, was called at 11:10 a. m. Committee members present: Representatives HAROLD H. VELDE (chairman), DONALD L. JACKSON, KIT CLARDY, FRANCIS E. WALTER, CLYDE DOYLE, and JAMES B. FRAZIER, JR.

"Mr. VELDE. Will you stand and be sworn? Raise your right hand. In the testimony you are about to give before this committee do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. DUNHAM. I do.

"Mr. VELDE. Let the record show at this point that present are Mr. JACKSON, Mr. CLARDY, Mr. WALTER, Mr. DOYLE, and Mr. FRAZIER and the chairman.

"Mr. TAVENNER. What is your name, please?

"TESTIMONY OF BARROWS DUNHAM, ACCOMPANIED BY HIS COUNSEL, PHILIP DORFMAN

"Mr. DUNHAM. My name is Barrows Dunham, B-a-r-r-o-w-s D-u-n-h-a-m.

"Mr. TAVENNER. Are you accompanied by counsel?

"Mr. DUNHAM. I am.

"Mr. TAVENNER. Will counsel please identify himself for the record?

"Mr. DORFMAN. My name is Philip Dorfman, D-o-r-f-m-a-n, 820 Lewis Tower Building, Philadelphia, Pa.

"Mr. TAVENNER. The conditions are rather crowded in the room, and if in the course of your testimony you desire to speak privately with your counsel outside of the room, you may be permitted to do that.

"Will you please state your present address, Mr. Dunham?

"Mr. DUNHAM. 127 Bentley Avenue, B-e-n-t-l-e-y, Cynwyd, Pa., C-y-n-w-y-d.

"Mr. TAVENNER. When and where were you born?

"Mr. DUNHAM. Mr. Tavenner, at this point I shall seek the protection of the fifth amendment and decline to answer that question on the ground that it may tend to incriminate me.

"Mr. JACKSON. Mr. Chairman.

"Mr. VELDE. Mr. Jackson.

"Mr. JACKSON. I ask that the witness be directed to answer that question as being part of the necessary identification of that witness.

"Mr. WALTER. May I suggest that the question be divided in two? When were you born?

"Mr. DUNHAM. I give the same answer as before.

"Mr. TAVENNER. Mr. Chairman, I suggest that you direct the witness to answer the question.

"Mr. VELDE. The witness is directed to answer the question which the Chair feels is a proper question in order to identify the witness.

"Mr. DUNHAM. I was born on the 10th of October 1905.

"Mr. TAVENNER. Where?

"Mr. DUNHAM. Mount Holly, N. J.

"Mr. CLARDY. These unfamiliar names are rather hard to get.

"Mr. TAVENNER. Will you spell the last name, please?

"Mr. DUNHAM. H-o-l-l-y.

"Mr. TAVENNER. Will you state for the committee, please, what your educational training has been; that is, your formal educational training?

"Mr. DUNHAM. I plead my constitutional immunity again, sir.

"Mr. TAVENNER. I suggest the witness be directed to answer the question.

"Mr. VELDE. The witness is directed to answer this question.

"Mr. DUNHAM. I stand on the same grounds, Mr. Chairman.

"Mr. VELDE. What grounds are those, Mr. Dunham?

"Mr. DUNHAM. On the ground that the answer to that question may tend to incriminate me.

"Mr. WALTER. Do we want to waste any more time?

"Mr. TAVENNER. I have no further questions, Mr. Chairman.

"Mr. VELDE. Mr. JACKSON?

"Mr. CLARDY. Does the record show clearly that on this question he is commanded to give a direct answer?

"Mr. VELDE. Yes. Mr. JACKSON?

"Mr. JACKSON. It would be my suggestion, Mr. Chairman, as far as I am concerned, that those questions which are necessary for proper identification of the witness be asked, and the directions be made a part of the record and the declination to answer be made a part of the record, so that if it is necessary, any subsequent action may be taken by the committee.

"Mr. VELDE. The Chair rules that you will proceed to make the necessary interrogations to identify the witness, occupation, and so forth.

"Mr. TAVENNER. What is your present occupation?

"Mr. DUNHAM. I decline to answer on the grounds that I gave before.

"(Representative FRANCIS E. WALTER left the hearing room at this point.)

"Mr. TAVENNER. I suggest that the witness be directed to answer the question.

"Mr. VELDE. The witness is directed to answer the question.

"Mr. DUNHAM. My answer is the same, Mr. Chairman.

"Mr. CLARDY. What do you mean by 'the same'?

"Mr. DUNHAM. I mean that under the fifth amendment I decline to answer on the ground that the answer may tend to incriminate me.

"Mr. TAVENNER. I have no further questions, Mr. Chairman, in light of the witness' answers.

"Mr. VELDE. Do you have any further questions?

"Mr. JACKSON. No; I have no further questions?

"Mr. CLARDY. I have none.

"Mr. FRAZIER. No questions.

"Mr. DOYLE. No questions."

Because of the foregoing the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Barrows Dunham relative to the subject matter, which, under Public Law 601, section (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"Will you state for the committee, please, what your educational training has been; that is, your formal educational training?

"What is your present occupation?" which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 540) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Barrows Dunham to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Barrows Dunham may be proceeded against in the manner and form provided by law.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST FRANCIS X. T. CROWLEY

Mr. VELDE. Mr. Speaker, by direction of the Committee on Un-American Activities, I present a privileged report (H. Rept. No. 1586).

The Clerk read the report, as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives, through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, caused to be issued a subpena to Francis X. T. Crowley, 226 Second Avenue, Apartment 15, New York, N. Y. The said subpena directed Francis X. T. Crowley to be and appear before said Committee on Un-American Activities on May 4, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Francis X. T. Crowley is set forth in words and figures, as follows:

"By authority of the House of Representatives of the Congress of the United States of America, to George C. Williams: You are hereby commanded to summon Francis X. Crowley to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable HAROLD H. VELDE is chairman, in their chamber in the city of New York, room 110, Federal Building, on Monday, May 4, 1953, at the hour of 10:30 a. m., then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee.

"Herein fail not, and make return of this summons.

"Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of April, 1953.

"HAROLD H. VELDE,
"Chairman.

"Attest: "LYLE O. SNADER,
"Clerk."

The said subpena was duly served as appears by the return made thereon by George C. Williams, investigator, who was duly authorized to serve the said subpena. The return of the service by the said George C. Williams, being endorsed thereon, is set forth in words and figures, as follows:

"Subpena for Francis X. Crowley, before the Committee on Un-American Act. Served at home, 226 2d Avenue, Apt. 15, N. Y. C. on 4-24-53 at 6:32 p. m.

"GEORGE C. WILLIAMS,
"Investigator, House of Representatives."

On May 4, 1953, a telegram was sent to Francis X. Crowley by HAROLD H. VELDE, chairman of the House Committee on Un-American Activities, which is set forth in words and figures, as follows:

"NEW YORK, N. Y., *May 4, 1953.*

"FRANCIS X. CROWLEY,
226 Second Ave., New York City:

"Your appearance before Committee on Un-American Activities is hereby postponed to Monday, June 8, 1953, 10:30 a. m., 226 House Office Building, Washington, D. C.

"HAROLD H. VELDE,
"Chairman."

The said Francis X. T. Crowley, pursuant to said subpena and in compliance therewith, appeared before the said committee on June 8, 1953, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress. The said Francis X. T. Crowley, having appeared as a witness and having been asked questions, namely:

"When you were in Boston, Mass. * * *, were you a member of the West End Club of the Communist Party?

"Have you ever been associated with any members of the West End Club of Boston?

"Have you ever at any time been a member of the Communist Party?" which questions were pertinent to the subject under inquiry, refused to answer such questions; and as a result of Francis X. T. Crowley's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Francis X. T. Crowley.

The record of the proceedings before the committee on June 8, 1953, during which Francis X. T. Crowley refused to answer the aforesaid questions pertinent to the subject under inquiry is set forth in fact as follows:

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"Washington, D. C., Monday, June 8, 1953.

"EXECUTIVE SESSION

"The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:43 a. m., in room 226 of the Old House Office Building, Hon. BERNARD W. KEARNEY, presiding.

"Committee member present: Representative BERNARD W. KEARNEY (presiding).

* * * * *

"Mr. KEARNEY. The committee will be in order.

"Let the record show that, for the purpose of the hearing this morning, a subcommittee has been set up composed of Mr. KEARNEY from New York. The hearing will be conducted under the authority granted for subcommittee by the chairman of the committee, Mr. VELDE.

* * * * *

"Will you stand and be sworn?

"Do you solemnly swear the testimony you shall give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. CROWLEY. I do.

"TESTIMONY OF FRANCIS XAVIER THOMAS CROWLEY

"Mr. KUNZIG. Mr. Crowley, are you accompanied by counsel here this morning?

"Mr. CROWLEY. No; I am by myself.

"Mr. KUNZIG. You understand, of course, your right to be accompanied by counsel if you so desire?

"Mr. CROWLEY. I do.

"Mr. KUNZIG. And it is your wish to be here present at this hearing today without counsel?

"Mr. CROWLEY. Yes.

"Mr. KUNZIG. Would you give your full name, please?

"Mr. CROWLEY. Francis Xavier Thomas Crowley. The Thomas was a confirmation.

"Mr. KUNZIG. And your present address, Mr. Crowley?

"Mr. CROWLEY. 226 Second Avenue, New York.

"Mr. KUNZIG. And what is your age at the present time?

"Mr. CROWLEY. Twenty-seven.

* * * * *

"Mr. KUNZIG. Mr. Crowley, when you were in Boston, Mass., that period of time prior to going to the University of Michigan that you have just told us about, were you a member of the West End Club of the Communist Party?

"Mr. CROWLEY. Well, I can't answer that.

"Mr. KEARNEY. What do you mean—you can't answer it?

"Mr. CROWLEY. I won't answer it.

"Mr. KEARNEY. On what grounds?

"Mr. CROWLEY. It goes against my conscience to speak about it. I don't believe I should be in a position where I have to speak about anyone except my priest, and I have spoken to him about it.

"Mr. KEARNEY. In other words, do I take it to mean your conscience bothered you because you were a member of the party?

"Mr. CROWLEY. No; not in this instance.

"Mr. KEARNEY. Has your conscience ever bothered you because you were a member of the party?

"Mr. CROWLEY. My conscience bothers me that I might someway harm or hurt someone else by telling you what I know, what you want to know.

"Mr. KEARNEY. How could it harm or hurt someone else by stating whether you were a member of the Communist Party?

"Mr. CROWLEY. Because if I answered that question, I imagine you will ask me, 'Well, who else was?' or things of that sort.

"Mr. KEARNEY. Well, if we did ask you that question, you could decline to answer it.

"Mr. CROWLEY. Well, I would be in the same position then about answering. I guess I would be in the same jeopardy.

"Mr. Kunzig explained to me what I can do and what I can't do legally. I know——

"Mr. KEARNEY. Well, I am quite curious. What jeopardy would you be in if you stated to this committee that you had been a member of the Communist Party?

"Mr. CROWLEY. What jeopardy would I be in? None that I know of.

"Mr. KEARNEY. Then why can't you answer that question?

"Mr. CROWLEY. Because I believe it would be cowardice to answer any question about my past life to anyone that I didn't want to—and there's one thing I cannot do, is be a coward. I'd sooner—you know—take anything I have coming to me rather than have to live with something on my mind, something I felt was wrong that I did. It would be wrong for me to tell you anything about my past life or my acquaintances, my activities with other people.

"Mr. KEARNEY. When you say you refuse to answer as to whether you have ever been a member of the Communist Party or not, if you never had been a member of the Communist Party, would you so answer?

"Mr. CROWLEY. If I never had been—I don't know; probably not. Probably not.

"Mr. KEARNEY. I am quite curious to know your reasons as to why you would refuse to state why you had never been a member of the Communist Party.

"Mr. CROWLEY. Well, is not all reasoning, I guess. It is just a feeling I have, and I haven't reasoned it out. I can't give you a logical reason why.

"Mr. KUNZIG. Well, Mr. Chairman, the question, of course, whether the witness was a member of the West End Club of the Communist Party in Boston. I respectfully request he be directed to answer that question.

"Mr. KEARNEY. Well, I was coming to that, and I am going to direct the witness to answer that question unless he can show sufficient reasons as to why he shouldn't answer it.

"Mr. CROWLEY. I can't give you any reasonable reasons, any legal reasons, or otherwise.

"Mr. KEARNEY. Now, you were advised by counsel here that you had the right to counsel——

"Mr. CROWLEY. Yes, sir.

"Mr. KEARNEY (continuing). At this hearing, and you declined counsel to represent you. Now, you are being asked the question as to whether you are now or ever have been a member of the Communist Party.

"Mr. KUNZIG. The question—the specific question—I believe at this moment, sir, is whether the witness was a member of the West End Club of the Communist Party in Boston, Mass., when he was in Boston. That is the question at the moment.

"Mr. KEARNEY. And your answer to that is——

"Mr. CROWLEY. I won't answer it.

"Mr. KEARNEY (continuing). You won't answer it.

"As the chairman, I direct you to answer that question.

"Mr. CROWLEY. Well, I don't know what you mean.

"Mr. KEARNEY. What?

"Mr. CROWLEY. Well, I don't know what mean.

"Mr. KEARNEY. I direct you to answer the question that counsel just propounded to you.

"Mr. CROWLEY. No; I can't answer that.

"Mr. KEARNEY. You can't answer or you won't answer it?

"Mr. CROWLEY. I won't answer it.

"Mr. KEARNEY. You won't answer it?

"Mr. KUNZIG. May I state for the record, Mr. Chairman, prior to the hearing, I discussed this matter with the witness and he stated he had spoken to attorneys and had had the advice of counsel on this matter. I advised him, of course, of his right to come here today with counsel and have counsel present with him in the hearing to advise him as the course of the hearing progressed.

"Mr. CROWLEY. I explained why I didn't bring a lawyer with me. I said I didn't think it was a matter of my citing the fifth amendment or not. I'm not looking at it in a legal sense. I'm just going by my own feelings. That is the way it is. That is the way——

"Mr. KEARNEY. Now, Mr. Crowley, you are an educated man. You are a graduate of a university. You have the degree of——

"Mr. CROWLEY. Bachelor of arts.

"Mr. KEARNEY. Bachelor of arts. Have you ever been associated with any members of the West End Club of Boston?

"Mr. CROWLEY. That comes to the same thing. I won't answer that either.

"Mr. KEARNEY. You won't answer it?

"Mr. CROWLEY. No.

* * * * *

"Mr. KEARNEY. As I understand your testimony, you just refuse to answer any questions concerning your activities with communism?

"Mr. CROWLEY. Yes, sir.

"Mr. KEARNEY. Are you now a member of the Communist Party?

"Mr. CROWLEY. No.

"Mr. KEARNEY. Do you have any other questions?

"Mr. KUNZIG. I think we better follow it up by asking: Have you ever at any time been a member of the Communist Party?

"Mr. CROWLEY. I refuse to answer that."

* * * * *

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to said Francis X. T. Crowley relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 83d Congress, the said committee was instructed to investigate, and the refusal of the witness to answer questions, namely:

"When you were in Boston, Mass. * * *, were you a member of the West End Club of the Communist Party?

"Have you ever been associated with any members of the West End Club of Boston?

"Have you ever at any time been a member of the Communist Party?" which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 541) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Francis X. T. Crowley to answer questions before the said Committee on Un-American Activities, together with all the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the District of Columbia, to the end that the said Francis X. T. Crowley may be proceeded against in the manner and form provided by law.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXERCISES AT THE ILLUMINATION OF THE NEW PORTION AND DEDICATION OF THE ROTUNDA FRIEZE

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that a copy of the exercises at the illumination of the new portion and the dedication of the rotunda frieze, held in the rotunda of the

Capitol this morning, appear in the RECORD of the proceedings of the House of today immediately following the approval of the Journal.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING THE STANDARD CONTAINER ACT OF MAY 21, 1928

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 528 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8357) to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–257i), to provide for a three-eighths basket for fruits and vegetables. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. COLMER], and at this time I yield myself such time as I may require.

Mr. Speaker, I rise to urge the adoption of House Resolution 528, which will make in order the consideration of the bill, H. R. 8357, to amend the Standard Container Act of May 21, 1928, to provide for a ⅜-bushel basket for fruits and vegetables.

House Resolution 528, Mr. Speaker, provides for an open rule with 1 hour of general debate.

H. R. 8357, as I understand it, Mr. Speaker, would provide for one additional sized basket, the ⅜-bushel capacity in the hamper or round stave style. The Standard Container Act, as presently constituted, provides for a 12-quart splint basket which is the equivalent of the ⅜-bushel capacity. Therefore this bill, Mr. Speaker, would provide for the making of a basket of a different shape from the splint basket, but the new basket would have a capacity identical to the 12-quart splint basket.

The main points which were brought out before the Rules Committee in favor of this bill were: First, that this new-sized basket would be an aid to the marketing of fruits and vegetables; secondly, that the fruits and vegetables would arrive in the markets all over the country in a better condition than has heretofore been the case; and finally, the Rules Committee was told that this proposed size basket would be very attractive as a gift package, and would contain an amount of fruit and vegetables that the average family could consume before the material started to decay.

Mr. Speaker, I am very much in favor of Congress passing bills that will help our American businessmen, whether they be manufacturers, or growers of our fruits and vegetables, to increase the marketability of their products. In this day and age when we, by necessity of the conditions throughout the world, must spend vast sums of money in order to bolster ourselves and our allies against the onslaughts of the Communist world, it is refreshing and personally very gratifying to have, as it were, "a home-grown bill" before us.

If the authorizing of a more convenient size basket will help our vegetable and fruit growers to dispose more successfully of their products, then I am for the objectives set forth in this bill. I hope that the House membership will see fit to adopt the rule, which will make it possible for us to consider H. R. 8357.

Mr. COLMER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, as the gentleman from Illinois [Mr. ALLEN] has said, this resolution would make in order the Barden bill setting up or legalizing a new standard container, the ⅜-bushel container. This, of course, comes under the general authority of the Constitution giving Congress the right to set up standards of weights and measures.

There was made before the Rules Committee an overwhelming argument for this measure which certain parts of the commercial world have demanded. It was in response to that demand that the distinguished gentleman from North Carolina [Mr. BARDEN] has sponsored this legislation.

I should like to compliment my colleagues on the right, in the majority, for permitting this measure to be brought out under the name of this distinguished minority member [Mr. BARDEN]. This is, of course, a little out of the ordinary and is quite a tribute to our colleague from North Carolina who enjoys such splendid prestige and standing in this House. I am sure the bill will pass without much difficulty.

Mr. Speaker, I have no further requests for time.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. O'HARA of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8357) to amend the Standard Container Act of May 21, 1928, to provide for a three-eighths basket for fruits and vegetables.

The SPEAKER. The question is on the motion offered by the gentleman from Minnesota [Mr. O'HARA].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8357, with Mr. SHEEHAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Minnesota [Mr. O'HARA] will be recognized for 30 minutes and the gentleman from Arkansas [Mr. HARRIS] will be recognized for 30 minutes.

Mr. O'HARA of Minnesota. Mr. Chairman, I wonder if the gentleman from Arkansas [Mr. HARRIS] intends to yield some time to the author of the bill the gentleman from North Carolina [Mr. BARDEN].

Mr. HARRIS. If the gentleman will yield to me, it will be my intention to yield time both to the author of the bill, the gentleman from North Carolina [Mr. BARDEN], and also to another member of the committee.

Mr. O'HARA of Minnesota. In view of the fact that the bill has been explained under the rule, I should like the gentleman to use his time. I have no requests for time on this side. I might say to the gentleman that I believe on our side there was general agreement on the bill. There may have been one or two who did not support the bill, but the majority on our side did.

Mr. HARRIS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill, which would amend the Standard Container Act of 1928, would provide for a three-eighths of a bushel basket for fruits and vegetables.

It has already been mentioned that this is a simple problem brought to the Congress. That is true, but it is a highly important problem. I agree with the distinguished gentleman from Illinois [Mr. ALLEN] when he said that it probably would be well to bring a problem of this nature before the House today.

Frankly, I did not know until this matter was brought to our attention in the committee that it was necessary for the Congress of the United States to provide this legislation for size of such containers.

Mr. DOLLIVER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to my distinguished colleague on the committee.

Mr. DOLLIVER. I am sure the gentleman has overlooked the fact that the Constitution provides that weights and measures are under the control of the Congress.

Mr. HARRIS. Certainly I know that, but I have had the impression that many years ago the Congress, assuming its responsibility in connection with its constitutional prerogatives, had so taken care of such a simple matter, in which the industry of the country has such a great interest.

Mr. DOLLIVER. I confess that during the hearings I had the same impression the gentleman had, that this matter might well have been handled by administrative action, but it appears to be impossible to handle this that way. Therefore, this legislation has come before the House.

Mr. HARRIS. I am trying to explain to the Members of the House that this legislation is necessary if the fruit growers and vegetable growers of the country

are to be permitted to sell their vegetables in interstate commerce in a ⅜-bushel basket.

As a youngster I worked during the harvest each year in the peach orchard and picked peaches, put them in boxes and in baskets. I have unloaded them from the wagons and have packed them and loaded them in cars. However, during all these years I did not know that I was doing it necessarily by specification of the size by an act of the Congress of the United States.

In 1928, the Congress passed a bill known as the Standard Containers Act. It provided for only 9 sizes of hampers or baskets, which ran from one-eighth of a bushel to 2 bushels in size. There are various sizes that were not included, and one of those not included was a three-eighths-bushel basket. So when our distinguished colleage brought this to our attention a few days ago, I would say in all deference to the other members of the committee, including our distinguished colleague, the gentleman from Iowa, we had no idea it was necessary for the committee to take action in order to make this size basket legal in the country. But it does point up to us a responsibility, and that is the responsibility of considering matters of this kind which are so important to the welfare of the country. There is some opposition to the bill which has been presented, and that opposition will be presented, and explained, to the committee. A member of our committee, the gentleman from Illinois [Mr. MACK], expressed his feeling about it. We had hearings on the legislation. Following the hearings, the committee in executive session reported the bill. Consequently, other than objection which has been presented, the committee brings this legislation to you recommending its passage.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, my distinguished colleague, the gentleman from Arkansas, has together with the presentation under the rule presented to you the simple facts about this legislation. I recall the testimony which was given before the committee to the effect that this legislation with reference to the creation of a three-eighths-bushel-hamper size is of great importance, particularly to the fruitgrowers of the South and Southeast, and is of particular interest to the small-fruit producers, more so, perhaps, than to any other type of producers. Certainly anything which will aid in the marketing of this highly seasonable fruit or anything which will aid the vegetable people in marketing their products and making it more available and salable is a matter which we should seriously consider in giving them the authority which they have requested. When this matter was first presented in our committee, I must confess I had no knoweldge that it was necessary to have legislation in order to authorize the three-eighths-bushel basket or hamper size, as is provided by this legislation. Frankly, I know our committee was overwhelmingly in favor of the legislation and we are in complete sympathy with the author of the bill, the gentleman from North Carolina [Mr. BARDEN] in his desire to afford this assistance to the producers who need it as quickly as possible.

Mr. Chairman, I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida [Mr. ROGERS], a member of the committee.

Mr. ROGERS of Florida. Mr. Chairman, as stated both by the gentleman from Arkansas [Mr. HARRIS], and the gentleman from Minnesota [Mr. O'HARA], this is a very simple measure. When the Standard Container Act was passed, for some reason they left out the container of three-eighths of a bushel. They had one-quarter, they had one-half, they had five-eighths, but for some reason they left this out.

The testimony before our committee showed that there was a need for this particular size basket in shipping Christmas gifts. In the committee there was no organization appearing against it. Everyone who appeared before the committee as witnesses testified as to the merits of this proposal. Not only that, but the Department of Agriculture endorsed the provisions of the bill. Not only that, the Department of Commerce endorsed the provisions of the bill. Certainly, it can bring no harm to anyone, and at the same time it brings good to many shippers of fruits and vegetables, especially the little shippers, as the testimony will show if you will read the report.

Another very meritorious fact in connection with this is that there will be no additional expense. When we come before the Congress asking for the passage of the bill, ordinarily there is some added expense, but in this bill there is no added expense. Mr. True D. Morse, who is Acting Secretary of Agriculture, makes this statement:

> The addition of this container to the standard containers would not require the expenditure of additional funds for administration of the act.

Now, it is a little thing to come here and take up the time of this Congress, but as pointed out by the gentleman from Iowa [Mr. DOLLIVER], it is a matter that is up to the Congress; and in order to get this relief, which will hurt no one and will help many, we must pass on it.

I sincerely hope that this Congress will adopt the bill.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New Jersey [Mr. WOLVERTON], chairman of the committee.

Mr. WOLVERTON. Mr. Chairman, the Standard Container Act of May 21, 1928—Public Law No. 462, 70th Congress—which H. R. 8357 would amend, fixes the standard sizes of hampers, round stave baskets, and splint or market baskets for fruits and vegetables. With respect to hampers and round stave baskets, the law provides for 9 standard sizes of the following capacities: one-eighth bushel, one-fourth bushel, one-half bushel, five-eighths bushel, three-fourths bushel, 1 bushel, 1¼ bushels, 1½ bushels, and 2 bushels. With respect to the splint, or market baskets, the law provides for 6 standard sizes of the following capacities: 4 quarts, 8 quarts, 12 quarts, 16 quarts, 24 quarts, and 32 quarts, standard dry measure.

The dimension specifications for these hampers, round stave baskets and splint baskets for fruits and vegetables must be submitted to, and be approved by, the Secretary of Agriculture, who is charged with the administration of this law. The Secretary is directed to approve the specifications for such baskets if he finds that they are not deceptive in appearance, and are of the capacities specified in the law. It is unlawful to manufacture, sell, offer for sale, or ship such baskets if they do not correspond to one of the standard capacities stated in the law.

PURPOSE OF AND NEED FOR LEGISLATION

The reported bill would merely provide for one additional-sized basket, namely, the ⅜-bushel capacity, in the hamper or round stave style. The act already provides for a 12-quart splint basket, which is the equivalent of the ⅜-bushel capacity. The reported bill would, therefore, authorize a basket of somewhat different shape from the splint basket, but of a capacity identical with the 12-quart splint basket. The proposed ⅜-bushel hamper and round stave baskets could be put to use in the packaging and shipment of certain fruits and vegetables for which the already existing 12-quart or ⅜-bushel splint basket is not adaptable.

Testimony presented to the committee during the hearing on this bill established to the satisfaction of the committee the need for this ⅜-bushel round stave basket as an aid to the marketing of fruits and vegetables, particularly peaches. The market for fresh fruits has been depressed, from time to time, in recent years. The committee was advised that the proposed basket would stimulate the demand for, and additional consumption of, fresh fruits and vegetables, would broaden the market for growers, and would accomplish delivery of the fruits and vegetables in a better condition—with less bruising and injury to the contents. This size of basket, it was stated, would be very attractive as a gift package, and would contain just enough quantity of fruits and vegetables for the average family to consume before the onset of decay.

COMMITTEE HEARINGS

A preliminary hearing on this bill was held on March 22, 1954, and a further hearing was held on April 9, 1954. Representatives BARDEN, of North Carolina, author of the bill; CAMPBELL, of Florida; DEANE, of North Carolina; and ASHMORE, of South Carolina, and other witnesses spoke in favor of the bill. There is no testimony in opposition to the bill. The gentleman from North Carolina [Mr. BARDEN] urged prompt action on the bill so that the ⅜-bushel basket may be available when the peach crop begins to move in the next few weeks, and also for use later on in the packaging and shipment of other fruits and vegetables. I should like to read certain excerpts

from their statements. Here is what the gentleman from North Carolina [Mr. BARDEN] said:

The growers of North and South Carolina had a meeting. They have an organization, * * * the peach-growers association, and at this meeting they called for permission to use what they term a gift package * * * a ⅝-bushel basket.

* * * * *

Now, Mr. Chairman, I know that you are often called upon for quick action on legislation. I do not believe there would be the slightest opposition from anybody to this bill. It is very, very important that this is passed as quickly as possible to take care of this year's crop of peaches.

* * * * *

The machinery and plants are set up * * * the plants are ready to go ahead producing this basket. The demand is available. The growers want the basket.

* * * It is awfully important to the industry and tremendously important to the people who are to manufacture these baskets that they have the time to put them on the market so they can be used.

* * * * *

This [basket] is in response to a great demand and will be a tremendous value to your pear folks and your peach folks and others. It is not too much for a family. It is the right size for quick transportation to arrive in good shape.

* * * * *

* * * I discussed it with some of the others from the peach- and apple-growing sections and I found that in every instance the peach growers, and the small peach growers, were tremendously interested in this [basket].

* * * * *

Now, I do have letters here which indicate that a survey has been made through the growing areas, and the interesting thing to me is that I am somewhat in the position of Mr. Mack. Not a single person have I heard say that there was any objection to it. They all say, "Well, it probably is a good thing. We have no objection."

The gentleman from Florida [Mr. CAMPBELL] made the following statement to the committee:

I feel that this package [referring to the proposed ⅝-bushel basket] will increase sales for the small fruitgrower and packing-house, and we have a great many in our State. * * * I cannot help but feel that this would fill a need for both express shipments and parcel-post shipments and with our mail-order business that it would help everyone in our area in disposing of the crop and would help the consumer at the other end, because he gets too much fruit otherwise.

Now, I am talking from personal experience as a grower. I send out many boxes of fruit during the season. Some of them sometimes send in a slip asking us not to ship, because they do not want to get so many packages at one time, and so that they can order them when they are ready for these packages.

And you take a package of this type and kind, it would hold enough to last a housewife for a week and she can use it up and will not have to stand that decay problem that faces her at the present time.

* * * * *

* * * Shipments of the small packages are going down. They are not increasing. It could take care of many special products, such as Temple oranges, tangerines, and the people get too much fruit at a certain time or season, and it will help on the decay problem in this type and kind of package.

The gentleman from North Carolina [Mr. DEANE] also appeared before the committee and made the following statement:

I can see in this basket how it is going to be particularly applicable not only to peaches, but to plums, apricots, and to citrus fruits that Mr. CAMPBELL mentioned but also the very fine McIntosh apples, pears, and tomatoes.

I have here a telegram I received from the gentleman who is the owner of the largest amount of stock perhaps in this North State Orchard in my district, of a thousand acres, and he urges me to support this particular container bill.

* * * I do feel that spoilage is involved, and if we fail to come to grips with this new container and, likewise, we do not give the consumers what they need, that we will lose. And, I certainly hope that the committee will look with favor upon this particular container * * *.

* * * * *

* * * I feel that this particular basket will open up an avenue of sales for the large, as well as the small growers, but will help get the product on the market, and in sizes that the average wage earners can buy, because when you get into the purchase of peaches or other fruits that come into the market, that goes into pretty good amounts, and this smaller size would mean a price differential there that I think would be attractive.

The gentleman from South Carolina [Mr. ASHMORE] also spoke in favor of this bill, as follows:

I have written to the president of the South Carolina Peach Growers Association, and one of the directors of that organization explained this basket to him. They are vitally interested in it. They want it, and, it is for this reason principally, it will open up a new means of marketing fruit that is not now available to the grower and shipper, in that this package is a package that will appeal to the average family. It will appeal to the public as a gift package.

* * * * *

To me it seems that it would be ideal for shipping tomatoes; certainly ideal for shipping small packages of citrus fruits and tomatoes.

* * * * *

I think it opens important avenues for the producer and grower that is not now in existence; a new market for him, and there is no need for him growing his product unless he has a market for it. * * *

* * * * *

* * * I informed my growers of the fact that this bill had been introduced and that basket was being requested. The president and director of the organization of growers, South Carolina Peach Growers Association, wrote me that they were highly in favor of it and they would like to see it produced.

Mr. Dan Farrell, sales manager of the Taylor Chemical Co., endorsed this bill. His statement is as follows:

During the last 2 or 3 years we have had quite a depressed market on peaches. For some reason, I cannot tell you, but the economy of the peach grower has gone down quite sharply during the last year or two.

We figure the only way to step the economy of the peach grower up is to offer a wider spread, a wider distribution of their product so that they can sell them at their cost of production plus a reasonable profit.

The only way to increase the sale and distribution of peaches is to give the consumer, the housewife, what she wants.

We have found that the housewife, the restaurant buyer, or any other consumer of fresh fruits and vegetables buy what they want. If they see a product, a fruit, or a vegetable they want, they do not argue too much about the price, but we have got to make it attractive and to build the demand for the product. To do that we have got to offer peaches in a first-class condition that can be accepted as good fruit, with high quality, no decay; with a luscious flavor; a good aroma; and to do that, we have to let the peaches mature on the tree, to pack and cool them quicker and better at that time, at the orchard, and get them to the far-off terminals.

Most of our peaches from North and South Carolina are consumed here in the East, in the New York and New Jersey area, which is some four or five hundred miles from the orchards.

To do that we have got to have smaller packages, get the peaches to the consumer in a better condition.

After Mr. Moses Richter gave me the idea that this was the package he wanted for his orchard—and he also owns a distribution firm that distributes fresh fruits and vegetables all over the whole Southeast—I talked to perhaps 50 of the larger growers in North Carolina, South Carolina, Virginia, and Georgia, and found that they are very enthusiastic about the package, not that they are sure that this is the ideal package, but it is the best thing we know today to give the housewife, the consumer, peaches that they want.

In view of these excellent statements in support of this legislation, the committee reported this bill favorably and recommended that it pass. The peach growers and other fresh fruit and vegetable growers and also the peanut growers are vitally interested in this legislation. I urge the House to pass this bill without delay.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. MACK], a member of the committee.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield the gentleman 5 minutes also.

Mr. MACK of Illinois. Mr. Chairman, I am unable to understand the urgency for this legislation. I see no reason why a bill should be brought into the House without due consideration by the Committee on Interstate and Foreign Commerce. This matter came before the Rules Committee, I believe, yesterday morning and was reported to the House this afternoon. When debate started 1 hour ago I was unable to find a copy of this bill in the House of Representatives. So I have concluded that it must be very important legislation when it is rushed through without giving the Members time to become thoroughly conversant with the various issues that have been raised in our committee.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the distinguished chairman of our committee, the gentleman from New Jersey.

Mr. WOLVERTON. I am surprised to hear the gentleman say that he was unable to get a copy of the bill. The bill in its present form has been before the House for upward of 4 weeks. Certainly, I have never known of anyone having any difficulty obtaining a copy. I could obtain a copy any time I wanted it by inquiring at the proper place.

Mr. MACK of Illinois. This afternoon several of my colleagues asked me for copies of the bill. I thought it was possible to obtain a copy without sending to the document room, and as of 1 hour

ago I was unable to secure a copy in the House of Representatives.

Mr. Chairman, it is very disappointing to me that we take the time of the House to discuss the advisability of including another sized container in the Standard Container Act of 1928. Several statements have been made here this afternoon that the three-eighths size container is the only size that was left out at the time that they were discussing it. They also left out the seven-eighths size, and I understand when they were originally considering this legislation in 1928 that the reason the three-eighths size and the seven-eighths size were left out is because they are somewhat deceptive and they appear to be half bushel baskets and full bushel baskets. That is the reason they were left out of the original act, and now we are proposing here today to add three-eighths.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from California.

Mr. YOUNGER. Is it not true that all baskets have to be labeled whether they are one-quarter, three-eighths, or whatever they are?

Mr. MACK of Illinois. The gentleman is entirely correct, but, nevertheless, the three-eighths size and the seven-eighths size are somewhat deceptive, and that was our view originally when this legislation was before Congress.

I believe that the Committee on Interstate and Foreign Commerce should have considered some alternative for this proposal. They should have considered the advisability of delegating the authority, at least, for administration of the present act. If you pass this bill this afternoon, there will be some other manufacturer in here tomorrow requesting that you pass a bill for the seven-eighths size, 1⅛-bushel size, and ⅞-bushel size, and there is no end to what the manufacturers will do when they want to produce a new-size container. I believe it would establish a very poor precedent because when you amend the Standard Container Act you are also establishing a precedent for amending the various standards acts that have been enacted throughout the years. I know that many Members of this body know of the difficulty that they had during the war when a British carrier came into Norfolk to be repaired after it was damaged by a German torpedo. They had to completely rebuild the ship. They had to make special screws because of the lack of standards between the United States and Great Britain.

Mr. Chairman, several members of the Committee on Interstate and Foreign Commerce signed a minority report, and because this bill was called up this afternoon in a terrific rush they were not able to get back here. There is at least one other member of our committee who is opposed to the enactment of this legislation who is not able to be here this afternoon. Most of the members who signed the minority report felt that when we are asked to amend the basic act, with the greatest possible speed—a basic act governing weights and measures—there should be a clear and positive statement made for such amendment, and that clear and positive statement is lacking. There was no organization of any national prominence that came before our committee to support this legislation. I believe that the proponents of the bill are rather local in nature, and it is being supported principally by a small group in North and South Carolina. This law that we are amending today has been on the statute books for 26 years and not once has any organization come to Congress to have this act amended. No organization has ever come to the Department of Agriculture or to Congress to amend the Standard Container Act of 1928. We submit that no satisfactory showing for amending this law has been made before our committee.

Mr. Chairman, the primary purpose of the Standard Container Act of 1928 was to eliminate the unnecessary sizes of hampers and baskets. This act did accomplish that objective. Prior to the enactment of this law there were in use from 50 to 75 different hampers in about 40 different sizes, ranging from 1 quart to 50 quarts, standard dry measure. The same condition existed with reference to round-stave baskets and splint baskets. The use of such a wide variety of sizes and shapes of baskets imposed an unnecessary burden in the marketing of fruits and vegetables shipped in such containers. The burden fell on the growers, shippers, manufacturers of baskets, and consumers, and on all others involved in the marketing process.

The Standard Container Act of 1928 did reduce this multitude of sizes to 9 standard sizes, ranging from the ¼-bushel to the 2-bushel sizes for the hamper and the round stave baskets, and from 4 quarts to 32 quarts for the splint baskets.

This law was most effective in improving marketing conditions in the fresh fruit and vegetable industry by first, providing a more accurate and definite basis for market quotations; second, eliminating unfair competition which the grower who used full-capacity containers had to meet from the user of short-measure containers; third, protecting the consumer against short measure and deception; and fourth, simplifying manufacturing processes by eliminating unnecessary sizes.

This law has never been amended, nor has there even been a suggestion of an amendment until House bill 8357 was brought to the attention of the Congress.

Before the Standard Container Act of 1928 was enacted we used to see in the newspapers throughout the country and in trade journals such advertisements as this: "Buy my baskets. They are deceptive. Will hold 5 quarts less than some other container of equal size."

That is what we are trying to get away from when we have a standard container act of any kind. It seems to me that the important question for the House to decide in this legislation is whether there is a need for amending the Standard Container Act to provide for this ⅜-bushel hamper and round stave basket.

To answer this question, let us examine the record of the hearings on this bill before the Committee on Interstate and Foreign Commerce. With all due respect to the justifications for this legislation which have been made by the proponents of this bill, I should like to quote from the statement of Mr. Raymond G. Ramsey, of the American Package Corp., who is primarily interested in the manufacture of this container. I questioned him with respect to the demand for this type of container and these were his answers. I quote from the testimony:

Mr. MACK. Would you say that the special demand for this sized basket has been created all over the country?

Mr. RAMSEY. No, sir; I would not. Just a few of the farmers in North and South Carolina came to me with this idea and we have gotten to what we can make into a package and it happens to be a three-eighths bushel container.

Again in reply to a question concerning the demand he said:

Mr. RAMSEY. Well, to be frank, there is no demand until you put it on the market anyway. I mean, so far as the consumer trade is concerned. You can make it, and it will go over with one big shipment, maybe, and then it is thrown down. I do not know; nobody else knows.

This is the man who is responsible for having this legislation brought before the Agriculture Department and this Congress.

I put a similar question to Mr. Curry from the Agriculture Department, the Chief of the Regulatory Branch, Fruit and Vegetable Division. These were his comments:

Mr. MACK. And so far as you know, has there been any request to the Department of Agriculture for this sized basket?

Mr. CURRY. There has been no request, Mr. MACK. The only time it came to our attention was when they (representatives of the American Package Corp.) first came in with this ⅜-bushel basket and asked us how it could be manufactured legally, and our answer to them was that it would take an act of Congress to legalize the basket. That, to my knowledge was the first time.

* * * * *

Mr. MACK. But as far as you know, there has been no fruit or vegetable producers requesting a ⅜-size basket?

Mr. CURRY. Not to the Department of Agriculture.

The fact of the matter is that there is no satisfactory showing that there is a need for amending the basic law to provide for this ⅜-bushel hamper and round-stave basket. The most that can be said for this bill is that a few farmers in North and South Carolina had suggested to the American Package Corp. that a ⅜-bushel round stave basket—not the hamper—might possibly aid in the promotion of gift packages of peaches.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from California.

Mr. YOUNGER. The gentleman states there was no satisfactory evidence produced of the need. That is only relative. I think the rest of the committee were satisfied with the evidence.

Mr. MACK of Illinois. I might say to the gentleman that one of my colleagues on my side asked the members of the committee while we were still in committee what justification they had for

voting for this legislation, and no one seemed to know.

Mr. YOUNGER. They heard from the gentleman from North Carolina [Mr. BARDEN], and they heard from Florida and the Carolinas, and a few other States where the demand was. We were satisfied; I was, at least.

Mr. MACK of Illinois. As far as the demand goes, it appears to me that the sponsor of this legislation, the only group that I can find who are interested in it, said very clearly in response to my question that there is no demand at the present time. I mentioned that also in committee the day we voted out the bill.

Mr. Chairman, I cannot find one single reason for enacting this legislation. I know of no demand in Illinois, I know of no agency of the Government that is requesting that we pass this legislation. Therefore I am opposed to the enactment of this legislation.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from New York.

Mr. KEATING. I am no expert on bushel baskets, but would the gentleman deal with the converse of the argument he has been making? What is the objection to the bill? In other words, assume there is no great demand, and I have no knowledge on that one way or the other; what is the objection to creating a new standard form of basket?

Mr. MACK of Illinois. The most serious objection that the members of the committee had was the fact that it would establish a precedent for any other manufacturer to come to the Congress and ask for a certain size basket such as, for example, a seven-eighths size.

Mr. KEATING. I again want to disavow any familiarity with the subject. But suppose it was deemed convenient for others to have a seven-eighths bushel basket or some other size, what harm would there be in Congress permitting that also?

Mr. MACK of Illinois. I believe that instead of following your suggestion, we ought to repeal the Standard Containers Act rather than add a three-eighths size today, a seven-eighths size tomorrow, and a 1⅛ size or a 1⅛ size and carry on in such a way so that we will have no standardization as far as containers are concerned.

Mr. KEATING. Am I correct that we now have a one-eighth and a one-fourth and a one-half and a five-eighths and a three-fourths, a 1, a 1¼ and a 1½ and a 2-bushel size, which are all set forth in the majority report, and I assume that that is accurate?

Mr. MACK of Illinois. I think that is substantially correct.

Mr. KEATING. Is the gentleman's point that the entire act should be repealed or that there is some danger in it of some kind?

Mr. MACK of Illinois. I believe it would be better to repeal the Standard Containers Act rather than gradually add additional sizes until we have defeated the very purpose of our standardization acts.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield.

Mrs. CHURCH. The gentleman from Illinois has stated that he knows of no demand from Illinois for this bill. Does the gentleman know of any opposition to this bill from Illinois?

Mr. MACK of Illinois. I know of one person in Illinois who is objecting to it.

Mrs. CHURCH. I assume the gentleman is speaking for himself?

Mr. MACK of Illinois. To answer your question—I did receive a reply from the Secretary of Agriculture in Illinois. He said there is no demand for this type of container in the peach area or the apple area and that he knows no organization in Illinois supporting it.

Mr. Chairman, I might say in closing that I have not been able to justify the legislation. The argument made originally by the proponents was that we need this size container to ship through the parcel post and that the half bushel size exceeded the weight limitation and that the one-fourth size is too small to put the fruit in. They requested that we pass this legislation immediately because of postal law known as Public Law 199, 82d Congress, which was passed 2 years ago and which limits the package weight to 20 pounds and the package size to 100 inches. That does not apply to any agricultural products and that was a false argument. Since that time they have made no argument in favor of this bill to justify the enactment of this legislation. I propose to offer an amendment to delegate authority and supervision of such matters to the Secretary of Agriculture, and thus relieve the Congress of this responsibility.

Those of us who signed the minority views to H. R. 8357 are convinced that the logical solution to this problem would be for the Congress to delegate authority to the Secretary of Agriculture to prescribe standards for any additional sizes of hampers, round stave baskets, and splint baskets that are not now provided for in the Standard Container Act of May 21, 1928. To carry out this objective, I introduced a bill, H. R. 8770.

Under this proposal, the Secretary of Agriculture could investigate the needs of the fresh fruit and vegetable growers and shippers for a particular sized hamper or basket and whenever, in his judgment, such action is advisable in the interest of commerce and for the convenience and protection of consumers, the Secretary could, by regulation, provide for such additional sizes.

The Secretary already has the authority to prescribe tolerances or variations in the standard capacities, incidental to the manufacturing process, of the containers already prescribed by law. Why not, then, also give him authority to prescribe additional sizes as well?

Enactment of H. R. 8770 would no longer make it necessary for the Congress to take time out to consider unimportant proposals such as prescribing the relative sizes of baskets to be included in the Standard Container Act. The Secretary of Agriculture can and should perform this function. He has been administering the provisions of the Standard Container Act of 1928 since its enactment and is intimately familiar with all of its ramifications. Under the provisions of H. R. 8770 the Secretary would have authority to deal with the sizes of containers on a broad and comprehensive basis.

I urge the House not to pass the reported bill, but to pass, instead, H. R. 8770.

Mr. HARRIS. Mr. Chairman, I yield the balance of the time remaining on this side to the gentleman from North Carolina [Mr. BARDEN].

Mr. O'HARA of Minnesota. Mr. Chairman, I also yield 10 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I must confess in all my experience in the House of Representatives, this is probably the most peculiar situation I have ever run up against. I appeared before the committee presided over by the distinguished gentleman from New Jersey [Mr. WOLVERTON], with whom I have served in this body for 20 years, and for whom I have the highest regard. I have never in my life seen a gentleman display more patience. He was courteous. He extended himself to the limit to give everyone every possible consideration. The gentleman from Illinois [Mr. MACK] is the last person on the face of the earth who should raise the question of being rushed.

After the matter had been discussed at great length, and with apparently no particular objection, he informed the chairman that the next witness he wanted to examine for an hour, and the next one he would want to examine at great length. Whereupon, the distinguished chairman informed him that he had not had his lunch, and he had another appointment, but if necessary he would sit there the rest of the day and the night, if it were necessary to do so, in order that he might have all the time he wanted. So the gentleman from Illinois [Mr. MACK] had all the time that he could possibly use, and the committee was not adjourned until the chairman had given him every possible consideration; and then, with no further objection from the gentleman from Illinois, the committee was adjourned.

I do not believe any word of criticism should be extended to the distinguished gentleman from New Jersey [Mr. WOLVERTON], for, I repeat, I have never seen such a display of patience, kindness, and consideration to everybody.

I am troubled to find any objection to this. Frankly, I did not anticipate any squabble about this bill. It just did not occur to me that there would be any issue raised. I say now that the only possible reason for not passing this bill, which the gentleman from Illinois raised, was the possibility of deception. That simply does not stick, because the Department of Agriculture, the administrator of this particular act, appeared before the committee, and here are his words:

The ⅝-bushel size for hampers and round stave baskets does not introduce any new size concept since this size is authorized for Climax and splint baskets by

the acts of 1916 and 1928. There should be no problems concerning any deception of appearance for the three-eighths bushel, so the only question to be decided is whether or not the industry would make sufficient use of it to warrant its inclusion.

And there simply is no way to determine the degree of use the industry will put it to until it is made available.

I want to disagree a little about the folks who wanted this. I just have a brief letter from Mr. Frazer, of the International Apple Association:

Thanks for your letter of April 8. I hope you get H. R. 8357 enacted.

Here are a few letters and telegrams to which I will call your attention briefly:

MURFREESBORO, N. C., *April 7, 1954.*

Congressman BISHOP,
House of Representatives,
Washington, D. C.:

Please lend your support for the immediate passage of S. 3151 and H. R. 8357, this to legalize ⅜-bushel basket. Contact Congressman PETER F. MACK, JR., and urge him to approve this bill as this container urgently needed for shipment of peaches and apples in our territory. Your immediate consideration is necessary because public hearing is scheduled for Friday, April 9.

HOMER WILKINS,
President, H. A. Du Bois & Sons,
Cobden, Ill.

RICHTER & COCHRAN, INC.,
Mount Gilead, N. C., May 8, 1954.

Hon. GRAHAM BARDEN,
House Office Building,
Washington, D. C.

DEAR MR. BARDEN: I understand that you are meeting with obstructions in bringing to a satisfactory conclusion approval for the new peach package that Mr. Raymond Ramsey, of Package Research Laboratories, and Mr. Brown, of Riverside Manufacturing Co., have developed to help us move peaches as gifts and also for the consumer trade in food stores throughout the United States. I understand that this opposition comes from someone in Illinois. I cannot understand why anyone would want to hamper something progressive; there is no doubt in my mind that a greater volume of peach business could be had if a better way could be found to bring peaches to the stores and consumers with less decay.

I have shown plans and samples of this package to the jobbing and retail trade and have found everyone very enthusiastic. This newly developed package is desirable for many reasons. It contains only three layers of peaches supported by a ring face and excelsior pad, thereby keeping peaches intact in transit, and avoiding shakeup and bruising. Because of the shallow package and the elimination of bulkiness, the peaches do not develop the heat which usually develops in a deep package such as bushels or half bushels, the result of which heat is decay upon arrival at destination. A package which contains no more than three peaches in depth, one on top of each other, supported with a proper ring face will carry a longer distance and at least 2 days extra; the same peaches packed under the same conditions, but in a bulky container like a full bushel or half bushel, will not hold up as long.

We understand that the party who is fighting this package has proposed a ¼-bushel container, which will contain no more peaches than the new package sponsored by us. However, the one-fourth bushel will have too many peaches in depth resting one upon another, and while the one-fourth bushel is not as bulky as the bushel or half-bushel, it will tend to heat up more than the shallow container, particularly during the peach season, which is the hottest period of the year.

Furthermore, if a one-fourth bushel were adopted instead of our shallow package, it would entail a hardship upon all the growers who have recently adopted the three-fourths bushel as a standard package; special forms and packing bins have already been designed in all of the packing houses to ring face the three-fourths basket. The shallow package we are supporting contains the exact ring face of the ¾-bushel basket. The only difference is that our package contains 3 layers of peaches instead of 10 layers. It does not require a change of labor, methods, forms, packing or loading. If a ¼-bushel package is adopted it will require the growers to supply themselves with new forms, new ringers and new equipment. Since trucks are now standardized for proper loading of baskets with the circumference and diameter of the three-fourths basket, it would be economically impossible for the growers to rearrange their pack sheds and their trucking facilities to the ¼-bushel basket. On the other hand, we have already received orders covering thousands of packages of the new item and these could be put up and shipped by our growers with their existing facilities without any further trouble.

It is imperative to the North and South Carolina peach growers that this package you are now sponsoring become a reality because it will enhance distribution of peaches to the stores and for gift packages. It will minimize decay and it will enable thousands of people to purchase small packages, rather than large bushel or half bushel packages which are not always within financial reach of the masses of the people.

I trust we have made ourselves clear and that you will have no trouble in bringing the issue of our package to a successful conclusion.

Very truly yours,
RICHTER & COCHRAN, INC.,
M. RICHTER, *President.*

CANDOR, N. C., *May 2, 1954.*

Hon. GRAHAM A. BARDEN,
United States House Office Building:

As fruit growers we need the ⅜-bushel baskets as authorized by H. R. 8357. Would appreciate your full support.

GALLIMORE ORCHARDS,
D. P. GALLIMORE.

CANDOR, N. C., *May 5, 1954.*

Hon. GRAHAM A. BARDEN,
House Office Building:

Reference H. R. 8357 would appreciate your active support as the fruitgrowers need the new package as authorized by this bill.

BOST ORCHARDS,
JOHN BOST.

CANDOR, N. C., *May 5, 1954.*

Hon. GRAHAM A. BARDEN,
House Office Building:

Please support H. R. 8357. The package approved by this bill should offer the fruitgrower a wider market.

EWING ORCHARD,
D. W. EWING, JR.

CANDOR, N. C., *May 5, 1954.*

Hon. GRAHAM A. BARDEN,
House Office Building:

Would appreciate your support of H. R. 8357. The ⅜-bushel basket offers the fruitgrowers a package that could reach new markets.

SANDY RIDGE ORCHARDS,
ROBERT CHAPPELL.

CANDOR, N. C., *May 5, 1954.*

Hon. GRAHAM A. BARDEN,
House Office Building:

We hope that you will give support to H. R. 8357 which authorizes a ⅜-bushel basket that is urgently needed by the fruitgrowers.

MACK CLARK ORCHARDS.

CANDOR, N. C., *May 3, 1954.*

Hon. GRAHAM A. BARDEN,
House Office Building:

Reference H. R. 8357 pertaining to ⅜-bushel basket. As we fruitgrowers need this package badly we urge your active support.

TUCKAHOE PEACH FARMS,
BILL CAPEL.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. REED of New York. Mr. Frazer comes from my district, a great apple-growing county. I think he is one of the most distinguished scientists with reference to agriculture on the question of fruitgrowing that you will find in this country.

Mr. BARDEN. I thank the gentleman. I also know Mr. Frazer to be a delightful gentleman. If you know him as I know him, then we both know that if he disagreed with this he certainly would have no hesitancy in saying so. I admire and trust him.

I do not know how to present a matter of this kind other than to say that the shippers want it, especially the small orchard shippers. They contend that it would be quite useful as a gift package, that the larger package will put too much weight on the lower layers of peaches. They anticipate this package being purchased by housekeepers who do not want a large package of fruit, one that will spoil even if it reaches them in good shape.

Here is a letter that comes from a shipper and he has some very excellent reasons:

I have shown plans and sample of this package to the shipping and retail trade and have found they were enthusiastic.

This newly developed package is desirable for many reasons. It contains only three layers of peaches supported by a ring face and excelsior packing, thereby keeping peaches intact in transit and preventing bruising. Because of the shallow depth and the elimination of bulkiness the peaches do not develop the heat they usually develop in a big package such as a bushel or half bushel, the result of which is decay upon arrival at destination.

The package which contains no more than 3 peaches in depth, 1 on top of each other, supported by the proper ring face will carry a longer distance and at at least 2 days extra.

He has set forth some very good reasoning:

It is imperative to the North and South Carolina peach growers that this package you are now sponsoring become a reality because it will enhance distribution of peaches to the stores and for gift packages. It will minimize decay, it will enable thousands of people to purchase small packages rather than large bushel or half-bushel packages which are not always within financial reach of the masses of the people.

Mr. Chairman, I thought this was excellent reasoning and good logic. I do not know why they have 12-ounce packages for strawberries and why they put

out pint packages of strawberries, or why they put out other sizes. I do know the trend is toward small packages.

Mr. MACK of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. MACK of Illinois. I would like to ask the gentleman from North Carolina if he feels it is urgent that we enact this legislation.

Mr. BARDEN. Let me say that the shippers, the men who grow the fruit, who invest their sweat and their money in their crops tell me it is urgent and that this will help them in the marketing of their fruit. They tell me in these letters, telegrams, and even through phone messages that it is very imperative that they have all additional help they can get in the marketing of their produce, and that they want this basket for the last part of May when the crop begins. The season does not wait for the gentleman from Illinois or for me to either get a bill from the document room or to read it and study it. They are interested in survival. They want to make money on their crops. When they present that argument to me, I, as one Member of this House, am not willing to allocate unto myself wisdom superior to theirs in the handling of their own commodity.

I say if they believe it will enable them to market their crops and make a better living for them and their families, yes, I am willing to hurry a little bit for them; and that is why the bill is being urged. They are not asking for one dime in money. They just want the right to use this three-eighths basket because they believe it will help them.

I hope that answers the gentleman's question.

Mr. MACK of Illinois. If I understand the gentleman's answer to my first question correctly it is that it is quite imperative that it be enacted immediately.

Mr. BARDEN. I am not going to enter into a play on words with the gentleman. The common sense of the thing ought to appeal to the gentleman and make him realize that the season does not wait.

Mr. MACK of Illinois. May I ask one additional question, then?

Mr. BARDEN. Certainly.

Mr. MACK of Illinois. If this subject was first legislated upon in 1928 and they have not been permitted to use the ⅜-size basket for 26 years what happened in the last 3 months—I believe it was in the last 3 months that the bill was introduced—what has happened in the last 3 months to make it necessary to rush down to the halls of Congress to pass this legislation for a ⅜-size basket?

Mr. BARDEN. I wish I could classify that as an intelligent question. I would like to dignify it to that extent. I do not know what the gentleman is striking at. I do not know whether he is suspicious, whether he questions somebody or whether he really does not know or does not want to know. I do not know what it is. If the gentleman will make himself a little clearer I would appreciate it. In one breath he says: "Why, if you amend this act they will be in here every day wanting new packages." In the next breath he says: "It has been 26 years since the act has been amended."

I do not know why it is going to bring a request for a new package down here every day. I certainly do not know why the buying public change their minds, but they do. I wish the gentleman would open up his heart and head and tell us why he is against this. I want to say to the gentleman that he is the only human being I have met that even had a word of discouragement. Of course, he could be right and everybody else wrong, I do not know, but I am always willing to be shown I am wrong and if I am wrong I want to know of it.

I could put all of these letters and telegrams in the RECORD. I do not know who he regards as people. I know there were several Members of Congress who appeared before the committee, including the gentleman from Florida [Mr. CAMPBELL], certainly an expert in this field, and the gentleman from North Carolina [Mr. DEANE], and the gentleman from South Carolina [Mr. ASHMORE]. I do not know which States the gentleman regards as important. So far as I am concerned, wherever a food crop is grown it is important. It is important to the growers of that crop to market it. If they come to the Congress and say: We can better market and dispose of our commodity in such and such a package and the department handling the package says: We have no objection to it, we can see no objection whatever and have no objection to it being adopted, I do not see why the Congress should be so skeptical about that farmer who says: We can do a better job with that package. I see no objection to letting him have it.

Certainly, these packages have not been used. They do not have any record of being used because it would have been illegal to have sold them. But the trade says, those who purchase baskets, that they want the ⅜-bushel basket and unless some good reason is given I honestly say that I see no reason why the Congress should not grant authority to use it.

Never in my life, Mr. Chairman, have I been involved in a debate where I so completely felt I was just fanning at the air. If I had some substantial opposition based on good reason, I could get along better.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Georgia.

Mr. FORRESTER. I know the gentlemen is familiar with my State. Down in south Georgia he knows that we raise quite a few peaches. May I ask the gentleman, is it not true that down in south Georgia where we raise lots of peaches, if this bill passed the House today and goes right on over to the Senate, the chances are that we will be picking our peaches down there about the time this bill receives final passage?

Mr. BARDEN. Yes.

Mr. FORRESTER. As a matter of fact, is this bill not so simple that a man reading it in about 2 minutes could understand the bill as well as if he had 6 months to read it?

Mr. BARDEN. I do not know. I am so short on intelligence myself that I do not want to appraise anybody else's. But I just fail to see any problem about it. I know the peach growers want this package by the 20th or 25th of May and I see no reason why they should not have it. And this is not confined to peaches; it applies to any other fruits and vegetables.

Mr. O'HARA of Minnesota. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to fix standards for hampers, round-stave baskets, and splint-baskets for fruits and vegetables, and for other purposes," approved May 21, 1928, is amended by (1) inserting after "one-fourth bushel" and before "one-half bushel," the words "three-eighths bushel," and (2) by inserting after subparagraph (b) an additional subparagraph (bb) reading as follows:

"(bb) The standard three-eighths bushel hamper or round-stave basket shall contain eight hundred and six and four-tenths cubic inches."

Mr. MACK of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACK of Illinois: Strike out all after the enacting clause and insert:

"That (a) sections 3, 4, 5, 6, 7, 8, 9, and 10 of the United States Standard Container Act of May 21, 1928 (15 U. S. C., secs. 257b to 257i, inclusive) are hereby redesignated as sections 4, 5, 6, 7, 8, 9, 10, and 11, respectively, and the last section of such act is hereby repealed.

"(b) Such act is hereby further amended by inserting after section 2 thereof a new section as follows:

"'SEC. 3. Whenever in his judgment such action is advisable in the interest of commerce and for the convenience and protection of consumers, the Secretary of Agriculture may by regulations—

"'(1) provide for standard hampers and round stave baskets for fruits and vegetables in addition to those specified in section 1 of this act, and fix the capacities thereof in cubic inches; and

"'(2) provide for standard splint baskets for fruits and vegetables in addition to those specified in section 2, and fix the capacities thereof in cubic inches.'

"SEC. 2. Such act of May 21, 1928, is hereby further amended as follows:

"(1) The first sentence of the first section of such act is amended by striking out 'That the standard hampers and round stave baskets' and inserting in lieu thereof 'That, except as provided in section 3, the standard hampers and round stave baskets.'

"(2) The first sentence of section 2 of such act is amended by striking out 'That the standard splint baskets' and inserting in lieu thereof 'That, except as provided in section 3, the standard splint baskets.'

"(3) The first sentence of the section of such act which, by this act, is redesignated as section 4, is amended by inserting after 'sections 1 and 2 of this act' the following: ', or prescribed under section 3 of this act,'.

"(4) The section of such act which, by this act, is redesignated as section 5, is hereby amended by inserting after 'sections 1 and 2' the following: ', or the regulations prescribed under section 3,'.

"(5) The section of such act which, by this act, is redesignated as section 6, is amended—

"(A) by inserting after the words 'this act' where they appear immediately before the first proviso, the following: 'or the regu-

lations prescribed under section 3 of this act'; and

"(B) by striking out the period at the end of the first sentence of such section and inserting in lieu thereof the following: 'or the regulations prescribed under section 3 of this act.'.

"(6) The first sentence of the section of such act which, by this act, is redesignated as section 7, is amended by inserting after 'this act,' the following: 'or regulations prescribed under section 3 of this act,'.

"(7) The third sentence of the section of such act which is so redesignated as section 7 is amended by inserting after 'this act,' the following: 'or to regulations prescribed under section 3 of this act,'."

Mr. O'HARA of Minnesota. Mr. Chairman, I make the point of order against the amendment, first, that it is not a proper amendment, it is not germane, and it involves an attempt to change the Constitution of the United States in delegating authority to the Secretary of Agriculture when such authority is vested only in the Congress of the United States.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MACK of Illinois. Yes, Mr. Chairman. I believe this amendment merely delegates authority for administration to the Secretary of Agriculture. The Secretary of Agriculture already has, by reason of the act of 1928, authority to establish allowances for various containers. I believe that this amendment merely gives him additional authority to establish containers in addition to the ones already provided for.

The CHAIRMAN. The Chair is ready to rule. The Chair has examined the amendment and believes that the following chapter from Cannon's Procedure settles the question:

Where a bill proposes to amend a law in one particular it is well established that amendments seeking to repeal the law or relating to the terms of the law rather than to the bill are not germane.

Therefore, the Chair sustains the point of order.

The Clerk read as follows:

SEC. 2. This act shall take effect immediately after the date of its enactment.

Mr. MACK of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I realize that my amendment might not have been germane to this bill. I did offer this amendment because I felt that this was the solution to provide additional size baskets instead of amending the Standard Container Act of 1928. I do not feel that the manufacturers should have to come to Congress and pressure Congress every time they want an additional size container on the market. In this case, it happens to be a basket. The next time they might come in with a glass jar and take up the time of Congress arguing to determine whether that size container is justified under the present law.

My proposal is this: I happen to have introduced a bill on the subject, and it merely delegates authority of administration to the Secretary of Agriculture. It is my understanding that the majority of the members of my committee support me in this proposal; but because of the rush and the request that has been made to enact the Barden bill, it was decided to vote that bill out before having hearings on my proposal.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I am glad to yield to the gentleman from California.

Mr. YOUNGER. Did I understand the gentleman to say that the committee is unanimously behind his bill?

Mr. MACK of Illinois. I may have overstated it, if I said that. I might say that I have heard no one from my committee with whom I have discussed this matter who disapproved the procedure I recommend of eliminating the present requirement of coming to Congress every time a manufacturer wants a new size basket.

Mr. YOUNGER. Have there been hearings on the gentleman's bill?

Mr. MACK of Illinois. I might say to the gentleman that I asked for hearings on this bill the same time they had hearings on the other bill. Also, I asked that my bill be considered in executive session. I do not believe it was considered at any great length.

Mr. YOUNGER. That is why I think the gentleman was in error when he said that the committee was unanimously behind his bill. I think that was a misstatement.

Mr. MACK of Illinois. I might say to the gentleman that the committee did not vote out my bill. I would like to state further along this line that the gentleman from North Carolina questioned the opposition to the bill and made a statement to that effect. He mentioned the fact that there was only one; grant that it might be a limited number. I do not mind being in the minority. I do not mind being alone when I am right. It happened that this bill was brought up without notice. It was not scheduled last week. It was not scheduled yesterday. It was brought up on very short notice this morning. It so happens that the other four members who signed the minority report are not in the city. It happens that one of the gentlemen in opposition to the bill who asked several questions concerning its justification had to leave about 30 minutes ago because of an engagement. So I should like to correct the gentleman in that regard. There were a few people interested in this other approach to this problem, so that we would not have to take the time of Congress to discuss a new size basket every time some person wanted to put one on the market.

I should like to say, also, if the House approves my bill, that it will be equitable for all. It will provide a means for any one manufacturer making additional size containers to go to the Secretary of Agriculture for this authority. I believe this bill is designed to take care of just one request that has been made by one manufacturer. My bill would cover a very broad field. If anyone wanted to come in next week and apply for a seven-eighth size, he would not have to come to Congress, but could go to the Secretary of Agriculture; and if the Secretary felt that it was necessary in order to facilitate commerce in agricultural products, he could approve it.

I might be alone here today in my arguments in favor of delegating this authority to the Department of Agriculture, but I assure you that many of my colleagues on the committee from both sides of the aisle strongly favor the principle of delegating the authority and relieving Congress of this responsibility. At the hearings on March 22 the distinguished chairman of my committee indicated his interest in this approach to the problem when he made the following statement:

Seriously speaking, it does seem to me that it is so ridiculous that anyone would have to come here and introduce legislation to get that particular size basket, that I think the committee might well give consideration to some type of legislation that would place in somebody a discretion rather than require the necessity of coming to Congress for an act of that kind. While we are going around this, I want to see what personal interest there is in the committee in this matter.

Mr. Chairman, it is quite evident this legislation amending the Standard Container Act of 1928 is the wrong approach to this problem. This is poor legislation. The proponents themselves were not familiar with the actual effect of the bill on the Standard Container Act. They purport to be asking to amend the act to provide for the addition of only one container—the ⅜-bushel round stave basket; whereas, in reality this bill provides for the addition of two containers—the ⅜-bushel hamper, as well as the ⅜-bushel round stave basket. There has been no request whatever made for the additional ⅜-bushel hamper basket, not even by the manufacturer who is interested in this proposal and who is planning to manufacture the ⅜-bushel round stave basket. For this and many other reasons stated today, this bill should be voted down.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SHEEHAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8357) to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–257i), to provide for a three-eighths basket for fruits and vegetables, pursuant to House Resolution 528, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; 15 U. S. C. 257–257i), to provide for a ⅜-bushel basket for fruits and vegetables."

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. PILLION asked and was given permission to address the House for 30 minutes on Thursday next, following the legislative program and any special orders heretofore entered.

AMENDING CERTAIN PROVISIONS OF THE SECURITIES ACT OF 1933

Mr. NICHOLSON. Mr. Speaker. I call up House Resolution 527 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2846) to amend certain provisio s of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. NICHOLSON. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. COLMER], and I now yield myself such time as I may require.

Mr. Speaker, I rise to urge the adoption of House Resolution 527, making in order the consideration of S. 2846, a bill to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940.

House Resolution 527, Mr. Speaker, provides for an open rule, with 1 hour of general debate on the bill itself.

As I understand this bill, Mr. Speaker, it is designed to simplify and clarify present law pertaining to the regulation and issuance of securities, by vesting certain discretionary powers in the Securities and Exchange Commission. Of course, these powers would only be granted within certain well-defined areas, and would enable the Securities and Exchange Commission to carry on its duties without subjecting the security dealers, underwriters, and issuers to statutory prohibitions and limitations which are more rigid than necessary in order to protect the investors.

Very briefly, Mr. Speaker, S. 2846 would permit the making of now forbidden written offers to buy or sell securities before the registration statement is effective, and the dissemination of information between the filing and effective dates of the registration statement.

The proposed new bill would reduce the present 1-year period to 40 days during which the delivery of a prospectus is required in trading transactions, as distinguished from initial distribution of the new securities.

S. 2846 would also change the requirements regarding prospectuses so that two certified financial audits may not be required with a year's time. It would limit the information contained in the prospectuses as of a date within 16 months of use.

S. 2846 would also reduce the prohibition against extending credit to purchasers of a new issue by dealers, from 6 months after the offering period, to 30 days.

In addition to the above changes, this new bill, Mr. Speaker, would simplify the statutory requirements for carrying in the prospectuses full summaries of indenture provisions, and finally would grant permission for amending old registration statements, rather than filing repeated new registrations as is now required of investment companies.

Mr. Speaker, I think we all realize that due to the Second World War and other factors, a revising of the Securities Act is long overdue. I understand that the Committee on Interstate and Foreign Commerce has held extensive hearings on this subject. Representatives of the New York Stock Exchange, Investment Bankers Association, National Association of Security Dealers, the American Stock Exchange, and the Midwest Stock Exchange, among others, appeared in favor of various sections of the proposed bill.

The Bureau of the Budget has approved of the objectives that are to be found in this bill, and we have been assured that S. 2846 is in line with the legislative program of the President.

Mr. Speaker, it is my understanding that this bill was reported unanimously from the Committee on Interstate and Foreign Commerce. I feel that this is a very good indication of the intrinsic merit of this bill.

I hope that the House membership will see fit to adopt the rule contained in House Resolution 527 so that we may proceed to the consideration of this important bill.

Mr. COLMER. Mr. Speaker, I have no requests for time on this side.

Mr. NICHOLSON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. DOLLIVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940.

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr. DOLLIVER].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2846, with Mr. BATES in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DOLLIVER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this legislation has already been passed by the other body and is now before us for our consideration. It is a rather technical bill amending the Securities Exchange Act, which came about as a result of a long series of conferences and discussion culminating in the legislation which is now before the committee. I think many of us here can recall that about 20 years ago the Securities and Exchange Act was passed which provided for certain regulations in the issuance of securities on the stock exchanges of this country. The law was designed to protect the investors against fraud and required among other things registration and complete description and background of any securities that were offered. As many of us can recall, the legislation was very useful and, indeed, was imperative at that time in view of some of the conditions that had developed in the securities markets of this country. After an experience of 8 or 10 years with this legislation, the security dealers and the Commission, which was set up by the legislation, got together for the purpose of trying to find out how the legislation had worked, and to suggest some improvements. Those conferences and discussions came during the period of World War II, and accordingly no legislative action was taken. The matter had to wait until the present year, when further discussions culminated in the legislation now before this body.

As I say, the amendments are highly technical in nature, and I do not feel qualified to discuss them in detail. They have to do with the time of the offering of the security, the period of time during which the securities can be offered, and the method by which they can be offered.

Let me say there is no part of this measure, with one exception, which has any disagreement in it either in the committee or in the industry or in the Securities and Exchange Commission. All of the other parts of this bill have been agreed to and are designed to facilitate and encourage the investment of private funds in private enterprise in this country, without in any way undoing the safeguards for the public which were in the original legislation.

The one exception as to which there is a difference of opinion is with respect to the exemption that is provided in this bill. In the original Securities and Exchange Commission law any issue under $100,000 was exempt from registration under the law. I think about 1945 that exemption was raised to $300,000. So at the present time no issue of securities under $300,000 has to go through all the requirements of registration that are provided in the legislation. In the Senate that exemption was further increased to $500,000, and as the bill came to the Interstate and Foreign Commerce committee from the Senate, the $500,000 exemption was provided, increasing the

amount, you will note, by $200,000. The Securities and Exchange Commission was in support of the $500,000 exemption, changing from $300,000; also the industry. There are numerous segments of the various industries which are accustomed to issuing securities who are in favor of increasing this exemption to $500,000. The basic reason for increasing these exemptions is because of the fact, so the public hearings revealed, that the value of the dollar has decreased over the past 20 years to the point where a $500,000 exemption today is no greater in respect to the amount that it will purchase than the exemption of $300,000 some years ago. In addition to that, the advocates of the $500,000 exemption feel that the cost of so small an issue for its registration is completely out of proportion and too expensive. That is to say, the expense for the registration of a $500,000 issue runs $8,000 to $15,000, which is a substantial percentage of the total issue permitted; whereas it costs no more, dollarwise, for the issuance of a $6 million or a $60 million issue.

Therefore the people who are borrowing these relatively small amounts of money feel that because of this heavy burden upon them they should be allowed to have an exemption of $500,000 as provided in the legislation as it came from the Senate.

On the other side the advocates of the $300,000 exemption say that there is no reason why the people who buy the securities of the $500,000 or $400,000 issue should not be protected from fraud and deceit in the purchase of securities just the same as one of those who purchases from an issue of many millions of dollars.

I understand this issue as to this amount of exemption will come before us in the committee through an amendment to be offered by one of the members of our committee. I can only state for myself that I favor the larger exemption because I feel that there are certain small industries in this country who deserve to be given some consideration in the issuance of their relatively small amount of securities. If I am correctly informed, where a security is issued which does not require registration at the present time, anything under $300,000, that issue nevertheless must have the approval of the regional office of the Securities and Exchange Commission. I believe that is a sufficient safeguard for the smaller issues and I know from my personal information that there are many of the smaller industries in our various States which would find it a great boon for the expansion of their business if they could issue up to $500,000 worth of securities without the necessity of spending this relatively large amount of money percentagewise for the gaining of their registration.

I think, Mr. Chairman, that is all I have to say about the bill. I trust there will be a complete and favorable disposal of this legislation.

Mr. HARRIS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is a rather important bill to the financial institutions of this country and the welfare of the people. The Securities and Exchange Act of 1933 and 1934 was basic legislation of which this Congress can be justly proud. It was action taken by Congress to protect the economic welfare and the business institutions of this country. That bill has worked very well throughout the years; it has strengthened the economy of the country; it has provided a means of protection for the business and industry of the country; it has protected the welfare of the people of the country.

This legislation does not change the basic philosophy of the bill; neither does it change the principal portion of the Securities Exchange Act; that would be contrary to the purposes of the program when it was first enacted. Throughout the years naturally conditions have developed which make it necessary to bring about some changes. This has proven so not only in connection with the Securities Exchange Act but other important legislation so highly beneficial to our people.

In 1941 hearings were held by the committee proposing to amend the act in order to make it administratively more satisfactory. I recall that extensive hearings were held back in the early forties, at which time the financial interests of the country that were so greatly concerned, the business interests of the country, and the Securities and Exchange Commission that was, of course, responsible for the administration of the act, came before us in an effort to make some changes that would be helpful. But during the war all of these got caught in the pressure of other business and no definite action was taken. So efforts are now being made again to bring about some changes which over the years have proven desirable.

As the gentleman from Iowa said, these amendments that are proposed are highly technical in nature. There are some 20 sections proposed to be amended, but they revolve themselves to about 7 points. You will find those outlined on page 4 of the report.

I think at this time it would be sufficient to say that the statutes, as the report says, "have gone a long way in the mitigation and elimination of undesirable practices, in the restoration of confidence in the securities market, and in the protection of the investing public." That is the purpose of the pending legislation and that is the reason the committee has brought it here to you today.

Now, with reference to the matter of exemption, $100,000, as has been explained, was provided in the original act. This is a Senate bill we are considering.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. HESELTON. Did not the gentleman mean that $100,000 was provided in the original act?

Mr. HARRIS. Yes; I believe that is correct. There was a subsequent amendment to the act raising it to $300,000 and as the bill comes to us from the other body, the exemption would be raised to $500,000.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from West Virginia.

Mr. BAILEY. I agree wholeheartedly with what the gentleman had to say about this fine piece of legislation. I am wondering whether the 83d Congress can improve it any. I am concerned about this exemption because it is going to put the investing public of the country at the mercy of a lot of fly-by-night people who will not be responsive to the Securities and Exchange Commission. Maybe the gentleman can enlighten me on another point. The gentleman who just preceded the gentleman now addressing the committee said that even though the exemption was lifted from $300,000 to $500,000 they would still have to have approval of the Securities and Exchange Commission. What does the gentleman mean by that expression? If they are exempt, do they still have to go before the Commission and make application? And how much data, how much supporting information, do they have to file to get by?

Mr. DOLLIVER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. DOLLIVER. Since the gentleman from West Virginia has alluded to me in his question, may I say that it is my understanding that where an issue is under $300,000 at the present time, nevertheless full information must be given as to that issue to the regional office of the Securities and Exchange Commission. In the district where I live it would be the office in Chicago.

Mr. BAILEY. That is a mere formality?

Mr. DOLLIVER. They can stop the issue if there is something fraudulent about it or correct it.

Mr. HARRIS. The point about that, if the gentleman will permit, is that full information must be filed with the Commission. Then, if the Commission has some doubt about it, they can require further investigation and actually hold hearings, but they do not have to ordinarily go through the expense of hearings where the securities are up to $500,000 as they would with securities that are over $500,000. In other words, it was felt at the outset that there should be some exemption, and the point is just where should that exemption stop?

Mr. BAILEY. Mr. Chairman, if the gentleman will yield further, I think he will agree with me that the Securities and Exchange Commission has been a stabilizing factor in our economy.

Mr. HARRIS. No question about that.

Mr. BAILEY. And we do not want anything like what happened in 1929 to happen again, and I am just a little fearful we may do something that we might be sorry for.

Mr. HARRIS. As I stated a moment ago, there are no basic changes in the act. This is merely a question as to what the exemption figure should be; now, that is all there is to it. They provided $100,000 first and later in 1945 it was found desirable to increase that to $300,000. Now the question is—and I realize

it is controversial, differences of opinion arise—whether it should remain at $300,000 or be put at $500,000.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. I would like to comment on the question raised by the gentleman from West Virginia because I do not think it has been thoroughly explained. In the case of a nonexempt security, that is, one under $300,000, there is no registration procedure required. What the company does in such a case is merely to file what is known as an offering circular. It is not certified to; the information of the company's financial position and so forth does not have to result from a certified public accountant's examination of the records and his report. It is a very simple, I might say, that not too informative a statement about the financial condition of the particular company be filed under such procedure. Now, it is true that the Securities and Exchange Commission could file a stop order proceeding in such a case, but unless the Commission went into a lot of involved and complicated and expensive investigation, they would not be able to determine whether the statement was accurate or not. Now, therein lies the great difficulty of this problem. In the case of a registered statement, the company issuing the securities must, No. 1, file a report from a certified public accountant as to the financial condition of the company. They must have a statement from their attorneys as to the legality of what they are trying to do and so forth. They must have a certified statement from engineers if appraisals are necessary. They must have sworn statements from the officers as to the authenticity of the information that is presented, and last but not least, in the event that such a company files a misleading or false statement or omits to state a material fact, that company, all of its officers, the members of its board of directors, the certified public accountant, the attorneys, the engineers, anyone who files the information, becomes personally liable.

Mr. BAILEY. The gentleman is speaking now of registered or unregistered?

Mr. BENNETT of Michigan. I am speaking of registered.

Mr. BAILEY. What about unregistered?

Mr. BENNETT of Michigan. There is no liability except on the part of the person who sells the security. In other words, the purchaser in such case cannot sue the board of directors; cannot sue the officers; cannot sue the certified public accountants, because there are none. So for practical purposes he has no legal remedy whatever against anyone except the person who sold him the securities.

Mr. BAILEY. I thank the gentleman.

I should like to ask the gentleman from Arkansas [Mr. HARRIS] to yield for an explanation of why I got into this debate. I was for 8 years assistant State auditor in West Virginia. The State auditor there is ex officio the securities commissioner. I have had considerable experience in this field, and the history of the administration of the Securities Act in my State has been that most of the swindling is done in some of these smaller issues and not in the larger issues, in excess of $500,000. That is the history in my State, and I think it is true pretty much in the other States; so the gentleman will understand why I am interested and why I am questioning the advisability of upping this exemption.

Mr. HARRIS. I thank the gentleman, and I certainly appreciate the interest he has shown, as well as the interest shown by other Members of this House. It is the intention, by this bill, of every member of the committee to see that the policy of protecting public investments is carried out. Everyone recognizes that there should be some exemption figure. A moment ago I was about to say that it was recognized at the outset and fixed at $100,000. Then, in 1945, it was found necessary to give some relief to certain small businesses. That was the purpose. Consequently, the exemption figure was increased to $300,000. All of us know what has happened to the economy since 1945. We know, as a matter of fact, that an investment of $500,000 today does not represent as much as an investment of $300,000 in 1945. That does not necessarily mean it should be changed. This is presented to us on the basis of what we can and should do for small business of the country to relieve them of the tremendous cost and expense of trying to provide the financing for their own business. Where should the exemption stop in the best interest of the public?

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. BENNETT of Michigan. I know the gentleman from Arkansas wants to help small business, and so do I, and so do most of the other Members of the House. But certainly the gentleman from Arkansas does not want to help small business at the expense of the small investor. I am sure he does not want to take any action that would have that result. And yet, if the Senate version of this bill were adopted—in other words, if the exemption is increased to $500,000—that is exactly what we would be doing.

Mr. HARRIS. I am not interested in helping small business at the expense of anyone.

Mr. BENNETT of Michigan. That is right.

Mr. HARRIS. I think each tub should stand on its own bottom. I want small business to have a chance. I do not want to do anything that would choke small business. At the same time I want to see the protection maintained for the best interest of all the people.

Mr. DOLLIVER. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, I am enthusiastically in favor of this bill, and I hope it will pass this House unanimously. It is a piece of technical legislation, but it came to our committee recommended very strongly by the Securities and Exchange Commission itself. That body, after all, is supposed to be the guardian of the public's welfare. It came recommended by representatives of the New York Stock Exchange; the Investment Bankers Association; the National Association of Investment Companies; the United States Independent Telephone Association; the National Association of Security Dealers; the American Stock Exchange, which, as I understand it, used to be the New York Curb; and the Mid-West Stock Exchange. All of them were strongly in favor of the legislation. There was no voice raised against the legislation in any quarter.

The bill does seven particular things, as recited on page 4 of the committee report, all as very well stated by my colleague the gentleman from Arkansas [Mr. HARRIS].

On this question of the exemption from registration, in which I am particularly interested, if the members of the committee will refer to page 17 of the committee report they will find the history of this matter very clearly set forth. When the statute was enacted in 1933 the figure for the exemption was $100,000; that is to say, an offering of securities interstate for less than $100,000 was not subject to the requirements of the act for registration.

In 1945, for reasons which I am sure were sufficient, the Congress increased that amount to $300,000. The Securities and Exchange Commission recommends that the $300,000 figure established in 1945 be raised in 1954 to $500,000, and the other body actually wrote into the bill the $500,000 limitation in lieu of the $300,000.

When the time comes to pass on the committee amendment I shall rise in opposition to the committee amendment, which cut the $500,000 and put it back to $300,000.

You have a practical situation here. I am not in favor of gypping small investors any more than other Members of this House are, and I do not think the Securities and Exchange Commission would itself be advocating the increase to $500,000 if it felt that frauds were going to be perpetrated in consequence. But it seems fairly clear to me that in the inflationary cycle through which we have been living $500,000 in 1954 is no more than $300,000 in 1945.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. HALE. I yield.

Mr. ROGERS of Florida. I understand the gentleman from Maine is in favor of the exemption up to $500,000.

Mr. HALE. I am very much in favor of that.

Mr. ROGERS of Florida. I concur in the gentleman's views. I believe the exemption should be increased to $500,000.

Mr. HALE. Let me say that there are a lot of small businesses in States like mine which need to do financing. They just cannot afford to go through all the expensive business of registration under the act. In the State represented by my friend the gentleman from Michigan [Mr. BENNETT], small concerns may go to Detroit and finance themselves, but in

New England the small businesses are likely to have to go to Boston, which involves an interstate movement, at least in four of the New England States. In Connecticut probably they turn more readily to New York. But in Maine, small concerns are likely to go to Boston for money. The $300,000 limitation is unduly harsh on such companies.

Mr. DOLLIVER. Mr. Chairman, will the gentleman yield?

Mr. HALE. I yield to the gentleman from Iowa.

Mr. DOLLIVER. It should be pointed out, should it not, that intrastate transactions in securities are not in any way controlled. Thus a company in a State which has large accumulations of capital within the State need not go outside the State and need not be subject to the Securities and Exchange Act at all, but corporations in States where there are no large cities and no large accumulations of capital need this exemption.

Mr. HALE. The gentleman is quite right. He could not have explained the situation better. I am very grateful to him for saying what he has said.

Mr. DOLLIVER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Chairman, I would like to devote my remarks to that part of the bill which deals with raising these exemptions. In 1933, when the Securities Act was passed, the Congress said, "Up to $100,000, we will not bother with registration procedures." Then in 1945, it was raised to $300,000. But I want to say to you now that the Congress never had in mind the extent of financing that would be done under the exempt procedures when this latter amendment was adopted. The fact is that the issuance of securities in the exempt field has amounted to more than a billion dollars in the last 7 years. So it is not an inconsiderable amount, and the securities that are so exempt have been scattered willy-nilly to investors all over the United States. There is the crux of this whole business. When the Chairman of the Securities and Exchange Commission was before our committee, I asked him about the protection of investors in exempt securities:

Mr. BENNETT. Is it your understanding that the purchaser of exempt securities is less protected than is the case where the securities are registered?

I am sorry there are not more Members of the House present because the adoption of any amendment to increase these exemptions will affect millions of investors all over the country for many years to come. I want to emphasize to you again that it is not a question of helping small business, although we know that everyone wants to help small business to expand and prosper. The point is—do you want to help small business at the expense of the small investor? That is exactly what you will do if you increase this $300,000 exemption. I want to quote now the answer of the Chairman of the Securities and Exchange Commission when I asked him if the purchasers of exempt securities got less protection than purchasers of registered securities. Here is what he said:

Commissioner DEMMLER. He does get less protection because the purchaser of an exempt security does not have the right of action against the officers, directors, the issuer, the underwriter, the experts under section 11 of the act which is a section establishing civil liability in respect to registration statements.

That is a very significant statement and in itself should be sufficient to defeat any proposal to increase exemptions.

Mr. HARRIS. Will the gentleman yield?

Mr. BENNETT of Michigan. I yield.

Mr. HARRIS. I think, perhaps, a few moments ago when I was talking on this bill, there was an erroneous impression that I was speaking for the $500,000 exemption, increasing it from the present $300,000 exemption. I was merely presenting the issue to the committee and explaining what the two exemptions were.

Mr. BENNETT of Michigan. I am sorry I misunderstood the gentleman.

Mr. HARRIS. I thought the gentleman had misunderstood me from the question that he asked. So far as I am concerned, I am supporting the action of our committee in reporting the bill which leaves it at $300,000 as it is in the present law.

Mr. BENNETT of Michigan. I am glad to know that.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield.

Mr. HESELTON. The gentleman quoted the Chairman of the Securities and Exchange Commission in his testimony before the committee:

The Commission has had a number of years of experience under regulation A, although less than a year under the regulation in its present form. On the basis of its experience under this regulation, and of the limited but practical safeguards which it provides, and the basic purpose of the exemption, the Commission believes on balance that the increase to $500,000 in the permissible amount of the exemption, as proposed in section 6 of the bill, is reasonable.

Mr. BENNETT of Michigan. I am familiar with the language the gentleman has quoted but that does not alter the fact that a purchaser of exempt securities gets less protection under the law than a person who purchases the same amount of registered securities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan.

Mr. BENNETT of Michigan. Mr. Chairman, it has been said that this is to help small business. I want to show you the type of company that takes advantage of this exemption procedure. It is not utilized by the small company in your district as extensively as you think. Bear this in mind: The ordinary small company in your district that has to raise $100,000 or $200,000 or $300,000 does not go to New York City to get that money. They get it in their own community, because if they are sound, if they have a well-managed organization, then in ordinary circumstances they can get the money in their own immediate locality or State. In such case the Securities Act does not apply. A company in my town in northern Michigan can float a million-dollar security issue as long as they sell it in the State of Michigan. This act does not have any application whatsoever. It only applies where a small business concern in northern Michigan, for instance, wants to peddle a $300,000 security issue in Dallas, Texas, San Francisco, Miami, New York City, or anywhere else in the United States. Ordinarily, the investor could very well be suspicious of this kind of issue.

In 3 months, May, June, and July, 1953, there were 312 applications for exemptions filed. 173 of those applications were filed by operating companies; but, listen to this: There were 139 applications filed, totaling $21 million in that 3 months' period, by promotional companies. A promotional company is described in the SEC report as being one which has not been in actual operation or production. In the 3 months' period referred to $21 million of securities in promotional companies, having no record of operation or production, were filed with the Securities and Exchange Commission, and peddled all over the United States. Many of these issues are referred to as "penny stocks." It might be a mining company out West or a speculative oil company, or just some ordinary promotional outfit. A few people get together and get the idea that they want to raise some easy capital. They do not have to hire lawyers and accountants. They do not have to file certified statements to raise $300,000. They cannot sell their securities in their own communities because the people there know them and do not have confidence in their financing. So they take advantage of this exemption procedure and they sell their stock to unsuspecting people for 35 cents or 40 cents a share on the stock exchanges or over the counter in such farflung market places as San Francisco; New York City; or Dallas, Tex.; Miami, or elsewhere. That is the kind of thing that is going on.

We have already given small business far greater protection in this act, and have given the investor far less protection than he is entitled to. If we raise this exemption to $500,000, it will result in hundreds of millions of dollars of new securities being floated all over the United States and sold to the unsuspecting public without this protection. It is not right. It is not fair. It is not just. Twenty-one million dollars of this kind of stock was authorized in a 3 months' period. You can easily see the result. They talk about inflation. My distinguished friend the gentleman from Maine [Mr. HALE] says that $500,000 today would be no more than $300,000 in 1945. That may be true; but let us forget about the $300,000, and let us think about the man with $1,000. It is probably worth just as much to him today as it was in 1945, so far as losing it is concerned. Yet when you raise this exemption to $500,000, you are increasing the opportunity for that man to be defrauded.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Tennessee [Mr. PRIEST], a member of the committee.

Mr. PRIEST. Mr. Chairman, I rise in support of the bill.

The last overall consideration given to general amendment of the several statutes administered by the Securities and Exchange Commission was in 1941, at which time our committee was presented by industry and the Commission with an extensive list of both minor and substantive amendments to the Securities Act of 1933 and the Securities Exchange Act of 1934. The advent of the war then precluded definitive consideration of the various proposals or legislative resolution of some of the problems involved in the suggestions then advanced.

With the termination of the war, conferences were reinstituted by the Commission with industry in the thought that they might lead to amendments which again could be proposed to the committee. The instant bill, S. 2846, represents the results of discussions had last fall by the Commission and industry and reflects those areas in which the Commission felt it could concur with industry.

The bill amends four of the statutes administered by the Commission. Inasmuch as the principal change embodied in the bill, however, comprises the amendment of some 12 sections of the Securities Act of 1933, I wish to discuss this subject in some detail.

These amendments center about a change to section 5 of the 1933 act with conforming changes in other sections. Section 5 presently prohibits the making of written offers in interstate commerce until a registration statement is in effect covering the securities proposed to be sold. It was argued before our committee that this prohibition defeats another intention of the act, that there should be general dissemination of information about the securities after the registration statement was filed and before it became effective, so that the public might be informed of what it is being solicited to buy. Various arguments were advanced concerning the difficulties encountered in disseminating information during this period without those doing so inadvertently incurring the risks of such dissemination being construed as an offer of the securities. The amendment to this section proposes that offers may be be made before, though sales still cannot be consummated until after, the effective date of the registration statement through the use of a preliminary prospectus which has been processed by the Commission.

From the arguments presented to our committee, it would appear that this amendment may provide a way by which prospective investors will be able to receive more accurate and adequate information about these securities than they now do under present practice. Under this practice, the investor customarily does not receive an official prospectus until some time after he has actually purchased the security, generally with the delivery of the security itself.

To the extent that the proposed change will make it more feasible and more likely that underwriters and dealers will use Commission-processed documents in connection with their offering of securities, it seems to me that we shall more nearly conform practice with what was originally intended when the Securities Act was passed, namely, that the investor should have the information set out in this prospectus before he became bound to buy the security.

Our committee has always been mindful of its responsibilities in the public interest and the preservation of the protection to the investor contained in these laws as they were enacted. Upon full consideration of the testimony unanimously supporting the bill, I am of the opinion that this amendment, as well as the other amendments proposed by the bill, fully preserve the philosophy and bases of these acts.

Mr. DOLLIVER. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, I certainly do not take any pleasure in differing with my good friend the gentleman from Tennessee [Mr. PRIEST]. I may say at the outset that I am not greatly troubled one way or another whether the exemption is left at $300,000 or goes to $500,000. But I do think there are certain facts we should take into consideration before we reach a final decision.

The President in his economic message had this to say:

> The Federal securities laws were enacted nearly 20 years ago and have remained largely unchanged over that period. Some modifications in these laws are needed which, while fully protecting the interests of investors, will make the capital market more accessible to businesses of moderate size.

We have all been talking about the fact that values have changed since 1945; that is perfectly obvious.

The President went on to say:

> It would also be desirable to simplify the rules and thus reduce the cost of registration of new issues and their subsequent distribution.

We had in the committee some very significant figures as to cost. It was stated that the cost of registering small issues was very substantial in relation to the proceeds derived from the securities. It was added that the records of the SEC showed that the estimated cost of registering issues of $600,000 or less during the period from January 1, 1952, to November 1, 1953, was $3.55 per $100 of proceeds. This was almost 8 times the average cost of 47 cents per $100 of proceeds for all issues, regardless of size, registered during the same period. Somebody has to absorb this additional cost and it is going to be absorbed by either the purchaser of the securities or the one who sells them.

Fraud is one thing, of course, we seek to avoid, but I wonder if those who advocate leaving this at $300,000 realize that they are creating a situation in which less fraud could exist. We know that a great deal of fraud exists in this field. On the matter of regulation the Chairman of the Securities and Exchange Commission had this to say to the committee:

> To accomplish two purposes regulation A was amended in the early part of 1953 so as to require an offering circular as a term and condition of granting the exemption, and that the offering circular contain certain prescribed information so as to insure uniformity of administration.
>
> The investor who buys an exempt security now has these protections:
>
> 1. He has the protection of regularly prescribed standards of information in the offering circular;
>
> 2. He has the protection of section 12 of the Securities Act, which gives him a remedy against the seller for misrepresentations and concealment; and
>
> 3. He has the protection of the general fraud provision of section 17 of the act.

So it seems to me, admitting there has been a change in values, admitting that small business is interested in this, as they have so testified to our committee, and could be assisted, admitting that if there is any fraud or the possibility of any fraud we are all anxious to have the Securities and Exchange Commission develop procedures and regulations to lessen that possibility, I do think that the case made by the gentleman from Maine is one we ought to bear in mind, those of us who represent communities in our own States that do not have a great deal of money which can be provided for investment purposes. A large area of the country does not have this capital available. We hope they will develop this large area of the country. Repeated reference and emphasis was made throughout the hearings of the value of lifting this exemption to small business. That is one of the most important aspects of this part of the bill.

I hope serious consideration will be given to this matter when it is brought up tomorrow.

Mr. DOLLIVER. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana [Mr. BEAMER].

Mr. BEAMER. Mr. Chairman, I by no means want to take issue with the statements that have been made by the gentleman from Michigan [Mr. BENNETT], and those others who feel that this particular provision should be kept at $300,000 for nonregistered securities. However, I do want to point out the problem that it presents to very many different industries and to many different types of investors. I would like to do so by calling attention to just one industry which I think is very common to all of us, and most especially those of us in the Middle West and West.

I am thinking particularly of the independent telephone companies. The hearings will indicate, for instance, that there are 5,300 of these independent telephone companies, that they serve approximately 11,000 exchanges and that they cover an area, geographically speaking, consisting of about two-thirds of the United States. These are small companies, principally owned by independent capital, maybe family capital, but they are serving a large number of people and it is very difficult for them to expand as they find it necessary to expand at

times without having a larger sum of money.

May I illustrate? For example, the A. T. & T., Bell, and other telephone companies have installed the dial system. We all recognize the advantages of the dial system. The small companies, the so-called independents, in order to do so, find it necessary not to borrow or issue bonds to the extent of $300,000 but for four, five, and six hundred thousand dollars. These are good companies. They are reliable, they are well respected in thier communities. If they are going to sell these bonds outside of their own communities, as often as is necessary, there are two courses to follow. No. 1: They must sell in one block, perhaps to an insurance company. That involves an expensive fee and thus there are additional costs involved. Or they may sell them within their own State or their own community. There, again, is an expensive registration fee involved. That is the important thing I think we should consider, especially in connection with these smaller companies, thereby avoiding additional cost to the people.

I am just using these telephone companies as one illustration. The reason these independent telephone companies are asking for this is because they want to extend their service. They want to improve their service, they want to render the same service that the large telephone companies are giving. I suggest to you it is something we should consider in this House and in this committee because we cannot depend upon the so-called or shall we call them monopolistic organizations to render all the service that is going to be necessary to permit these smaller independent companies to have an opportunity.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BEAMER. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. I know the gentleman is interested in independent telephone companies. So am I. I have some of my good friends in that business in Michigan and they are for raising this exemption. But here is a curious thing. The Securities and Exchange Commission advises me that out of 14 applications filed by independent telephone companies during 1953 only 4 of them were for the issuance of securities up to $300,000. Ten of them were for securities of $250,000 or under, so the facts appear to be that these companies are not utilizing, or only a small percentage of them, the exemption privileges that they enjoy at the present time.

Mr. BEAMER. I thank the gentleman. I think if you will refer to the hearings on page 122 on through page 138, the two gentlemen who testified before the committee seem to indicate that they had many experiences in which they had difficulty in issuing securities for any larger sums because of the present limitations. The inflated conditions, increased cost of operation, and the heavy taxload has retarded necessary expansion.

This is a worthy piece of legislation and it is hoped that independent and small companies and also all investors will be protected.

Mr. DOLLIVER. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the bill now under consideration (S. 2846) amends certain provisions of the Securities Act of 1933, the Stock Exchange Act of 1934, the Trust Indenture Act of 1939 and the Investment Company Act of 1940.

The amendments are mostly of a technical or clerical nature. They do not weaken the fundamental purposes of the acts amended. These are fully retained and in some measure strengthened by the provisions of this bill. The intention to retain the basic principles and protection of the original acts was clearly set forth by Chairman Ralph Demmler of the Securities and Exchange Commission. He stated:

> The Commission has every desire to see the basic philosophy and purposes of the acts held intact. The Commission believes that the proposed amendments will not change the existing responsibilities of the sellers of securities to the public.
>
> The good result produced by the Securities Act has come in great measure from the fact that the issuer and the underwriter must come forward and make a public statement concerning the issuer's business, its finances, its securities, and the proposed offering—and all of this under stern statutory liabilities, both penal and civil. This requirement of disclosure is itself a substantial deterrent to transactions which would not stand the light of day. The imposition of liability for inaccurate and incomplete information and the administrative processing by the Commission of material filed with it have improved corporate morality, accounting standards, and standards relating to business information generally.
>
> We believe that the adoption of these amendments will serve to make more effective the application of the fundamental principle that distribution of securities in interstate commerce be conditioned upon fair and adequate disclosure.
>
> These amendments in no way curtail the duty to disclose or the liability for nonconformity to the disclosure requirements, nor is there any decrease in the administrative powers of the Commission.

In view of such representations by the Commission, which is the administrative agency that as an arm of the Congress and under the committee's jurisdiction is charged with carrying out these laws, and of the testimony unanimously supporting the bill, the committee is of the opinion that the amendments here proposed fully preserve the basic philosophy and purpose of these acts.

SCOPE OF THE BILL AND HEARINGS

The amendments provided in the bill may be grouped under the following headings:

First. Permitting the making of now prohibited written offers to buy or sell securities before the registration statement is effective, and the further dissemination of information between the filing and effective dates of the registration statement.

Second. Reduction of the present 1-year period to 40 days during which the delivery of a prospectus is required in trading transactions as distinguished from initial distribution of the new securities.

Third. Changing the requirements as to prospectuses used more than 13 months after the effective date of the registration statement so that 2 certified financial audits may not be required within a year's time, but limiting the information contained in the prospectuses as of a date within 16 months of use.

Fourth. Reduction in the present prohibition against extending credit to purchasers of a new issue by dealers from 6 months after the offering period to 30 days.

Fifth. Permission of "when issued" trading on an exchange in connection with rights offerings and other securities of a company having securities listed.

Sixth. Simplification of the statutory requirements for carrying in prospectuses full summaries of indenture provisions, in accordance with Commission rule.

Seventh. Permission for amending old registration statements rather than filing repeated new registrations as now, by investment companies making continuous offerings.

The bill as introduced and passed by the Senate, but not as reported by the House committee, had an additional section, which will be discussed later, raising to $500,000 the present exemption in the amount of $300,000 within which the Commission, subject to appropriate terms and conditions may exempt public offerings of securities from the registration requirements of the act. The bill as reported to the House by the committee is the same as the bill passed by the Senate, with the exception just mentioned and of correction of clerical errors.

HEARINGS

Extensive hearings on S. 2846 and H. R. 7550—the House companion bill—were held on March 19. The Commission supported the bills as introduced in their entirety. Appearances in favor of the bill included representatives of the New York Stock Exchange, Investment Bankers Association, National Association of Investment Companies, United States Independent Telephone Association, National Association of Securities Dealers, American Stock Exchange, and Midwest Stock Exchange.

No witness appeared in opposition to any portion of the bills.

The Bureau of the Budget has advised the committee that the enactment of either bill would be in accord with the legislative program of the President.

AMENDMENT TO SECTION 5 OF THE 1933 ACT, RELATING TO OFFERS OF SECURITIES PRIOR TO EFFECTIVE DATE OF REGISTRATION STATEMENT

The proposed amendment to this section, and the related amendments to 11 other sections occasioned thereby, represent the most important change advanced by the bill, so that it is desirable to discuss this subject at some length.

The Securities Act of 1933, the truth-in-securities law, was designed to require disclosure of pertinent information concerning securities publicly offered

and sold in interstate commerce or through the mails, so that investors might be in a position to exercise an informed judgment concerning the securities offered for sale to them. The act also makes unlawful misrepresentation, deceit, and other fraudulent practices in the sale of securities.

DISCLOSURE THROUGH REGISTRATION

Disclosure of information is obtained through the filing of a registration statement—there are certain securities and certain transactions exempted from this requirement—with the Securities and Exchange Commission as provided in section 6 of the act, which must contain specific information called for by section 7, and which, under section 8, becomes effective 20 days after filing unless the registration statement appears on its face incomplete or inaccurate in any material respect and the Commission, under section 8, refuses to permit the registration to become effective. Information contained in a registration statement becomes public immediately upon the filing of the statement with the Commission. An important part of the registration statement is the prospectus, which must be made available to investors to whom the securities are sold and, in accordance with section 10, must contain an accurate summarization of most of the information contained in the registration statement.

LIABILITIES ATTACHING TO REGISTRATION AND INVESTOR PROTECTION

The Commission does not have the power to disapprove securities for lack of merit. The only standard which must be met in the registration of securities is adequate and accurate disclosure of the material facts concerning the issuer's business, its finances, its securities, and the proposed offering. Registration of itself does not guarantee the accuracy of the facts represented in the registration statement and prospectus. The law does, however, prohibit false and misleading statements under penalty of fine or imprisonment, or both. In addition, if an investor suffers a loss in the purchase of a registered security, the law does provide him with important recovery rights. Section 11 of the act provides that in case any part of the registration statement when it became effective contained an untrue statement of a material fact or omitted to state a material fact required to be stated therein or necessary to make the statements therein not misleading, the issuer, its responsible officers, every director, every underwriter, controlling interests, and every accountant, engineer, or other expert concerned, are liable in damages to the purchaser of the securities.

PRESENT PROHIBITION AGAINST OFFERS BEFORE EFFECTIVE DATE OF REGISTRATION

Section 5 makes it unlawful to sell a security to the public by use of the mails or any instrumentality of interstate commerce, such as the interstate telephone, until a registration statement has become effective; and by section 2 (3) the term "sell" is defined to include an offer to sell and a solicitation of an offer to buy. Interstate oral offers, including intrastate telephone offers, are not made unlawful, but no sale may be made until after the registration statement becomes effective. This section reads:

PROHIBITION RELATING TO INTERSTATE COMMERCE AND THE MAILS

SEC. 5. (a) Unless a registration statement is in effect as to a security, it shall be unlawful for any person, directly or indirectly—

(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell or offer to buy such security through the use or medium of any prospectus or otherwise; or

(2) to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale. (b) It shall be unlawful for any person, directly or indirectly—

(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to carry or transmit any prospectus relating to any security registered under this title, unless such prospectus meets the requirements of section 10; or

(2) to carry or to cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless accompanied or preceded by a prospectus that meets the requirements of section 10.

APPARENT ANOMALY IN PROHIBITION AGAINST OFFERS AND IN DISSEMINATION OF INFORMATION BEFORE THE REGISTRATION STATEMENT IS EFFECTIVE

It was argued before the committee that the prohibition contained in section 5 against the making of offers during the waiting period—the period between the filing and effective dates of the registration statement—defeats the intention of the act that there should be general dissemination of information so that the public might be informed of what it is being solicited to buy. This was outlined by Mr. T. Jerrold Bryce, president, Investment Bankers Association of America, as follows. He said:

What are some of our operating difficulties under existing law in selling and distributing securities subject to the registration and prospectus requirements of the act? Perhaps a basic one grows out of a seeming conflict in the law itself. On the one hand, certainly one of the principal purposes of the act was to provide prospective investors during the waiting period with accurate information about the securities later to be sold. On the other hand, the law forbids any sale, where the mails or interstate facilities are involved, until after the effective date. It is extremely important to keep in mind in any discussion of this problem that the act also defines the term "sale" to include not only a sale in the legal sense, but any offer, solicitation of an offer to buy or any attempt to dispose of a security. Hence, from the very outset underwriters and dealers have been reluctant to use written material for purposes of informing investors during the waiting period, lest by so doing they be charged with offering or attempting to dispose of the securities described in such material and hence with having made an unlawful sale within the meaning of that term, as defined in the act.

The Commission over the years, by interpretation of its counsel and more recently by formally adopted rules, has attempted to deal with this problem, but the results to date have been unsatisfactory from everyone's point of view.

PROPOSED AMENDMENT TO FACILITATE DISSEMINATION OF INFORMATION BY PERMITTING THE MAKING OF OFFERS PRIOR TO THE EFFECTIVE DATE OF THE REGISTRATION STATEMENT

To meet this situation the industry proposed, and the Commission has concurred in, amendments to sections 2 (3), 5, and 10. Conforming amendments are required to sections 2 (10), 2 (11), 3 (a) (11), 12, 17 (a), and 22 (a), and to sections 303 and 305 of the Trust Indenture Act, and section 2 (a) (30) of the Investment Company Act. The nature and purpose of these amendments were described in the hearings by Chairman Demmler as follows:

Section 5 of the present act prohibits the sale of securities before the effective date of a registration statement and the term "sale" is defined in section 2 (3) of the act to include an offer. Basically, the amendment would permit written offers to sell and solicitations of offers to buy during the waiting period by means of a preliminary prospectus filed with the Commission prior to its use. As already noted, the use of the telephone for the making of oral offers intrastate is not prohibited by present law. Under the amendment there would be no prohibition against such offers either interstate or intrastate. The present prohibition against the making of an actual sale or contract of sale of a security prior to the effective date of a registration statement is not affected by the amendment. The sale of any such security is unlawful until the registration becomes effective.

In order to accomplish these objectives, it is necessary to redefine the term "sale" in section 2 (3) and to amend sections 5 and 10 of the present statute. As I have indicated previously, the term "sale" as presently defined includes an offer as well as a sale. Section 1 of the bill defines these terms separately.

Section 5 (a) (1) of the act continues to make unlawful the sale of a security prior to the effective date of a registration statement. The change in the definition of "sale" in section 2 (3), however, has the effect of eliminating the present prohibition against the making of an offer to sell or the soliciting of an offer to buy prior to the effective date.

No change is made in the present provisions of section 5 (a) (2) which prohibit the transmission of a security through the mails for purposes of sale or delivery after sale unless a registration statement is in effect.

The redefinition of "sale" to exclude offers, together with the proposed revision of section 10 of the act (contents of prospectuses), will change the effect of section 5 (b) (1) of the act to permit the making of offers during the waiting period by means of prospectuses containing summary information as well as by means of the red-herring prospectus.

The present provisions of sections 5 (b) (2) which require delivery of a complete prospectus in connection with a sale or delivery after sale are retained.

These changes make necessary a new section 5 (c) which makes it unlawful to offer a security prior to the filing of a registration statement.

A conforming change in section 10 is made so as to authorize the Commission to permit the use of a summary prospectus in addition to the conventional prospectus. This short-form summary prospectus will be filed with the Commission, as part of the registration statement, and must conform to the Commission's rules and regulations. In order to prevent the use of a summary prospectus which fails to meet the Commission's requirements, the Commission will be authorized to suspend the use of a defective sum-

mary prospectus. This administrative remedy, which is intended to supplement the stop-over powers of the Commission under section 8, is considered essential because of the necessity for speedy action to prevent the use of a defective summary prospectus during the relatively short waiting period.

Since, however, the summary prospectus will involve condensation or summarization of the full prospectus, and since that process necessarily involves omission, the Commission believes, and the bill provides, that preliminary and summary prospectuses authorized by this section should not be subject to section 11 which imposes liabilities upon the issuer, its officers, directors, and underwriters for misstatements and omissions. This will not lighten the existing burden of liability because the red herring prospectuses now permitted are not subject, as such, to section 11 liabilities. It is believed that the administrative sanctions of section 8 and the suspension power, coupled with the liabilities of sections 12 and 17 (which provide for civil liabilities and criminal penalties against sellers), can be relied upon to guard against the use of defective summary prospectuses.

EFFECT OF THE PROPOSED AMENDMENT RELATING TO PERMITTING OF OFFERS PRIOR TO THE EFFECTIVE DATE OF THE REGISTRATION STATEMENT

(1) THE AMENDMENT CONFORMS THE STATUTE TO THE PRESENT PRACTICE

In his testimony before the committee, Commissioner Demmler stated:

I think it must be apparent from what I have just said that the amendment does not work any fundamental change; in fact, it may fairly be said to give more specific authority for the continuation of practices which have developed over the years under the present law, and to make those practices specifically subject to the sanctions provided by the act.

The CHAIRMAN. Is it not true that at the present time there is some question as to whether or not the present procedure is in violation of the act if strictly construed?

Commissioner DEMMLER. I think that there might very well be a question as to whether or not, under a strict construction of the statutes, there may be violations of the act as presently written inherent in present practice. There is some protection, perhaps, under the present law, accorded those practices by a provision of section 19 (a) of the act to the effect that no provision of this title imposing any liability shall apply to any act done or omitted in good faith if in conformity with any rule or regulation of the Commission, notwithstanding that such rule or regulation may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

Now if there is any infirmity, Mr. Chairman, in the present practice permitted by our rules, the individual who acts under our rules would be protected against liability by the wording in the statute which I just read.

I submit, however, that it would be better if the conducts were in accordance with a reasonable interpretation of the statute—were clearly within the statute as reasonably interpreted.

(2) THE AMENDMENT ENCOURAGES GREATER DISSEMINATION OF INFORMATION BY RELIEVING UNDERWRITERS AND DEALERS OF FEARS CONNECTED WITH PREEFFECTIVE DATE DISTRIBUTION OF WRITTEN MATERIAL

The advantages of the amendment in this regard were developed during the hearings:

The CHAIRMAN. Now, you have stated that this amendment has been urged for many years, because underwriters and dealers fear that the dissemination of information during the waiting period may be construed as an offer and thus subject themselves to certain possible liabilities. I take it that this amendment would eliminate that risk to underwriters and dealers; is that so?

Commissioner DEMMLER. I would say "yes," that that is so. As I pointed out a little while ago, when I read from section 19, that as a matter of fact the reliance on the Commission's rules has provided an insulation to the underwriters and dealers who may have had the fear that the rules went beyond the statute.

I would think that the enactment of this bill would remove the fear. It would particularly, I think, make dealers on the retail level more willing to provide these preliminary prospectuses sometime before the sale was made. In other words, at the time prior to the effective date. I think you might take this into consideration in looking at this thing in a specific sense. Dealers, without violation of the law, may make intrastate oral offers of securities now. They are limited, however, in the matter of written offers by the wording of the act. And consequently there is, I would think it is safe to assert, a certain amount of oral offering at the present time by dealers on the retail level unaccompanied by any written document.

Under this bill, the permissive use of a processed preeffective document should actually result in a dissemination of more accurate information with respect to the security being offered.

(3) THE AMENDMENT PERMITS GREATER LATITUDE TO THE UNDERWRITER IN TESTING OUT THE MARKET

Advantage to the underwriter and dealers of being able to make preeffective offers was brought out in the testimony:

The CHAIRMAN. I note that Mr. E. T. McCormick, formerly a commissioner, and now president of the American Stock Exchange, told a subcommittee of this committee on March 10, 1952, the following:

"(a) The prohibition against offerings in the postfiling but pre-effective period of registration injects into the underwriting process a serious and unnecessary risk and a resultant unwarranted cost to issuers and investors. Offerings can and should be permitted during that period.

"(b) The securities industry needs a device through which it can ascertain who is interested in knowing about the securities being offered. The statutes should permit the use of a screening or identifying statement in advance of the official prospectus."

Now, basically does this amendment give the underwriters any greater latitude in testing out the market before the registration statement become effective?

Commissioner DEMMLER. It does.

This was confirmed by Mr. Edward C. George, chairman, board of governors, National Association of Securities Dealers, Inc.:

Mr. BENNETT. Do you think the opportunity to make the offer——

Mr. GEORGE. Is important?

Mr. BENNETT. Yes.

Mr. GEORGE. I certainly do. * * * It would be helpful to us during the waiting period. We could get an idea, I am sure, of whether we were going to be in a position to sell the securities.

(4) THE AMENDMENT MAKES POSSIBLE DISSEMINATION OF MORE ACCURATE INFORMATION TO THE INVESTOR THAN HE NOW GENERALLY RECEIVES

The statute as originally enacted clearly indicates that it was the intent that the investor at some time should have before him a prospectus summarizing the information contained in the registration statement at the time the registration statement became effective.

Whether or not it was the intent that the prospective purchaser should have this prospectus before he became bound to purchase the security is not so evident. In any case, a reading of section 5 (b), cited above, makes it apparent that the statute as enacted makes it permissible for this prospectus to be delivered subsequent to the time the investor is solicited to buy the security, either at the time of confirmation of the purchase, or with the delivery of the security itself.

Under today's type of security distribution, it is readily evident that in a vast number of cases the investor does not have this prospectus at the time he offers to buy the security. The signing of the underwriting agreement between the issuer and the underwriter, and the amending of the registration statement to reflect the underwriters, the offering price, the spread, and other details of the offering, frequently do not take place until the day on which the registration statement is declared effective by the Commission; the offering starts the subsequent morning, and the closing of the offering, settlement with the issuer, and termination of the underwriting syndicate take place within a very few days thereafter. The prospectus, therefore, customarily is only delivered with confirmation, or with the security.

How the investor might have accurate information at the time it is useful to him is a problem that long has been recognized. The proposed amendment offers an approach to its solution in that it provides for the use of a processed document, or preliminary prospectus, prior to the effective date of the registration statement.

(5) THE AMENDMENT DOES NOT TAKE AWAY ANY OF THE PRESENT PROTECTION AFFORDED INVESTORS

Preservation of the investor protection originally intended in the enactment of the statute was categorically asserted to be maintained in the proposed amendment:

The CHAIRMAN. Now, my next question is, so that we may be perfectly clear on what is being proposed:

Is there any change by this amendment in the remedies which the investor has under sections 11 and 12 of the act against false, misleading, or half-true statements?

Commissioner DEMMLER. There is no curtailment of any such remedy.

The CHAIRMAN. Are we lessening any of his protection?

Commissioner DEMMLER. No, sir.

Such opinion was also expressed by Mr. T. Jerrold Bryce, president, Investment Bankers Association of America:

The proposed legislation * * * provides for certain long overdue amendments to our Federal securities laws which are in the best interests of all parties concerned and, if enacted, will better enable all of us in the securities business, large and small, to do our job of supplying capital to industry, and particularly equity capital, without in any way, in my judgment, relaxing any of the investor safeguards which are provided by these laws.

(6) THE AMENDMENT DOES NOT CHANGE THE LIABILITIES FOR STATEMENTS MADE OR NOT MADE IN THE REGISTRATION STATEMENT AND PROSPECTUS

Categorically assertion that the proposed amendment will not change the liabilities presently imposed by the statute for the statements contained in the registration statement was also made by Chairman Demmler:

Now, there is one other question in the statement, in order that we may have a complete answer to your question, Mr. Chairman. Section 11 liability, that is the liability that covers the issuer, the underwriter, the officers and directors, the accountants and other experts. That liability applies to the registration statement in the form in which it became effective. That is unchanged. There is no section 11 liability now in respect to the preoffering literature, unless it is included in the registration statement as it ultimately becomes effective. That is not changed by the bill. It is neither improved nor detracted from.

USE OF PROSPECTUSES AFTER THE EFFECTIVE DATE OF A REGISTRATION STATEMENT

Existing law requires underwriters and dealers to deliver prospectuses to investors as long as they are engaged in the initial distribution of a security. Moreover, any dealer, even though not a participant in the distribution, must deliver prospectuses to his customers in trading transactions for at least 1 year after commencement of an offering. The proposed amendment provides for delivery of prospectuses in trading transactions during the actual offering period but in no case less than 40 days after the effective date of the registration statement or 40 days after the commencement of public offering, whichever expires last. It does not change the requirement that prospectuses be delivered by underwriters and dealers so long as they are engaged in the initial distribution of the security.

The 1-year provision with respect to trading transactions has long been recognized as unrealistic. Moreover, dealers trading in a security publicly offered within 1 year find themselves unable to obtain prospectuses. This fact has rendered compliance by dealers and enforcement by the Commission difficult.

In view of the continuous offering of securities by certain types of investment companies, particularly those commonly referred to as "mutual funds," a special provision for mandatory use of prospectuses by dealers over a longer period is provided by a proposed amendment to the Investment Company Act.

SIMPLIFICATION OF INFORMATION REQUIREMENTS FOR PROSPECTUSES USED MORE THAN 13 MONTHS AFTER THE EFFECTIVE DATE OF A REGISTRATION STATEMENT

Occasionally the offer and distribution of a security may extend beyond 13 months after the effective date of a registration statement. Under the present act a prospectus which is part of the effective registration statement may be used for 13 months after the effective date. If a prospectus is used thereafter, however, it must contain information as of a date within 1 year of its use. Since a registration statement at the time of its filing may contain financial statements as of a date at least 90 days prior to the filing date, it is apparent that the original prospectus may continue to be used until a time when the information therein is as of a date more than 16 months prior to its use. Thus, under the present statute, the requirements for prospectuses used more than 13 months after the effective date of the registration statement are more restrictive than those applicable to prospectuses used immediately after the effective date of the registration statement.

Section 8 of the bill proposes amendments to section 10 of the act which will permit the Commission to prescribe equivalent standards of disclosure for both classes of prospectuses by providing that where a prospectus is used more than 9 months after the effective date of the registration statement, the information contained therein shall be as of a date within 16 months of such use.

EXTENSION OF CREDIT BY DEALERS ON NEW ISSUES

Section 11 (d) (1) of the Securities Exchange Act prohibits a person who is both a broker and a dealer from "taking into margin accounts new securities in the distribution of which he participated during the preceding 6 months." This was intended in part to restrain distributors from selling new issues of securities to their brokerage customers on credit. The apparent purpose was to provide that new issues would be initially placed with investors rather than with speculators. It is generally agreed, however, that the prohibition against extending credit for 6 months after the end of the offering period is unnecessarily long.

Section 201 of the bill reduces the 6-month period to 30 days, but the amendment will not permit extension of credit by a member of the selling syndicate or group while the selling or distributing process is in progress or for 30 days thereafter. It is believed that section 11 (d) as so amended will be sufficient to assure that new issues will be sold on a cash basis.

"WHEN ISSUED" TRADING

The amendment proposed is essentially a technical amendment designed to remove an ambiguity in the law. The last two sentences of section 12 (d) of the Securities Exchange Act of 1934 deal with the subject of "when issued" trading on the exchanges. The first of these two sentences provides ample authority for the regulation of such trading under the standards of public interest and protection of investors that are used throughout the act. The last sentence, which represents an attempt to deal with the problem somewhat more precisely, was apparently not fully considered, for where a security is a right or the subject of a right granted to holders of a previously registered security, "when issued" trading cannot in the nature of things serve "to distribute such unissued security to such holders." Rather it provides a market in which such holders may sell the unissued security and others may acquire it.

Section 202 of the proposed bill, therefore, would repeal the last sentence of section 12 (d) thereby permitting "when-issued" trading to be regulated under the more general provisions of the preceding sentence.

THE OFFERING OF DEBT SECURITIES

The Commission, in connection with proposed rule changes to provide for more simple prospectuses for use in the public distribution of high-grade so-called institutional type debt securities, is confronted with section 305 (c) of the Trust Indenture Act of 1939 which requires inclusion in the prospectus of the analysis of particular indenture provisions singled out by section 305 (a) (2) of the Trust Indenture Act. This requirement seems unnecessary in the light of the Commission's rulemaking authority under the Securities Act to deal with disclosure problems and the proposal leaves the matter to such authority.

The proposal does not affect the substantive provisions of the Trust Indenture Act which will continue to require that trust indentures contain the statutory provisions for protection of investors, for example, that there be independent indenture trustees with adequate resources and free of conflicting interests, who must report to security holders, and take other affirmative action to preserve investors' rights under indentures and to protect their interests in the event of default.

SIMPLIFIED REGISTRATION PROCEDURE FOR INVESTMENT COMPANIES

Investment companies which engage in continuous offerings of their shares, as a matter of practice, file new registration statements under the Securities Act of 1933 about once each year in order to have registered shares available. Section 6 of the Securities Act provides that securities may be registered by filing a registration statement but does not provide for registering additional securities by amendment. Section 403 of the proposed bill would amend section 24 of the Investment Company Act by adding thereto a new subsection (e) which will permit such investment companies periodically to increase the number of shares registered under the Securities Act by amending their existing registration statements rather than by filing new registration statements. Paragraph (3) of this new subsection (e) will require that current information will be made a part of the registration statement and prospectus at appropriate intervals. There will be no departure from either the disclosure standards or the liabilities imposed upon sellers.

In view of the above-mentioned practice of continuous offering of securities by certain types of investment companies, particularly those commonly referred to as "mutual funds," a proposed amendment to the Investment Company Act would provide for mandatory use of prospectuses by dealers over a longer period than would be required under section 4 (1) of the Securities Act as modified by section 7 of the bill. This provision appears in section 402 of the proposed bill which amends section 24 (d) of the Investment Company Act of 1940 by adding a further exclusion to those already contained in that subsection.

As previously noted, under existing law a dealer who is not a participant in the distribution need not use a prospectus in connection with a transaction in a security after the expiration of 1

year from the first date on which the security was bona fide offered to the public which, in most cases, means approximately 1 year after the effective date of the registration statement. Section 402 of the proposed bill would change this requirement by providing that a dealer, whether or not participating in the distribution, must use the prospectus as long as the issuer is offering any securities of the same class as the security which is the subject matter of the dealer's transaction.

INCREASING THE EXEMPTION FROM REGISTRATION FROM $300,000 TO $500,000

Section 3 of the Securities Act of 1933 describes various types of securities which are exempted from the registration provisions of the act and from liability under section 11. Subsection (b) of this section provides that the Commission may by rule and regulation, and subject to such terms and conditions as may be prescribed, add any class of securities to those exempted by section 3 (a) of the act if it finds that the enforcement of the act with respect to such securities is not necessary in the public interest and for protection of investors by reason of the small amount involved or the limited character of the public offering, except that the Commission may not under this provision exempt securities where the aggregate amount at which the issue is offered to the public exceeds $300,000. When the statute was enacted in 1933, the figure specified in this subsection was $100,000. This amount was increased to the present figure by an amendment in 1945.

The Commission has adopted various regulations governing the sale of securities within the prescribed limits. The most important of these is the general exemption provided by regulation A.

In brief, regulation A prescribes the conditions under which the exemption is available and requires the use of an offering circular containing prescribed minimum disclosures. The regulation further provides that the Commission may suspend the exemption by order, after a hearing, upon the showing of a violation of the regulation. The requirements of the regulation can be met by filing with a regional office of the Commission, a simple notification and copies of the offering literature. The entire procedure provides a method, less expensive and time-consuming than registration, by which issuers seeking relatively small amounts of money may sell their securities in interstate commerce without complying with the registration requirements of the act. The regulation, within the practical limitations of the amount involved, provides for disclosure and disciplinary checks and suspension power so as to assure that issues offered under the regulation are offered under conditions which furnish practical protections against fraud.

The bill here reported, S. 2846, as referred to the committee, and the companion bill, H. R. 7550, as introduced in the House by request of the Commission, contained a section proposing to increase the amount of this exemption from $300,000 to $500,000. The purpose of this amendment was stated as being that of making the capital market more readily available to small business, and at less expense. It was supported at the hearings by the Commission, and by several other witnesses, including representatives of independent telephone companies.

The committee can but be sympathetic to any argument urged for the facilitation of the enlistment by small businesses of capital with minimum of expense. On the other hand, the offering of securities to the public without registration under the Securities Act obviously is attended without the full protection and the substantial remedies to the investor which the act was designed to afford. The setting of a figure below which securities may be offered without registration necessarily, therefore, involves the reconciliation, as far as possible, of the conflicting objectives of protecting investors of securities, on the one hand, and of assisting the ready flow of capital into smaller industries on the other. Here, as in most fields of human activity, perfection is an unattainable ideal. Compromise and adjustment are inescapable. The committee was of opinion that a sufficient case has not been made for the need for the increase in the amount of the exemption to offset the decrease in the protection to investors which would flow therefrom.

Regardless of the processing which the Commission may give to the offering circular filed with it under regulation A, or similar regulations pertaining to securities exempted from registration under this section, the remedies available to the investor are limited to those under section 12 of the act; namely, they apply only against the specific individual who may have sold him the security. The investor does not receive the protection of section 11 which, as described above in this report in the discussion of the amendment to section 5 of the 1933 act, provides that as to registered securities, he may have remedies against the issuer, its officers and directors, every underwriter, controlling persons, and every accountant, engineer, or other expert involved. It is also significant that only in the case of registered securities is these a requirement for independently audited certified financial statements.

Reference was made during the course of the hearings on this bill to previous testimony of Commission witnesses that in this area of public offerings of securities exempt from registration where admittedly by the Commission there is less protection to the investor, more chances for fraud exist than where the securities are registered. The investor is as seriously affected by a loss in an exempt security as a registered one, but without the remedies.

The exemption, of course, applies to the amount of securities offered, not to the size of the issuer of the securities. In addition to strictly promotional enterprises, therefore, it is also available and is utilized by larger concerns wishing to offer small blocks of securities, or by controlling persons engaged in a bail-out of their holdings in larger companies, as well as by seasoned small businesses which may wish additional capital.

In the narrower consideration only of the capital requirements of these small businesses, the committee cannot but be cognizant of the fact that retention of the $300,000 limit on the amount which may be offered without registration does not necessarily require the use of the registration process to secure greater amounts of capital. There are other avenues open.

The $300,000 limit is applicable only within the time of 1 year. The exemption can be and has been availed of over a series of years by expanding companies which eventually build themselves up to the point where a registered offering is appropriate and feasible. A second avenue is that of the making of an offering to a limited number of persons who presumably may be expected to possess some familiarity with the business involved. There is no limit to the amount which thus may be offered, provided it is not publicly but privately offered, which the Commission by rule of thumb construes as being to no more than some 25 offerees. A third, and significant, avenue is that of an intrastate offering, which is also exempted from the act. A small business is faced with no registration requirement of an offering which is made within its own intrastate locality, and thus presumably to persons who have more ready access to information about its operations and financial position.

In view of these possibilities, the committee is of opinion that a business seeking to solicit substantial amounts of capital on a national scale properly should assume the responsibilities attaching to the registration process adequately to inform the investor far from its base of operations about the nature of its enterprise and its financial position. The committee, accordingly, with due regard to the public interest and investor protection involved, has amended the bill, here reported, by striking the proposed increase to $500,000 in the limitation on the exemption, thus retaining the limit as it now stands at $300,000.

COMMITTEE AMENDMENTS

In addition to the amendment made which retains the amount of the section 3 (b) maximum exemption at $300,000, the committee has made 17 other minor amendments to the Senate bill.

Ten of these are merely clerical in nature. Six of these are merely renumbering of sections, and the remaining amendment provides that this act shall take effect 60 days after its enactment.

CONCLUSION—PRESERVATION OF THE PROTECTION AFFORDED INVESTORS

The Securities Act of 1933, relating to truthful disclosure of information about new security offerings, the Securities Exchange Act of 1934, relating to disclosure of information about listed securities and regulating practices in exchange and over-the-counter operations, and succeeding legislation which is administered by the Securities and Exchange Commission, represent legislation of which the Committee on Interstate and Foreign Commerce and the Congress are justly proud. These statutes have gone a long way in the mitigation and elimination of undesirable practices in the securities field, in the

restoration of confidence in securities markets, and in the protection of the investing public.

Experience in the administration of these acts, however, naturally has given rise over the years to various suggestions as to their improvement and their workability, which obviously could not all be anticipated at the time of their original enactment. More particularly is this so with regard to the 1933 and 1934 acts which actively were under reexamination by the Commission, the industry, and our committee at the time of the outbreak of the war. Part of the revision program thus interrupted, with regard to the practicability and necessity for certain provisions, is encompassed in the instant bill.

Although fully appreciative of the suggestions which time and experience appropriately bring, our committee in its consideration of amendments that may enable more practical and effective mechanics in the supply of capital to industry through securities distribution, cannot but be fully mindful of its responsibilities in the public interest and the preservation of the investor safeguards contained in these laws.

Continuing interest in the maintenance of investor protection has been expressed by the Commission, which has affirmed by word and act its belief that these are fully retained and in some measure strengthened in the bill.

The committee in reporting this bill to the House has been equally zealous in maintaining the protective purposes of the original act. We believe these amendments do so.

Mr. Chairman, I urge the passage of this bill.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I—AMENDMENTS TO SECURITIES ACT OF 1933, AS AMENDED

SECTION 1. Paragraph (3) of section 2 of the Securities Act of 1933 is amended to read as follows:

"(3) The term 'sale' or 'sell' shall include every contract of sale or disposition of a security or interest in a security, for value. The term 'offer to sell', 'offer for sale', or 'offer' shall include every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security, for value. The terms defined in this paragraph and the term 'offer to buy' as used in subsection (c) of section 5 shall not include preliminary negotiations or agreements between an issuer (or any person directly or indirectly controlling or controlled by an issuer, or under direct or indirect common control with an issuer) and any underwriter or among underwriters who are or are to be in privity of contract with an issuer (or any person directly or indirectly controlling or controlled by an issuer, or under direct or indirect common control with an issuer) and any underwriter or among underwriters who are or are to be in privity of contract with an issuer (or any person directly or indirectly controlling or controlled by an issuer, or under direct or indirect common control with an issuer). Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been offered and sold for value. The issue or transfer of a right or privilege, when originally issued or transferred with a security, giving the holder of such security the right to convert such security into another security of the same issuer or of another person, or giving a right to subscribe to another security of the same issuer or of another person, which right cannot be exercised until some future date, shall not be deemed to be an offer or sale of such other security; but the issue or transfer of such other security upon the exercise of such right of conversion or subscription shall be deemed a sale of such other security."

SEC. 2. Paragraph (8) of section 2 of the Securities Act of 1933 is amended to read as follows:

"(8) The term 'registration statement' means the statement provided for in section 6, and includes any amendment thereto and any report, document, or memorandum filed as part of such statement or incorporated therein by reference."

SEC. 3. Paragraph (10) of section 2 of the Securities Act of 1933, as amended, is amended to read as follows:

"(10) The term 'prospectus' means any prospectus, notice, circular, advertisement, letter, or communication, written or by radio or television, which offers any security for sale or confirms the sale of any security; except that (a) a communication sent or given after the effective date of the registration statement (other than a prospectus permitted under subsection (b) of section 10) shall not be deemed a prospectus if it is proved that prior to or at the same time with such communication a written prospectus meeting the requirements of subsection (a) of section 10 at the time of such communication was sent or given to the person to whom the communication was made, and (b) a notice, circular, advertisement, letter, or communication in respect of a security shall not be deemed to be a prospectus if it states from whom a written prospectus meeting the requirements of section 10 may be obtained and, in addition, does no more than identify the security, state the price thereof, state by whom orders will be executed, and contain such other information as the Commission, by rules or regulations deemed necessary or appropriate in the public interest and for the protection of investors, and subject to such terms and conditions as may be prescribed therein, may permit."

SEC. 4. Paragraph (11) of section 2 of the Securities Act of 1933 is amended by inserting the words "offers or" before the word "sells."

SEC. 5. Paragraph (11) of section 3 (a) of the Securities Act of 1933, as amended, is amended by inserting the words "offered and" before the word "sold."

Mr. DOLLIVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, had come to no resolution thereon.

AVOIDING MISUNDERSTANDING ON UNITED STATES NEAR EAST POLICY

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, I am today inserting into the RECORD the State Department's reply—appended—to my letter—also appended—protesting arms assistance to the Arab States in which the State Department reaffirms the administration's intention to carry out the "Tripartite Declaration of May 1950 which pledges the United States, the United Kingdom, and France immediately to take action both within and outside the United Nations to prevent a violation of frontiers or armistice lines."

The essential national interest in connection with this protest is that in view of the intransigeant attitude of the Arab governments toward Israel and the fact that Iraq is a member of the Arab League and remains technically at war with Israel, arms promised by the United States may be used for aggression against Israel calling into operation the three-power declaration. It seems to me that we are only increasing the danger of having to invoke the three-power declaration by a policy of furnishing arms to any of the Arab states in the absence of real prospects for Near East peace.

United States determination to enforce the three-power declaration and prevent violation of the Near East frontier and armistice lines is the most important single element in Near East stability at this time. We have in this way already made a guaranty in a turbulent and highly strategic area of the kind which is best calculated to avoid Koreas and Indochinas.

Admonitions, therefore, by administration spokesmen to individual states as to their internal policy lead only to further misunderstanding about our intentions. What I am convinced is intended to be sincerely a policy of impartial friendship should be made clear to all by again declaring on the highest level our determination to see that the three-power declaration is respected, that the Near East has peace to replace the armistices, regional economic development, collective measures for defense against external aggression, and encouragement to free institutions and representative government without interference in the internal affairs of any state.

The text of my letter to the Secretary of State of April 28, 1954, follows:

Your attention is respectfully directed to my remarks on the floor of the House of Representatives yesterday respecting the reported agreement to give arms assistance under the Mutual Security Act to Iraq. You will recall that the letter of February 5, 1954, from 29 Members of the House of Representatives and 6 Senators, expressed grave concern over any such eventuality and stated the reasons therefor as being the very troubled situation in the Near East to

which an explosive element such as arms aid to one of the Arab States should not be added.

Your attention is also directed to the provisions of section 202 (b) of the Mutual Security Act of 1951, as amended, relating to the agreements required of any of the Near East States receiving arms aid assistance and the report thereon to be made to the appropriate committees of the Congress.

The implications of arms assistance to the Arab States are so grave that I believe the country is entitled to know the answers to the following questions:

1. What are the commitments and capability, if any, undertaken by Iraq to support Turkey and Pakistan in their defense arrangements for the Middle East?

2. What commitments, if any, have been undertaken by Iraq to refrain from using arms available to it for aggression, either itself or through other members of the Arab League?

3. How does our Government believe arms available to Iraq will affect the three-power declaration of May 1950 to preserve the integrity of the borders of the countries of the Near East—declared by us, the United States, Great Britain, and France?

4. What action is our Government prepared to take and is any parallel action called for by the other two governments concerned to see that the three-power declaration of May 1950 is respected?

I would very much appreciate hearing from you accordingly.

The text of the reply from the Department of State dated May 6, 1954 follows:

I refer to your letter of April 28, 1954, to the Secretary of State inviting attention to your remarks on the floor of the House of Representatives with regard to the decision to provide arms assistance to Iraq under the Mutual Security Act.

You may recall that the concern of the Department of State with regard to the dangerous weakness in the defense capabilities of the Near East and the relation of this problem to the Arab-Israel dispute was set forth by Under Secretary Smith and Assistant Secretary Byroade on March 3, 1954, in discussion with you and certain other Members of Congress. The Department's position was subsequently summarized in a letter dated March 8, 1954, from Under Secretary Smith addressed to you and the other members of that group.

The Presidential determination required by section 202 (b) of the Mutual Security Act of 1951, as amended, to which you referred in the second paragraph of your letter was transmitted by the Director of the Foreign Operations Administration to the chairmen of the appropriate committees of Congress by letter dated January 29, 1954.

With regard to the specific questions contained in your letter of April 28, 1954, I should like to make the following comments. The number of these succeeding paragraphs refers to the number of the question.

1. Iraq has undertaken no commitments with regard to Turkey or Pakistan. Her geographical situation, however, makes it obvious that in the event of aggression from the north she would have to coordinate her defense with those two states as well as with her other neighbors. It should be noted, furthermore, that Iraq is closely linked to Great Britain by a defensive military alliance, while Britain's ties with Turkey and Pakistan are well known. Iraq, as well as the other states of the area, fully understands that no one state alone can, from its own resources, provide an adequate defense against Communist aggression and that the volume of aid to be received from the United States under the terms of the recent understanding will be determined to a large extent by the ability of the nation effectively to contribute to the defense of the area.

2. The understanding of April 21, 1954 with Iraq conforms to the requirements of section 202 (b) of the Mutual Security Act of 1951, which specifically requires, inter alia, that the recipient nation agree that it will not undertake "any act of aggression against any other nation." The Government of Iraq has also undertaken not to transfer title or possession of equipment or materials furnished by the United States without prior consent of the United States.

3. The Department does not consider that the decision to provide grant military assistance to Iraq affects in any way the continuing validity of the Tripartite Declaration of May 1950 which pledges the United States, the United Kingdom, and France immediately to take action both within and outside the United Nations to prevent a violation of frontiers or armistice lines.

4. Included in the understanding with Iraq is a provision that "assistance will be provided subject to the provisions of applicable legislative authority and will be related in character, timing, and amount to international developments in the area." Should there be developments in the Near East showing that the policies of any government in that area receiving our military aid are no longer based on consideration of legitimate self-defense, the United States Government would immediately reassess not only its aid program, but its basic policy toward the countries concerned. President Eisenhower speaking on February 25, 1954 on the occasion of the announcement of grant United States military assistance to Pakistan said "if our aid to any country * * * is misused and directed against another in aggression I will undertake immediately, in accordance with my constitutional authority, appropriate action both within and without the United Nation to thwart such aggression. I would also consult with the Congress on further steps." The Department is confident that the United Kingdom and France would take appropriate measures in consultation with the United States under the terms of the Tripartite Declaration in the event of a threat to the territorial integrity of any of the states of the area.

THE FEDERAL RESERVE SYSTEM, PURPOSES AND FUNCTIONS

The SPEAKER. Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FEDERAL RESERVE SYSTEM SUPPOSED TO SERVE THE PUBLIC INTEREST

Mr. PATMAN. Mr. Speaker, the Federal Reserve System, Purposes and Functions, is a recent publication by the Board of Governors of the Federal Reserve System, April 1954. The foreword says that—

This book is dedicated to a better public understanding of the Federal Reserve System, its trusteeship for the Nation's credit and monetary machinery, the range of its operations, and its organization and how it helps to further stable economic progress.

When President Wilson sent up a message to Congress in June 1913, he mentioned the Federal Reserve System. In that message President Wilson said:

The control of this system of issue and of banking which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments not the masters.

The book that is gotten out, which I have just mentioned to you, Purposes and Functions of the Federal Reserve System, is written in language that I think very few people would understand.

In this book, at the end, it is stated:

Copies of this book, the Federal Reserve System, Purposes and Functions, may be secured without charge either individually or in quantities for classroom and other use.

In other words, it is used in this sense as propaganda for the Federal Reserve System. I cannot point to any direct misstatements in the book. It is not what they say that is so wrong, it is the inference that is left and the things that are left unsaid.

I want to tell you some of the things about the Federal Reserve System that are not discussed in a way that the people generally can understand in this book. For instance, Senator Glass, who was a Member of the House at the time of the passage of this act and was joint author of the bill creating the system, often said that the Federal Reserve System must be kept out of the hands of the private banks; that the Federal Reserve System must continue to be a public instrumentality and operated in the interest of the public and not necessarily in the interest of the banking system or the banks as such.

He then gave this illustration, and incidentally President Wilson gave the same illustration one time, that it would be just as wrong for the banks to have control of the Federal Reserve System as it would be for the railroad owners to have charge of the Interstate Commerce Commission and fix the railroad freight rates.

I assume that if President Wilson and Senator Carter Glass were living today they would add to that this illustration, that it would be just as unfair to the public interest for the bankers to control the Federal Reserve System as for the radio owners or the television owners to have charge of the Federal Communications Commission. It would be the same kind of illustration and would fit on all fours with what they said before.

Now the banks have gotten control of this System. They are controlling it, they are running it. There is no question in the world about it. I have no objection to private commercial banks. I am strong for the private commercial banking system. I am strong for the capitalistic system of this country. I do not want to change either one. I believe in both. But I believe too much has been done in the way of letting the private banks get control of the Federal Reserve System. To that extent it will

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eventually react against the private commercial banking system.

The New York banks at this time, I think, control the Federal Reserve System. I do not think there is a doubt about it. These banks are controlling it in the interests of the larger banks. If the banks generally over the country had charge of it, the small banks and the medium-sized banks, there would not be so much objection as to just the big banks having control. That makes it very objectionable as against the public interest. The truth is something that this book does not disclose. The 160 million people in our country under our Constitution have delegated to the 531 Members of the House and Senate, the 96 Members of the Senate and the 435 Members of the House, the power to control our monetary affairs. That is in the Constitution. Whenever Congress has the power to fix the value of money it has a tremendous power. That is the power the 160 million people have given to the two Houses of Congress, the 531 Members.

These two Houses of Congress have delegated that power to 12 men, 7 members of the Board of Governors of the Federal Reserve System and 5 presidents of Federal Reserve banks. These 12 members have delegated the power, too. They have delegated it down to five, 3 members of the Board of Governors and 2 of the presidents of the Federal Reserve banks. These five have then done a little delegating. They have delegated it down to one. This one is the president of the Federal Reserve Bank of New York. All the business is done right there.

So the 160 million delegated the power down to 531, who have delegated it down to 12, who have delegated it down to 5, who have delegated it down to 1, the president of the Federal Reserve Bank of New York, who is absolutely running the system. That is the way it is.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. To whom is that one accountable?

Mr. PATMAN. That one is accountable to the people who elected him, and they were the 9 members of the Federal Reserve Bank of New York, composed of 6 who were selected by the private banks. In other words, the private banks selected him. If he is true and loyal to the people who made it possible for him to serve, and we as Representatives in Congress are true and loyal to our constituents who make it possible for us to serve, he will be serving the directors of the Federal Reserve Bank of New York and the private banking interests of that area, and not the public interest. He has a dual responsibility under the law. When he becomes a member of the Open Market Committee, he must hold up his right hand and swear that he will support the Constitution of the United States. He takes a statutory oath. In other words, he becomes a public member. But he has that dual responsibility. He was selected by the private commercial banks and then he is supposed to serve the public interest too as a member of the Open Market Committee. Of course, you know about where his interests would lie because we know where our interest is when we are elected by our constituents.

I will read to you what the Federal Reserve System book says on that particular point:

> Purchases and sales of securities for the Federal Open Market Committee are effected in the name of the System's open-market account, participation in which is allocated among the 12 Federal Reserve banks in accordance with the ratio of each Reserve bank's total assets to the total assets for all Reserve banks.
>
> All transactions are supervised by the manager of the account who is an officer of the Federal Reserve Bank of New York. Such transactions are required to be in accordance with the instructions issued by the committee.

That is language which is written by the Board of Governors, but it is language that the average person would not understand. It does not say unlimited amounts of Government securities can be bought with our printed Federal Reserve notes, and the securities retained and the interest collected as it becomes due.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ROGERS of Texas. As I understand it, the book you are referring to was published and contained statements that are in favor of what the Federal Reserve System is doing, but does not tell any of the bad practices?

Mr. PATMAN. That is exactly right.

Mr. ROGERS of Texas. Who pays for that book?

Mr. PATMAN. It is paid for by the Federal Reserve System, which is the same as public money. It is public funds because they take the printed money over here at the Bureau of Engraving and Printing which is issued upon the security of the entire Nation: "the United States promises to pay—". You have seen these Federal Reserve notes. They take these Federal Reserve notes which are money, paper money, and they trade that paper money for United States Government bonds and they keep these Government bonds that draw interest, and they collect the interest every year. They have $25 billion worth of United States Government bonds right now and they collect between a half billion and three-quarter billion dollars' interest from bonds that they have in effect traded printed currency for. In other words, it is a public transaction. The money should belong to the public and after they pay their expenses from this interest, why then they are supposed to put 90 percent of it over into the Treasury. Last year that 90 percent, after all expenses and everything else, amounted to over $300 million. So, in effect, it comes out of the taxpayers' pockets and that is where it comes from.

Mr. ROGERS of Texas. It is being offered free for classroom purposes, I believe you said?

Mr. PATMAN. That is right, for propaganda.

Mr. ROGERS of Texas. It simply boils down to the proposition that it is a self-serving statement by this organization, paid for at the taxpayers' expense to propagandize what they want to do.

Mr. PATMAN. That is exactly right, and they fail to tell the main things. They do not deliberately, I think, misstate it, but they state it in language that people do not understand. I will tell you some of the things that they do not tell in language that people can understand. This man, the president of the Federal Reserve Bank of New York, receives a salary of $60,000 a year. It is not mentioned in the book. That is public money. He is paid out of public funds. Congress did not pass on it because Congress has no right to pass on it because we have already delegated that authority, and that $60,000-a-year man is running the show, the entire show through this delegation of power.

EVERY MEMBER SHOULD HAVE AN ADMINISTRATIVE ASSISTANT AND AN ECONOMIST

Now, let us see what should be done about that. I believe the average Congressman is not equipped to take care of his actual work, which he is required to do. I do not blame the Members of Congress for not studying this matter because it is a very difficult matter to study. It requires almost full time of a Member who would want to go into it. I think that a Member of Congress should be equipped to do his work.

I think we should have not only an administrative assistant, but I think every Member should have an economist. Practically all bills that we vote on and the laws that we pass have something to do with our national economy. Practically all laws have something to do with our economic system, and every Member should have not only an administrative assistant but an economist to help him. If he had an economist to help him, when a bill comes up like the tax bill, which contained 875 pages, suppose you had turned 435 economists loose on that bill. You would have probably found 435 loopholes in that proposed law. But you did not find any loopholes, although you knew there were a great many loopholes there, because they were pointed out by a great many people. However, there were very few Members who knew anything about it because they did not have time to study it and they did not have the proper help. Therefore, they voted for a bill that they did not know anything about. It happens every day. Members of Congress should be equipped to study these things and have people to help them, and that will bring information to them.

COULD SAVE BILLION DOLLARS A YEAR IN INTEREST ON NATIONAL DEBT ALONE

It is my belief that if Members of Congress were so helped in the manner I have indicated they could save the taxpayers of this country a billion dollars

a year—a minimum of a billion dollars a year, and help our economy and save it through the payment of interest rates alone, not counting the amounts of money that could be saved otherwise; but you could save them a billion dollars a year in interest on the national debt alone, and help the public interest while doing it.

CAPITALISTIC SYSTEM BEST

The capitalistic system that I mentioned is the finest and the best system in the world. We are proud of it. But that does not mean that we want a monopolistic system. The capitalistic system is the free-enterprise system. It is just the reverse of the monopolistic system. But the large banks have gotten a monopoly on the issuance and distribution of the Government's money, and they should be forced to give it up. It should be administered by public members who are charged with the duty of protecting and looking after the public interest. But they are not.

I will tell you some of the things that this book does not tell you, in language that the ordinary person can understand. Back in days gone by in the old countries in Europe, the old goldsmiths would receive deposits of gold, and they would give a receipt for the amount of gold that was delivered to the goldsmith. The person receiving this receipt would use it as money. He would trade it for something, and then that person who received it would trade it for something else—a kind of barter system—but it was a form of money that was used at that time. The goldsmiths determined that, over a period of time, as the people did not call for their gold but just used the receipt, that therefore they could give a receipt for a lot more gold than they actually had, and they could safely do it as long as they had a reserve, say a 10 percent reserve of the gold. They could always take care of the demands of the people who wanted the actual gold. So they decided about a 10 percent reserve was sufficient. Normally that would work. That is where our reserve system started. We have adopted the same system in the United States in the banking system. A bank is not supposed to have 100 percent money on hand to pay every depositor. Whenever a person goes into a bank and borrows $100 from that bank, and he gives a note, the bank creates $100 right there. The bank gives that depositor credit for the $100. It creates it under the reserve system by having a fraction of the amount in reserve. If you say, "I want my hundred dollars, and I want it right now," all right, they will give it to you. They will give you the $100 in Federal Reserve notes. Where do they get it? They get it at the Bureau of Engraving and Printing. That is where it comes from. They will take care of you right there, but only a very few want the actual money. They use checks, just like the old goldsmiths used to give to their gold depositors. So they have the fractional reserve system which permits the banks to extend loans equal to several times as much as they have actual money. That gives the banks a great benefit. This book does not go into the reserve system—in a way that shows the great advantage to the banks.

PROFITABLE BANKING SYSTEM

I am not objecting to it; I want the banks to be profitable. I believe in a profitable banking system and privately owned. I do not believe in any Government banking system; I believe it should be privately owned commercial banks. In order to have it a good system it must be profitable; therefore I am in favor of a profitable commercial private banking system. We are for it, but at the same time there are certain changes that can be made and that should be made in the interest of the banks and also in the interest of the public.

The banks have gotten much benefit. Take, for instance, at one time they wanted a law passed to relieve them of the obligation of paying interest on demand deposits. In the depths of the depression it was passed as a temporary measure, but it has never been repealed. It saves the banks several hundred million dollars a year. There are other benefits I could tell you about, but I will do that when I have another special order.

I want to call your attention, however, to a book entitled "The Hard Money Crusade." It is by Bertram Gross and Wilfred Lumer. It is published by the Public Affairs Institute, of 312 Pennsylvania Avenue SE., Washington, D. C. The cost is $2 and it is worth $100 to anyone interested in this subject. That tells all about the hard-money crusade right up to date, right up to this minute. I wish every Member of the House would get a copy of this publication.

In addition to the great benefit the banks received of not having to pay interest on demand deposits—and that is one regulation or regimentation that the banks do not object to; there are others.

ANOTHER $100-MILLION-A-YEAR SUBSIDY TO THE BANKS

The Federal Reserve System pays the money for clearing all the checks for the commercial banks that are members of the System, and some that are not members, which costs over a hundred million dollars a year. In addition to that—and that comes out of what can properly be called public funds paid for clearing private commercial bank checks and transactions.

ALSO BENEFITED BY BUYING INTEREST-BEARING GOVERNMENT SECURITIES

In addition to that the banks are allowed to buy United States Government securities, and they do it through the fractional reserve system. They collect interest on those securities, naturally, just like the Federal Reserve banks collect the interest; but in the Federal Reserve banks the surplus goes back into the Treasury whereas in the private banks it goes to the stockholders. Those private banks have been permitted to buy securities to an extent that it is interfering with the public service that the private banks are supposed to render.

When we used to go hunting back in the section of Texas where I live, hunting for possums, coons, rabbits, and animals like that with dogs, we would never feed our dogs before we started on a hunt because the dogs would not do very good hunting.

It is the same way in this banking system. If you allow them to be loaded down with Government bonds to the point where they can get rich on just holding Government bonds and collecting the interest from the Government, they have very little incentive to talk to a man who wants to get a small business loan or a person who wants to get any other kind of a loan, because they are already making all the money they want to make just collecting it from Uncle Sam and running no risk. In our private banking system that runs to hundreds of millions of dollars a year that they collect. That is in effect a bonus. There is no reason why the banks should be allowed to buy those bonds and collect the interest to the extent that it interferes with their duties to the public. They should be required to make their money by making loans, because our money system is based upon debt and it is in the interest of the country that they create debt, that they extend loans to keep our economy going progressively and dynamically. For that reason they should not be allowed to hold all of these Government bonds.

BANKS COLLECT BILLION DOLLARS A YEAR BONUS

If you were to evaluate the amount of bonus these banks receive according to the way that other bonuses, gifts, and subsidies are evaluated and determined that go from the Federal Treasury to other groups, such as the farmers, the private banking system of this country collects over a billion dollars a year in what would be called a bonus or a subsidy under the rules and regulations that are used to evaluate subsidies of different types for the other groups I have mentioned. That runs into a lot of money. It will probably be necessary to continue to subsidize the banks in one way or another but the amount can be reduced a lot if the banks are given more incentive to collect more from public service.

I think we ought to look into this whole picture, have a complete examination and investigation made of the entire banking system. Let us see what has happened during the last 15 or 20 years to change this system from one that would operate in the public interest and for public benefit to one that is in complete charge of the bankers, a few bankers, not the small bankers or the medium-sized bankers, but the biggest bankers in the country, the New York City bankers, who are in charge of our Federal Reserve System today.

A DISMAL PATTERN—THE ST. LAWRENCE SEAWAY AND DIEN BIEN PHU

The SPEAKER. Under the previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 10 minutes.

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Mr. BAILEY. Mr. Speaker, last Thursday this House passed a bill which will commit the Government to spend, at the beginning, $105 million to help construct the St. Lawrence Seaway.

The very next day, on Friday, we heard the disheartening news that the gallant defenders of Dien Bien Phu had been overrun by the Communist forces.

These two events, transpiring halfway around the world from each other, are jointly significant.

The seaway, which was presumably adopted because of some rather vague and intangible military benefits, will have this result, among others:

It will open the Middle West to foreign oil tankers, which will be able to dump residual fuel oil in this area. If the pattern follows there that was established in New England, industries will use the cheaper fuel.

This situation will then do two things: It will increase our dependency upon foreign sources of fuel to power our economy. It will also further depress the coal industry, drying up our supply of skilled miners, and flooding closed mines, both of which we have always urgently needed in times of national emergency.

Dien Bien Phu fits into this dismal pattern. It is difficult for us to assess the full meaning of this Communist victory. We know that any Communist victory is harmful to our cause. We know the situation was sufficiently grave for the President to call an emergency meeting of the National Security Council.

The President has told us, through the medium of a speech before the United States Chamber of Commerce, that Indochina is the "cork in the bottle." Once Indochina falls to the Communists, the cork will be removed and the Red horde will flow freely throughout southeast Asia. When the gallant men under General de Castries were forced to the wall it has to mean that the cork is at least loosened. It may mean that it was loosened sufficiently so that we may expect it to pop out of the bottle at any time.

Now, if the Reds get southeast Asia they get oil, which now is helping to supply the free world. Once they have southeast Asia they are in a position to turn to the Middle East, an area where they have shown interest ever since 1946 when, we can recall, President Truman's firm action forced them to withdraw. The Middle East is important as a source of oil.

Thus, Mr. Speaker, the passage of the St. Lawrence Seaway bill and the fall of Dien Bien Phu have a significant interrelationship. The one event will make our national economy more than ever subservient to foreign supply; the other event is a step toward curtailing that foreign supply. The one event will tend to kill off the means for a substitute.

I believe, Mr. Speaker, that under these circumstances the administration and the Congress should give serious consideration to providing a source of domestic fuel oil supply which will be ready, available, and operating when needed.

We have such a supply in coal, and we have discovered the means of converting coal into oil. Our scientists and researchers had the hydrogenation process nearly to the stage where it would be economically competitive with natural oil. That goal was in sight when this administration gutted the program as an expedient to achieve economy at any cost.

We know, as a foregone conclusion, that when we get into an emergency and our offshore sources of oil are cut off, we shall then build synthetic liquid-fuel plants. We shall erect them quickly; they probably shall be jerrybuilt; if past experience is any indication they will be built on the cost-plus-fixed-fee basis, with tax amortizations and all the other trimmings which go for huge profits and greater cost to the Government.

Therefore, Mr. Speaker, I believe that now is the time to build these synthetic liquid-fuels plants. I am not referring to pilot plants. I am referring to full-scale, commercial-type plants. If we build them now, we can operate them to supply only our military needs.

Such a program would be one of prudence; we would be assuring ourselves of a supply of oil which in no way would depend upon the Kremlin.

Such a program would serve several other purposes. These plants could be built in such a manner as to provide employment in critical areas. Once in operation they would provide a market for coal, assuring continued operation of mines. This is important, for a mine, unlike other industrial plants, may not be closed indefinitely and then reopened. Soon after a mine ceases operation, it fills with water. The machinery is destroyed, even though, at great cost, it may be pumped out.

It would provide employment—and thus maintain the skills—of the miners.

Railroads, who will also be injured by the seaway, could take up some of the slack by hauling the coal to the plants.

These would be collateral benefits only, Mr. Speaker. The only reason we have for embarking on such a program, at the Government level, would be to provide for the national defense. Of course, if, in constructing a number of full-scale synthetic liquid-fuel plants we perfect the process so that it is commercially competitive, we might then open a new field for private enterprise. This would add another collateral benefit which would be most worth while.

PERSONAL EXPLANATION

Mr. POLK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. POLK. Mr. Speaker, this afternoon on rollcall No. 68 on a bill from the Committee on Un-American Activities on contempt citations I was unavoidably detained because of a meeting with the Scioto County, Ohio, airport committee. Had I been present I would have voted "aye" on that resolution.

ORDER OF BUSINESS TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I have received an inquiry, and in order to be sure I would like to ask the distinguished acting majority leader, my good friend, the gentleman from New Jersey [Mr. CANFIELD], or the Speaker, if it is the intention tomorrow to take up the deferred order of business, the bill S. 2846 which was being considered in the Committee of the Whole today.

The SPEAKER. The Chair will state that that is the intention.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD or to revise and extend remarks, was granted to:

Mr. MATTHEWS.

Mr. PRICE and to include extraneous matter.

Mr. HÉBERT.

Mr. BARDEN (at the request of Mr. HARRIS) the remarks he made in Committee on H. R. 8357 and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCOTT (at the request of Mr. ARENDS), for today, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3832. An act for the relief of Mrs. Orinda Josephine Quigley; and

H. R. 8097. An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

ADJOURNMENT

Mr. CANFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 12, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1526. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1955 in the amount of $28,799,761 for the Department of Health, Education, and Welfare (H. Doc. No. 386); to the Committee on Appropriations and ordered to be printed.

1527. A letter from the Secretary of the Army, transmitting a draft of legislation entitled "A bill to add section 246 (f) and amend section 412 (b) of title 2 of the Canal Zone Code, as amended"; to the Committee on Merchant Marine and Fisheries.

1528. A letter from the Postmaster General, transmitting the cost ascertainment report for the fiscal year 1953, as provided by law; to the Committee on Post Office and Civil Service.

1529. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report stating that proceedings have been concluded with respect to the following claim: *The Quapaw Tribe of Indians, et al., plaintiffs, v. The United States of America, defendant*, Docket No. 14, pursuant to section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U. S. C. 70); to the Committee on Interior and Insular Affairs.

1530. A letter from the Executive Secretary, National Munitions Control Board, transmitting the semiannual report of the National Munitions Control Board for the period January 1, 1953, to June 30, 1953, pursuant to subsection (h), section 12 of the Neutrality Act of 1939 (Public Res. 54, 76th Cong.); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 530. Resolution for consideration of H. R. 7601, a bill to provide for a White House Conference on Education; without amendment (Rept. No. 1575). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 531. Resolution for consideration of H. R. 9040, a bill to authorize cooperative research in education; without amendment (Rept. No. 1576). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 532. Resolution for consideration of H. R. 7434, a bill to establish a National Advisory Committee on Education; without amendment (Rept. No. 1577). Referred to the House Calendar.

Mr. VELDE: Committee on Un-American Activities. Report on proceedings against Bernhard Deutch; without amendment (Rept. No. 1578). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on proceedings against John T. Watkins; without amendment (Rept. No. 1579). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on proceedings against W. L. Mahaney, Jr.; without amendment (Rept. No. 1580). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on proceedings against Mrs. G. E. Watson; without amendment (Rept. No. 1581). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on the proceedings against L. B. Arguimbau; without amendment (Rept. No. 1582). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on the proceedings against M. Singer; without amendment (Rept. No. 1583). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on the proceedings against Ole Fagerhaugh; without amendment (Rept. No. 1584). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on the proceedings against B. Dunham; without amendment (Rept. No. 1585). Ordered to be printed.

Mr. VELDE: Committee on Un-American Activities. Report on the proceedings against F. X. T. Crowley; without amendment (Rept. No. 1586). Ordered to be printed.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6888. A bill to amend section 207 (a) of the Hawaiian Homes Commission Act, 1920; with amendment (Rept. No. 1587). Referred to the House Calendar.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 5840. A bill to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain lands in private ownership; with amendment (Rept. No. 1588). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HINSHAW:

H. R. 9094. A bill to extend certain civilian internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea; to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT:

H. R. 9095. A bill to amend section 1 of the act entitled "An act to revise the boundary of the Mount McKinley National Park, in the Territory of Alaska, and for other purposes" (47 Stat. 68), approved March 19, 1932; to the Committee on Interior and Insular Affairs.

H. R. 9096. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims for basic and overtime compensation of employees of the Alaska Road Commission; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 9097. A bill to provide a cost of living and increased productivity pay increase for employees under the Classification Act of 1949 as amended; to the Committee on Post Office and Civil Service.

By Mr. KING of California:

H. R. 9098. A bill to amend section 3469 (a) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. McCORMACK:

H. R. 9099. A bill to authorize the Secretary of the Army to lease, to the Commonwealth of Massachusetts, portions of the Boston Army Base in the Port of Boston; to the Committee on Armed Services.

By Mr. MARTIN of Iowa:

H. R. 9100. A bill to exempt farm equipment repair parts from the excise tax levied on automobile parts; to the Committee on Ways and Means.

By Mr. PILCHER:

H. R. 9101. A bill to authorize the purchase of liability insurance on Government vehicles; to the Committee on Government Operations.

By Mr. LESINSKI:

H. R. 9102. A bill to repeal section 1310 of the Supplemental Appropriation Act, 1952, as amended, so as to remove certain limitations on appointments, reinstatements, promotions, and transfers to positions in or outside the competitive civil service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H. J. Res. 523. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. LECOMPTE:

H. Con. Res. 234. Concurrent resolution to print as a House document the proceedings in the rotunda at the dedication of the frieze; to the Committee on House Administration.

By Mr. BENDER:

H. Res. 542. Resolution to provide additional funds for the expenses of the investigations and studies authorized by clause 8 of rule XI, incurred by the Public Accounts Subcommittee of the Committee on Government Operations; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAND:

H. R. 9103. A bill for the relief of Rose Mary Keser; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 9104. A bill for the relief of Norbert Scheiner; to the Committee on the Judiciary.

H. R. 9105. A bill for the relief of Anastase and Elefteria Haritos and Simone Haritos; to the Committee on the Judiciary.

H. R. 9106. A bill for the relief of Orville Ennis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

713. By Mr. BUSH: Petition of the Catholic Daughters of America, Court Doyle No. 932, favoring Senate Joint Resolution 126, calling for the addition of the words "under God" to the pledge of allegiance; to the Committee on the Judiciary.

714. By Mr. HARRISON of Virginia: Petition of certain citizens of Rockingham, Shenandoah, and Augusta Counties, Va., citing consequences of excessive advertising of alcoholic beverages by newspaper, periodical, radio, and television and urging prohibition of such advertising in interstate commerce by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

715. By the SPEAKER: Petition of Louis R. Syiva, Honolulu, T. H., relative to requesting the granting of statehood for Hawaii; to the Committee on Interior and Insular Affairs.

716. Also, petition of Charles P. Collins and others, West Palm Beach, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

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EXTENSIONS OF REMARKS

One Hundredth Anniversary of the Founding of Gainesville, Fla.

EXTENSION OF REMARKS
OF
HON. D. R. (BILLY) MATTHEWS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 11, 1954

Mr. MATTHEWS. Mr. Speaker, I should like to call to the attention of the Members of the House the fact that my home city of Gainesville, Fla., this past week celebrated the 100th anniversary of its founding. The occasion was significant not only to the citizens of Gainesville, but to all our people in Alachua County and the surrounding counties in the Eighth Congressional District of Florida, which I have the honor to represent.

The current progress and prosperity of the city of Gainesville is due to the pioneering spirit of her citizens throughout the years. Faced with Indian wars, and then the horrors of the War Between the States, the city of Gainesville emerged to face still other disasters in the nature of the great freeze at the turn of the century which destroyed the orange industry in the north central part of the State; destructive fires; and the ravages of the great depression. With indomitable spirit the citizens of Gainesville conquered all of these disasters, and today with their neighbors in Alachua County, and with the valued friendship of thousands of other central Florida citizens, they are making of their city a great cultural and educational center.

One of the outstanding programs of the week of celebration was one program presented by the Negro citizens of Gainesville. They sang with tender feeling and deep emotion a number of spirituals that captivated the large audience. This program was thoroughly enjoyed by all races and creeds in the city of Gainesville. It was an indication of the great progress of our Negro citizens and of the natural good feeling between races—a feeling that is not caused by the passage of laws, but by a dedication to the spiritual culture of our civilization. The understanding and friendship of one race for another will never be accomplished by legislation imposed for selfish political reasons. Those of us who live in the South are naturally apprehensive about the pending decision of the Supreme Court on the vital question of segregation. It has always been my belief that equal opportunity, equal consideration under the law, and above everything else, a basic good feeling of mutual trust and regard are the answers at the present time to our racial problems. I feel this conviction is shared by an overwhelming majority of the good citizens of both races throughout the South.

Gainesville, Fla., is the home of the University of Florida, which today has a $35 million plant spread over 1,800 beautiful acres of land. Just 8 years after Florida was admitted to statehood the city of Gainesville began her life, and one of the first institutions in the city was the East Florida Seminary, one of the mother institutions of the present University of Florida. The city is in the heart of a great agricultural area and growing industries are creating that balanced economy that is so typical of our great State of Florida.

I know that my colleagues join with me in wishing the people of Gainesville, Fla., and her neighbors on the occasion of this centennial celebration another 100 years of continuing progress.

Twenty-Sixth Anniversary of American Forum of the Air

EXTENSION OF REMARKS
OF
HON. HOMER FERGUSON
OF MICHIGAN
IN THE SENATE OF THE UNITED STATES
Tuesday, May 11, 1954

Mr. FERGUSON. Mr. President, on May 9, 1954, the American Forum of the Air observed its 26th anniversary. I ask unanimous consent to have printed in the RECORD a congratulatory statement which I have prepared in connection with this occasion, and also a letter which was written to Mr. Theodore Granik, founder and producer of the American Forum of the Air.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

CONGRATULATIONS ON 26TH ANNIVERSARY OF AMERICAN FORUM OF THE AIR

(Statement by Senator FERGUSON)

On Sunday, May 9, many of our Senate and House colleagues attended an outstanding anniversary in the history of American radio broadcasting and telecasting.

It was the 26th anniversary of the founding of Theodore Granik's National Broadcasting Co., American Forum of the Air, radio-TV program.

A tremendous crowd was on hand to celebrate this fine occasion. A unique program was featured, with the distinguished chairmen of the Republican and Democratic National Committees, Mr. Leonard Hall, and Mr. Stephen Mitchell, serving as guests. Each of the chairmen was interrogated in turn by four legislators from the opposing party. A lively, rapid fire of questions and answers ensued.

Someone remarked that this was in effect a Congress Wants To Know program, somewhat similar to the famed Youth Wants To Know show. This is the companion radio-TV program which has been produced by Ted Granik with such outstanding success, and which has contributed so significantly to the education of our young people, and to increased respect for their role in the American way of life.

The 26th anniversary of an entertainment show might ordinarily go unnoticed. But this particular show—American Forum of the Air—has played an important role in American history.

If you and I were to turn back the pages of history to 1928, we would see that there were no such things as the forum, discussion type of program, such as occupy the airwaves today.

It remained for an inspired, enterprising, courageous young lawyer, Ted Granik, to think up the idea to sell the idea to radio leaders, and then, most important of all, to carry out the idea.

For 26 years the forum has prospered. It ushered in a dramatic new era in radio and television history. All sorts of imitation shows followed in its wake.

During this period there has been no significant issue which American Forum has not fearlessly reviewed.

I think it is an amazing record that in all this period, although issues of the most explosive nature have been debated, although feelings have time and again run high, there has always been a universal respect for the integrity, the impartiality, the dignity with which the founder-producer conducted the program.

During this over quarter of a century virtually every chairman of every single significant Senate and House committee has been on the program. Former Presidents of the United States have been on it, holders of every Cabinet post, outstanding leaders of private life. All have enjoyed the experience, as I have, and as the American people have—in viewing and listening to its provocative discussions.

In connection with the 26th anniversary, I send to the desk the text of a letter which was signed by the leadership of the Senate and the House of Representatives, as a fitting and eloquent tribute to Ted Granik.

It is a tribute, however, not just to the man, but to the NBC network and to all the individuals who have contributed to the program. It is a tribute to the civic-minded sponsors who have helped maintain it, as well as to the public-spirited stations who have carried it as a public service.

So long as the airwaves feature programs like American Forum—wholesome, spontaneous, unrehearsed, fearless—we need have little fear for our free way of life, for such discussion means an enlightened, thinking America.

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
May 3, 1954.

Mr. THEODORE GRANIK,
Founder-Producer, American Forum of the Air, Washington, D. C.

DEAR TED: On the occasion of your 26th anniversary in the broadcasting and television industry, we want to convey to you our warmest congratulations and best wishes for many more years of outstanding success.

America today needs, more than ever before, the type of frank, fearless, spontaneous discussion of the great issues of our times, such as the American Forum of the Air—the Nation's oldest such program—pioneered in and today continues to symbolize so well.

America needs the constructive participation of America's young people; the encouragement of their thinking and bringing forth of their contributions—which Youth Wants to Know pioneered in and continues to so ably present.

The National Broadcasting Co. can indeed be proud of these two programs which add so greatly to the prestige of broadcasting and telecasting as a whole.

We join with your countless friends within the Congress and in private life in our heartfelt felicitations on this inspiring anniversary of your service.

Sincerely yours,

JOSEPH W. MARTIN, Jr.
RICHARD NIXON.
CHARLES A. HALLECK.
EARLE C. CLEMENTS.
HOMER FERGUSON.
STYLES BRIDGES.
JOHN W. MCCORMACK.
LYNDON B. JOHNSON.
WILLIAM F. KNOWLAND.

Importance of America's Technical-Aid Program

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, May 11, 1954

Mr. WILEY. Mr. President, I have often commented on the importance of America's technical aid program in helping to uplift the standards of living throughout the world.

In few areas is this program more dramatically visible in terms of its constructive effects, and in terms of its crucial significance, than in the Middle East.

I have in my hand the text of an editorial from the May 1 issue of the famed magazine, Wisconsin Agriculturist and Farmer, of which Mr. Dante M. Pierce is publisher and Mr. Richard S. Pierce associate publisher. The editorial is entitled "Help Others Help Themselves."

It is based on a recent news announcement to the effect that in the village of Nazareth, the birthplace of the Saviour, the Communist Party received more votes than did any other single party—36 percent of the votes. This is an incredibly grim commentary on the status of affairs in the Middle East that this should have occurred.

Certainly the United States must, through its point 4 program and through the United Nations technical-assistance program, continue to supply vital technical aid which is so sound an investment for the welfare of these peoples, and so sound an investment for world peace.

I point out that in the new edition of the booklet "Strength of the International Communist Movement," issued by the Special Subcommittee on Security Affairs of the Senate Foreign Relations Committee, we devote several pages to the problem of communism in the Middle East, as well as communism throughout the world. I commend a reading of this committee print No. 2, dated May 1954, to my colleagues.

I ask unanimous consent that the text of the editorial to which I have referred be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELP OTHERS HELP THEMSELVES

The village of Nazareth, in Israel, recently elected more Communists to the city council than members of any other party. What a sad state of affairs in the hometown of Jesus Christ.

Nearly all of the 20,000 inhabitants of Nazareth are Arabs. Many of them refugees. Almost all poor, wretched, and without hope or ambition for the future.

Christ's boyhood home a Communist stronghold. And why are those people voting Communist?

Not because they love Russia. Simply because things look so hopeless. Communism is a religion which offers them a way out. It is a completely false religion offering completely false promises. But the downtrodden find that out too late.

The Western World needs to help such people to help themselves. It needs to practice, as well as preach, the words of Jesus of Nazareth.

America has done more to help others than any nation in history has ever done. But we can do much more to help other peoples to raise themselves by their bootstraps.

Giving away food or clothing won't do much good in the long run. Help them to grow and make their own. Technical assistance, advice, loans for machinery, and American know-how is what they need. Along with the hope and example and freedoms which America can give.

"Inasmuch as you have done it to the least of these you have done it unto Me."

Government Contracts in Foreign Countries

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 11, 1954

Mr. HÉBERT. Mr. Speaker, the Corps of Engineers today achieved a new high in destroying the rights of American firms who spend their hard-earned money in trying to bid for Government jobs in foreign countries.

The Corps of Engineers has ignored, distorted, tortured, and suppressed the facts in order to make an award of a contract to a foreign firm introduced to them by the State Department. The victim is an American firm which underbid the Panamanian firm by some $60,000.

To cap it all a committee of Congress, investigating the skulduggery and irregularities, has been told in effect by an Army spokesman to "go to hell."

The facts are these:

The Engineers requested bids on November 24, 1953, for construction of nearly $2 million worth of ordnance facilities in the Canal Zone.

In accordance with the invitation to bid, an American firm, United Enterprises, of New Orleans, La., submitted a bid which was received through the mails, was accepted and opened and declared to be the low bid, which it was.

The second low bidder, the foreign bidder, Framoco, Inc., of Panama, protested on the basis of an alleged late bid, then ran to the State Department and what magic they possessed is shrouded in mystery, but the results are clear. Everybody reversed themselves, facts ceased to be facts, regulations evaporated and when the smoke cleared away everyone had changed his story and even a congressional committee was left standing on the sideline, trying to find out who did what and with what.

It was clear from the start that even the white light of a public hearing would not keep the Corps of Engineers from doing what they had planned to do in Washington.

They did not stop at twisting testimony, changing stories, admitting dereliction, suggesting suspicions of fraud, finding every excuse to come out with a decision in favor of the foreign company, although it was the high bidder.

Knowing that a committee of Congress had spread the sordid story on the public record, the Corps of Engineers without waiting for the committee's findings, arbitrarily finished the job they had set out to do and awarded the contract to the high bidder.

They even got the Comptroller General to rule on conclusions which are not supported by creditable testimony.

American contractors have another new and bitter example of bureaucracy unbridled.

Perhaps former President Herbert Hoover has something in suggesting that the activities of the Corps of Engineers be curtailed. My experience with the Engineers in this instance has caused me to resurvey my previous position on the suggestions. Perhaps there are many similar cases which we should know about.

One thing is certain my faith in the Corps of Engineers has received a hard blow. At least we now know they do not give a damn about a congressional committee.

The Ghosts of Campaign Oratory Come Home To Haunt Republican Leadership

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 11, 1954

Mr. PRICE. Mr. Speaker, recent events in international affairs—particularly occurrences in Geneva and southeast Asia—have reminded me of a striking phrase uttered about 2 months ago by the Vice President of the United States.

Before a nationwide radio and television audience, the Vice President posed this memorable rhetorical question:

Isn't it wonderful that finally we have a Secretary of State who isn't taken in by the Communists, who stands up to them?

In addition to this, we were told, at the same time, by the very same Vice President that—

We can be sure now that the victories that our men win on the battlefields will not be lost in the future by our diplomats at the council table.

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It was further stated, and this statement, too, sticks firmly in my mind, particularly at this moment, that since the Republicans came to power, quote—

In not one area of the world have the Communists made a significant gain.

Let me recall to you a few other grandiose boasts and claims made less than 2 months ago by this same Vice President of the United States. He stated:

First:

We have finally seized the ideological offensive from the Communists all over the world.

Second:

Does he [Adlai Stevenson] think that the Soviet Union and Communist China should not be held responsible when they commit aggression against a free nation by using one of their satellites?

Third:

Rather than let the Communists nibble us to death all over the world in little wars we would rely in the future primarily on our massive mobile retaliatory power which we could use in our discretion against the major source of aggression at times and places that we choose.

Mr. Speaker, it is not my desire to make partisan comments on the tragic international events of the past 2 weeks. I do not impugn the motives or the patriotism of the Vice President, the Secretary of State, or any other high official.

But I do think that the above quotations, taken from the text of a speech by the Vice President of the United States, should be recalled for the record at this moment. Shortly after these statements were made, I stated in this House that such assertions by the Vice President were extraordinarily out of order and that many of his remarks were outrageous. I was referring particularly to his suggestion that the previous Democratic administration had not resisted firmly Communist expansion and aggression, and to his bold claims that this Republican administration had stopped Communist aggression in its tracks; had seized the initiative in world affairs. Recent events speak for themselves on this score.

As the distinguished Senate minority leader, the senior Senator from Texas [Mr. JOHNSON] stated the other evening, regarding the Vice President's remarks:

Maybe he never really said it. Possibly it was his famous dog Checkers. But Fala would never have said that.

Well, I can inform the senior Senator from Texas that it was not Checkers; neither was it Fala. I have checked the record and have ascertained that such words were spoken by Mr. RICHARD NIXON, the Vice President of the United States.

My purpose here today is simply to recall some of the boasts and extravagant claims made on March 13, 1954, by Mr. NIXON before a national audience, in reply to some responsible questions raised by Adlai Stevenson in an earlier speech. I ask my colleagues to compare Mr. NIXON's remarks with recent world events; and to hear some objective comments on these events by an impartial observer.

First, I want to interject part of a news report which came over the United Press wires from Hanoi, Indochina, May 8, 1954:

Red Chinese took part in the overwhelming of Dien Bien Phu, Gen. Henri E. Navarre, French commander in Indochina, said today.

Navarre said in Saigon that one regiment of Communist Chinese antiaircraft participated in the seige of the fortress.

He said he now expects new intensive warfare—such as was fought in Korea—to spread through Indochina.

In the face of these and other events, I now ask the Vice President, or anyone else in this administration who might be willing to say: What is United States policy regarding Indochina?

With the Vice President's widely broadcast statements in mind, and in light of recent events in Geneva and southeast Asia, I want also to cite the following quotations from a newspaper noted for its objectivity. In a series of articles in the Christian Science Monitor on May 4, 5, and 6, Mr. Joseph C. Harsch has analyzed United States foreign policy. In this series of articles can be found these phrases:

At the end of the first week of the Geneva Conference there was general agreement that the foreign affairs of the United States had sustained a major defeat. * * * To all practical intent and purpose, the Western alliance had momentarily ceased to function. * * * The initiative had passed from Washington to London and Paris. * * * Here was a case where Moscow held the whip hand. * * * This is the first time since the war an American Secretary of State has lost all power to direct the policies of the alliance. * * * One of the first rules of diplomacy and power politics is never to be caught in a position which looks as though you had been bluffing. American foreign policy was caught in that position during the last week of April 1954; and by being caught, lost its ability to guide the alliance.

Mr. Speaker, these and other statements on recent events by an objective observer stand in sharp contrast with the Vice President's speech of 2 months ago.

Under unanimous consent, I include in the RECORD a series of three articles by Mr. Harsch, which appeared in the Christian Science Monitor of May 4, 5, 6, 1954:

[From the Christian Science Monitor of May 4, 1954]

UNITED STATES FOREIGN POLICY IN CRISIS AND TRANSITION—I

(By Joseph C. Harsch)

WASHINGTON.—At the end of the first week of the Geneva Conference there was general agreement that the foreign affairs of the United States had sustained a major defeat.

As matters stood at that moment, the Foreign Ministers of Britain and France were attempting to negotiate a settlement of the Indochina problem in spite of the opposition of American policy to the effort and in defiance of the premise of American policy on Indochina that no tolerable settlement could be achieved through negotiation with the Communist world.

Faced with this situation, United States Secretary of State Dulles did the only thing he could do under the circumstances—he summoned his second in command from Washington, took a plane, and went home, thus using an escape hatch from Geneva which had been prepared against the possibility that matters might evolve as they actually did. It would have been both humiliating and futile for him to do otherwise. He would have been an ex-leader of the diplomacy of the Western alliance sitting on the sidelines watching while the other members of the alliance pursued a policy with which he could not associate himself or his Government.

To all practical intent and purpose the Western alliance had momentarily ceased to function. The leadership in that alliance had been repudiated as far as Indochina was concerned. Britain and France had seized that leadership and were exercising it according to their own lights; the initiative had passed from Washington to London and Paris.

This, of course, was a situation which played into the hands of Soviet Foreign Minister Molotov. It was the first time since World War II that Moscow's diplomacy could operate against an openly divided Western alliance. How Mr. Molotov would use the opportunity remained to be seen. He might press his advantage to the utmost and thus ultimately restore the alliance by his own extravagance.

If truly subtle, Mr. Molotov might strike at its very foundations by allowing Britain and France the viable settlement of Indochina which President Eisenhower stated to be the American purpose after it had become too late for Mr. Dulles to participate in the effort to reach such a settlement. If Mr. Molotov played his hand that way, France and Britain would end up indebted to him, not to Washington, for the salvation of their essential positions in southeast Asia.

Here was a case where Moscow held the whip hand. It could use that either to gain a new victory for communism in Indochina or to split the Western alliance further by giving Britain and France what American leadership could not give them. He would gain either way.

It remains for the Geneva Conference to disclose Mr. Molotov's choice. It will be extremely interesting, to say the least, to see how he plays the hand. However, in the meantime we have exposed before us the postwar low point in American influence, prestige, and power in world affairs. This is the first time since the war an American Secretary of State has lost all power to direct the policies of the alliance. It is the first time its three principal member nations have failed to be able to present at least the appearance of a united front against the Communist world. It is the first time American policy has marched up the hill of a declaration that a particular part of the world must be saved from communism and then collapsed into an admission that it is powerless to do anything to help a fighting ally save that place from communism.

The situation is typified, symbolized, and dramatized by the spectacle of the gallant French garrison at Dien Bien Phu. If American words uttered during March and April meant anything, if American commitments were ever to be backed up by American action, then Dien Bien Phu was the place and late April was the last time for action. The world was led to expect the action. American carriers steamed round the Tonkin Gulf alerted and ready for the order which would have sent their planes against the assailants of Dien Bien Phu. But the order never came. The words, the promises, the bold talk, and the repeated insistence that Indochina was of first importance were never implemented. The French asked for—and were denied—this form of aid. From the moment of the denial they were free agents, and used that freedom to seek the best deal they could get from Mr. Molotov.

This was the kind of situation which a great world power does its utmost to avoid. One of the first rules of diplomacy and

power politics is never to be caught in a position which looks as though you had been bluffing. American foreign policy was caught in that position during the last week of April 1954; and by being caught, lost its ability to guide the alliance.

There was candid, though chagrined, admission in Washington that this situation existed. Defense Secretary Wilson expressed the situation for his colleagues in the Government when he said, with understandable understatement, that it might force a soul-searching review of the once vaunted New Look. Not only the New Look but also "instant retaliation" was in for review.

How did this come about and where would it lead? The following columns in this space will attempt to unravel the story of how it happened and where it might lead.

[From the Christian Science Monitor of May 5, 1954]

CRISIS AND TRANSITION—II

(By Joseph C. Harsch)

WASHINGTON.—The great April defeat to American foreign policy, climaxed by the British and French attempt to negotiate an Indochina settlement with the Communists in Geneva after Washington had refused to back up its words by planes at Dien Bien Phu, derived from many causes.

These causes will be set forth and examined in this series. Of them all, probably the most important was an unresolved conflict in American policy which dated well back into 1953 and which led inexorably, like a strand of fate in a Shakespearean tragedy, to the crucial moment of indecision and therefore of collapse of policy.

It is no small wonder that United States allies were baffled and bewildered and finally took matters into their own hands. They were never able to discover whether Washington was prepared to make Indochina a Greece or Korea, or considered Indochina to be one of those places where a setback to the cause of freedom would be considered normal. They did not know, and could not know, which way Washington would go until the last anguishing moment. When the test came Washington, forced to choose, chose to withhold the planes from Admiral Radford's carriers in the Tonkin Gulf. The planes had been ready to fly to the aid of Dien Bien Phu.

The allies could not know American policy on Indochina because there was never, throughout the whole period of the Indochina crisis, a firm decision on that policy. Instead of a single policy there were two conflicting policies held and advocated inside the administration. Public statements over the period sprang sometimes from one and sometimes from the other. The inclination swung backward and forward between them. But there was never a moment when the highest policymaking agency in the Government, the National Security Council, took its stand decisively upon the one or upon the other.

The French, in their moment of agony over the fate of Dien Bien Phu, grasped at those expressions of policy which had implied a firm commitment in Washington to save all of Indochina. They had reason to believe that their plea would be answered. They could cite repeated statements by both the President and the Secretary of State on the importance of Indochina to the West. They had reports, later proved mistaken, that the National Security Council had reached a firm decision that all of Indochina must be saved. They had the statement by Vice President NIXON to the editors that American troops would be sent, if necessary, to save all of Indochina. They had the presence of the carriers in the Tonkin Gulf. They had strong indications of available support from Admiral Radford, Chairman of the United States Joint Chiefs of Staff.

What the French overlooked was that the Washington record for the same period contained another body of conflicting statements. On January 12, speaking to the Council on Foreign Relations, Secretary of State Dulles had repudiated the doctrine of meeting the Communists at every point around the world power frontiers with total resistance. "It is normal," he said, "that at some times and at some places there may be setbacks to the cause of freedom." Add the following other public manifestations of the contrary policy:

On February 12 President Eisenhower said that all-out United States intervention in Indochina would be a tragedy.

On February 17 the President said that the United States is not supporting colonialism in Indochina.

On March 10 the President said there would be no United States involvement in war in Indochina without the authority of Congress.

The truth of the matter, it turns out, is that the National Security Council never reached the decision frequently attributed to it that all of Indochina must be held. It never reached any agreed decision on the subject at all. It did, however, have before it position papers from the Defense and State Departments dating back to the fall of 1953 which pointed in that direction, which never had been formally accepted as basic policy papers, but which never had been formally rejected either.

These papers argued that southeast Asia could be defended only in Indochina and that the Communist countries never would accept in negotiation an Indochina settlement which would permit the West to remain in Indochina. The logical conclusion from these papers would have been United States military intervention in Indochina to save Dien Bien Phu. The existence of the papers encouraged the advocates of such a policy to encourage the French, and to make the kind of public statements which Mr. NIXON made to the editors on April 16.

But these papers did not commit the United States to a policy. They merely expressed a purpose on the basis of arguments which were never wholly accepted in the highest councils of Government. When the test came, the validity of the argument pending before the council broke down. Washington discovered, along with the French that Washington did not consider total victory over communism in Indochina to be vital to the security of the United States.

[From the Christian Science Monitor of May 6, 1954]

UNITED STATES FOREIGN POLICY IN CRISIS AND TRANSITION—III

(By Joseph C. Harsch)

WASHINGTON.—In looking back over the events which reached a climax in American refusal of the French plea for aid for Dien Bien Phu you see a landscape darkened by the shadow of atomic weapons.

The fact now so heavily underlined by Washington indecision over Indochina is that the Eisenhower administration has not yet succeeded any better than did the Truman administration in fitting the existence of atomic weapons into the pattern of its policies and programs.

The Truman solution was to avoid a solution. The Truman administration accepted the existence of a race in atomic weapons and poured billions into keeping the United States ahead in this race. But it did not answer the question whether the existence of atomic weapons rendered older varieties of weapons obsolete. With the Democratic Party tradition of resolving problems like this in the expensive way, it planned an American defense program which would equip the United States to fight either with or without atomic weapons.

The Eisenhower administration took office with a powerful bent toward budget and tax economy. It was appalled by the cost of a double defense program. It reached the conclusion that the United States could not afford to arm itself for two different kinds of war. Therefore it elected to trim the program in conventional arms and shift American defense reliance to its atomic weapons.

There was powerful logic behind such a decision, and in theory it could have been integrated with the domestic and foreign policies of the United States. But that New Look policy is now being subjected to the soul-searching review of Defense Secretary Charles E. Wilson, because in practice it was not integrated with domestic and foreign policy. This failure to integrate first and cut afterward was heavily responsible for the collapse of foreign policy which left the French and British trying to negotiate an Indochina settlement with the Communists at Geneva while Mr. Dulles came home.

The New Look must be reexamined and revised, because it failed to accommodate itself either to the powerful domestic political urge to deny any further gains to communism or to the alliance.

The logic of the New Look led to the Dulles doctrine of January 12 that if the United States could deter such aggression as would mean general war it could afford to let time and fundamentals work for us even if that should mean setbacks to the cause of freedom. The atomic weapon is a deterrent to total war. As Mr. Dulles recognized in his January 12 speech, it cannot prevent local losses to subversion or local insurrection. Mr. Dulles accepted the implications of the New Look when he accepted the possibility of local losses to communism.

However, while Mr. Dulles could accept this possibility himself, he found in experience that he could not accept it on behalf of the whole administration and the Congress. It would have been New Look logic to seek a solution of the Indochina problem by compromise and negotiation. It is possible that if the logic of the New Look had been applied consistently and from the start to the Indochina problem the United States, Britain, and France would be united today in a strong effort to obtain by negotiation a viable settlement which could satisfy the President's desire for a modus vivendi.

In practice, however, it did not work out that way. A powerful group of individuals inside the administration would not accept the doctrine that Indochina could be compromised without the ultimate loss of all of southeast Asia. Admiral Radford at the Defense Department, Walter Robertson at the State Department, and Senator Knowland and Vice President Nixon on Capitol Hill insisted that all of Indochina must be held and that no compromise would be viable for the Western World. Their voices encouraged the French to ask for the aid which was finally refused. Mr. Dulles was prepared to accept the implications of the New Look, but they were not. They did not have the power, when the test came, to bring the United States into the Indochina war openly, but in the meantime they had prevented the logic of the New Look from being applied to the Indochina crisis.

At the same time the atomic weapons undermined and repelled the alliance. Britain and France are thoroughly familiar with frontier, local, colonial, limited, and brushfire wars. They are not familiar with the idea of regarding a local war as a reason for total war. Yet the atomic weapon is a weapon of total war. Whenever Washington speeches associated atomic weapons with local wars, even remotely, they drew away with horror. Much as France wants

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to save Dien Bien Phu, no French Government would for an instant conceive of saving it at the risk of precipitating an atomic war over the whole globe.

Washington could have taken the alliance with it into Indochina had it been abundantly clear that its atomic weapons would not be going along. But this never had been clarified. The atomic weapon never had been fitted precisely into the structure of the alliance. Unless and until it is so fitted into the alliance, Washington will have trouble bringing the alliance into situations like the one in Indochina, as it has.

Mr. Speaker, the time has come, I say again, for the return to true bipartisanship in foreign affairs. The minority Members of Congress, and I suspect many of the majority Members, have been kept largely in the dark on our foreign policy, particularly regarding Red-imperiled Indochina and southeast Asia generally.

I hereby urge that the President of the United States call at once a special meeting of the full membership of the House Foreign Affairs and Armed Services Committees for a full, frank, and candid statement on Indochina policy. The full membership of similar committees in the Senate should also be summoned to such a meeting.

I am not satisfied that a completely frank statement of this administration's policy, if it has one, has yet been given to Members of Congress under whose jurisdiction such matters should properly come. There have been briefings and more briefings of a selected few Members, but even in these meetings no firm, positive policy that was not contradicted from other high quarters the next day has come forth. The situation has now reached a crisis, and in the midst of it we seem to be drifting.

Not only are our friends and allies abroad wondering where we are heading, but I, as one Member of this House, am also wondering. The President should clear the picture at once.

The American people have had enough of the self-righteous boasts by Republican leaders about a bold, dynamic foreign policy. The ghosts of extreme Republican partisanship in the campaign of 1952 have come back to haunt Republican leaders. Their talk of liberating instead of containing Communist areas; their talk of more defense for less money by bluffing and rattling of atomic-hydrogen swords; their talk of Truman's war in Korea and their boastful chest-thumping at having ended that war—all of these chickens, and others, have come home to roost.

Instead of talking sense to the American people, Republican leadership, in its 16 months in office, has been offering international peace and security at wholesale prices; they severely cut the military budget but somehow forgot to cut our international commitments; and they assured us we had gained the initiative in the world simply by saying we had done so.

Mr. Speaker, I am fearful that Republican leaders actually believed their own campaign oratory; that they actually were taken in by their own sales promotion campaign. I suspect that most Republicans long ago contracted a disease which might be called minority-itis. Having been in the minority for almost 2 decades, they became accustomed to Monday morning quarterbacking, accustomed to the criticism of policy from the comfortable vantage point of hindsight. When they became the responsible majority party, they began to make and declare policy in the same way—the result, bluff and blunder.

I hear a herd of thundering elephants on the horizon. If I am not mistaken this is the Grand Old Party being stampeded back to minority status by the American people. After all, the record of recent history shows us that Republicans have provided our country with the best minority party we ever had.

SENATE

WEDNESDAY, MAY 12, 1954

(Legislative day of Wednesday, April 14, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our fathers' God, author of liberty: As in the white light of Thy searching we pause at the day's threshold for Thy appraisal of our hearts and minds, we confess with contrition that often selfishness and cynicism have poisoned our relationships with men and indifference has weakened our relationship with Thee. As servants of the Nation's life, save us from the dangers that lurk in a warped judgment, a confused reckoning, and a narrow outlook. Facing in these epic days determined foes who violate every cherished right which mankind has slowly won, and who would turn the longing eyes of man backward toward the jungle, we thank Thee that, more and more, the lurid glare of tyranny is revealing the spiritual glory of democracy as in Thy name it fights for its life and for the future of the race.

May the crimson threads of today's fearful sacrifices be woven into the very fabric of society, in a fairer pattern of opportunity and equality for all. We ask it in the Saviour's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 11, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7709. An act to continue until the close of June 30, 1956, the suspension of certain import taxes on copper; and

H. R. 8357. An act to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; U. S. C. 257–257i), to provide for a ¾-bushel basket for fruits and vegetables.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Beall	Bridges	Butler, Md.
Bowring	Burke	Case
Bricker	Bush	Cooper
Cordon	Knowland	Payne
Daniel	Kuchel	Purtell
Hayden	Langer	Saltonstall
Hendrickson	Lehman	Smith, Maine
Holland	Long	Stennis
Hunt	Martin	Upton
Ives	Maybank	Watkins
Johnson, Colo.	Monroney	Young
Johnson, Tex.	Murray	
Johnston, S. C.	Pastore	

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Nevada [Mr. McCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BARRETT, Mr. BENNETT, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. ELLENDER, Mr. FERGUSON, Mr. FLANDERS, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GILLETTE, Mr. GOLDWATER, Mr. GREEN,

Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HOEY, Mr. HUMPHREY, Mr. JACKSON, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. MAGNUSON, Mr. MALONE, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MUNDT, Mr. POTTER, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mr. SMITH of New Jersey, Mr. SYMINGTON, Mr. THYE, Mr. WELKER, Mr. WILEY, and Mr. WILLIAMS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

PETITION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Massachusetts Federation of Men's Bible Classes, at Arlington, Mass., favoring the enactment of legislation to prohibit the advertising of alcoholic beverages in interstate commerce, which was referred to the Committee on Interstate and Foreign Commerce.

REDUCTION OF BUDGET FOR TUBERCULOSIS CONTROL—RESOLUTION OF MINNESOTA TUBERCULOSIS & HEALTH ASSOCIATION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Minnesota Tuberculosis & Health Association, opposing any further reduction in the Federal budget for tuberculosis control, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas the drastic reductions in Federal appropriations for tuberculosis of over 37 percent since 1950 are seriously affecting the program for the control of this disease; and

Whereas the termination of the chest X-ray surveys in Minnesota have been one direct result of this cut; and

Whereas tuberculosis is a serious and costly disease and any letup in the program threatens gains made to date, and retards progress: Be it

Resolved, That the board of directors of the Minnesota Tuberculosis & Health Association go on record as opposed to any further reduction in the Federal budget for tuberculosis control, until replacement funds be found from other sources; and be it further

Resolved, That a copy of this resolution be placed in the hands of all United States Senators and Representatives from the State of Minnesota.

MINNESOTA TUBERCULOSIS & HEALTH ASSOCIATION.

MARCH 4, 1954.

PUBLIC POWER—RESOLUTION OF WHISPERING PINES FARMERS UNION LOCAL, BAGLEY, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Whispering Pines Farmers Union Local of Bagley, Minn., with regard to public power, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas it is well known that the Power Trust would like to get possession of the Government-owned dams and hydroelectric generating plants and the energy produced therefrom; and

Whereas the Power Trusts wish to have these Government-owned plants only for making profit at the expense of the electric consumers: Be it

Resolved, That the farmers union make an earnest appeal to the President and to our legislators that the Government retain ownership and control of such plants; and the energy so produced shall be sold to REA or other co-ops and municipalities at cost, making the current as much cheaper as the profits would be to the Power Trust: Be it further

Resolved, That such Government-owned plants shall be self-supporting, and not be dependent on any Government subsidy.

Respectfully submitted.

MARTIN FREDERICKSON,
Chairman.

Mrs. JOHN A. OLSON,
Secretary.

LOANS FOR ELECTRIC COOPERATIVES—RESOLUTION ADOPTED BY RURAL COOPERATIVE POWER ASSOCIATION, ELK RIVER, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Rural Cooperative Power Association of Elk River, Minn., with regard to loans for our electric cooperatives, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas many electric cooperatives in the Nation are in need of additional funds for new construction and heavying-up of lines to provide for the increased consumption of electric use by their farm members; and

Whereas the success of our electric cooperatives is dependent to a major degree on the availability of loan funds from the Congress of the United States for the purpose of continuing the rural electric associations; and

Whereas loan authorizations by Congress do not commit the Federal Government until such loans are actually made and, therefore, any such authorizations do not become a liability to the Government unless actually needed by the cooperatives; and

Whereas power-supply problems throughout the United States are requiring increased generating and transmission facilities: Now, therefore, be it

Resolved, That the board of directors of the Rural Cooperative Power Association at Elk River, Minn., at their regular meeting on April 26, 1954, unanimously solicit your help in preserving the adequacy of funds for this program on behalf of the 30,000 members served in 6 rural electric cooperatives by the power association; and be it further

Resolved, That this resolution shall be transmitted to the Congressmen and Senators of the State of Minnesota.

TAXES ON UNION PENSIONS—RESOLUTION OF TYPOGRAPHICAL UNION 42, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution unanimously adopted by the Minneapolis (Minn.) Typographical Union No. 42, on April 25, 1954, relating to taxes on union pensions, be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas the International Typographical Union has practiced benevolence and fraternalism for over 100 years; and

Whereas the International Typographical Union has paid over $100 million in pensions to its sick and superannuated members; and

Whereas the International Typographical Union pioneered in creating pensions for members unable to work because of age or disability; and

Whereas over 9,000 retired printers and mailers depend upon ITU pension payments for the necessities and little comforts of life; and

Whereas in 1934, and for 20 years thereafter the Department of Internal Revenue considered ITU pensions charitable and therefore not taxable; and

Whereas the administration now in office favors tax concessions amounting to billions of dollars for the wealthy holders of corporate stocks; and

Whereas this year the Department of Internal Revenue has officially ruled pensioners must include ITU pension payments received as taxable income when computing their income taxes for 1954; and

Whereas neither the national budget nor the scales of justice can be balanced by taking pennies from pensioners and giving millions to millionaires: Therefore be it

Resolved, That Minneapolis Typographical Union No. 42, at this regular union meeting, go on record as protesting as discriminatory, uncharitable and unfair the ruling made by the Internal Revenue Department which places taxes on union pensions; and be it further

Resolved, That the officers of Minneapolis Typographical Union No. 42 cause copies of this resolution to be printed and sent to the President of the United States, to Members of both Houses of Congress, to officers of the International Typographical Union, to the principal Minnesota, Iowa, North Dakota, South Dakota, and Montana locals of ITU, to the labor press, and to the Typographical Journal.

Adopted unanimously by Minneapolis Typographical Union No. 42 on April 25, 1954.

RESOLUTIONS OF CASS-WADENA, POMONA GRANGE, NO. 14, SEBEKA, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two resolutions adopted by Cass-Wadena Pomona Grange, No. 14, of Sebeka, Minn., with regard to fourth-class post offices and parcel-post rates, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

SEBEKA, MINN., *April 27, 1954.*

Senator HUBERT HUMPHREY,
Capitol Building, Washington, D. C.

DEAR SENATOR HUMPHREY: At the last meeting of Cass-Wadena Pomona Grange, No. 14, the following resolutions were adopted:

"1. POST OFFICES

"Whereas newspaper reports indicate that the Post Office Department is seeking to close some of the fourth-class post offices throughout the land; and

"Whereas this move seems to be based on a retrenchment movement, and therefore is

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another factor in the financial economy of the country, and may be a means of adding fuel to an economic recession; and

"Whereas these fourth-class post offices were apparently originally opened because of a necessity to the community in which located: Be it

"Resolved, That before any fourth-class post office is closed, a thorough investigation be made as to the service rendered, and the convenience and welfare of the community be considered; and be it further

"Resolved, That a copy of this resolution be supplied to our Senators and Representative from this district and State, and to the executive committee of the State Grange of Minnesota.

"2. PARCEL-POST RATES

"Whereas the Post Office Department has recently increased the postage rates on parcel post; and

"Whereas this increase seems to be excessive and therefore will discourage rather than encourage the sending of parcels, and will conceivably reduce rather than increase the revenue from this source; and

"Whereas the rural people are the ones that mostly have to rely on this type of service; and

"Whereas this therefore appears to be a discriminatory arrangement; and

"Whereas this appears to be an arrangement sponsored by city stores in order to discourage mail-order business, and therefore again a discrimination against rural people who through necessity must to a large extent rely on mail order establishments for their own financial protection; and

"Whereas this also appears to be a retrenchment movement by the administration affecting mostly farmers, whose economy is already in a recession, this therefore adding fuel to the recession: Be it

"Resolved, That the Postmaster General be requested to rescind this last increase in parcel-post rates; and be it further

"Resolved, That a copy of this resolution be sent to our Senators and Congressman, to the executive committee of the Minnesota State Grange, and to Sears, Roebuck Co. and Montgomery Ward Co."

Your advice and help will be appreciated.

Respectfully yours,

Mrs. ETHEL M. BJORE,
Secretary, Cass-Wadena Pomona Grange, No. 14.

DAIRY PRICE SUPPORTS—RESOLUTION OF BRIMSON (MINN.) COOPERATIVE ASSOCIATION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Brimson Cooperative Association of Brimson, Minn., with regard to dairy price supports be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

BRIMSON COOPERATIVE ASSOCIATION,
Brimson, Minn., April 24, 1954.

Hon. HUBERT H. HUMPHREY,
Minnesota Senator,
United States Senate,
Washington, D. C.

DEAR MR. HUMPHREY: Whereas Secretary of Agriculture Ezra Benson announced the reduction in dairy support prices to 75 percent, effective on April 1, 1954; and

Whereas there has been no reduction in the support price of other farm products; and

Whereas the President of the United States, Mr. Eisenhower, in his major speech on agriculture in Kasson, Minn., stated that he favored 100 percent of parity instead of 90 percent; and

Whereas subsidies are being paid to airlines, the Maritime Service, railroads, newspapers, magazines, periodicals, and many other forms of business: Be it

Resolved, That Congress enact legislation to maintain the 90 percent of parity dairy support price until a complete study of all agricultural products has been made.

Cooperatively yours,

FRED A. HALL,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PAYNE, from the Committee on Interstate and Foreign Commerce:

S. 602. A bill to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for the loading, stowage, and securing of grain and other similar bulk cargoes; with amendments (Rept. No. 1324).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs:

S. 2746. A bill to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes; with amendments (Rept. No. 1325).

EXEMPTION OF CERTAIN FABRICS AND WEARING APPAREL FROM APPLICATION OF FLAMMABLE FABRICS ACT—REPORT OF A COMMITTEE

Mr. PURTELL. Mr. President, from the Committee on Interstate and Foreign Commerce, I report favorably without amendment, the bill (S. 3379), to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable, and I submit a report (No. 1323) thereon. The report of the committee was unanimous.

Because of the importance of the bill, and also because of the legal deadline of June 30, I request the majority leader to expedite the consideration of the bill, if he will do so, even before it may be called up on the Unanimous Consent Calendar.

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). The report will be received, and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 3437. A bill for the relief of Joseph Accardi; to the Committee on the Judiciary.

By Mr. LANGER (by request):

S. 3438. A bill for the relief of G. F. Allen, deceased, former Chief Disbursing Officer, Treasury Department, and for other purposes; and

S. 3439. A bill to amend section 794 of title 18, United States Code, relating to espionage; to the Committee on the Judiciary.

(See the remarks of Mr. LANGER when he introduced the above bills, which appear under separate headings.)

By Mr. BEALL:

S. 3440. A bill for the relief of Melvin A. F. Stewart; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3441. A bill to amend Veterans Regulation No. 1 (a) to establish a presumption of service connection for progressive muscular atrophy becoming manifest within 3 years from separation from service; to the Committee on Finance.

By Mr. FREAR:

S. 3442. A bill to stabilize farm incomes by providing a system of insurance to indemnify farmers against certain losses occurring in the operation of their farms; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. FREAR when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina (for himself, Mr. NEELY, Mr. HUMPHREY, Mr. CHAVEZ, Mr. LEHMAN, Mr. HUNT, Mr. KEFAUVER, Mr. PASTORE, Mr. MCCARRAN, Mr. JACKSON, Mr. MAGNUSON, Mr. MURRAY, Mr. HENNINGS, Mr. SMATHERS, Mr. KILGORE, Mr. DOUGLAS, Mr. LANGER, Mr. MORSE, Mr. CLEMENTS, and Mr. BURKE):

S. 3443. A bill to increase the rates of basic compensation of certain officers and employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina (for himself, Mr. NEELY, Mr. HUMPHREY, Mr. CHAVEZ, Mr. LEHMAN, Mr. HUNT, Mr. KEFAUVER, Mr. PASTORE, Mr. MCCARRAN, Mr. JACKSON, Mr. MAGNUSON, Mr. MURRAY, Mr. HENNINGS, Mr. SMATHERS, Mr. KILGORE, Mr. DOUGLAS, Mr. LANGER, Mr. MORSE, Mr. CLEMENTS, and Mr. BURKE):

S. 3444. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina, when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (by request):

S. 3445. A bill to provide for the construction of a comprehensive drainage system for lands lying within and contiguous to the Flathead irrigation project, Montana; to the Committee on Interior and Insular Affairs.

By Mr. STENNIS:

S. 3446. A bill to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy, and for other purposes; to the Committee on Armed Services.

By Mr. LONG:

S. 3447. A bill to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes; to the Committee on Finance.

G. F. ALLEN, FORMER CHIEF DISBURSING OFFICER

Mr. LANGER. Mr. President, by request of the Secretary of the Treasury, I introduce for appropriate reference a bill for the relief of G. F. Allen, deceased former Chief Disbursing Officer, Treasury Department, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3438) for the relief of G. F. Allen, deceased former Chief Disbursing Officer, Treasury Department, and for other purposes, introduced by Mr. LANGER, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT TO TITLE 18, UNITED STATES CODE, RELATING TO ESPIONAGE

Mr. LANGER. Mr. President, by request of the Attorney General, I introduce for appropriate reference a bill to amend section 794 of title 18, United States Code, relating to espionage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3439) to amend section 794 of title 18, United States Code, relating to espionage, introduced by Mr. LANGER, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

STABILIZATION OF FARM INCOMES BY SYSTEM OF INSURANCE TO INDEMNIFY AGAINST CERTAIN LOSSES IN FARM OPERATION

Mr. FREAR. Mr. President, a tremendous amount of public and private discussion is currently taking place over the Nation's farm program. Farm leaders, in some instances, hold sharply divided opinions on just what form our future farm programs should take. This is especially true with regard to farm price supports which have been alternately praised and condemned most vociferously since they were established. There are those who say that present support programs benefit chiefly the larger farmer, and that owners or operators of family-size farms gain little assistance from the existing programs. Whether this is true may provide grounds for discussion; but it is definitely a fact that over a period of time in the comparatively recent past, we have lost a great many small farmers. These losses can be accounted for by many reasons. Some persons who go into farming simply know little or nothing about it. Crop failures are another hazard which must constantly be faced. Weather, blights, disease, all have their effect; and at one time or another take a toll from the farmer. Falling farm prices have very recently been an added woe. Whatever the reason, Mr. President, I am especially concerned about the fact that apparently we are losing a number of our small farmers. As one who has been a small-farm owner and operator for many years, I have a great deal of personal pride in farming as a profession and as a sound American institution. We need and should have prosperous small farmers, just as we must continue to have small businesses. In this way the spirit of competition—so basic to the success of our free-enterprise system—is maintained and strengthened. Our efforts in Congress should, therefore, be directed just as strongly to the preservation of the family-size farms as they are to preservation of the vast commercial farming organizations.

But without some assurance of reasonable assistance and guidance there is doubt that the status of the small farmer can continue to be preserved in a healthy and vigorous condition. After all, the average small farmer is, like most Americans, anxious to reap the fruits of his labor to a degree which will enable him to maintain the proper standard of living, just as is done by other citizens who are members of our business or industrial communities.

We recognize that because of the risks involved in farming special attention is needed to those engaged in this profession. In this connection, Mr. President, I am introducing a bill providing a program which undoubtedly will provoke considerable discussion by the Congress because it is somewhat of a departure from presently existing Federal farm policy.

The bill I am introducing is designed to stabilize farm incomes by providing a system of insurance to indemnify farmers against certain losses occurring in the operation of the farms.

At this time I shall not review in detail the proposed legislation. Perhaps I should point out, however, that to implement the program proposed in this measure there would be created within the Department of Agriculture an organization known as the Farm Income Insurance Corporation.

Farmers subscribing to the plan would pay certain required premiums, as in any insurance policy, which would protect them, with certain limitations, for losses sustained in their farm operations. Payments to the farmers would be made out of the fund created through the premiums collected. Administration expenses of the Corporation itself would be borne by the Government.

Under this plan, price supports would eventually be eliminated as farmers become insured under the program. There would also be established a cutoff date for the payment of price supports to producers, after a reasonable period of time has elapsed following enactment into law of this proposed legislation.

Mr. President, I realize that considerable study may be necessary concerning this proposal, in the course of which revisions may be proposed to improve the basic idea. But, as all of us know, many Americans criticize the principles of farm price supports; and if we can devise a fair and equitable method of eliminating them, in favor of a more sound and realistic program beneficial to both small and large farmers, then, I believe, we shall be accomplishing a real service to the country and its economy. I shall certainly invite the expression of the views of individuals or groups on the merits of this proposed legislation.

In conclusion, let me again emphasize that this bill is not intended to be a finished product. I believe the idea behind it is sound, however; and I welcome any and all opportunities of perfecting it.

I now introduce for appropriate reference a bill to stabilize farm incomes by providing a system of insurance to indemnify farmers against certain losses occurring in the operation of their farms.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3442) to stabilize farm incomes by providing a system of insurance to indemnify farmers against certain losses occurring in the operation of their farms, introduced by Mr. FREAR, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

INCREASED COMPENSATION FOR POSTAL EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, on May 5, 1954, on behalf of myself and other Senators, I introduced the bill (S. 3406) to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department. In lieu of that bill, on behalf of myself, the junior Senator from West Virginia [Mr. NEELY], the Senator from Minnesota [Mr. HUMPHREY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from New York [Mr. LEHMAN], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Nevada [Mr. MCCARRAN], the junior Senator from Washington [Mr. JACKSON], the senior Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. HENNINGS], the Senator from Florida [Mr. SMATHERS], the senior Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from Kentucky [Mr. CLEMENTS], and the Senator from Ohio [Mr. BURKE], I now introduce for appropriate reference a new bill to increase the rates of basic compensation of officers and employees in the field services of the Post Office Department, showing a change from the original bill, and adding cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3444) to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department, introduced by Mr. JOHNSTON of South Carolina (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF HOME OWNERS' LOAN ACT OF 1933—AMENDMENTS

Mr. DOUGLAS submitted amendments intended to be proposed by him to the bill (S. 975) to amend the Home Owners' Loan Act of 1933, as amended, which were ordered to lie on the table and to be printed.

REVISION OF INTERNAL REVENUE LAWS—AMENDMENT

Mr. MAGNUSON submitted an amendment, intended to be proposed by him to the bill (H. R. 8300) to revise the internal revenue laws of the United States, which was referred to the Committee on Finance, and ordered to be printed.

INCREASED TRANSPORTATION RATES FOR COMMON CARRIERS—AMENDMENT

Mr. SMATHERS (for himself and Mr. MONRONEY) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for

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increased transportation rates, which was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred, as indicated:

H. R. 7709. An act to continue until the close of June 30, 1956, the suspension of certain import taxes on copper; to the Committee on Finance.

H. R. 8357. An act to amend the Standard Container Act of May 21, 1928 (45 Stat. 685; U. S. C. 257–257i), to provide for a ¾-bushel basket for fruits and vegetables; to the Committee on Interstate and Foreign Commerce.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BRICKER, from the Committee on Interstate and Foreign Commerce:

Rear Adm. Alfred C. Richmond to be Commandant of the United States Coast Guard, with the rank of vice admiral;

Rear Adm. James A. Hirshfield to be Assistant Commandant of the United States Coast Guard with the rank of rear admiral; and

Rear Adm. Kenneth K. Cowart to be Engineer in Chief of the United States Coast Guard, with the rank of rear admiral.

By Mr. LANGER, from the Committee on the Judiciary:

John R. Ross, of Nevada, to be United States district judge for the district of Nevada; and

Waldo H. Rogers, of New Mexico, to be United States district judge for the district of New Mexico.

THE AGRICULTURE YEARBOOK

Mr. YOUNG. Mr. President, many prominent people have written to me in recent weeks regarding the deletion of funds which are necessary to continue the publication of the Agriculture Yearbooks. All these communications impressed me greatly of the need for continuing the publication of this great instrument of agricultural education and information.

Mr. President, the most impressive plea of all was that contained in an article appearing in the St. Paul Sunday Pioneer Press of May 9, 1954, written by Mr. Alfred D. Stedman, entitled "Yearbook at Bay."

Mr. Stedman is recognized by millions of people as an outstanding writer, authority and friend of agriculture. His great sincerity and honesty have endeared him to all who know him regardless of whether they agree with his views or not.

I wish to assure Mr. Stedman that as chairman of the Subcommittee on Agriculture appropriations, I shall heed his plea to continue the publication of the Agriculture Yearbook.

I ask unanimous consent to have Mr. Stedman's article inserted in the body of the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YEARBOOK AT BAY

(By Alfred D. Stedman)

WASHINGTON.—Save the yearbook. That cry has been heard often in sessions here of the newspaper farm editors. The reasons are simple and clear.

Gathering and disseminating information on farming are basic functions of the United States Department of Agriculture, as established in the organic act of 1865. In all its history since Lincoln, the Department has never fashioned so effective an instrument of information as the recent Yearbooks of Agriculture.

Other historic steps have created the institutions of research and education and the machinery for distributing information. Such are the land-grant colleges, the scientific bureaus, the experiment stations, and the agricultural extension services.

But the public usefulness of all these depends upon the publication in organized, concise, accurate and understandable form of the results of the great labors of farm scientists. This is the achievement of the annual yearbooks under the editorship first of Gove Hambidge of Washington and more recently of Alfred Stefferud, who hailed from Kenyon and St. Olaf College, Minnesota. Yet, on grounds of Government economy, Secretary Benson recommended to Congress that no funds for a new yearbook be appropriated this year.

Over the world and the country these Yearbooks of Agriculture are recognized as classics. In agriculture's age of swift scientific change and advancement they are treasuries of information. In classrooms, libraries, laboratories, and offices of farm processors, farm managers, railroad agents, county agents, crop forecasters, and newspapers they are priceless source books.

In the Pioneer Press-Dispatch library the location of the chapter on Minnesota weather in the 1941 Yearbook on Climate and Man can be spotted instantly, so blackened is it by use of reporters. The 1942 yearbook, called Keeping Livestock Healthy, sold 68,000 volumes, and students and industries of livestock are clamoring for a new volume. The great 1952 yearbook, Insects, sold 36,000 copies. Sales of Trees topped 45,000. The 1938 volume on Soils and Men is out of print and bringing $18 a copy in book stores.

Now seems to be the time to decide once and for all the question whether or not these yearbooks are to be printed annually. Are they worth what they cost?

The annual appropriation is now squeezed down to $228,000. Out of that, about $160,000 goes to pay for 550 copies for each Senator and 440 copies for each Representative. These they distribute free to libraries, teachers, editors, processors, and other constituents. Sales up to $100,000 may reduce the tax cost to $125,000 a year, or less.

That is less than one-tenth of 1 cent per person per year. But the dollar losses from insect damage alone run between two and four billion. The costs of livestock and plant diseases run to many billions more. The cost of the yearbooks compiling safeguarding information look like the merest drop in the bucket compared to the agricultural values at stake.

Whether Congress or the United States Department of Agriculture is charged with the cost seems a minor side issue. The yearbooks should be saved for their tremendous public values, not lost in any trivial squabble over footing so small a bill.

The next yearbook now held up would draw together in one volume basic information on waters and their management. That would include floods, erosion, irrigation, drainage, and the place of grass, forests, and protective works in water and soil conservation. The House has voted to restore the $228,000 fund. Now perhaps the Senate also will do its part to assure that the great series of yearbooks continues unbroken.

THE ECONOMIC SITUATION

Mr. KERR. Mr. President, today's issue of the Washington Post and Times-Herald carries a very interesting headline. It reads: "Weeks Confident We're Headed Out of This Recession."

The article reads, in part:

Secretary of Commerce Sinclair Weeks expressed confidence yesterday that we are headed out of this recession, although too many people are trying to talk—or scare us—into a depression.

Mr. President, I have been interested in the past few weeks, as I heard prominent leaders in the Republican Party either heap ridicule or make denials or criticize members of the Democratic Party who have called attention to the impairment of the economic health and vitality of our country, especially in agricultural areas.

After many weeks and months of statements to that effect I was heartened some weeks ago to hear the President state that "while we are not in a recession, if it is not over by March we will do something about it."

I am delighted, Mr. President, that the Secretary of Commerce, Mr. Sinclair Weeks, has finally recognized the reality of the recession, about which we had been speaking.

I should like to say to him that no one is trying to talk us into a depression. We have been trying to talk enough sense into the Secretary of Agriculture and a few other leaders in the administration with reference to agricultural and fiscal policies so that we would not have to be threatened with a depression.

I sincerely hope their purpose will be as firm and intelligent as they have finally become in recognizing that we are in a recession. I sincerely hope that, as the Secretary of Commerce has stated, we are now headed out of this recession.

DEFENSE APPROPRIATIONS

Mr. MAYBANK. Mr. President, some weeks ago the Subcommittee on Defense Appropriations commenced hearings on the armed services appropriation bill. At that time I stated that I was a little disappointed with the severe cuts which had been made in the appropriations for the Army. I asked General Ridgway some questions, and he said he preferred to answer them in executive session.

We are continuing those hearings, Mr. President, under the able leadership of the distinguished Senator from Michigan [Mr. FERGUSON]. Of course, all of us understand that the budget was made up last fall and was sent to Congress in January or February. The tragedies

which have happened to the free world were not known at that time. It is my further understanding that probably some deficiency appropriation bills will be considered in connection with appropriations for the armed services.

As a loyal American on this side of the aisle, I wish to help the Committee on Appropriations expediate consideration of the pending bill, appropriating approximately $29 billion, with the increases asked for by the military, so that the armed services may have something to go by.

The Secretary of Defense is on his way to the Orient, and we are now in the process of negotiation with respect to southeast Asia in an effort to preserve our way of life. I commend that course. Of course, there will be a deficiency bill considered. When such bill is considered, I shall again take up the question of adequate appropriations for the Army and of moving forward the Air Force program as fast as those in charge feel it can be moved forward.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield to the Senator from Michigan.

Mr. FERGUSON. The Senator from Michigan discussed that subject this morning at the meeting of the Committee on Appropriations. As I understand the situation, naturally some changes have taken place since the budget was made up.

Mr. MAYBANK. I intended to point that up.

Mr. FERGUSON. I appreciate that fact. However, as I understand the situation, there is not at the present time an anticipation of a deficiency bill, and the budget figures are as indicated.

Mr. MAYBANK. I did not so understand from Mr. Hannah. He said anything connected with the Asiatic situation would have to be covered in a deficiency bill.

Mr. FERGUSON. That is if conditions required a change. As we all know, the military situation, including that with reference to military personnel, is not static, and it must be given very careful attention by the Joint Chiefs of Staff, the President, and the Secretary of Defense.

Mr. MAYBANK. I had no intention of suggesting anything until the Secretary of Defense returns from the Orient. I have no intention of asking the Senator from Michigan to suggest that General Ridgway be called at this time, because some weeks ago the Senator from Michigan told me we could have an executive session later on. However, I may ask a session shortly.

Mr. FERGUSON. I wish to make it clear on the RECORD that I have no evidence to indicate that there will be an application or evidence presented for a deficiency bill to increase the amount of the present requests. I think it is only fair to the Senate to make that statement.

The PRESIDING OFFICER. The Chair invites attention to the fact that under the 2-minute rule the time of the Senator from South Carolina has expired.

Mr. MAYBANK. Mr. President, I ask unanimous consent that I may speak for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from South Carolina may proceed.

Mr. MAYBANK. Mr. President, my only desire is to help to secure action on the deficiency bill, because I know such a bill will come before the Senate if the Secretary of State succeeds in bringing about an alliance with southeast Asia and in creating a "NATO" in Asia. I have enough common sense, as have the American people, to know that it will cost plenty of money.

Mr. LONG. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. LONG. I hope the chairman of the committee will note the point made by the distinguished Senator from Mississippi yesterday, namely, that General Van Fleet has written articles and has stated that we can train and equip 20 South Korean divisions for the same amount of money that it would cost to similarly train and equip 1 American division.

Mr. MAYBANK. Mr. President, I have simply stated that the program will cost money. I listened to the Senator from Mississippi [Mr. STENNIS] when he spoke more than a month ago, and I congratulated him. I have also read General Van Fleet's articles. I know the general. I suggest only that whatever program may be adopted will cost money, and the money must be obtained through the Appropriations Committee.

Mr. LONG. I should like to suggest that it may be a good idea to replace some of the American divisions in Korea at the present time with South Korean divisions, which can be done with less expense.

Mr. MAYBANK. That is a matter for the Armed Services Committee to consider. I am speaking of an appropriation of $29 billion, which is not going to be sufficient, in view of the world situation as it is today.

I thank the Senator from Louisiana.

BIPARTISAN COOPERATION

Mr. JOHNSON of Texas. Mr. President, on yesterday, the Senate majority leader addressed himself to a problem which has occupied considerable newspaper space in the past few days. In response to his remarks, I should like to make my own position clear.

With his usual good sense, the majority leader based his statement on a sound premise. It was that there is only one party of treason in the United States—the Communist Party and its fellow travelers.

It is unfortunate that a man who bears burdens so heavy as those of the majority leader must take time from his duties to instruct his colleagues on a premise so basic and obvious as that. It is a sad commentary on our times.

It is even more unfortunate that his lesson in elementary logic is going to fall on some deaf ears.

Nevertheless, the majority leader, who is a man of honor and integrity, addressed himself to a serious subject. He is entitled to a serious answer.

I have always felt that the question of bipartisanship in foreign policy is merely a question of sound judgment and good common sense. There is no constitutional obligation for the majority to extend bipartisanship or for the minority to accept it.

But as Americans, interested in the preservation of our country, I think we should be able to work together in any area of foreign policy where we are in agreement.

That is my attitude; that has always been my attitude; that will always be my attitude. Nothing has altered or will alter my position in that respect.

I think I can speak for all the Members on this side of the aisle when I say that we are ready to meet the President and the administration more than half way. As responsible men, we are ready at any time to cooperate in the preservation of our country.

We will not abdicate our right to make legitimate criticism.

We will not submerge differences based upon principle.

We will insist upon clear explanations of the policies in which we are asked to cooperate.

We will insist that we and the American people be treated as adults—that we be given all the facts without any sugar-coating.

But those are merely conditions which no party can abdicate, or should be expected to abdicate. It would be a sad day for the country if the voice of legitimate principled opposition was silenced.

I have known the majority leader for a number of years. We have had many differences and will probably have more in the future. But I know him to be a patriotic American, sincerely dedicated to the preservation of our country.

We have found it possible to work together in the past; we will find it possible to work together in the future.

Mr. President, the stakes are high. They are the security of our free institutions. They are the lives of ourselves and our children.

I am not going to get into any arguments as to who did what to whom and when. The times are far too serious for that.

So far as the minority is concerned, the door to legitimate cooperation is wide open. It has never been closed; it is not closed now.

I do not think any one party has a monopoly on loyalty and devotion to the Nation. Any offer of legitimate cooperation on the part of the majority will be accepted in the same spirit by the minority—now or at any other time.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, for the information of the Senate I desire to indicate what the program will be with respect to the consideration of additional proposed legislation when the Senate has disposed of the unfinished business.

I have previously called to the attention of the minority leader, and have also stated publicly on the floor of the

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Senate, a number of bills, which will not necessarily be taken up in the precise order in which I shall now state them, but I think substantially so.

When the debate has been finished on Calendar No. 320, Senate bill 1461, the so-called time-lag bill, it is proposed to consider Calendar No. 1280, Senate bill 3245, to amend the act of April 6, 1949, as amended by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes.

Then it is proposed to consider the following measures:

Order No. 1172, Senate bill 1303, to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan.

Order No. 1205, House bill 116, to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Calendar No. 1233, Senate Resolution 234, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

Calendar No. 1190, Senate bill 975, to amend the Home Owners' Loan Act of 1933, as amended. It is expected that this bill will not be considered until the first of next week.

Also ready to be taken up on Thursday is order No. 1288 on the calendar, which is H. R. 7893, the Treasury and Post Office appropriation bill.

Calendar No. 1216, Senate bill 2802, to further encourage the distribution of fishery products, and for other purposes.

Calendar No. 1066, Senate Joint Resolution 53, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

I may have some additional information for the minority leader and the Senate later this afternoon, after the policy committee meeting, but the measures I have listed constitute the program for the next 4 or 5 days.

SALE OF CERTAIN VESSELS TO BRAZIL—CORRECTION OF ENGROSSED COPY OF BILL

Mr. BUTLER of Maryland. Mr. President, late yesterday afternoon the Senate passed Senate bill 2370, to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil. In the engrossed copy of the bill, on page 2, in line 5, the word "effect" appears. The proper word at that point should be "affect", which is the word that was intended to be used there. I ask unanimous consent, therefore, for the necessary correction of the typographical error which was made in the engrossment of the bill.

Mr. THYE. Mr. President, will the Senator from Maryland explain the effect the correction will have in connection with the bill?

Mr. BUTLER of Maryland. It will have no effect whatever; it will merely make that portion of the bill grammatical.

Mr. THYE. I do not believe we should permit by unanimous consent a change to be made in a bill which has been passed, without having a definite explanation of the effect of the proposed change or correction.

Mr. BUTLER of Maryland. I think if I read the section, that will be sufficient explanation.

The title of the bill is, "A bill to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil."

I shall begin on page 2, line 3, and read subsection (b):

(b) After consultation with the Secretary of Defense it is determined that the sale of such vessels would not adversely effect the defense of the United States.

The unanimous-consent request is to change the word "effect" to "affect" so that the section will be grammatical.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, I have discussed with both the acting minority leader [Mr. CLEMENTS] and the minority leader, the unanimous-consent request I am about to submit, and they have no objection. The chairman of the Committee on Finance [Mr. MILLIKIN] has asked permission that the committee be permitted to meet this afternoon during the session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

REQUESTS OF COMMON CARRIERS FOR INCREASED TRANSPORTATION RATES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates

The PRESIDING OFFICER. The clerk will state the first committee amendment.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRICKER. I am going to make a unanimous-consent request, which will take only a minute or two.

As the RECORD will show, Senate bill 1461 was reported to the Senate on May 28, 1953, at the first session of the 83d Congress. Since that time many efforts have been made to amend the bill so as to meet the objections of all the Government departments and all the industries involved. As a result of those efforts, along with the Senator from Colorado [Mr. JOHNSON], the former chairman of the committee, and the Senator from Indiana [Mr. CAPEHART], I offered an amendment in the nature of a substitute to take the place of all the amendments reported by the committee as the bill appears before the Senate.

I ask unanimous consent that the Senate may consider the amendment in the nature of a substitute, which would obviate consideration of the committee amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. MONRONEY. Mr. President, reserving the right to object, the bill which is now before the Senate has been regularly reported after hearings. Certain members of the Committee on Interstate and Foreign Commerce have violently objected to the effort being made by means of the bill to change the rate-making structure so as to provide for "quickie" rate increases, on a mere, superficial showing by the railroads. If they wished, the railroads could virtually direct an increase in freight rates for every consumer and every farmer in the country, and compel the Interstate Commerce Commission, within 60 days, to grant the increased rates.

It is true that in the substitute which the distinguished chairman of the committee proposes to offer efforts to compromise the bill have been made, whereby some of the most objectionable features I have ever seen proposed in a bill introduced in a legislative body, would be removed. But some members of the committee are uncertain about the effect of the proposed change of language. There have been no hearings on the proposed change, and we are uncertain as to whether it would take away from the railroads the power to get whatever they asked for within 60 days after they appeared before the Interstate Commerce Commission. We do not know whether the substitute meets the unanimous objections of all the Government departments to the bill. Many of us, both privately and publicly, as well as in committee, have repeatedly urged that the substitute amendment be referred to the Committee on Interstate and Foreign Commerce in order that it could there be considered and a more perfect bill brought to the floor. For that reason, I think it would be very unwise for the Senate to adopt the language of the proposed amendment in the nature of a substitute, and say that it came from the commitee. I reserve the right to object.

Mr. BRICKER. I may say to the Senator from Oklahoma that there has been an effort, particularly in the amendment submitted by the Senator from Florida, and others, to meet the objections of the Government departments, which I think my proposed substitute does meet, with the possible exception of the objection of the Interstate Commerce Commission. There is no mandatory provision in the bill for increasing rates within the 60-day period. There is only a mandate that if the Commission finds that increased rates are justified, it will put into effect, within 60 days, interim or temporary rates, as submitted. That will not be final action on the part of the Commission; it will then proceed to weigh the rate case as it formerly did.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MONRONEY. Without my losing my right to the floor under the reservation, I yield to my colleague, the junior Senator from Florida.

Mr. SMATHERS. I should like to ask the Senator from Ohio a question. He stated that the substitute has been proposed in order to meet the objections of the various Government departments. Does the Senator from Ohio have reports from the Government departments?

Mr. BRICKER. I read them into the RECORD yesterday—a report from the Department of Commerce which particularly approved it. I also read into the RECORD the approval of the Grange and other organizations.

Mr. SMATHERS. Does the able Senator have a letter from the ICC itself, the Department of Justice, or the Department of Agriculture that they approved of the substitute?

Mr. BRICKER. No. I just stated that the Interstate Commerce Commission objected to the proposal. I have no approval except from the Department of Commerce.

Mr. SMATHERS. Will the Senator give us information as to whether any hearings at all have been held on the proposed substitute?

Mr. BRICKER. No hearings were held on the proposed substitute. Hearings were held on the original bill. The Senator from Florida will remember that the bill was reported at the last session of the Congress, but was not considered. The proposed substitute represents an effort on the part of the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and myself to meet the objections filed to the bill. Any attempt to have hearings on the proposed substitute would merely result in delay, because hearings have already been held on all aspects of the matter.

Mr. SMATHERS. I am sure the Senator will agree that when the question was raised in committee, at least the junior Senator from Florida, and I believe the Senator from Oklahoma, indicated that we thought it would be advisable to have hearings on the proposed substitute.

Mr. BRICKER. Not only is that true but the Senator wrote me a letter to that effect. The only way hearings could be held on the proposed substitute would be to send the bill back to the committee for hearings, which would result in delay, and there would be no facts adduced at such hearings which are not in the record at the present time.

Mr. SMATHERS. Does not the Senator believe that the Interstate Commerce Commission should have an opportunity to state its objections to the proposed substitute?

Mr. BRICKER. Absolutely not, because the Commission will have no power to increase the rates, under the proposed substitute, unless an increase is necessary in order to enable the carrier to provide adequate and efficient service and protect the public interest.

Mr. SMATHERS. Does not the Senator think the ICC ought to be heard on the proposed substitute?

Mr. BRICKER. I do not think the Commission should control the action of the committee. I think committees of the Senate and of the Congress are already influenced too much by administrative departments. I, for one, am not going to submit to their control. When facts are ascertained by the committee and it comes to its decision, that ought to be the decision of the committee. I do not think committees should go to the Government departments and agencies to determine whether a particular department thinks a given bill is good or not. That is the job of the committee, and I accept that responsibility.

Mr. SMATHERS. Aside from the sponsors of the substitute, does the Senator know that any other Senators have discussed the proposed amendment or whether it has been discussed in the committee?

Mr. BRICKER. It has been discussed in the committee time and time again. The Senator from Florida and I have discussed it.

Mr. SMATHERS. The Senator from Ohio and I have discussed the question whether there should be a hearing, but I am frank to say that I do not recall any discussion being had before the committee regarding changes made by the substitute in the original bill.

Mr. BRICKER. If the Senator had been here last night, and if he had read the RECORD of yesterday's proceedings——

Mr. SMATHERS. The Senator is referring to what happened on the floor of the Senate, but I am talking about what happened in committee.

Mr. BRICKER. If he had been present, the Senator would realize what the substitute provides and what its sponsors are attempting to do by it. I myself have not assumed the responsibility. I have been in constant touch with the other members of the committee, especially the former chairman of the committee, and the senior member of the committee on the other side of the aisle.

Mr. MONRONEY. Mr. President, further reserving the right to object, let me say it is my theory of congressional committees that they are not governed, limited, or controlled by 2 or 3 members; that when a bill is undergoing change and when an effort is made on the floor of the Senate to replace the bill with a substitute containing language involving matters as to the effect of which no Government department or specialized witnesses have testified, unanimous consent should not be given to thus replace the bill reported by the committee with the proposed substitute. If that were done, we would be having 1-man, 2-man, or 3-man control of some, many, or perhaps all our important committees. I no more like to have the executive departments dictate to the congressional committees than I like to have a few members of any committee, no matter how able, diligent, and capable they may be, presume to speak for an entire committee of the United States Senate.

Therefore, Mr. President, since the bill was regularly reported by the committee, following hearings, and since it purportedly represents the best work of the Committee on Interstate and Foreign Commerce, I think we should consider the bill as reported by the committee to the Senate, and should, in connection with that bill, have a discussion in which all Members, under the regular rules of the Senate, can participate. In that way, both the bill as reported and the proposed substitute can be considered, discussed, and explained.

So, Mr. President, I am reluctantly compelled to object to the unanimous-consent request made by the distinguished chairman of my committee that the so-called Johnson-Bricker-Capehart substitute be considered, in place of the bill which has regularly been reported by the Committee on Interstate and Foreign Commerce.

The PRESIDING OFFICER. The first amendment of the committee will be stated.

The first amendment reported by the Committee on Interstate and Foreign Commerce was, on page 1, in line 4, after the word "section", to strike out "15b," and insert "15a."

The amendment was agreed to.

The next amendment was, on page 1, line line 6, to change the section number from "15c" to "15b."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. SMATHERS. Mr. President, I should like to have the amendment explained. I wonder whether we may have an explanation of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment. An explanation does not seem to be forthcoming.

Mr. SMATHERS. Then, Mr. President, I shall suggest the absence of a quorum.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. Which amendment is now pending?

The PRESIDING OFFICER. The question is on agreeing to the second amendment reported by the committee, on page 1, in line 6, to change the section number "15 (c)" to "15 (b)."

The question is on agreeing to the amendment of the committee.

Mr. SMATHERS. Mr. President, it is not the intention of the junior Senator from Florida unnecessarily to delay consideration of Senate bill 1461. As has already been brought out, however, the provisions of the substitute proposed by the able Senator from Ohio [Mr. BRICKER], the senior Senator from Colorado [Mr. JOHNSON], and the senior Senator from Indiana [Mr. CAPEHART] were not considered by the committee. The bill would have a vital effect upon the general public, and it seems that the only way we can obtain information as to what would be the effect of the proposed substitute, or the amendments, looking at them individually, is to have some explanation of each of the amendments as we proceed with the process of amending Senate bill 1461. So we expect to call for full explanation of the amendments, in order that Senators may

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have an opportunity to be fully advised of what is in the bill.

I had reserved the right to object to the committee amendment on page 1, line 6, changing the section number from "15c" to "15b." I withdraw any objection I have to that committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 1, line 6.

The amendment was agreed to.

The next amendment was, on page 1, line 7, after the word "this", to strike out "part" and insert "act."

The amendment was agreed to.

The next amendment was on page 2, line 2, after the word "supplies" and the comma, to insert ", or in the case of any freight forwarder, increases in rates for services supplied to such freight forwarder by another common carrier and granted to such common carrier under the provisions of this section."

Mr. MONRONEY. Mr. President, may we have an explanation of the amendment? I think perhaps its purpose is to avoid squeezing freight forwarders when their basic common carrier rates go up. However, I believe we need to know whether or not we should allow the freight forwarders' rates to go up by the same percentage as the common carriers' rates are increased. For example, if the railroads are compelled to pay engineers a greater sum, and the freight rate goes up 15 cents a hundred, which would be, perhaps, a 10 percent increase, we do not believe that the freight forwarders' should receive a windfall profit of 10 percent above their present freight forwarding rate merely because the railroads are granted an increase by reason of an adjustment in the salaries of engineers. So I would appreciate it if the distinguished chairman of the committee would give us an explanation as to where the cutoff is.

Mr. BRICKER. It is not my amendment. The amendment I am submitting is an amendment in the nature of a substitute. I am not interested in this amendment. It was placed in the bill in committee. It was not offered by me. I do not know who is responsible for it.

Mr. MONRONEY. Apparently the freight forwarders are included in the provision for a quick increase in railroad rates. I wonder if that would compel the Interstate Commerce Commission to grant automatically the same percentage adjustment, or if the adjustment will be made on the basis of the increase in the rate per 100 pounds which the freight forwarders must pay to the railroads for carrying their bulk freight.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MAGNUSON. I cannot inform the Senator from Oklahoma what formula would be used. However, the reason for the amendment is that a number of years ago Congress made freight forwarders common carriers; and so long as they are common carriers, we desired to place them in the same category as other common carriers. The major reason for the amendment is that the term "common carriers" is interpreted so as to include freight forwarders. As I have said, I do not know exactly what formula would be used in this case, but the purpose of the amendment was to make sure that freight forwarders were included, because 4½ or 5 years ago they were made common carriers. The purpose of the amendment is to put them in the same tent with other common carriers.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, beginning in line 2.

The amendment was agreed to.

The next amendment was on page 2, at the beginning of line 16, to strike out "credit and" and insert "credit."

Mr. MONRONEY. Mr. President, this amendment is probably the worst feature of the bill. I understand that in the substitute proposed by the Senator from Ohio, these words are stricken, although we have had no testimony or explanation with respect to the substitute.

Mr. BRICKER. That point is taken care of in the substitute. The language referred to is not carried in the substitute, as I explained last night. That is one reason why I wanted to have the substitute considered, rather than the committee amendments. If the Senate had agreed to the unanimous-consent request, it is obvious that there would have been no debate on the committee amendment, and there would have been no effort to support it. I do not support it, and it is not in the substitute.

Mr. MONRONEY. Originally this amendment was supported by the Committee on Interstate and Foreign Commerce. It is in the bill as a result of the hearings and the vote of the Interstate and Foreign Commerce Committee.

The position of the junior Senator from Oklahoma is that, while some of this language may have been removed in the substitute which is to be offered later, we are uncertain, and we have no basis, either in the form of hearings or Government reports, on which to judge the question.

Mr. BRICKER. Mr. President, will the Senator further yield?

Mr. MONRONEY. I am glad to yield.

Mr. BRICKER. Weeks ago I sent to all members of the committee a copy of the substitute which I intended to submit, and for which I attempted to obtain consideration a moment ago, for the purpose of discussion.

The only request that was made by the Senator from Florida was that hearings be held on the substitute. Inasmuch as the committee had considered all the issues, and all the objections, which we thought had been met in the amendment in the nature of a substitute, the only way to hold hearings would be to send the original bill back to the committee, which would, of course, involve a delay until after the conclusion of the session.

As the Senator well knows, there are scheduled before the Interstate and Foreign Commerce Committee hearings which will occupy a month or a month and a half, every working day, from the present time forward. Such hearings involve not only the aviation bill, but the trip-leasing bill. They involve 2 or 3 maritime bills, and many other matters before the committee which must be taken care of.

That being the situation, there was no room to schedule hearings on this subject. There is no complex or complicated question involved in the substitute. The idea of sending the bill back to the committee for hearings, when the issue has been thoroughly discussed, debated, and testified to in the hearings is only for the purpose of delaying ultimate consideration.

Mr. MONRONEY. Mr. President, I must disagree with the distinguished chairman of the committee when he says that the junior Senator from Oklahoma, the junior Senator from Florida, or other Senators who are opposed to this legislation are seeking delay.

We would have been perfectly agreeable to one executive session in the morning or afternoon, at which representatives of the Interstate Commerce Commission, the Department of Agriculture, the General Services Administration, and other departments which vigorously oppose the enactment of the bill could appear. The language of the substitute could be read by them, and they could give us some light and information. As it is, the substitute is now brought before us with the approval of three distinguished members of the committee. We are told, "This substitute eliminates all the objectionable language. It would not permit a quick rate increase without evidence of a finding of fact. Because we have added a little new language, the bill ceases to mean a rate increase for millions of consumers and farm shippers. It now becomes invested with the great dignity of maintaining the freight rate adjudication procedures which have historically been used."

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BRICKER. Did the Senator from Oklahoma receive a letter from the chairman in regard to the pending bill?

Mr. MONRONEY. I did receive the letter.

Mr. BRICKER. Did the Senator answer it?

Mr. MONRONEY. No; I did not answer it. I did not answer it because I had other commitments which I had to meet.

Mr. BRICKER. I wonder whether this matter was of such great concern to him if the Senator could not at least give some time to answering my letter.

Mr. MONRONEY. The Senator from Ohio knows that the junior Senator from Oklahoma and the junior Senator from Florida have repeatedly asked for an opportunity to discuss the matter in committee in open session or in executive session, in order to determine what the bill would do.

Those of us who fear the effect of the bill feel that it would destroy the time-honored rate-making prerogatives of the Interstate Commerce Commission, and introduce a completely new formula and involve a completely new set of facts and procedures which would put on the backs of millions of consumers increased freight rates without the benefit of a

finding of facts under the historic methods which have heretofore protected the consumers of the United States.

Mr. BRICKER. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield.

Mr. BRICKER. Was not that subject discussed thoroughly in at least 2 of the meetings of the Committee on Interstate and Foreign Commerce, and was not the Senator from Oklahoma present at least at 1 of those meetings?

Mr. MONRONEY. I do not remember this subject being discussed thoroughly. I remember mention being made of a substitute. I remember hearing nothing that convinced me or other members of the committee of the fact that we should favor this bill, which came to the Senate with the absurd language it contained. Let me read this clause of the bill: "establish and maintain sound credit and attract equity capital."

What does that mean? It means that the Interstate Commerce Commission would have a new formula to follow, under which a railroad company in the worst financial condition any railroad company could get into could make out a case that its rates must be high enough to maintain sound credit and attract equity capital.

Mr. SMATHERS and Mr. BRICKER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield; and if so, to whom?

Mr. MONRONEY. I yield first to the Senator from Florida.

Mr. SMATHERS. I should like to ask the able Senator from Oklahoma if he does not believe that, if the Senator from Ohio, in his substitute, is willing to strike out that particular language, as I understand he is willing to do, it would not be better for all of us, particularly those of us who are asking for information about his substitute, to have the Senator from Ohio offer his amendments as we debate the bill line by line, and have each amendment explained at that time?

The only objection, as I understand, which the Senator from Oklahoma is making is that we have no information concerning the proposed substitute. As I understand, the Senator from Ohio intends to strike out the language to which the Senator from Oklahoma has just addressed an objection.

I do not see any reason why the able Senator from Ohio should not be willing to explain his substitute and to offer his amendments as we go along. In that way we would have an opportunity to ask the Senator from Ohio how the language in the substitute differs from the original bill, and what the purpose of the change is.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BRICKER. That is exactly what I wanted to do in the substitute. There is not one portion of the substitute which I am not willing to comment on, to defend, and to explain. To go through the process suggested by the Senator from Florida is absurd. I am not interested in doing that. What the Senate is proceeding to do is absurd.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SMATHERS. If we had adopted the substitute, we would now have a brand-new bill, and the Senator from Ohio could say that it had all been explained last night and that we could read the explanation in the RECORD. The Senator from Ohio knows that not many Senators have the time to read the RECORD, and that there is not much time available if we are to vote on the bill this afternoon.

Therefore, in protecting what we believe to be the interest of the public and in trying to get some information for everyone's benefit, we objected to the substitute. That was the only course we could pursue. I do not understand why the Senator from Ohio could not offer the substitute in the form of a line-by-line amendment, with each amendment being debated as we proceed this afternoon.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JOHNSON of Colorado. I understand that the Senator from Oklahoma favors the amendment which is now pending, on page 2, line 16, where the words "credit and" are to be stricken, and the word "credit" substituted in lieu therefor.

The reason for that change is obvious to anyone; it is to improve the English at that point in the bill. It would take care of the amendment which the Senator from Rhode Island [Mr. PASTORE] offered to the bill. He offered the amendment which is shown in the bill in italics and which reads, "and protect the public interest."

The striking of the words "credit and" is for the purpose of improving the English. It is not necessary for any other purpose. The amendment would strike out the words "credit and" and substitute "credit," and would make that line read: "credit, attract equity capital, and protect the public interest."

I do not understand that very much can be said in explanation of the pending amendment in line 16. The purpose of it seems to be quite obvious. Instead of reading "maintain sound credit and," it would read "maintain sound credit."

Mr. MONRONEY. I agree with the distinguished Senator from Colorado that probably this is a correction in grammar only. However, it is a part of the heart of our objection to this bill, and it is one of the things that has aroused our suspicion about the new formulas contemplated to be introduced into our ratemaking structure. We are fearful of the substitute, because it comes to the Senate without committee consideration, and we are fearful that there are other sections which are just as dangerous to the farmers and consumers. We should not accept such amendments without their first being considered by the committee, or without genuine understanding of what the new language would do.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Vermont.

Mr. AIKEN. I understand the Senator from Florida [Mr. SMATHERS] intends to offer an amendment on page 2, line 15, of the bill to strike out the words "establish and maintain sound credit, attract equity capital," and to substitute in lieu thereof the words "and to meet the increased costs designated herein."

Did the committee members object to the amendment of the Senator from Florida?

Mr. MONRONEY. No; that is the purpose we have in mind. We are not trying to withhold anything. We are trying to improve the bill, and we say that the words "establish and maintain sound credit, attract equity capital" will let the railroads charge not only what the traffic will bear but much more than the traffic will bear.

Mr. AIKEN. Does the committee object to the amendment offered by the Senator from Florida?

Mr. BRICKER. Mr. President, will the Senator from Oklahoma yield so that I may make an observation?

Mr. MONRONEY. I shall be glad to yield for that purpose, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Ohio may proceed.

Mr. BRICKER. I should like to explain to the Senator from Vermont the change that has taken place. In the substitute the words which have been objected to have been eliminated because of the fear on the part of some that the words amounted to a change in the ratemaking rule set forth in section 15 of the Transportation Act. I do not believe it is a legitimate objection. However, in order to obviate any criticism, the substitute amendment does eliminate that language, because no one desires to make a change in the ratemaking rule.

Mr. AIKEN. Mr. President, would the Senator from Ohio accept the amendment offered by the Senator from Florida?

Mr. BRICKER. I do not intend to do so, because I do not believe that is the way to proceed. I shall offer the substitute when we conclude consideration of the committee amendments.

Mr. SMATHERS. Mr. President——

Mr. MONRONEY. I yield to my distinguished colleague from Florida.

Mr. SMATHERS. Mr. President, I call up my amendment——

The PRESIDING OFFICER. The Chair advises the Senator from Florida that his amendment will not be in order until the remaining committee amendments are disposed of.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. Would it be in order for the amendment proposed by the Senator from Illinois [Mr. DOUGLAS] as a substitute for the committee amendment to be considered?

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The PRESIDING OFFICER. The Chair is informed that it would not be in order.

Mr. CASE. Is any amendment in order as a substitute for the committee amendment? My reason for asking the question is that the purpose is to make the bill conform to the substitute, eliminating certain words, which will leave the bill in exactly the form proposed by the substitute.

The PRESIDING OFFICER. The Chair is informed that, while obviously the Senate may consider the amendment offered by the Senator from Illinois under a unanimous-consent agreement, it would not be in order as a proposed amendment to this particular committee amendment.

Mr. CASE. Not as a substitute for the committee amendment?

The PRESIDING OFFICER. Not as a substitute. The committee amendment seeks to strike out on line 16 the words "credit and" and to substitute the word "credit", and at the end of the line to insert "and protect the public"; whereas the printed amendment offered by the Senator from Illinois relates to certain words found on lines 15 and 16, page 2, of the bill. The Chair rules that it cannot be considered as an amendment to the committee amendment unless there is a unanimous-consent agreement to that effect.

Mr. CASE. Mr. President, I ask unanimous consent that the amendment proposed by the Senator from Illinois [Mr. DOUGLAS] may be offered as a substitute.

Mr. BRICKER. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. I wish to propound to the Chair this question: Let us assume the committee amendment is adopted. Would it not then be in order to move to adopt the language of my amendment?

The PRESIDING OFFICER. The Chair is advised that after the proposed committee amendments are disposed of it will then be in order for the Senator from Illinois to proceed as he suggests.

Mr. MONRONEY. Mr. President, since it seems that the only way this obnoxious, dangerous, and entirely new theory of ratemaking can be eliminated is to accept the committee amendment and then to offer either the amendment of the junior Senator from Florida or the amendment of the senior Senator from Illinois, in order to expedite the procedure, so far as I am concerned, I am willing that the remaining committee amendments be adopted, with the understanding that we have the right to amend them.

The PRESIDING OFFICER. The Chair will further advise the Senate that the proposed committee amendments may be adopted en bloc, in the interest of saving time, by a unanimous-consent agreement to that effect.

Mr. CASE. Mr. President, I ask unanimous consent that the remaining committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the remaining committee amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

At the beginning of line 16, to strike out "credit and" and insert "credit,"; in the same line, after the word "capital", to insert "and protect the public interest"; in line 19, after the word "increases", to insert "if any"; in line 24, after the word "sound", to strike out "credit and" and insert "credit"; in the same line, after the word "capital", to insert "and protect the public interest", and on page 3, line 8, after the word "act" to strike out "*Provided*, That if upon the final disposition of the issues involved in such proceeding, the increase in rates, fares, or charges as finally determined by the Commission are less than the increases in rates, fares, and charges authorized by such interim order, the carriers shall upon demand without further action by the Commission make refunds upon any shipments on which the interim increases exceeded the maximum increases authorized in the final decision and report of the Commission" and insert "*Provided*, That if, upon the final disposition of the issues involved in such proceedings, the increases in rates, fares, or charges finally authorized by the Commission are less than the increase in rates, fares, and charges authorized by such interim order, the carrier shall upon demand, subject to rules and regulations prescribed by the Commission, make refunds in the amount by which the interim increased rate, fare, or charge collected exceeds the final increased rate, fare, or charge", so as to make the bill read:

"*Be it enacted, etc.*, That the Interstate Commerce Act, as amended, is amended by adding after section 15a thereof a new section reading as follows:

"'SEC. 15b. Whenever any common carrier subject to this act, acting by regions, districts, or other appropriate groups (or any express company or sleeping-car company acting individually), shall file a petition with the Commission certifying that they have incurred, or within the immediate future will incur, increases in wages, or increased costs of materials and supplies, or in the case of any freight forwarded, increases in rates for services supplied to such freight forwarder by another common carrier and granted to such common carrier under the provisions of this section, which according to the best available estimates of revenues and expenses (including such increases) covering the 12-month period following the filing of such petition indicate that, as a result of said increases, a general increase in rates, fares, or charges for the transportation of passengers or property, or both, as set forth in said petition, is necessary to permit said carriers, under honest, economical, and efficient management, to earn revenues sufficient to enable them to provide, in the interest of the Nation and the general public, adequate and efficient service, establish and maintain sound credit, attract equity capital, and protect the public interest; thereupon the Commission shall within 60 days after the filing of such petition enter an interim order and finding, with or without a hearing, authorizing increases, if any, which in the Commission's opinion are appropriate or necessary under honest, economical, and efficient management to provide revenues sufficient to enable the carriers to provide adequate and efficient service, maintain sound credit, attract equity capital, and protect the public interest. Such increases shall become effective under master tariffs or other schedules published to become effective on not more than 10 days' notice to the public. Within 60 days thereafter, the increases in rates, fares, or charges requested in said petition shall be the subject of further investigation and the Commission shall proceed with the final disposition of the cause in accordance with the substantive provisions and powers granted it under other provisions of the Act: *Provided*, That if, upon the final disposition of the issues involved in such proceeding, the increases in rates, fares, or charges finally authorized by the Commission are less than the increases in rates, fares, and charges authorized by such interim order, the carriers shall upon demand, subject to rules and regulations prescribed by the Commission, make refunds in the amount by which the interim increased rate, fare, or charge collected exceeds the final increased rate, fare, or charge.'"

Mr. DOUGLAS. Mr. President, I call up my amendment "7–20–53–A" and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Illinois.

The CHIEF CLERK. On page 2, lines 15 and 16, it is proposed to strike out "establish and maintain sound credit, attract equity capital."

On page 2, lines 23 and 24, strike out "maintain sound credit, attract equity capital."

The PRESIDING OFFICER. Without objection, the two portions of the proposed amendment will be considered together.

The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. DOUGLAS. Mr. President, as the Senator from Oklahoma has pointed out——

Mr. MONRONEY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. Mr. President, I think the amendment is so vital to the bill that I wonder if the Senator from Illinois will yield to me in order that I may suggest the absence of a quorum.

Mr. BRICKER. Mr. President, will the Senator from Oklahoma withhold his suggestion for a moment?

Mr. MONRONEY. Yes.

Mr. BRICKER. Mr. President, I have no objection to the adoption of the amendment, because it conforms to the substitute which I have offered.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Oklahoma for the purpose of a quorum-call, with the understanding that the Senator from Illinois shall not lose his right to the floor?

Mr. DOUGLAS. I do.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. MONRONEY. I have no objection, although I originally made the point of no quorum.

The PRESIDING OFFICER. Without objection, the order for the quorum call is rescinded.

The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, it was primarily because of the nature of the language of the original bill in respect to the rule of rate making that I objected to the bill when it was presented to the Senate last July. It introduced a new principle into the fixing of rates for railway carriers.

Mr. BRICKER. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. BRICKER. The Senator from Illinois understands, does he not, that the effect of his amendment is carried into the substitute which the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and I have submitted?

Mr. DOUGLAS. I so understand. I congratulate the Senator from Ohio, the Senator from Colorado, and the Senator from Indiana upon adopting the ideas which the Senator from Florida [Mr. SMATHERS] and I advanced last year.

I desire, however, to make some comments about the nature of the original bill, if the Senator from Ohio does not object.

Mr. BRICKER. Mr. President, will the Senator further yield?

Mr. DOUGLAS. I yield.

Mr. BRICKER. Will the Senator from Illinois further agree with me that there was no effort made on the part of any member of the committee, during the consideration of the bill, to change the basic rule of rate making as set forth in the Transportation Act?

Mr. DOUGLAS. In the bill as it was reported by the committee last year, there was most certainly an effort made to change the basis of rate making, because it would have established a principle that the rates should be adequate to establish and maintain sound credit and to attract equity capital, the significance of which I shall speak about in a minute, and not merely to provide a fair rate of return on the general investment.

Mr. BRICKER. But there was no amendment at all to the rule-making power, so far as the fixing of final rates was concerned.

Mr. DOUGLAS. But it was my contention then, and it is largely my contention now, that if temporary increases are permitted to be made upon one basis, it will be pretty difficult to undo the effects by a later ruling determined on another basis.

The point of my objection last year was that the principle upon which railroads under this bill would be allowed to charge rates which would enable them to attract equity capital, was a new principle in railway rate making.

In general, the railroads of the United States have been built not by the sale of stocks, but by the sale of bonds. It is bonds which have tended to represent the actual physical investment in railroads. The stocks were originally thrown in as bonuses to promoters.

It is true that with the passage of time the income was reinvested, and frequently it was called maintenance, so the real addition to the capital was that gradually its water tended to be absorbed.

But the physical valuation of railroads was started by the late former Governor La Follette, of Wisconsin, around the turn of the century, and has been continued as a result of legislation which he introduced 40 years ago. So the permanent rate-making authorizations of Congress have become fairly definite, based upon physical valuation.

The original bill contained the language "attract equity capital." I should like to point out that in order to attract equity capital, a much higher rate of return would have to be given than the bondholders receive. Furthermore, with a taxation rate which is now 52 percent of corporate profits, in order that owners of stock may receive a 6 percent return, in practice the railroad would have to earn in excess of 12 percent, before taxes, on the outstanding stock, after interest on bonds. In consequence, much higher railroad rates would be required to meet those costs of added equity capital than are necessary to support borrowings or to provide a fair return as now provided.

The provision of the bill requiring maintenance of "sound credit" was also vague and subject to inflated estimates that would affect rates adversely.

Therefore, the proposal in its original form was, to my mind, outrageous, and justified our looking at the whole bill with something of a critical eye, in view of the fact that it contained this original language.

I am glad that in the substitute measure proposed by the Senator from Colorado, the Senator from Ohio, and the Senator from Indiana, they have taken advantage of the criticisms which have been offered, and have removed this particular objection; but I hope very much that the amendment which I suggest may be adopted in its present form.

Mr. LEHMAN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield to the Senator from New York.

Mr. LEHMAN. Is it not a fact that the words which were originally proposed, to "maintain sound credit" and "attract equity capital," would place no limitation on the rate increases which might be made, and that there would be no telling what rates would be necessary in order to attract equity capital?

Mr. DOUGLAS. Yes. The Senator from New York points out that the standard is uncertain, as well as excessive.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BRICKER. Mr. President, I call up my amendment in the nature of a substitute.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Ohio [Mr. BRICKER] for himself, the Senator from Colorado [Mr. JOHNSON], and the Senator from Indiana [Mr. CAPEHART].

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following:

That the Interstate Commerce Act, as amended, is amended by adding after section 15a thereof a new section reading as follows:

"SEC. 15b. Whenever any common carriers subject to this act, acting by regions, districts, or other appropriate groups (or any express company or sleeping-car company acting individually), shall file a petition with the Commission certifying that they have incurred, or within the immediate future will incur, increases in wages, or increased costs of materials and supplies, or in the case of any freight forwarder, increases in rates for services supplied to such freight forwarder by another common carrier and granted to such common carrier under the provisions of this section, which according to the best available estimates of revenues and expenses (including such increases) covering the 12-month period following the filing of such petition indicate that, as a result of said increases, a general increase in rates, fares, or charges for the transportation of passengers or property, or both, as set forth in said petition, is necessary to permit said carriers, under honest, economical, and efficient management, to earn revenues sufficient to enable them to provide, in the interest of the Nation and the general public, adequate and efficient service and protect the public interest; thereupon the Commission shall within 60 days after the filing of such petition enter an interim order and findings, with or without a hearing, authorizing increases, if any, which in the Commission's opinion are appropriate or necessary under honest, economical, and efficient management to provide revenues sufficient to enable the carriers to provide adequate and efficient service and protect the public interest. Such increases shall become effective under master tariffs or other schedules published to become effective on not more than 10 days' notice to the public. Within 60 days thereafter, the increases in rates, fares, or charges requested in said petition shall be the subject of further investigation and the Commission shall proceed with the final disposition of the cause in accordance with the substantive provisions and powers granted it under other provisions of this act: *Provided*, That if, upon the final disposition of the issues involved in such proceeding, the increases in rates, fares, or charges finally authorized by the Commission are less than the increase in rates, fares, and charges authorized by such interim order, the carriers shall upon demand, subject to rules and regulations prescribed by the Commission, make refunds in the amount by which the interim increased rate, fare, or charge collected exceeds the final increased rate, fare, or charge. The Commission in both its interim and final action on petitions filed hereunder shall give consideration to the factors in section 15a hereof, and to any other applicable substantive provisions of this act.

"Petitions under this section shall show any proposed exceptions to the uniform application of the requested increase in rates, fares, or charges, and the carriers shall publish and make effective initially the full amount of the increases authorized by the Commission's interim order: *Provided, however*, That nothing herein contained shall be construed to prevent the making of any change in any rate, fare, or charge made effective initially pursuant to an interim order of the Commission as aforesaid, or in any other rate, fare, or charge, in accordance with the provisions of this act relating to the making of changes in rates, fares, and charges generally, either before or after the final disposition of any proceeding instituted hereunder."

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The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Ohio for himself and other Senators.

Mr. BRICKER. Mr. President, the amendment in the nature of a substitute has been read by the clerk. My reason for not suggesting that it not be read by the clerk is that the reading of it obviates all the criticism which has been advanced on the floor of the Senate by Senators on the other side of the aisle during the course of the consideration of the bill. Every amendment which has been offered to the bill has been incorporated in the substitute, along with a clear definition of the rights of the carriers and the power of the Interstate Commerce Commission. Because of the satisfactory working out of all of the objections, I have in my hand a letter from the Bureau of the Budget approving the proposed legislation, with the additional statement that the amendment offered by the Senator from Illinois be incorporated in the substitute, which has been done, and with which I agree.

Mr. President, I ask unanimous consent that the letter from the Bureau of the Budget on S. 1461 be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 7, 1954.

Hon. JOHN W. BRICKER,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This will acknowledge the request of April 6, 1954, from Mr. Jelsma of the committee staff for the views of the Bureau of the Budget on the amendment (in the nature of a substitute) introduced by Senator BRICKER, Senator JOHNSON of Colorado, and Senator CAPEHART to S. 1461, a bill to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates.

The views of this Bureau on legislation of this type were expressed in our letter of March 31, 1954, to the Secretary of Commerce, advising him on reports which he proposed to submit on S. 1461 and H. R. 6395. In this letter (copy attached) the Secretary of Commerce was advised:

"The Bureau of the Budget would also have no objection to enactment of legislation requiring expedited action on interim rate increases provided that the rate-making standards are the same for both interim and final actions, and that the petition for a general rate increase shall not be considered as received for the purposes of the 60-day interim period until supporting data meeting the Commission's rules and regulations have been submitted."

The proposed substitute for S. 1461 requires the Commission to give consideration to the same ratemaking standards in both interim and final actions. It does not appear, however, to provide authority for the Commission to require carriers who petition for interim general rate increases, to file supporting data meeting the Commission's rules and regulations prior to the time when the 60-day interim period begins. If amended to assure such authority, the Bureau of the Budget would have no objection to enactment of this legislation.

Sincerely yours,

DONALD R. BELCHER,
Assistant Director.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., March 31, 1954.

The honorable the SECRETARY OF COMMERCE.
(Attention: Mr. Kenneth F. McClure)

MY DEAR MR. SECRETARY: This will acknowledge the receipt of your letter of March 2, 1954, transmitting copies of a report that the Department of Commerce proposes to submit to the chairman of the House Committee on Interstate and Foreign Commerce regarding H. R. 6395, a bill to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, together with copies of a revised report which the Department proposes to submit to the chairman of the Senate Committee on Interstate and Foreign Commerce on the companion Senate bill, S. 1461.

These bills would require the Interstate Commerce Commission to make interim fidings within 60 days after filing of certain petitions for rate increases by common carriers subject to the Interstate Commerce Act. The purpose of the bills is to expedite interim action in proceedings involving requests for general rate increases.

Your proposed reports, in the main, support enactment of the version contained in H. R. 6395, with modifications in the substantive standard for ratemaking on interim actions and with additional requirements for rules and regulations by the Commission regarding the data to be submitted with the carriers' petitions. The Interstate Commerce Commission, after reviewing at our request your proposed reports, continues to oppose any change in the ratemaking standards presently provided in the Interstate Commerce Act. A copy of their comments is attached for your consideration. In the substitute draft submitted previously to both committees, the Commission provided that all petitions for interim rate increases should include exhibits with the data necessary for the Commission to pass upon the petition.

Subject to consideration of the comments of the Interstate Commerce Commission, you are advised that there would be no objection to the submission of the proposed reports to the committees. The Bureau of the Budget would also have no objection to enactment of legislation requiring expedited action on interim rate increases provided that the ratemaking standards are the same for both interim and final actions, and that the petition for a general rate increase shall not be considered as received for the purposes of the 60-day interim period until supporting data meeting the Commission's rules and regulations have been submitted.

Sincerely yours,

ROGER W. JONES,
Assistant Director for Legislative Reference.

Mr. GOLDWATER. Mr. President, I should like to ask the Senator from Ohio a question concerning the bill, if he will yield. As I understand the bill, it provides quick relief for carriers within a reasonable time after such relief has been requested. Is my understanding correct?

Mr. BRICKER. Yes; within 60 days, if the Commission, in its judgment, upon the presentation of the petition, and a hearing if the Commission desires one, determines that such relief is justified in the public interest.

Mr. GOLDWATER. I am happy to have that explanation, which is exactly as I understood the provision. Turning to page 3, line 11, of the substitute, I note that in case the Commission finds that the increase is not justified, either in its entirety, or in part, refunds will be made to the different payees, that is, to those who paid the increased rates to the different carriers. I see no provision in the amendment for the inclusion of interest on the excess amount of which may have been paid.

Mr. BRICKER. Under the order of the Commission in connection with the matter of refunds, all refunds carry 4 percent interest, unless in the consideration of the refunds made available, interest is not of essence or would be too small in amount, or something of that sort. But the matter would be considered under the regular refund sections of the Transportation Act, which provide for 4 percent interest on overcharges; and this item is in the nature of refund.

Mr. GOLDWATER. I am glad the Senator from Ohio has explained it. Does he feel that the rules of the Commission would cover every instance of the kind I have mentioned? For instance, would the case of a small merchant having only $100 or $200 involved, be included under the provision of the substitute in regard to the payment of interest on overcharges as a result of the final order of the Commission?

Mr. BRICKER. The refund provision will take care of every shipper, however small; and the amount of refund claimed will not govern the payment of interest, for the payment of interest does not depend on the amount of refund claimed.

The Commission has the power to make refunds in its discretion; but in this case no discretion will be involved, because the amount of the charge is fixed and the amount of the overcharge will very readily be determined by ascertaining the excess of the interim rate charged over the final rate ascertained by the Commission. So no discretion will be involved, and the refund will be paid.

If there is any question about it in the mind of the Senator from Arizona, this debate will show the congressional intent.

Mr. GOLDWATER. There is concern in my mind that in cases of overcharge proper compensation might not be made for the interest a payee had to pay to various banks or other lending institutions for the money he had to borrow in order to be able to pay the higher interim rate.

Would the Senator from Ohio consider, as substitute language, the words "with interest, according to the rules of the Commission"?

Mr. BRICKER. I shall be glad to modify my amendment by including in it, at that point, the words "with interest, according to the rules of the Commission," so that the refunds will be made with interest, according to the Commission's rules. I am glad to adopt the suggestion of the Senator from Arizona as a modification of my amendment.

The PRESIDING OFFICER. The Chair understands that the Senator from Ohio modifies his amendment by the addition of certain words on page 3.

Will the Senator state the line in which the addition is to be made?

Mr. GOLDWATER. I understand it is on page 3, in line 11, after the word "amount." I have already sent to the desk the language the distinguished Senator from Ohio has agreed to have included in his amendment, as a modification of it.

The PRESIDING OFFICER. The Senator from Ohio has a right to modify his own amendment. The Chair understands that the Senator from Ohio does so, by adding, on page 3, in line 11, after the word "amount", the words which have been sent to the desk, and which will be read by the clerk.

The CHIEF CLERK. On page 3, in line 11, the amendment is modified by inserting, after the word "amount", the words "according to the rules of the Commission, including interest."

Mr. GOLDWATER. Mr. President, the modification I suggest is "including interest, according to the rules of the Commission."

Mr. BRICKER. Mr. President, I so modify my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be modified accordingly.

Mr. THYE. Mr. President, will the Senator from Ohio yield to me?

The PRESIDING OFFICER (Mr. UPTON in the chair). Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BRICKER. I yield.

Mr. THYE. I have received a telegram from Mr. Tom Hodgson, executive vice president of the Minnesota Retail Federation. Because of the importance of the telegram in connection with the subject we are now discussing, I shall appreciate it very much if the Senator from Ohio will yield to me long enough to permit me to read the telegram into the RECORD.

Mr. BRICKER. I yield for that purpose.

Mr. THYE. The telegram sets forth the fears of the federation, and reads as follows:

MINNEAPOLIS, MINN.,
May 11, 1954.

Hon. EDWARD THYE,
Senate Office Building,
Washington, D. C.:

Senate 1461, quick-rate bill, apparently due for debate and vote this week. Bill would force all shippers and receivers to make formal claims for refunds of illegal freight charges if ICC later declares automatic increase unwarranted and illegal. Thousands of Minnesota merchants do not have accounting departments and traffic and claims experts who can follow orders on ICC and rate matters. Bill would result in millions of dollars' windfall to carriers. If Congress and railroads want to do the right thing, the bill should be amended requiring railroads to carry burden of refunding of illegal charges to shippers and receivers. Quick-rate increases on railroads' own motion are bad enough, but some of the curse would be removed if small business and individuals were not forced to do the impossible. I am simply echoing the views of the merchants of Minnesota who don't like this bill. Best personal greetings.

TOM HODGSON,
Executive Vice President, Minnesota Retail Federation.

Mr. President, on this subject I have also received a letter from Mr. L. T. Suess, operating manager of the Golden Rule, in St. Paul. His letter voices similar concern. I ask unanimous consent that Mr. Suess' letter be printed at this point in the body of the RECORD, inasmuch as his letter covers practically the same points that are covered by the telegram I have received from Mr. Hodgson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE GOLDEN RULE,
St. Paul, March 9, 1954.

Senator THYE,
United States Senate,
Washington, D. C.

DEAR SENATOR THYE: I would like to take this opportunity to request your help in combating the passage of the bill known as quick-rate (time lag) bill. We oppose the passage of this bill for the following reasons:

1. The 60-day period set up for this bill would be too short a time for the ICC to hear probable protests. This would have the effect of having temporary rates becoming permanent.

2. The bill sets the burden of filing claims for refunds on shippers and receivers. This would be an added expense to all retail stores which expense usually has to be passed on to the customer, at least in part. Also if a merchant failed to demand a refund, the carrier would be allowed to keep the overcharge even if the ICC declares the charge illegal. Although we, as a large retail store, would be able to set up the necessary mechanics to handle these claims, we can visualize a great deal of difficulty on the part of the small retail stores who find it difficult to find time or facilities to handle these claims.

Our objection to the bill would partially be removed if the bill provided for returns of overcharges without the necessity of shippers or receivers filing the claims. However, the present bill in Congress puts this burden on the shippers and receivers.

We would greatly appreciate any assistance you might give in combating the passage of this bill.

Sincerely yours,

L. T. SUESS,
Operating Manager.

Mr. THYE. Mr. President, if the Senator from Ohio will give me some assurance in connection with what is expressed as a fear by the executive vice president of the Minnesota Retail Federation, he will enable me more clearly to consider the proper action I should take in connection with this matter.

Mr. BRICKER. We gave thorough consideration to the point suggested, because no one wishes to deprive anyone of the right to obtain a refund if it is his right under the law.

All that would have to be done would be to present the bill of lading to the railroad, and then the shipper would be entitled to the refund as a matter of right.

On the other hand, to force the railroads to go through innumerable details, down to the very last detail in the case of every shipment, some of them perhaps involving $1.25, or some other small amount, particularly if the interim rate did not violate the ratemaking provisions of the Interstate Commerce Act, would simply be to impose an unwarranted burden upon the carriers. These provisions are known very generally; they are well known by all the rate bureaus and all the merchants' associations. Therefore, certainly a merchant cannot complain about having to keep his bill of lading until final determination is made of the rate to be permanently fixed.

Mr. THYE. However, the telegram from Mr. Hodgson states, in part:

Thousands of Minnesota merchants do not have accounting departments and traffic and claims experts who can follow orders on ICC and rate matters.

Mr. BRICKER. However, all they would have to do would be to keep the bills of lading. They would not have to have accounting sections or even bookkeeping departments, so far as that is concerned.

Mr. THYE. However, suppose an interim rate increase were permitted, and suppose a finding for a lower rate were subsequently made, and the legal action required were taken. Could not the matter drag along for several years?

Mr. BRICKER. No; it will involve only the formality of presenting the bill of lading and a claim to the railroad for the overcharge, and the Interstate Commerce Commission has power to order the refund. There will be no trouble about it, I can assure the Senator from Minnesota. There never has been any trouble about it.

Mr. THYE. So the merchant would not have to take legal action, would he?

Mr. BRICKER. Certainly not.

Mr. THYE. I understand that all the merchants would have to do would be to present the bills of lading, showing the freight rates charged and paid.

Mr. BRICKER. That is correct. They would also show what they ultimately paid, and what the rate finally fixed was, and the difference would be determined.

Mr. THYE. After a study had been made, if the final finding of the Commission was that the increase by means of the interim rate was not justified, how long would it take before the carrier could file a counterclaim and request a review? I am thinking in terms of whether the matter could possibly be negotiated over a period of several years.

Mr. BRICKER. Payment could not be made until the final rate was determined.

Mr. THYE. But could the railroad or other carrier involved file a counterclaim and request a review of the Commission's finding, and thereby delay the final action and the execution of the Commission's order that the rate increase was not justified?

Mr. BRICKER. Of course, that can be done now.

Mr. THYE. But the carriers could not obtain a rate increase until the Commission authorized it. If an interim rate increase is permitted, and if subsequently a contrary finding is made, it would be possible to have further findings, further studies, and further hearings, and during all the time the higher rate would be imposed upon the shippers.

Mr. BRICKER. No. If I may explain the matter, let me say that the rate finally fixed by the Commission, after the interim rate had been established—and it is established only upon order of the Commission, upon showing—will

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supplant the interim rate. If the final rate is lower than the interim rate, then the shipper is entitled to a refund of the difference. He is entitled to a refund of the difference as soon as the final rate becomes effective.

Mr. THYE. But could the carrier appeal a decision of the Commission with respect to the final rate?

Mr. BRICKER. Very likely it would not do any good. It could ask for a rehearing before the Commission, I presume, just as it can now.

Mr. THYE. I thank the Senator.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER of Maryland. Let me say to the Senator from Minnesota that what seems to me to make this case a little different is that the interim-rate increase is restricted to only two items; namely, an increase in labor costs or an increase in material costs. When a carrier negotiates a contract with a union it knows pretty well what the labor cost is to be, and it can make application for an increase to cover such cost. If the carrier did not apply for a rate increase to conform to the cost of the union contract it would be very foolish because it would then have to make refunds.

Mr. THYE. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. THYE. I do not concede to the Senator from Maryland that all that is involved is the question of the cost of wage increases under union contracts, and the cost of materials, because there is involved also the question of equities and of investors. That feature is written into the bill, which would take the case beyond merely the question of a salary increase or an increase in material costs. The question of credit, and the opportunity of the carrier to obtain credit is somewhat involved in the entire philosophy of the bill.

Mr. BRICKER. If I may correct the Senators' impression, as the Senator from Maryland has said, the interim rate increase is limited entirely to the consideration of an increase in wages or an increase in costs of materials and supplies. If there had been no such increase, under no other circumstances could the carrier file an application for an interim increase.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER of Maryland. The application would not lie for any other purpose. The field is very restricted.

Mr. THYE. Am I to understand that the language "attract equity capital" is in the substitute?

Mr. BRICKER. That has been deleted. The amendment of the Senator from Illinois [Mr. DOUGLAS] has been adopted, and it is included in my substitute.

Mr. THYE. Is there any language which would create the same concern?

Mr. BRICKER. Absolutely nothing.

The simple purpose of the substitute is this: When there has been a wage increase, either as the result of negotiation with the union, or as the result of a determination by the wage board, or if it can be established that there has been an increase in material costs, the carrier ought not to be compelled to wait until a final determination is made, which would often involve a delay of many, many months, and perhaps as much as a year and a half. This provision also includes truck lines and water shippers as well.

According to the best estimates made in the testimony in the original hearing, since the end of World War II the loss, as between the rate ultimately fixed and the interim rate fixed by the Interstate Commerce Commission, was more than $1 billion. Of course, freight and passenger losses on the part of the carriers can never be recouped. It was to take care of that situation that the substitute was originally drafted, and limited to the two items which have been mentioned. So there is no other basis upon which a carrier could file an application for an interim rate. If it wants a general rate increase, its application must be handled under the present provisions of the Interstate Commerce Act.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER of Maryland. I am advised that in the history of the Interstate Commerce Commission there has never been a final rate which has exceeded the interim rate.

Mr. BRICKER. I think that is true.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram from Mr. John V. Lawrence, managing director of the American Trucking Association. This legislation involves trucking organizations as well as railroads. The American Trucking Association supports the amendment which is now submitted.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 11, 1954.*

Senator JOHN W. BRICKER,
Washington, D. C.:

S. 1461, time-lag bill, is before Senate today. The presently considered bill differs completely from original bill on which hearings were held, there having been removed from it any and every provision objected to or that could be considered objectionable by any reasonable person. It is simply a proposal to speed up on basis of simple arithmetic any necessary increase in carrier rates to meet increased costs that may arise. All unregulated industry has this right. This bill is intended to close the time gap for regulated transportation and is in line with the national transportation policy indicating a purpose of regulation is to keep transportation healthy and adequate to the country's need. We urge you consider objectively this bill in its present form and vote for its passage.

JOHN V. LAWRENCE,
Managing Director, American Trucking Association.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from Oklahoma.

Mr. MONRONEY. A while ago, before the various colloquies, the distinguished chairman of the committee referred to a letter from the Budget Bureau which supported the substitute amendment, as I understood him to say. However, the letter was not read. I wonder if we may have the advantage of knowing what was in the letter. May the letter be read by the clerk, or will the chairman of the committee read it?

Mr. BRICKER. I shall be glad to comply with the request.

The Bureau of the Budget would also have no objection to enactment of legislation requiring expedited action on interim rate increases, providing that the ratemaking standards are the same for both interim and final actions—

And that is true—

and that the petition for a general rate increase shall not be received for the purpose of the 60-day interim period until supporting data meeting the Commission's rules and regulations have been submitted.

That is all provided for in the substitute amendment.

Mr. MONRONEY. Will the Senator show us, in his substitute, where the public is represented in connection with the supporting data? As I understand, the entire case is closed so far as the public is concerned, and the entire showing is made by the railroads.

Mr. BRICKER. We cannot require a complete hearing in connection with an interim rate. If that were required, there would be no reason for giving the authority to fix an interim rate.

Mr. MONRONEY. I understood the letter from the Budget Bureau to state that the rules would be the same for the interim rate increase as for a permanent increase.

Mr. BRICKER. That means the ratemaking rule which was considered in connection with the amendment of the Senator from Illinois, which, of course, is not changed at all in my substitute.

Mr. MONRONEY. I fail to find in the substitute any reference to measures or standards. Perhaps it is because I have not had the opportunity to examine it carefully. None of the other committee members has had the opportunity to do so. It is said that the Budget Bureau approves the substitute before the Senate.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. BRICKER. Will the Senator from Illinois desist until I answer the question of the Senator from Oklahoma? I read from page 3, line 13, of the substitute:

The Commission in both its interim and final action on petitions filed hereunder shall give consideration to the factors in section 15a hereof, and to any other applicable substantive provisions of this act.

That certainly requires conformity to certain standards.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I hold in my hand what purports to be excerpts from the report of the Budget Bureau. The Senator from Ohio read accurately the first paragraph of the report, but he did not read the second paragraph, which I also have in my hand. I wonder if he would be willing to read the second paragraph.

Mr. BRICKER. I shall be glad to read the entire report if the Senator so de-

sires. I have nothing to cover up. I have tried to meet a very serious need with a substitute amendment which has met as many of the objections as possible, including the objections of the Senator from Illinois. I do not wish to be bound by anything the Budget Bureau says, anything the Interstate Commerce Commission says, or anything any other Government bureau says.

Mr. DOUGLAS. I am not asking the Senator to be bound. I merely wanted their views to be fully set forth.

Mr. BRICKER. I believe the views of the various agencies should be taken into consideration. They are important. The various agencies have information which is valuable to us. That is the reason why I presented the statement of the Budget Bureau for the RECORD.

Mr. DOUGLAS. Will the Senator permit me to read the second paragraph, and will he check me to see if my reading is correct?

Mr. BRICKER. I shall be glad to read it:

> The proposed substitute for S. 1461 requires the Commission to give consideration to the same ratemaking standards in both interim and final actions.

That is the language which I just read from the substitute.

Mr. DOUGLAS. That is correct.

Mr. BRICKER. Reading further from the statement of the Budget Bureau:

> It does not appear, however, to provide authority for the Commission to require carriers who petition for interim general rate increases, to file supporting data meeting the Commission's rules and regulations prior to the time when the 60-day interim period begins. If amended to insure such authority, the Bureau of the Budget would have no objection to enactment of this legislation.

The Commission can do anything it desires in connection with its rules and regulations, so long as it complies with the general requirements of section 15a of the statute.

Mr. DOUGLAS. I ask the Senator if he would object to specific language requiring the carriers to file detailed supporting data at the time they make their request for an interim increase. I may say that that was provided in an amendment which I submitted last year. It is recommended by the Budget Bureau. It was recommended by the Interstate Commerce Commission. I have a copy of what purports to be a letter from the Secretary of Commerce to Representative WOLVERTON favoring the same change. I should like to inquire of the Senator from Ohio if he would object to such an amendment being offered, on page 2, lines 14 and 15? I refer to my amendment designated "7–20–53–B."

Mr. BRICKER. I would object to that amendment, because it would change the ratemaking power of the Commission and would require something more with respect to an interim rate application than is required with respect to a final rate application. The Commission has the power to fix its own rules. To attempt to fix the rule in a statute such as this would be practically to annul the effect of any advantage given to the truck routes or to the railroads in connection with an interim increase.

Mr. DOUGLAS. Mr. President, if it is in order, I call up my amendment "7–20–53–B," and I ask that it be stated.

Mr. BRICKER. Mr. President, as I understand the amendment I have offered is now the pending question.

The PRESIDING OFFICER. The Chair rules that the pending amendment is open to amendment.

Mr. DOUGLAS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Am I correct in understanding that if the amendment in the nature of a substitute offered by the distinguished Senator from Ohio [Mr. BRICKER], the distinguished Senator from Colorado [Mr. JOHNSON], and the distinguished Senator from Indiana [Mr. CAPEHART] is agreed to, it will not be open to further amendment?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. DOUGLAS. Therefore, the only opportunity I have to amend the substitute is now. I should like to have my amendment "7–20–53–B" stated, with the understanding that it is an amendment to page 2, lines 14 and 15, of the substitute amendment instead of to line 17 of the bill.

The PRESIDING OFFICER. The Chair inquires whether the Senator offers his amendment as a substitute or as an amendment to the substitute?

Mr. DOUGLAS. It is an amendment to the amendment in the nature of a substitute.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The LEGISLATIVE CLERK. On page 2, line 15, of the amendment offered by Mr. BRICKER for himself and other Senators it is proposed to strike out the semicolon and "thereupon the" and insert in lieu thereof a period and the following:

> Such petition shall include or be accompanied by an exhibit made a part thereof, covering such 12-month period and showing in detail, by districts and regions or other groups as may be appropriate, and in total, estimates of ton-miles, passenger-miles, or other appropriate traffic measurements, income account, wage and material costs, gross capital expenditures, funds available and funds required, investment and rates of return and other pertinent data, together with a full explanation of the methods of arriving at the figures presented in the said exhibit. The.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the amendment in the nature of a substitute offered by the Senator from Ohio [Mr. BRICKER] for himself and other Senators.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bridges	Carlson
Barrett	Burke	Case
Beall	Bush	Chavez
Bennett	Butler, Md.	Clements
Bowring	Butler, Nebr.	Cooper
Bricker	Byrd	Cordon
Daniel	Hunt	Monroney
Dirksen	Ives	Mundt
Douglas	Jackson	Murray
Duff	Johnson, Colo.	Pastore
Dworshak	Johnson, Tex.	Payne
Ellender	Johnston, S. C.	Potter
Ferguson	Kennedy	Purtell
Flanders	Kerr	Robertson
Frear	Kilgore	Russell
Fulbright	Knowland	Saltonstall
George	Kuchel	Smathers
Gillette	Langer	Smith, Maine
Goldwater	Lehman	Smith, N. J.
Green	Long	Stennis
Hayden	Magnuson	Symington
Hendrickson	Malone	Thye
Hennings	Mansfield	Upton
Hickenlooper	Martin	Watkins
Hill	Maybank	Welker
Hoey	McCarthy	Wiley
Holland	McClellan	Williams
Humphrey	Millikin	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the amendment offered by the Senator from Ohio [Mr. BRICKER] for himself and other Senators.

Mr. BRICKER. Mr. President, I oppose the amendment of the Senator from Illinois. It was thoroughly considered at the time the substitute was prepared, and it was discussed with the committee at the time of the original hearing on the bill. It would practically nullify the effectiveness of the 60-day provision and would require that the Commission enter into practically a full-scale rate hearing before any interim rate could be made effective. If the Commission wishes to put into operation any of the provisions of the amendment prior to the determination of an interim rate, it can do so, but at the present time the Commission can require anything in an interim rate hearing that it can require in a final rate determination, because they are both under the same section of the Transportation Act.

To adopt the amendment of the Senator from Illinois to this interim rate-increase bill would practically nullify the effectiveness of the bill and would require more proof and put the Commission under straitjacket procedure in a 60-day interim hearing which the law does not even require in a full-scale rate hearing.

Mr. DOUGLAS. Mr. President, each Senator has on his desk a stack of proposed amendments to the bill, and in order to identify my amendment I would say it is amendment 7–20–53–B, which I offered on the 20th of July of last year to the original bill. Neither the original bill nor the substitute proposed by the Senator from Ohio [Mr. BRICKER], the Senator from Colorado [Mr. JOHNSON], and the Senator from Indiana [Mr. CAPEHART] requires the railways to file any data whatsoever at the time they make their request for a quick rate increase. They can come before the Commission without any supporting material whatsoever, and it is not obligatory upon the Commission to require them to file any such material.

Mr. MONRONEY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. Is it not also a fact that as the bill and the substitute are written, the burden of proof is on the

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Commission to deny whatever rate increase is asked in these quick rate-increase cases? In other words, we shift the burden from the railroads, who are requesting the increase, to the Interstate Commerce Commission, which must, without supporting data, yield to whatever demands are made by the railroads. The amendment offered by the distinguished senior Senator from Illinois merely requires that some supporting material be placed in the hands of the Commission on the question of whether the railroads need a 20-, 30-, or 50-percent increase, or whether they need any at all.

Mr. DOUGLAS. The Senator from Oklahoma is completely correct. At present, if the bill of the Senator from Ohio were to be passed, the railroads could demand an increase without submitting a single bit of data to support their request. The Commission could decide not to require them to file any such data, and the increase could be granted in the dark, without the Commission having anything to act upon, or the public, or the shippers knowing the reasons for the increase. As the Senator from Oklahoma has said, the burden of proof would be shifted completely and placed upon the Commission and the shippers, and not upon the railways.

All my amendment provides is that when the railways ask for quick relief, they shall file information as to the volume of their business, their wage and material costs, their capital expenditures, the funds available, the funds required, their investment, and their rates of return. Every railway has this information on hand. Every railway has a comptroller or a treasurer. This material is available and does not require additional study by the railways. Why should they not submit such information to the Commission, so that the Commission may have the data upon which to decide whether or not a "quickie" rate increase is justified? Once such an increase were granted, and it later developed that it should not have been granted, it would be very difficult to make refunds to small shippers, and I know of no way whatsoever whereby passengers could obtain refunds, because they could not be identified.

It is essential, therefore, to require the carriers to file sufficient basic data in justification of their requests so that, if possible, no unwarranted interim increase will be given in the first place.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. The question of refunds appears to me to be utterly ridiculous. It is foolish to assume that even a major percentage of shippers, particularly small shippers, ever will receive a thin dime in refunds. The distinguished Senator from Illinois is familiar with the fact that literally hundreds of thousands, if not millions, of shippers do not even keep their freight bills once they have been paid.

The very small business concerns, about which questions were asked earlier in the day by the distinguished Senator from Minnesota [Mr. THYE] and the distinguished Senator from Arizona [Mr. GOLDWATER], who will pay millions of dollars if an increase in freight rate is allowed, will either have to employ accountants in order to file requests for refunds, or yield 50 percent of their recoveries, which is the standard charge made by rate auditing companies, in order to obtain recoveries.

So I venture the assertion that three-fourths of whatever a rate increase may have initially been granted, if it should be finally denied by the Interstate Commerce Commission, never would be returned to the shippers. A good portion of it would remain in the hands of the railroad companies which had received the "quickie" rate increase.

Mr. DOUGLAS. I think the Senator from Oklahoma is quite correct.

Mr. SMATHERS. Mr. President, will the Senator from Illinois yield for a question?

Mr. DOUGLAS. I yield for a question.

Mr. SMATHERS. Is it not a fact that the amendment which the Senator from Illinois is sponsoring is in line with what was actually recommended by the Interstate Commerce Commission itself?

Mr. DOUGLAS. That is correct; and as the debate has also indicated, it has been recommended by the Bureau of the Budget.

I have in my hand, and I ask unanimous consent to have placed in the RECORD at this point in my remarks, what purports to be a copy of a letter from Secretary Weeks to the Senator from Ohio [Mr. BRICKER] under date of April 27, 1954, enclosing a letter which Mr. Weeks had previously written to Chairman WOLVERTON, of the House Committee on Interstate and Foreign Commerce. I have not seen the original of the letter, but since it was furnished to me upon my request by the staff of the Senate committee I believe the text of it to be correct. I ask that it be incorporated in the RECORD; but I desire to have the Senator from Ohio, or his assistant, inspect it, and if it is not a correct copy, I do not, of course, wish to submit it, and any passages contained in it which are not correct, I wish to have deleted.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, April 27, 1954.

Hon. JOHN W. BRICKER,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate,
Washington, D. C.

DEAR MR. CHAIRMAN: In my letter of May 13, 1953, to the late Senator Tobey, then chairman of your committee, I advised that the Department of Commerce recommended the enactment of legislation for the purpose set forth in S. 1461, but was opposed to any change in the substantive standard to be applied by the Interstate Commerce Commission in the prescribing of rates.

Similar legislation in the form of H. R. 6395 is now pending before the House Committee on Interstate and Foreign Commerce, and I have been requested by the chairman of the committee to comment on such bill. This measure is identical to S. 1461 as reported out by your committee, except for the addition of a final paragraph requiring carriers petitioning for increased rates to show any proposed exceptions to uniform application of the requested increases and to apply initially the full amount of the authorized increases.

After reexamination, I have reaffirmed my endorsement of legislation to overcome the time lag in general rate increases in a letter of this date to the chairman of the Committee on Interstate and Foreign Commerce of the House, a copy of which is enclosed for your information. You will note, however, that I have suggested certain amendments designed to meet my objections to the proposed interim rate-making standard and to protect the public interest.

If the amendments suggested with respect to H. R. 6395 were incorporated in S. 1461, this Department would have no objection to its enactment.

We have been advised by the Bureau of the Budget that they would interpose no objection to the submission of this letter. If we can be of further assistance in this matter, please call on us.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

THE SECRETARY OF COMMERCE,
Washington.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This letter is in reply to your request of July 22, 1953, for the views of this Department with respect to H. R. 6395.

H. R. 6395 would amend the Interstate Commerce Act, as amended, by adding a new section 15 (b) to provide for more expeditious handling of petitions for general rate increases submitted by carriers subject to the act. The bill would require the Interstate Commerce Commission to enter an interim order and findings on carriers' requests for general increases within 60 days after the filing of the petition and to proceed within 60 days thereafter with further investigation and final disposition of the matter in accordance with its delegated powers and the substantive provisions of the act. The bill is identical to S. 1461 as reported by the Senate Committee on Interstate and Foreign Commerce (Calendar No. 320, Rept. No. 317) except for the addition of a new paragraph that requires petitioners to show any proposed exceptions to uniform application of the requested increases and to apply initially the full amount of the authorized increases.

During the inflationary period following World War II railroads and other carriers whose rates are controlled by regulatory agencies were heavily handicapped because of their inability to adjust rates promptly to reflect increased material costs and wage levels. The long delays experienced by carriers in effecting general rate increases have resulted in inadequate revenues and earnings.

Because of the impact of general rate increases on the Nation's economy the Interstate Commerce Commission normally requires petitioning carriers to prove the reasonableness and propriety of their requests for increases. The Commission believes that full opportunity should be afforded parties to express their views concerning the proposals. The procedures followed are time consuming and result in considerable lapse of time between the incurring of wage increases and increased costs of material and supplies, on the one hand, and the effective date of such increases in rates, fares, and charges as the Commission may authorize, on the other.

The Department in reporting similar bills in the past has favored the enactment of legislation designed to reduce the time lag in general revenue proceedings before the Interstate Commerce Commission, but has

opposed any change in the substantive standard as applied to rate prescription. H. R. 6395 proposes an interim rule of ratemaking differing substantially from the substantive provisions of the Interstate Commerce Act in that it specifies certain broad objectives that the Commission is to meet in fixing rates for the interim period. In our estimation these objectives, particularly maintenance of sound credit and equity capital, are so vague and would present such unduly complex problems that the net effect would be to delay decision when promptness is desired. We would have no objection to the present bill, execpt as noted below, if there were no change in the existing ratemaking standards.

We wish to point out for your consideration, however, that in the long run, the problem of expeditious and equitable disposition of common-carrier requests for general-rate increases may require amendment of the ratemaking standard to eliminate as a factor for Commission consideration the clause in section 15 (a) (and comparable clauses in parts II, III, and IV) which reads "to the effect of rates on the movement of traffic by the carrier or carriers for which the rates are prescribed."

It may be desirable in the interest of further expediting the procedures to incorporate language requiring the Commission to prescribe rules and regulations regarding the form, type, and detail of data to be included in the best available estimates accompanying the petition and certification. The prescription of reasonable rules and regulations should place no undue burden on the carriers. General rate increases are presumably proposed by the carriers only after careful consideration has been given both to the extent of the cost increases which the carriers must meet and to the current and anticipated trends in traffic.

We endorse the final paragraph of the bill that requires the carriers to show proposed exceptions to the uniform application of requested increases and to apply initially the full amount of the authorized increases. The Commission's orders in postwar general increase proceedings have been permissive in character and subject to stated holddowns or exceptions. In practice the carriers have not taken full advantage of authorized increases for a variety of reasons generally related to competitive relationships. The principal purpose of the procedures provided for in this bill is to enable carriers promptly to adjust their rates upward to meet rising cost levels. The requirement for uniform application is reasonably flexible in that carriers may propose any exceptions in their interim petition and may make any change in any rate made effective by the Commission's interim order either before or after final disposition of the matter in accordance with the provisions of the act.

With the modification of H. R. 6395 as suggested above, the Department of Commerce has no objection to its enactment.

We have been advised by the Bureau of the Budget that they would interpose no objection to the submission of this letter to your committee.

If we can be of further assistance in this matter, please call on us.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

Mr. DOUGLAS. It will be noted that in the fifth paragraph from the end of his letter to Congressman WOLVERTON, the Secretary of Commerce also endorses the principle of my amendment.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. In view of the fact that the administrative branches of the Government seem to be supporting the position taken by the Senator from Illinois, would it not be fair to say that there is every reason to believe that the position of the Senator from Illinois is that of the President of the United States in this matter, certainly by inference, inasmuch as, apparently, his Cabinet officer seems to be supporting the position taken by the Senator from Illinois?

Mr. DOUGLAS. I think the statement of the Senator from Louisiana is substantially correct. In this instance, as in so many others, we on this side of the aisle are protecting the administration from the depredations upon administration policy wrought by those on the other side of the aisle.

Mr. CASE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CASE. Is it not a fact that under the terms of the substitute the Commission would not be required to put into effect a new rate or an interim order until after 60 days?

Mr. DOUGLAS. I believe the language is that the Commission shall "within 60 days" enter its order.

Mr. CASE. During the 60 days, would not the Commission, under its general authority, have a right to require the filing of such data as it might desire?

Mr. DOUGLAS. Yes; it would have the right, but it would not be compelled to require it. I ask whether it is not desirable for Congress, in the basic law, to provide that the data shall be submitted at the outset, rather than to permit a weak or compliant Commission to suggest or not to suggest that the railways furnish the information.

Mr. CASE. It seems to me that this is in the nature of special legislation, and presumably for certain purposes. I am not enthusiastic about the proposed legislation, particularly the provision which requires persons who desire refunds to demand them. I am reminded of the fact that in a recent telephone-rate-increase case in my own State, in which an appeal was taken to the Supreme Court, the telephone companies were required to keep track of the name and address of everyone who made a long-distance call so that if the rate increase was not sustained refunds automatically would be sent to them by the telephone company.

I wonder if the objection to the bill would not be overcome if the words "upon demand" were deleted where they occur on page 3, line 9, of the substitute, thus making refunds mandatory.

Mr. DOUGLAS. I may say to the distinguished Senator from South Dakota that I agree with him, but I can offer only one amendment at a time.

The amendment which I am offering at the moment provides that if the railways are to be given the right to obtain a "quickie" rate increase, then, at least, they shall submit such information as will permit the Commission and the shippers to pass intelligently upon their requests. In fairness, this seems to me to be essential.

If this amendment is agreed to, then I think I shall be prepared to support the amendment suggested by the Senator from South Dakota. But, at the moment, it seems to me he is talking about a different subject.

Mr. CASE. Mr. President, will the Senator indulge me a moment further?

Mr. DOUGLAS. Certainly.

Mr. CASE. Accepting the idea that some sort of "quickie" action may be necessary, does not the Senator from Illinois think that if the railroads or the truckers were required to make refunds, in case an interim rate order was found to be higher than could be supported by later investigation, the Commission in self-defense then, under its general authority, would be required without spelling it out in the bill, to grant some relief, because spelling it out would mean, in some cases, that the purpose of obtaining action without prolonged delay would be defeated?

Mr. DOUGLAS. No. It seems to me that the two subjects of requirements in the carriers' petitions on the one hand, and conditions for refunds on the other hand, are entirely different, and that they have only a very indirect interconnection.

I do not wish to depart too much from the subject matter of my amendment, but I still am puzzled about how passengers could be expected to obtain refunds of excess fares which they had paid. To identify each passenger who travels on a railroad, to ascertain how much he had paid, whether to the conductor or to the agent in a railway station, to get his name and address, and then to give him a refund on, let us say, his travel between here and Silver Spring, seems to me like straining at a gnat and swallowing a camel. The whole refund business seems to me to be highly conjectural and insubstantial. It seems to me more practical to guard against unwarranted interim increases in the first place.

Mr. CASE. Mr. President, will the Senator indulge me for one further comment?

Mr. DOUGLAS. Certainly.

Mr. CASE. The difficulties are manifold, I agree, in getting refunds under any circumstances. But the more difficult they may be, and the more the burden of proof or the burden of making refunds would fall upon the carriers, the less likely, it seems to me, they would be to ask for an increase beyond what was warranted or what would be later sustained. In any event, the difficulties which the Senator suggests in getting a receipt for a ticket from Washington to Silver Spring, and the matter of identity, would not be so difficult as it was in the case to which I alluded, where the telephone companies had to take names and addresses over the telephone and report them, in order to make appropriate refunds; but that actually happened.

Mr. DOUGLAS. Why not deal with the present issue directly by saying that when the companies come forward with their request for a quick rate increase, they shall submit data which they already have on their books, and which it will not take a statistician more than a relatively few hours to compile and submit?

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

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Mr. LEHMAN. It seems to me that the amendment proposed would be justified if the railroads were today in great danger of suffering hardship; but will not the Senator from Illinois agree with me that quite the opposite is true? Instead of suffering hardship because of inadequate revenues, a very large proportion of the railroads, possibly as much as 75 or 80 percent of the railroads, have shown, during the past 4, 5, or 6 years, generally increasing revenues and increasing profits?

Mr. DOUGLAS. I may say to the Senator from New York that I have not gone into the earning figures of the railroads as shown by the Interstate Commerce Commission, but 2 or 3 factors must be obvious to anyone. The first is that we are not now in a period of rising prices. The increase in prices stopped in March of 1951. For 20 months we were then in a period of relatively stable prices, with wholesale prices falling slightly and retail prices rising slightly. Then came along the new credit policy of the Treasury Department and the Federal Reserve Board, and since then prices have continued to decrease slightly. So that the railroads, so far as material costs are concerned, are not now caught in a period of rising prices.

Secondly, as we all know, the trouble with the railroads is a diminished volume of traffic. The last report of freight car loadings which I saw in the Wall Street Journal was that they were between 17 and 18 percent less than in the corresponding period last year. Even if coal car loadings are omitted, which might be affected by the development and increased use of natural gas, the decrease in freight car loadings would be probably 14 to 15 percent. So I agree with the Senator from New York that I see no imminent emergency which justifies the passage of the bill.

Mr. LEHMAN. Is it not also a fact that although today there may be a temporary recession in business, such a recession is not going to be cured in any way by an indiscriminate raising of rates, but that the result it would be quite the opposite? What some of us have been trying to do is increase the purchasing power of the consumers. In my opinion, the power of consumers to buy will not be increased by a rise in the freight rates during what we all know is a temporary recession.

Mr. DOUGLAS. I agree with the Senator from New York, and say that what the railroads need more than anything else is an increased volume of traffic.

Mr. LEHMAN. Will the Senator yield for just one more question?

Mr. DOUGLAS. Yes.

Mr. LEHMAN. I referred to the fact that 75 or 80 percent of the railroads have shown constantly increasing revenues over a period of 5, 6, or 7 years. I have no doubt at all that the records of the Interstate Commerce Commission will show that with regard to the remaining 20 or 25 percent of the railroads which have not had similar increases in revenue, there is certainly no emergency situation which would prevent the orderly consideration of an application for increased rates. There is nothing emergent in the situation at all. Not a single railroad company is in danger of insolvency, or even in danger of greatly lessened revenues. Certainly there could not possibly be any objection to the amendment offered by the distinguished Senator from Illinois, which simply provides that data must accompany any request for an increase in freight rates.

Mr. DOUGLAS. I thank the Senator from New York for his statement.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Maryland.

Mr. BUTLER of Maryland. Will the Senator yield for a brief observation rather than a question?

Mr. DOUGLAS. I yield for that purpose, in the hope that the term "brief" is an adequate description.

Mr. BUTLER of Maryland. I merely wish to say to the Senator that in the 8 postwar years ending in 1953 the railroads earned an average of only 3.74 percent per annum on their depreciated investment. The average annual rate of return in those years ranged from a low of 2.75 percent in 1946 to a high of only 4.24 percent in 1948.

I also desire to point out to the Senator that in May 1952, when the last general increase in freight rates was granted, the Interstate Commerce Commission had this to say about the financial condition of the American railroads:

> Judged by any standard shown of record, the rates of return earned or prospectively to be earned by the railroads by the districts and regions specified in our former reports in this case, are substandard. Some important roads are earning little enough that a continuance of the earnings situation will imperil their solvency, while some are in comfortable condition. Neither the strongest nor the weakest lines can control the rate adjustment; and as has been shown, the great body of the rail carriers are in the middle class, with aggregate earnings that for the immediate future must be considered as substandard and inadequate.

I have read from *Ex parte No. 175* (284 I. C. C. 589, 612, April 11, 1952).

I may also say to the Senator from Illinois that, as I pointed out before, the bill goes only to the increased cost of labor and supplies and materials. Why encumber the record, as the Senator's amendment would require, with a lot of information that is not necessary to determine whether or not the railroads will need rate increases? We will all know what the labor charges are going to be once a contract is signed.

Mr. DOUGLAS. Is there any objection to requiring the railroads, with their petitions for interim increases, to file information which they have on their books, and to making such information available to the public and the Commission? Why is it insisted that the Commission's decision must be made in a dark room, with the lights turned out?

Mr. BUTLER of Maryland. If any member of the Interstate Commerce Commission made such a finding, I am perfectly certain that he would not long remain on the Commission. I may say to the Senator that under the law the Commission has the right to demand all information it deems to be necessary, and I take it that the members of the Commission are sufficiently intelligent to read the bill and the application of the company and then grant the company, upon its application, only such increase in rate as will compensate it for an extra expenditure resulting from the causes set forth in the bill.

As I pointed out a little earlier, there has not been a case before the Interstate Commerce Commission, in 75 years, where the rate ultimately fixed has exceeded the rate that was granted as interim relief. The Senator from Illinois is going against all history if he says the Commission will go overboard in such cases.

Mr. DOUGLAS. Has the Senator from Maryland concluded?

Mr. BUTLER of Maryland. Yes. I am sorry my observations were other than brief.

Mr. SMATHERS rose.

Mr. DOUGLAS. Before I yield to the Senator from Florida, I should like to say, in answer to what has been said by the Senator from Maryland, that he places a great deal of trust in commissions. Probably that is generally justified; but should not commissions have rules to govern their procedure? If Senators have implicit faith in commissions, why not simply create commissions without establishing any standards of procedure or standards of judgment for them?

Mr. BUTLER of Maryland. Mr. President, if the Senator from Illinois will yield to me, I should like to ask a question: Is the Senator from Illinois going to say to the Interstate Commerce Commission, in the basic law applying to it, "You must ask for and get as a part of the original petition certain information to the exclusion of other information you may need in order to reach an intelligent decision."

Mr. DOUGLAS. The amendment of the Senator from Illinois does not exclude the possibility of the Commission asking for additional information beyond that specified. It does enumerate certain basic data that should be required and adds "and other pertinent data." Thus it merely sets forth a minimum presentation necessary for a proper disposition of the petition.

Now let me address a question to the Senator from Maryland. Does the Senator from Maryland have great faith in the present Interstate Commerce Commission?

Mr. BUTLER of Maryland. I certainly do.

Mr. DOUGLAS. Then let me point out that the Commission has recommended that the amendment proposed by the Senator from Illinois be adopted. That appears on page 10 of the committee's report on S. 1461, in the Interstate Commerce Commission's draft bill, which I now hand to the Senator from Maryland. So the Commission is asking for the adoption of this amendment. If the Senator from Maryland has such great faith in the Interstate Commerce Commission, I should think he would support the amendment I am suggesting.

Mr. BUTLER of Maryland. This matter was threshed out before the committee, which decided against an amend-

ment similar to the one now offered by the Senator from Illinois. At that time it was my understanding—I do not know whether the chairman of the committee was present on that occasion—that the Commission did not wish to be put in a straitjacket, by means of a provision as to what should be submitted in connection with such applications, because one of the things the Commission might need in order to reach a proper determination might not be provided for in the law; and in such case, the Commission could not act expeditiously.

Certainly the general provision of law is sufficiently broad to take care of the situation. Section 17 (3) is broad enough, and there has been no abuse of it.

Mr. DOUGLAS. Let me say to the Senator from Maryland that if he will examine page 10 of the report of his own committee, about half-way down the page, he will find the draft bill submitted by the Interstate Commerce Commission, which uses language identical with that used in the amendment proposed by me, namely:

> Such petition shall include or be accompanied by an exhibit made a part thereof, covering such 12-month period and showing in detail, by districts and regions or other groups as may be appropriate, and in total, estimates of ton-miles, passenger-miles, or other appropriate traffic measurements, income account, wage and material costs, gross capital expenditures, funds available and funds required, investment and rates of return and other pertinent data, together with a full explanation of the methods of arriving at the figures presented in the said exhibit.

If the Senator from Maryland will examine the amendment I have submitted, he will find the language I have just read is identical with the language of the amendment I have submitted. If he has faith in the Interstate Commerce Commission, he should most certainly join with the Commission and the Senator from Illinois on this proposal.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Certainly.

Mr. JOHNSON of Colorado. If the Senator from Illinois will read on page 2, in line 18, he will see that the language we included, is substantially the language the Commission requested. It reads as follows: "which in the Commission's opinion are appropriate or necessary."

The Commission has full authority to proceed on its own to obtain whatever is necessary, under the law. The Commission has full authority to make its own regulations—and does so—and at the present time uses, in connection with ratemaking, all the information the Senator from Illinois has mentioned today.

Personally, I see no objection to the amendment of the Senator from Illinois——

Mr. DOUGLAS. That is fine.

Mr. JOHNSON of Colorado. Except it is a repetition of what is already in the law, and sets forth in exact language the general authority the Commission already has in connection with arriving at determinations in ratemaking cases.

Mr. DOUGLAS. Let me say to my good friend, the Senator from Colorado, that it is not in the law at the present time, and is not in the proposed law. What will be possible, if the proposal of the Senator from Ohio is adopted, will be that a weak or compliant Commission in the future might not require the submission of such evidence. Since there would be no statutory requirement, it would then be possible for the railroads to obtain increases in rates without submitting adequate supporting evidence.

Obviously the Commission felt that the security of the system should be protected, and the Commission did not want for itself the discretionary power which the Senator from Colorado [Mr. JOHNSON], the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Maryland [Mr. BUTLER] are saying the Commission has. The Commission wanted to have future commissions, as well as itself, bound by the requirement that those who request quick rate increases under this proposed law should at least submit evidence to justify their requests.

Mr. LONG. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. LONG. I must confess that I have had very little experience with this type of legislation. However, it occurs to me that in the public interest someone might seek to have such rate increases rescinded. In that event, such a person would perhaps need information of this type, in order to prepare his case. The railroads are in a position to submit the information when they seek to obtain such increases.

Therefore, it seems to me proper to require that the information be placed in the record, so that the persons who wish to object may properly document their cases.

Mr. DOUGLAS. I think the Senator from Louisiana has put his finger upon a very important point, namely, that this information not only is necessary in order that the Commission may proceed intelligently, but also is necessary in order that shippers and the general public may intervene in case the circumstances justify intervention. Unless this information is available, they will not know whether the circumstances justify intervention. So I think the Senator from Louisiana has made an extremely important point.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield

Mr. BUTLER of Maryland. I recollect that the bill as originally introduced was materially different from the substitute now submitted by the Senator from Ohio. The letter written by the Interstate Commerce Commission referred to earlier by the Senator, I believe, went to the language of the original bill, which provided for the right to produce income sufficient to attract equity capital. I believe it is not by any means certain that the Commission would take the same position on the amendment in the nature of a substitute that it took on the original bill.

Mr. DOUGLAS. Let me say to my good friend, the Senator from Maryland, that the principal objections the Commission then had—and those the Bureau of the Budget has now—to proposed legislation of this type were two: First, to the provision that the rate of return should be sufficient to attract equity capital. The Commission felt that was an improper standard. It also had a second objection, namely, that the railroads were not required to submit data with their petitions to justify their interim requests. So the Commission had a double objection.

The first objection has now been removed by the senior members of the committee in their amendment in the nature of a substitute, by reason of their acceptance of the amendment which the Interstate Commerce Commission had suggested and which the Senator from Florida and I had proposed.

Mr. BUTLER of Maryland. And it is embodied in the amendment of the Senator from Ohio [Mr. BRICKER].

Mr. DOUGLAS. That is correct.

But the second objection has not been removed, namely, that the railroads could request and obtain interim rate increases without submitting supporting data, in which case neither the Commission nor the general public would have the information needed in order to pass intelligently upon such requests.

Mr. SMATHERS and Mr. LEHMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. DOUGLAS. Some time ago I promised the Senator from Florida that I would yield to him. Therefore, at this time I yield to him.

Mr. SMATHERS. I thank the Senator from Illinois for yielding to me.

Let me say to him that in support of his amendment, I should like to read the statement of Walter M. Splawn, Chairman of the Committee on Legislation for the Interstate Commerce Commission, wherein, in discussing the same subject, he said—and I now read from page 197 of the hearings:

> Now, how can a commission write a report sustaining the authorization of a tariff of rates higher than what has been adjudicated as reasonable, without some facts?

He begins by saying, in effect, "We have no basis upon which we can make any reasonable recommendation, even an interim recommendation, without some facts."

He continued:

> The carriers support the original S. 1461, as introduced, wherein they can file their petitions asking for increases and give us a justification toward the end of that period. We would have very little time to check it, much less anybody else checking it for rebuttal. Therefore, in our proposed amendment—

That is the amendment which the Senator from Illinois is discussing—

> we have asked that you make the beginning of the running of that 60 days, the filing of their justifications. Let their petition be completed by the filing of the justifications before the time begins to run.

He goes on to explain why that is necessary. So the Commission itself recognizes that without the amendment of the able Senator from Illinois it would have no basis upon which it could make

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even a half-way sensible recommendation, because under the language of the bill as it now reads, some members could make an interim recommendation in the space of 2 days, whereas, obviously when a petition is filed, and all the facts are not submitted with it, there is nothing upon which the Commission can base a sensible recommendation. That is why the Commission is in favor of the Senator's amendment.

Mr. DOUGLAS. I thank the Senator from Florida.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LEHMAN. As I listened to the distinguished Senator from Maryland [Mr. BUTLER], it seemed to me that he wanted the Commission to pass on increases in rates on the basis of intuition—virtually "playing by ear." The Commission is not in any way compelled to base its final decision either on facts, representations, data, or records submitted in support of the application. I do not think that is the way rates should be made, whether they be railroad rates or public utility rates generally. I do not think that is the way great regulatory commissions dealing with commerce and industry should operate.

It seems to me that there is nothing in this situation which would justify the omission of the provision contained in the amendment of the distinguished Senator from Illinois. It cannot do any harm. There is no great haste in this matter. So far as I know, not a single railroad in the country is today in jeopardy or threatened with insolvency. As I have pointed out, most of them have shown steady gains in revenue. The only ones which have not shown steady gains are those which depend in large degree for their revenues on coal carrying. The others have made great gains. There is nothing emergent in the situation which would justify purely arbitrary decisions, not based upon facts or data, in the making of rates—temporary rates, if you will, but nonetheless, rates, which could not be recouped by shippers and passengers.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. BUTLER of Maryland. I do not agree with the Senator from New York. I cannot conceive of the Interstate Commerce Commission, which has done an outstanding job over the years, making any rate in the dark, as the Senator from New York says it will do. I think the Interstate Commerce Commission will require, as it has the right to require under the act, all the exhibits which it feels are necessary to arrive at a logical conclusion.

Let me invite the Senator's attention to the language of the bill. I read from page 2, beginning in line 17:

> Thereupon the Commission shall within 60 days after the filing of such petition enter an interim order and findings, with or without a hearing, authorizing increases, if any, which in the Commission's opinion are appropriate or necessary.

How could we give the Commission any more power than that? Exhibits will be of no help. The Commission may have all the exhibits in the world, but if it does not believe that the exhibits add up, it has the broadest grant of power to strike them down. This is the broadest grant of legislative power I have ever seen. Nothing could be broader than the power to reach a decision on the basis of the opinion of some Commission.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. One of the main points we are arguing about is the wide, open-end privilege for the railroads to use the excuse of increased wages or increased material costs to try to convince the Commission, without any evidence being submitted by the railroads. All that is required is the opinion of the Commission that such increases are appropriate or necessary. There are no yardsticks, no hallmarks, no tests to show that the carriers need higher rates in order to operate an efficient and adequate service. All it would be necessary to do would be to convince the Interstate Commerce Commission, for example, that the carrier ought to have all streamlined, stainless-steel trains, or anything else. This is a broad grant and departs very far from our traditional and historic safeguards against exorbitant, unreasonable rates being charged by common carriers.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. BUTLER of Maryland. This bill has nothing whatever to do with streamlined, stainless-steel trains. The application for an interim increase is not based upon anything but increased costs resulting from wage increases or increases in the cost of material. The field is very restricted. It is certainly no illusion when a carrier is presented with an increase in wages.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I must take the strongest possible issue with the statement just made by the Senator. The provision in the bill to which reference is made, dealing with increased wages or increased costs of material, is merely the knock on the door of the Interstate Commerce Commission.

Mr. BUTLER of Maryland. That is what the Senator would have it be, but I do not think it is.

Mr. MONRONEY. That is the way the bill reads. Once the carriers enter that door, they can claim any kind of freight rates they think they can persuade the Interstate Commerce Commission to give them. That is one of our objections to the bill. It is not limited solely to increased wages or increased material costs. That is merely the way they get the case airborne. Once it is airborne, they can go into the stratosphere, or to any other heights. What we are afraid of is a grant of such broad powers to a Republican-dominated Interstate Commerce Commission.

Mr. BUTLER of Maryland. The Senator should be equally afraid of a Democratic Interstate Commerce Commission.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MURRAY. I agree with the Senator from New York [Mr. LEHMAN] that there is no emergency requiring an increase in rates. A great problem is facing the Western States because the rates are already excessive. There should be a provision in the bill, if we are to have a bill, for a quick decrease in rates. The discriminatory freight rates now prevailing in Montana and other Western States hold back industrial growth.

Several industries have been compelled to leave the State of Montana and move to other sections of the country where they can get more satisfactory rates. A year ago we lost a huge plant in Montana because the railroad rates were excessive. One concern contemplated coming to Montana and constructing a chrome smelter, to treat chrome ores, of which we have huge deposits in Montana; but the railroad rates were so excessive that it was decided not to construct the plant in Montana. The smelting concern went to Memphis, Tenn. It brings chrome ore all the way from Africa to Memphis. In Montana we have large deposits of chrome ore, which could have been utilized, and which were important in the war. We could not obtain the chrome smelter for Montana because the freight rates were excessive and discriminatory.

That is the great problem in all the Western States. This country favored the industrial development of the East. Industries in the South and West were discriminated against, and are still being discriminated against. We need fair rates for the West and this would increase railroad traffic and bring prosperous conditions to the Nation.

Mr. DOUGLAS. I thank the Senator from Montana. He has put his finger on a very important characteristic of the bill. It works one way. The railroads can make application for emergency increases, but the shippers cannot make application for emergency decreases. Shippers and passengers must take the slow freight, but the railroads can go through on the "Rocket."

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SMATHERS. I appreciate what the Senator from Montana has said. Thus far, apparently, the railroads seem to be doing very well.

Let me say, in disagreement with the letter which the able Senator from Maryland [Mr. BUTLER] read, that I hold in my hand, the 67th annual report of the Interstate Commerce Commission, in which it is stated:

> The operating revenues of class I line-haul railways—

Which means the main railroads—

> for the calendar year 1952, which total $10,581,000,000, were the largest reported by these carriers for any year in all railroad

history, and exceeded those of 1951 by 1.8 percent.

The report continues:

The net railway operating income, which is left from operating revenue after deducting operating expenses, all taxes, equipment, and rents, totaled $1,078,000,000 * * * a 14½-percent increase over 1951.

I am frank to say that I do not understand where the Senator from Maryland obtained his figures showing that the railroads are in bad financial shape, because the report of the Interstate Commerce Commission indicates to the contrary.

Mr. DOUGLAS. It is true, as the Senator from Florida says, that since the first of the year the railroads have been in trouble under the new regime.

Mr. SMATHERS. That is correct; they have lost business.

Mr. DOUGLAS. The Pennsylvania Railroad showed an operating deficit for the first quarter of the year, and I believe complaints have been made about the earnings of the New York Central. The Senator from Florida is referring to the prosperous period of America, up to November 1952.

Mr. SMATHERS. That is correct. However, I may say that the complaints of the railroads about not getting increased rates are based on a very short period during which their revenues declined. When they had their highest operating revenue in all their history, notwithstanding the profit they had made, they reported that they lost a billion dollars because of the delay by the ICC in granting them an increase in rates.

Mr. DOUGLAS. I have no desire to monopolize the floor. I believe the point has been sufficiently made that the requirement for the filing of supporting data with the original petitions, as proposed in my amendment, will be a real benefit to shippers, the Commission, and the public. I hope we may have a quorum call preceding a vote, and I hope very much that we may be able to have a yea-and-nay vote.

Mr. BRICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Maybank
Barrett	Goldwater	McCarthy
Beall	Green	McClellan
Bennett	Hayden	Millikin
Bowring	Hendrickson	Monroney
Bricker	Hennings	Mundt
Bridges	Hickenlooper	Murray
Burke	Hill	Pastore
Butler, Md.	Holland	Payne
Butler, Nebr.	Humphrey	Potter
Byrd	Hunt	Purtell
Carlson	Ives	Robertson
Case	Jackson	Russell
Chavez	Johnson, Colo.	Saltonstall
Clements	Johnson, Tex.	Smathers
Cooper	Johnston, S. C.	Smith, Maine
Cordon	Kennedy	Smith, N. J.
Daniel	Kerr	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Upton
Dworshak	Langer	Watkins
Ellender	Lehman	Welker
Ferguson	Long	Wiley
Flanders	Magnuson	Williams
Frear	Malone	Young
Fulbright	Mansfield	
George	Martin	

The PRESIDING OFFICER. A quorum is present.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, since many Members of the Senate were not in the Chamber when the amendment was discussed, may I be permitted briefly to explain it?

This amendment, identified as "7-20-53-B," submitted on the 20th of July of last year, is, I think, on the desk of each Member. If not, I have extra copies which the pages can distribute. It requires carriers, at the time they make their requests for a quick rate increase, to submit data which they have available, so that the Interstate Commerce Commission will have the facts upon which it can make a decision, and so the shippers may know what the case of the railways actually is and thus may be able to deal with the issues.

As the bill is now written, it will permit the railways to go before the Interstate Commerce Commission with a simple petition in the form of a certificate, without presenting any facts to justify their request. My amendment is simply a provision to enable the Interstate Commerce Commission to move more intelligently, and I might add, promptly. The amendment which I am submitting is identical with the provision which the Interstate Commerce Commission itself proposed in its draft bill. It has been recommended in principle by the Bureau of the Budget, and the principle has been endorsed by the Secretary of Commerce in a letter to Representative WOLVERTON.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CORDON. Is this a provision which is required by statute in connection with an application to the Interstate Commerce Commission for an increase in rates?

Mr. DOUGLAS. The Senator from Oregon is correct. That is, if the amendment is adopted and the bill is passed, the statute will then require the submission of this data with petitions for interim increases.

Mr. BRICKER. Mr. President, I wish to correct the impression which has been left to the effect that no information is required before an interim rate can be granted by the Interstate Commerce Commission. In the amendment in the nature of a substitute there is a requirement, as follows:

The Commission in both its interim and final action on petitions filed hereunder shall give consideration to the factors in section 15a hereof, and to any other applicable substantive provisions of this act.

The Commission is required to give the same consideration to the fixing of interim rates as it does to the establishing of final rates.

As I have suggested, the same procedure will be followed in the fixing of the interim rate as is followed by the Commission in the fixing of permanent rates.

We have likewise provided that if an interim rate is granted which is too high above that which is finally fixed by the Commission upon complete hearing and determination, refunds can be and shall be made by the carriers upon application of the shippers.

Remember, Mr. President, that this is an emergency bill. It is designed to cover two situations only; namely, an increase in the cost of labor and an increase in the cost of material, both of which are entirely outside the control of the rail, truck, and water carriers.

Unless there is some authorization to meet an abnormal increase in costs in time of emergency, many of the carriers are likely to become bankrupt, because in 6 years of the highest volume of traffic in the history of the rails and other carriers of the United States, the rails were able to earn only 3.63 percent upon the depreciated value of their investment. That is not sufficient to keep them serving in the public interest. Now the revenues of the rails are going down very rapidly, as many of the returns for the first 3 months of this year show.

As I have said, wages are sometimes fixed by wage boards, and, therefore, are completely beyond the control of the railroads.

The record shows, and the history is, that after applications had been made for increased rates to meet increased costs by reason of wage increases, and before determinations could be made by the Interstate Commerce Commission upon the applications for increased rates, a second series of wage-increase requests was started, and another wage increase was put into effect. It was testified in the hearings that because of the delays in the hearings before the Interstate Commerce Commission, the railroads alone, not including the truck carriers, lost $1 billion, which they would have earned had the final rates been placed into effect by the Interstate Commerce Commission within a reasonable time after the application had been made.

I am not condemning the Interstate Commerce Commission; I am condemning, rather, the Congress of the United States for its failure to support the Interstate Commerce Commission with the help which is needed. But that is not the fault of the carriers, either the truck lines or the railroads. The Interstate Commerce Commission is today the only board in Washington which has fewer employees at present than it had 10 or 15 years ago.

The former chairman of the committee, the distinguished senior Senator from Colorado [Mr. JOHNSON], and I went before the Committee on Rules and Administration, seeking an appropriation for a thorough study of the activities of the Interstate Commerce Commission. I likewise went before the Committee on Appropriations, as did the Senator from Colorado, to obtain an increased appropriation for the Commission, so that it might speed up its work. Many rate cases require a year or a year and a half before they are determined. In the meantime, wages increase and material costs go up, and the carriers are squeezed between increasing costs

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and the inactivity, failure, or inability of the Interstate Commerce Commission to meet the increased costs necessitated by increased wages and higher costs of materials.

It has been suggested that there is no need at present for the proposed legislation. I grant that possibly that is true. But another emergency may come upon us. There may be another inflationary spiral some of these days. The bill is an authorization to the Commission, or a suggestion by Congress to the Commission, that it is the Commission's responsibility and duty, if they are satisfied that a rate increase is justified because of increased costs of labor and material, to put an interim rate increase into effect within 60 days.

The amendment of the Senator from Illinois [Mr. DOUGLAS] practically would nullify the effectiveness of such an authorization, because it would require more in the way of evidence to justify an interim 60-day rate increase to meet an emergency than is required by the statute for final determination of a definite fixed rate.

I suggest that the rejection of the amendment of the Senator from Illinois would leave the Commission with the authority to fix rates by applying the same rule to temporary rates as is provided with respect to the fixing of permanent rates.

Mr. AIKEN. I understand, as all other Senators do from their correspondence, that the railroads have been very anxious, probably for a long time, to have this bill voted upon favorably. But I also understand that they have been very anxious not to have what is known as the trip leasing bill acted upon favorably by Congress.

The bill now under consideration has been on the Senate Calendar for almost 1 year, but the so-called trip leasing bill still is not before the Senate. I wonder if the chairman of the Committee on Interstate and Foreign Commerce can advise us as to the present status of the trip leasing bill, and when it will be reported to the Senate for action.

Mr. BRICKER. Last year hearings were held by a subcommittee comprised of the late distinguished Senator from Nebraska, Mr. Griswold, as chairman, the Senator from Colorado [Mr. JOHNSON], and myself. We held hearings for several days, but a report was not made to the Senate nor was it recommended that it be included as an amendment to another bill.

This year we have set the bill down for hearing, not before a subcommittee, but before the full committee. We already have had 2 days of hearings. Another 2-day series of hearings is scheduled for either the last of this month or the first of next month. A complete report will be made by the committee on the basis of those hearings.

I cannot assure the Senator from Vermont how the committee feels about it, but I know that the subject of trip leasing is so complicated and so intricate, and emotion is so intense on both sides of the question, that it ought to be the subject of thorough hearings and a complete report by the committee. I assure the Senator from Vermont that that will be done.

The Senator from Vermont has stated that the railroads are in favor of the time-lag bill and against the trip-leasing bill. I do not know. I do not know that I ever have talked to anyone representing the railroads about trip leasing. But I have received a series of letters from Ohio and throughout the country at large, supporting the amendment in the nature of a substitute which has been submitted, and which, in my judgment, the amendment of the Senator from Illinois practically would nullify.

Here is another thought in which the Senator might be interested. It comes from Herschel D. Newsom, master of the National Grange, in support of the amendment. He opposed the bill as it came from the committee.

I assure the Senator from Vermont that I have worked diligently to meet all the objections, not only of the shippers but also of the various departments of the Government, and I think that to a large degree they have been satisfied with the amendment in the nature of a substitute which has been submitted by the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and myself. I have been told—I do not know whether it is true or not—that an amendment will be submitted on the floor of the Senate to attach the trip-leasing provisions to the pending bill. Certainly that should not be done, because hearings on the subject are underway. It is a very complex subject. The trucking business at the present time has many rules and practices we perhaps do not understand, and which should be in the record of the hearings.

Furthermore, the Interstate Commerce Commission has suspended the effectiveness of the rule, which was objected to on the part of the carriers, until March 15 of next year. The Commission is now engaged in extensive hearings before determining what its ultimate rule will be.

It was to annul rule 43, which was sustained by decision of the Supreme Court of the United States, that the amendment was sought last year on the floor of the Senate, and that the bill, which is now before the Senate committee for hearing, was passed by the House. So that the two hearings are being conducted simultaneously.

I would dislike at this time to have the Congress say to the Commission that there is no use conducting hearings, that the Congress wants no further information on the matter, or that the committee ought to cut the hearings off sharp without making a complete record on the trip-leasing bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. BRICKER. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I was going to ask for the floor in my own right. I am not especially reassured by the assurance of the Senator from Ohio. I know, as every other Senator knows, how assiduously the railroads have been working to get the pending bill passed, the enactment of which would mean more money for them. We also know how assiduously the railroads have been working, I will not say to block, but against the trip-leasing bill, which is supported by virtually every farmer in the United States.

I am very fearful that if the bill now before the Senate passes first, all kinds of efforts will be made to block the trip-leasing bill. I am also fearful that if the bill is blocked, the Interstate Commerce Commission will find itself under such pressure next March that it will put its old order into effect, which will greatly increase the costs of the farmers in shipping to market their livestock, citrus fruits, Christmas trees, hay, and all other agricultural products. I think it would be very dangerous procedure to pass the bill relating to the railroads without at the same time providing the same protection for the farm population of the United States.

The railroad interests have objected strenuously to having that protection afforded to farmers and to small business concerns by having the trip-leasing bill acted on first. I can only deduce from that fact that if the bill benefiting the railroads is passed, the railroad interests will put the squeeze on to make those engaged in farming pay through the nose by having a large percentage of produce carried in trucks which will be forced to return empty to the point of origin. There is no question in the world that that is what the railroads are up to. Until they can be fair about it, until they can come half way, I say we ought not to let the pending bill go 1 inch further than it has gone now.

Mr. BRICKER. If the bill involved only the question of hauling agricultural products to market, there would be no need to have a trip-leasing bill or any bill of that kind, because that problem has been taken care of by Congress.

Mr. AIKEN. The farmers do not think so.

Mr. BRICKER. The Senator knows very well that problem has been taken care of, and he ought to notify his constituents of the fact that they are exempted from controls of any kind or character whatsoever.

Mr. AIKEN. How can the farmers be taken care of by the Congress if the bill is not permitted to come before the Congress?

Mr. BRICKER. The agricultural exemption is provided for.

Mr. AIKEN. Very well, but I trust the traffic experts and the farm organizations know it.

Mr. BRICKER. I read the law.

Mr. AIKEN. The Senator from Ohio has taken the word of the representatives of the Grange on the pending bill. Why does he not take their word on the trip leasing bill?

Mr. BRICKER. There is more in the trip leasing bill than provisions relating to the hauling of agricultural products to market and returning, not empty, but loaded. The Commission, in its amended order, which will be effective March 15 of next year, permits agricultural loads, without regulation or rules of any kind,

to be carried from the producers to the market. That provision is in the Transportation Act, which was enacted by the Congress. The order further provides that the trucker can lease his truck for the purpose of picking up a load at the point of destination and make as many trips as he desires from that point back toward the home base. Of course, there are thousands of persons who want to have no restriction or limitation on the trip leasing provision as to trucks. It is not an agricultural problem alone. I sometimes think that agricultural interests have been used by those who are more interested in other fields.

Mr. AIKEN. I think so too.

Mr. BRICKER. Such advocates would leave trip leasing absolutely wide open, and make it practically impossible for an Interstate Commerce Commission order, or any other order which would be applicable, to regulate the trucking industry at all.

Mr. AIKEN. I am basing my opinion that the failure to pass the trip leasing bill would be harmful to agriculture on the statements of traffic experts of farm organizations, cooperatives, and other agencies, who I am sure understand their business. Otherwise they would not be employed as traffic experts.

Mr. BRICKER. There are many provisions in the trip leasing bill, as it has been passed by the House, which do not involve agriculture, and certainly do not involve the cooperatives in any way, except that they may be indirectly affected by the unlimited leasing of trucks after their first cooperative haul.

Mr. AIKEN. We know now that costs of transportation by railroad have gone so high today that it is not uncommon to transport by truck grain and livestock for distances as great as 800 miles. If, through legislation, we make it possible for the railroads to increase still further transportation rates on grain, oranges, apples, hay, and almost every other kind of agricultural commodity, and then, through failure to enact appropriate legislation, make it impossible for trucks employed in such transportation to secure return loads, I think we shall hurt American agriculture.

I am willing to meet the Senator from Ohio or the railroad people halfway, but I cannot go for a one-way proposition, one which gives more profit and more income to the railroads—and I know some of them need it—but does not at the same time offer some protection to the small industries and the agricultural producers of the country.

Mr. BRICKER. Let me assure the Senator that the amendment applies not only to the railroads, but to motor carriers and truckers as well. It would apply to irregular haulers the same as it would apply to regular truck haulers. I assure the Senator again that there is far more to trip leasing than the mere hauling of agricultural products to a destination and hauling a load back. If that were all that was involved, it would be a simple matter for the committee and the Congress to work out.

Mr. AIKEN. I would be very happy if the Senator from Ohio would report the trip-leasing bill covering that point only.

Mr. BRICKER. And the Senator from Ohio would be very willing to do so; but that is not what is sought, and it is not what the bill passed by the House provides.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. SMATHERS. In connection with the trip-leasing bill, is it not a fact that hearings were had on the bill for probably 10 or 15 days last year, and this year hearings again are being held, and yet the bill has not been reported, whereas a substitute has been offered by the Senator from Ohio which authorizes a rate increase for the railroads and certificated trunklines, on which no hearings whatsoever have been held? As a matter of fact, to my knowledge, most of the members of the committee hardly knew what the substitute provides. So it would appear, as the able chairman, the Senator from Ohio, has stated, that there is something more involved in the trip-leasing bill than merely permitting farmers to use their trucks to carry any kind of goods back to the point from which they started. What is involved is that apparently railroads want to keep farmers from doing what is contemplated in the trip-leasing bill, so that the railroads can have that business, too. If the trip-leasing bill is not passed, and the Commission puts its order into effect, the farmer will not be able to lease the trucks for more than 30 days, which in effect will increase the cost of food which everybody buys.

Mr. AIKEN. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield.

Mr. AIKEN. I should like to point out that during November and December of each year, many farmers of my State cut Christmas trees, hire trucks, and transport the trees to Florida, where they find a good market for them; and, upon returning, they bring back loads of oranges and grapefruit. The return loads of oranges and grapefruit make it possible for those people to engage in that business; otherwise the Christmas trees never would reach Florida.

Mr. BRICKER. They can do that business now.

Mr. AIKEN. But not under the present orders of the Commission.

Mr. BRICKER. Yes; there is nothing in the Commission's orders to affect that business; neither is there anything in the trip-leasing bill to affect it.

Mr. AIKEN. I am sorry to say that those to whom I refer are very much disturbed about the prospect.

Mr. BRICKER. There need be no fear on that score.

Mr. AIKEN. They seem to think that enactment of the trip-leasing bill is necessary in order to permit them to carry on that business.

Mr. BRICKER. I assure the Senator from Vermont that it is not. They need not worry about that.

Mr. KUCHEL. Mr. President, I should like to ask a question of the author of the amendment, the Senator from Illinois [Mr. DOUGLAS].

Mr. LONG. Mr. President, the Senator from Illinois had to leave the floor for a moment. He will soon return.

Mr. KUCHEL. Then let me ask the Senator from Ohio whether I correctly understand, as he sees it, the proposal of the Senator from Illinois.

First of all, let me say that if I correctly understand the present law, it provides that a petition for increased rates may be filed by a common carrier in the same way as is provided by the amendment of the Senator from Illinois.

Mr. BRICKER. Oh, yes; the rules permit the Commission to require all the information called for by the amendment of the Senator from Illinois. No doubt such information is submitted in permanent rate cases; but the amendment would place on the Commission a more strict requirement in interim rate cases than the requirement on the Commission in the case of a permanent rate procedure. Thus, the Commission might feel that would be all that was necessary, and that it could pro forma increase the rate. I think the Commission should have that matter within its discretion.

Mr. KUCHEL. Assuming that under the amendment the Senator from Ohio has submitted, a carrier filed such a request, and that within 60 days the Commission acted in accordance with the request, it then would have the remainder of the calendar year—or 10 months—in which to make the temporary order permanent in character, would it not?

Mr. BRICKER. There is now no limit on the time the Commission may take in making an interim order permanent. The Commission can make the interim order permanent in the next month or in 6 months or in a year. That is one of the reasons for the bill, namely, that otherwise the Commission could delay its order for a year and one-half or 2 years.

Mr. KUCHEL. Very well. Then, in making the temporary order permanent—no matter when that was done—would the Commission be required, under the present statute, to have before it a petition which would provide it, with respect to any permanent order, with the same type of information?

Mr. BRICKER. That is correct. This bill relates only to an interim order, pending the final determination by the Commission of the permanent rate.

Mr. KUCHEL. If that be correct—and I regret that my friend, the Senator from Illinois, is not at present in the Chamber—then I do not see what useful purpose is to be served by having filed, on a temporary basis, under the provisions of the amendment of the Senator from Illinois, what I am now told would be required in any event to be filed before a permanent order could be issued.

I say that particularly in view of the modification previously made, at the request of the Senator from Arizona [Mr. GOLDWATER], in the amendment of the Senator from Ohio, namely, that interest be added to any refunds that would be made.

Mr. MONRONEY. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

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Mr. MONRONEY. The refunds have very little to do with this situation, in that the farmer never keeps his freight bills; and the consumer, who eventually pays the freight charge, in connection with the retail process, never receives any refunds. All the added cost is finally passed on to the consumers, of course.

Those who have businesses of small size have to employ auditors, in order to be able to obtain recovery in such cases. Therefore, the vast amount of the overcharges to be obtained by means of "quickie" rate increases, as proposed in this bill, would be passed on to the railroads and would be a windfall to them, whereas only a small fraction of the overcharges would ever be returned in the form of refunds to those who were overcharged in the beginning.

Mr. KUCHEL. Would not the remarks of the Senator from Oklahoma be properly addressed to the bill itself, rather than to the amendment submitted by the Senator from Illinois?

Mr. MONRONEY. No. I was going to show that those who pay the increased rates, as a result of interim rate increases, never receive the refunds, when refunds finally are ordered, even though finally the increased interim rate is rejected when the permanent rate is entered.

DEATH OF SENATOR HOEY, OF NORTH CAROLINA

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me, to permit me to suggest the absence of a quorum?

Mr. KUCHEL. I yield.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, it is with deep regret that I announce the passing a few minutes ago of our beloved colleague the distinguished senior Senator from North Carolina [Mr. HOEY]. He died in his office a few moments ago, seated in a chair.

On behalf of the majority leader, the Senator from California [Mr. KNOWLAND], the junior Senator from North Carolina [Mr. LENNON], and myself, and in the absence of the junior Senator from North Carolina, I send to the desk a resolution for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 245) was read, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. CLYDE R. HOEY, late a Senator from the State of North Carolina.

Resolved, That the President of the Senate appoint a committee, of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The Senate proceeded to consider the resolution by unanimous consent.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. KNOWLAND. Mr. President——

Mr. JOHNSON of Texas. I yield to the majority leader.

Mr. KNOWLAND. Mr. President, I have heard with profound regret the announcement made by the minority leader. It has been agreed that the Senate will not transact any further business this afternoon. When the Senate adjourns this afternoon, it will adjourn out of respect to the memory of the late Senator from North Carolina.

I have informed the minority leader that whenever he, the colleague of the late Senator HOEY, and the family desire memorial services to be held they will be arranged on their recommendation. I wish that knowledge to be available to the Senate.

Mr. JOHNSON of Texas. I deeply appreciate the statement of the majority leader and the courtesy he has shown.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

The VICE PRESIDENT subsequently, under the second resolving clause, appointed the following Senators to constitute, together with the Vice President, the committee on the part of the Senate to attend the funeral of the deceased Senator: Mr. LENNON, Mr. GEORGE, Mr. HAYDEN, Mr. RUSSELL, Mr. BYRD, Mr. MCCARRAN, Mr. CHAVEZ, Mr. ELLENDER, Mr. JOHNSON of Colorado, Mr. HILL, Mr. AIKEN, Mr. MAYBANK, Mr. MILLIKIN, Mr. EASTLAND, Mr. CORDON, Mr. MCCLELLAN, Mr. SMITH of New Jersey, Mr. FULBRIGHT, Mr. JOHNSTON of South Carolina, Mr. MAGNUSON, Mr. YOUNG, Mr. KNOWLAND, Mr. HOLLAND, Mr. ROBERTSON, Mr. SPARKMAN, Mr. MARTIN, Mr. THYE, Mr. MCCARTHY, Mr. WILLIAMS, Mr. STENNIS, Mr. LONG, Mr. ANDERSON, Mr. SCHOEPPEL, Mr. FREAR, Mr. HENDRICKSON, Mr. JOHNSON of Texas, Mr. KERR, Mrs. SMITH of Maine, Mr. CLEMENTS, Mr. SMATHERS, Mr. COOPER, Mr. GORE, Mr. PURTELL, and Mr. SYMINGTON.

Mr. KNOWLAND. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until tomorrow, Thursday, May 13, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 12 (legislative day of April 14), 1954:

MISSISSIPPI RIVER COMMISSION

Egbert Alfred Smith, of Illinois, to be a member of the Mississippi River Commission.

UNITED STATES DISTRICT JUDGE

A. Sherman Christenson, of Utah, to be United States district judge for the district of Utah, to fill a new position.

UNITED STATES MARSHAL

Kenner Wilburn Greer, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice Rex Bryan Hawks, term expired.

IN THE COAST GUARD

The following-named persons to be captains in the United States Coast Guard:

John R. Stewart
John R. Coiteux
Arthur J. Hesford

The following-named persons to be commanders in the United States Coast Guard:

George T. Murati	Joseph Change
Harry A. Walker	Benjamin D. Shoemaker, Jr.
Allan P. Moffat	
James W. Williams	Frederick A. Reicker
Henry P. Kniskern, Jr.	Willis A. Bruso
James L. Jones	Donald C. Gunn
George P. Creighton	Raymond A. Tuttle
Leif H. Konrad	Addison S. Elliott
Cornelius G. Houtsma	Sverre S. Arnet
Frederick K. Arzt	Charles E. Leising, Jr.
Clay Clifton	Jesse O. Thompson
John B. Hunziker	Cortland T. Quinby
Charles M. Vasterling	Lloyd L. Stoltz
Edward C. Allen, Jr.	Homer D. Babbidge
Arthur S. Phelan	George E. McCarthy
Paul Pollatt	Raymond J. Fugina
Arthur B. Engel	Benjamin P. Clark
Emmett J. Corrigan	Thomas R. Sargent, III
James A. Hyslop	
Charles W. Beach	

The following-named persons to be lieutenant commanders in the United States Coast Guard:

Stanley H. Rice	Charles A. Greene
Roderick L. Harris	Gerhard K. Kelz
Opie L. Dawson	Douglas D. Vosler
Harold T. Hendrickson	Edward D. Scheiderer
Robert J. Clark	Leroy A. Cheney
Clinton E. McAuliffe	Frederick A. Goettel
David W. Woods	Albert A. Heckman
Hugh F. Lusk	Lewis W. Tibbits, Jr.
James D. Luse	Donald H. Luzius
George C. Fleming	Arthur A. Atkinson, Jr.
William C. Morrill	
Kenneth E. Wilson	John W. Sutherland
Ward J. Davies, Jr.	Urial H. Leach, Jr.
John M. Waters, Jr.	Richard H. Welton
Walter A. Wright	Frank C. Schmitz
Frederick C. Munchmeyer	Ernest H. Burt, Jr.
	Francis X. Riley
Harry E. Haff, Jr.	Bainbridge B. Leland
Richard W. Young	Jerry K. Rea
Charles Dorian	John L. Haney
Roger H. Banner	Richard L. Fuller
James W. Moreau	Billy R. Ryan
Robert P. Cunningham	Charles E. Norton

The following-named persons to be lieutenants in the United States Coast Guard:

Clifford F. Peistrup	Oliver W. Harrison
Robert E. Williams	Herbert J. Lynch
Stanley B. Russell	William G. Donaldson
Joseph B. O'Hara	Leslie M. Greig
Marc Welliver II	Christopher S. Changaris
Willis N. Seehorn	
Leslie J. Williamson	Casimir S. Rojeski
Martin W. Flesh	James R. Iversen
Eugene E. McCrory	Philip M. Hildebrandt
David R. Rondestvedt	Norman L. Scherer
Kevin L. Moser	Charles W. Berkman
Jack D. Lyon	Paul W. Welker
Douglas H. Clifton	George A. Choquette
Allen C. Pearce	Leroy B. Smith
David C. Walker	John G. Milosic
David C. Porter	George A. Gyland
Abe H. Siemens	John Kruszewski
James H. B. Morton	Floyd L. Hartson
Robert R. Hagan, Jr.	Jacob C. Sorensen
Paul A. Hansen	Earl G. Hamilton
David D. Fritts	Lloyd S. Sadler

Loren V. Perry	Nathan Vanger
Franklin H. Schonewolf	Alton F. Pinkham
	Ernest W. Payne
Clemons C. Pearson	Axel R. Mattson
Elmer Winbeck	Marvin H. Twiford
Charles W. Smith	Charles B. Martinson,
Martin S. Hanson, Jr.	Jr.
Theodore L. Roberge	Leland O. Wilkie

The following-named persons to be lieutenants (junior grade) in the United States Coast Guard:

William K. Vogeler	Raymond H. Wood
Donald H. Reaume	John C. Guthrie, Jr.
Harold R. Brock	Robert C. Stancliff
Robert B. Matson	Ferney M. McKibben
Glenn D. Jones	Arnold R. Reynolds
George H. Drinkwater	Sidney B. Vaughn, Jr.
Oscar J. Jahnsen, Jr.	Eugene A. Delaney
William J. Spinella	James H. C. Lowe
Richard G. Donaldson	Roderick M. White
William D. Derr	James L. Fleishell
Arthur G. Morrison	Robert K. Adams
John T. Rouse	William R. Lamb, Jr.
Salvatore J. Bardaro, Jr.	Clifford F. DeWolf
	George W. Bond, Jr.
David E. Metz	Royal E. Grover, Jr.
Robert J. Ryan	William G. Dick
Bruce N. Donnelly	Thomas A. Clingan, Jr.
James R. Meeker	Harry J. Hayes
Frederick J. Lessing	Allan B. Rose
Sherman C. Sawyer	William J. Baldau
Joseph A. Macri	Charles F. Juechter,
Richard J. MacGarva	Jr.
Edgar S. Castle	Donald G. Telfer
William T. Sode	Jack L. Smith
Donald J. Riley	David B. Fountain
Charles A. Bova	Rudy Roberts
Thomas F. McKenna, Jr.	Harry A. Feigleson, Jr.
Donald E. Greenamyer	John C. Fuechsel
Richard D. Hodges	Joseph J. O'Rourke
Lynden U. Kibler	Warren W. Waggett
William L. Webster	John L. Knabenschuh
John M. O'Connell, Jr.	Leo V. Donohoe
	Adrian L. Lonsdale
Norman C. Venzke	Alva L. Carbonette
Douglas R. Burke	Robert A. Seufert
John G. Beebe-Center, Jr.	Berry L. Meaux
	Harold W. Parker, Jr.
David C. Klingensmith	John P. Mihlbauer
	Clarence C. Hobdy, Jr.
Gilbert L. Kreisberg	Leopold A. Dombrowski
Hubert E. Russell	
Charles J. Glass	Jaime C. Gruger
Richard M. Morse	Lawrence J. Otto
James P. Marsh	Walter C. Ilgenfritz, Jr.
Benedict L. Stabile	
William R. Nodell	William D. Harvey
Robert E. Fletcher	William A. Maki
Horace G. Holmgren	Donald L. Savary, Jr.
Claude R. Thompson	Francis H. Achard, Jr.

The following-named persons to be chief boatswains in the United States Coast Guard:

Raymond B. Newell	Burton V. Frymire
George J. Devanney	Ezekiel D. J. Fulcher
Joseph Etienne	Arnold H. Peterson
Carlyle J. Dennis	Henry C. Wear, Jr.
Beverly L. Higgins	George E. Cote
Thomas Daly	James A. Hadley
George H. Austin	Lowell D. Mead
Benjamin W. Wroten	Milo A. Jordan
Matthew J. Kaluske	Wilbur E. Harris
William C. Thornes	Merritt B. Richards
Frank A. Grantham	Merritt O. Wright
Rupert O. Hall	Joseph J. Armand
Everett J. Mooring	James C. Henthorn
John E. Midgett	Stephen P. Bunting
Lawrence J. Autterson	Laurance D. Parks
Cassius M. Fish	Paul Lybrand
Edgar C. Hill	Herbert E. Mister
Maurice L. Kambarn	Cecil M. Thomas
Norman F. Cowan	Hugh M. Brown
Robert F. Rittenhouse	Preston R. Tittermary
Cyrus Gray	Ralph F. Barnes
Hilding L. Rinaldo	John M. Peoples, Sr.
George W. Cole	Clifton Bahr
William G. Kincaide	Kenneth E. Gibson
John J. Gibbs, Jr.	Joseph N. Hebert
Earl F. Wallace	John Needham
Albert H. Hauser	Earl E. Burleson
Allan T. Ruggles	Henry V. Devereaux
Harry A. Vaughan	Lee S. Roe
Ralph E. Small	George J. Chambers
Warren H. Wilmot	Fred L. Finley
John Atherton	James B. Burbine
Raymond V. Herron	Albert C. Lamb
Toivo R. Juntunen	Bror Anderson
Aron Madsen	Earl C. Jones
Richard C. Van Hine	Edwin W. Hansen
Bernice B. Odin	Don J. Call
Roland E. Miller	Melvin H. Midgette
Harold W. Lawrence	Seward S. Smith
Carl S. Boak	Clarence J. Pare, Jr.
William W. Grubb	Charles V. Cowing
Roderick W. Dowell	Joseph Sherlock, Jr.
John O. Woodworth	Francis S. Lamb
Stacy C. Cranmer	John W. Beach
Edgar S. Klock	Frank Lord
Floyd M. Hecox	Roy V. Wood
Merlin Needles	Howard M. Varness
Francis J. Greenbrook	Victor Koll
Reginald L. Flewelling	Royce O. Tackett
Joseph A. Pleau	Joseph C. Daniels
John T. Hevey	Finis C. Key
Adrian Salter	Roger F. Erdmann
David D. Albee	James M. Barker
Louis C. Underwood	Raymond H. Wilson
Everett M. Marshall	

The following-named persons to be chief gunners in the United States Coast Guard:

George R. Pearce	Joseph J. Baber
Clifton A. Thompson	Ralph C. Sidebottom

The following-named persons to be chief radio electricians in the United States Coast Guard:

Harold I. Pendleton	Roger Smallwood
Darcy W. Reid	Charles A. Parcheski
William H. Keel	John H. Merada
John Ribarich	Burton E. Howell
Heinz O. Freytag	Milo A. Cornelius
Antonio Macchia	Joseph F. Van Cleave
Matthew P. Folan	James J. Morsey
Charles E. Haley	John E. Reiley
Zolton Papp	Joseph J. Puhlick
Arthur P. Dillow	Kenneth P. Hood
Harold W. Banner	Robert H. Watson
Gustave M. Lundgren	Benjamin Dollinger
Henry C. Lodge	Albert F. Padgett

The following-named persons to be chief machinists in the United States Coast Guard:

Everett C. Savage	Clarence E. Gaylor
Walter F. Booth	William H. Strickland
George W. Madsen	William Reitz
Robert P. Chirnside	Charles R. Dowlan
Samuel R. Randolph	John T. MacKay
Milton C. Priebe	Wilbur G. Simpson
Elmer F. Nelson	James H. Thiemeyer
John S. Collins	Raymond C. DeSelms
George W. Dixon	John E. Cavanaugh
Dewey A. Moore	Louis Breitenbach
Herbert C. Lawrence	Donald E. Simkins
Lindel Hall	Edward F. Birmingham
Clyde B. McGowan	
Lloyd Young	Ray E. Newton
James Schackleford	Jesse T. Peugh
Nathan O'Neal	John D. Hendrix
Lee B. McCrudden	Myles P. Lattin
Harold J. Praedel	John H. Elliott
Herbert H. Ehlers	Hugh S. Hanna
Harry Casey	Morris D. Coberth
Alvin M. Elmore	John S. Fugate
Wesley R. Hansberry	George F. Viveiros
Michael Sivacek	Edgar G. Riggs
Leroy Mullens	Earl J. Rice
Robert H. Doyle	George Reichert
Carl H. May	John Sacco
Howard M. Dunn	John C. Tappen
George M. Seaman	Robert P. Stalcup
Harry N. Hansen	Jesse Fowler
Harry H. Eckels	Eugene H. Midgett
Allen F. Perkins	Elton W. Grafton
Lindsay L. High	Homer E. S. Williams
Joseph W. Forbes	Jack K. Ridley
Arthur N. Colons	Joseph O. Kennedy
Henry J. Harris	Marion G. Rubado
Irvin C. Wilson	Ellsworth Butler

The following-named person to be a chief photographer in the United States Coast Guard:

George G. Twambly

The following-named persons to be chief ship's clerks in the United States Coast Guard:

Joseph M. McGanee
Ethan D. Halsey
Leonard L. A. Krenning

The following-named persons to be chief electricians in the United States Coast Guard:

George W. Tanghe	Cecil E. Phillips
Roy L. Daisey	William H. Magowan
Thomas R. Warren	John T. Dailey

The following-named persons to be chief carpenters in the United States Coast Guard:

Wellington E. Alley	Jasmin Richard
Benno Schaffer	Clavis W. Baum
Edmund S. Handor	

The following-named persons to be chief pay clerks in the United States Coast Guard:

"A" "J" Beard	Lawrence A. Storm
Myron C. Richmond	Herman W. Pelletier
Robert E. Daniel	Herbert Newman
Carl D. Miller	Ollie D. Brown
William O. Adams	Lamar J. Fowler
Harold W. Anderson	Lee W. Bothell
Bernard E. Brune	David Spratling
Joseph D. Simpson	Hudson M. Cooper
Peter Majkut	Lloyd M. Probst
William H. McBride	Henry A. Minard
George M. Olson	Robert A. Johnson
Raymond E. Holley	Harold M. Schiffbauer
Oscar D. Diel	Eugene Linnemann
Thomas E. Harwell	Peter P. Ashton
Marten A. Ashba	John T. Borys
Christy R. Mathewson	Richard V. Bercaw
Rush W. Farr	Roscoe Smith
Henry E. Titus, Jr.	Escol J. Parker
Albert M. Glenn, Jr.	Joseph E. Acker
Joseph A. J. Levasseur	Harry A. Lessey
Maynard C. Redford	Joseph F. Donovan
Cecil W. Willis	William H. Mattson
James A. Leete	Fred W. Maukert
Darrell R. Heyting	William H. Reed
William M. Parker	Franklin H. Wix
Kenneth J. Titus	Phillip M. Collins
Cecil L. James	Joseph N. Alewine
Peter D. Shost	Gentry J. Cooke
Martin J. Healy	Harold G. Welchert

The following-named persons to be chief pharmacists in the United States Coast Guard:

William F. Noland
Charles S. Rhodes

IN THE AIR FORCE

The following-named cadets, United States Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947). Date of rank to be determined by the Secretary of the Air Force:

James Henry Ahmann
William Edward Albright, Jr.
Elmer Gene Allred
Eugene Joseph Alsperger
Warren James Alverson
John Edward Arnet
Stanley Clifton Beck
Kenneth Holmes Bell
Richardson Millard Bentley
Edward Martin Berko
Murray Burton Blume
John Louis Bonham
Herbert Willoughby Booth, Jr.
John Robert Borgatta
William Armstrong Boucher
William Pettit Boyd
Philip Lyman Brewster
Blackshear Morrison Bryan, Jr.
Louis Leon Bryant
Robert James Bullington
Gayle Wayne Cantrell
Jackson Busic Carter
Robert Eugene Chapman
William Miller Charles, Jr.
Stanley Foster Choate
William Hemp Clarke

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Francis Carter Cobb
Carl Bobbitt Crews
James Edward Dalton
James William Daughtry
Quinton Davis
Derrol Le Roy Dennis
Alan Leigh Devereaux
Joseph Aloysius Devlin, Jr.
James Warren Diebold
Robert Eugene Dorr
Lawrence Thomas Drum
Douglas Golding Dwyre, Jr.
Jay Thomas Edwards III
William McDonald Egan
William Patrick Emley, Jr.
Harry William Emrick, Jr.
Ralph Edward Ennis, Jr.
Duane Harold Erickson
Samuel Henry Fields
James Joeseph Fraher, Jr.
Barron Fredricks III
Gustav John Freyer III
William Lloyd Frier
Robert E. Fromm
Ronald Frederick Gamble
Raynor Garey, Jr.
Robert Kenneth Garwood
James Edward Giles, Jr.
Robert Lee Gray, Jr.
Leonard Leroy Griggs, Jr.
Harlan Leslie Gurney
Wallace Kendall Haff
John Alden Hall
Robert Allen Hamblin
Loren Verne Hart
James Francis Healy
Joseph James Heed, Jr.
Duane Louis Hogan
Jerome Henry Holmlund
Jack Donald Horner
Hal William Howes
Howard William Hunter, Jr.
Rufus Daniel Hutcheson
James Maclay Ingalls
Kendell Olynn Iverson
Joseph Rankin James
John Patrick Januleski
Jimmy Phillips Jarrett
Allen Louis Jennings, Jr.
Carl Bertil Lennart Johansson
Ronald Lee Johnson
James Merton Lee Karns
James Myron Kirwin
James Summers Knox
John Edward Krause
George William Kronsbein, Jr.
James Howard Kyker
Paul Lansky
Joseph Donald Lapchick, Jr.
Don McKnight Larson
John Ellsworth Lawson
Donald Gene Lewis
William Dean Liby
Charles Robert Linton
Kenneth Edward Luckey
Leroy Thomas Lunn
Charles Ernest MacWilliam
Craig Eugene Mahaffy
Thomas Patrick Martin
Samuel Moore Mathews, Jr.
Larimer Cushman McFarlane
George Winston McMillan, Jr.
William Moss McVeigh III
Henry James Mehserle
Alan Joseph Momberger
Jack Edward Moore
Thomas Wiley Moore
John Joseph Morris
Robert Horace Muns
Matthew Patrick Murphy II
Wilson Harry Nickerson
Daniel Joseph O'Mara
William Albert Orth
Jaime Ortiz-Lopez
Gerald Herbert Parshall
Earl Davis Payne, Jr.
William Wiley Phillips
Ralph Emmett Porter
Norwood William Potter
Eugene Stephen Procknal
Francis Lee Revere
George William Riess
Edward Almon Saville
Manfred Allen Schalk
Walter Clair Schrupp
David Randolph Scott
Elwin Rox Shain
Thomas Raymond Shukay
Kenneth Lovell Sipes, Jr.
George Charles Soos
James Riley Stanley
Ozro Richard Steigelman
Norman Frank Stephen
John Kent Stephenson
Cornelius Joseph Sullivan
Vincent Robert Suppicich
H. C. Tanner
Lee Boardman Thackwray
Gary Paul Thomas
William Robert Thomas
Frank Bentley Tiffany
James Joseph Truscott III
William Joseph Vipralo, Jr.
Phillip Dean Vollmann
Richard Joseph Vossler
Thomas John Wachowski
Rudolph Frank Wacker
Louis Charles Wagner
John Nicholas Weiler
John Alfred Wesner
Alvin Pierce White, Jr.
Arthur William Wild, Jr.
Samuel Hudson Wilson
Arnold Henry Winkelman
John Henry Wintrode, Jr.
Eugene Francis Wirth
Leland Roy Wood
Joseph Linden Yeager
Richard Dunphy Youngflesh
John Richard Zartman
James Myron Zerkel

The following-named midshipmen, United States Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947). Date of rank to be determined by the Secretary of the Air Force:

George William Samuel Abbey
John Henry Anders
Carl Frederick Anderson
Jack Renold Anderson
Jack Lee Appel
Joseph Theodore Artman, Jr.
Don Ayres
James Edgar Baker
John Charles Balogh
John Joseph Barry
Marvin Jenkins Barth II
Clarence Leroy Bennett
Robert Edward Birkenmeier
William Allen Boggess
William Boiko
George Warren Botbyl
Richard Thomas Boverie
John Alfred Brashear
Jo Brendel
James Elmer Brewer
John Creighton Bricker
George Desmond Brown
James Thomas Brown
Richard Emory Brubaker
Gilbert Anthony Buccola
John Bartlett Burcham, Jr.
Kenneth Dean Burns
Robert Edward Burns
Richard Kraussee Byers
Nicholas Phillip Callas
Frank John Caroccio, Jr.
Terrol Allen Carpenter
Aloysius Gerald Casey
John Christopher Cassidy
Richard Edward Cherry, Jr.
Lewis Forman Chisholm
Alan Shirley Christner, Jr.
Richard James Chuday
Henry William Cianfione
Frederich Arlyn Clark
Robert Flanders Clarke
John Joseph Clune
Denis Anthony Conrady
Kenneth George Crompton, Jr.
Madison McDonald Daily
Grant Gilman Dean
Edward Peter DeFede
Charles Frederick DeMos
Walter Charles Deppish, Jr.
Timothy Joseph Downs, Jr.
Ross Belton Duckett
Harry Patrick Dunn
Robert Eugene Dunne
John Peter Fahey
Walter Batteal Farrar, Jr.
Ronald Emory Finch
Tom Jennings Forster
James Eugene Foster
Marvin Frank
Joseph William Franks, Jr.
Albert Paddock Freer, Jr.
Wayne Thomas Frye
Robert Joseph Ganter
Henry Jonathan Gaynor
John Matthew Gerding
Theodore Carlton Gerst
William Richard Gilmore
William Roland Glover II
Dale Roger Gramley
Theodore Keith Graves
George William Gute
Eugene Lawrence Guttenberg
Carl Melvin Harms
William Sterling Harris
John Freeman Harvell
Eugene Emerson Hawthorne
William Lee Haygood, Jr.
Arnold Wilfred Heiting
Dan Michael Hennessee
David Lawrence Henry
Robert Tralles Herres
James Nelson Hicks, Jr.
Ralph Jerold High
James Jay Hill
Olive John Hines
George Sheilds Hirsch
Jerry Pinkston Holman
William Walter Hoover
Stanley Powell Houghton
Franklin Wallace Hoy, Jr.
John Hrustich
Edward Hughes Jackson, Jr.
Gordon Leonard Johnson
William Joseph Johnson
James Sherburne Keck
Leonard Allen King
Matthew Douglas Kirkpatrick
Frederick William Knops, Jr.
George Daniel Knutkowski
Gordon Gafford Koops
Bobby Shepard Lay
James Allen Leach
George Nelson Leventen
Richard Brooks Lewis
Ronald Eric Lief
Clovis Tann Lightsey
Franklin Russell Lockmiller
Peer John Lovfald, Jr.
Rano Eugene Lueker
Gerald Forrest Mackey
Lachlan Macleay, Jr.
Mauro Jiustino Maltagliati
John Curtis Marshall
Edmund Eugene Martinez
William Albert Matheny, Jr.
Robert Charles May, Jr.
James Charles McFetridge
David Richard McGinnis
William Glen McKay
Charles George McLean
John Douglas Meehan
John Esper Merten
David Lloyd Miller
John Anthony Miller
William Leighton Miller
David Philip Milnor
Derek VanZant Mitchell
Joe Patton Morgan
Joseph Francis Mudd
Richard Frederick Murphy
Michael Anthony Nassr
Richard Warfield Nelson
Wesley Alexander Newsome, Jr.
Merlyn Eugene Nightengale

Charles Lawrence Nobles
Harry Thomas O'Brien
John Jerome O'Leary
George Burton Parks
Winston David Patterson
Donald Orian Pflugrath
Edwin Faraday Phillips
John Daniel Phillips
Dale Lester Picardat
William Russell Pigott
Harold Eugene Pilcher
Eugene Marion Poe, Jr.
Ernest Ellis Potter
Charles Edward Powell
Stanley Paul Prahalis
Henry Arthur Proctor
Richard Cantrell Proffitt
Charles Roy Prohaska
John Steven Pustay
William Ronald Quasney
Don Roger Ray
Ralph Kitridge Redden
Raphael Luke Reddington
Luin Blunt Ricks
Terry Ryder Ridgway
John Walter Rigterink
Barry Lee Roach
William Joseph Roach
Robert Willard Rogers
Charles Homer Roush, Jr.
Charles Stoddard Rowley
Lawrence Grant Russ
Julian Salas
Walter Eugene Sampson
Richard Paul Sassone
Willis John Schleusener
William Edward Schuler
Andrew Myron Schultz
Jean Conrad Seagroves
S. J. Shaffran
Charles Ira Shelton
Stephen John Sinko
Alvin Dale Size
Charles Noel Dupont Smith
Edwin Thomas Smith
Gary Thomas Smith
Joseph Brothers Smith
Richard Charles Snavely
Carl Joseph Soreco
Richard Byron Spencer
Heewannah Keith Spiker
Kenneth Elliott Stanley
Jesse Douglas Steadman
Mario Joseph Stefanelli
Norman Harry Stockel
James Thomas Strader
Stanley Roy Swanson
Harvey Taffet
Edgar Franklin Tatum, Jr.
Charles Howard Taylor
Calvin Wayne Thomas
Morris Zane Thornton
William Earl Thurman
Albert Richard Trautmann
Edmond Joseph Uzdavines
Raymond Jacob Vaverka
John Francis Volpone
Keith Leon Walker
William Robert Walker
Clyde Livingston Ward, Jr.
James Charles Whatley, Jr.
Edward Westcott Windle, Jr.
Stephen Worth Wolfgang
Kenneth Delmer Wright
Richard Perry Yantis
Donald Bernard Zelten
James Stanley Zimmerman

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 12, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the source of all our blessings may we daily appreciate more fully how dependent we are upon Thee and how confidently we may trust Thee.

We rejoice that Thou art always seeking to lift upon us the light of Thy countenance when we walk in darkness and giving Thy companionship when we are lonely and help for today and hope for tomorrow.

Kindle within our souls the sacred flame of lofty aspiration which shall consume all unworthy desires, and may we strive earnestly to adjust our wills to Thy divine will.

Grant that the day may soon dawn when the wandering feet of confused and struggling humanity shall find Thy ways of righteousness and peace.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 2370. An act to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil;

S. J. Res. 44. Joint resolution proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court, and for other purposes; and

S. J. Res. 126. Joint resolution amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2305. An act to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia.

SPECIAL ORDER GRANTED

Mr. KEAN asked and was given permission to address the House for 45 minutes on Monday next, following any special orders heretofore entered.

NATIONAL RAISIN WEEK

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, it is my pleasure to call to the attention of the Members of the House the fact that this week is National Raisin Week. The heart of the raisin industry is in my district.

National Raisin Week is the oldest of national food weeks. It commenced in 1909 and started a whole chain of national food weeks.

Yesterday evening I was pleased to notice in the Evening Star of Washington an article by Violet Faulkner, celebrating this oldest of food weeks with a newly developed home recipe for old-fashioned raisin cracker cookies. Thanks to you, Violet Faulkner, and all the other good people in the United States who have helped to make National Raisin Week a success.

To my colleagues I recommend raisins as an important and healthful part of the diet. They contain iron and other nutritious ingredients which will help you to better withstand the rigors of your congressional responsibilities.

This morning it was my pleasure to present to the President of the United States some of California's finest raisins.

SUBCOMMITTEE ON FLOOD CONTROL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Flood Control of the Committee on Public Works may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GREEN (at the request of Mr. BYRNE of Pennsylvania), for the balance of the week.

THE NEW LOOK AS THE "NEW LOOK"

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am sure most of the Democrats in the House and the other body desire to develop and pursue a bipartisan foreign policy. But I fear it is sometimes difficult to follow the inconsistencies and, shall I say, the evasions and circumlocutions of our Secretary of State.

Yesterday, for example, he said Indochina was not essential to the preservation of the rest of southeast Asia from communism. That assertion apparently was contrary to the "falling dominoes" theory announced by the President a short time ago and approved by the Secretary of State, whereby the loss of Indochina would lead to the loss of southeast Asia and involve, therefore, a national calamity. Quite inconsistent with his policy of yesterday was the Secretary's statement of April 19 last, when he considered Indochina as significant as Korea and of vital concern to the free world. He went forth recently and demanded a united protest against Red China on the part of the western democracies. He could not get it. He then demands the set-up of a Pacific NATO. He boastfully announces that policy before he has assurances of acceptance from the nations to be involved, and

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from Congress. He is having hard sledding. Last year he threatened dire consequences to France unless she accepted EDC. France has not yet accepted. There are no sanctions, as threatened. He demanded that Italy and Yugoslavia get together on Trieste, or else. They did not get together. He apparently adopts one policy today, extols it, only to discard it the next day.

He, with great aplomb, "sloganeered" the policy of the New Look. It was to hold all our enemies at bay at a cheaper rate with the use of massive atomic retaliation. It was to be a "bigger bang for a buck." What has become of the policy of the New Look? One never hears of it. It was to have done the trick in Indochina. It was not used there. Secretary Wilson now speaks of a second look at the New Look. It is indeed difficult for us Democrats to follow.

BIPARTISAN FOREIGN POLICY

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, George Sokolsky in his column in this morning's paper criticizes Republican leadership in foreign affairs. He says leadership does involve negotiation and understanding, but there comes a moment of decision when the alternatives are do or do not.

As the gentleman from New York pointed out, we Democrats would like to give our bipartisan support, but it is difficult to give bipartisan support to a policy which has not been, insofar as I can tell, determined.

The problems facing the United States Government—our State Department—in international affairs are grave and difficult. Irresponsible or purely partisan criticism must be avoided.

Undoubtedly, the Secretary of State is handicapped because some members of his own party made irresponsible statements and advocated programs which were impossible of fulfillment when the Democrats were in power. I suggest, as a beginning, that Republicans make an "agonizing" retraction of irresponsible criticism which they directed at the Democratic administrations in the past, not as a device to draw Democratic support, for I believe that Democratic support will be given in any case, but in order to free themselves, the Republicans, from the limitations which their own previous irresponsibility and extremism have laid upon them.

POLICY IN INDOCHINA

Mr. HAYS or Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, the day before yesterday I mentioned the fact that the Communists were within 16 miles of Hanoi. This morning I heard over the radio that they are now 7 miles from Hanoi. The Pentagon is still saying that the monsoons will keep them away, but the monsoons have not been doing a very good job.

I also said that apparently their policy of massive retaliation had turned out to be rain. It looks like it has not been and is not working very well. We had better get more rain.

Mr. Speaker, I repeat we had better get more rain because I, for one, am confident that the Congress is never going to vote to send American boys to fight and die in the jungles of Indochina for a vague cause if not for outright colonialism, especially since Mr. Dulles has already fumbled away our opportunity and lost Indochina with his so-called diplomatic maneuvering. I am one Member of Congress who will never vote to spill American blood to retrieve State Department blunders in Indochina.

OPPOSITION ATTITUDE TOWARD OUR FOREIGN POLICY

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I find it exceeding difficult to do what I am going to do now; it is not my nature and it is not my way. But it seems to me that the party of the opposition is taking a very extraordinary attitude in the whole matter of our foreign policy. I have never had anything discourage me so much as to the future of the United States in the family of nations as the method being pursued by the opposition which these gentlemen who preceded me so clearly demonstrated.

During the era of New Deal supremacy we objected to many of the things in the foreign policy they pursued, but we were too concerned for our country and for the world to make the destructive attacks now being launched by the present opposition. It would seem that they are doing everything in their power to prevent anything resembling peace in the world.

Mr. ARENDS. Mr. Speaker, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the distinguished gentleman.

Mr. ARENDS. I think it should be made clear to the membership that Republicans did not put the marbles in this international game in the first place as the gentleman from Minnesota might indicate. Somebody else did.

Mrs. FRANCES P. BOLTON. That is correct. So much of what is wrong in Asia now is the result of the policy to which we fell heir. We are doing as much as is humanly possible to better a very bad situation. And I should like to remind the gentleman from Minnesota that it is France that is fighting in Indochina, not the United States.

INDOCHINA

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, the gentleman from Ohio [Mr. HAYS] on the other side of the aisle has spoken to this House twice on recent occasions and referred to monsoons. I do not know just what he is referring to on the question of monsoons or whose policy that may be, but when he questions whether the monsoons are going to stop the march of communism in Indochina, I am wondering whether there is an implication in what he has had to say that he feels that American boys should be committed to stop the onrush of communism there, as American boys were committed in Korea without the consent or the will of this Congress.

CERTIFICATION OF CONTEMPT PROCEEDINGS TO UNITED STATES ATTORNEYS, DISTRICT OF COLUMBIA AND NORTHERN DISTRICT OF CALIFORNIA

The SPEAKER. The Chair desires to announce that pursuant to sundry resolutions of the House he did, on today, make certifications to the United States attorney, District of Columbia, and the United States attorney, northern district of California, as follows:

To the United States Attorney, District of Columbia:

House Resolution 533: The refusal of Bernhard Deutch to answer questions before the Committee on Un-American Activities.

House Resolution 534: The refusal of John T. Watkins to answer questions before the Committee on Un-American Activities.

House Resolution 535: The refusal of Wilbur Lee Mahaney, Jr., to answer questions before the Committee on Un-American Activities.

House Resolution 536: The refusal of Mrs. Goldie E. Watson to answer questions before the Committee on Un-American Activities.

House Resolution 537: The refusal of Lawrence Baker Arguimbau to answer questions before the Committee on Un-American Activities.

House Resolution 538: The refusal of Marcus Singer to answer questions before the Committee on Un-American Activities.

House Resolution 540: The refusal of Barrows Dunham to answer questions before the Committee on Un-American Activities.

House Resolution 541: The refusal of Francis X. T. Crowley to answer questions before the Committee on Un-American Activities.

To the United States Attorney, Northern District of California:

House Resolution 539: The refusal of Ole Fagerhaugh to answer a question before the Committee on Un-American Activities.

AMENDING CERTAIN PROVISIONS OF THE SECURITIES ACT OF 1933

Mr. DOLLIVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Ex-

change Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 2846, with Mr. BATES in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through section 5, ending on line 20 of page 4 of the bill.

If there are no amendments to that section, the Clerk will read.

The Clerk read as follows:

SEC. 6. Subsection (b) of section 3 of the Securities Act of 1933, as amended, is amended by striking out "$300,000" where it appears in such subsection and inserting in lieu thereof "$500,000."

With the following committee amendment:

Strike out all of section 6.

Mr. HALE. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, let me try to explain as best I can in the brief period allotted to me what is behind the committee amendment and why I think it is objectionable.

If the members of the Committee of the Whole will read carefully the matter on page 17 of the report, they will find the history of this present exemption from the registration requirements of the Securities Act. Section 3 of the Securities Act of 1933 originally made an issue of $100,000 or less exempt from registration. This amount by an amendment in 1945 was raised to $300,000 and the other body in passing S. 2846 raised the $300,000 to $500,000. I suppose the principal argument in favor of that, and certainly a conclusive argument as far as I am concerned, is that $300,000 in 1945 was no more than $500,000 today.

As a matter of fact, small businesses find it almost prohibitive to finance their requirements under the existing law because a small concern wanting a small amount of money like $310,000, let us say, is unable to meet the requirement of the Securities Act without disproportionate expense. Of course, if they can finance their requirements within the State, they are all right because the Securities Act does not apply to intrastate financing. In some of the big States like New York, Michigan, Pennsylvania, Illinois, and so on, there probably is no difficulty in a small concern getting financing without going beyond State boundaries. The President of the United States, himself, said:

The Federal Securities laws were enacted nearly 20 years ago and have remained largely unchanged over that period. Some modifications in these laws are needed which while fully protecting the interest of investors will make the capital market more accessible to businesses of moderate size. It would also be desirable to simplify the rules and thus reduce the cost of registration of new issues and their subsequent distribution.

Pursuant to that recommendation of the President, the Securities and Exchange Commission itself—and that is the instrumentality which under the law is supposed to be the guardian of the investors and to protect them from fraud, and to the best of my knowledge does so protect them—favors this increase in the exemption from $300,000 to $500,000.

If the membership of the Committee of the Whole would also read—and I realize this is perhaps asking a good deal of them—but if they could read the testimony of Mr. Hardies at page 122 of the hearings and the testimony following that of Mr. Clyde McFarlin of the United States Independent Telephone Association at page 137 of the hearings, they would see set forth very cogently the reasons why it is necessary and desirable to have this limitation of $300,000 lifted to $500,000, as was actually done in the other body. I very much hope that the Committee of the Whole will vote against the committee amendment and sustain the action of the other body in raising this exemption.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. RAYBURN. Mr. Chairman, I rise in support of the committee amendment.

Mr. Chairman, I have been fearful since 1933. I happen to be the author of the Securities Act of 1933, the Stock Exchange Regulation Act of 1934, and the Utilities Holding Company Act of 1935, all of which went in to make up the laws which the Securities and Exchange Commission administers. Of course they were all said to be very destructive, or people said that. When we first had under consideration the Securities Act, they said it would stop the sale of securities in interstate commerce. It has turned out to be exactly the opposite, because we have clean securities.

When we passed the Stock Exchange Regulation Act, many people said it would close all the exchanges of the country. It has turned out to be a clean place in which to sell and trade in clean securities.

It is a remarkable thing how these bills were fought, and the people who fought them most, since their enactment have been the ones who have been most enthusiastic in their support of them.

Two governors of the New York Stock Exchange have told me that if the law had not been in effect that they would not be governor of the New York Stock Exchange without that regulatory body, because they did not think they could operate the New York Stock Exchange and stay out of trouble. They had an example of one of their governors just before that who got into very serious trouble.

The Securities Act of 1933 has worked all right. Of course it is expensive if somebody wants to put some securities on the market and they have to put up their financial situation before the Securities and Exchange Commission.

We deliberated on this bill for months in 1933, and we decided that $100,000, which a corporation could float without being cleared by the Securities and Exchange Commission, was the proper amount. Then there came a time when they said it ought to go to $200,000 or $300,000, and I agreed to that. But I do think that when the people want to issue securities up to $500,000, that is a lot of money for the unsuspecting public to go out and buy. I think when it goes above $300,000 they should be compelled to go to the Securities and Exchange Commission and lay down their financial situation and get the approval of that body before they can float a half million dollars worth of securities.

I have always feared that the time would come when somebody would start whittling away the salient provisions of these bills. It has not been done. Nobody has proposed to repeal them, and nobody has done much in trying to whittle them down. But I do think in the interest of the American investors and in the interest of sound financing of our corporations that it is dangerous, very dangerous, for us to raise this amount to more than $300,000.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. HALE. The gentleman realizes, of course, that even in issues under $300,000 the company raising the capital does have to go to the Securities and Exchange Commission, even though it does not have to follow this registration stipulation.

Mr. RAYBURN. That is true, but I am talking about the matter that they should lay down their full and complete financial situation before they are allowed to issue securities of more than $300,000.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. ROGERS of Florida. I just want to congratulate and commend the gentleman from Texas for the contribution he has made to the people of this Nation in fathering the Securities and Exchange Act, the Utilities Holding Company Act, and other legislation while he was chairman of that great Committee on Interstate and Foreign Commerce.

Mr. RAYBURN. I thank the gentleman.

That is what I think about it; I think this is an attempt to whittle away and whittle away, that if we pass this amendment, next year they will be up here for a million dollars, and after that they will be up for more and more.

As I say, we considered this matter for months in the Committee on Interstate and Foreign Commerce, and let me echo what the gentleman from Florida has just said, that the Committee on Interstate and Foreign Commerce is one of the greatest, if not the greatest, legislative committees in the House of Representatives because it has produced in the years gone by legislation that has been placed on the statute books that nobody has attempted to repeal or abolish.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. BUSBEY. I was just wondering if this committee amendment proposing to raise the amount from $300,000 to $500,000 is not, in reality, one that reduces the amount on the books at the present time because of the devaluation of the purchasing power of the dollar.

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If the dollar is worth only 50 cents today, compared to what it was when the act was passed, it seems to me this might represent a reduction to $250,000, instead of an increase.

Mr. RAYBURN. Let me say this to the gentleman: I would rather have a 50-cent dollar and have some of them than to have a 100-cent dollar and not have any, and that is exactly what the situation was in many cases in years gone by when we had a so-called 100-cent dollar.

Mr. BUSBEY. But the gentleman is not answering my question.

Mr. RAYBURN. Oh, yes; I am.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. RAYBURN was allowed to proceed for 2 additional minutes.)

Mr. RAYBURN. Now, this stuff about a 50-cent dollar, the people would rather have more 50-cent dollars and be able to buy something than to hold a lot of securities bought with 100-cent dollars as they did 20 years ago when this act was passed, in 1933, only to find they had nothing.

Mr. BUSBEY. But, nevertheless, while we are talking about a limitation of $500,000, it actually is a $250,000 limitation.

Mr. RAYBURN. I have followed this thing all the time from its inception and I do not agree with the gentleman on anything like that. $500,000 is $500,000, and that is what the people are going to pay for these securities when they buy them; and having $450,000 in securities that have not been examined and they go bad, the man is just as bad off whether he bought them with 100-cent dollars or 50-cent dollars.

Let me tell you something, one reason for having this legislation, when former President Hoover was Secretary of Commerce he had a commission study this question and that commission made a report that during the years 1922 to 1932 the corporations of the country had issued $50 billion in securities and they gave it as their opinion that $25 billion of them were not worth the paper they were written upon. That was the beginning of our trying to do something about cleaning out this business of issuing securities.

Mr. BUSBEY. I have no objection whatsoever to the basic legislation.

Mr. RAYBURN. I am talking about basic legislation too. We thought $100,000 was enough; then I did not resist raising it to $300,000; but if you raise this to $500,000 now, it will be $750,000 next year, and then a million; and that, in my opinion, will free too many of these corporations from going through the Securities and Exchange Commission and getting out these issues before the public without the Securities and Exchange Commission and the public knowing anything about what security is behind them.

Mr. BENNETT of Michigan. Mr. Chairman, I rise in support of the committee amendment.

Mr. Chairman, no one wants to hinder legitimate small business in its endeavors to sell its securities to the public. If it were only well-established, legitimate, small enterprises that were using this exempt procedure, possibly no great harm would be done if the exemption were raised to $500,000. But that is not the situation we are confronted with here. The exempt procedure is not only used by sound and stable-operating companies, but it is also used by unstable, speculative, and promotional companies. Therein lies the danger.

The fact is, Mr. Chairman, that nearly 50 percent of the exempt offerings are made by promotional or speculative companies with no record of operation or earnings. That is a very significant thing, because it means that companies that have never been in business; that have just been newly organized, and having little or no capital or assets avail themselves of this easy way to get money. They cannot in most instances borrow money or sell securities in their own communities where people know them. So what do they do? They file a simple financial statement which is all that is required under this exempt procedure and they are on their way to selling securities in interstate commerce. The statement is not certified. It carries no financial liability on the part of the officers or directors of the corporation that filed it. These securities are then sold to many unsuspecting investors. The average citizen does not know whether a security is registered or whether it is filed under regulation A. He takes it for granted that if the security is sold by a registered broker or security dealer it must carry with it all the safeguards the law provides. So he buys it unaware of the fact that he is getting less protection than would be the case had he purchased a registered security.

In a 3-month period last year $21 million of these promotional and speculative stocks were sold under this $300,000 exemption. That adds up to about eighty-five or eighty-six million dollars a year, which is a lot of money to be invested by small investors around the country in this inferior class of security. If you increase this exemption to $500,000, then you nearly double that $86 million and thereby aggravate the present situation, which is none too healthy at the present time.

It is not a question of whether you should do something for small business. If you are going to balance the equities in this instance between small business and the small investor, certainly you have to resolve all doubts in favor of the small investor because he is the fellow who is putting up the money.

Mr. DOLLIVER. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Iowa.

Mr. DOLLIVER. I wonder if the gentleman would consider that an exemption as to public utilities, such as telephone companies, up to $500,000, who are actually under public control, anyway, would be acceptable if the other exemptions remained at $300,000?

Mr. BENNETT of Michigan. As I stated a few minutes ago, I do not believe that any particular harm would be done if you increased this to $500,000 in the case of independent telephone companies, or other well-established businesses of that sort. But, as a practical matter, you could hardly work it out, because there are too many different types of small business that are well managed and well operated to separate them in a legislative enactment of this kind.

I want to add this one thing. As I pointed out yesterday, the fact is that of the independent telephone companies who filed applications last year under this exemption procedure, 11 out of the 14 applications filed were for less than $300,000 and only 3 were for up to the $300,000 limit. So, the fact is that the independent telephone companies who have been complaining about this exemption have not actually used all of the exemption presently available to them.

Mr. DOLLIVER. Does the gentleman think that would be explainable on the basis, to take a round figure of $250,000 instead of $300,000, a quarter of a million dollars?

Mr. BENNETT of Michigan. I doubt it, Mr. Chairman, and I think it would be unwise to go ahead with any change in this situation. In my own view, we ought never to have increased it beyond the $100,000 limit. That was going far enough, because there is not any good, sound basis for having a securities and exchange law and then permitting one class of securities to have less stringent requirements under that law than another class of securities, when all of them are sold to the public.

Mr. Chairman, I hope this Committee will sustain the Commerce Committee amendment.

Mr. PRIEST. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I doubt very much, after the gentleman from Texas [Mr. RAYBURN] and the gentleman from Michigan [Mr. BENNETT], both have made such complete statements on this subject, that there is anything new that can be said, or any argument advanced that has not already been very logically advanced in support of the committee amendment.

Mr. Chairman, when the committee considered this bill, when we held the hearings, I asked, I think, every witness that appeared before the committee a question similar to the one that I asked on page 44 of the hearings, a question addressed to the Chairman, Mr. Demmler:

> Mr. PRIEST. These amendments, as you have already pointed out, largely are technical.
>
> Commissioner DEMMLER. Yes, sir.
>
> Mr. PRIEST. They do not, in your opinion, change the basic philosophy of the Securities Act, do they?
>
> Commissioner DEMMLER. I can answer that, sir, by saying categorically, they do not.

Now, both the gentleman from Texas [Mr. RAYBURN] and the gentleman from Michigan [Mr. BENNETT] have pointed out this very important fact, and it is emphasized, that if there is any doubt whatsoever, it should be resolved in favor of the investor. That was the basic philosophy of the act which Commissioner Demmler said was to be preserved in this amendment, and which I believe will be preserved in all of the amend-

ments herein proposed, provided we stand by the House committee amendment on the exemption figure of $300,000.

The committee considered for some time this question in executive session. The distinguished gentleman from Michigan [Mr. BENNETT] offered the amendment in the committee to strike out section 6, leaving the law as it is today, with an exemption of $300,000, which was approved by the Congress in 1945, raising it, as you know, from the $100,000 figure that was in the original act. Now, I hope when the vote comes that the Committee of the Whole will stand by a rather large majority of the Committee on Interstate and Foreign Commerce, and approve the committee amendment. I realize, as all of us do, that there are a great many technicalities involved in this type of legislation. There are technicalities involved in all of the amendments proposed in this bill. I think all of them are in the public interest. I think they safeguard the interest of the investor and that is primarily the objective sought and the goal to be attained by the legislation.

The gentleman from Michigan [Mr. BENNETT] pointed out that insofar as small business is concerned, it is not the corporation that needs protection so much, because the money is furnished by the small investor. He is the person who needs the protection hereby afforded.

I believe it is fair. I think it is equitable. I cannot see that there is any injustice. I cannot see any harm that will be done anybody by leaving the figure at $300,000.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. MORANO This is a Senate bill, is it not?

Mr. PRIEST. It is.

Mr. MORANO. Are there any major changes from the Senate bill and, if so, will the gentleman please explain what they are?

Mr. PRIEST. The only major change is the one I am discussing at the present, the question that is now before the House in the form of a committee amendment. The bill, when it came to our committee from the Senate, contained a provision for a $500,000 exemption. The House committee adopted an amendment offered by the gentleman from Michigan [Mr. BENNETT] to strike that provision from the bill which, in effect, means that the $300,000 provision in existing law remains as is. That, frankly, is the only change of any consequence in the bill as it came from the other body.

Mr. Chairman, I hope that the Committee of the Whole will stand by the House committee and adopt the committee amendment.

Mr. HESELTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I said yesterday afternoon, whether this is left at $300,000 or is lifted to $500,000, in my opinion, is not a very major problem. However, I think that in terms of some of the fears that have been expressed here, it would be well to emphasize 1 or 2 things.

Throughout our hearings it was emphasized that this is offered and was adopted in the other body as a measure to assist small business. I do not see how anybody, in the light of the history of the exemption, from $100,000 to $300,000 and now to the suggested $500,000, can dispute for a moment that all we are attempting to do by lifting this exemption is to equalize the situation because of the increase in values that we all recognize.

Secondly, I asked this question of the Chairman of the Commission when he was before the committee:

> It is my understanding—referring to the President's economic message and the approval of the Bureau of the Budget—that one of the purposes of this proposed legislation is to stimulate investment. If I understand you correctly, by lifting that exemption to $500,000 you believe it would result in an increased number of new issues. Is that not consistent with the purpose of the proposed legislation?
>
> Mr. DEMMLER. It is, sir. I think it might be well to put into the RECORD the particular paragraph from the President's economic message on that subject. It is very short. It states:
>
> "The Federal security laws were enacted nearly 20 years ago and have remained largely unchanged over that period. Some modifications in these laws are needed which, while fully protecting the interests of the investor will make the capital market more accessible to businesses of moderate size. It would also be desirable to simplify the rules and thus reduce the cost of registration."

What about that cost of registration? We had before us testimony from the records of the SEC showing that between January 1, 1952, to November 1, 1953, on issues of $600,000 or less, $3.55 per $100 of the proceeds were deducted as the cost. That is almost 8 times the average cost of 47 cents per hundred dollars of proceeds from all issues across the board. So that you definitely have a problem and a choice now, whether you want to take advantage of this session of this Congress to do something that we have all been talking about when times are hard, and that is, give small business a chance. This is your opportunity.

I do not think the fears that have been expressed here are justified. I have the highest respect for the gentlemen who spoke against it, but it is not a question of raising it to $750,000 or $1 million at some future time. I would be against that today, and in the future unless such further increase was fully justified. We are dealing with a sharp, cold reality. Small business is in trouble. You know it and I know it. We should furnish them with a means of getting more equity capital, which they so desperately need and cannot get except at exorbitant cost.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield.

Mr. BENNETT of Michigan. What about the small investor who is putting up the money?

Mr. HESELTON. That is another overemphasized fear that has been thrown in here. In my judgment, the whole answer to that is proper procedures on the part of the Securities and Exchange Commission. I am not willing to penalize the small business of this country because someone may be afraid that there might be some fraud somewhere. There are means of detecting that and protecting against it.

Mr. BENNETT of Michigan. The gentleman knows the small investor under this procedure gets less protection. If you increase this limit to $500,000, he gets still less protection.

Mr. HESELTON. The Chairman of the Commission outlined three means of protection. They are adequate. If they are inadequate, we can provide some more means of protection.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am a little bit confused here about the amendment we have before us. It is a rather unusual situation. The committee considered amendments to the Securities and Exchange Act over a period of several days. The intention was to try to make it easier for business in this country to obtain the capital that is necessary to expand and serve the public.

In the course of the consideration of this bill the question of the exemption figure was brought up. As has been stated, the Senate increased the amount from $300,000 to $500,000. Our committee considered that question for some time, and the committee determined that the figure should remain at $300,000. That determination was made after long and careful discussion and consideration. As I recall, the vote on that amendment was overwhelmingly to leave it at $300,000.

That was the action of the committee. Now here on the floor of the House we find ourselves in the unusual position that so many members of the committee are in opposition to the committee amendment. That is the situation we have facing us here. I do not recall that there was such objection raised in the committee, and if there were more than 2 or 3 votes to raise it to $500,000, I just do not recall it.

The gentleman from Massachusetts [Mr. HESELTON] would have you believe that the President of the United States recommended the exemption be increased to $500,000. As I understand the statement which the gentleman has read twice to us, the President made no comment about exemption whatsoever.

The question of small business, of course, is an important one and we are all for giving small business a boost whenever we can, but as has been pointed out by the distinguished gentleman from Massachusetts [Mr. MCCORMACK] this Congress, itself, placed a limitation on loans for small business at $150,000. Is this a small business proposition that we have here? Let us see about it. I am very sympathetic to the telephone industry, and to these smaller businesses to be sure, but the application to the telephone industry would be the same as the application to every other industry and business in this country. I have here before me a table showing that 15 independent telephone companies have filed under the SEC regulations with reference to exemption. I should like to remind you that this small industry you are speaking about may during any year have an issue—in other words, $300,000 this year which would be exempt—$300,000 next year and $300,000

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the following year. When does it cease to be a small business or a small industry? Here is an independent telephone industry that had an issue which was exempted last year of $245,000 and has assets of $26,550,000. Would you say that is a small business? I think, Mr. Chairman, we had better be very careful before we take this action which some people would have us take that may destroy the effective provisions of the Securities Exchange Act.

Mr. DOLLIVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DOLLIVER. As I understand it, Mr. Chairman, a vote in favor of the committee amendment will continue the present exemption of $300,000?

The CHAIRMAN. The Chair must state that is not a parliamentary inquiry, although the Chair does believe it is consistent with the fact.

Mr. RAYBURN. Mr. Chairman, it is a fact, is it not?

The CHAIRMAN. The Chair has so stated.

Mr. DOLLIVER. Mr. Chairman, is it also true that a vote against the amendment will raise the exemption to $500,000?

The CHAIRMAN. The gentleman from Iowa can understand the language.

Mr. DOLLIVER. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 7. Section 4 (1) of the Securities Act of 1933, as amended, is amended to read as follows:

"SEC. 4. The provisions of section 5 shall not apply to any of the following transactions:

"(1) Transactions by any person other than an issuer, underwriter, or dealer; transactions by an issuer not involving any public offering; or transactions by a dealer (including an underwriter no longer acting as an underwriter in respect of the security involved in such transaction), except transactions taking place prior to the expiration of 40 days after the first date upon which the security was bona fide offered to the public by the issuer or by or through an underwriter and transactions in a security as to which a registration statement has been filed taking place prior to the expiration of 40 days after the effective date of such registration statement or prior to the expiration of 40 days after the first date upon which the security was bona fide offered to the public by the issuer or by or through an underwriter after such effective date, whichever is later (excluding in the computation of such 40 days any time during which a stop order issued under section 8 is in effect as to the security), and except transactions as to securities constituting the whole or a part of an unsold allotment to or subscription by such dealer as a participant in the distribution of such securities by the issuer or by or through an underwriter."

Committee amendments:

On page 5, line 3, strike out "7" and insert "6."

Page 5, line 5, strike out section 4: "The provisions of section 5 shall not apply to any of the following transactions."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 8. Section 5 of the Securities Act of 1933 is amended to read as follows:

"(a) Unless a registration statement is in effect as to a security, it shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise; or

"(2) to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale.

"(b) It shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to carry or transmit any prospectus relating to any security with respect to which a registration statement has been filed under this title, unless such prospectus meets the requirements of section 10; or

"(2) to carry or cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless accompanied or preceded by a prospectus that meets the requirements of subsection (a) of section 10.

"(c) It shall be unlawful for any person, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed as to such security, or while the registration statement is the subject of a refusal order to stop order or (prior to the effective date of the registration statement) any public proceeding or examination under section 8."

With the following committee amendments:

Page 6, line 6, strike out "8" and insert "7."

The committeee amendment was agreed to.

Committee amendment: Page 6, line 8, insert: "PROHIBITIONS RELATING TO INTERSTATE COMMERCE AND THE MAILS."

The committee amendment was agreed to.

Page 6, line 10, insert "SEC. 5."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 9. Section 10 of the Securities Act of 1933, as amended, is amended to read as follows:

"(a) Except to the extent otherwise permitted or required pursuant to this subsection or subsections (c), (d), or (e)—

"(1) a prospectus relating to a security other than a security issued by a foreign government or political subdivision thereof, shall contain the information contained in the registration statement, but it need not include the documents referred to in paragraps (28) to (32), inclusive, of schedule A;

"(2) a prospectus relating to a security issued by a foreign government or political subdivision thereof shall contain the information contained in the registration statement, but it need not include the documents referred to in paragraphs (13) and (14) of schedule B;

"(3) notwithstanding the provisions of paragraphs (1) and (2) of this subsection (a) when a prospectus is used more than 9 months after the effective date of the registration statement, the information contained therein shall be as of a date not more than 16 months prior to such use, so far as such information is known to the user of such prospectus or can be furnished by such user without unreasonable effort or expense;

"(4) there may be omitted from any prospectus any of the information required under this subsection (a) which the Commission may by rules or regulations designate as not being necessary or appropriate in the public interest or for the protection of investors.

"(b) In addition to the prospectus permitted or required in subsection (a), the Commission shall by rules or regulations deemed necessary or appropriate in the public interest or for the protection of investors permit the use of a prospectus for the purposes of subsection (b) (1) of section 5 which omits in part or summarizes information in the prospectus specified in subsection (a). A prospectus permitted under this subsection shall, except to the extent the Commission by rules or regulations deemed necessary or appropriate in the public interest or for the protection of investors otherwise provides, be filed as part of the registration statement but shall not be deemed a part of such registration statement for the purposes of section 11. The Commission may at any time issue an order preventing or suspending the use of a prospectus permitted under this subsection (b), if it has reason to believe that such prospectus has not been filed (if required to be filed as part of the registration statement) or includes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which such prospectus is or is to be used, not misleading. Upon issuance of an order under this subsection, the Commission shall give notice of the issuance of such order and opportunity for hearing by personal service or the sending of confirmed telegraphic notice. The Commission shall vacate or modify the order at any time for good cause or if such prospectus has been filed or amended in accordance with such order.

"(c) Any prospectus shall contain such other information as the Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors.

"(d) In the exercise of its powers under subsections (a), (b), or (c), the Commission shall have authority to classify prospectuses according to the nature and circumstances of their use or the nature of the security, issue, issuer, or otherwise, and, by rules and regulations and subject to such terms and conditions as it shall specify therein, to prescribe as to each class the form and contents which it may find appropriate and consistent with the public interest and the protection of investors.

"(e) The statements or information required to be included in a prospectus by or under authority of subsections (a), (b), (c), or (d), when written, shall be placed in a conspicuous part of the prospectus and, except as otherwise permitted by rules or regulations, in type as large as that used generally in the body of the prospectus.

"(f) In any case where a prospectus consists of a radio or television broadcast, copies thereof shall be filed with the Commission under such rules and regulations as it shall prescribe. The Commission may by rules and regulations require the filing with it of forms and prospectuses used in connection with the offer or sale of securities registered under this title."

With the following committee amendments:

Page 7, line 19, strike out "9" and insert "8."

The committee amendment was agreed to.

Committee amendment:

Page 7, line 21, insert:

"'INFORMATION REQUIRED IN PROSPECTUS'"

The committee amendment was agreed to.

Committee amendment:

Page 7, line 22, insert "SEC. 10."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 10. Section 12 of the Securities Act of 1933 is amended by inserting the words "offers or" before the word "sells" in clauses (1) and (2) thereof.

With the following committee amendment:

Page 11, line 6, strike out "10" and insert "9."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 11. Section 17 (a) of the Securities Act of 1933 is amended by inserting the words "offer or" before the word "sale" in the intrductory clause thereof.

With the following committee amendment:

Page 7, line 9, strike out "11" and insert "10."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 12. Section 22 (a) of the Securities Act of 1933 is amended by inserting the words "offer or" before the word "sale" in the second sentence thereof.

With the following committee amendment:

Page 7, line 12, strike "12" and insert "11."

The committee amendment was agreed to.

The Clerk read as follows:

TITLE II—AMENDMENTS TO SECURITIES EXCHANGE ACT OF 1934, AS AMENDED

SEC. 201. (d) of section 11 of the Securities Exchange Act of 1934 is amended by striking out the words "six months" where they appear in such paragraph and inserting in lieu thereof the words "thirty days."

SEC. 202. The last sentence of paragraph (d) of section 12 of the Securities Exchange Act of 1934 is hereby repealed.

With the following committee amendments:

Page 11, line 17, strike "Paragraph" and insert "Subsection."

Page 11, line 22, strike "paragraph" and insert "subsection."

The committee amendments were agreed to.

The Clerk read as follows:

TITLE III—AMENDMENTS TO TRUST INDENTURE ACT OF 1939

SEC. 301. (a) Paragraph (1) of section 303 of the Trust Indenture Act of 1939 is amended by deleting the words "as heretofore amended."

(b) Paragraph (2) of section 303 of the Trust Indenture Act of 1939 is amended to read as follows:

"(2) The terms 'sale', 'sell', 'offer to sell', 'offer for sale', and 'offer' shall include all transactions included in such terms as provided in paragraph (3) of section 2 of the Securities Act of 1933, except that an offer or sale of a certificate of interest or participation shall be deemed an offer or sale of the security or securities in which such certificate evidences an interest or participation if and only if such certificate gives the holder thereof the right to convert the same into such security or securities."

(c) Paragraph (3) of section 303 of the Trust Indenture Act of 1939 is amended to read as follows:

"(3) The term 'prospectus' shall have the meaning assigned to such term in paragraph (10) of section 2 of the Securities Act of 1933, except that in the case of securities which are not registered under the Securities Act of 1933, such term shall not include any communication (A) if it is proved that prior to or at the same time with such communication a written statement if any required by section 306 was sent or given to the persons to whom the communication was made, or (B) if such communication states from whom such statement may be obtained (if such statement is required by rules or regulations under paragraphs (1) or (2) of subsection (b) of section 306) and, in addition, does no more than identify the security, state the price thereof, state by whom orders will be executed and contain such other information as the Commission, by rules or regulations deemed necessary or appropriate in the public interest or for the protection of investors, and subject to such terms and conditions as may be prescribed therein, may permit."

(d) Paragraph (4) of section 303 of the Trust Indenture Act of 1939 is amended by inserting the words "offers or" before the word "sells."

With the following committee amendment:

Page 12, line 5, strike out "words 'as heretofore amended'" and insert "following: 'as heretofore amended.'"

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 302. Subsection (b) of section 304 of the Trust Indenture Act of 1939 is amended by deleting the words "as heretofore amended."

SEC. 303. Subsection (c) of section 305 of the Trust Indenture Act of 1939 is amended to read as follows:

"(c) A prospectus relating to any such security shall include to the extent the Commission may prescribe by rules and regulations as necessary and appropriate in the public interest or for the protection of investors, as though such inclusion were required by section 10 of the Securities Act of 1933, a written statement containing the analysis set forth in the registration statement, of any indenture provisions with respect to the matters specified in paragraph (2) of subsection (a) of this section, together with a supplementary analysis, prepared by the Commission, of such provisions and of the effect thereof, if, in the opinion of the Commission, the inclusion of such supplementary analysis is necessary or appropriate in the public interest or for the protection of investors, and the Commission so declares by order after notice and, if demanded by the issuer, opportunity for hearing thereon. Such order shall be entered prior to the effective date of registration, except that if opportunity for hearing thereon is demanded by the issuer such order shall be entered within a reasonable time after such opportunity for hearing."

SEC. 304. Section 306 of the Trust Indenture Act of 1939 is amended to read as follows:

"SEC. 306. (a) In the case of any security which is not registered under the Securities Act of 1933 and to which this subsection is applicable notwithstanding the provisions of section 304, unless such security has been or is to be issued under an indenture and an application for qualification is effective as to such indenture, it shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise; or

"(2) to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale.

"(b) In the case of any security which is not registered under the Securities Act of 1933, but which has been or is to be issued under an indenture as to which an application for qualification is effective, it shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to carry or transmit any prospectus relating to any such security, unless such prospectus, to the extent the Commission may prescribe by rules and regulations as necessary and appropriate in the public interest or for the protection of investors, includes or is accompanied by a written statement that contains the information specified in subsection (c) of section 305; or

"(2) to carry or to cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless, to the extent the Commission may prescribe by rules and regulations as necessary or appropriate in the public interest or for the protection of investors, accompanied or preceded by a written statement that contains the information specified subsection (c) of section 305.

"(c) It shall be unlawful for any person, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell through the use or medium of any prospectus or otherwise any security which is not registered under the Securities Act of 1933 and to which this subsection is applicable notwithstanding the provisions of section 304, unless such security has been or is to be issued under an indenture and an application for qualification has been filed as to such indenture, or while the application is the subject of a refusal order or stop order or (prior to qualification) any public proceeding or examination under section 307 (c)."

SEC. 305. Section 324 of the Trust Indenture Act of 1939 is amended by deleting the words "issuing or selling" and inserting in lieu thereof the words "offering, selling, or issuing."

TITLE IV—AMENDMENTS TO INVESTMENT COMPANY ACT OF 1940

SEC. 401. Section 2 (a) (30) of the Investment Company Act of 1940 is amended to read as follows:

"(30) 'Prospectus', as used in section 22, means a written prospectus intended to meet the requirements of section 10 (a) of the Securities Act of 1933 and currently in use. As used elsewhere, 'prospectus' means a prospectus as defined in the Securities Act of 1933."

SEC. 402. Subsection (d) of section 24 of the Investment Company Act of 1940 is amended by adding the following at the end thereof: "The exemption provided by the third clause of section 4 (1) of the Securities Act of 1933, as amended, shall not apply to any transaction in a security issued by a face-amount certificate company or in a redeemable security issued by an open-end management company or unit investment trust, if any other security of the same class is currently being offered or sold by the issuer or by or through an underwriter in a distribution which is not exempted from section 5 of said act, except to such extent

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and subject to such terms and conditions as the Commission, having due regard for the public interest and the protection of investors, may prescribe by rules or regulations with respect to any class of persons, securities, or transactions."

SEC. 403. Section 24 of the Investment Company Act of 1940 is amended by adding at the end thereof a new subsection (e) as follows:

"(e) (1) A registration statement under the Securities Act of 1933 relating to a security issued by a face-amount certificate company or a redeemable security issued by an open-end management company or unit investment trust may be amended after its effective date so as to increase the securities specified therein as proposed to be offered. At the time of filing such amendment there shall be paid to the Commission a fee, calculated in the manner specified in section 6 (b) of said act, with respect to the additional securities therein proposed to be offered.

"(2) The filing of such an amendment to a registration statement under the Securities Act of 1933 shall not be deemed to have taken place unless it is accompanied by a United States postal money order or a certified bank check or cash for the amount of the fee required under paragraph (1) of this subsection.

"(3) For the purposes of section 11 of the Securities Act of 1933, as amended, the effective date of the latest amendment filed pursuant to this subsection or otherwise shall be deemed the effective date of the registration statement with respect to securities sold after such amendment shall have become effective. For the purposes of section 13 of the Securities Act of 1933, as amended, no such security shall be deemed to have been bona fide offered to the public prior to the effective date of the latest amendment filed pursuant to this subsection. Except to the extent the Commission otherwise provides by rules or regulations as appropriate in the public interest or for the protection of investors, no prospectus relating to a security issued by a face-amount certificate company or a redeemable security issued by an open-end management company or unit investment trust which varies for the purposes of subsection (a) (3) of section 10 of the Securities Act of 1933 from the latest prospectus filed as a part of the registration statement shall be deemed to meet the requirements of said section 10 unless filed as part of an amendment to the registration statement under said act and such amendment has become effective."

With the following committee amendments:

Page 13, line 18, strike out "words 'as heretofore amended'" and insert "following: 'as heretofore amended,'."

Page 14, line 19, insert:

"'SECURITIES NOT REGISTERED UNDER SECURITIES ACT'"

The committee amendments were agreed to.

Page 20, line 1, insert:

"TITLE V—EFFECTIVE DATE

"SEC. 501. This act shall take effect 60 days after the date of its enactment."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BATES, of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, pursuant to House Resolution 527, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COOPERATIVE RESEARCH IN EDUCATION

Mr. ALLEN of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 531 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9040) to authorize cooperative research in education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Mississippi [Mr. COLMER], and at this time I yield myself such time as I may require.

Mr. Speaker, I rise to urge the adoption of House Resolution 531, which will make in order the consideration of the bill H. R. 9040, to authorize cooperative research in education.

House Resolution 531, Mr. Speaker, provides for an open rule with 1 hour of general debate on the bill itself.

As I understand this bill, Mr. Speaker, it would authorize the Office of Education, Department of Health, Education, and Welfare, to make arrangements with universities, colleges, and State educational departments for joint studies of the problems of American education.

According to the report on this bill, Mr. Speaker, the Office of Education at the present time has no legislative authority to enter into contracts for jointly financed research projects with the educational institutions throughout our country that are attempting to solve educational problems.

The committee report, Mr. Speaker, also brings out that if there is cooperative research work in the field of education, advantage will be taken of already existing facilities, and avoids what is personally abhorrent to me, the centralization of staff and facilities in Washington to the exclusion of local and State participation.

The method by which this legislation would function, Mr. Speaker, would be that the Office of Education would receive applications for Federal assistance from educational institutions throughout the Nation for the purpose of carrying on research work which would be valuable to school districts throughout the country.

The projects selected would be chosen on the basis of importance and value of the projects to the largest number of educational groups that will benefit from the results. It is important, I believe, that the House know that the Office of Education, after the selections have been made, does not exercise any control over the educational institution involved, other than insuring that the terms of the contract are being carried out, and, of course, the utilization of any findings by these research projects will be completely up to the individual school systems.

Mr. Speaker, when the members of the Committee on Education and Labor appeared before the Rules Committee on behalf of this bill, it was suggested that an amendment be made by the committee from the floor which would limit the amount of money which could be authorized for any fiscal year in order to carry out the purposes of this bill. It is my understanding that the Committee on Education and Labor has agreed to and will offer such an amendment on this bill.

I think that this proposed amendment is a good thing, and that the bill itself deserves consideration. I hope that the rule will be adopted.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I have no desire to in any way interfere with the adoption of this rule; however, I did want time, either in discussion on the rule or during general debate to make certain observations on this proposed legislation. I shall do nothing to interfere with its passage in the House except to call attention of my colleagues to the fact that the time for research and the time for talking in the field of education insofar as it applies to needed school facilities has long time passed. The time for action is at hand. If this is not to be considered in the nature of a delaying move or for the purpose of putting off consideration of the study of the need for school construction, then the matter is perfectly acceptable to the minority side of the Committee on Education and Labor.

I sometimes think, in fact I am convinced, that the Department of Education has sufficient information as the result of a survey made under title I of Public Law 815 which set up the need

for school construction throughout the Nation. I noticed that in the testimony of Mrs. Hobby, head of the Department of Health, Education, and Welfare, before the Senate committee yesterday, she acknowledged that those facts were known; that the national survey had shown the need for 340,000 classrooms as of September 1 last year. If this situation is not corrected by the 1st of September 1958, we will be short 600,000 classrooms. I like to think, facing it as I have faced it over the years, that it is a proposition that is beyond the ability of the local school districts in the case of 18 or 19 States to handle without some kind of Federal grant. Now, I am pleased to note that Senator COOPER, of Kentucky, has already opened hearings in the Senate, and I want to extend my congratulations to the chairman of the House Committee on Education and Labor, who is presently setting up a subcommittee to take up consideration of legislation having to do with construction.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Georgia.

Mr. WHEELER. I asked the gentleman to yield in order that I might ask a question. Is it true that this bill on which a rule is requested merely provides for holding federally financed gabfest sessions throughout the United States, or so-called bull sessions?

Mr. BAILEY. Well, I would like to answer the gentleman from Georgia to say that no harm can come from further discussion of the problem of school construction. I would not object to it on that ground, but I did make the observation that I thought the time for talk and conferences was past and the time for action was at hand.

Mr. WHEELER. Does the gentleman know of any real good that can come from these federally financed glorified bull sessions?

Mr. BAILEY. Yes. I may even go so far as to say some good, but I do not want that to interfere with the action of the Congress that is necessary to improve what has become a national disgrace, and that is the neglect of our elementary and secondary school systems.

Mr. WHEELER. Is it not true that the information which will come out at these bull sessions is immediately available by simply contacting the offices of the school administrators at the State level?

Mr. BAILEY. Well, that is probably true. I will agree with the gentleman from Georgia that it could be secured there, because they have just finished a 2- or 3-year survey in their respective States setting up that information.

Mr. WHEELER. In other words, it is my opinion, if the gentleman will yield for an observation, that the passage of this legislation is an insult to the school administrators in every State of this Nation.

Mr. BAILEY. Let that stand as an observation by the gentleman from Georgia.

Mr. Speaker, I have no objection to the approval of this rule. I would just like to get across to my colleagues at this time that if there is one reason for my service over the past several years in the Congress and my continuation in the service over future years, it is my interest in the boys and the girls of this country, and I do not want to do anything that will interfere with proper attention being given by the Congress at the present time to this very serious situation: The need for additional schools.

Mr. COLMER. Mr. Speaker, I yield myself such time as I may desire which, I assure the House, will not be very much.

I tried to follow my distinguished colleague from Illinois, the chairman of the committee [Mr. ALLEN], and the gentleman who followed him, Mr. BAILEY of West Virginia, as to what is the purpose of this bill. I also tried to get some conception of that when the matter was heard before the Committee on Rules. Like my friend from West Virginia [Mr. BAILEY], I do not want to do anything that would interfere in any way with the advancement in education, with the progress of the youth of this country. But I do not see how this is going to contribute anything substantial to that cause.

It would appear to one who had not had an opportunity to go into this matter any more than I have, that this means just the setting up of another commission, another piece of the bureaucracy that we have heard so much about. I do not see that it is going to contribute anything, as my friend, the gentleman from Georgia [Mr. WHEELER], pointed out a few moments ago in his very pertinent questioning of the gentleman from West Virginia [Mr. BAILEY].

I have not found any great enthusiasm for this bill. I do not know how much it is going to cost. We do know that we already owe a small matter of $275 billion. I imagine another half a million on top of that may not break the country, but certainly it is not going to help the country and it is not going to help the status of the finances of the country to keep dribbling it out in unnecessary expenditures for bureaus and commissions such as is proposed here.

Mr. Speaker, we heard a great deal in previous years from this administration, that after it came into power, it was going to do away with a lot of the bureaucracy, a great many of the unnecessary commissions, and so forth. And I am all for that. I am in accord with what my friends on the right advocated then but I find I cannot always be in accord with what they are doing now.

I do not see that this is going to bring about any substantial result or contribute anything to the cause at which it seems to be vaguely aimed.

I should like to ask my friend from Illinois, the distinguished chairman of the Rules Committee, if he knows what this is ultimately going to cost.

Mr. ALLEN of Illinois. Mr. Speaker, that will be determined by the Appropriations Committee when they bring in a bill here. I do not think it is going to cost very much.

Mr. COLMER. The gentleman says he does not know, but he does not think it will cost very much. I wonder if he can give us any idea.

Mr. ALLEN of Illinois. The cost will be determined by the committee ultimately and this body will have to approve whatever recommendation is made.

Mr. COLMER. I suppose I should not have asked my distinguished chairman such a question. Perhaps I should direct that question to the author of the bill, the gentleman from Arizona [Mr. RHODES]. Perhaps he would answer that question.

Mr. RHODES of Arizona. Mr. Speaker, the bill has no provision for any ceiling. At the appropriate time I intend to offer an amendment providing that no more than $400,000 in any fiscal year will be appropriated for the purposes set forth in this bill. In further answer to the question of the gentleman, though, it is my understanding that in the first year under this program approximately $100,000 will be spent and that as the program develops it will get up perhaps to the point of $400,000 but no higher than that.

Mr. COLMER. Then, if I understand the gentleman, we are going to spend $100,000 the first year and then the program will be accelerated, as the years go on, and the gentleman hopes to limit the expenditure to $400,000 a year.

Mr. RHODES of Arizona. Of course it will be limited by law if the amendment which I propose to submit to the committee is adopted. It will not be over $400,000 a year. The gentleman realizes that when a program like this is starting it must learn to crawl before it starts to run, so that naturally as it goes along it is going to be in a position to do more for education, and then we will have to spend more money.

Mr. COLMER. May I say to my distinguished young friend that that is exactly what worries me. I am afraid it is going to learn to crawl very fast, and then start to walk, and then run, until it expands into a much larger bureau than even the gentleman anticipates.

Mr. RHODES of Arizona. I am sure the gentleman realizes that with $400,000 at present prices this bureau could not get very large. Further, when the proper time comes I will disabuse the gentleman's mind as to the type of bureau which will be created under this bill.

Mr. COLMER. Let me say to my friend that as one who is in the dark and who is seeking information I would be very happy to yield to the gentleman now out of my time to disabuse my mind now, because it needs a little disabusing.

Mr. RHODES of Arizona. I will be glad to explain as best I can to the gentleman from Mississippi.

The bill H. R. 9040 provides only that the Commissioner of Education may enter into cooperative arrangements with universities, colleges, and State educational departments for the conduct of

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research. That proposes that a contract would be entered into. The law under which the Office of Education now operates allows this office to conduct research. The thesis behind this bill is to decentralize the research so that instead of having it all conducted in the Office of Education it may contract certain subjects of research to the institutions which are already in being and which may have peculiar knowledge of the subject at hand. Therefore, this information may be obtained in a less expensive way, and its obtaining may be facilitated by using facilities which are familiar with this particular type of thing.

Mr. COLMER. If I correctly understand the gentleman, the Department can already gain this information under existing law that they would gain as the result of the passage of this bill.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Of course I yield to the distinguished gentleman from Pennsylvania, but I thought in fairness to the gentleman from Arizona he might want to answer that question. That is up to the gentleman.

Mr. McCONNELL. The gentleman from Arizona, the author, is doing a very good job of explaining it. I just want to supplement one part of it and say this to my very good friend from Mississippi, that this bill is absolutely in line with what the gentleman wishes, that is, that we do not build the Office of Education into a huge bureau for research, but rather that they let out cooperative contracts to have research done by universities, colleges, and various State educational departments. So this bill really gets away from the thing the gentleman is desirous of getting away from, that is, the building of a big bureau here in Washington.

Mr. COLMER. Permit me to say to my friend that while I admit that he possibly hopes that will happen, I have dire apprehensions that that is not what will happen. Even if you limit this to $400,000 by an amendment, there is nothing to prevent the same group from coming in here later and asking that that amendment be withdrawn and the ceiling lifted.

Mr. McCONNELL. Yes; but not to build up a big bureau. That is not what they are seeking to do. They are trying to get away from that. They have the authority now to conduct research. They could ask for that authority for themselves and build it into this huge bureau the gentleman fears. We are trying to avoid that. We say, let us, economically, and for the sake of not having a big bureau, farm it out and get research done by established agencies already in the United States without their building up a big bureau.

Mr. COLMER. Of course, the point I was trying to get across in my feeble way was: If they could do this now, then why have a new law passed? Would it not be a much simpler thing, if they are authorized to do this now, to add in the appropriation bill $50,000 or $100,000 to carry on this work for a year, and then next year they would have to come back and get the additional $50,000 or $100,000, and in that way we could keep tab on it?

Mr. McCONNELL. The gentleman from Arizona [Mr. RHODES] has told you we are going to put in a set amount beyond which they are not to go, and, really, that was upon your suggestion, as I remember it, in the Committee on Rules itself. I agree that there should be a limit as to the amount that could be spent. It is anticipated that the first year $100,000 will be used for cooperative associations for research by established agencies for that purpose in colleges and universities.

Mr. COLMER. May I say to the very able gentleman from Pennsylvania, who is my warm friend, that I have no argument with the question of limitation. I would like to see it limited to $100,000 or $50,000, as I think that would be important. But I go back to the fundamentals of the thing. I do not think it is necessary at all to set up this additional bureaucracy or commission, or whatever you may want to call it.

Mr. McCONNELL. It saves us money, and it also stops the building up of some new bureau or agency.

Mr. COLMER. I wonder if the distinguished chairman of the full committee could give us any idea now about how much money is being spent in this field of research.

Mr. McCONNELL. I think the gentleman from Arizona [Mr. RHODES] could give you that figure.

Mr. RHODES of Arizona. The total now being spent on research by the Office of Education is approximately $600,000 per year. That is 40 percent of their total budget of $1,500,000. It is my understanding at first that this amount would be as I said before in excess of the amount now being spent for research, but as time goes along and these two programs can be integrated, the overall picture will show a saving in money for research because of the adoption of this bill.

If I might, I would like to address myself to another question which the gentleman raised, and that is the question of the necessity for this type of bill. I say, and it is true, the department or Office of Education now has authority to conduct research and they do. But, they do not have authority to make contracts for other people to conduct research. That is the reason for this bill coming before the House today. In other words, they can either conduct research with their own facilities or conduct no research at all. There is no way that they can under the present law contract for other educational institutions to do the research for them.

Mr. COLMER. I wonder if my friend thinks that if we are now expending $600,000 a year for research, that it is necessary to spend another $100,000 or $400,000.

Mr. WINSTEAD. Mr. Chairman, if the gentleman will yield, I wonder if you could tell us how much the military now spends for research in these colleges and institutions.

Mr. RHODES of Arizona. I do not have those figures.

Mr. WINSTEAD. I wonder if this would be a duplication of what the military has been doing.

Mr. RHODES of Arizona. In answer to the gentleman's question, I certainly have a great amount of faith in those fine Members of the House of Representatives who sit on the Committee on Appropriations, and I would doubt that any duplication will take place in the appropriation of funds, as a result of this bill.

Mr. COLMER. Of course the gentleman knows from experience that once he gets an authorization the argument before the Appropriations Committee is that Congress has authorized this and therefore it is up to the Appropriations Committee to appropriate the money. That is the way we operate here.

Mr. RHODES of Arizona. I have heard that argument but I have never found it to be very persuasive.

Mr. COLMER. That is the usual method of procedure anyway.

I am very much in sympathy with my distinguished young friend in his objectives sought here. I think he is doing a very fine job as a member of the committee, and I should like very much to go along with him, but I am just a little worried about where and when and how we are going to stop going into the red in this Federal Government. I would like to get this budget balanced. I would like to see a little prudence practiced, and retire perhaps $400,000 a year on the national debt rather than adding that much to it. But I cannot follow my young friend in this. Perhaps he is right, but it seems to me that we are setting up something here that is unnecessary and establishing another bureaucracy.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from Florida [Mr. LANTAFF].

Mr. LANTAFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXPORT-IMPORT BANK COULD PROVIDE A DIVIDEND TO THE AMERICAS

Mr. LANTAFF. Mr. Speaker, the time to develop a closer relationship between the Americas through action rather than words is certainly at hand. The Export-Import Bank could well provide the key to effect this development. I should like at this time to insert in the RECORD the following very timely and informative editorial on this subject which appeared in the Spanish-American newspaper the Americas Daily of Miami, Fla., on May 11, 1954:

THE ECONOMIC FUTURE OF LATIN AMERICA DEPENDS ON THE EXPORT-IMPORT BANK

In Sunday's issue of this paper we published the full-length version of a speech recently delivered before the Export Managers' Club, in New York, by Lynn U. Stambaugh, assistant manager of the Export-Import Bank. We did this so our readers could see that there is quite a good deal of cross purposes at work in American foreign policy as far as it concerns the other Americas.

As we see it, the problem can be boiled down to the following considerations:

Whenever Export-Import Bank funds have been used in the Latin American area, this has meant a profitable operation—not only for the bank itself but also for the American businessman who stands to gain because bank regulations require that American-made products must be utilized as far as feasible in such projects.

The bank still has a reserve of $1½ billion that hasn't been touched, while $500 million remain to be distributed in connection with now pending loans, and $440 million will be collected by the bank in 1954 for reinvestment.

Secretary of State Dulles told the Inter-American conference at Caracas recently that the Export-Import Bank was going to expand its lending services in the Latin American area. Last fall a Senate subcommittee on banking and currency urged an expansion of bank lending following an extensive tour by the committee of the Latin American nations. Meanwhile, however, nothing positive has been done to modify the situation, and the operations of the bank have been maintained practically the same as before.

It seems to us that every day that goes by without reformulation of Export-Import Bank policy means serious losses to the domestic economy of the United States in that new foreign markets are being allowed to go untouched. The Latin American countries suffer likewise from this situation.

By publishing the words of Mr. Stambaugh and by making these editorial comments we feel that we are doing our part in pointing out the various aspects of a problem which may have serious repercussions on the future of the Americas. The enormous production facilities of the United States stand in grave need of new markets. If allowed to develop in accordance with its potential resources, Latin America can supply those markets.

The problem won't be solved through keeping dollars locked up in the safes of the Export-Import Bank nor through depriving American productivity of the right to expand its markets abroad. Men of goodwill in this hemisphere want only one thing—that is, a steady outward flow of bank funds—not in the form of gifts but rather in that of productive loans which will have mutual benefits for both the United States and the nations of Latin America.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. WHEELER].

Mr. WHEELER. Mr. Speaker, I make this request for time that I may expand a little on some questions that I propounded to the gentleman from West Virginia a little earlier in the debate on this rule.

It appears to me from what I know about the pending matter that it is no more nor less than an effort on the part of the powers that be, with all due respect to everybody concerned and interested in the matter, to set up a federally financed bull session on the general subject of education anywhere and everywhere that the Secretary or the Commissioner of the Office of Education may decide those bull sessions may be to the advantage of a particular viewpoint.

Mr. Speaker, I suggested in the questions I asked of the gentleman from West Virginia the possibility that the passage of this legislation constituted no more nor less than an outright insult to the administrative officials at the State level in all 48 States of this Union. It may not be true in every State, but I will guarantee you that if the Commissioner desires any information on the subject of education in the Empire State of the South, that is, Georgia, that a letter or a telephone call directed to Dr. M. D. Collins, State school superintendent, can elicit all the information that is required and it would not cost a single cent unless she does decide to make a telephone call, and then, of course, it would not cost her anything, but it will cost the taxpayers a great deal less if she makes a telephone call to the commissioners of education or the State school superintendents, or whatever their title may be, in all the 48 States. The cost will be much less than $100,000 or probably $400,000 that is sought as a limitation by the very distinguished author of this legislation.

I want it clearly understood, Mr. Speaker, that I do not want to inhibit any effort that is made by this Congress which could remotely be considered as an effort to further educational work in this country, but it appears to me that this pending legislation is simply a boondoggling matter; I cannot, to save my life, see where there is any good coming from this additional bureaucracy.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Speaker, the Committee on Education and Labor has reported out three measures dealing with education which we are to take up in the House this week as the Eisenhower administration's dynamic answer to the crisis in our schools and educational system.

They are being treated as major legislative proposals, dignified by the granting of special rules for consideration and debate and are listed on the calendar and in the majority leader's schedule as the main legislative business before the House during the latter part of this week.

And what are these sensational proposals?

First. To authorize a White House conference on education, at which educators and interested citizens representing the respective States can come together and discuss the problems of the Nation's schools.

Second. To authorize $200,000 a year for the establishment of a National Advisory Committee on Education, composed of 9 persons who will advise the Secretary of Health, Education, and Welfare on the various pressing problems in the field of education.

Third. To authorize $100,000 or so for use by the Office of Education to make arrangements with universities, colleges, and State educational departments for joint studies of the problems of American education.

THE KIND OF AID THE SCHOOLS NEED LEAST

This is the Eisenhower administration's aid-to-education program—in toto.

Obviously, it will build no new schools, raise no teacher's pay, do nothing about the horrible overcrowding and unsafe conditions in many of our elementary and secondary schools which are bursting at the seams, it will not aid any distressed communitiy to meet its crushing burden in providing decent schools for its children.

Instead, through three separate pieces of legislation, we are going to provide the kind of aid the schools of the United States least need right now—aid in finding out what their problems are.

If there is any section of American society more cognizant of its problems than our educational system, I would like to know what it is. The school boards, the superintendents, the principals and the teachers in our public schools know exactly what ails the schools, and the knowledge is painful.

What they need are:

First. Funds for additional school construction.

Second. Funds for more teachers.

Third. Funds for better pay for teachers.

Fourth. Funds for books, supplies, tools, equipment.

Instead of funds, the Eisenhower administration is offering the schools of this country a pipsqueak program of inquiry into the problems of education.

From what my friends in school administration and in teaching tell me, there is very little wrong with America's public schools that some well-placed appropriations could not cure.

SPENDING THOUSANDS WHERE MILLIONS ARE NEEDED

All three of the education bills coming before us this week authorize the expenditure of Federal funds. The first provides for $750,000 for the White House conference and for similar preliminary conferences in each State. This is by far the biggest appropriation authorized in any of these measures, but it is a one-shot proposal, a single appropriation covering a specific event and therefore not recurrent in future appropriation measures.

The other two provide for annual appropriations aggregating $300,000 altogether—$300,000 a year to find out what is wrong with our schools.

What is needed, of course, is at least $300 million a year to help our schools.

This is the amount proposed by former President Truman and supported by the late Mr. Republican himself, the late Senator Taft. But in that respect—as in public housing—Senator Taft was considered a dangerous radical by most of his party's members in the Congress, and presumably now by President Eisenhower, too.

If $300 million a year was a realistic figure in 1947 and 1949—as I think it was—then a realistic figure today would be much higher, at least 15 percent higher.

But in these measures coming before the House we are providing authorization for a total of about $300,000 a year for study.

STUDIES GENERALLY DUPLICATE OTHERS NOW IN PROGRESS

While I do not intend to oppose the three measures which have been proposed by the Eisenhower administration as its dynamic answer to our education problems—certainly any Federal activity in this regard is useful if it helps to

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bring home to Congress the need for effective corrective action—I do feel that the studies proposed here generally duplicate others now in progress.

For instance, the proposed White House conference and the preliminary State conferences on education are designed, we are told by the bill's sponsors, "to bring together educators and interested citizens to discuss their particular educational problems and make recommendations for appropriate action to be taken at local, State, and Federal levels. Provision for this series of conferences is based on the sound concept that the problems of the Nation's schools must be solved cooperatively by the local community, the State, and the Federal Government, with the fullest possible use being made of local and State resources, and with the Federal Government coming into the picture only where the national interest requires national leadership and action."

While that sounds interesting, the fact remains that all of the professional groups in the educational field—the teachers, the principals, the superintendents, the administrators—constantly hold State and national conferences and conventions; so do the parent-teachers' associations, the women's clubs, the members of boards of education, and so on. They know what their problems are and they share their information in meeting those problems as best they can. They need from the Federal Government not so much national leadership—an adequately staffed and properly supported United States Office of Education would provide all of that needed—but Federal financial help. Most communities in the country have taxed real estate and other local sources to the hilt for their schools; they still cannot make ends meet and provide the kind of schools which are needed.

But that is not reason enough to oppose a White House conference. I think it can help the situation by focusing attention on the true and alarming extent of the financial problem of our schools, and if it does that it will accomplish a great deal. But let us not feel that in passing the authorization for this conference we are waving some magic, inexpensive wand which solves our educational crisis.

PROPOSED NATIONAL ADVISORY COMMITTEE TO STUDY PROBLEMS UNITED STATES OFFICE OF EDUCATION CAN HANDLE

The proposal in the second bill to establish a National Advisory Committee on Education of nine lay citizens to advise the Secretary of Health, Education, and Welfare with respect to the most pressing problems in the field of education seems to me to duplicate to a large extent work which is now—or should be—progressing under the Office of Education.

For instance, among the problems which the chairman of the Committee on Education and Labor outlined for possible study by such a committee in his report on this bill are the following:

(a) The relationship between dropouts in school and juvenile delinquency; (b) illiteracy, particularly in relation to selective service rejections, (c) special instruction for exceptional children, (d) educating the children of migratory workers, (e) the education of teachers.

All well and good. But these are obvious areas for the Office of Education to begin with. If it has not the staff or the funds for this kind of work, it should get them.

As the report on the bill points out, such an advisory committee could probably be set up administratively without special legislation although the question seems to have been raised somewhere that there might be some doubts regarding the legality of that course of action. But to put this forward as a major accomplishment toward solving our educational problems is nonsensical. It seems to me nothing more than a minor administrative step dressed up to look like dynamic legislating.

RESEARCH PROGRAM TO SPEND PENNIES ON PROJECTS FOUNDATIONS ALREADY SUBSIDIZE WITH MILLIONS

The third bill we will consider in this bold program to solve the educational crisis—to establish a cooperative research program in educational problems, with the Government working through colleges and universities—contemplates, as I said, an annual expenditure of $100,000. And these are some of the areas of prospective research:

(a) Reducing the cost of educational facilities. (b) Improving business procedures in schools and colleges. (c) Reorganizing school districts for maximum efficiency. (d) Attracting more young people into teaching, engineering, and other shortage professions. (e) Improving teaching methods. (f) Developing closer ties with parents and citizens. (g) Placing community health and social agencies in proper perspective with school programs.

I do not know exactly how much the Ford, Rockefeller, Carnegie, Sloan, Falk, or other foundations have made available for work of this nature, but I am sure it surpasses many times over the $100,000 a year this bill proposes as a Federal research program in this field.

And I do not care how many millions are spent on studying the problem of attracting more young people into teaching—the solution is so obvious it can be found without spending a cent. As long as teaching school remains one of the poorest paid professions into which a college graduate can go, the problem of attracting young people into this field is going to remain acute.

The report on this bill has an additional interesting comment:

For example, Minnesota may be studying more effective utilization of the services of teachers. Many other States may share the same general concern, but the particulars of their respective problems may be sufficiently different to render the Minnesota findings inapplicable for their purposes. This bill would make possible contributions of funds from the Office of Education in order to enlarge the scope of the study so as to make the findings more widely useful.

To that I would say this: As long as our schools are so overcrowded and our teachers so horribly overworked by horribly oversized classes, it is going to be mighty difficult, if not impossible, to find a real solution to the problem of effective utilization of the services of teachers. What is needed, of course, is more teachers and smaller classes. And there is nothing in any of this legislation—any part of this three-piece package of dynamic Republican policy on education—to solve that problem.

TIME TO GET DOWN TO SOME BRASS-TACKS LEGISLATING

It is indeed a source of wonder to me, Mr. Speaker, that we have to set aside two or more days of the time of this House to debate and pass these three innocuous and ineffectual bills. I should think that if they were put on the Consent Calendar they could be passed routinely by unanimous consent in 5 minutes' time. They are as noncontroversial as they are ineffective in meeting the real needs of our educational system.

Instead, we have seen them dressed up to look like major pieces of legislation, submitted to the Rules Committee for clearance, and brought out on the floor under the elaborate procedure reserved usually for important legislation.

Is this because there is no important legislation on the calendar to require the time of the House and that we have got to go through the motions of looking busy on important matters even when there are not any to consider?

This session is nearly over; this term of Congress which began January 3, 1953, is nearly over. We have done little except pass appropriation bills. There are no major legislative accomplishments to point to. There is no dynamic, progressive program. There is only the piecemeal half-measure approach we see in these no-aid-to-education bills.

Mr. McCONNELL. Mr. Speaker, will the gentleman from New Jersey yield?

Mr. HOWELL. I yield.

Mr. McCONNELL. I would like to say to my colleague and friend on the committee from New Jersey that I have stated that a subcommittee will conduct hearings on construction aid to the schools of the country. I agreed to that. We are now in process of appointing a subcommittee.

Mr. HOWELL. I thank the chairman. I am pleased indeed to hear that; I think it is an important thing to take it up at this time.

Mr. COLMER. Mr. Speaker, I yield such time as he may desire to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, some weeks ago I went around the world as a member of the House Armed Services Committee. It was good to get back in America and my native Oklahoma after several weeks of study and first-hand observation of conditions in Korea, Indochina, the Far East, and parts of Europe as they relate to the economy and peace of our world. I am happy to report that the American aid and foreign policy have had a wholesome effect in bringing order out of confusion, strength out of weakness, unity out of division, and hope out of despair. Yet, I must admit, there is still much suffering, poverty, and illness in our allied nations. I returned to America with a sense of rededication to the great principles of American democracy and with

renewed devotion to serve and promote the general welfare of our citizens.

The adverse conditions of poverty, ignorance, disease, the constant threat of war, and the insidious influences of communism, under which the people in most of the nations work, are not conducive to a wholesome spirit of unity, pride, and productiveness.

It has been said many times that America is great, not because of her natural resources and her rich land, but because of her people who harness her resources and make the land bring forth its wealth. We are proud of the fact that we have more than 60 million persons employed in the various areas of production. But, even in America, there are people who suffer from disabilities—physical handicaps—such as the blind, the deaf, the lame, and others with disabling diseases. Seven million of these work in spite of these handicaps. However, there are others—2 million other handicapped persons who would and could work if they were provided with the needed medical treatment and taught a skill in keeping with their physical capacities. Oklahoma has its share of this group who, due to disabilities caused by accident, disease, or other reason, are not a part of the labor market. What is Oklahoma doing for its handicapped citizens who are of employable age and who have an employment potential?

(a) We could call your attention to hundreds of disabled persons within the boundaries of the Sixth Congressional District, who, through the specialized services of the vocational rehabilitation division of the State board of vocational education, are employed and making their own way. Time will permit me to mention only a few.

I recall a fine young man who made a splendid record in the Mangum High School. He engaged in the school and community activities as any normal boy would. He planned for an objective which would yield abundant returns in services to his fellow man, but which also held rather rigid physical requirements. A few years after he completed high school he developed arthritis which left its disabling effects. He could no longer meet the physical demands of his chosen profession. It was necessary for him to change to some type of sedentary work. A counselor of the Vocational Rehabilitation Service helped this young man to make an adjustment to a new vocation. Through the service of vocational rehabilitation he was trained as a draftsman. He is now profitably employed by one of the major oil companies in Oklahoma.

(b) In Frederick we have an impressive example of a blind man working as a radio station operator. Blinded in youth, this man has endeared himself to the people of his community and through the services of vocational rehabilitation and friends has become a valuable employee of a radio station.

(c) The switchboard operator in one of the leading banks in Lawton had fought a 20-year battle to regain use of her polio-crippled legs. The Oklahoma Vocational Rehabilitation Division provided physical restoration and training for this person and assisted her in finding satisfactory employment.

It is estimated there are between 30,000 and 40,000 men and women of working age in Oklahoma so severely disabled by physical or mental impairments that they cannot support themselves or their families. Each year the disabling effects of injury, illness, or congenital causes add to the growing number of disabled persons.

Shall we neglect or correct these conditions?

Neglected disability means waste of productive energy, unnecessary unemployment; dependency on family, denying or curtailing opportunities for children or parents of the disabled; dependency on public charity and assistance, a constant drain on the resources of Oklahoma and the Nation.

One neglected disability generally takes two people out of production; usually the mother, wife, husband, or child of the disabled person becomes the slave of the neglected disability. Neglected disability feeds upon itself. Continued disuse of physical and mental powers aggravates the impairment and weakens the will to regain lost abilities and to learn new skills.

Corrected disability means salvage of wasted manpower; more production for our State and Nation in peace or in war; reduced financial burdens on the families of the disabled; expanded opportunities for the children of the disabled to develop into good, useful, and productive citizens.

The disabled whom we rehabilitate are the people who now live and will continue to live in Oklahoma. They will prove either burdens or assets to us. They will either reduce or increase the wealth of Oklahoma.

If these people are to lead reasonably useful lives, if they are to become self-supporting or useful to their families, they must have some or all of the services provided through the State-Federal Vocational Rehabilitation Service which was made possible by an act of Congress as one answer to the problem of disability.

We have a very effective vocational rehabilitation service in Oklahoma. During the past 3 years it rehabilitated 3,766 disabled persons. I am pleased to report that of these, 629 or approximately one-sixth, lived in the Sixth Congressional District. These are your neighbors, your friends, or perhaps members of your family. You know how the services made available to these persons through the rehabilitation agency have benefited these individuals and given them the satisfaction of employment which provides them with a self-sustaining income. In fact 15 percent of the number were taken directly from the public assistance rolls. More important, perhaps, than the number of persons who have been rehabilitated is the fact that over the years many hundreds of persons have been kept from ever getting on public-assistance rolls, as a result of having had the opportunity to secure vocational rehabilitation assistance when it was first needed.

There are many indications that Oklahoma is becoming aware of the tremendous possibilities and potentialities of vocational rehabilitation. For instance, the Oklahoma A. and M. College, Stillwater, Okla., has recently established a comprehensive rehabilitation center in connection with its school of technical training at Okmulgee. This center, utilizing the medical techniques which proved so effective in the treatment of veterans following the last war, will facilitate the rehabilitation and return to employment of our most severely disabled citizens.

It is of utmost importance that the most severely of our disabled be given a chance, for they have much to give. Ruby Fariss Bonnell, county superintendent of schools at Sayre, my friend, and successful public official, is doing a wonderful job in spite of a serious disability.

All of us know and admire people who have overcome the handicap of a physical disability, and all of us take pride in what Oklahoma is doing to help others. The center at Okmulgee is an example of the extent to which our State is taking the lead in this respect.

Already 182 persons have been served at this center, and an increasing number will be served as trained personnel and funds are available. Since the center is the first facility of its kind west of the Mississippi River, disabled persons from five of the surrounding States are now included among the patients, and there are new inquiries from other States in the Southwest almost daily. The possibilities of this new facility, where the best in medicine and vocational training are combined and integrated, are almost unlimited, provided adequate staff and funds are available. The center provides services for the vocational rehabilitation division on a fee basis, but limited funds for vocational rehabilitation places a definite limit on the number of disabled persons who may be served.

Vocational rehabilitation, through its various services, attempts to bring about vocational adjustment for the individual who has a disability due to birth, accident, or disease which renders him at a disadvantage when preparing for, seeking, or applying for a job.

It is well to bear in mind that unless a person has sufficient capacities remaining so that he may be trained for or placed in some remunerative activity either in the home or in public employment, the individual cannot be accepted for service.

During the past 3 years the vocational rehabilitation service of Oklahoma has worked with 9,593 handicapped persons. Many of these are still in the process of rehabilitation. Three thousand seven hundred and sixty-six of the above number have been rehabilitated into employment.

REHABILITATION PAYS

During the 3-year period from June 30, 1950, to June 30, 1953, the Oklahoma vocational rehabilitation division of the State board of vocational education provided services to 9,593 handicapped individuals. Of this number, 3,766 completed their rehabilitation and accepted employment, while others are still in the

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process of rehabilitation. The expenditures for rehabilitation services for the 9,593 persons served during the 3-year period amounted to $1,310,230.

The annual earnings of the 3,766 persons rehabilitated during the 3-year period before rehabilitation were $854,948; after rehabilitation were $6,808,828. This is a gain of $6,053,880 in earnings. It is estimated that for each dollar spent for rehabilitation, the Government gets back $10. This is the dollar-and-cents justification of the program. As a businessman, I would like to ask you where you can get such liberal returns on your investment. I would personally be happy to put some of my own money into an investment making such returns.

In this country, where we assume equality of opportunity in the pursuit of human happiness, it is our obligation to see that, to the extent possible, physical disability brought about by disease or injury does not result in the destruction of those qualities which make man a self-respecting citizen. Any other attitude is to deny the principles of liberty and equality, on which our country was founded.

When a severely handicapped man, following rehabilitation, swings on his crutches into a welfare office to announce that he no longer needs the grant he has been receiving, the economic values are apparent. But how much more important to him than the dollars he earns, is the feeling he now has for himself and others; and how much more important to society than the tax dollars being saved is the gain in good citizenship. It takes little imagination to comprehend the great difference it makes to the State that all its citizens be able to hold their heads high with a sense of belonging, of participation, of contribution.

When considering appropriations for various Government functions, I have given special consideration to programs which are reducing the tax burden. There are those who feel that vocational rehabilitation, like many other programs which are supported by both the Federal and State Governments, should be returned entirely to the States. I would not object to that providing the State were in position to pick up the check and provide for the continued growth of this fine program. At the present, however, and perhaps within the foreseeable future, that does not seem to be practical. Therefore, it is my belief that until we are able to rehabilitate as many of our people who become disabled each year, both the Federal Government and the State should increase their investment in the rehabilitation of our disabled citizens, and it shall be my purpose within my ability, to help bring that about.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, I wish to commend the chairman of the committee for appointing a subcommittee to consider the bill for Federal aid to school construction. I am strongly in favor of it, I believe it is a proper area of responsibility of the Federal Government, and I am glad to see the committee giving it attention.

School construction is one of the major national problems we face and it is going to get worse, not better. We need to increase the rate of school construction by 50 percent from now until 1960 and Federal help is vital if it is to be done. Our rate of construction must go up in the Nation from 50,000 to at least 75,000 classrooms a year.

In New York City there is an estimated need according to the board of education for 312 new school buildings, costing $425 million alone, plus sites, modernization of other buildings, and so forth.

School enrollment is estimated to reach its postwar high in 1955–56 and accelerate the needs everywhere.

I favor also fundamental Federal aid for schools which has been considered in the Congress for a long time. The need for adequate teaching staff getting fair compensation is particularly grave.

These are essential national concerns—these matters of schools and education—a decent education is the right of every American child. To be in the highest sense world leaders—a role destiny has chosen for us—such an objective is a bedrock requirement for us.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. McCONNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9040) to authorize cooperative research in education.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9040) to authorize cooperative research in education, with Mr. LECOMPTE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. McCONNELL. Mr. Chairman, I yield myself 10 minutes.

Mr. McCONNELL. Mr. Chairman, as you have heard previously, this is the first bill in a series of three bills designed expressly to aid the cause of education of the youth of America. I am particularly pleased not only to support these bills for the reason that they are helpful in a most vital field but I am also very pleased to support them because they have been sponsored by three young capable members of the committee of which I happen to be chairman.

These bills have been supported by many lay groups, by teacher groups, and by labor.

The first one, H. R. 9040, the one we are presently considering, authorizes the Office of Education to enter into cooperative research arrangements with universities, colleges, and State educational departments for research into various aspects connected with education. This is not a boondoggling arrangement. There is no thought in mind of using this to avoid meeting the problem of education at the local or State level. That is not the purpose of this bill at all. The purpose is to save money and to avoid building up in the Office of Education a large staff of research assistants, the feeling being that it would be much more effective, more efficient and cheaper to make use of existing organizations already conducting research in the field of education.

I might give the example of a research project, and I hope they make it, to find out how we can cut down the expense of new school facilities. The cost to the various school districts of America is becoming prohibitive and it is hoped that they can find new types of material, new types of facilities and arrangements so that considerable money can be saved to a school district. I do not think of that as a boondoggling proposition. I think it is a very fine thing if we could assemble in one spot in our Government the results of studies of that nature so that any school district could communicate with the Office of Education and find out what can be done in connection with materials and facilities so far as the construction of their schools are concerned.

It is not my purpose to take too much time at the moment, because I would like to have the author of the bill, the gentleman from Arizona [Mr. RHODES], go into greater detail concerning it.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. Can the gentleman tell me how much this program will cost?

Mr. McCONNELL. They are planning to ask for $100,000 the first year. As I mentioned a little bit earlier, it was suggested before the Rules Committee that a limitation be placed on the bill as in the other bills. It is the plan of the gentleman from Arizona [Mr. RHODES], to limit it to no more than $400,000 in any year.

Mr. FOGARTY. In any 1 year?

Mr. McCONNELL. Yes.

Mr. FOGARTY. How many years will this continue on?

Mr. McCONNELL. There is no set time. It is one of the permanent plans that we have for the Office of Education. You see, the Office of Education was set up to make studies and to make those studies available to the Nation in the field of education, but they feel they cannot go on beyond where they are now in their research efforts without a much larger staff, and rather than do that they think this would be a much more efficient way of doing it.

Mr. FOGARTY. I am not quarreling with the purpose of the act, but did I understand the gentleman correctly to say that this or the other two bills pending will in no way retard the hearings for the continuation of Public Law 815?

Mr. McCONNELL. That is correct.

Mr. FOGARTY. If I remember correctly, I read a statement in the newspaper this morning where the Secretary of Health, Education, and Welfare sent

a letter to the Senate committee in effect saying that she opposed the Senate bill pending the White House conference on education and maybe the passage of this bill, which would postpone until 1956 any action on laws such as Public Law 815.

Mr. McCONNELL. I do not know what final action will take place. The gentleman asked me whether this would retard the hearings in our committee, I assume, with this bill being passed, and I say again, no.

Mr. FOGARTY. Could I ask one more question?

Mr. McCONNELL. Surely.

Mr. FOGARTY. If the Department of Education suggests to your subcommittee or to your full committee that in view of the fact that the White House conference is going to be held and that we have passed this bill, maybe waiting 2 or 3 years to see whether or not we need any extension of Public Law 815, would that be sufficient to retard the hearings?

Mr. McCONNELL. I do not understand the gentleman's reference to 815.

Mr. FOGARTY. That is Public Law 815.

Mr. McCONNELL. Yes. I know of no objection to the extension of 815. The gentleman is speaking of construction aid?

Mr. FOGARTY. Yes.

Mr. McCONNELL. Maintenance and operation and aid to those districts affected by Federal impact?

Mr. FOGARTY. Yes.

Mr. McCONNELL. I know of no reason why an extension of these provisions would be delayed by the passage of this bill.

Mr. FOGARTY. The gentleman remembers that the Department refused to ask the Bureau of the Budget for certain moneys to carry out the purposes of Public Law 815 only a short while ago.

Mr. McCONNELL. That is right, and the gentleman knows my position on that.

Mr. FOGARTY. I know, and the gentleman is for it.

Mr. McCONNELL. That is right.

Mr. FOGARTY. And it was due to the gentleman's support and cooperation that regardless of the Department of Education and the Bureau of the Budget, the House by unanimous vote gave $55 million just a month or so ago.

Mr. McCONNELL. That is right.

Mr. JONAS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Illinois.

Mr. JONAS of Illinois. My question pertains to the word "arrangement." The language reads that "the Office of Education" and so on "is authorized to enter into contracts or jointly financed cooperative arrangements with universities, colleges, and State educational departments for the conduct of research, surveys, and demonstrations in the field of education."

What is embraced in the word "arrangements"?

Mr. McCONNELL. Contracting for the performance of research activities. Rather than having the office itself do it, they would make a financial contract or arrangement with a college or university to handle that research proposition.

Mr. JONAS of Illinois. Where would the funds come from, out of the Federal Treasury, or would the local institutions have to contribute?

Mr. McCONNELL. The funds would come from the Treasury, through the Office of Education. We could authorize the Office to conduct it themselves, but they think it would be better to enable them to make these cooperative arrangements with outside institutions rather than build up a bureau and do it themselves.

Mr. JONAS of Illinois. Assuming that the research was made in these outside institutions, and this Department would express a view that what was going on in that institution was not in conformity with their ideas, could they compel the university to conform to what the Government wanted them to do, or is it merely in a financial capacity?

Mr. McCONNELL. I would say they would have control of the contract and the arrangements only.

Mr. JONAS of Illinois. If that is true, that the department by mandate rather than being in a discretionary position, can demand what the university or the school shall do, are we not then getting into a state where we are having Government interference with local education?

Mr. McCONNELL. No, I think the gentleman is a little bit off the point on that. For instance, the Office of Education will decide that some subjects should be made the matter of research; for instance, it might have to do with better reorganization of the school districts, or it might be cheaper facilities in school, or better methods of handling certain types of the physically handicapped pupils, or something of that sort. They will say, "Instead of our conducting that research, we would like you to conduct that research along these particular lines and give us your conclusions along these lines which we have set out." They are not going to say, "You have got to bring out a report in line with our conclusions."

Mr. JONAS of Illinois. I understand.

Mr. McCONNELL. They will only say, "We want you to bring out a report on this subject in line with what we have asked you to investigate and not to go far afield and into something else."

Mr. JONAS of Illinois. The gentleman from Pennsylvania [Mr. McCONNELL] then takes the position that whatever the Government would do under this piece of legislation, it would be discretionary and not mandatory. In other words, they could not force the universities to do what they had already decided to do in the matter of research and investigation.

Mr. McCONNELL. That is correct; in other words, they are not going to ask the research staff to bring in some preconceived recommendation. That is not the purpose.

Mr. JONAS of Illinois. I thank the gentleman.

Mr. BAILEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, this is a very simple bill. As a matter of fact, it is so simple and it says so little and attempts to do so little in the face of what the American educational system needs today that I am sorry that we have it before the House. I wish it were a bill that met America's educational problems head on, and provided some real aid for America's schools—aid without control.

Here is what this bill does. This bill recognizes the fact that already the Office of Education has the legislative authority to do research work in the field of public schools and educational activities in those schools. This bill says that we do not want the Office of Education doing that research itself, headquartered here in Washington, when it can be well done in some other place. We say in this bill that instead of the Office of Education doing this research that it deems necessary, that it have the authority and the power to go down to the State of Alabama or the State of Mississippi and contract with that State department of education to carry on research in the field in which it wants information or knowledge.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman.

Mr. ABERNETHY. Would this bill give the Commissioner of Education the authority to contract with any other than State institutions?

Mr. ELLIOTT. No, sir.

Mr. PERKINS. Yes; it does.

Mr. ABERNETHY. It does, as I read it. It says, "Universities, colleges, and State educational departments."

Mr. ELLIOTT. I may be in error about that. I was under the impression that it was the State educational institutions.

Mr. ABERNETHY. Is it the intention of the committee to confine these contracts to the State institutions?

Mr. ELLIOTT. No; I doubt that it is the intention of the committee to put that restriction on it, but instead to allow the Office of Education to contract with any college or any university in America that is equipped to do the needed research.

Mr. ABERNETHY. What was the yardstick used to determine how much money would be required to do this research?

Mr. ELLIOTT. I do not know what the yardstick was. I think there is in this bill no limitation, and I am against any limitation being put in because for $400,000 a year you cannot do the necessary research in this field. I think it is a shame to put a limitation in this bill of $400,000.

Mr. Chairman, with the needs of America's schools being what they are, with a simple bill here that says that local educational institutions can do the research that the Office of Education thinks ought to be done, what is wrong with allowing it to farm out at the local

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level, to the University of Alabama or to the Alabama Polytechnic Institute or to the State teachers' colleges of Alabama or to Birmingham Southern College in Alabama, or to Howard College, or to any other college? The research may be done in the field of reducing the cost of educational facilities.

Mr. Chairman, today we are faced in the State of Alabama with an immediate need to build $300 million worth of new school buildings. That problem is upon us. If we can find out how to cut the cost of those buildings by $10,000 each, this research will be worth all that will ever be spent upon it.

Another subject this authority for research might be used on is that of improving business procedures in schools and colleges, reorganizing school districts for maximum efficiency, attracting more young people into the teaching, engineering, and other "shortage" professions, improving teaching methods, developing closer ties with parents and citizens, and placing community health and social agencies in proper perspective with school-program needs of America. Such a small amount of money is involved, when the need is so great, and we haggle about three or four hundred thousand dollars for this purpose.

Just 16 years ago a few scientists set themselves to the business of trying to find out something about the synthetic fibers. They were laughed at. They isolated some of the constituent elements of those fibers. About 5 or 6 years after their work was completed we were in war with Japan and our supply of silk was cut off completely. From that research, from the isolation of the constituent elements of those fibers, we developed nylon commercially and the nylon parachute and the hundreds of other uses that nylon was put to in World War II, and since. This business of research is important. Pure research is important. Applied research is important.

Mr. Chairman, the shame of it is that we are spending so little today in the field of educational research and in the field of medical research. Today, Mr. Chairman, if we appropriated sufficient funds, cancer, heart disease, and all these dread diseases could be wiped out, just as in the Manhattan project we gave the funds to build the atomic bomb, shorten World War II, and save thousands of American lives. Nothing is more important to America than its research. This bill does very little. It is a States' rights bill. I do not believe there is a single well-founded objection to it.

Mr McCONNELL. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. RHODES], a member of our committee and the author of the bill.

Mr. RHODES of Arizona. H. R. 9040, to establish a cooperative research program, represents useful complement to other educational proposals of the administration. It would carry out the President's budget message recommendation "that legislation be enacted which will enable the Office of Education to join its resources with those of State and local agencies, universities, and other educational organizations for the conduct of cooperative research, surveys, and demonstration projects."

The purpose of this research program is to strengthen educational research services and facilities by authorizing cooperative research arrangements between the Federal Government and various other agencies, institutions, and organizations concerned with the problems of American education. At the present time the Office of Education is not specifically authorized to enter into projects involving the joint expenditure of funds for these purposes.

Cooperative research arrangements of the sort proposed in H. R. 9040 have shown great returns—notably in the field of public health—for each Federal dollar spent. We are convinced that such arrangements can make equally valuable contributions in the field of education where the need for research is great.

One important advantage of the approach proposed in H. R. 9040 is that, while increasing and improving the research services available, the bill would not add substantially to the research staff of the Office of Education.

At the present time, the Office of Education has no legislative authority to enter into contracts for jointly financed research projects with colleges, universities, and State departments of education. Joint efforts with such groups are of basic importance because it is in these agencies that able research personnel and resources that could not otherwise be enlisted are to be found.

A prime advantage of cooperative work with agencies in the field is that such procedure avoids the centralization of staff and facilities in Washington.

There are many areas in the field of education in which cooperative research holds out great promise for increased economy and efficiency.

Examples of research areas in which studies might be undertaken to improve school efficiency are:

First. Costs of school and college buildings.

Second. Business procedures in schools and colleges.

Third. School district reorganization.

Fourth. Adequate staffing of teaching, engineering, and other shortage professions.

Fifth. Teaching mehods.

Sixth. Relationships of community health and social agencies to community programs.

General practice with respect to educational research today usually involves study of local problems by those directly concerned at the local level. This procedure is sometimes wasteful because many matters of local concern are, in fact, common to other groups across our Nation. Too often only those concerned locally profit from their research. Enlarging the scope of a local or State study so as to make its finding usable by others in other regions would be an efficient procedure. But a locality or State would be reluctant to put in the added cost just to make the research for demonstration more useful on a nationwide basis. For example, Minnesota may be studying more effective use of the services of teachers. Many other States may share the same general concern, but the particulars of their respective problems may be sufficiently different to render the Minnesota findings inapplicable for their purposes. This bill would make possible contributions of funds from the Office of Education and the assistance of staff members of the Office of Education who are familiar with areas which require study—to the end that research and surveys of general interest be enlarged as appropriate to make them widely useful.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. FORRESTER. I notice on page 2 of the report there are set out some examples of research study. I notice paragraph C mentions reorganizing school districts for maximum efficiency. I want to ask the gentleman this question: Does he seriously believe that the Federal Department of Education could be of assistance to my local community or to his local community in our States and tell us how we should set up our school systems and our school districts?

Mr. RHODES of Arizona. In response to the gentleman's question, I would like to say I do not believe it is the intent of the Office of Education to try to tell anybody anything unless they ask for this information. In my own State, the educational situation has become acute because of the great growth in areas around the city of Phoenix. Many districts which were formerly country schools now operate several complete school plants. I would say very frankly, I doubt very much this particular paragraph regarding the reorganizing of school districts could be of much help to your district or to my district because every school and every State is operating under different laws. On the other hand, it may become very germane to the issue in determining what other districts and other States are doing with similar laws.

Mr. FORRESTER. I thank the gentleman because I want to believe, in fact, I am sure, that my school system in the State of Geogia would know far more about how it should cut up their school districts than anybody in a Washington office.

Mr. RHODES of Arizona. I agree with the gentleman.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. JOHNSON of California. Many years ago the city of Stockton, where I live in California, had a survey made of their school system by a Dr. Sears of Stafford University.

Would the law which you are discussing today, if it becomes law, contemplate doing research along that line?

Mr. RHODES of Arizona. What type of survey was made?

Mr. JOHNSON of California. They surveyed the whole situation of the schools, to see whether they needed new buildings, whether the curriculum was right, and so on. At the time I was chairman of the planning commission, and he wanted me to show him the city, where the poor people lived, where the rich people lived, where the industries were located, and where the railroads were. He went into the whole thing, and finally, at a cost of $10,000, produced a survey of our school system. Is that the kind of work contemplated to be done under this act?

Mr. RHODES of Arizona. I would say that is a possible type of work which might be contemplated, but not likely. In other words, the surveys made under this particular legislation would be in matters which are of nationwide importance, matters which would be fairly common to any school district throughout the United States, or which can be put on a more or less uniform level. I would doubt that the expense of surveys in individual communities would ever be assumed by the Office of Education.

Mr. JOHNSON of California. In other words, they would make a kind of group study, which the cities could look into and see if they could adapt themselves and if the recommendations would fit their needs?

Mr. RHODES of Arizona. Take the category concerning research in school construction. That would be a subject upon which information should be available in the Office of Education, and which would be needed by any school district which might desire to build new schools. Your particular area would want studies from an area which was similar in latitude, in weather, and other conditions. That is the the type of study which I believe would be made under this particular law.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New York.

Mr. WAINWRIGHT. Does the gentleman feel, in answer to the questions of the gentleman from Georgia, which go to the very heart of this educational problem that we have before us today, that the Federal Government actually can be of some aid to his school districts? The Office of Education can be of some help, but it only operates in the school districts upon request; it has no authority from Congress, or by Executive order, to go into any school district in the country. It that correct? And, further, is it not true that opposition to this bill clearly indicates how a man would feel on improving matters in his school district?

Mr. RHODES of Arizona. That is absolutely correct. There has been some talk of compulsion under this bill. Actually, it is entirely on a voluntary basis. Whether a school district wants to accept the help of the Office of Education is entirely its own decision. Whether they want to enter into a contract for making a survey is entirely voluntary. There is nothing that is compulsory.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Illinois.

Mr. SPRINGER. I do believe that on at least two occasions with which I have had experience in Illinois leads me to believe this would be a good law. In 1949 and 1950 in Illinois we had the latest experience in revising school districts and constituting new districts, on which nothing had been done for over 60 years. There were many high schools which had been unable to be supported. We created new unit school districts and enlarged districts to the point where they could support a high school.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. McCONNELL. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BAILEY. Mr Chairman, I yield the gentleman 1 additional minute.

Mr. SPRINGER. When that revision was taken, I believe that was the most far-reaching revision of the district school system we have had in the United States in my time. If this law had been in effect and previous studies had been made before that reorganization took place, much good could have been accomplished. That was a very trying experience. Litigation of all kinds arose out of it. I happen to have been judge on some of the litigation which took place in my own county.

If a study had been made in Illinois under the system set up in this bill we in Illinois would have been saved many headaches. In addition the Office of Education would have had on hand a record of this study and also a report of the reorganization experience in Illinois this would have been available to other States who today are contemplating similar reorganizations. I support the bill and recommend its passage.

Mr. HOSMER. I firmly believe that the Federal bureaucracy should be kept strictly out of local school matters. I ask the gentleman whether there can be any implication by reason of any arrangement or contracts with local school districts that would allow the Federal bureaucrats to get in and control any of them?

Mr. RHODES of Arizona. Let me say that I am in hearty agreement with the gentleman from California, and if there were any such provision in this bill I certainly would not have offered it.

While the gentleman from California [Mr. HOSMER], is on his feet I would like to commend him, because I recall his amendment restoring funds for financial assistance for Federally impacted school districts. I think they finally resulted in payments of over a quarter of million dollars to schools in his own district.

Mr. BAILEY. Mr. Chairman, I yield 8 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, at the outset I wish to state that I supported in committee H. R. 7601, a bill providing for a White House Conference on Education; H. R. 7434, a bill providing for a National Advisory Committee on Education; and H. R. 9040, a bill authorizing Cooperative Research in Education.

Mr. Chairman, I intend to support on the floor all three of these measures. I am sure that every Member in the Congress will agree with the purposes set forth in these bills. At the same time, I feel confident that many Members are wondering about the publicity surrounding this White House Conference on Education in the year of 1956.

Also, Members undoubtedly feel that this legislation is just more evidence of government by postponement. This bill originally authorized $1,500,000 but the committee cut the authorization down to $750,000 for the Commissioner of Education to administer the act and for other expenses of the Office of Education in planning for and holding the White House Conference on Education. The original bill also provided that no State's allotment shall be less than $10,000 but the committee struck $10,000 and inserted $5,000. I would like to read from the report accompanying H. R. 7601, the purposes of the bill:

This bill authorizes appropriations to enable the President to hold in the city of Washington, D. C., a conference of educators and interested laymen from all parts of the Nation, to be called the White House Conference on Education, to consider and report to the President on significant and pressing problems in the field of education. The sums appropriated are to be used in assisting each State to bring together educators and interested citizens to discuss their particular educational problems within the State and make recommendations for appropriate action to be taken at local, State, and Federal levels. These State conferences would enlist the participation of interested laymen and community leaders, as well as professional educators, in the consideration of the grave educational problems existing throughout the Nation today and center attention on the ways in which the State and local resources can be mobilized.

Following these State conferences, representatives of all of the States would be brought together in Washington to consider the educational problems from the national viewpoint. This conference would be known as the White House Conference on Education and would utilize the results of all of the State conferences in the study and consideration of the educational problems of the Nation.

Provision for this series of conferences is based on the sound concept that the problems of the Nation's schools must be solved cooperatively by the local community, the State, and the Federal Government, with the fullest possible use being made of local and State resources, and with the Federal Government coming into the picture only where the national interest requires national leadership and action.

Allotments to States. Sums appropriated for the purpose of enabling each State to hold a conference on educational problems would be allotted to the States on the basis of their respective populations, according to the latest figures certified by the Department of Commerce, except that no State's allotment shall be less than $5,000.

The bill authorizes the Commissioner of Education to pay, through the disbursing facilities of the Treasury Department, an

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allotment to each State which, through its governor or other State official designated by the Governor, undertakes to accept and use the sums so paid exclusively for the purpose of holding a State conference on education and to make a report of the findings and recommendations of the State conference for the use of the White House Conference on Education. The sums appropriated for this purpose would remain available until December 31, 1955, and any such sums remaining unpaid to the States or unobligated by them as of that date would be returned to the Treasury.

H. R. 7343, a bill establishing a National Advisory Committee on Education, authorizes appropriations to the Department of Health, Education, and Welfare of such sums as may be necessary to carry out the purposes of the act, including expenses of professional, clerical, and stenographic assistance. The bill also authorizes an appropriation for the cost of such studies as the committee might recommend for an amount needed not to exceed $200,000 in any fiscal year. On page 2 of the report accompanying H. R. 7343, we find the responsibility of the committee spelled out as follows:

The committee's responsibility will be to appraise the most pressing problems in the field of education; to decide which seem to be capable of practical solutions after appropriate study and action; to set priorities as to the immediacy with which each should be attacked; to consider how the study and action called for should be organized; and to advise the Secretary on the progress of study and action. Educators would have key roles in the activities of the committee in that their knowledge and experience would be used in their services as members of the task forces making the studies and reporting their findings.

In connection with H. R. 9040, a bill authorizing cooperative research in education, I would like to list the examples of research studies set forth in the report accompanying this bill:

(a) Reducing the cost of educational facilities.

(b) Improving business procedures in schools and colleges.

(c) Reorganizing school districts for maximum efficiency.

(d) Attracting more young people into teaching, engineering, and other shortage professions.

(e) Improving teaching methods.

(f) Developing closer ties with parents and citizens.

(g) Placing community health and social agencies in proper perspective with school programs.

Mr. Chairman, many studies have been made in recent years pointing up the need of our schools and the action our Government should take. Notwithstanding the wholesome purposes set forth in this legislation, Mr. Chairman, we have on hand at the present time in the Office of Education the most needed data. I know that many members are wondering about the $3 million this Congress spent only a few years ago, not considering the money spent by the various States throughout the Nation for the study of school construction needs. The people today are confronted with a school-construction problem. In Public Law 815, 81st Congress, 2d session, section 101, we find the following statement:

In order to assist the several States to inventory existing school facilities, to survey the need for the construction of additional facilities in relation to the distribution of school population, to develop State plans for school-construction programs, and to study the adequacy of State and local resources available to meet school facilities requirements, there is hereby authorized to be appropriated the sum of $3 million, to remain available until expended. The sums appropriated pursuant to this section shall be used for making payments to States whose applications for funds for carrying out such purposes have been approved: *Provided*, That the making of grants under this title shall not in any way commit the Congress to authorize or appropriate funds to undertake the construction of any public works so planned.

Mr. Chairman, pursuant to the enactment of that law, findings from the school facilities survey have been made available and are now complete. This survey has shown that a very large percentage of the Nation's school buildings are old and unsafe and that there is a critical need for new construction throughout the Nation. About 40 percent of the schools now in use were built before 1920 and are inadequate for present day needs. An average of 2 out of every 5 buildings have fire and sanitation hazards. The need for new construction of public elementary and secondary school buildings is staggering. The school facilities survey revealed a need, as of September 1952, equivalent to that of a 1-story building 50 feet wide extending from New York City to San Francisco. The survey also indicates that only about one-half of the funds needed for school construction could be provided by the States and local communities through a maximum utilization of bonding and taxing capacities. It is obvious that Federal participation in financing school construction would be necessary to meet the Nation's requirements. The present crucial shortage of school facilities consists of the backlog of construction postponed during 20 years of depression and war, plus the subsequent delay of construction due to inflation and local finance problems.

This survey provides every answer to the objection raised by the Secretary of Health, Education, and Welfare for consideration of school construction. The various State departments of education throughout the Nation are vitally concerned about placing the results of this survey on a shelf to gather dust after these departments have expended State funds to help determine the needs of the schools for new public school buildings.

No one can contradict the fact that the school facilities survey, pursuant to the enactment of the law in 1950, is the most up-to-date survey ever made in the field of school construction.

Mr. Chairman, Dr. Samuel M. Brownell, Commissioner of Education, has not as yet made his position clear on Federal aid to school construction. We were hoping that his announced plan to testify before the Senate committee yesterday would reveal dynamic support for school construction legislation, but he failed to show up. Instead, Mrs. Oveta Culp Hobby, Secretary of Health, Education, and Welfare, asked that no program of general Federal aid be enacted until after State and White House conferences on education are held to determine the resources of localities for meeting school-construction needs. This would delay any Federal aid bill until after 1956.

The political aspects involved in these bills under consideration were recognized at the time the legislation was first discussed before the committee. However, I doubt whether any Member anticipated that the Secretary would come forth and request no action on school construction legislation until after the White House conference, especially in view of the study made pursuant to Public Law 815, 81st Congress, 2d session, 1950, which is now complete.

Now, Mr. Chairman, admitting that much good may flow from conferences, nevertheless, we are confronted with the immediate needs. We have available reliable data on school construction. We were all hopeful that the conferences suggested would not delay a school-construction program. The final White House conference in 1956, culminating in a recommendation that our Government take immediate action in the field of school construction, is too late. Why procrastinate on such a necessary and essential program when we have all the available data on hand.

Dr. Wendell P. Butler, Kentucky State superintendent of public instruction, in writing me on January 12, 1954, made this statement in connection with the school facilities survey:

The survey further shows that about 1 out of every 4 of Kentucky's children attends a 1- or 2-room school. Over half of Kentucky's children are in overcrowded classes where teachers cannot give adequate time to any child. Two out of every five of Kentucky's children attend schools with outdoor toilet facilities. Children in many districts are housed in deplorable buildings. Forty-eight percent are housed in buildings which are fire hazards, and 31 percent are in buildings that should be abandoned.

Enrollment is at an all-time high and will continue to increase in the future. Unless Federal aid for buildings is forthcoming it will be impossible for Kentucky to adequately house her school children. Despite increased local and State effort, Kentucky will continue to rank near the bottom in providing educational facilities for her children.

The superintendent of public instruction made available to me a table, which shows the needs of various counties for a program of school-plant construction in the Seventh Congressional District in Kentucky.

FEDERAL SECURITY AGENCY, OFFICE OF EDUCATION—STATE-TO-FEDERAL REPORT ON 2D PHASE OF SCHOOL FACILITIES SURVEY

TABLE 1.—*Statewide master plan for a program of school plant construction*

(1)	(2)	(3)		(4)		(5)					(6)	(7)	
Projects (listed separately, but grouped according to local planning areas)	Definiteness of project (use symbols A, B, or C)	Priority or urgency of need should be ready for occupancy by (check)—		This project to be designed to accommodate—		Nature of projects and estimated cost (insert estimated cost in applicable subcolumns)					Total estimated cost of project	Size of new construction	
		(a) September 1955	(b) Between September 1955 and September 1959	(a) Grades	(b) Pupils	(a) Complete new plant (estimated cost exclusive of site)	(b) New building on site now used as school center	(c) Addition to existing building	(d) Remodeling or rehabilitation of old building	(e) New sites: addition to sites; improvement of sites		(a) Number of instruction rooms	(b) Approximate number of square feet in area or building
Breathitt County and Jackson	----	----------	----------	----------	3,447	$2,550,500	$440,000	$404,000	$203,000	$45,200	$3,642,700	119	----------
Floyd County and Prestonburg	----	----------	----------	----------	7,310	3,979,050	1,975,050	1,788,470	412,700	67,000	8,222,270	249	----------
Hazard Independent	----	----------	----------	----------	780	----------	396,000	351,028	166,154	3,750	916,932	26	----------
Elliott County	----	----------	----------	----------	1,730	1,095,700	----------	777,000	90,600	22,500	1,985,800	50	----------
Lee County	----	----------	----------	----------	1,510	1,211,000	----------	420,000	50,000	35,000	1,716,000	52	----------
Perry County	----	----------	----------	----------	6,841	6,169,891	495,000	652,080	293,455	72,100	7,682,526	231	----------
Wolfe County	----	----------	----------	----------	1,527	1,281,000	----------	167,000	122,000	12,100	1,582,100	50	----------
Jenkins Independent	----	----------	----------	----------	940	760,600	356,400	70,650	----------	31,000	1,218,650	34	----------
Paintsville, Ind	----	----------	----------	----------	840	831,600	----------	----------	----------	8,000	839,600	28	----------
Knott County	----	----------	----------	----------	4,025	3,077,300	207,900	842,405	142,600	49,000	4,319,205	135	----------
Morgan County	----	----------	----------	----------	1,800	769,200	891,000	247,700	208,000	20,500	2,136,400	60	----------
Martin County	----	----------	----------	----------	2,190	1,410,100	----------	627,630	110,000	26,500	2,174,230	75	----------
Magoffin County	----	----------	----------	----------	2,580	1,704,100	267,300	824,200	64,500	26,500	2,886,600	88	----------
Letcher County	----	----------	----------	----------	6,080	5,079,400	297,000	983,400	90,500	47,000	6,497,300	206	----------
Johnson County and Van Lear	----	----------	----------	----------	3,360	1,471,000	949,900	960,325	22,500	37,500	3,441,225	112	----------
Total	----	----------	----------	----------	44,960	31,390,441	6,275,550	9,115,888	1,976,009	503,650	49,261,538	1,515	----------

Similar information is now available to all Congressmen and to the public. This survey, at that time, had not been completed in Pike County, Ky. The needs in Pike County are best expressed in a letter received from Claude Farley, superintendent of Pike County schools. The pertinent excerpts from the letter are as follows:

MAY 10, 1954.

In looking over this survey, which was compiled rather carefully by Amos Runyon, who, as you know, is a very conservative person, out of all the buildings which the Pike County Board of Education owns, housing 23,000 children, only four are fire-resistant buildings, 9 are semifire-resistant buildings, and 157 are combustible buildings.

Continuing with this survey, we have in this county 84 1-classroom buildings and 70 2- or 3-classroom buildings. Two-thirds of these 1- and 2-room buildings could be consolidated into large modern buildings if we had the money with which to do so. If the Federal Government should grant us $12 million with which to build school buildings alone, we could easily spend every dime of it and still have large areas unserviced.

I do not know of a greater service the Federal Government could render to those areas of the country which are suffering from an economic crisis such as ours is, than to give them money to erect consolidated schools. We have many of our children housed in frame buildings which are not safe, and because of the small working budget which we have, we shall not be able in this generation to replace these fire hazards.

We shall appreciate anything which you and your committee can do to help alleviate this awful situation among our children here in Pike County.

CLAUDE FARLEY,
Superintendent, Pike County Schools, Pikeville, Ky.

The necessity for Federal aid is well explained in Mr. Farley's letter. In view of existing economic conditions we cannot afford to further postpone and procrastinate.

Mr. Chairman, on January 3, 1953, I introduced H. R. 544, an emergency public-school plant facilities act, authorizing an appropriation of $500 million for fiscal year ending June 30, 1953, and for each of the 2 succeeding years to assist the States in the acquisition and construction of urgently needed plant facilities for elementary, secondary, and vocational schools.

The distribution formula contained in H. R. 544 would allot Federal funds on the basis of relative needs of the States. Under this formula, the Federal funds would be apportioned to the States in direct proportion to their school-age population and in inverse ratio to their per capita-income payments. Thus these would be an adjustment of the Federal allotment upward to 60 percent of the total cost of the construction program for the State with the lowest per capita income, and an adjustment downward to 40 percent of the total cost of the construction program for the State with the highest per capita income. The Federal allotments to the other States would range, according to their per capita incomes, between the two extremes. In other words, the richest State would be expected to pay 60 percent of the total cost of school construction within that State, but the poorest State would be expected to pay only 40 percent of the total cost of school construction within its borders.

I, like numerous other Members, have no pride in authorship of school-construction legislation, but we feel that this Congress must act now and authorize and appropriate an amount sufficient to get this needed program under way in accordance with the recommendations of the school-facilities survey authorized in 1950, and which is now complete.

Mr. McCONNELL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from California.

Mr. HOLT. The gentleman from Kentucky [Mr. PERKINS] mentioned my bill, H. R. 7601. Since he would not yield, I would like to say that this conference will be held in the fall of 1954 or by the summer of 1955, and not 1956. I will be very happy to answer any question in that respect.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from Kentucky.

Mr. PERKINS. It was discussed in the committee that the White House conference would be held in 1956. Is that statement correct? I say that in the committee the discussion was that the conference would be held in 1956 and the State conferences would be held in 1955.

Mr. HOLT. Just as I stated before, the White House conference is to be held in 1954 and 1955. I did not say 1956.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to my very good friend the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would like to ask the gentleman from Kentucky whether he feels that expenditures of money are improper in a year when Members of Congress or the President of the United States is up for election. Is it his suggestion that he would be opposed to the expenditure of money for good educational purposes if anybody

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was running for office, whether it was 1954 or 1956?

Mr. PERKINS. I would like to say to my distinguished friend the gentleman from New Jersey that I am not opposed to the expenditure of this sum of money for this purpose in an election year. But I think it was planned and the discussion was in the committee that the White House conference would be held in 1956 and not in 1955.

Mr. WAINWRIGHT. Mr. Chairman, I cannot yield further.

Mr. Chairman, before beginning my presentation I would like to pay great tribute to the chairman of the Committee on Education and Labor and to my colleagues on both sides who have worked on this bill so diligently.

I assure the gentleman from Kentucky that his remarks undoubtedly will be noted by the Department of Health, Education, and Welfare, and that they will make every effort to speed up the program. I am inclined to believe that the program is scheduled, as outlined by the gentleman from California [Mr. HOLT], to begin to roll at the end of this year; that the people responsible will carry through their State conferences, and that they will hold the meetings much sooner than indicated by the gentleman from Kentucky.

To repeat, I believe it is scheduled to roll at the end of this year and that the people in the White House will have their conference next year, which certainly is not an election year. I think it is a shame that the gentleman should suggest politics in this worthwhile project. This gives me an excellent opportunity to pay high tribute to the Secretary for Health, Education, and Welfare, Mrs. Hobby, and the able Under Secretary, Mr. Rockefeller. They have done more in a year and a half to unify and to present a proper program to the American people in this important field than has been done in the past 25. They are typical examples of the fine, high-type person brought into the administration by President Eisenhower.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I think in answer to my colleague on the committee from Kentucky I should say this, that the passage of H. R. 9040, which we are considering now, would have nothing to do with the postponement of any construction bill.

Mr. WAINWRIGHT. The gentleman is quite right.

Mr. McCONNELL. The gentleman is referring to another bill which has not come up yet.

Mr. WAINWRIGHT. Certainly, and I think this is an excellent opportunity to point out to the membership of the House that we are, today, considering three companion bills. We are now talking about H. R. 9040, but the three companion bills go hand in hand. They are all part of President Eisenhower's legislative program; part of his attempt as set forth in his state of the Union message and in the budget message to present the people of the United States with a proper health and educational program. My friends who have spoken against this bill have long cried out that they, the good Democrats, are not only in support of the President's program but also that they alone are putting it through. A vote will tell the tale. The proof of the pudding is in the eating. Are they with this fine human program or not? This is a true Eisenhower or administration project, and one that should be nonpartisan to the end.

All of us are willing to grant the significance of education. We know that America's security and the hopes of the free world depend on the character and the ideals of our young people. The complexity of today's world calls for deeper understanding, for greater competence, and broader knowledge than ever before. And that goes right down into the heart of the very school districts themselves. True, those school districts are self-contained and should be self-contained, and education should come from the school districts themselves. But, as I pointed out in answer to the question of the gentleman from Georgia, the Federal Government should be ready and willing to help when called upon. I believe this is the most important thing that should be stressed here today. And that problem not only covers the three bills we are discussing, but covers the whole range and understanding of the Federal approach to education.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAILEY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WAINWRIGHT. Mr. Chairman, the bill we are discussing and have been discussing and to which we should devote our attention at this time, H. R. 9040, sets forth the establishment of a cooperative research program. It would carry out the President's budget message recommendation which I now quote:

> That legislation be enacted which will enable the Office of Education to join its resources with those of State and local agencies, universities, and other educational organizations for the conduct of cooperative research and surveys in demonstration projects.

I think it should be made clear to the membership of the House that at this time the Office of Education is not, I repeat, not specifically authorized to enter into projects involving the joint expenditure of these funds with local groups. All that this bill would do, in addition to the items set forth in the report, is the granting of this authority. Basically what this bill would do is to allow joint expenditure of funds.

Cooperative research arrangements of the sort proposed in this bill have shown great returns, principally in the field of public education, for every dollar spent. We on the committee are convinced that such arrangements can make equally valuable constributions in the field of education where the need for research is particularly great.

One important advantage of the approach proposed in this bill is that while by increasing and improving the research services that are available, the bill would not add substantially to the research staff of the Office of Education.

In conclusion, I urge you to vote not only for this bill, but all these bills. The State and White House conferences on education would foster a nationwide understanding of the problems of education and mobilize resources for local, State, and Federal action. Together these three bills guarantee a constructive and well-balanced program in the field of education.

Mr. BAILEY. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. WHEELER].

Mr. WHEELER. Mr. Chairman, not long prior to becoming a Member of this body I was engaged in the job of keeping school. I cannot say that I taught too much school, but I kept school for a while. I do not recall a single instance in my school keeping experience when I required any aid or advice from any bureaucrat in Washington. The biggest thing I always stood in need of was some financing. It is somewhat amazing, to say the least, here this afternoon, to hear members of a party which, according to the way I read the papers and listened to the radio in the last campaign, proposed to rededicate itself to the principle called States' rights—I say it is amazing to me for members of that party to be proponents of this measure. And it is even more amazing to me to hear some of my good southern friends who have made long and loud noises through the years on this question of State's right, come into the well of this House and suggest that they require the advice and counsel of some Federal bureaucrat in order to help solve their problems in their home Southern States.

Since I have been a Member of this House I have had occasion to note many instances where the Members were asked to provide hobbyhorses one at a time for various Federal bureaucrats, but this is the first time in my experience where this House has been asked to provide three hobbyhorses for the same Federal official at the same fell swoop, almost.

I refuse to stand here and admit that the good people whom I have the honor to represent in the great State of Georgia are incapable of handling their educational affairs without the advice and counsel of a Federal bureaucrat. To me this bill and the two that will immediately succeed it are no more than insidious efforts on the part of the professional bleeding-heart liberals in this Government to take over lock, stock, and barrel the problem of public education in this country.

Mr. Chairman, it will be a sad day when people at the State level will have to have their curriculum and all other matters having to do with their education dictated by someone in Washington.

I do not want the remarks I am making here by any stretch of the most fertile imagination to be construed as being opposed to the providing of the most adequate possible facilities for the education of the American children, but I refuse to be seduced with the idea that someone in Washington, after having had the advice and counsel of some contracting agency, can better solve the educational problems in my State than

the people in my State who are already charged with that responsibility.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Georgia.

Mr. FORRESTER. Does not the gentleman also think that our State along with other States might be able to harmonize such social agencies with our schools as we think should be harmonized?

Mr. WHEELER. I think that is a rhetorical question, but I am glad to add my affirmative answer to the question.

Mr. BAILEY. Mr. Chairman, I yield 4 minutes to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Chairman, I rise in opposition to this bill, which would permit spending $400,000 by the Federal Government for the purpose of gathering information on such points as the following:

EXAMPLES OF RESEARCH STUDIES

There are many areas in the field of education in which cooperative research holds out great promise for increased economy and efficiency. Some examples of studies which might be undertaken under this cooperative-research program are as follows:

(a) Reducing the cost of educational facilities.

(b) Improving business procedures in schools and colleges.

(c) Reorganizing school districts for maximum efficiency.

(d) Attracting more young people into teaching, engineering, and other shortage professions.

(e) Improving teaching methods.

(f) Developing closer ties with parents and citizens.

(g) Placing community health and social agencies in proper perspective with school programs.

Time will not permit me to go into details of what I think about the bill. However, having spent 17 years in educational work, including 2 terms as a school administrator, I feel that I know something of the needs of our educational system.

Twenty years ago the State of Mississippi knew more about the needs of education than what you are seeking to find out under the provisions of this bill. The trouble with many States is the lack of funds for doing the job with which they are already familiar. I was surprised to see the recommended reduction in vocational rehabilitation of the physically handicapped last year and also a reduction in appropriations for vocational education. This year the administration has recommended a reduction in appropriations for vocational education which reaches every community in this country. We have our organizations of schoolteachers and educators. We have our National Educational Association and State department of education, and so forth, which do not cost the Federal Government one dime. These sources can furnish more authentic information than can be obtained in 2 years under a bill which would only duplicate surveys already made. I cannot understand how any person who knows anything about schoolwork could come before the committee and advocate legislation of this kind. I would like to ask the committee if anyone could tell me how many additional Federal employees will be needed to carry on this survey. Can you tell me?

Mr. McCONNELL. In answer to the question of the gentleman from Mississippi, I would say none.

Mr. WINSTEAD. None? You will add some personnel either under this bill, or under 1 of the other 2 bills to follow this, which bring about the need for additional personnel. You will subsidize institutions to work up information which is already available. Four hundred thousand dollars is only the beginning, if this legislation is passed. You will see Members of Congress coming in here year after year advocating increased appropriations in order to reach out into the rural schools and high schools and junior colleges. There is no end to what you will do with this bill whether you know it or not.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. FORRESTER. I congratulate the gentleman upon his splendid position. I join with him in saying that if we have any extra money, for heaven's sake let us give it for the purposes of vocational education.

Mr. WINSTEAD. I thank the gentleman, who is one of the most able Members of this House. I want to call your attention to the fact that the Federal Government in 1950 spent over $100 million on research in our educational institutions. In 1952 we spent $341 million for research, largely through the Department of Defense. My good friend spoke about atomic research. All this type research is going on now—research in physical, biological, medical, engineering, and other technical sciences. Time will not permit us to go into all the details of this bill and its possible effects. Just read the bill. I ask the membership to think of it seriously. You say it will encourage young people to go into the teaching profession. How are you going to do that? By appropriating and spending $400,000 to duplicate surveys and finding the need? We had better give consideration to meeting existing needs for buildings and facilities, as well as increased pay for teachers. We do not have to appropriate $400,000 to determine why the people of this country have left the teaching profession.

This bill, and the two bills to follow, should be defeated, thereby saving millions of dollars which could be better used on existing needs.

Mr. McCONNELL. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Chairman, I direct this question to the gentleman from Pennsylvania: Does this bill provide any authorization for funds for school construction.

Mr. McCONNELL. No funds are authorized in this bill for school construction.

Mr. HARVEY. During the course of your hearings, was the position made clear with regard to whether there would be duplication of the survey of school facilities which was completed just about a year ago?

Mr. McCONNELL. I anticipate no duplication of the survey. In fact, this has to do with research in specific phases, for instances, in the types of building materials or facilities and things of that sort rather than a general survey of the school situation in regard to buildings. That survey has been completed. I see no reason why it would be repeated.

Mr. HARVEY. In other words, this is another and different field than that of an actual school survey with regard to facilities needed?

Mr. McCONNELL. This is purely a research proposition. The Office of Education has the authority now to give advice if they are asked for it in any school district in the country. Of course, they may not have the answers to some of the questions. If they find they do not, instead of conducting the research themselves to get the answer to the question, they can enter into cooperative arrangements with colleges, universities, or any State departments of education to obtain that information by research.

Mr. HARVEY. Then this is primarily an effort to coordinate the efforts of research in the field of education.

Mr. McCONNELL. Yes.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from New York.

Mr. WAINWRIGHT. To clarify the question and to answer some of the irrelevant questions that have been here presented, may I state that one of the features of this bill is, for example, that it would allow any university anywhere in any part of the United States to go into partnership with the Federal Government to obtain the benefit of the fine research done by the Federal Government. For example, at the end of Long Island there is a Federal hoof-and-mouth-disease laboratory. At the present time, as I understand the law, universities are not in a position to go into special partnership of this kind with the Federal Government. They cannot farm out this kind of research. This bill would allow this anywhere in the United States, and particularly in some backward areas of the country where it is badly needed.

Mr. HARVEY. Then, would this be operated similar to the way the State agricultural experiment stations are now coordinating their activities with the Bureau of Research in the Department of Agriculture?

Mr. WAINWRIGHT. That is quite correct. That is my understanding.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BAILEY. Mr. Chairman, I have no further requests for time on this side. By way of closing the discussion, I might say that when this bill was being considered in the committee I raised some questions about it, and through the action of my good friend the gentleman from Montana [Mr. METCALF], one of my major objections to the bill was removed. That was that we had made provision for entering into contracts with nonprofit organizations. I did not want to

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put the Department of Education in a position where they could enter into a contract with a group like the Facts Forum put on by the millionaire oil operator in Texas. So most of the objections to the legislation were removed when we struck that nonprofit provision out of the bill. My only other thought in connection with it was that it might be used as an excuse for not promptly considering legislation in the field, and on the promise of our very able chairman, the gentleman from Pennsylvania [Mr. McCONNELL] that he was proceeding immediately with those hearings, I am not registering any objection to the legislation.

Mr. McCONNELL. Mr. Chairman, in the remaining half minute, I think I would like to make this statement very definitely:

I am opposed to Federal control of our schools. I think the control should belong where it traditionally has been—that is, in the local areas of our Government, and not in the Federal Government.

By no stretch of the imagination could this be interpreted to mean control of our schools. The Office of Education was not established by me. It was not established by this Congress. It is in existence. It has the right to make research today and to send out its findings all over the United States. All we are saying is that we prefer to do it in a more efficient manner and not build up a big bureau in Washington.

I hope the bill will be passed.

Mr. BAILEY. Mr. Chairman, I ask unanimous consent that all Members who have discussed this matter may have the right to revise and extend their remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That in order to enable the Office of Education more effectively to accomplish the purposes and to perform the duties for which it was originally established, the Commissioner of Education is authorized to enter into contracts or jointly financed cooperative arrangements with universities, colleges, and State educational departments for the conduct of research, surveys, and demonstrations in the field of education.

Mr. WHEELER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as probably may have been gathered by some of my colleagues already, I stand in need of further advice on this bill. I want, therefore, to ask 2 or 3 more questions about it.

On page 2 of the report, under the heading "Examples of Research Studies," I am somewhat amazed at subparagraph (a). It seems that this whole $400,000 fund to be spent by a Federal bureau is aimed at reducing the cost of educational facilities. I have been hanging around here for 8 years, and I have failed to see a single instance where the Federal Government or any agency thereof has ever been successful in this particular regard, that is, effecting the reduction of the cost in any particular endeavor regardless of the field.

I would like to know how it can possibly be concluded that the activities of any Federal agency costing either $100,000 or $400,000 can be expected to result in the reduction of the cost of any program.

The next one, subsection (b), reads: "Improving Business Procedures in Schools and Colleges."

The same objection and criticism that I raised on subsection (a) applies with even more force to subsection (b). I do not know of any Federal agency that has ever attained any real degree of note in the field of improving business procedures in any particular activity.

Now, subsection (d): "Attracting More Young People Into Teaching, Engineering, and Other Shortage Professions."

I can tell you how you can attract more people into the teaching profession without its costing you a penny. I know, for I have been a teacher. I know that an increase in salaries paid to school teachers will do more to attract young people into this field than anything else you could do.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield.

Mr. McCONNELL. I would like to say to my good friend, and he is my good friend, from Georgia—he and I have voted alike on some occasions——

Mr. WHEELER. Yes; but you have not always been as wrong as you are on this.

Mr. McCONNELL. Maybe the gentleman has not been as wrong before as he is at this time also.

I would like to say that in a district of which I happen to know, in particular with this subparagraph 1, reducing the cost of education facilities, that district has hired a private firm to advise them by study as to the best method of handling certain types of construction in their school building program. It will be well to have that information not only in this one particular area but scattered throughout the country.

The gentleman has stated that he once was a school teacher. I would make the wager right now—I make the statement right now—that the gentleman could not advise this particular school district as to the best materials to use in their school facilities.

Mr. WHEELER. I do not claim to be able to advise them on that particular score. I just advise them as to how they can attract more young people into the teaching profession.

I hope they get all the information available on the particular question the gentleman raised, but I do not see the need for using some Federal agency to do it.

Let me hurry along to the next one. The next one is subsection (e): "Improving Teaching Methods."

This I think is the crux of this whole bill, teaching methods. That is the most direct method of gaining control in the educational field in this country.

The next one, subsection (f): "Developing Closer Ties With Parents and Citizens."

That leads to a great big question mark in my mind: Where do you draw the line between parents and citizens?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(By unanimous consent, Mr. WHEELER was allowed to proceed for 3 additional minutes.)

Mr. WHEELER. Do you mean that this research is to proceed in the field of sociology and set up sociological standards so that there will be a better understanding between those citizens who are not parents and those who are?

There is another question that I inadvertently overlooked, and I refer to subsection (c), reorganizing school districts for maximum efficiency. Since when have we become willing—we States righters, we people who are vociferous and as articulate as possible champions of local autonomy—to have some Federal agency come down into south Georgia or south Alabama or Kentucky and tell us how we should reorganize our school districts? I thought that was a problem that came properly within the purview of the local subdivision of this Republic.

Then the last one, placing community help and social agencies in proper perspective with school programs. My very distinguished and able colleague from an adjoining district to mine, Mr. FORRESTER, has already pointed out what I consider to be a very valid objection to this particular field of activity.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Ohio.

Mr. AYRES. Does the distinguished gentleman from Georgia feel that this is a States rights issue and that a vote on it would be interpreted accordingly?

Mr. WHEELER. Unless a quorum is present when the vote comes, we will find out who is for States rights and who is not. I so interpret it.

Mr. AYRES. Does the gentleman from Georgia identify himself with those who are in the States rights column?

Mr. WHEELER. Definitely so, and I refuse to sell my position for a measly $5,000 which will be offered to my State as a price for a mess of pottage in the next bill.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Georgia.

Mr. FORRESTER. I am not surprised that that question should be asked. The gentleman, and I am sure the gentleman's record will show that he is indeed a States righter. I believe they all know I am a States righter. I would like to ask them to let us see a little States rights percolate down south of the Mason-Dixon line.

Mr. WHEELER. I have been somewhat amazed, I may say to the gentleman, at those people who say they are for States rights but invariably mean they are opposed to the so-called civil-rights program. If you will offer them a little monetary pottage in the way of Federal funds as a gimme or come-on, they forget all about their qualms on the States-rights question.

The Clerk read as follows:

SEC. 2. There are hereby authorized to be appropriated annually to the Office of Education, Department of Health, Education, and Welfare, such sums as the Congress determines to be necessary to carry out the purposes of this act.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RHODES of Arizona:

Page 1, line 11, strike out "annually."

Page 1, line 12, after the word "sums", insert: "not to exceed $400,000 in any fiscal year."

Mr. RHODES of Arizona. Mr. Chairman, this amendment is offered because of fears on the part of some Members of the House that this might turn into a Federal dragon which could swallow a lot of people and do a lot of things. There is no intent on the part of anybody to cause this bill to do that. In fact, the intent of the author of the bill, and I am sure the intent of the Department of Health, Education, and Welfare, is just the antithesis of that. The $400,000 will undoubtedly be adequate for many years to come for this particular piece of legislation, and I see no reason why it should ever be increased within the foreseeable future.

Mr. Chairman, we have had a lot of talk here today about States rights. I regard myself as a States rights man, too. I believe that the fundamental liberties guaranteed to us by the Constitution of the United States should remain as they were when they were written. If this bill were, in my opinion, anything but in furtherance of States rights, I assure you I would not have introduced it.

Mr. Chairman, let us look at the bill just a little bit. This bill provides that instead of setting up a research organization within the Department of Health, Education, and Welfare, here in Washington, that the information required by the Department be furnished to it by the States themselves, the educational institutions, the State departments of public instruction, the institutions in the field; in other words, not that some great bureau be set up here which might, in truth, become a great Federal dragon at some time. This, then, certainly is a bill which anybody who believes in States rights should endorse and approve.

Mr. WINSTEAD. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Mississippi.

Mr. WINSTEAD. If this information is going to be furnished by the States, why send it to Washington and then send it back to the States?

Mr. RHODES of Arizona. The only reason that is done is because there has to be some sort of a clearinghouse for this information. In other words, you cannot have 48 different States crossing lines of communications back and forth and do a very efficient job of evaluating the information.

Mr. WINSTEAD. I do not question the gentleman, but the point I make is that we can get the same information you ask for, it must come to the Department of Education here, and instead of subsidizing them to send it here, they already have this information and it will not cost the Government anything to get it.

Mr. RHODES of Arizona. The gentleman is assuming that we know what information we want or know what information we are going to have to get. I think the function of any clearing house is to evaluate the information, to see if it is adequate. If it needs to be expanded or if more needs to be known about this particular type of information, then we should go out in the field and get somebody to perfect it.

Mr. WINSTEAD. I understood the gentleman to say that the Department does not want to take on additional burdens, but they can obtain this information under the present law from the various States, and if they need further legislation, let them prove their case.

Mr. RHODES of Arizona. There are people in the Department now engaged in research, and as I understand, their staff is adequate to handle this other piece of research in the Department.

Mr. WINSTEAD. Does not the gentleman think they could get from the State organizations this information without having to spend $400,000 to get it?

Mr. RHODES of Arizona. I will say to the gentleman that it might be difficult to decide which State organization is best adapted to do a particular piece of research, unless we have some sort of clearing house here to allocate and farm out the work. I think the main difference between the gentleman's position and mine is that he feels that all we have to do is to ask for this information and you can get it. That is true. But you also may have to have the information boiled down and get other facts which are not now apparent, or which must be perfected. This would be done by taking a State university or other educational institution or system which is best adapted to develop the subject and give it enough money to go ahead and by research furnish the answers which are required.

Mr. WINSTEAD. The State departments in the various States, the universities and colleges could go out and do this work without being subsidized.

Mr. RHODES of Arizona. The gentleman says "subsidized." I say "contract." There is nothing wrong with contracting with States.

Mr. WINSTEAD. If you need information that your report says you want, you could get more from the rural areas than any big capitals or city administrations, and when you start expanding out to every junior college and every high school, your $400,000 will not scratch the surface.

Mr. RHODES of Arizona. If I interpret the gentleman's position correctly, I suggest to the gentleman that he introduce a bill to abolish the Office of Education.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Ohio.

Mr. AYRES. If there is a State that decides they do not wish the service that your bill would provide, could they refuse to accept it?

Mr. RHODES or Arizona. Absolutely. The whole thing is on a voluntary basis. No State need accept the information; no State or institution need do the research work unless it desires to do so.

Mr. AYRES. Then, if there are gentlemen from those States who are afraid that their States might be involved, all they would have to do would be to say they do not want it; it is strictly on a voluntary basis.

Mr. RHODES of Arizona. That is correct.

Mr. AYRES. I thank the gentleman, and I wish to go on record as supporting the bill.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I think it is to be regretted that this has become a States rights question, because this obviously makes the States rights Members feel that, if their school district or university asks for the advantages of reducing the cost of educational facilities or any of the eight points set forth here, that they cannot go to the Federal Government and ask for assistance, which I think would be very beneficial and helpful to them. They are apparently opposed to improving their educational systems. Does the gentleman agree?

Mr. RHODES of Arizona. I agree.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the distinguished chairman of the committee.

Mr. McCONNELL. I think the most accurate observation the gentleman has made in connection with some of the opposition that seems to have developed on the other side is that they should abolish the Office of Education. That would get at the thing to which they object.

The Department now has the right to make research, to conduct studies, and to make the results available all over the United States to any State that wishes it or to any district that wishes it. All this bill does is, instead of building up a big bureau, it gives the Office of Education the right to conduct research on various subjects that they feel that they do not know enough about in order to get that information into a central office where it will be available to everybody.

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Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been very much interested in the remarks that have been made. I want to be very fair. I am a supporter of this bill. I rose a minute ago but did not have sufficient opportunity to comment. I would like to answer the questions of the gentleman from Georgia on this matter.

One of the provisions of this bill does have to do with reorganizing school districts for maximum efficiency. We went through that about 5 years ago in the State of Illinois. I cannot imagine any more difficult situation than we had during those 2 years in which there was litigation up and down the State, causing everybody great deal of trouble. In the end we did work out a pretty good system for the State of Illinois. Now, that was done some 60 years after the last reorganization had been made of school districts in Illinois. But if we had had this kind of law in Illinois to which the superintendent of public instruction in 1947 and 1948 could have turned, he would have been much helped. He could have turned to the University of Illinois and asked for a survey in conjunction with the Office of Education here in Washington. This survey would have been the guidepost that helped to determine how you were going to reorganize our school districts in Illinois. And in second place we could have done this thing without causing too much difficulty between school districts.

I believe my good friend and our colleague, Dr. McVEY, who is an expert on educational questions in Illinois, just told me that Illinois had the most number of school districts of any State in the Nation. Now I believe we have a State that has perhaps the fewest number of school districts—that is of any large State.

The law has worked. The reorganization has worked well, but I do believe we could have avoided many of the pitfalls which we went through in that reorganization had we had this kind of study made first. I do not believe there is any way it could have compromised the question of States' rights as far as Illinois is concerned.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Georgia.

Mr. WHEELER. As the gentleman was so articulately pointing out, the problems that were raised in his State relative to the districting of school districts or the redivision of school districts, I could not help raising in my own mind the question as to why they could not have handled that problem within the great State of Illinois, without having that problem channeled through some Federal agency.

In other words, could not the Illinois State legislature have appropriated whatever funds were necessary for any survey that was needed and then utilized the results of that survey?

Mr. SPRINGER. I think that is another way of doing it. I think the gentleman has made a point. I find nothing wrong with what he has said. I do believe that this bill is the advanced and best way to do it, by taking advantage of whatever information we have on a national scale. In other words, you are getting here in one place, the Office of Education, through which will be channeled the results of the surveys made in all the States.

Mr. WHEELER. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield.

Mr. WHEELER. Assuming then that it could have been done at the State level, this pending bill to my mind is no more than an effort to shift the responsibility to a Federal agency.

Mr. SPRINGER. Perhaps, as the gentleman has said, that is true. I think it is a question of whether it should be shifted or not. I do believe there is merit in getting this joinder of the efforts of all the 48 States in the study of a particular problem such as you have here. In the Office of Education you have the coordination of the whole effort, we will say, on the reorganization of school districts which is facing us all today. I think this plan has a great deal of merit. It is an advanced procedure over the one which the gentleman is supporting, and which I think the State of Georgia or Illinois or any other State could follow it, in fairness to his constituents. It is just my personal opinion that it can be done better this way.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. I fail to understand how this Federal agency here could have stopped the friction between the school districts out in the State of Illinois without giving the Federal agency authority which it never should have.

Mr. SPRINGER. I disagree with the gentleman to this extent. In the first place, I do not think it could stop any friction there was out there—except insofar as the experience gained from a survey could have helped.

Mr. GROSS. I think that was the gentleman's statement.

Mr. SPRINGER. No, I beg the gentleman's pardon, it was not. What I said was that there would be an agency to which the State or the people in the legislature could go to gain some experience. In other words, to have a contract made with the University of Illinois which would have made a study of the situation in the State of Illinois. This survey would then have been available through 1 agency to all the 48 States which might have a similar problem.

Mr. FORRESTER. Mr. Chairman, I move to strike out the last word.

Mr. MILLER of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. MILLER of Kansas. I wish to ask a question of the author of the bill. In line 7 of the bill appear the words "jointly financed cooperative arrangements with universities, colleges, and State educational departments." Do the words "State educational departments" refer also to universities and colleges, or do you intend that this shall apply to private educational institutions and State institutions?

Mr. RHODES of Arizona. It would be the intent of the committee that any university or college could come under this bill. If the contract is made with a State educational department, it would presuppose that some institution within the State educational department would actually do the work. In other words, no contract would be made with the individual school in the gentleman's district or in my district, it would be made with the State educational department of the State of Kansas or the State of Arizona.

Mr. FORRESTER. I believe that question has been answered.

Mr. Chairman, I rise here because of the fact that I think they have injected a little issue in here that really should not have been brought in. I was somewhat amused that one of the proponents of this bill merely incidentally and by way of passing asked the gentleman from Georgia [Mr. WHEELER] whether or not he was a States rights man. The gentleman from Georgia said he was a States rights man. Then all at once we find that we have a States rights issue that they have made. In other words, a strawman.

It reminds me of the barker at the fair who was crying out, "All right, all right, everybody, just for 10 cents, one dime, one-tenth part of a dollar, see the sword that Balaam had."

A preacher came along and said to him, "You old faker, you know good and well Balaam did not have a sword. What he said was, 'I would I did have a sword'."

That did not stop the barker. He cried, "All right, all right, everybody, just for 10 cents, one dime, one-tenth part of a dollar, see the sword that Balaam wished he had."

We do not have any States rights issue here. You are just wishing you did have one.

I want to tell you what my objection to this bill is. My objection to this bill is based upon the fact that the day before we adjourned in the last session of the Congress, you were asking that the debt limit be raised when we owed $275 billion. I have tried to vote for economy on all sides, but this is just simply the spending of from $100,000 to $400,000 that you can absolutely dispense with at the present time.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. RHODES of Arizona. Do you believe we should start economizing at the expense of the educational system of this country?

Mr. FORRESTER. No, sir; not at the expense of the educational system, but I believe you should not pass a bill such as this. You are talking about cutting funds for vocational education. Do you think this is a good time to talk about that when if there is any kind of education in this country that you ought to be spending money on, it is in the field of vocational education where a boy or girl is taught to work with their hands because just as sure as you are living, sir, the time is going to come in this country when a man is going to have to do some work.

Mr. RHODES of Arizona. I expect to vote with the gentleman for vocational education.

Mr. FORRESTER. I am going to vote for vocational education whether the gentleman does or not, but in the meantime I am going to try my best to help you gentlemen carry out your campaign promise which was that you were not going to spend any money you could keep from spending without injuring the people of the United States. This is one thing that you can safely pass over until we are certain that we have a budget which is in balance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. RHODES].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LECOMPTE, the Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 9040) to authorize cooperative research in education, pursuant to House Resolution 531, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WHEELER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. WHEELER. Mr. Speaker, I withdraw the point of order.

Mr. ALLEN of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will continue to count. [After counting.] One hundred and fifty-nine Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, the Clerk will call the roll.

The question was taken; and there were—yeas 296, nays 55, answered "present" 2, not voting 81, as follows:

[Roll No. 69]

YEAS—296

Adair	Angell	Becker
Addonizio	Arends	Belcher
Allen, Calif.	Aspinall	Bennett, Mich.
Allen, Ill.	Auchincloss	Bentley
Andersen, H. Carl	Bailey	Betts
Andresen, August H.	Baker	Blatnik
Andrews	Bates	Boggs
	Battle	Boland
	Beamer	Bolling
Bolton, Frances P.	Hays, Ohio	O'Brien, N. Y.
Bolton, Oliver P.	Heselton	O'Hara, Ill.
Bonin	Hess	O'Konski
Bosch	Hiestand	O'Neill
Bramblett	Hill	Osmers
Bray	Hillelson	Ostertag
Brooks, Tex.	Hillings	Patman
Brown, Ohio	Hinshaw	Patten
Brownson	Hoeven	Patterson
Broyhill	Hoffman, Ill.	Perkins
Buchanan	Holifield	Pfost
Burdick	Holmes	Phillips
Busbey	Holt	Pillion
Bush	Holtzman	Poage
Byrne, Pa.	Hope	Poff
Byrnes, Wis.	Horan	Polk
Campbell	Hosmer	Powell
Canfield	Howell	Price
Cannon	Hruska	Priest
Carnahan	Hunter	Prouty
Carrigg	Hyde	Rabaut
Celler	Jackson	Radwan
Chenoweth	James	Rains
Chiperfield	Javits	Ray
Chudoff	Jenkins	Rayburn
Church	Jensen	Reams
Cole, Mo.	Johnson, Calif.	Reece, Tenn.
Condon	Johnson, Wis.	Reed, Ill.
Cooley	Jonas, Ill.	Rees, Kans.
Coon	Jonas, N. C.	Rhodes, Ariz.
Cooper	Jones, Ala.	Rhodes, Pa.
Corbett	Jones, Mo.	Richlman
Cotton	Karsten, Mo.	Robsion, Ky.
Coudert	Kean	Rodino
Cretella	Kearney	Rogers, Colo.
Crumpacker	Kearns	Rogers, Mass.
Cunningham	Kelly, N. Y.	Rooney
Curtis, Mass.	Keogh	Sadlak
Curtis, Mo.	Kilburn	St. George
Curtis, Nebr.	Kilday	Saylor
Dague	King, Pa.	Schenck
Davis, Wis.	Kirwan	Scott
Dawson, Utah	Kluczynski	Scrivner
Delaney	Knox	Scudder
Dempsey	Krueger	Seely-Brown
Derounian	Laird	Selden
Devereux	Lane	Shafer
D'Ewart	Lanham	Shelley
Dodd	LeCompte	Short
Dolliver	Lesinski	Sieminski
Dondero	Lipscomb	Sikes
Dorn, N. Y.	Long	Simpson, Ill.
Doyle	Lovre	Simpson, Pa.
Durham	Lucas	Small
Eberharter	McCarthy	Smith, Wis.
Edmondson	McConnell	Springer
Elliott	McCulloch	Staggers
Ellsworth	McDonough	Stauffer
Evins	McGregor	Steed
Fallon	McIntire	Sullivan
Feighan	McVey	Talle
Fenton	Machrowicz	Teague
Fernandez	Mack, Ill.	Thompson, Mich.
Fino	Mack, Wash.	Thompson, Tex.
Fogarty	Madden	Thornberry
Ford	Magnuson	Tollefson
Frazier	Mahon	Trimble
Frelinghuysen	Mailliard	Utt
Friedel	Matthews	Van Zandt
Fulton	Meader	Vorys
Gamble	Merrill	Vursell
Garmatz	Merrow	Wainwright
George	Metcalf	Wampler
Golden	Miller, Calif.	Warburton
Goodwin	Miller, Md.	Watts
Gordon	Miller, Nebr.	Wharton
Granahan	Miller, N. Y.	Wickersham
Gubser	Morano	Widnall
Hagen, Calif.	Morgan	Wier
Hagen, Minn.	Moss	Wigglesworth
Hale	Multer	Williams, N. J.
Haley	Mumma	Williams, N. Y.
Halleck	Murray	Withrow
Hand	Natcher	Wolverton
Harden	Neal	Yates
Harrison, Nebr.	Nelson	Yorty
Harrison, Wyo.	Nicholson	Young
Hart	Norblad	Younger
Harvey	Oakman	Zablocki
Hays, Ark.	O'Brien, Ill.	
	O'Brien, Mich.	

NAYS—55

Abbitt	Davis, Ga.	Hardy
Abernethy	Dies	Harris
Alexander	Donovan	Harrison, Va.
Bennett, Fla.	Dorn, S. C.	Hébert
Bonner	Dowdy	Jones, N. C.
Bow	Fisher	Landrum
Brooks, La.	Forrester	Lantaff
Brown, Ga.	Gary	McMillan
Budge	Gathings	Marshall
Burleson	Gentry	Mills
Colmer	Gross	Norrell
O'Hara, Minn.	Robeson, Va.	Vinson
Passman	Rogers, Tex.	Wheeler
Pilcher	Smith, Kans.	Whitten
Preston	Taber	Williams, Miss.
Reed, N. Y.	Thomas	Willis
Regan	Thompson, La.	Winstead
Riley	Tuck	
Rivers	Van Pelt	

ANSWERED "PRESENT"—2

McCormack Miller, Kans.

NOT VOTING—81

Albert	Donohue	Morrison
Ashmore	Engle	Moulder
Ayres	Fine	Pelly
Barden	Forand	Philbin
Barrett	Fountain	Richards
Bender	Gavin	Roberts
Bentsen	Graham	Rogers, Fla.
Berry	Grant	Roosevelt
Bishop	Green	Scherer
Bowler	Gregory	Secrest
Boykin	Gwinn	Sheehan
Buckley	Heller	Sheppard
Byrd	Herlong	Shuford
Camp	Hoffman, Mich.	Smith, Miss.
Carlyle	Ikard	Smith, Va.
Cederberg	Judd	Spence
Chatham	Keating	Stringfellow
Chelf	Kee	Sutton
Ciardy	Kelley, Pa.	Taylor
Clevenger	Kersten, Wis.	Velde
Cole, N. Y.	King, Calif.	Walter
Crosser	Klein	Weichel
Davis, Tenn.	Latham	Westland
Dawson, Ill.	Lyle	Wilson, Calif.
Deane	Martin, Iowa	Wilson, Ind.
Dingell	Mason	Wilson, Tex.
Dollinger	Mollohan	Wolcott

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Graham for, with Mr. McCormack against.

Until further notice:

Mr. Bishop with Mr. Byrd.

Mr. Hoffman of Michigan with Mr. Mollohan.

Mr. Keating with Mr. Morrison.

Mr. Pelly with Mrs. Kee.

Mr. Martin of Iowa with Mr. King of California.

Mr. Gavin with Mr. Chatham.

Mr. Cole of New York with Mr. Heller.

Mr. Ciardy with Mr. Klein.

Mr. Judd with Mr. Dollinger.

Mr. Weichel with Mr. Fine.

Mr. Bender with Mr. Donohue.

Mr. Sheehan with Mr. Buckley.

Mr. Cederberg with Mr. Engel.

Mr. Mason with Mr. Secrest.

Mr. Wilson of Indiana with Mr. Shuford.

Mr. Stringfellow with Mr. Ashmore.

Mr. Ayres with Mr. Bowler.

Mr. Kersten of Wisconsin with Mr. Camp.

Mr. Latham with Mr. Barrett.

Mr. Clevenger with Mr. Deane.

Mr. Wilson of California with Mr. Roosevelt.

Mr. Scherer with Mr. Green.

Mr. Gwinn with Mr. Kelley of Pennsylvania.

Mr. Taylor with Mr. Forand.

Mr. Wolcott with Mr. Sheppard.

Mr. Velde with Mr. Herlong.

Mr. Westland with Mr. Fountain.

Mr. Berry with Mr. Philbin.

Mr. SMITH of Wisconsin changed his vote from "nay" to "yea."

Mr. MILLER of Kansas changed his vote from "nay" to "present."

Mr. McCORMACK. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania, Mr. GRAHAM. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

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The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. JOHNSON of California asked and was given permission to address the House for 10 minutes tomorrow, following the legislative program of the day and the conclusion of special orders heretofore entered.

Mr. HORAN (at the request of Mr. JOHNSON of California) was given permission to address the House for 10 minutes tomorrow, following the legislative program of the day and the conclusion of special orders heretofore entered.

OSCAR F. BROWN

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 235.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is requested to return to the House of Representatives the enrolled bill (H. R. 1769) for the relief of Oscar F. Brown. If and when said bill is returned by the President, the action of the Presiding Officers of the two Houses in signing said bill shall be deemed rescinded; and the Clerk of the House is authorized and directed, in the reenrollment of said bill, to make the following corrections:

Page 1, line 5, after "to" insert "Mrs."

Page 1, line 8, after "sustained" insert "by her husband, Oscar F. Brown." Page 1, line 10, after the figures "1942" strike out the colon and insert "Oscar F. Brown died subsequent to the passage of this bill by the House of Representatives."

Amend the title so as to read: "For the relief of Mrs. Oscar F. Brown."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

ESTABLISHING NATIONAL ADVISORY COMMITTEE ON EDUCATION

Mr. ALLEN of Illinois. Mr. Speaker, I call up the resolution (H. Res. 532) providing for the consideration of H. R. 7434, a bill to establish a National Advisory Committee on Education.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7434) to establish a National Advisory Committee on Education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois is recognized for 1 hour.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. COLMER].

At this time I yield myself such time as I may desire.

Mr. Speaker, I urge the adoption of House Resolution 532, making in order the consideration of the bill (H. R. 7434) to establish a National Advisory Committee on Education.

House Resolution 532, Mr. Speaker, provides for an open rule with 1 hour of general debate on the bill itself.

Mr. Speaker, H. R. 7434, has been amended by the Committee on Education and Labor so that it now specifies that for the purposes outlined in this bill no more than $200,000 may be authorized to be appropriated for any fiscal year.

The bill itself, Mr. Speaker, would authorize the establishment of a National Advisory Committee on Education for the purpose of making available to the Secretary of Health, Education, and Welfare the advice of lay citizens concerning the difficult problems in the field of education.

This committee, as I understand it, would be composed of nine members appointed by the Secretary of Health, Education, and Welfare and these members of the committee may not either hold an office in, or be in the employ of the Federal Government. Each member of the committee will hold office for a period of 3 years.

The report of the Committee on Education and Labor outlines the types of problems which this proposed Committee on Education might study. Among the problems which could conceivably be the subject matter for investigation are: First, the relationship between drop outs in school and juvenile delinquency; second, the problem of illiteracy, particularly in relation to selective-service rejections; third, special instruction for exceptional children—handicapped children; fourth, educating the children of migratory workers, and fifth, the education of teachers.

H. R. 7434, Mr. Speaker, does not specify the period of time during which this National Advisory Committee on Education shall function, since it is felt that the problem of education is a continuing one.

The National Committee on Education, according to the report on the bill, would be required to appraise the most pressing problems in the field of education; to decide which appear to be most capable of solution and to determine in what order the various problems shall be attacked, and to advise the Secretary of the Department of Health, Education, and Welfare regarding the progress being made.

Mr. Speaker, the Committee on Rules felt that the House membership should have the opportunity to consider this bill, and for this reason we granted a rule on H. R. 7434. I hope that the House will see fit to adopt this resolution so that we may consider H. R. 7434.

Mr. Speaker, I know of no one who is opposed to the rule or the bill itself.

Mr. COLMER. Mr. Speaker, I dislike very much to disillusion my distinguished chairman of the Rules Committee, the gentleman from Illinois [Mr. ALLEN], but I am under the impression there was considerable opposition in the Rules Committee itself to reporting this resolution.

Mr. Speaker, I am inclined to continue to oppose this for the same reasons that I stated in opposition to the other bill, the companion bill this morning; namely, that I see no good purpose to be gained by the enactment of such legislation; that it is another increase in bureaucracy. I do not like to needle my friends on the right, I am sure they realize that, but my friends have told us so much about these bureaucracies in the past that we had a right to expect there would be a cessation of them rather than an increase, with the change in administration.

But we have three bills here today, and I have not found anybody yet, I will say to the distinguished gentleman, who was enthusiastic about any of them. They would merely set up further bureaucracies.

This bill if enacted into law would establish a National Advisory Commission on Education of nine members. We are told that they would be lay persons. They would from time to time recommend to the Secretary the initiation of studies of national concern in the field of education. They would have authority to appoint consultants. They would receive $50 per day and travel expenses while traveling to and from committee meetings. And finally the bill authorizes the appropriation of whatever funds are necessary to carry out the act, including the expenses of professional, clerical, and stenographic assistants. In other words, the legislation would set up a new bureau within the bureau which, if it followed the pattern of other bureaus, would grow and expand indefinitely. While the expense to the Government in the beginning might not amount to over a few hundred thousand dollars per year, there is every reason to believe that it would expand into a full-size operation. Our experience with and observation of these commissions justify the assertion that they go on and on ad infinitum. The Government is already topheavy with commissions and bureaus.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from North Carolina.

Mr. COOLEY. I wonder if the information which will be presented pursuant to this resolution will be kept secret or if it will be made available to Members of Congress? I ask that question because the President appointed an Advisory Committee on Agriculture. That advisory committee has functioned for week after week and month after month and if they have ever reached any decision no member of the House Commit-

tee on Agriculture knows anything about it yet.

The findings, if any findings were made, were kept secret. The Secretary of Agriculture has a number of trade missions on trips around the world, in Asia, in South America, in North Europe, and South Europe at Government expense, yet we do not know now whether or not they have submitted findings; or if there have been reports by those trade missions, whether they will even be made available to the members of the House Committee on Agriculture.

If this information is going to be collected and if it is of value, it seems to me that we should be assured that the Members of Congress will have the benefit of such information as might be furnished.

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Minnesota, if the gentleman can answer the question.

Mr. MARSHALL. I only want to agree with what the gentleman has said. He has said that the Committee on Agriculture had not received any of this information. I would like to say that I doubt that any member of the Committee on Appropriations has had any of this valuable information that the Department of Agriculture has been collecting through all these various trade missions.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. CANNON. I would like to ask if the members of these commissions spoken of by the gentleman from North Carolina were qualified for the investigations they undertook?

Mr. COLMER. Does the gentleman ask me that question?

Mr. CANNON. I ask the gentleman from Minnesota.

Mr. MARSHALL. It seems to me that members of many of these committees that have been appointed to advise the Department of Agriculture have been highly specialized through the processing group. I have examined them with an eagle eye but I have not seen very many actual farmers on the committees.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. ROONEY. Does the gentleman know how many millions of dollars these investigating commissions have spent of the taxpayers' money?

Mr. MARSHALL. I would say to the gentleman from New York that they have certainly cost the taxpayers a lot of money, but I have come to the conclusion that most of them were set up to lobby for doing nothing.

Mr. COLMER. Mr. Speaker, to add to the confusion of the present situation, I might comment to this extent: As to whether or not this group would be competent to advise or not I read the bill which states that it is set up "in order to secure for the Secretary of Health, Education, and Welfare the advice of a group of lay persons on this subject."

So I assume there will not be any specialists there when they get them up here.

But in all seriousness, Mr. Speaker, I assume this bill is going to pass just as the other one passed a short while ago. I am concerned principally about the suggestion that the gentleman from New York, Mr. ROONEY, made, and that is what about the taxpayer in all of this? It is nice to bring these people up here and entertain them, but we hope to have a balanced budget somewhere; and, as I said on the previous bill, we just owe $275 billion-plus; so we added another million and a half with the other bill and now we are going to add $200,000 or more on this one. Incidentally, Mr. Speaker, I see that these laymen who are coming up here are going to get $50 a day and their expenses. I want to correct the statement I made a moment ago that possibly we could entertain them; maybe they can entertain us since they are going to get more money than we make, while they are in town.

I just am concerned about where we are going with one after another of these commissions, boards, and bureaus.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. ROONEY. I do not know whether this would be of any help to the gentleman or not but my thought is that this matter of entertainment at $50 per diem is the responsibility of the folks on the other side of the aisle. My objection is that every time you set up these commissions and committees, you are setting up a new outfit in the department and there are any number of employees involved. For instance, it calls for more typewriters, you will find an automobile is requested, you will find all sorts of moneys demanded appropriationwise to carry out a function such as this.

Mr. COLMER. Mr. Speaker, I have no further requests for time on this side.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. MILLER of California) there were—ayes 59, noes 63.

Mr. ALLEN of Illinois. Mr. Speaker, I demand tellers.

Mr. ROONEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 194, nays 140, not voting 100, as follows:

[Roll No. 70]

YEAS—194

Adair	Baker	Bolton, Oliver P.
Allen, Calif.	Bates	Bonin
Allen, Ill.	Beamer	Bow
Andersen, H. Carl	Becker	Bramblett
Andresen, August H.	Belcher	Bray
Angell	Bennett, Mich.	Brown, Ohio
Arends	Bentley	Broyhill
Aspinall	Betts	Budge
Auchincloss	Boland	Burdick
Ayres	Bolling	Busbey
	Bolton, Frances P.	Bush
Byrnes, Wis.	Hillings	Ostertag
Canfield	Hinshaw	Perkins
Carnahan	Hoeven	Phillips
Carrigg	Hoffman, Ill.	Pillion
Chenoweth	Holmes	Poff
Chiperfield	Holt	Powell
Church	Hope	Prouty
Cole, Mo.	Horan	Radwan
Cole, N. Y.	Hosmer	Ray
Coon	Hruska	Reams
Corbett	Hunter	Reece, Tenn.
Cotton	Hyde	Reed, Ill.
Coudert	Jackson	Rees, Kans.
Crumpacker	James	Rhodes, Ariz.
Cunningham	Javits	Riehlman
Curtis, Mass.	Jenkins	Robsion, Ky.
Curtis, Mo.	Jensen	Rogers, Colo.
Curtis, Nebr.	Johnson, Calif.	Sadlak
Dague	Jonas, Ill.	St. George
Davis, Wis.	Kean	Saylor
Dawson, Utah	Kearns	Schenck
Derounian	Kilburn	Scott
Devereux	King, Pa.	Scrivner
D'Ewart	Knox	Scudder
Dolliver	Laird	Seely-Brown
Dondero	LeCompte	Shafer
Dorn, N. Y.	Lipscomb	Short
Elliott	Lovre	Simpson, Ill.
Ellsworth	McConnell	Small
Fenton	McCulloch	Smith, Wis.
Fernandes	McDonough	Springer
Fino	McGregor	Stauffer
Fogarty	McIntire	Talle
Ford	McVey	Thompson, Mich.
Frelinghuysen	Mack, Wash.	Tollefson
Fulton	Mahon	Utt
Gamble	Mailliard	Van Pelt
George	Meader	Van Zandt
Golden	Merrill	Vorys
Goodwin	Merrow	Vursell
Gubser	Metcalf	Wainwright
Hagen, Calif.	Miller, Kans.	Wampler
Hagen, Minn.	Miller, Md.	Warburton
Hale	Miller, Nebr.	Wharton
Halleck	Miller, N. Y.	Widnall
Hand	Morano	Wigglesworth
Harden	Mumma	Williams, N. Y.
Harrison, Nebr.	Neal	Withrow
Harrison, Wyo.	Nelson	Wolcott
Harvey	Nicholson	Young
Heselton	Norblad	Younger
Hess	Oakman	Zablocki
Hiestand	O'Hara, Minn.	
Hill	O'Konski	
Hillelson	Osmers	

NAYS—140

Abbitt	Gross	O'Hara, Ill.
Abernethy	Haley	O'Neill
Addonizio	Hardy	Passman
Alexander	Harris	Patman
Andrews	Harrison, Va.	Patten
Bailey	Hays, Ark.	Pfost
Battle	Hays, Ohio	Pilcher
Bennett, Fla.	Hébert	Poage
Blatnik	Holifield	Polk
Boggs	Holtzman	Preston
Bonner	Jarman	Price
Bosch	Johnson, Wis.	Priest
Boykin	Jonas, N. C.	Rabaut
Brooks, La.	Jones, Ala.	Rains
Brooks, Tex.	Jones, Mo.	Reed, N. Y.
Brown, Ga.	Jones, N. C.	Regan
Buchanan	Karsten, Mo.	Rhodes, Pa.
Burleson	Kelly, N. Y.	Riley
Byrne, Pa.	Keogh	Rivers
Campbell	Kilday	Robeson, Va.
Cannon	Kirwan	Rodino
Chudoff	Kluczynski	Rogers, Tex.
Colmer	Landrum	Rooney
Condon	Lane	Selden
Cooley	Lanham	Sieminski
Cooper	Lantaff	Sikes
Davis, Ga.	Lesinski	Smith, Kans.
Delaney	Long	Staggers
Dempsey	McCarthy	Steed
Dies	McCormack	Sullivan
Donovan	Machrowicz	Taber
Dorn, S. C.	Mack, Ill.	Thomas
Dowdy	Madden	Thompson, La.
Doyle	Magnuson	Thompson, Tex.
Durham	Marshall	Thornberry
Eberharter	Matthews	Trimble
Edmondson	Miller, Calif.	Tuck
Evins	Mills	Watts
Feighan	Morgan	Wheeler
Fisher	Moss	Whitten
Forrester	Multer	Wickersham
Frazier	Murray	Williams, Miss.
Gary	Natcher	Willis
Gathings	Norrell	Winstead
Gentry	O'Brien, Ill.	Yates
Gordon	O'Brien, Mich.	Yorty
Granahan	O'Brien, N. Y.	

UNIVERSITY OF MICHIGAN LIBRARIES

NOT VOTING—100

Albert	Friedel	Philbin
Ashmore	Garmatz	Rayburn
Barden	Gavin	Richards
Barrett	Graham	Roberts
Bender	Grant	Rogers, Fla.
Bentsen	Green	Rogers, Mass.
Berry	Gregory	Roosevelt
Bishop	Gwinn	Scherer
Bowler	Hart	Secrest
Brownson	Heller	Sheehan
Buckley	Herlong	Shelley
Byrd	Hoffman, Mich.	Sheppard
Camp	Howell	Shuford
Carlyle	Ikard	Simpson, Pa.
Cederberg	Judd	Smith, Miss.
Celler	Kearney	Smith, Va.
Chatham	Keating	Spence
Cheif	Kee	Stringfellow
Clardy	Kelley, Pa.	Sutton
Clevenger	Kersten, Wis.	Taylor
Cretella	King, Calif.	Teague
Crosser	Klein	Velde
Davis, Tenn.	Krueger	Vinson
Dawson, Ill.	Latham	Walter
Deane	Lucas	Weichel
Dingell	Lyle	Westland
Dodd	McMillan	Wier
Dollinger	Martin, Iowa	Williams, N. J.
Donohue	Mason	Wilson, Calif.
Engle	Mollohan	Wilson, Ind.
Fallon	Morrison	Wilson, Tex.
Fine	Moulder	Wolverton
Forand	Patterson	
Fountain	Pelly	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Graham for, with Mr. Klein against.

Mr. Keating for, with Mr. Roosevelt against.

Mr. Westland for, with Mr. Heller against.

Mr. Gavin for, with Mr. Camp against.

Mr. Pelley for, with Mr. Dollinger against.

Mr. Wolverton for, with Mr. Vinson against.

Mr. Sheehan for, with Mr. Garmatz against.

Mr. Simpson of Pennsylvania for, with Mr. Friedel against.

Mr. Bender for, with Mr. Celler against.

Mr. Bishop for, with Mr. Chatham against.

Mr. Patterson for, with Mr. Deane against.

Mrs. Rogers of Massachusets for, with Mr. Fine against.

Mr. Scherer for, with Mr. Forand against.

Mr. Latham for, with Mr. Hart against.

Mr. Judd for, with Mrs. Kee against.

Mr. Stringfellow for, with Mr. Byrd against.

Mr. Cretella for, with Mr. Mollohan against.

Mr. Velde for, with Mr. Green against.

Mr. Weichel for, with Mr. Barrett against.

Mr. Martin of Iowa for, with Mr. Shelley against.

Mr. Mason for, with Mr. Sheppard against.

Mr. Krueger for, with Mr. Engel against.

Mr. Kearney for, with Mr. Secrest against.

Mr. Cederberg for, with Mr. Morrison against.

Mr. Clardy for, with Mr. Donohue against.

Until further notice:

Mr. Taylor with Mr. Ashmore.

Mr. Wilson of Indiana with Mr. Bowler.

Mr. Wilson of California with Mr. King of California.

Mr. Hoffman of Michigan with Mr. Herlong.

Mr. Kersten of Wisconsin with Mr. Dodd.

Mr. Brownson with Mr. Philbin.

Mr. Berry with Mr. Moulder.

Mr. Gwinn with Mr. Selden.

Mr. Clevenger with Mr. Walter.

Mr. HOLTZMAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

PERSONAL ANNOUNCEMENT

Mr. KEATING. Mr. Speaker, I was necessarily absent in Baltimore at the time of the vote on the bill, H. R. 9040, earlier today. If I had been present in the Chamber, I would have voted "yea."

TRANSFER OF CERTAIN LANDS AT CAMP BLANDING, FLA.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7512) to provide for the conveyance of the federally owned lands which are situated within Camp Blanding Military Reservation, Fla., to the Armory Board, State of Florida, in order to consolidate ownership and perpetuate the availability of Camp Blanding for military training and use, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 21, preceding "at" insert "the right."

Page 5, line 17, after "agree", insert "to use for military purposes only, and."

Page 5, lines 22 and 23 strike out "without the consent of the Secretary of the Army."

Page 8, line 14, after "time", insert "use for other than military purposes."

Page 8, lines 16 and 17, strike out "without the consent of the Secretary of the Army."

Page 9, line 6, after "agreement", insert "within 9 months subsequent to the date of enactment of this act."

Page 9, line 12, after "States:", insert "*Provided further*, That prior to the consummation of the agreement with the State of Florida or board, the Secretary of the Army or his designee shall come into agreement with the Committees on Armed Services of the Senate and of the House of Representatives concerning the terms of such agreement."

Page 10, line 3, after "30", insert ": *Provided further*, That in event of breach by the Armory Board, State of Florida, of any of the provisions of this act or of the provisions of the agreement pursuant to the act, title to the Federal lands will revert to the United States."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

NATIONAL ADVISORY COMMITTEE ON EDUCATION

Mr. McCONNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7434) to establish a National Advisory Committee on Education.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7434, with Mr. O'KONSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. McCONNELL] will be recognized for 30 minutes and the gentleman from New York [Mr. POWELL] for 30 minutes.

Mr. McCONNELL. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the purpose of this bill is to make it in order for the Secretary of Health, Education, and Welfare to appoint a committee of nine lay members, none of whom happen to be in the employ of the Federal Government. The job of this advisory committee is to assist the Secretary in an understanding of the types of study that should be conducted to help assess the results of research made under authorization of the bill we just passed and to assist the Secretary in obtaining a view, you might say, from the grassroots of the country as to the various types of problems that exist and methods for handling them. I think the 2 bills, the 1 just passed, and this 1 fit into each other.

The bill which we just passed authorized cooperative-research arrangements with various colleges, universities, and departments of education of the various States. This bill would set up a lay committee consisting of people with some knowledge of the problems of education in the country who would help suggest various types of studies that could be researched on or researched into, and also advise as to the setting up of task forces to conduct some of these studies.

I am at a loss to understand the extent of the opposition which has developed in certain quarters to this particular bill, as well as the one that preceded it. I feel that the problem of education is a serious one. It involves juvenile delinquency, helping the mentally retarded, helping the physically handicapped children, and so forth. It should be kept in mind that under Selective Service many draftees are turned down because of certain defects in health or in mental training. With a situation like that existing in this country I think we should welcome any type of setup that could be devised to help us understand the problems more completely.

This is not any back-door way of seeking Federal control of education. I cannot believe that a number of those who voted against this rule would be opposed to more accurate and complete knowledge of problems that so seriously affect the real assets of this country—the youth of America.

I do not want to talk too long on this particular bill because, as I said in connection with the other bill, I am very pleased that the bill has been sponsored by one of the new, capable, worthwhile young men of our committee and I am very proud that he has seen fit to sponsor it. I want to give him as much time as possible.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I voted in favor of the rule to bring this bill before us, I am not in favor of the bill as it is now constituted, however, although I am in favor of the philosophy behind the bill and the intention of the author of the bill, the gentleman from New Jersey [Mr. FRELINGHUYSEN]. However, there are three fundamental changes which I believe should be made in the bill before it will

be acceptable to many of us on my side of the aisle.

The first change is one which was suggested by the ranking minority member of the Committee on Education and Labor, the gentleman from North Carolina [Mr. BARDEN]. In the discussion on this bill in the Committee on Education and Labor he pointed out, and correctly, that as this bill is now set up there is no way for the Congress to be advised on what this advisory committee may decide. I think that was a very good criticism, and following Mr. BARDEN'S suggestion in our committee hearings, I will propose an amendment at the proper time to increase the membership of this committee from 9 to 13 members, the 4 new members to be the chairmen and the ranking minority members of the House Committee on Education and Labor and the Senate Committee on Education and Labor. If this is impractical then I will suggest that the advisory body report annually to the Congress. In this way we will have at least some control over this advisory body, and will know what that body is working toward and what its results are.

The second amendment I will propose is an amendment which will aim at striking out all expenses in connection with this committee; striking out the $50 per diem and striking out the $200,000 a year.

Mr. Chairman, the reasons for these last two amendments are that nine prominent lay advisers drawn from the American educational scene would gladly serve as members of an advisory committee to the Secretary of the Department of Health, Education, and Welfare without any charge whatsoever. If you are going to appoint 9 people to such a body, then I am positive they will be 9 representative people. To even suggest $50 a day would be an insult to presidents of institutions of learning, superintendents of education, and outstanding authorities in the field of education. That, therefore, is unnecessary. It is a form of squandering money. It is not needed. Furthermore, the Secretary of the Department of Health, Education, and Welfare has at her command sufficient funds to finance whatever operation such a committee intends to undertake, for the commitee is only to be an advisory committee.

Now, I believe with these amendments we will have cleaned the bill up so that, first, Congress will be able to share in the advisory committee to the Department of Health, Education, and Welfare; and, second, that we will not feel that we are setting up another bureau and squandering some more of the moneys of the taxpayers. The philosophy behind this bill will still exist, and my colleague the gentleman from New Jersey [Mr. FRELINGHUYSEN] will have obtained what he desires, I am sure, to wit, a national advisory committee on education.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. The gentleman speaks about leaders of education being members of this national advisory committee, but the bill, as I read it, provides for a group of lay persons. Does the gentleman intend to offer an amendment as to that?

Mr. POWELL. I think it is obvious that the "lay people" should be leaders in the field of education, but if it is not that obvious, then possibly an amendment could be offered that they should be leaders in that field.

Mr. FERNANDEZ. Possibly I do not understand what "lay" means, but my understanding is that a lay person is not an educator. He is one who is not engaged in the field of education.

Mr. POWELL. It seems to me it would be lamentable if we set up a committee on education and did not have any educators on it.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. WAINWRIGHT. The gentleman suggested 2 or 3 changes.

Mr. POWELL. Yes. One on the size, one striking out the $50 per diem, and the other striking out the $200,000 per year.

Mr. McCONNELL. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], the author of the bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I am a little surprised that there has been so much discussion, and so much apparent, or at least, vocal opposition to the three proposals in the educational field which are being presented here today and tomorrow.

I should like to point out first of all, in connection with the proposal for a National Advisory Committee on Education, that in his budget message President Eisenhower on the 21st day of January recommended such a committee in the following terms:

> An Advisory Committee on Education in the Office of the Secretary of Health, Education, and Welfare should be established by law. This recommendation carries forward an objective of the reorganization plan under which the Department was created last year. This committee, composed of lay citizens, would identify educational problems of national concern to be studied by the Office of Education or by experts outside the Government, and would advise on action needed in the light of these studies.

It seems to me that there should be no real argument with the proposition that the President has proposed and which is incorporated in my bill, H. R. 7434. A more serious question which some Members have raised today is whether these educational bills go far enough; whether they are not merely a device by which we may postpone consideration of urgent problems in the field of education. I do not believe these bills need postpone early consideration by the Congress of urgent educational problems. Certainly there is no substantial reason for opposing the establishment of a National Advisory Committee to advise the Secretary.

I would like to call attention of the membership to a quotation of H. G. Wells which he made in 1920. He said:

> Human history becomes more and more a race between education and catastrophe.

In this year 1954, these words have a ring of truth. Immensely powerful atomic bombs have been developed. There has also come into being the hydrogen bomb. Now there is discussion of a cobalt bomb. Surely we have reached the point where Mr. Wells' use of the word "catastrophe" is not too extreme a description of what awaits us if we fail to find a means of preventing war.

I believe that Mr. Wells was right if he used the word "education" to mean the inculcation of both knowledge and understanding. The trouble is that knowledge comes but wisdom lingers. We need knowledge of man and his society; we need also understanding of the forces which motivate man and operate in his society. I would certainly include religion under this definition of education, for in many respects man can only understand himself by first knowing God.

Perhaps we can agree then that the race is on between education and catastrophe. Most of us would say that from where we sit today that catastrophe seems to be in the lead. We are involved in a fantastic arms race from which there seems no escape. About three-fourths of our annual budget expenditures is going toward national defense. At worst we may soon be faced with an all-out war. At best we seem to be confronted with a prolonged period of international tension. Meanwhile, what have we done in the field of education? What have we done to see that man's knowledge of the social sciences catches up with his knowledge of the natural sciences? Certainly we have done nothing in the field of education even remotely comparable to the efforts we have put forth in the field of national defense, as measured by expenditures for armament. There will be about $45 billion estimated expenditures in 1955 as compared with $223 million in education and research.

Yet we know that a true national defense cannot be based upon military preparedness alone. If we are to meet effectively the challenges which face the United States today; if we are to avert a catastrophic third world war, the United States must be able to develop among its people, intelligence, imagination, and integrity. In other words all our citizens need the assurance of a sound education.

It cannot be pointed out too often that the United States has suddenly found itself thrust into a position of world leadership. We also should be willing to admit that we sometimes fail to demonstrate our fitness to assume this role. The proper exercise of this leadership demands a maturity, stability, and unity which a relatively young nation such as ours does not find easy to capture. These qualities come only with understanding. Such understanding comes only with education.

It has been said that the primary concern of American education should be to cultivate in the largest number of our future citizens an appreciation both of the responsibilities and benefits which come to them because they are American and free. This it seems to me is as good a definition as any of what should

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be our goal in the field of American education. For if our citizens are to gain an appreciation of the responsibilities and benefits which come to them both because they are Americans and because they are free, they must, indeed, be well-educated men and women.

A full understanding of the meaning of freedom and a full understanding of the American system of government can only be attained by an educated person. If this is the goal of American education how well are we achieving that goal? There is no simple answer to that question. Education is not something which lends itself easily to statistical measurement.

I should like to suggest that my colleagues might find interesting reading in an article by Walter Lippman. It appears in the May issue of the Atlantic monthly, and is entitled "The Shortage of Education." I shall include this article at the end of my remarks.

What is indisputable, I believe, is that it is time for us to take a very thorough look at America's educational efforts from a national viewpoint. Education is as much a part of America's national defense as her military expenditures. From the long-run standpoint—and I believe the Communist challenge is a long-term challenge—the quality of American education may prove more important than the variety or number of weapons we produce. I am convinced that a national effort to improve American education can be made without Federal interference or dictation in what has traditionally been a State and local responsibility. The Federal role can be that of a partner, encouraging the State and local communities and coordinating their efforts in a national program to raise American educational standards. What is needed now is a study of the ways and means by which the Federal Government can best fulfill its role of partner in such a program. This is where the National Advisory Committee on Education can make a real contribution.

Now, I should like to turn to the composition of the advisory committee, and with some reference to the remarks of my colleague from New York [Mr. POWELL]. In the first place, what is this National Advisory Committee?

Mr. HAYS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield.

Mr. HAYS of Arkansas. I want to ask the gentleman about the precedure of using advisory committees. First I should like to say, if I am not encroaching on the gentleman's time, that the reluctance to go along with this idea is not due, certainly on my part, to any fear that there is a backdoor approach to Federal control of education. I say that in response to what my good friend the chairman said. I base my own reluctance to support this bill partially on my feeling that in recent years we have tended to diffuse responsibility. We scatter it around. There is no way ultimately that the Federal Government can function efficiently if we are going to try to escape from decisions. It is true in the executive department as well.

The able present Secretary, Mrs. Hobby, has I think shown a great deal of imagination. I will not withhold praise for the approach the present office is making in the field of education.

And I thoroughly agree with what the gentleman from New Jersey is saying about the seriousness of the problem of education. There is a tendency to magnify the economy phase. I think it is here, all right. Probably we could save some money, but it is not a substantial issue if we could be sure of results. Certainly the defense relationship the gentleman alludes to is quite apparent. Several hundred thousand men at least, were rejected in World War II because of deficiencies that could have been corrected if we had had an adequate educational program.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. POWELL. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman from New York.

I do think that a basic approach to this bill, and the other two bills, is that we should seek to harness, to a greater degree than we have, constructive ideas, research efforts, and efforts being made in the field of education throughout the United States. The administration is seeking to do just that.

Now, if I may, I should like to continue very briefly to describe the composition of this committee.

Mr. HAYS of Arkansas. If the gentleman will speak to this question of procedure, I should like to hear his views on it, because I think it would be well for us not to appear to be divided on a reasonable exercise of Federal authority in the field of education.

Does the gentleman have any ideas that he can advance on the point I am raising as to whether or not it is necessary to have an advisory committee of nine when Mrs. Hobby has available these tremendous facilities of education in this country, facilities which are available to her without additional legislation?

Mr. FRELINGHUYSEN. I was trying to explain that this committee is needed because we are trying to coordinate and harness educational material, some of which is already available in the 48 States and in various parts of the country outside of Washington. We are attempting to set up a National Advisory Committee which would coordinate these efforts, focus attention on particularly urgent problems, and in addition, initiate studies and make certain recommendations to the Secretary.

To get back to the composition of the committee, nine laymen would be appointed by the Secretary. The House may wish to consider adding to this committee certain Members of the Congress.

The basic principle of my bill, however, is to appoint people who are not connected in any way with the Federal Government. The Secretary, it seems to me, should be able to get people as her advisers who have no connection with the Federal Government. Our contribution as Members of Congress naturally would continue to be made through our Committees on Education.

A basic function of the committee would be to organize task forces to consider the major problems, examples of which are mentioned in the report. As an example, I would like to mention the problem of educating our migrant children. The parents of these children go from State to State, and it is difficult for any one State to handle the education of these children adequately. It seems to me this is a case where cooperation on an interstate basis might be needed. A task force study of this problem might come up with some sound conclusions about what sort of cooperative effort might be needed to insure adequate education for these children. Task forces, in other words, would be assigned to a specific job by this advisory committee, which would collect information, define and analyze the problem, and come up with conclusions.

The basic purpose of this committee is obvious. It would be set up to get advice from well-qualified people on the basis of adequate and sound information. They would, as the bill indicates, recommend action which the Secretary might take. Its suggestions might result in action on some of the most critical problems in this field, problems which are still unsolved as of today. They would appraise problems, make decisions as to where practical solutions are likely, and then set up priorities as to which studies should be taken up first. The advisory committee also would perform a useful function in following up recommendations and seeing to it that approved courses of action were carried out.

The necessity for legislative action to set up this committee, of course, has been raised already. I think it is highly advisable that we set it up by statute rather than by administrative action. Something of the sort could be done by administrative action, as has been pointed out by the Secretary herself. We are able to maintain more control of a formally authorized committee, however. This control can be asserted by discussions such as we are having today as to the purpose and usefulness of such a committee, and by our control over the amount of the appropriations.

I would like to turn, finally, to the cost of the project. An amendment was put in by the Education and Labor Committee to my original bill which would establish a ceiling. No more than $200,000 annually could be authorized for the use of the committee itself and for the task forces which might be set up. Some such figure would be essential, however, if the advisory committee is to function properly. It would be highly inadvisable to bar the members of the advisory Committee from taking any compensation or per diem allowance. A per diem compensation is not necessarily going to reimburse them for their contributions of time and effort. It would be reasonable recognition, however, comparable to the kind of reimbursement that members of the Hoover Commission receive.

NATIONAL ADVISORY COMMITTEE ON EDUCATION

In his budget message of January 21, 1954, President Eisenhower recommended such a committee in the following terms:

An Advisory Committee on Education in the Office of the Secretary of Health, Education, and Welfare should be established by law. This recommendation carries forward an objective of the reorganization plan under which the Department was created last year. This committee, composed of lay citizens, would identify educational problems of national concern to be studied by the Office of Education or by experts outside the Government and would advise on action needed in the light of these studies.

H. R. 7434 would establish a nine-member lay committee with 3-year overlapping terms. Those serving on this committee would be individuals of recognized skill and experience. The Commissioner of Education would serve ex officio as a nonvoting member of the committee. It would appraise matters of significance to education and would recommend to the Secretary:

The initiation of task forces to study problems of national concern.

Appropriate action indicated by such studies and would report on the progress being made in carrying out its recommendations.

Funds would be appropriated to the extent determined by the Congress.

The problems which the Advisory Committee might consider are many. For example, the committee might consider such matters as:

The role of the school in reducing juvenile delinquency.

Illiteracy, particularly in relation to selective-service rejections.

The education of children with special abilities.

The education of children with mental and physical handicaps.

The education of the children of migratory workers.

The education of teachers.

These are but a few educational problems of national significance. In each area, there has been some research on aspects of the problem. Communities and States could be much more effective in dealing with these problems if a task force, under competent professional leadership, were to analyze and bring together the findings of researches already made, were to define problems needing immediate study, and were to make such studies. They could set forth authoritative conclusions as to what is known about the problem, what needs to be known, and what seem to be reasonable lines of action for individuals, schools, public and private agencies. Such task-force work might properly take 2 or 3 years.

The committee's analysis might result in the conclusion, for example, that the problem of the education of the children of migratory workers would be appropriate for study because of the complexity of the problem, its interstate implications, its national importance, and the lack of accurate studies in the field. Research would involve those concerned: Local and State authorities, teachers, schools, and boards of education, labor and employer groups, social-welfare agencies, and others. Such study would establish facts which the committee would analyze and upon which it would base its recommendations to the Secretary. Some of these would doubtless be matters upon which the Department could act through its constituents: The Office of Education, the Children's Bureau, and so on. Probably more would involve action which local and State groups should take.

The cost of such studies as the committee might recommend would depend on their scope. One of the functions of the committee would be to consider proposed study plans and budgets for recommendation to the Secretary.

[From the Atlantic Monthly of May 1954]

THE SHORTAGE IN EDUCATION

(By Walter Lippmann)

I

What I am going to say is the result of a prolonged exposure to the continuing crisis of our western society—to the crisis of the democratic governments and of free institutions during the wars and revolutions of the 20th century. Now it does not come easily to anyone who, like me, has breathed the soft air of the world before the wars that began in 1914—who has known a world that was not divided and frightened and full of hate—it does not come easily to such a man to see clearly and to measure coolly the times we live in. The scale and scope and the complexity of our needs are without any precedent in our experience, and indeed, we may fairly say, in all human experience.

In 1900 men everywhere on earth acknowledged, even when they resented, the leadership of the western nations. It was taken for granted that the liberal democracies were showing the way toward the good life in the good society, and few had any doubts of the eventual, but certain progress of all mankind toward more democracy and a wider freedom.

The only question was when—the question was never whether—the less fortunate and the more backward peoples of the world would have learned to use not only the technology of the West but also the political institutions of the West. All would soon be learning to decide the issues which divided them by free and open and rational discussion; they would soon learn how to conduct free and honest elections, to administer justice. Mankind would come to accept and comprehend the idea that all men are equal under the laws and all men must have the equal protection of the laws.

At the beginning of this century the acknowledged model of a new government, even in Russia, was a liberal democracy in the British or the French or the American style. Think what has happened to the western world and to its ideas and ideals during the 40 years since the World Wars began. The hopes that men then took for granted are no longer taken for granted. The institutions and the way of life which we have inherited, and which we cherish, have lost their paramount, their almost undisputed, hold upon the allegiance and the affections and the hopes of the peoples of the earth. They are no longer universally accepted as being the right way toward the good life on this earth. They are fiercely challenged abroad; they are widely doubted and they are dangerously violated even here at home.

During this half century the power of the western democratic nations has been declining. Their influence upon the destiny of the great masses of people has been shrinking. We are the heirs of the proudest tradition of government in the history of mankind. Yet we no longer find ourselves talking now—as we did before the First World War—about the progress of liberal democracy among the awakening multitudes. We are talking now about the defense and the survival of liberal democracy in its contracted area.

We are living in an age of disorder and upheaval. Though the United States has grown powerful and rich, we know in our hearts that we have become, at the same time, insecure and anxious. Our people enjoy an abundance of material things, such as no large community of men has ever known. But our people are not happy about their position or confident about their future. For we are not sure whether our responsibilities are not greater than our power and our wisdom.

We have been raised to the first place in the leadership of the western society at a time when the general civilization of the West has suffered a spectacular decline and is gravely threatened. We, who have become so suddenly the protecting and the leading power of that civilization, are not clear and united among ourselves about where we are going and how we should deal with our unforeseen responsibilities, our unwanted mission, our unexpected duties.

It is an awe-inspiring burden that we find ourselves compelled to bear. We have suddenly acquired responsibilities for which we were not prepared—for which we are not now prepared—for which, I am very much afraid, we are not now preparing ourselves.

We have had, and probably we must expect for a long time to have, dangerous and implacable enemies. But if we are to revive and recover, and are to go forward again, we must not look for the root of the trouble in our adversaries. We must look for it in ourselves. We must rid ourselves of the poison of self-pity. We must have done with the falsehood that all would be well were it not that we are the victims of wicked and designing men.

In 1914, when the decline of the West began, no one had heard of Lenin, Trotsky, Mussolini, Hitler, Stalin, and Mao Tse-tung. We have not fallen from our preeminence because we have been attacked. It would be much truer to say, and it is nobler to say it, that we have been attacked because our capacity to cope with our tasks had begun to decline.

We shall never have the spirit to revive and to recover so long as we try to console ourselves by shutting our eyes, and by wringing our hands and beating our breasts, and filling the air with complaints that we have been weakened because we were attacked, and that we have been making mistakes because we were betrayed.

We must take the manly view, which is that the failure of the western democracies during this catastrophic half of the 20th century is due to the failings of the democratic peoples. They have been attacked and brought down from their preeminence because they have lacked the clarity of purpose and the resolution of mind and of heart to cope with the accumulating disasters and disorders. They have lacked the clarity of purpose and the resolution of mind and of heart to prevent the wars that have ruined the West, to prepare for these wars they could not prevent, and, having won them at last after exorbitant sacrifice and at a ruinous cost, to settle those wars and to restore law and order upon the face of the globe.

II

I have said all this because it is only in the context of our era that we can truly conceive the problem of educating the American democracy. When we do that, we must, I believe, come to see that the effort we are making to educate ourselves as a people is not nearly equal to our needs and to our responsibilities.

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If we compare our total effort—in public and private schools, and from kindergarten through college—with what it was 50 years ago, the quantitative increase is impressive. We are offering much more schooling of a more expensive kind to very many more pupils. By every statistical measure, the United States has made striking quantitative progress during the past century toward the democratic goal of universal education. The typical young American is spending more years in school than his father or grandfather; a much higher proportion of young people are going to high school and beyond; and more dollars—even discounting the depreciation of the dollar—are being spent for each person's education.

Now, if it were no more difficult to live in the United States today than it was 50 years ago; that is to say, if life were as simple as it was then—if the problems of private and community life were as easily understood—if the task of governing the United States at home and of conducting its foreign relations abroad were as uncomplicated as and no more dangerous than it was 50 years ago, then we could celebrate, we could be happy, we could be congratulating ourselves that we are making great progress in the task of educating ourselves as a democracy.

But we cannot make that comforting comparison without deceiving ourselves seriously. We cannot measure the demands upon our people in the second half of the 20th century—the demands in terms of trained intelligence, moral discipline, knowledge, and, not least, the wisdom of great affairs—by what was demanded of them at the beginning of the first half of this century. The burden of living in America today and of governing America today is very much heavier than it was 50 years ago, and the crucial question is whether the increase of our effort in education in keeping up with the increase in the burden.

When we use this standard of comparison, we must find, I submit, that the increase in our effort to educate ourselves is of a quite different, and of a very much smaller, order of magnitude than is the increase in what is demanded of us in this divided and dangerous world. Our educational effort and our educational needs are not now anywhere nearly in balance. The supply is not nearly keeping up with the demand. The burden of the task is very much heavier than is the strength of the effort. There is a very serious and dangerous deficit between the output of education and our private and public need to be educated.

How can we measure this discrepancy? I am sorry to say that I shall have to use a few figures, trusting that none of you will think that when I use them, I am implying that all things can be measured in dollars and cents. I am using the figures because there is no other way to illustrate concretely the difference in the two orders of magnitude—the difference between what we do to educate ourselves, on the one hand, and on the other hand, what the kind of world we live in demands of us.

What shall we use as a measure of our educational effort? For the purpose of the comparison, I think we may take the total expenditure per capita, first in 1900, and then about half a century later, in 1953, on public and private schools from kindergarten through college.

And as a measure of the burden of our task—of the responsibilities and of the commitments to which education has now to be addressed—we might take Federal expenditures per capita, first in 1900, and then in our time, half a century later.

We differ among ourselves, of course, as to whether we are spending too much, too little, or the right amount on defense and on the public services. But these differences do not seriously affect the argument. For all of us, or nearly all of us, are agreed on the general size and the scope of the necessary tasks of the modern Federal Government, both in military defense and for civilian purposes. Between the highest and the lowest proposals of responsible and informed men, I doubt that the difference is as much as 20 percent. That is not a great enough difference to affect the point I am making. That point is that the size of the public expenditure reflects—roughly, of course, but nevertheless fundamentally—the scale and scope of what we are impelled and compelled to do. It registers our judgment on the problems which we must cope with.

Now, in 1900, the educational effort, measured in expenditures per capita, was $3.40. The task, as measured by Federal expenditure per capita, was $6.85. What we must be interested in is, I submit, the ratio between these two figures. We find, then, that in 1900 the Nation put out $1 of educational effort against $2 of public task.

How is it now, half a century or so later? In 1953, the educational effort was at the rate of about $76 per capita. Federal expenditures, including defense, had risen to $467 per capita. The ratio of educational effort to public task, which in 1900 was one to two, had fallen, a half century later, to a ratio of 1 to 6.

Perhaps I should pause at this point for a parenthesis to say, for those who may be thinking how much the value of the dollar has depreciated since 1900, that I am aware of that, but for the purposes of this comparison, it makes no difference. For while the dollar was worth probably three times as much in 1900 as in 1953, we are interested only in the relative effort in 1900 and 1953. The ratio would be the same if we divided the 1953 expenditures by three or if we multiplied the 1900 expenditures by three.

You have now heard all the statistics I shall use. The two ratios—the one at the beginning of our rise to the position of the leading great power of the world, and the other the ratio a half century later, when we carry the enormous burden abroad and at home—these two ratios show that the effort we are now making to educate ourselves has fallen in relation to our needs.

III

I must now remind you that this disparity between the educational effort and the public task is in fact greater than the figures suggest. For in this half century there has been a momentous change in the structure of American society, and it has added greatly to the burden upon the schools.

The responsibility of the schools for educating the new generation has become very much more comprehensive than it used to be. Ever so much more is now demanded of the schools. For they are expected to perform many of the educational functions which used to be performed by the family, the settled community, the church, the family business, the farmily farm, the family trade.

This is a very big subject in itself—much too big for me here—except to mention it as a reminder that the comparison between our real educational effort and our real public need is less favorable than the figures of 1-to-2 in 1900, as against 1-to-6 today. For the school today has a much larger role to play in the whole process of education than it needed to play in the older American society.

Can it be denied that the educational effort is inadequate? I think it cannot be denied. I do not mean that we are doing a little too little. I mean that we are doing much too little. We are entering upon an era which will test to the utmost the capacity of our democracy to cope with the gravest problem of modern times, and on a scale never yet attempted in all the history of the world. We are entering upon this difficult and dangerous period with what I believe we must call a growing deficit in the quantity and the quality of American education.

There is compelling proof that we are operating at an educational deficit. It is to be found in many of the controversies within the educational system. I am not myself, of course, a professional educator. But I do some reading about education, and I have been especially interested in the problem of providing education for the men and women who must perform the highest functions in our society—the elucidation and the articulation of its ideals, the advancement of knowledge, the making of high policy in the Government, and the leadership of the people.

How are we discussing this problem? Are we, as we ought to be doing, studying what are the subjects and what are the disciplines which are needed for the education of the gifted children for the leadership of the Nation? That is not the main thing we are discussing. We are discussing whether we can afford to educate our leaders when we have so far to go before we have done what we should do to provide equal opportunities for all people.

Most of the argument—indeed the whole issue—of whether to address the effort in education to the average of ability or to the higher capacities derives from the assumption that we have to make that choice. But why do we have to choose? Why are we not planning to educate everybody as much as everybody can be educated, some much more and some less than others?

This alleged choice is forced upon us only because our whole educational effort is too small. If we were not operating at a deficit level, our working ideal would be the fullest opportunity for all, each child according to its capacity. It is the deficit in our educational effort which compels us to deny to the children fitted for leadership of the Nation the opportunity to become educated for that task.

So we have come to the point where we must lift ourselves as promptly as we can to a new and much higher level of interest, of attention, of hard work, of care, of concern, of expenditure, and of dedication to the education of the American people.

We have to do in the educational system something very like what we have done in the Military Establishment during the past 15 years. We have to make a breakthrough to a radically higher and broader conception of what is needed and of what can be done. Our educational effort today, what we think we can afford, what we think we can do, how we feel entitled to treat our schools and our teachers, all of that is still in approximately the same position as was the military effort of this country before Pearl Harbor.

In 1940 our Armed Forces were still at a level designed for a policy of isolation in this hemisphere and of neutrality in any war across the two oceans. Today the Military Establishment has been raised to a different and higher plateau, and the effort that goes into it is enormously greater than it was in 1940.

Our educational effort, on the other hand, has not yet been raised to the plateau of the age we live in. I am not saying, of course, that we should spend $40 billion on education because we spend that much on defense. I am saying that we must make the same order of radical change in our attitude as we have made in our attitude toward defense. We must measure our educational effort as we do our military effort—that is to say, we must measure it not by what it would be easy and convenient to do, but by what it is necessary to do in order that the Nation may survive and flourish. We have learned that we are quite rich enough to defend ourselves, whatever the cost. We must now learn that we are quite rich enough to educate ourselves as we need to be educated.

There is an enormous margin of luxury in this country against which we can draw for our vital needs. We take that for granted when we think of the national defense.

From the tragedies and the bitter experience of being involved in wars for which we were inadequately prepared, we have acquired the will to defend ourselves and, having done that, having acquired the will, we have found the way. We know how to find the dollars that are needed to defend ourselves, even if we must do without something else that is less vitally important.

In education we have not yet acquired that kind of will. But we need to acquire it and we have no time to lose. We must acquire it in this decade, for if, in the crucial years which are coming, our people remain as unprepared as they are for their responsibilities and their mission, they may not be equal to the challenge, and if they do not succeed, they may never have a second chance to try.

Mr. McCONNELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'KONSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7434) to establish a National Advisory Committee on Education, had come to no resolution thereon.

NATIONAL HILLBILLY MUSIC FESTIVAL, MERIDIAN, MISS.

Mr. WINSTEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WINSTEAD. Mr. Speaker, although each Member of the House has already been invited by sponsoring officials to attend the second annual Jimmie Rodgers memorial celebration to be held at Meridian, Miss., on May 25 and 26, I would like to extend to each of you my personal invitation to attend this affair. I would like to call your attention to the following program which has been arranged for this celebration:

NATIONAL HILLBILLY MUSIC FESTIVAL, MAY 25–26, 1954

MERIDIAN, MISS.—The Jimmie Rodgers memorial celebration in this city on May 26, National Hillbilly Music Day, not only for a second time pinpoints the Nation's debt to the father of commercial folksong music but sets the stage for the greatest upswing in popularity country and western music have experienced in American history.

The hillbilly music world here in 1953 dedicated a statue to Rodgers, who in the brief recording span from 1927 until May 26, 1933, sold more than 20 million disks and in the doing of it laid the groundwork for the huge folksong industry of today.

Newsweek said the debt owed to Rodgers was a big one and the Billboard recalled that "his was not a fleeting fame" in one of that publication's rare tributes to an individual artist.

Tributes to Meridian's Singing Brakeman will come from many of America's folksong artists; from the greatest array of national labor leaders ever gathered together for an event of this kind; from Governors of many Dixie States; from Senators and Congressmen; from rich and poor; from black and white, alike.

WORLD CITIZEN ADLAI E. STEVENSON PRINCIPAL SPEAKER

Principal speaker for the occasion will be world citizen Adlai Stevenson, former Governor of Illinois and recent Democratic candidate for the Presidency of the United States. Gov. Hugh L. White and Lt. Gov. Carroll Gartin, of Mississippi, both of whom look upon the Jimmie Rodgers memorial celebration as the industry's greatest single annual folksong event, personally invited Mr. Stevenson.

In turn, White and Gartin have invited southern Governors Talmadge, of Georgia; Murray, of Oklahoma; Johns, of Florida; Cherry, of Arkansas; Clement, of Tennessee; Persons, of Alabama, and others; also on the invited list are House Speaker SAM RAYBURN, of Texas; Mississippi's entire congressional delegation, plus a considerable number of the Nation's Senators and Congressmen.

TRAINMEN PRESIDENT W. P. KENNEDY AND OTHERS DUE

Jimmie Rodgers, in his lifetime before he began his march to folksong fame and immortality, was a paid-up member of the Brotherhood of Railroad Trainmen, running from Meridian to the city of New Orleans, La.

W. P. Kennedy, Cleveland, Ohio, president of the brotherhood, for the second time in as many years, will journey to Meridian to pay his respects to the Singing Brakeman, and will be joined by other notables of the Nation's labor world: A. J. Hayes, president of Machinists' International; H. E. Gilbert, president of the Brotherhood of Firemen and Enginemen; H. J. Mohler, president of the Missouri Pacific Hospital Association; Ed Henslee, general counsel, Brotherhood of Railroad Trainmen; Leo George, president of the Post Office Clerks; T. C. Carroll, president of the Maintenance of Way Employees; Thomas Dumwody, acting president of the Printing and Pressmen's International; A. L. Spradling, president of the Railway Employees of America-Amalgamated Association of Street and Electric Workers; William J. McSorley, president of Lathers, Wood, Wire, and Metal Workers; J. P. Jesse, vice president of the Brotherhood of Railway and Steamship Clerks; Irvin Barney, president of the Brotherhood of Railway Carmen.

PROGRAM SET IN TWO PHASES

A special kick-off program for the big Jimmie Rodgers celebration, which will be held on May 26, a Wednesday, has been arranged by the labor groups for Tuesday, May 25, when a gigantic invitation barbecue will be held at Meridian's Highland Park. Nelson King, famed disk jockey of Cincinnati, Ohio, will act as master of ceremonies for the barbecue program.

It will begin at 2 p. m. at which time an amateur talent show will be staged for 1 hour. From 3 to 5 p. m., King will introduce the several governors and notables. The entire Mississippi Legislature has been invited. Principal address will be given by W. P. Kennedy, trainmen president.

The barbecue will be served at 5 p. m. For it, the Meridian Labor Relations Council, whose members are joined unanimously in building interest in the movement to annually honor Jimmie Rodgers, have purchased more than 6,000 pounds of the choicest boneless beef, huge quantities of soft drinks and bread and other food.

PLAN FOUR HUGE DANCES

Subsequent to the barbecue, another phase of the May 25 kick-off day will be activated. This is in the form of four huge country music dances. One will be held at the National Guard hangar, a second at Key Field Officers' Club, a third at the Shrine Mosque in downtown Meridian, and the fourth at the American Legion Hall, also in downtown Meridian. Net proceeds from the funds will go into the Jimmie Rodgers Memorial and Health Foundation. Some 15,000 and more persons are expected to participate. Time is 9 p. m.

Ernest Tubb and Hank Snow, of Grand Ole Opry, joined with former Louisiana Governor Jimmie Davis and others famed in the hillbilly music world, will make personal appearances. Some of the top folksong bands in the country will furnish the music.

NATIONAL HILLBILLY MUSIC DAY PROGRAM

A parade beginning at 10 o'clock in the morning will be the first activity for the Jimmie Rodgers memorial celebration. The Chrysler Motor Co. has agreed to send its big $40,000 show car to Meridian for the day. It will lead the parade, which will be televised by station WTOK.

From 1 to 2 p. m., at Hotel Lamar, a luncheon by invitation sponsored by the colonels' staff of Gov. Hugh L. White, of Mississippi.

With Nelson King acting as master of ceremonies, a television show will be staged by station WTOK. World Citizen Stevenson, various labor presidents, governors, and folksong stars will be introduced.

James H. Skewes, owner-publisher of the Meridian Star, will hold a reception by invitation from 3 to 5 p. m., at his home.

From 5:30 p. m. to 7:30 p. m., the Brotherhood of Railroad Trainmen will stage a banquet at Hotel Lamar for folk-song artists of America and others, in memory of Jimmie Rodgers. Tickets will be $3.50.

From 6 to 7 p. m., a private luncheon will be held in the garden room of Hotel Lamar for world citizen Stevenson, visiting governors, labor leaders, and Congressmen.

RECEPTION FOR MRS. RODGERS

From 2 to 4 p. m., a special reception in the south room of Hotel Lamar will be held in honor of Mrs. Jimmie Rodgers, first lady in the folk-song music world. All folk-song artists and disk jockies are invited. Sponsored by Hill and Range Songs of New York.

Climax of the day will come from 7 p. m. to 10 p. m., when a huge array of top-flight folk-song artists gather in Meridian's Junior College' stadium to pay their homage to Jimmie Rodgers.

Highlights of the night program are too numerous for mention, but are planned to include the introduction of Jerome (Dizzy) Dean, long-famed pitcher of the St. Louis Cardinals and radio and television announcer extraordinary. Under present schedule, Dean will sing the Streamline Cannonball with Ernest Tubb and Tubb's orchestra.

Red Foley will sing his famous song, Steal Away.

Ian Lee, a 16-year-old devotee of the late Jimmie Rodgers of Kent, England, being brought to Meridian for the observance, will be presented. Four Meridian business leaders, Jas. H. Skewes, A. L. Royal, Lix Fruge, and Ike Davis, are paying all expenses for the English lad.

In June of 1953, a few days following the first Jimmie Rodgers memorial celebration, young Lee wrote to the mayor of the city of Meridian asking for information as to the observance, also asking for newspapers containing news of the project.

C. H. Phillips, public relations director of the show, conceived the idea of bringing the youngster to Meridian in 1954 and his suggestion met with instant approval.

The youngster will land in New York City on May 18 and there will be met by Ernest Tubb, Hank Snow, Justin Tubb, and Jimmie Rodgers Snow. For 2 days, he will be given his first glimpse of big-time America in New York City, thence will go to Nashville, Tenn. to appear on the Grand Ole Opry show before motoring to Meridian.

Among stars to appear at the stadium are: George D. Hay, founder of Grand Ole Opry, Nashville, Tenn.; Jim Denny, business manager of Grand Ole Opry; the Carlisles, Eddie Hill, Carl Smith, Jimmy Davis, Rod Brasfield, Red Foley, Jimmy Skinner, Jimmy

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Dickens, Cowboy Copas, Hank Thompson, Miss Cindy Walker, Hank Snow, Ernest Tubb, Justin Tubb, Jimmie Rodgers Snow, Bill Bruner, Carl Fitzgerald, R. D. Hendon and his band, Charley Walker, Curtis Gordon, and Nelson King.

Eddie Hill, of Grand Ole Opry, will serve as master of ceremonies.

BILLBOARD BACKS ANNUAL OBSERVANCE

So widespread is interest in the project nationally, the Nation's leading amusement-field weekly, the Billboard, will devote its May 22 country and western music issues to the development of the project annually.

The London Daily Mirror, the world's largest daily newspaper, has given considerable publicity to the Jimmie Rodgers program and will have direct coverage through its Meridian correspondent, C. H. Phillips.

Hoedown and Pickin and Singin and Country Song Roundup are expected to have their top executives and reporters in Meridian for the show, including Jack McCarthy, Thurston Moore, Norm Silver, and others. Murray Nash, of Acuff-Rose, and 14 members of the firm have made reservations.

Ralph Peer, internationally famous song publisher, will be in Meridian, joined by Bob Gilmore, of New York City, and others of his farflung staff.

Radio station WMOX on date of May 26, from 1 to 5 p. m., will hold an open-house radio show in honor of Mr. Peer at the Shrine Mosque. Mr. Peer will be accompanied by Mrs. Peer, following a world cruise.

Win Beaver, disk jockey of WMOX, will be in charge.

MANY UNUSUAL HIGHLIGHTS

Approximately 400 specially designed National Hillbilly Music Day dinner plates have been purchased and will be given to folk-song stars and notables. The purchase order was deliberately limited in number.

The Benrus Watch Co., through President S. Ralph Lazrus and Vice President E. W. Katzenberg, has donated 15 solid-gold wristwatches for the event, and these will be presented to the notables including world citizen Stevenson.

The Jacques Kriesler Co., of New York City, has donated 15 of its finest watch bands to be attached to the watches of the Benrus Co.—these to be presented to notables.

The Meeker Co., manufacturers of fine leather goods, has donated 20 of the finest pocketbooks available for honor guests, and each of them will be engraved in gold.

Eleven solid-gold pocketbook plaques, each with a suitable message, have been purchased by sponsors and will be given to various stars and notables.

Hotel Lamar has set Mr. Stevenson's room suite aside as the Stevenson suite, this identified with a bronze plaque on the door leading into it.

Mr. Stevenson's personal stationery has been duplicated and will be available for his use. A secretary will be on hand at all times.

STARS COME WITHOUT COMPENSATION

As was the case in 1953, folk-song stars are coming from far and near to participate in the show without compensation.

They hope to set the groundwork for a major tuberculosis hospital at Meridian in honor of Rodgers, who died of the dread disease at the age of 36.

To this end, admission will be charged at the May 26 night performance—$1 for adults and 50 cents for children. All proceeds go directly into the Jimmie Rodgers Memorial and Health Foundation.

All sponsors in Meridian have and are donating their time and services without compensation of any kind, save the knowledge they are helping to perpetuate the memory of a great Meridian artist, their "Singing Brakeman."

The entire program, as outlined here and later, will be put into the CONGRESSIONAL RECORD by Representative ARTHUR WINSTEAD, Fifth District, Mississippi.

Mr. WINSTEAD introduced the National Hillbilly Music Day resolutions to the Congress and favorable action is expected. It may be that the resolutions, as phrased, may be amended.

Newsreel, AP, UP, and INS coverages, in addition to those set up by various of the industry's magazines, is expected.

An attendance of 100,000 and more is predicted by local and other observers.

Reservations for guests are being handled through C. C. Mosley, secretary of the Meridian Chamber of Commerce.

J. P. Saunders, of Meridian, general chairman of the Brotherhood of Railroad Trainmen, is directing the May 25 schedule and assisting in the May 26 National Hillbilly Music Day program.

TO DONATE 50 PERCENT OF SONG ROYALTIES

Two Canadian boys, Don Grashey and Jim Amadeo, have recently composed The Life of Jimmie Rodgers. Several observers, after looking over the lyric and listening to the record, are convinced it will turn into a big-time hit.

The youngsters have agreed to give 50 percent of their royalties to the Jimmie Rodgers Memorial and Health Foundation.

Bill Bruner, Meridian folksong artist, says the song has "a feeling that becomes more impressive every time I sing it. I tag it as a hit."

R. B. Gilmore, of Southern Music Publishing Co., sized the song in the same fashion.

Grashey and Amadeo have been invited to attend the Meridian show.

CARL FITZGERALD TO HOLD SHOW

Disk Jockey Carl Fitzgerald, who last year presided over the biggest radio-interview schedule of disk jockeys and artists in United States history, will hold a similar show this year over station WTOK.

Young Fitzgerald, also a folksong artist, will play for one of the dances on the night of May 25.

WINSTEAD TO RECEIVE AWARD

Congressman ARTHUR WINSTEAD, sponsor of the hillbilly resolutions before the Congress, will receive the Ralph Peer Award for outstanding contributions to country and western music in 1953.

Members of the Meridian steering committee are: Dr. J. V. Duckworth, G. V. Montgomery, M. E. Rhodes, Joe Sanders, Jack Tallent, W. A. Haag, Roy Gunn, Al Rose, Ike Davis, John Wilson, Dr. Karl Stingily, Henry Loeb, Lix Fruge, J. Donovan Ready, John Egger, Mayor W. S. Smylie, William Wright, A. H. McAllister, Phil Hardin, Joe Carson, Bob Wright, Withers Gavin, Lloyd Royal, Martin Miller, Jim Pierce, Nate Williamson, John O'Neill, A. G. Davis, J. P. Saunders, C. C. Mosley, and E. E. Hosey.

James H. Skewes, editor-publisher of the Meridian Star, is general chairman; vice chairmen are A. L. Royal and J. P. Saunders.

C. E. Phillips, of the Meridian Star, is public-relations director.

SPECIAL ORDER GRANTED

Mr. FOGARTY asked and was granted permission to address the House for 30 minutes tomorrow, following the legislative business and any special orders heretofore entered.

INDUSTRIAL DEVELOPMENT LOANS FOR NEW PLANTS IN LABOR SURPLUS AREAS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, "We must build new factories or die."

This is the battle cry of Earl P. Cook, executive director of the Lowell (Mass.) Industrial Council. It is quoted in the fact-facing article by William L. Batt, Jr., and Ronald Schiller in the April 30 edition of Collier's magazine.

This challenge applies to every other one-industry community that is suffering from chronic unemployment in the midst of national prosperity.

From the textile cities of New England, abandoned by the mills that were once the mainstays of their economies; to the coal towns of West Virginia, Pennsylvania, Kentucky, and Illinois, that must create new employment to fill the gap left by a declining industry, the problem is the same, and the problem is serious.

These communities are in a depression, and have been for some time, in spite of the Pollyannas who do not want to be bothered by this urgent subject.

I believe that the Federal Government has an obligation to get going and help these stricken areas.

Not by a handout or a subsidy.

The legislation I propose, and which I call upon the administration to support, will provide assistance in part, and on a self-liquidating basis.

To make jobs for displaced workers, these areas of severe unemployment must acquire modern and diversified industries.

They cannot attract such enterprises to empty coal mines or ancient mill buildings.

"We must build new factories or die."

So says an industrial expert who is tackling the problem.

But how?

Local banks cannot or will not provide the financial sinews.

The citizens themselves are willing to help out by chipping in from their savings, but they cannot carry the whole load alone.

This is where the Federal Government can help, because it has the means to sparkplug economic recovery in distressed areas by loans that will be paid back through wealth-producing, tax-producing, and job-producing growth industries.

One-story efficient, assembly-line plants, appealing to industries like plastics, electronics, and nuclear energy, filling the vacuum left by older industries that have moved away or have folded up, leaving obsolete properties behind them.

The bill I have prepared is intended to help only those areas that are clearly in need of help. It would be limited to those that have had a substantial labor surplus for at least 1 year immediately prior to application for such a loan. The United States Department of Labor, from unemployment totals obtained from the United States Employment Service, and from State affiliates, would determine eligibility.

A $50 million revolving fund would be made available for capitalization, to be

known as the industrial redevelopment fund.

Publicly authorized nonprofit, industrial development committees, composed of representative citizens in the affected areas, would submit plans and estimated costs for the erection of medium-sized modern plants to attract new industries. Upon approval, and on condition that local banks and citizens would provide half the cost, the Federal Government would advance a loan covering the remaining half.

Lack of sufficient capital is the one factor that presently deters local industrial development committees from proceeding with the construction of new plants that are needed to effect an economic transition.

Some communities have had a limited success in building small plants with money raised by the citizens themselves. These resources are insufficient to build the second and the third plants necessary to relieve large-scale and prolonged unemployment.

Their experience is enough to prove, however, that a modern, one-story, functional plant will have industries seeking it, sometimes before it is completed.

In fact, they are often eager to buy plants that are readymade for them, purchasing them outright, instead of merely leasing them.

Incidentally, this evidence of initiative is the best advertising to attract growth industries.

The program I advocate, based on teamwork, will pay off both ways, financially and creatively.

It will help critical areas to help themselves, and thereby solve their unemployment and related problems. And it will be accomplished by assistance from the Federal Government on a sound basis that will strengthen some of the weak spots in our national economy.

The Federal Government has been strangely and persistently indifferent to the dangers of labor-surplus areas where economic decay has set in.

Local governments and the citizens themselves are making heroic efforts to overcome the blight, to modernize in a way that will cure the problem of chronic unemployment and achieve a prosperous, stable future.

Only a temporary assist, and on a pay-back basis, is needed to tip the battle in their favor.

The legislation I offer is both an opportunity and a challenge to the Federal Government to do something constructive for distressed areas.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed the following resolution (S. Res. 245):

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. CLYDE R. HOEY, late a Senator from the State of North Carolina.

Resolved, That the President of the Senate appoint a committee of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

THE SPEAKER OF THE LEGISLATURE OF GUAM

The SPEAKER. Under special order heretofore entered, the gentleman from Illinois [Mr. O'HARA] is recognized for 40 minutes.

Mr. O'HARA. Mr. Speaker, the occasion on which I am rising today is in recognition of the fact that visiting in Washington is the Speaker of the Legislature of Guam.

Perhaps I should explain my interest in Guam. Guam came to us during the period of the Spanish-American War. For many years after that Guam remained a government under the control of our Navy. Four years ago, under the organic law, Guam became a self-governing Territory of the United States of America. In that island of Guam there are only 80,000 people. On that island, 200 square miles, the farthermost outpost of our democracy, there came into being the Legislature of Guam. It is the youngest functioning legislative body of our Republic.

During the last week or so there has been visiting in Washington the brilliant Speaker of the Legislature of Guam, Hon. A. B. Won Pat. He has presided for 4 years over the sessions of this legislative body in Guam, similar in every particular to the legislative bodies in our respective States in continental United States. He has been here attending the sessions of this body and of the other body, meeting with the Members of the Congress, in order that he may go back to Guam to continue the great contribution that he is making, and the members of the body over which he presides in the successful functioning of democratic representative government in that faraway island of our country.

Mr. Speaker, I yield to the gentleman from Kansas [Mr. MILLER].

Mr. MILLER of Kansas. Mr. Speaker, I want to inform the gentleman from Illinois that I am heartily in accord with the sentiments he has here expressed.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members who so desire may have leave to insert their remarks immediately following my remarks, and that those who are not here may extend their remarks on this subject in the RECORD during the next 5 days.

I also ask that I may include in my remarks the very fine statement of appreciation of the treatment he has received here, of his devotion to American principles, and of his ambition to return to the headship of the legislative body of Guam, strengthened by his experience here and be our copartner in carrying forward the purposes of our country, the statement of Hon. A. B. Won Pat, Speaker of the Legislature of Guam.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(The statement of Hon. A. B. Won Pat, Speaker of the Guam Legislature, follows:)

STATEMENT OF THE HONORABLE A. B. WON PAT, SPEAKER, GUAM LEGISLATURE

It is believed timely and proper that the Congress of the United States be directly apprised as to the progress of the Territory of Guam since the enactment of the Organic Act and of the viewpoint of the people of Guam as to the relationship of this Territory to the continental United States. The political progress of the people of Guam under the Organic Act, the basic problems created by the transition from military to civil government and the continuing dominance of the territorial economy by the defense effort of the United States are inextricably interwoven. We recognize the hard fact that transcends all factors that underlie our island economy—and that is, by virtue of our geographical and strategic situation, our island has become perpetually a military outpost, national interest makes it a critical defense area and it will continue to be so as long as our democratic way of life is menaced by alien force. International developments affect our national defense policy and such policy ultimately shapes the military activities there. Such a situation could not help but spell uncertainty to any economic stability.

It is with a great deal of pride that I am able to state that during the 4-year period which has elapsed since the adoption of the Organic Act of Guam there have been two Legislatures of Guam elected at large by the people of that territory. The electorate has taken a great deal of interest in the exercise of their franchise in the finest traditions of American democracy. The legislature has assumed its full responsibilities and has dispatched its duties with integrity and wisdom. Among other things, complete codes have been adopted to govern the affairs of the territory. Unquestionably, improvements in these statutes will from time to time be necessary since we recognize that legislation is a continuing process and therefore that we should continually seek for perfection as changing conditions seem to require. However, I would like to emphasize that the Guam Legislature, created by the United States Congress, proceeded promptly and diligently to enact the required regulatory statutes and, further, that the activities of the Territory under these statutes have proceeded in the orderly way of government under law.

There are many other matters which could be detailed indicating the steady progress of the Territory of Guam within the democratic framework, which are best summed up by asserting that in all respects the people of Guam have demonstrated that they are capable of discharging the responsibilities of United States citizenship. As Americans and as an integral part of our Nation, they recognize their obligations to support our Government not only in military matters but economically, and they are ready at any time to sacrifice their material possessions and lives if need be in defense of our democratic way of life. However, it should be borne in mind that the ability of the people of Guam to fulfill their economic responsibilities is conditioned upon a wide variety of factors beyond their control.

First of all, it should be recalled that the position of Guam is unique. It is the furthermost territory of the United States operating under the democratic process. The initiation and implementation of any long range economic program designed to promote social and economic well-being and to insure some measure of security requires a

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close and comprehensive understanding of the status of the people and the role they play in relation to the military. Guam is at one and the same time a point of military security and a showcase in the operation of democracy through its civil government. Because of its proximity to Asia, particularly in view of the current of events in that area, American democracy is bound to be judged as it is operating in this territory.

Furthermore, Guam is part of a large series of islands which are now known as the Trust Territories of the Pacific Islands. Because of its strategic location within this area of islands, the external boundaries of which are larger than continental United States. Guam is the natural center of trade, commerce and culture as well as security. Therefore, in considering the problems of Guam we believe that they should be considered in their relationship to the overall policy of the United States as to the administration of the Trust Territories of the Pacific Islands. These islands, having as they do, varying cultures and types of government, are by the very nature of things looking to Guam for leadership. We, in turn, in fulfilling our obligations as United States citizens must provide that leadership by example.

One of the most critical problems in Guam today is the problem of adequate housing. Much of the housing in the Territory was leveled by bombing upon the reoccupation of the island by the American military forces. Reconstruction and rehabilitation have been slow due primarily to the fact that adequate financing facilities for the construction of homes are not available in the Territory.

As part of the same problem there exists an extreme situation in Guam insofar as the taking of private property by the military forces is concerned. Nearly 35 percent of the total land area of Guam has been taken in fee by the military forces. An additional percentage is held under leasehold condemnation. This land constitutes by far the largest percentage of usable land in the Territory and hence has created an almost complete disruption of the way of life of the people. Prior to the war the people of Guam depended a great deal upon their plots of land for subsistence. With this land no longer available for this purpose in any quantity, the people of Guam have, through no fault of their own, been forced into a completely different type of economy dependent upon wages with little help from the land. In turn, the existence of jobs to create these wages itself is dependent upon the activities of the military which, as previously reported, have a decisive effect upon the entire economic activity of the Territory.

It should also be pointed out that because it is the newest Territory of the United States, many Federal laws which have long been beneficial and accorded to citizens of other States and Territories, have not yet been made applicable to Guam. Because of the unique situation of Guam and its geographical location, it is difficult to resolve locally the needs of the people consistent with the national interest, as well as to make contributions to the legislative deliberations of the United States Congress. For this reason it is necessary that the Territory of Guam have direct representation to the Congress of the United States.

The people of Guam appreciate the confidence reposed in them by the United States Congress in enacting the Organic Act bestowing the privileges of citizenship and the right of self-government. We believe that we have demonstrated that this confidence was merited and will continue to assume our responsibilities in the tradition of American democracy.

Mr. MADDEN. Mr. Speaker, the newest legislative body of the United States of America is the Legislature of Guam. The distinguished speaker of that body, the Honorable A. B. Won Pat, is now visiting in Washington, meeting on the plane of warm friendship and of mutual understanding, members of the oldest and the national legislative body of our country. We are happy that he is with us, and we extend to him, the legislators and the people of his country our best good wishes.

Under the organic law the legislature of Guam came into being 4 years ago. The present speaker, the Honorable A. B. Won Pat, was the speaker of that legislature when laws were enacted covering the entire range of the legislative experience of our States in continental United States. The visit in Washington of this statesman of Guam, the most distant domain of our country, has served to focus attention to a fact worthy of greater attention that on this small American island, part of the United States of America, far in the Orient, representative government is functioning through a legislative body elected by the people and on the same pattern of my own State of Indiana and of the other States of the Union.

The visit of the Honorable A. B. Won Pat has served the purpose again of reminding us that government of, for, and by the people, is our national mission and accomplishment. I am glad to join with other Members of the Congress in welcome to the presiding officer of our newest legislative body.

Mr. MACK of Illinois. Mr. Speaker, I wish to commend the gentleman from Illinois [Mr. O'HARA] and to join with him in recognizing the distinguished speaker of the Legislature of Guam, who has so ably presided over that democratic body for the past 4 years.

Guam stands as a lighthouse of democracy, 6,000 miles from our shores. It permits a ray of light to seep into the dark areas of Asia, where millions of people are existing under the treacherous dictators. It serves as a ray of hope that some day the Asiatic people will govern themselves under a democratic form of government which respects the dignity of the human individual.

Mr. Speaker, we are proud of this tiny island and of the people who are charged with the responsibility of governing this Territory.

Mr. MULTER. Mr. Speaker, last week Washington was visited by the speaker of the Legislature of Guam, the Honorable A. B. Won Pat.

This legislative body is but 4 years old, having convened for the first time in 1950.

The island of Guam is a tiny bulwark of democracy in the Pacific, 6,000 miles from our shores. We here in America are proud of this island and its people and we know that with the guidance of able legislators, such as Speaker Won Pat, constructive laws will be passed which will build this democracy even stronger.

I am happy to join with the other Members of Congress in a well-deserved welcome to the presiding officer of our newest legislative body.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SMITH of Virginia (at the request of Mr. ROBESON of Virginia), for the remainder of the week, on account of official business.

Mr. DOYLE, for an indefinite period, to attend Un-American Activities Committee hearings at Flint, Mich.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. JENSEN.

Mr. HÉBERT and to include extraneous matter.

Mr. DIES.

Mr. EBERHARTER.

Mr. CELLER in three instances.

Mr. BONIN and to include extraneous matter.

Mr. SMITH of Virginia (at the request of Mr. PRIEST).

Mr. RHODES of Pennsylvania and to include additional matter.

Mrs. KELLY of New York.

SENATE BILL AND JOINT RESOLUTIONS REFERRED

A bill and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2370. An act to authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 44. Joint resolution proposing an amendment to the Constitution of the United States relating to the composition and jurisdiction of the Supreme Court, and for other purposes; to the Committee on the Judiciary.

S. J. Res. 126. Joint resolution amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2305. An act to promote safe driving to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia.

THE LATE HONORABLE CLYDE R. HOEY

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, it is with great sorrow and profound regret that I announce to the House the sudden and tragic death of our beloved colleague, the senior Senator from North Carolina, Hon. CLYDE R. HOEY.

Senator HOEY passed away in his office this afternoon around 3:30 o'clock. He had just attended a meeting of his committee and had returned to his chamber for a little rest. He sat down in a comfortable chair and went to sleep, and his great heart ceased to beat and he passed to the Great Beyond.

He was a good and a great man. He was one of the greatest of all North Carolinians, and perhaps at this moment he is the most popular and the most beloved citizen of his native State. He came up the hard way in life and he achieved a degree of greatness seldom equaled.

I think perhaps his political career is unique. He served in both houses of the General Assembly of North Carolina and later became the chief executive of the State. He served in this House many long years ago and at the time of his passing he was serving with great honor and distinction and great ability in the Senate of the United States.

Senator HOEY was one of the great political warhorses of my day and generation; perhaps he was the greatest campaigner that has been produced in North Carolina in a generation. As I stand before you I am mindful of the fact that perhaps he was the last of that unique group who have occupied important positions of leadership in our great Commonwealth.

He was loved throughout the length and breadth of our native State, loved and respected by men and women in both political parties.

Since he has served in the Congress of the United States he has broadened his field of friendship, and I daresay that no man ever served in Congress who was held in higher esteem or who was more beloved than the distinguished man who passed today to the Great Beyond.

As I think of Senator HOEY I think of a little poem:

Oh, heart of mine, we should not worry so;
What we missed of calm we could not have, you know.
What we met of stormy pain and sorrow's driving rain,
We can better meet again if it blow.

For we know not every morrow can be sad.
So forgetting all the sorrow we have had,
Let us fold away our fears and put by our foolish tears,
And through all the coming years just be glad.

Just be glad that we have known and loved CLYDE R. HOEY, just be glad that he lived among us and performed in a magnificent fashion every public trust.

He died today mid sweet dreams which come to the hearts of those who have served humanity so well through all the long years of the past.

I express my deep sympathy to the members of his great family. My native State has lost its greatest citizen, our Nation has lost an outstanding statesman, and all the Members of the North Carolina delegation have lost a very close personal friend.

Mr. DURHAM. Mr. Speaker, it is difficult to find words of expression when a man so honored and the character of Senator HOEY passes. It has been my privilege to have known Senator HOEY for more than 40 years.

Brilliant of mind and kind of heart, he possessed an understanding of human values few men have matched. He respected the dignity of the individual and had a strong faith and belief in religion. For many years he has given freely of his time in the teaching of the Bible. He was a fearless man, but his relations with men was always true to principles of American justice.

He was a kind and considerate leader who always in public life had time for the little man who needed help. His activities here in the Halls of Congress was a continuous search for a way to make a free world stronger and in making the principle of collective security work and be effective.

He was a man who has served humanity well. His faith never faltered in his people in his native State; he loved them all, regardless of color or creed. He has served his State well, he has served his Nation well. I have lost a personal friend. I extend to his family my deepest sympathy.

Mr. BONNER. Mr. Speaker, at this moment the State of North Carolina is shocked and saddened by the passing of its outstanding and most prominent son. Senator HOEY had the confidence, the respect, and the love of every North Carolinian regardless of his race, creed, or political affiliation.

Senator HOEY was one of the old political leaders of the State. He was a great orator in debate, but fair to his adversary. In fact, he had the respect of all the adversaries he has had in the past in political battles. He had no personal enemies that anyone could mention.

He was a true Christian gentleman, one who lived by the faith, practiced the faith, and died by the faith.

He has been honored by the State of North Carolina in practically every high and low office that it could give. He has held the respect of the various administrations of the State. In coming to Washington he soon endeared himself to the people of this city by his practice in the way of Christian living and by his affiliation not only with his own church but with the other denominations in this city. He conducted, during the time he was chief executive of the State of North Carolina, one of the great Bible classes in the State. He will be missed by high and low, rich and poor. He had an ear for all. He had sympathy for all. His door always stood open in the Senate and at the governor's office when he was in Raleigh. I join my other colleagues here and associate myself with the remarks that have been made by the leader of our delegation, and I express my deep sympathy to the family of Senator HOEY and to the friends who were dependent upon him. We shall miss him in North Carolina, but his name will stand out as one of our great Christian gentlemen.

Mr. COOLEY. Mr. Speaker, I yield to my colleague, the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, my heart is heavy with the sad news of the passing of Senator CLYDE R. HOEY, the senior Senator from the State of North Carolina. He was, without a doubt, my most distinguished constituent, his home being only 25 miles away from mine, right in the heart of my congressional district. It has been my privilege and pleasure to know him personally most all of my life. He has been recognized as the silver-tongued orator of North Carolina for almost 50 years. His political career has few, if any, parallels in the history of my great State. He served in the Legislature of North Carolina and there made a distinguished record. He then came to this body in the early 1920's and served with honor. Returning to his beloved North Carolina he was elected its chief executive in 1936. While governor he made a brilliant and outstanding record. To crown his great record of achievement the people of our State sent him to the United States Senate. Senator HOEY was, indeed, North Carolina's most distinguished and honored son. He was a great lawyer, an eminent statesman, and Christian gentleman. He has now laid aside the burdens of this life and gone to take his place among the great of all time. I extend to his family in their bereavement my deepest sympathy.

Mr. COOLEY. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS of North Carolina. Mr. Speaker, the news of the sudden passing of Senator HOEY has come as a profound shock to me. A little more than an hour ago he appeared to be in his usual good spirits and now he is gone.

I should like to join my colleagues here on the floor this afternoon in paying a personal tribute of respect to Senator HOEY. I subscribe to the sentiments expressed by our colleague, HAROLD COOLEY, the dean of the North Carolina delegation in the House, and to the sentiments expressed by my other colleagues here this afternoon. I would like to associate myself with those remarks and join them in the opinion that Senator HOEY was the most widely respected and beloved citizen of our State in this generation. He will be sorely missed by the people of our State and of the Nation, but most of all by those of us who served with him here in Congress.

Senator HOEY had three distinguished careers. The one in which he is best known was in the field of public service. He was chosen by the people of his native county and State to hold all of the offices within their gift. He was always faithful to their trust and served in every capacity with distinction to himself and with credit to them.

His second career was in the field of Christian stewardship. He was perhaps

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the best-known Methodist layman in North Carolina and for many years has been recognized as one of the great Bible teachers of our State. Nothwithstanding the tremendous burdens and pressures of public life in this day and age when these pressures are greater than they have ever been, he faithfully continued to teach his Bible class every Sunday.

His third career was in the field of law. I have known Senator HOEY all my life and I first knew him, before he became active in the field of public service, as one of the greatest trial lawyers of western North Carolina. He was the leader of the bar in my judicial district and throughout the entire western part of North Carolina. When I began to practice law with my father in Lincolnton, he was living and practicing in Shelby, just 19 miles west of my home town. My father was his contemporary in the practice of law and they practiced together and as adversaries while I was growing up. They were warm personal friends although members of different political parties.

I shall never forget a personal experience with Senator HOEY. He was in the courthouse in my home town of Lincolnton getting ready to try a case when a jury came in with a verdict against my client. I took that defeat very hard because I thought I should have won the case. Senator HOEY called me out in the corridor of the courthouse and put his arm affectionately on my shoulder and said, "Now look here, Raper, let me give you a little advice out of long experience as a lawyer. Be industrious and careful in the preparation of your cases, be diligent and aggressive in the trial of them, and do not worry about the verdicts. If you do this, you will win your fair share of the cases you try and you will lose some. Just remember you do not have to pay the judgments that are awarded against your clients and you do not have to serve the sentences meted out when they are found guilty. Do the best you can with every case and when they have been concluded forget about them and begin worrying about the next one." That was good advice and I tried to follow it.

Senator HOEY was warm and generous in his friendships. Although we belonged to different political parties, I never hesitated to go to him for advice and counsel about legislative matters here in Congress; and he never hesitated to give me the benefit of his counsel drawn from his wide experience. He was a kind, affectionate, warmhearted Christian gentleman and has left an imprint on the life of our State which will endure.

I extend to the members of his immediate family my sincere sympathy in this hour of their grief.

Mr. COOLEY. Mr. Speaker, I yield to my colleague from North Carolina [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I have never been more saddened and shocked than at the news of the tragic death of our senior Senator from North Carolina. The passing of our beloved Senator, CLYDE R. HOEY, is a tragic loss not only to the people of North Carolina but to the entire Nation. He was perhaps the best loved, the most highly respected citizen of North Carolina. He was a brilliant lawyer and an outstanding public servant. He went into public life and into public service before he was 21 years of age. He was a great governor, a wise legislator, a renowned orator, and a humble Christian gentleman. To me he has been more than that. He has been a real friend. There has never been a time when I could not go to Senator HOEY with the most pressing problem and get the wise, kind advice of a father.

I have known Senator HOEY since I was just a boy and have always known him to be a great lawyer and a great public servant. He has served the people of North Carolina and the Nation well since that time. His devotion to duty was one of the mainsprings of his life.

Since I have known him he has always worn a red carnation in the lapel of his coat which to me signified his pleasing personality, friendly smile, and warm friendship. The greatness of Senator HOEY will long live because of his humbleness, cheerfulness, friendliness, and wise counsel to his fellowman and his devotion to his State and country.

Words will not express the depth of my feeling nor will they describe the stature of our beloved senior Senator from North Carolina who is held in the highest esteem by all who knew him.

I would like to take this opportunity to express my deep sympathy to his two sons and daughter and other members of his immediate family. Their great loss is shared by all those who knew him because to know Senator HOEY was to love him.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks concerning the passing of our late beloved Senator, and I further ask that the Members of the North Carolina delegation be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HAYS of Arkansas. Mr. Speaker, I am grieved to learn of the passing of our beloved friend the senior Senator from North Carolina. Every contact with him gave me an added appreciation of his calm and gentle spirit, his wisdom, his devotion to the great State which honored him so often, and the quality of his statesmanship. The Congress will miss him greatly.

Mr. SHUFORD. Mr. Speaker, the news of the sudden death of the senior Senator of North Carolina, Hon. CLYDE R. HOEY, has been a great shock to me. He was a real friend of mine, and his passing leaves a vacancy that cannot be filled.

Senator HOEY entered public life at the early age of 20, when he was elected to the State legislature. For over 50 years he faithfully served the people of North Carolina and this Nation. He was an outstanding Governor of the State of North Carolina, and served with distinction in the House and the Senate of the United States Congress. He was a great man and will be missed.

Senator HOEY was a religious man. He was loyal to the precepts of his church. He was considerate of the views of others. He was a man of great principles, unbending to those things that he felt was right, but not intolerant of others.

His place in history will be with the other great men who have guided our country, for his life was dedicated to the welfare of man.

Mr. DEANE. Mr. Speaker, when I heard the news report of the death of Senator CLYDE R. HOEY, of North Carolina, on last May 12, I was in a country store in Yadkin County in my Congressional District. As the radio account of this shocking news came to this little country store, it cast a pall of gloom and sadness over all those gentle rural folk who were there. Indeed, this pall of gloom and sadness swept over the North Carolina countryside and through the towns and cities, and everywhere that North Carolinians heard the news of the beloved Senator's death, they were grieved.

It has been my pleasure to serve in the Congress with this distinguished North Carolinian for over 7 years. Ever since I came here on January 3, 1947, Senator HOEY has been a friendly adviser and a kind and understanding colleague. We shall miss him here in the Halls of Congress in the years that are ahead. Both his State and his Nation would have greatly benefited from many more long years of public service from him.

As State legislator, Assistant Federal District Attorney, United States Representative, Governor, and United States Senator, CLYDE HOEY afforded great leadership and wise guidance for the people of his State and Nation.

Not only will we remember this North Carolinian for his outstanding public service but also for his personable and friendly qualities of character, Senator HOEY was never too busy to hear any person's petition, be he of high or low estate. He was always gracious and understanding with everyone. He invariably looked on the brighter side of life and took the optimistic viewpoint. He was proud of his great State of North Carolina and one of the best salesmen the State ever had.

Above all, Senator HOEY was a Christian gentleman. Through his daily life and his deeds, his sterling character showed forth like a towering Rock of Gibraltar. Through his warming smile and kindly nature, his contact was always a heartening one.

May we carry on in the footsteps here of this great and noble leader from North Carolina.

Mr. COOLEY. Mr. Speaker, I offer a resolution (H. Res. 544).

The Clerk read the resolution, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CLYDE

R. HOEY, a Senator of the United States from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committe of 12 members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee Messrs. COOLEY, BARDEN, DURHAM, BONNER, DEANE, CARLYLE, CHATHAM, JONES of North Carolina, ALEXANDER, FOUNTAIN, SHUFORD, and JONAS of North Carolina.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Thursday, May 13, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1531. A letter from the Administrator, Reconstruction Finance Corporation, transmitting a draft of legislation entitled "A bill to authorize the disposal of the Government-owned tin smelter at Texas City, Tex., and for other purposes"; to the Committee on Banking and Currency.

1532. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SEELY-BROWN: Committee on Merchant Marine and Fisheries. H. R. 8647. A bill to amend Revised Statutes 4426; with amendment (Rept. No. 1589). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 7712. A bill to amend the veterans regulations to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb; without amendment (Rept. No. 1591). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 7851. A bill to amend the veterans regulations to provide additional compensation for veterans having the service-incurred disability of loss or loss of the use of both buttocks; without amendment (Rept. No. 1592). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 7918. A bill to provide for the enlargement of the Veterans' Administration facility at Fayetteville, Ark.; without amendment (Rept. No. 1593). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8041. A bill to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions; without amendment (Rept. No. 1594). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8488. A bill to restore eligibility of certain citizens or subjects of Germany or Japan to receive benefits under veterans' laws; without amendment (Rept. No. 1595). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8789. A bill to amend the Veterans Regulations to provide that arthritis, psychoses, or multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service-connected; without amendment (Rept. No. 1596). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8790. A bill to authorize certain veterans' benefits for persons disabled in connection with reporting for final acceptance, induction, or entry into the active military or naval service; without amendment (Rept. No. 1597). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8900. A bill to increase the rate of special pension payable to certain persons awarded the Medal of Honor; without amendment (Rept. No. 1598). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8983. A bill to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.; without amendment (Rept. No. 1599). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 8330. A bill to extend the time for filing application by certain disabled veterans for payment on the purchase price of an automobile or other conveyance and to authorize assistance in acquiring automobiles or other conveyances to certain disabled persons who have not been separated from the active service; with amendment (Rept. No. 1600). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 7664. A bill to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; with amendment (Rept. No. 1601). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 7815. A bill to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.; without amendment (Rept. No. 1602). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 9089. A bill authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.; without amendment (Rept. No. 1590). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H. R. 9107. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 9108. A bill to amend title II of the Social Security Act to provide that the work clause shall not apply to work performed by individuals who have attained the age of 65; to the Committee on Ways and Means.

By Mr. HÉBERT:

H. R. 9109. A bill to incorporate the American Shut-in Entertainers, Inc.; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 9110. A bill to amend the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. HOWELL:

H. R. 9111. A bill to establish a program of grants to States for the development of fine arts programs and projects, to provide for the establishment of an American National War Memorial Arts Commission, and for other purposes; to the Committee on Education and Labor.

By Mr. KEARNS:

H. R. 9112. A bill to provide for the payment of compensation to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia, for duty performed on their days off, when such days off are suspended during an emergency; to the Committee on the District of Columbia.

H. R. 9113. A bill to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside; to the Committee on the District of Columbia.

H. R. 9114. A bill to increase to $3 per diem the witness fee in cases in the criminal division of the municipal court for the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEOGH:

H. R. 9115. A bill to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction; to the Committee on Merchant Marine and Fisheries.

By Mr. MACK of Washington:

H. R. 9116. A bill to increase the monthly rates of pension payable to certain widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection; to the Committee on Veterans' Affairs.

By Mr. NELSON:

H. R. 9117. A bill to increase the national minimum wage to $1 an hour; to the Committee on Education and Labor.

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By Mr. O'HARA of Minnesota (by request):

H. R. 9118. A bill to amend the act entitled "An act to amend an act entitled 'An act to create a juvenile court in and for the District of Columbia,' and for other purposes," approved June 1, 1938; to the Committee on the District of Columbia.

By Mr. SHORT:

H. R. 9119. A bill to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy, and for other purposes; to the Committee on Armed Services.

By Mr. RABAUT:

H. R. 9120. A bill to authorize the Postmaster General to provide for the use in first- and second-class post offices of a special canceling stamp or postmarking die bearing the words "pray for peace"; to the Committee on Post Office and Civil Service.

By Mr. WICKERSHAM:

H. R. 9121. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. McCONNELL:

H. Res. 543. Resolution to provide additional funds for the studies and investigations to be conducted pursuant to House Resolution 115; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLLING:

H. R. 9122. A bill for the relief of Joseph Marrali; to the Committee on the Judiciary.

By Mr. CAMPBELL:

H. R. 9123. A bill for the relief of Miss Blanca Lina Rionegro; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 9124. A bill for the relief of Gizella Vajda; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 9125. A bill for the relief of Francine Pappano Jacome; to the Committee on the Judiciary.

By Mr. GARY:

H. R. 9126. A bill for the relief of William Ligh; to the Committee on the Judiciary.

By Mr. HYDE:

H. R. 9127. A bill for the relief of June Rose McHenry; to the Committee on the Judiciary.

By Mr. JACKSON:

H. R. 9128. A bill for the relief of Hussein Kamel Moustafa; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 9129. A bill for the relief of Rachel Goldhaber; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 9130. A bill for the relief of Amin Rahmin Roubin, Mrs. Esther Mordkhay Roubin, and Abdul Rahmin Roubin; to the Committee on the Judiciary.

By Mr. REED of New York:

H. R. 9131. A bill for the relief of Clifton R. Hanselman; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 9132. A bill for the relief of Ross Sherman Trigg; to the Committee on the Judiciary.

By Mr. BURDICK:

H. Res. 545. Resolution providing for sending to the United States Court of Claims the bill (H. R. 5587) for the relief of Electric Ferries, Inc., of New York, as agent and trustee of the stockholders of Southern Transportation Co. of New York; to the Committee on the Judiciary.

H. Res. 546. Resolution providing for sending to the United States Court of Claims the bill (H. R. 1950) for the relief of Union Oil Co. of California and the Matson Navigation Co.; to the Committee on the Judiciary.

By Mr. JONAS of Illinois:

H. Res. 547. Resolution providing for sending to the United States Court of Claims the bill (H. R. 2042) for the relief of Palmer-Bee Co.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

717. By Mr. SHAFER: Petition of constituents of Coldwater, Mich., requesting passage of H. R. 1227, introduced by Congressman Bryson; to the Committee on Interstate and Foreign Commerce.

718. By Mr. SMITH of Virginia: Petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

719. By Mr. SMITH of Wisconsin: Resolution adopted by the Racine Taxpayers Association, Racine, Wis., on May 6, 1954, opposing pending legislation relating to Federal aid to education; to the Committee on Education and Labor.

720. By Mr. VORYS: Petition signed by 57 persons and presented by members of the First United Presbyterian Church of Columbus, Ohio, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

721. Also, petition signed by 43 residents of Columbus, Ohio, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

722. Also, petition signed by 37 members of the Broad Street Christian Church, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

723. By the SPEAKER: Petition of the chairman, Municipal Council of St. Croix, V. I., relative to a resolution adopted on April 28, 1954, praying for the enactment by the United States Congress of the organic act for the Virgin Islands recommended by the people on May 20, 1953; to the Committee on Interior and Insular Affairs.

724. Also, petition of the chairman, the Ninth Municipal Council of St. Croix, V. I., praying for the enactment by the United States Congress of the organic act for the Virgin Islands recommended by the people on May 20, 1953; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Answers to Questions Concerning Communism and Congressional Investigations

EXTENSION OF REMARKS
OF

HON. MARTIN DIES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1954

Mr. DIES. Mr. Speaker, so many Texans, as well as people from other States, have asked my views with reference to communism in the United States and congressional committees now engaged in investigating and exposing communism that I have decided to make this statement.

One of the questions most commonly asked me is whether the Communist menace in the United States is serious. Of course it is serious, in spite of 20 years of investigation and exposure and the enactment of legislation such as the Smith Act, the Subversive Control Act of 1950, and the prosecution and conviction of more than 100 Communist agents. But it is not as serious as it was from 1938 until 1947, because during that period the Government and many people failed to appreciate the gravity of the threat. In 1938 when I began the investigation, there were about 200 Communist organizations with a claimed total membership of 10 million people, the majority of whom were gullible and unthinking people who joined these organizations without knowing their true purpose. At that time there were several thousand Communists on the Federal payroll, and there were more than a dozen important unions dominated by Communists. They were printing and distributing 600 magazines, newspapers, and periodicals in the United States. They had infiltrated many key industries, and especially the media of public information, such as moving pictures, radio, magazines, and newspapers. They were coddled and protected by Government officials.

However, after Russia had accomplished what she wanted to accomplish by her deceit and hypocrisy, and after her intentions had become crystal clear to everyone, including our blind leaders, the attitude toward Communists changed gradually in our country. The Government began to enforce existing laws against the Communists. Congress passed additional legislation. Fortunately, the Government was in possession of the mass of evidence and information which the Dies committee had assembled over a period of 7 years. This information was fairly complete. It contained in alphabetical order the names of the vast majority of Communists in our country. In 1941 we had submitted to the heads of the various departments the names and occupations of several thousand Communists on the Federal payroll. We had exposed the labor unions which were under Communist domination. In short, the Government had all the information it needed to break up the Communist conspiracy. All that was lacking was a real desire to enforce these laws. One reason for this laxity was the unwillingness to expose and involve hundreds of thousands of gullible liberals who had become en-

meshed in the Communist conspiracy through their carelessness or stupidity. Another reason was the reluctance on the part of officeholders and politicians to admit that they had been mistaken and deceived. Finally, however, steps were taken to enforce our laws and to move against these conspirators. While it was a case of locking the barn after the horse was stolen, it was better late than never.

In 1938 there were 165,000 cardholding members of the Communist Party. Today there are 25,000 according to the FBI and other agencies. The Communist Party has been driven underground where it is not able to function with anything like the effectiveness as was true a few years ago. The front organizations which constituted the principal strength of the Communists have largely disappeared. Many of the leaders are now in the penitentiary.

This does not mean that the threat of internal communism has ceased to exist. The Communist apparatus is capable of sudden expansion. We must remember that at least 1 million people have affiliated with the Communist Party since 1919. While most of these people are no longer members of the party, there is no way of knowing how many of them still believe in communism and will resume an active role at the first favorable opportunity. No doubt some of them are sincere converts who will never return to the folds of communism. On the other hand, some of them quit for reasons of safety or expediency. The same is true with reference to the front organizations. We are not sure how many of the claimed 10 million people formerly identified with Communist-front organizations are sincere converts and repentants. Furthermore, even a small group of 25,000 hardcore Communists is a constant menace. If they are able to infiltrate key positions, they could commit irreparable injury to our country in the event of war. It must follow, therefore, that there is an urgent need to maintain our vigilance and not to fall asleep again.

The next question asked me is whether congressional investigations are necessary to expose communism. There are now some 3 or 4 committees engaged in this work. Each of these committees has done some good work. Much of it is a rehash of what our committee did from 1938 to 1945, but this rehash has been useful in alerting our people and prodding public officials. Some of the work of these committees has brought to light additional details and elaborations of the Communist conspiracy. I have been asked whether the criticism of these committees is justified. Some of this criticism emanates from Communists and fellow travelers who pretend to be against the methods of congressional investigations, but who are in fact against any investigation or exposure. Some of the people who affiliated with Communist-front organizations through carelessness or misguided zeal oppose the committees because they do not want their stupidity exposed. Furthermore, the subject of communism is most difficult to handle. This is shown by the difficulties encountered in the United Nations and at the various conferences that have been held with the Communists. The wisest and the fairest committee on earth could not escape a certain amount of criticism and abuse.

However, some of the criticism directed at some of the committees now engaged in the investigation of communism is justified. In the first place, there ought to be one joint congressional committee on un-American activities composed of Members of the House and the Senate, who have had sufficient legal experience to know how to conduct a proper inquiry. There is no justification for 3 or 4 committees competing with each other in this work. It produces confusion, duplication, and rivalry. During the 7 years I headed the Dies committee, we did not have this problem. Other committees did not want to enter such a controversial field. Furthermore, I think the procedure of such investigations can be improved without impeding the effectiveness of the investigations. I think that such investigations can be made more judicial. Based upon my long experience, I prepared and submitted to the Rules Committee a suggested draft of rules that, if adopted and followed, would eliminate much of the criticism which is justified. If we would establish one committee such as I have suggested, it would save the taxpayers thousands of dollars. The various committees engaged in this work spend more money every year than I spent during the 7 years of our investigation.

Another question asked me is whether we need any congressional investigating committee and whether we should leave the job to the FBI and other enforcement agencies. There are many things that a congressional commitee can do which an enforcement agency cannot do. A committee can subpena records, witnesses, and take testimony under oath. It can disseminate useful information to alert and inform the public. It can prod indifferent officials to increased vigilance. It cannot and should not take the place of enforcement agencies. There are certain jobs it cannot do and that must be done by Secret Service, FBI, and other enforcement agencies. Its primary purpose is to gather facts as a basis for necessary legislation and to inform the public. Therefore, I believe that a joint congressional committee such as I have suggested should be permanently established, and that it should be governed by fair rules of procedure and headed by experienced lawyers, to the end that congressional investigations can be improved.

Another question asked me is whether or not I believe that there are Communists in the Government. Since returning to Washington, I have investigated this situation to satisfy myself. I am now convinced that the several thousand Communists which we discovered on the Federal payroll in 1941 have been discharged or forced to resign. There may be others which we and subsequent committees failed to discover. In time these will be discovered and gotten out and the Federal payroll kept free of Communists if we will continue our vigilance.

What about labor unions? The majority of the Communist dominated unions which we exposed in 1938 to 1945 have been expelled from their parent organizations, but they are still operating in some of our key industries. However, the Attorney General has submitted legislation designed to break up these unions. The recognized labor unions in America are on the whole alerted to this danger and vigilant in combating the infiltration of their unions by Communists. Since one of the chief targets for Communist infiltration is the labor union, this will always be a serious problem and must be constantly watched.

What about innocent people who are smeared by congressional investigations? In my opinion, this is greatly exaggerated. Of course, you cannot conduct any investigation or any court procedure without occasionally hurting an innocent person. There are thousands of people indicted by our courts who are declared innocent by the juries. They have certainly been injured by the indictment and the prosecution, but we have found no way of avoiding this. Many so-called innocent people joined Communist front organizations. In the process of exposing these organizations these innocent people claimed that they were smeared. While the greatest precaution should be followed to distinguish between Communists and gullible people who joined Communist organizations, these so-called innocent people were not entirely blameless. They should have been more careful in joining organizations. Some of them received ample warnings but ignored them. Notwithstanding this fact, committees should improve their procedures to avoid a situation under which innocent people are condemned as Communists when they are not Communists. On the other hand, people must realize that they affiliate with organizations at their risk, and that they owe a duty to their country and to their own reputations to investigate the organizations before joining them. It cannot be overlooked that the affiliation of some 10 million people with Communist-front organizations gave the Communist conspiracy most of its influence and effectiveness in the United States.

Another question asked me is what I think of the present attitude of the Government towards Communists. On the whole, I think that there is a sincere desire to break up the Communist conspiracy in the United States. I have seen no evidence that President Eisenhower is seeking to stifle or embarrass any congressional investigation and exposure of communism, or any attempt to prosecute Communists. Few Presidents in our history have respected the rights of Congress more carefully than President Eisenhower. I wish that I had had one-tenth of the cooperation from the Roosevelt administration that the present committees are receiving from the Eisenhower administration. As an illustration of the kind of opposition which I received from the Roosevelt administration, I refer you to the late Harold L. Ickes' book, the Inside Struggle, as reported by the Associated Press.

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Ickes said that although Roosevelt wanted the Dies committee cut off sharp, DIES had no difficulty getting through a resolution continuing it another year with $100,000 to finance its fantastic investigation. He said this was another example of the complete falling down of the so-called Democratic leadership in the House. He added both Speaker William B. Bankhead, who died in 1940, and Representative SAM RAYBURN, Democrat, of Texas, then majority leader and now minority floor leader, feebly told the President they would do what they could to head off the Red-hunting Texan. I hope that President Eisenhower does not heed the advice of those who are urging him to go after Members of Congress who are trying to do their duty.

I hope that none of us in Congress will abuse this patient and cooperative attitude of the President, and that we will have the honesty and courage to acknowledge our mistakes and seek ways of correcting them. Let us remember that no committee or institution is so sacred that it cannot be criticized or so perfect that it cannot be improved.

We are living in times of violent extremes. Our constitutional safeguards are subjected to unprecedented strain. More than ever we should strive constantly to respect and perpetuate our precious civil liberties. The awful crime of communism is its preachment that the end justifies the means. Many other extremists on the left and on the right have practiced this same damnable philosophy, although to a lesser degree than the Communists. Those of us who profess love of America must void at all costs and under all circumstances the fatal error of employing the tactics and methods of the Communists in our efforts to combat communism.

William T. Kvetkas

EXTENSION OF REMARKS
OF
HON. EDWARD J. BONIN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1954

Mr. BONIN. Mr. Speaker, on Sunday, May 2, I had the privilege of attending a testimonial banquet honoring Mr. William T. Kvetkas, commemorating 30 years as a member of the board of directors of the Lithuanian Roman Catholic Alliance of America in the American Legion Home in Wilkes-Barre, Pa.

Mr. Kvetkas was born January 27, 1894, in Wilkes-Barre, the son of the late William and Mary Kvetkas. American Lithuanians, wherever they are, feel proud, indeed, to number among them this man. His boundless energy and capacity for work are characteristic of his race and follow closely the lives of his parents.

At the age of 21 William T. Kvetkas was chosen to lead the St. Casimir's Lithuanian section of the Holy Name Society parade held in Pittson, Pa. Nine years later he was elected as a member of the board of directors of the alliance at a convention held in Shenandoah, Pa.

His wife was Miss Catherine A. Kizis, of Pittston, and two children were born of this marriage, Elaine and Bill, Jr.

Bill, Sr., has also devoted much time to politics. In the presidential campaign of 1952 he was named national chairman of a committee of Lithuanians by the National Republican Committee for the Eisenhower-Nixon tickets.

In 1940 the American Lithuanian Congress was formed to aid escapees from Communist-occupied Lithuania and to give all possible assistance in the movement to liberate their nation. As a member of this congress and an officer of the alliance, Mr. Kvetkas was a member of a delegation that called upon the President of the United States on two occasions to present data in support of the cause of Lithuania.

He is an active Legionnaire, and with the outbreak of World War II, the leading citizens of Luzerne County met to organize that county's civil-defense program. Mr. Kvetkas was named executive officer of this organization and served in dual capacity as secretary and executive officer. He was also active in serving on committees which sold war bonds.

This is a résumé of the activities of a man who is held in esteem and respect by the organizations he represents for his worthy public projects. The program follows:

National anthem.
Invocation ---------- Rev. A. J. Sinkevicz
Remarks ---------- Adolph Norvalsa
Toastmaster ---------- Attorney John S. Lopatto
Address ---------- Leonard Simutis
Solo ---------- Paul Porter
Address ---------- Congressman EDWARD J. BONIN
Solo ---------- Helen Kosar
Address ---------- Judge Benjamin Jones
Entertainment ---------- Adam Yankoski
Address ---------- Rev. John F. Boll
Duet ---------- Paul Porter and Helen Kosar
Presentation ---------- Peter J. Karazusky
Response ---------- William T. Kvetkas
Benediction ---------- Rev. John Savulis
Lithuanian hymn.

Mrs. Anna Mras, accompanist. Dinner music by Ann Pasko trio.

The Bryson Bill: H. R. 1227

EXTENSION OF REMARKS
OF
HON. HOWARD W. SMITH
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1954

Mr. SMITH of Virginia. Mr. Speaker, I take this opportunity to state that I have today presented to the House for proper reference a petition signed by several residents of the Eighth Congressional District of Virginia supporting the Bryson bill, H. R. 1227, now pending in the Committee on Interstate and Foreign Commerce.

Why I Support 90 Percent of Parity for Basic Farm Crops

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1954

Mr. JENSEN. Mr. Speaker, my reasons for supporting 90 percent of parity for basic storable farm crops—corn, wheat, cotton, tobacco, peanuts, and rice—are as follows:

Because our farmers are entitled to a dollar which will purchase 100 cents' worth of manufactured goods produced by higher and higher labor costs.

Because the proposed flexible price-support formula would within the next 3 years reduce the price of a bushel of corn, for example, at least 30 cents per bushel, and other products in proportion.

Because when the selling price of corn, for example, is reduced, the price of hogs, cattle, sheep, and poultry will in turn shortly be reduced proportionately, because the price of livestock ready for market, like finished manufactured goods, is determined by the cost of the labor and raw products it takes to produce the article. So, whether it be meat, marbles, or mowers, the producer must have cost of production, plus a reasonable profit or he will sooner or later be out of business. Also, let us not forget that the cost of raw products, generally speaking, represents only a small part of the price you pay for the finished manufactured product.

All new wealth springs from the surface of the earth, is mined or pumped out from beneath the surface of the earth, or fished out of the sea; from these sources come all our raw products from which is made everything we Americans eat, wear, and use every minute of our daily lives. And every American must find employment in producing, transporting, processing, manufacturing, marketing or using the finished product made from raw products. About 90 percent of all our raw products are consumed or made into finished manufactured articles within a year after it is grown, mined, or taken out of the sea; hence, each succeeding year new wealth is produced in the form of raw products and when the number of units and the price per unit is reduced, employment inevitably is reduced, and purchasing power is reduced all along the line; hence our entire economy suffers, forcing a reduction in our national income, and in turn reduced tax revenue to the respective States and Federal Treasury.

Also let us not forget that the American farmer buys on an average of about twice the amount of manufactured goods that the average American buys year in and year out. In normal times, approximately 70 percent of our people are employed in production, transporting, processing, manufacturing and marketing the raw products which spring from

the surface of Mother Earth. Mr. Speaker, so long as over $90 billion is taken from the pocket of the American people in local, State, and Federal taxes annually, or any amount even close to that figure, we must maintain a high national income or be ready and willing to force every American to suffer the consequences by taking a greater percentage of their income for taxes.

Whether you farm the surface of the earth, or the bowels of the earth, or the sea for seafood, all are farmers, so far as producing raw products is concerned. Flexible supports as proposed would surely bring about an annual agriculture farm income loss of not less than $4 billion, which would in turn force a national income loss of about $28 billion, because our agriculture farm income over any 5-year period pyramids itself approximately seven times into national income, a fact which has never been and cannot be successfully disputed.

Who would pay the loss of revenue now collected by the United States Treasury because of the reduced national income of that $28 billion? Certainly we must not add it to our present Federal deficit of over $270 billion for our children and their children to pay. It is an agreed fact that the ultimate consumer of goods pays all taxes in the final analysis. Our latest census shows that about 17 percent of our population live on farms, and since our farmers who till the soil purchase and consume about twice the average of other Americans, our farmers will pay approximately 35 percent of the lost revenue. Our wage earners and our retired, elderly folks make up approximately 70 percent of our population; they will pay about 55 percent of the lost revenue, the remaining 12 percent are businessmen, big and small—who must add all taxes to their cost prices, or soon go broke—and professional people of every nature and folks like you and I would pay the balance of about 10 percent to make up the lost revenue. Who among you would like to pay your share of this lost revenue? Or I might ask who among you could pay your share and still make both ends meet without a terrific hardship on yourself and family?

I have heard some folks talk who seem to be worried because we Americans are blessed with a reserve of food, feed, and fiber, which actually amounts to only about 2 percent of the crops the farmers have produced since Pearl Harbor. Bear in mind we are having a population increase annually of over 2½ million. And also bear in mind that a couple of years of moderate crop failures would wipe out the reserves we now have in storage, then the price of food would go up, up, and up. No, my colleagues; I for one will not worry so long as God will bless us with a plentiful supply of food, feed, and fiber. The day I start worrying is when we suffer a scarcity, and that day will come again. We had better be prepared.

Believe it or not, we Americans are today spending on an average less than 25 percent of our income for food, while the other nations of the world are today spending on an average of 70 percent of their income for food. On my trip around the world last fall with other Congressmen, we saw how deeply grateful and friendly the people of those nations were to whom we had sent food. Also, there are many deserving, needy Americans who would be mighty thankful for some of our surplus food supply.

Lose the farm program? Not on your life. Why? Because the majority of the Members of Congress feel exactly as I do, not only those who represent the agriculture districts, but in addition a number of Congressmen who represent city districts, who are now fully aware of the fact that the prosperity and welfare of the people they represent depends on the prosperity and the welfare of he who tills the soil, and they have educated their people to know the truth.

Now, Mr. Speaker, in conclusion, I must say that it seems mighty strange to many of us in Congress that so few people worry or seem to give a minute's thought to the tens of billions of dollars worth of military supplies of every nature which have been stockpiled and stored up since World War II. All of which would be useless without a plentiful supply of food, feed, and fiber to back it up in time of war. Remember, the final victors in every war in recorded history has been the side that God has blessed with the greatest supply of food, feed, and fiber. Pray God that war will not again be our lot, but should it come, let us make doubly sure of victory.

While Rome Burns

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1954

Mr. RHODES of Pennsylvania. Mr. Speaker, this is a crucial period in our history as a nation. Never was the need for strong and courageous leadership greater than today. The world around us seems to be on fire. Grave dangers confront freedom-loving people everywhere. There is an urgent need for truth, honor, decency, and justice to rise above the totalitarian threat at home if America is to be strong enough to meet the challenge of Communist tyranny to democracy and human freedom.

I believe, Mr. Speaker, that the following verse from the current issue of the Reporter is most appropriate at this time:

Olympus rocks with laughter: the anarchist
Cries "Order!"; the brawler, plaintive, scolds delay;
The disrupter damns interruption to insist
On fairness, who—day after bullying day—
Disdains it. This is the kind of mortal show
To convulse the gods: seeing how indecent men
Through power and guile bring decent men so low,
So familiar with evil that they sit quiet when
Obscene and shaming insult slaps their face
Into a smile: this substitute for pride,
This genial coin with which a business race
Pays off its rage and pushes honor aside.
The gods may laugh; but let no man assume
That laughter is in order in this room.

American Policy on Israel Not Served by Byroade's Recent Statement, Says Celler

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1954

Mr. CELLER. Mr. Speaker, as Assistant Secretary of State for Near Eastern, South Asian, and African Affairs, Mr. Byroade's statement on May 1, Facing Realities in the Arab-Israeli Dispute, sidesteps two significant objectives of United States foreign policy, the promotion of peace in the Middle East and the cementing of ties with friendly nations.

Mr. Byroade attempted to step warily on a tightrope between the sensitivities of the Israeli and the sensitivities of the Arab world, and like the overcautious always do, succeeded in losing balance.

He plunged heavily into the area of the immigration policy of Israel. The right to establish an immigration policy is an acknowledged attribute of national sovereignty. Mr. Byroade urged by implication that Israel adopt a policy of limited immigration lest by not doing so, it enhance Arab fears that an overpopulated Israel will propel Israel forward to aggressive seizure of additional territory.

Mr. Byroade proceeds to set forth a purely hypothetical situation based on guesswork future developments. The argument he poses runs like this. There is no overpopulation in Israel today, but some day, maybe, the Soviet Union will permit the Jews of Russia to leave for Israel—a policy it does not pursue now—to enter Israel in vast numbers and that maybe they will flood into Israel, and that then maybe Israel would not have room sufficient to hold them, and that then maybe Israel may be forced to seek expansion. Therefore, the Arab world has reason at present to fear, and therefore Israel should now adopt an immigration policy to allay these fears. Mr. Byroade says nothing of the guaranties offered again and again by the Government of Israel that she does not and will not seek territorial aggrandizement. He disregards the Tripartite Agreement of the United States, Britain, and France which guarantees the present borders of the Arab States. He asks instead change of internal law to meet a purely hypothetical supposition. This hypothetical supposition, stated in utter seriousness by a United States spokesman, does nothing to help the Arab world to rid itself of foundless fears. Nor is it supportable diplomacy of a spokesman on official American policy to intervene in a matter purely internal, such as immigration.

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Such a statement can only increase the already existing tensions. It does not address itself to reality. If you carry that kind of logic forward you can come up with such absurdities as "do not develop your water resources lest you become economically strong and hence become the dominant economic force in the Middle East. This is what the Arabs fear, and you must allay their fears."

The United States policy in securing unto itself friends in the Middle East should not be one of catering to illusionary fears of either the Arabs or the Israeli. The Arab fear of Israeli expansion is an emotional disturbance. It serves no purpose for the United States to feed it and keep it alive through hypothetical supposition. The interest of the United States lies in promoting peace in the area. It cannot gain it by feeding fears on one hand and injecting itself into internal domestic policy on the other.

There is room in Israel, especially in the Negev, for many more Jews, fleeing persecution, to settle. The gratuitous statement on Israel's immigration policy strikes at the very heart of the reason which has led to the support of Israel by both the United States and the United Nations both prior to and during the establishment of the state. To urge that Israel withdraw from its immigration policy is to deny the very reason for its existence.

Action of Corps of Engineers in Construction Contracts

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1954

Mr. HÉBERT. Mr. Speaker, on yesterday I directed attention of the House to the high-handed action of the Corps of Engineers in awarding a construction contract to a Panamanian firm over a low-bidding American firm in defiance of the House Armed Services Investigating Committee.

The shocking audacity of the Corps of Engineers becomes more flagrantly apparent as the story unfolds.

I understand that the action of the Corps of Engineers in taking action while a subject matter is pending before a congressional committee is without precedent.

It would occur to me that the Corps of Engineers, feeling a great security in the repeated favorable action of the Congress in past years has become "too big for its britches."

The Corps of Engineers, feeding upon this rare meat of self-confidence and self-importance, has now arrived at that period when it flaunts a congressional committee, thumbs its nose at Congress, and does as it pleases.

To better understand how the Corps of Engineers defied a congressional committee to accomplish what it had originally set out to do, i. e., give a contract to a foreign high bidder at the expense of an American low bidder, is best reflected in a recitation of what took place.

Being informed of the irregular action of the Corps of Engineers in originally reversing itself, the House Armed Services Subcommittee called for a public hearing.

It developed during the hearing that the Corps of Engineers, unknown to the low bidder, the United Enterprises of New Orleans, La., had had a charge of suspicion of fraud placed against them. According to the testimony of the engineers, that, in effect, blacklisted this firm without a trial.

Testimony showed that if there was any suspicion of fraud it should have been directed against Framorco also.

The committee has not released its report. It has not issued any finding of fact.

With full knowledge that the committee had not issued any conclusion on the subject matter, but fully aware that the matter was pending in the committee, the Corps of Engineers proceeded to invite a decision from the Office of the Comptroller General, which is an agent of the Congress.

The Corps of Engineers then presented a series of false conclusions of alleged fact and assumptions not based on the testimony presented to the committee during the public hearing. In other words the Corps of Engineers presented to the Comptroller General a doctored statement of facts and asked a decision be reached on the conclusions set forth in the latter presented by themselves in their own behalf. The letter of request was a purely self-serving device resorted to by the Corps of Engineers to get the decision which they wanted and in defiance of the committee.

The Comptroller General, without hearing from the subcommittee as to what witnesses told the truth to them, proceeded to take the distorted representations of this testimony contained in the letter of the Corps of Engineers, and proceeded to agree with the corps' long calculated and studied purpose to award this contract to a firm which had the most influence.

Relying on a decision of an agent of the Congress, and not the Congress itself, which had not passed on the facts, the Corps of Engineers, through the Office of the Under Secretary of the Army Slezak, awarded this contract to the high bidder.

In effect the Corps of Engineers has placed itself in the position of a private getting the opinion of a lieutenant on a subject matter which the general had under consideration and then acting on the lieutenant's opinion. It was as raw as that.

It would be well for the Congress to look with caution at all transactions in which the Corps of Engineers is involved in the future if this audacious action is to be an example of what to expect.

Federal Agency for Handicapped

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1954

Mr. CELLER. Mr. Speaker, there is now pending before our Committee on Education and Labor H. R. 3291, to establish a Federal Agency for Handicapped, and I am informed the committee anticipates taking early action on this bill and corollary measures.

We have no greater assets than our own people, and unquestionably, the 38 million handicapped represent our greatest undeveloped asset. When we reflect that there are millions who are blind, partically sighted, deaf, hard of hearing, amputees, arthritics, cardiovascular victims, cerebral palsied, cancer cases, epileptics, victims of muscular dystrophy, multiple sclerosis, poliomyelitis, osteomyelitis, rheumatism, tuberculosis, and many other crippling diseases, as well as congenital defects and deformities, we must realize that here, indeed, is one of the major problems of our Nation, which needs and must have adequate attention.

I have sponsored H. R. 3291, which provides an overall program for handicapped and does not, as do the administration proposals made in this field, merely skim the surface of this great problem. We assuredly must recognize the need for adequate medical treatment; education and training; vocational guidance, and selective placement, as essential parts of the handicapped program, and we must provide these and apply them so as to coordinate the varied activities of the present 35 Federal agencies which now each have a piece of the program.

I am somewhat surprised that this administration, which boasts that it represents a business viewpoint, does not adopt this measure literally, because, surely, it represents the only practical and efficient approach to the problem, now before the Congress.

It is a shortsighted policy, indeed, for administration representatives to prate of rehabilitating some 60,000 people yearly, when statstics show that at least 350,000 are annually injured in industry and elsewhere, to say nothing of the backlog of 7 million to 9 million who are severely handicapped to the extent of from 60 to 100 percent disability. The present results are pitifully inadequate and merely scratch the surface, without doing a real job.

If we spend a billion dollars on our own people, we are simply taking out insurance to aid ourselves, and it would be far better to spend that money, and not have to meet an international crisis, by having this vast reserve army of workers treated, trained, and in readiness to defend us, than it would be to need them, and not have them in time of great emergency.

On the humanitarian side, we all know that history is replete with the names of great geniuses who were severely handicapped. Blind Milton; deaf Beethoven; hard-of-hearing Edison; spinal curvature Steinmetz; arthritic Clarence Day—all these and many more, have made great contributions to arts and sciences, and, who knows but that, if we furnish—as is our bounden duty as representatives of the people—means to enable millions of handicapped to support themselves, their families, communities, and the Nation, we shall, thus, enable many a potential genius to bring the fruits of his talents to light, for the benefit of all of us.

My own people, in the Empire State, unfortunately, do not have, under its present Republican administration, an adequate system of rehabilitation and employment of handicapped, and its narrow scope of operations is such that I am ashamed to say that New York State, under its present Republican administration which, presumably, looks after the needs of some 15 million citizens, spends less money for that purpose in the rehabilitation field than does, for example, the State of Georgia, with approximately 3,500,000 people.

Obviously, the Federal Government must lead the way and furnish the base of operations for this essential program. There is, in fact, no other way that is feasible and practicable, except to expand the present Federal-State rehabilitation and employment of handicapped program and provide better means of coordinating, implementing, supplementing, and complementing that program.

The people of my State and district recognize the value and imperative necessity of enacting this Federal agency for handicapped bill at once, and therefore, I hope the Committee on Education and Labor will report it out, favorably, at an early date, so we may adopt it, and thus put into motion, means to bring renewed hope, happiness, and ability to become self-supporting, to millions of handicapped.

State of Israel

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1954

Mrs. KELLY of New York. Mr. Speaker, 6 years have passed since the creation of the State of Israel. During that period, the state has weathered many storms involving the normal strain of organization and development, but none seems as formidable as the threatening storm involving international unrest and local tensions. From our vantage point we must review these past years to evaluate the present crisis for future action. No one can deny that a great deal has been accomplished by the new State of Israel within a short period of time. There is definitely established a nation for the Jewish people. The tragic problem of Jewish homelessness has come to an end. Whenever Jews are persecuted or whenever they choose to migrate to Israel the door is open to them.

Israel survived the struggle for existence in its early days with assistance from outside and with the stubborn determination of those within its borders. All who have worked for the creation of Israel and for its welfare can reap satisfaction in the result. Israel has taken its rightful place among the community of nations. At the present, Israel is beset with grave problems; problems arising out of its geographic location. Its hostile neighbors refuse to accept its existence. It is beset by the great number of refugees living on its borders—refugees who were dislocated when Israel's boundaries were fixed. Years have not decreased the tension of the area but have tended to accentuate the acuteness of the problems.

It is for the solution of these problems that I, as a member of the House Foreign Affairs Committee, will give my support to all measures which are designed to continue our friendly relations with Israel and to help her in her struggles for the good of mankind. I believe that the following fundamental principles must be borne in mind by all who are concerned with the peace and security of that area:

First. Israel has pushed forward along democratic lines its programs which will make Israel a bulwark of strength in the vital and strategic area of the Near East.

Second. Israel is a duly constituted and established independent state and a full-fledged member of the family of free nations. She is a member of the United Nations and other organizations and has assumed the responsibilities and obligations which devolve upon a member of the family of free nations. This is a reality which the Arabs, in their own interest and in the interest of the entire area, must recognize.

Third. The status of the Arab refugees constitutes a critical situation which seriously impairs the peaceful solution of Arab-Israeli tensions. Shifting of the blame for this tragic situation from one side to the other does not help solve this problem. The plight of the Arab refugees, including their resettlement problem, should summon up the highest degree of humanitarianism and spiritual qualities of which both Israel and the Arabs are capable. Just and reasonable compensation should be made by the Israelis for property of the Arab refugees.

Fourth. The Tripartite Declaration of May 1950, which pledges the United States, the United Kingdom, and France to prevent a violation of frontiers or armistice lines, should be adhered to. In this connection it should be pointed out that Israel, having taken the lead in that area in developing democratic institutions of government, must also take the lead in developing the utmost restraint in the face of border incidents on the part of the neighboring Arabs and rely on the machinery of the United Nations to deal with these violations.

Fifth. Underlying the many ramifications of Arab-Israeli tensions is the basic fact that the Arab States refuse to negotiate a peaceful settlement of their disputes with a neighbor who is in that area to stay. Israel has repeatedly made peace overtures to the Arab States and just as repeatedly these overtures have been repelled. More than that, these overtures have met with positive measures by the Arab States to isolate Israel socially, economically, and politically through economic blockades, nonrecognition, and statements by Arab leaders of their intent to push the State of Israel off the map.

Peaceful negotiations between the Arab States and Israel must be undertaken at once if the Arabs genuinely desire peace in the Near East area and social, economic, and political progress for their people.

The United States, in its own security and foreign policy interests, must continue economic assistance to Israel and the Arab States from the point of view of the vital needs of the area of the Near East as a whole.

Case No. 8

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1954

Mr. CELLER. Mr. Speaker, here is another case of extraordinary hardship applied to an infinitesimal offense by the drastic provisions of the McCarran-Walter Act.

Edith Ruth Smith—nee Kunick—married Sergeant Smith of the United States Army in Germany in 1952. Their marriage had the prior approval of the American military authorities, but when the time came for the issuance of an immigration visa for Mrs. Smith it was discovered that when she was 18 years old she committed a crime involving moral turpitude. Here are the facts as reflected in official reports.

During an outing in 1948 in Stuttgart, Germany, Edith's sister, 16 years old, climbed a walnut tree and while shaking the nuts from the tree, fell and fractured both arms. She was subsequently notified to appear at police headquarters for questioning. Edith, although not summoned, accompanied her sister because of the latter's injuries. At police headquarters, both of them were charged with stealing walnuts from a tree, which was the property of the city of Stuttgart. The two girls paid a fine—roughly equivalent to 10 cents—but Edith Kunick, now Mrs. Paul William Smith, has been refused a visa under section 212 (a) (9) of the McCarran-Walter Act.

It is not necessary to ponder the need for revision where such palpable inequity is evidenced.

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SENATE

THURSDAY, MAY 13, 1954

Dr. Albert P. Shirkey, minister of the Mount Vernon Place Methodist Church, Washington, D. C., offered the following prayer:

O Lord, our Heavenly Father, accept our praise for the lives of famous men in which Thou hast manifested Thy great glory. They have been to us like a great rock in a weary land. Their absence from us leaves a vacant place against the sky as when a mighty oak falls in the forest.

Such was the life of Senator Clyde Hoey among us. Thy law was his meditation day and night. So close did he walk with Thee that like a tree planted by the rivers of water, he brought forth his fruit in every season. The neatness of his person was but an outer expression of the adornments he wore upon his soul. We bless Thee for his leadership, his understanding, his deep convictions that found utterance in his eloquent expressions.

We earnestly pray, as those who knew and loved him, that the mantle of his great life may fall upon his successor and Thy comforting grace be in the heart of his family, his colleagues in the Senate and in the Government, and in the heart of the State and Nation that mourn his passing.

Great and Eternal God, help us to understand that nothing is so needed as such men—

"Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie."

O Lord, our God, continue to give us such men to lead us. In the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 12, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on today, May 13, 1954, the President had approved and signed the act (S. 2150) providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in United States territory in the interest of national security; authorizing the Corporation to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction and operation of the seaway; empowering the Corporation to finance the United States share of the seaway cost on a self-liquidating basis; to establish cooperation with Canada in the control and operation of the St. Lawrence seaway; to authorize negotiations with Canada of an agreement on tolls; and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Clyde R. Hoey, late a Senator from the State of North Carolina.

The message announced that the House had passed the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7512) to provide for the conveyance of the federally owned lands which are situated within Camp Blanding Military Reservation, Fla., to the Armory Board, State of Florida, in order to consolidate ownership and perpetuate the availability of Camp Blanding for military training and use.

The message further announced that the House had passed a bill (H. R. 9040) to authorize cooperative research in education, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 235) requesting the President of the United States to return to the House of Representatives the bill (H. R. 1769) for the relief of Oscar F. Brown, for reenrollment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2305. An act to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia; and

H. R. 7512. An act to provide for the conveyance of the federally owned lands which are situated within Camp Blanding Military Reservation, Fla., to the Armory Board, State of Florida, in order to consolidate ownership and perpetuate the availability of Camp Blanding for military training and use.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. HICKENLOOPER was excused from attendance on the sessions of the Senate until Monday next.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HENDRICKSON, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

THE LATE SENATOR HOEY, OF NORTH CAROLINA

Mr. LENNON. Mr. President, in my absence yesterday, the distinguished minority leader had the very sad and painful duty of announcing to the Senate the sudden passing of my great and distinguished colleague from North Carolina the Honorable Clyde Roark Hoey.

Senator Hoey, Mr. President, was the finest example of statesmanship and greatness we have produced in North Carolina in our time. All of my lifetime and especially during my service with him in the Senate, it has been an inspiration to observe his noble qualities, which have endeared him to North Carolina and the Nation. Senator Hoey was a gentleman in every sense of the word; he was patient; he was kind; he was courteous. It is my humble opinion that in all his manifold attributes Senator Hoey personified integrity and devotion to Christian principles more nearly than any man known in public life today.

Mr. President, it is impossible to do justice to the mighty soul that was Clyde R. Hoey. All Carolina today is in mourning for a distinguished and beloved son. As we prepare to return the remains of our colleague to his native Cleveland County, N. C., it is with most heavy hearts that we bid him farewell; heavy because of the extreme loss we have suffered by the passing of a truly distinguished southern Christian gentleman; thankful, too, that we have been permitted to know him and profit by his long years of devoted public duty and service, both to his beloved North Carolina and the Nation.

Mr. President, over a span of 56 years Clyde Hoey served as a member of the House and the Senate of the North Carolina General Assembly, as a Member of the United States House of Representatives, as Governor of North Carolina, and as United States Senator. He was the only North Carolinian ever so honored.

It can be truly said that we have perhaps seen the end of a political generation in the passing of our beloved colleague. His friendly smile and greeting will be forever missed in this Chamber, and, Mr. President, we probably shall never see his equal again. Every person who knew him loved him, and, as has been written about him in North Carolina, "As a man whom so many people loved, even Death must have met him as a friend."

Mr. President, we are thinking of his three children at this hour. We extend our sympathy to them, and also to his loyal and efficient office staff, who join with all North Carolina in mourning Clyde Hoey's death.

May Almighty God, whom Clyde Hoey trusted and worshiped so fervently, re-

ceive his soul in the peace it so richly deserves.

A time will be set aside at an early date when there will be an opportunity for those Senators who wish to do so to pay tribute to the late Senator. At that time I shall avail myself of the opportunity to make more extended remarks.

Mr. KNOWLAND. Mr. President, as I announced in the Senate yesterday, after consultation with the minority leader, on a day to be agreed upon by the colleague of the late distinguished Senator from North Carolina and by the minority leader, the majority leader will be prepared to move to set aside a day on which memorial services may be held for the late Senator Clyde Hoey. There will be adequate advance notice of the date for the information of the Senate and the family of our deceased former colleague.

Mr. JOHNSON of Texas. Mr. President, I express my gratitude to the distinguished majority leader for that announcement. I assume that when the date is selected 2 or 3 days' advance notice will be given, so that all Senators may be informed.

Mr. KNOWLAND. Yes, ample notice will be given; and as I have pointed out, it will be arranged to have set aside whatever day the distinguished Senator from Texas and his colleagues agree upon.

Mr. McCARTHY. Mr. President, I wish to take a very few moments of the time of the Senate to pay tribute to a great gentleman and a great Senator, whom we lost yesterday. I refer to the late Senator Clyde R. Hoey, of North Carolina. I served with him as the ranking Republican member of the Permanent Investigations Subcommittee while he was chairman.

During all my service in the Senate I think I have never met a finer gentleman, a more honorable man, or one more devoted to his duty.

I feel strongly that the Senate and the country suffered a great loss yesterday in the death of this very great Senator.

THE REPUBLICAN CAMPAIGN IN INDIANA—JOINT STATEMENT BY SENATOR CAPEHART AND SENATOR JENNER

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the RECORD a joint statement by the senior Senator from Indiana [Mr. CAPEHART] and myself issued on Tuesday, May 11, 1954.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY SENATOR CAPEHART AND SENATOR JENNER ISSUED TUESDAY, MAY 11, 1954

We have never seen anything like this in the history of Indiana politics. It was integrity and loyalty to the high principles of the Republican Party versus corruption, bribery, threats, coercion, and intimidation.

Since so many fine, loyal people have stood up in this very close contest, we see no further good to be gained by having these wonderful people further threatened, coerced, intimidated, browbeaten, and tortured.

Therefore we are recommending to all of our loyal friends that the Republican banner in Indiana fly under the leadership of George Craig, Dale Brown, Roy Conrad, Albert Wedeking, Frank Millis, and Little Doc Sherwood, and men of their ilk.

This statement is issued at this time because we now know that Al Cast, the new second district chairman is a part of the Craig machine.

Governor Craig's wishes to control the wreckage are now granted.

We stand now, as always, ready to work for and with all loyal Republicans for the success of the party and the good of the American people.

HOMER E. CAPEHART.
WILLIAM E. JENNER.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business, for action on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report favorably a group of routine nominations in the Navy and Marine Corps, in the grades of ensign in the Navy and second lieutenants in the Marine Corps. In order to save the expense of printing on the Executive Calendar this large number of names, which have already appeared once in the CONGRESSIONAL RECORD, it is requested that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of John R. Ross, of Nevada, to be United States district judge for the district of Nevada.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Waldo H. Rogers, of New Mexico, to be United States district judge for the district of New Mexico.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the United States Coast Guard.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Coast Guard nominations are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

The PRESIDENT pro tempore. The Senate is in the morning hour, and morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED EXTENSION OF CONCESSION CONTRACT, YOSEMITE NATIONAL PARK, CALIF.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed extension of a concession contract to operate a restaurant, delicatessen, fountain and bakery, and related services in Yosemite National Park, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

DISPOSAL OF GOVERNMENT-OWNED TIN SMELTER AT TEXAS CITY, TEX.

A letter from the Administrator, Reconstruction Finance Corporation, Washington, D. C., transmitting a draft of proposed legislation to authorize the disposal of the Government-owned tin smelter at Texas City, Tex., and for other purposes (with accompanying papers); to the Committee on Armed Services.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

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REPORT ON UNIFORMED SERVICES RETIREMENT SYSTEM BY COMMITTEE ON RETIREMENT POLICY FOR FEDERAL PERSONNEL (PT. 2 OF S. DOC. NO. 89)

A letter from the chairman, Committee on Retirement Policy for Federal Personnel, Executive Office of the President, transmitting, pursuant to law, the second report of that committee relating to the Uniformed Services Retirement System (with accompanying papers); to the Committee on Post Office and Civil Service, and ordered to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Jersey City (N. J.) Typographical Union No. 94, protesting against the levying of a tax on union pensions; to the Committee on Finance.

A resolution adopted by the Sons of Utah Pioneers Luncheon Club, Salt Lake City, Utah, favoring the enactment of legislation to provide for the construction of the Echo Park Dam; to the Committee on Interior and Insular Affairs.

A cablegram in the nature of a petition from the Bournefield Tennis Association, St. Thomas, Virgin Islands, signed by Eleanor Edwards, chairman, relating to an organic act for the Virgin Islands; to the Committee on Interior and Insular Affairs.

A letter from the Chairman, Municipal Council of St. Croix, Christiansted, St. Croix, Virgin Islands, transmitting a resolution adopted by the Ninth Municipal Council of St. Croix, relating to an organic act for the Virgin Islands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Protestant Episcopal Diocese of Massachusetts, at Boston, Mass., relating to the procedure of congressional investigating committees (with an accompanying paper); to the Committee on Rules and Administration.

STORAGE OF GRAIN—RESOLUTIONS OF KANSAS GRAIN AND FEED DEALERS ASSOCIATION, WICHITA, KANS.

Mr. CARLSON. Mr. President, the 57th annual convention of the Kansas Grain and Feed Dealers Association met at Wichita on April 30 and May 1, and considered some of the current problems regarding the storage of grain, both farm storage and bonded warehouse.

This organization is composed of some of the outstanding grain and feed dealers in the State of Kansas and men who have had great experience in this field.

At their annual meeting they adopted some resolutions that I believe are of interest to every Member of the Senate. I ask unanimous consent that they may be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas Commodity Credit Corporation poses as the largest owner of grain in this United States, and utilizes farm storage and bonded warehouses; and

Whereas innocent parties have found themselves liable under existing laws for the value of converted grain: Therefore be it

Resolved, That this Kansas Grain and Feed Dealers Association support and encourage the enactment of protective legislation such as is provided by the Butler bill, S. 2526, and the Cunningham bill, H. R. 6878.

Whereas the available grain storage is currently inadequate to meet the demand without the erecting of thousands of bins; and

Whereas it is deemed desirable that the storage space be owned by the established grain trade: Therefore be it

Resolved, That this Kansas Grain and Feed Dealers Association recommend and favor the reopening of the storage occupancy agreement.

Whereas in past years the grain trade has felt that the Government was providing unfair competition to the established grain trade and has had an unrealistic attitude with regard to farm problems; and

Whereas Mr. Benson, Secretary of Agriculture, has taken a statesmanlike stand with regard to giving the grain business back to the established grain trade: Therefore, be it

Resolved, That we, the Kansas Grain and Feed Dealers Association, commend and support the Secretary of Agriculture in the principles for which he stands.

O. E. CASE,
Secretary-Treasurer.

PROHIBITION OF INTERSTATE SHIPMENT OF FIREWORKS—LETTER FROM NATIONAL ASSOCIATION OF POSTMASTERS

Mr. WILEY. Mr. President, I was delighted to receive a letter from Raymond V. McNamara, president of the National Association of Postmasters, commending our fight for fireworks-control legislation, H. R. 116.

The postmasters of America know from first-hand experience what fireworks can do in harming people and property. After all, it is our faithful postal workers who must process these shipments through the mail.

Mr. McNamara, moreover, points out some important side mischief caused by these harmful instruments.

I commend the national association for its civic-minded interest in this cause of protecting our people. I ask unanimous consent that the letter be printed in the RECORD, and appropriately referred.

There being no objection, the letter was ordered to lie on the table, and to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF POSTMASTERS OF THE UNITED STATES,
Washington, D. C., May 10, 1954.

Hon. ALEXANDER WILEY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: The National Association of Postmasters of the United States, consisting of more than 33,000 of the more than 40,000 postmasters of the Nation, wishes to go on record as strongly endorsing your efforts as indicated in Report No. 1209 to accompany H. R. 116, which bill is presently on the Senate Calendar.

Particularly around Christmas, New Year's Day, and Fourth of July, postmasters and other postal employees throughout the country receive many complaints, particularly from rural patrons, that mail boxes are blown up by firecrackers and other fireworks.

While I realize that H. R. 116 is not a postal measure, I can think of no agency that would benefit more from its enactment than the Post Office Department unless it is the children who by the enactment of this very worthwhile legislation would be protected from what is often serious and are sometimes permanent injuries.

In the vast majority of cases the damage to postal property and interference with the postal service is not malicious but results from thoughtless and careless acts of playful persons, generally children, who place firecrackers in mailboxes just for the fun of the explosion and noise. Postmasters are required to report each such incident to the inspection service and this results in adding burdens to an important branch of the postal service already undermanned and overworked. Also the cost of each incident averages between $20 and $25. The fact that it is rare that arrests are made does not reduce the gravity of the matter.

Even in those States without a statute prohibiting the sale of fireworks most of the cities and many of the towns have laws against such sales but what happens is that persons go outside of city limits and make their purchases. I realize that to a great extent this is a State rather than a Federal question and that some will object to this legislation on the grounds that it is an unwarranted invasion of States rights, but in spite of this I hope that the association that I have the honor to represent can contribute in some way to this humane endeavor, and that upon the next call of the calendar this very worthwhile measure will have favorable consideration on the part of the United States Senate.

Sincerely yours,

RAYMOND V. MCNAMARA,
President.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 1128. A bill authorizing the Secretary of the Interior to issue to Jake Alexander a patent in fee to certain lands in the State of Alabama (Rept. No. 1326);

H. R. 2913. A bill to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson (Rept. No. 1327);

H. R. 4816. A bill authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi (Rept. No. 1328); and

H. R. 6186. A bill to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal (Rept. No. 1329).

By Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 2512. A bill to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended (Rept. No. 1330).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 1433. A bill to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status (Rept. No. 1333); and

H. R. 7308. A bill to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended (Rept. No. 1334).

By Mr. SALTONSTALL, from the Committee on Armed Services, with an amendment:

H. R. 2225. A bill to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy,

Air Force, and State Department, and for other purposes (Rept. No. 1335).

By Mr. SALTONSTALL, from the Committee on Armed Services, with amendments:

S. 3401. A bill to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes (Rept. No. 1336).

By Mr. STENNIS, from the Committee on Armed Services:

S. 3446. A bill to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy, and for other purposes; with an amendment (Rept. No. 1332).

By Mrs. SMITH of Maine, from the Committee on Armed Services:

S. 3270. A bill to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate or have to their credit; with amendments (Rept. No. 1338).

APPOINTMENT OF COL. LELAND HAZELTON HEWITT AS COMMISSIONER, INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO—REPORT OF A COMMITTEE

Mr. WILEY. Mr. President, from the Committee on Foreign Relations, I report favorably an original bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes, and I submit a report (No. 1331) thereon.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

The bill (S. 3457) to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes, reported by Mr. WILEY from the Committee on Foreign Relations, was read twice by its title, and placed on the calendar.

AUTHORIZATION FOR LONG-TERM TIME CHARTER OF TANKERS BY SECRETARY OF THE NAVY—REPORT OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report favorably an original bill to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes, and I submit a report (No. 1337) thereon.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

The bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes, reported by Mr. SALTONSTALL, from the Committee on Armed Services, was read twice by its title, and placed on the calendar.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 13, 1954, he presented to the President of the United States the enrolled bill (S. 2305) to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RUSSELL:

S. 3448. A bill for the relief of Athanassios Theodore Stathopoulos; and

S. 3449. A bill for the relief of Hedi Gertrude Spiecker; to the Committee on the Judiciary.

By Mr. CLEMENTS (for Mr. BURKE):

S. 3450. A bill to amend Public Law 815, 81st Congress, so as to extend for 2 additional years the program of assistance for school construction under title III of that act; to the Committee on Labor and Public Welfare.

By Mr. CARLSON:

S. 3451. A bill for the relief of Rev. Arno A. Lehmann; to the Committee on the Judiciary.

By Mr. BUTLER of Nebraska:

S. 3452. A bill relating to the establishment of public recreation facilities in Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3453 (by request). A bill to provide for the management and disposition of the reconveyed Choctaw and Chickasaw lands in the State of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. SCHOEPPEL (by request):

S. 3454. A bill for the relief of the MacArthur Mining Co., Inc., in receivership; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 3455. A bill for the relief of Priska Anne Kary; to the Committee on the Judiciary.

By Mr. BRICKER:

S. 3456. A bill to authorize the Federal Communications Commission to establish rules and regulations and make orders with respect to networks and their activities; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BRICKER when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. 3457. A bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; placed on calendar.

(See the remarks of Mr. WILEY when he reported the above original bill from the Committee on Foreign Relations, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. 3458. A bill to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes; placed on calendar.

(See the remarks of Mr. SALTONSTALL when he reported the above bill from the Committee on Armed Services, which appear under a separate heading.)

By Mr. KNOWLAND:

S. J. Res. 158. Joint resolution to amend section 84 (a) (2) of title 28 of the United States Code; to the Committee on the Judiciary.

RULES AND REGULATIONS RESPECTING RADIO AND TELEVISION NETWORKS

Mr. BRICKER. Mr. President, I introduce for appropriate reference a bill to give the Federal Communications Commission statutory authority to establish rules and regulations with respect to radio and television networks.

The Commission now has authority to regulate individual licensed radio and television stations, but possesses no statutory control over radio or television networks.

Since the original Communications Act of 1934 was enacted by the Congress, networks have grown to dominate the broadcast field. The ability of an individual station to obtain network programing too often determines whether that station lives or dies.

In recent weeks the committee has received many complaints from all parts of the country, and also from several Senators, outlining the difficulties encountered by certain broadcast stations in negotiating affiliations with the various networks.

Under the Communications Act of 1934, the FCC has the full responsibility of making available, so far as possible, to all the people of the United States a nationwide, efficient radio and TV service. The public interest requires this service.

If the FCC is unable or is hampered in carrying out this objective because of the lack of authority, then Congress must act accordingly.

I have requested the FCC and other Government agencies to submit comments as soon as practicable on the bill, preparatory to exploration of the matter by the committee.

FCC statistics show that since the television freeze was lifted in April 1952, 72 television grants to operate stations have been dropped or surrendered by the holders. Of this number, 60 were in the so-called UHF band, while 12 were in the VHF frequency.

We have reason to believe that many of these failures are due to the fact that the stations were denied programs by the various operating networks. It is that field which, through this bill, we seek to explore.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3456) to authorize the Federal Communications Commission to establish rules and regulations and make orders with respect to networks and their activities, introduced by Mr. BRICKER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PRIVATE SHIP CONSTRUCTION AND MAINTENANCE

Mr. PAYNE submitted the following resolution (S. Res. 246), which was referred to the Committee on Interstate and Foreign Commerce:

Whereas the private ship construction and ship repair yards in the United States are declining in activity so rapidly that the degree of activity that will remain is doubtful; and

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Whereas a sufficient number of well dispersed yards is necessary to construct and service the ships of the merchant marine and to form a necessary part of the mobilization base required in emergencies; and

Whereas the organizations and skills of the industry are being lost and dissipated to a degree that a nucleus sufficient to constitute such a mobilization base will not remain: Now, therefore, be it

Resolved, That it is the sense of the Senate that the problem of maintaining private ship construction and repair yards in sufficient size and numbers should receive immediate study and that action should be proposed that will prevent the shipyards from falling below a level of activity sufficient to service the ships of the merchant marine and to provide an acceptable mobilization base in times of emergency; be it further

Resolved, That a plan be presented to the Congress of the United States which will provide for facilities for private ship construction and repair and also the building of vessels in a number great enough to meet any national emergency and to carry the commerce of the United States.

PROPOSED SEVERANCE OF DIPLOMATIC RELATIONS WITH RUSSIA

Mr. JENNER. Mr. President, on behalf of myself and the Senator from Nevada [Mr. MCCARRAN], I submit for appropriate reference a resolution relating to severance of diplomatic relations with Russia, and I ask unanimous consent that a statement pertaining to the resolution be printed in the RECORD at this point, as a part of my remarks.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred and, without objection, the statement will be printed in the RECORD.

The resolution (S. Res. 247) was received and referred to the Committee on Foreign Relations, as follows:

Resolved, That—

(1) Whereas it is morally wrong for the Government of the United States to maintain diplomatic relations with the band of Kremlin international outlaws who, by stealth and ruthless power, have enslaved one-third of the people of the world; and whereas, the outposts and advance positions of this outlaw band, received and tolerated under the guise of "diplomatic missions," in the United States and other countries of the free world are in fact nests of espionage, seditious propaganda and sabotage; therefore, it is the sense of the Senate that the Government of the United States should sever diplomatic relations with the alleged Government of Soviet Russia and with the alleged governments of the countries which have been enslaved by the alleged Government of Soviet Russia.

(2) Whereas the tentacles of international communism are ever reaching for new areas of conquest, and this spreading menace can be effectively combated only by concerted action of the free nations; therefore, it is the sense of the Senate that the Government of the United States should convoke an international conference of the free nations of the world for the purpose of agreeing upon united action (a) to destroy the Communist fifth column, and (b) to resist further aggression by international communism.

The statement presented by Mr. JENNER is as follows:

STATEMENT BY SENATOR JENNER

In an official note to the then President of the United States on November 16, 1933, as a prelude to the establishment of diplomatic relations between the Government of the United States and the Government of the Union of Soviet Socialist Republics, Maxim Litvinoff, who was People's Commissar for Foreign Affairs, pledged the Soviet Government:

"1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its Territories, or possessions.

"2. To refrain, and to restrain all persons in government service and all organizations of the government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquility, prosperity, order, or security of the whole or any part of the United States, its Territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention, or any agitation or propaganda having as an aim the violation of the Territorial integrity of the United States, its Territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories or possessions.

"3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which makes claim to be the government of, or makes attempt upon the territorial integrity of, the United States, its Territories or possessions; not to form, subsidize, support, or permit on its territory military organizations or groups having the aim of armed struggle against the United States, its Territories or possessions, and to prevent any recruiting on behalf of such organizations and groups.

"4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories or possessions."

On that same day, November 16, 1933, the then President of the United States accepted this pledge of the Soviet Government and diplomatic relations were established between the governments of the two countries.

Long before that fateful day, the Communist manifesto had announced:

"In short, the Communists everywhere support every revolutionary movement against the existing social and political order of things. * * *

"The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions."

Long before that fateful day, Nicoli Lenin himself had proclaimed:

"The existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable."

In the face of this record of the aims and objectives of the Soviet Union, was the pledge given to our Government on November 16, 1933, to be believed and accepted in good faith?

Let us turn again to the writings of Lenin himself:

"We must be able to withstand all this, to agree to all and every sacrifice, and even—if need be—to resort to various strategems, artifices, illegal methods, to evasions and subterfuges."

A moment's reflection on the treachery which spawned the infamous, Godless tyranny that was then just beginning to whet its appetite for the enslavement of all humanity should have given pause.

A glance at the Soviet Union's record as a consistent violator of international commitments and pacts prior to November 1933, should have prompted hesitation.

In spite of these grim warnings, our Government not only established diplomatic relations with the dictators of the Kremlin but, since then, has fed their conspiratorial apparatus with billions of our wealth, with concessions, and appeasements ad nauseam.

Did the Soviet Union keep its pledge to the Government of the United States? Here are the words of William Z. Foster, national chairman of the Communist Party in the United States:

"When a Communist heads the Government of the United States—and that day will come just as surely as the sun rises—the government will not be a capitalist government but a Soviet Government and behind this government will stand the Red army to enforce the dictatorship of the proletariat."

On September 30, 1950, the Congress, after years of investigation, inquiry, and direct observation, legislatively declared:

"There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is * * * to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

"The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, presents a clear and present danger to the security of the United States and to the existence of free American institutions."

Today, we read the gruesome record of this monster which is written in the blood of its victims and we are appalled by its insatiable appetite. It has devoured untold millions of human souls. It grips millions more who are wasting to an agonizing death in slave-labor camps.

Today, there are some 20 million agents of this conspiracy against humanity itself spread out in a deadly fifth column encompassing the globe.

Today, there are legions of worldwide interlocking nerve centers for espionage, sabotage, and subversion, masquerading as diplomatic establishments, under the discipline of the masters of the Kremlin.

Today, the awful truth is that the tentacles of this Red octopus embrace one-third of the world's population and one-fourth of the world's land surface, and these tentacles are reaching to encompass the globe.

The Senate resolution calls for the severance of diplomatic relations with the Kremlin and with these governments which are satellites of the Kremlin.

The conscience of the world demands that this Nation, as the last great bastion of freedom, take the lead in expelling from the family of nations the tyrants of Moscow. This course of action would give notice to the enslaved peoples of the world, and those who are threatened with enslavement, that we will no longer welcome their vile oppressors at the council tables of the world to spew forth their venom in mockery of men of good will.

We can no longer blind ourselves to the fact that there can be no binding agreement or solemn pact with men who know no morality and whose only god is naked, brute force.

This course of action is likewise impelled by the grim necessity to protect ourselves against the penetration of this country by

the master plotters, in the guise of diplomats.

The Senate resolution also calls for the convoking of an international conference of the free nations of the world for the purpose of agreeing upon united action (a) to destroy the Communist fifth column, and (b) to resist further aggression by international communism.

Although the Communist world is welded in a unity of steel, division and disunity characterize the nations which have not succumbed to the aggression of the Kremlin. A startling fact is that the Moscow trade offensive has penetrated deep into the economic life of the free world with the result that there are currently being drawn into the Communist orbit the economic systems of the free nations. This means not only a transfusion of the strength of the free world into the Iron Curtain countries but eventual economic strangulation of the West.

Those nations which are yet free must, before it is too late, choose up sides and declare themselves for united action to quarantine the marauding fanatics who threaten to destroy civilization itself.

It is hoped that the Senate resolution will have wide circulation and discussion. It offers a vehicle for the formulation of one overall policy to strengthen ourselves and the free world against the deadly impending peril.

REQUESTS OF COMMON CARRIERS FOR INCREASED TRANSPORTATION RATES—AMENDMENTS

Mr. WELKER submitted an amendment intended to be proposed by Mr. BRICKER (for himself, Mr. JOHNSON of Colorado, and Mr. CAPEHART), jointly, to the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

Mr. SMATHERS submitted amendments intended to be proposed by him to Senate bill 1461, supra, which were referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 9040) to authorize cooperative research in education was read twice by its title and referred to the Committee on Labor and Public Welfare.

INFORMATION CONCERNING RENTAL RATES UNDER FEDERAL HOUSING ADMINISTRATION

Mr. BYRD. Mr. President, on April 21, 1954, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I wrote to Mr. Arthur M. Cole, Administrator, Housing and Home Finance Agency, making four inquiries with reference to rental rates under jurisdiction of the Federal Housing Administration. These inquiries follow:

First. The extent to which FHA fixes and controls rental rates on properties financed with funds insured under FHA programs.

Second. The factors on which rental rates are based for projects financed with loans guaranteed under FHA programs. For instance, would the rate be higher as the result of a loan in excess of costs than it would be if the loan had been even with the cost or less?

Third. A schedule of typical rental rates on comparable projects where: (a) The project was built with an FHA-guaranteed loan in excess of cost, (b) the project was built with an FHA-guaranteed loan less than cost, (c) the project was built without FHA-insured loans.

Fourth. A list of FHA properties, their location and their size where rents have been allowed to increase over the original rates, and a statement of policy and specific justification controlling these cases. A complete list of all such properties would be more desirable but a partial list will be temporarily acceptable if this is necessary to expedite reply.

I am now in receipt of a reply to this letter, signed by Mr. Cole.

In substance, the letter leaves no doubt that the Federal Housing Administration admits rentals for the multiunit housing projects financed through loans insured by it are based on estimated replacement cost; not on actual cost.

This means in a large number of projects under the scandalized 608 program where loans were insured in excess of actual costs—up to 140 percent in some cases—the burden of the outrageous windfalls which resulted have fallen upon those renting housing in these properties.

I estimate loans have been insured on certain properties under this program totaling $100 million more than actual costs. In the first instance the burden of these excessive loans will fall heavily upon those who rent in the projects and in the end the Government, which insured the loans, may be compelled to pay off.

Mr. Cole makes it clear that—

First. It is the general policy of FHA to base the rental rates it fixes on its own estimate of project replacement costs, which, in hundreds of cases, are known to have been far in excess of actual cost.

Second. Higher rents are permissible under FHA's general policy if it estimated replacement costs above actual cost.

Third. In percentage of actual cost, the sponsor's income from rents is higher if he pocketed some of the federally insured loans.

In terms of general policy, Mr. Cole, outlining the extent to which FHA fixes and controls rental rates on properties financed with funds insured under its programs, has advised the committee:

> The rentals approved are fixed in an amount which, at 93 percent occupancy will yield the appropriate net return on the estimated replacement cost of the residential portion of the project (including garages and land) plus required working capital.

He said:

> This applies to all sections of the (National Housing) Act with the exception of title VIII, Military Housing, where the rents are fixed in the certificate of need filed by the military.

The Secretary of Defense has been requested to advise the committee of its rent-fixing policy.

The appropriate net return for projects under the 608 program, according to Mr. Cole, has been found by FHA to be 6½ percent of what it estimated their replacement costs to be, including land, after deductions for operating expenses, reserve for replacements, taxes, ground rents, if any, and management costs, and assuming an occupancy of 93 percent.

The appropriate net return for residential rental projects under section 207, according to Mr. Cole, has been found by FHA to be 7¼ percent on what it estimated the replacement cost to be, including cash working capital, calculated after operating costs, taxes, and replacements of reserve requirements.

Speaking directly to rents authorized for the 608 projects, Mr. Cole said:

> If FHA's estimate of cost exceeded the sponsor's actual cost, the permissible rentals would be higher.

Breaking down the factors in a hypothetical example, to which the 6½-percent-net-return formula was applied, Mr. Cole said:

> As the rents established are keyed directly to FHA estimate of cost, it is obvious that if the builders produced the units at less than our cost, then the income will exceed 6½ percent net return.

Against the general policy background, Mr. Cole noted some qualifications and variations with respect to rentals fixed by FHA for projects under three other programs financed with loans insured under sections 610, 903, and 908.

Mr. Cole said an FHA field director is not permitted to authorize an increase in rents after initial occupancy without first obtaining the prior approval of the Washington office.

The committee was advised that a complete list of cases in which FHA has granted rent increases was not immediately available, but without reference to the programs under which they were sponsored, Mr. Cole listed 12 projects picked at random in which authorized increases range from 25 cents to $2.40 per room per month. The 12 projects he listed follow:

ILLUSTRATIVE LIST OF PROJECTS WHEREIN RENTAL INCREASES HAVE BEEN APPROVED

1. Project No. 034–42053, Church Lane Village, Philadelphia, Pa., 41 units, 173 rooms.

An average rental increase of $1.84 per room per month was granted on June 9, 1953, due to an increase in operating expenses principally heating, payroll, and real-estate taxes.

2. Project No. 073–42091, Village Garden Homes, Inc., Fort Wayne, Ind., 56 units, 238 rooms.

An average rental increase of 98 cents per room per month was granted on April 14, 1953, by reason of increase in real-estate taxes, water expense, electricity, and maintenance expenses.

3. Project No. 052–42006, Drumcastle Apartments, Baltimore, Md., 254 units, 1,207 rooms.

An average rental increase of $1.01 per room per month was granted on April 21, 1953, due to an overall increase in operating cost, principally real-estate taxes and heating expenses.

4. Project No. 126–42002, Oswego Lake Shore Apartments, Oswego, Oreg., 57 units, 257 rooms.

An average rental increase of 69 cents per room per month was granted on December 2, 1953, by reason of increase in cost of fuel, lighting, water, real-estate taxes, and ground expense.

UNIVERSITY OF MICHIGAN LIBRARIES

5. Project No. 122-42229, Baldwin Gardens, Los Angeles, Calif., 400 units, 1,722 rooms.

An average rental increase of 93 cents per room per month was approved December 9, 1953, to cover increased cost of utilities, maintenance expenses and real-estate taxes.

6. Project No. 127-42006, C. and K. (Lakeview Boulevard Apartments), Seattle, Wash., 18 units, 84 rooms.

An average rental increase of $1.27 per room per month was granted on November 10, 1953, by reason of increase in real-estate taxes.

7. Project No. 062-42099, Aview Apartments, Montgomery, Ala., 22 units, 70 rooms.

An average rental increase of 63 cents per room per month was granted November 5, 1952, by reason of increase in water rates, garbage-collection fee, and sewer charges levied by the city of Montgomery, Ala.

8. Project No. 053-42065, Clearview Housing Corp., Durham, N. C., 148 units, 592 rooms.

An average rental increase of 75 cents per room per month was granted March 31, 1954, due to increase in charge made by city of Durham for water and sewer services.

9. Project No. 083-42037, Arcadia Apartments, Louisville, Ky., 224 units, 896 rooms.

An average rental increase of 25 cents per room per month was granted on January 28, 1954, to cover increase in real-estate taxes.

10. Project No. 031-40078, Fairlawn Park Estates, section I, Fairlawn, N. J., 203 units, 763 rooms.

An average increase of $1.52 per room per month was granted on March 16, 1954, principally by reason of increase in real-estate taxes, heating costs, payroll, and water charges.

11. Project No. 012-42252, Hastings Gardens, Inc., Brooklyn, N. Y., 82 units, 299 rooms.

An average rental increase of 91 cents per room per month was granted on February 4, 1954, principally by reason of increase in real-estate taxes, heating costs, payroll, and water charges.

12. Project No. 014-42043, Minden Court, Inc., Binghamton, N. Y., 18 units, 90 rooms.

An average rental increase of $2.40 per room per month was granted on May 23, 1953, principally by reason of increase in real-estate taxes, heating costs, payroll, and water charges.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD two letters which I, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, have written to the Honorable Albert M. Cole, Administrator of the Housing and Home Finance Agency, requesting certain information.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 12, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency,
Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to FHA organization, division responsibility, and personal authority.

1. An organization chart of the Federal Housing Administration.

2. The degree, in detail, to which—

The Underwriting Division influenced final decision as to the amount to be insured in construction loans in each program.

The Legal Division influenced final decision as to the amount to be insured in construction loans in each program.

The authorized or usurped authority in these two divisions overlapped.

There was or was not harmonious cooperation between these two divisions.

3. Specifically, by program, the extent to which Mr. Clyde L. Powell exercised either authorized or usurped authority in the final determination of the amounts of multiunit loans to be insured, under: (a) Initial applications; and (b) supplemental applications for increases.

4. A list of projects, by program, where loans exceeded cost, in which supplemental applications for increased loan insurance were granted, showing in each case the amount to which the loan exceeded the cost and the total of the increases granted.

5. Specifically, by program, the extent to which Mr. Clyde L. Powell exercised either authorized or usurped authority in final determination of rental increases approved by FHA.

6. A list of projects in which sponsors benefited from the combination of supplemental increases, total insured loans in excess of actual cost, and increased rent authorization.

Cordially yours,

HARRY F. BYRD,
Chairman.

MAY 12, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency,
Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to FHA appraisal and inspection policies:

1. The purposes for which FHA appraisals are made and used; the purposes for which inspections are made and used.

2. A statement of policy under which appraisals are made and under which appraisers work; under which inspections are made and inspectors work.

3. A statement of qualifications required of appraisers, supervision under which they work and the nature of their employment (full-time classified or part-time fee); qualifications required of inspectors, supervision under which they work and the nature of their employment (full-time classified or part-time fee).

4. Statement of methods, procedures and techniques employed by FHA to preclude collusion and fraud in the appraisal and inspection stages.

5. A statement of precisely what a certificate or other evidence of FHA appraisal or inspection means to a purchaser or prospective purchaser of a property on which there has been an FHA appraisal or inspection.

6. A statement as to what steps FHA has taken to acquaint the general public as to precisely the meaning of an FHA appraisal or inspection, and the responsibility which is assumed by the Government under each.

Cordially yours,

HARRY F. BYRD,
Chairman.

RUMANIAN INDEPENDENCE DAY

Mr. LEHMAN. Mr. President, May 10 was celebrated by many groups in our country as Rumanian Independence Day. On this date Rumanians celebrated the triple anniversary of the proclamation of a Rumanian kingdom in 1866, attainment of independence from Turkey in 1877, and the unification of Rumanian provinces in 1917.

I ask unanimous consent that a brief statement I have prepared commemorating this date be printed in the body of the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN COMMEMORATING RUMANIAN INDEPENDENCE DAY, MAY 10, 1954

In the midst of our debates and discussions in the Senate concerning matters of the gravest import to all the free world, we must not, however, forget the plight of the enslaved peoples of Rumania as well as of other countries behind the Iron Curtain. There was a day when Rumania was independent and when its people were free. Such a day will surely come again but we must not be content just to wait and to hope. We must work for the earliest possible realization of that day—for the return of freedom to Rumania.

We in America cannot consider ourselves wholly free as long as slavery and tyranny exist unchecked in the world. We must continue to hold aloft the banners of freedom based on the brotherhood of man and the right of justice for all. We must work for conditions which will facilitate and overthrow tyranny wherever it exists. I am sure these sentiments correspond with those felt by all the peoples of the United States.

We in the United States can show our continuing concern and belief in these fine people, our Rumanian brothers, by continuing to work for revision of our basic immigration and naturalization laws, and for liberalization of the Refugee Relief Act of 1953, in order to provide a haven for our fair share of the homeless Rumanian refugees and escapees from Communist terror.

Such action would be in line with the great humanitarian tradition of our country.

ANNOUNCEMENT REGARDING MEMORIAL SERVICES FOR THE LATE SENATOR HOEY

Mr. KNOWLAND. Mr. President, I wish to announce, for the information of Senators who were not present when the prior announcement was made, that I have consulted with the minority leader, and a day will be set aside for memorial services for our late colleague, Senator Hoey, of North Carolina, on a date which the colleague of the late Senator [Mr. LENNON], the minority leader, and the family may agree upon. Whenever the date is fixed the majority leader will arrange for the memorial services.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HOLLAND. I have just talked with the two splendid sons of the late Senator Hoey. I understand from them that the family approves an early date for memorial exercises in the Senate. At that time all Senators will be afforded an opportunity to speak of our warm affection and high respect for Senator Hoey. I will withhold my remarks at this time.

Mr. KNOWLAND. Whenever the date is set, the minority leader will notify me, and I will arrange for the services.

The PRESIDENT pro tempore. Morning business is concluded.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MRS. OSCAR F. BROWN—CORRECTION AND REENROLLMENT OF BILL

Mr. KNOWLAND. Mr. President, there is at the desk a concurrent resolution which has come over from the House. I have taken the matter up with the minority leader. If the resolution may be laid before the Senate at this time, I shall make an explanation of it.

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 235, requesting the President of the United States to return to the House of Representatives H. R. 1769 for reenrollment, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is requested to return to the House of Representatives the enrolled bill (H. R. 1769) for the relief of Oscar F. Brown. If and when said bill is returned by the President, the action of the Presiding Officers of the two Houses in signing said bill shall be deemed rescinded; and the Clerk of the House is authorized and directed in the reenrollment of said bill, to make the following corrections:

Page 1, line 5, after "to", insert "Mrs."

Page 1, line 8, after "sustained" insert "by her husband, Oscar F. Brown." Page 1, line 10, after the figures "1942" strike out the colon and insert "Oscar F. Brown died subsequent to the passage of this bill by the House of Representatives."

Amend the title so as to read: "For the relief of Mrs. Oscar F. Brown."

Mr. KNOWLAND. Mr. President, the situation in regard to this request is that the bill had passed both the House and Senate and had been sent to the President for his signature. In the Senate committee report on House bill 1769 it is stated:

The purpose of the proposed legislation is to pay the sum of $6,000 to Oscar F. Brown, Fresno, Calif., in full settlement of his claims against the United States for personal injuries sustained as a result of an accident involving a United States Army airplane at the Madera Airport, Madera, Calif., on July 2, 1942.

Before the bill could be signed Mr. Brown died. This concurrent resolution requests that the bill be returned so that the name of Mrs. Brown may be inserted in lieu of that of Mr. Brown.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

REQUESTS OF COMMON CARRIERS FOR INCREASED TRANSPORTATION RATES

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of Calendar No. 320, Senate bill 1461.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the amendment in the nature of a substitute offered by the Senator from Ohio [Mr. BRICKER], for himself and other Senators.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. As I understand, the yeas and nays have been ordered on the amendment of the Senator from Illinois.

The PRESIDENT pro tempore. The Senator is correct.

Mr. SMATHERS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Martin
Barrett	Goldwater	Maybank
Beall	Gore	McCarthy
Bennett	Green	McClellan
Bowring	Hayden	Millikin
Bricker	Hendrickson	Monroney
Bridges	Hennings	Morse
Bush	Hickenlooper	Mundt
Butler, Md.	Hill	Murray
Butler, Nebr.	Holland	Pastore
Byrd	Humphrey	Payne
Carlson	Hunt	Potter
Case	Ives	Purtell
Chavez	Jackson	Robertson
Clements	Jenner	Russell
Cooper	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Daniel	Johnston, S. C.	Smathers
Dirksen	Kennedy	Smith, Maine
Douglas	Knowland	Smith, N. J.
Duff	Kuchel	Stennis
Dworshak	Langer	Symington
Ellender	Lehman	Thye
Ferguson	Lennon	Upton
Flanders	Long	Watkins
Frear	Magnuson	Welker
Fulbright	Malone	Wiley
George	Mansfield	Young

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senators from West Virginia [Mr. KILGORE and Mr. NEELY] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The PRESIDING OFFICER (Mr. CASE in the chair). A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. MONRONEY. Mr. President, the junior Senator from Florida [Mr. SMATHERS] and I have at the desk a motion to recommit the bill to the Committee on Interstate and Foreign Commerce for further study. The purpose of the motion which we are seeking to have voted on at this time is to permit the Committee on Interstate and Foreign Commerce further to study the substitute bill on which no hearings have been held and no testimony has been taken and to consider the nature and effect of the substitute as regards the vital question of freight rates for the 165 million people of the United States.

Mr. MAYBANK. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. MAYBANK. Did the Senator say that there have been no hearings on the bill?

Mr. MONRONEY. The bill, which was reported by the committee last year, is an entirely different bill from that which the distinguished chairman of the Committee on Interstate and Foreign Commerce, the distinguished ranking Democratic member of that committee, and a former member of that committee [Mr. CAPEHART] are now offering in the nature of a substitute.

Mr. MAYBANK. I was asking only for information.

Mr. MONRONEY. In fact, we now find the unusual spectacle of the distinguished leaders of the committee disowning the bill which had been reported by the committee. They are striking out a part of the objectionable language from the original bill which the committee reported.

Mr. LONG. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. LONG. There has been a suggestion that an amendment in the form of the so-called trip-leasing bill will be offered to this bill on the floor, and if it is not adopted, the trip-leasing bill may not be considered at this session of the Congress. Does the Senator from Oklahoma intend to have the trip-leasing bill considered along with this bill as a possible amendment to it?

Mr. MONRONEY. I certainly think both bills should have the earliest possible consideration of the committee and that adequate hearings should be held.

Mr. MAYBANK. Mr. President, will the Senator from Oklahoma yield further?

Mr. MONRONEY. I yield.

Mr. MAYBANK. As the distinguished Senator from Oklahoma knows, I am not a member of the Committee on Interstate and Foreign Commerce, and I was rather shocked to hear that there had been no testimony offered on the bill. I was told that hearings would be continued through the 8th of June. I have no intention of voting for a bill on which there have been no hearings.

Mr. MONRONEY. The bill on which the committee held hearings, which was reported last year by the committee, is an entirely different bill from that which the distinguished chairman of the committee and other colleagues now offer as a substitute. But there have been no hearings on the substitute and no explanation of it before the committee. There is confusion regarding the provisions of the bill. We do not know whether the substitute is approved by various departments which almost unanimously submitted adverse reports on the original bill. So it seems to me it is absolutely necessary that it be further considered in committee if the House and the Senate are to legislate with a full understanding of this vital question, because we may, by legislative mandate, be permitting unconscionable freight-rate increases which will be borne by every

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shipper and farmer in the United States. I think the committee should hold hearings on the substitute to find out what its effect will be.

Mr. BRICKER. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. BRICKER. Mr. President, to answer the question of the distinguished Senator from South Carolina let me say that there is not one item in the substitute amendment which has not been thoroughly considered and testified to before the committee. The bill itself was reported more than a year ago. There were several amendments offered on the floor, all of which we took into consideration. The distinguished Senator from Colorado [Mr. JOHNSON] and I agreed upon an amendment which is much less subject to criticism or debate than is the original bill reported by the committee. I think the proposed substitute amendment meets practically every objection that has been made.

It is common practice to offer on the floor of the Senate amendments which were not considered by the committee. The amendment offered by the Senator from Illinois was not considered by the committee at all. All that was taken into consideration in preparing the substitute. There is nothing complicated about it. There is nothing in it which is detrimental to the public interest. There is nothing in it that gives the transportation systems any authority or any power to do anything which is not authorized by the Interstate Commerce Commission.

Mr. MAYBANK. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. MAYBANK. I have heard some complaints regarding the bill, but I understood that an amendment would be adopted which would be satisfactory to the farming interests. Am I wrong?

Mr. BRICKER. It does not specifically relate to farming interests. The President of the National Grange wrote a letter supporting the substitute, which I placed in the RECORD. We met his criticism in the substitute amendment. That was one of the objections we met in changing the provisions of the bill as reported by the committee. The fact is that this whole matter is limited. The amendment in its entirety is limited to any rate increase made necessary for two reasons: First, an increase in wages over which the railroads have no control, oftentimes, and increases in prices of materials over which they have no control at all.

The delay of the Interstate Commerce Commission for a year or year and a half in many of their rate hearings, in the judgment of the committee, makes it necessary that there be an interim rate provision permitting an increase in rates to meet these uncontrolled influences which increase the cost of transportation service.

Mr. MONRONEY. As the distinguished chairman has said, the bill is brought forward under the allegation that the length of time between the filing of an application for a rate increase and the determination of the application, after due hearing held in the protection of the public interest, works an undue hardship on the rail carriers of the Nation. As has been said, trucklines and intercoastal water carriers may have been included in the bill; but it is primarily a railroad bill. The railroads have made use of one of the most powerful lobbies to try to get this "quickie" rate bill through Congress that it has ever been my displeasure to witness.

We are told that the railroads have had to wait a year or a year and a half to obtain a rate increase and relief from the Interstate Commerce Commission. The only excuse given for this bill is the delay of a year or a year and a half which has been alleged by members of the committee in the report, and only this morning by the distinguished chairman of the committee.

What are the facts? The facts do not show that there has been an unconscionably long delay because of which the railroads have suffered greatly while the Interstate Commerce Commission has been hearing cases and considering all necessary information and data as to operating revenues and expenses, in order to protect the public interest.

If there has not been an unusual delay, why, then, is this bill before the Senate?

Let us look at the record. It is printed in the committee report. My statement can be verified, if Senators desire to verify it. Six interim rate increases have been granted in four proceedings. Chronologically, the time between the filing of the applications and the granting of interim increases, in number of days, is as follows: Case No. 1, 66 days; case No. 2, 95 days; case No. 3, 115 days; case No. 4, 132 days; case No. 5, 78 days; and case No. 6, 55 days.

Bear in mind that under the new, stepped-up procedure in the Interstate Commerce Commission, applications for interim rate increases in the last 2 cases have been acted on, 1 in 78 days, and the other in 55 days.

Does the record of the last two cases, particularly since the streamlining of hearings has occurred—and the hearings are held in order that the public interest may be protected—indicate that Congress should provide a complete change of method in the procedure incident to the granting of interim or temporary rate increases simply because the railroads so wish it?

The average length of time on all the six cases mentioned has been only 90⅙ days. The most rapid time which could be achieved, if this bill were adopted—and I still believe it does violence to the concept of the public against unnecessary rate increases—the shortest time in which a rate increase could be secured by the railroads under the proposed change would be 70 days, which is longer, in fact, than the last interim rate increase required.

So it seems to me, since the bill will not shorten the time lag, there is no reason for the bill to be here. That is one of the main reasons why I have offered, together with my distinguished colleague, the junior Senator from Florida, the motion to recommit.

There have been a large number of rate increases. It seems to me that the record of the Interstate Commerce Commission in granting 11 rate increases since 1946, for a total cumulative increase in freight rates of 78.9 percent, does not indicate that the Commission has not been able to consider such cases, and it should be borne in mind that the public has had to pay the 78.9 percent total increase.

Although there have been 11 rate increases since 1946, the argument is made that the poor railroads are doing badly. The first quarter earnings in 1953 for 50 railroads shows an increase in earnings over a year ago of 22 percent, according to the Wall Street Journal. Commissioner Splawn, of the Interstate Commerce Commission, also has testified as to this increase. Railroad earnings, which in 1939 were $4 billion, in 1952 were more than $10 billion.

So, considering the difficulty which shippers, consumers, and farmers are having in order to sell their merchandise and produce in an era of high costs and low consumer income, it seems to me the last thing Congress should be doing is to try to provide for "quickie" rate increases, in which the burden of proof of the need of an increase to continue their operations is shifted from the railroads. Under the bill, if I read it correctly, I believe the burden of proof in a "quickie" rate increase is placed on the Interstate Commerce Commission to prove that the railroads do not need an increase.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished chairman of the committee.

Mr. BRICKER. Under the amendment in the nature of a substitute, the Interstate Commerce Commission has full responsibility to allow or not to allow any increases.

Mr. MONRONEY. There are two very minor, but important, words in the substitute: "If any."

I say it may be protection, "if any," for the consumers and shippers, but it is not the kind of protection which the country has had from the Interstate Commerce Commission throughout the years in the matter of ratemaking procedures.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished majority leader.

Mr. KNOWLAND. Would the Senator from Oklahoma be willing to yield to me so that the yeas and nays may be ordered? It is not proposed to stop the debate, but merely to assure all Senators that there will be a yea-and-nay vote on the motion to recommit.

Mr. MONRONEY. I am glad to yield for that purpose.

The PRESIDING OFFICER. The Chair advises that the motion has not actually been made. The Senator from Oklahoma has been making a speech.

Mr. MONRONEY. I shall be glad to ask unanimous consent that the majority leader be allowed to ask for the yeas and nays at this time.

Mr. KNOWLAND. I understand that the point made by the Chair was that it was not believed that the motion actually had been made.

Mr. MONRONEY. The motion has been offered, and is at the desk.

The PRESIDING OFFICER. The clerk will state the motion.

The LEGISLATIVE CLERK. Mr. MONRONEY moves to recommit the bill (S. 1461) to the Committee on Interstate and Foreign Commerce for further study.

Mr. KNOWLAND. I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

Mr. WELKER. Mr. President, will the Senator from Oklahoma yield to me, so that I may send an amendment to the desk?

Mr. MONRONEY. I yield.

Mr. WELKER. I offer an amendment to Senate bill 1461, which I ask to have printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. MONRONEY. Mr. President, we heard last night that the amendment offered by the distinguished senior Senator from Illinois [Mr. DOUGLAS], which would require at least a minimum of data to be supplied by the railroads as they petitioned for "quickie" rate increases, would destroy the bill.

The proponents of the bill fought the Douglas amendment and are still fighting it. All the amendment would require would be, before a rate increase affecting everyone in the United States was allowed, that the railroads at least justify to a small degree, on the basis of their records and their financial statements, the necessity for such a rate increase.

Senators who are proponents of the bill stated last night that such an amendment would destroy the bill.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BRICKER. The fact is that the Commission is required by the provisions of the substitute amendment to utilize, in fixing an interim rate, the same procedure which it follows in fixing of a final rate. It is required to do so by the wording of the substitute. The Commission can require any information it desires.

The amendment offered by the Senator from Illinois, which originally was in the nature of a substitute, would only bind the Commission to a fixed standard, which might be a maximum as well as a minimum requirement. I think it would be a handicap, rather than a help, to the Commission in protecting the public interest.

Mr. MONRONEY. It seems to me that to require the great railroads of the United States, which have comptrollers' and auditors' reports available, to justify a rate increase, before it is voted upon or is allowed to go into effect by the Interstate Commerce Commission, and thus affect 165 million Americans, is not too much to ask. It is not too much to ask that data be furnished to justify the need of rate increases. It is not too much to ask for information relating to railroad-operating expenses.

I am afraid of the bill, and I am afraid of the substitute, because I read in them language which I believe can ultimately destroy the historic rate-fixing power of the Interstate Commerce Commission. In my opinion, it could allow railroads, under the guise not simply of an increase in wages, but of any increased cost in materials or supplies, to apply to the Commission for quickie rate increases.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SMATHERS. As a matter of fact, under the amendment in the nature of a substitute, the carriers actually do not have to need an increase; they merely have to have information that they believe they will need an increase in the future, based on possible increases in wages and in the cost of supplies. If they anticipate that they might require an increase, they are permitted, under the substitute, to petition the Interstate Commerce Commission to authorize an increase in rates so their revenue may be supplemented, even before they actually incur an increase in costs of wages and supplies.

Mr. MONRONEY. Then the Interstate Commerce Commission could try to determine whether the increase authorized was actually needed or not. But in the meantime the public would pay the freight and pay the increased costs of transportation of farm products and everything else. But the railroads would get their increase, and the Commission would have to decide, after several months, whether or not the railroads should have received the increase. The public will be told, perhaps, that on demand they will be refunded the money they have been overcharged.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LONG. It has occurred to me that the committee, in reconsidering the amendment, might also consider, when the interim rate increases have been granted, whether to require the railroads to give the shipper or passenger a receipt, in case a mistake has been made. It would be something like what is done at the community bingo games which are held in my section of the country. When a person wins a bingo game, someone always announces, "Hold onto your cards. There may have been a mistake."

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. AIKEN. Yesterday a great deal was made of the apparent support of the National Grange for the so-called time-lag bill. The arguments did not ring quite true to me at the time. I have found that the National Grange would approve the time-lag bill under certain conditions, but only after the trip-leasing bill has passed the Senate.

Mr. BRICKER. I placed the letter of Mr. Newsom in the RECORD. That was all I had to go on. If there has been any misinterpretation of that letter, it is not the fault of the Senator from Ohio. I hope the RECORD shows that.

Mr. AIKEN. I shall put Mr. Newsom's letter in the RECORD.

Mr. BRICKER. It is already in the RECORD.

Mr. AIKEN. I was going to read from a letter from Mr. Newsom to the late Senator Charles Tobey, United States Senator, chairman of the Interstate and Foreign Commerce Committee, under date of July 10, 1953. I ask unanimous consent to have the entire letter printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL GRANGE,
Washington, D. C., July 10, 1953.

Senator CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SENATOR TOBEY: We have studied the time lag bill, S. 1461, as reported out by your committee.

When the railroads or other carriers experience an increase in labor costs or material costs, it is not only logical and fair to promptly allow freight and passenger rate increases, but it is economically sound from the standpoint of the public and shippers as well. The past delays of the ICC have been inexcusable and very damaging. Such delays should not be allowed to happen in the future.

Much of the opposition to S. 1461 is based on the fact that S. 1461 in addition to correcting the time lag also changes the language of the rate making rule. The bill says: "The Commission shall within 60 days after the filing of such petition enter an interim order and findings, with or without hearings authorizing increases, if any, which in the Commission's opinion are appropriate or necessary under honest, economical, and efficient management to provide revenues sufficient to enable the carriers to provide adequate and efficient service, establish and maintain sound credit and attract equity capital, and protect the public interest."

There have been some fears that the underlined part of the above excerpt from S. 1461 would mean that Congress thinks the railroads are in such bad financial shape today that the ICC should grant the railroads more than enough extra revenue to cover cost increases. The sponsors of the bill could easily clarify the matter and then the opposition to the bill should disappear.

Certainly if the Commission has not in the past taken into account the need to establish and maintain sound credit and attract equity capital, they have been delinquent in their responsibility to the carriers and the public. The inadequacy of earnings in some of the past years has been due, we thought, to the time lag and bad guesses by the ICC as to further inflation and traffic volume. No one should object to making sound credit and attracting of equity capital an explicit part of the rate making rule. We believe that transportation services will be inadequate and more costly in the long run if the ICC does not consider the need to establish and maintain sound credit and attract equity capital.

The Congress should also make it clear that it does not intend for the ICC to protect the railroads from competition by trucks or water carriers. In other words the ICC should not establish an artificial rate structure above the competitive level or impose uneconomic handicaps upon motor and water carriers. If the railroads cannot establish and maintain sound credit and attract equity capital under conditions of deregulation, they should suffer the same consequences as other industries that become obsolete or lack efficient management.

We are confident that the railroads could more than hold their own under conditions of deregulation. Senate Report No. 1039—82d Congress pointed out that an 80-car train with a crew of 6 men could haul as much as 160 to 200 men operating trucks.

We urge that S. 1461 be brought to the Senate floor as soon as possible, but H. R.

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3203, the trip-leasing bill, which has been passed by the House should take precedence over it because of the impending ICC order on trip leasing which would create chaos in truck transportation if allowed to go into effect.

Sincerely yours,

HERSCHEL D. NEWSOM, *Master.*

Mr. AIKEN. I wish to read, for the benefit of Senators now on the floor, the last paragraph of the letter:

We urge that S. 1461 be brought to the Senate floor as soon as possible, but H. R. 3203, the trip-leasing bill, which has been passed by the House should take precedence over it because of the impending ICC order on trip leasing which would create chaos in truck transportation if allowed to go into effect.

The letter is signed by Herschel D. Newsom.

I have in my hand a copy of a letter from Mr. Newsom, addressed to G. Metzman, chairman of the Eastern Railroad Presidents Conference, under date of January 9, 1952. I do not know whether that is the letter signed by Mr. Newsom which the Senator from Ohio put into the RECORD yesterday, but I should like to read one paragraph from that letter:

The National Grange at its most recent session called upon "State and Federal Governments and their transportation agencies to encourage the most efficient use and improvement of all forms of transportation on the free enterprise basis and with the least governmental regulation." They said that "No one form of transportation should be indiscriminately taxed or regulated for the benefit of another form; free competition should exist between all forms of transportation without overlapping ownership and that competition among the various forms of transportation should be maintained."

I am reading from Mr. Newsom's letter. In both letters it is made unquivocally clear, as it was made clear to me yesterday, that the Grange will not favor supporting the time-lag bill until the trip-leasing bill has been approved by the Senate. I do not think it can be made any clearer than it has been made.

I also find that the representatives of the American Farm Bureau Federation had intended to testify, and had prepared testimony to give before the Committee on Interstate and Foreign Commerce on May 11. That hearing on the trip-leasing bill was suddenly postponed until some time in June. If I am any judge of appearances, that means that no testimony will be given on the trip-leasing bill this year.

I know that there were two farm organizations, the Dairymen's League of New York and the Pennsylvania Farm Bureau Cooperative, whose representatives testified very vigorously in favor of the trip-leasing bill before the hearings were called off and postponed until, as I understand, some time in June. I imagine the "31st" of June may be the probable date. I do not wonder that the farm organizations are disturbed at the present procedure in the Senate, because they think there is a "job" being done, and they do not want the railroad bill to be passed until they are assured there will be some justice for the farm people, and that a bill beneficial to them will be passed simultaneously with the time-lag bill.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MONRONEY. Mr. President, I may inform the distinguished chairman of the committee that the junior Senator from Oklahoma has the floor. However, I am glad to yield to the distinguished chairman of the Committee on Interstate and Foreign Commerce.

Mr. BRICKER. If I may clear up the situation about which the Senator from Vermont seems not to be clear because of Mr. Newsom's statement, Mr. Newsom did not oppose the bill as it came from the committee. Mr. Newsom never made his position conditional, so far as I know, upon any other legislation being enacted. For the information of the Senator, let me read from his letter under date of April 9, 1954, in which he said:

We favor the passage of a substitute amendment for S. 1461.

Unless reasonably prompt rate adjustments are made as need is evidenced, our transportation system may suffer to an extent that it may be unable to properly perform transportation service. If so, our entire economy will suffer, as regulations lag behind situations and are not up to date with the problems faced by transportation agencies. The Congress should see to it that regulations are up to date. Failure to achieve this currency makes regulation itself unsound and unacceptable.

As I understand it, the time-lag bill, S. 1461, has been stalled in the Senate because of fears that the language of the bill would create a dual rule of ratemaking and also bring some substantive changes in the rule of ratemaking.

The new substitute—

Which is the one now before the Senate—

which you and Senators JOHNSON and CAPEHART have drafted seems to make it clear that the rule of ratemaking will not be changed, but still achieves the highly desirable objective of preventing undue time lags in rate adjustments, and should remove all opposition to the bill.

There is other transportation legislation which stands on its own merits which we trust will be brought up for action during this session of Congress.

Those hearings are being held by the committee at the present time, as I advised the Senator yesterday. So far as I know, at no time, and especially in this letter, did Mr. Newsom or anybody else make support of the pending bill conditional upon action on any other measure.

Mr. AIKEN. Mr. President, I see nothing in the statement in Mr. Newson's letter which the Senator from Ohio has just read which indicates that the organization has withdrawn its position that the trip leasing bill should pass ahead of the time-lag bill.

As for the hearings which were being held on the trip-leasing bill, it is very difficult for the farm organization representatives or anyone else to understand why the hearings were recessed until the time-lag bill could be brought before the Senate and disposed of, presumably favorably, from the standpoint of those who recessed the trip-leasing hearings.

Mr. MONRONEY. I may say to the distinguished chairman of the Committee on Agriculture and Forestry that the reason why the hearings were recessed was that there is scheduled before the Committee on Interstate and Foreign Commerce a hearing on the complete recodification or rewriting of all the laws concerning civil aeronautics. The civil aeronautics bill has not passed the House. The job of completing those hearings will take not 1 month, but 2 or 3 months. Finally, when this bill comes to the floor of the Senate, it will not stand a ghost of a chance of completing the circuit of going to the other House. We are literally tying ourselves down to a task which cannot be completed this year. At the same time we are denying the benefit of a decent transportation system for farmers by failure to complete hearings on the trip-leasing bill.

We tried our best to speed up the hearings on the trip-leasing bill. We had 2 days of hearings on the trip-leasing bill, and then they were adjourned until the end of this month or next month, for the reason that the committee had to spend more time on the recodification or rewriting of the entire Civil Aeronautics Administration legislation.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the chairman of the Committee on Interstate and Foreign Commerce.

Mr. BRICKER. I may remind the Senator from Oklahoma that hearings on the recodification or consideration of the recodification of the aviation act were ordered by a vote of the full committee, of which the Senator is a member, and my recollection is that he voted for it, because there was no member opposed to it.

Mr. MONRONEY. I certainly did vote for it, but I did not vote to tie the committee up.

Mr. BRICKER. The committee is not tied up, and will not be tied up. Hearings for the next 2 weeks will not involve the aviation act at all. There are various pressing matters before the committee and its various subcommittees. Some of the hearings are completed, and the subcommittees are studying the bills. I think the Senator will agree that the committee has been busy. There is no effort on the part of either the chairman or anybody else to recess the hearings on the trip-leasing bill, as the Senator from Vermont has said, until the timelag bill is passed. The hearings on the trip-leasing bill will be continued, and we will hear all the witnesses. There are two pages of the names of witnesses who favor the bill. The opposition has presented no testimony at all. I do not know how many witnesses will appear in opposition to the bill, as was the first witness, the representative of the Interstate Commerce Commission.

If there is any implication that the committee is not at work on proposed legislation that is important to the public interest, and that has been set down for hearing at the instance of the full committee, that implication is unfounded.

Mr. MONRONEY. Mr. President, the junior Senator from Oklahoma did not charge that the committee was not

working and did not have important proposed legislation before it. But I feel that failure to reach the trip-leasing bill because the committee is studying the recodification of the Civil Aeronautics Act, and finds it impossible to lay aside that measure, although final action on it will not be completed until 1955 or 1956, is not in the best interest of the effort to bring about lower freight rates for the people of the United States.

Mr. SMATHERS. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield to the Senator from Florida.

Mr. SMATHERS. I should like to state—and in this connection I should be glad to have the opinion of the Senator from Vermont [Mr. AIKEN]—that I hold in my hand more than 500 pages of testimony taken by the House committee on the trip-leasing bill, and approximately 200 pages of testimony on the trip-leasing bill taken last year by the Senate Committee on Interstate and Foreign Commerce. Yet our committee is continuing to take testimony on the trip-leasing bill.

On the other hand, the committee has not heard a single witness testify in favor of the proposed substitute for the "quickie" rate increase bill for the railroads, although the substitute is now before the Senate, whereas the trip-leasing bill is still in the process of hearings, and the proposal is to continue such hearings and to build up a record, apparently with the purpose of never permitting the trip-leasing bill to reach the floor of the Senate.

Mr. BRICKER. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. BRICKER. I wish to say that the implications of the Senator from Florida are likewise unfounded.

Mr. AIKEN. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. AIKEN. To get away from implications, I should like to ask the Senator from Oklahoma a direct question.

Mr. MONRONEY. I shall be glad to have the Senator from Vermont do so.

Mr. AIKEN. If the time-lag bill is passed by the Senate, does the Senator from Oklahoma believe there is a ghost of a chance that the trip-leasing bill will be reported by the committee and acted on by the Senate at this session? I ask for a direct answer to my question; I do not seek any implications.

Mr. MONRONEY. No. In further reply, let us discuss the matter in terms of betting odds—if the Kefauver committee will not investigate me for doing so. I would say the odds are 10 to 1 that the trip-leasing bill will never reach the floor of the Senate, although the bill has been passed by the House of Representatives. I do not believe that bill will ever see the light of day, so far as its chances of being considered on the floor of the Senate are concerned, regardless of whether the time-lag bill is passed, because the opposition to the trip-leasing bill is coming largely from the railroads. So we find time working against the trip-leasing bill and working in favor of the so-called time-lag bill.

Thus, I feel that we shall have great difficulty in having favorable action taken on the farmers' program to maintain low-cost transportation for agricultural commodities and to preserve the right of independent truck operators to carry on the historic and traditional operation of leasing for one trip, instead of operating under the 30-day limit requirement for a lease that the Interstate Commerce Commission is trying to saddle on the trucking industry.

It seems to me, Mr. President, there can be no justification for the passage of the time-lag bill, insofar as the figures I have read to the Senate are concerned. The last two interim increases were acted on, respectively, in 78 days and 58 days, whereas the pending bill provides for action in 70 days.

What I am afraid of is that the real meaning of the time-lag bill will be that once applications for interim rates are approved—and under most conditions they have to be approved by the Interstate Commerce Commission on petition, without substantiating evidence submitted before the Commission—and once the interim rate increases go into effect, as is allowed by the provisions of the pending bill, under a quickie operation, the interim rates will become almost the permanent rates. Thus, there certainly will be a time lag; but the time lag, instead of running against a few railroads, will be running against the 165 million people of the United States who have to pay the freight. I fear that once the railroads obtain their interim rate increases, they will not engage in speeding up the proceedings as they now do. Thus the process of speeding up the hearings and trying to do everything they can to obtain a final decision, in order to obtain the rate increases they desire, will under this bill be reversed to delay the final decision.

Under the pending proposal, the railroads will get the rate increases they desire, by means of having interim rate increases allowed; and the interim rate increases can well become the rates for 1½ or 2 years, as powerful corporation lawyers find ways and means to delay and postpone the taking of action looking toward the determination of the final rate. So they can find ways to continue the interim rates which this bill authorizes the railroads to obtain, and which no doubt will be satisfactory to the railroads.

Mr. President, if there is any one reason why the bill should be recommitted for further study, it is the argument made yesterday by one of the distinguished members of the committee. He said the bill will allow the railroads and other shippers to raise rates only to cover increases in labor costs and the cost of materials and supplies to the railroads.

Again I say we have studied the bill and have studied the hearings; and the argument based on increased costs of labor and supplies and materials is simply the knock on the door to open up the case for the adoption of the "quickie" process for rate increases for which this bill provides and which it will throw into gear.

After such an opening is made, there will be no limitation about having the rate increases cover only the increases in labor costs or the costs of materials and supplies, for the rules set forth in the bill state that—

> The Commission * * * with or without a hearing—

Let us note particularly the provision "with or without a hearing" for under it, the public can be banished as completely as if they were placed on St. Helena, so far as that is concerned—

> authorizing increases—

Then there appears the two powerful words "if any"; and they are followed by—

> which in the Commission's opinion are appropriate or necessary under honest, economical and efficient management to provide revenues sufficient to enable the carriers to provide adequate and efficient service and protect the public interest.

Mr. President, the words "to provide adequate and efficient service and protect the public interest" are very important.

The bill does not say anything about taking care of the carriers' deficit arising from just the increased labor costs or increased costs of supplies and materials. The bill will allow the carriers to increase their rates sufficiently "to provide revenues sufficient to enable the carriers to provide adequate and efficient service and protect the public interests."

The bill does not establish a gauge by which to measure what that service shall be. It can be express service or streamlined service, or anything for which the carriers wish to make a case, because I sincerely believe that the regular rules of rate making are not provided for in this bill.

Mr. BRICKER. Mr. President, if the Senator from Oklahoma will yield to me, I wish to call attention to the fact that in Ex parte 162, the number of days elapsing between the filing of the petition and the issuance of the order was 234; in Ex parte 166, 237; in Ex parte 168, 294; and in Ex parte 175, 380. Those figures are taken from the record.

Furthermore, the wage increases which were ordered, especially those which were approved by the Board, were retroactive in effect. On the other hand, it is impossible to make a rate increase retroactive in any way.

Mr. MONRONEY. Mr. President, let me say to the distinguished chairman of the committee that the one reason why I am suspicious of the bill, and I have been suspicious of it all along, is that it contains a provision for interim rate increases, although the Interstate Commerce Commission now has authority to order such interim increases, and has used that authority since 1946. However, the fact is that in each of the cases in which the interim rate was increased, it was increased within a very few days. The longest period, in case No. 4, was 132 days. The average for all the interim increases has been 90 days, and the shortest has been between 78 days and 55 days.

If some new elements regarding rate making are not provided by this quickie rate increase bill, then why is the bill

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before the Senate in view of the fact that the Interstate Commerce Commission already has, and uses, the power to grant interim rate increase?

If the bill does not change the rules, and does not contemplate making less effective the regulation of rates, then why is the bill before us and why are we being told that only by the enactment of this bill will it be possible to provide the necessary relief and avoid the long delays in connection with rate-making cases?

Mr. President, I think this is a bad bill. The Interstate Commerce Commission urged that the amendment of the Senator from Illinois [Mr. DOUGLAS] be placed in the bill. The junior Senator from Florida and I have an amendment at the desk which would limit increases to the actual cost of the wage increase or the increased cost of materials and supplies. I presume that amendment will be fought by the proponents of this bill.

If the bill does not seek to change the basic rate-making structure, I ask why the bill is here.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. MONRONEY] to recommit the bill to the Committee on Interstate and Foreign Commerce.

Mr. HENDRICKSON. Mr. President, I suggest the absence of a quorum.

Mr. SMATHERS. Mr. President, I am about to make a short speech. It may be that Senators would not care to leave their luncheon in order to hear it.

Mr. HENDRICKSON. I withhold the suggestion of the absence of a quorum.

Mr. SMATHERS. First let me say that I am very happy to be associated with the able junior Senator from Oklahoma in the consideration of this motion to recommit the so-called time-lag bill.

I think there is every logical reason to recommit the bill. About a week ago we voted on a motion to recommit the bill seeking to amend the Taft-Hartley Act. The able Senator from Georgia [Mr. RUSSELL] took the floor and made a most eloquent and moving statement about the necessity for recommitting that bill. Why? Because he said Members on the minority side were not permitted to offer amendments to the administration bill. Many Members of the Senate were convinced by that argument.

That was a persuasive argument. If that was a persuasive argument, in that instance, then we have an even more persuasive argument in this case.

This amendment in the nature of a substitute is substantially different from the original bill, S. 1461 on which a few hearings were held. It is different in every respect, and it is admitted by its friends to be substantially different. And yet, Mr. President, we have not yet had a single day of hearings. We have not had the opportunity to learn the views of the various Government agencies as to whether or not they think this substitute is a good bill or not.

When this subject was first brought to our attention on March 25, it came in the form of a letter that I received from the clerk of the committee, informing me that the chairman had directed him to let the members of the committee know that he had introduced this substitute on March 10. The letter read as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
March 25, 1954.

Hon. GEORGE A. SMATHERS,
United States Senate,
Washington, D. C.

DEAR SENATOR: As directed by the chairman, I am enclosing a copy of the substitute bill for S. 1461, which was introduced on March 10, 1954.

The chairman would appreciate having an expression of your views on this substitute. It has been the hope of the cosponsors and the chairman that this new bill may eliminate the objections heretofore advanced.

An early reply would be appreciated.

Sincerely yours,

BERTRAM O. WISSMAN,
Chief Clerk.

I replied on April 3, my letter being addressed to the chairman of the committee, as follows:

APRIL 3, 1954.

Hon. JOHN W. BRICKER,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate, Washington, D. C.

DEAR SENATOR: In accordance with your request, Mr. Bertram O. Wissman, chief clerk of the committee, transmitted to me a copy of your substitute amendment to S. 1461.

As you know, I am opposed to this type of legislation, inasmuch as I do not think there is any need for it at present. However, with respect to your substitute amendment I would like to request that you give consideration to holding hearings on it at an early date.

With kindest regards.

Sincerely,

GEORGE SMATHERS,
United States Senator.

That was in April. Our committee has not been in session every day since April. I asked that hearings be held. I have no record of anyone writing to me and saying, "We are going to hold hearings," or "We are not going to hold hearings."

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. BRICKER. I think if the Senator will read the record, he will find that either the committee or some subcommittee of the Committee on Interstate and Foreign Commerce has been holding hearings practically every day during the entire period.

Mr. SMATHERS. But not on this particular substitute.

Mr. BRICKER. No; not on the substitute. We have held no hearings on the substitute. I explained to the Senator the reason why. We did not want the entire bill sent back, in which event we would be compelled to start again at the beginning, with extensive hearings on every phase, when we thought the substitute covered all the objections which had been made by anyone.

Mr. SMATHERS. When the Senator says "we," he speaks of the Senator from Colorado [Mr. JOHNSON], the Senator from Indiana [Mr. CAPEHART], and himself, does he not?

Mr. BRICKER. Yes.

Mr. SMATHERS. Well, there were and are several other members of the committee who did not feel that way. We felt that we should have an opportunity to express our views on the substitute. At least the opportunity to find out what was in it.

Mr. BRICKER. Mr. President, will the Senator further yield?

Mr. SMATHERS. We felt that it was even more important that certain Government agencies have an opportunity to express their views.

Mr. BRICKER. Mr. President, will the Senator further yield.

Mr. SMATHERS. I am glad to yield.

Mr. BRICKER. The Senator well knows that when I assumed the chairmanship of the committee I stated that the committee would be governed by majority vote. If the Senator had wished to move for hearing at any time, he could have done so; and if his motion had been supported by a majority vote of the committee, hearings would have been held.

Mr. SMATHERS. To be perfectly frank with the able chairman, we had no idea that this particular bill was to be programed for Senate debate at this particular time.

Mr. BRICKER. Neither did I.

Mr. SMATHERS. It was my understanding—I think I have the support of the Senator from Oklahoma in this connection, and I think the chairman himself will bear me out—that when we discussed this particular matter I again suggested orally that hearings be held on the so-called quickie rate increase bill or the timelag bill. I do not recall exactly what happened, but I do recall some member of the committee—I believe it was the chairman—saying in executive session, "The matter is no longer before the committee. The bill has already been reported to the Senate."

So it seems to me, if that was a logical answer, then what we ought to do to get the bill before the committee is to recommit it. Once the bill is recommitted, it will definitely be before the Interstate and Foreign Commerce Committee for hearings on all its implications and ramifications. The purpose of the motion is to accomplish that end.

Mr. President, none of the Government agencies has had an opportunity to express its views on this substitute. The other day the able chairman read a letter from the Secretary of Commerce, purporting to support his substitute, but I respectfully suggest to him that the letter did not relate to the substitute. The letter related to Senate bill 1461, the original bill, which, of course, is not the bill which is being debated at this particular moment.

For the reason that no hearings have been held, and for the reason that the various Government departments have not had an opportunity to express themselves, the bill should be recommitted. Senators well know that the Department of Agriculture has a great interest in this kind of legislation, dealing with the costs of transporting products on the railroads. Certainly the Department of Justice has a great concern, and in the past has evidenced such concern on this matter.

This time it has had no opportunity to express itself on the substitute. The Department of Defense, which furnishes approximately 25 percent of all the business of the railroads, has not had an opportunity to express itself on the substitute. The General Services Administration, which heretofore has expressed itself on the original bill, has not had an opportunity to express its views with regard to the substitute.

It seems to me that the only logical and fair thing to do is to recommit the bill, so as to make it legally possible to have hearings before the committee on this substitute.

Even if hearings were held, I doubt whether I would be for the substitute. It may be that the Interstate Commerce Commission, which is most vitally concerned, would be for it. I doubt it. It was unanimously against Senate bill 1461.

It seems to me there is no justification for the bill. The chairman stated the other day that the reason for the bill was that an emergency situation existed, and that labor costs, as well as costs of materials and supplies, were rising. It was said that by the time the railroads applied for and received a general rate increase to meet such rising costs, it was found that costs had risen still higher again. It was a vicious cycle.

That is not the condition today. The economic situation has drastically changed, with the result that the emergency which it is claimed justified the original legislation no longer exists. The able Senator from Oklahoma has also pointed out that the reports show that since 1946 there have been 11 general increases in railroad rates. The report reveals there has been a 78-percent increase in total railroad rates since 1946. The elapsed time between the date of filing application for an increase in rates and the date upon which the increase was granted has never been more than 3½ months, on the average.

The members of the Interstate Commerce Commission have indicated recently that the Commission is now learning better methods of handling these particular applications for rate increases. Only 78 days were required to process the next to last increase which was asked for. That included listening to arguments and reach a decision, while the latest increase required only 55 days from date of filing until the increase was granted.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MONRONEY. Would it not seem logical to the junior Senator from Florida that if the problem arises by reason of a delay in consummating final action in rate cases, the better remedy would be to equip the Interstate Commerce Commission with additional hearing experts, additional rate experts, and additional auditors? By the expenditure of a few hundred thousand dollars, we could make sure that such cases are properly adjudicated. It seems to me that method would be preferable to granting carte blanche rate increases in the dark, totaling tens of millions of dollars, while an understaffed Interstate Commerce Commission suffers delay in finding its way through rate cases.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I completely agree with the Senator from Oklahoma that the answer to the problem, if there is a problem, is not to change a procedure which has been well established. Certainly the public is entitled to be protected in ratemaking procedure, and the answer to this problem, if there is a problem is not to change the procedure but a greater appropriation for the Interstate Commerce Commission so that the Commission may more adequately and more efficiently do the job which we have given it to do.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I am glad to yield to the Senator from Ohio.

Mr. BRICKER. I am gratified to know that the distinguished Senator from Florida admits that there has been an increase in efficiency and a reduction in the time lapse in hearings of the Interstate Commerce Commission. I should like to advise him—and I believe many Members of the Senate already know it—that the distinguished Senator from Colorado [Mr. JOHNSON], the former chairman of the Committee on Interstate and Foreign Commerce, and I have been very diligent in getting more money for the Interstate Commerce Commission, and we have been very diligent in asking for appropriations for a complete survey of the operations of the commission, so as to bring about greater efficiency in that important agency of the Government.

I might add that I did not find the Senators who are now opposing this measure giving any assistance at that time to the Senator from Colorado or to the Senator from Ohio. I am glad to see that now they are supporting what we have been doing for a long time in an effort to obviate the difficulty which is in existence at the present time and which undoubtedly will continue to exist until there is a complete rehabilitation of the operating forces of the Interstate Commerce Commission.

Mr. SMATHERS. I thank the chairman of the committee. I know that he and the former distinguished chairman of the committee did work hard in getting increased appropriations, and for that I wish to commend them and say that I was most happy to be able to join with them.

I might add that the Senator from Oklahoma and the Senator from Colorado and I were happy to get increased appropriations for the FCC, because we knew that that agency and other agencies needed more money.

I did not know at what time the ICC appropriations were under consideration, because it seems to me that certain Senators, members of the Committee on Interstate and Foreign Commerce have sort of taken personal control over the ICC, which they consider their particular bailiwick and which only they are to handle.

I am sure the Senator from Ohio will not find anything in his records and will not recall anything in his conversations with me, which in any way indicates that I have not always been willing to support increased appropriations for the ICC. I have always been in favor of it.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I am glad to yield.

Mr. BRICKER. The effort was made by the distinguished Senator from Colorado, and I joined with him, and the matter was discussed before the Interstate and Foreign Commerce Committee before we went to the Appropriations Committee to ask for the money for that service. We not only went before our own Appropriations Committee but we also when the House Appropriations Committee was considering the matter tried to help in getting the personnel that is needed.

In the meantime, unless there is adequate help provided so that there may be a speedy adjudication, especially when wage increases are made retroactive, someone will suffer. The only one that will suffer is the carrier involved.

It is only in that respect that this bill is attempting to remedy a very difficult situation, which has been growing worse and worse through the years.

Mr. SMATHERS. I thank the Senator from Ohio. I may say that when he says that throughout the years the situation has been growing worse and worse, I agree that it is true with respect to the last year. However, I read into the RECORD yesterday from the report of the Interstate Commerce Commission for 1952 the statement showing that class one line-haul railroads had the highest percent of profit they had earned in all their history.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Ohio.

Mr. BRICKER. With regard to the Interstate Commerce Commission report, I believe it showed that the overall railroad earnings in the years since the end of World War II amounted to 3.63 percent, which is not an exaggerated return on depreciated investment capital.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MONRONEY. The record will also show that the railroads have been adding more than a billion dollars a year to their reserves. In other words, they are not floating equity capital or bonds. If they build up their plants by adding a billion dollars a year they certainly are not able to declare dividends as large as they might otherwise be.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. BRICKER. There has been no equity money flowing into any railroads that I know of in the past 25 years. The only way they can rebuild their plants or meet the needs of the public is through earnings.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SMATHERS. I am glad to yield.

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Mr. MONRONEY. The junior Senator from Oklahoma is not criticizing their actions, but the Senator from Ohio used the figure of 2 percent dividends, and ignores the fact that $8 billion in the last 7 years have been plowed back into the business.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I am glad to yield.

Mr. BRICKER I said nothing about 2 percent dividends. I referred to the 3.63 percent return on depreciated investment capital.

Mr. MONRONEY. The figures I have are 3.5 percent.

Mr. BRICKER. That is about the same.

Mr. SMATHERS. The stock market reflects that none of the railroad stocks has gone down in recent years and apparently they are still considered to be a good investment by the public. Mr. President, we want the railroads to make profits. We are not against their making profits. We realize the necessity for railroads, and we realize the desirability of their being liquid and sound, and all that.

The only think we object to is the method now proposed, whereby there would be set up a system which would enable them, when they anticipated increased costs of materials and supplies although the increased costs had not accrued, or when they anticipated increased wages, although wages had not then been increased, and, as the Senator from Oklahoma suggested, when they anticipated other increased expenses, to knock on the door of the ICC and appear before the Commission in ex parte proceeding, without anyone but the Commission and carriers being present.

I believe that such ex parte proceedings are a bad precedent to establish. I am sure the Senator from Ohio would agree that if it were to be allowed, it would not be long before the airlines would come before the CAB advocating such a preferential system. They would certainly say, "We, too, are entitled to the right to go before our regulatory agency, the CAB, in an ex parte proceeding, without notice to anyone because we anticipate a rise in the cost of gasoline, and are therefore entitled to have a hearing for an increase of our rates."

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. BRICKER. I may say with respect to the airlines the problem is entirely different from that involved in the case of the railroads. The airlines, in the first place, are subsidized.

Mr. SMATHERS. I am sure the Senator from Ohio will agree that it is a question of what is fair. Certainly what is fair procedure for one is fair procedure for the other.

Mr. BRICKER. If what is fair for one is fair for the other, the railroads should be asking for a subsidy, because, ever since the end of the war, the airlines have been subsidized to the extent of millions of dollars annually, and until recently it has all been done under the guise of mail pay, while the railroads have been actually subsidizing the Government in carrying the mail.

Mr. SMATHERS. The able Senator from Ohio would not wish to leave the impression that the railroads at no time ever received subsidies from the Government in the form of land or in other ways, would he?

Mr. BRICKER. The land the railroads received has been paid back long since. I hope the airlines will someday be able to do as well in paying back the subsidies they now receive.

Mr. SMATHERS. We are not concerned with subsidies here. What we are talking about is a proposal under which the railroads would be enabled to go before the Commission in an ex parte proceeding and, on the allegation of anticipated increases in cost, not actual increases, and without any hearing, get an increase in their rates which would be charged to the public. If that procedure is fair for one, the procedure must also be fair for some other transportation medium.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am happy to yield.

Mr. JOHNSON of Colorado. The airlines have that privilege today. The CAB has full authority to grant them a temporary rate increase and to give them a permanent rate increase later. The railroads and trucklines and other forms of transportation may obtain a temporary rate increase, and later get a permanent rate increase. There is nothing new about it. The only thing new I can discover in the procedures contemplated by the substitute is that the ICC shall act within 60 days on an application for a temporary rate increase. The Commission can either grant a rate increase, a very small one or a very large one, if it shall see fit to do so, or the Commission can deny any rate increase at all within 60 days.

Mr. SMATHERS. I have great respect for the knowledge of the able Senator from Colorado, but it never has been my understanding that an airline could go before the CAB, and, with or without a hearing and without notice to competitors, or public, get a rate increase such as is provided in this particular bill for the railroads.

Mr. JOHNSON of Colorado. They can get a temporary rate increase.

Mr. SMATHERS. But they at least have to give notice to the other lines. This provision of the substitute says "with or without a hearing."

Mr. JOHNSON of Colorado. The point is that the ICC does not need to grant any rate increase.

Mr. SMATHERS. It does not need to; no.

Mr. JOHNSON of Colorado. The Commission is not compelled by the law to do so.

Mr. SMATHERS. That is correct. But the basis of the proposed legislation assumes they are before the Commission because of an anticipated increase in wages or in the prices of materials. I grant that the Commission can give them an increase, "if any," within 60 days. But the implication of this bill, I think, is clear that they are supposed to get an increase and they can have a subsequent hearing within 60 days to determine whether the increase is justified and will be made permanent.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Florida yield further?

Mr. SMATHERS. I yield.

Mr. JOHNSON of Colorado. The Senator makes much of an anticipated increase. The language is to the effect that the carrier shall file a petition with the Commission certifying that it has incurred, or that within the immediate future it will incur, increased costs.

Mr. SMATHERS. Yes. It is anticipated that there will be increased costs.

Mr. JOHNSON of Colorado. That something along that line is going to happen.

Mr. SMATHERS. That there has occurred, and I quote from the bill, "or, within the immediate future, there will occur an increase in wages or an increase in costs." If it is in the future, it seems to me it is anticipated. I would not want to debate with the Senator a purely semantic question, but it seems to me the railroads could request an increase in rates because of something that may in the future occur.

Mr. JOHNSON of Colorado. No. The ICC will have to satisfy itself that there will be an increase in costs. The ICC does not lose any of its authority whatsoever except one thing, and I think that is probably illusory, namely, that refunds shall be made if the permanent rate is less than the temporary rate. I agree with the Senator from Oklahoma [Mr. MONRONEY] in saying that that is one of the assurances that is theoretical, and it may not be very practical. That is the only thing I can see in the bill that is different from the present law.

Mr. SMATHERS. I am sure the able Senator from Colorado will agree that the ICC itself, which is the agency most directly concerned, has not been in favor of this particular recommendation.

Mr. JOHNSON of Colorado. That is correct. The ICC has not been in favor of it. The reason why it has not been in favor of it is because it is in some degree a reflection on the way the Commission has handled rate cases. It feels that it is somewhat of a reflection on its performance, and that is the reason why the Commission does not like it. It does not like to have the Congress of the United States, if the Senator will permit me to say so, telling the Commission that it ought to act and must act within 60 days. Under the pending proposal it can take a zero action if it wishes to do so, but it must take some action within 60 days. The Commission does not like that. The Commission has full power, under the present act, to require any information it wants from the petitioner, whether it be a truck line, a railroad, or some other transportation unit. The Commission has the right to require any information it may desire. If the railroads should not give it that information, the Commission can say, "We will give you zero."

Mr. SMATHERS. I might say to the fine Senator from Colorado that in the

report of the committee on Senate bill 1461 there is a letter from the Interstate Commerce Commission in which it is said that the Commission opposes Senate bill 1461. Now, I know that it has not had an opportunity to pass judgment on the pending substitute, but in the letter of opposition to Senate bill 1461 it is stated that one of the objections is that on the so-called interim hearing, or quickie hearing, it would not have the information which it thinks it should have in order to reach any sort of a fair judgment as to what the revenues should be.

The letter then goes on to say that it proposes certain legislation. That proposed legislation is incorporated in the amendment offered by the Senator from Illinois, which would require a carrier, at the time it makes application, based on increased costs or wages, to furnish all pertinent data as to whether it is operating at a profit, and things of that nature, which the ICC claims it needs in order to make a sensible judgment.

Mr. JOHNSON of Colorado. It seems to me that when we list the information, we are placing the information in a straitjacket. The Commission can ask the railroads or trucklines petitioning for a rate increase for any information it may want. If the truckline or the railroad or some other petitioner does not give the Commission all the information requested, the Commission can, of course, deny the application for a temporary rate increase.

I am sure that if the Senator will read the Act To Regulate Commerce, he will find that the ICC is clothed with complete authority over such matters as obtaining information in order to perform every procedural function which the ICC exercises.

The amendment of the Senator from Illinois would be a restriction instead of a broad grant of power. It may be that the provision the Senator from Illinois wants to write into the law prescribes some information which the ICC will not need. If we write it into the law, the petitioner will have to furnish the information. If that be true, no good purpose will be served. If the ICC wants information, all it has to do is to tell the railroads or other petitioners to furnish the information required, and they will have to supply it.

Mr. LEHMAN. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. LEHMAN. Mr. President, it seems to me that this bill is quite unnecessary. We have been hearing a great deal on the floor of the Senate about the plight of the railroads and that they may suffer hardship and injury if certain things happen, and that they can obtain no immediate relief. As a matter of fact, when we look at the condition of the railroads it is apparent that there is not a single large railway system which is in the slightest degree jeopardized or which shows any indication of becoming insolvent or suffering greatly.

Until a few months ago, when we had the recession, which I hope will be a temporary one, the earnings of the class I railroad companies were, on the whole, higher than they ever have been in modern history. The increase in their earnings has been consistent over the period of the past 5 or 6 years. The market quotations of railroad stocks, even today, even in the face of what I hope will be a temporary recession, are substantially the highest they ever have been.

Companies like Southern Railway; Southern Pacific; Union Pacific; Atchison; Texas & Pacific; Chicago, Milwaukee & St. Paul; Rock Island; and similar companies are having earnings which are as high or higher than they ever have been.

I do not think it is necessary to protect the railroad companies. I can conceive perfectly well that the time may come, if there should be another depression—which, God forbid—when the railroads will require further increases in their freight and passenger rates, but certainly that time is not here today, under any circumstances.

In the past several years, as the distinguished Senator from Florida [Mr. SMATHERS] has pointed out, the railroads have been granted rate increases of, I believe, 78 percent, and this total increase has been given to them in 10 or 11 separate rate increases. The earnings of the railroads today certainly are entirely satisfactory.

I should say that instead of thinking of the plight of the railroads, or possibly the very remote hardship which might be worked on them, the Congress of the United States should think of the farmers who must pay increased rates for the transportation of their produce. We should think of the manufacturers who today must pay very much higher rates for the transportation of their production. We should think of the laboring men who will suffer if the rates of freight reach a point so high that they will affect the rate of production of the factories which employ them. The Senate should think of the great army of consumers who, after every rate increase, are required to pay an added toll for the food and other essentials of life which they must buy.

The bill now proposes that without any adequate study whatsoever the Interstate Commerce Commission can order a new increase. As the bill stands today, the railroad companies do not even have to submit facts, figures, or data on which they wish to base or are basing a demand for higher rates.

I think this is a completely unnecessary bill, and I shall vote to recommit it. I may say to my colleagues that if it is recommitted and later is reported again, it is my present intention to vote against any other bill of a similar nature, because I think such legislation is unnecessary and may work a very great hardship on agriculture, on industry, on workers, and on the great army of consumers. I think this is a bad bill, and we should not lend our support to it. I shall vote against it.

Mr. SMATHERS. (Mr. President, I must say, in answer to the able junior Senator from New York [Mr. LEHMAN], that I hasten to agree with him. I thank him sincerely for his remarks.

Mr. President, in conclusion, I may simply say that this is a bad bill. In my humble judgment, a dangerous precedent is set whenever we permit what we may consider, for all practical purposes, a public utility to file before an agency, a board, or whatever it may be called, a petition for increased rates, and, either with or without a hearing or a showing actually what its revenues are—which is the real basis on which a claim for increased rates should be made—allow the agency or board to authorize an increase in the rates in an ex parte proceeding. This could easily be done under proposed legislation within 2 days, if that was so desired on the part of the Commission.

Mr. President, I think the bill will be setting a bad precedent, a precedent which should be resisted in every way possible.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JOHNSON of Colorado. I might suggest to the Senator from Florida that if he feels as he says he does—and I am certain he does, or he would not have said so—he and the junior Senator from New York [Mr. LEHMAN] should join in offering an amendment to the present Interstate Commerce Act to take away from the Interstate Commerce Commission the power to grant temporary rate increases prior to hearing. If there is so much danger to the country and to everyone concerned in a temporary rate increase, then it seems to me that the Senators who object to that sort of thing should offer an amendment to take away such power from the Interstate Commerce Commission.

Mr. SMATHERS. In answer to the distinguished Senator from Colorado, I may say that I do not believe the ICC at this particular moment has the authority to grant even a temporary rate increase without a hearing and without notice to the parties interested.

Yet under the proposed legislation that is what they would be permitted to do. That is one of the reasons why we are very much opposed to the bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. JOHNSON of Colorado. The history of ratemaking by the Interstate Commerce Commission will prove conclusively to the Senator that temporary rate increases have been granted systematically and continually, and that never has a permanent rate been lower than a temporary rate. That is the history. I am certain that all the temporary rates which have been granted by the Interstate Commerce Commission have been legal according to the Interstate Commerce Act and other acts.

Mr. SMATHERS. I thank the able Senator from Colorado. I could not agree with him more. I agree with him 100 percent that the temporary rate increases are legal. What I am saying is that it is not legal to authorize a temporary rate increase without a hearing or without notice to interested parties, and that is what this particular amendment in the nature of a substitute would permit to be done.

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Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MONRONEY. Furthermore, under present law the Interstate Commerce Commission must have some information on which to base the amount of a temporary rate increase, and must also know what it is doing.

It might be interesting to consider some of the various increases which have been sought by the railroads since 1946. It is presumed that if the railroads asked for a rate increase without information on which to base it, the Commission could deny such an increase or reduce the amount of increase sought, because otherwise the Interstate Commerce Commission would be operating in the dark.

In Ex parte 162, the railroads sought an increase of 24 percent, and received an increase of 17.6 percent.

In Ex parte 106, the railroads sought an increase of 35.8 percent, and received an increase of 22.6 percent.

In Ex parte 168, they sought an increase of 12.8 percent and received an increase of 9.1 percent.

In Ex parte 175, they sought an increase of 14.8 percent and obtained an increase of 13.8 percent.

So it seems to me that the railroads have not been too bashful about asking for rate increases.

If the bill passes, how in the world will the Interstate Commerce Commission be able to tell, when the railroads ask for an increase—and the records show that they always ask for enough—whether they are asking for a 2 percent discount, or any other amount? There will be no gage by which to act. The practice has been to ask for more than is actually granted on the final determination of a case.

Mr. SMATHERS. I thank the Senator from Oklahoma. I agree with him completely.

I hope the bill will be recommitted. I think it is an unnecessary bill, as we have tried to demonstrate and point out this afternoon. The time required for processing rate increases which have been asked for on the part of the railroads since 1946 has averaged only 3½ months from the date the application was filed by the railroads until they received their first increase.

Since 1946 they have had a total increase of some 78 percent. So far as some of us understand, the original basis for the legislation was that we were in a period of inflation, so by the time the railroads got an increase their costs had already risen. That emergency has been softened by the improvement in the general economic situation because there is no longer inflation, and, therefore, the need for this "quickie" legislation no longer exists.

Mr. MONRONEY. There is no mention of deflation. There is no mention in the bill of "quickie" reduction. So far as 165 million people of America are concerned, costs can be decreased by half for labor, materials, and supplies, but the bill is a one-way track, and the express train runs just one way, and that is toward the railroads. The public can whistle for rebates and reductions, but the bill says, "Increase; increase the rates." There is no decrease or no return trip provided for.

Mr. SMATHERS. I thank the Senator. Of course, he is absolutely correct.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield to the Senator from Louisiana.

Mr. LONG. The one question that concerns me is that the bill requires the ICC to decide rate questions within 60 days without a requirement that the information be available to the ICC on which it shall base its decision. It is likely that many of the railroads, when called upon to present information, would make merely self-serving statements. All such statements should be checked, looked over, and understood. Perhaps much of the information which it would be necessary for the Commission to have in order to decide the case would come in after 40 or 50 days, and the ICC would have only a few days in which to check the information. It occurs to me that the ICC should not be required to decide what the increased rates should be without assuring them that they will have the necessary information on which to base such a decision. The bill requires the ICC to decide issues without knowing enough of the facts. Certainly the committee ought to study the question before the Senate is asked to pass the bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SMATHERS. I agree with what the Senator from Louisiana has stated, and I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. The answer to the argument of the Senator from Louisiana is that the ICC, although it is required by the bill to come to a decision within 60 days, may come to a decision that the increase shall be zero, if it decides to do so. There is no requirement that the ICC shall grant any increase. The complaint has been made that increases are going to be granted without hearings. It is up to the ICC to decide that question. It may decide the rates with or without hearings, and the ICC itself is the judge of whether it wants a hearing and how much information it wants.

If the railroads or the truck lines that apply for an increase in rates do not provide the information the ICC wants, of course, the ICC would be perfectly justified, and would be bound by its responsibility, in deciding that there should be no increase. So that the ICC has complete authority over whether hearings shall be held. The Commission has complete authority over the amount of increases to be granted. No power is being taken away from the ICC by the bill; no additional power is being given to the ICC.

Mr. LONG. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. Another aspect of the bill to which I should like to call attention is the fact that there is no requirement that the ICC shall have any conception of what it shall do with a question of increasing rates is before it. I see no requirement in the bill that the ICC must have before it certain reasons and data on which to base its decisions, if it wants to hold hearings. The ICC must make a decision within 60 days, whether or not it has facts before it, if I understand the bill correctly.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SMATHERS. The Senator from Louisiana understands the bill correctly. I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. If the pending bill were the only legislation on the subject, the conclusions of the able Senator from Louisiana would be correct. However, the bill before the Senate would be only an infinitesimally small part of the ICC law. The ICC has been granted wide and broad powers by the Congress to get all the information it needs in any action it may desire to take. The Commission is not handicapped by a lack of authority; and, under the basic act, it can ask for any information it desires.

Mr. SMATHERS. I thank the Senator from Colorado. I may say that Dr. Splawn, former Chairman of the Committee on Legislation of the Interstate Commerce Commission, was not satisfied. That may be the reason why he is the "former" legislative representative. He was not satisfied with the proposed legislation when it was first presented.

Mr. JOHNSON of Colorado. He resigned.

Mr. SMATHERS. There are all kinds of ways to kill a cat. I do not know what happened. I did not know he had resigned. However, he was chairman of the legislative committee of the Commission. He testified that he did not think the bill was satisfactory. He did not think the point raised by the Senator from Louisiana was taken care of, so that the Commission could get adequate information upon which it could base a fair and reasonable judgment.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. JOHNSON of Colorado. Dr. Splawn was a Commissioner for whom I had great admiration and affection. I conferred with him on a great many points. He always gave a thought-provoking opinion on any question asked him. Dr. Splawn made a report on the original bill. He has made no report on the substitute measure, which has been drawn to take care of such situations as suggested by the very able Senator from Florida. I cannot understand, when an amendment to the bill is offered and accepted, and a bill is reported to the Senate, which includes suggestions the Senator made, why the Senator from Florida would be so much in opposition to the action which was taken.

Mr. SMATHERS. I may say to the Senator from Colorado that the amendments which I offered did not in any way have any other purpose than to improve what I knew would be a bad piece of legislation. I thought that if the bill should be passed, we should at least try to clean it up as much as we could, try to wash the baby before we sent it off to school, and get it in some kind of fair

shape. But I did not think the bill ought to be passed in the first instance. I must say, however, that the amendments have vastly improved the bill.

Mr. JOHNSON of Colorado. I wish to say that the amendments offered by the Senator from Florida have improved the bill, as have the amendments offered by other Senators. That is why the bill was rewritten. The reason why the Senate has before it today a substitute is that constructive suggestions were made by the Senator from Florida and other Senators. The bill we have been trying to get before the Senate, the substitute bill, contains the recommendations and the suggestions of the Senator from Florida and other Senators.

The Senator from Florida is not alone in desiring to bring forth the best possible bill. Other members of the committee share that ambition. While I think the committee is under deep obligation to the Senator from Florida for his assistance and for the assistance of other Senators in perfecting the measure, I do not wish to have it appear that the Senator from Florida is the only member of the committee who wants the best possible measure to come forth from the committee.

Mr. SMATHERS. I thank the Senator from Colorado for his statement. At first I thought he might be attributing to me some parentage for this particular baby, and I do not want to be so credited. I think we improved the bill considerably. Nevertheless, the bill, if passed, would set a bad precedent. It would be the kind of legislation which, if enacted, would not benefit the general public.

Mr. LONG. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LONG. Thanks to the sort of argument which has been made on the floor of the Senate by the Senator from Florida, the majority of the members of the committee have been willing to propose a number of amendments which take much of the evil out of the bill. One of the aspects of the bill which bothered many of us was that covered by the Douglas amendment, which was suggested by the ICC. I should like to see such an amendment agreed to, and I should like to see the committee support it.

However, we are told by the distinguished chairman of the committee that if that additional amendment is agreed to, for the purpose of improving the bill, we might just as well not have any bill at all.

So it seems to me that if the bill is studied further by the committee, the committee might reach the decision that if the bill is thus further improved, we might as well forget the entire business, and then proceed to consider some other piece of proposed legislation.

Mr. SMATHERS. I thank the Senator from Louisiana, and I agree with him.

Mr. President, no hearings were held on the proposed substitute. None of the departments or executive agencies concerned—neither the Defense Department, the Department of Agriculture, nor the Interstate Commerce Commission itself—had an opportunity at a hearing to express any opinion regarding the proposed substitute.

Not long ago the Senate voted to recommit proposed amendments to the Taft-Hartley Act. That action was taken because, as the Senator from Georgia said, in the committee no opportunity had been afforded for the submission of a number of amendments to the bill.

Mr. President, the only proper way for the Senate to proceed in this case is to adopt the motion of the Senator from Oklahoma [Mr. MONRONEY] and myself that the bill be recommitted. I sincerely hope the motion will be adopted.

The PRESIDING OFFICER (Mr. BUSH in the chair). The question is on agreeing to the motion of the Senator from Oklahoma [Mr. MONRONEY] submitted on behalf of himself and the Senator from Florida [Mr. SMATHERS], to recommit the bill.

Mr. PAYNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	McCarthy
Barrett	Green	McClellan
Beall	Hayden	Millikin
Bowring	Hendrickson	Monroney
Bricker	Hennings	Morse
Bridges	Hill	Mundt
Bush	Holland	Murray
Butler, Md.	Humphrey	Pastore
Byrd	Hunt	Payne
Case	Ives	Potter
Chavez	Jackson	Purtell
Clements	Jenner	Robertson
Cooper	Johnson, Colo.	Russell
Cordon	Johnson, Tex.	Saltonstall
Daniel	Johnston, S. C.	Schoeppel
Dirksen	Kennedy	Smathers
Douglas	Knowland	Smith, Maine
Duff	Kuchel	Smith, N. J.
Dworshak	Langer	Stennis
Ellender	Lehman	Symington
Ferguson	Lennon	Thye
Flanders	Long	Upton
Frear	Magnuson	Watkins
Fulbright	Malone	Welker
George	Mansfield	Young
Gillette	Martin	
Goldwater	Maybank	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from Oklahoma [Mr. MONRONEY], for himself and the Senator from Florida [Mr. SMATHERS], to recommit the bill to the Committee on Interstate and Foreign Commerce. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG (when his name was called). On this vote I have a pair with the Senator from Indiana [Mr. CAPEHART]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the senior Senator from Nevada [Mr. MCCARRAN]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUNT. On this vote I have a pair with the senior Senator from Oklahoma [Mr. KERR]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Indiana [Mr. CAPEHART], the Senator from Kansas [Mr. CARLSON] and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] and the Senator from Wisconsin [Mr. WILEY] are absent on official business. If present and voting, the senior Senator from Nebraska [Mr. BUTLER] and the junior Senator from Nebraska [Mrs. BOWRING] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senators from West Virginia [Mr. KILGORE and Mr. NEELY] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The result was announced—yeas 39, nays 37, as follows:

YEAS—39

Aiken	Hayden	Maybank
Byrd	Hennings	McClellan
Chavez	Hill	Monroney
Clements	Holland	Morse
Daniel	Humphrey	Mundt
Douglas	Jackson	Murray
Dworshak	Johnson, Tex.	Pastore
Ellender	Johnston, S. C.	Robertson
Fulbright	Kennedy	Russell
George	Langer	Smathers
Gillette	Lehman	Stennis
Gore	Lennon	Symington
Green	Magnuson	Young

NAYS—37

Barrett	Flanders	Payne
Beall	Frear	Potter
Bennett	Goldwater	Purtell
Bricker	Hendrickson	Saltonstall
Bridges	Ives	Schoeppel
Bush	Jenner	Smith, Maine
Butler, Md.	Johnson, Colo.	Smith, N. J.
Case	Knowland	Thye
Cooper	Kuchel	Upton
Cordon	Malone	Watkins
Dirksen	Martin	Welker
Duff	McCarthy	
Ferguson	Millikin	

NOT VOTING—19

Anderson	Hickenlooper	McCarran
Bowring	Hunt	Neely
Burke	Kefauver	Sparkman
Butler, Nebr.	Kerr	Wiley
Capehart	Kilgore	Williams
Carlson	Long	
Eastland	Mansfield	

So the motion to recommit was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area

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Problems of the Greater Washington Metropolitan Area; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KEARNS, Mr. BROYHILL, and Mr. DAVIS of Georgia were appointed managers on the part of the House at the conference.

TREASURY AND POST OFFICE APPROPRIATIONS, 1955

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calender 1288, H. R. 7893, the Treasury and Post Office appropriations bill.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1954, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. On what day and at what hour was the appropriation bill reported to the Senate?

The PRESIDING OFFICER. The Senator from Illinois is advised that the bill was reported on Monday, the 10th of May.

Mr. DOUGLAS. May I ask at what hour it was reported?

The PRESIDING OFFICER. The hour of reporting is not recorded. Therefore, the Chair does not have that information.

Mr. DOUGLAS. Mr. President, that is an essential point, because, as I understand, the Reorganization Act provides that an appropriation bill must lie on the table for 3 days before it is considered by the Senate. Therefore, I wish to know whether more than 72 hours have elapsed since the bill was reported.

The PRESIDING OFFICER. The Senator is advised that the bill in question has been before the Senate for 3 days, according to the rules of the Senate.

Mr. DOUGLAS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. According to previous rulings of the Chair it is my understanding that the requirement has been that 3 calendar days, or 72 elapsed hours, must have elapsed before an appropriation bill can be considered by the Senate. At times in the past bills have been reported 1 minute before midnight, and it has been claimed that the requirement has been met. As I understand, in the past—and I believe this issue has arisen on 2 occasion—the Chair has ruled that 72 hours must elapse, and that the requirement is not met by filing a bill 1 or 2 minutes before midnight.

That is the reason for my inquiry as to the hour at which this bill was filed. The eminent chairman of the Appropriations Committee, the distinguished President pro tempore of the Senate, is on the floor ready to take up the measure, and I should appreciate it if he would advise the Senate the hour on May 10 at which the bill was reported to the Senate.

The PRESIDING OFFICER. There has been no previous ruling on the question of hours an appropriation bill must be before the Senate before it is in order to proceed to its consideration. Section 139 (a) of the Legislative Reorganization Act of 1946, provides:

> No general appropriation bill shall be considered in either House unless, prior to the consideration of such bill, printed committee hearings and reports on such bill have been available for at least 3 calendar days for the members of the House in which such bill is to be considered.

The Chair rules that it is not in order to calculate such time on the basis of hours, but that the time is figured on the basis of 3 calendar days, as set forth in the rule, and 3 calendar days have elapsed.

Mr. DOUGLAS. I asked that the Chair request the chairman of the Appropriations Committee to state the hour at which this bill was submitted.

The PRESIDING OFFICER. The Chair advises the Senator from Illinois that that request is not in order.

Mr. KNOWLAND. Mr. President, I invite attention to the fact that on page 11 of the Senate Calendar it is shown that this appropriation bill was reported to the Senate on May 10, 1954. I also wish to invite the attention of the Senate to the fact that for the past week I have given notice that when the bill and the report on it had been available for 3 days it would be called up. So there has been no misunderstanding, I think, on the part of the Senate that it would be called up today. A number of Senators have expressed the hope that we would take it up for consideration today instead of tomorrow.

Mr. MAYBANK. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MAYBANK. Mr. President, we spent last Saturday, until late in the afternoon, working on the bill. So far as I can recall, it was unanimously reported.

Mr. DOUGLAS. Mr. President, the La Follette-Monroney Reorganization Act of 1946 made a change in the rules of the Senate by requiring that appropriation bills should be submitted 3 days before they could be taken up for action, in order that the Members of the Senate should have time to acquaint themselves with the details of the bill. At various times attempts have been made to violate that rule, and upon occasion I have seen bills submitted the night before and an attempt made to call them up the next day. In each instance the senior Senator from Illinois has protested, although, upon occasion, he has withdrawn his protest if the pressure of parliamentary business seemed acute. But one of the methods by which the rule has been violated has been to submit bills just before midnight one night and then count that minute or two as a parliamentary day, which means that, in effect, the Senate, instead of having 3 days, is permitted only 2 days within which to study a bill.

I ask a very simple question which the distinguished Senator from New Hampshire, the eminent President pro tempore of the Senate, the Chairman, Lord High Executioner, and Poo Bah of the Appropriations Committee can answer very simply. At what hour on May 10 was the bill submitted to the Senate?

Mr. BRIDGES. Mr. President, the Chair has ruled that this is not a point of order. Therefore, on my own responsibility, I shall answer the Senator from Illinois by saying that the committee worked all day Saturday to get action on the bill. It was ready to report on Saturday. There was no session of the Senate on Saturday. So, according to the memory of Mr. Joyce, the clerk to the subcommittee, and according to my own memory, I reported the bill somewhere between 12:30 and 1 o'clock on Monday, which means that more than 3 days have elapsed, the La Follette-Monroney Act has been lived up to, the grass is green, and we should move ahead.

Mr. KNOWLAND. Mr. President, I understand that action has not yet been taken on the motion to consider Calendar 1288, H. R. 7893, the Tresaury and Post Office appropriation bill.

The PRESIDING OFFICER. The motion has not yet been agreed to. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BRIDGES. Mr. President, I ask that the clerk state the first amendment.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Appropriations was, under the heading "Title II—Post Office Department—Current Authorizations out of Postal Service Fund—Administration," on page 10, line 22, after the word "rewards", insert "for information"; on page 11, line 1, after the word "damages", insert "(28 U. S. C. 2672; 31 U. S. C. 224c)", and at the beginning of line 3, strike out "$20,000,000" and insert "$19,491,100."

The amendment was agreed to.

The next amendment was, under the subhead "Operations," on page 11, at the beginning of line 16, insert "available to the Post Office Department"; in line 17, after the word "year", strike out "for "Administration" and for "Operations."."

The amendment was agreed to.

The next amendment was, in line 22, after the word "operations", insert "but not to exceed a total transfer from one

appropriation account to another of more than 5 per centum and not more than a total of $138,000,000 may be transferred during the current fiscal year."

Mr. BRIDGES. With reference to this particular amendment, after it was included by the committee, it was found to be unnecessary at this time. I ask unanimous consent to have authority to withdraw the amendment.

The PRESIDING OFFICER. Without objection, the request is granted, and the amendment is withdrawn.

The clerk will state the next committee amendment.

The next amendment was, under the subhead "Transportation," on page 12, line 7, after the figures "$702,219,000", insert a colon and the following proviso:

Provided, That the Post Office Department shall report not less than once every 3 months to the Committees on Appropriations of the Senate and House of Representatives all substantial transportation changes, such report to include the total cost of the eliminated and replacement service for airline, truck, and railroad transportation.

The amendment was agreed to.

The next amendment was, under the subhead "General Provisions—Post Office Department," on page 14, line 12, after the word "exceeding", strike out "$1,000,000" and insert "$5,000,000", and in line 17, after the word "purposes", insert "of which not to exceed $4,000,000 shall be available for improved lighting, color, and ventilation for the specialized conditions in workroom areas."

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. We are proceeding so rapidly, it is very difficult for Senators on this side of the Chamber to follow the action being taken. Will the Chair be kind enough to inform the Senate as to what amendment is now under consideration?

The PRESIDING OFFICER. The Senator's attention is invited to page 14, line 17. If the Senator desires, the Chair will ask the clerk to slow down his pace.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. JOHNSTON of South Carolina. I have an amendment on page 11. I believe we have passed that page. My amendment comes in on page 11, line 3.

The PRESIDING OFFICER. The Senator is advised that only the committee amendments are being stated at this time.

Mr. JOHNSTON of South Carolina. I so understand.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. JOHNSTON of South Carolina. The committee has amended the bill in this particular section with regard to the inspection service. I want to make a further cut to the same number authorized for 1954.

The PRESIDING OFFICER. Will the Senator from South Carolina send his amendment to the desk?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Now that the Senate has agreed to certain committee amendments in its great rush, is the bill still open to further amendment, or have the committee amendments been agreed to irrevocably?

The PRESIDING OFFICER. The amendments that have already been stated have been agreed to.

Mr. DOUGLAS. This is an example of excessive haste. Along with the distinguished junior Senator from South Carolina, I have prepared a very important amendment denying an increase in the number of postal inspectors.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Carolina will state it.

Mr. MAYBANK. After the committee amendments have been either agreed to or rejected any amendment offered by any Senator will be in order. Is not that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MAYBANK. I thank the Chair.

The PRESIDING OFFICER. The distinguished junior Senator from South Carolina may move to reconsider the action taken on any amendment.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. I quite agree with the Senator. If an individual amendment is pending, I ask unanimous consent that the particular committee amendment be reconsidered, so that the amendment offered by the distinguished junior Senator from South Carolina may be considered on its merits.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. BRIDGES. I have no objection. I wish to be entirely fair. I had assumed that every Senator had had an opportunity to be heard. But if that is not the case, and any Senator desires to offer an amendment, I have no objection. In fairness to all Senators, the committee amendments may be reconsidered by unanimous consent.

The PRESIDING OFFICER. Without objection, the amendment on page 11, line 3, is reconsidered. The clerk will state the amendment offered by the Senator from South Carolina for himself and on behalf of the Senator from Illinois [Mr. DOUGLAS].

The LEGISLATIVE CLERK. In the committee amendment, on page 11, line 3, in lieu of "$19,491,100," it is proposed to insert "$18,500,000: *Provided*, That funds made available for the administration of the Inspection Service shall not be used to pay the compensation of more than 900 inspectors."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON] for himself and on behalf of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment.

Mr. JOHNSTON of South Carolina. I wish to call the attention of the Senate to the fact that last year the number of postal inspectors was increased by 43. Since that was the first year of the present administration, probably that additional number of inspectors was needed. There is no criticism of that increase. But this year a request was made for an additional 158 inspectors. The Senate committee itself reduced that request by 50.

I call the attention of the Senate to the fact that the bill as passed by the House provides for 1,050 inspectors. When the bill goes to conference it will be up to the committee of conference to provide for the number of inspectors they consider to be necessary after they have studied the situation.

I worked last Saturday with the chairman of the committee in our efforts to report the bill, but I think this item should be given a little more study, to see whether any more inspectors are needed this year than were needed during the past year. I do not think an additional number is necessary.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FULBRIGHT. Is it not true that the present administration is proceeding to close hundreds of fourth-class post offices?

Mr. JOHNSTON of South Carolina. That is true at the present time.

Mr. FULBRIGHT. I have had letters from several dozen postmistresses and postmasters in my State whose offices the administration is proposing to close. A number of fourth-class offices already have been closed, and the administration is proceeding to close more. This would seem to me to decrease greatly the need for additional postal inspectors.

Are there not about 30,000 fourth-class post offices in the United States?

Mr. JOHNSTON of South Carolina. There are hardly that many fourth-class offices. I believe there are only about 19,000 fourth-class offices.

Mr. FULBRIGHT. Nevertheless the administration has begun to close many of them.

Mr. JOHNSTON of South Carolina. Let us be clear about the situation. Not all the fourth-class offices have been eliminated, but a great many of them have been closed.

Mr. FULBRIGHT. A great many have been eliminated, and the administration is proceeding to close many more. Would not that lead to a decreased necessity for additional postal inspectors?

Mr. JOHNSTON of South Carolina. I think so. For that reason, I am asking the chairman of the committee to take my amendment to conference, where the entire situation can be studied.

Mr. FULBRIGHT. I think the amendment of the Senator from South Carolina is entirely in order. It seems to me that if postoffices are being closed, then, in common sense, it would seem that not so many postal inspectors are needed.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

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Mr. DOUGLAS. I desire to commend the Senator from South Carolina for his work on this matter, and I am very happy to join him in its sponsorship. I had originally intended to offer an amendment making a deeper reduction, but I am pleased to join forces. I point out that the amendment of the Senator from South Carolina would still provide for the Post Office Department $2,005,300 more than the Department had for the fiscal year 1953.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. It would give them an increase of over 10 percent.

Mr. JOHNSTON of South Carolina. Congress provided last year for 43 additional inspectors.

Mr. DOUGLAS. In other words, the present administration, which is dedicated to economy and efficiency has increased the overhead of the Post Office Department at a very great rate.

Mr. JOHNSTON of South Carolina. It has certainly increased it by 43 inspectors, and has requested many other increases in administrative expense.

Mr. DOUGLAS. Is it not true that one of the justifications which is advanced for having the additional inspectors is that they can make management surveys?

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Is it not true that the Department spent $700,000 last year in payment to outside firms for management surveys?

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. In addition to the $700,000 for outside management surveys there is a proposal for 150 additional inspectors.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Without injecting a partisan note, is it not true that a large part of the function of the inspectors is to try, if possible, "to get the goods on," and to expel, even if they do not get the goods on them, Democratic postmasters who have done their jobs well, but whose jobs are desired by deserving Republicans and Republican county chairmen?

Mr. JOHNSTON of South Carolina. If the Senator from Illinois would read some of the speeches I made in the presence of the Postmaster General, he would understand my position on that question. But it was not my intention to go into that now. I do not think there is a need for the additional inspectors at this particular time.

Mr. BRIDGES. I shall presently go into the merits of the request, but I wish to ask of the distinguished Senator from Illinois how many Republican postoffice inspectors were appointed during the 20 years or so of Democratic administrations? Does the Senator know?

Mr. DOUGLAS. It seems to be a characteristic that employees in the postal service, when they reach the grade of inspector and begin to frequent country clubs and to be entertained, become Republicans, whether or not they started as Republicans. In the language of Shakespeare, they undergo a deep "sea change into something rich and strange."

Mr. JOHNSTON of South Carolina. Mr. President, I should like to read from page 4 of the report of the committee, under the heading "Employment of Outside Management Firms." This is the language of the committee:

> The committee is disturbed over the continued and increasing amount of money used by the Post Office Department to defray the cost of consultants and private firms engaged in management surveys and improvements. Figures supplied by the Department indicate that the total of such contracts, as of January 26, 1954, is somewhat in excess of $700,000. It should be pointed out that in addition to trained management people in the inspection service the General Acounting Office and the Civil Service Commission are well equipped to assist the Department in financial and personnel improvements without the necessity of engaging outside firms or consultants.

That statement is true. Many such persons have been employed. The Post Office Department now comes along and requests appropriations for 158 more. I cannot conceive that they are needed at this particular time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON] on behalf of himself and the Senator from Illinois [Mr. DOUGLAS] to the amendment of the committee.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

Mr. BRIDGES. Mr. President, the Senator from New Hampshire wants to answer questions raised in the debate, but he will wait until after the quorum call.

Mr. DOUGLAS. If the Senator from New Hampshire prefers that I withhold my request for a quorum call until after he makes his explanation, I shall do so, but I think the question is so important that it should not be decided when merely a few Senators are present.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Duff	Monroney
Barrett	Ferguson	Morse
Bricker	Fulbright	Murray
Bridges	Goldwater	Payne
Bush	Hayden	Robertson
Butler, Md.	Hill	Saltonstall
Byrd	Johnston, S. C.	Smathers
Chavez	Knowland	Stennis
Cordon	Kuchel	Welker
Daniel	Maybank	Wiley

The PRESIDING OFFICER (Mr. BARRETT in the chair). A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BEALL, Mr. BENNETT, Mrs. BOWRING, Mr. CASE, Mr. CLEMENTS, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. GILLETTE, Mr. GORE, Mr. GREEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSON of Texas, Mr. KENNEDY, Mr. LANGER, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MANSFIELD, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MUNDT, Mr. PASTORE, Mr. POTTER, Mr. PURTELL, Mr. RUSSELL, Mr. SCHOEPPEL, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, Mr. WATKINS, Mr. WILLIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON] on behalf of himself and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment.

Mr. BRIDGES. Mr. President, I wish to take not more than 2 or 3 minutes to explain the issue.

When this bill came to the Senate from the House it provided for 1,050 postal inspectors for the whole Nation. The Appropriations Committee, on Saturday, after weighing all the evidence, reduced that number to an even 1,000. In other words, we eliminated 50 inspectors. We felt the number which the House had included was too large. The reason we placed the figure at 1,000 is that there are pending 41,238 cases which have not been investigated. They concern financial irregularities, mail losses, fraud, and many other types of cases. The postal inspectors last year handled 183,373 cases involving all types of investigations—personnel, space, fraud, financial losses, irregularities, audits, and others. The number of cases handled by inspectors would be about 183,000 divided by approximately 900, which would probably run somewhat over 200 cases a year investigated. With 41,238 cases on hand, they have quite a load to start with.

The committee did not agree with the House. We reduced the figure as I have stated, but on the basis of Post Office Department testimony we believed that they are entitled to an increase if we do not want irregularities to continue to mount.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] made the statement that the Department did not need the additional employees because there had been a number of fourth-class post offices discontinued. As of June 30, 1953, there were 18,381 fourth-class post offices. Since that time there have been a total of 1,069 fourth-class post offices discontinued, which would bring the number down to approximately 17,320.

Mr. FULBRIGHT. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. FULBRIGHT. With reference to the decrease in the number of inspectors, from some of the experiences we have had in my State with the inspections to which the Senator has referred—I know of several cases, but one of them is close to my home town of Fort Smith—it seems to me the inspections are quite unnecessary. There is a postmaster there who has a very high record and who has been there many years. The only reason for sending an inspector there was to get rid of him and appoint a Republican in his place. Finally, after considerable discussion—I do not know how far it went—they obtained his resignation, although his record for many years has been of the very highest. His reports are always 98, 97½, or 99.

I suggest that the problem of replacing Democrats with Republicans will soon be over, and there will not be any more such investigations, and there is no need of increasing the force. Obviously, with 1,000 fewer post offices, there would not be any increase in legitimate investigations. I cannot see that any case has been made for increasing the number of inspectors.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. JOHNSTON of South Carolina. The number to which the Senator referred a few minutes ago strangely is almost the same as the number of post offices in the United States, the inspectors must be investigating all the post offices.

Mr. BRIDGES. I will say to the Senator that he knows we acted according to the best judgment of the committee. I assume that somewhere between the figures recommended by the House committee and the Senate committee there is a fair compromise. There are 41,000 cases pending, many of which are fraud cases, irregularities, poor service——

Mr. MAYBANK. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. MAYBANK. If there are fraud cases, why does not the Department of Justice do something about it? I read in the newspapers about the great Justice Department, and I wonder why it does not do something about it.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. Mr. President, I think the answer to that question is that if there are charges of irregularities, before the cases are turned over to the Department of Justice, it has always been the custom for postal inspectors to get the facts.

It seems to me, even in the partisan area in which we may live, that when a party has assumed responsibility for the executive branch of the Government, and an official responsible for a particular department states there is a backlog of cases and says, "I cannot be expected properly to administer my department unless I have an opportunity to have a force that will permit me to administer it properly," we should not transfer the responsibility to this Chamber and say we will not give him the tools with which to do the job.

Mr. MAYBANK. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. MAYBANK. The same Justice Department would say it could not do anything about it. Why not have an investigation of something worth while, instead of some poor postmaster?

Mr. KNOWLAND. All I can say to the distinguished Senator from South Carolina is that if the situation were reversed and the Democratic Party were in power and an administrator came before the committee and made a presentation that he needed a reasonable number of additional employees in order to get rid of a backlog of cases, I certainly would not try to obstruct the administration of a great Government Department.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MAYBANK. I have been in the Senate when the Republicans were in power; I have been here when the Democrats were in power. I will never obstruct justice. My only thought is, Why does not the Department of Justice do something? Why does not the Department have someone indicted for corruption?

Mr. KNOWLAND. The great party which the Senator from South Carolina represents, in part, was in power for the past 20 years.

Mr. MAYBANK. No, no; I represent the American people first, then a great party. I have voted more times with Senators on the other side of the aisle than I have with Senators on this side of the aisle.

Mr. KNOWLAND. All I can say is that it has been the customary practice in the Treasury Department, when a case involving the currency or counterfeiting arose, to have the investigation conducted by the Secret Service, which is the investigative arm of the Treasury Department.

Mr. MAYBANK. The Department of Justice has an investigative arm.

Mr. KNOWLAND. In the Treasury Department the investigative arm is the Secret Service. The Treasury Department builds up its case, and when the case has been made, it is then turned over to the Department of Justice for prosecution.

When investigations have been needed in the Post Office Department it has been the custom to have the postal inspectors to make the investigations. If the postal inspectors make a case, the matter is then turned over to the Department of Justice for prosecution.

I certainly believe we have a right to appeal to Senators on the other side of the aisle not to obstruct the proper administration of a great Government department.

Mr. MAYBANK. I am not obstructing the proper administration of any department, but I want to know what cases the Postmaster General's inspectors have developed for the Department of Justice to prosecute. Can any Senator cite one case in the United States? I know the inspectors look around and try to find postmasters who are violating a law. They try to find persons to pick on.

Sears, Roebuck sends its catalogs all over the country. One of its officers is employed as an assistant postmaster general. The Sears, Roebuck catalogs clutter up post offices to such an extent as to make it difficult to handle other mail.

I should like to have the majority leader name one case in which the Postmaster General has found corruption through his inspectors. That is all I ask. I ask the majority leader to cite one case.

Mr. KNOWLAND. I cannot answer the Senator's question now. I do not have the information or the files of the Post Office Department. I do not know what investigations of fraud or any other violations are now being conducted by the Department. I do not have a list of cases which the Department may have turned over to the Department of Justice.

But I know that in a long period of years, under both administrations, from time to time, unfortunately, as is true in banks, there have been embezzlers who have absconded with funds. Unless the Government is prepared to undertake a proper investigation of such cases, the condition can be harmful to the entire Government service.

Mr. MAYBANK. The Senator from California is absolutely correct, but what worries me is that the Department has not been doing that. The inspectors have been snooping around, trying to get something on a postmaster, instead of investigating what should be investigated.

I voted for the additional inspectors, reducing the number by some 48 from the number provided by the House. I am not here to obstruct the Committee on Appropriations, because I intend to stand by the distinguished Senator from New Hampshire [Mr. BRIDGES]. I simply want the record to be made clear. I should like to be shown where the Department has taken any action against those who have absconded with money, as the Senator from California has suggested, or who have done other things, except to get something on someone. That is the truth, and the Senator from California knows it.

Mr. BRIDGES. I cannot answer at this time the specific question asked by the Senator from South Carolina. All I cay say is that last year 2,525 persons were arrested for theft of the United States mails. That was an increase of 265 arrests over the previous year.

During the first 4 months of this year, 759 persons have been arrested. This represents the largest number for a comparable period on record in history. These cases involve such things as the theft of money orders and checks, and the forging of documents, and so forth. In answer to the distinguished Senator from South Carolina, I cannot state the number of cases which the Department of Justice has prosecuted. I have sent for the information, if it is available.

Mr. MAYBANK. I want those who are corrupt to be prosecuted. I want to

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ascertain if this money is to be spent to prosecute those who have been corrupt or who have violated the law, rather than to be used to provide a new job.

Mr. BRIDGES. I think the Senator from South Carolina is entitled to have the information. But I desired to tell him the number of arrests which had been made.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. JOHNSTON of South Carolina. I wish to say to the Senator that the committee, which considered the request of the Post Office Department for an additional 150 inspectors, commented that the need was justified primarily on the basis of an increased use of postal inspectors in the management program. Is that true?

Mr. BRIDGES. That is the testimony.

Mr. JOHNSTON of South Carolina. That is contained in the report of the committee. If that be true, I wish to call the attention of the Senator to a report by the Senate Advisory Council on which thousands and thousands of dollars were spent to obtain advice about operations in the field. Let us hear what the report says. I read from page 10 of the report pursuant to Senate Resolution 49:

> The inspection service has gone far afield from its original role as protector of the integrity of the mails. By evolution, down through the years, it has become almost exclusively responsible for management of the Postal Establishment. This marriage of law enforcement and management has been a constant and increasing case in incompatibility that has had an ill effect on the efficiency and economy of the postal service. The inspection service, on the one hand, does not command the confidence, cooperation, and participation of the rank and file of postal employees in matters of management; thus, progressive movement is limited. On the other hand, the inspection service, as an entity, is not equipped by training or experience to provide the technical skill required to streamline and modernize the operations of the Postal Establishment by taking full advantage of recent-day developments in the fields of engineering and management.

The report leads one to believe that the inspection has gone far afield from its original duties and is causing a great deal of discontent and is not doing any good. May I further add that according to the report of the Senate Appropriations Committee, the new Postmaster General in a few short months has spent over $700,000 for management surveys, consultant fees, and propaganda.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire yield, to permit me to ask a further question of the Senator from South Carolina?

Mr. BRIDGES. I yield.

Mr. DOUGLAS. What was the recommendation of the advisory committee concerning the proper functions of the inspection service?

Mr. JOHNSTON of South Carolina. The advisory committee recommended that the inspection service get out of the management program field.

Mr. DOUGLAS. But the administration now is proposing to give them a million dollars more, in order to put them into that field more deeply.

Mr. JOHNSTON of South Carolina. A million and a half dollars was asked for, and the House allowed almost what was requested. The Senate then reduced the number of inspectors by 50. I do not think the inspection service needs more inspectors than it had last year, as I have said before. They received an increase of 43 last year, and I think that is sufficient.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MONRONEY. I believe that if this item were to provide inspectors for the traditional service which the Post Office Department has rendered in past years, there would not be any question about the appropriation being granted. But I believe that all Members, at least those on the Democratic side of the aisle, realize that the use of postal inspectors for the opening up of jobs for deserving Republicans is consuming a great number of the working days of inspectors.

I have in mind a postmaster in a small Oklahoma town who has been in the service for 20 years. The Republican county chairman, and rightly so, thought that his son-in-law should be the postmaster. To that we do not object. It is the natural feeling that to the victor belongs the spoils. But I have wondered why it was necessary to bring two post-office inspectors into the community to spend time with the Republican county chairman in order to open up a job.

If the postmaster was as inefficient as he was alleged to be, charges could be preferred against him. I think the situation to which I have referred illustrates the large amount of minutiae with which the Postal Inspection Service concerns itself relating to World War II veterans.

Mr. BRIDGES. If I may answer the Senator, I assume that the reason for sending two inspectors was to be perfectly fair, so that one could check on the other.

Mr. MONRONEY. Does the Senator mean that one inspector was a Democrat, and the other was a Republican?

Mr. BRIDGES. Perhaps it was to make certain that the investigation would be perfectly fair.

Mr. MONRONEY. I do not know, but I think two inspectors are too many for an office which serves perhaps only 5,000 people.

Speaking seriously, I think the use to which post-office inspectors are put, in detecting fraud, corruption, and malfeasance in office, is good; but I wish to call attention to an affidavit which I have here from a wounded World War II veteran. Five charges were filed against him by the post-office inspector. He is a civil-service carrier on a city route. One of the charges is that he ate his lunch between 11:30 and 12:30 o'clock, instead of between 12 and 1, as the rules provide.

I should like to read charge No. 2 made by the post-office inspector:

> You have permitted dogs, two of which are very large, to follow you continuously while serving your route, and have not made proper efforts to discontinue this practice after you were informed that it was objectionable to some of the patrons of the route.

I now read the reply to the charge, which was made by the World War II veteran:

> Affiant has one small dog as company for his small children, but said dog has never followed him on his route. Affiant states that other dogs have in the past followed him on his route, even though he has always attempted to keep them from so doing; that affiant, in attempting to prevent dogs from following him on his route, has been reprimanded in the past for striking at dogs with his strap. That it is impossible to carry letters on any route in Norman without having a dog or dogs follow for some distance.

If that is what we are using post-office inspectors for, and this is an affidavit in answer to a solemn charge made by the postal inspector, then I think, under the leadership of Mr. Summerfield, we are getting pretty far astray in the investigation of minutiae in the daily lives, not only of carriers, but of dogs in the neighborhood. I think it might be wise to get back on the track and look after fraud and malfeasance in office, rather than seek to ruin the reputation of employees of a great service. One might as well have the FBI check up on overparking as to use the time and effort of experienced men to run down cases of which the one I have just cited is rather illustrative.

Mr. DOUGLAS. Since the Senator from New Hampshire is very generous in yielding, will he permit the Senator from Illinois to add that I have in my office testimony about the use of inspectors? I have sent to my office for files in a number of cases where the resignations of postmasters have been demanded by inspectors. I ask unanimous consent to have printed in the RECORD at this point in my remarks a typical case of this type.

The PRESIDING OFFICER. Is there objection?

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

> X, ILL., *April 26, 1954.*
>
> Senator PAUL DOUGLAS,
> *Washington, D. C.*
>
> DEAR SENATOR DOUGLAS: I received a letter from the Assistant Postmaster General, Mr. N. R. Abrams, March 2, 1954, stating they had complaint I did not reside within the delivery of the X post office, for me to advise fully my place of residence.
>
> I am mailing you a copy of the letter I sent to the Department along with my rent receipts, which the Department has turned over to the Post Office inspector.
>
> I have been a resident of X 6 or 8 months prior to my application for postmaster, have continued to keep an apartment or room with cooking privilege, which is paid in full until July 1, 1954. I do not stay at my room very much of the time, but keep clothes there, also mailing address. I will say I haven't been without a room for at least 42 months in X, where I pay taxes. I always pay from this township. When I vote I always give X address, in fact all business transactions are from X. I lived and stayed in X until my mother's health got very bad. Then I started staying more there to see after her. She passed away September 27 a year ago, leaving my 81-year-old father, whom I look after. He resides on a farm approximately 4½ miles from the X post office on the Z rural route No. 1. I don't be-

lieve it is of this cause they want to fire me. It is because I vote the Democratic ticket.

I have had five inspectors at my $1,588.48 per year post office in the last few months.

The first inspector was from New Jersey State. He came March 24, 1954, and checked the books and sent me a letter from the inspectors' office. He rated my office satisfactory, which I have on file. In a short time Inspector A from Y, Ill., came. He told me to draw a map of X giving the distance and the heads of the families, including all children from 10 years old from the post office. I guessed the best I knew how.

The third man was a star-route man from U, Ill.

The fourth time was Inspector A, looking the route over which they wanted to discontinue the office. The people of X talked to him and they had circulated a petition to not discontinue the office. They mailed it to Congressman ——.

The fifth time was Inspector A. This time he said it was about me not residing within the delivery limits. I told him I had never been without residence prior to my application for the post office. He certainly did question me over and over about residence. In fact I thought he never would finish. He went to my room, checked my clothes, questioned the lady over and over. He came back to the office and told me I would receive a letter, for me to answer it and mail it to him at Y, that I would have to defend myself and that I would be tried on the charge. He certainly put us through severe questioning.

I will appreciate any advice or support you can give me. Do you think I have a chance? Or do you think I should resign.

This is something I don't understand. Do you have any idea where my trial will be held? This is nothing, only politics.

The Z office and the X office have each quarter mailed our quarterly account on the 1st or 2d day following the close of the quarter. And they then write for the second report of the list of money orders, stating they have not received them, when they could not have received the rest without receiving them, as they were all mailed together in the same envelope. I believe this is only to file a demerit against us.

Please advise me what you think best.

Respectfully yours, an obedient supporter,

M.

M's REPLY TO N. R. ABRAM'S INQUIRY ABOUT RESIDENCE

X, ILL., *March 6, 1954.*

Mr. N. R. ABRAMS,
Assistant Postmaster General,
Bureau of Post Office Operations,
Washington 25, D. C.

DEAR MR. ABRAMS: I received your letter asking for complete advice on my place of residence.

I wish to advise you I have had a place of residence in X prior to my application for postmaster and continue to have one.

Although after my mother passed away, I have been staying most of the time with my 81-year-old father, who would be alone other than me staying with him, but still keep my place of residence in X and receive my mail at that address. Am sending you my rent receipts. Please mail them back to me.

Respectfully,

M.

XX, ILL., *November 2, 1953.*

Mr. PAUL H. DOUGLAS,
United States Senator,
Washington, D. C.

HONORABLE SIR: To protect other postmasters, please assist Senator KERR and others in their fight to stop the purging of postmasters. I am being dismissed from service at this office on November 16, 1953, for inefficiency. My inspection grades for the past 3 years are:

1951, 99 percent.
1952, 100 percent.
1953, 99 percent.

Too late to help me, now, but other postmasters who have not been run off need your help.

Respectfully yours,

M,
Postmaster at XX, Ill.

Mr. DOUGLAS. There is one case which I should like to emphasize. In 3 straight years a postmaster in southern Illinois was rated as having an efficiency record of between 99 and 100 percent. The last of these ratings was made in October 1952, a few days before the Presidential election. I believe in December 1952, or very early in 1953, an inspector appeared at that office and began finding fault about various minutiae, and finally the resignation of this man was requested on the ground of gross inefficiency. It hardly seems possible to me that there could have been such a deterioration of character on the part of the postmaster in that short period of time.

I think the cases submitted will indicate that, in the main, inspectors have been used by the Postmaster General to try to force Democrats out of the postal service and put Republicans with political influence in the service in their places. I am not a civil-service crank; I believe that a certain amount of patronage is needed in operating the political system. But I also believe that the law should be observed. Such employees are civil-service employees, and were guaranteed continuance in office so long as they performed their duties efficiently and honestly. What is happening all over the country is that the inspectors are practically framing a great many of such employees, at least that is the effect, either by forcing them to resign or driving them from office with blemishes on their records, when, in fact, such blemishes are so slight as to be natural.

The appropriation under discussion, which is wasteful in itself, will be merely a means of providing additional gestapoes for the Postmaster General, so that he may increase Republican patronage throughout the country.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. It seems to me that if the distinguished Senator from Illinois, who is a responsible Member of this body, has any evidence that the Post Office Department has been framing people, as he has charged on the floor of the Senate, he owes it to the Senate to lay the cases before it and before the proper committees of the Senate. A responsible Member of this body has made a serious charge. I do not think such a charge should be loosely made. If the Senator has any evidence that postal employees have been framed, I think it is his duty to his State of Illinois and to the people of the United States to lay such evidence and facts as he has before the Senate. As majority leader of this body, I certainly would not tolerate, so far as I had any voice to prevent it, any such action by any Government department, be it a Republican or Democratic administration. Statements have been made from time to time about irresponsible charges, but I do not think a charge of the nature of that which has been made should be made by a Senator of great responsibility unless he is prepared to back up his statement with the evidence to support it.

Mr. DOUGLAS. I may say to my good friend, the Senator from California, that perhaps the use of the term "framed" was excessively severe. The point is not so much that false charges have been made as that minor infractions have been blown up to a magnitude out of all relationship to their real importance. That is what I meant. The effect is very similar to "framing," although I do not charge fraud. I am not charging the postal inspectors with false statements or charges, but am stating merely that inspectors have searched with a magnifying glass to find minor derelictions, such as those which the Senator from Oklahoma has disclosed, to justify the expulsion of Democrats, even though, by law, they cannot be working Democrats.

Mr. MONRONEY. I may state that the affidavit which I read is that of a civil-service worker, and I do not know to which party he belongs.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. I appreciate the fact that the Senator from Illinois is an honorable man. Sometimes in the heat of debate statements are made which convey certain connotations on those hearing them. I am glad the Senator from Illinois has withdrawn the connotation which was impressed upon me from hearing the statement he made.

Mr. DOUGLAS. I shall be very glad to inspect the RECORD to see that it makes no charges of fraud.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. JOHNSTON of South Carolina. Having formerly been chairman of the Committee on Post Office and Civil Service, I can state that reports have come to me that postal employees were put under pressure and intimidation in order to get them out of office. So last year I submitted a resolution on this very subject, urging an investigation. However, I wish to inform the Senator that to this day I have not been able to get a single hearing on that resolution.

Mr. BRIDGES. Mr. President, the distinguished senior Senator from South Carolina [Mr. MAYBANK] asked me a question earlier, which I think is reasonable. The information he asked for is that in this fiscal year more than 5,000 cases have been referred to the Justice Department. We have not been able to determine from that Department how many of such investigations have been completed.

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Mr. MAYBANK. I appreciate what the distinguished Senator has just said, but I want to know what the Justice Department is dong about such investigations and about the FHA. I am very much interested in finding out what the Justice Department is doing about corruption in government. I am very much interested in finding out what the Justice Department is doing about corruption in New York, particularly with reference to title I, the FHA modernization and improvement program, and section 608 of the Federal Housing Act.

Mr. FULBRIGHT. Mr. President, if the Senator from New Hampshire will yield, I should like to ask how the backlog of 41,000 cases, which the Senator has mentioned, compares with what the number was 2 years ago. Is it more or less?

Mr. BRIDGES. On June 30, 1952, 29,949 cases were on hand. A year later, 42,238 cases were on hand—or an increase of approximately 12,000 cases.

Mr. FULBRIGHT. That is a 30-percent increase in the number of cases, is it not? Are the inspectors engaged in seeking out Communists in the Postal Service?

Mr. BRIDGES. Not so far as I know. If there are Communists in the Postal Service, I hope the inspectors have uncovered them, although I assume that is only a part of the inspectors' job. Certainly it is not their primary job. I assume that if there are Communists in the Postal Service, the postal inspectors will run them down.

Mr. FULBRIGHT. How many cases of subversion emanating from the Postal Service are included in the magic number of 2,456, or whatever the exact number is, that we were told had been uncovered in the Government by the new administration?

Mr. BRIDGES. The question did not arise in connection with Post Office appropriations.

Mr. FULBRIGHT. Can the Senator from New Hampshire tell us why, since the new administration has come into office, there have been 11,000 more cases of malfeasance, apparently, than there were before? What has happened in the Government service to bring about so many more cases now, as compared with the number in 1952?

Mr. BRIDGES. I do not think all the cases involve malfeasance. The cases are of all types. Perhaps the situation is a normal and transitory one. Perhaps the inspectors are looking into a wider range of cases.

Mr. FULBRIGHT. Does not the Senator from New Hampshire agree that it is rather unusual that since 1952 the backlog of cases has increased by 30 percent? Would not one normally conclude that there is a great deal more malfeasance, neglect of duty, or whatever may be the proper term for such misconduct?

Mr. BRIDGES. My thought is that probably the inspectors are doing a more thorough job, and more cases of that sort are being discovered, than were disclosed during the previous administration. That is simply a logical conclusion on my part, I may say to the Senator from Arkansas.

Mr. FULBRIGHT. Are all the postal inspectors new ones, or have some been carried over from the previous administration?

Mr. BRIDGES. Some new inspectors have filled vacancies, I believe; but many of the inspectors who served during the previous administration have been carried over. I cannot state the exact number, although I shall be glad to obtain any information the Senator from Arkansas wishes me to develop.

Mr. FULBRIGHT. It occurs to me that if the present number of postal inspectors is the same as the number under the previous administration, then, in view of the tremendous increase in the number of cases, we should investigate the Postal Department, rather than increase the number of inspectors, in order to see what has gone so seriously wrong in the Department as to cause so great an increase in the number of cases.

Does not it occur to the Senator from New Hampshire that something must be seriously wrong in the Department when, within 2 years, the backlog of cases has increased by 30 percent?

Mr. BRIDGES. I might draw exactly the opposite conclusion; I might conclude that under the present administration the postal inspectors are doing a very much better job, and thus more cases are coming to light, than were uncovered in the past. Similarly, I might conclude that at this time the postal inspectors are spending more time inspecting the various cases, although perhaps they are not covering so many cases in number. Of course, the Senator from Arkansas is entitled to his opinion; but I could draw entirely the opposite conclusion.

Mr. FULBRIGHT. I understood the Senator from New Hampshire to say that most of the postal inspectors now in the service have been carried over from the previous administration.

Mr. BRIDGES. I believe there have been some changes.

Mr. BUSH. Mr. President, I suggest to the Senator from Arkansas that the supervision might be different.

Mr. MAYBANK. Mr. President, I have been on the committee for 11 years. Will the Senator from Connecticut explain how the supervision may be different?

Mr. BUSH. My observation was that it seemed to me the supervision might have been improved, and that, therefore, more cases had been discovered.

Mr. KNOWLAND. Mr. President, will the Senator from New Hampshire yield to me?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from California?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. All I understood the distinguished Senator from Connecticut to say was that one reason may have been an improvement in the supervision. I call the attention of the distinguished Senator from South Carolina to the fact—and he can take senatorial notice of it—that on inauguration day, in January 1953, the new administration took office.

Mr. MAYBANK. I appreciate the fact that the new administration took office, through the votes of the Democrats of the United States. But the new administration will not continue in office—certainly not beyond the next presidential election.

Mr. JOHNSTON of South Carolina. Mr. President, I agree that there has been a change in the supervision, but it has occurred in this manner: The postal inspectors have interfered with postmasters and have sought to tell them how to run their offices. That is not the field of the postal inspectors; but that is what has happened during the last 2 years. Almost any postmaster will verify that statement. They have also been used against clerks and carriers in a manner not in accordance with American standards and customs.

Mr. BRIDGES. Mr. President, on the question as to the security program, I have before me the justification, which states that the Chief Post Office Inspector is the personnel security officer. Under the personnel security program, a national agency check is made by the Civil Service Commission in the case of each appointee. The Commission refers the results of the checks to the personnel security officer. In addition, the personnel security officer receives for the record reports of full field investigations when appointments are made to sensitive positions.

Present indications are that in the neighborhood of 75,000 national agency checks and full field investigations will be received in the course of a year. Moreover, approximately 2,500 cases previously processed under the old loyalty program will have to be resurveyed.

I have given the Senator an indication of the procedure followed in this program.

Mr. President, I believe the story behind this amendment is a rather simple one, and I hope the amendment will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON] to the committee amendment on page 11, in line 3.

THE NEED FOR A BIPARTISAN FOREIGN POLICY

Mr. LEHMAN. Mr. President, I rise to address myself to a subject of the deepest concern to me, as I believe it is and must be to all the people of the United States and, indeed, to all the people of the world. I refer to the need for a genuine bipartisan foreign policy.

At long last, Mr. President, we are giving some attention to this situation. At long last administration spokesmen are acknowledging the need for a return to bipartisanship in foreign policy. As we move into a world situation of increasing tension and crisis, the administration acknowledges that for such a crisis bipartisan support is desirable and necessary.

Yesterday, the distinguished leader on my side of the aisle, the Senator from Texas [Mr. JOHNSON], spoke, I am sure for all of us, in indicating our readiness to give constructive support to constructive policy. Certainly he was voicing my

thoughts. He was expressing a sentiment I deeply feel.

The world crisis is too grim for all of us to permit its use in common strife for partisan political advantage. But, Mr. President, the record, at this point, must be perfectly clear. I cannot accept the statement of the President of the United States, at his press conference yesterday, that our present foreign policy is bipartisan and that in its framing and effectuation there has been adequate bipartisan consultation.

That is not an accurate statement, and it must not go unchallenged. I speak only for myself, Mr. President. I am not a spokesman for my party.

The fact is that the bipartisan structure erected by Franklin D. Roosevelt and maintained and extended by Harry S. Truman has been wrecked and scuttled.

The charge that the Democratic administration was shot through with treason was made and was repeated time and again. Ugly innuendoes against the former great Secretary of State, Dean Acheson, were made part of the standard patter of Republican Party spokesmen over the past 2 years, as well as before then.

The Vice President of the United States, who is the presiding officer of this body, expressed such an innuendo only a few weeks ago in making a nationwide television address. That address contained many statements with which I violently disagree; and many of them have turned out, in the light of events of only a very few weeks, to be tragically mistaken. But none of the Vice President's statements was so unfair as his implication that one of the most courageous Secretaries of State of all time, and one of the very greatest of modern times, Dean Acheson, had failed to stand up to the Communists. That is not true. It is the opposite of true.

Mr. President, in all humility, I should like to suggest to the administration in power and to President Eisenhower that if he truly wishes to reknit the fabric of bipartisanship in our foreign policy, he call in for consultation, and also for participation, if he is willing, Dean Acheson, whose statesmanship and skill at diplomacy cannot be challenged or denied, and who was one of the great architects of the structure of free-world unity which must underlie any successful approach to the grave problems now confronting us and the world. I, myself, consider this one of the tests of a real return to bipartisanship.

There are other tests. There are other men of great wisdom and experience in the field of world policy, who helped forge our policy of the past—both Democrats and Republicans—who should be called back into the councils of the Nation to help resolve the problems we confront in Asia and elsewhere.

The administration has, it is true, the ultimate responsibility for formulating and executing policy. But if we are to have a truly bipartisan policy, that policy must be formulated after consultation with Democrats, and with the participation of Democrats. There is no bipartisanship in merely advising a few key Democrats slightly beforehand on what the administration has already decided to do or say. That is merely a courtesy, not an involvement.

I am not a member of the Foreign Relations Committee which, nevertheless, has shown me courtesy and consideration. I do not expect to be made privy to the inner secrets of our diplomacy. But I would like to know that the views of those experts in my party whom I trust have been solicited and considered.

A very great Republican, the late beloved Senator Arthur Vandenberg, one of the great molders of policy under the Democratic administrations, once said that bipartisanship in foreign policy requires consultation at the takeoff, as well as at the crash landing.

That statement is as true today as it was when Senator Vandenberg cogently pointed it out to our administration.

Mr. President, I will not, of course, abandon my right to criticize this administration, under any circumstances. I criticized some aspects of the foreign policy of the Democratic administration, when I thought that criticism was justified.

But if there is to be any real unity of purpose and resolve in our country in matters of foreign policy, there must be a quick return to genuine bipartisanship. And Republican Party spokesmen, from the highest to the lowest, should be advised of this return and should be advised to govern themselves accordingly.

There must be an acknowledgment of the fraud involved in the claim that 2,500 so-called subversives have been dismissed from the Government service since this administration took over.

There must be an end to unjustified smear references to Potsdam and Yalta, to allegations of past treachery on the part of our past leaders, to charges that this country or that country was "sold out" or "given away" to the Communists.

Our two major parties may and should continue to have their very vital differences on economic and social issues. But on foreign policy, the differences should be matters of degree and manner of execution, not matters of substance and national interest, on which there should be a national policy, not a Republican or Democratic policy.

Mr. President, yesterday I introduced into the RECORD the very fine speech on this subject delivered by former President Truman before the National Press Club. Today I ask unanimous consent to introduce into the RECORD at this point excerpts from a speech on this same subject which I, myself, delivered on April 12 before the National Democratic Women's Club, and also some pertinent excerpts from a radio address to the people of New York State which I delivered on April 11, 1954.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM SENATOR LEHMAN'S FOURTH RADIO REPORT TO THE PEOPLE OF NEW YORK STATE DURING THE 2D SESSION OF THE 83D CONGRESS

This is Senator HERBERT H. LEHMAN, reporting to you from the Capitol in Washington.

I must report to you that all is not well along the Potomac. * * * Let me say that this administration has been extremely derelict and unwise in having abandoned the great structure of bipartisan foreign policy erected so painstakingly by Presidents Franklin D. Roosevelt and Harry S. Truman.

There is no bipartisanship in foreign policy today, by which I mean, that there is no significant Democratic participation in either the formulation or execution of our present foreign policy or our defense policy.

Under Presidents Roosevelt and Truman, prominent Republicans were appointed to the highest positions—even to Cabinet posts—in the Defense Departments and in the State Department. Among those who were so appointed and who, in fact, rose to national prominence through such appointments were men like Paul Hoffman, Robert Patterson, Robert M. Lovett, Henry Stimson, Frank Knox and many, many others. * * * Certainly not the least of whom is our present Secretary of State, Mr. John Foster Dulles.

Under the Democratic administrations, Republicans participated actively, in the day-to-day formulation of foreign policy and of defense policy. In the Congress, one of the great architects of American foreign policy under Presidents Roosevelt and Truman was that beloved man, the late Senator Arthur Vandenberg, of Michigan.

But today, you may read off the list of those who are participating in the formation and implementation of these policies, and you will find virtually no Democrats.

And in Congress, the Democrats are not even told frankly and fully what is going on, not to speak of being consulted regarding what should be done.

With all my heart I say that our foreign and defense policies are not matters for partisan politics. They involve our very survival. No party dares look for advantage from national disaster, or threat of world destruction. Our policies on these fronts ride far above party or political considerations.

So I hope and deeply trust that the administration will now, even at this late hour, find it appropriate to rebuild the essential structure of bipartisanship which has been so completely and unfortunately dismantled during the past 15 months.

EXCERPTS FROM REMARKS OF SENATOR LEHMAN BEFORE THE NATIONAL DEMOCRATIC WOMEN'S CLUB, WASHINGTON, D. C.

THE ISSUES WHICH TRANSCEND PARTISANSHIP—A CALL FOR A RETURN TO BIPARTISANSHIP IN OUR FOREIGN POLICY AND IN DEFENSE OF OUR LIBERTIES

The overshadowing issues of today involve our survival as a free and democratic Nation, the survival of freedom itself in the whole world, and the survival of all civilization.

Obviously these are the bedrock issues of our existence. Obviously every other consideration must stand aside in the contemplation of these problems so vast, so overpowering in their scope and danger, that he must be small of soul, indeed, who would play politics with them.

* * * * *

In the last analysis, we must trust our Government, and the leaders of our Government, to steer us safely through the dangerous complexities of these dangerous hours, weeks, months, and years.

We must confess that their task is not an easy one.

* * * * *

All of us, whether Democrats or Republicans, must pray for our leaders the most inspired guidance. We will derive no partisan advantage from cosmic disaster.

But as Americans we would be gravely, yes, fatally, amiss in our responsibilities if we failed to furnish constructive criticism of

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the administration's actions in this field, as in others.

* * * * *

This administration has sought neither the counsel nor the participation of outstanding Americans who happen to be Democrats, in the solution of our grave problems. Occasional lip service continues to be paid to bipartisanship in foreign policy. But there is no practice of bipartisanship. Democrats have not been consulted in any way in the formulation of policy. Read off the names of those participating in the direction and execution of our foreign policy, and of our defense policy—there are no Democrats there. Democratic members of the Foreign Relations Committees of the House and Senate and of the Armed Services Committees participate from time to time in high-level briefing sessions on Capitol Hill, but even they are not told all the facts.

The basic structure of bipartisanship in the conduct of foreign policy has been completely abandoned, and stands as an empty shell of occasional words, uttered on appropriate occasions.

Bipartisanship in foreign policy was developed under Democratic administrations, with the help of Republicans, some of whom are now in the highest offices. But these Republicans have not responded in kind, now that they are in power. They have scuttled the constructive bipartisanship by which they arrived to national prominence and which functioned so effectively during the critical war years and up to 1953.

Mr. SALTONSTALL. Mr. President, I should like to make a few observations in reply to my friend from New York. I have not taken part in the discussion of the subject of bipartisan foreign policy. This is the first time I have spoken on that subject.

As one Senator on this side of the aisle, I read with interest what the majority leader said the other day in cataloging the number of meetings which the Secretary of State has held with Republicans and Democrats. I happen to know that more meetings have been held by the present Secretary of State with Members on both sides of the aisle than were ever held during the past administration. I am not saying that in criticism of the past administration, but simply to indicate that the present Secretary of State is making an effort to obtain as much advice as possible, and to make available as much information as possible. I know that the distinguished Senator from New York listened in the Foreign Relations Committee the other day. He was invited to be present—I assume unanimously, but I was not present and I do not know about that—though I know that he was there.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LEHMAN. I still have the floor, but I yield.

Mr. KNOWLAND. I will say to the Senator that when the distinguished Senator from New York first expressed to the majority leader an interest in attending a meeting of the Foreign Relations Committee when Mr. Dulles was to be present, I immediately took the matter up with the distinguished chairman of the committee [Mr. WILEY], who said that he would be glad to extend the Senator from New York that courtesy. At the meeting which was held yesterday, on motion by the majority leader, unanimously concurred in by all Senators present, Republicans and Democrats alike, the Senator from New York was extended that courtesy.

Mr. LEHMAN. Mr. President, let me say in reply——

Mr. SALTONSTALL. I have not concluded.

Mr. LEHMAN. I am glad to yield again.

Mr. SALTONSTALL. If I may, I should like to conclude my very brief remarks.

I am trying to point out that I believe we are in a time of very great danger and uncertainty. What the present administration is trying to do, through the Secretary of State, is to consult so far as possible, when it can properly be done, and to advise whenever it can properly be done.

I indulge in no personalities concerning the past administration. It is the responsibility of the present administration, of President Eisenhower and Secretary Dulles, to decide when it is proper to consult with Members of Congress in order to obtain the best information available. I am confident we will all agree on that point. President Eisenhower and Secretary Dulles are trying to give those with whom they must work, namely, Members of both Houses of Congress, as much information as possible, and as far in advance as possible. Whether they should consult more with the official representatives of the past administration is for them to decide. Sometimes personalities are involved. Sometimes certain men do not work well together. Sometimes there is such disagreement of judgment that sound advice cannot be expected, because of criticisms and differences which arise. My friend the Senator from New York knows that as well as I do.

The name of the late Senator Vandenberg has been mentioned in this discussion. I sat behind him in this Chamber for several years. He is no longer with us, and he cannot speak for himself. But I wish to say that while he was consulted on a number of matters I have heard him, while standing at the desk now occupied by the Senator from New Hampshire [Mr. BRIDGES], become critical because he was not consulted in advance on a number of occasions. I say that with some hesitation, because he is not here to speak for himself.

I should like to conclude my very brief statement with a quotation which I heard a former president of Harvard use. It is the motto of the Lend-a-Hand Society.

> To look up and not down,
> To look forward and not back,
> To look out and not in,
> And
> To lend a hand.

That is what we want on both sides of the aisle in this critical time, not criticism and personalities.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LEHMAN. I should like to finish my statement. I shall be glad to yield in a few moments.

Mr. MAYBANK. I merely want to answer the Senator from Massachusetts with regard to his remark about personalities.

Mr. LEHMAN. Very well. I yield to the Senator from South Carolina.

Mr. MAYBANK. I should like to address these comments to the Senator from Massachusetts, for whom I have the greatest respect, as I have for the present Presiding Officer, the Senator from Connecticut [Mr. BUSH]. Unfortunately, the question of personalities was injected into the first meeting of the Subcommittee on Appropriations for the Treasury and Post Office Departments, at which a terrible tirade was delivered against the Senator from Minnesota [Mr. HUMPHREY], which the Senator from Minnesota answered. It was a tirade which was unjustly made by the Postmaster General and by the Senator from Illinois [Mr. DIRKSEN], and by the Senator from Wisconsin [Mr. MCCARTHY], who came in and presided for a few minutes and charged everyone with being wrong.

So I merely wish to say that I do not intend to inject any personalities into this subject, but that the personalities were injected at that first meeting. I want the RECORD to be kept clear.

As I said before, I suggested that the chairman of the committee report this bill, and I intend to stand by it. However, personalities were injected heretofore; they were injected at the meeting of the Subcommittee on Treasury and Post Office Appropriations by the Senator from Wisconsin [Mr. MCCARTHY] and the Republican Party.

Mr. SALTONSTALL. Mr. President, I ask the Senator from New York [Mr. LEHMAN] to yield so that I may make a brief statement. I think my good friend from South Carolina just came into the Chamber. The Senator from New York and I——

Mr. MAYBANK. I was right here.

Mr. SALTONSTALL. The Senator from New York and I were talking about the Department of State.

Mr. MAYBANK. I understand exactly what the Senator was talking about. I heard him begin his talk about the bipartisan policy. I was sitting here and then I moved to the rear of the Chamber. However, with reference to personalities, I heard the distinguished majority leader say that there would be no personalities as far as this bill is concerned. The personalities were injected by the Republican Party, and by Mr. Summerfield, the Senator from Wisconsin [Mr. MCCARTHY] and by the Senator from Illinois [Mr. DIRKSEN].

Mr. LEHMAN. Mr. President, what the distinguished and highly respected majority leader has said about my attendance at the meeting of the Committee on Foreign Relations yesterday by invitation, or by acquiesence, after, I believe, a motion made by the chairman of the committee, was entirely correct.

I asked whether I could sit in at the hearing. I listened with great attention. Of course I am not referring and I do not even have in mind anything that transpired at that meeting, in which I was merely a guest through the courtesy of the committee, and I understand, of course, that the meeting was of an entirely off-the-record character.

However, like all of us, I have been watching with great concern the development of the foreign situation over the weeks and months. All we need to do is read the newspapers of this morning containing articles, which have no reference to reports made before the Committee on Foreign Relations, and on the basis of those articles alone we must agree that the situation is extremely serious.

I am not criticizing the Secretary of State. I have only great concern with the tremendous and indescribable problems that confront him. Certainly we are in a very precarious and difficult situation. We hear 1 day that we will lose all of southeast China, and we hear the next day that we will not lose it. We hear 1 day that if we lose Indochina we will lose all of southeast Asia, and the next day we hear that we can contain the Communists even without regard to Indochina.

My whole thesis is—and I believe it to be a sound one—that in a crisis of this sort there should be no Democrat and there should be no Republican as such.

In the statement I have just made, I applauded strongly the view of the distinguished minority leader [Mr. JOHNSON of Texas], and I paid my respects to and approved strongly the attitude of the majority leader [Mr. KNOWLAND].

I cannot overlook the fact that when we had great crises in the early years of the last decade, the President of the United States did call into his counsel and into the counsels of the administration great men—great Republicans, I may say—like Henry L. Stimson and Frank Knox, and then, later, Mr. Lovett, and the great Senator from Michigan, Mr. Vandenberg.

Mr. BRIDGES. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I shall be happy to yield in a moment. That is all I want to say. I believe we have reached a point where we should not allow any partisanship or the seeking of political advantage to handicap our efforts in working out a solution of these world problems.

I do not believe that America has ever been confronted with a situation which more gravely affects its peace and security and the peace and security of the world than does the situation which confronts it today.

I certainly hope that we will forget every degree of partisanship or the seeking of political advantage, and get together and stand together and use the counsel and ability and talents and genius of other men, even though they may not be of the same party that now is charged with the responsibility of the administration of foreign affairs. The administration should use their talents.

I am not asking anything for myself, and I wish again to say how much I appreciate the generous attitude of the distinguished majority leader in allowing me to attend the meeting of the Foreign Relations Committee. However, regardless of that meeting—and I am not commenting on it and not referring to it—there is no doubt whatever in my mind that the situation is deeply serious, and I want to see both parties work hand in hand and shoulder to shoulder in this crisis.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LEHMAN. I am glad to yield.

Mr. BRIDGES. I do not wish to mix foreign policy with the consideration of the Post Office and Treasury Departments appropriation bill. I was in the Senate during most of the Roosevelt and Truman administrations. While it is true that they called into service individual Republicans, I should like to ask the Senator from New York if he can name more than one instance when either Roosevelt or Truman called the Republican leaders in Congress into consultation before a policy decision was made. I can name one, but I cannot name any other.

Mr. LEHMAN. I can name several.

Mr. BRIDGES. I ask the Senator from New York to name them.

Mr. LEHMAN. At the time the Marshall plan was put into effect.

Mr. BRIDGES. What is that?

Mr. LEHMAN. At the time the Marshall plan was put into effect there was organized, under the inspiration of the President of the United States, a committee of which Henry L. Stimson was chairman, and of which Robert Patterson, Secretary of the Army, was executive vice president.

There were at least as many Republicans as Democrats, if not more Republicans, on that committee, which agreed to push this policy and agreed to sell it to the American people. It was to a considerable extent because of efforts of this commitee that the Marshall plan was finally adopted.

Mr. BRIDGES. The Senator apparently did not understand my question, because he did not answer it.

Mr. LEHMAN. I thought I had answered it.

Mr. BRIDGES. I asked him if he could name more than one instance under Roosevelt or under Truman of Republican congressional leaders having been called into conference and their advice requested before a policy was put into effect. I am talking about Republican leaders in the Congress, not outside individuals.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire permit a very junior Member of this body to ask a question of a very senior Member of this body?

Mr. BRIDGES. I shall be glad to yield the floor.

Mr. DOUGLAS. I am laboring under a disadvantage in this matter, when the Senator from New Hampshire is the senior Republican Member with the longest period of uninterrupted service, but is it not a fact that during the war the Secretary of State, Cordell Hull, formed a conference committee of leading Republicans and Democrats who met periodically, and is it not true that Secretary Hull submitted problems to this conference committee and sought the advice of its members, and that there was genuine bipartisan cooperation?

Mr. BRIDGES. To answer the Senator, I will say it is true that Secretary Hull, for whom I have very great respect, did call in a group of Republicans, but I do not recall that at any meeting I ever attended we were asked for advice in connection with the formulation of a policy. He called them in and reported the situation as it existed. He kept us informed, but he did not say, "What shall we do here?" or, "What shall we do there?" But he did keep the congressional leaders informed of the steps taken.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire yield for another question by a very ignorant but very interested Member of this body?

Mr. BRIDGES. I yield.

Mr. DOUGLAS. Is it not true that Senator Vandenberg was consulted with reference to the terms of the United Nations Charter and appointed a delegate to the Council at San Francisco?

Mr. BRIDGES. Yes.

Mr. DOUGLAS. Was he not the leader of the Republican Party, so far as foreign policy was concerned?

Mr. BRIDGES. Yes. But the leaders of the Republican Party were not consulted while the policy was being made. Senator Vandenberg was called in, and he was appointed a delegate to the meeting at San Francisco, and I think he sat at Dumbarton Oaks as a delegate.

Mr. DOUGLAS. Did he not have a very large share in the determination of American policy?

Mr. BRIDGES. There is a difference of opinion as to that. He had something to do with it, but on many occasions he felt he was ignored, was not consulted, and was repudiated. I want to be fair in this matter.

Mr. DOUGLAS. I appreciate that.

Mr. BRIDGES. I was a supporter of the Marshall plan, and I think if it had not been for my assistance there would have been a tough time with reference to getting appropriations for it.

I remember that when Mr. Truman was President, the Republican leadership was called in, but the only instance in which we played a very vital part in a decision was in the case of Greek-Turkey aid. The decision was arrived at jointly. That is the only such case I recall at the moment. Many times we were told what the situation was and what was going to occur, but we were not asked to sit in as we were in the case of Greek-Turkey aid.

Mr. DOUGLAS. The Senator says that Senator Vandenberg felt that he did not have a share in the formation of the United Nations, but that he and other congressional leaders were consulted in connection with Greece and Turkey. Is it not true that conferences were held with leaders of the Republican Party in connection with the Marshall plan?

Mr. BRIDGES. Not to help to formulate the Marshall plan. It was formulated first, and when we were called in, it was presented to us and our support for it was requested. But we did not sit in and draft the various provisions of the Marshall plan. We discussed it and were asked to support it, but we did not help lay the foundation.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire, from

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his experience, permit another question from an inexperienced Senator?

Mr. BRIDGES. Yes. The Senator is very modest today.

Mr. DOUGLAS. Is it not true that Senator Vandenberg, in 1948, I believe, took the lead in securing the adoption of a resolution for mutual assistance between the Republics of North and South America?

Mr. BRIDGES. That is correct. But he did it as chairman of the Foreign Relations Committee.

Mr. DOUGLAS. Is it not true that the policy which Senator Vandenberg developed for mutual assistance was later taken over by the Democratic Party in the treaty of mutual assistance between European states and the United States?

Mr. BRIDGES. I am sure that if there was anything good ever contributed by the Republican Party, the party of the Senator from Illinois would have taken it over.

Mr. LEHMAN. That is what we are maintaining should be our policy.

Mr. DOUGLAS. Is it not true that in the formation of the North Atlantic Treaty, Senator Vandenberg was closely consulted?

Mr. BRIDGES. I think Senator Vandenberg was one of the most distinguished and able Members of this body.

I have listened to him by the hour, the day, the week, and the month telling how his advice had been ignored and that he had not been consulted on certain matters. It is true that he was made a delegate to the United Nations meeting in San Francisco. It is true that as chairman of the Foreign Relations Committee he took the leadership in furthering bipartisanship, to which he gave very loyal support. But, to start with, he did not sit in on the building of the policy. He always came in afterward, except on very rare occasions, one of which involved the Greek-Turkey matter.

Mr. LEHMAN. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. LEHMAN. Mr. President, I have to leave very soon to make a recording, but I wish to point out for the RECORD that I was pretty close to the developments brought about by the Roosevelt and Truman administrations. I recall, Mr. President, although I have not a full list of eminent Republicans called in by the administration, certain very prominent Republicans who were invited and whose advice was carefully considered and, in most cases, followed. I recall, for instance, the name of Henry L. Stimson, who was Secretary of War. I remember the name of Judge Robert Patterson, who later became Secretary of War. I recall the name of Mr. Robert Lovett, who became one of the most eminent Secretaries of Defense. I remember Senator Warren Austin, who was the representative of this country, by appointment of the President, on the United Nations. I remember Mr. Dulles himself who was called in by the Secretary of State in a Democratic administration.

Mr. Dulles was called in, as I recall, in the early part of 1950, after he had left the Senate. I recall many other eminent Republicans who represented the United States on foreign missions. I might mention the late Governor Winant, of New Hampshire, the Senator's own State. I recall, too, that later Ambassador Gifford was appointed.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Is it not true that the distinguished senior Senator from New Hampshire received his start in politics in that State under the aegis of Governor Winant?

Mr. BRIDGES. I may say to the distinguished Senator from Illinois, that, as he may recall, it was the Senator from New Hampshire who had a part in Governor Winant's first campaign.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. WELKER. Would the distinguished President pro tempore of the Senate mind answering a question? Does he think it would be out of line to return to the debate on the bill, and to refuse to yield to a partisan discussion which will last until the snow flies, so that we may determine whether it will be possible to pass the Treasury-Post Office appropriation bill today?

Mr. BRIDGES. I thank the Senator from Idaho, who in his usual cogent and efficient way has posed the question. Before returning to the debate, there is one thing I desire to say. I asked the Senator from New York a question about Republican leaders in Congress. I did not get an answer.

Mr. LEHMAN. The Senator from New York is still on the floor. I said I could not speak from personal knowledge of the Members of Congress, either Republicans or Democrats, who participated in the deliberations, but I gave a partial list of the prominent Republicans who participated. That is my whole thesis.

Mr. BRIDGES. The Senator from New York certainly did, and that was the point of my question.

TREASURY AND POST OFFICE APPROPRIATIONS, 1955

The Senate resumed the consideration of the bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina for himself and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Butler, Md.	Dworshak
Barrett	Chaves	Ellender
Beall	Daniel	Frear
Bowring	Dirksen	Fulbright
Bridges	Douglas	Gore
Bush	Duff	Green
Holland	Magnuson	Russell
Humphrey	Mansfield	Saltonstall
Johnson, Tex.	Maybank	Stennis
Johnston, S. C.	Monroney	Welker
Knowland	Morse	Wiley
Kuchel	Payne	Williams

The PRESIDING OFFICER. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BENNETT, Mr. BYRD, Mr. CASE, Mr. CLEMENTS, Mr. COOPER, Mr. CORDON, Mr. EASTLAND, Mr. GEORGE, Mr. GILLETTE, Mr. GOLDWATER, Mr. HAYDEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HILL, Mr. HUNT, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. LANGER, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MALONE, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MUNDT, Mr. MURRAY, Mr. PASTORE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, Mr. WATKINS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. UPTON in the chair). A quorum is present.

The question is on agreeing to the amendment submitted by the Senator from South Carolina [Mr. JOHNSTON] for himself and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 11, in line 3.

Mr. DOUGLAS. Mr. President, I make the point of order that a quorum is not physically present.

The PRESIDING OFFICER. A quorum answered the rollcall.

Mr. KNOWLAND. Mr. President, there is no doubt that a quorum answered the rollcall.

The Senator from Illinois has been around the Senate long enough to know that Senators often must attempt to keep up with their mail by signing it in the cloak rooms and in the reading room. A quorum has answered the rollcall.

If the Senator from Illinois is only interested in obstructing the business of the Senate and in prolonging its transaction, by means of a new kind of filibuster, he is free to proceed to do so, of course. I had hoped we might be able to conduct the public business without continuous obstruction.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from South Carolina [Mr. JOHNSTON] for himself and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 11, line 3.

Mr. DOUGLAS. Mr. President, I make the point of order that a quorum is not physically present.

The PRESIDING OFFICER. The rollcall disclosed the presence of a quorum.

Mr. DOUGLAS. I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The point of order is overruled.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I understand the request I am about to make is agreeable to the Senator from Illinois [Mr. DOUGLAS], and on that understanding I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DOUGLAS. With the understanding——

Mr. KNOWLAND. The Senator has my word.

Mr. DOUGLAS. I beg the Senator's pardon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON], for himself and the Senator from Illinois [Mr. DOUGLAS], to the committee amendment on page 11, line 3.

Mr. KNOWLAND. Mr. President, on this question I ask that the yeas and nays be ordered.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, I wish to comment on the pending amendment, offered by the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Illinois [Mr. DOUGLAS].

As I understand the purpose of the amendment, it is to reduce the number of inspectors by approximately 150. If I correctly understand the amendment, it would set a maximum ceiling figure of 900 inspectors for the postal service. I am sure that already it has been brought to the attention of the Senate that the number of postal outlets or offices has been reduced because of the policy being followed of closing a large number of fourth-class post offices.

It is my understanding that some reference has been made to the study on the part of the Advisory Committee on the subject of economy and efficiency in management and methods of the Post Office Department. This Advisory Committee was established pursuant to public law, and consists of representatives of the Congress who have made a considerable study of the operations of the Post Office Department. I think the paragraph on page 10 of the report of the Advisory Committee dealing with postal rates and postal policy of the Post Office Department indicates the scope of the problem before us, and contains a great deal of information about the justification for the amendment which has been offered. I read from page 10 of that policy report:

> The inspection service has gone far afield from its original role as protector of the integrity of the mails. By evolution, down through the years, it has become almost exclusively responsible for management of the Postal Establishment. This marriage of law enforcement and management has been a constant and increasing case in incompatibility that has had an ill effect on the efficiency and economy of the postal service. The inspection service, on the one hand, does not command the confidence, cooperation, and participation of the rank and file of postal employees in matters of management; thus, progressive movement is limited. On the other hand, the inspection service, as an entity, is not equipped by training or experience to provide the technical skill required to streamline and modernize the operations of the Postal Establishment by taking full advantage of recent-day developments in the fields of engineering and management.

That statement indicates that the inspection service has gone far afield from its original intent and duties. The report indicates that the inspection service has finally evolved into an agency which performs both management and inspection functions. However, the report does not point out one of the most recent developments within the inspection service, namely, the public relations department of the Postmaster General.

I support the pending amendment because I am convinced—and I shall soon present the documentation to substantiate my contention that the inspection service is being used as a political police force. It is being used as a glorified public relations agency, and is being used to further the aspirations and aims of the Postmaster General in the field of legislation.

It is my opinion that this is a violation of public law, and that it ought to be thoroughly investigated and scrutinized.

I read a letter which I received under date of April 16, from the National Federation of Post Office Clerks. The letter comes from the city of St. Paul, Minn., and reads as follows:

> NATIONAL FEDERATION OF POST OFFICE CLERKS,
> *St. Paul, Minn., April 16, 1954.*
>
> Hon. HUBERT H. HUMPHREY,
> *Senate Office Building,*
> *Washington, D. C.*
>
> DEAR SENATOR HUMPHREY: I am enclosing a copy of a directive sent out by the inspector in charge at the St. Paul Post Office. It was sent to the post offices in Minnesota, and is self-explanatory. How far is the Congress going to permit this to proceed? Here is absolute evidence that the Postmaster General is using the post-office system as a means to distribute his propaganda against our salary requests, and in fact, against the Members of Congress who are supporting us. The TWX (teletype) system is a direct wire system from the Department to the offices of the inspectors in charge of the various districts. I am quite certain that this teletype system is paid out of the appropriations of the Post Office Department. We believe that this is a direct violation of the 1948 statute enacted by Congress (18 U. S. C. A., sec. 1913) entitled "Lobbying With Appropriated Moneys." On page 2 of the enclosed document the bills before Congress are definitely mentioned in what I believe a derogatory manner. In my humble opinion this is definite lobbying against bills before the Congress.
>
> I am not certain that you are aware of the impact of a letter of this type from the inspector in charge has on a postmaster, especially in a small office. It is in effect an order to be followed or suffer an investigation. You are certainly aware of the far-reaching power of the postal inspectors. I would like to call your attention to the fact that postmasters are requested to return to the inspector in charge tearsheets from the local papers carrying the enclosure. It is evident that a check is going to be made to see that this order has been followed.
>
> We in the postal service are amazed that such a situation should occur. We are further amazed that our friends in Congress would allow the Postmaster General to use his agency in such a manner. As employees our hands are completely tied, but it is unbelievable that the Congress of the United States cannot stop this type of action by the Postmaster General.
>
> Many times in the past you have helped the members of Local 65 in fighting for what is just. We sincerely request your support and assistance in this important matter.
>
> With kindest personal regards, I am,
>
> ——— ———.

The name will be withheld. A precedent has recently been established in Congress with reference to withholding names.

I hold in my hand a copy of the teletype message referred to. That teletype message came from the Postmaster General of the United States, and was sent to all inspectors. It was not sent to postmasters, but to inspectors.

Inspectors are supposed to be under the civil service system, the merit system—the highest standards of the civil service merit system. The Postmaster General is using the teletype system of the Government, which, by the way, is rented from the telephone company and paid for out of public funds, to transmit his speech in reference to postal legislation to every inspector in every part of the United States.

This message from the Postmaster General tells the inspectors, who are supposed to be protecting the mail, protecting the integrity of the postal system, protecting the people from fraud and misuse of the mails, not only to bring the message which he teletypes to the attention of postmasters, but also to make sure that the postmasters have it published in the local newspapers. Furthermore, the postmaster must spend his time clipping newspapers to send back to the inspector to show that the Postmaster General's speech was carried in the local press.

If anyone has any justification for that kind of nonsense I should like to hear it. The inspectors are being used to do two things beyond the call of their duty and responsibility. I sympathize with the inspectors. They are taking orders. I am not condemning the men in the inspection service; but I say that the postal inspectors are being used to carry out the public relations of the Post Office Department, and are being used to rid the Government of postmasters if the Postmaster General, for political reasons, does not want them retained in the service.

Mr. President, in case some one should like to press the matter, let me say that in instance after instance postal inspectors who only 2 years ago gave a post office a rating of 95, after January 20, 1953, gave the same post office a rating of 65. That happened when the inspector, the postmaster, the post office, and the community were the same.

Why? It was to get rid of a postmaster, in violation of the intent and purpose of the civil-service law.

Mr. President, I am one Senator who will not give more money to Postmaster

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General Summerfield for public relations purposes. Let him hire B. B. D. & O. They are in a private public-relations enterprise. I will not have any socialism in the Government by way of a paid public-relations business.

What is more, I will not permit by my vote the postal inspection service, which ought to be examining the mail for filthy literature and for scurrilous material, to be used as a sort of political gestapo.

So I say to my friend, the Senator from South Carolina, that his amendment is not only in line with what is good public policy, but I believe he has been most generous.

Until the postal service is willing to use the postal inspectors for the purposes specified in the law, I say that the inspector service ought to be cut down.

Lest anyone may believe it is only the junior Senator from Minnesota who feels that way, let me read a few newspaper articles. First I read from an article published in the Washington Daily News. It is a story written by John Cramer, one of the able reporters in this city, a man who for many years has been interested in civil service personnel practices. I may add, incidentally, that the Washington Daily News certainly is not a publicaton of the Democratic National Committee.

Mr. Cramer has this to say:

Postmaster General Arthur Summerfield may or may not have violated the antilobbying law when he used a teletype hookup to transmit a press release on his postal job classification plan to 50 leading postmasters.

But he very definitely wasted $500 to $1,000 of public funds which could have been saved by using—the postal service.

I digress to say that the Postmaster General relied upon the teletype service instead of sending his speech through the mail—a service which he says is so very efficient.

Mr. Cramer goes on to say:

The Department's public-relations officers were too busy last week to even discuss the teletyped press release, which went out with instructions to the 50 postmasters to deliver it immediately to newspapers in their cities.

But one public-relations man, apparently unaware of Republican economy pledges, took time to volunteer the comment:

"So what? Maybe we did waste a few hundred. But with the H-bomb and all those billions, what does it matter?"

The public-relations office referred questions about the teletyped release to Solicitor Abe Goff, who said:

1. He personally had assured Mr. Summerfield the release did not violate the 1948 antilobbying law. This law provides dismissal, fines, and imprisonment for those who "directly or indirectly" use public funds to pay for any device (including telegrams, telephones, and letters) intended to influence Members of Congress for or against legislation.

2. Mr. Summerfield has a good job-reclassification plan and has not only a right but a duty to explain it to the public. "He can't just sit on his hands. Besides, he isn't built that way."

3. Teletyping the press release to postmasters involved "absolutely no extra expense"—because the Department has its own teletype circuit to its 50 biggest post offices.

Mr. Goff turned out wrong on this last point.

A check disclosed that what the Department has is a TWX setup in which it leases teletype service from the telephone company on the basis of flat fees—plus charges for time the teletypes actually are in use.

On this basis, it is estimated to have spent at least $500 and perhaps $1,000 or more to transmit the several-hundred-word press release to the 50 postmasters.

The Summerfield statement directly attacked pending $800-a-year pay bills, saying:

"The bills receiving the most attention would give a flat $800-per-year increase, or 40 cents an hour more, to every one of our half-million postal employees. It would cost the American people $400 million a year."

Meantime, when the Department's public-relations people get around to it, they may want to answer these questions:

What was the precise cost of the teletyped messages to postmasters—and others which allegedly went to postal inspectors?

Let me digress again, Mr. President, to say that it is not "allegedly" that the teletype messages went to postal inspectors. I have in my hand a copy of the teletype message which was received at the post office in St. Paul, Minn. I shall incorporate it in the RECORD in a moment. It went to the inspectors, and not only to the postmasters.

Mr. Cramer goes on to say:

Why did it use the TWX, instead of preparing the release in advance and mailing it?

Since when did the waste of even a few hundred dollars of public money become unimportant?

Mr. President, I point out that the subject has had some attention in other sections of the country as well. For example, the Capital Times, of Madison, Wis., on April 7, 1954, published two articles on the same subject.

I ask unanimous consent that the articles be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PUBLICITY MAN ADMITS POSTMASTERS WERE ASKED TO PEDDLE SUMMERFIELD TALK—PRACTICE ASSAILED BY LOCAL UNIONS OF POSTAL WORKERS

(By Joseph A. Dear)

WASHINGTON.—Postmasters in 50 key cities were "requested" to peddle to local newspapers a speech Postmaster General Arthur Summerfield gave on a radio program April 2.

Senator OLIN JOHNSTON, of South Carolina, ranking Democrat on the Post Office and Civil Service Committee, called the procedure very questionable. He said it looks like Summerfield is trying to turn postmasters into press agents.

Summerfield will be asked for an explanation when he appears before the committee later this month, JOHNSTON added.

I. R. Walter, Director of Public Relations for the Post Office Department and special assistant to Summerfield, readily admitted local postmasters were asked to distribute the speech. It was carried on Ray Henle's Three Star Extra news program which is sponsored by Sun Oil.

The speech in question sought support for Summerfield's Post Office Department reorganization program, which has been vigorously opposed by organizations of postal employees.

"We got several requests for the text of the talk last Saturday morning," Walter said, "and decided to distribute it to postmasters in 50 key cities over the teletype."

Walter said that Madison was not on the distribution list, since it does not rank among the top 50 in postal receipts.

"I don't know how it got to Madison," he said. But he surmised that the Chicago post office might have ordered the action.

Walter was asked if he thought distribution by local postmasters was more efficient than by press association wire service.

It would be incorrect to infer that wire services were being bypassed, Walter said. He said that a talk Summerfield gave Monday night on Fulton Lewis, Jr.'s radio show had already been released to press services and reporters.

As for the distribution of Summerfield's speech by local postmasters, Walter said this was not unusual, but it's not done very often.

LOCAL UNIONS HIT PEDDLING OF SPEECH

(By Irvin Kreisman)

The practice of making use of postmasters as press agents to distribute policy speeches of Postmaster General Arthur E. Summerfield was blasted today by local officers of the various postal unions.

Charles Easton, president of Madison Branch 507 of the National Association of Letter Carriers, called Summerfield's action "an unwarranted imposition on the dignity of the office of postmaster in making an errand boy of him for the distribution of publicity favorable to the highly controversial Summerfield proposal to organize the Department."

Summerfield's action was criticized Monday night by members of the Madison local of NALC, which also adopted a resolution protesting the bill advocated by the Postmaster General.

Members of the union said that Summerfield had gone so far to sell the proposal as to place it in the Postal Bulletin on March 11. The Bulletin carries the daily orders of the Postal Department to all employees in field service.

John DuBois, president of the Madison Chapter of the National Federation of Post Office Clerks, asserted that Summerfield is taking "unfair advantage of his position to push bills which are antilabor and which will be harmful to thousands of postal employees."

DuBois said that Elmo Cooper, Madison acting postmaster, is being placed "on the spot" by Summerfield's orders.

Summerfield's order came to light here Monday when Cooper personally delivered a typewritten radio speech of Summerfield to the Capital Times. The Postmaster General gave the talk over the NBC network last week on the Three Star Extra program which is sponsored by the Sun Oil Co.

Written on the letterhead of the Post Office Department from Chicago, the address by Summerfield was preceded by the following order:

"The following message has been received from the Chief Post Office Inspector, Washington, D. C., for transmission to you:

" 'Postmaster: Because of widespread public reaction to radio broadcast over Three Star Extra last evening and request for complete texts from newspapers, please contact local newspaper editors at once with following text and arrange for its release for Monday papers. Tear sheets from your local papers carrying story requested.' "

Then follows the text of Summerfield's address, in which the Rees bill embodying the recommendations of Fry & Associates, a research firm employed to reorganize the Postal Department, is lauded and other bills supported by the various postal unions are condemned.

Summerfield claims the Rees bill plan would provide more incentive for postal workers, and also would give immediate increase to 400,000 of 500,000 employees. He also says it would not lower the pay of any present employee.

Postal workers assert that the bill would destroy the principles of civil service by giving the Postmaster General unlimited authority to assign employees in any manner he saw fit, and at any compensation. They also claim the bill would favor large in-

creases for top-salary grades at the expense of lower. Letter carriers, they say, would get increases from $10 to $210 a year and many nothing at all.

No increase at all is provided for rural carriers, according to the unions.

The postal unions also assert that while Summerfield is correct in saying that no present employee will receive a reduction, the top salary that new employees may aspire to is cut from approximately $4,600 to $3,600.

Both the National Association of Letter Carriers and the National Federation of Post Office Clerks are on record against the Rees-Summerfield proposal, as are the local chapters of the unions.

Wisconsin legislators in Washington have all promised the postal employees aid, union officials say, with the exception of Representative GLENN DAVIS, and Representative JOHN BYRNES, Republicans. The two have been reported noncommittal.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an editorial entitled "Postmasters or Press Agents?", published in the Capital Times of April 7, 1954.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POSTMASTERS OR PRESS AGENTS?

Senator OLIN JOHNSTON, of South Carolina has charged that Postmaster General Arthur Summerfield is trying to make press agents out of postmasters and there seems to be a great deal of substance to what he says.

The manner in which Summerfield is attempting to use postmasters to get the administration viewpoint into the press was brought to the attention of the public when the Capital Times made inquiries about a Summerfield speech which was brought to the Capital Times in person Monday by the local acting postmaster, Elmo Cooper.

It turns out that this is quite a public relations stunt Mr. Summerfield has concocted. Publicity which he could not get in local papers through the wire services out of Washington can be more readily obtained if the local postmaster calls around and asks that it be printed. The Postmaster General hit upon a good public relations idea—so good that it appears that he missed his calling.

The speech which Mr. Cooper delivered to the Capital Times was one in which the Postmaster General plugged some very controversial legislation which he hopes to get through Congress. The National Association of Letter Carriers and National Federation of Post Office Clerks say the legislation will destroy their civil-service protection and will make the Postmaster General a virtual dictator over the jobs of postal employees.

Most Wisconsin Congressmen, according to local representatives of the postal workers' organizations, have told the postal workers they will support them in their fight against it. Only Senator MCCARTHY, Representative BYRNES, of Green Bay, and Representative GLENN DAVIS, of this district, have refused to promise support to the employees.

Obviously, this bill is a political matter of a highly controversial nature and raises the question of whether Mr. Summerfield is not requiring postmasters to violate the Hatch Act when he orders them to serve as press agents for his speeches supporting the bill. This is a question the Senate Postoffice and Civil Service Committee should inquire into.

Are the postmasters to be press agents for the administration in Washington?

Mr. HUMPHREY. Mr. President, it is perfectly obvious to me that we must constantly improve the postal inspection service. When I was a member of the Committee on Post Office and Civil Service, I worked as diligently and as conscientiously as I was capable of doing in order to improve the Post Office Department.

I see on the floor of the Senate the distinguished junior Senator from South Carolina [Mr. JOHNSTON]. He served as chairman of the committee during the period of time when I was one of the junior members of the committee. We processed legislation as recommended by the Hoover Commission. We offered programs of reorganization. We tried to be kind and helpful to the postal employees. I do not believe there ever was a legitimate request from the Post Office Department to improve the service on which the committee did not take favorable action.

However, Mr. President, I am becoming sick and tired of hearing so much talk and pious comment about the high morality and high moral purposes of the Post Office Department and other agencies, only to see the postal service being used as a political instrument, being used to glorify the Postmaster General, and being used to terrify the postal service.

Mr. President, many a small-town postmaster who has given years of good service is under investigation for no other reason than that he did not vote right. He is under investigation by the postal service, which ought to be investigating fraud and the filthy and scurrilous literature being sent through the mail, and which ought to be investigating the monetary integrity of the postal system.

Mr. President, since we have an economy administration, may I suggest that here it has a chance to save a million dollars? I thought we would cut down on the number of Federal employees. Yet the committee bill asks for an additional 150 employees. The first rule, it seems to me, is that the present 898 employees should do their job. The job they are required to do is not the job of peddling press releases for the Postmaster General, and it is not their job to try to see how much they can "get" on someone in order to remove him from his position, and to look for trouble.

Mr. President, I have received complaint after complaint about the kind of material which is being passed through the mails. I send the complaints to the Post Office Department. If there were half as much interest in trying to protect the wholesomeness of the postal service and its monetary and financial integrity as there is wasted effort in trying politically to police it, there would be no need for any more postal inspectors.

Mr. President, I do not intend to vote for another 150 Gestapo agents to oust postmasters who did not happen to be appointed by a Republican administration.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. I hold in my hand a document relating to a postmistress in Illinois who has been serving with efficiency for more than 3 years and who has been a resident of the town where the post office is located. Her mother died more than a year ago, and she has been spending a great portion of her time with her father who lives on a rural free-delivery route outside the town. She maintains a legal residence, a room inside the town of which she is postmistress. The Post Office Department has charged that she does not live within the delivery zone of her post office and she should, therefore, be displaced as postmistress. The office has been visited by inspectors five separate times since March. Three of the visits were made by the same inspectors who came for a different purpose each time. On the last visit the inspector was forced to inspect her room and her clothing and to speak to her landlord.

It seems to me that there is a limit to which an inspector can go in dealing with the personal affairs of a postmaster. This woman has apparently been fulfilling her duties efficiently. She continues to have a legal residence in the town, but, because of the death of her mother, and because her father is 81 years of age, she has to get breakfast for her father who lives on a rural free-delivery route. This is the basis which the inspectors are using to try to oust her.

Mr. HUMPHREY. I thank the Senator from Illinois. Many similar cases can be cited with respect to honored men and women of fine American communities who have served as postmasters or postmistresses. They have undergone rigid inspection by the same inspection service. Inspectors have frequently given ratings of from 80 to 95 or 98 percent, which means extraordinarily well-operated offices; but within only a few months, with a change of political administration, they receive a 50-, or 60-, or 70-point rating—the same postmaster, the same post office, the same personnel, and the same community.

Mr. MAGNUSON. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MAGNUSON. Apropos of what the Senator is saying, I know of cases of inspectors who had been to a post office during the preceding month, but immediately after January 20, 1953, they were back again looking for something. I do not blame the inspectors. I suppose they were told to do that.

Mr. HUMPHREY. I thank the Senator from Washington. I am sure they were told—in fact, I know they were told—to do what they did. I know of an instance in my own State where an inspector had made an inspection of a postmaster who had never had a rating of less than 90. I think his last previous rating was 95. In February and in March 1953, all at once it dropped to 58. Something must have happened over Christmas. It was not the spirit of Santa Claus that permeated that atmosphere, either.

Mr. President, I said I wished to bring to the attention of the Senate this teletype message. I have no objection to the Postmaster General wiring postmasters or wiring postal inspectors.

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That is his duty. But I do have objection to his sending this kind of a message. It begins:

To: Inspectors, St. Paul Division.

It does not say, "To National Committeemen."

I read:

Postmasters, first-class offices, Minnesota, North Dakota, and South Dakota.

There is quoted below T. W. X. message received this date from the Department:

"Because of the widespread public reaction to radio broadcast over Three Star Extra last evening and request for complete texts from newspapers please contact local newspaper editors at once with following text and arrange for its release for Monday papers. Tear sheets from your local papers carrying story requested.

"Radio broadcast, Postmaster General Arthur E. Summerfield, Three Star Extra program, for April 1954:

"Thank you, Mr. Henle."

Those are the first words.

"Fellow Americans"—

There is nothing controversial up to this point—

"I want to review with all of you—and especially the half million devoted men and women who make up our Postal Establishment—a problem that affects all of us—

"How much should we pay our postal workers?"

Then, Mr. President, it goes on and on, and at the very end of this message, this Government document, we find, for example, that the Postmaster General says:

"In conclusion let me emphasize that the Post Office Department understands and sympathizes with the hopes and ambitions of all employees for greater earnings. We appreciate—and encourage—their pride in the Postal Service. We share that pride with them and we are dedicated to the task of making a career in the Postal Service the most attractive in Government.

"That is the objective of our wage and incentive proposal. I hope it will earn your approval and the approval of the Congress.

"Thank you."

I point out that prior to that the Postmaster General discussed other legislation before the Congress, and asked that the postmasters bring this message to the attention of the local newspapers. He did not send it to the postmasters, but to the inspectors—to the police. If a man has to resort to getting his message in a newspaper by sending it to the police, he is hard up for an outlet for his message.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Is it true that the Postmaster General referred to some 20 bills providing for an $800 increase for postal employees?

Mr. HUMPHREY. That is correct. He said:

The bill receiving the most attention would give a flat $800 per year increase—or 40 cents an hour or more—to every one of our half million postal employees. It would cost the American people $400 million a year.

Since any increase given postal employees is inevitably given all other Federal employees, the total yearly costs to you may be in excess of $1 billion a year.

Now I realize everyone wants more salary; that is a natural human desire. However, while sympathizing with this point of view, I must also live up to my responsibility as a member of President Eisenhower's Cabinet and determine what is basically fair and in the public interest.

The way to judge the reasonableness of any wage increase—it seems to me—is to measure it by two standards.

First: How much do our postal employees now receive?

Second: How does this pay compare with that of workers in private industry?

It is very interesting, Mr. President, that after the Postmaster General had spoken thus, after he had used the teletype service of the United States, the Association of Postmasters seemed to see things his way. That is very interesting. I do not know how they came to that sudden conclusion, but if a postal inspector examined a postmaster a dozen times, and 11 of those times he found the postmaster had a rating of 90, but after January 1953 the postmaster had a rating of 60, and was under investigation, I can imagine that if the Postmaster General says, "Will you go over and see the editor and have a nice news story printed? We trust you, Mr. Postmaster, and we know you are going to see the editor. But so there will not be any doubt, will you clip out the tear sheet?", the postmaster would comply with the request.

Mr. President, that is not the work of the postal inspection service. That is the work of the local county committee, the local patronage committee. I resent the fact that today the postal service is used to transact business for the Republican Party.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Does the Senator think the fact that this message from the Postmaster General was sent at Government expense constituted an effort to influence legislation?

Mr. HUMPHREY. I not only think it constitutes such an effort, but it undoubtedly has influenced attitudes on legislation.

Mr. DOUGLAS. Does the Senator from Minnesota think the case should be referred to the Department of Justice for determination as to whether or not a criminal violation of the law has occurred?

Mr. HUMPHREY. It is my opinion that the matter should first be carefully investigated by an appropriate committee of Congress. I think that if the committee feels there is any violation, then a referral should be made.

I am not trying to pick an unnecessary battle with the Postmaster General, but I am becoming fed up with hearing this great public relations talk about how efficient the postal service is. Efficient? Has anyone ever tried to mail a letter lately, to see how efficient the service is? If ever we are to have rationing again, I would certainly hate to get my ration stamps in the mail. I would be hungry before they arrived.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. FULBRIGHT. Was it the Three-Star Extra program which was referred to in the official telegram?

Mr. HUMPHREY. I have heard of Five-Star Hennessy, but I have never heard of Three-Star Extra.

Mr. FULBRIGHT. Does the Senator know what it is?

Mr. HUMPHREY. Hennessy or Extra?

Mr. FULBRIGHT. Three-Star Extra.

Mr. HUMPHREY. Undoubtedly Three-Star Extra is a radio program. The copy which I have says: "Radio broadcast over Three-Star Extra."

Mr. FULBRIGHT. Does the Senator know what program it is?

Mr. HUMPHREY. I do not know, I regret to say.

Mr. FULBRIGHT. Is that the program sponsored by the Sun Oil Co.?

Mr. HUMPHREY. Aha.

Mr. FULBRIGHT. Has the Senator ever heard of the Sun Oil Co.?

Mr. HUMPHREY. I may say to the Senator from Arkansas there is a word at which my nostrils seem to flinch. Pew. Is that not the company?

Mr. FULBRIGHT. I think that is the company.

Mr. HUMPHREY. The Pew oil company; the Pew interests.

Enough said on that subject. Let me point out another item, with which I desire to familiarize my friend the distinguished Senator from South Carolina [Mr. JOHNSTON] and my other colleagues. I have in my hand a bulletin entitled "Federation News Service," issued by the National Federation of Post Office Clerks. It read as follows:

PROPAGANDA IN OFFICIAL PUBLICATIONS

Something previously unheard of in postal history occurred on Thursday of this week when the Postal Bulletin, an official publication, was used as propaganda medium in support of the Fry proposal.

The Fry proposal is the wage proposal. I continue to read:

The national executive committee of the federation meeting yesterday condemned this action and characterized it as an effort to secure the enactment by the Congress of the highly unsatisfactory wage proposal prepared by George Fry & Associates, of Chicago.

The Postal Bulletin is an official publication which, according to the United States Official Postal Guide, part 1, Domestic, July 1, 1951, chapter XIX, article 3, is supposed to contain "current orders, instructions, and information relating to the postal service (philatelic, airmail, money order, parcel post, etc.), together with changes to the Official Postal Guide, parts 1 and 2, Manual of Instructions for Postal Personnel, and amendments to the postal laws and regulations."

The use of the Bulletin, printed and circulated at taxpayers' expense, to advance a proposal that would almost inevitably result in downgrading many postal positions with a consequent reduction in wages for many thousands of people, sets a new standard in propaganda tactics.

That is what the National Federation of Post Office Clerks seems to think about this matter.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MONRONEY. Did I correctly understand the distinguished Senator from

Minnesota to say that the excuse for the expensive telegraphed request to the postal inspectors was that Mr. Summerfield, the Postmaster General, had been deluged with requests from local newspapers for copies of the full text of the speech, after their editors had listened to his very stirring message?

Mr. HUMPHREY. I would simply answer the Senator's question by quoting directly from the postal teletyped message.

Mr. MONRONEY. I should like to hear it again, because I am glad someone in Washington who made a speech received such a terrific reaction that the postal service was deluged with requests for copies of the full text, and was so prompt as to telegraph the full text.

Mr. HUMPHREY. I thank the Senator from Oklahoma. What I shall quote is official. It was sent over the Government's leased lines in the Post Office Department directly to postmasters and inspectors, and was paid for by the taxpayers. Here is what it says:

Postmasters—

That is the call to attention.

Mr. MONRONEY. That is the call by the general—the Postmaster General?

Mr. HUMPHREY. That is correct. This is from the Post Office Department in Washington to all inspectors.

Mr. MONRONEY. It is from the commander in chief of the postal service to the privates and sergeants in the service.

Mr. HUMPHREY. It is from the top officer, going down into the lower echelons. I read:

Because of the widespread public reaction—

He did not say "interest"; he said "reaction"—

to radio broadcast over Three-Star Extra last evening and request for complete texts from newspapers, please contact local newspaper editors at once with following text and arrange for its release for Monday papers. Tear sheets from your local papers carrying story requested.

Mr. MONRONEY. I wonder if this overwhelming response, which taxed the United States mails and the Western Union to carry the demand from the newspapers for the complete text, was instantaneous; whether it was the voice of the general, heard throughout the land, which prompted this vast response, or whether it was some imaginary tuning of public attention by a very high-priced, greatly expanded public-relations service, which befits the new general in charge of the postal service.

Mr. HUMPHREY. In answer to the Senator's question, I might state that the speech of the Postmaster General was made on April 2, 1954. Since the Senator from Arkansas is an expert on the Three-Star Extra program, I believe he will confirm my statement that that is an evening program. The message was datelined April 3, 1954.

Mr. MONRONEY. Then, it was instantaneous. It went like wildfire across the country, and they had to have the text.

Mr. HUMPHREY. Apparently those who were interested in the speech had to telegraph the Postmaster General, because they could not have written letters and have had them delivered so quickly. That would have been impossible.

Mr. MONRONEY. They were so anxious to have the text that they could not entrust their request to the United Press, the Associated Press, or the International News Service. They were in too big a hurry. The customary practice in 99 out of 100 newspaper offices would have been to wire back on the ticker systems of the United Press, the Associated Press, or the International News Service, and to say, "Send us the full text." But perhaps the boys who cover the INS, the AP, and the UP did not recognize the instantaneous, wildfire demand which the speech of the Postmaster General was going to create. Perhaps they were too slow in the transmission of news, so it was necessary to act through the general in charge of the postal service and then through the inspectors and the postmasters.

It seems that we now have a new method of dissemination of news from Washington: All the news that is fit to print, and all the news that benefits the Postmaster General.

Mr. HUMPHREY. In case any of the editors friendly to this administration, of whom there appear to be a large number, do not seem to pick up releases, and do not get adequate coverage from the news services, the Post Office Department, through rain, snow, sleet, or hail, or whatever it may be, will use the postal teletype system to deliver the message.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. Could it be that this is massive retaliation?

Mr. HUMPHREY. If it is, it is the first experience we have had with it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. The Senator from Minnesota gave a free translation of the motto of the Post Office Department, which I believe appears on the New York City post office.

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. "Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds."

This motto, I believe, was written by Herodotus, and was suggested for the New York Post Office by the late Charles William Elliot, then president of Harvard University.

Mr. HUMPHREY. I thank the Senator. I gave only what I might call a layman's interpretation of this important message to the postal service.

I wish to compliment the postal service, and those who work in this great branch of our Government. They have done a tremendous job under great difficulties, with ever-increasing burdens brought about by a greater volume of mail, and because of the desire of the American people to have better and better service. Our postal employees have rendered service beyond the call of duty. But I do not think it is becoming for the Postmaster General to burden the post office inspectors with a new responsibility of carrying messages from the Postmaster General to the local newspapers. I have heard about the message to Garcia, but I have never heard of the message from the Post Office Department direct to the editors through the postal inspection service.

How will Mr. Summerfield get rid of the postmasters who were appointed in Democratic days if he intends to use the inspectors to be a kind of pony-express rider to carry his latest speeches?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Does not the Senator from Minnesota think it would be a very excellent plan if the Committee on Post Office and Civil Service would ask the Postmaster General to appear and to state the names of the newspapers which caused this demand for his speech?

Mr. HUMPHREY. I think it would be very interesting to see just what the rating is of the Three-Star Extra program when the Postmaster General appears on it. I have some idea of what the right rating might be with the appearance of what I may call the more professionally talented artists in the field of entertainment. But I cannot imagine that the public was literally tugging at the leash, restive with a desire to get a copy of the tremendous message on postal salaries. Oh, what a thrilling subject about which to talk to the people. It must have stirred the hearts of millions of people to hear about postal salaries.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. The Senator knows that, as has been pointed out, the post-office inspectors have great power over postmasters because of the power of inspection and the opportunity to prefer charges. Is it not also true that the postmasters have great power over the owners of local newspapers because of the special favors which they can extend to them in the delivery of the mail?

Mr. HUMPHREY. There is no doubt at all that there is a very close relationship between the main medium of news, the newspapers, and the main conveyor of that medium of news; namely, the post office. I am not saying that anybody brings any pressure on anyone else; I am simply saying it is certainly a rather close relationship. I can well imagine that when the local postmaster goes to the local editor and says, "I just received a message from the inspector who was here inspecting me last week. Would you mind printing this little message in your newspaper?" the postmaster will get better treatment than would the junior Senator from Minnesota if he went to the local editor. I expect he would. I hope he would—poor fellow—at least out my way.

Mr. President, I shall support the amendment of the Senator from South Carolina. I thank him for offering it. There is a good deal which needs to be said about the Post Office Department. We will get down to that at the right time. I have not had the opportunity to examine the entire report of the Committee on Appropriations as it relates to the Post Office Department.

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I think it is fair to say that we have been going through a period in which the present administration has tried to use every public-relations trick in the book to give a better picture of what the Postmaster General is doing, and not what the postal employees are doing. I suggest that if the Government has money to spend on public relations, it ought to spend it in behalf of postal employees by explaining to the public what the postal employee who brings letters to their homes is doing and what a fine person he is.

I recall that last Christmas hundreds of telegrams were sent to chambers of commerce all over the country, asking about the postal service, and expressing a desire to hear of the wonderful things the Post Office Department was doing.

Mr. President, at a later date I intend to address myself to the whole subject of the relationship between the Post Office Department and its employees. I intend to address myself to postal salaries. I do not support the recommendations made by the Postmaster General. It is very interesting to me that the recommendations which have been made with reference to postal employees fail to take into consideration the very provision that management has made in many of its collective bargaining agreements, namely, the recognition of the rise in the cost of living. I feel that the Government of the United States ought to set a fairly decent pattern of labor-management relations with its employees. Government employees are not overpaid. They are not in any way given special privileges or treatment. They are entitled to fair treatment, and fair treatment only. They are entitled to a fair wage, and a fair wage would not be provided by carrying out the recommendation of the Post Office Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON] on behalf of himself and the Senator from Illinois [Mr. DOUGLAS] to the amendment of the committee on page 11, line 3.

Mr. FULBRIGHT. Mr. President, I wish to say a few words, and read a short letter with regard to the amendment itself. I shall support the amendment.

It seems to me to be perfectly obvious that the request for an increased number of inspectors is for no legitimate purpose of the Post Office Department. The statistics cited by the chairman of the Committee on Appropriations indicate that 2 years ago there was a backlog of only 29,000 cases, that they were increased to 43,000 last year, and that now there are 14,000 additional cases. Those figures indicate to me that the desire is to hire the additional postal inspectors in order that the inspectors may go around and check on employees for the purpose of ousting them from post office employment.

It is nonsense to suggest that there has been such a great increase in malfeasance in office. If such an increase in malfeasance has occurred it must have resulted from the new persons put into office by the present administration. However, I do not suggest that at all, and wish to leave no such implication.

I have been concerned about the small post offices which have been abolished. I shall presently read a letter which I think is typical of a number of similar letters which I have received. I think a problem is raised which is far more significant to the future of the country than the question of saving perhaps a few hundred dollars by the closing of some of the smaller post offices such as those which exist all through the State of the Senator from Mississippi, all through my State, and every other State. I think even in New England there are still many small rural post offices, around which are clustered the finest communities in the country. They are the kind of villages we often think of as being a part of New England, where the old town hall meetings started and local communities discussed important questions. From such communities we obtain our soundest political judgment and finest citizens.

I wish now to read the letter to which I previously referred and which particularly struck me. I shall leave out the names of persons and towns, and merely refer to them as "X," because I do not wish anyone to retaliate against the poor woman who is the postmistress of the town concerned; but if any Senator should like to read the letter, he may do so. It is a genuine letter. This woman writes:

DEAR SENATOR FULBRIGHT: The post office inspector—

One of the present inspectors—

is considering the possibility of discontinuing the X post office. I am writing you to solicit your help in preventing this action, both as a community matter and for me personally. I have written the inspector, outlining the reasons why this would be a bad move. A copy of my letter to him is enclosed so that you may consider the points I have made.

As we are a country village, the mail is not dispatched the day it is picked up on the route. Therefore in all probability the route will be consolidated with one of the X routes. We are not denying the advisability of this course—the consolidation of routes—but we do contend that the post office would still serve quite a number of people much better than any rural route. I believe the office without the route would pay around $1,000 a year. Of course, consolidating the route with one of the X routes will be a considerable saving of money, but the office alone would not cost the Department much money.

This is the part that strikes me as being important to us:

Far more important than the trifling sum to be saved is the inconvenience that will be caused to the people of this community. I have gone into this phase of the matter at length in my letter to the inspector, telling him that many of the people live from a quarter to a half mile from the route, so that transacting their financial postal matters with the carrier becomes a real hardship. The value of the service that the X post office gives to them is far out of proportion to the receipts it takes in.

This is one of the oldest communities in the county and there are still many descendants of the earlier settlers that have its welfare at heart. One of the first things that the early pioneers did was to build a log church, and there has never ceased to be a live church at X since. We also have a very good school. X has had a post office for 75 years or more, and a rural route for something like 40 years. You can well understand, therefore, what it would mean to the community to lose the post office, along with its postmark of "X."

I am concerned deeply about losing the post office for the community, and I am very frank to say that it would cause a real hardship to me personally.

I am 65 years of age. At the time the postmastership at X came up for consideration a few years ago I was a country school teacher with a small salary. Thinking that working for the Government would give me more security, I quit the teaching profession at the very time when teachers were beginning to get better salaries. I took the examination for postmaster and obtained the appointment.

I was left a widow 20 years ago, with two sons whose education was not completed. Each boy obtained an appointment to the Naval Academy and graduated in the upper ranks of his class. The older one selected the Marine Corps as his field and now is a colonel in the Marines. The younger one also graduated from Massachusetts Institute of Technology. Both were actively engaged in World War II, and the younger contracted a fatal disease while in the service, and passed away 2 years ago.

I feel confident that you will agree that the X post office should be retained and that you can exert the influence necessary so that it will not be discontinued. The entire X community and its surrounding areas, as well as myself, will be most appreciative.

Yours very truly.

Apparently one of the reasons for the requested increase in the number of postal inspectors is to enable them to examine the small post offices and try to build up cases for saving perhaps $200 or $500 a year, by abolishing such post offices. Already more than 1,000 small post offices have been abolished during the past year.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. How many cases did the Senator from Arkansas say are now under investigation?

Mr. FULBRIGHT. A moment ago, before the Senator from Minnesota entered the Chamber, I understood the chairman of the committee to say that one of the reasons given in the justification, in support of the request for additional inspectors, was the great backlog of undisposed cases involving shortages or other offenses arising under the postal laws. In round numbers there are approximately 41,000 cases in the backlog at the present time; but in June 1952, there were only 29,000. In other words, during the past 1½ years there has been an increase of more than 11,000 cases in the backlog or the docket of cases that are undisposed of. There are approximately 41,000 post offices. So this means that the postal inspectors are being used to scurry around and do what the letter I have read indicates the inspectors are doing in Arkansas.

I may say it is also obvious that the postal inspectors are being used to ferret out dangerous subversives in the post office service. Of course we know that Malenkov is very much interested in destroying the post office at Pea Ridge, Ark.,

and we want postal inspectors sent there. [Laughter.]

Mr. HUMPHREY. Has the Senator from Arkansas noticed the color of the 2-cent stamps? They are red.

Mr. FULBRIGHT. Obviously that shows Communist sympathy within the Post Office Department.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. I wonder if the Senator from Arkansas has discussed with any of the other Members of the Senate the point whether the condition he has described is unique to Arkansas, or whether possibly it is a part of a universal pattern. I believe it would be wonderful to have one of the good old Methodist testimonal meetings, in which all of us would rise and state what is going on in the postal service.

Certainly if half as much attention were paid to delivering the mail as is being paid to delivering politics in the Post Office Department, the postal service would be wonderful; there would be "a new day."

Mr. FULBRIGHT. Of course, Mr. President, I sympathize with the effort to consolidate post offices. I know that some of them have reached the point of diminishing returns, and are really too small; but certainly I do not think the post office referred to in the letter I read comes in that classification.

What I object to is the request for 100 additional inspectors if the purpose is to consolidate post offices. It makes no sense to employ additional inspectors if the undertaking is to reduce the number of post offices. Therefore it is obvious that some other reason is behind the request for additional postal inspectors—some reason other than to take care of the legitimate work of the Post Office Department. The request must be based on some activity other than the activities carried on in the past in the Post Office Department.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield to me at this point?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. I wish to have the Senator from Arkansas understand fully that there has been no complaint from me about necessary consolidations in the postal service. In fact, the Post Office Department frequently has written to my office and has pointed out the necessity of making certain consolidations, and we have cooperated.

However, I wish the Senator from Arkansas to tell us how it can be that a person in the postal service who has had an excellent record for many years is likely to turn bad in only a few weeks. How is it that such a person may have had a 90 rating in December 1952, whereas the same postal inspector who gave him that rating may have returned in January or February 1953 and may then have given the same person, in the same post office, in the same community, associated with the same postal clerks and the same rural delivery organization, a 60 rating. Why is it that some postal inspectors have said to postmasters, "We are going to get you"? I have in my possession evidence to that effect, let me say. Why is it that some postal inspectors have said to certain postmasters, "We have orders to have you removed."

This situation has developed to such an extent that the postal service is literally being made the victim of political manipulation. I am not complaining about the poor men who have the job of doing the inspecting. Some of them have had to repeat the inspection of postal workers whose performance they inspected only several years ago. Frankly, Mr. President, they have had the job of finding something wrong with the performance of those postal employees.

Although there may be some saints among the membership of the Senate, I have yet to find one. On the other hand, if one is determined to investigate and investigate, in an effort to find something wrong, it is obvious that it is virtually possible to find a reason why no one should even be alive. However, today that pattern is being followed in State after State, as every Member of this body knows; and the postal inspectors are engaging in such tactics.

Mr. DOUGLAS. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. In referring to the backlog of cases awaiting inspection, I understand that the Senator from Arkansas obtained the figure he cited from page 175 of the House hearings. On that page appear figures showing that in 1952 there was a total caseload, for the post-office inspectors, of 175,163 cases, and that 29,949 cases were pending at the end of the year. I have made a rough computation; that means that at that time the backlog amounted to a little more than 2 months' work.

On June 30, 1953, there had been, for the year, 183,373 cases, or only approximately 8,000 cases more, and there was a backlog of 41,238—indicating that, as a matter of fact, there had been slightly fewer cases that year than in the preceding year. That backlog amounts to a little less than 3 months' work.

So the evidence seems to indicate that, at the most, the backlog had increased from a little over 2 months' work to a little less than 3 months' work. That would not seem to indicate so catastrophic an increase in the amount of unfinished business as to justify the expenditure of an added $1 million for the employment of additional postal inspectors.

Mr. FULBRIGHT. I appreciate having the Senator from Illinois pinpoint the figures, because I had requested that information from the chairman of the committee, but it had not yet been put into the RECORD to so full an extent.

Of course we know about the nature of politics, and we expected the new administration to make some changes. However, I object to having the present administration request a very large increase in the appropriation, in order to make the changes much more widespread, and at the same time to request our support of the increase on the ground of efficiency or economy. Certainly I cannot accept such a plea. I will not vote to increase the inspection service for any such purpose. No legitimate showing has been made for the need of the additional inspectors. That is evident from the figures to which the Senator from Illinois has referred.

Mr. DOUGLAS. Would the Senator from Arkansas say that the administration wished to employ additional inspectors, not only to make a more widespread replacement of the existing postmasters, but also in order to have a more sanctimonious way of getting them out of their jobs?

Mr. FULBRIGHT. I agree. If the administration is going to fire them, the administration should fire them, and stop indulging in the pretense of having to hire additional postal inspectors in order to make out a case for such action.

We know what the new administration will do. It will discharge a certain number of the postmasters, and it has the power to do so. But a great deal of money will be saved by not employing additional postal inspectors in connection with that procedure.

Mr. DOUGLAS. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. DOUGLAS. Does the Senator from Arkansas remember that a member of the British Parliament by the name of Henry du Pre Labouchere once said he did not mind having Gladstone have all the aces up his sleeve, but he did object to having Gladstone behave as if the Lord had put them there? [Laughter.]

Mr. FULBRIGHT. I feel the same way about the inspectors. They have the aces up their sleeves. The effect is a foregone conclusion. The Department might as well go ahead and fire the postmaster it desires to get rid of.

Mr. HUMPHREY. Has the Senator ever given thought to the possibility that we may be running short of investigating talent? There are only so many "Dick Tracys" for each thousand people. With the number of investigators we are hiring for the committees, the number of police officers we need in our communities, and the number of new inspectors we are supposed to need for every division, we may be getting down to the untrained level, the less adaptable group, for this very highly qualified service—unless the purpose is to get rid of some appointees.

One final thought——

Mr. FULBRIGHT. Perhaps some unemployment in that field is anticipated, and the department is getting ready to take care of it with new jobs.

Mr. HUMPHREY. I think it would be unfortunate to hire so many new employees now, only to dismiss them after the next election. It seems to me that would not be good tenure.

I have heard of the British Government majority providing funds for His Majesty's loyal opposition. There is a practice in politics in some areas in the world, and particularly in Great Britain, whereby money is actually appropriated for the opposition party; but in the United States I have never heard of a minority appropriating money for the majority political machine. If anyone thinks that is not what this is, let him

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examine the record. This proposal involves the equivalent of $1 million of the taxpayers' money from the Congress of the United States for one purpose, and one purpose only, namely, to carry on with greater frenzy, greater rapidity, and, of course, greater efficiency, the removal of postmasters who have previously been appointed, and whose nominations were confirmed by the United States Senate. That is the ultimate purpose.

Mr. DOUGLAS. They are under civil service.

Mr. HUMPHREY. The term "civil service" is a term of the past.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON] for himself and the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 11, line 3. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from Nebraska [Mr. BUTLER] are absent on official business.

The Senator from Indiana [Mr. CAPEHART], the Senator from Kansas [Mr. CARLSON], the Senator from Michigan [Mr. FERGUSON], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. BUTLER], and the Senator from Vermont [Mr. FLANDERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from North Carolina [Mr. LENNON], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. GILLETTE], the Senator from Arizona [Mr. HAYDEN], the Senator from Colorado [Mr. JOHNSON], and the Senators from Georgia [Mr. GEORGE and Mr. RUSSELL] are unavoidably detained.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from North Carolina [Mr. LENNON] would each vote "yea."

The result was announced—yeas 26, nays 44, as follows:

YEAS—26

Chavez	Frear	Hennings
Clements	Fulbright	Hill
Daniel	Gore	Holland
Douglas	Green	Humphrey
Jackson	Long	Morse
Johnson, Tex.	Magnuson	Murray
Johnston, S. C.	Mansfield	Pastore
Kennedy	McClellan	Smathers
Lehman	Monroney	

NAYS—44

Aiken	Hendrickson	Purtell
Barrett	Hunt	Robertson
Beall	Ives	Saltonstall
Bennett	Jenner	Schoeppel
Bowring	Knowland	Smith, Maine
Bridges	Kuchel	Smith, N. J.
Bush	Langer	Stennis
Butler, Md.	Malone	Thye
Case	Martin	Upton
Cooper	Maybank	Watkins
Cordon	McCarthy	Welker
Dirksen	Millikin	Wiley
Duff	Mundt	Williams
Dworshak	Payne	Young
Goldwater	Potter	

NOT VOTING—25

Anderson	Ferguson	Kilgore
Bricker	Flanders	Lennon
Burke	George	McCarran
Butler, Nebr.	Gillette	Neely
Byrd	Hayden	Russell
Capehart	Hickenlooper	Sparkman
Carlson	Johnson, Colo.	Symington
Eastland	Kefauver	
Ellender	Kerr	

So the amendment offered by Mr. JOHNSTON of South Carolina for himself and Mr. DOUGLAS to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 11, line 3.

The amendment was agreed to.

The next amendment was, on page 14, line 17, after the word "purposes", to insert "of which not to exceed $4,000,000 shall be available for improved lighting, color, and ventilation for the specialized conditions in workroom areas."

The amendment was agreed to.

The next amendment was, under the heading "Title III—Government Corporations—Administrative Expenses of Liquidating the Reconstruction Finance Corporation," on page 17, after line 12, insert:

> Not to exceed $50,000 of the funds available pursuant to section 409 of the Federal Civil Defense Act of 1950 (50 U. S. C. App. 2261), shall be available during the current fiscal year for administrative expenses necessary to carry out the functions, powers, duties, and authority of the Treasury Department under said section.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, referring to page 12 of the bill, I wonder whether the distinguished chairman of the committee can confirm my understanding that no money in the Post Office appropriation for transportation is intended for use to pay for commercial air transport of military mail between the United States and foreign countries.

Mr. BRIDGES. That is correct. None of the funds of the Post Office Department would be used for paying for such transportation.

Mr. KENNEDY. The answer of the distinguished Senator is in accordance with a letter which Mr. Summerfield wrote to the Department of Defense last year.

Mr. BRIDGES. That is correct.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FULBRIGHT. Was anything said in the committee, or did the committee receive any recommendation, with regard to the continuation of the tin smelter plant in Texas? Perhaps it might have arisen in the discussion of the Reconstruction Finance Corporation's appropriation.

Mr. BRIDGES. I believe it was under discussion in another bill.

Mr. SALTONSTALL. Mr. President, if the Senator from New Hampshire will yield, I believe I can answer the question. At the present time there is before the Committee on Armed Services a resolution offered by the Senator from Texas, the distinguished minority leader [Mr. JOHNSON]. A message came from the Budget Director today with relation to the tin smelter problem in Texas. Under present law the smelter would continue until 1956. The President's message recommends that it be closed on July 1 of this year. However, accompanying the message is a letter from the Administrator of the GSA, Mr. Mansure, making certain suggestions regarding the leasing or the possible sale of the plant. A subcommittee of the Committee on Armed Services has been set up to hear that matter. We expect to go into it when the Senator from Texas returns next Wednesday. It is not a question of appropriations in any event, as the money would come out of the RFC.

Mr. FULBRIGHT. I should like to inquire how the Committee on Armed Services obtained jurisdiction of the matter. It has always been considered by the Committee on Banking and Currency. On what theory is the Committee on Armed Services handling it?

Mr. SALTONSTALL. On the ground of stockpiling.

Mr. FULBRIGHT. Stockpiling what?

Mr. SALTONSTALL. Tin, which is a strategic material.

Mr. FULBRIGHT. I wish to say for the information of the Senate that I have heard from a responsible private company which is interested in this smelter. I believe it would be a great mistake to close the tin smelter if a private company with its own money is willing to operate it.

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I do not have the floor.

Mr. BRIDGES. I yield to the Senator from South Carolina.

Mr. MAYBANK. I wish to address the former chairman of the subcommittee that handled the RFC matter. That subcommittee went all through this subject, and the Committee on Banking and Currency considered it over a period of years. The Committee on Banking and Currency approved proposed legislation and, through the RFC, negotiations were carried on. Witnesses appeared before the Committee on Banking and Currency only last month. Yet all of a sudden the subject matter is transferred from the Committee on Banking and Currency to the Armed Services Committee. I am sorry the senior Senator from Indiana [Mr. CAPEHART] who is chairman of the Committee on Banking and Currency is not present.

I want to protest the reference to the Committee on Armed Services, and I shall ask for a yea and nay vote as to which committee is to handle the subject as soon as the Senator from Indiana returns. We have been through this matter for 2 years. Why should it be referred to the Committee on Armed Services? The Senator from Arkansas is completely right.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. KNOWLAND. I may be wrong, but I do not quite understand how the tin smelter got into the Treasury-Post Office appropriation bill discussion. We were about ready to vote on the final passage of the bill. I hope Senators will permit the Senate to vote on the final passage of the appropriation bill. Is there any item in the Treasury-Post Office appropriation bill that concerns a tin smelter?

Mr. FULBRIGHT. I do not believe the Senator heard me. I referred to an item for the Reconstruction Finance Corporation, which owns the tin smelter. My only interest is that a great mistake may be committed by closing the tin smelter prematurely, because I know a private company is interested in purchasing it if it can obtain it on a reasonable basis. I understand that the Government is to close it down by June of this year, and I believe it would be a great mistake to do so. Therefore this is a good opportunity to bring the matter to the notice of the Senate.

Mr. BRIDGES. Mr. President——

Mr. MAYBANK and Mr. JOHNSON of Texas addressed the Chair.

Mr. BRIDGES. Mr. President, I yield first to the Senator from South Carolina.

Mr. MAYBANK. I appreciate the Senator's yielding to me. I merely wish to say that the tin smelter has nothing to do with the Treasury-Post Office appropriation bill, but if it had not been for the Committee on Banking and Currency investigating the RFC loan on the tin smelter and the Government's witnesses coming before us, probably the tin smelter already would have been shut down.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more statement?

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. I shall be glad to discuss this question with the Senator from Arkansas, either privately or publicly, but I may say that the leasing to a private company or a possible sale to a private company is what we had in mind to discuss and consider in the Armed Services Committee. We realize there is a difference of opinion as to whether the matter should go to the Banking and Currency Committee or to the Armed Services Committee. Previously it went to the Armed Services Committee. The last time, it went to the Committee on Banking and Currency. It is now before the Armed Services Committee in connection with the subject of strategic stockpiling, and the question the Senator brings up is being considered, because the minute the smelter is closed down it is my understanding that we shall have lost the plant.

Mr. FULBRIGHT. Does the Senator assure the Senate that before the matter is closed the Senate will have an opportunity to consider the resolution?

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. JOHNSON of Texas. It is the position of the Senator from Texas, and, I think, the position of other Senators, that the smelter cannot be closed except by an act of Congress.

Mr. FULBRIGHT. I want to be sure that it will be legally closed.

Mr. SALTONSTALL. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. We have the problem of deciding whether to adopt the motion or not to adopt it. If we do not adopt it, we must keep on stockpiling. I shall be glad to talk it over with the Senator from Arkansas.

Mr. FULBRIGHT. I am informed that the smelter has ceased to purchase any more ore. It will close for lack of any ore on which to operate unless some action is taken by the Senate.

Mr. DOUGLAS. Mr. President, will the Senator from New Hampshire yield for one more question regarding tin?

Mr. BRIDGES. I have the floor, and the question has nothing to do with this bill. But I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that this tin refinery is the only one in the Western Hemisphere?

Mr. SALTONSTALL. I believe that is true, and it is also the largest one in the world.

Mr. DOUGLAS. If it should close down we would be dependent upon the tin smelters of England.

Mr. SALTONSTALL. And of Holland.

Mr. STENNIS. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. STENNIS. What is there in the bill with reference to tin smelting?

Mr. BRIDGES. Nothing.

Mr. FULBRIGHT. There is something with reference to the Reconstruction Finance Corporation.

Mr. STENNIS. There is nothing in the bill with reference to the tin smelter.

Mr. MAYBANK. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. MAYBANK. I have been around the Senate for a long time and I have heard about the RFC being abolished. By this bill we are increasing appropriations for the RFC. We shall vote on it in a few moments. The increased RFC appropriations are for the purpose of looking after civilian-defense hospitals, not with reference to a tin smelter. A little over a year ago we were asked to abolish the RFC. I do not think the Senator from Mississippi was in favor of abolishing it.

Mr. STENNIS. No.

Mr. MAYBANK. This bill has very much to do with the RFC.

Mr. MONRONEY. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. MONRONEY. I have been trying my best to keep in alinement the utterances of the Postmaster General through his highly skilled, highly paid, and highly organized press corps, in stating that he has been saving the country a million dollars a day in the operation of the Post Office Department. Once in a while he makes it a million dollars a day for every working day. Something has been said about $200 million. I find that the $200 million about which we have been reading has shrunk to about $16 million for the whole year. I wonder if the Senator from New Hampshire can explain how these mathematics work out, because I am sure the Postmaster General would not deliberately try to mislead the public. He says he has been saving $200 million a year, and I should like to understand the mathematics.

Mr. BRIDGES. In the bill as reported by the committee the amount is under the appropriation for the fiscal year ending in 1954 by $16,854,650. How that is justified so far as the saving of $200 million is another matter.

Mr. MONRONEY. The Senator is chairman of the Appropriations Committee. If there had been a saving of $200 million, it certainly would have come to light somewhere in the hearings, would it not?

Mr. BRIDGES. I did not conduct the hearings. I am handling the bill as chairman of the full committee.

Mr. MONRONEY. So we can say $16,854,650, and not $200 million.

Mr. MAGNUSON. Mr. President, I should like the floor for approximately 3 minutes, if the Senator from Oklahoma has concluded.

The PRESIDING OFFICER. The Senator from Washington may proceed.

Mr. MAGNUSON. I invite the attention of the Senator from Oklahoma to a few remarks I wish to make before the bill is passed.

I think the RECORD should be clear that the Postmaster General appeared before our subcommittee and in his first presentation made reference to the great amount of savings which had been instituted since he has been in office.

As the testimony proceeded and certain figures were used quite loosely, as pointed out by the Senator from Oklahoma, we found that the amount requested as compared to the appropriations for the fiscal year 1954 made a difference of approximately $16 million. But I could not see even $16 million savings, because in the past year, regardless of all the speeches and testimony regarding savings, we relieved the Post Office Department of $80 million when we abolished the two mail deliveries a day. We relieved it of $79 million in connection with airmail. The Post Office Department was also relieved of the penalty and frank mail, amounting to $36 million. So I asked the Postmaster General, at page 93 of the hearings:

> So you do have almost $200 million, approximately, there in the past 3 years that might have been for you to struggle with in getting these deficits down.

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So the Post Office Department has been relieved of $200 million. If we add that to the figures that normally other Postmasters General submitted, it will be found that there have been no savings in the Post Office Department.

Mr. MONRONEY. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. MONRONEY. Instead of saving $200 million, we are actually paying $200 million more than we were under the previous administration.

Mr. MAGNUSON. We are taking the money out of another pocket.

I wanted to make this brief statement. I am not opposing the appropriation.

There are about five items in the Post Office Department which will sustain a deficit, the largest of which is second-class mail, in the amount of approximately $240 million. The Postmaster General testified that he had several ideas as to how to cope with the deficit. Service has been reduced; management concerns and efficiency experts have been hired, and so forth. But I think the RECORD should show that the extent of the savings which the Postmaster General believes he will be able to make—but which do not show, according to my calculations, on these figures at all—are to be directed at a reduction in the number of fourth-class post offices and an increase in the rates of first-class mail. As to the second item, a bill has been proposed in the House, although I do not know whether it has been introduced in the Senate, which affects first-, third-, and fourth-class mail to a much greater extent than it does second-class mail, which is the subject of a deficit of $240 million. The proposed rate increase would affect first-class mail to the extent of about $150 million. All the proposals are included in the testimony of the Postmaster General.

But apparently the policy is to be to try to increase the rates in order to reduce the postal deficit, which apparently is becoming larger, as the Postmaster General testified that receipts were off about $100 million. However, the deficit will become larger next year.

It is proposed to reduce the deficit by closing fourth-class post offices and by raising the rates, percentagewise, on first-, third-, and fourth-class mail, while not touching second-class mail rates at all. The subject of second-class mail rates is now under study, according to the Postmaster General.

Whether that is right or wrong, I do not know. But I thought that before the bill was passed, the record should be made straight with respect to the policy of the Post Office Department.

Mr. BRIDGES. Mr. President, I now wish to address my remarks to the distinguished junior Senator from Oklahoma [Mr. MONRONEY]. The Senator asked me a question, and I answered him on the basis of budget figures from which I quoted.

I believe the Senator was referring to what the Postmaster General said about the $200 million reduction in the postal deficit, the difference between the expenditures and the revenues. That statement may be found on page 4 of the report. It does not state the figure $200 million, but it shows that the deficit for the current year is $437 million. The estimated deficit for 1955 is $329 million, or, as I figure it roughly, a reduction of the deficit, between revenue and expenditures, of about $108 million.

Mr. MONRONEY. That would occur next year. In other words, it is a suggestion that this is a reduction which will be effected through the new highly paid, well-organized publicity service, and which will result in a saving of a million dollars a day, or, as some say, a shrinking of $200 million a year.

According to the record, the estimated postal deficit is still pretty high, about $437 million. It is hoped to reduce it next year. I do not know whether that will involve an increase in the first-class mail rate, which the distinguished Senator from Washington [Mr. MAGNUSON] was speaking about, and which has not yet occurred, and an increase in third- and fourth-class mail rates, which has not yet occurred. Other anticipated revenues are still in the nebulous future.

Mr. MAGNUSON. It was the testimony of the Postmaster General that the deficit was expected to be reduced by that method, but the second class mail matter, which now causes the greatest deficit, is not even proposed to be touched.

Mr. MONRONEY. The point about which I was asking the distinguished Senator from New Hampshire was whether there has been, in fact, a saving in the operation of the Post Office, as has been stated by the Postmaster General. Perhaps there are some fine weasel words, which are used by the high-powered publicity writers, which have a different meaning from their ordinary meaning. But certainly the public has been led to believe that there was a saving of many millions of dollars in the operation of the Post Office last year. The figures in the appropriation bill do not bear out that assertion. In fact, they do not come anywhere near bearing out any material saving comparable to that amount.

Mr. BRIDGES. I quote from Mr. Summerfield's testimony, which appears on page 33 of the hearings, as follows:

> Mr. SUMMERFIELD. I am sure everybody in the Congress and the taxpayers of the country are quite concerned with the whole problem of the Post Office deficit which, for a number of years, has been climbing at a rapidly accelerated rate until it reached the point where in this current fiscal year it was anticipated the deficit was to be $746 million.
>
> Obviously, anyone charged with the responsibility to manage an institution that is costing the taxpayers, particularly when it is a part of the Government and an agency of the Government that does have a service it sells for a price, something had to be done about it.

In a letter to me, dated January 25, 1954, Mr. Summerfield said:

> The predecessor Postmaster General estimated the deficit of the Post Office Department for fiscal 1954 at $746 million in his initial budget presentation. This was reduced by $78 million in President Truman's budget message. As part of the new administration, we undertook a restudy of the budget requirements and, with the cooperation of the Bureau of the Budget, voluntarily reduced our request by a further $72 million. Congress took another $2 million off the figures, with the result that we undertook to operate the Department for $152 million less than our predecessors estimated was necessary. We intend to live within these figures and do not anticipate that any deficiency appropriations will be necessary.
>
> Beyond this we have thus far accomplished further savings of $18.2 million.

That shows very clearly that for the current year the Postmaster General is operating at $152 million below the budget for this year, as prepared by former Postmaster General Donaldson, under the administration of President Truman.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. JOHNSTON of South Carolina. I think there is a very simple explanation for that. Just as Postmaster General Donaldson was going out of office, he petitioned the Interstate Commerce Commission for an increase in fourth-class rates of more than $160 million a year. In any comparison between the respective administrations, that should be taken into consideration. Moreover, Mr. Summerfield no longer is saddled with the payment of airline subsidies of over $80 million.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MAGNUSON. I think the Senator from New Hampshire will agree with me on my figures that the Post Office Department was relieved of approximately $200 million which normally the Post Office Department would have been obligated to pay.

Mr. BRIDGES. Yes; I agree with that statement.

Mr. MAGNUSON. The Postmaster General himself testified to those figures. When $200 million is taken out of the increase which the Senator from South Carolina has spoken of, I do not think any savings at all will be found in the budget, unless my calculation is incorrect.

SEVERAL SENATORS. Vote! Vote!

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FULBRIGHT. I do not quite understand the situation with reference to the Reconstruction Finance Corporation. I thought a bill was passed to provide for the final demise of the RFC as of June 30 of this year.

Mr. BRIDGES. Pursuant to section 601 of the Economy Act (31 U. S. Code 686), the Secretary of the Treasury engaged the services and facilities of the RFC to perform for the Secretary work and services in connection with his responsibilities under section 409 of the Federal Civil Defense Act of 1950 which were vested in him pursuant to section 104 of the RFC Liquidation Act. Notice of this action appeared in the Federal Register, volume 18, No. 203, page 6594, October 16, 1953.

A total of 9 loans, amounting to $6,033,000, has been authorized under section 409 of the Federal Civil Defense Act of 1950. All of them were for the purpose of assisting in the construction of hospitals. The outstanding balance on

these loans is presently about $2,050,000, and there is $3,568,000 yet to be disbursed under outstanding commitments. In addition, there are one loan and two tentative commitments which have been approved as deferred participations in bank loans. In these cases, there will be no disbursement of Treasury funds unless the banks call for the Government's share to be taken up.

The balance of $2,050,000 referred to is caused by the administration of this section of the RFC, as provided in the Liquidation Act, relating to loans to hospitals and hospital construction. It is something with which I had nothing to do. Apparently it was the result of action taken by the Committee on Banking and Currency, when the Senator from Arkansas was a member of that committee, so I assume he is familiar with the situation.

Mr. FULBRIGHT. I may say to the Senator from New Hampshire that I opposed the bill to liquidate the RFC. As the Senator may recall, I did everything I could to prevent its liquidation. But the bill was passed, and I understood the RFC was to be liquidated. If it was to be liquidated I hope it would be done in an orderly manner, and would not thereafter be used for some entirely irrelevant purpose.

Now $3,500,000 has been provided for the administrative expense of liquidating the RFC. I understood that its activities would stop, and that any funds which were left over would be transferred. Authority was given to the administration to transfer the funds to other established agencies, such as the Treasury Department or the Department of Commerce.

I have an interest in seeing to it that the reputation of the RFC is preserved to the end, so that when its activities have been concluded, its record can be examined to see what the experience of the country was with the RFC.

I do not like to see the RFC dragged into a wholly irrelevant function, for a purpose for which it never was intended. Certainly it never was intended to have the RFC build hospitals for civil defense.

Mr. BRIDGES. As I understand, this item was approved by the President when the Democrats were in control of the Senate and the House. So on the shoulders of the other political party rests the responsibility.

Mr. FULBRIGHT. I thought the bill to abolish the RFC was passed last year.

Mr. BRIDGES. This authorization was provided in the Civil Defense Act of 1950.

Mr. FULBRIGHT. We are talking about different bills. I am talking about the bill to abolish the RFC. Was that not passed last year?

Mr. BRIDGES. Yes, that was passed last year.

Mr. FULBRIGHT. Then why is the RFC not abolished? Why are hospitals being built under the RFC? That is what confuses me. The bill will apparently let that function be continued indefinitely. I thought the bill which was passed provided for the abolition and liquidation of the RFC.

Mr. MAYBANK. Mr. President, if the Senator from New Hampshire will yield, I should like to say to the Senator from Arkansas that it was made perfectly clear on the floor of the Senate that it would not be abolished.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7893) was read the third time, and passed.

Mr. BRIDGES. Mr. President, I move that the Senate insist upon its amendments, requests a conference with the House of Representatives thereon, and that conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. BRIDGES, Mr. MCCARTHY, Mr. SALTONSTALL, Mr. CARLSON, Mr. KILGORE, Mr. MAYBANK, and Mr. MCCLELLAN conferees on the part of the Senate.

NATURALIZATION OF FORMER CITIZENS OF THE UNITED STATES

Mr. KNOWLAND. Mr. President, for the information of the Senate, it is desired to have the Senate consider two bills, both of which I believe to be noncontroversial, and both of which were discussed with the minority leader, and at least one of which had already passed the Senate by unanimous consent and was reconsidered only a few days ago, as Senators may recall, because I had not been notified in advance, and there is in effect in the Senate the practice of giving at least 1 day's notice. The bill was brought up by the senior Senator from Nevada [Mr. MCCARRAN] during the absence of both the minority and the majority leaders. I believe the Senator from Louisiana [Mr. LONG] was acting minority leader at the time, and the Senator from Maryland [Mr. BUTLER] was acting in my place at the time. It was generally agreed that it would be agreeable to put the bill back on the calendar so that there would be 1 day's notice. The Senator from Utah [Mr. WATKINS], the author of the bill, is present.

Mr. President, I move that the Senate proceed to consider calendar number 1172, Senate bill 1303, a bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 1303), which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That a person who has lost United States citizenship solely by reason of having voted in any political election or plebescite held in Japan between September 2, 1945, and April 27, 1952, inclusive, and who has not, subsequent to such voting, committed any act which, had he remained a citizen, would have operated to expatriate him, and is not otherwise disqualified from becoming a citizen by reason of section 313 or 314, or the third sentence of section 318 of the Immigration and Nationality Act, may be naturalized by taking, prior to 2 years after the date of the enactment of this act, before any naturalization court specified in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the applicable oath prescribed by section 337 of such act. Certified copies of such oath shall be sent by such court or such diplomatic or consular officer to the Department of State and to the Department of Justice. Such oath of allegiance shall be entered in the records of the appropriate naturalization court, embassy, legation, or consulate, and upon demand, a certified copy of the proceedings, including a copy of the oath administered, under the seal of the naturalization court, embassy, legation, or consulate, shall be delivered to such person at a cost not exceeding $5, which certified copy shall be evidence of the facts stated therein before any court of record or judicial tribunal and in any department or agency of the Government of the United States. Any such person shall have, from and after naturalization under this act, the same citizenship status as that which existed immediately prior to its loss: *Provided*, That no such person shall be eligible to take the oath prescribed by section 337 of the Immigration and Nationality Act, unless he shall first take an oath before any naturalization court specified in subsection (a) of section 310 of the Immigration and Nationality Act, or before any diplomatic or consular officer of the United States abroad, that he has done nothing to promote the cause of communism. Naturalization procured under this act shall be subject to revocation as provided in section 340 of the Immigration and Nationality Act, and subsection (f) of that section shall apply to any person claiming United States citizenship through the naturalization of an individual under this act.

Mr. KNOWLAND. Mr. President, the Senator from Utah would like to make a brief explanation of the bill.

Mr. WATKINS. Mr. President, the purpose of the bill, as amended, is to enable persons who lost their United States citizenship by reason of voting in a political election or plebiscite held in Japan between September 2, 1945, and April 22, 1952, the period of occupation by American military personnel, to regain their citizenship. The same type of bill was passed regarding citizens who voted in the Italian election.

The Japanese involved are American citizens who happened to be in Japan, and our military authorities urged them during that period to vote. An election was held in which Communists were running for office, and the persons in question voted.

We have restored citizenship to Italian-Americans who voted in Italy, and the bill in question is for a similar purpose, and involves the same principles.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. STENNIS. How many persons are involved in the bill?

Mr. WATKINS. I am informed that about 2,000 persons are involved.

Mr. STENNIS. Are they living in this country now?

Mr. WATKINS. No; I think most of them are still in Japan. They have not been able to come back to this country because they lost their citizenship by voting in the election referred to. Otherwise, they could have returned.

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Mr. STENNIS. I understood the Senator to say that some of the persons in question are already in this country. Am I correct in my understanding that such persons are not in this country because they voted in the election to which the Senator from Utah referred?

Mr. WATKINS. The Senator is correct.

Mr. STENNIS. Were they formerly citizens of the United States?

Mr. WATKINS. Yes. The only obstacle that has interfered with their returning to the United States has been their voting in the election to which I called attention.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. The bill was considered by the Committee on the Judiciary, and, as I remember, both the Democratic and the Republican Members were unanimously in favor of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMERGENCY LOAN AUTHORITY

Mr. KNOWLAND. Mr. President, there is one additional bill about which I spoke to the minority leader, Calendar No. 1280, Senate bill 3245. I move that the Senate proceed to the consideration of that bill.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 3245) to amend the act of April 6, 1949, as amended, by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 3, after the word "That", to strike out "section 2 (a) of the act of April 6, 1949 (63 Stat. 43), as amended, is further amended by adding at the end of the first sentence of said subsection the following: "Until December 31, 1954, the Secretary is also," and to insert "until December 31, 1954, the Secretary is"; on page 2, line 4, after the word "program", to insert "or under the act of April 6, 1949,"; in line 5, after the amendment just above stated, to strike out "under other provisions of this act,"; in line 6, after the word "responsible," to strike out "sources." and insert "sources"; after line 6, to insert a new section, as follows:

SEC. 2. Loans under this act shall (1) be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe for such area or areas, and (2) be secured by the personal obligation and available security of the producer or producers, and in the case of loans to corporations or other business organizations, by the personal obligation and available security of each person holding as much as 10 percent of the stock or other interest in the corporation or organization.

And after line 15, to insert a new section, as follows:

SEC. 3. The Secretary may utilize the revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (12 U. S. C. 1148a), for making loans under this act, and for administrative expenses in connection with such loans. Sums received by the Secretary from the liquidation of loans made under this act shall be added to and become a part of the said revolving fund.

So as to make the bill read:

Be it enacted, etc., That until December 31, 1954, the Secretary is authorized to make emergency loans for any agricultural purposes, except for refinancing of existing indebtedness, aggregating not to exceed $15 million to farmers and stockmen in any area or areas where the Secretary determines that there is a need for such credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs or under the act of April 6, 1949, or other responsible sources.

SEC. 2. Loans under this act shall (1) be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe for such area or areas, and (2) be secured by the personal obligation and available security of the producer or producers, and in the case of loans to corporations or other business organizations, by the personal obligation and available security of each person holding as much as 10 percent of the stock or other interest in the corporation or organization.

SEC. 3. The Secretary may utilize the revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (12 U. S. C. 1148a), for making loans under this act, and for administrative expenses in connection with such loans. Sums received by the Secretary from the liquidation of loans made under this act shall be added to and become a part of the said revolving fund.

Mr. WELKER. Mr. President, I wish to make a brief statement at this time by way of explanation of S. 3245, a bill to provide emergency loans to farmers and stockmen.

The history of this bill, so far as the junior Senator from Idaho is aware, is quite simple. Farmers in many areas lost heavily on their 1953 crop, and the same can be said of stockmen. Banks have been unable to provide these people with adequate credit for production, subsistence, refinancing, and other basic purposes. The Federal Government has been called upon to provide this credit, principally through the Farmers Home Administration.

In my own State of Idaho, the Farmers Home Administration and other loan agencies have expended a total of approximately $6 million in farm loans. Agriculture Department figures estimate that in my State alone at least another $2 million is urgently needed, if many small family-unit farms and veteran farmers just getting a start are not to be severely hurt. The Farmers Home Administration has exhausted its loan funds totally.

Conferences with officials of the Agriculture Department credit services resulted in the submission of a bill for consideration of the Senate Committee on Agriculture and Forestry. Hearings were held on this bill, S. 3245, and a definite need was established for what it provided. In plain language, all it does is permit the Secretary of Agriculture to use money from the disaster loan revolving fund for economic distress loans to farmers. The Secretary would be authorized to make loans in any areas where he found a need for agricultural credit not capable of being met by private banking institutions, and in a total amount not to exceed $15 million. States such as Colorado and Maine and border areas in some other adjoining States must be included along with Idaho.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. WELKER. I yield.

Mr. STENNIS. Did the Senator say the bill applies only to disaster loans?

Mr. WELKER. No. It would allocate $15 million from the disaster fund to emergency relief of those who cannot under any circumstances obtain credit from a bank and who in many States are destitute.

I should like to say that in the event a man desires more money, under no circumstances can he borrow in excess of $20,000. The original top limit was $15,000, and I can assure my colleagues that in my State, in the State of Colorado, and in the other States with which I am familiar, that amount will be adequate.

Mr. STENNIS. The Senator has named some States. The bill applies to the entire country, does it not?

Mr. WELKER. Yes, it does, because the fund of the Farmers Home Administration has been exhausted. Our aim is to enable veterans who are farmers, who served their country, who have not established credit, as the old-time farmer has, to get a start and prosper.

Mr. President, that is practically all I have to say about the bill. Senators know that the Secretary will prescribe the rate of interest and the terms and conditions. All loans must be secured.

Because it was felt that the original wording of the bill was somewhat broad and lacking in specific definition of the limits on any one loan, I prepared an amendment which would remove objections on that score. The amendment would do the following:

First. Make loans available only to individuals or partnerships actively engaged in the operation of farms or ranches.

Second. It would set a limit of $15 million as the total.

Third. It would set a limit of $20,000 in total indebtedness in the case of any one borrower.

Fourth. All loans would be made at rates of interest and on such terms and conditions as the Secretary shall prescribe for such areas.

Fifth. All loans must be secured by the personal obligation and available security of the borrower.

Because of the lateness of the hour, and the need of several thousand farmers to get credit without delay, I urge the Senate to give its favorable consideration to S. 3245.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide emergency credit."

Mr. WELKER subsequently said: Mr. President, inadvertently, in trying to expedite action on Senate bill 3245, I omitted to have the Senate act on the amendment I had discussed. Therefore, I now ask unanimous consent that the vote by which the bill was engrossed for a third reading, read the third time, and passed, be reconsidered; and if that is done, I shall submit the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho? Without objection, the vote by which the bill was ordered to be engrossed for a third reading, read the third time, and passed, is reconsidered.

Mr. WELKER. Mr. President, I now submit my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out lines 7 through 15, and insert in lieu thereof the following:

SEC. 2. Loans under this act shall (1) be made only to individuals or partnerships who are actively engaged in the operation of farms or ranches; (2) not exceed $15,000 in the case of any one loan; (3) not be made to any one borrower so as to increase the total indebtedness of such borrower under this act to an amount in excess of $20,000 (including principal and accrued interest); (4) be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe for such area or areas; and (5) be secured by the personal obligation and available security of the producer or producers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. WELKER].

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3245) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That until December 31, 1954, the Secretary is authorized to make emergency loans for any agricultural purposes, except for refinancing of existing indebtedness, aggregating not to exceed $15 million to farmers and stockmen in any area or areas where the Secretary determines that there is a need for such credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs or under the act of April 6, 1949, or other responsible sources.

SEC. 2. Loans under this act shall (1) be made only to individuals or partnerships who are actively engaged in the operation of farms or ranches; (2) not exceed $15,000 in the case of any one loan; (3) not be made to any one borrower so as to increase the total indebtedness of such borrower under this act to an amount in excess of $20,000 (including principal and accrued interest); (4) be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe for such area or areas; and (5) be secured by the personal obligation and available security of the producer or producers.

SEC. 3. The Secretary may utilize the revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (12 U. S. C. 1148a), for making loans under this act, and for administrative expenses in connection with such loans. Sums received by the Secretary from the liquidation of loans made under this act shall be added to and become a part of the said revolving fund.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, it is not desired to have further bills acted on this evening. However, I wish to have Senate bill 2802, Calendar 1216, to further encourage the distribution of fishery products, made the unfinished business, for consideration tomorrow.

At this point let me say, for the information of the Senate, that after making Senate bill 2802 the unfinished business, and after disposing of the bill, I then propose to have the Senate take up House bill 116, Calendar 1205, the so-called fireworks bill. So the program for Friday will be fish and fireworks. [Laughter.]

When those bills have been disposed of, I hope the Senate will then make the unfinished business Senate Resolution 234, Calendar 1233, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel. Notice has previously been given regarding the prospective consideration of that measure, and the notice appears on page 6436 of the CONGRESSIONAL RECORD.

On Monday, we expect to have a call of the calendar of bills and other measures to which there is no objection, beginning where the last call of the calendar ended. When the calendar call has been completed, we then hope to make the unfinished business, Senate bill 975, Calendar 1190, to amend the Home Owners Loan Act of 1933, as amended—a bill which we had planned to take up this week; but at the request of several Senators—Senators on both sides of the aisle, I believe—we have agreed not to take up the bill until next week.

When those two bills have been disposed of, we then plan to take up Senate Joint Resolution 53, Calendar 1066, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. Debate on that measure will undoubtedly continue for some time, perhaps for several days.

By that time I hope to have additional measures to call to the attention of the minority leader.

I am also hopeful that next week, before the end of the week, one or more appropriation bills will be ready for consideration.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Did I correctly understand the Senator from California to say that the program for tomorrow will be "fish and fireworks?" Are any other measures scheduled for consideration tomorrow?

Mr. KNOWLAND. The schedule for tomorrow is "fish and fireworks"; and then it is the hope to have the Senate proceed to consider Senate Resolution 23, Calendar 1233, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel. From what I have heard, the discussion of that resolution, following consideration of "fish and fireworks," probably will continue until Monday.

Mr. JOHNSON of Texas. That is Senate Resolution 234, is it not?

Mr KNOWLAND. Yes; the one authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel. The resolution relates to the subcommittee on privileges and elections, of the Committee on Rules and Administration.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from California will not have that resolution called up tomorrow, because I must be away, and there is still considerable discussion on this side of the aisle about the resolution.

Mr. KNOWLAND. In that event, the Senator from Texas has my assurance that the resolution will not be called up until following the calendar call on Monday.

So, Mr. President, at the request of the distinguished minority leader, it is now the plan not to have Senate Resolution 234, Calendar 1233, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel, taken up until Tuesday, in order to suit the convenience of the minority leader and other members who will be out of town. However, I hope to have the resolution taken up not later than Tuesday.

DISTRIBUTION OF FISHERY PRODUCTS

The PRESIDING OFFICER. The Chair understands that it is desired to have Senate bill 2802 made the unfinished business at this time.

Mr. KNOWLAND. Yes, Mr. President; I now move that the Senate proceed to the consideration of Senate bill 2802, Calendar 1216, the bill relating to the distribution of fishery products.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2802) to further encourage the distribution of fishery products, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

RECESS

Mr. KNOWLAND. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate take a recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 14, 1954, at 12 o'clock meridian.

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NOMINATIONS

Executive nominations received by the Senate May 13, 1954:

DEPARTMENT OF JUSTICE

William F. Tompkins, of New Jersey, to be an Assistant Attorney General, to fill a new position.

UNITED STATES ATTORNEY

Raymond Del Tufo, Jr., of New Jersey, to be United States attorney for the district of New Jersey, vice William F. Tompkins, promoted.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 13, 1954:

UNITED STATES DISTRICT JUDGES

John R. Ross, of Nevada, to be United States district judge for the district of Nevada. (New position.)

Waldo H. Rogers, of New Mexico, to be United States district judge for the district of New Mexico. (New position.)

UNITED STATES COAST GUARD

Rear Adm. Alfred C. Richmond to be Commandant of the United States Coast Guard, with the rank of vice admiral, for a term of 4 years.

Rear Adm. James A. Hirshfield to be Assistant Commandant of the United States Coast Guard, with the rank of rear admiral, for a term of 4 years.

Rear Adm. Kenneth K. Cowart to be Engineer in Chief of the United States Coast Guard, with the rank of rear admiral, for a term of 4 years.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 13, 1954

The House met at 12 o'clock noon.

Rev. A. L. Gatewood, First Baptist Church, Columbia, Miss., offered the following prayer:

Our Father, with sincere hearts we express our appreciation for the breath of life we possess this day. Help us to ever be mindful that it is an entrusted possession sustained by Thy kindness and mercy.

We pray, Father, that we may ever be mindful of the great blessing in being a citizen of this country where men are encouraged to attain the maximum in utilization of talents for ministry to mankind. Help us to remember that true democracy cannot exist apart from principles of Christianity.

Bless this body to the extent that they may dedicate themselves to the preservation of principles exalted by our forefathers in laying the foundation for a great country with a great mission to the world.

Father, may we not lay aside initiative and ambition, as individuals or as a nation, for mere sustenance of life, but may we regard every life as having a unique contribution for the world. Help us to achieve our mission in such manner as to have the world say words as expressed concerning David, "He served his own generation according to the will of God." In Jesus name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE REPUBLICAN PARTY

Mrs. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. CHURCH. Mr. Speaker, I think it fitting to call the attention of the House to the fact that just 100 years ago this week—on May 9, 1854—30 Members of the House of Representatives, led by Congressman Israel Washburne, Jr., of Maine, decided, after full and serious consultation, that a new party was inevitable and agreed upon the name "Republican" as an appropriate title for a party built on the issue of human freedom. Called together at that critical moment to discuss the vital slavery issue, these men laid the foundation within the Congress for hundreds of succeeding Members to stand here proudly under this title, "Republican." I hold that it is proper for us, who today maintain membership in the House under that great name, to pause long enough to pay honor to Congressman Israel Washburne, Jr., of Maine, and his associates who so wisely built not only the title but the program upon which a great party has built a lasting record of achievement.

Previously, at Ripon, Wis., on February 28, 1854, Maj. Alvin E. Bovay, a lawyer and, later, a major during the Civil War, together with a Mr. Bowen and a Mr. Baker, had issued a call for a public meeting to consider the situation caused by the Kansas-Nebraska Act of 1854 to repeal the Missouri Compromise. At this meeting in the Congregational Church in Ripon, Wis., on February 28, 1854, a resolution was passed to the effect that if this legislation should become law, old-party organizations must be disregarded, and a new party, to be called the Republican Party, should be formed, based solely on the issue of opposition to slavery.

At another meeting, held on March 20, 1854, at Ripon, plans were formulated for the extension of the party throughout the country. At that time, the local communities of the Whig and Free Soil Parties were dissolved, and a committee of 5, composed of 3 Whigs, 1 Democrat, and 1 Free Soiler, was chosen to begin the task of formulating the new party.

Following the action taken in Washington on May 9 by Congressman Washburne and others in the House of Representatives, there were a number of local movements, more or less important. The next great step in the organization of the party, and the one usually accorded the privilege of being noted as the actual beginning of the Republican organization, was taken at the State convention at Jackson, Mich., in a grove of oaks, on July 6, 1854. Here the resolutions were adopted almost unanimously, including the words, "We will cooperate and be known as Republicans." On the same date, both a State central committee was chosen, and a State ticket nominated by the committee was unanimously endorsed. Voters in Indiana, Ohio, Wisconsin, and Vermont held conventions to join the Republican Party. Massachusetts held its convention on July 20, 1854.

Enthusiasm for the Republican Party spread quickly but not uniformly throughout the North and West. Allegiance to its principles was won by the slow crystallization of public opinion. Within the space of about 12 months following passage of the Kansas-Nebraska Act, 11 Republican Senators were sent to Washington, and anti-Nebraska majorities were secured in 15 States. One hundred and twenty Members of the House of Representatives from the North were also opposed to the Kansas-Nebraska Act, and in this sense, supported the platform of the Republican Party at that time.

Today, 100 years later, a strong party and a grateful nation hail the foresight of those Members of Congress and those able, freedom-loving citizens who had the courage and the insight to know that there would always be in this country a need for a party dedicated to freedom. The Republican Members in the 83d Congress, carrying in an anxious time the burden of responsible leadership, take this opportunity to express their pride in wearing the honorable label "Republican" and to reaffirm their own faith in the principles on which their party was founded.

TOP SECRETS

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, my observation has to do with top-secret clearance. Whether a man is cleared or not cleared, in itself, does not reflect on his loyalty as a citizen.

His right to see classified materials should include a need to see them or to know their contents. If that point is recognized, I feel there will be little concern about documents dealing with citizens and their reputations.

NEED OF CONSTRUCTIVE CRITICISM ON FOREIGN POLICY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, it is the duty of the opposition to checkmate and criticize our foreign policy—not carpingly or cavilingly—but honestly and constructively. Otherwise, errors are condoned and blunders are repeated.

To say that we Democrats must remain silent in the face of Dulles' diplomatic defeat at Geneva is sheer nonsense. James Reston, of the New York Times, said this morning, that at the Senate Foreign Relations Committee

yesterday, Dulles left the committee with no clear impression of the policy he hoped to follow.

Dulles' hurried trips to London, Paris, Berlin, Geneva, and back again, tossing off a new policy at each stop, force us to criticize.

Nor has there been any real Democratic partnership in Dulles' enterprises. Where are the Democratic counterparts in the policymaking departments of this administration of Stimson, Knox, Bedell Smith—CIA—Dulles himself, Paul Hoffman, Charles E. Wilson, Conant, McCloy, Forrestal, Warren Austin? To point out one lone figure, David Bruce, policy officer and United States observer to the Interim Committee on the EDC, is no answer.

SUBCOMMITTEE NO. 4 OF COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the Committee on Merchant Marine and Fisheries may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

OUR FOREIGN POLICY

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I would like to know what the gentleman from New York [Mr. CELLER] wants the United States to do in connection with this foreign policy. He had something to say yesterday about it. Two or three other Democratic Members had something to say along the same line.

As our distinguished colleague from Ohio [Mrs. FRANCES P. BOLTON] called to their attention yesterday, do they want to send American boys over to Indochina to fight another war? Is that what you, our Democratic friends, are getting at? The Democrats got us into three wars. Do you want another one? Why do you not tell us? Why do you not lay it on the table and tell us what you do want? What policy do you want? Tell us.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, I think the President has very clearly indicated that he welcomes a bipartisan foreign policy, as any Chief Executive charged with grave responsibilities during any critical period of our national welfare, should do.

I believe that responsible Members of both parties wish this administration's success in its dealings with foreign nations. I would like very much to see the members of the Democratic Party join with the Republican Party in bipartisan support of a foreign policy which seeks zealously to wrest the initiative away from expanding Soviet imperialism, but I do not believe the way to get a bipartisan foreign policy is to try to shoot your way in with verbal fireworks.

BIPARTISAN FOREIGN POLICY

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, I note the gentleman standing, the distinguished former Speaker of this House, the gentleman from Texas, to whom I wish to pay tribute as one of the architects and participants in the bipartisan foreign policy for such a long time.

Mr. Speaker, we are discussing a bipartisan foreign policy. It is a subject with which I have been identified since I have been in Congress. I believe it should be made clear that the administration wants a bipartisan foreign policy and has gone to great lengths in giving information to and consulting with leaders of the minority side in the Congress. But such a bipartisan policy must be based upon not using what happens in the way of history as a partisan weapon.

I hope very much the responsible people in the Democratic Party will not fall into the trap in the present situation in Indochina that some Republicans fell into after June 1950 in using expressions such as "Truman's war" and other expressions with respect to the vital United States and United Nations resistance to Communist aggression in Korea.

Our people were deeply grateful for the cessation of the Korean fighting, but the great majority understand the issue only too well of the Communists' constant totalitarian and imperialist drive to extinguish all freedom, which has burst out elsewhere, and which we must lead in turning back.

I hope that responsible elements on both sides will join with the administration in a bipartisan foreign policy in an enlightened way; one that is truly representative of the best thought the American people have in both parties. This is our way of closing the ranks in a time of danger and this is certainly a time of grave danger to our national security and to freedom.

OUR FOREIGN POLICY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, of course it is the desire of every patriotic American to have a bipartisan foreign policy. We did have one during the term of Senator Vandenberg. I have not seen so much of it since then. But the Democratic Party and this side of the House is ready to cooperate on a bipartisan policy if it is sound. First, however, we have got to know what that policy is, which we do not know now.

UNITED STATES FOREIGN POLICY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I want to make two observations. First of all, I was the majority leader in the Republican 80th Congress when that Congress was called upon by the then President of the United States to act favorably upon certain proposals that since have been heralded by many, by the then President, and the members of the Democratic Party as the cornerstones of the accomplishment of that time.

I refer particularly to the interim aid to France and Italy, the Greek-Turkey aid, the Marshall plan. Those were all passed because we Republicans responded without regard to politics. While the House did not participate in it, the Senate ratified the North Atlantic Pact.

After that time, so far as I could discover, and when we were informed in advance as to what was needed to be done for the overall interest of the country, we on this side of the aisle have responded.

Now I want to say as of the time since the Eisenhower administration came into office that there have been literally scores of occasions when Democrats and Republicans at the leadership level and at the committee level have been invited in by the President, by the Secretary of State, by the leaders of the Defense Department, and have been advised from day to day, week to week, and month to month as to what was involved in our foreign policy and what was being done. They participated in the making of many decisions.

The gentleman from Texas and I have sat together in many of those meetings as he, I am sure, will admit.

That to my mind means that the administration is seeking unification of the national effort at home, unification of foreign action without regard to partisan advantage. I might say that after the defeat of the 80th Congress when we went back into the minority I was not called back to the White House to be consulted about any matter of foreign policy until things began to go bad in Korea.

Let me say that instead of there being rejection of Democratic advice that we endeavored to keep the Democratic leadership informed and have sought and received their advice. This administration has gone farther, I say without any

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fear of contradiction, than any administration in history to keep the Democratic side informed as to what is going on.

Again I say—and I am not critical of the Democrats—everyone ought to want our foreign policy to succeed to the end that this great country of ours avoid further armed conflict, that we have peace and prosperity here at home. I am sure that is what the President wants, it is what I want and I think I speak for all of my colleagues on my side of the aisle—that is what all of us want.

Mr. RAYBURN. That is what we all want, of course, every patriotic American. I was just talking about asking us to go along on foreign policy. I would like to know what it is. I do not think there has been a firm announcement by this administration since January 20, 1953, that would let us know what the firm foreign policy of the United States is.

Mr. HALLECK. I may say the foreign policy of the present administration has been firmed no end in contrast with what we had before that time.

Mr. RAYBURN. Of course, the gentleman is now getting partisan. He should try to get his program pointed up. The gentleman, before he gets through with a speech on nonpartisanship, always concludes by taking a cut at somebody. Now, let me tell the gentleman something. The elections to be held this fall and in 1956 are not going to be determined on what happened 20 years ago, 15 years ago, or 5 years ago; it is going to be determined on the record of this administration in reference to matters foreign and domestic.

Mr. HALLECK. Mr. Speaker, the gentleman from Texas knows of my high regard for him. He accuses me of the injection of politics at this point. May I humbly suggest to the gentleman, who is much my senior here, who is wiser understandably than I, and speaking for myself alone, that when the gentleman suggests, as he did, that there is no foreign policy for the Democrats to support, that smacked a little bit to me of the injection of politics.

PARLIAMENTARY INQUIRY

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Speaker, is there any rule that defines the difference between a rainstorm and a windstorm?

The SPEAKER. That is hardly a parliamentary inquiry.

CALL OF THE HOUSE

Mr. WHEELER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 71]

Albert	Elliott	Moulder
Allen, Ill.	Engle	Mumma
Ashmore	Fallon	O'Neill
Bailey	Fenton	Patterson
Barden	Fine	Pelly
Barrett	Friedel	Philbin
Berry	Gamble	Phillips
Bowler	Garmatz	Preston
Buckley	Gavin	Reed, Ill.
Byrd	Graham	Rhodes, Ariz.
Camp	Grant	Rhodes, Pa.
Carlyle	Green	Richards
Carrigg	Gregory	Roberts
Chatham	Heller	Roosevelt
Chelf	Hinshaw	Scherer
Chudoff	Holifield	Secrest
Clardy	Howell	Sheehan
Clevenger	Ikard	Shelley
Cooley	James	Sheppard
Corbett	Judd	Shuford
Cotton	Kearney	Smith, Va.
Coudert	Kee	Staggers
Cretella	Kelley, Pa.	Stringfellow
Curtis, Mo.	Kersten, Wis.	Sutton
Davis, Tenn.	King, Calif.	Taylor
Dawson, Ill.	Klein	Thompson, Mich.
Deane	Lucas	Velde
Dingell	Lyle	Weichel
Dodd	Martin, Iowa	Wier
Dollinger	Meader	Wilson, Calif.
Donohue	Mollohan	Wilson, Ind.
Donovan	Morgan	Wilson, Tex.
Doyle	Morrison	

The SPEAKER. Three hundred and thirty-four Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

SPECIAL ORDERS GRANTED

Mr. COLE of Missouri asked and was given permission to address the House today for 1 hour, following the legislative prorgam of the day and any special orders heretofore entered.

Mr. MILLER of California asked and was given permission to address the House on Monday next for 20 minutes, following the legislative program of the day and any special orders heretofore entered.

NATIONAL ADVISORY COMMITTEE ON EDUCATION

Mr. McCONNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7434) to establish a National Advisory Committee on Education.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7434, with Mr. O'KONSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Pennsylvania [Mr. McCONNELL] had 15½ minutes remaining, the gentleman from New York [Mr. POWELL] 19.

The Chair recognizes the gentleman from New York.

Mr. POWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, this bill proposes to create an Advisory Committee composed of nine members. It authorizes the appropriation of $200,000 to finance the committee. It authorizes the payment of compensation to the members of the committee not exceeding $50 a day and, in addition, their traveling expenses.

The function of the committee is somewhat in doubt so far as I am concerned. I presume the bill will be the source of authority of this committee and the bill states:

> The committee shall from time to time recommend to the Secretary the initiation of studies of national concern in the field of education.

Mr. Chairman, I regret that I cannot support this bill, because the author of the bill is a very sincere and conscientious Member of the House. But I am opposed to it for two reasons: First, because it establishes a dangerous precedent; and, second, because it is unnecessary.

If we give the Secretary of Education an advisory committee of nine members, how can we deny the same thing in the case of the other heads of the various departments of Government? If the Secretary of Labor wants an advisory committee and he or someone on his behalf comes to Congress and requests it, we will be compelled to give him one. Then, when the Secretary of State wants an advisory committee we will have to let him have one. Finally, the Members of Congress will feel that they are being slighted and there will be a suggestion from the House that we ought to furnish to the Members of the House and of the Senate an advisory committee of nine members for each Member. I can envision the day when every Member of the House will be flanked by nine advisers. I can hear the Congressman's wife call in the evening and ask for her husband. His secretary will reply: "I am sorry, but the Congressman is in conference with his advisory committee."

Mr. Chairman, I can see Members like my friend RIVERS here and DON WHEELER on their way to answer a quorum call in the midst of a very serious discussion with their advisory committee. I am fearful, Mr. Chairman, that the housing problem will become acute in the District of Columbia. We are already crowded, but with every department and every agency having its own paid advisers, I am fearful that we will have to construct another Pentagon to house them and that we will have to have another public-housing project to take care of them.

Furthermore, Mr. Chairman, I cannot see the necessity of this legislation. So far as I am concerned there is one thing I can get plenty of and get it free, and that is advice. I have a score of people in Texas who make it their business to advise me every day. If I fail to receive a letter from them I feel like I have been slighted. This is the first time that I have heard that there is any scarcity of advice in the city of Washington.

I know that the field of education is important, but I daresay that if you go to the Library of Congress you will find literally thousands of books and pam-

phlets and periodicals dealing with every phase of education.

All that this committee is going to do is travel to Washington and initiate the studies. Of course, they are going to be furnished with some consultants. Frankly, I would like to get a job on an advisory committee. All my life I have wanted to be a consultant or an adviser. I remember one time when I was a young man I thought I was a poet. I wrote a pamphlet of poems. I took the allowance my father gave me and had this pamphlet printed. I sent it to one of my uncles in order to impress him. I got this advice back from him—he said: "I suggest that you take some calomel."

Mr. Chairman, there is an abundance of advice available. If you have $200,000 to spend for education, why not spend it in paying some of the underpaid teachers of this country? What will you accomplish by such a committee?

We are simply establishing another commission. I am surprised; in fact, I am bewildered. I am one of those who have denounced commissions. It was one of the favorite phrases of my political speeches: We are going to stop unnecessary commissions and bureaus in the city of Washington. I am surprised and shocked that my conservative friends would come in here and advocate seriously the establishment of another commission. The town is overrun with them now. Once you establish them, you can never stop them. It simply creates a precedent for the establishment of numerous other commissions and committees.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. It would not be so bad if once in a while they would put a Republican on one of them, would it?

Mr. DIES. The question is, What is a Republican?

Mr. HOFFMAN of Michigan. I think I am one.

Mr. DIES. I think the gentleman is a consistent Republican. I think he ought to be consistent. I do not oppose this legislation because a Republican committee has brought it in, although I am shocked and surprised that those conservatives on both sides of the aisle, who have spoken a hundred times against commissions and bureaus, would come into this House and ask for the establishment of this commission. I do not know whether the Secretary of Education wants it or not, but I can assure the distinguished and capable Secretary of Education that if she wants advice she will not have to pay for it; I can refer her to my clientele and they will furnish her with reams of advice on any subject.

What advice can you get on the matter of delinquency among children? I can tell you what causes delinquency and I am not an expert on it. It is delinquent parents, it is unfavorable circumstances and bad environment. The causes for delinquency among children have been discussed exhaustively, and literally scores of volumes have been written on the subject. Here you propose to allow these committeemen $50 a day and traveling expenses. It will not be long until the city of Washington will be so congested with advisers that it will be difficult for a Member of Congress to go to and from his work.

I submit, Mr. Chairman, in all seriousness, let us stop all this foolishness. When are we going to get fed up with this idea that just because we are elected to public office we have to produce some kind of legislation in order to justify our jobs? You know, the doctors will tell you frankly that about 50 percent of their patients are not seriously ill. They go to a doctor because they are constitutionally below par, and the doctor has to give them some sugar-coated pills, and we, in politics, have come to the time that we think that in order to justify ourselves we have got to introduce a bill and we have got to sponsor some kind of legislation. And we come in with ridiculous measures on the floor of this House at a time when the world is on fire. We talk about foreign policy. There is but one foreign policy that we need, and that is a determination on the part of the free world to stop Communist aggression throughout the world, and the only way you can stop Communist aggression is for the free nations to unite behind a firm policy and tell the Kremlin once and for all, "You are going no further." If you tell them that, you will put an end to Communist aggression without a war provided they are convinced you have the will and means to back up your words. But as long as you vacillate and dillydally and talk double-talk and as long as the Kremlin has no respect for your determination and unity, then they are going to continue to press forward until they gobble up the earth; and, at a time when all of the grave domestic and international questions confront us, we are going to establish an advisory committee at a cost to the taxpayers of $200,000. We do not have any money to pay to increase the salary of a Member of Congress who has 6 or 8 children and who is going behind every month. We are afraid to do that, because that would subject us to criticism, but we can spend $200,000 to enable a lot of people to travel all over the country.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman talked about Congressmen with 6 or 8 children and not making both ends meet. Is there anything personal in that matter?

Mr. DIES. No. My children are grown and, fortunately, I have passed through that period. But I know of Members of this House, may I say to the gentleman, who have large families and who desperately need an increase in salary, and we will not vote it because we are afraid of political reaction, yet we will come in here and literally waste millions of dollars and pay an adviser more money than a Member of Congress gets.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield further for just one more question, and I will quit? The gentleman switched so rapidly in his speech on education to the foreign topic or anticommunism, that he had me bewildered.

Mr. DIES. I do not often get a good audience like this, and I wanted to cover the field.

Mr. HOFFMAN of Michigan. Our Members are accused of not going along. Now, when the Republican Congress seems to be following the President—or while you were out—by establishing so many commissions, you find fault. We cannot please you.

Mr. DIES. I am not partisan. The gentleman knows that.

Mr. HOFFMAN of Michigan. I know.

Mr. DIES. I am interested in legislation solely on the question of whether it is meritorious. If it is good, I do not care whether Mr. Truman sponsored it or Roosevelt or Eisenhower or anyone else, but I am not going to swallow something just because it has been reported by some committee and has been endorsed by some administration.

Mr. McCONNELL. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, I rise in support of the legislation, because, after we have had our sense of humor, we should still get down to the serious business of thinking about the education of the young people of this country. We have had previous commissions that looked into various lines of our activity, both in Government and in private life. This Commission will look into these overall educational policies and subjects. It could be an excellent thing if it would perform some of these investigations and studies that should be made to integrate the various policies and standards over the Nation. It is too much for the individual Secretary to do, and I feel that this Commission and the consequent investigation would be of help to her.

Mr. Chairman, I have several criticisms of the bill. I believe anybody who is of a level that should be put on this Commission as a member should serve free and without pay. I do not believe they should be paid $50 a day from the time they leave home and are traveling until they return home. If we correlate this proposal with the Hoover Commission procedure, we could get people of high enough grade or level that only their expenses need be paid, and they would nevertheless serve for the good of the country. That would be better than a paid commission.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I am happy to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I was just wondering if the gentleman realized that it is estimated that this committee, which has created so much discussion, would meet perhaps 10 times a year, with compensation provided of $50 a day for 9 members. The amount is not very substantial. It is not likely that we are going to be tripping over the members

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of this particular committee. I do not think it is an unreasonable amount. I think a per diem allowance is customary in the case of the Hoover Commission and others that have been set up by the Congress.

Mr. FULTON. Why not just give them their expenses, but include no pay?

Mr. FRELINGHUYSEN. I think that could be done. But I am pointing out that it is not a serious drain on the Treasury. It is a customary sort of recognition of valuable services. It may or may not compensate these people for their loss of time and for their effort.

Mr. FULTON. It would be quite an honor to serve on this committee or commission, for one; and secondly, we have the example of the Hoover Commission. I believe they are not paid.

Mr. FRELINGHUYSEN. It is not my suggestion that capable men would not be willing to serve if they were not paid $50 a day, but I think possibly there has been some exaggeration of the amount that would be involved. Approximately $5,000 a year would be the total cost for the activities of this committee. That does not seem to me to be excessive.

Mr. FULTON. I think the gentleman has made a very good point in answer to the gentleman from Texas [Mr. DIES].

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Illinois.

Mr. MASON. The Manion Commission that is now operating has, among its members, five of the outstanding research men and college presidents of the United States. They get no per diem. All they get is their expenses to attend meetings. I think anyone of the caliber whom we should have on a commission of this kind would be proud to serve without any per diem allowance.

Mr. FULTON. I should like to point out, too, that on the Board of Visitors of the United States Academies, on which many of us have served, neither the Members of Congress nor the private citizen members receive any pay. They get their expenses.

There is another point I should like to raise on the wording of the bill. That is on the use of the word "lay." On page 5 of the bill there is a reference to the advice of a group of "lay persons" who will serve on this commission. I believe in these circumstances the use of the word "lay" is in error or can cause confusion in meaning. There are many meanings of the word "lay." "Lay," the noun, comes from the Celtic and it means song. When it comes from the Gaelic "laoi," it means a poem or a melody. If we take the word "lay" as an adjective, as it is used here, the derivation comes from the Greek "laikos," which means of or from the people. But our No. 1 usage of the adjective, which is therefore a preferred meaning, is: "Of or pertaining to laity as distinct from the clergy; separate from the clergy, separate or apart from the clergy." This is not a good meaning to ascribe to this word under this bill where people in parochial schools may be clergy, and they should certainly be considered in any study of United States education.

The second meaning is belonging to that class in a religious order occupied with domestic or manual work as contrasted with the choir. No. 3 means "not of or from a particular profession." No. 4 is the obsolete term which I hope the gentlemen do not mean, and that is "ignorant, not educated."

I would suggest to the committee an amendment to delete the word "lay," especially in connection with having to do with education, because it might mean that we are eliminating people connected with church of primary or college grade, and I am sure I would not be for that.

Mr. McCONNELL. I would say this in answer to the inquiry of the gentleman from Pennsylvania, that their understanding of what they mean by "lay committee members" would be people not tied in with the educational movement. They would be practical citizens. They might be businessmen. They plan to have members not connected with Congress, not conected with the Federal Government, and not connected with the educational movement itself. Rather, they plan to get the advice of what might be described as a fine, representative type of person not in that field at all in order to get you might say, an objective view of the whole question.

Mr. FULTON. Then why do you not make it more affirmative by striking out the word "lay" and describing the type of person you do want, somebody of general qualifications from the professions or with general characteristics and outside the field of education, and not take the chance, as it might be in connection with this particular bill, of its being confused with the fight on whether secular schools or religious schools are excluded. I think there is a possible confusion that the committee should correct before the bill is passed.

Mr. McCONNELL. As I said, we are trying to get people not absolutely connected in any way with the educational movement itself. They can get advice from educators throughout the United States without having a committee of this sort. As I understand what the Department is trying to do, it is to obtain the advice of representative citizens aside from this particular field.

Mr. FULTON. Would the committee object if I offered an amendment striking the word "lay" and putting in the word "representative," which the gentleman has just mentioned, so it would read, "the advice of a group of representative citizens on the initiation and conduct"?

Mr. McCONNELL. It is agreeable to me, just so it is made clear that it is not in the field of education, to avoid duplication.

Mr. FULTON. You have that on the second page. I believe you have expressly eliminated the people who are to be excepted by language later in the bill.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Illinois.

Mr. YATES. When the chairman speaks about having a committee of nonexperts for the Secretary, does he mean Eisenhower Republicans?

Mr. FULTON. I think the gentleman does not mean that seriously.

Mr. McCONNELL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I should like to say this to the House and my colleagues: I do not understand the sense of humor which has been injected into this whole discussion. If you do not like the idea, it is perfectly proper to vote against it, and I do not think anything of that. However, we are trying to find a method of getting at the problems involved with our large and growing school population.

It might be just answered simply, as the gentleman from Texas said, by providing aid to the school teachers, but there are a lot of people who fear that type of approach. The whole problem here and the whole effort is to find out how to solve a very important problem in this country without violating some very basic concepts.

I do not mean to make any personal attacks or make any personal reference to my good friend from Illinois. I know his interest in this whole field and this problem. The thing I am trying to avoid is our approaching this in a facetious manner. We should take it seriously, the way it is intended.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Illinois.

Mr. YATES. Does not the gentleman agree with me that in a field that requires professional, expert advice such a committee should not be limited to lay persons but rather you should have a committee of experts who can give advice of a nature the Secretary could adopt? I would agree with the gentleman that there are certain types of advice that businessmen are capable of providing, but in the field of education, does not the gentleman believe that if the Secretary needs advice she should have expert, professional advice?

Mr. McCONNELL. I would say this to the gentleman, and it is very much the meat of this whole argument and discussion, that such people are available and they can be reached and are even within the Department itself, experts on education. The thing sought here is to get the advice and opinion at various times throughout the country of representative citizens not necessarily connected with educational matters.

Mr. YATES. I do not understand the theory. When you say, "representative citizens" to offer this type of advice, is this to be in the field of education? Why would the Secretary need a committee of this type to advise her on educational policies?

Mr. McCONNELL. You see there are very many policies involved in this whole matter. They do not contain just educational matters.

Mr. YATES. But this is specifically in the field of education though, is it not?

Mr. McCONNELL. Yes, but the field of education involves many other matters. It involves school buildings. It involves construction and types of materials. It involves business methods for handling situations. It involves relations with labor. It involves migratory

labor problems. There are many other problems besides those that are purely of an educational nature.

Mr. YATES. Is not the gentleman arguing for experts in the field rather than nonexperts?

Mr. McCONNELL. Yes, sir.

Mr. YATES. But they certainly are not lay people.

Mr. McCONNELL. I anticipate that they will be experts in some field, but they are not seeking just to get educational experts.

Mr. YATES. But they are not lay people either, are they?

Mr. McCONNELL. Yes.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. POWELL. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. MILLER].

Mr. MILLER of Kansas. I would like to ask our chairman whether he would be willing to make the change which was suggested by the gentleman from Pennsylvania. That question was raised, and, I believe, it has not been answered—to change the word "lay" to the word "representative."

Mr. McCONNELL. I have no objection to such a change whatever.

Mr. MILLER of Kansas. It seems to me this could be very well decided, and we could get that one objection out of the way and, in my opinion, it would be an improvement.

Mr. McCONNELL. I have no objection.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. POWELL. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. Chairman, I have carefully examined the three proposals in these three separate bills. Yesterday, we passed the bill authorizing cooperative research in education. I assume that in passing it it was our judgment that the Department of Health, Education, and Welfare did know what research was necessary. Having passed that bill, we are now considering a bill to set up a National Advisory Committee to tell the Secretary of that Department what research is necessary. It seems clear to me that if the Secretary is not sure, we should first set up the advisory committee. But, instead of that, we have accepted the proposition that research is necessary. We have authorized the research, and now we are told, "The Secretary does not know what research ought to be carried on." She needs an advisory committee. Next, we are scheduled to take up a bill to provide for a White House Conference to see whether the advisory committee is necessary. I think that the Secretary of Health, Education, and Welfare knows what research is necessary. I think that the White House Conference on Education, can be justified but I do not think any kind of case has been made for establishing a National Advisory Committee on Education.

I have examined the list of suggested research projects that the committee has set forth in these reports, and I must advise the committee that these questions have been under investigation in the graduate schools of this country, and in the departments of education for 20 years or more. We do not need an advisory committee to tell the Secretary of Health, Education, and Welfare that these are problems.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield.

Mr. McCONNELL. I know of the gentleman's sincere interest in this type of problem. I know from past conversations I have had with the gentleman. As I consider this whole matter, I think we could sum it up in this type of statement: That the Health, Education, and Welfare Department, particularly the Office of Education, is seeking to get a completely valid picture of the entire educational situation in America. They are trying to tap every type of approach to the problem in order that it can be met in an intelligent way, and in keeping with our American concept of meeting educational problems.

Mr. McCARTHY. I certainly would credit them with having that purpose in mind. It seems to me if that is the case, they should wait until after the White House conference before setting up the advisory committee.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield.

Mr. BROOKS of Louisiana. I would like to make this observation: That what I am considerably concerned about are provisions for uniformity in the field of education. In other words, anything that would smack of regimentation. We told the people of the United States that we were going to try to bring problems back to the State level. Certainly we want education problems handled on a diverse and not on a uniform level.

Mr. McCARTHY. There may be cause for concern about the proposed National Advisory Committee. The language written into the report on the White House Conference bill at least, however, has this declaration of purpose, that the Federal Government should come into the picture only where the national interest is involved and national leadership and action are necessary. So far as the Advisory Committee on Education is concerned, you do not have that assurance.

Mr. BROOKS of Louisiana. I have always felt that education, and that type of educational work should be more competitive. We should make no effort to cause them to be uniform. I think this effort would destroy our great educational system in the United States.

Mr. McCARTHY. I think that information is available to the Secretary of Health, Education, and Welfare, and that she can easily discover what is the opinion of both professional and lay people regarding our educational problems without this special committee.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCONNELL. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, there has been some levity in connection with this bill. One of the reasons for this, perhaps, is that we are considering three bills separately, but one does supplement the other. They all deal with serious problems in the field of education. This bill, therefore, is in no sense a ridiculous measure, as suggested by the gentleman from Texas. Very definitely it sets up no dangerous precedent. No one can question that we have serious problems in the field of education. These can be and will be met by the three bills up for consideration.

There are a number of acute problems in the field which have not been solved. It is easy enough to ridicule the effectiveness of committees and commissions and to say that we know all the answers. The trouble is that in many fields, as I mentioned yesterday, we do not know the answers. In the field of migrant workers, for example, or with the problem of illiteracy we have real problems. Even with all the educational material available, we still have not come up with adequate national answers.

Several Members on the other side of the aisle have criticized the cost of these programs. Perhaps we should again be reminded of the relatively small amount this country puts forth for the education of our children, as compared with the tremendous military program that we more or less willingly are undertaking. It seems to me highly advisable to go ahead and seek to correct some of these long-standing problems. Only by taking constructive steps such as is represented by this bill can we hope to find adequate answers to these very difficult questions.

Mr. POWELL. Mr. Chairman, I yield the balance of the time on this side to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, I have a deep regard for this Committee on Education and Labor. I take this time to ask the chairman of the Committee, from whom does this request come? Does it come entirely from the Department or does it come spontaneously from the colleges throughout the country? I have not had time to read the hearings.

Mr. McCONNELL. I could not answer that with any assurance of accuracy. Of course, it has come from the Department to us. I understand it has been endorsed by several groups, certain parent-teacher groups, and various educational groups, and some labor groups. That is my understanding. I do not want to mislead the gentleman by making a positive statement, because I do not know.

Mr. DURHAM. That is why I asked the question, because there is so little information on a problem that is so far reaching as this. I asked primarily because I represent several A-grade colleges. I live in a college community, yet I have had no request from anyone for this legislation. Having been familiar with college activity all of my life and having been raised in a college community, I know that the large amount of research and committee work that is carried on by many research foundations is quite amazing and I am sure all this information is available to any Government agency without our necessarily getting into this field.

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Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. McCONNELL. I do not know whether the gentleman was here yesterday when I mentioned the school district that was seeking to lessen the cost of their facilities, the cost of building their structures—they were costing too much. They wrote to various educational groups, but were not able to get an answer. Finally, at the expense of thousands of dollars they hired an outside concern to do their research on the matter. I am hopeful that information will be available in some central place to the rest of the country.

Mr. DURHAM. I think that is a minor thing compared with this broad field of education. Buildings, facilities, and things like that I have no objection to, but when you get into the field of setting up a Federal agency to go into the education of the country I think we should consider the matter seriously before we adopt it.

Mr. McCONNELL. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, it is a pleasure for me to end this debate. It is a tragic shame that partisan politics should have entered into the debate. It puts the objectors to this bill against any constructive aid to education. I would like to take the opportunity to attempt to clarify a few of the points that have been raised on the opposition side.

We tried yesterday to point out that there is no effort in any of the 3 bills that are before the House—the 1 that was passed yesterday as well as the 2 that are to be considered today—to establish any uniformity in our school districts. It is recognized by the administration, by the Department of Health, Education, and Welfare, and, if you want, by the Republican Party which has been brought into the debate, that this is a problem that properly belongs in school districts and in the school districts exclusively.

The gentleman from Texas [Mr. DIES] said that Federal money should be appropriated for the salaries of teachers. I for one would vigorously oppose such a proposition at this time. The Federal Government should not subsidize the teachers through the school districts. I think that is the first step toward Federal interference in the educational field. The control of the teachers would stem down ultimately into the control of the students. I am astonished that a gentleman from the great State of Texas would come forth with such a proposition.

A further suggestion was made that this would be used for the appointment of Eisenhower men to fill these jobs. I know that it is the intent of the President of the United States and the Secretary of Health, Education, and Welfare to appoint the very best men and women possible to this committee irregardless of partisan politics.

I have before me a letter dated May 13, 1954, signed by the Commissioner of Education, Dr. Brownell, from which I quote the following in an attempt to clarify the purpose of this particular proposal:

Its responsibility was set forth as a straightforward, limited, but important job. It is to provide a duly constituted group of lay citizens to: (1) Consider regularly and recommend to the Secretary what among educational problems of national import are the ones that they believe are most in need of thorough study by a task force; (2) to consider and recommend to the Secretary from proposals presented to them what would seem a practical and reasonable plan and budget for such studies; (3) to study and recommend to the Secretary from findings of the completed reports what they as laymen think would be appropriate action on the part of the Secretary. They might recommend wide circulation of the report, for example. They might recommend that the Office of Education add or discontinue service in a field. They might recommend new legislation. But these would be recommendations to the Secretary—not to the Congress, or to the schools, or to the Office of Education directly. If the Secretary agreed with the recommendations it should be the Secretary's responsibility to follow up with provisions for publication, proposing legislation, or adding or discontinuing an Office of Education Service.

This is a good proposal and I hope it passes.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, in order to secure for the Secretary of Health, Education, and Welfare (hereinafter referred to in this act as the "Secretary") the advice of a group of lay persons on the initiation and conduct of studies of problems of national concern in the field of education and on appropriate action as a result thereof, there is hereby established in the Department of Health, Education, and Welfare a National Advisory Committee on Education (hereinafter referred to as the "Committee").

Mr. FULTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FULTON: On page 1, line 5, strike out the words "lay persons" and insert "representative citizens."

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. May I state to the gentleman that I will be pleased as far as our side is concerned to accept the gentleman's amendment.

Mr. FULTON. May I ask the gentlemen on the other side if they have any objection?

Mr. POWELL. I have no interest in that particular phraseology.

Mr. FULTON. Does the gentleman have any objection to the insertion of the amendment that strikes the words "lay persons" and inserts "representative citizens"?

Mr. POWELL. It does not mean anything anyway.

Mr. FULTON. I think there is quite a difference between a person and a citizen.

Mr. POWELL. What does it mean?

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Mr. Chairman, even though the committee accepts it, I want to hear about this amendment, and it will save time if he explains it, because if he does, it may not be necessary for me either to support or oppose it.

Mr. FULTON. Mr. Chairman, the purpose of the amendment is, first, to clear up an ambiguity. The word "lay" is used as an adjective in the bill. The first and accepted meaning in this country of the noun "lay" is derived from the word "laikos," Greek, which means of and from the people, but the derivation has gotten a colloquial slant, so the preferred meaning is "separate and apart from the clergy." I am sure that in educational circles or on educational policies we do not want any meaning that has any reference to the division between lay and clergy. The secondary meaning of the adjective "lay" in the American language is a member of the clergy, that is, belonging to that class in a religious order separate and apart from the choir, meaning manual work. The third meaning is not of or from a particular profession. The fourth meaning, which is obsolete, means actually ignorant. So, if you take any one of those meanings, you are liable to get into some ambiguity. Therefore I want to strike out the word "lay" and use the word "representative."

Then, on the word "persons," that word does not restrict the appointment to citizens. I believe that on an educational commission of 9 of this type that is to recommend policies for the Nation's guidance, that are to be adopted by this department in the United States Government, that whoever makes the recommendation certainly should be required to be a citizen. I wish to ask the gentleman from Michigan whether he does not agree that this commission should be composed of United States citizens and not just persons.

Mr. HOFFMAN of Michigan. Mr. Chairman, I certainly do, but I want to answer the gentleman, if I may, in my own time, and I hope the gentleman will stay here to see how fully I am in accord with his views.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Illinois.

Mr. YATES. After the very erudite explanation the gentleman has given, will he continue and tell the House what he means by "representative citizen"? Representative of what?

Mr. FULTON. "Representative" could be a word that means from the general body of the people as representing the various groups. It would not mean typical of any particular type but broadly representative, such as the gentleman is, I believe, of his Congressional District in Illinois.

Mr. YATES. Is that what the gentleman means, a representative in the sense of a Member of the House representing the people of his district?

Mr. FULTON. Of course not. When I cite an example, I do not mean that it is an elected representative; I mean rather it is a type of person who is broad-

ly representative of the citizenry of this country. As you will note on page 2 of the bill, it specifically excepts various types who might be included in this, and those are, No. 1, "who are not otherwise in office or in the employ of the Federal Government." This means those people who are not elected, so that by the terms themselves, if the gentleman will read the bill, it would exclude anybody in a representative capacity who is elected, such as a Congressman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in support of the amendment and in opposition to the bill.

Mr. Chairman, we have gone along very well for many years without this agency in this Department or in any other department, for that matter. On my own account, I am very sorry that official committee business prevented my presence yesterday. However, I was paired.

The statement the gentleman from Pennsylvania [Mr. FULTON], to whom we just listened, made, is proof, if any is needed, that we do not need any Federal agency or commission to tell us about how we should be educated. We have not had any such agency for lo these many years. Our progress as a people as a Nation has been rapid, and with good results, and yet the gentleman from Pennsylvania came before us and gave an example of the height to which people may develop in the educational field without any such commission. When a man can grow up and demonstrate a degree of learning, such as that which the gentleman from Pennsylvania just gave us, there is no need for any commission, the members of which are to be paid $50 a day, to tell us what we should teach our children, our grandchildren, or our great, great grandchildren. I find in the CONGRESSIONAL RECORD that this bill is 1 of 3, and I refer the Members of the House to page 6467 of yesterday's RECORD, if they are interested.

What is the purpose of the bill? I heard the gentleman from Texas [Mr. DIES] this morning make a very eloquent and a very instructive talk. I go along with his views. The only thing wrong with that talk was that he forgot to say that the Republicans now have fallen into the same error that the Democrats made in years gone by.

I do not know why we have been deceived, but we have been. We have just followed along with too much of their socialism. We picked up where they left off, so far as the creation of commissons and boards is concerned, and the spending of the taxpayers' dollars.

I would be surprised if they did not in their national convention nominate as their candidate the present President of the United States. Then we may have one party engaged in spending the taxpayers' dollars and in socializing the Government; because these three bills are a step in that direction.

I know that the little red schoolhouse was not much to look at, but it turned out some very, very good, capable, patriotic people, did it not? But, you say, we have made progress. Times have changed. Surely, we have, and we have gotten so far ahead of sound self-governing constitutional principles that we are now asking the Federal Government to establish a Commission to tell us what our children and our grandchildren should learn or should be taught.

Next, on the ground that our health will be improved we will be asked to establish a Federal Commission to tell us what to eat and drink, when to go to bed.

Think of it. All we should need to do in the way of education is to read some of the old textbooks. Use a little common sense and good judgment—follow the methods of a Lincoln, of an Edison, of a Henry Ford the first.

We might even go back and consider educating our children and the future generations in the three R's—readin', 'ritin', and 'rithmetic.

I know that some cannot add, and the way, under our national policy, that our national debt keeps piling up, I have the idea that many Members of Congress do not know how to add. Certainly, they and a host of others do not know how to subtract. That is evident, because the debt keeps going up and up.

In every previous session of Congress, the gentleman from Texas said: "We seem possessed to do something." It does not make much difference whether it was or is right or wrong. We do not think much about that; just do something.

We might well on occasion go back to whittling sticks, or sitting in the rocking chair or around the cracker barrel in the old grocery store, if you can find one, discussing the fundamentals upon which this Government was founded. In some ways, we have gone altogether too fast, too far. We have had too much too soon. Frills and frosting have taken the place of substance. We have been taught too many things that are not true.

We act as though by law we could change the rising and setting of the sun, the revolution of the earth. We appear to think we can change nature's laws; that all that needs to be done is to change a bill into an act and we are making progress—we are becoming more liberal. It is a little strange that someone does not introduce a bill declaring that everyone should be happy, contented, and prosperous.

Oh, yes; you get this board and you get a commission in Washington telling you what to teach. It may be if a certain faction or group got back in power again that there would be some Communists here on this board and they would be teaching us all communism.

I would rather rely upon the good, hard common sense and judgment of the people back home to direct their school activities and their educational program than I would on some handpicked—lay or not—people appointed by someone who would be subject to political influence.

Pick a board. Then the students would be learning what the board—not what the people, but what the board—wanted them to learn. Only God could anticipate what that board might think, believe, and insist should be taught. They may even import somebody from abroad, and he might even come from one of the Red countries and tell us what we should teach in our public schools.

What we are giving the people of this country in the 2 bills passed yesterday and this 1 today is a good, big, fat dose of socialism.

It would be amusing and absurd, if it were not so frightening, to note the continued drive to rely upon Washington and its ever increasingly destructive policies for guidance in our local affairs. As has been so often repeated, this is supposed to be a government by the people and for the people.

The New Dealers switched from that thought to the one that the people should be governed from Washington, with its collection of star-gazing, long-haired gentry, special pleaders and advocates of fallacious, discarded policies.

In November of 1952 the people decided that they had had enough of that brand of folly, and they called for a change. They got a change of faces in a few high positions, but the "works" here in Washington and the individuals who operate them, to an amazing degree, remain the same.

Our New Deal friends, under two previous administrations, whooped and yelled for liberal, progressive measures—measures which, in effect, were destructive of constitutional government; measures which were a limitation upon the rights of the citizens—which tried to make our people believe they should not rely upon their own efforts but should come to the public trough and squeal for what they want.

More recently, liberal Republicans, many of whom heretofore opposed measures like the present, now advocate them; conservative Republicans, who should know better, go along because they are told this is a party measure.

The opposition, in the greater part, is left to our Democratic friends, who now support sound, conservative policies in opposition to the so-called liberal, progressive measures which they previously supported.

It is difficult, extremely difficult, for me to understand why policies and proposed legislation which Republicans fought so bitterly for so many years they now accept, even though they give indications that it is not palatable or digestible.

Why, during campaign talk, advocate opposition to socialism, then, when it is sweetened a little, swallow it with apparent pleasure?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The Committee shall be composed of nine members appointed without regard to civil-service laws by the Secretary from among individuals who are not otherwise in office under or in the employ of the Federal Government, one of whom shall be designated by the Secretary as Chairman. Each member shall hold office for a term of 3 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: 3 shall expire with the close

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of the first calendar year which begins after the enactment of this act, 3 shall expire with the close of the second such calendar year, and 3 shall expire with the close of the third such calendar year, as designated by the Secretary at the time of appointment. The Commissioner of Education shall be, ex officio, a nonvoting member of the committee.

Mr. WHEELER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall not require the 5 minutes for which I have been recognized. I simply rise to suggest a possible fatal omission in this whole program. It appears to me that on yesterday we passed a bill which provided for some advisers to the Commissioner of the United States Office of Education. Today we propose in the pending bill to bypass those whom we provided for yesterday, somewhat, and provide for an additional set of advisers to advise the Secretary of the Department. The next bill that is coming up proposes to bypass both of those and go directly with direct advice to the President of the United States. It seems to me there is some doubt abroad on this floor as to whether or not all of these various advisers will get the ear of the President, so I am suggesting in all good faith that perhaps you should have still another bill and provide for a very high-salaried coordinator of all this technical information so that we could be dead sure that it would get to the proper ear.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. The gentleman has made a statement about setting up advisers in yesterday's bill. I would like him to point out to me where in yesterday's bill we have set up advisers.

Mr. WHEELER. You are going to pay some people who are already in the business to do some research and get the information back here to the Commission.

Mr. McCONNELL. I would like the gentleman to point out to me where the advisers were set up in yesterday's bill.

Mr. WHEELER. What is the purpose of the research if you are not going to get any advice?

Mr. McCONNELL. I am afraid the gentleman has not read that bill very thoroughly and has made a statement which is not in keeping with the facts. Knowing the gentleman, I know he would like to have the record accurate.

Mr. WHEELER. I always welcome correction. If I have made a mistake, I stand properly corrected. But the bill as I read it yesterday provided for securing advice, whether you call the furnishers of it advisers or researchers. It also provided that information or advice be provided for the Commissioner of the United States Office of Education. Today we bypass all that advice just for fear it might not be usable, and then we provide that these $50 per diem—or per noctum, as the suggestion was made yesterday—advisers advise the Secretary directly. Now we want to be dead sure that the President gets the advice, so we provide for an additional commission.

Mr. DIES. What does the gentleman think of establishing a board of advisers to advise the advisers?

Mr. WHEELER. I think that would be absolutely germane.

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from California.

Mr. HOLT. Does the gentleman have a solution to take the place of these various suggestions to take care of the shortage of teachers we have in this country?

Mr. WHEELER. I gave my solution yesterday. If you need any advice relative the educational problems of my State, the Empire State of the South, Georgia, that is, then you call—and you can charge it to my telephone call allowance—you call Dr. M. D. Collins, State school superintendent, State capital, Atlanta, Ga., and he will give you more practical advice in 3 minutes than you can get from all of these commissions.

Mr. HOLT. I thank the gentleman. Did he say I may charge it to his account?

Mr. WHEELER. Yes, to my account. That will be gratuitous.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Iowa.

Mr. GROSS. One answer to the shortage of school teachers in this country is to stop recruiting them at the rate of 1,100 per year to ship overseas to teach the children of 181,000 civilian employees and the children of thousands of military personnel. Let us stop meddling all over the world, and spend our money on our teachers and educational system here at home.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. WHEELER. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes in order that I may answer the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WHEELER. Apropos the last highly appreciated suggestion from the distinguished gentleman, I do not know whether I would go along with that suggestion or not, because if I am properly advised the present leadership proposes to reduce appropriations for the vocational education program in this country. While they are proposing to do that, they are sending some of these experts—you know what an expert is—some unadvised person away from home with a brief case.

Mr. GROSS. "Ex" meaning "has been"—plus "spurt" makes an expert.

Mr. WHEELER. I accept the correction. As I was saying, they are sending these so-called experts to Germany, if you please, to teach the Germans the rudiments of vocational education when the history of that program clearly shows that all we originally learned about vocational education, we imported from Germany. Now we are spending tax dollars to send experts back to the Germans to teach them what we learned from them, and at the same time suggesting cutting appropriations for providing vocational educational facilities for American children in this country.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield.

Mr. WAINWRIGHT. The gentleman certainly has supplied the committee with a very intelligent answer to the question proposed by the gentleman from Iowa. I wonder if he would care to comment upon the suggestion of your colleague, the gentleman from Texas [Mr. DIES] that the Federal Government appropriate these funds directly to the schoolteachers.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. I yield.

Mr. DIES. That is a very far-fetched construction of what the gentleman from Texas said. I said if we have $200,000 to waste, the money could be used more profitably to help pay decent salaries to the schoolteachers. I do not advocate a direct appropriation from the Treasury of the United States to our schoolteachers.

Mr. WAINWRIGHT. I am glad that the gentleman can clarify that point.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. YATES. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, some remarks were made a few moments ago about the facetious turn this debate has taken. I think those of us who are looking with a rather jaundiced eye at this bill have a right to be facetious in our appraisal of it. The bill is innocuous. Its purposes are vapid. The gentleman from New York [Mr. WAINWRIGHT] took the floor a few moments ago and in response to a question which I had addressed to the gentleman from Pennsylvania [Mr. McCONNELL] as to whether or not these appointments would be made of Eisenhower Republicans, he stated, "No, that these appointments would be filled by the very best people the President could find."

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. WAINWRIGHT. I beg to correct the gentleman. I did not say "No." I said that they would be filled by the very best people that could be found.

Mr. YATES. I see. Well, I will accept the gentleman's correction for what it is worth. I suppose it is possible that some of the very best people the President can find would be Eisenhower Republicans. I sometimes wonder, however, whether the search should not be extended.

However, let me say to the gentleman that I believe that much of the difficulty in which this administration finds itself in the field of education is attributable to its own fault, and the outward beneficence with which it approaches this problem cannot conceal the harm it committed to the Department of Education by its very drastic cuts in its appropriations. The President has stated that on

human matters he is liberal—on money matters he is conservative. I would suggest that the best intents and purposes mean nothing when the funds necessary to implement them are denied.

The administration's ostensible concern with the state of education in our Nation does not ring consistently with its attitude toward appropriations for the Department of Education. The severe reduction in appropriations approved by the Bureau of the Budget last year and even increased by the action of the majority of the House, wiped out an excellent program which had been laboriously established over many years by the Department and provoked at the same time, the resignation from the Department of one of the country's great educators, Commissioner Earl McGrath. He left charging the Eisenhower administration with destroying the Department of Education. This bill continues that policy. It seeks advice of lay people for the Secretary of the Department, rather than seeking advice of professional educators whose opinions are much more valuable. The advice of businessmen is sound for business problems; it is not sound in a technical field, particularly when the advisers who are selected are interested in limiting funds rather than advancing the best interests of education.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. FRELINGHUYSEN. I would like to enlighten the gentleman. In spite of the lengthy discussion we have had on this bill, it appears necessary to point out that the basic purpose of the bill seems to be misunderstood by some. One of the reasons this bill is being proposed is to make it possible to set up task forces. Those task forces would be the primary place where the educational talent of this country would be used to apply itself to specific problems. It is not in disregard of the suggestions to be made by educators. The National Advisory Committee itself, it is the intention of the department, would not be composed of educators, but the task forces would use such men.

Mr. YATES. Then I say to the gentleman, in that respect this bill duplicates the bill that was passed yesterday, because that bill sets up the machinery for accomplishing the same things that the task forces would accomplish. I am one of many on this side of the House who would support worthy legislation in the interests of education. We supported the first bill that came in yesterday, because we know there are many fields of research and education that are necessary. This is not such a bill. I consider that the province of education is a field that requires expert opinion. Answers will not be found from those who are not expert in the educational field.

The bill that was passed yesterday seeks research and answers in the field of education. Insofar as this bill proposes to establish a task force of representative citizens—and I must say frankly I do not know what the term "representative citizens" means—I think it accomplishes little. I voted for the bill yesterday, and I shall vote for the White House conference set forth in the next bill to be considered. I do not think this bill deserves our support.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hesitate to take the time of the committee at this time. I would like, however, to point out again what I am sure is a misunderstanding of the purpose of the bill which is not intentional on the part of the gentleman from Illinois [Mr. YATES]. But the task force, as I indicated, is not composed of just representative citizens. It is an advisory committee that we are talking about. The task force would be set up with professional educators in it. It is not a duplication of the research activities as proposed in the bill that was passed yesterday. It would supplement it. There are areas which would need specific attention, such as illiteracy. In other words, the two things complement one another. I know it is easy to persuade ourselves that one bill is not needed because we have the other, but the two fields complement each other definitely.

Mr. YATES. Is there any job that could be performed by the task force that could not be performed in the field of research which was authorized in the bill yesterday?

Mr. FRELINGHUYSEN. Presumably there are plenty of areas where a task force would be necessary. Until we have focused attention by the advisory committee and figure out where practical solutions are possible, we are not going to be able to tell what the specific problems are going to be.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to take this opportunity to clarify a statement addressed to me by the gentleman from Illinois [Mr. YATES] that the Eisenhower administration would cripple the Office of Education by cutting the budget in half. I would like to point out to the gentleman that the House in its wisdom found that the Office of Education could be operated for one-half the budget of the preceding administration, and so acted accordingly.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Georgia.

Mr. WHEELER. I would like to ask the author of the bill if he would have any serious objection to an amendment to this bill providing for an adviser to the adviser?

Mr. FRELINGHUYSEN. I assume the gentleman's question is rhetorical or facetious. I would oppose such an amendment.

Mr. WHEELER. No. It is in all seriousness.

Mr. FRELINGHUYSEN. I would oppose such an amendment. We have a practical and reasonable bill before us.

Mr. McCONNELL. Mr. Chairman, there is another point to be brought out, and I would like to ask the gentleman from Illinois a question, on account of his interest in education. If from this bill there were stricken out the money requirements, would the gentleman then favor the appointment of such a committee?

Mr. YATES. I would not, sir, because I do not know quite what the intention and purposes of such a committee of representative citizens are. That is the reason I would not support this bill even if the money provisions were stricken out; although I will say to the gentleman that as a member of the subcommittee on appropriations which grants funds to committees of the type proposed in this bill I have seen committees come in again and again for more funds for the purposes for which they were originally set up and they had not yet seen an end to their task.

Mr. McCONNELL. I suggest that if we strike out the money requirements that this is then put virtually on a voluntary basis. Would the gentleman then be in favor of such a national advisory committee?

Mr. YATES. I would say to my friend that I am in favor of having committees of experts attack the educational problem. I do not believe the phrase "committee of representative citizens" is the same—at least it is not the same in my opinion as "committee of experts."

Mr. McCONNELL. I would like to clarify that. My reason for the desire for clarification here was because of fear engendered by the definition of the term "lay." I understood it to mean someone not an expert in the particular field, such as aviation. But I also understand it has a religious designation which I wish to get away from. I do not want that injected in any way into this problem.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the distinguished majority leader.

Mr. HALLECK. I take it, then, that the gentleman from Illinois does not disdain all experts. That was evidenced just a moment ago by some of the remarks that were made in respect to experts.

Mr. YATES. I have no disdain for experts; as a matter of fact I believe many of the difficulties in which the present administration finds itself is attributable to its apparent disdain for experts, and I think it about time that the executive branch paid some attention to intellectuals and experts.

Mr. MOSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, my opposition to this bill lies in the fact that I can imagine no benefit which would accrue to education through the creation of a commission either of lay or expert members to act in an advisory capacity to the Secretary of Health, Education, and Welfare. I am confident that within the staffs employed by the Department, at least by the Office of Education, we have all of the technical expertness necessary to do an adequate job of analyzing the great accumulation of research material on almost every conceivable problem of

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education, material which has been accumulated over the years.

I see in this proposal a diffusion of responsibility which could only add to the conflicts in attempting to arrive at a policy on the part of the Secretary and on the part of the Commissioner of Education.

I know from my own experience that there are citizens' committees, lay committees, if you choose, national in scope, dealing with almost every problem that you can think of in the field of education. Those committees have done excellent jobs on National, State and district problems of education. Their advice is readily available to the Commissioner of Education or to the Secretary of the Department. I know that their work over the years has contributed materially to the improvement of educational standards in the United States. But I know that the basic problems of education are not going to be solved by diffusing still further the responsibility for policy. That is a responsibility which the administration assumed when it took office a year ago last January 20. It is the responsibility which cannot be granted to anyone but the Secretary and the administration. At least we know what the problems of education are today. There is not a director of education in any State in this Nation who could not very readily in answer to a telephone inquiry give a complete résumé of the problems of education in his State.

There is an area of need for additional assistance in meeting those problems, and the opportunities to provide some of that assistance but it cannot be met through indiscriminate cuts in budget proposals which have been recommended from time to time not only on the part of the administration but also in the House itself.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Inasmuch as the gentleman is from California, I wonder if he can tell me how his State handles the problem of adequate education for migrant children?

Mr. MOSS. How do we handle the problem?

Mr. FRELINGHUYSEN. How do you handle it; yes.

Mr. MOSS. If there is a Federal responsibility for the migrant children we look to the Federal Government for some assistance; then our own local districts with emergency assistance from the State above the regular average daily attendance allocations provides the funds to assist the local districts in meeting the problem.

Mr. FRELINGHUYSEN. Is that a problem which the gentleman's State thinks can be handled adequately by itself?

Mr. MOSS. We have recommended to the Office of Education the scope of aid we feel is necessary from the Federal Government to meet our needs.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from New York.

Mr. WAINWRIGHT. Is the gentleman opposed to the Secretary of Health, Education, and Welfare or the Director of Office of Education receiving advice in this field on the many problems we do not need to go into here from representative groups?

Mr. MOSS. No; I think that is an excellent idea, but we do not have to by statute create an advisory commission. There are many already available to supply any information the Secretary or the Commissioner of Education might desire.

Mr. WAINWRIGHT. One of the needs for statute at this particular time is that there may be someone from the gentleman's State of California come to Washington. They would have to have funds to have their traveling expenses paid.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. Moss, and by unanimous consent, he was allowed to proceed for 5 additional minutes.)

Mr. MOSS. Mr. Chairman, in reply to the question of the gentleman from New York, may I say that I spent 4 years as a member of the education committee in the lower house of the California State Legislature during a period of very rapid growth and very complex problems involving not only education but the many other problems facing our Nation's most rapidly growing State. I know that to the extent we depended upon study commissions, to the extent we diffused responsibility for decision, we did not have decision, and I am fearful of the same thing if we resort to that policy in the field of education at the Federal level. As for reimbursement for travel expenses—those officials of my State department of Education who have business in Washington in the interest of my State have no difficulty securing approval of necessary travel orders by the State itself. This legislation would not change that in any way—it would only cover members of the new commission.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Minnesota.

Mr. McCARTHY. I think we should point out to the Members who are concerned about the problem of educating the children of migratory farm labor that that whole problem was reviewed in the Presidential Commission's report on migratory farm labor published in 1950, so that we do have available all the information we need with regard to that problem. What is lacking is some action.

Mr. MOSS. I agree with the gentleman. I can think of no problem in connection with education in any part of this Nation that has not been studied and studied and studied again and current material is available to the Commissioner of Education if he but seeks it. Action is what is needed, not the delay which would automatically develop by the creation of yet another study or advisory body.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from California.

Mr. HAGEN of California. I know the gentleman has had a great deal of practical experience in connection with the subject of education and is, perhaps, one of the best informed men here on the subject. As I understand the function of this group, it is for the experts to educate the lay committee and thereby clothe their opinions with respect and validity. Does not the gentleman think that is of value?

Mr. MOSS. I quite agree that the lay committee or the citizen's committee would have to seek the advice of a team of technicians either from the present staff of the Department or from staffs which they themselves would hire; but I can see no practical benefits from the proposed committee to be created by this legislation. By the time the Advisory Committee informed itself of the current facts another year or two will have passed with nothing of value accomplished.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Illinois.

Mr. YATES. Does not the gentleman believe that the $200,000 provided in this bill would serve the interests of education much better if it were added to the budget for the Department of Education itself rather than for the creation of such a committee?

Mr. MOSS. I do not think anyone would seriously question that.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Texas.

Mr. DIES. I want to compliment the gentleman for making a very fine, constructive statement on this subject.

Mr. MOSS. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk read as follows:

SEC. 3. The Committee shall meet at the call of the Secretary, but not less often than three times each calendar year.

SEC. 4. The Committee shall, from time to time, recommend to the Secretary the initiation of studies of national concern in the field of education. Consultants may be appointed without regard to civil-service laws to assist in the conduct of such studies. The Committee shall propose to the Secretary appropriate action indicated by such studies and shall also, from time to time, advise the Secretary on the progress being made in carrying out its recommendations.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 3 after line 5 insert a new sentence to read: "The Committee shall report annually to the House and Senate Committees on Education and Labor."

Mr. McCONNELL. Mr. Chairman, if the gentleman will yield, I can say on behalf of our side that we are quite willing to accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. Members of the Committee, while traveling to or from or attending meetings

of the Committee, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 3, line 6, strike out all of section 5 and insert: "SEC. 5. Members of the Committee while traveling to or from or attending meetings of the Committee shall be paid travel expenses."

Mr. McCONNELL. Mr. Chairman, if the gentleman will yield, on behalf of the committee on our side, I will accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this act, including expenses of professional, clerical, and stenographic assistance, and such appropriations shall be available for services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a).

With the following committee amendment:

Page 3, line 15, after "sums", insert "not to exceed $200,000 in any fiscal year."

The committee amendment was agreed to.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 3, line 13, strike out section 6.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Indiana.

Mr. HALLECK. The only expense, I understand, would be travel expense that would be involved and, of course, that would be a relatively small amount, and that whatever expense there would be in that regard would come out of the general fund of the department.

Mr. POWELL. That is right; all funds expended for this purpose would come out of the Department of Health, Education, and Welfare.

Mr. Chairman, I would like to thank the chairman of our committee for his cooperation in my two amendments which have been accepted: first, the amendment which gives this Congress some control over this advisory body if this bill becomes law. That amendment was originally proposed by my colleague, the ranking member on the minority side [Mr. BARDEN], in committee hearings.

The second one is the amendment which strikes out the $50 per diem for members of the advisory body. I think we are all in agreement on that; that people who are going to serve on this 9-man group would serve for the honor and the distinction and would not want to be rewarded by pay.

This final and third amendment is to strike out all the appropriations. The committee would then be a function of the Department of Health, Education, and Welfare, a regular function, to be paid for out of its budget.

Furthermore, as was brought out in the discussion, any advice that this committee initiates and recommends can be carried out under the bill that we passed yesterday which set up a cooperative research group with a budget of $400,000.

I do not see why we need to add more money to the expenses of this department. An advisory body does not need this money. To me it will mean just more people on the payroll, more squandering of the taxpayers' money. If we are here for an economy session of Congress, let us have an economy session.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the distinguished chairman.

Mr. McCONNELL. As with the former provisions which the gentleman has proposed as amendments, I can see a great deal of merit in his proposal; and, so far as I am concerned, I accept the amendment.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment. The reason I ask for recognition at this time is, as I understood the colloquy between the majority leader and the gentleman from New York [Mr. POWELL] it was that if this section were stricken from the bill, and if the bill became law, this $200,000 would come out of the regular funds of the Department of Education.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. HALLECK. Of course the amount would not be $200,000; it could not possibly be that figure, because that included the estimated per diem. The per diem item is now out. All that would be left would be the travel expenses which might be incurred during the year by the members of this group.

Mr. FOGARTY. Whether it is $100,000 or $150,000, it does not make any difference, because the Secretary of the Department of Health, Education, and Welfare has already justified her budget for 1955. I hope it is not the intent of Congress now to say, if this bill passes, that she is to find that $100,000, or whatever the amount is, in the funds that she already has at the present time, because if we are going to do that we are, in effect, saying that we are going to cut $100,000 or $150,000 out of the regular funds of the Department of Education in order to take care of the bill we are proposing to pass here today.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. FOGARTY. I yield.

Mr. HALLECK. It is true, as I understand, that the estimate has been made, and, I take it has been submitted to the committee. Can the gentleman tell us whether or not those figures have been finally fixed by the committee?

Mr. FOGARTY. They have not.

Mr. HALLECK. Would it not be possible before final action is had to make provision to take care of any fair estimate of what this cost may be?

Mr. FOGARTY. It could be done, but that has not been the policy of the Appropriations Committee; it never has been, unless they get an estimate from the Bureau of the Budget.

Mr. HALLECK. Of course, if the language were different from that which the gentleman from New York has proposed, I take it it would simply indicate that any necessary funds for travel expenses would be authorized. But if the language were in that form, it would still contemplate action by the Committee on Appropriations.

Mr. FOGARTY. I should like it understood that if this bill passes, with this section deleted, the Secretary of the Department of Health, Education, and Welfare would go through the ordinary channels, before the Bureau of the Budget and then have the Bureau of the Budget submit an estimate to the Appropriations Committee justifying the expenditure of any funds that this bill may entail.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, first of all may I say that I think this amendment is proper because whatever expense would be involved in the item of travel can be provided for before we act on the measure. As it stands, certainly the passage of this measure is not going to be any serious drain on the Federal Treasury, and that ought to mean some measure of satisfaction to everyone.

I should like to make another observation: Some of my colleagues have had a lot of fun this afternoon speaking of this bill and some of its provisions and undertaking to heap certain ridicule on it, but may I just say that, first of all, this is one of three measures that have been recommended by the administration, and I take it after very considerable and careful study, trying to deal in some measure, at least, with the great problem of education that confronts us in this great country of ours.

The problems of education are great. I am sure no one here will minimize them. As I interpret it, there are some here who are way over on one side, and for them the only answer to the problems of education in this country is that we appropriate billions and billions of dollars in direct Federal aid to education, that we appropriate billions and billions for building schoolhouses and doing a lot of other things. Then on the other side there are some who just apparently would want nothing done at all, possibly even go so far as to ignore the very obvious fact that we do have problems.

The fact that controversy rages in the country as to what we ought to do to meet the problems of education is illustrated by a cartoon appearing in one of the Washington papers this morning. It had the caption, "The kids want to come in to school. Well, you'll have to wait 2 or 3 years before you can go to school."

We do have these problems. All I am saying is simply this: Here is an added method that I happen to believe might well give us some of the sound answers

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that we so badly need. If it has any promise in that direction, certainly it ought to be adopted. It is, I think, as simple as that, and I think the measure would provide a useful purpose.

I do not know whether this in conjunction with other measures that will be adopted will be effective generally to solve the problems. I do not know if what we are trying to do would be wrecked if this bill were not adopted. But again may I say to you that it cannot do violence to anyone's convictions. It is not going to cost any money to speak of as it is set up. I believe we can get competent, able people to assist us in solving these problems. If this holds some promise of helping us, then I say, as the bill has presently been amended, let us pass the bill and find out what may be accomplished by it.

Mr. WINSTEAD. Mr. Chairman, I rise in opposition to the amendment unless I can get some clarification.

I understand we have nine members on this commission, and it has been estimated, I believe, that 12 days would be the maximum number of days per annum they would meet. At $50 a day, that would be $5,400. What about these consultants, these assistants? Are they eliminated in this amendment? If we are going to pass this bill, we will have to provide these expenses, because the recommendations of the administration through the Bureau of the Budget would almost wreck the Department of Education with the reductions that have been made. How would this be financed? I would like for someone to tell us that.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. HALLECK. The Committee on Appropriations has not reported in respect to the funds for the Department of Education for the next fiscal year. I do not think we can assume that the Department is going to be wrecked in its operation.

Mr. WINSTEAD. The only point I make is this. As far as I am concerned, I am against the bill. I am not trying to raise an issue. I have opposed this type legislation as a Democrat for the past 12 years. I am opposed to creating bureaus, committees, and commissions, and the hiring of additional personnel who would make studies and surveys that are completely useless and unnecessary and, in many instances, detrimental. I have some background and knowledge of educational problems. There is more information today in every State of the Union than you could stack up here in Washington, and it is more authentic information than you are going to get out of this type legislation, and it will not cost the Federal Government anything to obtain it. If we are going to raise the budget request in the Committee on Appropriations, as suggested by Mr. HALLECK, it should be for vocational education and other necessities. I would like to point out that any expenses for this legislation will have to be appropriated later. Let us not go to sleep and pass this bill, not knowing all that is involved.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. DIES. The House has already stricken from the bill any provision for compensation. The only thing left in the bill is the creation of an advisory committee. What is to keep the Secretary from acting on her own responsibility and setting up an advisory committee? Why do we have to pass legislation authorizing her to do that?

Mr. WINSTEAD. The Secretary could set this commission up without this legislation if the members are to serve without compensation.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. POWELL. You see, what I have done in my amendment is to cut out all of section 6, which includes all of the consultants and stenographic assistants.

Mr. WINSTEAD. Your amendment cuts this entire section out?

Mr. POWELL. The whole section has been cut out.

Mr. WINSTEAD. In other words, there is no possibility of employing all these consultants and stenographic assistants.

Mr. POWELL. No, indeed; not one.

Mr. WINSTEAD. This provides for travel expenses only?

Mr. POWELL. The advisory committee serves with only the traveling expenses being paid, and they will report to the Congress of the United States and the Secretary of Health, Education, and Welfare.

Mr. WINSTEAD. Have you any idea how many trips they will make and how much the cost would amount to?

Mr. POWELL. I do not know, but I know that it will be less than the traveling expenses plus the $50 per day.

Mr. WINSTEAD. I believe you have made an improvement on that score.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. McCORMACK. I would like to ask the gentleman from New York a question. With the adoption of your amendment striking out the $50 per diem, and with the adoption of the other amendment, and assuming that this amendment is adopted, then there is nothing left in the bill but what the Secretary herself could do under the organic law; is that not correct?

Mr. POWELL. That is absolutely correct. The Secretary could have done that in the very beginning.

Mr. McCORMACK. We are passing a bill covering a matter which an organic law already covers.

Mr. WINSTEAD. If the amendment is adopted, then the law is unnecessary, because the authority already exists.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know the membership on the floor of the House is very restless this afternoon. But, it just occurred to me that perhaps the reason the House is taking all the time this afternoon to pass a bill which means nothing and which will have no effect whatsoever because, as the gentleman from Texas [Mr. DIES] just said, the Secretary of the Department of Health, Education, and Welfare could very easily get advisers without the House taking all this time this afternoon to pass upon a piece of useless legislation. Perhaps it might be a good thing for some of the Members to pay some attention to this waste of time, because it shows a lack of a program on the part of the administration leaders, this compelling of Members to spend so much time on a piece of useless legislation. It shows a lack of planning. I hope the leadership of the majority will take that into consideration, and in the future not have us be here all afternoon devoting many hours to matters of no account or purpose, and take up some important subjects, of which there are plenty, and which should be resolved. I know that then the House and the country would be much better off.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. HAYS of Ohio. That is pretty much in keeping with what one of our most responsible newspapers in the country said in their edition of either yesterday or this morning, when it called this department "the department of very little health, hardly any education, and not much welfare," and this bill goes right along with that observation.

Mr. EBERHARTER. There is plenty of information in the files now as to what should be done with the problem of education. This resolution before us is just a matter of making an alibi for lack of action in a field where there is vital need of immediate and positive action.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'KONSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7434) to establish a National Advisory Committee on Education, pursuant to House Resolution 532, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any of the amendments? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. POWELL) there were—ayes 79, noes 78.

Mr. POWELL. Mr. Speaker, I demand tellers.

Mr. BROWN of Ohio. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 179, nays 157, not voting 98, as follows:

[Roll No. 72]

YEAS—179

Adair	Gamble	Miller, N. Y.
Allen, Calif.	George	Morano
Andersen, H. Carl	Golden	Moulder
	Goodwin	Natcher
Andresen, August H.	Gubser	Nelson
	Hagen, Calif.	Nicholson
Angell	Hagen, Minn.	Oakman
Arends	Hale	O'Konski
Auchincloss	Halleck	Osmers
Ayres	Hand	Ostertag
Baker	Harden	Perkins
Bates	Harrison, Nebr.	Pfost
Belcher	Harrison, Wyo.	Pillion
Bender	Harvey	Poff
Bennett, Mich.	Hays, Ark.	Powell
Bentley	Heselton	Prouty
Betts	Hess	Radwan
Bishop	Hiestandt	Ray
Boland	Hill	Reams
Bolton, Frances P.	Hillelson	Reece, Tenn.
	Hillings	Reed, N. Y.
Bolton, Oliver P.	Hinshaw	Rees, Kans.
	Hoeven	Rhodes, Ariz.
Bonin	Holmes	Riehlman
Bramblett	Holt	Robsion, Ky.
Bray	Hope	Rogers, Colo.
Brown, Ohio	Horan	Rogers, Mass.
Broyhill	Hosmer	Sadlak
Budge	Howell	St. George
Burdick	Hruska	Saylor
Busbey	Hunter	Schenck
Bush	Hyde	Scott
Byrnes, Wis.	Jackson	Scrivner
Canfield	Javits	Scudder
Cannon	Jenkins	Selly-Brown
Cederberg	Jensen	Sieminski
Chenoweth	Johnson, Calif.	Simpson, Ill.
Chiperfield	Jonas, Ill.	Simpson, Pa.
Church	Kean	Small
Cole, Mo.	Kearns	Springer
Coon	Keating	Stauffer
Cotton	Kersten, Wis.	Taber
Crumpacker	Kilburn	Talle
Cunningham	King, Pa.	Tollefson
Curtis, Mass.	Knox	Utt
Curtis, Nebr.	LeCompte	Van Zandt
Dague	Lipscomb	Vorys
Davis, Wis.	Lovre	Vursell
Dawson, Utah	McConnell	Wainwright
Devereux	McCulloch	Wampler
D'Ewart	McDonough	Warburton
Dolliver	McGregor	Westland
Dondero	McIntire	Wharton
Dorn, N. Y.	McVey	Widnall
Ellsworth	Mack, Wash.	Wigglesworth
Fino	Mailliard	Williams, N. J.
Fogarty	Meader	Williams, N. Y.
Forand	Merrow	Wolcott
Ford	Metcalf	Wolverton
Frelinghuysen	Miller, Kans.	Young
Fulton	Miller, Md.	Younger

NAYS—157

Abbitt	Donovan	Kirwan
Abernethy	Dorn, S. C.	Kluczynski
Addonizio	Dowdy	Laird
Alexander	Durham	Landrum
Andrews	Eberharter	Lane
Aspinall	Edmondson	Lanham
Battle	Evins	Lantaff
Beamer	Feighan	Latham
Becker	Fernandez	Lesinski
Bennett, Fla.	Fisher	Long
Blatnik	Forrester	McCarthy
Boggs	Fountain	McCormack
Boiling	Frazier	McMillan
Bonner	Gary	Machrowicz
Bosch	Gathings	Mack, Ill.
Boykin	Gentry	Magnuson
Brooks, La.	Gordon	Mahon
Brooks, Tex.	Gross	Marshall
Brown, Ga.	Gwinn	Mason
Brownson	Haley	Matthews
Buchanan	Hardy	Merrill
Burleson	Harris	Miller, Calif.
Byrne, Pa.	Harrison, Va.	Miller, Nebr.
Campbell	Hays, Ohio	Mills
Carnahan	Hébert	Moss
Celler	Hoffman, Mich.	Multer
Colmer	Holtzman	Murray
Condon	Ikard	Neal
Cooper	Jarman	Norblad
Crosser	Johnson, Wis.	Norrell
Davis, Ga.	Jonas, N. C.	O'Brien, Ill.
Dawson, Ill.	Jones, Ala.	O'Brien, Mich.
Delaney	Jones, Mo.	O'Brien, N. Y.
Dempsey	Jones, N. C.	O'Hara, Ill.
Derounian	Karsten, Mo.	O'Hara, Minn.
Dies	Kilday	Passman
Patman	Rooney	Van Pelt
Patten	Selden	Vinson
Pilcher	Shafer	Walter
Poage	Short	Watts
Polk	Sikes	Wheeler
Price	Smith, Kans.	Whitten
Priest	Smith, Miss.	Wickersham
Rabaut	Smith, Wis.	Wier
Rains	Spence	Williams, Miss.
Rayburn	Steed	Willis
Regan	Sullivan	Winstead
Riley	Thomas	Withrow
Rivers	Thompson, La.	Yates
Robeson, Va.	Thompson, Tex.	Yorty
Rodino	Thornberry	Zablocki
Rogers, Fla.	Trimble	
Rogers, Tex.	Tuck	

NOT VOTING—98

Albert	Elliott	Morgan
Allen, Ill.	Engle	Morrison
Ashmore	Fallon	Mumma
Bailey	Fenton	O'Neill
Barden	Fine	Patterson
Barrett	Friedel	Pelly
Bentsen	Garmatz	Philbin
Berry	Gavin	Phillips
Bow	Graham	Preston
Bowler	Granahan	Reed, Ill.
Buckley	Grant	Rhodes, Pa.
Byrd	Green	Richards
Camp	Gregory	Roberts
Carlyle	Hart	Roosevelt
Carrigg	Heller	Scherer
Chatham	Herlong	Secrest
Chelf	Hoffman, Ill.	Sheehan
Chudoff	Holifield	Shelley
Clardy	James	Sheppard
Clevenger	Judd	Shuford
Cole, N. Y.	Kearney	Smith, Va.
Cooley	Kee	Staggers
Corbett	Kelley, Pa.	Stringfellow
Coudert	Kelly, N. Y.	Sutton
Cretella	Keogh	Taylor
Curtis, Mo.	King, Calif.	Teague
Davis, Tenn.	Klein	Thompson, Mich.
Deane	Krueger	
Dingell	Lucas	Velde
Dodd	Lyle	Weichel
Dollinger	Madden	Wilson, Calif.
Donohue	Martin, Iowa	Wilson, Ind.
Doyle	Mollohan	Wilson, Tex.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Graham for, with Mr. Herlong against.

Mr. Velde for, with Mr. Hart against.

Mr. Reed of Illinois for, with Mr. Camp against.

Mr. Gavin for, with Mr. Klein against.

Mr. Cretella for, with Mrs. Kelly of New York against.

Mr. Coudert for, with Mr. Keogh against.

Mr. Pelly for, with Mr. Shuford against.

Miss Thompson of Michigan for, with Mr. Roosevelt against.

Mr. Taylor for, with Mr. Garmatz against.

Mr. Stringfellow for, with Mr. Fallon against.

Mr. Sheehan for, with Mr. Friedel against.

Mr. Allen of Illinois for, with Mr. Fine against.

Mr. Carrigg for, with Mr. Byrd against.

Mr. Clevenger for, with Mrs. Kee against.

Mr. Corbett for, with Mr. Dollinger against.

Mr. Martin of Iowa for, with Mr. Mollohan against.

Mr. Fenton for, with Mr. Staggers against.

Mr. Scherer for, with Mr. Heller against.

Mr. James for, with Mr. Bailey against.

Mr. Judd for, with Mr. Chatham against.

Mr. Kearney for, with Mr. Deane against.

Mr. Mumma for, with Mr. Buckley against.

Mr. Patterson for, with Mr. Morrison against.

Mr. Clardy for, with Mr. Preston against.

Mr. Bow for, with Mr. Rhodes of Pennsylvania against.

Mr. Krueger for, with Mr. Secrest against.

Mr. Phillips for, with Mr. King of California against.

Mr. Berry for, with Mr. Green against.

Mr. Hoffman of Illinois for, with Mr. Granahan against.

Mr. Weichel for, with Mr. Barrett against.

Mr. Wilson of Indiana for, with Mr. Chudoff against.

Mr. Wilson of California for, with Mr. Sheppard against.

Mr. Curtis of Missouri for, with Mr. Dodd against.

Mr. Cole of New York for, with Mr. Ashmore against.

Mr. KNOX changed his vote from "nay" to "yea."

Mr. GEORGE changed his vote from "nay" to "yea."

Mr. D'EWART changed his vote from "nay" to "yea."

Mr. JONAS of Illinois changed his vote from "nay" to "yea."

Mr. HOLIFIELD. Mr. Speaker, must Members qualify on this vote?

The SPEAKER. Members must qualify.

Mr. HOLIFIELD. Mr. Speaker, I regret that I cannot qualify, but had I been present, I would have voted "no."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I would like to announce the program for next week. We had scheduled another one of these bills from the Committee on Education and Labor for this week, but, in view of the lateness of the hour, I think we should forego that until next week.

On Monday, the Consent Calendar will be called.

On Tuesday, the Private Calendar will be called.

On Tuesday, the primaries are being held in the State of Pennsylvania and, of course, under our practice, we will undertake to protect the situation here on that day.

For Wednesday and the balance of the week, we shall first call up the other bill which was scheduled for this week, the bill reported from the Committee on Education and Labor. If rules are granted, the bill H. R. 7664, the so-called Priest Rapids development; H. R. 7815, the Cougar Dam and Reservoir bill; and if the bill is reported and a rule is granted, the bill H. R. 8726, the military public works authorization bill, will be taken up.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZING THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until

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Monday next the clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CBS TELEVISION MORNING SHOW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, tomorrow morning, CBS in its Morning Show as conducted by Announcer Walter Cronkite will show excerpts from the review given by the congressional secretaries last week, Revisin' and Extendin'.

The Morning Show originates in New York and is a network program beginning at 7 o'clock and running for 2 hours. The pickup of the secretaries' part of the show will be made here in Washington and go on at 8:18 a. m.

I would recommend that you be just a little late in your coming to your office tomorrow morning in order that you might see members of your staff perform to a nationwide audience—8:18 tomorrow on CBS.

SPECIAL ORDER GRANTED

Mr. PILLION. Mr. Speaker, I ask unanimous consent that the special order granted me today may be vacated and that I may address the House on Monday next for 30 minutes, following the legislative business of the day and any special orders heretofore entered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE HONORABLE CLYDE R. HOEY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, on yesterday when remarks were made about the late Senator from North Carolina [Mr. HOEY], I was not present. I do desire, however, to say a word about the services and character of Senator HOEY.

I have known Senator HOEY a long time. I knew him when he was making a great Governor of the great State of North Carolina, and North Carolina has had many great governors.

He came to the Senate where he impressed everyone with his sincerity and his high character and great ability. I wish to express to the family of Senator HOEY my deepest sympathy and to say that I do not think there ever served in the Congress, in either branch, a man of higher character or a finer American gentleman than Senator HOEY.

WASHINGTON METROPOLITAN AREA TRANSIT ACT

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. KEARNS, Mr. BROYHILL, and Mr. DAVIS of Georgia.

ROCK CREEK PARK

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. JOHNSON] is recognized for 10 minutes.

Mr. JOHNSON of California. Mr. Speaker, Rock Creek Park, thousands of acres of nature as it was stretching through the heart of the Nation's capital city and far into Maryland, is a national as well as local prize and possession. I have been glad to note the expressions of concern among my colleagues respecting the future of this great park, the likes of which is possessed by no other city in the world. And I am delighted to note how the present threat to the future of that park has been accepted as a national as well as local issue.

The Atlantic Naturalist of April 1954, a publication of the Audubon Society, carries a revealing article written by Maj. Gen. U. S. Grant 3d, one of America's leading and best known conservationists, on the subject of the proposal to construct a great arterial expressway into the heart of Washington through Rock Creek Park. The highway planners would there take a 200-foot right-of-way upon which to build a great 6-lane limited-access highway. The article by General Grant is entitled "Shall We Be the Destroyers?" That there may be acquaintance with the highway threat to this great park I include at this point four paragraphs of the article:

THE ROCK CREEK FREEWAY

The District Commissioners also proposed a four-lane divided freeway through Rock Creek Park from the Rock Creek and Potomac Parkway at Connecticut Avenue to the District line. It has been asserted by the Engineer Commissioner that, because the northern part of the highway would be near the western edge of the park, which is not used by people in automobiles (the only ones who matter, apparently), this routing would do no appreciable harm to the park. Actually, such a swath 200 to 300 feet in width, with its fast traffic cutting down through the wooded hills would sever the park as effectively as a canyon several thousand feet deep. It would also, through the necessary grading operations, destroy the forested and natural character of the park for the greater part of its length. To the south, where the park narrows below Military Road, the hills would have to be cut back to make room for the freeway. The rare scenic gorge of Rock Creek would be mutilated to the point of destruction.

Back in the 1890's, Congress bought the 1,600 acres of the Rock Creek Valley for the enjoyment and recreation of the people. The foresighted and wise citizens, among them Mr. Charles Glover and Senator Newlands, who urged this purchase foresaw the need of the growing city for this oasis of natural beauty and quiet. Washington has been the envy of other cities, even other nations, who lack so unparalleled a park. Thousands of people seek retreat and recreation within its boundaries, along the streams or trails. Many of our people cannot make trips to national parks or other comparable parts of the country. This highway proposal would deprive them of a rare opportunity to enjoy and study the wonders of the natural community only a few steps from the city streets. Farseeing statesmen in Congress and leading citizens of Washington believed they had secured us this privilege for all time.

The highway engineers, who seem to feel that any park is just vacant ground to be leveled for freeways, will tell you not to worry now about this project, because it is in the second phase of the program and perhaps 10 years in the future. But the urgency is due to the agreement they have made with the Maryland State Roads Commission, who plan to bring route 240 down through the extension of Rock Creek Park in Maryland to the District line, with the District authorities to build the rest of the freeway through Rock Creek Park. If route 240 gets to the District line it will be a practical impossibility to stop it there, with no place to go. It will be much too late for us to rally to the defense of the park then. The threat must be met now, in Maryland. Their highway authorities are laying out route 240 now. Those who wish to help save the park should join the organized group of Marylanders now fighting the extension of route 240, or any freeway use of Rock Creek Park. Do not be misled by any euphuistic name which the highway project may be given.

It must also be pointed out that the traffic which would be brought to the Rock Creek and Potomac Parkway at Connecticut Avenue by this new construction could not be absorbed by that road, already carrying full capacity during rush hours. So the plan is to parallel the existing parkway, which has been designed to preserve all possible park values, with another so-called parkway of equal size. This would be largely on the east bank of the stream, and its grading and the necessary cutting back of the valley walls would reduce the lower park to little more than a solid concrete expanse. The doubled flow of traffic would necessitate the plan to fill in the Potomac around the Lincoln Memorial and into West Potomac Park. Our Highway Department, if it cannot effect this invasion of the memorial area and the park by the E Street Bridge project will thus try to force it by turning into the parkway this volume of traffic from Maryland and the north. If both projects come to pass, the congestion would be intolerable.

There must be some sympathy with those who look upon this plan to desecrate Rock Creek Park as downright insanity. The future of this great park

and recreation area in the heart of the city was thought to be secure, as secure as is Central Park in New York. Members of Congress who created the original park and those who attended its extension into Maryland thought they were making it secure for the advantage of all generations who enjoyed the beautiful city of Washington and had access to this extensive park and recreational area.

But the challenge being what it is, it may become necessary for Congress to amend existing law and strengthen the hands, public and private, that had the courage, forethought, and foresight essential to the creation and extension of Rock Creek Park in times when its possession by the public could be had for so insignificant a part of what would be the cost today of these thousands of acres within its confines, a park reaching through the entire National Capital from the Potomac far north into Maryland. Today it is a prize and possession impossible of replacement.

Existing law seems to me to be quite sufficient to forbid the use of Rock Creek Park for such purposes as the District of Columbia and Maryland highway authorities have in mind. The language of the Capper-Cramton Act of 1930 would seem clearly to preclude the possibility of desecrating this great possession with an expressway such as is proposed. But should existing pressures which are brought to bear bring a contrary opinion and decision, then we must be ready here in Congress to respond with the more specific language which would definitely accomplish preservation of the purposes which the authors of the act had in mind 25 years ago when Rock Creek Park was extended beyond the Maryland-District border.

Anyone at all acquainted with Rock Creek Park is aware of the ever-increasing need for its existence, and at once ready to pay tribute to those of another century who made its existence possible as a public recreation area and for general park purposes. It is used by thousands. Its use by the people grows each year. It has been splendidly developed, and added development is planned as needs grow. It has become for some, indeed, many people, their only acquaintance with nature in its original state, It is the most accessible and popular riding ground in or near any city. It is a bird sanctuary extraordinary. To build a 200 foot right-of-way expressway into this area would be the complete undoing of this greatest park in any city anywhere in the world. We ought to see to it that the park is preserved, certainly free of anything as needless and harmful as the proposed expressway would be.

Like many others, I continue with growing admiration for those who saw to the setting aside of these thousands of acres of park before a growing city would consume it and deny its availability to the public, and at the same time contributing to the beauty and attractiveness of the Nation's Capital. This admiration existed in these halls back in 1930 when it was deemed advisable to extend the park in keeping with the growth of the city. The legislative act making this prized extension of Rock Creek Park possible became known as the Capper-Cramton Act. The House Member who had most to do with this at the time was Representative Louis C. Cramton. We are all glad to know that, though long since retired from the House, he is still, in his advanced years, a very live and active participant in the politics of Michigan, and, I believe, a present member of the State legislature. The law his leadership created, the reports and statements that accompanied it, and the general atmosphere attending the consideration, all make clear that at that time Rock Creek Park extended, like the main body of the original park, was intended for use as park and recreation area. There was mention in the act as well of parkways. A parkway then was Beach and other drives located in the park. Certainly there was no thought at that time that 6 lanes of concrete atop a 200-foot right-of-way, a speedway, an expressway or highway of this type could ever qualify as a parkway under the terms of the Capper-Cramton Act.

Yet highway and some planning agencies are daring to assume today that their limited-access Highway 240 or other like highways can use Rock Creek Park if only it is called a parkway. This may appear as a folly to some, but the truth is that the fate of Rock Creek Park on a determination of the merit of that contention.

How far such use of Rock Creek Park was from the mind of our colleague of 24 years ago, the author of the Capper-Cramton Act, is best revealed in a letter written last September 4 by Mr. Cramton to the American Planning and Civic Association, a letter moved by his discovery of the expressway plans. This letter has been incorporated in the minutes of the National Capital Planning Commission. The letter is so descriptive of the purpose of Rock Creek Park, and so revealing of his unhappiness with the highway threat, that I want every Member of Congress to hear and read it. It follows:

LAPEER, MICH., *September 4, 1953.*

Miss HARLEAN JAMES,
Secretary, American Planning and Civic Association, Union Trust Building, Washington, D. C.

MY DEAR MISS JAMES: I have recently received that portion of the Washington Post of August 2, 1953, outlining the proposed desecration, or rather destruction, of Rock Creek Park by usurping that scenic and recreation area to superhighway and speedway use.

It appears that that scenic area preeminent in the scheme of the Nation for a Capital world famous for its beauty is to become simply an avenue for the ever-mounting streams of traffic. If that should happen the people of this Nation will never cease to condemn the blind foolishness of its promoters. And this tragic sacrifice of nature enjoyment to speed would but increase the traffic and parking problems it is offered to relieve.

I desire through you to record my indignant protest against any such utilization of the greatest scenic asset of the Nation's Capital. Having had an active part in the drafting and enacting of the Capper-Cramton Act of May 29, 1930, under which the Rock Creek Park extension into Maryland came about some comments by me may be of interest.

When I spoke at some length in support of that proposed legislation on January 30, 1930, I began by saying:

"I desire at this time to talk of certain great assets of the National Capital that are above price, are threatened with destruction and must be preserved."

That was the great purpose of the Capper-Cramton Act.

At that time it was said in an editorial in the New York Times (I think Nicholas Roosevelt was the writer) "that this country may well boast that no other capital so happily boasts natural and artificial glories."

Chief Justice William Howard Taft wrote some years before that:

"The capital of no other nation approaches it (Washington) in the beauty of its situation."

When we were drafting that bill we were seeking the preservation and proper utilization of those great scenic advantages of our capital. And it was realized that with the spreading of the Nation from ocean to ocean that capital has gone far outside the very limited District of Columbia lines.

Following Rock Creek through the park at that time we very soon came to the end of the protected park area. The scenic character of the creek surroundings then continued for miles into Maryland but the imminent development of that Maryland region not only threatened those scenic values but in the development of that area for home building the pollution and the very destruction of Rock Creek in the District park area was threatened. With the cutting down of trees and the installation of artificial drainage the sources of that stream were even then being diminished. Extension of the park into Maryland was highly essential. And the Maryland planning authorities of that time appreciated that such park development would greatly benefit Maryland.

To save for the Nation those scenic assets above price the act then opened the way for the Federal and Maryland cooperation that extended the Rock Creek scenic and recreational area for miles into Maryland. The result has been the wonderful Rock Creek area of today.

Four million five hundred thousand dollars was authorized to be appropriated, one-third of that to be the Federal contribution, two-thirds to be loaned to Maryland planning authority without interest. Thus the early purchase of the lands undeveloped was made possible, the cost later to be met from adjacent residential lands.

This initiative and financial cooperation by the Federal Government was for a very definite national purpose—the preservation of the scenic beauties and recreational possibilities of the Nation's capital area. The very title of that act relates to "acquisition of the lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the national capital."

I recall with appreciation the cordial and effective cooperation of Governor Ritchie and the Maryland planners of 1928 and 1929. And the objective of all was park areas, not high-speed turnpikes.

The present program of Maryland highway planners reminds me of the dog in ancient fable who was crossing on the log over a stream and carrying home a luscious meat parcel. Seeing in the water a dog with a large parcel he let go of his own in reaching for the reflection. He gained nothing, lost all.

I hope no such loss does come to the Nation. With my best wishes to you, I remain,

Yours sincerely,

LOUIS C. CRAMTON.

The possibility of need for amendment to the Capper-Cramton Act to preserve Rock Creek Park is dependent upon

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court construction of the language, and particularly the word "parkway" as used in the act. The challenge of the right to use the park for the expressways proposed is brought in the Federal court by aroused communities in Maryland in which over 4,000 residents have protested the highway plan through petitions addressed to all authorities. These people have been joined in their protest by many communities in the District of Columbia. There is a general rallying to the preservation of Rock Creek Park, represented by the formal opposition of such organizations as the American Planning and Civic Association, the Committee of 100 for the Federal City, the national organizations such as the Isaac Walton League, the Audubon Society and more than 20 other conservation organizations. School boards in Montgomery County, women's clubs and many other organizations have declared their opposition to the highway proposals. I feel that we here in Congress can well afford to keep an eye on the subject and be ready to act quickly if legislative action is required. The present and future generations have a right to look to us for preservation of this great park and recreation advantage now enjoyed in the Nation's Capital.

I neglected to say that the Secretary of the Interior and the Director of the National Park Service have voiced their opposition to the use of Rock Creek Park to other purposes than those to which the park is dedicated.

It distresses me to note the coldness with which highway authorities look upon existing public resources. To them, it seems, everything must give way to their superhighway dreams. In their threat to Rock Creek Park they insist that there is imperative need for additional arterial highways into Washington, that the park is the logical route for such an expressway as they would build therein. They insist that such an expressway is not the only answer possible to the congestion of traffic in Washington.

It seems to me that a speedway down through Rock Creek Park would, in addition to ruining the park, only add further to the traffic congestion downtown and that the authorities might better devote their energies to the improvement of existing facilities.

All cities are up against the same traffic problems. Here and there we find developing a decidedly realistic approach to the solution of the problems. This new approach is evidenced by the Saturday Evening Post editorial which follows my remarks, reciting that expressways do not untangle the traffic jams of a city. The American Transit Association recently heard four top traffic experts, including New York Traffic Commissioner Wiley, boldly strike at the lone cause of city traffic congestion. The report of this in the New York Herald Tribune, presents a story of that daring approach, an approach to which planning and highway authorities in this Washington area might well devote some thought before they reach out and destroy so exceptional a resource as Rock Creek Park is recognized to be.

EQUALIZATION OF BENEFITS BILL

The SPEAKER. Under the previous order of the House, the gentleman from Missouri [Mr. COLE] is recognized for 1 hour.

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, to include the bill in its entirety, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, on May 10 I introduced legislation that has been designated as H. R. 9066, a bill to provide benefits for members of the Reserve components of the armed services who suffer disability or death incident to active duty, active duty for training, or inactive-duty training, and for other purposes. It is set forth in full at this point.

H. R. 9066

A bill to provide benefits for members of Reserve components of the armed services who suffer disability or death incident to active duty, active duty for training, or inactive-duty training, and for other purposes.

Be it enacted, etc.—

DEFINITION

SECTION 1. The Armed Forces of the United States are the Regular and Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard when operating with the Navy. The Reserve components are: (a) The National Guard of the United States, (b) the Army Reserve, (c) the Naval Reserve, (d) the Marine Corps Reserve, (e) the Air National Guard of the United States, (f) the Air Force Reserve, and (g) the Coast Guard Reserve.

CORRESPONDENCE COURSES

SEC. 2. That for the purposes of this act, the Servicemen's Indemnity Act of 1951 (65 Stat. 33), as amended, and the Missing Persons Act of 1942 (56 Stat. 143), as amended, work or study performed by a member of a Reserve component in connection with correspondence courses of the Armed Forces of the United States shall not be deemed inactive-duty training.

INJURY OR DISEASE

SEC 3. (a) Any member of a Reserve component of the Armed Forces of the United States and any member of the Army without component or of the Air Force without component who—

(1) suffers injury, or contracts disease or aggravates a preexisting injury or disease in line of duty while on active duty or active duty for training, with or without pay, for an indefinite period or for a period in excess of 30 days pursuant to induction, call, or order, or while traveling to or from such duty, or to or from place of physical examination incident to such duty; or

(2) suffers injury or aggravates a preexisting injury in line of duty while on active duty or active duty for training, with or without pay, for a period of 30 days or less, pursuant to call or order, or while engaged in inactive-duty training, with or without pay, or while traveling to or from such active duty or active duty for training, or to or from place of physical examination incident to such duty, or while traveling to or from inactive-duty training by Government vehicle or aircraft; or by other authorized mode of transportation,

shall, under such regulations as the President may prescribe, be entitled, at Government expense, to such hospitalization, rehospitalization, medical and surgical care, as is necessary for the appropriate treatment of such injury or disease, or aggravation of a preexisting injury or disease, until the disability resulting from such injury or disease cannot be materially improved by further hospitalization or treatment. Any such member may be ordered to or retained on active duty for the purpose of hospitalization or rehospitalization or medical and surgical care, in hospital or at home, under this subsection and while on such active duty and while traveling to and from such duty shall be entitled to pay and allowances, including travel and transportation allowances, as provided by law, except that no such member shall be ordered to active duty pursuant to this subsection subsequent to his retirement (permanent or temporary) or his discharge. Any such member hospitalized under the provisions of this section 3 shall be deemed to have been ordered to or retained on active duty regardless of whether orders to that effect have actually been issued.

(b) Any member of a Reserve component of the Armed Forces of the United States who contracts a disease or aggravates a preexisting disease in line of duty while on active duty or active duty for training, with or without pay, for a period of 30 days or less, or while traveling to or from such duty, shall be entitled to all of the rights, privileges, and benefits provided by subsection (a) of this section 3, except that such member shall not be entitled thereunder to pay and allowances or a continuation thereof for more than an aggregate of 6 months after the termination of the prescribed period of duty during which he contracted or aggravated such disease.

(c) Any member of a Reserve component of the Armed Forces of the United States who contracts a disease or aggravates a preexisting disease while engaged in inactive duty for training, with or without pay, or while traveling to or from such duty by Government vehicle or aircraft, or by other authorized mode of transportation, may, under such regulations as the President may prescribe and in the discretion of such authority as he may designate by such regulations, be furnished emergency medical and hospital care.

(d) Any member of the Armed Forces of the United States who suffers injury or contracts disease or aggravates a preexisting injury or disease while serving on, or traveling to or from, active duty or active duty for training, with or without pay, or who suffers injury or aggravates a preexisting injury while engaged in inactive-duty training, with or without pay, or while traveling to or from such inactive-duty training by Government vehicle or aircraft, or by other authorized mode of transportation, may, under such regulations as the President may prescribe and in the discretion of such authority as may be designated by such regulations, be furnished hospitalization, rehospitalization, medical and surgical care, in hospital or at home, so long as necessary, with reference to line-of-duty status.

(e) Any member of the Armed Forces of the United States hospitalized or rehospitalized under the provisions of this section 3 who is not entitled to pay and allowances during such periods of hospitalization or rehospitalization, shall be entitled to subsistence at Government expense.

(f) The provisions of this section 3 shall be effective from August 14, 1945, but no back pay or allowances shall be held to have accrued, and no reimbursement of expenses shall be made for any period prior to August 14, 1945.

DEATH AND DISABILITY

SEC. 4. (a) Any member of a Reserve component of the Armed Forces of the United States, and any member of the Army without

component or the Air Force without component who—

(1) suffers death or disability in line of duty from injury or disease or aggravation of a preexisting injury or disease while on active duty or active duty for training, with or without pay, for an indefinite period or for a period in excess of 30 days pursuant to induction, call, or order, or while traveling to or from such duty, or to or from place of physical examination incident to such duty; or

(2) suffers death or disability in line of duty from injury or aggravation of a preexisting injury while on active duty or active duty for training, with or without pay, for a period of 30 days or less pursuant to call or order, or while engaged in inactive-duty training, with or without pay, or while traveling to or from such active duty or active duty for training, or to or from place of physical examination incident to such duty, or while traveling to or from such inactive-duty training by Government vehicle or aircraft;

shall be deemed to have been in the active military or naval service during such period and he and his beneficiaries (or dependents) shall be, in all respects, entitled to receive (1) the same pensions, compensation, and death gratuity as are now or may hereafter be provided by law or regulations for officers, warrant officers, nurses, and enlisted men of corresponding grades and length of service of the Regular Army, Navy, Air Force, Marine Corps, or Coast Guard; and (2) retirement pay for physical disability as provided by law or laws in effect prior to October 1, 1949, for officers, warrant officers, nurses, and enlisted men of corresponding grades and length of service of the Regular Army, Navy, Air Force, Marine Corps, or Coast Guard, if determination of entitlement to such retirement pay is made as of a date prior to October 1, 1949; or retirement pay for physical disability as provided in the Career Compensation Act of 1949, as amended, if determination of entitlement is made as of a date after September 30, 1949.

(b) The provisions of this section 4 shall be effective from August 14, 1945. In the case of persons electing to receive the benefits of this section 4, the amount of any monetary benefits already received for any period subsequent to August 14, 1945, under any provision of law providing benefits for disability or death incident to the service described in subsection (a) of this section 4 shall be deducted from the monetary benefits provided by this section.

SEC. 5. (a) The portion of the act of June 4, 1920 (41 Stat. 812), at pages 824 and 825 of volume 41 of the Statutes at Large consisting of the second paragraph appearing under the heading "Bureau of Supplies and Accounts," subhead "Pay of the Navy," as amended, is further amended by striking ", not the result of his or her own misconduct."

(b) The act of May 12, 1930 (ch. 243, 46 Stat. 268), as amended, is further amended by striking "and not as a result of their own misconduct," and "not the result of their own misconduct."

(c) Section 1 of the act of December 17, 1919 (ch. 6, 41 Stat. 367), as amended, is further amended by striking ", not the result of his own misconduct,".

(d) The death gratuity authorized by section 5 of this act shall be payable without reference to line-of-duty status in the case of deaths occurring after the date of enactment of this act.

(e) The provisions of section 5 of this act shall be applicable only with respect to deaths occurring after the date of its enactment.

CAREER COMPENSATION ACT

SEC. 6. (a) The first proviso of subsection (e) of section 201 of the Career Compensation Act of 1949 (63 Stat. 807), as amended, is amended to read as follows: "*Provided*, That in accordance with regulations prescribed by the President, in the case of members of the uniformed services called or ordered to extended active duty, full-time training duty or other full-time duty, in excess of 30 days, such duty shall include the time required to perform travel from home to first duty station and from last duty station to home by the mode of transportation authorized in orders for such members."

(b) Clause (1) of subsection (a) and clause (1) of subsection (b) of section 402 of the Career Compensation Act of 1949 (63 Stat. 816), as amended, are amended by inserting ", full-time training duty or other full-time duty" after "active duty" where it appears in each such clause.

(c) Clause (4) of subsection (a) of section 402 of the Career Compensation Act of 1949 (63 Stat. 816) as amended, is amended by striking out "active" and inserting in lieu thereof "such" and by inserting before the semicolon at the end thereof the following: "or of travel to or from such duty."

(d) Clause (4) of subsection (c) of section 402 of the Career Compensation Act of 1949 (63 Stat. 817) as amended, is further amended by inserting before the semicolon at the end thereof the following: "or was incurred while performing authorized travel to or from such duty other than inactive-duty training, or to or from the place of physical examination incident to such duty, other than inactive-duty training."

(e) Subsection (i) of section 402 of the Career Compensation Act of 1949 (63 Stat. 820), as amended, is further amended to read as follows:

"(i) All members of the Reserve components heretofore or hereafter retired or granted retirement pay or discharged because of physical disability shall be entitled to the same pay, rights, benefits, and privileges provided by law or regulation for retired members of the Regular services."

"(f) The amendments made by this section 6 shall be effective from October 1, 1949. A member or former member of a Reserve component of the uniformed services discharged or released from active duty or full-time training duty or other full-time duty prior to the date of enactment of this act shall be considered, for the purposes of section 402 of the Career Compensation Act of 1949, to be a member of a Reserve component of the uniformed services entitled to receive basic pay.

SEC. 7. (a) Clause (1) of the first sentence of subsection 303 (a) of the Career Compensation Act of 1949 (63 Stat. 813) is amended by inserting before the comma at the end thereof the words "or, in the case of members of the Reserve components or retired members of the uniformed services, when ordered from this homes to temporary duty away from home, other than for training, for such special purposes as the Secretary concerned may designate or when ordered from temporary duty to such duty."

(b) Subsection 302 (b) of the Career Compensation Act of 1949 (63 Stat. 813) is amended by adding thereto the following sentence: "The limitation of this subsection shall not apply to a member of the uniformed services without dependents who is serving on active duty, full-time training, or other full-time duty under orders which specify that such duty shall be for a period of not less than 14 days, exclusive of travel time, and not in excess of 3 months."

PAY READJUSTMENT ACT

SEC. 8. Paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368), as amended, is amended to read as follows: "The retired pay of any officer of the Armed Forces of the United States, including the Reserve component thereof, who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, heretofore or hereafter retired under any provision of law, shall, unless such officer is entitled to retired pay of a higher grade, be 75 percent of the active duty pay of his rank and length of service at the time of retirement."

SERVICE SCHOOL TIME

SEC. 9. Notwithstanding any other provision of law, all service performed as a cadet at the United States Military Academy pursuant to an appointment made prior to August 24, 1912, and all service performed as a midshipman in the United States Navy pursuant to an appointment made prior to March 4, 1913, shall be credited in determining the amount of retirement pay, including longevity pay, to which officers in the Reserve components of the Armed Forces of the United States may be entitled under any provision of law.

SERVICEMEN'S INDEMNITY ACT

SEC. 10. The second proviso of section 2 of the Servicemen's Indemnity Act of 1951 (65 Stat. 34) is amended to read as follows: "*Provided further*, That a member of a Reserve component shall be deemed to be in active service for the purposes of this act while engaged in active duty and active-training duty, including periods of authorized travel to and from such duty, or while engaged in inactive-duty training, including periods of authorized travel to and from such training if such travel is by Government vehicle or aircraft, or other authorized mode of transportation, except that inactive-duty training, including authorized travel by Government vehicle or aircraft, or other authorized mode of transportation, to and from such training, shall be deemed active service for the purpose hereof only if it is determined by the cognizant Secretary that in all probability the death would not have occurred but for the performance of such inactive-duty training." Said determination by the cognizant Secretary shall be final and conclusive.

MISSING PERSONS ACT

SEC. 11. Section 2 of the Missing Persons Act (56 Stat. 143), as amended (58 Stat. 679), is further amended by inserting after the words "active service" therein the words ", or is performing full-time training duty, other full-time duty, or inactive-duty training."

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

SEC. 12. Section 106 of the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1178), as added by section 4 of the act of October 6, 1942 (56 Stat. 770), is amended to read as follows:

"SEC. 106. Any person who has been ordered to report for induction under the Selective Training and Service Act of 1940, as amended, or under the Universal Training and Service Act, as amended, shall be entitled to the relief and benefits accorded persons in military service under articles I, II, and III of this act during the period beginning on the date of receipt of such order and ending on the date upon which such person reports for induction; and any member of any Reserve component of the Armed Forces of the United States who is called or ordered to report for military service of the United States for an indefinite period or for a continuous period in excess of 30 days shall be entitled to such relief and benefits during the period beginning on the date of receipt of such order or beginning on that date which is 60 days prior to the reporting date specified in such order, whichever is later, and ending on the date upon which he reports for such service."

SEC. 13. The following laws or parts of laws are repealed:

(a) The last proviso of section 1 of the act of August 30, 1935 (49 Stat. 1028), as amended (10 U. S. C. 456).

(b) The third and fourth provisos of section 304 of the Naval Reserve Act of 1938 (52 Stat. 181), as amended (34 U. S. C. 855c).

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(c) The act of July 15, 1939 (ch. 282, 53 Stat. 1042), as amended (10 U. S. C. 455e).

(d) The act of June 15, 1936 (49 Stat. 1507; 10 U. S. C. 455a, 455b, 455c, 455f) except insofar as it relates to members of the Reserve Officers' Training Corps and members of the Citizens' Military Training Camps and except for the burial benefits granted therein.

(e) Section 4 of the Naval Aviation Personnel Act of 1940 (54 Stat. 864), as amended (34 U. S. C. 855c–1).

(f) Sections 3, 4, 5, and 6 of the act of June 20, 1949 (63 Stat. 202; 10 U. S. C. 456–1, 456–2; 32 U. S. C. 160a, 160b, 160c; 34 U. S. C. 855c–3, 855c–4).

SEC. 14. Nothing in this act shall be construed to deny any person of any right, privilege, or benefit to which he is entitled by law on the day immediately preceding the date of enactment of this act.

SEC. 15. Appropriations currently available for pay and allowances, retirement pay, or other benefits authorized under this act, shall be available for retroactive payments.

SEC. 16. This act may be cited as the "Equalization of Benefits Act of 1954."

Mr. Speaker, as this is a much needed equalization of benefits bill for the members of the Reserve components of our armed services, and is quite comprehensive in its provisions, I have requested this time in order to explain it to my colleagues in the House. Therefore, I respectfully submit the following explanation:

First. Preamble: The proposed legislation cited as the equalization of benefits bill, 1954 has for its objective, as the title imports, the equalization of benefits received by members of the Armed Forces of the United States and the elimination of adverse interpretations of the intent of the Congress expressed in the existing laws on the subjects covered by this bill. This bill is a composite of S. 1914, the Senate committee print—February 25, 1954—H. R. 1223, and H. R. 5778, and attains the objective by combining the pertinent laws and rewording them where necessary. Except where noted herein, this bill should not materially increase the cost of administration originally anticipated by the Congress when it enacted the laws affected by this bill.

DEFINITION

Second. Section 1: The provisions of this bill do not mention or apply to any one of the uniformed services separately and exclusively. Section 1 unifies them all under the generic name of the Armed Forces of the United States. And it is intended that all members of the uniformed services, without distinction or discrimination, who belong to the components listed in the definition of the Armed Forces of the United States be given the benefit of those provisions which are applicable to their circumstances and qualifications.

CORRESPONDENCE COURSES

Third. Section 2: This section 2 relieves the Government of liability for any physical mishap which may befall a member of the Armed Forces of the United States while he or she is working on a correspondence course sponsored by any of the components of the Department of Defense. Ordinarily such work is done at home, that is to say—on private property not subject to Government jurisdiction or control. Obviously, no liability should be fastened on the Government in such cases.

INJURY, ETC.

Fourth. (a) Section 3 and section 4: These two sections consolidate under the Armed Forces of the United States the existing laws on the same subjects which now apply specifically to the several services. Appropriate repeals are made in section 13.

(b) Section 3 deals with injury and disease, and section 4 with disability and death. A clear conception of the composition of these two sections can be readily had by noting the following related grouping:

As to physical condition: Injury, disease, disability, death.

As to kind of duty: Active, active duty for training, inactive-duty training.

As to duration: Indefinite or more than 30 days, 30 days or less, periodic—for example, weekly drills at armories, and so forth.

These two sections make appropriate groupings of these several categories and fix the degree of liability of the Government accordingly.

(c) Travel which is directly connected with the three kinds of duty is more adequately covered in this bill than in existing laws.

(d) Section 3 (b): The 6-months limitation on pay and allowances now contained in the act of June 15, 1936, applies to this category of hospitalized Reserves. This section 3 (b) is somewhat broader than existing authority to hospitalize Reserves which, although permitting hospitalization for an unlimited period of time so long as improvement is possible, limits the payment of active-duty pay and allowances to a period of 6 months after termination of the prescribed tour of active duty or training. Authority to hospitalize Naval and Marine Corps Reserves under section 304 of the Naval Reserve Act of 1938, as amended—Title 34, United States Code, section 855c—is considerably more limited.

(e) Section 3 (d) provides general authority which is similar to that contained at the present time in the act of July 15, 1939, as amended—Title 10, United States Code, section 455e—with respect to the Army and Air Force, to furnish hospitalization and medical treatment to all members of the Armed Forces of the United States without reference to line-of-duty status.

(f) The practical effect of section 3 (f) is to permit hospitalization of Reserves for diseases contracted, or the aggravation thereof, resulting from service subsequent to August 14, 1945, and prior to the enactment of this bill.

(g) Section 4 (a) reenacts and extends the benefits of Public Law 108, 81st Congress, to members of the Coast Guard Reserve and extends the periods of coverage provided by that act to include authorized travel to and from the prescribed types of duty, except inactive-duty training unless transportation to and from this type of training is by Government vehicle or aircraft, or by other authorized mode of transportation. This subsection 4 (a) also specifically authorizes such benefits for Reserves called or ordered to active duty for training in excess of 30 days. The reasons for reenacting the authority contained in Public Law 108 are to eliminate ambiguities which result from the later enactment of the Career Compensation Act of 1949, and to clarify and simplify the language of the act.

(h) Section 4 (b) makes the effective date of Public Law 108, 81st Congress, applicable to the section, and reenacts the limitations of Public Law 108 relating to back pay, allowances, et cetera.

Fourth. Section 5 strikes out misconduct of a deceased member of the Armed Forces of the United States as penalty now imposed by the several acts mentioned on the beneficiary of the gratuity. This change is desirable for two reasons—

(i) Whether death of the member was actually due to misconduct is often a borderline question which cannot be answered with finality. It is estimated that the cost to the Government to investigate and attempt to make a determination exceeds the death gratuity. Hence, the Government will save money by disregarding this contingency and paying the death gratuity.

(ii) It is most inequitable to penalize the dependent beneficiaries of the death gratuity for a cause of death beyond their control.

CAREER COMPENSATION ACT

Fifth. (a) Subsection 6 (a) amends the Career Compensation Act of 1949 to include within the basic provisions of title II of that act members of the Reserve components called or ordered to active duty, full-time training duty, or other full-time duty in excess of 30 days during the time required to travel from home to first duty station and from last duty station to home.

(b) Subsection 6 (b), (c), (d) extend the disability benefit provisions of subsections (a), (b), and (c) of section 402 in title IV of that act to include Reserves called or ordered to active duty for training in excess of 30 days and to include within the periods of coverage authorized travel to and from active duty, full-time training duty, or other full-time duty.

(c) Subsection 7 (a) amends section 303 (a) of the Career Compensation Act of 1949 (37 U. S. C. 253 (a)) to authorize members of the Armed Forces of the United States per diem allowances when away from their homes on temporary active duty for special purposes. Again, a hardship exists with respect to this relatively small group of Reserves who at the present time receive no per diem allowance when called to temporary active duty for short periods. An example of the type of inequitable situation which this provision is intended to rectify is the case of a Reserve member of the Reserve Forces Policy Board of the Department of Defense who is ordered to active duty in Washington where the Board meets. Such a person is authorized no per diem allowance, whereas a member of the Board who is a Regular is authorized such an allowance when ordered to Washington for the same temporary duty away from his permanent station.

(d) Subsection 7 (b) amends section 302 (b) of the Career Compensation Act of 1949 (37 U. S. C. 252 (b)) to permit payment of quarters allowance to members of the Armed Forces of the United States without dependents on active duty or training duty periods of not less than 14 days or more than 3 months. Because the training station of such a person is considered to be his permanent station, such persons are not now entitled to basic allowance for quarters. Thus they are placed in a position of having to maintain two living establishments—the military one and the civilian one—during this relatively short period of time. It is the purpose of this provision to rectify this situation which exists with respect to this single group of Reserves.

(e) Subsection 6 (e) amends section 402 (i) of the Career Compensation Act of 1949 by adding the words "or discharged." This amendment will, in accordance with current policies, more nearly equalize the benefits for disabled enlisted personnel of the Reserve components. At present, the benefits accruing to enlisted personnel, discharged for physical disability and subsequently retired are restricted to disability compensation and hospitalization at veterans' hospitals with no Army hospital or medical service for themselves and none for their dependents. Officers retired for physical disability are entitled to such benefits at Army or Navy hospitals. It is believed that Congress intends to require medical service for all retired personnel who have been disabled in line of duty alike. Unless this amendment is adopted, further discrimination will continue between discharged enlisted members of the Reserve components and the officers and enlisted men of the Regular services separated for physical disability. This actually is only clarifying language, but experience has indicated that it should be written into law to prevent misinterpretation.

PAY READJUSTMENT ACT

Sixth. (a) Section 8 (a): This section is paragraph 4, section 15 of the Pay Readjustment Act of 1942—Fifty-sixth United States Statutes at Large, pages 359, 368—reworded to accord with the terminology of this bill and to state in unmistakable language the intent which the Congress expressed in 1942 and reiterated in 1949. It does not enlarge the scope of the 1942 or 1949 acts with respect to Reserve officers with World War I service. It does enlarge the scope of the 1942 act with respect to a few Regular Navy, Marine Corps, and possibly Coast Guard officers with World War I service who retired under the 1938 act—Fifty-second United States Statutes at Large, page 944—between 1938 and 1942 with less than 30 years' service. A review of the hearings on S. 2025 before the House Committee on Military Affairs, April 15, 1942, shows conclusively that these few Regular officers were inadvertently left out by striking the words "heretofore or" from the provision as originally offered by Commander Hopwood, United States Navy. They are unquestionably entitled to be included, and its enactment will correct a long-standing inequity. A more detailed explanation of this section is contained in appendix A.

(b) It has been suggested—see S. 1330—that a minimum number of qualifying years of active duty be inserted in paragraph 4, section 15 of the 1942 act. The inequity and illegality of such an amendment is discussed in appendix B.

SERVICE SCHOOL TIME

Seventh. (a) Section 9 (a): This section incorporates S. 1174 and H. R. 546 now pending in the present Congress, and which passed the Senate in the 82d Congress.

(b) In a letter under date of January 25, 1954, addressed to the Honorable DEWEY SHORT, chairman, Committee on Armed Services, House of Representatives, the Department of the Army on behalf of the Department of Defense expressed opposition to the enactment of the bills now included in section 9. This opposition is based on two arguments—(i) and (ii) below—neither of which is valid.

(i) Under the provision of the act of June 10, 1922 (42 Stat. 627), members of the Regular components of the Army and Navy were authorized to credit cadet service under appointment to the United States Military Academy prior to August 24, 1912, and midshipman service under appointment to the United States Naval Academy prior to March 4, 1913, "provided they were in the service on June 30, 1922."

The quoted proviso in the above quotation from the Army letter will not stand the test of constitutionality. By virtue of date of appointment to either of the two Academies prior to August 24, 1912, or March 4, 1913, as the case may be, the appointee became the possessor of a vested right to credit for service school time of which he cannot be divested except by express voluntary surrender or in the interest of public welfare.

Vested rights: In constitutional law, rights which have so completely and definitely accrued to or settled in a person that they are not subject to be defeated or canceled by the act of any other private person, and which it is right and equitable that the Government should recognize and protect, as being lawful in themselves, and settled according to the then current rules of law, and of which the individual could not be deprived arbitrarily without injustice, or of which he could not justly be deprived otherwise than by the established methods of procedure and for the public welfare. (Black's Law Dictionary.)

Obviously, the proviso in the act of June 10, 1922, cutting off the vested right to credit for service school time was arbitrary and there is not the slightest showing of any relation to the public welfare.

The Army letter continues:

The act of June 10, 1922, mentioned above, was superseded by section 202 (a) (3) and (6) of the Career Compensation Act of 1949, Public Law 351, 1st session, 81st Congress. This latter act, it will be noted, preserved the rights accruing to the beneficiaries under said act of June 10, 1922.

What the Army letter does not mention is that section 511 of the Career Compensation Act of 1949 was amended by the 82d Congress to read:

SEC. 511. On and after the effective date of this section (1) members of the uniformed services heretofore retired for reasons other than for physical disability * * * shall be entitled to receive retired pay, retirement pay, retainer pay, or equivalent pay, in the amount whichever is the greater, computed by one of the following methods: (a) * * * or (b) monthly retired pay, * * * equal to 2½ percent of the monthly basic pay * * * multiplied by the number of years of active service creditable to him: * * * *Provided further*, That, for the purposes of this section, the term "active service" as used herein shall mean all service as a member or as a former member of the uniformed services, service as a cadet or midshipman in the case of those appointed to the United States Naval Academy prior to March 4, 1913.

And, in section 102 (a) of the Career Compensation Act of 1949 defines uniformed services as follows:

(a) The term "uniformed services", unless otherwise qualified, shall be interpreted to mean and include the Army of the United States, Navy, Air Force of the United States, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and all Regular and Reserve components thereof.

So, this section 511, as amended, coupled with the definition in section 102 (a), nullifies the proviso in the act of June 10, 1922, to the extent that all officers, both Regular and Reserve, who were appointed to the Naval Academy prior to March 4, 1913, and who were retired—nondisability—prior to the effective date of section 511—October 1, 1949—are entitled to credit for such service school time. Summarizing: The existing laws on the subject are inequitable in that all officers in the Reserve components of all the services who retired prior to October 1, 1949, and who were appointed to the Naval Academy prior to March 4, 1913, are entitled to credit for service school time, and all Navy and Marine Corps Reserve officers who retire under section 6, Public Law 305, 79th Congress, are entitled to credit for service school time regardless of whether they retired before or after October 1, 1949. But, all other ex-Regular Reserve officers who were appointed to either of the two Academies prior to August 24, 1912, or March 4, 1913, as the case may be, and who must fulfill the same general requirements as to retirement, are not credited with service school time. The enactment of section 9 of this bill will remove this inequitable condition and put all Regular and Reserve officers with the same Academy appointment characteristics on the same basis.

(ii) The second objection raised in the Army letter is phrased as follows:

The bill is objectionable for the reason that it seeks to single out a favored few to be credited with Academies' service in determining amount of retired pay and longevity, while, at the same time, no provisions of law grant any such credit to other persons who have attended the Academies.

This objection has two aspects: First, that section 9 of this bill seeks to single out a favored few, implying the creation of a small group who will benefit by class legislation to the exclusion of all others;

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and, second, that no other Academy appointees are so benefited. Both are erroneous. Section 9 does not create a special class of beneficiaries; it merely puts all Academy appointees who were appointed prior to the limiting dates in the same class with respect to credit for service-school time in the computation of retired pay. The second part of this objection is clearly a contradiction of the admission quoted and discussed in (i) above, namely, the other provisions of law which do grant such credit to other Academy appointees.

(c) This section 9 has no bearing whatever on the general restoration of credit for service-school time which has been the subject of several bills in Congress during the last decade. The sole purpose of section 9 is to affirm a vested right of which the possesor has been illegally divested.

(d) Additional information on this subject is contained in appendix C.

SERVICEMEN'S INDEMNITY ACT

Eighth. Section 10 of this bill amends section 2 of the Servicemen's Indemnity Act of 1951—part 1, Public Law 23, 82d Congress—to extend its benefits to Reserve members actually engaged in active duty and active training duty. Safeguards are provided in the case of persons engaged in inactive-duty training in order to insure that payment will be made only when the death would not have occurred but for such training. Periods of travel to and from active duty and active-training duty are also included within the coverage, as is travel to and from inactive-duty training when such travel is by Government or other authorized mode of transportation. The Servicemen's Indemnity Act now covers most Reserves on active duty or active-training duty but members of the National Guard or Air National Guard are covered when performing such duty for 14 days or more. It also covers Reserve fliers performing weekend flying training. Other Reserves performing short periods of training duty who are not fliers, such as members of the Naval and Coast Guard Reserve on weekend cruises, are not similarly covered in the event of their death while actually engaged in training activities. This condition under which one group of Reserves receives a benefit which the balance do not will be corrected by this amendment to the Servicemen's Indemnity Act.

MISSING PERSONS ACT

Ninth. Section 11 amends section 2 of the Missing Persons Act (50 U. S. C. App. 1002) to the extent that its provisions will cover Reserve members performing full-time training duty, other full-time duty, or inactive-duty training. The condition which prevails here is similar to that which prevails with respect to the Servicemen's Indemnity Act, and Reserves performing inactive-duty training, such as weekend training cruises, do not receive the benefits of the Missing Persons Act. This inequitable situation will be remedied by the enactment of this section 11.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

Tenth. Section 12 amends section 106 of the Soldiers' and Sailors' Civil Relief Act (50 U. S. C. App. 516) to extend relief granted therein to all Reserves from the date of receipt of orders to active duty but not to exceed 60 days prior to the reporting date. Section 106 now extends to persons entering the Armed Forces of the United States under the Universal Military Training and Service Act and to members of the Enlisted Reserve Corps of the Army the benefits of articles I, II, and III thereof from the date of receipt of orders. Thus these persons receive a benefit to which other Reserves are not now entitled. The enactment of this section 12 will correct the existing unbalanced situation.

CONCLUSION

In view of the critical international situation, which bids fair to continue well into the future, it is absolutely essential that the United States have a large well-trained Reserve and National Guard, and not depend on untrained draftees in an emergency. In order to have such an effective defense, its members, both active and retired, must know that they will not be at a personal disadvantage compared to the Regulars or subjected to discriminatory practices by the administrative agencies. The Congress has, from time to time, passed many laws with the expressed intent of putting Regulars and Reserves on a par, but the agencies executing those laws have not always carried out that intent. It is only through experience with adverse rulings that such deflections are exposed and remedial legislation can be drafted. The importance of this bill is attested by the fact that literally thousands of families throughout the country have one or more members either in the Reserve or National Guard, or eligible for membership. Its impact as law will have far-reaching effect.

EXHIBIT A

SEVENTY-FIVE PERCENT RETIRED PAY

EXPLANATION

That the Senate-House conferees who rewrote paragraph 4, section 15, of the Pay Readjustment Act of 1942 as it was passed by the 77th Congress intended it to apply to Reserve officers with World War I service is quite evident. This paragraph as originally proposed was restricted in wording and specifically applied only to Regular officers of the Navy, Marine Corps, and Coast Guard. The conferees deliberately struck out this restrictive wording and rephrased it in its present unambiguous and unrestricted language. The conferees no doubt took into account that the Reserve officers in World War I lived in the same muddy trenches in France and manned the same ships as the Regulars, and that they are equally entitled to the same 75 percent retired pay for the same service.

That the Congress intended no discrimination between World War I Regulars and Reserve officers in the matter of 75 percent retired pay provided by the law herein referred to was removed beyond any possibility of doubt when the 81st Congress reenacted this law in 1949 by exception from repeal at a time when it could only apply to Reserve officers, all Regular officers with World War I service having by then qualified for 75 percent retired pay.

However, the Comptroller General and the Court of Claims have refused to recognize this congressional mandate. Hence, this proposed section is recommended to correct the existing discrimination and equalize the retired pay received by both Regular and Reserve officers with World War I service.

It is estimated that there are only about 7,500 World War I Reserve officers who are affected. The cost will not be excessive, will decrease rapidly due to the present age of these officers, and will cease when they are gone.

It cannot be too strongly emphasized that this proposed section does not enlarge the scope of paragraph 4, section 15, of the Pay Readjustment Act of 1942. It reiterates in unmistakable words the intent which the Congress so clearly expressed in 1942 and 1949.

EXHIBIT B

ACTIVE DUTY QUALIFICATION

A suggestion has been made to amend paragraph 4, section 15, of the Pay Readjustment Act of 1942 by inserting the additional qualification of 8 or 10 years' active duty as a minimum prerequisite, in addition to World War I service, to qualification for 75 percent retired pay under this law. Such an amendment is objectionable, inequitable, and illegal.

Retirement laws are differentiated into two well-defined categories: (a) General, which apply to all qualified service personnel and are based on age, years of service (both active and constructive), etc.; and (b) special, which apply only to a limited number of service personnel with specified additional qualifications over and above those stated in the general retirement laws. Obviously, from the administrative and legislative aspects, it is most desirable to keep these two categories clearly separated. Paragraph 4, section 15, of the 1942 act is purely a special retirement law which grants 75 percent retired pay to those officers who served in World War I who otherwise qualified for retirement (age, years of service, etc.) under the applicable general retirement law. In 1942 the Congress established World War I service exclusively as the yardstick to measure eligibility for 75 percent retired pay.

The apparent objective of the suggestion to add a minimum active service limitation to paragraph 4, section 15 of the 1942 act is to deny 75 percent retired pay to those officers with World War I service who have had only a few years active duty and who completed the total years required for qualification under the general retirement laws by participating in active duty training and other accredited periods of constructive service. Such a limitation would introduce glaring inequities. It would penalize the officer who spent months in the trenches of France and who completed his time qualification for retirement under the general retirement law by a combination of active duty and accredited constructive service, but it would reward the officer who spent a few days at a desk job during World War I and who completed his time qualifications for retirement under the general retirement law by active duty in peacetime. The fact must not be lost sight of that the Congress intended 75 percent retired pay solely for World War I service, nothing more—nothing less. Any attempt to legislate out extreme cases, in one direction or the other, invariably results in injustice to the great majority who come between the extremes.

In the Carroll case (Court of Cliams No. 47690; 81 Fed. Supp. 268) the Court of Claims has already closed the door of equity on extreme minimum service as a bar to 75-percent retired pay. Carroll graduated from West Point and was commissioned a second lieutenant in the Regular Army on November 1, 1918. His total World War I service was 11 days, not long enough to wrinkle his new uniform. He was retired (disability) on April 1, 1926. Total active service only 7 years 5 months. He remained on the retired list until January 12, 1942, or

15 years 9 months 10 days. (NOTE.—During this long period of retirement he was not obligated to participate in training, etc., to keep up in his profession.) At this point it is emphasized that the 1942 act provides 75 percent retired pay for those hereafter retired. Hence, Carroll, because of his retirement in 1926 was not eligible. But Carroll was recalled to active duty on January 12, 1942, which terminated March 24, 1945. Normally Carroll would have resumed his former status on the Regular Army retired list, since his 1926 retirement precluded qualification for 75-percent retired pay under the 1942 act. However, the Court of Claims held that the termination of his active duty in 1945 was a new retirement (re-retirement) which, occurring after 1942, put Carroll within the 1942 act. So Carroll earned 75 percent retired pay by 11 days' active duty in World War I. If Carroll is entitled to 75-percent retired pay for 11 days' service in World War I (and there is no question that his re-retirement put him within the law), then all other officers who spent months in the same service (regardless of total active duty) are most assuredly, equitably, and legally entitled to the same remuneration.

And finally, it is beyond dispute that when the Congress enacted paragraph 4, section 15 of the 1942 act it created in all officers with World War I service a vested right to 75-percent special retired pay. To amend this law by inserting a minimum active duty time limitation would be a restriction on a right already vested. It is a cardinal principle of law that a vested right can be subsequently expanded, but it cannot be subsequently contracted. Therefore, such an amendment would be illegal.

EXHIBIT C

EXPLANATION OF S. 1174 AND H. R. 546

Bills with the same objective have been introduced as follows:

Eighty-first Congress, first session: H. R. 6186, Mr. PHILBIN; S. 631, Senator Tydings. Second session: S. 3327, Senator Taft.

Eighty-second Congress, first session: H. R. 4115, Mr. PHILBIN. S. 2121, Senator BUTLER of Nebraska.

A bill, worded as S. 1174, was introduced by Senator BRIDGES and passed the Senate as a floor amendment, 82d Congress, 2d session, Friday, June 27, 1952, CONGRESSIONAL RECORD, volume 98, part 6, page 8304.

S. 1174 and H. R. 546 have the same objective—to eliminate the existing discrimination between certain provisions in Public Law 305 (sec. 306), 79th Congress, and Public Law 810 (title III), 80th Congress.

Both Public Law 305 and Public Law 810 provide for retirement of ex-Regulars who are now Reserve officers and who were appointed to the respective Academies prior to the limiting dates stated in the bills. Such Reserve officers who retire under Public Law 305 are now credited with service school time, while those who retire under Public Law 810 are not so credited. Appointees to the Academies prior to August 24, 1912, and March 4, 1913, have a vested right in credit for service school time. The enactment of either S. 1174 or H. R. 546 will give those (ex-Regulars) Reserve officers who retire under Public Law 810 the credit which is legally and equitably due them.

The best possible estimate indicates that about 20 Reserve officers, who were formerly Regulars and entitled to credit for service school time, have retired or will retire under Public Law 810. The initial annual cost should not exceed $10,000. This will rapidly decrease as these few officers, now past 60 years of age, die off.

THE LATE WILLIAM S. NEWELL

Mr. HALE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, on Easter Sunday, Maine sustained the loss of one of its most distinguished and best beloved citizens in the person of William S. Newell, of Bath, founder of the present Bath Iron Works, and for many years its president. William Newell, known to all his friends as "Pete," was one of the most lovable and attractive men who ever lived. He was a fine citizen, a great patriot, and a superb friend. I was devoted to him. I take this time to attest all too briefly my devotion and my great sympathy for his bereaved children.

I append an extended biographical notice from the Bath Times:

WILLIAM STARK NEWELL

Mr. Newell was born May 31, 1878, a son of William Crabbe Newell and Augusta Doane Newell. His father was a graduate of Columbia Law School.

After completing his preparatory schooling, he entered the Massachusetts Institute of Technology, and at the age of 19, while in his third year, he got his start in the technical end of the shipbuilding business by working during the summer as an engineer's apprentice and riveter at the old Bath Iron Works, Ltd., in Bath.

Completing his course at MIT in 1899, he put in some time in the machine shop at the Bath Iron Works, and then, so great was the impression he had created on his instructors, he was invited to return to MIT as an instructor in naval architecture and marine engineering.

To secure more practical experience and gain a surer knowledge of the action of ships at sea, he passed the year 1901 at sea.

A year later he became a ship and engine draftsman at the Bath Iron Works. In this capacity he designed many ships and yachts and had a hand, too, in designing the propelling machinery for the vessels.

He moved rapidly ahead and by 1914 had become assistant to the vice president and superintending engineer of the Bath Iron Works.

In 1914 he became engineering works manager at the Bath shipbuilding plant, a position he held until 1925, the year the old firm of Bath Iron Works, Ltd., went bankrupt.

Mr. Newell at that time tried desperately to purchase the plant, but was outbid by a New York firm, who wanted to junk the property and equipment. Mr. Newell was outbid in a dramatic scene here on the steps of the Sagadahoc County courthouse.

Mr. Newell then accepted a position with the New York Shipbuilding Corp. as general manager. He returned again to Bath in 1927, this time to lease what was left of the old plant. With a single contract, Mr. Newell organized the Bath Iron Works Corp., with himself as president and general manager, and resumed shipbuilding on the Kennebec. Several yachts were built, including J. P. Morgan's last *Corsair*, and also trawlers and vessels for the United States Coast Guard.

In 1931, with an accelerated Navy building program, the new yard got its first destroyer, the U. S. S. *Dewey*. In 1932 Mr. Newell bought the shipyard, and additional destroyer contracts kept coming in. With the event of World War II, construction hit an all-time high, and the Bath Iron Works turned out 74 of these destroyers for the Navy during the war years.

In 1950 Mr. Newell resigned as president of the Bath Iron Works Corp., and his son, John R. Newell was named to succeed him. The elder Newell remained on as chairman of the board of directors, a position which he held until his death.

Mr. Newell introduced the construction basin for building of ships at 1 of 2 wartime yards he created at South Portland. The 2 yards produced 274 freighters for the British and American Governments during the war. They were Todd-Bath Iron Shipbuilding Corp., and the South Portland Shipbuilding Corp.

Years before the Russian navy had consulted Newell on plans for an 80,000-ton battleship. How to build shipways big and strong enough for such a great hull was a major technical problem. Newell suggested: Why not build the ship in a basin, like a drydock and float it out when finished?

The Soviets gave up the idea of building the ship but Newell remembered his solution to the problem and he put it into practical use when called upon, in 1941, for help in building the Allies "bridge of ships" across the Atlantic.

WITNESSES A-BOMB EXPLOSION

In 1946 Mr. Newell was honored by President Truman in being selected as a member of the President's Atomic Energy Committee and was an eyewitness of the Navy's A-bomb experiment on Bikini Atoll.

MANY ACTIVITIES

Because of growing responsibilities at Bath, Mr. Newell gave up the presidency of the South Portland yards in 1943, but remained as a director.

Mr. Newell found time for many nonprofessional interests. He played golf, enjoyed music, read a lot, served on civic and business panels, and logged more than 100,000 miles of air travel.

Much of his flying was done during the war when he was president of United Seamen's Service, Inc. He toured the world inspecting United States ship facilities.

In 1943 he was a director of the National Association of Manufacturers. For many years he also was a director of the National Council of American Shipbuilders and was a member of the American Bureau of Shipping and the United States Naval Institute. He also was a director of Mack Trucks, Inc., from 1942 to 1953; Fay & Scott, Dexter from 1938 to 1943.

As a member of the Maine Port Authority, he led the unsuccessful fight in 1953 for a $10 million bond issue to modernize the port of Portland.

Several universities and colleges gave him honorary degrees. Among them were Bowdoin, Colby, the University of Maine and Stevens Institute of Technology.

He was a life member of the corporation of MIT and a trustee of Colby and Webb Institute of Naval Architecture.

He had served as a Bath alderman and was the first president of the Bath water district, elected in 1915 and holding that position for 25 years.

Mr. Newell was a director of the Maine Central Railroad and the Union Mutual Life Insurance Co., and had served since 1946 on the board of Bates Manufacturing Co. He was chairman of the board of Radio Station WPOR in Portland since 1946.

He served several years as a trustee of Bath Memorial Hospital and the Patten Free Library, a past president of the Bath Rotary Club and the Bath YMCA, and a former Boy Scout commissioner.

A trustee of the Bath Trust Co., a director and past president of the Bath Savings Institution, he was also a member and director of the Bath Country Club, a member of the Elks, the Lions Club, and Solar Lodge of Masons.

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Mr. Newell was also a member of the Cumberland and Portland Clubs, the University Club of Boston and the Union League, India Club and Engineer's Club of New York, as well as the Boston and New York Chambers of Commerce.

He was a writer of textbooks on marine engines and boilers for the American School of Correspondence, Chicago.

Among other activities, he was a trustee of the Thomas Alva Edison Foundation, Inc.; and a member of the Institution of Naval Architects of Great Britain; North East Coast Institution of Engineers and Shipbuilders of Great Britain; American Society of Naval Engineers; American Committee of Lloyd's Register of Shipping and American Bureau of Shipping; president, 1945–46, of the Society of Naval Architects and Marine Engineers; he was an honorary member of the Societe de Chemie Industrielle of France and chairman of the Maine committee, American branch of the Newcomen Society of England.

France made him a Chevalier of the Legion of Honor and an officer of the Order of Maritime Merit for his shipbuilding contributions toward winning the war.

His wife, the former Caroline Moulton, of Bath, whom he married in 1907, died in 1950.

Besides their son, John, two daughters survive, Mrs. Paul Tiemer, of Boston, Mass., and Mrs. Eastham Guild, of Bath; and four grandchildren; a sister, Mrs. Philip H. Jones, of Shelton, Conn; a brother, Carroll D. Newell, of Nassau Point, Long Island, N. Y., and several nieces and nephews.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. BECKER.

Mr. PRICE.

Mr. CELLER.

Mr. GRANAHAN (at the request of Mr. O'HARA of Illinois).

Mr. KING of California (at the request of Mr. MCCORMACK).

Mr. HOLT and to include extraneous matter.

Mr. BENDER in five instances.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WAMPLER, indefinitely, on account of official business.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7512. An act to provide for the conveyance of the federally owned lands which are situated within Camp Blanding Military Reservation, Fla., to the armory board, State of Florida, in order to consolidate ownership and perpetuate the availability of Camp Blanding for military training and use.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 11, 1954, present to the President, for his approval, bills of the House of the following titles:

H. R. 2033. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.;

H. R. 3832. An act for the relief of Mrs. Orinda Josephine Quigley;

H. R. 4735. An act for the relief of Lt. Col. Richard Orme Flinn, Jr.;

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes; and

H. R. 8097. An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, May 17, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1533. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 8, 1952, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of harbor at Playa Del Rey, Calif., and a review of reports on Playa Del Rey inlet and basin, Venice, Calif., was authorized by the River and Harbor Act approved on August 26, 1937 and requested by a resolution of the Committee on Commerce, United States Senate, adopted on June 2, 1936 (H. Doc. No. 389); to the Committee on Public Works and ordered to be printed with illustrations.

1534. A letter from the Chairman, Committee on Retirement Policy for Federal Personnel, Executive Office of the President, transmitting the committee's second report, dealing with the uniformed services retirement system, pursuant to Public Law 555, 82d Congress; to the Committee on Post Office and Civil Service.

1535. A letter from the Assistant Secretary of the Interior, transmitting a proposed extension of contract No. I–ip–18029 which will, when executed by the Director of the National Park Service on behalf of the Government, extend for 1 year from January 1, 1954, unless sooner terminated by a new contract, the authorization under which Degnan, Donohoe, Inc., operates a restaurant, delicatessen, fountain and bakery, and related services in Yosemite National Park, Calif., pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1536. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissable into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1537. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1538. A letter from the Secretary of the Army, transmitting material giving further comments relative to a survey of Buffalo Bayou and tributaries, Texas, dated June 18, 1952, and transmitted to the Congress on September 28, 1953, as executive communication No. 913, and printed pursuant to Public Law 153, 83d Congress; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 5181. A bill to revise the Organic Act of the Virgin Islands of the United States; with amendment (Rept. No. 1603). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKER:

H. R. 9133. A bill to amend the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. CONDON:

H. R. 9134. A bill to expedite the removal of federally owned temporary housing and the construction of privately owned housing to replace it in certain communities where such temporary housing predominates; to the Committee on Banking and Currency.

By Mr. HOLIFIELD:

H. R. 9135. A bill to amend the public-assistance provisions of the Social Security Act by extending for 2 years the increased Federal financial participation to the States for assistance to the aged, blind, and disabled, and aid to dependent children; to the Committee on Ways and Means.

By Mr. KNOX:

H. R. 9136. A bill to amend section 42 of the Internal Revenue Code of 1939; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 9137. A bill to authorize Federal loans to assist local communities in building modern industrial plants in labor-surplus areas; to the Committee on Public Works.

By Mr. LESINSKI:

H. R. 9138. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

By Mr. LONG:

H. R. 9139. A bill to provide for the control of the Old and Atchafalaya Rivers; to the Committee on Public Works.

By Mr. PATTEN:

H. R. 9140. A bill authorizing construction of works to restore to Palo Verde Irrigation District, California, a means of gravity diversion of its irrigation water supply from the Colorado River and providing certain benefits to the Colorado River Indian Reservation, Ariz., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PHILLIPS:

H. R. 9141. A bill to encourage the disposal of agricultural surpluses and to improve the foreign relations of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. WOLCOTT:

H. R. 9142. A bill to amend sections 23A and 24A of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

H. R. 9143. A bill to repeal the provisions of section 16 of the Federal Reserve Act which prohibits a Federal Reserve bank from paying out notes of another Federal Reserve bank; to the Committee on Banking and Currency.

H. R. 9144. A bill to amend section 24 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H. J. Res. 524. Joint resolution designating the 1st day of June in each year as National Shut-In's Day; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. J. Res. 525. Joint resolution to amend the Constitution to authorize governors to fill temporary vacancies in the Congress caused by a disaster; to the Committee on the Judiciary.

By Mr. WOLCOTT:

H. J. Res. 526. Joint resolution to authorize the disposal of the Government-owned tin smelter at Texas City, Tex., and for other purposes; to the Committee on Banking and Currency.

By Mr. PILLION:

H. Res. 548. Resolution expressing the sense of the House of Representatives with respect to the threat which is posed to the peoples of Asia, and to the entire free world, by the activities of China and the Soviet Union; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRD:

H. R. 9145. A bill for the relief of Tung-Fang Tsai; to the Committee on the Judiciary.

By Mr. HALE:

H. R. 9146. A bill to provide for the advancement of Comdr. Donald B. MacMillan on the Naval Reserve retired list to the grade of rear admiral; to the Committee on Armed Services.

By Mr. KLEIN:

H. R. 9147. A bill for the relief of Michele Spina; to the Committee on the Judiciary.

By Mr. MILLER of Kansas:

H. R. 9148. A bill for the relief of the Reverend Arno A. Lehmann; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 9149. A bill for the relief of Dr. Sidney Nevil Milford and his wife, Danuta Maria Milford; to the Committee on the Judiciary.

By Mr. YOUNGER:

H. R. 9150. A bill for the relief of Salvacion Carbon; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

725. By Mr. CANFIELD: Resolutions by the New Jersey Bankers Association in convention at Atlantic City, N. J., on May 7, 1954, regarding H. R. 7839, the proposed Housing Act of 1954, and S. 3158, amending the National Banking Act; to the Committee on Banking and Currency.

726. By Mr. GRAHAM: Petition of 45 members of the Beaver County, Pa., Nurses Association urging the passage of H. R. 7898; to the Committee on Armed Services.

727. Also, petition of 36 members of the First United Presbyterian Church of Beaver, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

728. By Mr. GROSS: Petition of 32 residents of Black Hawk County, Iowa, favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, et cetera, and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

729. By Mr. MARTIN of Massachusetts: Petition of Charlotte T. Derry and sundry residents of Sharon, Mass., advocating enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

730. By Mr. MERRILL: Petition of Christine Key and other citizens of Evansville, Ind., petitioning for a hearing for the Bryson bill, H. R. 1227, a bill to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

731. Also, petition of Ora Gard and other citizens of Evansville, Ind., petitioning for a hearing for the Bryson bill, H. R. 1227, a bill to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

732. Also, petition of Garah Powers and other citizens of Evansville, Ind., petitioning for a hearing for the Bryson bill, H. R. 1227, a bill to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

733. By Mr. MILLER of New York: Two petitions signed by 91 residents of the State of New York, the majority of which reside in the 40th Congressional District of New York, urging consideration and passage of H. R. 1227, introduced by the late Congressman Joseph R. Bryson; to the Committee on Interstate and Foreign Commerce.

734. By Mr. PRICE: Petition of members of the congregation of United Presbyterian Church of Marissa, Ill., forwarded by Rev. C. Raymond Johnson, minister, supporting the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

735. By Mr. SADLAK: Petition of citizens of Canterbury, Norwich, Taftville, Scotland, Central Village, and vicinity, all communities in eastern Connecticut, urging hearings on H. R. 1227; to the Committee on Interstate and Foreign Commerce.

736. By Mr. WAINWRIGHT: Petition of a group of Long Island, N. Y., residents asking the Congress to provide appropriations necessary to restore and preserve the frigate *Constellation* as a historical monument. They also ask that consideration be given to making both the *Constitution* and the *Constellation* self-supporting by placing these inspiring ships in the category of national parks and allowing their use as school ships or pleasure cruise craft, for fees; to the Committee on Appropriations.

737. By the SPEAKER: Petition of the secretary, Massachusetts Federation of Men's Bible Classes, West Somerville, Mass., urging consideration and passage of H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

738. Also, petition of Charles H. Nutting and others, of Ormond Beach, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

739. Also, petition of C. C. Wood and others, of Holly Hill, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Anniversary of Israeli Independence and United States Recognition Spotlights Apparent Changes in American Policy in Near East

EXTENSION OF REMARKS

OF

HON. WILLIAM T. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1954

Mr. GRANAHAN. Mr. Speaker, it was on May 14, 1948, that the beleaguered State of Israel declared its independence, and it was on that very same day that President Truman announced American recognition of the new state and its government.

A wave of gratification swept over the United States that day, 6 years ago tomorrow, for the success of the brave people of little Israel in winning through to freedom and independence, following the path pioneered here in this country in 1776. Our common interest in freedom and in democracy provided a kinship among the two nations and, in fact, among the people of Israel and free people everywhere.

Israel has had a hard and rocky road to travel in these past 6 years—trying to absorb the hundreds of thousands of the persecuted and oppressed, the sick and lame, and halt and blind, the homeless and the stateless among Europe's surviving Jewish population into a tiny nation and into a nation under armed attack from hostile neighbors.

During all of that difficult period, the people of the United States have applauded their efforts. During most of that time the Government of the United States has reflected in its official policy the sentiment of Americans generally in favor of a secure Israel and a sound Israeli economy.

In the last year and a half, however, we have seen a gradual change in emphasis on the part of the State Department—a precipitate willingness to blame Israel for every border incident arising

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out of the tensions and undying hostility of the neighboring nations, a catering to the politicians in those neighboring nations whose primary objective has been for 6 years the destruction of Israel.

This attitude, Mr. Speaker, disturbs me deeply. I know it disturbs many Americans of all religions. Constituents of mine of the Jewish faith are particularly conscious of the developing negativism of American official policy toward Israel, but they are not alone in that feeling.

The State Department seems to think that arms aid extended to Near East nations dedicated to the destruction of Israel will not be used for any such aggressive purpose but will be used only for defense. What guaranties does it have of that?

EXCHANGE OF CORRESPONDENCE WITH STATE DEPARTMENT

In this connection, Mr. Speaker, I recently addressed an inquiry to Under Secretary of State Walter Bedell Smith, prior to his departure for Geneva, raising several pertinent questions on this matter. My letter was prompted by the agreement of this Nation to extend arms aid to Iraq.

The letter was as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 28, 1954.

Hon. WALTER BEDELL SMITH,
Acting Secretary of State, Department of State, Washington, D. C.

DEAR SIR: In the absence of Secretary Dulles, who is now in Geneva, I am addressing this inquiry to you in the hope of obtaining a prompt explanation of the Department's position in regard to the shipment of arms and other military equipment to certain Middle East nations.

Since the announcement Sunday of American arms aid to Iraq, I have received numerous protests from residents of my congressional district that such a step will tend to increase not only the explosive tension in the Middle East but the dangers of renewed warfare. I am sure you agree that this country should not take any step which would encourage any of the Middle Eastern nations to precipitate a new outbreak in that troubled area.

In view of this possibility, I should like to know—

1. What steps, if any, have have been taken by the State Department to guarantee that arms aid extended to Iraq or others of the Arab States surrounding Israel, presumably to deter Communist aggression, will not be used instead to support renewed aggression against Israel?

2. What steps, if any, have been taken by the State Department to urge these same nations finally to abandon the continued state of war they have maintained in regard to Israel, and to agree to conferences and negotiations leading to a peace treaty and to a state of real peace?

3. What prospects does the Department foresee for the solution of Near East tensions and warlike incidents through diplomatic procedures as between Israel and her antagonistic neighbors?

4. What value to United States foreign-policy objectives exists in the extension of arms aid to nations which maintain as their primary national objective the destruction of a democracy in their midst which is not only friendly to the United States but which won its independence largely as a result of the United States intercession?

Your answers to these questions would be deeply appreciated.

Sincerely yours,
WILLIAM T. GRANAHAN.

Following, Mr. Speaker, is the answer I have received from the State Department:

DEPARTMENT OF STATE,
Washington, May 5, 1954.

Hon. WILLIAM T. GRANAHAN,
House of Representatives.

DEAR MR. GRANAHAN: I refer to your letter of April 28, 1954, concerning the Department's position in regard to the shipment of arms to certain Middle-Eastern states. Under Secretary Smith, to whom the letter was addressed, has now departed for Geneva.

The present dangerous weakness in the defensive capabilities of the Near East constitutes a direct threat to the security of the United States and of the free world. Authority to take steps to improve this situation was granted by the last Congress in a new authorization (sec. 202 (b)) contained in the Mutual Security Act of 1953, and in Public Law 218, appropriating funds for military assistance to the Near East.

I should like to make the following specific comments with regard to the first question raised in your letter concerning steps taken by the Department of State to guarantee that arms aid extended to Iraq will not be used against Israel:

Should there be developments in the Near East showing that the policies of any government in that area receiving our military aid are no longer based on consideration of legitimate self-defense, the United States Government would immediately reassess not only its aid program, but its basic policy toward the countries concerned. On February 25, 1954, President Eisenhower said, in connection with the announcement of grant of United States military assistance to Pakistan, that "if our aid to any country * * * is misused and directed against another in aggression I will undertake immediately, in accordance with my constitutional authority, appropriate action both within and without the U. N. to thwart such aggression. I would also consult with the Congress on further steps." The attitude of the President in this matter is consistent with the position taken jointly by the United States, the United Kingdom, and France on May 25, 1950, regarding the supply of arms and war materiel to the Arabs and Israel. The Tripartite Declaration of that date provides, inter alia, that "The three Governments, should they find that any of these states was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation."

The decision to grant military assistance to Iraq was not taken suddenly or without careful consideration. Any effective plan for the defense of the Middle East must involve Iraq, which is strategically located with reference to the important Persian Gulf area and is on the pathway from the Caucasus to the eastern Mediterranean. The understanding recently concluded between the United States and Iraq was the result of a request from the Government of Iraq made in March 1953. Under this understanding, which conforms to the requirements of the Mutual Security Act, the Government of Iraq agrees not to undertake any act of aggression against any other state and that the aid furnished will be used solely to maintain internal security and to provide for its legitimate self-defense. Included in the understanding is a provision that "assistance will be provided subject to the provisions of applicable legislative authority and will be related in character, timing and amount to international development in the area."

With regard to your second question as to steps which have been taken to encourage negotiations leading to a peace treaty and to a state of real peace between Israel and the Arab States:

The United States has endeavored to foster the establishment of stable conditions along the borders and to encourage a peaceful adjustment of relations between the Arab States and Israel. The United States has joined repeatedly in the United Nations deliberations toward this end and have taken diplomatic action outside of the United Nations as well. The United States will continue to contribute as best it can to efforts to bring harmony to the area. However, the primary responsibility for bringing about an enduring settlement of Near East problems lies with the governments of the states concerned. In order to achieve such a settlement, both Israel and the Arab States will have to modify their present attitudes. It is hoped the current Security Council discussions will bring about such cooperation and produce a strengthening of the armistice control machinery of the United Nations.

With regard to your third question concerning the prospects for the solution of Near East tensions through diplomatic procedures:

A sober analysis of the history of the Arab-Israel dispute makes it evident that the probability of an early and formal settlement is extremely remote. The solution of this dispute does not lie in the direct approach by outside powers, but rather in a step-by-step reduction of tensions in an effort to create conditions under which a comprehensive peace might be established. The United States will continue to encourage the creation of an atmosphere in which long-term solutions would be constructively examined.

With regard to your fourth question concerning the value to the United States of a program of arms aid to the Middle East:

The Department believes that it is in the interest of the United States to take such measures as it can to promote the defense capabilities and the internal security of the Near East area while at the same time taking all possible precautions to insure that the arms supplied will be used for the purposes for which they are intended. In this area, as in other areas, the Department considers that it would be unrealistic and dangerous to defer preparations for security pending final solutions to all disputes which may exist among States in the area. The provisions of arms to both Italy and Yugoslavia notwithstanding the Trieste dispute as well as the granting of military assistance to Pakistan and our willingness sympathetically to consider a similar request from India notwithstanding the Kashmir issue, might be cited in this connection. Notwithstanding the fear and resentment felt toward Israel by the Arab States, the Department does not believe that the destruction of Israel is the primary national objective of these states or that they possess the intention or capability of adopting a policy of military aggression against Israel.

Sincerely yours,
THRUSTON B. MORTON,
Assistant Secretary
(For the Secretary of State).

SOLUTION IN A STEP-BY-STEP REDUCTION OF TENSIONS

It will be seen from this reply, Mr. Speaker and from the statements made recently by Henry A. Byroade, Assistant Secretary of State for Near Eastern Affairs, that our State Department takes a position of exaggerated neutralism if not disguised anti-Israel bias in the Near Eastern situation.

This paragraph in the letter from Assistant Secretary Thruston B. Morton is particularly interesting:

A sober analysis of the history of the Arab-Israel dispute makes it evident that the

probability of an early and formal settlement is extremely remote. The solution of this dispute does not lie in the direct approach by outside powers, but rather in a step by-step reduction of tensions in an effort to create conditions under which a comprehensive peace might be established. The United States will continue to encourage the creation of an atmosphere in which long-term solutions would be constructively examined.

Mr. Speaker, it seems to me we are not contributing to a step-by-step reduction of tensions by sending arms to nations anxious to destroy Israel—nations which need economic help rather than military help if they are to overcome their envy of industrious Israel and raise the standard of living of their own people. It is hard to see how all the arms and equipment in the world could enable Iraq, for instance, to withstand a Soviet attack without help from the rest of the free world. If the Red army is going to move in that direction, taking the risk of precipitating world war, would the rest of the world expect Iraq to hold the Reds off alone?

Economics Versus Politics, CIO Style

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BENDER. Mr. Speaker, the determined effort on the part of some labor leaders to set up a class conscious system is continuing. In Washington, this week, the president of the CIO offered the opinion that the unemployment problem can be remedied in November by making about three dozen reactionary politicians unemployed. The observations were made before a special CIO conference on unemployment to mobilize the full political potential of organized labor for the congressional elections this fall.

There is no room for doubt about the CIO's position. If they have ever approved a Republican for any office, it was an oversight. But this notion which they are currently advancing is more than a political war cry. It is a weird effort to portray every Republican as an enemy of the workingman, and every Democrat as St. George dispatching the dragon of poverty. If political decisions could by some magic process abolish unemployment overnight and end all of the social and economic ailments of the modern industrial community, they would be adopted with the speed of light. We have discovered, however, that the kinds of devices most frequently urged by partisan labor politicians are seldom effective for any purpose other than to arouse hostility. Certainly, if we could simultaneously increase Government spending and decrease taxes, which is what some people are advocating in substance, we would be magicians. Congress and the administration are responsible public officials, but we are not practitioners of the black arts, legerdemain, and sorcery.

H. R. 9133, a Bill To Amend the Classification Act of 1949

EXTENSION OF REMARKS
OF
HON. FRANK J. BECKER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BECKER. Mr. Speaker, in line with the permission granted me today, I am making this statement in explanation of the bill H. R. 9133 introduced by me today to amend the Classification Act of 1949 so that the membership of the Congress may be acquainted with the background for the need of this bill and its justification. I am very glad of the opportunity to give a little history of what has happened to make this bill necessary in the interest of fair play and fair action by our Government.

In 1953 the Civil Service Commission made a postaudit of positions in the Customs Service at the port of New York. Their original recommendations called for a downgrading of approximately 150 employees. After informal discussions with the Treasury Department, the number was reduced to approximately 100. Of the 100 employees affected, the Bureau of Customs and the Civil Service Commission are discussing the merits of approximately 60, upon which the Bureau of Customs is not in agreement with the recommendations of the Civil Service Commission. There are a number of positions, estimated at between 25 and 50, which the Civil Service Commission has selected for downgrading, and has directed the Bureau of Customs to downgrade the employees in such positions.

The purpose of this legislation is to protect the employees involved in the downgrading recommended by the Civil Service Commission for the following reasons:

Most of the positions involved were formerly covered by the Bacharach Act which provided a higher rate of compensation for clerks in the Customs Service than for clerks in other services and bureaus.

Soon after the Classification Act of 1949 went into effect, the employees involved agreed to relinquish the protection of the Bacharach Act when it was explained to them that they would receive fair and equitable treatment under the Classification Act of 1949.

The Bureau of Customs and the Treasury Department in good faith allocated these positions to grade in the Classification Act which in the opinion of the Bureau and the Treasury Department were fair and equitable.

Most of the employees involved have either been performing work in these positions, or have been promoted and replaced by employees who have been promoted from lower grade positions. The postaudit on the part of the Civil Service Commission in 1953 is the first time that the Civil Service Commission has made a postaudit of positions in the Customs Service. The result of the downgrading will mean a drastic reduction in the standard of living for many employees involved. Most downgradings are in positions of grade GS–4 and below.

It is the view of the National Customs Service Association that inasmuch as the positions were originally allocated to the existing grades by the Bureau of Customs and Treasury Department in good faith, and since the Civil Service Commission has allowed so much time to elapse before making a postaudit, the employees who accepted positions such as these in good faith should not be compelled to suffer a reduction in grade or salary by reason of errors made by the Bureau of Customs and the Treasury Department in allocating the involved positions to improper grades.

The purpose of this legislation is to make it possible for employees occupying positions which have been selected for downgrading by the Civil Service Commission, to continue to receive the rates of basic compensation appropriate to the grade from which reduced and to receive the appropriate step increases as provided in title VII of the Classification Act of 1949 so long as they remain in these positions but that when such positions become vacant the rate of compensation of any subsequent appointee shall be fixed in accordance with the Classification Act at the rate fixed for the lower grade.

Federal Pay Increases

EXTENSION OF REMARKS
OF
HON. CECIL R. KING
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. KING of California. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my statement before the House Committee on Post Office and Civil Service urging Federal pay increases:

Mr. Chairman and members of the committee, I am pleased to appear before the committee on behalf of our loyal Federal employees who I believe to be most deserving of a substantial increase in compensation.

The Federal employees in my district in Los Angeles County, Calif., have consistently felt the pressure of increased living costs and it is, indeed, difficult for them to provide their families with the bare necessities of living. As you all know, it is necessary for many of such employees to seek outside employment in order to properly care for their families. From the letters I have received from my constituents, and to my own personal knowledge, there are numerous hardship cases among our Federal employees due to the present inadequate wage scale. Of course, this means that the lower bracket employees are feeling the pressure the hardest.

The testimony before the committee for several years past has established the fact that it would require between a 20- and 25-percent salary increase to bring the Federal employees' income up to a rate paralleling the increased cost of living.

There are many bills pending before the committee proposing various increases for Federal employees. I have always supported reasonable and just benefits for the employees of our Federal service, and I am again

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most anxious to see them treated justly, and I hope that the committee in its wisdom, will decide on an adequate increase which will enable these employees to meet their necessary obligations and save something for the future.

We all know that the Government is continuously losing employees to private industry where they secure wages more in line with the increased cost of living. It is to the distinct advantage of the Federal Government not only to seek and obtain the best qualified persons but to retain their services wherever possible. It is just good business to do so. The turnover in this service has reached a starting proportion due entirely, in my opinion, to the inadequacy and unattractiveness of the Federal pay scale and the working conditions. The process of constantly training new employees certainly does not increase the efficiency of the Federal service, in which we have all taken such just pride throughout the years.

In my judgment, a pay raise is long overdue for our deserving Federal employees and I trust the committee will promptly and favorably report a substantial increase in their compensation.

What the St. Lawrence Seaway May Mean

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BENDER. Mr. Speaker, one of the most important factors in determining the outcome of the St. Lawrence Seaway vote in Congress was the determination of Canada to start off on its own. Control of so important a waterway leading directly into the interior of our country could not be vested in a foreign power, even so friendly a neighbor as Canada, without many reservations.

As matters now stand, control of the entire St. Lawrence program will be exercised by Uncle Sam and Canada jointly. Uniform rates will be in effect. Byproducts which result from the huge development, including electric power, will be shared in equal parts by both countries. From the economic standpoint, engineers and cost accountants have estimated that the seaway will bring in some $36 million annually in tolls. The cost of construction is figured at some $273 million, of which our share is to be approximately $91 million. The legislation adopted by Congress provides that our share must be paid off in 50 years.

The electric power developed through the dams which are part of the project will be sold in our country to private utilities to be distributed through New York, New England, part of Pennsylvania, and New Jersey. When the job is done it will be a magnificent engineering achievement. More than half of the world's ships will be able to use this route. Anchors aweigh. Let us start the work.

The Birmingham Story

EXTENSION OF REMARKS
OF
HON. JOSEPH F. HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. HOLT. Mr. Speaker, a new and wonderful era is about to begin in our community, and I should like to tell you the Birmingham story.

Negotiations are in the final stages to turn over to our school system the Birmingham site. I have been working toward this goal since I first became your Representative in Congress. You may ask why. Well, there are really five basic reasons:

First. It hurt me to see our city school system pour money into land and buildings that they actually did not own and under law had to turn over to the Federal Government within 30 days, if so ordered.

Second. It bothered me to have the Federal Government owning this large section of land within the center and fastest growing section of my congressional district without there being a definite program for use of this property.

Third. The growing need for additional elementary, junior high, and high schools was evident. I knew it would be necessary to turn to Birmingham because of its size to help out the entire valley.

Fourth. None of us want to see, for obvious reasons, our children going to school on half-day sessions.

Fifth. My previous objection was carried out when recently an Army battalion of approximately 500 men and an anti-aircraft gun moved right next door to our schoolchildren, occupying one-half the grounds. I was notified that it was going to be a permanent installation. In these trying times we all realize the necessity for Los Angeles to be well defended in the event of an all-out sneak attack; however, there was ample Government land just across the street owned in the Sepulveda flood-control basin.

As a veteran of World War II and the Korean war, I saw how important the education given our children was put to good use against our Communist enemy in Asia. We cannot match the numbers of the Communist conspirators throughout the world. We must see to it that our youth of today receives the very best of education in the most modern facilities with every opportunity to prepare themselves for the trying times ahead. Many of the difficulties our youth have today is because of the fact they are facing a troubled future world with their military service a fact and a necessity. They are not able to plan normal lives as perhaps their mothers and fathers. They are not allowed to be permitted to establish their chosen careers in the professional field or think what career he or she should follow. A child's American heritage is more fundamentally impressed upon his mind at the elementary, junior high, or high school level than at any other time.

The problem is acute in the entire United States which is why I chose to be on the Education Committee of the House. We are short over 300,000 classrooms in the United States and 100,000 teachers. As your Federal Representative to the Congress of the United States it is my responsibility to act on problems on a national level as well as on the local level.

The Birmingham story should be in the official historical files of our country which is why I have inscribed it in our official CONGRESSIONAL RECORD.

It is proof positive what can be done when we are determined to solve a problem and one is on the side of what is right. I want to say that I have had the cooperation of Mrs. Oveta Culp Hobby, the Secretary of the Department of Health, Education, and Welfare; the Honorable Charles Wilson, Secretary of Defense; the Honorable Franklin G. Floete, Assistant Secretary of Defense, in charge of property; and Gen. Edmund F. Mansure, the Administrator of General Services Administration. They well know how important is the need for good education.

BEGINNING AS AN ARMY HOSPITAL

On what used to be a farm belonging to a pioneer valley family, the Birmingham General Hospital site was born. It was chosen for its location, beautiful landscape, and marvelous weather conditions. One hundred and thirteen acres were purchased at a cost of $600 per acre and the contractor undertook the task of building. Actual breaking of the ground began on June 18, 1943, in the center of a lima bean and carrot patch. The building was to be finished on October 15, 1943; however, due to various modifications and shortages of men and material, it was not completed until December 15, 1943.

The land underlying the 14,000-bed hospital facility is comprised of 117.31 acres owned in fee by the Government, and 14.12 acres leased by the Government. The fee-owned land was composed of three tracts: Tract No. 1, containing 72.81 acres; tract No. 2, containing 9.76 acres; and tract No. 3, containing 34.74 acres. These three tracts were acquired by the Government by declaration of taking on July 8, 1943, in the United States district court. Declaration of taking is a process used in emergencies, such as wartime, where the Government issues a declaration of taking and offers a price for private property—automatically taking it over. If the private owner is not satisfied with the terms at that time, he can later come in for a settlement. The acquisition cost of the land was $84,750. The remaining 14.12-acre tract was leased by the Government from a private party under a lease dated July 30, 1945.

The hospital was activated during the construction state as an unnamed general hospital. The War Department on August 24, 1943, gave the hospital its present name, Birmingham General Hospital, in honor of Brig. Gen. Henry Patrick Birmingham, of the Medical Corps of the United States Army. He died in 1932 after a brilliant career in the United States Army. Shortly after original activation orders were received, duty personnel began to arrive and civilian personnel were employed on a small scale.

By January 1, 1944, sufficient personnel were available to operate the hospital, however various construction problems and existing policies prevented the receipt of patients at that time. The first patients were admitted from an overseas convoy on February 25, 1944, and the hospital proceeded to function as a typical general hospital. On June 21, 1944, the hospital was designated as a neuropsychiatric and neurosurgical center. The excellent operating pavilion and lay-out of the hospital made it an ideal center for neurosurgery and within a short period, the neurosurgical section of the hospital was buzzing with activity. In addition to the above specialities, on August 29, 1944, the Army designated the hospital as a debarkation hospital to serve the Los Angeles port of embarkation. This meant that our wounded servicemen returning from overseas that arrived in Los Angeles immediately were sent to the Birmingham Hospital. On May 21, 1945, the embarkation activity was transferred to Camp Haan, Calif. The Army did, however, treat a great many of returning American prisoners of war—over some 1,000 were treated. It is interesting to note that the number of patients treated by the Army when they were operating the hospital was:

Year	*Number of patients*
1943	43
1944	5,978
1945	7,160

The average number of employees of the Army hospital, including civilian and Army personnel, was between 1,300 to 1,800. Another interesting note is that included among this number were 143 Italian prisoners of war. The Army averaged 143 paraplegic patients a month when they ran the Birmingham Hospital. Thus it may be seen that during the major portion of the time it was operated by the Army, the hospital specialized in neuropsychiatry. In addition, an artificial plastic eye laboratory was opened in January 1945. On April 1, 1946, Birmingham General Hospital was transferred to the jurisdiction of the Veterans' Administration and was known as Veterans' Administration Hospital at Van Nuys, Calif. The hospital was transferred from the Department of the Army to the Veterans' Administration May 1, 1946, pursuant to the provisions of section 102 of the Servicemen's Readjustment Act of 1944.

VETERANS' ADMINISTRATION TAKES OVER

Under the operation of the Veterans' Administration, Birmingham Hospital was a 1,500-bed hospital. When operations were begun most of the effort was to staff the hospital and get it set up. The records show that during that year only a total of 480 patients were cared for, with over 73 of these paraplegics.

In 1947 when the hospital was in full operation, the total number of patients treated was over 1,400 per day. The Birmingham Hospital was set up as 1 of 46 veterans' hospitals that were called control hospitals on tuberculosis research. The other specialized division in the hospital was in the neuropsychiatric cases. The paraplegics came under this category. In order to train the paraplegic patients to build up the muscles in their arms, shoulders, and neck, they were put in the swimming pool. The pool was also used for the treatment of psychotic and neurotic aggressive cases, who must have active exercise, and for the muscle tone treatment of arthritic cases. The gymnasium was used for these same purposes and also for ambulatory patients from the general medical and surgical division of the hospital. Other facilities of the hospital included the usage of whirlpool baths for corrective therapy, outdoor athletic field for handball, a library affiliated with the Los Angeles County Medical Library, which contained research information, a special laboratory for the study of psychological cases beside the regular laboratory, an animal hospital with a pavilion for operations for studying new treatments and operative techniques, a theater, a nine-hole golf course, and a bowling alley. All of these facilities were built by the Army and the equipment left behind for the use of the Veterans' Administration. Over the 4-year period, a total of 40,000 patients were cared for and treated by the Birmingham Hospital.

The Veterans' Administration thought the hospital had several bad features about it. One was the fact that it was a horizontal hospital; that is, 109 one-story buildings connected by hallways—some 24 miles of hospital corridors. Another factor was the temporary structure of the buildings—wooden—and the difficulty and expense in maintenance. The feeding of the patients presented quite a problem, specially heated carts were needed for instance to keep the food hot until it reached the patient; then, under Presidential order, the entire hospital was transferred to the Long Beach Naval Hospital, June 1, 1950.

BIRMINGHAM HOSPITAL CLOSES—PATIENTS TRANSFERRED TO LONG BEACH

One of the biggest battles our valley has ever seen was when the Veterans' Administration announced in May 1950 that the Birmingham Veterans' Administration Hospital was to be closed and moved to Long Beach. Long Beach was a naval hospital and this added fuel to the fire—no one could see why the Veterans' Administration hospital was being transferred when the Navy needed the hospital.

The Van Nuys Hospital was the center for the treatment of paraplegics—spinal-injury patients who were paralyzed through the lower part of the body, from the waist down. The town of Van Nuys had taken these wheelchair patients to their hearts, as did the nearby Hollywood movie colony. Thus the sudden order transferring the patients to another hospital stirred the area into an extraordinary emotional outburst of resentment. Many of the paraplegics were forced to sell their specially equipped homes which they had built in the area adjacent to the hospital, and it caused them great hardship to have to travel 51 miles to Long Beach for treatment. There was quite a bit of argument within Congress to keep the hospital open, as this hospital was the center of treatment for these paraplegic patients and also a center for tuberculosis patients.

A citizens Birmingham Hospital committee was formed and a delegation of paraplegic veterans arrived in Washington on May 19 to personally appeal to the President. Their trip was sponsored by the citizens Birmingham Hospital committee. The veterans' organizations took up the campaign to keep the hospital open. Their efforts were to no avail, however, and Birmingham never was opened up as an Army or veterans hospital again. We still have many of the original paraplegics living in our community and we all know them as a courageous gang of men who are dear to our hearts.

BIRMINGHAM JUNIOR HIGH SCHOOL

The Veterans' Administration reported the property excess to its needs May 21, 1953, with the notification that the Department of the Army would request transfer. At this time, the property was held in the custody of the Department of the Army, under permit from the Veterans' Administration. It was not being used for defense purposes—just standing idle. Birmingham General Hospital was leased October 23, 1952, from the United States Government for junior high school purposes to serve the San Fernando Valley area by our city school system.

Birmingham Junior High School opened February 2, 1953, with 1,164 students. A year later Birmingham accepted 10th grade students due to overcrowded conditions in the surrounding schools. The present enrollment of 2,823 junior and senior high school students is estimated to reach 4,500 in 1957 and over 6,000 in 1959. Because of being able to use the Birmingham site for a junior high school, we have been able to maintain the secondary schools in the San Fernando Valley on a full-time basis. The past record of growth in this area surpassed the school district's ability to provide school buildings. It was impossible to maintain elementary schools on a full session basis. The secondary school enrollment estimates for the future will reach critical proportions.

The exceptional number of children per family unit is occasioned by the fact that this valley area is populated by a young group of parents, the vast majority of which are families of veterans with four or more children. This creates a school-enrollment problem which cannot be met by the normal school locations previously established. Twenty percent of the population in this area is under 5 years of age according to the 1953 special census. The Birmingham site provides possibilities for accommodating this overload of pupils by establishing a large educational center. An elementary school, a junior high school, and in all probabilities a senior high school will be established on this site. A school for physically handicapped high-school students is needed right now and the therapy facilities now at Birmingham can be put to good use for this program. For each of these school space for agriculture and horticulture training is available in the total acreage. As these youngsters progress through school and the enormous growth continues in the San Fernando Valley, there is no question that a technical school will be needed to serve the community and training needs of business and industry.

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The increase in population in the San Fernando Valley area, according to census records, is shown as follows:

Year:	*Population*
1940	121,095
1950	333,954
1954	453,230

The secondary-school enrollment in the San Fernando Valley increased from 9,224 in 1944 to 26,022 pupils in February 1954. The Los Angeles Census Tract 16, an area of 9 square miles within which the Birmingham property is located, registered census data as follows:

Year	Population	Elementary school enrollment
1940	4,147	390
1946	[1] 7,551	549
1950	16,456	1,413
1953	[1] 46,944	8,570

[1] Special census.

The census tract data is significant since it represents the territory in the immediate vicinity of the Birmingham property and shows that the school enrollment has multiplied 22 times. The estimated future junior-senior high-school enrollments for the valley area are as follows:

1954	31,596
1955	34,674
1956	38,849
1957	42,269
1958	46,881
1959	51,471

The above shows an anticipated increase for the valley of approximately 20,000 secondary students in the next 5 years, of which, it is calculated 3,200, or one-sixth, are in the vicinity of Birmingham Hospital in census tract 16.

Forty-four new elementary schools and six new secondary schools have been constructed in the San Fernando Valley in the last 6 years. Nine elementary schools and five secondary schools are in the present construction program. It is an ideal location for the establishment of the educational center previously described. The potential population of well over a million in the valley area will require future expansion of various educational facilities which can be accommodated in this site.

To me, I am proud to have been able to be of assistance to the children of our community. The cooperation extended to me by the Los Angeles Board of Education and the parent-teachers' association and the mothers and fathers of the Birmingham students has made all my efforts worth while.

Question of the Week

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BENDER. Mr. Speaker, Mr. Truman urges the President to act firmly, in riding Congress hard. Quaere: Is Mr. Truman's career a guarantee that this policy will prove (a) wise, (b) workable, or (c) winning?

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. PRICE. Mr. Speaker, recently the friends of Poland throughout the free world, including millions of persons in the United States, celebrated and commemorated Poland's Constitution Day, May 3.

The traditional friendship of the American people for the people of Poland, a feeling which I share with countless fellow Americans, is even stronger in these days of Poland's slavery and misery.

Americans know well the name of Kosciusko, Polish soldier and patriot who became an officer in America's first Army and aided our Founding Fathers in their struggle to make the colonies an independent nation. Some years ago, on February 12, 1947, I remarked in this House that 200 years have failed to dim the luster of Kosciusko's glory.

I remarked that the Polish people have known and have endured oppression before, as they endure it today, looking forward to the day of freedom. Our Government cannot ignore, and has not ignored, the Soviet attempts to perpetuate a puppet, totalitarian regime in Poland.

I repeat what I said in this body 7 years ago: As a nation dedicated to freedom—recognizing the blessings of liberty as we do—America should continue to exhibit the liveliest concern for the welfare of Poland. America's great weight must be thrown behind the fight of all true Poles for a truly free Poland.

The Polish people should be assured that the United States will continually resist the existence of a puppet regime in Poland and will do all possible to restore Polish freedom.

I am pleased to again pay tribute to the proud Polish people in their continuing hope and fight for freedom from oppression.

Dien Bien Phu Proves We're Right

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BENDER. Mr. Speaker, one battle is not a war. Whatever the moral effect created by the fall of Dien Bien Phu in Indochina, the war for southeast Asia is by no means over. If any one deduction can be drawn from the experience record of this long-drawn-out struggle against communism, it is this—there can be no gain derived for the free world from any singlehanded policy.

Secretary of State Dulles has been preaching collective action in every Western capital. Presumably, British refusal to accept his viewpoint prevented effective action in Indochina. The Communists are banking heavily upon divided opinions in the free world. They expect to succeed by a policy of attrition. Bit by bit, they hope to chew away segments of Asia, hoping eventually that India, the traditional jewel of the East, will fall into their hands like a ripe apple.

There is small comfort to be derived from losses, in any area. But if the present position in Indochina has demonstrated to our potential allies the futility of a policy which delays united responsibilities, it has given rise to some measure of comfort. From now on in, Uncle Sam is not acting on a unilateral basis, but if new disasters occur, the responsibility will not be ours.

Case No. 9

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. CELLER. Mr. Speaker, here is still another case of extreme hardship caused by the inelastic provisions of the McCarran-Walter Act.

Anneliese Else Hermine Neumann, a German girl, who, according to the language of the official report rendered by the Department of State, stole two bags of coal while she was employed in a railway coalyard in Berlin, Germany, during the month of January 1947.

In 1951 Miss Neumann married Sergeant Ware, and applied for an immigrant visa to the United States. Under section 212 (a) (9) of the McCarran-Walter Act, she was refused a visa because she had committed a "crime involving moral turpitude."

Sergeant Ware pleaded in behalf of his wife, stressing the fact that in 1947 her father was still a British prisoner of war, and her mother was incapacitated because of wounds she suffered in both legs during the bombing of Berlin. There were at that time six younger children in the Neumann family, and the only reason Anneliese stole the coal was to keep the family warm.

There was no relief possible under the law, and Sergeant Ware had, therefore, to resort to the relief of a private bill.

It is absurd that so much distress should be meted out for so small a transgression. It should not be necessary to resort to the lengthy procedure of a private bill in such a case. Drastic amendment of the McCarran-Walter Act is certainly called for.

Moving Along in Aviation

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 13, 1954

Mr. BENDER. Mr. Speaker, travelers using the airplanes are constantly impressed with the remarkable progress being made in airport development, new types of planes, and the increasing speed of air transportation. Uncle Sam has a real stake in this business, on the basis of our annual direct subsidy of some $80 million over and above the $58 million we paid to domestic and international airlines for flying the mail.

Our Government has just received the Air Coordinating Committee report on aviation, and President Eisenhower has adopted it. Under the report, the subsidy is regarded as a temporary item and Government assistance is to be withdrawn regularly and quickly. The existence of much uneconomic competition and duplication of aviation services and facilities, particularly in the area of international flight service is recommended strongly, and this seems to suggest the combining of some lines even in our domestic service where operations are proceeding at a loss or at very low margins.

We are just on the brink of the real air age, and the expansion of airports, development of private aviation, and the kind of tremendous advances which came to the automobile industry once everyone began to think of owning a car are right ahead. Our Government is more than an observer in this field. It has a huge investment and a vital interest, from both the military and civilian viewpoints, in the growth of aviation.

SENATE

FRIDAY, MAY 14, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Robert G. Lee, pastor, Bellevue Baptist Church, Memphis, Tenn., offered the following prayer:

O God, our God, great art Thou and greatly to be praised. Thy throne is established of old. Thou art from everlasting. Thou holdest this world in the hand of Thine omnipotence and beneath the eye of Thine omniscience. We come to Thee in our weakness, asking Thy strength—in our disturbance, asking Thy peace—in our perplexities, asking Thy prompting. Bless with wisdom and physical strength our President and all members of his Cabinet in these trying days. Help us amid all darkness to see past gloom to glory, past night to renewing dawn, past men and events to Thee. May we have ears to hear and wills to obey Thy commandments. For this Nation make mountainous obstacles low, crooked places straight, and rough places plain. This we ask in the holy name of Jesus, the light of the world. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 13, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 7434) to establish a National Advisory Committee on Education, in which it requested the concurrence of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, is is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, the quarterly report of the Maritime Administration, Department of Commerce, on the activities and transactions of the administration under the Merchant Ship Sales Act of 1946, for the period January 1, 1954, through March 31, 1954 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

EXTENSION OF PERIOD OF FREE ENTRY OF PHILIPPINE ARTICLES INTO THE UNITED STATES

A letter from the Deputy Under Secretary of State, transmitting a draft of proposed legislation to provide for an extension on a reciprocal basis of the period of the free entry of Philippine articles into the United States (with an accompanying paper); to the Committee on Finance.

ISSUANCE OF CONSOLIDATED DEBENTURES BY CENTRAL BANK FOR COOPERATIVES AND REGIONAL BANKS FOR COOPERATIVES

A letter from the Governor, Farm Credit Administration, Washington, D. C., transmitting a draft of proposed legislation to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered relating to several aliens who have been found admissible into the United States (with accompanying papers); to the Committee on the Judiciary.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a telegram in the nature of a memorial from the Citizens Virgin Islands Organic Act Reform Committee, of St. Thomas, V. I., signed by Marjorie Weston, chairman, remonstrating against the present proposed organic act for the Virgin Islands, which was referred to the Committee on Interior and Insular Affairs.

TAXATION OF UNION PENSIONS—RESOLUTION OF ST. PAUL, MINN., TYPOGRAPHICAL UNION NO. 30

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by St. Paul Typographical Union No. 30, protesting taxation of union pensions, be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas the International Typographical Union has practiced benevolence and fraternalism for over 100 years; and

Whereas the International Typographical Union has paid over $100 million in pensions to its sick and superannuated members; and

Whereas the International Typographical Union pioneered in creating pensions for members unable to work because of age or disability; and

Whereas over 9,000 retired printers and mailers depend upon ITU pension payments for the necessities and little comforts of life; and

Whereas in 1934, and for 20 years thereafter, the Department of Internal Revenue considered ITU pensions charitable and therefore not taxable; and

Whereas the administration now in office favors tax concessions amounting to billions of dollars for the wealthy holders of corporate stocks; and

Whereas this year the Department of Internal Revenue officially ruled pensioners must include ITU pension payments received as taxable income when computing their income taxes for 1954; and

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Whereas neither the national budget nor the scales of justice can be balanced by taking pennies from pensioners and giving millions to millionaries: Therefore, be it

Resolved, That St. Paul Typographical Union No. 30, at this regular union meeting, go on record as protesting as discriminatory, uncharitable, and unfair the ruling made by the Internal Revenue Department which places taxes on union pensions; and be it further

Resolved, That the officers of St. Paul Typographical Union send copies of this resolution to Minnesota Members of both Houses of Congress, and the Minnesota Union Advocate.

REINSTATEMENT OF LAPSED NATIONAL SERVICE LIFE INSURANCE POLICIES—RESOLUTION OF HALVARSON-BOWERS POST 187, VETERANS OF FOREIGN WARS, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Halvarson-Bowers Post No. 187, Veterans of Foreign Wars, Minneapolis, Minn., relating to reinstatement of lapsed national service life insurance policies be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
HALVARSON-BOWERS POST NO. 187,
Minneapolis, Minn., May 6, 1954.

Hon. Senator HUBERT HUMPHREY,
United States Senate,
Washington, D. C.

DEAR SENATOR: Halvarson-Bowers VFW Post No. 187, in Minneapolis, passed a resolution in their last regular meeting.

"*Resolved*, That Veterans of World Wars I, II, and Korean veterans be given an opportunity to reinstate their lapsed national service life insurance policies. Many veterans due to financial stress or other factors had to drop their policies. We urge you as Senator from Minnesota to investigate possibilities of having legislation introduced or if already introduced to be supported by you that these men may reinstate their insurance policies without undue delay and red tape."

Thanking you for any and all help you may be able to give.

Your very truly,
WILFRED W. BOCHE,
Adjutant.

OBSCENE PUBLICATIONS—RESOLUTION OF CITY COUNCIL OF ST. PAUL, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the St. Paul City Council with regard to obscene publications, be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Resolved by the mayor and the council of the city of St. Paul, That the representatives in the Congress of the United States from the State of Minnesota are hereby petitioned by said mayor and city council on behalf of the citizens of the city of St. Paul to take all steps that these honorable representatives can take in the National Government to put a stop to the distribution of salacious and obscene books, magazines, comic books, and publications of any and all types whatever which deal in salacious and obscene presentation of printed or pictorial matter which, by reason of being a movement in interstate commerce, are now entering this State and city and are being prominently displayed for sale and sold in the city of St. Paul; be it further

Resolved, That the city clerk be and she hereby is directed to send a copy of this resolution to the honorable Senators and the honorable Representatives in the House of Representatives of the United States of America.

Adopted by the council May 4, 1954.
Approved May 4, 1954.

JOHN E. DAUBNEY,
Mayor.

UKRAINIAN INDEPENDENCE—RESOLUTIONS OF MINNEAPOLIS, MINN., BRANCH OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a series of resolutions adopted at the annual Ukrainian Day by the Minneapolis branch of the Ukrainian Congress Committee of America, Inc., be printed in the RECORD and appropriately referred. I want to commend the continuous efforts of the Ukrainian people to resist the yoke of Communist oppression.

There being no objection, the resolutions were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

We, the Ukrainians, gathered together on this day to celebrate the 36th anniversary of the union of all the lands occupied by the Ukrainian people into one independent state, proclaim the following:

1. The Ukrainian Parliament—the Ukrainian Central Council—expressing the will of the Ukrainian people, on January 22, 1918, in the capital city of Kiev, proclaimed the independence of the Ukrainian National Republic.

2. On January 22, 1919, the Government of Ukraine, expressing the will of its population, proclaimed the union of all parts of Ukraine into one independent and sovereign state.

3. In the Russo-Ukrainian war which the Communist Moscow started against the young Ukrainian Republic, Muscovites occupied the country and enslaved Ukrainia by forcing upon them the Muscovite Communist dictatorship.

4. The Ukrainian people never acquiesced to this occupation and constantly conducted and still are waging the fight of liberation of Ukraine from communism and the Muscovite imperialism. This fight is being waged on all lands of Ukraine in different forms: as a passive resistance and as an armed conflict which is being conducted by the Ukrainian Insurgent Army (UPA).

5. The Muscovite Communist Government, knowing that the Ukrainian nation never will abandon its fight for independence, is forced to falsify the history of the Ukrainian people, in order to discredit the strife of the Ukrainians for independence.

6. By the order of the Communist Party of the U. S. S. R. a huge celebration of the 300th anniversary of the treaty of Pereyaslav is being organized. Following the ratification of this treaty, Moscow, using subterfuge, deceit, and force, gradually changed the military alliance between Hetman Bohdan Khmelnitsky, the head of the Ukrainian state, and the Muscovite Tsar Alexy into a military occupation, thus brutally destroying the sovereignty of Ukraine. In the same way now Moscow, under the Communist leadership, is destroying the independence of Poland, Hungary, Rumania, Bulgaria, Czechoslovakia in Europe and of some countries in Asia. At present the Muscovite Communists are trying to convince the world that the Ukrainian people, on their free will 300 years ago, united forever with the "great" Russian people and thus "had chosen the only right way in their fight with the intruders."

7. By this huge and noisy celebration of the 300th anniversary of the treaty of Pereyaslav, the Muscovite Communist Government is trying to show to the world the inseparability of Ukrainians from Russia. Toward this end the Muscovites falsify the history of the Ukrainian people.

8. By this falsification of the historical facts Moscow is trying to inflict a spiritual and political harm to the Ukrainian people, harm which can be compared to that done during the famine of 1933.

9. These actions of the Russian Communists are finding support among the Russian-American anti-Communist groups. These groups, defending the imperialist interests of the Russian Empire, are trying to coerce the American principles of freedom and independence. Contrary to the principles of the American democracy they are opposing the independence of Ukraine and of other oppressed nations.

10. We firmly believe that the principles of freedom and independence have the same meaning for all nations. For the Ukrainians these ideals can be safeguarded only by the Ukrainian National Republic whose independence was proclaimed by the Ukrainian Parliament, the Ukrainian Central Council, on January 22, 1918.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUSH, from the Committee on Public Works:

S. 3090. A bill to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande; without amendment (Rept. No. 1340).

By Mr. SALTONSTALL, from the Committee on Appropriations:

H. R. 8583. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes; with amendments (Rept. No. 1339).

(See the remarks of Mr. SALTONSTALL when he reported the above bill, which appear under a separate heading.)

INDEPENDENT OFFICES APPROPRIATION BILL, 1955—REPORT OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, from the Committee on Appropriations, I report favorably, with amendments, the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, and I submit a report (No. 1339) thereon. I ask the President pro tempore to note that this report was submitted at 12:21 p. m. today.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and the Chair notes the time the report was submitted.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 3459. A bill to amend sections 2151, 2153, 2154, 2155, and 2156 of title 18, United States Code, relating to sabotage; and

S. 3460. A bill for the relief of Mr. Ado Cristante; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3461. A bill for the relief of Boleslaw Glowczynski; and

S. 3462. A bill for the relief of Mrs. Sarah Amren Janzon; to the Committee on the Judiciary.

By Mr. HUMPHREY (for himself and Mr. DOUGLAS):

S. 3463. A bill to amend section 9 (h) of the National Labor Relations Act, as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

HOUSE BILL REFERRED

The bill (H. R. 7434) to establish a National Advisory Committee on Education, was read twice by its title, and referred to the Committee on Labor and Public Welfare.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. SALTONSTALL submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: On page 23, line 2, after the semicolon, insert the following: "the salary of a special counsel which shall be the same as the basic rate of compensation established for the heads of the constituent agencies of the Housing and Home Finance Agency."

Mr. SALTONSTALL also submitted an amendment intended to be proposed by him to House bill 8583, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. SALTONSTALL submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: On page 47, line 5, after the word "care" insert the following: ": *Provided*, That no part of this appropriation shall be available for outpatient dental services and treatment, or related dental appliances with respect to a service-connected dental disability which is not compensable in degree unless such condition or disability is shown to have been in existence at time of discharge and application for treatment is made within 1 year after discharge or by March 31, 1955, whichever is later: *Provided further*, That this limitation shall not apply to adjunct outpatient dental services or appliances for any dental condition associated with and held to be aggravating disability from some other service-incurred or service-aggravated injury or disease."

Mr. SALTONSTALL also submitted an amendment intended to be proposed by him to House bill 8583, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

EXTENSION OF STATUTE OF LIMITATIONS WITH RESPECT TO CERTAIN CRIMINAL PROSECUTIONS—ADDITIONAL COSPONSOR OF BILL

Mr. WILLIAMS. Mr. President, on April 15, 1954, on behalf of myself and a number of other Senators, I introduced the bill (S. 3310) to extend from 3 to 5 years the time within which certain criminal prosecutions may be commenced. I did not know at the time that the Senator from Maryland [Mr. BUTLER] had introduced a somewhat similar bill a few weeks prior thereto.

After conferring with the Senator from Maryland, I ask unanimous consent that, if and when the committee reports Senate bill 3310 to the Senate, the name of the Senator from Maryland appear on the bill as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORTS ON NORFOLK HARBOR AND THIMBLE SHOAL CHANNEL, VA. (S. DOC. NO. 122)

Mr. MARTIN. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated February 19, 1954, from the Chief of Engineers, Department of the Army, on a review of reports on Norfolk Harbor and Thimble Shoal Channel, Va., pursuant to resolutions of the Committee on Public Works dated June 17, 1949, and October 14, 1949, respectively, and I ask unanimous consent that it be printed as a Senate document, with illustrations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PERSONAL STATEMENT BY SENATOR FULBRIGHT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may speak at this time for 1 minute, in regard to a statement affecting myself, which appeared this morning in one of the newspapers.

The PRESIDENT pro tempore. Without objection, the Senator from Arkansas may proceed.

Mr. FULBRIGHT. Mr. President, I wish, for the RECORD, to correct a lie printed in the Washington Post of this morning. The lie is carried in the column of the unsavory character called George Sokolsky, one of the commentators inherited by the Post from the Times-Herald. The lie appears in the column as follows:

Senator JOHN MCCLELLAN faces a tough primary fight in Arkansas. Senator FULBRIGHT and former Gov. Sidney S. McMath have joined forces against him, FULBRIGHT supporting McMath.

The writer, of course, knew when he wrote this falsehood that it was false, for he originated it. I have not joined forces with former Governor McMath against Senator MCCLELLAN, and have made this quite clear in Arkansas. The people of Arkansas are quite capable of making their choice in this matter without my advice.

I should like to suggest to the Washington Post that it should not permit its pages to be used for the continuing dissemination of lies manufactured by this man. Furthermore, I think it owes it to its readers to make a thorough investigation of the past record of this man and to publish it, so that all who are subjected to his propaganda may know the character and reliability of its source. It is difficult enough to discover the truth when people are honestly trying to do so; it is impossible when the pages of the press are permeated with deliberate lies.

THE ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, yesterday there was enacted into law the Wiley bill, S. 2150, for completion of the Great Lakes-St. Lawrence Seaway. It has now become Public Law 358 of the 83d Congress.

A most impressive and historic ceremony occurred as the curtain was rung down on the 30-year-old struggle for the enactment of this legislation. I hold in my hand the text of the release issued from the White House on the occasion of President Eisenhower's signing of the law. I ask unanimous consent that its text be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT, SENATOR WILEY, AND SENATOR FERGUSON, AND REPRESENTATIVE DONDERO AT THE SIGNING OF THE ST. LAWRENCE SEAWAY BILL, THE CONFERENCE ROOM OF THE WHITE HOUSE, MAY 13, 1954

Congressman DONDERO. Mr. President, the people of the United States, through their Congress, have determined that they will participate with their good neighbor to the north, Canada, in the construction of the St. Lawrence Seaway. It has been the dream of many decades. It is one of the greatest waterways in the world, and will be one of the great arteries of commerce in the world. I think that it will contribute much to the economic welfare and also to the national defense of both the United States and Canada.

Mr. President, five of your predecessors advocated and endorsed the building of the St. Lawrence Seaway. It has been delayed 30 or 40 years, and now under your great leadership this mighty project, the master project of the North American Continent, is to become a reality.

I want to add just one more thought, and that is this: that in the days to come, the American people, the Canadian people, the continent of North America, will receive great benefit from what we are doing now.

I am proud to be a Member of the 83d Congress, to have had some part in bringing this very happy day about, as chairman of the Committee on Public Works of the House of Representatives.

To you, Mr. President, and your administration, must go the credit for bringing about the beginning of this great project. Only one thing remains now to make the seaway an assured fact, and that is your signature to the bill before you.

Senator WILEY. Mr. President, I want to congratulate you. History will now record that at long last the dream—yes; the hope—of countless millions is being fulfilled.

Back of us stands the Ambassador of Canada. It is a symbol that we are united in the greatest effort the two nations ever undertook, in building a waterway here that will mean happiness, health, and prosperity for countless millions to come.

Across the river we have held hands. Now we cannot part. We are one in a great adventure—to build for the future of America.

I congratulate you and the American people.

Senator FERGUSON. Mr. President, Mr. Ambassador, Members of Congress, this is really a great occasion. I know it will be historic because it is a symbol of friendship between the United States and our friend, Canada, to the north.

Coming from Michigan, one of the border States, this has been a dream for many years. Mr. President, when we look at this map we can see that soon transportation can come into the heartland of America. Transportation, whether it be by ship, plane, railroad, truck, or automobile is the lifeblood of commerce and trade. And I know that history will say that we today were looking into the future.

It means a better United States, and a better world, I am sure. This occasion is really one that we can all be happy about—that this administration could bring this about.

The PRESIDENT. I am very happy, in the presence of this distinguished company, to sign this bill.

I think it is particularly fortunate that we have with us the Ambassador from Canada, because this bill is intended to set in motion the great project which will operate to the benefit of both our countries.

This marks, of course, the legislative culmination of an effort that has taken 30 years to reach this point. Now work can begin on the great project itself. That work, we all hope, will progress rapidly without interruption to a successful completion, so that the benefits of this great project can come to all our people on both sides of that great river.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, following the remarks of the Senator from Wisconsin, an editorial on the St. Lawrence Seaway, published in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HANDS ACROSS THE RIVER

When President Eisenhower signed the St. Lawrence Seaway bill yesterday he used nine pens. This sort of thing is customary. No President dreams of signing any important bill with one pen. But there was one compelling symbol in the pens the President used yesterday. Three of them contained wood recovered from old Fort Detroit, which was the last of three forts reluctantly and belatedly surrendered by the British after the Revolutionary War. These pens—and indeed the whole ceremony—stood for the warmest friendship between Canada and the United States. An American may feel that in some picturesque way he goes abroad when he crosses into the Province of Quebec, but except for some simple boundary controls we are hardly aware when we pass back and forth between the two countries. We rejoice in each other's prosperity and in time of tribulation we are united.

The seaway is, of course, more than a symbol. It will be 27 feet of water in a channel which has had only 14 feet. Eventually it will carry commercially viable oceangoing vessels into any Great Lakes port that will provide the necessary facilities. It will bring the Atlantic into the heart of the continent. There will be problems in all this. Our own port of New York and other ports will be somewhat affected, as readers of today's and subsequent Times news columns will be reminded. But there is something that sweeps the imagination in this spectacle of two nations controlling a boundary river by joint labor and joint contributions for their mutual benefit. Hands across the river is an excellent supplement to hands across the sea. And in this case we may be able to say that though blood is thicker than water, water can still unite us.

Mr. CORDON. Mr. President, I wish to state for the RECORD that the signing of the St. Lawrence Seaway Act as of yesterday was a milestone; and it represents, to my mind, and, I am sure, to the mind of others who are acquainted with the history of the St. Lawrence Seaway project and the passage of the seaway bill by the present Congress, as contrasted with the failure of the passage of the bill in previous Congresses, the diligence of the leadership the Senator from Wisconsin [Mr. WILEY] has shown in connection with it. It is a monument to his leadership and diligence. Personally, I wish to congratulate him on the the floor of the Senate for the final success of the measure.

Mr. WILEY. I thank the Senator from Oregon.

SIXTH ANNIVERSARY OF THE CREATION OF THE STATE OF ISRAEL

Mr. IVES. Mr. President, 6 years ago today, a people's fervent dedication to the same ideals we in this country hold dear found its culmination in the creation of the State of Israel.

Throughout history there have always been men whose courage and determination have carried forward the cause of freedom, so that the spirit of mankind might achieve new heights of liberty and dignity. In this forward march of democracy, Israel is today one of the world's leaders.

On the anniversary of its founding, I send to its people and its friends my solemn good wishes. May these next years bring to the State of Israel and to all the world an era of abiding peace and tranquillity.

AN EDUCATOR COMMENDS HEARINGS ON U. N. CHARTER

Mr. WILEY. Mr. President, tomorrow, May 15, the Senate Foreign Relations Subcommittee on the U. N. Charter will hold a hearing in Greensboro, N. C. On Monday, June 7, the same subcommittee will hold a hearing in Louisville, Ky. It is my privilege to serve as chairman of this subcommittee. I wish to say that I have been profoundly gratified by the tremendous outpouring of public interest in these field hearings on this important issue.

I hold in my hand the text of a letter which came to me from a professor of one of the great educational institutions of Wisconsin. He expressed certain reactions to the idea of going out to the grassroots and hearing directly from the American people themselves—reactions which I think are worthy of note by the Senate. I offer them now, not because they happen to praise this particular subcommittee, but because I think they express certain principles which are fundamentally sound.

I ask unanimous consent that the text of the letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 21, 1954.

Senator ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Your most kind letter thanking me for my testimony before your subcommittee arrived just when I was about to write to you. I intended to express once more my appreciation for having had the opportunity to present to you and your colleagues some suggestions on the question of changes in the United Nations Charter.

But I would also like to emphasize one point which in my opinion has been neglected. The idea of your subcommittee to go to the people will bear fruit in more than one way. It is certainly of great value to you, Members of the Senate, to learn about the various currents of public opinion by holding sessions at places outside Washington. But it is of at least the same importance that "we, the people," are getting acquainted with our Senators at work. You are giving one of the most precious services to the improvement of public relations between Congress and the public through your visits to cities all over the country. We are used to Senators reporting to their constituents or speaking in their States around election time. But when did we have so far an opportunity to see Senate committees at work?

I must tell you that I was deeply impressed by the way you and Senators GILLETTE and MANSFIELD handled the meeting, by your concentrated listening to the many voices that were talking to you, and by your questions and comments which were pertinent, to the point, and most instructive for the audience. I was certainly not the only one who admired you gentlemen.

Newspaper reports about the proceedings of the Senate and its committees are often so distorted, with emphasis on the sensational aspect and not on the creative work done by the Senate, that we do not receive an adequate understanding of the activities of our Senators as individuals and of our Senate as a body.

You gentlemen have helped us to correct our wrong ideas, to become proud of our Senate and to gain an increased respect for our Senators. You have contributed to eliminating the foolish connotation so often associated with the word "politician." I myself am regularly discussing in my classes the reasons why this word has lost its objective meaning, and am trying to explain that a democracy is in need of individuals who

choose politics as their profession. But if and as long as the wrong connotation continues to shape the ideas of the people about political activities and politicians, the best of our young men and women will be deterred from entering politics. This is a dangerous trend indeed.

In view of these considerations you will perhaps understand why I am particularly grateful to you for having your sessions held at places outside of Washington. It is public-relations work in the best sense of the word and means the opening of new channels of communciation between Congress and the people.

Thanking you and your colleagues again for your fruitful initiative, I am.

THE GENEVA CONFERENCE

Mr. SMITH of New Jersey. Mr. President, we are all aware of the tension today in Geneva. We have been disturbed by the reports with respect to the French elections, and we do not yet know how to diagnose them.

There was published in the New York Herald Tribune of yesterday a fine article entitled "Willingness To Compromise With Communists Deplored," which was written by David Lawrence. I wish to emphasize the strong feeling which I have, and which I know many of my colleagues have, that there can be no compromise with sound moral principles.

In Geneva today representing our Government are two distinguished members of our Department of State, namely, Gen. Walter Bedell Smith, Under Secretary of State, and Mr. Walter S. Robertson, Assistant Secretary of State. As Senators know, the Secretary of State is in Washington.

I wish to emphasize a point which Mr. David Lawrence makes by reading from his column. Later I shall ask unanimous consent to have the entire article printed in the RECORD. Mr. Lawrence says:

> It is Communist China and Soviet Russia who, together, under the guise of championing the cause of independence for the nations of Indochina, are actually seeking a way to obtain control of those new states as puppets in the march of Communist imperialism.

That is the theme which is emphasized throughout the entire article.

Mr. Lawrence concludes with this statement:

> Only by steadfast adherence to a great moral purpose with unflinching courage can these evil tendencies be curbed, and it is a matter of great pride that the President and Secretary of State are backing up the delegation here as Under Secretary Bedell Smith presents an unyielding front in behalf of America's moral leadership in the world.

Mr. Lawrence is in Geneva reporting daily on the occurrences there. I commend him for this fine article. So far as I am concerned, I wish to give a vote of confidence to Under Secretary Walter Bedell Smith and Assistant Secretary Walter Robertson for holding aloft the banner of moral purpose at this time of great tension.

I ask unanimous consent that the entire article be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILLINGNESS TO COMPROMISE WITH COMMUNISTS DEPLORED

(By David Lawrence)

GENEVA, May 12.—Here at the confluence of world diplomacy it is possible to discern more clearly than anywhere else the deterioration of moral and spiritual values which has set in nowadays among the so-called intellectual segments of public opinion in various countries.

Here, for example, moral principle is treated by too many persons as just an obsolete habit of expression characteristic of bygone days. It is cynically cast aside as too old-fashioned for this new era of the sophisticated in our midst or too bothersome to maintain if creature comforts and the supposed benefits of materialism are to be enjoyed.

Here the words of public men are examined, not for the strength of purpose they may exhibit but for the weaknesses and cringing retreats they may presumably conceal.

Here the words "compromise" and "bargaining" are constant in the vocabulary of the press, as if Communist imperialism with its aggressive adventures in Korea and Indochina were just another philosophy—a sort of conscientious political belief—and not the evil force that springs from cruel and unmoral men.

IDEA OF COMPROMISE

Here the idea that there can be a compromise with the satanic masters of intrigue and infiltration into the free world seems to be accepted by so many Europeans—and not a few American commentators back home—that it makes one wonder if the decadence which always precedes the fall of any empire has not begun to eat like a cancer into some of the democracies of the so-called free world.

A good example of reckless disdain for principle is to be found in the tendency here to assume that the United States does not mean what it says when it seeks a means of establishing peace in the world, but that it is really bent on prolonging the war in Indochina for a war's sake. This is to be expected from Communist newspapermen, but it is remarkable how distorted an impression of America and its ideals are to be derived from so many newspapermen in non-Communist countries in Europe. There seems to be an obsession in some quarters here, on the other hand, that America is ready to agree to give away southeast Asia by one scheme or another, despite everything to the contrary that has been said by President Eisenhower and Secretary Dulles. It is amazing how the words of the President and the Secretary of State are pounced upon and given twisted meanings.

Thus when the President a week or so ago used the phrase "modus vivendi" to express a generality of temporary adjustment, it was seized upon as meaning a willingness to surrender Indochina to the Communists.

Then on Tuesday of this week Secretary Dulles, attempting to be obliging to an inquiring press and in response to a hypothetical inquiry, said that even if Indochina were lost, it would not alter our own position in seeking to build up a collective defense to save southeast Asia. This was transmitted in abbreviated form to Geneva and caused a sensation among the French delegates, who were told by excited European newspapermen that the United States was running out on its ally and was already conceding the fall of Indochina. Promptly the American delegation cabled for the exact text, which, when it arrived, readily reassured French Foreign Minister Bidault, who saw that no such meaning was intended.

If these were isolated instances, it would be understandable, but the tendency seems to be to create situations that either seek to emphasize alleged differences betwn Mr. Eisenhower and his Secretary of State or betwen the United States and the French delegation. It is surprising, but the assumption always seems to be that the formal statements issued by the American Government are being or will be superseded by some of the biased meanings read into offhand comments at press conferences.

Such are the mischief-making handicaps which face diplomats who represent the United States nowadays. The highest purpoes are beclouded by an atmosphere of wishful thinking here—wishful that America should or must inevitably yield to the Communist pressure and forsake its moral principles. It takes more than ordinary stamina to resist such influences, and it may be noted that the United States is standing firmly on moral principle with respect not only to Korea but also to Indochina.

UNFLINCHING COURAGE

It is Soviet Russia which, by denouncing the United Nations and rejecting its moral authority to supervise free elections in Korea, is deviating from all moral law and the principle of collective security. It is Communist China and Soviet Russia who together, under the guise of championing the cause of independence for the nations of Indochina, are actually seeking a way to obtain control of those new States as puppets in the march of Communist imperialism.

Only by steadfast adherence to a great moral purpose with unflinching courage can these evil tendencies be curbed, and it is a matter of great pride that the President and Secretary of State are backing up the delegation here as Under Secretary Bedell Smith presents an unyielding front in behalf of America's moral leadership in the world.

VISIT TO THE SENATE BY PUPILS OF LAFAYETTE, LA., HIGH SCHOOL

Mr. ELLENDER. Mr. President, I am pleased to announce to the Senate that we have in the galleries today 77 boys and girls of Lafayette High School of Lafayette, La., and 10 of their adult advisers. The boys and girls are all members of the Lafayette a cappella choir, which is under the direction of Kenneth P. Bowen. By holding rummage sales, candy sales, and similar activities, these boys and girls have managed to acquire the money necessary to finance this trip which has brought them from the heart of Louisiana's Acadian country to our Nation's Capital. So far, they have visited many of our Nation's shrines. They have performed in several cities on their way up here. Yesterday, they visited the United States Naval Academy, and today and tomorrow they will see Washington. I am sorry that because there are so many of them, I shall not be able to introduce them individually to the Senate, but I shall ask them to stand and be recognized.

(The visitors rose and were greeted with applause.)

Mr. ELLENDER. Mr. President, I ask unanimous consent that the names of these boys and girls be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

As Presiding Officer of the Senate, and on behalf of the Senate, the Chair welcomes the visitors from Lafayette High School.

UNIVERSITY OF MICHIGAN

The list submitted by Mr. ELLENDER is as follows:

Following is a list of the names of the students from Lafayette High School who were introduced from the floor of the Senate today, as per unanimous consent obtained by Senator ELLENDER this afternoon:

GIRLS

Marlin Albritton, Barbara Bates, Anna Catherine Belle, Patty Lou Bernard, Marlene Boulet, Genevieve Bourgeoes, Jackie Burnham, Joy Broussard, Ethel Chachere, Gail Charchere, Elaine Davis, Bertha Lee Domingue, Jean Duhon, Barbara Fleming, Nellie Fournet, Shirley Fournet, Barbara Goldsmith, Pauline Harding, Shirley Hebert, Barbara Hopkins, Pauline Lasserre, Paula Mackey, Elaine Magee, Gerry McManners, Eleanor Mitchell, Jackie Montgomery, Macklyn Mouton, Anne Morgan, Gloria Norman, Lois Patin, Myrna Patin, Barbara Ringe, Patty Robicheaux, Romona Romero, Rhonda Rougelot, Sylvia Savoy, Roylyn Schaeffler, Patricia Shockley, Beth Talley, Anne Taylor, Pat Turner, Lucretia Walker, Margaret Wallace, Edna Worley, Genia Jackson, Jodie Simon.

BOYS

Bob Pickering, Tommy Robichaux, Sidney Simpson, Earl Sanderfur, Jimmy Hebert, Brumby Sessions, Billy Schmitz, Sherry Duhon, Willie Baronet, John Love, Bobby Duplex, Malcolm Hebert, Johnny Latiolais, Richard Gautreaux, Gregory Long, Jim Drobish, Bobby Mine, Larry McCartt, Dickie McCauley, Calvin Bowers, Louis New, Howell Dennis, Harvey Pothier, Joseph Trahan, Hammy Patin, Roy Bernard, Carrol Schexnayder, Bob Hensley, Frederic Hayes, Ernest Geisendorff, Charles Miller, Norton Zeringue.

CHAPERONES

Mr. and Mrs. Gilbert Romero; Mrs. M. H. Walker; Mrs. Earl Turner; Mrs. J. Boring Montgomery; Mrs. Frank Wallace; Mrs. J. F. Taylor; Mrs. Violet Drobish; Mr. Belton Fontenot, Sr., Greyhound driver; Mr. Romaine Hebert, Greyhound driver; Benton Fontenot, Jr., with Air Force in Washington, D. C.

DEFENSE APPROPRIATIONS

Mr. FERGUSON. Mr. President, on May 12, as indicated on page 6434 of the RECORD, the Senator from Michigan and the Senator from South Carolina [Mr. MAYBANK] had a colloquy on the floor of the Senate in relation to the defense budget. At that time I made the following statement:

Mr. FERGUSON. I wish to make it clear on the record that I have no evidence to indicate that there will be an application or evidence presented for a deficiency bill to increase the amount of the present requests. I think it is only fair to the Senate to make that statement.

I was speaking in relation to the present defense budget.

This morning I find in the New York Times a United Press item headed "Hannah Denies Rise in Defense Spending." I ask unanimous consent that it be printed in the RECORD, at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANNAH DENIES RISE IN DEFENSE SPENDING

WASHINGTON, May 13.—John A. Hannah, Assistant Defense Secretary, denied today that the administration was planning to increase military spending because of Communist successes in Indochina.

He conceded, however, that a reappraisal of the pared-down budget might be in order if the projected Southeast Asia alliance was formed.

Senator BURNET R. MAYBANK, Democrat, of South Carolina, had said after hearing a secret briefing by Mr. Hannah Wednesday that the Defense Department now believed, in view of the Far East crisis, that it would need more money.

But Mr. Hannah declared that Senator MAYBANK had drawn the wrong conclusion from a "hypothetical question" whether formation of the Asian alliance would require additional funds.

He said the administration had no present intention of seeking more defense money. Other defense sources said the present outlook indicated the military services actually would spend less than the $37,500,000,000 originally estimated for the fiscal year to start July 1.

THE TENNESSEE VALLEY AUTHORITY—EXPIRATION OF TERM OF GORDON CLAPP, CHAIRMAN

Mr. GORE. Mr. President, the term of Mr. Gordon Clapp, Chairman of the Tennessee Valley Authority, expires next Tuesday at midnight.

As yet, the President has not sent to the Senate the nomination of Mr. Clapp for reappointment, or for his successor.

The time necessary for consideration of the nomination of a new man, should such a nomination be sent to the Senate, means that unless Mr. Clapp is renominated, the TVA will be without a Chairman, at best, for a considerable time.

I have not made a recommendation to the President for the reappointment of Mr. Clapp, or the appointment of anyone else, to the TVA Board of Directors. In fact, I have not, at any time, recommended anyone for appointment to the TVA Board. I have felt, and still feel, that this appointment should be completely nonpolitical.

I am glad to say that I would find the reappointment of Mr. Clapp entirely satisfactory, and I truly believe this is the overwhelming sentiment of the people of the Tennessee Valley. Many thousands of them have manifested such a sentiment by signing petitions in behalf of the reappointment of Mr. Clapp. There can be no question about it.

In view of President Eisenhower's pledge at both Memphis and Knoxville during the campaign of 1952, to maintain TVA at maximum efficiency, I find it strange that the President has not so much as consulted the one man who knows more about TVA than any other—Mr. Clapp—regarding the problems of the agency. I do not wish to be critical. Of course, in fairness, it should be recognized that, in these distraught times, the President of the United States has an intolerable burden. Therefore, I do not wish to be critical, but I do wish, however, to suggest that it might prove beneficial to the President, to the American people who own the TVA, and to the people who are served by TVA, if the President would confer with Mr. Clapp about the problems of the TVA.

In this connection, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks sections 2 (h) and 2 (f) of the Tennessee Valley Act, regarding the qualifications of members of the Board of Directors.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Section 2 (h): All members of the Board shall be persons who profess a belief in the feasibility and wisdom of this act.

Section 2 (f): No director shall have financial interest in any public utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen or fertilizer, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Corporation as a producer of concentrated fertilizers or as a producer of electric power.

Mr. HILL. Mr. President, will the Senator yield to me for half a minute?

Mr. GORE. I yield to the distinguished Senator from Alabama.

Mr. HILL. I merely wished to say to the distinguished Senator from Tennessee that I am delighted to hear what he has said about the President conferring with Mr. Clapp. Like the Senator from Tennessee, I realize the burdens which the President of the United States carries today. Several weeks ago I had the privilege of talking personally with the President. At that time I urged him to have a talk with Mr. Clapp. I hope he will do so, as suggested by the Senator from Tennessee.

VISIT TO THE SENATE BY SENIOR CLASS OF CHERAW, S. C., HIGH SCHOOL

Mr. JOHNSTON of South Carolina. Mr. President, there are in the gallery a number of members of the senior class of the Cheraw, S. C., High School. I ask unanimous consent that they be permitted to stand and be recognized.

(The visitors rose and were greeted with applause.)

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the names of these students be printed in the RECORD at the conclusion of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CHERAW HIGH SCHOOL SENIOR CLASS, CHERAW, S. C.

Ruth Funderburk, Margaret Tarleton, Glenn Williamson, Delilah Little, Thomas Chavis, Marcine Mari, Barbara Anderson, Norma Rollins, Leona Bundy, Daniel Bacot, Duncan Laney, Bobby Cassidy, Barbara Jones, Marilyn Carpenter, William Burr, Rufus Sowell, Evelyn Burke, George Laney, Marvin Massey, Mellie McRae, Dorothy Chapman, Montia Jones, Sarah Brock, John Maynard, Jr., Gerald Duvall, Julian Hodge, Claudius E. Watts III, Jo Ann Quick, Margaret Ratliff, Sybil Kindall, Patricia McQuaige.

The PRESIDENT pro tempore. On behalf of the Senate, the Presiding Officer of the Senate bids the group from South Carolina welcome.

STATEHOOD FOR HAWAII AND ALASKA

Mr. SMATHERS. Mr. President, at the present time there is in Washington a large delegation from the Territory of Hawaii seeking to influence Representatives and Senators and the White House to support their request for statehood.

There is also present in Washington a large delegation from the Territory of Alaska in support of statehood for that Territory.

Recently I have received many letters and telegrams from people in both Territories who are not in favor of the delegations being here. The writers object to delegations coming here at the taxpayers' expense.

I shall read two such letters and then I shall ask unanimous consent to insert the remainder of them in the RECORD.

The first letter, published in the Honolulu Star-Bulletin, is written by Lt. Comdr. W. R. Spear, United States Navy, retired. It reads:

WHY NOT SEND THE OPPOSITION?

EDITOR, THE STAR-BULLETIN:

I am not in favor of sending the statehood delegation to Washington unless an equal number of those opposed to statehood also be sent. After all it's all of us who pay the taxes from which the expenses for the junket are paid and I think it only fair that the opposition be represented as well as those favorable to statehood.

I think the whole idea of this delegation is just another silly idea of the Governor and the Delegate.

W. R. SPEAR,
Lieutenant Commander, United States Navy (Retired).

HONOLULU, T. H.

The other letter I should like to read was written by Miss Kathleen D. Mellen. It reads:

WOULD DO A JOB ON STATEHOOD

EDITOR, THE ADVERTISER:

Through the columns of your esteemed newspaper I would like to make public application for membership in the honorable group leaving soon for Washington on behalf of statehood. I cannot claim mental qualifications equal to many of those who are going but, on the other hand, perhaps some of the things I have not done might be considered in my favor by Congress.

For instance, I have not burned southern Congressmen in effigy (as did the students of the University of Hawaii), nor have I picketed the Federal building carrying placards insulting to Congress (as did the professional statehooders). I have not heaped abuse upon United States Senators, nor have I gone into their home districts and attempted to poison their constituents against them (as is now proposed by statehood leaders). And, having poured out my tax dollars for these statehood joyrides for the past 10 years, I would be able to speak feelingly on the subject of taxation without representation.

So, in view of these qualifications, I am humbly asking that I be included among the great privileged ones when the special plane chartered for this purpose sets forth on its noble mission.

If I am so honored, I can assure the people of Hawaii that I shall do a job on statehood (of which we are now getting an excellent foretaste).

KATHLEEN D. MELLEN.

MAY 3.

Mr. President, I ask that the remaining letters be printed in the body of the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

REEXAMINE STATEHOOD QUESTION

EDITOR, the ADVERTISER:

For several years I have considered the pros and cons of statehood for Hawaii. I finally decided that, in spite of some apprehension about our political preparedness, our dignity and stature demanded statehood.

The recent convening of the legislature and the insistence of our representatives on their junket to Washington, in spite of the evident disapproval of the people and the advice of our well-wishers, has now convinced me that in our present condition of political immaturity, the granting of statehood at this time would be a real disservice to Hawaii.

I suggest that all devoted to the best interest of Hawaii reexamine the entire picture, in view of recent developments, and if they feel as strongly as I do, let their opinions be known in Washington.

In a real desire to serve Hawaii, I am sending a copy of this letter to Senator BUTLER.

FRED R. WOLFE.

FEELS SHE'S QUALIFIED FOR WASHINGTON TRIP

EDITOR, the STAR-BULLETIN:

There is a confusion in our legislature as to who other than the legislators should go on the spring (jaunt) to Washington. As it is a free trip, to a free country, I feel that I am qualified. I am an American. I am of the third generation of four generations born in the Territory.

My grandfather before me fought for what he believed was right, against those influences who tried to dispose of Queen Liliuokalani's reign. I am now fighting for what I believe is right, "statehood for Hawaii."

I am a housewife and a mother, who can find room in my suitcase for pencil and pad to take notes of the tour, which would be highly educational as a subject to talk of at PTA meetings, etc. I believe I am not any more ill prepared or untrained than our legislature.

With the above endowments, I hope to qualify for this spring jaunt, as I need the vacation. I am sure my husband can take care of the family while I go out fighting for statehood.

Mrs. MARY M. KLEMM.

SUGGESTION FOR THE WASHINGTON TRIP

EDITOR, the STAR-BULLETIN:

Why not do this statehood junket up real good and send Kum, Ross, Sakai, and Director Gallas along with the rest? There is no doubt whatsoever that this group could engage in some extracurricular activity and offer their services to the Senate committee now holding the McCarthy hearings. They could show the Senate some new tricks they have learned during the Marcotte hearings, especially in the finer art of procrastination and doubletalk.

There is not a shadow of a doubt that this group would do up our chances for statehood in fine fashion.

E PLURIBUS UNUM.

Mr. SMATHERS. Mr. President, finally, I ask unanimous consent to have printed in the RECORD at this point an excerpt from the front page of the Honolulu Star-Bulletin of May 5, 1954, including the headline.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

VFW OPPOSES CAPITAL TRIP AS WASTE—SOME HOUSE MEMBERS HAVE DROPPED OUT

The smoldering dispute over the Washington statehood delegation flared again today as plans, nearly complete, showed about 57 will make the trip.

Latest blows and moves were:

1. The Hawaii Department of Veterans of Foreign Wars rejected an invitation to send a delegate with the blunt assertion that while it favors statehood it does not want taxpayers' money wasted.

2. Governor King released a report quoting six members of Congress as expressing favorable reactions to the trip.

3. The Zonta Club of Honolulu wrote an open letter to the Governor and the Statehood Commission declaring the trip seems ill-timed and ill-advised and asked postponement or cancellation of it. The organization is on record for statehood, the letter said.

* * * * *

PROPOSAL TO SEND STATEHOOD DELEGATE REJECTED BY VFW

The Hawaii Department of Veterans of Foreign Wars, last night in a top-level meeting flatly rejected the idea of sending a VFW member to Washington on a statehood trip at taxpayers' expense.

In a bluntly worded resolution, the department council, which represents all VFW posts in Hawaii went on record as being "definitely and emphatically opposed to such a delegation."

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, has the morning hour been concluded?

The PRESIDENT pro tempore. The morning hour has been concluded.

Mr. KNOWLAND. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States withdrawing the nomination of Albert W. Mulley to be postmaster at Anthony, N. Mex.-Tex., which was ordered to lie on the table.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. SMITH of New Jersey, from the Committee on Labor and Public Welfare:

J. D. Leggett and several other candidates for personnel action in the Regular Corps of the Public Health Service.

By Mr. MILLIKIN, from the Committee on Finance:

Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

Mr. KNOWLAND. The Executive Calendar contains routine appointments in the Navy and in the Marine Corps, which have been favorably reported but not printed on the calendar. I ask that they be considered.

The PRESIDENT pro tempore. The clerk will state the nominations on the Executive Calendar.

APPOINTMENTS IN THE NAVY AND IN THE MARINE CORPS FAVORABLY REPORTED BUT NOT PRINTED ON THE CALENDAR

The legislative clerk read as follows:

Nominations of Bradford L. Abele and 581 other persons for appointment in the Navy and in the Marine Corps; (530 in the Navy and 52 in the Marine Corps).

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of the nominations confirmed today.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1274, House Concurrent Resolution 197.

This is the concurrent resolution which the Senator from Nevada [Mr. McCARRAN] brought before the Senate on May 10, and it was agreed to at that time, and the action was subsequently rescinded. The resolution is somewhat similar to another measure which was sponsored by the Senator from Utah [Mr. WATKINS], and considered by the Committee on the Judiciary. That measure was reached on the last call of the calendar, but at the time there was objection made to it by the minority calendar committee. I understand that that objection was withdrawn and the measure was passed.

Last evening, in taking up several bills, there was some confusion on my part, and I thought the concurrent resolution previously brought up by the Senator from Nevada [Mr. McCARRAN] was under consideration, and my explanation last evening referred to House Concurrent Resolution 197, which I now ask be considered by the Senate. Actually, the bill under consideration and passed last evening was S. 1303, granting naturalization to certain former citizens of the United States.

I discussed the matter with the minority leader today, and he stated that the minority had no objection to either measure. The explanation on the other measure, S. 1303, was made last evening by the Senator from Utah [Mr. WATKINS] when the bill was considered.

Therefore, I now ask unanimous consent that the Senate proceed to the consideration of Concurrent Resolution No. 197. The Senator from South Carolina [Mr. JOHNSTON] will speak on it.

The PRESIDING OFFICER. The Secretary will state the concurrent resolution by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 197) favoring the granting of status of permanent residence to certain aliens.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution which had been reported from the Committee on the Judiciary with an amendment, on page 25, at the end of the concurrent resolution to add the following:

A-6661397, Dimian, Bella Berca.
A-7903809, Saganich, Giuseppe Bruno or Joseph Bruno Saganich or Saganey.
0501-19738, Wang, Ting Pang or T. P. Wang.
A-7609403, Yen, Ung Yu.
A-7609402, Yen, Gwendoline Tsunglan nee Hwang.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, it will be noticed that the committee amendment adds the names of five persons to the concurrent resolution on page 25. All the other names were in the concurrent resolution as it came from the House. The resolution is reported unanimously by the committee. The additional five names were submitted by the Department of Justice, with the request that they be included in the list of names contained in the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

DISTRIBUTION OF FISHERY PRODUCTS

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is S. 2802.

The Senate resumed the consideration of the bill (S. 2802) to further encourage the distribution of fishery products, and for other purposes.

Mr. DUFF obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator from Pennsylvania yield so that I may suggest the absence of a quorum? The distinguished Senator from Delaware [Mr. WILLIAMS] stated he would like to be on the floor when the debate opened on the unfinished business.

Mr. DUFF. I yield for that purpose.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

Mr. DUFF. Mr. President, the purpose of this bill, S. 2802, is to earmark 30 percent of the gross receipts from duties collected under the customs laws on fishery products for transfer by the Secretary of Agriculture to the Secretary of the Interior to be maintained as a separate fund. This fund is to be used, first, to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service and fishery technological, biological, and related research programs, the moneys so transferred to be also available for the purchase or other acquisition, construction, equipment, operation, and maintenance of vessels or other facilities necessary for conducting research as provided for in this section——

Mr. AIKEN. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. AIKEN. Did the Senator say the funds would be used for the acquisition of vessels?

Mr. DUFF. Yes. I will repeat my statement if the Senator wishes me to do so.

Mr. AIKEN. No. I did not quite hear the Senator's statement when it was first made. I thank the Senator.

Mr. DUFF. Second, to develop and increase markets for fishery products of domestic origin; and, third, to conduct any biological, technological, or other research pertaining to American fisheries.

By prior legislation, section 32 of the act of 1935 (49 Stat. 774; 7 U. S. C. 612c), as amended, appropriated and set apart annually in a special fund an amount equal to 30 percent of the annual gross receives from all duties collected under the customs laws. This special fund was to be expended by the Secretary of Agriculture to encourage exportation and domestic consumption of agricultural products. Section 2 (a) of the act of August 11, 1939 (53 Stat. 1411; 15 U. S. C. 713c–2), which would be amended by the bill as reported, authorized the Secretary of Agriculture to transfer to the Secretary of the Interior from the special fund established by the 1935 act, outlined above, $75,000 for use in promoting "the free flow of domestically produced products in commerce by conducting a fishery educational service," and $100,000 to be used by the Secretary of the Interior "to develop and increase markets for fishery products of domestic origin."

The pending bill, insofar as it pertains to the availability and use of funds, is simply an increase in these amounts to an amount equal to 30 percent of the gross receipts from duties collected under the customs laws from the importation of various fishery products. It is no departure from the methods set forth in the original act and, therefore, presents no novel budgetary aspects.

A limitation on the total amount that may accrue in this fund is found in the proviso:

(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) and the annual accruals thereto shall be available until expended, except that the balance of the fund shall not exceed $5 million at the end of any fiscal year, and the Secretary of the Interior shall retransfer the funds in excess of said $5 million balance to the Secretary of Agriculture to be used for the purposes specified in section 32 of the Act of 1935 (49 Stat. 774; 7 U. S. C. 612c), as amended.

DIFFICULT POSITION OF FISHING INDUSTRY

Throughout the United States, our fishing industry is in an increasingly serious and difficult position. An absence of scientific conservation measures, a

lack of knowledge upon which to base effective conservation, grossly inadequate research, and, as a result thereof, decreased catches, maladjustments to fluctuations in supply, and a lack of improved techniques have all combined to injure this basic American industry.

Statistics from the Fish and Wildlife Service of the Department of the Interior show that the west coast catch of pilchard—sardines—was 1,147,295,000 pounds as late as 1944. Yet, 9 years later, in 1953, it amounted to only 5 million. In 1944 the catch of Alaska salmon was 393,318,000 pounds. Nine years later, in 1953, it was only 220,276,000 pounds.

In the New England States it is the same story. The 1944 catch of cod was 93,756,000 pounds. Nine years later, in 1953, it was estimated at only 31 million pounds, or less than a third. At Gloucester, Mass., over the last 10-year period mackerel has dropped from a high of 32 million pounds a year to a low of between 2 and 3 million pounds. In the same area the annual catch of ocean perch or red fish has dropped in the past 10 years from 177 million pounds to 88 million pounds a year. In recent years prior to this 10-year period their lands of ocean perch have been 250 million pounds a year. The same is true of shad, salmon, and alewife. The major anadromous fish have been on the decline for years. The decline has been due to overfishing, pollution, and the prevention of fish from reaching their spawning grounds due to the lack of adequate fishways. It would seem reasonable to demand that when a dam blocks off a stream and thereby prevents the yearly migration of fish to their spawning grounds it is the duty of those building the dams, whether by public or private enterprise, to restore these water highways by adequate fish ladders, just as it is the duty and obligation of the various municipalities and industries to clean up the polluted waters which likewise prevent migrations as effectively as do dams and other obstructions.

What is true of the decline of aquatic life in the oceans surrounding us and in the streams flowing into the ocean is equally true of the waters of the Great Lakes.

Claude Ver Duin, a representative of the Federation of Freshwater Fisheries from the Great Lakes area, has testified that the fisheries of the three upper Great Lakes, namely, Superior, Michigan, and Huron, are faced with the prospect of a complete collapse because of the invasion of the sea lamprey, a vicious marine predator. The sea lampreys, which have their origin along the east coast, have been found in Lake Ontario for a great many years, but in 1931 the first specimen to be noted west of the Welland Canal was discovered in the Detroit River.

During the next 4 years additional specimens were found in Lake Huron and as far west as Lake Michigan, near Milwaukee, Wis. By 1936 these parasites had succeeded in establishing spawning runs in several Lake Huron streams and badly scarred lake trout begin to appear in the commercial catch. By 1940 the catch of lake trout in Lake Huron began to decline, and for the first time less than a million pounds of this species was caught. In a period of 8 years the annual production of lake trout from Lake Huron dropped from its normal average figure of a million and a quarter pounds to a mere 2 tons. There have been no lake trout taken from Lake Huron since 1950.

Nineteen hundred and forty-four was the last year in which the Lake Michigan fishermen produced their average number of lake trout, amounting to approximately 6½ million pounds. Each succeeding year showed marked declines in trout production until 1952, when only 1½ tons were produced from the entire lake. Lake Michigan, like Lake Huron, is now devoid of lake trout, the fish that had always been the backbone of the industry up until the advent of the vicious marine predator, the sea lamprey.

The loss of lake trout to lake fishermen now runs approximately $3½ million a year. The invasion of the Great Lakes by the sea lamprey has so completely upset the balance of nature that new problems are presenting themselves with each passing month.

There is an immediate need for an intensified lamprey-control program. An increased research program which will enable the proper authorities to bring back the lake trout and again establish the balance of nature in the Great Lakes.

COMPETITION OF IMPORTED FISHERY PRODUCTS

The amount of competition which our domestic fishery products industry has to meet from imports of foreign fishery products can be judged best from a study of the gross receipts from duties on fishery products. These gross receipts have increased enormously. In 1940, the total amount was $4,772,428; by 1952, it had increased to $11,982,000, an increase of more than 150 percent during the 12-year period. During the same period the value of fishery imports increased from $40 million to over $200 million.

The domestic industry, in the meantime, by voyaging farther and farther afield at greater and greater expense for every pound of fish caught, has barely managed to hold the share of the market it had at the beginning of the period. It is thus evident that during a period when the domestic fishing industry has been increasingly in need of assistance in meeting competition from abroad, it has been making increasingly large indirect contributions for purposes unrelated to this need. The pending bill is directed at the correction of this plainly unfair situation. Because the industry's difficulties so largely stem from competition by imports, an appropriate source of supplementary funds for research and development is the revenue derived from those same imports. The earmarking of a portion of this revenue, solely from the imports of fish, would go far toward meeting the fishing industry's most urgent research and development needs.

The cost of production in this country is higher than the cost of production abroad. Duties in a measure compensate for this. Still, our domestic industry is not asking at this time for protection through higher tariffs. It is asking Congress for funds for research, so that it may improve its techniques, increase its catches, and lower its own production costs. It can then compete fairly and squarely with foreign producers. The pending bill would go far toward making this goal an attainable one. The amount of funds involved in the bill is a modest price for this Nation to pay in order to revitalize our domestic fisheries industry.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. AIKEN. The Senator from Pennsylvania does not wish to leave the impression, does he, that at present no funds are available for research in connection with fish?

Mr. DUFF. No. There is $175,000, which is most inadequate, as I shall point out later.

Mr. AIKEN. Is it not a fact that the Department of Interior Appropriation Act for the current fiscal year includes an item of $4,460,000 which is available for this purpose? I think everything which is asked for in the bill which the Senator from Pennsylvania is explaining is already authorized by law. I shall be glad to give the Senator a breakdown of the purposes for which the funds are to be used. Including the $175,000 to which the Senator has referred, the total amount available this year was almost $5 million.

Mr. MAGNUSON. For fisheries?

Mr. AIKEN. Absolutely. It was all available for fisheries research, although I would assume that some of it was used for other purposes.

Mr. MAGNUSON. Who did the research?

Mr. AIKEN. Mr. President, will the Senator from Pennsylvania further yield?

Mr. DUFF. I yield.

Mr. AIKEN. This year the amount available for commercial fisheries research—I do not say that all of it was used for fisheries research—aggregated $4,635,000, consisting of an appropriation of $4,460,000, and transferred funds of $175,000. I do not have the breakdown showing how much of this was actually used for fisheries research, but I do have the budget recommendation showing the breakdown proposed for the coming year.

This coming year the budget recommends that about $3,222,000 of appropriated and transferred funds be used for fisheries research, divided as follows: Branch of Commercial Fisheries, $353,000 for exploratory fishing; $282,000 for technological research; $150,000 for statistics; $43,000 for economics; $280,000 for market news; making a total of $1,108,000 for the Branch of Commercial Fisheries, or $1,283,000 when the $175,000 transferred from the Department of Agriculture is included.

The Branch of Fisheries Biology has had recommended for it this year $1,725,000 for coastal and offshore investigations. In my opinion, that is research. A recommendation has been made for $214,000 for shellfish investigations. Thus a total of $1,939,000 has been recommended by the Bureau of the Budget to be appropriated for the Branch of Fisheries Biology.

The total amount recommended in this year's budget to be available for the activities of these branches is $3,222,000.

The information I have just given came this morning from the Bureau of Fisheries and was compiled by the counsel of the Senate Committee on Agriculture and Forestry.

Mr. MAGNUSON. There is not a Bureau of Fisheries in the Department of Agriculture.

Mr. AIKEN. This was from the Branch of Commercial Fisheries in the Department of the Interior; $4,460,000 was appropriated to it last year.

Mr. MAGNUSON. That was for the Fish and Wildlife Service.

Mr. AIKEN. Yes. This is a breakdown of the part used by the two Branches doing fisheries research.

Mr. MAGNUSON. It was for the Fish and Wildlife Service.

Mr. AIKEN. Other funds have been recommended for game, but they are not in the breakdown I read. The figures I have read pertain to the Branches of Commercial Fisheries and of Fisheries Biology, of the Fish and Wildlife Service.

Mr. DUFF. What was the amount provided last year for research?

Mr. AIKEN. I do not have the breakdown for last year. I have the total available for this current year, which is $4,460,000, part of which I would assume was used for other research. I do not have the breakdown for this year; I have it for the coming year.

Mr. DUFF. As I shall endeavor to point out in my remarks, the exceedingly important point with reference to this problem is research and technological investigation. As I proceed, I shall return to the question raised by the Senator from Vermont. What I wish to emphasize is the necessity for research. We have been assured that insufficient funds are available for that purpose.

Mr. AIKEN. I do not want the impression to be left that $175,000 is all that is available at present.

THE REMEDY

Mr. DUFF. It is a horrible indictment against this Nation, blessed as it has been with vast inland waters, notable in the whole world, that we have permitted our streams to become so defiled by pollution and so tainted that, passing some of our great cities, they are merely thinly diluted sewage. The Potomac River, flowing through the Nation's Capital, is itself a conspicuous and notorious example.

If it were beyond our power to remedy the various situations mentioned, there might be some mitigation for our neglect; but, in the best opinion, a revolutionary change could be effected by proper biological and scientific studies to restore the enormously valuable resources which we have prodigiously wasted, as we have both our timber and our soil.

It is becoming increasingly clear that it is not only imperative to acquire more scientific information about where to catch fish, but also, by the same token, to use the same scientific information so that there may be more fish to catch.

A notable example of the value of scientific research and fishing practice, based upon the knowledge gained from such research, is shown in the halibut fisheries.

Edward W. Allen, Chairman of the International Pacific Halibut Commission, testified that Commission had conducted the most thorough, systematic, and continuous investigation of ocean fisheries that has ever been conducted. The Commission started its scientific investigation of the halibut fishery at a time when that fishery was so depleted that it was hardly worthwhile for the fisherman to undertake to fish for halibut. From that low point the Commission, as a result of technological research, has built up this one type of fishing to the rank of the best stabilized ocean fishery anywhere in the world. At the time of the low point of halibut fishing which I mentioned, when the Commission began its investigations in 1924, almost nothing was known about the life history of the halibut. Consequently, the first thing the Commission set out to do was to gain information as to how the halibut was spawned, where it was spawned, what the life history of the young was, and, carrying it right through, the maturity of the fish and their life expectancy. As a result of such study, every phase of that life history was ascertained. It proved to be a complete revelation.

The whole program was based upon the accurate collection of scientific facts. Then, having the facts, the Commission analyzed the situation to determine what could be done, and it ascertained that if the catch was held down to a figure just slightly under the increased reproduction rate of this fishery, it was possible to gradually build it up.

Having ascertained such facts, regulations were enforced to provide that the reproductive potentialities be constantly kept slightly ahead of the catch. Now it is possible to make a prophecy in advance, within 5 percent, of what poundage will be caught, and thereby keep the reproduction constantly on an expansive and upward trend.

The enforcement of regulations in the halibut industry, based upon valuable scientific research, resulted in a fabulous success. The catch was built up from 43 million pounds in 1931, to an amount in excess of 60 million pounds, by a gradual process.

As to many of our most important food fishes, we are to date as ignorant of their life habits and reproduction as we were of the halibut prior to the scientific biological study to which I have referred. By applying similar methods of investigation to other fish species, in all probability the same wonderful results which have been secured in the aforementioned conspicuous exploratory study could be duplicated.

It seems almost unnecessary to point out that if such scientific methods were universally applied, there would result a rounded program with reference to all the commercial fish off our shores.

Research is the remedy indicated for the ills of our domestic fishery products industry. In the Extension Service programs and land-grant college projects, for example, Congress has recognized the value of extensive research as a necessary and integral part of Federal assistance to products of the soil. Such programs have long since proven their value to American agriculture, and the expenditures which made them possible have been recovered many times in increased revenues.

In view of the extraordinary results obtained in the scientific exploration of the life of the halibut, such studies could and should be extended to all the commonly caught types of fish everywhere about our shores and in our waters.

For many years, despite the handicap of extremely limited funds, the Department of the Interior has carried out research programs and activities for the benefit of the commercial fisheries, as well as the consumer, which activities could not have been assumed by the industry itself. This is particularly true in the fields of biological and technological studies and marketing. With funds making possible an expansion of the very fine but limited program, there is every reason to believe that such a program would result in remarkable success.

It frequently requires years to obtain a solution to a critical problem, when it could be secured within months with adequate funds. The research now being conducted is but a series of frantic attempts to stem the tide of disaster as new epidemics, like the red tide, break out, or as fishermen in one area after another are left holding empty fish nets. This is not the continuing, well-balanced type of research which our domestic fisheries so urgently need.

The management of the fish harvest for several decades past has fallen below the standards of productivity that have long been established for agriculture and forestry. It is extremely unfortunate that heretofore there has been a failure to provide adequate expenditures for fisheries research and management. That such expenditures are self-liquidating seems to have been entirely overlooked.

Among the needed types of research that should as a bare minimum be included in an integrated, comprehensive program of fishery research, according to industry and Government experts, we find:

First. Biological-oceanographic research, which is necessary for a sound conservation program leading to an optimum annual crop from the sea.

Second. A statistical program necessary for maintenance of authentic records of landings and prices for use of industry and as an aid to the biologist. Market news service is essential in keeping industry informed as to current market conditions.

Third. Exploratory fishing and gear development to discover new fishing grounds and to improve methods of detecting and capturing fish.

Fourth. Technological studies to develop better methods of preserving, processing, distributing, and marketing fish and fishery products. Development of new uses for various species of fish and fish waste is an essential part of this program.

Fifth. Education and market development. This would be a program designed to promote and stimulate wider use of fish.

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All these types of research should have been conducted down through the years. If that had been done, it is almost a certainty that our domestic fisheries would be thriving today.

The fishing industry is composed of individuals and small companies which lack the resources necessary to carry on such activities on a long-range basis. It is only by a continuous, long-range program that the kind of results can be secured which were obtained in the halibut fisheries, as was so conspicuously illustrated. The fishing industry markets its products without governmental assistance in the form of price-support programs or other Federal aid. It is significant that this industry has survived without the elaborate economic and technical assistance which has been extended to other basic producers of food. Fishery products are not among the surplus food commodities which are today such a serious problem to agriculture, industry, and government.

Almost all the research work that is being done at present for the Atlantic States Marine Fisheries Commission by the Fish and Wildlife Service is on a Federal-State project basis. Under the pending bill, the Secretary of the Interior will cooperate with the States, which are conducting studies relative to their individual problems, such as pollution, methods of catching, industry problems, conservation measures, and other difficulties peculiar to their particular areas. One thing is certain: Neither the impoverished industry nor the tax-starved States can alone finance the extensive research that must be conducted if our national fisheries are to be preserved and expanded.

THE MEANS TO APPLY THE REMEDY

The pending bill provides, not for an added appropriation, but for a transfer of funds. The fisherman is not seeking price supports or a subsidy. He is only asking that 30 percent of the revenue from imported fishery products be allotted, not to the Department of Agriculture, as at present, but, instead, that the 30 percent be channeled into the Department of the Interior, which means, in practice, into the Fish and Wildlife Service.

The Fish and Wildlife Service is skilled in the various forms of fisheries research, although its funds have always been extremely limited. The funds asked for and provided by this bill fairly and properly belong in that Service, where the revenue from fishery products will be used exclusively for exploring ways and means of harvesting and marketing more and better fishery products for the nutritional benefit of the entire Nation.

If present practices and lack of knowledge are continued, with the vastly increasing population of this Nation, in a few years what was once one of the prides of the American people will gradually diminish to the place where it becomes merely an incident in the national life. It has always been a tenet of the American people that every generation has the obligation to give as good as it gets. This is one conspicuous place where that tenet can be made enormously and permanently effective. In the final analysis, this is a great conservation measure, the kind of measure that has been overdue for generations.

Mr. President, at this point I should like to state for the RECORD, in terms of dollars, the effect of the decline in the rate of the catch of fish in the Great Lakes and along both coasts of the Nation.

In 1944, the catch of sardines on the west coast was 1,147,295,000 pounds. By 1953, that figure was reduced to a mere 5 million pounds. Thus in a 9-year period there was a loss of 1,142,295,000 pounds. On the basis of 10 cents a pound for sardines, the loss would amount, on today's market, to $114 million in 1 year.

In 1944, the catch of Alaskan salmon was 393,318,000 pounds. Nine years later, in 1953, the catch was only 220,276,000 pounds. That amounted to a loss of 173,042,000 pounds over the 9-year period. At 60 cents a pound, which is the price for even frozen salmon, the loss would amount to $103 million a year.

In New England, in the cod fishing area, the loss in poundage from 1944 to 1953 has been 62,756,000. At 25 cents a pound, that equals $15,500,000 a year.

In the Gloucester area, where the catch of mackerel has, in 10 years, dropped from 32 million pounds to 3 million pounds, the loss has amounted to 29 million pounds, net, or $2,900,000 a year.

In the Great Lakes area, in 3 of the Great Lakes where the lake trout have been completely exterminated, so far as catching is concerned, the loss of $3,500,000 a year.

So, Mr. President, in the past 9 years, from merely these 5 types of fish, without going into detail as to a number of others, the loss, in terms of dollars, is $238,900,000 a year.

Consequently it must be clear that with a fabulous loss of $238,900,000 a year in fishery products, whatever has been done to alleviate the situation has been utterly inadequate to meet the demands of the crisis that faces the fishing industry.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Pennsylvania yield to me, so that I may make brief remarks in connection with the bill?

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Does the Senator from Pennsylvania yield to the Senator from Maryland?

Mr. DUFF. I yield.

Mr. BUTLER of Maryland. I thank the Senator from Pennsylvania.

Mr. President, as a cosponsor of Senate bill 2802, it is my considered opinion that the bill would provide adequate funds for a much-needed, integrated, comprehensive program of fishery research.

The importance of this proposed legislation to the American fishing industry is not subject to exaggeration. Fishing is one of the most important industries in my own State of Maryland, whose fishermen each year bring in vast quantities of the finest crabs, oysters, and fish from the waters of the Chesapeake, its tributaries, and the Atlantic Ocean.

I am acutely aware of the problems of the fisherman, and I am appalled by conditions in this industry resulting from the lack of a comprehensive research program. Throughout the United States the industry faces an ever-worsening situation. The annual output of the great salmon industry of the Northwest has dropped two-thirds in 7 years.

In the last 10 years the mackerel output of New England has dropped from 10 million to a little over 2½ million pounds a year. There has been a marked decline in the seeding of oysters in every section of the country, and outbreaks of disease and attacks by parasites have caused incalculable losses to all forms of fish life. Once profitable fishing grounds have lost their yield, and in recent years fishing for many species has been abandoned. These are but a few examples of the catastrophes which have befallen the American fisherman and caused serious doubt as to the future of this great American industry.

Adequate research is an obvious remedy for these ills. While agriculture and other industries have benefited from scientific and technological advances, only recently has the fisherman sought the knowledge of the marine biologist and other scientists. Fishing in many ways is still carried on by methods like those used hundreds of years ago. Many factors which, if known and understood, would contribute to the greater success of the operation remain obscured among imponderables collectively referred to as "fisherman's luck."

Who is responsible for this deplorable situation? Has the industry been remiss in neglecting research in the past? Obviously not. The fishing industry is composed of many individuals and small companies which lack the resources necessary to carry on coordinated research activities of the proper and essentially broad scope.

I strongly urge the enactment of this proposed legislation. It must be kept in mind that the fishing industry markets its products without Government assistance in the form of subsidies or price supports, nor does the fisherman seek such aid. If the fishing industry is to forge ahead to become a part of our expanding economy of the future; indeed, if it is even to maintain its present position, its knowledge of the seas from which this wealth is mined must be increased, and new processes and marketing techniques must be developed. The meager sum presently available for fishery research is totally inadequate. These funds should be increased, so as to enable this industry to continue to make its important contribution to national prosperity.

Mr. President, I thank the Senator from Pennsylvania for yielding to me.

Mr. STENNIS. Mr. President, will the Senator from Pennsylvania yield to me for a question?

Mr. DUFF. I yield.

Mr. STENNIS. First, I wish to thank the Senator from Pennsylvania for his presentation of a bill which I believe will result in very important legislation.

One of the points raised against the bill is that it will set a precedent in connection with the taking of money from section 32 funds, and transferring it to

another and new activity of the Government. Is it not true that there is already a precedent for that? Has not some money in former years been transferred from section 32 funds?

Mr. DUFF. Under the 1935 act, agriculture obtains $300 million from section 32 funds. The method used in that case is exactly the same as the method we propose to have used in connection with providing aid for the purpose of bringing about continuity in the research and investigation of fisheries.

Mr. STENNIS. What is the estimated amount involved under the provisions of the bill?

Mr. DUFF. Approximately $3 million a year. There is also a provision that if at any time the fund in any year or by means of any accrual reaches $5 million, there will be an automatic cut-off and a return of the excess to the section 32 fund.

Mr. STENNIS. That is a very sound provision.

As I understand, research in the fishing industry is to extend entirely around the seacoast, on the Atlantic and the Pacific, as well as the Gulf of Mexico, and it is not confined to any particular phase.

Mr. DUFF. The Senator is correct. It also includes all the rivers of the United States, which in many instances are extremely important.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. THYE. Research in the fishing industry is essential from the standpoint of the Great Lakes chain, because in that chain there is a very important fishing industry. Parasites have been destroying some of the fish, and are threatening to destroy a great portion of the fishing industry. That was one reason why I joined as a sponsor of the bill. I felt that we could, with assistance from section 32 funds, make possible a research activity which might very well put an end to some of the inroads parasites have made in our fishing industry.

I fully realize that there are those who are of the opinion that this is a wrong approach; that it is not proper to use section 32 funds for this purpose. However, I recognize that there are imports of fish as well as of other commodities. Therefore, I thought it was proper to use section 32 funds to make possible a little research in the fishing industry.

Mr. DUFF. Under the automatic cut-off of the agricultural provision at $300 million, this year $27 million is being returned to the Treasury. The total figure was $27 million above the $300 million limit. The excess is nine times as much as we are asking in this bill for the purpose of research and investigation of fisheries.

Mr. THYE. The Senator is entirely correct. That was my information a year ago, when I joined as a cosponsor of the bill. My home is at the head of the lakes. It was my interest in the Great Lakes fisheries which led me to become a cosponsor of the bill. We have a very fine industry in our lake fisheries, both in the Great Lakes chain and in other inland waters in the various States.

Mr. DUFF. As I tried to point out, the Fish and Wildlife Service has shown that in the past 10 years there has been a decline of $3,500,000 annually in the catch of only one type of fish in the Great Lakes.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. PAYNE. I wonder if my distinguished colleague will not agree with me that, on the basis of the information which was available to the committee, the moneys which have accrued as the result of the duties on fisheries products have increased from a little more than $4,700,000 in 1940 to more than $11,900,000 in 1952.

Mr. DUFF. I think the Senator from Maine is absolutely correct.

Mr. PAYNE. During that same period of time the volume of products which have been imported, in direct competition with our own domestic fisheries, has increased from $40 million to more than $200 million, thus, in many instances, placing our own fisheries at a very serious disadvantage.

Mr. DUFF. That is correct.

Mr. PAYNE. Of course, the Senator from Pennsylvania well knows that, coming from the State of Maine, as I do, I consider this particular measure of great importance to many thousands of our people who depend upon fishing to make it possible to stabilize their economy and to assure a source of livelihood over the years to come.

As the distinguished Senator from Pennsylvania has pointed out, the problems which affect only one of those industries, namely, the sardine industry, have made it practically helpless. Those engaged in that industry are unable to determine exactly what they can look to in the future to furnish an adequate supply of the fish needed to support the great sardine industry. They do not know what has happened in connection with the failure of the fish to appear at a particular time.

Am I not correct in saying that this particular bill would tend to develop technological and research activities which would provide the answers to many of the problems, and enable us to know whether or not we shall be able to depend upon an adequate supply of that particular type of fish, along with many others which are found off the coast of our State, and off the coasts of many other States of the Union? Is it not correct that the bill would tend to place our fisheries industry in such a position that it could not only meet the threat of foreign competition, but provide for the needs of our people, and assure the livelihood of the many thousands of people who are employed in the fisheries industry?

Mr. DUFF. The Senator is correct.

I should like to say one further word to the Senator from Mississippi [Mr. STENNIS]. The question was raised as to whether or not the bill applies to inland fisheries. I think it very definitely does.

During the period when I was Governor of Pennsylvania we were endeavoring to clean up the streams of that State. I remember one instance, involving a study of the biology of water for the purpose of deciding whether or not it was fit for human consumption. We brought down from the mountains about 50 trout and placed them in water which was being furnished for human consumption. About 80 percent of them died in 1 night. So the problem involves not only a biological study from the standpoint of what is good for fish but also what is good for human beings at a time when the great streams are being so thoroughly polluted, to the point where they will not only not support fish life but will not afford a source of potable water, which is necessary to the health and welfare of all the people of the country.

Mr. PAYNE. Mr. President, will the Senator from Pennsylvania yield once more?

Mr. DUFF. I yield.

Mr. PAYNE. I have noticed some interesting figures in connection with a comparison of the amounts spent for research, per ton of food produced, as between fisheries, on the one hand, and agricultural products on the other. I am sure the Senator is well aware of the fact that I am concerned not only with fisheries, but also with the agricultural economy of my region.

On the basis of a comparison of expenditures, am I not correct in saying that it has been computed that, up to 1945—and there is little reason to believe that the ratio has changed very much since then—the Federal Government was spending, per ton of food produced, in the field of research, experiment, and so forth, 82 cents in the case of fishery products, and $7.04 per ton of food produced in connection with agricultural commodities? I think the Senator will remember that those figures were submitted and made a part of the record at the hearing.

Mr. DUFF. The Senator is correct.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. MAGNUSON. Adding further to what the distinguished Senator from Maine has pointed out, this year's recommendation in the budget was $86,265,000 for agricultural research. We are all in favor of that. The House increased the amount to $88,258,000. I have no doubt the Senate committee will accept that figure. The figure will run close to $90 million for agriculture. That is perfectly proper. We are for it. All we are asking is a small amount for the important fishing industry.

Mr. PAYNE. Mr. President, will the Senator from Pennsylvania yield further on that point?

Mr. DUFF. I yield.

Mr. PAYNE. Is it not true that as a result of the expenditures which have been made for agricultural research—and we are all in full support of such expenditures; certainly the junior Senator from Maine is—we have been brought to the point where, as a result of scientific methods and technological advances brought about by research activities, we are producing an overabundance in many instances? The fishery industry is on the reverse side of the picture. We need to spend money in that direction, not to get rid of an abundance, but to find out why it is that there is a scarcity of cer-

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tain products, so that we can perhaps bring about an implementation of production, and make certain that the activities of our fisheries are continued on a sound basis, looking to the future.

Mr. DUFF. In line with what the Senator from Maine has stated, regardless of what has been done for fish and wildlife by technological research, the fact is that definite figures with respect to only five types of fish show that the loss as of today's market is over a quarter of a billion dollars.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. AIKEN. I wonder whether the Senator can tell us what the advantage is of an indirect appropriation over a direct appropriation for the purpose of conducting fishery research. What is the advantage, instead of making a direct appropriation for fishery research—and I am sure there would be no objection on my part to increasing the amount to whatever may be needed—of having the money appropriated to the Department of Agriculture and then transferred to fisheries?

Mr. DUFF. I may say to the Senator from Vermont that in the case of agriculture the system has been very successful in connection with the funds which have been made available to the Department of Agriculture, and it is our hope that fisheries may likewise be benefited. In other words, what is good for the goose is good for the gander.

Mr. AIKEN. I may say to the Senator from Pennsylvania that if the appropriation to the Department of Agriculture had not been made in the way it was 19 years ago, I would not approve making it that way today. It is an appropriation which does not show up in the appropriation figures each year, and the public is unaware of what the amount is.

Mr. MAGNUSON. Mr. President, will the Senator yield so that I may answer the Senator from Vermont?

Mr. DUFF. I yield.

Mr. MAGNUSON. The advantage is that fishery research may take, in some cases, 3 or 4 years. Such research is a long-time project. The advantage is that we will know there will be available a small amount of money with which to do the research work, instead of having to come to the Committee on Appropriations every year to fight for an appropriation. The same thing is being done for agriculture, and I am all for it.

I am a member of the Committee on Appropriations, and I know how hard it is necessary to fight in order to obtain funds for research. Every year it is necessary for such an item to go through the Bureau of the Budget. The first funds the Brueau cuts off are research funds. That has been done to such an extent that there has been very little fishery research, and the result has been that the whole fishing industry in the United States, which is a big industry and employs a great many persons, is going down and down.

I could read some figures and conclusions that make it very clear unless we start to do something along that line now and inaugurate a long-term program, certain species of fish will completely disappear, and the fishing industry will be seriously damaged.

Mr. DUFF. One conspicuous example of the necessity of continuity is what happened in the halibut fishing industry. It was only through long-time research that a complete change in the halibut situation developed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. AIKEN. What advantage is gained by expropriating funds already appropriated to the Department of Agriculture, when over 70 percent of the other receipts from the tariff on fish is completely unencumbered and can be used?

Mr. MAGNUSON. Because the Department of Agriculture is the most niggardly group in the world when it comes to providing money for research. The Department spends more money on insects in my State—which is all right, of course—than it spends on research.

Mr. AIKEN. But 70 percent of the receipts from the tariff on fish is unencumbered in any way. Why do not those who are interested in fisheries research propose to take the money from the 70 percent instead of the 30 percent, which is already appropriated to another purpose?

Mr. DUFF. The answer is that we have been impressed by the success of what agriculture has done, and we are merely following in its train.

Mr. AIKEN. There is now more than 70 percent out in the open which those interested in fisheries could ask for. Why go after what is already appropriated to another purpose? It is directly contrary to what I thought was the policy of the Senate, namely, to have all appropriations out in the open where people can see them. It is directly contrary to the recommendation of the Hoover Commission, for which Congress appropriated $2 million.

Mr. MAGNUSON. Mr. Hoover was a bad fisherman. Probably that is the explanation.

Mr. AIKEN. But Mr. Hoover knows figures and appropriations pretty well.

Mr. SALTONSTALL. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. SALTONSTALL. Mr. President, I respect the Senator from Vermont. He is an agriculturalist and he is the chairman of the Committee on Agriculture and Forestry. He must fight for agricultural funds. I should like to point out that under section 32, which we are talking about, approximately $300 million is made available to agriculture. In 1954 the Secretary of Agriculture turned back $27 million. In addition to section 32 funds, there is available approximately $30 million each year, which does not have to be appropriated. The Department has that amount of money available, in addition to the section 32 funds, without appropriation. I should like to say to the Senator from Pennsylvania that it occurred to me, as the Senator from Pennsylvania was making his remarks on this subject, that the purpose of section 32 is to protect agriculture from high tariffs and to somewhat equalize conditions for the farmer. Representing an industrial State, I approve of it. However, representing a fishing State, I say the same thing applies to fish. The trouble with fisheries is that the tariffs are too low. If the tariffs were raised a little on fish, the fishing industry would not have to meet some of the problems it now faces. Those interested in fisheries are trying to get funds for biological and technological research so that American fisheries may compete with imports which come into the United States under low tariffs. Am I correct?

Mr. DUFF. The best evidence of the fact that the Senator from Massachusetts is right is the constantly mounting increase in the importation of foreign fishery products.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. SALTONSTALL. Following out what the Senator from Washington said so ably, there is now available for what we might call commercial fisheries the sum of $2,300,000 for the entire United States. A large portion of that is expended for the tuna-fish industry. What we want to do is to have biological and technological research, which means keeping ships at sea in the Pacific and in the Atlantic, and ascertaining what are the most effective fishing nets and what makes fish grow and where they are and where the shellfish are, and so forth. That cannot be done overnight with an indefinite appropriation.

Mr. DUFF. I believe the best answer is what happened to the halibut-fishing industry. Continuity of research is needed over a long period of time if we are to solve the problem.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DUFF. I yield.

Mr. AIKEN. So that the Senator from Massachusetts will not leave a wrong impression in the RECORD, which may be gathered from his remark that the Department of Agriculture has a surplus of section 32 funds and is turning back a surplus into the general Treasury year after year, I should like to say that that statement is not entirely in accord with the facts. It is true that during the Korean war the Secretary of Agriculture did not spend much of the section 32 funds. It was not necessary to do so. Therefore, the Department accumulated money to the amount of $300 million, which is the maximum permitted by law. There were also turned back into the General Treasury the sums of money which the Senator from Massachusetts mentioned.

However, we are thankful that the Korean war has come to an end. That is not the picture today. We have had a drought in the West and we have had to engage in an extensive beef-buying program, which cost almost $100 million, had it not been for the fact that there was $300 million in the revolving fund and $170 million in new receipts we could not have pursued that large beef-buying program.

This year we are spending approximately $56 million more than the amount

of section 32 funds acquired from current receipts.

Therefore, the revolving fund, which a year ago amounted to $300 million, will be about $244 million on July 1. If it drops any lower, and we should wish to undertake another beef-buying program—and there is talk of it, because we expect very heavy culling of dairy herds this fall—such a program will be out of the question. It is necessary to keep the fund up; otherwise, we cannot undertake a program of any size.

Mr. MAGNUSON. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. MAGNUSON. Does the Senator from Vermont think that $3 million will stop the beef-buying program? We spent 10 times that much for the eradication of the hoof-and-mouth disease.

Mr. AIKEN. The Department is not turning back funds. It has used up $56 million of the revolving fund, and if it continues to do that for several more years, $4 million will look like a great deal of money.

Mr. SALTONSTALL. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. SALTONSTALL. I should like to point out to my friend from Vermont that there are permanent and indefinite appropriations which continue right along. As shown in the report on the appropriation bill for this year, at pages 22 and 23, general and special funds for the Department of the Interior number 35. So, in the Interior Department at this time there are 35 permanent and indefinite appropriations. One of them provides for Federal aid in reference to wildlife restoration, amounting to $11 million. We do not object to that, but we are asking for only about $3 million for research for commercial fisheries which employ 550,000 persons.

Mr. AIKEN. At the beginning of the statement of the Senator from Pennsylvania he made reference to the fact that money was needed for the purpose of outfitting boats.

Mr. DUFF. If there is to be any oceanic research, funds must be made available, and we are endeavoring to provide the funds by the provisions of the pending bill.

Mr. PASTORE. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. PASTORE. I know the distinguished Senator from Pennsylvania has emphasized his point, but I think it deserves reemphasis. We are not asking for any part of the general customs collections on all importations. Our request is confined strictly to 30 percent of the duties collected on fishery imports.

Mr. DUFF. That is correct.

Mr. PASTORE. We hear much about agriculture. I have been a Member of this body for 4 years and I have constantly been reminded of the plight of the farmer, and I have been willing to help the farmer and have supported all farm legislation, but it strikes me that every time the word "agriculture" is mentioned in this body it is like mentioning the sacred cow. There are other people in distress. There are fishermen in my section of the country who are out of work. All we want is 30 percent of the imports collected on fisheries alone, which is now being spent for agricultural research, to be used for the development of fisheries research. For the life of me, I cannot understand the opposition to this proposed legislation on the part of the distinguished Senator from Vermont.

Mr. AIKEN. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. AIKEN. I recognize the justice of the contention of the Senator from Rhode Island that the fisheries industry is entitled to consideration, but I still have to get a satisfactory answer as to why this program cannot stand on its own feet and have a direct appropriation, instead of taking money from the poultry grower, the wheat grower, and many other persons who will be out of funds in a couple more years, at the rate we are now going.

Mr. PASTORE. We are not taking a single penny from the wheat growers, the turkey growers, or the chicken growers. If we adopt the philosophy that is being enunciated on the floor today by the distinguished Senator from Vermont, that the program should stand on its own feet, we shall destroy the very philosophy that brought section 32 into being in the 1935 act. We argued then that the money was needed for research, and we took 30 percent of all the duties collected on imports and devoted it to agriculture. We allocated only $175,000 for fishery research. All we are now asking is that we be given a fair share of the duties collected on imports of fishery products for an industry which is in serious distress today. That, to me, is equity and justice.

Mr. KENNEDY. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. KENNEDY. I would say, in answer to the Senator from Vermont, that some time ago an amendment was adopted providing that $1,500,000 could be spent annually to aid the fishing industry. None of that money has been spent since 1940. In other words, the fishing industry has been piling up an equity of more than $1.5 million per year since 1940, and has received none of it. Therefore, we have a definite right to the expenditure of some of that money for a purpose most appropriate to the fishing industry, namely, research. If the fishing industry needed money for the purchase of surpluses, I am sure the Senator from Vermont would agree to that. But we do not need the money for the purchase of surpluses. We need it for research.

Mr. DUFF. The Senator from Massachusetts is correct.

Mr. AIKEN. Mr. President, will the Senator from Pennsylvania yield?

Mr. DUFF. I yield.

Mr. AIKEN. I realize that $1½ million of section 32 funds are earmarked for the removal of surplus fisheries products from the market, but since the time that law was enacted, in 1938, there have been such small surpluses that it has been necessary to spend only $1,600,000 over the entire period. The fishing industry has been, during most of those years, highly prosperous, because it has had no surpluses. The testimony in the hearings indicates that up until very recently the industry has been highly prosperous, and there has been no need to spend the $1½ million to aid it. The money was appropriated for exactly the same purpose as were section 32 funds which were made available for the removal from the market of surplus fruits, vegetables, livestock products, and commodities of that kind.

Mr. KENNEDY. Mr. President, will the Senator from Pennsylvania yield further?

Mr. DUFF. I yield.

Mr. KENNEDY. There are two answers to the statement of the Senator from Vermont. The first one is that we recognized in 1938, when the $1,500,000 was appropriated, that the fishing industry had an equity in section 32 funds. It is of no practical value to the fishing industry that money may be spent for the removal of surpluses, but it is useful to spend such funds for research. It is surprising to me that the Senator from Vermont objects to the use of the funds merely because the fishing industry wants the money to be spent for research.

Mr. AIKEN. The funds were appropriated to agriculture to be used for the removal of surpluses from the market and also to subsidize foreign exports to develop markets which did not then exist. The money which agriculture has for research work is a direct appropriation. I am somewhat surprised at the statement of the junior Senator from Massachusetts, who has long been a champion of the campaign against hidden subsidies. I wish he would be equally assiduous in leading a campaign against hidden appropriations.

As I have said repeatedly on the floor this afternoon, if section 32 funds were not already earmarked in the way they are, I would oppose establishing a fund in that manner to dispose of surplus agricultural commodities.

Mr. KENNEDY. I do not want the funds to be hidden. The $1,500,000 fund for the relief of the fishing industry has been hidden, because the Agriculture Department has never made use of that money. The fishing industry has never been troubled seriously with the problem of surplus fish. Our problems of scarcity of fish and the need to develop greater markets can be met by the appropriation of additional money for research. The fishing industry already has an equity in section 32 funds and the problems of the fishing industry can be best met by making that money available for research. The Senator makes the point that there is a difference between money being spent for disposing of surplus fishery products and money being spent for research.

Mr. AIKEN. I make the point, and the point is clearly delineated, that in the case of agricultural appropriations there is a fund set up for the removal of surpluses. But the fund used for research work is a direct appropriation. Both of them should be direct appropriations; unfortunately one of them is not.

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Mr. KENNEDY. I do not think the Senator's answer goes to the substance of the problem. We want to help the fishing industry. It will be of no help to purchase surplus fish. What is needed is money for research. We should be looking at the need, not, particularly, at what happens to be the language of the act. As I have already stated, whatever money comes from duties on the fishing industry should be authorized to be expended for research to aid the fishing industry.

Mr. DUFF. Mr. President, before I yield the floor, I should like to conclude by saying that whatever has been done for the fishing industry has been utterly inadequate, by reason of the fact that in the past 9 years, with respect to merely five species of fish, there has been a loss of more than a quarter of a billion dollars.

Mr. MAGNUSON. Mr. President, I wish to associate myself with the able statement of the distinguished Senator from Pennsylvania. I am certain that all of us who have a direct geographical interest in the matter are appreciative of the capable way in which he handled the hearings on this very important question.

I appreciate the argument made by the Senator from Vermont [Mr. AIKEN], but I think the fact should not be forgotten that the fishing industry is in dire need of the kind of research the bill provides. Later I wish to place in the RECORD some items not mentioned, but more directly associated with the Pacific coast, in connection with the depletion of fish runs in many species, and with respect to the serious economic plight of the fishing industry.

Pilchards, which were an important part of the fishing industry on the west coast, and furnished fertilizer for many farmers, have completely disappeared. I cannot state the number of fishermen who are out of work or the number of boats which are tied up. We do not want any direct help in the way of subsidies. We do not want to worry about surpluses. Agricultural surpluses and fish surpluses are entirely different matters. It is necessary to catch the fish. If the fish are gone, there will be no surpluses. I think the two situations are entirely different.

Those who are engaged in the industry, both fishermen and operators, and those engaged in research, think that what the industry needs is, at least, a long term, planned type of research, which might do much to help the American fishing industry to survive, in the face of constantly increasing imports.

We have not yet heard from Japan in the matter. I know from past experience what the volume of imports from Japan will be when once the Japanese fishing industry begins to operate again.

It has been a matter of great concern to many persons, especially in the coastal States, and particularly the New England States and the Gulf States, with special reference to the State of Maine, with its shell fish, that they might be able to receive an amount of money comparable to that used in other lines of research, so that their fisheries could have the benefit.

The best example was mentioned by the Senator from Pennsylvania [Mr. DUFF], when he referred to the halibut run in the North Pacific. About 13 or 14 years ago, halibut was completely depleted. With a small fund, a Halibut Commission was established in conjunction with Canada. As a result of a wise conservation and research plan, halibut runs are now back at a peak. That is what it is thought can be done with many of the species which are now disappearing, for one reason or another, from the fishing grounds of the Nation.

Mr. KENNEDY. I think the report of the Senator from Pennsylvania illustrated clearly how beneficial research could be in every section of the country. Most of the owners are operating on a rather slim margin of profit, and really are not in a position, except in the case of halibut, to undertake research by themselves.

If we could undertake research, perhaps working together, something could be done to preserve the harvest of the sea, which is being depleted in so many sections of the country.

Mr. MAGNUSON. I also wish to point out to the Senator from Minnesota that this is not only a Federal expenditure. The State governments and the industry itself, as well as some of the international commissions, in conjunction with States that face the sea and have a large fisheries industry are working to the utmost of their ability to join in the research problems. I specifically asked every witness about the activities of the State universities in connection with fisheries and game developments, and the responses were that they were all most helpful.

We have in the State of Washington one of the largest fishing industries of the Nation, and it has correlated its research program with that of the Federal Government. I think that by this means we may be able to accomplish even more good.

Mr. KENNEDY. It would be most appropriate to have this money come from duties on the imports of fish since imports have caused the serious problem. It is comparable to an innoculation against disease. By a small innoculation, a person can become immunized against contracting the disease in its serious form. We would be taking a part of the duty on the imports of fish which cause the serious trouble, and would be adding to the research. Thus, in a most appropriate way, we would be helping the fishing industry.

Mr. MAGNUSON. I thank the Senator from Massachusetts for having stated the problem so well. I know of his deep interest in the matter.

Mr. President, I desire to place in the RECORD figures which indicate, I think, that both the Senator from Vermont and I are partially right. We are advised by the Fish and Wildlife Service that for the fiscal year 1955 the Service will have $3,222,000 for the purposes covered in S. 2802.

Mr. AIKEN. That is the figure I have.

Mr. MAGNUSON. The figure of $4 million in the appropriation for the entire Fish and Wildlife Service includes, of course, wildlife research and fisheries activities not covered by the bill. It is the entire amount of the appropriation. I think the RECORD should be made clear.

Mr. AIKEN. I am certain that the Senator from Washington and I can agree on those figures.

AMERICAN FISHERMEN AND FREE TRADE

Mr. MALONE. Mr. President, I have been very much interested in the debate on the fishing industry. But if Senators who are interested in the fishing industry are not careful, they will have more fish on their hands than they can sell under the free-trade program without any plans to enlarge the production.

The hearings on Senate bill 2802—a bill to further encourage the distribution of fishery products, and for other purposes—contains some very pertinent information.

Page 21 of the hearings seems to be a very fine description of the fishing industry, and we find, under the heading "Foreign Competition," the following:

> Foreign competition is not a new problem for the New England fisheries. New England lost its salt-fish trade to Canada and other northern countries before the First World War. New England interests have continuously had a tariff-conscious attitude. Wartime and postwar developments, however, have made the challenge from foreign fisheries more acute.
>
> Tariff regulations have protected fillets ever since they became a major fishing product. Under the Tariff Act of 1922 the import duty on all fillets was 2.5 cents a pound. The Tariff Act of 1930 continued that rate until the second trade agreement with Canada, effective January 1939.

It was under the 1934 Trade Agreements Act that the constitutional responsibility of Congress, the legislative branch of the Government, was transferred to the Executive to regulate duties, imposts, and excises, meaning tariffs and import fees. Since that time the Executive, meaning the State Department, has been busily engaged in trading off industry after industry, with no thought of the foreign low-wage competition, and is simply giving every nation a piece of the American market through so-called trade agreements.

At this point I wish to say that the act passed in 1934, and has been renewed every 3 years until 1951, when it was renewed for 2 years—and last year it was extended for 1 year, and will now expire on midnight of June 12 this year. If it is not renewed, I say to the Senators who are interested in the fishing business, "You will be back in business," since the Tariff Commission will then fix the tariff on the basis of fair and free competition.

UNITED STATES FISHERIES SUFFER

If it is renewed for 3 years, as the Randall Commission recommends, and a bill on the subject has been introduced in the House by ROBERT W. KEAN, of New Jersey, then the question of research for new fish will be the least of your troubles. It is H. R. 8860.

Continuing to read from page 21 of the hearing:

> The Tariff Act of 1930 continued that rate until the second trade agreement with Canada, effective January 1939, reduced the duty on groundfish fillets to 1.875 cents a pound.

The reduced rates applied to annual imports of 15 million pounds or 15 percent of the average annual United States consumption of fillets in the 3 preceding years, whichever was the greater. Imports of groundfish fillets in excess of the quota and imports of all other fillets remained subject to duty at 2.5 cents a pound.

An indication of the potential threat to New England interests from foreign fillet producers came in 1939. Imports rose 64 percent above the 1938 level. The largest New England filleting concern made an unsuccessful attempt to establish a new plant in Newfoundland and ship fillets into the United States duty free. It failed only because Congress redefined "American fishery" to make the products of such a venture subject to the American tariff. These events not only emphasized the importance of the tariff for the maintenance of New England's position under existing cost and market conditions, they also made clear the potentialities in the development of fresh- and frozen-fish facilities in the countries to the north.

SUBSIDIES HELP FOREIGN FISHING FLEETS

Mr. President, the report continues on page 22:

Two developments during World War II transformed those potentialities to realities by 1946. Filleting and freezing facilities were expanded greatly in Canada, Iceland, and other northern nations to provide food fish for the Allies. Liberal governmental subsidies helped their fishing fleets to grow. Moreover, price inflation cut the ad valorem equivalent of the American tariff from a level of 24.7 percent in 1939 to 9.3 percent in 1946.

IMPORTS FLOOD MARKET

In other words, without any actual cut in the tariff, inflation itself cut the tariff to that extent. Of course, the statement is absolutely correct. I continue to read:

Foreign producers rushed to take advantage of the favorable situation. Imports of groundfish fillets alone were five and a half times as large in 1948 as they had been in 1940.

Thoroughly alarmed by the flood of postwar imports, representatives of the New England industry have visited regularly in Washington to seek greater protection. Interests in the industry which have never seen eye to eye on any other problem have pooled their resources to try to set an import quota on foreign fillets of about 43 million pounds annually. So far their efforts have succeeded only in maintaining present restrictions from further cuts under reciprocal trade agreements.

Mr. President, the words "reciprocal trade" comprise a catch phrase invented to sugar-coat the 1934 Trade Agreements Act, and invented to sell free trade to the American people. The words "reciprocal trade" do not occur in the act.

I continue to read:

The evidence which they have presented to congressional committees, however, shows the vulnerability of the New England industry.

Skipping over some of the same kind of information and going to page 27 of the same hearing, I come to a subheading, "How To Meet Foreign Competition." I am adverting to this because it is an inline with what I am about to say in my address to the Senate on other industries. The fishing industry is not an isolated industry. There are 500 more industries threatened.

FIVE HUNDRED HURT INDUSTRIES

There are many other industries affected in the same way, such as the textile, tool, watch, crockery, mineral, wool, and 500 other industries. However, under the subterfuge which exists in Washington, we call it a reciprocal trade act.

CONSTITUTIONALITY OF ACT QUESTIONED

Most persons think that the 1934 act is unconstitutional because it transfers a constitutional responsibility of the Congress to the executive branch of government.

Article I, section 8, of the Constitution specifies that the legislative branch of the Government shall set duties, imposts, and excises, which we call tariff and import fees, and shall regulate foreign trade. Under the Trade Agreements Act of 1934, that legislative responsibility was transferred bodily to the Executive. That is sailing under the false pretenses of a so-called reciprocal trade act. As the junior Senator from Nevada has said many times, the two words "reciprocal trade" do not occur in the act. The trade is not reciprocal, and was not intended to be.

I read now from page 27 of the hearing:

HOW TO MEET FOREIGN COMPETITION

The New England fishing industry has become increasingly alarmed at the rise in imports of fish.

IMPORTS INCREASE

I am reading from the hearing held on April 1, 1954, on Senate bill 2802.

I continue to read:

Imports provided only 4 percent of United States consumption of fresh and frozen fish in 1931; they accounted for 23 percent in 1948.

Canada, Iceland, and the other northern maritime countries plan to step up their exports to the United States still further. The Canadian provincial governments also hope to expedite the northern movement of the fishing industry by granting liberal mortgage loans and fishing-vessel subsidies. Two of the larger New England concerns which already have interests in the Maritime Provinces have initiated or plan substantial expansion of their Canadian operations.

New England interests have petitioned the Federal Government to impose a limit of 43 million pounds annually on imports of foreign fillets. They considered that request more desirable than an appeal for a higher tariff because import duties could not provide effective protection unless the present rates were raised 150 percent. An increase of that amount would merely restore the ad valorem effectiveness of the pre-World War II tariff, when fish prices were about 60 percent less than they are today.

Mr. President, an increase of 150 percent would not be enough to overcome the difference between wages paid in this country and those paid in some of the countries which are in competition with the United States.

JAPAN'S FISHERIES NEW THREAT

In Japan, for example, which is in competition with the west coast of this country, the rate of wages paid is 12 to 14 cents an hour. An increase of 150 percent in the duties would not result in comparable costs. Why should the difference in wages not be reflected in the tariffs, or "duties," as they are called in the Constitution of the United States.

I read further from page 27 of the hearing:

After extensive congressional hearings last year, the United States Departments of State and Commerce and the United States Tariff Commission recommended that the fishing industry's plea be denied. They pointed out that quantitative restrictions on fish imports would run counter to the country's reciprocal trade policy of encouraging imports to alleviate the "dollar shortage."

DOLLAR SHORTAGE HITS UNITED STATES TAXPAYERS

The only dollar shortage there has ever been is the American taxpayer's dollar shortage. That is shorter than it has ever been, and we have not begun to see the beginning of it.

Reading further:

They noted that fish concessions were among the most important given to Canada, the nation which would be affected most severely by the imposition of fish quotas. Canada would be entitled to compensatory withdrawals if import quotas for fish were adopted. Since Canada is the most important export market for United States products in general, withdrawal of Canadian concessions might have a seriously adverse effect on our whole export trade.

Mr. President, this protection is needed, not only for the New England fishing industry, but also for the sardine industry, the shrimp industry, and all the commercial fisheries, as the facts set forth in the report so clearly show. Protection is needed in order to offset the low wages, the lack of taxes, and the other low costs of doing business in foreign countries, in just the same manner as other industries need protection. In that connection, a general policy has been established, and I shall describe it in more detail in the course of my remarks.

SCISSORS INDUSTRY DENIED RELIEF

Only yesterday the President of the United States refused to grant tariff protection to the scissors industry, a part of the cutlery industry, with respect to which the difference between the wages paid in the United States and those paid in the countries that are the source of scissors imports into the United States is so marked.

GIVE AMERICAN PRODUCERS EQUAL ACCESS TO AMERICAN MARKETS

Mr. President, the State Department is now preparing for a ninth go-around of trade concessions and give-aways to low-wage foreign countries, based upon the 1934 Trade Agreements Act, under which the executive branch of the Government exercises the constitutional responsibility of the legislative branch to regulate the domestic economy, through the adjustment of the duties, excises, and imposts we have been calling tariffs and import fees. The State Department is doing that, despite the following facts:

First, American industries today are reeling from the effects of past State Department "sell-outs" to the advantage of foreign factories and the sweatshop labor of foreign countries.

Second, employment in American industries subject to the impact of foreign competition continues to plunge downward.

Third, the Trade Agreements Act of 1934, under which the State Department

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assumes powers to pamper foreign industries and to purge American payrolls and American industries from this Nation's industrial map, will expire on June 12 of this year.

GIVE UNITED STATES INDUSTRY EQUAL ACCESS TO AMERICAN MARKETS

Mr. President, the responsibility for the regulation of the Nation's economy will revert to Congress, in accordance with the Constitution of the United States, on June 12, at midnight, if the Congress simply declines to take action on that subject. In that event, Congress again will be the regulator of the national economy, as the Constitution provides that Congress must. Upon the expiration of that act, the Tariff Commission, an agent of the Congress, will be charged with the adjustment of duties and tariffs on the basis of fair and reasonable competition, and to give American producers equal access to the American market. Is that asking too much, Mr. President?

Mr. President, our State Department is working on a new international trade shuffle scheduled for October, 4 months after the authority of the executive branch to put our economy and our industries on foreign auction blocks is due to end. The State Department's plans for another round of trade-aways continue, nevertheless, while thousands of industrial employees are thrown out of work in our own mills and plants, the victims of a giveaway foreign trade program; and while investments in American industries are being further threatened.

TEXTILE PAYROLLS DOWN 128,200

Textile mills, for example, dropped 128,200 production workers from their payrolls between April 1953 and April of this year. Eight thousand seven hundred lost their jobs last month. Meanwhile, textile imports pour in from abroad; and the State Department advocates further tariff cuts.

WE STORE AMERICAN PRODUCTS WHILE IMPORTING GOODS FROM ABROAD

Mr. President, I have listened with much interest to the debate on the question of establishing a fund for research and investigation in connection with the fishing industry. We are now stabilizing the production of commodities in foreign countries, through our free-trade agreements. Butter is being imported from Belgium and the Low Countries. Barley, wheat, and other grains are being imported from Canada, and are being purchased by the United States, by means of appropriations made by Congress; and then those commodities are placed in cribs. At present we have in storage three entire crops of corn and wheat. We have storage bins lined up, almost like Brown's cows, all the way from western Kansas to the Pacific coast; and, at the same time, hungry cattle and sheep are to be found all the way from Kansas to the Pacific coast, because at present prices it is not possible to feed that corn and wheat to them.

BARLEY, RYE IMPORTS GROW

Mr. LANGER. Mr. President, will the Senator from Nevada yield to me?

The PRESIDING OFFICER (Mr. BARRETT in the chair). Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. MALONE. I yield.

Mr. LANGER. I know the Senator from Nevada will be interested in the official figures in regard to barley and rye. In 1953, from July 1 to December 30, we imported 11,512,000 bushels. In 1952, during the same months, we imported only 1,304,000 bushels. So in 1953, we imported 10 times as much as we did in 1952, despite the fact that the farmers of the United States by an overwhelming vote decided to limit the acreage quotas on wheat, with the result that a great many additional acres were planted in rye.

Let me add that we tried desperately to get the President of the United States to keep out the foreign products. It was not until a few weeks ago that we were able to have any action at all taken in that connection.

During the same period of time the United States imported 21,761,000 bushels of barley. Naturally, the farmers of the Northwest, having excess land because of the acreage limitations on wheat, are going to raise more barley this year than they have ever raised before. The result will be that the Commodity Credit Corporation will have a terrific loss.

I desire to compliment my friend, the Senator from Nevada, for his remarks. We have discussed this matter before. I wish to compliment him for bringing it again to the attention of the Senate.

Mr. MALONE. Mr. President, I wish to ask a question of the distinguished Senator from North Dakota: Does he believe that if the Congress decides not to renew or extend the 1934 Trade Agreements Act, called the Reciprocal Trade Act—a catch phrase used in order "to sell" free trade to the American people and make it sound nice—the constitutional responsibility of Congress will revert to the Tariff Commission, an agency of Congress. The Tariff Commission will then, in accordance with the law, set the tariffs and will determine them on the basis of the difference between the cost of production in the United States and the cost of production in the countries of the foreign producers. The Tariff Commission will establish that differential on the basis of fair and reasonable competition. Does not the Senator from North Dakota believe that will be the fair and reasonable thing to do?

Mr. LANGER. Yes. It seems to me that will meet the situation.

Mr. MALONE. I thank the Senator from North Dakota.

Mr. President, the difficulties facing agriculture and fishing constitute only one phase of the problem, for similar difficulties confront the production of minerals, the textile industry, and virtually all other manufacturing industries in the United States. They are reflected in official figures of employment declines in many important industries.

JOBS GO AS IMPORTS POUR IN

Hit by imports, the apparel and finished textile products industries dropped 62,700 production workers between April 1953 and April of this year.

Electric machinery payrolls are down 136,000 while the Department of the Interior and the Corps of Army Engineers spend millions of taxpayers' dollars on foreign electrical equipment to be used at Government power projects, also paid for by the taxpayers.

Ordnance and accessories employment has dropped 51,400, while the Randall Commission's majority report recommends greater defense procurement from foreign factories.

Seventy-one thousand one hundred lumber and wood workers have been thrown out of work, while ships from foreign countries bring in vast quantities of foreign lumber, plywood, hardboard, and other forest products.

The primary metal industry is down 161,300 employees since April 1953, according to the latest Department of Labor report on employment.

Employment in the stone, clay, and glass industries has slipped 35,400 in the same period; chemicals, 33,300; leather and leather products, 28,700; instruments, 21,300; fabricated metal products other than ordnance, machinery, and transportation, 119,300; and machinery, except electrical, 162,000.

Each of these industries is forced to compete with imports from low-wage foreign countries subsidized by millions or billions in American aid.

MORE JOBS THREATENED

Proposals of the free-trade clique within and without the State Department and of Clarence B. Randall, chairman of the so-called Randall Commission and promulgator of the Randall report, would give these imports, which are throwing thousands of Americans out of work, greater and easier access to our markets.

Mr. Randall, I am informed, is heading up the "interagency work" in preparation for the ninth round of trade concessions I referred to at the beginning of my remarks.

Mr. Samuel C. Waugh, an erstwhile banker serving currently as Assistant Secretary of State for Economic Affairs, is directing the State Department's participation in the program or scheme.

The up-coming go-around of giveaways will, if it occurs, be the ninth session of the so-called contracting parties to the General Agreement on Tariffs and Trade, better known at GATT, an international socialistic creation that never has been approved by Congress.

In fact this so-called agreement has never been presented to the Congress by our State Department and, in the opinion of the junior Senator from Nevada it is very questionable whether the United States of America is a contracting party at all.

Nevertheless, our State Department, at eight previous GATT sessions has stripped many basic American industries of essential protection against cut-rate, subsidized foreign competition, with the result that today these industries have their backs to the wall, and thousands of their former workers are jobless. A ninth session might, of course, finish

them off entirely, turning their jobs and business over to favored foreigners.

RESTORE STATE DEPARTMENT TO PROPER FUNCTIONS

For the sake of America's 93 distressed areas, scores of depressed industries, and several million unemployed production workers, the junior Senator from Nevada hopes that no ninth GATT session takes place. GATT is simply no good for American industry, labor, and economy; and the record shows it.

Expiration of the Trade Agreements Act on June 12, 1954, would relieve the present administration of any excuse for a ninth session at which, as in past sessions, American payroll and investments could, and doubtless would, be sacrificed.

With expiration of the Trade Agreements Act of 1934 our Government would then revert to the Tariff Act of 1930, under which tariffs would be adjusted on the basis of fair and reasonable competition with the principal competing country, restoring American production and payrolls, and giving to the American workmen and the American producer equal access to the American market.

Such adjustments would be made by the United States Tariff Commission, an agency of Congress, not by the State Department, a political agency concerned primarily with international interests and unfamiliar with American industries and economy. Both the State Department and the American people would thereby profit.

Relieved of its economic chores, to which it is so obviously unsuited, the State Department could then concentrate on its proper diplomatic problems and perhaps, would deal with them more effectively than it has been dealing with them the past 20 tragic years of wars or preparation for wars, resulting from our fumbling foreign policy.

FREETRADERS SACRIFICE ECONOMY TO FOREIGN INTERESTS

During a prior administration, Mr. Acheson and his deputy testified many times before Senate committees that it was impossible to separate the foreign policy from the domestic economy, and therefore that it was necessary then to make certain trades—to trade the markets of the American worker and the American producer for political concessions. But they were talking on the basis of the 1934 Trade Agreements Act, which placed in the executive—meaning the State Department, for all practical purposes—the constitutional authority of the Congress of the United States to regulate foreign trade and to adjust the duties, excises, and imposts which we call tariffs or import fees. While the Congress tied together foreign policy and regulation of the domestic economy, the Constitution of the United States pointedly separates regulation of the domestic economy and the fixing of foreign policy. The regulation of the domestic economy was placed under the legislative branch, not the executive branch. Article I, section 8, definitely places regulation of the domestic economy in the legislative branch, whereas the fixing of foreign policy is placed in the executive branch.

TEXTILE INDUSTRY SEES NEED FOR TARIFFS

To return to our economic picture, more and more leaders of industry are convinced that the only proper and permanent relief that will protect investments and payrolls from unfair foreign competition is a tariff system such as our Founding Fathers gave us and which for 160 years was the backbone of American progress.

FACTS SHOW DISTRESS CAUSES

Such views have been expressed by southern textile authorities, as will be set forth by the junior Senator from Nevada later in his remarks.

They have been expressed by the New England Textile Committee, comprised of labor, management, and public members from the six New England States—Maine, Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont.

It so happens that the same States, practically, are adversely affected by the trade agreements which relate to the fishing industry, and as to which the report on the bill now under discussion sets forth the harm already done to the fishing industry by foreign imports under the lowered tariff system through agreements made by the State Department under the 1934 Trade Agreements Act.

A return to fair and reasonable tariffs has been asked by officials of the National Association of Wool Manufacturers, which submitted to the recent Randall Commission a list of all woolen and worsted mills in the United States closed or liquidated during the period January 1, 1949, to December 1, 1953. The junior Senator from Nevada proposes to offer this list for the RECORD later in his remarks.

They have been expressed by the cotton-textiles industry, as will be detailed also.

They have been expressed by both labor and management in minerals and mining industries, which the junior Senator from Nevada will discuss at a subsequent time.

And they have been expressed by working executives and members of many other industries, as will be detailed at a later date by the junior Senator from Nevada.

EXPORT JOBS: IMPORT UNEMPLOYMENT

Mr. President, the junior Senator from Nevada has no hesitancy about presenting these facts of economic distress caused by low-wage, low-tax, low-tariff imports. He feels that full knowledge of these facts is imperative if we are to counter the propaganda for free trade, disseminated in part by spokesmen who are exporting jobs and work abroad to factories or subsidiaries in foreign lands and who thus seek lower tariffs for their own selfish interests.

Mr. R. J. Jewell, outgoing president of the Cotton Manufacturers Association of Georgia, discusses this in a signed article published in the April 26, 1954, issue of the Journal of Commerce. He states:

Amidst the confusion resulting from our desire to find some means of assisting foreign countries to reestablish their economies aside from direct dollar aid, there has arisen in some quarters an unrestrained demand for so-called free trade.

Out of this demand there emerged the dangerous and misleading slogan, Trade, Not Aid.

In the past, industry generally has been pretty well agreed upon the merits of fair tariff protection. More recently—

And here we get to the worm in the apple—

There has arisen a schism within its ranks, and a few powerful business groups, of which certain manufacturers of automobiles and business machines are typical, have begun to clamor for a drastic lowering of our already low tariffs. They have joined voices with the agricultural group which desires to sell its surplus products in a free world market while operating, at the same time, in a price-supported domestic market.

TAXPAYERS TAKE "RAP"

Mr. President, the only way we can sell agricultural products in Europe is by letting the taxpayers of America take the "rap" to the extent of approximately 50 percent, 60 percent, and perhaps 70 percent of the price. In addition, the taxpayers are assessed an even greater amount by sending agricultural machinery and industrial machinery to Europe, resulting in further competition with the domestic producers.

Continuing to quote from Mr. Jewell:

This problem of foreign economic policy—

Mr. Jewell continues—

with particular respect to the tariff, presents perhaps the most serious situation now confronting our industry, and upon its solution may well depend the future of textiles in America.

Later in his article, Mr. Jewell states:

I do not have to tell you that without adequate tariff protection the textile industry in the United States will shrivel up and perish.

Mr. President, I might say at this point that a very prominent industrialist in the chemical industry told the administration in words of one syllable that if something is not done soon the chemical industry will end up back on the Rhine, where it started before World War I.

Every industry in the United States is in the same boat.

FOREIGN WAGE SCALES FRACTION OF OUR OWN

I continue to quote from Mr. Jewell:

It would be utterly impossible for us to maintain the wage scale which our workers now are paid, the high standards of living to which they have become accustomed, and to provide for replacements and fair capital return if we are forced to compete in world markets against wage scales ranging from 10 to 20 percent of our own.

Mr. Jewell then reports on the findings of industry representatives who recently visited Japan, and these are some of the facts to which I referred a few moments ago. He states:

Some private concerns have recently sent representatives to Japan to investigate textile conditions in that country, and they have found that under the American occupation, with American know-how and direction, the Japanese industry has been rebuilt to a very high peak of efficiency, using Japanese machines.

They found that the average wage paid to textile employees was $11 to $14 per month, and that the workload had been increased considerably over that prevailing prior to the war.

UNIVERSITY OF MICHIGAN LIBRARIES

The result of the one particular investigation is a reluctance on the part of the concern involved to increase its investment in American textile facilities.

Until this matter of tariff protection and foreign trade has been properly settled and a definite and equitable trade policy established by our Government, this industry will remain in grave danger.

We can even be destroyed by our friends and well-wishers through ignorance on their part.

CITES TORQUAY SELLOUT

Mr. President, I wish to call particular attention to that last statement of the retiring president of the Cotton Manufacturers Association of Georgia, in which he says:

We can even be destroyed by our friends and well-wishers through ignorance on their part.

That statement is equally applicable to the Congress and to the United States Senate if we persist in continuing the policies of socialized international trade incorporated in the Trade Agreements Act of 1934 and expanded through creation of the thing called GATT—General Agreement on Tariffs and Trade—which has never even been presented to the Senate for its consideration.

The State Department has persistently shrouded its GATT connivings and trade-aways during their evolvement under a blanket of obscurities. GATT sessions are veiled in secrecy and held in foreign hideaways like Annecy, France, Geneva, Switzerland, or Torquay, England. The trade-outs do not become public knowledge until after they have become a fait accompli.

For example, at Torquay, England, an important market for American textiles was dissipated by concessions granted Cuba, through concessions of higher Cuban tariffs, while our own State Department has consistently sought to lower ours. I ask unanimous consent to place in the RECORD at this point in my remarks, data prepared by the Textile Association of the United States on concessions granted Cuba on textile items at the Torquay conference.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

GATT CONCESSIONS TO CUBA

The Textile Association of the United States has reported that sales of American cotton and rayon textiles to Cuba in the 2 years since the Torquay tariff agreement went into effect dropped by 56.3 million square yards.

Translated into terms of cents per yard on the principal textile items U. S. A. exports to Cuba, the concessions obtained by Cuba line up as follows:

[Cents per yard unless otherwise stated]

	Old rate	New rate	Percent increase
COTTON			
100x60s white broadcloths	2.90	4.48	54.48
100x60s dyed broadcloths	3.77	5.70	51.19
80x80s print cloth dyed	3.77	6.00	59.15
80x80s percales	2.72	5.95	118.75
64x60s percales	1.95	4.68	140.00
60x48s percales	3.00	4.38	46.00
White drills	8.38	11.40	36.04
Dyed 2.50-yard sheetings	4.40	11.20	154.55
3.90-yard chambray	3.61	6.68	85.04
3.20-yard chambray	4.40	7.12	61.82
2.20-yard denims	7.62	11.98	57.22
72-inch white sheetings	5.41	10.00	84.84
Type 128 sheets (per dozen)	$3.075	$5.68	84.71
RAYONS			
Rayon suitings (12 threads)	3.87	31.50	714
Rayon suitings (15 threads)	4.13	28.87	599
Multifilament rayon crepes	4.90	25.37	418
72x54s plain French crepes	3.17	11.43	261
72x54s printed French crepes	2.12	10.13	378
92x64s plain French crepes	5.81	13.10	125
92x64s printed French crepes	3.88	11.27	190
Spun rayon prints (14 threads)	2.82	13.52	379
Spun rayon dyed plain (14 threads)	4.11	15.80	284
Spun rayon printed	2.61	12.91	395
Rayon and cotton blankets (unit)	.48	$1.43	198

WOOL CLOTH IMPORTS SET RECORD

Mr. MALONE. Mr. President, it is pertinent at this time to turn our attention from the plight of the cotton-textile industry to that of the woolen- and worsteds-textile industry.

The Journal of Commerce, on May 6, carried a signed article by Mr. Edwin Wilkinson, executive vice president of the National Association of Wool Manufacturers, in which he stated, in part:

Rising imports of woolen and worsted fabrics are a problem of increasing concern to the wool manufacturers in the United States.

This is especially so in view of the great hue and cry for freer trade, made in most cases with little or no consideration of the adverse effect on many essential industries, including textiles.

In 1953, in spite of declining production here, imports of wool cloth climbed to 24,275,000 square yards, thus surpassing the 30-year record high set in 1952.

Because of poor conditions and the fact that the industry is made up mainly of small-business enterprises, the imports are harmful out of proportion to the volume. Unfortunately, there is reason to believe the competition from low-wage foreign mills is merely in its infancy.

Mr. Wilkinson continues:

Comparing 1953 with 1939, the increase in imports is alarming, to say the least. Imports from the United Kingdom have gained 76 percent; from Italy, 524 percent; from France, 60 percent; and from Switzerland, 845 percent.

FREE TRADE MEANS SUBSERVIENCE TO FOREIGN CARTELS

Japan, which, before World War II, was beginning to gain a foothold here, again is actively striving for a share of the American market. The wage gap between American and British mills—$1.55 per hour here against 42 cents there—is bad enough, but in Japan the average hourly pay is only about 13 cents.

Present tariffs fail to equalize the wage gap.

From the viewpoint of stimulating world trade, can it seriously be argued that it is better to have these foreign workers employed at low wages while American workers idle at a high wage rate and watch their jobs vanish as imports increase?

Mr. Wilkinson continues:

The freetraders often use the price differential as an argument. They point to how cheaply we can buy foreign products. This, of course, ignores completely the loss of corporate and personal income taxes which is suffered when a large volume of imports is permitted.

I digress, Mr. President, to say that it also ignores the fact that when an industry is destroyed in this Nation the high standard of living is destroyed through competition with low-wage labor abroad. Then prices are raised to what the traffic will bear. It is like a gasoline pipe with a gas station on each end. Both stations may be selling gas for 2 cents a gallon, but when one of them goes out of business we then pay "through the nose" for the losses which have been sustained up to that time.

Quoting further, Mr. President:

But beyond that, if there were no woolen-worsted industry here if it was not large enough to meet American needs, this country soon would discover its mistake.

Europe and other parts of the world, with their cartels, soon would be charging us much more than we now are paying for American goods produced by American workmen under the American standard of living.

Members of this association contend: Let us stimulate world trade in the goods and services nations need and do not have. Let us establish a tariff policy based on need—need in the national interest.

NEW ENGLAND TEXTILE GROUP SUBMITS REPORT

Mr. President, the New England Textile Committee, to which I previously referred, made a detailed report on April 7, 1954, copies of which, I am informed, were sent to the governors of the six New England States and to their delegations in the Congress.

Later in my remarks I shall submit the complete report for the RECORD but at this time I wish to call attention to the splendid summary, its recommendations, and the reasons set forth for these recommendations. The summary begins as follows:

The subject of tariffs is of vital importance to the New England textile industry, one of New England's most important industries, employing over 220,000 workers. The recommendations follow:

1. That there should be no further reductions in tariff rates on any of the different classes of textiles.

2. That tariff rates should be raised on textile products where foreign imports cause or threaten to cause unemployment in any segment of the industry.

REASONS FOR FAIR TARIFFS STATED

Then follow the reasons. They are:

REASONS

The New England textile industry, consisting of over 1,500 establishments, is an industry of highly competitive small businesses and needs protection from low-wage foreign competition. Foreign wage differentials of 200 to 1,400 percent are not offset by superior productivity of New England mills, in part due to the sharing of technical know-how with our foreign neighbors.

Today, the textile industry's rise from a state of depression involving widespread unemployment in New England is being hindered by increased imports of foreign textile products, duty paid, at prices below those of United States producers. Meanwhile, displaced New England textile workers are experiencing difficulty in finding new jobs and are being carried on the rolls of the unemployed.

Our standard of living and national security will be severely injured unless some means is provided to grant relief to the textile industry as needed.

Unlike other industries, entrance and exodus from textiles is quick, and the industry is subject to very rapid economic changes, which characteristics have to be considered in the formulation of tariff policies.

STATE DEPARTMENT HAMPERS EXPORTS

Mr. President, in this connection I ask also that there be placed in the RECORD

at this point in my remarks an article from the April 9, 1954 issue of the Journal of Commerce titled "Whitin President Hits Tariff Policy."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITIN PRESIDENT HITS TARIFF POLICY

WHITINSVILLE, MASS., April 8.—The drive of the State Department to remove so-called tariff barriers in its "trade not aid" program will spell the doom of many American industries, J. Hugh Bolton, president of the Whitin Machine Works, says in the current issue of the Whitin Review.

Mr. Bolton is a member of the board of directors of the American Textile Machinery Association, and past president of the organization.

"Even the advocates of no tariff admit that certain industries would be badly hurt under this program," Mr. Bolton said.

Mr. Bolton said that although there is a great "hue and cry" for the removal of American tariffs so that countries who have been receiving United States dollar aid may ship their goods and services to this country without restriction, nothing is being said or has been said about these same countries removing their tariff and licensing restrictions against American goods.

SEE DANGER NOW

Mr. Bolton said that where 2 years ago a "great many" major American industries would have disagreed with him, large segments of other major industries in this country are now awakening to the fact that if this policy is pursued further there will be grave danger to American industry.

"The United States cannot afford to lose any of its industries. I admit that it is essential that we have a prosperous Europe, including Great Britain, but it would be suicide, both for ourselves and Europe, to build foreign countries up at the expense of American industry and enterprise."

"For example, this country gives outright grants in dollars to foreign governments in order to help them build up their industrial potentials. These same foreign governments would like to buy American machinery with their dollar grants, but the United States State Department representatives deny them that privilege and insist that they purchase their needed heavy equipment from other foreign markets. That, of course, directly affects our own export markets."

Mr. Bolton believes the time to fight the fallacy of "free trade" has arrived. And he says: "Almost without exception European governments subsidize exports in one way or another. That makes for exceedingly difficult competition. In spite of that, we have been willing to take our chances as long as our domestic market was not attacked with low-priced subsidized machinery. Now that is being done. It is time to fight for our own survival as an industry."

IMPORTS FORCE MILL CLOSURES

Mr. MALONE. Mr. President, Mr. Bolton appropriately comments that although there has been a great hue and cry for the removal of American tariffs so that countries who have been receiving dollar aid may ship their goods and services to this country without restriction, nothing is being said or has been said about these same countries removing their tariff and licensing restrictions against American goods.

At an appropriate time I propose to discuss these restrictions, about which our free-trade propagandists are consistently silent.

However, at present I wish to revert to the statement submitted by the National Association of Wool Manufacturers in December to the so-called Randall Commission, headed by Clarence B. Randall, who now is rounding up administrative agencies for our ninth go at international tariff shuffling.

The facts presented by the National Association of Wool Manufacturers were, to all effects and purposes, ignored by Mr. Randall, if, indeed, he read or studied them. They cited the effects of imports on that important industry and as further evidence submitted a list of all woolen and worsted mills of which they had a record that had been liquidated or had gone out of business from January 1, 1949, to December 1, 1953, the date that the statement was submitted to the Commission.

Other mills have closed since then according to information that has reached the junior Senator from Nevada, but the list of those previously closed down is sufficiently lengthy and significant to show what is taking place nationally to the woolen and worsted manufacturing industry during the period when foreign aid and State Department favoritism to foreign industries were deluging the American market with more than $4½ billion worth of foreign textiles.

Mr. President, I ask unanimous consent that the list to which I have referred be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

EXHIBIT B–I.—*Woolen and worsted mills liquidated or out of business since Jan. 1, 1949*

Company and location	Affiliation	Spindles	Looms	Employees
NEW ENGLAND STATES				
MAINE				
Brown Mills (AW Co.), Dover-Foxcroft	CIO	6,240	96	180
Camden Textile, Inc., Camden			60	125
Deens Woolen Co., Sabattus		2,640	40	150
Dumbarton Woolen Mills, Sangerville	AFL	2,240	32	100
Georges River Woolen Co., Warren		1,540	30	125
Hughes Woolen Co., Camden		3,264	40	150
Moosehead Woolen Co., Corina	AFL	7,000		300
Pioneer Mills (AW Co.), Pittsfield	CIO	4,400	72	300
Rocky Gorge Woolen Co., South Berwick		2,700	28	250
Winthrop Mills, Winthrop	AFL	5,496	156	600
NEW HAMPSHIRE				
Cocheco Woolen Manufacturing Co., East Rochester	Ind.	7,600	120	425
Dodge Davis Manufacturing Co., Bristol	CIO		30	75
Gordon Woolen Co., Newport	CIO	4,992	64	300
Hampshire Worsted Mills, Manchester	AFL	8,500		175
Harris-Emery Co., Penacook	CIO	5,200	87	230
Hillsboro Woolen Mills, Hillsboro	CIO	4,560	48	310
Lion Yarn Co., Manchester		7,488		125
Sawyer Mill (AW Co.), Dover	CIO	3,960	114	393
R. C. Swan Co., Keene		900		250
VERMONT				
Gay Bros. (Gaymount and Green Mountain Mills), Ludlow	CIO	2,000	51	400
Harris-Emery Co., Quechee	CIO	3,220	30	135
Mountain Woolen Co., Ludlow		2,550	22	150
Suffolk Knitting Co., Bennington				
John T. Slack Corp., Springfield	CIO			200
Valentine Mills, Bennington		2,160	20	125
Verd-Mont Woolen Co., Ludlow		1,440	12	85
MASSACHUSETTS				
Assabet Mills (AW Co.), Maynard			210	650
United States Bunting Mill (Ames Textile Corp.), Lowell			210	650
Arlington Mills, Lawrence	AFL	104,000	642	7,700
Ayer Mills (AW Co.), Lawrence	CIO	58,336	384	2,657
Arden Mills (AW Co.), Fitchburg	CIO		144	400
Atkinson Spinning Co., Lowell		2,616		100
Bachmann Uxbridge W. C., Fall River	CIO	19,010		125
Bachmann Uxbridge W. C., Lowell	CIO		144	310
Bradford Spinning Co., Hudson	CIO	16,600		400
Chute Worsted Co., Brockton		2,464		88
Franklin Yarn Co., Franklin	CIO	6,480		50
Hayward-Schuster Woolen Mills, Millbury	CIO	5,808	88	500
Hayward-Schuster Woolen Mills, Manchaug	CIO	3,450	72	500
Hopeville Manufacturing Co., Worcester	CIO	2,400	118	660
Lawrence Blanket Co., Webster	CIO			125
Lawrence Woolen Co., Lawrence		6,446	120	400
E. Frank Lewis Mills, Lawrence	AFL			100
Lowell Woolen Mills, Lowell	AFL	2,160		75
Medway Mills, W. Medway	CIO	1,872	30	130
Paragon Spinning Co., Millbury		2,530		50
Royal Spinning Co., Lowell	AFL	4,800		90
Rohmer Medford Wool Scouring, Medford	AFL			100
South Acton Woolen Co., South Acton	CIO			90
Sterling Mills Co., Worcester	CIO	4,880	48	200
Taft Mill, Oxford		1,876	88	105
Thayer Woolen Co., North Oxford		1,944	36	125
M. T. Stevens (Pentucket), Haverhill	CIO		150	400
Vee Cee Spinning, Inc., Lowell	AFL	1,000		75
Wuskanut Corp., Faxnumville	CIO	13,776	126	500
Winslow Bros. & Smith Co., Norwood	AFL			625
RHODE ISLAND				
Ashaway River Woolen Co., Ashaway				150
Atlantic Mill Division (A. D. J.), Providence	CIO	56,000	500	2,500
Belleville Woolen Co., Allentown	CIO	2,400	39	250
Carwan Spinning Co., W. Warwick	CIO	3,700		75
Georgiaville Worsted Spinning, Georgiaville	CIO	800		50
Geneva Mills, Providence	CIO	16,240		625
Kalin Mills, Inc., W. Warwick			16	40
Lafayette Mills (Rodman Manufacturing Co.), Lafayette		6,246	64	250
Manton Mills (AW Co), Manton	CIO	2,008	146	394
National Providence (AW Co), Providence	Ind.	1,704	82	150
Woonsocket Worsted Co., Woonsocket	CIO	19,174		550
CONNECTICUT				
S. Blumenthal & Co., Inc., Shelton	CIO			
Griswold Mills, Voluntown		2,000		100
Killingly Worsted Mills, Danielson		1,400	82	150
Moodus Yarn Co., Moodus				
Putnam Worsted Mills, Putnam	CIO		36	100
Rhode Island Worsted Co., Stafford Springs		7,000	69	400
M. T. Stevens (Hockanum), Rockville	CIO	23,000	490	1,500

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EXHIBIT B–I.—*Woolen and worsted mills liquidated or out of business since Jan. 1, 1949*—Continued

Company and location	Affiliation	Spindles	Looms	Employees
MIDDLE ATLANTIC STATES				
NEW YORK				
Broadalbin Mills, Inc., Broadalbin				350
Faith Mills, Averill Park	CIO	4,500		50
Fulton Mills (AW Co), Fulton	CIO	34,000	288	895
Globe Mills (AW Co.), Utica	CIO	18,384	147	726
High Rock Mills, Inc., Philmont		5,168	24	200
Jamestown Worsted Mills, Jamestown	CIO	10,868	80	750
Montgomery Worsted Mills, Montgomery		2,000		160
Soringdale Mills, Hudson			30	100
Thermo Mills, Hudson		2,040		150
Troy Yarn Co., Troy	Ind.	4,000		100
Utica Knitting Co. (Knitting Cloth Department), Clayville	CIO	10,868	80	750
Weil Bros. Textiles (carpet yarn), Newburgh	CIO	2,316	200	300
NEW JERSEY				
Raritan Mills, Raritan	CIO	6,432	100	350
Eavenson & Levering Co., Camden	CIO			650
Howland Croft Sons & Co., Camden	CIO	13,500		490
PENNSYLVANIA				
Ardross Worsted Co., Philadelphia	CIO		72	325
Blue Ridge Woolen Co., Chambersburg		3,360	45	175
Geo. Brown's Sons, Inc., Mount Joy		5,292	24	160
Edwin & Louis Bry, Inc., Norristown	CIO	4,785	86	500
Cambridge Worsted Mills, Philadelphia			40	125
R. B. Dutt Co., Philadelphia				60
Esterly Woolen Co., Esterly		2,280	25	130
Eagle Textile Manufacturing Co., Philadelphia			20	75
J. T. Gardner, Philadelphia			20	70
Haverdale Co., Philadelphia				
Keystone Worsted Mills, Philadelphia				50
Mitchell & Walker (Shackamaxon), Philadelphia		2,400	66	150
Joseph E. Murphy, Philadelphia	CIO		50	165
Prudential Worsted Co., Doylestown			96	200
Roystand & Co., Philadelphia			18	50
Shepperd Mills, Inc., Philadelphia			48	125
Geo. W. Watt Woolen Co., Norristown	AFL	3,360	40	250
Westmoreland Worsted Co., Philadelphia				
John Walther Fabrics Co., Philadelphia				150
Thos. Wolstenholme Co., Philadelphia	Ind.	30,000		600
Walther Manufacturing Co., Philadelphia	CIO		165	550
Wynona Fabrics Inc., Philadelphia		2,550		100
Yorkshire Mills (Chester Division), Chester	CIO		276	600
SOUTHEASTERN STATES				
MARYLAND				
Melville Woolen Co., Sykesville		4,830	60	125
SOUTHEASTERN STATES—Continued				
VIRGINIA				
Winchester Woolen Co., Winchester	AFL	2,892	32	420
WEST VIRGINIA				
Berkeley Woolen Co., Martinsburg	CIO	8,160	96	510
Dunn Woolen Co., Martinsburg	CIO	7,210	72	200
Potomac Wst. Spinning Mills, Keyser	CIO	5,000		75
TENNESSEE				
Sweetwater Woolen Mills, Sweetwater		7,520	84	500
GEORGIA				
Arcadia Woolen Co., Atlanta	CIO	4,150	56	400
MIDWESTERN STATES				
ILLINOIS				
Hanover Woolen Mills, Hanover	AFL	4,300	78	250
INDIANA				
Columbia Woolen Mill, Columbia City	AFL	3,635	46	280
La Porte Bachmann, La Porte	AFL	10,480	112	400
MINNESOTA				
Alworth Woolen Mills, Duluth	CIO	1,080	28	100
North Star Woolen Mill Co., Minneapolis	CIO	3,552	60	475
WISCONSIN				
Grieves Woolen Mills, Sheboygan Falls		2,544	30	125
Island Woolen Co., Baraboo	CIO	6,480	88	300
Prairie du Chien Woolen Mill, Prairie du Chien	AFL	2,208	63	305
Racine Woolen Co., Racine	Ind.			80
PACIFIC COAST STATES				
CALIFORNIA				
Humboldt Bay Woolen, Eureka	AFL	2,792	30	100
Treasured Fabric, Ltd., Santa Ana	CIO	130	17	75
Worth Bros., Los Angeles	CIO	4,800		120
OREGON				
Eugene Woolen Co., Eugene	CIO	1,720	21	80
Total	(1)	788,738	8,597	48,041

[1] Number of mills, 132; CIO, 59; AFL, 18; Independent, 5; no record, 50.

NOTE.—Leaders indicate either none or unknown.

EXHIBIT B–II.—*Area breakdown, woolen and worsted mills liquidated or out of business since Jan. 1, 1949*

Area	Number of mills	Union affiliation		Spindles	Looms	Employees
		Yes	No			
Maine	10	5	5	35,520	564	2,150
New Hampshire	9	7	2	43,200	433	2,283
Vermont	7	3	4	11,370	135	1,095
Massachusetts	30	22	8	262,448	2,600	17,848
Rhode Island	11	8	3	157,262	1,275	7,124
Connecticut	7	3	4	33,400	677	2,250
New England	74	48	26	543,200	5,684	32,750
New York	12	7	5	88,396	709	4,331
New Jersey	3	3	0	19,932	100	1,490
Pennsylvania	23	7	16	54,027	1,071	4,610
Mid-Atlantic	38	17	21	162,355	1,940	10,431
Maryland	1	0	1	4,830	60	125
Virginia	1	1	0	2,592	32	420
West Virginia	3	3	0	20,370	168	785
Tennessee	1	0	1	7,520	84	500
Georgia	1	1	0	4,150	56	400
Southeast	7	5	2	39,562	400	2,230
Illinois	1	1	0	4,300	78	250
Indiana	3	2	0	14,115	158	650
Minnesota	2	2	0	4,632	88	575
Wisconsin	4	3	1	11,232	181	780
Midwest	9	8	1	34,279	505	2,255
California	3	3	0	7,722	47	295
Oregon	1	1	0	1,720	21	80
Pacific coast	4	4	0	9,442	68	375
Grand total	132	82	50	788,738	8,597	48,041

TEXT OF TEXTILE REPORT

Mr. MALONE. Mr. President, this is an extensive subject, and I do not wish to take up too much of the Senate's time on any given day. Instead, I prefer to discuss from time to time pertinent matters relating to the issue and information as it is being developed by affected industries and parties which are progressively being hurt by proforeign trade policies inaugurated in previous administrations but now being carried over by the present one.

At this time, however, I ask unanimous consent to place in the RECORD the seven-page text and one page of documentation of the New England Textile Committee's report on tariffs.

There being no objection, the text and documentation were ordered to be printed in the RECORD, as follows:

THE NEW ENGLAND TEXTILE COMMITTEE REPORT ON THE SUBJECT OF TARIFFS, APRIL 7, 1954

The importance of tariff rates to the New England textile industry and the current activity of the Federal Government relative to same have prompted the New England Textile Committee to conduct hearings for the purpose of discussing and studying this issue. This statement of the position of the New England Textile Committee on the tariff issue, for presentation to our New England

Governors, Congressmen, and to the general public, is the product of this careful study.

This report consists of a definition of the textile industry in New England, discussion of characteristics of the industry, the need for tariff protection, present tariff legislation, and recommendations of the New England Textile Committee.

NEW ENGLAND TEXTILE INDUSTRY

The textile industry is one of the most important industries in New England. New England mills constitute about 20 percent of the cotton, silk, and synthetic textile industry,[1] about 60 percent of the woolen and worsted textile industry,[2] and a sizable percentage of other textile industries, including manufacturers of lace goods, felt goods, coated fabrics, cotton cordage and twine, hats, carpets and rugs, knit goods, thread and yarn. The New England Textile Committee represents all of the textile mill products industries.

Over 16 percent of the people employed in New England manufacturing industries are directly employed in textiles, approximately 220,000 people in 1953.[3]

Another 220,000 people are indirectly dependent on the textile industry, as the loss of a textile job in a community may mean the loss of one additional job when the worker and his dependents cut their purchases from the grocer, the druggist, the department store, and the professions.[4] Thus 1 in every 6 jobs in New England is directly or indirectly dependent on the welfare of the textile industry.

The New England textile industry represents capital investment in excess of $1½ billion,[5] value added by manufacture in 1952 of $1,154,000,000,[6] and would require investments of about $3 billion to substitute new manufacturing jobs for textile jobs.[7]

The textile industry is not only essential to New England but is of great importance to the national economy. The total industry employs approximately 1,250,000 workers, has an annual gross product value of $12 billion, pays taxes of $1,250,000,000 annually, and had an investment at the end of 1952 of $5½ billion, with total assets of about $9 billion.

CHARACTERISTICS OF THE INDUSTRY

The characteristics of large employment, small size of units, geographical dispersion, high percentage of labor costs to other costs, free price competition, and military value make it mandatory that present tariff rates on textile mill products be maintained or increased in the interest of national welfare.

LARGE EMPLOYMENT

In addition to being one of the largest employers of labor, the industry is characterized by the fact that mills employ a relatively high proportion of the workers in the labor market area where they are located. Many mills are situated in small towns where they provide either the sole or principal source of outside income to the community. Other mills are located in textile centers, such as Rockville and Danielson, Conn.; Sanford, Biddeford, and Lewiston, Me.; Fall River, New Bedford, Lawrence, and Lowell, Mass.; Manchester and Keene, N. H.; Woonsocket and Providence, R. I.; and Winooski, Vt., where they represent a large proportion of the total manufacturing employment in the area.

SIZE OF UNITS

The textile industry typifies small business which the Federal Government is currently trying to assist on the one hand through the Small Business Administration, and is permitting to be injured on the other through reductions in textile tariffs.

The average number of employees in textile mills is very low in New England as well as in all regions of the United States and in all branches of the industry. In the United States, 43 percent of the textile mills employ less than 20 persons and 73 employ under 100 workers.[8] The total industry is composed of over 9,000 mills, of which over 1,500 are in New England.

GEOGRAPHICAL DISPERSION

Only a relatively small number of textile mills are located in large metropolitan areas where there is a diversity of manufacturing and employment. Most of the mills are small, widely distributed, and located in small towns where a change or shift in demand for their output causes particular hardship on textile workers.

LABOR ORIENTED INDUSTRY

The entire industry is noted for its relatively high percentage of labor costs to other costs. In 1953, salaries and wages of the wool-textile industry represented 63 percent of the total value added by manufacture.[9] In the case of the cotton and rayon broadwoven fabrics field, salaries and wages represented 67 percent of the total value added by manufacture in 1952.[10] This labor cost is particularly important when one considers that raw-material costs are just as low or lower to other producers throughout the world. Government price-support policies tend to raise the cost of raw materials to American producers above the prevailing prices in the world market.

Uncontrolled competition from low-wage foreign producers can seriously damage the New England textile industry, the New England economy, and the national textile industry. In competition with foreign producers, the wage differential varies between 200 and 1,400 percent, and this in a labor oriented industry.[11] As a result, during 1953 textile products were entering the United States, duty paid, at prices substantially below those of domestic producers.[12]

The Government considers an area with 6 percent or more unemployment a surplus-labor area. As an example of what can happen in a short period of time in textiles, let us consider the case of the lace manufacturers, predominantly located in the Blackstone and Pawtuxet Valley areas of Rhode Island. In the 2 years following the reciprocal-trade agreements program with France, in conjunction with the devaluation of the French franc, which, in substance, meant still further tariff reduction, the lace industry in Rhode Island found itself with 66 percent of its workers unemployed and the remaining 34 percent working on an average of 14½ hours a week.[13] This shows how quickly foreign competition affects the textile industry.

PRICE COMPETITION

The outstanding characteristic of the textile industry is its highly competitive nature with the resulting low free market price of textiles to the consumer. In recent years textile profits as a percent of sales have been running below the average earnings of manufacturing industries generally. The textile industry is not making profits at the expense of the consumer under the protection of the present tariff.

MILITARY VALUE

Maintenance of a domestic textile industry is vital to our national security. During the 4 years, 1942–45, 51.4 percent of the production of cotton broad-woven goods in the United States went to the armed services.[14] In the woolen industry, during the peak production years of 1942 and 1943, 51.5 percent and 48.8 percent respectively of domestic production went to the armed services.[15] Any injury to the New England textile industry through tariff reductions could jeopardize national security.

TARIFF PROTECTION

In the interest of New England, our national security, and the national economy, present tariff rates on textile products must be maintained to protect the textile industry and its various segments from injury and unemployment caused by low wage foreign competition. When foreign imports cause or threaten to cause unemployment in any branch of the textile industry, tariff rates on the goods imported should be raised to prevent further injury and unemployment.

Textile workers laid off as a result of mill closings find it difficult to find jobs. Older textile workers are experiencing considerable difficulty in finding new jobs and if total textile employment declines it will be increasingly difficult for them to find any sort of employment according to a recent survey conducted by Northeastern University.[16] Any reduction in tariff rates will only serve to aggravate the already serious problem of unemployment in some New England textile centers.

The textile industry is one of the first industries to develop in new industrial areas and in rehabilitated countries. Since World War II United States textile-machinery manufacturers have equipped many foreign mills. As a consequence, many foreign producers have machinery which is more modern and more efficient than the older machinery in many mills in the United States. With low wages, modern machinery and techniques, foreign producers can and will capture our domestic markets. Any advantage we enjoyed in the past in greater productivity and efficiency have been equalized by sharing our knowledge with our foreign neighbors. Fine-combed-cotton goods from Western Europe and Japan, Italian and Japanese velveteens, English typewriter cloth, English tweeds, and other foreign textiles are coming into this country in increasing numbers.

Since the inception of the textile industry, the Government has provided protection against foreign producers through the medium of the tariff. Under these condi-

[1] Statement of the National Association of Cotton Manufacturers and Northern Textile Association on the subject of tariffs before the New England Textile Committee, Mar. 10, 1954.

[2] Bureau of the Census, 1949.

[3] Statement of the National Association of Cotton Manufacturers and Northern Textile Association, Mar. 10, 1954.

[4] Report on the New England textile industry by committee appointed by the Conference of New England Governors, 1952, May 1, 1953.

[5] Ibid.

[6] Statement of the National Association of Cotton Manufacturers and Northern Textile Association, March 10, 1954.

[7] Report on the New England Textile Industry, May 1, 1953.

[8] U. S. Department of Commerce and Federal Security Agency, County Business Patterns, first quarter, 1949.

[9] Statement submitted to the Commission on Foreign Economic Policy by the National Association of Wool Manufacturers, December 1953.

[10] National Association of Cotton Manufacturers and Northern Textile Association, April 1954.

[11] Ibid.

[12] Ibid.

[13] Testimony of National Association of Lace Manufacturers before the New England Textile Committee, March 10, 1954.

[14] Statement of the National Association of Cotton Manufacturers and Northern Textile Association, March 10, 1954.

[15] Statement submitted to the Commission on Foreign Economic Policy by the National Association of Wool Manufacturers, December 1953.

[16] Bureau of Business and Economic Research at Northeastern University, January 25, 1954.

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tions the industry has grown and developed a scale of wages commensurate with the American standard of living. Through reciprocal trade agreements during the last 20 years there have been large reductions in tariff rates on textiles. Any further reduction would be injurious to the industry and New England. The New England Textile Committee favors protection for workers, stockholders, and the public from the low-wage competition of foreign countries.

TARIFF LEGISLATION

Under present tariff rates, textile products are being imported in increasing quantities while domestic industry suffers from unemployment. The woolen and worsted industry is the prime example of this situation.

The Commission on Foreign Economic Policy, popularly known as the Randall Commission, has recommended further tariff reductions to the President. The New England Textile Committee is opposed to any further tariff reductions on textile products.

RECOMMENDATIONS

The New England Textile Committee recommends—

1. That there should be no further reductions in tariff rates on any of the different classes of textiles.

2. That tariff rates should be raised on textile products where foreign imports cause or threaten to cause unemployment in any segment of the industry.

AMERICAN TEXTILE JOBS DROP

Mr. MALONE. Mr. President, I ask unanimous consent to have placed in the RECORD a news account published in the Wall Street Journal Thursday, April 29, 1954, entitled "CIO Textile Union Reports 75,000 Drop in Contract-Covered Jobs." It also will be noted that the same account quotes Emil Rieve, president of the Textile Workers Union of America, as stating that total employment in the textile industry has dropped from 1,300,000 to a little more than 900,000.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CIO TEXTILE UNION REPORTS 75,000 DROP IN CONTRACT-COVERED JOBS

ATLANTIC CITY.—The CIO Textile Workers Union reported that slumping employment in the industry has brought a 2-year drop of 75,000 in the number of its workers covered by union contracts.

In a report to a meeting here of the union's executive council Emil Rieve, TWUA president, said the union now represents 325,000 men and women, compared with 400,000 2 years ago.

"In the same period," he said, "total employment in the textile industry has declined from 1,300,000 to a little more than 900,000. Therefore, while we are, of course, not satisfied to represent only one-third of the workers, we have held our own percentagewise."

Mr. Rieve's figures include both dues-paying union members and nonmembers who work under TWUA contracts with the textile industry.

The union president said "raids" by the AFL United Textile Workers were only a small factor in the CIO's losses.

"Two years ago about 25,000 workers formerly under a TWUA contract voted to switch to the AFL," he said. "However, a good many of them have since voted to return to us, and others are in the process of doing so."

Mr. Rieve said the TWUA signed 185 new contracts covering 16,745 newly organized members in the past 2 years.

The executive committee is meeting prior to the start of the union's biennial convention here next Monday.

CASE OF THE "LOST" TEXTILE WORKERS

Mr. MALONE. Mr. President, these are, of course, American workers who have been displaced from their jobs—some 300,000 to 400,000 of them—not Cuban workers or Japanese textile workers, earning $11 to $14 a month, as reported by Georgia's Mr. R. J. Jewell.

What happens to textile workers thrown out of work?

Mr. President, the publication Business Week, issue of March 6, 1954, sought to answer this question with an article titled "Case of the 'Lost' Textile Workers." It reports the results of surveys made in New England. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CASE OF THE "LOST" TEXTILE WORKERS

When a New England textile mill closes its doors, what happens to the uprooted workers? That's a big question throughout New England today, and one that—so far—has never been adequately answered.

Unemployment figures tell only part of the story. That is clear in Lawrence, Mass., where many more textile jobs have been wiped out in recent years than are shown by jobless data and figures on expanded employment in other industries (BW–Dec. 19, 1953, p. 72). What happened to the rest?

TRACKING THEM DOWN

The bureau of business and economic research of Northeastern University, in Boston, is trying to find out in a survey of displaced workers in Lawrence—part of a broad study launched about a year ago that's now beginning to show some interesting results.

Under the direction of William H. Miernyk, the bureau has so far interviewed 756 workers from 3 liquidated mills in 3 cities—a woolen mill in New Hampshire, a cotton mill in Fall River, Mass., and a cotton mill in Lowell, Mass. After it winds up the survey in Lawrence, it plans to canvass displaced workers from 2 other Massachusetts mills and 1 in Rhode Island. When completed, the survey will show what happened to 2,000 laid-off textile workers.

THE GENERAL PICTURE

First findings, which later case studies probably will confirm, show:

Most of those laid off were still in the labor force, either employed or actively seeking employment, though a few of the displaced workers—mostly young married women or very old workers—dropped out within a year.

More men than women had been reemployed, and workers over 45 years of age were having a particularly hard time finding new jobs. Among the job seekers, 80 percent were drawing unemployment compensation when interviewed.

Most of those with new jobs were in other textile mills, in nonmanufacturing work, or in established relatively static "nongrowth" industries; comparatively few had found their way into newer, expanding growth industries—machinery, electronics, and the like.

The majority of the reemployed were earning less than before, and many had been downgraded—from skilled to semiskilled, or from semiskilled to unskilled classifications.

Most told interviewers they were unhappy in new jobs, in part because of the lower pay and rating, but also because they had lost seniority and saw little opportunity for advancement.

SHATTERED ILLUSION

According to Miernyk, these findings explode a myth that has gained currency among New England businessmen and many economists in the last few years: That growth industries, particularly electronics, have been taking up a lot of the textile slack in employment. That's not the way it looks, Miernyk says, commenting:

"In view of the recent public statements that New England will gain by the * * * diversification of industry, we feel that these findings are timely. * * * Statements by persons in important positions have created the cruel illusion that new jobs are to be provided for the displaced textile workers."

Diversification helps, but new industries evidently are filling jobs with newcomers in the labor market instead of with displaced textile workers, according to the bureau's findings. Of the first 756 workers checked, only 5 percent found jobs in growth industries.

VARIATIONS

Along with these general conclusions each of the first mills surveyed turned up some interesting sidelights.

In Fall River, the cotton mill management gave workers advance notice of the coming shutdown, and urged them to seek new jobs; but of 850 workers—not all of whom were contacted by bureau interviewers—only 19 found jobs before they were finally laid off. Many later wound up with new textile employment. Half of those displaced were idle less than 5 weeks after their layoffs, and 65 percent less than 10 weeks.

In Lowell, younger male workers found new jobs, but those over 45 years of age still were largely unemployed after a year; women in all age groups were having a harder time getting new jobs than men were.

In New Hampshire, the woolen mill closed in a one-factory town with a population of 1,500, miles away from any fair-sized city. The mill closing idled 200 workers. A leather products firm moved into the mill building, and reemployed part of the textile jobless. But 2 years after the shutdown, almost a third of the 200 laid off in the woolen mill were still out of work. For the other two-thirds, who got jobs, the average period of unemployment was about 5 months. Some 30 percent of them got textile jobs elsewhere, some as far as 64 miles from home; 50 percent took jobs in the leather products company—accepting downgrading and less pay; and 20 percent got a variety of other jobs.

WHAT HAPPENS TO JOBLESS WORKERS IN THREE TYPICAL MILLS?

Seven hundred and fifty-six were thrown out of work. A year later these were: Unemployed, 304; in other textile mills, 176; in nongrowth manufacturing industries, 120; in nonmanufacturing jobs, 90; in growth industries (except apparel), 36; in apparel industries, 30.

Growth manufacturing industries (except apparel): Fabricated metals, nonelectrical machinery, electrical machinery (including electronics), chemicals.

Nongrowth manufacturing industries: Leather and leather products, furniture, paper and paper products, printing, rubber, food and food products, jewelry, transportation equipment.

UNFAIR ACT EXPIRES JUNE 12

Mr. MALONE. Mr. President, in closing I wish to say that Congress has this matter in its own hands. All it has to do is to sit on soft cushions in air-conditioned rooms and pass nothing at all in regard to it.

At midnight, June 12, 1954, the 1934 Trade Agreements Act, called the Reciprocal Trade Act, will expire. The act is entitled "Reciprocal Trade," but it was

designed to sell free trade to the American people. It expires at midnight on June 12, 1954.

At 1 minute after midnight the authority to regulate tariffs will revert to the Tariff Commission, an agent of Congress, which already has been instructed by Congress, by law, to determine the cost of producing an article in this country—not the high cost, not the low cost, but the reasonable cost of a foreign-made similar article produced in the chief competitive nation—and to recommend that amount as the tariff. The tariff will represent the difference in wages, taxes, and other pertinent factors. This will account, for example, for the difference between the 14 cents an hour Japanese worker and the $2 an hour American worker.

What will happen then? The trade agreements already made will remain in full force and effect until and unless the President of the United States serves 6 months' notice of cancellation on the country with which such trade agreement has been made. When that is done the industry so affected will come under the tariff law and will be subject to regulation on the basis of fair and reasonable competition through the imposition by the Tariff Commission, an agent of Congress, of tariffs or import fees, which the Constitution calls duties, imposts, and excises.

INFLATION CUT TARIFFS

But there is a third factor which must be considered. As the head of the Textile Association in Georgia has so well said, the inflation of 60 percent itself has lowered tariffs, duties, or excises, or whatever they may be called, 60 percent, because as the price is raised, the duty remains fixed. For example, an article costing 20 cents a yard would have a 5-cent-a-yard duty. If there were a 50 percent inflation, it would become a 40-cent-a-yard article. The duty would still be 5 cents a yard. Therefore, instead of a 25 percent duty or tariff, it would be a 12½ percent duty or tariff. That is another trick which is accomplished merely by the juggling of the money system. It is not the worst one, but it is one of the worst.

All that is necessary is that, instead of allowing the Tariff Commission, as it is now required, to fix a 50 percent leeway up or down on a fixed tariff on the basis of competition, is to give it full leeway and full right to regulate the tariff, and it will then become a fair tariff. The Tariff Commission would recommend the figure to be charged as a tariff or a duty. If the tariff is not entirely effective, let the Tariff Commission establish quotas for imports.

LEGISLATION TO RESTORE FAIR TARIFFS PENDING

I have had a bill before Congress for the last 6 years. It has been introduced in three Congresses. Some day I hope Congress will get around to it. The bill would allow the Tariff Commission, as an agent of Congress, to consider all the factors which affect foreign competition, including the juggling of the price of foreign money. At present the subject of foreign exchange is treated as a joke.

There is what is called a peril point. The Tariff Commission determines what the peril point is at a particular time, because that is the point at which there might be injury to the domestic industry. Assume that the State Department should accept the peril point determined by the Tariff Commission. It never does, but suppose it does. Then suppose it makes a trade agreement on that basis for 3 years, and the agreement remains in full force and effect until the President serves 6 months' notice of concellation. Before the ink is dry on the notice, the foreign nation can, and almost always does, change the price of its money, and it establishes a new price to apply to the particular product affected. This, in effect, places a tariff on the money. So in minutes after that great consideration is given by the State Department, another industry has been traded off.

I simply say again that it is not necessary for Congress to pass any legislation; it is merely necessary to review the conditions of industries in the United States, and to prevent the complete annihilation of the industries by sweatshop labor competition from abroad. Simply let the act expire. Expiration is long overdue.

VIOLATION OF RURAL ELECTRIFICATION ADMINISTRATION CONTRACTS

Mr. LANGER. Mr. President, only a few years ago, throughout the great Northwest—in fact, throughout almost the entire country—farmers did not have the REA. They did not have rural electrification. If a farmer wanted to hook up with the line of a private power company, even though the line was only a quarter of a mile away, he was charged between $1,100 and $1,300.

One of the finest measures ever passed by Congress to help farmers all over America was the Rural Electrification Act. This act was so popular that in the last campaign, when Dwight Eisenhower was a candidate for President, he openly pledged, on October 4, 1952, at Fargo, N. Dak., and at various other places, that if he were elected President, REA would be extended. That was at a time when Mr. Eisenhower was looking for votes. That was before the private power companies apparently had the Government by the throat through the Department of the Interior.

The farmers of the United States believed Mr. Eisenhower. They thought the REA cooperative would continue to get loans and would continue to extend transmission lines, or at least to have the Government extend them, whereby, in turn, they could obtain electric power. The farmers expected additional money to be appropriated, so that steam plants could be built.

If ever a promise was broken by a man after he was elected, this promise was broken by Dwight Eisenhower through the men he appointed to take charge of REA.

I am a Republican. I am proud of the fact that I am and have been a Republican in North Dakota for all these years. But I remember a time only a few years ago when there was before the Senate a bill to give to the men and women who work for the Government a decent pay increase, and I told the late distinguished Senator from Ohio, Mr. Taft, that if the bill was not passed, I would ask every Federal worker in America to vote the Democratic ticket.

Mr. President, I am in a very fortunate position. I owe the Republican Party nothing. In the last presidential primary election every one of the candidates on the Republican ticket fought me. Their crowd sent their money into North Dakota to defeat me, and certain oil millionaires, headed by Mr. H. R. Cullen, of Texas, poured money into North Dakota, evidently because I was an enemy of the bill which would grant the tidelands oil to the States.

I come back to the situation relating to public power; and I say, in all seriousness, we are either going to continue to let the people have public power, as Dwight Eisenhower promised, we are either going to have an administration which is going to give small municipalities and farmers a square deal, or the senior Senator from North Dakota will be in the very forefront, saying to the rank and file of the people, "Don't believe any more promises made by the man who today occupies the White House."

I ask nothing from Dwight Eisenhower. I ask nothing from any single member of his Cabinet. There is nothing they can give me. Mr. President, every bit of allegiance which I owe is not to any party; it is to the man who is earning his living by the sweat of his brow, whether he is a Government worker in New York, a farmer in the hills and valleys of the Nation, a coal miner down in the bowels of the earth, or an ordinary, small-business man trying to survive in this day when the antitrust laws are not being enforced.

Mr. President, a shocking and startling story of disregard for law was testified to in a hearing, which I conducted yesterday afternoon, before the Subcommittee on Antitrust and Monopoly. It was charged by one of the witnesses, Mr. Truman Green, that Secretary McKay and the Department of the Interior had refused to honor a legal, valid, and binding contract between Southwest Power Association and the Central Electric Power Cooperative of Missouri, as well as other generation and transmission cooperatives in the southwestern area.

These cooperatives apparently have entered into contracts with Southwest Power Association for the sale of generated power and the lease of transmission lines to the Government. They performed their part of the contracts, and the SPA has been refusing to make the payments due under the contracts. The Central Electric Power Cooperative, after repeated efforts to obtain the moneys due it, and fearful that it would be starved out of existence, or forced to borrow money at high interest rates from outside sources—which would mean that it would have to raise the rates to the farmers and consumers—finally sued the Secretary of the Interior in the Washington courts. The court ruled in favor of the cooperative, Judge Edward Curran being the judge. According to the testimony no appeal has as yet been taken. Despite the fact that a court of

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competent jurisdiction has ruled that the contracts are valid and binding, and that Congress has appropriated the money to pay these obligations, the Interior Department has refused to pay the money which is legally owing the cooperatives.

There are approximately 80,000 farm families who receive power through the facilities of Central Electric Power Cooperative. The economic position and well-being of the cooperative is seriously threatened by this refusal of the Government to carry out its legally binding obligations, as reaffirmed by a court of competent jurisdiction. This despite the fact that Congress appropriated in July of 1953 a fund of $1,200,000 for precisely such payments.

Another witness, Floyd Gibson, general manager of the Oklahoma statewide electric cooperative, testified to a similar situation in the case of Western Farmers' Electric Cooperative, which services approximately 60,000 members in Oklahoma. The Western Cooperative also had a contract with SPA similar to the Missouri one to which I have just referred. By the end of March 1954 SPA owed the Western Cooperative some $106,000 for power purchased, and not one dime has been paid by SPA to the cooperatives.

As chairman of the Committee on the Judiciary and the Subcommittee on Antitrust and Monopoly, I intend to get to the bottom of things and ascertain exactly what is taking place in the Department of the Interior. Believe me, Mr. President, I will get to the bottom of it.

I shall call upon Secretary McKay and Assistant Secretary Aandahl, and Douglas Wright, SPA Administrator, to explain the situation to the satisfaction of my committee and the farmers and consumers.

The farmers have fought too long and too hard for their REA's to let the Government disregard the law and contracts, and not to have somebody in the Senate who is representing them publicly protest when the farmers are being sandbagged, and when their throats are being cut, and when they are being threatened by the very Government which should help them. This is being done not by Dwight Eisenhower himself directly, but by Mr. McKay, Mr. Aandahl, and Mr. Wright, who are his hired men, whom he can remove at will. Dwight Eisenhower was the man who made the promise to the farmers of the United States in October 1952, at Fargo, N. Dak., and other places, when he said he had consulted all the leading Republican leaders he could contact, and that they were going to be friendly to REA.

I wish to read a part of the testimony which was given under oath before my subcommittee yesterday. The interrogator was the chief counsel, Mr. Sidney Davis, for the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary of the United States Senate. Mr. Truman Green was on the stand:

Let me see if I can get this clear, Mr. Green. Is it your testimony that the Government entered into contracts with the Central Cooperative for the lease of transmission lines, that money was appropriated for payments to be made by the Government to your cooperative under those contracts, that such moneys were never paid? Is that correct, sir?

Mr. GREEN. That is correct.

Mr. DAVIS. That subsequently you entered into interim contracts with the Government in an attempt to maintain the status quo until you could work out the situation; is that correct?

Mr. GREEN. That is correct.

Mr. DAVIS. Now, I ask you again, did the Government ever pay any rental under those contracts on those transmission lines?

Mr. GREEN. No, sir.

And he is under oath.

Mr. DAVIS. Did the Government ever pay its bills for the power which it purchased under those contracts?

Mr. GREEN. No, sir.

Mr. DAVIS. Can you tell us how much the Government owes your cooperative, roughly?

Mr. GREEN. Under our old contracts which we think are effective now, the Government would owe us approximately $750,000. That is an estimate and it is approximately correct.

Mr. DAVIS. Then it is your testimony, is it not, that the Government owes your cooperative approximately $750,000?

Mr. GREEN. That is to date.

Mr. DAVIS. For the period in question under these existing contracts?

Mr. GREEN. Yes.

Mr. DAVIS. Has the Government had the funds available to it, do you know, to pay these bills?

Mr. GREEN. We have contended all along that $1,200,000 was available, and legally so, for the operation of these contracts; and to be sure of that, when we took the issue to the courts here in the District of Columbia, last fall, to see whether that money was legally available——

Mr. DAVIS. Before we get into that, I should like to ask you how long is it that the Government has owed you this money?

Mr. GREEN. Part of the money they owed us for over 18 months. That was the beginning of our lease rental.

Mr. President, I may say at this point that the Republican administration has been in power approximately 18 months. So it is a curious coincidence, I may say to the Members of the Senate, that during the same 18 months—the first 18 months of the administration of Dwight Eisenhower, the proclaimed friend of the Rural Electrification Administration—as stated at Fargo, N. Dak., on October 4, 1952 — these cooperatives have been starving for money that Congress appropriated for them, but which they have not received up to the present time, although they have already been in court and have received judgment in their favor.

I read further:

Mr. DAVIS. Has the failure of the Government to pay the bills due you done any injury or had any bad effect on your cooperative?

Mr. GREEN. Yes.

We are in very serious financial condition due to the lack of working capital. By the purchase of coal for this steam plant and turning the power over to Southwestern Power Administration, our working capital is practically depleted.

In fact, we are now to the point where we just have not got funds to operate on. We will have to borrow the money, pay interest on new working capital, or make some other arrangement—we do not know what.

Mr. DAVIS. How will this situation affect your rates to farmers and consumers of the power from your cooperative?

Mr. GREEN. Our best estimate, if we are forced to go it alone without the lease-operating contracts as originally planned and buy power at the dam, without wheeling from the Government, the sale of steam power to the Government as was originally provided, our estimate is that the rates to the cooperative will be in the order of 12 or 13 mills.

Mr. DAVIS. Is that as contrasted to the present rate of 5.5 or 6 mills?

Mr. GREEN. Yes, sir.

In other words, Mr. President, the rates to the farmers, to the users there, would be doubled.

It is very interesting to read the correspondence between the Government and one of the cooperatives. I have before me a letter dated April 7, 1954, addressed to Douglas McKay, Secretary of the Interior, and Douglas G. Wright, Administrator of the Southwestern Power Administration, at Tulsa, Okla. The subject matter is the Southwestern Power Administration contracts. The letter and the reply to it are among the most interesting letters which I believe any Senator will have seen for a long time. The Government owes this cooperative $750,000, and a court of competent jurisdiction has held that the cooperative is entitled to that amount. Furthermore, under the contract, there is no question at all that the cooperative is entitled to it. The cooperative wrote the following letter to Mr. McKay and Mr. Wright:

GENTLEMEN: The United States District Court for the District of Columbia has ruled that Congress did appropriate money for the current fiscal year from which the two contracts between Central Electric Power Cooperative and the Southwestern Power Administration may be implemented and carried out.

The court also ruled that your failure—

That is to say, the failure on the part of the United States Government—

and refusal to carry out the two contracts was illegal and outside the scope of your authority.

Mr. President, a Federal judge in the District of Columbia ruled that Mr. McKay and Mr. Wright were proceeding illegally and outside the scope of their authority.

The letter continues, as follows:

You have received a copy of the order of the court. The decision was rendered by a judge who had previously served as United States district attorney for the District of Columbia, and who, by reason of that experience, is probably one of the most experienced Federal judges in matters of the type involved in the case brought by the Central Electric Power Cooperative.

The board of directors of the Central Electric Power Cooperative feels strongly that as a matter of fair play and good conscience it is entitled to have the department abide by the decision of the Federal court.

Mr. President, here are 80,000 farmers, 80,000 users, begging the Government to carry out a solemn contract entered into by the Government with the cooperative. The letter continues:

In addition there is no reason for the Department to take over the operation of Central's transmission lines. The effect of complying with the court's order would be only to compensate Central pursuant to the terms of the contracts, which the court has held Central is legally entitled to have done.

The board of directors of Central is of the firm opinion that failure by you now to carry out the two contracts in the manner authorized by the order of the Federal court demonstrates that you either are attempting to delay performance for a sufficient time to avoid any performance, or that you have reason for such action not known and not communicated to us.

The board of directors ask that you immediately arrange to carry out the two contracts with Central as authorized by the Federal court. If for some reason you refuse to do so, we request that we be notified immediately and that you advise us in detail the specific grounds for refusing to perform as authorized by a United States court of competent jurisdiction.

Very truly yours,

CENTRAL ELECTRIC POWER COOPERATIVE,
STEVE A. SCHAUWECKER,
President.

After that letter was read into the record Mr. Davis, the chief counsel for the subcommittee, asked:

Mr. DAVIS. Did you receive a reply to this letter?

Mr. GREEN. Yes, sir.

Mr. DAVIS. Do you have it with you, sir?

Mr. GREEN. Yes, sir.

Mr. DAVIS. What is the date of the reply?

Mr. GREEN. It is dated April 16, 1954.

Mr. DAVIS. By whom is it signed?

Mr. GREEN. It is signed by Fred G. Aandahl, Assistant Secretary of the Interior.

Mr. DAVIS. We will admit this in the record.

(The letter is as follows:)

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., April 16, 1954.

Mr. STEVE A. SCHAUWECKER,
President, Central Electric Power Cooperative, Jefferson City, Mo.

MY DEAR MR. SCHAUWECKER: This letter replies to your letter dated April 7, 1954, addressed jointly to the Secretary of the Interior and the Administrator, Southwestern Power Administration, relative to two contracts between the United States and Central Electric Power Cooperative which are involved in the case of *Central Electric Power Cooperative* v. *Douglas McKay* (U. S. District Court for the District of Columbia, Civil Action No. 4786–53).

In response to a request for our views, this Department has recommended to the Attorney General that the Government take an appeal from the order issued in this case by Judge Curran, dated March 29, 1954.

This recommendation was based on reasons which were set forth at length in the memorandum submitted by the Department in support of defendants' motion to dismiss and for summary judgment. Copies of this memorandum were served on your attorneys in this action.

Sincerely yours,

FRED G. AANDAHL,
Secretary of the Interior.

I shall not go into detail today. I have before me the decision of the judge who heard the case, a judgment granting the motion of the Central Electric Power Cooperative for summary judgment.

There was a stipulation in the case which provided that the Government would abide by the result of what the judge ruled. Nothing was said about any appeal. Those representing the Government said, "We will submit the question to a court, and whatever the court rules, we will abide by his ruling." After the court ruled in favor of the cooperative, the representatives of the Government are welshing and not carrying out the terms of the stipulation.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MAGNUSON. I think the Senator will find that the recent case to which he refers is not the only one in which a stipulation was entered into. Several months previous to that time there was another case in the courts, in which another judge, in another court, made a similar ruling.

Mr. LANGER. I am glad to hear that.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MONRONEY. I, too, am very familar with the case involving the Southwestern Power Administration. There have been more than two such cases. There have been 2 in the District of Columbia and 2 in Missouri. All those cases were won by the REA cooperatives, the generating and transmitting cooperatives. The finding of the court in each instance was that the contract was legal and binding on the Government.

As a result of action in the House of Representatives appropriations were restricted. Last year the Senate conferees were unable to persuade the House conferees to retreat from their position.

We find the same thing happening throughout the entire Southwestern area. There is a power desert. The REA cooperatives, with the cooperation, advice, and urging of the Government, attempted to provide electric power under contracts which were entered into in all good faith by both the Government and the REA cooperatives.

Congress has stifled the REA cooperatives by cutting off funds, while still providing adequate funds for carrying out contracts with private power companies, relating to the interchange of power between the Southwestern Power Administration and the private utilities, in connection with the use of power generated at Government dams to firm up the power of private power companies. Funds have been made available to cover their wheeling and transmission charges.

Today the REA generating and transmitting cooperatives are faced with bankruptcy unless they are rescued by the Appropriations Committees. Adequate funds were not provided even to sustain life, to administer artificial respiration, so to speak, during the interim period, until the higher courts can pass upon the appeal. As was stated yesterday, the inability to stay alive may bring the REA cooperatives to just as violent an end as though they had been condemned to death, had taken an appeal to a higher court, and then had been executed before the higher court could pass upon their case.

It will not do the REA cooperatives any good if the plants and transmission lines are forced into bankruptcy and are compelled to close and be sold to the highest bidder. Only two private utility companies could possibly buy the wreckage. It would be sold at 25 or 50 cents on the dollar.

One of these projects cost $14 million, and came on the line just a year ago. These cooperatives can be forced into bankruptcy by the failure of Congress to carry out the obligation of the Government. The Department of the Interior has not given them any kind of decent deal. It has not even asked for appropriations to sustain the life of the cooperatives until a higher court can pass upon the question.

It is my understanding—and I wish the distinguished chairman of the Judiciary Committee would enlighten me, because I am not a lawyer—that if a litigant wins a case in the lower court, the decision of that court is presumed to be the correct interpretation of law until and unless it is overturned by a higher court.

Mr. LANGER. That is especially true in the two cooperative cases I have cited, in which there was a stipulation providing that the Government should be bound by the decision of the court. Nothing was said about an appeal being taken.

Furthermore, in the two cases I have cited, Judge Edward M. Curran found that $1,200,000 had been appropriated by the Congress and was available. The Secretary of the Interior, Assistant Secretary Aandahl, and other officials in the Department of the Interior, were saying that such was not the case, and they were forcing the cooperatives into court.

Mr. MONRONEY. I thank the very distinguished chairman for his attention to this matter. What is happening in the way of perhaps monopolizing the power supply for the REA's is of grave concern to those of us in the Southwest area.

This is a market which was created for the farmers and the Government. This is the job which the private utility companies said would be impossible. They said it would prove to be a boondoggle and a great failure. Since the REA's have proved their worth, paying off their loans ahead of time, and becoming good customers for wholesale power from the private utility companies, as well as from their own generation sources, the private utilities have been trying to force them to rely wholly on the wholesale power resources of the private utilities. There are only two or three in that area which could possibly supply that market.

Mr. LANGER. Let me say to my distinguished friend from Oklahoma that in the testimony given before the Judiciary Committee yesterday it was shown that three or four concerns have a monopoly. There are interlocking interests among the private companies. They are closely connected and interwoven, so that they can act almost as a unit against the cooperatives, not only in the State of the Senator from Oklahoma but in the surrounding States.

This contest is similar to the fight we have had in the Northwest, with which the distinguished Senator from Montana [Mr. MANSFIELD] is entirely familiar. The situation in Montana approximates that in Oklahoma, Mississippi, and some of the other States.

Mr. President, in order that Senators may know exactly what the court held, I ask unanimous consent that the order of the court, Judge Edward M. Curran,

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may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

CENTRAL ELECTRIC POWER COOPERATIVE, A COOPERATION, LINN, MO., PLAINTIFF, V. DOUGLAS M'KAY, SECRETARY OF THE INTERIOR, AND DOUGLAS G. WRIGHT, ADMINISTRATOR OF THE SOUTHWESTERN POWER ADMINISTRATION, DEFENDANTS

(Civil action No. 4786–53)

Order granting plaintiff's motion for summary judgment

This cause was heard on motion of the plaintiff for summary judgment on the ground that the defendant's answer fails to state any defense to the complaint filed herein, and, having been fully advised upon hearing of this motion, it is by the court this 29th day of March 1954 ordered and decreed as follows:

1. That the plaintiff's motion for summary judgment is granted.

2. That the two contracts between the plaintiff and the United States of America (in this order hereinafter referred to as the Government) entered into by and through the Southwestern Power Administration, both dated January 9, 1950, and more fully described in the complaint and answer filed herein, are valid and binding upon the parties hereto.

3. That Congress has appropriated moneys in Public Law 172, 83d Congress, in the amount of $1,200,000 for the fiscal year beginning July 1, 1953, and ending June 30, 1954, which appropriation was available to carry out the provisions of said contracts, and from which appropriation any obligations or liability on the part of the Government arising out of said contracts can be paid.

4. That the action of the defendants Douglas McKay and Douglas G. Wright in refusing to carry out the provisions of the said contracts with the plaintiff during the above-referred-to fiscal year on the alleged grounds that no appropriation of funds has been made by the Congress for the said fiscal year from which appropriation any obligations or liability of the Government arising out of said contracts can be paid, is illegal, in violation of law and beyond the scope of the authority of each of them.

5. That, to the extent that funds are available from the $1,200,000 authorized in Public Law 172, 83d Congress, for the continuing fund, Southwestern Power Administration, defendants, and each of them, are authorized to carry out the provisions of the said contracts with the plaintiff.

EDWARD M. CURRAN, *Judge.*

Approved as to form:

BRUCE ZEISER,
Attorney for Defendants.

Mr. LANGER. Mr. Clyde Ellis, executive manager of the National Rural Electric Cooperative Association, also testified before our subcommittee with respect to the subject of the interlocking directorates.

Particularly in view of what was said by my distinguished friend from Oklahoma I wish to call this testimony of Mr. Ellis to his attention. Mr. Ellis testified:

I attended one of the first meetings ever held in the United States in about 1937 at Harrison, Ark.

After I came with the national organization of the rural electric systems, I learned that the power desert of the Southwest was very extensive, that it exended to much of Missouri, much of Oklahoma, parts of Kansas.

That confirms what the Senator from Okahoma [Mr. MONRONEY] stated a moment ago.

Mr. Ellis continues:

Rural electrification was being held back. There are many counties in which no commercial company ever existed. Not even was there a single light bulb in several counties in some of those States.

Yet they opposed desperately our efforts to organize generation and transmission cooperatives to furnish ourselves with power.

I ask my friend from Oklahoma if that is not true.

Mr. MONRONEY. That is the truth.

Mr. LANGER. There was not a single light bulb there at the time.

I particularly call the attention of the Senate to this point in the testimony of Mr. Ellis when he was talking about private monopoly:

All the companies from Nebraska to the Gulf coast are tied in to it. That is one way they are tied together.

Another way they are tied together is through the National Association of Electric Companies. The National Association of Electric Companies' president is Purcell Smith. Here in my hand is a photograph from the Nashville Tennessean of April 18, quoting Purcell Smith at great length.

I understand that Mr. Purcell Smith is registered as a lobbyist and receives a salary of $65,000 a year.

That document was put in the record of the subcommittee.

Mr. Ellis continued:

In it you will see that he boasts about the extent to which the National Association of Electric Companies is able to influence the Congress and is able to do things which they seek to do, all leading toward monopoly in this country, among other things, to keep our Tennessee Valley Authority from getting more appropriations, he says.

That is just one other way they are tied together, through the National Association of Electric Companies.

Still another way is through the investor controls.

It is true, of course, that the stockholders' organizations float stock of record which they do not absolutely control, but it nevertheless is a measure of control.

Some of these companies are mentioned here briefly that are of that type, but also some of them are real investors who control and sit on the boards and dictate the policy of the power companies.

Let me show you how they are tied in. This is just a job I did in a couple of hours.

Kansas City Power & Light Co., which is one of the companies fighting the rural electrics in this area.

Mr. DAVIS. This is a document which you compiled; is that correct?

Mr. ELLIS. That is right.

Kansas City Power & Light Co. has as one of its 10 biggest common stockholders Steer & Co., of Philadelphia, also Union Electric Co., of St. Louis, 1 of the companies fighting us, has as 1 of its big 10 common stockholders of record Steer & Co., of Philadelphia.

Kansas City Power & Light Co. has as 1 of its big 10 Sigler & Co., of New York.

Union Electric Co. also has as 1 of its big 10 Sigler & Co., of New York.

Oklahoma Gas & Electric Co. also has as 1 of its big 10 Sigler & Co., of New York.

Middle South Utilities Co., which owns all the common stock of Arkansas Power & Light Co., Louisiana Power & Light Co., Mississippi Power & Light Co., and New Orleans Public Service Co., has as 1 of its big 10 Sigler & Co., of New York.

Mr. President, they are all tied together with Sigler & Co., of New York, and these companies make common cause against the cooperatives in one State after another.

I continue to read from Mr. Ellis' testimony:

Kansas City Power & Light Co. also has trustees of Massachusetts Investors Trust in Boston as 1 of its big 10, and so does Middle South Utilities have as 1 of its big 10 the same trustees in Massachusetts.

Kansas City Power & Light Co. has Lynn & Co. of New York as 1 of its big 10. So does Empire Electric Co. of Missouri.

St. Joseph Power & Light Co. of St. Joseph, Mo., 1 of the companies fighting us, has as 1 of its big 10, Merrill Lynch, Pierce, Fenner & Beane of New York.

Union Electric Co. has as 1 of its big 10, Merrill Lynch.

The North American Co., which controls Union Electric Co., has as 1 of its big 10, Merrill Lynch.

Empire District Co. of Missouri has as 1 of its big 10, Merrill Lynch.

Oklahoma Gas & Electric Co. has as 1 of its big 10, Merrill Lynch.

I desire to say to my colleagues in the Senate that as chairman of the Subcommittee on Monopolies of the Judiciary Committee I shall welcome assistance from every Senator who believes in the rural cooperatives getting a square deal.

I say to my Republican colleagues that the Republican Party should carry out its promises to the people. I cannot emphasize that too strongly. I maintain I am a better Republican than an overwhelming number of Republicans who are willing to have the big private companies strangle the cooperators.

I am a better Republican because I say Dwight Eisenhower, speaking for his party, should carry out the promises he made to the farmers on the 4th day of October 1952, at Fargo, N. Dak., and at other places.

I intend to stand on the floor of the Senate time and time and time again if these promises are not carried out, and, as a Republican, I intend to speak on the radio and appeal to the people of the country to compel Dwight Eisenhower, if necessary, to carry out the platform on which he was elected and to carry out the promises he made when he was looking for votes.

Surely, Mr. President, the Members of the Senate were shocked when they read testimony given by the late Wendell Willkie. It will be remembered in his campaign that he advocated peace and said he was opposed to war. A few weeks after he was defeated, testifying before a Senate committee in favor of war, he was asked by a Senator:

Is it not true that a few weeks ago you said you were opposed to war? Is it not true that you spoke against war?

Mr. Willkie gave his famous answer:

Yes, but that was just campaign oratory.

Mr. President, the senior Senator from North Dakota wants to know whether, when Dwight Eisenhower on October 4, 1952, at Fargo, N. Dak., and at other places, said he was in favor of REA and rural cooperatives, he meant it, or whether it was just campaign oratory.

The senior Senator from North Dakota intends to find out. If the private

utility companies have reached their hands into the White House, the senior Senator from North Dakota will find that out also. We have had the promise of the President, and the people of the country have relied upon it. We shall now find out whether Dwight Eisenhower is going to "welsh" or whether he will carry out the promise he made to the American people or whether he too was guilty of campaign oratory.

MORE EFFECTIVE ENFORCEMENT OF CERTAIN PROVISIONS OF THE LABOR MANAGEMENT RELATIONS ACT

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a bill on behalf of myself and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. HUMPHREY. Mr. President, I wish to make a brief statement with reference to the bill.

Mr. President, the senior Senator from Illinois [Mr. DOUGLAS] and I join in introducing a bill designed to bring about more effective enforcement of the non-Communist affidavit provisions of the Labor Management Relations Act. Our bill provides that the National Labor Relations Board has the power to declare that a non-Communist affidavit signed by a union officer does not satisfy the requirements of the law if that official refuses to testify under oath whether he signed the affidavit, or whether it is a true statement of fact, or if the union officer has been convicted of perjury in executing the affidavit.

Members of the Senate will recall that during the 82d Congress the senior Senator from Illinois and I had the honor of serving on the Senate Subcommittee on Labor and Labor-Management Relations. It was my privilege to be the chairman of the subcommittee. We held extensive hearings and made thorough studies of public policy and Communist domination of certain unions. It was our belief that the National Labor Relations Board has authority under existing law to protect its own processes from abuses. A recent decision of the Supreme Court, however, has now finally ruled that under existing law the National Labor Relations Board is powerless to deal even with the most flagrant abuses of the non-Communist affidavit. It is to correct that imperfection that we introduce our bill. Our bill is not hastily drawn or conceived. It reflects more than 2 years of investigations, hearings, and study. Our final report lists 11 findings and recommendations. Our bill is designed to carry out one of those recommendations.

At this point I ask unanimous consent to have printed at the conclusion of these remarks the section of our subcommittee report which became Document No. 26 of the 83d Congress, 1st session. I refer the Senate's attention specifically to our recommendation No. 5.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD, following these remarks, an editorial from the New York Times of April 14, 1954, commenting on the recent Supreme Court decision.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HUMPHREY. Mr. President, if we read the decision of the Supreme Court correctly, the National Labor Relations Board is nothing more than a filing cabinet for the non-Communist affidavit under existing law. It has never been our feeling that the Board should be empowered to conduct wholesale investigations as to the validity of non-Communist affidavits. We agree with the framers of the National Labor Relations Act in this regard. The Board does not have the experience, the competence, or the personnel to carry out that function. This is the function of the Department of Justice. We believe, however, that where gross abuses of the affidavit processes exist the Board should be permitted to act and recognize the facts for what they are. Where a union officer refuses to say whether he signed the affidavit or refuses to reaffirm its validity, or has in fact been convicted of perjury in connection with the affidavit, it is clear the Board should have the power to declare that there has not been compliance with the act.

In other words, Mr. President, the union which is in question through the malfeasance of its officers is not to be permitted to have the benefits or the privileges prescribed under the Labor Management Relations Act.

It is important, however, that even if we recognize these facts and correct the inadequacy of existing law we guard lest we penalize innocent victims. We do not wish to penalize individual union members who could have had no way of knowing whether an affidavit was signed in good faith or not in the absence of a ruling from an appropriate body. Therefore, we propose that instead of immediately revoking compliance the Board be directed to notify the particular union that compliance will be revoked unless the union officer is unseated from his position within a 30-day period. This period of 30 days' notice is adequate in our judgment to safeguard the innocent from abuses.

Members of the Senate will recall that our subcommittee's recommendations urged more vigilant activity by the Department of Justice in connection with the non-Communist affidavit.

Mr. President, I digress for a moment to say that at the time we were holding hearings we quizzed the representatives of the Justice Department extensively as to what they were doing in the way of examining into the validity of non-Communist affidavits. I regret to say that at the time we were searching in this area we found that the Justice Department was doing very little. I assure the Senate that we informed the Justice Department, as a committee, and I, as chairman of the committee, that we expected very careful scrutiny of such affidavits. I am happy to report that, as a result of those hearings and that interrogation, the Justice Department started looking into the validity of the so-called non-Communist affidavits, and there have been prosecutions following this change of policy.

We are, therefore, very pleased with certain recent significant developments that have taken place following the issuance of our report. Most recently the Justice Department secured an indictment and a conviction from the District of Columbia against the president of the International Fur and Leather Workers Union on the charge that he had filed a false affidavit with the National Labor Relations Board. This action is consistent with the recommendations of our subcommittee.

As a matter of fact, Mr. President, that is one of the unions we asked the Justice Department to examine.

Mr. President, I ask unanimous consent to have a copy of the indictment printed in the body of the RECORD following my remarks, together with a news story from the New York Times of April 3, 1954, commenting on the conviction.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 3 and 4.)

Mr. HUMPHREY. Mr. President, members of the Subcommittee on Labor and Labor-Management Relations were proud of the constructive effort which we made toward understanding and helping to solve the problem of Communist-dominated trade unions. We welcomed the commendation we received from newspaper editorials and responsible labor and management as evidence of our constructive, nonpartisan approach to this problem. We likewise welcomed the criticism we received from the Communist press and Communist trade unions as reassurance that we were on the right track. It was, therefore, with real regret that we learned that the Senate Labor and Public Welfare Committee during the 83d Congress decided not to continue the work that we had begun.

In this vital area affecting our Nation's security and our Nation's labor-management relations, we need to build on our past experience and on our careful, reasoned study. We must understand the American trade union movement has done a most effective job of ridding itself of Communist influence. We must also appreciate that self-discipline is far more desirable in a democracy than imposed discipline. We have learned that exposure and disclosure are pertinent democratic weapons against communism. Bringing the facts of Communist domination to American men and women is a certain guaranty that the Communist domination will be undermined. In that connection, I ask unanimous consent to have an editorial from the New York Times of March 13, 1954, printed in the body of the RECORD following these remarks. The editorial comments on the fact that Communist domination in the American labor movement is virtually disappearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

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Mr. HUMPHREY. Mr. President, the senior Senator from Illinois and I introduce our bill in the hope that it will close a loophole in existing law. We urge its favorable consideration by the Senate Labor and Public Welfare Committee.

The bill (S. 3463) to amend section 9 (h) of the National Labor Relations Act, as amended, introduced by Mr. HUMPHREY (for himself and Mr. DOUGLAS), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXHIBIT 1

FINDINGS AND RECOMMENDATIONS

Under this heading we want to set down some judgments about this problem which we believe are reasonably warranted by the facts.

1. Nobody has suggested to our subcommittee that our security machinery is not equipped to deal effectively with the protection of facilities and information in sensitive industries, from acts of sabotage or espionage; or at least as effective as it is humanly possible to be. The subcommittee did not have the resources to conduct an independent investigation of whether in fact the security agencies were taking all the precautions they could against Communist subversion. This matter should be fully studied and the facts made available to the Congress. Special attention should be paid by the Government in supervising its contractors and subcontractors engaged in defense work to see that all appropriate safeguards against Communist infiltration are utilized.

2. One of the great assets, if not the greatest, which a democracy has in combating the threat of Communist penetration is an intelligent awareness of the threat and a desire to do something about it. No law, however inteligently framed, is a substitute for this asset.

We must in all candor recognize that an employer who sees rivalry between a Communist union and a non- or indeed anti-Comunist union as simply ordinary trade-union competitiveness is lacking in the insight and perspective which we need to rely on so heavily.

We do not suggest, it should be made clear, that the employer favor one union as against another, or do anything else which would be contrary to law, when he is confronted with a rival union situation involving a Communist-controlled union and a non-Communist union. We do suggest, however, that an employer who takes advantage of such a situation to engage in divisive strategy is making no contribution to the common welfare.

The International Union of Electrical Workers (CIO) has charged that the General Electric Co. has favored the United Electrical Workers (independent) since expelled from the CIO on grounds of Communist domination. The General Electric Co., speaking through Mr. Boulware, has vigorously denied this charge. We do not feel that we would be justified in making a definite finding on this issue in controversy, one way or the other.

We feel justified, however, in commenting on an attitude reflected in certain statements issued by the General Electric Co. on the theme of a "plague on both your houses" (hearings, p. 450 ff.). The essence of the theme is that there is little to choose from between "leftwingers" and "rightwingers." The reference is to the UE and the IUE respectively.

"We believe," the General Electric Co. has said, "that they have in the end the same objectives. We believe that what each side advocates would result, in the long run, in substantially the same thing for our employees, our company, and our country" (hearings, p. 451).

This is an amazing statement and shows little comprehension of the forces at work in this world, in the year 1952. It is this attitude on the part of some employers which has made the opposition to the real Communists in the unions very difficult and explains in large part why the Communists have been able to retain as much as they have. If an employer says, in effect, there is no difference between a Communist union and an anti-Communist union, it is understandable why many workers may not pay too much attention to a valid charge that a union is Communist controlled.

We need to recall Professor Seidman's critical differentiation between Communist unionism and other liberal or radical groups in the American labor movement.

"From the point of view of the other liberal or radical groups, a union is a primary institution that the group seeks to build and make strong, with the objective of winning benefits for the members and for workers in general.

"The policy of such unions is determined by an analysis of the needs of the workers who are employed in the industries in which those unions operate. Such other liberal or radical groups may be critical of employers, of the existing economic system, of Government policy; they may in a particular case be opposed to a war in which this Government is engaged, or even opposed to all wars; and yet I would sharply distinguish between such groups and the Communist Party on the ground that the Communist Party seeks control of unions not primarily to benefit the workers involved, but primarily because the unions then can be manipulated to further a party line which is in turn determined with reference to the interests of the U. S. S. R." (hearings, p. 148).

Not to make this distinction, as apparently General Electric and other employers have not, is to play the Communist theme song, that an attack on Communists is an attack on all liberal ideas. We deny that it is impossible to distinguish between Communists and genuine supporters of liberal or unorthodox ideas. The Communists are spokesmen for a conspiratorial system of power deriving its prime motivation from the needs of the U. S. S. R. We do not have to agree, necessarily, as many of us do not, with the program of free reform groups, to insist that the American tradition and constitutional system gives these groups every right to exist and to pursue every lawful means to propagate their ideas.

3. The issue which needs to be resolved is whether Communist-dominated unions pose a sufficiently serious threat to our security to warrant Government action. We believe that Communist-dominated unions do pose such a threat, and the Government has taken effective steps to protect the national security against these threats. In this report we recommend additional steps that can be taken.

We do not accept the proposition urged upon us that a private group has an inherent immunity from public regulation on this point. This goes for both employers and unions. It happens that this committee has reported out legislation designed to end discrimination in employment based on race, color, creed, or national ancestry. If this legislation were passed no private group, employers, employment agencies, or unions would be permitted to carry on its activities in a way to run counter to the requirements of this policy.

The same principle applies to the question of Communist-dominated unions. The unions have no inherent ir munity from regulation on this point. The decisive question is: Will this be a wise and democratic exercise of public authority?

4. The free labor movement must accept the responsibilities which go with its contention that it can handle the Communist problem in the unions on its own. Racketeering, discriminatory practices, exist in a few union situations. Where these unsavory practices exist they are breeding grounds for Communist penetration. They provide a cover for the real purposes of the Communists in the unions. The labor movement must decontaminate itself of these unhealthy influences.

The free unions have done more to isolate and destroy the staging points of Communist unionism than any other single force in American life. It is one thing to require a non-Communist oath as a condition of using the NLRB's facilities. But the critical anti-Communist pressure is exerted when the free unions expel Communist-dominated unions from their midst and then proceed to take their members away. This is anticommunism where it hurts the Communists the most. But, as we have seen, there are still pockets of Communist domination and the free unions must expend added power and resourcefulness in eliminating these Communist pockets.

We commend, too, the action which the American labor movement has taken to combat international communism. The fact that free labor movements all over the world are effectively fighting Communist aggression is in small part due to the economic and moral aid rendered by the American labor movement.

5. The National Labor Relations Board has authority under existing law (in its own words) "to protect its own processes from abuse." If it should develop that the Board does not have this authority, we urge that legislation be enacted to carry out the intent of this recommendation. We recommend that the NLRB in the exercise of such authority under existing law take judicial notice of three kinds of circumstances, as reflecting adversely on the good faith of an affiant of a non-Communist affidavit:

(1) The refusal to testify under oath before a judicial body, grand jury, or legislative committee whether the non-Communist affidavit was signed by the affiant.

(2) The refusal to testify under oath before a judicial body, grand jury, or legislative committee whether the affiant is a member of the Communist Party.

(3) A conviction for false swearing in a non-Communist affidavit.

If the Board finds that there is a reasonable doubt as to the truth and validity of the affidavits, as a result of the failure to testify, or as a result of the conviction for false swearing as outlined above, it shall give the union in question 30 days within which to purge itself of the officers whose affidavits have been found lacking in good faith. If the union submits proof that it has complied with the order of the Board it shall be considered as having remained in compliance with section 9 (h). If in the judgment of the Board the union has not purged itself of the officers whose affidavits have been found to be lacking in good faith, then the Board shall declare that the union is not in compliance with section 9 (h).

Our reasons for this recommendation are as follows:

(a) Whatever reservations we may have about the efficacy of section 9 (h), we ought not to embark on additional or more dubious legislation until we have exhausted the lawful remedies under existing legislation. With all of its one-sidedness, section 9 (h) of the Labor-Management Relations Act of 1947 has served to point up the issue and may, with appropriate implementation, yet help to identify the Communist-dominated unions. In our judgment, it should not be taken from the law until all Communist domination has disappeared from unions, at least in vital industries, or until, as implemented, it is proven ineffective and other preferable provisions are adopted.

(b) We believe that the NLRB can lawfully apply these recommendations without additional legislation. To be sure, as has

been pointed out, Congress did not intend for the Board to conduct an independent investigation on the merits as to whether a particular 9 (h) affiant is or is not a Communist. What we are recommending here, and which in large part the Board has already done, is to protect its processes from obvious abuse. It is our judgment that the three types of circumstances cited above constitute obvious abuse and ought not to be tolerated without question.

(c) We are not insensitive to the implications which our recommendations have for the constitutional protection against self-incrimination. But, it seems to us that the constitutional protection ought not to become an immunity for Communist union officers from the consequences of bad faith in filing non-Communist affidavits. And in any case the loss suffered by such officers is a disqualification from serving as officers of a union which wishes to utilize the procedures of the law. That the unavailability of the Board's processes is something less than catastrophic is attested to by the fact that two large and powerful unions (and anti-Communist unions, by the way) have been able to exist for 5 years without access to NLRB procedures.

(d) The recommendation for a 30-day period of grace within which a union may remove the cloud of doubt prevailing with respect to 9 (h) compliance is motivated by a consideration that innocent victims of bad-faith filing ought not to be penalized for the acts of particluar officers. All the members and non-Communist officers of the union could know, for sure, was that an affidavit was on file. They could not be expected to know beyond a reasonable doubt that the affidavit was executed in bad faith, in the absence of an authoritative declaration to that effect.

Therefore, to revoke compliance status retroactively would penalize union members and employers as well for acts over which they had no control. Legal logic may be on the side of retroactivity in this sort of situation but the facts of industrial relations are not.

A refusal of the union members to remove officers after their affidavits have been found defective in an authoritative determination by the NLRB puts the problem in a different posture. They can remove the officers or accept the consequences of noncompliance. But under our recommendation the alternatives are identifiable.

6. The Department of Justice should establish a special unit to deal with cases arising out of alleged violations of section 9 (h) with effective liaison relationships to the NLRB and the legislative committees engaged in Communist investigations.

7. To the extent necessary, the Munitions Board, the Atomic Energy Commission, the Federal Bureau of Investigation, and other agencies concerned with security problems should develop specialized competence in dealing with security implications of Communist-dominated unions. The Bureau of the Budget should undertake to study how the various Federal responsibilities in this field can be sensibly coordinated. The President, through the Bureau of the Budget, should also consider the development of in-service training programs for these various agencies on the goals and purposes of Communists in unions and how to distinguish the bona fide militant unionist from the Communist agent. It is a distinction which is not infrequently blurred, but as we have said, a very crucial distinction.

8. We do not believe that the National Labor Relations Board has the statutory authority or that Congress intended it to conduct an independent, de novo investigation of whether, in fact, an affiant is a Communist. Moreover, Mr. Herzog's analysis of this proposal we find very persuasive. Identifying Communists is a special form of expertise which the Board does not now have. Moreover, it would have the effect of delaying the processing of the cases of non-Communist unions.

9. We reserve judgment at this time on proposals that new agencies other than the NLRB be given authority to find Communist domination. The reasons for our reservations may be summarized as follows:

(a) The resources of Government agencies charged with security functions, strengthened as necessary, appear to be adequate at this time to deal with hazard of sabotage and espionage.

(b) The practical advantages of these proposals in removing the security hazard of Communist control are questionable if the time consumed by the Subversive Activities Control Board in its proceedings against the Communist Party, is any guide. The advantage of operating efficiency is on the side of the agencies like the FBI.

(c) The resultant penalties such as disestablishment of Communist unions would in part fall on the Communists but in greater part on the innocent victims, the union members, in the Communist unions who, it is clearly established, are overwhelmingly unsympathetic to the political aims of their leaders.

(d) This ideological testing of a union's right to survive is foreign to our tradition of a free labor movement.

If, however, our relationships with Soviet Russia deteriorate even further, these proposals should be reconsidered in the light of the new circumstances.

10. It is recommended that encouragement be given to unions to clean their own ranks of Communist influence by amending the law to permit a waiving of the affidavit requirement for those unions which incorporate a ban on the holding of office by Communists and enforce the ban in good faith. Such a provision would have the additional effect of cutting down the sizable clerical task of keeping track of thousands of affidavits.

11. The proposal that employers and their representatives be required to take non-Communist oaths as a condition for utilizing the facilities of the National Labor Relations Board has equity on its side to recommend it. The argument runs that union people will not resent the application of the affidavit requirement if they feel that they are not being singled out for special treatment as potential subversives. Measured against the standards of speed in processing cases, however, the advantage of this proposal seem to be dubious.

EXHIBIT 2

[From the New York Times of April 14, 1954]

NON-COMMUNIST AFFIDAVITS

By refusing to review two lower court rulings the Supreme Court has dealt a stunning blow to the National Labor Relations Board's reasonable efforts to challenge non-Communist affidavits filed under the Taft-Hartley Act by union officials. The High Court has left in effect two lower court decisions. One ruling held that the Board had no authority to require union officers to affirm the truth of their non-Communist affidavits when the board doubted their authenticity. The second ruling stated that it was illegal for the Board to defer temporarily the granting of additional representation rights to a union when a union officer has been indicted for making a false affidavit; these rights were to be held in abeyance without prejudice pending the outcome of the criminal case, as the Board drew no inference of guilt from the indictment.

In requiring union officials to swear they are not Communists, Congress sought to eradicate and bar from union leadership adherents of the Communist party. When union officers were suspected of falsely signing the non-Communist oaths the Labor Board acted to protect its own processes from abuse. It is now held by the courts that the Board's function regarding the non-Communist affidavit is administrative only and that the inquiry as to the truth or falsity of such affidavits is reserved exclusively in the Department of Justice. If we understand this correctly, it means that the Board must accept all affidavits at face value and that, barring action of the Justice Department, the Board must process all cases brought by unions even though their officers are suspected of swearing to false affidavits.

Congress, it seems clear, enacted the non-Communist oath mainly to deprive unions with Communist leadership of certain valuable benefits, such as petitioning for election of collective bargaining representatives and filing unfair labor practice charges against employers. The NLRB is well equipped to carry out part of the intent of Congress. It is not equipped to punish false swearing before the courts, since that function is correctly placed in the hands of the Justice Department.

Since the courts have had the last word on the Board's two major efforts to cope with Communist leadership in unions, the problem now passes to Congress. Congress should promptly amend the law and give the Board authority to do its share in policing the non-Communist affidavit filing requirements.

EXHIBIT 3

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA *v.* BEN GOLD

The grand jury charges:

First count

That on or about August 30, 1950, within the District of Columbia, Ben Gold, who was then and there president of the International Fur and Leather Workers Union of the United States and Canada, in a matter within the jurisdiction of the National Labor Relations Board, an agency of the United States, did unlawfully, willfully and knowingly make, use, and file, and cause to be made, used, and filed with said Board, a false writing and document, namely, an "affidavit of non-Communist union officer" (form NLRB–1081), knowing the same to contain a false, fictitious, and fraudulent statement and representation, to wit, that he, Ben Gold, was not then and there a member of the Communist Party, whereas, as the said Ben Gold well knew, he Ben Gold, was then and there a member of the Communist Party.

The grand jury further charges:

Second count

That on or about August 30, 1950, within the District of Columbia, Ben Gold, who was then and there president of the International Fur and Leather Workers Union of the United States and Canada, in a matter within the jurisdiction of the National Labor Relations Board, an agency of the United States, did unlawfully, willfully, and knowingly make, use, and file, and cause to be made, used, and filed with said Board, a false writing and document, namely, an "affidavit of non-Communist union officer" (form NLRB–1081), knowing the same to contain a false, fictitious, and fraudulent statement and representation, to wit, that he, Ben Gold, was not then and there affiliated with the Communist Party, whereas, as the said Ben Gold well knew, he, Ben Gold, was then and there affiliated with the Communist Party.

The grand jury further charges:

Third count

That on or about August 30, 1950, within the District of Columbia, Ben Gold, who was then and there president of the International Fur and Leather Workers Union of

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the United States and Canada, in a matter within the jurisdiction of the National Labor Relations Board, an agency of the United States, did unlawfully, willfully, and knowingly make, use, and file, and cause to be made, used, and filed with said Board, a false writing and document, namely, an "affidavit of non-Communist union officer" (Form NLRB–1081), knowing the same to contain a false, fictitious, and fraudulent statement and representation, to wit, that he, Ben, Gold, did not then and there support any organization that taught the overthrow of the United States Government by force, whereas, as the said Ben Gold well knew, he, Ben Gold, did then and there support an organization, namely, the Communist Party, which said party taught the overthrow of the United States Government by force.

EXHIBIT 4

[From the New York Times of April 3, 1954]

BEN GOLD IS GUILTY IN DENIAL HE'S RED—JURY FINDS FUR UNION HEAD COMMITTED PERJURY ON NON-COMMUNIST OATH

WASHINGTON, April 2.—Ben Gold, president of the Fur and Leather Workers Union, independent, was convicted today of having falsely denied he was a Communist Party member and a supporter of its policies.

Gold, who is 55 years old, heard the verdict of a Federal court jury, which had deliberated for about 12½ hours, with no show of emotion.

United States District Judge Charles F. McLaughlin allowed Gold to remain at liberty under $10,000 bail, pending sentencing. No date was set for sentencing, but defense attorneys received until April 12 to file various legal motions, including one asking for a new trial.

"We are going to appeal all the way up if our motions are denied," Vito Marcantonio, defense counsel, said. Mr. Marcantonio is a former American Labor Party Representative from Manhattan.

The law under which Gold was convicted provides a penalty up to 5 years in prison and a $10,000 fine for making a false statement to a Government agency. Gold was found guilty by the jury of making two false statements in a Taft-Hartley law non-Communist oath filed with the National Labor Relations Board August 30, 1950. The statements were that he was not a member of the Communist Party and did not support any organization that taught and advocated the overthrow of the United States Government by force and violence.

BROWNELL ISSUES STATEMENT

Lawyers did not agree on whether each statement constituted a separate offense for purposes of sentencing, or together amounted to a single offense.

The jury acquitted Gold on a third charge—that he lied when he denied affiliation with the Communist Party. Affiliation has been defined in court decisions as something less than membership and more than sympathizer.

Upon being advised of Gold's conviction, Attorney General Herbert Brownell, Jr., said in a statement:

"The decision of the jury bears out our statement of the past that Communists have no regard for truth and lie as their foreign leaders instruct them to do.

"I would also like to bring attention to the fact that this is the first case in which it has been charged that the accused lied when he denied supporting an organization which advocates the overthrow of our Government by force and violence."

UNION EXPELLED BY CIO

Gold, a blond, energetic man of medium height, has been president of the Fur and Leather Workers Union of the United States and Canada since 1935. The union, which claims a membership of about 100,000, was expelled by the Congress of Industrial Organizations in 1949 on the ground it had been infiltrated by Communists.

An avowed Communist for 30 years and a one-time member of the party's central committee, Gold announced his resignation from the party a few days before he signed the non-Red oath.

The Government charged the resignation was a fake and a fraud and was couched in double talk that let the Communists know that it was.

Gold did not testify in his own behalf. Mr. Marcantonio told the jury Gold had to decide between the party and the union, decided for the union, and made a bona fide break.

EXHIBIT 5

[From the New York Times of March 13, 1954]

RED-CONTROLLED UNIONS

The grip of union leaders who follow Communist Party policies is being steadily broken. The United Electrical, Radio and Machine Workers of America (independent), which has been in hot water since 1946, when it was in the CIO, with its leaders at that time accused of slavishly adhering to the Communist line, is now apparently about to lose 20,000 members. The strategically situated Local 301 at General Electric in Schenectady has all but completed preparations to transfer to the CIO's International Union of Electrical Workers.

The legal process by which a union may break away from Communist-line leadership is slow because of a defect in the Taft-Hartley law requiring only that union officers swear they are presently not Communists. The National Labor Relations Board, to protect its operations from abuse, is seeking to require affiants to reaffirm the truth of their non-Communist oaths when there is doubt as to their authenticity. But the Federal courts thus far have ruled that this is beyond the Board's statutory authority, and two pilot cases are before the Supreme Court on petition for a writ of certiorari that would require argument before the highest tribunal.

The NLRB's authority to supervise elections for collective bargaining representatives serves as a method of ascertaining by whom the employees wish to be represented. But before such elections are held the rank and file must show a prima facie case. This is sometimes difficult because Communist Party line leadership controls the union machinery and visits swift and condign punishment on its opponents. However, where the rank and file has convinced the NLRB that an election is necessary the rebels against Communist-line leadership have won gratifying victories.

It is an interesting coincidence that while the arrangements for withdrawing Local 301 from the UE were being made three major unions in England were also evidencing their feeling about Communist leadership by voting down attempts by British Communists to gain control. There is no Taft-Hartley law in England and therefore no Government-supervised elections. Thus the wishes of the rank and file, once it makes up its mind, are carried out somewhat more rapidly than similar action in the United States. The slowness of the law's operation in this country appears to call for some new device or ruling such as the NLRB has conceived for affirming the truth of non-Communist affidavits and hastening the law's process for dealing with this important problem.

ADDRESS BY FORMER PRESIDENT TRUMAN BEFORE 40TH CONVENTION OF THE AMALGAMATED CLOTHING WORKERS AT ATLANTIC CITY, N. J.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an address delivered yesterday by the former President of the United States, Harry S. Truman, at the 40th convention of the Amalgamated Clothing Workers at Atlantic City, N. J., be printed in the body of the RECORD. I commend the address to the Senate as a coherent, persuasive, and effective program for an expanding economy.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am glad to be here at this great convention of working people.

You are gathered here in the spirit of a great leadership. I was proud to call Sidney Hillman my friend. I am proud to call Jack Potofsky my friend. I am proud that you have invited me to come here and speak to you.

I have been having a wonderful trip this time. I have come back east partly for the pleasure of seeing old friends and partly to help the Truman library project—which, as you all know, is something I am interested in, not so much as a personal matter but as an institution that will belong to the Nation and benefit the whole Nation. I have been deeply touched by the generosity of the Sidney Hillman Fund in this cause, and I am most grateful to its board and its officers.

On this trip I have been talking about some of our current problems—as I see them from the viewpoint of a citizen of Independence, Mo. I have talked about the need for respecting the governmental separation of powers set up by our Constitution, and about the need for unity in matters of foreign policy. Both of these topics, in my opinion, ought to be above partisan politics. They are areas in which we will be successful only if we keep the party spirit in check.

Today, however, I want to talk about our domestic economy, and this is a field in which our country has always been affected by the results of political contests. This is because the two strongly contrasting economic philosophies in this country are represented by the Republican and the Democratic Parties. The Republican Party believes that the best economic results are obtained by working from the top of the economic scale downward. The Democratic Party believes that the sturdy tree of American progress must be nourished at its roots, and not from the top down.

You know where I stand on that issue.

So you know that today I shall be talking as a firmly convinced supporter of the Democratic New Deal-Fair Deal philosophy of our economic life.

I've been watching, out there in Missouri, what's been happening to our economy. And I don't like what I see.

The Republican campaign orators told us, in 1952, that they were going to cure the world situation, and achieve peace, and slash defense. They said they were going to give us real peacetime prosperity.

Well, they haven't been very successful at it.

The world situation is just as critical and dangerous as it ever was, if not more so. Obviously, a change of administration here does not change the problems of Asia and Europe or the minds of the men in the Kremlin.

And instead of having peacetime prosperity, the Republicans have given us a recession.

For a while the Republican spokesmen tried to explain the recession as a transition period. They said that a little readjustment, a lot more unemployment, and a great deal less opportunity for the average American family were necessary and inevitable in shifting from a war economy to a peace economy.

This, of course, was nonsense. We made the shift after World War II from a real war

economy to a real peacetime economy without a recession—on the contrary, we had boom times.

Furthermore, this is not a transition period between a wartime economy and a peacetime economy anyway. This is just a period in which the Republicans had the bad judgment to slash the defense budget, when we still needed more defense. And now they are thinking of putting most of the cut back again.

But we still have the recession, in spite of the hollow excuses the Republican leaders are making about it.

I say to you that this economic recession has already been too big. It has already lasted too long. It has already inflicted too many cruel hardships upon too many people. And now it is time to do something about it.

This economic recession was caused, and it is being prolonged, by a shift in the whole philosophy of Government. It reflects a reversion to the old idea that the tree can be fertilized at the top instead of at the bottom—the old trickle-down theory.

The first big economic step the new administration took in early 1953, was to tighten up on the money supply. This was the so-called hard-money policy. Making money harder to get for the average fellow, and paying higher interest rates to the banking fraternity has always been the policy of the trickle-down theorists. Andrew Jackson had to battle against the hard-money policy of the bankers of his day. The Harding Administration tried the hard-money policy after World War I, and by the middle of 1921 it had started American agriculture on the road to the poorhouse. The same idea was held by Secretary Mellon in the Coolidge and Hoover Administrations, and this helped to bring on the great depression.

When the present Republican administration took over in 1953, it started down the same old road and tightened up the money supply. The elephant hadn't learned a thing. The management of our national debt was imperiled, and Government bonds declined. The squeals of pain and fear could be heard all the way from the farmers of the Far West to the bankers of Wall Street. And when the bankers commenced to squeal, the new administration started to loosen up on the hard-money policy. But a great deal of damage had already been done.

Then, the new administration commenced its efficiency drive—Republican style. The idea was that big business was efficient just because it was big, and that smaller business was wasteful and foolish just because it was smaller. So the Secretary of Defense, whose former business had $10 billion worth of sales last year, said that more of the defense contracts would be given to big business and less of them to small business. And then more of the small businessmen got into trouble, and more of them failed, and more people became unemployed.

The trickle-down theory also colors the approach of this new administration to the Federal budget. Of course, I believe in a balanced budget, but I do not believe that a balanced budget is more important than the welfare of the people of the United States or more necessary than adequate national defense. The only kind of Federal budget that makes sense is the kind that does most to promote the domestic prosperity and international security of the 162 million people of the United States.

If you have that kind of a budget, you can easily get it to balance. If you don't have that kind of budget, you can never get it to balance.

Let us look at a page of history on this subject.

In 1929, we plunged into a great depression. Our Federal Government kept trying to balance its books instead of vigorously meeting the needs of the American people. Factories closed, business failures mounted, millions of persons lost their jobs. Idle men and idle machines meant production lost forever. During the years of depression and the years required to recover from it, we suffered tremendous national economic deficits—deficits in food and clothing, housing, and jobs; deficits in production and profits and business opportunity; deficits in human well-being. Our total national output between 1929 and 1940 was $635 billion less than if we had maintained full employment and full production. And yet, when the Roosevelt administration between 1933 and 1940 ran a total Federal deficit of $27 billion to help restore production and employment, Republican economists screamed that we were spending our way into bankruptcy.

Now again in 1954, the Republicans, in their frantic desire to reduce the Federal deficit, are forgetting about the deficits in our national economy. But we are not going to forget them, and I think we ought to take a look at some of them right now.

Since the first quarter of 1953, unemployment has doubled. In addition, temporary lay offs and shortening of the workweek have cut the income and the purchasing power of many people who are not counted as unemployed.

Industrial production is now down about 10 percent from the peak, and steel production is down about 28 percent.

Production of textiles and apparel is down about 16 percent. Manufacturing sales are down more than 9 percent. Total department-store sales are down more than 6 percent.

These are mighty big national economic deficits.

Now let's look at the economy as a whole.

When times are good, the total national output increases on the average at the rate of about 4 percent a year. Our national output should be about 4 percent more this year than last. But instead, it is actually 1.3 percent less this year than last. So our national output is really more than 5 percent less than what it should be.

If you put these percentages into dollars, you get a better picture of our situation.

We now need an annual rate of output of about $379 billion to maintain full employment and full production. Instead, we have a rate of $359 billion. This means we are now running a national economic deficit of about $20 billion.

Twenty billion dollars is a terrific loss. It is about twice as much as the cost of running the Federal Government exclusive of defense and veterans' expenditures and the service of the national debt. Twenty billion dollars is enough to replace more than 2 million slum units with decent housing. It is enough to build schools for millions of children, and pay the teachers also. It is enough to build roads and dams and hospitals to benefit the people of every State in our Union.

The administration is not telling us how to rub out this $20 billion national economic deficit. It is not telling us how to eliminate excessive unemployment. Instead, it seems to be merely hoping and praying that things will not get still worse. The Secretary of the Treasury assures us that we are not going to have what he calls a real depression. The Secretary of Commerce says, why should we worry when the level of economic activity a year from now may be just as good as it is now.

These people just don't realize that our American economy cannot prosper by standing still. More and more young people will be looking for work. Productivity is still increasing. We need a growing national output for full employment and full production. Otherwise, we will have increasing unemployment and a lower standard of living.

I do not predict that this is going to happen. But it could happen if we do too little or do it too late.

The administration has disclosed that its principal remedy is its tax program. So let's take a look at this tax program.

You will all remember what the Republicans said about taxation in the 1952 campaign. They said that the average American family was being crushed by taxes. They went around holding up an egg, and explaining how even eggs were taxed to death. They seemed to be promising greater tax relief for the average American family.

But now it turns out that the big idea is to extend more preferential tax treatment to corporations, and to reduce the taxes on income from dividends. In the first quarter of this year, real wages were lower, personal incomes were lower, and farm income was lower, but dividend payments were higher—in fact, they reached an all-time peak. This, to my way of thinking, is just the place where we do not need tax relief.

In spite of this decline in wages and income, prices have not fallen. The new administration set out to fight inflation, but the cost of living is higher than when they started.

Most of the things they promised to bring down have gone up and most of the things they promised to hold up have come down.

But I do not want you to think that the situation is hopeless. Between now and the end of 1954, we can elect a new kind of Congress. Between now and the end of 1956, the President can get some new advisers. And toward the end of 1956—well, I won't talk about that just yet.

In the meantime, and immediately, we should have a program to stop this creeping McKinleyism, which is the cause of our troubles.

What must we do to restore full employment and full production?

We must strengthen our economy at its base. The great base of our economy is consumer buying, which reflects the standard of living of the whole American people. We now need to raise the standard of living rapidly in order to keep up with our fast-growing productive power. To do this, we must increase consumer purchasing power and then the rest of the economy will automatically grow.

Let me tell you what I think is the right kind of program:

First, the Federal Government must take the leadership in promoting full economic recovery by increasing the annual rate of Federal spending by about $3 billion above the current level.

Such an increase in Federal spending is needed to strengthen our defenses against aggression, and it is also required to meet our domestic needs—for power and resource development, public works and roads, education and health and housing. This kind of speedup would be one of the quickest and surest ways to spark the revival of employment and production. Even with such an increase, Federal outlays would still be $2 billion below the level of the middle of 1953.

Second, we can stimulate production and employment by the right kind of tax reduction. This can be in the form of lifting personal exemptions from $600 to $800, or through a combination of some increase in exemptions and equitable readjustments in tax rates. In this way, we can quickly pump about $4½ billion of additional purchasing power into the hands of the people who need it most, and who will translate it into a demand for goods and services.

Even if these two steps enlarged the Federal deficit, it would be better to have a somewhat larger Federal deficit than an enormously larger national economic deficit. But experience shows that the best way to balance the Federal budget is to have full employment and full production. During the period from 1947 to 1953 as a whole, the Government ran a net surplus despite the high cost of national defense, because we maintained a sound and growing economy.

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The new administration is running up a budget deficit despite all its campaign promises; and, despite all their reckless budget slashing, they are getting farther away from the prospect of a balanced Federal budget all the time. This is not a surprise to me. If the whole economy is permitted to run downhill, the Federal Government's tax receipts will run downhill, too. National economic deficits do not produce Federal surpluses.

Third, the so-called Benson farm program, designed further to reduce farm prices and farm incomes, should be tossed out of the nearest window. A program to support true parity of income for the American farmer can add at least $1 billion to his purchasing power within a year. This would also stimulate business and industrial employment, because the farmer is a great purchaser of city products when he has the money to buy them.

Fourth, we should have a clear-cut policy in favor of a rising level of wages. In our kind of economy, wages have to rise as productivity increases. If wages don't go up, we have more goods than people can buy, and that is one of the causes of depression.

The Federal Government should increase the minimum wage to bring the standard into line with present-day conditions. As to other wages, although the Government should not set them, the Government should make clear the wage policies which are in the Nation's best interest.

The Government should not try to weaken collective bargaining by repressive labor legislation.

Democratic administrations have always been lambasted by reactionaries for favoring higher wages. But the record of our economic progress between the end of World War II and 1953, a progress in which business fully shared, provides the answer to these critics.

Fifth, unemployment insurance should be expanded. Broader coverage, payments for a longer period, and larger benefits, can sustain the purchasing power of those who are unemployed. This can never be done by the program of the current administration, which consists mainly in exhorting the States to do what everybody knows they will not do without Federal action. Federal standards and funds must be used to strengthen the nationwide system of unemployment insurance under State laws.

Sixth, a vastly expanded housing program is needed. The administration goal of a million houses a year is about equal to the number of houses that we built in 1925. Meanwhile, our population has grown enormously. Slums have multiplied. The Government should take the leadership in a comprehensive housing program, to double the annual rate of home building as rapidly as possible.

All these six policies would greatly increase buying power. If they were initiated promptly, these remedies would carry us far toward full employment within a year. The increase of employment to the full employment level would in itself add about $12 billion to purchasing power at an annual rate. Such an increase, along with the six measures I have recommended, would raise the consumption of the products of our factories and our farms enough to give us a full economy.

The longer we delay in getting on this road, the more danger we run of a real depression. The quicker we get on this road, the quicker we will move forward toward realization of the full promise of America—an America without poverty, where every man can have a job; an America without fear, and fully confident of the future; an America registering year by year a higher standard of living for all the people; an America dedicated to the social justice which must accompany economic progress; an America stronger and better equipped, year by year, to withstand the Communist menace, and to join with the other free peoples of the world in the establishment of a lasting peace.

FISCAL AND MONETARY POLICIES OF THE ADMINISTRATION

Mr. HUMPHREY. Mr. President, from time to time I have addressed myself to the fiscal and monetary policies of the administration. Within the past 3 weeks I have spoken upon the so-called hard-money, tight-credit policy. I reviewed the developments of the past year, making note that it was about a year ago that the Treasury Department made a singular change in the interest rates with respect to the refunding or the funding of the public debt. I made note of the fact that I felt the change of interest rate and of monetary policy was one of the most colossal blunders of all time. I pointed out that it had cost the American people a substantial sum of money and, furthermore, that it had definitely served to depress the economy.

I still feel that one of the most serious mistakes, one of the most critical errors, of the past decade, was the policy of the Treasury Department, as announced in February 1953 with reference to the so-called long-term, high-interest bonds, and the tightening of credit through the management of the Federal Reserve Board.

I am happy to note a recent article by Sylvia Porter, a well-known commentator on economic matters. The article was published in the Minneapolis Morning Tribune. It is entitled "Swift Policy Reversal Restores 'Easy Money.'"

The article reads as follows:

SWIFT POLICY REVERSAL RESTORES EASY MONEY

(By Sylvia Porter)

NEW YORK.—In the summer of 1953 the United States Treasury had to pay 2¾ percent interest for a 12-month loan. Even at that whopping interest rate it had a tough time getting the cash from the Nation's banks.

This loan is now coming due and the Treasury is replacing the maturing loan with a new one.

But, oh, the difference between then and now, for this week the Treasury is borrowing a new chunk of 1-year money at 1⅛ percent interest—less than half the rate it had to pay a year ago.

The rate is the lowest since 1949—is almost down to the starvation rates the Treasury paid for money during World War II—when the banks had little else to do with their cash except lend it to the Government.

Thus has the "hard money" policy—which has identified the Eisenhower administration from the start—run a full cycle. Thus has the "easy money" policy returned.

You, the small individual borrower, may not as yet be feeling this change. You still may grumble that loans are hard to get. But the big borrowers are feeling it. The Treasury is getting all the billions it wants at fractions of 1953's charges.

The Nation's States, cities, and big corporations are getting all the money they want at rates at least one-half percent under what they paid a year ago.

The country's builders of large propects are borrowing the millions they need at ½ to 1 percent under last year's charges.

Perhaps the new ease hasn't trickled down to you as yet. But all the pressures are in this direction. It is a reflection of a dramatic drastic shift in Washington.

In the "hard money" era of 1953, the Federal Reserve System, which controls the supply of money and credit, was pulling hard on the credit reins, trying to make money scarce to discourage inflation.

In the "easy money" era of 1954, the Federal Reserve is doing just the opposite—pouring billions into the business stream, trying to make money abundant to discourage deflation.

In 1953 the Treasury was competing for whatever money was available and its competition made borrowing tougher and more expensive for all others—States, cities, corporations, home builders, and home buyers.

In 1954 the Treasury is going out of its way not to compete for $1, not to absorb 1 penny that might otherwise go to States, cities, corporations, builders, or buyers.

"Hard money" was to be a key political issue of this fall. Maybe it still will be—on the basis that even the short time it was in existence there was an economic dip. But rarely, if ever, has there been so complete a reversal in fundamental money policies in so short a time. If "hard money" is a part of the campaign, the argument will be about something that died many months ago.

Mr. President, I now desire to refer to another subject.

The PRESIDING OFFICER. The Senator from Minnesota may proceed.

ONE HUNDRED AND FORTIETH ANNIVERSARY OF THE CONSTITUTION OF NORWAY

Mr. HUMPHREY. Mr. President, on May 17, 1954, the people of Norway will celebrate the 140th anniversary of their constitution. Through 140 years, years of trouble and turmoil in much of the world, the Constitution of Norway has withstood the test of time. Norway today has a stable, democratic, and respected government. The people of Norway have decisively rejected totalitarian extremism of both the left and the right. They have made the ideals of democracy a living reality.

It is characteristic of the people of Norway that this rejection of the false gods of their time has not only been by word but also by deed. We shall long remember Norway's courageous stand against Nazi Germany, both in actual combat in April 1940, and in the tenacious and determined underground struggle in the years that followed. Just as they opposed Nazi Germany, the people of Norway have also defied Communist Russia. Norway is one of the few countries in the NATO alliance which actually has a common boundary with Soviet Russia. In spite of this close proximity of the Red army all of Russia's efforts to intimidate Norway have failed.

Not only have they demonstrated courage and bravery in war and in the inherent threats of this cold-war period but, equally important, they have created an example of democratic government that serves as an inspiration to freedom-loving people everywhere. The deeds of Norwegian democracy represent a powerful force throughout the world, where millions of people are still uncommitted. It is an example of democratic government and free institutions that stands as a mighty power for the principles of freedom.

As an Amrican I am also proud of the contribution which immigrants from Norway have made to our country and particularly to the State of Minnesota. To this I can add an element of personal pride, as my own mother was born in Norway.

As our felicitations go out to the people of Norway today, we recognize our good fortune in having peace and tranquillity at home. Our wishes for Norway are the wishes which we have for ourselves, namely, for a world of peace and freedom everywhere, a world in which peaceful citizens and peaceful nations need no longer be on guard against aggression and tyranny.

Mr. President, I now wish to discuss another matter.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

A PLEA FOR THE POSTAL EMPLOYEE

Mr. HUMPHREY. Mr. President, before the distinguished junior Senator from Florida [Mr. SMATHERS] pursues the subject matter at hand, I wish to ask of the Senate a little more time in which to conclude some remarks I desired to make yesterday concerning postal employees. There has been a great deal of discussion of postal matters and of legislation pertaining to postal employees. I have prepared an address on the subject, and I ask the indulgence of my colleagues while I pursue the subject to its utmost.

Mr. President, I rise to speak in behalf of our Federal employees, the men and women who work for the Government of the United States.

In recent weeks an editorial appeared in the Minneapolis Tribune under the title of "Morale Boost, Too." It contained the following interesting comment:

> The pay increase recommended by President Eisenhower is part of a program to improve the efficiency of Federal employees. Besides having this effect, such an increase also would give morale a much-needed shot in the arm.

The editorial went on to state further:

> The program, if enacted, will do much to enhance Government work as a career. This will, in turn, attract workers of higher caliber and thus benefit the entire Nation. Although it may be argued in some quarters that this is no time to increase the costs of government, it seems to us that this would be money well spent.

Mr. President, I share that objective, but not by the method whereby the Republican Party seeks to accomplish it. We need action, however, and not words alone to fulfill our responsibilities. We have not granted pay increases to postal and Federal employees sufficient to keep them abreast of constantly increasing prices or to give them a fair share of the prosperity of the country. The Economic Report of the President transmitted to the Congress in January of this year carried this significant statement:

> The upsurge of production and employment, which has been sustained with but brief interruptions in the United States for about a dozen years, continued in 1953. New records were established in industrial activity, employment, and the disbursement of incomes.

Our postal employees and our Federal employees have not fared well in this disbursement. The take-home pay of clerks and carriers has increased something like 70 percent since 1939 while the cost of living alone has gone up well over 90 in the same period of time. I have had a great deal of correspondence from postal employees in my State. In my opinion, our postal employees have made an excellent case for a substantial pay increase now. Employees in private industry have received increases ranging from at least 20 percent more to 130 percent more during the last 15 years than post office employees during the same period.

When I first learned that the administration had apparently recognized the need for a pay increase I was delighted and prepared to join in a bipartisan effort to achieve economic justice and boost the sagging morale of our Nation's postal employees. Shortly thereafter, however, I started to receive many letters from my constituents in the postal service raising doubts about the administration's program and protesting the Fry report. I did not know at first what was meant by the Fry report. On making inquiry, I found that it was a study made at the behest of Postmaster General Summerfield at a cost of $50,000 by a firm in Chicago known as George Fry & Associates, Inc. I learned also that the corporation is known as management consultants or efficiency experts.

The pronounced purpose of the study was to evaluate various postal positions. The study was made by 4 people from Fry & Associates and 4 people from Government agencies other than postal. It was said to me that 1 of the requirements for making the study was total ignorance of the postal service, and that if you will read the report carefully you will find that the 8 people making this study were well qualified in this 1 particular. The study commenced some time during the month of November 1953 and was completed with printed reports and elaborate charts by the middle of February 1954.

The post-office employees voice the following pertinent objections to the Fry proposal. I will attempt to list them in what I regard as the order of importance:

First. Grades and classifications are not established by law, but are left entirely to the whims of the Postmaster General. The economic welfare of one-half million people will be surrendered by Congress to one man, and this man neither selected by nor answerable to the voters of America.

Second. The proposal provides severe downgrading features. It is true that the Fry report states and Postmaster General Summerfield has declared loftily that no one will have his salary reduced. But in many instances the man who may follow the present incumbent will do so with a lower salary. On page 17 of the Fry report there is the following interesting statement, which confirms the fact that in the aggregate the proposal will be a downgrading one:

> The total estimated initial added cost of installing and launching the pay plan will therefore amount to not more than 4 percent of annual payroll, or $80 million. This increased payroll cost, however, will tend to level off and decrease slightly over the years as the new ranges take effect at all levels.

Third. The pay raises provided for in the proposal assume strange contrasts. For example, the increase in the salary of the postmaster at Chicago is $5,150, while the increase in the compensation of a letter carrier or clerk in the third grade is a mere $10 a year. There seems to be a complete lack of appreciation of the nature of and importance of the strictly mail-handling operations. Fry & Associates report that they studied 46 separate installations and 1,200 separate classifications—this in less than 3 months and on a type of installation with regard to which they had no previous qualifications whatsoever. Their report indicates some knowledge of occupations that are found in outside industry, but when they start dealing with positions which are of a mail-handling nature, they appear lost.

Fourth. One of the recommendations is not only dangerous, but if adopted and placed in operation would demoralize the spirit of postal employees and destroy civil service. That recommendation can be found on page 4 of their booklet, and reads as follows:

> Although it is traditional in the postal service for supervisory positions to be filled by employees advancing up through the ranks, there should be no arbitrary barriers to prevent these positions being filled if necessary by qualified personnel who have gained the necessary experience outside of the postal service.

The question can well be asked, Where can one gain the necessary experience except in the postal service? There is no organization comparable to the postal service in the United States—or for that matter, in the world. Postal employees spend years of study to learn their trade. They must know the names of thousands of people; they must know train, plane, and bus schedules; they must know the location of thousands of cities; they must know the geographical layout of their own and other cities; and, most important of all, they must have a devotion to the ideal of service. This is the cornerstone of the postal service of the United States.

All these will be set aside in the Fry program to provide for the entrance in top positions of qualified personnel from the outside. Where will they secure their qualifications? I am afraid that they will secure them from work perhaps in the political committees of the Republican Party.

Under the Fry proposals, all assignments to grade and position by law are done away with; the Postmaster General can place employees where he pleases, and employees will have no job protection whatsoever. The Postmaster General will hold the welfare and destiny of 500,000 people in the palm of his hand. The day after the legislation he seeks

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is enacted into law he could shift every single employee in the service to another position, and there would be no appeal from his action. It is little wonder that the Fry report declares:

> This increased payroll cost, however, will tend to level off and decrease slightly over the years as the new ranges take effect at all levels.

This Republican proposal fails to recognize the important positions of rural carriers and fourth-class postmasters, and proposes no increase at all for those employees.

The Fry salary down-grading proposal is a threat to the welfare of the postal employee. It would destroy morale and do away with the most valuable thing we have in the postal service, namely, the spirit of the employees. The postal service, to a greater degree than any single operation with which I am familiar, depends upon the skill of human beings. Every single piece of mail has to be sorted by hand at least 11 times before reaching its destination. From the letter carrier who picks up the mail, through the hands of the post-office clerks and the postal transport clerks, until it is finally delivered by the letter carrier, a letter is handled an average of 11 times. Machines cannot read or think. Each operation is different. Human beings must be depended upon. Every error means delay. Errors result in additional costs because of extra handling; errors often become expensive and inconvenient to the users of the mail. Promptness and exactitude are of prime importance. Therefore, because we depend upon the brain, the eye, the hands, and the nimble limbs of the postal employees for efficient and economical operation, it is vitally necessary that we have intelligent, alert, well-trained, and dexterous employees in the postal service.

The Fry program and its authors apparently overlooked the heart, the brains, and the body of the postal service, and gave their attention to fringe activities which have grown around the vital mail-handling functions. Postmaster General Summerfield apparently has accepted the Fry-Summerfield proposal—his $50,000 investment, although no one else speaks well of it. I understand that between 125 and 150 witnesses—many of them Members of Congress and representatives of more than a dozen organizations—have appeared before the House committee. Of this vast parade, only two favored the Fry-Summerfield proposals. One, of course, was the firm of Fry-Summerfield, and the other was the National Association of Postmasters, who gave it a qualified endorsement. I spoke yesterday as to why I think the postmasters may have had some interest in the endorsement.

Despite the almost unanimous opposition to the Fry-Summerfield proposal, Postmaster General Arthur Summerfield is eager that the plan be accepted.

On February 3, the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Tennessee [Mr. GORE] called attention to a questionnaire submitted to the public by the Postmaster General, which was so phrased as to produce the answer he sought with reference to the increase in postage rates. This public-opinion poll was conducted by a private firm, the Wengel Service Corp. The Senator from South Carolina pointed out that the Postmaster General paid $10,000 or $12,000 for the poll of 2,000 persons. The Senator from Tennessee at that time called the attention of the Senate to the question of the propriety and legality of the poll, and he quoted section 1913, title 18, of the United States Code, which reads as follows:

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.
>
> Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500, or imprisoned not more than 1 year, or both; and after notice and hearings by the superior officer vested with the power of removing him, shall be removed from office or employment.

Now we find that the Postmaster General is continuing his efforts to influence the Congress to accept the Fry-Summerfield proposal.

He has received support from the National Association of Manufacturers. Washington Bulletin No. 8, under date of February 23, 1954, advised its readers as follows:

> Please write or wire your House Member to support the Summerfield postal-pay increase plan as against any across-the-board plan. If you have written, get some of your friends to do likewise.

Postmaster General Summerfield has availed himself of every known publicity measure to force his proposal on Congress and the postal employees. On March 11, 1954, the official publication of the Post Office Department, the Postal Bulletin, was resorted to in an attempt to build up support for the Fry-Summerfield proposal. The use of the Bulletin for this purpose was vigorously protested by the National Federation of Post Office Clerks in their Bulletin of March 13. Declared the Federation News Service:

> Something previously unheard of in postal history occurred on Thursday of this week when the Postal Bulletin, an official publication was used as propaganda medium in support of the Fry proposal.
>
> The national executive committee of the federation meeting yesterday condemned this action and characterized it as an effort to secure the enactment by the Congress of the highly unsatisfactory wage proposal prepared by George Fry & Associates, of Chicago.
>
> The Postal Bulletin is an official publication which according to the United States Official Postal Guide, part 1, domestic, July 1, 1951, chapter XIX, article 3, is supposed to contain, "current orders, instructions, and information relating to the postal service (philatelic, airmail, money order, parcel post, etc.), together with changes to the Official Postal Guide, parts 1 and 2, Manual of Instructions for Postal Personnel and amendments to the Postal Laws and Regulations."
>
> The use of the Bulletin, printed and circulated at taxpayers expense, to advance a proposal that would almost inevitably result in downgrading many postal positions with a consequent reduction in wages for many thousands of people, sets a new standard in propaganda tactics.

There is a real need for reclassification of salaries in the postal service. A study of the need for reclassification should be made by committees of Congress and by the officials of the Post Office Department. I believe further that the representatives of the postal organizations should be consulted. We should not have any "covenants secretly arrived at" that are forced upon the Congress by high-pressure merchandising methods. I am of the opinion that the postal employees and the Federal employees need a substantial increase in their salaries in order to maintain an adequate and decent economic position. I believe that Congress at this session should immediately vote such an increase and plan the reorganization study for the immediate future.

In keeping with my belief that an early, adequate wage increase should be approved for postal employees, I urge immediate consideration of S. 3444 by the Senate Post Office and Civil Service Committee.

S. 3444, of which I am cosponsor, provides a 10 percent upward adjustment in most salaries of post office employees. Other provisions of the bill establish a $400 minimum floor and an $800 maximum ceiling in the amount of the annual increase. An additional provision designed to simplify the accounting procedures would round off the annual salaries to the nearest multiple of $100 and would add $30 to most of the grades.

This proposal embodies the principle of reclassification to the extent that it widens the differential between the lower- and higher-grade employees by as much as $400.

The benefit to come from this bill, if enacted into law, would be to recognize the area where relief is most needed by awarding a substantial increase to the almost 400,000 clerks, letter carriers, rural carriers, mail handlers, and laborers.

That purpose is in direct conflict and contrast with the Republican administration's proposal, which offers practically no relief at all to this group which forms the backbone of the postal service.

This proposal is very similar to the last wage boost voted by the Democrat-controlled 82d Congress.

It is my hope that the committees of Congress which have the responsibility of considering such proposed legislation will act promptly, and will give us an opportunity to vote on the postal-salary increase bill before too late a date. I am

always fearful that we may delay these matters until the end of the session, and then, in haste, make only a token adjustment, when, in fact, the employees need a substantial and realistic adjustment, in light of the increased cost of living and their increased responsibilities.

REQUESTS OF COMMON CARRIERS FOR INCREASED TRANSPORTATION RATES—MOTION TO RECONSIDER

Mr. BUTLER of Nebraska. Mr. President, I enter a motion to reconsider the vote by which the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, was recommitted to the committee. I do not know when the motion will be considered, but it will be at some future time.

The PRESIDING OFFICER. The motion will be entered.

Mr. RUSSELL. Mr. President, I should like to address a question to the distinguished Senator from Nebraska.

The PRESIDING OFFICER. Does the Senator yield?

Mr. BUTLER of Nebraska. I yield.

Mr. RUSSELL. In view of the motion being entered, are we to understand that the committee does not intend further to study or consider the bill, to see whether it can be rewritten or made more palatable to a majority of the Members of the Senate?

Mr. BUTLER of Nebraska. I have not had a conversation today with the chairman of the committee; but, of course, I shall be guided by whatever the chairman and other members of the committee decide to do.

Mr. RUSSELL. It is rather unusual, let me say, to enter a motion to reconsider the recommittal of a bill, for recommittal has the effect of an instruction by the Senate to a standing committee to review the bill and report again on it.

Of course, I suppose the motion will be in order, if the Senator from Nebraska desires to call it up; but the general purpose of the recommittal of a measure is to enable the committee to review and revise the proposed legislation, and not to have it kept in midair, by means of a motion to reconsider, because when a motion to reconsider is entered, the position of the proposed legislation is almost like that of Mohammed's coffin; it is neither on the earth nor touching the heavens, but is suspended, and no further action can be taken until it is either brought down or sent up.

Mr. AIKEN. Mr. President, is the majority leader in a position to state whether ample notice will be given regarding the time when the motion will be brought up for consideration?

Mr. KNOWLAND. As the Senator from Vermont knows, the motion can be called up at any time. If my advice were sought by the distinguished Senator from Nebraska [Mr. BUTLER] or by the chairman of the committee, I would certainly strongly recommend that ample notice be given, so that all Members of the Senate would be advised, because once the Senate has acted on a measure, I think it only fair not to have such a motion called up without advance notice. Although there is no rule on this subject, I should think that, normally, at least 2 days' notice should be given, so that any Senator could return if he happened to be away—even if he happened to be as far away as the Pacific coast.

I cannot give any guaranty, but I certainly would strongly recommend that such advance notice be given if the motion is to be called up.

Mr. President, at this time I should like to refer, briefly, to another matter.

The PRESIDING OFFICER. The Senator from California has the floor.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, let me state that when the Senate completes its action on the pending bill, S. 2802, relating to fisheries, in view of the fact that it is now 4:15 p. m., I propose that the Senate merely make as the unfinished business House bill 116, Calendar No. 1205, relating to prohibition of the transportation of fireworks in any State in which the sale or use of such fireworks is prohibited. Announcement has previously been given regarding that bill; but we do not propose to have the Senate vote on the bill today. It is proposed that after that bill is made the unfinished business today, the Senate take a recess until Monday, at 12 o'clock noon.

On Monday, as I have previously announced, it is planned to have a call of the calendar of bills and other measures to which there is no objection, beginning at the point where the last call of the calendar ended; in other words, beginning with Senate bill 3373, Calendar No. 1276, to revise the Organic Act of the Virgin Islands of the United States.

When the call of the calendar has been completed, it is proposed to have the Senate return to what I hope will then be the unfinished business, namely, House bill 116, Calendar No. 1205, the so-called fireworks bill—assuming that by then we have disposed of the bill now pending, Senate bill 2802, relating to the distribution of fishery products.

On Tuesday, we expect to take up the independent offices appropriation bill, House bill 8583; it is planned to lay aside any business then unfinished, in order to dispose of that appropriation bill.

By Tuesday of next week, when the minority leader has returned, I expect to consult with him about another series of bills, and thereafter to make an announcement to the Senate.

In addition, as previously announced, Senate bill 975, Calendar No. 1190, to amend the Home Owners' Loan Act of 1933, as amended, has been scheduled for consideration. I have been requested by the minority to hold up action on that bill at least until Monday. I now understand that the Senator from Illinois will be out of town; and I believe that the minority desire to have action on that bill go over, if possible, until Wednesday. I shall try to make arrangements to that end, so the bill will not come before the Senate before Wednesday.

I desire to state to the Senate, as more or less of a plea, that it is very difficult for any majority leader who is trying to schedule proposed legislation, both to attempt to meet the needs of individual Senators on both sides of the aisle and at the same time to keep the legislative program moving along, so that it may be possible to have the Senate adjourn sine die by July 31, for I find that when an attempt is made to oblige one Senator, very often a Senator on the other side will find the arrangement inconvenient to him. But I have tried, and I shall continue to try, as long as it is possible, in keeping with the legislative program, to work out arrangements so that the schedule will be generally agreeable.

I merely wish to make this announcement, so that all Members of the Senate may be fully advised.

DISTRIBUTION OF FISHERY PRODUCTS

The Senate resumed the consideration of the bill (S. 2802) to further encourage the distribution of fishery products, and for other purposes.

Mr. SMATHERS. Mr. President, several years ago there appeared in the waters along the gulf coast of the United States a group of what are referred to as micro-organisms which have the characteristics of both animal and plant life. They have come to be commonly known as the "red tide," and have the same characteristics as those of the "red tide" that is of vital consequence in other areas of the world.

This particular "red tide" appeared in the waters off the gulf coast of the United States, wherever the waters of the Gulf of Mexico touch the United States. It produces a poisonous waste product which is absorbed into the bloodstream of fish, with the result that in a short time they die.

Mr. President, whenever the "red tide" appears off the coast of Florida, Louisiana, and Texas, billions of fish die and are found floating on the surface of the water. That is of tremendous consequence to the people of Florida and to the people of other States along the gulf coast, not only because of the loss of the fish and the consequent reduction in activity on the part of commercial and sports fishermen in that area; but also because of the fact that when the dead fish float up on the beaches and begin to deteriorate, the odor is so obnoxious that the use of those areas for recreational, resort, and vacation purposes is most adversely affected. As a result, the property owners have been very much distressed, and there have been great resultant losses in income to the States of Florida, Louisiana, Texas, and other States on the gulf coast.

In order to give the Senate some idea of what actually happens in that connection, I wish to read a letter I have received from the Chamber of Commerce of Sarasota, Fla.:

CHAMBER OF COMMERCE,
Sarasota, Fla., May 8, 1954.

Hon. GEORGE SMATHERS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SMATHERS: The extent of damage and loss due to the "red tide" is incalculable, but very real and potentially

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astronomical. It is possible only to hint at dollar figures because of the many intangibles involved. In January a research team of the marine laboratory of the University of Miami made a hasty on-the-spot survey, covering a 2-month period only, that showed a loss of over a million dollars in tourist income and to commercial fishing. Here is their breakdown:

	Tourist loss	Commercial fish
		Pounds
Palmetto	$40,000	80,000
Bradenton Beach	210,000	600,000
Bradenton City	200,000	60,000
Sarasota Beaches	280,000	200,000
Anna Maria Island	50,000	10,000
Total	750,000	950,000

At a retail rate of 33 cents per pound, the loss in commercial fish amounts to $313,500 which, coupled with a three-quarter-million-dollar loss in tourist revenue gives a total figure of $1,063,500.

Project this figure back through August 1953, when the tide appeared, and extend it to the rest of the affected area; add to this the losses in retail sales, real-estate sales, construction, and other factors and the sum becomes truly astronomical.

Fortunately for the entire west coast of Florida there were no large-scale fish kills by the "red tide" during the height of the season, from January 15 to April 1, when Sarasota alone was host to more than 50,000 winter visitors. If the tide had returned during that period, littering the beaches with dead fish and accompanied by the noxious gas it produces, there would have been a mass exodus of tourists that could have bankrupted many accommodations owners dependent entirely on tourists and many businesses indirectly dependent on the tourist trade.

Sarasota County alone has an investment of more than $100 million in tourist facilities and businesses dependent on a healthy tourist trade.

More important than any actual dollar loss that has occurred, which, of course, has been considerable, is the potential and intangible loss that the mere fact of continued existence of the "red tide" creates.

Who will invest hard-earned capital in the construction of new tourist facilities, or businesses catering to tourists, or catering to those who cater to tourists—which takes in practically every type of business in a resort area—with the threat of a "red tide" ever in the offing?

The value of real estate and property in the affected area is at a standstill, if not actually declining. If the "red tide" persists—with ever more frequent severe outbreaks, as seems to be the case—it will cause a depression of major proportions along the entire lower Florida gulf coast—while the rest of Florida and the Nation continues to enjoy prosperity and growth.

Sarasota County has been growing at the rate of 15 percent per year since 1950, with a more than 100-percent increase in population since the close of World War II, as the attached statistical data sheet demonstrates. Assessed valuation of the county (assessed at a one-third basis) has increased from $30 million in 1946 to $62 million in 1953.

It is this healthy growth that is threatened. We have no industry to speak of and agricultural activity does not count for more than 25 percent of the economy, if that much. It is because Sarasota County is a wonderful place to live and to visit that it is growing.

The "red tide" can—and is—nullifying all of the favorable factors.

We used to have a mosquito problem which retarded our summer growth and tourist activity, but we got together and licked that situation through ditching, drainage, and other control measures.

We are ready to do the same thing with the "red tide" if someone will tell us what to do.

The "red tide" is beyond the scope of any presently known control measures.

We don't know what to do.

That's why we're appealing to the Federal Government—as would any section of the American people who are faced with a natural disaster beyond their scope or control.

We hope that every possible resource of the Government, through the United States Fish and Wildlife Service of the Department of the Interior, can be thrown into research to solve this problem.

Sincerely,

TOD SWALM,
Manager.

Mr. President, I now read from a letter which I have received from the Bradenton Chamber of Commerce:

MAY 8, 1954.

Hon. GEORGE SMATHERS,
United States Senator,
Senate Building, Washington, D. C.

DEAR SENATOR SMATHERS: It is difficult to calculate definitely in dollars and cents the amount of damage that has been done, or may be done, by the reappearance of the "red tide."

We have a $4 million commercial-fishing business at Cortez, and when this "red tide" strikes the area, it practically puts this industry out of business, not only at the time it occurs, but it is far reaching. It kills the fish, it kills the market, and the buyers are not interested for some time after it has done its damage.

Also, our sports fishing is destroyed by the "red tide." This is a big industry and a great attraction, not only for our own citizens, but for our visitors. It is just as devastating to the tourist business as it is to the fishing industry. There is a large investment in motels and other living accommodations on the island, which depend almost solely on rental of property. When the "red tide" strikes, the tourists leave, and many of them who are there for the first time will leave and spread the news abroad. It is more far reaching than at the time it occurs, because investors are not interested in building motels or living accommodations, with the threat of the "red tide" hanging over them. If it strikes at any particular area, it affects the entire west coast of Florida.

We believe that you could be of no greater service to this community than to insist that money be made available to increase research facilities for the study of the cause, and especially for some remedy.

I shall not burden the Senate with any further reading of numerous telegrams and letters received by me. I therefore ask unanimous consent to have printed in the body of the RECORD, following the letters which I have just read, a telegram from the Clearwater, Florida, Chamber of Commerce, in which it is stated, in essence, that the "red tide" damage has already amounted to approximately $3,750,000 in the past 12 months.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CLEARWATER, FLA.

Senator GEORGE A. SMATHERS,
Senate Office Building:

In Clearwater alone "red tide" damage has already amounted to $3,750,000. Party and charter boat loss of revenue, $500,000. Commercial fishing industry loss, $250,000. Loss to hotel, motel, restaurant, and other service industries $8 million. Considerable effect is still being felt as result of tide, which would make eventual total loss considerably more than figures given.

PAUL H. FICHT,
Manager-Secretary, Clearwater Chamber of Commerce.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a telegram received from the Lee County Chamber of Commerce, Fort Myers, Fla., stating that it is estimated that more than half a million dollars has been lost to this area due to canceled reservations, shortened vacations, and the lack of commercial fishing, because of the "red tide" rumor.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FORT MYERS, FLA., *May 10, 1954.*

Senator GEORGE SMATHERS,
Senate Building:

Estimate half-million-dollar loss this area due to canceled reservations or shortened vacations and people afraid to stop here because of "red tide" rumors. This office constantly receives letters from prospective tourists inquiring if it is safe to vacation in this area because of "red tide."

ALAN J. ROBERTSON,
Manager, Lee County Chamber of Commerce.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram received from the Chamber of Commerce of St. Petersburg, Fla., stating that the damage to that area is estimated to total hundreds of thousands of dollars and asking that Congress take appropriate action to curb the "red tide."

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PETERSBURG, FLA., *May 10, 1954.*

Hon. GEORGE SMATHERS,
Senate Office Building:

Re telegram May 7, relative loss and damage "red tide" infestation. Pinellas County area has not had serious infestation since 1947. Loss and damage this area account recent infestations Bradenton-Sarasota area impossible estimate, although actual loss of business our area account notoriety applied to entire west-coast area. Sarasota has advised you their estimate most recent infestation affecting their area. The 1947 infestation affecting this area practically stopped use tourist accommodations on the gulf beaches for 6 weeks. Loss and damage never actually estimated, but would total hundreds of thousands of dollars. Any new or rumored infestation affecting this area would be of tremendous economic impact on entire area with lasting result because of notoriety. Hope you will do everything in your power to assure continuance investigation and development method of assuring precautions, and that if any future infestations be properly and quickly combatted.

WILLIAM F. DAVENPORT,
Manager, St. Petersburg Chamber of Commerce.

Mr. SMATHERS. Mr. President, I have received a letter from the wife of a commercial fisherman and ask the indulgence of the Senate while I read it.

CORTEZ, FLA., *May 10, 1954.*

DEAR SENATOR SMATHERS: I am writing to you as a wife and mother to see if there isn't something that can be done to keep the fishermen out here. You see my husband is

a commercial fisherman, and this "red tide" has certainly hurt us.

We have 2 children in school, 1 in the seventh grade and 1 in tenth grade, and we need some kind of help. Fishing is very bad here and so do other families need help. I hate to see my children do without so much of the necessities (not luxuries) as they need so many things. They both need dental work and my daughter needs her glasses changed, as she has been wearing the same ones for over 3 years, and they aren't doing her eyes any good anymore. But we can't do these things for them. Also my husband needs dental work done and an eye examination very badly. We live in a trailer here in Cortez, have rent to pay and we owe almost $300 on the trailer to a finance company, and can't make the payments. I am afraid they will take it away from us. We are having to buy groceries on credit and have quite a bill with the grocery store, all because fishing is so bad here. He didn't make any money this past week nor did he make any the week ending April 24, and such small amounts other weeks that we can't possibly pay all of our bills, and we are having a terrible struggle. We aren't alone as there are other families here in Cortez having difficulty, also.

Couldn't there be something done for the fishermen like the farmers have of getting help when they have crop failures and get Government help? I think this bears looking into as the fishermen need help.

I sure hate to see my children have to do without necessities that are needed for their health and welfare. During the past 4 weeks my husband's pay has been $91.18, and that isn't enough for four people to live on and have dental care and clothing, which is much needed.

I know that you could get some kind of support for the fishermen if anyone can, and I would do all I could to help if I could.

Thank you for reading this letter and I hope that there can be some kind of aid for us.

Yours truly,

Mrs. J. E. Neyland.

For the reasons stated, Mr. President, I am very much in favor of Senate bill 2802. I have listened to discussion and debate in the committee, and to the testimony which was given by the witnesses as to what could and should be done in order to protect the fishing industry. They all advocated an expenditure for research into the causes for what is now happening to the oyster beds, the shrimp beds, the cod, mackerel, and other fish along our coasts. It seems clear to me that something should be done immediately to provide funds for such purpose.

I understand, in connection with the bill, there is to be an agreement that the amount of money which will be used for research to improve the situation so far as shrimp, oysters, and all other forms of fish life are concerned, shall be limited to $3 million. I am sorry it is to be limited to $3 million; but I recognize that there may be justification for it.

I think this is a desirable and a satisfactory bill and certainly the $3 million which we are asking, for a period of only 3 years, is a reasonable amount. It is fair to say that the fishing industry is entitled to it, because, as I understand, the money comes originally from the tax levied on the importation of fish. It is not an additional appropriation or a subsidy, but merely a transfer of funds. It seems to me that if the source of the money is the fish which are caught in waters outside the United States and imported into the United States, certainly 30 percent of that money could be used to develop and improve the fishing industry of the United States. It is not enough, but at least it would be a start toward something which is indeed worthwhile.

I yield the floor.

Mr. AIKEN. Mr. President, my opposition to Senate bill 2802 is not based upon any desire to withhold such funds as may be necessary to carry on adequate research in the fishing industry. Rather, my opposition is based upon the fear that the method by which the proponents of the bill propose to get the funds may be the first step toward chipping away the money which is available and which has been authorized by the Congress for sustaining an adequate farm program in the United States.

The bill proposes to take from the section 32 funds already appropriated to the Department of Agriculture that part which is derived from the tariff on fish, fish products, and other seafoods. This amounts to $3 or $4 million a year. It seems like a very small amount, considering the sums with which we deal in Congress; but, in view of the fact that it might establish a precedent and constitute an invitation to others to start chipping away at agricultural funds, I feel that the bill is not good legislation.

As Senators know, section 32 funds represent 30 percent of the customs duties, and the 30 percent is dedicated to the removal of surpluses of agricultural commodities and the development of new markets by the use of such surpluses.

Section 32 funds amount to substantial sums. In the past few years we have received from that source from $100 million to $172 million. I believe the year 1952 was the year of the largest receipts.

Of this sum, $1½ million may be devoted to the removal of surplus fish and seafood from the market, but it has not been necessary to use this fund for that purpose to any great extent, for the simple reason that in most years we have been confronted with a shortage rather than a surplus of fish and other seafoods.

For the most part, section 32 funds have been used for the purpose of removing perishable or nonbasic commodity surpluses from the market. In fact, the law provides that they shall be used principally for that purpose. They have been used from time to time for the purchase of apples, raisins, beef, cranberries, turkeys, poultry products, and many other products. I believe that, dollar for dollar, our agricultural support program derives more benefit from section 32 funds than from any other source.

During the past year we have carried on an extensive program for the purchase of low-grade beef; and as a result the price of canners and cutters has gone up from 6 or 7 cents a pound, or $6 or $7 a hundred last fall, to between $11 and $14 a hundred at the present time. When these commodities are taken off the market they must be disposed of. The school-lunch programs afford an opportunity to dispose of them to a large extent, and such commodities have been devoted extensively to school-lunch programs. In fact, in the State of Massachusetts alone, where 383,000 students enjoy school lunches, more than $3 million worth of surplus commodities have been contributed by the Commodity Credit Corporation over the past 9 months.

I know that this fund looks very inviting to those who want to get money without having it show up in an appropriation bill. They point out that in certain years there has not been used for the removal of agricultural surpluses all the money which has been available in section 32 funds. That is true. During the 2 years of the Korean war it was inadvisable to spend all the available funds, and a considerable sum of money was turned back into the Treasury. The law permits the fund to accumulate to the amount of $300 million, and last July it had accumulated to the maximum amount; there was $300 million available. Added to that amount was—I do not have the exact figure before me—approximately $160 million, which was also available.

This year, with the large beef-buying program which we have had to undertake, and the purchase of other surplus commodities, we shall spend an estimated $228 million of section 32 funds, which will reduce the revolving fund from the $300 million level of July 1953, to approximately $244 million as of 1954. If we keep it up we may find ourselves at the point where $4 million a year taken out of this fund will represent a real loss to our agricultural programs.

We do not know how much of this money we will have to spend this year. It depends on the weather, and on conditions generally. No one can foresee what will be necessary to be done. That is why this fund must be kept flexible and stable, to be used whenever it is necessary to use it.

It is possible to use only 25 percent of the fund for the purchase of any one commodity. Had it not been for the $300 million carryover, plus the current receipts of 1952, we would have been unable to undertake the expensive beef-buying program which was inaugurated last year.

This year it is entirely possible that we may again have to purchase huge quantities of beef, because it is anticipated that there will be a very heavy culling in the dairy herds after the spring season.

Section 32 funds are also used for subsidizing exports. In that field we have spent in the past few months $8 million; $3,200,000 for subsidizing exports of citrus fruits, $2,800,000 for wheat, and $1,500,000 for raisins, and I suppose a smaller amount for some minor commodities as well.

The Department of Agriculture objects very strenuously to having these funds chipped away. When the bill was introduced on January 22, it was, in accordance with custom, submitted to several departments of the Government, to get their opinion on it. Those opinions were received at various times, and they are printed in the report of the hearings on the bill.

Some of the agencies stated they were not concerned with it. The State De-

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partment was very much concerned about it and stated it believed full consideration should be given to the views of the Bureau of the Budget.

The Bureau of the Budget very evidently does not approve of this bill. If it does, it has failed to say so anywhere in the RECORD.

As I have said, the bill was introduced on January 22. On February 26 a letter was received from the Department of Agriculture in which the Department very strongly opposes the legislation and states that the Bureau of the Budget advises that it has no objection to the submission of the Department's report.

Later on the Department of Agriculture made another very strenuous objection to the enactment of this bill.

I ask unanimous consent to have the letter of the Department of Agriculture, under date of February 26, 1954, and the statement submitted by the Department printed in the RECORD at this point in my remarks.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 26, 1954.

Hon. JOHN W. BRICKER,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate.

DEAR SENATOR BRICKER: This is in reply to your request of January 25, 1954, for a report on S. 2802, a bill to further encourage the distribution of fishery products and for other purposes.

The bill would amend the act of August 11, 1939 (Public No. 393, 76th Cong.). Section 1 of that act authorizes the Department of Agriculture to use each year from section 32 funds an amount not in excess of $1,500,000 for the purchase and distribution, through public and private relief channels, of surplus fish and fish products. Section 2 of that act authorizes this Department to transfer annually to the Department of the Interior $175,000 of such sum for the development of domestic markets and for conducting a fishery educational service with respect to fish and fish products.

The bill would amend section 2 of the act. It would require that each year the Secretary of Agriculture transfer to the Secretary of the Interior an amount of section 32 funds equal to 30 percent of the gross receipts from duties collected under the customs laws on fishery products. These moneys would be maintained in a separate fund by the Secretary of the Interior to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service and fishery research programs, and to develop and increase markets for fishery products. The Secretary of the Interior would be further authorized to retransfer funds available under this section to the Secretary of Agriculture to be used for the purposes specified in section 1 of the act, i. e., the purchase and distribution of surplus fishery products.

On the basis of the duties collected on fishery products during 1953, the bill would require the annual transfer of approximately $3 million of section 32 funds for the above purposes.

The Department does not believe that a mandatory assignment of section 32 funds should be made each year for use in connection with fishery products, without any determination as to the need of such products for marketing assistance. Surpluses vary from year to year among the different commodities for which section 32 funds may be used. It is desirable, therefore, to retain maximum flexibility in the administration of such funds for procurement and distribution of commodities according to the relative importance of the surpluses.

With respect to the increase in funds for educational, developmental, and research programs on fishery products, the Department of Agriculture—through the Agricultural Research Service—conducts research in nutrition and in the utilization of agricultural products, including fish, as food and also maintains educational service to homes and institutions regarding all food products. The Department, through its plentiful foods program, works with the food trade to promote the distribution and consumption of those foods, including fish, which are in surplus supply. It would not seem advisable to expand such services in another department not primarily concerned with the marketing and utilization of food products.

In view of the above, this Department recommends against passage of the bill.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Under Secretary.

STATEMENT OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

This statement is in response to a request from the chairman for the views of the United States Department of Agriculture relative to S. 2802, a bill to further encourage the distribution of fishery products, and for other purposes.

This bill would amend the act of August 11, 1939 (Public Law 393, 76th Cong.). Under section 22 of the Agricultural Adjustment Act an amount equal to 30 percent of gross customs receipts, together with certain carryover balances, is made available annually to the Department of Agriculture for the removal from the market of agricultural surpluses including fishery products, and for the general purpose of expanding markets for agricultural commodities. Section 1 of Public Law 393 authorizes the Department of Agriculture to use each year from section 32 funds an amount not in excess of $1,500,000 for the purchase and distribution, through public and private relief channels, of surplus fishery products. Section 2 authorizes the Secretary of Agriculture to transfer annually to the Department of the Interior $175,000 of section 32 funds of which $75,000 shall be used to conduct a fishery educational service and $100,000 to develop markets for fishery products of domestic origin.

The bill before the committee would amend section 2 of the act of 1939 referred to above. It would require that each year the Secretary of Agriculture transfer to the Secretary of the Interior an amount of section 32 funds equal to 30 percent of the gross receipts from duties collected under the customs laws on fishery products. These moneys would be used by the Secretary of the Interior for conducting fishery educational and research programs, as a means of developing and increasing markets for fishery products. The Secretary of the Interior would be further authorized to retransfer funds available under this amendment to the Secretary of Agriculture to be used for the purchase and distribution of surplus fishery products under section 1 of the original act.

The amount of section 32 funds required to be transferred from the Department of Agriculture to the Department of the Interior would be equal to 30 percent of the customs receipts collected on fishery products. Based upon annual customs collections since 1939, this sum would have ranged between $612,000 and $3,164,000. For the current fiscal year, this 30 percent provision would have resulted in the transfer of approximately $3 million.

The Department of Agriculture cannot approve this bill, inasmuch as we are strongly opposed to the mandatory assignment of section 32 funds for use in connection with any particular commodity or product, including fishery products. The main purpose of section 32 programs is to increase the consumption of surplus products through direct purchase for distribution outside normal channels of trade, through encouragement of exports, through diversion to by-products or other new or additional uses, and various other means (for example, encouraging the increased normal use of plentiful foods during certain seasons). The Congress has further indicated that section 32 funds shall be used principally for perishable products rather than for those major farm commodities which are subject to mandatory price support.

In effect the Congress has provided for a very flexible program, vesting considerable administrative discretion in the Secretary of Agriculture, and we believe that this should be continued. In our opinion the distribution of surplus foods should be carried forward through an orderly machinery, administered by one department of the Federal Government both in the interest of efficiency, and of preventing duplication as among various distributive agencies and confusion at the local level.

In this connection we are not altogether clear whether the retransfer of funds provided for purchase and distribution activities is in addition to or in lieu of the funds otherwise available for fishery products under section 1 of the original act.

Section 2 (a) of the bill before the committee does, however, raise a separate question from the purchase and distribution matters discussed above. This section provides that the section 32 funds which are to be transferred to the Secretary of the Interior shall be used for conducting a fishery educational service and fishery technological, biological, and related research programs in such a way as to assist in increasing markets for fishery products of domestic origin. The Department of Agriculture is not opposed to such activities as these. As already indicated, current statutes do provide for the transfer of $175,000 of section 32 funds each year to the Secretary of the Interior for education and market development.

But if this work needs to be increased, we do raise the question as to the most appropriate method of providing the necessary authority and funds. Customs receipts, especially from particular products, vary from year to year whereas research and education are, as a rule, the kind of activities which need to be built up gradually, after which they should be maintained for a considerable period of time at a fairly stable level. As a result, we feel the committee should consider whether it would not be more desirable to provide for such activities through the regular appropriation structure, which is the manner in which most research and related educational activities are now financed.

We realize the point has been made that some section 32 funds have been returned to the General Treasury. But we do call the committee's attention to the fact that section 32 expenditures for the current fiscal year as well as prospective section 32 expenditures for the coming fiscal years are in excess of the new funds available so that the section 32 carryover is now being reduced.

In conclusion, the United States Department of Agriculture believes that legislation in accordance with the section 32 fishery bill now before the committee would constitute a substantial step toward fragmentation of the section 32 appropriation and must as a result recommend against enactment of such legislation.

Mr. AIKEN. Mr. President, one favorable report on the pending bill was

received. It was from Mr. Orme Lewis, Assistant Secretary of the Interior. Mr. Lewis approved the bill and approved the effort to take $3 million, or approximately that amount, from the funds already appropriated to the Department of Agriculture and to transfer them to the Department of the Interior.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. AIKEN. I should like to finish one more sentence. Mr. Orme Lewis' letter is dated April 1, 1954, more than 10 weeks after the bill had been introduced. I shall read the last sentence of Mr. Lewis' letter:

> Since this is a revised version of a report originally submitted to the Bureau of the Budget and in view of the urgency of making a report to your committee, it has not been possible to obtain the views of the Bureau of the Budget on this revised report.

Yet other agencies of the Government had obtained the views and the approval of the Bureau of the Budget to their adverse report more than a month earlier. It seems to me, Mr. President, that in wating 10 weeks and then saying that he did not have time to obtain the views of the Bureau of the Budget, he was simply trying to bypass the Bureau of the Budget. No other conclusion can be drawn.

Mr. President, I do not like this way of legislating. I do not like this effort to chip away the funds of the Department of Agriculture which is used in our farm programs.

It is not good legislation. It is a hidden appropriation. It is an appropriation made to one department and charged to that department, and then the effort is made to transfer a part of the appropriation to the use of another department. If it is advisable to find more money for fisheries research, I see no reason why an appropriation cannot be made for that purpose.

There is no function authorized in the bill which has not been previously authorized by law. The only difference is that, instead of adding it to the appropriation bill, the proponents of the pending bill seek to take money which is already appropriated to the Department of Agriculture.

I have suggested that they take—although I do not approve of making appropriations in that way—money from that part of the tariff receipts which is not already dedicated to some other objective.

Even in connection with the wool bill the woolgrowers and the wool manufacturers and others who supported that bill made no effort to take away from the Department of Agriculture the 30 percent of the tariff receipts already dedicated to a very important purpose.

So far as I know, this is the first effort which has been made in this direction. I do not approve of it. I do not believe the bill, in its present form at least, should become law. I believe that we should be ready at all times to step in where price-breaking surpluses appear and use the funds to the best advantage in order to stabilize our agricultural economy.

I realize it is growing late, Mr. President, and I do not wish to bore the Senate any longer. I do not believe this is the proper way to legislate, and I cannot understand why the proponents of the bill will not put their project on its own feet and request an appropriation for it. Section 32 funds are dedicated to the removal of surpluses. The pending bill, which proposes to chisel into section 32 funds, is said to be dedicated to preventing shortages and to increasing the number of fish so that those engaged in the fishing industry can make a living.

Mr. HOLLAND. Mr. President, I wish, first, to commend the statement of my distinguished colleague [Mr. SMATHERS] with reference to the urgent problem recently existing on the west coast of Florida—the red tide—which is one of the many problems which the funds made available under the provisions of this bill will allow us to solve by exerting more adequate efforts better to serve not only the industries immediately affected but the general public of the Nation.

I wish to say, Mr. President, that I agree completely with the distinguished Senator from Vermont that the methods adopted under this bill for financing this program is unfortunate, and yet I feel that the emergencies existing not only in the gulf coast area, but in the Atlantic area of my own State and elsewhere in the Nation are so great that we are justified in temporarily adopting this measure in order that immediate progress may be made in solving the problems which so heavily press upon us.

I do wish to say, however, not only for myself, but for the distinguished junior Senator from Georgia [Mr. RUSSELL], who was called from the Chamber a few moments ago, and at his request, that we regard this measure as a temporary one, insofar as the method of financing this farflung effort is concerned. We have gladly agreed in informal conference to the enactment of this measure including the method of financing it for a period of 3 years.

Mr. THYE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I shall be glad to yield in a moment.

We believe that a 3-year trial period will manifest the advantages of the program and that it will be easy thereafter to support the program through appropriations from the general revenue funds. Both the distinguished Senator from Georgia and myself—and I am sure I speak for many other Senators who have the same feeling—are completely willing at this time to have this activity financed through general revenue funds, and we believe that the program to be advanced will manifest its importance so greatly in the 3-year period that it will be an easy matter to continue it in the years to follow that 3-year period.

Before leaving this point, however, Mr. President, I wish to make it clear that many of us feel it is an experimental, emergency program, and that it should justify itself, as we believe it will justify itself, within the 3-year period, so that there will be no problem with reference to securing additional revenue after that time from general funds.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I should like to comment on the point just made by the able and distinguished Senator from Florida. It is very important to bear in mind that the bill does not involve permanent legislation in the sense that we are going to continue to take section 32 funds in order to finance the program. I think the Senator is entirely justified in inviting attention to the fact that it is only for 3 years. If the research project proves its merit, then a direct appropriation should be made to carry on the function.

We request funds under section 32, because there is a substantial balance on hand, and we desire to make a trial run in the field of research for the benefit of those who are engaged in fishing operations.

I wish to concur in the statement which the distinguished Senator from Florida made to the effect that this bill should not be looked upon as permanent legislation. It must be recognized as covering an emergency situation. It is a research undertaking, and we are seeking temporarily to finance it by this method, because there is a substantial balance of section 32 funds.

I wish to emphasize the fact that the only reason I support this proposed legislation, and the only reason I am a cosponsor of the bill, is that it has to do with a research project. We wish to find out what the fisheries problems are. If there is need to continue research, we should have a direct appropriation.

Mr. HOLLAND. I thank the distinguished Senator from Minnesota, and I am completely in accord with his expressions.

If I may hurry along, Mr. President, let me say that the State of Florida happens to have the most extensive coastline of any State in the Nation—approximately 1,200 miles. As an incident, we have a large and very varied group of marine industries. We are tremendously interested in the objectives of the bill which is before us. I personally feel that those who are engaged in marine industries in my State are just as much entitled to our sympathetic consideration as are those who are engaged in agriculture.

So it is a pleasure to support as temporary legislation this particular measure.

The State of Florida produces great quantities of food fish and great quantities of fish for the production of oil and fertilizer. We produce large quantities of shrimp, sponges, and shellfish of a great many varieties. This measure is of great importance to us.

Not only have amendments been agreed upon in good spirit by all of us on both sides of the aisle, limiting the period of this program to 3 years, but also limiting the amount to be spent each year to $3 million, and likewise providing that there shall be a full report made annually by the Secretary of the Interior to the Congress showing the exact nature of the program and reporting the progress made.

Other safeguards have been recommended, and amendments will be introduced shortly.

The objectionable feature of the bill is that we reach into section 32 funds

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which, insofar as the producers of the great majority of agricultural production in this country are concerned, are the only substantial source of help to which we can turn for Federal financing in the event of surpluses or the occurrence of unusual problems.

So far as Florida is concerned, our three greatest agricultural industries are the production of citrus fruits, vegetables, and cattle. For these we have no support-price programs. We have asked for none, and we want none. But we have found occasions when we very badly needed a little help by way of the removal of surpluses, or, since the war, by way of assistance in reestablishing our export business. In one form or another such help was made possible through a judicious use of section 32 funds.

Mr. AIKEN. I desire to point out something which I forgot in my earlier remarks, namely, that this year we may possibly have to call extensively on section 32 funds, because of the large plantings of vegetables and other crops on the acres which have been diverted from the production of wheat, corn, and cotton. Probably the farmers who have planted on this land which has been taken out of the production of other crops should not be considered eligible for price supports. But that is not where the trouble comes from. The trouble comes from the old, regular vegetable producing areas, which will have to meet the competition which will arise as a result of the plantings on land withdrawn from the production of wheat, corn, and cotton.

So it may be that we shall have to call extensively, possibly to the extent of many millions of dollars, on section 32 funds in order to stabilize the vegetable situation.

Mr. HOLLAND. The Senator from Vermont, as usual, is exactly correct in reference to the problem which will likely face us this year. I have just said that, insofar as the principal crops in my own State are concerned, we have had to look occasionally, but not often or not for great amounts, to section 32 funds, on which perishable crops which do not have price supports are given a prior claim.

Mr. President, notwithstanding the fact that section 32 funds are the principal, and almost the only, source to which we can turn, I am certain that the agricultural industries in Florida would not only be willing, but would be glad, to see some help given to their brethren in the fishing and allied industries, who are even worse hurt at present than is anyone in agriculture in our region. Therefore, we go along gladly in supporting the program, but always upon the understanding that we do not expect to set a precedent by it, and that we do not expect to see it continue to operate as a withdrawal from an agricultural pool which is of tremendous importance to the country as a whole and to more than half of the agricultural producers of the Nation.

I yield the floor.

Mr. DUFF. Mr. President, I ask unanimous consent that the committee amendments to S. 2802 be agreed to en bloc, with the understanding that they may be considered as the original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

Mr. THYE. Reserving the right to object, do I understand correctly that these amendments have been discussed with not only the authors of the bill but also with the minority leader?

Mr. ELLENDER. As I understand, the Senator from Pennsylvania is referring to the committee amendments.

Mr. THYE. I have no objection.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc, with the understanding suggested by the Senator from Pennsylvania.

The amendments agreed to en bloc are as follows:

On page 2, line 4, after the word "mollusks", to strike out "and"; in the same line, after the word "crustacea", to insert "aquatic plants and animals, and any products thereof, including processed and manufactured products)"; in line 16, after the word "origin", to insert "and (3) to conduct any biological, technological, or other research pertaining to American fisheries"; on page 3, line 7, after the word "commodities", to insert "and he is authorized to appoint an advisory committee of the American fisheries industry to advise him in the formulation of policy, rules and regulations pertaining to requests for assistance, and other matters"; in line 14, after the word "act", to insert "and only such funds as are thus transferred shall be used for the purposes specified in section 1 of this act with respect to domestically produced fishery products"; and after line 17, to insert "(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this act and the annual accruals thereto shall be available until expended, except that the balance of the fund shall not exceed $5,000,000 at the end of any fiscal year, and the Secretary of the Interior shall retransfer the funds in excess of said $5,000,000 balance to the Secretary of Agriculture to be used for the purposes specified in section 32 of the act of 1935 (49 Stat. 774; 7 U. S. C. 612c), as amended", so as to make the bill read:

Be it enacted, etc., That section 2 of the act of August 11, 1939 (53 Stat. 1411), is hereby amended to read as follows:

"SEC. 2. (a) The Secretary of Agriculture shall transfer to the Secretary of the Interior each fiscal year, beginning with the fiscal year commencing July 1, 1954, from moneys made available to carry out the provisions of section 32 of such act of August 24, 1935, an amount equal to 30 percent of the gross receipts from duties collected under the customs laws on fishery products (including fish, shellfish, mollusks, crustacea, aquatic plants and animals, and any products thereof, including processed and manufactured products), which shall be maintained in a separate fund and used by the Secretary of the Interior (1) to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service and fishery technological, biological, and related research programs, the moneys so transferred to be also available for the purchase or other acquisition, construction, equipment, operation, and maintenance of vessels or other facilities necessary for conducting research as provided for in this section, and (2) to develop and increase markets for fishery products of domestic origin and (3) to conduct any biological, technological, or other research pertaining to American fisheries.

"(b) For the purposes of this section, any agency of the United States, or any corporation wholly owned by the United States, is authorized to transfer, without reimbursement or transfer of funds, any vessels or equipment excess to its needs required by the Secretary of the Interior for the activities, studies, and research authorized herein.

"(c) In carrying out the purposes and objectives of this section, the Secretary of the Interior is directed as far as practicable to cooperate with other appropriate agencies of the Federal Government, with State or local governmental agencies, private agencies, organizations, or individuals, having jurisdiction over or an interest in fish or fishery commodities and he is authorized to appoint an advisory committee of the American fisheries industry to advise him in the formulation of policy, rules, and regulations pertaining to requests for assistance, and other matters.

"(d) The Secretary of the Interior is further authorized to retransfer any of the funds made available under this section to the Secretary of Agriculture to be used for the purposes specified in section 1 of this act, and only such funds as are thus transferred shall be used for the purposes specified in section 1 of this act with respect to domestically produced fishery products.

"(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this act and the annual accruals thereto shall be available until expended, except that the balance of the fund shall not exceed $5 million at the end of any fiscal year, and the Secretary of the Interior shall retransfer the funds in excess of said $5 million balance to the Secretary of Agriculture to be used for the purposes specified in section 32 of the act of 1935 (49 Stat. 774; 7 U. S. C. 612c), as amended."

Mr. ELLENDER. Mr. President, it is not my purpose to discuss the merits or demerits of the bill. But in the early afternoon, after a study of the bill, I suggested to some of its authors, including the distinguished Senator from Pennsylvania [Mr. DUFF], the floor manager of the bill, certain amendments which I propose to offer.

The first amendment is on page 1, line 7, where, after "1954," and before "from", I propose to insert "and ending on June 30, 1957."

The purpose of the amendment is to limit the bill to a period of 3 years.

The second amendment is on page 3, line 12, where, after the word "funds" and before the word "made", I propose to insert "not to exceed $1,500,000 to be."

The purpose of this amendment is to limit the amount which is to be used to purchase fish and other seafoods. It is in conformity with Public Law 393, which at present gives authority to the Secretary of Agriculture to transfer to the Federal Surplus Commodities Corporation the sum of $1,500,000, to be used for the purpose of diverting surplus fishery products, and so forth. As the bill now reads, it will be possible for all the funds provided for in the bill to be used for the purposes of section 1, to which I have just referred.

The third amendment is on page 3, line 21, where, after the word "except" and before the word "that", I propose to insert "(1) That not more than $3 million be spent in any 1 fiscal year, and (2)."

The second proviso would be in the present language of the bill, namely, "that the balance of the fund shall not exceed $5 million at the end of any fiscal year."

The purpose of this amendment is to limit the amount of expenditure for the purposes of the act to $3 million.

My fourth amendment is at the end of section 2, on page 4, and reads as follows:

(f) The Secretary of the Interior shall make a report to the appropriate committees of Congress annually on the use of the separate fund created under section 2 of this act.

The PRESIDING OFFICER. Does the Senator from Louisiana request that his amendments be considered en bloc?

Mr. ELLENDER. The amendments have been explained by me and other Members of the Senate. I ask that the amendments offered by me be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and the amendments offered by him will be considered en bloc.

Mr. DUFF. I am glad to accept the amendments.

Mr. AIKEN. Mr. President, I am not exactly happy about the bill, even as it will read with the amendments proposed by the Senator from Louisiana. But I wish to say that his amendments make the proposed legislation as a whole much more palatable. I still think appropriations should be made directly, and not by the earmarking of funds. I express the hope that when the amendments are approved and the bill is passed, then at the end of 3 years' time the program will be either found wanting or found valuable. If it is found valuable, it ought to be put on its own feet at that time. If it is found wanting, it should be discarded altogether.

In view of the lateness of the hour, I shall not ask for a yea-and-nay vote on the passage of the bill. The bill will be greatly improved by the amendments offered by the Senator from Louisiana. I am not nearly so strongly opposed to the bill now as I would be if his amendments had not been agreed to.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Louisiana [Mr. ELLENDER].

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2802) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. STENNIS. Mr. President, as one of the joint authors of the bill, I wish to express my appreciation to the distinguished Senator from Pennsylvania [Mr. DUFF] for handling the bill on the floor, and to other Senators who contributed to the passage of this important measure.

I point out that this is a national program, which has the support of all persons all over the United States, especially, as the Senator from Pennsylvania has said, those concerned with seawater fishing, inland-water fishing, and Great Lakes fishing. We hope this is a foundation upon which a really extensive research program with respect to fish and sea life of all kinds, of commercial value, will be conducted.

I agree with the sentiment of the Senator from Vermont [Mr. AIKEN] that 3 years should be a sufficient period of incubation in which to get the program started. At the end of that time we believe the program will be sufficiently strong to stand on its own feet and to demand its own appropriation from the Treasury.

Mr. DUFF. I greatly appreciate the sentiments expressed by the distinguished Senator from Mississippi.

Mr. KENNEDY. I congratulate the distinguished Senator from Pennsylvania. This is a most important piece of legislation. I think that without his efforts and those of the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], and of the distinguished junior Senator from Mississippi [Mr. STENNIS], the bill would not have passed. I think the bill represents a great step forward for the fishing industry of the United States.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

Mr. THYE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1205, House bill 116, to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with amendments.

RECESS UNTIL MONDAY

Mr. THYE. Mr. President, I move that the Senate stand in recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 59 minutes p. m.) the Senate took a recess until Monday, May 17, 1954, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of May 13), 1954:

IN THE NAVY AND IN THE MARINE CORPS

The nominations of Bradford L. Abele and 581 other persons for appointment in the Navy or in the Marine Corps, which were confirmed today, were received by the Senate on May 6, 1954, and may be found in full in the proceedings of the Senate for that date, under the caption "Nominations," beginning with the name of Bradford L. Abele, appearing on page 6127, and ending with the name of Raymond K. Crabtree, which is shown on the same page.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 14 (legislative day of May 13), 1954:

POSTMASTER

NEW MEXICO-TEXAS

Albert W. Mulloy, Anthony, N. Mex.-Tex.

SENATE

MONDAY, MAY 17, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, unchanging amid the changing years: In this still moment before demanding concerns engulf us may a holy hush within our spirits whisper words of courage and fortitude. Upon us all is a somber mood, colored with a sense of bitter loss, as we come with tender remembrance of a revered and honored Member of this body who stood with his colleagues here as the work of last week began, but who now, at the commencement of this, walks with us no more.

We are grateful that Thy servant, Clyde R. Hoey, was an American indeed, in whom was no guile; and that, walking in high places, he kept the common touch. As we cherish the memory of his long career as a public servant we are conscious that in politics, as elsewhere, he practiced his religion. Now that he is gone from this Chamber we are the better because his gentleness made him great, and because he was a saint without being sanctimonious. Daily he wore a red bloom, and always he wore the white flower of a blameless life.

" 'Tis hard to take the burden up
When such have laid it down;
They brightened all the joy of life,
They softened every frown;
They cannot be where God is not,
On any sea or shore,
Whate'er betides, Thy love abides,
Our God for evermore."

We lift our prayer in the name of the Lord he adored. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 14, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

LEAVE OF ABSENCE

Mr. BUTLER of Maryland. Mr. President, at 3 o'clock this afternoon, in Baltimore, my good friend and colleague at the Maryland bar, the Honorable Rozel

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C. Thompson, will be sworn in as United States district judge for the district of Maryland. I ask unanimous consent that I may be excused from attendance on the session of the Senate today in order that I may attend the swearing-in ceremony.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate Committee on Finance may be permitted to meet during the session of the Senate today. I have already cleared the matter with the acting minority leader.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

On request of Mr. KUCHEL, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet today during the session of the Senate.

TRIBUTES TO THE LATE SENATOR HOEY

Mr. HOLLAND. Mr. President, I wish that every Senator and every Member of the House of Representatives might have been present to gain inspiration from the impressive funeral ceremonies which were held in Shelby, N. C., last Saturday, May 15, for our beloved friend, Clyde R. Hoey, the late Senator from North Carolina. There, at his birthplace, which had always been his home during the 76 years of his life of high service to mankind, many thousands of his fellow citizens had gathered to pay their last sorrowing respects to their most distinguished native son, and to give expression to their deep affection for their friend and neighbor. The ceremonies were held at the Central Methodist Church of Shelby, his own church, after which he was laid to rest in beautiful Sunset Cemetery, on a velvety green hill at the edge of the city. Thousands of citizens, young and old, both white and black, of high estate and from humble homes, came in genuine sorrow to mourn his passing.

I understand that the Senate will have a memorial service at an early date, convenient to the family of Senator Hoey, when Senators will have the opportunity to voice their personal tributes to a beloved friend and a truly great Senator. At this time, however, as the close friend and deskmate of Senator Hoey for nearly 8 years, for the information of those Members of the Senate and the House of Representatives who were unable to attend the funeral, I desire to have printed in the RECORD, first, the opening paragraphs from the leading news article of last Saturday in the Shelby Daily Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The Nation's top Government leaders, the ranks of North Carolina's administrators, and thousands of friends and neighbors converged on Shelby today to pay final tribute to Senator Clyde R. Hoey.

Under gray skies solemn lines of high and low, mighty and humble began filing past the Senator's casket in Central Methodist Church at 10 o'clock this morning.

Even as his body was being placed in the sanctuary of the church where he had taught Sunday school for 32 years, the first lines formed.

The sanctuary was decorated in artistic simplicity with a wreath of red roses and white lilies. There were 3 crosses and 4 wreaths and a blanket of red roses. A wreath of white lilies from Mr. Hoey's fellow United States Senators was at the head of the casket.

Flowers at the home, the church, and Sunset Cemetery were predominantly red—the Senator's favorite color.

All seats in the main sanctuary were reserved for the family, members of the Senator's staff, State and Federal officials, and the press. Public address systems were set up to carry the service to those in other parts of the church and outside the building who were unable to view the rites.

Mr. HOLLAND. Secondly, Mr. President, I ask to have printed the full text of the eloquent and deeply moving eulogy of Senator Hoey which was delivered with the utmost dignity and simplicity by Senator Hoey's pastor and close friend, the Reverend J. G. Huggin, Jr., pastor of the Central Methodist Church.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

From every walk of life and from every quarter of our Nation we are here to express our regard and affection for one who had so sure an instinct for what is good. The best evidences of it are in this town: his unpretentious home on a tree-lined street; his office, plainly and austerely furnished, on a second floor over a store, reached by a flight of outside steps; his happy comradeship with the people of his home community. Especially is his feeling for what is best in life manifest in his human relations. He was one of the great, yet the plainest among us knew the warmth of his interest. So extensive were his powers that he moved with ease among the exalted of the earth; so broad were his sympathies that those of low degree moved with ease with him.

He lived serenely with problems that vex and trouble lesser people. He seemed to have a special gift for simplifying life's complexities. That is not hard to understand when we remember that for him the touchstone of existence was a simple faith in God and His providence. Were we sometimes surprised that while others remained baffled and discouraged, this man could quickly find a solution and never lose his optimism? We can find the answer to his hopeful simplification of life in the religious faith to which he witnessed by regularly teaching his Bible class whenever he was home, and sitting with his family in the common worship of the church. In the measure of his religious faith is to be found the spirit that informed his decisions and dictated his optimism.

To the true and tried he possessed a loyalty that was impregnable to outside allurements. He loved his community, the town of his birth, the friends of a lifetime; he wouldn't move away. He was loyal to his political party. He joined it long ago. He always thought that through it he could best serve his country, be the vagaries of national politics what they may. He loved his church. For him there were no values so lofty as those that reside in the centuries-old message of his red-brick church on the square of his home town.

He has a message for us all, "Hold fast to the simple virtues, be steadfast in your faith in God, and let that be the standard by which all is measured." Let us heed his counsel. In public office as well as in obscure areas where we live out our lives, let us listen once more to his mellow voice. Then shall our fears subside, and we can trust the future, certain that for us and for our country God's destiny will be wrought out.

One is tempted to say, "We shall not see his like again," Yet may we so strive for the best, following his unforgettable example, that about someone here, sometime, somebody will say, "That man is like Clyde R. Hoey." Life can offer scarcely a richer accolade than that.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order of the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF DIRECTOR, FOREIGN OPERATIONS ADMINISTRATION, RELATING TO EAST-WEST TRADE TRENDS

The PRESIDENT pro tempore laid before the Senate a letter from the Director, Foreign Operations Administration, transmitting, pursuant to law, the fourth semiannual report of that Administration, relating to East-West trade trends, for the second half of 1953, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 974. A bill for the relief of certain Chinese children (Rept. No. 1342);

S. 992. A bill for the relief of Apostolos Savvas Vassiliadis (Rept. No. 1343);

S. 1165. A bill for the relief of Paul E. Rocke (Rept. No. 1344);

S. 1382. A bill for the relief of Elie Joseph Hakim and family (Rept. No. 1345);

S. 1902. A bill for the relief of Theresa Elizabeth Leventer (Rept. No. 1346);

S. 1967. A bill for the relief of Paula Neumann Mahler (Paula Neumann Schibuk) (Rept. No. 1347);

S. 1991. A bill for the relief of Esperanza Jimenez Trejo (Rept. No. 1348);

H. R. 1345. A bill for the relief of John Lampropoulos (Rept. No. 1349);

H. R. 1772. A bill for the relief of Kenneth R. Kleinman (Rept. No. 1350);

H. R. 2022. A bill for the relief of Don B. Whelan (Rept. No. 1351);

H. R. 2433. A bill for the relief of the legal guardian of Raymond Gibson, a minor (Rept. No. 1352);

H. R. 3041. A bill to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention (Rept. No. 1353);

H. R. 3109. A bill for the relief of Theodore W. Carlson (Rept. No. 1354);

H. R. 4532. A bill for the relief of Mrs. Ann Elizabeth Caulk (Rept. No. 1355);

H. R. 4961. A bill for the relief of Mrs. James J. O'Rourke (Rept. No. 1356);

H. R. 4996. A bill for the relief of Col. Henry M. Denning, and others (Rept. No. 1357);

H. R. 5772. A bill for the relief of Robert E. Leibbrand and Rose Leibbrand (Rept. No. 1358); and

H. R. 7786. A bill to honor veterans on the 11th day of November of each year, a day dedicated to world peace (Rept. No. 1359).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 914. A bill for the relief of Mark Vainer (Rept. No. 1360);

S. 1900. A bill for the relief of Gertrud Trindler O'Brien (Rept. No. 1361);

S. 1904. A bill for the relief of Ottilie Theresa Workmann (Rept. No. 1362);

S. 1959. A bill for the relief of Mrs. Annemarie Namias (Rept. No. 1363);

S. 2009. A bill for the relief of Mrs. Edward E. Jex (Rept. No. 1364);

S. 3103. A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941 (Rept. No. 1365);

H. R. 1331. A bill for the relief of Mrs. Katherine L. Sewell (Rept. No. 1366);

H. R. 3522. A bill for the relief of Arthur S. Rosichan (Rept. No. 1367);

H. R. 6452. A bill for the relief of Mrs. Josette L. St. Marie (Rept. No. 1368); and

H. J. Res. 455. Joint resolution granting the status of permanent residence to certain aliens (Rept. No. 1369).

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

S. 1889. A bill for the relief of Margot Goldschmidt (Rept. No. 1370).

By Mr. AIKEN, from the Committee on Agriculture and Forestry:

S. 3137. A bill to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act; with amendments (Rept. No. 1371).

(See the remarks of Mr. AIKEN when he reported the above bill, which appear under a separate heading.)

By Mr. EASTLAND, from the Committee on Agriculture and Forestry:

S. 2786. A bill granting the consent and approval of Congress to the Southeastern Interstate Forest Fire Protection Compact; without amendment (Rept. No. 1372).

CONSERVATION OF WATER RESOURCES—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL

Mr. AIKEN. Mr. President, from the Committee on Agriculture and Forestry, I report favorably, with amendments, the bill (S. 3137) to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act, and for other purposes, and I submit a report (No. 1371) thereon.

I ask unanimous consent that the names of the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from South Carolina [Mr. JOHNSTON], the senior Senator from South Dakota [Mr. MUNDT], the Senator from Idaho [Mr. WELKER], the Senator from North Dakota [Mr. YOUNG], the Senator from Kansas [Mr. CARLSON], the junior Senator from South Dakota [Mr. CASE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. JOHNSON], the Senator from California [Mr. KUCHEL], the Senator from Montana [Mr. MANSFIELD], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Wisconsin [Mr. WILEY] be added as cosponsors of the bill.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the names will be added as consponsors of the bill, as requested by the Senator from Vermont.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE

Mr. LANGER. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution favoring the suspension of deportation in the case of certain aliens, and I submit a report (No. 1341) thereon.

The PRESIDENT pro tempore The report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 83) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-7049480, Acuna-Ruiz, Jesus.
A-7194255, Adams, Melsaidis Vanita.
A-7049736, Aguirre, Amparo Perez De.
A-7092581, Aguirre, Antonio Martinez.
A-6732156, Aguirre-Reyes, Guadalupe.
A-7367925, Alfaro-Hernandez, Alfredo.
A-7145096, Allen, Whitley Benjamin.
A-7085963, Alvarado, Juan.
A-7092831, Alvarado, Gertrudis De.
A-7056302, Alvarado, Nemesio.
A-6924791, Alvarado, Maria De La Luz.
A-7044190, Alvarez, Acencion.
A-7044191, Alvarez, Anastacio.
A-7070395, Alvarez-Garcia, Roberto.
A-7354297, Alvarez, Rodriguez, Alberto.
A-5949118, Amaro-Moreno, Refugio.
A-7117577, Amaro, Basilisa Corpus De.
A-7222526, Amozurrutia-Lugo, Salvador.
A-7222539, Almaraz, Juana.
A-7463661, Anda, Celia Luna De.
A-7383364, Anda-Munoz, Jose Trinidad De.
A-7463664, Andrade-Vargas, Socorro.
A-7469341, Angel-Zarate, Ramon.
A-7240160, Angulo, Ercilia Galindo De.
A-7222737, Angulo-Medina, Pedro.
A-7379676, Aponte, Rosario Esteves Frias de.
A-7903287, Aranda, Maria Vasquez De.
A-7903288, Aranda-Vasquez, Romelia.
A-7903289, Aranda-Vasquez, Rogelio.
A-7903290, Aranda-Vasquez, Reynaldo.
A-7203308, Arias-Morales, Isaac.
A-7483202, Arizmendi-Rodriguez, Camilo.
A-7050091, Armendariz, Antonio B.
A-7358658, Armendariz-Rodriquez, Alberto.
A-7890506, Aspeitia-Salmeron, Ines.
A-7070731, Avitia, Francisco.
A-6079368, Ayala, Marcos Garcia.
A-7203384, Balderrama-Tapia, Faustino Humberto.
A-7203385, Balderrama-Lopez, Virginia.
A-7050479, Banuelos, Javier.
A-7050478, Banuelos, Vicente.
A-7070872, Baragas-Pulido, Salvador.
A-7985416, Barclay, Hazel Grace.
A-7886491, Barnes, Izolia Ophelia.
A-7178631, Barragan, Maria Rodriguez De.
A-6844549, Bejarano Luis Robles.
A-7957133, Beltran, Maria De La Luz Aguero De.
A-6855837, Beltran, Samieu.
A-7117989, Benitez, Raul Vasquez.
A-7945420, Bergley, Eva Euphemia.
A-5966283, Berkely, Richard James.
A-7830642, Bernal-Mata, David.
A-7890505, Blyden, Emanuel.
A-6101335, Borrayo-Rodriguez, Manuel.
A-6004182, Branche, Mavis Irene.
A-7189471, Brown, Uriah.
A-7375921, Bueno, Juan.
A-7375923, Bueno, Juan, Jr.
A-7375922, Bueno, Guadalupe.
A-6143848, Cabellera, Sara Torres-Ruiz de.
A-7130758, Cadena, Pablo.
A-8057399, Cajuste, Carmen.
A-9605699, Callwood, Samuel Israel.
A-8017504, Campa-Orozco, Francisco.
A-7137134, Campbell, Odilia Marcela Orane.
A-5882748, Candonoza-Leza, David.
A-6719053, Canton, Milled Idonia.
A-7189167, Cantu, Clara Garcia De.
A-7189253, Cantu-Hinojosa, Francisco.
A-7962138, Cardoso, Petra Caridad.
A-7387463, Cardoza-Perez, Rafael.
A-7058994, Carey, Delroy Samuel.
A-6874893, Carrasco, Americo.
A-6978022, Carrillo, Manuel B.
A-6965018, Campa, Mario Carrillo De.
A-7483469, Cartaya-Martinez, Aleida Leopoldina.
A-7224976, Carter, Dorothy Maud Johnson.
A-7188904, Casillas, Alberto.
A-6811076, Casillas, Enedina Santana De.
A-6929905, Casillas-Alcala, Ramon.
A-6802760, Casillas-Ochoa, Roberto.
A-6988887, Castellanos-Martinez, Pedro.
A-7070740, Castillo, Jose.
A-7874314, Castillo-Castillo, Aurelio.
A-7982039, Castillo-Reyes, Simon.
A-6948174, Castillo, Zenona Martinez de.
A-7112576, Castro, Emma.
A-7886492, Castro, Rafael Aguilar.
A-7127206, Castro-Esquivel, Salvador.
A-7264781T, Cepeda, Margarita Aguirre.
A-6622157, Cera-Ramirez, Jose.
A-7251641, Cerda, Tereso.
A-7476867, Cervera, Gertrudis Beltran.
A-7249825, Cervera-Villafana, Francisco.
A-7365937, Chambers, Alfred Anthy.
A-6373500, Chaparro, Roberto.
A-7049688, Chaparro, Roberto.
A-7049687, Chaparro, Lillia.
A-7049686, Chaparro, Hector.
A-3297406, Chavarria, Genaro.
A-7298510, Chavez, Sigifredo.
A-7873872, Chavez-Calderon, Jose.
A-6755436, Chavez-Marquez, Luis.
A-7050946, Chavez, Roberto.
A-7389923, Chavez-Ortiz, Jose.
A-6509457, Chen, Hubert.
A-5740575, Chinnery, Alton Edwardo.
A-5963583, Chinnery, Isabelita.
A-7983211, Chisholm, Ruth Allen.
A-6046841, Clarke, Cassandra.
A-7439859, Contreras, Felipa Domingues De.
A-6851182, Contreras-Pais, Jesus.
A-6774270, Cordoba, Maria Ines.
A-5998725, Corral-Lopez, Lorenzo.
A-7241651, Cortez-Ruiz, Gonzalo.
A-7372071, Cosio, Maria Torres De.

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A-7240606, Covarrubias-Salgado, Jose.
A-6592052, Cracium, Carmen Rosa.
A-6857769, Crisostomo-Martinez, Francisco.
A-7083971, Cruz, Jose Francisco.
A-7457369, Cruz, Juan De La.
A-7457371, Cruz, Soledad De La.
A-7457370, Cruz, Berta De La.
A-7457372, Cruz, Joaquin De La.
A-6919362, Cruz, Refugia Fernandez de la.
A-7280289, Cruz-Garcia, Anastacio.
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A-7985523, Dominguez, Rosa Emilia Gutierrez y.
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A-7188531, Gonzalez, Juan De Dios.
A-5934065, Juarez, Miguel.
A-7398912, Sifuentes, Exiquio Lopez.
A-7985770, Nisbeth, Carol Lloyd.
A-6402334, Patrice, Lillian Mary.
A-7083988, Sifuentes, Pedro.
A-7439585, Smart, Hubert.
A-6919721, Barreto-Larios, Natividad.
A-7083972, Contreras, Jose Luis.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POTTER:

S. 3464. A bill to amend the Communications Act of 1934 in order to make certain provision for the carrying out of the Agreement for the Promotion of Safety on the Great Lakes by Means of Radio; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

S. 3465. A bill for the relief of Ilona Elizabeth Carrier; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 3466. A bill to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE (by request):

S. 3467. A bill to amend the act entitled "An act to amend an act entitled 'An act to create a Juvenile Court in and for the District of Columbia,' and for other purposes," approved June 1, 1938;

S. 3468. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended;

S. 3469. A bill to amend the District of Columbia Public School Food Services Act;

S. 3470. A bill to permit investment of funds of insurance companies organized within the District of Columbia in obligations of the International Bank for Reconstruction and Development;

S. 3471. A bill to amend section 7 of article I, title V of the District of Columbia Revenue Act of 1939 (53 Stat. 1114, ch. 367; title 47, ch. 16, sec. 1607, District of Columbia Code, 1951), relating to inheritance taxes; and

S. 3472. A bill to amend section 2, article I, title V, of the District of Columbia Revenue Act of 1939 (53 Stat. 1112, ch. 367; title 47, ch. 16, sec. 1602, District of Columbia Code, 1951), relating to inheritance taxes; to the Committee on the District of Columbia.

By Mr. FERGUSON:

S. 3473. A bill to amend title IV of the Veterans' Readjustment Assistance Act of 1952 so as to provide that any person serving in the Armed Forces on or after June 27, 1950, shall be entitled to unemployment compensation benefits subject to such title, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. FERGUSON when he introduced the above bill, which appear under a separate heading.)

TWO ADDITIONAL ASSISTANT SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE

Mr. SALTONSTALL. Mr. President, by request, I introduce for appropriate reference, a bill recommended by the Department of Defense, to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively.

I ask that the accompanying letter of transmittal explaining the purpose of the bill and a sectional analysis be printed in the RECORD, immediately following the listing of bills introduced.

The PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the letter and sectional analysis will be printed in the RECORD.

The bill (S. 3466) to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively, introduced by Mr. SALTONSTALL, by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter and sectional analysis accompanying Senate bill 3466 is as follows:

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
Washington, D. C., May 10, 1954.

Hon. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There are forwarded herewith a draft of legislation, "To provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively," and a sectional analysis thereof.

This proposal is part of the Department of Defense legislative program for 1954; it has been submitted to the Bureau of the Budget which has advised that it would interpose no objection to its submission to the Congress. The Department of Defense recommends enactment of this legislation.

PURPOSE OF THE LEGISLATION

This proposal would provide the organizational authority necessary to implement the recent reorganization of the Department of Defense at the military departmental level (see Reorganization Plan No. 6 of 1953, effective June 30, 1953). It is specifically responsive to the following recommendation of the Interim Report of the Preparedness Subcommittee No. 3 of the Armed Services Committee, dated January 15, 1954 (at p. 24):

"We also recommend that the Secretary of Defense and the departmental Secretaries consider the advisability of creating in the Departments an assistant secretaryship with the single responsibility of financial management, and, if they conclude that the creation of such an office would make more efficient the operation of the Departments, transmit their proposals to the Senate Committee on Armed Services for consideration."

The Departments of the Army, Navy, and Air Force are each comparable in size and the complexity of their operations to the largest of the executive departments of the Federal Government. Under the pattern of administration established pursuant to the National Security Act of 1947, as amended, and Reorganization Plan No. 6, the military departments are administered by Secretaries who have as their principal assistants, in each case, an Under Secretary and two Assistant Secretaries. No specific functions are assigned by statute to the 2 Assistant Secretaries of the Departments of the Army and Air Force; however, 1 of the Assistant Secretaries of the Navy is assigned duties "to aid the Secretary of Navy in fostering naval aeronautics and to perform such functions as the Secretary may direct."

Under the present administration the Assistant Secretaries are utilized, both at the Secretary of Defense and at the military departmental levels, as administrative and supervisory specialists in functional areas. With the exception of a few operations which must be directly supervised by a Secretary, Deputy Secretary, or Under Secretary, it is considered essential that all operations and functional responsibilities of the Department of Defense and of the military departments be supervised by and within the cognizance of an Assistant Secretary. With only two such Assistant Secretaries in each of the military departments, it has been necessary to assign a multiplicity of functions to each. When it is recognized that the basic principle of civilian control over the military departments requires positive supervision by the Assistant Secretaries, it is clear that such a wide distribution of functions seriously impairs the effectiveness of such control at the military departmental level. It is essential to make the present civilian control effective down to the operations of the several military departments, that additional Assistant Secretaries be provided at that level.

It is believed that a logical completion of the established administrative pattern requires that the Assistant Secretary charged with the responsibility for financial management in each of the military departments be so designated by statute and that the Secretary of the military department should have the authority to designate this Assistant Secretary to perform the duties of the Comptroller of the department at such time as such action would appear necessary or desirable in the department concerned.

It is believed that increased efficiency in the administration and operation of the military departments and of the Department of Defense as a whole will result from this legislation. It would permit the Secretaries of the military departments to delegate their civilian responsibilities more effectively and permit a much greater area of specialization and direction in all areas of responsibility.

COST AND BUDGET DATA

This legislation will not involve additional fiscal expenditures. It is believed that the efficiency that will result from the more effective organization of the military departments along functional lines will not only result in sufficient economies to underwrite the cost of this legislation, but will in the long run save substantial appropriated moneys.

Sincerely yours,

R. A. BUDDEKE
(For the Assistant Secretary).

SECTIONAL ANALYSIS OF A BILL TO PROVIDE FOR TWO ADDITIONAL ASSISTANT SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE, RESPECTIVELY

Section 1 (a) amends the Army Organization Act of 1950 (5 U. S. C. 181–4, 181–5) to authorize four Assistant Secretaries of the Army in lieu of two such Secretaries as is now provided by law, and also provides that one of the Assistant Secretaries shall be designated Assistant Secretary for Financial Management. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Army, be designated as the Comptroller of the Department of the Army.

(b) is a technical amendment to subsections (b) and (c) of section 101 of the Army Organization Act of 1950 to reflect that there will be more than two Assistant Secretaries of the Army.

Section 2 authorizes two additional Assistant Secretaries of the Navy, one of whom shall be responsible for budgetary and fiscal matters. They would be in addition to the Assistant Secretary of the Navy (5 U. S. C. 420) and the Assistant Secretary of the Navy for Air (5 U. S. C. 421a) authorized under current provisions of law. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Navy, be designated as the Comptroller

of the Department of the Navy. This section also provides for the order of succession to the Office of Secretary of the Navy in the event of his temporary absence.

Section 3 (a) amends the Air Force Organization Act of 1951 (5 U. S. C. 626–1 and 626–2) to authorize four Assistant Secretaries of the Air Force in lieu of two such Secretaries as is now provided by law, and also provides that one of the Assistant Secretaries shall be designated Assistant Secretary for Financial Management. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Air Force, be designated as the Comptroller of the Department of the Air Force.

(b) is a technical amendment to section 207 of the National Security Act to conform it to this legislation. That section authorizes the establishment of two Assistant Secretaries and this amendment would provide for four.

(c) is a technical amendment to subsections (b) and (c) of section 101 of the Air Force Organization Act of 1951 to reflect that there will be more than two Assistant Secretaries of the Air Force.

INDEPENDENT OFFICES APPROPRIATIONS, 1955—AMENDMENT

Mr. GORE (for Mr. DOUGLAS) submitted an amendment intended to be proposed by Mr. DOUGLAS to the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—AMENDMENTS

Mr. HUNT. Mr. President, I submit amendments intended to be proposed by me to the bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes.

A similar bill was introduced in 1951 and, having been so thoroughly familiar with court conditions in Wyoming, I doubted the necessity of an additional Federal judge in our State. I therefore contacted our United States district judge, T. Blake Kennedy, and on January 26 of 1951 I received from him a letter from which I quote in part:

As to any additional judgeships in the district of Wyoming I could not answer otherwise truthfully than to say that I consider no additional judges are needed at this time in this district. One judge I feel can comfortably take care of the business in the district and perhaps have some additional time to spare to relieve congested other districts.

As you perhaps know, during my nearly 30 years service on the bench I have contributed judicial services to outside districts, as well as on the circuit court of appeals, upon many occasions and do not feel that I have been overworked.

Therefore, Mr. President, when S. 2910 was introduced, I again contacted our United States district judge for Wyoming to see if there had been any material change in the volume of court business since 1951 that indicated at this time an additional judge.

Again I was advised and I quote from a letter by Judge T. Blake Kennedy, addressed to me on May 11 in part as follows:

So far as the judicial business of the Wyoming district is concerned the situation at present would seem to be that one judge is able to take care of all the business of the district even without his time being fully devoted to the task. As a matter of fact, during my tenure of office, which is approaching 33 years, I have been assigned to other districts and to the circuit court of appeals around 75 to 80 times, which outside service has not jeopardized the dispatch of business in my district.

I think it would be the concensus of opinion of the Wyoming State bar that there has been no appreciable delay in the dispatch of the business found upon the dockets of the court.

As a matter of fact, my dockets at the present time, it seems to me, are considerably lighter than they have been at any time since I have been upon the bench. As a matter of fact, there has scarcely been a year in my tenure of office that I have not held court in the Colorado district for at least from one to half a dozen times. On the other hand, the occasions have been few indeed where it has been necessary to send any judge into the Wyoming district and these occasions have occurred usually on account of my decision to withdraw from the trial of a case where I have felt that I might perhaps subconsciously be biased or in litigation where I was interested previous to my appointment to the bench.

I certainly have no personal objections to the appointment of another judge in Wyoming if the Congress in its wisdom feels that it is expedient, but I think it should be fully considered that it is not placed upon the basis of congested dockets which require more judge power in the district.

Mr. President, I am also in receipt of a letter from Judge John C. Pickett, United States Court of Appeals, 10th Circuit, Cheyenne, Wyo., with reference to S. 2910, from which I quote in part:

It is rather difficult to understand why Wyoming was included. I have never heard of any agitation for an additional judge in this district. I am reasonably certain that the Judicial Conference would not find that the work in Wyoming is sufficient to warrant another judge. The members of the Court of Appeals of each circuit ordinarily consider such matters and the Chief Judge then presents the attitude of the circuit judges to the Judicial Conference. We have not considered the matter in our circuit.

Very sincerely yours,

JOHN C. PICKETT.

Mr. President, in 1951 the chairman of the committee was kind enough to write me with reference to the appointment of an additional judge in Wyoming. I do not remember—and I cannot find in my files—having received such a letter with reference to S. 2910. I do not know whom the committee consulted from Wyoming, but I am convinced there is no need for an additional judge in the State of Wyoming at this time.

The PRESIDENT pro tempore. The amendments submitted by the Senator from Wyoming will be received and printed, and will lie on the table.

REQUESTS FOR INCREASED TRANSPORTATION RATES BY COMMON CARRIERS—AMENDMENTS

Mr. SMATHERS. Mr. President, last Friday the Senator from Nebraska [Mr. BUTLER] entered a motion to reconsider the vote by which the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, was recommitted to the Committee on Interstate and Foreign Commerce. On behalf of myself and the Senator from Oklahoma [Mr. MONRONEY], I submit amendments in the nature of a substitute intended to be proposed by us, jointly, to the amendment of the Senator from Ohio [Mr. BRICKER] in the nature of a substitute to Senate bill 1461.

The PRESIDENT pro tempore. The amendments will be received and printed, and will lie on the table.

ORDER OF BUSINESS—CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, I ask unanimous consent that during the call of the calendar, which will occur following the morning hour, Senate bill 42, Calendar 1152, providing for attorneys' liens in proceedings before the courts or other departments and agencies of the United States; and Senate bill 46, Calendar 1248, for the relief of E. S. Berney, be included, inasmuch as an order to that effect, as I understand, was entered at the time of the last calendar call.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, at the request of the Senator from Nebraska [Mr. BUTLER] who had to leave the Chamber, I also ask unanimous consent that Senate bill 3378, Calendar 1276, to revise the Organic Act of the Virgin Islands of the United States, which is the first bill on the calendar call for today, be considered, instead, at the end of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. It is my understanding that except for the bills to which the Senator from California has just referred, namely, Senate bill 42, Calendar 1152, relating to attorneys' liens, and Senate bill 48, Calendar 1248, for the relief of E. S. Berney, no other bills included in the last call of the calendar will be included in the call of the calendar today.

Mr. KNOWLAND. That is correct; today's call of the calendar will, with the exception of those two bills, be begun at the point where the last call of the calendar ended; namely, with Senate bill 3378, Calendar 1276, except that, upon request of the Senator from Nebraska [Mr. BUTLER], that bill will be called last on the calendar today, instead of first.

Mr. HENDRICKSON. I thank the Senator from California.

TESTIMONY AND PRODUCTION OF DOCUMENTS BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON GOVERNMENT OPERATIONS—LETTER FROM PRESIDENT OF THE UNITED STATES

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed

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at this point in the body of the RECORD, as a part of my remarks, a letter written today by the President of the United States, and sent to the Secretary of Defense. I also ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a memorandum from the Attorney General of the United States, that accompanied the letter from the President.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE.

The honorable the SECRETARY OF DEFENSE,
Washington, D. C.

DEAR MR. SECRETARY: It has long been recognized that to assist the Congress in achieving its legislative purposes every executive department or agency must, upon the request of a congressional committee, expeditiously furnish information relating to any matter within the jurisdiction of the committee, with certain historical exceptions—some of which are pointed out in the attached memorandum from the Attorney General. This administration has been and will continue to be diligent in following this principle. However, it is essential to the successful working of our system that the persons entrusted with power in any one of the three great branches of Government shall not encroach upon the authority confided to the others. The ultimate responsibility for the conduct of the executive branch rests with the President.

Within this constitutional framework each branch should cooperate fully with each other for the common good. However, throughout our history the President has withheld information whenever he found that what was sought was confidential or its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation.

Because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations or communications, or any documents or reproductions, concerning such advice be disclosed, you will instruct employees of your Department that in all of their appearances before the subcommittee of the Senate Committee on Government Operations regarding the inquiry now before it they are not to testify to any such conversations or communications or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosures.

I direct this action so as to maintain the proper separation of powers between the executive and legislative branches of the Government in accordance with my responsibilities and duties under the Constitution. This separation is vital to preclude the exercise of arbitrary power by any branch of the Government.

By this action I am not in any way restricting the testimony of such witnesses as to what occurred regarding any matters where the communication was directly between any of the principals in the controversy within the executive branch on the one hand and a member of the subcommittee or its staff on the other.

Sincerely,

DWIGHT D. EISENHOWER.

MEMORANDUM

For: The President.
From: The Attorney General.

One of the chief merits of the American system of written constitutional law is that all the powers entrusted to the Government are divided into three great departments, the executive, the legislative, and the judicial. It is essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall be limited to the exercise of the powers appropriate to its own department and no other. The doctrine of separation of powers was adopted to preclude the exercise of arbitrary power and to save the people from autocracy.

This fundamental principle was fully recognized by our first President, George Washington, as early as 1796 when he said: "* * * it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved. * * *" In his farewell address, President Washington again cautioned strongly against the danger of encroachment by one department into the domain of another as leading to despotism. This principle has received steadfast adherence throughout the many years of our history and growth. More than ever, it is our duty today to heed these words if our country is to retain its place as a leader among the free nations of the world.

For over 150 years—almost from the time that the American form of government was created by the adoption of the Constitution—our Presidents have established, by precedent, that they and members of their Cabinet and other heads of executive departments have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. American history abounds in countless illustrations of the refusal, on occasion, by the President and heads of departments to furnish papers to Congress, or its committees, for reasons of public policy. The messages of our past Presidents reveal that almost every one of them found it necessary to inform Congress of his constitutional duty to execute the Office of the President, and, in furtherance of that duty, to withhold information and papers for the public good.

Nor are the instances lacking where the aid of a court was sought in vain to obtain information or papers from a President and the heads of departments. Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest; they will not interfere with the exercise of that discretion, and that Congress has not the power, as one of the three great branches of the Government, to subject the executive branch to its will any more than the executive branch may impose its unrestrained will upon the Congress.

PRESIDENT WASHINGTON'S ADMINISTRATION

In March 1792 the House of Representatives passed the following resolution:

"*Resolved*, That a committee be appointed to inquire into the causes of the failure of the late expedition under Major General St. Clair; and that the said committee be empowered to call for such persons, papers, and records, as may be necessary to assist their inquiries." (3 Annals of Congress, p. 493.)

This was the first time that a committee of Congress was appointed to look into a matter which involved the executive branch of the Government. The expedition of General St. Clair was under the direction of the Secretary of War. The expenditures connected therewith came under the Secretary of the Treasury. The House based its right to investigate on its control of the expenditures of public moneys. It appears that the Secretaries of War and the Treasury appeared before the committee. However when the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet. (Binkley, President and Congress, pp. 40–41.)

Thomas Jefferson, as Secretary of State, reports what took place at that meeting. Besides Jefferson, Alexander Hamilton, Henry Knox, Secretary of War, and Edmond Randolph, the Attorney General, were present. The committee had first written to Knox for the original letters, instructions, etc., to General St. Clair. President Washington stated that he had called his Cabinet members together, because it was the first example of a demand on the executive for papers, and he wished that so far as it should become a precedent, it should be rightly conducted. The President readily admitted that he did not doubt the propriety of what the House was doing, but he could conceive that there might be papers of so secret a nature, that they ought not to be given up. Washington and his Cabinet came to the unanimous conclusion:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public; consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the head of a Department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President."

The precedent thus set by our first President and his Cabinet was followed in 1796, when President Washington was presented with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and documents relative to that treaty. Apparently it was necessary to implement the treaty with an appropriation which the House was called upon to vote. The House insisted on its right to the papers requested, as a condition to appropriating the required funds. (President and Congress, Wilfred E. Binkley (1947), p. 44.)

President Washington's classic reply was, in part, as follows:

"I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the Government, my constant endeavor to harmonize with the other branches thereof so far as the trust delegated to me by the people of the United States and my sense of the obligation it imposes to 'preserve, protect, and defend the Constitution' will permit." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 194.)

Washington then went on to discuss the secrecy required in negotiations with foreign governments, and cited that as a reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. He felt that to admit the House of Representatives into the treaty-making power, by reason of its constitutional duty to appropriate moneys to carry out a treaty, would be to establish a dangerous precedent. He closed his message to the House as follows:

"As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty; * * * and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard for the Constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 196.)

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PRESIDENT JEFFERSON'S ADMINISTRATION

In January 1807, Representative Randolph introduced a resolution, as follows:

"*Resolved*, That the President of the United States be, and he hereby is, requested to lay before this House any information in possession of the Executive, except such as he may deem the public welfare to require not to be disclosed, touching any illegal combination of private individuals against the peace and safety of the Union, or any military expedition planned by such individuals against the territories of any power in amity with the United States; together with the measures which the Executive has pursued and proposes to take for suppressing or defeating the same." (16 Annals of Congress (1806–1807), p. 336.)

The resolution was overwhelmingly passed. The Burr conspiracy was then stirring the country. Jefferson had made it the object of a special message to Congress wherein he referred to a military expedition headed by Burr. Jefferson's reply to the resolution was a message to the Senate and House of Representatives. Jefferson brought the Congress up to date on the news which he had been receiving concerning the illegal combination of private individuals against the peace and safety of the Union. He pointed out that he had recently received a mass of data, most of which had been obtained without the sanction of an oath so as to constitute formal and legal evidence. "It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 412, dated Jan. 22, 1807.)

SIMILAR ACTIONS BY PRESIDENTS JACKSON, TYLER, BUCHANAN, AND GRANT

On February 10, 1835, President Jackson sent a message to the Senate wherein he declined to comply with the Speaker's resolution requesting him to communicate copies of charges which had been made to the President against the official conduct of Gideon Fitz, late Surveyor General, which caused his removal from office. The resolution stated that the information requested was necessary both in the action which it proposed to take on the nomination of a successor to Fitz, and in connection with the investigation which was then in progress by the Senate respecting the frauds in the sales of public lands.

The President declined to furnish the information. He stated that in his judgment the information related to subjects exclusively belonging to the executive department. The request therefore encroached on the constitutional powers of the Executive.

The President's message referred to many previous similar requests, which he deemed unconstitutional demands by the Senate:

"Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperious duty of resisting to the utmost any further encroachment on the rights of the Executive" (ibid., p. 133).

The President next took up the fact that the Senate resolution had been passed in executive session, from which he was bound to presume that if the information requested by the resolution were communicated, it would be applied in secret session to the investigation of frauds in the sales of public lands. The President said that, if he were to furnish the information, the citizen whose conduct the Senate sought to impeach would lose one of his basic rights, namely, that of a public investigation in the presence of his accusers and of the witnesses against him. In addition, compliance with the resolution would subject the motives of the President, in the case of Mr. Fitz, to the review of the Senate when not sitting as judges on an impeachment; and even if such a consequence did not follow in the present case, the President feared that compliance by the Executive might thereafter be quoted as a precedent for similar and repeated applications.

"Such a result, if acquiesced in, would ultimately subject the independent constitutional action of the Executive in a matter of great national concernment to the domination and control of the Senate. * * *

"I therefore decline a comliance with so much of the resolution of the Senate as requests 'copies of the charges, if any,' in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made" (ibid., p. 134).

One of the best reasoned precedents of a President's refusal to permit the head of a department to disclose confidential information to the House of Representatives is President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them. A resolution of the House of Representatives had called upon the Secretary of War to communicate to the House the reports made to the Department of War by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians together with all information communicated by him concerning the frauds he was charged to investigate; also all facts in the possession of the Executive relating to the subject. The Secretary of War consulted with the President and under the latter's direction informed the House that negotiations were then pending with the Indians for settlement of their claims; in the opinion of the President and the Department, therefore, publication of the report at that time would be inconsistent with the public interest. The Secretary of War further stated in his answer to the resolution that the report sought by the House, dealing with alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate, contained information which was obtained by Colonel Hitchcock by ex parte inquiries of persons whose statements were without the sanction of an oath, and which the persons implicated had had no opportunity to contradict or explain. The Secretary of War expressed the opinion that to promulgate those statements at that time would be grossly unjust to those persons and would defeat the object of the inquiry. He also remarked that the Department had not been given at that time sufficient opportunity to pursue the investigation, to call the parties affected for explanations, or to determine on the measures proper to be taken.

The answer of the Secretary of War was not satisfactory to the Committee on Indian Affairs of the House, which claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberations of the House.

President Tyler in a message dated January 31, 1843, vigorously asserted that the House of Representatives could not exercise a right to call upon the Executive for information, even though it related to a subject of the deliberations of the House, if, by so doing, it attempted to interfere with the discretion of the Executive.

The same course of action was taken by President James Buchanan in 1860 in resisting a resolution of the House to investigate whether the President or any other officer of the Government had, by money, patronage, or other improper means, sought to influence the action of Congress for or against the passage of any law relating to the rights of any State or Territory. (See Richardson, Messages and Papers of the Presidents, vol. 5, pp. 618–619.)

In the administration of President Ulysses S. Grant the House requested the President to inform it whether any executive officer, acts, or duties, and, if any, what, have been performed at a distance from the seat of government established by law. It appears that the purpose of this inquiry was to embarrass the President by reason of his having spent some of the hot months at Long Branch. President Grant replied that he failed to find in the Constitution the authority given to the House of Representatives and that the inquiry had nothing to do with legislation. (Richardson, Messages and Papers of the Presidents, vol. VII, pp. 362–363.)

PRESIDENT CLEVELAND'S ADMINISTRATION

In 1886, during President Cleveland's administration, there was an extended discussion in the Senate with reference to its relations to the Executive caused by the refusal of the Attorney General to transmit to the Senate certain documents concerning the administration of the office of the district attorney for the southern district of south Alabama, and suspension of George W. Durkin, the late incumbent. The majority of the Senate Committee on the Judiciary concluded it was entitled to know all that officially exists or takes place in any of the departments of government and that neither the President nor the head of a department could withhold official facts and information as distinguished from private and unofficial papers.

In his reply President Cleveland disclaimed any intention to withhold official papers, but he denied that papers and documents inherently private or confidential, addressed to the President or a head of a department, having reference to an act entirely executive, such as the suspension of an official, were changed in the nature and became official when placed for convenience in the custody of a public department. (Richardson, Messages and Papers of the Presidents, vol. 8, pp. 378–379, 381.)

Challenging the attitude that because the executive departments were created by Congress the latter had any supervisory power over them, President Cleveland declared (Eberling, congressional investigation, page 258):

"I do not suppose that the public offices of the United States are regulated or controlled in their relations to either House of Congress by the fact that they were created by laws enacted by themselves. It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction, and unembarrassed by any obligation to the Senate as the price of their creation."

PRESIDENT THEODORE ROOSEVELT'S ADMINISTRATION

In 1909, during the administration of President Theodore Roosevelt, the question of the right of the President to exercise complete direction and control over heads of executive departments was raised again. At that time the Senate passed a resolution directing the Attorney General to inform the Senate whether certain legal proceedings had been instituted against the United States Steel Corp., and if not, the reasons for its nonaction. Request was also made for any opinion of the Attorney General, if one was written. President Theodore Roosevelt replied refusing to honor this request upon the ground that "Heads of the Executive Departments are subject to the Constitution, and to the laws passed by the

Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever." (CONGRESSIONAL RECORD, vol. 43, pt. 1, 60th Cong., 2d sess., pp. 527–528.)

When the Senate was unable to get the documents from the Attorney General, it summoned Herbert K. Smith, the Head of the Bureau of Corporations, and requested the papers and documents on penalty of imprisonment for contempt. Mr. Smith reported the request to the President, who directed him to turn over to the President all the papers in the case "so that I could assist the Senate in the prosecution of its investigation." President Roosevelt then informed Senator Clark of the Judiciary Committee what had been done, that he had the papers and the only way the Senate could get them was through his impeachment. President Roosevelt also explained that some of the facts were given to the Government under the seal of secrecy and cannot be divulged, "and I will see to it that the word of this Government to the individual is kept sacred." (Corwin, The President—Office and Powers, pp. 281, 428; Abbott, The Letters of Archie Butt, Personal Aide to President Roosevelt, pp. 305–306.)

PRESIDENT COOLIDGE'S ADMINISTRATION

In 1924, during the administration of President Coolidge, the latter objected to the action of a special investigating committee appointed by the Senate to investigate the Bureau of Internal Revenue. Request was made by the committee for a list of the companies in which the Secretary of the Treasury was alleged to be interested for the purpose of investigating their tax returns. Calling this exercise of power an unwarranted intrusion, President Coolidge said:

"Whatever may be necessary for the information of the Senate or any of its committee in order to better enable them to perform their legislative or other constitutional functions ought always to be furnished willingly and expeditiously by any department. But it is recognized both by law and custom that there is certain confidential information which it would be detrimental to the public service to reveal." (68th Cong., 1st sess., CONGRESSIONAL RECORD, April 11, 1924, p. 6087.)

PRESIDENT HOOVER'S ADMINISTRATION

A similar question arose in 1930 during the administration of President Hoover. Secretary of State Stimson refused to dislose to the chairman of the Senate Foreign Relations Committee certain confidential telegrams and letters leading up to the London Conference and the London treaty. The committee asserted its right to have full and free access to all records touching the negotiations of the treaty, basing its right on the constitutional prerogative of the Senate in the treaty-making process. In his message to the Senate, President Hoover pointed out that there were a great many informal statements and reports which were given to the Government in confidence. The Executive was under a duty, in order to maintain amicable relations with other nations, not to publicize all the negotiations and statements which went into the making of the treaty. He further declared that the Executive must not be guilty of a breach of trust, nor violate the invariable practice of nations. "In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest." (S. Doc. No. 216, 71st Cong., special sess., p. 2.)

PRESIDENT FRANKLIN D. ROOSEVELT'S ADMINISTRATION

The position was followed during the administration of President Franklin D. Roosevelt. There were many instances in which the President and his executive heads refused to make available certain information to Congress the disclosure of which was deemed to be confidential or contrary to the public interest. Merely a few need be cited.

1. Federal Bureau of Investigation records and reports were refused to congressional committees, in the public interest. (40 Op. A. G. No. 8, April 30, 1941.)

2. The Director of the Federal Bureau of Investigation refused to give testimony or to exhibit a copy of the President's directive requiring him, in the interests of national security, to refrain from testifying or from disclosing the contents of the bureau's reports and activities. (Hearings, vol. 2, House, 78th Cong., Select Committee To Investigate the Federal Communications Commission (1944) p. 2337.)

3. Communications between the President and the heads of departments were held to be confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress. (Letter dated January 22, 1944, signed Francis Biddle, Attorney General to Select Committee, etc.)

4. The Director of the Bureau of the Budget refused to testify and to produce the Bureau's files, pursuant to subpena which had been served upon him, because the President had instructed him not to make public the records of the Bureau due to their confidential nature. Public interest was again invoked to prevent disclosure. (Reliance placed on Attorney General's opinion in 40 Op. A. G. No. 8, April 30, 1941.)

5. The Secretaries of War and Navy were directed not to deliver documents which the committee had requested, on grounds of public interest. The Secretaries in their own judgment, refused permission to Army and Navy officers to appear and testify because they felt that it would be contrary to the public interests. (Hearings, Select Committee To Investigate the Federal Communications Commission, vol. 1, pp. 46, 48–68.)

PRESIDENT TRUMAN'S ADMINISTRATION

During the Truman administration also the President adhered to the traditional executive view that the President's discretion must govern the surrender of executive files. Some of the major incidents during the administration of President Truman in which information, records and files were denied to congressional committees were as follows:

Date and type of document refused

March 4, 1948: FBI letter-report on Dr. Condon, Director of National Bureau of Standards, refused by Secretary of Commerce.

March 15, 1948: President issued directive forbidding all executive departments and agencies to furnish information or reports concerning loyalty of their employees to any court or committee of Congress, unless President approves.

March 1948: Dr. John R. Steelman, confidential adviser to the President, refused to appear before Committee on Education and Labor of the House, following the service of two subpenas upon him. President directed him not to appear.

August 5, 1948: Attorney General wrote Senator FERGUSON, chairman of Senate investigations subcommittee, that he would not furnish letters, memorandums, and other notices which the Justice Department had furnished to other Government agencies concerning W. W. Remington.

February 22, 1950: Senate Resolution 231, directing Senate subcommittee to procure State Department loyalty files was met with President Truman's refusal, following vigorous opposition of J. Edgar Hoover.

March 27, 1950: Attorney General and Director of FBI appeared before Senate subcommittee. Mr. Hoover's historic statement of reasons for refusing to furnish raw files approved by Attorney General.

May 16, 1951: General Bradley refused to divulge conversations between President and his advisers to combined Senate Foreign Relations and Armed Services Committees.

January 31, 1952: President Truman directed Secretary of State to refuse to Senate Internal Security Subcommittee the reports and views of foreign service officers.

April 22, 1952: Acting Attorney General Perlman laid down procedure for complying with requests for inspection of Department of Justice files by Committee on Judiciary. Requests on open cases would not be honored. Status report will be furnished. As to closed cases, files would be made available. All FBI reports and confidential information would not be made available. As to personnel files, they are never disclosed.

April 3, 1952: President Truman instructed Secretary of State to withhold from Senate Appropriations Subcommittee files on loyalty and security investigations of employees—policy to apply to all executive agencies. The names of individuals determined to be security risks would not be divulged. The voting record of members of an agency loyalty board would not be divulged.

Thus, you can see that the Presidents of the United States have withheld information of executive departments or agencies whenever it was found that the information sought was confidential or that its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation. The courts, too, have held that the question whether the production of the papers was contrary to the public interest, was a matter for the Executive to determine.

By keeping the lines which separate and divide the three great branches of our Government clearly defined, no one branch has been able to encroach upon the powers of the other.

Upon this firm principle our country's strength, liberty, and democratic form of government will continue to endure.

THE CRISIS IN SOUTHEAST ASIA—ARTICLE BY SENATOR WILEY

Mr. WILEY. Mr. President, the other day the International News Service asked me for a statement with respect to the problem of southeast Asia. I prepared an article, which was printed in the newspapers this morning.

I send to the desk the text of the statement and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CRISIS IN SOUTHEAST ASIA

The crisis in southeast Asia involves a turning point in the history of collective security against Communist aggression.

The crisis must be successfully met if we are to prevent the Soviet Union from swallowing up that entire region of the globe and thereby, tipping the balance on the world scale heavily in communism's favor.

I suggest eight minimum principles as a basis on which we should try to meet this crisis:

1. It is essential that there be joint defensive action by the freedom-loving powers. Unilateral—independent—action on the part of the United States would be suicidal.

2. Southeast Asia cannot be saved by nonsoutheast Asian powers. It can only be saved by the native peoples themselves, announcing their determination to resist aggression and then backing up that determination with actions.

3. The free native armies in that area—in countries like Thailand and Burma—are comparatively very weak in relation to the Chinese Red army to the north and in relation to the Reds' ability to supply Communist rebel forces. Therefore, the United States must prepare to furnish speedily and

effectively, considerable quantities of arms to these free native peoples, as well as technicians and training personnel.

Our experience in Korea proves, however, that the arming of free native populations is comparatively inexpensive—in Korea it was one twenty-fifth of the cost of a comparable United States division.

4. No matter how well we may help equip the limited forces of the area, there must be some form of specific, militarily feasible commitment in which the Western Powers will join so as to prevent further territorial aggression in southeast Asia.

Such a commitment inevitably involves the risk that United States forces may some day have to be used in the event the Communists choose the course of aggression. But it is infinitely a greater risk to do nothing than it is to do something in a careful multilateral form, and in time.

5. The problem in southeast Asia is more political and economic than it is military. No army, however large, can totally subdue a native population which is hostile to it and/or largely sympathetic to a guerrilla force. In South Korea, a gallant, loyal people stood solidly with the West. It was willing, if necessary, to fight with sticks and stones to defend itself against the Communists. The Korean Republic knew that our cause was its cause, just as we knew that Korea's cause was our cause.

So too unless steps are taken—of a broad social, economic and political nature to assure the mass voluntary allegiance of the native populations, particularly in the areas still emerging from colonialism, all of our defense efforts may prove in vain.

6. Our capacity for massive instant retaliation—at places of our own choosing—must still remain our principal deterrent against Communist aggression.

Our intercontinental bombing force with A-bomb and H-bomb weapons, must be constantly perfected.

7. At the same time, B–52 bombers cannot win all by themselves the sort of jungle and rice paddy war such as has been going on in Malaya and Indochina. Availability of sufficiently trained ground troops is essential.

The United States must continue therefore, to take fresh looks at its defense establishment in order to make sure that it has not put all of its eggs in one basket.

8. We must continue to keep in mind the need to avoid, if at all possible, having American troops sucked into brush wars which may dissipate our strength—bleed us without bleeding the Kremlin.

Nevertheless we must not abandon areas—one by one—or en masse, and thereby repeat the tragic pattern which occurred in the 1930's as Hitler gobbled up more and more people and real estate.

From all of the above, we see that there is no single, absolute formula which can answer our complex problem in southeast Asia or, for that matter, anywhere else in the world.

Our foreign policy must be based upon a constant weighing of changing factors in a fast changing world. We must weigh all the advantages and disadvantages of particular actions, the effects of each action on our enemies, on our friends, and on the neutrals.

Meanwhile anybody who tells you that the United States can get along without our allies or without any understanding among the neutral powers is talking through his hat.

Affairs have become so interrelated that a single event—anywhere—can cause a whole chain reaction of consequences everywhere. What happens in Indochina affects the French National Assembly in Paris, which affects the situation in London and in Morocco, which affects the problem in Malaya, which affects the situation in New Delhi, Karachi, etc.

So to ingnore the direct and indirect results of our actions is sheer folly. And for some people to talk as if we could ignore Britain's and France's position and reaction is as absurd as if we were to go to the opposite extreme and talk as if Britain and France could have an absolute veto over our own action.

In summary, the crisis is not the crisis of southeast Asia. It is the crisis of the free world.

FUNDS FOR VOCATIONAL EDUCATION

Mr. WILEY. Mr. President, I was pleased to hear from Mr. Clair M. Blakely, assistant executive secretary of the Wisconsin Council of Agriculture Cooperative, regarding one of the most significant appropriation phases now being considered by the Congress. I refer to aid under the George-Barden Act for vocational education and, in particular, for agricultural education.

To my way of thinking, it would be exceedingly poor judgment to sacrifice the vocational education program at the very time when our country has run into certain economic difficulties, particularly in connection with farming.

I pledge my own continued efforts for adequate implementation of the George-Barden program.

I ask unanimous consent that the text of Mr. Blakely's letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WISCONSIN COUNCIL OF AGRICULTURE COOPERATIVE,
Madison, Wis., May 12, 1954.

Hon. ALEXANDER WILEY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: I am writing at this time in regard to hearings which have already started or are about to start in the Senate on the vocational item. In speaking of the vocational item, I refer to the $1,173,261 decrease proposed in the President's budget message for aid to vocational education. Nowhere in the budget message was there given a specific reason or justification regarding the proposed cut. Many vocational leaders and friends of the program are greatly concerned with the apparent trend of events.

Vocational education in agriculture would, of course, share in the cut in funds for vocational education. It is expected that if this small cut in the funds for vocational education is accepted, further cuts will be made until the entire appropriation is eliminated. It is unlikely that an unsubsidized program of vocational education can or will exist in the schools of Wisconsin in competition with a heavily subsidized program outside the schools.

It is my opinion that the financial support for vocational education at the Federal level is under attack. This does not mean that the program itself is under attack. It is very difficult to obtain even one derogatory statement from any source concerning the program of vocational education. We feel here in Wisconsin that the gradual elimination of Federal funds would cause the disintegration of a sound, nationwide program.

Wisconsin is a great agricultural State. Yes, and a great industrial State. In agriculture and in industry we need to increase rather than to decrease the amount of training possibilities available to our people. To better prepare a man for his future is to better prepare our State and Nation for the trying adjustments that lie ahead.

The House has already approved $43,600,000 for extension service (a 23.2 percent increase) and $83,265,708 for agricultural research (nearly a 10 percent increase). Vocational education should be considered a service entity to augment and supplement the services mentioned above. Vocational education should be able to serve in an expanded capacity. It does and will add to the overall educational program in the United States.

Vocational education should not be curtailed in any way. Rather it should be increased so that it might better perform its work in the realm of educational needs. To increase the valuable contributions of vocational education the need is for more funds rather than for less.

It is, therefore, my recommendation and the recommendation of Milo K. Swanton and the entire membership of the Wisconsin Council of Agriculture Co-operative that serious consideration concerning this matter be taken by you and that you suggest and back a recommendation that the Federal funds for vocational education be increased to the full 29.3 million authorized by the George-Barden Act.

Sincerely yours,
CLAIR M. BLAKELY,
Assistant Executive Secretary.

NORWEGIAN INDEPENDENCE DAY

Mr. THYE. Mr. President, the people of Norway and their descendants throughout the world have set aside May 17 as a special day. "Syttende Mai," as the Norwegians called their independence day, marks the anniversary of the signing of the Constitution of Norway. This historic event took place at Eidsvoll on May 17, 1814.

Today we observe the 140th anniversary of Norway's Constitution Day. It is an occasion worthy of note.

Sturdy independence, which stems from their Viking ancestry, is a well-known characteristic of the Norwegian people. They are a nation of adventurous seafaring men, but they have been equally courageous in exploring ways to achieve mankind's aspirations for peace and justice. Their love of freedom was illustrated in their resistance and courage during the Nazi domination of Norway during World War II. Since the war, the people of Norway have ably participated in the United Nations, and they have shared in the collective efforts of the free nations.

The first group of Norwegian immigrants arrived in New York on October 9, 1825. Today approximately 1 million persons of Norwegian origin are in the United States. Nearly one-fourth of that total number reside in my own State, and Minnesota can lay claim to having the largest number of citizens of Norwegian extraction of any State of the Union.

Americans of Norwegian descent have given much toward the things that make for a better life here in the United States. They have enriched our common life by their culture, their music, their industry, and their high moral and religious standards. They have made an especially large contribution in citizenship and public service. They have been most effective leaders in government and strong believers in American ideals of liberty.

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It is fitting that we should recognize historic events which have helped to preserve the ideals of free government—government by the people.

Norway's Constitution Day—May 17—is a day which all Americans are proud to recognize, and I am especially so, since Norway was the mother country of both my mother and father.

THE FEDERAL RESERVE SYSTEM

Mr. BUSH. Mr. President, I have before me an editorial entitled "The Federal Reserve Looks at Itself," published in the New York Journal of Commerce for Friday, May 14, 1954. The editorial commends the Federal Reserve Board for a booklet which has recently been published, entitled "The Federal Reserve System—Its Purposes and Functions." Concerning the booklet, the editorial states, in part:

It fulfills extremely well its avowed purpose of fostering a better public understanding of the System, although the technical nature of the subject matter necessarily deprives it of a strictly popular appeal.

A few days ago Representative WRIGHT PATMAN took exception to the issuance of this booklet. He said:

The book that is gotten out, which I have just mentioned to you, Purposes and Functions of the Federal Reserve System, is written in language that I think very few people would understand.

In this book, at the end, it is stated:

"Copies of this book, the Federal Reserve System, Purposes and Functions, may be secured without charge either individually or in quantities for classroom and other use."

In other words, it is used in this sense as propaganda for the Federal Reserve System. I cannot point to any direct misstatements in the book. It is not what they say that is so wrong, it is the inference that is left and the things that are left unsaid.

Representative PATMAN has been using the Federal Reserve Board as a "whipping boy" for a long time, and I think it is very unfortunate that he does so, because it is a very important organization as well as a very sensitive one. There is much too little known about it. I wish to commend the Federal Reserve System for having published this important booklet. Far from hoping that it will not be read and understood, I hope it will have the very widest possible circulation, not only among Members of Congress, but among schools, colleges, and other institutions, because the Federal Reserve System is such an important organization in the economic life of this country that we cannot know too much about it. We cannot know enough about it. We know far too little about it.

Mr. President, I ask unanimous consent that the entire editorial to which I have referred, from the New York Journal of Commerce, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FEDERAL RESERVE LOOKS AT ITSELF

A third edition of the Federal Reserve System, a book prepared for the Board of Governors by its staff, is now in process of distribution. As the Eisenhower administration is relying heavily on monetary and credit policy to stabilize the economy, this revised edition will be welcomed as a particularly timely exposition of the purposes and functions of the System.

A chapter dealing with the influence of reserve banking on economic stability, not covered in the earlier editions of the book, will be especially helpful to those seeking a better understanding of the economic effects of changes in credit policy.

This chapter explains with commendable objectivity why and how a tightening or easing of credit resulting from Federal Reserve action influences lending, spending, and saving, and may contribute to economic stability.

No extravagant claims, however, are made for the efficacy of credit control as a stabilizer. On the contrary, we are told that whether a tightening or an easing of credit will find a response in the demand for credit depends on the existence of a fringe of borrowing or potential borrowing. Under some conditions, it is stated, this borrowing fringe may be very limited, especially in case of a serious business recession following an inflationary boom that has too far anticipated future needs. At such times, potential borrowers may become discouraged and fail to respond to offers of cheaper credit.

The Reserve Board concludes, therefore, that the ability to combat a recession with credit and monetary action depends in large part on the extent to which restrictive credit action has been taken in the preceding boom so as to leave an unsatisfied fringe demand for credit, as well as on how early and aggressively the easing action occurs after a downturn.

In the present edition, also for the first time, the Board's study devotes a chapter to interest rate changes, and the effect on long-term as well as short-term interest rates of tightening or easing credit.

Again a warning is voiced that the extent of changes in interest rates, which are of many kinds and applicable to various kinds of loans and investments, is conditioned by such factors as the general state of the economy, the causes and the strength of credit demands, the temper of the business community, and the organizational character of the credit and investment markets.

In brief, there is no easy way, no single test to guide Federal Reserve officials in the conduct of credit policy. Decisions should be based on a comprehensive study of the current business and financial situation; and unless the analysis is sound and the time set for action right, credit policy cannot be counted on to further general economic stability.

On the basis of more extensive experience in the selective credit field since the 1947 edition of the Federal Reserve System appeared, the revised chapter dealing with selective credit regulation concludes with a significant résumé of the conditions regarded by the Federal Reserve Board as essential for effective use of this type of credit control.

Among these conditions the following are included: the regulated area must be of sufficient size and importance to the economy to make its regulation a telling reinforcement of general credit measures; the credit flow in the area must be responsive to practical adjustments in terms of lending; trade practices should be sufficiently standardized to permit continuation of established procedures; and the contribution of selective regulation to the overall credit and monetary situation should be substantial enough to outweigh the burdens imposed on both the regulated and administrative agencies.

Judgment concerning the value of regulation of real-estate credit is avoided on the ground that the experiment was too brief to determine its effectiveness.

Another commendable addition to the book is the separate chapter on supervision of banks by the Federal Reserve—a function deserving of much more than the passing comment it received in preceding editions. For, despite an assertion in the 1954 edition that bank supervision cannot and should not be used for the purpose of enforcing the System's general credit policy by compelling member banks to restrict credit in times of inflationary boom or to extend credit in times of general recession, bank supervision, which includes bank examination, inevitably influences to some extent bank lending policies. Indeed, it has at times been a credit control instrumentality of prime importance.

The 1954 edition of the Federal Reserve System, as well as its predecessors, avoids both the oversimplification of exposition that misleads and the theoretical hair splitting that confuses the average intelligent reader. It fulfills extremely well its avowed purpose of fostering a better public understanding of the System, although the technical nature of the subject matter necessarily deprives it of a strictly popular appeal.

A study of the book by great numbers of instructors and young people in our colleges and universities where it is being distributed will certainly give them an insight into the operations of the System, its powers and its limitations as one of the instrumentalities or forces that may help to reduce economic fluctuations.

HOSPITALIZATION OF PARAPLEGIC VETERANS IN CALIFORNIA

Mr. KUCHEL. Mr. President, of all the citizens of our country, it is to the paraplegic veterans that the hearts of Americans go out. In the State from which I come, there are 200 paraplegic veterans now in the veterans' hospital at Long Beach, Calif. They appreciate the work done by members of the Senate Committee on Appropriations, which a few days ago included in the independent offices appropriation bill an appropriation of $8 million to build modern hospital facilities there for the care of paraplegic veterans and for other veterans who are hospitalized and are receiving treatment there.

I have before me a tragic story of the conditions at the Veterans' Administration hospital at Long Beach, Calif., which appeared in the Los Angeles Examiner under date of May 10.

I have also an editorial published in the same estimable newspaper the next day. Both the article and the editorial should be required reading for Members of the Senate prior to the time they will be called upon to vote on the action taken by members of the Senate Committee on Appropriations relative to that hospital. I commend to my brethren in the Senate the reading of the article and editorial. I ask unanimous consent that both be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Examiner of May 10, 1954]

VA HOSPITAL AT BEACH TERMED FIRE HAZARD—ONE THOUSAND THREE HUNDRED PATIENTS LIVE IN CROWDED UNITS—AID FROM CONGRESS AWAITED TO ELIMINATE DANGERS

(By Marjorie Driscoll)

At Long Beach Veterans' Administration Hospital doctors and nurses, staff, and patients are fervently hoping that after long months of patience under almost intolerable conditions, relief is in sight.

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It will come if Congress, before recessing possibly about the end of June, approves a proposed $8,000,000 appropriation for the first of two new units at the hospital.

The 4-wing unit would start the replacement of the crowded, utterly inadequate, fire-vulnerable wards that were built during the war as temporary units and have been used ever since.

These temporary wards cling to the rear of the main building like shabby, timeworn, dilapidated freight cars hitched to a de luxe limited.

MANY OF 1,300 PATIENTS HELPLESS

Only, the freight they carry is some 1,300 patients, many of them helpless to aid themselves in any emergency.

In the temporary wards are:

All the paraplegic patients, some 200 of them.

All the neurological cases—the psychiatric cases, the aphasia victims, seniles, and many others.

All the tubercular cases.

All the cardiac cases.

Many medical, orthopedic, and other cases.

In the big main building—which is all that many people ever see as they pass—is room for only 289 patients, with space for some of the laboratories, offices, surgeries, and the like.

The temporary buildings are constructed largely of plywood and wallboard—not even of stronger materials.

If fire struck, perhaps some night—

"God help us," said a hospital official.

The menace of fire is not the only nightmare; not the only reason for the hope that the work for the appropriation, so ably launched and now being ably steered by California Senators and Representatives, will be crowned with success.

STEEP RAMPS ARE ONLY EXITS

There are things like this:

Steep wooden ramps as the only exit to outdoors from wards where bedfast patients are housed; ramps so steep that the strength of nurses and ward attendants is taxed to push gurneys—rolling stretchers—up and down them; so steep that wheelchair patients cannot get up them without help and occasionally a wheelchair runs away downhill.

Buildings resting on piers instead of proper foundations.

Plumbing so old and worn that underneath many buildings there is a constant drip from leaky iron pipes; plumbing so impossible to repair that sick men are kept awake at night by the noise in the pipes.

Wards so crowded that a busy hour looks like freeway traffic, so that wheelchairs, tray-carrying attendants, medicine carts, all the people and equipment needed by the patients, must wriggle a way through the jam.

Wards without storerooms in which to keep such things as spare equipment, even laundry bags, so that they have to be stacked in the open and nurses, trained in hospital neatness and efficiency, nearly lose their minds trying to keep things in order.

A heating system so inadequate that although wards can be kept warm, corridors are cold.

Floors of bare boards or worn tile that are impossible to keep adequately clean.

Roofs that leak.

Dining rooms, therapy rooms, canteen, other facilities, located so far from wards that wheelchair patients have to wait for someone to wheel them, even to meals—or eat from a tray.

The long road from ward to surgery leading through open entrances to the corridors, so that a patient is exposed to cold.

Completely inadequate quarters—treatment rooms, laboratories, even offices—for such distinguished men as Dr. Ernest Bors, tops in the field of paraplegia.

"JUST GIVE US DECENT HOSPITAL"

Dr. E. V. Edwards, hospital manager, is a quiet man not easily moved to vehemence, but his fists clench and his voice rises, when he says:

"I want to get these patients out of these dirty, filthy wards and into a decent place where they can have the care they deserve. Never mind the frills—we'll provide them somehow.

"Just give us a decent hospital."

It is not the fault of the maintenance staff that Dr. Edwards has to use such adjectives. The maintenance crews work hard, do their best. They can't work miracles.

As a matter of fact, through good management, the Long Beach hospital stands the lowest in per diem cost of any Veterans' Administration hospital. With decent quarters, there could be a saving even from that figure.

But now, if public support swings behind the work of such men as Senators WILLIAM F. KNOWLAND and THOMAS H. KUCHEL and Representatives JOHN PHILLIPS, CRAIG HOSMER, CLYDE DOYLE, CARL HINSHAW, JOE HOLT, CECIL KING, and others, the long-held hope may be realized.

It is proposed to add to the independent offices bill an amendment providing the necessary $8 million for the construction of 4 wings (approximately 670 beds) on the west side of the present permanent buildings, with a duplicate program proposed for next year.

The independent offices bill passed the House without the hospital amendment but with an understanding that the amendment would be added in the Senate, if possible.

Late word from Washington is that Senator LEVERETT SALTONSTALL, chairman of the Senate Appropriations Committee, and Representative JOHN PHILLIPS, chairman of the House Appropriations Committee, have an informal agreement that the amendment will be put in when the measure is considered by the Senate committee.

If it stays—and indications are that it will—the next steps would be approval by the Senate and acceptance by House conferees.

This would be the final triumph of the movement sparked nearly 2 years ago by the Paralyzed Veterans Association, led by Ted Anderson—himself a quadraplegic since he was wounded in France 10 years ago, long a hospital patient.

In the campaign now are enlisted the city of Long Beach veterans' organizations—the American Legion, AMVETS, Disabled American Veterans, Veterans of Foreign Wars, and others—every group that has worked with or at the hospital, many, many more.

The need has been stressed by Harvey Higley, Veterans' Administrator, and by Adm. J. T. Boone, Chief Medical Director of the VA.

And the vital importance of the appropriation called for in the proposed amendment has been recognized by thousands of persons who have urged their Congressmen to act.

With the situation near its climax, there is need for still more public demand that the action, so far ably pushed by farseeing men, should not be permitted to fail.

"Give us a decent hospital," says Dr. Edwards.

It isn't much to ask.

[From the Los Angeles Examiner of May 11, 1954]

END THIS DISGRACE

Exposure by the Examiner of the squalid, congested, and unsafe conditions under which 1,300 patients exist at the Long Beach Veterans' Administration Hospital points to an intolerable reproach on the Nation's conscience.

These men were crippled in the service of their country.

They deserve and should have the finest facilities a rich and generous government can provide.

But they, as well as the able and devoted staff that now cares for them, ask only for adequate hospitalization.

It can be had for $8 million right away if an amendment to the independent offices bill is expedited through Senate and House Appropriation Committees.

The California delegation in Washington is already moving strongly to assure passage of the bill.

Southern California Representatives of both parties have joined their efforts: Republicans HOSMER of Long Beach, PHILLIPS of Riverside, HINSHAW and HOLT of Los Angeles; Democrats DOYLE of Southgate and KING of Inglewood.

Senators KNOWLAND and KUCHEL are pressing the matter in the senior Chamber.

No one who read the fine article by Marjorie Driscoll in yesterday's Examiner, describing the conditions at the hospital, can doubt the need for immediate action.

Dr. E. V. Edwards, who manages the Long Beach institution, tersely tells what is wanted:

"Get the patients out of these dirty, filthy wards and into a decent place where they can have the care they deserve. Never mind the frills. Just give us a decent hospital."

That is the very least that could be asked, or given. It is far below what is due men struck down in their youth, defending a country whose wealth supports millions in foreign lands.

Citizens should write personally to their Senators and Representatives, join the campaign of the American Legion, Veterans of Foreign Wars, AMVETS, and Paralyzed Veterans Association, or the many volunteer groups that work with or at the hospital.

Time is of the essence, for Congress may adjourn on June 30.

And it is unbearable to think helpless boys should be forced to stand 1 minute longer than is absolutely necessary what they now must endure.

ADDRESS DELIVERED BY DEPUTY SECRETARY OF DEFENSE ROBERT B. ANDERSON AT NATIONAL ARMED FORCES DAY DINNER HELD IN WASHINGTON

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of an address delivered by the Deputy Secretary of Defense, Robert B. Anderson, at the National Armed Forces Day Dinner, held at the Hotel Statler, Washington, D. C., on Friday, May 14, 1954.

I am confident that Representative SHORT, of Missouri, chairman of the Armed Services Committee of the House, who was present, feels as I do, in my capacity as chairman of the Committee on Armed Services of the Senate, that the Secretary's speech was a very clear exposition of the fundamental difficulties and problems which today the United States faces as the leader of the free nations of the world. It was a very clear, forceful, and optimistic speech, which bespoke the responsibilities confronting our country today.

I ask unanimous consent that the speech may be printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Every worthwhile policy, plan, or undertaking has its roots in certain professions of faith about the conditions under which it may be expected to work. They are professions of faith in the sense that while we cannot certainly prove them true, yet by everything we know we have a right to assume that they are true, and to base our actions upon them. Confronted with the great central issue of Soviet imperialism, we and the other countries of the free-world community have come to predicate all our policies and actions on two fundamental, and optimistic, assumptions.

First, there is the assumption that peace is a realistic possibility in our world. Of necessity, our thinking and planning must also take into consideration the possibility of war, but the important thing to note here is that we are not planning as though there were no alternative to war. We would not deliberately choose war as a means to accomplish our objectives; we will not avoid it if our liberties cannot otherwise be saved. Our preparations are not geared to the supposition that war is inevitable. Our fundamental assumption is that we can have peace even in this distraught and disordered world that we live in, even in the presence of an aggressive world power whose leaders are by every last element of their philosophy the enemies of our purposes and hopes and dedicated to the destruction of our liberal traditions.

Now you may well ask how we may assume a condition of peace in which a militant aggressive power is actively and irrevocably committed to world domination. Some of the answers, I think, lie in an understanding of the part played by war in the pursuit of national objectives.

Every nation, up to the point of commitment to outright war, has certain choices in the means it uses to gain its objectives. Military force is one of these means, just as political, economic, and ideological pressures are means for the settlement of international conflict. The continuing, inevitable factor in human affairs is not war but conflict, conflict which may be as simple as a difference of opinion or as complex as the cultural differences which are the product of 10,000 years of living. This conflict may be national or international. It arises as the logical consequence of changing conditions and competitive interests. It may be waged with words, by diplomacy or at every level on the scale of violence and in every field of human endeavor.

While war necessarily implies conflict, history is rich in examples of conflict without war, conflict resolved by some of the many instrumentalities other than physical violence which are available to nations in the conduct of their international affairs. Thus, it is that some of the difficulty of choosing our course of action stems from the tendency to equate conflict, which is inevitable, with war, which is not.

The second fundamental assumption underlying our actions is that a society of free men is more enduring than totalitarian regimentation and a slave state. This is indeed a profession of faith, for if we do not believe, deeply and earnestly, that our way of life represents the greatest hope on earth for mankind, if we do not believe our democratic society to be the most vital and enduring yet devised, then much of what we do has lost significance. We must be willing to believe that our free society, with all its inconsistencies, its divisions, and its apparent indecisiveness, is capable of thriving in today's jungle world, capable in the long run of winning the battle for the minds of men. In dealing with the problems at hand, short spans of time loom ominously important; over the span of generations, where the best fragments of man's intellect and society achieve immortality, time is on our side.

These two fundamental assumptions—the belief in the possibility of peace and in the vitality of our society—underly our entire position in international affairs. Their imprint may be seen on all our policies; their flavor may be detected in all our actions. They strongly influence our military policies and the posture of our defense.

Simply stated, it is the purpose of our military power to maintain a supremacy of force capability over any nation, but to so direct the actions which give it force as to hold immobilized the military power of Soviet-led communism, and by so doing to force the settlement of issues between us out of the dangerous and inconclusive sphere of physical violence. We are arming to deter, to neutralize, to render unprofitable the use of physical force by the Soviet, either for territorial aggression or for the purposes of exerting political or psychological pressure. To the extent that it is possible to do so, it is our purpose to isolate and impound Soviet military might as a critical factor in the current crisis, to the end that the Soviet regime is forced to seek the resolution of issues in the nonviolent fields of political, economic, and ideological endeavor.

This done, we shall be able to meet the Communists on grounds where we hold the advantage; where, despite surface appearances, we are stronger than they. Think, just for a moment, about the things we have to offer the rest of the world—things which the Communists, by the very nature of their evil system, will never be able to match: liberty, justice, economic opportunity in a society decent enough and gracious enough to allow plain, ordinary people to pursue the objects of their earnest hopes and desires.

We offer these values within the concept of a world community of sovereign, independent nations. We recognize that the fundamental principle of self-determination for nations and peoples is simply the logical extension of the principle of liberty for the individual.

The end product of our system is a better kind of life for the humble—not more exalted privileges for the mighty. How history and modernity lend themselves to comparison. Behold the Roman Empire—a thing of tremendous power, of great material strength, and which afforded a very comfortable standard of living, but only for the privileged few. Witness how the Soviet Empire in our own day is also a thing of tremendous power, of great material strength, and it too affords a very comfortable standard of living, but only for the few favored members of the regime and the Communist Party.

Not only has the Soviet regime extinguished liberty among its own luckless people, but it has by force and connivance fastened the shackles of colonialism upon many nations whose people had no cultural ties whatever with the Russian people, who hate the Soviet regime, and whose true status is now that of political vassalage within a giant new colonial system. Since 1939 the Soviet colonialism has forced its alien rule upon the peoples of Lithuania, Latvia, Estonia, Poland, Czechoslovakia, Bulgaria, Hungary, Rumania, Albania, East Germany, Outer Mongolia, and North Korea. And it probes relentlessly at the defenses of those free nations who still remain outside its grasp.

The substantial end product of both the Roman and the Soviet systems of colonial tyranny was abject poverty, brutal oppression, and a complete dehumanization of the entire social structure. In the end, the Roman Empire fell, just as the Soviet Empire will fall, a victim of its own excesses and social irresponsibility. When the history of mankind is finally written the story of Soviet imperialism and exploitation will stand among its cruelest episodes.

In every policy that is designed for real achievement there are some risks involved. There are risks attached to any policy whose purpose it is to protect our freedom against the designs of a powerful and greedy adversary. But the risks of a policy of restrained firmness are, we believe, far less than the risks of a policy of unrestrained weakness.

War, as I mentioned, is one means to an end, a means which a nation may or may not choose to undertake to gain its objectives. In the hands of an aggressor, war is a closely controlled, coldly calculated profit-and-loss endeavor. Within the past 40 years it has become more and more a terribly extravagant and risky way to gain objectives. History clearly shows that this fact is not lost upon the men of the Kremlin. Where confronted with firmness and resolution, they temporize and bargain; where they encounter weakness and indecision they move forward with callous disregard for principle or promise. Thus in strength and firmness we have successfully met Soviet aggression in Azerbaijan, in Greece, in Berlin, in Western Europe.

Our lack of announced firm determination in Korea led to war, in which our record of successes and our actions strange to the ways of America's historical example have been almost a mirror image of the vagaries of our policy between strength and weakness.

Looking back to the period between the two world wars, we are now able to see that the long period of totalitarian quiescence was due not to Communist and Fascist benevolence but to European stability. As the power of the totalitarians increased, both in Europe and Asia, the forces of aggression began their march across the world—first in China, then in Ethiopia, next in Czechoslovakia, then in Poland, Finland, and the Baltic States. When the democracies at last made their stand it was too late to avoid total war, too late to save many of their number from subjugation, too late, almost, for the cause of freedom in the entire world.

There is a lesson for us here. In a world menaced by power-hungry aggressors, there are certain positions and issues which peaceable nations must show themselves willing to defend with firm policy and diplomatic implementation, if possible; with military force, if necessary.

It is of prime importance that we and our allies be in general agreement about what these positions and issues are, and that our intentions to defend them be clearly and unequivocably published to our enemies. If an aggressor is convinced of the absolute and relentless determination of the free world to strike back at his every attempt to invade its freedom, he may abstain from the use of force. If, on the other hand, he doubts he may be subjected to the consequences of his acts, an aggressor may be tempted to challenge one of these vital issues.

When that happens the victim has two choices. It can fight, or it can yield the point. If it fights, a war of some dimensions begins then. If it yields, war may be postponed, but not necessarily avoided. For the aggressor will continue to challenge other vital issues until the victim's very survival may be at stake. War then becomes most likely from the moment the aggressor feels strong enough to attack with impunity, or when the victim concludes that it no longer has a choice between peace and war, but only that between war now and war later.

The pattern of modern aggression is that of conquest on the installment plan, the piecemeal absorption of peoples and territory in which the Soviets hope no one instance may, at the time, be regarded as a cause of war to be engaged in by the collective effort of free nations, but which in the aggregate tends to shift the balance of world power toward the side of the aggressors.

In this connection we would do well to remember two things: First, every loss to the

Soviet sphere is not only cumulative, but differentially so, since the potential of the territory involved is not only subtracted from our own, but it is added to the Soviet world. Second, under the deterrent strategy we have undertaken, it is far easier to prevent an enemy from entering a new position than it is to force him out of a position already taken. This is why it is of transcendent importance to us and to our allies that we join in a collective effort, to the end that the Communist aggressors be held to the line where they now are, and that no further gains be permitted in any area.

To give practical meaning and force to our broad national policies we have developed and are maintaining the most powerful Armed Forces in our peacetime history. We are prepared to maintain these forces indefinitely into the future, if necessary, in order to maintain the military power which is the absolutely indispensable basis of our participation in world affairs. An integral part of our current strength is the development of new sources of power which may be utilized in a diverse number of ways in measured or in massive portions.

We are substantially increasing our air power, both land and carrier based. At the same time our combat air potential is rising; we are increasing with powerful new weapons the mobility, flexibility, and fire power of our other forces. The vast amount of new and up-to-date industrial facilities brought into being over the past 3 years form the basis for rapid mobilization of our industrial potential under a sound economic mobilization plan. The problem of providing trained, ready, and adequate-sized reserve forces has the deep and continuing attention of every top official in the Department of Defense. We are actively strengthening our continental defense under an orderly, sensible program which not only coordinates the actions of our own ground, naval, and air forces, but integrates our own efforts with those of our Canadian friends to the north.

But our own forces and weapons are only part of the picture. We are allied with 38 other nations in a great worldwide system of collective security. We are united, both by purpose and agreement, with these other nations in recognition of the fact, as our President and Commander in Chief has put it, that we shall either stand together or we shall fall separately. Our allies are making a great contribution to our common effort in terms of forces. Viewed in its global context, the proportions of our own security problem might be all but insurmountable in the absence of these forces.

We are prone these days to talk of unity with our allies in terms exclusively related to mutual aid in the event of a military attack. This is vitally important, of course, but our exchanges will lack something fundamental to our purpose if they produce nothing more than a series of military assistance agreements. We are back to our second article of faith—the hypothesis that a free society is more durable than a totalitarian slave state. If our military measures are to have any constructive purposes, the economic, political, and ideological measures we employ must tend to produce a situation in which the world is more free, more prosperous, and less burdened with injustice and human wretchedness than it was before.

We live in a strange new world of such physical power as to be almost inconceivable to man, and yet the potential strength of massed world opinion for decency and right and for a rising standard of living is of utlimately greater strength than all the power in being. Because of this fact, it is both possible and necessary for the free world to seek a far greater degree of cultural, economical, political, and spiritual unity than it has so far experienced. It is peculiarly our problem, as Americans, to devise ways in which our Nation, so vital, so rich, and so powerful, can integrate its activities with those of other nations in such a manner as to enhance their prospects without diminishing our own. It must be a process of leveling up, rather than leveling down.

Think, as a specific example, of what possibilities exist for giving full measure to developing the potential of our own Western Hemisphere—the vast natural resources, the rich and verdant land, the intelligent and admirable people. There is much that we can do, much that we should do, to build strength and solidarity in both North and South America. We have made a splendid beginning, particularly in the matter of clarifying attitudes that had previously existed toward the internal Communist menace in the American Republics. The 10th Inter-American Conference, held in Caracas in March of this year, affirmed that if the international Communist movement came to dominate or control the political institutions of any American states, it would constitute a threat to the sovereignty and political independence of all the American states.

Yet our security is something more, something infinitely more, than a matter of inspired strategy, of great factories, of powerful and ingenious weapons, of treaties and mutual assistance pacts. It comes finally to rest upon the soul and spirit of our people—their willingness to fight for their cherished freedoms, their readiness to die, if necessary, for their convictions. This sublimation of a nation's character is nowhere more apparent than in our Armed Forces, whose men and women we honor tomorrow.

We honor them in the only way it is possible to honor them—as individual representatives of a unified fighting team. No Army, Navy, or Air Force has any identity apart from the individuals who comprise it. In the tiresome collectiveness with which we are forced to view so many things these days it is easy to forget about the individual man, his problems, and his transcendently important responsibility for the outcome of the basic issue of national survival. We become so facile with terms like "divisions" and "wings" and "carrier task forces," that we sometimes fail to see in proper perspective the fact that victory is finally delivered by the squad, the plane crew, the ship's company—little groups of men in close and lethal contact with the enemy who live and move in the shadow of imminent death.

In the glaring fierceness of a nation engaged in or preparing for mortal combat, victory all too frequently seems mainly a matter of mass—of great factories, of fleets of planes and of ships, of tremendous stockpiles of weapons and supplies. But in the long afterglow comes the realization that the Nation lives on because of the courage, the skill, and the resourcefulness of those into whose hands the issue of the war is ultimately committed: The soldier, half blind from exhaustion, staggering onward another few yards in the indescribable confusion of battle; the sailor, groping and drowning in the dreary wastes of the ocean's vastness; the airman, enduring the cold terror of an antiaircraft barrage in order to carry out his mission. It is these men who are the ultimate determinants of victory, for no weapon adds anything to the national security until it comes into the hands of a man who is ready to risk his life in using it. In peace, in war, and in the shadowy vale which lies between, the spirit of our Armed Forces will always lie in the fighting hearts of the individuals who comprise them, who animate them, who bring them up to fighting pitch.

On a larger scene it is the individual who is the real arbiter of his country's destiny—which is what makes our investment in people such an attractive proposition. For the effort we put into people in educating them for the responsibilities of a free society is stored up in their minds and character and hearts. It grows constantly, in war and in peace. It is not lost, nor does it diminish, but in turn becomes the seed from which even more productive thoughts and attitudes emerge. And this process finds a response in men all over the world, in all countries.

There is a great need for us to engage deeply and decisively in the spreading and diffusion of ideas and beliefs and concepts throughout the free world—ideas such as that of a reliance upon law; a belief in a society that promotes the good of individuals, regardless of the nature of its form and framework; the faith in a divine benevolence undefined by circumscribing theology. We need to know one another better.

There is a great need for other people to see and understand the American attitude toward work—to see us as we really are—a plain, sincere, prosperous, sober, hardworking people who would gladly share with other peoples the simple concepts and beliefs that have been responsible for our material success. More than any other single thing, we need to promote the massive exchange of students between America and the other countries of the free world. It needs to be done on the widest possible basis, financed perhaps both publicly and privately. Details here are unimportant. The important thing is that the project go forward with a minimum of delay.

Thus, we go about building our strength for the long pull in the steady assurance that our free society will weather any storm. This is a time for faith and confidence in our undertakings, justified by the knowledge that our society represents the best expression yet achieved on this earth of the things for which men from time out of mind have shown themselves willing to lay down their lives. Let no one underestimate the strength and depth of their appeal to the tormented millions of the world's people who now dare to hope for something better out of life than what has been their hard lot to endure.

For it is we—we of the Western liberal tradition—who are the real revolutionaries of this revolutionary age; we who have done more to relieve human wretchedness and suffering in the last hundred years than mankind was able to do for itself in the preceding ten thousand; we who have given practical expression to the vague moral abstractions of liberty, equality, fraternity. And it is we who, through patience, courage, and the practical application of our beliefs, are going to prove the magnificent proposition that good is stronger than evil, that humanity is more logical than hate, that freedom is more enduring than slavery.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

UNIVERSITY OF MICHIGAN LIBRARIES

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. AIKEN, from the Committee on Agriculture and Forestry:

Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Howard H. Gordon, resigned.

By Mr. LANGER, from the Committee on the Judiciary:

John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania, vice William A. Stewart, deceased;

John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania, vice James P. McGranery, resigned;

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia, vice Abraham Benjamin Conger, deceased;

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan, vice Joseph L. Wisniewski, resigned;

Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii, vice Otto F. Heine, term expired;

Melvin H. Friedman, of the District of Columbia, to be an examiner in chief in the Patent Office, Department of Commerce; and

Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization, vice Argyle R. Mackey.

The PRESIDING OFFICER (Mr. PAYNE in the chair). If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collections district No. 16, with headquarters at Charleston, S. C.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Public Health Service nominations are confirmed en bloc.

That completes the Executive Calendar.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all nominations confirmed this day.

NOTICE OF CONSIDERATION OF CERTAIN NOMINATIONS

Mr. WILEY. Mr. President, the Senate received today nominations of the following persons in the diplomatic service of the United States:

Lampton Berry, of Mississippi, for reappointment in the Foreign Service as a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520 (a) of the Foreign Service Act of 1946.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America: John Crawford Brooks, of California; Jack M. Fleischer, of Wisconsin; John Hay, of Virginia; and Richard N. Meyer, of Maryland.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America: Stephen J. Campbell, of California; Rupert Prohme, of California; and Albert A. Rabida, of Colorado.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America: James E. Akins, of Ohio; George M. Barbis, of California; Robert T. Burns, of Indiana; Roy O. Carlson, of Illinois; Joseph H. Cunningham, of Nebraska; Harold L. Davey, of Nebraska; John L. De Ornellas, of Alabama; John T. Dreyfuss, of California; James D. Farrell, of Kansas; Samuel R. Gammon III, of Texas; H. Kent Goodspeed, of California; Chadwick Johnson, of Massachusetts; C. Dirck Keyser, of New Jersey; Miss Paulina C. Kreger, of Ohio; P. Wesley Kriebel, of Pennsylvania; Samuel W. Lewis, of Texas; Joe Lill, of Kansas; Alan W. Lukens, of Pennsylvania; Miss Ruth A. McLendon, of Texas; Julian F. MacDonald, Jr., of Ohio; H. Freeman Matthews, Jr., of Virginia; Philip C. Narten, of Ohio; Joseph B. Norbury, Jr., of New York; Frank V. Ortiz, Jr., of New Mexico; Raymond L. Perkins, Jr., of Colorado; Birney A. Stokes, of New Jersey; Richard D. Vine, of New York; William Marshall Wright, of Arkansas; and Charles T. York, of New York.

I give notice that these nominations will be considered by the Committee on Foreign Relations at the expiration of 6 days.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, pursuant to prior notice given in the Senate on several occasions, and after consultation with the minority leader, I ask unanimous consent that the Senate now proceed to the consideration of measures on the calendar to which there is no objection, commencing at the place where the last call of the calendar ended, with the addition of two measures which, in accordance with an agreement reached on the last call of the calendar, are to be considered on the call of the calendar today. The two measures are Calendar No. 1152, S. 42, to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States, and Calendar No. 1248, S. 46, for the relief of E. S. Berney.

I ask unanimous consent also that Calendar No. 1276, S. 3378, to revise the Organic Act of the Virgin Islands of the United States, which would normally be the first measure to be called on the calendar today, be taken up at the conclusion of the call, for the convenience of the Senator from Nebraska [Mr. BUTLER], who has had to leave the Chamber.

The PRESIDING OFFICER. Is there objection to the unanimous-consent requests of the Senator from California? The Chair hears none, and it is so ordered.

The Secretary will state the first bill which is in order on the calendar.

BILLS PASSED OVER

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States, was announced as first in order.

Mr. HENDRICKSON. Mr. President, in the light of the fact that amendments to this bill are being considered, and also because of the temporary absence of the distinguished Senator from Florida [Mr. HOLLAND], I ask that this bill go over until the next calendar call, with the understanding, of course, that it takes its place on the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 46) for the relief of E. S. Berney was announced as next in order.

Mr. HENDRICKSON. Mr. President, for the same reason, I ask that this bill go over, with the understanding that it will be called at the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

IMPROVEMENT OF RAILWAY INSTALLATIONS AT NEW ORLEANS PUBLIC HEALTH SERVICE HOSPITAL

The bill (H. R. 6870) to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the public health service hospital property in New Orleans, La., was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I wonder if the local authorities are in agreement with this proposed legislation.

Mr. SMATHERS. Mr. President, the answer is in the affirmative. They were asked about it and have waived any objection they might have had.

Mr. HENDRICKSON. I thank the Senator from Florida.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 6870) was considered, ordered to a third reading, read the third time, and passed.

AID TO THE CIVIL AIR PATROL

The bill (H. R. 2274) to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes," was announced as next in order.

Mr. SMATHERS. Mr. President, was this bill scheduled for floor action?

Mr. SALTONSTALL. Mr. President, this bill makes two changes in the present law. The first change is to permit the Civil Air Patrol to have the first opportunity to buy antiquated airplanes and equipment no longer needed by the Air Force. Under the present law, up to this time, the Civil Air Patrol has had to wait until all other Government agencies state whether they are interested in purchasing such equipment. This will give the Civil Air Patrol the first opportunity to obtain antiquated airplanes and equipment.

The other change would simply allow the payment of travel expenses to members of the Civil Air Patrol who engage in carrying out missions specifically assigned to them by the Air Force. At the present time there is no authority for the Government to reimburse such members of the Civil Air Patrol.

The other portions of the bill are simply a clarification of the existing law. It is important that the bill be passed for the reasons which I have stated. I see no objection to it.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 2274) was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF AERONAUTICAL RESEARCH FACILITIES

The bill (H. R. 7328) to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I am under the impression that the passage of this bill will result in considerable cost. I wonder if we may have an explanation of the bill for the RECORD.

Mr. CASE. Mr. President, every year the National Advisory Committee for Aeronautics presents to the appropriate legislative committees an authorization request for the items of construction, including comparatively small items for alteration of equipment, on which it is desired to begin work in the next fiscal year. The bill now before the Senate, H. R. 7328, has for its purpose the authorization of construction and installation of equipment required by the NACA in its program for fiscal year 1955.

The authorization totals $5 million, divided among 3 research centers as follows: Langley Aeronautical Laboratory, Hampton, Va., $1,220,000; Ames Aeronautical Laboratory, Moffett Field, Calif., $349,000; and Lewis Flight Propulsion Laboratory, Cleveland, Ohio, $3,431,000.

The $1,220,000 authorization at Langley Aeronautical Laboratory is for a high-speed hydrodynamic facility. Recent developments have greatly increased the performance possibilities of water-based aircraft. This authorization will provide facilities for the study of landing gears at high water speeds of up to 150 miles per hour. Modifications of existing equipment will make these studies possible without constructing an entirely new facility for this purpose.

The $349,000 requested for the Ames Aeronautical Laboratory is for alterations to two existing supersonic tunnels. These modifications are needed primarily because of the advancing speeds of missiles. On one of the tunnels it is proposed to extend the length of the test section and to increase the number of measuring stations; on the other, it is proposed to increase the available pressure at which the tunnel can be operated.

The proposed authorization of $3,431,000 at the Lewis Flight Propulsion Laboratory is for modification of 3 items and for 1 new facility, a rocket engine research facility. Modification items include $120,000 to extend downward the airspeed in a supersonic tunnel, $458,000 to increase the air drier capacity of a propulsion systems laboratory, and $302,000 for an air heater for the altitude test chambers, the purpose of which is to simulate flight conditions at high altitudes and supersonic speeds for turbo-jet engine investigations.

Of the items for which authorization is proposed, there is only one new facility, a rocket engine research facility at the Lewis Laboratory in the amount of $2,551,000. This facility is designed to study the performance of special fuels in connection with the ultimate development of very long-range missiles. To say much more about this project is to become involved in classified matter, but it can be stated that the NACA function is merely a research job within the particular areas of behavior of fuel, the steadiness of fuel combustion, and related cooling problems. The NACA does not design rockets, nor does it evaluate rocket experiments.

Mr. President, I might say that in the hearing before the subcommittee, where we took some classified testimony, we were very specific in asking the representatives of the NACA, and Dr. Dryden, in particular, whether there would be any duplication as between the facilities here proposed to be authorized, and existing facilities. Dr. Dryden gave us the very direct answer that there would not.

Mr. President, even from the limited comments I have made concerning these items, I believe it is obvious that a full understanding of the research which will be undertaken with these facilities requires a scientific and technical competence not expected of Members of Congress. In considering construction of this nature, we necessarily have to depend to a large extent on the forthrightness of the responsible officials and on their sharing with us an intense desire to authorize only those facilities which are urgently needed and to accomplish construction within this category at the lowest possible cost.

I am sure that any of us who has ever had any talk with Mr. Victory and with Dr. Dryden will recognize that they are forthright.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senator from South Dakota may have 2 more minutes in which to complete his statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE. Mr. President, notwithstanding an awareness of these facts, the committee has attempted to assure itself that the items proposed for construction do not duplicate those already in existence, that the unit costs are reasonable, and that the intended research is not now being undertaken by governmental or private agencies. To the extent practical, the committee has applied the same criteria to this construction as are applied to that of the military departments.

In times when our national defense depends in such large measure upon airpower, it is almost an understatement to say that it is absolutely imperative that the United States maintain a resourceful and foresighted program of aeronautical research. Because it believes there is a measurable relationship between NACA activities and the maintenance of airpower, the committee recommends this bill to the Senate.

Mr. HENDRICKSON. Mr. President, I desire to thank the Senator from South Dakota for his very able and enlightening statement.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7328) was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF CERTAIN PERSONS TO THE UNITED STATES MILITARY ACADEMY AND UNITED STATES NAVAL ACADEMY

The Senate proceeded to consider the bill (H. R. 4231) to authorize appointments to the United States Military Academy and United States Naval Academy sons of certain individuals who

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were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by Congress, which had been reported from the Committee on Armed Services with an amendment, on page 3, after line 17, to strike out:

(c) This section shall apply to any Air Force Academy which is established by law before or after the date of enactment of this act.

And insert in lieu thereof:

(b) This section shall apply to the Air Force Academy.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TRANSFER OF CANAL ZONE CORROSION LABORATORY TO THE DEPARTMENT OF THE NAVY

The bill (H. R. 5862) to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy was considered, ordered to a third reading, read the third time, and passed.

COOPERATION OF MEDICAL OFFICERS WITH LINE OFFICERS IN SUPERINTENDING COOKING BY ENLISTED MEN

The bill (H. R. 7329) to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men, was considered, ordered to a third reading, read the third time, and passed.

INCLUSION OF REPRESENTATIVE OF DEPARTMENT OF DEFENSE AS A MEMBER OF THE NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Senate proceeded to consider the bill (H. R. 7541) to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics, which had been reported from the Committee on Armed Services with an amendment, on page 1, line 7, after the word "thereof", to strike out "'one representative of the Department of Defense, from the office in charge of research and development'", and insert "'one Department of Defense representative who is acquainted with the needs of aeronautical research and development'".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REVISION OF LAWS RELATING TO WARRANT OFFICERS OF THE ARMED SERVICES

The Senate proceeded to consider the bill (H. R. 6374) to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps and Coast Guard, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 15, line 20, after the word "of", to strike out "sixty" and insert "sixty-two"; on page 16, line 13, after the word "of", to strike out "sixty" and insert "sixty-two"; in line 23, after the word "of", to strike out "sixty" and insert "sixty-two"; on page 17, at the beginning of line 3, to strike out "if a permanent warrant officer of the Army or Air Force, or the age of sixty-two if a permanent warrant officer of the Navy, Marine Corps, or Coast Guard"; in line 17, after the word "of", to strike out "sixty", and insert "sixty-two"; on page 19, line 10, after the words "age of", to strike out "sixty", and insert "sixty-two"; and at the beginning of line 16, to strike out "if a member of the Army or Air Force, or age sixty-two if a member of the Navy, Marine Corps, or Coast Guard."

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation has been requested.

Mr. SALTONSTALL. Mr. President, the Committee on Armed Services considered this to be an important bill. I do not know of any controversial features in it. There was no opposition to the bill. There was one suggested amendment, which the committee accepted in part.

The basic purpose of the bill is to provide for the warrant officers in the Armed Forces a statutory career plan similar to that which is now provided by law for regular officers of the military services. There are presently wide discrepancies in the laws and regulations governing the promotion and retirement of warrant officers in the military departments. This bill is aimed at correcting this situation. It establishes, insofar as practicable, uniform military grades, promotion policies, and retirement rights for warrant officers of all military services.

The bill divides itself into three main concepts:

First, 4 military grades are established: Warrant officer, W–1, and chief warrant officer in the grades of W–2, W–3, W–4. The new military grades will correspond to the 4 warrant officer pay grades established by the Career Compensation Act of 1949, which did not establish any new military grades for warrant officers. All warrant officers will be distributed among one of the new military grades. The bill provides that chief warrant officers in the Navy will be commissioned as they have been in the past. At the present time there are 2 warrant officer grades for the Army and Air Force—warrant officer, junior grade, and chief warrant officer, and 2 in the other services—warrant officer and commissioned warrant officer.

The second major feature of the bill concerns the promotion or elimination of permanent regular warrant officers. The bill provides that warrant officers shall be mandatorily considered for promotion, and if they fail twice to be selected, they will, with certain exceptions, be eliminated from service with severance pay. If a warrant officer has completed less than 18 years on his second failure of selection, he will be separated with severance pay unless he desires to enlist in the service, or if he is serving on duty as a commissioned officer, he may continue on active duty with the Secretary's consent. If he has completed 18 but less than 20 years on the second failure, he will be retained until he completes 20 years of service. If he has completed more than 20 years on the second failure, he will be retired.

Selection boards will consider warrant officers sufficiently in advance so that they may be promoted to the next higher permanent grade by the time they have completed the following service in grade: 3 years as a W–1, 6 years as W–2, and 6 years as a W–3.

The third basic feature of the bill relates to the retirement of warrant officers. With respect to voluntary retirement all warrant officers may request retirement after the completion of 20 years of active service. It will be in the discretion of the military Secretaries as to whether such application will be accepted.

With respect to mandatory retirement the bill provides with certain exceptions that male warrant officers will be retired after reaching age 62 and women warrant officers at age 55. Warrant officers on duty on the effective date of this bill may have their retirement deferred at age 62, if they have not completed 20 years of active service. They may be deferred until the completion of the 20 years but no later than age 64. Women warrant officers in the same situation may be deferred until the completion of 20 years active service but no later than age 60. The committee amended the bill by increasing the mandatory retirement age from age 60 to age 62.

The bill also provides that permanent regular warrant officers will be mandatorily retired after 30 years of active service unless they are deferred in the discretion of the Secretary.

Mr. President, I should like to add that this bill will not result in an increase in the budgetary requirements of the Department of Defense during the next fiscal year, and it is entirely possible that the bill will not result ultimately in any added cost.

Mr. President, H. R. 6374, which was recommended by the Department of Defense only after a study of this problem for over 3 years received intensive consideration by both the House and Senate committees.

In the opinion of the committee, the bill is one more step toward making military service more attractive. It gives to a man who becomes a warrant officer a certain and regular opportunity for promotion; and if he deserves promotion, he will receive it. The bill also provides

certain specific standards for his retirement and his retirement pay. It is in line with the present purpose of Congress to make military service more attractive by establishing certain statutory rights to which members of the Armed Forces are entitled and which they should receive.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the Committee on Armed Services.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF TRADING WITH THE ENEMY ACT

The Senate proceeded to consider the bill (S. 2420) to amend section 32 of the Trading With the Enemy Act, as amended, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 12, after the word "pending.", to strike out "Total returns pursuant to this subsection shall not exceed $3,000,000"; and in line 18, after the word "will", to strike out "sell and dispose of and", so as to make the bill read:

Be it enacted, etc., That section 32 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by adding at the end thereof the following subsection:

"(h) The President may designate one or more organizations as successors in interest to deceased persons who, if alive, would be eligible to receive returns under the provisos of subdivision (C) or (D) of subsection (a) (2) thereof. An organization so designated shall be deemed a successor in interest by operation of law for the purpose of subsection (a) (1) hereof. Return may be made, to an organization so designated, (a) before the expiration of 2 years from the vesting of the property or interest in question, if the President or such officer or agency as he may designate determines from all relevant facts of which he is then advised that there is no basis for reasonable doubt that the former owner is dead and is survived by no person eligible under section section 32 to claim as successor in interest by inheritance, devise, or bequest; and (b) after the expiration of such time, if no claim for the return of the property or interest is pending.

"No return may be made to an organization so designated unless it files notice of claim before the expiration of 1 year from the effective date of this act and unless it gives firm and responsible assurance approved by the President that (i) it will use the property or interest returned to it or the proceeds of any such property or interest for use directly in the rehabilitation and settlement of persons who suffered substantial deprivation of liberty or failed to enjoy the full rights of citizenship within the meaning of subdivisions (C) and (D) of subsection (a) (2) hereof, by reason of their membership in the particular political, racial, or religious group of which the former owner was a member and by reason of membership in which such former owner so suffered such deprivation of liberty or so failed to enjoy such rights; (ii) it will transfer, at any time within 2 years from the time that return is made, such property or interest or the equivalent value thereof to any person whom the President or such officer or agency shall determine to be eligible under section 32 to claim as owner or successor in interest to such owner, by inheritance, devise, or bequest; and (iii) it will make to the President, with a copy to be furnished to the Congress, such reports (including a detailed annual report on the use of the property or interest returned to it or the proceeds of any such property or interest) and permit such examination of its books as the President or such officer or agency may from time to time require.

"The filing of notice of claim by an organization so designated shall not bar the payment of debt claims under section 34 of this act.

"As used in this subsection, 'organization' means only a nonprofit charitable corporation incorporated under the laws of any State of the United States or of the District of Columbia with the power to sue and be sued."

SEC. 2. The first sentence of section 33 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby amended by striking out the period at the end of such sentence, and inserting in lieu thereof a semicolon and the following: "except that return may be made to successor organizations designated pursuant to section 32 (h) hereof if notice of claim is filed before the expiration of 1 year from the effective date of this act."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GUILLERMO PEDRAZA

The bill (S. 66) for the relief of Guillermo Pedraza was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Guillermo Pedraza shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

EMILIA PAVAN

The bill (S. 1702) for the relief of Emilia Pavan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $879.77 to Emilia Pavan, of Villa Viera di Caorle (Province of Venice), Italy, in full satisfaction of all claims of the said Emilia Pavan against the United States for compensation for personal injuries, and reimbursement of medical and hospital expenses, incurred as a result of having been struck by a United States Government vehicle operated by the American Battle Monuments Commission near San Stino de Livenza, Italy, on December 15, 1951: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

CARLO (ADIUTORE) D'AMICO

The bill (S. 1841) for the relief of Carlo (Adiutore) D'Amico was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Carlo (Adiutore) D'Amico shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

AMALIA SANDROVIC

The bill (S. 1860) for the relief of Amalia Sandrovic was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Amalia Sandrovic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LT. HAYDEN R. FORD—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 2450) for the relief of Lt. Hayden R. Ford was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, to be included in the next call of the calendar.

Mr. GORE. Mr. President, will the Senator withhold his objection?

Mr. HENDRICKSON. I will withhold my objection.

Mr. GORE. Would the Senator from New Jersey be willing to have the bill go to the foot of the calendar, in order that I may confer with him meanwhile?

Mr. HENDRICKSON. Indeed, I shall be glad to do so.

Mr. President, I amend my request accordingly.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

ARTHUR SROKA

The Senate proceeded to consider the bill (S. 884) for the relief of Arthur Sroka, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Arthur Sroka, shall be held and considered to have been lawfully admitted to the United

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States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOZO MANDIC

The Senate proceeded to consider the bill (S. 1129) for the relief of Jozo Mandic, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Jozo Mandic, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Mandich, Sr., citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM JEFFREY JONAS

The Senate proceeded to consider the bill (S. 1807) for the relief of William Jeffrey Jonas, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "States", to insert "and to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, William Jeffrey Jonas, shall be held and considered to be the natural-born alien child of Capt. and Mrs. Leslie A. Jonas, citizens of the United States, and to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANTONIO JACOE

The Senate proceeded to consider the bill (S. 1882) for the relief of Antonio Jacoe, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of subsections (9), (17), and (19) of section 212 (a) of the Immigration and Nationality Act, Antonio Jacoe may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That the exemption granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. A. SAMPSEL

The bill (H. R. 1167) for the relief of W. A. Sampsel was considered, ordered to a third reading, read the third time, and passed.

PAYMENT OF CERTAIN UNSETTLED CLAIMS RESULTING FROM EXPLOSIONS AT PORT CHICAGO, CALIF.

The bill (H. R. 2696) to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy, was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARETE BURDO

The bill (H. R. 3349) for the relief of Mrs. Margarete Burdo was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, reserving the right to object—and I do not intend to object—I wish to make a statement about the bill.

For some time the Senate has been exercising its legitimate power of waiving certain provisions of the Immigration and Nationality Act in favor of the wives of American servicemen or veterans. I heartily approve of this practice. In most cases the waivers are of crimes that while involving moral turpitude are readily reduced in significance by various extenuating and mitigating factors. In addition, in most cases the marriages took place in good faith without knowledge of the immigration disability of the foreign bride.

It is because this case differs from that general pattern that I wish to make this comment. In this instance Sergeant Burdo was advised by the military authorities that his bride would not be eligible to enter the United States following his marriage under existing law because she had committed a crime involving moral turpitude. As a result, Sergeant Burdo secured his discharge and then married the beneficiary of this bill.

Following the marriage the sergeant appealed to Congress to pass special legislation permitting him to bring his bride to the United States. I consider this chain of events as amounting to the deliberate creation of the equities upon which the Congress ordinarily waives the existing laws which bar attainment of the legal privilege of bringing into the United States a foreign bride by an American veteran.

There is at least one other bill on the Senate Calendar today, House bill 4864, a bill for the relief of Mrs. Hildegard Noel, which falls into this same category. There may be others. I feel sure that there have been others in the past. All of this will add up to serving notice to servicemen generally that they need not conduct themselves in accordance with the standard provisions of the law because if they go forward with a marriage notwithstanding knowledge that their foreign bride is ineligible for entry into the United States, Congress will probably permit the bride to enter anyway. I do not think we should be in the position of inviting people to disregard the law by this kind of encouragement.

It seems to me there is a distinction between waiving an existing bar of the law on behalf of people who may not have been aware at the time of their marriage that there was such a bar and the case where people go forward with a marriage, having full knowledge that a disability exists that will prevent the foreign bride from coming to the United States under the Immigration and Nationality Act.

As I said at the outset, I will not object to the pending bill, nor to Calendar No. 1304, but I do believe that the Judiciary Committee and the Senate should consider carefully the dangers involved in pursuing the practice of passing bills of this character. I hope the committee will give careful consideration to this problem, starting right away.

Mr. HENDRICKSON. Mr. President, I should like to assure the Senator from Florida that the Committee on the Judiciary is very careful in the consideration of bills of this character, but there are always exceptions where the equities justify the kind of action now proposed. In this case the young lady involved was born in 1927, I believe. She was exceedingly young when the law was violated. I desired to make that explanation for the RECORD.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3349) was considered, ordered to a third reading, read the third time, and passed.

GEORGE TELEGDY AND JULIA PEYER TELEGDY

The bill (H. R. 4135) for the relief of George Telegdy and Julia Peyer Telegdy was considered, ordered to a third reading, read the third time, and passed.

CURTIS W. McPHAIL

The bill (H. R. 4475) for the relief of Curtis W. McPhail was considered, ordered to a third reading, read the third time, and passed.

MRS. HILDEGARD NOEL

The bill (H. R. 4864) for the relief of Mrs. Hildegard Noel was considered, ordered to a third reading, read the third time, and passed.

MRS. MAGDALENE ZARNOVSKI AUSTIN

The bill (H. R. 5090) for the relief of Mrs. Magdalene Zarnovski Austin was considered, ordered to a third reading, read the third time, and passed.

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MARIANNE SCHUSTER DAWES

The bill (H. R. 5961) for the relief of Marianne Schuster Dawes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, here again we have a bill in which the crime of embezzlement is waived. Again there is involved the case of a war bride who was extremely young, in her teens, at the time the offense was committed. I am informed that the crime was the embezzlement of a very small amount of jewelry.

Mr. SMATHERS. I do not know whether the Senator from New Jersey got the import of the statement which I made a moment ago. I realize that in this case the crime which was charged is not of a particularly serious nature; but when a serviceman goes to Germany, or wherever else he may be stationed, and realizes that under the law he cannot marry and bring a foreign wife into the United States if she has been found guilty of a crime involving moral turpitude, but nevertheless he marries her, later resigns from the service, and then asks that the Congress pass a private bill, the Congress is sympathetic because the couple have been married.

The fact of the matter is that Congress is encouraging boys to forget that there is a law on the statute books which provides that a foreign bride cannot be brought into the United States if she has been found guilty of a crime involving moral turpitude. Congress has waived that particular qualification practically every time it has been requested to do so, because of the fact that the girl concerned was married to a boy who was stationed overseas while in the Army, and because it was felt that the crime was not of sufficient gravity, involving moral turpitude, to disqualify her from coming to the United States. By such action I think Congress sets a bad precedent, and encourages boys to ignore the law.

Mr. HENDRICKSON. I should like to say that I am quite aware of the import and the objectives contained in the statement made by the Senator from Florida. I agree wholeheartedly with those objectives, and I commend the Senator for making the statement. However, I think such cases must stand on their own merits.

Mr. GORE. Mr. President, will the Senator from New Jersey yield?

Mr. HENDRICKSON. I yield to the Senator from Tennessee.

Mr. GORE. I concur in the sentiment expressed by the distinguished Senator from New Jersey and the distinguished Senator from Florida, with one small reservation. I am not quite certain as to the meaning of the distinguished and able junior Senator from Florida when he asserted on the floor of the Senate that the Congress was sympathetic with such persons because they had become married. [Laughter.]

Mr. SMATHERS. I may say to the Senator from Tennessee that, obviously, marriage, in and of itself, would not entitle such persons to sympathy, and I have not observed that they have received sympathy solely for that reason. What I meant to say was that by virtue of the fact that such persons were married, Congress suddenly closed its eyes to anything which might have happened previously. In the present instance I was not referring to what the able Senator from Tennessee had in mind. The matters I referred to involved embezzlement, stealing chickens, and other crimes in that category.

Mr. HENDRICKSON. I should like the RECORD to show that all three bills to which the colloquy has referred were approved unanimously by the Senate Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5961) for the relief of Marianne Schuster Dawes was considered, ordered to a third reading, read the third time, and passed.

ZDZISLAW (JERZY) JAZWINSKI

The bill (H. R. 6563) for the relief of Zdzislaw (Jerzy) Jazwinski was considered, ordered to a third reading, read the third time, and passed.

YOKO KAGAWA

The bill (H. R. 6647) for the relief of Yoko Kagawa was considered, ordered to a third reading, read the third time, and passed.

MRS. HOOEY SHEE ENG

The bill (H. R. 6754) for the relief of Mrs. Hooey Shee Eng was considered, ordered to a third reading, read the third time, and passed.

THERESE BOEHNER SOISSON

The bill (H. R. 7452) for the relief of Therese Boehner Soisson was considered, ordered to a third reading, read the third time, and passed.

CLAIMS OF THE STATE OF CALIFORNIA

The Senate proceeded to consider the bill (H. R. 3191) conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 13, after the word "States", to insert a colon and "*Provided*, That the passage of this legislation shall not be construed as an inference of liability on the part of the United States Government."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CURTIS W. STRONG

The Senate proceeded to consider the bill (H. R. 3725) for the relief of Curtis W. Strong, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 4, after "1951.", to strike out:

> The payment of the sum specified heretofore shall be in full settlement of all claims due to extreme physical and mental suffering and to loss of pay, loss of pay advancements, and loss of retirement credits due to the negligence of the United States Army doctors.

And insert:

> The payment of the sums specified heretofore shall be in full settlement of his claim for loss of pay due to the negligence of the United States Army doctors.

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, I wonder if we may have an explanation of the bill.

The PRESIDING OFFICER. An explanation has been requested of House bill 3725.

Mr. HENDRICKSON. If there is no Senator on the floor who can explain the bill, I ask unanimous consent that it go to the foot of the calendar.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

Mr. WILEY subsequently said: Mr. President, the Senator from North Dakota [Mr. LANGER] asked me to be present in the Chamber when Calendar 1312, House bill 3725, for the relief of Curtis W. Strong, was called. The bill was passed over because there was no Senator present to give an explanation. I ask unanimous consent to revert to that bill. The explanation is very brief.

The PRESIDING OFFICER. The Chair advises the Senator that House bill 3725 went to the foot of the calendar.

Mr. WILEY. I ask unanimous consent that it be considered at this time.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3725) for the relief of Curtis W. Strong.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

The PRESIDING OFFICER. The committee amendment has heretofore been agreed to.

Mr. WILEY. Mr. President, in this case one Curtis W. Strong was serving in the marines. He was sent to the United States Army field hospital in Toul, France. An operation was performed upon him, and the doctor left two rubber drainage tubes in his chest. As a result, he was incapacitated for work. This bill seeks compensation for the neglect of the Government doctors. That is all there is to the bill.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. HENDRICKSON. Is this veteran receiving, or has he received, any other compensation, through the Veterans' Bureau or otherwise?

Mr. WILEY. I cannot say as to that. The purpose of the bill is to compensate him for loss of wages during the time

when he could otherwise have been earning. The bill was discussed in committee, as the Senator will remember. While I did not introduce the bill, its purpose is to compensate Mr. Strong for the loss of wages, as I recall. It was the consensus of the committee that there was practically a legal obligation on the part of the Government in this case.

Mr. HENDRICKSON. I merely want the record to show that this veteran not only received veteran's benefits, but certain benefits under the civil-service law, in addition to the compensation which would be provided if this bill should become law.

Mr. WILEY. He seeks compensation for the loss of wages which he could have earned had he not been incapacitated because of the negligence of the Government doctors.

Mr. HENDRICKSON. I understand that, and I thank the Senator for the explanation. I merely wished to have the record show all the compensation which this veteran will receive.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 7460) to pay Warren P. Hoover for services rendered the Army of the United States was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—BILL PASSED OVER

The bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, the bill is surely not the kind of bill which should be considered on the call of the Consent Calendar. I think it should go over and be made the unfinished business of the Senate at some later date.

The PRESIDING OFFICER. Objection being heard, the bill will go over.

REPAYMENT CONTRACTS NEGOTIATED WITH HERMISTON AND WEST EXTENSION IRRIGATION DISTRICTS, OREGON

The bill (S. 2761) to approve repayment contracts negotiated with Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask for an explanation of the bill.

Mr. CORDON. Mr. President, I introduced the bill in question. It is one of a number of similar bills which have been introduced over the years to correct conditions in irrigation districts resulting from the failure in the earlier years of the history of the Reclamation Bureau to have complete and adequate studies made of the irrigability and productivity of the lands proposed to be irrigated.

These particular projects were reclaimed early in the history of the Reclamation Act. Afterwards it was found that much of the land, although level and seemingly arable, was not satisfactorily productive. Because of conditions in the soil and conditions of the soil, productivity was absent and could not be generated by water.

As a result, over the years the lands have reverted to their original condition, covered with sagebrush and greasewood. These bills simply recognize, under the authority of existing law, that that condition exists, and that the areas representing the nonproductive land have been relieved from the obligation to pay irrigation costs.

Mr. GORE. Mr. President, will the Senator from Oregon yield?

Mr. CORDON. Certainly.

Mr. GORE. To whom will these projects belong after the repayment of cost?

Mr. CORDON. To the present owners. All the land now is privately owned. No Federal public land is involved in this case. The irrigation and reclamation work in these instances was done two or three decades ago.

Mr. GORE. Was it done by the use of Government funds?

Mr. CORDON. Yes.

Mr. GORE. The projects were built for private concerns, were they?

Mr. CORDON. At the time when they were built much of the land was public, but since then it has gone into private ownership.

Mr. GORE. Does the Senator from Oregon mean to say the land is privately owned?

Mr. CORDON. Yes.

Mr. GORE. My question is directed to the ownership of the reclamation project itself.

Mr. CORDON. The ownership will still rest in the Federal Government. After a certain period of time, the operation goes to the lands benefited; but title does not, under any law I know of.

Mr. GORE. Is there any requirement that interest be paid on the Government's investment?

Mr. CORDON. None, and there is no such requirement as to any reclamation project, under the law.

Mr. GORE. Is the distinguished senior Senator from Oregon aware that, under the terms of the bill, the amortization rate would be considerably less than 1 percent a year?

Mr. CORDON. I am aware of that fact. There are cases of the amortization extending for a period as long as 250 years, where the Government, after an examination, found that its error was so great, the amount of land which could be used to repay the funds was so limited, and the extension was so great that, as I have often thought in many instances, not only was the Government not getting anything, but probably it was paying for the privilege of not getting anything. That, however, is not the case in this instance.

Mr. GORE. The question naturally arises as to whether the administrative cost is greater than the approximately one-half of 1 percent which in this instance is proposed as the rate of amortization or repayment.

Mr. CORDON. That question is present, and has been, and will be in every instance where, in the original work, the examination was not sufficiently complete to disclose that the project was not sound and feasible.

Mr. GORE. Is the Senator from Oregon aware of the identity of the Federal officials who pushed this unsound project upon the people of the area?

Mr. CORDON. That occurred before my time in public life, and I cannot answer the question. I am aware of the fact, and I believe it should be stated at this time, that those who examined into the matter in later years were of the party of the Senator from Tennessee, during the late administration, and that the present Secretary would carry out the contracts that were worked out by his predecessor. I think I should say that because the present Secretary happens to be a lifelong resident of the State of Oregon.

Mr. GORE. Is the distinguished Senator from Oregon aware of an urge on the part of the citizens of these particular communities that the project be built? Was it constructed upon local solicitation and urging?

Mr. CORDON. I cannot answer that question; all that occurred too long ago. My first memory of the area is long after it was irrigated, and I simply do not know the answer to the question. But my guess is——

The PRESIDING OFFICER. The time available to the Senator from Oregon has expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes to get to the truth of this bill.

The PRESIDING OFFICER. Without objection, the Senator from Tennessee may proceed.

Mr. GORE. Is the Senator from Oregon satisfied that this project cannot pay more than one-half of 1 percent or three-quarters of 1 percent? That is a very, very infinitesimal amortization or repayment.

Mr. CORDON. I concede that is so. When the Senator from Tennessee asks me whether I am satisfied, I can only answer him by saying I have not made the kind of examination which would have to be made in order to reach a sound and considered conclusion. I know that the original examination was made by the bureau of Government charged with that duty, and under the law authorizing the project to be undertaken. That is all I can answer with respect to that matter.

Mr. GORE. Did the Senator's committee consider the bill carefully?

Mr. CORDON. The committee went into the bill, as it considered all similar bills, with respect to the circumstances surrounding it, and had a written report on it.

Mr. GORE. The usual period of amortization is 40 years, is it not?

Mr. CORDON. The original act provided for 40 years. Subsequent legislation added a 10-year development period, making 50 years. In late years I would say that even 50 years is an exception to the rule, rather than the rule—the extension of time coming with each project as it comes up.

Mr. GORE. In other words, we are approaching the time when the reclamation projects will be outright expenditures by the taxpayers of the United States, with repayment of the cost not to be expected. Is that correct?

Mr. CORDON. I can understand how one could reach that conclusion, but I believe the conclusion to be incorrect. The time is coming when we shall not have many 40-year repayment reclamation projects and it is true that the time is coming when it will be necessary to have some other type of repayment than from users of the land. That is why we have multipurpose projects, and why we have charged a part of the overall cost to hydroelectric power. Those are well-known facts at the present time.

Mr. GORE. I trust that when criticism is leveled at the Tennessee Valley Authority because over a period of years it has returned to the Government no more than from 4 percent to 5 percent upon the money the Federal Government has invested in the facilities of the TVA, the situation we are now discussing will be of help to me in pointing out that, in comparison, the record of the TVA is an exceedingly good one.

Mr. CORDON. Let me say to the Senator from Tennessee that the TVA's record might better be compared with those of other hydroelectric projects in the same class, rather than with the records of projects of the type we are now discussing. I call the attention of the Senator from Tennessee to the fact that reclamation in the United States has repaid the Federal Government not only 100 cents on the dollar for the money expended, but also far more than 2 percent, 4 percent, or 10 percent on the investment by way of the taxes which have accrued and been paid by virtue of the products from the reclaimed irrigated farmland.

Mr. GORE. The Senator from Oregon is referring to the collateral benefits from the development; is he not?

Mr. CORDON. Yes.

Mr. GORE. As to that aspect I think I could agree with the Senator from Oregon. However, the same situation applies to the development of hydroelectric projects.

I wish to point out that the bill we are now discussing calls for an amortization period of 163 years. I shall not object to the bill; but I point out to the Senator from Oregon that, in my humble judgment, we may as well consider a bill to give these projects to the reclamation districts. Perhaps the cost of administering them will be more than the yearly amortization payments.

The PRESIDING OFFICER. The additional 4 minutes granted the Senator from Tennessee have expired.

Mr. CORDON. The Senator from Oregon was answering a question

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WATKINS. Mr. President, reserving the right to object, I should like to comment on the questions asked by the Senator from Tennessee.

I think it is only fair to state that there have been a few projects, like the one now under consideration, with respect to which insufficient care was used in organizing the projects. Large irrigation projects have been constructed on lands which are not as valuable as they were thought to be.

The overall record of repayment has been good. Only a few fringe projects have required special treatment.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. GORE. Even when the record of repayment is good, a 40-year amortization period means a payment of 2½ percent a year. If the payment is extended to 50 years, it means 2 percent a year. Beyond that point—and the senior Senator from Oregon suggested that most of them were in that category—it is less than 2 percent.

We must be practical about these projects. I have always supported the development of reclamation projects in the West. I am not objecting now, because this is a hardship situation. Someone made a mistake. I dare say that mistake was not made entirely by officials in Washington. Very likely it would be found, if a search were made of the history of the project, that there was a tremendous urge on the part of citizens of that area for the project, and that their representatives in both Houses of Congress were advocating it as a sound project. Yet it is now proposed to extend the amortization to 163 years. We would be better off if we gave them the project outright.

Mr. WATKINS. At least, we get the money. There is no particular cost involved in making the collections. As I understand, in connection with the project mentioned by the Senator from Tennessee, namely, the TVA, there is no repayment of principal. There may be some payment of interest, but not of principal. That is true with respect to all the flood-control projects in the humid areas of the United States.

Mr. GORE. Quite to the contrary, an amendment to the Tennessee Valley Authority Act has been passed, with which I was associated, and which I supported and helped to pass, requiring complete amortization on a 40-year schedule.

Mr. WATKINS. When did that amendment go into effect?

Mr. GORE. That bill was passed in the 80th Congress, and I supported it.

Mr. WATKINS. I have not checked it. This is the first time it has been called to my attention that the entire cost of such projects is being repaid.

Mr. GORE. In the case of the TVA, not only has the repayment schedule been met, but the payments are far in advance of the schedule.

I bring out this point to show that when the TVA is criticized so severely it should be compared with some of the other Federal projects. Its record is good.

Mr. WATKINS. I think other Federal projects, particularly reclamation projects, would show even a better record. As I understand, the TVA is still getting millions of dollars from the Congress, after the time when the project was supposed to have been completed.

I shall check the figures. I hope the Senator is correct, and I assume he is, but I should like to check the figures to see how the program is working out. I understand the payments are coming from the project itself, and not from those who are receiving great benefits from it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2761) to approve repayment contracts negotiated with Hermiston and West Extension Irrigation Districts, Oregon, and to authorize their execution, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, after line 14, to strike out:

SEC. 3. This act is declared to be a part of the Federal reclamation laws as these are defined in the Reclamation Project Act of 1939 (53 Stat. 1187).

So as to make the bill read:

Be it enacted, etc., That the repayment contracts negotiated as provided in subsection (a) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187) by the Secretary of the Interior with the Hermiston Irrigation District dated September 9, 1952, and the West Extension Irrigation District dated September 6, 1952, are approved and the Secretary is authorized to execute them on behalf of the United States.

SEC. 2. The reclassifications of the lands of the Hermiston Irrigation District and the West Extension Irrigation District of the Umatilla project, Oregon, made in accordance with the provisions of section 8 of the Reclamation Project Act of 1939 and approved by the boards of directors of the irrigation districts, are approved. The Secretary, upon execution of said contracts, is authorized to charge off as a permanent loss to the reclamation fund all the costs of the Umatilla project except the amounts provided for return to the United States in the contracts approved in section 1 of this act or in other outstanding contracts, but no adjustment shall be made by the United States by reason thereof with any individual by way of refund or of credit on sums heretofore paid, repaid, returned, or due or payable to the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2225) relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for

UNIVERSITY OF MICHIGAN LIBRARIES

other purposes, was announced as next in order.

Mr. SMATHERS. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, before we complete the call of the calendar, when Calendar No. 1317 was called objection was raised. I refer to Senate bill 2225, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes. I wonder whether the distinguished chairman of the minority calendar committee will advise the Senate who the objectors were?

Mr. SMATHERS. Mr. President, that bill was passed over.

Mr. HENDRICKSON. Mr. President, I was asking who interposed the objection.

Mr. SMATHERS. The objection was interposed by the junior Senator from New York [Mr. LEHMAN].

Mr. HENDRICKSON. I thank the Senator from Florida.

OPERATION AND MAINTENANCE OF WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

The bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I certainly shall not object—what the Senator from New Jersey would like to know is whether the bill would provide for a multiple-purpose project. The costs involved seem to be quite high. I wonder if the Senator from Oklahoma [Mr. MONRONEY] would explain the bill for purpose of the RECORD, emphasizing the factor of costs.

Mr. MONRONEY. Mr. President, the projects provided for in the bill are the result of many years of study in western Oklahoma. During the past 3 years this area has constantly been the subject of drought relief. It has suffered greatly during those years from lack of rainfall. The municipalities in that area have been making desperate efforts to maintain sufficient water supplies to sustain livestock and supply the normal needs of human life.

This project is a part of an overall comprehensive development of the Washita Basin. It is a multiple-purpose project, with benefits for irrigation. Provision is made for 16,260 acres of newly irrigated lands, which will be supplied by the storage waters impounded behind the two dams involved in the project. The project will also furnish the water supply for 11 municipalities.

Contracts for the construction of the project are specifically limited under the terms of the bill, so that no construction will start until firm contracts have been entered into with the municipalities, guaranteeing full repayment of all the reimbursable costs not only of the storage for municipal and industrial water supply, but also the full storage for irrigation purposes. The cost will be fully met, amortized, and paid for at interest equal to the going rate on long-term Government obligations. There will be paid back the full reimbursable cost of the irrigation, of municipal water supplies for human consumption, of the canals and pipelines, and other beneficial uses. The cost of all of this flood-water project will be fully repaid to the Federal Government over a 50-year period.

In obligating the cities and towns to make repayment the bill also provides that if the irrigation works are not put in effect, that is, if the irrigation aspect of the project is not developed, the cities and towns in their contracts, agree to return the full amount for the impounding of the irrigation water in these projects. Therefore the Government is fully protected on all reimbursable items in the bill.

Because of the income to be derived from the storage of water for human consumption and for irrigation, the Government gets a very cheap bargain-counter rate in undertaking to control floods on this great river system, the Washita.

The cost of the flood-control items in the bill at these two dams will be $15,417,000. If built alone, they could not be built for twice that amount. They can be built for this amount only because they are being put to this multipurpose use, are being built at the same time, and the water can be held back for beneficial uses as well as for discharge in the volume the channel can carry.

Mr. HENDRICKSON. I wonder whether I have been correctly informed. My information is that the total initial cost to the Government will be $37,449,000.

Mr. MONRONEY. That is the full cost; it is not the initial cost. It is the full cost for the irrigation work, the canals, which are to be built only as new irrigation acres are brought in. There would be a saving of $7,500,000, which would later be spent for that purpose, but that is included in the overall cost.

I may say to the distinguished junior Senator from New Jersey that the ratio on the nonreimbursable cost is 1.3 to 1, which is a high ratio. This is the only Federal dam on the vast reaches of the Washita River.

Only a week ago, after 3 years of drought and after 3 years of being in a very difficult position, more than 10 inches of rain fell in the watershed within a period of a few hours. The Senator from New Jersey can understand how badly needed immediately are these dams for flood control and subsidiary purposes in this area.

The bill has the complete endorsement of the Department of the Interior, and it has been approved by the Bureau of the Budget. The report says, at page 4:

> It is proposed to initiate construction of the Washita project, Oklahoma, * * * in the fiscal year 1955, when authorized. The Washita project is needed to store water for municipal use and possible future irrigation development and for flood protection. * * * An amount of $500,000 is included in the budget as an estimated 1955 supplemental appropriation for these projects.

What I have read shows that the Department of the Interior and the Bureau of the Budget think so highly of this project that, pending an authorization, they have already provided in the budget estimates the amount of $500,000 with which to carry forward the development of the advanced planning stage of this program.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the chairman.

Mr. WATKINS. I may say to the Senator from Oklahoma that I am not the chairman of the committee, but am a member of it. The committee considered this bill both in hearings and in executive session. The bill was reported unanimously to the full committee, and the full committee unanimously reported the bill to the Senate. We believe it is a good project, and I hope the bill can be passed today on the call of the calendar.

Mr. HENDRICKSON. I thank the distinguished Senator from Oklahoma and the distinguished Senator from Utah for their very informative explanation of the bill today.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CORDON. I note in the proposed amendment to the bill—and parenthetically I should like to say to the Senator that I was not present in the committee when the bill was considered or reported—on page 5, paragraph (d), this provision:

> (d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

Mr. President, I could understand the beneficiaries complying with the law if this were an unusual provision with respect to projects constructed by the Government through its various departments and if it were not a basic provision in all reclamation laws with respect to the use of water, but I have never had my attention brought to that type of subordination of Federal power on a Federal project to State law. So far as I can remember, that provision was not in the bill originally, and apparently it came in by way of amendment. I should like to have some information about it.

Mr. MONRONEY. It is my understanding, if the chairman of the subcommittee will permit me to say so, that the language was recommended by the Department of the Interior and by the Bureau of the Budget. Perhaps the chairman of the subcommittee can give us more enlightenment on the subject than I can. However, it was not in the original bill. I believe it was placed in the bill at the request of the administration to carry on its partnership working arrangement with States and the Federal

Government in constructing these projects in the future.

Mr. WATKINS. I am not advised as to whether the amendment came from the Department of the Interior, but I recall that in other bills—in fact, there is one on the calendar now, the one with respect to Santa Margarita, which contains a similar provision—the United States Government in building a project in States where the water belongs to the people, it has been the general policy over the years to comply with State laws with respect to applications, extensions of time, and final certification of the beneficial use of the water, as a trustee for the water users who are the ultimate beneficiaries of these projects.

Under those circumstances, the provision was written in specifically that the United States would be subject to the laws of the State of Oklahoma in the case of this project. The same thing is done in the Santa Margarita bill with respect to the laws of California.

Practically all reclamation projects in the 17 arid States of the West have been made subject to State law. Applications must be filed with the State engineer, and so forth, and the Federal Government acknowledges the State law as being supreme in that field.

Mr. CORDON. I am still doubtful of the wisdom of that particular paragraph being in any law. If it was included in another bill it would merely raise in my mind a reason to oppose the other bill. Of course reclamation is limited to the western arid States, and they have a well known doctrine and concept with respect to the use of water.

This has to do with matters pertaining to the operation and management of water supply facilities. I feel that I shall have to ask that the bill go over until I have an opportunity to look into that particular matter. I am fearful of such a provision being included in the pending bill. I regret if it has gone into another bill. However, I believe the Senate ought to be very careful about how it subordinates the authority of the Federal Government to State law in such situations as this where the Federal Government is seeking only to aid States.

Mr. MONRONEY. In the report from the Bureau of the Budget, where most of this legislation originated, it is stated:

> Definite provision in legislation authorizing the project to be made for the repayment of all reimbursable costs. Construction of the project should be made contingent on the assumption by the State of Oklahoma——

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Oklahoma may proceed.

Mr. MONRONEY. I continue to read from the report of the Budget Bureau:

> Construction of the project should be made contingent on the assumption by the State of Oklahoma, together with local organizations, of financial responsibility for repayment of costs allocated to municipal, industrial, and domestic water supplies that may be found to be beyond the ability of the water users to repay. The State should also be required to guarantee repayment for the cost allocated to future irrigation storage.

That is really the genesis of this project and where the firm commitments originated. Under this bill the State is pledging its taxing authority to repay in full, even beyond the ability of the water users, through their water bills, the full costs of the reimbursable parts of the structure, which include the water supply and storage for irrigation.

Reading further from the report, the Budget Bureau continues as follows:

> Under this procedure the State and local organizations could utilize their powers of taxation or assessment to assure reimbursement to the Federal Government of the funds invested in municipal water and irrigation storage. We believe this is in harmony with the statement by the President in his address on the state of the Union.
>
> • • • The best natural resources program for America will not result from exclusive dependence on Federal bureaucracy. It will involve a partnership of the States and local communities, private citizens, and the Federal Government, all working together. This combined effort will advance the development of the great river valleys of our Nation and the power that they can generate.

So, Mr. President, I believe, if the distinguished Senator from Oregon would ask that the bill go to the foot of the calendar, so we could call the Budget Bureau and see if this is not the language they asked to have placed in the bill in recommending its passage by the Congress, I think that would be satisfactory.

Mr. WATKINS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. WATKINS. I do not know that I can throw any particular light on the question, but when a repayment contract is signed by municipalities and water users, they will be required, if they follow the ordinary reclamation procedure, to take over the projects and operate them, and if municipalities are organized under the laws of the State of Oklahoma, and if water users are also being organized under those laws, I assume those are the laws under which they will be required to operate. I know that is true of a reclamation project in my State with which I have been familiar for many years. It was turned over to the water users upon completion and testing, and they are now operating it and have 40 years in which to pay for it. They are now in the repayment period.

Mr. MONRONEY. Is it paragraph (d) on page 5 of the bill to which the distinguished Senator from Oregon raised his objection?

Mr. CORDON. I raised my objection to paragraph (d) on page 5.

Mr. MONRONEY. It pertains to the municipal water supply and storage for which the water users agree to pay for irrigation, even though it is not used for irrigation. If municipal and county taxing authorities of the State are behind the contracts which are signed, not only a contract to supply X thousands of gallons of water, those authorities also have the right to levy a general ad valorem tax on property and real estate. That is also embodied in order to reimburse these funds for the water supply.

Mr. CORDON. Mr. President, I shall have to object and ask that the bill be passed over, to be taken up at the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MONRONEY subsequently said: Mr. President, I have conferred with the Senator from Oregon [Mr. CORDON], and with the staff of the committee, and I ask unanimous consent that the Senate return to the consideration of calendar 1318, Senate bill 118.

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CORDON. Mr. President, reserving the right to object, I have discussed the matter with the Senator from Oklahoma, and if it is agreeable to him that the language found on lines 6 to 9, inclusive, on page 5, be stricken from the bill, I think it will be satisfactory. I assume the bill will have to be considered as a new bill, and I ask unanimous consent that that may be done.

I am simply trying to save time.

The PRESIDING OFFICER. The understanding of the Chair is that the Senator from Oregon suggests or recommends that lines 6 through 9, on page 5, be stricken from the bill.

Mr. CORDON. That is correct. The Chair has a better understanding of the proposal than I have.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "Interior", it is proposed to strike out "may" and insert "is authorized"; in line 4, after the words "maintain the", to strike out "initial phase of the"; in line 7, after the word "and" where it occurs the second time, to strike out "ultimately,"; on page 2, line 5, after the word "The", to strike out "initial phase of the"; in line 11, after the word "use", to insert "and for irrigation"; in the same line, after the amendment just above stated, to strike out "Nothing contained in this section shall be construed to authorize the construction of any works solely for irrigation or for the enhancement of fish and wildlife conditions."; after line 14, to strike out:

> SEC. 2. In constructing, operating, and maintaining the initial phase of the Washita project, the Secretary shall proceed in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) except that (1) the repayment period under any contract entered into pursuant to clause (1) of the first proviso in subsection (c), section 9, of the Reclamation Project Act of 1939 may extend to not more than 50 years or as near thereto as is practicable; (2) actual construction of any unit of the project shall not be commenced, and no construction contract shall be awarded therefor, until payment of those portions of the actual cost of constructing, operating, and maintaining that unit of the project which are allocated to municipal, domestic, and industrial water

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supply, and interest on the unamortized balance of the construction cost thereof at a rate (which rate shall be certified by the Secretary of the Treasury) equal to the average rate paid by the United States on long-term loans outstanding prior to the time the repayment contract is negotiated, shall have been assured by a contract or contracts satisfactory to the Secretary; (3) those portions of the cost of constructing, operating, and maintaining the project which are properly allocable to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable; and (4) that part of the cost of constructing the project which is properly allocable to irrigation shall, within the limits of the water users' repayment ability, become a part of the obligation to be undertaken by them when specific irrigation works are authorized and undertaken.

And in lieu thereof, to insert the following:

SEC. 2. In constructing, operating, and maintaining the Washita project, the Secretary shall allocate proper costs thereof under the following conditions:

(a) Allocations to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable.

(b) Allocations to municipal water supply, including domestic, manufacturing, and industrial uses, shall be repayable through contracts with municipal corporations. Such contracts shall be precedent to the commencement of construction of any project unit affecting the individual municipalities, and shall provide for repayment of construction costs in not to exceed 50 years from the dates water is first delivered, and payments of construction costs shall include interest on unamortized balances at a rate equal to the average rate paid by the United States on long-term loans outstanding during the period of the construction, except that estimates may be used for minor costs not incurred prior to delivery of water: *Provided*, That such contracts shall provide that annual municipal repayments shall continue at the same rates until the costs of Foss and Fort Cobb Reservoirs allocated to irrigation are fully repaid: *Provided further*, That if irrigation works are constructed, as hereinafter provided, said annual repayment rates shall continue so long as the costs of the irrigation works are unpaid.

(c) The authorization for construction of the irrigation works, exclusive of Foss and Fort Cobb Reservoirs, shall be limited, as to each reservoir, to a period of 10 years from the commencement of the delivery of municipal water from the reservoir on which the irrigation unit is dependent. Contracts with irrigation water users shall provide for repayment in accordance with reclamation laws (act of June 17, 1902; 32 Stat. 388, and acts amendatory thereof or supplementary thereto), excepting section 9 (e) of the Reclamation Project Act of 1939, within a period of 55 years as to each irrigation unit, from the date water is first delivered thereto.

(d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

On page 5, line 10, after the words "of the", to strike out "initial phase of the"; and on page 6, after line 7, to insert a new section, as follows:

SEC. 5. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated $37,429,000 to carry out the purposes of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma, for the principal purposes of storing, regulating, and furnishing water for municipal, domestic, and industrial use, and for the irrigation of approximately 26,000 acres of land and of controlling floods and, as incidents to the foregoing, for the additional purposes of regulating the flow of the Washita River, providing for the preservation and propagation of fish and wildlife, and of enhancing recreational opportunities. The Washita project shall consist of the following principal works: A reservoir at or near the Foss site on the main stem of the Washita River; a reservoir at or near the Fort Cobb site on Pond (Cobb) Creek; and canals, pipelines, and other conduits for furnishing water for municipal, domestic, and industrial use, and for irrigation.

SEC. 2. In constructing, operating, and maintaining the Washita project, the Secretary shall allocate proper costs thereof under the following conditions:

(a) Allocations to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable.

(b) Allocations to municipal water supply, including domestic, manufacturing, and industrial uses, shall be repayable through contracts with municipal corporations. Such contracts shall be precedent to the commencement of construction of any project unit affecting the individual municipalities, and shall provide for repayment of construction costs in not to exceed 50 years from the dates water is first delivered, and payments of construction costs shall include interest on unamortized balances at a rate equal to the average rate paid by the United States on long-term loans outstanding during the period of the construction, except that estimates may be used for minor costs not incurred prior to delivery of water: *Provided*, That such contracts shall provide that annual municipal repayments shall continue at the same rates until the costs of Foss and Fort Cobb Reservoirs allocated to irrigation are fully repaid: *Provided further*, That if irrigation works are constructed, as hereinafter provided, said annual repayment rates shall continue so long as the costs of the irrigation works are unpaid.

(c) The authorization for construction of the irrigation works, exclusive of Foss and Fort Cobb Reservoirs, shall be limited, as to each reservoir, to a period of 10 years from the commencement of the delivery of municipal water from the reservoir on which the irrigation unit is dependent. Contracts with irrigation water users shall provide for repayment in accordance with reclamation laws (act of June 17, 1902; 32 Stat. 388, and acts amendatory thereof or supplementary thereto), excepting section 9 (e) of the Reclamation Project Act of 1939, within a period of 55 years as to each irrigation unit, from the date water is first delivered thereto.

(d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

SEC. 3. Construction of the Washita project herein authorized may be undertaken in such units or stages as in the opinion of the Secretary best serves the project requirements and the relative needs for water of the several prospective users. Repayment contracts negotiated in connection with each unit or stage of construction shall be subject to the terms and conditions of section 2 of this act.

SEC. 4. The Secretary may, upon conclusion of a suitable agreement with any qualified agency of the State of Oklahoma or a political subdivision thereof for assumption of the administration, operation, and maintenance thereof at the earliest practicable date, construct or permit the construction of public park and recreational facilities on lands owned by the United States adjacent to the reservoirs of the Washita project, when such use is determined by the Secretary not to be contrary to the public interest, all under such rules and regulations as the Secretary may prescribe. No recreational use of any area to which this section applies shall be permitted which is inconsistent with the laws of the State of Oklahoma for the protection of fish and game. The costs of constructing, operating, and maintaining the facilities authorized by this section shall not be charged to or become a part of the costs of the Washita River Basin project.

SEC. 5. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, $37,429,000 to carry out the purposes of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee, with the exception of the amendment referred to by the Senator from Oregon [Mr. CORDON].

The amendments, with the exception noted were agreed to.

Mr. CORDON. Mr. President, I now ask that the Senate reject the committee amendment on page 5, beginning in line 6, which reads as follows:

(d) The secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

The PRESIDING OFFICER. Without objection, the amendment on page 5 from lines 6 to 9 is rejected.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma."

DISPOSAL OF LAND IN THE EDEN PROJECT, WYOMING

The bill (H. R. 7057) to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONSOLIDATION OF PARKER DAM POWER PROJECT AND THE DAVIS DAM PROJECT

The bill (H. R. 3598) to consolidate the Parker Dam power project and the Davis Dam project was considered, ordered to a third reading, read the third time, and passed.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF ALABAMA AND COUSHATTA INDIANS OF TEXAS

The bill (S. 2744) to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments.

Mr. WATKINS. Mr. President, there are a number of committee amendments to this bill, which are mostly technical in nature. There is one amendment, however, which ought to be given special consideration. It is on page 2, beginning in line 18.

I ask unanimous consent that all the other committee amendments be considered en bloc, except the one to which I have just referred and which requires some special consideration.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 5, after the word "regarding", to strike out "management, use, or disposition" and insert "management and use"; in line 7, after the word "prescribe", to insert "and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas."

On page 4, line 4, after the word "thereof," to insert "except as provided in section 2 of this act."

The PRESIDING OFFICER. The clerk will state the committee amendment referred to by the Senator from Utah [Mr. WATKINS].

The CHIEF CLERK. On page 2, line 18, after the word "Indians", it is proposed to insert the following proviso:

Provided, That for a period of 5 years after the date of this act such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States in the State of Oklahoma.

Mr. DANIEL. Mr. President, I offer an amendment to the committee amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Texas.

The CHIEF CLERK. On page 2, line 18, it is proposed to strike out "for a period of 5 years."

Mr. DANIEL. Mr. President, the purpose of this amendment is simply to strike the limitation of 5 years with reference to members of the Alabama and Coushatta Tribes attending hospitals and schools furnished by the Federal Government in Oklahoma. Some of these Indians have been attending Indian schools and hospitals in Oklahoma, and, rather than have a limitation of 5 years placed upon them, it is thought more desirable simply to provide that so long as the hospitals and schools are maintained for the Indians, the members of the Texas tribes may attend them.

Mr. WATKINS. Mr. President, I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to the State of Texas the lands held in trust by the United States for the tribe of Indians organized and known as the Alabama and Coushatta Tribes of Texas, located in Polk County, Tex.; and such tribe is authorized to convey to the State of Texas the lands purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854, located in Polk County, Tex. All of the lands so conveyed shall be held by the State of Texas in trust for the benefit of the Indians of the Alabama and Coushatta Tribes of Texas, subject to such conditions regarding management and use as the State of Texas may prescribe and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas.

SEC. 2. Upon the conveyance to the State of Texas of the lands held in trust by the United States for the Alabama and Coushatta Tribes of Texas, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter such tribe and its members shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians: *Provided*, That after the date of this act such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States in the State of Oklahoma.

SEC. 3. Effective on the date of the proclamation provided for in section 2 of this act, all powers of the Secretary of the Interior or any other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Alabama and Coushatta Tribes of Texas approved on August 19, 1938, pursuant to the act of June 18, 1934 (48 Stat. 984), are terminated. Any powers conferred upon the tribe by its constitution and bylaws that are inconsistent with the provisions of this act are terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States in such action.

SEC. 4. The indebtedness of the Alabama and Coushatta Tribes of Texas to the United States incurred under the provisions of the act of May 29, 1928 (45 Stat. 883, 900), is canceled, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this act.

SEC. 5. The corporate charter of the Alabama and Coushatta Tribes of Texas issued pursuant to the act of June 18, 1934 (48 Stat. 984), ratified on October 17, 1939, is revoked, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this act.

SEC. 6. On and after the date of the proclamation to be issued in accordance with the provisions of section 2 of this act, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the Alabama and Coushatta Tribes of Texas or the members thereof, except as provided in section 2 of this act, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

SEC. 7. Nothing in this act shall affect the status of the members of the Alabama and Coushatta Tribes of Texas as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

SEC. 8. The act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 387), shall not apply to the tribe and its members after the date of the proclamtion to be issued in accordance with the provisions of section 2 of this act.

REIMBURSEMENT OF SOUTH DAKOTA STATE HOSPITAL FOR THE INSANE

The Senate proceeded to consider the bill (S. 1794) to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients.

Mr. HENDRICKSON. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 9, immediately preceding the period, it is proposed to insert a colon and the following:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HENDRICKSON. Mr. President, the amendment merely provides the standard attorney's fee, which is included in most of the bills of this type.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HENDRICKSON. I yield.

Mr. WATKINS. I call the Senator's attention to the fact that this is a claim presented by the South Dakota State Hospital for the Insane. I assume that the attorney general of South Dakota, who is in the public service, receives a salary from the State for his services in presenting such claims, so probably the amendment would not apply. However, I have no objection if it has been the practice to include such amendments.

Mr. HENDRICKSON. It would not make and difference, because the State could always retain a private lawyer.

Mr. WATKINS. I assume so, but this case was presented by the State itself through its own legal adviser.

Mr. HENDRICKSON. I have merely followed the usual procedure.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. HENDRICKSON].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to

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pay, out of any money in the Treasury not otherwise appropriated, to the South Dakota State Hospital for the Insane, Yankton, S. Dak., the sum of $8,124.29, in full satisfaction of its claim against the United States for compensation for services furnished Indian patients from the Roseud and Pine Ridge Indian Agencies: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

FACILITIES FOR TREATMENT OF INDIANS AT ALBUQUERQUE, N. MEX.

The bill (S. 3364) to amend the act of October 31, 1949 (63 Stat. 1049), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1, of subsection (b), of the act of October 31, 1949 (63 Stat. 1049), is hereby amended by deleting the figure "1954," wherever the same appears in the third and fourth provisos, and by inserting in lieu thereof the figure "1957"; and by deleting the figure "1953" in the fourth proviso, and by inserting in lieu thereof the figure "1956."

EXTENSION OF TIME FOR ENROLLMENT OF INDIANS OF CALIFORNIA

The Senate proceeded to consider the bill (H. R. 2974) to extend the time for enrollment of the Indians of California, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 9, after the numerals "1955", to insert "and by inserting after the third sentence 'For the purposes of clause (d) of this section, when the Secretary of the Interior is satisfied that reasonable and diligent efforts have been made to locate a person whose name is on said roll and that such person cannot be located, he may presume that such person died prior to the date of approval of this act, and his presumption shall be conclusive' "; and on page 2, line 9, after "(45 Stat. 602)", to insert "as amended by the act of April 29, 1930 (46 Stat. 259)."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSTRUCTION OF CERTAIN FACILITIES FOR IRRIGATION AND DOMESTIC USE OF WATER FROM THE SANTA MARGARITA RIVER, CALIF.—BILL PASSED OVER

The bill (H. R. 5731) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other water-work facilities by the Department of the Interior and the Department of the Navy, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. By request, I ask that the bill go over.

Mr. KNOWLAND. Will the Senator from Florida withhold his objection for a moment?

Mr. SMATHERS. I shall be happy to do so.

Mr. KNOWLAND. Would the Senator mind indicating for whom objection was entered, so that opportunity may be afforded to try to convince the Senators concerned that the objection, at least in the judgment of the proponents of the bill, is not valid?

Mr. SMATHERS. The objection has been filed by two Senators: The able leader of the Independent Party, the distinguished Senator from Oregon [Mr. MORSE], and the distinguished senior Senator from Alabama [Mr. HILL].

The PRESIDING OFFICER. The bill will be passed over.

SAFETY OF LIFE AND PROPERTY AT SEA

The Senate proceeded to consider the bill (S. 602) to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for the loading, stowage, and securing of grain and other similar bulk cargoes, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 2, line 14, after the word "any", to strike out "private nonprofit organization," and insert "organization or persons whose services he may deem helpful"; and in line 18, after the word "Government", to insert "To the extent that provision is made in any regulation of the Secretary of the Treasury for inspection of the loading, stowage, or securing of bulk grain or other similar bulk cargoes or the issuance of any certificate in connection therewith by any private organization or person, the Secretary of the Treasury shall give due consideration to all organizations and persons qualified and willing to perform such work", so as to make the bill read:

Be it enacted, etc., That, to provide for greater safety of life and property at sea, the Secretary of the Treasury is authorized to make such rules and regulations and to prescribe such restrictions and conditions as he deems necessary for the loading, stowage, and securing of grain and other similar bulk cargoes that present hazards to the stability of vessels by shifting.

SEC. 2. This act shall apply to all vessels of the United States and to foreign vessels loading grain and such other similar bulk cargoes at any port of the United States, its Territories or possessions, except vessels operating solely on inland waters of the United States or on the Great Lakes.

SEC. 3. The rules and regulations authorized by this act, in their application to grain cargoes in bulk, shall be in conformity with and in implementation of regulation 2, chapter VI, of the regulations which constitute an integral part of the International Convention for the Safety of Life at Sea, 1948.

SEC. 4. In the establishment, administration, and enforcement of the rules and regulations hereunder, the Secretary of the Treasury may avail himself of the advice, services, and facilities of any organization or persons whose services he may deem helpful, or, with the consent of the head thereof, of any executive department, independent establishment, or other agency of the Government. To the extent that provision is made in any regulation of the Secretary of the Treasury for inspection of the loading, stowage, or securing of bulk grain or other similar bulk cargoes or the issuance of any certificate in connection therewith by any private organization or person, the Secretary of the Treasury shall give due consideration to all organizations and persons qualified and willing to perform such work.

SEC. 5. The Secretary of the Treasury may, upon his own knowledge, or upon the sworn information of any citizen of the United States, that any vessel subject to this act is violating any of the provisions thereof or the regulations established hereunder, by written order served on the matter, person in charge of such vessel, or the owner or charterer thereof, or the agent of the owner or charterer, detain such vessel until such time as the vessel is in full compliance with the provisions of this act and of the regulations established hereunder. If the vessel is ordered detained, the master, person in charge, or owner or charterer, or the agent of the owner or charterer thereof, may within five days appeal to the Secretary of the Treasury who may, after investigation, affirm, set aside or modify the requirements of such order. If any citizen of the United States furnished sworn information to the Secretary of the Treasury that any vessel subject to this act is in violation of any of its provisions or of the regulations established hereunder and such sworn information is false, the person so falsely swearing shall be deemed guilty of perjury.

SEC. 6. Whoever shall knowingly violate any of the provisions of this act or of any regulations established under this act shall be subject to a penalty of not more than $2,000 for each violation. In the case of any such violation on the part of the owner, charterer, agent, master, or person in charge of the vessel, such vessel shall be liable for the penalty and may be seized and proceeded against by way of libel in the district court of the United States in any district in which such vessel may be found.

SEC. 7. When the death or bodily injury of any person results from the violation of this act or any regulations made in pursuance thereof, the person or persons who shall have knowingly violated or caused to be violated such provisions or regulations shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

SEC. 8. Nothing contained in this act shall be construed to relieve any vessel subject to the provisions of this act from any of the requirements of title 52 (secs. 4399 to 4500, inclusive) of the Revised Statutes or Acts amendatory or supplementary thereto and regulations thereunder applicable to such vessel, which are not inconsistent herewith.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXEMPTION OF FLAMMABLE FABRICS AND WEARING APPAREL FROM FLAMMABLE FABRICS ACT

The bill (S. 3379) to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable was considered, ordered to be engrossed

for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Flammable Fabrics Act (67 Stat. 111; 15 U. S. C. secs. 1191–1200) is amended as follows:

(1) In section 2 (d) after the comma following: "hats, gloves", insert "scarfs made of plain surface fabrics"; and (2) after subsection (b) of section 4 insert the following:

"(c) Notwithstanding the provisions of Commercial Standard 191–53, setting forth the conditions under which samples of fabrics and articles of wearing apparel are to be tested, the tests shall be made upon samples which after having been previously dried are conditioned to equilibrium in the standard textile testing atmosphere of 65 percent relative humidity and 70 degrees Fahrenheit."

Mr. PURTELL subsequently said: Mr. President, I ask unanimous consent to have a statement printed following the action taken on Calendar No. 1327, Senate bill 3379.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PURTELL

The bill simply does two things. It exempts scarfs from the Flammable Fabrics Act and it provides that testing procedures shall be conducted under "the standard textile testing atmosphere of 65 percent relative humidity and 70° Fahrenheit."

The original act exempted most hats, gloves, and footwear. Our Subcommittee on Business and Consumer Interests held hearings and it and the full committee were convinced that scarfs, if ignited, could be more easily removed from the person than most hats, gloves, and footwear. Furthermore, the bill exempts only the safer type of scarfs, namely, those made of plain surface fabrics. This is a term well understood in the trade and the committee report further explains it. Experts in the Government and in the industry testified that scarfs made of plain surface fabrics do not constitute the type of unusual hazard that the act was intended to ban. Scarfs made of fuzzy fabrics which flame rapidly and are liable to flash-burning will still be barred under this bill.

With respect to testing procedures, the act froze the conditions under which they were conducted in the experimental stage, namely, upon fabrics which were made bone-dry before testing. Experts in the Government and in industry testified at the hearings that when so conducted, the tests still ban a high percentage of conventional fabrics which have a long record of safety, such as georgette, tulle, organdy, batistes, and netting. The effect of this unexpected development is to seriously and adversely affect many of our domestic producers of such fabrics, as well as the economy of Japan, France, Switzerland, Italy, and other countries.

The Senate and House reports, in discussing the purpose of the original act, state:

"The purpose of the bill * * * is to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals. * * * The major problem in formulating legislation to control the use of dangerously flammable textiles is to discriminate between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hasards and are highly dangerous."

At the hearings, various types of fabrics were ignited and members were given an opportunity to see for themselves that the new tests would still ban dangerous fabrics. Government and industry experts testified that this bill simply adjusts the original act to its professed purpose of barring those fabrics in wearing apparel which present unusual hazards while allowing the continued use of conventional fabrics with a long record of safety.

Because the original act goes into effect on June 30 of this year, it is important for the Congress to act quickly. New orders amounting to millions of dollars are being held up, with a serious business disruption, until Congress corrects this unintended effect of the act.

The Federal Trade Commission, which administers the act, the Department of Commerce, which supervises the effect of the act, and must report to Congress upon its effect, and the Department of State, all have testified strongly in favor of this bill and urge its early enactment. The textile industry strongly supports this measure and not one objection was received by our committee or subcommittee from the Government agencies or from industry or the public.

I urge my colleagues to approve the bill today.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF CERTAIN TRIBES OF INDIANS IN WESTERN OREGON

The Senate proceeded to consider the bill (S. 2746) to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 5, line 16, after the word "agreement", to insert a colon and *"Provided further,* That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary"; on page 6, line 24, after the word "encumbrance", to insert "The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance"; on page 10, after line 17, to insert:

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

On page 12, line 5, after the word "tribe", to insert "or payable to the United States by the tribe"; and in line 7, after the word "individual", to insert "or tribe", so as to make the bill read:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this act:

(a) "Tribe" means any of the tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon, including the following: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapoyya, Chaftan, Champho, Chetco, Chetlessington, Chinook Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Euchees, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta, Shasta Costa, Siletz, Siuisaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina, and Yoncalla;

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interest therein, or improvements thereon, and includes water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Within 90 days after the date of this act, the Secretary shall publish in the Federal Register (1) a list of those tribes for which membership rolls will be required for the purposes of this act, and (2) a list of those tribes for which no membership rolls will be required for the purposes of this act. Each tribe on each list shall have a period of 6 months from the date of publication of the notice in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. In the absence of applicable law, or eligibility requirements in an approved constitution, bylaws, or membership ordinance, eligibility for enrollment shall be determined under such rules and regulations as the Secretary may prescribe. No person shall be enrolled on more than one tribal roll prepared pursuant to this act. If a tribe on list one fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 90 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals the roll of the tribe shall be published in the Federal

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Register and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) Upon request of a tribe, the Secretary is authorized within 2 years from the date of this act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary title to all or any part of the tribal property, real and personal, or to transfer to one or more trustees designated by the tribe and approved by the Secretary, title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(c) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

(d) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Oregon that relate to the selection of trustees.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 2 years after the date of this act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribes (including allottees, purchasers, heirs, and devisees, either adult or minor) are hereby removed 2 years after the date of this act and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (d) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

(1) Upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 2 years from the date of this act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the tribes who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribes who die 6 months or more after the date of this act.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to any tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribes subject to this act which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribes will derive benefits.

SEC. 9. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 10. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of the tribes who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 11. Pending the completion of the property dispositions provided for in this act, the funds now on deposit, or hereafter deposited in the Treasury of the United States to the credit of a tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 12. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 13. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians, excluding statutes that specifically refer to the tribe and its members, shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of a tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of this act, the corporate charter of the Confederated Tribes of the Grande Ronde Community, Oregon, issued pursuant to the act of June 18, 1934 (48 Stat. 984), as amended, and ratified by the community on August 22, 1936, is hereby revoked.

(b) Effective on the date of the proclamation provided for in section 13 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of the act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 15. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this act and to deposit the amount set off to the credit of the tribe or the United States as the case may be.

SEC. 16. Nothing in this act shall affect any claim heretofore filed against the United States by any tribe.

SEC. 17. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency.

SEC. 18. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 19. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect a tribe or its members. The act of June 18, 1934 (48 Stat. 948), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to a tribe and its members after the date of the proclamation provided for in section 13 of this act.

SEC. 20. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PREFERENCE RIGHT TO USERS OF WITHDRAWN PUBLIC LANDS

The bill (H. R. 6186) to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1128) authorizing the Secretary of the Interior to issue to Jack Alexander a patent in fee to certain lands in the State of Alabama was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, is there any Member on the floor who can explain why the bill does not provide for payment of fair value of the land?

The PRESIDING OFFICER. An explanation is requested of Calendar 1330, H. R. 1128.

Mr. HENDRICKSON. I note that the next bill, Calendar 1331, H. R. 2913, provides for the payment of fair value. I cannot understand why Calendar 1330, H. R. 1128, does not.

The PRESIDING OFFICER. An explanation has been requested.

Mr. GORE. Under the circumstances, I must ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ISSUANCE OF PATENT FOR CERTAIN LANDS TO HAROLD K. BUTSON

The bill (H. R. 2913) to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF PATENT IN FEE TO ROBERT GRAHAM TO CERTAIN PUBLIC LANDS, MISSISSIPPI

The bill (H. R. 4816) authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi was considered, ordered to a third reading, read the third time, and passed.

PURCHASE OF PUBLIC LANDS FOR HOMES, ETC.—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites" was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. May we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of Calendar No. 1333.

Mr. WATKINS. Is that House bill 2512?

Mr. SMATHERS. It is.

Mr. WATKINS. I am a member of the committee which considered the bill. Although I was not present at the hearing, I have an explanation of the bill.

The purpose of this bill is to modernize the so-called Small Tract Act, to extend its application and improve its administration.

The language of the existing law has been rewritten throughout for clarity. Most of the changes are not important. The most important change is to permit the leasing of small tracts, even though unsurveyed. This provision will be of particular value in Alaska, where most of the land is not surveyed. The bill also extends the leasing authority to small tracts in the O and C lands in Oregon, but with appropriate safeguards.

The bill should do much to stimulate the development of Alaska.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, I ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

APPOINTMENT OF COL. LELAND HAZELTON HEWITT TO INTERNATIONAL BOUNDARY AND WATER COMMISSION OF THE UNITED STATES AND MEXICO

The bill (S. 3457) to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, reserving the right to object, I should like to know what salary this retired Army officer will draw as a member of the International Boundary and Water Commission; secondly, if he will at the same time draw retirement pay; and, thirdly, if after he serves without retirement pay and his service with the Commission terminates, he will revert to his previous status and draw retirement pay.

Mr. WILEY. I do not know whether I can answer all those questions. The Senator well knows that special authorization is required because of the provisions of the act of July 31, 1894, which bars retired officers of the armed services with retired pay of more than $2,500 from holding other public offices to which compensation is attached.

There are many precedents for this type of action in the Congress. Recent examples are Private Law 297—81st Congress—which concerned the appointment of Paul A. Smith to the Council of the International Civil Aviation Organization; Private Law 973—81st Congress—which authorized the appointment of Henry A. Byroade as Director of the Bureau of German Affairs in the Department of State; and Private Law 428—79th Congress—which authorized the appointment of Walter B. Smith as United States Ambassador to the Soviet Union.

In approving this bill, the committee does so in the belief that the statutory prohibition on the civil employment of retired officers of the armed services is wise and that exemptions should be made only after careful study and in cases where exceptional qualifications exist.

The committee feels that Colonel Hewitt is unusually qualified for the position to which the President of the United States desires to appoint him. The International Boundary and Water Commission, United States and Mexico, is charged with a great many functions relating to the equitable distribution of water between the United States and Mexico, construction of storage dams and other works, generation of hydroelectric power, flood control, and the operation of sanitation projects. Colonel Hewitt received his formal education at the United States Military Academy at West Point and the Massachusetts Institute of Technology and has worked for many years with the Army Corps of Engineers, particularly in their civil-engineering activities. He will bring unique knowledge and experience to the Commission. The committee, therefore, urges the Senate to give its approval to this bill enabling the President to appoint Colonel Hewitt as Commissioner.

As to the question of what his compensation will be, I am not sure that is mentioned in the report or in the bill.

He shall, however, receive the compensation provided for the office of United States Commissioner of said International Boundary and Water Commission, in lieu of retired pay to which he would be entitled as a retired officer of the United States Army.

In other words, I understand that once the bill is passed, and the appointment is made, he will receive that salary of a commissioner in lieu of his retirement pay, but when he ceases to be a member

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of the commission, his right to be reinstated and to receive his retirement pay will not be prejudiced. What his retirement compensation is, I do not know.

Mr. GORE. Mr. President, is the Senator advised as to the duties of such a commissioner? What percentage of his time will be required?

Mr. WILEY. My understanding is that it is more or less a full-time job, although I remember that some years ago the name of another person was proposed as a Commissioner, and I am not adequately informed as to what happened.

Mr. GORE. Would the Senator from Wisconsin seriously object if I asked unanimous consent that the bill go to the foot of the calendar and be called at the end of the calendar, in order that some of us may have an opportunity to determine the compensation which is paid for such a position?

Mr. WILEY. No. I think I specified the duties very clearly. I cannot answer the question of the Senator from Tennessee as to whether the position would take all of the officer's time. I have read from the report what the functions of the Commission are. The Commission is charged with a great many duties relating to the equitable distribution of water between the United States and Mexico, construction of storage dams, generation of hydroelectric power, flood control, the operation of sanitation projects, and other works. That pretty well defines the duties of the Commission.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WILEY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. With a great deal of hesitation, and at some risk, as a member of the Committee on Appropriations and the Subcommittee on the State Department, I wish to state, that if my memory is correct the Commission has the responsibility for the appropriation for building the various dams and other construction at the international boundary. It is the one appropriation for construction which comes under the State Department. There is an equal number of commissioners from Mexico and the United States. Considerable engineering work is involved. I have no knowledge of the qualifications of the gentleman in question. I do know that the members of the Commission are equally divided between the two countries, and that the Commission is responsible for building the dams, reservoirs, and all other construction at the international boundary on the Rio Grande. I cannot say whether or not it is a full-time job, but there is considerable responsibility involved, and the appropriation to the State Department for such purposes is quite substantial.

Mr. HENDRICKSON. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. HENDRICKSON. Will not the person in question receive the same compensation all other commissioners receive?

Mr. SALTONSTALL. I should assume so.

The PRESIDING OFFICER. On request of the Senator from Tennessee [Mr. GORE] the bill will go to the foot of the calendar.

REHABILITATION AT THE UNITED STATES MILITARY ACADEMY

The bill (S. 3446) to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 101, title I, of the act approved January 6, 1951 (64 Stat. 1221), is hereby amended by inserting immediately following the words "Facilities for Army Field Force stations, $79,722,525" a comma and the following: "of which $497,000 shall be available for the repair, rehabilitation, and modification of cadet barracks, buildings Nos. 737 and 747, at the United States Military Academy, New York."

The title was amended so as to read: "A bill to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy."

ACCRUAL LEAVE BY MEMBERS OF THE ARMED FORCES HELD AS PRISONERS OF WAR IN KOREA

The Senate proceeded to consider the bill (S. 3270) to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they have accumulated or have to their credit, which had been reported from the Committee on Armed Services with amendments, on page 2, line 7, after the word "section", to insert "and irrespective of whether the person entitled to such settlement has been discharged or released to inactive duty"; after line 13, to insert:

SEC. 2. The benefits of subsection (d) of section 3 of the Armed Forces Leave Act of 1946 shall not apply to any member of the Armed Forces who, on or before January 22, 1954, (1) was interned in a foreign country, (2) had an opportunity to be repatriated, and (3) did not accept repatriation.

And in line 19, to change the section number from "2" to "3", so as to make the bill read:

Be it enacted, etc., That (a) subsection (b) of section 3 of the Armed Forces Leave Act of 1946 is hereby amended by inserting immediately after "Notwithstanding any other provision of this act" the following: "(except subsection (d) of this section)."

(b) Such section 3 is hereby further amended by adding at the end thereof the following new subsection:

"(d) Leave accumulated or accrued by a member of the Armed Forces after June 27, 1950, while he was in the hands of a hostile force or interned in a foreign country shall not be counted in determining the maximum amount of leave which he is permitted to accumulate or have to his credit, and cash settlement may be made for such accumulated or accrued leave without regard to the limitations imposed by subsection (b) of this section, and irrespective of whether the person entitled to such settlement has been discharged or released to inactive duty. Leave taken by such member shall not be charged to the leave accumulated or accrued while he was in the hands of a hostile force or interned in a foreign country, unless he has no other accrued or accumulated leave which may be charged."

SEC. 2. The benefits of subsection (d) of section 3 of the Armed Forces Leave Act of 1946 shall not apply to any member of the Armed Forces who, on or before January 22, 1954, (1) was interned in a foreign country, (2) had an opportunity to be repatriated, and (3) did not accept repatriation.

SEC. 3. The amendments made by this act shall take effect as of June 27, 1950.

The amendments were agreed to.

Mrs. SMITH of Maine. Mr. President, I joined with my colleague from Maine in introducing this bill on April 8 because of our feeling that the Armed Forces Leave Act of 1946 was causing an unintended hardship to certain of our service personnel.

The Armed Forces Leave Act of 1946 overhauled and codified the procedures governing furloughs and leaves of absence for men and women in our military services.

Among other provisions is the limitation of 60 days that was fixed on the amount of leave which could be accrued by any one individual. This provision, while suitable and necessary as a matter of normal routine, has operated to the clear disadvantage of men who were captured and were prisoners of war during the Korean conflict.

These men obviously could not avail themselves of any leave credits which might accrue to them while in a prisoner-of-war status. As a consequence, they were required to forfeit all such credits in excess of 60 days.

Mr. President, it was most assuredly not the intent of the Armed Forces Leave Act to exact this added penalty from men who were already bearing the hardships of Communist prison camps, and the bill seeks to remedy this unintended situation by adding to section 3 of the Armed Forces Leave Act a new section which saves from forfeiture leave credits which accrued while a soldier was in a POW status subsequent to June 27, 1950.

The bill was very properly amended by the committee to insure that these benefits should not flow to an individual who, having been captured, refused an opportunity to be repatriated. A second committee amendment makes it clear that these benefits shall accrue to individuals who already have been discharged from active service, provided they are otherwise qualified.

It would seem that the action proposed by the bill is long overdue. The bill will affect approximately 3,500 persons, and will cost not to exceed $1 million, according to estimates given to the committee by representatives from the Department of Defense.

I am hopeful, Mr. President, that the Senate will see fit to give the bill the prompt approval which we feel it warrants.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ENTERTAINMENT FOR PERSONNEL IN THE ARMED SERVICES

The Senate proceeded to consider the bill (S. 3401) to authorize the furnishing of information, radio and television entertainment, civilian education for personnel in the armed services, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 2, line 19, after the word "exceed," to strike out "75" and insert "60," and after line 23, to insert a new section, as follows:

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of July 31, 1956.

So as to make the bill read:

Be it enacted, etc., That the Secretary of Defense and the Secretaries of the military departments may, out of funds appropriated for such purposes, provide information, radio and television entertainment, and such civilian educational opportunities for military personnel as are deemed necessary to raise the educational level of such military personnel in the interest of the military preparedness and security of the Nation. Such radio and television entertainment provided shall be limited to radio and television programs either overseas or in isolated posts, camps, and stations in the United States. Shortwave programs may be broadcast from the United States if beamed to overseas areas. The information provided may include such service newspapers, pamphlets, motion pictures, and other informational facilities as the respective Secretaries may prescribe as necessary to inform properly and raise the educational level of military personnel. Educational opportunities may be provided by means of service-operated or sponsored correspondence courses, locally conducted academic classes, or such facilities as may be made available by those civilian educational institutions as may be recognized as accredited by the Office of Education of the Department of Health, Education, and Welfare, or by the cognizant agency of the respective States.

SEC. 2. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purpose of this act. Tuition assistance to service personnel, authorized under the first section of this act, shall not exceed 60 percent of such tuition fees charged by cooperating civilian educational institutions and shall be in accordance with such regulations as the Secretary of Defense may from time to time prescribe.

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of July 31, 1956.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment, to strike out, on page 2, in line 25, the date, "July 31, 1956," and insert in lieu thereof "June 30, 1956."

The PRESIDING OFFICER. The Chair is advised that that date is included in an amendment which has been agreed to.

Mr. HENDRICKSON. Then, Mr. President, I ask unanimous consent that the vote by which the amendment on page 2, line 24, was agreed to be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the amendment offered by the Senator from New Jersey to the amendment of the committee.

The LEGISLATIVE CLERK. On page 2, in line 25, it is proposed to strike out "July 31, 1956," and insert "June 30, 1956."

Mr. HENDRICKSON. Mr. President, I understand the Senator from Massachusetts [Mr. SALTONSTALL] is willing to accept the amendment, whose sole purpose is to bring the bill into conformance with the fiscal year procedure.

Mr. SALTONSTALL. Mr. President, will the Senator from New Jersey yield to me?

Mr. HENDRICKSON. I yield gladly.

Mr. SALTONSTALL. I have been discussing the amendment with the assistant to the Armed Services Committee. I believe it would be better to make the date December 31, 1956, rather than June 30, 1956, for the reason that the school year generally ends in the later part of June; and to close up affairs and get all the accounts straightened out, it would be better to provide an additional 6 months, by making the date December 31, instead of June 30.

Mr. HENDRICKSON. Mr. President, I modify my amendment accordingly.

Mr. SALTONSTALL. I thank the Senator from New Jersey.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from New Jersey [Mr. HENDRICKSON] to the committee amendment on page 2, in line 25, namely, to strike out "July 31, 1956" and insert "December 31, 1956."

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The bill (S. 3401) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Defense and the Secretaries of the military departments may, out of funds appropriated for such purposes, provide information, radio and television entertainment, and such civilian educational opportunities for military personnel as are deemed necessary to raise the educational level of such military personnel in the interest of the military preparedness and security of the Nation. Such radio and television entertainment provided shall be limited to radio and television programs either overseas or in isolated posts, camps, and stations in the United States. Shortwave programs may be broadcast from the United States if beamed to overseas areas. The information provided may include such service newspapers, pamphlets, motion pictures, and other informational facilities as the respective Secretaries may prescribe as necessary to inform properly and raise the educational level of military personnel. Educational opportunities may be provided by means of service operated or sponsored correspondence courses, locally conducted academic classes, or such facilities as may be made available by those civilian educational institutions as may be recognized as accredited by the Office of Education of the Department of Health, Education, and Welfare, or by the cognizant agency of the respective States.

SEC. 2. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purpose of this act. Tuition assistance to service personnel, authorized under the first section of this act, shall not exceed 60 percent of such tuition fees charged by cooperating civilian educational institutions and shall be in accordance with such regulations as the Secretary of Defense may from time to time prescribe.

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of December 31, 1956.

RETIRED PAY FOR CERTAIN ENLISTED MEN AND WARRANT OFFICERS

The bill (H. R. 1433) to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status was considered, ordered to a third reading, read the third time, and passed.

ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT

The bill (H. R. 2225) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

THE SUPREME COURT'S DECISION IN THE SEGREGATION IN EDUCATION CASES

Mr. CASE. Mr. President, in view of the fact that the Chief Justice of the United States has just read a very sweeping and significant decision, and because of its interest to the public generally and because of the bearing the issues involved have upon legislation, I desire to use a few minutes at this time to read from one of the press reports on the decision of the Supreme Court in the so-called segregation cases.

The United Press report reads as follows:

The decision, a sweeping victory for Negroes, is probably the most important in United States race relations since the famous Dred Scott decision of 1857, which held that a Negro was not a citizen.

The Civil War reversed that decision.

Warren said because of the wide ramifications of the decision, formulation of specific decrees will be delayed until further arguments have been heard.

But the Court by Warren's opinion today laid down the rule that segregation is "a denial of equal protection of the laws" to Negroes.

This is the phraseology of the 14th amendment to the Constitution on which the Negroes relied in bringing their cases.

The momentous ruling invalidates many provisions in State constitutions, laws, and administrative regulations in the 17 States which now require segregation.

The 12-page ruling—a document that will rank in sociological significance with Lincoln's Emancipation Proclamation—swept aside the "separate but equal doctrine" laid down by the Supreme Court in 1896.

Under that doctrine, the tribunal has held in the past that Negroes must be given educational facilities equal to those afforded

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white students but that the facilities could be separate.

The Court's decision not to issue the specific decrees at this time was apparently in recognition of the complexity of the issue and the physical difficulties involved in putting the ruling into effect.

Warren said further arguments will be heard, presumably in the fall, before the decrees are formulated.

Warren said that historical data proved "inconclusive" as to the intent of the framers of the 14th amendment. Warren said, however, that "in approaching this problem, we cannot turn the clock back to 1868 when the amendment was adopted or even to 1896 when *Plessy* v. *Ferguson* was written. (*Plessy* v. *Ferguson* was the case that established the "separate but equal doctrine" which Negroes have been fighting for 30 years to set aside.)

"We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these (complainants) of the equal protection of the laws.

"Today, education is perhaps the most important function of State and local government. • • •

"In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.

"Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms."

Mr. President, no doubt the decision is one which for weeks and months to come will be studied by Members of Congress and by people throughout the country. The decision will have an important bearing upon the legislative problems dealt with in this Chamber. The decision will have an important bearing upon the legislative work of the several States.

In my own State of South Dakota there have been times when we have had local problems arise incident to providing facilities for the education of Indians. I am glad to say, however, that the State of South Dakota has sought to live up to the spirit of its constitution, which is to provide equal education for all its citizens, Indians, as well as others. Such incidents as have arisen have largely had to do with the extent to which the Federal Government would share in the cost rather than dealing with segregation or discrimination as such.

So, Mr. President, under the logic the Chief Justice of the United States has used in pointing out that "today, education is perhaps the most important function of State and local government," I must applaud a decision which recognizes that "where States have undertaken to provide that education, it must be made available to all on equal terms."

Mr. MAYBANK. Mr. President, the Supreme Court decision today shocked me. In my judgment, it was a shameful and political, rather than a judicial decision.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point in my remarks, a statement I have made today commenting on the decision of the Supreme Court in the segregated school cases.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN COMMENTING ON THE SUPREME COURT'S DECISION IN THE SEGREGATED SCHOOL CASES

The Supreme Court, in declaring segregation unconstitutional, has spoken with authority and finality in outlawing the evil and degrading practice of segregation in our schools. The Court has found the meaning of our Constitution to be identical with the meaning of moral law, and has thus set the stage for a development which I believe will be of transcendental significance for the future of our country. I am happy that the Supreme Court decision was unanimous. I have never had any question concerning the outcome. Our Constitution is again shown to be a covenant fully applicable to the conditions of today. This is news which all freemen throughout the world must hail with joy. It is a victory which will have profound repercussions throughout Asia, among other places, in my judgment.

The implementation of the decision is left for future consideration. That implementation is, of course, of critical importance, and will require the utmost statesmanship on the part of all groups and elements in our population. I am sure we will meet the challenge and rise to the occasion.

ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 2225?

There being no objection, the Senate proceeded to consider the bill (H. R. 2225) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, which had been reported from the Committee on Armed Services with an amendment, on page 3, line 12, after the word "credited", to insert a colon and *"And provided further,* That such sales shall be on a cash basis or such other basis as will reasonably assure prompt payment for such supplies."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PERMANENT EMERGENCY POWERS FOR THE ADMINISTRATOR OF CIVIL DEFENSE

The bill (H. R. 7308) to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended, was announced as next in order.

The PRESIDING OFFICER (Mr. CASE in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HENDRICKSON. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That section 307 of the Federal Civil Defense Act of 1950, as amended (50 U. S. C. App. 2297), is amended by striking out the date "June 30, 1954" and inserting in lieu thereof the date "June 30, 1958."

Mr. HENDRICKSON. Mr. President, I understand that the amendment is satisfactory to the distinguished chairman of the Armed Services Committee.

Mr. SALTONSTALL. As I understand the amendment of the Senator from New Jersey, it would establish a cutoff date in 4 years, rather than to make the law a permanent one.

Mr. HENDRICKSON. That is correct.

Mr. SALTONSTALL. I shall be glad to accept the amendment, if the Senator from New Jersey wishes me to do so.

Mr. HENDRICKSON. I am glad the Senator from Massachusetts is willing to accept the amendment.

Mr. KNOWLAND. Mr. President, will the Senator from New Jersey yield to me?

Mr. HENDRICKSON. I yield.

Mr. KNOWLAND. As I understood the amendment, as it was read, it is in the nature of a substitute, and would strike out all after the enacting clause of the bill. However, to judge from the explanation, it seems that the result of the amendment would only be to change the cutoff date. I believe we should have an explanation of the amendment.

Mr. HENDRICKSON. The Senator from California has stated the effect of the amendment, and I shall be glad to give an explanation.

Mr. KNOWLAND. Would not provision for a cutoff date simply involve the addition of an appropriate section to the bill, rather than to strike out all of the bill as reported by the committee?

Mr. HENDRICKSON. The provision to strike out all after the enacting clause is made because of the way the bill reads.

Mr. President, in explanation of the amendment, let me state that the Federal Civil Defense Act was enacted in 1950. Title 3 of that act provided standby emergency powers for the administrator in the event of an attack on the United States. Section 307 of title 3 provides:

The provisions of this title shall terminate on June 30, 1954, or on such earlier date as may be prescribed by concurrent resolution of the Congress.

The pending bill, H. R. 7308, would repeal that quoted provision, and thereby would make permanent the standby emergency authority.

It should be pointed out that the emergency powers in title 3 are entirely untried, and that if the bill is enacted in its present form, the only later congressional review that is assured is through the appropriation process. It is believed that it would be more desirable to require a later review of title 3; and this would be assured by providing a simple extender of the emergency authority for an additional 4 years, to wit, to June 30, 1958.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7308) was read the third time and passed.

LONG-TERM TIME CHARTER OF TANKERS BY SECRETARY OF THE NAVY—BILL PASSED OVER

The bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MAGNUSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. SALTONSTALL. Mr. President, does the Senator from Washington object to the present consideration of the bill.

Mr. MAGNUSON. I reserve the right to object, in order to request an explanation.

Mr. SALTONSTALL. Will the Senator from Washington permit the bill to come up, first?

Mr. KNOWLAND. I think the point made by the Senator from Washington is that until a satisfactory explanation of the bill is given, he wishes to object to having the bill considered. Certainly it is proper to request that an explanation be made, before a decision is reached as to the present consideration of the bill.

Mr. SALTONSTALL. I will say, with a smile at the majority leader, that, knowing the interest of the Senator from Washington in construction of ships, I hope he will allow the bill to be considered. I am glad to make the explanation.

At the present time the Navy has a number of so-called T–2 tankers, which have a speed of about 16 knots and carry about 15,000 tons. The bill provides for the construction of 20 new tankers, to be between 25,000 and 32,000 tons in dead weight. They will take the place of 37 T–2 tankers which will be placed in mothballs. The new tankers will have a speed of 18 knots. They will be built, if the bill is enacted, by private owners, who will lease them to the Government for 10 years at $5 a deadweight ton a month.

The life of a tanker is approximately 20 years. It is estimated that two-thirds of their value will be gone at the end of the first 10 years, so there will be left with the owner approximately $2,500,000 in value, assuming that the ships cost $7,500,000, and he will have left the sum mentioned with which to operate the ships after the first 10 years.

The theory of the bill, which involves an operation which is to a certain extent experimental, is to provide new tankers to be built by private funds, the Navy to lease them for 10 years at $5 a dead-weight ton a month. At the end of 10 years they will become the property of the owners. These tankers will take the place of 37 T–2 tankers which have become obsolete. Such tankers must be especially built, in that they must be of shallower draft than the modern commercial tanker, which runs up to 45,000 dead-weight tons.

So far as cost to the Government is concerned, the very carefully prepared figures which the report contains show that the bill would provide a certain profit—but not too much profit—to the owners over a period of 10 years. Then, as I say, at the end of that time the owners will have the tankers to operate for another 10 years, to repay the Navy for the money borrowed for the construction of the tankers.

The tankers will be built in American shipyards, with American materials, so far is it is possible to obtain them.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MAGNUSON. I am sure the Senator knows that I understand the type of vessel involved. I am questioning the reversal of policy. If the Government needs tankers, why does not the Government build them? This is a new policy.

Mr. SALTONSTALL. It is not entirely a new policy, I understand. It is a new policy so far as tankers are concerned. It is a policy which will permit the Government to get out of the business of operating ships so far as possible.

Today we are being urged to have the merchant marine operated by private interests and not by the Government in competition with private interests. We are also being urged to have the ships operated by American civilian crews.

Mr. MAGNUSON. I understand that; but the proposed tanker is a prototype. This measure is parallel to the lease-purchase bill.

Mr. SALTONSTALL. No, it is not.

Mr. MAGNUSON. It is about the same thing.

Mr. SALTONSTALL. We discussed that question in committee. It is not the same as a lease-purchase operation, because the Government never purchases. I can show the Senator from Washington, if he cares to see it, a table setting forth, in parallel columns, the cost to the Government if the Government builds and operates the tankers, and the cost of having them privately built and operated. We went into that question with a great deal of care.

Mr. MAGNUSON. I am sure the committee did. However, we are establishing a policy of guaranteeing a private operator two-thirds of his money back, plus a reasonable profit, to which he is entitled. In the end the Government, in effect, guarantees the entire operation, and the operator winds up with a tanker which he can use for 8 years more speaking conservatively.

Mr. SALTONSTALL. The committee established a top limit——

Mr. MAGNUSON. What would be the reason for a private operator entering into such an arrangement if he were not permitted to make some money?

Mr. SALTONSTALL. The committee established a top limit. There is some question in my mind as to whether anyone will come forward and undertake these contracts. On the basis of the figures given to us, an operator would break even at $4.68 a deadweight ton, if the present figures are accurate.

Mr. MAGNUSON. But he is taking no risk.

Mr. SALTONSTALL. He is taking a certain risk.

Mr. MAGNUSON. What risk is he taking?

Mr. SALTONSTALL. He has a 10-year-old tanker when he is through.

Mr. MAGNUSON. For one-third of his cost?

Mr. SALTONSTALL. For one-third of his cost.

Mr. MAGNUSON. He is guaranteed whatever investment he makes, and a profit for 10 years. At the end of 10 years he gets the tanker for one-third of his cost. Conservatively speaking, he can use the tanker for 8 years more.

Mr. SALTONSTALL. In the meantime, we are getting a privately constructed ship at a cost which would be probably a little less than would be the cost to the Government if the Government were to build it. The tankers will be operated by American crews, under the American flag, by private operators, and not by the Government.

Mr. MAGNUSON. I can understand that. If the Government were to call for bids for the construction of tankers, the cost would be a little less than if the Senator or I called for bids from shipyards. My experience has been that when the Government has built ships, Government supervision of shipbuilding has resulted in more rapid construction, and in most cases the cost has been a little less.

Mr. SALTONSTALL. Government operation would probably cost a little more.

Mr. MAGNUSON. Why would it cost more?

Mr. SALTONSTALL. Government operation is always more expensive.

Mr. MAGNUSON. I am not talking about operation. I am talking about construction.

Mr. SALTONSTALL. The argument before the committee was that under private ownership the ships would be constructed more rapidly. They would be less subject to inspection here, inspection there, and inspection somewhere else, which results in delays.

All I can say to the Senator from Washington is that the point of view he now takes was taken originally by the distinguished Senator from Virginia [Mr. BYRD], who was rather strongly opposed to the lease-purchase bill.

The committee held two very full meetings. There were several conferences between the meetings. All I can say is that the National Security Council, at its highest level, advocates this program as an experiment, if you will, or an effort to keep private ships and shipyards operating. That recommendation comes from the National Security Council, through the Secretary of Defense.

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Mr. MAGNUSON. The Government can still build the ships and charter them to private operators. That is done all the time.

The PRESIDING OFFICER. The time of the Senator has expired. Is there objection to the present consideration of the bill?

Mr. MAGNUSON. Mr. President, I ask unanimous consent to be allowed to proceed for 3 minutes longer.

The PRESIDING OFFICER. Without objection, the Senator from Washington may proceed for 3 minutes.

Mr. MAGNUSON. This plan has been bandied about for a year. It is similar to the program under the Lease-Purchase Act. It guarantees the private operator a profit, for 10 years, plus his construction cost. Then he gets the ship back. At the end of the 10-year period, the ship will have a useful life of at least 8 years more. The operator gets the ship back for one-third the cost. If the Government wants the ships, why does it not ask for an appropriation?

Mr. SALTONSTALL. The same question was raised in the committee. This is an effort to try to have our merchant marine operated by private interests which own the ships and have an interest in preserving the ships. These are not fleet tankers. These are not tankers which are to accompany our fleet.

Mr. MAGNUSON. I understand that. I know the type of ship, and I think we should have such tankers, but I cannot see why we should guarantee private operators a profit, as we are doing under the Lease-Purchase Act. If the Government needs the ships it ought to build them: It can charter them to private operators, if private operation is cheaper. That is done all the time.

Mr. SALTONSTALL. The whole idea is to try to stimulate private investment in ships. The Senator says that at the end of 10 years the operator gets the ship back for one-third of the cost. At the end of 10 years, two-thirds of the value of the tanker is gone—perhaps more. During the second 10-year period the ship is of very much less value, and there may not be very little in it from the point of view of the owner.

Mr. MAGNUSON. So long as the tanker operates, it does not make any difference whether it is 10 years old or 15 years old, particularly in a period such as this when tanker tonnage is very tight. At the end of 10 or 15 years a tanker may be just as useful as when it was new. It could be of more value to the operator at the end of a 10-year period, during the following 8 years, than it was during the first 10 years, during which time the Government was guaranteeing the subsidy.

Mr. SALTONSTALL. That is the guess of my distinguished friend from Washington, as opposed to the guess, we will say, of the Secretary of the Navy or of Admiral Denebrink who is in charge of the Military Sea Transport Service.

I would say to the Senator that what he has stated I have heard discussed in committee and in conference. It comes down to a question of policy.

Mr. MAGNUSON. That is correct.

Mr. SALTONSTALL. If the policy of the Senator from Washington is adopted it will mean that the Government will build these ships and own that much more of the merchant marine.

The PRESIDING OFFICER. The additional 3 minutes of debate have expired.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senators may continue their colloquy for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. I do not wish to continue this colloquy. The consideration of the bill comes down to a question of policy. It is the same policy we encountered in the lease-purchase bill. It is a completely new policy which guarantees private operators something which they did not have before. I believe the bill is too important to be passed on the call of the calendar. Therefore I ask that it go over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1955, and for other purposes, was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

TRANSMISSION AND DISPOSITION OF ELECTRIC ENERGY GENERATED AT FALCON DAM

The bill (S. 3090) to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement prepared by the junior Senator from Oregon [Mr. MORSE].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

When this bill was considered two and a half weeks ago by the Public Works Committee, I proposed that the following language be included in the report:

"This provision would make applicable to this project the priorities provided in similar past legislation such as the Flood Control Act of 1944, namely, that electric power and energy will be marketed and will be made available to public bodies and cooperatives, subject only to such requirements of notice as may be necessary to permit satisfactory planning."

It was explained that the Department of the Interior had cast doubt upon the meaning of the preference clauses in existing law by its promulgation of the Missouri Basin Marketing Criteria. As originally issued, the Department's criteria had the effect of freezing preference at a given point of time, thereby denying to public and nonprofit agencies (such as rural electric co-ops) the opportunity to exercise preference rights some time after initial allocation of the power from a project is made. New co-ops coming into existence and those expanding service would be denied power at low rates or would be obliged to contract at the time of first allocation for more than its existing needs, thereby increasing consumer costs.

The committee adopted the language I proposed. Toward the close of the meeting a member of the committee came in and he was brought up to date on the committee's action. He said that as the Interior Department was to be the marketing agency he thought the proposed language should be submitted to the Secretary for comment. It was agreed that if the language were acceptable, the bill would be reported with the addition without further committee action.

It was agreed that if the Department of the Interior objected to the proposed language on preference, there would be not merely further consideration by the Public Works Committee but a hearing on the preference provisions.

Assistant Secretary Aandahl did object by letter dated May 5. On May 7 copies were distributed to committee members with a covering staff memorandum which concluded:

"In view of the foregoing changes in the situation since the commitee agreed on a contingent basis to report this bill, the memorandum is submitted for further instructions from the committee."

No further committee meeting was held on this bill. It was reported on May 14 without the language in the report tentatively adopted by the committee.

I submit that the bill is not properly before the Senate and should be withdrawn from the calendar by the committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. At the request of the junior Senator from Oregon [Mr. MORSE], I request that the bill go over.

The PRESIDING OFFICER. The bill will go over.

REVISION OF ORGANIC ACT OF VIRGIN ISLANDS

The Senate proceeded to consider the bill (S. 3378) to revise the Organic Act of the Virgin Islands of the United States.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. BUTLER of Nebraska. Mr. President, I offer three amendments to the bill.

In explanation, I will say that all Members of the Senate are cognizant of the fact that an outstanding citizen of the State of Iowa is now the appointed Governor of the Virgin Islands. He is of the Negro race. He is a graduate of the University of Iowa and a member of an outstanding contracting firm in the United States. We expect great things from his administration of the affairs of the Virgin Islands.

Some time ago, I and the staff of the committee sent to the newly elected Governor a copy of the proposed bill, and asked for his comment and suggestion of changes, if any.

He conferred with members of the Legislature in the Virgin Islands, and

sent us a communication which unfortunately did not reach the committee in time to be used as the basis of changes in the bill.

I therefore offer three amendments, which perhaps are minor in nature, but are of great importance to the people of the Virgin Islands. I ask that the amendments be stated.

The PRESIDING OFFICER. The Secretary will state the amendments.

The CHIEF CLERK. On page 8, line 17, after the word "thereof", it is proposed to strike out "for not to exceed a total of eight round trips during any calendar year."

On page 18, line 18, after the word "Islands", it is proposed to strike out "who shall reside in St. Croix during his official incumbency, and may reside in the government house on St. Croix free of rent", and on page 19, line 3, after the word "Governor.", it is proposed to strike out "He shall also serve as the Administrator for St. Croix, without additional compensation, and in that capacity shall act for the Governor in the administration of the affairs of St. Croix."

On page 28, line 1, after the word "division.", it is proposed to strike out "The practice and procedure in the district court shall be as prescribed by rules and orders of the court.", and in lieu thereof, to insert "The rules of practice and procedure heretofore or hereafter promulgated and made effective by the Supreme Court of the United States pursuant to section 2072 of title 28, United States Code, in civil cases, section 2073 of title 28, United States Code, in admiralty cases, and section 30 of the Bankruptcy Act in bankruptcy cases, shall apply to the district court of the Virgin Islands and to appeals therefrom. All offenses shall continue to be prosecuted in the district court by information as heretofore except such as may be required by local law to be prosecuted by indictment by a grand jury."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Nebraska [Mr. BUTLER].

The amendments were agreed to.

Mr. BUTLER of Nebraska. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point a statement which I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER OF NEBRASKA

This bill is urgently needed to provide an up-to-date and efficient structure of government for our small island possession in the Caribbean.

The present government of the Virgin Islands of the United States is based on the organic act of 1936, which is a patchwork system based to a large degree on old Danish law. The past years have demonstrated fully that the system is badly in need of modernization. To give only 1 example, the present organic act provides for 3 separate legislatures for this small possession, having only 25,000 people. The duplication and inefficiency of the present government system there is badly in need of correction.

This bill has been very carefully worked out on the basis of suggestions from all sources over the last 3 or 4 years. Last year I introduced by request three separate proposals for a revised organic act, proposed respectively by the United States Department of Interior, the Legislative Assembly of the Virgin Islands, and the Chamber of Commerce of St. Thomas. Then in December last year I visited the islands and held public hearings there on these three bills.

One of the most important changes is to abolish the duplication of three separate legislatures and establish in its place a single Legislature of the Virgin Islands. The bill also proposes that the duplicating departments and agencies of the island government be consolidated by the new governor, the Honorable Archie A. Alexander. I anticipate that the savings from eliminating this duplication will be tremendous. The bill also proposes to reduce the salary of the members of the legislature to an annual figure more nearly in line with the compensation of legislators in the various States. During recent years, the members of the Virgin Islands Legislative Assembly have voted themselves increases in compensation several times, to the point where they now receive up to $2,300 a year plus expenses to perform the legislative duties for these tiny islands.

The bill also strengthens the authority of local officials by providing an automatic grant to the Virgin Islands of a part of the revenue derived from the United States tax on rum. This grant is intended to replace the annual appropriations through the interior appropriation bill for municipal deficits, central administration, public works, and certain other purposes.

I believe this measure is vitally needed to make the new governor's administration in the Virgin Islands a success, and I hope we can act upon it without delay.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "Revised Organic Act of the Virgin Islands."

SEC. 2. (a) The provisions of this act, and the name "Virgin Islands" as used in this act, shall apply to and include the territorial domain, islands, cays, and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. 1706). The Virgin Islands as above described are hereby declared an unincorporated territory of the United States of America.

(b) The government of the Virgin Islands shall have the powers set forth in this act and shall have the right to sue by such name and to be sued: *Provided,* That no tort action shall be brought against the government of the Virgin Islands or against any officer or employee thereof in his official capacity without the consent of the legislature constituted by this act.

The capital and seat of government of the Virgin Islands shall be located at the city of Charlotte Amalie, in the island of St. Thomas.

BILL OF RIGHTS

SEC. 3. No law shall be enacted in the Virgin Islands which shall deprive any person of life, liberty, or property without due process of law or deny to any person therein equal protection of the laws.

In all criminal prosecutions the accused shall enjoy the right to be represented by counsel for his defense, to be informed of the nature and cause of the accusation, to have a copy thereof, to have a speedy and public trial, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor.

No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal cause to give evidence against himself; nor shall any person sit as judge or magistrate in any case in which he has been engaged as attorney or prosecutor.

All persons shall be bailable by sufficient sureties in the case of criminal offenses, except for first-degree murder or any capital offense when the proof is evident or the presumption great.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

No law impairing the obligation of contracts shall be enacted.

No person shall be imprisoned or shall suffer forced labor for debt.

All persons shall have the privilege of the writ of habeas corpus and the same shall not be suspended except as herein expressly provided.

No ex post facto law or bill of attainder shall be enacted.

Private property shall not be taken for public use except upon payment of just compensation ascertained in the manner provided by law.

The right to be secure against unreasonable searches and seizures shall not be violated.

No warrant for arrest or search shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Slavery shall not exist in the Virgin Islands.

Involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted by a court of law, shall not exist in the Virgin Islands.

No law shall be passed abridging the freedom of speech or of the press or of the right of the people peaceably to assembly and petition the government for the redress of grievances.

No religious test shall ever be required as a qualification to any office or public trust under the government of the Virgin Islands.

No person who advocates, or who aids or belongs to any party, organization, or association which advocates, the overthrow by force or violence of the government of the Virgin Islands or of the United States shall be qualified to hold any office of trust or profit under the government of the Virgin Islands.

No money shall be paid out of the Virgin Islands treasury except in accordance with an act of Congress or money bill of the legislature.

The contracting of polygamous or plural marriages is prohibited.

The employment of children under the age of 16 years in any occupation injurious to health or morals or hazardous to life or limb is prohibited.

Nothing contained in this act shall be construed to limit the power of the legislature herein provided to enact laws for the protection of life, the public health, or the public safety.

FRANCHISE

SEC. 4. The franchise shall be vested in residents of the Virgin Islands who are citizens of the United States 21 years of age or over. Additional qualifications may be prescribed by the legislature: *Provided, however,* That no property or income qualification shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief.

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LEGISLATIVE BRANCH

SEC. 5. (a) The legislative power and authority of the Virgin Islands shall be vested in a legislature, consisting of one house, to be designated the "Legislature of the Virgin Islands," herein referred to as the legislature.

(b) The legislature shall be composed of 11 members to be known as representatives. The Virgin Islands shall be divided into three legislative districts, as follows: the district of St. Thomas, comprising St. Thomas, Hassel, Water, Savana, Inner Brass, Outer Brass, Hans Lollik, Little Hans Lollik, Great St. James, Little St. James, and Capella Islands, Thatch Cay, and adjacent islets and cays; the district of St. Croix, comprising St. Croix and Buck Islands and adjacent islets and caps; and the district of St. John, comprising St. John and Flanagan Islands, Grass, Mingo, Lovango, and Congo cays, and adjacent islets and cays. Two representatives shall be elected by the qualified electors of the district of St. Thomas; 2 representatives shall be elected by the qualified electors of the district of St. Croix; and 1 representative shall be elected by the qualified electors of the district of St. John. The other six representatives at large and shall be elected by the qualified electors of the Virgin Islands from the Virgin Islands as a whole: *Provided*, That in the election of representatives at large, each elector shall be entitled to vote for two candidates, and the candidates receiving the largest number of votes shall be declared elected up to the number to be elected at that election. The order of names upon the ballot for each office shall be determined alphabetically for the first 500 ballots printed, and thereafter the names shall be alternated on each succeeding group of 500 ballots.

SEC. 6. (a) The term of office of each member of the legislature shall be 2 years. The term of office of each member shall commence on the second Monday in January following his election.

(b) No person shall be eligible to be a member of the legislature who is not a citizen of the United States, who has not attained the age of 25 years, who is not a qualified voter in the Virgin Islands, who has not been a bona fide resident of the Virgin Islands for at least 3 years next preceding the date of his election, or who has been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his civil rights. Federal employees and persons employed in the legislative, executive, or judicial branches of the government of the Virgin Islands shall not be eligible for membership in the legislature.

(c) All officers and employees charged with the duty of directing the administration of the electoral system of the Virgin Islands and its representative districts shall be appointed in such manner as the legislature may by law direct.

(d) No member of the legislature shall be held to answer before any tribunal other than the legislature for any speech or debate in the legislature and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the legislature and in going to and returning from the same.

(e) Each member of the legislature shall be paid the sum of $600 annually, one-third on the second Monday in January, one-third on the second Monday in February, and one-third at the close of the regular session. Each member of the legislature who is away from the island of his residence shall also receive the sum of $10 per day for each day's attendance while the legislature is actually in session, in lieu of his expenses for subsistence, and shall be reimbursed for his actual travel expenses in going to and returning from each session, or period thereof. The salaries, per diem, and travel allowances of the members of the legislature shall be paid by the Government of the United States.

(f) No member of the legislature shall hold or be appointed to any office which has been created by the legislature, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected, or during 1 year after the expiration of such term.

(g) The legislature shall be the sole judge of the elections and qualifications of its members, shall have and exercise all the authority and attributes inherent in legislative assemblies, and shall have the power to institute and conduct investigations, issue subpena to witnesses and other parties concerned, and administer oaths. The rules of the Legislative Assembly of the Virgin Islands existing on the date of approval of this act shall continue in force and effect for sessions of the legislature, except as inconsistent with this act, until altered, amended, or repealed by the legislature.

(h) The Governor of the Virgin Islands shall fill any vacancy in the office of member of the legislature by appointment. If the vacant office is that of a representative from a district, the person appointed shall be a resident of the district from which the member whose office is vacant was elected. If the vacant office is that of a representative at large the person appointed may be a resident of any part of the Virgin Islands. In any case, the person appointed shall serve for the remainder of the unexpired term.

SEC. 7. (a) Regular sessions of the legislature shall be held annually, commencing on the second Monday in January, and shall continue for not more than 60 consecutive calendar days. The Governor may call special sessions of the legislature at any time when in his opinion the public interests may require it, but no special session shall continue longer than 15 calendar days, and the aggregate of such special sessions during any calendar year shall not exceed 30 calendar days. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session.

(b) Sessions of the legislature shall be held in the capital of the Virgin Islands at Charlotte Amalie, St. Thomas.

SEC. 8. (a) The legislative authority and power of the Virgin Islands shall extend to all subjects of local application not inconsistent with this act or the laws of the United States made applicable to the Virgin Islands, but no law shall be enacted which would impair rights existing or arising by virtue of any treaty or international agreement entered into by the United States, nor shall the lands or other property of nonresidents be taxed at a higher rate than the lands or other property of residents. No public indebtedness of the Virgin Islands shall be authorized or allowed in excess of 10 percent of the aggregate tax valuation of the property in the Virgin Islands. Bonds or other obligations of the government of the Virgin Islands payable solely from revenues derived from any public improvement or undertaking shall not be considered public indebtedness of the Virgin Islands within the meaning of this section. All bonds issued by the government of the Virgin Islands or by its authority shall be exempt, as to principal and interest, from taxation by the Government of the United States or by the government of the Virgin Islands, or by any State or Territory or any political subdivision thereof, or by the District of Columbia.

(b) The laws of the United States applicable to the Virgin Islands on the date of approval of this act, including laws made applicable to the Virgin Islands by or pursuant to the provisions of the act of June 22, 1936 (49 Stat. 1807), and all local laws and ordinances in force in the Virgin Islands on the date of approval of this act shall, to the extent they are not inconsistent with this act, continue in force and effect until otherwise provided by the Congress: *Provided*, That the legislature shall have power, when within its jurisdiction and not inconsistent with the other provisions of this act, to amend, alter, modify, or repeal any local law or ordinance, public or private, civil or criminal, continued in force and effect by this act, except as herein otherwise provided, and to enact new laws not inconsistent with any law of the United States applicable to the Virgin Islands, subject to the power of Congress to annul any such act of the legislature.

(c) The President of the United States shall appoint a commission of 7 persons, at least 3 of whom shall be residents of the Virgin Islands, to survey the field of Federal statutes and to make recommendations to the Congress within 12 months after the date of approval of this act as to which statutes of the United States not applicable to the Virgin Islands on such date should be made applicable to the Virgin Islands, and as to which statutes of the United States applicable to the Virgin Islands on such date should be declared inapplicable. The members of the commission shall receive no salary for their service on the commission, but under regulations and in amounts prescribed by the Secretary of the Interior, they may be paid, out of Federal funds, reasonable per diem fees, and allowances in lieu of subsistence expenses, for attendance at meetings of the commission, and for time spent on official business of the commission, and their necessary travel expenses to and from meetings or when upon such official business, without regard to the Travel Expense Act of 1949.

(d) The Secretary of the Interior shall arrange for the preparation, at Federal expense, of a code of laws of the Virgin Islands, to be entitled the "Virgin Islands Code," which shall be a consolidation, codification and revision of the local laws and ordinances in force in the Virgin Islands. When prepared, the Governor shall submit it, together with his recommendations, to the legislature for enactment. Upon the enactment of the Virgin Islands Code it and any supplements to it shall be printed, at Federal expense, by the Government Printing Office as a public document.

SEC. 9. (a) The quorum of the legislature shall consist of seven of its members. No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays.

(b) The enacting clause of all acts shall be as follows: "Be it enacted by the Legislature of the Virgin Islands."

(c) The Governor shall submit at the opening of each regular session of the legislature a message on the state of the Virgin Islands and a budget of estimated receipts and expenditures, which shall be the basis of the appropriation bills for the ensuing fiscal year, which shall commence on the first day of July.

(d) Every bill passed by the legislature shall, before it becomes a law, be presented to the Governor. If the Governor approves the bill, he shall sign it. If the Governor disapproves the bill, he shall, except as hereinafter provided, return it, with his objections, to the legislature within 10 days Sundays excepted) after it shall have been presented to him. If the Governor does not return the bill within such period, it shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevents its return, in which case it shall be a law if signed by the Governor within 30 days after it shall have been presented to him; otherwise it shall not be a law. When a bill is returned by the Governor to the

legislature with his objections, the legislature shall enter his objections at large on its journal and proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature agree to pass the bill, it shall be presented anew to the Governor. If he then approves it, he shall sign it; if not, he shall within 10 days after it has been presented to him transmit it to the President of the United States. If the President approves the bill, he shall sign it. If he disapproves the bill, he shall return it to the Governor, so stating, and it shall not be a law. If the President neither approves nor disapproves the bill within 90 days from the date on which it is transmitted to him by the Governor, the bill shall be a law in like manner as if the President had signed it. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more of such items, or any part or parts, portion or portions thereof, while approving the other items, parts, or portions of the bill. In such a case he shall append to the bill, at the time of signing it, a statement of the items, or parts or portions thereof, to which he objects, and the items, or parts or portions thereof, so objected to shall not take effect.

(e) If at the termination of any fiscal year the legislature shall have failed to pass appropriation bills providing for payment of the obligations and necessary current expenses of the Government of the Virgin Islands for the ensuing fiscal year, then the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be applicable, shall be deemed to be reappropriated item by item.

(f) The legislature shall keep a journal of its proceedings and publish the same. Every bill passed by the legislature and the yeas and nays on any question shall be entered on the journal.

(g) Copies of all laws enacted by the legislature shall be transmitted within 15 days of their enactment by the Governor to the Secretary of the Interior and by him annually to the Congress of the United States.

SEC. 10. The next general election in the Virgin Islands shall be held on November 2, 1954. At such time there shall be chosen the entire membership of the legislature as herein provided. Thereafter the general elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1956, and every 2 years thereafter. The Municipal Council of St. Thomas and St. John, and the Municipal Council of St. Croix, existing on the date of approval of this act, shall continue to function until January 10, 1955, at which time all of the functions, property, personnel, records, and unexpended balances of appropriations and funds of the governments of the municipality of St. Thomas and St. John and the municipality of St. Croix shall be transferred to the government of the Virgin Islands and the said municipalities shall cease to exist.

EXECUTIVE BRANCH

SEC. 11. The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the "Governor of the Virgin Islands", and shall be exercised under the supervision of the Secretary of the Interior. The Governor of the Virgin Islands shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office at the pleasure of the President and until his successor is chosen and qualified. The Governor shall reside in St. Thomas during his official incumbency, and may reside in the Government House on St. Thomas free of rent. He shall have general supervision and control of all the departments, bureaus, agencies and other instrumentalities of the executive branch of government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against the local laws, and may grant respites for all offenses against the laws of the United States applicable in the Virgin Islands until the decision of the President can be ascertained. He may veto any legislation as provided in this act. He shall appoint all officers and employees of the executive branch of the government of the Virgin Islands, except as otherwise provided in this or any other act of Congress, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and the laws of the United States applicable in the Virgin Islands. Whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia, to prevent or suppress violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the islands, or any part thereof, under martial law, until communication can be had with the President and the President's decision thereon made known. He shall annually, and at such other times as the President or the Congress may require, make official report of the transactions of the government of the Virgin Islands to the Secretary of the Interior, and his said annual report shall be transmitted to the Congress. He shall perform such additional duties and functions as may, in pursuance of law, be delegated to him by the President, or by the Secretary of the Interior. He shall have the power to issue executive regulations not in conflict with any applicable law. He may attend or may designate another person to represent him at the meetings of the legislature, may give expressions to his views on any matter before that body, and may recommend bills to the legislature.

SEC. 12. The President shall appoint a government secretary for the Virgin Islands. He shall have custody of the seal of the Virgin Islands and shall countersign and affix such seal to all executive proclamations and all other executive documents. He shall record and preserve the laws enacted by the legislature. He shall promulgate all proclamations and orders of the Governor and all laws enacted by the legislature. He shall have such executive powers and perform such other duties as may be assigned to him by the Governor.

SEC. 13. The Secretary of the Interior may from time to time designate the Government Secretary or the head of an executive department of the government of the Virgin Islands to act as Governor in the case of a vacancy in the offices, or the disability or temporary absence, of the Governor, and the person so designated shall have all the powers of the Governor for so long as such condition continues.

SEC. 14. (a) The Governor shall, within 1 year after the date of approval of this act, reorganize and consolidate the existing executive departments, bureaus, independent boards, agencies, authorities, commissions, and other instrumentalities of the government of the Virgin Islands or of the municipal governments into not more than nine executive departments, except for independent bodies whose existence may be required by Federal law for participation in Federal programs. The head of each executive department shall be designated as the commissioner thereof, and the commissioner of finance shall be bonded. No other department, bureau, independent board, agency, authority, commission, or other instrumentality shall be created, organized, or established by the Governor or the legislature, without the prior approval of the Secretary of the Interior, unless required by Federal law for participation in Federal programs.

(b) The Governor shall, from time to time, examine the organization of the executive branch of the government of the Virgin Islands, and shall make such changes therein, not inconsistent with this act, as he determines are necessary to promote effective management and to execute faithfully the purposes of this act and the laws of the Virgin Islands.

(c) The heads of the executive departments created by this act shall be appointed by the Governor, with the advice and consent of the legislature. Each shall hold office during the continuance in office of the Governor by whom he is appointed and until his successor is appointed and qualified, unless sooner removed by the Governor. Each shall have such powers and duties as may be prescribed by the legislature.

SEC. 15. (a) The Secretary of the Interior shall appoint a government comptroller who shall receive a salary of $12,500 per annum. The government comptroller shall hold office for a term of 10 years and until his successor is appointed and qualified unless sooner removed by the Secretary of the Interior for cause. The government comptroller shall not be eligible for reappointment.

(b) The government comptroller shall audit and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of the Virgin Islands and of funds derived from bond issues; and he shall audit and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Virgin Islands including those pertaining to trust funds held by the government of the Virgin Islands.

(c) It shall be the duty of the government comptroller to bring to the attention of the proper administrative officer failures to collect amounts due the government, and expenditures of funds or property which in his opinion are extravagant, excessive, unnecessary, or irregular.

(d) It shall be the duty of the government comptroller to certify to the Secretary of the Interior the net amount of government revenues which form the basis for Federal grants for the civil government of the Virgin Islands.

(e) The decisions of the government comptroller shall be final except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year from the date of the decision, to the Governor, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken with the reasons and the authorities relied upon for reversing such decision.

(f) If the Governor confirms the decision of the government comptroller, then relief may be sought by appeal to the legislature or suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction.

(g) The government comptroller is authorized to communicate directly with any person having claims before him for settlement, or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of the Virgin Islands an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government, classified according to municipalities.

(i) The government comptroller shall make such other reports as may be required by the Governor of the Virgin Islands, the Comptroller General of the United States, or the Secretary of the Interior.

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(j) The office of the government comptroller shall be under the general supervision of the Secretary of the Interior, but shall not be a part of any executive department in the government of the Virgin Islands.

SYSTEM OF ACCOUNTS

SEC. 16. The Governor shall establish and maintain systems of accounting and internal control designed to provide—

(a) full disclosure of the financial results of the government's activities;

(b) adequate financial information needed for the government's management purposes;

(c) effective control over and accountability for all funds, property, and other assets for which the government is responsible, including appropriate internal audit; and

(d) reliable accounting results to serve as the basis for preparation and support of the government's request for the approval of the President or his designated representative for the obligation and expenditure of the internal-revenue collections as provided in section 26, the Governor's budget requests to the legislature, and for controlling the execution of the said budget.

SEC. 17. The office and activities of the government comptroller of the Virgin Islands shall be subject to review annually by the Comptroller General of the United States, and report thereon shall be made by him to the Governor, the Secretary of the Interior, and to the Congress.

SEC. 18. (a) The Governor shall receive an annual salary at the rate provided for Governors of Territories and possessions in the Executive Pay Act of 1949.

(b) The Government Secretary, the heads of the executive departments, and the members of the immediate staffs of the Governor and the Government Secretary, shall receive annual salaries at rates established by the Secretary of the Interior in accordance with the standards provided in the Classification Act of 1949.

(c) The salaries of the Governor, the Government Secretary, and the members of their immediate staffs shall be paid by the United States. The salaries of the government comptroller and the heads of the executive departments shall be paid by the government of the Virgin Islands; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor.

JUDICIAL BRANCH

SEC. 19. The judicial power of the Virgin Islands shall be vested in a court of record to be designated the "District Court of the Virgin Islands," and in such court or courts of inferior jurisdiction as may have been or may hereafter be established by local law.

SEC. 20. The District Court of the Virgin Islands shall have the jurisdiction of a district court of the United States in all causes arising under the Constitution, treaties and laws of the United States. It shall have general original jurisdiction in all causes arising under the local law in force in the Virgin Islands, exclusive jurisdiction over which is not conferred by this act upon the inferior courts of the Virgin Islands. When it is in the interest of justice to do so the district court may on motion of any party transfer to the district court any action or proceeding brought in an inferior court and the district court shall have jurisdiction to hear and determine such action or proceeding. The district court shall also have appellate jurisdiction to review the judgments and orders of the inferior courts of the Virgin Islands to the extent now or hereafter prescribed by local law.

SEC. 21. The inferior courts now or hereafter established by local law shall have exclusive original jurisdiction of all civil actions wherein the matter in controversy does not exceed the sum or value of $500, exclusive of interest and costs, all criminal cases wherein the maximum punishment which may be imposed does not exceed a fine of $100 or imprisonment for 6 months, or both, and all violations of police and executive regulations, and they shall have original jurisdiction, concurrently with the district court, of all actions, civil or criminal, jurisdiction of which may hereafter be conferred upon them by local law. Any action or proceeding brought in the district court which is within the jurisdicton of an inferior court may be transferred to such inferior court by the district court in the interest of justice. The inferior courts shall hold preliminary investigations in charges of felony and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction granted to the inferior courts by this section, and shall commit offenders to the district court and grant bail in bailable cases. The rules governing the practice and procedure of the inferior courts and prescribing the duties of the judges and officers thereof, oaths and bonds, the times and places of holding court, and the procedure for appeals to the district court shall be as may hereafter be established by the district court. The rules governing disposition of fines, costs and forfeitures, enforcement of judgments, and disposition and treatment of prisoners shall be as established by law or ordinance in force on the date of approval of this act or as may hereafter be so established.

SEC. 22. The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of the Virgin Islands, who shall hold office for the term of 8 years and until his successor is chosen and qualified, unless sooner removed by the President for cause. The salary of the judge of the district court shall be at the rate prescribed for judges of the United States district courts. Whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the district court the chief judge of the Third Judicial Circuit of the United States may assign a circuit or district judge of the third circuit, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge of the District Court of the Virgin Islands. The provisions of chapter 49 of title 28, United States Code, shall apply to the District Court of the Virgin Islands. The compensation of the judge of the district court and the administrative expenses of the court shall be paid from appropriations made for the judiciary of the United States. The Attorney General shall, as heretofore, appoint a marshal and one assistant marshal for the Virgin Islands to whose office the provisions of chapter 33 of title 28, United States Code, shall apply.

SEC. 23. The Virgin Islands consist of two judicial divisions; the Division of St. Croix, comprising the island of St. Croix and adjacent islands and cays and the Division of St. Thomas and St. John, comprising the islands of St. Thomas and St. John and adjacent islands and cays. The district court shall hold sessions in each division at such time as the court may designate by rule, or order, at least once in 3 months in each division. The rules of practice and procedure heretofore or hereafter promulgated and made effective by the Supreme Court of the United States pursuant to section 2072 of title 28, United States Code, in civil cases, section 2073 of title 28, United States Code, in admiralty cases, and section 30 of the Bankruptcy Act in bankruptcy cases, shall apply to the District Court of the Virgin Islands and to appeals therefrom. All offenses shall continue to be prosecuted in the district court by information as heretofore except such as may be required by local law to be prosecuted by indictment by a grand jury. The process of the district court shall run throughout the Virgin Islands.

SEC. 24. In any criminal case originating in the district court, no person shall be denied the right to trial by jury on the demand of either party. If no jury is demanded the case shall be tried by the judge of the district court without a jury, except that the judge may, on his own motion, order a jury for the trial of any criminal action. The legislature may provide for trial in misdemeanor cases by a jury of six qualified persons.

SEC. 25. The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands, who shall hold office for the term of 4 years and until his successor is chosen and qualified, unless sooner removed by the President for cause. The United States attorney, by himself or the assistant United States attorney, shall conduct all legal proceedings, civil and criminal, to which the Government of the United States or the government of the Virgin Islands is a party in the District Court of the Virgin Islands and in the inferior courts of the Virgin Islands. Offenses against the laws of the Virgin Islands shall be prosecuted in the name of the government of the Virgin Islands. The United States attorney shall perform his duties under the supervision and direction of the Attorney General of the United States. The Attorney General may appoint one assistant United States attorney. The Attorney General may authorize the employment of necessary clerical assistants. The compensation of the district attorney and his assistant and employees shall be fixed by the Attorney General and their salaries and the other necessary expenses of the office shall be paid from appropriations made to the Department of Justice. In the case of a vacancy in the office of the district attorney, the District Court of the Virgin Islands may appoint a district attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

FISCAL PROVISIONS

SEC. 26. (a) The proceeds of customs duties, the proceeds of the United States income tax, the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and the proceeds of all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands, less the cost of collecting all of said duties, taxes, and fees, shall be covered into the treasury of the Virgin Islands, and shall be available for expenditure as the Legislature of the Virgin Islands may provide: *Provided*, That the term "inhabitants of the Virgin Islands" as used in this section shall include all citizens of the United States whose permanent residence is in the Virgin Islands, and such persons shall satisfy their income-tax obligations under applicable taxing statutes of the United States by paying their tax on income derived from all sources both within and outside the Virgin Islands into the treasury of the Virgin Islands: *Provided further*, That nothing in this act shall be construed to apply to any tax specified in section 3811 of the Internal Revenue Code.

(b) Subchapter B of chapter 26 of the Internal Revenue Code is amended by adding to section 3350 thereof the following subsection:

"(c) Disposition of internal revenue collections: Beginning with the fiscal year ending June 30, 1954, and annually thereafter, the Secretary of the Treasury shall determine the amount of all taxes imposed by, and collected during the fiscal year under, the internal revenue laws of the United States on articles produced in the Virgin Islands and transported to the United States. The amount so determined less 1 percent and less the estimated amount of refunds or

credits shall be subject to disposition as follows:

"(i) There shall be transferred and paid over to the government of the Virgin Islands from the amounts so determined a sum equal to the total amount of the revenue collected by the government of the Virgin Islands during the fiscal year, as certified by the Government Comptroller of the Virgin Islands. The moneys so transferred and paid over shall constitute a separate fund in the treasury of the Virgin Islands and may be expended as the legislature may determine: *Provided*, That the approval of the President or his designated representative shall be obtained before such moneys may be obligated or expended.

"(ii) There shall also be transferred and paid over to the government of the Virgin Islands during each of the fiscal years ending June 30, 1955, and June 30, 1956, the sum of $1 million, or the balance of the internal revenue collections available under this subsection (c) after payments are made under the preceding paragraph (i), whichever amount is greater. The moneys so transferred and paid over shall be deposited in the separate fund established by the preceding paragraph (i), but shall be obligated or expended for emergency purposes and essential public projects only, with the prior approval of the President or his designated representative.

"(iii) Any amounts remaining shall be deposited in the Treasury of the United States as miscellaneous receipts.

"If at the end of any fiscal year the total of the Federal contribution made under (i) above at the beginning of that fiscal year has not been obligated or expended for an approved purpose, the balance shall continue available for expenditure during any succeeding fiscal year, but only for approved emergency relief purposes and essential public projects as provided in (ii) above. The aggregate amount of moneys available for expenditure for emergency relief purposes and essential public projects only, including payments under (ii) above, shall not exceed the sum of $5 million at the end of any fiscal year. Any unobligated or unexpended balance of the Federal contribution remaining at the end of a fiscal year which would cause the moneys available for emergency relief purposes and essential public projects only to exceed the sum of $5 million shall thereupon be transferred and paid over to the Treasury of the United States as miscellaneous receipts."

(c) Notwithstanding any other provision of law, section 526 of the Tariff Act of 1930 (46 Stat. 741, 19 U. S. C., 1946 edition, sec. 1526) and section 42 of the Trade Mark Act of 1946 (60 Stat. 440, 15 U. S. C., 1946 edition, sec. 1124) shall not apply to the Virgin Islands.

(d) There shall be levied, collected, and paid upon all articles coming into the United States or its possessions from the Virgin Islands the rates of duty and internal revenue taxes which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles, the growth or product of, or manufactured in, such islands, from materials grown or produced in such islands or in the United States, or both, or which do not contain foreign materials to the value of more than 50 percent of their total value, upon which no drawback of custom duties has been allowed therein, coming into the United States from such islands shall be admitted free of duty. In determining whether such a Virgin Islands article contains foreign material to the value of more than 50 percent, no material shall be considered foreign which, at the time the Virgin Islands article is entered, or withdrawn from warehouse for consumption, may be imported into the continental United States free of duty generally.

MISCELLANEOUS PROVISIONS

SEC. 27. All officials of the government of the Virgin Islands shall be citizens of the United States. Every member of the Legislature of the Virgin Islands and all officers and employees of the government of the Virgin Islands shall before entering upon the duties of their respective offices, or, in the case of persons in the employ of the government of the Virgin Islands on the effective date of this act, then within 60 days of the effective date thereof, make a written statement in the following form:

"I, ----------, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution and laws of the United States applicable to the Virgin Islands and the laws of the Virgin Islands, and that I will discharge the duties of---------- ---------- with fidelity.

"And I do further swear (or affirm) that I do not advocate, nor am I knowingly a member of any organization that advocates, the overthrow of the Government of the United States or of the Virgin Islands by force or violence or other unconstitutional means, or seeking by force or violence to deny other persons their rights under the Constitution and laws of the United States applicable to the Virgin Islands or the laws of the Virgin Islands.

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Virgin Islands."

SEC. 28. All reports required by law to be made by the Governor to any official of the United States shall hereafter be made to the Secretary of the Interior, and the President is hereby authorized to place all matters pertaining to the government of the Virgin Islands under the jurisdiction of the Secretary of the Interior, except matters relating to the judicial branch of said government which on the date of approval of this act are under the supervision of the Director of the Administrative Office of the United States Courts.

SEC. 29. (a) The Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.

(b) The government of the Virgin Islands shall continue to have control over all public property that is under its control on the date of approval of this act.

SEC. 30. Section 6 of the act of August 30, 1890 (26 Stat. 414, 416), as amended (21 U. S. C., 1946 edition, sec. 104), is further amended by inserting the words "and the admission into the Virgin Islands" immediately following the word "Texas," so that such section will read as follows:

"The importation of cattle, sheep, and other ruminants, and swine, which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is prohibited: *Provided*, That the Secretary of Agriculture, within his discretion and under such regulations as he may prescribe, is authorized to permit the admission from Mexico into the State of Texas and the admission into the Virgin Islands of cattle which have been infested with or exposed to ticks upon being freed therefrom. Any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine not exceeding $5,000, or by imprisonment not exceeding 3 years, and any vessel or vehicle used in such unlawful importation within the knowledge of the master or owner of such vessel or vehicle that such importation is diseased or has been exposed to infection as herein described, shall be forfeited to the United States."

SEC. 31. Section 2 of the act of February 2, 1903 (32 Stat. 791, 792), as amended (21 U. S. C., 1946 edition, sec. 111), is hereby further amended by striking out the period and adding at the end thereof the following: ": *Provided*, That no such regulations or measures shall pertain to the introduction of live poultry into the Virgin Islands of the United States."

SEC. 32. This act shall take effect upon its approval, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the incumbents of all offices under the government of the Virgin Islands shall continue in office until their successors are appointed and have qualified unless sooner removed by competent authority. The enactment of this act shall not affect the term of office of the judge of the district court of the Virgin Islands in office on the date of its enactment.

SEC. 33. There are hereby authorized to be appropriated annually by the Congress of the United States such sums as may be necessary and appropriate to carry out the provisions and purposes of this act.

SEC. 34. Except to the extent necessary to implement the provisions of section 35, the act of June 22, 1936 (49 Stat. 1807), and any other provisions of law inconsistent with this act are hereby repealed.

LT. HAYDEN R. FORD

The PRESIDING OFFICER. The Secretary will state the first bill passed to the foot of the calendar.

The bill (S. 2450) for the relief of Lt. Hayden R. Ford was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill for the RECORD?

Mr. KEFAUVER. Mr. President, this bill is to relieve Lt. Hayden R. Ford, who is employed by the Corps of Engineers in the city of Nashville, Tenn., from liability to repay to the United States a sum in excess of $14,000.

The situation is that he was entitled to retirement pay in 1945. The amount in the bill is that which was paid to him by the Veterans' Administration as retirement pay.

In his letter to the Veterans' Administration Lieutenant Ford gave notice of the amount he was receiving in his employment with the Corps of Engineers, and the Government had notice of the fact that his retirement pay and salary combined did amount to more than $3,000, which is the limit established by law with respect to dual compensation. The Government, therefore, had notice of the fact that he was receiving an amount in excess of that limit. The young man is of good family, is married and has a family, and he is employed by the Corps of Engineers. He has no means with which to make repayment, and unless the bill is enacted it will mean that he will lose his employment with the Government. In any event the Government will not be benefited, because his income is too small for him to repay the amount owed the Government.

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Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. HENDRICKSON. Over what period of time did these overpayments extend?

Mr. KEFAUVER. From July 1945 to January 1953.

Mr. HENDRICKSON. Almost 10 years.

Mr. KEFAUVER. Almost 10 years.

Mr. HENDRICKSON. I thank the Senator. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2450) for the relief of Lt. Hayden R. Ford was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Lt. Hayden R. Ford, United States Air Force, retired, Nashville, Tenn., is hereby relieved of all liability to repay to the United States the sum of $14,383.56, which was erroneously paid to him by reason of the failure on the part of the Veterans' Administration and the Department of the Air Force to reduce, pursuant to section 212 of the act of June 30, 1932, as amended (47 Stat. 406) (limiting the amount of retired pay of certain commissioned officers holding positions under the United States Government), the amounts payable to the said Lt. Hayden R. Ford as a retired commissioned officer of the Air Force while he was employed as a civilian by the Army engineers.

APPOINTMENT OF COL. LELAND HAZELTON HEWITT AS UNITED STATES COMMISSIONER, INTERNATIONAL BOUNDARY AND WATER COMMISSION OF THE UNITED STATES AND MEXICO

The PRESIDING OFFICER. The Secretary will call the next bill passed to the foot of the calendar.

The bill (S. 3457) to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

That completes the call of the calendar and the Chair lays before the Senate the unfinished business.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Monroney
Barrett	Hendrickson	Purtell
Bridges	Hill	Robertson
Capehart	Holland	Saltonstall
Case	Hunt	Schoeppel
Chavez	Ives	Smathers
Clements	Kefauver	Smith, Maine
Cordon	Kilgore	Smith, N. J.
Daniel	Knowland	Sparkman
Ellender	Kuchel	Stennis
Ferguson	Magnuson	Thye
Fulbright	Mansfield	Watkins
Gillette	Maybank	Wiley
Gore	Millikin	Young

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER] is absent by leave of the Senate.

The Senator from Ohio [Mr. BRICKER] and the Senator from Kentucky [Mr. COOPER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. DUFF], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The PRESIDING OFFICER. A quorum is not present.

Mr. KUCHEL. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BENNETT, Mrs. BOWRING, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. DIRKSEN, Mr. DWORSHAK, Mr. EASTLAND, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. GOLDWATER, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. LANGER, Mr. LEHMAN, Mr. LONG, Mr. MALONE, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. SYMINGTON, Mr. WELKER, and Mr. WILLIAMS entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. WILEY. Mr. President, I am in a rather unusual situation, in that, not being a Senator who engages in fireworks, I must today speak on the fireworks bill. [Laughter.]

Mr. President, because of the small number of Senators present, I ask unanimous consent that the Senate proceed at once to the consideration of the committee amendments.

The PRESIDING OFFICER (Mr. BUSH in the chair). The Secretary will state the committee amendments.

The committee amendments were stated by the legislative clerk, as follows:

On page 1, line 8, after the word "State", to strike out "knowingly imports or"; in line 10, after the word "do", to strike out "unless" and insert "knowing that"; on page 2, line 3, after the word "manner", to strike out "and" and insert "or"; in the same line, after the word "use", to strike out "not"; in line 4, after the word "State", to insert "specifically prohibiting or regulating the use of fireworks"; in line 8, after the word "carrier", to strike out "or to a freight forwarder"; and in line 9, after the word "commerce", to insert "or to the transportation of fireworks in to a State for the use of Federal agencies in the carrying out or the furtherance of their operations."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, the Senator from Florida [Mr. HOLLAND] desires to offer an amendment, to which I have no objection and which I shall accept. In view of the fact that there is no controversy over the amendment, I suggest that the Senate proceed to the consideration of the amendment to be offered by the Senator from Florida.

Mr. HOLLAND. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 3. This act shall not be effective with respect to—

(1) the transportation of fireworks into any State or Territory for use solely for agricultural purposes,

(2) the delivery of fireworks for transportation into any State or Territory for use solely for agricultural purposes, or

(3) any attempt to engage in any such transportation or delivery for use solely for agricultural purposes,

until 60 days have elapsed after the commencement of the next regular session of the legislature of such State or Territory which begins after the date of enactment of this act.

Mr. HOLLAND. Mr. President, the distinguished Senator from Wisconsin has asked me to explain the amendment briefly.

In explanation, I first send to the desk several communications which I have received. The first one is from Hon. Nathan Mayo, commissioner of agriculture of the State of Florida. It is in the form of a telegram sent to me under date of May 10. I may say that Mr. Mayo is one of the finest public servants our State has ever had.

The second communication is a letter dated May 13 addressed to me by Mr. M. U. Mounts, county agent, Cooperative Extension Work in Agriculture and Home Economics of the State of Florida for Palm Beach County.

The third communication is a letter dated May 13 addressed to me by Mr. W. T. Forsee, Jr., chemist in charge, agricultural experiment stations, University of Florida, Everglades Experiment Station, at Belle Glade, Fla.

I ask unanimous consent that the communications be printed in the RECORD at this point as a part of my remarks.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

TALLAHASSEE, FLA., *May 10, 1954.*

Hon. SPESSARD L. HOLLAND,
United States Senate:

In Florida, as you know, birds are very destructive to corn and other field crops. Use of firecrackers to frighten birds away has proven effective and economical and is better method than killing birds with guns or poison. Believe it would be disastrous to Florida agriculturists if H. R. 116 passed. Let me strongly urge you to use every effort possible to have H. R. 116 amended so as to protect Florida farmers in continued use of fireworks for agricultural purposes or to postpone effective date of this bill until State legislatures of various States have opportunity to act upon this matter.

NATHAN MAYO,
Commissioner of Agriculture.

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS,
STATE OF FLORIDA,
West Palm Beach, May 13, 1954.

Hon. SPESSARD L. HOLLAND,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HOLLAND: We have been informed by Mr. Jaffre David of the Florida Fruit and Vegetable Association of your need for information on the problem of blackbirds and our sweet-corn corp.

According to the Bureau of Agricultural Economics and the Crop Reporting Service, Palm Beach County harvested 19,825 acres of sweet corn in the season 1952–53. All but approximately 2,500 acres of this crop was concentrated in the Everglades area of the county, the coastal area back of Boynton Beach and Delray Beach having a small mid-winter crop.

Sweet corn will be maturing for harvest from late November into June. Our blackbird population can find ample acreage on which to feed during this entire period. These busy little birds will completely ruin the marketability of entire fields if not controlled. Corn is a crop the trade does not accept unless it is top quality and grade. It is a loss of time and money to attempt the harvesting of damaged corn. Farmers in the past have utilized planes and guns in controlling the blackbird menace.

This new firecracker system, oddly enough, is efficient and is much more economical. As can also be seen this method does not disturb the sensitivities of the ultra conservationist.

We are asking the Everglades Experiment Station to send you one of their reports.

Sincerely yours,

M. U. MOUNTS,
County Agent.

AGRICULTURAL EXPERIMENT STATIONS, UNIVERSITY OF FLORIDA,
EVERGLADES EXPERIMENT STATION,
Belle Glade, Fla., May 13, 1954.

Hon. SPESSARD L. HOLLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR HOLLAND: It has come to my attention that the Congress of the United States has had introduced for its consideration House bill 116, which will prohibit the sale of firecrackers in any State where there is a State law prohibiting such sales. As I understand it, the proposed law could make it impossible for any group or individual in the State of Florida to obtain firecrackers regardless of the purpose for which they may be used because Florida has a law prohibiting retail sales of fireworks.

As you perhaps know, we have a serious blackbird problem here in the Everglades and south Florida area involving more than 20,000 acres of sweet corn which is grown for the fresh market. Extensive damage occurs from two factors. First, the birds pull the young seedlings which results in poor stands. Second, extensive damage is done to the ears just before harvesting which makes them unacceptable to the market. In order to prevent this damage growers have resorted to the use of shotguns on smaller acreages and low-flying airplanes equipped with claxon horns on larger acreages. This protection is estimated to cost up to $10 per acre. Rental of a plane and pilot is $70 per day and protection is required for several days preceding harvest.

Last fall, at the suggestion of Mr. Emil A. Wolf, horticulturist here at the Everglades Experiment Station, we initiated some correspondence with Dr. A. L. Nelson, director, Patuxent Research Refuge, United States Department of Interior, Fish and Wild Life Service, Laurel, Md., with a request for initiation of some research studies in this area for bird control in corn similar to research that had been carried on in rice-producing areas of Arkansas and the sweet-corn-producing areas of New Jersey. This request was supported by similar requests from growers in the area and the Florida Fruit and Vegetable Association.

As a result, Mr. Robert T. Mitchell, biologist, United States Fish and Wild Life Service, was assigned to this area for about 2 months during February, March, and April. He conducted extensive research on the control of blackbirds and succeeded in working out effective measures which are considerably cheaper and perhaps more effective than those presently in use. His methods were so successful that some of our growers have adopted the control procedures and are using them this spring. We are using the same methods of routine control for our experimental work with sweet corn here at the experiment station. I am attaching two copies of Experiment Station Mimeo Report No. 54–2, Instructions for the Use of Firecrackers To Protect Corn From Blackbirds in the Florida Everglades Area. This report is a result of the work recently completed.

It is readily understood from the control measures recommended in the report that it will be necessary for the sweet-corn growers in this area to be able to obtain firecrackers in large quantities to be used in the assembly of devices recommended for the control of blackbirds in cornfields. I am supplying you with this information with the hope that some procedure can be worked out in any law which might be passed by our Congress that will allow unrestricted purchase and use of firecrackers for agricultural purposes.

Sincerely yours,

W. T. FORSEE, Jr.,
Chemist in Charge.

Mr. HOLLAND. Ever since this question arose, my attention has been called to the fact that agriculture in several areas of the Nation is interested in the use of firecrackers for the protection of certain crops from the depredation of birds. Apparently there has been grave criticism by various conservation agencies to the destruction of birds by the use of poison and by shooting, which had occurred in some areas for protective purposes. The other method used, buzzing by airplanes, has proved to be very expensive.

Therefore, in the last 2 or 3 years, as a very recent matter, there has been developed the use of firecrackers, with long-burning fuses, and the attachment of firecrackers to the fuses at such distances that they are fired over regular intervals, which has proved to be a very highly effective means of protection from birds particularly in the raising of sweet corn, field corn, rice, and other crops. Consequently there is a request from various groups in agriculture that the pending measure be so amended as to except from this measure the transportation and use of fireworks for these agricultural purposes until State legislatures have the chance to appropriately amend State laws.

The amendment I have offered is designed to accomplish that purpose.

The amendment has been approved by Mr. Charles H. Callison, conservation director, National Wildlife Federation, and by various agricultural agencies.

So far as I know the amendment is not subject to any objection or criticism from any source.

I may say, in closing, that there are two bulletins which have been published on this subject, both written by Mr. Robert T. Mitchell, of the United States Fish and Wildlife Service, one of which has been mimeographed for distribution by the Florida Experiment Station as its report No. 54–2, and the other as a report on the lower Delaware River Valley, consisting of 19 pages, which bulletin may be had from the United States Fish and Wildlife Service. I am not incorporating them in the RECORD at this point, but simply making reference to them for the benefit of anyone who may be interested.

I ask that the amendment be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, I have discussed this subject, as I said, with the Senator from Florida, and I, too, have received a letter from Mr. Callison, which I ask to have printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., May 10, 1954.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: It has been brought to our attention that H. R. 116, the bill to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, would prevent the use in certain States of the most effective device discovered to date for the control of depredations by wild birds upon truck, farm and orchard crops. Knowing your interest in wildlife conservation matters, Senator WILEY, we hope and trust that you will consider a simple amendment to H. R. 116, to permit the continued use of this system of control and to prevent a protest which will inevitably arise from certain truck and fruit farming areas such as Florida, should the bill be passed in its present form.

I have discussed this matter by telephone with members of your staff.

I know you are familiar with the critical problem of waterfowl depredations on crops in the State of California and in other areas.

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You also know that in certain Eastern Seaboard States extending as far south as Florida, large flocks of blackbirds have presented a serious control problem. It is precisely for such conditions as the blackbird-sweetcorn problem that the firecracker control device has been perfected. It works like this: A string of firecrackers are attached by their fuses to a cotton rope which acts as a slow-burning fuse. This device, placed in the field or orchard, has been found to burn for hours, the intermittent explosions successfully frightening the birds away.

In order to make possible the continued use of this effective system in certain States, we recommend the following simple amendment: Further amend section 1 of the bill as reported by the Senate Committee on the Judiciary by placing a comma instead of a period after the word operations in line 11, page 2, and add the following: "or for use in the control of crop depredations by birds and other wildlife when such use is authorized by permit by the State game or wildlife department."

A copy of the bill, with the suggested amendment written in ink, is enclosed for your information.

We sincerely hope, Senator WILEY, that this amendment can be favorably considered and agreed to on the floor of the Senate.

Cordially yours,
NATIONAL WILDLIFE FEDERATION,
CHARLES H. CALLISON,
Conservation Director.

Mr. WILEY. Mr. President, I should like to make a few comments on H. R. 116, as amended, which is now pending before the Senate.

The purpose of this bill is very simple. It prohibits the shipment of fireworks into States where their sale or use is illegal.

Some 37 States have adopted comprehensive measures to control the fireworks evil.

But these States find that their laws are placed in mockery by the shipment of bootleg fireworks inside their borders. The net result of the shipment of such bootleg fireworks, as well as the result of fireworks displayed in the other 11 States, is literally a slaughter.

I use the word "slaughter" advisedly because the information came to me and was placed before the committee from reliable sources throughout the country.

It is estimated that more people have been killed by fire works since 1900 than American soldiers died in the war for independence. Twenty times as many have been seriously injured by fireworks as were wounded in that war.

The American Medical Association compiled statistics for a period of years on deaths and injuries caused by fireworks. In 1941 alone there were 2,000 such deaths and injuries.

It is absolutely fantastic that we should permit this slaughter to continue.

Suppose someone were to give to the Nation's children toy hand grenades which exploded in 2, 3, 4, or 5 seconds.

Such person would be thrown into jail before he so much as set up shop. Yet, we are permitting the sale of dangerous fireworks, most of them improperly made, which are just as deadly as hand grenades.

On the morning of July 5, 1954, there will be anguish in thousands of American homes. Little children will be in hospitals, blinded, fingers amputated, faces horribly scarred by burns for the rest of their lives. Little children will be shocked into insensibility, and a great many adults will have been harmed also.

Do we want this to continue? I say we do not. We must not. We cannot.

The State of Illinois alone has reported 486 fireworks accidents in a period of 2 years. One hundred and twelve of these were serious injuries. In 13 cases, children lost 1 eye or were totally blinded; and this is in a State where the sale or use of dangerous fireworks is strictly prohibited.

FAIR CONSIDERATION OF THE BILL

Let me say that this bill has been given extremely fair and careful consideration. Hearings were held on it in the House Judiciary Committee. Hearings were held on it in the Senate Judiciary Committee.

A few minor perfecting amendments were incorporated in the Senate version.

These amendments are acceptable to the principal sponsor of the bill, Representative MARGUERITE CHURCH, of Illinois.

If there are any other amendments which will clarify the bill, perfect it, or improve it, they merit our consideration.

Mr. CASE. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. CASE. Has there been brought to the Senator's attention the question as to whether the bill as now presented would apply to municipal ordinances? I have received a communication from Representative MARGUERITE CHURCH, of Illinois, who is a little worried by some of the debates on that point which have taken place on the floor of the House.

Mr. WILEY. My recollection is that the bill applies at the State level only. I suppose that if there is local option in a State, it would apply to that also.

Mr. CASE. The question has arisen in connection with some debate which has taken place on the floor during the time the bill has been pending on the calendar. Representative MARGUERITE CHURCH sent me a communication in which she states that the bill was considered in the 82d Congress. At that time it was H. R. 4528. It included after the word "States", when reference was made to the laws of such States, the words "or political subdivisions."

Mr. WILEY. That language is not now in the bill.

Mr. CASE. That language was removed by the Judiciary Committee of the House, in the 82d Congress, and the pending bill, as the Senator from Wisconsin has said, does not contain those words. However, there has been some debate on the floor which assumed that those words were still in the bill, or, at least, the bill was interpreted as including them.

The purpose of my inquiry is to establish the interpretation of the pending bill as referring merely to laws passed by the legislatures of the States.

The suggestion of Representative MARGUERITE CHURCH was that the point be definitely established by debate at this time, or that an amendment be incorporated specifically setting forth that the reference is to State laws passed by the legislatures of the respective States.

I now address my inquiry directly to the Senator, who is the ranking member of the Committee on the Judiciary and in charge of the presentation of this bill. Is it the Senator's express understanding that the bill as now presented refers only to laws passed by the legislatures of the States and not to municipal ordinances?

Mr. WILEY. That is my understanding. If the States have local option, then there is the question of State laws granting local option.

There is no reason why anyone shipping fireworks in interstate commerce cannot obtain copies of ordinances applying to the matter. Advertisements are published in newspapers which circulate within the States, for the purpose of attracting youngsters. It should be no trouble at all for the persons engaged in the business to ascertain what are the ordinances. In my State there are 71 counties. The shippers could easily obtain copies of the county ordinances. We also have a State law which applies to the sale of fireworks. Thirty-seven States have such laws.

Mr. CASE. Mr. President, I desire a specific answer to my question, or else I shall feel obliged to offer an amendment. If the bill is to be complicated by reference to local option and suggested enforcement at the local level, the law will be difficult to execute. Can the Senator from Wisconsin state that as the bill now stands it does not apply to any laws except those which are passed by State legislatures?

Mr. WILEY. I would say the bill is very clear. It has reference to the laws of the States, not the laws or ordinances of counties.

Mr. CASE. I thank the Senator.

Mr. WILEY. Mr. President, I should like to continue with my statement. I repeat that if there are any other amendments which will clarify, perfect, or improve the bill, I shall be happy to consider them. But if any amendment is proposed which will sabotage the bill or vitiate its purpose, I say such an amendment must be defeated.

LONG HISTORY OF FIGHT FOR BILL

Let me point out that this is no new subject. For almost 20 years, groups have been fighting for some legislation of this type.

The legislation has been blocked and sabotaged on every single occasion.

For a while, opponents suggested that jurisdiction for control of fireworks be turned over to the United States Bureau of Mines. But the Bureau of Mines did not want to exercise such control and could not possibly do so.

In this session of Congress, it was proposed that the Interstate Commerce Commission be given jurisdiction over fireworks.

This, however, was simply a stalling, buck-passing device. The Interstate Commerce Commission on May 14 of last year wrote a letter in opposition to a bill, S. 1722, which had been introduced by my two colleagues from Maryland.

The ICC stated in the letter:

The authority of the Commission would be extended to a field in which it has had no experience. It has no staff of employees or physical facilities for making the determinations which would be necessary. In our opinion, the proposed enlargement of our powers would be extremely undesirable.

PROPOSAL TO PROHIBIT SALE TO MINORS

Then there has been the proposal for an amendment which would ban the shipment to minors.

This proposal is also an attempt to sabotage the bill.

In the first place, how would anybody possibly know that it is a minor writing in for the fireworks, particularly if the minor typewrote his order?

How could anybody be prosecuted for shipment when he could go to any court of the land and state that he had reason to believe that he was sending it to someone over the age of 21?

And is it not a fact that every single parent who wanted to obtain freworks for youngsters could simply write in for them and then give these deadly instruments to the children, or that the fireworks, lying around the house, would end up in the hands of children unintentionally?

Let me say that the fireworks industry has had two decades in which to come forth with constructive proposals.

It knows, however, that the time has come when the Federal Government is determined to take action, and so it has come up with all sorts of substitutes, not one of which will solve the problem, not one of which I believe would accomplish the objective of the Congress.

I urge, therefore, that the Senate pass H. R. 116. I shall ask, moreover, that there be a yea-and-nay vote on this issue. Let those Senators who are in favor of giving these deadly hand grenades to children vote "nay." Let those Senators who want to protect our children vote "yea." Let the vote be clearcut, so that the parents of America may see who is for and who is against the bill.

As I have previously pointed out on the floor of the Senate, not a single organization in the United States is opposed to the bill. Every group favors the bill, with the exception of a few manufacturers of fireworks. Among the organizations which favor the bill are: the American Municipal Association; the General Federation of Women's Clubs; the Congress of Parents and Teachers; the American Optometry Association; the National Association for the Prevention of Blindness; the National Fire Protection Association; and the American Medical Association. The names of many other organizations which favor the bill already have been placed in the RECORD.

The attorney general of the State of Wisconsin has written to me in relation to the matter. I have heard from the mayors of various cities, and from parent-teacher associations. I have heard no objection registered except by the lobbyists for some of the manufacturers of fireworks.

It seems to me that any thinking person should not require further evidence of the solid support of the bill by the persons who are thinking in terms of the children of America than the evidence which has been, time and time again, placed in the CONGRESSIONAL RECORD.

While I shall not attempt to estimate the extent of the injuries which are likely to be caused by fireworks this year, if the bill should not be passed in time to be effective for the coming Fourth of July period, we all know what has happened in the past. We have a great responsibility.

The bill has come to the Senate from the House, and the Senate committee has improved it. As I have said, the purpose of the bill is to supplement the State laws relative to the sale and regulation of fireworks, and it provides as follows:

Whoever, otherwise than in the course of continuous interstate transportation through any State, transports fireworks into any State, or delivers them for transportation into any State, or attempts so to do, knowing that such fireworks are to be delivered, possessed, stored, transshipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State specifically prohibiting or regulating the use of fireworks, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

The bill has had extensive consideration. It was previously reported by the committee in July 1953. Then, because a complaint was made that insufficient consideration had been given to the bill, it was removed from the calendar, and additional hearings were held. So it cannot now be said by anyone that there has not been sufficient consideration of the bill.

Since the time the requests were made for additional hearings, which were accorded to those requesting them, amendments have been adopted by the committee which, in the opinion of the committee, clarify the bill. The bill is designed only to supplement present existing State laws. In this connection, the States whose legislatures have given honest consideration to the subject throughout the years have already prohibited the use of fireworks within their States, and are now saying to the Federal Government, in effect, "We want you to help us."

The committee has considered the proposed legislation thoroughly and exhaustively, and has concluded that the matter is of serious importance and should be given earnest consideration by the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, has the Senator from Wisconsin concluded his remarks?

Mr. WILEY. For the present, I have finished.

Mr. JOHNSTON of South Carolina. Mr. President, I am a little fearful of the bill. I do not believe it will accomplish the desired results which some Senators claim it will accomplish. On the other hand, I believe it will confuse the issue very much. Many States have their own laws, which vary in type. I shall state what the law is in South Carolina. Then I should like to have the Senator from Wisconsin state how the State of South Carolina would stand in regard to the fireworks situation. The first law of South Carolina relating to this subject reads as follows:

CHAPTER 9. FIREWORKS

SEC. 66-551. Use of fireworks generally prohibited: It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks, except for use in public display or exhibit under the provisions of section 66-555 and except as provided by sections 66-552 to 66-556.

I shall now read section 66-552:

SEC. 66-552. Chapter not applicable to toy cap pistols, etc.: The provisions of this chapter shall not include nor prevent the sale, possession or use of toy cap pistols or toy pistol paper caps which contain not more than one-fifth grain of explosive mixture, fireworks known as "sparklers" or firecrackers commonly known as "Chinese firecrackers," which are defined as follows: being not over one-quarter inch outside diameter, not over 2 inches long and containing not over 4 grains of explosive composition. The sale, use and possession of any such toy pistol, toy pistol paper caps, sparklers, and Chinese firecrackers, as above defined, shall be permitted at all times.

Notice the words "at all times." I now read the restrictions pertaining to Charleston County:

SEC. 66-553. Further restrictions permitted in Charleston County: Charleston County or any incorporated municipality therein may further restrict within such county or municipality the sale and use of fireworks regulated by sections 66-551, 66-552, and 66-554.

SEC. 66-554. Manufacture and shipment out of State: Nothing in this chapter shall be construed to prohibit the manufacture in this State of fireworks or the storing, selling or offering for sale for shipment out of the State of fireworks, the use of which is made unlawful in this State.

How far does that law go? If one starts out by acting lawfully, can he proceed to make shipments into another State? I read section 66-555:

SEC. 66-555. Use of fireworks in licensed public displays or exhibits: It shall be lawful for any person to use fireworks in public displays or exhibits when the person desiring to give them shall have first obtained written approval therefor from the governing body of the municipality within the limits of which such exhibit or display is proposed to be given, if the display or exhibit is to be given within an incorporated municipality, or the governing body or supervisor of the county within which such display or exhibit is proposed to be given, if the display or exhibit is to be given outside an incorporated municipality.

I ask the Senator from Wisconsin: How will the persons shipping fireworks purportedly for use in licensed displays or exhibits know whether the fireworks will be used for that purpose, or whether written permission has been obtained in South Carolina to use them?

Mr. WILEY. Has the Senator been quoting from the laws of South Carolina?

Mr. JOHNSTON of South Carolina. I have been reading from the laws of South Carolina. I am attempting to show what a mess we shall be getting into if the bill is passed.

Mr. WILEY. Does the Senator wish me to answer his question?

Mr. JOHNSTON of South Carolina. I shall conclude reading section 66-555:

The governing body of any such municipality or the governing body or county supervisor of any such county may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to such restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

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The permission can be granted 1 day or a week ahead of time; and when the permission is requested for someone, I do not have to tell the Senator from Wisconsin that there will be confusion, and that it will be necessary to correspond and recorrespond in order to determine exactly for whom the permit is to be issued.

Mr. WILEY. Does the Senator wish me to answer his question?

Mr. JOHNSTON of South Carolina. I do.

Mr. WILEY. The Senator is making a sad commentary on the laws of his State, if they are so vague as the Senator states them to be.

Mr. JOHNSTON of South Carolina. The South Carolina law gives to each locality the right to grant such permission. It may grant it today and not grant it tomorrow. Local option is provided for in South Carolina. The people can vote as they wish. That is the provision of the law which is on the South Carolina statute books. Similar situations exist in other States. What will be the effect of the law in South Carolina if the bill now under consideration is passed?

What I have been reading comes from the statute books of South Carolina. I am not here to criticize the State law. I think the legislature was right when it gave to local people the right to say what they should do in their particular localities.

I should like to ask the views of the Senator from Wisconsin, after hearing me read section 66–555 a few minutes ago, which provides that—

> The governing body of any such municipality or the governing body or county supervisor of any such county, may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

Will the Senator from Wisconsin state what will be the situation in South Carolina, where each local community has the right to make its own rules regarding the sale and use of fireworks? How will it be possible for a manufacturer or shipper of fireworks to have accurate, up-to-date information on the situation in each of the many communities in the State?

Mr. WILEY. In that respect the situation will be as it is at the present time. Where the local community has authority over the subject, if the State statute does not prohibit the sale, use, or possession of fireworks, this bill will not operate.

As the Senator from South Carolina knows, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Texas, and Wyoming are not included among the States which have an absolute prohibition; but those States have statutes regulating the use of fireworks.

I assume that the statute the Senator from South Carolina has read gives the local municipalities authority to regulate the transportation, use, or possession of fireworks.

Mr. JOHNSTON of South Carolina. Yes, but——

Mr. WILEY. I should like to proceed, please. The Senator's question is, How will dealers in fireworks who transport them across the boundaries of South Carolina know whether in County "X" they will be entitled to sell them.

Mr. JOHNSTON of South Carolina. Yes.

Mr. WILEY. It will be up to them to go to the county clerk and ascertain whether there is a municipal ordinance prohibiting the transportation, sale, or possession of fireworks. However, this bill has nothing to do with that. The purpose of the bill is to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited by State law. The Senator from South Carolina has referred to a prohibition which apparently is not a State law prohibition.

Mr. JOHNSTON of South Carolina. The first section of the State law does prohibit it, in the following words:

> It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks—

And then certain exceptions are made.

So I wish to know what the situation in South Carolina will be, under the proposed Federal law.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield to me, to permit me to make a brief announcement about the legislative program of the Senate?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KNOWLAND. Mr. President, after the Senate disposes of the pending bill, House bill 116, with regard to prohibiting the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, it is planned to take up, on tomorrow, the independent offices appropriation bill, which is House bill 8583, Calendar No. 1342.

There is also to be considered, this week, Senate bill 975, Calendar No. 1190, to amend the Home Owners Loan Act of 1933, as amended.

In addition, we wish to have the Senate take up several bills which were passed over on the call of the calendar today. Some of them I have already mentioned to the minority leader; in fact, perhaps I mentioned all of them to him.

Mr. CLEMENTS. Mr. President, if the Senator from California will yield to me, let me ask him to repeat, in order, the numbers of the bills to which he has just referred.

Mr. KNOWLAND. Yes. As I said a moment ago, when the Senate has disposed of the pending bill, House bill 116, the so-called fireworks bill, the plan is to proceed to the consideration of House bill 8583, Calendar No. 1342, the independent offices appropriation bill. The committee report and the bill is available.

It is also planned to consider Senate bill 975, Calendar No. 1190, to amend the Home Owners Loan Act of 1933, as amended. Notice regarding the consideration of that bill was given last week. At the request of certain Senators, action on the bill was held over until this week.

In addition, I mentioned several bills which were passed over during the call of the calendar today. Among them are House bill 5731, Calendar No. 1325, to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and for other purposes; Senate bill 2225, Calendar No. 1317, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes; Senate bill 3458, Calendar No. 1341, to authorize long-term time charter of tankers by the Secretary of the Navy, and for other purposes; Senate bill 3090, Calendar No. 1343, to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande.

Then, there is Senate Resolution 234, Calendar No. 1233, reported by the Committee on Rules and Administration, providing the customary authorization for the Committee on Rules and Administration to make expenditures and employ temporary personnel. The resolution relates to such authorization for the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, to enable that subcommittee to perform its duties. However, in any event we shall not proceed to consider the resolution until Wednesday; I make that statement on the basis of my prior understanding with the minority leader and also with the acting minority leader.

Mr. CLEMENTS. Mr. President, if the Senator will yield again, let me say that in view of the fact that the majority leader has suggested that Senate Resolution 234, Calendar No. 1233, will not be taken up before Wednesday, I should like to say that it is my understanding that the ranking minority member of the Committee on Rules and Administration, the Senator from Arizona [Mr. HAYDEN], will return sometime on Wednesday. I have no assurance that he will return before Wednesday noon. I hope the majority leader will not seek to have the resolution called up until the Senator from Arizona is here.

Mr. KNOWLAND. Of course. I understood that the Senator from Arizona would be out of town today and tomorrow, Tuesday, but that he would be back, and that the distinguished minority leader, the senior Senator from Texas [Mr. JOHNSON] also would be back—on Wednesday, so that we could then proceed to consider Senate Resolution 234.

Mr. CLEMENTS. It is probable he will return by then, but it is possible that he will not return until late in the afternoon on Wednesday. In case he does not return on Wednesday, I ask the majority leader to let consideration of the resolution go over until Thursday.

Mr. KNOWLAND. Certainly I wish to oblige the minority; as I have consistently tried to do. I hope the distinguished ranking minority member of the Committee on Rules and Administration will return in time to enable us to proceed to consider the resolution on Wednesday, because, as Senators know, the resolution has been awaiting action for some time, and on several occasions the chairman of the Committee on Rules and Administration has called my attention to the fact that the resolution has been awaiting action. The resolution is the regular one authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel. Regardless of whether the Democrats or the Republicans have been in the majority, it has been customary to adopt such a resolution, in order to permit the Privileges and Elections Subcommittee of the Committee on Rules and Administration to perform the work assigned to it. So I hope it will be possible for the resolution to receive prompt consideration.

Mr. CLEMENTS. I assure the majority leader that we shall make every effort to have him back in time on Wednesday; but in case he does not return, I have confidence that the majority leader will not be insistent about it.

Mr. KNOWLAND. I shall certainly try to work out a satisfactory solution of the problem.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment.

When we shall have concluded consideration of the resolution, it is planned to proceed to the consideration of Calendar No. 1066, Senate Joint Resolution 53, a joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 years the right to vote. I hope not only that the joint resolution may be made the unfinished business, but that debate can begin on that measure before the end of the week.

I now yield to the Senator from Washington.

Mr. CLEMENTS. Mr. President, it is my understanding that Calendar No. 1342, House bill 8583, the appropriation bill for the independent offices, will be made the unfinished business at the conclusion of consideration of the fireworks bill.

Mr. KNOWLAND. That is correct.

Mr. CLEMENTS. But it will not actually be taken up until tomorrow.

Mr. KNOWLAND. That is correct.

I now yield to the Senator from Washington.

Mr. MAGNUSON. The Senator from California listed a number of bills which were passed over today. I was wondering if they would be taken up in the order in which he listed them.

Mr. KNOWLAND. Not necessarily. I am sure the Senator can appreciate that sometimes the author of a bill or the committee chairman is not in the Chamber at the moment. Rather than be obliged to send for him, I may move to take up some of the other bills. However, I think they will be taken up in approximately the order I have mentioned, although I should not wish to be held to that precise order.

Mr. MAGNUSON. I am interested in the tanker bill.

Mr. KNOWLAND. I understand so. I was present when the colloquy took place on that subject today.

I thank the distinguished Senator from South Carolina. I wished to give the Senate as complete information as possible on the legislative schedule for the remainder of the week.

Mr. JOHNSTON of South Carolina. I appreciate the courtesy of the majority leader in telling us what is forthcoming.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. WILEY. Mr. President, I think I have the answer to the question of the Senator from South Carolina in the words of the distinguished Senator from Nevada [Mr. McCARRAN]. I read from page 10 of the report:

> With respect to the 36 States which prohibit or regulate the use of fireworks by State law, the shipper would need to know only the provisions of State law, and could without undue difficulty prepare a chart or index to guide his shipping department. With respect to the 10 States which have local-option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal. Of course, with respect to the States of Nevada and Tennessee, which have no laws prohibiting or regulating the use of fireworks, there would be no problem.

That seems to me to be a fine, succinct statement from the legal mind of the distinguished Senator from Nevada. It seems to me it gives clearly the answers to the questions which were asked.

Mr. JOHNSTON of South Carolina. This is the question arising in my State: My State is one of the States which leave the regulation of fireworks to local option. The State says that the sale of fireworks is prohibited unless the local communities desire to permit it. Each little municipality and each county has a right to make the decision for itself. This week it may allow the sale of fireworks. Next week it may not. One supervisor may permit it, and another supervisor may not. The dealer has no way of knowing whether or not any particular supervisor will allow the use of fireworks.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WELKER. I regret very much that I did not hear the entire discussion by my distinguished colleague and friend from South Carolina. We sat with the distinguished senior Senator from Wisconsin in the Judiciary Committee during the discussion of this subject. I happen to come from a so-called local option State.

With respect to the observations made by the distinguished senior Senator from Wisconsin as to the statement made by the distinguished and able Senator from Nevada, I should like to ask my friend from South Carolina how under the sun, under any philosophy he or any other Senator can think of, and under the existing State laws in the local option States of South Carolina and Idaho, anyone could chart the portion of a State where fireworks may be used?

Mr. JOHNSTON of South Carolina. That is what I am trying to explain to the Senate at the present time. It cannot be done in South Carolina. At certain times the mayor of a city will allow the use of fireworks. At other times he will not. At one time a given supervisor may allow the use of fireworks, and at another time he may not.

The same thing is true with respect to the governing boards of the counties. Upon one occasion they may allow the sale and use of fireworks, and at another time they may turn down such requests. How is any dealer to know whether or not it is permissible to sell or use fireworks in a given county or municipality? It is almost impossible to keep up with the actions of all the various local communities.

Mr. WELKER. The Senator from South Carolina was present when I read before the Judiciary Committee the provision of the Idaho Code, annotated, containing the law with respect to fireworks in the State of Idaho. I do not wish to be bound by this statement, but if I recall correctly the Idaho statute is very similar to the statute of the State of South Carolina. The governing body of any village, any municipality, any city, or any county can, by proper resolution, grant permission for the use of fireworks in the municipality, county, village, or area. But how under the sun would this legislation protect our young people from injury? I should like to have the Senator's observation on that subject.

Mr. JOHNSTON of South Carolina. I do not see how it would protect them in South Carolina. The bill would not change the law in South Carolina. I do not believe the Senator from Wisconsin means to say that it is proposed to change the law one iota in South Carolina.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WILEY. I do not understand that the purpose of the proposed legislation is to interfere in the slightest degree with the rights of the States on this subject, where States have enacted laws prohibiting fireworks. There should be collaboration with the 36 States which have enacted such laws.

Mr. JOHNSTON of South Carolina. That is true. It is proposed that the Federal Government move in and supervise the enforcement of State laws already on the statute books.

Mr. WILEY. No.

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Mr. JOHNSTON of South Carolina. What is proposed?

Mr. WILEY. The proposed law would make it a Federal offense to ship fireworks interstate into such States, thus protecting the rights of States which have already legislated on the subject.

The Senator heard the Senator from Illinois [Mr. DIRKSEN] cite the analogy of the Prohibition Act. He showed how the Federal Government, with respect to States where liquor was prohibited, enacted certain laws prohibiting the shipment of liquor into such States, thus protecting the rights of the States themselves. That is all this bill would do. To draw any other inference seems to me to go far beyond the realm of reason.

Mr JOHNSTON of South Carolina. If it is proposed that the Government go into the firecracker business, we are certainly getting pretty low. It seems that we are running out of something to do.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may address a question to the senior Senator from Wisconsin?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WELKER. I wonder if my able colleague from Wisconsin can answer this question: What effect would this bill, if enacted, have on the State of Illinois, for example, or any other State which has no laws whatsoever with respect to the transportation and sale of fireworks?

Mr. WILEY. Illinois has such laws.

Mr. WELKER. Then let us take Indiana. Does it have such laws?

Mr. WILEY. I cannot tell the Senator.

Mr. WELKER. I think there are three States which have no laws whatsoever on the subject. Tennessee is one, as I recall. As I understand, the bill would have no effect whatsoever in such States.

Mr. WILEY. That is true.

Mr. WELKER. What would preclude a bootleg fireworks manufacturer from establishing his plant in a State which has no law whatsoever on the subject and selling fireworks to little children, with the result that many of them would be maimed and wounded, as has been so vividly described?

Mr. WILEY. I do not see how that question is relevant. Such a State could immediately enact a law similar to the laws in the other 36 States which have legislation on the subject. If this bill should become law, the Federal statute would also protect that State. It is entirely up to the people in the States and their legislatures, to enact the laws they desire for the protection of their children. All we are proposing is that, since 36 States have enacted such laws, we wish to cooperate with them. We wish to make sure that there is no bootlegging of fireworks across State lines. All we say to the other States is, "If you still want the maiming of children to continue, that is your business, and for the time being we are not interfering with your local option."

Mr. JOHNSTON of South Carolina. In other words, the bill would not prohibit the use of fireworks in a State, but it would make unlawful the shipment of fireworks into a State in which they are prohibited by State law. Is that correct?

Mr. WILEY. That is correct.

Mr. JOHNSTON of South Carolina. What would be the situation with respect to railroads and ship lines, which use fireworks in connection with their operations? Is there any provision in the bill which would protect their rights to use fireworks in conjunction with their operations? For example, flares are used by railroads and ship lines, and flares are also used along highways at times. Is there any provision in the bill which would take care of such a situation?

Mr. WILEY. I believe the bill is broad enough to permit the use of fireworks legitimately under State law. It is not our intention to limit State law. We are trying to put vitality into State law.

Mr. JOHNSTON of South Carolina. The Senator certainly is not trying to put anything into State law that is not already in State law. The bill would prohibit the shipment of fireworks into States whose laws permit the lawful use of fireworks. The law in my State permits such use of fireworks. The bill would prohibit the shipment of fireworks into States, but contains no provision with respect to the use of fireworks in States by railroads, shiplines, and other legitimate users of fireworks.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. WILEY. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. WELKER. I have been quite perturbed by the fact that literature is being circulated to the effect that those of us who wish to discuss the bill on a rational and sound basis are interested in blinding and wounding little children. I have received telegrams along that line. I have a child of my own, and I love little children. I do not want to hurt anyone. I do not want to injure or maim anyone.

I should like to ask the distinguished Senator from South Carolina if he did not hear me urge in the Committee on the Judiciary that we should enact a uniform law, approved by the legitimate fireworks industry, which would make the sale of dangerous fireworks to anyone under the age of 21 years a crime. The Senator will recall that the distinguished senior Senator from Wisconsin had before him a great deal of literature from bootleg fireworks manufacturers who were asking youngsters to send to them for fireworks, in that way preying upon the youth of the Nation. They were offering to send these dangerous articles to youngsters. What does the Senator from South Carolina have to say with regard to the proposal that if we are to limit the use of fireworks we should enact a uniform law, and that if we are to protect our children we should protect them in the 10 local option States, and in the 3 States that do not have any State law, as well as in the 35 States which the bill would help?

Mr. JOHNSTON of South Carolina. I am in favor of a uniform law in the public interest, but I do not want to have enacted a law which will confuse the people in the various States. That is what will happen if the pending bill is passed.

I should also like to call to the attention of the people of the country the fact that if the pending bill should not be passed they would still have the same laws on the statute books of their respective States as if the bill were passed, so far as the use of fireworks is concerned. The pending bill, in other words, would not change State laws.

Mr. THYE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. THYE. Mr. President, according to the report on the bill, there are two States which do not have any State laws with respect to fireworks, namely, Nevada and Tennessee.

Mr. WELKER. I did not understand what the Senator said.

Mr. THYE. According to the report, two States do not have any fireworks legislation. They are Nevada and Tennessee.

Mr. WELKER. How about Indiana?

Mr. THYE. I do not know about Indiana. I am reading from the report. I am not a member of the Committee on the Judiciary, and therefore I do not have the benefit of having sat through the hearings. However, it seems to me that the Committee on the Judiciary, which reported the pending bill to the Senate, is attempting to prohibit the transportation of fireworks into States in which the sale or use of such fireworks is prohibited. That is a most laudable endeavor.

Having gone through a hospital a few days following the Fourth of July and having seen little children maimed and blinded, I cannot understand why any stumbling block should be placed in the path of this proposed legislation.

I believe it is necessary legislation, particularly at this time, with the Fourth of July only a few weeks away. On the Fourth of July children will again be the innocent victims of firecrackers, which will cut their hands open, blow fingers off, or blind them. All of us have seen, in our youth, children place firecrackers in glass bottles and then try to cork them, and have the bottles blow up in their faces.

Mr. JOHNSTON of South Carolina. I suggest to the Senator from Idaho that even if we were to prohibit all fireworks there would still be children who would take shotgun shells and put them in a can and try to blow them up.

Mr. THYE. If we allow firecrackers to be placed in the hands of children we are letting them play with danger. Shotgun shells are not generally available to children of 5 or 6, or 10 or 12 years of age. It takes a very clever child to get a shotgun shell and use it to blow up anything. I am afraid the Senator from South Carolina is drawing on his imagination.

Mr. JOHNSTON of South Carolina. The Senator would not say so if he had ever traveled in the back country where people do not have fireworks, but only shotgun shells and powder, and with them make their own fireworks. That practice will not be prohibited by the pending bill.

Mr. THYE. If the Senator will yield to me further, I should like to say that I am drawing on my own experience. I have been endeavoring to outlaw the use of fireworks, because as a child I tried to blow up tin cans and bottles, and I had a whole basketful of fireworks at my disposal.

Mr. JOHNSTON of South Carolina. I am sure the Senator from Minnesota agrees with me that we should make the law uniform throughout the United States. However, the pending bill, if enacted into law, will not change by one iota the law in any State of the Union.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may ask a question of the Senator from Minnesota?

Mr. JOHNSTON of South Carolina. I yield for that purpose.

Mr. WELKER. I was very much impressed by the remarks of the Senator from Minnesota with respect to his going through a hospital a few days after the Fourth of July. I have gone through hospitals in Minnesota after the Fourth of July, and I have seen the results of some terrible accidents which had taken place on the Fourth of July. I agree with the Senator from Minnesota that that is very regrettable.

I assume the Senator from Minnesota would not object to the enactment of a uniform law which would provide a blanket prohibition against any manufacturer or bootlegger or anyone else selling fireworks to a minor under the age of 21 years.

Mr. THYE. The only answer I can give is that in the proposed legislation we are endeavoring not to impose the Federal Government on any State government. A State which has enacted a law prohibiting the sale and display of fireworks would be protected against shipment into it of fireworks. That is what we are endeavoring to do by the pending bill, if I understand it correctly.

Perhaps I am entirely wrong in my understanding. I, too, am seeking enlightenment, as is the Senator from Idaho. As I said, I am not a member of the Committee on the Judiciary, and I came into contact with the subject only when the bill was reported to the Senate. I will say that what the sponsors of the bill and the members of the Judiciary Committee had in mind, undoubtedly, was to protect States which have State laws prohibiting the use of fireworks against the unscrupulous individual who might either ship or otherwise get into such States, by bootleg means, fireworks which would be injurious to children. The Federal Government is endeavoring not to impose itself upon the jurisdiction of any State.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may make inquiry of the distinguished Senator from Minnesota?

Mr. JOHNSTON of South Carolina. I yield for that purpose.

Mr. WELKER. I should like to inquire whether it is not true that, if the pending bill is enacted into law, it will in effect outlaw the local-option statutes of the respective States. In other words, I ask the Senator to tell me how under the sun a manufacturer in St. Paul, Minn., Baltimore, Md., or any other place, can ascertain whether the village board of Bay Horse, Idaho, has decided that fireworks may be used on the Fourth of July. It seems to me to be beyond all possibility that a manufacturer could determine what regulations small municipalities throughout the country have adopted. That is a point that worries me.

Mr. THYE. Mr. President, there are a few States which with respect to fireworks have local option, which raises an administrative problem so far as the shipper is concerned. But I would rather chance that a shipper would be in error and would be subject to apprehension and a fine than to err by doing nothing and permitting many illegal shipments to enter the States, resulting in the blinding or maiming of innocent minors, or by trying to make it crystal clear, legally, that a shipper may not have to concern himself with whether Podunk has a city ordinance on the subject. I am not concerned about the shipper who must determine whether Podunk has a city ordinance.

Mr. WELKER. I ask if it is not a fact that this proposed legislation deprives local-option cities of an opportunity to shut off the sale of fireworks. Like the Senator from Minnesota, I believe in saving the eyes and limbs of children and doing away with the bootlegging of fireworks whereby youngsters are enticed to spend their last dime to buy the vicious things.

The Senator from Minnesota says he does not care about whether the shipper has difficulty in determining whether Podunk has a city ordinance. I do not care, either, but why not go down the road together and say that anyone who ships fireworks into a State and sells them to persons under 21 years of age is guilty of a serious crime?

Mr. FERGUSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FERGUSON. How does the Senator think a shipper would be able to determine whether he was shipping to a person under 21 years of age?

Mr. WELKER. It is caveat emptor in reverse. He would be put on notice by uniform statutes controlling 48 States. He would not then have to guess about Bay Horse or Podunk or any other place.

Mr. FERGUSON. If he receives an order from a person, how could he tell whether the buyer is under 21 years of age or over 21 years of age? Would he not say he believed that the person was over 21?

Mr. WELKER. We do not have before us a bill such as the Senator evidently has in mind.

Mr. FERGUSON. How could it be policed?

Mr. WELKER. How can we police this bill?

Mr. JOHNSTON of South Carolina. How can the manufacturer tell whether he has permission to ship fireworks?

Mr. WILEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WILEY. I do not know whether the Senator from Idaho heard me read what the Senator from Nevada [Mr. McCARRAN] said.

Mr. WELKER. Yes; I did.

Mr. WILEY. The Senator from Nevada said:

> With respect to the 10 States which have local-option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal. Of course, with respect to the States of Nevada and Tennessee, which have no laws prohibiting or regulating the use of fireworks, there would be no problem.

To me, it is a simple proposition. When I was practicing law, I had to consult negligence reports, ordinance reports, and things of that kind. In my State there are 71 counties. I would receive an inquiry as to whether in County X there was an ordinance or whether a certain matter was covered by State law.

All I would do would be to go to the county clerk and get the information.

I heard the distinguished Senator from South Carolina say that South Carolina has a law which prohibits the sale of fireworks except as a local municipality may permit it. If the local municipality permits it, it would have to be pursuant to a charter, and that would mean an ordinance, and the county clerk or the city clerk would have a copy of it.

Any business enterprise of any significance that wants to sell its merchandise checks up on the people to whom it sells. There is no great difficulty involved in checking up on whether permission is granted by ordinance. Fortunately, my State prohibits by law the whole fireworks business. I think the argument which is being made falls of its own weight.

Mr. WELKER. From where in the report was the Senator from Wisconsin reading?

Mr. WILEY. From page 9 of the report, the memorandum by the Senator from Nevada, with respect to the bill. I read from the last paragraph.

Mr. JOHNSTON of South Carolina. Mr. President, in South Carolina the seller of fireworks goes to the city authorities to get permission. He receives it from the governing board or the supervisor, as the case may be. In a great many instances there is no report as to the attitude of local communities. That is the kind of situation we are running into at the present time where there is a law on the statute books, statewide in its application, but cities or counties permit the use of fireworks and the sale of fireworks. Sometimes it is for a limited period of a few days or a few weeks. There is great difficulty in keeping up with such matters.

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I heard the distinguished Senator from Wisconsin quote from the memorandum of the senior Senator from Nevada, and I hope he will support the amendment which we are about to offer.

I do not think a Senator would want to be put out of the Senate without being given notice, any more than a manufacturer would want to be put out of business without being given notice. All we are doing is giving notice.

Mr. President, I ask that at this point chapter 8, volume 6, of the Code of Laws of South Carolina, 1952, be printed in full.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

VOLUME 6, CODE OF LAWS OF SOUTH CAROLINA, 1952

CHAPTER 8. FIREWORKS

SEC. 66–551. Use of fireworks generally prohibited: It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks, except for use in public display or exhibit under the provisions of section 66–555 and except as provided by sections 66–555 to 66–556.

SEC. 66–552. Chapter not applicable to toy cap pistols, etc.: The provisions of this chapter shall not include nor prevent the sale, possession, or use of toy cap pistols or toy pistol paper caps which contain not more than one-fifth grain of explosive mixture, fireworks known as "sparklers" or firecrackers commonly known as "Chinese firecrackers," which are defined as follows: Being not over one-quarter inch outside diameter, not over 2 inches long, and containing not over 4 grains of explosive composition. The sale, use and possession of any such toy pistol, toy pistol paper caps, sparklers, and Chinese firecrackers, as above defined, shall be permitted at all times.

SEC. 66–553. Further restrictions permitted in Charleston County: Charleston County or any incorporated municipality therein may further restrict within such county or municipality the sale and use of fireworks regulated by sections 66–551, 66–552, and 66–554.

SEC. 66–554. Manufacture and shipment out of State: Nothing in this chapter shall be construed to prohibit the manufacture in this State of fireworks or the storing, selling or offering for sale for shipment out of the State of fireworks, the use of which is made unlawful in this State.

SEC. 66–555. Use of fireworks in licensed public displays or exhibits: It shall be lawful for any person to use fireworks in public displays or exhibits when the person desiring to give them shall have first obtained written approval therefor from the governing body of the municipality within the limits of which such exhibit or display is proposed to be given, if the display or exhibit is to be given within an incorporated municipality, or the governing body or supervisor of the county within which such display or exhibit is proposed to be given, if the display or exhibit is to be given outside an incorporated municipality. The governing body of any such municipality or the governing body or county supervisor of any such county may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to such restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

SEC. 66–556. Exemption of certain carriers: Nothing in this chapter shall be construed as prohibiting the use of signals necessary for the safe operation of railroads, buses, trucks, or boats, nor shall the provisions of this chapter apply to any common carrier, while acting as such, lawfully transporting or having custody of fireworks in interstate commerce or for delivery within this State for use as provided in this chapter.

SEC. 66–557. Penalties: Any person violating any of the provisions of this chapter against the selling, offering for sale, exchanging, giving away, or storing of fireworks, or holding a fireworks display, or exhibit without first having obtained the permission required under section 66–555 shall be guilty of a misdemeanor and shall be fined not less than $500 nor more than $1,000 or imprisoned for a period of not less than 3 months nor more than 1 year, or both, within the discretion of the court. Any person violating any of the other provisions of this chapter shall be guilty of a misdemeanor and punished by a fine of not exceeding $100 or imprisonment not exceeding 30 days. Each day's offense shall constitute a separate offense in violation of this chapter and shall be punishable as such.

During the delivery of the speech of Mr. JOHNSTON of South Carolina,

Mr. DIRKSEN. Mr. President, I wonder if the Senator will let me intervene, because I must catch a plane.

Mr. JOHNSTON of South Carolina. I yield, provided the remarks of the Senator from Illinois follow my remarks.

The PRESIDING OFFICER. Without objection, the Senator from South Carolina yields with that understanding.

Mr. DIRKSEN. Mr. President, I wish to pay tribute to the Senator from Wisconsin [Mr. WILEY] and Representative MARGUERITE CHURCH, of Illinois, for the diligence with which they have devoted themselves in season and out to secure the passage of the bill now before the Senate. It has passed the House, and I sincerely hope it will pass the Senate without further amendment which might cripple or change the character of the measure.

Mr. President, when all is said and done, there are many precedents for the passage of the bill. Some years ago certain States were dry when dry laws were enacted by their legislatures. One of the great problems which arose was that of protecting those dry States from interstate shipments. At that point the sovereignty of the Federal Government stepped in, under the Commerce Clause of the Constitution, and made protection of those dry States possible, so the States could effectively enforce their own laws..

The same was true in connection with laws dealing with the products of child labor. There were States which had liberal and progressive legislation relating to child labor. On the other hand, there were other States which permitted child labor; and the question was whether there could be an implementation of the Federal law, within the commerce clause, in order to make it possible for the States to enforce their own laws. That is the only question before the Senate today. The pending bill is a proposal whereby the States which impose restrictions on the use of fireworks can be secure in the knowledge that their laws cannot be torpedoed because the Federal Government has not taken adequate action under the commerce clause.

There is a serious need for the enactment of some such bill as the one now under consideration. One of the best items in the record in behalf of such action is the report of the American Medical Association. It is a 6-year report, covering the years from 1937 to 1946, excluding the war years. In that period there were over 28,000 injuries in the United States as a result of the use of the fireworks, and 75 persons were killed, among them a substantial number of children.

Probably one of the greatest tragedies is that so often children lose their eyesight as a result of the use of fireworks, particularly cannon firecrackers. Having once had my own eyesight threatened, I can understand the despair and the distress that goes with such a tragedy and a child is prevented from having the full use of his faculties as he moves on toward the day when he becomes of age and wishes to take his place as one of the citizens of this country. If such a tragedy happened on the battlefield, we would fairly shudder at the thought.

We give a great deal of attention today to the question of highway fatalities, and constant campaigns are under way to cut down the appalling number of casualties on the highways and roadways of America. The use of fireworks also results in lives being taken, eyesight lost, and digits blown off.

It seems to me that the States which desire to enforce their own laws are entitled to have the sovereign power of the Federal Government used in giving effectuation to their State laws. Thirty-six States have laws which move practically across the board with respect to restrictions upon the sale of fireworks. A number of other States do not move quite so far. But who are we to say that when 36 States desire to effectuate their laws, they cannot have some protection under the commerce clause so that they may protect their own citizens?

That is the only question before the Senate today. It is the same question which was involved in the sale and transportation of liquor. It is the same question as that involved in the field of the products of child labor. The bill before the Senate today relates only to the transportation of fireworks when such transportation would violate the provisions of State law. It is not too much for the sovereign States of the Union to ask for such protection from the Federal Government.

Who are in favor of the passage of the bill? The parents and teachers of the children are in favor of it, and many of them testified before the committee. The Federation of Women's Clubs, made up of the mothers of the land, who are interested in the physical well-being of children, testified in behalf of the bill. The Foundation for the Blind, with headquarters in New York, which organization represents blind people everywhere in the country, sent their representatives to testify in behalf of the passage of the bill.

Representatives of the American Medical Association appeared before the committee and indicated the interest of the association in the passage of the bill. Representatives of the Society of Optometrists, made up of persons who deal

with the precious camera of the eye, indicated their interest in the proposed legislation. All the proponents of the bill are asking is that the power of the Federal Government be placed behind those States which wish to protect their own citizens against the violation of their laws because of shipments of fireworks into their States from the outside.

Some amendments to the bill will be offered. I trust they will be voted down. One of the amendments proposes to make the law effective after September 1, 1954. I wish my colleagues could tell me how an amendment of that kind could be defended, with the 4th of July soon to be here. If the purpose of the bill is to prevent a child's finger being blown off this month or next month, then, of course, the effective date of the bill should not go beyond the Fourth of July in affording the States the benefit of the legislation.

To defer action on the bill or to defer its effective date until the 1st of September because there are some stocks of fireworks in the hands of manufacturers may appeal to some persons; but, on the human side of the problem, shall we permit youngsters to be maimed and have fingers blown off and eyes blinded on the 4th day of July 1954, when, in traditional fashion, the anniversary of our country's independence will be observed?

Mr. President, one cannot get an eye back once it has been shot out. Nor can a finger lost be restored. Those parts of the body are indispensable to youngsters as they move on to adulthood and take their places among the citizenry of the country. It would be a tragedy if the Congress should defer the effectiveness of the bill until after the 4th day of July. I trust the amendment will be voted down.

I trust the other amendments, which deal with fireworks of a minor character, will be voted down, because if the State law permits the use of toy pistol caps or toy pistols, the bill will not affect such laws; but if the law in a State provides that a toy cap pistol is illegal in that State, then the bill would help in the effectuation of the law, because the question before the Senate is the enlistment of the power of the Federal Government in order to make it possible for the States to enforce their own laws. That is very little to ask.

I trust that all amendments will be voted down, and that the bill as it was reported by the Committee on the Judiciary will pass. The amendments of the committee can then be considered in conference, and the law can be written upon the statute books before the Fourth of July 1954, as another contribution to the conservation of human life and human faculties.

I thank the Senator from South Carolina for yielding.

Mr. DANIEL obtained the floor.

Mr. WELKER. Mr. President, will the Senator from Texas yield for a moment? I have a long distance telephone call to answer, and I would request only a few seconds.

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senator from Idaho may proceed without my losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELKER. Mr. President, in reply to the statement propounded by the distinguished Senator from Wisconsin [Mr. WILEY] who is the floor manager of the pending bill, he quoted from the memorandum of the distinguished senior Senator from Nevada [Mr. MCCARRAN], as follows:

> With respect to the 10 States which have local option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal.

I wish to observe that my State has 44 counties and a distance of approximately a thousand miles must be traveled from the southern portion of the State to the Canadian border, so I am wondering what charts or indexes could be prepared that would enable the manufacturer to know what area, what village council, or what municipality permits the shipment of fireworks. In view of such circumstances I think the bill might hurt the local option States. I thank the Senator from Texas.

Mr. DANIEL. Mr. President, at the request of the distinguished senior Senator from Nevada [Mr. MCCARRAN], I call up his amendment 5-10-54, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, immediately following line 17, it is proposed to add the following new paragraph:

> This section shall be effective from and after September 1, 1954.

Mr. DANIEL. Mr. President, at the request of the distinguished senior Senator from Nevada, I have called up his amendment, which has just been read. Since the Senator from Nevada has been quoted with approval in connection with the bill, I wish to call to the attention of the Senate his statement in connection with the amendment which would make the effective date of the bill September 1, 1954, rather than the date of the passage of the bill. The Senator from Nevada, in speaking before the Senate on May 10, when he offered his amendment, made his position clear in the following words:

> I desire to make it clear that I have supported House bill 116; I had a hand in smoothing the way for the bill in the Committee on the Judiciary; and I do not desire to delay its enactment. This amendment is offered in good faith, and in order to give those who will be affected by the proposed law an opportunity either to take themselves out of the field of its effectiveness or bring themselves into compliance with its provisions.

I know it will be charged that the amendment simply would project the effective date of the law beyond July 4 of this year, and would allow manufacturers of fireworks to continue shipping into States which prohibit the use of fireworks until the Fourth of July season is over.

It may be charged that the amendment is not offered in good faith, despite the reasons given by the Senator from Nevada, but it seems to me that his reasons are good. He continues by saying that some manufacturers have said they would have to go out of business; that they could not, under the proposed law, take a chance on shipping fireworks into any of the States of the Union. If that be true, the Senator from Nevada feels, and I agree with him, that such manufacturers should have an opportunity to change over to some other kind of work before the effective date of the act, and to put their plants and employees into some other kind of business.

Other manufacturers have said that they can stay in business, but that it will take them some time to ascertain where they can ship fireworks without running the risk of violating this proposed law unintentionally.

It would appear from the arguments which have been made on the floor of the Senate today that a serious question exists as to the laws of the various States and as to which laws would be binding upon manufacturers who ship fireworks across State lines. In the first place, the bill does not define "fireworks." It does not say what Congress means by "fireworks," except to say, on page 2, line 12, as follows:

> In the enforcement of this section, the definitions of "fireworks" contained in the laws of the respective States shall be applied.

It would appear that those who are in the business of manufacturing fireworks are entitled a reasonable time in which to determine the definitions of "fireworks" in the various States, and to learn something about the laws in those States which allow local municipalities and units of government to determine whether fireworks are lawful or unlawful.

Mr. President, I have offered the amendment in complete good faith, not merely to help manufacturers get by the July 4, deadline. It would suit me if the effective date could be made before July 4, but it so happens that by giving a 90-day period in which to enable manufacturers either to get out of the business or to determine how lawfully to engage in or continue their business, the requested amendment is reasonable in every respect.

The bill does not make it unlawful for fireworks to be sold or to be used in any State of the Union. That is left to State law. I have children. I do not want to see any more children maimed on July 4. But, Mr. President, the State laws which prohibit the use or sale of fireworks are in effect today. They will be in effect on July 4. All the bill would do would be to add another law to all those which already provide that manufacturers are responsible if they ship fireworks into forbidden States.

If State laws are properly enforced on July 4, no additional children will be maimed. If there is not a proper enforcement of State laws on July 4, this bill will not help at all.

Before a charge is made that the amendment is not offered in good faith,

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I wish to say that so far as I am concerned so far as the Senator from Nevada is concerned, and so far as the senior Senator from South Dakota [Mr. MUNDT], whom I see on the floor, is concerned, we are interested simply in seeing to it that manufacturers have an opportunity either to get out of the business or else know how to comply with the State laws.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DANIEL. I yield.

Mr. MUNDT. The amendment offered by the Senator from Nevada [Mr. MCCARRAN], which has been called up by the Senator from Texas [Mr. DANIEL], in no sense is in opposition to the basic concept of H. R. 116, but simply provides an effective date as of September 1. Is not that correct?

Mr. DANIEL. The Senator is correct.

Mr. MUNDT. Does not the Senator from Texas believe that in passing proposed legislation affecting business or professional groups in this country, it is elemental justice, at least, to give them some type of warning before putting them arbitrarily out of business by law?

Mr. DANIEL. That is correct. No industry should be put out of business or required to conform with a law, such as the one which is here proposed, which depends on definitions and other provisions in the laws of at least 37 other States, without affording them an opportunity to study and know what they can do without violation of the law.

The Senator from South Dakota will remember that the Senator from Wisconsin [Mr. WILEY] quoted the statement of the Senator from Nevada to the effect that the law could be enforced, and that manufacturers could make charts of the various States and the localities within the States. Some time should be allowed for the preparation of these charts, so that manufacturers may know whether they can conform with the laws of the States or will have to go out of the business.

Mr. MUNDT. Mr. President, will the Senator further yield?

Mr. DANIEL. I yield to the Senator from South Dakota.

Mr. MUNDT. The junior Senator from Texas is a distinguished lawyer, and he was a very eminent attorney general of the State of Texas. Does it not occur to him that in the passage of proposed legislation, the Senate should give some attention, at least, to the possibility of compliance? One of the basic ideas in the enactment of laws it to bring about compliance with them, instead of creating conditions which will result in endless violations of the laws. Unless some time is allowed in which manufacturers of fireworks can study the contents of the law and its applicability to the various items of State legislation, it seems to me it would be entirely impossible for shippers of fireworks to know whether or not they were acting in compliance with the law.

Mr. DANIEL. From the discussion on the floor this afternoon, it seems to me that the Senator from South Dakota is correct.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. THYE. I believe the manufacturers have had ample notice. The bill was reported to the Senate a year ago, and was then withdrawn. It was again reported to the Senate on April 14, 1954. During all the time the bill was in committee, being studied, certainly the manufacturers knew what to expect.

I may say, further, that all the bill seeks to do is to prohibit a manufacturer from shipping fireworks into a State which has enacted its own laws forbidding the sale and merchandising of fireworks of any kind. Therefore, we are not putting the manufacturer out of business in an unjust and an unfair manner, because it is only a question of forbidding him from shipping into a State which has said, by its own public laws, that he cannot merchandise fireworks in that State.

Of course, the question may be raised that if such a manufacturer ships fireworks into the State, and someone bootlegs them, a child can still be injured, lose his eyesight, or become maimed. However, all the bill is trying to do is what I have just stated, namely, to provide that a manufacturer cannot ship into a State which has a prohibition law on its statute books.

Mr. DANIEL. Is it not true that the committee heard evidence from some of the manufacturers who felt that the wording of the bill, which prevented them from knowingly shipping fireworks across State lines for use or sale in violation of State laws, would make it difficut for them to follow the law, and that they would not be able to continue in business if such a law were enacted?

Mr. THYE. Mr. President, I would not try to interpret what the manufacturers stated before the committee, because I am not a member of the committee, and I was not present at the hearings. I shall only say that such goods could be shipped across State lines. No one is going to tear a shipment open to determine what is in the shipment while it is en route across the State, whether it be by air, rail, or motor carrier. I say only that the bill provides that a shipper may not give as the designated point of destination a place in a State which has enacted a law providing that such merchandise cannot be shipped into the State. That is the only question with which the Senate is faced.

Mr. DANIEL. The proposed law goes much further than that. The bill provides that one shall be chargeable and subject to the punishment provided if he ships fireworks across State lines knowing that such fireworks are to be delivered, possessed, stored, transshipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State. In other words, it would not apply just in the event a State prohibited the shipping into that State of a certain type of fireworks.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. DANIEL. I yield to the Senator from Tennessee.

Mr. KEFAUVER. As I remember, two proposals were made before the committee. One was to limit the bill to a violation of the statutory law of the State where there was complete prohibition, and not to require the shipper to determine what the ordinances and the actual laws of the various counties or municipalities might be. It seems to me that the bill, as it is now worded, would place the burden upon the shipper, not only of not shipping fireworks into States where fireworks are absolutely prohibited, but of determining exactly what each municipal or county law may be. It would take some time to determine that.

Mr. DANIEL. I agree with the Senator from Tennessee, because I interpret municipal ordinances and laws of other local units of government as parts of the State law. Certainly they are in those States where statutes provide that it is illegal for fireworks to be sold in violation of the laws and ordinances of local units of government.

Mr. KEFAUVER. If the language were, "statutory law of the State" that would refer to the State statute and not to the municipal ordinances and local-option rules; but apparently the committee must have rejected the language "statutory law" and substituted "laws of such States."

I agree with the Senator from Texas that the language would place the burden on the shipper to determine what is meant by the laws of the various towns, cities, and local-option communities.

Mr. DANIEL. I think it would mean that the manufacturers would have to prepare for that. As the senior Senator from Nevada explained in the committee meeting, as quoted by the Senator from Wisconsin the manufacturers should have time to do that in order to comply with the law.

Mr. WILEY. Mr. President, I have listened with particular attention to the arguments which have been made, and I think in 2 or 3 minutes, at least in my own conscience, I can demolish them.

The first point raised is as to the time involved. The bill was passed by the House of Representatives on July 20, last year. It came to the Senate, was reported by the committee, and was put on the calendar. That was notice. The bill was recalled, and hearings were held on it. That was notice. We heard representatives of the manufacturers.

I call the attention of my colleagues to the fact that the manufacturers have made money because of the violation of the laws of 36 States. Do not forget that. That is why the States are asking Congress to pass the bill. That is why the Attorney General of my State has said, "We want a Federal statute on this subject. The manufacturers have been shipping fireworks into our State. We have no control over that, because there is no Federal statute affecting the matter."

The second point is as to what the manufacturers want the Congress to do. I do not wish to discuss personalities. I think the question is whether we want to think of the children of America or of 1 or 2 manufacturers. Some of the so-called maiming instruments are shipped in from the outside. Some come

from the Orient, and there are distributors who handle them. There is a manufacturer in Maryland who does a pretty good job in manufacturing fireworks. I understand there may be one in Texas. The question is whether the Senate should think in terms of the manufacturers. The manufacturers know the bill has been under consideration in the House and in the Senate for a year. The question is whether action on the bill is going to be postponed beyond another Fourth of July, which will result in children being injured and placed in hospitals, as the Senator from Minnesota [Mr. THYE] has said. That is the responsibility involved in the adoption of the amendment.

The manufacturers have had time to know of the attitude of 36 States, and how the American Medical Association and parents feel about the question. The manufacturers want to have time to unload fireworks again illegally into my State. The manufacturers can send them in interstate commerce because there is no Federal statute prohibiting it, but if a Federal statute is enacted, such as provided for by the bill, manufacturers will not be able to ship such fireworks.

It seems to me, Mr. President, that we are dealing with the question whether we shall comply with the wishes of the people of 36 States which prohibit the shipment of fireworks inside their borders and of other States which have local option laws. To my mind there is no problem involved. So far as I am concerned, the problem was answered when I replied to the argument of the Senator from Idaho [Mr. WELKER]. I have reported bills, and the Senator from Idaho has reported bills, which are more complicated than the provisions of the pending bill. If a certain commissioner of a State has authority to grant permission for the use of fireworks, that can be determined from reports which every businessman receives. To me, that is no argument.

The Senate can have its choice: Favor the manufacturers, and permit the maiming of children to occur on this 4th of July, or reject the amendment.

Mr. DANIEL. If that were the choice, and the only choice, then I would vote in favor of the children, because I am more interested in the children than I am in the manufacturers of fireworks, and the Senator from Wisconsin knows that just as well as he knows he is more interested in the children than he is in the manufacturers.

Mr. WILEY. I believe it.

Mr. DANIEL. And the Senator believes me when I say that, I am sure.

Mr. WILEY. I know the Senator from Texas well enough to know that.

Mr. DANIEL. If I thought that was the only question for decision before the Senate, I would be opposing the amendment of the Senator from Nevada instead of offering it for him in his absence. But I say, Mr. President, that while considering the children, and trying to keep dangerous and illegal fireworks away from them, we ought also to consider legitimate manufacturers who may have been sending legal fireworks into States without any violation of State laws. They say that they fear it will be impossible to do so any longer if the pending bill is enacted; that they cannot take a chance on someone using the fireworks in violation of State laws whenever they are shipped across State lines, even though they believed they would not be so used.

I do not believe the Senator from Wisconsin desires to leave the impression that all the manufacturers have been violating or intentionally aiding in the violation of State laws. I would not want to give one more day of time to manufacturers who have been sending fireworks across State lines in violation of State laws. The only manufacturers who should receive consideration are legitimate manufacturers who have not been violating State laws, but who fear they will be in a position of violating a new Federal statute unintentionally unless they are given an opportunity to know the effect of whatever law may be enacted.

So, Mr. President, I think we can well consider first the welfare of children and also the legitimate interest of the manufacturers who sincerely want to comply with the law.

As I have pointed out, this measure will not make illegal the use or sale of any fireworks if their use or sale is not illegal today. The situation on July 4 will be governed by the State laws which already are on the statute books. If those laws are properly enforced, no violations under the provisions of the pending measure will occur.

I believe we should consider both the welfare of our children and fairness to the manufacturers who are involved; and I believe we shall do so by accepting a provision for a definite effective date, so the manufacturers will know what they must do in order to comply with the law and to avoid violating it.

The Senator from Wisconsin [Mr. WILEY] has referred to a statement by the Senator from Nevada [Mr. MCCARRAN] in regard to the preparation of charts by the manufacturers, so they will be able to know how to comply with the laws in the various localities. The Senator from Nevada has also stated that the manufacturers should be given a reasonable time in which to prepare the charts and either to comply with the State laws on the subject or get out of the business.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. DANIEL. I yield.

Mr. MUNDT. I should like to associate myself with the statements just made by the Senator from Texas. If House bill 116 is properly enforced and if adequate notice is given, so that enforcement can be had, I think it conceivable that the bill will be able to bolster some of the States that, for reasons best known to themselves, have been weak in enforcing their laws on this subject.

I expect to support the bill; but, as a Member of Congress, I should like to keep myself in the position of having voted for the enactment of proposed legislation that will be reasonable and rational.

I certainly cannot accept the statement of the Senator from Wisconsin that the manufacturers have had adequate notice as a result of the introduction of the bill, because with a Congress in which, for every 50 bills introduced, only 1 is passed, certainly the operations of manufacturers would be disrupted if they had to take notice of every bill that was introduced. After all, a great many bills are introduced, but fail of passage in either one House or the other.

It is now almost the first of June, and at this time we are asked to pass a bill by which certain legitimate business people would be told, at a time when they had accumulated certain inventories, that the United States Government would, in effect, put them into bankruptcy by making it impossible for them either to have time to prepare the necessary charts, to which reference has been made, or to dispose of the stocks they already have on hand, for as it is now written, the bill will virtually make it necessary for such manufacturers to go out of business entirely if they are to obey the law. In fact, because of their present possession of the merchandise which it would thus be impossible for the manufacturers either to sell or to keep, the effect of the bill, if enacted as it now stands, would be to drive such manufacturers into bankruptcy.

Mr. President, I believe that we should make the bill workable, and in that connection should recognize that in the United States, ex post facto laws are not passed. Certainly the situation I have just outlined is the one in which the distributors would find themselves, under the provisions of the bill as it now stands, in view of the fact that the bill will be enacted in almost the very month in which the distributors and manufacturers do the bulk of their business. I know of no measure passed by Congress which has put any group in the United States into virtual bankruptcy, even though they have been engaged in a lawful business.

In my opinion, the bill as it now stands violates a second principle when it fails to provide a means by which a legitimate manufacturer can ascertain the actual requirements of the various laws on the subject, so that he will have an opportunity to comply with them. By a means suggested by the Senator from Nevada, an opportunity will be provided for the legitimate manufacturers and distributors to comply with the law. That means is needed, in order to give them notice that they will have to comply with such laws in the future; and such a provision will place on the State officials the responsibility of having their State laws on this subject enforced as of July of this year.

For that reason, I should like to support the bill, and I believe it is constructive. I think it can be amended in such a way as to provide a reasonable, effective date, in which case the bill will be a reasonable piece of proposed legislation that will do injustice to none. Certainly the bill can be amended in such a way that honorable men who are engaged in this business activity will have

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an opportunity to know what the law is, and to comply with it.

I neither like to vote bankruptcy upon legitimate business concerns nor to vote punishment upon those who, in violating the law, have not had an opportunity to know what it is.

Of course, in connection with this subject, children are our primary consideration. Under the bill, they will have the protection of all of the State laws that already are on the statute books, and they will have the added protection which properly can be provided by the pending measure.

I believe it is in the interest of good government and fair play to provide an effective date that will make it possible for this measure to be understood and be obeyed. In that way, we shall not deliberately vote into bankruptcy certain legitimate enterprises that have had no warning and no notice other than the fact that the bill was "in the hopper." Without such adequate notice, they would find that at the very time when they had expected to sell their merchandise, they would have to keep it on hand, and thus be forced into bankruptcy, because they would not be in a position to sell it or otherwise dispose of it. Such an arrangement does not seem to me to be in keeping with the proper procedure for the Congress of the United States to follow.

The PRESIDING OFFICER (Mr. BUSH in the chair). The question is on agreeing to the amendment submitted by the Senator from Texas [Mr. DANIEL], at the request of the Senator from Nevada [Mr. MCCARRAN], and the Senator from South Dakota [Mr. MUNDT].

Mr. LEHMAN. Mr. President, my particular interest in the subject covered by the pending bill arises from the fact that some years ago, when my daughter was suddenly stricken with appendicitis, an immediate appendectomy became necessary, and, as a result, I had occasion to take her to the hospital on July 4. I spent all that day and several days following in the hospital, and I saw youngster after youngster brought into that hospital. There must have been a dozen of them who were brought into the hospital in the relatively small city of Hanover, N. H.; and among that number there were 2 or 3 who were threatened with the loss of their sight; and in 1 or 2 cases I believe they actually did lose their sight—all because of injuries from fireworks.

In New York, we have laws prohibiting the sale and use of fireworks. However, a certain amount of bootlegging goes on in connection with the sale of fireworks. That bootlegging is made possible only because fireworks, including firecrackers, are shipped into the State, across State lines, and are made available to dealers who are willing to break the law of the State of New York.

So I believe this question is completely and exclusively a humane one. I do not think we should give consideration to the effect of the proposed legislation on 1, 2, 3, or half a dozen manufacturers who, in my opinion, in most instances know they are breaking the law when they ship their products into a State which by statute prohibits the sale of or dealing in fireworks, including firecrackers.

The question is whether we are to endeavor to save lives and prevent injury to hundreds, if not thousands, of people, including adults as well as boys and girls, because from time to time adults also are injured or maimed by the use of fireworks. I think it would be entirely wrong for us to help a handful of dealers to go through another season, another 4th of July. So far as I am concerned, I certainly intend to vote against the pending amendment.

MILITARY EFFECTIVENESS OF THE UNITED STATES

Mr. FERGUSON. Mr. President, yesterday I appeared on the television and radio program called Meet the Press. I was asked a question toward the end of the program, and time did not permit a full reply. If I recall, the question was whether or not I believed our Military Establishment to be weaker at the present time than when the Republicans took over in 1953. In reply, in order that the record may be clear, my answer was "No."

I think it should be said, in amplification of that reply, that our military strength and effectiveness today are far greater than in January 1953, when President Eisenhower took over as Commander in Chief. Our buildup, in terms of modern weapons and equipment, continues at an accelerated rate. As chairman of the subcommittee of the Senate Committee on Appropriations which deals with defense appropriations, I have some personal knowledge of this subject. We are stronger now than we were a year ago, and we are growing stronger all the time.

For example, we shall have a 120-wing Air Force 1 year ahead of the original estimated date, and our Army infantry divisions now have 84 percent greater firepower than World War II infantry divisions had. By means of stepped-up training and the furnishing of equipment we have greatly increased the strength of our allies—for example, South Korea, which now has 20 combat-ready divisions.

The integration of guided missiles, such as Nike and the pilotless bomber Matador, vastly improves our military strength. We have one additional armored division and a number of new National Guard units with newer equipment. I do not believe that we reduced the effectiveness of our Military Establishment in South Korea by withdrawing several divisions. I think we strengthened the morale of the South Korean people. Therefore, we have given them greater responsibility. I believe that when people are defending their liberties, if they are given responsibility they will measure up to it.

I wish to emphasize that the reductions in expenditures and costs have been focused on surplus, on noncombat personnel, and on nonessential supplies and services which are easily dispensed with in the hard problems of warfare.

There are many examples of these accomplishments. For instance, we shall man the 120-wing Air Force with at least 83,000 fewer military personnel than were estimated a year ago.

The number of personnel in higher headquarters units in the Air Force is being reduced by 10 percent. Approximately 8,000 surplus cooks and bakers have been eliminated, and some 9,000 automobile mechanics and drivers have been eliminated as the result of better utilization of cars. For example, it was formerly the policy of the military to have an automobile overhauled every 1,000 miles. Private drivers, many of whom drive even greater mileages than do the drivers of military vehicles, know from experience, and industry knows from experience, that overhauling an automobile every 1,000 miles is not an economy. In fact, it is a waste. We have found that the number of cooks, bakers, mechanics, and drivers could be reduced. I know that music is essential in the Air Force, but we have been able to eliminate 2,406 musicians—I think that is the exact number.

The use of Navy personnel overseas has resulted in great savings in funds, and a great increase in international good will.

Coming back to the question of the South Koreans who are armed, the figures show that the cost of supporting an American division, as compared with the cost of a Korean division, is almost 21 times as great. I heard General Van Fleet testify before the committee that it has been discovered that, when trained by Americans, the South Koreans are really a strong fighting force.

These examples indicate some of the ways in which we are increasing the strength of our defenses, and yet reducing the costs. I can say emphatically that we are not weaker now than we were at the beginning of the new administration.

Mr. President, I desire now to turn to another subject.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

AMENDMENT OF VETERANS' READJUSTMENT AND ASSISTANCE ACT—ELIGIBILITY FOR VETERANS' UNEMPLOYMENT COMPENSATION

Mr. FERGUSON. Mr. President, in a previous session of Congress I introduced a bill which was enacted and became known as title IV of the Veterans' Readjustment Assistance Act of 1952. The bill which I intend to introduce today, and which I shall later send to the desk for appropriate reference, seeks to amend title IV of the Veterans' Readjustment Assistance Act of 1952 in order to change the period during which a veteran would be eligible for Veterans' Unemployment Compensation.

The present law contains a provision which terminates the provisions relating to Veterans Unemployment Compensation 5 years after a date determined by Presidential proclamation or concurrent resolution of the Congress. The present act does not adequately limit the period

during which a veteran may receive this unemployment compensation. At the same time, the act might work to prevent veterans who are drafted into the service of their country at a later date from being eligible.

The amendment I am now proposing would limit the eligibility of any veteran to a period of not more than 3 years, unless he went to school under terms of the act, in which case he would have 1 additional year, up to a total of 5 years after his discharge. In all cases under this title, the first 90 days after discharge is not counted because the veteran receives his discharge allowance at that time. A 3-year period is believed to be adequate and equitable.

The bill would also extend the general life of the title in order that the benefits might be available to persons who enter the military service in the future.

I believe the program should be continued as long as this Nation continues to draft its young men to military service, and therefore do not want to set an arbitrary limit which might be at variance with the duration of the draft laws.

The amendment has the support of the State commanders of the congressionally chartered veterans organizations in Michigan and was recommended by them.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter which I received from Dr. Robert M. Ashley, commissioner, Michigan Employment Security Commission, dated March 26, 1954.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MICHIGAN EMPLOYMENT SECURITY COMMISSION,
Detroit, Mich., March 26, 1954.

Hon. HOMER J. FERGUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I am enclosing a letter addressed to me, and a resolution drawn up by the commanders of the veterans' organizations in the State of Michigan. These letters are self-explanatory, needing little comment from me. However, I feel as do the commanders of the veterans' groups in Michigan, that you did the veterans not only of Michigan, but of the United States a great service in reclaiming a bill for us that was on its way to the graveyard.

The accompanying amendment we felt would show that the veterans are not interested in "rocking chair" money, but merely want an emergency taken care of when it arrives. We feel that 3 years after he is discharged the veteran should be able to take care of himself. We also feel that should a veteran take up schooling, he might need protection a year after school, but not in excess of 5 years, after his discharge. We also feel very keenly that the program should not be discontinued after 5 years, if we continue to draft our youth into the Armed Forces, and that looks like a continuing program.

Let me again express to you the feeling of gratitude expressed in all veterans' organizations for your interest and efforts in their behalf.

Kindest personal regards,
Dr. ROBERT M. ASHLEY.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter which Dr. Ashley received from Mr. Hendrick G. Nobel, legislative director, AMVETS, Department of Michigan.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMVETS, DEPARTMENT OF MICHIGAN,
Detroit, Mich., March 26, 1954.

Dr. ROBERT M. ASHLEY,
Wyandotte, Mich.

DEAR DR. ASHLEY: At a meeting of the department commanders group at Lansing, March 24, 1954, the attached resolution was adopted.

In recognition of your efforts in behalf of unemployed veterans the group requested that I, as a member of the legislative subcommittee of the group, contact you and ask you to forward the resolution to Senator FERGUSON.

With this request goes our sincere thanks for your continuous interest and never-tiring efforts to assist in the rehabilitation of the veteran.

Yours sincerely,
HENDRIK G. NOBEL,
Legislative Director,
AMVETS, Department of Michigan.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a resolution adopted by the Department Commanders Group, Congressionally Chartered Veterans' Organizations, at Lansing, Mich., on March 24, 1954.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

DEPARTMENT COMMANDERS GROUP,
CONGRESSIONALLY CHARTERED
VETERANS ORGANIZATIONS,
Lansing, Mich., March 24, 1954.

Whereas title IV, section 409, of Public Law 550 (Veterans Readjustment Assistance Act of 1952) provides for termination of the program of paying unemployment compensation to veterans 5 years after a date determined by presidential proclamation or concurrent resolution of Congress; and

Whereas a termination date for the paying of unemployment compensation benefits to returning veterans should be related to the individual veteran and should not provide for the discontinuance of the entire program since there is every indication that the drafting of the youth of this Nation will be continued to fill the needs of the Armed Forces and thus continue the need of this program; and

Whereas a provision authorizing the payment of unemployment benefits to veterans should adequately protect the veteran and carry out the intent of the program if it covers a period of 3 years after his date of discharge except in the case of the veteran who takes advantage of schooling under title II of Public Law 550 and who may complete such schooling at such a time that he cannot immediately secure employment: Therefore be it

Resolved, That the department commanders group of the State of Michigan composed of the department commanders of the congressionally chartered veterans organizations and their legislative officers do hereby recommend to Senator FERGUSON, the author of the amendment that created title IV of the Veterans' Readjustment Assistance Act of 1952, that section 409 of Public Law 550 be amended to provide for the termination of benefits for the individual veteran but not for the discontinuance of the program and offer as a suggestion that section 409 of Public Law 550 be amended to read as follows:

"No compensation shall be paid under this title for any week commencing 3 years after the effective date of this title or 3 years after the veterans' last date of discharge, whichever is the later. Provided, however, that a veteran pursuing a training program under title II of this act may receive compensation for 1 year after such training period but not beyond a period in excess of 5 years from the date of his last discharge."

Respectfully submitted.

JOSEPH H. TAYLOR,
Disabled American Veterans.
EDWIN A. HEKULA,
Marine Corps League.
HENDRIK G. NOBEL,
AMVETS.
S. BURR MCCURDY,
United Spanish War Veterans.
JOSEPH H. RETZENHEIN,
Veterans of Foreign Wars.
BILLY R. WICKENS,
The American Legion.

Mr. FERGUSON. Mr. President, I now ask unanimous consent to introduce the bill to which I have referred.

There being no objection, the bill (S. 3473) to amend title IV of the Veterans' Readjustment Assistance Act of 1952 so as to provide that any person serving in the Armed Forces on or after June 27, 1950 shall be entitled to unemployment compensation benefits subject to such title, and for other purposes, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on Finance.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors today it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. FERGUSON obtained the floor.

Mr. KEFAUVER. Mr. President, has the Senator from Michigan made a unanimous-consent request relative to voting on the pending bill, or can the Senator from Michigan tell us whether a vote will be had on it this evening? I wish to offer an amendment, and I should like to know what the legislative program is for this evening.

Mr. FERGUSON. Mr. President, I ask the Senator to withhold his request for a few minutes.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to send to the desk at this time an amendment which I intend to offer to the pending bill, and I ask that the amendment be received and printed for the information of the Senate, and lie on the table.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Mr. President, reserving the right to object, is it to be understood that the submission of the amendement and having it lie on the table after being printed for the information of the Members of the Senate does not mean that no

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vote will be taken today on the pending bill?

Mr. FERGUSON. As I understand the rule, the submission of the amendment does not delay anything.

Mr. CASE. If a unanimous-consent request is agreed to that the amendment shall be printed for the information of the Members of the Senate, obviously that request cannot be complied with until there is time to have the amendment printed.

The PRESIDING OFFICER. The Chair will state that the submission of the amendment does not change the parliamentary situation. The pending question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] at the request of the Senator from Nevada [Mr. MCCARRAN].

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Did the request of the Senator from Tennessee include a unanimous-consent request that the amendment be printed?

Mr. KEFAUVER. That is what I am asking. I assume that no vote will be had on the pending bill tonight. If a vote is to be reached this evening, I shall simply offer the amendment before a vote is had on the bill.

Mr. CASE. Under those circumstances I have no objection.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed and will lie on the table.

INDOCHINA AND OUR FOREIGN POLICY

Mr. FERGUSON. Mr. President, I should like to discuss for a few minutes today some of the problems of our foreign relations which concern and trouble all of us.

What is going on today in Geneva and Indochina is of direct concern and interest to the people of the United States. We do not have to be told of the dangers of world communism. The process of aggression, conquest, revolution and broken treaties that has led to the terrible enslavement of 800 million people since the end of the war is tragically plain to the world.

We know that the ultimate objective of the Communists is world domination and we realize that every mile they can advance from their fortress, every person they enslave increases their strength and by the same token weakens the strength of the free world.

We know that we can have no faith in their expressed motives or intent to the free world. We have witnessed their callow disregard for treaties. Again and again we have seen the use they make of international conferences called to attempt to remove some of the obstructions to a peaceful world. Berlin and Geneva stand as fresh demonstrations of the conspicuous bad faith of the Communists in international negotiations.

These are extremely serious days for our country. A large and vital area of the free world is in immediate and present danger of being conquered by communism. This area is the great southeastern Asia peninsula and the islands that lie adjacent to it on the south. In this area there are seven countries with a population of 200 million people. These 7 countries, the 3 states of Indochina—Laos, Cambodia and Vietnam with the 4 other states of the area, Burma, Thailand, Malaya and Indonesia—control the approaches to the Indian Ocean.

If the Communists can conquer southeast Asia they will control the entire western shores of the Pacific Ocean from the Bering Sea down to the waters that wash the island continent of Australia.

This control would place Australia, New Zealand, and the Philippines in immediate danger and would jeopardize the very existence of Japan which would be deprived of its sources of food and raw materials and would at the same time be deprived of the most important markets for the products the Japanese must sell in order to maintain their economy.

The immediate focal point of the Communist attack is Indochina, where the three nations, Laos, Cambodia, and Vietnam, with France, are bearing the brunt of a war that has been going on for 8 years and that has constantly been increasing in intensity.

The results of this war and the destiny of these countries are so important to the future of the free world that I would like to review some of their recent history to place the background for what is their present.

The French have had some interests in Indochina since the 18th century, but France's role there as the ruling colonial power has only been a product of the last 75 years. The 3 Associated States, Laos, Cambodia, and Vietnam, have a total population of approximately 30 million. The population of Cambodia is about 3 million, that of Laos about 2 million. The population of Vietnam is around 25 million, and these 25 million are today divided just about half and half between the free part of the country and the part that the Communists control. That does not mean land area; it refers to population.

During the Second World War the French, their country occupied as it was by the Germans, had little choice but to continue the Vichy type of government they had in Indochina. This French Government was powerless to protect Indochina from the Japanese, and when the Japanese withdrew after their surrender on August 13, 1945, they left behind them a condition of chaos.

The Indochinese had lost much of the respect and awe with which they had regarded the French. They had witnessed them powerless against the Japanese and had not seen the Japanese in any way punished, because—except for the war in the air and at sea—Indochina was bypassed.

In the cleaning-up phase that took place right after the Japanese surrender, the Allies agreed at Potsdam that the Chinese troops of Gen. Chiang Kai-shek would occupy the northern part of Vietnam and the British would take over temporarily in the south. In September of 1945 French troops began to arrive and attempted to restore order to the southern part of the country. In the north, as the Chinese troops withdrew, a rough sort of popular-front government had effective control. This government was set up by a man who was called Ho Chi Minh, the man who is today the head of the Communist Viet Minh.

There was not much question that at that time many of the supporters of Ho Chi Minh were genuinely concerned with establishing a government that would free Vietnam from French colonial rule.

At this point, Mr. President, I might cite a personal experience I had when I was in Indochina several years ago. We received a briefing by the French and the British. The British had come up from Singapore and there was a long briefing on the conditions in Indochina. That evening at our hotel we were asked by the local governor if we would not see the local officials of the Vietnam Government without the French and the British. We did see them, and I shall state the way they looked at the situation. When I said there were people on the other side who were genuinely concerned with establishing a government that would free Vietnam from French colonial rule, here is the way they put the proposition to us:

> There are people on the other side fighting with the Communists who believe they can establish independence for this country through that method and through the Communists. They have never experienced what Communist colonialism is. They have experienced French colonialism, and they believe they have a better chance to get independence through the Communists than have we who are fighting on the side of the French.

They said further:

> You can help independence greatly if you will have the American Government support our local government, and not the French. When you send war materiel to the front, send it to us as a government, and we can use it effectively for our independence and for the people fighting with the Communists. We have reason to believe they will come over to us.

Mr. President, because of various circumstances we could not accomplish that in America. That is one of the reasons why there was not a consolidation of the independence movement. The Communists adopt a great cause, such as the independence of certain people, and then they prostitute that cause. They say, "We will give you independence"; but they would not give independence. They give nothing but slavery. They would give colonialism under communism.

However, if we consider the biography of this man, Ho Chi Minh, we can see a perfect example of how the Communists use the genuine nationalist aspirations of colonial peoples to attempt to enslave them as satellites in the Communist imperial system.

His history is far from that of a genuine nationalist devoted only to the interests of his own country and his own people, it is rather the story of a man who has spent 34 years in Communist activity in many parts of the world. His

history is that of a man whose loyalties are to world communism and to its high command in Peking and Moscow. In France in 1920 he helped found the French Communist Party. From 1923 to 1925 Ho Chi Minh was in Moscow being trained in Communist tactics.

Mr. President, I was told of a man who served in prison under the Japanese and who was in the next cell to Ho. He knows that Ho is a Communist, for the reason that he tried to indoctrinate him with communism. He was a Communist through and through and is now serving the Russian and Red Chinese Communists.

From 1925 to 1927 he was in China with the Russian Communist leader Borodian. From that time until 1931 he was organizing the beginnings of the Vietnamese Communist Party.

This man's life has been an example of how international communism trains its agents to take advantage of periods of unrest to pose as national leaders, while in reality they are agents for the vicious imperialism that threatens the future of the world. Over 30 years ago this man was in Moscow being trained for his present role of posing as a national leader while attempting to bring another country under the control of Moscow and Peking.

Through 1946 and 1947 the French attempted to deal with Ho Chi Minh in order to reestablish some order in Indochina. In 1946 they signed an agreement with him from which they hoped to gain some stability in Vietnam.

Fighting between the French and Viet Minh gradually became more and more violent in 1947, 1948, and 1949, but it was not until 1950 that it began to take on the character of a major war. With the fall of China to the Communists in 1950, they had control of the long border between Indochina and China. With this control they could begin to supply Ho Chi Minh's Viet Minh forces with military supplies sufficient for waging increasingly larger-scale war.

There is no question but that at the beginning the fighting in Indochina started as a product of the chaos left by the Second World War. At that time there was a genuine uprising against French colonial rule, but today this picture has changed completely. Today the Viet Minh does not work for the national independence of the Vietnamese people that it claims to represent. Today the Viet Minh is attempting to force a satellite status upon the whole of Indochina and bring it within the new imperialism of the Communist bloc.

Today the international Communist character rather than the nationalist character of the Viet Minh can be proved very easily by a study of its leaders, their background training and loyalties. I have cited some of the Communist record of Ho Chi Minh. The majority of the men who surround him have a history like his of international Communist activity by no means confined to Indochina. These are men who have received their training in Moscow and in China.

Their leadership comes from Moscow and Peking and that is where their loyalties are and will remain. The few Viet Minh officials who can be thought of as still truly nationalist today are the dupes and captives of their Communist bosses who use them for the moment to maintain the pretense that this is a nationalist movement.

What I was there told by the ministers proved that beyond any doubt.

The driving force back of the political and military effort to enslave Indochina comes from the ideological direction and the military supplies that are supplied Moscow and Peking. Technical advice and military equipment come from both the U. S. S. R. and China. It is an interesting footnote on life back of the Iron Curtain to notice that not only are Czech and Russian military equipment being used by the Vietminh, but also its currency is printed in Czechoslovakia.

In 1950 as the Communists were able to make their control of China complete they immediately branched out to gain complete control of all of the Pacific coasts of Asia. In 1950 they attempted to conquer Korea, and in 1950 the character of the fighting in Indochina changed. From this time on Indochina has been increasingly the battlefield for a serious war.

As soon as this administration came into power—in fact, as early as December, when General Eisenhower was still President-elect—the President and Secretary Dulles began to give the most serious attention to the problem of Indochina. It was in December of 1952 when the President-elect was returning on the cruiser *Helena* from his trip to Korea that he and Secretary Dulles outlined their policy toward Indochina.

Secretary Dulles discussed these conversations which he and the President had aboard the *Helena* in his address on the Geneva Conference May 7. He said:

> We realized that if Vietnam fell into hostile hands, and if the neighboring countries remained weak and divided, then the Communists could move on into all of Southeast Asia. For these reasons, the Eisenhower administration from the outset gave particular attention to the problem of Southeast Asia.

The Secretary went on to say:

> Our efforts took two complementary lines. We sought to strengthen the resistance to communism in Indochina. We sought also to build in Southeast Asia a broader community of defense.

Mr. President, we are living in days when the threat to the free world is extremely serious and we have an enormous responsibility to examine our policies and our actions to see that the interests of this country are supported by the wisest policy and that our policies are carried out in the best possible manner.

This is a responsibility that must be carried out with all of the intelligence and careful thought of our capabilities. It is a responsibility that cannot recognize any partisanship.

Our problem in strengthening the resistance to communism in Indochina has had two major aspects. First, the three Associated States of Indochina and France together simply do not have the material resources to wage a war on this scale against the strength of international communism.

Once the war material began to come from Czechoslovakia and Russia, down through China, and was sent across the border, the situation was found to be entirely different from what it was in the beginning.

Second, this war cannot be fought unless the peoples of the three countries of Indochina have the will to fight. I wish to emphasize this point.

The peoples of these three countries have had no opportunity for normal political or economic life more than 12 years. As a colonial country, their economic life was tied to France, so they have had to face 14 years of economic dislocation since the fall of France in 1940. To appreciate what this disruption has meant, consider just one figure. Before the war Indochina exported as much as 1,500,000 tons of rice in a year. By 1952 they were exporting around 300,000 tons. We can well imagine what that can do to a country like Indochina.

What the Second World War meant to southeast Asia is hard for us to grasp. For these countries the war meant the creation of a state of chaos that the Western World has never experienced. In southeast Asia the very institutions that men live by were destroyed. Governments and societies ceased to exist in the sense that we know them. Channels of commerce and trade disappeared, communications with the outside world ceased to exist. And on top of this dislocation these peoples have had to face 8 years of a cruel civil war kept alive by the internal aggression that the Communists know how to create so well.

For these peoples to have the determination to continue to fight they must have the hope that their efforts and sacrifices will give them a promise of a future when they can live in a society of their own choice, with a government of their own choice.

I do not think there is anything truer than that. I experienced such a feeling after talking with persons who live there and are natives.

We have recognized the three Associated States in 1950, but this administration, in the words of Secretary Dulles, has said:

> The French should give greater reality to their intention to grant full independence to Vietnam, Laos, and Cambodia. This would take away from the Communists their false claims to be leading the fight for independence.

Very real progress has been made in this respect. On July 3, 1953, the French issued a declaration that pledged full independence to Laos, Cambodia, and Vietnam.

The people of those three nations must realize that that is an accomplished fact, that it is true, and there is no question about it.

On October 22, 1953, Laos received its full independence. Within the past April, the Vietnamese and the French issued a joint declaration of intent to sign an independence pact, and only last week the Vietnamese published the text of the proposed treaties for its independence and association with France, and on the basis of these treaties has submitted its own peace proposals at Geneva. The Cambodian Government

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has already taken over the complete administration of all of its own internal affairs.

We have made our policy and our principles perfectly plain to the French in this respect. We believe these countries must have their independence and that that is essential to build up any will to fight on their part.

I feel that when the people of Vietnam and of Indochina know that they have their independence, that we have no imperialism in our hearts in connection with what we are doing, and that other nations which are helping them have no thoughts of impearialism or colonialism, the people of the Associated States will build an army and will preserve their liberties and freedom.

In the rush of events of our daily existence it is easy to overlook the importance of these achievements and to overlook the great difficulties that beset them. Laos and Cambodia have both been invaded by the Communists, and Vietnam is cruelly torn by the bitter fighting. Under these conditions it is a great credit to the French and their Indochinese allies that they have been able to make this progress.

To help the Indochinese governments with their economic development and with public works and training programs we have been giving them in the neighborhood of $25 million a year since 1951.

It is obvious that the Indochinese countries and France do not have the resources to fight a war of this magnitude.

As I explained, once the Communists started to bring in the material from Communist Russia and Red China, that were true. We have been assuming the difference between what they can support and what has been needed. Up until 1951 our assistance was general economic assistance to France. Since that time we have been furnishing the French financial assistance for the Indochina war in the following amounts:

Fiscal year 1952: $250 million.
Fiscal year 1953: $250 million.
Fiscal year 1954: $785 million. (The original appropriation was for $400 million; this was increased last September by $385 million after the administration consulted with the Congress.)
Fiscal year 1955: $800 million (has been proposed).
In addition to these sums, for end items from the United States in the period 1950 to 1953, we allocated $900 million.

Those are very large amounts.

Tremendous as the dollar figures are, I do not think one can grasp the significance of this aid unless one thinks of it in concrete terms. In addition to the financial assistance we give the French, which is earmarked for the war in Indochina, let me call attention to the amounts of equipment we have been sending to Indochina.

Not counting planes and ships, we have been sending, on an average, 30,000 tons of material to Indochina a month. We have sent 200 million rounds of small-arms ammunition, 20,000 transport vehicles, 1,000 armored cars and tanks, 360 military aircraft, 50 aircraft on loan, 390 naval craft, 10,500 radio sets, 200,000 small arms and automatic weapons, and shells, hospital, engineering, and technical equipment of all kinds.

Those figures, Mr. President, do not show that we have been furnishing too little.

It is hard to exaggerate the meaning of such aid to the defense of Indochina. As one example, all fighter planes the French and Indochinese have are American planes.

Everything that we have sent to that area has been sent to fill a void or a vacuum. Our experts have followed those programs with the greatest care; we have had as our goal supplying up to the capacity for utilization. Mr. President, we have furnished up to the ability to utilize.

This does not mean that we have sent exactly everything the French have requested. Sometimes, under the great pressure of the fighting, our technical experts have felt that some types of equipment have been requested which could not be used at the time. But our objective and our record have been to furnish, and furnish rapidly, the material requested by the French for the war.

There has been no disagreement with the French over the amount and nature of the aid given by the United States for the war. Furthermore, our aid has been given as fast as it could be effectively used.

In the words I quoted from Secretary Dulles' speech of last week, he spoke of the necessity of creating "a broader community of defense" in southeast Asia. Over a year ago President Eisenhower, in his speech of April 16, 1953, said that "aggression in Korea and in southeast Asia are threats to the whole free community to be met by united action."

As far back as 1951, Mr. Dulles negotiated treaties with the Philippines, Australia, and New Zealand which recognized the importance of this area to the United States. Such treaties were first steps to the working out of a more comprehensive security system for the area.

The Secretary of State, on March 29 of this year, said, after consultation with leaders of Congress from both parties:

> The imposition on southeast Asia of the political system of Communist Russia and its Chinese Communist ally, by whatever means, would be a grave threat to the whole free community. The United States feels that possibility should not be passively accepted, but should be met by united action.

Since Secretary Dulles make this speech, we have conferred with the representatives of the free nations who have immediate interests in the area—Viet Nam, Laos, Cambodia, Thailand, the Philippines, Australia, and New Zealand. In addition, we have informed other nations having interests that might be affected. While the Geneva Conference is going on, we are continuing conversations about the establishment of a collective defense.

Our policy is also directed toward developing in the nations of southeast Asia an awareness and realization of the danger which confronts them directly as a result of this Communist imperialism. We are trying to build into countries the will to remain free—that spirit of liberty and freedom which is essential in order to succeed against the Communists.

Our policy is also directed toward developing in the nations of southeast Asia an awareness and realization of the danger which directly confronts them as a result of Communist imperialism. They must show they understand what colonial communism is, and what being Communists will mean to them. They have not really experienced colonialism until they have experienced Communist colonialism. Some of these people have never enjoyed freedom. They must be told what it will mean to them and what it can mean to them. I believe personally that every man has, in his heart and soul, the desire for freedom, and all that is necessary is to arouse it in him and activate it in order that he may use it, and then he will exercise the eternal vigilance which is necessary always to keep his freedom.

Joint action with the peoples in the area under discussion in order to build a system of collective defense is obviously in the interest of the free world. What this country does must in part depend upon an invitation from the Associated States and the French for us to participate.

In other words, Mr. President, the three independent states must ask for materiel and for aid in training in order that they may use such materiel and aid in securing their independence and freedom. I think France must show the same purpose, and demonstrate beyond doubt that the Associated States will have independence, and that France wants them to keep their independence.

Our objectives must be twofold: To prevent by peaceful means, if possible, further aggression, and domination of this area by the Communists.

If we had not pursued the policies we have adopted since 1950 I am satisfied the area would have long ago been engulfed by Communist aggression.

I believe that our aid programs have promoted our national interest. If we always proceed in behalf of our enlightened self-interest, I know that the liberty and freedom of other parts of the world will be preserved, and by preserving liberty and freedom elsewhere we will secure our own.

I think we have demonstrated to the peoples of southeast Asia that we are interested in their attaining genuine freedom, and that we and the French have no idea of fastening any system of colonialism upon them. I say that, Mr. President, because of the recent negotiations by the French. As soon as the people of that area of the world understand—and the French so understand—that they are to get their freedom, I am sure there will be a change.

It is in the direct line of American policy to give support and aid to these countries in maintaining the independence they are acquiring and to see that that independence is not wiped away by the new imperialism that comes out of Moscow and Peking.

Our diplomacy has successfully kept this area out of Communist enslavement. The problems we face are extremely complex and are of great difficulty. To meet

them successfully is going to require great patience, great forbearance, and great determination. Let all of us—all Senators, on both sides of the aisle—work together, in helping the United States work with other countries.

RECESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. FERGUSON. Mr. President, under the order previously entered, I now move that the Senate stand in recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, May 18, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 17 (legislative day of May 13), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Lampton Berry, of Mississippi, for reappointment in the Foreign Service as a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520 (a) of the Foreign Service Act of 1946.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

John Crawford Brooks, of California.
Jack M. Fleischer, of Wisconsin.
John Hay, of Virginia.
Richard N. Meyer, of Maryland.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Stephen J. Campbell, of California.
Rupert Prohme, of California.
Albert A. Rabida, of Colorado.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

James E. Akins, of Ohio.
George M. Barbis, of California.
Robert T. Burns, of Indiana.
Roy O. Carlson, of Illinois.
Joseph H. Cunningham, of Nebraska.
Harold L. Davey, of Nebraska.
John L. De Ornellas, of Alabama.
John T. Dreyfuss, of California.
James D. Farrell, of Kansas.
Samuel R. Gammon III, of Texas.
H. Kent Goodspeed, of California.
Chadwick Johnson, of Massachusetts.
C. Dirck Keyser, of New Jersey.
Miss Paulina C. Kreger, of Ohio.
P. Wesley Kriebel, of Pennsylvania.
Samuel W. Lewis, of Texas.
Joe Lill, of Kansas.
Alan W. Lukens, of Pennsylvania.
Miss Ruth A. McLendon, of Texas.
Julian F. MacDonald, Jr., of Ohio.
H. Freeman Matthews, Jr., of Virginia.
Philip C. Narten, of Ohio.
Joseph B. Norbury, Jr., of New York.
Frank V. Ortiz, Jr., of New Mexico.
Raymond L. Perkins, Jr., of Colorado.
Birney A. Stokes, of New Jersey.
Richard D. Vine, of New York.
William Marshall Wright, of Arkansas.
Charles T. York, of New York.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17 (legislative day of May 13), 1954:

COLLECTOR OF CUSTOMS

Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C.

PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service, effective date of acceptance:

J. D. Leggett to be surgeon.
Earl S. Schaefer to be assistant scientist.
William B. De Witt to be senior assistant sanitarian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 17, 1954

The House met at 12 o'clock noon.

Dr. Paul N. Garber, bishop of the Richmond area of the Methodist Church, Richmond, Va., offered the following prayer:

Almighty God, our Heavenly Father, we would express our thanks for our national heritage and especially for those noble forefathers of days gone by who laid the firm foundations of our Republic. We are grateful that they proclaimed the sacred principle that all men are created equal and are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.

We are grateful, our Heavenly Father, that our mothers and fathers believed in vital religion and that in the building of our Republic they made divine resources the chief cornerstone.

And so today we pray that we of this generation may be worthy sons and daughters of our forebears. May we be loyal at all times to our noble heritage of democracy and religion.

Be very near, our Heavenly Father, to each and every Member of our Congress. Give them courage, give them strength, and give them wisdom in their great field of service. May they in the language of the Scriptures serve their own generation by the will of God.

Forgive us when we make mistakes and at last save us, we pray in the name of our Saviour. Amen.

The Journal of the proceedings of Thursday, May 13, 1954, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 235. Concurrent resolution requesting the President of the United States to return to the House of Representatives H. R. 1769 for reenrollment.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 197. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1303. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan;

S. 2802. An act to further encourage the distribution of fishery products, and for other purposes; and

S. 3245. An act to provide emergency credit.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7893. An act making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. MCCARTHY, Mr. SALTONSTALL, Mr. CARLSON, Mr. KILGORE, Mr. MAYBANK, and Mr. MCCLELLAN to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 54–13.

ANNIVERSARY OF NORWAY'S INDEPENDENCE DAY

Mr. TALLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, this is Norway's Independence Day; and on this significant occasion, I want to pay tribute to a remarkable people. In their own country they call it "den syttende Mai," meaning the 17th of May, which to the Norwegian people has the same meaning as the Fourth of July in our own country.

The Norwegian people are remarkable because of their intense love of liberty. I need not belabor that point because it is a universally accepted fact. That spirit pervades their writings of today. It goes back through the Middle Ages. It is recorded in the songs of the Skalds who accompanied their soldiers to battle. That same spirit is portrayed in

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the carvings called runes, the pictographs that appear on stones of ancient times.

In addition to their remarkable love of liberty they have the accompanying virtue of possessing tremendous respect for law. There is nothing that brings to a Norwegian or to the descendants of Norwegians a greater feeling of shame, genuine shame, than to go to jail. These are virtues which the American people understand and share.

So on this occasion, in this brief time, I want to salute the Norwegian people and to say in their own language: Lykke med dagen. That means in free translation: May this be a truly joyful day for you.

AMENDING THE RECREATION ACT OF JUNE 14, 1926

Mr. MILLER of Nebraska submitted a conference report and statement on the bill (H. R. 1815) to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes.

SPECIAL ORDER GRANTED

Mrs. FRANCES P. BOLTON (at the request of Mr. ARENDS) was given permission to address the House for 30 minutes on Tuesday, Wednesday, and Thursday, following any special orders heretofore entered.

BILL TO AMEND TARIFF ACT

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, I have today introduced a bill to amend the Tariff Act of 1930.

This bill is designed to restore to Congress the final responsibility for any adjustments made in the tariff.

To this end the bill would empower the Tariff Commission under stated conditions to increase or reduce or to establish rates of duty, or to impose, modify, or withdraw import quotas, subject only to congressional veto.

The stated aim of the bill is to establish imports on a fair competitive basis, first, by avoiding import injury to domestic producers; and, second, by providing means of reducing excessive rates to the peril point—that is, to the point below which import injury would occur. This might include complete removal of a duty.

The adjustment of any tariff rate could be initiated in a manner very similar to the present initiation of an escape clause action. This has to date been confined to applicant industries that have alleged serious injury from imports. Under the present bill, producers who suffer injury from import competition could apply to the Tariff Commission for a tariff adjustment. The Commission would make an investigation, hold hearings and, if convinced of the need for relief, would issue a tariff adjustment order, consisting of a change in the tariff or of a quota limitation or both.

The tariff adjustment order would go to Congress where it would lie for a period of 60 days. If the order were not voted down by either House during that period it would go into effect.

Export or import interests who feel that a particular rate of duty is too high could likewise apply to the Tariff Commission, under the same procedure, and if the Commission found the rate to be too high, it would issue an order reducing it to the peril point. From there the procedure would be the same.

It is to be noted that the system proposed by the bill would not lead to any general increase or reduction of the tariff. Rate changes would be made or quotas would only be imposed or modified after investigation of individual cases. If an existing rate were satisfactory or no application were made to have it modified there would be no occasion for an investigation and there would be no modification. Thus, only a limited number of rates would be changed—increased or reduced—per year. The Tariff Commission would be given 9 months to conclude any one investigation.

There is no similarity in this procedure to or remote connection with the old system of logrolling when Congress itself wrote the rates.

The principal change between this method of changing the tariff and the present system lies in changing the final authority in a tariff modification from the executive to the legislative branch. Also the tariff would no longer be used as an instrument of diplomacy or as a means of bargaining for concessions from other countries.

The Congress, through the provisions of this bill, would lay down guides to the Tariff Commission for its use in judging whether import injury or lack of fair import competition exists. Eleven points of evidence of injury are set forth as a guide.

While the executive branch would no longer have the final word in a tariff adjustment, the bill nevertheless provides that the Department of State might, if it so desired, send to Congress a statement setting forth its views on any tariff adjustment order. The National Security Council would likewise be given a voice in the determination of cases to the extent of having a representative sit with the Tariff Commission during hearings.

The bill would give statutory standing to the rates now owing their existence to a trade-agreement concession. Therefore, there would be no increase in any rate of duty upon expiration of the existing trade-agreements law. All existing trade agreements would remain in effect in accordance with their own terms until or unless expressly abrogated.

The General Agreement on Tariffs and Trade—GATT—would expire on June 30, 1955, unless it were previously specifically approved by Congress.

The overall objective of this bill is to assure the largest volume of imports that may be absorbed by this country without causing import injury. It provides the machinery by which our tariff may be adjusted, item by item in individually investigated cases, to bring about such a maximum volume of trade.

MECKLENBURG DECLARATION OF INDEPENDENCE

Mr. JONAS of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS of North Carolina. Mr. Speaker, I am pleased to announce to the House that tomorrow the President of the United States will visit Charlotte, N. C., and participate in a Freedom Day celebration commemorating the 179th anniversary of the signing of the Mecklenburg Declaration of Independence.

The signing of that declaration of independence from the mother country by patriots of Mecklenburg County, N. C., occurred on May 20, 1775.

Should there be any speculation over why we have scheduled this celebration 2 days in advance of the actual anniversary of the event, I will merely say that if the patriots of Mecklenburg County could precede the July 4, 1776, Declaration of Independence at Philadelphia by 14 months, no point surely will be made of the fact that we moved our program up 2 days to meet the convenience of one of the principal participants.

The date of the celebration is not significant anyway. The event to be commemorated gives significance to the occasion. That event in this instance was a declaration of independence from Great Britain by a convention of patriots duly assembled on May 20, 1775.

On the previous day, an express rider had arrived in Charlotte bringing word that British troops under command of Major Pitcairn had, on April 17, 1775, fired upon the minutemen on the village green at Lexington, killing 6 and wounding 4 others.

The message brought by that express rider had been dispatched by the Committee of Public Safety of Watertown and was directed, "To all friends of American liberty." The messenger was directed to "alarm the country."

Prof. Archibald Henderson, of the University of North Carolina, described the progress of that messenger as follows:

> Like a crusader with flaming cross, stirring to irrepressible enthusiasm the ardent loyalty of a people, came a rider—a rider from bleeding Lexington in faraway New England. This courier, as in mad, hot haste, he galloped southward on his continental ride, bore in his hand no flaming cross but only a simple letter, eloquent in its simplicity. And yet, this news was the electric spark which in its train set aglow the patriotic spirit of a people and culminated in the fulgurant fire of Mecklenburg.

The news that blood of innocent Americans had been spilled without provocation by British troops at Lexington inflamed the delegates to the Mecklenburg Convention. A committee of three was appointed to draw up appropriate resolutions. The committee worked long into the night and it was about 2 a. m. the following morning—May 20, 1775—before the report was ready to be read to the convention.

The report was contained in five resolutions and amounted to a declaration of independence. It was promptly adopted by the convention without change and was then subscribed by 27 delegates.

Under leave to extend my remarks, I include the text of the declaration:

THE MECKLENBURG DECLARATION OF INDEPENDENCE, MAY 20, 1775

Resolved, First, that whosoever directly or indirectly abets, or in any way, form, or manner, countenances the unchartered and dangerous invasion of our rights, as claimed by Great Britain, is an enemy to this country, to America, and to the inherent and unalienable rights of man.

Resolved, Second, that we the citizens of Mecklenburg County, do hereby dissolve the political bands, which have connected us with the mother country, and hereby absolve ourselves from all allegiance to the British crown, and abjure all political connection, contract, or association with that nation, who have wantonly trampled on our rights and liberties, and inhumanly shed the blood of American patriots at Lexington.

Resolved, Third, that we do hereby declare ourselves a free and independent people; are and of right ought to be, a sovereign and self-governing association, under the control of no power, other than that of our God, and the general government of the Congress; to the maintenance of which independence, we solemnly pledge to each other, our mutual cooperation, our lives, our fortunes, and our most sacred honors.

Resolved, Fourth, that as we acknowledge the existence and control of no law, nor legal officer, civil or military, within this county, we do hereby ordain and adopt as a rule of life, all, each and every of our former laws: wherein, nevertheless the crown of Great Britain never can be considered as holding rights, privileges, immunities, or authority therein.

Resolved, Fifth, that it is further decreed, that, all, each, and every military officer in this county, is hereby reinstated in his former command and authority, he acting conformably to these regulations. And that every member present of this delegation shall henceforth be a civil officer, viz: a justice of the peace, in the character of a committeeman, to issue process, hear and determine all matters of controversy, according to said adopted laws; and to preserve peace, union, and harmony in said county; and to use every exertion to spread the love of country and fire of freedom throughout America, until a more general and organized government be established in this province.

Abraham Alexander, Chairman; John McKnitt Alexander, Secretary; Ephiam Brevard; Hezekiah J. Balch; John Phifer; James Harris; William Kennon; John Ford; Richard Barry; Henry Downe; Ezra Alexander; William Graham; John Quincy; Hezediah Alexander; Adam Alexander; Charles Alexander; Zaccheus Wilson, Sr.; Waightstill Avery; Benjamin Patton; Matthew McClure; Neil Morrison; Robert Irwin; John Flenniken; David Reese; John Davidson; Richard Harris, Sr.; Thomas Polk.

No one in North Carolina claims that we have a monopoly on patriotism. Men in Virginia, New England, and elsewhere in the Colonies, were imbued with the same spirit of liberty and craving for self-government that motivated our North Carolina ancestors. But we are entitled to take some natural pride in the fact that our forefathers were the first Americans to undertake to dissolve the bands that bound them to the mother country and declared themselves, and I quote, "a free and independent people—are and of right ought to be a sovereign and self-governing association, under the control of no power other than that of God and the general government of the Congress."

An impartial appraisal of the character and spirit of our North Carolina forefathers will be found in Washington Irving's Biography of Washington, where, in speaking of the invasion of North Carolina by Lord Cornwallis, he wrote:

It was an enterprise in which much difficulty was to be apprehended, both from the character of the people and the country. The original settlers were from various parts, most of them men who had experienced political or religious oppression, and brought with them a quick sensibility to wrong, a stern appreciation of their rights, and an indomitable spirit of freedom and independence. * * * The early history of the colony abounds with instances of this spirit among its people. "They always behaved insolently to their Governors," complains Governor Burrington in 1731, "some, they have driven out of the country—at other times they set up a government of their own choice, supported by men under arms." It was in fact the spirit of popular liberty and self-government which stirred within them, and gave birth to the glorious axiom: the rights of the many against the exactions of the few. It was this spirit that gave rise to the confederacy called the Regulation, formed to withstand the abuses of power; and the first blood shed in our country in resistance to arbitrary taxation was at Alamance in this province, in a conflict between the Regulators and Governor Tryon. Above all it should never be forgotten that at Mecklenburg, in the heart of North Carolina, was fulminated the first Declaration of Independence of the British Crown upwards of a year before a like declaration by Congress.

For the third time in my generation a President of the United States is going down to Charlotte, N. C., to pay his respects to those brave men who placed the first stone in the foundation upon which this great country has been built. President William H. Taft honored us by his presence and participation in the 1909 celebration. President Woodrow Wilson did likewise in 1916. And now President Dwight D. Eisenhower is going down to help us celebrate the 179th anniversary of this glorious episode in American history. President Eisenhower will receive a warm and cordial welcome tomorrow at Charlotte, where American liberty was first declared, where it has ever been cherished, and where it always will be defended so long as men love freedom.

DEPARTMENT OF AGRICULTURE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, it seems that the Department of Agriculture, apparently with the consent of the Secretary of Agriculture, is continuing to flaunt the desires of Congress and the intentions of Congress through the operation of the ASC in Missouri.

I have here a letter from a constituent of mine who, among other things, remarks as follows:

A new wrinkle has been added to the ASC organization here in Missouri. As you probably know, all county committeemen are restricted to a certain number of days per month. I think members of county committees are allowed either 2 or 3 days.

In the past when funds were tight, many county committeemen served without pay in order to carry out their assignments. Now the order has been issued from Columbia that decisions made by county committeemen on days when they are not on the Federal payroll, will not be considered valid and official.

In New Madrid County one of the county committee members offered to serve without pay in order to set up the cotton measuring program. He was informed by Kinkaid (the fieldman) that he would not be allowed to make any decision on any matter except during the 2 or 3 days per month that he is on the Federal payroll. In other words, this leaves the State Committee in complete charge of the county program, and even though county committeemen are willing to serve without pay, they are being shoved aside in order to make way for straight line orders from Washington and Columbia to the county office manager.

The committee system under Benson's reign is losing all of its effectiveness. In fact, it's just a farce, as county committeemen no longer have any authority or control over the programs they are supposed to administer.

Also the Department of Agriculture has inaugurated something new out there in their attempts to fire one of the county committees elected by the farmers of the county and whom the farmers felt were qualified to administer the program.

The committee in Callaway County is resisting the efforts of the State ASC committee, and the efforts of the Department of Agriculture to oust them from their positions to which the members were elected by the farmers of that county, who apparently are still behind the committee. A hearing was ordered, and beleve it or not the Department of Agriculture ordered that the public and the press be barred from these hearings. But, I think the following editorial from the Friday, May 14 edition of the Columbia Daily Tribune describes the situation much better than I could:

SO THEY WERE AFRAID

The Missouri Agricultural Stabilization and Conservation Committee's amazing flouting of the constitutional rights of the people of Callaway county in its proceedings before and since the ousting of the Kingdom's duly elected county ASC committee becomes more and more amazing as Department of Agriculture officials in Washington try to explain away the denial of free speech, the denial of freedom of the press and the denial of freedom of assembly in connection with the affair.

When the Tribune sought, through the Associated Press, an explanation of the high-

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handed doings of the Missouri committee, it got these explanations from the Washington office:

The Department of Agriculture asked that the hearing which the State committee held—or started to hold—for the Callaway County committee, be closed to the public and the press because, (1) the issues were administrative in nature, and (2) because an open hearing might be subjected to demonstrations.

Now we have some more questions for the Department of Agriculture:

Since when has the Department become endowed with power to flout the Constitution by the label administrative in nature?

And, since when has the Department become endowed with power to decide when or where a demonstration may or may not be held in Boone County, if they mean that a few of our Callaway County neighbors might journey over to Columbia to speak a word for the men whom they elected to office and who have been summarily kicked out of office, apparently for such derelictions as permitting a newspaper photographer to take their pictures?

We have police, sheriff's officers, and the highway patrol which we are sure could afford Chairman Murray C. Colbert and his colleagues—even his Washington attorneys—proper protection from any invading Callawegians.

We don't really believe Mr. Colbert, his aides, or his bosses are afraid of a Callaway delegation. We'd guess that they are afraid to let the people know the details of this latest bungle in personnel.

But we read on in this Washington dispatch. We learn that the testimony in this star chamber hearing is being recorded. Thus, we have a new and modern touch to the methods of old King John. But, we are assured that the public will be fully informed of the State committee's decision. Should we sing huzzas about that, just like the people of Germany used to shout themselves into hysterics when the late Mr. Hitler and the later Mr. Mussolini came out on their respective balconies to fully inform the people of their decisions?

We don't know what the three Callaway committeemen did, good or evil, to bring about their downfall in the eyes of Mr. Colbert. We do know, however, that neither Mr. Colbert and his superiors in Washington have any right to set themselves above the Constitution of the United States. They have done a stupid thing and they are making themselves and the Department of Agriculture look more stupid by the day. The methods of dictators are no more welcome in Little Dixie when they come from Montgomery City or Washington than they are when they come from Red Moscow or than they were when they came from Nazi Berlin or Fascist Rome. We want none of it.

SPECIAL ORDER GRANTED

Mr. PATMAN asked and was given permission to address the House today and tomorrow, for 15 minutes, following the legislative program and any special orders heretofore entered, to revise and extend his remarks and include extraneous matter.

MR. SUMMERFIELD: WRONG MAN OF THE WEEK

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, in the wake of Postmaster General Summerfield's unfortunate remarks and repetition of Republican campaign distortions and falsehoods at the Indiana Republican Editorial Association's gathering last week, thinking people are prompted to ask, "Was Mr. Summerfield placed in the President's Cabinet because of his assumed knowledge of foreign affairs? Or was he placed there on his own appraisal of his business experience? Or perhaps simply as a reward to a political huckster who applied the blackjack to General Motors car dealers to raise Republican campaign funds in Michigan?"

At any rate, he apparently feels his political importance is such he can disregard White House signals for the team.

If the administration is serious in its plea for a bipartisan foreign policy, then Mr. Summerfield, by his Indiana speech, for sheer stupidity, certainly earns the title of "Wrong Man of the Week."

Perhaps he feels he can juggle history as he does Post Office Department bookkeeping methods to make something that is not, seem to be. At any rate, the mere fact he is a former Republican National Committee chairman should not give him the privilege to bypass the Secretary of State and the White House. Perhaps there are too many past National Republican Committee chairmen in the Cabinet.

PARITY PRICES

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, Secretary of Agriculture Ezra Taft Benson has again been rebuked by Walter P. Reuther, president of the CIO, for continuing his efforts to recruit consumer opposition to firm price supports at 90 percent of parity.

Speaking for millions of members of unions affiliated with the CIO, Mr. Reuther again goes on record in support of firm price supports, expressing the opinion that a cost of 35 cents per capita per year is cheap insurance against a collapse of farm prices and the farm market for manufactured goods and services.

This clear statement of the interlocked welfare of farms and wage earners, each of whom produce the things the other consumes, is contained in Mr. Reuther's letter of May 3 addressed to the chairman of the House Committee on Agriculture endorsing proposals, under certain standards and safeguards, of so-called surplus foods and fibers to people who need them here at home and abroad. I ask unanimous consent that this important statement of friendship and cooperation between industrial wage earners and farmers be printed along with these remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(The matter referred to is as follows:)

CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D. C., May 3, 1954.

The Honorable CLIFFORD R. HOPE,
Chairman, House Agriculture Committee,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN HOPE: I regret that earlier commitments made it impossible for me to appear before your committee on either April 29 or 30 or May 4. I am writing you this statement of the position of the CIO regarding the many bills before you relating to the distribution of so-called surplus foods and fibers within the United States of America and abroad. I hope you will bring it to the attention of other members of your committee and make it part of the record of your hearings.

While we are not equipped and prepared to make choices and recommendations in detail for or against the bills dealing with the disposition of surplus foods and fibers to hungry people here and in other countries, we do want to make some statements regarding principle, policy, and method.

Positive action in this field at the earliest possible date is of vital importance in terms of human welfare here and abroad and of the security of the free world.

Foods are grown to be eaten and fibers are grown to be worn and used.

As CIO representatives stated to your committee in hearings held across the country last fall and winter, we wholeheartedly support the basic principle you enunciated last August, that (a) abundant production of foods and fibers must be continued and (b) in order that farmers and their families will not be penalized for producing abundance, provision for maintaining farm income must be continued.

In this connection, we again find it necessary to denounce the reckless and dangerous irresponsibility of Secretary of Agriculture Benson who persists in asserting over and over again that city people are opposed to firm farm price supports and that, if such supports are not reduced, nonfarm people will rise up in rebellion and destroy all measures for protecting farm income. This is argument by incitement and threat, not by logic.

We know that farmers are a vital group of customers for the products of American mines, mills, shops, and factories. When farmers get fair prices, have money to buy and do not fear the future, markets, industrial production, and employment are good.

We know only too well that the present economic recession, resulting in widespread hardship in thousands of industrial communities, is the sequel to a depression on America's farms which started 18 months ago.

We know that the farm programs of the past 20 years have helped farmers, helped workers, helped our economy, helped strengthen our Nation and our security.

We remember that food did help win the war and write the peace. Had more foods and fibers been used earlier, in larger quantities and with more skill, a better peace would have been written before now.

We do not resent, we do not object to, the continued use of firm price supports, particularly if, as we assume, such use would be part of a sensible overall farm program in which farmers themselves would participate on the basis of democratic representation and voice in the formulation of policies and methods.

We do not think that a cost of 35 cents per capita per year for the maintenance of farm income and a relatively high degree of economic health among farm people is too high an insurance premium to pay.

Addressing ourselves to the bills before you, we are prepared to support plans and the appropriation of funds for the distribution of so-called surplus foods and fibers to schoolchildren, to the aged, to dependents and to the unemployed by ways and means

that will feed the hungry and clothe the ill-clad without being perverted into substitutes for, instead of supplements to, cash payments and other provisions already made for these groups in our population.

Ideally, we would prefer that every American family receive enough cash income, in and as a part of the dynamic productive process, to buy adequate amounts of food and fibers out of wages, salaries, cash prices, and profits paid to industrial workers, farmers, professional persons, storekeepers, and other businessmen. That is why we are for higher minimum wages, why we are advocating more nearly adequate old-age and survivors insurance payments, more nearly adequate unemployment compensation payments, a tax program to strengthen mass purchasing power, and freer collective bargaining so that wages can keep in healthy balance with continually accelerating technological development.

But we recognize that in the year 1954, in the present political and economic climate, such a desirable balance in the distribution of our vast industrial and agricultural production is not going to be achieved. Substantially all of the American people are not going to have all the money they need to buy adequate amounts of food and fibers produced on American farms. Therefore, the devices proposed in much of the legislation before you seems feasible, and on that basis we are prepared to endorse and support such steps at this time.

The Congress of Industrial Organizations supported the Marshall plan, the shipment of wheat to India, and, subsequently, to Pakistan, believing that all these expenditures were investments in international cooperation for the strengthening of the free world against the threat of Communist imperialism. It is perhaps worthwhile to recall that if we had used our so-called surplus foods and fibers more liberally immediately after the end of World War II we would have helped to keep millions of persons and much territory on the free side of the Iron Curtain that now runs in a great arc from the Baltic to the Black Sea and across Tibet to the China Sea.

Above safe reserves to meet drought and other crop failure here at home, we should be able to work out ways to move remaining so-called surpluses to those hungry and ill-clothed millions who comprise a major part of the uncommitted millions for whom the free world and the orbit of Communist imperialism are contending. I believe that this can be done by using methods developed since the war by Lord Boyd Orr, former Director General of the United Nations Food and Agricultural Organization, and others. Certainly this must be done without dumping that will create new distress in attempting to alleviate existing hunger and other needs.

The products of America's farms are, indeed, an arsenal of constructive weapons of peace. Offering hope to the poor and wretched peoples of many parts of the globe, they are weapons of peace far more powerful than atomic and hydrogen bombs.

Certainly we should be prepared to give full priority to using these weapons of peace in the struggle against poverty and distress.

Sincerely yours,

WALTER P. REUTHER,
President.

(Copy to members of the House Agricultural Committee.)

ADDRESS OF POSTMASTER GENERAL SUMMERFIELD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the gentleman from Illinois [Mr. PRICE] has called the attention of the House to an important matter, a speech recently made by Postmaster General Summerfield. When a member of the President's Cabinet makes speeches, it seems to me he should have in mind that those speeches should be conducive to the interests of our country and to bringing about unity. Even a juvenile moron would not have made the statement that the Democratic Party is responsible for the situation that exists at the present time in Indochina. Coming from a member of the Cabinet, such a charge is not conducive to unity in this country. Such utterances bring about further disunity.

We Democrats have been very hesitant in our criticism and we have been very tolerant because, above everything else, no matter how black the situation might be, we have to consider the national interest of our country. Whether we are Republicans or Democrats, we are Americans first.

I think it would be well for all of us to do a little thinking, to stop, look, and listen, before making false and intemperate utterances impugning the motives of either one of the political parties. Certainly when a member of the Cabinet makes such a statement he is subject to justifiable criticism.

It further seems to me that, since he is a member of the Cabinet, the President of the United States would be justified in cautioning or directing him to be careful in the future. As a matter of fact, he ought to admonish him for the speech he made, because it is not for the best interests of our country.

DEPARTMENT OF AGRICULTURE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is too bad that Republicans do any thinking at all. Of course, it is worse yet that they do any talking. If we would follow the advice of our colleague from Massachusetts [Mr. McCORMACK], we would just go back and sit down and have him and the Washington Post and perhaps a few other left-wing papers tell us every day just what to think and what to do when we come over to the House to legislate. That seems to be what he is getting at. It is just unfortunate, now, that the Republicans do not let the gentleman do their thinking, their talking, go along with this thinking, accept without questions his ideas—his program, is it not? Apparently he is of the opinion it is rude, crude, and silly for anyone to have an idea he does not originate.

Then our friend from Missouri [Mr. JONES] complained about the administration of the Agriculture Department. We have the same trouble in Michigan. There is trouble up there in attempting to get a fair administration of the farm program. For example, this morning comes a letter complaining because three farmers entitled to allocation of acreage for the growing of corn are denied acreage. They do not get it. Why? Because the man in the Agricultural Department here in Washington, and the other departments are the same, has been kind enough to keep on those Democrats who have been maladministering this program for the last 15 years. That is what is the matter.

We have a post-office inspector over there. Here they had an embezzler down at Three Rivers, and believe it or not, a county Democratic committee wrote me asking me to help them get rid of him, but he stayed on the job 3 years. It took a general election and a new administration to oust him, even though his guilt was acknowledged.

Then in another county in the district for a period of 4 years or more we had complaint after complaint about another postmaster. The inspectors always gave him a white-washing. Then, not so long ago, I sent out one of my own office force. He came back with the result. They were placed before one of the higher officials here and that postmaster, after a delay of at least 4 years, was ousted.

The gentleman from Massachusetts [Mr. McCORMACK] complains bitterly of an able speech made by the Postmaster General at French Lick, Ind. As I recall, that was a rather factual statement, giving some information about past administrations, and naturally, the gentleman from Massachusetts was not able to express approval.

The administration appointed some very capable, aggressive gentlemen to top positions in the Government. However, they are handicapped by a multitude of subordinates, some of them trained in the Truman-Pendergast school, some of them advocates of socialism. It is unfair to ask Republicans in even 2 years, through the aid of a few top officials, to clean house where the housekeepers still think and act as did those who originally brought corruption to the household.

Just as unfortunate is the fact that every time an incompetent or one guilty of misfeasance or maladministration is removed a horrified cry goes up from those who chide Republicans of being inactive.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

TAX REFUNDS ON CIGARETTES LOST IN FLOODS OF 1951

The Clerk called the bill (H. R. 4319) to authorize tax refunds on cigarettes lost in the floods of 1951.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CITY OF CHANDLER, OKLA.

The Clerk called the bill (H. R. 1081) to amend the act of February 15, 1923,

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to release certain rights and interests of the United States in and to certain lands conveyed to the city of Chandler, Okla., and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENDING EMERGENCY AUTHORITY ON FOREIGN MERCHANT VESSELS

The Clerk called the bill (H. R. 6318) to extend the emergency foreign merchant vessel acquisition and operating authority of Public Law 101, 77th Congress, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I have no objection to the bill provided an amendment which I propose to offer is acceptable to the committee. The amendment simply is to strike out the word "Secretary" in line 3 of page 2 and insert in lieu thereof the word "President." I think the delegation of power to the President should continue right down in all respects. So if there is no objection to that amendment, which I think strengthens the bill and preserves the integrity of the Office of the President when power is delegated, I withdraw my reservation of objection.

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I wonder if the gentleman has checked the amendment with the chairman of the committee.

Mr. McCORMACK. No, I have not, except that 3 or 4 weeks ago in the colloquy I had with one of the members of the committee whom I assumed was in charge of the bill, he said he would take it up with the committee. I have heard nothing since.

You see what the bill does. I might call to my friend's attention that it delegates powers to the President. It starts out by saying:

> The President is authorized and empowered through the Secretary of Commerce to purchase and requisition—

And so forth. That is all right. Then it continues with this language:

> Any merchant vessel not owned by a citizen of the United States which is lying idle in waters within the jurisdiction of the United States, including the Canal Zone, which the Secretary finds to be necessary to the national defense—

It seems to me we should carry right on through and say, "which the President finds to be necessary." Of course, in practical operation, the Secretary of Commerce, I assume, will carry out this part of the bill, if it becomes a law.

Mr. CUNNINGHAM. Would there be any objection to having this bill placed at the foot of the calendar. A member of the committee has gone to the telephone to ask the chairman about this.

Mr. McCORMACK. I would have no objection to that.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be placed at the foot of the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BOARD OF COUNTY COMMISSIONERS, SEDGWICK COUNTY, KANS.

The Clerk called the bill (H. R. 5183) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Board of County Commissioners of Sedgwick County, Kans.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TRANSPORTATION AND DISTRIBUTION OF MAILS ON MOTOR-VEHICLE ROUTES

The Clerk called the bill (S. 2773) to amend the act entitled "An act to provide for the transportation and distribution of mails on motor-vehicle routes," approved July 11, 1940 (54 Stat. 756).

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

OFFICE OF COMMISSIONER OF REFUGEES

The Clerk called the bill (S. 1766) to establish the Office of Commissioner of Refugees.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I do so at the request of the distinguished gentleman from Pennsylvania [Mr. WALTER], who is necessarily absent this morning. He told me at the time of his request that the chairman of the committee also wished to have this bill passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

RECONSTRUCTING FORD'S THEATER IN WASHINGTON, D. C.

The Clerk called the Senate joint resolution (S. J. Res. 69) requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior is authorized and directed to cause a study to be made to determine the most appropriate treatment in order to preserve and interpret Ford's Theater in Washington, D. C., as it was on April 14, 1865, including an estimate of the cost of reconstructing the stage, boxes, and scenic setting. This information shall be contained in a report, together with the Secretary's recommendations with respect thereto, to the Congress.

SEC. 2. The Secretary of the Interior in his report to the Congress also shall include an estimate of the cost of reinstalling the famous Oldroyd collection of relics in the Ford Theater Building or in another suitable museum building to be erected on land to be acquired immediately adjacent to the said Ford Theater Building.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING EXCHANGE OF CERTAIN LANDS IN TERRITORY OF HAWAII

The Clerk called the bill (H. R. 5833) to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any limitations imposed by section 73 (1) of the Hawaiian Organic Act (31 Stat. 141), to the contrary notwithstanding, the commissioner of public lands, with the approval of the governor and two-thirds of the members of the board of public lands, is authorized to exchange public lands for private lands of equal value required by the city and county of Honolulu as school sites for the Kahala Elementary School, Waialae High School, and Koko Head Elementary School on the island of Oahu.

SEC. 2. The lands received in the exchange authorized by section 1 shall, except as otherwise provided, have the same status and be subject to the same laws as the lands given in the exchange.

SEC. 3. This act shall take effect upon its approval.

With the following committee amendment:

> Page 1, line 4, strike the statutory citation "(31 Stat. 141)" and insert in lieu thereof the words ", as amended (48 U. S. C. 673)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE GRANT OR RETROCESSION TO A STATE OF CONCURRENT JURISDICTION OVER CERTAIN LAND

The Clerk called the bill (H. R. 7111) to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 355 of the Revised Statutes, as amended, is hereby further amended by adding at the end thereof the following provision:

"The head of any department, independent establishment, or agency of the Government, including the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, may, when he deems it to be in the interest of the Government, grant or retrocede to a State jurisdiction concurrent with the United States over such land lying within the external boundaries of such

State and under his immediate jurisdiction, custody, or control as may be necessary for the establishment, maintenance, or control by such State of roads, streets, highways, and other rights-of-way. Any such grant or retrocession of concurrent jurisdiction shall take effect upon the acceptance thereof by the State concerned."

SEC. 2. The authority grantd by this act shall be in addition to and not in lieu of other similar authorities in law.

With the following committee amendment:

Page 2, line 3, strike the words "establishment, maintenance, or."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDE FOR REVOCATION OR DENIAL OF MERCHANT MARINE DOCUMENTS TO PERSONS INVOLVED IN CERTAIN NARCOTICS VIOLATIONS

The Clerk called the bill (H. R. 8538) to provide for the revocation or denial of merchant seaman documents to persons involved in certain narcotics violations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That when used in this act—

(a) The term "narcotic drug" shall have the meaning ascribed to that term by paragraph (a) of the first section of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 171 (a)), and also shall include marihuana as defined in section 3238 (b) of the Internal Revenue Code.

(b) The term "Secretary" means the head of the department in which the Coast Guard is operating.

(c) The term "seaman's document" means any document authorized by law or regulation to be issued to a merchant mariner by the Secretary.

SEC. 2. The Secretary may—

(a) deny a seaman's document to—

(1) any person who, within 10 years prior to the date of the application therefor, has been convicted in a court of record of a violation of the narcotic drug laws of the United States, the District of Columbia, or any State or Territory of the United States, which conviction has become final; or

(2) any person who, unless he furnishes satisfactory evidence that he is cured, has ever been a user of or addicted to the use of a narcotic drug; and;

(b) take action, based on a hearing before a Coast Guard examiner, under hearing procedures prescribed by the Administrative Procedure Act, as amended (U. S. C., title 5, secs. 1001-1011), to revoke the seaman's document of—

(1) any person who, subsequent to the effective date of this Act and within ten years prior to the institution of the action, has been convicted in a court of record of a violation of the narcotic drug laws of the United States, the District of Columbia, or any State or Territory of the United States, the revocation to be subject to the conviction's becoming final; or

(2) any person who, unless he furnishes satisfactory evidence that he is cured, has been, subsequent to the effective date of this act, a user of or addicted to the use of a narcotic drug.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO APPROVE ACT NO. 27, 1951 SESSION LAWS OF HAWAII

The Clerk called the bill (H. R. 6890) to approve act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend act 24 of the Session Laws of Hawaii 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the island of Kauai, T. H.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend act 24 of the Session Laws of Hawaii 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the island of Kauai, T. H.," passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on May 4, 1951, is hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE MAINE-NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY TO RECONSTRUCT AND IMPROVE TOLL BRIDGE

The Clerk called the bill (S. 2120) to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches thereto, across the Piscataqua River at Portsmouth, N. H.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the Maine-New Hampshire Interstate Bridge Authority to construct, maintain, and operate a toll bridge across the Piscataqua River at or near Portsmouth, State of New Hampshire," approved July 28, 1937 (50 Stat. 535), is amended by inserting after section 4 thereof a new section as follows:

"SEC. 4A. In addition to the powers granted by the preceding sections of this act, the authority is hereby authorized to reconstruct and to improve such bridge and its approaches and approach facilities. In fixing the rates of toll to be charged for the use of such bridge, the cost of any such reconstruction or improvement and the cost of acquiring the right of access to such approaches and approach facilities, including reasonable interest and financing costs and the financing costs and expenses incident to the refunding of the oustanding bridge revenue bonds of the authority, shall be deemed to be a part of the cost of such bridge and its approaches."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING EXCHANGE OF CERTAIN PUBLIC LANDS IN VICINITY OF WAIMEA, COUNTY OF HAWAII

The Clerk called the bill (H. R. 6328) permitting the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Public Lands of the Territory of Hawaii, any provision of the Hawaiian Organic Act to the contrary notwithstanding, is hereby authorized to transfer to Richard Smart, doing business as the Parker Ranch, in exchange for the lands of said Richard Smart described in section 2, the public land described by the following metes and bounds, but subject to minor variations therein:

Being a portion of the land of Lalamilo at Waimea, South Kohala, Hawaii.

Beginning at a pipe at the southeast corner of this piece of land on the west side of Mamalahoa Highway and on the boundary between the lands of Lalamilo and Waikoloa, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 7907.51 feet North and 9579.87 feet East, thence running by azimuths measured clockwise from true South:

1. 61° 19′ 379.12 feet along the land of Waikoloa to a pipe at fence;

2. 95° 47′ 449.04 feet along fence, along the remainder of the land of Lalamilo;

3. 126° 30′ 2104.59 feet along the remainder of the land of Lalamilo to a concrete post marked +;

4. 126° 30′ 1160.00 feet along the land of Lihue, Grant 1157 to G. W. Macy and James Louzada to a concrete post marked +;

5. 124° 39′ 15″ 1937.06 feet along the remainder of the land of Lalamilo;

6. 151° 55′ 2665.00 feet more or less along the remainder of the land of Lalamilo to the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A;

7. 275° 22′ 110.00 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project E-11-A;

8. 274° 51′ 267.20 feet along same;

9. 4° 51′ 375.90 feet along Executive Order 1554 (Public Works Department Corporation Yard);

10. 274° 51′ 270.00 feet along Executive Order 1554 (Public Works Department Corporation Yard);

11. 184° 51′ 187.46 feet along Executive Order 1554 (Public Works Department Corporation Yard);

12. 274° 51′ 693.50 feet along County Garage Lot, Executive Order 1190;

13. 184° 51′ 188.44 feet along same; Thence along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A on a curve to the left with a radius of 6030 feet, the chord azimuth and distance being,

14. 274° 29′ 34″ 75.20 feet;

15. 4° 51′ 78.20 feet along Grant 10307 to Wm. S. Lindsey, et. al.;

16. 274° 51′ 213.60 feet along same;

17. 184° 51′ 84.65 feet along same; Thence along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A on a curve to the left with a radius of 6030 feet, the chord azimuth and distance being,

18. 270° 37′ 39″ 310.95 feet;

19. 269° 09′ 562.60 feet along the South side of the Kamuela-Makukona Road, Federal Aid Project No. E-11-A;

20. 359° 09′ 350.00 feet along Grant 11059, Apana 1 to A. W. Carter, Trustee;

21. 269° 09′ 894.40 feet along same;

22. 179° 09′ 282.10 feet along same;

23. 280° 27′ 228.40 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A; Thence still along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A on a curve to the right with a radius of 970 feet, the chord azimuth and distance being,

24. 285° 31′ 171.30 feet;

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25. 290° 35′ 267.07 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E-11-A;

26. 33° 12′ 756.60 feet along the Northwest side of 40 foot road reservation and same extended to the north bank of the Waikoloa Stream; Thence following along the north bank of the Waikoloa Stream in all its turns and windings, along General Lease No. 3365, the direct azimuth and distance being,

27. 313° 30′ 30″ 799.50 feet;

28. 319°′ 240.00 feet along General Lease No. 3381;

29. 70° 30′ 157.55 feet along Grant 10171 to A. W. Carter, trustee, to a concrete post marked +;

30. 65° 31′ 721.59 feet along L. C. Aw. 3202-B to Jose Bowers to a concrete post marked +;

31. 338° 57′ 456.70 feet along same to a concrete post marked +;

32. 58° 05′ 30″ 691.00 feet along L. C. Aw. 8513-B to Kuamoo Hoolulu to a concrete post marked +;

33. 323° 10′ 396.00 feet along same to a concrete post marked +;

34. 313° 24′ 865.00 feet along same to a connrete post marked +;

35. 219° 26′ 798.50 feet along same to a concrete post marked +;

36. 226° 34′ 30″ 323.30 feet along same to a concrete post marked +;

37. 317° 24′ 30″ 797.30 feet along General Lease No. 3381;

38. 308° 40′ 140.00 feet along same;

39. 276° 10′ 700.00 feet along same;

40. 250° 30′ 580.00 feet along same;

41. 265° 00′ 200.00 feet along same;

42. 290° 50′ 250.00 feet along same;

43. 11° 00′ 97.20 feet along Mamalahoa Highway;

44. 31° 37′ 442.35 feet along same;

45. 77° 00′ 248.56 feet along the land of Waikoloa to a concrete post marked +;

46. 347° 06′ 252.36 feet along the land of Waikoloa;

47. 31° 37′ 255.94 feet along Mamalahoa Highway;

48. 54° 51′ 131.43 feet along the land of Waikoloa to a concrete post marked +;

49. 14° 05′ 83.80 feet along the land of Waikoloa to a concrete post marked +;

50. 347° 24′ 47.88 feet along the land of Waikoloa; Thence along the West side of Mamalahoa Highway on a curve to the left with a radius of 1180.92 feet, the chord azimuth and distance being,

51. 15° 44′ 03″ 399.33 feet;

52. 6° 00′ 106.86 feet along the West side of Mamalahoa Highway to the point of beginning and containing a gross area of 292.50 acres and a net area of 288.00 acres after deducting therefrom L. C. Aw. 989 to John Davis (4.50 acres).

SEC. 2. The public lands whose exchange is authorized by section 1, hereinabove, may be transferred in exchange for two parcels owned by Richard Smart, doing business as the Parker Ranch, county of Hawaii, T. H., described by the following metes and bounds, but subject to minor variations therein:

PARCEL I

Being a portion of the land of Waikoloa situated on the west side of Mamalahoa Highway (Federal Aid Project No. 10-D) at Waimea, South Kohala, Hawaii.

Beginning at a pipe at the northeast corner of this piece of land, on the west side of Mamalahoa Highway (80 feet wide) Federal Aid Project No. 10-D, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 7694.64 feet north and 9552.47 feet east, thence running by azimuths measured clockwise from true south:

1. 6° 00′ 1798.44 feet along the west side of Mamalahoa Highway (80 feet wide) Federal Aid Project No. 10-D;

2. 96° 00′ 2400.00 feet along the remainder of the land at Waikoloa;

3. 244° 17′ 1448.44 feet along the land of Lalamilo to a concrete post marked +;

4. 214° 54′ 343.30 feet along the land of Lalamilo to a concrete post marked +;

5. 230° 44′ 508.10 feet along the land of Lalamilo to a concrete post marked +;

6. 213° 20′ 204.60 feet along the land of Lalamilo to a concrete post marked +;

7. 229° 50′ 99.00 feet along the land of Lalamilo to a concrete post marked +;

8. 241° 19′ 212.90 feet along the land of Lalamilo to a pipe at fence;

9. 275° 47′ 306.77 feet along fence, along the remainder of the land of Waikoloa to the point of beginning and containing an area of 49.93 acres.

PARCEL II

Being all of the land of Lihue Grant 1157 to G. W. Macy and James Louzada situated at Waimea, South Kohala, Hawaii.

Beginning at a concrete post marked + at the most easterly corner of this piece of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 8359.31 feet north and 7238.68 feet east, thence running by azimuths measured clockwise from true south:

1. 43° 12′ 3436.45 feet along the land of Lalamilo to a concrete post marked +;

2. 104° 09′ 30″ 1666.40 feet along the land of Lalamilo to a concrete post marked +;

3. 184° 47′ 10″ 3706.80 feet along the land of Lalamilo to a concrete post marked +;

4. 259° 13′ 1225.00 feet along the land of Lalamilo to middle of stonewall;

5. 350° 19′ 925.00 feet along the middle of stonewall, along the land of Lalamilo to a pipe in the middle of stonewall, thence following up along the middle of stonewall along the land of Lalamilo, the direct azimuth and distance being,

6. 250° 31′ 1318.00 feet to a concrete post marked +;

7. 306° 30′ 1160.00 feet along the land of Lalamilo to a concrete post marked +;

8. 349° 20′ 675.00 feet along the land of Lalamilo to the point of beginning and containing an area of 258 acres more or less."

SEC. 3. The lands granted by the Territory in exchange shall contain in the grants reservations to the Territory of appropriate easements for pipelines and utilities.

SEC. 4. The exchange which is provided for in this act shall not be effected by the commissioner of public lands unless and until the values of the lands involved in the proposed exchange are first determined by appraisals to be made by three competent appraisers to be appointed by the Governor of the Territory of Hawaii showing that the lands belonging to Richard Smart are of equal or greater value than the public lands above mentioned.

SEC. 5. This act shall take effect on and after the date of its approval.

With the following committee amendments:

Page 1, strike all of lines 3 to 8, inclusive, and insert in lieu thereof the following:

"That any limitations imposed by Section 73 of the Hawaiian Organic Act, as amended, to the contrary notwithstanding, the Commissioner of Public Lands, with the approval of the Governor and two-thirds of the members of the Board of Public Lands, is hereby authorized and empowered to transfer and convey to Richard Smart, a United States citizen, in exchange and return for the transfer and conveyance in fee simple of all or any portion of the lands owned by said Richard Smart described in section 2, all or any portion of the public land described by the following metes."

Page 6, delete all of lines 16 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 2. Subject to minor variations therein, the aforementioned lands owned by Richard Smart are described by the following metes and bounds."

Page 9, line 6, strike the word "granted" and insert in lieu thereof the words "transferred and conveyed."

Page 9, line 7, strike the word "grants" and insert in lieu thereof the words "transfer and conveyance."

Page 9, following line 16, insert the following new section:

"SEC. 5. The lands received by the Territory hereunder shall have the same status and be subject to the same laws as the lands transferred and conveyed in exchange for them."

Page 9, line 17, strike the words "SEC. 5" and insert in lieu thereof the words "SEC. 6."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii for certain privately owned lands."

A motion to reconsider was laid on the table.

TO AUTHORIZE LAND FOR PUBLIC SCHOOL PURPOSES IN YOSEMITE NATIONAL PARK

The Clerk called the bill (H. R. 6386) to authorize the use of land in Yosemite National Park, Calif., for public school purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to the Mariposa County Unified School District, Mariposa, Calif., for public-school purposes, not more than 3 acres of land within the Yosemite National Park, in the State of California. Such conveyance shall be made without charge and subject to the condition that in the event of failure by the said school district to use the property for school purposes for more than 2 years, such property shall revert to the United States. The conveyance may be made subject to such additional conditions as the Secretary may find to be in the public interest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOUTHERN UTE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6173) to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provisions of existing laws, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Southern Ute Tribe of the Southern Ute Reservation, may be expended or advanced for such purposes and in a manner, including per capita payments, the purchase of land or any interests therein or improvements thereon and water rights, as may be designated by the Southern Ute Tribal Council and approved by the Secretary of the Interior: *Provided*, That the purchase of taxable lands under this authority shall not operate to remove such lands from the tax

rolls: *Provided further*, That any funds advanced for loans by the tribe to individual Indians or associations of Indians shall be subject to regulations established for the making of loans from the revolving loan fund authorized by the act of June 18, 1934 (25 U. S. C., sec. 470): *And provided further*, That no part of the funds authorized to be expended or advanced by this section shall be paid or disbursed to or received by any agent or attorney on account of any contract for services rendered or to be rendered or expenses in the preparation of any suit against the United States.

With the following committee amendment:

Page 2, line 3, after the word "rolls:", insert "*Provided further*, That neither the transfer to the tribe of tribal funds, nor the distribution thereof to individual members of the tribe, as provided herein, from those funds consisting of compensation for lands acquired by the United States Government, shall be subject to Federal tax."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONVEYANCE TO HOT SPRINGS SCHOOL DISTRICT AND TO GARLAND COUNTY, ARK.

The Clerk called the bill (H. R. 8038) to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey without consideration but upon such terms and conditions as he shall consider to be in the public interest to the Hot Springs School District and to the county of Garland, Ark., all or portions of a tract of approximately 35 acres within Hot Springs National Park, which was donated to the United States by Garland County, Ark., such property being situated in the northwest quarter of the northwest quarter of section 34, township 2 south, range 19 west, Garland County, Ark., and identified as the former United States Public Health Service Medical Center property.

Such property may be conveyed together with any improvements, appurtenances, and facilities relating thereto except those which the Secretary may find to be necessary to retain for purposes of the national park system or which he may deem advisable to remove for other purposes, the conveyances of the land hereunder to be made in the approximate proportions of two-thirds of the tract to or for purposes of the Hot Springs School District, such portion to be used for public school purposes, and one-third to Garland County for purposes of the county health and welfare unit. Any costs incidental to accomplishing the conveyances provided for herein shall be borne by the said Hot Springs School District and by Garland County.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CHARTER OF THE COLUMBIA INSTITUTION FOR THE DEAF

The Clerk called the bill (H. R. 6655) to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to inquire of the author of the bill or some member of the committee about it. Will the gentleman from California tell me why it is necessary to have such legislation at all.

Mr. PHILLIPS. I will be glad to explain it.

Columbia Institution for the Deaf is the legal name of an institution which is in a peculiar situation in the Federal Government, together with Howard University, and one other school. It occupies a quasi-official position. It is known to everyone as Gallaudet College. For years the structure of law which supports it has grown up, as attorneys say the common law has grown. It has been the desire of the Bureau of the Budget that this should be gathered into one act for the college, to provide what is now the law, but in one document.

Mr. CUNNINGHAM. Does the Federal Government own the college?

Mr. PHILLIPS. It is not Government-owned. It is privately owned, but under Government supervision and support. There are only three such institutions. It is the only college of its kind in the world. It has an outstanding reputation and is a unique institution. By appointment of the Speaker, I am one of the directors; the gentleman from Texas [Mr. THORNBERRY], is a director; and the senior Senator from Massachusetts is a director.

Mr. CUNNINGHAM. I am glad I said I did not intend to object, but will the gentleman answer a further question?

Mr. PHILLIPS. I will be glad to.

Mr. CUNNINGHAM. I notice in the report that the bill authorizes appropriations by Congress of funds for the operation and maintenance of the corporation. Just why does the Congress have to appropriate money for it if it is not a federally owned institution.

Mr. PHILLIPS. We have appropriated money for 97 years. We have done it because the number of deaf students is so small that in the individual States it would be impossible to maintain and operate colleges of this standing for the deaf. As I say, this is the only institution in the world of higher education for the deaf. Consequently, the Federal Government recognized this in the administration of Abraham Lincoln. I believe it would be found that the authorization for this college was one of the last documents signed by the martyred President.

Mr. CUNNINGHAM. I thank the gentleman, and I withdraw my reservation of objection.

Mr. ASPINALL. Mr. Speaker, further reserving the right to object, would the distinguished gentleman from California advise us as to whether or not there has been a favorable report from the Department and the Bureau of the Budget.

Mr. PHILLIPS. From both. Representatives of the Department of Health, Education, and Welfare, and the Bureau of the Budget, together with representatives of the Congress and the present board of directors of the college, all joined in preparing this bill and in supporting it before the committee. There is no opposition. The report is favorable from both agencies.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. MILLER of California. Supplementing what the gentleman from California has said about the school, may I say that the students from this school go out as teachers of the deaf throughout the United States.

Mr. PHILLIPS. They are self-supporting. That is one of the great things about this institution. I wish more Members, Mr. Speaker, would visit it in person.

Mr. ASPINALL. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Columbia Institution for the Deaf, created a body corporate by the act of Congress approved February 16, 1857, as amended, is hereby continued as a body corporate under the name of Gallaudet College, and hereafter by such name shall be known and have perpetual succession and shall have the powers and be subject to the limitations contained in this act.

SEC. 2. The purposes of Gallaudet College shall be to provide education and training to deaf persons and otherwise to further the education of the deaf.

SEC. 3. (a) Gallaudet College is hereby invested with all the property and the rights of property, and shall have and be entitled to use all authority, privileges, and possessions and all legal rights which it has, or which it had or exercised under any former name, including the right to sue and be sued and to own, acquire, sell, mortgage, or otherwise dispose of property it may own now or hereafter acquire. Gallaudet College shall also be subject to all liabilities and obligations now outstanding against said corporation under any former name.

(b) With the approval of the Secretary of Health, Education, and Welfare the Board of Directors of Gallaudet College may convey fee simple title by deed, convey by quitclaim deed, mortgage, or otherwise dispose of any or all property title to which is vested in the United States, as trustee, for the sole use of Gallaudet College, the Columbia Institution for the Deaf, or any predecessor corporation: *Provided*, That the proceeds of any such disposition shall be considered a part of the capital structure of the corporation, and may be used solely for the acquisition of real estate for the use of the corporation, for the construction, equipment, or improvement of buildings for such use, or for investment purposes, but if invested only the income from the investment may be used for current expenses of the corporation.

SEC. 4. Gallaudet College is authorized to receive by gift, devise, bequest, purchase, or otherwise, property, both real and personal, for the use of said Gallaudet College, or for the use of any of its departments or other

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units as may be designated in the conveyance or will, and to hold, invest, use, or dispose of such property for such purpose.

SEC. 5. Gallaudet College shall be under the direction and control of a Board of Directors, composed of 13 members selected as follows: (1) Four public members of whom 1 shall be a United States Senator appointed by the President of the Senate; 2 shall be Representatives appointed by the Speaker of the House of Representatives; and 1 member shall be the Secretary of Health, Education, and Welfare, or his duly designated alternate; (2) 9 other members, all of whom shall be elected by the Board of Directors, who on the effective date of this act shall include those persons serving as nonpublic members of the Board of Directors of the Columbia Institution for the Deaf immediately prior to such date, and of whom 1 shall be elected pursuant to regulations of the Board of Directors on nomination by the Gallaudet College Alumni Association for a term of 3 years. The members appointed from the Senate and House of Representatives shall be appointed for a term of 2 years at the beginning of each Congress, shall be eligible for reappointment, and shall serve until their successors are appointed. The Board of Directors shall have the power to fill any vacancy in the membership of the Board except for public members. Seven directors shall be a quorum to transact business. The said Board of Directors, by vote of a majority of its membership, shall have power to remove any member of their body (except the public members) who may refuse or neglect to discharge the duties of a director, or whose removal would, in the judgment of said majority, be to the interest and welfare of said corporation.

SEC. 6. The Board of Directors shall have the power to—

(a) make such rules, regulations, and by-laws, not inconsistent with the Constitution and laws of the United States, as may be necessary for the good government of Gallaudet College, for the management of the property and funds of such corporation and for the admission, instruction, care, and discharge of students;

(b) provide for the adoption of a corporate seal and for its use;

(c) fix the date of holding their annual and other meetings;

(d) appoint a president, professors, instructors, and other necessary employees for Gallaudet College, delegate to them such duties as it may deem advisable, fix their compensation, and remove them when, in their judgment, the interest of Gallaudet College shall require it;

(e) elect a chairman and other officers and prescribe their duties and terms of office, and appoint an executive committee to consist of five members, and vest the committee with such of its powers during periods between meetings of the Board as the Board deems necessary;

(f) establish such departments and other units, including a department of higher learning for the deaf, a department of elementary education for the instruction of deaf children, a graduate department, and a research department, as the Board deems necessary to carry out the purpose of Gallaudet College;

(g) confer such degrees and marks of honor as are conferred by colleges and universities generally, and issue such diplomas and certificates of graduation as, in its opinion, may be deemed advisable, and consistent with academic standards;

(h) subject to the provisions of section 7, control expenditures of all moneys appropriated by Congress for the benefit of Gallaudet College; and

(i) control the expenditure and investment of any moneys or funds or property which Gallaudet College may have or may receive from sources other than appropriations by Congress.

SEC. 7. (a) All financial transactions and accounts of the corporation in connection with the expenditure of any moneys appropriated by any law of the United States for the benefit of Gallaudet College or for the construction of facilities for its use, shall be settled and adjusted in the General Accounting Office.

(b) It shall be the duty of the Board of Directors of Gallaudet College to have made annually a report to the Secretary of Health, Education, and Welfare as soon as practicable after the 1st day of July of each year the condition of the corporation, embracing in said report the number of students of each description received and discharged during the preceding school year and the number remaining, also the branches and type of training and education taught and progress made therein, together with a statement showing the receipts of said corporation and from what sources, and its expenditures and for what objects.

SEC. 8. There are hereby authorized to be appropriated such sums as the Congress may determine necessary for the administration, operation, maintenance, and improvement of Gallaudet College, including sums necessary for student aid and research, for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for the use of said corporation.

SEC. 9. (a) The following statutes or parts of statutes are hereby repealed:

Sections 4859, 4860, 4861, 4862, 4863, 4865, 4866, 4868, and 4869 of the Revised Statutes of the United States, and all amendments thereto (31 D. C. Code, 1951 ed., secs. 1001, 1003, 1004, 1005, 1006, 1012, 1015, 1017, and 1019).

Chapter 52, volume 13, Statutes at Large, page 45 (31 D. C. Code, 1951 ed., sec. 1002).

The proviso at the end of the first paragraph under the heading "Columbia Institution for the Deaf and Dumb" in chapter 235, volume 21, Statutes at Large, page 259, which appears at pages 275 and 276 and which reads as follows: *"Provided*, That when any indigent applicant for admission to the institution, belonging to the District of Columbia, and being of teachable age, is found on examination by the president of the institution to be of feeble mind, and hence incapable of receiving instruction among children of sound mind, the Secretary of the Interior may cause such person to be instructed in some institution for the education of feeble-minded children in Pennsylvania, or some other State, at a cost not greater for each pupil than is, or may be for the time being, paid by such State for similar instruction, and the sum necessary therefor is appropriated out of the sum above provided for current expenses of the institution."; together with the amendment thereto at the end of the last paragraph under the heading "Columbia Institution for the Deaf and Dumb" in chapter 837, volume 26, Statutes at Large, page 371, which appears at page 393 and which reads as follows: "and hereafter the estimates for this expense shall each year be submitted in the annual estimates for the expenses of the government of the District of Columbia" (31 D. C. Code, 1951 ed., sec. 1009).

The second proviso at the end of the first paragraph under the heading "Columbia Institution for the Deaf and Dumb" in chapter 143, volume 22, Statutes at Large, page 603, which appears at pages 625 and 626 and which reads as follows: *"Provided further*, That hereafter the report of said institution shall contain an itemized statement of all employees, the salaries or wages respectively, each of them, and also of all other expenses of said institution" (31 D. C. Code, 1951 ed., sec. 1018).

The last clause of the first proviso and all of the second proviso at the end of the first paragraph under the heading "Columbia Institution for the Deaf and Dumb" in chapter 857, volume 26, Statutes at Large, page 371, which appears at page 393 and which reads as follows: "and hereafter there shall not be admitted to said institution under section 4865 of the Revised Statutes, nor shall there be maintained after such admission, at any one time from any State or Territory exceeding three deaf-mutes while there are applications pending from deaf-mutes, citizens of States or Territories having less than three pupils in said institution: *Provided further*, That hereafter there shall be included in the annual Book of Estimates a statement showing the number of persons employed each year in this institution and the compensation paid to each" (31 D. C. Code, 1951 ed., secs. 1013 and 1014).

The proviso at the end of the first paragraph under the heading "Current expenses of the Columbia Institution for the Deaf and Dumb" in chapter 546, volume 30, Statutes at Large, page 597, which appears at page 624 and which reads as follows: *"Provided*, That directors appointed under the provisions of section forty-eight hundred and sixty-three of the Revised Statutes of the United States shall remain in office until the appointment and acceptance of office of their successors; and the directors of the institution shall have control of the disbursement of all moneys appropriated by Congress for the benefit of said institution, accounts for which shall be settled and adjusted at the Treasury Department as required by the provisions of section 236 of the Revised Statutes" (31 D. C. Code, 1951 ed., sec. 1007).

(b) All other laws and parts of laws, or of the charter heretofore granted, as amended, which are in conflict with this act are hereby repealed.

With the following committee amendments:

Page 3, line 11, strike out "Four" and insert "Three."

Page 3, line 15, after the word "Representatives.", strike out "and one member shall be the Secretary of Health, Education, and Welfare, or his duly designated alternate."

Page 3, line 17, strike out the word "nine" and insert the word "ten."

Page 8, line 24, strike out "857" and insert "837."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEREA COLLEGE, BEREA, KY.

The Clerk called the resolution (H. Con. Res. 206) extending best wishes of the Government and people of the United States to Berea College, in Berea, Ky.

There being no objection, the Clerk read the resolution, as follows:

Whereas Berea College, begun in 1855, was founded on the constitutional principle of responsible freedom of expression, for which its founder, John G. Fee, his teachers and supporters suffered, and from which has developed during the century a system of education unique in America today; and

Whereas Berea College, which is not supported by public taxation, provides education without charge of tuition to students of the Appalachian Mountain area from 230 counties in 8 Southern States, selecting young men and women on the basis of financial

need, high moral character, sincerity of purpose, and academic scholarship without regard to race or creed, and adapting its educational program to fit the special needs of these registrants; and

Whereas Berea College has always recognized the essential and honorable nature of labor well done as basic in the philosophy of education and has evolved a unique work program for students as an integral part of its educational process; and

Whereas the Berea idea of combining a study program of high quality and a work program of practical value has attracted hundreds of visiting foreign educators engaged in replanning their whole educational systems in the postwar period; and

Whereas Berea College has become the specific model for many educational institutions in these foreign countries where a pattern is needed conforming to the current basic resources and State appropriations; and

Whereas this labor system produces through Berea College student industries arts and crafts so distinguished in craftsmanship as to be sought in world markets, thus bringing great credit to Berea College and to the United States; and

Whereas Berea College participated in the origin of the present agricultural county program of the United States Department of Agriculture by sharing in the employment of the pioneer county agent 40 years ago, and by aiding in the support of the home demonstration agent for the past 26 years; and

Whereas Berea College shares its educational resources by furnishing leadership in such needed cultural and recreational activities in the isolated mountain areas; and

Whereas during the year 1955 there are to be held at Berea College in Berea, Ky., appropriate ceremonies commemorating the college's century of service, which will be attended by people from all over the United States, who will have recalled to their minds the cost of freedom, the responsibilities of educated men, and the value of labor as a part of education: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States hereby extends the best wishes of the Government and of the people of the United States to Berea College in Berea, Ky., upon the observance of its anniversary.

With the following committee amendments:

Strike out the preamble.

Page 3, line 5, insert "one hundredth" between the words "its" and "anniversary."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND THE HAWAIIAN HOMES COMMISSION ACT

The Clerk called the bill (H. R. 6888) to amend section 207 (a) of the Hawaiian Homes Commission Act, 1950.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of section 207 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby amended to read as follows:

"(a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract or tracts of Hawaiian home lands within the following acreage limits per each lessee: (1) not less than 1 nor more than 40 acres of agricultural lands; or (2) not less than 100 nor more than 500 acres of first-class pastoral lands; or (3) not less than 250 nor more than 1,000 acres of second-class pastoral lands; or (4) not less than 40 nor more than 100 acres of irrigated pastoral lands; (5) not more than 1 acre of any class of land to be used as a residence lot: *Provided, however*, That in the case of any existing lease of a farm lot in the Kalanianaole Settlement on Molokai, a residence lot may exceed 1 acre but shall not exceed 4 acres in area, the location of such area to be selected by the lessee concerned: *Provided further*, That a lease granted to any lessee may include two detached farm lots located on the same island and within a reasonable distance of each other, one of which, to be designated by the Commission, shall be occupied by the lessee as his home, the gross acreage of both lots not to exceed the maximum acreage of an agricultural or pastoral lot, as the case may be, as provided in this section."

SEC. 2. This act shall take effect upon its approval.

With the following committee amendments:

Page 2, following line 16, insert the following new section 2:

"SEC. 2. Subsection (a) of section 201 of the Hawaiian Homes Commission Act, 1920, is hereby amended by adding a paragraph (8) to read as follows:

"'(8) The term "irrigated pastoral land" means land not in the description of agricultural land but which, through irrigation, is capable of carrying more livestock the year through than first-class pastoral land'."

Page 2, line 17, strike the words "SEC. 2." and insert in lieu thereof the words "SEC. 3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 201 (a) and 207 (a) of the Hawaiian Homes Commission Act."

A motion to reconsider was laid on the table.

AUTHORIZING HAWAIIAN HOMES COMMISSION TO EXCHANGE CERTAIN LAND

The Clerk called the bill (H. R. 5840) to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain lands in private ownership.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Hawaiian Homes Commission is hereby authorized and empowered to convey to Richard Smart, an American citizen, the following described tract of "available land" designated herein as "Tract 1", and also perpetual easements for pipeline purposes along and across the areas described at "Tract 2", in exchange and return for the conveyance in fee simple to the commission by said Richard Smart of the tracts of land hereinafter described as "Tracts 3 and 4", and also the conveyance of all of his right, title, and interest in the land hereinafter described and designated as "Tract 5", the said tracts being described as follows, subject to minor variations:

TRACT 1

Being a portion of the Hawaiian homes land of Puukapu at Waimea, South Kohala, Hawaii.

Beginning at the most northly corner of this piece of land on the south side of Mamalahoa Highway, the same being also the northwest corner of Grant 4955 to J. T. Baker, the coordinates of said point of beginning referred to Government Survey Triangulation Station "West Base" being 1003.50 feet south and 350.76 feet west, thence running by azimuths measured clockwise from true south:

1. 336° 52' 1173.10 feet along Grant 4955 to J. T. Baker;
2. 254° 51' 590.26 feet along same;
3. 329° 08' 2488.30 feet along fence, along the remainder of the land of Puukapu, to corner of fence;
4. 329° 08' 750.00 feet along the remainder of the land of Puukapu;
5. 254° 45' 1127.17 feet along the remainder of the land of Puukapu to fence;
6. 329° 08' 1089.30 feet along fence, along the remainder of the land of Puukapu;
7. 352° 29' 15" 6140.05 feet along the remainder of the land of Puukapu to a 2-inch pipe in concrete monument at an angle in the boundary between the lands of Puukapu and Waikoloa;
8. 95° 07' 1325.30 feet along the land of Waikoloa;
9. 107° 28' 30" 2966.90 feet along the land of Waikoloa to a 1-inch pipe in concrete monument;
10. 115° 17' 30" 2360.60 feet along the land of Waikoloa to the southeast boundary of the new Kamuela Airport;
11. 232° 00' 2802.55 feet along the southeast boundary of the new Kamuela Airport;
12. 142° 00' 600.00 feet along the northeast bounary of the new Kamuela Airport;
13. 52° 00' 3104.43 feet along the northwest boundary of the new Kamuela Airport to the boundary between the lands of Puukapu and Waikoloa;
14. 115° 17' 30" 175.94 feet along the land of Waikoloa to an old + on rock;
15. 153° 06' 977.13 feet along the land of Waikoloa to a concrete monument;
16. 155° 02' 1150.60 feet along the land of Waikoloa to an old + on rock;
17. 210° 53' 1218.50 feet along the land of Waikoloa to a concrete monument marked +;
18. 209° 10' 530.30 feet along the land of Waikoloa to a concrete monument marked +;
19. 19° 27' 30" 272.60 feet along the land of Waikoloa to a concrete monument marked +;
20. 240° 10' 179.50 feet along the land of Waikoloa to an old + on rock;
21. 164° 42' 353.24 feet along the land of Waikoloa to a concrete monument marked +;
22. 252° 16' 30" 305.90 feet along the land of Waikoloa to a pipe in concrete;
23. 240° 51' 197.90 feet along the land of Waikoloa to a concrete monument marked +;
24. 213° 27' 307.90 feet along the land of Waikoloa to a concrete monument marked +;
25. 186° 14' 751.75 feet along the land of Waikoloa to a concrete monument marked +;
26. 229° 32' 189.90 feet along the land of Waikoloa to a concrete monument marked +;
27. 245° 29' 403.60 feet along the land of Waikoloa to a concrete monument marked +;
28. 188° 01' 30" 209.05 feet along the land of Waikoloa to a concrete monument marked +;
29. 182° 14' 452.10 feet along the land of Waikoloa to a concrete monument marked +;
30. 205° 48' 530.42 feet along the land of Waikoloa to a concrete monument marked +;
31. 205° 59' 30" 414.10 feet along the middle of old stonewall, along the land of Waikoloa to a concrete monument marked +;
32. 238° 57' 30" 105.58 feet along the southeast side of old stonewall, along the re-

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mainder of the land of Waikoloa to a concrete post marked +;

33. 239° 43' 30" 259.40 feet along the southeast side of old stonewall, along the remainder of the land of Waikoloa to a pipe on the northeast side of stonewall, and passing over a pipe in concrete in stonewall at 257.40 feet;

34. 156° 48' 461.45 feet along northeast side of old stonewall, along the remainder of the land of Waikoloa to a concrete monument marked +;

35. 187° 29' 285.30 feet along the land of Waikoloa to a concrete monument marked +;

36. 129° 08' 106.77 feet along the land of Waikoloa to the south side of the Mamalahoa Highway;

37. 262° 19' 49.92 feet along the south side of Mamalohoa Highway to the point of beginning and containing a gross area of 1,030.82 acres and a net area of 944.25 acres after excepting and reserving therefrom all Grants and Land Commission Awards and portions of same containing an area of 36.57 acres.

TRACT 2

Easements

Parcel "P." Perpetual pipeline easement through the Hawaiian homes land of Pauahi at Waimea, South Kohala, Hawaii. Said pipeline easement being (3.00 feet wide) and extending for (1.50 feet) on either side of the center line of pipeline as constructed and more particularly described as follows, subject to minor variations:

Beginning on the center line at the northeast end of this easement (3.00 feet wide) in the middle of the Manaewa Gulch which is also the boundary between the lands of Momoualoa and Pauahi, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU Kawaiwai 1948", being 1551.69 feet north and 6153.45 feet east, thence running along the center line by azimuths measured clockwise from true south:

1. 54° 00' 59.00 feet;
2. 58° 07' 158.90 feet.
3. 59° 40' 180.35 feet;
4. 59° 10' 30" 342.50 feet;
5. 56° 18' 25.80 feet;
6. 59° 38' 341.10 feet;
7. 59° 26' 30" 364.50 feet;
8. 81° 57' 25.00 feet;
9. 92° 52' 81.50 feet;
10. 94° 10' 30" 113.00 feet, to the middle of the Umipoho Gulch which is also the boundary between the lands of Pauahi and Kapia, containing an area of 5075 square feet.

Parcel "T". Perpetual pipeline easement through the Hawaiian homes land of Puukapu at Waimea, South Kohala, Hawaii. Said pipeline easement being (3.00 feet wide) and extending for (1.50 feet) on either side of the center line of pipeline as constructed and more particularly described as follows, subject to minor variations:

Beginning on the center line at the southwest end of this easement (3.00 feet wide) and on the boundary between the lands of Waikoloa and Puukapu, the true azimuth and distance from a 3" pipe marking a boundary corner of the lands of Waikoloa and Puukapu, being 97° 39' 43" 590.50 feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station "West Base", being 13441.60 feet south and 16040.80 feet east, thence running along the center line as follows on the following approximate azimuths and distances:

1. 224° 00' 1450 feet through the land of Puukapu;
2. 236° 00' 5650 feet through the land of Puukapu to the west boundary of R. P. 4945, L. C. Aw. 4348–B to Harry Purdy, containing an area of 0.49 acre.

Parcel "U". Perpetual pipeline easement through the Hawaiian homes land of Kamoku at Hamakua, Hawaii. Said pipeline easement being (3.00 feet wide) and extending for (1.50 feet) on either side of the center line of pipeline as constructed and more particularly described as follows, subject to minor variations:

Beginning on the center line at the southwest end of this easement (3.00 feet wide) and on the boundary between the land of Kamoku and Grant 632 to G. S. Kenway, the approximate coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU IO", being 14700 feet north and 1090 feet west, thence running along the center line as follows on the approximate azimuth and distance:

1. 235° 30' 6000 feet through the Hawaiian homes land of Kamoku to the boundary between the lands of Kamoku and Kapoaula, containing an area of 0.41 acre.

Parcel "W". Perpetual pipeline easement through the Hawaiian homes land of Nienie at Hamakua, Hawaii. Said pipeline easement being (3.00 feet wide) and extending for (1.50 feet) on either side of the center line of pipeline as constructed and more particularly described as follows, subject to minor variations:

Beginning on the center line at the south end of this easement (3.00 feet wide) and on the boundary between the lands of lower Paauhau and Nienie, the true azimuth and approximate distance from Government Survey Triangulation Station "PUU NOHU", 252° 00' 5950 feet more or less, thence running along the center line as follows on the approximate azimuth and distance:

1. 187° 30' 900 feet through the land of Nienie to the middle of the Kahaupu Gulch, containing an area of 0.06 acre.

TRACT 3

Waikoloa—Waialeale lands

Being all of Waikoloa 1st and Waialeale 2nd covered by Boundary Certificate No. 20; a portion of Waikoloa 2nd, L. C. Aw. 9971 Apana 4 to W. P. Leleiohoku; a portion of Waikoloa 1st, Grant 791 to J. P. and E. Parker; a portion of Waialeale 2nd, Grant 868 to J. P. and E. Parker and a portion of Waialeale 1st, L. C. Aw. 9971 Apana 8 to W. P. Leleiohoku; situated at Hamakua, Hawaii.

Beginning at a concrete post marked + near the southwest corner of this piece, the true azimuth and distance to "Camp Triangulation Station" (marked by a on concrete post, on top of prominent knoll, about 1100 feet north of the government road and about 1700 feet west from Waikoloa Gulch) being 262° 33' 1143.5 feet and from said Camp Triangulation Station and true azimuth and distance to Kamakaukuapuu Triangulation Station (marked by on concrete post) being 311° 11' 30" 5044.0 feet and the coordinates of said Camp Triangulation Station referred to Government Survey Triangulation Station "PUU IO" are 23673.9 feet north and 1595.3 feet east, thence running by azimuths measured clockwise from true south, but subject to minor variations:

1. 179° 51' 1317.8 feet along the government land of Kamoku to a concrete post marked +;
2. 192° 24' 561.5 feet along same to a concrete post marked +;
3. 183° 05' 3437.6 feet along same, and cutting through reservoir to a concrete post marked + just north of the fence around said reservoir;
4. 190° 25' 1192.0 feet along same to a concrete post marked + on small knoll;
5. 219° 15' 953.0 feet along same to a concrete post marked +;
6. 212° 58' 461.0 feet along same and passing over a concrete post marked + at 457.8 feet, to an old rock marked + and ahu, at Pulupaken near the east edge of small gulch;
7. 209° 16' 30" 1353.0 feet along same to a concrete post marked +;
8. 216° 36' 2027.4 feet along same to a concrete post marked +;
9. 206° 14' 1753.0 feet along same to a concrete post marked +;
10. 66° 26' 464.0 feet along same to large rock in gulch marked XII, also a concrete post by said rock;

Thence down along the center of small gulch in all its turns and windings, along the government remainder of Puanui and Grant 1767 to Kahooma to a concrete post marked + on the east edge of gulch, the direct azimuth and distance being,

11. 190° 45' 3190.0 feet;
12. 214° 18' 420.2 feet along Grant 1767 to Kahooma to a concrete post marked +;
13. 182° 24' 365.0 feet along Grant 1765 to Paele to a concrete post marked + on ridge;
14. 270° 33' 2356.0 feet across the lands of Waikoloa 2nd, and 1st, and Waialeale 2nd and 1st, along the Pacific Sugar Mill Company's land to a concrete monument;
15. 16° 20' 2900.0 feet along Grant 2124 to Haalau to a + on rock in stream at the head of waterfall in same;

Thence following up along the center of the Kapulena Gulch in all its turns and windings, along the government land of Kapulena to a concrete monument marked + at the junction of a small gulch from the east with the Kapulena Gulch, the direct azimuth and distance being,

16. 8° 10' 5702.0 feet;
17. 17° 31' 726.0 feet along the government land of Kapulena to a concrete post marked + on pali, on the west side of gulch;
18. 330° 42' 463.0 feet along same to a concrete monument marked + in gulch;
19. 17° 12' 3584.0 feet along same to a concrete monument marked +;
20. 18° 24' 30" 2206.75 feet along same to a concrete monument marked +;
21. 23° 34' 494.7 feet along same to a concrete monument marked +;
22. 37° 50' 1793.95 feet along same to an old + on large rock on the west edge of stream in Waikoloa Gulch;
23. 98° 05' 2048.17 feet along the government land of Kamoku to a concrete monument marked + on the side of a small rise;
24. 173° 33' 794.8 feet along same to the point of beginning and containing an area of 1225 acres.

TRACT 4

A. R.P. 6848, L. C. Aw. 4183–B, to Kanaue, containing an area of three acres;

B. L.C. Aw. 3842, Ap. 1 and 2, to Kaulunui, containing an area of 3.24 acres;

C. R.P. 6836, L. C. Aw. 4227, AP. 1, to Kaulunui, containing an area of three acres;

D. R.P. 6834, L. C. Aw. 3685, AP. 1 and 2, to Mahoe, containing an area of 3.248 acres;

E. R.P. 7334, L. C. Aw. 4130, AP. 1 and 2, to Kanakaole, containing an area of 3.245 acres;

F. R.P. 7684, L. C. Aw. 4132, AP. 1 and 2, to Kaina ia Kanekuapuu, containing an area of 3.248 acres;

G. R.P. 8445, L. C. Aw. 4218, AP. 1 and 2, to Kaohimaunu, containing an area of 3.245 acres;

H. L.C. Aw. 3686, AP. 1, to Muluhi, containing an area of three acres;

I. R.P. 6271, L. C. Aw. 4183, AP. 1, to Kaluahinenui and Kanaue, containing an area of three acres;

J. R.P. 7675, L. C. Aw. 4210, AP. 1 and 2, to Kalua, containing an area of 3.248 acres;

K. L.C. Aw. 4212, AP. 2, to James Hanehane, containing an area of 0.248 acres.

TRACT 5

R. P. 6835, L. C. Aw. 4210–B, to Wawaeluhi ia Mokuhia, containing an area of three acres.

SEC. 2. The said "Tracts 3, 4 and 5", upon the conveyance thereof to the Commission, shall be and become "available land" within the meaning of said Hawaiian Homes Commission Act of 1920, and any amendments thereto.

SEC. 3. The exchange which is provided for in this act shall not be effected by the Hawaiian Homes Commission unless and until the values of the lands involved in the proposed exchange are first determined by appraisals to be made by three competent appraisers to be appointed by the governor of the Territory of Hawaii showing that the lands belonging to Richard Smart are of equal or greater value than the Hawaiian Homes Commission lands above mentioned.

SEC. 4. This act shall take effect upon its approval.

With the following committee amendments:

Beginning on page 1, line 3, strike everything through page 2, line 4, and insert in lieu thereof the following:

"That any limitations imposed by the Hawaiian Homes Commission Act, 1920, as amended, or the Hawaiian Organic Act, as amended, to the contrary notwithstanding, the Hawaiian Homes Commission, subject to the approval of the Secretary of the Interior and the Governor of Hawaii, is hereby authorized and empowered to transfer and convey to Richard Smart, a United States citizen, all or any portion of the following-described tract of 'available land' designated herein as 'Tract 1,' and also such perpetual easements for pipeline purposes along and across the areas described as 'Tract 2,' as the Commission shall deem advisable, in exchange and return for the conveyance in fee simple to the Commission by said Richard Smart of all or any portion of the tracts of land hereinafter described as 'Tracts 3, 4, and 5', the said tracts being described as follows, subject to minor variations."

Page 4, line 3, strike "19°" and insert in lieu thereof "199°."

Page 5, line 22, strike "944.25" and insert in lieu thereof "994.25."

Pages 9 to 12, inclusive, strike all of the description of tract 3, and insert in lieu thereof the following:

Waikoloa—Waialeale lands

Being all of the Mauka or Upper parts of Waikoloa 1st, and Waialeale 2d. (Grant 868 to J. P. Parker, Jr. and Ebenezer Parker, by name only, and covered by Boundary Certificate No. 20.) A portion of Waikoloa 2d. (L. C. Aw. 9971, Apana 4 to W. P. Leleiohoku). A portion of the Makai or Lower part of Waikoloa 1st. (Grant 791 to J. P. Parker and Ebenezer Parker.) A portion of the Makai or Lower part of Waialeale 2d. (Grant 868 to J. P. Parker and Ebenezer Parker, by survey) and a portion of Waialeale 1st. (L. C. Aw. 9971, Apana 8 to W. P. Leleiohoku.)

"Situate at Hamakua, Hawaii

"Beginning at a concrete post marked + near the Southwest corner of this piece of land, the true azimuth and distance to 'Camp' Triangulation Station (marked by a △ on concrete post on top of prominent knoll, about 1000 feet North of the Government Road and about 1100 feet West of the Waikoloa Gulch) being 262° 32' 10" 1145.00 feet, and from said 'Camp' Triangulation Station, the true azimuth and distance to 'Kapoaula' Triangulation Station being 279° 57' 36" 4331.35 feet, and the coordinates of said 'Kapoaula' Triangulation Station referred to 'East Base' Triangulation Station are 9255.34 feet North and 26338.97 feet East, thence running by azimuths measured clockwise from True South from the above described point of beginning:

"1. 179° 50' 20" 1317.47 feet along the Land of Kamoku to a concrete post marked +;

"2. 192° 22' 561.40 feet along same to a concrete post marked +;

"3. 183° 03' 40" 3437.10 feet along same, and cutting through old reservoir to a concrete post marked +;

"4. 190° 23' 30" 1192.25 feet along same to a concrete post marked +;

"5. 219° 19' 30" 953.95 feet along same to a concrete post marked +;

"6. 212° 56' 461.00 feet along same to an old + on rock and ahu at a place called Pulupakea near the East edge of small gulch, and passing over a concrete post marked + at 457.80 feet;

"7. 209° 15' 30" 1352.40 feet along same to a concrete post marked +;

"8. 216° 33' 30" 1826.64 feet along same to a point on line with the Hamakua Forest Reserve boundary;

"9. 216° 33' 30" 200.15 feet along the Land of Puanui to a concrete post marked +;

"10. 206° 12, 1753.00 feet along same to a concrete post marked +;

"11. 86° 23' 464.00 feet along same to a large rock in gulch marked XII, also a concrete post by said rock;

"12. Thence, down along the middle of small gulch in all its turns and windings, along the Land of Puanui and Grant 1767 to Kahoomai to concrete post marked + on the East edge of gulch, the direct azimuth and distance being 190° 43' 30" 3190.00 feet;

"13. 214° 16' 420.00 feet along Grant 1767 to Kahoomai to a concrete post marked +;

"14. 182° 22' 30" 365.00 feet along Grant 1765 to J. Paele to a concrete post marked +;

"15. 270° 31' 2356.00 feet across the Lands of Waikoloa 2nd. and 1st. and Waialeale 2nd. and 1st. to a concrete monument;

"16. 16° 18' 2900.00 feet along Grant 2124 to Haalou, Kaimiaina and Kaukini to a + on rock in Kapulena Gulch at head of waterfall in same;

"17. Thence following up along the middle of the Kapulena Gulch in all its turns and windings, along the Land of Kapulena, the direct azimuth and distance being 12° 19' 40" 3452.13 feet to a point in middle of said gulch where it intersects the boundary of the Hamakua Forest Reserve;

"18. Still following up along the middle of the Kapulena Gulch in all its turns and windings, along the Land of Kapulena, the direct azimuth and distance being 00° 39' 55" 2167.62 feet;

"19. 17° 28' 45" 50.00 feet leaving the Kapulena Gulch and along the Land of Kapulena to a pipe in concrete monument on the Southwest bank of said gulch;

"20. 17° 28' 45" 727.50 feet along the Land of Kapulena to a concrete post marked + on pali, on the West side of Gulch;

"21. 330° 40' 45" 461.90 feet along same to a concrete post marked + in Gulch;

"22. 17° 10' 20" 3585.44 feet along same to a concrete monument marked +;

"23. 18° 23' 15" 2196.85 feet along same to a concrete monument marked +;

"24. 23° 31' 30" 494.67 feet along same to a concrete monument marked +;

"25. 37° 47' 1794.65 feet along same, and crossing Government Road to concrete monument marked + over original + on large rock on the West edge of Waikoloa Gulch;

"26. 98° 03' 45" 2048.10 feet along the Land of Kamoku and recrossing Government Road to a concrete monument marked + on the side of small rise;

"27. 173° 32' 45" 794.80 feet along the Land of Kamoku to the point of beginning and containing an area of 1216 acres."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain privately owned land."

A motion to reconsider was laid on the table.

EXTEND EMERGENCY AUTHORITY ON FOREIGN MERCHANT VESSELS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 6318) which earlier was passed to the foot of the calendar.

The Clerk read the title of the bill.

Mr. CUNNINGHAM. Mr. Speaker, by request of the chairman of the Committee on Merchant Marine and Fisheries, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I ask unanimous consent that my proposed amendment be inserted in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(The amendment referred to follows:)

Amendment proposed by Mr. McCORMACK: Page 2, line 3, strike out the word "Secretary" and insert the word "President."

The SPEAKER. Is there objection to the request of the gentleman from Iowa that the bill be passed over without prejudice?

There was no objection.

AMERICA'S TRADE POLICY

The SPEAKER. Under the previous order of the House, the gentleman from New Jersey [Mr. KEAN] is recognized for 45 minutes.

Mr. KEAN. Mr. Speaker, our primary objective in all legislation must be to serve the best interest of the people of the United States. In proposing H. R. 8860 to implement America's trade policy this is my first and foremost thought.

We must maintain and strengthen America's industrial might, for this has been, and will continue to be, the chief deterrent to any attack by Communist powers.

We must also strive to maintain the fullest possible employment in our Nation, and continually try to increase the standard of living of all our people.

But these objectives can only be met if we have economic stability abroad. While always keeping in mind the above, we must do all in our power to strengthen our friends in the free world.

The economic policy of the United States—where we stand and in what direction we are going—must be known, and known soon, by our friends. If they do not know our program they cannot plan their economic future and enact legislation to implement the policies they must adopt.

Fears were aroused in some quarters that with the election of a Republican administration we might withdraw into economic isolation. I believe these fears were unfounded: President Eisenhower well understands the facts of world economics and so do, in my opinion, the great majority of the Members of the Congress.

What our foreign friends want to know is: Are we retreating into our shell and forgetting the new position of leadership in the world into which the United States

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rather reluctantly has been forced as a result of two world wars; or will we take an enlightened position worthy of our world leadership?

It is for the purpose of carrying out the policy which I believe is for the best interest of the great majority of the workers in the United States, and which is therefore the policy we must assume in the long run, that I have introduced H. R. 8860 to carry out President Eisenhower's enlightened program.

Now is the time to let the world know what our future policy is to be.

There is no question in my mind that the position taken by the United States under the leadership of the Republican Party in the last half of the 19th century and in the first decade of the 20th century was the correct one, with world conditions as they then existed.

It was this Republican policy of protective tariffs which helped build up our Nation and made it great.

At that time it was the other nations of the world who had the resources and the capital. We must remember that our great network of railroads and many other of our then infant industrial enterprises were built with foreign capital, chiefly from Holland and Great Britain.

With World War I conditions changed and we became a creditor nation.

Since World War II it is we who have the capital and the wealth, which we hope will aid in building up a prosperous world and thus make a more prosperous America.

The time is now for us to prove that the Congress will support our President's trade policy. It is a truly nonpartisan policy. Most Democrats have in the past supported their Presidents' reciprocal trade programs. There is certainly no justification now for them to oppose it for purely partisan reasons because, this time, extension is proposed by a Republican President.

In spite of the historic Republican position in support of high tariffs, it is significant to note that in the 1st session of this, the 83d Congress, an overwhelming majority of the Republicans in the House voted for extension of the present act.

We Republicans do not favor free trade. Most of the Republican Members, I believe, favor moderate tariffs which will continue to grant reasonable protection to American industries which are threatened with serious injury by imports of goods of foreign origin.

There are workers whose entire livelihood is dependent upon the only jobs they know—those in industries which have been protected by the tariff for many years. We must not undertake a plan which will ruthlessly destroy these jobs.

We must not let foreign competition result in destruction of those industries which are essential to our national defense.

We must move slowly. But it is my firm belief that the direction which we should take for our Nation's good is toward a moderate reduction in our tariff walls.

H. R. 8860 is a step in that direction, though only a modest step. It permits the President to negotiate to reduce those tariffs which he believes should be reduced in our country's best interest by 5 percent each year over the next 3 years. This would mean that if a duty were 20 percent today, it could be reduced to 19 percent in 1955, to 18 percent in 1956, and to 17 percent in 1957.

Nothing in the bill would change the provision by which the Tariff Commission would inform the President of the peril point which he would have to consider in his negotiations.

Nothing in the bill would prevent any industry from applying for relief under the escape clause.

For over a year now whenever foreign governments have sought information from the United States on the direction of its trade policy, they have been informed that Congress has established a bipartisan commission which would develop a coherent program. The Commission has reported. We have that program. It is the President's program. We should not delay longer in letting the world know if it is also the Congress' program and thus the American program.

What we do in the Congress will decide whether the free world can continue its cooperative efforts to build strength by reducing barriers to trade or whether we shall be responsible for leading the way back to a policy of unilateral action with each country attempting to solve its own trade and employment problems by restricting imports.

Steps taken by most of the foreign nations have so far been small and faltering. Advocates of higher tariffs here have justifiably called attention to the still existent systems of quotas, currency restrictions, and other barriers to trade. The one hope for elimination or a reduction of these barriers is the realization by the nations in the free world that our policy for encouraging more trade is one which has the support of an overwhelming majority of the American people of both parties.

NATIONAL WELFARE AND SECURITY

Our foreign economic program is an important part of our overall foreign policy.

Our military security, we all know, is interlinked with the security of our allies. Their security, and ours, is dependent not only on armies, navies, and air forces, it is dependent also on the resources, the industrial plant, the skills, the economic efficiency, the scale of living, and the political stability of ourselves and of those nations which are our friends. The strength—military, economic, and political—of Europe, the Middle East and the Far East, Africa, and Latin America is an essential element of our own strength. Their security and well-being is vital to our own welfare.

This idea of the indivisibility of world security is relatively new to the American people. During the first century of our national existence, and a bit longer, we lived in an isolated world. Foreign threats to our security seemed remote. Indeed, at that time they were remote.

We have realized at last through the grim experience of World Wars I and II that our strength alone is not enough. If the resources of the rest of the world are organized against us our security is in jeopardy. If enough of those resources are arrayed on our side we are invincible. Together with our friends we can be overwhelmingly strong. Divided we present tempting targets for Malenkov and his associates who would like nothing better than a chance to pick off the nations of the free world one by one.

Accordingly, this country has been forced to reorient its policies from isolation to world leadership. We have done this somewhat reluctantly in the political and diplomatic spheres and in the military sphere. We still have steps to take to accomplish a similar reorientation in the economic sphere.

We have built a strong framework of alliances among nearly all the nations of the free world. Through NATO and our ANZUS agreements, through the Organization of American States, and by our ties with Japan, we have undertaken jointly to build our common strength and to defend the free world against Communist aggression.

The continued buildup of NATO and other defenses is now largely an economic problem. We know that a defense program is worthless unless it rests on a sound economic base. A serious economic setback in Europe would not only wreck the NATO defense system but would also undermine the economic fabric of the entire area and risk Communist political victories in one or more countries. The economic structure of a nation must be strong if it is to be successful in resisting aggression.

President Eisenhower recognized this truth in his message of March 30 when he said:

> The national interest in the field of foreign economic policy is clear. It is to obtain, in a manner that is consistent with our national security and profitable and equitable for all, the highest possible level of trade and the most efficient use of capital and resources. That this would also strengthen our military allies adds urgency. Their strength is of critical importance to the security of our country.

Our foreign economic policy must mesh with our political and military alliances. Economic weakness abroad can undermine our joint strength. Economic disputes will weaken, or could even destroy, those close associations. For most countries, access to foreign markets and raw materials is vital because the jobs and well-being of their people are dependent on it. If the government in power is not successful in maintaining such access, it is frequently thrown out and another takes its place—perhaps one not so friendly.

Foreign countries are much more susceptible on this point than we are. That is because they are so much more dependent on foreign trade.

That was graphically shown in the last half of 1949 when we had a slight recession here, a drop in our gross national income of 3.4 percent. We hardly noticed it. But during this mild adjustment Western Europe's exports to the United States dropped 22 percent, Chile's sales to us dropped 36 percent, and Australia's 34 percent.

When we talk of increasing the duty on tuna, all Japan knows of it. The

American public is scarcely aware of the subject. But its headline significance may greatly injure our reservoir of good will with the peoples of that nation.

THE PRESIDENT'S PROGRAM

The President of the United States understands this fact. He knows that we cannot divorce our economic policy from our military and political foreign policy. On March 30 he presented to the Congress what he termed "a minimum program," made up of interrelated parts, each requiring the other. He stated:

Conceived as a whole, this program consists of four major parts: aid, which we wish to curtail; investment, which we wish to encourage; convertibility, which we wish to facilitate; and trade, which we wish to expand.

The passage of H. R. 8860 would provide the cornerstone for the President's program. Without doubt the trade aspect of the program is one of its most important components. Without it, the program as a whole might fall.

If we fail in our trade policy—

He said—

we may fail in all.

Briefly I should like to mention a few of the important provisions of this bill:

H. R. 8860 would provide for the extension, until June 30, 1957, of the President's authority to negotiate trade agreements. This three-year extension will provide the stability that American business and foreign producers both earnestly seek in the uncertain business of foreign trade.

Another important provision of H. R. 8860 gives authority to the President to negotiate with foreign governments on such matters as most-favored-nation treatment, nondiscrimination, quantitative import and export restrictions, and other similar impediments to trade which are widely used abroad. American agriculture, industry, mining, and commerce need the kind of guaranty in foreign markets which rules of this sort can provide. Tariff concessions are not enough for them to have access to foreign markets; they also need agreements that these other devices, so commonly used abroad, will be curbed.

This provision is particularly important because of the prospective revision of the General Agreement on Tariffs and Trade, which is the principal agreement through which guaranties of this sort can be obtained. As the President expressed it, we need "to provide a simpler, stronger instrument contributing more effectively to the development of a workable system of world trade."

The special provisions enumerated above generally cover what has customarily been included in trade agreements. I would like to note that the bill I have introduced expressly provides that such terms in trade agreements shall not be inconsistent with existing legislation of the United States.

GENERAL AGREEMENT ON TARIFFS AND TRADE

Now I would like to speak briefly about the general agreement—popularly known as the GATT. The GATT has been in existence for 6 years. The 35 countries which subscribe to it include every major trading nation of the free world. Up to now no part of the GATT has ever been before the Congress for consideration. In my opinion as presently written it never would be approved. We now have the assurance of the President that its provisions will be renegotiated on lines which might be acceptable to the United States. If this can be done, it will be submitted to the Congress for its approval.

The GATT's functions can be of first importance to the free world.

An important purpose of the agreement is the sponsoring of multilateral reciprocal tariff negotiations. However, the contracting parties also can perform an invaluable function in facilitating the settlement of trade complaints of member countries. From time to time the general agreement has also settled complaints which have had far reaching political effects. An example is provided by the recent association of Japan with the general agreement. The United States has a heavy political and security stake in Japan's economic stability. Accordingly, we have for years sought by various means to help Japan get nondiscriminatory treatment for its exports to southeast Asia, the British Commonwealth, and the continent of Europe. A big step in this direction was taken last year when the contracting parties to the agreement permitted Japan to associate with the group and allowed her to share some of the rights of a contracting party.

In this and other ways a new general agreement on tariffs and trade, if properly written, can aid in developing a system of international trade which will bolster the strength of the free world and minimize economic and political stress among free nations.

The third important feature of the trade agreements bill is the authority it would give the President to reduce tariffs on a gradual and selective basis. First, the President if he believes it is for the national interest could through negotiation reduce tariffs by 15 percent from the present rate; second, if an item is not being imported or is being imported in negligible quantities only he could cut its tariff to half the rate existing on January 1, 1945; third, those tariffs with very high ad valorem rates could be reduced to a 50 percent rate or a rate equivalent thereto.

But these reductions could only be made at a rate of no more than one-third of the maximum authorized, in any one year.

The bill also provides that any reduction in tariffs must be subject to a peril-point finding.

This authority to reduce is modest. It is an absolute minimum if we are to be able to obtain reciprocal concessions from foreign countries to which we wish to sell our products.

It gives our domestic industry, agriculture and labor the assurance of stability over the next 3 years which these important segments of our economy desire.

The trade-agreements program contains various other safeguards. The President, before entering into any trade-agreement negotiation obtains the views of the Departments of State, Agriculture, Commerce, Defense, Treasury, Interior, Labor, the Tariff Commission, and FOA to get advice on all aspects of the problem.

Second, before making any agreement, public hearings must be held at which American industry, labor, agriculture, exporters, importers, producers, and consumers have full opportunity to present information and views.

Third, there is the escape clause which provides that if, as a result of a tariff reduction, imports of a particular product enter the United States in such increased quantities as to seriously injure or threaten serious injury to the domestic producer, the tariff concession may be withdrawn.

TRADE WITH JAPAN

I would like to comment briefly on the reduction authority which would be given to the President in dealing with trade with Japan.

For the one purpose of expanding markets for Japanese goods in the United States or other countries, the Japanese proviso in the trade-agreements extension bill would give the President authority to reduce rates which existed on January 1, 1945, by 50 percent.

The proviso might have been written to restrict the President's authority to negotiate with Japan only on a bilateral basis, but such a proposal would not have been advisable either from the United States point of view or the point of view of Japan.

The United States wishes to see increased market opportunities for Japan, but it wishes to see them spread around the world, not concentrated solely in the United States. Therefore, it was necessary for the proviso to provide some way to negotiate on a multilateral basis, including Japan, the United States, and other important nations of the free world as well. The special provision for Japan is written with just that contingency in mind.

The authority provided for the President could, of course, only be exercised subject to the peril point, escape clause, and other safeguarding provisions of the act.

NECESSITY FOR PROVISO

With an arable-land area less than that of California, Japan must support a population of over 80 million. Under these circumstances, Japan must engage in international trade to live. She must export to buy her vital imports.

There are three major market areas to which Japan can look for expanded trade—the Soviet bloc, the United States, or other free nations. The United States is in a position to influence the degree of access offered to Japanese goods in the last two market areas. It is necessary that the United States use its influence to secure this access if Japan is to be kept on the side of the free world.

Since Japan must import most of its raw materials and about one-quarter of its food, it needs to have access to world markets and be able to compete for them on equal terms. This is not true at present, and Japan's imports dangerously outweigh its exports. In 1952 the adverse trade balance reached $759 million.

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Japan's trade deficit in 1953 is estimated to be $1,135,000,000, larger by far than any previous year.

Japan's trade with the United States is also sharply out of balance. Her deficit in 1952 was $539 million. Almost one-third of all Japan's imports come from the United States, and we bought about one-sixth of Japan's total exports. In 1952 Japan was our largest customer for cotton, rice, barley, and soybeans, and our second most important buyer of wheat.

It is imperative to the security of the United States that Japan stay on the side of the free world and we would like to avoid subsidy by the United States taxpayer. Therefore, the problem comes down to this. Japan can remain on the side of the free world only if adequate trade possibilities are available to her.

Obviously we do not want Japan to become heavily dependent upon the Soviet bloc for trade outlets. But we do not want to open our markets to an indiscriminate flow of cheaply made, competitive Japanese goods. We can avoid this by making third markets more available. The Japanese provision in the bill will permit us to do this.

The United States is anxious that Japan gain sufficient economic strength to assume responsibility for her own defense. This strength is not easy to achieve. Japan is under terrific pressure from an expanding population. Without a corresponding increase in economic activity, levels of living will drop in Japan, thus making it more susceptible to the spread of Communist subversion within its borders. Increased trade would provide the economic foundation upon which Japan could build her own defense effort.

Another reason for giving the President special tariff-reducing authority in the case of Japan is that the United States has never engaged in trade agreement negotiations with her.

It has been the aim of the United States Government to obtain full Japanese accession to the General Agreement on Tariffs and Trade. The Japanese proviso will facilitate multilateral tariff negotiations within the General Agreement on Tariffs and Trade and with Japan—which is still not a full contracting party to the GATT—which will bring about the full accession of Japan to the general agreement. The accession of Japan to the GATT will mean that trade between Japan and the GATT countries, which include most of the countries of the free world, will be conducted on a basis of nondiscrimination. It will mean that Japan has been accepted by the countries of the free world as a full trading partner.

A final reason why the Japanese proviso is essential is that it would enable the United States to press for additional markets in third countries for Japanese goods. The United States objective of having other nations reduce tariffs in favor of Japan could be more easily achieved if those reductions were submerged in a larger tariff negotiation. A strong fear of Japanese importations exists in Canada, the United Kingdom, France, and Belgium. These governments might, however, grant these concessions in an agreement in which they were at the same time receiving concessions from a variety of other countries, including the United States. Only a multilateral negotiation could bring about this result and no multilateral negotiation of this sort could be successful without added authority in the hands of the United States negotiators.

DANGERS OF INACTION

What are the dangers to this country if we fail to move in the direction urged by the President?

One, it would play directly into the hands of the Kremlin, whose policy is to create weakness and disunity in the free world. Those who would pass off lightly the part that United States trade policy plays in our overall foreign policy should read the article that shortly before his death Stalin wrote in the Russian magazine Bolshevik:

> The most important result of the Second World War and its economic consequences must be considered the disintegration of a united, all-embracing world market. These circumstances determine further the deepening of the general crisis of the capitalist system.

At present the Kremlin still sees the crisis in terms of an inevitable trade conflict between the nations of the free world.

Malenkov has been even more explicit:

> American imperialism is acting today, not only as an international exploiter and enslaver of nations, but also as a force that is disrupting the economies of the other capitalist countries * * * boosting their exports through the most unscrupulous dumping while at the same time closing their home markets to foreign goods. The economic policy pursued by American imperialists is bound to aggravate the antagonism between the United States and other capitalist countries.

Representatives from the Soviet bloc in the U. N. are constantly pounding at that theme and urging countries of the free world to look to the Soviet bloc for markets.

Secondly, another danger which would result from our failure to encourage the free world to reduce barriers to trade is the opportunity it would give the Soviet bloc to close the gap between production in the bloc and the free world.

A major part of Europe and Asia is combined under the iron control of the Soviet Union. The Soviet bloc, with its potential resources and the potentially huge internal market, can maximize its production without much international trade. Conceivably, by dictation from the Kremlin every part of the Soviet bloc could be directed to produce the things for which it is best suited.

The remainder of Europe, the Far East, and the Western Hemisphere, on the other hand, are fragmentized into over 50 individual countries, each with its own economic structure, each lacking some raw materials and resources, plants, and key skills found only in other countries. Each is separated from the others by currency and trade barriers that impede the flow of trade among these various free countries.

To cooperate in the effort to lower barriers to trade would help strengthen the free world by permitting each country to obtain needed materials at the lowest cost, by permitting each to achieve top efficiency from large-scale production, and thus help raise the standard of living of all countries of the free world.

Third, if we fail to provide leadership in the free world in the trade field, we would effectively undermine our efforts to halt the flow of strategic materials to the Soviet bloc. Western Europe, Japan, and other areas of the free world must find new markets for their production. A restrictive trade policy by us might crush our allies between our tariff curtain and the Iron Curtain.

The fourth danger which would arise from our failure to implement the President's program is that we would lose important markets and weaken our own economy. If we do not give other peoples of the world the opportunity to earn dollars how can we expect them to pay for our goods. Import barriers that deny our customers a chance to earn dollars means lost markets for American exporters, and less employment for American workers and farmers.

In the postwar period, from 1946 through 1953, our taxpayers gave foreign countries more than $34 billion to help them buy our goods. With a reduction of that foreign aid, which made possible a large part of United States shipments abroad of agricultural and manufactured products, exports dropped sharply. Unless we increase our imports and permit other countries to earn the dollars needed to maintain their purchases of American products, we can expect a further decrease in our exports with resulting ill effects on employment and business activity in the United States.

In the situation in which the United States finds itself we really have three choices in our trade policy. One, we can cut exports and accept the resulting unemployment among workers dependent on our export trade; two, we can continue to meet the trade deficit with money from the Public Treasury—the taxpayer's pockets; or we can face the economic facts of life and recognize that the only way we can receive payment for goods is in the form of imports of goods and services.

I firmly believe that H. R. 8860 would help expand international trade on an equitable and profitable basis which would be beneficial to our dynamic economy.

In trade matters there are always two sides—debtors and creditors, buyers and sellers. We must study our problems from both points of view.

Traditionally we have looked at the problem from the point of view of a debtor nation. Now that we are the creditor nation in the world it is time we looked at this subject from our new perspective.

Since 1918 we have been selling more abroad than we have been buying, infinitely more, about $80 billion more. To a large extent our loans and aid programs made up the difference. Our taxpayers bore the main burden.

But now that other countries are able to sell us their goods the taxpayer wants relief. He deserves it. Let other nations pay for what they buy by selling

their products here. No other alternative makes sense.

It is an elementary fact, but one frequently ignored, that we cannot sell our goods if we do not buy the products of others. What those who oppose imports are, in effect, suggesting is that farmers and workers in our export industries, such as the farm-implement industry, the machinery industry, the chemical industry, the electrical industry, be thrown out of work since foreign countries will not be able to pay for our goods. The problem is made more serious by the fact that it is our low-cost industries, the ones with the greatest possibility for expansion and thus for increased employment, and the ones most important to a modern defense, that would be most hit by such a shortsighted policy.

ADVANTAGES OF THE TRADE-AGREEMENTS PROGRAM

I have detailed some of the dangers that would attend our failure to adopt the President's program. Now let me enumerate some of the advantages, in addition to the overriding one of national security, which would accrue to the United States from the adoption of the program which the President has outlined and of which H. R. 8860 is an integral part.

First. By the reciprocal reduction of barriers to trade our farms, our mines, and our manufacturing plants would gain access to foreign markets. The resulting expansion of trade will help the countries of the free world to return to convertibility of their currencies. If they can earn enough dollars to pay for the goods they need and they can be assured by the policies which we adopt that their trade future is secure enough so that they can drop the various types of controls they have employed to ration their low dollar reserves, considerably greater markets will open up for American products. The President stated in his message of March 30 that unless we are prepared to adopt programs which will expand international trade and increase investments abroad "our friends abroad may be discouraged in their efforts to establish a free market for their currencies."

Second. The stake of agriculture in our trade policy is very great. The value of agricultural exports since 1945 has been equal to about one-eighth of our cash farm income. The volume has accounted for commodities produced on over 40 million acres, about one-tenth of our cropland. Our agricultural exports have declined sharply from the record $4 billion reached in 1951–52. But they are still large. Our exports in 1952–53 totaled $2.8 billion, off 30 percent from the previous year. Contributing to the sharp decline was the reduction in United States aid which at its peak in 1948–49 provided funds to pay for about two-thirds of our agricultural exports.

These figures on the total value and quantity of our agricultural exports somewhat obscure the very high degree of dependence of certain of our farm commodities on export outlets. In 1953, for example, we exported over one-half of our rice crop, one-quarter of our wheat crop, over one-fifth of our cotton and tobacco crops, and almost one-seventh of our soybeans, one-fifth of our lard, and over one-half of our tallow. Exports were also important for barley, raisins, prunes, and many other farm products.

Even those branches of American agriculture that have little or no direct interest in foreign markets are harmed by restrictive trade barriers here and abroad, because such barriers force other farmers, when they lose export markets for their customary crops, to turn to such things as dairy farming or beef cattle.

Third. Our mineral producers also have a large stake in the export market. In 1953, 9.1 percent of our anthracite coal and 7.5 percent of our bituminous coal was shipped abroad. We exported 23.3 percent of our lubricating oil and 23.8 percent of our sulfur.

Fourth. Our manufacturing industries also rely heavily on our export markets. We exported 11 percent of our machine tools in 1952, 32 percent of our rolling mill machinery, 13 percent of our agricultural machinery, 22 percent of our tractors, 20.2 percent of our combines, and 13 percent of our motor trucks and coaches. Other manufacturing industries which have a large stake in exports are producers of storage batteries, household appliances, office machinery, oilfield machinery, textile machinery, sewing machines, printing machinery, and chemicals.

Fifth. Labor's stake in our export trade is also great. This is recognized by the leaders of both our major labor unions, the A. F. of L. and the CIO. As the President has pointed out, over 4 million American workers and their families depend on international trade for their employment. American labor by and large costs less than any in the world. In most industries United States manufacturers can pay high wages and still sell their products competitively with the products of other countries because of our high productivity, which results not only from our abundant physical resources but also because of the skills, the temperament, and the adaptiveness of our workers. Labor-saving devices, large-scale operations, mass production and standardization, and selling skills and mass distribution all contribute to this effectiveness.

The dollar gap itself is proof that the United States, as a whole, has little to fear from foreign competition. Our labor leaders realize that if a tariff policy could be adopted which would attempt to equalize cost of production that it would result in the termination of almost all international trade and the lowering of the American standard of living.

Sixth. A forward-looking trade policy is also called for in the interest of our economic relations with the underdeveloped areas of the world. It is quite apparent that we are on the threshold of a period of enormous change in world production and world trade. The 600 million people of southeast Asia, once a negligible factor in any calculation of world trade, are now groping for means to expand their production. The 170 million people of Latin America and the 15 million people of Canada are already in the midst of a spectacular expansion of production. Africa and the Middle East will undoubtedly follow.

This industrialization will mean that people in those areas will become an enormous potential export market for American machinery, equipment and industrial products generally. Authority to negotiate trade agreements on a reciprocal basis with these areas, combined with other programs recommended by the President, will open up exciting new vistas for American exports.

In summary, we all gain from increased international trade: First, as taxpayers, because more imports help reduce the need for aid; second, as consumers, because it makes it possible for us to purchase these foreign-made goods that we need; third, as producers, because imports help foreigners earn the dollars they need to buy more American goods; fourth, as investors, because increased dollars earnings by foreigners selling to the United States means a better chance for profitable American investments abroad; and, fifth, as American citizens, because increased international trade creates a stronger free world.

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, first of all I would like to congratulate my good friend from New Jersey [Mr. KEAN] on the detailed and forthright statement which he has made in support of his bill, H. R. 8860. We in New Jersey are proud of the fine job which Mr. KEAN is doing as a member of the Ways and Means Committee. We are proud, too, of his unfailingly conscientious and sound approach to the many complex problems which we face here in Washington.

I should like to associate myself in strong support of this bill, H. R. 8860, and with the statement which the gentleman from New Jersey has just made. It is a realistic, comprehensive and accurate estimate of the importance of a sound economic policy for the United States.

Reasonable men can, and do, differ on the best course to follow with respect to trade policy. And yet it is generally accepted that early agreement on our future economic policy is essential. Certainly the problem is urgent. The problem also is one which transcends partisan considerations. Bipartisanship in our foreign economic policy is equally as important as bipartisanship in our overall foreign policy. As the gentleman from New Jersey [Mr. KEAN] has just pointed out, our economic policy is indeed a most important factor in our total foreign policy. It cannot safely be separated from any political and military decisions which we may make.

The reorientation of our national economic policy, therefore, is of great importance if the United States is to provide effective and reliable world leadership. If collective security has any meaning—and we know it has—we must

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seek to develop and maintain allies who are strong politically, militarily and economically. In the past we have sought to accomplish these ends primarily by direct aid. A better alternative is now available.

A gradual reduction in trade barriers such as is now proposed will strengthen, and not weaken, our own country. By an enlightened policy of international trade, we can develop markets for our own goods, and also benefit friendly nations by giving them a chance to earn much-needed dollars. The expansion of trade resulting from a gradual relaxation of restrictive trade policies will benefit all segments of our own economy.

HON. A. B. WON PAT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it was a great event in history when the first legislative body, composed of members selected by the people, convened on American soil.

We are reminded by the visit to Washington this week of the Honorable A. B. Won Pat, Speaker of the Legislature of Guam, that the seeds of representative government, functioning through popularly selected legislative bodies, have been planted in the Far East. The convening in 1950 of the first General Assembly of Guam was another great event in history.

As the majority leader of the House when Guam, the small island of American soil farflung in the Pacific, was given its organic law, it is especially pleasing to me to hear at first hand from Speaker Won Pat of the enthusiastic reception by the people of Guam of the legislative system that has been the strength of our Nation and of the various States of the Union.

The Legislature of Guam convened for the first time 4 years ago. It is our youngest legislative body. Its influence for democracy in the Far East, where democracy and its hopes for mankind is in conflict with the doom-creed of communism, can be tremendous. The responsibility of Speaker Won Pat and the members of the body over which he presides present a challenge which we are confident they will meet with wise deliberations and constructive legislative actions. The visit to us of Speaker Won Pat we accept as a token of the earnestness of the speaker and the legislators of Guam to that end.

OPERATION FLASH BURN

The SPEAKER pro tempore (Mr. GROSS). Under previous special order, the gentleman from California [Mr. MILLER] is recognized for 20 minutes.

Mr. MILLER of California. Mr. Speaker, at Fort Bragg, N. C., during the past 2 weeks, the Army has had 60,000 troops engaged in a great maneuver designed to help it meet the changes in warfare which may be brought about by recent scientific advances in weapons and equipment. The Army is far from believing it has all the answers to this grave and urgent problem. In fact, this maneuver was designed as a test of new tactics and new weapons, and the Army is openminded about their impact on its organization and employment in the future.

This maneuver was called Flash Burn, because it is focused on the tactical use of atomic weapons. The Army is vigorously evaluating the effect of these weapons on the nature of warfare. It already has developed tentative new organization, doctrine, tactics, techniques, and equipment to meet the conditions that can be reasonably anticipated. Operation Flash Burn tested these new concepts and already has raised questions about some of them, while indicating the soundness of others. The Army also foresees that the evolution of its combat doctrine will be considerably accelerated as the result of this maneuver.

But that is only part of the picture. While the process of testing is underway, the commanders, staffs, and troops engaged are receiving the most valuable training in modern offensive and defensive operations. To be specific, these are some of the fields in which training, research, and testing are going on all at the same time:

Coordinated tactical employment of conventional weapons with all types of atomic weapons now available to the Army and the development of new types for the future.

Tactical employment of new chemical weapons and defense against chemical, biological, and radiological attack.

Airborne operations, with emphasis on swift paralyzing attacks in support of ground assaults.

Combat operations, with emphasis on the employment of the infantry, artillery, armor team.

Maintenance of prompt and effective logistical support of combat forces in the field.

Perfecting tactical air support.

Tactical helicopter operations, with emphasis on maximum use of this vehicle not only in supply and evacuation, but in assault operations as well.

Active and passive defense against air attack.

New weapons and new techniques in the use of land mines.

Alternate means of communication and extended communications capabilities necessary for widely deployed and swiftly moving warfare.

Electronic countermeasures which, in effect, will interfere with the electronic equipment of an enemy.

Survival training to enable troops cut off in the anticipated wide-open warfare to continue effective operations.

Employment and defense against guerrilla types of warfare.

Prevention of sabotage.

Logistical support of rapidly moving and widely dispersed elements in battle both by ground and air in daylight and darkness.

Large rail, motor, and air troop movements.

It is the Army's objective to maintain maximum effectiveness and efficiency. Since we cannot keep adequate forces in all areas which are vital to our security, we must provide the means for rapid movement of combat units to those areas which become the object of the aggressor's interest. This calls for an Army as mobile and as flexible as we can make it. For that reason, Operation Flash Burn emphasized mobility on a scale never before attempted.

In the first days of the maneuver the 82d Airborne Division made an air assault in enemy territory. Nearly 9,000 troops and their vehicles and heavy equipment were parachuted and, for 2 days, all their supplies were dropped to them or landed by cargo aircraft.

Strategically as well as tactically, the Army has made extensive use of airlift on this maneuver. The entire 37th Infantry Division was flown from its base in Louisiana to the maneuver area with little more fanfare than you would meet in making a commercial flight from Washington to Denver. This phase of the operation is only the forerunner of the increased strategic mobility of a truly modern Army. That sort of mobility promises an offensive capability which could be decisive in defeating an enemy and in bringing the war to a more rapid conclusion should our efforts to deter him fail.

For the first time, the Army used, in Flash Burn, many new types of weapons and equipment and the organizations made necessary by their introduction onto the battlefield. Most important among them were the 792-millimeter rocket known as Honest John, the Corporal guided missile, and the 280-millimeter gun. All of these weapons can deliver atomic warheads in close support of the hard-fighting armor, artillery, and infantry not only more accurately but with less expenditure of effort than by any other present means. Of equal importance, the mobility of the 280-millimeter gun and Honest John and the range of Corporal are sufficient to permit their deployment in such manner that their prompt response to the will of the land commander is without question.

Helicopters, which proved themselves almost priceless in Korea, were used not only for resupply and for evacuation of sick and wounded, but tactically as well. That is, fighting men are being shifted quickly by helicopter to key points on the battlefield. Results so far justify even more extensive and effective tactical use of helicopters in the future and experiments in this direction will be continued.

Use of mine fields to defend against armor and infantry alike is being thoroughly studied at Fort Bragg. Training of the troops in defense against chemical, radiological, and biological weapons is being tested and improved and new and more effective means of defense are being sought. To minimize the effect of atomic attacks, damage-control plans were devised and thoroughly tested.

While I was not present for the entire maneuver, I can say that I observed

tactical air operations, airborne operations, tactical helicopter operations, and the application of a doctrine of defense against atomic weapons, together with the use of atomic weapons in offensive warfare, which augurs well for a future security.

I had the privilege of observing more than 3,000 paratroopers dropped on their targets with almost 100 percent accuracy. A total of 9,000 paratroops participated in the maneuver, but, unfortunately, I was only able to remain long enough to see the first few serials make their drops.

I had the opportunity to see these men before they boarded their C–119 aircraft and I also observed these men not only as they dropped from their aircraft but as they landed with a thud in the North Carolina soil. I want to pay my highest compliments to those men of the 82d Airborne Division who participated in this maneuver. It takes courage to lockstep out of an aircraft flying well over 100 miles per hour, a thousand feet above the ground, and jump into what might be eternity. It takes well-conditioned, superbly trained men to withstand the impact of landing and seconds later collapse the chute and prepare for offensive operations. I wish more citizens of this Nation could observe these troops for I think they would acquire, as I did, even more confidence in our national defense. And I might add that we were given an opportunity to observe with our own eyes all of the safety precautions that were instituted to make sure that no person would be unnecessarily injured. I think the parents and wives of these paratroopers would be happy to learn that all power was shut off in transmission lines anywhere near the drop areas. Rescue boats were placed in all small ponds or lakes near the area just in the event a wind current or misjudgment should land a parachutist in the wrong area. Medical aid was available in various positions located around the drop area and troops with ladders were available in the event a parachutist landed in a tree. State police diverted traffic on main highways that were in the approximate area and even the railroads were asked to cooperate by slowing down any traffic that might be moving in the area during the drop periods. It was the ultimate in safety and as far as I am concerned, the ultimate in accomplishment. As I have mentioned, a few people were slightly injured but none received injuries which could be considered critical in any way.

The simulated atom bombs were impressive and added realism to the maneuvers. It could be readily observed that already, in this new type of atomic warfare, new techniques were being developed. Timing becomes more important than ever before. And in that connection I want to congratulate the troop-carrying aircraft that participated in the maneuver that I observed, for they never failed to arrive on target exactly according to schedule. The formation flying was excellent and each airdrop was executed with perfection with that professional touch that spells the difference between outstanding success and mediocre accomplishment.

I know, Mr. Speaker, that many units participated in the maneuver, so I will not attempt to name each officer or unit that contributed to the successful conclusion of the operation but I do want to pay a special tribute to Lt. Gen. A. R. Bolling, commanding general, Third Army, who had overall command of the entire maneuver.

My confidence in our national security was strengthened when I observed the caliber of the officers who commanded the various units participating in this maneuver, and I am sure that your confidence in our national security would likewise have been strengthened if you had observed the manner in which this training problem was conducted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KRUEGER, for an indefinite period, on account of official business.

Mr. KEARNEY (at the request of Mr. MACK of Washington), for 10 days, on account of death in family.

Mr. GRANT (at the request of Mr. STEED), indefinitely, on account of illness.

OPEN MARKET COMMITTEE OF THE FEDERAL RESERVE SYSTEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, for several years, in fact more than 10 years, I believe, the Open Market Committee of the Federal Reserve System supported the market on United States Government long-term bonds and kept these bonds from going below par. By reason of that we had a stable economy and the people knew exactly where they were with reference to those bonds. They knew at all times that the promises that had been made that these bonds would always be redeemable at par would be carried out. But, commencing just prior to January 20, 1953, the Open Market Committee failed to support these long-term Government bonds and they commenced to go down, and in 1953, in the early part of the year, they went down to 93, 92, to 90, and along about the early part of June they went down as low as 89. That was 11 points under par.

HARD-MONEY HIGH-INTEREST POLICY

That was very disturbing to the economy because it forced interest rates high and it caused us to have a hard-money high-interest policy.

The administration—evidently the money masters in the administration—became alarmed along about the early part of May. They could see that the economy was riding for a fall which would result in a devastating depression. Naturally, they took an about face. These money masters had been running just as hard as they could run in the direction of hard money and high interest, but when they realized what was going to happen, they stopped suddenly; they made an about face in May 1953, to be exact May 11, and they ran just as fast the other way toward easy money and lower interest. That was the last half of 1953. I thought that they were through; that they would not attempt such a crushing policy any more; that the hard-money high-interest policy had proven to be so responsive, so quickly, and in such a destructive way that they would not again attempt any such hard-money high-interest policy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The Democratic policy was a stabilized money market, was it not?

Mr. PATMAN. That is exactly right. That is what we had, stabilized money, and in order to have stabilized money, we had to have stabilized United States Government securities. That was done through the Open Market Committee.

IS ANOTHER HARD-MONEY, HIGH-INTEREST POLICY COMMENCING?

Now, we were told by the money masters in the middle of 1953 when they changed that they were not through; that they were coming back; that they were not going to admit they had made a mistake. No. They were just temporarily retreating, but they expected to resume their policies later on. I did not think for a moment that they were serious about it. I thought they had already admitted their boners; that they were willing to acknowledge defeat, and that they would not again ever attempt such a hard-money, high-interest policy that they imposed upon this country in the first 6 months of 1953.

But, the last few days we find evidence of it. We find that the Government bonds, commencing the middle of last year, 1953, when they took that about-face and commenced running the other way toward easier money and lower interest, to try to undo what they had done the first half of the year, the Government bonds commenced to go up; these same bonds. They went up the latter part of 1953 and early part of 1954 to 90, 91, 92, 93, 94, 95, 96, 98 and in February, 99. April 2 they went back to 100 and they stayed at 100 and above, where they should have been all the time, for more than 30 days. Then on May 10 they commenced to slide down one thirty-second and more than that under par until it looks as though they are going back down again. I just wonder if the money masters are again starting out on another hard-money, high-interest policy. I think it would be a very devastating policy as it proved to be in the early part of 1953. I sincerely hope that they will not undertake such a cruel policy again, but we have no assurance that now is not the beginning of another hard-money, high-interest policy.

PRESIDENT ASKED TO FILL VACANCIES

I hope that the President of the United States will soon fill those 2 vacancies on the 7-member Board of Governors of the Federal Reserve System, because the Open Market Committee that determines whether or not we have easy money or hard money; whether or not we have high interest or low interest; whether or not we have stability or

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instability; whether or not we have prosperity or a depression, is composed of 7 members of the Board of Governors and the 5 members who are presidents of Federal Reserve banks who are selected by the private, commercial banks. Right now there is a close balance of power between the private bank members and the people who are selected on the Board to represent the public interest. The members selected by the banks probably want to make more profits, higher interest for the banks. There should be a majority of public members. In fact, all the members of the Open Market Committee should be public members. We cannot have a majority in the Open Market Committee as presently constituted and be certain of a majority unless these two vacancies are filled by the President and filled by members who will look after and support the public interest at all times. I hope the President, in filling the vacancies will keep in mind appointing someone who is informed and knows about problems relating to the farmer, for one, and the other member I think should be somewhat familiar with labor and the problems of labor.

CHINESE-RUSSIAN RELATIONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. PILLION] is recognized for 30 minutes.

Mr. PILLION. Mr. Speaker, this world is today witnessing an attempt by China to reenact the ill-fated Japanese drive of 1941 and 1942. The immediate objectives are the territorial conquest of Indochina, Siam, Malaya, and Indonesia. If attained, India, the Philippines, and Australia would be at the mercy of China. Economic and political integration with China are the ultimate benefits in this visionary project.

The Japanese attempt to achieve this same purpose was clothed with the alluring slogan of Greater East Asia Coprosperity Sphere. Our memory reminds us that the Japanese drive was a failure. The present Chinese aggression will result in a more dismal failure to attain either territorial conquest or economic and political integration.

A realistic appraisal of the causes underlying the present conflict clearly indicates a pattern prepared by the Kremlin in accord with long-range Soviet policy for execution by Peiping. The Soviet policy with respect to Asia amounts to an intensification of Russia's century-old eastward expansion in Asia. This expansion by intrigue and aggression has reached the Pacific and has surrounded China on the north and on the west with increasing military, economic, and political pressures exerted southward and eastward by the Soviet.

The history of Chinese-Russian relations is one of continuing exploitation by the Russian-Soviet peoples of China's natural economic orbit.

In the 1850's, Russia wrested from China the territories north of the Amur River and east of the Usuri River.

In 1896, Russia extorted from a weakened China a joint interest in the Chinese Eastern and the South Manchurian railroads in Manchuria.

In 1911, Russia fomented the Mongolian independence movement and Soviet troops in 1921 supported Mongolian independence movement in violation of China's sovereignty.

In 1924, the Sino-Soviet agreement recognized Outer Mongolia to be an integral part of China. In violation of this agreement, the Soviet encouraged and supported the Outer Mongolian rebellion. Since 1946, the Soviet has established political and economic domination over Outer Mongolia to the exclusion of China.

In 1928, the Soviet gave military support in the attempt to carve an autonomous state in the Barga district out of the Chinese province of Manchuria.

In 1946, the Soviet unilaterally annexed the Republic of Tannu-Tuva culminating in excluding China from the economy of that province.

In 1945, the Soviet Union's demands were yielded to at the Yalta conference. China was compelled to recognize the independence of Outer Mongolia, to grant Russian demands for internationalization of Dairen and to lease Port Arthur as a naval base to the Soviet. In addition, the Soviet again obtained a joint interest in the Chinese eastern and the South Manchurian railway.

In violation of the Sino-Soviet Treaty of 1945, the Soviet, instead of withdrawing, remains firmly entrenched economically and politically in both Manchuria and Sinkiang.

The progressive shift of the Soviet population and industry eastward has slowly but surely absorbed the territories and monopolized the economy in an ever-narrowing circle around China. These pressures have robbed China of her natural areas of expansion and economic development, forcing China toward the Pacific and to the south. China's present misadventures in Korea and Indochina are the product of the inexorable drive for Soviet-dictated world totalitarianism.

The Soviet policy of world totalitarian dictatorship by Moscow remains unalterable. China is both a pawn and an obstruction to this purpose.

The Soviet, for the present, has been successful in using China as a pawn for its designs. It has encouraged and supported China in her military adventure in Korea. It continues support of China for her entanglement in the Indochina war.

These adventures serve to delay the consolidation of China's government and the development of her economy. It serves the further purpose of diverting China from focusing her attention upon Soviet control over the wealth and resources of China's natural economic sphere to her west and to her north.

China's embroilment with the free nations of the world ideally serves the double purpose of weakening both China and the free world so that the Soviet can extend her rule at a minimum cost over both China and the free world. The drain upon China makes her more and more dependent upon the Soviet economy and political leadership.

History demonstrates, and communism makes self-evident, that world totalitarianism can accommodate only one dictatorship and one source of power. Certainly China cannot be tolerated as an independent nationalistic socialistic regime in the Moscow plan.

The pattern is clear. China is to be consumed by external warfare, while the Soviet expands and consolidates her political influence and economy at China's expense.

China is in dire need of capital goods. Her economy requires machinery and tools for both heavy and light industry. She could advantageously use between $2 billion and $5 billion in capital over each of the next 10 years for her steel, chemical, cement, power, communications, and light industries, China can obtain the necessary capital goods for an expansion of her industry only from foreign trade and a cooperative community of free nations.

The Soviet cannot and does not dare to industrialize China. The Soviet Union lives in dread fear of a unified, industrialized and independent China. An independent China would constitute an immovable obstruction to the Soviet dictatorship. China's divorcement from the Soviet aim of world domination would mark the complete disintegration of Soviet power in Both Asia and Europe. Her game of playing the East against the West would finally turn against her and remove history's most relentless and diabolical disruption to world peace.

The Soviet has sent thousands of political, agricultural, technical, and cultural advisers and experts to China. It is attempting to Russianize China's intellectual and cultural heritage. These agents are the advance guard of the Soviet's typical technique of penetration, infiltration, consolidation, and incorporation. Under their philosophy and Moscow's instructions, China would be doomed to an economy of scarcity, perpetual coercion, and all the other attributes of a slave state.

The collectivizing of farms has proven itself to be a complete failure in both the Soviet and in its satellites. It has produced only semistarvation rations for the populace. Yet, the Soviet with its confessed agricultural failures is sending its agricultural experts to China. China can now expect to be shown how to produce agricultural scarcities, famine, and bureaucratic bewilderment.

The Soviet Union in encouraging aggression by China is playing a most dangerous game. The Kuznets-Stalinsk-Karaganda area is just west of China. It contains 450 billions tons of coal and is a great steel, iron, and heavy industry manufacturing center. It is vital to China's industrialization. The Russians have preempted Asia east of the Urals with its fabulous wealth. The Soviet appears to be inviting Chinese reprisal in kind.

The present rulers of China cannot condemn China to perpetual subservience to Moscow's purposes. It is inevitable that these rulers, failing to disassociate China from Soviet policy, will be replaced by more farsighted Chinese leaders from within or without China.

They will be replaced by leaders who will regain for China the territory, sovereignty and sphere of economy lost to the Soviet Union. Patriotic Chinese will arise to give to the Chinese people an independent China committed to peaceful and prosperous cooperation with the world.

Where are the former leaders of Czechoslovakia, Poland, East Germany, Hungary, Rumania, and Bulgaria who delivered these peoples to Soviet slavery? Is there any ground to believe that the fate of the Chinese leaders would be less inglorious?

Our policy toward China today is unrealistic. To ignore 500 million Chinese people is a policy of defeatism. Under our present policy, China must gravitate toward the Soviet orbit of political subservience.

I do not advocate diplomatic recognition of China. Nor do I advocate the resumption of trade with China.

I do believe, however, that our policy toward China must undergo an immediate and thorough reappraisal. There is no reason why this country should fear to negotiate directly with China instead of negotiating through the Soviet as an intermediary. The fear of mistake lies not in free negotiation but in a possible reliance upon words or agreements. We can and must rely only upon facts and actualities.

It is certainly no mistake to consider possible support for China in any effort she may wish to make to free herself of her dependence upon the Soviet.

On Thursday, May 13, I introduced a resolution calling upon the Secretary of State to place upon the agenda of the International Conference, now convened in Geneva, in addition to the present deliberations on Korea and Indochina;

First, a consideration of the threat by China to the sovereignty of Vietnam, Laos, Thailand, and Burma by the creation of a so-called Greater Thai autonomous area; and

Second, a consideration of the threat to the peace resulting from violations by the Soviet Union of the sovereignty and territorial integrity of China.

The resolution also calls upon the United States delegation to the United Nations to present these Soviet violations of the sovereignty of China for consideration by the United Nations.

The resolution would give assurance to China that upon disassociation from the purpose of a world communism as directed by Moscow and upon the assumption by China of her responsibilities as a truly independent nation committed to peaceful cooperation in the world community, China will be restored to her rightful place of influence in the world community.

I ask the distinguished Members of this House to give their serious study to the purposes of this resolution, which reads as follows:

House Resolution 548

Whereas the United States has recognized the sovereign states of Vietnam, Laos, Thailand, and Burma, and respects the territorial boundaries of these states; and

Whereas the Communist government of China has threatened the sovereignty and territorial integrity of Vietnam, Laos, Thailand, and Burma through the establishment and implementation of a plan in April 1953 for the creation of a so-called Greater Thai Autonomous Area comprising a part of the southern provinces of China and those northern regions within the sovereign states of Vietnam, Laos, Thailand, and Burma which contain peoples of Thai racial extraction; and

Whereas the Government of the United States has historically sought to uphold the territorial integrity of China and opposed the partitioning and dismemberment of China by other powers; and

Whereas Russian eastern expansionism during the past century, having encompassed Siberia and reached the Pacific Ocean, turned southward to envelop northern China and has during the period since the middle of the last century successfully wrested territory from China and gained control over railways, ports, and other vital areas of the economic life of China, these infringements upon the sovereignty of China being evident in—

(1) the acquisition of the territory east of the Usuri River and north of the Amur River under the terms of unequal treaties impressed upon China between 1850 and 1860;

(2) the acquisition of joint control of the Chinese Eastern and Southern Manchurian Railways in Manchuria in 1896;

(3) the fomenting of the Mongol independence movement in 1911;

(4) the establishment of a Provisional Revolutionary Mongol Peoples Government with the support of Soviet troops in 1921, notwithstanding Chinese sovereignty over Mongolia;

(5) the recognition of Outer Mongolia to be an integral part of China in the Sino-Soviet agreement of 1924 only to reveal the true aims of Soviet expansionism by insistence upon the so-called independence of Outer Mongolia in 1946, resulting in Soviet political and economic domination and the exclusion of China;

(6) the provision of military support to the attempt to establish an autonomous state in the Barga district of Manchuria in 1928;

(7) the continuing economic penetration of Manchuria, halted only temporarily in the 1930's, and culminating in the Soviet acquisition of control of the port of Dairen and naval base at Port Arthur in 1945;

(8) a continuing economic and political expansion into Tannu-Tuva culminating in the unilateral annexation of Tannu-Tuva as an autonomous oblast of the Russian Socialist Federated Soviet Republic in 1946;

(9) the continuing economic exploitation of the resources and the people of Sinkiang by the Soviet resulting in making this province an outpost of the Soviet and creating a financial and political drain upon China; and

Whereas at the Yalta Conference of February 11, 1945, the wartime leaders of Great Britain and the United States, as a quid pro quo for the participation of the Soviet Union in the war against Japan, acquiesced to the demands of the Soviet Union that China recognize the independence of Outer Mongolia, that China agree to the internationalization of the port of Dairen, that China submit to the lease of Port Arthur to the Soviet Union as a naval base, and that China grant to the Soviet Union a half interest in the Chinese Eastern and Southern Manchurian Railways; these conditions having subsequently been confirmed in the Sino-Soviet treaty of August 14, 1945, and it now being recognized that these actions constituted an unwarranted infringement upon the sovereignty of China; and

Whereas the Soviet Union under the terms of the Sino-Soviet Treaty of Friendship of August 14, 1945, reaffirmed China's full sovereignty over Manchuria, renounced any intention of interfering in the internal affairs of Sinkiang, and agreed that Russian troops be withdrawn from Manchuria within 3 months, but nevertheless remained firmly entrenched economically and politically in Sinkiang and Manchuria; and

Whereas this vast northern and northwestern outer belt containing Mongolia and Sinkiang, encompassing an area of some 1,241,000 square miles, constitutes the pastureland and great frontier for future development by China, while the 3 northeastern provinces of China comprising Manchuria constitute the most heavily industrialized region of China, containing coal reserves estimated at nearly 23 billion metric tons and nearly three-fourths of China's known iron ore deposits; containing the highest concentration of railways of any region in China; producing 60 percent of the world's supply of soy beans in addition to corn, wheat, millet, and other agricultural products vital to China; and containing the ice-free ports of Dairen and Port Arthur, vital to the further development of northern China; and

Whereas the Soviet Union lives in dread fear of the assumption of power by China and therefore pursues a policy designed to weaken while professing an interest in strengthening China, as made evident by its action in—

(1) persistently seeking to continue the embroilment of China in warfare in Korea and to stimulate Chinese entanglement in warfare in southeast Asia and, having ensured China's involvement in warfare, providing China with arms and munitions sufficient only to ensure a prolongation of China's involvement in hostilities but not sufficient to permit China to free herself from the designs of the Soviet Union;

(2) restricting the arms provided to China to antiquated implements of warfare thereby ensuring that China will not be able to win decisive victories but will remain in the quagmire of an ever-increasing drain upon her economc resources while the Kremlin strengthens the Soviet arsenal during the breathing space provided by diversion of China toward the south;

(3) imposing Russian-manufactured theories of communism alien to the intellectual and cultural heritage of China and in disregard of the inalienable right of the Chinese people to determine their own destiny within China, and striking at China in the wake of this psychological front by installing Soviet political advisers in key positions at all levels of the Chinese Government, thereby creating and maintaining the delusion that the Chinese people are incompetent to govern themselves;

(4) creating for the benefit of a world audience the myth that economic solidarity exists with China as evidenced by repeated announcements of loans to China, by financial, trade, and aid agreements, and by the presence of Soviet advisers and technicians in China, while in actuality the loans received constitute a mere pittance, the promised deliveries are perpetually left pending, and grandiose projects for the construction of hydroelectric plants, steel mills, and railways interminably remain in the planning stage while a maximum of Soviet exports of "art," "culture," espionage agents, and propaganda extends such Soviet procrastination in the interest of keeping the Chinese economy in a state of weakness, being camouflaged by ever-louder attestations of Sino-Soviet friendship; and

Whereas history demonstrates that two dictatorships cannot both govern the same area, and the Soviet Union, aware of this truth, recognizes the historic impossibility of digesting or absorbing China and, finding that her self-interest cannot lie in developing a strong, independent, and ultimately defiant China, is compelled to keep China weakened by maintaining (in contradiction

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of the basic elements of geopolitics) the fantasy of a satellite relationship in which China is relegated to the role of a "younger brother," to the disparagement of the dignity of the Chinese people; and

Whereas the solidification of China marks the beginning of a new era in the history of communism in which China holds the key to Soviet survival by virtue of the potential threat of divorcement from Soviet domination at a time of her own choice, thereby establishing a de facto relationship in which China assumes her rightful role as the major Asiatic power and which will mark the beginning of the disintegration of the Soviet Union; and

Whereas the Soviet is intent upon retaining its position as the dominant Asiatic power and extending its influence and domination to the detriment of China; and

Whereas the basic truth is that the rulers of the Politburo cannot extend Soviet domination to China and in the inevitable clash China will assert her independence; and at that time those rulers of China who failed to assert their independence from the Soviet Union, who failed to restore for the benefit of the Chinese people that portion of their sovereignty which is in the custody of the Soviet Union, and who failed to recognize that the normal expansion for the benefit of China's 500 million people is toward the sparsely populated areas of the north and west rather than toward the dense populations of southeast Asia, will inevitably be replaced by younger and more farsighted leadership from within and without continental China; and

Whereas the initiative and power therefore resides within China to eject the Soviet Union from Asia, to regain China's lost territories, ports, and railways, and to regain China's lost sovereignty and dignity; and

Whereas the people of the United States acknowledge and support the legitimate needs and aspirations of the Chinese people for regaining their rightful sovereignty lost to the predatory expansionism of the Soviet Union: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the announcement by the Chinese Communist Government in April 1953 of the creation of a "'Greater Thai Autonomous Area" constitutes a threat to the territorial integrity of the independent states of Vietnam and Laos, being member associated states within the French Union and to the sovereign states of Thailand and Burma, and that this condition constitutes a threat to world peace. The House of Representatives therefore calls upon the Secretary of State to take appropriate measures to introduce on the agenda of the present international conference of interested parties now convened in Geneva a consideration of this threat by China to the aforementioned states.

SEC. 2. The people of the United States reaffirm their traditional friendship with the people of China and declare that they will view sympathetically any measures China may take to regain her traditional and legitimate territories, ports, and railways, and other sources of wealth and will specifically support the Chinese and other Asiatic peoples in their efforts to regain their complete sovereignty over Manchuria, Mongolia, Sinkiang, and Tannu-Tuva. To this end the people of the United States call upon the Secretary of State to take appropriate measures to introduce on the agenda of the present international conference at Geneva a consideration of these Soviet violations of sovereignty.

SEC. 3. The House of Representatives calls upon the United States delegation to the United Nations to present to the United Nations for collective action these violations by the Soviet Union of the territorial integrity and sovereignty of China and other Asiatic peoples.

SEC. 4. Recognizing that few irreconcilable differences exist between the people of China and those nations free from the domination of Moscow, the House of Representatives declares that upon proof by China of abandonment of that aspect of the Soviet ideology which calls for worldwide totalitarian dictatorship, and upon proof by China of disassociation from the purposes of world communism as directed and controlled by the Politburo in Moscow, and upon the full assumption by China of her responsibilities as an independent nation committed to peaceful cooperation in the world community, the restoration of China to her rightful place of influence in a cooperative international free community of nations will be assured.

Mr. PILLION. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include House Resolution 548.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

OFFICE OF INTERNATIONAL LABOR AFFAIRS

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent to address the House for 1 hour, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BUSBEY. Mr. Speaker, during the appropriations hearings held on March 3, 1954, for the Department of Labor by the subcommittee on which I am serving as chairman at the present time, we had under consideration the request for funds for fiscal 1955 for the Office of International Labor Affairs. The testimony for this Office on this day will be found in pages 385 to 481, inclusive, of the hearings.

At the bottom of page 480 appears the following statement I made at the close of the hearings:

I would like to report that I contacted the House Committee on Un-American Activities regarding Mr. David A. Morse, and they informed me that the David Morse at the head of ILO in Geneva, Switzerland, is the same David A. Morse that appeared before the Loyalty Review Board of the Civil Service Commission and made a plea for John Shaw Wheeler; and it is my understanding that it was on the basis of his testimony that Wheeler was made eligible for Federal employment after he had been rated ineligible. Of course, everyone knows that a couple of years ago he and his wife voluntarily went behind the Iron Curtain to join the Communists.

The printed transcript of those hearings was released to the press on April 25, 1954.

The New York Times of Monday, April 26, 1954, carried the following news item, datelined Geneva, April 25, by United Press:

TIE TO RISK CASE DENIED—MORSE, EX-LABOR AIDE, SHUNS RESPONSIBILITY ON WHEELER

GENEVA, April 25.—David A. Morse, former Under Secretary of Labor in the United States, denied any responsibility today for having given loyalty clearance to a Government employee who later joined the Communists.

Mr. Morse, now secretary general of the International Labor Organization, made a statement in reply to a charge by Representative FRED BUSBEY, Republican of Illinois, that Mr. Morse had helped clear George Shaw Wheeler, former employee of the Foreign Economic Administration.

The former Under Secretary said the incident occurred so long ago that he could recall only that he had testified in a case involving a Wheeler, "who had been in the employ of a Government agency under my command."

In any event, Mr. Morse said, "a lot of other people" testified on Wheeler's behalf. And the final decision to clear a man was not his but that of the Civil Service.

Asked whether he had testified that Wheeler's conduct at the time was above reproach, he said: "Yes, I think that was the general line of my testimony."

In my statement before the subcommittee of the House Committee on Appropriations, I inadvertently referred to George Shaw Wheeler as John Shaw Wheeler. However, I am anxious that not only the Members of Congress, but the public at large should become better acquainted with the George Shaw Wheeler case. My good friend and colleague, GEORGE A. DONDERO, of Michigan, has, on more than one occasion, spoken from this floor on the subject of George Shaw Wheeler.

But never before have the Members of this House been told the real story of how this man, who voluntarily fled with his family behind the Iron Curtain to Czechoslovakia, was able to retain a highly important position in the Government service after the Civil Service Commission had declared him to be ineligible for continued Government employment and ordered his removal from the service.

I shall not burden the record nor take the time of the Members of this body to relate in detail the Federal employment record of George Shaw Wheeler. For this particular purpose, I believe it sufficient to say that Wheeler had been employed by the National Labor Relations Board, the Department of Labor, and the War Production Board. On September 17, 1943, he was finally transferred and appointed as Chief of the Manpower Division of the Economic Staff, Liberated Areas Branch, Foreign Economic Administration.

At the request of the Foreign Economic Administration, the Civil Service Commission conducted an investigation. This investigation was begun on December 13, 1943, and was completed March 4, 1944. It was an extensive and exhaustive investigation, and revealed that Wheeler had been investigated quite a number of times by other Government investigatives agencies.

The Wheeler case, with the reports of investigations, was then referred to the Loyalty Board of the Civil Service Commission. The Loyalty Board, at that time, consisted of three members, Lawrence V. Meloy, Robert J. Fenn, and Katharine A. Frederic. The Board, on December 15, 1944, 15 months after Wheeler was transferred to the Foreign Economic Administration, issued a 34-page opinion, declaring Wheeler to be ineligible and instructing the agency to remove him from the service.

This decision to remove Wheeler from the service was not only the unanimous decision of the loyalty board members

but it was approved by Lawson A. Moyer, the Executive Director and Chief Examiner of the Civil Service Commission, and by the three Commissioners, Harry B. Mitchell, Mrs. Lucille Foster McMillan, and Arthur S. Flemming. The decision will be found recorded in the official minutes of the Civil Service Commission of January 9, 1945.

Was Mr. Wheeler fired?

Mr. Speaker, from this point on I shall take the case of George Shaw Wheeler, step by step, and unfold to the Members present a complete picture of how known Communists and others of questionable loyalty were not only able to secure highly important positions in the Government, but were able to retain those positions even after their records had become known.

The Civil Service Commission, on January 2, 1945, directed a letter to the Assistant Administrator, Personnel, Foreign Economic Administration, advising that George Shaw Wheeler had been rated ineligible for continued Government employment; and instructed the agency to terminate his services.

In reply, the Civil Service Commission received the following letter, dated January 23, 1945:

FOREIGN ECONOMIC ADMINISTRATION,
OFFICE OF PERSONNEL,
Washington, D. C., January 23, 1945.

Mr. WILLIAM C. HULL,
Executive Assistant, Civil Service Commission, Washington, D. C.

DEAR SIR: This will acknowledge receipt of your letter dated January 2, 1945, stating that the Civil Service Commission has declared Mr. George Shaw Wheeler ineligible for continued Government service on the ground that the Commission believes there is a reasonable doubt as to his absolute loyalty to the democratic principles of this Republic. This matter has been given most careful consideration by the appropriate officials of the Foreign Economic Administration and I have been directed to inform you as follows:

Mr. Wheeler, who is a member of a very old American family distinguished for its patriotism throughout the Nation's history, has been in the service of the Government for more than 10 years. He has been employed in key positions by the Foreign Economic Administration (and its predecessor organizations) for more than a year and a quarter, that is, since September 18, 1943. During this period his conduct and work have been under the close observation of his supervisors and superiors, including some of the foremost officials of the Foreign Economic Administration. His work on manpower, labor, and related matters in liberated and enemy areas has proved so valuable and his loyalty has been so firmly established among both the military and civilian officials who are familiar with this work that he has been assigned to assist the Army officers who form the staff of the United States Group of the Allied Control Council for the occupation of Germany, attached to Supreme Headquarters of the Allied Expeditionary Forces. For this purpose and at the request of General Hilldring, head of the Civil Affairs Division of the War Department, as well as General Wickersham, head of the United States Group Control Council for Germany, Mr. Wheeler and a few other FEA experts were sent to London last October. Mr. Wheeler was approved for this mission by the top officials of FEA and by the United States Minister and other officials of the United States Mission on Economic Affairs in London, and he received the necessary clearance by the State Department and by the Army authorities in the European theater of operations. Accordingly, for the past 3 months Mr. Wheeler has been working directly with the interested United States military authorities in London, handling matters of the utmost importance and secrecy. Recognizing the importance of the assignment and Mr. Wheeler's value to it, the War Department has given him the assimilated rank of colonel. According to his superiors, both in Washington and London, including responsible Army officials and an FEA executive who recently returned from overseas, Mr. Wheeler is doing an excellent and outstanding job. Persons in the best position to observe his conduct have no question about his absolute loyalty.

The need for Mr. Wheeler's continued services in the field where he has made and is making such important contributions is so urgent that it would be a serious disservice to the war effort and an impairment of our obligations and responsibilities to the Army if Mr. Wheeler's services were to be interrupted in any way. In previous cases where allegations have been made similar to those referred to in your letter, it has been our experience that they are sometimes based on incomplete information or questionable opinions and that a full disclosure of all relevant facts has resulted in satisfactory clearance of the record.

Your letter of January 2 invites the Foreign Economic Administration to have Mr. Wheeler's case reopened. Your letter does not state the precise charges that have been made, nor does it identify the persons who have made them. So far as appears, Mr. Wheeler's detractors have not made their statements under oath, nor have they been subject to cross-examination either by Mr. Wheeler or by the FEA, which has such a vital concern to his employment.

Under all circumstances, I am directed to request that the Civil Service Commission reconsider and withdraw the actions set forth in your letter of January 2, 1945, and in any event that Mr. Wheeler's status be left undisturbed, at least until after his return to this country, at the conclusion of his critically important overseas assignment.

Very truly yours,

KENNETH O. WARNER,
Assistant Administrator,
Office of Personnel.

Another letter, dated October 10, 1945, signed by Kenneth O. Warner, explained why Mr. Wheeler was retained after the Civil Service Commission ordered his removal:

FOREIGN ECONOMIC ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D. C., October 10, 1945.

Mr. WILLIAM C. HULL,
Executive Assistant, United States Civil Service Commission,
Washington, D. C.

DEAR MR. HULL: Reference is made to the case of George Shaw Wheeler and to your letter of January 2, 1945, file LB: LOW. This letter stated that Mr. Wheeler had been rated ineligible and that existing eligibilities had been canceled because of doubt as to his absolute loyalty. The Foreign Economic Administration replied in a letter dated January 23, 1945, which requested, in view of the continued need for Mr. Wheeler's services in the field and the lack of substantial evidence, that the Civil Service Commission reconsider and withdraw the actions set forth in its letter of January 2, 1945. In accordance with your letter of February 14, 1945, this agency retained Mr. Wheeler in its employ.

Mr. Wheeler has now returned for 30 days temporary duty beginning September 24, 1945, and will be available for any further questioning by the Commission during that period. This Administration urgently requests that an immediate appeal be arranged. We are informed that the United States Group Control Council is anxious to have him return to Germany.

We refer you to our letter of January 23, 1945, in which this agency stated its position in support of Mr. Wheeler. That position is reaffirmed by this agency at the present time. The correctness of our view is demonstrated clearly by reports from Mr. Wheeler's immediate supervisors who have highly commended his work and specifically stated that his character and loyalty, as demonstrated by his fulfillment of important confidential assignments, are completely beyond question.

Again we urge the importance of giving immediate consideration to Mr. Wheeler's case. We have been informed that Mr. Wheeler will present a personal request for appeal to the Civil Service Commission.

Sincerely yours,

KENNETH O. WARNER,
Assistant Administrator.

On October 11, 1945, Mr. Wheeler addressed the following letter to the Civil Service Commission:

VIENNA, VA., *October 11, 1945.*

CIVIL SERVICE COMMISSION,
Washington, D. C.

DEAR SIRS: I have just returned for temporary duty in Washington from 11 months overseas service with the United States Group of the Control Council for Germany. This has been my first opportunity to clear up the matter raised by the Civil Service Commission's letter to the Foreign Economic Administration, dated January 2, 1945. That letter, a full copy of which I did not see until my return to Washington on September 24, 1945, questioned my character and loyalty, declared me ineligible for further Government service, and ordered the Foreign Economic Administration to dismiss me. I understand that the FEA replied on January 23, 1945, expressing its complete confidence in me and requesting the withdrawal of the Commission's action or at least a suspension of the case pending my return from overseas. I understand further that the Civil Service Commission on February 14, 1945, consented to suspend the matter accordingly.

I have been in the service of the United States Government for more than 11 years, since August 1934. During this period I have served in the National Labor Relations Board, the Department of Labor, the War Production Board, the Office of Economic Warfare and its successor, the Foreign Economic Administration. During the past 11 months I have served overseas in the uniform of the United States Army with the assimilated rank of colonel. Officials of all of these agencies familiar with my record, including my commanding general in Berlin, have expressed their readiness to support me against any accusations that may have been made reflecting on my character or loyalty. And I want to take this occasion personally to assert my absolute allegiance to the United States and its democratic form of government.

After devoting my entire professional career, covering more than a decade, to civil service, it gives me more than passing concern that my record and reputation can be affected by vague accusations of persons whom I have had no opportunity to confront and whose identity remains undisclosed. I have notified officials of the FEA and my commanding general in Berlin that I would not consider it proper for me to return to overseas service until the record in this matter is entirely closed.

I understand that on October 10, 1945, the Foreign Economic Administration wrote to the Civil Service Commission, reaffirming its confidence in my character and loyalty and again requesting the Commission to withdraw its action of January 2, 1945, in order to permit my return to Berlin by October

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24, 1945, at the expiration of my present 30-day temporary duty in Washington. I understand that if the Civil Service Commission declines to grant this request, the FEA has expressed its desire to take an immediate appeal.

This will inform you that I wish personally to join in the request of the Foreign Economic Administration.

Yours very truly,

GEORGE S. WHEELER.

Then began the well-known pressure campaign.

The following letter, dated October 1, 1945, on the official letterhead of the National Labor Relations Board and signed by David A. Morse who at that time was General Counsel of the NLRB, was addressed to Arthur S. Flemming, one of the Civil Service Commissioners:

NATIONAL LABOR RELATIONS BOARD,
Office of the General Counsel,
Washington, D. C., October 1, 1945.

Re George S. Wheeler
Hon. ARTHUR S. FLEMMING,
United States Civil Service Commission,
Washington, D. C.

DEAR MR. FLEMMING: I have just returned from 27 months of duty overseas where I served on the staff of the Allied Mediterranean Command as Director of Labor for the Italian Military Government Operations; as Acting Director for the United States Group Control Council during its planning phase in England and France; and then with the Council in Frankfort and Berlin as a member of Lt. Gen. Lucius Clay's staff. I am on inactive duty status as lieutenant colonel, having returned to accept the position of General Counsel of the National Labor Relations Board.

By way of background I may submit that I was formerly on the solicitor's staff of the United States Department of Labor; Chief Counsel of the Petroleum Labor Policy Board; special assistant to the United States Attorney General, and regional attorney (NLRB) New York district. I resigned from Government in 1939 and became a partner in the law firm of Coult, Satz, Morse & Coult in Newark, N. J., and also impartial chairman, milk industry, metropolitan area of New York. I resigned from the latter position to join the Army in April 1942.

While in London, Mr. George Wheeler, Foreign Economics Administration, joined my staff and served under my direct command from October 1944 until August 25, 1945, when I returned to the States. His tour of duty while under my command was England, France, and Germany. He was responsible for developing the German denazification program in the labor field, and was appointed Chief of the Denazification Branch, Manpower Division, United States Group Control Council (Germany), a position which he still holds. I knew Mr. Wheeler from 1935 to 1937, when he was employed by the National Labor Relations Board as an economist, and observed his work closely at that time. He appeared as an expert witness in one case of great importance, for which I was trial attorney. I have observed his work on a close day-to-day basis overseas.

While in England I was informed that the Civil Service Commission, by letter dated January 2, 1945, had ruled that Mr. Wheeler is no longer eligible for civil-service status because of alleged subversive activities. I am taking this opportunity, now that I am back in the States, to submit this letter in Mr. Wheeler's behalf, with my estimate of his high integrity and unquestioned loyalty to America and its institutions. I would appreciate having this letter included in his file so that it may be considered in future examination of his status. I am, of course, available for personal conference concerning Mr. Wheeler at your convenience. My own observation of his work and habits has been close and careful, and it is my opinion that he, of all people, cannot be accused of being subversive or un-American. This estimate is based upon my appraisal of his work and conduct and examination of countless memoranda where status of our Government's relations with the British, French, and Russians were involved. He has been scrupulous, responsible, and diligent in the protection of our Government's interests abroad, and I may add that his work has been of such high quality that his continuation in his present post is, in my opinion, of the utmost importance to our national interest.

Very truly yours,

DAVID A. MORSE.

Next is a letter, dated October 17, 1945, and signed by Frank J. McSherry, brigadier general, United States Army, Director, Manpower Division, Office of Military Government for Germany, United States:

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY,
UNITED STATES MANPOWER
DIVISION, APO 742,
October 17, 1945.

Hon. ARTHUR S. FLEMMING,
Member of Civil Service Commission,
Washington, D. C.

MY DEAR ARTHUR: A Mr. George Wheeler has been working in my organization for the past 8 months and directly under me for the past 3 months. At the present time Mr. Wheeler is in Washington on temporary duty. Prior to Mr. Wheeler's departure he informed me that there was some question as to his civil service status. From what he told me there seems to be some misunderstanding of the true facts in the case. Apparently some investigators from your office checked on the activities of a number of governmental employees, among whom was Mr. Wheeler. This investigator's report, as I am informed by Mr. Wheeler, indicated some connection between him and the Communist Party. Further, I have been informed that the Civil Service Commission states that Mr. Wheeler should not be allowed to come overseas as an employee of the United States.

My observation of Mr. Wheeler indicates that he is industrious, intelligent and loyal. Insofar as I have observed and others in my office who are in immediate contact with Mr. Wheeler, there is no indication that he is a party member or that he has any leanings or desires to become one. He is no doubt a liberal, but our Government has a great many liberals in its employ.

I am writing this letter in order to bring this case to your personal attention in order to definitely clear Mr. Wheeler of any suspicion, or that you can inform me that I am wrong. If your investigations determine that he is free of guilt, we would appreciate his return to this organization for further duty.

Sincerely yours,

FRANK J. MCSHERRY,
Brigadier General, United States Army, Director, Manpower Division.

Next is a letter, dated October 26, 1945, on the letterhead of the Federal Works Agency and signed by Philip B. Fleming, major general, United States Army, Administrator:

FEDERAL WORKS AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, October 26, 1945.

Mr. HARRY B. MITCHELL,
President, Civil Service Commission,
Washington, D. C.

MY DEAR MR. MITCHELL: I'm informed that the Civil Service Commission has raised some question as to the loyalty of Mr. George S. Wheeler, an employee of the Foreign Economic Administration, now on loan to the military-control group in Berlin, Germany.

Mr. Wheeler was employed by me for 2 years (from 1939 to 1941) when I was Administrator of the Wage and Hour Division of the Department of Labor. He was a senior economist in the economics branch and I had intimate knowledge of his work. I am convinced that his loyalty to our Government is unquestioned and sincerely hope that he will be cleared of the charges which have been placed against him in this respect. I believe him to be a good American citizen.

Sincerely,

PHILIP B. FLEMING,
Major General, United States of America, Administrator.

Next is a letter, dated October 18, 1945, on the letterhead of the University of Chicago, department of economics, and signed by H. A. Millis, addressed to Commissioner Fleming:

THE UNIVERSITY OF CHICAGO,
DEPARTMENT OF ECONOMICS,
October 18, 1945.

Re George S. Wheeler
Hon. ARTHUR S. FLEMMING,
United States Civil Service Commission, Washington, D. C.

DEAR MR. FLEMMING: I have just had a letter from George S. Wheeler, in which he enclosed a statement by William C. Hull, a reply to that statement by Kenneth C. Warner, and a letter to you from Maj. David A. Morse, now General Counsel of the National Labor Relations Board. In the note to the Foreign Economics Administration, signed by William C. Hull, executive assistant, I read with considerable surprise that the Commission investigation disclosed evidence from reliable and reputable sources which indicate that Mr. Wheeler has followed the Communist Party line in its changes from before 1939 to date. Also, that, unless a contrary decision on appeal should be made by the Civil Service Commission, he would become ineligible for the position he now holds. Of course, I do not know what evidence has been submitted to the Commission. Nor do I know very much about Mr. Wheeler's activities since 1939, which was prior to my chairmanship of the National Labor Relations Board. I have, however, known George and his work intimately for several years and I write you concerning what I have always thought of him.

I first heard of Mr. Wheeler years ago when he applied for an assistantship in the department of economics at the University of Chicago where Mrs. Wheeler had been appointed to a fellowship in political science. Upon looking him up, I found that, after having been brought up in a fine farm family he had recently graduated from Reed College at Portland, Oreg., and had been awarded a prize on his dissertation. I read the dissertation, which had been awarded first prize by the American Economic Association, with care and increasing interest. Finding an unusually good prospect in him, I selected Wheeler as my personal assistant. While carrying forward his graduate work, he read examination books and did various other chores for me, including matters of importance in the prosecution of my research. Some 3 years after Wheeler joined me, I became a member of the first National Labor Relations Board (1934–35). Finding need for an assistant in Washington and knowing well Wheeler's ability and industry, I called him to Washington. I declined membership on the new Board and left Mr. Wheeler in Washington to be transferred to the staff of that agency. He was employed in the Economics Division until he transferred to the Department of Labor. I saw him from time to time when I was in Washington prior to November 1940 and from my conversations with him and conversations with others about him found that he

was doing well in the public service. This means that I was in contact with Wheeler for several years and intimately in contact with his work for 4 or 5 years. I may add that while handling cases of subversive activity I never heard any statement from anyone adverse to George Wheeler.

This is what I should have expected because in my most intimate connections with him for 4 years, I had never heard or seen anything that would cause one even to suspect that he was anything but loyal to his country and his Government. Everything he said and everything he did showed his loyalty as well as his integrity. Wheeler was just a young, loyal liberal and no pink. I am sure that my opinion was correct. I would expect my opinion formed earlier would be sustained by the full facts in all his later connections. I therefore trust that on appeal the full facts can be adequately developed. Of course, I know that the Civil Service Commission will be guided by the facts placed in the record as these are fully presented.

In closing, may I not note two seemingly small things in George's life? The first of these is that Mrs. Wheeler owed some hundreds of dollars to Reed College when she graduated. She and George were then married. The last I knew of this matter George, though rather hard pressed, had paid practically all of this debt. The second is that while he was acting as my assistant in Washington in 1934–35, his younger brother was at Oxford on a Rhodes scholarship. He had just graduated and was without the necessary funds. George gave him from his low salary the money required for the brother to go to Oxford.

Sincerely yours,

H. A. MILLIS.

Next is a letter, dated October 25, 1945, addressed to Commissioner Flemming and signed by Mortimer Graves:

WASHINGTON, *D. C., October 25, 1945.*

Mr. ARTHUR S. FLEMMING.

MY DEAR MR. FLEMMING: Though we have met on several occasions, I do not expect you to remember me. I am an American of English descent, educated at Harvard, a commissioned aviator in the American forces abroad in the last war, and for the past 20 years administration secretary of the American Council of Learned Societies in Washington. During the recent war I have been consultant to the War Department and to the United Nations Relief and Rehabilitation Administration; some of my work in this connection has been described in the Saturday Evening Post as "one of the minor miracles of the war effort."

Among my other activities during the past decade which I think back on with considerable pride was my work as chairman during the entire period of its active existence, of the Washington Committee for Aid to China. This was a loyal, hard-working, disinterested group of Americans trying in every way legally to change an inadequate foreign policy which we were sure was taking us straight into war with Japan. Unfortunately we were not very effective; but history has shown how right we were. Of course, this group was, in common with so many other organizations of public-spirited citizens, dubbed "subversive" by certain irresponsible agitators.

Now, I should like to record that anybody—and I mean anybody—who alleges that the Washington Committee for Aid to China ever (1) engaged in any activity or even discussion subversive of American interests; (2) contemplated engaging in such activity; or (3) entertained a suggestion from anybody else that it engage in such activity, is a liar. As a normally mild-mannered elderly gentleman I regret the use of such strong language, but I can think of no way of making the fact more explicitly and unequivocally clear.

I write thus at this time because I am informed that one of the officials of the Washington Committee, Mr. George Wheeler, is now being subjected to the hounding process known as investigation. Mr. Wheeler is a competent, loyal American public servant. I have never known him to espouse, express, or activate any sentiment which could be called subversive by anybody not feebleminded. It seems to me that if the term "subversive" is to be applied to anybody, it might first be applied to Government agencies which spend public money in investigations of this character based upon innuendo, not on evidence, and calculated only to stifle the processes of democracy.

The leading editorial in yesterday's Washington Post contains a large measure of attack upon the Civil Service Commission. One of the best ways for this body to rehabilitate itself in public esteem would be to show guts enough to throw this subversive nonsense into the ashcan where it belongs. Then it might have time seriously to get on the job of providing adequate Government personnel.

Most sincerely yours,

MORTIMER GRAVES.

Next is a letter, dated October 24, 1945, on the letterhead of the Foreign Economic Administration and signed by Lucien Hilmer:

FOREIGN ECONOMIC ADMINISTRATION.

Re George S. Wheeler

Mr. LAWRENCE V. MELOY,
Civil Service Commission,
Washington, D. C.

DEAR MR. MELOY: Confirming our telephone conversation of last Monday, October 22, I have been asked to act as counsel in the joint appeal, requested by the Foreign Economic Administration and by Mr. George S. Wheeler from the decision of the Civil Service Commission dated January 2, 1945, declaring Mr. Wheeler disloyal and ineligible for further Government service.

In connection with the preparation of this appeal, please send me in writing at your earliest convenience, as the hearing is scheduled for next Monday morning, October 29, the following:

1. Specification of the charges upon which the Civil Service Commission declared Mr. Wheeler disloyal and ineligible for further Government service. I understand from our telephone conversation this morning that such specification of charges has now been prepared and may be picked up at your office by the messenger who delivers this letter.

2. Copy of the record upon which the Civil Service Commission based its decision declaring Mr. Wheeler disloyal and ineligible for further Government service. It is from this decision and record that the appellants seek to appeal.

3. The name and address of every person who has made accusations to the Civil Service Commission, reflecting on the character or loyalty of Mr. Wheeler.

4. The name and address of every official or employee of the Civil Service Commission to whom any statements adverse to Mr. Wheeler's character or loyalty have been made.

5. Copies of all statements made or submitted to the Civil Service Commission favorable to the character and loyalty of Mr. Wheeler.

6. Statement of "the Communist Party line in its changes from before 1939 to date," which it is alleged Mr. Wheeler "has followed."

7. Statement of the "policies and programs directly and indirectly furthering the objectives of communism" in which it is alleged Mr. Wheeler has shown "active participation and sympathetic interest."

8. Statement of the specific acts or expressions of Mr. Wheeler, including dates and places, which are alleged to have raised "a reasonable doubt as to Mr. Wheeler's absolute loyalty."

9. Copy of the Civil Service Commission's rules of evidence and procedure and all other regulations of the Commission setting forth its processes and procedures with respect to making findings and decisions and entertaining appeals in cases of this kind.

In connection with the hearing on appeal scheduled for next Monday, I further request that:

1. The Civil Service Commission call upon each person who has made accusations regarding Mr. Wheeler's character and loyalty to appear voluntarily and testify, under oath and subject to cross-examination, at the appeal hearing.

2. The appeal hearing be public.

3. Stenographic notes be taken of the appeal hearing and that transcripts thereof be furnished to the appellants.

As I mentioned to you over the telephone, I understand that several Senators and Congressmen have indicated a desire to attend and observe, or to send their assistants to attend and observe, the appeal proceedings in this case. I trust that the hearing room provided for this appeal will be adequate to accommodate all witnesses and observers.

Yours very truly,

LUCIEN HILMER.

This letter not only indicates that the Foreign Economic Administration was appealing the adverse decision of the Civil Service Commission regarding Mr. Wheeler, but was furnishing Mr. Wheeler free legal representation in the prosecution of his appeal.

Mr. Speaker, I particularly desire to call attention to and emphasize the last paragraph in Mr. Hilmer's letter. Mr. Hilmer said:

As I mentioned to you over the telephone, I understand that several Senators and Congressmen have indicated a desire to attend and observe, or to send their assistants to attend and observe, the appeal proceedings in this case. I trust that the hearing room provided for this appeal will be adequate to accommodate all witnesses and observers.

To me, there is but one way to construe the meaning behind the selection and usage of such words. It was a definite attempt on the part of the Foreign Economic Administration, or Mr. Hilmer, to intimidate the Civil Service Commission and to influence its deliberations and decision on the appeal of their employee, Mr. Wheeler.

Now, let us take a look at the records to see who attended the hearing as witnesses and observers. According to the official transcript of the proceedings, the following were present:

For the loyalty board: Mr. Lawrence V. Meloy, chairman; Dr. Katharine A. Frederic, member; Mr. Robert J. Fenn, member.

Counsel for appellants: Mr. Lucien Hilmer, Foreign Economic Administration; Mr. Paul A. Olson, secretary to Congressman John M. Coffee.

Witnesses: Capt. Louis E. Madison, United States Army, Office of Strategic Services; Capt. Robert J. Wieferich, United States Army; Mr. Joseph Harold Fitzgerald, Foreign Economic Administration; Lt. Col. David A. Morse, United States Army, demobilized since September 17, 1945, General Counsel for the National Labor Relations Board; Maj. Mortimer Reimer, United States Army; Mr. H. Bowen Smith, Foreign Economic

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Administration; Mr. Irving J. Levy, Department of Justice.

Observers: Farrar Smith, Civil Service Commission; Louis J. Russell, Committee on Un-American Activities; George V. McDavitt, Committee on Un-American Activities; Allan R. Rosenberg, formerly with Foreign Economic Administration; Mrs. Catherine B. Smith, secretary to Mr. Lucien Hilmer; Mr. George Shaw Wheeler; Miss Ruth Wheeler, George Shaw Wheeler's sister; Mr. Donald Wheeler, brother of George Shaw Wheeler.

Mr. Speaker, it is worth noting that the secretary of a member of the House of Representatives appeared, according to the record, as counsel for George Shaw Wheeler. So that there is no room for misunderstanding, I shall include at this point the statement made by Mr. Paul A. Olson at the hearing:

Mr. OLSON. My name is Paul Olson, but I am appearing in behalf of Congressman John M. Coffee, for whom I act in the capacity of secretary.

Mr. Chairman, regardless of the statements that have been made this morning to the effect that testimony produced by the Army, the Navy, and the Federal Bureau of Investigation, is held as confidential, in connection with your statement that there are rules and regulations which permit this Board to proceed as it has this morning, I am authorized here and now, in behalf of my chief, to question the authority under which and by which Federal funds are expended to conduct a hearing of this type; or of the type ordinarily conducted by the Board of Appeals, when such hearings on decisions and charges so vitally affect the welfare, the rights, and the privileges of an American citizen. Congressman Coffee has authorized me to say that in keeping with the Senators whose statements have been read this morning he, as a member of the House Appropriations Committee, has never understood that the funds appropriated by the Congress for the use of the Civil Service Commission could be expended by the Commission to conduct a hearing which, by its very nature, is a complete vindication of the ordinary traditional judicial procedures by which, under due process an individual may be heard and faced by his accusers and may be represented, and cross-question and examine his accusers.

In Congressman Coffee's behalf this morning, I would like to ask this Board, for the purposes of the record, for a copy of the entire record on which the Loyalty Board, acting for the Civil Service Commission, based its charges and its decision, as indicated to the Foreign Economic Administration under date of January 2, 1945. It is assumed that such record will contain all material which is not specifically denied publication by the Federal Bureau of Investigation, the Army, or the Navy. In other words, Mr. Chairman, to make the request clear, Congressman Coffee would like to have all the agencies which have cooperated in the investigation to designate those portions which they will not permit your group to make part of the record which we would like to have furnished him. They would, of course, include the names of all persons who gave testimony, and such record would imply that all witnesses would be asked if they would permit the frank use of their names in compiling such a record. May I conclude by stating that if I may make this statement, I would be very glad to make it under oath regarding Mr. Wheeler.

Mr. MELOY. Please, Mr. Olson. And at this time we will swear in everyone who is going to testify in this case. Will you please stand and raise your right hands? (At this point all witnesses who were present were duly sworn.)

Mr. OLSON (continuing). George S. Wheeler has not been a personal friend or acquaintance of Congressman Coffee. Mr. Wheeler and Congressman Coffee have many warm mutual friends. George S. Wheeler, as a Government employee of many years' standing, has been a well-known person to Congressman Coffee and myself. Over a period of years, Congressman Coffee has had occasion, through mutual friends and acquaintances, to hear about the high caliber of service performed by Mr. Wheeler in the various Federal agencies with which he has been identified. The testimony and support ing statements as to loyalty, character and integrity, which will be given in behalf of Mr. Wheeler later in this hearing, will be given by persons whose judgment Congressman Coffee does not question.

As a result of Congressman Coffee's study of this case since it was first brought to his attention, and all the correspondence which has been made available to him, he has concluded and it is his firm and definite opinion that a very grave injustice has been done a long and faithful employee of the Federal Government in questioning his right to continue in the employ of the Government which he has sworn to uphold, and the Government whose uniform he now wears. Congressman Coffee is of the opinion that on the basis of the Commission's statements summarizing the charges, and on the basis of the very complete statements that have been made by those who have known Mr. Wheeler over a period of years, testifying as to his loyalty, the Civil Service Commission will see its way clear to withdraw its letter of January 2, 1945, and permit George S. Wheeler, who happens to be a native of Congressman Coffee's home city of Tacoma, Wash., to continue in the employ of the Federal Government.

Congressman Coffee has asked me to quote him as saying that in the event, and he assumes that this action will be forthcoming, the Civil Service Commission withdraws its letter of January 2, 1945, the Civil Service Commission should consider what action it can take to undo in some way the great harm which Congressman Coffee feels has been done this longtime employee of the Federal service, a harm done to him by questioning his loyalty to the Government of the country of which he is a citizen, questioning his integrity, questioning his whole motive in desiring to serve his Government, questioning thereby his professional standing, and indirectly casting reflections on all those who have been closely associated with Mr. Wheeler in the performance of his duty, because indirectly those who have been associated with him and who have testified as to his worth are in a sense reflected upon when a longtime employee is called up to the bar and questioned as to whether he is a fit person to be employed by the Government whose uniform he wears; therefore, he hopes the Commission will find, in the event a decision is made, some way, in the nature of a pledge or a full explanation of the reasons which brought about this unfortunate error, to provide Mr. Wheeler with that in order that he may use it in a manner that will, in some partial measure, undo the harm which he has suffered as a result of the Commission's accusations under date of January 2, 1945.

Mr. MELOY. Mr. Olson, in regard to the request for a copy of the record on which the original decision was made, of course, that will have to be referred to the Commission. I do wish you could be with us this afternoon because I would like to have you hear as much as we can reveal of the information in the file. Then you will probably see why the Commission made its original decision. I would be very happy for you to come back this afternoon and see how we do operate.

To substantiate my contention that Mr. Hilmer was endeavoring to influence the Civil Service Commission in its consideration of the Wheeler case, I shall insert at this point a portion of the transcript of the hearing. The transcript reveals that, even after no Senators nor Representatives appeared at the hearing, Mr. Hilmer tried to leave the impression that requests for transcripts would be made by some Senators and Representatives.

EXCERPT FROM OPENING SESSION, GEORGE SHAW WHEELER, MONDAY MORNING, OCTOBER 29, 1945

Mr. HILMER. My name is Lucien Hilmer. I am here as counsel to the appellants in this case. This appeal was requested by the Foreign Economic Administration and by Mr. George Wheeler. This is an appeal from the decision of the Civil Service Commission, rendered last January 2, 1945, declaring Mr. Wheeler disloyal and ineligible for further Government service. At the same time the Commission canceled all of his civil service eligibilities which had accumulated in the course of some 10 years of Federal service.

Now, I understand from what Mr. Meloy has stated that this hearing is a public hearing and that the grant of the request for a public hearing was made in response to a letter written by me as counsel for the appellants in this case, specifically asking that it be open to the public.

First of all, I want to thank you very much for granting that request.

Mr. MELOY. I think you are mistaken. I I did not grant it. Neither did the Commission. As I stated a minute ago, hearings before the Board are confidential hearings between the Government and the employee. The Government itself does not offer any invitation to the public to come in; however, it will place no curb upon you requesting anyone to come in.

Mr. HILMER. That is no limitation, then, on the persons whom we may invite to attend this hearing?

Mr. MELOY. Entirely up to you, sir. We think that the record should be held in confidence between the Government and the employee, but——

Mr. HILMER. We have quite a different attitude on that. We think it is a matter of great public importance when the loyalty of a long-time civil servant in a key position in the Federal Government and in a key position, as it happens in this case, in the control and occupation of Nazi Germany—we think that when such a person has been accused of disloyalty to his own Government the hearing on that issue affects this country and this Government and the people of this country, and the representatives of this Government, we feel, should know all about the hearings and proceedings in this case. It's for that reason that we have asked that these hearings be public. I thank you at least for permitting us to invite anyone we choose to the hearing. That, I think, is a step of progress over previous cases in which I have been engaged.

(Off-the-record conversation between Mr. Hilmer and Mr. Allan R. Rosenberg)

Mr. HILMER. I understood you to say, Mr. Meloy, that you were denying our request for a copy of the record on which the Civil Service Commission based its decision in this case. I understand that this Board of Appeals similarly has denied our request for the identification of the persons whose derogatory statements may have formed the basis of the decision in this case. I understand that this Board has denied our request for the identification of the persons who have made statements favorable to Mr. Wheeler in this case and has denied the request for copies of even the favorable statements.

I would like now to take an exception to all of those rulings—to each and all of those rulings.

Mr. Meloy has stated that the Civil Service Commission has no power of subpena and has made a reference to the Hatch Act. Do you have, Mr. Meloy, a copy of the Hatch Act?

Mr. MELOY. Not with me.

Mr. HILMER. Could a copy be brought into the room?

Mr. MELOY. Surely. Yes, sir. We will provide you with one. Please get one (speaking to Mrs. Craddock).

Mr. HILMER. Mr. Meloy's statement included a statement to the effect that under the law the Civil Service Commission has no authority or funds to pay the expenses of witnesses. I would like to address to this Board—under what law, chapter, and verse does this Board or this Commission have the authority to inquire into the political, social, economic, religious, racial, or any other views of any civil servant other than as prescribed in the Civil Service Act and the Hatch Act?

Mr. MELOY. That is our source of authority.

Mr. HILMER. Will you cite, sir, chapter and verse on that?

Mr. MELOY. No, sir. I am here to hear Mr. Wheeler. I am not here to quote the law to you. You are an attorney. You quote the law to me if you don't agree with my stand.

Mr. HILMER. It is our contention that there is no authority in law for the type of investigation or the type of adjudication that is made in this case, and it is our contention that the procedures in this case exceed the authorities granted in the Civil Service Act and in the Hatch Act.

You have stated, Mr. Meloy, that since some of the accusing witnesses are located outside of the District of Columbia, it would be an unfair burden on them to put them to any expense in coming here to testify under oath and subject to cross-examination on the matters as to which they have previously made statements.

It seems to us that that question is one which might better be answered by those witnesses.

You indicated that some of the witnesses were in the District of Columbia. At least no such expense would be involved in their cases. We would appreciate your extending an invitation to them to appear here in the open and testify under oath and subject to cross-examination on a matter of such concern.

Mr. Meloy's statement contained——

(Off-the-record conversation between Mr. Hilmer and Mr. Wheeler.)

Mr. HILMER. I would like to ask Mr. Meloy whether any invitation has been extended to the witnesses within the District of Columbia.

Mr. MELOY. No, sir.

Mr. HILMER. Mr. Meloy's statement contained an observation that the Commission's procedures of investigation in these cases are similar to those employed by the FBI, Military Intelligence, Office of Naval Intelligence, the Secret Service, and the Treasury Department. I would like to observe in that regard that those investigations do not to my knowledge—are not to my knowledge confused with trial procedures and adjudications. Those investigations so far as I am aware do not involve an adjudication that an individual is a traitor without a trial. They may exclude an applicant from obtaining a commission, perhaps, that he desires, but I know of no case where an employee of the Federal Government has been fired and branded a traitor without a trial other than in the proceedings of the Civil Service Commission.

Mr. MELOY. Mr. Hilmer——

Mr. HILMER. Yes, sir.

Mr. MELOY. You are an attorney with FEA, are you not?

Mr. HILMER. Yes, sir.

Mr. MELOY. You are a Government attorney?

Mr. HILMER. Yes, sir.

Mr. MELOY. Are you familiar with cases under section 9A of the Hatch Act when it pertains to the departmental and agency hearings?

Mr. HILMER. Sir, as I stated at the outset, insofar as the Hatch Act is concerned there is no question. Is it the contention of the Commission that this proceeding is brought under the Hatch Act?

Mr. MELOY. No, Mr. Hilmer, you understand. You have appeared before the Commission before. You are familiar with the proceeding of the Commission. You are confusing the issue now and I think you are doing it intentionally. You know that section 9A of the Hatch Act [handed to Mr. Hilmer and Mr. Rosenberg] is different from the rule under which the Commission operates. You certainly, as an attorney, are familiar with the Civil Service Act and rules. If not, you should have read them before you came here. You know that people are disqualified for appointment in the Federal service in civil service when there is a reasonable doubt as to their loyalty.

Mr. HILMER. The provision concerning reasonable doubt—does that provision appear in the law, sir? I contend that it does not.

Mr. MELOY. The rules and regulations. You know that.

Mr. HILMER. Those rules and regulations were adopted by this Commission, sir. I don't think that this Commission can lift itself by its own bootstraps to justify this procedure when it relies on law to deny in that very procedure an opportunity to appellants to face their accusers and cross-examine them.

Mr. MELOY. Again, as an attorney, you should know that the President of the United States is the high authority of the United States Civil Service Commission. Civil Service Commissioners are his advisers. Anything the Civil Service Commission does in promulgating rules and regulations are the authority of the President of the United States.

Mr. HILMER. I am very glad, sir, you mentioned the President of the United States because I'd like to read to you——

Mr. MELOY. Let's proceed with the hearing.

Mr. HILMER. Sir?

Mr. MELOY. Let's proceed.

(End of testimony Wednesday afternoon, George Shaw Wheeler.)

Mr. HILMER. I would like in closing—excuse me.

(Off-the-record discussion between Mr. Hilmer and Mr. Wheeler.)

Mr. WHEELER. I just want to clarify in my own mind the status of the people making these statements in regard to my work, and so forth. I believe I brought to the Commission statements from every responsible official with whom I have worked—that is, top officials in each agency for which I have worked—at least one or two.

As the record stands—on the Commission's part of it—I am not sure whether—what weight will be given to the statements of the people and their comments on my work as compared with the people that I know were responsible and that I know did know what kind of work I was doing.

Mr. HILMER. And who testified here under oath and were subject to cross-examination.

Mr. WHEELER. Or sent letters over their own signature. I am satisfied as to the evidence that's been introduced on our side in support of my case. I am just doubtful as to the status of that evidence and the weight the Commission will give to it because I don't know whether these people really knew me or not.

Mr. MELOY. May I make this statement, then, Mr. Wheeler. The letters that have been received by the Commission, I think even today—practically every commissioner has seen them before they are passed over to this office—but, nevertheless, every letter that will be or has been received by the Commission in your case will be made a part of the file as a permanent record.

Mr. HILMER. May I make the request that they specifically be included in this record?

Mr. MELOY. I want to talk to you about that in a minute.

Now as to the people who have testified—of course we have had a chance to observe them and the Commission will read the record. We will give the same amount of attention to letters that you have sent in here—the responsibility of the person who signs the letter as we do to any other evidence in the case. We will not overlook any point in arriving at our determination, which is an advisory opinion to the Commission.

Now let's stay on the record. As I understand it, there are needs of urgent action on the part of the Commission in this case. In other words, the request, as I get it, from the agency is that they desire a determination at the earliest possible time.

I believe you so wrote the Commission—said you desired to return along about October 24.

Mr. HILMER. Yes. That is—I believe it has been stated in the record, however, that we have cabled for an extension of that temporary duty and we confidently expect it. But you are quite right, sir, that we do consider this very urgent and would certainly appreciate an early decision.

Mr. MELOY. All right. Now along that line, I think there is necessity for urgency in this matter too and I think we can shorten the period of time of consideration if we would make the letters that have been introduced here as an exhibit to the record and in that way avoid copying the innumerable letters into the actual record. We could probably by that way save at least better than half the time in transcription.

Now how long do you girls think it is going to take to transcribe this record if you transcribe each and every letter into the record?

(Mrs. Craddock answered here. I have not recorded what she said.)

Mr. HILMER. I have considered in my own mind that very question. I have weighed it back and forth and I feel that it's terribly important that there be incorporated at the places that they were read into the record various letters that I did so read in it. As I say, even in view of the urgency, which I recognize, we have tried to make this record as complete and careful as we know how. We think it is very important——

Mr. MELOY. Well, let's have a complete——

Mr. HILMER. And I maintain the request that it be handled exactly as the hearing occurred and not otherwise.

Mr. MELROY. Let's have a complete understanding. How long do you girls think it is going to take to turn the record out?

(Off-the-record discussion about the time needed for transcription.)

Mr. HILMER. Could we go on the record again on this point?

Mr. MELOY. Yes.

Mr. HILMER. As some of the letters addressed to the Commission indicate and as one of my letters has indicated, I understand that a number of Senators and Congressmen who are as deeply concerned as I am, as we are, over the procedures in these cases have indicated a desire if it was feasible for them to attend these hearings or send representatives. Unfortunately, with 1 or 2 exceptions these Senators and Congressmen have not found it feasible to attend or to be represented here, but I understand that some of them do very earnestly desire in lieu of that to have an opportunity of studying the transcript in this record and that some requests for the transcript have been made and will be made. So that for the larger interest, if I may call it that—

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the larger interest in this whole kind of case, particularly in view of the pendency of certain bills in the Congress relating to these procedures, might better be served, even at the expense of some delay in the transcription of the record, if the record is complete in every detail.

Mr. MELOY. Let me say this—that any transactions between a Senator or a Representative and the Commission can be handled very readily between the Commissioners and the Senators. I think if they desire a copy, if they have requested the Commission, I am quite sure that the Commission would answer the Senator or the Representative. I think that's a matter entirely between the Commission and the Congress—Representatives or Senators.

Mr. HILMER. Of course, I didn't mean to incline to be different, but as and when this transcript is available for whoever reads it, I insist that it be a transcript of the complete hearing and record as it was—in fact occurred.

Mr. MELOY. Let's go back to the question here. I'd like to have it settled now while you folks are here. How long is it going to be before we can have this record?

(Discussion about the time of transcription.)

(The hearing was adjourned at 4 o'clock.)

This part of the transcript also discloses that Mr. Hilmer, counsel for Wheeler, conferred with Allan R. Rosenberg, who was designated in the transcript as an observer and who was formerly employed by the Foreign Economic Administration.

Mr. Speaker, why would Allan R. Rosenberg appear at the hearing of Wheeler, and why would be consult with Wheeler's counsel?

The answer to those questions will be found in a statement made during a Civil Service Commission investigation on February 19, 1944, by David Wahl, Executive Assistant, Reoccupation Division, Foreign Economic Administration. Mr. Wahl said, in part:

Wheeler was interviewed by Max Lowenthal, Allan Rosenberg, and myself, and we all wanted to get him very badly. I had to write this memorandum to Mr. Halliday indicating our need for him.

If any Member of the House is interested in the background of Max Lowenthal, Allan R. Rosenberg, and David Wahl, let me suggest that a demand be made on the Civil Service Commission for an opportunity to review the reports on the investigations of this trio.

It is to be remembered that Mr. David A. Morse told the United Press on April 25 of this year that he could recall only that he had testified in a case involving a Wheeler "who had been in the employ of a Government agency under my command," and that the general line of his testimony was that Wheeler's conduct was above reproach.

Mr. Morse endeavors to leave the impression that George Shaw Wheeler was just a man by the name of Wheeler who happened to be employed by some Government agency and happened to be under his supervision. I have heretofore placed in the RECORD the letter written by Mr. Morse to the Civil Service Commission interceding for Wheeler, but I wish to include here that portion of the transcript of the Wheeler hearing that contains the testimony of Mr. Morse:

(Mr. David A. Morse, who was not present when the other witnesses were sworn, took the oath and testified as follows:)

Mr. HILMER. Will you please give your full name and address to the stenographer?

Mr. MORSE. David A. Morse. My legal address is 502 Park Avenue, New York City. My Washington address is 1230 16th Street NW.

Mr. MELOY. I believe you wrote a letter to the Commission?

Mr. MORSE. I did; yes. May I smoke?

Mr. HILMER. Is it mister or Colonel Morse?

Mr. MORSE. I prefer to be called mister, but my rank in the Army was lieutenant colonel.

Mr. HILMER. What is your present position?

Mr. MORSE. General Counsel for the National Labor Relations Board.

Mr. HILMER. How long have you been in that position?

Mr. MORSE. Since the 17th of September 1945, a little over a month.

Mr. HILMER. Prior to that time you were a lieutenant colonel in the Army?

Mr. MORSE. That's right.

Mr. HILMER. How long were you in the Army?

Mr. MORSE. Three and a half years.

Mr. HILMER. What did you do prior to being in the Army?

Mr. MORSE. Impartial chairman for the milk industry in New York City which was a post responsible for the resolution of all disputes that arose in the milk industry in the metropolitan area, selected by the industry and labor. I was counsel for the Postal Telegraph Co., in New York, counsel for the Coty Perfume Co., in New York, and similar clients.

Mr. HILMER. Do you know George Wheeler?

Mr. MORSE. I do.

Mr. HILMER. How long have you known him?

Mr. MORSE. I have known him since 1935, to the best of my recollection.

Mr. HILMER. How did you come to know him? What was the nature of your relationships?

Mr. MORSE. For a short time between 1935 and 1937 I was counsel for the National Labor Relations Board in New York City. At that time Mr. Wheeler was an economist, as I recall, on the Labor Board in Washington. He was responsible for preparing some written economic material that went into some of the cases that I tried. The one that I remember most distinctly was the Borden Milk case, where he came to New York, as I recall it, to testify as the Government's witness and I examined him at great length at that time as a witness, and I knew him professionally during that period of time, during those 2 years.

Mr. HILMER. Have you had some further professional relations with him subsequent to that period?

Mr. MORSE. Yes, in the Army.

Mr. HILMER. In the Army?

Mr. MORSE. Yes.

Mr. HILMER. Would you explain those?

Mr. MORSE. During the last part of my tour of duty in the Army, I was Director of the Manpower Division of the United States Control Council. My responsibility was directed to Gen. Lucius Clay, staff officer, who was acting as deputy for General Eisenhower in all matters pertaining to Germany and its occupation. One of my responsibilities was the acquisition of a staff of thoroughly trained civilians sent from this country, one of whom was George Wheeler. He arrived and joined my staff in London, to the best of my recollection, in October 1944. He had an assimilated Army rank of colonel and he served on my staff in that capacity from October 1944 until I left to come home, which was in September of this year.

Mr. HILMER. So you have had an opportunity to observe Mr. Wheeler, both as an employee working with this Government in Washington and as an assimilated officer in the Army of Occupation in Germany in the field?

Mr. MORSE. Yes.

Mr. HILMER. Have you had any social relations with Mr. Wheeler outside of office and professional work?

Mr. MORSE. I have.

Mr. HILMER. Have you visited his home?

Mr. MORSE. Only once and that was recently, since his return from Germany.

Mr. HILMER. But you have had luncheon with him?

Mr. MORSE. Yes, many times. I know him well.

Mr. HILMER. On the basis of your knowledge of Mr. Wheeler, would you care to make a statement for this record of your opinion of his character and loyalty to this Government?

Mr. MORSE. I think it is excellent. I think it is superb. That is why I am glad to come here and testify.

Mr. HILMER. Would you expand on that a little?

Mr. MORSE. As I gather, the question about Mr. Wheeler is whether or not he is a subversive individual?

Mr. MELOY. I think the question is this. Under the civil service rules, if there is a reasonable doubt as to his loyalty to the Government of the United States, then he should not be employed by the United States Government. That is the question.

Mr. MORSE. Well, the reason for my writing the letter to the Commission was because I understood that was the issue and, by the way, I would like to indicate that I volunteered to send this letter. Although I understand it is quite usual for those letters to be solicited, I suggested to Mr. Wheeler that I write that letter. The reason for my interest particularly was this. In Europe our responsibility in the main was in our dealings with the Russians. Our mission was to work out a uniform policy for application throughout Germany by agreement with the Russians, the French, and the British. Our instructions with respect to it were explicit from our own Government, and I suppose it's not proper for me to suggest to this group that it was our paramount interest in getting the Russians and the British and the French to accept our point of view as the policy which should be applied, although it appeared at various stages of our negotiations that some important compromises might be necessary.

Mr. Wheeler was delegated at the start with the thing which in our view went to the guts of our dealings with the Russians and the French and the British, namely, the effectuation of the United States policy of denazification throughout Germany. He was made chief of that particular section. In the very protracted discussions that we had among ourselves prior to dealing and commencing negotiations with the other powers, the thing that struck me particularly about Mr. Wheeler was the fact that he was so scrupulously careful and insistent upon the presentation of our program in the light of our own American self-interest. "This may be the British view. This may be the French view. This is, as I understand it, the Russian. Now that's all fine, but this is the United States view and this is the way we ought to put it over."

And the proof of the pudding is as of this moment the policy that has been accepted by the Russians, the French, and the British in Germany by recession from their own position is the United States policy which Mr. Wheeler in our field was responsible for. I feel very strongly that's a very constructive and important contribution to American occupation in Europe.

Now, clearly in my view, if a person was anxious to support a Russian policy or a policy inimical to our own, there was the place where he could very happily engage in that opportunity.

Mr. MELOY. I am particularly glad you are here with us today for this reason: You were not here this morning and heard a lot of legal argument and discussion, but in order that you may pick up some background, the Commission's position was that here was an applicant for Federal Government and we found out he had gone to London for the specific job which you mentioned. In reviewing the file of the investigation, there was a serious question raised by the matters in the investigation in the—back 1939, 1941—that period. So I am particularly happy now in view of the fact that you have information that is up to date on Mr. Wheeler's work since he was in London. I am quite sure the Commission appreciates your appearance here today, and I know the Board does.

Mr. MORSE. Thank you very much.

Mr. HILMER. Have you observed anything in Mr. Wheeler's conduct or expressions, either before you saw him in London or Germany or after, thinking back over the period when you worked with him with the National Labor Relations Board, and so on, would give you any reason whatsoever to believe that he might be a Communist?

Mr. MORSE. No; I haven't.

Mr. HILMER. Would you go so far as to vouch for his loyalty to the United States form of government?

Mr. MORSE. I certainly would.

Mr. HILMER. If I were to tell you that some persons whose names have not been disclosed to me have made statements reflecting on his character and loyalty and suggesting that he is or has been an adherent of the Communist Party line, what would your reaction be to such statements?

Mr. MORSE. My reaction would be one of absolute disbelief.

Mr. HILMER. Thank you.

Mr. MELOY. I assume you are familiar with the party line.

Mr. MORSE. I am very familiar with the party line, both as a result of my intelligence training in the Army and the work that I had to do in Europe.

Mr. MELOY. Particularly speaking—switch in 1939 (?)—switch in June 1941.

Mr. MORSE. Yes, sir, and I simply want to give you my own judgment of an individual as I saw him under very close observation.

Mr. HILMER. Let me ask you a further question, Mr. Morse. Do you think it's a matter of some importance whether Mr. Wheeler returns to carry on the duties that you have described in Germany, or do you think it is a matter of considerable indifference whether it is George Wheeler or somebody else who performs that task in Germany?

Mr. MORSE. I think it is extremely important that he return if he can be prevailed upon to return. I don't know what his plans are, but I would consider it essential that he return. After all, he's the—one of the persons who has large background now accumulated in the work over there and has been responsible for the development of some of our programs and policies and he ought to be there to carry them through. It would be very difficult for some new person, it seems to me, to step in at this point and try to pick up where he left off.

Mr. HILMER. Do you happen to know what your superior officer or officers thought about Mr. Wheeler's integrity and loyalty in Germany?

Mr. MORSE. I do, if it is permissible for me to state it.

Mr. MELOY. Surely; go right ahead.

Mr. HILMER. If you feel that you can, I wish you would.

Mr. MORSE. I was succeeded when I was relieved from my command by Brig. Gen. Frank McSherry—M-c-S-h-e-r-r-y—who was Regular Army of the United States; also, I believe, former member of the War Manpower Commission before the war.

At the time I was relieved to return to the States I had considerable discussion with General McSherry about which persons should remain on his staff and where it should be implemented, and it was agreed that Mr. Wheeler would be one of the persons who would remain in his present job to carry on in his regular staff capacity because of my judgment that he should be retained and because General McSherry had heard from persons within our group about Mr. Wheeler's work and had also met Mr. Wheeler, although I think slightly, and as a result of those three things decided that he would retain him.

When I was separated to come back to the States I made a quick trip back to Berlin again, where I saw General McSherry, and at that time he told me that he was completely satisfied with Mr. Wheeler's services and was very happy with the fact that he was the person who was doing the job and that he did not contemplate changing him.

Mr. HILMER. * * * Observe Mr. Hilmer's conduct and expressions in Germany on this important mission were unanimous in the view that he was a person of outstanding integrity and absolute loyalty?

Mr. MORSE. No. Never any question about it.

Mr. HILMER. And the very matter of his loyalty was called to their attention—that is, the fact that the Civil Service Commission had raised some question about it was specifically called to their attention—and in spite of that—so that they had—were on notice, so to speak, to be very scrutinizing of Mr. Wheeler, they still came out with that view?

Mr. MORSE. That's a fact. That is true. That is true.

Mr. HILMER. When did you first learn that the Commission had not authorized his transfer?

Mr. MORSE. I'd like to go into that, if I may.

Mr. MELOY. I wish you would.

Mr. MORSE. I will recite it to the best of my recollection.

After Mr. Wheeler joined our staff in October of 1944 in London, I believe that some months transpired—I hope that you don't hold me to them, but I believe more than 2 or 3 months—when I noticed that he had not reported to the—for duty one day and I thought to myself, "That probably is due to the fact that he is a civilian." Actually he was not feeling well, and I saw him the next day.

Mr. Wheeler told me that he had something that he wanted to talk with me about that he felt was important and it was at that point that he disclosed to me that there was some question about his loyalty and told me about the pendency of an action here with respect to his civil service status.

He then said that he felt that since this case involved his loyalty that it might be embarrassing to me as his superior officer, to the Army, and to our own Government's interest if he continued working on papers which were secret and top secret and he felt under a responsibility to bring it to my attention so that I could make a decision, and he wanted it clear—and this impressed me very much in his record—that he would understand if I decided that he should be sent back to the States and would prohibit him from looking at these papers. He also stated that until the question had been resolved he was going to assume the responsibility of not looking at any further papers and that he had not looked at any of these papers since he had been informed of the current status of his case and that that's well, really the main reason why he hadn't come to the office—because he hadn't wanted to be placed in the position of looking at papers until he really had a chance to talk with me.

I told him I wanted to think about it. I questioned him about it at great length. I traced the reason why he had come to our staff. I learned that he had been sent to us by FEA. I contacted the chief of FEA in London. I don't remember his first name, but it was Mr. Stone.

Mr. HILMER. Mr. William T. Stone.

Mr. MORSE. That's right. Chief of the FEA Commission in the Embassy at 45 Berkeley Square. I went to see Mr. Stone. I had two conferences with him about Mr. Wheeler; insisted that we be apprised in detail up to the minute as to the FEA's position with respect to this man; insisted further that we would not go along with the situation where loyalty was in question without some statement by the FEA that in their view Mr. Wheeler was trustworthy and a man who should be continued in our—in the staff capacity on our staff.

Mr. Stone stated that he would like to check back here on it—think about it some more.

A day or two transpired, and Mr. Stone talked with me. He said that he was convinced in his own judgment that Mr. Wheeler was not a disloyal man, that he was completely trustworthy, that he should be continued in his present post, and that as far as he was concerned there was no question or reservation in his mind. I told him I was glad he felt that way about it because from my own personal observation, I felt the same way about it. I was perfectly willing to assume the responsibility of keeping Mr. Wheeler on in his present position, and if subsequently there was to be any question about his loyalty I would take the rap. I felt that somebody ought to make the decision. That was my conviction of conscience. However, I went to my immediate superior, who was Brigadier General Wickersham, who was subsequently succeeded by Lt. Gen. Lucius Clay, and I told General Wickersham about the situation, and he stated to me that he had had a number of talks with Mr. Wheeler, and he was impressed with Mr. Wheeler. He asked me what my recommendation was, and I told him that my recommendation was that he should be continued—that I trusted him, and that he was rendering a useful service.

Mr. HILMER. Mr. Morse, if the Civil Service Commission's act of January 2, 1945, declaring Mr. Wheeler disloyal and instructing the Foreign Economic Administration to dismiss him—if that action had been fulfilled then, would you say whether the consequence to our war effort and our peace effort with respect to Germany would have been adversely affected?

Mr. MORSE. I clearly do not think our war effort would have been affected. I do think that if Mr. Wheeler had been dismissed and had not been able to do his job that the constructive side of our postwar effort in Germany would have been adversely affected because he has done an extremely first-rate job.

Mr. HILMER. Thank you, very much. Mr. Morse made a reference to his own letter which he said he had sent to the Commission voluntarily and without solicitation. I should like at this point to read that letter into the record. It is dated October 1, 1945, addressed to Mr. Arthur S. Flemming. (Mr. Hilmer read Mr. Morse's letter, which is attached to the file as a part of the record.)

The loyalty board considered the record on appeal and submitted its decision to the Civil Service Commission. In order to show that the favorable conclusion reached by the loyalty board was based on the testimony of David A.

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Morse and that some consideration was given to the letter of General McSherry, it is necessary to insert at this point the opinion of the loyalty board:

LOYALTY BOARD,
November 6, 1945.

The COMMISSION:
(Through the Executive Director and Chief Examiner.)

The George Shaw Wheeler case came on for a hearing before the loyalty rating board at the hour of 10 a. m., on the 29th of October, and concluded at 4 p. m. on the 31st—the total time being 2 full days of hearing.

Prior to the hearing, the loyalty rating board had furnished on October 24, 1945, to Mr. Lucien Hilmer, attorney for the Foreign Economic Administration and for Mr. George Shaw Wheeler, an interrogatory for Mr. Wheeler covering the main points to be discussed at the hearing.

Also before the hearing, the Commission had received from Mr. Hilmer a letter dated October 24, 1945, in which he requested, among other matters, the testimony of witnesses, both favorable and unfavorable, the names of all witnesses, and the opportunity to examine witnesses under oath. This letter is attached hereto as exhibit I. Response was made to this letter on October 26, 1945.

The hearing was opened by the chairman of the Loyalty Rating Board, who read a statement concerning the procedure followed by the Board, which statement included replies to points and requests made by Mr. Hilmer in his letter of October 24, 1945. This opening statement appears as exhibit II.

Following the Board's opening statement, Mr. Hilmer made an opening statment which was focused upon what he considered the inadequacies of Commission procedures in this type of case, and in which he took exception to all the rulings made concerning the procedure. His statement is attached hereto, marked exhibit III.

In support of his contentions, Mr. Hilmer read into the record copies of a large number of letters from Members of the Senate and the House of Representatives. Many of these were recognized by the Board as letters concerning the Michael Greenberg case and the David Wahl case—previously considered by the Commission. These letters are attached as exhibit IV.

At the conclusion of Mr. Hilmer's opening statement, Mr. Olson, acting both as counsel for Mr. Wheeler and also as spokesman for Congressman John M. Coffee, asked to be heard. He stated that he was authorized to question the authority under which and by which Federal funds were expended by the Commission to conduct a hearing of this type. He stated that he was also authorized to request a copy of the entire record upon which the Commission based its charges and its decision contained in the letter of January 2, 1945, to the Foreign Economic Administration. Other requests made in behalf of Congressman Coffee are to be found in the transcript of Mr. Olson's statement (see exhibit V).

Mr. Olson then asked to be sworn, and made a statement for Congressman Coffee which he stated he had been authorized to make concerning Mr. Wheeler's loyalty and suitability for Federal employment. This statement, which was a strong endorsement of Mr. Wheeler and indicated his confidence in all the witnesses to be presented by Mr. Wheeler, appears in exhibit V, which exhibit is the complete transcript of Mr. Olson's testimony.

In connection with requests for a transcript of the present hearing, it was pointed out to Mr. Hilmer at the conclusion of the hearing that to transcribe the entire record would consume a considerable length of time. It was suggested that the large number of letters offered as evidence be attached to the record as exhibits and thereby shorten the period of transcribing. This was objected to by Mr. Hilmer, who insisted that the hearing be transcribed completely, just as it was conducted, so that each matter, including all letters, would appear exactly in the order presented. Several off-the-record discussions were had regarding the length of time necessary to transcribe the record in this fashion. As a result of consultation with the two stenographic reporters, it appeared that more than a month might be required, particularly in view of the fact that both stenographers are engaged in recording veterans' appeal hearings, which, of course, have priority, and also must take care of other regularly scheduled hearings.

In connection with this discussion, attention is called to Mr. Hilmer's statement on page 4 of exhibit VI, in which he says:

"As some of the letters addressed to the Commission indicate and as one of my letters had indicated, I understand that a number of Senators and Congressmen who are deeply concerned as I am, as we are, over the procedures in these cases have indicated a desire if it was feasible for them to attend these hearings or send representatives. Unfortunately, with 1 or 2 exceptions these Senators and Congressmen have not found it feasible to attend or to be represented here, but I understand that some of them do very earnestly desire in lieu of that to have an opportunity of studying the transcript in this record and that some requests for the transcript have been made and will be made. So that for the larger interest, if I may call it that—the larger interest in this whole kind of case, particularly in view of the pendency of certain bills in the Congress relating to these procedures, might better be served, even at the expense of some delay in the transcription of the record, if the record is complete in every detail."

It is quite apparent from Mr. Hilmer's statement that he desired this transcript for other purposes than, or in addition to, the defense of Mr. Wheeler. A request for a copy of the hearing has been received from Senator WAYNE MORSE, and from Mr. Hilmer's statement, it would appear that other such requests may be made.

The Board wishes to call attention to the fact that the hearing has not yet been transcribed. In view of the urgent requests for expeditious consideration of this case, the Board at this time is undertaking to handle it in accordance with regular practice in cases where the Board members unanimously agree upon a favorable recommendation. In such cases, transcripts are not made unless the Commission specifically requests them. Furthermore, in view of the necessity for eliminating any work not essential to reaching a decision, it is believed that the expense involved would not be justified without prior approval of the Commission.

If the Commission wishes to have the hearing fully transcribed either before passing upon the case or after it has reconsidered the case and made a decision, or if the Commission wishes any action to be taken on the several requests relative to the furnishing of a copy of the hearings or of other information in the file, the Board will appreciate instructions.

The following persons appeared as witnesses for Mr. Wheeler (in order of appearance): Mr. Paul A. Olson, secretary to Congressman John M. Coffee; Capt. Louis E. Madison, United States Army, Office of Strategic Services; Capt. Robert J. Wieferich, United States Army, Second Infantry Division; Mr. Joseph Harold Fitzgerald, chief statistician, Foreign Economic Administration; Lt. Col. David A. Morse, United States Army, demobilized, since September 17, 1945, General Counsel for the National Labor Relations Board; Maj. Mortimer Reimer, United States Army; Mr. Irving J. Levy, Department of Justice.

All of these witnesses testified that Mr. Wheeler is and always has been a man of integrity who is entirely loyal to the United States; that he is a person of independent thought and judgment and so would be unable to conform to the dictates of the Communist Party or to follow the Communist Party line or any other arbitrary line; and each expressed surprise that any responsible person would ever question Mr. Wheeler's loyalty. Each indicated the period and nature of association. Several had visited the Wheeler farm in Vienna, Virginia, and although there was agreement that several organizations, such as a Federal employee union and the Washington Committee for Aid to China, has held picnics there, all these witnesses stated positively that to their knowledge no meetings of the Communist Party or any other subversive group had ever been held there.

The testimony of Lt. Col. David A. Morse is particularly significant in that it covers Mr. Wheeler's activities in Europe—a period not covered by the investigation—and his testimony represents the well-considered opinion of a high Army officer who was Mr. Wheeler's superior in connection with effectuation of the United States policy of denazification in Germany.

Lieutenant Colonel Morse testified that he had knowledge of the Commission's ruling in January 1945, while Mr. Wheeler was stationed in London, and that after careful consideration and consultation with General Wickersham and other superior officers of Mr. Wheeler, including the Chief of the Foreign Economic Administration Commission at the American Embassy in London, he assumed responsibility for retaining Mr. Wheeler. After observing Mr. Wheeler's actions from that time on, Lieutenant Colonel Morse stated that he could now say that he believed Mr. Wheeler to be a loyal and conscientious American. In view of the importance which the Board attaches to Lieutenant Colonel Morse's favorable testimony, in that it covers the European period and apparently reflects the attitude of Wheeler's superiors in the Army, this witness' testimony has been transcribed and appears as exhibit VII.

The file also contains a number of favorable letters (exhibit VIII) from Government officials and other responsible persons, including those recently sent by Lieutenant Colonel Morse (to which letter he refers in his testimony), Maj. Gen. Philip B. Fleming, Brig. Gen. Frank A. McSherry, Senator Wayne Morse, Representative Charles R. Savage, Mr. Harry A. Millis, Mrs. Arthur Burns, Mr. Mortimer Graves, and others. Such endorsement and recommendations from high military officers, from members of the Senate and the House of Representatives and others must be given due consideration. In the Board's opinion, they add materially to the information that was before the Commission in 1944 when the case was previously considered.

Mr. Wheeler made a favorable impression upon the Board. He emphatically denied ever having been a member of the Communist Party or ever having followed the party line. While testimony of witnesses (not records) indicated that he resigned from the Socialist Party in 1939 at the time of the Stalin-Hitler pact, Mr. Wheeler stated, under examination by his counsel and further questioning by the Board, that he withdrew from the Socialist Party some 2 or 3 years prior to 1939, specifically, at the time party dues were raised beyond what he thought he could reasonably afford. (Mr. Wheeler suggested that records of the Socialist Party be checked by the Commission for verification of his statement. The Board has attempted to obtain information from the Party headquarters in Washington, D. C., but to date has been unable to reach any official. The office has not been open and the only official referred to is out of town.)

Mr. Wheeler denied membership in any activity in the American Peace Mobilization,

American Peoples Mobilization, International Labor Defense, or the American Youth Congress. He admitted membership in the Washington Committee for Democratic Action for about 2 years (1939 and 1940) during which he attended at least 4 or 5 meetings. With respect to the American League for Peace and Democracy, he admitted he was probably a member, but not an officer; that he attended meetings over a period of 2 or 3 years ending in about 1940, and spoke from the floor against the dissolution of the organization; he stated he favored its foreign policy with respect to the Spanish and Japanese situations at that time.

He stated that he was proud of his official connection, for about 2 years, with the Washington Committee for Aid to China, which connections ceased when the organization went out of existence after Pearl Harbor because the reasons for such an organization vanished. Mr. Wheeler stated that he was interested in this committee because of his agreement with its opposition to the shipment of war materials to Japan and, secondly, because of its program of relief for the Chinese people. He vigorously denied knowledge of any Communistic connections on the part of the organization, referred to Mortimer Graves' letter and suggested that Mr. Graves be consulted for any further information concerning the organization. Mr. Wheeler was unable to answer several questions about the financing of the committee and withdrawal of certain sponsors, giving as his reason that his Government position at that time required frequent field trips.

With respect ot the Russian purge trials in approximately 1935, he said that while they could not be considered democratic in our understanding of the term, he was under the impression that they did nevertheless follow standard continental procedures; and that it was his understanding that this opinion was similar to that of several eminent authorities, including Ambassador Davies.

In connection with his denial of having followed specific changes in the Communist Party lines, he asserted that he continued to be a staunch advocate of collective security after the Stalin-Hitler pact in 1939; and that he had never at any time been an isolationist.

The Board believes that the original decision in this borderline case was well considered on the evidence then before the Board and the Commission. However, in light of the testimony of Lieutenant Colonel Morse and the letter of recommendation from General McSherry, Army officials under whom Mr. Wheeler worked while he was in Europe, which officials have expressed complete satisfaction with his performance and have vouched for his loyalty, and in view of the recommendations of other responsible public officials, the Board recommends that the previous decision be withdrawn and Mr. Wheeler be rated eligible. (Such decision will result in removing the flag and restoring any applications or eligibilities previously cancelled.)

L. MELOY, November 6, 1945.
R. J. FENN, November 6, 1945.
K. A. FREDERIC, November 6, 1945.

NOVEMBER 9, 1945.

Mr. VIPOND: From my study of the record in this case I believe the Commission's adverse decision of December 28, 1944 (minute 4 of January 9, 1945), on the basis of the evidence then before it was entirely proper. However, it was developed at the hearing that subsequent to the investigations the applicant was sent abroad where he performed work of a highly confidential and secretive nature for the United States Group of the Allied Control Council for the Occupation of Germany. His official superiors, who occupy high executive positions in this government, have expressed implicit confidence in his loyalty and ability. There still remains some doubt in my mind as to whether his choice was a wise one, but as the record now stands, I believe the weight of evidence is in his favor and, under the circumstances, I join with the Loyalty Rating Board in recommending reversal of the previous action.

Regarding the request to transcribe the hearing, it appears that a transcription is unnecessary for a determination of the appeal and to do so would involve a considerable amount of work on an already overburdened staff. It is accordingly recommended that the hearing be not transcribed. The reason for this action, I feel sure, can be explained to the satisfaction of the interested Members of Congress, if not to the attorney for the applicant.

F. S., November 9, 1945.
Farrar Smith.

I concur on both points.

H. C. VIPOND,
November 13, 1945.

In order to dispel any remaining doubt concerning the part played by David A. Morse in the retention of George Shaw Wheeler, I shall read a letter written to Mr. Morse by Arthur S. Flemming after the Wheeler case was closed:

Mr. DAVID A. MORSE,
Office of the General Counsel,
National Labor Relations Board,
Washington, D. C.

MY DEAR MR. MORSE: Further reference is made to your letter of December 1, 1945, relative to Mr. George S. Wheeler.

The Commission wishes to express its appreciation for your appearance at the hearing afforded Mr. Wheeler before the Commission's representative. Your testimony at the hearing together with letters of recommendation from Brig. Gen. Frank J. McSherry and Maj. Gen. Philip B. Fleming was extremely important in arriving at a conclusion in Mr. Wheeler's case, particularly in view of the fact that Mr. Wheeler had been under your supervision during his duty overseas. Based primarily upon your testimony, the Commission has concluded that Mr. Wheeler is suitable for Federal employment both as to suitability and loyalty, and Mr. Wheeler has been so notified.

Very sincerely yours,
ARTHUR S. FLEMMING,
Commissioner.

The Arthur S. Flemming who wrote this letter when he was a Civil Service Commissioner is listed in the February 1954 issue of the Congressional Directory as holding the following responsible government posts: Director of the Office of Defense Mobilization and Chairman of the Defense Mobilization Board; member of the National Security Council; and one of the Commissioners of the Commission on Organization of the Executive Branch of Government.

Mr. Speaker, time after time, I have called to the attention of members of this body the serious situation existing in the Executive Branch of our Government which made it possible for persons of questionable loyalty to secure important Federal positions and to retain them.

As heretofore noted, one of the observers at the hearing given George Shaw Wheeler by the Civil Service Commission was Mr. Wheeler's brother, Donald Wheeler. If the records of the Civil Service Commission were made available to congressional committees of Congress, I assure you those records would disclose that Donald Wheeler was also given preferential treatment. Donald Wheeler was identified by Elizabeth Bentley as a member of the Victor Perlo group of Communists working in the Government—hearings regarding Communist espionage in the United States, Committee on Un-American Activities, 1948, pages 5, 12, and 13. Donald Wheeler was questioned by the House Committee on Un-American Activities regarding his Communist membership and activities, and sought refuge behind the fifth amendment.

The records of the Civil Service Commission will show that Donald Wheeler was cleared and approved for Government service.

The case of George Shaw Wheeler is another illustration. There is no way for me to estimate how much the many investigations of this man have cost the Government. There can be no doubt as to the results of the investigation conducted by the Civil Service Commission. The evidence was sufficient to cause not only the Loyalty Board, but the three Civil Service Commissioners, to conclude that George Shaw Wheeler was not suitable for Government service. Yet, these same people later succumbed to the pressure of high Government officials. Disregarding the result of their own investigation, they changed their collective minds, and gave their official approval to another person of questionable loyalty.

Mr. Speaker, I wish to emphasize the fact that this is not an isolated case on which the Civil Service Commission succumbed to outside pressure, resulting in the Commission's reversing its decision on an employee that should have been separated from the Government, and declaring him eligible after he had been determined ineligible.

I illustrated this point very clearly, I believe, when I testified as a witness before the House Committee on Un-American Activities on August 5, 1948—pages 623 to 642, inclusive, of the hearings regarding Communist espionage in the United States. During my testimony, I read into the record of the hearings on that day an exchange of correspondence between Arthur S. Flemming and myself, which proved conclusively that, after the Civil Service Commission had made a determination that Carl Aldo Marzani and Nathan Gregory Silvermaster were ineligible for Federal employment the Commission again succumbed to outside influence, and reversed its findings in order to rate these two well-known Communists as eligible for Federal employment. This, in spite of the fact that Mr. Arthur S. Flemming, when testifying before a subcommittee on Appropriations of the House of Representatives on December 12, 1940, said:

> In connection with all our investigations, we are keeping this policy in mind: If we find anybody has had any associations with the Communists or the German Bund, or any other foreign organizations of that kind, that person is disqualified immediately. All doubts are being resolved in favor of the Government.

The person primarily responsible for the retention of George Shaw Wheeler was David A. Morse. This is the man who is now the Director General of the

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International Labor Organization. Let me make myself clear. It is not my contention that there is any question concerning the loyalty of Mr. Morse, but I do insist that there is grave reason to doubt his judgment and his fitness for the position he now holds.

A similar doubt exists regarding the fitness of those people in the Civil Service Commission who participated in the whitewash of George Shaw Wheeler. Of those 3 Civil Service Commissioners, 2 are no longer in the Government service; but 1, Arthur S. Flemming, as I pointed out previously, now holds 4 high offices in agencies of Government which are of vital importance to the welfare and security of our Nation.

The executive director of the Civil Service Commission at that time, Lawson O. Moyer, and his assistant, Farrar Smith, have retired. The three members of the Loyalty Board, Lawrence V. Meloy, Katherine A. Frederic, and Robert J. Fenn, still remain with the Civil Service Commission; Meloy presently holding the position of chief law officer.

The tragic thing about this picture is the fact that the people responsible for this situation are still around in Government.

It is high time that the Civil Service Commission reviews its own records and rids the agency of those employees whose softness or indifference toward Communists and others of questionable loyalty have resulted in the Government service becoming honeycombed with such persons as George Shaw Wheeler.

Mr. Speaker, this is not the first time attention has been directed to this George Shaw Wheeler case, as well as the part played by David A. Morse, Max Lowenthal, Allan R. Rosenberg, David Wahl, and others. I refer to speeches made on this floor by Representative DONDERO, of Michigan, on July 9, 1947; April 6, 1948; February 26, 1948; September 1, 1950; and February 8, 1951.

In view of the facts which I have spread on the record, it is indeed very easy to understand why David A. Morse, the Director General of the International Labor Organization, would like to forget the very important part he took in having George Shaw Wheeler retained in Federal employment. There is no doubt in my mind but that Mr. Morse may have wished many times, since Wheeler fled behind the Iron Curtain, that he had not gone all out in his efforts to keep Wheeler on the Federal payroll in a very important and strategic position, where Wheeler could work for the cause of communism.

The tragedy is that the cases of Wheeler, Marzani, and Silvermaster were not isolated cases, but that they followed a pattern. Even more of a tragedy is the fact that, for the most part, the same people, who were obsessed with the idea that we should be kind, soft, and easy with Communists during the Roosevelt and Truman administrations, are still in Government positions, and, in many cases, have received promotions.

Mr. Speaker, I ask a simple question: Can anyone please tell me what a single one of the leftwing radio commentators, columnists, and newspaper reporters—whose principal theme is always "be good to Communists" and who delight in slanting their material in a pro-Communist, anti-American way, with a sneer, a slur, and a smear at congressional investigating committees—has done to eradicate the Marxist Communist menace not only from our Government, but from the United States and the world?

In view of all the evidence that has been unearthed by various congressional committees during 1953 and so far in 1954, and in view of the constant progress of Soviet Russia in her program of world revolution—which is responsible for the predicament of the world today—it is nothing short of treason for individuals in the various departments of our Government to spend so much of their time trying to discredit the work of the various investigating committees of Congress.

Because of world conditions, it is high time that everyone—Democrats and Republicans—recognize the real dangers of Marxist communism and put up a united front against the real enemy of our country.

Mr. Speaker, I pray to God that this unanimity of purpose will be accomplished before long; otherwise, freedom and liberty, as we know them under our republican form of government, will vanish forever.

SPECIAL ORDER GRANTED

Mr. BONNER asked and was given permission to address the House for 15 minutes tomorrow, following any special orders heretofore entered.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HILLINGS (at the request of Mr. HILL).

Mr. POFF and to include extraneous matter.

Mr. REED of New York.

Mr. NATCHER and to include an editorial.

Mr. PATMAN.

Mr. KELLEY of Pennsylvania (at the request of Mr. WIER).

Mr. SPRINGER (at the request of Mr. MCGREGOR).

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1303. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan; to the Committee on the Judiciary.

S. 2802. An act to further encourage the distribution of fishery products, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 3245. An act to provide emergency credit; to the Committee on Agriculture.

ADJOURNMENT

Mr. MCGREGOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 18, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1539. A letter from the secretary, the American Society of International Law, transmitting the annual audit by a certified public accountant of the financial transactions and of the corporate books and records pertinent thereto for the year ended December 31, 1952, pursuant to section 9 of the act of September 20, 1950, to incorporate the American Society of International Law (64 Stat. 869); to the Committee on the Judiciary.

1540. A letter from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1955, involving an increase of $2,598,075 for the legislative branch (H. Doc. No. 392); to the Committee on Appropriations and ordered to be printed.

1541. A letter from the Governor, Farm Credit Administration, transmitting a draft of legislation entitled "A bill to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes"; to the Committee on Agriculture.

1542. A letter from the Director, Foreign Operations Administration, transmitting the Fourth Semiannual Report on Operations, pursuant to the Mutual Defense Assistance Control Act of 1951 (Battle Act); to the Committee on Foreign Affairs.

1543. A letter from the Assistant Secretary of the Interior, transmitting one copy each of certain legislation enacted into laws by the Second Guam Legislature, pursuant to section 19 of Public Law 630, 81st Congress; to the Committee on Interior and Insular Affairs.

1544. A letter from the Administrative Assistant, Secretary of the Interior, transmitting the annual statement of fiscal affairs of Indian tribes by States and jurisdictions, for the fiscal year ending June 30, 1953, pursuant to the act of March 3, 1911 (36 Stat. 1058–1077); to the Committee on Interior and Insular Affairs.

1545. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department of Commerce on the activities and transactions of the Administration for January 1, 1954, through March 31, 1954, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

1546. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugees Relief Act of 1953; to the Committee on the Judiciary.

1547. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a)); to the Committee on the Judiciary.

1548. A letter from the Acting Secretary of the Treasury, transmitting the annual report of the Federal Bureau of Narcotics for the calendar year ended December 31, 1953, pursuant to section 1 of the act of June 14, 1930; to the Committee on Ways and Means.

1549. A letter from the Deputy Under Secretary of State, transmitting a draft of legislation entitled "A bill to provide for an extension on a reciprocal basis of the period of

the free entry of Philippine articles in the United States"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOPE: Committee on Agriculture. H. R. 8748. A bill to amend the act of April 6, 1949, as amended by the act of July 14, 1953, to improve the program of emergency loans, and for other purposes; with amendment (Rept. No. 1604). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee of conference. H. R. 1815. A bill to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes; without amendment (Rept. No. 1605). Ordered to be printed.

Mr. ARENDS: Committee on Armed Services. H. R. 1426. A bill to further amend the provisions of the acts authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of persons in the Armed Forces; with amendment (Rept. No. 1606). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARENDS: Committee on Armed Services. H. R. 6725. A bill to extend the authority for the appointment of certain officers in the Regular Navy and Marine Corps; with amendment (Rept. No. 1607). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. H. R. 8456. A bill to provide for the conveyance of certain hospital supplies and equipment of the United States to the city of Gulfport and to Harrison County, Miss.; without amendment (Rept. No. 1608). Referred to the Committee of the Whole House on the State of the Union.

Mr. HILL: Select Committtee on Small Business. Progress report, first session of the Select Committee on Small Business pursuant to House Resolution 22; without amendment (Rept. No. 1610). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARENDS: Committee on Armed Services. H. R. 8635. A bill to affirm the temporary appointments of certain officers of the Navy, and for other purposes; with amendment (Rept. No. 1611). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHORT: Committee on Armed Services. H. R. 9004. A bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; without amendment (Rept. No. 1609). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of Pennsylvania:

H. R. 9151. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 9152. A bill to amend the Federal Communications Act of 1934 so as to prohibit commercial sponsorship of televised or radio coverage of congressional hearings or proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H. R. 9153. A bill to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, cigarettes, cigars, smoking tobacco, or chewing tobacco; to the Committee on Interstate and Foreign Commerce.

By Mr. FARRINGTON:

H. R. 9154. A bill to provide that the decennial census of agriculture shall include Hawaii; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H. R. 9155. A bill to require Federal purchasing agencies to observe State laws governing minimum milk prices; to the Committee on Agriculture.

By Mr. HARRISON of Nebraska:

H. R. 9156. A bill to provide that the reservoir on the Missouri River, S. Dak. and Nebr., back of the dam at Gavin's Point, shall be known as Forsyth Reservoir; to the Committee on Public Works.

By Mr. HOFFMAN of Michigan (by request):

H. R. 9157. A bill to limit the acquisition and use by agencies of the Federal Government of equipment for reproducing documents, drawings, papers, etc., on sensitized materials; to the Committee on House Administration.

By Mr. HOWELL:

H. R. 9158. A bill to amend section 9 (h) of the National Labor Relations Act, as amended, to bring about more effective enforcement of the non-Communist affadavit provisions of the Labor Management Relations Act; to the Committee on Education and Labor.

By Mr. HUNTER:

H. R. 9159. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H. R. 9160. A bill to increase the enlisted strength of organized units of the reserve components; to the Committee on Armed Services.

By Mr. KEARNS:

H. R. 9161. A bill to provide for granting to officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, and the White House and United States Park Police forces additional compensation for working on part holidays; to the Committee on the District of Columbia.

By Mr. MACK of Washington:

H. R. 9162. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. MARTIN of Iowa:

H. R. 9163. A bill to amend the Internal Revenue Code to permit the filing of oral prescriptions for certain drugs, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of California:

H. R. 9164. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide a uniform rate for the computation of all annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Minnesota (by request):

H. R. 9165. A bill to amend section 7 of article I, title V, of the District of Columbia Revenue Act of 1939 (53 Stat. 1114, ch. 367; title 47, ch. 16, sec. 1607, D. C. Code, 1951), relating to inheritance taxes; to the Committee on the District of Columbia.

H. R. 9166. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of new chemical additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

H. R. 9167. A bill to amend section 2, article I, title V, of the District of Columbia Revenue Act of 1939 (53 Stat. 1112, ch. 367; title 47, ch. 16, sec. 1602, D. C. Code, 1951), relating to inheritance taxes; to the Committee on the District of Columbia.

By Mr. POLK:

H. R. 9168. A bill to amend Public Law 815, 81st Congress, so as to extend for 2 additional years the program of assistance for school construction under title III of that act; to the Committee on Education and Labor.

By Mr. RADWAN:

H. R. 9169. A bill to amend the veterans regulations to provide that psychoses or multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service connected; to the Committee on Veterans' Affairs.

By Mr. REED of Illinois:

H. R. 9170. A bill to amend title 18, United States Code, chapter 79, to add a new section 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 9171. A bill to provide additional time to disabled veterans for filing application for assistance in purchasing an automobile or other conveyance and to make such assistance available to certain disabled persons who have not been separated from the active service; to the Committee on Veterans' Affairs.

H. R. 9172. A bill to provide for the establishment of a Veterans' Administration domiciliary facility at the Cushing Veterans' Administration Hospital at Framingham, Mass.; to the Committee on Veterans' Affairs.

By Mr. SECREST:

H. R. 9173. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. SCUDDER:

H. R. 9174. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. SPRINGER:

H. R. 9175. A bill providing relief against certain forms of discrimination in interstate transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H. R. 9176. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

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By Mr. THOMPSON of Louisiana:

H. R. 9177. A bill to assist certain classes of municipalities to finance vitally needed and specific types of public works by providing for a guaranty by the United States of approved bonds hereafter issued by these municipalities; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 9178. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. YORTY:

H. R. 9179. A bill to authorize grants to the States for public elementary and secondary school construction; to the Committee on Education and Labor.

By Mr. REED of Illinois:

H. J. Res. 527. Joint resolution to provide for the protection of defense facilities; to the Committee on the Judiciary.

H. J. Res. 528. Joint resolution to provide for the dissolution of Communist-infiltrated organizations; to the Committee on the Judiciary.

By Mr. BATES:

H. Res. 549. Resolution creating a select committee to conduct an investigation and study of the benefits provided under Federal law for the surviving dependents of deceased members and former members of the Armed Forces; to the Committee on Rules.

By Mr. MEADER:

H. Res. 550. Resolution to amend certain provisions of rule XI of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to take necessary action to insure that the season for hunting ducks in Mississippi shall be set for the 55-day period preceding January 31 rather than for the 55 days preceding January 10; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINE:

H. R. 9180. A bill for the relief of Delmara Jerucia Roper; to the Committee on the Judiciary.

By Mr. JACKSON:

H. R. 9181. A bill for the relief of David Thomas; to the Committee on the Judiciary.

By Mr. JONAS of Illinois:

H. R. 9182. A bill for the relief of John William Scholtes; to the Commitee on the Judiciary.

By Mr. POWELL:

H. R. 9183. A bill for the relief of Isidro Thomas; to the Committee on the Judiciary.

By Mr. SHORT:

H. R. 9184. A bill for the relief of Erika Rambauske; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

740. By Mr. CURTIS of Massachusetts: Petition of the Protestant Episcopal diocese of Massachusetts, regarding surplus food; to the Committee on Agriculture.

741. Also, petition of the Protestant Episcopal diocese of Massachusetts regarding United Nations; to the Committee on Foreign Affairs.

742. By Mr. GRAHAM: Petition of 45 residents of Lawrence County, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

743. By Mr. HARRISON of Virginia: Petition of certain citizens of Shenandoah, Clarke, Frederick, and Nelson Counties, Va., citing excesses in advertising of alcoholic beverages by newspaper, periodical, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

744. Also, petition of certain citizens of Augusta and Rockingham Counties and the cities of Staunton, Waynesboro, and Harrisonburg, Va., citing excesses in advertising of alcoholic beverages by newspaper, periodical, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

745. By Mr. JONES of Alabama: Petition of Edgar A. Self, president, commission on education, Central Methodist Church, Decatur, Ala.; Miss Lorna May McKinney, president, Youth Temperance Council, Central Methodist Church, Decatur, Ala.; Mrs. L. L. McCulloch, vice president, WCTU, Decatur, Ala.; and Mrs. Aubrey R. McKinney, president, WCTU, Decatur, Ala.; and Mrs. W. C. Self, secretary, WCTU, Decatur, Ala., favoring H. R. 1227; to the Committee on Interstate and Foreign Commerce.

746. By Mr. NEAL: Petition of 300 members of the West Virginia Woman's Christian Temperance Union in favor of H. R. 1227, the Bryson bill, to prohibit the advertising of alcoholic beverages over television and radio and in newspapers and magazines; to the Committee on Interstate and Foreign Commerce.

747. By the SPEAKER: Petition of the city clerk, Chelsea, Mass., relative to Senate Joint Resolution 126, relating to amending the pledge of allegiance to the flag, and requesting that the board of aldermen go on record as endorsing the insertion of the two words "under God"; to the Committee on the Judiciary.

748. Also, petition of the executive secretary, the Pittsburgh Baptist Association, Pittsburgh, Pa., requesting Congress to give serious study to the need for corrective legislation to the end that basic human liberties shall be rigorously protected, and that the investigative powers of Congress shall not be abused; to the Committee on Rules.

749. Also, petition of Mrs. Charles H. Nutting and others, of Ormond Beach, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Mahomet High Seniors Typify Best in Youth

EXTENSION OF REMARKS

OF

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1954

Mr. SPRINGER. Mr. Speaker, many of my colleagues here in the House have been deeply disturbed during the past few months at the reports that have been coming into Washington from all over the country as to the prevalence of juvenile delinquency. There have been many stories even on the local situation in Washington where children enjoy advantages far beyond those in many rural areas of the United States.

In my previous experience as a judge, I have listened to many of these cases both from the standpoint of the children and of their parents and of community officials and officers who have been forced to take action. However, for every case of a delinquent child which receives publicity in the newspaper, there are thousands who are doing well. Sometimes I think we fail to emphasize the importance of those children who are doing a good job in the light of their training both at home and at school.

In a community in Champaign County, Ill., the home of a high-school teacher was recently completely destroyed by fire. The senior class in the Mahomet (Ill.) Senior High School had raised some $800 to take a week's trip to the Ozark Mountains in May. When these children heard of this loss they came together and voted to donate the entire $800 to the teacher and her husband to assist them in replacing their home.

As long as we have this kind of a spirit existing in America among young people, I still have a great faith in our country. I dare say there are similar children in every community in this land. Sometimes it only takes a challenge such as was presented in this case to bring out the real worthwhileness of those children.

I am appending herewith an editorial from the News-Gazette of Champaign-Urbana, Ill., as of May 11, 1954, commending these students for an outstanding job well done, and I personally wish to add my commendation to these children:

MAHOMET HIGH SENIORS TYPIFY BEST IN YOUTH

In these days of increased juvenile delinquency, it is refreshing to learn that there are many good youths, capable of good deeds.

In the past few weeks, a rash of vandalism by a few youths has given their friends and their friends a black eye in the eyes of their elders.

Redeeming is the action of 26 Mahomet High School seniors.

Last Friday, the farm home of Dean and Mrs. Calvin Sifferd near Urbana was destroyed by fire. Mrs. Sifferd, for the past 6 years, has been English teacher at Mahomet High School.

Monday morning, Marilyn Ninmer, president of the Mahomet senior class, called a special meeting of the group. When the meeting was over, by secret ballot, the seniors had voted to give Mrs. Sifferd the $800 they had accumulated for a 6-day trip to the Ozarks later in May.

As long as there are such youths as these Mahomet High School seniors, there is no need for despair of today's youth.

The Langer-Bryson Bills

EXTENSION OF REMARKS
OF
HON. RICHARD H. POFF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 17, 1954

Mr. POFF. Mr. Speaker, I call to the attention of the chairman and members of the Interstate and Foreign Commerce Committee that I have received in the last several weeks from churches, church organizations, civic clubs, and individuals from all walks of life a total of 226 personal letters and 68 petitions bearing the signatures of 1,889 constituents urging the passage of H. R. 1227 and S. 3294, popularly known as the Bryson bill and the Langer bill, respectively.

Of course, the House will not have an opportunity to pass upon the Langer bill until the Senate, where it was introduced, has acted upon it. However, it is similar in content and purpose to the Bryson bill which has been referred to your committee, with the provisions of which each Member of this House is or should be, familiar. For the sake of clarity, however, I herewith quote the language of the Bryson bill in its entirety:

Be it enacted, etc., That it shall be unlawful for any distiller, brewer, vintner, manufacturer, wholesaler, or retailer or for the agent, broker, or factor of any of them, engaged in the sale of alcoholic beverages to cause to be transported in the mails or otherwise from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, newsreel, photographic film, or record for mechanical reproduction advertising alcoholic beverages or containing the solicitation of an order for alcoholic beverages.

SEC. 2. It shall be unlawful for any publisher or for the agent of any publisher to cause to be transported in the mails or otherwise from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, newsreel, photographic film, or record for mechanical reproduction advertising alcoholic beverages or containing the solicitation of an order for alcoholic beverages.

SEC. 3. It shall be unlawful for any common carrier or for any private carrier for hire to transport from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, newsreel, photographic film, or record for mechanical reproduction advertising alcoholic beverages or containing the solicitation of any order for alcoholic beverages.

SEC. 4. It shall be unlawful to broadcast by means of any radio station for which a license is required by any law of the United States, or for any person operating any such station, to permit the broadcasting of any advertisement of alcoholic beverages or the solicitation of an order for alcoholic beverages.

SEC. 5. No letter, postal card, circular, or pamphlet of any kind containing any advertisement of alcoholic beverages or a solicitation of an order for alcoholic beverages shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier, when addressed or directed to any place in any State or Territory of the United States, or the District of Columbia, at which it is by the law in force in the State or Territory or the District of Columbia at the time unlawful to advertise or solicit orders for such beverages.

SEC. 6. When applied to any advertisement or solicitation of an order, the term "alcoholic beverages," as used in this act, shall be construed to include any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit to use for beverage purposes as defined by the law of the State or Territory or District of Columbia into which such advertisement or solicitation of an order may be transported. The Postmaster General is authorized and directed to issue annual bulletins or notices giving the names of the States in which it is unlawful to advertise or solicit orders for alcoholic beverages.

SEC. 7. Any person knowingly violating any of the provisions of this act shall be fined not less than $100 nor more than $1,000 or imprisonment not less than 6 months nor more than 1 year, or both; and for any subsequent offense shall be imprisoned not less than 1 year.

Mr. Speaker, I have been much disturbed by the growing liquor problem in our great Nation. Last year while the Congress was in recess, I was shocked to learn of the Defense Department directive legalizing the sale of bottle liquor on military posts. On November 24, 1953, in a speech before a joint meeting of the Williamson Road Lions Club and the Villa Heights Lions Club in Roanoke, Va., I made the following remarks:

Personally and as a representative of my people, I indignantly protest the outrageous action of the Pentagon bureaucrats in legalizing the bottle sale of liquor on military posts. While Congress was in session, I did everything in my power to help block it, and when Congress reconvenes in January, I intend to redouble my efforts to have this insane action rescinded.

No one offers any sound reason to justify it. The only excuse advanced is that our servicemen can buy all of the liquor they want off the post anyway. This is a foolish argument. The boys can buy all of the narcotics they want off the post, too, but that would not justify their sale on the posts. Instead of making it easier, the military authorities should be striving to make it harder for our fighting men to obtain intoxicating beverages. The great bulk of our service personnel are in their young, habit-forming years. They are away from home, lonely, out of touch with their parents, neighbors, and churches. Often they are restricted to their bases for weeks at a time, and with a liquor store next door to the PX, the pastime of their off-duty hours soon would be a dormitory cocktail party.

Entirely aside from the moral issue involved is the issue of States rights. Many States, like Virginia, maintain strict supervision and control over the sale of liquor. They own and operate the retail outlets and make the laws with respect to buyers, price, resale, storage, et cetera. This new regulation would completely thwart our laws in Virginia. Sales to minors could be made on the Federal posts in utter disregard of Virginia law. The liquor, which would be bought direct from the distillers, would escape State taxation in many cases. Moreover, this cheap liquor would be an open invitation to bootlegging.

I am pleased to say that after Congress reconvened in January 1954, this scandalous directive was countermanded, for which all thoughtful Americans, and more particularly those parents who have or later may have a son or daughter in the Armed Forces, should be grateful.

An aroused American public, Mr. Speaker, is the most powerful force on earth. These letters and petitions, I submit, demonstrate the development of a strong ground swell of public ire and fire which has long been smoldering in unvocal breasts awaiting only the spark which will ignite it into the unquenchable flame of united action. More particularly in this dark hour of national and international tension and crisis, the security of our Nation depends upon the sobriety of our people. This is especially true of the young people who follow in our train. We who mold the environment in which they are raised hold in our hands the seeds of their destiny. Let us be careful to sow good seeds and we may be certain that they will fall in fertile ground.

But whoso shall offend one of these little ones * * * it were better for him that a millstone were hanged about his neck, and that he were drowned in the depth of the sea. (Matthew 18: 6.)

In the name of those who have so courageously written these letters and signed these petitions, I call upon this great committee to take this bill out of its pigeonhole, hold hearings and report it favorably to the floor where all of the representatives of all of the American people may work the composite will of the House upon it.

Is Doubt the Enemy a Graduate Faces?

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 17, 1954

Mr. NATCHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith an editorial entitled "Is Doubt the Enemy a Graduate Faces?" which appeared in the May 14, 1954, issue of the Courier-Journal of Louisville, Ky.

We know that the young hopefuls graduating from the state schools of the Soviet Union are in every respect graduating. This is no commencement for these young people but the culmination of a period of incubation and training to fit them into the mold of the Communist world. They are finished products and a blueprint has been made of their lives for them. They have no decisions to make and their highest ambition can only be utter and absolute conformity. All instruments of public opinion such as music, education, and the movies are under government direction and control. They have no bill of rights guarantee-

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ing to them their right to life, liberty, and the pursuit of happiness. Only God can help any of them who try to enlarge or break the mold by expressing any new or anti-Communist thought whether it is tried through teaching, the press, or any of the arts.

The thousands of young Americans graduating from our schools and colleges would under no circumstances trade the uncertainty of their future careers for the deadly certainty that awaits their young contemporaries in the Soviet Union. Here we have a liberal Constitution and a Bill of Rights guaranteeing to our young people their right to life, liberty, and the pursuit of happiness. Our young people should have no fear of ideas and realize that our Founding Fathers made freedom to think, to speak, to exchange ideas the very core of our Bill of Rights and the basis of the Government of the Republic. They should have no fear of being classed as liberals and should not be accused of being Communists just because they are concerned about our liberties, oppose religious prejudice, work for more effective labor unions or cultural exchange with foreign countries. They should understand fear of communism is causing us to confuse treason with dissent, and that it is leading us to abhor deviation of any kind. Regardless of the fact that a great many of our leaders are being frightened into reluctant conformity, our young graduates should take a stand for the rights of the unregimented mind not only for a desire for knowledge but for liberty of thought and speech as a right on which every person should be able to depend. We as Members of Congress, our schools, our courts, the press, our churches should be ever vigilant and assume the task of eliminating ignorance, thereby granting unto our young graduates proper conditions for the free movement of life, thought, speech, and a true affection for our country and its institutions.

I include at this point in the RECORD the editorial:

IS DOUBT THE ENEMY A GRADUATE FACES?

Many thousands of young Americans will soon be graduating from school or college. With appropriate oratory, they will be launched upon the often troubled seas of life.

At this same time of year, other thousands of young hopefuls will get their diplomas from the state schools of the Soviet Union, but they will emerge into no world of personal doubt. Their jobs and future careers will be assigned to them by the state.

Such assignments leave nothing to the choice of the individual. An official committee makes all the decisions. Each young man or woman is directed to the area and the job where his training can be most useful to the state. This may mean the assignment of a Moscow youth to a village in far Siberia. Only the lucky few are allowed to stay with their families in their own home towns.

As a proof that human nature still functions under even the tightest of Soviet controls, there is a crop of scandals about this time every year. The newspapers report with shocked disapproval that certain parents have tried to get special consideration for their children.

It is a criminal act to question the committee's decision. It is also a criminal act for any worker to leave his job at any time without official permission. Thus the young graduate's assignment is likely to be a sentence for life.

Some young Americans may feel that they are stepping out of the shelter of the classroom into a very uncertain world. Some may feel, perhaps, that life owes them a living, and a pretty good one at that. It would be a rare American graduate, however, who would trade the uncertainty of his future career for the deadly certainty that awaits his young contemporaries in the Soviet Union.

Taft-Hartley Fiasco—Hope on Social Security

EXTENSION OF REMARKS
OF
HON. AUGUSTINE B. KELLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 17, 1954

Mr. KELLEY of Pennsylvania. Mr. Speaker, the decision of the Republican leadership in Congress and in the administration Monday to shelve all efforts this session to change the Taft-Hartley Act was, of course, inevitable. When the Senate recommitted the bill last week—that is, sent it back to committee for further study—it was, in effect, declaring that the bill was to be buried for this year.

Under the circumstances, there was no surprise in the announcement at the White House Monday by House and Senate Republican leaders that there would be no more work done between now and congressional adjournment on this subject. We have been working on this bill in the House Committee on Education and Labor for many weeks, and, of course, that now turns out to have been a complete waste of time.

It was pretty obvious from the first that Taft-Hartley revision would not get anywhere in this session despite the President's professed desire to see some of the more extreme union-busting, antilabor provisions taken out of it. A moderate bill might have had some chance. But what the congressional Republicans most influential on labor-management legislation were insisting on was not a moderate improvement in the measure but rather a further restriction and kicking around of labor.

SOCIAL SECURITY IS ONE BRIGHT HOPE IN THIS CONGRESS

The fiasco on Taft-Hartley, the murder in the House of public housing, the extreme one-sidedness of tax legislation suggested by the Eisenhower administration to aid big business only and ignore little business and the average taxpayer, the indecision on agricultural policy, the failure to come forward with any practical solution to the widening recession—all these things make it clear that the GOP 83d Congress will have very little to brag about.

It still had a chance to make good on one promise which is popular with all of the people and which could be put through Congress promptly once the Republican leadership gets the wheels moving. I am speaking, of course, of an amended and improved social-security system.

While patiently waiting for the President to come forward with his program on social security, a large number of Democrats in the House introduced their own bill early this year. The President's subsequent proposals included most of these Democratic suggestions, some with modification.

For instance, we proposed that benefits be based on incomes up to $4,800 a year instead of the present $3,600; the President suggested a top of $4,200. Again, we suggested that a beneficiary be allowed to earn up to $1,200 a year instead of the present $900 top limitation; the President suggested $1,000. In most other respects, the President's proposals similarly closely follow if not echo the Democratic suggestions.

The one major difference in philosophy between the two sets of proposals—the other differences are mainly differences of degree—involves the treatment of workers who suffer complete physical disablement before reaching the retirement age of 65. Under the Democratic bill, such a worker could immediately begin collecting social security benefits; under the President's proposal, he would be kept on the rolls as if still working and would be excused from making any further contributions to the fund, but he would not receive benefits until he did reach retirement age.

In view of the general agreement among Republicans and Democrats on the need for improving social security, this is one type of legislation which could pass easily—if the Republican leadership of the Congress gets busy on it. Time is getting short.

Responsibility of Committee Members

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, May 17, 1954

Mr. REED of New York. Mr. Speaker, it may be that out of this recent war, with its ghastly toll of maimed, crazed, blinded, and dead, we shall be brought to a keener sense of our responsibility as citizens of a great Republic. The heritage of liberty and opportunity bequeathed to us as a sacred trust to be enjoyed and then passed on unimpaired can be preserved for future generations only by sacrifice on our part.

Perhaps I can illustrate what I have in mind by a story. During the early days of the Civil War, a young man from the State of Massachusetts enlisted in the Union Army. He fought so gallantly and so well that he was promoted to the rank of captain, and also granted a furlough. He returned home for a visit. The one person he was anxious to see was a teacher, a widow with several children, who had befriended him in his

youth. Her life had become a great struggle to keep her body and soul together. This young soldier suggested to his old teacher that he be permitted to take her small boy, Johnny, back with him to live in his tent and to become a drummer boy. The mother consented. The townspeople presented the young soldier with a gold-handled sword as a mark of their esteem. The captain and Johnny returned to the Army and occupied the same tent. One day the captain found Johnny reading a book. He inquired of Johnny what he was reading. Johnny replied, "The Bible." The captain said, "Johnny, never let me catch you reading in that book again; there is not a word of truth in it."

Tears came to Johnny's eyes and he replied, "But, Captain, I promised my mother I would read in the Bible every day." "Oh," said the captain, who was an atheist, "so your mother asked you to read in it; well, do as she told you, but read it outside of the tent."

One day it rained and as the captain entered his tent, he saw Johnny reading the Bible. The captain said, "What did I tell you about reading that book in the tent?" The boy said, "It is raining outside and I thought you would not care." That evening the captain invited some of his fellow officers in for a good time. To make some sport the captain said to his officers, "You did not know that I have a clergyman staying with me." He sat Johnny up on a box and said, "Preach us a sermon." Johnny said, "Captain, you are an awful wicked man, but I love you." "That will be enough." said the captain.

Next day there was a fight and the Union forces were driven through a burning bridge. Johnny was at the captain's side as the fight raged. No sooner had the army retreated through the bridge to the Union side than the captain looking down, said, "Johnny, I have lost my gold-handled sword." The lad started through the burning bridge, reached the other side, found the sword and then ran, clothes on fire, and came staggering out on the Union side, dropped the sword at the captain's feet. The lad died on the spot. The captain in the presence of his men, lifted his cap and looking toward Heaven said, "Men, you see that little fellow's corpse. He had to sacrifice his life to make me realize my duty and responsibility. Today, here and now I pledge my allegiance and service to the King on High."

This captain was Russel Conwell, the great philanthropist and lecturer. He worked throughout a long and useful life 18 hours every day; 9 hours for himself and 9 hours for Johnny Ring. By recognizing his responsibility to the one who had sacrificed for him, he enriched and ennobled his countrymen and his country.

It is our task to dedicate ourselves to the formulation of wise legislation to preserve the heritage that has been purchased for us by the blood and suffering of our fellow countrymen.

Is it not incumbent on each of us to work extra hours for our country to in some measure meet our responsibility to those who fought, bled, and died for the cause to which our country was committed?

Next to winning the war the greatest responsibility facing the American people today is to see to it that every young man and woman returning from the war shall come home to a good job, to a sound national economy. I am not speaking of a made job, a pauper makeshift financed by the Government. I mean a really bona fide productive job in private enterprise. A job where the American boy and girl can find opportunity for advancement, and then look forward to owning, in whole or in part, an enterprise of their own. This can come about only through a tax program that will make possible a healthy system of free enterprise. We must have tax legislation so balanced that every citizen will bear his just portion of the tax burden necessary to keep the fiscal affairs of the Nation sound and expanding.

It has been the practice in years past to see that the farmer had seed corn for the next year's crop. Business enterprise, if it is to prosper, and bring forth an abundant crop of jobs and opportunity for millions of men and women must be permitted to share the seed for future development.

The extent to which postwar commitments to foreign governments have been made and may be made involving billions of dollars make it difficult to prepare a postwar program. Private industry with its jobs and lifegiving payrolls can come into being, thrive, and expand only so long as there is a thrifty, self-reliant middle class of citizens with an incentive to invest in private enterprise. This class must not be destroyed by excessive taxation. I firmly believe that the educated, temperate, thrifty, self-reliant people, are the backbone of private enterprise and the very foundation upon which the structure of a representative republic must stand. It is from this class, as I see it, that venture capital must flow to expand our economy and insure new jobs. I am told that on the average about $8,000 in plant equipment and machinery is invested for each industrial worker. If this be true, excessive and unjust taxes will destroy the incentive to invest, thus preventing the creation of jobs in private enterprise. I would like to see a postwar tax system that will release American energy and initiative under adequate incentives in risk-taking enterprises. It is to this end that I have directed my energy.

I do not want to see this Nation, by unwise and oppressive taxation, destroy the principles which have made this Nation great.

In this connection, may I say that there has already been passed by the House of Representatives a bill, H. R. 8300, to lift a crushing tax burden from the shoulders of the people and to provide incentive to establish payrolls and stimulate industrial expansion.

Once H. R. 8300 becomes a law, there will be ushered in an era of prosperity that will bring hope and happiness to our people. There should be no delay in enacting legislation that will achieve this worthy end. Each day of delay in enacting this tax legislation means more closed plants, more idle men and women, more hard-pressed communities, and less revenue collections.

There is other legislation now pending which should be enacted into law without delay for the general welfare of millions of our people. This proposed legislation relates to the social-security bill, H. R. 7199, now pending in the Ways and Means Committee. A grave responsibility rests on each member of the Ways and Means Committee to be present at each executive session of the committee; forenoon, afternoon, and evening, if this social-security legislation, H. R. 7199, is to become law.

In the words of Sir Edmund Burke, speaking of the duty and responsibility of a representative to his constituents:

> It is his duty to sacrifice his repose, his pleasure, his satisfaction to theirs, and, above all, ever, and in all cases, to prefer their interests to his own.

Congressman Hillings Supports Working People

EXTENSION OF REMARKS

OF

HON. PATRICK J. HILLINGS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1954

Mr. HILLINGS. Mr. Speaker, as the Representative in Congress from the 25th district, I believe it is important that I report to the people of my district on some of the issues considered by the Congress and my action on such issues.

The 25th Congressional District, located in the eastern section of Los Angeles County, is composed of almost 500,000 citizens in such cities as Azusa, Monterey Park, El Monte, Baldwin Park, San Gabriel, Temple City, and others. The vast majority of these people are conscientious, thrifty, energetic persons who work hard at their jobs to earn their livelihood. Some of them have passed their productive years and have retired after a lifetime of labor.

Because most of the people are working or have worked and are retired, I intend to discuss legislation of importance to them. To conserve time, I will list the matters in brief summary form.

TAXES

During this Congress tax relief has been effected which has drastically slashed the excise taxes on drugstore items, cosmetics, baby oils, ladies' handbags, telephone bills, movie tickets. This means that when you go to the store, you have more to spend on yourself and your family, and the tax collector gets less from you. Earlier this year, the tax bill of each individual taxpayer was reduced 10 percent. This saved a total of $3 billion. In addition, the House of Representatives has passed a tax-revision bill which would mean more generous deductions for medical expenses, freedom from taxation for a retired couple if they have $200 monthly pension income, children

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working after school or during summer vacation can earn more than $600 in a year and their parents can still list them as a dependent, salesmen would have fairer means of computing expenses thus saving money. More than two-thirds of the tax relief goes to wage earners, families, and other individuals. I supported these tax-relief measures.

HEALTH, EDUCATION, AND WELFARE

Construction of hospitals, diagnostic, and clinical centers will continue.

Research into health problems is encouraged through the National Heart Institute and the National Institute of Dental Research.

Last year we passed a bill to aid State and local governments in construction of hospitals and health centers. The 25th Congressional District has already been allotted $581,000 for this worthwhile purpose.

Problems of air pollution—smog—which tend to retard our economic development are being fought at the United States Sanitary Engineering Center.

A new law aids Federal law officers in seizing and destroying unsafe fabrics used in certain inflammable cowboy suits and explosive sweaters which have burned many children in home accidents.

It is now also against the law to ship dangerous fireworks into any State which bans their sale.

The Senate has passed a bill which makes it a crime to ship obscene and filthy literature in interstate commerce, in order that juvenile delinquency may be prevented.

Congress has authorized a 2-year extension of the program of assistance in construction of schools in crowded defense centers and other areas which have grown abnormally because of Federal activities. Congress has also granted similar assistance for school-operating expenses.

At the present time Congress is considering legislation to encourage voluntary health-insurance groups to broaden their coverage and legislation to expand the State-Federal vocational rehabilitation system which is designed to help disabled persons to become economically independent.

As one who is interested in the welfare of my constituents, the above-listed items all have my support.

HOUSING

The Housing Act of 1954, as passed by the House of Representatives is intended to encourage as many Americans as possible to own their homes. I voted for this bill because of its provisions which, among other things, provide for lower down payments, extend period of payment of GI loans to 30 years in most cases and as high as 40 years in others, and interest rates remain at 4½ percent. The limit on home-improvement loans has been raised to $3,000; the period of repayment has been extended to 5 years instead of the present 3 years. Eyesores and potential slums can now be torn down and replaced with private homes without necessity of permission from the Federal Government.

ROADS AND HIGHWAYS

The new highway law means that we in the 25th Congressional District can drive our cars with greater convenience and personal safety. Almost all of our gasoline-tax money will be used for highways instead of being diverted for other uses. California gets a big share of funds authorized in this law for freeways, secondary roads and streets. I cast my vote for more and better roads for my district.

VETERANS

Worthy veterans will have plenty of hospital space for treatment required as a result of service to our country. Previously the Congress had enacted the Servicemen's Indemnity Act to provide for the needs of next-of-kin to servicemen killed in Korea. Last year I joined with my colleagues in voting for an extension of the GI bill of rights for veterans of the Korean war.

Mr. Speaker, the above is only a partial listing of our work during the two sessions of the 83d Congress. Time does not permit full discussion of each and every bill considered. I feel certain that the people of the 25th Congressional District will be interested in this record.

Four-Year Term for Representatives Opposed — Amendment To Protect Wealthy at the Expense of the Poor Opposed

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EXTENSION OF REMARKS

OF

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1954

Mr. PATMAN. Mr. Speaker, under the proposal of Senator CASE in Senate Joint Resolution 155, an amendment is to be submitted by the Congress to the States providing for a change in our Constitution that will allow Members of the House of Representatives to be elected for 4 years instead of 2 years, as now provided in the Constitution, with one-half of the Members elected every 2 years.

Such a change for the convenience of the Members of the House and, from the standpoint of convenience of the Members, would naturally be looked upon with favor. Unquestionably it would be more convenient for a Member of the House. He would have security for 4 years instead of 2 years; he would have a longer time his first term to demonstrate his ability; he would not have to commence campaigning immediately after his election to the House of Representatives; and, he would be saved 1 expensive campaign every 4 years. All this is very fine for the Member who is affected, but, from the standpoint of the people, I do not believe that it is in the interest of our country that the change be made.

At the present time, I believe we have a fine balance in our Constitution as it affects the people who are privileged to assume the burdens of carrying on our successful democracy in a republic. In the Congress, in the one House where the most important laws are exclusively introduced, the elections are for 2 years and every Member is elected by the people—not a one is ever appointed.

Although I have not done any research on the questions raised by this proposed amendment, I do believe that the following points should be given consideration:

First. The United States Constitution has very wisely provided tenure of office in the administration of the three branches of government. (a) Legislative: 2 years for the 435 Members of the House of Representatives; 6 years, with one-third elected each year, for the 96 Members of the United States Senate. (b) The executive: The only 2 elective officers in the executive branch are the President and Vice President, who are elected for 4 years, commencing January 20 after every leap year. (c) The judiciary: The judges are appointed by the President and confirmed by the Senate for life.

Second. The House of Representatives was set up to be composed of Members who are very close to the people. This body is given the exclusive power over the Nation's purse strings, the sole power of impeachment, and the power to choose a President in the event a candidate does not receive a majority of the electoral votes.

Third. Issues coming before the House of Representatives cannot be anticipated by the people 4 years in advance.

Fourth. If a question of impeachment or possibility of an election of a President should be a matter of paramount importance preceding an election on an even year the people should be allowed to pass on the election of all the Members of the succeeding House of Representatives that would pass on the question or questions, not just half of them. Evidently this was considered when the Constitution was written.

Fifth. A 4-year term for Representatives, instead of a 2-year term, is less important now because of rapid, in fact, almost instantaneous, means of communications, and the modern methods of transportation. A much better argument could have been made for the 4-year term when the Constitution was adopted and for the next 150 years thereafter. It has now been in operation for 165 years.

Sixth. A Representative is elected to serve in a definite Congress. The Members of the present House of Representatives were elected to serve during the 83d Congress. If the term is changed to 4 years the House that is expected to be so close to the people will be elected for 2 Congresses instead of 1.

Seventh. The State legislatures will be retarded in their constitutional privilege to redistrict their States after each census, as such redistricting could not be effective for 4 years.

Eighth. The Congress will be prevented from reapportioning representatives after each census without a delay of 4 years.

Ninth. Such a proposal embodies a major change in our form of government. If we are to remain a democracy in a republic, the House of Representatives must remain close to the people

in order that any bad trend in government or any bad conduct in government may be stopped within a 2-year period.

Tenth. The collective mind of the people is an honest, sincere, intelligent mind. The people through their collective mind, in our elections and expressions of opinions, make mistakes occasionally. Two years is long enough for the people to suffer because of a mistake made in the selection of a representative. A good representative should welcome the opportunity to make a report to his constituents at the close of the Congress and ask for election to the succeeding Congress.

It appears to me that too many proposals are being presented for the changing of our United States Constitution. Most of them, if adopted, will weaken the power of the people to control and influence their own Government. The only substantial change we have had concerning the election of the Members of the Congress was when the 17th constitutional amendment was adopted compelling the direct election of United States Senators by vote of the people instead of by State legislatures. This move was in the direction of more power in the people and making it easier for them to have control of their Government at all times.

Now, if we are going to have 4 years for the Members of the House the question will come up—since the Senators are elected by the people just as the House Members—why should they not be elected for 4 years instead of 6 years?

MORE HELP FOR INDIVIDUAL MEMBERS

There is nothing wrong with the Congress that more help for the individual Member will not cure. The Members are not equipped to do the work that they are in duty bound to perform. Their duties involve intricate, involved principles and policies. Since the Members generally are not informed in economic matters they should have people working for them who possess this educational training and background to help them. Each Member of Congress should not only have an administrative assistant but should also have a economist on his staff. It is my belief that if the individual Members were assisted in this way laws, policies and practices of our Government would soon result in a saving of at least a billion dollars a year in interest charges on the national debt alone. It could be done in a way that the country would be helped and not harmed, in addition to the billion dollar savings to the taxpayers.

MINORITY CONTROL PROPOSALS SHOULD BE STOPPED

Too many proposals are now pending in the Congress, providing for a change in our Constitution, that would absolutely turn the control of our Government over to a minority in each House. For instance, it is my opinion that if the Reed-Dirksen proposal now pending should be adopted, the poor folks could be taxed without limit on all sorts of sales and excise taxes by a majority of the Members present, but in order to tax the wealthy—according to ability to pay—it would be necessary to secure the votes of 75 percent of the Members in each House. Since it is so seldom that all the Members are present, for all practical purposes this would mean almost 100-percent vote in each body of the Members present. It means, further, that a very small minority would be able to block and prevent any taxes on the wealthy. At the same time, there is no effort made in this proposal to reduce spending or make the burden on the poor less burdensome—it only protects the wealthy. Then, if by chance such a proposal should pass Congress, providing for a tax on the wealthy of over 25 percent, such a law would only be good under the constitutional amendment for 1 year. This would give a small minority another chance at the end of the year.

Such amendments as these are in the direction of tearing down our democratic fabric. Our democracy should be strengthened, not weakened. Any change in the Constitution should be in the direction of giving the people more power—not less—making it possible for the people to act more quickly and more effectively—not slow them down in their efforts.

SENATE

TUESDAY, MAY 18, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in a world filled with sights that sadden and problems that perplex, may our hearts be strengthened by the realization that ours is also a time arched with the promise of a better tomorrow. May the crashing of outworn things that are falling to earth not hide from our eyes the glory of a new era struggling to birth. May we never falter in the confident faith that Thy truth is marching on, even in the perplexities of these terrific days.

We give thanks with humble yet kindling hearts that we are summoned to live and give in such a time. If this weary flesh of ours, hemmed by foes, should fear or falter, keep us firm and steadfast as we put on the whole armor of faith and hope and love. May we be the instrument of healing our sorely wounded world and of breaking down all the barriers to human brotherhood. So may we play our part as Thy faithful servants in this day of destiny which may be history's crowning hour. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 17, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed without amendment the following bill and joint resolution of the Senate:

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches thereto, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5833. An act to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes;

H. R. 5840. An act to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain privately owned land;

H. R. 6173. An act to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes;

H. R. 6328. An act authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii, for certain privately owned lands;

H. R. 6386. An act to authorize the use of land in Yosemite National Park, Calif., for public-school purposes;

H. R. 6655. An act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes;

H. R. 6888. An act to amend sections 201 (a) and 207 (a) of the Hawaiian Homes Commission Act;

H. R. 6890. An act to approve Act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend Act 24 of the Session Laws of Hawaii, 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the island of Kauai, T. H.";

H. R. 7111. An act to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes; and

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H. R. 8538. An act to provide for the revocation or denial of merchant marine documents to persons involved in certain narcotics violations.

The message further announced that the House had agreed to the following concurrent resolution (H. Con. Res. 206) extending best wishes of the Government and people of the United States to Berea College, in Berea, Ky., in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States hereby extends the best wishes of the Government and of the people of the United States to Berea College, in Berea, Ky., upon the observance of its 100th anniversary.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status;

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margaret Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5090. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Theresa Boehner Soisson.

COMMITTEE SERVICE

On motion of Mr. JOHNSON of Texas, and by unanimous consent, it was

Ordered, That the Senator from Minnesota [Mr. HUMPHREY] be, and he is hereby, excused from further service as a member of the Committee on Government Operations, and that he be assigned to service on the Committeeon Agriculture and Forestry.

Ordered further, That the Senator from Florida [Mr. SMATHERS] be, and he is hereby, excused from further service as a member of the Committee on Interior and Insular Affairs, and that he be assigned to service on the Committee on Finance.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Subcommittee on Internal Security of the Committee on the Judiciary be authorized to sit during the session of the Senate today. This has been cleared with the minority.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF FEDERAL BUREAU OF NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Federal Bureau of Narcotics, Treasury Department, relating to traffic in opium and other dangerous drugs, for the year ended December 31, 1953 (with an accompanying report); to the Committee on Finance.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

REPORT ON CONTRIBUTIONS BY FEDERAL CIVIL DEFENSE ADMINISTRATION

A letter from the Administrator, Federal Civil Defense Administration, transmitting, pursuant to law, a report of the Federal contributions program, for the quarter ended March 31, 1954 (with an accompanying paper); to the Committee on Armed Services.

AUDIT REPORT ON FEDERAL CROP INSURANCE CORPORATION

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Federal Crop Insurance Corporation, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORT ON POTENTIAL BALMORHEA PROJECT, TEXAS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the potential Balmorhea project, Texas (with accompanying papers); to the Committee on Interior and Insular Affairs.

LAWS ENACTED BY SECOND GUAM LEGISLATURE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Second Guam Legislature (second regular session) (with accompanying papers); to the Committee on Interior and Insular Affairs.

AUDIT REPORT OF AMERICAN SOCIETY OF INTERNATIONAL LAW

A letter from the secretary, American Society of International Law, Washington, D. C., transmitting, pursuant to law, an audit report of that society for the year ended December 31, 1953 (with an accompanying report); to the Committee on the Judiciary.

FLAMMABLE FABRICS ACT—RESOLUTION OF HOUSE OF REPRESENTATIVES OF JAPAN

A letter from the Assistant Secretary of State, transmitting, at the request of the Japanese Ambassador, a translation of a

resolution adopted by the House of Representatives of Japan, relating to the Flammable Fabrics Act of the United States (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on Interstate and Foreign Commerce:

"Senate Concurrent Resolution 24

"Concurrent resolution memorializing the Congress of the United States to take necessary action to insure that the season for hunting ducks in Mississippi shall be set for the 55-day period preceding January 31 rather than for the 55 days preceding January 10

"Whereas due to the fact that the water conditions on the Mississippi River and its tributaries in this State are best suited to the hunting of ducks after December 25 each year; and

"Whereas the present setting of the season for hunting ducks for the 55-day period preceding January 10, in effect, therefore, limits Mississippi hunters to an effective 15-day duck-hunting season; and

"Whereas as a result of this situation Mississippi hunters do not have the benefit of a sufficient duck-hunting season to enable them to harvest a fair share of ducks in the Mississippi flyway; and

"Whereas it has been impossible to secure an equitable adjustment of the situation in order that the rights and privileges of Mississippi hunters might be adequately protected: Now, therefore, be it

"Resolved by the Senate of the State of Mississippi (the House of Representatives concurring therein), That the Congress of the United States is memorialized to take such adequate steps as may be necessary, including the enactment of legislation, to provide for the setting of the season for hunting ducks in Mississippi for the 55-day period preceding January 31, each year, to the end that Mississippi hunters may have a fair and adequate opportunity to hunt ducks in the season of proper water conditions and thus harvest their fair share of ducks in the Mississippi flyways; be it further

"Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to the Mississippi delegation in Congress.

"Adopted by the senate April 30, 1954.

"CARROLL GARTIN,
"President of the Senate.

"Adopted by the house of representatives April 30, 1954.

"T. WALTER SILLERS,
"Speaker of the House of Representatives."

A resolution adopted by the Reichling, Calif., Parlor 97, Native Daughters of the Golden West, protesting against the admission of Red China into the United Nations; to the Committee on Foreign Relations.

A resolution adopted by the board of directors of the Cleveland, Ohio, World Trade Association, favoring the enactment of legislation to carry out the administration's foreign economic policy; to the Committee on Foreign Relations.

A letter from the Institute of Ethnic Affairs, Inc., of California, signed by Martha L. Jay, editor, enclosing petitions signed by sundry citizens of California, favoring the obtaining of the consent of the Indians in all legislation concerning Indians (with accompanying papers); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Pittsburgh Baptist Association, Pittsburgh, Pa., relating to the procedure of congressional investigative committees; to the Committee on Rules and Administration.

A resolution adopted by the Board of Aldermen of the City of Chelsea, Mass., favoring the use of the words "under God" in the oath of allegiance; ordered to lie on the table.

RESOLUTIONS OF NATIONAL EXECUTIVE COMMITTEE, THE AMERICAN LEGION

Mr. WELKER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, two resolutions adopted by the national executive committee of the American Legion, at Indianapolis, Ind., on May 2–4, 1954, relating to the admission into the United States of refugees and expellees of working age, and mass migration into the Western Hemisphere.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the Judiciary:

"RESOLUTION No. 71

"ADMISSION TO THE UNITED STATES OF REFUGEES AND EXPELLEES OF WORKING AGE

"Whereas the Public Law 203, known as the Refugee Relief Act of 1953, provides that individual job and housing assurances must be secured for all refugees and expellees prior to their admission to the United States; and

"Whereas this provision of the law was urged and supported by the American Legion at House and Senate hearings prior to the passage of said act, in order that recently discharged and other veterans would be protected job and housingwise from an influx of immigrants seeking jobs and housing in competition with American veterans; and

"Whereas bills have been introduced in both bodies of the 83d Congress providing for a change in numerous categories of Public Law 203 to admit nationals of Free Europe into the United States without such job and housing assurances being required prior to their entrance; and

"Whereas H. R. 8193 has been approved by a committee of the Congress without the aforementioned provisions pertaining to job and housing assurances: Now, therefore, be it

"Resolved by the national executive committee, in session at Indianapolis, Ind., May 2, 3, 4, 1954, That the American Legion urges and recommends that H. R. 8193 be amended to require individual job and housing assurances for all nationals of working age who would otherwise be admissible under said bill."

Ordered to lie on the table:

"RESOLUTION No. 70

"MASS MIGRATION INTO THE WESTERN HEMISPHERE

"Whereas there is pending in the House of Representatives an amendment to the bill (S. 1766), which amendment would establish an office for the purpose of developing and administering programs of international migration; and

"Whereas any such programs to be developed and administered would involve the mass migration into the Western Hemisphere, particularly into the South American countries, of tremendous numbers of people from Europe who would not be screened as to security in accordance with the standards of this Nation; and

"Whereas there is increasing pressure by the Communists to penetrate the Western Hemisphere: Now, therefore, be it

"Resolved by the national executive committee of the American Legion, in session at Indianapolis, Ind., May 2–4, 1954, That the American Legion oppose the amendments in the House of Representatives to the bill (S. 1766) and any other plan or program for the promotion of mass migration into the Western Hemisphere without provisions for screening as to security; be it further

"Resolved, That the American Legion opposes any and all portions of the aforementioned legislation that would amend or alter any provisions of Public Law 414, known as the McCarran-Walter Immigration Act; and be it further

"Resolved, That nothing in this resolution shall be construed or interpreted as approval of S. 1766, as passed by the Senate, 83d Congress, or as amended by the House of Representatives or the Senate, subsequent to said passage."

FOREIGN OPERATIONS PROGRAM—LETTER FROM NATIONAL FARMERS UNION

Mr. WILEY. Mr. President, a few days ago I received a very interesting letter from Mr. James G. Patton, president of the National Farmers Union.

In the concluding part of his letter he asks that it may be made a part of the record of hearings on the Foreign Operations Administration. His letter sets forth the position of the Farmers Union on various subjects, economic, political, foreign, and domestic.

I ask that the letter may be printed in the RECORD and then referred to the Committee on Foreign Relations, so that when Mr. Stassen appears before the committee in relation to the Foreign Operations Administration's program the letter will be available for incorporation, as the writer requests, in the record of the hearings.

There being no objection, the letter was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

MAY 4, 1954.

Hon. ALEXANDER WILEY,
Chairman, Senate Committee on Foreign Relations, United States Capital, Washington, D. C.

DEAR SENATOR WILEY: United States agriculture, and indeed the entire economy, possesses the productive capacity, and the American people have the heart and spirit, to lead a great international effort to greatly increase production efficiency and raise living standards, to promote widespread and rapid economic development, and to preserve and strengthen democratic and ethical ideals. The chosen instrument under present organization of the executive branch for this effort is the Foreign Operations Administration.

Realizing that your committee now has before it the matter of extending this program, I suggest that you and other members of the committee may be interested in reading the following paragraphs from the 1954–55 National Farmers Union program. These make up the democratically considered and determined policies, with respect to foreign policy, of National Farmers Union. The 1954–55 program was adopted by the delegates to the national convention held recently in Denver, Colo.

It is my thought that these paragraphs from the National Farmers Union program may indicate to you the major principles which this group of representative farm people think are of paramount importance with

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respect to the subjects now being considered by your committee.

"WORLD AFFAIRS

"Farmers Union will continue to strive for the earliest possible attainment of a democratic world brotherhood of nations living at peace with one another in a United Nations that derives its just governmental powers directly from the people of the world and that provides the basis and opportunity for constantly increased production and improved living standards.

"The United States should give steadfast and increasing support to the United Nations as a place where differences between nations can be settled by democratic processes of conciliation, arbitration, and negotiation. We shall give full support to the rapid development of stronger international agencies and to democratic regional and functional groupings and unions of nations consistent with the United Nations Charter and the Constitution of the United States.

"UNITED STATES FOREIGN POLICY

"The trend of world events has thrust the responsibility of world leadership on the United States. We reaffirm our support of United States efforts to assist in the expansion and strengthening of the productive capacity and living standards of democratic nations. We emphasize the great importance and decisive role that abundant United States food production can play in the implementation of these policies. In many areas better nutrition for low-income people can be more potent than weapons of war. United States and United Nations programs of economic and technical assistance should be established separately from military programs. Until such time as a world brotherhood is fully established, we assert, also, the responsibility of a free democratic nation to protect itself and, through the United Nations, protect weaker nations against aggression.

"EXPANDING ECONOMY OF ABUNDANCE

"We assert our conviction that our aims and aspirations can only be attained in an expanding full employment economy.

"INTERNATIONAL FOOD AND RAW MATERIALS RESERVE

"We urge establishment of an international agency to perform the following functions:

"(a) Prevent extreme price fluctuations in the international markets for food and other raw materials and encourage expanding production in order to meet the world's increasing foodstuff and other raw material needs, both in terms of raising existing per person consumption and of future increased population;

"(b) Maintain gainful employment not only in agricultural production, but also in those industries supplying agriculture and engaged in the processing and distribution of agricultural products and other raw materials;

"(c) Absorb temporary market surpluses of food and other raw materials;

"(d) Prevent famine and starvation; and

"(e) Provide for a self-financing operation through the orderly international exchange of raw materials and through the development of an international program of loans for raw material development, and for corollary economic development.

"INTERNATIONAL COMMODITY AGREEMENTS

"The International Raw Materials Reserve should be buttressed and coupled with additional international commodity agreements similar to the International Wheat Agreement.

"We urge the extension of the International Wheat Agreement, when it expires, on a basis adapted to current conditions and related to an international farm parity index.

"EXPANDED USE OF ABUNDANT UNITED STATES FARM PRODUCTION FOR PROMOTION OF PEACE

"We urge immediate steps by the United States to make fullest possible use of abundant United States farm production to further the aims of United States foreign policy through establishment in Foreign Operations Administration of a Farm Trading Post to be used as the operating arm of the United States Government to promote:

"(a) The sale, barter, or loan of United States farm commodities for dollars, local currencies, or other commodities at the world price or below or as a donation to friendly foreign nations and to friendly peoples to promote economic development, to relieve famine and other emergencies, and to relieve starvation and nakedness.

"(b) Foreign sale of exports at the world price through regular channels of trade, if possible, and preferably in connection with international commodity agreements. The difference between world price and the domestic support price would be made up by the United States Treasury, preferably by means of parity payments to producers, or if that is not done, through export subsidies.

"(c) Use donations of United States food to promote development of vocational training schools and other activities that will increase productive ability of the country involved.

"(d) Use, to the fullest extent possible, the voluntary foreign relief organizations so that United States food will actually reach those who need it, rather than those who could purchase it normally.

"SUPPLEMENTARY OR COMPETING IMPORTS OF FARM PRODUCTS

"Respecting imports of farm commodities that compete with domestic farm production, we favor adoption of policies that will give United States consumers an adequate supply at a fair price, preferably in connection with negotiated international commodity agreements, with provision for protecting 100 percent parity returns to family farmers. If this can be done in no better way, we shall support an automatic flexible tariff that will eliminate imports at prices less than 100 percent of parity.

"COST TO BE CHARGED TO FOREIGN POLICY

"We are convinced that when American food and fiber are used to promote the aims of national policy, consumption expansion, civilian defense, national security, or United States foreign policy, the costs of such programs should be charged to those appropriations and not to farmers and farm programs.

"FOREIGN POLICY TO PROMOTE PERMANENT PEACE

"There are today two major obstacles to the attainment of true world brotherhood and permanent peace. One is the continued existence throughout the world of colonialism and other uncorrected and indefensible evils which provide the seed bed for agitation, uprising, and revolt. The other is the fact that the rulers of the Soviet Union, instead of cooperating to end these conditions under free government, have revealed imperialistic world aims and a determination to exploit every wrong for their own imperialistic purposes. We must work to ease and ultimately to end starvation, exploitation, feudalism, dictatorships, bad land tenure systems, discrimination, and all other injustices and threats to world peace.

"UNIVERSAL DISARMAMENT

"We are convinced that the United States, while assisting and encouraging development of free world defensive strength, should take world leadership in trying to work out a fool-proof means to universal disarmament including definite assurance of being able to become forewarned of breaches of disarmament agreements.

"INTERNATIONAL COURT OF JUSTICE AND POLICE FORCE

"We favor participation of the United States in an international court with an international police force with sufficient power to prevent aggression and bring the aggressors to trial.

"UNITED NATIONS

"We urge full United States support of the United Nations and the specialized agencies such as the Food and Agricultural Organizations and World Health Organization. To that end we will support full appropriation of United States contributions to the support of these international agencies.

"DEMOCRATIC WORLD ECONOMIC UNION

"Solution of the fundamental problems of our time requires the earliest possible establishment of an economic union of the democratic nations consistent with the United States Declaration of Independence and the Constitution and its Bill of Rights. Any nation that will accept democratic principles, conduct free democratic elections, and abide by the laws enacted by the governing body of such a union should be eligible for membership. These laws would direct the administrative agenices of the union to establish and carry out programs to vastly speed up economic development and improved productivity of human labor and land and water resources; and to eliminate progress-retarding and opportunity-denying legal and institutional arrangements.

"ECONOMIC DEVELOPMENT

"We reaffirm our support for United States efforts to assist in the development of a coordinated program of aid to relieve hunger and suffering, and for expansion and strengthening of the national economies of the democratic nations in ways that will not destroy the principle of self-determination of people. The United States should help these nations to develop economic conditions that will:

"(a) Create an international community of economic effort for common purposes, avoiding the extremes of either forcing unwanted policies on others as a condition of our help, or of undertaking actions ourselves in the absence of appropriate efforts in the countries that participate;

"(b) Promote material well-being and allow employment, production, trade, and investment in ways that will enrich human life and eliminate economic weaknesses that threaten political stability and invite totalitarian imperialism;

"(c) Afford all democratic nations increasing opportunities for economic growth and improving standards of living in ways that will operate so that economic gains are distributed equitably within countries; and

"(d) Attract peoples and governments toward the democratic system of political freedom.

"To attain these objectives we support continued international economic negotiation; increased United States contributions to the specialized agencies, such as the Food and Agriculture Organization, and expansion of United States foreign economic assistance and of the program by which our advanced technological knowledge and farm know-how is made available to other nations to assist them to increase the efficiency of production and marketing and to improve their agricultural land tenure systems, eliminate colonialism, and reform economic and social structures.

"INDUSTRIAL IMPORTS AND EXPORTS

"We see no reason why other domestic producers of exported and imported commodities should not be accorded the same treatment we have recommended in the farm sphere. We feel that in certain instances,

particularly in case of metals, minerals, petroleum, and other irreplaceable natural resources, it would be better public policy for the Government to buy up and preserve the reserves and capital investment of domestic private owners and allow imports to come in unrestricted.

"UNITED STATES CUSTOMS SIMPLIFICATION AND EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT

"We favor further simplification of customs procedures and negotiated tariff reductions consistent with the principles enumerated above.

"INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS

"We support the continued membership of National Farmers Union in the International Federation of Agricultural Producers, an international organization of national farm organizations."

I request that this letter be made a part of the record of your hearings on Foreign Operations Administration.

Sincerely,

JAMES G. PATTON,
President, National Farmers Union.

TAX TREATMENT OF HOSPITALIZATION PLANS—LETTER

Mr. WILEY. Mr. President, we are all familiar with the extremely fine job which has been performed by the Blue Cross and Blue Shield plans. In this connection, I have received a letter from Mr. L. R. Wheeler, executive secretary of Associated Hospital Service, Inc., who points out a problem which will arise in connection with the current omnibus tax bill.

I ask unanimous consent that the letter be printed at this point in the RECORD and be thereafter referred to the Senate Finance Committee.

There being no objection, the letter was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

ASSOCIATED HOSPITAL SERVICE INC.,
Milwaukee, Wis., May 14, 1954.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: A matter of great import to the Blue Cross and Blue Shield plans of the United States has arisen with regard to the proposed revision of sections 104 and 105 of the Internal Revenue Code of 1954—H. R. 8300. As simply as I can state the matter the proposed revision would make it necessary that group-health plans must be qualified plans to obtain tax exemption for the recipients of hospitalization and medical benefits. My comments, of course, refer only to hospital and medical benefits and we have no interest in other proposed revisions of the code.

Although the stated objective of sections 104 and 105 of the proposed code are to write into law what has been administrative practice, this desirable end has become lost in a welter of confusing terminology. The proposed sections would require that a recipient of benefits under hospitalization and medical plans could only escape income-tax liability if the plan under which he received benefits was a qualified plan. The determination of the qualification of the plan would be left to the administrative discretion of the Internal Revenue Bureau. Large corporations probably would have no difficulty properly filing their plans and receiving approval. Such might not be the case with the many small plans which are extant throughout the country. Here in Wisconsin we have almost 8,000 groups and about 2,500 of those have 10 or less employees. It would certainly be a tremendous administrative problem to obtain qualification of all of these plans.

In the absence of any showing of abuse of the present complete exemption of benefits received, we feel that the imposition of the technical and complicated requirements of qualification on a growing and socially desirable system of hospital and medical benefits can only be regarded as most unfortunate.

Our specific suggestion is that section 104 (a) (3) be revised, at least so far as hospital and medical benefits are concerned, to read as follows:

"(3) amounts received through accident or health insurance for personal injury or sickness (other than amounts received by an employee, to the extent such amounts are attributable to contributions by the employer which were not includible in the gross income of the employee); and."

The parenthetical material should, of course, be deleted.

We would be most appreciative of any help that you could give us in this matter. We would particularly like to see the matter called to the attention of members of the House Ways and Means Committee and the Senate Finance Committee who are presently holding hearings on the matter. To us it would seem a travesty on justice if a person who had received hospital and/or surgical medical benefits would also assume a large tax liability because he was unfortunate enough to be a member of a plan that had not received technical administrative approval.

Very truly yours,

L. R. WHEELER,
Executive Vice-President.

LOWERING OF VOTING AGE TO 18—TELEGRAM

Mr. WILEY. Mr. President, I have long been interested in the subject of lowering the voting age to 18. I have always felt that a youngster old enough to fight and die for his country is old enough to vote for it.

I was glad, therefore, to receive a telegram yesterday afternoon from Mr. M. R. Robinson, publisher of Scholastic magazines, reporting an interesting and favorable poll conducted by the Institute of Student Opinion.

I ask unanimous consent that the telegram be printed in the RECORD at this point, and be thereafter appropriately referred.

There being no objection, the telegram was ordered to lie on the table, and to be printed in the RECORD, as follows:

NEW YORK, N. Y., *May 17, 1954.*

Hon. ALEXANDER WILEY,
Chairman, Senate Committee on Foreign Relations, Senate Office Building:

In view of proposal for lowering voting age to 18 years now before the Senate you will be interested in results of latest poll of United States high-school students conducted last month by Institute of Student Opinion sponsored by Scholastic magazines. Total vote of 47,290 students from 43 States divided about equally between boys and girls favors constitutional amendment for 18-year-old vote by 64.94 percent for, 28.11 percent against; 6.59 percent no opinion. Boys' vote in favor was 67.09 percent; girls, 62.98 percent. Percentage favorable to lowering voting age has increased as follows since student polls were first taken: 1943, 43 percent; 1944, 52 percent; 1946, 49 percent; 1951, 58 percent; 1954, 64 percent. Complete data available on request.

M. R. ROBINSON,
Publisher, Scholastic Magazines.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FERGUSON:

S. 3474. A bill to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath; and

S. 3475. A bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. FERGUSON when he introduced the above bills, which appear under separate headings.)

By Mr. PAYNE (for himself, Mrs. SMITH of Maine, Mr. BRIDGES, Mr. SALTONSTALL, Mr. DOUGLAS, Mr. KENNEDY, and Mr. UPTON):

S. 3476. A bill to provide for the advancement of Comdr. Donald M. MacMillan, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list; to the Committee on Armed Services.

By Mr. KEFAUVER:

S. 3477. A bill to provide certain benefits for persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning December 8, 1910, and ending April 6, 1917, and for other purposes; to the Committee on Finance.

S. 3478. A bill for the relief of Virgil M. Howie, first lieutenant, United States Air Force; to the Committee on the Judiciary.

S. 3479. A bill to direct the Atomic Energy Commission to provide education in the schools in Oak Ridge, Tenn., to certain children living in the vicinity of Oak Ridge; to the Joint Committee on Atomic Energy.

By Mr. CAPEHART:

S. 3480. A bill to amend section 24 of the Federal Reserve Act, as amended; and

S. 3481. A bill to amend sections 23A and 24A of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. CASE (by request):

S. 3482. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORSE:

S. 3483. A bill for the relief of Lee In Ja; to the Committee on the Judiciary.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO PERJURY FOR THE WILLFUL GIVING OF CONTRADICTORY STATEMENTS UNDER OATH

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath.

It is a legislative proposal to amend chapter 79 of title 18, United States Code, to extend the law relating to perjury to the willful giving of contradictory statements under oath.

Under existing law, a person may not be convicted of perjury for making contradictory statements under oath unless the indictment charges and the Government proves which of the statements is false. The falsity of an alleged per-

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jurious statement must be established by 2 independent witnesses or by 1 witness and corroborative circumstances.

The Department of Justice urges the amendment of the law relating to perjury so that proof of the contradictory nature of two willfully made statements would alone support a perjury conviction. This seems to me to be a sensible and warranted change. It in no way reduces the protection afforded defendants by the two-witness rule mentioned above, nor does it shift from the prosecution the burden of proof incident to criminal cases. It merely eliminates what appears to be a ridiculous requirement that proof be adduced as to which of 2 statements is false when 1 of such statements must, of necessity, be so.

It will be noted that to support a conviction, the statements must have been made within a period of 3 years of one another, and they must have been made willfully, on oath or affirmation, on material matters, and in proceedings before grand juries or courts.

The bill carries out the recommendations of the administration.

I hope the bill will receive prompt consideration.

The bill (S. 3474) to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

REGISTRATION OF CERTAIN PERSONS IN CONNECTION WITH ESPIONAGE ACTIVITIES

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes.

This bill proposes the repeal of section 20 (a) of the Internal Security Act of 1950 and the enactment in its place of legislation which would better accomplish that section's intended purpose.

Section 1 (c) of the Foreign Agents Registration Act of 1938, as amended (52 Stat. 631; 22 U. S. C. 611), defines the term "agent of a foreign principal." The effect of section 20 (a) of the Internal Security Act of 1950 was to include within the definition persons who have knowledge of or training in foreign espionage or sabotage systems. Since the registration provisions of the Foreign Agents Registration Act make it clear that only those persons who presently or hereafter act as agents of foreign principals are required to register, persons who are agents of foreign principals by definitions, but who are not currently acting as such, are not so required. Hence, persons with knowledge of or training in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, who have not since the enactment of section 20 (a) acted as foreign agents, appear to be under no obligation to register.

Furthermore, in administering the Foreign Agents Registration Act, the Department of Justice has attempted to make it clear that registration under the act in no way places any limitations on the activities which may be engaged in by a foreign principal and carries no stigma. The tenor and import of the act are altered, however, by including within the definition of "agent of a foreign principal" persons who have knowledge of or training in foreign espionage or sabotage systems.

For these reasons I believe that section 20 (a) of the Internal Security Act be repealed and in its place there should be enacted a separate registration statute which will require the registration of persons having knowledge of foreign espionage and sabotage systems, irrespective of whether they are currently agents of foreign principals.

It will be noted that provision is made for the exemption of certain categories of persons from its registration requirements. I believe these exemptions have been concurred in by the Departments of State and Defense.

In my opinion, the exemptions set forth in the bill are proper, and I hope the bill will be promptly enacted.

The bill carries out the recommendations of the administration.

The bill (S. 3475) to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "STRENGTH OF THE INTERNATIONAL COMMUNIST MOVEMENT"

Mr. WILEY. Mr. President, I submit for appropriate reference a resolution to authorize the printing of 5,000 additional copies of a 78-page study entitled "Strength of the International Communist Movement."

This study was released earlier this month as Committee Print No. 2, by the Special Subcommittee on Security Affairs of the Senate Foreign Relations Committee.

The initial edition of this same study had been published last year. The committee at that time was completely flooded with requests. It attempted to comply with all of the requests to the limit of its ability, but the entire edition was completely exhausted in a matter of a few days and a backlog of some 2,000 requests remained.

With the publication of the revised edition, we have once more been flooded with requests from all over Capitol Hill and from outside sources.

A great many newsmen have written up the new edition both in wire service stories and in columns.

Mr. Theodore Streibert, Director of the USIA, advised me that he would like to send out a thousand copies to all USIS Missions, and I am delighted that this has now been done in line with the agency's stepped up anti-Communist program throughout the world.

It is my earnest hope, therefore, that the Senate Rules Committee will take favorable action upon the resolution which I am submitting today.

For the first time, the document has assembled not only a nation-by-nation and region-by-region summary of the Communist situation; but it includes a study on the historic expansion of Russia and a series of quotations from Communist sources describing what they expect as regards the role of the Communist Party.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 248), submitted by Mr. WILEY, was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed 5,000 additional copies of Strength of the International Communist Movement (Committee print No. 2), a document compiled by the Specal Subcommittee of Security Affairs of the Senate Committee on Foreign Relations and printed in May 1954 for the use of the Senate Committee on Foreign Relations. Such additional copies shall be for the use of the Senate Committee on Foreign Relations.

AMENDMENT OF RULE RELATING TO COMMERCIAL BROADCAST BY RADIO OR TELEVISION OF COMMITTEE PROCEEDINGS

Mr. BENNETT. Mr. President, the present public hearings of the McCarthy-Army dispute have again brought the Senate face to face with a problem we should begin to resolve, the problem created by television.

Should Senate committee proceedings be televised at all, and if so, how should this new medium be used? This is a problem with many facets, on which there are many conflicting opinions, but I feel sure it has one aspect on which most of us will agree. That is the question of the commercial sponsorship of Senate committee proceedings. That this should be suggested, much less accepted, has disturbed me, and because I believe it must be resolved now before a pattern and precedent may be established, I am submitting a resolution to add a new Senate rule forbidding commercial sponsorship of Senate hearings.

The very idea of commercial sponsorship seems to me to be improper and a threat to the integrity of the Senate. We immediately substitute a private interest for what should be preserved as the public interest and bring into our processes many extraneous, and I believe, improper forces and motives.

First, of course, is the question of good taste. Violations of good taste have always plagued the networks, and would be multiplied for us if the networks had the unrestricted power to "sell" the Senate like any other program. "De gustibus non disputandum" still reminds us

that we cannot successfully settle matters of good taste by argument, but every one of us could provide a long list of regularly advertised products under whose sponsorship we would not like to see Senate hearings presented. I am one who believes that the Senate should maintain its traditional dignity and decorum and that this should not be for sale.

I remember the outrage of the British people upon learning that the televised pictures of the coronation of their beautful young Queen had been presented on an American program which featured a chimpanzee. We could not expect to escape a similar experience.

But this is the least dangerous of the possible results of commercial sponsorship. To me it opens the door to a whole new range of possible improper relationships and subtle means for influencing legislation.

The initiative could come from either side. An ambitious Senator or committee chairman, recognizing the potentialities of the alliance, might find a sponsor who would benefit from a particular investigation or hearing, and might work out the whole program in advance. Under such circumstances, the proceedings would undoubtedly be planned to spotlight the particular Senator with the desired effect on his political ambitions.

If the situation were reversed, the sponsor with an ax to grind might find an ambitious and pliant Senator, and the same kind of a program might be worked out. In either case the results would be the same. The Senator would have his spotlight, the sponsor would have his influence.

The commercial sponsorship of Senate committee proceedings has another danger. It offers a means by which corporate funds can be used for political purposes to evade present law. Friendly sponsors can supply funds for the big buildup if the eager Senator can work out a proper setting for his talents through a Senate hearing in which he will participate, or better still, over which he can preside.

Of equal danger to our work are the possible effects on the hearings themselves and the Senators who participate in them. New motives would inevitably be introduced. We would find it very difficult to concentrate on the problems before us, and would constantly be under the pressure of extraneous values. We have already seen many demonstrations of grandstanding, scene stealing and headline hunting. These would be multiplied many fold if a talented ambition could be sure of a national audience.

Then, too, the constant exploitation of committee hearings would directly impede the legislative process. There is no doubt in my mind that television coverage of Senate hearings has a definite lengthening effect. While our normal goal should be to find areas of agreement, the objective of professional radio and television is, naturally enough, to emphasize the dramatic. So, by their very natures, broadcasting and telecasting encourage—yes, almost demand—conflict, debate, and antagonism. When this happens within a committee, the normal purpose is lost sight of. Commercially sponsored telecasting would have its effect on Senators. It would put a premium on demagogery and would reward brashness. This could only result eventually in a lowering of the respect of the people of America for the Senate and for our system of government.

Therefore, Mr. President, I believe we should act now to prevent these evils. To that end I submit a resolution to prevent the commercial sponsorship of Senate hearings. This resolution is not designed as a gag. The people certainly have a right to know what we in Congress are doing, but I resent, and my resolution is designed to prevent, commercialization of Senate business. My resolution would permit the presentation of limited scenes on news broadcasts, which, of course, may be sponsored, but would not permit the commercial sponsorship of telecasts of Senate hearings in their entirety.

My resolution would limit this rule to the Senate alone. I respect the right of the other body to make its own rules, and I am happy to note that somewhat similar proposed legislation has been introduced there.

Mr. President, I believe that many of my fellow Senators agree with me that we must preserve the right of the Senate to do its work objectively, free from the pressures of commercialism. I welcome their cosponsorship of this resolution.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Utah will be received and appropriately referred.

The resolution (S. Res. 249) submitted by Mr. BENNETT was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLI

"COMMITTEE PROCEEDINGS

"No standing, special, or select committee (or any subcommittee thereof) shall permit the proceedings in any hearing before such committee to be—

"(a) broadcast by radio or television, or

"(b) recorded, in whole or in part, by means of any motion-picture camera, television camera, or any form of sound recording or transcription,

unless the individual, firm, or organization (including but not limited to broadcasting networks and stations) making such broadcast or record has first furnished written assurances satisfactory to the chairman of such committee to the effect that such proceedings will not be used in any radio or television broadcast, rebroadcast, or re-creation (other than a broadcast, rebroadcast, or re-creation devoted exclusively to a survey or summary of news of current events and made without interruption for any commercial advertisement or announcement) which is (1) made for payment received or to be received from any advertiser of goods or services, (2) sponsored or made by or on behalf of any such advertiser, (3) interrupted by any announcement made by or on behalf of any such advertiser, or (4) made in connection with or in relation to any advertisement for any commodity or service offered for sale by any commercial enterprise. Upon receipt by the chairman of any information deemed by him to be reliable to the effect that any such undertaking has been violated, a written statement of the facts concerning such violation shall be filed by him with the Secretary of the Senate, and the individual, firm, or organization which has given the undertaking so violated shall be excluded from further opportunity to so broadcast or record the proceedings of such hearing. No committee chairman shall permit any individual, firm, or organization to broadcast or record any such proceedings until he has ascertained from the Secretary of the Senate whether such individual, firm, or organization has within 1 year violated any undertaking previously given in compliance with this rule."

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—AMENDMENTS

Mr. GREEN submitted amendments intended to be proposed by him to the bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, which were ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 5833. An act to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes;

H. R. 5840. An act to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain privately owned land;

H. R. 6173. An act to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes;

H. R. 6328. An act authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii, for certain privately owned lands;

H. R. 6386. An act to authorize the use of land in Yosemite National Park, Calif., for public school purposes;

H. R. 6888. An act to amend sections 201 (a) and 207 (a) of the Hawaiian Homes Commission Act;

H. R. 6890. An act to approve Act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend Act 24 of the Session Laws of Hawaii 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the Island of Kauai, T. H.,"; and

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 6655. An act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes; to the Committee on Labor and Public Welfare.

H. R. 7111. An act to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land; to the Committee on Public Works.

H. R. 8538. An act to provide for the revocation or denial of merchant-marine docu-

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ments to persons involved in certain narcotics violations; to the Committee on Interstate and Foreign Commerce.

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, RELATING TO CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit an additional report on civilian employment in the executive branch of the Federal Government for the month of March 1954, and, in accordance with the practice of several years' standing, I request that it be printed in the body of the RECORD as a part of my remarks, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, FEBRUARY–MARCH 1954, AND PAY, JANUARY–FEBRUARY 1954

PERSONNEL AND PAY SUMMARY [1]

(See table I)

According to monthly personnel reports for March 1954 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures:

[1] Exclusive of foreign nationals shown in table VI.

Department or agency	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In March numbered—	In February numbered—	Increase (+) or decrease (−)	In February was—	In January was—	Increase (+) or decrease (−)
Total	2,340,546	2,340,962	−416	$729,908	$756,566	−$26,658
1. Agencies exclusive of Department of Defense	1,178,218	1,173,235	+4,983	379,763	389,496	−9,733
2. Department of Defense	1,162,328	1,167,727	−5,399	350,145	367,070	−16,925
Within the Department of Defense:						
Office of the Secretary of Defense	1,869	1,840	+29	908	903	+5
Department of the Army	446,498	450,510	−4,012	121,395	127,879	−6,484
Department of the Air Force	290,954	288,712	+2,242	87,663	91,101	−3,438
Department of the Navy	423,007	426,665	−3,658	140,179	147,187	−7,008

Table I breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the foregoing employment figures to show the number inside continental United States, outside continental United States, and the number in the so-called industrial categories. This further breakdown in tables II, III, and IV does not include pay figures because payroll reports submitted to the committee by some agencies are inadequate for this purpose.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954, and pay for February 1954, and comparison with January 1954*

Department or agency	Pay (in thousands of dollars)				Personnel			
	January	February	Increase	Decrease	February	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	21,164	20,927		237	67,936	70,251	2,315	
Commerce [1] [2]	16,193	15,156		1,037	42,608	42,176		432
Health, Education, and Welfare	12,462	11,833		629	36,398	36,518	120	
Interior	18,297	17,399		898	51,776	52,508	732	
Justice	12,099	11,574		525	29,901	29,840		61
Labor	2,091	1,978		113	5,004	4,977		27
Post Office	162,573	162,167		406	504,558	503,185		1,373
State	6,494	6,114		380	20,275	20,145		130
Treasury	29,927	29,066		861	82,370	85,865	3,495	
Executive Office of the President:								
White House Office	125	118		7	259	259		
Bureau of the Budget	239	227		12	420	415		5
Council of Economic Advisers	21	16		5	26	25		1
Executive Mansion and Grounds	25	23		2	127	79		48
National Security Council [3]	15	14		1	27	28	1	
Office of Defense Mobilization	186	179		7	380	338		42
President's Advisory Committee on Government Organization					3	4	1	
Emergency agencies:								
Defense Transport Administration	17	17			36	33		3
Federal Civil Defense Administration	365	364		1	685	691	6	
Foreign Operations Administration	1,966	2,231	265		5,135	5,131		4
National Security Training Commission	5	4		1	5	6	1	
Renegotiation Board	402	368		34	717	710		7
Subversive Activities Control Board	18	18			31	31		
Postwar agencies: War Claims Commission	60	57		3	152	159	7	
Independent agencies:								
American Battle Monuments Commission	90	104	14		[4] 878	899	21	
Atomic Energy Commission	[4] 2,756	2,694		62	6,365	6,316		49
Board of Governors of the Federal Reserve System	244	233		11	570	575	5	
Civil Aeronautics Board	263	250		13	540	539		1
Civil Service Commission	1,671	1,617		54	4,480	4,469		11
Commission on Foreign Economic Policy	19	9		10	35	11		24
Commission on Intergovernmental Relations	13	14	1		32	51	19	
Committee on Retirement Policy for Federal Personnel	7	5		2	16	15		1
Export-Import Bank of Washington	68	65		3	129	131	2	
Farm Credit Administration	343	317		26	773	780	7	
Federal Coal Mine Safety Board of Review	5	3		2	8	8		
Federal Communications Commission	529	504		25	1,141	1,149	8	
Federal Deposit Insurance Corporation	433	407		26	1,024	1,021		3
Federal Mediation and Conciliation Service	220	202		18	353	358	5	
Federal Power Commission	314	298		16	665	664		1
Federal Trade Commission	288	277		11	585	594	9	
General Accounting Office	2,316	2,198		118	5,876	5,896	20	
General Services Administration	8,128	7,833		295	27,229	27,189		40
Government Contract Committee	3	3			16	11		5
Government Printing Office	2,629	2,552		77	7,067	6,977		90
Housing and Home Finance Agency	4,539	4,180		359	10,820	10,788		32
Indian Claims Commission	9	9			14	14		
Interstate Commerce Commission	820	786		34	1,880	1,885	5	
National Advisory Committee for Aeronautics	2,931	2,800		131	[4] 7,049	7,076	27	
National Capital Housing Authority	105	101		4	333	328		5
National Capital Planning Commission	10	8		2	19	20	1	
National Gallery of Art	93	87		6	315	314		1
National Labor Relations Board	601	562		39	[4] 1,258	1,213		45

[1] March figure includes 758 employees of the Business and Defense Services Administration, a decrease of 114 from the February figure of 872.

[2] March figure includes 1,575 seamen on the rolls of the Maritime Administration and their pay.

[3] Exclusive of personnel and pay of the Central Intelligence Agency.

[4] Revised on basis of later information.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954, and pay for February 1954, and comparison with January 1954*—Continued

Department or agency	Pay (in thousands of dollars)				Personnel			
	January	February	Increase	Decrease	February	March	Increase	Decrease
Independent agencies—Continued								
National Mediation Board	67	68	1		116	109		7
National Science Foundation	77	73		4	229	207		22
Panama Canal	4,482	3,394		1,088	16,517	16,290		227
Railroad Retirement Board	736	730		6	2,201	2,226	25	
Reconstruction Finance Corporation	547	514		33	1,168	1,137		31
Rubber Producing Facilities Disposal Commission	14	14			25	25		
Securities and Exchange Commission	[4] 368	350		18	724	724		
Selective Service System	1,577	1,513		64	7,313	7,374	61	
Small Business Administration	236	245	9		496	516	20	
Smithsonian Institution	171	167		4	500	504	4	
Soldiers' Home	145	143		2	795	815	20	
Tariff Commission	98	94		4	192	194	2	
Tax Court of the United States	73	66		7	139	141	2	
Tennessee Valley Authority	9,642	9,302		340	22,965	23,185	220	
United States Information Agency	2,505	3,014	509		9,166	9,281	115	
Veterans' Administration	54,567	52,108		2,459	182,309	182,825	435	
Total, excluding Department of Defense	389,496	379,763	709	10,532	1,173,235	1,178,218	7,711	2,728
Net change, excluding Department of Defense			9,733				4,983	
Department of Defense:								
Office of the Secretary of Defense	903	908	5		1,840	1,869	29	
Department of the Army:								
Inside continental United States	115,268	109,435		5,833	399,429	395,314		4,115
Outside continental United States	12,611	11,960		651	51,081	51,184	103	
Department of the Air Force:								
Inside continental United States	83,146	79,924		3,222	251,167	252,112	945	
Outside continental United States	7,955	7,739		216	37,545	38,842	1,297	
Department of the Navy:								
Inside continental United States	138,338	131,912		6,426	396,093	392,253		3,840
Outside continental United States	8,849	8,267		582	30,572	30,754	182	
Total, Department of Defense	367,070	350,145	5	16,930	1,167,727	1,202,328	2,556	7,955
Net decrease, Department of Defense			16,925				5,399	
Grand total, including Department of Defense	756,566	729,908	804	27,462	2,340,952	2,340,546	10,267	10,683
Net decrease, including Department of Defense			26,658				416	

[4] Revised on basis of later information.

TABLE II.—*Federal personnel inside continental United States employed by executive agencies during March 1954, and comparison with February 1954*

Department or agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	66,373	68,838	2,465	
Commerce [1 2]	39,641	39,207		434
Health, Education, and Welfare	35,833	35,948	115	
Interior	45,549	45,847	298	
Justice	29,396	29,323		73
Labor	4,911	4,888		23
Post Office	502,194	500,823		1,371
State	5,874	5,846		28
Treasury	81,365	84,847	3,482	
Executive Office of the President:				
White House Office	259	259		
Bureau of the Budget	420	415		5
Council of Economic Advisers	26	25		1
Executive Mansion and Grounds	127	79		48
National Security Council [3]	27	28	1	
Office of Defense Mobilization	380	338		42
President's Advisory Committee on Government Organization	3	4	1	
Emergency agencies:				
Defense Transport Administration	36	33		3
Federal Civil Defense Administration	685	691	6	
Foreign Operations Administration	1,457	1,482	25	
National Security Training Commission	5	6	1	
Renegotiation Board	717	710		7
Subversive Activities Control Board	31	31		
Postwar agencies: War Claims Commission	152	159	7	
Independent agencies:				
American Battle Monuments Commission	15	20	5	
Atomic Energy Commission	6,347	6,296		51
Board of Governors of the Federal Reserve System	570	575	5	
Civil Aeronautics Board	533	532		1
Civil Service Commission	4,468	4,458		10
Commission on Foreign Economic Policy	35	11		24
Commission on Intergovernmental Relations	32	51	19	
Committee on Retirement Policy for Federal Personnel	16	15		1
Export-Import Bank of Washington	129	131	2	
Farm Credit Administration	764	771	7	
Federal Coal Mine Safety Board of Review	8	8		
Federal Communications Commission	1,115	1,123	8	
Federal Deposit Insurance Corporation	1,023	1,020		3
Federal Mediation and Conciliation Service	253	258	5	
Federal Power Commission	605	604		1
Federal Trade Commission	585	594	9	
Independent agencies—Continued				
General Accounting Office	5,833	5,853	20	
General Services Administration	27,107	27,063		44
Government Contract Committee	16	11		5
Government Printing Office	7,067	6,977		90
Housing and Home Finance Agency	10,689	10,656		33
Indian Claims Commission	14	14		
Interstate Commerce Commission	1,880	1,885	5	
National Advisory Committee for Aeronautics	[4] 7,049	7,076	27	
National Capital Housing Authority	333	328		5
National Capital Planning Commission	19	20	1	
National Gallery of Art	315	314		1
National Labor Relations Board	[4] 1,211	1,191		20
National Mediation Board	116	109		7
National Science Foundation	229	207		22
Panama Canal	536	410		126
Railroad Retirement Board	2,201	2,226	25	
Reconstruction Finance Corporation	1,162	1,131		31
Rubber Producing Facilities Disposal Commission	25	25		
Securities and Exchange Commission	724	724		
Selective Service System	7,110	7,174	64	
Small Business Administration	496	516	20	
Smithsonian Institution	498	502	4	
Soldiers' Home	795	815	20	
Tariff Commission	192	194	2	
Tax Court of the United States	139	141	2	
Tennessee Valley Authority	22,965	23,185	220	
United States Information Agency	2,167	2,160		7
Veterans' Administration	181,158	181,594	436	
Total, excluding Department of Defense	1,114,165	1,118,955	7,307	2,517
Net increase, excluding Department of Defense			4,790	
Department of Defense:				
Office of the Secretary of Defense	1,783	1,812	29	
Department of the Army	399,429	395,314		4,115
Department of the Air Force	251,167	252,112	945	
Department of the Navy	396,093	392,253		3,840
Total, Department of Defense	1,048,472	1,041,491	974	7,955
Net decrease, Department of Defense			6,981	
Grand total, including Department of Defense	2,162,637	2,160,446	8,281	10,472
Net decrease, including Department of Defense			2,191	

[1] March figure includes 758 employees of the Business and Defense Services Administration, a decrease of 114 from the February figure of 872.
[2] March figure includes 1,575 seamen on the rolls of the Maritime Administration.
[3] Exclusive of personnel of the Central Intelligence Agency.
[4] Revised on basis of later information.

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TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954*

Department or agency	February	March	Increase	Decrease	Department or agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):					Independent agencies—Continued				
Agriculture	1,563	1,413		150	Panama Canal	15,961	15,860		101
Commerce	2,967	2,969	2		Reconstruction Finance Corporation	6	6		
Health, Education, and Welfare	565	570	5		Selective Service System	203	200		3
Interior	6,227	6,661	434		Smithsonian Institution	2	2		
Justice	505	517	12		United States Information Agency	6,999	7,121	122	
Labor	93	89		4	Veterans' Administration	1,232	1,231		1
Post Office	2,364	2,362		2	Total, excluding Department of Defense	59,670	59,263	611	418
State	14,401	14,299		102	Net increase, excluding Department of Defense			193	
Treasury	1,005	1,018	13						
Emergency agencies:									
Foreign Operations Administration	3,678	3,649		29	Department of Defense:				
Independent agencies:					Office of the Secretary of Defense	57	57		
American Battle Monuments Commission	[1] 863	879	16		Department of the Army	51,081	51,184	103	
Atomic Energy Commission	18	20	2		Department of the Air Force	37,545	38,842	1,297	
Civil Aeronautics Board	7	7			Department of the Navy	30,572	30,754	182	
Civil Service Commission	12	11		1	Total, Department of Defense	119,255	120,837	1,582	
Farm Credit Administration	9	9			Net increase, Department of Defense			1,582	
Federal Communications Commission	26	26							
Federal Deposit Insurance Corporation	1	1							
General Accounting Office	43	43			Grand total, including Department of Defense	178,325	180,100	2,193	418
General Services Administration	122	126	4		Net increase, including Department of Defense			1,775	
Housing and Home Finance Agency	131	132	1						
National Labor Relations Board	47	22		25					

[1] Revised on basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during March 1954 and comparison with February 1954*

Agency	February	March	Increase	Decrease	Agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):					Department of Defense—Continued				
Commerce	440	127		313	Department of the Air Force:				
Interior	2,050	1,932		118	Inside continental United States	141,797	142,233	436	
State	141	150	9		Outside continental United States	22,533	23,343	810	
Treasury	6,757	6,691		66	Department of the Navy:				
Independent agencies:					Inside continental United States	257,375	253,356		4,019
Atomic Energy Commission	113	113			Outside continental United States	22,194	22,337	143	
Panama Canal	1,367	1,371	4		Total, Department of Defense	667,383	661,430	1,511	7,464
Tennessee Valley Authority	14,342	14,577	235		Net decrease, Department of Defense			5,953	
Total, excluding Department of Defense	25,210	24,961	248	497	Grand total, including Department of Defense	692,593	686,391	1,759	7,961
Net decrease excluding Department of Defense			249		Net decrease including Department of Defense			6,202	
Department of Defense:									
Department of the Army:									
Inside continental United States	190,756	187,311		3,445					
Outside continental United States	32,728	32,850	122						

TABLE V.—*Federal employees assigned to Mutual Defense Assistance Program*

Department or agency	Payroll (in thousands)			Civilian personnel		
	In January was—	In February was—	Increase (+) or decrease (−)	In February numbered—	In March numbered—	Increase (+) or decrease (−)
Total	$6,996	$7,139	+$143	21,685	21,870	+185
Health, Education, and Welfare					[2]	+2
State Department	136	130	−6	1,381	1,144	−237
General Services Administration					[2]	+8
Office of the Secretary of Defense	72	78	6	144	135	−9
Department of the Army	[1] 4,793	[2] 4,793		[1] 12,659	[2] 12,659	
Department of the Air Force	1,063	997	−66	3,315	3,405	+90
Department of the Navy	932	1,141	+209	4,186	4,517	+331

[1] Revised on basis of later information.
[2] Subject to revision.

TABLE VI.—*Foreign nationals working under United States agencies overseas, excluded from usual Federal personnel reporting because of the nature of their work or the source of the funds from which they are paid, as of March 1954 and comparison with February 1954 (not included elsewhere in this report)*

Country	Total		Army		Navy		Air Force	
	February	March	February	March	February	March	February	March
Germany	118,331	118,052	97,569	97,268	1,932	1,948	18,830	18,836
Japan	172,548	174,300	113,994	113,865	17,018	17,761	41,536	42,674
Korea	106,359	103,553	[1] 97,040	[1] 94,153			9,319	9,412
Lybia	199	197					199	197
Ryukyus	14,925	15,182	11,184	11,128	146	151	3,595	3,903
Saudi Arabia	390	403					390	403
Trinidad	585	585			585	585		
Total	413,337	412,284	319,787	316,414	19,681	20,445	73,869	75,425

[1] Includes 37,687 members of the Korean Service Corps in March as compared with 38,406 in February.

NOTE.—The Germans are paid from funds provided by German governments. Ryukyuans reported by the Army are paid from funds appropriated for personal service. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

Executive agencies of the Federal Government reported regular civilian employment in the month of March totaling 2,340,546. This was a net reduction of 416 as compared with employment reported for the preceding month of February.

Civilian employment as reported by employing agencies of the Federal Government by months in the current fiscal year 1954, which began July 1, follows:

Month	Employment	Decrease
July	2,454,714	−14,926
August	2,431,430	−23,284
September	2,401,810	−29,620
October	2,372,745	−29,065
November	2,367,330	−5,415
December	2,357,294	−10,036
January	2,346,892	−10,402
February	2,340,962	−5,930
March	2,340,546	−416

These figures show that during the 9 months of fiscal year 1954 civilian employment was reduced by 129,094. March was the 20th consecutive month in which net reductions were reported.

Civilian employment by the Department of Defense continued to decrease during March, dropping 5,399 to a total of 1,162,328. Employment by the civilian agencies increased during the month from 1,173,235 to 1,178,218, an increase of 4,983.

Major decreases were reported by the Department of Commerce with 432, the Department of State with 130, Department of the Post Office with 1,373, the Panama Canal with 227, Department of the Army with 4,012, and the Department of the Navy with 3,658. Major increases were reported by the Department of Agriculture with 2,315, the Department of Health, Education, and Welfare with 120, Department of the Interior with 732, Department of the Treasury with 3,495, the Department of the Air Force with 2,242, Tennessee Valley Authority with 220, United States Information Agency with 115, and Veterans Administration with 435.

Employment outside continental United States increased 1,775, and inside continental United States civilian employment decreased 2,191.

These figures are from reports certified by the agencies, as compiled today by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,340,546 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports included some foreign nationals employed in United States Government activities abroad, but in addition to these there were 412,284 foreign nationals working for United States military agencies overseas during the month of March who were not counted in the usual personnel reports. The number employed in February was 413,337. A breakdown of this employment for March follows:

Country	Total	Army	Navy	Air Force
Germany	118,052	97,268	1,948	18,836
Japan	174,300	113,865	17,761	42,674
Korea	103,565	94,153	.....	9,412
Lybia	197	.....	.....	197
Ryukyus	15,182	11,128	151	3,903
Saudi Arabia	403	.....	.....	403
Trinidad	585	.....	585	.....
Total	412,284	316,414	20,445	75,425

LETTERS REQUESTING INFORMATION FROM ADMINISTRATOR OF HOUSING AND HOME FINANCE AGENCY

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD two letters which I, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, wrote on May 14 to the Honorable Albert M. Cole, Administrator of the Housing and Home Finance Agency, requesting certain information.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 14, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: You have reported that through January 31, 1954, the Federal Housing Administration has approved Federal insurance of housing loans, as follows:

Program	Number of loans	Face amount
MODERNIZATION AND IMPROVEMENT INSURANCE		
Title I	(1)	(1)
MORTGAGE INSURANCE		
Title I: Sec. 8	16,671	$82,528,100
Title II:		
Sec. 203	1,550,021	11,196,191,954
Secs. 207–210	269	174,223,847
Sec. 213	6,619	247,130,650
Title VI:		
Sec. 603	318,936	2,117,168,663
Sec. 609 (manufacturers' loans)	1	100,000
Sec. 609 (purchasers' loans)	27	81,902
Sec. 610 (sec. 603)	2,973	14,567,200
Sec. 610 (sec. 608)	18	6,616,800
Sec. 611	77	2,399,350
Title VII	.....	.....
Title VIII: Sec. 803	231	578,850,732
Title IX:		
Sec. 903	28,878	340,738,750
Sec. 908	80	52,683,083
Total	1,941,316	18,043,738,693

[1] Not available.

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to title VII of the National Housing Act:

1. A statement as to whether legislation authorizing the title VII program was advocated by the Federal Housing Administration, and, if so, the purposes it was designed to serve.

2. The reasons why it was not used.

3. A statement as to whether FHA promoted the program.

4. A statement as to whether FHA discouraged the use of the program, and, if so, why.

Cordially yours,

HARRY F. BYRD,
Chairman.

MAY 14, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to overlapping Federal Housing Administration insurance of more than one loan involving the same property:

1. A statement as to whether it is possible that two FHA-insured loans, under separate programs, involving the same property may run simultaneously; for instance, a purchaser loan under section 203 and a repair-improvement loan under title I. And an estimate as to the number of borrowers for whom FHA has insured such simultaneous loans.

2. A statement as to whether it is possible that more than two FHA-insured loans involving the same property may run simultaneously.

Cordially yours,

HARRY F. BYRD.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

THE CALENDAR

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will proceed to state the nominations on the calendar.

COMMODITY CREDIT CORPORATION

The Chief Clerk read the nomination of Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

The Chief Clerk read the nomination of Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNIVERSITY OF MICHIGAN LIBRARIES

The Chief Clerk read the nomination of John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARSHALS

The Chief Clerk read the nomination of Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF COMMERCE

The Chief Clerk read the nomination of Melvin H. Friedman, of the District of Columbia, to be Examiner in Chief in the Patent Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

That completes the Executive Calendar.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

NOTICE OF HEARING ON NOMINATIONS OF UNITED STATES DISTRICT JUDGES

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place, all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER].

Ralph M. Freeman, of Michigan, to be United States district judge for the eastern district of Michigan, to fill a new position.

W. Wallace Kent, of Michigan, to be United States district judge for the western district of Michigan, to fill a new position.

Joe McDonald Ingraham, of Texas, to be United States district judge for the southern district of Texas, vice Thomas M. Kennerly, retired.

Charles E. Whittaker, of Missouri, to be United States district judge for the western district of Missouri, vice Albert L. Reeves, retired.

A. Sherman Christenson, of Utah, to be United States district judge for the district of Utah, to fill a new position.

NOTICE OF HEARING ON NOMINATIONS OF ASSISTANT ATTORNEY GENERAL AND UNITED STATES ATTORNEY

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place, all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from Wisconsin [Mr. WILEY], and the Senator from Tennessee [Mr. KEFAUVER].

William F. Tompkins, of New Jersey, to be an Assistant Attorney General, to fill a new position.

Raymond Del Tufo, Jr., of New Jersey, to be United States attorney for the district of New Jersey, vice William F. Tompkins, promoted.

NOTICE OF HEARING ON NOMINATIONS OF UNITED STATES ATTORNEY AND UNITED STATES MARSHALS

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate office building, upon the following nominations. At the indicated time and place all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER]:

B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma, vice Whitfield Y. Mauzy, resigned.

Joseph F. Job, of New Jersey, to be United States marshal for the district of New Jersey, vice William T. Brady, resigned.

John Burke Dennis, of Missouri, to be United States marshal for the western district of Missouri, vice Fred A. Canfil, deceased.

Kenner Wilburn Greer, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice Rex Bryan Hawks, term expired.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TENTH ANNIVERSARY OF BATTLE OF MONTE CASSINO, ITALY

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared on the 10th anniversary of the Battle of Monte Cassino, in Italy, on May 18, 1954.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FERGUSON ON THE 10TH ANNIVERSARY OF THE BATTLE OF MONTE CASSINO, ITALY

This day marks the 10th anniversary of one of the bloody and long-remembered battles of World War II, the battle for Monte Cassino, an important German stronghold on the road to Rome in Italy. The victory helped to open the way to Rome for Allied troops and hastened the defeat of the Nazis in the Italian campaign.

I particularly wish to call the attention of the Senate to the battle because the victory belongs to the II Polish Corps under the command of Gen. W. Anders who won after the most difficult and courageous effort. This victory gives vivid illustration of the fact that the forces of free Poland have fought with valor and ability in comradeship with the Western World against tyranny and oppression. It demonstrates that we have allies in the Poles behind the Iron Curtain and they will some day be able to play their full role in the independence of their people.

To the officers and men of the II Polish Corps their victory seemed to open the road to a free and independent Poland in the postwar period. But they have not yet achieved that goal despite the courage of their arms and the righteousness of their objective.

It is fitting that we honor this occasion today in order to assure those gallant men that their objective has not been forgotten here in the United States. We all look forward to the day when freedom will be restored to the Polish homeland and Poland can take her rightful place as a proud, free, and independent nation.

I am especially happy to salute the anniversary of this victory of the II Polish Corps because of my sponsorship of an amendment to the Refugee Relief Act of of 1953 authorizing members of General Anders' fine army, who live in exile, to come to the United States.

Their devotion to freedom has been demonstrated on some of the most difficult and trying battlefields of World War II, and I know they will make a real contribution to this Nation.

EDITORIAL COMMENT ON SPEECH BY FORMER PRESIDENT TRUMAN

Mr. SMITH of New Jersey. Mr. President, on Saturday, May 15, 1954, the New York Times in an editorial entitled "Back to Utopia?" completely demolished the specious foundations upon which rested the speech of former President Truman to the Amalgamated Clothing Workers on May 13, 1954. This speech was delivered at America's most famous seaside resort, Atlantic City, N. J.

Mr. President, I have the privilege of representing, with my colleague, the junior Senator from New Jersey [Mr. HENDRICKSON], the people of this fine community. I know that they sincerely welcomed Mr. Truman to their midst, and would have been delighted to extend him all hospitality—as they have for so long to so many—had he come merely for rest, rejuvenation, and pleasure.

But Mr. Truman had other ideas. He wanted to give a speech. Mr. President, the people of Atlantic City are not only

friendly and hospitable, they are also tolerant and undemanding of their visitors. Nonetheless, I must protest our ex-President's presumption in offering Atlantic City's other guests, the Amalgamated Clothing Workers, a barely warmed-over repast first offered in 1948 and served up frequently thereafter. For, as the New York Times says of this address, it "might have been any one of the speeches he delivered in the course of his whistlestop campaign of 1948" and made "repeatedly in the campaign of 1952." The sensible people of Atlantic City rejected the false premises of this speech in 1948 and 1952. Mr. Truman, it might have been hoped, should have more imagination than to believe that Atlantic City's 1954 guests would find it palatable.

Mr. President, the Times editorial very succinctly exposes the fallacies of Mr. Truman's economic philosophy upon which this tired speech was based. I ask unanimous consent that the editorial be printed in the body of the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BACK TO UTOPIA?

Former President Truman's address on Thursday before the Amalgamated Clothing Workers might have been any one of the speeches he delivered in the course of his whistlestop campaign of 1948. These were the speeches, it may be recalled, when, in talking to the workers, Mr. Truman denounced the rampant inflation of the times, which, he explained, had its origin in the fact that "they" had killed price control. When talking to the farmers, on the other hand, inflation ceased to be inflation and became high prices for what the farmer sells, or, to put it in simpler terms, farm prosperity. While the inflation was the work of the Republicans, the high prices, of course, were strictly a product of Mr. Truman's policies.

Mr. Truman made essentially this same speech repeatedly in the campaign of 1952. But by that time the public had come face to face with a hard and painful fact, which many other countries and more than one generation in this country had learned to their dismay and sorrow. That is that inflation, however pleasant it may be in its initial stages, becomes a cruel burden on a people when it begins to work its way—as it must do sooner or later—into the fabric of the cost of living. There is nothing to be gained by discussing here what Mr. Truman refers to as his economic philosophy. The central fact of his administration, so far as the American economy is concerned, is this: In the years 1945–52 the cost of living (as measured by the Consumers' Price Index) rose from a monthly average of 76.9 in 1945 to 113.5 in 1952. That rise of 48 percent exceeded by 60 percent the inflation of the entire period of the Second World War from its very beginning in Europe in 1939 to 1945.

"We made the shift after World War II," observes Mr. Truman, "to a real peacetime economy without a recession—on the contrary, we had a boom." On this point at least the former President's speech is clearly irrefutable. But it wasn't a boom, it was a superboom. But this wasn't good enough for Mr. Truman and his advisers. Just to make sure, they decided to throw a can of kerosene on the kindlings. This kerosene was, needless to say, a huge shot of Mr. Truman's favorite cureall, purchasing power, and it was administered through that now thoroughly discredited wage-raising device, ability to pay. It was this that touched off the prairie fire of inflation at the war's end, a fire which was to be fanned into new life every time it threatened to die down through a monetary policy that was only step removed from resort to the printing press, by the indiscriminate encouragement of consumer-credit expansion and by high, rigid farm-price supports, the effects of which were to encourage the production of farm production for a market that didn't exist.

CIO PROGRAM FOR PROSPERITY IN PEACETIME

Mr. MURRAY. Mr. President, the Congress of Industrial Organizations held a conference on the economic situation here May 10 and 11 which drew representatives of unions from all parts of the Nation.

Without exception, the delegates reported unemployment of an increasingly serious nature, and continuing reductions in the hours of those who still have part-time work and are consequently listed as employed.

One of the interesting developments of the conference was the reports of delegates back to the meeting after they had spent several hours calling on Members of Congress. It was repeatedly reported to the meeting that Republican Senators and Representatives were deeply concerned by the administration's inaction in relation to the recession and the unemployment situation. These reports confirmed my belief that many members of the majority party—who have remained silent for party reasons—are nonetheless as aware of the economic dangers of the present situation in the Nation as those of us on the Democratic side of the aisle.

While for very obvious reasons, they do not want to criticize the administration, the CIO delegate reports made it clear that an affirmative program for rereversing the present downtrend would draw bipartisan support.

Members of the minority party have suggested needed economic measures on numerous occasions. In remarks on the floor of the Senate in February, I concluded that the administration would not act, and urged that the Congress consider a 10-point program for economic rehabilitation.

The CIO Full Employment Conference has also suggested a constructive, affirmative 10-point program for prosperity in peacetime. They propose tax concessions in the low-income, high-consuming brackets, an increase in minimum wages, strengthened collective bargaining, improvement of unemployment compensation, and social security, a housing program, strengthened farm-price supports, aid to small business, Federal public works, and local and State public works.

These are all constructive suggestions which merit the thoughtful consideration of the Congress. I therefore request unanimous consent to insert in the RECORD at this time the CIO full employment conference's program for prosperity in peacetime.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

A PROGRAM FOR PROSPERITY IN PEACETIME

The United States is in a recession. Positive steps must be taken to restore the Nation to full employment.

In the face of present unemployment and reduced production, the Washington do-nothing look-the-other-way policy is both dangerous and disgraceful. It is a repudiation of the Employment Act, which pledged the Government to pursue policies "to promote maximum employment, production, and purchasing power."

Government, industry and labor, farmer and professional people—in fact, all Americans—must unite and act now to meet this threat to our well-being.

The present economic decline has been underway since mid-1953. Since that time industrial production has declined more than 10 percent. Total national output has fallen from a rate of $371 billion annually to $359 billion; this has occurred during a period when the Nation's output should have increased to a rate of approximately $385 billion, if full employment had been maintained.

This decline has been felt in virtually every industry. Steel operations have been below 70 percent for several months. Automobile production is behind last year's rate. Farm-equipment operations have been in a slump for more than a year. Similar conditions prevail in textiles, clothing, and other industries. Retail sales have consistently lagged behind last year's levels.

Unemployment began to mount steadily after last September, and even the conservative Government figures went over the 3.6-million mark in February. Additional millions are forced to struggle along on reduced hours, and part-time work has become widespread. Under ordinary circumstances, as a result of the normal spring pickup in agriculture, construction, some branches of trade, and other industries, this figure should have declined over half a million by now. The actual drop in unemployment as reported for April has been less than half of this. Manufacturing employment has continued its downward trend and is already 1.3 million below last year's figure; over a quarter of a million of this drop occurred in the past month alone. Indeed, it is now painfully clear that we will suffer a sharp increase in unemployment, to well over 4 million this summer, as hundreds of thousands of young Americans leave school and are added to the labor force in June and July.

The entry of these youngsters into the labor force underscores the basic needs of the American economic system. Unless our economy grows and expands each year, unemployment will mount steadily. Literally, when we aren't expanding in this country, we are falling back, and unemployment grows.

The persistence of unemployment, the losses in production, and the bitter prospect of joblessness for thousands of America's young, new workers are evidence that the Federal Government is not living up to its responsibilities.

We reject the official Republican explanation that this downturn is merely a corrective process. There is nothing corrective about more than 3,500,000 unemployed workers.

Full employment and an expanding economy are not only possible but necessary for our country. But full employment will not be achieved by reliance on mere automatic market forces. The very passage of the Full Employment Act in 1946 is a symbol of the American people's rejection of the philosophy of laissez-faire. We are not prepared to sit by and trust to some vague self-regulating adjustments to bring prosperity around the corner. This smacks too much of 1929.

Depressions are not inevitable, and we reject the defeatist philosophy which believes that prosperity is possible only in a war or defense economy.

The forces making for this recession must be attacked at their roots.

UNIVERSITY OF MICHIGAN LIBRARIES

The basic cause of the recession is a lack of purchasing power. This weakness in consumption first manifested itself in the spring of 1953, when our ability to produce began to outrun our capacity to consume. This resulted in a sharp pileup of inventories; as goods accumulated on the shelves, retailers and wholesalers began to cut their orders, and this led to production cutbacks and unemployment. The end of hostilities and reductions in defense spending as well as general budget cuts instituted by the new administration added to the decline. Moreover, as it becomes clear that production capacity in most industries is more than ample to meet the current demand for products, business investment for new plant and equipment is beginning to decline somewhat.

As business and Government spending slacken, it has become imperative to strengthen and expand the other main support of full employment, private consumer buying. This is the major task confronting the American people in the period ahead, if we are to avoid further declines in economic activity.

To meet the present unemployment situation, CIO is recommending a limited, basic, national economic program. Swift action can reverse the tide of recession and return the country to full employment.

1. Taxes: A tax program to benefit the many, not the privileged few, by raising personal income-tax exemptions now from the present $600 to $800, and to $1,000 next year. A $200 increase in the exemption this year will add $4.5 billion to the income stream and support increased consumer buying. Proposals to provide new loopholes for the wealthy by cutting taxes on dividends and increasing corporation writeoff allowances must be rejected by the Congress.

2. Minimum wage: An increase in the minimum wage from 75 cents an hour to $1.25 an hour and greater coverage for the Federal Fair Labor Standards Act. Action on this proposal is overdue and must not be postponed on the trumped-up administration pretext that this is not the time to bolster the purchasing power of the Nation's low-income workers and families.

3. Higher wages: Collective bargaining must be strengthened to protect consumer buying power and to enable workers to obtain a fair share of the rising productivity of American industry.

4. Improve unemployment compensation: Steps must be taken immediately, at both the National the State levels, to raise benefit levels so that the unemployed worker is entitled to a primary benefit of two-thirds his average weekly wage for a period up to at least 39 weeks; maximum primary benefits shall be equal to at least two-thirds of the State's or the national average weekly wage, whichever is higher; additional allowances should be provided for dependents; and procedures should be established to help those States most hard hit by unemployment. While the President has exerted tremendous pressure on the Congress to put through his good-for-business tax program, he has contented himself with a mere formal mail request to the States to improve the unemployment-compensation system. A special CIO survey reveals that this mail request has led to action in only 3 States, and in only 1 case did the action even come near what the President recommended.

5. Housing: A greatly expanded housing program is needed to provide decent homes for millions of Americans in the lower- and middle-income groups and to bolster the economy. Our goal must be set at 2 million homes per year. As part of this program CIO believes the Government should lift its public housing goal from 35,000 units a year to 200,000 and develop means that allow millions of moderate-income families to buy their own homes at reasonable cost.

6. Social security: Passage of the Lehman-Dingell bill is to expand social-security coverage, add permanent and temporary disability insurance, and raise monthly payments to a maximum of $200 a month.

7. Farm program: The Government should continue and strengthen programs including price supports, conservation, low-lost credit, and rural electrification, to aid the Nation's farm families now suffering from a serious recession.

8. Aid to small business: A special credit agency to perform functions formerly carried on by the Reconstruction Finance Corporation (RFC) should be established to make possible liberal credit for small business and to aid in the expansion of America's economy.

9. Public works: A big-scale public-works program to build badly needed highways, hospitals, schools, recreation facilities, etc., should be inaugurated at once. We need less emphasis on blueprints and more on getting projects under way. The President's Economic Report stated that State and local governments alone should spend approximately $20 billion per year for the next decade to meet the building backlog for schools, highways, utilities, and the like. In 1953 the outlay for all public works—State, local, and Federal—was less than $12 billion. During World War II and the Korean hostilities, many vitally needed projects were postponed, and the time has now come to move ahead with this essential work.

10. State and city programs: The 48 States and local communities should embark at once on a program of planning action for a number of activities listed above in order to insure that in every section of the country the full benefits of this program will be made available to all the people.

The responsibility to maintain full production and full employment rises above partisan politics. All Americans must unite to carry out this responsibility.

PROGRAM OF UNITED STEEL WORKERS OF AMERICA FOR FULL EMPLOYMENT, PRODUCTION, AND CONFIDENCE

Mr. MURRAY. Mr. President, the deputy to the Secretary of the Treasury, Mr. Randolph Burgess, said in a magazine interview some months ago that we are in a spiraling recession when the economy drops 25 or 30 percent.

Our economy totally is not in such a condition yet. But in the steel industry production is down approximately 40 percent. There are nearly 200,000 steelworkers unemployed and another 250,000 working a short workweek.

The steel industry itself is not suffering. Thanks to our repeal of the excess profits tax, the largest steel companies have net profits virtually as large as when they were operating at capacity. They made last ditch price increases in midyear, 1953, to assure high profits on lower production when the recession hit. The owners can sit by and contemplate the recession and lines of unemployed with some equanimity. But not the workers. For the 450,000 unemployed and on short workweek, there is a depression. And there is a business decline ranging from recession to depression for all those whom the steelworkers patronize, from the local stores to the farmers and the manufacturers of consumer goods.

On April 5, 1954, the international executive board of the United Steelworkers of America met and proposed a program for the restoration of full employment, confidence, and production in the United States. It is an excellent program. It is a program that should receive the serious consideration of the Congress. Although the steelworkers are most directly and seriously affected by the decline of production in their industry, the situation concerns every citizen of the Nation.

Unemployment is malignant. As purchasing power falls the whole structure of our economy is endangered.

I ask unanimous consent to insert in the RECORD at this point the program for full employment, production, and confidence proposed by the United Steelworkers of America, April 5, 1954.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

A PROGRAM FOR FULL EMPLOYMENT, PRODUCTION, AND CONFIDENCE

STATEMENT OF THE INTERNATIONAL EXECUTIVE BOARD OF THE UNITED STEELWORKERS OF AMERICA, APRIL 5, 1954

We have met in a special meeting of the international executive board of the United Steelworkers of America to voice the concern of the steelworkers about the Nation's present economic situation.

The state of the economy is not good.

Industrial production has been slowly moving downward for months. At the end of February it was 9 percent below a year ago. The downward trend has continued in March.

Retail sales in February were 5 percent off from last year. March has brought a further reduction in sales.

Automobile production is down over last year, and, at the same time, auto dealers report inventories to be substantially greater than a year ago.

Approximately 4 million workers are totally unemployed. In addition, it is apparent from the decline in the average workweek that at least another 2 million or 3 million others are working only part time because of slack work.

In our own industry—steel, which is basic to our economy—production in the last week of March fell to 68 percent of capacity, with no substantial pickup in sight.

Almost one-third of the Nation's steel capacity lies idle—a loss of about 40 million ingot-tons of steel per year.

One hundred eighty-nine thousand three hundred and thirty-four members of our union in basic steel and metal fabricating have been laid off and are unemployed. Another 257,026 members are working a short workweek.

The loss of purchasing power in our industry due to unemployment and a reduced workweek approximates one-half billion dollars a year.

As steelworkers, we have no interest or desire to make political capital out of this situation. The situation is rapidly becoming critical for us and for the economy.

We are completely confident that with management and labor working together and cooperating in turn with their Government the downward economic trend can be checked and our economy restored once again to a state of dynamic expansion.

As steelworkers, we deem it our responsibility and obligation to put forward a program to keep this Nation strong and prosperous.

Our great production system can and must be restored to full operation to meet the daily needs of our growing population; it must, in fact, move constantly forward to higher levels of production and efficiency as it has so successfully in the past.

Today, unfortunately, the gap between what America must produce to maintain maximum production and employment, and

what we are actually producing, is growing larger.

Last spring, at the peak, we were turning out goods and services at an annual rate of $371 billion; today, we are producing at a rate of about $359 billion. Responsible economists predict that our national output for the entire year of 1954 will range between $350 to $355 billion, although we actually will need a production level of $380 to $385 billion to keep our growing labor force fully employed.

Here, then, is the task that confronts us: We must find customers for an additional $25 to $35 billion worth of goods and services which now are not being produced and sold because buyers are not available.

Surely, it is within the power of the American people to close this gap. Instead of vainly waiting to see if the situation gets worse—and then face the probability of trying to tackle the problem after it has become much more difficult to cope with—constructive private and public policies must be undertaken now to reverse the tide.

First, let us consider several policies which governments—Federal, State, and local—must pursue in order to make their full contribution to the goal:

1. Benefit payments to the unemployed and to pensioners under the Social Security Act should be increased immediately by at least $3 billion.

As a simple act of humanity—quite apart from its stimulating economic effect—the rates and duration of benefits for the unemployed, and the amount paid to pensioners under the old-age and survivors insurance system must be immediately increased.

Today, the average unemployed worker covered by the State compensation laws receives about $24–$25 a week, about one-third of his former earnings in contrast to the two-thirds which were anticipated when these laws were enacted.

Pensioners receiving benefits under the Social Security Act receive a piteously low average payment of about $50 a month, hardly enough to keep body and soul together.

This great and rich Nation certainly can and must improve the lot of its two most needy groups—the unemployed and the aged. All of the increased benefits would flow into the spending stream and create new consumer demand. To aid the unemployed and the aged alone benefits schedules must be increased by at least $3 billion a year immediately.

2. By raising the personal Federal income tax exemption to $800 more than $4 billion can be added to consumer demand.

No single policy of government will more quickly stimulate consumer buying than wise and timely tax action. To counteract the downward trend the present $600 personal exemption (which is actually far lower in real value than the $500 exemption of World War II) should be raised to $800 immediately.

Every family now subjected to the Federal tax will enjoy a benefit; more important, the tax savings of millions of moderate-income families will be spent for daily family needs, thus adding substantially to consumer purchases. A tax policy that achieves this end will do much more to reverse the recessionary trend than special tax privileges for corporations and a minority of stockholding families whose benefits, at this time, would be largely unspent.

3. Public-works programs should be immediately expanded by at least $5 billion to help catch up with the backlog and keep abreast of new demand.

Because of the impact of the last depression and then the prior claims of war and defense requirements, vitally important public construction still lags far behind the need of our expanding population.

According to the 1954 Economic Report of the President, our State and local governments alone must spend almost $20 billion every year for the next 10 years just to meet the need for streets and highways, schools and hospitals, and local water, sewer, and industrial-waste facilities. Additional sums must be spent for courthouses, airports, recreation facilities, and other types of projects. Thus, total State and local public work expenditures should exceed $200 billion over the next 10 years if the needs of the population are to be met.

On the Federal level, vitally important projects, some of them already authorized by Congress but postponed because of prior war and defense requirements, are needed to provide harbor improvement, flood control and power facilities, land reclamation, national park and forest improvements, and the construction of Federal buildings. There should be no further delay in authorization for United States participation in the vitally needed St. Lawrence Seaway.

The establishment and maintenance of a merchant marine and of a shipbuilding industry consistent with our national defense needs is required. Responsible authorities of the Maritime Administration and the Navy Department estimated last year that the deficiency in our merchant fleet numbered more than 200 ships, including 165 cargo ships and 43 tankers. In addition to the need for reducing these deficiencies there should be provided a realistic means for replacement of existing tonnage now approaching obsolescence. In order to make certain that privately owned shipbuilding and repair yards can expand to meet the needs of the United States in the event of an emergency, financial assistance by the Federal Government should be given to support an adequate merchant fleet. Experienced shipbuilders to construct and repair ships are an important requirement of our national defense. Domestic building of a greater proportion of our merchant shipping requirements will involve additional employment by the shipbuilding industry perhaps to the extent needed to maintain a work force potentially capable of expansion to meet emergency requirements.

In 1953, the total outlay for all public works—Federal, State, and local—amounted to slightly more than $11 billion. Certainly, this amount can and should be raised by at least $5 billion during the next 12 months. Not only would more employment be stimulated, both in the mines and mills that provide materials and on the construction projects themselves—but the wealth of the Nation as a whole would be greatly and permanently increased.

We do not advocate or believe in made work. We are suggesting substantial and vitally needed public improvements.

Our proposal is a modest one, indeed. According to the President's report, our public works "could be stepped up by one-half or more with a year." Now is the time to begin.

4. Prompt Federal action can increase our national home construction and slum clearance effort by $5 billion.

Responsible public groups report, after years of exhaustive study, that a national housing goal of 2 million new units a year is now required if American families are to achieve adequate shelter.

The Administrator of the Federal Housing and Home Finance Agency, Mr. Cole, has stated that only about 1 million new housing units will be built this year—10 percent below last year's level and 40 percent under the output of 1950.

Surely, at the very least, we can achieve the million and a half new housing starts a year proposed by the late Senator Taft's postwar Committee on Housing and Urban Redevelopment. This can be done, in the first instance, by public policies which support the construction of well-built and reasonably priced homes for the great American middle income market by allowing low initial payments and long-term mortgages at low interest rates geared to ability to pay. For our lowest income families, however, who cannot undertake to buy new homes for themselves, public housing must be expanded to the 200,000 yearly level authorized by the Housing Act of 1949 if we really mean to obtain decent shelter for all Americans.

Even if we achieve only the construction of one and a half million new homes in the next 12 months—actually a completely inadequate goal—the additional $5 billion expended will nonetheless provide a great stimulus to employment and production throughout the Nation.

All of these proposals, involving social welfare benefits, taxes, public works, and home construction, are practical, workable measures geared to reversing the current business downturn by reducing the existing gap in demand. There is no "waste" or "boondoggling" in them. Simple humanity toward needy men, women, and children dictates the improvement in unemployment compensation and pension benefits that we recommend. An equitable sharing of tax savings—with the largest aggregate going to the millions of families who need tax relief most and will spend whatever savings they receive—motivate our tax proposal. The urgent need for long delayed public works and more homebuilding, and the stimulus to the economy which would flow from an expanding construction program prompts our recommendation for action in this area.

Certainly it cannot be argued that these proposals involve a raid upon the Public Treasury. Major improvements in our social-welfare system can be covered by existing trust funds and reserves. In the case of taxes, our proposal would simply apply tax reductions in a manner that would most effectively strengthen the economy at this time. The cost of many new public-works projects like turnpikes, toll bridges, and airports would be self-liquidating. Others, sooner or later, must be built at public expense; with manpower and resources now available, this is the time to expand our effort. As for our proposal to increase substantially our national housing output, the public cost would be low compared to the benefits obtained. The additional hundreds of thousands of families who would be assisted to purchase their own homes would ultimately pay the full cost; in the case of public housing, a substantial part of the outlay would be covered later by rental income.

Enlightened policies by management in collective bargaining with labor can also contribute to the restoration of maximum production and employment in the United States.

With the approach of collective bargaining in the steel industry, we believe that forward-looking steps are more necessary now than ever to insure an improvement in the income and benefit position of its workers. Only by keeping the purchasing power of wage and salary earners in step with the constantly rising productivity of our American industrial system can prosperity be assured for both management and men.

We must particularly recognize the importance of this fact at a time when consumers' purchases are already lagging behind the Nation's capacity to produce. Whether we are considering the need of the lowest paid segment of our population—for whom a substantial increase in the statutory minimum wage is now long overdue—or the responsibility of the great steel industry to its own employees, the necessity to constantly attain a higher real wage level is basic to the preservation of the private enterprise system in the United States.

There can be no doubt that the combined effect of a forward-looking wage and benefits policy pursued by management in collective bargaining with labor and enlightened action by government in the field of social welfare, taxes, public works, housing, and

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farm policy can bring this recession to a quick end. Both the direct increase in expenditures by consumers, government, and business and the indirect stimulus which these programs and policies can bring about will eliminate the present gap in total demand and restore our economy to health and prosperity.

The United Steelworkers of America neither views the present, nor the future, with hysteria. Our faith in this Nation and its capacity to meet its problems is unlimited but in the short run, between last summer and today, millions of workers and their families in steel and other industries have been suddenly faced with distress and we cannot stand idly by. The great resources and enterprise of America must be utilized to meet this problem now.

We are not urging any irresponsible action; we are simply proposing to the leaders of our industry and of our Government a reasoned and practical program which will restore full employment, production, and confidence to all of the people and enterprises of the United States.

PARITY PRICES FOR FARMERS

Mr. MURRAY. Mr. President, over the last several weeks I have been receiving identically worded resolutions signed by business and professional men and women from some 17 Montana cities and towns. I believe these resolutions have an unusual significance for the Members of this Congress. I believe this is true because these resolutions, coming, as I have said, from business and professional men and women, are not requests—such as we usually get from such groups—that the Congress do something about the immediate problems of small business. Instead, Mr. President, these are resolutions wherein these leading citizens of Montana's towns and cities are demanding that the Congress act promptly in the interests of Montana's farmers.

This is truly a new and heartening departure in the annals of congressional history. It means, I think, proof indisputable that America has come of age in its economic thinking, that no longer is it possible for self-seeking opportunists to set business against the farmer, the farmer against labor, and labor against both. Americans have learned—certainly the people of Montana have learned, as these resolutions will prove—that prosperity is one and indivisible, that business cannot profit if the incomes of farmers or of urban workers are allowed to sag, that the city worker and the businessman depend in large measure for their success on the success of the farmer, that all three are interrelated and interdependent.

These resolutions serve warning on those in high places in the Department of Agriculture today who have spent some fruitless months trying to justify their attempts to slash parity payments by attempting to turn our city people against our farm producers. These resolutions show that all such attempts have been and will be failures. They serve warning too, Mr. President, that this Congress must act and act promptly to guarantee at least a full 90 percent of parity to our farm producers or face the wrath not only of our farmers but of America's enlightened business and professional people as well.

To date I have received these resolutions from the towns and cities of Belt, Brady, Chinook, Conrad, Cut Bank, Dutton, Fort Benton, Fort Shaw, Great Falls, Harlem, Ledger, Power, Red Lodge, Roberts, Sun River, Valier, and Wolf Point. Because they are so important and will prove, I am sure, so great an aid in the forthcoming fight for parity, I ask unanimous consent that the wording of one of these identical resolutions be printed in the body of the RECORD at the conclusion of these remarks and that the names of each of the signers of these resolutions also be printed in the RECORD so that the permanent record of the Congress will carry forever the names of those business men and women in Montana who were so intelligent and so conscious of their obligations as good citizens as to publicly join with the farm families in Montana in demanding a program which will mean continued prosperity for all of us. To these Montana men and women I want to express my own deep appreciation for the action they have taken.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, one of the resolutions, and all the signatures attached to the resolutions, were ordered to be printed in the RECORD, as follows:

PARITY FOR THE FARMERS

Being as the State of Montana is a majority agricultural State, the undersigned businessmen feel that it is most imperative that we work side by side with those attempting to maintain a farm program which will enrich and develop the agricultural activities wherever they are a major industry or source of livelihood.

In view of the above conclusion, we, the following businessmen resolve:

That we go on record opposing any effort on the part of any Congressman, the Department of Agriculture, or any agency for attempting to disrupt the stabilization program, affecting all farm commodities.

We further resolve that Congress not only maintain 90 percent of parity, but shall try to establish 100 percent of parity for all farm commodities. We do not favor any tendency toward flexibility of price supports, but urge Congress to maintain a production control program, which is necessary in order to have stabilized price support.

We further resolve to condemn any form of prosperity based on war and bloodshed, but favor a genuinely sane and sound economic program, particularly for the producer, which shall be based on industry, security, and individual initiative.

We further urge all business groups in other cities of this State as well as those of other agricultural States to go on record favoring similar resolutions.

Arthur Briggs, Briggs Implement Co.; Ray P. Smith, Smith Equipment Co.; R. J. Roseth, Roseth Bros., oils and gas; R. L. Wirth, Thisted Motor Co.; Mrs. G. Selckovich, Frontier Inn; Neil Beatty, Haas & Associates Implement Co.; Robert Ralph, The Strong Scott Manufacturing Co.; H. F. Lambertson, H. F. Lambertson Co.; Harry E. Marsh, Montana Olive Distributing Co.; O. D. Hollecker (limited to some farm products), George G. Mill Implement Co.; George T. Hopkins, Hiway Lumber Co.; J. Floyd Kellion, Ferris Kellion Implement & Hardware Co.; Robert L. Rahn, Midland Implement Co.; Robert L. Rahn, Weymont Tractor & Equipment; Robert L. Rahn, Midland Distributing Co.; Charles Steffans, South Side 66 Service; Clarence Ulmer, Ulmer's Auto Service; Norman Traber, Idawell Creamery, Inc.; C. N. Oswald, Riverside Machine Works; W. E. Bowen, Blais Bowen Realty; P. E. Lowrie, Drapery & Venetian Blind Co.: William Fox, William Fox Realty; Charles M. Joyce, Joyce's Custom Furniture; W. W. White, White Refrigeration Co.; Dick Hogan, Shamrock Bar.

Alvin T. Westdal, Uke's Sports; Jerry Olson, Top Hat Cafe; Ethel R. Gunniss, The Curiosity Shop; Tom Green, Club Barber Shop; J. F. Hoppe, L. S. Cohn Co.; Sam Dallas, New York Shoe Shine Parlor; Edward F. Fuerch, Eddie's Army Store; Ben Bolen, B. & J. Trading Post; Andy Balko, Pension Bar; Lee Costin, Senate Bar; C. E. Beekner, Berk's Bar; Ernest A. Paly Payn, P. O. Newsstand; Ira M. Kaufman, Kaufman's; Ralph Schell, Schell Restaurant; Mrs. K. Smith, manager, Reeds Millinery; Richard P. Muncell, stockman; L. A. Encke, Encke Motor Co.; Robert F. English, English Realty Co.; Walter S. Thistel, The Hub; E. T. Montgomery, Sean Garbul & Co.; A. J. Hedensten, Montgomery Ward & Co.; L. K. Quam, American Dixie Shop, Inc.; C. E. Frame, J. J. Denberg Co., M. E. Goy, Killorn's; Julius Palog, Maverick Bar; E. S. Thoreson, Rexall Drug; L. & L. Co., E. P. Hartley; Manager Josephine Moye, Dotty Dunn Hats; Zenos R. Potter, Nate Morgan Jbse; L. A. Christison, Dundas Office Supply Co.; Jack C. Throckmorton, Allsports Supply Co.; A. S. Farago, Carlson's Shoes; Thriftyway Drug, Deane Hopper; E. B. Johnson Co., E. B. Johnson; Robert K. Porro, Montana Bar; Nick Wolf, Wolf's Pastry Shop; J. P. Koetter, Central Market.

Lawrence J. McIntosh, McIntosh Tailor; Larry McIntosh, Foreign Motors; Chas. L. Carlson, Stuwocks; Nick Parrish, Jr., Nick and Martin Standard Service; Homer Taylor, Auto Wash Oiling Station; C. L. Carlson, Carlson Music Co.; K. R. Bailar, Bailar's Super Cream; Bill Bryant, Bill Bryant's Conoco; Paul M. Seese, Seese Chevrolet Co.; Marvin Maytag Shop, M. C. Marvin; E. S. La Combe, Vallet Fur Co.; L. La Combe, Vallet Fur Co.; D. I. Hagen, Vallet clerk; Harold R. Patts, Tourist Ranch; R. B. Schroeder, Schroeder Oldsmobile Co.; George J. Pinski, Pinski Bros.; City Glass Co., by Curtis V. Wasman; Douglas Rudd, Cascade Camera; D. F. Goggans, Goggans & Pennie; R. E. Lydiard, Barbers Inc.; J. J. O'Leary, O'Leary Elevator Co.; S. C. Rumford, Great Falls Sporting Goods Co.; George M. Smith, Bi; Six Barber Shop; John L. Shy, Davenport Barber Shop; Warren O. Rall, Fritz Rall & Sons; K. D. Nelson, Great Falls Radiator Repair Shop; Geo. Bowen, Service Center Co.; Les Hackett, Union Club; Herbert L. Flom, Chiropractor; A. L. Hasbrouck, Fort Union, Great Falls Station; N. L. Julian, Julian's Furniture; L. F. Peck, Peck's Radio-TV; John I. Yau, Yau Photo Shop; John J. McNaught, McNaught Service Station; Robert W. Ford, Aristocrat Cafe; Stanley G. Meagler, Miles Welding Supply Co.; Emma Gewold, Falls Maid Fountain.

James A. Hansen, Great Falls Dam; Russell D. Hanaker, Russ' 6th Street Service; Donald R. Ross, Graham & Ross Music Co.; C. A. Gemberting, Valley Motor Supply Co.; Edwin C. Zipterion, Victory Food Market; L. R. Krouse Snabal, Leis Agency; Jack Carver, Great Falls Watch Service; Frank A. Silvius, Western Bar Co.; Harry L. Prigge, Prigges Home Implement Co.; E. H. Manning, Warehouse Furniture; R. J. Moze, Western Furniture; Roy Bennett, Smith Sales; Jack Staley, Montana Meats; Sid Kelman, Zallies Jewelry Co.; Harold Pesis, Max the Clothier; La Rosa's Store, Paul Morris; Walter A. Olson, DeLux Barber Shop; F. C. Mitchell, 200 1st Avenue South, Great Falls, Mont.; Lingwells', 118 1st Avenue South, Carol E. Lingwell; Clarks Key Shop, 419 6th Avenue South, Noah D. Clark; A. C. Brown, Brown Furniture Co., 304 1st Avenue; W. H. Cole, Wilson Cole Furniture Co.; W. E. Siner, Siner, Geo. Mc., Co.; L. A. Koler, the Famous Mint; Jack Little, James M. Carlisle, Star Cigar Store, 212 C Avenue; Roy A. Anderson, No. 19, 2d Street South, Great Falls; Donald

E. Greene, Greene's Sheet Metal; Electric Motor Service Co., J. M. Simpson; Thos. H. Smith, Tommy's Ice Cream Bar; Buster Kahn, Sav-on TV; Martin J. Gillespie, Real Estate and Insurance; T. J. Heath, Mountain States Supply; J. Owen, National Cash Register Co.; Clancy Fineran, Furniture and Appliance; Arnold Berkow, Berkow's Auto Shop; Gene Shaffer, Midwest Motor Welders; Earl Baker, Blackshop, 301 3d Avenue South.

N. K. Tuleff, Champion Shoe Shop; Henry Carlson, Goldsmith; B. G. Poulos, Olympia Barber Shop; Elmer Teddy, Teddy Jewelry; Violet Wills, Liberty Beauty Shop; Perry C. Friel, Stockman Bar; D. E. White, White Realty, Inc., W. W. Huntsberger, Huntsberger Insurance and Realty Co.; Norman Dolbee, Liberty Shoe Shop, manager; James McAndrews, Liberty Barber Shop; Mrs. Gladys Bobier, Montana Agate and Gift Shop; Jay R. Brown; J. A. Hastereer, Parr Grocery; Glenande Warden, Great Falls Tribune; John A. Maiela, Eddy Cafe; Henry W. Bridenbroker, 15½ Fourth Street South, Great Falls, Mont.; Floyd L. Rouse, Floyd L. Rouse Agency; Wm H.. Artz, Artz Accounting Service; A. E. Schwingy, Insurance; Wm. T. Hodges, Moon Agency Co.; Edwin Tuzatt, Quicks Barber Shop; Fred F. Piaho, Turf Barber Shop; Edward J. Gruter, Falls Barber Shop; Wm. J. Wendling, The Hobby Shop; Arthur Parkas, Deluxe Cleaners; Harris J. Ryan, attorney at law; E. A. Erickson, printer; Blanche Morton, Falls Upholstery Co.; Albert McCune, Town Tavern; Seedon S. Williams, Great Falls Mattress Factory; A. T. Fox, Ideal Laundry; J. S. Duncan, Joe Duncan Signs; D. L. Suhn, Suhn Motor Co.—Buick; James J. Flaherty, Great Falls Paper.

Mrs. William R. Greenizee, Shopper's Bazaar, 11 Sixth Street North, Great Falls, Mont.; W. W. Kelly, 7 Sixth North, Great Falls; Thomas H. Spring, Spring Market, 11 Sixth Street; C. S. Muiyr, Muiryr's Coffee; Harley Olmstead, Harley's Glass Shop; B. B. Burk, 23 Seventh Street Square; L. A. Wall, Geneva Kitchen Co.; Ben F. Stephens, partner, Falls Hotel; John J. Daly, Goodman's Bar & Liquor Store; Ray H. Ford, Club Cigar Store, 208 Central Avenue; Clay Penland, Club Cigar Store, 208 Central Avenue; Vernon C. Flesch, Young's Cafe, 302 First Avenue South; A. E. Teddy, Teddy's Pottery Shop; L. J. Mogstad, Midway Bar and Lounge, Route 1 West, Great Falls, Mont.; J. B. Robinson, six beef and dairy, Grogan Robinson Lumber Co.; Paul R. McClure, Beatrice Foods Co.; Henry Sheffel, Contract Machine Co.; the Cozy Shop, Virginia H. Blend; J. H. Heaton, HO Auto Supply Co.; Don Noegel, Service Station; Arthur T. Tucker, Stop and Shop Grocery; Elgin Wuerfel, Fifth Avenue Ice Cream Co.; Al F. Ronberg, Jr., Howely Standard, 7520 Tenth Avenue South; William L. Gionsulios, Howdy Drive-In, 2500 Tenth Avenue South; John W. Deirne, Deirne Asselstone Baritey, Inc.; Menli E. Ryan, A & W Root Beer; Mrs. I. Neumann, Farmers Electric; L. E. Peterson, Peterson Shoe Shop; Mrs. Edward Moltzano, Etta's Cafe; W. W. Sterling, Serve-Ur-Self Service Station; Clifford C. Haugen, Cliff's Tenth Avenue Caterer; Charles Mora, Flying Saucer Cafe, 613 Tenth Avenue South; R. E. Waudle, Farmers' Union Central Exchange; S. J. Lollard, Holland's Cater Serv.; H. E. Prescott, 627 Seventh Avenue South, Prescott Food Market; Russell Traber, Frozen Assets, Inc.; Charles Brady, Brady Grocery.

W. L. Anderson, Walleys Superette, 2321 19th North; Eddie Newman, Delux Lounge and Steak House; Ninnie Volter, Volter's Grocery; Clynis E. Whitmore, Whit's Market; Warren R. Jones, Hall-Penn Machinery Co.; L. R. Mann, Mann's Sewing Machinery Shop; Mel Maguire, Vics Ice Cream and Donut Shop; R. V. Bowker, Bowker Realty Co.; J. V. Voezek, Store, 900 10th South; Eve Larsen, Green Lantern, 10th South; E. E. Waam, 425 Second Avenue North; J. P. Klunen, 814 12th Street North; N. J. McDonnell, 817 12th Street North; A. Huxdoien, 2505 Fourth Avenue South; H. O. Gaeorny, 709 Sixth Street South; J. B. Roger, 502 Seventh Avenue South; Duff S. Culinell, 427 10th Avenue South; M. J. Brown, 711 10th Avenue South; N. S. Young, 214 15th Street South; Chas. A. Burrell, 1409 Fifth Avenue North; R. W. Walsh, 2114 Third Avenue North, Walsh-Anderson Theo Super-Save; Paul Malleneci, 2666 Fourth Avenue North; Wm. E. Spater, Drive-In Drug Co., 2609 Second Avenue South; L. A. Wallace, 210 29th Street North; C. H. Bankhorfu, Teds Convro Service, 25th and 6th Avenue North; Mrs. J. P. Flynn, Flynn Steel Buildings Co., 2222 River Drive, Great Falls; R. T. Anderson, Great Plains Supply Co.; Jas. P. Seissnos, Jims Cash Grocery; L. Briggs, Monarch Lumber Co.; Jack T. Young, Rainbow Bakery Service; A. V. Meeccedale, Meeccedale Body Works; Raymond J. Breman, B's Mart; W. R. Wonls, Second Avenue Pharmacy; E. E. Champion, Champion Grocery; John D. Gage, Fort Shaw Tannuse; J. E. Hanson, Fort Shaw Gas Station; Paul Caldwell, Fort Shaw Motor Gas Station; Ora J. Anderson, Tavern, Fort Shaw.

Charles Pattersen, Pat's Upholstery Shop; Elmer Bofto, Bofto Upholstery Craft Shop; D. H. Sutherland, 416 Fourth Avenue North; Fred M. Chavez, 326 Second Avenue North; James Giese, 2021 Ninth Avenue South; Bob Bogarth, Central Floor Covering; Lyman J. Ferguson, Ferguson's Phillips "66" Service, 426 Second Avenue North; Bertha E. Akers, 1117 First Avenue South; Herbert C. Anderson, Statewide Gift Novelty Co.; Katherine Olson, Clock Cafe, 18th Avenue and 5th Street South; Walter G. Dudra, The Pin Cushion, 24 Fifth Street South; D. M. Ginn, 214 Fifth South; Geo. Merrill, 625 Second Avenue North; Frank S. Courtney, Frank's Cream Depot; Jim Sowa, 526 Second Avenue North; Joe Rege, Martin's Shoe Shop; Harvey Hill, Elmore B——; Mel Winstoe, Mel's Cycle Service, Great Falls, Mont.; Chris Seibart, Falls Washer Service; Carson P. Bennett, Great Falls, Mont.; Harry Gultino, Belk Insurance Co.; Mrs. Daniel Johnson, 800 Third Avenue South (Store); Daisy A. Anderson, Corner Grocery; Ambrose's Hi Ho Tavern, ————; Edd Cox, Town & Country Store; Mary V. Hall, Hall-Mark Shop; Fairview Grocery, Shirley De Weese; J. J. Purdue, 1100 10th Avenue South; Henry Myskeurtz, 10th Avenue 66 Service Station; George Hall, 1012 Ninth Street South; James Merlo, Merlo's Union Service; J. E. Reed, Reed's Tavern; Albert L. Young, Young's Tenth Avenue Conoco; Clark Station, Ed Sims; Mrs. Bert J. Goettel, Handy Cash Grocery; Joseph Chase, Parkdale Variety; John Wryn, Parkdale Bakery and Ice Cream.

C. E. Saylor; Frank J. Longway; Bartley Distributing, Pa., by J. M. Bartley; A. M. Olson (Olson Motors) dealer, Great Falls, Mont.; W. R. Davis, 121 1st Avenue North; Arthur L. Cole, 1626 8th Avenue North; F. H. Bailey, Great Falls Transportation Co.; Park Hotel; Francis Gleason, 100 Central Avenue; Fannie Rounds, Red Johns Cafe, 24 2d Street South; George D. Anderson, Anderson-Cook Supply Co.; Herman Gettel Atlantic Bar, 226 1st Avenue South; Walter Meisenbach, 317½ Central Avenue, Great Falls; Cecil M. Malloy, Palace Bar, Great Falls Hotel; Gertrue Madsen, Great Falls Cafe; M. J. Peklewsky, Anchor Bar, Great Falls, Mont.; C. C. Savano, Sullivan Hotel City; Dan Gooselaw, United States Barber Shop; Carl C. Hyuesen, manager, Farmers Union Cooperative Association; Stuart L. Hoglund, Great Falls Army Store; Jerry Longan, Jerry's Radio and Television; R. A. McDaniel, 323 1st Avenue South, Auto Equipment Shop; Leo Becker, Becker's Radiator Service; Harry Schultz, Schultz Body Shop; E. L. Dick, 625 5th Avenue South; David J. Jenson, Jenson Service Station, 2026 Central Avenue; O. Mason, 401 1st Avenue South; George Weber, 20½ 2d Street South; James H. Baker, Rainbow Radio and Television; John N. Mosch, Mosch Electric Co., 10 2d Street South; Lillian Turnquist, Curiosity Shop, 6 2d Street South; Mrs. Gordon J. Ford, Unique Lettering Shop; Will Dardin, Barber Shop, 106 3d Street South; Montana Welding Co.; Emmett Stewart, Ozark Cafe; M. E. Skoog, Red Boot Shoe Store; O. M. Rannage, 3105 7th Avenue South, Great Falls.

R. H. Koth, Albrechts' Furniture; Marvin C. Andersen, Andersen's Sales & Service; Edwin Johnson, Edwin Johnson; Jas. Charteris, Charteris Hardware Co.; James Bryant, Gerald Cafe; Salmensons Jewelers, A. Salmenson; Peter Clodoukin, Liberty Corner Confectionery; Fox Theatres, Joe Buchanan; Liberty Hat Shop, J. Loupon; McClain's Sewing Machine Store, Lloyd J. McClain; Bistodeau Jewelry, George Bistodeau; J. E. Wells, The Paris of Montana; H. R. Luquire, Block's Shoe Store; E. Kinkaid, Diana Stores Corp.; Boyd's Jewelry, by L. E. P.; Crown Jewelry Co., Mrs. Rozan Thomas; Classen Shops, E. C. Mettler; Club Cafeteria, Julius G. Rinan; Central Cigar Store, Clara Wolk; Jim Kavich, Jeweler, Jim Kavich; Style Shop, D. Stapp; Bernard Murphy, Buttrey's Department Store; Roy S. Correll, J. C. Penney Co.; Mode O'Day, Esther G. Smith; Josephine Lewick, Cascade Candy Co.; Don Stanfield, Texaco Station; C. J. McCharles, Carter Oil; R. L. Davidson, Phillips 66; A. W. Winkelman, Rainbow Hotel; P. J. Gilfeapus, 223 Ford Building, Great Falls, Mont.; W. J. Foy, Falls Alley; Ralph T. Olyois, Koffee Kup; Tom Kanduyo, 612 Third Avenue North; Frank Weldila, Copper State Cleaners; Vera E. Adams, North Side Bar; G. L. Vesser, Vesser Hotel; L. P. Buchers, American Furniture; R. Y. L. Palmer, Palmer Bros.; Wesly O. and Walter S. Atchison, Atchison Bros. Garage; J. P. Gabriel, Union 76 Service Station; Leonard Haggarty, Great Falls Motor Co., Inc.

Leslie's, Inc., R. C. Nehls; Public Drug Co. Inc., H. V. Morrow; Palmquist Electric Co., C. A. Palmquist; Ray's Fountain, R. R. Bergmann; Coast to Coast Store, Arnold Gable; Joyer's, George Le Roux; Puran-Omundsen, Radio and T. V., Wm. G. Omundsen; Frank Duval, 2500 1st Avenue N.; Gus & Eddie's Lounge, Inc., Tom P. Grasseseki; 3–D–Club, Tom P. Grasseseki; Benny's Cleaners, Ingmar Hippe; Top Notch Lunch, Jack Peterson; Rogers Co., Sam Rogers; Culligan Soft Water Service, Pat Tice; Silver State Auto Co., Cecil Nandst; Lintz Food Market, Fred Lintz; L. M. H. Company, T. C. Matsko; E. A. Notti, Great Falls Office Equipment Co.; Forrest L. Zion, Zion Construction and House Moving; Carl Weissman & Son, C. Weissman; Graybill, Bradford & Graybill, Lee Graybill, Jr.; D. C. Ledger, Service Station; Jay Croft, Jay's Food Store; Chas. M. Kranz, Kranz House of Flowers; Great Falls Brick Co., W. J. Gunnin; Katherine F. Mayer, Stockyards Cafe; Monty Seishovick, Frontier Inn; Glen A. Schultz, Montana Concrete Pipe Co.; George M. Thompson, Shawhan Poultry Co.

The following business firms of Sun River, Mont.:

P. Mail Co., R. Kramer, manager; Irene C. Anderson, Sun River Grocery; Joseph E. Lariwell, Ramble Inn Tavern; J. E. Wayala, grain buyer; Walter W. Wight, Wight's Garage.

L. C. Minckler, Omaha Standard; J. J. McLaughlin, General Truck & Tractor Co., Inc.; Paul Sparsten, Seitz Machinery Co.; Raymond J. Sweeney, Snyder Construction Co.; George Talus, Taber Trucking Co.; John J. Guerra, Black Eagle Texaco; George A. Wargo, Wargo's Tavern; Edward Briska, ACM Co., employee; William Ellis, Black Eagle Barber Shop; Joseph Resuler, Chemical Co.; Gino Marionetti, Black Eagle Bar; John Vukasin Ranger's Club Black Eagle; Emelio Masseschi Benri's Place Black Eagle; Rudolph B. Carney, Hi Hat Club Black Eagle; Tony Antonich, Chicago Mercantile Co.; L. J. Gutinberg, 80 Bar; H. C. Phillips, Wrecking Yard; K. B. Kemaghan, Kemaghan's Service; Hansin Brothers H. S. H., Wholesale Oil Co.; John Obstarczyk, West Side Realty; Robert T. Johnson, Service Station Operator;

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H. G. Westmoreland, G. F. Feed & Supply Co.; Roy O. Terrell, Peoples Gasoline Co.; Frank O. Tunnell, People's Gasoline Co.; John C. Everhart, Union Ardca Agent; E.. Odeyand, Odeyand Brothers; C. R. Merrett, Barul Drive In; W. C. Augustine, Coca-Cola Bottling Co.; Robert B. Nisbet, West Side Texaco; R. W. Ray, Great Falls Mart; Frank C. Youngdale, W. G. Woodward Co.; Don R. Messman, Grogan Robinson Lumber Co.; E. D. Danforth, Farmers Union Grain Terminal Association.

Farmers Union Electric Co.; J. M. Howanach Barber Shop; Fender Chev. Co.; Belt Bar; Cal's Place Barber Shop; Belt Self Service; Walt's Tavern; Irvine Grocery; Thos. Benoy; Hansen Bros. Garage; Velder's Market; G. Rybbel & Sons; Belt Valley Creamery; Dr. Jas. S. Stewart; Belt Texaco Sta.; Center Plumbing & Htg.; Nobles Cafe; Keesey V. Dorr; Earl D. Rammey; Morris Store; L & M Frosted Foods; N. H. Browning, Jr.; Black Diamond Cafe; Ed's Bar, E. J. Ehret; Legion Bar; Dave Stewart, Belt Valley Times; W. A. Johnson; Belt Beauty Shop; Oliver Lorson; East Belt Coal Mine; Belt Theater; F. E. Beson, Black Diamond Bar; Wayne Falls; M. J. Machine & Repair; Elmer Lazure, Belt; Waldo Hotel, Belt; Roy Houseman, Great Falls, Mont.; A. J. Scanlon, Great Falls, Mont.; H. T. Toful, American Linen Supply Co.; R. C. Muler; W. Fred Sohour; Lou Richmond, 527 1st Avenue North; Jack Little, Little's Lanes; Martys; A. A. Radio & TV; Robert A. Gilmon Sta., 507 1st Avenue North, Great Falls; E. J. Harberson, 509 1st Avenue North.

The following business firms of Power, Mont:

James W. Anderson, Andy's TV Sales & Service; J. P. McDonnell, Montana Mustard Seed Co., Power, Mont.; E. G. Bolski, Les' Bar; Irving Olmstede, Honey Honey Co.; John Oberosler, Len Bar; Herman Helsper, Power Garage; Herbert M. Dittus, H & V Bar; Rollie Emch, Power Farmers Elev. Co.

Ben N. Loch, president, Farmer Mercantile; S. & P. Motor Co., by Harold Poser; James A. Cheethart; L. E. Behtramy; D. L. Curtis, Curtis Auto & Implement Co.; J. F. Maxwell, manager, Dotor Co.; C. M. Weeks, manager, Farmers Mercantile Co.; C. J. Walkump, Dutton Farm Co.; Floyd L. Goodrich, Dutton Theatre; Robert Scott, Dutton; L. E. Johns Barber Shop, Dutton; B. R. Schlichter, Fire Side Inn; T. W. Orr, Dutton Market; Rayvan Hul, club tavern; Clara Clemenson Coffee Bar; Olive Nelson; Harlon Clopshaw; Carmon O. Thorne; Stanley W. Haglund; M. E. Fichtner, Dutton Market; W. M. Scott, Dutton Electric Shop; Archie R. Johnson; Everett Munroe, Munroe's Hi P Service; Roy Dixon, Dutton Motor Co.; John C. Schabel; Loren D. Schabel; J. Decker & Co., J. Decker; Lester E. Wispried; O. T. Wipuid; Charles L. Caseaden, Dutton Confectionery; Jno. Callid; Iaelid and Mehl; E. H. Holzknecht, Jr., Monarch Air Co.; E. M. Ohevatiem, Hi-Way Garage, Dutton.

N. J. Kemmer, Minneapolis-Moline; D. X. Smith, auto dealer; J. W. Stack, contractor; C. H. Abraham, plumbing and heating contracting; Carl Nelson, H. Earl Clack Co.; George H. Platt, CPA; R. L. Ross, insurance; C. R. McShane, hardware; Walter E. Peoples, hardware; C. E. Larson, clothing; Paul Arndt, drugs; Bruce A. Safely, Monarch Lumber Co.; A. J. Myrhow, Cut Bank jeweler; Orin E. Knutson, radio shop; John R. Price, service station; E. Evenson, Glacier Motor Co.; Wayne's Standard Service; Alton W. Hanson, garage; Carl S. Brandvold, music store and rental property; Seymour M. Dobson, radiator and glass; J. D. Woon, oil field lumber; John W. Platt, body shop; Cordious McCreek, Mack's Key Shop; Tony Mitch, Rieder & Co.; George Meister, army store; George Motarie, George's Barber Shop; Ralph E. Getter, Getter Trucking; E. C. Clapper, auto dealer; S. B. Hoge, Fashion Cleaner; M. F. Schwingel, Cut Bank Motors; Florence Ingram, Florence Beauty Shop; R. M. Hatch, appliance center; Julia Thorpe, Wagon Wheel Cafe; C. H. King, Smokehouse Barber Shop; W. B. Stephenson, Cut Bank Meats; John L. Fry, sporting goods; E. J. Meyers, ladies clothing; W. E. Freed, car dealer; Robert C. Warren, service station; Wilbur Werner, lawyer; E. O. Boyle, accountant; R. S. Lovsnes, furniture store; H. H. Bell, Bell Chevrolet Co.

J. R. Moreen, Moreen-Murphy Motors; Tom's Union Service; A. H. Kirsch, International Elevator Co.; J. W. Hoyt, Valley Motor Supply Co.; J. P. Neil, electric construction; C. J. O'Neil, O'Neil Plumbing & Heating; A. P. Kovatch, tire and repair shop; Evan C. Essex, Dodd's Wholesalers; Kathryn N. Baker, Duncan's; Frank Richter, Cut Bank Shoe Repairing; George N. McCabe, oil operator; William Bolton, Bill's Barber Shop; E. P. Skabo, Glacier Distributors; Quality Cleaners & Laundry; Paul A. Wolk, accountant; G. E. Chambers, abstrator; Mary R. Blomstrom, real estate and insurance; G. O. Bloomstrom, Glacier Gift & Floral; E. A. Burgin, Burgin's Cafe; L. P. Ebert, garage owner; W. E. Larson, grocer; Paul Shelby, Standard Oil agent; F. A. Daley, insurance and real estate; K. Clarkson, Kenny's Motor Service; C. E. Peterson, Greely Elevator; F. Armstrong, Pioneer Distributors Texaco Products; H. H. Schaefer, Gamble Store, furniture mart, furniture exchange; H. W. Willis, Federal Bakery; Harold B. Dye, insurance and real estate; Farmers Trading Co., Inc.; Anderson Implement Co., Inc.; N. O. Johnson, Farmers Union GTA; Ralph Chase, Cut Bank Sheet Metal; Ralph Morris, sand and gravel dealer; H. E. Deming, Farmers Union Co-op Association; Ed J. Fauque, Frenchy's trucking for sand and gravel; Mundt & O'Day, Mimeo Shop; Joseph J. Johnson, Rieder Hotel; Frank C. Leech, Glacier Hotel; Thelma Lee Parker, Parker Rooms; Clara Posey, Rose Room.

Harold Thomas, Grand Union Hotel; Ed Davis, Davis Grocery; William Breiter, Secretary-Treasurer, Holman Inc.; Howard Teschler, Vice President, Chet & Tesch Chevrolet.; C. L. Engren, President, Chet & Tesch Chevrolet; E. M. Peterson, Implement Sales; C. H. McClain, Lumber Dealer; C. J. Higgins, Greely Elevator Co.; O. S. Johnson, Grain Dealer; H. C. Brinkman, Manager, Farmers Elevator & Trading Co.; W. G. Svoboda, Montana Elevator Co.; Warren Halley, D-H Service; J. A Schieno, Bybee Machinery Co.; John Davison, D-H Service; Roy Willett, Roy's Electric Shop; Dwight MacKenzie, Overland Bar; James W. Aznoe, Secretary-Treasurer, Benton Equipment Co.; W. R. Lyle, President, Benton Equipment Co.; W. T. Morrison, Benton Hardware; Sol Stache, Chouteau Barber Shop; Bain Feltman, Bain's Garage; Harry E. Rowe, Harry's Welding Shop; C. D. Midlestadt, Midlestadt Pontiac & GMC; Taylor Sykes, Locker Plant; Bernice L. Flatt, Bernie's Cafe; Pioneer Insurance Agency, Hazel M. Young; Pioneer Insurance Agency, Fred L. Young; Coast to Coast Stores, Neil M. Barkus; J. B. Anderson, Dry Goods; John McCardle, Western Bar; Rudolph Lusin, Rudy's Shoe Shop; V. D. Merrill, Fort Benton Drug Store; Steve McSweeney, TV & Popcorn Concessions; Raymond McDermott, Palace Barber Shop; Ray H. Pittman, Palace Bar; Mackenstadt & Jasper, Owners, Price-Rite Grocery; Chris F. Courtnage, Benton Transfer; Joseph Gray, Pastime Tavern; H. W. Stranahan, Johnson Farm Equipment, Inc.

Gilbert Scott, Scott's Lumber & Supply Co.; Howard Hilton, The Clark-Hilton Co.; Frank F. Morger, Morger Realty & Insurance Co.; George R. Vielleux, Morger Realty & Insurance Co.; E. S. Gysler, Implement Dealer; J. W. Lynch; E & N Bar & Lounge, Norman Tacke; P. J. Sweeney, Dentist; J. T. Lepley, Service Station; Dellman Bybee, Real Estate Broker; Robert L. Deck, Carpenter; Erick Meyer, Clerk & T. V. Installation; Mabel Derr, Cook, Modern Cafe; Chouteau Co., Vets' Club, By F. E. Zimmer, Manager; Leland J. Edwards, Lee's Cab; Ken C. Morrow, Morrow Insurance Agency; C. L. Overholser, Carpenter; Gamble Store, E. J. Serbin, Owner; Joseph P. Jordan, Fort Benton Motor Co.; Eddie Albers, Albers & Drewiske; O. A. Tschache, Ott's Green House; O. W. Nottingham, Carpenter; George Paul, Paul Roofing & Masonry; Roy Lane, Carpenter; Ray Flathers, Construction; Ira W. Vinion, Barber; McRay Ulrich, Palace Bar; Clyde Good, Good Apartments; Jos. S. Smith, Construction; Lloyd M. Nelson, Bybee Machinery Co.; Clyde Stovall, Bybee Machinery Co.; Clyde Stipe, Bybee Machinery Co.; Stella Meyer, Modern Cafe.

Arnold H. Campbell, Car Salesman; W. Siebenaler, Lumber Yard Manager; W. A. Silvius, Chouteau House Hotel; George F. Rowe, Chouteau House Bar; Helen F. Hall, Chouteau Cafe; R. G. McMillan, Carpenter; Geo. W. Wackerlin, Clerk; Oscar Meyer, Hauling; Opal Mauzey Pitt, E & N Cafe; Darlene Mauzey Pitt, E & N Cafe; Dagna Morger, Secretary & Bookkeeper; Martin Wolf, Jr., Plumbing; Darrel Smith, Body Shop; Louis Breiter, Holman, Inc., Body Shop; M. J. Crane, Parts Manager; Roy Homme, Steel Buildings Contractor; George W. Carver, Carpenter & Contractor; Ray W. Uhl, Dairy Owner & Manager; Walter R. Thomas, Transfers, Fort Benton; Dell Holmstrom, Mechanic; Ray Blohm, Contractor, General; LeRoy W. Olsen, Contractor; Howard L. Lett, Lett Plumbing & Heating; Jess E. Allison, Mechanic; Tope & Thomas, William J. Tope; L. R. Olmstead, Dairy; Oswald F. Mueller, Mechanic; Neal J. Archer, Land Agent; C. W. Grantham, Salesman; Emma Grantham, Cosmetologist; John R. Drewiske, Albers & Drewiske; Harold A. Larson, Painting Contractor; Harvey Fox, Bookkeeper; John Bradley, Sheriff.

Bloom & Co., Walter Bloom; Foltz Co., Gus B. Foltz; Red Lodge Drug, Peter J. Kushar; Model Drug, Inc., Richard Romessa; Coast to Coast Store, R. S. Pfiefer; Bob Gulch; Scewyeis, Robert L. Colness; Skange Implement Co., L. Monahan; Peter Micheletto Jewelry, Pete Micheletto; Red Lodge Cleaners, Don Short; Stevens Equipment Co., Don Stevens; Gas Dealer, Al Slowiin; Art's Standard Service, Art Paulson; Olcott Implement Co., H. J. Olcott; Red Lodge Tractor Co., Frank Sicora; A. D. Whitecomb Oil Co.; Simmons, Neale Gearhart; Marchello Hardware, Masio Marchello; Norman B. Gardner; Korter Store, Vienna Korter; Hagis Plumbing; Manager, Dry Goods Store, John T. Macmilla; Busy Bee Cafe, Jo Spellman; Mountain View Station, H. C. Obert; Beverage, Max D. Omend Mountain Chevrolet Co., John R. Graham; Niel A. Stacey, D. D. S.; Richardson Barber Shop; Oiler Confectionery, Vera Oiler; Budd's Fiat, E. G. Hamilton; Red Lodge Cafe; Waters Men's Store, C. W. Waters; City Bakery, Alex Colett; Harv's Sporting Goods, Harvey F. Schroeder; McDonough Motors, Inc., J. H. McDonough; Mount Maurice Station; Carl Tysel; Buening Electric, M. H. Buening; Paul Shoe Shop, Louis Contratt; Hoffman's, E. Levin; M & M, O. B. Marchelle; Quality Grocery, Emma C. Suggs; Anderson Conoco Service, Frank Domichek; Southern Hotel, Mrs. E. Rahkolee; Flash's Studio, Bernt I. Egenes; Matora Meat Market, Joe Castigne; Felix Sport Shop, P. C. Redicke; Henry Jones; T. J. Cormier, upholsterer; Marino's Artcraft Gifts.

Carbon County Creamery, J. J. Gerondale; D. W. Columbus, mayor, Red Lodge, Mont.; Fairchild Cleaners, Alice Fairchild; City Dairy, Chester Moran; Thompson Goods, George Dinne; George Maye Beauty and Gift Salon, Marguerite McGuide; Gebo Grocery, Ray Gebo; Red Lodge Trading Post, Mike Harschlip; Vaughan Drug, C. W. Vaughan; Margaret Meeks Cafe; Leslie McCline Inn; Theresa Berta, Grocery; P. M. Gibbons Grocery; Roy E. Donelson, Timber Products and Saw Mill; George W. Johnson, Johnson Greenhouse; F. V. Swenson, all of Red Lodge, Mont.; Fox Store, K. I. Hemselman; Roberts Elevator Co., Inc., Alfred E. Heekkela; Roberts Implement Co., Eugene C. Stem; New Deal

Bar, Elmer C. Kloster; D. C. Forster, Roberts Barber Shop; Winter's Repair; Roberts Cafe, Emil R. Frier; Roberts Garage, Arned W. Wilson; all of Roberts, Mont.

Rathert-Schreiber Co.; Wolf Point Floral; Marshall-Wells Store; Styer Apartments; Gamble Store; Camrud Motors; P. F. Eldridge; J. T. Fahey; Electrical Refrig. Service; Public Drug Co.; Coast to Coast Store; Davey's Men's Wear; Jim Kurokawa, W. P. Cafe; Desinger Cleaners; Larson Jewelry; Kelly's Hardware; Patterson Style Shop; Clack Service Station; the Herald-News; Farmers Union Oil Co.; Moe Motor Co.; Dr. C. R. Grow; Dr. R. W. Sorensen; J. L. Davey; Lerton Hall; Farmers Lumber Co.; R. F. Hansen; Leland F. Jones; Philip Jackley; Floyd DeWitt; Montana Bar; Stockman Bar; Modern Cafe; Stephens Merc. Co.; Hank's Barber Shop; K. L. Bryan, Federated Store; Art Zervas, Buttrey Foods; D. F. Kemper; W. E. Burnison Agency; K. E. Voss; Andrew Hansen; Hazel Winslow; Ellis C. Thorsen; R. P. Madel; Farmers Union Lumber Co.; Ed Sassen; O. L. Stenslie; Guy Ault; John O. Garden; Coffey & Harada Insurance Agency; Triangle Cafe & Service Station; Highway Motor Co.; George Meister; Baxter Larson; Robert Penner; Don E. Nelson; Hovey-Stone Chev. Co.; Robert Beery.

CONRAD BUSINESSMEN

R. G. Arnot, Arnots Furniture; H. H. Burger, auto business; A. K. Conrad, Conrads' real estate and insurance; H. W. Conrad, Conrads' real estate and insurance; R. G. Barth, The Toggery; Avery L. Roser, Roser's Department Store; Ferne M. Baker, Baker's real estate and insurance; Ebert Malone, Pastime Billiard Parlor; H. W. Armstrong, Sr., Armstrong's Barber Shop; Sidney M. Dodge, Oil City Cleaners; Dave Humble, Humble's Cafe; Louis Salansky, Salansky's Fine Foods; William McKee, manager, Buttrey Foods, Inc.; Jack Baumann, service station; Chas. C. Whitney, Whitney's Motor Service; Tom McCracken, Pondera farm equipment; Ralph E. Hales, Conrad Creamery; Shirley J. Rise, Montana Cleaners; Kenneth E. Sheppard, Modern Shoe Shop; M. E. Carlton, Conrad Cafe; Fern D. Corcoran, Corcoran's Floral Shop; Don R. Burgess, aerial crop sprayer; D. J. Felska, Ben Franklin Store; Earl F. McCracken, Earl's Cash Market; E. C. Robinson, secretary-treasurer Conrad PCA; Joe Quenemoen, manager, Equity Co-operative Association; C. M. Borgen, manager, Occident Elevator; A. G. Dehler, president, Dehler Bernatz Co.; Cecil E. Mills, manager, Farmers Supply Co-op Store; Edward Holstein, manager, General Mills, Inc.; L. A. Larson and H. Wiese, managers, Cargill, Inc.; B. P. Hennessy, Hennessy Lumber Co.; Lynn E. Wallace, manager, Farmers Supply Co-op; Charles J. Berry, manager, Greely Elevator Co.; Elmer M. Munson, contractor; Herman Brakke, Pontiac agency; H. R. Schmidt, Herb's Service Station; H. N. Stenseth, investments; M. McIntyre, McIntyre's Texaco; Vaughn Dutro, manager, Conrad Implement Co.; Dr. Thomas Towey, DMD; Jack A. Smith, public accountant; George Bourquin, public accountant; E. F. Erwin, Gene's Barber Shop; Mrs. D. J. McClue, Conrad Bakery; J. F. Fooshee, Pondera Drug Co.; Lloyd Erickson, Erickson's Welding & Machine Shop; G. A. Holmes, Hannah & Holmes, auto dealer; Harold Pyle, Harold's Jewelry; Elvin Jensen, manager, People's Co-op Meat Co.; Ralph Sutherland, Marshall-Wells Store; Harry H. Drake, Drake's Drug Store, Inc.; E. H. Powell, manager, Towey Hotel; Elmer Jensen, Coast-to-Coast Store; Jerome L. Scott, Gamble Store.

Clyde E. Flynn, Flynn's Electric Shop; A. V. Verzuh, Al's plumbing and heating; Robert S. Hamilton, MD; A. O. Freebury, Conrad Cleaners; R. Siler, Siler's Texaco; A. Len Miller, Miller Motors, Inc.; O. Wieringa, Conrad Body Shop; Otis T. Misfeldt, electrical worker; B. C. Eisberry, Eisberry's Hardware; Mrs. E. P. Patten, Pondera Abstract Co.; Lawrence D. Abel, Jr., City Hardware & Radio; J. W. Clark, manager, J. C. Penney Co.; Vernon Martin, Martin's jewelry; Wesley A. Person, the Electric Center; William E. Hadcock, MD; J. P. Clavin, Hotel Conrad; Howard T. Francisco, attorney-at-law; A. G. Petesch, Twin Service Co.; Jack Huntsinger, Huntsinger Buick; Asa Pickett, Silver Cafe; C. A. Mills, Reo Motors; C. B. Glaim, manager, Monarch Lumber Co.; Ruben Bortvedt, manager, Northern Montana Mustard Growers; L. P. Richardson, Luce Hotel; E. F. Wyse, E. F. Wyse Funeral Home; H. W. Conrad, Jr., attorney-at-law; Pat McElliott, North Montana Machinery Co.; Robert J. Ege, Conrad Sport Shop; P. J. Schultz, Schultz Lumber Co.; Ed Sincavage, manager, Safeway food store; John Preputin, barber; D. W. Doyle, attorney-at-law; P. S. Cannon, MD; Guy Fogelsong, West Apartments; V. H. Anderson, mustard dealer; John R. Dahlin, Dahlin & Sons agricultural supplies; William Grubb, gravel and excavating; J. F. Holstein, Fred & Pat's Furniture Repair; James R. Miller, manager, Jacobson's Drive-in; Marie Brakke, Northgate Motel; Con Christenson, auctioneer; James Tennis, Cone Cafe; Richard E. Eckstein, Dick's Conoco; Tom Egan, Egan Metal Products; Eugene V. Crawley, New York Life insurance agent; James B. Ball, Pondera Machine Works; Willard Robinson, agent, Consolidated Freightways; Hal Gollehon, Conrad Transfer; Melvin Fladstol, apartment houses; Dr. Harry R. Yunck, DMD; Harold Kirk, Dean Hotel; R. D. Mason, MD; H. H. Dolliver, insurance agent; Ed G. Valentine, Valentine's Style Shop; Everett Auren, Jr., N & A Auto Co.; W. L. Rader, publisher, Independent-Observer.

VALIER BUSINESSMEN

Jim Fitzpatrick, Fitz Repair Shop; K. P. Munyon, Valier Lumber Co.; Jesse Kibbee, manager, Cargill, Inc.; U. B. Urness, Gambles Store; Ernest Sorenson, manager, Farmers Union GTA; A. C. Geiger, Capitol Theater; William Bohm, Montana Cafe; R. W. Leet, Trail Cafe; Minnie Ethel Leet, Leet's Apparel Shoppe; Lloyd M. Gigstad, Gig's Cash Cleaners; N. S. Swanson, president, Farmers & Stockmens Bank; Lloyd Eppe, Lloyd's Market; DeVoe Swank, DeVoe's Builders Service; Eugene Bonnet, Gene's Dairy; P. E. Ames, Pete's Cafe; Hal K. Ferris, utilities worker; W. J. Schneider, Wesley's Service.

John T. Briden, manager, Briden Chevrolet; S. G. Snortland, Valier Implement Co.; Gordon Shephard, Shep's Union Service; W. R. Kincaid, manager, Continental Oil Co.; James Curry, Curry's Market; Geo. E. Boyd, manager, Greely Elevator Co.; Sam Stokes, Clack Service Station; Lyle Marsh, Marsh's Confectionery; L. Wefsenmoe, manager, Montana Western Railway; J. N. Starbuck, Starbuck Drug Co.; Mervin Chausse, Valier Garage; Andy A. Hammer, Hammer plumbing and heating; Charles Donovan, Valier Hotel; Ralph Bowman, general contractor; Sam Stokes, manager, Gallatin Valley Milling Co. Carl Monroe, Carl's Barber Shop; Roy Hanna, manager, Farmers Union Oil Co.

BRADY BUSINESSMEN

Gilbert Munday, manager, Equity Co-operative Association; Chas. L. Armstrong; Bruce Petersen, Pete's Repair Shop; Robert E. Laurence, manager Monarch Lumber Co.; Richard J. Thompson, M & T Implement Co.; Mrs. Julia L. Rose, confectionery; J. A. Magdall, Brady Garage; Fred W. Foebel, Fred's Super Market; H. McComb, manager, Montana Elevator Co.; E. Reluer, agent, Gallatin Valley Milling Co.; Hazel A. Andersen, the Coffee Cup Cafe.

LEDGER BUSINESSMEN

Richard Gemar, manager, Farmers Union Elevator; Freda L. Hall, Ledger Store.

CHINOOK BUSINESSMEN

G. L. Maberry, Diesel Service Co.; R. B. Doughten, Manager, Farmers Union Oil Co.; Walter Porter, Manager, Farmers Union Elevator Co.; Al Wrick's Al's Repair Shop; R. B. Campbell, O. K. Tire Shop; Carl Gomavitz, Highland Junk Co.; E. D. Lunden, Chinook Equipment Co.; Basil Hiner, Hiner's Cafe; Harold Peterson, Food Center; H. A. Martens, Martens Drug; Nondas Bruss, Nondas' Shop; Robert J. Dolan, P. C. A.; John Lamey; Virginia Stein, Blaine Coffee Shop; Loretta Merkle, Blaine Coffee Shop; D. C. Mainwaring, Upholstery Shop; H. Kuper, Kuper Funeral Home; A. M. Dronen, Matulka Garage; E. J. Gallus, Dentist; Ira S. Harbolt, Insurance; Mrs. Doug Taylor, Taylor Cleaners; Murdock Matheson, Liquor Vendor; Mrs. H. O. Wittkoff, Gambles; Chuck Fralick, Coast-to-Coast; Harry N. Olson, Blacksmith Shop; Burgess Agency, Insurance; Speers Implement Co., Farm Equipment; E. S. Taylor, Taylor Motor Co.; J. R. Jamieson, Jamieson Motors; Franklin D. Pehrson, Chinook Auto Court; Phil Brovold, Phil's Standard Service; R. E. Swenson, Standard Oil Co.; LeRoy C. Anderson, Andy's Service; John Upshaw, Montana Hotel; H. A. Marsh, Stockman; Murdo MacLean, Mint; G. S. Sargent, Milk River Coal Mine; LeRoy Christensen, Cozy Corner; Einar W. Johnson, Chinook Motors, Inc.; Art Keller, Bar X Bar; Jack DePriest; Orval Severson, Farmers Union Creamery; Phil Paulson, Paulson Hardware & Electric.

Stanley Casteel, Independent Food Store; Louis Mohar, Plumbing and Heating; E. M. Wallner, Wallner's Furniture; Floyd White, Pastime; T. A. Babiak; Chas. F. Ivey, Ivey's Drug; Bill Morrison, Silver Dollar Bar; Leonard's Shop, General Merchandise; F. A. Sharples, Sharples Jewelry; Herb Bonifas, Blaine Theater; Oliver C. Paulson, Ben Franklin Store; O. C. Gratton, Gratton Barber Shop; Walter Seigle; Dick Peterson (by V. L. B.) Monarch Lumber Co.; A. L. Reser, Manager, Home Lumber Co.; C. M. Boe, Blaine Lumber Co.; Edgar G. Obie, Obie's Flying Service; Floyd L. Sargent, Sarge's Shop; Thos. O'Hanlon, Chinook Lumber Co.; Howard C. Larkin, Chinook Heating and Equipment Co.; L. Jorns, Elk Cafe; Ted R. Johnson, Chinook Opinion; Ferald Taylor, Marshall-Wells Store; O. M. Bruss, Model Hardware; Mark Ambrose, Grill Cafe; Wm. Johnson, Draftsman; John Nelson, Dave's Texaco; Lynn Butcher, Baldwin Dairy; Donald V. Casteel, Quality Market; Clay McCartney, Blaine County Abstract Co.; Ivan H. Nelson, W. G. Woodward Co.; Joe P. Hoehn; E. W. Luckett, First State Bank of Chinook; John A. LaPlante, Aero Lounge; F. W. Boisvert, The Fountain; Fred Elsner, Blaine County Treasurer; Roy Cox, Barber; Maida McCartney, Chinook Hour; Chat's Pontiac, Chinook, Mont.; H. E. Coyner, Chinook Dray and Transfer; J. Ospelend, H. Earl Clack Co.; Glenn J. Hockett, Hockett Trucking; Clarence Hart, Barber.

HARLEM BUSINESSMEN

E. F. Johnson, Jeweler; G. H. Gallagher, Gallagher Grocery; L. E. Mollerstrom, Standard Service; George Klindworth, Manager, Equity Co-op Association; C. H. Dolven, Dolven Chevrolet; Beecher Machine Co.; Gjullin Implement Co.; Elmer Bergh, Service Garage; Jim Walls, Montana Cafe; Norman McGuire, Mac's Recreation Hall; Wm. Churchill, Churchill's Cafe; W. S. Dale, Coast-to-Coast Store; Andrew Nelson, Confectionery; Ed Norskog, Manager, H. Earl Clack Co.; The Hub, Clothing; W. J. Lawr, Apparel; Pete Jergesen, Plumbing and Heating; Vince Larson, Larson's Market; Mary O'Brien, Merry Market Grocery; Glenn A. Hartman, Gamble Store.

J. A. Cassidy, Cassidy's Variety; Merle B. Wieres, Harlem Food Store; R. Cresswell, barber; A. W. Anderson, Gas Co.; Frank Orlando, druggist; L. M. Miller, Grand Theater; Vernon R. Ude, Harlem Seed Co.; F. C. Ekegren, Cafe; Steve O'Leary, Service Station; Donald L. Olson, Harlem Motor Co. (Ford); J. Frank McColom, Harlem Dry Cleaners; W. A. Brown, Monarch Lumber; Jim Pollard, Blacksmithing-Welding; E. P. Ekegren; D. A.

UNIVERSITY OF MICHIGAN LIBRARIES

Ring, Groceries; P. C. Tompkins, Wellworth 5 & 10; Edith Benson, Valley Chickeries; Eric Berglund, Service Garage; Victor Knudson, Keck's Cabins and Grocery; Swen's Repair Shop.

SHOULD 18-YEAR-OLDS BE GIVEN THE RIGHT TO VOTE?

Mr. MANSFIELD. Mr. President, I am in receipt of a letter from Miss Pat Richards, secretary of the senior class of the Poplar (Mont.) High School, in which she tells me that the members of that class have completed a survey involving the members of the junior class, the senior class, and the faculty of all the high schools in the State of Montana, on the question, "Should 18-year-olds be given the right to vote?"

I am glad to note that yesterday the distinguished minority leader (Mr. JOHNSON of Texas) stated that the constitutional amendment approving the right of 18-year-olds to vote will be brought up on the floor of the Senate later this week.

I ask unanimous consent to have printed in the RECORD at this point a copy of the letter addressed to me by Miss Pat Richards. I express to her and to the senior class of Poplar High School my deep appreciation and gratification for the civic responsibility they have shown.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POPLAR PUBLIC SCHOOLS,
Poplar, Mont., May 13, 1954.

The Honorable MIKE MANSFIELD,
United States Senator,
State of Montana,
Washington, D. C.

DEAR SENATOR MANSFIELD: The members of the senior class of Poplar High School have just completed a survey involving the members of the junior class, senior class and faculty of all the high schools in the State of Montana, on the question, "Should 18-year-olds be given the right to vote?"

One hundred and eighty-six schools were polled. Replies were received from 100 schools with the following result:

For 18-year-olds voting 3,418.
Against 18-year-olds voting 1,681.
Abstained 318.

The decisive majority of people concerned are in favor of 18-year-olds receiving the right to vote. Not only the students, but the faculty likewise expressed desire for this to come into effect.

Would it be possible to ask that some official recognition be given to this expression of opinion, either by direct legislative action or through referendum channels, toward granting voting privileges to 18-year-olds in Montana?

The ballots and compiled figures in the poll are on file in Poplar High School and will be available to interested parties on request.

Sincerely yours,

PAT RICHARDS,
Senior Class Secretary.

ROMEO E. SHORT

Mr. FULBRIGHT. Mr. President, on behalf of my colleague the senior Senator from Arkansas [Mr. MCCLELLAN] and myself, I announce to the Senate the news of the death of Romeo E. Short.

In the death of Romeo E. Short, my State of Arkansas and the entire Nation have lost an agricultural leader of outstanding ability and integrity.

As president of the Arkansas Farm Bureau Federation, as vice president of the American Farm Bureau Federation, and as Assistant Secretary of Agriculture, Romeo E. Short gave the best years of his life to improving the lot of his fellow farmers.

Mr. Short was a firm believer in the value of farm organizations. He believed that farmers' organizations should take the lead in promoting not only the welfare of America's millions of farm families but the general welfare as well.

He understood—better than many of his contemporaries—that the welfare of agriculture and the entire Nation depends on the development of an economic as well as a spiritual, bond of unity among the free nations.

It was in the development of world trade in farm commodities that he made his greatest contribution. He devoted every ounce of his energy to this work. His departure from the Department of Agriculture came only after his health had been spent in the cause.

Yesterday, at his home in Brinkley, Ark., Romeo E. Short passed away.

Born in Illinois, reared in Iowa, and a resident of Arkansas since 1920, Romeo Ennis Short first served his country in World War I. He enlisted as a private in the United States Army. He came out of the Army a first lieutenant.

Soon after the war, he and his bride settled on their Arkansas farm. He grew rice, cotton, and livestock. For a number of years—many of them difficult ones—he worked to build up his own farm business.

In 1936 he began to devote himself to public service and to farm organization leadership.

The Arkansas Farm Bureau Federation had almost no membership in 1936 when he took over as president. He helped it grow to over 40,000. He became a member of the board of directors of the American Farm Bureau Federation, a member of the board of directors of the St. Louis district of the Farm Credit Administration, and a member of the board of the Federal Reserve System of Little Rock.

In 1947 he became vice president of the American Farm Bureau Federation—an office which he held with distinction until he resigned early in 1953 to become Assistant Secretary of Agriculture in charge of the Foreign Agricultural Service.

How well he built for the future in this important agency of Government we all know. And how much more he might have done had not his health failed him.

It is with the deepest sorrow that I have learned of his passing.

He was a distinguished Christian gentleman, a worthy son of Arkansas. We shall long remember his leadership and his devotion to duty.

Mr. MCCLELLAN. Mr. President, I hasten to join in the solemn sentiments expressed by my able colleague from Arkansas.

It is with deep sorrow that I have learned of the passing of this great citizen of our State. I have known Mr. Short for the past 25 years, and in the course of my public service it has been my privilege and great advantage to have had the benefit of his counsel, particularly with respect to legislation for the advancement of agriculture, not only in our own State, but throughout the Nation.

Mr. President, I recall my last conference, just a brief visit, with Mr. Short. It occurred about the time he resigned from his position as Assistant Secretary of Agriculture. He told me then that his health was failing, but he hoped to recuperate and soon get back into active participation in public affairs. I looked forward to the time when he would regain his health and would be back in Washington, giving of his fine talents and of his wisdom to the solution of the great problems of agriculture in which he was so deeply and vitally interested.

Mr. Short recognized, as many of us do, that agriculture is the basic industry of the United States and that its health and prosperity determine the economic strength of the Nation.

I know that his loss is felt by many people throughout America, and I extend to his family my heartfelt sympathy, because they have lost a wonderful husband and father, and our State has lost a great citizen.

COMPARATIVE PRICES OF CATTLE AND HOGS

Mr. LANGER. Mr. President, every once in a while Senators are interested in noting how the present market prices of livestock are affecting the rank and file of our people. I have before me a letter from a very small farmers' livestock shipping association, the Rutland Farmers Livestock Shipping Association, located at Rutland, N. Dak.

The letter states:

The board of directors of the Rutland Farmers Livestock Shipping Association have recommended that you be advised of the following net average prices per head received by their patrons for cattle and hogs for the past 3 years.

I know that every Senator will be interested in knowing what stock raisers get for cattle. For the year ending February 1, 1952, the average amount was $205.50. For the year ending February 1, 1953, it had dropped from $205.50 to $157.85. For the year ending February 1, 1954, it dropped from $157.85 to $94.73.

With reference to hog prices, for the year ending February 1, 1952, the patrons of the shipping association received an average of $42.94 per hog. For the year ending February 1, 1953, they received $37.84. For the year ending February 1, 1954, the price had risen to $48.43.

These figures show that while the price of cattle had depreciated, the price of hogs had increased.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The PRESIDING OFFICER (Mr. AIKEN in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the

transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. AIKEN in the chair). Without objection, it is so ordered.

WIRETAPPING PROPOSALS THREATEN HISTORIC GAINS IN PROTECTING PRIVACY AND SECURITY OF THE HOME

Mr. MORSE. Mr. President, I propose to give today the first of a series of speeches on the general problem of wiretapping. Wiretapping proposals, in my judgment, threaten historic gains in protecting the privacy and security of the American home.

Freedom and rights that have been long enjoyed are too often taken for granted. The decades of sacrifice with which they were earned are too soon forgotten.

Our heritage of liberty is as precious as any of the material riches and mechanical marvels that past generations have willed. If we are not vigilant, this inheritance can be lost, not in one lawless sweep but by the erosion of what appear to be minor exceptions.

Today the right of our citizens to privacy and security in their homes, won over centuries, stands in such peril.

Attorney General Brownell has recommended to the Congress that it legalize wiretapping by authorizing the interception of private telephone messages by officials of the executive branch of the Government and the military department in the investigation of certain activities broadly defined as interfering with the national security and defense.

Brownell also recommends changes in the law which now prohibits the use of evidence obtained by wiretapping in the Federal courts.

In a series of speeches on the floor of the Senate, I intend to show that not only is the use of the wiretap by Government officials repugnant to historical and constitutional principles of American freedom and a threat to the personal security of loyal citizens, but also that, as an investigatory device, the unreliability, inefficiency, and the expense of wiretap operations outweigh their alleged utility.

Wiretapping is a police state method. We will do a poor job of defending democracy from the aggression of Communists and other totalitarians if in the process we adopt as our own the methods of our enemies.

The wiretap, the rubber hose, and the third degree are standard equipment of the officer with the prosecution complex whose zeal for conviction exceeds his respect for rights. They should have no place in the activities of responsible public officials.

Adoption of the Brownell proposal would revive search and seizure practices of the type outlawed by the courts in England 188 years ago, and recognized as unlawful from the framers of the Bill of Rights amendments to our Federal Constitution.

The fourth amendment to the Constitution was designed to protect personal privacy and security, and the sanctity of the homes of Americans from the assaults of impatient, overzealous, and opportunistic officials. The fourth amendment provides:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Wiretapping — secret listening to words spoken in the home, or surreptitious interception of a person's confidential communications to his family, friends, associates, lawyer, doctor, or priest—is an insidious kind of intrusion upon personal privacy.

It would be impossible, in my judgment, to authorize its use and at the same time provide safeguards consistent with the spirit and purpose of the fourth amendment.

Mr. President, I wish to emphasize at the beginning of this series of speeches against wiretapping that I have yet to listen to a single safeguard, so-called, which, in my judgment, would protect the privacy rights of free Americans.

It has been said that law is not a manufacture, but a growth, and that it is, therefore, difficult thoroughly to comprehend the true scope and meaning of a law, without at least some knowledge of its history and development.

In this first speech I am going to discuss the history of the fourth amendment and the history of the rights it protects and the evils it prohibits.

LIBERTY CANNOT BE TAKEN FOR GRANTED

A review of history may help us to understand more clearly the meaning of American freedom. It should help to banish any inclination we may have to take our liberties for granted.

The mistake of taking liberty for granted is not an uncommon one. Witness the fact that our Constitution, as ratified in 1788, and as it stood on the day of the opening of the 1st session of Congress in 1789, contained no bill of rights.

Among men who had gone through a great war for freedom, and then settled down to put a democratic government into operation, there were those who thought a declaration of rights not necessary in a democracy.

No declaration of rights was necessary, they felt, because it was assumed that all knew their rights.

No constitutional protection of rights was necessary, they contended, because in a democracy each would be respectful of the other's rights.

Farsighted men knew, however, that threats to liberty might come not only from kings; that elected or appointed officials, unless checked, could be as arbitrary as the mightiest monarchs in their exercise of power.

NEED FOR THE BILL OF RIGHTS

The need for a bill of rights was a major point of discussion in the constitutional debates, when ratification of the proposed Federal Constitution was being considered in the various States.

In the State of Virginia, Patrick Henry fought ratification of the Constitution because it contained no insurance against infringement upon the rights of the people by the Government. Virginia, on the advice of Thomas Jefferson and James Madison, both bill of rights advocates, ratified the Constitution, but by a narrow margin of 10 votes in a convention of 168 members, and only on the condition that a bill of rights be added by amendment.

An attempt to attach conditions to ratification in New York almost succeeded. Ratification was finally voted in July 1788, by a vote of 30 to 27, with a recommendation that a bill of rights be appended to the Constitution.

I always am surprised when I find students, to say nothing of laymen generally, laboring under the misapprehension that the Constitution of the United States came into being almost with the unanimous consent of the people of the States which at that time formed the Union. It was a hard-won victory all the way, Mr. President, and in State after State the Constitution finally was ratified by the narrowest of majorities.

One of the hardest battles, both in the Constitutional Convention and in the ratification conventions which followed, was over the issue of protecting the rights of the American people from the arbitrary discretion of the Government. It was only when it became perfectly clear that a bill of rights—one important feature of which I am speaking of in the Senate of the United States today—would be added to the Constitution by amendment, that the Constitution had any chance of final ratification and adoption.

So today, when we speak about preserving and protecting the privacy of American citizens, we are referring to a historic question, an issue which existed at the time the Constitution itself was adopted. In my judgment, unless there had been assurance that the privacy of American citizens would be protected from the arbitrary discretion of the Federal Government, the Constitution never would have come into being.

In the year 1954, when a short-sighted Attorney General of the United States, apparently ill-informed about American constitutional history, comes forward with a proposal which jeopardizes the privacy of American citizens, I do not propose to lend my support to it by voice or vote. In the hour in which we now live, it is as incumbent upon Members of the Senate of the United States to fight to protect the privacy of American citizens as it was incumbent upon our constitutional fathers to take such a stand, both in the Constitutional Convention and in the many ratification conventions which followed thereafter.

I am shocked that a President of the United States, in a message to the Amer-

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ican people, would underwrite the proposal of the Attorney General of the United States. The President ought to read the constitutional debates. In my judgment, it would be good for the President to do so. If he has once read them, certainly he ought to refresh his memory about the fight to protect the privacy of American citizens throughout the constitutional history of this great Republic.

Not only did this battle rage in the State of New York, but the Massachusetts and New Hampshire ratifications contained Bill of Rights recommendations. Ratifications of the Constitution by these two great States might not have been obtained unless, first, there had been a commitment by way of recommendations for a Bill of Rights.

It was in Massachusetts that Elbridge Gerry told his fellow citizens that he had refused to sign the Constitution because it then contained no protection in law of the rights of the people, and "that the greatest men may err, and their errors are sometimes of the greatest magnitude."

Two of the Thirteen Original States did not ratify the Constitution until after the Bill of Rights amendments were adopted in the Congress.

PURPOSE OF BILL OF RIGHTS

James Madison, bringing to the first session of the Congress Virginia's proposed constitutional amendments, 10 of which were to become our Bill of Rights, told the Members of Congress:

> It will be a desirable thing to extinguish from the bosom of every member of the community any apprehensions, that there are those among his countrymen who wish to deprive them of the liberty for which they valiantly fought and honorably bled.

The announced purpose of the amendments was "to raise barriers against power in all forms and departments of government."

Madison said to the Congress:

> So far as a declaration of rights can tend to prevent the exercise of undue power, it cannot be doubted but such declaration is proper.

Congressional adoption of the Bill of Rights amendments in 1789, and their subsequent ratification by the States, established in law the principle that in a democracy, the rights of the people are always superior to the expediencies of government officials.

English law has long recognized a right of man not to be disturbed in the occupancy of his home. But the principle "a man's house is his castle" enunciated in the 17th century by Lord Coke in *Semayne's* case (5 Coke 91) was not unique to English jurisprudence.

HOME PROTECTED BY BIBLICAL LAW

Even in ancient times there were evidences of that same concept in custom and law. Biblical literature reveals a number of instances illustrative of a strong respect for the dwelling as a place which was not subject to arbitrary visitation, even on the part of official authority.

In the story concerning Achan, Joshua did not send his messengers to search for and seize the prohibited articles in Achan's tent, even after his detection, until the latter had first confessed both his deed and the place where the articles were concealed.

By biblical law a creditor was forbidden to enter his debtor's house for his debt but had to wait outside for the bringing forth of the pledge, and a bailiff of the court was forbidden to enter for the same purpose.

The high regard that the law had for the home is reflected in the protection afforded it in article 21 of the Code of Hammurabi:

> If a man makes a breach into a house, one shall kill him in front of the breach, and bury him in it.

The laws of ancient Rome held the home to be a place that was under the special protection of the household gods, who dwelt and were worshipped there. If even an enemy reached the fireplace of the house, he was sure of protection. Cicero said in one of his orations:

> What is more inviolable, what better defended by religion than the house of a citizen. This place of refuge is so sacred to all men, that to be dragged from thence is unlawful.

When Roman criminal law allowed the search of the house of a person suspected of theft, such search could be undertaken only after the victim of a theft described with particularity the goods he was seeking. When, accompanied by a bailiff, he entered the suspect's house, the law required that he be clad only in an apron, to prevent his concealing objects in his garments and "planting" them in the other's house to implement a false charge. Crooked police methods were as well known in Roman times as they are in modern times.

Roman occupation of England implanted in the country the principle that an individual had a privilege not to be disturbed in the peaceful occupancy of his home.

In Anglo-Saxon and Norman times the crime of hamfare, the forcible entry into a man's dwelling, was looked upon with great severity, justifying the killing of the perpetrator in the act.

Chapter 39 of the Magna Carta of 1215 has been recognized as a safeguard against official intrusion into the home. Lord Coke said in 4 Coke's Institutes 177:

> Breaking the houses of any subjects to search for felon or stolen goods is against the Magna Carta.

STAR-CHAMBER PROCEEDINGS

During the Elizabethan and Stuart periods in England, in the enforcement of tyrannical laws concerning printing, religion, and seditious libel and treason, the Court of Star Chamber initiated practices of unlimited search and seizure by Government officials.

A warrant issued by the Star Chamber in 1593 directed messengers of the Crown to search for and arrest "every person suspected of libels and for that purpose to enter into all houses and places where any such shall be remaining. And, upon their apprehension, to make search in any of the chambers, studies, chests, or other like places for all manner of writings or papers that may give you light for the discovery of the libelers."

The Star Chamber was abolished in 1640, and a year later the House of Commons resolved that the search of studies and papers of opposition members of Parliament and the issuance of warrants for that purpose in 1629 had been a breach of privilege on the part of those who executed the warrants, for which they were to be punished.

At this period in English history there began to be recognized a principle that government searches and seizures, if allowed, must be reasonable. The full significance of the principle, however, was not yet recognized, and further experience on the part of the people and the courts was required before the right to be left undisturbed in the home was given constitutional protection.

New regimes found it expedient to lapse back into the old practices from time to time, and a few years later there was enacted the hearth-money statute, by which custom officials in their collections were given right of entry into all houses at any time during the day.

After the revolution of 1688, one of the first acts of the new government was to abolish hearth money. King William gave as his reason for the abolition not only that the practice was a great oppression of the poorer classes, "but a badge of slavery upon the whole people, exposing every man's house to be entered into, and searched by persons unknown to him."

GENERAL WARRANTS CONTROVERSY

So strong had become the popular feeling against Government intrusion into the homes of citizens, that the practice of arbitrarily searching private homes for Government purposes was all but abandoned in England until the accession to the throne of George III in 1760, at which time there began the great controversy about the general warrants.

In the American Colonies the general warrants took the form of so-called writs of assistance, authorizing revenue officers to enter, in their discretion, suspected places and search for smuggled goods.

James Otis, speaking in Boston in February 1761, pronounced these warrants "the worst instrument of arbitrary power, the most destructive of English liberty, and the fundamental principles of law, that ever was found in an English law book," since they placed "the liberty of every man in the hands of every petty officer."

Otis denounced the dangerous character of the writs as an infringement of the Englishan's "right of house."

John Adams said later of the Otis speech:

> Then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there the child Independence was born.

As I read American history, I am satisfied that American independence was really born in the Otis speech in defense of the privacy of the American home.

Again let me say, Mr. President, in 1954 I do not propose to remain silent in the Senate while a misguided Attorney General makes another proposal to trespass upon the privacy of the American home. Many times in the history of the United

States we have repudiated that kind of arbitrary discretion, and I am satisfied that once the American people come to understand the underlying issue of the wiretap proposal of Brownell, it will be repudiated again.

In England, general warrants issued by the Secretary of State authorized Government officials to secretly enter homes, and search for and seize the private papers of persons suspected of seditious libel.

The court case of *Wilkes* v. *Wood* (98 Eng. Rep. 489 (1762)) involved a suit by a publisher of pamphlets critical of the Government against an official who had issued a warrant by the authority of which Wilkes' house was ransacked in a search for the alleged treasonable papers.

Is it not interesting, Mr. President, that in the famous Wilkes case in 1762 it was alleged treasonable conduct—just as now it is alleged subversive activities in the United States—that caused our forebears to arise and protect the privacy of the home. In 1762 they refused to accept the spurious premise that alleged treasonable conduct justified the violation of the privacy of the home. Let me say to my colleagues that the danger today is no greater than it was in 1762. If in the critical times in the early history of the Nation, our forebears protected the privacy of American citizens through the fourth amendment, we ought to be willing to stand up for the privacy of the home today, particularly when we have all the advantages of modern detection devices.

We do not have to follow Brownell, of the Eisenhower administration, the head of President Eisenhower's Department of Justice, in the adoption of police-state methods, in order to weed out subversive activities in the United States. There are all kinds of subversion. Brownell does not hate Communist subversion any more than does the Senator from Oregon; but let me tell my colleagues that I hate the subversive proposals of Brownell which would violate the sanctity of the American home by legalizing wiretapping. That is real subversion, of the same class as Communist subversion, because a citizen's rights and precious liberties can be destroyed by that kind of subversion as well as by Communist subversion.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I wish to commend the Senator from Oregon for what he has been saying. Is it not true that we always have to be on our guard when we are passing through a period of hysteria akin to what we are going through at the present time, for it is in such times that the rights of the people are taken away?

Mr. MORSE. The Senator from South Carolina is absolutely correct. The reason why I have gone to the labor and the effort of preparation of what amounts to, I am frank to say, a series of lectures on this phase of constitutional law, is that I think the American people need to be awakened to the fact that there is nothing new in the problem which now confronts us in respect to so-called treasonable or subversive activities. It is the repetition of an old, historic pattern. We have met it successfully heretofore without doing violence to the spirit and intent of the fourth amendment. That is why I am raising my voice, in a series of speeches on the floor of the Senate, in a plea to the American people that they awaken, before it is too late; and that they recognize, before it is too late, that this administration, acting through its Attorney General, in order to meet a problem of subversion, is actually proposing legislative remedies, remedies, in my judgment, which will do more harm than good, and are not needed in order to meet the threat of subversive activities in this Nation.

Mr. President, when this storm in our history has passed, when this threat of subversion has passed, as it will pass—and I always take a great deal of satisfaction in the advice of the philosopher, "This, too, shall pass away"; and the present period of history will pass—my confidence in the free way of life is such that I am satisfied we shall come out of this period stronger in our freedoms than when we entered it, if—if—we do not listen to such advisers as Brownell, who proposes wiretapping procedures that threaten the privacy of the American home. I repeat my major premise, which will run through these lectures, as I apply these constitutional lessons, taken from American history, to the problems involved in this issue, namely, from a utility standpoint we do not need the Brownell proposal.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to inform the Senator from Oregon that I am a member of the subcommittee that at the present time is holding hearings on this particular question, and I desire to assure him that I shall do everything I possibly can, as one member of the subcommittee, to see that all possible steps are taken to protect and preserve the rights of the home.

Mr. MORSE. Mr. President, not only do I appreciate the statement the Senator from South Carolina has made, but I wish to say that his statement does not surprise me. I know the Senator from South Carolina very well, and I know how sincerely dedicated he is to the personal rights which the American people fought so hard to establish in the Bill of Rights. I take great encouragement from the position the Senator from South Carolina has taken. I have been following the hearings in his subcommittee; and I am convinced that once the record is made, the members of the subcommittee will learn from the historic lessons which are awaiting their reading that there is no need for the adoption of any such police-state method as the one Herbert Brownell is proposing.

Mr. President, in further reference to the Wilkes case, let me say that the warrant was general as to the persons to be arrested and places to be searched and papers to be seized, and before the agents of the King discovered that Wilkes was the person who had published the papers, nearly 50 other persons were arrested and their homes searched.

Wilkes was awarded a verdict against the Under Secretary of State responsible for the warrant, and some of the other persons whose homes had been searched brought suit against the King's messengers.

In *Huckle* v. *Money* (95 Eng. Rep. 768) the court held the general warrants to be illegal, and awarded judgments against the messengers. The court said in awarding the judgment:

> To enter a man's house by virtue of a nameless warrant in order to procure evidence, is worse than the Spanish Inquisition; a law under which no Englishman would wish to live an hour.

CONSTITUTIONAL RECOGNITION OF PRINCIPLE

Constitutional prohibition against unreasonable searches and seizures was established in England in 1765 in the case of *Entick* v. *Carrington and Three of the King's Messengers* (19 Howell's State Trials 1030). The United States Supreme Court in the case of *Boyd* v. *U. S.* (116 U. S. 616 (1885)) described the judgment in this case as "one of the landmarks of English liberty" and a "monument of English freedom."

This case grew out of a search of the home of one John Entick, a publisher of articles critical of the government, by messengers acting under a warrant to seize him, together with his books and papers.

The warrant was specific as to the person, but general as to the papers; and the messengers made the most of the discretion granted them.

The defendants attempted to justify their actions by an argument of "state necessity." They claimed that the power to search homes and seize evidence was "essential to Government, and the only means of quieting clamors and sedition."

Pronouncing the judgment against them, Lord Camden said:

> With respect to the argument of state necessity, or a distinction which has been aimed at between state offenses and others, the common law does not understand that kind of reasoning, nor do our books take notice of any such distinctions.

The court condemned secret searches of the home:

> If this injury falls upon an innocent person, he is as destitute of remedy as the guilty * * * there is no man capable of proving either the taker or the thing taken. * * * the only witnesses are the trespassers, the party injured is left without proof.

INDISCRIMINATE SEARCHES PROHIBITED

Indiscriminate search for evidence was held unreasonable by Lord Camden, who recalled the search in the case of Wilkes against Wood:

> All was taken and Mr. Wilkes' private pocketbook filled up the mouth of the sack. Such is the power, and, therefore, one should naturally expect the law to warrant it should be clear in proportion as the power is exhorbitant.

Lord Camden stated in his decision a recognized principle of English law:

> The law obligeth no man to accuse himself; because the necessary means of compelling self-accusation, falling upon the innocent as well as the guilty would be both cruel and unjust; and it should seem that search for evidence is disallowed upon the

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same principle. There, too, the innocent would be confounded with the guilty.

Whether this proceedeth from the gentleness of the law toward criminals, or from a consideration that such a power would be more pernicious to the innocent than useful to the public, I will not say.

These words may be recalled when later we consider an American wiretap case, *Olmstead* v. *U. S.* (277 U. S. 438 (1927)). Justice Holmes said in his dissent in that case:

For my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part.

WHOSE HOUSE WOULD BE SAFE?

The basic objection to unreasonable search and seizure was stated by Lord Camden:

Observe the wisdom as well as the mercy of the law. The strongest evidence before a trial, being only ex parte, is but suspicion; it is not proof. Weak evidence is a ground of suspicion, though in a lower degree; and if suspicion at large should be a ground of search • • • whose house would be safe?

That question asked by Lord Camden can be asked in 1954: "Under the Brownell proposal, whose house would be safe?"

In the course of argument in the Parliament, where the House of Commons in April 1766, declared general warrants to be illegal, William Pitt declared:

The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England may not enter. All his force dares not cross the threshold of the ruined tenement.

Mr. President, how interesting it is, as we read history—and these days I would that more of my fellow Americans would read it—to hear the immortal and noble truths that have been spoken throughout the history of English and American jurisprudence, which proclaim the sanctity of the English home and the American home and their right to be free from the tyranny of government.

It is said that our Government would not be guilty of tyranny. It has been guilty in specific cases, many times. Read the great law cases of America. Time and time again the judicial robes of this country have had to protect the rights of American citizens from arbitrary, capricious acts of American officials. Such acts, when they violate the spirit and intent of the Bill of Rights, constitute tyranny in specific cases. In America we need a rededication to the great truth uttered by William Pitt, when he pointed out that the British concept of the supremacy of the home as the protector of the inhabitants thereof was so deep and so great that not ever the Crown could enter the home, no matter how humble it might be.

COLONIAL HISTORY

Freedom from unreasonable searches and seizures was one of the rights prominent in the thinking of Americans who on October 14, 1774, in the "Declarations and Resolves of the First Continental Congress" demanded "the rights, liberties, and immunities of free and natural-born subjects within the realm of England."

On June 12, 1776, less than a month before American independence was declared, the State of Virginia adopted in its Bill of Rights this provision:

That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

In September 1776, the constitution of the State of Pennsylvania declared:

That the people have a right to hold themselves, their houses, papers, and possessions free from search and seizure, and therefore warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are contrary to that right, and ought not to be granted.

By the time the fourth amendment to our Federal Constitution was adopted, a similar search and seizure provision was included in the bill of rights of every State in which the rights of the people were specifically enumerated in the State constitution.

CONSTITUTIONAL DEBATES

In the debates on the Federal Constitution, the question of search and seizure was the first illustration seized upon by Lee, of Virginia, and Gerry, of Massachusetts, as indicative of the necessity of a bill of rights.

In his arguments in the Virginia Convention, Patrick Henry dwelt on possible oppressions by public officials and said:

When these harpies are aided by excisemen, who may search, at any time, your houses and most secret recesses, will the people bear it? If you think so, you differ from me. Where I thought there was a possibility of such mischiefs, I would grant power with a niggardly hand; and here there is a strong possibility that these oppressions shall actually happen. I may be told that it is safe to err on that side, because such regulations may be made by Congress as shall restrain these officers, and because laws are made by our representatives, and judged by righteous judges; but, sir, as these regulations may be made, so they may not; and many reasons there are to induce a belief that they will not.

When I read that speech by Patrick Henry I closed my eyes and thought I was sitting in the Senate of the United States listening to some of the fallacious arguments which we hear so frequently in this Chamber, and which Patrick Henry answered in that speech.

The old argument is that we should not fear that Government officials will transgress upon our rights, because the Congress will protect them, or the courts will protect them. That is little solace for a fellow American after he has been wronged. It is little solace to say that the power exists to correct the wrong. I prefer to stand with Patrick Henry on this issue.

It happens to be our obligation, in protecting a free people, to take the steps in advance which will prevent the wrong from occurring. In my judgment, the argument of Patrick Henry is as unanswerable today as it was when made. Time and time again in the United States Senate we hear the oft-repeated argument of expediency. It is said that we should take certain action because there is great danger of subversive activity in the United States, and therefore we ought to give police-State power to police officials and law-enforcement officers. Patrick Henry answered that argument; and the answer is good today.

Our obligation is to see to it that the checks are written into the law in the first place, that provisions are placed in the law which will prevent the tyrannical abuse of power through the discretion of law officers, against which Patrick Henry spoke.

Patrick Henry answered Brownell decades ago. I only ask the American people to reread the account of the great fight which Patrick Henry waged in the Virginia convention, insisting that the Constitution should not be ratified until there was first written into it the guaranty that the personal liberties and rights of American citizens would be protected in a Bill of Rights. It required the eloquent persuasion of Jefferson and Madison to convince the Virginia convention that it should ratify the Constitution, on the condition that a Bill of Rights would subsequently be added. Henry won his point, but Henry wanted to see it in black and white first, so he refused to go along until there was first a Bill of Rights.

As I stated earlier in this speech, it was only by a very small majority that Jefferson and Madison were successful in prevailing over Henry. It was not a defeat of the principle for which Henry fought. It was only on the basis, "We will give you what you insist upon," because, as both Jefferson and Madison pointed out, Henry was right, but they felt they ought to ratify the Constitution first, at the same time giving assurance that a Bill of Rights would be added by way of amendments.

One of those amendments was the precious fourth amendment, the history of which I am seeking to outline in this speech today. The history of the fourth amendment is a complete answer to Herbert Brownell.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. DOUGLAS. First, I congratulate the Senator from Oregon for the speech he is making; and secondly, I wish to say that I think he has now touched upon a very significant point in constitutional history, namely, that it was only by reason of the pledge of a Bill of Rights that Virginia was induced to ratify the Constitution. Is that not also true, as shown by the record, of a number of other States as well?

Mr. MORSE. Yes.

Mr. DOUGLAS. If it had not been for the pledge that at the first session of Congress a Bill of Rights, covering rights of the individual as against the Government, would be drawn up, in all probability the nine necessary ratifications would not have been obtained, and the United States of America would not have come into existence.

Mr. MORSE. The Senator from Illinois is completely right. I am glad to

have him reemphasize that point which I had the pleasure of raising before he joined me in the discussion. The same issue had been raised in New Hampshire and in Massachusetts, as well as in New York State, where the people insisted that there be a pledge to the effect that such a guaranty would be added subsequently as a bill of rights, or, in some instances, made the reservation of a bill of rights in their ratification of the Constitution.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is it not true that while the ratification of the Constitution by Rhode Island was complicated, at least one of the reasons Rhode Island did not ratify the Constitution as originally submitted was that it did not contain a bill of rights?

Mr. MORSE. It was one of the reasons that Rhode Island did not ratify the Constitution, and one of the reasons that North Carolina did not ratify the Constitution, until after a bill of rights had been added. In other words, to show how correct the Senator from Illinois is with respect to the importance of that issue in the minds of our constitutional fathers, Rhode Island and North Carolina would not come into the Union until there was first added to the Constitution a bill of rights protecting the personal liberties and the privacy of American citizens.

When James Madison spoke for a bill of rights in the first Congress, general warrants were to him the most prominent illustration of the need for a bill of rights.

It is significant to note that the fourth amendment when adopted did not attempt to create a right: it stated an already existing right of the people to be secure in their persons, homes, and effects which should not be violated.

The first clause of the amendment stated the right and the prohibition against its violation. The second clause stated specifically the requirements of a search warrant, its purpose obviously being to insure against future intrusions of the particular kind that was then fresh in the minds of the framers of the amendment, but not to limit the effect of the amendment to that one type of intrusion.

MONUMENT OF FREEDOM

It must be concluded that when our fourth amendment was adopted, its framers and those who approved it intended that the principles of the case of Entick against Carrington should be embodied in our law. The United States Supreme Court in the Boyd case said, referring to Entick against Carrington:

> As every American statesman, during our revolutionary and formative period as a nation, was undoubtedly familiar with this monument of English freedom, and considered it as the true and ultimate expression of constitutional law, it may be confidently asserted that its provisions were in the mind of those who framed the fourth amendment to our Constitution, and were considered as sufficiently explanatory of what was meant by unreasonable searches and seizures.

Blackstone's Commentaries (1 Tucker App. 301–304) stated in the year 1803:

> The case of general warrants, under which term all warrants not comprehended within the description of the preceding article may be included, was warmly contested in England about 30 or 35 years ago, and after much altercation they were finally pronounced to be illegal by the common law.
>
> The constitutional sanction here given to the same doctrine, and the test which it affords for trying the legality of any warrant by which a man may be deprived of his liberty, or disturbed in the enjoyment of his property, cannot be too highly valued by a free people.

PRINCIPLES OF FOURTH AMENDMENT

Summing up, then, the framers of the fourth amendment had three main principles in mind:

First, that privacy and the sanctity of the home ought to be constitutionally protected; second, that the protection of individual rights was paramount to governmental expediencies; third, that secret search of a man's property for evidence, by way of general warrants, was an unjustifiable infringement upon the rights of a free people.

I find it difficult to reconcile the decision of the Supreme Court in 1928 in the case of Olmstead against United States, which has been cited in support of the proposition that wiretapping is not a violation of the fourth amendment, with what history shows me to be the purpose and spirit of the amendment.

Legalized wiretapping, as proposed by the Attorney General or in the bill passed by the House of Representatives, could not meet the requirements laid down by the Court in the decision in Entick against Carrington.

The proposals would legalize wiretapping for investigation purposes, without evidence of a fact committed. Suspicion alone would be the ground for search.

Wiretapping is nonselective. The privacies of innocent persons would be invaded, because its operations cannot be limited to the conversations of only those who are properly held suspect.

Innocent persons whose lines were tapped would be without protection. In the words of Lord Camden, "The only witnesses are the trespassers."

Wiretapping is indiscriminate. Its attention cannot be confined to materials legitimately the subject of examination.

No wiretapping warrant—whether it be called a warrant, an official authorization, or a court order—could be other than a general warrant.

Mr. President, I should like to call that point to the attention of the Washington Post and Times Herald, because after reading its editorial this morning, I am convinced that the writer of the editorial needs a refresher course in constitutional history and in the history of the American Bill of Rights, including the fourth amendment.

The Washington Post and Times Herald speaks of limited wire-tapping. Mr. President, there is no such thing as limited wire-tapping. Any wire-tapping must necessarily be in the character of a general warrant. It cannot be selective. When a wire is tapped a precious safeguard is gone. Oh, it is interesting to listen to some liberals and some liberal organizations and some liberal newspapers trying to rationalize a compromise with the privacy of the American home.

But it cannot be compromised. If it is compromised there is no privacy left.

The Washington Post ought to know that. Yet a so-called great liberal newspaper—with the word "so-called" underlined—comes out this morning with a recommendation for a compromise of a precious principle in American constitutional history, the principle of the privacy of the American home, which is the castle of freemen.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Does the Senator from Oregon make the point that when a person taps the wires of a suspect he also taps the wires of anyone who converses with the suspect, and therefore in that way invades the privacy even of those who may have absolutely no connection with any act of the suspect himself?

Mr. MORSE. That is exactly my point; of course it is not my point. It is the point made by the great Justice Brandeis in his historic dissent in the Olmstead case, when he advanced the argument I have just made. Wiretapping is indiscriminate, because when one is tapped many are tapped. In other words, the innocent as well as the guilty are tapped and Justice Brandeis suggested that that was a more serious example of tyranny than a general warrant.

Mr. President, I have given the history of the general warrant, running through English and American jurisprudence. It is a history which shows that the leaders of free people have stood up and fought to protect the privacy of free men and women from the general warrant.

Yet we have before us such a proposal, accepted by way of compromise by such liberal newspapers as the Washington Post and other liberal organizations. I am surprised at the number of liberals who are willing to compromise. A very effective job has been done in spreading the hysteria that we are about to be destroyed by subversive activities within our country. Of course there are subversive activities in our country, but—to use a medical phrase by way of analogy—they are not even creating a fever in the patient so far as the strength and vitality of the American Republic are concerned. We can protect the health and vitality and strength of the American Republic without walking out on Entick against Carrington, and without walking out on the historic dissent in the Olmstead case by Stone and Brandeis and Holmes.

In my judgment, if, in the year 1954, we could get a case on all fours with the Olmstead case, the Supreme Court would overrule the ill-advised decision of the majority in that case. In fact, I think it is perfectly clear in dicta which are to be found in subsequent cases that the doctrine of the Olmstead case is now pretty well repudiated. As a lawyer, I

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am willing to take the stand on the floor of the Senate that the history of the fourth amendment as it developed in both British and American jurisprudence cannot be reconciled with the majority opinion in the Olmstead case. I believe the place to reverse it is in the Supreme Court Chamber. I do not think we ought to try to write into permanent law the majority decision in the Olmstead case by going along with Brownell in a police-state proposal called wiretapping, with safeguards. I repeat, there can be no safeguards, because wiretapping simply is indiscriminate.

Listening to and recording a person's conversations is a taking of his property. Modern law recognizes as property and protects every kind of possession, intangibles as well as tangibles.

Interception of telephone conversations from or to the home is an intrusion into the home, whether or not the home itself is physically entered, because its purpose and effect is to snoop into what goes on in the home.

In the Boyd case, the leading case of interpretation of the fourth amendment, the Supreme Court said that the amendment prohibits not only proceedings containing the obvious incidents of search and seizure, but also those which contain "their substance and essence, and affect their substantial purpose."

HISTORY MUST GUIDE US

If we are to be guided by our constitutional history; if we are to give more than lip service to the Bill of Rights; if we are to maintain our democratic institutions, we cannot authorize the use of the police-state practice of wiretapping in America.

In a recent Supreme Court case, Justice Jackson said:

Security is like liberty in that many are the crimes committed in its name.

In the name of security the police state justifies its oppressions.

In the name of security we are asked to set aside our constitutional guaranties of liberty.

At any time in history short-sighted leaders can use a national emergency as an excuse for precipitous actions.

The strength of our democratic processes is in their proven ability to withstand the tests put to them in times of emergency.

I do not for a moment underestimate the aggressive intent of foreign Communists and their agents within our country. Nevertheless, I am satisfied that the FBI and the intelligence agencies, working within the framework of our Constitution and not outside it, are doing an excellent job of discovering and destroying enemy activity, a better job than could be done by aping the methods of the Communists.

I have no doubt, Mr. President, that such telephones as there are in Russia today are tapped. We know what happened in Nazi Germany. It is told us that in Nazi Germany the people became so fearful of the telephone as an instrument that many German families wrapped their telephones in blankets because they were fearful that even when the receiver was down the Gestapo could tap their conversations. Such things happen when fear takes over people.

In the Senate of the United States I intend to be no party to feeding the fear that already is becoming a type of thought-control in America.

As a liberal, I am willing to stand up and fight to protect the liberal tradition of American constitutional law which I have sought to set forth in this first speech on this subject, because our great forebears, as they fought to protect the privacy of citizens, were liberals in the great American tradition. The time has come when we need to walk again in the footprints which made the path of American history.

NO NEED FOR WIRETAPPING SHOWN

Brownell and the other administration proponents of wiretapping have not shown that the agencies cannot continue to do an effective job without the use of wiretap. They have only claimed that without it the Government is handicapped in its work.

That is the word they use—"handicapped."

I have no doubt that some of the police have always considered constitutional limitations on the methods they may use in their work to be "handicaps." But these limitations have been what has distinguished the free state from the police state.

The elimination of the rubber hose in the third-degree tactics of brutal police departments was a handicap to the police, but it was necessary to protect the American people against official abuse.

An argument has been advanced that because spies and criminals make use of modern scientific devices the police should be allowed similar liberty in the case of the wiretap—a sort of a "fight fire with fire" argument.

The trouble with "fighting fire with fire" in a case like this is that in doing so you may reduce the Bill of Rights to a heap of ashes.

History shows that bad police methods breed disrespect for law, shake the confidence of law-abiding citizens in the administration of justice, and weaken the national morale. Police tyranny is no substitute for police protection.

Our strongest weapon in the fight against communism is constant and undiminished observance of democratic processes.

In future speeches on the subject of wiretapping I shall discuss the Brownell proposals in detail, review the court cases, outline today's laws and practices, and make specific recommendations. I will, of course, frequently refer to the words of Lord Camden in the case of Entick against Carrington, and the other historical landmarks I have reviewed here today.

Paraphrasing Lord Camden's question, "If suspicion at large should be ground for search, whose house would be safe?" Let me conclude by asking here today:

If the citizen's every word must be uttered in the fear that it is being monitored by the agents of an all-powerful government, whose mind will be free?

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. DOUGLAS. Mr. President, I wish first to congratulate the Senator from Oregon again for the very able and timely speech he has made. I am sure we all look forward to his future speeches in which he will go into the matter in greater detail.

Although it may be anticipating a future speech of his, may I ask the Senator from Oregon if it is not commonly recognized to be a general practice of local police departments to tap wires of private citizens whom they may suspect of criminal activity?

Mr. MORSE. Yes. It is a great evil which exists at the present time in many police departments. As the Senator knows, before I entered the political arena I did a considerable amount of professional work in the field of criminal law, criminal law administration surveys, and surveys of criminal justice. We came in contact with a great many police abuses, and that was one of them.

Let me say again that what is needed is public disclosure. What is needed is to bring the light to bear on such practices. As we brought the light to bear on the third-degree tactics of police departments, the tyrannical browbeating conduct of prosecutors, and corruption in the administration of criminal justice, remedies were forthcoming to bring to an end those tyrannical practices.

As one who has worked a long time in the field of criminal law administration, I yield to no one in my desire to be helpful to law-enforcement officers in providing them with the facilities and the means they need for crime detection, but within the constitutional framework. We can bring wrongdoers in America to the bar of justice without adopting tactics which, in my judgment, are themselves subject to the description of being criminal.

Mr. DOUGLAS. Does the Senator from Oregon believe that the general public understands the extent to which wiretapping is now being conducted by local police departments?

Mr. MORSE. No, the public does not understand it.

Mr. DOUGLAS. Is not wiretapping an almost universal practice of most large police departments?

Mr. MORSE. No, I would not say it is universal.

Mr. DOUGLAS. Is it not almost universal?

Mr. MORSE. It is the practice of many police departments.

Mr. DOUGLAS. Is it not true also that private wiretapping is being carried on to a large extent throughout the country?

Mr. MORSE. Oh, yes, and it is being carried on by so-called private detective bureaus and informers. I will indicate somewhat the nature of my future speeches by saying that the time has come to make the whole practice entirely illegal, because the abuses of it are too great to justify the practice.

Mr. DOUGLAS. Was not a portion of the curtain shielding wiretapping lifted,

at least briefly, a few years ago in the District of Columbia, when it was found, apparently, that police officers were tapping the telephones of prospective witnesses before Senate committees, either with or without connivance on the part of Members of the Senate?

Mr. MORSE. Yes, that was brought out. Furthermore, the La Follette investigations in the field of industrial relations disclosed the fact that wiretapping frequently was practiced within the field of industrial relations, when anti-union employers were seeking to get information about union leaders.

Mr. DOUGLAS. Does not the practice of wiretapping by local police departments and by private individuals open up a wide field for potential blackmail?

Mr. MORSE. I am glad the Senator from Illinois has raised that question. I shall spend a considerable amount of time later in dealing with the cases which discuss it. There was a case before the Supreme Court, within the past dozen years, in which it was pointed out in the decision that the police department, using third degree methods on the person accused of aiding a crime act, had wiretapped him, and had obtained information about him in respect to other behavior. The police department said to the person, in effect, "You had better come clean, because, if you don't we are going to disclose the other material." That is a form of blackmail. There are other forms of blackmail.

The actual blackmail which I think the Senator from Illinois has in mind relates to law enforcement officers who use wiretapping in order to obtain information about individuals, and actually blackmail them for money. I do not subscribe to the idea that if we fail to keep checks and protections upon the police departments, so far as the rights of citizens are concerned, we run the danger of illegal conduct on the part of some police officers.

I wish to testify here, as I have testified elsewhere, that, as a body, taking them as a whole, American police officers and law enforcement officers are a very honorable group of men. In fact, they are a better group of men than we citizens deserve, when we consider the lack of support, in terms of salary, and tenure, and facilities, that we give to police departments in too many instances. Nevertheless, we must be on guard against abuses of police practices, and wiretapping is one of the abuses.

Mr. DOUGLAS. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. While I have not studied the Brownell bill in detail, the Attorney General, as I understand, is asking for the power, without review, to tap any wire which he believes to be justified in the interest of national security.

Mr. MORSE. Brownell does not even want the requirement of obtaining a court order.

Mr. DOUGLAS. Is it not increasingly true that the Attorney General is a political officer?

Mr. MORSE. There is no question about this Attorney General's being a political officer.

Mr. DOUGLAS. I was not referring in particular to the present Attorney General, but is it not true that formerly a Postmaster General usually had acted previously as the chairman of the national committee of the party which happened to win the election?

Mr. MORSE. That is true.

Mr. DOUGLAS. Is it not true—and I think it may be said of previous Democratic administrations as well as of previous Republican administrations—that President Truman appointed as Attorney General a former chairman of the Democratic National Committee, one of our colleagues, and a very fine Senator?

Mr. MORSE. That is true; and the appointment became too political. I may say that I think it is a misuse of the Attorney Generalship.

I was once offered the Attorney Generalship of the United States, and in the discussion that took place prior to my declination, I made very clear that if I accepted the Attorney Generalship of the United States, there would be no political activity within the Department of Justice.

I think it is very unfortunate that in recent years the Attorney Generalship of the United States has become really a sort of political headquarters for the administration. The administration of justice should not be mixed with politics.

Mr. DOUGLAS. Without wishing to single out the present Attorney General, because, as I have said, the previous administration appointed a chairman of the Democratic National Committee to be Attorney General, is it not true that Mr. Brownell in 1944 and 1948 virtually conducted the campaigns of Governor Dewey for the Presidency?

Mr. MORSE. As I recall, he was generally considered, at least, to be the campaign manager.

Mr. DOUGLAS. Is it not true also that Mr. Brownell always has been a close political adviser, confidant, and manager for Governor Dewey in New York?

Mr. MORSE. That is correct.

Mr. DOUGLAS. Is it not true also that Mr. Brownell managed the preconvention and post-convention campaigns of the present President, General Eisenhower?

Mr. MORSE. That is true.

Mr. DOUGLAS. So without regard to his merits as a man, is it not true that, with his great abilities, he has devoted himself largely in the past to the fortunes of a political party and to the fortunes of a particular group inside the great party of which he is a member?

Mr. MORSE. The Senator from Illinois has used language which makes it necessary to rephrase the question in order for me to answer it truthfully. I should say that on the basis of whatever abilities he may have, rather than on the basis of the Senator's language assuming great abilities, the Senator from Illinois is, I think, correct in his observation.

Mr. DOUGLAS. Is it not dangerous to give such a man with such a background, however excellent he may be as a citizen, as a father, or as a member of the community, power to tap the wires of any citizen of the United States?

Mr. MORSE. It is inexcusably dangerous.

I thank the Senator from Illinois because, as usual, with his penetrating mind, I think he has helped to focus attention on some of the dangers which I shall cover in considerable detail in a later speech in opposition to the proposed Brownell wire-tapping program.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks connected with this speech, an article entitled "Telephone Talks Recorded Secretly Barred as Evidence," written by Morrey Dunie, and published in the Washington Post and Times Herald of May 18, 1954; an editorial entitled "Admission of Wiretap Evidence," published in the Oregon Statesman, of Salem, Oreg., on April 9, 1954; an article entitled "Should We Use Wiretapping, a Police State Weapon?" published in the International Oil Worker, of April 5, 1954; and a report of the Chicago Bar Association, based on a report of the committee on civil rights, as approved by the board of managers, entitled "Proposed Legislation Respecting Wiretapping." Although I do not agree with all the observations of the report of the Chicago Bar Association, I think the report should be included in the RECORD at this time.

There being no objection, the articles, editorial, and report, were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of May 18, 1954]

TELEPHONE TALKS RECORDED SECRETLY BARRED AS EVIDENCE

(By Morrey Dunie)

A Federal judge yesterday declared a telephone conversation may not be monitored unless both parties consent.

District Court Judge David A. Pine made the ruling in the perjury case of Warren L. Stephenson, Republican socialite accused of lying to a House Armed Services subcommittee last year.

In a situation bearing a marked similarity to the Army-McCarthy fracas over monitored phone talks, Judge Pine restated the legal rule that interception of a telephone conversation must be authorized by both parties.

The memorandum opinion indicated it makes no difference that one of the persons engaged in the phone conversation made the recording of what was said.

Following Judge Pine's decision, in which he refused to permit a recording of a long-distance talk between Stephenson and a west coast businessman go into evidence, Assistant United States Attorney Edward Troxell announced the Government will appeal the ruling.

Troxell asserted the Government is unable to proceed with the prosecution of Stephenson without the use of the recording made by Robert Q. Parsons, president of Century Engineers, Inc., of Burbank, Calif.

Parsons phoned Stephenson last May 20. The businessman had previously attached to his telephone a mechanical device known as a soundscriber. The device recorded the talk between the two men.

However, Stephenson did not know the conversation was being recorded and did not authorize it. Also, there was no "beep" sound called for by the Federal Communications Commission to indicate a phone talk is being recorded.

Pointing out that Stephenson's portion of the conversation could be deleted from a stenographic transcript made from the re-

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cording. Judge Pine noted that this would deprive the defendant of his right to be confronted by the best evidence, namely, the disk [recording].

The judge stated that his opinion in the matter was supported by the FCC rule requiring a "beep" system to be installed whenever telephonic recording devices are used.

The perjury case against Stephenson charges him with lying three times to House probers investigating an alleged 5-percenter deal.

[From the Oregon Statesman of April 9, 1954]

ADMISSION OF WIRETAP EVIDENCE

Wiretapping is regarded as a personal offense by most people. It is an invasion of privacy, like opening and reading a personal letter. Federal law bans use of information obtained in wiretapping in court trials. This has proven something of a handicap in prosecution of some of the cases against Communists; for instance Judith Coplon, who was trapped largely as a result of listening in on her telephone conversations. Attorney General Brownell has favored amending the law to permit introduction as evidence in prosecution of spies and saboteurs information secured by wiretapping. The House has passed such a bill but first it attached an amendment which would require court approval before such evidence would be admitted.

A principle is involved here which cannot be avoided: Is wiretapping justified or not? If use of wiretap evidence is justified in the case of spying, is it not also justified in a case involving murder or armed robbery or counterfeiting? And if it is admissible in criminal cases should it not be admitted also in civil cases? And if it is admitted anywhere, what becomes of the constitutional guaranty of security provided in the fourth amendment to the Constitution? "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated."

As for admitting certain wiretap evidence on approval of the court, that puts quite a burden on the judge. What are the criteria on which the judge should decide?

We want to erect no shield for spies and saboteurs; neither do we out of fear throw overboard the constitutional guaranties which have proven the bulwark of our liberties.

[From the International Oil Worker of April 5, 1954]

SHOULD WE USE WIRETAPPING, A POLICE STATE WEAPON?

Wiretapping is illegal under a law passed in 1934. Yet wiretapping has been a flourishing practice in the United States for many years and only one person has been convicted of violating the law against wiretapping in the 20 years it's been on the books.

How come? Robert H. Jackson, United States Attorney General in 1940, explained the Government's reluctance to enforce the law: "I do not feel that the Department of Justice can in good conscience prosecute persons * * * for a practice * * * engaged in by the Department itself."

It's been no secret that the FBI has been tapping telephone wires for years. It even runs a school where it teaches wiretapping. Police agencies in States and cities also use wiretapping, and at least 57 other varieties of snoopers use wiretapping, including politicians, business firms, union busters, divorce lawyers, private detectives, gangsters, blackmailers.

The Government has had trouble using evidence from wiretapping, however. The Federal courts won't allow it on the record. In State courts, it's another story: They can use evidence gained in wiretapping if their State allows wiretapping.

Instead of enforcing the Federal law against wiretapping, the Government wants to make it legal. Congress will consider several bills this session. One plan would authorize Federal judges to permit wiretapping in national security cases. Another proposal would give the Attorney General the power to listen in on your telephone. And still another bill would legalize wiretapping when authorized by a Supreme Court Justice. All plans would legalize the use of wiretapped evidence in Federal courts.

There are still some Congressmen, however, who believe in the personal liberty and privacy guaranteed by the United States Constitution. They'll fight wiretapping as a violation of freedom. They're going to face the same type of hysterical attitude which has created McCarthyism, so great a fear of communism that it drives free people to use totalitarian methods.

As OWIU International Vice President B. J. Schafer told an American Civil Liberties Union meeting recently.

"United States Attorney General Brownell wants wiretapping legalized to enable the Government to deal with treason and espionage. The argument is that Communists use telephones; therefore, let's listen in and get the evidence to convict them."

Schafer pointed out that a self-confessed Communist spy, Elizabeth Bentley, debunked this argument when she said wiretapping would probably not have worked "in the case of my Soviet agents, because we were so frightened of telephones, we never said anything over them."

But more important, Schafer continued, is this question: "Are our freedoms so endangered that we have to use a police state method? We will do nothing but compromise the principles of democracy if we adopt a totalitarian method to combat totalitarianism.

"The result will be the creation of a police state, the kind we destroyed in Germany in World War II and the kind we now oppose in Russia and her satellites. Brownell's position, it seems, is that we can't protect ourselves from a police state unless we become a police state ourselves."

The Reporter magazine, in a detailed exposé of wiretapping, said it "is now a common practice in almost every troubled area of American life." Schafer pointed out that CWIU has learned firsthand how wiretapping is used against unions.

In California CWIU moves during a strike were anticipated because union lines were tapped. Wiretapping has also been used against OWIU in Tulsa, in Ohio, and in other areas.

But, as the Reporter magazine said, "the vast majority of wiretapping cases will never be proved. Most of them will never be known, for generally only those cases involving well-known persons break into print."

Other unions have had their wires tapped. Perhaps the most publicized case involved a telephone company itself, found listening in on conversations between its union members who were on strike.

Other specific purposes for which wiretapping has been used, according to the Reporter magazine, include: a rich man, for blackmail; a businessman for competitive information; a politician, for attacks on opponents; a taxpayer, for information on possible evasions; an honest, law-abiding man who happens to be a nonconformist, for data on his unpopular views.

Actually, what's needed is a stronger law to outlaw wiretapping. The dangers are immense. A man can be framed, for example, by wiretapping. Suppose he's suspected of a crime and calls his wife. He might tell his wife "I am not guilty."

But an unscrupulous agent tapping the wire can easily erase the "not" and present the man's own "confession" of guilt on a recorder. The court would then hear the man telling his wife, "I am guilty."

J. Edgar Hoover, FBI Director, said in 1936 that if he'd let his own men practice wiretapping to any extent "they would turn crooks in no time." And back in 1929, Hoover was even more opposed to wiretapping.

He said then "any employee engaging in wiretapping will be dismissed from the service of the Bureau." By 1941, however, Hoover thought wiretapping should be used in some cases, "such as espionage, sabotage, kidnaping, and extortion."

And used it's been, possibly against you yourself, while it's been technically illegal. Wonder what might happen if wiretapping is now legalized? Read George Orwell's book, Nineteen Eighty-four, for a terrifying picture of life in a nation where wiretapping has been carried to its ultimate—braintapping.

"BEEP"

In 1947 the Federal Communications Commission issued an order requiring that every telephone recorder attachment must emit a "beep" warning signal over the wires each 15 seconds when in operation.

At least a hundred thousand telephone recorders are in use, mostly in private industry, but a good number in government. Less than 10 percent give the required "beep," according to the Bell system.

HOW TO TAP A WIRE

A wiretapper can break in only at certain points on the line by splicing a pair of wires which form a terminal circuit. When you use the telephone, you are connecting two wires in your phone to two similar wires on the other end.

The wires from your phone, comparable to the roots of a tree, join others, possibly as many as 2,000 pairs, in a "trunk." The trunk then branches out again, finally ending in two wires you selected by dialing.

The wiretapper must pick a terminal in the chain not too far from the target phone in order not to make the selection of the correct wires too difficult. At this terminal, or bridging point, the two wires are connected to twin metal posts labeled with a number. The wiretapper might pose as a repairman and ask the telephone office for the number of the pair he's after.

He then installs his tap and listens in on every call. If business is good, or if the tap is going to be kept on for several days or weeks, a recording machine does the listening in.

AN INSTRUMENT OF TYRANNY

Late Supreme Court Justice Brandeis had this to say on wiretapping:

"The evil incident to invasion of privacy of the telephone is far greater than that involved in tampering with the mails. Whenever a telephone line is tapped, the privacy of the persons at both ends of the line is invaded and all conversations between them upon any subject, and although proper, confidential, and privileged, may be overheard.

"Moreover, the tapping of one man's telephone line involves the tapping of the telephone of every other person whom he may call or who may call him. As a means of espionage, writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wiretapping."

REPORT OF THE CHICAGO BAR ASSOCIATION BASED ON A REPORT OF THE COMMITTEE ON CIVIL RIGHTS AS APPROVED BY THE BOARD OF MANAGERS

I. PROPOSED LEGISLATION RESPECTING WIRETAPPING

The United States House of Representatives passed on April 8, 1954, H. R. 8649, which proposes to permit the admission into evidence of material obtained through intercepting wire or radio communications by the

Federal Bureau of Investigation or the intelligence services of the Army, Navy, or Air Force during the course of investigations in connection with certain named crimes affecting the national security. Such material could be introduced only in criminal proceedings involving those crimes and must have been obtained upon express written approval of the Attorney General. If acquired after the effective date of the act, it must have been obtained pursuant to an order issued by a Federal district or appellate court judge as well. The judge must be satisfied before granting the order that one of the named crimes has been or is about to be committed and that the material to be obtained would assist in the conduct of the investigation. The bill would also prohibit the divulgence of the information contained in the order or acquired pursuant to the provisions of the bill for purposes other than those mentioned.

In the Senate, Senator McCarran introduced S. 3229. This bill would add section 245 to chapter 13 of title 18 of the United States Code (the civil rights chapter of the title designated Crimes and Criminal Procedure), prohibiting all wiretapping except as authorized therein, and would add to section 605 of the Communications Act of 1934 (47 U. S. C. 605) a proviso corresponding to the exception. This exception would authorize agents of the Department of Justice to intercept wire communications when authorized in writing by both the Attorney General and a Federal district court. The agent of the Department of Justice would obtain from the court an ex parte order to extend for not more than 6 months, renewable for a like period, upon application supported by the authorizing certificate of the Attorney General and such oral or other evidence as the judge may require to determine whether there is reasonable ground for belief that such interception will result in the procurement of evidence of the commission of particular specified crimes relating to the national security. The Attorney General may authorize application for a wiretapping order whenever he has reason to believe that evidence of the commission of any crime punishable under certain named statutes may be obtained through the interception of any wire communication.

The Attorney General has expressed a desire to have enacted a bill which would permit the use of all evidence obtained upon his express written approval during the course of an investigation into any of the mentioned crimes affecting national security without the requirement of a court order.

II. PRESENT LAW AND DECISIONS GOVERNING WIRETAPPING

A. Under the pertinent decisions of the United States Supreme Court, wiretapping is constitutional, but the use of material so obtained is prohibited by statute. *Olmstead* v. *United States* (277 U. S. 438, 72 L. Ed. 944 (1927)) concerned a conviction for violation of the National Prohibition Act based on evidence obtained by transcribing tapped telephone conversations. Seven hundred and seventy-five typewritten pages of such conversations were in the record. In holding that neither the fourth (unreasonable search and seizure) nor the fifth (due process, compulsory self-incrimination) amendment was violated, Chief Justice Taft said:

"There is no room in the present case for applying the fifth amendment unless the fourth amendment was first violated. There was no evidence of compulsion to induce the defendants to talk over their many telephones. They were continually and voluntarily transacting business without knowledge of the interception. Our consideration must be confined to the fourth amendment."

He distinguished *Gouled* v. *United States* (255 U. S. 298), which held inadmissible papers taken by an Army private in the course of an apparently social call, and language of Mr. Justice Field in *Ex parte Jackson* (96 U. S. 727) saying that the fourth amendment protected sealed letters and packages in the mail. The second distinction was made on the grounds (1) of the constitutional provision setting up the post office and (2) that the individual pays the Government to deliver mail unopened. The court cited *Hester* v. *United States* (265 U. S. 57), admitting the testimony of Federal officers who had trespassed on the land of the defendant to watch him hand a bottle of whisky to another from 100 yards distance. Mr. Justice Holmes, referring to wiretapping as dirty business, dissented on the ground that as wiretapping was a crime under State law, the judicial branch of the Government should not encourage the prosecuting forces of the Government to break the law. He expressly declined to state his position on the constitutional questions presented. Mr. Justice Brandeis dissented on the same ground and on the ground that the fourth amendment covered all invasions of privacy, but was phrased in words covering only those invasions common at the time the Constitution was written. He also held that the use of evidence obtained by wiretapping was a violation of the fifth amendment. Justices Butler and Stone also dissented on constitutional grounds.

Nardone v. *United States* (302 U. S. 379, 82 L. Ed. 314 (1937)) concerned a conviction for smuggling liquor in which essential evidence was obtained by wiretapping. This was after the enactment of the Communications Act of 1934, and the Court, through Mr. Justice Roberts, held that section 605 of the Communications Act prohibited the use of such evidence. Justice Sutherland and McReynolds dissented.

The pertinent section of the Communications Act of 1934 prohibits unauthorized divulgence of wire or radio messages by the carrier and provides: "and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto."

More recent cases have held that evidence which could not have been obtained had the Government not tapped the defendant's wires was inadmissable (*Nardone* v. *United States* (308 U. S. 338, 84 L. Ed. 307 (1939))); that intrastate communications came within the protection of the first *Nardone* case (*Weiss* v. *United States* (308 U. S. 321, 84 L. Ed 298 (1939))); and that if a tap is used, defendant may examine records of material taken from the tap and cross-examine Government witnesses as to where and how they got their evidence, *United States* v. *Coplon*, 185 F. (2d) 629 (C. A. 2d) (1950), cert. den., 342 U. S. 920, 96 L. Ed. 690. Evidence acquired by a detectaphone applied to the wall of the office adjacent to defendant's is admissible, even as to the defendant's end of telephone conversations, *Goldman* v. *United States* (316 U. S. 129, 86 L. Ed. 1322 (1942)); and it is up to the courts of the several States whether wiretap evidence is admissible in State court trials, *Schwartz* v. *Texas*, (344 U. S. 199, 97 L. Ed. 231 (1952)).

B. On the practical level, one of the prime safeguards against wiretapping is the trouble to which the Government must go to maintain a continuous watch. According to the testimony of Mr. Miles McDonald, District Attorney of Kings County, N. Y., before the subcommittee of the House Committee on the Judiciary, this operation requires the full on-duty time of 6 men. Technological advances, however, may eventually reduce or eliminate the need for manpower.

III. RECOMMENDATIONS REGARDING PROPOSED LEGISLATION

It should be observed first of all that a large number of bills have been introduced in previous sessions of Congress to permit wiretapping by Federal law-enforcement officers and the evidence thereby obtained to be introduced into court. None has become law. Under the present law, the various attorneys general since the adoption of section 605 of the Communications Act have uniformly interpreted the words "intercept and divulge" to include in the prohibition of that section only the divulgence of intercepted material; so wiretapping is done, but evidence derived therefrom is not used in court.

It is the position of this committee that under standing United States Supreme Court decisions the Federal Constitution does not prohibit the use of wiretap evidence in court. It is further the position of the committee that the minimal rights guaranteed the individual by the Constitution may be implemented by act of the Congress, and that this is a suitable area for such implementation. As a matter of policy, this committee feels that wiretapping is an evil which generally ought to be prohibited by law. In general, Americans should have an enforceable right to speak freely over the telephone. Although the right to be secure from the introduction of wiretap evidence in court is directly valuable only to those whom the Government may prosecute, the right not to be spied on is valuable to all. No Government, however benign, should invade the right to privacy which is one of the factors making American citizenship so valuable.

Chief among those circumstances which some allege might justify tapping wires is a threat to the national security. Since most of the evidence upon which the threat of internal subversion can be evaluated is not available, the committee is in no position to determine whether the present threat is great enough to justify departure from the normally sound policy of prohibiting wiretapping altogether.

The committee does wish to make clear, however, its belief that certain steps should be taken by the Congress in making this policy determination. Before deciding, Congress, through the appropriate committee or subcommittee, should have before it all possible evidence as to (1) the extent of the threat to be combated; (2) the material which could be introduced in criminal proceedings; and (3) the probable effectiveness of the contemplated measures. The committee feels that it is incumbent on anyone supporting the authorization of wiretapping to bear the burden of proof in all three of the above respects.

If, upon adequate showings, Congress should decide that a law is necessary to permit the use of wiretap evidence, this committee believes that at least certain safeguards should be included in any such law to minimize the infringement of our rights and to assure that wiretapping will be used only where necessary to the purpose for which authorized. This committee is opposed to both of the aforementioned bills in their present form, as neither includes the minimum safeguards deemed necessary.

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The provision that such authority be granted only to Federal judges seems essential. The safeguard that unauthorized wiretapping be made a crime also seems necessary, though further clarification should be made with regard to the rights of State and local officials in this field under State legislation.[1] Perhaps a provision should be inserted granting an individual right of action for punitive damages against any person, whether in the course of a Government investigation or not, who illegally taps his telephone wire. A bill should include a provision clarifying its relationship to section 605 of the Communications Act, and perhaps amending the keywords of that act to read "intercept or divulge."

Although under the present rules of discovery the accused probably would have ample opportunity to examine a complete transcript of all conversations intercepted along with the right to introduce any additional relevant parts thereof into evidence that might be deemed helpful to his defense, further examination should be given to the need for spelling out such precautions. Technical information with regard to the detection of forged recordings does not appear to have been available to the House committee considering the legislation. Such advice might be helpful in reducing the possibilities of such evidence being distorted and might accordingly increase the reliability and weight of such evidence in court. Some provision should be made for all original recordings to be kept under seal as soon as obtained and the tampering or altering of any such recordings should be made a felony. Under no circumstances should evidence obtained before the effective date of the act be admissible, as would be authorized by H. R. 8649.

In order that Congress be assured of an opportunity to reexamine the effectiveness of this legislation and also to correct possible abuses in the light of its operation any such act should extend for a limited duration. Further, court orders authorizing wiretapping under such legislation should expire within a given length of time, as set out in S. 3229.

In view of the experience of New York officials with the importance of secrecy in the wiretapping procedure, it might be wise to incorporate a provision setting forth certain secrecy precautions. Applications to the court could be in the form of an affidavit by a designated official of the agency desiring to make such a tap and should set forth therein all facts necessitating such authorization. This application could be made in private to the judge in his chambers and could be kept under lock and key at least until the authorization had expired.

It has also been suggested for the sake of efficiency and authenticity that the wiretapping function be delegated only to the FBI. Other governmental agencies making investigations could then as they apparently do now, work in conjunction with the FBI in the wiretap phase.

These bills appear to restrict the use of information derived from wiretapping to investigations and judicial proceedings brought by executive agencies, but it might be wise further to prohibit expressly any use of wiretapping or the evidence therefrom by other governmental bodies such as congressional committees.

Several points on the general subject of wiretapping should be discussed briefly in this report. First, it should be understood that the exclusion of wiretapping evidence from court proceedings is based only on the ground that as a matter of policy courts should not consider evidence acquired by the Government in violation of the law. Since section 605 of the Communications Act prohibits the divulgence of such communications, the courts have excluded such evidence. England and Canada have no such doctrines. It seems clear that the basis for any exclusion of any such evidence has not been its untrustworthiness. With certain precautions such evidence might be the most reliable evidence that could be obtained and introduced in some types of proceeding.

Secondly, a similarity can be shown to the search and seizure and self-incrimination prohibitions of our Constitution, although their application to wiretapping was rejected in the 5 to 4 opinion of the United States Supreme Court in *Olmstead* v. *United States, supra*. For those who feel the analogy has merit it should then be pointed out that under proper judicial supervision as outlined herein wiretapping authorization would differ from the process of issuing a warrant for a search and seizure primarily in the aspect of the secrecy of wiretapping as against the element of knowledge that usually exists in such a search and seizure.

The supporters of legislation authorizing wiretapping have suggested that its enactment would effectively put everyone on notice that telephone communications were not necessarily private and therefore would be a warning against making incriminating statements in that type of communication. But notice that you are deprived of a right is a poor subetitute for the right itself. It might also be pointed out that if the supporters are correct in this view, the potential value of any wiretapping in future investigations will be correspondingly diminished.

It has been argued that we can depend on the Attorney General not to use wiretapping to excess without relying on the courts. In answer, it should be pointed out that if the practice were legal and the evidence obtained thereby admissible, it would be the Attorney General's duty to tap wires whenever he thought that to do so would be effective. He should not, therefore, have to guard those whom he should prosecute against his legal attempts to procure evidence against them.

IV. CONCLUSION

The burden of proof in showing the Congress that there is a need for legislation authorizing wiretapping should be borne by those advocating it. Since such legislation would necessarily derogate from the individual's freedom and right of privacy, it should be considered only after a congressional determination that the advantage in safeguarding our national security outweighs the disadvantage of individual rights. If such legislation is then determined necessary, careful thought must be given to minimizing the accompanying impairment of individual privacy and freedom.

Those bills now under consideration by Congress are not acceptable. In their present forms, they fail to contain even the following minimum safeguards: (1) Supervision by a court upon written showings by the Government; (2) prohibition of unauthorized wiretapping, together with clarification of the Federal-State relationship on the subject; (3) limitation of scope to specified crimes regarding national security; (4) provisions to assure security of the material obtained; (5) limitation of authorization to the FBI; (6) limitation of the duration of both the act itself and the periods of each judicial authorization; and (7) prohibition against the use of evidence obtained prior to the effective date of the act.

In consequence, this committee opposes the proposed legislation and respectfully recommends that the board of managers adopt this report as the report of the Chicago Bar Association and take whatever further action relative thereto it deems advisable.

Respectfully submitted.

[1] Presently many State and local officials are engaged in wiretapping under State authorization. New York is an example of such a State.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UPTON in the chair). The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, on page 2 of the bill, the second paragraph reads as follows:

> This section shall not apply to a common or contract carrier or to a freight forwarder engaged in interstate commerce or to the transportation of fireworks into a State for the use of Federal agencies in the carrying out or the furtherance of their operations.

One of the committee amendments proposes the elimination from that paragraph of the words "or to a freight forwarder." For the purpose of the record, let me inquire of the chairman of the committee why those words are proposed to be eliminated by means of a committee amendment.

Mr. WILEY. I am informed that committee amendment was proposed at the request of the Senator from Washington [Mr. MAGNUSON], who sent to the committee a memorandum requesting that those words be deleted.

Mr. MAGNUSON. I think the memorandum related to the question of whether a freight forwarder is a common carrier. I wish the RECORD to show clearly that the committee amendment proposing the elimination of the words "or to a freight forwarder" was suggested because it was felt that freight forwarders need not be included in this paragraph, for the reasons stated in the letter or memorandum.

I ask the Senator from Wisconsin whether that is the situation. I ask this question in order that the record on this point may be clear. The theory is that freight forwarders use common carriers in their operations, and therefore to include freight forwarders by name would be, as it were, to establish a secondary degree of liability. Is not that correct?

Mr. WILEY. On page 10 of the report is found a statement of the reason for the proposed elimination of the words "or to a freight forwarder." Therefore, it was suggested that those words be eliminated from the bill. I now read from page 10 of the report:

> The committee report should indicate that reference to freight forwarders was stricken because freight forwarders are embraced within the term "common carriers," and that to make separate reference to them would be confusing and misleading.

Mr. MAGNUSON. Yes.

I wish the RECORD to show clearly that to include freight forwarders would thus amount to establishing a secondary degree of liability, in that some years ago Congress by law established that freight forwarders are common carriers.

I should like to ask the distinguished chairman of the committee another question. Common carriers have been excluded. What would be the status of a water carrier—in other words, a steamship—coming from the Orient, with fireworks destined for San Francisco or Seattle? Would such a water carrier also be excluded? I can see no objection to excluding them, along with common carriers.

Mr. WILEY. I do not believe that matter was considered in the committee. I shall be glad to have the suggestion of the Senator from Washington.

Mr. MAGNUSON. My suggestion is as follows: On page 2, after the words "contract carrier", in line 8, to insert "or international or domestic water carrier."

Such operators would have no way of knowing whether their ships were carrying packages of fireworks from a foreign country, to be landed at a United States port in a State whose laws might prohibit such shipments. So I suggest that the language I have proposed be taken to conference, so that such water carriers would also be excluded.

Mr. WILEY. Will the Senator from Washington repeat the language he proposes to have inserted at that point?

Mr. MAGNUSON. Yes; I propose that on page 2, in line 8, following the words "contract carrier", there be inserted the words "or international or domestic water carrier."

That would exclude intercoastal shipments and shipments from foreign countries by steamship.

Mr. WILEY. I shall be glad to give consideration to that proposal.

Mr. MAGNUSON. The reason for it is that representatives of the shipping lines have contacted the members of the Subcommittee on Merchant Marine. The steamship lines were not concerned about the bill, but they were somewhat concerned that they were not included in the list of those excluded, because in effect they are international common carriers.

If the language were taken to conference, perhaps better wording than I have suggested could be drafted. At least it would bring to the attention of the conference the matter of shippers and intercoastal water carriers.

Mr. WILEY. The language seems to be satisfactory. I shall give it further consideration and will consult with the Senator later.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to submit that amendment, subject to the consideration and approval of the chairman of the committee.

The PRESIDING OFFICER. There is an amendment pending at the present time.

INTERMOUNTAIN INDIAN SCHOOL, BRIGHAM CITY, UTAH

Mr. WATKINS. Mr. President, recently there was a unique graduation ceremony conducted in the State of Utah. It was unique in that it was the first commencement exercise held in the Intermountain Indian School in Brigham City, Utah.

The Intermountain School was established by Congress in 1949 to provide academic and vocational training for Navajo Indian children between the ages of 13 and 18. This vitally-needed school for the Navajo education program utilizes buildings and property of the Bushnell Army General Hospital, declared surplus in 1946. I think I may be pardoned if I take a personal interest in this institution, because the bill effecting the surplus property transfer was introduced by me in the 81st Congress.

When the school opened its doors 4 years ago, the staff welcomed some 200 students, many of whom had reluctantly traveled from the Navaho Reservation in the Four Corners area to this northern Utah school to commence a vocational education program. For most of the children it was their first experience in a school. Many of the children could neither speak nor understand English. A number of the students had defective teeth and other disabilities requiring treatment in the school's medical center, and many had never lived in facilities with modern plumbing, heating and lighting. But virtually all exhibited an eager interest to learn as they embarked on a special program, designed to prepare them for graduation in 5 years, qualfied with the requisite academic schooling and trained as a craftsman in a trade.

The second year as the buses pulled up to the loading stations on the reservation they were swamped with eager children clamoring to attend. The number has now grown to approximately 2,300 students and during the past week the first graduates, numbering some 24, donned caps and gowns to receive their diplomas. This was the school's first graduation.

An editorial in the Salt Lake Deseret News of May 6, 1954, paid tribute to these young graduates and to the school which has done so much in attacking the education problems on the reservation. I ask unanimous consent to have that editorial printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INDIANS WITH A FUTURE

Several thousand Utah youngsters will graduate from high school during the next few weeks. None will have reason to be prouder than the 24 young Navahos who donned caps and gowns to receive diplomas at the Intermountain Indian School at Brigham City.

Nor is any graduation more significant than this one. These are the first to complete the course at Brigham City. Their graduation marks a milestone along a long and difficult road that must be traveled by many, many others before this country's "Indian problem" is solved.

Off-reservation education is the only solution for assimilating the Indian into "whiteman" civilization. Until he is assimilated, there will always be problems of government dependency, with the illiteracy and poverty that always go with it.

Progress is being made. Among the Navahos, there are about 28,000 children of school age. About half of them, 14,765, were in some sort of school this year—and this is about twice the percentage of 5 years ago. But almost half of these were in schools on the reservation; a comparative few were in modern boarding schools, but far too many were struggling along in trailers or small mission schools or even in hogan schools. It is doubtful that such education will do much to solve the basic problem of getting the Indian off the reservation and into useful, gainful work.

The future lies with such schools as the one at Brigham City where its 2,200 youngsters, nearly all of high-school age, rub shoulders daily with the white civilization. It also lies with the growing trend of Indians to attend regular public schools off the reservation. There is a limited program, but a growing one, for the Indian Service to pay to some local school districts part of the cost of educating Indian youngsters whose parents remain on the reservation and thus do not pay local school taxes. This is the most hopeful possibility for the solving of a social problem that has gone unattended for nearly a century. San Juan County school officials might well take a close look at this program.

How well the young Navahos graduating at Brigham City go out and take their place in society will be watched closely. Others of their race have demonstrated that, given equal opportunity, they can hold their own in any society. The performance of these first pioneers and others who follow will be a key factor in determining the whole future of this country's relationship with the people it has wronged and ignored so long.

Mr. WATKINS. The press of legislation in Congress prevented me from attending that graduation. However, I have been informed that it was a very successful commencement. This graduation ceremony points up one of the very excellent jobs now being done by Supt. George A. Boyce and his staff at the Intermountain School in preparing these young Navaho children for integration into the society surrounding their reservation.

An outstanding program initiated under Dr. Boyce's administration has been the student-exchange program. That is a program whereby groups of from 24 to 60 Navaho youngsters in the senior class visit the classrooms of children their own age in the non-Indian schools in the area. During such an exchange, the Indian students stay in private homes for 3 nights as guests and spend the daytime in attending the public schools with their non-Indian student hosts. Correspondingly, on a subsequent visit, a similar number of non-Indian students visit the Intermountain School as guests of the Indian students whom they had entertained previously.

The program was worked out through the cooperation of chambers of commerce, civic groups, and the public-school officials, and has met with splendid success. As evidence of that success, I wish to have printed in the RECORD following my remarks, five letters addressed to Superintendent Boyce by school principals and members of chambers of commerce who have witnessed this exchange.

My colleagues here in the Senate will be thrilled, as I was, at the enthusiasm and sincere interest being shown by

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these civic organizations and public-minded individuals in this program, which I am sure accounts for much of its success.

I ask unanimous consent to have these letters printed in the RECORD at this point as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EASTSIDE CLASS A SCHOOL DISTRICT NO. 201,
Preston, Idaho, March 22, 1954.

Supt. GEORGE A. BOYCE,
Intermountain School,
Brigham City, Utah.

DEAR MR. BOYCE: I certainly appreciate and thank you for the wonderful experience that our young people had. They are still talking about it. I believe this exchange idea is an excellent means to have barriers broken down between the Navaho people and ours. People can get along if they understand something of each other's problems and traditions.

Our student body president, Clair Bosen, said that this was one of the finest experiences that he has had in his 4 years of high school.

Sincerely,

REED H. BRENCHLEY,
Principal, Preston High School.

PROVO CHAMBER OF COMMERCE,
Provo, Utah, March 18, 1954.

Dr. GEORGE A. BOYCE,
Superintendent, Intermountain School,
Brigham City, Utah.

DEAR DR. BOYCE: We desire to officially report that we again enjoyed the visit of the students from the Intermountain School and from all information that has come to us, the visit was entirely satisfactory, at least from our point of view.

We have appreciated this fine cooperation and assure you we stand ready to assist in any of the good projects you have, for we know you are rendering a great service.

Sincerely yours,

PROVO CHAMBER OF COMMERCE,
J. WYLEY SESSIONS,
Chairman, Civic Affairs Committee.

BURLEY HIGH SCHOOL,
Burley, Idaho, March 26, 1954.

Dr. GEORGE BOYCE,
Superintendent, Intermountain Indian School, Brigham, Utah.

DEAR DR. BOYCE: I would like to take this opportunity to thank you and your staff for the wonderful exchange program we had the privilege of enjoying. We have had lots of field trips, educational tours, and other types of programs but I am sure this is by far the most valuable program we have had. It has given more students a chance to speak to our community, helping our public relations program. Our students have spoken on the "Intermountain Indian School," to Lions, Rotary, Kiwanis, chamber of commerce, all churches, Business Professional Women's Club and many other organizations in Burley and nearby towns.

Our problem if we have the same program next year, and we want to, is who will get to go. It seems like every parent has called and wants to be sure his child gets the chance to go.

Again on behalf of the board of education, the students and the staff, we wish to thank you for this wonderful educational program.

Sincerely,

EARL H. CARLSON, *Principal.*

SALT LAKE CITY CHAMBER OF COMMERCE,
Salt Lake City, Utah, April 22, 1954.

Mr. ROSS BOWEN,
Manager, Box Elder Chamber of Commerce, Brigham City, Utah.

DEAR ROSS: May we take this opportunity of congratulating you on the very excellent program that you worked out and which through your efforts was put over in the interchange of students between the Intermountain Indian School and South High School.

The undertaking was in every way a success.

Sincerely,

GUS P. BACKMAN, *Secretary.*

EASTSIDE CLASS A SCHOOL DISTRICT NO. 201,
Preston, Idaho, February 17, 1954.

GEORGE A. BOYCE,
School Superintendent,
Intermountain School,
Brigham City, Utah.

DEAR SIR: I wanted to let you know how pleased and happy we are at the Preston High School to have had the 24 students and Mr. Browning from the Intermountain school visit with us last week. It has been one of the highlights of the year in our school. Our students are already asking if we can participate on such an exchange again.

You and your staff should be proud of the young people that were here. They conducted themselves very well. Some of the parents who had them in their homes are full of praise.

I am sure that you have hit on an excellent way to put the problems of the Indian race out to the people of surrounding areas. I know I have learned more about their problems last week than I thought existed.

Put us down for definite participation next year in this exchange program.

Sincerely,

REED H. BRENCHLEY,
Principal, Preston High School.

PROPOSED ITINERARY FOR INTERMOUNTAIN SCHOOL STUDENTS WHILE GUESTS OF SOUTH HIGH SCHOOL

Monday, April 19: 4 p. m., arrive at South High; 4:15 p. m., brief reception by board of control in community room, introduction of school and community officials; 4:30 p. m., pairings of guests and hosts and orientation meeting in music room; 5 p. m., leave school with hosts for homes. Dinner, evening activities, and time of retiring to be planned by hosts and parents.

Tuesday, April 20: Breakfast at home; 8:30 a. m., arrive at school, report to community room; 8:45 a. m., buses to pick up guests, hosts, and sponsors for trip to downtown Salt Lake; 9 a. m., arrive at Temple grounds for tour on grounds and organ recital; 10 a. m., arrive at Hotel Utah for tour of hotel facilities; 11 a. m., board buses for Tower House Cafe; 11:15 a. m., luncheon at Tower House Cafe (to be ordered individually from menu); 12 noon, board buses for trip to This is the Place monument and State Capitol; 1 p. m., arrive at State Capitol for visit to agricultural and industrial exhibits; 1:45 p. m., leave capitol for industrial center; 2 p. m., tour of industrial center units; 3:15 p. m., board buses for return trip to South High; 3:30 p. m., track meet, South High track; 5 p. m., leave with hosts for their homes. Dinner, evening activities, and time of retiring to be planned by hosts and parents.

Wednesday, April 21: Breakfast at home; 8:30 a. m., report to South High community room; 8:45 a. m., tour of South High School building and grounds; 9:50 a. m., student body assembly; 10:50 a. m., report to classes with hosts; 11:45 a. m., lunch with hosts in school cafeteria; 12:20 p. m. report to music room for a cappella concert; 2 p. m., buses leave South High for Brigham City.

AUTHORIZATION FOR CERTAIN TRANSACTIONS BY DISBURSING OFFICERS

The PRESIDING OFFICER (Mrs. BOWRING in the chair) laid before the Senate the amendment of the House of Representatives to the bill from the Senate (S. 2844) to amend the act of December 23, 1944, authorizing certain transactions by disbursing officers of the United States, and for other purposes, which was to strike out all after the enacting clause and insert:

That the act entitled "An act to authorize certain transactions by disbursing officers of the United States, and for other purposes", approved December 23, 1944 (ch. 716, 58 Stat. 921), as amended by the act of June 16, 1953 (67 Stat. 62), is hereby amended by deleting section 4 thereof.

Mr. CAPEHART. Madam President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. CAPEHART, Mr. GOLDWATER, Mr. BENNETT, Mr. MAYBANK, and Mr. FULBRIGHT conferees on the part of the Senate.

AMENDMENT OF CERTAIN PROVISIONS OF SECURITIES ACT OF 1933, ETC.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, which were, on page 4, strike out lines 17 through 20, inclusive; on page 4, line 21, strike out "Sec. 7" and insert "Sec. 6"; on page 4, strike out lines 23 through 24 inclusive; on page 5, line 22, strike out "Sec. 8." and insert "Sec. 7."; on page 5, after line 23, insert: "Prohibitions relating to interstate commerce and the mails"; on page 5, line 24, strike out "'(a)" and insert "'Sec. 5. (a)"; on page 7, line 9, strike out "Sec. 9." and insert "Sec. 8."; on page 7, after line 10, insert: "Information required in prospectus"; on page 7, line 11, strike out "'(a)" and insert "'Sec. 10. (a)"; on page 10, line 20, strike out "Sec. 10." and insert "Sec. 9."; on page 10, line 23, strike out "Sec. 11." and insert "Sec. 10."; on page 11, line 1, strike out "Sec. 12." and insert "Sec. 11."; on page 11, line 6, strike out "Paragraph" and insert "Subsection"; on page 11, line 10, strike out "paragraph" and insert "subsection"; on page 11, strike out line 17, and insert "following: "as heretofore amended,"."; on page 13, lines 5 and 6, strike out "words "as heretofore amended"." and insert "following: "as heretofore amended,"."; on page 14, after line 6, insert "'Securities not registered under securities act"; and on page 19, after line 3, insert:

TITLE V—EFFECTIVE DATE

SEC. 501. This act shall take effect 60 days after the date of its enactment.

Mr. CAPEHART. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and

that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. CAPEHART, Mr. BUSH, Mr. BRICKER, Mr. IVES, Mr. FREAR, Mr. ROBERTSON, and Mr. SPARKMAN conferees on the part of the Senate.

SUPREME COURT DECISIONS REGARDING SEGREGATION

Mr. DANIEL obtained the floor.

Mr. JOHNSTON of South Carolina. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. BOWRING in the chair). Does the Senator from Texas yield to the Senator from South Carolina?

Mr. DANIEL. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Knowing that the Senator from Texas is about to discuss a very vital issue at this time, I ask him to yield to me for the purpose of suggesting the absence of a quorum. I should like to have as many Senators present as possible.

The PRESIDING OFFICER. Does the Senator from Texas yield for that purpose?

Mr. DANIEL. I yield for that purpose.

Mr. JOHNSTON of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANIEL. Madam President, yesterday's unprecedented decisions by the Supreme Court that separate but equal schools violate the 14th amendment call for the best that is in all of us to assure the continuation of our public-school systems and our progress in good relations among the races in the 17 affected States.

There are those who feel that the decisions have sounded the death knell to the public-school systems in certain areas of the country, and others who believe that they will supplant recent southern progress in race relationships with intolerance and violence. Madam President, this should not be so.

No matter how much some of us may disagree with the reasoning and result of the Court's decisions, we must look to the future with patience, wisdom, and sound judgment to live under the law as it has now been written and at the same time preserve our public-school systems and maintain peace, order, and harmony.

My efforts shall be in this direction, Madam President, but before turning to the future I feel impelled to keep the record straight with reference to the past and present. In the heat of the arguments and the aftermath of the decisions there have been misstatements and misconceptions which should not be treated with silence in this RECORD.

SEPARATE BUT EQUAL DOCTRINE BEGAN IN MASSACHUSETTS

In the first place, to those intolerant critics of the South who charge that we originated this "separate but equal" doctrine to discriminate against Negro citizens and their children, I remind them that the doctrine began not in the South and not for discrimination but as the only means in the North by which Negro citizens could be furnished equal educational opportunities in those communities where the customs, attitudes of the people, and preservation of peace and order required separation of the races in public institutions.

The doctrine began, not in the South, but in Massachusetts, a State which from the beginning has led all the rest in fighting for equal rights and opportunities for all races. The city of Boston determined that equal educational opportunities for its white and Negro children in primary grades could be furnished best in separate schools. In 1849 a Negro citizen brought a lawsuit for admission of his children to the white school, insisting that separation tended to deepen and perpetuate "the odious distinction of caste" and that it violated the equal protection clause of the Massachusetts Constitution, the same provision that was later embodied in the 14th amendment to the United States Constitution. The Massachusetts Court in *Roberts* v. *City of Boston* (5 Cush. (Mass.) 198 (1849)) disagreed, upholding the reason, experience, and honest judgment of those who decided that the separate but equal schools furnished better opportunities and did not constitute discrimination against either race.

Thus, statements in the newspapers of last evening and this morning that the separate but equal doctrine originated in the Louisiana case of Plessy against Ferguson in 1896 are incorrect. At least, the opinion of the Supreme Court yesterday seems to agree with me on this point, for Mr. Chief Justice Warren wrote, in footnote 6 in Brown against Board of Education, the following:

> The doctrine apparently originated in *Roberts* v. *City of Boston* (59 Mass. 198, 206 (1849)), upholding school segregation against attack as being violative of a State constitutional guarantee of equality.

OTHER NORTHERN STATES

Similar "separate but equal" systems were maintained in Connecticut, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nevada, New Jersey, New York, Ohio, and Pennsylvania, and the system was upheld by their courts as reasonable and nondiscriminatory. As stated by Mr. Chief Justice Warren in yesterday's opinion:

> Segregation in Boston public schools was eliminated in 1855. Massachusetts Acts, 1855, chapter 256. But elsewhere in the North segregation in public education has persisted until recent years. It is apparent that such segregation has long been a nationwide problem, not merely one of sectional concern.

Even today only 16 States prohibit separate schools. Seventeen States and the District of Columbia require separate but equal schools. Four States, Arizona, New Mexico, Wyoming, and Kansas, permit separate schools, and 11 States have no legislation on the subject.

Having shown the origin of the doctrine of separate but equal schools as being nondiscriminatory in Northern States, where it is said the rights of the various races have always been protected, it is difficult to understand why the motive of discrimination and the brand of inferiority should be placed on the doctrine when it was adopted in the Southern States.

Actually, Madam President, the truth is that the purpose of the system everywhere it has existed has been to accomplish two purposes: First, to furnish equal opportunities and privileges and services for the children of the two races, and, secondly, at the same time to preserve peace and harmony and public support of the public school system.

SEPARATE SYSTEMS HAVE NOT BEEN A SUBTERFUGE

There is a second point to which I should like to invite the attention of the Senate in connection with this subject, and that is that our separate systems have not been a subterfuge.

The 17 States with separate school systems have made progress through the expenditure of millions of dollars in providing actual equality of educational institutions. Those who charge the system has been a subterfuge and that we have failed to provide equal schooling, or at least have failed to attempt to do so, simply are not acquainted with what has been done in good faith by the States during the past 20 years.

For instance, in my State of Texas we have spent literally millions of dollars in an effort to bring all of our schools, whether they be colored or white, to the standard of equality in our various communities. While I served as attorney general, I had the privilege of helping to prepare for the legislature a bill to establish a university for Negroes in our State which would be second to no university in the State or in the South. That university was established and is now in full operation. Although the Supreme Court held several years ago that Negro citizens are entitled to attend, on the graduate level, the University of Texas at Austin, the great majority—about 6 to 1—of the students have elected to remain in their separate university, now called Texas Southern University, located at Houston.

Mr. LONG. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I yield to the Senator from Louisiana.

Mr. LONG. Is it not true that the Senator from Texas played some part in the establishment of that university?

Mr. DANIEL. Yes; that is true. While defending the separate but equal provision of our State constitution as attorney general of Texas, I went before the legislature and said:

> Not only to maintain our system of separate and equal schools must you establish a university equal to the University of Texas and other State schools, but you must do it because our State constitution also provides that the two races must be treated equally and without preference in the matter of schools, and that this equality shall be provided in separate institutions.

I testified in behalf of the enactment of that legislation in our State, and we spent $3 million initially for the university and many millions thereafter, and I have been before committees of the Legislature of Texas testifying as to the needs of that university.

When that university was about to inaugurate its president, I had apparently done enough work for them to be honored by being asked to be the principal speaker at the inauguration of the president of the Texas Southern University.

Many of us in good faith have worked to see that equal educational opportunities were actually provided for the Negro citizens of our State, not simply because it was required by the State constitution, but because we believed that as citizens they were entitled to it.

STATES HAVE ACTED IN GOOD FAITH

Again, in recent hours some have implied that the States have intentionally violated the Constitution all these many years and that they should not be permitted any more time within which to comply with the Court's opinion. This argument is without foundation. On the contrary, the States with separate school systems have been acting in accordance with all former Supreme Court opinions on this subject. The opinions of yesterday are new law. They are the law for today and for the future. But they did not follow the law as former opinions had stated it in the past. These new opinions overrule the plain statements of the law contained in at least five previous Supreme Court opinions, at least 59 State court decisions, and at least 13 Federal court decisions, wherein this precise question has been passed upon. That the States have relied in good faith upon the separate but equal doctrine as being constitutional, is evidenced by what the Supreme Court has said in former decisions.

As attorney general of Texas, I lived with this problem for several years and I had the duty of preparing a brief and appearing before the Supreme Court on the very issue which was decided yesterday. My study of the issue leads me to disagree with the latest opinion of the Court, but, as I said to begin with, the purpose of my remarks today is simply to place in the RECORD the facts as to the past and as to the good faith of the people of 17 States in maintaining our separate school systems.

The first case mentioning this subject was that of *Hall* v. *DeCuir* (95 U. S. 485), decided in 1877 by the Supreme Court. A Louisiana statute provided for enforced commingling of the races in common carriers. A steamboat master operating in interstate commerce, separated Negro and white passengers and was sued for damages for having denied a Negro woman the right to remain in cabins reserved for whites. A judgment against him resulted. In reversing the judgment, the Supreme Court said:

> We think this (Louisiana) statute, to the extent that it requires those engaged in the transportation of passengers among the States to carry colored passengers in Louisiana in the same cabin with whites, is unconstitutional (95 U. S. at 490).

Mr. Justice Clifford concurring, went into the matter more fully, including the reasonableness of the classification:

> Substantial equality of right is the law of the State and of the United States; but equality does not mean identity, as in the nature of things identity in the accommodation afforded to passengers, whether colored or white, is impossible (95 U. S. at 503).

Reviewing the authorities, he wrote:

> Questions of a kindred character have arisen in several of the States, which support these views in a course of reasoning entirely satisfactory and conclusive * * * equality of rights does not involve the necessity of educating white and colored persons in the same school any more than it does that of educating children of both sexes in the same school, or that different grades of scholars must be kept in the same school; and that any classification which preserves substantially equal school advantages is not prohibited by either the State or Federal Constitution, nor would it contravene the provisions of either.

The Court went on to say:

> Separate primary schools for colored and for white children were maintained in the city of Boston. * * * Distinguished counsel insisted that the separation tended to deepen and perpetuate the odious distinction of caste; but the court responded, that they were not able to say that the decision was not founded on just grounds of reason and experience, and in the results of a discriminating and honest judgment. * * *
>
> Age and sex have always been marks of classification in public schools throughout the history of our country, and the Supreme Court of Nevada well held that the trustees of the public schools in that State might send colored children to one school and white children to another. * * *
>
> * * * and it is settled law there that the (school) board may assign a particular school for colored children, and exclude them from schools assigned for white children, and that such a regulation is not in violation of the 14th amendment (95 U. S. at 506).

The second case in which we find the same problem discussed was that of *Plessy* v. *Ferguson* (163 U. S. 537), decided in 1896.

A later Louisiana statute required that colored and white passengers be furnished separate accommodations on carriers. Plessy, a Negro, was convicted for refusing to occupy the section set aside for his race. The railroad did not operate in interstate commerce. It was squarely contended by Plessy that the State law, as applied to him, violated the equal protection clause. In overruling the contention, the Supreme Court said:

> The object of the 14th amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either. Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other, and have been generally, if not universally, recognized as within the competency of the State legislatures in the exercise of their police power. The most common instance of this is connected with the establishment of separate schools for white and colored children, which has been held to be a valid exercise of the legislative power even by courts of States where the political rights of the colored race have been longest and most earnestly enforced. * * *
>
> The distinction between laws interfering with the political equality of the Negro and those requiring the separation of the two races in schools, * * * and railway carriages has been frequently drawn by this Court * * *.
>
> So far, then, as a conflict with the 14th amendment is concerned, the case reduces itself to the question whether the statute of Louisiana is a reasonable regulation, and with respect to this there must necessarily be a large discretion on the part of the legislature. In determining the question of reasonableness it is at liberty to act with reference to the established usages, customs, and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order. Gauged by this standard, we cannot say that a law which authorizes or even requires the separation of the two races in public conveyances is unreasonable, or more obnoxious to the 14th amendment than the acts of Congress requiring separate schools for colored children in the District of Columbia, the constitutionality of which does not seem to have been questioned, or the corresponding acts of State legislatures.

As I said a moment ago, I know of no one who has ever defended the doctrine of separate and equal schools because of prejudice or a desire to discriminate against either the white or the colored race, or because of hatred, or a feeling of superiority. I have not lived among people who had that feeling. That has not been my feeling. The only defense and justification for the doctrine have been that in certain localities it has been impossible to maintain peace, order, and harmony among the people, and to have support for the public-school system by the taxpayers, when people are forced to mingle together against the will of the majority of each race.

It is a police power of the State which has been held to be constitutional in the past. It is the same proposition as we find in Northern States, when there had to be segregation at swimming pools, because there were some persons of each race who do not get along with each other. There are some in each race who have prejudices.

Not too long ago in the District of Columbia, swimming pools had to be closed because of fights which occurred when there was commingling of the races. The same thing was true in Detroit, Chicago, St. Louis, and New York.

It is unfortunate that there are any prejudices left; that there is even one person of the white race or of the Negro race who would still cause trouble when commingling in public places, but we might just as well face the facts. There has been trouble in the past. I hope we may not have it in the future.

When I began my remarks, I said it was not my purpose to criticize the opinion of the Supreme Court, to flout it, or to do anything else with respect to it, but simply to hope that we can look forward to living under the opinion in a way which will enable us to preserve our public-school system, as well as peace, harmony, and order in the various communities which are affected. I make these remarks today simply to show in the RECORD the good faith of the States in the past, to show where they got

the doctrine, and how they have applied it in good faith; and also to show that the new decisions by the Supreme Court have overruled many previous court decisions. I mainly wish to show that the States have acted in absolute good faith in believing that they were obeying the Constitution and the opinions of the Supreme Court in providing separate but equal school systems in the respective States.

In *Cumming* v. *Board of Education* (175 U. S. 528), decided in 1899, the Supreme Court said:

> Under the circumstances disclosed, we cannot say that this action of the State court was, within the meaning of the 14th amendment, a denial by the State to the plaintiffs, and to those associated with them of the equal protection of the laws, or of any privilege belonging to them as citizens of the United States. We may add that while all admit that the benefits and burdens of public taxation must be shared by citizens without discrimination against any class on account of their race, the education of the people in schools maintained by State taxation is a matter belonging to the respective States, and any interference on the part of Federal authority with the management of such schools cannot be justified except in the case of a clear and unmistakable disregard of rights secured by the supreme law of the land.

The next case was that of *Berea College* v. *Kentucky* (211 U. S. 45), decided in 1908, in which Justice Brewer said:

> The single question for our consideration is whether it—

A statute providing that there should not be commingling of the races in a private college—

> conflicts with the Federal Constitution. * * * That the Legislature of Kentucky desired to separate the teaching of white and colored children may be conceded.

The Supreme Court upheld the statute of Kentucky in that case.

The next case which passed on this point was the Supreme Court case of *Gong Lum* v. *Rice* (275 U. S. 78), decided in 1927, a case directly in point. The pertinent portion of the Constitution of Mississippi, as set out in the Court's opinion, reads as follows:

> Separate schools shall be maintained for children of the white and colored races.

A Chinese girl, classified as "colored" under the Mississippi law, was denied admission to the white schools. A direct attack was made on the constitutionality of the separation of the races for schooling purposes, the contention being made that such was a violation of the equal-protection clause of the 14th amendment.

In its opinion yesterday the Supreme Court disagreed with the statement I have just made. I wish to quote from the Supreme Court's opinion of yesterday concerning the 1927 case of Gong Lum against Rice, as follows:

> The validity of the doctrine—

Of separate but equal—

> was not challenged.

To those who hear or who will read these remarks, I leave judgment as to the accuracy of that statement. The first assignment of error in the Gong Lum against Rice case was as follows:

> A child of school age and otherwise qualified * * * is denied the equal protection of the laws when she is excluded from such schools solely on the ground that she is a Chinese child and not of the Caucasian race.

Mr. Justice Taft, speaking for a unanimous Court, composed of himself and Justices Holmes, Van Devanter, Brandeis, Stone, McReynolds, Sutherland, Butler, and Sanford, clearly stated the question before the Court in these words:

> The case then reduces itself to the question whether a State can be said to afford to a child of Chinese ancestry born in this country, and a citizen of the United States, equal protection of the laws by giving her the opportunity for a common school education in a school which receives only colored children.

This shows that the Court was especially concerned with the separation of children in schools under the equal-protection clause. Mr. Justice Taft said:

> We cannot say that this action * * * was, within the meaning of the 14th amendment, a denial * * * of the equal process of the laws * * * the education of the people in schools maintained by State taxation is a matter belonging to the respective States.

The opinion by the Supreme Court, concurred in by such Justices as Holmes and Brandeis, went on to say:

> In *Plessy* v. *Ferguson* * * * in upholding the validity under the 14th amendment of a statute of Louisiana requiring the separation of the white and colored in railway coaches, a more difficult question than this, this Court, speaking of permitting race separation, said: "The most common instance of this is connected with the establishment of separate schools for white and colored children, which has been held to be a valid exercise of the legislative power even by the courts of States where the political rights of the colored race have been longest and most earnestly enforced."

The Chief Justice, speaking for the Court, said:

> We think that it is the same question which has been many times decided to be within the constitutional power of the State legislatures to settle without intervention of the Federal courts under the Federal Constitution.

The Court concluded:

> The right and power of the State to regulate the method of providing for the education of its youth at public expense is clear * * *.
>
> The decision is within the discretion of the State in regulating its public schools and does not conflict with the 14th amendment. The judgment of the Supreme Court of Mississippi is affirmed.

As I have said, there is a total of at least 13 Federal court decisions which follow these Supreme Court cases, holding that separate but equal facilities do not violate the 14th amendment. I ask unanimous consent that the list of these Federal cases, together with a summary of the decisions, be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OTHER FEDERAL COURT CASES

1. *Carr* v. *Corning* (182 Fed. 2d 14 (C. C. A. D. C. 1950)): A mandatory injunction was sought to compel the admission of Negro students into the schools designated for white students in the District of Columbia. It was urged, as stated by the Court, that "the separation of the races is itself, apart from the equality or inequality of treatment, forbidden by the Constitution." The Court said:

> "The Supreme Court has consistently held that if there be an 'equality of the privileges which the laws give to the separated groups' the races may be separated. That is to say that constitutional invalidity does not arise from the mere fact of separation but may arise from an inequality of treatment. Other courts have long held to the same effect."

2. *Corbin* v. *School Board* (177 F. 2d 924 (C. C. A. 4th 1949)): The Court stated that the question of the validity of separate schools was foreclosed against plaintiffs "by decisions of the United States Supreme Court, and no useful purpose could be served by adding to the able discussion of the problem in the opinion below." (84 F. Supp. 253 (W. D. Va. 1949)).

3. *Brown* v. *Board of Trustees, LaGrange, Ind. School Dist.* (187 Fed. 2d 20 (S. D. Tex. 1950)): Denied an injunction against alleged discrimination in providing separate schools. Following the Gaines and Sipuel cases, the Court concluded that maintaining separate schools for white and Negro students does not violate the fourteenth amendment.

4. *Jennings* v. *Board of Trustees, Hearne Ind. School Dist.* (W. D. Tex., 1948, unreported): A suit to compel entrance of Negro students to white high school. A declaratory judgment was entered considering the Texas constitutional provisions for separate schools and the equal protection clause of the fourteenth amendment. It concludes, "Under the above provisions, the defendants are required to furnish separate, but impartial and substantially equal facilities to both Negro and white students."

5. *Pitts* v. *Board of Trustees* (84 F. Supp. 975 (E. D. Ark., 1949)) held that the 14th amendment does not require mixed schools, and that "such a course of action" would not be "for the best interest of the children of either race."

6. *Boyer* v. *Garrett* (88 Fed. Supp. 353 (1949) Aff'd. 183 Fed. 2d 582 (1950)) held that it was proper, under the 14th amendment, for the State to provide separate recreation facilities for the white and Negro citizens.

7. *Carter* v. *School Board* (87 F. Supp. 745 (E. D. Va., 1949)): In holding that there was no discrimination in equal separate schools, the court stated: "We find that the segregation in the public functions of the State, including education in public schools, is exclusively a State matter and * * * is not questionable save to assure equality."

8. *Johnson* v. *University of Kentucky* (83 F. Supp. 707 (E. D. Ky., 1949)). Citing the Sipuel and Gaines cases the court held separate school facilities are valid under the 14th amendment, provided the facilities are equal.

9. *Wrighten* v. *University of South Carolina* (72 F. Supp. 948 (E. D. S. C. 1947)). The circuit court returned the case to the district court for a fact finding of equality of the separate law school established after the first trial. In July 1948, the trial court found that the Negro law school was substantially equal and denied Wrighten's injunction.

10. *Bluford* v. *Canada* (82 F. Supp. 707 (W. D. Mo. 1940; appeal dism. 110 F. 2d 779)) denied damages for refusal to admit Bluford to University of Missouri School of Journalism.

11. *Wong Him* v. *Callahan* (119 Fed. 381) involved the constitutionality of separate schools for Chinese children. It was held the separate school being equal, the separation does not violate the 14th amendment.

12. *U. S.* v. *Buntin* (10 Fed. 730) was an indictment for deprivation of right to at-

tend nonsegregated school. It was held the Ohio statute providing for separate schools, if schools are substantially equal, does not violate the 14th amendment.

13. *Bertonneau v. Board of Directors* (3 Fed. Cases 294) again concerned the constitutionality of separate schools for Negroes. It was held the separate school being equal, the separation does not violate the 14th amendment.

Mr. DANIEL. Madam President, there have been 59 State and Territorial court decisions upholding the separate but equal doctrine as valid under the 14th amendment of the Constitution. Many of the States, as I have indicated, are north of the Mason-Dixon line, and include Indiana, New York, Kansas, Ohio, Massachusetts, and Pennsylvania. I ask unanimous consent that a chart and summary of State court decisions with respect to the separate but equal doctrine be printed at this point in the RECORD.

There being no objection, the chart and summary was ordered to be printed in the RECORD, as follows:

Summary of State court decisions on "separate but equal" doctrine

State	Case	Issue	Decision
Alabama:			
	State v. Bd. of School Commissioners, 145 So. 875 (1933).	To obtain admission to white school	Separation of children in schools is mandatory under statute.
Alaska:			
	Sing v. Sitka School Bd., 7 Alaska 616 (1927)	Constitutionality of separate schools for Negroes and Indians.	The separate school being equal, the separation does not violate the 14th amendment.
Arkansas:			
	State v. Board of Directors, 242 S. W. 545, Cert. Den. 264 U. S. 567 (1922).	To obtain admission to white school; plaintiff claimed no Negro blood.	Separation is proper and ruling of school board supported by evidence will not be disturbed.
	Maddox v. Neal, 45 Ark. 121 (1885)	Constitutionality of separate schools for Negroes	The separate school being equal, the separation does not violate the 14th amendment.
Arizona:			
	Burnside v. Douglas School, 261 Pac. 629 (1928).	do	Do.
	Dameron v. Bayless, 126 Pac. 273 (1912)	do	Do.
	Harrison v. Riddle, 36 P. 2d 984 (1934)	Mandamus to compel separation by school board	Where substantially equal school is provided school board must separate pupils.
California:			
	Ward v. Flood, 48 Cal. 36 (1874)	Constitutionality of separate schools for Negroes	The separate school being equal, the separation does not violate the 14th amendment.
District of Columbia:			
	Wall v. Oyster, 36 App. D. C. 50 (1910)	To contest being sent to separate school when there was no notice of statute providing for separate schools.	Statute is not invalid for lack of notice. Board may assign to separate school.
Florida:			
	State v. Bryan, 30 So. 929 (1905)	To test the constitutionality of the white university, when there was no similar Negro institution.	As long as Negroes have a State normal, it is not unconstitutional to place the white normal in a university.
Georgia:			
	Blodgett v. Bd. of Ed., 30 S. E. 561 (1898)	To restrain appropriation for white high school when there was no appropriation for Negro high school.	Wrong action. No benefit to Negroes by attacking white high school. Action should be to compel a high school for Negroes.
	Bd. of Ed. v. Cumming, 29 S. E. 488, Aff'd 175 U. S. 528 (1898).	do	Do.
Indiana:			
	Cory v. Carter, 48 Ind. 327 (1874)	To contest separate schools	A classification which does not exclude either class from equal accommodations is no infringement of rights.
	Greathouse v. School Board, 151 N. E. 411 (1926).	To prevent construction of separate high school as unlawful expenditure.	The separate school being equal, the separation does not violate the 14th amnedment.
	State v. Gray, 93 Ind. 303 (1884)	To obtain admission to white high school	The constitutionality of the law for the establishment of separate schools for white and Negro children is settled.
	State v. Grubbs, 85 Ind. 213 (1882)	To compel town to organize school for Negroes	To require Negro to attend nearby separate school was proper.
	State v. Wirt, 177 N. E. 441 (1931)	To contest an alleged discrimination in separate schools.	Organization of separate schools must not result in denying equal privileges; but here no denial is shown.
Kansas:			
	Reynolds v. Board of Education, 72 Pac. 274 (1903).	To test constitutionality of separate schools	Separate schools do not violate the 14th amendment.
	Richardson v. Board of Education, 72 Kan. 629 (1906).	do	Do.
	Wright v. Board of Education of Topeka, 284 Pac. 263 (1930).	To prevent transfer to Negro school because plaintiff had to pass white school to reach Negro school.	Separate schools, substantially equal are constitutional; inequality shown by plaintiff.
Kentucky:			
	Board of Education v. Bunger, 41 S. W. 2d 931 (1931).	To contest the establishment of separate schools	Board of Education has the power to establish separate schools.
	Daviess Co. Bd. v. Johnson, 200 S. W. 313 (1918).	To obtain identical facilities	Facilities need not be identical if they are equal.
	Grady v. Bd. of Education, 147 S. W. 928 (1912)	To contest the establishment of separate schools	Board of Education has the power to establish separate schools.
	Mullins v. Belcher, 134 S. W. 1151 (1911)	To test constitutionality of separate schools	The separate schools being equal, the separation does not violate the 14th amendment.
	Prowse v. Board of Education, 120 S. W. 307 (1909).	To contest the establishment of separate schools	Board of Education has the power to establish separate schools.
Maryland:			
	Williams v. Zimmerman, 102 Atl. 363 (1957)	To obtain admission to white school	Negro student cannot be admitted to white school; substantially equal Negro school being provided.
Massachusetts:			
	Roberts v. City of Boston, 5 Cush. (Mass.) 198 (1849).	do	School board has the power to separate Negro and white students. Admission denied.
Mississippi:			
	Barrett v. Cedar Hill S. D., 85 So. 125 (1920)	To contest bond issue for consolidated school because discriminatory.	Since there are ample substantially equal schools for Negroes they cannot contest establishment of school for whites.
	Bond v. Tji Fung, 114 So. 332 (1927)	To obtain admission of Chinese boy in white school.	The separate school being equal, the separation does not violate the 14th amendment.
	Bryant v. Barnes, 106 So. 113 (1925)	To contest an alleged discrimination in establishing school districts.	Court will prohibit discrimination between races in the operation of the schools, but no discrimination is shown by separation.
	Chrisman v. Town of Brookhaven, 70 Miss. 477 (1893).	To test the constitutionality of separate schools	The separate school being equal, the separation does not violate the 14th amendment.
Missouri:			
	Lehew v. Brummell, 15 S. W. 765 (1891)	To set up discrimination between white and Negro schools.	Schools being substantially equal there was no discrimination.
	State v. Cartwright, 99 S. W. 48 (1907)	To test constitutionality of separate schools	Separate schools do not violate 14th amendment.
	State (Fluford) v. Canada, 348 Mo. 298 (1941)	To contest validity of separate journalism schools for white and colored.	Separate schools are constitutional when equal.
New York:			
	People v. Gallagher, 93 N. Y. 438 (1883)	To contest separate schools	Statute providing for separate, equal, schools for Negroes is constitutional.
	People v. School Board, 161 N. Y. 598 (1900)	do	Do.
	People v. Easton, 13 Abb. (N. Y.) Pr. N. S. 159 (1872).	do	Do.
	Dallas v. Fosdick, 40 How. Prac. 249 (1866)	do	Do.
North Carolina:			
	Bonitz v. Trustees, 70 S. E. 735 (1911)	To test constitutionality of tax for white schools only.	Separate schools are constitutional when substantially equal hence tax must be construed as applying to both white and Negro schools.
	Johnson v. Bd. of Education, 82 S. E. 532 (1914)	To contest constitutionality of separate schools	Advantages being equal separate schools are constitutional.

Summary of State court decisions on "separate but equal" doctrine—Continued

State	Case	Issue	Decision
North Carolina—Continued			
	Lowery v. Sch. Trustees, 52 S. E. 267 (1905)	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
	McMillan v. School Committee, 107 N. C. 609 (1890).	To compel school committee to admit Negroes	Statute requiring separate schools was binding on committee.
	Whitford v. Bd., 74 S. E. 1014 (1912)	To get interpretation of constitutions, provisions of separate schools.	Statute providing for substantially equal school would be constitutional.
	Puitt v. Gaston Co., 94 N. C. 709 (1886)	To test constitutionality of separate schools	Advantages being equal, separate schools are constitutional.
	Smith v. Robersonville, 53 S. E. 524 (1906)	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
Nevada:			
	State v. Duffy, 7 Nev. 342 (1872)	To restrain board from separating white and Negro students.	The separate school being equal, the separation does not violate the 14th amendment.
Ohio:			
	State v. Bd. of Education, 7 Ohio Dec. 129 (1876).	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
	State v. McCann, 21 Ohio St. 198 (1871)	To contest separate schools	Establishment of separate schools substantially equal is constitutional.
	State v. Board of Trustees Ohio U. 126 Ohio St. 290 (1933).	To contest separate colored and white home economics classes in Ohio University.	Separate but equal classes held constitutional.
Oklahoma:			
	School District v. Board, 275 Pac. 292 (1928)	To recover State aid funds from board of county commissioners.	Separate schools with like conditions must be provided and impartially maintained.
	Jumper v. Lyles, 185 Pac. 1084 (1921)	To prevent certain schools being designated Negro schools.	The board has the power to determine which separate schoo. shall be attended by white or Negro students.
	State v. Albritton, 224 Pac. 511 (1924)	To test constitutionality of separate schools	Facilities being substantially equal, separate schools are constitutional.
Pennsylvania:			
	Commonwealth v. Williamson, 30 Leg. Int. 406 (Pa. 1873).	To contest exclusion from public schools	Under statute if twenty Negro children appeared for admission a separate school may be established.
South Carolina:			
	Tucker v. Blease, 81 S. E. 668 (1914)	To prevent exclusion of Negro from white school	School board may set up separate school for these persons and if substantially equal it is constitutional.
Tennessee:			
	Greenwood v. Rickman, 235 S. W. 425 (1921)	To test separate schools as discriminatory, for tax purposes.	When equal opportunities are given in free schools there is no discrimination in taxes.
	State (Michael) v. Witham, 179 Tenn. 250 (1942).	Contesting constitutionality of separate colleges	Held constitutional.
Texas:			
	Sweatt v. Painter, 210 S. W. 2d 442 (1948)	To compel admission to white law school	The facilities being substantially equal, separate schools are constitutional.
Virginia:			
	Eubank v. Boughton, 36 S. E. 529 (1900)	To compel admission to white school	The duty is upon the school board to provide separate schools. Admission denied.
West Virginia:			
	Martin v. Board of Education, 26 S. E. 348 (1896).	To test constitutionality of separate schools	The separate school being equal, the separation does not violate the 14th amendment.

INTERPRETATION OF 14TH AMENDMENT

Mr. DANIEL. There is one other point on which I wish to touch for a moment, namely, a statement in the opinion of yesterday with respect to the case of Brown against Board of Education. I refer to page 8 of the printed opinion in the case of Brown against Board of Education where the Court wrote as follows concerning its interpretation of the intention of the 14th amendment:

> In approaching this problem, we cannot turn the clock back to 1868, when the amendment was adopted, or even to 1896, when *Plessy* v. *Ferguson* was written.

In deciding what the intention of the 14th amendment was, it would appear to me, under all the rules of construction, that we must go back to the intention of those who submitted the amendment in Congress and the intention of those who voted upon the amendment in the State legislatures which had to pass upon the amendment.

That has been the rule of construction used in the past. It is not a matter of turning the clock back except for the purpose of finding out the intention of those who drafted and passed upon the amendment. I have a quotation from Mr. Justice Frankfurter in another case, interpreting the intent of a constitutional amendment. In the case of Adamson against California, in which the question of interpretation of a constitutional provision was at issue, which case is found in 332 U. S. 46, Mr. Justice Frankfurter said:

> After all, an amendment to the Constitution should be read in a "sense most obvious to the common understanding at the time of its adoption." * * * For it was for public adoption that it was proposed. * * *
>
> Any evidence of design or purpose not contemporaneously known could hardly have influenced those who ratified the amendment.

It would seem to me that the intention of the writers, the proposers, and those who accepted the 14th amendment, should have some weight with the Court in this matter.

Simply to keep the record straight, I wish to call to the attention of the Senate that at no place can there be found an interpretation of the 14th amendment, the equal protection clause, or any other clause, which indicates that it was intended to do away with the separate but equal schools established for the white and colored students in almost all of the States that voted upon the amendment before it became effective in 1868. Practically all of the States had separate schools at that time. I believe the colored schools which existed in the District of Columbia at that time were maintained as separate schools by the Government through the Freedmen's Bureau. It is a fact that the same Congress which submitted the amendment later maintained separate schools in the District of Columbia. Congress has continued to maintain them separately.

It is also true that practically all of the legislatures of States which passed upon the 14th amendment provided for separate schools. Nor can there be found any indication on the part of those who wrote the 14th amendment and the States which subsequently ratified it, that there was an intention to prohibit a separate school system, if that system provided equal advantages for both races. On the other hand we do find considerable evidence of the fact that those who proposed the amendment and passed upon it did not think it would prohibit separate schools.

Madam President, I ask unanimous consent to have printed in the RECORD, at this point, quotations from the brief submitted in the case of Sweatt against Painter by the attorneys general of 17 States.

There being no objection, the quotations were ordered to be printed in the RECORD, as follows:

REVIEW OF CONTEMPORARY CONSTRUCTION

There is nothing in contemporary legislation or in Federal and State decisions which indicates any belief that the 14th amendment required mixed schools for all races, or that it prohibited the furnishing of equal educational privileges to all through separate schools. On the contrary, there is a great amount of contemporary construction and interpretation which points only in one direction—that equality of educational opportunities may be furnished in separate schools for children of the white and Negro races when deemed necessary to preserve the public peace, harmony, and welfare.

Before examining contemporary interpretation of the amendment, proposed by Congress in 1866 and ratified by two-thirds of the States in 1868, a word should be said about the historical setting. It is interesting to note that separate schools for white and Negro students had been established in Northern States prior to the Civil War. In Massachusetts, the State which furnished the most ardent advocates of freedom, equal

protection, and civil rights,[2] an equal-protection clause in the State constitution, the same as the 14th amendment, had been held not to prohibit the city of Boston from maintaining separate schools for the white and Negro races.[3] Similar separate systems were in effect when the 14th amendment was voted upon in Connecticut (Laws of Connecticut, 1835, p. 321; separate schools abolished by Laws of Connecticut, 1868, p. 206); Illinois (Laws of Illinois, 1846, p. 120; id., 1874, p. 983); Indiana (Laws of Indiana, 1869, p. 41); Iowa (Laws of Iowa, 1858, p. 65); Kansas (Laws of Kansas, 1868, p. 146); Michigan (abolished, Laws of Michigan, 1871, p. 274); Minnesota (abolished, Revised Laws, 1905, sec. 1403); Nevada (Laws of Nevada, 1864–65, p. 426); New Jersey (Laws of New Jersey, 1881, p. 186); New York (Laws of New York, 1864, p. 1281); Ohio (Laws of Ohio, vol. XLVI, 1847–48, p. 81; id., 1848–49, p. 17; Revised Stats., 1880, vol. I, p. 1005); Pennsylvania (Laws of Pennsylvania, 1854, p. 623; id., 1881, p. 76). They continued in operation after the amendment was adopted, were upheld by State courts,[4] cited with approval by the Supreme Court,[4] and ended only when the people of those States determined that conditions were ready for the change.[5]

After the Civil War, the Federal Government, through the Freedmen's Bureau of the War Department, established the first schools in the South in which Negroes were taught. These were separate schools exclusively for Negroes.[6]

During the reconstruction era when many bills were enacted which were considered by southern people as "force bills," no legislation was adopted by Congress which attempted to compel the mixture of the races in the public schools or colleges of this country, although it was many times proposed and defeated.[7]

The 14th amendment was declared to be duly ratified on July 28, 1868. Contemporaneous construction of the amendment by the adopting States was almost unanimous that it permitted continuation of separate equal schools for white and Negro students. Many Northern States retained statutory or constitutional provisions authorizing or requiring school districts to provide separate schools: e. g., Illinois, Indiana, Kansas, Nevada, New Jersey, New York, Ohio, Pennsylvania.

The Southern States ratifying the amendment included the States of Tennessee, North Carolina, South Carolina, Missouri, Arkansas, Louisiana, Alabama, Georgia, and Florida. Virginia, after first rejecting, ratified on October 8, 1869. Texas ratified February 18, 1870. All of these 11 States within a short time thereafter adopted constitutional and statutory provisions for separate but equal schools for white and Negro children, thereby demonstrating the contemporary understanding of these States that there was no conflict with the 14th amendment and the principle of separate schools.

The schools of the District of Columbia, before, during, and after the adoption of the 14th amendment, were maintained by the Congress on a separate basis for white and Negro children. Thus, the very Congressmen who proposed the 14th amendment could not well have interpreted it to prohibit separate equal schools in the States.[8]

Subsequently the Congress gave contemporaneous construction to the 14th amendment in its actions on the bill which became the Civil Rights Act of 1875. The original bills in both Houses (S. No. 1 and H. R. 796) prohibited separate schools for white and Negro students. All reference to schools was stricken in the House [9] and this action was concurred in by the Senate.[10]

It is significant to note that the trustees of the George Peabody Fund (a foundation having assets of over $2 million, created by George Peabody of Massachusetts, which fund was instrumental in the establishment of many schools in the South) were influential in having the mixed schools provisions taken out of the Civil Rights act of 1875.[11] More positive interpretation by Congress came with passage of the act of June 11, 1878 (20 Stat. 107, chapter 180) which specifically provided for the operation of the public schools of the District of Columbia upon an equal but separate system for white and Negro children. Since their origin in 1862 (12 Stat. 407) the schools of the District of Columbia have continued to be operated in that way [12] under direct authority of the Congress of the United States, the branch of the Government authorized by the 14th amendment to enforce its provisions.

Contemporaneous interpretation by State courts was the same as that of the Congress and State legislatures. For example, the New York Court, in *Dallas* v. *Fosdick* (40 How. Pr. 249 (1869)) stated:

"It was claimed upon the argument of the appeal taken in this cause, that the provisions of the charter, if they were to be so construed as to exclude colored children from the schools provided for white children, were inconsistent with the act of Congress called the 'civil rights bill,' and had, therefore, become inoperative. But that is very clearly not the case. It was no part of the civil rights bill to regulate or provide for the enjoyment of rights or privileges of the nature of those in controversy in this case" (p. 256).

Similarly the Indiana Court in *Cory* v. *Carter*, 48 Ind. 327 (1874) wrote:

"The action of Congress, at the same session at which the 14th amendment was proposed to the States, and at a session subsequent to the date of its ratification, is worthy of consideration as evincing the concurrent and after-matured conviction of that body that there was nothing whatever in the amendment which prevented Congress from separating the white and colored races, and placing them, as classes, in different schools, and that such separation was highly proper and conducive to the well-being of the races, and calculated to secure the peace, harmony, and welfare of the public. * * * [The Court then cites several acts of Congress relating to separate schools in the District of Columbia.]

"The legislation of Congress continues in force, at the present time, as a legislative construction of the 14th amendment, and as a legislative declaration of what was thought to be lawful, proper, and expedient under such amendment, by the same body that proposed such amendment to the States for their approval and ratification" (pp. 364–366).

See also *State* v. *McCann* (21 Ohio St. 198 (1871)); *State* v. *Duffy* (7 Nev. 342 (1872)); *People* v. *Gaston* (13 Abb. (N. Y.) Pr. N. S. 160 (1869)); *Ward* v. *Flood* (48 Cal. 36 (1874)); *State* v. *Board of Education* (7 Ohio Dec. 129 (1876)); *Commonwealth* v. *Williamson* (30 Leg. Int. 406 (Pa. 1873)).

Contemporaneous construction by this Court is found in *Hall* v. *DeCuir* (1877), supra, where this Court struck down a State statute requiring a commingling of the races on a steamboat operating in interstate commerce. The contemporaneous construction of the State courts is discussed at length by Mr. Justice Clifford.

Other contemporaneous expressions of this Court upheld the State's police power. For example in *Bartemeyer* v. *Iowa* (18 Wall. 129, 21 L. ed. 929 (1873)), Mr. Justice Field, concurring said:

"No one has ever pretended * * * that the 14th amendment interferes in any respect with the police power of the State."

Following this decision this Court said of the 14th amendment in *Barbier* v. *Connolly* (113 U. S. 27, 28 L. ed. 923 (1885)):

"But neither the amendment—broad and comprehensive as it is—nor any other amendment, was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, morals, education, and good order of the people. * * *"

What could be clearer than the statement by Mr. Justice Clifford in *Hall* v. *DeCuir* (95 U. S. at 506 (1877)):

"And it is well settled law there that the (school) board may assign a particular school for colored children and exclude them from schools assigned for white children and that such a regulation is not in violation of the 14th amendment."

This doctrine has been reemphasized in the many cases heretofore cited. It is respectfully submitted that to overthrow the systems built up over a period of almost a century and following the plan first used by the Northern States and the Freedmen's Bureau as an agency of the Federal Government, would result in utter chaos and confusion which would fully nullify the progress in public education and race relations which the States have made during this period.

All contemporaneous interpretation indicates that separate schools, if equal, were not considered discriminatory against either race and that the system does not contravene the equal protection clause as then or now understood and interpreted.

Mr. DANIEL. Madam President, as I said at the beginning, it is not my purpose today to criticize or complain about the opinion of the Supreme Court. It is my purpose, rather, and my hope, that all concerned in the affected States, those from each race, will be tolerant so that we may work together and be able to live under the decision of the Court without abolishing or harming our public school systems, and without having a setback in the progress we have made in proper racial relations in the South. We have made great progress in recent years, and it would hurt me deeply if the effect of the opinion, or the efforts of those who hail the opinion and want to carry it forward in a march to force other things

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[2] These included John Quincy Adams, Charles Sumner, Henry Wilson, George S. Boutwell.

[3] *Roberts* v. *Boston* (5 Mass. 198 (1849)).

[4] Brief of Respondents in Opposition to Petition for Writ of Certiorari, Appendix, pp. 74–85.

[4] *Plessy* v. *Ferguson* (163 U. S. 537, 41 L. ed. 256 (1896)); *Hall* v. *DeCuir* (95 U. S. 485, 24 L. ed. 547 (1877)); *Gong Lum* v. *Rice* (275 U. S. 78, 72 L. ed. 172 (1937)).

[5] New York, 1909; New Jersey, 1948; Michigan, 1871.

[6] Semi-Annual Reports on Schools and Finances of Freedmen, 1866–70, J. W. Alvord.

[7] CONGRESSIONAL GLOBE, 32d Cong., 2d sess., p. 396 (1866); J. G. Blaine, Twenty Years of Congress (1886), p. 514, et seq.; Pierce, Memoirs and Letters of Charles Sumner (1893), pp. 72 and 179, et seq.; Storey, Charles Sumner (1900), p. 402, et seq.

[8] Lillian G. Dabney, The History of Schools for Negroes in the District of Columbia, 1870–1947, Catholic University of America Press 1939, pp. 21 and 111 et seq.

[9] CONGRESSIONAL RECORD, 43d Cong., 2d sess., p. 1010.

[10] Ibid. p. 1870.

[11] Curry, Biographical Sketch of George Peabody; Boyd, Educational History in the South Since 1865, Studies in Southern History, p. 262.

[12] Public Law 254 of the 59th Cong., H. R. 11,442, passed June 20, 1906 under which separate schools continue to be maintained in the District.

they think best for us, should set back the great progress we have made. It would hurt me deeply, and would hurt the very people whom such persons seem to be interested in helping. I hope that will not happen. I am hopeful that we may in every way possible look to the future and work out the problems involved. However, I did not want to turn my face toward the future without once again stating in the Senate of the United States the facts of the past, and calling attention to the good faith shown by the people of the South and other States in attempting to provide equal school facilities through separate schools.

Mr. RUSSELL. Madam President, will the Senator from Texas yield?

Mr. DANIEL. I yield to the Senator from Georgia.

Mr. RUSSELL. The Senator from Texas has rendered a real service by placing in the RECORD of the Senate the long line of decisions which has been overturned by the decision rendered by the Supreme Court on yesterday. I did not hear all of the remarks of the Senator from Texas. Unfortunately, I was called off the floor for a moment. I do not know whether the Senator saw fit to call attention to the fact that the decision, in addition to overruling every precedent on the subject made by previous judicial decisions, and distorting our Federal charter, also struck down the constitutions of approximately 17 States. Due to the rulings of the Court the States are assuming less and less importance and more power is concentrated in Washington.

The decision of the Supreme Court was unique in other respects. Not only did the opinion reverse the construction of the Constitution which had been applied by the Supreme Court at a time when there were able lawyers and experienced members sitting on the Supreme Court; not only did the opinion strike down all the precedents on the subject and also State constitutions; but, for the first time, the Court admittedly substituted psychology for law and precedents when it came to construing the Constitution of the United States.

It is my opinion that if the Supreme Court is to abandon law and precedents in favor of psychology in arriving at its opinions, the rights of the States which might remain or the liberties of the American people should not be subjected to the findings of amateur psychologists whose chief background and experience has been in the field of practical politics and not in either law or psychology. If they are to rely on psychology, then we should either add trained psychologists of recognized ability to the Court, or else we should provide that a Court psychologist of high standing shall attend the sessions of the Court and assist the Attorney General of the United States in bringing the Court to its conclusions.

We have gone far afield in this country.

The judiciary was once considered a coequal and coordinate branch of the Government. The present Court is clearly dominated by the executive branch. The present Attorney General, as was the case of the Attorney General during the last administration, is the political spokesman for the political party which happens to be in power and has control of the executive branch of the Government. In every case where political implications are involved, and the majority party sees a chance to garner some votes by obtaining a decision to suit their purposes from the Court, the Attorney General intervenes in the case. It makes no difference whether the United States is, or should be, a party to the case, if there are votes involved.

Where the Attorney General intervenes, the present Court adopts the philosophy of his brief as its decision.

In its decision on yesterday, this Court—which was once the greatest judicial body on earth—after having, in effect, adopted the brief of the Attorney General as its decision, again prayerfully besought the Attorney General to assist it in applying the decision of yesterday in the final decree or judgment the Court proposes to write next fall.

Mr. President, we have come to sad days when the judiciary of this Nation is absorbed by the executive branch and used as a tool to executive ends. It is all the more deplorable to have the Court publicly announce that it is incompetent to apply its decision without the help of the Attorney General.

Mr. MAYBANK. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. RUSSELL. I ask my friend, the Senator from South Carolina, to wait a moment, please.

The able Senator from Texas has read from the decision the statement that the members of the Court were unable to ascertain the intention of those who proposed, as well as those who adopted, the 14th amendment. The Court not only stated that the intent at the time was inconclusive, but the clear inference of the decision is that it is hardly worthy of consideration by this Court.

Mr. President, if there has been a cardinal rule of construction since the dawn of Anglo-Saxon justice—until this decision which undertakes to brush it aside—it is that the intent of the lawmaker was of vital importance in arriving at the proper construction of statutes. The case to which the Senator from Texas refers also shows that heretofore the Courts have thought it to be their duty to examine the intent in construing the application and meaning of the Constitution of the United States and its amendments. * * *

Whether we agree or not, when the Court declares that whether or no it will not, as it says, "turn back the clock," that language is understandable. When the Court says, "we propose to overrule every decision that has ever been made in this particular field and place a different construction on the Constitution of the United States" they are being forthright.

Such rulings are quite frequent now and are laid down in accord with the theory of the expanding Constitution brought forward in recent years—the theory which asserts that if the written word of the Constitution and its prior construction does not meet the requirements of this Court, that instead of suggesting that the Congress propose an amendment to the Constitution it will undertake, by construction of that document, to change the conditions of which they might disapprove.

But, Mr. President, that is one thing. It is another to have expressions of doubt as to the intention of those who submitted and ratified the 14th amendment. A claim that this intent cannot be found can only result from the fact that he who is supposed to seek it is obtuse, or has not examined into the history of the amendment; or because he simply is not being honest in making such a statement.

The history of the 14th amendment makes it perfectly clear to any fair-minded man of reasonable intelligence that neither the Congress which submitted the amendment, nor the legislative bodies of the States that ratified it, ever dreamed it would apply to, and justify, the decision in the separate schools' case. The very Congress which proposed the 14th amendment provided for the adoption of a separate school system for the races in the District of Columbia. My own State at the time had a legislature that was largely carpetbagger or scallawag. The same legislature which ratified the 14th amendment proposed by the Congress, wrote a constitution for the State of Georgia which contained a provision for separate schools. I do not see how anyone who pretends to understand the English language who has really made a study of the subject could have failed to ascertain the intent of all of those who are responsible for the 14th amendment now being a part of the Constitution.

Mr. President, I deplore what I regard as being a flagrant abuse of the judicial power by the Supreme Court, as it moves to impose the purposes of the executive branch of the Government upon the sovereign States of the Nation.

Mr. DANIEL. Mr. President, I thank the Senator from Georgia.

I wish to say that at the time when I was handling a case on this issue before the Supreme Court, as attorney general of Texas, I had occasion to read all the debates that occurred in Congress at the time of the submission of the 14th amendment, and also all the debates in the State legislatures which were available. I went thoroughly into the matter. I have before me approximately 100 pages of extracts from the arguments and the record of the action of Congress and the action taken by State legislatures. I did not find one indication that any Member of Congress or any of the State legislators felt that the adoption of the 14th amendment would prohibit separate schools, if they were equal. On the contrary, many indications are to be found, including the passage by the Congress and by the State legislatures of legislation for separate schools, that separate schools were permitted under the 14th amendment, if they were equal.

Mr. RUSSELL. Apparently the research conducted by the Senator from Texas was more extensive than mine; but I have had occasion to delve into

that field, and my conclusions were exactly the same as those of the Senator from Texas.

Mr. DANIEL. I thank the Senator from Georgia.

Mr. President, I believe the Senator from South Carolina wished to ask a question.

Mr. MAYBANK. Mr. President, I was going to ask a question of the Senator from Georgia, but meantime he has covered the point I had in mind.

Mr. STENNIS. Mr. President, will the Senator from Texas yield to me?

Mr. DANIEL. I yield.

Mr. STENNIS. I wish to thank the Senator from Texas for the very sound presentation he has made on this important subject. I commend him, further, for his temperate attitude and his temperate approach to the matter and his very strong hope for the future, as this problem is faced by the people. I subscribe to his sentiments, and I am especially glad he made his remarks today.

I wish to point out to him that, with reference to the historical facts in connection with the 14th amendment, I attended the argument on these cases in the Supreme Court in 1952, and heard every word of the argument. In 1953, I heard 90 percent of the argument. With the exception of the remarks of one Member of Congress at the time when the 14th amendment was adopted—and he simply raised the question of the possibility that the amendment would affect the school system—everyone else who mentioned the subject in the course of the debates was firm in the conviction and the position that the 14th amendment could not possibly affect the question of public education.

Since that time, many decades have passed in the history of the United States, as the Senator from Texas has so well pointed out. I have never seen a group of attorneys before any court with so little straw with which to make brick, as was the case with the attorneys who represented the petitioners on this question as to the historical basis of the amendment. The history of the 14th amendment was absolutely unanswerable on the facts.

How did the Supreme Court meet that issue? I speak with whatever deference the judicial branch of the Government may be entitled to, but I submit that the Court failed to meet it. Instead, the Court ignored it, and said, "We cannot turn back the clock of time." The Court might better have said, "We dare not look at the clock of that time." The clock's face shows irrefutably that this contention was far beyond even the dream of those who wrote the 14th amendment and beyond the dreams of those who voted for its adoption and as well as those who have interpreted it judicially and otherwise down to this very day.

So the Court failed to meet the issue; the Court ignored it. Instead, as the Senator from Georgia has said, the Court turned to a group of psychologists for its authority. The Court thereby abandoned every rule based on precedents and all the other cardinal rules of judicial processes under the basic document, including the Constitution. Instead, the Court relied upon psychologists. I notice that 9 psychologists are cited on page 10 of the printed copy I hold in my hand.

Furthermore, I wish to point out that on page 8 we find a dangerous precedent stated in another way:

> We must look, instead, to the effect of segregation itself on public education.

That is an unusual substitution the Court has made in the place of the opinion and intent of those who adopted the amendment. In other words, the Court is substituting the opinion of nine psychologists in the place of historical fact and precedent. The Court has abandoned judicial history, judicial precedents, and all the other cardinal principles of judicial procedure; and now the Court says, "We must look to the effect of segregation." These nine judges look at it one way today. Nine other judges may look at it tomorrow in a different way. As a result, what is held to be lawful today may very easily be held to be unlawful tomorrow, and so on. To follow such procedure is to abandon all the constitutional judicial precedents. It is to resort to the rule of personal law and personal opinion, based on the opinion of this group or that group. This is rule by men, not by law.

However, Mr. President, in spite of those facts, despite the fact that I think this decision is a great blow to the prospect of having a better chance to give the members of the colored race educational opportunities and facilities, I am willing that we should work as far as we can—although, of course, beyond certain limits we will not go—but so far as we can, in carrying out a program of education and training.

I believe that in my area of the South a great deal of the future prospect will depend upon the Negro leaders. I know that a great number of them do not want to abandon the present plan. They want to continue the pattern we now have, under which they have their own teachers, and their teachers have the opportunity to grow in their profession and to train their youth. The problem is now at their doorstep. I pray that they will have the right guidance in making their decision, rather than follow the advice of outside agitators.

Mr. MAYBANK. Mr. President, will the Senator from Texas yield to me in order that I may ask a question of the Senator from Mississippi?

Mr. DANIEL. I yield.

Mr. MAYBANK. When does the Court intend to look at this question again with the Attorney General?

Mr. STENNIS. I understand that it will be set for reargument. No time has been fixed for that purpose; but the time for submission of briefs is by October 1, 1954.

Mr. MAYBANK. When are the elections this year?

Mr. STENNIS. October 1 is about 30 days before the elections.

Mr. MAYBANK. I thank the Senator.

Mr. STENNIS. Mr. President, I was greatly disappointed in the opinion of the Court, because I had gone so far as to express publicly to my people a faith in the fundamentals. I had believed that, regardless of what members of the Court thought personally, the precedents were clear, unmistakable, and numerous. I thought the Court would follow them. I was disappointed that it did not.

Furthermore, I was disappointed in that I think the Court abandoned one of the fundamental bulwarks of our form of government, the rule of stare decisis and constitutional precedent and went over to the side of rule by men. That is one of the most disastrous things that can happen. It goes far beyond the field of education, far beyond the question of segregation.

So we are now faced with the question, Are we to extend that theory further, or are we to stop it? I always have preached respect for an independent judiciary. I did not know that that meant independence of the law and of the precedents. That is indeed a new concept to which I do not subscribe, and which I hope the Nation will not tolerate.

I thank the Senator from Texas.

Mr. DANIEL. I thank the Senator from Mississippi.

I have always felt that the psychologists and sociologists were wrong when they said we could not have equal schools if we had the same physical facilities on one side of the street for one race, as we had on the other side of the street for the other race, and the same equally qualified teachers. Under that system everything is the same except that the Negro students go to school in one building and the white students go to school in another. Those who say that is not a system of equality are the ones who are attributing inferiority to the Negro citizens and their children, because certainly they claim that the Negro school is an inferior school merely because members of that race are in it. I believe that the psychologists and sociologists who make that argument are attributing an inferiority to the Negro race that I am unwilling to do. I believe that we can have separate schools which are equal. In a great many instances today they are equal. I cannot surrender the floor without saying again that I believe that the Southern States should be congratulated on the progress they have made, the money they have spent, and what they have done to try to furnish their citizens with equal educational opportunities.

Mr. President, not only have southern Negroes enjoyed those schools, but a great majority of Negro citizens from the North have chosen to come to our separate colleges in the South to take their training. According to the latest edition of the Encyclopedia Britannica, 85 percent of all the Negro citizens of this country with college degrees received them at southern separate colleges.

In various reports by the Federal Department of Health, Education, and Welfare, we find that of the northern Negroes attending college throughout the year, the majority who had the free choice elected to go to separate schools for Negroes in the South, rather than to schools in the North where they could be with members of the other race if they desired.

I believe that perhaps one of the possible solutions of the entire problem in

the areas where it is a problem—and I realize that it is not a problem everywhere—is for the sane and sensible members of each race to solve the problem on a voluntary basis. I sincerely believe that the great majority of members of the Negro race in my State prefer to have their children go to separate schools and receive instruction from teachers of their race. I believe that they wish to continue to enjoy the opportunities they have enjoyed in the past, under our separate school system. I do not believe they could enjoy as many advantages and as many opportunities if separate schools are abolished. I believe that the problem can be worked out, and will be worked out if we are tolerant. If those who are disappointed in the decision are tolerant, and if those who hail the decision are tolerant, I believe these problems can be worked out in the future.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DANIEL. I yield.

Mr. LONG. I want the Senator to know that I completely agree with his argument that this question had been before the Court previously. As I understand from the Senator's statement, the Court squarely decided the issue on previous occasions.

Mr. DANIEL. That is correct.

Mr. LONG. In its opinion the Court recognizes that it is overruling its prior decisions.

Mr. DANIEL. It does to some extent. Like the Senator from Georgia [Mr. RUSSELL], I would have felt better if the Court had said so more firmly. I was disappointed in the Court's comment on the case of Gong Lum against Rice, a case in which the Court yesterday said the constitutionality of separate schools was not challenged. I believe that anyone who reads it will see that the constitutionality was challenged, and that the Court passed upon the question. But, in effect, the Court has overruled its previous decisions, and to some extent it has said so. It has written new law for the future.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. DANIEL. I yield.

Mr. LONG. I believe the Senator will recall that in the first session of this Congress we had some discussion of the previous Supreme Court decisions, and the extent to which one could rely upon them. I have expressly in mind the fight over the so-called tidelands issue. Some pointed out that on previous occasions the Court had ruled that the States could regard the beds of inland waters as belonging safely and securely to the States. The argument was made that this issue had been decided for the States by the Supreme Court, and that the Supreme Court would respect its prior decisions.

Some of us argued that in view of the language of the tidelands cases, anyone who was relying upon those earlier decisions was leaning upon a broken reed, and for that reason it would be well for the Congress to enact a law to make it clear beyond any doubt that the properties under inland waters belonged to the States. Congress quite wisely decided to do so.

I believe that this case demonstrates what many of us have felt, namely, that the Court today feels that prior decisions of the Court were unwise, and perhaps do not conform to what the Court today thinks is sound public policy. Even though such previous decisions have been entirely correct and completely in pursuance of the legislative intention both of those who wrote the Constitution and its amendments and those who have enacted laws of the Congress, one cannot be sure that the Supreme Court will rule them to mean what they have been held to mean in the past.

Mr. DANIEL. I thank the Senator from Louisiana for his comment.

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement which I issued yesterday with respect to the decisions which have been under discussion.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR RUSSELL ON SUPREME COURT DECISION IN SCHOOL SEGREGATION CASES, MAY 17, 1954

The decision of the Supreme Court in the school cases is a flagrant abuse of judicial power. It strikes down the right of the States, plainly guaranteed by the Constitution, to direct their most vital local affairs. It reverses and nullifies numerous decisions handed down by courts composed of real lawyers and experienced judges confirming the authority of the States to regulate the State-supported school system.

It is a clear invasion of the prerogatives of the legislative branch of our Government of divided powers. It demonstrates that the Supreme Court is becoming a mere political arm of the executive branch of the Government.

The Attorney General is now the political spokesman for the party in power. This has been particularly true of the present administration and its predecessor in office. Where political implications and pressure groups are involved, the Attorney General consistently intervenes in an effort to influence the votes of these groups in key States. This is true even where the United States is not a proper party to the case. The Court then supinely transposes the words of the briefs filed by the Attorney General and adopts the philosophy of the brief as its decision.

In the instant decision, the Court again proclaims its inability to maintain its position as a co-equal and coordinate branch of the Government by requesting the advice of the Attorney General in formulating its final decrees.

The decision is unique in another respect. For the first time, the Court admittedly substitutes psychology for law and legal precedent in construing the Constitution. If we are to permanently abandon law and precedent in favor of psychology, the rights of the American people should not be subjected to the findings of amateur psychologists whose chief background and experience is in the field of practical politics. Either trained psychologists should be added to the personnel of the Court; or, at the least, provision should be made for a court psychologist of proper qualifications to appear with the Attorney General to help the Court in preparing its rulings.

In its grasping for more and more power, the executive department is now using the Court as its pliant tool to acquire the authority to direct every activity in the life of our people from Washington. This is making mere satrapies out of once sovereign States.

Ways must be found to check the tendency of the Court to disregard the Constitution and the precedents of able and unbiased judges to decide cases solely on the basis of the personal predilections of its members as to political, economic, and social questions. Unless this is done, the Court will bring about the destruction of the dual system of government which has enabled this country to achieve its present greatness.

The decision in this case will cause great confusion and will work a hardship on thousands of innocent people. It may well result in the destruction of the common-school system of some States.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] on behalf of the Senator from Nevada [Mr. MCCARRAN] and the Senator from South Dakota [Mr. MUNDT].

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL].

Mr. CASE. Mr. President, I offer an amendment to the amendment offered by the Senator from Texas.

The PRESIDING OFFICER. The Clerk will state the amendment offered by the Senator from South Dakota to the pending amendment.

The CHIEF CLERK. In the last line of the amendment offered by Mr. DANIEL it is proposed to strike out "September" and insert "July."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota to the amendment of the Senator from Texas [Mr. DANIEL].

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Is this an amendment to an amendment?

The PRESIDING OFFICER. It is the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Texas [Mr. DANIEL] setting the date as July 1, 1954, instead of September.

Mr. KNOWLAND. Mr. President, on the amendment to the amendment I ask for the yeas and nays.

Mr. JOHNSTON of South Carolina. Mr. President, I have an amendment to the bill which I should like to present.

Mr. KNOWLAND. Mr. President, I withdraw my request for the yeas and nays.

Mr. WILEY. Mr. President, I wish to make my position very clear. The amendment reduces the time in which this nefarious business can be carried on. I shall vote against it, because I feel that the manufacturers have had plenty of time, as indicated yesterday. I have talked with the distinguished Senator from Texas, and, of course, if his amendment is agreed to, we shall take it to conference. I only wish to make my position clear on the matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Texas [Mr. DANIEL].

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from South Carolina.

The CHIEF CLERK. It is proposed, on page 1, line 8, immediately before the comma, to insert "and otherwise than for the personal use of the person performing the transportation."

On page 1, line 9, after the word "fireworks" to insert "in interstate commerce."

On page 1, line 10, after the word "transportation", to insert "in interstate commerce."

Mr. JOHNSTON of South Carolina. Mr. President, I think the intention of the bill is to prevent those who sell fireworks from sending them into a State which now prohibits the sale or use of fireworks.

The amendment which I have offered gives a person the right to purchase fireworks and take them to South Carolina, for instance, in his private car, if he is going to use them himself. My amendment would insert in two places in the bill the words "in interstate commerce" for the purpose of clarifying the bill and to show we are at this time legislating with reference to matters which involve interstate commerce.

The PRESIDING OFFICER. Is it the request of the Senator from South Carolina that his amendments be considered en bloc?

Mr. JOHNSTON of South Carolina. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILEY. Mr. President, these amendments were not submitted to the committee, and, as I read them, it seems to me they would open the door for a great deal of bootlegging, and violation of the very act which 36 States have prohibited. In other words, the amendments would permit a person to cross a State border and go into another State with a carload of fireworks, without violating a Federal statute.

The bill provides as follows:

Whoever, otherwise than in the course of continuous interstate transportation through any State, transports fireworks into any State, or delivers them for transportation into any State, or attempts so to do, knowing that such fireworks are to be delivered, possessed, stored, transshipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State specifically prohibiting or regulating the use of fireworks, shall be fined—

And so forth. There can be no justification for permitting the bootlegging of fireworks by a citizen of one State into another State in violation of its law. The committee went into the subject quite thoroughly, though this particular amendment was not suggested, and I feel that we should not further emasculate the bill.

Mr. JOHNSTON of South Carolina. Mr. President, with respect to what the Senator from Wisconsin has said, I wish to invite attention to the words added by the amendment: "and otherwise than for the personal use of the person performing the transportation."

In two places the words "in interstate commerce" are added for the purpose of clarification. I cannot see why anyone could object and say that a person is bootlegging when he is taking something he owns and is not going to sell, but is going to use himself.

Mr. WILEY. Mr. President, the answer to that is that the laws of 36 States prohibit fireworks. What the Senator is saying is that a person can purchase fireworks in State "X" and take them into State "Y," where they are prohibited. I do not think that in a Federal statute there should be any such provision.

Mr. JOHNSTON of South Carolina. The Senator from Wisconsin would not permit a person to carry his own property through one State into another State.

Mr. WILEY. The language of the bill is "otherwise than in the course of continuous interstate transportation through any State."

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from South Carolina [Mr. JOHNSTON]. [Putting the question.] The "ayes" seem to have it.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are demanded.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Pennsylvania [Mr. MARTIN] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "nay."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], the Senator from Louisiana [Mr. LONG], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

The Senator from Louisiana [Mr. ELLENDER] is absent on official business at the Department of State.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

I announce further that on this vote the senior Senator from Louisiana [Mr. ELLENDER] is paired with the junior Senator from Louisiana [Mr. LONG]. If present and voting, the senior Senator from Louisiana [Mr. ELLENDER] would vote "yea," and the junior Senator from Louisiana [Mr. LONG] would vote "nay."

The result was announced—yeas 12, nays 65, as follows:

YEAS—12

Beall	Goldwater	Maybank
Butler, Md.	Jenner	McCarthy
Daniel	Johnson, Tex.	Murray
Eastland	Johnston, S. C.	Welker

NAYS—65

Aiken	Hendrickson	Neely
Barrett	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bowring	Hill	Potter
Burke	Holland	Purtell
Bush	Ives	Robertson
Byrd	Jackson	Russell
Capehart	Johnson, Colo.	Saltonstall
Carlson	Kefauver	Schoeppel
Case	Kennedy	Smathers
Clements	Kilgore	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cordon	Kuchel	Sparkman
Douglas	Langer	Stennis
Dworshak	Lehman	Symington
Ferguson	Magnuson	Thye
Flanders	Malone	Upton
Frear	Mansfield	Watkins
Fulbright	Millikin	Wiley
Gillette	Monroney	Williams
Gore	Morse	Young
Green	Mundt	

NOT VOTING—18

Anderson	Duff	Kerr
Bricker	Ellender	Lennon
Bridges	George	Long
Butler, Nebr.	Hayden	Martin
Chavez	Humphrey	McCarran
Dirksen	Hunt	McClellan

So the amendment of Mr. JOHNSTON of South Carolina was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Tennessee.

The LEGISLATIVE CLERK. On page 1, it is proposed to strike out all after the enacting clause and insert the following:

§ 836. Transportation of fireworks to be delivered to a person under the age of 21 years

Whoever transports fireworks of any nature or description whatsoever on interstate commerce into any State, or delivers them for transportation in interstate commerce into any State, or attempts so to do, knowing or having reason to believe that such fireworks have been ordered by one or are to be delivered to a person under the age of 21 years, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

This section shall not apply to a common or contract carrier engaged in interstate commerce.

As used in this section, the term "State" includes the several States, Territories, and possessions of the United States, and the District of Columbia.

SEC. 2. The analysis of chapter 39 of title 18, United States Code, immediately preceding section 831 of such title, is amended by adding at the end thereof the following new item:

"836. Transportation of fireworks to be delivered to a person under the age of 21 years."

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield to the Senator from California.

Mr. KNOWLAND. As I listened to the reading of the proposed amendment, it appears to me that the amendment would make it illegal to transport fireworks in interstate commerce only when such delivery was to be made to a person under the age of 21. I should like to ask the distinguished Senator from Tennessee whether that would be so regardless of whether the State laws prohibited the use of fireworks without reference to the age of the individual.

Mr. KEFAUVER. My proposed amendment would make such a provision apply uniformly to all States, and would place upon those who sold fireworks the burden of not selling to any person under the age of 21.

Mr. KNOWLAND. I do not know what the law is in Tennessee, Arkansas, or other States of the Union. Specifically, however, let us suppose that a certain State had a law which made it illegal to use fireworks because of the danger involved to individuals or property; suppose there was a prohibition against the use of fireworks; would not the amendment proposed by the Senator from Tennessee still permit the shipment of fireworks in interstate commerce into such a State as long as the shipment was made to a person over 21 years of age?

Mr. KEFAUVER. The proposed amendment would have nothing to do, of course, with the law of the State. The only result of the amendment would be to prevent the shipment of fireworks through interstate commerce to any person in any State who was under 21 years of age.

If the Senator from California will permit me to do so, I should like to explain my amendment. I believe it is understandable, workable, and enforcible.

The PRESIDING OFFICER (Mr. HICKENLOOPER in the chair). The Senator from Tennessee may proceed.

Mr. KEFAUVER. Mr. President, this amendment will require all segments of the fireworks industry to determine at their peril that the persons from whom they accept orders or to whom they ship fireworks are over 21 years of age.

The amendment, if it should become law, would operate uniformly in all the States, Territories, possessions, and the District of Columbia. Why should the Congress be interested in protecting children only in the States that have prohibitory laws? Anyone who is sincerely interested in keeping fireworks out of the hands of children and irresponsible minors in all States should be in favor of my amendment.

Mr. President, the proponents of the bill have had considerable to say about saving the lives or saving the eyes of young people and about otherwise protecting them. Yet the bill affords no protection to young people in States that do not have such a prohibition in their laws. Do not the proponents of the bill care about the children in Tennessee, Nevada, and the other local-option States?

Mr. President, no question of legality or constitutionality is involved in this amendment. Similarly, the amendment will not interfere with the supplying of fireworks for agricultural purposes or to Federal agencies, and so forth.

Of course the amendment would bar the shipment or delivery of all types of fireworks to children, in contrast to the many exemptions contained in the various definitions in State laws, no two of which are alike. Of course the amendment would eliminate advertising activities by means of which a minor segment of the fireworks industry has been sending fireworks to children. However, such activities should be eliminated, because the responsible members of the fireworks industry wish to have the use of fireworks controlled, and do not wish to have fireworks placed in the hands of children.

Mr. President, the amendment will have the active support of the legitimate fireworks industry, and that support is absolutely essential to the enforcement of legislation of this type. The legitimate and responsible members of the fireworks industry have tried voluntarily to get all segments of their industry to stop the sale and shipment of fireworks to children, but they need the aid of a Federal statute in order to eliminate completely this practice.

This amendment will not depend upon any State statutes or upon any administrative rulings or legal interpretations. The amendment will put the Congress straightforwardly on record as saying the sale and shipment of fireworks to children and irresponsible minors shall stop.

Mr. President, no law is good if it is not possible of enforcement. The pending bill, although based on good intentions, will be very difficult of enforcement, because there will still be bootlegging of fireworks to children in the local-option States, and even in the States where the use of fireworks is altogether prohibited. It will be difficult, if not impossible, for the legitimate members of the fireworks industry to keep up with the changing municipal laws and statutes, the rulings of commissioners, and so forth, all of which place on the industry so great a burden that the result is liable to be no enforcement at all.

Furthermore, Mr. President, if protecting children is a good thing in thirty-odd States, why is it not a good thing in all the States?

This amendment will simply stop the use of interstate commerce in connection with the shipment of fireworks, when the shipper knows, or has reason to believe, that the shipment is to a child or is to be used by children.

I believe this amendment will afford the protection that the sponsors of the bill desire to have afforded. The amendment will be enforcible, will be universal in application, and will, I believe, better meet the demands of the fine, worthy agencies that are demanding some legislation on this subject. I believe the amendment will accomplish more in that respect than would be accomplished by the bill as it now stands.

Mr. WILEY. Mr. President, I wish to speak very briefly in opposition to the amendment which was submitted yesterday by the distinguished senior Senator from Tennessee [Mr. KEFAUVER].

First, let me say it is a source of regret to me to find myself ranged to some extent on the opposite side of the fence from my associate, the Senator from Tennessee. From long association with him on the Senate crime-investigating committee, it is a source of regret to me that we should now be so seriously divided on an issue affecting the health and welfare, not only of a great many American adults, but of a great many American children.

The Senator from Tennessee has rendered a great deal of constructive service to the American people on behalf of law enforcement. It is odd to see him now contributing, even to the slightest extent, to an effort whose net effect is to give comfort to those who have been bootlegging fireworks into various States of the Union. I am referring to the effect of my colleague's proposal, not to his motives, because I know his motives are of the highest, and that in his own mind he feels that his amendment is in the interest of American law enforcement.

It was odd to hear him speak yesterday as if the legislation which we are attempting to enact was vague. That is precisely the argument which was used against all the anticrime bills, of which the Senator from Tennessee is the principal cosponsor. It is always contended that every effort to tighten the Nation's laws is vague and unworkable.

Now I wish to address myself to the specific proposals of the Senator from Tennessee.

BANNING FIREWORKS TO MINORS IS COMPLETELY UNWORKABLE

Mr. President, what is the purpose of the Kefauver amendment? Its purpose is evident from the fact that it would strike out all after the enacting clause in the Church-Wiley bill and would substitute therefor an absolutely ineffectual proposal. This proposal would ban, in effect, shipments of fireworks to minors, persons under the age of 21.

I may say that some weeks ago a fireworks manufacturer brought the same amendment to my attention as one which the fireworks industry was trying to offer as a "substitute." If this is supposed to be a substitute, then I say it bears as much resemblance to a real fireworks bill as night does to day. The Kefauver "substitute" is no substitute at all.

Mr. President, not a court in the land would convict a manufacturer if he contended that in good faith he had shipped fireworks to someone whom he believed to be over the age of 21.

Suppose a youngster typewrites a coupon in connection with the purchase of fireworks. How could a manufacturer know that the person typewriting the request is under 21? Does my colleague from Tennessee think a manufacturer

can tell the difference between the handwriting of a young man or young woman age 20 and the handwriting of a young man or young woman age 22?

Does my colleague think that there is no adult in this country whose handwriting might not resemble a teen-ager's scrawl?

What does my colleague propose to do about the situation if an adult requests fireworks and then turns them over to a child? In other words, there are many adults who do not realize the harm fireworks can cause. They will request fireworks and then will give them to children. Under this amendment, the net result will be that the child will lose an eye or a limb, but the manufacturer will be scot-free.

Suppose the adult requests fireworks, but does not intend to turn them over to a child. He merely intends to keep them around the house and then explode them by himself as the child looks on. But if the child gets control of the fireworks, anyway, as children often do get hold of things which lie around a house, again the net result will be the same.

Mr. President, I could point out a great many other flaws in the so-called substitute. I repeat that it is no substitute at all.

If the Senate were to adopt this so-called substitute—which to my way of thinking would be a fantastic development—the Senate would be saying to the fireworks manufacturers, "It is perfectly all right for you to bootleg fireworks into the States and to let them blind any person over the age of 21. However, you must be good boys and must try not to let them blind anyone under the age of 21."

Mr. President, is it less serious for a young mother or a young father to be blinded, rather than for a 65- or 75-year-old man or woman to be blinded?

Are we trying to save the lives only of persons under 21 years of age? Does anyone think a firecracker that explodes amidst a group will blind only the eyes of adults and not the eyes of any child who may be standing close by?

I say that this amendment does not merit the slightest consideration of the Senate. I say that it is completely contrary to the purpose supported by the National Congress of Parents and Teachers, the American Optometric Association, the American Municipal Association, and all the other groups supporting us in this effort.

I urge that the amendment dated May 17, 1954, be consigned to the limbo it deserves.

Mr. CASE. Mr. President, it seems to me that this amendment would destroy the bill. It would strike out all after the enacting clause, and therefore become a substitute for the bill. If that fact is kept clearly in mind, I think a reading of the amendment ought to make clear what it would do. I read from the amendment:

> Whoever transports fireworks of any nature or description whatsoever on interstate commerce into any State, or delivers them for transportation in interstate commerce into any State, or attempts so to do, knowing or having reason to believe that such fireworks have been ordered by one or are to be delivered to a person under the age of 21 years, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

Looking at it from the other side, it would be perfectly legal, under that language, to ship fireworks into any State if the shipper thought they were to be handled by someone who was 21 years of age or more. So the seller of the fireworks, the manufacturer, or whoever puts them into interstate commerce, would be scot-free if he could affirm that he did not know they were going to anyone under the age of 21, regardless of how they were obtained. If he could sell them to anyone over the age of 21, that person, over 21, could then do with them whatever was permitted under the laws of the State, and the Federal law would not touch him. The amendment would completely destroy the bill. It ought to be voted down.

Mr. KEFAUVER. Mr. President, I should like to say just a word or two in rebuttal of what my friend from Wisconsin and my friend from South Dakota have said.

In the first place, under the language of the bill as reported, if fireworks are shipped into a portion of a local option State, there will be bootlegging throughout the State. There will be bootlegging to minors as well as to adults.

Under the provisions of the bill as reported it would be difficult, where fireworks are shipped to a local option State, to prevent someone from taking them into another State and selling them to minors as well as adults.

This amendment would not interfere with the enforcement of the laws of any State. It would simply make it a matter of national policy that the Federal Government at least wishes to try to block, wherever it can, and to the extent it can, the shipment by anyone of fireworks to a minor.

The distinguished Senator from Wisconsin has shown the committee various documents containing statements to the effect that the chief violations and the chief damage have been committed by some of the bad elements of the fireworks industry, by sending objectionable advertisements to young people, who then order fireworks through the mail.

Even the legitimate fireworks manufacturers do not want that to happen, and, of course, it should not happen. My amendment would stop that practice. It would mean that if a dealer were found selling fireworks to minors, that information would get to the manufacturer, and if the manufacturer were to sell fireworks to a dealer who in turn sold them to minors, the manufacturer would be violating the statute. So manufacturers would have to be very careful with respect to those to whom they sold fireworks. Undoubtedly a code would be written, and would have to be followed by the manufacturers, to make certain that the fireworks did not get into the hands of children.

Furthermore, if keeping fireworks out of the hands of adults is a good thing in 36 States, why are not the children of the wide-open States entitled to some protection from the Federal Government?

I should like to ask the distinguished Senator from Wisconsin if the bill he has before him would be of any benefit to children who are losing their eyes in the States where there is no prohibition whatsoever? Would it be of any benefit in the States which have local option, or in the towns and counties where there is no ban on the use of fireworks? At least my amendment would place the burden upon the shipper to see to it that no fireworks were sold to young people under the age of 21. It would be a great help in keeping fireworks out of the hands of youths. It would be a great help in supplementing the effort of State enforcement agencies in dealing with fireworks, and I think it would do more overall good than what I think is an unenforcible and unworkable bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

Mr. CASE. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. CASE. Does the Senator think it would be easier for a shipper or manufacturer to determine the age of the persons who were to receive the fireworks than it would be to determine whether an ordinance on the subject existed?

Mr. KEFAUVER. Yes; I think it would be. I think that what would happen in the enforcement of such a law would be that there would be a requirement for the submission of evidence that the person ordering the fireworks was over the age of 21 or a requirement for the submission of evidence by the purchaser that he intends to sell them to persons other than those under the age of 21.

This is a basic law. The Department of Justice, under its general powers to write rules and regulations as to how the law should be administered, would have the right, just as it has in the case of a shipment of narcotics into one of the States, to require signatures, and evidence as to who is ordering the narcotics. Statutes of this kind are not uncommon. The Department of Jusitce has been able to administer them satisfactorily, so that the intent of Congress is carried out.

I think my amendment would really do some good, and would protect the people of all the States. It would eliminate all the confusion and argument which has arisen with respect to the bill as reported. I believe that upon consideration of my amendment parent-teacher associations, and many others, if this proposal were brought before them, would decide that they would rather have the over-all protection of the children of all the States than the uncertain protection they would receive under the bill as reported.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the

amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. WILEY. Mr. President, an amendment has been submitted by the Senator from Washington [Mr. MAGNUSON], which I think I can accept. The language at the top of page 2 of the bill reads as follows:

> This section shall not apply to a common or a contract carrier engaged in interstate commerce.

The amendment of the Senator from Washington——

The PRESIDING OFFICER. The bill is not open to amendment. It has been read the third time.

Mr. WILEY. I thought I was on my feet in time. Mr. President, I ask unanimous consent that the vote by which the amendments were ordered to be engrossed and the bill to be read a third time, be reconsidered, in order that the amendment of the Senator from Washington may be considered. I wish to keep faith with the Senator from Washington.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

Mr. WILEY. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON], I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin on behalf of the Senator from Washington [Mr. MAGNUSON] will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, after the word "carrier", it is proposed to insert the words "or to international or domestic water carriers."

Mr. WILEY. I agree to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin on behalf of the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. LONG. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were not ordered.

Mr. LONG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, with the permission of the distinguished Senator from Louisiana [Mr. LONG], who suggested the absence of a quorum, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Pennsylvania [Mr. MARTIN] are necessarily absent.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from South Dakota [Mr. MUNDT] would each vote "Yea."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Nevada [Mr. MCCARRAN] would each vote "Yea."

The result was announced—yeas 73, nays 3, as follows:

YEAS—73

Aiken	Goldwater	Morse
Barrett	Gore	Murray
Beall	Green	Neely
Bennett	Hendrickson	Pastore
Bowring	Hennings	Payne
Burke	Hickenlooper	Potter
Bush	Hill	Purtell
Butler, Md.	Holland	Robertson
Byrd	Ives	Russell
Capehart	Jackson	Saltonstall
Carlson	Jenner	Schoeppel
Case	Johnson, Colo.	Smathers
Clements	Johnson, Tex.	Smith, Maine
Cooper	Kennedy	Smith, N. J.
Cordon	Knowland	Sparkman
Daniel	Kuchel	Stennis
Douglas	Langer	Symington
Dworshak	Lehman	Thye
Eastland	Long	Upton
Ellender	Magnuson	Watkins
Ferguson	Malone	Wiley
Flanders	Mansfield	Williams
Frear	Maybank	Young
Fulbright	Millikin	
Gillette	Monroney	

NAYS—3

Johnston, S. C.	McCarthy	Welker

NOT VOTING—19

Anderson	George	Lennon
Bricker	Hayden	Martin
Bridges	Humphrey	McCarran
Butler, Nebr.	Hunt	McClellan
Chavez	Kefauver	Mundt
Dirksen	Kerr	
Duff	Kilgore	

So the bill (H. R. 116) was passed.

Mr. MUNDT subsequently said: Mr. President, I simply wish to announce that I was detained on business in connection with the current hearings before the Investigating Committee at the time of the rollcall. In consonance with my announcement yesterday, I would have voted for the bill had I been on the floor of the Senate when the vote was taken. I regret that I could not be present and vote for it. I was supporting it. I should like to have this statement follow the vote in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of calendar 1342, House bill 8583, which is the independent offices appropriation bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8583) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

THE SANTA MARGARITA PROJECT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I have written to the Senator from Nebraska [Mr. BUTLER], chairman of the Committee on Interior and Insular Affairs.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. HUGH BUTLER,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR SENATOR BUTLER: As you know, I objected to H. R. 5731, Calendar No. 1325, on the call of the calendar yesterday. This is the bill concerning the Santa Margarita project.

I am advised that the hearings on this bill have not as yet been printed, and an inquiry to the committee staff indicates that there are no plans for printing the hearings which consist of 1 day of open session and 3 days of testimony taken in executive session.

The majority leader, to whom I am sending a copy of this letter, has indicated that he plans to call this bill up on motion after the Independent Offices appropriation bill is acted upon by the Senate.

It would seem to me that the Senate should observe its normal procedure and have available to it the hearings on this bill before it proceeds to consider it on the merits.

I would appreciate being advised as to your plans in this matter.

Sincerely yours,

WAYNE MORSE.

CRITICAL STATE OF SHIPBUILDING AND SHIP-REPAIR INDUSTRIES—SETTLEMENT OF LITIGATION BETWEEN THE UNITED STATES LINES AND THE GOVERNMENT

Mr. BUTLER of Maryland. Mr. President, the present critical state of our shipbuilding and ship-repair industries is not due to any single factor. Indeed is has reached such alarming proportions that our Water Transportation Subcommittee is tomorrow holding a public hearing at which representatives of the leading yards will testify as to their plight, looking toward emergency legislation which will put necessary work into their facilities.

However, one thing which undoubtedly has acted as a serious deterrent to the construction of large oceangoing vessels, involving as they do construction differential subsidies, has been the uncertainty or lack of finality of the Government's participation.

I am sure Senators are aware of the Court of Claims litigation between the United States Lines and the United States Government. As will be recalled, at the insistence of the Comptroller General, large sums of money otherwise due the United States Lines were withheld, on the theory that that company had received a construction differential subsidy larger than the law permitted on the steamship *United States*. Thereafter, the United States Lines sued the Government in the Court of Claims to recover these sums withheld. The mere existence of this litigation, regardless of who was right, undoubtedly dampened the desires of would-be shipbuilders who would have to depend in part, on construction subsidies. Stated simply they felt that nothing was to be gained by building a ship if a protracted law suit was guaranteed.

In recent months the General Acounting Office and the Maritime Administration have cooperated in the determination of construction differentials, and I have high hopes that administratively these two agencies have eliminated the need for major changes in our construction subsidy law.

Nonetheless the United States Lines litigation, until today, hung ominously over the entire scene.

It is with great pleasure that I am able to inform you that the parties to that suit have entered into a settlement whereby the United States Lines will pay in round figures an additional $4 million for the steamship *United States* and the sums otherwise withheld will be released. I understand that the General Accounting Office approved this settlement as being in the best interest of the Government on April 30, 1954, the last day that Mr. Lindsay Warren held office. I should like to extend my congratulations to him, to the Attorney General, to their respective staffs, and to the United States Lines for the intelligent and constructive way in which they have handled this difficult matter.

Mr. MAYBANK. Mr. President, I wish to congratulate the Senator from Maryland for the work he has done to help to protect our maritime. industry.

Mr. BUTLER of Maryland. Mr. President, the subject was given very serious thought, and I think the settlement is a very fair and equitable one and will go a long way toward continuing our American tradition.

AMENDMENT OF REVENUE CODE TO PERMIT VERBAL PRESCRIPTIONS FOR CERTAIN NON-HABIT-FORMING PREPARATIONS

Mr. LONG. Mr. President, I introduced Senate bill 3447 on May 12, 1954.

This bill is designed to permit a physician to prescribe certain non-habit-forming drug preparations verbally rather than in writing. I understand that it will, in fact, do little more than legalize a practice which is very widespread already, with the most unfortunate result that the druggist who accepts a prescription over the telephone is left holding the bag unless he is careful enough and persistent enough to require the physician to sign a prescription the next time he is in the pharmacy.

It should also be noted that there are many exempt codeine preparations under existing law, such as Cheracol cough syrup. My bill would merely extend the coverage to include some other similar compounds and preparations.

In addition, under the present law, physicians in hospitals can prescribe these preparations to a patient by merely having the nurse indicate on the chart that codeine compounds have been prescribed by the physician.

Under this bill, not only will the druggist be protected in the future in a practice which is already widespread but services to the sick would be expedited.

The law which prohibits a physician from using the telephone to prescribe common everyday prescriptions for the alleviation of pain was enacted 40 years ago—in December 1914. It is quite appropriate that we revise laws of this kind, subject to all appropriate safeguards, to conform to the very important developments in medical and pharmaceutical sciences.

I wish to make it very clear that this bill would not authorize a verbal prescription for any drug until the Federal Commissioner of Narcotics has issued a regulation describing precisely what drugs may become subject to the verbal prescription procedure.

Before he issues such a regulation the Commissioner is required to consider the views of the Surgeon General, the United States Food and Drug Administrator, the respective heads of State narcotic law enforcement agencies, and the respective secretaries of national associations representing narcotic-drug manufacturers, physicians, and pharmacists.

Although it will not be possible to predict in advance what drugs will be considered entirely safe by the Federal Commissioner of Narcotics and his advisers, I understand that it is likely that he will find it appropriate to include such drugs as aspirin compounded with small amounts of codeine, the very widely used PAC capsules, eye drops containing dionin, and a number of other non-habit-forming and commonly used medicines.

Before introducing this legislation I have consulted with the Office of the Federal Commissioner of Narcotics, and I have been advised that legislation of this kind would be welcomed by him. He will, of course, submit his comments in detail and more officially to the committee of the Congress in the usual course of their consideration of this bill.

Under the terms of the bill the druggist is still required to maintain the same kind of records of issue which are required of him at the present time, but he is authorized to prepare the written record on the basis of a spoken rather than a written order.

Also, a verbal prescription will only permit repetitive sales if specifically authorized by the physician in the same manner as for a written prescription.

Expeditious action on this bill is desirable because it will be necessary to amend the laws of each State in order to put the new practice into effect. As we all know, most State legislatures meet every 2 years.

If this bill is enacted into law this year the State legislatures will be able to amend their laws next year. Otherwise many of them will not have an opportunity to do so until 1957. Thus passage by this session of the Congress, rather than the next succeeding session, will avoid a 2-year delay.

AMERICAN AND SOVIET AIRPOWER

Mr. MALONE obtained the floor.

Mr. MAYBANK. Mr. President, may I ask my friend and colleague, the distinguished Senator from the great State of Nevada, if he will yield to me in order to place something in the RECORD and to make a very short comment about it?

Mr. MALONE. I will yield for an insertion in the RECORD. How long does the Senator wish to speak?

Mr. MAYBANK. At least 5 minutes.

Mr. MALONE. I yield, provided I do not lose my right to the floor.

Mr. MAYBANK. I appreciate the cooperation I have always received from my good friend, the distinguished Senator from Nevada, in connection with what is good for the country. I desire to have printed in the RECORD a speech delivered in Texas, the State from which our minority leader comes, and also the State of the junior Senator from Texas, who spoke so ably on the floor today on the decision the Supreme Court rendered yesterday. The speech I wish to have printed in the RECORD, however, was delivered by Gen. Nathan F. Twining, Chief of Staff of the United States Air Force.

I desire to call attention to what General Twining said, in part. I read as follows:

We need more technicians of all types, and more training for each technician to make the United States Air Force the best Air Force.

I invite the attention of the senior Senator from Alabama [Mr. HILL] to the remarks I am making, because he has supported the Air Force and knows of all its trials and tribulations.

Mr. President, I would appreciate it if we could have order in the Chamber, so that Senators may hear what General Twining said. I feel that this is more important than the firecracker bill which the Senate passed a few moments ago. In his speech, General Twining said:

The principal problem of the United States Air Force today is to stay ahead of the Soviet Air Force. This task becomes more difficult every day. The Soviet Air Force is advancing rapidly.

It is by far the biggest air force in the world. In numbers of combat planes it far exceeds the United States Air Force. In fact, the Reds have thousands more combat planes than the United States Air Force, Navy, Marines, and Army combined.

Mr. President, I have made similar statements on the Senate floor. General Twining goes on to say:

We have always counted on having superior planes and superior crews. The Reds, however, are trying hard to overtake us in quality as well as in quantity.

I continue to quote from General Twining:

Just 2 weeks ago they unveiled some of their latest models of aircraft in flight over Moscow. For the second time their annual air parade was made up entirely of jet planes. Last year they showed us only some improved MIG fighter planes and light jet bombers. They already had thousands of these in their combat units, so we were not surprised.

This year, however, they revealed something very new. In the air parade they included nine new medium jet bombers comparable in size and design to our own B–47. Of course, we already have hundreds of B–47's in our Air Force, so we are ahead of them at present. But we must face the fact that the Reds have now begun to copy, and perhaps to try to improve upon, our medium jet bomber. They did the same thing with our B–29 a few years ago and they soon produced hundreds of them.

I come now to one of the most important parts of the speech. It is as follows:

Even more significant, however, was the new jet heavy bomber that they displayed for the first time in flight. One American newspaper correspondent in Moscow cabled that this bomber flew over Red Square at an altitude of only 250 feet. He said: "It cast a shadow that seemed to extend from one side of the square to the other."

I appreciate the courtesy which has been shown to me by the distinguished junior Senator from Nevada.

Again I wish to say, respectfully, that, as a member of the Committee on Appropriations, and of the Subcommittee on Armed Services, I regret that General Twining, General Ridgway, and others cannot tell the American people what they think about the so-called New Look as proposed by the President, who, after all, is supposed to be in charge.

Mr. President, I ask unanimous consent to have the entire address delivered by General Twining at Amarillo, Tex., printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

On Armed Forces day we honor past and present members of all the armed services of the United States. Every man and woman in the uniform of the United States, regardless of the insignia, contributes in some way to our security. No one man, no one unit, no one service, can fight alone and win.

Warfare today is unlike the wars of yesterday. Today every man who uses a weapon must be supported by several men who supply and maintain him and his weapons.

To fight and win, our gun crews, ship crews, and air crews, must have the unfailing support of hundreds of thousands of technicians. Only a small percentage of the men in the Air Force are trained to operate weapons directly against an enemy. The others supply and maintain these weapons and support the men who use them.

It is because of that support that the men of the Air Force who operate directly against an enemy can wield a firepower superior to that of all the fighting men of history combined.

As our weapons become more powerful they also become more complicated. We need more skilled men to operate and maintain them.

We need more technicians of all types, and more training for each technician to make the United States Air Force the best air force.

Right here on the high plains of Texas the Air Force is training thousands of young men in the skills that we must have in ever increasing numbers. We have found that Amarillo is a highly desirable location for this important work.

Here we have the space we need and the facilities we need. Here we have found friendly, hospitable, and helpful people. They provide a splendid human environment for the young airmen and officers of the Air Force.

The people of Amarillo and surrounding communities, both the officials and the private citizens, have a record of wholehearted cooperation with the aims and ideals of the Air Force. We consider it a privilege to live among them. We hope that we can continue to deserve the hospitality of the good people of the Texas Panhandle.

After careful study the Secretary of the Air Force has approved the recommendation of the Air Staff that Amarillo be designated a permanent Air Force base. I hope that the transactions necessary to carry out this decision will soon be completed.

Texans have always shown an intense and active interest in the defense of our country. Both you people here at home and your Senators and Congressmen in Washington have contributed an unusual amount of time and effort to the strength and welfare of the armed services.

I wish that all our people everywhere were as well informed and as cooperative. If this were true, we should have far less serious problems of training and reenlistment than we now have.

The principal problem of the United States Air Force today is to stay ahead of the Soviet Air Force. This task becomes more difficult every day. The Soviet Air Force is advancing rapidly.

It is by far the biggest Air Force in the world. In numbers of combat planes it far exceeds the United States Air Force. In fact, the Reds have thousands more combat planes than the United States Air Force, Navy, Marines, and Army combined.

We have always counted on having superior planes and superior crews. The Reds, however, are trying hard to overtake us in quality as well as in quantity. They are making progress. Right now they want us to know they are making progress.

Just 2 weeks ago they unveiled some of their latest models of aircraft in flight over Moscow. For the second time their annual air parade was made up entirely of jet planes. Last year they showed us only some improved MIG fighter planes and light jet bombers. They already had thousands of these in their combat units, so we were not surprised.

This year, however, they revealed something very new. In the air parade they included 9 new medium jet bombers comparable in size and design to our own B–47. Of course, we already have hundreds of B–47's in our air force, so we are ahead of them at present. But we must face the fact that the Reds have now begun to copy, and perhaps to try to improve upon, our medium jet bomber. They did the same thing with our B–29 a few years ago and they soon produced hundreds of them.

Even more significant, however, was the new jet heavy bomber that they displayed for the first time in flight. One American newspaper correspondent in Moscow cabled that this bomber flew over Red Square at an altitude of only 250 feet. He said: "It cast a shadow that seemed to extend from one side of the square to the other."

Actually this new heavy jet bomber is comparable in size and appearance to our own B–52. We have as yet only a few B–52's. The Reds have now proved to the world that they have at least one long-range jet bomber of a similar type. It is interesting to note that the new heavy bomber and the new medium bombers of the Reds are all equipped with extremely powerful engines embedded in the wings.

Neither of these new jet-bomber types is necessary for use by the Reds against the free countries near the Iron Curtain.

In fact, their medium bombers could reach any important target in Europe, or Asia, or North Africa. They would need the new heavy bomber only to reach important targets in the United States.

There is no question that the Reds were anxious for the representatives of other nations in Moscow to see their new bomber. They rehearsed the show several times and they always flew low.

Both these new bombers had been carefully hidden up to that time. That the Reds intend to impress and to frighten us with their aeronautical progress and with the advanced design of the new bombers and their new jet engines is clear. That they should expose their previously guarded secrets of aeronautical achievement at this time of international crisis is significant.

It is significant because the cold war is to a very large extent a war of nerves. If it can bring about any loss of nerve among us and our allies—if they can cause any relaxation of our courage and firmness, the Kremlin will win another important victory without the risk of military action.

The Reds may be hoping to produce a degree of discouragement and despair even in the United States of America. They know that their progress in long-range airpower is most likely to cause uneasiness here in this country.

I am sure they hope our reaction will be in the direction of increased fears and weakened resolution. I am also sure that the people of the United States need not and will not react in the way they would like us to react.

We still have a considerable lead over the Reds in long-range airpower as well as in weapons that can be delivered by long-range airpower. We can maintain this advantage if we are willing to pay the price in material resources and in the human resource of hard work.

In the Air Force today the answer is simply more hard work, since we can use only the resources that are alloted to us. We

must constantly develop better planes, weapons, and equipment of all types. At the same time we must continually improve the training and skill of the men who maintain and operate these improved devices. We must get more use and better performance out of every piece of equipment in the Air Force.

The only way to do this is by getting good men into the Air Force, training them thoroughly, and keeping them with us after they are trained.

We are working toward all those goals here at Amarillo and also at other stations of our training command. The task of maintaining American air supremacy is not insurmountable but to accomplish it will call for more concentration than ever before. It will call for more work and more sacrifices. Yet the fate of the free world, and perhaps the survival of our own Nation, depends heavily upon our success. With help such as we are receiving here, and with the increased understanding and support of all the citizens of the Nation, we can do the job.

Mr. SYMINGTON. Mr. President, will the Senator from Nevada yield, so that I might comment briefly on the remarks of the Senator from South Carolina?

Mr. MALONE. I yield.

Mr. SYMINGTON. Mr. President, I hope everyone will take note of the speech by General Twining and the remarks of the distinguished senior Senator from South Carolina [Mr. MAYBANK] with respect thereto, relative to the airpower of the United States.

Certainly there is no source of information about our airpower which is better than that of the Chief of Staff of the Air Force. Despite certain matters which have occupied attention during recent weeks, the figures furnished by him prove that actually there are far more important things in the world than some of the subjects which have been recently getting the headlines.

I respectfully wish to point out that now the Chief of Staff of the Air Force states—and one might almost say his statement is convincing—that the Soviet air force is far bigger than ours in quantity, and is rapidly overcoming any possible qualitative lead we have.

I cannot imagine anything which is more important to the future security of the United States than the few lines which were read by the distinguished senior Senator from South Carolina, plus the comments made by him, with respect to the relative strength—and relative is the important word—of the United States Air Force as compared with that of the Soviet air force.

I thank the distinguished Senator from Nevada.

Mr. MALONE. Mr. President, apropos the remarks which have been made relative to the release or statement of General Twining on the inadequacy of our Air Force, I should like to say at this time that perhaps within 30 days or less a report will be submitted to the Senate on the subject of the availability of critical materials to this Nation in time of war, the investigation of which was authorized by Senate Resolution 143 in August 1953. The Special Subcommittee on Minerals, Materials, and Fuels Economics of the Committee on Interior and Insular Affairs has heard approximately 350 witnesses from Seattle, Wash., Los Angeles, Calif., Henderson, Nev., Salt Lake City, Utah, and Washington, D. C., and the subcommittee will have information on the availability of materials which are needed to make the planes that will outfly any other planes in the world, which is information we do not have at this time. I think such information will be very interesting. It is hoped that within 30 days a report will be forthcoming from the committee.

HEALTH REINSURANCE PROGRAM

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MALONE. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, the Health Subcommittee of the Senate Committee on Labor and Public Welfare is holding hearings on the so-called reinsurance portion of the administration's health program. A bill to that effect was introduced by me earlier this year.

This morning there was held at the White House a meeting between the President and various leading insurance executives, which I hope will clear the road so that a bill embodying the administration's health reinsurance program may be reported and enacted into law.

I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a White House press release reporting on the conference and listing the names of the insurance executives who were present and who conferred with the President of the United States.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE

At the invitation of the President 17 officials of life insurance companies attended a luncheon conference at the White House today to discuss the administration's pending legislative proposal to establish health reinsurance facilities as a function of the Department of Health, Education, and Welfare. Secretary Hobby and other officials of the Department were also present at the luncheon.

At the conclusion of the conference the life insurance company representatives issued the following statement:

"During our conference with the President there was a general expression on the part of the life insurance company representatives who were present favoring the general objectives of the bill. We believe the measure is directed toward encouraging and stimulating still further the development and expansion of health insurance services and coverage for the American public through voluntary plans. There was discussion at the conference as to how the bill may be improved. The plan includes many sound insurance principles. We feel that provision in the bill dealing with the utilization of State insurance departments under the plan may be further strengthened in order that they may be used to the maximum extent and that the system of State supervision of insurance should not be limited by Federal activity in any field."

Present at the conference were Horace W. Brower, president, Occidental Life Insurance Co., Los Angeles, Calif.; Asa V. Call, president, Pacific Mutual Life Insurance Co., Los Angeles, Calif.; Paul F. Clark, president, John Hancock Mutual Life Insurance Co., Boston, Mass.; Frederick W. Ecker, president, Metropolitan Life Insurance Co., New York City; Louis W. Dawson, president, Mutual Life Insurance Co., New York City; W. T. Grant, chairman, Business Men's Assurance Co. of America, Kansas City, Mo.; S. J. Hay, president, Great National Life Insurance Co., Dallas, Tex.; Ralph R. Lounsbury, president, Bankers National Life Insurance Co., Montclair, N. J.; Ray D. Murphy, president, Equitable Life Assurance Society of the United States, New York City; Powell B. McHaney, president, General American Life Insurance Co., St. Louis, Mo.; Clarence J. Myers, president, New York Life Insurance Co., New York City; Adlai H. Rust, chairman of the board, State Farm Life Insurance Co., Bloomington, Ill.; Eldon Stevenson, Jr., president, National Life and Accident Insurance Co., Nashville, Tenn.; Carroll M. Shanks, president, Prudential Insurance Co. of America, Newark, N. J.; Frazar B. Wilde, president, Connecticut General Life Insurance Co., Hartford, Conn.; Claris Adams, executive vice president and general counsel, American Life Convention, Washington, D. C.; Eugene M. Thoré, general counsel, Life Insurance Association of America, New York City.

BUY-FOREIGN POLICY OF GOVERNMENT LEADS TO FOREIGN PURCHASES FOR FEDERAL POWER AND RECLAMATION PROJECTS

Mr. MALONE. Mr. President, Mr. F. L. Snyder, of Sharon, Pa., has written me a letter which points up the waste in American taxpayers dollars on foreign purchases for Government projects, and the cost in jobs caused by the proforeign policy of several executive departments and bureaus to "buy abroad." Mr. Snyder is vice president of the transformer division of the Westinghouse Electric Corp. He writes in part:

TRANSFORMER DIVISION,
WESTINGHOUSE ELECTRIC CORP.

Hon. GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR MR. MALONE: The March 21 issue of the New York Times published a picture of a very large power transformer leaving the English Electric Co. plant at Stafford, England, en route to Folsom Dam in California. The publication of this picture causes our employees to again bring up the question as to why these large power transformers are being built in England or elsewhere in Europe, instead of at Sharon, Pa., or elsewhere in the United States.

As you know, we now have approximately 7,500 employees in the transformer division. The large majority of these employees are represented by the International Union of Electrical, Radio, and Machine Workers (CIO) or by the Federation of Westinghouse independent salaried unions. These people are quite concerned that various agencies of the United States Government have awarded a number of contracts for very large power transformers to European firms. They are concerned, because they know that as a group they have either lost, or will lose, approximately $1 million in wages and salaries as a result of awarding large power-transformer contracts to foreign firms. In addition to this loss of wages and salaries to our own people, the Government has, of course, lost approximately $600,000 in taxes which the transformer division would have paid to the Government if these transformers had been built at Sharon. Our stockholders have also lost money in the form of lost dividends, since had these transformers been built at Sharon some of the profit would have been paid to stockholders in the form of dividends.

Mr. President, this is a forthright statement by an official of a great American corporation which has made, and is making, important contributions to our national defense and represents 7,500 employees in that particular division who are dependent for their jobs on the necessity of making such products for use in the United States of America. Naturally, with the standard-of-living wages which are paid in this country, it will not be possible to export to foreign nations any machinery whatsoever if such machinery is available in foreign countries, because that machinery will be made by low-cost labor, and because of the difference in the cost of manufacturing such products in this country.

DIVISION OF MARKETS WITH WORLD STARTED WITH TRADE AGREEMENTS ACT

Mr. President, where did this plan for the division of the American markets with the low-wage foreign nations start, in the first place? It started with, and the whole movement toward averaging our standard of living with such nations is based upon, the 1934 Trade Agreements Act; and upon that act was founded the General Agreement on Trade and Tariffs—GATT, as it is generally known; the proposed International Trade Organization—ITO—which Congress refused to accept; and the International Materials Conference—IMC—formed by our State Department in defiance of Congress.

Mr. President, if the Congress will allow the 1934 Trade Agreements Act to expire on June 12, 1954, this whole international structure to divide our markets with the nations of the world will fall of its own weight, and the adjustment of the duties or tariffs in the regulation of foreign trade will revert to the Tariff Commission, an agent of Congress. Then the President of the United States will merely have to serve notice on the foreign nations which are parties to the agreements in order to cancel them; and the American workingman and the American businessman will be back in business.

ONE HUNDRED AND THIRTY-SIX THOUSAND FIVE HUNDRED ELECTRICAL WORKERS LOST JOBS IN PAST 12 MONTHS

What Mr. Snyder has to say, however applies to many smaller American manufacturers as well, as the junior Senator from Nevada will presently demonstrate. The following facts are officially of record:

First. During the past 12 months 136,500 employees in electrical manufacturing in the United States have been thrown out of work. Twenty-one thousand seven hundred lost their jobs last month; 10,400 the month before; 19,200 the month before that; or 51,300 since the 1st of January.

SIX MILLION SEVEN HUNDRED AND SIXTY-TWO THOUSAND TWO HUNDRED DOLLARS IN ARMY ELECTRICAL CONTRACTS SENT ABROAD

Second. During 1953 the Corps of Army Engineers awarded contracts totaling $6,762,200 to foreign firms for transformers and generators to be constructed in foreign countries and installed at dams on Government projects in the United States, built and paid for by American taxpayers, which includes, by the way, the persons who are thrown out of work by awarding the contracts to firms abroad.

A contract in the sum of $1,137,600 also was awarded to a foreign firm by the Corps of Engineers in the previous year. Of this $7,899,800 total, $7,574,700 went to the booming British electrical manufacturing industry, also busy supplying generators, transformers, and other electrical equipment in large quantities to Communist Russia, and which at last reports had an executive mission in Moscow, drumming up more business.

Mr. President, it may be of interest for me to tell the Senate that several days ago a release from London announced that tin and rubber from the sterling bloc nations were available to Russia on the same basis as to the United States.

RECLAMATION BUREAU CONTRACTS GO TO FOREIGN FACTORIES

Third. The Bureau of Reclamation of the Department of the Interior has spent $4,819,594.60 of American taxpayers' money in foreign countries for generators, transformers, and other electrical equipment to be used on its projects being built and paid for by the taxpayers of the United States.

Fourth. The Bonneville Power Administration has gone abroad to buy $1,150,949 worth of foreign equipment, in preference to purchasing from American manufacturers who pay American wages and American taxes.

Fifth. Foreign countries whose industries were favored over American industries include not only England, which has had by far the largest slice of this American pie, but also France, Switzerland, the British Zone of Austria, Italy, Sweden, and Japan. The last two, however, have received only minute amounts of the orders.

BUY-FOREIGN POLICY SET AT CABINET LEVEL

The junior Senator from Nevada has been informed that the policy of favoring foreign nations, in making these purchases for American projects, has been made at the very high cabinet level.

In addition to the $13,870,000 already paid to foreign industries under this "buy-foreign" program, the Corps of Engineers still has bids on 16 hydraulic turbine governors for the Dalles Dam, on the Columbia River, in Oregon, and for 2 generators at the same dam, for which no awards have been made.

Mr. President, I have no wish to criticize the Corps of Army Engineers. As I stated before, its award of bids to foreign firms was made under direction, and the direction came from the cabinet level.

The Corps of Engineers, as a matter of fact, has been far more forthright in supplying me with information as to its foreign purchases than has the Department of the Interior, which supplied a list of its foreign purchases, but failed to state the projects for which they were intended, and likewise failed to state the dates on which the awards were made.

BONNEVILLE BUYS FROM AUSTRIA AND ENGLAND

However, we do find the Bonneville Power Administration purchasing auto transformers in Austria for $454,500, and in England for $639,915, and $50,970 worth of circuit breakers in Switzerland.

We find the Bureau of Reclamation paying more than 2½ million American taxpayers' dollars for Swiss-built generators; $743 for Swiss-built breakers; and $67,000 for Swiss-built transformers, with additional purchases of electrical apparatus from Switzerland bringing the total to more than $3½ million.

Mr. President, Switzerland is a fine and prosperous country. To all intents and purposes, she has virtually taken over our own watch-making industry.

Switzerland has no debt because for more than 130 years she has carefully avoided becoming embroiled in any of Europe's wars. Neutrality is the key to her foreign policy. The Swiss franc is the soundest money in Europe and is considered there as sound as the American dollar. Switzerland neither asks for nor receives economic aid, and neither asks for nor receives military aid, believing herself competent to manage her own defenses. She has no slums or unemployment because for more than a century and one-quarter she has minded her own business, while ever eager to accept business from other countries, including the United States, as the record of our purchases from Switzerland well shows.

REPLACEMENT IMPOSSIBLE IN EVENT OF WAR

In the event of war, replacement of these generators, transformers, circuit breakers, and other electrical apparatus, or of repair parts for them, would be impossible. Switzerland would, as usual, be neutral, surrounded by belligerents, and completely landlocked.

Purchases from Switzerland in no way serve to build up Europe's defenses against communism. In no way do they serve as a buffer to communism, because there is no Communist threat in Switzerland. Furthermore, these purchases are quite unnecessary to Switzerland's economy, because it is equal to our own, and Switzerland has no burden of debt.

Switzerland thus is a prime example of the desire of some elements in our Government to "buy foreign" whenever and wherever foreign purchases can be made in preference to purchasing from wage-paying, taxpaying, dividend-paying American industries.

Mr. President, so fanatical is this "buy-foreign" urge on the part of our foreign traders in our Government that millions of taxpayers' dollars are spent on giant transformers and other electrical equipment for our Federal projects, although the simple facts of geography, if nothing else, preclude this Nation from ever getting replacements or repairs for them in time of war.

The same is true of Austria, and particularly the British Zone of Austria, where the Bureau of Reclamation has spent nine hundred and forty-four thousand American taxpayers' dollars for transformers to be used on western reclamation and power projects. Could Austria supply replacements in time of emergency? Of course not, Mr. President.

BRITISH FIRMS GET BIG CONTRACTS

The Bureau of Reclamation also invested $248,406 for a transformer built

by the English Electric Co. at Stafford, England—a small order, compared to those of the Corps of Army Engineers.

The Bonneville Power Administration invested six hundred and thirty-nine thousand nine hundred and fifteen American taxpayers' dollars in transformers made by this company; another $454,500 on Austrian transformers; and $56,245 on Swiss electrical apparatus.

Now we come to the foreign purchases by the Corps of Army Engineers, where the British really were in line for favors.

A contract for nine 33,333-kilovolt-ampere transformers for the Garrison Dam, in North Dakota, was awarded to the Ferranti Electric Co., of England, on its bid of $1,137,600. The Ferranti Electric Co. also got the $857,600 contract for six 56,500-kilovolt-ampere transformers for the McNary Dam in Oregon.

An Italian company drew the contract for three 31,500-kilovolt-ampere transformers at Gavins Point Dam, in South Dakota—a $325,100 contract.

THREE MILLION SIX HUNDRED AND FIFTY-ONE THOUSAND FIVE HUNDRED DOLLARS CONTRACT TO ENGLISH ELECTRIC CO.

An English electric company drew the $1,928,000 contract for ten 103,300-kilovolt-ampere transformers for the Chief Joseph Dam, in the State of Washington; and then the $3,651,500 contract for two 73,684-kilovolt-ampere generators for Oregon's McNary Dam.

Bids have been readvertised for 16 hydraulic turbine governors for the Dalles Dam, in Oregon; and the Corps of Engineers is now evaluating bids for two 14,210-kilovolt-ampere generators at that dam. In the first, two Japanese firms and an Italian firm have submitted bids; and in the second, the Austrian firm again and the English Electric Co.

Some weeks ago the junior Senator made inquiry of the Army concerning award by the Department of the Army to the English Electric Co. of the $3,651,500 contract for two generators at McNary Dam, addressing his letter to Secretary of the Army, Robert T. Stevens.

BUY AMERICAN ACT IGNORED

At this point I should like to say for the benefit of Senators that the "buy-American" clause allows 25 percent of the amount of the bid in favor of American producers because of the difference in wages, taxes, and other pertinent factors which affect the cost of manufacture. Twenty-five percent is not enough to make up the real difference, but at least it is a step in the right direction. However, that provision is being totally ignored by the departments of Government. The only other way, of course, that the American workingman and the American investor could be taken into consideration would be to allow the 1934 Trade Agreements Act, as extended, to expire at midnight on June 12 of this year, as it will if Members of Congress will sit still and allow it to expire. Then the regulation of foreign trade would revert to the Tariff Commission, an agency of Congress under the law already in effect, and it would fix the duty, as it is called in the Constitution—we have come to call it a tariff or import fee. It would be fixed on the basis of fair and reasonable competition, meaning the general difference between the cost of manufacture in this country and the cost abroad.

FIVE QUESTIONS ASKED ARMY SECRETARY STEVENS

To go back to my letter to Secretary Stevens, five specific questions were asked. They were:

First. In awarding the contract to the English electric company, what weight and consideration was given to loss in revenues and taxes to the Federal Government, States, and municipalities?

Second. What weight and consideration was given to loss in man-hours and wages to American workers?

Third. What weight and consideration was given to past performance and experience of the competitive bidders, both American and British?

Fourth. What consideration was given to the factors of repair and replaceability in time of war or other emergency?

Fifth. In view of President Eisenhower's announced policy of encouraging Federal-State-local cooperation, what State or municipal officials were consulted in connection with the awarding of this contract?

No specific answers to any of these questions have been forthcoming, doubtless for the reason that the Department of the Army did not take into consideration any of the factors designated in the first four questions and conducted no consultations with State or municipal officials concerning the award to the British electric company of Stafford, England.

Mr. T. A. Young, special assistant to the Secretary of the Army, admitted as much when he replied to my letter in the absence of Secretary Stevens.

He said in part:

Unfortunately, the Department is not able to answer all the questions which you have raised inasmuch as the foreign procurement policy was not established at this level.

Mr. Young continued:

When the first situation of this type arose with respect to the Chief Joseph Dam generators and transformers, it was decided the questions of foreign policy and foreign economic aid were of very great importance, as well as the military and economic aspects within the sphere of responsibility of the Department of the Army. The question, therefore, had to be referred to Cabinet level for decision; and the action taken established a policy within which awards are made to foreign manufacturers in cases where a major price differential exists and where the bid is otherwise acceptable.

I am sure you will agree with the principle that foreign-aid programs of billions of dollars each year, for which nothing is received in return, are much less desirable than reciprocal-trade relations which might accomplish the same economic effect.

BUY-FOREIGN POLICY UNCHANGED IN 7 YEARS

Mr. President, I could refer the gentleman to about 7 years of statements on the floor of the Senate which would disabuse his mind of any misunderstanding which he may think the junior Senator from Nevada has had as to the policy of this Government. However, we did think that we might encounter some change in the policy.

The junior Senator from Nevada is very much interested in Mr. Young's assumption and can say that he agrees thoroughly with Mr. Young's statement that "Nothing is received in return" for the billions we have spent in foreign-aid programs.

ACT NEVER RECIPROCAL

He does not agree, however, that they are any less desirable than reciprocal-trade relations. The word "reciprocal" and the expression "reciprocal trade" are misnomers, and nowhere appear in the Trade Agreements Act, under which again the United States receives nothing in return, and, in fact, has lost important industries and segments of important industries to foreign competitors pampered by our State Department.

No nation has ever kept the spirit of any trade agreement made by the State Department. They are not trade agreements anyway. That term is a misnomer. They are agreements to lower tariffs and import fees, which the Constitution call duties, imposts, and excises. So the State Department, by its own decision, can destroy at any time any industry in the United States which is dependent upon the amount of protection which would make up the difference between the wages, taxes, and other pertinent factors entering into the cost of production here, and such factors abroad.

To return to Mr. Young, the Senator does agree that foreign procurement and foreign trade under the costly and wasteful trade agreements program might accomplish the same economic effect, to wit, the squandering of American dollars on foreign countries for which, to use Mr. Young's words, "Nothing is received in return."

Mr. Young, in his interesting letter, answered none of the questions which I had addressed to the Secretary of the Army. Instead he states:

Under the existing world situation, it appears that some form of foreign assistance is still necessary, and as long as this necessity exists I presume that overall national economic policy must take the fact into consideration.

SWITZERLAND NEITHER NEEDS NOR WANTS FOREIGN ASSISTANCE

Of course, any so-called need for foreign assistance cannot apply to Switzerland, which has rejected foreign-aid assistance from us, both economic and military. Switzerland also has quite removed herself from any of the problems of the world situation through her policy of strict neutrality.

Nor is the British electrical industry in need of American assistance, having made excellent progress in exporting electrical machinery, apparatus, and equipment to all parts of the world, including Communist Russia, Red Poland, and other Soviet satellites.

Mr. President, the misrepresentation to the people of the country when we wanted to stop the sale and trade of valuable material to Red Russia, her satellite countries, and to Communist China, preparing for war against us, is beyond belief. A few years ago Congress passed what was known as the Wherry-Malone-Kem joint resolution, which prohibited

the giving of any assistance to any foreign nation which traded with our potential enemies. That stopped the trade cold in its tracks.

However, later the so-called Battle Act was passed. It was sold to the country as an act which would prevent such trade. It contained a little paragraph—a paragraph that was little noticed—which left to the President of the United States the determination of what materials were valuable to Russia and her satellite countries and to Communist China, in their preparation for war with us.

AIDED NATIONS BOOM TRADE WITH COMMUNISTS

Both President Truman and President Eisenhower apparently decided that tin, rubber, and electrical-generating equipment, tools, steel, engines, and hundreds of other products are in no way helpful to those nations in their preparation for war. The exports of such material from the nations which we are helping with millions of dollars of taxpayers' money—who simply cannot afford such expenditures—are greater than they have ever been in the history of the world.

SECRETARY STEVENS' REPLY

I neglected to state above that following Mr. Young's letter I received a letter from Secretary Stevens, which was again most courteous but answered none of my specific questions. Secretary Stevens said in part:

As Mr. Young indicated in his communication to you, this matter relates not only to the national defense but the national economy as well, and includes considerations related to the foreign policy and foreign economic aid which are not within the sphere of responsibility of the Department of the Army. Since this entire matter has been referred to the Cabinet level for decision, the action taken established the policy within which awards are made to foreign manufacturers in cases where major price differentials existed and where the bid was otherwise acceptable.

In other words, Mr. Stevens puts the matter right in the lap of the Cabinet. He states the Cabinet made the decision that such materials can be sent to nations behind the so-called Iron Curtain and that we can continue to support such nations by our buying material from them and in that way helping to employ their workers and rendering our workers idle.

Mr. President, the same information is given in the same language, and it does reveal that the Army has nothing to say about whether huge generators and transformers for major Federal projects are purchased in the United States or in England, Switzerland, or the British Zone in Austria. The buy-foreign decision has been made at Cabinet level.

BRITISH SALES TO SOVIET RUSSIA

Let us now take a look at the British electrical industry so highly favored at Cabinet level by our Government.

During the first 2 months of 1954 Great Britain supplied Soviet Russia with electrical equipment valued at 533,283 pounds or slightly under $1,500,000 in terms of dollars figuring the British pound at exchange quotations of $2.81.

In the corresponding 2-month period in 1953, Britain had supplied Russia with only 12,349 pounds worth of electrical equipment.

REDS BUY BRITISH GENERATORS

Much of the British exports to Russia consisted of generating plants and motors.

Comments a leading British publication in this field:

The reappearance of Russia as a large purchaser of plants of this description is noteworthy: In the first 2 months of the year she took 323,596 pounds worth against 6,819 pounds in the corresponding months of 1953.

In addition to her sales to Communist Russia, Great Britain exported electrical equipment to Communist Poland valued at 253,245 British pounds or more than $700,000.

At the same time Great Britain was exporting electrical machinery, apparatus, and appliances to Communists she was carrying on a thriving business with other countries, including the United States. Total exports of electrical goods for the 2-month period amounted to 28,420,242 British pounds or nearly $80 million.

Exports to the United States, including those purchases made with taxpayers' money by our Government for electrical equipment for use in Government projects also paid for by our taxpayers totaled 493,787 British pounds.

This, in good American dollars, is the equivalent of $1,387,000 plus.

The junior Senator from Nevada is happy that the British electrical manufacturing industry is booming, but is not happy that Britain has chosen to supply Communists with such vital electrical equipment as generating plants and motors, which, of course, are invaluable to a nation seeking to expand its industrial potential for whatever purpose.

Mr. President, of course, it must be a well-known fact to everyone that Great Britain was practically the first nation to recognize Communist China.

BRITISH TRADE WITH REDS NEVER ENDS

Great Britain has been trading with Russia ever since World War II, and, of course, during World War II also. She has never stopped and she has never slacked up.

Nor is the junior Senator from Nevada pleased that it is the policy of the present administration—a policy decided at Cabinet level, if you please—to purchase electrical generators and other equipment from foreign countries whose manufacturers are competing against American companies, investors, and payrolls, and rendering idle many thousands of American men and women.

To go back to Mr. Young's letter replying to my inquiry, he stated:

Under the existing world situation, it appears that some form of foreign assistance is still necessary, and as long as this necessity exists, I [meaning Mr. Young] presume that overall national economic policy must take that fact into consideration.

He added:

This entire matter, including the considerations of national defense, was considered very thoroughly at the time the original decision (procurement of generators and transformers for Chief Joseph Dam in the State of Washington) was made and reconsidered again in the present case (procurement of foreign generators for the McNary Dam on the Columbia River between Washington and Oregon).

Mr. President, what the Cabinet has accomplished in its great wisdom is to encourage and build up the British electrical manufacturing industry where it can now, in the initial months of 1954, supply Communist Russia with approximately a million and a half dollars' worth of electrical equipment, including $900,000 worth of generating plant and motors.

RUSSIA GAINS: AMERICA LOSES UNDER "BUY FOREIGN" POLICY

Mr. President, if the defense element was considered—and Mr. Young says it was—Communist Russia acquired more defense in terms of electrical equipment during the first 2 months of 1954 than did the United States.

Actually it acquired positive defense because Soviet Russia does not have the industrial capacity to manufacture generating plants and motors to meet its demands.

The United States gained nothing in defense by purchasing generators and motors from Great Britain; instead, decisions to award Government contracts to British and other foreign firms instead of to American manufacturers cut back plant production, investment values, and workers' payrolls.

Russia gains and America loses under the policy of favoring foreign nations in Government purchases of electrical equipment for Government projects.

How far, the junior Senator from Nevada would like to ask, can this fizzle-away and fumble-away policy go?

Secretary of the Army Stevens, in reply to my inquiry concerning the procurement of generators for the McNary Dam, stated, as mentioned earlier in my remarks:

Since this entire matter has been referred to the Cabinet level for decision, the action taken established the policy within which awards were made to foreign manufacturers in cases where major price differentials existed and where the bid was otherwise acceptable.

AMERICAN PAYROLL, TAX LOSSES IGNORED

As the junior Senator from Nevada also has previously stated, many of these so-called price differentials are fictitious. They take into account none of the payroll losses to American workmen, none of the losses in tax revenues to the United States Treasury, none of the losses to national or local economy, none of the potential losses in wartime due to the inevitable inability that would exist to obtain replacements or repairs from overseas foreign countries, and none of the losses of the lives of American boys when we get into a war, if we do, with Russia and her satellites who are being armed through the medium of trade carried on by the nations we are financing out of the pockets of the taxpayers of America.

SCRAP IRON TO JAPAN RECALLED

Mr. President, I hark back to 1937, 1938, and 1939, when I had a branch en-

gineering office in the Sutter Building in San Francisco. I could look out the window and see shiploads of scrap-iron going to Japan. The American Legion, Veterans of Foreign Wars, and other veterans' organizations screamed about it all the time, but all they got in reply was merely an echo. When war was finally precipitated, American boys were sent to the South Seas and the islands of the Pacific to catch that scrap-iron in their bare hands, on its way back. It was not funny.

In the case of Great Britain, it might be doubly difficult because of her great anxiety to trade with Communist Russia and other Communist nations.

Our businessmen are being given the thought that they will secure a part of the foreign trade, and we are being conditioned for the recognition of Communist China. Sometime, when the proper conditioning process is at the right stage, the junior Senator from Nevada expects the subject to be brought up in the United Nations and China voted in, with our Nation voting against the admission. But China will be in.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I shall be happy to yield.

Mr. DOUGLAS. Who does the Senator think is conditioning our Nation for the recognition of China?

Mr. MALONE. I think it started in World War II, and I do not think it has ever let up.

Mr. DOUGLAS. Who is now the Secretary of State?

Mr. MALONE. Mr. Acheson was Secretary of State, and now Mr. Dulles has taken over.

Mr. DOUGLAS. Is not the foreign policy made by the President as well as by the Secretary of State?

Mr. MALONE. I think the Constitution is clear in that regard, and I do not think the policy has changed in the past 15 years.

Mr. DOUGLAS. The Senator from Nevada is making a very grave charge against the members of his own party.

Mr. MALONE. I made a similar charge against the members of the Senator's party, and they have not changed. I hope my party will change before we go much further.

If the distinguished Senator from Illinois is attempting to justify what the Democrat Party started and what is now being carried on by a successor in the State Department, I am glad to have his opinion.

Mr. DOUGLAS. No. I am not defending the recognition of Communist China, which I have always opposed, but I was interested in the speech by the Senator from Nevada attacking what I thought was the foreign policy of this administration.

ACHESON FOREIGN POLICY CONTINUED

Mr. MALONE. I am attacking the policy initiated by the Democrat Party, which is being carried on up to this time. In 1950—it may have been in 1949—Mr. Acheson made a trip to Europe and visited various European nations. When he returned, there was a joint meeting of the Congress to hear Mr. Acheson tell about his trip. We listened for an hour to the distinguished former Secretary of State, and we heard nothing we had not heard 50 times before, with the exception of one remark. He led up to it like a master of ceremonies at an Elks Club dinner, and then dropped it fast. He said, and he did not stutter, that the United States would not use the veto to prevent the recognition of Communist China. I commented on it later, and the policy has never been changed, either by Mr. Acheson or by Mr. Dulles.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield further?

Mr. MALONE. I yield.

Mr. DOUGLAS. The Senator is aware, is he not, that the question of recognition of one government rather than another is not subject to veto in the United Nations?

Mr. MALONE. Why, then, did the distinguished former Secretary of State mention the matter at all?

Mr. DOUGLAS. I am not able to answer that, but I am interested in the fears and forebodings of the eminent Senator from Nevada with reference to the policy of the State Department.

Mr. MALONE. I say the policy has not changed. The distinguished former Secretary of State believed the veto could be used, but we would not use it——

Mr. DOUGLAS. Of course, Mr. Acheson ceased to be Secretary of State some 17 months ago.

Mr. MALONE. Yes. It is hard to recognize the difference at this time.

Mr. DOUGLAS. I take it, then, that the Senator from Nevada is not enthusiastic about the foreign policy of the present Secretary of State.

Mr. MALONE. I am not enthusiastic about the foreign policy with reference to Communist China, or any of the policies initiated by the former Secretary of State, Mr. Acheson. In effect, he said—I shall not attempt to quote him verbatim—that it was impossible to separate the regulation of our domestic economy from our foreign policy.

Does the distinguished Senator from Illinois remember that?

Mr. DOUGLAS. There is a vague memory in my mind that something like that occurred.

Mr. MALONE. It is not so vague in my mind. That is how we are ruining the workingmen and investors of America.

Mr. DOUGLAS. Am I ruining them?

Mr. MALONE. I say the Senator's party started the program by the passage of an act which put into the hands of the Government the instrument to bring about their ruination. Congress is at fault for giving the State Department the latitude to tie our domestic economy to our foreign policy—to tie the two together.

Mr. DOUGLAS. Do I correctly understand that the eminent Senator from Nevada is opposed to the extension of the Reciprocal Trade Act?

CONSTITUTION SEPARATED DOMESTIC POLICY AND FOREIGN POLICY

Mr. MALONE. I thought the distinguished Senator from Illinois would have gathered that long ago. The Constitution of the United States had no difficulty whatever in separating the regulation of the domestic economy from the regulation of foreign policy. The Constitution in article I, section 8, imposes on the Congress of the United States, the legislative branch, the duty of regulating foreign trade and establishing duties, imposts, and excises, which we call tariffs.

It does not say that the executive branch of the Government shall regulate foreign commerce; it says that the legislative branch shall regulate it. So Congress is at fault for transferring the authority to the Executive.

Mr. DOUGLAS. Is the Senator from Nevada aware of the fact that the President of the United States has asked for a 3-year extension of the Reciprocal Trade Act?

Mr. MALONE. I am perfectly aware of that fact, and I hope that we shall be able to prevent this extension and revert to the Tariff Commission, an agent of Congress, for the regulation of the duties or tariffs on the basis of fair and reasonable competition.

Mr. DOUGLAS. The Senator from Nevada does not seem to be enthusiastic about either the diplomatic or the foreign economic policy of the present administration.

Mr. MALONE. It is simply a continuation of the policy under Mr. Acheson—it was against the interests of the American workingmen and investors then as it is now. I might ask the distinguished Senator from Illinois, if he cares to answer, Is he enthusiastic about the reciprocal-trade policy, and does he favor the recognition of Communist China?

Mr. DOUGLAS. I am not in favor of the latter, but I believe in the extension of the Reciprocal Trade Act.

On this occasion, as on so many others, we on the Democratic side will support the President of the United States far more vigorously than will Senators on the other side of the aisle.

Mr. MALONE. I am glad to hear the distinguished Senator from Illinois come forward in debate and say that he cares nothing about the unemployment of workers and the welfare of manufacturers and investors in his own State of Illinois.

Mr. DOUGLAS. The Senator from Nevada is resorting to tortuous language and still more tortuous reasoning, because an export market cannot be developed for the United States unless we import some articles.

I may say that in Illinois the production of farm implements and of earth-moving machinery has been greatly handicapped because of the lack of foreign markets. We have not had foreign markets because foreign countries have not been able to sell.

Mr. MALONE. Is the Senator from Illinois certain that that is the reason why Illinois has not had foreign markets?

Mr. DOUGLAS. That is a reason.

Mr. MALONE. I may say that no foreign country ever has kept a trade agreement. They have quotas, trade permits, and exchange permits; they practice manipulation of their currency for trade

advantage. To begin with, they purchase little in our markets unless we send them the money with which to pay for what they buy from us. But I suppose the Senator from Illinois is still in favor of that procedure. I hear no answer.

Mr. DOUGLAS. I may say that I could answer the Senator at great length.

Mr. MALONE. Let the Senator take any time he desires for an answer.

Mr. DOUGLAS. I do not wish to interfere with the eloquent speech being made by the distinguished Senator from Nevada.

Mr. MALONE. I shall be delighted to debate the subject at length with the Senator from Illinois, if he still feels that we are getting any break at all in the markets of Europe. The record is clear that we do not have access to their markets—it is a one-way street. The countries of Europe today have tariffs higher than ever, going back to the time when the first trade agreements act was passed in 1934. Our own tariffs have been severely reduced. We now have in effect a fraction of the tariffs which were in effect at that time.

BRITAIN'S TRADE MISSION TO MOSCOW

The January 29, 1954, issue of the Electrical Review which is published in London, carries a very interesting article titled "British Trade Talks in Moscow." I read as follows:

On Tuesday 33 businessmen representing 26 British firms left London for trade discussions in Moscow.

Led by Mr. J. B. Scott, sales director of Crompton Parkinson, Ltd., the party comprises high-level executives, all capable of signing contracts in Moscow.

Then follows a list of executives and their companies which I will omit.

To resume reading the body of the article, it states:

After explaining the objects of the tour before leaving, Mr. Scott said that the original aim was to be in Moscow before Christmas, but as the necessary details could not be arranged in time the visit was postponed until after the New Year.

This was, they understood, the largest group of businessmen to visit Moscow since the war. They all had high hopes of the venture, and each of the companies represented was capable of handling a large volume of business.

Some of the group, including his own company, had already had considerable orders from Moscow, but they believed and hoped that this would be the beginning of a constant two-way traffic in East-West trade, which could only be to their mutual advantage. Some of the party would be returning via Poland.

Mr. President, I suppose the people of the United States are still being sold the cold war as a reason for dividing their markets and tax dollars with Europe. Exactly what a cold war amounts to, I am unable to state, since there has never been a cessation of trade in the usual manner between these European countries and Russia and her satellites, including Red China. The only thing cold about it is the thought that we shall send our boys, if we ever do fight Russia, right in to face the material which the European countries are selling to Russia, and which we are financing. That is the coldest thing I can think of. We have done it twice, in my remembrance. I go far enough back to remember three such wars. Each of the Presidents has kept us out of war.

The President who kept me out of war was Mr. Wilson. He was reelected in 1916 because he kept us out of war, and I was on the way to France in 6 months. Another President kept us out of war in 1940. But in 6 months another group of boys were on their way all over the world.

Mr. President, it is simply getting on my nerves to continue to arm the countries which we are about to fight.

RANDALL REPORT RECOMMENDS MORE EAST-WEST TRADE

The East-West trade comment in the British article has a familiar ring.

One of the recommendations in the Randall report, directed by Mr. Clarence B. Randall, now consultant to the White House, was that the United States acquiesce in more trade in peaceful goods between Western Europe and the Soviet bloc.

I suppose the report considers engines, ball bearings, and the electrical equipment as being peacetime equipment, peacetime goods.

We seem to find here a very close relation between the thinking of Mr. Randall and the 33 British executives bound for Moscow, all of them capable of signing contracts in Moscow and hoping for more East-West trade. Or is our foreign policy being dictated entirely by Great Britain?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MALONE. I am very happy to yield.

Mr. DOUGLAS. I may say that Mr. Randall is a member of the opposing political party to mine, he being an Illinois Republican. Mr. Randall is a highly respected businessman, who is the active head of the Inland Steel Co., a splendid member of his community, and, I believe, a public-spirited man. I do not like to hear these imputations cast upon him by the Senator from Nevada, particularly since he is a member of the Senator's own party.

I think it is extraordinary that it is necessary for Democrats to protect the President of the United States and the representatives of the President from attacks made upon them by members of the Republican Party.

Mr. MALONE. I am very glad the distinguished Senator from Illinois has made himself entirely clear as to which side he is on in the foreign trade fight—that he is for free trade. I have no doubt that Mr. Randall is a very fine person, but his policies so far as I am concerned, are not parallel with the interests of the United States of America, or those of the workingmen and investors of this Nation.

I notice the following in an address which I made on March 31, 1954:

Today, there is a depression in certain industries including many producing critical minerals and materials, and a recession in 80 of the 195 labor-market areas listed by the Bureau of Employment Security in its latest bimonthly summary.

Seventy-seven of these distressed areas are in the continental United States. There are 1 or more areas in each of the following 27 States:

The State of Illinois is very prominent in that list, I may say to the distinguished senior Senator from Illinois.

As shown by the January-February figures of British exports of electrical generating plant, motors, and other equipment to Communist Russia, the British mission to Moscow must have reaped results.

During the entire year of 1953, Britain's exports of electrical goods to Communist Russia totaled £1,121,380. Almost half that value—£533,283 worth—was exported to her by the United Kingdom in the first 2 months of 1954 alone.

Britain's exports to the United States in 1953 were valued at £1,452,608, and in 1952 at £1,187,476.

British exports of electrical equipment to the United States and her exports to Soviet Russia were both less, however, than her exports to Hong Kong, the British Crown Colony which is the gateway to Red China. These totaled £1,552,146 in 1953, and £2,052,318 in 1952.

Hong Kong has an area of 391 square miles, or less than one-third the area of Rhode Island. Doubtless Hong Kong is well electrified, having received more than $11 million worth of electrical equipment from England in a 2-year period.

Total British exports of electrical goods and apparatus in 1953 amounted to £103,840,939, or slightly over $290 million; yet our Government rejects bids from American firms and awards contracts to British competitors under a buy-foreign policy which includes, as Secretary Stevens states, "consideration related to foreign policy and foreign economic aid."

How much aid would England need, one might ask, if all electrical equipment for our Federal projects were purchased from England, and more thousands of American electrical workers were thrown off their jobs?

AMERICAN FIRMS WHICH LOST TO FOREIGN BIDDERS

And when, oh when, is an American policy going to be formed at the Cabinet or any other administration level?

Mr. President, it may be of interest to note who the low American bidders were on some of these contracts awarded to foreign firms with labor costs ranging from one-fifth to one-third American wage rates.

I hope the distinguished Senator from Illinois will note the comparison of wage rates and the living standards as compared with the American living standards.

American companies which bid unsuccessfully on Army engineers' projects were the Maloney Electric Co. of St. Louis, the Allis-Chalmers Manufacturing Co., Penn Transformer Co., and General Electric Co. In each case the Department of the Army awarded the contract to a foreign firm under exceptions which evaded the strict requirements of the Buy-American Act.

BUY-AMERICAN ACT BYPASSED

In fact, the Department of the Army has worked out a formula "administratively," under which it bypasses the Buy-American Act, a procedure clearly de-

signed to favor foreign bidders under the present buy-foreign policy.

The Bonneville Administration, as stated before, awarded its contract of $454,500 to an Austrian concern over bids by the Westinghouse Electric Corp. and General Electric. It awarded a $639,915 contract for auto transformers to a British company over bids by General Electric, Westinghouse, and Allis Chalmers, all American firms. It awarded a contract for circuit breakers to Swiss industry over bids by Westinghouse.

The Bureau of Reclamation discarded bids from the Elliott Co., of Ridgway, Pa., Allis-Chalmers, Westinghouse, Pacific Electric Manufacturing Co., General Electric, Standard Transformer Co., Wagner Electric Corp., W. T. Foley Electrical Supplies, and the Kelman Electric Manufacturing Co., all American companies, and our lowest domestic bidders on the various contracts, totaling $4,819,594 awarded to foreign companies, while 136,000 American electrical workers were losing their jobs because production in American electrical manufacturing plants was falling off.

Mr. President, some of the political opponents of my party have sought in recent weeks to convey the impression that the Republican Party is the party of big business. That simply is not true. No American business, big or small, has the ear of the administration today, any more than it had the ear of the previous administration, if a foreign industry was asking preference.

FAVORS TO FOREIGN BUSINESS

Both the previous administrations and the present administration have favored foreign enterprise over American industry, whether that industry was large or small.

It has done this through special tariff concessions, special tax concessions, special diplomatic concessions and inducements, and special encouragement from administration leaders, whether the interest be large or small. In shorter words, our foreign trade policy for the past 20 years has been, and is, proforeign.

Some of our larger corporations—and we need name only those in the electrical industry—have been discriminated against under our proforeign trade policy just as effectively as such small businesses as cutlery, briar pipes, silk scarves, and glassware have been discriminated against.

Their foreign competitors are invited to this country and taken on conducted tours to study our markets and learn our trade methods.

Tariffs are lowered to give these foreign competitors an advantage in our markets over our own producers.

GIVE AMERICAN INDUSTRY AN EQUAL BREAK WITH FOREIGN COMPETITORS

All anyone has ever asked for is a duty which is adjusted on a basis of fair and reasonable competition to make up that general difference between the wages and the taxes paid in this country and the other pertinent factors relating to the cost of doing business in this country and the costs in the chief competitive nations. No one has talked about a high or low tariff or duty; we have simply talked about fair and reasonable competition—in other words, give the American producer an equal break in the American market.

Mr. President, I ask unanimous consent to place in the RECORD at this point a Washington report by Ingrid Jewell, dated May 15, 1954.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the Pittsburgh Post-Gazette of May 15, 1954]

WASHINGTON REPORT—RECIPROCAL TRADE ACT DIES JUNE 12—NO HEARINGS SET

(By Ingrid Jewell)

WASHINGTON, May 14.—The Reciprocal Trade Agreements Act has been the controlling instrument of our foreign trade and an important factor in our foreign policy since Congress first enacted it on June 12, 1934.

It was promoted then as a device to stimulate world trade and so deflect the impact of world depression. Most Americans appear to think it has been successful.

The act was to have expired last June 12. Congress extended it for 1 year and provided for a commission to study foreign trade problems and recommend the form in which the legislation should be continued, if at all. That commission, chaired by Clarence Randall, has reported, recommending in the main a continuation of the legislation with its emphasis on low tariffs.

Unless Congress acts before June 12 to extend or amend the act it will expire then. The Ways and Means Committee of the House, where such legislation normally starts, has been busy with revisions of the excise and general income tax bills, and now with an overhaul of social-security legislation. Besides reciprocal trade, the committee also has before it the rewriting of unemployment insurance legislation and public assistance laws. It has set no date for starting hearings on reciprocal trade.

Meanwhile, there is apparently greater opposition this year to continuing the reciprocal trade program in its present form than in any recent Congress.

There are the perennial complaints of the high-tariff industries, like china and glassware, hats and watches. There is the increasing opposition of the coal industry to importation without quota restriction of residual fuel oil in amounts sufficient to displace a serious quantity of industrial boiler coal. These complaints are all based on the old argument that American labor cannot compete with cheap foreign labor unless it surrenders its American standard of living.

But in addition there is a growing complaint of another sort against the reciprocal trade program. It is the complaint that the program is not truly reciprocal. It is charged that many foreign nations sign these agreements, then nullify them by enacting other sorts of trade restrictions, such as import licenses, import quotas, exchange permits, and other monetary controls.

There is growing resentment against these foreign trade barriers among Congressmen who like the reciprocal trade program in theory; and a growing inclination to tell our foreign neighbors, "Look here. Either this program is truly reciprocal or the deal's off."

Nearly all the nations of the world require import licenses from our exporters. Usually it is not difficult to obtain a license. But the device is there to shut out American goods at a moment's notice.

A case in point is that of the Harley-Davidson Motorcycle Co. In 1930, under the Smoot-Hawley high-tariff law, the tariff on motorcycles was 33⅓ percent, whether they were American machines imported into England or English machines imported into the United States. The Reciprocal Trade Agreements Act got that down to 10 percent. But the British embargo the importation of American motorcycles by refusing import licenses. So does Australia. The two best foreign markets are thus lost to Harley-Davidson, yet British machines come in here at the 10-percent rate.

It seems incontrovertible that this legislation needs overhauling rather than a mere extension, if it is to accomplish the purpose for which it was devised.

Mr. MALONE. Mr. President, the huge million-dollar contracts, with the Nation's taxpayers furnishing the dollars, are awarded to foreign companies in preference to American firms, and at a fearful cost to American communities, investors, and payrolls.

The Battle Act, the Buy-American Act, the Antidumping Act, and the escape-clause provisions of the Trade Agreements Act, as extended, are waived, ignored, or given distorted interpretations that make them ineffective and defy the intent of Congress.

There is no surcease and no compromise in this drive of the one-worlders to turn over a large share of American production, tax revenues, and payrolls to foreigners, some of whom may be foes tomorrow, or, at best, neutral.

Mr. President, with the expiration of the 1934 Trade Agreements Act on June 12, 1954, and the reversion to the Tariff Commission, an agent of Congress, of the adjustment of the duties or tariffs on the basis of fair and reasonable competition, the American producer will again be in business. The American workingmen and the investors of this Nation will again have equal access to the American markets; that is, Mr. President, provided Congress does not extend the act.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The Senate resumed the consideration of the bill (H. R. 8583) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

Mr. SALTONSTALL. Mr. President, I have consulted with the majority leader, the minority leader, the acting minority leader, and the minority whip, and they are all in accord with the unanimous-consent request I am about to make.

I ask unanimous consent that all of the amendments of the committee to the pending bill be agreed to en bloc, subject to being reopened for amendment at the request of any Senator.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Executive Office of the President—Council of Economic Advisers," on page 3, line 20, after "(not exceeding $300)", to strike out "$250,000" and insert "$285,000."

Under the subhead "National Security Council," on page 4, line 5, after the word "Council", to strike out "$200,000" and insert "$215,000."

Under the subhead "Office of Defense Mobilization," on page 4, line 14, after the word "appropriation", to strike out "$2,134,000" and insert "$2,486,000"; and in the same

line, after the word "which", to strike out "$134,000" and insert "$161,000."

Under the heading "Funds Appropriated to the President—Emergency Fund for the President—Expenses of Management Improvement," on page 6, at the beginning of line 4, to strike out "$250,000" and insert "$300,000."

Under the heading "Independent Offices," on page 6, after line 8, to insert:

"ADVISORY COMMITTEE ON WEATHER CONTROL

"Salaries and expenses

"For necessary expenses of the Advisory Committee on Weather Control, established by the act of August 13, 1953 (67 Stat. 559), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $120,000."

Under the heading "American Battle Monuments Commission," on page 8, line 2, after the word "Army", to insert a colon and *"Provided further,* That the Commission may reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it."

Under the heading "Atomic Energy Commission," on page 8, at the beginning of line 10, to insert "rental in the District of Columbia"; and in line 20, after the word "vehicles", to strike out "$1,093,462,300" and insert "$1,102,780,300."

On page 10, line 8, after the word "vehicles", to strike out "$96,498,400" and insert "$130,000,000."

On page 11, line 14, after the word "budget", to insert a colon and *"Provided further,* That not to exceed $2,500,000 of the funds herein provided may be transferred to the Bureau of Public Roads, Department of Commerce, for the construction or improvement of access roads in the United States to sources of uranium ore."

Under the heading "Civil Service Commission," on page 16, line 25, after the figures "$400,000", to insert "together with not to exceed $500,000 of the unobligated balance of funds appropriated for this purpose in the Supplemental Appropriation Act, 1954."

Under the heading "Federal Communications Commission," on page 18, line 15, after the word "exceed", to strike out "$4,000" and insert "$48,000"; in line 17, after the word "exceed", to strike out "$16,000" and insert "$37,500"; and in line 22, after the word "travel", to strike out "$6,544,400" and insert "$7,294,400."

Under the heading "Federal Trade Commission," on page 19, line 17, after "(5 U. S. C. 55a)", to strike out "and not to exceed $140,000 for expenses of travel, $4,030,700" and insert "$4,100,000."

Under the heading "General Services Administration," on page 21, line 2, after the word "travel", to strike out "$94,460,000" and insert "$96,460,000."

On page 22, after line 19, to insert:

"Buildings management fund: For additional working capital for the 'Buildings management fund,' authorized by the act approved July 12, 1952 (66 Stat. 594), $2,000,000, to remain available without fiscal year limitation.'

On page 23, line 10, after the word "travel", to strike out "$11,066,800" and insert "$13,066,800"; and in line 13, after the word "only", to insert "and for the acquisition of 13 such vehicles from excesses reported by other agencies, or from forfeitures."

Under the heading "Housing and Home Finance Agency—Office of the Administrator," on page 28, line 7, after the numerals "1949", to strike out "$2,668,500" and insert "$2,918,500, including $150,000 for additional costs of establishing and operating a central staff for investigation and compliance functions for the Housing and Home Finance Agency."

On page 29, line 8, after the word *"Provided"*, to strike out "That no funds in this act shall be available for payment of capital grants under any contract involving the development or redevelopment of a project for predominantly residential uses where incidental uses are not restricted to those normally essential for residential uses: *Provided further."*

Under the heading "Interstate Commerce Commission," on page 31, line 18, after the word "Commissioner," to strike out "who is responsible for the supervision of the Bureau of Service to carry out functions delegated to him under the Defense Production Act of 1950, as amended" and insert "of the Interstate Commission who has been delegated functions under the Defense Production Act of 1950, as amended, to carry out such functions."

At the top of page 32, to strike out:

"Railroad safety and locomotive inspection: For expenses necessary in the performance of functions relating to railroad inspection and safety, including not to exceed $290,000 for expenses of travel, $1,684,000."

And in lieu thereof, to insert the following:

"Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1–15, 17–21, 35–46, 61–64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35–37), and to require carriers by railroad subject to the act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors and engineers, and including not to exceed $163,050 for expenses of travel, $974,500."

On page 32, after line 19, to insert:

"Locomotive inspection: For expenses necessary in the enforcement of the act of February 17, 1911, entitled 'An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto,' as amended (45 U. S. C. 22–34), including not to exceed $112,620 for expenses of travel, $709,500."

Under the heading "National Advisory Committee for Aeronautics," on page 34, line 1, after "(5 U. S. C. 55a)", to strike out "$49,000,000" and insert "$52,107,750."

On page 34, line 7, after the word "Committee", to strike out "$4,349,000" and insert "$4,620,000."

Under the heading "National Science Foundation," on page 36, line 8, after the word "exceed", to strike out "$89,500" and insert "$116,000"; and at the beginning of line 12, to strike out "$11,000,000" and insert "$14,000,000."

Under the heading "Securities and Exchange Commission," on page 37, line 3, after "(5 U. S. C. 55a)", to strike out "$4,700,000" and insert "$4,775,000."

Under the heading "Small Business Administration," on page 38, line 17, after the word "vehicles", to strike out "$2,025,000" and insert "$2,575,000"; and in line 20, after the word "exceed", to strike out "$1,650,000" and insert "$2,500,000."

At the top of page 39, to insert:

"REVOLVING FUND, SMALL BUSINESS ADMINISTRATION

"For additional capital for the revolving fund authorized by the Small Business Act of 1953, to be available without fiscal year limitation, $25,000,000."

Under the heading "Subversive Activities Control Board," on page 41, line 23, after the word "periodicals", to strike out "$150,000" and insert "$185,000"; at the beginning of line 24, to strike out "$81,000" and insert "$115,000"; and on page 42, line 2, after the numerals "1954", to insert "and 'The Supplemental Appropriation Act, 1954'."

Under the heading "Tariff Commission," on page 42, line 10, after "(5 U. S. C. 55a)", to strike out "$1,250,000" and insert "$1,327,000"; and in line 17, after the word "representative", to strike out the colon and *"Provided further,* That no part of the foregoing appropriation shall be used for making any special study, investigation or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof."

Under the heading "Tennessee Valley Authority," on page 43, line 2, after the word "exceed", to strike out "one hundred" and insert "two hundred and eleven"; in line 4, after the word "vehicles", to strike out "$103,582,000" and insert "$129,582,000"; on page 44, line 3, after the word "exceed", to strike out "$600,000" and insert "$1,200,000"; and in the same line, after the amendment just above stated, to strike out "to be" and insert "of which $600,000 shall be derived from this appropriation and $600,000 shall be."

Under the heading "Veterans' Administration," on page 44, line 19, after the word "exceed", to strike out "$2,690,000" and insert "$3,144,000"; and at the beginning of line 25, to strike out "$163,922,300" and insert "$171,876,300."

On page 46, line 3, after the word "of", to strike out "fifty" and insert "seventy."

On page 47, line 3, after the word "employees", to strike out "$76,744,000" and insert "$86,744,000, of which not exceeding $15,810,000 shall be available for outpatient fee basis dental care."

On page 49, line 10, after the word "expended", to strike out "$39,000,000" and insert "$47,000,000."

On page 50, line 14, after the word "facilities", to strike out "$3,400,000" and insert "$3,480,000."

Under the heading "Title II—Corporations—Housing and Home Finance Agency," on page 60, line 5, after the words "exclusive of", to insert "costs of services performed on a contract or fee basis in connection with termination of contracts and legal services on a contract or fee basis and of"; in line 9, after the word "thereof", to insert "any services approved by the Federal National Mortgage Association";, and on page 61, line 3, after the word "exceed", to strike out "$20,000,000" and insert "$26,230,000."

On page 63, line 15, after the word "exceed", to strike out "$5,000,000" and insert "$5,175,000"; and on page 64, line 1, after the figures "$500", to strike out the colon and *"Provided further,* That expenditures for nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed $24,000,000."

On page 64, line 6, after the word "by", to strike out "or pursuant to"; in line 8, after the word "by", to strike out "or pursuant to", and on page 65, line 3, after the word "by", to strike out "or pursuant to".

RECESS

Mr. SALTONSTALL. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 9 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 19, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 18 (legislative day of May 13), 1954:

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Virginia L. Love, Eden, Ala., in place of D. R. Wyatt, retired.

Donald Holt, Florence, Ala., in place of A. W. Darby, retired.
Buren Hanson, Foley, Ala., in place of J. W. Cyphers, retired.
Joel L. Lovett, Siluria, Ala., in place of J. H. Dunlap, removed.

CALIFORNIA

Carroll E. Harris, Bishop, Calif., in place of W. A. Johnson, retired.
John H. Bergstrom, East Highlands, Calif., in place of L. B. McCulley, resigned.
Ralph B. Webb, Maricopa, Calif., in place of O. G. Miller, retired.
Albert J. Honett, Pinecrest, Calif., in place of Roy Corhan, resigned.
Francis E. Bodeson, Ripon, Calif., in place of Agnes McCausland, retired.

COLORADO

Della M. Svoboda, Agate, Colo., in place of Anna Christensen, resigned.
Ray E. Snyder, Limon, Colo., in place of C. C. Bell, transferred.
Lynne Taylor, Jr., Milliken, Colo., in place of Matthew Martinez, transferred.

CONNECTICUT

August F. Benvenuti, Torrington, Conn., in place of Frank Buonocore, retired.

FLORIDA

William D. Hillier, Florida City, Fla., in place of A. B. Chapman, retired.
Arnold Bridges, Ormond Beach, Fla., in place of M. C. Hitchcock, retired.
Rudolph W. Long, Sebastian, Fla., in place of J. O. Rogers, resigned.

ILLINOIS

Ivan M. Prather, Charleston, Ill., in place of C. B. Muchmore, retired.
Charles H. Redebaugh, Dixon, Ill., in place of R. A. Arnould, resigned.
Theodore J. Keil, Jr., Dubois, Ill., in place of V. J. Bochantin, resigned.
William R. Laur, Ina, Ill., in place of Anna Kirk, retired.
Miles L. Ward, Lexington, Ill., in place of B. R. Dawson, deceased.
Jack L. Schaub, Olney, Ill., in place of Ralph Van Matre, retired.
Howard C. Marshall, Orion, Ill., in place of B. E. LeClair, resigned.
Chester J. Steel, Sigel, Ill., in place of C. O. Burgess, retired.
Walter Beinke, Staunton, Ill., in place of E. A. Rahm, retired.

IOWA

Russell L. Jackson, College Springs, Iowa, in place of W. D. Nowels, resigned.
Donald J. McGonigle, Odebolt, Iowa, in place of E. F. Rex, transferred.
William H. Rogers, Princeton, Iowa, in place of J. M. Hirl, deceased.
Gilbert R. Dickinson, Richland, Iowa, in place of Hazel Horning, deceased.

KANSAS

Bion J. Reynolds, Saint Francis, Kans., in place of L. D. Dowling, retired.

KENTUCKY

Oliver H. Martin, Coral Ridge, Ky., in place of G. F. Hozendorf, removed.
Betty J. Moher, Melbourne, Ky., in place of V. J. Kramer, resigned.
Glenn P. Henson, Mount Olivet, Ky., in place of H. B. Chandler, Jr., transferred.
William R. LeGrand, Warsaw, Ky., in place of B. F. Beall, retired.

LOUISIANA

William T. Thurmond, Gibsland, La., in place of A. D. Williams, retired.
Myrtle S. Busch, Longleaf, La., in place of A. O. Chevalier, resigned.

MAINE

Edward P. Rand, Clinton, Maine, in place of E. L. McKenney, deceased.
Bernard A. Larlee, East Millinocket, Maine, in place of J. A. Lyons, deceased.
Gabriel O. Dumont, Skowhegan, Maine, in place of F. R. Madden, retired.
Joe P. Davis, South Berwick, Maine, in place of J. M. Minahane, retired.

MARYLAND

Willard S. Nagle, Forest Hill, Md., in place of C. H. Wilson, retired.
Thomas C. Groton, Glencoe, Md., in place of M. E. Gorsuch, retired.

MASSACHUSETTS

Frank Wesley Garran, North Truro, Mass., in place of M. L. McLoon, retired.
Donald R. Biron, Pittsfield, Mass., in place of D. P. Sweeney, retired.

MICHIGAN

Sylvia I. Seppi, Chatham, Mich., in place of Gunile Heidmann, retired.
John E. Burling, Crystal Falls, Mich., in place of Daniel Riordan, retired.
Lillian K. Kersten, Fulton, Mich., in place of A. J. Sherman, resigned.
Ivan G. Burnett, Luther, Mich., in place of R. L. Beckwith, retired.
Milford E. Reeder, Olivet, Mich., in place of George Rundle, retired.
Howard E. Augspurger, Sturgis, Mich, in place of J. W. Henry, retired.
George J. Danneffel, Whitmore Lake, Mich., in place of B. M. Stanfield, resigned.

MINNESOTA

Laurel D. Sherman, Angora, Minn., in place of R. A. Harris, Jr., transferred.
Elmer T. Requa, Austin, Minn., in place of J. M. Pierce, resigned.
Bernard J. Petroski, Grand Marais, Minn., in place of E. L. Cheech, deceased.
Warren O. Johnson, McGregor, Minn., in place of B. B. Maddy, deceased.
Melvin S. Dalby, Solway, Minn., in place of N. E. Stone, resigned.

MISSOURI

Elbert P. Petty, Arbyrd, Mo., in place of M. E. Coburn, resigned.
Lloyd H. Thomas, Larussell, Mo., in place of R. M. Shook, resigned.
Clyde M. Temple, Miller, Mo., in place of M. L. Lennert, resigned.
Chester Arch Bay, Springfield, Mo., in place of C. W. Greenwade, retired.
Oren B. Peterson, Urbana, Mo., in place of W. E. Burris, retired.

NEW JERSEY

John R. Hendricks, Dividing Creek, N. J., in place of P. W. Robinson, retired.
Florence M. Letts, Hohokus, N. J., in place of H. B. Hofford, removed.
Robert H. Thomson, South Branch, N. J., in place of James Abercromby, resigned.
James W. Harris, Surf City, N. J., in place of J. S. Thebaud, retired.

NEW YORK

Merlin W. Osterhout, Altamont, N. Y., in place of Verner Sharp, retired.
Harold L. Payne, Bainbridge, N. Y., in place of Henrietta Fairbanks, retired.
Ada J. Dunn, Big Moose, N. Y., in place of R. M. Marleau, retired.
John A. DeFrees, Durhamville, N. Y., in place of C. F. Seibel, deceased.
John J. Loughnane, Franklin Square, N. Y., in place of F. T. Frisby, deceased.
Scott E. Gage, Morris, N. Y., in place of L. H. Starr, retired.
Raymond F. Schermerhorn, New Baltimore, N. Y., in place of E. H. Cole, resigned.
Ward C. Hazard, Norwich, N. Y., in place of H. M. Bulger, deceased.
Leonard T. Gadwood, Oswego, N. Y., in place of J. H. Mackin, deceased.
Ralph U. Jeffords, Oxford, N. Y., in place of H. N. Griffin, resigned.
Geary H. Whitlock, Patchogue, N. Y., in place of J. W. Harrison, deceased.
Jennie I. Goodale, Quogue, N. Y., in place of J. J. Sullivan, resigned.

NORTH CAROLINA

Richard W. Hannah, Clyde, N. C., in place of G. C. Haynes, retired.
Floyd Graham Hinnant, Pine Level, N. C., in place of H. R. Gerald, retired.
Claude Harris, State Road, N. C., in place of Kent Haynes, deceased.

OHIO

Bernice E. Bridges, Conover, Ohio, in place of M. L. Birkhold, resigned.
Cedric V. Carpenter, Creston, Ohio, in place of W. F. Hookway, retired.
William D. Smallwood, Londonderry, Ohio, in place of T. H. Dearth, deceased.
John L. Hall, Orwell, Ohio, in place of V. H. Parker, resigned.

OKLAHOMA

Charles B. Bolar, Gotebo, Okla., in place of B. N. Bills, retired.

OREGON

Neil L. Morfitt, Astoria, Oreg., in place of E. P. Burke, retired.
Ruth E. Piquet, Long Creek, Oreg., in place of A. W. Porter, deceased.

PENNSYLVANIA

William N. Olson, Black Lick, Pa., in place of W. E. Rankin, retired.
Louis H. Wilt, Breezewood, Pa., in place of Edgar Swartzwelder, retired.
Warren A. Putt, Camp Hill, Pa., in place of L. M. Sutton, retired.
Robert F. Aucker, Jr., Freeburg, Pa., in place of A. M. Riegle, resigned.
Robert G. Kronk, Freedom, Pa., in place of W. C. Jack, retired.
Leslie Ditty, Karthaus, Pa., in place of Hiram Greenland, deceased.
Charles M. Hambright, McVeytown, Pa., in place of A. W. Watts, retired.
Paul R. Leonard, Manns Choice, Pa., in place of E. J. Burkett, retired.
William Clark McNeal, Mifflin, Pa., in place of W. M. Cramer, retired.
Russell S. Basler, Narberth, Pa., in place of J. L. Kelley, retired.
Francis R. Murphy, Swedeland, Pa., in place of F. R. Murphy, resigned.

SOUTH CAROLINA

Mason C. Stroud, Jr., Great Falls, S. C., in place of E. W. Nunnery, resigned.
Chalmers M. Butler, Hartsville, S. C., in place of R. R. McLeod, deceased.
John G. Evans, Six Mile, S. C., in place of B. T. Garrett, retired.
Arace M. Crouch, Wallace, S. C. Office established September 1, 1950.
Martin D. Watkins, Jr., Westminster, S. C., in place of Oscar Tuck, retired.

SOUTH DAKOTA

Helen D. Krebs, Raymond, S. Dak., in place of R. A. Roberts, resigned.

TEXAS

Arthur Bergmann, Comfort, Tex., in place of F. M. Faust, transferred.
Howard A. Hunt, Dodson, Tex., in place of M. V. Rollings, retired.
William R. Bellamy, Lockhart, Tex., in place of H. M. S. Mohle, transferred.
Frances C. Hutson, North Cowden, Tex., in place of A. H. Dyer, resigned.
Fred G. Howard, Pearsall, Tex., in place of C. H. Sewell, retired.
James A. Lewis, Rio Hondo, Tex., in place of F. P. McCabe, retired.
Montie A. Moss, Sanford, Tex., in place of I. L. Mullins, resigned.

VERMONT

Frederick H. Grout, East Arlington, Vt., in place of D. C. Montgomery, retired.

VIRGINIA

John C. Tomko, Disputanta, Va., in place of J. D. Webb, retired.
Barbara C. S. Gentry, Flint Hill, Va., in place of A. R. Ricketts, retired.
Angier S. Conkin, Gordonsville, Va., in place of R. A. Smith, retired.
William R. Berry, Jr., Meherrin, Va., in place of H. H. Gee, resigned.
Robert H. Stallard, Norton, Va., in place of C. T. Braswell, resigned.

Jordan E. Wood, Prince George, Va., in place of K. B. Munt, resigned.

Ruby R. North, Tye River, Va., in place of R. T. W. Parr, retired.

Julia P. Tyrrell, Woodbridge, Va., in place of W. P. Clarke, retired.

WASHINGTON

Paul L. Carey, Woodland, Wash., in place of J. O. Mills, retired.

WEST VIRGINIA

Leona E. Miller, Lesage, W. Va., in place of W. W. McFann, deceased.

WISCONSIN

Margaret P. Webb, Barronett, Wis., in place of William Schaller, Jr., declined.

Philip H. Moe, Chetek, Wis., in place of N. D. Strong, transferred.

Oscar F. Paulson, La Crosse, Wis., in place of W. M. Dvorak, retired.

Lucile A. Farness, Morrisonville, Wis., in place of H. J. Dieruf, retired.

Myron T. Schroeder, Oneida, Wis., in place of J. H. Webster, retired.

Ernest Ivan Wilson, Poynette, Wis., in place of E. F. Hadden, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 18 (legislative day of May 13), 1954:

DEPARTMENT OF COMMERCE

Melvin H. Friedman, of the District of Columbia, to be examiner in chief in the Patent Office.

COMMODITY CREDIT CORPORATION

Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation.

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization.

UNITED STATES DISTRICT JUDGES

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia.

John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania.

UNITED STATES MARSHALS

Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii.

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 18, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, grant that during this day we may give ourselves reverently and devotedly in renewed consecration to our high calling as the servants of the State.

Help us to discover and develop those heroic and noble qualities of character and conduct which will enable us to remain steadfast and serene in the midst of trials and tribulations.

Endow us with the beautiful virtues of our blessed Lord and with a larger measure of faith and hope whereby the moral and spiritual values are protected and made potent in the life of humanity.

May we be loyal partners with all who are seeking to build our shattered and storm-tossed world on the foundations of righteousness and good will.

Hear us in the name of the Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 11, 1954:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

On May 13, 1954:

H. R. 6896. An act to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

On May 17, 1954:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Douds;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 6251. An act to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes;

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell townsite, Wyoming, Shoshone reclamation project, Wyoming, to the University of Wyoming;

H. R. 7559. An act for the relief of Mrs. Madeleine Alice Aquarone; and

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes.

On May 18, 1954:

H. R. 8097. An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status;

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margarete Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5090. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Therese Boehner Soisson.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 2974. An act to extend the time for enrollment of the Indians of California, and for other purposes;

H. R. 3191. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California;

H. R. 3725. An act for the relief of Curtis W. Strong;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 6374. An act to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 66. An act for the relief of Guillermo Pedraza;

S. 118. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma;

S. 602. An act to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for loading, stowage, and securing of grain and other similar bulk cargoes;

S. 884. An act for the relief of Arthur Sroka;

S. 1129. An act for the relief of Jozo Mandic;

S. 1702. An act for the relief of Emilia Pavan;

S. 1794. An act to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients;

S. 1807. An act for the relief of William Jeffrey Jonas;

S. 1841. An act for the relief of Carlo (Adiutore) D'Amico;

S. 1860. An act for the relief of Amalia Sandrovic;

S. 1882. An act for the relief of Antonio Jacoe;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended;

S. 2450. An act for the relief of Lt. Hayden R. Ford;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 2746. An act to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes;

S. 2761. An act to approve repayment contracts negotiated with the Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, and for other purposes;

S. 3270. An act to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate or have to their credit;

S. 3364. An act to amend the act of October 31, 1949 (63 Stat. 1049);

S. 3378. An act to revise the Organic Act of the Virgin Islands of the United States;

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable;

S. 3401. An act to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes; and

S. 3446. An act to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy.

COUGAR DAM AND RESERVOIR ON THE SOUTH FORK, McKENZIE RIVER, OREG.

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 551, Rept. No. 1612), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork, McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRIEST RAPIDS SITE ON COLUMBIA RIVER, WASH.

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 552, Rept. No. 1613), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7664) to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

OSCAR F. BROWN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

In compliance with the request contained in the resolution of the House of Representatives (the Senate concurring therein), I return herewith H. R. 1769, entitled "An act for the relief of Oscar F. Brown."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 18, 1954.*

SPECIAL ORDER GRANTED

Mr. HORAN asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

MISS ANNE KIRK, ESSAY CONTEST WINNER

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include an essay.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, those of you who attended the dinner last evening given by the National Association of Home Builders, I am sure were very much impressed with the young lady from Colorado who read her prize-winning essay on the subject Why Homeownership Builds Good Citizenship. This contest was sponsored by this association, and some 20,000 essays were submitted. The essay of Miss Anne Kirk, of Pueblo, Colo., was selected as the winner.

Miss Kirk lives in my district. She is a senior at Central High School in Pueblo and is the valedictorian of her class. Her father is assistant superintendent of schools in Pueblo. Miss Kirk was received by President Eisenhower this morning, and we are happy to have her as our guest in the gallery today. For the benefit of those who did not have the pleasure of hearing Miss Kirk, I am including her essay as part of my remarks. I am indeed proud of her achievements and am happy to have her in Washington.

WHY HOMEOWNERSHIP BUILDS GOOD CITIZENSHIP

To own a home has been the dream of thousands of Americans. Many of these people have realized that dream. Each year

more of them will realize it. We frequently see that these homeowners are better citizens of their communities, States, and of their Nation, and we often wonder why this is true. To answer the question, let us examine the American citizen in the home that he owns.

Most homeowners feel pride of ownership and express it in the loving care, effort, time, and money that they spend on their homes. Painting the back porch and building a breezeway become little manifestations of this pride. We find out, at an early age, that the things we buy ourselves—the things that we work for—are the things that we treasure. The repairing and remodeling that the owner does himself become other points of pride. The creative urge comes out often in an original barbecue pit or a knotty pine snack bar.

The homeowner thinks of his surroundings, too. His yard is landscaped to show off the house to best advantage. By beautifying his yard to make his house look better, he beautifies his city, too.

A homeowner owns a share in the community. A man who feels that he owns a part of something will take better care of it. He will obey the sanitation laws, help to keep the parks clean, and see that the city's water supply is good. The home encourages pride in the community and this very pride makes a city desirable. Owning a home encourages hospitality, congeniality, and friendliness.

Homeowners usually have more space to entertain friends. They welcome a chance to show their homes and landscaping. Friendliness and hospitality make contented citizens. The happy, contented citizen is a valuable asset. He is eager and anxious to enter into community charities and public works.

A home encourages industry and decency. A homeowner is seldom idle. This activity makes him more responsible and dependable. He knows that if the job is to be done, he must do it, and he sets about getting it done. No building superintendent will be standing at his beck and call to do it for him. This independence is good for a city, state, or nation when the citizen votes. An independent man will usually try to vote for the man who he believes can do the work, rather than for a straight party ticket.

How does homeownership affect the junior members of society? Are the children in homes owned by the parents actually better citizens? It would be hard to answer this question. However, we do know several facts about this idea. It is common knowledge that juvenile delinquency originates in slum areas and is much less prevalent in homeowned neighborhoods. Perhaps part of this theory stems from the fact that owning and maintaining a home is a big job.

Parents need help in running their homes and they call upon their youngsters for this help. Sweeping the walks, raking leaves, and hanging out washing are jobs that do not occur in apartment living. This work teaches children responsibility and leaves little time for idle troublemaking. Also, these children are better adjusted socially because of the congeniality and friendliness of their parents. If their homes are open to their friends, they are much less apt to be out causing trouble.

As the modern American buys and maintains his home and opens its doors to his friends and his children's friends, he becomes a civic-minded citizen. He is wise, for the civic-minded of today will rear the children who will be the leaders of tomorrow. These homeowners are the builders of the future.

PORT OF BOSTON AND PEABODY, MASS.

Mrs. ROGERS of Masachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rejoiced this morning when the bill presented by the gentleman from Massachusetts [Mr. McCORMACK] was reported unanimously from the Armed Services Committee authorizing the Secretary of the Army to lease to the Commonwealth of Massachusetts a portion of the Army base to the port of Boston. It is a very necessary piece of legislation. It would be dangerous not to pass this bill in both the House and Senate. I remind the House that in Massachusetts on Sunday last there was a very bad flood in Peabody, Mass., because a dam there was not strong enough to hold back high water. You can well imagine what would happen if the Boston pier at the Army base, which is in extremely and dangerously bad need of repair at the present time, went to pieces. Much damage to valuable property and many lives would be lost. This morning Army engineers told me it would be very difficult and costly to dredge the channel.

My statement before the Armed Services Committee on Congressman McCORMACK's bill appears in today's RECORD. I have an especial interest because I have the honor to represent part of Greater Boston.

COMMUNIST AGGRESSION IN GUATEMALA

Mr. HILLINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HILLINGS. Mr. Speaker, the State Department announcement yesterday that an important shipment of arms has been sent to left-winged Guatemala from Soviet-controlled territories means that America is faced with Communist aggression on its own doorstep.

The delivery of these weapons by Soviet sources is undoubtedly aimed at the Panama Canal. This Communist action is part of the same pattern we see today in Indochina and southeast Asia. The Reds apparently wish to gain a foothold in Central America so that they can sabotage the Panama Canal if the United States intervention should become necessary in southeast Asia. We have already seen how Guatemala has been taken over by the Communists. Our Government has received new information that there has been a steady migration of skilled Communist agitators from Guatemala to Costa Rica in recent months. These Red agitators are currently organizing labor unions among Costa Rican workers.

These developments call for bold action. I suggest the following steps be taken immediately by our Government:

First. The United States should protest the apparent action of the Soviet Union and demand a full explanation.

Second. The delivery of these arms at the Guatemala port of Puerto Barrios appears to be a clear-cut violation of the Monroe Doctrine. Therefore, we should reaffirm our faith in the Monroe Doctrine and take any necessary action to uphold it.

Third. Steps should be taken to bolster the anti-Communist governments in Central America, particularly in the countries of Nicaragua and Panama. We should give particular thought to assisting them in strengthening their national défense and in the construction of an inter-American highway.

REGULATIONS TO STRENGTHEN THE FHA

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, there can be no argument that the scandalous practices which have taken place in connection with the FHA rental housing insurance program—section 608—and the title I home-repair loan program require prompt corrective action. I support legislation which will prevent a repetition of these abuses and I favor improved regulations to strengthen the administrative practice of the FHA.

However, the problem we confront is a difficult one. The FHA has the task of setting standards for and supervising a number of programs which involve lending institutions, the building and real-estate industries. Much of the work of FHA is highly technical and professional in character and can only be carried on by personnel who have had technical training and experience. As a rule such personnel can only be recruited by FHA from the very business groups which the Government agency then in turn must supervise.

Frankly, under these circumstances, I do not believe that stronger legislation and stronger regulations alone can do the whole job. Major reliance, in my opinion, must be placed upon the self-regulation, the self-policing of this great industry. The vast majority of lenders, builders, and realtors are honest businessmen and women who do not engage in the sharp practices which have cost the public so much in money and trouble. But these fine individuals must realize that the reputation of their industry as a whole suffers from the methods of a comparatively small number of sharp operators. Hence, they should recognize that it is in their own interest to assume more fully a responsibility which in the public mind they cannot escape.

It, therefore, seems obvious to me that the various groups involved should immediately move to establish an effective agency or agencies within their own industries to keep their house in order.

What I have in mind would amount to a separate better business bureau in this special field.

FOREIGN TRADE POLICY

Mr. SMITH of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, on March 30, 7 weeks ago, President Eisenhower submitted to the Congress specific recommendations in regard to legislation affecting our foreign trade policy. This is National Foreign Trade Week and I think it is appropriate to call attention to the Congress of the lack of progress that has been made toward the enactment of the President's recommendations since that time.

I would like especially to call attention to the failure to do anything in regard to the President's recommendations in respect to the Buy-American Act. I have taken a special interest in legislation in this field since it was referred to the Committee on Public Works, of which I am a member. I introduced a bill carrying out the President's recommendations on March 11, 1954. As yet, however, no member of the majority party on the committee or any other Member representing the majority in the House has introduced any legislation on the subject. If this Congress is to meet the challenge presented to it by the President in enacting his program, certainly something needs to be done.

In the meantime, the executive department can take action itself to improve the existing situation. A clear-cut administrative ruling can do much to dispel the confusion and bad feelings as well as high costs to American taxpayers that the Buy-American Act brings today. I would like to suggest the following remedies which might be taken entirely by Executive order:

First. A general directive is required to assure that departmental officials—not just contracting officials in the field—decide Buy-American cases after considering fully what is in the public interest. At present only one agency, the Department of Defense, has issued such a directive applicable to low foreign bids above a specified amount—$25,000—or involving a savings of $5,000 or more. The "public interest" should be broadly construed fully reflecting these matters: Savings to the taxpayer; harmonizing relations with friendly allies; assuring maintenances of competition in domestic markets; the psychological and propaganda impact abroad of rejecting low foreign bids; developing the defense production base abroad; protection of the domestic defense base; relief of substantial domestic unemployment; and protection for small domestic business.

Second. The price preference of 25 percent should be lowered to 5 percent. The present preference is very great, particularly considering that foreign firms incur heavy-duty costs, freight rates, and other costs, many of which are encountered in the American market at United States prices and wages. The present preference results in an annual loss of millions of dollars to taxpayers. A differential of 5 percent would still offer ample protection to efficient domestic suppliers already protected by duties.

Third. There should be uniform practice on how the price preference is applied.

A. The Defense Department should amend its procedure and cease to be the only agency which applies the preference to duty.

B. There should be a uniform rule requiring that the differential be applied only to the costs incurred abroad, the f. o. b foreign value. At present, the differential is applied even to costs incurred in the United States for local manufacture, assembly, transportation, insurance, and so forth.

Fourth. There should be a uniform rule as to what makes a product foreign. The Defense Department considers a product to be foreign if 25 percent or more of bid value is of foreign origin. Other agencies follow no such general rule, but might consider each bid case by case. The coordinated policy should provide that an item is of foreign manufacture only if more than 50 percent of the bid price is composed of foreign goods and services.

Fifth. Defense base considerations should be anticipated. Bid specifications should cover all matters essential for protection of the defense base, such matters as servicing, spare parts, interchangeability, and so forth. Foreign firms not meeting these specifications would thus be saved the expense and effort of bidding. Defense base considerations can easily be considered before as after a bid.

Last year, the Defense Department assured me that administrative action to clarify the policy in regard to the Buy-American Act would be taken upon the issuing of the Randall Commission report. This report has been with us for 4 months now, but, as yet, there is no indication that administrative action has been taken.

REMOVAL OF QUARTERMASTER PURCHASING AGENCY FROM NEW YORK TO PHILADELPHIA

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the Department of Defense has made its decision to remove the New York Quartermaster Purchasing Agency from its present quarters at 111 East 16th Street, New York City, to Philadelphia. This removal has been vigorously opposed by the entire New York Democratic delegation, and the decision flouts their firm efforts.

The Defense Department has announced that savings would accrue from such a move. But the delegation is not impressed with the "paper" savings offered. Scores of employees and their families will be uprooted in this transfer. Many of the present employees will not be economically or physically able to make the move. Hiring and training new recruits to take the place of those who cannot take advantage of the move will have to be accomplished. Most of the suppliers of the Quartermaster Purchasing Agency, despite the assertions to the contrary, are in New York or in hailing distance therefrom, and the consequent burden of this move to the suppliers will be heavy indeed. These are only some of the highly expensive aspects of this proposal.

At a time when there is great unemployment in New York, this is a bad time to make this transfer. This removal will only exacerbate a very difficult situation.

COMMITTEE ON PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may be permitted to sit this afternoon during the session of the House during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL ORDERS GRANTED

Mr. FORRESTER asked and was given permission to address the House for 30 minutes today, following the legislative program and any special orders heretofore entered.

Mr. WHEELER asked and was given permission to address the House for 15 minutes today, following any special orders heretofore granted.

Mr. BAILEY asked and was given permission to address the House for 15 minutes on tomorrow, following the legislative program of the day and any special orders heretofore entered.

Mr. MEADER asked and was given permission to address the House for 10 minutes today, following any special orders heretofore entered, and to revise and extend his remarks and include extraneous matter.

ANNIVERSARY OF BATTLE OF MONTE CASSINO

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MACHROWICZ] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, this 18th day of May marks the 10th anniversary of one of the most important and momentous battles of the Second World War.

On May 18, 1944, Monte Cassino, that rugged and seemingly impregnable citadel in Italy, fell to a stubborn, gallant, and undaunted Polish Army, after unsuccessful previous attempts by the Americans and British had failed.

Since the free world seems to have forgotten and overlooked this great contribution of the Poles to the cause of freedom, I take this occasion to relate again

those historic facts which need recording in the archives of this country.

The initiative in the battle came from the Americans. When the United States Fifth Army was blocked by the Germans at the Anzio beachhead, a joint American-French frontal attack was staged on January 20, 1944, to capture the Monte Cassino and open the way to Rome. The attack was preceded by a heavy artillery fire during which 31,000 shells were dropped in half an hour on the German positions. The attack failed. The United States 34th and 36th divisions suffered heavy losses, while the French lost 1,300 men.

On February 11 a British unsuccessful attack took place. The Royal Sussex, Rajputana Rifles, and New Zealand tank unit were smashed to bits.

On March 11 a third general attack was undertaken with a total of 12 brigades of the best English, Hindu, and New Zealand troops. During the 3 hours 578 cannons hurled 1,200 tons of ammunition and 514 planes dropped 1,100 bombs at the fortified Abbey of Monte Cassino. It was the most concentrated bombardment in the war. The attacking troops entered the ruins of Cassino. After 10 days the offensive failed because of the heavy losses of the attacking force, with the Hindu division alone losing 3,000 men.

Another offensive started on May 11, with the American, British, French, New Zealand, and Polish troops participating. The Poles were given assignment to capture the Monte Cassino in frontal assault where three previous bloody offensives have failed.

On May 12, at 1 a. m., the Poles commenced the attack with 6 battalions as there was no room for more troops on the 1½ mile wide sector. The attack failed. The Poles suffered terrific losses. Only 20 men from the 18th and 31 from the 2d battalion survived.

On May 17 the Poles tried again. The Polish fighters were being killed like flies by the murderous German fire. In the last phase of the battle, after using all reserves and even technicians from the engineer corps and antiaircraft units, the Polish command mobilized three half-battalions composed of cooks, orderlies, drivers, telephone operators, supply men, and everyone else who could bear arms, and threw them into the battle which finally brought victory as the Polish unit captured the Abbey of Monte Cassino on May 18, 1944, at 10 a. m.

The road to Rome and ultimate victory for the Allies was opened. The Fifth American Army under Gen. Mark Clark entered Rome and continued the offensive onward.

The total losses suffered by the Second Polish Army Corps in this epic struggle were: 860 killed in action, 2,812 wounded, and 102 missing in action, making total casualties of 3,784.

Immediately after the battle, General Leese, commander of the Eighth British Army, told the press correspondents:

I want to tell you that the capture of Monte Cassino was entirely an achievement of the Poles. I am glad that you are here on this historic day for Poland, when Monte Cassino has been taken by the soldiers of the Second Polish Army Corps.

Today there are some who would minimize or completely conceal the facts about the role of the Poles in this struggle, and to deny the Poles their God-given right to freedom and liberty. And so I take this opportunity of restating the true facts for posterity.

The soldiers who made the victory possible were Poles under the gallant leadership of Gen. Wladyslaw Anders. Most of them were former prisoners in Soviet Communist prisons and forced labor camps in Siberia, who escaped and were fortunate enough to be saved from the fate of their comrades killed by the Communists in the forests of Katyn.

When these brave soldiers fought against the Nazis in 1939, Stalin thrust a knife into their backs by joining with Hitler to exterminate them. The end of the war brought no freedom and liberty for them. Most of them are now scattered throughout the world, unwilling to return to their motherland suffering under Communist domination and oppression. They did not have the privilege of seeing the triumph of their cause. Poland still suffers under the most brutal tyranny known to mankind.

I hope and pray that the day may soon come when justice will again prevail in the world, and when the brave Polish heroes of Monte Cassino may return to a resurrected, free, and independent Poland.

CONGRESSIONAL SECRETARIES CLUB

Mr. AREND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. AREND. Mr. Speaker, I have been asked by the Congressional Secretaries Club to announce that the bloodmobile will be in the caucus room of the Old House Office Building on May 26. This action is sponsored by the Congressional Secretaries Club, who are trying to set up a blood bank of their own.

CITY OF PEABODY, MASS.

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 553.

The Clerk read the resolution, as follows:

Resolved—

Whereas a great portion of the city of Peabody, Mass., has been visited by a devastating flood because of disintegration of a protective dam; and

Whereas from all current reports the floodwaters to this point have enveloped and inundated several miles of business and residential areas, in some cases isolating women and children from all normal escape avenues; and

Whereas from all current reports the area has become one necessitating immediate emergency relief for the victims of the flood, and for immediate aid in the rehabilitation and restoration of the stricken area: Therefore be it

Resolved, That it is the sense of the House of Representatives that the flood which devastated Peabody, Mass., should be declared a major disaster within the meaning of the act entitled "An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes," approved September 30, 1950 (64 Stat. 110), and at the earliest opportunity all possible Federal aid for which such act provides should be given to such area.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. LANE. Mr. Speaker, I rise at this time to support this resolution and to request approval of this proposed bill which seeks to alleviate the suffering and damage caused by a flash flood which inundated a 2-mile stretch of the business district of Peabody, Mass., last Sunday evening.

The dam, constructed of wood and granite 17 feet high and 14 feet in width retaining 10 acres of water built up by weeks of the recent heavy rainfall, broke, pouring the water down on this manufacturing city. This caused the evacuation of hundreds of persons and damage estimated in the millions. The buildings and homes were flooded by this raging torrent which burst forth from the flume water basin in South Peabody. I am advised that this Massachusetts catastrophe was the worst since the tornado that struck the city of Worcester in July of 1953.

The mayor of that city, Hon. Philip C. O'Donnell, termed the flood as the worst nonfatal disaster in the city's history, and it is indicated that thousands of tannery employees will face indefinite unemployment because of the serious damage to the various factories consisting mostly of leather tanneries.

As a result of this flood the 9 schools in the city of Peabody with 3,500 children have been closed, and all of the restaurants and food stores were scheduled for close inspection due to the water pollution. Over the weekend several surrounding communities have aided the officials in the city of Peabody with auxiliary police, firefighters, civil-defense personnel, and 150 United States Coast Guard men, and all worked overtime in rescue and evacuation operations. Fifty families have been evacuated from their homes by the police and Coast Guard and others using amphibious "duck" and smaller craft in their efforts.

The officials already have estimated that at least 10 factories which bore the brunt of the flood damage estimated their loss as more than $1 million.

The health menace has increased due to the mixture of chemicals from leather tanneries and other industries with the flood waters, and all have been advised that it is mandatory that water to be used for drinking purposes should be thoroughly boiled.

Up to the present time the local officials have been working zealously to cope with this situation, and I am satisfied that the Commonwealth of Massachusetts is in turn doing its utmost to alleviate the suffering and damage.

The purpose of my resolution, Mr. Speaker, is to obtain the sense of the House that the flood which devastated the city of Peabody, Mass., be declared a major disaster within the meaning of

the 1950 statute authorizing Federal assistance to State and local governments in major disasters and that at the earliest opportunity all possible Federal aid be given to that area.

I am hopeful that passage of this resolution, Mr. Speaker, will afford an opportunity to all of the various Federal agencies, including Federal Civil Defense Administration, Small Business Administration, and so forth, to furnish aid and relief and financial assistance to all persons affected by this unforeseen disaster.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am highly privileged to join with my esteemed colleague, Congressman LANE, in supporting this resolution for the proposed relief of the stricken city of Peabody, Mass.

It is gratifying to know that our distinguished Speaker and majority leader have so willingly joined with our distinguished minority leader and minority whip in making it possible to call this resolution before the House at this time. To these esteemed colleagues and all others who have taken an interest in the matter, I express sincere appreciation.

Up to the present, I have not received detailed reports concerning the extent of the disaster. From information I have at hand, however, it would appear that the damage is as widespread as it was unexpected. A torrent of water released from a nearby pond, by the breaking of a dam or retaining wall, poured, I understand, into the very center of the city, covering the area to a depth of from 4 to 6 feet or more of water, entering stores, business places, factories, dwellings, and leaving a trail of damage and destruction.

Fortunately, as I understand it, there were no casualties and that is something to be very thankful for.

The property damage is believed to be extensive although I have seen no formal estimates up to the moment. If it should appear that the need is great, and I am sure that my colleague [Mr. LANE] has full information on this point for presentation to the House, then clearly the assistance of the Federal Government would be feasible and necessary.

If this measure is passed and the President proclaims Peabody as a disaster area, certain definite benefits may flow to the city and its inhabitants in the form of material aid and loans, if necessary, and other help as it appears appropriate.

I am sure that the action of the House will be an indication to the Executive of the present needs in this beautiful city and that all the people of Peabody will be thankful for it.

Mr. BATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusets?

There was no objection.

Mr. BATES. Mr. Speaker, it is on rare occasions that a major disaster strikes in Massachusetts. A year ago, the Worcester tornado unexpectedly demolished a large area of that community and took many lives. Last Sunday evening a 40-foot break developed in a dam in Peabody, Mass., and inundated the entire business section of that city. Fortunately no lives were lost.

Peabody, like Worcester, has lost no time in taking immediate action to give necessary relief and plan for the future. I have been advised by Mayor Philip O'Donnell, of Peabody, that the situation was grim, but is now well under control and the waters have receded. The flood struck quickly but the city found an immediate response from the Civil Defense, Civil Air Patrol, the Red Cross, and Coast Guard as well as the Salvation Army, Boy Scouts, and others. The food and drug division of the State department of public health is now lending advice and assistance. Their work, according to the mayor, was simply wonderful and touching.

The officials of the Small Business Administration in Washington inform me that the regional office in Boston is already engaged in appraising the damage in order to determine whether or not Peabody should be classified as a disaster area, and if so classified, the various firms will be eligible for financial help in the form of loans. It is expected that this determination will be made very shortly. I am hopeful that necessary assistance will be forthcoming, thereby providing continuing work and payrolls and enabling one of the great tanning cities of the Nation to maintain its position in the industrial field.

Peabodyites can be depended upon to do their share. They have the strength and courage to carry on in such emergencies.

Mrs. ROGERS of Massachusetts. Mr. Speaker, my deepest sympathy goes to the people of Peabody, Mass., and the surrounding area on account of the flood disaster which has just occurred in that community with the bursting of the protective dam following heavy rains in the area. Over the weekend damages of hundreds of thousands or millions of dollars was caused by the torrential rains and the Boston weather bureau recorded the heaviest 24-hour rainfall in its history. I wish to join with my colleague, Congressman THOMAS J. LANE, of the Seventh Massachusetts District, in asking for the adoption of his resolution to grant emergency relief to the people of the city of Peabody and the flood-disaster area. The flood is of major proportions covering a very large area. The bursting of the rain swollen mill pond and flume at Peabody was a ravaging flood causing great suffering and financial damage. We hope that the much needed Federal relief may be granted immediately.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

AUTHORIZING ADMINISTRATOR OF VETERANS' AFFAIRS TO GRANT EASEMENT TO SYRACUSE UNIVERSITY

The Clerk called the bill (H. R. 9089) authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to grant an easement, for purposes of installing, repairing, and maintaining, and from time to time enlarging or substituting conduits for the transmission underground of electricity and steam and returns therefrom, to Syracuse University, Syracuse, N. Y., for its own use and the use of persons, firms, or corporations to whom Syracuse University may sell steam or electricity, across certain land of the Veterans' Administration hospital reservation at Syracuse, N. Y., under which lands the said University has already caused to be located steam conduits. The exact legal description of the lands across which the easement is granted shall be determined by the Administrator of Veterans' Affairs, and the easement shall be subject to such terms and conditions as the Administrator may deem to be in the interests of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE APPOINTMENT AS UNITED STATES COMMISSIONER, INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO, OF COL. LELAND HAZELTON HEWITT, UNITED STATES ARMY, RETIRED

The Clerk called the bill (H. R. 9004) to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act of July 31, 1894 (28 Stat. 205), as amended (5 U. S. C. 62), Col. Leland Hazelton Hewitt, United States Army, retired, may be appointed as the United States Commissioner, International Boundary and Water Commission, United States and Mexico, designated by article 2 of a treaty between the United States of America and Mexico regarding the utilization of waters of the Colorado and Tijuana River and of the Rio Grande River, signed in Washington on February 3, 1944.

SEC. 2. Col. Leland Hazelton Hewitt's appointment to and acceptance of this commissionership shall in no way affect any status, office, rank, or grade he may occupy or hold as a retired officer of the United States Army, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. He shall, however, receive the compensation provided for the office of United States Commissioner of said International Boundary and Water Commission, in lieu of retired pay to which he would be entitled as a retired officer of the United States Army.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the bills on the Private Calendar.

COMMITTEE ON WAYS AND MEANS

Mr. REED of New York. Mr. Speaker, I offer a resolution (H. Res. 554) providing for additional employees for the Committee on Ways and Means, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Ways and Means is authorized, until otherwise provided by law, to employ two additional employees to be paid from the contingent fund of the House at the rate of compensation to be fixed by the chairman in accordance with section 202 (c) of the Legislative Reorganization Act of 1946.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PENSIONS FOR VETERANS

Mr. BAKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BAKER. Mr. Speaker, I rise in support of H. R. 3548, introduced by my colleague the gentleman from Tennessee [Mr. REECE].

The bill is entitled "A bill to provide pensions for veterans of World War I and World War II based on nonservice-connected disability and attained age, and for other purposes."

The bill provides that any person who served in the active military or naval service, for a period of 90 days or more, during either World War I or World War II, as now or hereafter defined, who has an honorable discharge from such service or who, having served less than 90 days, was discharged for disability incurred in the service in line of duty or is receiving or entitled to receive compensation for service-connected disability, who is shown to have been in active service therein before the cessation of hostilities and who is or may hereafter be suffering from a total and permanent non-service-connected disability, or has attained the age of 65 years or over and whose annual income is less than $2,000 if single, and $3,000 if married, or has dependent child or children, except that money expended for medicine, surgical, hospital, and nursing expenses for the veteran and his wife shall be excluded in determining income, shall be entitled to receive pension at the rate specified in section 2 of this act.

The bill further provides that the amount of pension payable under the first section of the act shall be (a) $72 per month at age 65; and (b) $120 per month for any person otherwise entitled to pension under section 1 of this act who has, or hereafter may become, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Section 4 of the act provides that the pension or increase of pension provided for in this bill shall commence effective the first day of the second month following the date of the approval of this act.

Section 5 provides that nothing contained in this act shall be held to affect entitlement to or reduce the amount of any pension heretofore granted under any existing act, public or private, or veterans regulation.

Section 6 provides that the surviving widow, child, or children of a veteran who served in World War II whose death is not due to service therein, but who was discharged or released from active service under conditions other than dishonorable after having served 90 days or more or for disability incurred in wartime service in line of duty, or who at time of death was receiving or entitled to receive compensation or retirement pay for wartime service-connected disability, shall be entitled to pension in the amounts and otherwise subject to the conditions of Public Law No. 484, 73d Congress, as amended.

I am glad that this bill applies to both World War I and World War II veterans. In many respects the veterans of World War I are the forgotten men. They had no GI bill of rights; no social-security coverage; whereas Congress properly extended to World War II veterans social-security coverage with credit up to $160 per month on social security and extended social-security benefits to widows of World War II veterans. The veterans of World War I are rapidly becoming old men unable to work. Very few of them can obtain pensions or compensation under present legislation. A high percentage of the veterans of World War I suffer from extreme arthritis and many physical weaknesses attributable to exposure and hardship which they underwent on the battlefields of Europe. I understand that World War I veterans are dying at the rate of about 65,000 per year. Surely the United States, the most powerful and wealthy Nation in the world, owes to the veterans of World War I the benefits provided by H. R. 3548.

I am glad also that the bill grants additional benefits to the veterans of World War II and to the widows and dependents of the veterans of World War I and World War II. The veterans of World War II literally faced hell on earth. I have seen many, many instances of the veterans of both World War I and World War II who have no way now of proving that their disability is service connected. The benefits granted by H. R. 3548 are small compared to the debt which we in America, who were either too young or too old to be with the veterans of World War I and World War II, owe to them and to their dependents. This bill is in keeping with the long cherished traditions of America to see to it that the men who preserved this great Nation in time of war should be adequately and properly remembered and rewarded in the declining days of their lives. Let us pay honor to whom honor is due and credit to whom credit is due, and pass this bill without further delay.

MONEY POLICIES—IS THERE ANOTHER HARD-MONEY, HIGH-INTEREST POLICY FACING OUR COUNTRY?

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain additional matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I desire to invite the attention of the Members of the House to the fact that we are starting out again, evidently, on a hard-money, high-interest policy. Up until the month of May 1953, the policy was effective. It caused Government bonds to go down as low as 89 and interest rates to go up in proportion. The policy was reversed, and then by April 2 Government bonds, all of them, went back above par, 100 cents on the dollar on April 2 of this year 1954. For over a month they remained there, but for the last few days they have been going down in price which, of course, means interest rates are going up. That is a bad trend.

DICE GAME

It looks too much as if the Government bond market is becoming a dice game, and that they are using it just as an ordinary crap shooter would use it to make money gambling on the Government bond market. The number of banks reporting their earnings last year show that they bought these bonds low and then sold them high. It would not be harmful to the public interest if the speculation was confined to bonds above par, but the public is greatly harmed when this Open Market Committee plays the game with the speculators and helps to force Government bonds below par.

It is a deliberate action on the part of the Open Market Committee. They could prevent these bonds going 1 cent below par if they wanted to. They have the power to support them at par. It is in the public interest for the price to be held at par or above. It helps the speculators when they are permitted to go below par. I wonder if the bond market is going down again, to enable more people to buy them and then bring it up again as they did before so that they can sell high. The people who are in the know, of course, can do that. The private banking interests control the Federal Reserve System.

PRIVATE BANKS DO NOT OWN FEDERAL RESERVE BANKS

One of the worst misrepresentations that has been made in the recent past is that the Federal Reserve System belongs

to the banks anyway, and they can do anything they want to with it. It happens that we had a study of the Federal Reserve System not so long ago through a subcommittee of the Joint Committee on Economic Report, of which I was chairman, and certain fallacies were made known, and the truth was made known. One of the fallacies was that the Federal Reserve banks' stock is all owned by private banks, and therefore the private banks own the Federal Reserve System. The truth is all stock in Federal Reserve banks that has been sold has been sold to private commercial banks, and to that extent the statement appears to be true. But this study showed it was not stock at all. They call it stock, but it is not stock. A stock certificate enables a person or a corporation holding that certificate to vote that stock. He can sell it; he can hypothecate it; he can do anything with it he wants to, but that is not true as to the so-called stock held by private banks in the Federal Reserve System. The truth is that private banks just invest a certain percent of their resources in the local Federal Reserve bank, and on that they get 6 percent return every year. That is all they get. They have no benefits or privileges outside of that. They have no voting rights. It is not stock in the true sense of the word. It gives the bank no ownership, control, or influence over the Federal Reserve System. The fact that it is called stock does not any more make it stock than to say that a dog has five legs just by calling his tail a leg. The Federal Reserve System operates on the Government's credit solely and does not rely upon any investment made by member banks.

FEDERAL RESERVE BANKS DO NOT USE RESERVES OF MEMBER BANKS

One other important statement that is made that is a misrepresentation is that the member private commercial banks deposit their reserves with the Federal Reserve bank in the district in which they are located, and the Federal Reserve bank uses those reserves to invest in Government bonds. That is a fallacy too. The Federal Reserve bank does not use those reserves. It is a violation of the law for the Federal Reserve bank to use those reserves. They do not use them for any purpose whatsoever except to keep them there for the benefit of the banks depositing those reserves. The Federal Reserve System simply conveniences the local bank by keeping the reserves for safekeeping and to have them available as a basis for money that is created or manufactured by the local bank under our fractional reserve system. They cannot be invested by the Federal Reserve bank at all. The American Bankers Association is responsible for this misrepresentation. One of its representatives testified before the House Committee on Banking and Currency that the Federal Reserve banks bought Government bonds with these reserves. I demanded that the association correct or repudiate the statement. No answer yet. However, the statement has not been repeated by any representative of the American Bankers Association as it is obviously false. A small amount of so-called stock that the banks buy does not amount to anything. It is not used. It is not needed. The Federal Reserve System does not operate on capital. The Federal Reserve System operates on the credit of the entire Nation. These Federal Reserve banks operate on Federal Reserve notes. You look at one of those notes and it reads, "United States of America promises to pay upon demand" so many dollars. It does not say "The Federal Reserve bank will pay on demand" et cetera. That is creating money. That is what the Federal Reserve System operates on. It does not operate on any money that is paid in in the form of stock. It does not operate on the reserves of the local bank. It operates as a central bank always operates in any country in the world; that is, upon the credit of the Nation. This is how our capitalistic system works. They manufacture money. That is what the Federal Reserve System operates on.

MOST POWERFUL GROUP IN UNITED STATES

The Open Market Committee is the most powerful group in the United States. It is a group to which the Congress has delegated the power to fix interest rates, fix the price of Government bonds, to determine whether we have hard money or easy money, good times or bad times. I will venture to say there are not many Members of this House who can name the members of that Open Market Committee of 12, with all of that power delegated to them by the United States Congress. Yet they have that power. It is dominated by representatives of private bankers.

The people—160 million—under the United States Constitution delegated this power to Congress—435 Representatives and 96 United States Senators. The Congress delegated these enormous powers to the Open Market Committee of 12 of the Federal Reserve System. The 12 members of the Open Market Committee delegated the powers to 5 members of that committee. The 5 have delegated it to 1, the president of the Federal Reserve bank of New York. He runs it. He was selected by the private bankers or he would not hold the place as president of the New York Federal Reserve bank and would not be the one having all these tremendous powers.

In the recent book, The Hard Money Crusade, by Gross and Lumer, on page 49, it is stated:

> Furthermore, the commercial banks have a powerful voice on the 12-man Open Market Committee, which makes the extremely important decisions concerning Federal Reserve support of the Government security market. The seven members of the Board of Governors serve in ex officio capacity. The remaining 5 are presidents of regional Federal Reserve banks, each of whom is elected by the 9-man regional board of directors dominated by the member commercial banks.
>
> "When a Reserve bank president sits as a member of the Federal Open Market Committee," Marriner Eccles, former Chairman of the Board of Governors, has stated, "he participates in vital policy decisions * * * which affect all banking. So far as I know, there is no other major governmental power entrusted to a Federal agency composed in part of representatives of the organizations which are the subject of regulation by that agency."

I could not name all the 12 members of the Open Market Committee myself. I knew all their names up until a recent change; but they change every year; that is, they change the presidents of the Federal Reserve banks, all except New York, on the Open Market Committee; he stays on all the time; he is the one who runs the show. He is selected by the private banks, and he has the power to run not only the committee, but he is doing it. So that is the reason I say it is being operated as a crap game, a dice game. Run the price of Government bonds down, and certain people buy them; they go up, they sell them. Run up and run down again; run down and run up again. Who makes the profits? Who is helped? Not the people. They are helped by bonds being kept at par and above, not below par.

CHAIRMAN MARTIN A CAPTIVE

The action of Chairman William Martin, of the Federal Reserve Board, in the first 5 months of 1953, in causing hard money and high interest during that period, is not understood. The only reason given for such hard-money, high-interest policy was the danger of inflation. However, Mr. Martin, in December 1952, in a speech before the Investment Bankers Association, stated that the danger of inflation had passed. Furthermore, in February 1953, he caused the margin requirement on stock exchange transactions to be reduced to 50 percent, which could only be for one purpose, and that was to fight deflation. The mystery is, why should he in his actions and statements try to convince the people that there was no danger of inflation and at the same time carry out Dr. Burgess' policy of hard money and high interest?

The mystery is cleared up when it is realized that Mr. Martin is holding the chairmanship as a captive of Dr. Burgess, the architect of the administration's money policy. If he did not carry out the Burgess hard-money, high-interest policy, the President could fill one of the Board vacancies and make the person so appointed the Chairman instead of Mr. Martin.

You would think they would never again attempt the hard money, high interest policy like they did in 1953, after experiencing the devastating results that were experienced during that half year; but they tell us, though, they are turning back, they are changing, they are not through, they still believe in the flexible money policy.

In the book, The Hard Money Crusade, by Gross and Lumer, just published, on page 34 it is stated:

> The hard-money program has been temporarily reversed but its ultimate objectives have not been abandoned. Indeed the Treasury itself has categorically denied that any policy reversal has taken place or that any of the new monetary and debt management objectives have been abandoned.
>
> On November 18, 1953, Under Secretary of the Treasury Marion Folsom told the American Chemical Association:
>
> "Our policy is fixed and determined. It is flexible only in its execution. While our objective is definite, our progress toward it realistically recognizes and adjusts to the changing conditions in which we operate.

We have made no change in either policy or objective."

Notice the statement that no change in policy has been made.

They are coming back right now, it appears, with hard money and high interest. They must be stopped.

Now, that word "flexible" in money means high interest; to the farmer the word "flexible" means low prices. "Flexible" means different things to different people in different lines of business. To the moneylender it means he can get more interest; to the farmer it means he will get lower prices.

So I want to suggest to the Members of the House that they give serious consideration to what is going on right now. The new dice game, the new crap game is opening up in New York. They are putting the bond market down again. They are causing higher interest. High interest unbalances all budgets.

A few people, banks, and other corporations will profit just as happened in 1953. Millions of dollars will be made overnight by the speculators in the Government-bond market. It affects our whole economy. The farmers are still suffering from past sprees of speculation like this. Congress should do something about it.

QUESTIONS OF SUPPLY AND MANAGEMENT IN THE DEPARTMENT OF DEFENSE

The SPEAKER pro tempore (Mr. CANFIELD). Under the previous order of the House, the gentleman from North Carolina [Mr. BONNER] is recognized for 15 minutes.

Mr. BONNER. Mr. Speaker, while the Department of Defense appropriation bill, H. R. 8873, was under consideration on April 28, 1954, I raised two questions with respect to supply management in the Department of Defense. The first concerned the cataloging program of that agency. The second concerned medical-supply management in the three military departments.

Incident to the cataloging program which has been under way for the past 10 years and on which we have probably expended $75 to $100 million, the gentleman from Massachusetts [Mr. WIGGLESWORTH] was asked if there has been any integration of supply systems or categories of supply in the Department of Defense to date. The gentleman indicated that I could probably obtain better information when a discussion of the individual armed services was taken up.

I then asked what had happened as to integration in the medical-supply field and specifically about the Alameda medical supply test which has been under way since March 1952. The gentleman from Michigan [Mr. FORD] stated that the testimony before the Army panel indicated that the Alameda test was most successful. He stated that the Surgeon General of the Army informed the appropriation panel that it was expected that the Alameda program would be implemented all over the United States within, he thought, the next fiscal year. I asked: "You are going to consolidate this supply system?" He stated: "That is right." I then said: "And have one service to serve all the branches." The gentleman from Michigan [Mr. FORD] stated: "That is correct."

On returning to my office I checked the Army hearings and found that the Surgeon General of the Army, General Armstrong, had stated that the Alameda test had been highly successful and that he understood that studies were under way by an ad hoc committee of the Army, Navy, and Air Force and the Department of Defense to see what recommendations will be made as to the continuation of this test or a broadening of the program. General Armstrong indicated that he thought one service could store and issue medical supplies for the other services and it did not matter whether it was the Army, Navy, or Air Force which did the depot operation.

I do not, however, find anything in the hearings, the appropriation bill, in the information I have received from time to time, nor in the history of this matter to warrant the optimism of the gentleman from Michigan that next fiscal year will see an integration of medical supply in the Department of Defense. I wish sincerely that it were so.

I find, as a matter of fact, that the opposite seems to be true. I have received information from the former Assistant Secretary of Defense for Supply and Logistics, Mr. C. S. Thomas, which indicates that each service is going to have a separate stock fund for its medical supplies and equipment. It was my information from testimony of the Controller of the Department of Defense that a better operation would be possible if one stock fund were established for the operation of one medical supply system for the Department of Defense. The excellent study on Joint Procurement of Medical Equipment and Supplies by the Business and Economic Research Center of Syracuse University indicated the same thing. A report, No. 2330, 82d Congress, 2d session, entitled "Alameda Medical Supply Test" issued by the House Committee on Government Operations indicates the same. In view of the apparent misunderstanding, therefore, that exists regarding this matter, I am asking your indulgence while I briefly review the history of the Alameda medical supply test.

In 1951 the so-called Bonner committee held hearings on Federal supply management at Atlanta, Ga., and in the New York area. At that time we found to our surprise that there was a tremendous duplication of effort on the part of the military services in storing and distributing medical supplies and equipment. On June 27, 1951, we issued House Report 658, and called to the attention of the House the unnecessary duplication and cost, particularly in the distribution phase of medical supply management. We pointed out, for example, that the Navy depot at Edgewater, N. J., was shipping medical supplies to Pensacola, Fla., when the same supplies, procured by the same joint agency, were available at the Army depot, Atlanta, Ga. We also pointed out that the Army installation at Fort Dix, N. J., drew its medical supplies from the Army depot, Schenectady, N. Y., though Navy facilities at Edgewater, N. J., close at hand, had the identical supplies. These two examples were duplicated a hundred times or more. We reported that the Army and the Navy each had a medical supply depot at Oakland, Calif., virtually across the street from each other.

We asked the Acting Secretary of Defense, the Honorable Robert A. Lovett, to appear before the committee and indicate his reactions to our report. Mr. Lovett, a fine and high-minded individual, appeared before the committee on July 19, 1951, and brought with him a new directive dated July 17, 1951, on the subject of Specific Policies Governing the Department of Defense Supply System.

Paragraph 5C of the new directive reads as follows:

> Priority study shall be given to the feasibility of assigning to a single military department the responsibility for procurement, distribution, including depot storage and issue for classes of common items of supply and equipment, and depot maintenance of such equipment. Medical supply items shall be the first category to be studied.

Pursuant to that directive, the Secretary ordered the Munitions Board supply system people to determine if one department could not procure, store, and distribute medical supplies for the three departments. Mind you, the Army has always furnished medical supplies, and so forth, to the Air Force.

For many months a battle raged in the Pentagon as to who would conduct the test, how it would be conducted and evaluated, where it would be conducted, and so forth. On two or three occasions the Secretary needed to intervene to get the matter on the track. Finally, the ground rules were laid and the much-heralded test was started at the Army Depot, Alameda, Calif., on March 15, 1952. The test was to last for 6 months and be finished on August 31, 1952.

The committee was well aware of the opposition of one of the services to the test so we made a special trip to Alameda and on August 21, 1952, we held hearings to find out the results of the test of the previous 6 months. We found that the Army wholeheartedly favored it and had staffed the operation with personnel of zeal and ability. We found that the Air Force was enthusiastic about the results of the test. We found that the Navy was not enthusiastic about the results of the test though they indicated that it had been successful and that their operations in the Pacific and the Korean theater had been well supported from Alameda. I should mention at this point that one of the fortunate things about the test was that it was conducted during the so-called Korean affair and was, therefore, more than a mere peacetime operation.

Our committee was convinced that the test had been very successful though operated under extremely difficult conditions. For example, each service had a part ownership of the stock thus requiring triple accounting. The Navy used its depot at Oakland, Calif., as a wholesale distributing point and regularly sent a 3 months' supply to the Alameda test point. Meantime, the Navy depot

at Oakland with 479,000 square feet of space has been in a standby status.

I might add at this point that the services have used a joint medical supply catalog for several years though it has lately been improved. Further, a joint agency has been buying all the medical supplies for the 10 Army and Navy depots for a number of years. After viewing the operation at Alameda our committee wanted to know how and when the successful test would be applied "across the board." In other words, when could we expect to have an integrated medical supply system in the East and Middle West on the same basis as the one operating in Alameda? At that point, difficulties began to arise. We were told by representatives of the Secretary of Defense in December 1952 that there would not be an integrated medical supply system but that it was being planned to have one service operate the west coast, another the Middle West, and another the east coast. Such a plan would have put the Air Force into the medical depot business for the first time. Since August 1952 there have been a number of analyses, evaluations, and reports with respect to the application of the Alameda test. To date, however, there has been no concrete progress. Why not? Because one of the services insists on being autonomous or independent in this matter. It can see that the application of the Alameda medical test may lead to other similar tests.

Now, I want to ask the membership of this House how much patience should the taxpayers have? We all paid our taxes on March 15. Two-thirds of what we paid went to support the military establishments. Certainly no good American objects to necessary military expenditures. We want and we need the strongest military organization we can have. We have no foreign policy without the force to back it up. But why should we waste our substance to humor those who insist on being completely independent in this dependent age?

Mr. Speaker, the former head of the Military Cataloging Agency, Adm. J. W. Fowler, stated that we could save 4 billion dollars annually by putting the catalog into effect. I am positive that this is a minimum figure when we note that the services have stores' inventories of some 70 to 80 billion dollars and much of it is duplicated or triplicated.

Mr. Speaker, a catalog is only a catalog if it is not used for all the purposes intended. A catalog should be a thread that runs through every single facet of supply management. It is not an end in itself but a management tool needed to achieve necessary ends. It is needed in research and development work to make sure that new, unnecessary items are not created. It is needed in developing specifications and standardizing items. It is needed in buying, storing, issuing and cross-servicing. It is necessary for an efficient disposal program.

Mr. Speaker, "By their deeds shall ye know them." Why should we expend millions of dollars developing a catalog if it is not put to full use to give maximum economy, efficiency and effectiveness? Lip service to a catalog is not enough. The Alameda medical supply test has been more than a test of medical supply. It has been a test of the good will and good intentions of the military departments toward the American public. Two years after a successful test has been completed it has not been applied across the board because of bureaucratic resistance. Evaluations, analyses and reports on the test have been collecting dust in the Pentagon during the past two years. More are under way. Those who opposed the test have been seeking ways to prevent its application across the board.

Unfortunately, the House failed to place an amendment in the Department of Defense appropriation bill of 1955 to speak the will of Congress on this matter. I fervently hope that the Senate will take action where we have failed and we may later have a chance to redeem ourselves.

I can assure you that the full application of the Alameda test to the 10 military depots will save millions of dollars annually; it will show the way to much greater savings in larger areas; it will bring a breath of fresh air and a hope to the beleaguered American taxpayer; and it will not hurt, but help, military operations.

I want to state again that I consider this matter to be wholly nonpartisan, and that I am convinced beyond all doubt of the sincerity of the gentleman who indicated that he thought plans were under way in the Pentagon to insure an integrated medical supply program in the Department of Defense during the next fiscal year.

Mr. Speaker, I want to mention another matter briefly. In the summer of 1952 we held hearings at the Army Medical Supply Depot, St. Louis, Mo. This is a large multiple-story building of 20 or 22 stories in the heart of St. Louis. The building contains more than 1 million square feet of space, and is, by the admission of responsible Army officials, inefficient as a medical depot. It costs the Government unnecessary money to move supplies into this multiple-story building and then ship them out to several hundred places in the Middle West. At the same time that this uneconomical operation is under way, the Government rents in many places in St. Louis in excess of 1 million square feet of space. We endeavored to learn why this depot was not converted to an office building, and were assured that it can be providing the Army were given additional space somewhere for its medical supply operation.

I would like to know from the gentleman in charge of the military appropriation what has been done to correct this sorry waste of the taxpayers' money.

In conclusion, let us not be deluded about the cataloging program, great as the prospects for its use may be. If the services are not forced to use it in the relatively simple medical supply area, with only eight or ten thousand items, with an annual consumption of a few hundred million dollars, and using 7 million feet of depot space, they will not use it for two or three million items worth billions of dollars and occupying two or three hundred million square feet of depot space.

TODAY'S FARM PROBLEMS

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 hour and to revise and extend my remarks and include a catalog of today's agricultural accomplishments.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, I take this time to refer to the constructive efforts of the present administration in coping with some of today's farm problems.

This administration has, ever since it took office, recognized that the heart of today's farm problems is agricultural surpluses. It has not been unmindful, however, of the disasters and misfortunes that are the unwanted and undesirable companions of the farmer.

Today's farm problems have been faced with courage and resolved with a dispatch consistent with prevailing laws and circumstances. The light of publicity has not often been flashed on these rather superb accomplishments, for more time has been spent in solving the problem than in advertising the solution. It is with an attempt to bring the light of the present administration's accomplishments in the farm area out from behind the bushel that I include at this point in the RECORD a catalog of today's agricultural accomplishments:

MAY 17, 1954.

AGRICULTURAL ACCOMPLISHMENTS

I. REPUBLICAN AIMS FOR AGRICULTURE

The aim of the Republican administration is to serve the best interests of agriculture—all of agriculture—and thus serve the welfare of the American people. The President has consulted with farmers, their organization representatives, their educational leaders, the administrative officials of the Department of Agriculture, and the Nation's legislators to work out a decent farm program.

We must help American farmers achieve full parity in the marketplace.

The domestic consumption of farm products in 1953 was the greatest in history and should continue near this level in 1954. However, we must not only increase our domestic markets but place emphasis upon the rebuilding and expansion of exports.

The following résumé of accomplishments clearly indicates that the Republican administration not only has kept its campaign pledges but also will never let the American farmer down.

II. REPUBLICAN ADMINISTRATION'S CATTLE PROGRAM

1. President Eisenhower issued an order removing price controls from all meat products.

2. President Eisenhower ordered that military procurement of beef be stepped up.

3. The Department of Agriculture initiated a program to buy 200 million pounds of beef for the school lunch and foreign aid programs.

4. The importation of New Zealand beef into United States markets through Canada was stopped.

5. The Department of Agriculture launched a program of advertising and special inducements to increase beef consumption. This resulted in a one-third increase in the amount of beef consumed in the United States last year.

6. President Eisenhower made $8 million available to stockmen in drought areas.

7. Congress enacted legislation to furnish feed for livestock and seeds for planting to farmers in localities designated as disaster areas, and made direct loans to established farmers who were temporarily unable to get immediate credit.

8. The Secretary of Agriculture induced railroads to cut freight rates in half to permit cattlemen to ship their herds out of drought areas.

9. Secretary Benson arranged with governors of 12 States to distribute hay to farmers at Federal expense.

III. PROGRAM FOR GRAIN FARMERS

1. The Republican administration is breaking all records in providing farmers with grain storage—1,044,000,000 bushels of grain storage: (a) Built 100 million bushel capacity 1953, (b) built 100 million bushel capacity through April 1954, (c) CCC extended its program of loans to farmers to build or buy 35 million bushel capacity farm-storage units, (d) occupancy storage 201 million bushel capacity, (e) ship storage 69 million bushel capacity, (f) the farmer farm storage facility tax amortization program initiated by the Republican administration will also add several millions in storage capacity.

2. A million tons of Government-owned surplus wheat was made available to Pakistan and other friendly countries.

3. Congress authorized the CCC to make $100 million worth of surplus agricultural commodities available to the President for use in meeting famine or other relief requirements of peoples friendly to the United States.

4. Congress authorized the President to dispose of some $250 million worth of Government-owned surplus farm products to friendly foreign nations in exchange for foreign currencies, the latter to be used for United States expenditures in those foreign countries.

5. A new International Wheat Agreement was entered into for the purpose of extending the disposal of Government-owned surplus wheat.

6. Congress increased national acreage allotments on wheat to 62 million acres.

7. Congress extended Federal crop-insurance program for 2 years.

8. Secretary Benson recommended that imports of oats be restricted.

IV. COTTON

1. Cotton exports have increased over last year 101,000 bales, by March 31. Estimate that they will increase 500,000 bales by July. (USDA predicts we will export between 4,500,000 and 5,000,000 bales of cotton next year.)

2. Congress passed Public Law 290 to increase cotton-acreage allotments from 17,910,448 acres to 21,379,358 acres.

3. Cotton loan program extension.

V. ACTIONS TAKEN TO IMPROVE DAIRY SITUATION

1. A promotion campaign to push the consumption of dairy products, especially during June dairy month, and the high-production period.

2. A nationwide educational program to increase the culling of low-producing dairy cattle.

3. Offers to sell CCC stocks of cheese and dried milk for exports at world market prices.

4. A special program to facilitate the use of United States-produced butter and nonfat dried milk solids, as reconstitution fluid milk for sale in friendly foreign countries.

5. Nonfat dried-milk solids held by CCC will be sold for a limited period at reduced prices for use as animal and poultry feeds. Two hundred seventeen and one-half million pounds were sold in the 1st week of May.

6. Butter was added to list of CCC commodities available for commercial export sale during May. It is offered for sale on the basis of competitive bidding. Acceptances will be at prices comparable to those prevailing in world markets.

VI. EMERGENCY DROUGHT PROGRAM

1. More than 1,200,000 tons of feed supplies have been made available to farmers in drought areas at reduced prices.

2. At the request of the Agriculture Department, western railroads reduced freight rates 50 percent to ranchers moving Government-owned feeds into drought areas as well as a rate reduction on movement of livestock.

3. Government made available emergency livestock loans.

4. Under the hay-distribution plan, the Agriculture Department will set aside a definite sum of money for each State in the drought area.

VII. WATERSHED PROTECTION

Congress appropriated $5 million for 50 watershed projects. This is a start on an expanded soil-conservation and watershed program.

VIII. MEXICAN LABOR

Congress extended for 2 more years the program under which Mexican nationals may come into the United States for employment on farms in areas where an acute labor shortage exists.

IX. FARM CREDIT

The administration has fulfilled its campaign pledge to make the Farm Credit Administration a separate agency and to decentralize the administration of its credit programs by shifting more control over credit policies from Washington and vesting it largely in local production credit associations.

X. COMMODITY CREDIT

Congress increased CCC borrowing authority from $6.75 billion to $8.50 billion for the purpose of continuing price supports through 1954.

XI. TRADE MISSIONS

The administration has sent several trade missions to foreign countries to investigate the possibilities of expanding our foreign markets.

XII. IMPORT CONTROLS

Import controls under section 22 are in effect for eight groups of commodities: cotton, wheat, dairy products, oats, flaxseed, peanuts, rye, and shelled almonds. This administration has made greater use of this authority in 16 months than the previous administration did since its passage.

XIII. SOIL CONSERVATION SERVICE

The Agriculture Department has streamlined the soil-conservation setup to improve the service and create greater efficiency. The farmers will now receive a large proportion of each conservation dollar in the way of technical service on his farm.

XIV. FOREIGN RELIEF

We have assisted the starving peoples abroad and created goodwill toward peace.

One hundred and eighty million pounds of dairy products were given to 17 United States private welfare organizations for overseas relief in 36 foreign countries.

Six hundred thousand tons of wheat went to Pakistan.

Eighty-four thousand tons of wheat went to Bolivia, Jordan, and Libya.

Five million six hundred thousand packages of food went to East Berlin and East Germany.

Four million five hundred thousand packages of food went to 20 friendly countries in Europe.

Commodities furnished to institutions, welfare, Indians, and school-lunch programs

	Pounds
Butter	63,838,398
Beef and gravy	124,091,100
Dried milk	23,563,160
Cheese	40,874,460
Potatoes	32,218,100
Shortening	17,945,964
Dried beans	5,049,900
Cranberry sauce	4,689,344
Frozen hamburger	47,537,500
Frozen beef	1,250,000
Honey	6,149,670
Pecans	594,000
	Gallons
Cottonseed oil	840,891
Olive oil	141,996
	Cars
Pears	105

Dairy situation

[In pounds]

	Butter	Cheddar cheese	Nonfat dry milk solids
Purchases:			
1952–53 (Apr. 1, 1952–Mar. 31, 1953)	143,348,182	75,236,130	210,410,097
1953–54 (Apr. 1, 1953–Mar. 31, 1954)	380,383,620	455,864,174	667,196,301
1954–55 (Apr. 1–30, 1954)	14,834,214	9,818,054	41,601,764
Total	538,566,016	540,918,358	919,207,162
Uses:			
Commercial sales	9,760,333	101,914,885	64,970
Sec. 32 outlets	92,286,825	27,065,986	20,420,708
Sec. 416 donations	46,887,560	26,119,300	105,995,880
Noncommercial export sales		465,000	193,696,700
U. S. Army sales	22,887,957		6,830,765
Other	1,918,410		1,694,355
Total	173,741,085	155,565,171	328,803,438
Estimated supplies, as of Apr. 30, 1954	364,824,931	385,353,187	590,503,724

Agriculture Department disposed of one-third of the dairy surplus during month of April.

DON'T MOVE THE NEW YORK QUARTERMASTER PURCHASING AGENCY

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, ever since the Department of Defense has indicated the possibility of removing the New York Quartermaster Purchasing Agency from New York City to Philadelphia, the entire New York City Democratic delegation, acting as a unit, has been protesting against such action. We have pointed out that it is false economy and destructive to the morale of the Department.

Despite our protests the Department has now officially announced that this agency will be moved to Philadelphia.

I am very happy to note that the two distinguished gentlemen from Massachusetts, Senators KENNEDY and SALTONSTALL, have now joined us in objecting to that decision. As pointed out by them this move will be disadvantageous to New England textile and other industries.

I do hope that the Department will pay heed to our objections and rescind the decision to move this agency out of New York City. Not only will the move inconvenience industry, and make it more expensive for them to do business with the Government, which expense must necessarily be added into Government contracts, but thousands of employees will either be uprooted and required to move from New York to Philadelphia, or required to give up their jobs. In the latter cases that, too, means added expense to the Government in recruiting and training new personnel.

I suggest that the policymakers in the executive departments get together and stop working at cross purposes. On the one hand we hear them urging dispersal and decentralization, and on the other hand we hear them pretending that economy requires centralization.

UNITED STATES SUPREME COURT RULING ON SEGREGATION IN PUBLIC SCHOOLS

The SPEAKER pro tempore. Under special order heretofore entered, the gentleman from Georgia [Mr. FORRESTER] is recognized for 30 minutes.

Mr. FORRESTER. Mr. Speaker, for some time I have contended that the greatest threats to our Republic and the American way of life come not from overseas, but are in our midst at home. While the internationalists are riding over the world trying to sell their plans to the world, at taxpayers' expense, the same crowd is destroying everything in America that made us great and everything that can be expected to sustain us in our hour of peril, which hour may be closer than many of us think.

It is completely apparent to me that the aim of the leftwingers and the un-American groups in this country is the destruction of the Anglo-Saxon race. We, in the South, recognized that danger long ago and we have tried to alert our people, only to be hooted at and condemned. My people cannot understand an individual who has no pride in race; in fact, we cannot understand anyone who has no pride in his or her heart.

Yesterday, Mr. Speaker, the United States Supreme Court shed all pretense of construing the law and took upon itself the right to change our law, even our Constitution, and was brusque enough to virtually say they were so doing. The Chief Justice went out of his way to say that the defendants in the case decided yesterday were asking that Court to turn back the clock. The Chief Justice and that Court were completely mistaken. What the defendants were asking was that the Court keep its hands off the clock. The Supreme Court has never been charged with the duty of keeping time for the citizens of America, nor to construe the seasons, nor to legislate—these powers being expressly reserved to the Congress and the people. It is completely amazing that nine men should be so intoxicated with power that they should rule that they are to set the clock, yet that is exactly what the Court said. Other than that observation, which is completely without basis in law, these decisions were purely political and completely sterile so far as law was concerned, for that Court had no law whatever to ground its decisions upon. No country can be greater than its Judiciary. The people were entitled to a higher court that would eliminate political considerations and construe the law and Constitution as they were written. I agree that more care should have been exercised in the appointment of the Judges to that Court, and I agree that both parties, Democratic and Republican, have been guided by political philosophies rather than legal qualifications for membership upon that Court. We sowed to the wind and we have reaped the whirlwind.

Yesterday, the Supreme Court by edict, but completely without legal basis, wiped out every vestige of States rights. It is disgusting now to hear so many claim they believe in the rights of the States. It is apparent that our President approves these terrible decisions, for his Attorney General demonstrated his partisanship by filing a brief asking that our previous adjudications be set aside, demonstrating that his thoughts were purely political, and after demonstrating partianship in an outstanding degree had the gall to ask Congress to give him complete control of wiretapping in this country. I am sure that Mr. Truman approves the decisions of yesterday, and his former Secretary of State, Dean Acheson, was quoted in the Evening Star last night as saying it was a great and statesmanlike decision. Adlai Stevenson will greet this judicial murder with open arms; yes, both major political parties are kowtowing to the minority groups to such an extent that our country itself is in jeopardy.

Mr. Speaker, the Evening Star of last night quotes one in the present Republican administration as saying that these decisions of yesterday would alleviate Russia's criticisms toward us. He did not discuss the law, nor the basis of those decisions, but rendered an opinion purely on a political basis. I am tired of hearing the argument that we have appeased Russia. If that is our object, then why not dismantle our Armed Forces and let our boys come back home. If it is appeasement and not victory that we seek, appeasement can be done without bloodshed.

The decisions of yesterday mean only this: The old-fashioned Yankee and the old-fashioned southerner whose ancestors won this country and preserved this country are without rights. The object is nothing less than the mongrelizing of the races. Mongrelization has always produced people without stamina and without conviction. Under these decisions of yesterday a man can claim that he is entitled to go to a girls' school by simply contending that the girls' school offers some subject that men's schools do not offer. These decisions mean that all laws prohibiting mixed marriages will be annulled as fast as these matters can be brought before that Court. These decisions mean that there can be no exclusive residential section in the United States. These decisions mean that no hotel, boarding house, or public place can be the judge of whom they will take as a paying guest.

Mr. Speaker, I understand that an FEPC provision has been offered in a committee of this Congress, which would provide an FEPC in interstate commerce.

Mr. Speaker, these decisions of yesterday have created an intolerable condition upon my people. In my own State we have pledged our future credit, over many years, and have spent millions of dollars trying to bring schools to the Negroes in the South. These moneys naturally will be almost entirely paid by the white people of my State. We did this because for 88 years the Supreme Court of the United States has held equal but separate facilities completely constitutional. The South has done more for the Negro in 200 years than all the rest of the world has done for the Negro in 5,000 years. The whites and the Negroes in my State have been, and are, happy together. The Negroes in Georgia know they have lost much for they know that the South has been honest with them. The Negroes in Georgia know that we have been better to them than any northern or eastern State has ever tried to be. The Negro teachers in Georgia are alarmed over this miscarriage of the law and the Constitution.

Mr. Speaker, my people are awake to the dangers within our gates. Mr. Speaker, my people believe that in this country there are checks and balances upon every portion of this Government. My people do not believe that the President, or any public servant can withhold information from the Congress they have elected, or from the people because it is the people who must do the dying in time of war. My people are against czars. My people repudiate the theory that any person whosoever is above the law of this country. My people see the grave danger hidden in such philosophy and in behalf of my people I tell it now, we spew it out of our mouths. This statement is not to be construed as applying to any individual case, for it is a statement that permeates our thinking, and bless God it is America. We are confirmed in that view although the President, by written order, demonstrates he thinks otherwise.

SPECIAL ORDERS VACATED

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the special orders granted to the gentlewoman from Ohio [Mrs. FRANCIS P. BOLTON] for today and Wednesday be vacated.

The SPEAKER pro tempore (Mr. CANFIELD). Is there objection to the request of the gentleman from Illinois?

There was no objection.

SEGREGATION IN THE PUBLIC SCHOOLS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. WHEELER] is recognized for 15 minutes.

Mr. WHEELER. Mr. Speaker, is it little wonder that utter confusion is the most prominent hallmark of our modern American when the Chief Justice of the Supreme Court, in an adolescent attempt to give excuse for having perverted the Constitution to serve the purpose of partisan politics, states, in effect, that even words of the English language no longer mean the same thing they meant a few years ago?

Training and experience does not qualify me to argue strained and fine points of legalistic niceties of the law. Nevertheless, I do claim ability to read and interpret the English language whether it be found in a classroom textbook or in the Constitution of the United States. Applying the most definitive powers of which I am capable to the reading of the Constitution, I am unable to find any substantial basis for interpreting the 14th amendment in such way as to find any logical reason for a judicial decision which holds that the Federal Government can assume any jurisdiction relative the subject of public education.

Neither specifically nor by implication does the Constitution make any reference to public education as being either a State or Federal function. Since no such reference is made in the Constitution, then the most basic of all principles of constitutional law must be relied on for answer as to whether public education and its functions can properly be brought within the purview of Federal jurisdiction. This most fundamental and basic of all constitutional principles is, and I quote directly the language which the Court now asserts no longer means the same as it did a few years ago:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This is an exact quotation of the 10th amendment to the Constitution which was patently completely ignored by the Court in reaching its decision relative segregation in public schools. It is passing strange that the Court should be so concerned with its own politically prejudiced interpretation of the 14th amendment as to completely ignore the plain and unmistakable language contained in the 10th amendment.

In the absence of logical reason as basis for a decision based so obviously on the political predilection of the crusaders on the Court, resort is made to excuse for the decision. Danger to human freedom lurks hungrily in a situation where logic and reason is replaced by excuse of any type but potential danger becomes militantly kinetic when excuse is based on such weak premise as ascertain that the dictionary must be amended in order to amend the Constitution. The Court has obviously amended the dictionary in order to give excuse for its decision relative segregation in public schools when the opinion holds that the English language no longer has the same meaning it had when members of the Court made decision as to what the law was instead of what the Court thought it should be.

Precedent has come to be a sound basis for law in the making of our system of jurisprudence largely because precedent is that which man has found from experience to be good practice in man's relationship with man. Veritable giants within the field of jurisprudence, having attained their impressive stature while the Court was still a judicial tribunal instead of a crusading arm of the executive department, have held repeatedly that the practice of segregation of the races in the public schools is not violative of the 14th amendment or any other amendment to the Constitution. The instant decision, in effect, throws all precedent out the judicial window, and, in the true spirit of crusaders, the Court proceeds to usurp legislative prerogatives expressly designated to the Congress by article I, section 1, of the Constitution.

To hold that language embodied in the 14th amendment no longer retains definitive meaning of a few years ago is, by application of the same strange logic, to hold that meaning of all language in the Constitution can lose its established meaning and lend itself to attainment of ends sought by whatever crusaders fate might mistakenly place upon the bench of the Supreme Court. If the simple and concise language of the 14th amendment to the Constitution no longer has the same meaning it had a few years ago or that which it had nearly 100 years ago when it was adopted, then wherein can solace be found in any constitutional language? It is true that many individuals, in recent years, have perverted the fifth amendment to suit their purpose of subversion. In this perversion of the fifth amendment is also found a gross manipulation of words in such way as to suit the expediency of the pleaders. However, the Court itself has not yet given broad judicial sanction to the perversion of the fifth amendment, but if that given in instant case is prophetic of future action by this Court of crusaders, then the supreme law of the land will henceforth be based on whatever new meaning the Court might give to simple words of the English language. In other words, future students of constitutional law should discard precedent and busy themselves with study of the new dictionary as edited by Chief Justice Warren and his fellow latter-day etymologists.

The goal sought by the American people in their efforts to preserve their liberty is well stated, in simple English, in the preamble to the Constitution. The preamble and the Constitution itself recognizes the unlimited power of the people of the Republic. But the Constitution imposes severe limitations upon the Government. The National Government is granted only such powers as are necessary for the proper discharge of purely national functions, such as could not be discharged by the States, acting either separately or through interstate compacts.

Justice Story in *Wheat* v. *Hunter* (1 Wheat. 326) stated:

> The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great charter of our liberties, to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that this would be a perilous and difficult, if not an impracticable, task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through long lapse of ages, the events of which were locked in the inscrutable purposes of providence.

Does this language presuppose the assumption that the words within which the provisions of the Constitution are couched can logically have their meaning changed to suit the purpose of some later-day interpreters of a supposedly deathless document? Negative answer is so obvious as to make the question purely rhetorical.

Though it is completely apparent that the current Court despises and rejects all precedent when it negates their professionally liberal purpose, record of the instant controversy should note a statement of a prior Court in *Livingston* v. *Van Ingen* (9 Johns (N. Y.) 574), and I quote:

> When the people create a single, entire government, they grant at once all the rights of sovereignty. The powers granted are indefinite and incapable of enumeration. Everything is granted that is not expressly reserved in the constitutional charter, or necessarily as inherent in the people. But when a Federal Government is erected with only a portion of the sovereign power, the rule of construction is directly the reverse, and every power is reserved to the members that is not, either in express terms or by necessary implication, taken away from them, and vested exclusively in the Federal head. This rule has not only been acknowledged by the most intelligent friends of the Constitution, but is plainly declared by the instrument itself.

Although the powers of the National Government are limited in number, they are not limited in degree. Whenever the people have granted a power to the Government, it is a complete power, and that which is implied is as much a part of the Constitution as that which is expressed. Therefore, if Federal jurisdiction in the field of public education were in any way implied in the Constitution as having been granted by the States or the people, there would be no question as to the validity of the segregation decision. In the absence of jurisdiction being granted in express terms or by remote implication, the present Court has embarked into the field of word definition and attenuated their meaning to embrace its concept of what the law should be relative to segregation in the public schools.

HOUSE RESOLUTION 550, TO AMEND THE RULES OF THE HOUSE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. MEADER] is recognized for 15 minutes.

Mr. MEADER. Mr. Speaker, yesterday I introduced House Resolution 550, to amend the rules of the House relating to committee procedure.

This resolution is brief and simple but incorporates all provisions which

are proper to add at this time to the rules of the House on committee procedure.

Briefly, my resolution would authorize committees to create subcommittees, adopt rules, fix a quorum of less than a majority, and permit broadcasting and telecasting of hearings. It would also prohibit leaks of executive material and committee reports.

It is accurate to say that, with the exception of the proposed rule with respect to a quorum of committees, the remaining provisions are simply a clear and express statement of existing practice. For instance, committees have created subcommittees and assumed that they had the right to do so. However, nothing can be found in the rules of the House expressly authorizing that action. The same is true with respect to the adoption of rules. Many committees and subcommittees of both Houses of the Congress have adopted rules governing their activities.

It is my understanding that the Honorable JOSEPH W. MARTIN, Speaker of the House of Representatives, has indicated that if the problem were presented to him for a ruling, he would hold that committees, within their own discretion, have the power to permit broadcasting and telecasting on such terms as they choose. It should be noted, however, that in the 82d Congress, in response to a parliamentary inquiry by then Minority Leader MARTIN, Speaker RAYBURN indicated that in his opinion committees did not have the power to authorize broadcasting and telecasting of their proceedings (CONGRESSIONAL RECORD, vol. 98, pt. 1, pages 1334–1335). This uncertainty and difference of opinion should be resolved by an express rule of the House.

The term "executive," meanwhile, implies a ban on premature divulgence without committee approval of secret or confidential material. The practice of leaking is reprehensible. Legitimate information concerning committee activities or information in the possession of committees should be made available to those outside the committee without discrimination. Such legitimate material should be available simultaneously to all news agencies and upon equal terms. By a rule expressly prohibiting "leaks" provisions of the parliamentary rules of the House governing the conduct of members can more easily be enforced.

A new provision permitting committees to fix a quorum for the purpose of taking sworn testimony of less than a majority but not less than two members is badly needed. It will facilitate and expedite the work of congressional committees. In our complex and intricate modern society specialization through the committee system is more essential than at any previous period in our Nation's history. The exploration of detailed facts and considerations in any field of national policy must precede a full and accurate understanding which alone can provide sound foundation for formulation and expression of legislative policy. Demands on the time of individual members are great; the need for information gathering activities of committees and subcommittees is extensive, thus it is all but impossible to obtain the attendance of a majority of the members of a committee or subcommittee throughout legislative or investigative hearings.

The Supreme Court has held, however, in *Christoffel* v. *United States* (338 U. S. 84 (1949)), that unless a quorum of a committee or subcommmittee is present, there is no legal tribunal. Witnesses, therefore, may commit contempt or perjure themselves with impunity. To permit a committee to fix a quorum of less than a majority will enable the Congress to get on with its fact-finding activities more efficiently and more effectively and is in the public interest. My proposal, however, by requiring the presence of a minimum of two members seeks to guard against the evils of one-man hearings.

The Christoffel doctrine, which has not been overruled, has asserted the power of the judiciary to review the application and observance of parliamentary rules. Thus, extreme care should be exercised by the House of Representatives not only in the substance of its rules but in the language in which they are written. It is for that reason that it is desirable to write expressly into the rules of the House such powers of committees expressed in my resolution heretofore exercised only as a matter of practice and tradition. This will forestall those who for their own purposes may seek to thwart, obstruct, or defy committees in their legitimate investigative and legislative activities.

Other proposals have been made from time to time designed to write a code of fair procedure governing committee action and the conduct of committee hearings. With those objectives I have no quarrel. The provisions and phraseology of those I have studied, however, are inappropriate to be incorporated in the parliamentary rules of the House.

I do not propose to burden the House at this time with a repetition of my views previously expressed in law review articles, in testimony before committees of the Congress and in statements on the floor of the House. I incorporate, however, in these remarks a list of references to such previous expressions.

Mr. Speaker, I desire only to make a few general observations about proposals to amend the rules of the House governing committee procedure. It will be a sorry day when the Congress, by adopting superficially appealing propositions as parliamentary rules, finds that it has lost control over its proceedings. Permitting witnesses, counsel, or persons considering themselves aggrieved by defamatory testimony to take over and usurp the conduct of committee hearings soon will bring the Congress into disrepute and demonstrate the fallacy and unworkability of this method of attempting to insure fairness in committee proceedings.

I have long been one of the foremost advocates of reforms designed to strengthen and to elevate the Congress and its committees. When the Congress so equips itself as to discharge effectively its policymaking function, it can recapture the policymaking authority it has lost to the executive in recent decades. Those reforms do not lie in the direction of hamstringing committees by rigid and unworkable procedural rules. They lie rather in the improvement of the capacity to get beneath superficial, emotional generalities to the bed rock of fact through adequate investigative instruments. The practical and logical step toward this end is to expand and improve the investigative staffs of the committees. That is a reform which is long overdue. It cannot be accomplished, however, through the writing of parliamentary rules. There must be a willingness in the committees themselves and particularly their chairman to recruit able and loyal persons for their committee staffs; to make such positions attractive to well qualified persons and to utilize their services for the public good.

Mr. Speaker, I trust the Rules Committee will give very careful scrutiny to the proposals I have described. In the event the Rules Committee should report any such proposal to the House, I sincerely hope the leadership of the House and its Members will look beyond superficial generalities and study the possible effect of proposals which might hamper if not destroy the very necessary and salutary functioning of congressional committees.

Under leave granted I here insert a copy of House Resolution 550 and a list of references to statements I have made on this subject:

House Resolution 550

Resolved, That rule XI 25 (a) of the Rules of the House of Representatives is hereby amended to read as follows:

"(a) The rules of the House are hereby made the rules of its committees so far as applicable, with the following exceptions:

"(1) A motion to recess from day to day is hereby made a motion of high privilege in such committees.

"(2) Each committee is authorized to create subcommittees, with such powers and duties and subject to such limitations as it deems advisable.

"(3) Each committee is authorized to adopt rules in addition to, but not inconsistent with, the rules of the House.

"(4) Each committee is authorized to fix a lesser number than a majority of its entire membership, but not less than two members, which shall constitute a quorum thereof for the purpose of taking sworn testimony.

"(5) Each committee is authorized, in its discretion, upon such terms and conditions as it deems advisable, to permit the broadcasting and telecasting of its proceedings by radio and television, and the dissemination of news of such proceedings by other methods and media of communication."

SEC. 2. Rule XI 25 (c) of the Rules of the House of Representatives is hereby amended to read as follows:

"(c) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House. Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. No evidence received in executive hearings, or material received by the committee upon a confidential basis, shall be published, released, or divulged except by order of the committee."

SEC. 3. Rule XI 25 (e) of the Rules of the House of Representatives is hereby amended by adding at the end thereof the following sentence: "Until so reported, no findings,

conclusions, or recommendations of the committee shall be published, released, or divulged except by order of the committee."

LIST OF REFERENCES BY HON. GEORGE MEADER, OF MICHIGAN, TO AMENDMENT OF HOUSE RULES RELATING TO COMMITTEE PROCEDURE

BILLS INTRODUCED

House Resolution 386, 82d Congress.
House Resolution 540, 82d Congress.
House Resolution 381, 83d Congress.

STATEMENTS TO THE HOUSE OF REPRESENTATIVES

CONGRESSIONAL RECORD, volume 97, part 7, pages 9898–9899, re House Resolution 386.

CONGRESSIONAL RECORD, volume 97, part 9, pages 11394–11398, re House Resolution 386.

CONGRESSIONAL RECORD, volume 98, part 2, pages 1567–1570, re House Resolution 540.

CONGRESSIONAL RECORD, volume 98, part 8, page A1336, re House Resolution 540.

CONGRESSIONAL RECORD, volume 98, part 2, pages 1949–1951, re telecasting committee hearings.

CONGRESSIONAL RECORD, volume 98, part 9, page A1519, re House Resolution 540.

CONGRESSIONAL RECORD, volume 98, part 9, pages A1873–A1874, re telecasting committee hearings.

CONGRESSIONAL RECORD, volume 98, part 10, pages A2836–A2837, re House Resolution 540.

CONGRESSIONAL RECORD, volume 99, part 8, pages 10952–10955, re House Resolution 381.

TESTIMONY BEFORE CONGRESSIONAL COMMITTEES

Senate Committee on Rules and Administration, 81st Congress (July 1949), Hearings on Reform in Procedure Before Congressional Committees, pages 97–106.

Senate Committee on Expenditures in the Executive Departments, 82d Congress (June 1951), Hearings on Organization and Operation of Congress, pages 90–111.

House Committee on Rules, 83d Congress (July 1953–March 1954), Hearings on Legislative Procedure, pages 65–88 re House Resolution 29; pages 242–245 re House Resolution 447; pages 254–269 re House Resolution 447.

LAW REVIEW ARTICLES

Congressional Investigations: Importance of the Factfinding Process, Chicago Law Review, volume 18, No. 3, spring 1951 (reprinted, pp. 66–69, hearings of House Committee on Rules, 83d Cong., entitled "Legislative Procedure").

Limitations on Congressional Investigation, Michigan Law Review, volume 47, No. 6, April 1949 (reprinted, pp. 69–75, hearings of House Committee on Rules, 83d Cong., entitled "Legislative Procedure").

PROGRAM FOR MAY 19

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time for the purpose of announcing to the House the program for tomorrow.

Two rules were granted this morning, and on tomorrow we will consider H. R. 7664, to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; and H. R. 7815, to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg; with participation for power by the city of Eugene, Oreg. They will be up for consideration on tomorrow, Wednesday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. REED of New York and to include an article entitled "Section by Section Analysis, H. R. 7199," which is estimated by the Public Printer to cost $821.70.

Mrs. ROGERS of Massachusetts in two instances; to include in one a description of a little girl in Lowell, Mass., who won a national spelling bee.

Mr. WICKERSHAM (at the request of Mr. PRIEST).

Mr. CELLER.

Mr. LANDRUM and to include an editorial from the Gainesville Daily Times with regard to the late B. Frank Welchel, a former Member of the House.

Mr. RODINO (at the request of Mr. CELLER) in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 66. An act for the relief of Guillermo Pedraza; to the Committee on the Judiciary.

S. 118. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma; to the Committee on Interior and Insular Affairs.

S. 602. An act to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for loading, storage, and securing of grain and other similar bulk cargoes; to the Committee on Merchant Marine and Fisheries.

S. 884. An act for the relief of Arthur Sroka; to the Committee on the Judiciary.

S. 1129. An act for the relief of Jozo Mandic; to the Committee on the Judiciary.

S. 1702. An act for the relief of Emilia Pavan; to the Committee on the Judiciary.

S. 1794. An act to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients; to the Committee on the Judiciary.

S. 1807. An act for the relief of William Jeffrey Jonas; to the Committee on the Judiciary.

S. 1841. An act for the relief of Carlo (Adiutore) D'Amico; to the Committee on the Judiciary.

S. 1860. An act for the relief of Amalia Sandrovic; to the Committee on the Judiciary.

S. 1882. An act for the relief of Antonio Jacoe; to the Committee on the Judiciary.

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 2450. An act for the relief of Lt. Hayden R. Ford; to the Committee on the Judiciary.

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2746. An act to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2761. An act to approve repayment contracts negotiated with the Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3270. An act to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate or have to their credit; to the Committee on Armed Services.

S. 3364. An act to amend the act of October 31, 1949 (63 Stat. 1049); to the Committee on Interior and Insular Affairs.

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; to the Committee on Interstate and Foreign Commerce.

S. 3401. An act to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes; to the Committee on Armed Services.

S. 3446. An act to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status.

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margarete Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5059. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Therese Boehner Soisson.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 19, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1550. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1955 in the amount of $34,100,000 for the Department of Health, Education, and Welfare (H. Doc. No. 393); to the Committee on Appropriations and ordered to be printed.

1551. A letter from the Acting Comptroller General of the United States, transmitting a report on audit of the Federal Crop Insurance Corporation, Department of Agriculture, for the fiscal year ended June 30, 1953, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 390); to the Committee on Government Operations and ordered to be printed.

1552. A letter from the Administrator, Federal Civil Defense Administration, transmitting the quarterly report of contributions for the quarter ending March 31, 1954, pursuant to subsection 201 (i) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

1553. A letter from the Assistant Secretary of State, transmitting under instructions of the Japanese Government, a translation of a resolution passed by the House of Representatives of Japan on April 17, 1954, with respect to the Flammable Fabrics Act of the United States; to the Committee on Interstate and Foreign Commerce.

1554. A letter from the Assistant Secretary of the Interior, transmitting the report of the Department of the Interior on the potential Balmorhea project, Texas, together with related documents and letters of comments on the report; to the Committee on Interior and Insular Affairs.

1555. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 551. Resolution for consideration of H. R. 7815, a bill to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.; without amendment (Rept. No. 1612). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 552. Resolution for consideration of H. R. 7664, a bill to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; without amendment (Rept. No. 1613). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H. R. 9185. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRD:

H. R. 9186. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 9187. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. COON:

H. R. 9188. A bill to make certain per capita payments out of the capital reserve fund of the Klamath Indians, Oregon; to the Committee on Interior and Insular Affairs.

By Mr. FOGARTY:

H. R. 9189. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN of Minnesota:

H. R. 9190. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. MACHROWICZ:

H. R. 9191. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H. R. 9192. A bill to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census"; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 9193. A bill to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi:

H. R. 9194. A bill to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.. to the Committee on Interior and Insular Affairs.

By Mr. YOUNG:

H. R. 9195. A bill to protect the essential security interests of the United States by stimulating the domestic production of lead and zinc, and for other purposes; to the committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DONOHUE:

H. R. 9196. A bill for the relief of Venanzio Girardi; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 9197. A bill for the relief of Mrs. Pilar Garcia; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 9198. A bill for the relief of David W. S. Ahn and Margaret Y. A. Ahn; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 9199. A bill for the relief of N. F. Tsang; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 9200. A bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Bennett Hill Griffin; to the Committee on Armed Services.

By Mr. WIER:

H. R. 9201. A bill for the relief of Mrs. Rosa Georges Yacoub (Jacob); to the Committee on the Judiciary.

By Mr. YOUNGER:

H. R. 9202. A bill for the relief of Rolf Hugo Neuman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

750. By Mr. GRAHAM: Petition of 41 residents of Butler, Pa., realizing the effect of beverage alcohol on home and family and the increase in the consumption of same due to the misleading advertisements by beverage alcohol interests, do respectfully petition the Committee on Interstate and Foreign Commerce to favorably report the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

751. Also, petition of 11 members of the Missionary Society, West Sunbury United Presbyterian Church, West Sunbury, Pa., deploring the advertising on radio and television, in magazines, and daily papers, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

752. Also, petition of 35 residents of Lawrence County, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

753. Also, petition of 58 members of the several churches of the community of Zelienople, Pa., urging passage of the Bryson

bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

754. Also, petition of 14 members of Holy Name Society of St. James Church, New Bedford, Pa., urging the inclusion of "Under God" to the pledge of allegiance to the flag; to the Committee on the Judiciary.

755. By Mr. HAGEN of Minnesota: Petition of Mrs. Garfield Nicholls, secretary of the Women's Christian Temperance Union at Warren, Minn., in behalf of about 240 residents of Marshall County, Minn., favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

756. Also, petition of Mrs. R. E. Denny, president, WCTU, Roseau, Minn., and 382 residents of Roseau County, Minn., urging favorable support of the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

757. By Mr. HALE: Petition of 49 residents of First Maine District in support of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

758. By Mr. SMITH of Virginia: Petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

759. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

760. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

761. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

762. By Mr. WIGGLESWORTH: Petition of residents of the 13th Congressional District of Massachusetts urging enactment of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

B. Frank Whelchel

EXTENSION OF REMARKS
OF
HON. PHIL M. LANDRUM
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 18, 1954

Mr. LANDRUM. Mr. Speaker, last Tuesday morning I was saddened to learn of the sudden and unexpected death of a friend, and a former Member of this House from the Ninth District of Georgia, the Honorable B. Frank Whelchel. Many of the present Members of this Congress have expressed to me their own personal grief at the untimely passing of this warm-hearted friend.

Mr. Whelchel represented Georgia's Ninth District, the district I am presently honored to serve, for five consecutive terms from 1935 until his retirement at the close of the 78th Congress in 1944. During his tenure of service he established himself as one with a keen and sympathetic understanding of all people everywhere and endeared himself to those with whom he served as a warm and kindly friend of all humanity.

Probably no one has come to the Congress from Georgia who possessed a more intimate knowledge of his constituency than did Frank Whelchel. His naturally cheerful and friendly attitude made him well and favorably known to people from all walks of life. No man received more intense loyalty from his friends than did Frank.

He was better known in legal circles of Georgia as the defender of the underprivileged and his skill at defending those charged with criminal violations was known throughout Georgia.

A young and industrious editor of the Gainesville (Ga.) Daily Times in an editorial of Thursday, May 13, 1954, has captured the real feeling all people had for this distinguished Georgian, and by unanimous consent I include that splendid tribute with my remarks:

B. FRANK WHELCHEL

A colorful, well-known and respected member of the northeast Georgia bar is dead. His warm manner, his always dapper appearance, and especially his skill at defense in criminal law will be missed in the courtrooms of this circuit.

B. Frank Whelchel served as Congressman, judge, and businessman. But his greatest service was rendered to unfortunate people innocently or inadvertently involved with the law. Under American rules of justice, accused persons in our courts are entitled to every doubt and every consideration. In Mr. Whelchel they had a champion to present their case and to obtain for them the full protection which is their due.

When word got out that he was to appear in court, spectators filled every seat in the chamber to hear him exercise his powers of oratory and persuasion on a jury. It was seldom that he failed to achieve at least a partial victory for his client.

In the courtrooms his reputation as a judge of human nature and a striker of juries made him a formidable legal opponent. For a man who studied law in pullman cars, as the Washington Post reported when he went to Washington as a freshman Congressman, he saved many a man from long years in prison or even worse punishment.

We knew him as an always friendly, interested person sympathetic and helpful toward young reporters trying to get a complicated story. In his passing, something bright and very much alive leaves the daily scene in this already all too humdrum world.

Mr. Speaker, I am glad to have had the privilege of knowing Frank Whelchel and I am happy that I was able to observe the many fine qualities which endeared him to his thousands of friends. I join with them and with you in expressing sympathy to his widow and to his family.

Jeannie Sargent, Winner of Greater Lowell Spelling Bee

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 18, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the gallery at this time is 13-year-old Jeannie Sargent, of St. Margaret's School in Lowell, Mass., who topped 7,600 contestants in the Greater Lowell spelling bee and is here for the national finals on Thursday.

Jeannie is president of her class, valedictorian of the graduates, and already has won a scholarship for her high-school education.

Speaking for all the people of Greater Lowell and, personally, with highest praise, I am extremely proud of her and congratulate her on her great accomplishments, retentive mind and her becoming modesty.

The Social Security Act Amendments

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 18, 1954

Mr. REED of New York. Mr. Speaker, there has been considerable interest on the part of the Members of Congress in H. R. 7199, a bill to amend the Social Security Act and the Internal Revenue Code. As stated in the title of H. R. 7199, the purpose of the amendments is to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes. The bill contains 76 pages. The Committee on Ways and Means held extensive public hearings, and now the committee is considering the bill, H. R. 7199, in executive session.

It will require morning, afternoon, and some evening sessions of the Ways and Means Committee to bring this legislation to the floor of the House for action this month. The importance of H. R. 7199 as a part of the President's legislative program places a responsibility on each Member of Congress to be informed on this bill. To that end I place in the RECORD at this point a preliminary section-by-section analysis of H. R. 7199 as introduced. I have received notification from the Public Printer that the estimated cost of printing this material in the CONGRESSIONAL RECORD will be $821.70. In my opinion, the benefit to the Mem-

bers of Congress and to the public will more than justify the expense.

The analysis follows:

SECTION-BY-SECTION ANALYSIS—H. R. 7199, MR. REED OF NEW YORK, JANUARY 14, 1954

The first section of the bill contains a short title, "Social Security Amendments of 1954." The remainder of the bill is divided into three titles: Title I, which amends title II of the Social Security Act; title II, which amends the Internal Revenue Code; and title III, which makes a conforming amendment in the Railroad Retirement Act and other laws.

TITLE I. AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT EXTENSION OF COVERAGE

Section 101 of the bill amends sections 205, 209, 210, 211, and 218 of the Social Security Act so as to extend coverage to additional groups.

Domestic service, service not in course of employer's business, and agricultural labor

Domestic Service

Section 101 (a) (1) of the bill amends paragraph (2) of section 209 (g) of the Social Security Act, which relates to domestic service. This paragraph now provides for the exclusion from wages, for purposes of old-age and survivors insurance, of cash remuneration paid in a quarter for domestic service in a private home unless such remuneration paid in such quarter for the service is $50 or more and the employee is regularly employed by the employer in the quarter—i. e., he performs such service for that employer on at least 24 days in the same or preceding quarter. The amendment would eliminate the requirement of regular employment, thus making coverage of domestic service depend solely on receipt of $50 in cash wages in a quarter by an employee from an employer for domestic service.

As under existing law, domestic service will not include service described in section 210 (f) (5) (service not in the course of the employer's trade or business, or domestic service in the employer's private home, if such service is performed on a farm operated for profit).

Service Not in Course of Employer's Business

Section 101 (a) (2) of the bill amends section 209 (g) of the Social Security Act by adding a new paragraph (3). This paragraph relates to cash remuneration received for service not in the course of the employer's trade or business and should be considered together with repeal of section 210 (a) (3) of the Social Security Act which would be accomplished by section 101 (a) (5) of the bill.

Section 210 (a) (3) of the act now excludes, from employment covered by it, service not in the course of the employer's trade or business performed by an employee in a calendar quarter unless the cash remuneration paid by an employer for such service is $50 or more and the service is performed by an individual regularly employed in that quarter by such employer to perform such service. The test of regular employment for this purpose is the same as the test used under existing law for domestic service in a private home (described above). The effect of the new paragraph (3) of section 209 (g) plus the repeal of paragraph (3) of section 210 (a) is to eliminate the requirement of regular employment and to make coverage under old-age and survivors insurance of service not in the course of the employer's trade or business depend solely on receipt of $50 or more for the service.

The $50 test is also changed slightly. Under the existing law the $50 must be paid for service performed in a quarter during which the employee is regularly employed by the employer to perform the service, and the time of payment is unimportant. Under the new section 209 (g) (3), the test is payment of $50 in a quarter for the service and the time of performance of the service is unimportant. This change (which parallels a change made in the Internal Revenue Code by the bill) should ease the burden on the employer for reporting purposes.

Agricultural Labor

Paragraph (3) of section 101 (a) of the bill would amend section 209 (h) of the Social Security Act by inserting a new paragraph (2) (the existing provisions of section 209 (h) would be made paragraph (1) thereof). The new paragraph would exclude from wages, for purposes of old-age and survivors insurance, cash remuneration paid by an employer to an employee in any calendar quarter for agricultural labor, unless such remuneration paid in such quarter by that employer to the employee for such service is $50 or more. This amendment should be considered with the amendment to paragraph (1) of section 210 (a) of the Social Security Act which would be effected by section 101 (a) (4) of the bill.

Under the existing provisions of section 210 (a) (1) of the Social Security Act agricultural labor performed in a calendar quarter is excluded from employment covered by old-age and survivors insurance unless the cash remuneration paid for such labor is $50 or more and such labor is performed for the employer by an individual regularly employed by him to perform such labor. The "regularly employed" test for this purpose is both more substantial and more complex than the "regularly employed" test now applicable to domestic service and service not in the course of the employer's trade or business. For purposes of section 210 (a) (1), "an individual is deemed to be regularly employed by an employer during a calendar quarter * * * only if (i) such individual performs agricultural labor * * * for such employer on a full-time basis on 60 days * * * during the quarter, and (ii) the quarter was immediately preceded by a qualifying quarter. A qualifying quarter is defined as (I) any quarter during all of which the individual was continuously employed by the employer, or (II) any subsequent quarter meeting the test of clause (i) above if, after the last quarter during all of which the individual was continuously employed by the employer, each intervening quarter met the test of clause (i). An individual is also deemed to be regularly employed by an employer during a calendar quarter if he was regularly employed (upon application of clauses (i) and (ii)) by the employer during the preceding calendar quarter." (H. Rept. 2771, 81st Cong., 2d sess. (Conference Rept. on H. R. 6000), p. 95.)

The main effect of the amendments made by paragraphs (3) and (4) of section 101 (a) of the bill is to eliminate the requirement of regular employment for purposes of determining whether an individual's agricultural labor is covered under old-age and survivors insurance and to make coverage depend solely on payment of $50 or more in the quarter by the same employer to the employee for such labor. As in the case of the amendments relating to service not in the course of the employer's trade or business, the $50 test is to be applied in terms of when the remuneration is received rather than when the agricultural labor, for which it is paid, is performed.

At the present time, services performed in connection with the ginning of cotton and services performed in connection with the production or harvesting of crude gum (oleo-resin) from a living tree or the processing of such crude gum into gum spirits of turpentine and gum resin, if such processing is carried on by the original producer of the crude gum, are excluded from coverage under old-age and survivors insurance (sec. 210 (a) (1) (B) of the Social Security Act). Also, these services may not be counted in determining whether an individual meets the $50 60-day test in connection with other agricultural labor, discussed above, although it may be counted for purposes of a qualifying quarter. The amendment to section 210 (a) (1) of the Social Security Act would also remove the exclusion of these services.

The exclusion of services performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (Public Law 78, 82d Cong.), would, however, be continued in section 210 (a) (1) of the Social Security Act, as amended by the bill. Title V of the Agricultural Act now provides that no workers may be made available under it for employment after December 31, 1955. The exclusion in section 210 (a) (1) of the Social Security Act would be inoperative when title V of the Agricultural Act ceases to have any effect.

Redesignation of Paragraphs of Section 210 (a)

As indicated above, paragraph (5) of section 101 (a) of the bill repeals paragraph (3) (exclusion of service not in the course of the employer's business) of section 210 (a) of the Social Security Act. This paragraph of the bill would also make the necessary technical change of redesignating paragraphs (4) through (14) of that section, and references in the rest of the Social Security Act to the redesignated paragraphs. This paragraph of the bill does not redesignate paragraphs (15), (16), and (17) of section 210 (a) of the Social Security Act since they are dealt with by later provisions of the bill.

American citizens employed by American employers on foreign-flag vessels

Under section 210 (a) (5) of the Social Security Act (redesignated by the bill as sec. 210 (a) (4)), seamen employed on foreign-flag vessels and airmen employed on foreign-flag aircraft are excluded from employment covered by old-age and survivors insurance both with respect to services performed on or in connection with the vessel or aircraft outside the United States and services performed in port in this country. Section 101 (b) of the bill would amend this section of the act so as to make the exclusion apply only if the seaman or airman is not an American citizen or the employer is not an American employer. Consequently, if the seaman or airman is an American citizen and the employer is an American employer the services of such seaman or airman on foreign-flag vessels or foreign aircraft will be covered whether performed here or abroad. This change would have the effect of treating services performed by these individuals the same as other services performed by American citizens as employees for American employers, which are now covered whether performed here or abroad.

Certain Federal employees

Section 101 (c) of the bill amends section 210 (a) of the Social Security Act to extend the coverage of old-age and survivors insurance to certain services performed for the Federal Government.

Employees of Federal Home Loan Banks

At the present time, service performed by employees of the district Federal home loan banks is excluded, pursuant to section 210 (a) (7) (B) of the Social Security Act (redesignated as section 210 (a) (6) (B) of the bill). This provision excludes service performed in the employ of any Federal instrumentality which was exempt on December 31, 1950, from the old-age and survivors insurance employer tax imposed by section 1410 of the Internal Revenue Code.

There are a number of instrumentalities (listed in clauses (i) through (iv) of the

present sec. 210 (a) (7) (B)) which are excepted from this exclusion and section 101 (c) (1) of the bill would add Federal Home Loan banks to the list of exceptions (in clause (ii)), thereby covering under old-age and survivors insurance service performed for such banks.

Civilian Employees of Coast Guard Exchanges

Among the exceptions to the exclusion of service for Federal instrumentalities exempt from the old-age and survivors insurance employer's tax on December 31, 1950, mentioned above, are the Army and Navy exchanges and similar activities conducted by Federal instrumentalities subject to the jurisdiction of the Defense Department. Service performed by civilians for these instrumentalities, not compensated for from funds appropriated by the Congress, is covered under old-age and survivors insurance. Section 101 (c) (2) of the bill would amend the redesignated section 210 (a) (6) (B) of the Social Security Act (now sec. 210 (a) (7) (B)) by the addition of a new clause (v), which would except similar service performed for Coast Guard exchanges and similar activities conducted by instrumentalities subject to the jurisdiction of the Secretary of the Treasury from the exclusion, thereby covering such service under old-age and survivors insurance.

Paragraph (4) of section 101 (c) of the bill would make a complementary amendment to paragraph (3) of section 205 (p) of the Social Security Act. This section of the act deals with determinations of employment and wages in the case of Federal employees. Paragraph (3) of the section makes these administrative provisions applicable to the exchanges and related activities conducted by Federal instrumentalities under the jurisdiction of the Defense Department. The amendment to section 205 (p) (3) of the act would make such administrative provisions applicable also in the case of the Coast Guard exchanges and similar activities conducted by Federal instrumentalities subject to the jurisdiction of the Secretary of the Treasury.

Employees in the Postal Field Service Not Covered by Any Federal Retirement System

At the present time employees in the field service of the Post Office Department who are excluded from the civil service retirement system by Executive order because they are serving under temporary appointments pending final determination of eligibility for permanent or indefinite appointments are covered under old-age and survivors insurance. The services of employees in the postal field service covered by the civil service retirement system are excluded from coverage under old-age and survivors insurance as are the services of all other Federal employees covered by that system. The bill would not make any changes as to these excluded services. However, also excluded, by reason of clause (iii) of section 210 (a) (7) (C) of the Social Security Act (redesignated as sec. 210 (a) (6) (C) by the bill), from old-age and survivors insurance are services performed by employees in the postal field service who are not covered by the civil service retirement system and who are not excluded from that system because they are serving under temporary appointments pending determination of their eligibility for permanent or indefinite appointments. Some of these employees are employed for short periods of time, e. g., during the holiday rushes; others may be employed for relatively substantial periods. Section 101 (c) (3) of the bill would repeal clause (iii) of the present section 210 (a) (7) (C) of the Social Security Act, thereby covering under old-age and survivors insurance the services of these postal employees not covered by the civil service retirement system and not awaiting a determination of their eligibility for permanent or indefinite appointments.

This repeal necessitates a renumbering of the succeeding clauses of the section, and section 101 (c) (3) of the bill would also effect this renumbering.

Ministers

Section 101 (d) of the bill amends the present paragraph (9) of section 210 (a) of the Social Security Act (redesignated as paragraph (8) by the bill) to permit coverage of certain ministers and members of religious orders employed by nonprofit religious, charitable, educational, or other organizations exempt from income tax under section 101 (6) of the Internal Revenue Code, if the organization has filed a certificate under section 1426 (l) of the Internal Revenue Code waiving its exemption from the taxes imposed pursuant to the Federal Insurance Contributions Act (concurrence of two-thirds of the clergymen employees is required).

The present subparagraph (B) of section 210 (a) (9) of the Social Security Act excludes lay employees of these organizations unless the organization files a certificate of waiver under section 1426 (l) of the Internal Revenue Code. This provision would be retained without any substantive change and would be redesignated as subparagraph (A). The present subparagraph (A) excludes services performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order. This would be eliminated and in its place would be substituted a new subparagraph (B) excluding such services if performed in the employ of an organization exempt from income tax under section 101 (6) of the Internal Revenue Code. The new subparagraph (B) would, however, permit coverage under old-age and survivors insurance of ministers and members of religious orders (not including any member of a religious order who has taken a vow of poverty as a member of such order) employed by such organizations if the organization has filed with the Bureau of Internal Revenue a certificate indicating its desire to cover its ministers and members of religious orders. (The conditions governing the filing of such a certificate are contained in the Internal Revenue Code, and are explained in the portions of this statement applying to amendments in the code.) The clergymen who concur in the filing of the certificate, and those employed after the certificate became effective (or after the certificate was filed, if the certificate was made effective retroactively) would be covered.

The new subparagraph (B) would also have the effect of covering under old-age and survivors insurance, without any option on the part of the employing organization or the employees, any services performed by a minister or member of a religious order as an employee of an organization other than an organization exempt from income tax under section 101 (6) of the Internal Revenue Code. Services performed under such circumstances were covered prior to the 1950 amendments to the Social Security Act, and this change merely restores the situation which existed prior to 1951.

Interns

Section 101 (e) of the bill amends the paragraph redesignated by the bill as paragraph (13) of section 210 (a) of the Social Security Act (the present sec. 210 (a) (14)). This section now excludes from employment covered under old-age and survivors insurance, service performed by a student nurse or by an intern. The amendment which would be made by the bill would repeal this exclusion insofar as it relates to interns.

Fishing and related service

Section 210 (a) (15) of the Social Security Act now excludes from employment covered by old-age and survivors insurance, services performed by employees in fishing and similar activities unless performed in connection with commercial salmon or halibut fishing or on a vessel of more than 10 net tons. Section 101 (f) of the bill would repeal this exclusion and renumbe. the succeeding paragraphs of section 210 (a) accordingly.

Homeworkers

Section 210 (k) (3) (C) of the Social Security Act includes as an employee, for purposes of employment covered by old-age and survivors insurance, any individual performing services for remuneration for any person as a homeworker, according to specifications and on materials furnished by such person, which materials are to be returned to him or his designee, but only if the performance of such services is subject to State licensing laws. (Under section 209 (j), which would not be changed by the bill, the remuneration for homework in any quarter is not counted unless the employee received $50 or more in cash in the quarter from the same employer for such work.) Section 101 (g) of the bill would amend section 210 (k) (3) (C) of the act so as to eliminate the requirement that the services be subject to State licensing laws.

Farmers and professional self-employed

Section 101 (h) of the bill amends section 211 of the Social Security Act to provide coverage for farm operators and professional self-employed people with net earnings from self-employment of at least $400 annually.

At the present time, paragraph (2) of section 211 (a) of the Social Security Act excludes from the definition of "net earnings from self-employment," for purposes of coverage under old-age and survivors insurance, income from any trade or business in which, if it was carried on exclusively by employees, the major portion of their services would constitute agricultural labor. Section 101 (h) (1) of the bill would repeal this paragraph (thereby covering such income under old-age and survivors insurance to the same extent as other income from self-employment), would renumber the succeeding paragraphs accordingly, and would add a new sentence at the end of section 211 (a). The new sentence provides that in the case of any such trade or business carried on by an individual the net earnings from self-employment may, at his option be presumed to be computed by deducting 50 percent of the gross income therefrom instead of the amount as otherwise computed under the section. This option will be available, however, only if the gross income (as computed under the section) from the trade or business is $1,800 or less. If such gross income is more than $1,800 and the net earnings therefrom, as computed under the section, are less than $900, the farmer may at his option presume such net earnings to be $900 for purposes of old-age and survivors insurance.

Section 101 (h) (2) of the bill would amend the present section 211 (a) (4) of the Social Security Act (redesignated as sec. 211 (a) (3) by the bill) so as to exclude from "net earnings from self-employment" the gain or loss derived from coal royalties under certain conditions. This is a technical amendment needed to bring this definition in title II of the Social Security Act into line with the definition of the term in the Internal Revenue Code. Section 325 (d) of the Revenue Act of 1951 amended section 481 (a) (4) of the Internal Revenue Code (relating to the old-age and survivors insurance tax on self-employment income) but failed to amend the corresponding provision in the present section 211 (a) (4) of the Social Security Act.

Section 211 (c) (5) of the Social Security Act now excludes, for purposes of net earnings from self-employment and self-employment income on which old-age and survivors insurance coverage is based, income from the performance of service by an individual in the exercise of designated professions. These are physicians, lawyers, dentists, osteopaths,

veterinarians, chiropractors, naturopaths, optometrists, Christian Science practitioners, architects, registered, licensed, or certified public accountants, funeral directors, or professional engineers. Section 101 (h) (3) of the bill would repeal this exclusion, thereby covering the self-employment income from the practice of these professions by self-employed individuals.

Employees covered by State or local retirement systems

Subsection (i) of section 101 of the bill amends section 218 (d) of the Social Security Act to permit service performed in positions covered by a State or local retirement system to be included, under prescribed conditions, under an agreement between a State and the Secretary of Health, Education, and Welfare covering State and local government employees for old-age and survivors insurance purposes.

Paragraph (1) of subsection (i) would amend the heading of section 218 (d) (which now reads "Exclusion of Positions Covered by Retirement Systems") by striking out "Exclusion of." It retains the present provisions of the section, but adds it to provisions which would permit the coverage of individuals performing service on the date of enactment in positions covered by a State or local retirement system under certain conditions. These provisions do not apply, however, to those in policemen's or firemen's positions. With respect to services in such positions existing law continues to apply. This change would have the general effect of providing that after enactment of the bill individuals in positions subject to a State or local retirement system after the effective date of enactment of the bill could be covered only if the members of the system vote in favor of coverage. Paragraph (1) would also add five new paragraphs to section 218 (d).

The new paragraph (2) of section 218 (d) contains a statement that it is the policy of the Congress in enacting provisions permitting the coverage under old-age and survivors insurance of employees under a State or local retirement system that the protection afforded employees in positions covered under a retirement system on the date a coverage agreement is made applicable to service in such positions, or receiving periodic benefits under the retirement system at that time, will not be impaired as a result of their coverage under old-age and survivors insurance or as a result of legislative enactment in anticipation of coverage.

The new paragraph (3) permits coverage under an agreement of service performed by employees in positions covered by a retirement system (other than policemen's and firemen's positions and certain positions in police and fire departments specified in paragraph (5)) if the governor of the State certifies that the following conditions have been met:

A. A referendum by secret written ballot was held on the question whether service in positions covered by the retirement system should be included under an agreement;

B. An opportunity to vote in the referendum was given (and was limited) to the employees who, at the time the referendum was held, were in positions then covered by such retirement system and were members of such system (other than employees who were not in such positions at the time notice of the referendum was given, employees who would not be affected by the referendum because they are in positions already covered under the agreement, and employees in the police and fire department positions referred to in paragraph (5));[1]

C. Ninety days' notice of the referendum was given to all such employees;

D. The referendum was conducted under the supervision of the governor or an agency or individual designated by him; and

E. Two-thirds or more of the employees who voted in the referendum voted in favor of including such positions under an agreement under section 218.

No referendum would be valid for the purposes of paragraph (3) unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends coverage to the retirement system involved, nor would any referendum be valid if held less than 1 year after any prior referendum with respect to the same retirement system.

The new paragraph (4) establishes, for the purposes of the existing section 218 (c), a separate coverage group consisting of all three of the following categories of employees:

A. All employees in positions covered by the same retirement system on the date when an agreement (or modification) entered into in compliance with the conditions in paragraph (3) was made applicable to such system. The employees in this category are those to whose services an agreement cannot be made applicable under existing law because the services are performed in positions covered by a retirement system.

B. All employees in positions which were covered by that retirement system at any time after the date an agreement was made applicable to the system. The employees in this category are those in positions which are brought under the retirement system after the agreement is made applicable to the system.

The bill, therefore, needs clarification in these respects:

C. All employees in positions which were covered by the same retirement system at any time prior to the date when an agreement was made applicable to the system and to which the old-age and survivors insurance system was not extended because of the existing provisions of section 218 (d) (which, under the bill, are contained in section 218 (d) (1)). The employees in this category are those in positions which were covered by the retirement system at the time an agreement or modification was made applicable to the coverage group of which they were members, but which were later removed from coverage under the retirement system.

The new paragraph (5) provides that the referendum procedures in paragraph (3) for extension of old-age and survivors insurance coverage entered into under section 218 are not applicable to cover under an agreement service performed in any policeman's or fireman's position covered by a retirement system or service in any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire-fighting units, agencies, or departments. By nature of the provisions of existing law which continue to be applicable to such policeman's and fireman's positions, services in such positions cannot be covered under an agreement if the positions are covered under a State or local retirement system.

The new paragraph (6) provides that a retirement system which covers positions of employees of the State and positions of employees of 1 or more political subdivisions thereof, or covers positions of employees of 2 or more political subdivisions of the State, may be deemed, at the option of the State, to constitute a separate retirement system with respect to each such political subdivision, and, where applicable, a separate retirement system with respect to the State. If the State determines that the retirement system shall not be deemed to constitute separate retirement systems, then any referendum must apply to the entire retirement system and any agreement or modification entered into must be made applicable to service performed by all employees in positions covered by the system.

Paragraph (2) of section 101 (i) of the bill amends section 218 (f) of the Social Security Act, which relates to effective dates of agreements and modifications thereof. Under the existing provision agreements or modifications executed prior to January 1, 1954, may be made retroactive to January 1, 1951, thus enabling the States to negotiate agreements in the early days of the provisions relating to coverage of State and local employees without unduly penalizing the employees under the eligibility and benefit-computation provisions of old-age and survivors insurance because of unavoidable delay in this process. In the case of agreements or modifications executed after December 31, 1953, the coverage provided thereby may be made retroactive only to the beginning of the calendar year in which the agreement or modification is consummated. This provision would be modified by the bill to permit agreements or modifications entered into during 1955 and 1956 to be made retroactive to January 1, 1955. This will give the States 2 years within which to enact any legislation necessary to enable them to enter into agreements or modifications of agreements designed to take advantage of the new provisions of section 218 (d) of the Social Security Act which have been added by the bill.

An agreement or modification retroactive to a date prior to its execution, either under existing law or by reason of the provisions of section 101 (i) of the bill, may not be made applicable with respect to service in the retroactive period performed by any individual who is not a member of a coverage group to which the agreement or modification applies on the date of execution of the agreement or modification. Thus, service performed by individuals who die, retire, or otherwise leave the employ of the State or political subdivision prior to the date of execution of an agreement or modification would not be covered for retroactive periods.

Section 101 (i) (2) of the bill also provides that deductions under section 203 of the Social Security Act (on account of earnings in excess of the permitted amount) shall not be made from any benefits certified and paid before an agreement or modification is agreed to on account of service covered retroactively by the agreement or modification. This section of the bill also provides that in such cases the deductions which would have been made under section 203 had the agreement or modification been agreed to on the date it became effective, shall be deemed to have been made for purposes of section 215 (f) of the act (relating to recomputation of benefits).

The amendment made by section 101 (i) (1) of the bill is made effective as of January 1, 1955.

Paragraph (3) of section 101 (i) of the bill amends section 218 (m) of the act (relating to coverage of employees under the Wisconsin retirement fund) by changing the reference to "subsection (d)" to "paragraph (1) of subsection (d)."

Effective dates

Subsection (j) provides effective dates for the amendments made by section 101 of the bill. The exclusion of coal royalties from "net earnings from self-employment" (sec. 101 (h) (2) of the bill) would be effective for taxable years beginning after 1950. The extension of coverage to farm operators and the self-employed professional groups (sec.

[1] As set forth in the bill, employees in positions covered by a retirement system but who, because of personal disqualification are not members of such system have no voice in the referendum. Likewise, since membership in an existing retirement system is a condition of voting, those who were under such a system and were excluded from coverage because they were subject to the system when their coverage group was brought under old-age and survivors insurance, would have no opportunity to come in at all if the entire system had been repealed prior to the effective date of the bill.

101 (h) (1) and (3) of the bill) would be effective for taxable years beginning after 1954. The provisions relating to the coverage of the agricultural labor and service not in the course of the employer's trade or business (section 101 (a) (2), (3), (4), and (5) of the bill) would be effective with respect to remuneration paid after 1954 (in the case of the amendments to the definition of "wages") and with respect to service for which the remuneration is paid after 1954 (in the case of the amendments to the definition of "employment"). The provisions relating to coverage of domestic service (sec. 101 (a) (1) of the bill) would be effective with respect to remuneration paid after 1954. The amendment making applicable to Coast Guard exchanges the administrative provisions of section 205 (p) of the Social Security Act (sec. 101 (c) (4) of the bill), which are now applicable in the case of other service for the Federal Government covered under old-age and survivors insurance, would become effective January 1, 1955. The amendments made by the rest of section 101 of the bill (other than subsec. (i), relating to employees covered by State or local retirement systems, which permits retroactive coverage) would be effective with respect to services performed after 1954.

Increase in benefit amounts

Primary Insurance Amount

Section 102 (a) of the bill amends section 215 (a) of the Social Security Act to provide increases in benefit amount, both for individuals already on the benefit rolls and those who will come on the rolls after the effective date.

Paragraph (1) of section 215 (a) as amended by the bill sets forth a new benefit formula to be used in computation of the primary insurance amount of individuals who: (1) Have acquired at least 6 quarters of coverage after 1950 and become eligible for old-age insurance benefits no earlier than the first day of the second month following the month of enactment of these amendments or who die no earlier than that day and prior to becoming eligible for an old-age insurance benefit, or (2) acquire at least 6 quarters of coverage after June 30, 1953. The new benefit formula would be used only if it resulted in a higher primary insurance amount than would result for such individual if his benefit amount were computed under the new conversion table provided in section 215 (c) as amended by the bill.

The benefit formula provided by the bill would replace 55 percent of the first $110 of average monthly wage plus 20 percent of the next $240 of such wage. Under present law, the formula replaces 55 percent of the first $100 of average monthly wage plus 15 percent of the next $200.

Paragraph (2) of the subsection as amended by the bill provides that any other individual shall have his primary insurance amount computed through the conversion table in subsection 215 (c) as amended by the bill.

Average Monthly Wage

Section 102 (b) amends section 215 (b) of the Social Security Act to provide that, in determining an individual's average monthly wage, up to 4 calendar years in which earnings were lowest (or nonexistent) be dropped from the computation. The exclusion of such low years is of special significance to individuals newly covered by the bill, since they can drop from the computation the years 1951–54, during which they had no covered earnings. Persons already covered could drop any 4 or fewer years, past or future, in which their earnings were lowest.

Paragraph (1) of the subsection amends subsection 215 (b) (1) of present law to provide that the minimum divisor used in computing the average monthly wage would be 24 in cases where one or more low years are dropped from the computation. The purpose of this change is to assure that the minimum period used in the computation is substantial enough to cover a fairly representative portion of the individual's wage history. The minimum divisor of 18 would still be used in cases where no low years are dropped. In the future, this minimum divisor of 18 would be used only in cases where individuals died prior to attainment of age 22, or prior to attainment of age 24 with a starting date of the first day of the quarter in which age 22 was attained, or where an individual was first eligible for benefits in 1952, and that date is used in the computation.

Paragraph (2) of the subsection directs the Secretary to determine, and to exclude from the computation of an individual's average monthly wage, the 4 or fewer calendar years which, if the months thereof elapsing after the individual's starting date and prior to his divisor closing date, and the wages and self-employment income for such years, were excluded from the computation, would produce the highest primary insurance amount.

Determinations Made by Use of the Conversion Table

Section 102 (c) of the bill amends section 215 (c) of present law to provide a new conversion table to be used to increase the benefits of individuals already on the rolls and to compute the primary insurance amount of certain individuals who come on the rolls after the effective date of the bill.

Paragraph (1) of the subsection sets forth the new conversion table. Column I of the table contains amounts of primary insurance benefits computed on the basis of average earnings from January 1, 1936, on and using the benefit formula provided by the social-security amendments of 1939. Column II contains primary insurance amounts computed under the Social Security Act Amendments of 1952, either through the conversion table in the act, or through the benefit formula provided therein in cases where average earnings after 1950 are used in the computation. Column III sets forth the new primary insurance amounts to which the amounts on corresponding lines in columns I and II are to be increased. Column IV sets forth the average monthly wage to be used in setting the maximum amount of benefits payable to the family.

The table is designed to provide an increase of at least $5 in primary insurance amounts. The amounts in column III of the table for which there is in column I a corresponding primary insurance benefit were computed by applying the new benefit formula in the bill to the amounts of assumed average monthly wage in column III of the conversion table in present law, and further increasing any of the resultant primary insurance amounts so that they were at least $5 more than the primary insurance amounts in the present conversion table corresponding to such assumed average monthly wage. Thus, except at average monthly wage levels below $130, where the guaranteed $5 increase applies, benefit amounts for individuals having the same average monthly wage will be identical, regardless of whether the benefit is computed through the conversion table or the new formula. Where the individual's average monthly wage, even after a dropout of low years, is less than $130, the conversion table may give a more favorable result. The amounts in column III for which there are no corresponding primary insurance benefits are, in general, derived from actual average monthly wages derived on the basis of earnings after 1950.

The amounts in column IV are derived partly from actual average monthly wages on the basis of earnings after 1950 and partly from assumed amounts which would yield the primary insurance amount on the corresponding line in column III by applying the revised benefit formula in the bill. Such amount in column IV will determine the maximum amounts of benefit payable under section 203 of the act, as amended by the bill.

Paragraph (2) sets forth the methods to be used for computation of the new primary insurance amount for values that fall between the amounts on any two consecutive lines of column I or II of the table. Subparagraph (A) of the paragraph provides that when the primary insurance benefit falls between the amounts on any two consecutive lines in column I, the new primary insurance amount would be determined by applying the new benefit formula to the average monthly wage which would be determined for the individual under regulations in effect on January 1, 1954, for determination of intermediate benefit amounts under the conversion table in present law. The primary insurance amount thus obtained, if not already a multiple of 10 cents, would be rounded upward to the next higher multiple of 10 cents and further increased, if necessary, to the extent that is less than $5 greater than the primary insurance amount that would be derived from the individual's primary insurance benefit under the provisions of present law.

Subparagraph (B) of the paragraph provides that when an individual's primary insurance amount (computed under the benefit formula in present law) falls between any two consecutive lines in column II of the table, the new primary insurance amount shall be computed as in subparagraph (A) in those cases where the primary insurance amount under present law can be related to a primary insurance benefit under regulations now in effect. Where no such relationship exists, or where the primary insurance amount derived under present law is more than $77.10, the new primary insurance amount would be derived by applying the new benefit formula in the bill to the average monthly wage from which the present primary insurance amount was determined. The resultant amount would be rounded to the next higher multiple of 10 cents if it is not already a multiple of 10 cents and further increased to the extent, if any, that it is less than $5 greater than the primary insurance amount computed under present law.

Subparagraph (c) of the paragraph provides that in cases where the individual's primary insurance amount can be computed under the provisions of both subparagraph (A) and subparagraph (B), the subparagraph that yields the larger primary insurance amount shall be used.

Section 215 (c) (3) of the Social Security Act as amended by the bill designed to facilitate the mechanical processing of the increases provided by section 102 (c) by providing for an assumed primary insurance benefit 1 or 2 cents more or less than the actual primary insurance benefit from which a benefit under section 202 had been computed.

Section 215 (c) (4) of the Social Security Act as amended by the bill provides that, for purposes of section 203 (a) (setting the maximum monthly amount of benefits payable on a single wage record), the average monthly wage of an individual whose primary insurance amount is determined under paragraph (2) of the amended subsection (providing a method for computing the new primary insurance amount for persons whose primary insurance benefits or present-law primary insurance amounts fall between the amounts on any two consecutive lines in columns I or II of the conversion table) shall be a sum equal to the average monthly wage which would result in such new primary insurance amount if the new benefit formula provided in the amended section 215 (a) (1) (A) were applied to such average monthly wage, except that such average monthly wage (if not already a multiple of $1) in lieu of being rounded to the next lower multiple of

$1 would be rounded to the nearest multiple of $1 (or to the next multiple of $1 if it was a multiple of $0.50).

Primary Insurance Benefit and Primary Insurance Amount for Purposes of Conversion Table

Section 102 (d) of the bill amends section 215 (d) of present law to add provisions for computation of a primary insurance amount for purposes of the conversion table to the present provision for computation of a primary insurance benefit for such purposes.

Paragraph (1) of the subsection changes the heading of subsection 215 (d) to read "Primary Insurance Benefit and Primary Insurance Amount for Purposes of Conversion Table."

Paragraph (2) changes the introductory sentence of subsection (d) of section 215 to provide that primary insurance amounts required by the conversion table procedures would be computed under the provisions of the subsection.

Paragraph (3) amends paragraph (4) of subsection 215 (d) of the Social Security Act to provide that a primary insurance benefit would not be computed in the case of any individual who attained age 22 after 1950 and with respect to whom not less than 6 of the quarters elapsing after 1950 are quarters of coverage. Such an individual is precluded from a primary insurance benefit computation under present law. He could still have a primary insurance amount computed for purposes of the conversion table.

Paragraph (4) adds a new paragraph (6) to section 215 (d) of the Social Security Act, to provide that an individual's primary insurance amount for purposes of the conversion table be computed under the provisions of present law except that provisions of the bill relating to increase in earnings counted after 1954, elimination of periods of disability from the computation, and establishment of closing dates for computations in 1955, 1956, and the first half of 1957 would be applicable. The provisions for dropping up to 4 lowest years, however, would not be applicable to computations made under this paragraph, although they would be applicable to computations of primary insurance benefits for purposes of the conversion table.

Maximum Benefits

Section 102 (e) of the bill amends section 203 (a) of the Social Security Act to provide that the maximum amount of benefits payable on the basis of a single wage record be raised from the present $168.75 to $190. Where the total of family benefits computed under the bill on the basis of a single wage record exceeded $50 and was more than 80 percent of the insured individual's average monthly wage, that total could not be reduced to less than $50. The comparable amount in present law is $45. The amendment made by this subsection would permit increases in benefit amounts for dependents and survivors in cases where such benefits are now reduced by the maximum provisions of present law, and would permit the payment of larger total amounts than under present law to dependents and survivors who come on the rolls in the future.

Effective Date

Section 102 (f) of the bill sets forth the effective date of the provisions of sections 102 (a), (b), (c), (d), and (e) of the bill.

Subsection (f) (1) provides that, except with respect to the provision in subsection (b) (2) for dropping up to 4 years of lowest earnings from the computation of average monthly wage, and regardless of the restrictions on recomputation of benefits in section 215 (f) (1) of the act, the provisions for the increase of benefits under sections 102 (a), (b), (c), (d), and (e) of the bill shall apply in the case of lump-sum payments with respect to deaths occurring after, and in the case of monthly benefits, for months after, the effective date of the bill. For the purpose of subsection (f) and succeeding subsections of section 102 of the bill, the effective date is the last day of the month following the month in which the bill is enacted.

Under the provisions of subsection (f) (2) (A), subsection (b) (2) (providing for a drop-out of up to 4 years of lowest earnings in computing benefits) becomes applicable to a worker only in the following cases:

(1) he becomes eligible for old-age insurance benefits (i. e., attains age 65 and is fully insured) after the effective date; or

(2) he dies after the effective date without becoming eligible for old-age insurance benefits; or

(3) after the effective date he files an application for recomputation of his primary insurance amount under section 215 (f) (2) of the act relating to recomputations to take account of earnings after entitlement to old-age insurance benefits to which he is entitled (or would be entitled except for the requirement that the recomputation result in a higher primary insurance amount); or

(4) he acquires 6 quarters of coverage after June 1953 (subject to the provisions of subparagraph (b) regarding a recomputation of benefits for workers having such 6 quarters); or

(5) after the effective date he files an application for a disability determination under the provisions of section 106 (d) of the bill; or

(6) he dies after the effective date and his survivors are entitled (or would be entitled except for the requirement that the recomputation result in a higher primary insurance amount) to a recomputation of his primary insurance amount under section 215 (f) (4) (A) of the act.

Subsection (f) (2) (B) of the bill provides that the primary insurance amount of an individual who was entitled to old-age insurance benefits or who was 65 or over and fully insured in the month in which the effective date occurs and who has 6 quarters of coverage after June 1953 shall be recomputed upon his application, or if he dies without applying, upon the application of any person entitled on his record to monthly survivors benefits. This recomputation is to be made under section 215 of the act (but without regard to the recomputation provisions in subsection (f) or the restrictions on recomputation in subsection (f) (1) except that in computing his average monthly wage his closing dates shall be the same as if he became entitled to an old-age insurance benefit in the month in which he filed his application for such recomputation or in which he died. This recomputation is made effective beginning with the month in which he filed such application, or if he had died, beginning with the first month for which his survivor was entitled to survivors monthly benefits. It would not be effective unless it increased the primary insurance amount or if there had been a previous recomputation under subsection 102 (f) of the bill.

Subsection (f) (2) (C) of the bill provides that no increase in the benefits by reason of section 102 of the bill (or the recomputation provided in subparagraph (B) shall be regarded as a recomputation for purposes of section 215 (f) of the act (except for the amendments made by sec. 102 (i) of the bill, described below).

Section 102 (g) of the bill amends section 2 (c) (2) (B) of the Social Security Act Amendments of 1952 (designed to facilitate the computation of benefit increases under that act for dependents and survivors on the benefit rolls), to provide that that section would become inapplicable after the effective date of the bill. The section has served its purpose and is no longer needed.

Saving Provisions

Section 102 (h) of the bill sets up saving provisions to prevent the reduction of benefits in certain cases.

Subsection (h) (1) provides that where an old-age insurance beneficiary and two or more dependents are receiving benefits on the basis of his wage record, in the month in which the effective date occurs, and the total family benefits would otherwise be reduced by reason of the maximum limitation on total family benefits provided by the bill, the family shall be guaranteed the largest of the following total amounts: (a) The maximum amount permitted by the bill; or (b) the maximum amount permitted under present law plus the increase provided by the bill for the old-age insurance beneficiary; or (c) the amount being paid to the family under the saving provisions of the Social Security Act Amendments of 1952 plus the increase provided by the bill for the old-age insurance beneficiary. Thus, even though the increase made in the retired worker's old-age insurance benefit exceeded the maximum allowable increase for the entire family, the benefits paid to his dependents would not be reduced for months subsequent to enactment of the bill.

Subsection (h) (2) provides that where two or more individuals are receiving survivors benefits on the basis of a deceased individual's wage record for the month in which the effective date occurs, and the total of their benefits would otherwise be reduced, under the provisions of the bill, to 80 percent of the deceased individual's average monthly wage, that average monthly wage shall be the larger of his average monthly wage as determined under the bill, or the average monthly wage as determined under present law, plus $7. The provisions of this subsection will permit the total of survivors benefits, in cases where the maximum limitation of 80 percent of average monthly wage applies, to be raised by about $5.

Recomputations of Benefits

Section 102 (i) of the bill amends section 215 (f) (2) of present law, relating to recomputation of benefits in certain cases, and sets up an effective date for the new provisions.

Subsection 102 (i) (1) makes the following changes in section 215 (f) (2) of the Social Security Act:

Subparagraph (B) of section 215 (f) (2) is amended to provide a recomputation for a worker who (1) attained 75 in or before the month of applying for recomputation, (2) had become entitled to benefits without having 6 quarters of coverage after 1950, (3) had not previously had a recomputation under section 215 (f), and (4) prior to the quarter of applying for recomputation had 6 quarters of coverage after 1950.

Subparagraph (C) of such section, as amended, provides that the recomputations under subparagraph (A) and the amended subparagraph (B) shall be made according to the new formula and computed as if the month of applying for recomputation was the month in which the worker became entitled to benefits. The subparagraph also provides that the recomputation would be effective for and after the month in which the application for recomputation is filed.

Subsection 102 (i) (2) provides that the amended provisions shall be applicable in the case of applications for recomputations filed after the effective date.

Amendments relating to deductions from benefits

Section 103 (a) of the bill amends section 203 (b) of the act to put into effect an annual retirement test for beneficiaries whether they have wage or self-employment earnings, or both, and a provision for making deductions on account of noncovered remunerative activity outside the United States.

Paragraph (1) of section 103 (a) strikes out paragraphs (1) and (2) of section 203 (b) (relating to deductions from benefits on account of wages and net earnings from self-employment, respectively) and replaces them with a new paragraph (1) to provide for

deductions for any month in which an individual under age 75 is charged with any earnings under the provisions of subsection (e) of section 203 as revised by the bill.

Paragraph (2) of section 103 (a) of the bill inserts a new paragraph (2) in section 203 (b) of the law to provide that deductions from benefits shall be made for any month in which an individual is under age 75 and on 7 or more calendar days of which he is engaged in noncovered remunerative activity outside the United States.

Section 103 (b) of the bill amends section 203 (c) of the act by striking out paragraphs (1) and (2) and replacing them with paragraphs that provide that deductions would be made from the benefits of a wife, husband, or child for any month in which the old-age beneficiary on whose record of earning the wife's, husband's, or child's benefit was payable—

(1) was under the age of 75, and for which month he was charged with any earnings under the provisions of section 215 (e) as amended by the bill; or

(2) was under the age of 75 and on 7 or more different calendar days of which he was engaged in noncovered remunerative activity outside the United States.

Section 103 (c) of the bill amends section 203 (d) of the Social Security Act to provide that the charging of any earnings (rather than net earnings from self-employment only, as in present law) shall be treated as an event occurring in the month to which such earnings are charged.

Months to Which Earnings are Charged

Section 103 (d) of the bill amends section 203 (e) of the law to provide a method for charging earnings to particular months of the year for the purposes of determining the deductions required under the provisions of sections 203 (b) and 203 (c) of the act as amended by the bill.

Paragraph (1) of section 103 (d) of the bill changes the heading of section 203 (e) of the law to read: "Months to Which Earnings Are Charged," to indicate that all earnings, whether from employment or self-employment, are to be treated alike.

Paragraph (2) of such section 103 (d) amends paragraphs (1) and (2) of section 203 (e) of the law to provide that:

(1) If an individual's earnings for a taxable year of 12 months are not more than $1,000, or if his earnings for a taxable year of less than 12 months are not more than the product of one-twelfth of $1,000 times the number of months in such year, no month in the year shall be charged with any earnings.

(2) If an individual's earnings for a taxable year exceed the amounts stated in the preceding paragraph, the first $80 of excess earnings would be charged to the last month of the taxable year and the balance, if any, of such excess would be charged at the rate of $80 per month to each preceding month of the taxable year until the entire balance has been applied. No part of the excess earnings would be charged to any month: (1) In which the individual whose earnings are involved was not entitled to a benefit under title II of the Social Security Act; (2) in which his benefit was suspended because of noncovered remunerative activity outside the United States; (3) in which the beneficiary, if a wife or widow under retirement age or a former wife divorced, had her benefit suspended because of failure to have a child beneficiary in her care; (4) in which the beneficiary was age 75 or over; or (5) in which the individual did not engage in self-employment and did not render services for wages (determined as provided in section 203 (e) (4) (c) of the act as amended) of more than $80.

Section 103 (d) (3) amends paragraph (3) (B) of section 203 (e) to provide, in addition to the present authority given the Secretary to presume, with respect to any month, that an individual has engaged in self-employment in such month, a presumption (for purposes of charging earnings to calendar months) that an individual rendered services for wages of more than $80 in any month. In the case of self-employment such presumption will apply until it is shown to the satisfaction of the Secretary that the individual rendered no substantial services in such month with respect to any trade or business the net income or loss from which is includible in computing his net earnings or net loss for the taxable year as provided in paragraph (4) of section 203 (e) as amended. The presumption with respect to the rendering of services in a month for wages of more than $80 (determined as provided in paragraph (4) of sec. 203 (e), as amended) will apply until it is shown to the satisfaction of the Secretary that such individual did not render such services in such month for more than such amount.

The paragraph continues the authority of the Secretary to prescribe by regulations the methods and criteria for determining whether or not an individual has rendered substantial services with respect to any trade or business.

Paragraph (4) of section 103 adds 2 new paragraphs (4) and (5) to section 203 (e) of the act.

Subparagraph (A) of the new paragraph (4) defines an individual's earnings for a taxable year as the sum of his wages for services rendered in such year and his net earnings from self-employment for such year, minus any net loss from self-employment for such year.

Subparagraph (B) of the new paragraph (4) provides that in determining the amount of an individual's net earnings and net loss from self-employment, for purposes of charging deductions because of earnings, the provisions of section 211 (which define net earnings for coverage purposes) shall apply, except for the exclusion from the definition of trade or business of the performance of the functions of a public office, and the performance of service by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order. Net loss from self-employment is defined as the excess of income over deductions resulting from the computations applicable in determining net earnings for the purpose of charging deductions.

Subparagraph (C) of the new paragraph (4) provides that an individual's wages for the purposes of charging deductions shall be computed without regard to certain limitations on amount of remuneration stated in section 209, and, if for services as an employee performed within the United States without regard to whether the services constitute covered employment under title II of the Social Security Act. The limitations on amounts of remuneration referred to in the preceding sentence are those relating to the $4,200 limit on wages in any calendar year, and the exclusions from wages of remuneration paid by an employer to an employee in any calendar quarter for domestic service in a private home, service not in the course of the employer's trade or business, agricultural labor, or service as an industrial homeworker, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than $50.

The new paragraph (5) provides that, for purposes of the subsection, wages (determined as provided in sec. 203 (e) (4) (C) of the act, as amended) which, according to reports received by the Secretary, are paid to an individual during a taxable year shall be presumed to have been paid for services performed in that year, unless it is shown to the satisfaction of the Secretary that they were paid for services performed in another taxable year. The paragraph also provides that, if such reports show the individual's wages for a calendar year, his taxable year will be presumed to be a calendar year until the contrary is shown to the satisfaction of the Secretary.

Penalty for Failure To Report Certain Events

Section 103 (e) of the bill amends section 203 (f) of the Social Security Act to provide that any individual who is receiving benefits (whether for himself or on behalf of another individual) subject to deduction because of the occurrence of an event other than earnings in excess of the permitted amount, who fails to report such event to the Secretary prior to the receipt and acceptance of a benefit for the second month following the month in which the event occurred, would suffer a penalty of an additional deduction of 1 month's benefit for each month for which deductions are required because of the occurrence of the deduction event, and in an amount equal to the deduction imposed because of the occurrence of the event. For the first failure to report, however, only 1 penalty deduction is to be imposed, even though the failure to report is with respect to more than 1 month.

Report of Earnings to Secretary

Section 103 (f) (1) changes the heading of section 203 (g) to read: "Report of Earnings to Secretary."

Section 103 (f) (2) of the bill amends section 203 (g) (1) of the act to provide that if an individual entitled to any monthly benefits in a taxable year has earnings (or wages) in the taxable year in excess of the amounts permitted under the provisions of subsection (b) (1) of section 203, he (or the individual who is in receipt of benefits on his behalf) must make a report to the Secretary of his earnings (or wages) for such taxable year. As under the present provision for reports of net earnings from self-employment, the report must be filed on or before the 15th day of the third month following the close of the taxable year, and must contain such information and be made in such manner as the Secretary may by regulation require. A report would not be required for any taxable year during all of which the individual was 75 years of age or over.

Section 103 (f) (3) amends section 203 (g) (2) to provide a schedule of penalty deductions for failure to make required reports within the time prescribed by paragraph (1) of section 203 (g) if any deduction is imposed because of earnings in such year. For the first failure to file a timely report with respect to which a deduction is imposed the penalty would be an additional deduction equal to the individual's benefit (or benefits) for the last month (for which he was entitled to a benefit) of the year for which the report was required. For the second such failure, the penalty would be an additional deduction equal to twice the benefit for the last month of such year, and for the third or subsequent failures, to three times such benefit. In no case would the number of additional deductions with respect to a failure to report earnings for a taxable year exceed the number of months in that year for which the individual received and accepted monthly benefits and for which deductions are imposed by reason of his earnings. The amended paragraph also provides that in determining whether a failure to report earnings is the first failure for any individual, the Secretary shall disregard all taxable years ending prior to the imposition of the first penalty deduction imposed under the amended paragraph, except the latest such year. Thus, even though the failure to file timely returns had persisted over a period of years, only one additional deduction would be imposed and that for the latest such year.

Paragraph (4) of section 103 (f) of the bill amends paragraph (3) of section 203 (g) of the act to make the provisions of such paragraph (3) applicable to earnings from employment and self-employment as defined in section 203 (e) (4) of the act

as amended, rather than to net earnings from self-employment only, and to relate the paragraph to the provisions under which deductions are made because of earnings. A new sentence is added at the end of such paragraph (3) to provide that if, after the close of a taxable year, an individual fails to comply with a request of the Secretary for a report of his earnings for the taxable year or for any other information with respect to such earnings, the failure to comply would in itself constitute justification for a determination that the individual's benefits are subject to deduction because of earnings for each month in such taxable year, or for such months thereof as the Secretary may specify.

Noncovered Remunerative Activity Outside the United States

Section 103 (g) of the bill amends section 203 of the Social Security Act to add a new subsection (k). The new subsection provides that an individual shall be considered to be engaged in noncovered remunerative activity outside the United States if he performs services as an employee outside the United States that are not covered employment as defined in section 210 of the Social Security Act, or if he carries on a trade or business outside the United States, the net income or loss of which cannot be included in computing his net earnings from self-employment for a taxable year, but which would be includible if the trade or business were carried on within the United States. The term "United States" when used with respect to self-employment in a trade or business would exclude Puerto Rico and the Virgin Islands in the case of an alien who is not a resident of the United States (including Puerto Rico and the Virgin Islands).

Good Cause for Failure To Make Reports Required

Section 103 (h) of the bill adds a new subsection (l) to section 203 to provide that the failure of an individual to make any report within the time required by subsections (f) or (g) of section 203, as amended by the bill, would not be regarded as a failure to file if it is shown to the satisfaction of the Secretary that the individual had good cause for failing to make the report. The Secretary would have authority to determine by regulation what constitutes good cause in such situations.

Section 103 (i) provides effective dates for the various amendments made by the bill in section 203 of the Social Security Act.

Paragraph (1) of the section provides that the amendments made with respect to deductions from an individual's benefits because of his own earnings would be applicable in the case of monthly benefits for months in any taxable year (of the entitled individual) beginning after December 1954. With respect to dependents from whose benefits deductions are made because of earnings by the insured individual on the basis of whose earnings the dependent's benefits are payable, the amended provisions would be applicable in the case of months in any taxable year (of such insured individual) beginning after December 1954. With respect to failure to file timely reports of the events causing deductions other than the charging of earnings, the new provisions would be applicable in the case of monthly benefits for months after 1954. The remaining amendments made by section 103 of the bill (other than subsec. (h), which would become effective on enactment of the bill) would be applicable with respect to old-age insurance benefits, in the case of monthly benefits for months in any taxable year (of the individual) beginning after December 1954, and with respect to secondary benefits, in the case of monthly benefits for months in any taxable year (of the insured individual on whose earnings those benefits are based) beginning after December 1954.

Paragraph (2) of the section provides that, after enactment of the bill, no additional (penalty) deductions would be imposed under the provisions of present law for failure to file a report of an event which would give rise to deductions because of work under present law, and no deductions for such reasons imposed prior to enactment would be collected after enactment. Taxable years beginning prior to January 1955 would be disregarded in determining whether a failure to file a timely report occurred under section 203 (g) (2) as amended by the bill.

Increase in Earnings Counted

Section 104 of the bill amends various sections of the Social Security Act to provide that, after 1954, earnings of up to $4,200 a year be counted in the computation of benefits under the old-age and survivors insurance program.

Section 104 (a) of the bill amends section 209 (a) of the act (relating to the definition of wages) to provide that, for years prior to 1955, the term "wages" would exclude any remuneration in excess of $3,600 paid to an individual with respect to employment in any calendar year, and for years after 1954, would exclude any remuneration in excess of $4,200 paid to an individual with respect to employment during a calendar year.

Section 104 (b) of the bill amends section 211 (b) (1) of the act (relating to the definition of self-employment income) to exclude from that definition, for taxable years beginning after 1954, any amount in excess of $4,200 minus the amount of the wages paid to an individual during the taxable year.

Section 104 (c) amends clauses (ii) and (iii) of section 213 (a) (2) (B) of the act to provide that for calendar years after 1954, an individual shall be credited with a quarter of coverage for each quarter of the year if his wages for that year equal $4,200. He would be credited with a quarter of coverage for each quarter of a taxable year beginning after 1954 in which the sum of his wages and self-employment income equal $4,200. The crediting of quarters of coverage under these amended provisions would remain subject to the provision, contained in present law, that no quarter occurring after the quarter in which an individual dies shall be a quarter of coverage.

Section 104 (d) amends section 215 (e) (1) of the act to provide that earnings up to $4,200, in any calendar year after 1954, be used in the computation of an individual's average monthly wage.

Retroactive Applications for Benefits

Section 105 (a) of the bill amends section 202 (j) (1) of the Social Security Act to increase from 6 to 12 the number of months for which benefits may be paid retroactively to individuals who failed to file their applications as soon as they were otherwise eligible.

Section 105 (b) (1) of the bill provides that the liberalized provisions with regard to retroactivity of benefit payments should become effective only in the case of applications filed after the effective date of the bill for monthly benefits for months after such effective date.

Section 105 (b) (2) provides that where an individual files an application for monthly benefits after the effective date of the bill, and would (but for the provisions of the bill) be entitled to such benefits for any prior month, he shall be deemed entitled to benefits for such month to the same extent and in the same amounts as though the bill had not been enacted.

Section 105 (b) (3) defines the "effective date," for purposes of section 105 (b), as the last day of the month following the month in which the bill is enacted.

Preservation of insurance rights of individuals with extended total disability

Section 106 would preserve the insured status and benefit amount of disabled insured individuals for the duration of their disability. Upon the individual's subsequent death or attainment of retirement age his period of disability would be excluded in determining the benefits payable at that time to him and his dependents, or to his survivors, if it is to their advantage to do so.

Quarter of Coverage

Section 106 (a) amends section 213 (a) (2) of the Social Security Act, which defines "quarter of coverage."

Paragraph (1) of this subsection amends subparagraph (A) of section 213 (a) (2) of the Social Security Act by redefining "quarter of coverage," for quarters occurring before 1951, to exclude any quarter in a period of disability, other than the initial quarter of such period; in addition, any quarter any part of which was included in a period of disability (other than the first quarter of such period) could not be counted as a quarter of coverage in a calendar year in which wages of $3,000 were paid. Existing law, as applied to calendar years before 1951, provides that each quarter of such year following the first quarter of coverage shall be deemed a quarter of coverage, except any quarter in such year in which the individual died or became entitled to a primary insurance benefit and any quarter following such quarter in which he died or became entitled.

Paragraph (2) amends subparagraph (B), clause (i) of section 213 (a) (2) of the Social Security Act by redefining "quarter of coverage," for quarters occurring after 1950, to exclude any quarter any part of which was in a period of disability, other than the first and last quarters of such period. Since an individual's period of disability will not necessarily consist of full calendar quarters, a substantial amount of wages may have been paid to him in the early part of the calendar quarter in which his period of disability began or in the latter part of the calendar quarter in which his period of disability ended. This provision, while preventing the crediting of quarters of coverage for calendar quarters in a period of disability, recognizes that the first and last calendar quarters in such a period may help the individual in meeting the insured status requirements.

Freeze of Fully and Currently Insured Status

Section 106 (b) (1) amends section 214 (a) (2) of the Social Security Act to "freeze" the insured status of a qualified disabled individual. Fully insured status is redefined to eliminate from the count of elapsed quarters used in that determination any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage.

Paragraph (2) of this subsection amends section 214 (b) of the Social Security Act to similarly "freeze" the currently insured status of a qualified disabled individual. This is accomplished by redefining currently insured status to eliminate from the count of elapsed quarters used in that determination any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage.

Freeze of Average Monthly Wage

Section 106 (c) "freezes" the average monthly wage of a qualified disabled individual during a period of disability.

Paragraph (1) of this subsection amends section 215 (b) (1) of the Social Security Act to exclude from the divisor of the average monthly wage computation all months in any quarter any part of which was included in a period of disability, unless such quarter was a quarter of coverage.

Paragraph (2) of this subsection amends section 215 (b) (4) of the Social Security Act to exclude from the dividend of the average monthly wage computation all wages paid in any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage. This subsection also excludes from the average monthly wage dividend all self-employment income for any taxable year all of which was included in a period of disability.

Paragraph (3) of this subsection adds a new paragraph (5) to section 215 (d) of the Social Security Act to exclude from the computation of the primary insurance benefit for use with the conversion table all wages and divisor months in any quarter before 1951 any part of which was in a period of disability, unless such quarter was a quarter of coverage.

Disability: Period of disability

Section 106 ((d) adds a new subsection (i) to section 216 of the Social Security Act, defining "disability" and "period of disability," setting forth the requirements necessary to qualify for a period of disability, and establishing certain time limitations for the filing of applications for the disability "freeze."

Disability

Paragraph (1) of subsection (i) defines disability as "(A) Inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration, or (B) blindness." The term "blindness" is defined as central visual acuity of 5/200 or less in the better eye with the use of a correcting lens. An eye in which the visual field is reduced to 5 degrees or less concentric contraction shall be considered for the purpose of this paragraph as having a central visual acuity of 5/200 or less.

Period of Disability

Paragraph (2) of subsection (i) defines "period of disability" as a continuous period of not less than 6 full calendar months during which the individual was under a disability (as defined). It further provides that a period of disability cannot begin unless the individual, while under a disability, files an application for disability determination. A period of disability will be considered to begin if the individual satisfies the insured status requirements of paragraph (3) on such day, on the day the disability actually begins, or on the first day of the 1-year period which ends with the day before the day on which the individual files his application, whichever occurs later. However, if the individual does not satisfy the insured status requirements of paragraph (3) on such day, his period of disability is considered to begin on the first day of the first quarter in which he satisfies such requirements. An application for a period of disability would remain effective for 3 months after its filing; if the individual has not in that time met the remaining conditions of eligibility a new application would be required. The earliest date on which an application can be filed is April 1, 1955. A period of disability would end at the close of the month in which the disability ceased.

Work Requirements

Paragraph (3) of subsection (i) sets forth additional requirements for a period of disability. An individual, to meet these requirements with respect to any quarter, must have at least 20 quarters of coverage out of the 40 calendar quarters ending with such quarter and 6 quarters of coverage out of the 13 calendar quarters ending with such quarter. Any quarter any part of which was included in an earlier period of disability would not be counted as part of the 40-quarter period or as part of the 13-quarter period used in this determination, unless such quarter was a quarter of coverage.

Retroactivity

Paragraph (4) of subsection (i) provides that, for applications filed before July 1957, an individual's period of disability could begin on the earliest day he was disabled and met the requirements set forth in paragraph (3), provided his disability continued without interruption from that day to the time he filed his application. Under this provision, a period of disability could be established beginning in October 1941, the earliest time he could have met the work requirement of 20 quarters of coverage.

Section 106 (e) adds three new sections to the Social Security Act, namely, 220, 221, and 222.

Disability provisions inapplicable if benefit rights impaired

Under the new section 220, which is a "saving" provision, a period of disability need not be used where the exclusion of earnings in such period would destroy an individual's insured status or reduce any benefit payable on his account.

Disability determinations

The new section 221 sets forth the conditions under which disability determinations will be made for individuals qualified under the provisions of this bill.

Subsection (a) provides that determinations of whether or not an individual is under disability and of the day such disability began and determination of the day on which such disability ceases shall, except as provided in subsection (g), be made by State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare. These determinations shall be considered as the determinations of the Secretary, except as provided in subsections (c) and (d).

Subsection (b) of section 221 provides that the Secretary shall enter into agreements with States for the making of disability determinations by the vocational rehabilitation agencies or any other appropriate State agencies of such States. An agreement may cover all persons in the State or only certain groups of persons in the State.

Subsection (c) of section 221 gives the Secretary the authority to review, on his own motion, any determination made by a State agency, that a disability exists but limits the Secretary's action, as a result of such review, to a finding that no disability exists or that the disability began later than determined by the State agency.

Subsection (d) of section 221 gives any dissatisfied individual the right to a hearing by the Secretary and to judicial review of a determination of the Secretary, to the same extent as provided in section 205 (b) and section 205 (g) of present law.

Subsection (e) of section 221 authorizes the Secretary to pay the cost to the State of carrying out the terms of an agreement under this section. These payments may be made in advance or by way of reimbursement, and prior to audit or settlement by the General Accounting Office.

Subsection (f) of section 221 requires that all money paid to a State under this section be used solely for the purposes for which it is paid and that any money not used for such purposes shall be returned for deposit in the trust fund.

Subsection (g) of section 221 authorizes the Secretary to make disability determinations for individuals in any State which has no agreement under subsection (b), for any group of persons not included in an agreement with the State, and for persons outside the United States.

Referral for rehabilitation services

The new section 222 declares it to be the policy of the Congress that disabled individuals applying for determinations of disability be promptly referred to vocational rehabilitation agencies for necessary rehabilitation services.

Effective Date

Section 106 (f) provides that the foregoing disability provisions will take effect with respect to monthly benefits payable for months after June 1955, and with respect to lump-sum death payments in the case of deaths after June 1955. Increases resulting from recalculation of benefits to exclude periods of disability will be excepted from the limitations placed on benefit recomputations by section 215 (f) of present law.

Technical provisions

Section 107 of the bill contains certain technical provisions designed to alleviate handicaps that would otherwise be suffered by individuals who retire or die shortly after enactment of the bill, and to remove certain anomalies in present law.

Death or Entitlement in 1955 or 1956

Section 107 (a) amends section 215 (f) of the Social Security Act by redesignating paragraph (6) as paragraph (7) and inserting a new paragraph (6). The new paragraph provides for a recomputation of benefits to take into account certain self-employment income which was omitted from the initial computation of the benefit amounts.

Under existing law (sec. 215 (b) (4)) an individual's self-employment income for the taxable year ending in or after the month in which he first became entitled to benefits or died, whichever first occurred, cannot be taken into account in a computation of his average monthly wage. Under section 215 (b) (1) of the Social Security Act as amended by this bill, a minimum divisor of 24 is required in computing the average monthly wage if any low years are dropped from the computation. As a result, for example, an individual whose self-employment was newly covered as of January 1, 1955, and died or became entitled to benefits in 1956, could in the computation of his average monthly wage have at most 1 year of self-employment income divided by 24. A self-employed individual who was first covered in 1951, and who died or retired in 1955 or 1956, could make only limited use of the provision for dropping low years from the computation of his average monthly wage, since 24 months of earnings would have to be left in the dividend for the computation.

Under the new paragraph (6) in the case of any individual who becomes entitled (without the application of the provisions for retroactivity in section 202 (j) (1)) to an old-age insurance benefit, or who files a valid application for a work recomputation under section 215 (f) (2) of the law, in 1955 or 1956, or in 1957 in a taxable year which began in 1956, and who had self-employment income in the taxable year in which he became entitled or in which he filed an application for a work recomputation, whichever is applicable, such individual would have his benefit recomputated if he filed an application for such recomputation after the close of such taxable year. In recomputing his benefit the Secretary would take into account the self-employment income during such taxable year. Any increase in the amount of such benefit would be payable retroactively, in the case of entitlements to old-age insurance benefits, to the first month in which he became entitled to such benefits. In the case of work recomputations, the recomputation would be effective beginning with the month in which application for the recomputation was filed.

Similarly, where an individual, on the basis of whose wages and self-employment income survivors monthly benefits are payable, dies in 1955 or 1956, or in 1957 in a taxable year which began in 1956, or where an individual

entitled to old-age insurance benefits for any month prior to 1955 dies in 1955 or 1956, or in 1957 in a taxable year beginning in 1956 and would have been entitled to a work recomputation under section 215 (f) (2) of the law had he filed application therefor in the month in which he died, the survivors could have the primary insurance amount of the deceased individual recomputed to take account of his self-employment income derived in the taxable year ending with his death. Any increase resulting from such a recomputation would be payable retroactively to the month in which the survivors became entitled to survivors monthly benefits.

No recomputation under these provisions would affect the amount of the lump-sum death payment under section 202 (i), and no such recomputation would render erroneous any such payment certified by the Secretary prior to the effective date of the recomputation.

Section 107 (b) of the bill provides that in the case of an individual who died or became (without the application of sec. 202 (j) (1) of the Social Security Act) entitled to benefits after 1954 and prior to July 1, 1957, the wage closing date for computation of his average monthly wage shall be whichever of the following yields the highest primary insurance amount: (1) The first day of the quarter in which he died or became entitled to benefits, whichever first occurred; (2) if death or entitlement occurred in the second quarter of the year, the first day of the preceding quarter; or (3) the first day of the second quarter preceding the quarter of death or entitlement.

Section 107 (c) of the bill amends section 215 (b) (3) (A) of the law to provide that an individual's divisor closing date for purposes of computing his average monthly wage would be the better of his wage closing date or his self-employment income closing date, in cases where the wage closing date is the first day of the quarter following the self-employment income closing date. Under present law, where the later of the two dates must be used, an individual who has only self-employment income in the year of death or entitlement will have 3 months added to his divisor.

The amendment made by section 107 (c) would be applicable only in the case of applications for monthly benefits under section 202 of the Social Security Act and for recomputations under section 215 (f) (2) of that act filed after the effective date, and for applications for lump-sum death payments filed with respect to the death, after the effective date, of an individual who was not entitled (without the application of the retroactive provisions of sec. 202 (j) (1)) to old-age insurance benefits prior to the day following the effective date. The "effective date," for purposes of the subsection, would be the last day of the month following the month in which the bill is enacted.

Section 107 (d) provides that, in the Social Security Act as amended by title I of the bill, the term "Secretary," except when the context otherwise requires, means the Secretary of Health, Education, and Welfare.

TITLE II. AMENDMENTS TO INTERNAL REVENUE CODE

With one important exception, the amendments to the Internal Revenue Code made by title II of the bill parallel amendments made by title I to the old-age and survivors insurance provisions of the Social Security Act. In such cases the effective dates of the amendments are the same. Consequently, the explanations above in connection with title I of the bill are applicable here and will be referred to in lieu of repetition of those explanations. The exception is the amendments to section 1426 (l) of the Internal Revenue Code, relating to the filing of certificates waiving the tax exemption of nonprofit organizations. The bill also provides for an increase after 1969 in both the employer and employee tax rate and the self-employment tax rate.

Amendments to definitions of self-employment income and related definitions

Farmers

Section 201 (a) of the bill repeals section 481 (a) (2) of the Internal Revenue Code relating to income from farming, and adds a new sentence at the end of section 481 (a). See explanation above of amendment to section 211 (a) of the Social Security Act made by section 101 (h) (1) of the bill.

Increase in Amount of Self-Employment Income Counted

Section 201 (b) of the bill amends section 481 (b) (1) of the Internal Revenue Code (relating to the definition of "self-employment income"), to provide that, for any taxable year beginning after 1954, the term "self-employment income" would not include that part of the net earnings from self-employment in excess of $4,200 (rather than $3,600 as under present law) minus the amount of wages paid to the individual during the taxable year.

Professional Self-Employed

Section 201 (c) of the bill amends section 481 (c) of the Internal Revenue Code by eliminating paragraph (5), relating to income from the practice of certain professions derived by self-employed individuals. See explanation above of amendment to section 211 (c) of the Social Security Act made by section 101 (h) (3) of the bill.

Effective Date

Section 201 (d) provides that the changes made by subsections (a), (b), and (c) shall be effective for taxable years beginning after 1954.

Refund of certain taxes deducted from wages

Section 202 (a) of the bill amends section 1401 (d) (3) of the Internal Revenue Code (relating to special refunds of employee taxes to employees who, in any calendar year after 1950, receive wages in excess of the maximum taxable amount and who pay taxes on such excess amount, by reason of work for more than one employer). The amended paragraph provides that the tax refund, in such cases, would apply, for the years 1951–54, inclusive, to taxes deducted from the employee's wages on amounts of wages in excess of $3,600 in a calendar year whether or not paid to the collector. For calendar years after 1954, the tax refunds would apply to the tax on such wages in excess of $4,200.

Section 202 (b) of the bill amends section 1401 (d) (4) (A) of the Internal Revenue Code (relating to special rules for determining tax refunds due to Federal employees who receive wages in excess of the maximum taxable amount by reason of work for more than one Federal agency) to provide that after calendar year 1954, the rules would apply to wages in excess of $4,200, rather than $3,600.

Subsection (c) of section 202 of the bill amends section 1420 (e) of the Internal Revenue Code (relating to taxes imposed with respect to service performed in the employ of a Federal agency or instrumentality) to permit such agencies or instrumentalities, for administrative convenience, to report, and make payments of employer taxes with respect to, such services and to provide that such agencies shall not be required to obtain a refund of the excess taxes, without regard to the $4,200 limitation for years after 1954. The provision of present law, permitting payment of such taxes and not requiring refund, without regard to the $3,600 limitation, is retained for 1951, 1952, 1953, and 1954.

Subsection (d) of the section provides that the amendments made by the preceding subsections of the section would be applicable only with respect to remuneration paid after 1954.

Collection and payment of taxes with respect to Coast Guard exchanges

Section 203 of the bill amends section 1420 (e) of the Internal Revenue Code which contains the provisions relating to the collection and payment of taxes on Federal employment covered by old-age and survivors insurance. It would make those provisions applicable to Coast Guard exchanges and similar activities conducted by instrumentalities subject to the jurisdiction of the Secretary of the Treasury. A similar provision has been added to section 205 (p) (3) of the Social Security Act by section 101 (c) (4) of the bill, explained above. The amendment would become effective January 1, 1955.

Amendments to definition of wages

Section 204 (a) of the bill amends section 1426 (a) (1) of the Internal Revenue Code to provide that the term "wages" shall apply to payments of remuneration for employment of up to $4,200 in any calendar year, rather than to amounts up to $3,000 as in present law.

Domestic Service

Section 204 (b) (1) of the bill amends section 1426 (a) (7) (B) of the Internal Revenue Code, relating to cash remuneration for domestic service. See explanation above of amendment to section 209 (g) (2) of the Social Security Act made by section 101 (a) (1) of the bill.

Service Not in Course of Employer's Business

Section 204 (b) (2) of the bill amends section 1426 (a) (7) of the Internal Revenue Code by the addition of a new subparagraph (C), relating to cash remuneration for services not in the course of the employer's trade or business. See explanation above of the new paragraph (3) added to section 209 (g) of the Social Security Act by section 101 (a) (2) of the bill.

Agricultural Labor

Section 204 (b) (3) of the bill amends section 1426 (a) (8) by the addition of a new subparagraph (B), relating to cash remuneration for agricultural labor. See explanation of the new paragraph (2) added to section 209 (h) of the Social Security Act by section 101 (a) (3) of the bill.

Section 204 (c) provides that the changes made by subsections (a) and (b) shall be effective with respect to remuneration paid after 1954.

Amendments to definition of employment

Agricultural Labor

Section 205 (a) of the bill amends section 1426 (b) (1) of the Internal Revenue Code, relating to agricultural labor. This amendment complements the amendment to the definition of wages made by section 203 (a) (3) of the bill. See explanation above of amendments to section 209 (h) and section 210 (a) (1) of the Social Security Act made by paragraphs (3) and (4), respectively, of section 101 (a) of the bill.

Service Not in Course of Employer's Business

Section 205 (b) of the bill amends section 1426 (b) of the Internal Revenue Code by deleting paragraph (3), relating to service not in the course of the employer's trade or business. This amendment complements the amendment to the definition of wages made by section 204 (b) (2) of the bill. See explanation above of amendments to section 209 (g) and section 210 (a) of the Social Security Act made by paragraphs (2) and (5), respectively, of section 101 (a) of the bill.

American Citizens Employed by American Employers on Foreign-Flag Vessels

Section 205 (c) of the bill amends the redesignated section 1426 (b) (4) of the Internal Revenue Code (now sec. 1426 (b) (5)), relating to service performed by seamen or airmen on foreign-flag vessels or aircraft so as to permit their coverage under old-age and survivors insurance if they are American citizens and the employer is an American employer. See explanation above of the amendment to the redesignated section 210 (a) (4) of the Social Security Act (now section 210 (a) (5)) made by section 101 (b) of the bill.

Certain Federal Employees

Section 205 (d) of the bill amends section 1426 (b) of the Internal Revenue Code so as to permit coverage under old-age and survivors insurance of service performed by certain employees of Federal home loan banks, civilian employees of Coast Guard exchanges and similar activities of instrumentalities under the Secretary of the Treasury, and certain employees in the field service of the Post Office Department not under the Civil Service Retirement Act. See explanations of the amendments to section 210 (a) of the Social Security Act made by section 101 (c) of the bill.

Ministers

Section 205 (e) of the bill amends the redesignated section 1426 (b) (8) of the Internal Revenue Code (now sec. 1426 (b) (9)), relating to service performed in the employ of nonprofit organizations exempt from income tax under section 101 (6) of the code, so as to permit coverage under old-age and survivors insurance of certain ministers and members of religious orders employed by such organizations. See explanation above of amendments to the redesignated section 210 (a) (8) of the Social Security Act (now sec. 210 (a) (9)) made by section 101 (d) of the bill.

Interns

Section 205 (f) of the bill amends the redesignated section 1426 (b) (13) of the Internal Revenue Code (now sec. 1426 (b) (14)) so as to delete the exclusion from old-age and survivors insurance coverage of services performed by interns. See explanation above of the amendment to the redesignated section 210 (a) (13) of the Social Security Act (now sec. 210 (a) (14)) made by section 101 (e) of the bill.

Fishing and Related Service

Section 205 (g) of the bill would repeal section 1426 (b) (15) of the Internal Revenue Code, relating to certain services in connection with fishing. See explanation above of the repeal of section 210 (a) (15) of the Social Security Act effected by section 101 (f) of the bill.

Amendment to definition of employee

Section 206 of the bill amends section 1426 (d) (3) (C) of the Internal Revenue Code, relating to individuals performing services as homeworkers. See explanation above of the amendment to section 210 (k) (3) (C) of the Social Security Act made by section 101 (g) of the bill. The change is effective with respect to services performed after 1954.

Waiver of tax exemption by nonprofit organizations with respect to ministers in their employ

Section 207 of the bill amends section 1426 (l) of the Internal Revenue Code, which now provides for the filing of a waiver of tax exemption by nonprofit organizations with respect to their lay employees, so as to provide for the filing of waivers under substantially the same conditions with respect to certain ministers and members of religious orders in the employ of such organizations.

Subsection (a) of section 207 of the bill revises paragraph (1) of section 1426 (l) by limiting its application to employees other than ministers and members of religious orders. The subsection also deletes the provisions regarding the list to accompany the certificate, the effective date of the certificate, and termination by the organization of the waiver of tax exemption. These provisions are incorporated in new paragraphs applicable both to certificates for lay employees and to certificates for ministers and members of religious orders.

Subsection (b) of section 207 of the bill redesignates paragraphs (2) and (3) of section 1426 (l) as paragraphs (6) and (7), respectively, and adds four new paragraphs after paragraph (1).

The new paragraph (2) of section 1426 (l) provides that a nonprofit organization may file a certificate certifying that it desires to have the old-age and survivors insurance system extended to services performed by its employees who are ministers or members of religious orders (other than a member of a religious order who has taken a vow of poverty as a member of such order) and that at least two-thirds of such ministers and members of religious orders concur in the filing of the certificate. However, such a certificate may be filed by an organization with any lay employees only if a certificate has already been filed by it with respect to its lay employees (actually, the filing could be almost simultaneous).

The new paragraph (3) of section 1426 (l) provides that a certificate with respect to either lay employees or ministers and members of religious orders must be accompanied by a list containing the signature, address, and social-security account number (if any) of each employee who concurs in the filing of the certificate. The names of additional employees may be added to the list at any time by filing a supplemental list (but see explanation of new paragraph (4) for limitations on retroactive effect for supplemental lists). This constitutes a change with respect to lay employees. Under existing law supplemental lists may be filed only up to the end of the first month following the first calendar quarter for which the certificate is in effect. Any individual employed at that time who fails to concur in the filing of the certificate may not have his service for the nonprofit organization covered if he later changes his mind unless he resigns and is reemployed by the organization. Such resignations and reemployment would be unnecessary under the amendments to section 1426 (l) made by the bill.

The new paragraph (4) of section 1426 (l) provides that a certificate for covering lay employees shall be effective for the period beginning with the first day of the calendar quarter in which the certificate is filed or the first day of the succeeding calendar quarter, as may be specified in the certificate. This is a change from the present law, which makes all certificates effective with the beginning of the quarter following the quarter in which the certificate is filed.

The above provisions also apply to a certificate for covering ministers and members of religious orders. In addition, however, such a certificate filed during the calendar year 1955 may be made effective beginning with the first day of any prior quarter in 1955.

In case any individuals are added to the list accompanying a certificate of waiver, by the filing of a supplemental list after the first month following the calendar quarter in which the certificate was filed or following the first calendar quarter for which the certificate was in effect, whichever is later, the certificate will be effective insofar as service performed by such individuals is concerned only with respect to service performed by them after the calendar quarter in which the supplemental list is filed.

The new paragraph (5) of section 1426 (l) provides that an organization may terminate the effective period of a certificate filed pursuant to paragraph (1) (waiving its tax exemption with respect to lay employees) upon giving 2 years' advance notice in writing, but only if the certificate has been in effect for not less than 8 years, and only if it, at the same time, gives notice of termination of the effective period for the certificate filed with respect to its employees who are ministers or members of religious orders (if it has filed such a certificate). The effective period of a certificate covering ministers and members of religious orders may also be terminated by giving 2 years' advance notice in writing after the certificate has been in effect for 8 years. The notice termination may be revoked by the organization by giving a written notice of such revocation before the close of the calendar quarter in which the effective period was to have been terminated.

Section 207 (c) of the bill amends the present section 1426 (l) (2) of the Internal Revenue Code (redesignated as section 1426 (l) (6) by the bill) to provide that if the Secretary terminates the period covered by a certificate of waiver filed pursuant to paragraph (1) of section 1426 (l) the period covered by a certificate, if any, filed by the same organization pursuant to paragraph (2) thereof shall be terminated at the same time.

Section 207 (d) of the bill amends the present paragraph (3) of section 1426 (l) of the Internal Revenue Code (redesignated as paragraph (7) by the bill) to make it applicable both to certificates for covering ministers and members of religious orders and to certificates for covering lay employees. The paragraph provides that once an organization has terminated a waiver of tax exemption it may not again file a certificate of waiver under the same paragraph.

Subsection (e) of section 207 of the bill provides that the amendments made by the section shall become effective January 1, 1955, but shall not affect the validity of any certificate of waiver with respect to lay employees previously filed under section 1426 (l). It also contains special provisions relating to the cases in which the certificate may be accorded effect prior to the calendar quarter in which it is filed. In such cases, if the return is filed not later than the due date for the return for the quarter in which the certificate of waiver is filed, the return will be deemed (so far as the newly covered services are concerned) to have been timely filed. Similarly, if the taxes for the earlier quarters are paid not later than the due date for taxes for the quarter in which the certificate is filed, they will be deemed to have been timely paid (so far as the newly covered services are concerned).

Subsection (e) of section 207 of the bill also provides that deductions under section 203 of the Social Security Act (on account of receipt of earnings in excess of the amount permitted) shall not be made from any benefits certified and paid prior to the date on which the certificate is filed, on account of services covered retroactively by the certificate. However, in order to permit an individual in receipt of old-age insurance benefits to obtain a recomputation under section 215 (f) of the Social Security Act on the basis of his earnings prior to the filing of the certificate—earnings which are covered retroactively as a result of the filing of the certificate—deductions would be presumed to have been imposed under section 203 of that act as a result of such earnings in excess of the amount permitted by that section.

Changes in tax schedules

Section 208 (a) of the bill amends paragraph (5) of section 480 of the Internal Revenue Code to provide that the rate of tax on self-employment income for taxable years beginning after December 31, 1959, would be at the rate of 5¼ percent, rather than 4⅞ percent as in present law.

Section 208 (b) amends paragraph (6) of section 1400 of the code (relating to the rate of tax on employees) and paragraph (6) of section 1410 of the code (relating to the rate of tax on employers) to provide that the rate of tax with respect to wages, both for employees and employers, for years after 1969, would be at the rate of 3½ percent, rather than 3¼ percent as in present law.

TITLE III. MISCELLANEOUS PROVISIONS

Amendment preserving relationship between railroad retirement and old-age and survivors' insurance

Section 301 of the bill amends the Railroad Retirement Act so as to maintain the relationship between the old-age and survivors' insurance system and the railroad retirement system that was established by the amendments made in 1951 to the Railroad Retirement Act by Public Law 234, 82d Congress.

Cross-references to redesignated provisions

Section 302 of the bill provides that references in any other law to sections or subdivisions of sections of the Social Security Act or the Internal Revenue Code redesignated by the bill shall be deemed to be references to the redesignated sections or subdivisions.

The Independence of the State of Israel

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. RODINO. Mr. Speaker, as one of the earliest peoples of the ancient Middle East, Jews have a long recorded history. That history, running back more than 3,000 years, shows that the unfortunate Jews have, during most of their known history, been forced to live in dispersion because despotic conquerors who overran Israel expelled the Jews from their historic homeland. During all those years of dispersion they suffered much, but they never gave up the ideal of regaining their lost national independence. On the contrary, in the course of years, as their suffering seemed to have no end, this idea became permanently fixed in their minds. Jewish leaders clung to the idea as their creed and pursued its realization with religious fervor. Finally, they had their reward in the declaration of the independence of the State of Israel 6 years ago, on May 15, 1948.

That date is an historic landmark in the recent history of the Jews.

Wherever independence, liberty, and freedom are held as sacred and priceless human possessions, Israel's independence day is an event of importance. It is especially significant for us in this country because we had a great deal to do with the creation of Israel. Israeli leaders had not only our sympathy and support but they also had material and financial aid from this country.

However one may view the birth and the growth of that youthful, vigorous, and dynamic new state in the Middle East, one cannot but admire the way all Jews, both in and out of Israel, have joined hands in the realization of their cherished national dream. In the terms of sheer accomplishments their record is extraordinary. What they have done is almost miraculous. A few years ago the State of Israel comprised about 5,000 square miles and its population was just 600,000; today, only 6 years later, its area is more than 8,000 miles square and its teeming population has more than doubled, totaling more than 1,500,000. In the task of settling some 750,000 immigrants Israeli leaders have worked diligently and conscientiously, and have remarkable results to show. In a short time they have made Israel a new and decisive factor to be reckoned with in Middle Eastern affairs. Socially, culturally, ideologically, and politically, this progressive and dynamic land stands today where the ancient kingdom of the Jewish people stood in all its glory some 3,000 years ago. Today we gladly join in the celebration of the sixth anniversary of the independence of the modern State of Israel and pray that it will continue to advance and will become a positive factor for peace and prosperity in the Middle East.

Mr. Speaker, the following editorial which appeared in the May 8 issue of the Newark Star Ledger tells very succinctly the story of Israel:

A BIBLICAL SAGA

The story of Israel, which celebrates its sixth year of independence this week reads like a chapter out of the Bible.

There is the same quality of epic achievement, of monumental labor, of bitter strife, of enduring faith.

It is a story of striking contrasts. The newest nation was born out of age-old aspirations. Centuries of waiting and hoping suddenly whirled into 6 swift years of breathtaking activity. The hopeless pleader suddenly became the warrior.

And as in all great changes, there has been much suffering. The gas chambers of Europe, the exodus to the Promised Land, and the struggle with the Arabs, and now the tension of border clashes.

The struggle is still intense.

But the achievements are heroic.

And hope is bright that soon there will be no pillboxes in the olive groves.

Scholarships for Worthy American Youth

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. RODINO. Mr. Speaker, although education is an institution of every civilized society, its role varies widely in different societies. Under totalitarian government education is an instrument of the state. Dictatorship deliberately plans and utilizes education for the purpose of regimenting the minds of men and molding them into conformity and servitude.

In a democracy, on the other hand, education is an instrument of freemen. The citizens utilize education to prepare themselves to defend and preserve their individual liberties and to promote the welfare and happiness of all the people.

Organizations such as the Herbert J. Pascoe Educational Scholarship Foundation of New Jersey are peculiar to our democratic society. An organization such as this would have no place under totalitarian government. In America, however, foundations such as this play an important role in our social order. Educational foundations especially are making an important contribution to the perpetuation of our democratic society and to the promotion of the cause of freedom at home and abroad.

Recently within our country there has been a dangerous growth of anti-intellectualism and pressure toward conformity of thought. Leaders of Protestant and Roman Catholic faiths have strongly denounced this trend. Several weeks ago, 12,000 delegates to the National Catholic Educational Association meeting in Chicago adopted a resolution attacking conformity in thinking, which they considered would standardize our attitudes, reduce the critical judgment, and abdicate reason.

At the 1954 meeting of the board of education of the Methodist Church the executive secretary of the board's division of educational institutions deplored the fact that—

The right of free inquiry and free discussion, upon which all sound education is dependent, is being openly challenged in many places.

Other prominent American leaders, not only in the field of religion but in political, educational, and other fields, have warned against the danger that in our country the individual may become fearful of dissenting from majority opinion. Regimentation of thought is inimical to the basic principles of democracy.

In America our educational task is primarily that of providing more and better educational opportunities for all our youth. The Herbert J. Pascoe Educational Scholarship Foundation is working together with many other private as well as governmental agencies for the accomplishment of this task.

Economic difficulties constitute the greatest barrier to the post-secondary education of many of our worthy and capable young people. If a low-income family sets a sufficiently high value upon a college education the family may make economic sacrifices in basic needs and comforts so that the children can receive a better education. Also if young people are ambitious and have a driving thirst for knowledge they may sometimes overcome serious financial difficulties by working their way through college. However, even such heroic individual efforts may not result in the attainment of a college diploma; and sometimes the cost to the student or to the family in the nature of injury to health or other losses is very great.

The city of Newark has its share of low-income families. The price of post-secondary education, like the cost of everything else, has markedly risen within recent years. I know of no more commendable expenditure which a Newark citizen could make than that to help provide worthy young people better educational opportunities.

We must extend the educational opportunities of the greatest possible number of the youth of America, in order that they may be prepared to provide the free world with the intelligent leadership it so greatly needs. The educational needs of our young people are urgent; provisions for meeting them cannot be postponed. Investment in the education of American youth is investment in the future of America and in the future of all mankind.

Mr. Speaker, I wish to commend Mr. Gerald La Torraco, the founder of the Herbert J. Pascoe Educational Scholarship Foundation of New Jersey, for his great contribution to our community.

Celler Introduces Bill To Amend Federal Communications Act Which Would Prohibit Commercial Sponsorship of Television or Radio Coverage of the McCarthy Hearings

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 18, 1954

Mr. CELLER. Mr. Speaker, two television networks have indicated that they will seek commercial sponsorship for the televised coverage of the McCarthy-Army hearings. It is the general rule to preclude the use of the profit motive in broadcasting or televising official investigatory proceedings. I am amazed that Senator MUNDT, the acting chairman of the Senate Permanent Subcommittee on Investigations, would permit such a relaxation of the rule against commercial sponsorship. It will certainly not enhance the dignity that should attend congressional hearings. This show in particular is sufficiently grotesque. Adding the profit motive would not only increase its absurdity, but might well cause further injury to legislative prestige in the eyes of the American people.

The networks will be permitted to announce at the beginning and the end of the sessions and even during the recesses, that the hearings are being brought to the public as a public service, under the sponsorship of whatever outfit it may be. The next move will be the interruption of the proceedings to advertise the sponsor. I suppose the more circuslike the atmosphere becomes, the higher the charges will be to the sponsor. Imagine this vaudeville performance with its present considerable ham acting, being used to advertise dog biscuits, mouth wash, toothpaste, refrigerators, and so forth. Future recorders of present history may well be astounded at the abysmal depths to which our standards and values have sunk, at this highly critical juncture in a menaced world.

I am this day offering a bill to amend the Federal Communications Act to prohibit commercial sponsorship of television and radio coverage of congressional investigative hearings and proceedings. Let us keep vaudeville where it belongs. Congressional activities are, and should be, seriously deliberative and should not be substitutions for the Show of Shows.

The text of the bill follows:

COMMERCIAL SPONSORSHIP OF CONGRESSIONAL PROCEEDINGS

SEC. 605a. It shall be unlawful for any person or corporation to sponsor commercially the telecast, broadcast, or transmission, whether directly or through such devices as wire recording, tape, moving pictures, or other mechanical means, of any of the official meetings, hearings, or other proceedings of any committee or subcommittee of either House of Congress.

This section shall not prohibit the telecast, broadcast, or transmission of excerpts of any official congressional meeting, hearing, or other proceeding on a regularly scheduled news program, or the full or partial telecast, broadcast, or transmission, by a telecast or broadcast company or by a common carrier, engaged in interstate or foreign communication by wire or radio, when such communication service is furnished without commercial sponsorship as a public service.

Boston Army Base in the Port of Boston

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 18, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I made this morning before the Armed Services Committee in support of H. R. 9099 concerning the Boston Army Base in the port of Boston:

I have been informed that the Department of the Army has no current requirement for the pier facilities at the Boston Army Base but would require such facilities for mobilization purposes. Accordingly, the Department requested no funds for the repair of the facilities at the Boston Army Base in the fiscal year 1955 public works bill and the fiscal year 1955 military construction appropriation bill.

The foregoing action can best be described as a hands-off policy. It neglects to consider the real state of deterioration of the pier facilities, and invites disaster and the inordinate expense which could conceivably result from further deterioration. The catastrophe which would result from collapse of the pier would not only be primarily expensive in the avoidable loss of life and property, but would be doubly expensive in the loss of the facilities to the port of Boston and in the cost of removing the debris from and reopening the channel.

The other alternative lines of action available to the Congress are as follows:

(a) Authorize funds to dismantle certain portions of the wharf structures to reduce the existing danger of collapse. I understand that various estimates of the costs of this work vary from $1.3 million to $4.3 million depending on the degree of relative permanency and safety to be obtained. This alternative is manifestly unsatisfactory by reason of the fact that it would render unusable the piers themselves, and deprives the facilities of any real economic value either to the Army for mobilization purposes or to the port of Boston for commercial purposes. This alternative would, likewise, be expensive from the viewpoints of the initial cost with no prospect of a return on the investment, and from the continuing long-term annual costs for maintenance of the hulk.

(b) Authorize funds for the rehabilitation of the pier. The estimated costs of this work range from $9.37 million to $13.28 million depending on the serviceability, anticipated service life, and estimated future costs of maintenance. Certainly, this alternative is much more preferable and advantageous than the other alternatives providing for inactivity and removal which I have previously discussed.

H. R. 9099 authorizes and provides for satisfactory rehabilitation of these pier facilities at nominal cost. In addition to providing for rehabilitation with an estimated service life of 60 years, the construction plan is practical and economical from the viewpoints of safety, both during and after construction, and subsequent maintenance charges.

Under this bill the work necessary to rehabilitate the pier facilities and put them in workable condition would be done by the United States. Thereafter upon execution of the lease to the Commonwealth of Massachusetts, the obligation of maintenance would rest on the Commonwealth which would be authorized to sublease. In the event of a national emergency and a determination by the Secretary of the Army that the pier is necessary for military purposes, the Army would have a right to reoccupy it. The Commonwealth would thus most properly contribute to the repair cost of the facility, and will, in turn, be able to utilize the revenue derived from operation to recover the funds contributed for repairs and to further develop commercial use by the port of Boston.

The Boston Army Base is an asset in which the Federal taxpayers have already invested a substantial amount of money, which is valuable to the Nation in peacetime as an aid to international trade and to our general economy, and which in time of war or national emergency is of vital importance to our national defense. Failure to restore these facilities now would mean that our future mobilization efforts would be delayed while the base was reconstructed or reconverted, a delay which could well be crucial. The Boston Army Base pier is the only pier in Boston suitable for use as a port of embarkation in time of war. It has a direct, spacious, and uncongested approach from the city and provides for both railway cars and trucks. It has ample office and warehouse space. During World War II, the facilities were activated by the Army in 2 months and handled millions of tons of military cargo and was in constant use as a port of embarkation. The remaining facilities in Boston Harbor are insufficient for purposes of such magnitude.

Similarly, the pier facilities of the Boston Army Base are an integral part of Boston's shipping industry. In 1953, it was used by more than 300 general cargo ships, about 25 percent of Boston's total. It is estimated that if the 326 ships which berthed at the Army base in 1953 had not come to Boston, the revenue loss to the port area would have been more than $3.5 million. This commerce provided jobs for thousands of railroad workers, truckers, and longshoremen. The necessity to properly restore and maintain these superior facilities appears self-evident in view of the objectives of the administration to expand international trade; the Army pier provides approximately 30 percent of the berthing piers available in Boston.

Mr. Chairman, I urge that the Congress recognize the responsibility of the Federal Government to undertake the rehabilitation of this valuable national asset which, as I have pointed out, is valuable to the Nation

in peacetime as an aid to international trade and to the general economy, and in time of war is of critical importance to our national defense. The Congress has an obligation to the taxpayers in this matter to insure the security of our Nation, to maintain the local economy, and to preclude those greater expenditures which would be incurred in the future through failure to authorize rehabilitation at this time.

A Distinguished Oklahoman

EXTENSION OF REMARKS
OF
HON. VICTOR WICKERSHAM
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. WICKERSHAM. Mr. Speaker, in the development of every great movement, of every great industry, of every great service to mankind, there must be pioneers—men who are first to take the epochal steps that must mark the way for progress.

It is my desire to do honor to one of Oklahoma's sons for his thrilling and splendid accomplishments for aviation for more than 35 years.

He is Bennett H. Griffin, director of the Washington National Airport and operator for the United States Government of one of the largest business enterprises in the Nation's Capital. An outstanding man of affairs by the dual appraisal of aviation experts and businessmen, Colonel Griffin combines deep knowledge and experience in the air and in the business world. He has throughout his career been a businessman of the air, combining factual flight skill and experience with the practical aspects of aircraft manufacture, sales, and airport and airlines management.

He was born in Barton, Miss., and after early schooling in Oklahoma graduated from the University of Oklahoma with a bachelor of arts degree. He entered the Army immediately, was commissioned a pilot and served in Europe until the end of World War I. He remained in aviation following the war, serving as test pilot, salesman, executive, and owner and operator of the Bennett H. Griffin Flying Service of Oklahoma City. He was among the first to blaze the air trail across the Atlantic Ocean, establishing a flight record from America to Berlin, Germany, in 1932. The pilot exploits of this pioneer airman will always be part of the record of American aviation achievement.

He became an aeronautical inspector for the Bureau of Air Commerce in 1933 and in 1942 his services as an aviation expert were transferred to the United States Army Air Forces where he was commissioned a major and rose to the rank of colonel.

He commanded the Second Operational Training Unit, ATC, at Homestead, Fla., from its outset until 1943, when it became the main source of flight crews for the Air Transport Command. Thousands of safe oceanic flights were attributable to Griffin-trained crews. Along with this mission he organized and operated a cargo service for the ATC between Miami, Fla., and Natal, Brazil—some 4,000 miles in length.

In 1943 he was ordered to duty at Washington headquarters of the ATC and drafted the air-inspection system for the Air Transport Command. From this post he traveled to all theaters of war, flying approximately 200,000 miles on emergency war missions over every route of the Air Transport Command. Half of the mileage flown was over ocean waters. He received, among other awards, the Presidential Unit Citation, Air Medal, and the Legion of Merit for outstanding service. Currently Griffin is a colonel in the Air Force Reserve and holds a command-pilot rating, and in civil aviation he holds an airline-transport rating.

After the war he returned to the Civil Aeronautics Administration. Soon after establishing the large Aeronautical Center at Oklahoma City for the CAA, he became the Washington National Airport Administrator. A large portion of his duties here consists of negotiations with the airlines and various concessionaires, from whom the airport derives revenue, on all phases of their operation.

The National Airport is considered one of the best managed in the world, a pattern almost daily for inquiries as to management from world authorities. It is a distinct tribute to the aviation knowledge and business acumen of the man who operates it.

It gives me great pleasure to introduce a bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Bennett Hill Griffin, of Oklahoma.

SENATE

WEDNESDAY, MAY 19, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God over all, blessed for evermore: Amid the seething strife which mars the earth and still sadly separates the sundered peoples of the world, this white altar of prayer, reared at the threshold of this forum of a people's hopes, speaks to us ever, whatever vexatious problems may be faced, of our final reliance on those supreme spiritual factors which alone abide and on which our salvation and the salvation of all men in the end depends. On the strong strings of these eternal verities trembles the music on the harp of life. O Divine Musician, in spite of all discords the strands of Thy hope have not snapped; Thy fingers still sweep over the chords of destiny. Only Thou canst make our days a melody of redemption and our lives a hymn of praise.

So tune our hearts this day to the infinite that all perplexed meanings may be linked into one perfect peace. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 18, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9004. An act to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; and

H. R. 9089. An act authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

COMMITTEE SERVICE

Mr. JOHNSON of Texas. Mr. President, I send to the desk an order and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will read the order for the information of the Senate.

The legislative clerk read as follows:

Ordered, That the Senator from Ohio [Mr. BURKE] be, and he is hereby, excused from further service as a member of the Committee on the District of Columbia, and that he be assigned to service on the Committee on Government Operations.

Ordered further, That the Senator from North Carolina [Mr. LENNON] be, and he is hereby, excused from further service as a member of the Committee on Government Operations, and that he be assigned to service on the Committee on Interior and Insular Affairs.

Mr. JOHNSON of Texas. Mr. President, before action is taken, I should like to explain to the distinguished acting majority leader that the order involves the assignment of two Senators on our side to other committees. On yesterday we filled a vacancy on the Committee on Finance and on the Committee on Agriculture and Forestry. At that time I explained to the majority leader what we had done, and told him that as soon as I could take action on the steering committee's recommendations I would submit an order making these two additional assignments. The order transfers the Senator from North Carolina [Mr. LENNON] from the Committee on Government Operations to the Committee on Interior and Insular Affairs and makes an additional assignment of the Senator from Ohio [Mr. BURKE] to the Committee on Government Operations.

I know the Senator has no objection to our assignments because of the relationship which exists whereby each side makes its own assignments.

Mr. SALTONSTALL. The majority leader is not present. I assume that the order is carrying out the recommendation of the Democratic policy committee of the Democratic conference.

Mr. JOHNSON of Texas. It is the recommendation of the Democratic steering committee.

Mr. SALTONSTALL. There is no objection from this side of the aisle.

Mr. JOHNSON of Texas. The majority leader understands the situation, so that I do not need to explain it further.

The VICE PRESIDENT. The question is on agreeing to the order submitted by the Senator from Texas.

The order was agreed to.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SALTONSTALL. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATION OF SOIL SURVEY AND LAND CLASSIFICATION, SOUTH PLATTE SUPPLY CANAL, COLORADO-BIG THOMPSON PROJECT

The VICE PRESIDENT laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a certification that an adequate soil survey and land classification has been made of the lands to be served by the South Platte Supply Canal, Colorado-Big Thompson project, which, with an accompanying paper, was referred to the Committee on Interior and Insular Affairs.

MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution adopted by Reina del Mar Parlor 126, Native Daughters of the Golden West, Santa Barbara, Calif., protesting against the admission of Red China into the United Nations, which was referred to the Committee on Foreign Relations.

INVITATION TO ESTABLISH SUMMER WHITE HOUSE AT MACKINAC ISLAND, MICH., 1955—CONCURRENT RESOLUTION OF MICHIGAN LEGISLATURE

Mr. POTTER. Mr. President, I present for appropriate reference a concurrent resolution adopted by the Michigan Legislature, extending to the President of the United States a cordial welcome and invitation to establish a summer White House at Mackinac Island, in the State of Michigan in the summer of 1955.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution was referred to the Committee on Public Works; and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 50

Concurrent resolution extending to the President of the United States, Dwight D. Eisenhower, a cordial welcome and invitation to establish a summer white house at Mackinac Island, State of Michigan, in the summer of 1955

Whereas arrangements and plans for the summer white house of the President of the United States must be planned well in advance by the White House staff, to the end that all proper facilities may be arranged and well organized; and

Whereas Mackinac Island is one of the most unique and historically prominent places in the United States possessing, as we believe, the geographical and physical facilities sufficient to meet the requirements of those responsible for planning the summer white house; and

Whereas the State of Michigan will in the year 1955, be celebrating the centennial year of the construction of St. Marys Fall Ship Canal, now known as the Soo Locks, an event of great significance, testifying to the great vision and courage of those who contributed to the event; and

Whereas the construction of the Soo Locks made it possible for the precious iron ore so necessary for the winning of the First World War and the Second World War to be made available to the armed services of our country, and the development of the great lumbering industry and copper mines, all of which has contributed so tremendously to the growth and development of the great Middle West of our country; and

Whereas the Michigan State Legislature, speaking in behalf of the people of the State of Michigan, are desirous and anxious of extending an invitation and a cordial welcome to the President of the United States to be the guest of the State of Michigan, with the summer white house to be established at Mackinac Island: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That there is hereby created a committee of 6 consisting of 3 members of the senate to be appointed in such manner as such committees are appointed, and 3 members of the house of representatives to be appointed by the speaker of the house of representatives, to present to the President of the United States, in such manner as shall be proper, an enrolled resolution adopted by the Michigan State Legislature, extending to him an invitation and cordial welcome to establish the summer white house at Mackinac Island in 1955, as the guest of the people of the State of Michigan; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be entitled to actual and necessary traveling and other expenses incurred in the performance of official duties, the expenses of the members of the senate to be paid from the appropriation to the senate and the expenses of the members of the house to be paid from the appropriation to the house of representatives.

PENSIONS FOR VETERANS OF WORLD WAR I—RESOLUTION

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by Oxford Post, 4036, Veterans of Foreign Wars, favoring the enactment of Senate bill S. 1749, granting pensions to World War I veterans who have attained age 65.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

The Oxford Post, No. 4036, Veterans of Foreign Wars, in regular session held February 14, 1954, offers the following resolution:

"GRANTING PENSIONS TO WORLD WAR I VETERANS WHO HAVE ATTAINED THE AGE OF 65—S. 1749

"Whereas veterans of World War I have waited longer than any other war veterans to be granted pensions; and

"Whereas these veterans have arrived at the age when they are unemployable; and

"Whereas it's a shame that a Government as rich as ours lets our older heroes of World War I have to apply to local charity: Therefore be it

"Resolved, That we go on record in favor of the early passage of the above bill."

GORDON SEALE,
Commander.
H. H. MIDDLETON, Sr.,
Adjutant.

The above resolution submitted to the Oakland County Council of Veterans at regular meeting held on April 1, 1954, was properly brought before the council, and it was moved, seconded, and carried, that this council go on record in favor of the passage of

bill S. 1749. One copy of same to be forwarded to Consolidated War Veterans Councils of Michigan, and to the House of Representatives.

JACOLYN W. SMITH,
Adjutant, Oakland County Council of Veterans.

IMPORTATION OF NATURAL GAS—RESOLUTION OF LOCAL 8927, DISTRICT 27, UNITED MINE WORKERS OF AMERICA, DICKINSON, N. DAK.

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, resolutions adopted by Local 8927, District 27, United Mine Workers of America, Dickinson, N. Dak., relating to the importation of natural gas.

There being no objection, the resolutions were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

UNITED MINE WORKERS OF AMERICA,
Dickinson, N. Dak., April 19, 1954.

Hon. WILLIAM A. LANGER,
Senate Office Building,
Washington, D. C.

DEAR SIR: The United Mine Workers of America, District 27, Local 8927, Dickinson, N. Dak., approves the following resolutions:

We are advised that the Federal Power Commission has before it applications for the importation of natural gas from Canada.

In which, millions of tons of coal would be lost through such approval, and an enormous number of workers, within and also out of the coal industry would be unemployed.

We believe that the closing of coal mines would be a liability to the economy of this Nation, and also a very tragic mistake in the event of another national emergency.

Therefore we resolve, that the Hunt bill, Senate bill 1287 "A bill to amend the Natural Gas Act," introduced by Hon. LESTER HUNT, of Wyoming, should be carefully considered and thoughtfully studied by all interested persons.

We also resolve that as this bill has been referred to the Subcommittee on Business and Consumers Interests of the Senate Committee on Interstate and Foreign Commerce, that this local union forward a copy of this resolution to every member of the subcommittee, thankfully requesting their assistance in helping us preserve our industry and the American way of living for thousands of workers and other affected persons throughout the West.

JOHN KLEIN, JR.,
President, Local 8927.
JOHN P. KRANET,
Recording Secretary, Local 8927.
ANTON J. HUSHKA,
Financial Secretary, Local 8927.

LEASE OF ARMY BASE IN SOUTH BOSTON, MASS.—RESOLUTION OF BOSTON CITY COUNCIL

Mr. KENNEDY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the city council, city of Boston, Mass., on April 12, 1954, in connection with the Army base in South Boston.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Whereas the United States Government does not, as of this date, intend to appropriate the funds necessary to repair the terminal facilities in South Boston known as the Army base because of deterioration to the substructure of the piers; and

Whereas the Army has informed the State authorities of its willingness to lease the said facilities to the Commonwealth of Massachusetts if so authorized by the Department of Defense: Therefore be it

Resolved, That the city council, in meeting assembled, respectfully request the Governor of our Commonwealth to take whatever steps are necessary to allow the State to lease these facilities in the event that the Federal Government does not make available the funds to repair the same; and be it further

Resolved, That the Massachusetts delegation in Congress be urged to make all arrangements with the Federal Government to put this proposal into effect.

In city council April 12, 1954, adopted.
Attest:

WALTER J. MALLOY,
City Clerk.

SOLDIERS' HOME AT FRAMINGHAM, MASS.—RESOLUTION OF CITY COUNCIL, BOSTON, MASS.

Mr. KENNEDY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the City Council of the City of Boston, Mass., on April 12, 1954, relating to the establishment of a soldiers' home at Framingham, Mass.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Whereas there is no soldiers' home in our Commonwealth under Federal jurisdiction and, although Massachusetts has constructed and operates two excellent soldiers' homes—1 in Chelsea and 1 in Holyoke—the primary responsibility for the care of veterans rests with the Federal Government; and

Whereas there are many federally operated soldiers' homes in various parts of the United States, especially in the southern and western parts, to care for ill and elderly former servicemen in their declining years, the nearest federally operated soldiers' home to Massachusetts being located at Togus, Maine; and

Whereas the Department of Defense and the Veterans' Administration have indicated that they do not intend to continue the operation of the facilities now known as the Cushing Hospital at Framingham, Mass.; and

Whereas the facilities at Cushing Hospital are ideally suited for a soldiers' home and could be converted at small cost for that purpose: Now, therefore, be it

Resolved, That the Boston City Council of Massachusetts urges the Congress of the United States to take the necessary steps, together with the appropriate Federal department to establish a soldiers' home, under Federal jurisdiction, at the present location of the Cushing Hospital, at Framingham, Mass.

In city council April 12, 1954, adopted.
Attest:

WALTER J. MALLOY,
City Clerk.

CLOSING OF MURPHY GENERAL HOSPITAL, WALTHAM, MASS.—RESOLUTION OF CITY COUNCIL OF BOSTON, MASS.

Mr. KENNEDY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the City Council of Boston, Mass., on April 12, 1954, relating to the closing of the Murphy General Hospital at Waltham, Mass.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Whereas the Department of Defense has directed that the Murphy General Hospital, in Waltham, be closed on June 30, 1954; and

Whereas the decision to close the Murphy General Hospital, dictated not by sound medical administrative policy but rather by political expediency, in that a similar establishment scheduled to be closed in Arkansas is to continue to operate; and

Whereas the closing of the Murphy General Hospital would necessitate the scattering of several hospitalized servicemen with homes in New England to hospitals all over the United States, and would work great hardship on the said with homes in New England; and

Whereby the greater Boston area contains extremely high concentration of population and industry far more so than Arkansas and is therefore a prime target for an aerial nuclear attack: Therefore

Resolved, That the Boston City Council hereby memorializes the Congress of the United States to continue the operation of the Murphy General Hospital to achieve fair treatment, the New England military personnel, and by a further resolve that the New England area be far more susceptible to great damage from nuclear attack than Arkansas requires great military reserve hospital capacity.

In city council April 12, 1954, adopted.
Attest:

WALTER J. MALLOY,
City Clerk.

CLOSING OF ARMY BASE AT SOUTH BOSTON, MASS.—RESOLUTION

Mr. KENNEDY. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by Local 800, International Longshoremen's Association, Boston, Mass., protesting against the closing of the Army base at South Boston, Mass.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

LOCAL NO. 800, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION,
South Boston, Mass., May 1, 1954.

Senator JOHN F. KENNEDY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KENNEDY: Whereas the members of Local No. 800, ILA (Independent), South Boston, Mass., are most anxious to preserve the vital Army base facilities which mean so much to the economy of the city of Boston and the Commonwealth of Massachusetts during the time of war; and

Whereas these facilities represent an estimated value of over $60 million, and would take a great deal of time to replace during

the time of a national emergency, should they be closed and allowed to decay; and

Whereas engineering experts have recently determined that the dock bases are in imminent danger of collapsing and that necessary repairs to bulkheads and pilings will cost in the neighborhood of $10 million; and

Whereas the closing of the Army base docking facilities will undoubtedly detour a large amount of the present shipping business away from Boston with the consequent loss of employment to hundreds of our longshoremen and others; and

Whereas the policy to close these facilities, rather than expend the funds necessary to properly repair them, is a policy of economy by abandonment: Therefore be it

Resolved, That Local No. 800, ILA (Independent), South Boston, Mass., in meeting assembled, calls upon the members of the congressional delegation from Massachusetts to intercede forthwith with the Secretary of the Army, the Secretary of Defense, and, if need be, with the President of the United States, in an attempt to obtain reconsideration of the predetermined policy of closing the base, and urge that the necessary repairs be made to assure the preservation and continuance of the operation of the Army base which is so vital to Boston; and be it further

Resolved, That in presenting the request, the delegation further point out to the authorities previously mentioned, the economic hardship which Boston, Greater Boston, and the Commonwealth of Massachusetts are already suffering because of the contract awards to other areas for manufacturing of goods and the building of such items as the third *Forrestal* type carrier which was recently lost to the Greater Boston area.

We respectfully request your full support in this matter.

Sincerely,

JAMES T. MCGARRY,
Recording Secretary, Local No. 800, ILA (Independent).

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. KNOWLAND, from the Committee on Appropriations:

H. R. 8367. A bill making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes; with amendments (Rept. No. 1373).

EXTENSION AND AMENDMENT OF RENEGOTIATION ACT OF 1951—ADDITIONAL AMENDMENTS REPORTED

Mr. MILLIKIN. Mr. President, from the Committee on Finance I report additional committee amendments to the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951, now on the Senate calendar.

The VICE PRESIDENT. The amendments will be received, printed, and will lie on the table.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 19, 1954, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, District of Columbia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POTTER:

S. 3484. A bill to amend Revised Statutes 4426; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON:

S. 3485. A bill for the relief of Liselotta Kunze; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 3486. A bill for the relief of Joan Cimino; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 3487. A bill to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SMATHERS:

S. 3488. A bill for the relief of Guiseppe Venturella and Pietro Venturella; and

S. 3489. A bill for the relief of Wilma Ann Schilling; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 3490. A bill for the relief of Nunzio Lo Buono; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (by request):

S. 3491. A bill to permit employees of the Canal Zone Government and the Panama Canal Company to appeal decisions under the Federal Employees' Compensation Act to the Employees' Compensation Appeals Board; to the Committee on Labor and Public Welfare.

FUNERAL EXPENSES OF THE LATE SENATOR CLYDE R. HOEY

Mr. JOHNSON of Texas (for Mr. LENNON) submitted the following resolution (S. Res. 250), which was referred to the Committee on Rules and Administration:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent funds of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and atttend the funeral of Honorable Clyde R. Hoey, late a Senator from the State of North Carolina, on vouchers to be approved by the Committee on Rules and Administration.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. SMITH of New Jersey submitted the following resolution (S. Res. 251), which was referred to the Committee on Labor and Public Welfare:

Resolved, That the Committee on Labor and Public Welfare hereby is authorized to expend from the contingent fund of the Senate, during the 83d Congress, $5,000 in addition to the amount, and for the same purpose, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

INCORPORATION OF CERTAIN BUSINESSES IN THE DISTRICT OF COLUMBIA—AMENDMENTS

Mr. CASE (for himself, Mr. BARRETT, Mr. BEALL, Mr. PAYNE, Mr. NEELY, Mr. MANSFIELD, Mr. BURKE, and Mr. MORSE) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 3704) to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia, which were ordered to lie on the table and to be printed.

PRINTING OF REVIEW OF REPORT ON INLAND WATERWAY FROM DELAWARE RIVER TO CHESAPEAKE BAY, DEL. AND MD.

Mr. MARTIN. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated August 17, 1953, from the Chief of Engineers, Department of the Army, on a review of report on the Inland Waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, pursuant to resolution of the Committee on Commerce, dated March 28, 1939, and I ask unanimous consent that it be printed as a Senate document, with illustrations.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

NOTICES OF MOTIONS TO SUSPEND THE RULE — AMENDMENTS TO CIVIL FUNCTIONS APPROPRIATION BILL

Mr. KNOWLAND submitted the following notices of motions to suspend the rule:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: on page 4, line 3, after the word "appropriated", insert: ": *Provided further*, That not to exceed $750,000 of the funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of the Dalles Dam, Columbia River, Wash. and Oreg., and must be subordinated thereto by agreement or litigation."

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: on page 4, line 3, after the word "appropriated", insert: ": *Provided further*, That not more than $15,000 of the funds available for the Fall River flood-control project on the Fall River, S. Dak., shall be available to compensate the owners

of water wells in the vicinity of Cold Brook Dam, S. Dak., for losses determined by the Chief of Engineers to have been sustained by reason of lowering the level of water in such wells as a result, wholly or partially, of construction and operation of Cold Brook Dam. Losses compensable shall include, but not be limited to, the expense of improving or replacing the affected wells so that an amount of water equal to the amount previously obtainable from the affected wells will be available to the owners."

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: on page 5, line 8, after the word "works", insert: ", including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation."

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of the rule XVI for the purpose of proposing to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, the following amendment, namely: On page 8, line 1, after the word "Governor", insert: "; residence for the Governor."

Mr. KNOWLAND submitted amendments intended to be proposed by him to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, which were ordered to lie on the table and to be printed.

(For texts of amendments, see the foregoing notices.)

HOUSE BILLS PLACED ON CALENDAR OR REFERRED

The following bills were each read twice by their titles and placed on the calendar, or referred, as indicated:

H. R. 9004. An act to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; placed on the calendar.

H. R. 9089. An act authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.; to the Committee on Finance.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE AMERICAN MERCHANT MARINE AND SHIPBUILDING INDUSTRY

Mr. BEALL. Mr. President, those of us from coastal States are concerned with the problems of our merchant marine and our shipyards, because we know that the merchant marine is truly our fourth arm of defense, and that the activity of our shipyards reflects on the economy of our great cities and States.

Maryland's shipyards are in a critical condition, and there is little time left to solve this problem before they close down completely, with the resultant dislocation of skilled personnel and a disastrous effect on Baltimore's economy.

On the editorial page of this morning's Baltimore Sun appears an article entitled "Our Shipyards Face Trouble." It expertly summarizes the problems of our merchant marine and our domestic shipyards.

There appears no solution without Federal assistance, and this assistance cannot come without action by Congress. Mr. President, I declare that there is no more urgent problem before this session of Congress, and I urge that every possible effort be made to obtain prompt consideration of bills pertaining to our merchant marine and shipyards.

I have always opposed Federal participation in private business; I approve of it only when there is no alternative. In this particular instance, I believe that there is no alternative short of Federal assistance.

However, I sincerely believe that private companies in the United States have a moral obligation to assist in maintaining our domestic economy, and I have been disappointed to learn that some businesses have taken their contracts abroad because they could have ships built more cheaply there than in American yards. My opinion is that while they may save a dollar this year, they are apt to lose in the future because they have failed to participate in building a strong domestic economy.

Yesterday, in Seattle, Wash., the Maritime Administrator, Louis S. Rothschild, told the Society of Naval Architects and Marine Engineers that—

> We feel that the industry should sponsor transportation of a large proportion of its ore in United States-built and operated ships.

Mr. Rothschild was referring to the steel industry. He said, further:

> A step in this direction would aid greatly in revitalizing our shipbuilding—which in turn is a heavy consumer of the steel produced from the imported ores. It also seems to me that by so doing, the steel industry would insure the continued availability of their ore carriers in time of emergency, and the protection of their vital lines of supply.

Mr. Rothschild was referring to recent reports that American firms are having their ships built in foreign yards. It is known that one steel company is paying for the construction of three 63,000 deadweight-ton ore ships in Japanese yards; another steel company is having two built in England; and there are reports of others under construction in British yards. Also the oil companies and aluminum companies have been building vessels abroad, and then sailing them under foreign flags.

Mr. President, I believe Congress should act as soon as possible on bills pertaining to our merchant marine and to assist our shipyards during the critical days ahead. However, I think American businessmen are obligated and have a responsibility to other private enterprises in this country, and I believe that they should be urged and encouraged to assist each other.

If American businessmen are to continue to take their business abroad, they cannot depend on the United States Congress to grant annual subsidies. Instead, the time will come when Congress will refuse to appropriate more funds; and then the great American shipbuilding industry will stand idle.

Mr. President, I request unanimous consent to have the article entitled "Our Shipyards Face Trouble" printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR SHIPYARDS FACE TROUBLE

A $6 million tanker of 16,000 tons has just been launched at the Sparrows Point shipyard of the Bethlehem Steel Co. Another ship will be launched there May 26 and still another one on July 26. Then the Point's present shipbuilding contracts will have been exhausted.

Bethlehem is preparing bids on two Navy ammunition ships. But even with success here, the outlook for the shipyard is bad. There could be a shutdown.

What is happening at the Point is not unique. The situation there is duplicated in most of the major shipyards of the country. Shipbuilding in the United States is approaching an end. There is no approved policy for its continuation under existing adverse conditions.

Since 1936 the country has had a maritime policy under the Merchant Marine Act. The Federal Government gives support (1) for the creation and maintenance of essential trade routes, (2) to ship operators willing to observe rigid rules of safety and dependability, and (3) for the development of a merchant fleet adequate for commercial and defense needs.

The Federal program envisioned in 1936 had hardly gotten under way before the outbreak of World War II. It was overshadowed by the special Liberty, Victory, and tanker shipbuilding programs in the war effort.

Following the end of hostilities, the 1936 policy came to the front again.

But it soon became apparent that the Federal aids allowed would be insufficient to produce the ends desired. There was talk of a more liberal policy. The talk quieted when the war came in Korea. Now it has begun all over again and there are moves to strengthen the Merchant Marine Act.

Much of the discussion to date has been in Congress. The administration itself had not, until a few days ago, revealed its thought. It has now placed before Congress "a review of maritime subsidy policy in the light of present national requirements for a merchant marine and a shipbuilding industry."

This review or report was prepared by the office of the Under Secretary of Commerce for Transportation, Mr. Robert B. Murray, Jr., and the Maritime Administration. The Department of Defense supplied data within its respective field.

The review, of course, covers the whole panorama of the maritime business. What follows is a summary of that part of the report—and the accompanying statement by Mr. Murray—which deal with the plight of the shipyards.

Ships are not being built in this country because the cost of construction is far higher than the cost of construction in foreign yards. Similarly, the cost of operating a ship under the American flag is far higher than

the cost of operating one under a foreign flag.

For instance, the cost of building a *Mariner* class ship abroad ranges from 54 percent to 61 percent of the cost in American yards. An American flag ship with a crew of 51 has a monthly wage cost of $20,800. If manned under British rates the same ship would have a monthly wage cost of only $4,700. Present Federal aids do not overcome these differences.

In the data put before Congress the view is expressed that shipyards with a working force of 36,000 must be maintained in peacetime if they are to be capable of immediately expanding to meet mobilization needs.

Last year the shipyard force stood at 23,000. During this year it is expected to drop to 10,800. By next year it is expected to be down to 1,200. The great disparity between the last figure and the desirable 36,000 is all too apparent.

In the light of this situation Congress was told:

"To provide continuous employment for a labor force of 36,000, our shipyards would have to construct 60 average oceangoing merchant type ships or their equivalent each year.

"The new ships resulting from a construction program of this magnitude would replace the existing privately operated merchant fleet in about 20 years and thus overcome the approaching block obsolescence problem faced by the shipping industry.

"The annual cost of constructing 60 merchant ships a year is estimated at about $400 million, exclusive of national defense features. Some portion of the cost of this program would have to be borne by the Government in the form of construction subsidies as well as any allowances made for required national defense features.

"The extent to which the Government should implement this program will require, of course, careful considerations of its importance relative to our national defense programs."

The bleak situation at Sparrows Point is but one facet in the national problem which has now been reviewed on the Federal Administration level. But it is typical of the whole problem. We here in Baltimore have a special interest, indeed, financial stake, in this problem.

Under Secretary Murray and his aides have presented a clear picture of the plight of the shipyards. They have related that picture to the national welfare. They have suggested a way in which shipyard activity can be maintained at a level which they deem necessary. Now it is up to Congress.

THE GENOCIDE CONVENTION

Mr. WILEY. Mr. President, from a great many quarters these days we see, unfortunately, a series of complete misrepresentations of the United Nations and of certain other constructive international organizations and instrumentalities.

A number of folks, for example, have sent to me comments on the Genocide Convention. Many of the comments are utterly erroneous. One newspaper clipping asserts, for example, that because of the convention, the freedoms of the American people "have been destroyed, stealthily and treacherously, without the voice of one American official being raised in their defense." Another letter addressed to every United States Senator claims the Senate may have been utterly derelict in its duty in not preventing the signature of the convention.

These and other fantastic allegations are utterly contrary to the actual facts. I refer principally to the facts that (a) the United States Senate has not ratified the Genocide Convention and (b) that the Secretary of State has clearly set forth that the Department will not urge ratification, and (c) that the convention has no binding effect upon us and could not, therefore, in the slightest, abridge or affect the rights or freedoms of American citizens.

Nevertheless, the Government and the people of the United States have, of course, time and again demonstrated their heartfelt protest against the mass murder of peoples as perpetrated by the Nazis, the Communists, or anyone else.

In order to set forth the facts in their official context. I recently asked Assistant Secretary of State Thruston Morton to present a brief summary on the convention. Mr. Morton promptly forwarded to me the summary, and I ask unanimous consent that it be printed in the body of the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE GENOCIDE CONVENTION

The United Nations Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly on December 9, 1948. It has entered into force for 43 countries. The United States has not ratified the convention and is not a party to it. Accordingly, its provisions in no way bind the United States or its citizens.

BACKGROUND

On December 11, 1946, the first session of the United Nations General Assembly unanimously adopted a resolution condemning genocide as a crime under international law.[1] That resolution declared that punishment of the crime of genocide, the denial of the right to existence of entire human groups, is a matter of international concern. It recommended international cooperation with a view to facilitating the prevention and punishment of genocide and requested the Economic and Social Council of the United Nations to undertake the necessary studies to draw up a draft convention on the subject.

Pursuant to this resolution, a special United Nations committee met in 1948 and prepared a draft convention on genocide. This draft was reviewed by the Economic and Social Council and in the fall of 1948 was transmitted to the General Assembly. The legal committee of the General Assembly debated the matter and the convention was adopted by unanimous vote of the General Assembly on December 9, 1948.

SIGNATURE OF THE CONVENTION

The Genocide Convention was opened for signature on December 11, 1948. Pursuant to its terms, it remained open for signature until December 31, 1949 and subsequently for accession by nations which had not signed. It was signed on behalf of 43 nations, including the United States. Of that number 27 have since ratified the convention and thus become parties to it. Sixteen other nations have become parties by deposit of instruments of accession.

The act of signature of the Genocide Convention imported neither a legal nor a moral obligation to ratify the convention. Signature of a treaty is merely the last formal step between completion of successful negotiations and submission of the document for approval and ratification by the competent authorities of the signatory states. Signature of a treaty on behalf of a state creates no obligation to ratify the treaty.

The terms of the Genocide Convention require that it be ratified in order to become effective after signature. It cannot be made effective as an executive agreement. The second paragraph of article XI specifically provides:

"The present convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary General of the United Nations."

Consequently, a signatory government is not bound by the convention until it has deposited its instrument of ratification and the convention has been brought into force with respect to it. Governments which have signed the Genocide Convention but have failed to ratify it are under no legal duty to execute its provisions or to carry out in any way the obligations created by it.

ENTRY INTO FORCE

The Genocide Convention entered into force, pursuant to its terms, on January 2, 1951, the 90th day following the date of deposit of the 20th instrument of ratification or accession. It became effective only as to those countries which had deposited the necessary ratifications or accessions. The convention is presently in effect for the following 43 countries: [2]

Australia, Belgium, Brazil, Bulgaria,[3] Cambodia, Canada, Ceylon, Chile, China, Costa Rica, Cuba, Czechoslovakia,[3] Denmark, Ecuador, Egypt, El Salvador, Ethiopia, France, Guatemala, Haiti, Honduras, Hungary,[3] Iceland, Israel, Italy, Jordan, Korea, Laos, Lebanon, Liberia, Mexico, Monaco, Nicaragua, Norway, Panama, Philippines,[3] Poland,[3] Rumania,[3] Saudi Arabia, Sweden, Turkey, Vietnam, Yugoslavia.

THE UNITED STATES HAS NOT RATIFIED THE GENOCIDE CONVENTION

The convention was signed on behalf of the United States on December 11, 1948, by Ernest A. Gross, acting under a full power issued by the President authorizing him to sign a convention for the prevention and punishment of the crime of genocide, "the said convention to be transmitted to the President of the United States of America for his ratification, subject to the advice and consent thereto of the Senate of the United States of America."

The President transmitted the convention to the United States Senate on June 16, 1949, for advice and consent to ratification. It was referred to the Foreign Relations Committee and ordered to be printed.[4] Public hearings were held in January and February of 1950 before a subcommittee, and the convention was thereafter discussed in executive sessions of the Foreign Relations Committee. After nearly 5 years the Genocide Convention is still pending in the Senate Foreign Relations Committee without having received the recommendation of that committee.

In accordance with the statement of the Secretary of State before the Senate Judiciary Committee on April 6, 1953, the Department of State is not pressing for ratification of the Genocide Convention.[5]

SUMMARY

The United States Senate has not given its advice and consent to ratification of the Genocide Convention. That convention accordingly has not been ratified by the Presi-

[1] General Assembly Resolution 96 (I), Dec. 11, 1946, U. N. Doc. A/64/Add. 1.

[2] The U. S. S. R. deposited its ratification, with reservations, on May 3, 1954. It will become effective on August 1, 1954, the 90th day after deposit.

[3] With reservations.

[4] Senate Executive O, 81st Cong., 1st sess.

[5] Hearings on S. J. Res. 1 and 43, p. 886.

dent of the United States and is not in force for the United States. Its provisions have no binding effect within the United States and have in no way abridged or affected the rights and freedoms of American citizens.

MAY 10, 1954.

REPORT OF THE NEW ENGLAND COUNCIL ON GOVERNMENTAL RECOMMENDATIONS OF NEW ENGLAND BUSINESSMEN

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD a news release of Wednesday, April 28, 1954, from the New England Council of Boston, Mass.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

WASHINGTON, April 27.—Leading Yankee businessmen by a whopping ratio of 60 to 1 favor keeping the Federal deficit to a minimum for the fiscal year 1955 rather than cut taxes beyond Presidential recommendations, according to a survey by the New England Council.

The opinions expressed by almost 800 New England businessmen in a council survey were reported tonight at the annual reception to the New England congressional delegation by the council and the New England Association of Commercial Executives.

The businessmen were 702 to 14 in favor of keeping the 1955 deficit to a minimum and 399 to 85 against tax cuts beyond those recommended in the President's budget message.

They said that if a choice is necessary between easing up on the double taxation of dividends or increasing the personal income-tax exemption from $600 to $700, they preferred the former. The actual vote was 562 to 71 in favor of easing up on double taxation of dividends and 290 to 192 against increasing the personal exemption.

They favored United States participation in construction of the St. Lawrence Seaway 481 to 228; they were against a national minimum wage of $1 an hour to reduce North-South labor differentials 412 to 313, and they voted 526 to 189 against the methods used in the more widely publicized congressional investigations.

They were against Federal merchant marine subsidies 333 to 298 and in the field of agriculture, they were against farm price supports at 90 percent of parity by 540 to 27 and against abandonment of all farm price supports 325 to 192.

They favored adopting so-called flexible supports ranging from 75 percent to 90 percent of parity 397 to 137 and they were 253 to 218 in favor of letting farm products seek their own levels and making compensatory payments direct to farmers when market levels drop below a predetermined percentage of parity.

On the tariff question, they felt 399 to 230 that it would be beneficial to the overall New England economy if the President was granted broader powers to reduce tariffs gradually on a carefully selected step-by-step basis. They felt 201 to 136 this would not be beneficial and 155 to 118 that it would be harmful on their own business.

Concerning social security, they were 456 to 277 in favor of expanding coverage and benefits.

Regarding Government defense contracts, they felt 398 to 184 that New England has received generally fair treatment in the award of Federal defense contracts.

On the Taft-Hartley law, they favored strengthening the secondary boycott provisions 589 to 47, and they favored returning authority to the States to regulate labor-management relations 479 to 183.

MORALITY IN POLITICS—EDITORIAL FROM THE BOSTON TRAVELER

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Morality in Politics," which appeared in the Boston Traveler on Friday, April 23, 1954, and which discusses an able speech delivered by the Honorable James A. Farley.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORALITY IN POLITICS

At the start of this week, a wise and seasoned political veteran came to Boston to give a speech at a Knights of Columbus dinner.

The things he said would make an excellent moral guide book, both for beginners with political ambitions and old-timers with political illusions.

The speaker was Jim Farley, and he identified his subject as The Role of the Catholic in Politics. His advice and observations, however, should not be restricted to Catholic politicians. They apply to Protestants, Jews, Catholics, and all other persons who seek political success, regardless of goal or role.

Farley said that the code of political ethics should be regarded as something as rigid as the moral code—that politics and morality are one and indivisible—that any attempt to differentiate between politics and morality means the loss of understanding and honor.

He reminded his listeners that power in politics could mean the loss of liberties, and that the abuse of power is at the root of all political evil.

He said further that "Politics is not a dirty business unless we allow it to become so. It is rather a most serious business which has need of the most high-minded and the most generous-hearted among us. Politics should be a joyous dedicated companionship toward advancement of man on earth, just as religion is a glorious companionship toward bringing final happy fulfillment in eternity."

Adherence to such a code could not fail to produce good government.

And of particular interest at this hour were these words from Farley: "We have all known men to grow pompous and arrogant in power. I am sorry to say there have been and are many Catholics among those who are brusque, rude, and even contemptuous in dealing with those who come before them. Such men come to regard themselves as masters of the people rather than as servants of the people."

Few men know politics as well as Jim Farley. His advice and observations are worth attention.

STATEMENT BY PRESIDENT OF THE PHILIPPINES REGARDING JOINT DECLARATION WITH THE UNITED STATES AGAINST COMMUNIST AGGRESSION IN INDOCHINA

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by President Ramon Magsaysay, issued in Manila on April 17, 1954.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY PRESIDENT RAMON MAGSAYSAY, ISSUED IN MANILA APRIL 17, 1954

The Philippine Government agrees in principle with the United States proposal to issue a joint declaration against Communist aggression in Indochina. At an appropriate time we shall give more detailed consideration to the actual text of the declaration itself.

Our first concern is and has always been our national security. This concern today has become more grave with the deepening crisis in Indochina.

In the interest of our national security, it is our duty to strengthen ourselves in every way. But in the face of the Communist peril in Asia, it has also become our grave duty to multiply our strength through joint action with our allies in the free world. It is particularly important to maintain our alliance with the United States, which is today the principal bulwark of the free world against Communist aggression and tyranny.

In the Indochina crisis, however, there is an element which is of great concern to the Philippines as an Asian country. This is the political element of independence of the peoples of Indochina.

I believe that the proposed declaration should contain an affirmation of the rights of all peoples to freedom and independence. Thus, it would not only be a warning against further Communist aggression in Asia but an assurance that the contemplated united action is aimed at the defense of the independence of the Indochinese peoples against Communist imperialism or any other threat.

The joint declaration, to have maximum effectiveness, should approach as closely as possible the guaranties of the Atlantic Charter. As a matter of fact, it should be the Asian equivalent of that historic document.

The PRESIDING OFFICER (Mr. BARRETT in the chair). Is there further morning business? If not, morning business is closed.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The Senate resumed the consideration of the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very brief statement about the effect of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The bill as reported totals $5,700,729,413, or an increase over the House of $134,610,650. This increase includes $32,678,760 allowed by the Senate committee on supplemental estimates of $57,778,760 submitted to the Senate and not considered by the House, consisting mainly of $25 million for Small Business' revolving fund and $7,500,000 to Veterans' Administration general expenses. The restorations of House reductions by the Senate committee, therefore, amount to $101,931,890, or 1.83 percent.

The largest item of restoration is $42,819,600 to the Atomic Energy Commission. Next, in order of size of amount, is $26 million to Tennessee Valley Authority, $6 million to General Services Administration, $3,378,750 to National Advisory Committee for Aeronautics, and $3 million to National Science Foundation.

For the Veterans' Administration the bill includes $454,000 of restoration for travel expenses, $7,500,000 for the supplemental estimate to consolidate field operations, and 3 items over the budget estimates—$10 million for outpatient dental fees, $8 million

for the Long Beach, Calif., paraplegic hospital, and $80,000 to improve medical personnel quarters at Fargo, N. Dak.

The reduction by the House of $100 million from the item for compensation and pensions does not mean a reduction or nonpayment of any benefit to which a veteran is entitled. As was done last year, the required amount over the $2,435,000,000 in the bill will be provided in a supplemental appropriation bill, at which time the amount can be more exactly ascertained.

Mr. SALTONSTALL. Mr. President, in the latter part of the session of yesterday, by unanimous consent, after agreement with the majority and the minority leaders and the Senator from South Carolina, the senior member of the Independent Offices Subcommittee of the Committee on Appropriations, the committee amendments were adopted en bloc. On instructions from the Appropriations Committee, at this time I should like to submit two additional amendments proposing changes in language. With the adoption of those amendments, the bill, insofar as the committee is concerned, will be complete.

I now submit and send to the desk the first of those amendments. It relates to the basic salary compensation of the special counsel for the Housing and Home Finance Agency.

The PRESIDING OFFICER (Mr. BEALL in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, in line 2, after the semicolon, it is proposed to insert the following:

The salary of a special counsel which shall be the same as the basic rate of compensation established for the heads of the constituent agencies of the Housing and Home Finance Agency.

Mr. SALTONSTALL. Mr. President, the committee authorized me to report this amendment. The evidence for it is in the form of a letter from Mr. Albert M. Cole, Housing Administrator, which I should like to place in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 14, 1954.

Hon. LEVERETT SALTONSTALL,
Chairman, Independent Offices Subcommittee, Committee on Appropriations, United States Senate, Washington, D. C.

DEAR SENATOR SALTONSTALL: I want to express to you and to the Members of the Subcommittee on Independent Offices of the Senate Committee on Appropriations my sincere appreciation of your inclusion, in the independent offices appropriation bill, 1954, of the provision which would place the compensation of Mr. Fitzpatrick, my General Counsel, at the same rate which he held prior to the recent changes in my office which, unfortunately, resulted in a substantial reduction of his salary. I have been out of the city on official business this week; otherwise I would have been in touch with you before.

As you know, since I took office as Housing and Home Finance Administrator over a year ago, Mr. Fitzpatrick has been serving both as my deputy and as my General Counsel. His performance has been outstanding, and he has been of great assistance to me. Some time ago, when it became necessary for be to undertake a major investigation of alleged irregularities and abuses in various FHA insurance programs, I appointed Mr. William F. McKenna as Deputy to devote his full time to the Agency's investigation. At that time, I asked Mr. Fitzpatrick to continue to serve as my General Counsel, indicating that I would not want him to lose any salary as a result of the organizational change.

I know intimately of the character of Mr. Fitzpatrick's work. No one has cooperated more fully with me or has done more to help me in carrying out my responsibilities as Housing and Home Finance Administrator. In my opinion, Mr. Fitzpatrick is without question one of the most competent and hardworking officials in the Federal Government, and his integrity is indisputable. I know that my opinion is fully shared by the many Members of the Senate and the House of Representatives with whom his work has brought him into frequent contact.

It is my sincere hope that the Congress will retain this provision in the bill as finally enacted.

Sincerely yours,

ALBERT M. COLE,
Administrator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. SALTONSTALL].

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, I offer another amendment which the committee has authorized me to report.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The LEGISLATIVE CLERK. On page 47, line 5, after the word "care", it is proposed to insert the following: "*Provided*, That no part of this appropriation shall be available for outpatient dental services and treatment, or related dental appliances with respect to a service-connected dental disability which is not compensable in degree unless such condition or disability is shown to have been in existence at time of discharge and application for treatment is made within 1 year after discharge or by March 31, 1955, whichever is later: *Provided further*, That this limitation shall not apply to adjunct outpatient dental services or appliances for any dental condition associated with and held to be aggravating disability from such other service-incurred or service-aggravated injury or disease."

Mr. SALTONSTALL. Mr. President, a very brief explanation of this amendment is found on page 13 of the committee report, under the heading "Outpatient Care."

Last year the Congress adopted an amendment with respect to outpatient dental care, providing that a case must be reported within a year of discharge or prior to July 27, 1944. That amendment, as I say, was adopted by the Congress, but there is a backlog of cases which have not been completed. This year the same amendment was eliminated on the floor of the House on a point of order.

What the committee has done is to propose to extend the law as it now is until March 31, 1955. The committee has inserted an item of $10 million, which is the estimate for carrying out this service. This will take care of the backlog of cases, and will also take care of any new cases, we hope, until that time. In addition it will give the appropriate legislative committees sufficient time to look into the problems involved. The amendment has the approval of the committee, and I am authorized to offer it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, so far as the committee is concerned, the bill is now in final form.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I intend to propose 6 amendments to the bill, 5 of them calling for reductions in appropriations of approximately $10 million. The sixth amendment which I intend to propose calls for an additional appropriation of $500,000 for the General Accounting Office, so that the General Accounting Office may serve as a people's defender, or a taxpayer's defender before the Appropriations Committees of the House and Senate, or, if the House does not wish the services of the General Accounting Office, before the Appropriations Committee of the Senate. Additional information on appropriations matters would also be made available to individual Members of the House and Senate.

The six amendments taken as a whole, therefore, would produce net economies of approximately $9½ million.

I have no criticism of the very able Appropriations Committee or of the eminent and distinguished Senator in charge of the bill [Mr. SALTONSTALL], but I think it is true that very frequently the Senate is excessively generous in its treatment of Government departments. The common procedure is for the House to practice economy, and then for the Senate, when the appropriation bills come before it, to temper the decisions of the House with excessive mercy. Some wag has suggested that this is the real reason why the Senate is sometimes called the upper House—because apparently we always "up" appropriations which have been approved by the House of Representatives.

So in the interest of economy, to which Members of the majority subscribed when they were in opposition, I shall offer these amendments in sequence.

The first amendment I offer is on page 18, line 22 of the bill, to replace the figure which the Senate committee recommended, of $7,294,400, by the figure $6,544,400, which is the amount provided by the House, thus effecting a saving of $750,000.

The PRESIDING OFFICER. The committee proposes, on page 18, at the end of line 22, to strike out the figure $6,544,400" and insert in lieu thereof "$7,294,400." The question is on agreeing to the committee amendment.

Mr. DOUGLAS. Mr. President, the original budget request for this item was $6,700,000; but when the House hearings were underway, and during the course of the hearings, an additional request of $950,000 was subsequently made in order to finance a new program called the frequency-usage monitoring program. The House considered this new request and recommended that it should not be

agreed to. The House committee report stated on page 11:

> The amount requested for a frequency-usage monitoring program, in the amount of $950,000, did not seem to the committee to be justified, and the committee has specifically denied all funds requested for this purpose. The Federal Communications Commission is already engaged in extensive monitoring activities, as are the other departments which use radio communications; and if an effort is made to utilize the information already available, the primary objective sought by the new program can be achieved without additional appropriations.

This belated request by the Federal Communications Commission for an additional appropriation of $950,000 was turned down both by the House committee and the House itself; but during the Senate committee hearings, as the record from page 160 on indicates, once again the request was made for $950,000, and virtually the same justification was given. It was said to be necessary for security. Of course, security is a mystical word, and it can be used to justify almost any appropriation which is requested. I am certain that the House is just as much interested in the security of the United States as is the Senate. The House committee, after considering the claims for security, turned down this request for an appropriation. However, the Senate committee acceded to the extent of $750,000. So, whatever the uncertainty may be about security, there is one thing that is certain, namely, that the program would provide 144 permanent new jobs, at an average salary of $4,700.

Without wishing to stir up the lions or the elephants, I may say that I can picture the mouths of certain gentlemen watering at the thought of the additional 144 new jobs to monitor a communications system. The Senate committee would restore $750,000 for the additional monitoring program. I believe the program can be postponed and possibly eliminated, thereby saving three-quarters of a million dollars. I hope very much the committee amendment will be rejected.

Mr. SALTONSTALL. Mr. President, the amount of money involved was included as a part of the overall program of the National Security Council. The FCC has been asked to carry out this program on the orders of the National Security Council. What has happened, I believe, and I say I believe, because I want to be conservative in my statement—is that there are two types of radio monitoring. The FCC, obviously, is doing type A, which has to do with listening to radio transmissions for the purpose of obtaining data concerning the nature of the information transmitted.

There is also involved radio monitoring to determine the use and the frequency of the use of the spectrum.

We have authorized funds for the Director of War Mobilization, which is Dr. Flemming's department, for the purpose of determining the use of the part of the radio spectrum assigned to the Government; that is to say half of the radio spectrum. The other half is for civilian use.

The FCC has been given the job of frequency monitoring the spectrum which is used by civilians. It is not for the purpose of ascertaining what is said, but to determine to what extent a frequency is used. In that way it affects the national security, for, if a war should break out, it would be advantageous to know what frequencies could be best used for the purposes of the Government at that time.

Furthermore, aid is afforded the United States in working out international agreements with respect to the use of the spectrum. It is idle to monitor half of the spectrum, which is the half used by the Government, unless the half of the spectrum which is used by civilians is also monitored.

That is the purpose of putting this amount of money in the bill. It was the thought of the Federal Communications Commission that perhaps the subject was not fully understood when it was considered in the other House.

I say to my good friend from Illinois that it is my understanding also that the FCC is doing this work at the request of the National Security Council as a security measure.

Mr. DOUGLAS. Will the Senator from Massachusetts yield for a question?

Mr. SALTONSTALL. I yield to the Senator from Illinois.

Mr. DOUGLAS. Without violating security regulations, is it not true that the money involved in this item is not intended to monitor shortwave broadcasts used by hostile broadcasters? In other words, it is not to be used to detect possible enemy broadcasts and communications?

Mr. SALTONSTALL. It is my understanding that we want to know who is using the other half of the spectrum.

Mr. DOUGLAS. Without going into details, is it not true that there are other agencies of the Government which are monitoring a large part of the spectrum to determine whether or not enemy propaganda or enemy instructions are being shortwaved into the United States?

Mr. SALTONSTALL. That is perfectly true. The other monitoring, as I understand, is for the purpose of determining what is on the radio. However, there could be no monitoring, except such as would be provided for by the amount placed in the appropriation bill, for the other half of the spectrum.

Mr. DOUGLAS. The Senator means for that which is not monitored?

Mr. SALTONSTALL. Mr. President, this subject is very technical, and I fear that, perhaps, the Senator from Illinois will cause me to become confused. The monitoring that is recommended by the requested appropriation is to determine, not what is said on one side of the spectrum, but how much the various segments of the spectrum are used, so that, for instance, if, for security purposes in time of war, we wanted to employ it, we could say, "This segment of the spectrum is the least used; therefore, we can avail ourselves of it with the least damage to civilian uses."

Mr. DOUGLAS. I do not wish to utter a witticism at the expense of my good friend from Massachusetts, but I would suggest that if we find out which part of the spectrum is being used, we also at the same time find out which part of the spectrum is not being used. In that way we get something to subtract from the whole spectrum, and we get the part which is not used, and it is not necessary to listen to that part in order not to hear anything.

Mr. SALTONSTALL. What the Senator from Illinois says, as I understand, is perhaps a part of the purpose of this requested appropriation.

Mr. DOUGLAS. I do not wish to be unfair to my good friend from Massachusetts, but what he is apparently doing is asking that we should spend $750,000 to listen to things that are not there.

Mr. SALTONSTALL. That is partly true.

Mr. DOUGLAS. I believe that of itself condemns the appropriation.

Mr. SALTONSTALL. But no one is doing it now.

Mr. DOUGLAS. I do not believe anyone needs to do it.

Mr. SALTONSTALL. But we do not know what part of the spectrum is not being used.

Mr. DOUGLAS. This is beginning to look to me like busy work, to keep 144 deserving—if I may use the word "deserving"—citizens busy.

Mr. SALTONSTALL. My colleague from Illinois is extremely facile in his argument, but I do not quite agree with him. The purpose of the requested appropriation is to ascertain with respect to the half of the spectrum which is being used by civilians, how much any part of it is being used. We want to determine whether a certain segment is not being used at all, and we can determine that only by investigation.

Mr. DOUGLAS. I should like to point out to my friend from Massachusetts that he has already stated there are other agencies of the Government, such as the CIA, which are already listening to enemy propaganda, and presumably they have found this out, and therefore the subject is roughly covered, unless the Senator would like to have Government officials listen to what every ham operator in the country is saying.

Mr. SALTONSTALL. Another purpose is to provide an increased radio monitoring effort to improve the ability of the United States to safeguard against the operation of clandestine radio stations.

This necessary task has in the past been performed by the FCC, insofar as it could be done with its present limited monitoring facilities and personnel. This capability usually has been augmented by the voluntary or spontaneous assistance of radio spectrum users, including amateurs. In other words the purpose is to find out which segments are being used clandestinely and which are not being used at all.

Mr. DOUGLAS. The Senator from Massachusetts is now discussing a new justification, which is different from what was originally advanced, and which, if solidly based, is much more defensible. I thought the Senator from Massachusetts had said the work of detecting clandestine broadcasting from enemy sources was already being conducted by other agencies of the Government. If it is not being done by other

agencies, and if this is necessary in order to detect enemy propaganda or enemy instructions, of course I will be in favor of the appropriation, but I thought it was being done by other agencies, and this was mere surplusage.

Mr. SALTONSTALL. I may say to my distinguished colleage from Illinois that to the best knowledge of the committee this monitoring process is not now being carried on by any Government agency.

Mr. DOUGLAS. Is the purpose of it to detect the possibility of enemy broadcasting or hostile broadcasting?

Mr. SALTONSTALL. As I understand, it is not primarily to detect hostile broadcasts. It is to detect and determine the use of the whole spectrum.

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. It is my understanding that the two are tied in together. Unless we know who uses the spectrum we cannot intercept whatever message there may be. So this is a sort of prelude to ascertaining who controls the spectrum and what areas of it are controlled, so that a message may be intercepted. Is not that correct?

Mr. SALTONSTALL. The Senator is correct.

I may say to my colleague from Illinois that there are 10 reasons given for this monitoring program. I shall read the first 2 or 3:

1. To determine the impact of foreign usages of the radio spectrum upon the United States flag uses with especial reference to the position of the United States by comparison with the percentage of use by other nations.

2. To provide one of the necessary means for developing improved radio-spectrum management in the United States. Information regarding foreign uses of radio must be supplemented by knowledge of how the United States is using its own radio frequencies.

3. To promote the national security by providing an increased radio-monitoring effort to improve the ability of the United States to guard against the operation of clandestine radio stations.

There are seven other reasons, but I believe those which I have read are the most important.

Mr. DOUGLAS. Has the Senator from Massachusetts gone into the question personally?

Mr. SALTONSTALL. I listened to the testimony and tried to understand this very complicated problem. I have given the best explanation of it I can give. I cannot say that I went into it beyond the hearings and beyond the testimony of the Federal Communications Commission and the defense mobilization representatives, who stated that the additional appropriation was requested by the National Security Council.

Mr. DOUGLAS. In other words, what the Senator has gone into is a matter of what was published in the hearings at page 160 and following?

Mr. SALTONSTALL. That is correct. The Senator from South Carolina [Mr. MAYBANK] and I heard the testimony, and we believe that this very complicated and difficult study should be made.

Mr. DOUGLAS. Since the Senator has stated that his knowledge is confined to what is contained in the hearings, I think it might be appropriate to read the salient passages from the hearings, found on page 161 and following of the printed record.

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Mr. President, I love my colleague from South Carolina, and I should be glad to yield to him at all times, but I suggest that if he will permit me to finish my statement, I shall love him still more.

Mr. MAYBANK. I have no intention of not letting my distinguished friend and colleague finish his statement.

Mr. DOUGLAS. When I conclude my statement, I shall be delighted to yield to the Senator from South Carolina.

Mr. President on page 161 of the printed hearings, this item was taken up, and Mr. Hyde of the Federal Communications Commission was on the stand. I read:

Senator SALTONSTALL. This is a policing job?

Mr. HYDE. I believe it is more than that.

Senator SALTONSTALL. It is a security job?

Mr. HYDE. Yes. It is an exploration job. It is an appraisal of the availabilities in the spectrum.

Senator SALTONSTALL. It is preventing people from stealing frequencies that are being held out?

Mr. HYDE. Not quite. I would say no to that. We do a substantial policing job in order to prevent unlicensed and unauthorized use of channels domestically, but this job we are proposing here, which by the way is directed to that part of the spectrum which is useful for long distance or worldwide communications, is more a job of finding our place in the use of the spectrum and protecting such position as we get against inroads by other countries. The whole system is based on priorities. You get a right to use of a channel by finding it available, making a notification to the international frequency registration board, and then, of course, appropriating it or using it.

It might seem a simple thing to simply chart the spectrum and numerically mark off the channels. It does not work that way because the spectrum is used in various ways at different places. You have to survey it both from the standpoint of position, geographical position, and the use made in some other country or even in your own.

I should like to suggest that Mr. Hyde's testimony quite clearly indicates that this is not for the purpose of surveillance; it is not to ascertain whether hostile propaganda or hostile instructions are being beamed into this country. It is to provide information by which civilian agencies of the Government may make a better representation before international bodies charged with the allocation of wavelengths as between nations.

Therefore, unless we can get the personal interpretations of our colleagues, which need not go into detail, that this appropriation is vital to the security of the country, it seems to me it should be opposed.

I shall now be delighted to yield to the Senator from South Carolina.

Mr. MAYBANK. I am certain that the distinguished chairman of the subcommitee understood the reason why I voted for the increase. I wish to read what Mr. Hyde said to me at page 160 of the record of the hearings:

Senator MAYBANK. Who recommended the program?

Mr. HYDE. The National Security Council, of which the President is the Chairman.

Senator MAYBANK. The National Security Council asked you to do this. You did not ask for it?

Mr. HYDE. No, sir. Our budget had been submitted before this request came to us.

Senator MAYBANK. Your budget was submitted before you ever asked for this?

Mr. HYDE. That is correct.

Senator MAYBANK. The National Security Council, under the President, asked for it?

I wish to say that I would not have voted for the increase if the National Security Council had not requested it.

Mr. DOUGLAS. This discussion indicates the difficulty under which legislative bodies operate in a period of cold war. It is possible for virtually any governmental agency to say that the appropriation which it requests is needed for security reasons. Then pressure upon the legislative body to agree to the request is very strong, because if one objects it can always be alleged that he is striking at the security of the United States.

I realize this difficulty, and I realize also that the strategic information which Members of the Senate and House may have personally should not necessarily be disclosed on the floor of either the Senate or the House. That is why I sought from the Senator from Massachusetts information as to whether he had personal knowledge about the matter which is contained in the printed record. If either the Senator from Massachusetts or the Senator from South Carolina has personal knowledge which is not contained in the record, I would be willing to withdraw my amendment. But the Senator from Massachusetts said that the only knowledge he had was based on the testimony which was taken. I submit that on the basis of the testimony all that is meant is merely civilian monitoring, in order to put the United States in a better bargaining position with international agencies. While some persons may think that three-quarters of a million dollars is not much money, it is, in reality, a lot of money.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. I did not go into the details of what the Commission proposes to do because, as the Senator from Massachusetts well knows, when we have hearings on atomic-energy matters, and on other matters affecting the national security, I never attempt to ascertain the details. I only know that Mr. Hyde told me, in no uncertain terms, that the Security Council and the President of the United States believed this item was necessary. The Senator from Massachusetts was present when I asked Mr. Hyde the question, three times, "Do I understand correctly that the President of the United States and the Security Council want this to be done?" Mr. Hyde said "Yes." That was his reply on three different occasions. That is why I support the item.

I do not intend to go back on the President of the United States and the Security Council if they tell me they need $750,000, which, I agree with the Senator from Illinois, is a large sum of money, in order to investigate the spectrum. Both the President and the Security Council have said that the money is necessary.

Mr. DOUGLAS. Would my good friend, the distinguished Senator from South Carolina, be willing to inform me if he has personal knowledge, aside from the testimony taken before the committee, that this item is vital to the security of the United States? Or is the Senator simply saying, "The National Security Council recommends it; therefore, I agree to it"?

Mr. MAYBANK. No; I say that from my cross-questioning of Mr. Hyde, which I read, I came to the conclusion, in my own mind, that the item was necessary. I have no knowledge of what is proposed to be done, beyond what is contained in the hearings, because I did not ask. If I had asked for an executive session, I am certain the Senator from Massachusetts would have granted my request. But I did not ask for it after I had been assured on three occasions that the President and the Security Council had requested the fund. I simply took it for granted that they, representing the executive branch of the Government, would not have asked for it if it was not necessary. But I have no other assurances.

Mr. DOUGLAS. If we were to have the personal assurance of either the Senator from Massachusetts or the Senator from South Carolina that he has knowledge which is not included in the printed record that the item is essential to the security of the United States, I would withdraw my amendment. The Senator from Massachusetts and the Senator from South Carolina are extremely honorable men; and being honorable men, they have also said that they do not have any knowledge other than that which is contained in the printed record. Therefore, we are all justified in operating on the basis of the printed record.

The sections of the printed record which I have read indicate that the item is purely for the purpose of civilian monitoring; that it is not connected with the detection of espionage or propaganda, which, presumably, I hope, is being carried on by other agencies, and that this item is merely to be used to put the United States in a better position for bargaining internationally.

According to the testimony following that on page 162, apparently the money is sought because the British are conducting a similar program, and apparently this is to be a form of competitive monitoring, to place this Nation in a better position to bargain with the British in the allocation of wavelengths in any international treaty. I do not think one has to be an Anglophile to be able to say that that type of competitive expenditure is not necessary.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. Certainly.

Mr. SALTONSTALL. The Senator from Illinois has quoted the testimony of Mr. Hyde on page 162 of the hearings.

Mr. DOUGLAS. I quoted from page 161. The last reference I made was to page 162, with respect to the British monitoring.

Mr. SALTONSTALL. I desire to mention another part of Mr. Hyde's testimony. The fact which influenced me was that stated by the distinguished Senator from South Carolina. Mr. Hyde testified, at the very bottom of page 162, as follows:

> I mentioned we do not maintain a continuing sweep of the spectrum. We cannot do it with the facilities we have. But on occasion when it has been necessary to find new channels for a carrier which has been required to change its position due to treaty requirements, we will institute a search. That is the only way we do solve those problems.

It is not only for the purpose of bettering the position of the United States in an international conference on the use of the spectrum; but, as the statement points out, the Commission must have money with which to act especially when a carrier changes its position. This is an exceedingly complicated subject. If the Senator from Illinois can describe on the floor, so that we can all understand it, what the spectrum is and what the segments of the spectrum are, and how the allocations are determined on an international basis, I should be very much influenced by his opinion. But when the agency of the Government in charge of the program is ordered by the Security Council, under the direction of the President, to say that it is necessary, I felt that we should go along.

Mr. DOUGLAS. I have great respect for the Members of the Committee on Appropriations of the House of Representatives. They tend to go into budget questions a little more carefully, even than does the Senate Committee on Appropriations, because they have the primary responsibility for appropriations. Again I call attention to the fact that the House committee, in its report, stated as follows:

> The amount requested for a frequency usage monitoring program in the amount of $950,000 did not seem to the committee to be justified and the committee has specifically denied all funds requested for this purpose. The Federal Communications Commission is already engaged in extensive monitoring activities as are the other departments who use radio communications, and if an effort is made to utilize the information already available the primary objectives sought by the new program can be achieved without additional appropriations.

This is not the judgment of crackpots or uninformed persons; this is the judgment of the House Committee on Appropriations.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on agreeing to the amendment of the committee on page 18, line 22.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Barrett	Hill	Potter
Beall	Holland	Russell
Bennett	Johnson, Tex.	Saltonstall
Butler, Md.	Johnston, S. C.	Schoeppel
Carlson	Kefauver	Sparkman
Cooper	Kennedy	Stennis
Daniel	Kilgore	Thye
Dirksen	Knowland	Upton
Douglas	Long	Watkins
Dworshak	Mansfield	Wiley
Ferguson	Maybank	Williams
Fulbright	Murray	Young
Gore	Pastore	
Hayden	Payne	

Mr. SALTONSTALL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senator from Ohio [Mr. BRICKER], and the Senator from New Jersey [Mr. HENDRICKSON] are absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. MUNDT], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

Mr. JOHNSON of Texas. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from New York [Mr. LEHMAN], the Senator from North Carolina [Mr. LENNON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mrs. BOWRING, Mr. BRIDGES, Mr. BURKE, Mr. BYRD, Mr. CASE, Mr. CORDON, Mr. DUFF, Mr. EASTLAND, Mr. ELLENDER, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. GILLETTE, Mr. GREEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HUNT, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. MAGNUSON, Mr. MALONE, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. NEELY, Mr. PURTELL, Mr. SMATHERS, Mrs. SMITH of Maine, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the committee amendment on page 18, line 22.

Mr. KNOWLAND. On this amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair will state that the question is on agreeing to the committee amendment.

Mr. DOUGLAS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. I had understood that last night, just before the Senate recessed, the Senator from Massachusetts [Mr. SALTONSTALL] asked unanimous consent that the committee amendments be agreed to en bloc, and that Senators were then to be free to propose specific amendments to the bill, as amended by the committee. I should like to have the Senator from Massachusetts either confirm or deny that statement.

Mr. SALTONSTALL. Mr. President, that is my understanding. As I understand, so far as the committee is concerned, the bill is now in final form, and is open to amendment.

Mr. DOUGLAS. I thank the Senator from Massachusetts.

I ask that the amendment be read.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Although I was not present in the Chamber at the time the agreement was entered into, I had been consulted in advance, as had the minority leader. My understanding was that, while the committee amendments would be agreed to en bloc, they would be adopted with the understanding that they in turn would be subject to amendment. It was understood that the bill would be considered de novo, and, therefore, any amendment to any section of the bill would be in order.

The PRESIDING OFFICER. The Chair will state that the case is not exactly as stated. The Senator from Massachusetts asked unanimous consent that the committee amendments be agreed to en bloc with the reservation that they might be open to amendment on the floor at the request of any Member of the Senate.

Mr. KNOWLAND. As it turns out in this particular case—I have not examined all the amendments of the Senator from Illinois, and I hope he will correct me if I am in error—his amendment on page 18, line 22, which is under the general heading of the Federal Communications Commission, proposes to strike out "$7,294,500" and restore the original amount as it came from the House, which is $6,544,400.

Mr. DOUGLAS. That is correct.

Mr. KNOWLAND. The net effect achieved, at least in reaching the Senator's objective, would not be different either by rejecting the committee amendment or by proceeding in the way he has suggested. If any of the Senator's amendments propose a different amount than that now in the bill, we would be faced with a different problem, and the committee amendment itself would have to be amended.

The PRESIDING OFFICER. At that time the question would be on agreeing to the amendment to the committee amendment.

The pending question is on agreeing to the committee amendment on page 18, line 22, and an affirmative vote would sustain the amendment of the committee, and a negative vote would serve to strike out the amendment of the committee and revert to the appropriation contained in the House bill.

Mr. KNOWLAND. I am satisfied so long as the question is thoroughly understood.

The PRESIDING OFFICER. On the committee amendment the Senator from California has requested the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, in view of the fact that there were only a few Senators present in the Chamber previously, I hope Senators will not object to my summarizing my argument.

The item under consideration concerns an additional appropriation for the Federal Communications Commission in the amount of $750,000, to carry on additional monitoring of the wavelength spectrum. The amendment was proposed to the House committee after the budget had been submitted. It was rejected by the House committee and was rejected by the House itself. It was proposed again to the Senate committee in its hearings, and at that time it was accepted, and is now before the Senate.

In the discussion with the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from South Carolina [Mr. MAYBANK] I believe I am correct in saying it was brought out that the committee merely took oral testimony but did not go into the matter in private conversation outside the committee room. Therefore, the printed record is a fairly accurate description of the purposes sought to be accomplished.

From the printed record it is apparent that the additional appropriation is not sought for the purpose of monitoring or detecting clandestine broadcasts by enemy agents, and that it is not connected with what is commonly regarded as national security. The additional appropriation is apparently desired in order that we may have information available to us for use at international conferences in apportioning among the nations the various wavelengths, so that we may be on an equal basis, so far as this information is concerned, with Great Britain, which is presumed to have such information.

In other words, it is a competitive expenditure, apparently, for the purpose of improving our international bargaining position, and not for the purpose of detecting possible enemy propaganda or enemy espionage.

It is true that the requested appropriation comes to us with the recommendation of the National Security Council, and that therefore properly it should have grave weight attached to it.

I may say, Mr. President, that if I could have—and I made this clear in my previous statement—the personal assurance of either the honorable and distinguished Senator from Massachusetts [Mr. SALTONSTALL] or the honorable and distinguished Senator from South Carolina [Mr. MAYBANK] that this appropriation is concerned with detection of enemy propaganda or enemy instructions, I would, of course, withdraw my amendment.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. If it is not possible to determine the spectrum—and I am perfectly frank to say to the distinguished Senator from Illinois that such determination is beyond my comprehension—it is impossible to get at those who may be suspect. The President of the United States and the Security Council sent Mr. Hyde before the committee to present the request for the proposed appropriation. He did not come on his own motion; in fact, he did not wish to come, but he was sent to appear before the committee and to present the request in behalf of the National Security Council and the President of the United States. Mr. Hyde was not the only one who was sent to appear before the committee. Representatives of the Maritime Commission, of the Navy, and of other groups were also directed to appear before the committee. All of them requested this appropriation. That is why I voted in favor of it.

Mr. DOUGLAS. I do not claim to be an expert in physics or electronics.

Mr. MAYBANK. I am not suggesting that at all.

Mr. DOUGLAS. No. However, Mr. Hyde testified that the item amounted to an appraisal of the availabilities in the spectrum and did not attempt to deal with clandestine communications. I may add that the spectrum is pretty well known to physicists. Apparently the purpose of the appropriation is to find out what specific wavelengths are now occupied in the high-frequency sections of the spectrum.

Since this is not a military affair and since it is not a national defense affair, I submit that we are justified in concluding that the House committee, which has these matters as much at heart as we, was correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 18, line 22.

The yeas and nays have been ordered, and the Secretary will call the roll.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Will the Chair state that a vote of "yea" is a vote in favor of the appropriation of $7,294,400, and that a vote of "nay" is a vote in favor of the lower appropriation, $6,544,400?

The PRESIDING OFFICER. The statement of the Senator from Illinois is correct.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senator from Ohio [Mr. BRICKER], and the Senator from New Jersey [Mr. HENDRICKSON] are absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr.

CAPEHART], the Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. MUNDT], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

If present and voting, the Senator from South Dakota [Mr. MUNDT] would vote "yea."

Mr. JOHNSON of Texas. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Minnesota [Mr. HUMPHREY], the Senators from Oklahoma [Mr. KERR and Mr. MONRONEY], the Senator from New York [Mr. LEHMAN], the Senator from North Carolina [Mr. LENNON], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The result was announced—yeas 69, nays 6, as follows:

YEAS—69

Aiken	Gore	Maybank
Barrett	Green	McCarthy
Beall	Hayden	McClellan
Bennett	Hennings	Millikin
Bowring	Hickenlooper	Morse
Bridges	Hill	Neely
Butler, Md.	Holland	Pastore
Byrd	Hunt	Payne
Carlson	Ives	Potter
Case	Jackson	Purtell
Cooper	Jenner	Russell
Cordon	Johnson, Colo.	Saltonstall
Daniel	Johnson, Tex.	Schoeppel
Dirksen	Johnston, S. C.	Smathers
Duff	Kefauver	Smith, Maine
Dworshak	Kennedy	Sparkman
Eastland	Kilgore	Stennis
Ellender	Knowland	Thye
Ferguson	Langer	Upton
Flanders	Magnuson	Watkins
Fulbright	Malone	Welker
George	Mansfield	Wiley
Gillette	Martin	Young

NAYS—6

Burke	Frear	Murray
Douglas	Long	Williams

NOT VOTING—20

Anderson	Goldwater	McCarran
Bricker	Hendrickson	Monroney
Bush	Humphrey	Mundt
Butler, Nebr.	Kerr	Robertson
Capehart	Kuchel	Smith, N. J.
Chavez	Lehman	Symington
Clements	Lennon	

So the committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. COOPER. Mr. President, for myself and on behalf of the distinguished senior Senator from Kansas [Mr. SCHOEPPEL], I offer amendments which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 44, line 25, it is proposed to strike out "$171,876,300" and insert in lieu thereof "$171,922,300."

On page 45, line 1, it is proposed to strike out "fifteen" and insert in lieu thereof "twenty-six."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Kentucky for himself and on behalf of the Senator from Kansas [Mr. SCHOEPPEL].

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. SALTONSTALL. I have talked with the chairman of the committee, the distinguished Senator from New Hampshire [Mr. BRIDGES], and the distinguished Senator from Kentucky about the proposed amendments. The situation is as follows: Two years ago there were 51 public relations officers in the Veterans' Administration. Last year, by compromise, the number was reduced to 26. The House at that time wanted to provide for only 15.

This year the administration, through the Director of the Bureau of the Budget, requested 26. Again, the House reduced the number to 15. The subcommittee increased the number to 26, but I observe that the full committee has again reverted to 15.

I support the action of the full committee, but I may say that the subcommittee, and I personally, feel that 26 is the proper number. After consultation with the chairman of the committee, I shall be glad to take the amendment to conference.

Mr. COOPER. I thank the Senator from Massachusetts.

I desire to make it clear that the amendment does not propose the retention of any public relations officers for the Veterans' Administration who are trying to sell to the public the benefits of the Administration. As the distinguished chairman of the subcommittee has said, the purpose of the amendment will be to enlarge the appropriation by the sum of $46,000. Its effect will be to increase the number of public information officers in the Veterans' Administration from 15 to 26 who will advise and inform veterans of their rights and benefits.

Today, serving more than 20 million veterans, there are only 2 organizations within the Veterans' Administration which can do this work. One group consists of the Contact Division. It was a large organization, but it has been greatly reduced in the past 3 or 4 years from 900 offices to approximately 270. The other organization within the Administration that of public information offices which can give veterans notice and information of their rights would be reduced if the appropriation is reduced.

The amendment just offered is supported by Mr. H. V. Higley, the Administrator of the Veterans' Administration, and by all the veterans' organizations. I hope the Senate will agree to the amendment.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. SCHOEPPEL. I am glad to join with the Senator from Kentucky in offering the amendment. I am happy to note that the distinguished Senator from Massachusetts has indicated his willingness to take the amendment to conference. I desire to commend the distinguished Senator from Kentucky for moving to increase the appropriation, because ultimately it will give the veterans who are entitled thereto a greater degree of service. I felt, as I know the Senator from Kentucky felt, that if the appropriation had been curtailed, the service to the veterans who need it would also have been curtailed.

Mr. COOPER. I thank the Senator from Kansas, who has joined with me in offering the amendment.

The PRESIDING OFFICER. Does the Senator from Kentucky request that the amendments be considered en bloc?

Mr. COOPER. I so request.

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Kentucky for himself and on behalf of the Senator from Kansas will be considered en bloc.

The question is on agreeing en bloc to the amendments offered by the Senator from Kentucky for himself and the Senator from Kansas.

The amendments were agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. COOPER. Mr. President, I desire to address the chairman of the subcommittee. A few days ago, I wrote to the distinguished chairman of the subcommittee and asked him certain questions respecting the adequacy of the appropriations for certain veterans' hospitals in the State of Kentucky, specifically, the veterans' hospitals at Outwood, Ky., and Fort Thomas, Ky. Statements have been made that these hospitals would be closed or their bed space would be materially reduced.

I shall not repeat the questions to the distinguished chairman now, but I desire to ask that my letter to him be printed in the body of the RECORD. I hope the chairman will respond to the questions.

Mr. SALTONSTALL. I shall be glad to place in the RECORD at this point the letter of May 14, 1954, from the Senator from Kentucky to me, and the letter of May 18, 1954, from Mr. H. V. Higley, Administrator of the Veterans' Administration, to me, in which he answered in full the six questions asked by the Senator from Kentucky. We have gone over the answers, which I believe are entirely satisfactory to the Senator from Kentucky. Rather than read them at this time, I ask unanimous consent to have the correspondence printed at this point in the RECORD, as a reply to the Senator from Kentucky.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON ARMED SERVICES,
May 14, 1954.

Hon. LEVERETT SALTONSTALL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SALTONSTALL: When the independent offices appropriation bill comes up for discussion on the floor, I expect to ask several questions which are of interest to our people in Kentucky. Among them are these:

1. Are sufficient funds available in the bill to provide for the continued operation of the Veterans' Hospital at Outwood, Ky., and Fort Thomas, Ky.?

2. Do the appropriations reflect any decision by the Veterans' Administration to reduce the number of available beds at either of these hospitals?

3. If additional medical personnel could be obtained for the Outwood Hospital, are the appropriations sufficient for additional personnel and for increase in bed capacity if such personnel can be obtained?

4. Are funds available to provide for all service-connected cases?

5. Are funds available to provide for non-service-connected cases that are approved for treatment?

6. I have received complaints from various sources in Kentucky that veterans' compensation has been taken away or reduced because of a shortage of appropriations. Can you state if this is true? Can you state further if the bill which we are considering appropriates sufficient funds to provide compensation for all veterans' claims that are approved?

Sincerely yours,

JOHN SHERMAN COOPER.

VETERANS' ADMINISTRATION,
Washington, D. C., May 18, 1954.

Hon. LEVERETT SALTONSTALL,
United States Senate,
Washington, D. C.

DEAR SENATOR SALTONSTALL: The following answers are furnished in reply to the questions submitted to you by Senator COOPER, of Kentucky, under date of May 14, 1954, relative to the operations of the Veterans' Administration in the State of Kentucky:

1. Are sufficient funds available in the bill to provide for the continued operation of the veterans' hospital at Outwood, Ky., and Fort Thomas, Ky.?

Answer. Yes; funds will be available to continue the present operating level if the bill is passed as reported by the committee.

2. Do the appropriations reflect any decision by the Veterans' Administration to reduce the number of available beds at either of these hospitals?

Answer. No. The present plans are to continue operation during 1955 with no change in the current operating level.

3. If additional medical personnel could be obtained for the Outwood Hospital, are the appropriations sufficient for additional personnel and for increase in bed capacity if such personnel can be obtained?

Answer. The appropriations requested do not provide funds for any expansion in personnel or in bed capacity for the Outwood Hospital.

4. Are funds available to provide for all service-connected cases that are approved for treatment?

Answer. The appropriations requested will be adequate to provide medical care for all service-connected cases applying for such care.

5. Are funds available to provide for non-service-connected cases that are approved for treatment?

Answer. Funds will be available to provide medical care for non-service-connected cases that are approved for treatment provided beds are available after taking care of service-connected cases requiring such care. Obviously beds must be staffed.

6. I have received complaints from various sources in Kentucky that veterans' compensation has been taken away or reduced because of a shortage of appropriations. Can you state if this is true? Can you state further if the bill which we are considering appropriates sufficient funds to provide compensation for all veterans' claims that are approved?

Answer. Compensation has not been taken away or reduced in any manner because of a shortage in appropriations. There is attached hereto a copy of a letter written by the Deputy Administrator for Veterans Benefits to all managers at regional district offices concerning this subject. This letter was inserted in the 1955 independent offices appropriations hearings before the subcommittee of the Committee on Appropriations, House of Representatives, on page 1982. The bill which has been passed by the House and reported by the Senate Appropriations Committee contains an amount for compensation and pensions which is $100 million less than the amount estimated by the agency as needed to cover requirements during the 1955 fiscal year. However, on page 31 of Report No. 1428 from the House Committee on Appropriations, the statement is made: "The committee recognizes the fact that funds provided for this item are to meet firm obligations of the Federal Government, but that this is an estimate and if an additional amount is required during the next fiscal year, the committee will recommend funds to meet the situation." In view of this statement the testimony given before the Senate Appropriations Subcommittee was to the effect that restoration of this reduction would not be requested at this time and it is assumed that the Congress will provide additional funds if the situation demands.

Sincerely yours,

H. V. HIGLEY, *Administrator.*

DEPARTMENT OF VETERANS' BENEFITS,
VETERANS' ADMINISTRATION,
Washington, D. C., November 16, 1953.

To Managers, all VA regional offices, all VA district offices, and Acting Manager, Veterans' Benefits Office, District of Columbia.

Subject: Allegations that veterans are being informed by VA employees of reductions in disability compensation due to reduced appropriations made for the VA

1. It has recently come to the attention of the VA that many veterans are alleging that their disability compensation has been reduced and that they have been informed by employees of the VA that such reductions were due to reduced appropriations for the VA.

2. The funds requested for the fiscal year 1954 for the appropriation "Compensation and pension" were reduced in the amount of $300 million; however, this reduction was not directed toward reduced compensation or pension payments for either veterans or dependents of veterans.

3. The following statement on this subject is included in the report of the Senate Committee on Appropriations dated July 8, 1953:

"In agreeing to the reduction of $300 million below the estimate of $2,546,291,000 for 'Compensation and pensions,' the committee concurs with the statement of the House that such funds are to meet a contractual obligation of the Federal Government and if additional funds are required during the fiscal year, they will be recommended. Such reduction in total funds does not mean a denial of compensation or pension to which a deserving veteran is entitled."

4. It is therefore believed that sufficient funds will be available to meet all compensation and pension claims payable under existing laws, and as indicated above there would be no authority for the VA to either deny or reduce compensation or pension to which a veteran is entitled under existing laws.

5. It is not understood why any employee of the VA would inform a veteran that his disability compensation was being reduced due to a reduction in appropriations for the VA. You are requested to bring this matter to the attention of all employees to avoid any such occurrence in the future.

RALPH H. STONE,
Deputy Administrator.

Mr. COOPER. Another question I desire to ask is as follows:

If additional medical personnel can be obtained for the Outwood Hospital, are the appropriations sufficient for additional personnel and for an increase in bed capacity if such personnel can be obtained?

The answer was:

The appropriations requested do not provide funds for any expansion in personnel or in bed capacity for the Outwood Hospital.

I desire to ask the Senator from Massachusetts if it is not correct that if such personnel could be secured, and if the Veterans' Administration agreed that such expansion should be made, it would be possible, under the statutes for the Veterans' Administration to transfer funds within the total appropriations for veterans' hospitals for increasing the bed capacity of Outwood Hospital.

Mr. SALTONSTALL. Mr. Higley and Admiral Boone, of the Veterans' Administration, who appeared before the committee, said they were satisfied that the amounts in the budget were sufficient to operate, in a proper way, the hospitals under the Veterans' Administration. They said that if the appropriations were not sufficient, they would request an additional sum in a supplementary appropriation. Therefore, my answer can be only a general answer; but it is in the affirmative, to the best of my knowledge.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendment No. 3 on the mimeographed sheets which I distributed. I ask that the amendment be stated, and that the Chair make a parliamentary ruling in regard to it.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 22, lines 20 to 23, it is proposed to strike out:

Buildings management funds: For additional working capital for the "Buildings management fund," authorized by the act approved July 12, 1952 (66 Stat. 594), $2 million, to remain available without fiscal year limitation.

Mr. DOUGLAS. Mr. President, the amendment which I submitted was in the form of striking out the committee amendment which I understood had been adopted and become part of the bill. If it is the ruling of the Chair that the amendment of the committee should be considered, then I urge that the amendment of the committee be rejected.

The PRESIDING OFFICER. The parliamentary situation is the same as with regard to the last amendment offered by the Senator from Illinois.

Mr. DOUGLAS. Mr. President, last year at this time the General Services Administration asked for a $6 million revolving fund. At that time I made a fight on the floor against it, and we were successful in reducing the amount, if my memory serves me, to $3 million. This year the General Services Administration made a request for an additional $3 million. So they want to get two bites at what Congress denied them last year. The House committee considered the question very carefully, and stated, as I read from page 15 of the House report:

There is $3 million available now and the Budget proposes to increase this amount to $6 million. The committee is of the opinion that the additional working capital is

not required and that the General Services Administration can operate satisfactorily through additional advance billings and more vigorous collection efforts.

Mr. President, I have very serious doubt about the value of revolving funds. They represent a method of eliminating congressional review of agency expenditures. I have heard the senior Senator from Virginia [Mr. BYRD] on numerous occasions speak both lucidly and with great logic in seeking to reduce or eliminate revolving funds which are placed outside congressional control. It is said that the revolving fund will enable the General Services Administration to effect economies in connection with management of buildings. Congress has already appropriated $3 million for that purpose. If $3 million more are appropriated, we shall place such funds outside our control, and we will not know the purposes to which such funds are put. It would seem to me, therefore, that we could certainly postpone such appropriation, and by so doing save the $3 million which the committee is proposing to appropriate for such purpose.

Mr. SALTONSTALL. Mr. President, I hope the amendment of the Senator from Illinois will not be adopted, for the reason that in 1952 a revolving fund was authorized in the amount of $10 million. Last year, after argument, the Senate agreed to an appropriation of $3 million. The administration this year asked for an increase of $3 million; the Senate committee has provided for an increase of $2 million to $5 million. This is not money being spent; it is money being appropriated for a revolving fund to pay $145 million worth of bills, incurred for operating buildings to house the various departments. The purpose of increasing the revolving fund from $3 million to $5 million is to provide funds so that bills may be paid, and money thereby saved through discounts. For example, in security guarding, rent, and operations, there is a lag of 45 days, which equals three twenty-fourths of $16 million; in telephone and rapid written communications there is a 60-day lag, which equals one-sixth of $12 million; on job orders there is a 105-day lag, which equals seven twenty-fourths of $7 million.

Congress does have a review of the situation, because Congress has appropriated $145 million which goes to various departments, which departments reimburse the General Services Administration for having paid the bills of the departments for housekeeping expense.

Mr. DOUGLAS. May I ask whether the Senator from Massachusetts is speaking to the amendment on page 22, lines 20 to 23?

Mr. SALTONSTALL. I was speaking to the amendment of the Senator from Illinois relating to the buildings management fund.

Mr. DOUGLAS. I thought the discussion of the Senator from Massachusetts was devoted to the general supply fund, which is the next appropriation.

Mr. SALTONSTALL. No; that is still another fund to centralize purchase of common supply items, such as for desks, and that kind of supplies. The revolving fund in question is to take care of the building management problems, such as telephones, security guards, and that sort of expense. They are all handled by the General Services Administration. There is $145 million worth of services, with $10 million authorized for the revolving fund, and an appropriation at the present time of only $3 million.

Mr. CORDON. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from Oregon.

Mr. CORDON. Is not the Senator from Oregon correct in his understanding that the total of the buildings management fund is $145 million, but that $110 million of that is financed by actual appropriation and $35 million is financed by transfers from other departments of Government to the General Services Administration; but the $110 million is appropriated to General Services Administration?

Mr. SALTONSTALL. The Senator from Oregon is correct.

Mr. CORDON. Is it not also a fact that the revolving fund is in an amount necessary to enable the General Services Administration to pay bills in connection with a service obligation of $35 million, for which General Services Administration will be reimbursed by other agencies occupying Federal buildings?

Mr. SALTONSTALL. That is my understanding, and I appreciate the Senator's making that clear.

Mr. DOUGLAS. I suggest to my good friend from Massachusetts that if that be true, and if an attempt is being made to try to cover up for the slowness of other Government agencies in paying rent to General Services Administration, the need for an added appropriation could be removed by having such Government agencies pay their rent promptly. Moreover, the House committee has declared that this appropriation is not required.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on page 22, after line 19.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 43, line 4, in lieu of "$129,582,000" it is proposed to insert "$159,582,000."

On page 43, after the word *"Provided"*, in line 7, it is proposed to insert:

That $30,000,000 of such funds shall be available only for commencement of the construction of the Fulton steam plant: *Provided further.*

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator from Tennessee desires the amendments to be considered en bloc?

Mr. KEFAUVER. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, the decisions we make today concerning the Tennessee Valley Authority are extremely important. I should like to commend the members of the Senate Committee on Appropriations for exercising considerable vision in their actions. What they have proposed is not what I would like, but it is a vast improvement over what the House voted. In restoring $26 million to the TVA budget the Committee has neutralized approximately two-thirds of the violence that had been done to that budget by the House of Representatives.

Of course, the $129,582,000 recommended is still more than $12 million below the "dry bones" appropriation recommended by the Bureau of the Budget, and is more than $58 million below the appropriation Congress made to TVA for the current fiscal year. Nevertheless, Mr. President, the friends of the Tennessee Valley Authority are grateful to the Appropriations Committee for its recommendation.

I think the committee used extraordinarily good judgment in voting to restore $600,000 to the amount of the TVA appropriation that can be spent for resource development. As the proposed appropriation now stands, the TVA may spend $1,200,000 for this vital, worthwhile work, with the other half being derived from the proceeds of operations.

I should be happy to vote for doubling, tripling, or even quadrupling that amount, for I think money spent on resource development is among the soundest investments the Government can make.

Resource development is included in the TVA program to meet the basic requirement of the TVA Act, which directed the agency to pursue a unified development program for all of the resources in the 7-State valley area. This type of activity covers agriculture, forestry, mineral resources, tributary watershed, stream pollution, fish and wildlife conservation, and similar activities. It has been pursued on a logical basis, through soil-conservation programs, tributary watershed development, reforestation, and other necessary adjuncts to flood control.

The TVA's resource development program is the focal point of various State and Federal functions in the field, although the TVA's own part in these functions is rather small from a dollar standpoint. The TVA is largely a coordinating agency for State and local governments that actually do most of the work in resource development. Twenty years ago, the Valley States were spending only about $8 million in developing their resources. Today, with the TVA's program and encouragement, they are spending upwards of $40 million. What better example is there of having the Federal Government and local people work hand in glove for the benefit of all?

It is safe to predict that the additional $600,000 approved by the committee, for resource development, will be repaid many times over in benefits to the entire Nation.

By emphasizing this particular restoration, I do not mean to play down the

tremendous importance of another committee recommendation, namely, elimination of $25,270,500 from the amount the House of Representatives decreed should be financed from the TVA's corporate budget or from operations. Without the committee's recommendation, the TVA would be very seriously handicapped indeed.

In submitting the amendment that calls for the construction of the long-delayed Fulton steam plant, near Memphis, I wish to say that I have felt, and I still feel, that the best course for the taxpayers of the Nation is to approve construction of this plant, so the TVA can continue furnishing power to the Atomic Energy Commission.

The Appropriations Committee has set June 10 as the date for the AEC to make a decision as to where it is going to get its power: Whether it is to be supplied by private power companies or by TVA. It seems to me that June 10 should be marked in red on the calendars of every official of the AEC, the TVA, and the Bureau of the Budget, to say nothing of the members of the Appropriations Committee.

There is no doubt in my mind that the TVA is the logical and best source of this power. But if the administration is going to decide otherwise, at a needless increase in cost to the taxpayers of all the Nation, then I want the decision made quickly.

We in the valley cannot go on, year after year, wondering when our lights are going to be dimmed. We must have these policy decisions made. I promise that when they are made, Congress will know the facts, for I am sure that I and many others will lay before Congress the facts regarding what have been the accomplishments of the TVA in providing power for the Atomic Energy Commission, for the benefit of all the Nation.

Mr. President, the pending amendment would add $30 million to the bill, as amended, for the purpose of enabling the TVA to begin the construction of the Fulton steam plant, at Memphis, Tenn.

In this connection, the facts are that the TVA has been estimating its power needs over the period of its operations, and has done so with uncanny accuracy. On a 3-year basis, the length of time for which estimates must be made, because it takes 3 years to build a steam plant or a hydroelectric facility, the TVA has actually somewhat underestimated the needs for power in the valley.

I have before me the hearings held last year by the Subcommittee on Independent Offices Appropriations, of the Senate Appropriations Committee. In those hearings there is included a table which I now ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[Millions of kilowatts]

Year	Estimated demand	Actual demand
1950	2.7	3.2
1951	2.9	3.8
1952	3.5	4.2
1953	4.4	
1954	6.1	
1955	7.1	
1956	9.6	

[Millions of kilowatts]

Year	Estimates by TVA 2 years in advance	Actual demand
1947	1.8	2.2
1948	2.2	2.5
1949	2.5	2.7

Mr. KEFAUVER. Mr. President, the table shows that in its estimates for 1947, 1948, 1949, 1950, 1951, 1952, and 1953—all the estimates reported in these hearings—the TVA has, on the average, somewhat underestimated its power needs.

Last year the testimony was—and it was generally conceded, I believe, on the floor of the Senate—that the TVA would need approximately 700,000 kilowatts of installed capacity for 1956. That was well substantiated by the record. But last year it was stated on the floor of the Senate that the matter would be studied and looked into again, and that if it were found that there was further need for 1956, it could be taken care of at this time. However, it has not been taken care of.

Furthermore, there is still a need for approximately 700,000 kilowatts of installed capacity for 1957. The appropriation last year and the appropriation this year do not provide for the beginning of any new facility for the production of electricity. So unless something is done at the present time, the TVA will be approximately 1,400,000 kilowatts of capacity behind in 1957, because no provision is made in that respect for either 1956 or 1957.

At page 360 of the hearings held before the Independent Offices Appropriations Subcommittee of the Senate Appropriations Committee, appears the testimony of Mr. Clapp. His testimony is not contradicted; the hearings do not contain any testimony contradicting or denying the statements, conclusions, and estimates made by him. He testified that if provision is made—and some negotiations in that connection are pending—whereby private power interests will supply 600,000 kilowatts of power to the Atomic Energy Commission's plant at Paducah, so as to permit the TVA to return that much power to its own system, the TVA will still need 850,000 kilowatts of new capacity. From page 360 of the hearings, two-thirds of the way down the page, I desire to read several statements, as follows:

NEW CONSTRUCTION NEEDED

Mr. CLAPP. If we do get back the 600,000 from the AEC we would need to begin construction of 850,000 kilowatts of new capacity to become available by 1957. If we continue to serve the AEC with this 600,000 kilowatts at Paducah, in our judgment, in order to be on the safe side, for 1957, we ought to start building a program that would total 1,450,000 kilowatts of new capacity.

That figure is large because this year we are not making substantial additions in new starts. We have thus lost a year in starting new capacity, while our loads continue to grow.

Senator HILL. Do you have the estimates of how much appropriation you would need this year to meet your situation if you got the 600,000 kilowatts back?

How much would you need in appropriations to meet the situation if you did not get back the 600,000?

Mr. CLAPP. I can give you those figures, Senator, if you will give me just a minute.

A safe figure on that, Senator, would be about $85 million.

Senator HILL. You mean if you got back the 600,000 or if you did not get it back? I want that clear for the record.

Mr. CLAPP. If we do not get back the 600,000 kilowatts from the AEC we would then need about $85 million to start the new steam plants and new units in order to achieve the kind of margin we think we ought to have by 1957.

Senator HILL. If you do get back 600,000, how much would you need?

Mr. CLAPP. We would need at least half of that.

Senator HILL. You would need at least half of that; some $45 million, say.

Mr. CLAPP. Call it $45 million.

Senator HILL. And even if you get back the 600,000 but do not get any additional funds, you would foresee a shortage in 1957?

In other words, Mr. President, Mr. Clapp's testimony was that if the 600,000 kilowatts are returned to the TVA, in case a private power interest furnishes the 600,000 kilowatts, the TVA will need $45 million.

Mr. President, this is the situation confronting the users of electricity in the valley at the present time: They have been trying to negotiate with some private utility companies, to have them furnish 600,000 kilowatts to the Atomic Energy Commission's plant at Paducah, so as to allow the TVA's steam plant there to return that much power to the TVA's system. Up to this point the negotiations have been highly unsatisfactory. A contract was proposed by the Mid-south Utility and Southern Co. to build a steam plant which everyone conceded would be unfair to the Government, in that it would cost a much greater amount than it should. So, as matters now stand, no contract has been entered into; and, so far as I know, there are no bright prospects for any satisfactory contract by means of which to obtain 600,000 kilowatts of power from private sources for the Atomic Energy Commission, in order to replace the TVA's output there.

Thus, Mr. President, I do not believe we can afford to take a chance on negotiating such a contract, in view of the unsatisfactory record up to this point. No showing has been made that any private power sources will furnish power at a reasonable cost that will be acceptable to the Government; and time is running out. If the TVA is going to furnish this power, it needs to start building a steam plant. The TVA is already 1 year behind, and it takes 3 years to build such a plant.

But, Mr. President, even if a contract could be entered into, whereby private-power sources would furnish 600,000 kilowatts, the uncontroverted testimony is that for 1957, the TVA would still be 850,000 kilowatts behind. Thus, in any event the TVA needs to get started on the Fulton steam plant, near Memphis, Tenn., which is the center of an area which needs power very, very badly, and must have it. There is no contradictory testimony about that. The additional $30 million, called for by my amendment, at least would enable the

TVA to get started. This is about $18 million above the President's estimated budget.

I hope that the TVA may be able to have its own source of power. It seems to me entirely unfair to this fine agency, which has such an excellent record, to require it, by statute, to repay the investment to the Federal Government in 40 years, and yet not permit it to have its own sources of power. If it is forced to buy power somewhere else, even if it can obtain it at a very high rate—which it would have to pay for it—that will cut down its ability to repay the investment to the Federal Government.

The record is entirely clear and uncontradicted that, whether or not private-power companies build a steam plant to furnish some of the power for the TVA system or the Paducah atomic-energy plant, the new facility must be started quickly. This amendment is for that purpose.

The distinguished Senator from Massachusetts, who has been so thoughtful, pleasant, and kind about the matter, stated at the hearing on this subject last year that the question would be looked into again. This year we come forward with a clear report that there will be a power shortage. It is not shown that any contract is to be entered into which will take care of the needs. I hope Members of the Senate will give this agency an opportunity to have its own source of power, to furnish its own customers, so that it may continue to operate efficiently and repay the Federal Government the investment it has in TVA.

Mr. SALTONSTALL. Mr. President, to reply briefly to my colleague from Tennessee, this amendment raises the old question of whether or not we should build new steam plants on the TVA system. This year the Bureau of the Budget did not recommend the starting of any new steam plants. The Atomic Energy Commission is the largest user of TVA power. The manager of the Atomic Energy Commission testified before the subcommittee. He indicated that a contract was being negotiated with private power interests which, for the first time, seemed to indicate that, eliminating the element of taxes, the power might be furnished at a lower cost than the TVA could furnish it. He wanted further time to develop that contract.

At a later date I communicated with him and told him that time was running out. I communicated with Mr. Nichols, of the Atomic Energy Commission, and also Mr. Hughes, the Budget Director. It was stated that since they appeared before the subcommittee, another group of private utilities, a responsible group, had made a tentative offer which was even lower than the offer by private power interests for the increased power which was first considered. For that reason, as chairman of the subcommittee, I wrote on May 14 to Mr. Hughes, Director of the Budget, and requested that he reply by June 10. His reply was that he could not obtain the information and place it in our hands before the present budget was considered, for the reason that the new offer had to be analyzed.

The present situation is this: There is a demand for an increased amount of power to the extent of approximately 500,000 or 600,000 kilowatts. Private interests state that they can furnish that amount of power. There are indications that they can furnish it at a satisfactory rate, but as yet no contract has been entered into.

The bill has been reported without any provision for additional steam plants, and without any provision for contracts with the power companies, because they have not been negotiated. I wrote a letter to Mr. Hughes stating that we must have certain information before June 10 if the appropriation is to be included in a supplementary budget.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I am almost through.

So no additional capital improvements are included in the TVA appropriation for this year, except for an amount of $12 million to complete some transmission facilities which are already under construction. By the time the supplementary budget comes along, we hope to have knowledge of contracts with private utilities.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Did I correctly understand the Senator to indicate that negotiations will be completed by the time the supplemental budget comes along?

Mr. SALTONSTALL. Yes. I think the Senate will have that information available before it completes its work this year.

Mr. KEFAUVER. If no satisfactory contract is reached for the furnishing by private power companies of 600,000 kilowatts of installed capacity, will there be time to consider and include in a supplemental bill an appropriation to take care of the matter?

Mr. SALTONSTALL. It is my understanding that the Appropriations Committees and both Houses of Congress could consider that subject in a supplementary bill if it were necessary. Up to the present time it is not believed to be necessary. I should not wish to commit myself without knowing what the evidence was.

Mr. KEFAUVER. The Senator said that there was need for 500,000 or 600,000 kilowatts. In case no contract or agreement is consummated, will the subject be given further consideration in connection with a supplemental appropriation?

Mr. SALTONSTALL. It will receive further consideration in any event, because, in my opinion, the subcommittee handling the independent offices appropriations is under obligation to obtain definite evidence on the question of a contract between the Atomic Energy Commission and private power interests, in order to make sure that sufficient power is available.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. FULBRIGHT. In confirmation of what the Senator from Massachusetts [Mr. SALTONSTALL] has said about the proposal, I may say that, as the Senator from Tennessee [Mr. KEFAUVER] stated, the Mid-South Utility and Southern Co. operates in my State. The Mid-South Utility and the Southern Co. were the ones which originated the first offer. I am informed by the chairman of the board of the Arkansas Power & Light Co., Mr. Moses, whom the Senator from Massachusetts knows, that an offer such as has been described was made, but that a second offer, from another company, has delayed consummation of the contract.

Mr. SALTONSTALL. That is correct.

Mr. FULBRIGHT. Mr. Moses and the president of Mid-South have told me that they have made a bona fide, firm offer, which would provide a rate for the Atomic Energy Commission as low as the TVA rate, or perhaps a little lower, except for taxes. That is the only difference. I think they know what they are talking about.

It is proposed that the projected steam plant be built on the banks of the Mississippi River. I am hopeful that it will be built in Arkansas, of course.

I wish to make it clear to the Senator from Tennessee that I have always supported appropriations for TVA. However, if the facts are as I believe them to be, I see no reason why private capital should not build the plant to supply 600,000 kilowatts to the Atomic Energy Commission, if private capital can meet the TVA rate, except for the element of taxes—taxes being the only difference.

I am unable to see that such a plan would involve any injury to TVA. Senators interested in TVA have been very generous in voting for appropriations for that agency. I do not see how it would be harmed. There is a great additional demand for power arising from the Atomic Energy Commission, and it is proposed that private capital build this plant to supply that demand. It seems to me to be a rather ingenious and intelligent cooperative proposal by the private companies. I think the position the committee has taken is quite sound.

Mr. SALTONSTALL. I thank the Senator. He has stated exactly what is my understanding of the present situation. The reason the matter is being held up is that the new offer has come in and it is desired to determine which is the best and most reliable offer.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I should like to put into the RECORD the correspondence between Mr. Hughes, of the Bureau of the Budget, and myself on this question, so that it may be a part of the RECORD for the benefit of the Members of the Senate who are particularly interested in the situation. I ask unanimous consent that the correspondence may be printed in the RECORD at this point in my remarks.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 10, 1954.

Hon. LEVERETT SALTONSTALL,
Chairman, Independent Offices Subcommittee, Committee on Appropriations, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: In response to your request, this letter is to advise you of the status of negotiations to supply the Atomic Energy Commission from private sources with from 500,000 to 600,000 kilowatts of power, as contemplated by the 1955 budget.

In accordance with the policies set forth in the budget message, AEC, at the request of the Bureau of the Budget, has been negotiating with a group of private utilities to furnish this power. A firm proposal has been received from Middle South Utilities, Inc., and the Southern Co. to provide AEC with 600,000 kilowatts of power. This proposal is under consideration. More recent developments indicate the possibility of other proposals. The AEC is now exploring this possibility.

Under these circumstances it is not possible to present to your committee at this time a definite conclusion as to the means of meeting the prospective additional power load in the Tennessee Valley Authority area. However, consideration of all valid proposals will proceed so that if necessary a supplemental estimate to provide funds for additional steam generating capacity for TVA may be transmitted to the Congress in time for inclusion in the final supplemental appropriation bill.

This course of action will allow adequate consideration of any valid proposals which may be made without in any way foreclosing consideration of additional generating capacity for TVA if that should be determined to be the better course. If approved, the funds would be available to TVA at approximately the same time as though they were included in the independent offices appropriation bill. This should allow adequate time so that the new facilities could be in service to meet 1957 needs.

Sincerely yours,

ROWLAND HUGHES, *Director.*

MAY 14, 1954.

Hon. ROWLAND HUGHES,
Director, Bureau of the Budget, Washington, D. C.

MY DEAR MR. HUGHES: Thank you for your letter of May 10 relating to the status of negotiations to supply the Atomic Energy Commission from private sources with from 500,000 to 600,000 kilowatts of power, as contemplated by the 1955 budget.

I note that you are considering several proposals and you state it is not possible to present to the committee at this time a definite conclusion as to the means of meeting the prospective additional power load in the Tennessee Valley Authority area, and you suggest it may be necessary to submit a supplemental estimate for consideration on the last appropriation bill considered in this session.

It is the purpose of this committee, as has been announced by Chairman BRIDGES to complete all appropriation bills by July 1. Therefore, if the committee is to have time to consider such suplemental estimate, it should be submitted to the Congress not later than June 10.

We will appreciate your cooperation with the committee in submitting the estimate by that time if it is to be considered at this session of the Congress, or advising the committee by that time in case no estimate is to be submitted, with a report as to the status of the negotiations.

Sincerely yours,

_____,
Chairman, Independent Offices Subcommittee, Committee on Appropriations.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. KEFAUVER. I appreciate very much the friendship of the distinguished Senator from Arkansas for the TVA, and I appreciate his viewpoint as expressed here today. In order that Members of the Senate may have the benefit of the offer originally made by the Midsouth Utility & Southern Co., which is the first group that has made a bid to build the steam plant across the river from Memphis, I refer them to a discussion of the proposal and colloquy in connection with it in the hearings before the Committee on Appropriations of the House of Representatives of this year on the independent offices bill, at page 2554 and following.

I do not know if it is the same proposal which has now been made. I do know that another group, of which Mr. Lucius Burch is attorney, who is a friend of the Senator from Arkansas and of mine, has also made another offer. What the details of the offer are I do not know. My feeling is that the TVA ought to be entitled to have its own supply of power.

However, I ask the Senator from Massachusetts whether it is not true, insofar as the testimony before the committee this year is concerned, even if the steam plant is built by private utility companies, there is a showing that there would still be a shortage of some 600,000 or 700,000 kilowatts by 1957.

Mr. SALTONSTALL. I will say to the Senator from Tennessee that that is a debatable point. Some persons contend there will be a shortage, and others say there will not be a shortage. The important thing in connection with a supplementary budget is to be sure that there is enough power for the atomic energy plants operating in the locality, which are expensive, but which it is necessary to maintain.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. FULBRIGHT. To extend what I was saying a moment ago if the private power contracts do not materialize and if, after examination, the AEC shows that the contractors do not live up to what we have been told they would do, I would have no objection to TVA proceeding as proposed by the Senator from Tennessee.

Mr. SALTONSTALL. I would say that is a question on which we want to get evidence.

Mr. FULBRIGHT. That is correct.

Mr. SALTONSTALL. Mr. President, I hope the committee will be supported and that the vote will be "no" on the amendments.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Tennessee [Mr. KEFAUVER] to the amendment of the committee.

The amendments to the amendment were rejected.

The committee amendment was agreed to.

Mr. COOPER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 43, line 4, it is proposed to strike out the figure "$129,582,000" and to insert in lieu thereof the figure "$141,800,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, the purpose of my amendment is to restore to the bill the full amount which has been recommended by the President and by the Bureau of the Budget for the Tennessee Valley Authority.

I should like to draw to the attention of the Senate some comparative figures on appropriations for the Tennessee Valley Authority during the past 3 years.

For fiscal year 1952 Congress appropriated $238,389,000 for the Tennessee Valley Authority. For fiscal year 1953, Congress appropriated $186 million. For fiscal year 1954, Congress appropriated $188,546,000.

Earlier this year the President and the Bureau of the Budget recommended that the Congress appropriate $141,800,000 for the Tennessee Valley Authority. The House cut the recommended figure and appropriated the sum of $103,582,000. The Senate Committee on Appropriations has restored the amount of $25,270,500, and recommends that the remainder of the amount recommended by the President, $12,218,000, be used by the Tennessee Valley Authority out of its funds, which may be designated as its corporate or reserve fund.

Mr. KEFAUVER. Mr. President, may the Senate be in order? It is very difficult to hear what the distinguished Senator from Kentucky is saying in his important speech.

The PRESIDING OFFICER. The Senate will be in order.

Mr. COOPER. I am not offering the amendment as a gesture or with the idea that it may be voted on casually or defeated. I am offering the amendment with the hope that the Senate will restore the sum of $12,218,000 to the Tennessee Valley Authority.

When I have concluded my remarks, I shall ask for a quorum call and for a yea-and-nay vote on the amendment, because I believe it to be an amendment of great importance.

Both the House committee and the Senate committee appear to want the projects and the programs of the Tennessee Valley Authority, comprehended in the President's message and in the message of the Bureau of the Budget, to be carried out by the Tennessee Valley Authority, because they do not recommend or suggest in their reports that the programs be reduced or eliminated. They request that the cost of these programs be paid out of accumulated funds of the Tennessee Valley Authority or out of funds which may be received by the Tennessee Valley Authority from its

operation in the next budget year, rather from appropriations by the Congress.

I am not an engineer, and I would not claim to be thoroughly familiar with the fiscal operations of one of the largest corporations of any type in the United States. I have read carefully, however, the testimony of Mr. Clapp, the Chairman of the Tennessee Valley Authority, and of others who testified regarding the requirement that the Tennessee Valley Authority shall pay for its programs out of its corporate funds.

The testimony of Mr. Clapp and those who supported him was to the effect that the corporate fund which would be drawn upon for the financing of programs, if this appropriation cut is maintained, is really not yet in existence, but only anticipated to come into existence during the next fiscal year from the power operations of the TVA, chiefly, and from some other minor sources.

If $12 million is used from this fund to carry on TVA operations it will reduce even this anticipated reserve of the Tennessee Valley Authority to approximately $27 million.

Mr. Clapp and other witnesses pointed out in their testimony that this action would reduce reserve funds to the extent of approximately 2 percent of the capital assets of TVA which would compare with an average of 4 percent maintained by private power firms.

It was further pointed out that, unlike a private power company, the Tennessee Valley Authority cannot borrow money, and it cannot issue bonds. It is dependent entirely upon its operation revenues and upon appropriations made by the Congress.

So, Mr. President, I point out, first, that this imposition upon the Tennessee Valley Authority, leaving out of account altogether any emergencies which might arise, and taking no account of the necessity of this large Government corporation having some flexibility in its operations, arbitrarily reduces to a dangerous minimum the reserve and the actual operating funds of the TVA.

The suggestion also marks a new departure by the Congress in its treatment of Tennessee Valley Authority finances.

Reading the report of the Senate committee, which follows the report of the House, it will be noted that of total reduction, $12 million would have been appropriated for the transmission system facilities.

If Senators will read the budget message sent to the Congress by the Bureau of the Budget they will find on page 199 this statement:

> The estimate of $37 million for transmission system facilities consists of $12 million to be financed from appropriated funds, and $25 million from corporate funds.

Thus it appears that with respect to new transmission facilities the Congress has requested that the Tennessee Valley Authority shall use $25 million from its corporate funds for needed transmission facilities, and now this bill requires that an additional $12 million must be used from corporate funds for transmission facilities rather than from appropriations.

I have talked to those on the staff of the Director of the Budget who work on these items with reference to the requirement of the Senate and House committees that the TVA shall use its operating and corporate funds for transmission and other facilities. I was told by one of the staff members that heretofore it has been a rule that extensions to the system would be financed by appropriations, and that enlargements within the system would be financed from corporate funds. But if this new principle is adopted, we shall embark upon a program under which the cost of additional facilties needed for the expansion of Tennessee Valley Authority in its area will be imposed to an increasing degree upon the operating revenues of the Tennessee Valley Authority.

It seems to me, Mr. President, that if this new principle should be followed, that Congress is making up its mind that it will not adequately support by appropriations the Tennessee Valley Authority.

There is another alternative to this requirement that corporate funds must be used. I have said that one alternative is that the TVA will eliminate or reduce the programs which are comprehended in the budget message of the President. Another alternative is that the TVA will use funds appropriated by the Congress in prior years and unspent to carry out the program of the next fiscal year. That alternative is contemplated by this cut, because the statement was made in the hearing that balances are available from prior years. The statement has been made in support of the cut.

When Mr. Clapp was testifying, the question directed by the chairman indicated that the Tennessee Valley Authority does have certain funds held over from prior appropriations and carried the implication that these funds could be used to finance current projects.

I point out, Mr. President, that if that be done it will reduce or eliminate TVA programs which prior Congresses have approved.

The present budget recommendation for the Tennessee Valley Authority and this bill do not contemplate any major additions to its generating or transmission systems. It does call for the continued construction on generating and transmission systems already begun. If the effect of the present cut will demand the use of funds which have been heretofore appropriated for an expansion of power facilities in the Tennessee Valley Authority area, we shall have placed a restriction upon the expansion of the Tennessee Valley Authority by whatever name it is called.

Mr. President, my State, Kentucky, is served by the Tennessee Valley Authority. Kentucky is not affected to the degree which Tennessee and other States are affected. Nevertheless, because my State is interested I have made an effort to understand something about the operations of the Tennessee Valley Authority. I think it is very important that Congress allow the Tennessee Valley Authority to have the funds which President Eisenhower and the Bureau of the Budget recommended for its operation during the coming fiscal year.

Mr. KEFAUVER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. KEFAUVER. I should like to ask the Senator if it is not true that the Bureau of the Budget cut very greatly the amount of money requested by the TVA when they finally came to the figure of $141,800,000?

Mr. COOPER. There was a cut of some $47 million from the prior year.

Mr. KEFAUVER. The TVA this year asks for $225 million, but the Bureau of the Budget cut the amount requested to $141,800,000, and the amount now provided for in the bill is $144 million. Is that correct?

Mr. COOPER. It is a very large sum.

Mr. KEFAUVER. Is it not a fact that unless $12 million is restored, not only will it be impossible to construct certain transmission lines which are necessary, but it will substantially deplete any reserve the TVA might have on hand, and that in the event of a drought it will not have sufficient operating capital on hand for the normal operation of its business?

Mr. COOPER. I think it would limit the power of the Tennessee Valley Authority to operate comparably to the private power company.

Mr. KEFAUVER. Does not the testimony show that the Tennessee Valley Authority could save the Federal Government a large sum of money if it were able to buy what it needed at times when it could get a good price, and thus prepare for emergencies, rather than to have to buy at higher prices and perhaps pay much more for its purchases of coal and other supplies?

Mr. COOPER. I am certain that the Senator's statement is true.

Mr. KEFAUVER. I desire to join with the distinguished Senator from Kentucky in the hope that the Senate will raise the amount up to what the President and the Bureau of the Budget have recommended, because I know, and all who have been interested in the TVA know, that the amount has been reduced to a very low minimum. At the least, it seems to me that the amount requested by the President of the United States should be appropriated.

Mr. COOPER. I thank the Senator from Tennessee.

I urge the Senate, and I especially urge my fellow Republicans, to support the amendment. I do so for other reasons than those which I have stated. I call these facts to the attention of the Senate:

The Tennessee Valley Authority seems to continue to be a controversial issue. It seems to have that quality or character about it; it is not one for me, because I support its purposes. In 1952, when General Eisenhower was campaigning for the Presidency, he stated that it was his intention, if elected, to see to it that the Tennessee Valley Authority was maintained as an efficient instrument.

The present budget is the first one over which the present administration has had full control. After the careful consideration of the Bureau of the Budget, a figure of $141 million was recommended. That is not the full sum available to the Tennessee Valley Authority.

It also has available its operating revenues and other funds, which bring its total funds up to more than $400 million. But the figure of $141 million, representing as it does a substantial reduction of some $47 million from the previous year, certainly should be considered as the rock bottom judgment of the Bureau of the Budget and the administration for funds necessary to the Tennessee Valley Authority.

I desire to point to another factor. Yesterday the term of Mr. Clapp expired. It is now incumbent upon the administration to appoint a new Chairman of the Tennessee Valley Authority. I think it perfectly proper that the President of the United States, who has the power to appoint, should name the person who, in his judgment, will carry out the purposes of the Tennessee Valley Authority efficiently and according to the intent of the statutes. I have confidence that this will be done. But when it is done, and when the new Chairman of the TVA enters upon his duties, and finds, as he begins his new task, a budget greatly reduced by Congress, we will have made his task very difficult.

To my mind, there is an item in the bill which illustrates this point. One of the items which is stricken out, or at least is reduced, is a small item. The item is: "Investigations for future projects, $125,000."

Some of the controversial questions now raised concerning the TVA are these: First, what is the extent of the jurisdiction and authority of the Tennessee Valley Authority? Second, how much power actually is needed to be generated by the Tennessee Valley Authority for its area? Third, how much expansion should be begun, for future needs?

We have just heard one of these issues discussed on the floor by the distinguished Senator from Tennessee [Mr. KEFAUVER].

Another question which is being considered is: To what extent should power generated by the Tennessee Valley Authority go into large defense plants, such as the Atomic Energy plant, and whether or not some of the power shall be furnished by private companies.

These are questions to be determined by the new Chairman of the Tennessee Valley Authority, and the Board, and by Congress.

The budget and the bill carry an item of $152,000, which is needed to study the disputed and controversial questions of power need. Yet, the House struck out this item, and the Senate has reduced the amount, thus taking away from the Board of the Tennessee Valley Authority the very tools which it needs to make the important decisions which it is called upon to answer.

I urge the Senate not to eliminate this item. I urge the Senate to restore to the appropriation bill the full amount asked for by the President and by the Bureau of the Budget. This would mean that the appropriation would be increased by something more than $12 million, as is suggested by the amendment offered by myself and on behalf of the Senator from Tennessee [Mr. KEFAUVER].

On this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SALTONSTALL. Mr. President, I hope the amendment offered by the Senator from Kentucky for himself and on behalf of the Senator from Tennessee will not be agreed to. I say this for the reason that the issue involves $12 million. The House cut $38 million from the Tennessee Valley Authority appropriation. The Senate Committee on Appropriations has restored $26 million of the $38 million.

Two large items are involved. I shall mention only two, because the others are comparatively small.

The first item is $12 million for projects under construction, including power transmission facilities. The other item is $25 million, to constitute a reserve for contingencies.

As nearly as I can determine, the net earnings of the TVA next year will be $101 million. Of that amount, $55 million will have to be paid to the Federal Government, according to law. That will leave $46 million. If the entire $38 million cut by the House is taken out of corporate earnings, there will be a reserve out of anticipated earnings for the TVA in 1955 of only $8 million.

The Government's investment in TVA is $2,012,000,000.

What the subcommittee recommended, and what the full committee adopted, was a proposal to restore $26 million of the $38 million which had been eliminated by the House. This would give the TVA $12 million for the transmission lines, a capital asset, and also about half of their estimated reserve for contingencies.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MAYBANK. I desire to ask the chairman of the subcommittee or one of the members of the subcommittee: Was not the action of the committee unanimous? Was there any objection to what the subcommittee did?

Mr. SALTONSTALL. There was no objection. The action of the full committee was unanimous.

Mr. MAYBANK. And of the subcommittee, also?

Mr. SALTONSTALL. Yes.

Mr. MAYBANK. No question was raised, even between the time of the subcommittee action and the meeting of the full committee?

Mr. SALTONSTALL. The Senator is correct.

Mr. MAYBANK. I thank the Senator from Massachusetts.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. FULBRIGHT. This amount has no bearing whatsoever on the power-plant mentioned a moment ago?

Mr. SALTONSTALL. It has not. That is the answer.

As I was stating, if the $38 million eliminated by the House is not restored to the extent of $26 million, as recommended by the Senate committee, only $8 million will be left as a reserve for contingencies. If we restore $26 million, that will provide a $34 million reserve out of 1955 earnings for various contingencies, based on a plant of $2 billion. That seems to me to be a proper reserve for contingencies.

If the amount is reduced to $8 million, it will be playing too close to the line. There will not be sufficient operating latitude with which to carry on a business of this magnitude.

According to the balance sheet, a substantial amount of cash is on hand—about $180 million. Although it is difficult to ascertain, I presume that, for the most part, that amount will be spent for capital improvements which already are under contract.

So, figuring on an earnings basis of $101 million, what we are doing is giving the TVA, on a capital plant investment of $2 billion $34 million out of 1955 earnings, as a reserve, as an operating latitude for contingencies. As one member of the committee, that seemed to me to be a fair and proper business arrangement. I do not think it is necessary to restore the difference between the $38 million eliminated by the House and the $26 million recommended by the Senate committee, or $12 million, because on a net earning basis of $101 million, $26 million will provide a reserve of approximately 34 percent for contingencies, which is higher than any business ordinarily provides.

For these reasons I hope the amendment offered by the Senator from Kentucky will be rejected.

Mr. COOPER. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield.

Mr. COOPER. I know that the attitude of the Senator from Massachusetts is, that it is possible to set up a certain sum, whether the amount in question is used as an operating reserve or otherwise. However, if it is required that improvements, which heretofore have been paid for by appropriations shall now be paid for by operating capital, 1 of 2 things will result: Either it will be made impossible for the improvements to be made within the system, or the operating capital must be increased. If the operating capital, or reserve, is to be kept intact it will mean that the possibility of making improvements from TVA's own reserves will be limited, will it not?

Mr. SALTONSTALL. No, I do not agree, to this extent, that to the best of my knowledge there is a fund of $200 million, of which $180 million is in cash and $20 million in receivables, less current liabilities of $60 million, or a total liquid amount of $140 million, before TVA's earnings or reserves this year are at all considered. I cannot say it is a fact, but I assume that is money which is reserved for capital improvements already under contract.

Mr. CASE. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from South Dakota.

Mr. CASE. In looking at the committee report, on page 12, I note a little table which gives the items which were supposedly deleted by the action of the House of Representatives. The Senator has been using the figure $38 million. I

assume the exact figure is $37,488,500, is it not?

Mr. SALTONSTALL. Thirty-seven million dollars, plus the restorations from the $36 million.

Mr. CASE. I note that of that amount only about $12½ million is actually for construction, which amount includes $12 million for transmission-system facilities, and the other half million dollars is for 3 or 4 other items, and $25 million of the $38 million is the balance for contingencies. Is that correct?

Mr. SALTONSTALL. That is correct. Let me put it this way: The earnings of the Tennessee Valley Authority will be $101 million. Under the law, $55 million of that amount has to be paid back to the Government. That leaves $46 million. If one takes the whole $38 million which was cut by the House from the $46 million, that leaves the Tennessee Valley Authority $8 million for contingencies. The Senate committee increased that by $26 million, making $34 for contingencies.

Mr. CASE. The point I was seeking to bring out was that actually the action proposed by the committee does not interfere with the construction program whatsoever; does it?

Mr. SALTONSTALL. Not a bit.

Mr. CASE. The committee would restore as much as $12½ million, would it not?

Mr. SALTONSTALL. That is correct.

Mr. CASE. Actually there is a reduction only in the amount of the reserve, is there not?

Mr. SALTONSTALL. That is correct.

Mr. CASE. The $34 million cash, or reserves, or operating fund, as against $101 million earnings, seems to me to be a good ratio.

Mr. SALTONSTALL. I am glad the Senator from South Dakota agrees with me.

Mr. COOPER. Mr. President, I should like to suggest that I anticipated the argument which has been made, that is that improvements intended by the Tennessee Valley Authority are not affected by the cut. It ought to be clearly understood that there are two alternatives involved in this cut. One alternative is that a reduction in the reserve fund of the Tennessee Valley Authority, and the evidence of those who testified is that the reserve fund of the Tennessee Valley Authority is not now commensurate with the reserve funds of private companies, the Tennessee Valley Authority does not have the power of private companies; the Authority cannot borrow, issue notes, revenue bonds, or other bonds; its action is limited.

A second alternative is that the Authority can refuse to use funds that would be available with which it could make improvements in its own system. I point out that the Senator from Massachusetts [Mr. SALTONSTALL] asked Mr. Clapp what the Tennessee Valley Authority intended to do with the money. I now read from the discussion appearing at page 356 of the hearings:

Senator SALTONSTALL. They would say use the money partly with respect to $12 million of it for building these transmission facilities and the balance outside of $600,000 for resource development for these various projections that you have just mentioned?

Mr. CLAPP. That is right, sir.

Senator SALTONSTALL. These projections that you just mentioned would be termed capital improvements, would they not?

Mr. CLAPP. Capital improvements, or acquisition of minor equipment.

When the money in question is spent from corporate funds there is taken away from the Tennessee Valley Authority to that extent the possibility of making capital improvements, or acquiring needed equipment to operate its system. The Senate ought not to fool itself about taking money away from the Tennessee Valley Authority which the TVA needs, and which the Bureau of the Budget has stated it needs. If this is now done, and repeated year after year, the charges that are being made will be sustained, Congress will have begun to whittle away the funds needed by the Tennessee Valley Authority to operate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. COOPER] on behalf of himself and the Senator from Tennessee [Mr. KEFAUVER].

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	McCarthy
Barrett	Gillette	McClellan
Beall	Gore	Millikin
Bennett	Hayden	Morse
Bowring	Hendrickson	Mundt
Bridges	Hennings	Murray
Burke	Hickenlooper	Neely
Butler, Md.	Hill	Pastore
Byrd	Holland	Payne
Capehart	Hunt	Potter
Carlson	Ives	Purtell
Case	Jackson	Russell
Chavez	Jenner	Saltonstall
Clements	Johnson, Colo.	Schoeppel
Cooper	Johnson, Tex.	Smathers
Cordon	Johnston, S. C.	Smith, Maine
Daniel	Kefauver	Smith, N. J.
Dirksen	Kennedy	Sparkman
Douglas	Knowland	Stennis
Duff	Langer	Thye
Dworshak	Lehman	Upton
Eastland	Long	Watkins
Ellender	Magnuson	Wiley
Ferguson	Malone	Williams
Flanders	Mansfield	Young
Frear	Martin	
Fulbright	Maybank	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment submitted by the Senator from Kentucky [Mr. COOPER] for himself and the Senator from Tennessee [Mr. KEFAUVER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senator from Ohio [Mr. BRICKER], and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. BUTLER], and the Senator from California [Mr. KUCHEL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senators from Oklahoma [Mr. KERR and Mr. MONRONEY], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The result was announced—yeas 23, nays, 56, as follows:

YEAS—23

Aiken	Johnston, S. C.	Morse
Bowring	Kefauver	Murray
Clements	Langer	Neely
Cooper	Lehman	Sparkman
Eastland	Magnuson	Stennis
Gore	Malone	Watkins
Hill	Mansfield	Wiley
Jackson	McCarthy	

NAYS—56

Barrett	Flanders	Maybank
Beall	Frear	McClellan
Bennett	Fulbright	Millikin
Bridges	George	Mundt
Burke	Gillette	Pastore
Butler, Md.	Hayden	Payne
Byrd	Hendrickson	Potter
Capehart	Hennings	Purtell
Carlson	Hickenlooper	Russell
Case	Holland	Saltonstall
Chavez	Hunt	Schoeppel
Cordon	Ives	Smathers
Daniel	Jenner	Smith, Maine
Dirksen	Johnson, Colo.	Smith, N. J.
Douglas	Johnson, Tex.	Thye
Duff	Kennedy	Upton
Dworshak	Knowland	Williams
Ellender	Long	Young
Ferguson	Martin	

NOT VOTING—16

Anderson	Humphrey	Monroney
Bricker	Kerr	Robertson
Bush	Kilgore	Symington
Butler, Nebr.	Kuchel	Welker
Goldwater	Lennon	
Green	McCarran	

So the amendment offered by Mr. COOPER for himself and Mr. KEFAUVER was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment on page 43, line 4.

The amendment was agreed to.

Mr. McCARTHY obtained the floor.

VETERANS' HOSPITALS

Mr. MALONE. Mr. President, will the Senator from Wisconsin yield in order that I may ask the Senator from Massachusetts [Mr. SALTONSTALL] a question?

Mr. McCARTHY. I am glad to yield, with the understanding that I shall not lose the floor by so doing.

Mr. MALONE. Mr. President, there is no time to determine the effect on the State of Nevada and in other areas of the reduction in the appropriation for the Veterans' Administration. I should like to ask the distinguished Senator from Massachusetts a question.

There is only one veterans' hospital in the State of Nevada. It has a theoretical capacity of 166 beds, but because of the limited staff and equipment the actual capacity of the veterans' hospital in Reno, the only one in Nevada, is only 120.

Thirty-three veterans are on the waiting list. Because of the reduction in appropriations, 29 employees are listed

for dismissal. There are at present 9 doctors and 33 nurses.

I ask the distinguished Senator from Massachusetts, chairman of the Armed Services Committee, what the committee's intention was in making the reduction. Was it intended to reduce the number of employees of the Veterans' Administration throughout the Nation?

Mr. SALTONSTALL. I will answer my friend from Nevada in this way: Neither the House nor the Senate reduced the appropriation for operating expenses in the hospitals. In the opinion of the Administrator, according to his testimony, there is money enough to operate 127,000 beds throughout the country. I cannot answer specifically as to any one hospital, but I can say that it is my understanding that there are sufficient funds to take care of all veterans' hospitals on an operating basis.

If the funds are not sufficient, certainly the Veterans' Administration will come forward at a later time with a supplemental request for more funds. It is my understanding that there was no reduction from the Budget Director's recommendation on that point.

Mr. MALONE. Mr. President, if the Senator from Wisconsin will further yield, I should like to ask the distinguished chairman of the Armed Services Committee a further question.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Does the Senator from Wisconsin yield further?

Mr. McCARTHY. I yield, with the same understanding.

Mr. MALONE. The veterans' hospital in Reno, Nev., serves 15 of Nevada's 17 counties. An average Nevada county is about the size of the State of Massachusetts. The hospital also serves 8 counties in California, Reno being within about 20 miles of the Nevada-California boundary. Is it understood that even though there is a deficiency in actual capacity, the hospital being limited, with the present personnel, to 120 beds, there will be sufficient money to increase the actual capacity of the veterans' hospital to 166 beds, or the full capacity, if necessary?

Mr. SALTONSTALL. I believe so. The figures given to us were based upon the expected operating capacity of the hospitals for this year. However, I assure my friend from Nevada that the Appropriations Committee has never been "tight" in considering the operation of veterans' hospitals.

Mr. MALONE. I should like to ask the distinguished chairman of the Armed Services Committee a further question. Did the current head of the veterans' hospital service say to the committee that he would take care of the situation?

Mr. SALTONSTALL. As I say, I cannot answer with respect to any one specific hospital.

Mr. MALONE. I am talking about the overall picture.

Mr. SALTONSTALL. He was satisfied.

Mr. MALONE. He was satisfied, but did he say that he would take care of the disabled veterans who are now on the waiting list? There is in contemplation a reduction in the personnel at certain hospitals. What would he do about that?

Mr. SALTONSTALL. He expected to take care of all veterans with service-connected disabilities, and, to the extent beds were available, he expected to take care of veterans with non-service-connected disabilities.

Mr. MALONE. Was it the intention to continue to operate the hospitals at reduced capacity, and then claim that additional capacity was not available for disabled veterans?

Mr. SALTONSTALL. That is not my understanding.

Mr. MALONE. I thank the Senator.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

THE WAR ON COMMUNISM

Mr. McCARTHY. Mr. President, first, I wish to express my very deep appreciation to the ranking Democratic member on the Permanent Investigations Subcommittee [Mr. MCCLELLAN] for consenting to lend me, for the day, the very able minority counsel, Mr. Kennedy, who has been working on some aspects of the problem which I intend to discuss today. I deeply appreciate the courtesy of the Senator from Arkansas in consenting to have Mr. Kennedy present this afternoon so that he can furnish me facts and figures which I may require.

This afternoon I shall take a brief amount of the Senate's time to discuss a developing situation which disturbs me very deeply. The outcome of this situation may well decree the death or insure the life of our free civilization.

Mr. MAYBANK. Mr. President, may we have order, so that we can hear?

The PRESIDING OFFICER. The Senate will be in order.

Mr. McCARTHY. I thank the Senator very much.

First, however, I should like briefly to review the history of the war in which we are engaged today—a war which was publicly declared 106 years ago in the year 1848 by Karl Marx. As I have so often said before, it is a war which we did not start, and which we cannot stop except by victory or death for this Nation.

Mr. MAYBANK. Mr. President, again I ask that the Senate be in order so that all of us can hear the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin will suspend.

Mr. McCARTHY. Gladly.

The PRESIDING OFFICER. The Senate will be in order. The Chair advises the occupants of the galleries that no demonstrations will be permitted. They are requested to remain as quiet as possible. The Senator from Wisconsin may proceed.

Mr. McCARTHY. I thank the Chair and I thank the Senator from South Carolina.

There has been only one change in that declaration of war over the past 106 years. As Senators know, when Karl Marx issued his declaration of war against the world in 1848, he declared that while the creation of a Communist world could be accomplished in most nations only by bloody revolutions, there were two nations which were exceptions; namely, the United States and England, and that in those two nations communism could be imposed upon the people by infiltration and treason from within the country. That declaration of war against free civilization was modified by Lenin in 1914, at which time he brought up to date the official Communist line, namely, that while Marx was right as of 1848, 66 years later, in 1914, the declaration of war had to be changed to the extent that the policy of the Communist Party from that time forward was the destruction of non-Communist governments by force and violence, and that from that time onward the United States and Great Britain would not be exceptions to the rule, as Marx had originally suggested, and that while much could be done by boring from within, nevertheless the Communist creed was that violence and bloodshed were necessary in the end to destroy all non-Communist governments.

Senators know that the new line is known as the Marx-Lenin line.

During the first 69 years after Karl Marx declared war on civilization, not 1 acre of the world's area was under Communist domination, nor were any of the peoples of the world unwillingly in Communist chains. During that time, however, the Communists did make progress in setting the stage for future Communist victories by creating well disciplined treasonable cells in various areas of the earth. Thus for 69 years after the Communist declaration of war they did not control a single foot of ground on the face of the globe. Thirty-seven years ago, however, in 1917 the Kaiser's government secretly financed the return to Russia of seven Communist exiles led by Nicolai Lenin—exiles who had been forced to flee Russia.

Once in Russia they undermined the army, they undermined the navy, and the civilian heads of the government by the same methods which the Communists are employing in the United States today, and in 100 days those 7 Communists were literally the masters of Russia. Now, with all the wealth of the nation at their command they, of course, proceeded to finance Communist parties in every country in the world. They sent to those countries trained propagandists and spies. Their purpose, obviously, was to infiltrate the governments, and once Communists were in government they in turn brought others in.

As I refer to this history—and I believe it to be necessary to do so as a background for what I intend to discuss—and as I realize that only 7 traitors had made themselves the masters of 180 million people in 100 days, I cannot help thinking of the testimony taken by our committee a few days ago when an apparently very honest and very sincere witness was testifying about Communist infiltration, and he said, "Oh, but there aren't very many. Don't worry about them."

From 1917 to 1945 very little progress was made by the Communist conspirators to increase the number of people in

Communist chains. From 1945 to 1952, the Communists achieved a more massive victory than was ever achieved by any brutalitarian dictator in the history of this world. One hundred and eighty million people under Communist domination in 1945; in 1952 between 800 and 900 million people in chains and over one-third of the earth's area under Communist control.

In addition to the hundreds of millions in Red slavery in Europe and Asia, the Communists have finally gained a foothold and a potential base for military operations in our half of the world—Guatemala.

In that connection, Mr. President, I am sure Senators have read the news story of May 18, yesterday, stating that a ship flying the flag of one of our allies was used to transport weapons of war to Guatemala, the seat of a potential U. S. S. R. in this half of the world.

Since the end of 1952 the number of human beings under Communist control has remained about the same. However, on this 19th day of May 1954, there is in progress a Communist operation which, if successful, will spread the Red terror over other vast areas of the world, enslave additional hundreds of millions of people, and might well spell the doom of our free civilization.

While the hour is late, it is not too late. We can still win this war. Of course it would be a waste of my time and a great waste of the time of the able Senators on the floor today if I were merely to discuss the history and danger of the Communist menace. Therefore, today I should like to discuss some suggestions which in my opinion, if adopted, could turn the tide which has been going against us during the past decades, and ultimately result in a free world.

Today I shall discuss only one area of the world. In that connection, I have had maps showing that area placed in the rear of the Chamber. They may be used in the event any Senators feel there are any additional matters they would like to discuss in connection with this subject. The maps are available for the convenience of all Senators.

At the outset let me make it very clear that I freely admit there are many aspects of this extremely intricate and baffling world situation upon which others are much more fully versed.

I am painfully aware—very painfully aware—of the fact that today's suggestions for a general plan of action by the United States in the Far East will be hailed by some as "an attack upon the Eisenhower administration." However, with the world going up in flames, and our civilization facing the imminent threat of further Communist enslavement, every Senator and every Representative has a duty to add whatever contribution he may have, hoping that if all suggested courses of action are freely discussed and carefully considered, we may arrive at the proper solution, which we do not have as of today.

In fairness to those who have been working hard to find a solution, we should keep in mind that this Nation is bedeviled by the corrosion and the sapping of its moral fiber by 20 years of what at best and in the most charitable mood we can say were gross mistakes. It makes their job difficult almost beyond words.

I may say to my friends on the other side of the aisle that when I talk about 20 years of mistakes, I realize full well that there are some very able men sitting on the Democratic side and if they had been running the administration, if they had been handling the situation, we would not have the difficulties which we are facing today. This is not an indictment against the very, very able men of the opposite party. I often think, "Thank God, we have some good men over there."

As Senators will recall, a few weeks ago television, radio, and newspapers headlined a statement by our very able and conscientious young Vice President that American young men might have to be sent to Indochina. On almost the same day, the head of our Foreign Operations Administration returned from a conference with our European allies and indicated that a great victory had been achieved. What was that victory? It was that we would allow our allies to ship the sinews of economic and military strength to an enemy who is waging, directing, and controlling the war in Indochina—the same war, Mr. President, that our Vice President says may require the blood of American young men.

As of now the American people are denied the information as to what materials will be shipped by our allies to our enemies.

In that connection, our committee investigated this matter months ago. It was about as nonpartisan an investigation as could be made. The young men who did most of the work were Mr. Robert Kennedy, a Democrat, and Mr. Francis Flanagan, another very able young man. There was no politics in that investigation, Mr. President.

We tried to find out at that time what materials which the United States had listed as strategic war materials were being shipped by our allies to Communist bloc nations, with, of course, no restriction upon reshipment to Red China or Indochina. At that time we ran into an almost unbelievable situation. We were told that this information could not be given to the Congress because it was security information. At that time Mr. Kennedy pointed out that the purpose of listing something as secret or confidential, as security information, was to keep the information from the enemy, and that, of course, the Communists knew what our allies were shipping to them. He pointed out very clearly, I thought, to everyone concerned, that if the Communists knew what strategic war materials our allies were shipping to them, which, of course, they did, then the question would arise as to who was the enemy from whom the information should be kept?

We never received a satisfactory answer to that question except that the only enemies consisted of Congress and the American people.

I know this sounds fantastic and unbelievable, Mr. President, but it is all a matter of cold record, and the hearings can be obtained from the Government Printing Office by anyone who cares to have them.

So, as of today, all we know is that materials which we consider strategic war materials are being shipped to Communist nations. What those materials are the Communists know, but the United States Senate cannot get the information because it would violate security.

I sincerely hope, Mr. President, that before this body acts upon any requests for ECA funds it will inform the head of the ECA that the United States Senate is not the enemy and that so long as the Communists know what they are getting, the American people should also have such information.

ARMING OUR POTENTIAL ENEMIES

Mr. MALONE. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I shall be glad to yield.

Mr. MALONE. I should like to ask the distinguished Senator from Wisconsin if there is not a precedent for shipping critical and strategic war materials to our potential enemies? Did we not ship petroleum and scrap iron to Japan prior to World War II?

Mr. McCARTHY. There is no question that we shipped scrap iron and other metals to Japan, together with petroleum and other items. There is no question that American boys died because of those shipments to Japan.

Mr. MALONE. Is it not a fact that the bodies of the American boys we sent into the Pacific area were the targets of the scrap iron we sent to Japan?

Mr. McCARTHY. That is correct. As the Senator knows, there is an extremely serious situation in Indochina. We took a severe beating through the fall of Dien Bien Phu, and the Armageddon may well be fought out, not on the plains of Africa, but in the jungles of Indochina. If we lose Indochina we shall lose all of Asia. If we lose Asia, Japan will fall of its own weight; the Philippines will fall, and there will be a Red Pacific Ocean washing our western shores.

Let me say, further, that Lenin did not keep us in the dark about this matter. He made very clear what Russia's aims were insofar as Asia was concerned. I cannot quote his words verbatim, but, roughly, here is what he said:

He who controls China—

And this was away back in 1914—

He who controls China will control all of Asia. He who controls Asia will rule the world.

That is what we are faced with today.

Mr. MALONE. A great many years ago it was said that any nation that controls the heartland of Asia—Burma, south and central China, and northern Burma—would control the world. A great English military strategist outlined such control in a published work. Of course, we lost China deliberately. That was the Acheson strategy and with China went Asia—it was only a matter of time.

I should like to ask the Senator one more question. Did not England recently announce that tin and rubber would

be available to Russia in the same manner as to the United States?

Mr. McCARTHY. I may say to the Senator from Nevada that on April 30 the British announced that rubber would be taken off the list of strategic materials. In that connection I think it is important to note that our peacetime economy requires approximately 40,000 tons of rubber a year. We can assume that Russia's peacetime economy requires no more than that amount. In 1952 there were shipped to Communist nations 194,000 tons of rubber. The purpose obviously was stockpiling for a future war and building up their war machine. There can be no question about that.

Mr. Frank Nash, the former very able Assistant Secretary of Defense, appeared before our committee and stated with reference to the shipment of rubber to Russia that its chief use was for direct military support and for the building of war plants which would increase the war potential, or for stockpiling for war.

Mr. MALONE. Mr. President, will the Senator from Wisconsin further yield?

Mr. McCARTHY. I yield.

Mr. MALONE. I appreciate the address which the able Senator from Wisconsin is making to the Senate in calling this matter so forcefully to the attention of that body at this time. But since the close of World War II, has there been any cessation of trade with Russia? At one time in 1949, as I recall, I placed in the RECORD a list of 96 trade treaties which the 17 Marshall plan countries of Europe had with Soviet Russia and the other Iron Curtain countries.

As a matter of fact, if there was an Iron Curtain, it was badly dented from our side, because materials were being shipped continually, including ball bearings, engines, tool steel, and everything else needed to fight a war, were continually being shipped to Soviet Russia and the Iron Curtain countries by the European Marshall plan countries.

Mr. McCARTHY. One of the most important items, I may say to the Senator from Nevada, is industrial diamonds. A war machine cannot be built without industrial diamonds. One of our allies over a period of a number of years has knowingly and willfully supplied a great stockpile of industrial diamonds to Communist Russia. Let me make it very clear that I would not object if only the diamonds necessary for the regular machine tools used in the domestic economy were supplied; but there is no question that an ally, while it was getting billions of American dollars, was allowing Russia to build a stockpile supply of diamonds.

The statement has often been made that when we ship materials to Communist Russia, we obtain important materials in return, and that, therefore, we are helping the free world. In that connection, I desire to refer to a statement by Mr. Gilmore, who was a delegate from Malaya to the 1953 trade conference in Indonesia. He pointed out that Malaya, which, as the Senators know, is under British control, sent 73.6 million Malayan dollars' worth of natural rubber to Russia in 1951.

What did Malaya receive in return? In return, it received just 40,000 Malayan dollars worth of material, of which $38,500 was in the form of motion picture film.

During the first 11 months of 1952—Mr. Gilmore went on—the U. S. S. R. imported 28.7 million Malayan dollars' worth of natural rubber. What do the Senators think was received in return? The most strategic war material one could think of. In return for the Malayan rubber, $27,000 worth of material was received. Most of this, Mr. President, was caviar. [Laughter.]

Mr. MALONE. Our State Department many times has announced that we must get manganese and other critical materials from Russia; therefore, we must send goods to Russia in return. Of course, that is asinine. There is more manganese in the Western Hemisphere, including Brazil, than the whole hemisphere can consume in 100 years.

Mr. McCARTHY. The Senator from Nevada is touching upon an extremely important subject, namely, the extent to which the United States has been made dependent upon foreign nations for the minerals which we shall need in case of war; the extent to which our mines have been allowed to become flooded; the extent to which the point 4 program has been used to open mines in foreign countries, which mines would be unavailable to us, because of the huge Russian submarine fleet, if we should become engaged in a war.

I ask the indulgence of the Senator from Nevada not to go into that subject today. It is a subject which I think requires a great deal of attention, as may be judged from the time it received from the Senator's own committee. I should like to develop other facts, without going into the mining situation, even though I think it is of the utmost importance.

Mr. MALONE. Can the Senator identify, for the benefit of the Senate, exactly what the term "cold war" means? We have continued to trade with foreign countries to an even greater extent than before the phrase was coined by the old fox, Churchill. What is there cold about it when it stimulates trade with the potential enemy?

Mr. McCARTHY. For me to try to give the Senate a definition would be a waste of the Senate's time and mine. I think all Senators are as competent to make their own decisions on that point as is anyone else in the Government. I do not desire to impose on their time for that purpose.

When the able Senator from Nevada began to ask me questions, I was discussing the type of materials which are being shipped by our allies, using American dollars, which means, of course, indirect financing.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. I dislike to interrupt the Senator from Wisconsin, but apropos of what the Senator from Nevada [Mr. MALONE] has said, I wish to pose this question: Does the Senator from Wisconsin realize that today a Senate committee held a hearing on a proposal to close the only important tin smelter in the United States, and in the Western Hemisphere—a move which would result in making us completely dependent upon foreign sources for our tin?

Mr. McCARTHY. I think the Senator from Texas has raised one of the most important questions which could be raised. It is the same question which the Senator from Nevada [Mr. MALONE] raised.

My committee started an investigation of this situation, so far as mining is concerned. Frankly, after 3 or 4 months of preliminary investigation, I was convinced that the United States has been made dependent upon foreign sources for some of our most vital minerals. I have talked with some of the men who have been in the Government for the past 5 or 10 years, and who know something about the situation. I asked them why this was done. The answer, an unusual one, was, "We want to preserve the metal in the ground in the United States."

I had with me a mining engineer, who was shocked at this explanation. I cannot, on the floor of the Senate, recount his conversation; but, in effect, he said, "Don't you gentlemen know that when you allow a mine in the United States, producing tin, to be closed and flooded it takes 2 to 3 years to put the mine back in operation." The United States thus becomes dependent on a mine in some foreign nation which chances are would not be available to this country in case of all-out war.

I do not know whether this closing of our mines has been done through complete ignorance of the subject, or whether it has been planned that way. Nevertheless, the result is the same. Whether one innocently blows a man's brains out or does it deliberately, the man is just as dead either way.

I think the hearing mentioned by the Senator from Texas is very important. If we should continue such practices, and if we should then get into a war in a matter of a year, 2 years, or 3 years, and should be required to cope with the tremendous submarine fleet which the Russians have built, we would be in the same potential position of being strangled to death as the Japanese were in during the last war.

I thank the able Senator from Texas for having asked the question.

Mr. President, when the able Senator from Nevada began to ask me questions, I was discussing the subject of materials being shipped by our allies to our enemies. I had pointed out that the head of the ECA had told me that he could not give us information, because it had to be kept secret.

However, the British Information Service, on April 7 of this year, reporting on the agreement reached in London between the nations receiving American dollars and Mr. Stassen, the head of our Foreign Operations Administration, who has the task of disbursing those dollars, quoted Peter Thorneycroft, in the House of Commons. This is a quotation from the British Information Service; they had some reason to have it:

> We found ourselves in full agreement that, while controls must be maintained on exports of goods which would add directly

and significantly to the Soviet bloc's military capabilities, especially, of course, in unconventional weapons, we should seek a substantial relaxation of the controls on other goods and an expansion of civilian trade.

This quotation from the British Information Service will be found on page 13 of the hearings of the Foreign Relations Committee on April 9 of this year.

When the British Information Service selects this statement by a member of the House of Commons it is, of course, for the purpose of making clear the extent to which our allies can trade with the enemy.

There could be no other purpose for selecting that particular occasion.

Mr. President, you will note his statement that controls should be maintained especially on the shipment of unconventional weapons. Now what is a conventional weapon? Certainly artillery, tanks, antiaircraft guns, radar, jet planes are all conventional weapons.

I do not know what this statement made in the British House of Commons and which was so important as to be picked up by the British Information Service means. The head of our organization which is charged with helping our allies tells us that he cannot say what materials our friends are shipping to our enemy on the ground that this is security information. Therefore, all we can do is pick up the crumbs of information which are available to try and find out what our allies are doing. The most important crumb I can find is this statement made in the British House of Commons quoted by the British Information Service in regard to especial controls banning shipment of unconventional weapons of war to the enemy. To me this has only one meaning; namely, that they plan to ship conventional weapons of war. Of course, there is the usual gobbledegook, the qualifying phrase, of course, "we will ship nothing which endangers our security." But I repeat that unless they plan to ship some weapons of war this statement about the ban on unconventional weapons would be surplusage and the British Information Service would not pick it up.

After hearing this extremely disturbing news to the effect that Stassen's organization had agreed that the way for us to fight communism was to give billions of American dollars to our allies to indirectly finance their shipments to Communist-bloc nations, I wrote a letter to the head of the FOA on April 9, 1954. That was about 5 weeks ago. I will not take the time of the Senate to read the letter, but I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 9, 1954.

HAROLD E. STASSEN,
Director, Foreign Operations Administration, Washington, D. C.

DEAR GOVERNOR STASSEN: This subcommittee has maintained a continuous interest in the problem of trade with Iron Curtain countries on the part of ourselves and our allies. So that we might become better informed as to the problems presently facing this country in this field, I would appreciate it if you would furnish us with the following information.

It has come to my attention that certain of our allies have suggested that we relax a number of the controls on trade with the Iron Curtain countries of goods on lists 1 and 2 of the Battle Act. Evidently prior to your recent trip to London there was prepared by members of your staff, a paper which gave a detailed account of the suggestions and future plans of our allies in this field. We would greatly appreciate it if you would send this subcommittee a copy of that report. If the report is classified we will, of course, take it subject to the classification.

It has been stated in the newspapers that members of your staff are remaining in Europe to carry on discussions with our allies regarding Communist-bloc trade. It is therefore requested that this subcommittee be continuously advised about any goods that are removed or downgraded in the Battle Act lists of strategic goods. If this information is classified we will of course take it subject to the classification.

It has also come to my attention that you have information that certain merchants in foreign countries have attempted to circumvent the regulations restricting the flow of strategic goods to countries behind the Iron Curtain. Allegedly they have done this by shipping these goods (1) to a country which has less stringent controls than their own, where in turn the goods are transshipped to a Communist country; and (2) by shipping these goods to a free port and arranging for them to be transshipped from there behind the Iron Curtain. We would like to have all information that you might have on the individuals involved in these practices.

I would also appreciate it if you would inform this subcommittee if there are now any goods on our embargo or restricted lists which are not similarly controlled by our allies.

Because of our particular interest in trade with Red China, I would appreciate it if you would furnish this subcommittee with a list of those goods which our allies now legally export to Red China but which were on the embargo or restricted list during the Korean war.

Thanking you for your assistance.

Very truly yours,

JOE MCCARTHY,
Chairman.

Mr. McCARTHY. Mr. President, in that letter I asked for information to which I thought the American people were entitled. On April 14 I received an answer. It is very brief, and I shall read it:

Your letter of April 9 to Governor Stassen arrived in this agency yesterday and was called to my attention today. You request certain documents and information on East-West trade controls.

Mr. President, I should like to depart from the reading at this point to say that one of the documents we requested was a 79-page report prepared by competent men in the FOA, stating in detail what the effect would be on the security of this country if our allies should put into effect their contemplated plans of trade with the Soviet bloc. We asked for the document. I can understand why it was refused.

Proceeding with the letter:

You request certain documents and information on East-West trade controls, involving current relations with our allies and matters of such delicacy and importance in United States foreign economic policy that they have been receiving attention at the highest executive-branch levels.

In the absence this week of both Governor Stassen and his Deputy for Mutual Defense Assistance Control, Admiral DeLany, I hereby acknowledge receipt of your letter.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCARTHY. I am glad to yield to the Senator from New Mexico.

Mr. CHAVEZ. When the Senator from Wisconsin started his remarks he took to task and complained about the administration which had prevailed up to the 20th of January 1953, which is all right; but, of course, the complaint of the Senator from Wisconsin now is about another administration, which started on the 20th of January 1953. Is that correct?

Mr. McCARTHY. That is correct.

Mr. CHAVEZ. I thank the Senator.

Mr. McCARTHY. I may say to the Senator from New Mexico that whenever I intimate that I think we Republicans are doing anything wrong, I always hear the hue and cry that "MCCARTHY is attacking Eisenhower." I am sure Senators will agree with me that a Senator takes the same oath of office which a President takes. We do not expect any President to be perfect—not even a Republican President. While I think that President Eisenhower has made many steps in the right direction, if I as a Senator feel that there is something we are doing which is wrong, I cannot conscientiously live up to my oath of office if I do not state my views. I think that is my duty as a Senator—it cannot be any less binding upon me whether there is a Republican President or a Democratic President.

Mr. CHAVEZ. I think the Senator from Wisconsin should be complimented for that statement. I have taken the same oath of office every other Senator has taken, and I do not always agree with our side or even with the minority leader. However, I wanted the statement of the Senator from Wisconsin to be clear that, notwithstanding the fact that he has taken to task an administration which had been in power for 20 years, he is now taking to task a different administration, whether he intends to criticize the President himself or members of his administration.

Mr. McCARTHY. I may say to the Senator that one very important step was taken by President Eisenhower within a matter of hours after he took the oath of office. In his state of the Union message, the President discussed the situation which had existed prior to his becoming President, when our Seventh Fleet was in effect guarding the Communist coast of China, and assigned to the task of preventing the non-Communist navy at Formosa from sinking Communist shipping.

As the Senator may know, I complained about that during the campaign. I thought it was an unheard-of situation. President Eisenhower, within hours after he assumed office, canceled that immoral, indecent, dishonest order to the Seventh Fleet which had required the "United States Navy," and I quote the President, "to serve as a defensive arm of Communist China."

I desire to make it clear that I think the President has taken many steps in the right direction, but I think the President needs the advice and assistance of Senators on both sides of the

aisle, even though at times it may be painful to discuss the shortcomings of one's party. In 1950 and 1952 I campaigned in almost every State of the Union. One of the statements which I made more than any other was that the Democratic administration should be defeated because, as I said, I felt they were placing party above country. Either rightly or wrongly, I felt that way very strongly. I know that some of my friends as of today object when I bring to the attention of the public any shortcomings of my party. I say to the Senator from New Mexico that when I campaigned against the Democrats for the purpose I stated, I was sincere. I was making a promise to the American people. So long as I am in the Senate, I shall never refrain from exposing what I think is wrong. When I think something is wrong in this administration I shall not refrain from exposing it merely because it may be embarrassing to my party.

Mr. CHAVEZ. The Senator is correct. No one is impugning the motives, honesty, or sincerity of purpose of the Senator from Wisconsin. However, the Senator knows, as everyone else does, that one of the basic rights of the American people is that of persons who are just as honest and as sincere as those who take a different view, to disagree about certain matters. I think the President is doing a fine job, but because he is doing a fine job I do not think that every time he acts his action is correct. In my opinion, the President is not correct so far as Latin America is concerned. He sent his brother, Dr. Milton Eisenhower, to Latin America. Dr. Eisenhower is a very fine citizen, a great American, and a patriot, and he told the people of Latin America how we feel about them. Then, within 2 or 3 weeks, one of the members of the President's Cabinet, the Postmaster General, undid everything that Dr. Eisenhower had done in Latin America. I believe in the freedom of the press.

I believe in magazines. I believe in newspapers. I believe they are the best agencies to promote good will in Latin America. What did the Postmaster General do which undid everything that the President was trying to do? He raised the mailing charges of American newspapers and magazines sent to Latin America by 100 percent. I am not blaming the President for that particular matter. We have to be reasonable and try to agree—even to disagree.

I think the Senator from Wisconsin is sincere and honest, and is trying to do what is right. But in many instances I do not agree with what he is doing—not because I do not think he is trying to do the right thing, but because, as he himself has said, possibly he might be wrong. Nevertheless we would not question the motives of the Senator from Wisconsin.

Mr. McCARTHY. I thank the Senator from New Mexico very much.

Mr. CHAVEZ. Mr. President, will the Senator from Wisconsin indulge me for a moment further?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from New Mexico?

Mr. McCARTHY. I am glad to yield.

Mr. CHAVEZ. At the beginning of the address of the Senator from Wisconsin—and I believe everyone agrees with him that we should prevent enslavement by any Communist government—he mentioned Guatemala. What about the enslavement of the people of Guatemala by economic pressure? Would the Senator from Wisconsin care to give us his ideas on that subject?

Mr. McCARTHY. Let me say to the Senator from New Mexico that the enslavement of people in Guatemala is the same as Communist enslavement anywhere else. Guatemala is under the thumb of the Communist conspiracy, which at this time is attempting to sweep into other Central and South American countries.

Mr. CHAVEZ. That is bad; but what about enslavement by the United Fruit Co.?

Mr. McCARTHY. I cannot answer as to that.

Mr. CHAVEZ. I will tell the Senator from Wisconsin: The people of Honduras and Guatemala are starving under a form of economic enslavement.

Mr. McCARTHY. Let me say to the Senator from New Mexico that I have very often heard it argued that if we could give every person in the world a quart of milk every day and a T-bone steak every day, there would be no Communist threat. I do not feel that is the complete answer. If the Senator from New Mexico will check the history of the United States, he will find that the real Communist traitors were not persons who were "born on the wrong side of the tracks." Consider Alger Hiss, for example: He was a man of wealth and was given everything the Nation could possibly offer a young man—a high Government post of honor and trust. Consider William Remington, likewise. They were not traitors because they were hungry.

I agree with the Senator from New Mexico that it will be an ideal situation when every human being on earth can have sufficient clothes to wear and sufficient food to eat.

Mr. CHAVEZ. No person should be hungry.

Mr. McCARTHY. But communism has not been brought about by means of poverty. Although poverty may at times aid communism, there are other nations just as poor as Guatemala who are not under the Communist dictatorship. For instance, let me refer, if I may, to Siam, or Thailand. The people of Thailand do not have any more food than do the people of Guatemala. The people of Thailand do not have any more T-bone steaks than do the people of Guatemala. But 99 percent of the people of Thailand are vigorously anti-Communist. That country is one of the bright spots in all of Asia. Of course I, too, would like them to have T-bone steaks to eat, every day; but there is nothing we can do about that. However, we can do something about cutting off the flow of materials to our enemies.

The point the Senator from New Mexico has raised was made by one of the ablest Members of the Senate, I believe—although I disagree with him at times. The question under discussion was what the effect would be if the United States shipped food and other materials to the Communist nations. Would that make them give up communism?

The Senator from New Jersey [Mr. SMITH] asked some questions of Mr. Stassen when he recently appeared before the Senate Foreign Relations Committee to which I should like to refer. They appear on page 17 of the hearings. I am referring now to the discussion about having the United States attempt to alleviate conditions in Communist nations and thus turn them away from communism.

The Senator from New Jersey said:

> I agree with you on that. But this troubles me, too, Governor. Under the President's program we want to build our military security but we keep on saying constantly that unless we have our economy built up at home we cannot maintain this posture of strength.
>
> Now, why is that not true also of the Russian situation and why do we give Russia that buildup of economic strength in order to support her military strength? If we think today, as I do, that she really is suffering—and I believe what you said about the gold indicates there is some trouble there at home—why should we not increase that pressure at home?

Let me say to the Senator from New Mexico that that quotation may not seem to be a direct answer to the question he has asked.

Mr. CHAVEZ. Yes; it is.

Mr. McCARTHY. But I am pointing out that although we should alleviate, if we can, conditions of poverty in this hemisphere, yet, as I think the Senator from New Jersey [Mr. SMITH] pointed out so well—and let me say I am interpreting his remarks, not quoting them directly—we are serving the Communist cause when we ship food, clothing, or other materials behind the Iron Curtain. Although a man cannot be shot with clothes or food, yet if the Communist nations do not have sufficient food and clothing, they cannot wage war.

Mr. CHAVEZ. Mr. President, everything the Senator from Wisconsin says is correct. But other agents of communism are poverty and starvation. That is what I am complaining about in the case of South America. If we are sermonizing to the world about free people, why not give those people a chance to have something to eat?

Mr. McCARTHY. I agree wholeheartedly with the Senator from New Mexico, that, instead of allowing our allies to ship materials to our enemies, we should first take care of our friends. There is no question about that.

Mr. CHAVEZ. Mr. President, if the Senator from Wisconsin will be so kind as to permit me to speak briefly at this point, I shall make this statement to the Senate and to the country: I believe that the future of the Western Hemisphere, from Hudson Bay all the way to Patagonia, depends on the friendship of those countries and the development of their natural resources. If the people of Guatemala have something to eat and a chance to earn a living, communism will not exist there. But so long as such conditions exist as those to which I have referred, there will be resentment.

Basically, those people are fine people. They are non-Communist; they do not

want to be Communists. But they are now like our forefathers in this country were—those who fought for liberty and the pursuit of happiness. That is exactly what the people of those countries are seeking to obtain, and naturally the Communists take advantage of their poverty.

Mr. McCARTHY. I agree wholeheartedly with the Senator from New Mexico that we should do everything we can do to alleviate poverty in any area of the world.

But let me point out to him a situation which I think may serve to illustrate that poverty is not what creates treason.

Mr. CHAVEZ. I am not talking at all about Alger Hiss.

Mr. McCARTHY. We had before our committee 92 persons who were asked whether they were members of the Communist conspiracy. Some of them were asked whether they belonged to an espionage ring or a sabotage ring. All of them refused to answer as to their Communist affiliations on the ground that their answer might incriminate them—in other words, that it might cause them to go to jail.

I took some trouble to check into the backgrounds of a majority of those 92 persons—fifth amendment Communists—and I found that, to a man, not one of them was a Communist because of poverty.

Let me cite one case in particular. A man by the name of Henry Canning Archdeacon was before the subcommittee in Boston. He was working in a defense plant. He held an excellent job and was certainly not poor. When he was before the subcommittee I asked him:

Mr. Archdeacon, if we were to have war with Communist Russia, and if the Communist Party ordered you to sabotage facilities at General Electric would you disobey that order of the Communist Party?

The answer was:

I refuse to answer that, Mr. Senator, on the ground that my answer might tend to incriminate me.

In other words, he refused to answer on the ground that the truth might send him to jail.

Mr. CHAVEZ. He should be punished. But are we going to blame 165 million other people in the United States because there are 92 traitors? Or are we going to uphold the American ideals of liberty? As the Senator knows, every State in the Union has a penitentiary. Are we going to blame the fine, honest Christian people of every State because the State penitentiary is full of criminals? That is the only point I am trying to make. I know there are Communists. I know the Senator has proved that there are Communists. I know that poverty is not responsible for all Communists. The point about Latin America is that the people of those countries do not want to be Communists, but they play into the hands of Communists because of economic conditions. That is the only point. I do not disagree with the Senator.

Mr. McCARTHY. I thank the Senator.

Mr. President, after the Senator from New Jersey [Mr. SMITH] had questioned Mr. Stassen about the effect of shipping, not weapons of war, but materials which would help the economy of those Communist bloc nations, I tried to find Mr. Stassen's answer. The question appeared on page 17. I turned to the next page. I could not find anything that appeared to be an answer there. I did find what apparently was the answer; and I call this to the attention of the Appropriations Committee and of the Senate, and ask Senators to bear it in mind when we come to the question of appropriating money for ECA.

Apparently the answer to the question as to why we are allowing our allies to ship tractors, machine tools, and what have you, to the Communist bloc nations, is in this statement by Mr. Stassen:

I put it this way, Senator: We are, in this new policy, seeking to open up the Iron Curtain to what might be called the free world's merchants of a better life.

I wonder if there is any Senator present who can understand that statement. Let me repeat it:

I put it this way, Senator: We are, in this new policy, seeking to open up the Iron Curtain to what might be called the free world's merchants of a better life.

When the free world ships 194,000 tons of rubber to Communist bloc nations at a time when their peacetime economy requires only 40,000 tons, I cannot understand in what way that helps to open them up to what might be called the free world's merchants of a better life.

Mr. Dulles, in a very frank discussion of Indochina, at the Hotel Statler on the 7th of April, I believe, had this to say about the situation in Indochina:

The fighting is carried on by persons who are trained in Communist China across the northern border from Vietnam. They are equipped there and they go back to fight with artillery and ammunition which is supplied by or through Communist China. Military advisers, technical people to operate the artillery and communications systems, their trucks and means of locomotion, all come from Communist China.

That is the statement of our Secretary of State. Six days later the Washington Star carried an article by a Mr. Roper, to the effect that an American intelligence report detailed the fact that Soviet and Chinese Communist advisers were being used down to the division level in Indochina, and that "Communist political control continues down to the company level in the military and is spread throughout the administrative hierarchy."

Thus the pattern is set.

First. In Indochina there is being waged a battle for the control of all of Asia. This obviously is a battle for the ultimate control of the entire Pacific. If won by the Communists, it would be the gravest threat ever posed to these United States.

Second. According to our intelligence reports, that war is being directed from Moscow and Peiping.

Third. The Vice President, realizing the seriousness of the situation, makes the statement that American young men may have to fight in Indochina.

Fourth. The head of our foreign-aid program agrees that our allies should continue receiving American dollars, even though they are shipping the sinews of economic and military strength to the same enemy who, according to the Vice President, may some day be killing American boys in Indochina.

As previously stated, we do not know exactly what materials our allies are shipping to the Communist-bloc nations, because those in charge have taken the position under oath that it would be a violation of security to have the United States Congress and the American people know what our allies are shipping to our enemies.

Perhaps of equal importance is the use of ships by our allies to carry goods from a Communist-bloc nation to Red China which, according to Secretary Dulles, is supplying the weapons of war for the Communists in Indochina.

As the Senators know, the total shipping available in the entire world is, roughly, 81 million tons. Seventy-eight million tons are controlled by the non-Communist nations. If the Communist nations had available only the 3 million tons of Communist shipping, the effect which this would have upon the Communist warmaking potential of the Communists in Asia is too obvious even to merit discussion. In that connection, our committee which was investigating shipping between Communist-bloc nations and Red China during the Korean war found that approximately 75 percent of the ships entering the ports of Red China flew the flags of allies receiving American aid.

Let me repeat that. Our investigation showed that during the Korean war—and we are having a repetition of it now, so far as Indochina is concerned—75 percent of the ships carrying material to Red China were flying the flags of our allies.

An even more disturbing situation in regard to the ships supporting Red China was disclosed when it was found that shipping firms of our Allies were having their vessels chartered to carry MSA and other United States Government-financed cargoes while during the same period of time the same ship or ships belonging to the same company were carrying goods to China.

In 1952 alone, for example, the owners of at least 85 of the 193 vessels which had carried cargoes to and from Communist China also owned vessels which carried United States Government-financed goods. Fifteen of the 85 vessels were in both trades.

I realize that figures sometimes may seem boring, but these figures are of the utmost importance. They show a picture of indecency, dishonesty, and blood trade with the enemy. Fifteen of the 85 vessels referred to were in both trades. That is, they carried cargo in or out of Red China and also carried United States Government-financed cargoes. Seventy of the 85 vessels belonged to owners who had other vessels which carried United States Government-financed cargoes. An example of this was the Wilhelmsen Co. of Norway, which had 7 vessels that picked up Mutual Security Administration (MSA) cargoes

in 1952 and early 1953, while during the same period of time the company was sending 8 other of its ships in and out of Chinese Communist ports.

In other words, the United States Government was contracting with shipping companies to carry goods to combat communism—goods paid for by American taxpayers, while the same shipping companies were also carrying cargoes in and out of Red Chinese ports. To have the firms of our allies on the one hand carrying United States goods to stem the tide of communism and on the other hand trafficking with the Communist enemy in China is a situation which requires no comment.

The subcommittee made a suggestion to the executive branch of the Government that such firms be made to choose between carrying our cargoes and cargoes for the Chinese Communists. We felt that this would have the effect of eliminating this immoral "dual blood trade." In view of the fact that the United States transports a far larger volume of goods than that carried in and out of Chinese Communist ports, we felt that most of the shipowners from a purely monetary viewpoint would choose to side with the United States and thus cut off a considerable source of shipping to the Communists.

The executive branch of the Government, however, replied to this suggestion of the subcommittee through the State Department in the following language:

> This proposal [the subcommittee's] would be a kind of blacklisting operation aimed at penalizing foreign ship operators in order to accomplish a control objective.

We did not agree with this fantastic reasoning and we made our position vigorously clear. We pointed out that American shipowners had not taken part in this China trade for the past 3 years and that, therefore, we did not feel that giving foreign shipowners the free choice of "them or us" was being unduly harsh. It was to no avail. This American-sponsored "blood trade" continued throughout the Korean war.

I may point out, Mr. President, that for 3 years now we have said it is wrong and it is illegal for American shipowners to transport any goods to any Red Chinese port. If that decision is right for us, it should be right for our allies also. If, on the other hand, it is right for our allies to engage in this money-making blood trade, it is right for our shipowners to do the same thing. The principle cannot be divided.

To what extent this practice still continues, namely, the practice of continuing the use of MSA funds to finance these ship companies, I do not know, because our subcommittee has been badly tied up for some time past by a very important investigation, as the Chair knows, to determine who shined Schine's shoes.

When we asked the officials of FOA whether they would not agree that it was completely improper to pay shipping companies for carrying goods to our allies to help them to fight Communists, and at the same time pay the same company for carrying cargoes to Red China to help them to spread communism—when we suggested that any company which was carrying goods to Red China should not be receiving American dollars to carry cargoes to fight communism, the answer of the State Department was "this proposal would be a kind of blacklisting operation aimed at penalizing foreign ship operators in order to accomplish a control objective."

To quote Alice in Wonderland, "Things get curiouser and curiouser."

A most disturbing feature of the use of our allies' vessels is that they did not confine their activities to trading between their own home ports and Communist China. They carried cargoes also from Communist ports in Europe to Chinese Communist ports. If Moscow for example, wished to send supplies to China and a Polish or a Russian vessel was not available to carry them, they could charter a Norwegian, a French, or a British ship to carry the cargo. What is more unbelievable, a number of our allies in the United Nations allowed their vessels flying their flags to be used to carry cargoes for the Chinese Communists up and down the China coast. If the Chinese wished to move a cargo from central China to the port of Dairen, the gateway of the Korean war, they could and did charter British vessels to perform the task. As one example, in early 1953 the British-flag vessel *Northern Glow*, owned by the Great Northern Shipping Co., of Hong Kong, was employed going up and down the Chinese Communist coast, transporting cargoes from one Communist port to another.

The seriousness of this Communist intrabloc trade can only be understood when we remember that the Communist enemy in Korea was, and now in Indochina is being supplied and equipped for the most part from China, U. S. S. R., and other Communist countries of Europe. Because of tremendous transportation problems, it is impossible for the U. S. S. R. and her European satellites to supply China and Indochina with war materials completely by land. They have to rely on ocean transportation.

In that connection, Mr. President, I invite attention to the map in the rear of the Chamber. Our intelligence information indicates—and there is nothing secret about this information—that as of today ships flying the flags of our allies are transporting war material from Communist bloc nations to Communist ports in China, and through three mountain passes the material is being shipped overland into Indochina.

Mr. President, if that shipping were denied to Red China and Indochina the war in Indochina, just as certain as we sit here this afternoon, would dry up and would fail because of the lack of munitions.

I know there are those who say, "Well, nonstrategic materials only are being shipped." But I should like to show to the Senate today—and this is available to any Senator who cares to look at it—a typical ship's manifest. Senators understand, of course, that when a British ship stops at the Communist port of Gdynia, for example, and takes on a load of 10,000 tons of cargo and then proceeds to a Communist port in Red China, the only way we can get any idea of what is in the hold of that vessel is by reading the manifest.

Mr. President, paper does not refuse ink. Anything can be put on a manifest. There is no inspection. I have before me a manifest which I believe to be rather interesting. I should like to quote briefly from it. Incidentally, for the benefit of the press, I have given them a copy of the prepared text, which indicates that this ship is a British-flag vessel. It was flying the Greek flag, but was owned by a British corporation. I should like to quote one of the special conditions contained in the manifest:

> The vessel has liberty to call at any port or ports for any purpose, but the vessel is not to touch United States of America, or Canada, or Philippine, or Japanese ports prior to arrival at destination, and must not proceed via Panama Canal.

The name of the vessel is the *Arietta*, and its destination, was the Communist port of Wampoa in Red China.

I think this is very revealing. The manifest shows that the ship was carrying fertilizer in the amount of 10,000 tons. If the ship was carrying fertilizer, why should the captain have orders not to stop at any American port or any Philippine port or any Japanese port, or to pass through the Panama Canal? The reason is very obvious. The ship could not stand inspection of that cargo of fertilizer.

Mr. Frank Nash, who was before the committee testifying, was asked about the claim made that the ships were carrying only nonstrategic materials. I cannot quote him verbatim, but he told us that a ship carrying 10,000 tons of fertilizer, according to its manifest, blew up on the high seas before it reached Red China. As one of the Senators from a farming area said, "That is the most explosive fertilizer I ever heard of, Mr. Secretary."

As Mr. Kennedy points out, there was a story in yesterday's newspapers in regard to a Swedish ship coming from a Polish port to supply arms to the Communists in Guatemala. The manifest of that ship stated it was carrying hardware. However, the State Department has announced that the cargo was in part guns.

Mr. President, as I before stated, I think President Eisenhower took one important step in the right direction within hours after he took office, but it was only a step. I should like, in all sincerity, to make some suggestions as to further steps that I feel he should take in the security interests of this country.

As Senators will recall, during the Truman-Acheson regime our Seventh Fleet had instructions to prevent any attack upon the Communist coast of China by the non-Communist troops of Chiang Kai-shek on Formosa. I think Ambassador Bullitt described the situation very well in his testimony before the committee when he testified:

> The anti-Communist Chinese Navy is forbidden to act in any way by order of our Government which has given orders to our fleet to prevent it from stopping the Communist supply ships going up to Korea. They sail right by Formosa, equipped with Soviet munitions put in the Polish Communist ships in Gydnia. They come all the

way around and go right by Formosa and sail past there taking those weapons up to be used to kill American soldiers in Korea, and by order of our Government the Chinese Navy is flatly forbidden to stop them on their way up there.

Senator WATKINS. Would the Chinese Navy have the power, except for that order, to intercept them and capture them?

Ambassador BULLITT. Certainly, without question, without question. (McCarran committee, April 8, 1952.)

Mr. President, I should like to read what President Eisenhower said in his state of the Union message:

This meant in effect that the United States Navy was required to serve as a defensive arm of China. * * * This permitted those Communists with greater impunity to kill our soldiers and those of our United Nations allies in Korea. * * * I am, therefore, issuing instructions that the Seventh Fleet no longer be employed to shield Communist China.

As I said before, this certainly was a step in the right direction. It showed that our President was trying to fulfill his campaign promise and that he realized the gravity of the situation. But, Mr. President, this is not enough. I think, in fairness to President Eisenhower, we should realize that his job is tremendous.

As Vice President NIXON said, there is a possibility of American young men fighting and dying in Indochina.

No. 1, if, as Vice President NIXON said, there is a possibility of American young men fighting and dying in Indochina; No. 2, if, as Secretary Dulles says, the antiaircraft guns and artillery and other weapons of war are being supplied by the Red Chinese; No. 3, if as Army Intelligence reports say, the technicians and guiding orders are from Moscow and Peiping; then it is criminal folly to give money to "allies" who, according to statements in the British House of Commons, are shipping these sinews of military and economic strength to our enemy.

As I have previously said, Mr. President, of 81 million tons of shipping available to the entire world, non-Communist nations control 78 million tons. If we deny that shipping to the Communists it will be a death blow to their war-making power, and the war in Indochina will dry up and die over night.

They are receiving American dollars as of today, so we are indirectly financing their shipments to the coast of Red China, shipments of materials which, in turn, are transshipped through passes and are being used to kill our friends in Indochina and will be used to kill American boys if we send them there.

How can we keep any of that 78 million tons of shipping from serving the Communist bloc nations? We can do it by simply telling our allies that they will not get one American dollar while any of their flag ships are plying this immoral, dishonest, indecent trade, and further, that they will not get one cent of American money while they continue to ship to the enemy a single item which will help that Communist enemy to wage war.

As the Senate will recall, last year this matter of trade with Red China was before the Senate. I introduced two amendments to the mutual aid bill to provide that dollars would be denied our allies if they shipped goods to Red China and additional dollars would be denied them if their flag ships were carrying goods to our enemy. I refer Senators to the CONGRESSIONAL RECORD of July 29, 1953, in which Senators who opposed my amendments made it clear that they felt this matter would be taken care of without congressional action.

At that time, Mr. President, I did not share their confidence that the matter would be taken care of without legislation. I felt that unless Congress moved in, this blood trade would continue to increase. That has proved to be true. I derive no satisfaction from the fact that I was right a year ago. I only wish I had been wrong and that my colleagues who thought no legislation was needed were right. But, after the head of our Foreign Operations Administration, which is in charge of dispensing money to nations so they can help us fight communism, makes an agreement which allows our American-financed allies to ship to the Communists materials which we still have listed as strategic war materials, and when we have seen that happen, I think there can be no doubt in anyone's mind that congressional action is manifestly required.

I may say, Mr. President, that when the bill comes before the Senate, I intend again to offer amendments, hoping that this year my very respected colleagues who last year felt that legislation was unnecessary and who then stated in the RECORD that they thought the matter could be taken care of without legislative action, may realize that after another dreary year has passed Congress should take action.

Mr. President, I sincerely hope that the Senate will refuse to take action on any foreign-aid funds until the head of the Foreign Operations Administration does what he has heretofore refused to do, namely, submit a detailed list of every type of material which it has been agreed our allies can ship to our enemies. There is no reason on God's earth why the American people should not frankly and honestly be given a complete picture of the extent to which their dollars are being used, through our allies, to strengthen our enemies.

As I have said a thousand times before, it is not possible to hide this matter behind the cloak of security. The only reason for using the label "secret," "top secret," or "classified information" is to keep the information from the enemy. When information is classified as security information merely to keep it from the American people, the Government simply is not being honest with them.

It should now be crystal clear even to the blind that Congress has no choice but to take action, not next year, not next month, but at the earliest conceivable moment. We can still bring honor out of dishonor; we can still bring decency out of indecency. There are two courses of action which I strongly urge upon the executive branch. First, I urge that the Communist coast of China can be blockaded to a great extent merely by giving our allies the information that they will not get 1 cent of American money so long as they either ship goods to Red China or allow their ships to be used to carry cargoes to Red China.

Second, we should, at long last, let Chiang Kai-Shek, who now has 23 divisions of well-trained soldiers on Formosa, know that he has our approval if he decides to return with his troops to the mainland of China.

The time is short. The sands in the hourglass of time are rapidly running out. But we still have time.

In conclusion, I ask the Senate to ponder, and I ask the American people to ponder, one question: How can I, as a United States Senator, or how can any of the other 94 United States Senators—there is now one vacancy—under his oath of office, vote to send the sons of American mothers to fight in the jungles of Indochina unless, first, every possible step is taken to make sure that when they get there they will not be killed with the weapons which, unfortunately, are financed by American dollars?

As of today, we have taken out of the pockets of each and every one of the 160 million American people money which has been sent to our allies. I voted to do that. At that time, I thought the funds would be used to strengthen our allies in their fight against communism. If that is being done, well and good. If it is not, then the American people are being cheated. But as of this day, May 19, 1954, we have taken money out of the pockets of every American, and have sent it to our allies, and our allies are shipping the sinews of military strength to an area of the world to which our Vice President has said it may become necessary to send American boys. I am not criticizing the Vice President for having made that statement. Certainly Indochina must not be lost. If it is lost, we should be well on the way to a Communist world. The point I wish to make is that we must not even remotely think of sending American boys to the jungles of Indochina while we are financing the shipments of guns which will kill those young men after they get there. If this is permitted to happen, we shall be doing the same as we did in Korea.

There might have been some reason for the gross mistakes which were made in Korea, or the treason, call it what we may; but we should have learned a lesson by the 19th day of May 1954. There is no reason why there should be a repetition of what happened in Korea.

HEARINGS BEFORE SUBCOMMITTEE OF COMMITTEE ON GOVERNMENT OPERATIONS

Mr. LEHMAN. Mr. President, the suspension of the inquiry into the Army's charges against Senator MCCARTHY and of Senator MCCARTHY's charges against the Army has deeply disturbed the majority of the people of this country. If hearings to a close without a complete there is indeed any effort to bring the inquiry into the allegations and a final determination of the facts, the American people will resent such an effort. I personally will strongly oppose any such effort and will do everything in my power,

as a Member of the Senate, to defeat it. I hope and trust that the Senate will insist, if it is necessary for the Senate to intervene in the matter, that the hearings continue until the charges are sifted and the facts are established.

The American people would equally oppose—and I hope the Senate would respond to that opposition—any effort to curtail the public nature of the hearings and to conduct them in secret rather than in the light of day. Such an effort if successful would, in my judgment, do very great harm to the Senate and to the country as a whole. The people's confidence in the Senate, which has already undergone significant deterioration, would be further lessened.

I hope that when the subcommittee reconvenes next Monday the decision will be made to resume public hearings, and to resume them promptly.

The issue raised by President Eisenhower in his directive, forbidding the members of the executive department from disclosing what went on at an executive conference, does not constitute, in my judgment, any ground whatever for suspending the hearings or curtailing them in any way. That issue, although important, is basically unrelated to the questions which the subcommittee is supposed to resolve.

So far as that issue is concerned, it is my own strong conviction, as a matter of principle, that the President is in the right. I have strongly criticized him in the past for failing utterly to do what now, at long last, he has done in one specific case.

He has failed completely in the past to protect the legitimate prerogatives of the executive department against unwarranted and unjustified legislative encroachments. He has in the past permitted the demarcation between the executive and legislative departments to be completely blurred.

He has tolerated deep inroads by congressional committees, by congressional committee chairmen, and by individual Members of Congress into the executive branch of the Government. The authority of the executive branch has been thereby diminished, and the morale of its employees deeply impaired.

The constitutional balance of Government has itself been shaken.

One of those who has most successfully led the charge against the proper powers of the executive branch has been the junior Senator from Wisconsin. It has been going on for 2 years now, and in almost every case the administration has surrendered or compromised.

But this history is no justification for a further surrender at this time. In this case the Chief Executive is correct and should be supported. Of course, my knowledge of the situation is limited to what has appeared in the newspapers. The members of the subcommittee, including my Democratic colleagues on the subcommittee, may have facts in their possession which have impelled them and will impel them to press this issue further. I do not know those facts. Speaking only to the question of principle, I believe that the President is correct in protecting the confidence of policy discussions at an executive level.

As the President himself points out, his order does not foreclose testimony on matters where communication was directly between any of the principals in the controversy within the executive branch on the one hand and a member of the subcommittee and its staff on the other. I do not see any reason why the President's order should impede in any way the progress of the investigation or further interrupt the course of the hearings.

There are many deeply important and significant matters which remain yet to be explored to their ultimate conclusions.

There is the question of who is responsible for the faked photograph.

There is the question of who transmitted the phony FBI letter to the junior Senator from Wisconsin, in violation of law.

There is the question of why the Senator from Wisconsin will not disclose the name of that person, who, on the face of it, obviously violated the law and is guilty of one of the most serious violations of military security.

There is the grave question of whether the Senator from Wisconsin has the right to refuse to disclose the name of such person.

Then, of course, there are still unresolved all the many questions concerning the original charges which the subcommittee was originally convened to investigate. All these questions are left entirely unanswered. All the basic issues are entirely unresolved.

As I have previously said the "hearings must not be permitted to go underground. This investigation must not become a whitewash. All hearings should be in public save when considerations of national security are clearly indicated."

A discontinuation, or even a further suspension, of the hearings would, as pointed out in the New York Times this morning, be an unjustified victory for the junior Senator from Wisconsin. Even more seriously, it would confuse and deeply disturb the American people. It would constitute a terrible blow to the prestige of both the executive and legislative branches of our Government.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield to the Senator from Oregon.

Mr. MORSE. I am very much interested in the remarks of the Senator from New York. I agree with him that the doctrine of separation of powers as laid down by the President is sound constitutional law. It is the same doctrine that I supported at the time of the MacArthur hearings, when an attempt was made to require General Bradley to testify as to what happened at the White House conference prior to the decision to use American forces in Korea. The RECORD will show that at that time I supported the position of the chairman of the committee that General Bradley should not be required by the committee to answer the question put to him by the senior Senator from Wisconsin [Mr. WILEY] as to what transpired at that conference on the ground of the doctrine of the separation of powers.

There was a brief discussion of the question in the committee. Some members took the position that the general did not have to testify because there was involved the doctrine of privilege. It was my opinion, and it is still my opinion, that the doctrine of privilege had nothing to do with it. The doctrine of privilege relates to the relationship of lawyer and client, doctor and patient, or priest and parishioner. It was my opinion that the general was justified in refusing to answer the question on the basis of the doctrine of separation of powers.

In this instance I believe that the President of the United States has done no more than to bring up to date the application of the doctrine which previously in our history has been applied by other Presidents, although I think he is somewhat belated in the application of the doctrine.

However, I should like to have the opinion of the Senator from New York on a question which does disturb me. In the McCarthy hearings there have been charges made by the Senator from Wisconsin against the Army, and by officials of the Army against the Senator from Wisconsin. The Senate is endeavoring to determine what the truth is with regard to the respective charges. I believe it is certainly within the prerogative of the President to rely on the doctrine which he has invoked. But does the Senator from New York believe that, on the basis of volunteering information, making it perfectly clear that if the information is presented, it will be on a voluntary basis, there is some obligation resting upon the executive branch of the Government to make available to the Senate, through its investigating committee, all information which will bear on the charges and the countercharges which have been raised and are in issue before the committee?

Mr. LEHMAN. First, I may say to the distinguished Senator from Oregon that, within my recollection, no one has been more concerned than he with the question of encroachment on the powers and responsibilities of one branch of the Government by one or more of the other branches of the Government.

In this case I think the President has very belatedly given expression to his point of view that the responsibilities, powers, and the authority of one branch of the Government, the legislative branch—as a matter of fact, it is a committee rather than the Senate itself—should not be permitted to affect the operations of the executive branch. I regret that the President of the United States did not take that position months ago, not with regard to the particular situation under discussion, but with reference to a great many others, in which congressional committees have impinged on the responsibilities of the Army, the Defense Department, the State Department, and other departments of the executive branch of the Government. I regret that the President did not do so then, and I criticize him for it. However, he has now done it, and I wish to give him credit for what I think is a sound policy. I do not think there is anything in the order—unfortunately, I do not have the order in detail before me—which would in the slightest degree

prevent the committee from continuing, uninterruptedly and without any delay whatsoever, the investigation on which it has embarked.

Mr. MORSE. If the Senator from New York will consider a hypothetical situation with me, since I do not know what the facts are, and we shall have to speak about them hypothetically, let us assume that we agree that the President is on sound constitutional ground in his order when he takes his position on the rights of the executive branch. Let us suppose the following hypothetically: The Senator from Wisconsin alleges that the Army has been seeking to prevent the investigation of subversive and Communist activities within the Army. That is one of the allegations of the Senator from Wisconsin. The Army counters with the claim that the Senator from Wisconsin and his committee staff are seeking to place undue pressure upon the Army. Let us suppose the Senator from Wisconsin has reason to believe, or thinks he has, that at a conference of Army officials, plans and designs were made in an effort to place barriers in the way of the Senate committee in conducting the investigation. Does the Senator from New York believe that under those circumstances the Chief Executive might very well volunteer the testimony of the Army officials and the administrative officials regarding the truth concerning the allegations made by the Senator from Wisconsin?

Mr. LEHMAN. Let me say to my distinguished colleague, the Senator from Oregon, that certainly there is nothing in the President's order that would in the slightest degree handicap or prevent the subcommittee from interrogating the Secretary of the Army, a principal, or the counsel to the Department of the Army, a principal. There is nothing in the President's order to prevent the interrogation of those persons, under oath, with regard to anything that happened in connection with their relationship with the Defense Establishment or other branches of the Government of the United States. The President has very clearly stated that his order does not foreclose testimony on matters where the communication was directly between any of the principals in the controversy within the executive branch, on the one hand, and a member of the subcommittee and its staff, on the other.

Let me say that I do not see any reason why the President's order should impede in any way the progress of the investigation or further interrupt the course of the hearings.

The President went on to say that the principals are under no compulsion to refuse to answer, under oath, any questions which may be addressed to them.

What I am contending—and I believe it is generally in line with the thinking of the distinguished Senator from Oregon [Mr. MORSE]—is that the President should not be compelled to disclose conversations between members of the executive branch as part of a consultative process among his aides who later report or may report to the President of the United States.

Mr. MORSE. I am glad the Senator from New York has brought out that point, because I think it needs clarifying in connection with the public thinking today. As the hearing proceeds, under the President's order any administration witness is free to decline to answer any specific question which, in the opinion of the administration, would, if answered, involve a violation of Executive confidence—leaving it, of course, for the public generally and the Members of the committee generally to draw whatever inference they care to draw from a refusal to give the requested information.

Certainly the President's order is in line with the historic precedent, and, where an examination infringes upon rights of the Executive, under the doctrine of the separation of powers as provided by the Constitution, the President certainly is within his rights in taking the position he has taken, and his officials, loyal to him, are bound to proceed on the basis of that principle.

But it seems to me that in this particular instance we find ourselves in the following situation: The matter has gone along so far, with the Secretary of the Army having testified on a great many points, and with counsel for the Department of the Army, Mr. Adams, having testified on a great many points, that some misunderstanding will be created in the minds of many persons if there is not now a full disclosure, on a voluntary basis, of what may have transpired within the Military Establishment with respect to any allegation that that establishment has sought to quash the McCarthy investigation. I think the matter would be handled properly in further hearings. Certainly further hearings should be held, and I believe the administration witnesses should certainly protect this constitutional principle.

But since this point was not raised long before now, in the course of the hearing, some persons are likely to take the view that perhaps the belated raising of the point has occurred because the Senator from Wisconsin may have been getting very close to some information and evidence that might not support some of the testimony previously given by the Secretary of the Army.

Mr. LEHMAN. Let me say to the Senator from Oregon that I do not think there is any connection between the charges by one side and the charges by the other side, which are now before the investigating committee, and the meeting held on or about January 21, as I recall, between Mr. Adams, the counsel for the Department of the Army, and Sherman Adams, one of the President's advisers, and a number of other persons; and I do not believe that testimony regarding the meeting could properly be elicited through a cross-examination under oath, of the Secretary of the Army and his counsel and other persons connected with the Defense Establishment. It seems to me there is simply no connection between that meeting and the allegations; and thus I believe that testimony regarding the meeting cannot properly be, and should not be, elicited through cross-examination, under oath, of these officials.

I need not remind my colleague, the distinguished Senator from Oregon, that the Secretary of the Army has been interrogated under oath for a period of 14 days, as I recall. I shall ask the Senator from Illinois how many days the interrogation lasted.

Mr. DIRKSEN. A little more than 13 days.

Mr. LEHMAN. So it seems to me that whatever needs to be established in this situation can be established through cross-examination.

What I am trying to emphasize is that to discontinue or even to threaten to further suspend the hearings—whatever the outcome may be; and I am not trying to prejudge the hearings—would greatly impair the confidence the people of the United States have in Congress and the President and the executive branch of the Government.

Mr. MORSE. Mr. President, will the Senator from New York yield again to me?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from New York yield to the Senator from Oregon?

Mr. LEHMAN. Of course, Mr. President; I am glad to yield.

Mr. MORSE. I wish to make very clear that I share the point of view of the Senator from New York that, in view of the developments in recent days, the hearings should go on.

I simply seek to point out that I believe the greatest care must be exercised by the administration in order to make available, within the prerogatives of the executive branch, any information bearing on the issues that really have to be decided by the committee.

In view of the late hour at which the administration raised the point of the separation of powers under the Constitution, I believe the administration should make very clear to the American people that it is not trying to conceal any evidence which might be helpful to the Senate committee in determining who is correct in connection with the charges that have been made.

Mr. LEHMAN. Let me say in reply to the Senator from Oregon that I agree with him that it is highly important that there be neither misunderstanding nor mistrust on the part of the American people with regard to the methods pursued in the conduct of this investigation. I should be glad, of course, to have the Executive voluntarily make it possible for any evidence to be presented which would not constitute a surrender on his part of the very clear responsibilities, duties, and prerogatives placed in the executive department under our constitutional form of government.

As the Senator knows, I have been critical, and am today, of the President of the United States because of the delay which has occurred in the assertion by him of the authority and responsibilities of his department, and the separation of those authorities and responsibilities from those of other branches of our Government. But I am glad he has at long last taken this position. I congratulate him at least to that extent. I am not telling him what he should do from now on, or what he should not do. I am not attempting or presuming to prejudge this case.

I am glad that I can make this statement in the presence of one member of the committee. I hope and pray that nothing will be allowed to interfere with the prompt, orderly, and uninterrupted conduct of this investigation.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPIRATION OF TERM OF GORDON CLAPP AS CHAIRMAN OF THE BOARD, TENNESSEE VALLEY AUTHORITY

Mr. KEFAUVER. Mr. President, I think that it is important today to call attention here on the floor of the United States Senate, to a situation which all of us in the Tennessee Valley region regret exceedingly. It is that at midnight last night the term of Gordon Clapp, Chairman of the Board, expired, and the President made no move toward his reappointment.

For 9 years he served as Chairman of the Tennessee Valley Authority and has won the respect and affection of the men and women of that great instrument of Government along with that of the millions of people in the Tennessee Valley.

Throughout his career of service to the people of the Tennessee Valley Authority he kept the faith. He held steadfastly to the principles on which the Tennessee Valley Authority was founded.

Today—for the first time in its 22-year history—the Tennessee Valley Authority is without a chairman. There is no provision in the TVA Act by which Mr. Clapp could remain in office pending the appointment of another chairman. The great agency, which has won world-wide fame as an outstanding example of democracy in action, today became simply an agency without a head.

It is noteworthy, Mr. President, that Mr. Clapp was the choice of the people in the valley to remain as Chairman of TVA. A delegation of citizens visited President Eisenhower, presenting him with petitions signed by over 60,000 citizens in 432 cities, towns and communities throughout the valley, urging that he reappoint Mr. Clapp. However, the President not only failed to show the slightest regard for the desires of these citizens—he did not even discuss reappointment with Mr. Clapp, so far as I know.

Mr. President, I think that the best thing I could say about Mr. Clapp today—at this dark hour in his long and magnificent service to the Government—would be to read from a letter, dated February 6, 1954, which I wrote President Eisenhower concerning him.

In my letter, I stated:

I sincerely believe and certainly hope, Mr. President, that in considering the vacancy which will occur upon the expiration of Mr. Clapp's term, you will be persuaded by the language and practice under the TVA Act. This is that no political test or qualification shall be permitted or given consideration, but that all appointments and promotions shall be given and made on the basis of merit and efficiency. I, for one, feel that it would be tragic if this policy were ever abandoned and the board positions or any other were filled on the basis of political recommendations.

Although the major operations of TVA are in the State which I have the honor to represent in the Senate, we have never considered any of the TVA positions to be a matter of patronage. I hope that you share our views that TVA is a national institution, and must be kept on its nonpolitical merit basis.

Under any such consideration, it is axiomatic, of course, that Mr. Clapp, who has risen through the ranks, and has done a magnificent job with TVA, should logically be offered reappointment. I say this, Mr. President, without knowing what Mr. Clapp's political affiliations, if any, might be. He has been with TVA since the beginning—and has adhered strictly to the "no politics" role of the agency. Therefore, like you men of the Armed Forces, he has never engaged in politics and thus does not seek reappointment on any political basis.

With kindest regards.

Respectfully,

ESTES KEFAUVER,
United States Senator.

Mr. President, what has happened in the case of Gordon Clapp is another clear blow at career Government service. The President has brought no other nomination here before the Senate.

It is still not too late for him to do the right thing—and renominate Gordon Clapp.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The Senate resumed the consideration of the bills (H. R. 8583) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

Mr. DOUGLAS. Mr. President, on page 21, line 2 of the bill, I move to strike out "$96,460,000" and to insert in lieu thereof "$94,460,000," which is the House figure. This would be a saving of $2 million. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 21, line 2, it is proposed to strike out the figure "$96,460,000" and to insert in lieu thereof the figure "$94,460,000."

The PRESIDING OFFICER. As the amendment of the Senator from Illinois merely proposes to restore the appropriation adopted by the House, instead of that recommended by the Senate committee, his objective can be attained by rejecting the committee amendment. Therefore the question will be put on agreeing to the committee amendment.

Mr. DOUGLAS. Mr. President, I should like to explain my proposal, if I may.

When the Bureau of the Budget submitted its figures for the operating expenses of the General Services Administration, Public Buildings Service, it presented an estimate of $98,060,000. The House cut the item apparently by $3,600,000, to $94,460,000. Actually, however, the House cut only $2 million from the amount, because the House Appropriations Committee states in its report at page 13:

During the hearings the General Services Administration stated that its budget could be reduced by $1,600,000 because 13 National Industrial Reserve installations now in the custody of the General Services Administration would be transferred to the custody of the Department of Defense prior to June 30, and the Department of Defense has stated that most of this maintenance cost will be absorbed in its overall budget.

Actually, therefore, the House made a cut of only $2 million, from $98,460,000 to $96,460,000. The Senate committee claims a reduction of $1.6 million below the budget estimate. However, the reduction of $1.6 million which it claims is not a reduction at all, because the items are being transferred to the Department of Defense. Therefore the Senate committee's figure, although it seems to be a cut of $1,600,000, is actually the same as the budget figure, and it is $2 million above the House figure. Therefore the Senate committee has not reduced this overhead item by a single penny.

The administration has been claiming that its General Services Administration is conducted with high business efficiency. If that is so, it would certainly seem possible for it to absorb a reduction of approximately 2 percent in operating costs. This is a chance for the administration to demonstrate its much vaunted efficiency and its much vaunted business methods in operating the public buildings.

Therefore I hope, if the administration is to develop economy now, as the Republicans said they would when they were in opposition, the chairman will agree to the saving of $2 million for the taxpayers of the country.

I look expectantly at the chairman of the Committee on Appropriations, in the hope that he will rise and accept the amendment. I beg of him not to disappoint me at the end of a long and arduous day.

Mr. BRIDGES. Mr. President, on this proposal and on subsequent proposals which I understand the Senator from Illinois is to offer with respect to the General Services Administration, generally speaking, the pertinent question is what our policy is to be on public buildings.

Over a period of years our public buildings have been allowed to deteriorate. The Senator from New Hampshire has visited some Federal buildings and post office buildings the roofs of which are leaking and in other very bad conditions exist. These conditions will become worse unless repairs are made.

The Senator from New Hampshire as the Senator from Illinois knows, believes in economy. However, he does not believe that economy can best be accomplished by neglecting to take care of emergencies as they occur.

That is the main objective we have.

In the 1952 bill the amount reported by the Committee on Appropriations was

$107,757,800. An amendment offered by the Senator from Illinois [Mr. DOUGLAS] reduced the amount by $7,757,800. The amount agreed to in conference was $104,500,000, or $3,257,800 below the amount recommended by the committee.

That amount failed to meet the situation. Later a request was made for $2,850,000 of additional funds, and the request was justified and approved in a supplemental bill. Therefore, instead of a net reduction of $7,757,800, the net reduction was $407,800. Of course, that is not anything to be looked down upon, and I am glad that we finally accomplished that saving.

However, it shows that after a committee has made a careful study of a situation and has taken a position, amendments offered on the floor, however well-intentioned they may be, may not actually reflect an informed opinion of the necessity for a given amount. I grant sincerity to the Senator from Illinois, and I share with him the objective of conducting the Government as economically as possible.

Mr. DOUGLAS. Does not the request of the administration for huge additional supplemental appropriations demonstrate the fact that it is very difficult to get governmental bureaucrats to accept a cut, and if we reduce the amounts provided in general appropriation bills they always come back with a request for a supplemental bill? Is not that the moral to be drawn, rather than the consideration of heroic efforts of Congress to effect economy?

Mr. BRIDGES. I think that is probably correct. This occurred, as the Senator from Illinois well knows, in the last year of the Truman administration. I think the Senator is correct when he says there is a reluctance on the part of a Government department to accept a cut in its appropriations.

Mr. DOUGLAS. That seems to be true of items at this time as well as prior to January 1953.

Mr. BRIDGES. It is probably a lifelong matter. It probably will not change in the ages to come. Each department feels that its appropriation should be not cut. The more we attempt to cut down the expense of Government, the greater the pressure is on the Appropriations Committee and particularly on the chairman of that committee not to cut.

Mr. DOUGLAS. I heard the Senator from New Hampshire say he was in favor of economy, but he did not want to save money in this particular instance. It carried my mind back some years ago when I was trying to effect reductions in appropriations when the Democrats were in power, and the Senator from Tennessee, former Senator McKellar, was chairman of the Appropriations Committee. He always said, "I am for economy, but—."

There is a French phrase, I believe, which applies to the situation:

Plus ca change, plus c'est la même chose.

The more it changes, the more it remains the same.

Bureaucrats and chairmen of appropriations committees seem to be the same in 1954 as they were in 1949. The words may change, but the melody remains the same.

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. I have had the privilege and honor of serving under former Senator McKellar, the late Senator Glass, and the Senator from New Hampshire [Mr. BRIDGES] as chairmen of the Committee on Appropriations. I have been happy to serve with them, because they were believers in the fundamental institutions of America.

Mr. DOUGLAS. I may say that I know the members of the Appropriations Committee are a happy family who, without regard to party lines, rise in defense of each other when any proposal is made to reduce appropriations, so that the helpless Senator who is for economy finds himself in a "Tinker-to-Evers-to-Chance" combination.

Mr. THYE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. THYE. As a member of the Appropriations Committee, I can only say to my good friend from Illinois that after we have sat through several weeks of constant daily hearings, listening to testimony and getting information relative to what is needed, the repairs which must be made, and to the bad condition of some of our public buildings, we endeavor to compile a final figure and report the bill from the subcommittee to the full committee, and then the full committee makes a complete study of all the facts and tries to arrive at a proper figure. That is the way in which this particular item was arrived at.

I fully realize that anyone can attack such an item and say that the members of the committee are a sort of social group and defend each other, not only now, but that it was the case in former years. But that is not true. We have developed these figures from facts presented to us. Anyone can ridicule them and make fun of them, but when we get down to the bare facts, the appropriations recommended by the committee are based on what the committee has learned from all the available sources of information as to what is necessary to maintain public buildings in proper condition.

If we walk into a Federal courthouse and find it in poor repair, or filthy because of lack of janitorial service, and we see in the upper stories of the building that there are leaks in the roof, we are not good, responsible representatives of the people if we do not recognize the facts and take steps to make the necessary repairs. If I walk into a Federal courthouse and see that it is not in good repair, and I make inquiry of the custodial staff or the manager of the building as to why it is in such condition, and find that it is because of lack of funds, I must recognize the fact and must do something about it.

That is the way we arrived at this figure. We all commend the Senator from Illinois for wishing to bring about economy. There is only one suggestion I have to make, and that is that I should like to see the Senator from Illinois made a member of the Appropriations Committee and have him go through weeks and weeks of grind with reference to these items. In that event I think he would possibly look at the matter a little bit differently.

Mr. DOUGLAS. Will the Senator from Minnesota propose that to the leaders of the Democratic Party?

Mr. THYE. That is the reason I make mention of it on the floor of the Senate, because I would rather see the Senator working with the committee than working on the committee.

Mr. DOUGLAS. I hope the Senator from Texas [Mr. JOHNSON] will take due cognizance of the Senator's suggestion.

I should like to add that I realize members of the Appropriations Committee are diligent and hardworking. But I should like to remind the Senator from Minnesota that other Senators, meanwhile are not twiddling their thumbs or playing tick-tack-toe. We have heavy and pressing duties in the other legislative committees.

I am not criticizing the Appropriations Committee. I rely on it heavily, and the only amendments I offer are those where I disagree with the recommendations.

I have hastily thumbed through the hearings on appropriation bills from year to year, and have been struck with the fact that almost without exception the only witnesses who appear are representatives of Government departments who are naturally anxious to defend the appropriations which they request or to increase appropriations made by the Congress.

Our good friends on the committee take a terrific beating and get ther resistance warmed up. If they thought they were going to encounter some opposition on the floor, their yielding point would be much lower than it is. Running into storms on the floor may serve to stiffen the backbone of the members of the Appropriations Committee and make them believe that what seems to be a curse may be a concealed blessing. So I think I can do more effective work in the course I am pursuing than I could if I were a member of the Appropriations Committee.

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. Is it not a fact that there are more amendments offered on the floor to increase appropriations than to decrease them? What the Appropriations Committee is up against is amendments to increase appropriations.

Mr. DOUGLAS. That is true, in general.

Mr. MAYBANK. Of course, I am not referring to the Senator from Illinois.

Mr. THYE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. THYE. Mr. President, this morning from 10 o'clock until after 12 o'clock the subcommittee of the Appropriations Committee known as the Education and Welfare Subcommittee, heard outside witnesses. We had before us witnesses from many different States of the Union testifying with reference to vocational education.

Mr. DOUGLAS. Were they asking for increases in appropriations?

Mr. THYE. Yes. The subcommittee will hear further testimony from outside witnesses.

Mr. DOUGLAS. And they will be asking for increases in appropriations?

Mr. THYE. They will, most certainly. They are not departmental witnesses. They are not persons who comprise the so-called bureaucratic staff of employees. They are outside witnesses giving testimony on nearly all the appropriation items.

For that reason, I must defend not only the action of my colleagues, but my own action on this committee. It represents the best judgment we have been able to exercise. We have the same inner feeling which the Senator from Illinois has. We are sensitive to public criticism about excessive taxation and excessive Federal spending. Therefore, when the public criticizes us, we are just as sensitive to it as is the Senator from Illinois.

But we must take into consideration that a building in which a Federal court sits, or in which other Federal business is transacted, should not look like anything but a respectable sort of building. Otherwise it reflects upon the Government.

When I went into the Federal courthouse in St. Paul, Minn., I was not satisfied with its appearance. I expressed my disappointment to the General Services Administration. I said that because it was a Federal building, it should never be allowed to be in such poor condition. Plaster should not be allowed to fall from the walls or from the ceiling of the building. I said the building should look like a Federal Government institution is expected to look.

It is not possible to make repairs and to put Government buildings in proper condition unless money is made available with which to do the job.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. MAYBANK. Who passed the law to turn the money over to the General Services Administration with which to do the work, except the Congress of the United States.

Mr. THYE. The Senator from South Carolina is absolutely correct.

Mr. MAYBANK. Laws can be passed, and the money then not be appropriated. But Congress then gets the blame because the job is not properly done.

Mr. THYE. That is correct. I wish I had the ability of my good friend, the Senator from Illinois. I wish I had the political, scientific, and economic mind that he has. I say this in all sincerity, because I think I could then do an even better job.

But I say to the Senator that a time comes when the appropriation cannot be reduced. If it is, and Federal buildings are allowed to deteriorate, they fall into such a state of disrepair as to constitute a reflection upon the very foundation of a firm Federal Government. Congress must not allow that to happen, because to do so would cast a reflection upon the excellency of the Government itself.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. THYE. I yield.

Mr. MAYBANK. I wish most respectfully to make a brief statement. I observe that the chairman of the committee is present, so if I say something wrong I hope I will be corrected.

Some appropriations have been reduced by the House with the expectation that the Senate, perhaps, will restore the reductions to some extent, especially in the case of public buildings, and including items for the cleaning of post offices and Federal court houses.

I make this statement, respectfully of course, because I really and honestly, in my heart, believe that sometimes in the House cuts are made with the thought that perhaps the Senate will take a second look at them.

Mr. THYE. I might say to the Senator from Illinois that when I asked to be assigned to the Committee on Appropriations, and when I was granted the privilege of serving on that committee, I did not realize the kind of assignment for which I had asked, or the amount of labor to which I would be subjected or the amount of work which members of the Committee on Appropriations, more especially the senior members, accomplish in the 4 or 5 months of the session until the appropriation bills are passed, and finally are sent to conference.

I say, most respectfully, that members on the Republican side like the Senator from New Hampshire [Mr. BRIDGES], chairman of the committee and of a subcommittee, the Senator from North Dakota [Mr. YOUNG], the Senator from California [Mr. KNOWLAND], the Senator from Michigan [Mr. FERGUSON], the Senator from Oregon [Mr. CORDON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from South Dakota [Mr. MUNDT], all of whom are chairmen of subcommittees, and the Senator from Arizona [Mr. HAYDEN], the Senator from Nevada [Mr. MCCARRAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from South Carolina [Mr. MAYBANK], to name some of the senior members of the committee on the Democratic side, work from 15 to 18 hours a day during the time the appropriation bills are under consideration in the committee.

Last week, the Senator from California [Mr. KNOWLAND] held 2 night sessions, and the committee sat until 11 o'clock at night, in order to report 1 appropriation bill. Then we met two nights later. The Senator from California carries not only the responsibility of the floor leadership of the majority, but also has carried his work on the Committee on Appropriations through to the point of reporting the bill to the full committee. The Senator from California has worked not only in the daytime, but in the nighttime, night after night, in order to accomplish these achievements.

Mr. MAYBANK. I might add that all day Saturday, a week ago, the Chairman of the Committee on Appropriations held the committee in session on the Treasury-Post Office appropriation bill.

Mr. THYE. The Senator certainly is correct.

Every member of the Committee on Appropriations, beginning with the chairman, the Senator from New Hampshire [Mr. BRIDGES], and including the Senator from Michigan [Mr. FERGUSON], the Senator from Oregon [Mr. CORDON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from North Dakota [Mr. YOUNG], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from South Dakota [Mr. MUNDT], the Senator from Maine [Mrs. SMITH], the Senator from Idaho [Mr. DWORSHAK], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Georgia [Mr. RUSSELL], the Senator from Nevada [Mr. MCCARRAN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from South Carolina [Mr. MAYBANK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. KILGORE], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Virginia [Mr. ROBERTSON], the Senator from Washington [Mr. MAGNUSON], and myself, have worked diligently in the appropriation hearings, in order to report the appropriation bills promptly to the Senate.

Mr. MAYBANK. A week ago Saturday the Subcommittee on Treasury and Post Office worked all day long.

Mr. THYE. It is almost inconceivable to consider the amount of work which is conducted in the rooms of the Appropriations Committee, of which the public is not aware. Only this noon I had to ask the distinguished Senator from West Virginia [Mr. KILGORE], to take over the chairmanship of a subcommittee of which I am the chairman, because it was necessary for me to keep a dental appointment. The public simply is not aware of what is involved in the work of the Committee on Appropriations on the various appropriation bills.

So I say to the Senator from Illinois that sometimes it simply strains a man to be the perfect gentleman he should be on the Senate floor, when all the amendments which have been reported by the committee have been labored over in the committee. It is as if one's mother had scrubbed the floor, and her son then came in with dirty shoes and made a mess of her work after she had finished and the floor had dried.

Mr. DOUGLAS. I am very sorry if I have irritated the Senator from Minnesota or his colleagues on the committee, of whom I have a very high opinion. If I were to express my opinion of my colleagues by my actions on appropriation bills, my opinion of them is so high that I suppose I should seek to double every appropriation in order to indicate the high esteem in which I hold my colleagues.

But fortunately these are not personal matters between us, and we can oppose each other, while still having a high personal opinion of each other in the process.

I wish to assure the distinguished Senator from Minnesota that I know

he is a conscientious, honest, hard-working, efficient public servant.

I am disappointed because, although last year I thought I had effected savings of more than $4 million, I now find, for the first time, that a supplemental appropriation bill was slipped through, taking away $3,800,000 of the savings, so that the net saving was only $400,000, or less than four-tenths of 1 percent.

What I am pleading for is this: Is there not at least a 2-percent latent deficiency in the General Services Administration, so that they can accept a cut in the appropriation this year of $2 million, and not have to come back to Congress for a supplemental appropriation? It is inconceivable to me that this efficient Administration cannot speed up by 2 percent. In private industry, we expect a worker to increase his output per man-hour by 4 percent. That is a general-average increase.

One would expect that an efficient, dynamic, businesslike administration would be able to increase its efficiency 2 percent, especially since last year the efficiency was increased by only four-tenths of 1 percent.

That is really my case. I hope the Senate will reject the committee amendment.

Mr. BRIDGES. In the first place, the Senator from Illinois is referring to 1952, not to last year.

Second, I simply point out that it is not a question of efficiency in this matter; it is a question of what is economy. Is it economy to allow the condition of Federal buildings gradually to deteriorate, or is it economy to repair them when the expense of repairing can be kept at a minimum? This is the position of the Committee on Appropriations. The committee went into the matter thoroughly.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 21, line 2.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, on page 23, line 10, I ask that the committee amendment be rejected, so that the House figure may be restored.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The LEGISLATIVE CLERK. On page 23, line 10, it is proposed to strike out "$11,066,800" and to insert in lieu thereof "$13,066,800."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. DOUGLAS. The figures on this item are as follows: They deal with the revolving fund for supplies of the General Services Administration. The Budget submitted a figure of $13,100,000. The House cut it to $11,066,000. The committee has raised it by $2 million, which is virtually the same figure submitted by the Bureau of the Budget.

The House justified its reduction on the ground that while the General Services Administration expected to make $143 million of sales in 1955, nevertheless, based on the first 6 months of sales for the fiscal year 1954, the amount will actually be only $105 million, or much less than it was believed it would be, and upon which the original Budget figure was submitted. It would certainly seem that with a reduction of 27 percent in volume, the appropriations to handle such operations could be cut by about 15 percent. In view of the fact that the Budget request is based on an overestimate of the amounts involved, it would certainly seem that the incidental expenses could be reduced.

Mr. BRIDGES. I wish to comment briefly so that the Senator will be informed. The amount of money appearing in the bill was taken from the defense appropriation bill. Prior to this time the particular operations involved were performed by the Department of Defense. They are now performed by the General Services Administration, and the amounts covering the same services will be omitted from the defense appropriation bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 23, line 10.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I know the Members of the Senate are not in any mood for consideration of my next amendment at this hour. Therefore, it may seem futile to offer it. However, hope springs eternal in the human breast.

I wish to call up my amendment relating to the National Advisory Committee for Aeronautics, which would strike out the increase voted by the committee on page 34, line 1.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 34, line 1, it is proposed to strike out "$52,107,750" and insert "$49,000,000."

The PRESIDING OFFICER. The objective sought to be accomplished by the amendment of the Senator from Illinois can be attained by rejecting the committee amendment.

Mr. DOUGLAS. The budget submitted a figure of $53,600,000, although the appropriations for 1954 were only $51 million. The House cut the amount to $49 million plus $1 million in carryovers for a total of $50 million. The Senate committee has increased it to $52,107,750. The House amount with the reappropriation is the same as the amount expected to be spent in 1954, namely, $50 million. Thus, by holding to the House figure, we would allow the same amount to be spent as will be spent this fiscal year.

I wish now to make a general comment. The National Advisory Committee for Aeronautics has, over the years, spent enormous amounts of money for purposes not known to the general public or to the Senate, and there has been very little scrutiny of its expenditures, policies, and what has been done. It is one of the mystery children of the National Government, and it has spent enormous sums of money. I see no reason why the Senate should raise the amounts previously spent by the National Advisory Committee for Aeronautics by $3 million. My amendment proposes that the figure be held to that which has prevailed in the past.

Mr. BRIDGES. As the Senator from Illinois has said, the National Advisory Committee for Aeronautics does have some mystery about it, but the money would be used for enormous wind tunnels.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MAYBANK. The money which is requested is for the purpose of operating wind tunnels for which money has been appropriated. Am I correct?

Mr. BRIDGES. The Senator is correct.

Mr. MAYBANK. The wind tunnels have been constructed in order to test planes, and the requested money is to operate the wind tunnels. If no money for that purpose is appropriated, the $75 million plant which was built cannot be operated.

Mr. BRIDGES. The Senator is correct. I may point out that the life of this country may depend on the operation of the wind tunnels. I quote from a report which I hold in my hand:

> The possession of superior aircraft and missiles is vital to our national security. It is well known that such superiority is achieved and maintained only through continuous research and development.

It is in wind tunnels that the latest flying missiles and jet planes are developed. If America is to hold its own in a world which we sometimes think mad, and in which our enemies are on the move, we will never be able to compete on the basis of manpower. The only way in which we shall be able to compete is by virtue of our productive capacity, research, and scientific development. The appropriation in question is more important than any other appropriation, except that for atomic energy. I agree that there is some mystery regarding such tests, but I think we would be cutting off our own noses if we reduce the appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 34, line 1.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendment designated as "5–17–54–C."

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 20, line 8, it is proposed to strike out "$31,981,000: *Provided*" and insert in lieu thereof "$32,481,000, of which $500,000 shall be for the purpose of carrying out section 206 of Legislative Reorganization Act of 1946, as amended: *Provided further.*"

Mr. BRIDGES. Mr. President, will the Senator yield, before he starts?

Mr. DOUGLAS. First, I should like to make a statement.

Mr. BRIDGES. I was shocked when I saw that the amendment provides for an increase.

Mr. DOUGLAS. I propose only sound economies.

Very briefly, what the amendment proposes to do is to give to the General Accounting Office $500,000 so that Office can represent the taxpayers in appropriation hearings before the Senate and the House and furnish information to all Members to help achieve economies. When the Legislative Reorganization Act was passed in 1946, there was included in it section 206, which provided that the General Accounting Office should make expenditures analyses to be helpful to Congress in protecting the taxpayer. Representatives of the GAO could thus appear before Appropriations Committees with audits of work in the various Government departments, and hence would be able to inform the House and the Senate where it was thought efficient economies could be effected. Such an objective seems to me absolutely desirable because, as was stated by the Senator from Minnesota, the pressure upon the Appropriations Committee is always in favor of the appropriation. The members of the committee are battered, so to speak, not into insensibility, but into acquiescence by the pressure both from the governmental bureaus and those outside, who are either trying to hold to a certain appropriation or increase it. I think we should have a public defender.

One of the greatest problems Congress faces in its attempts to protect the taxpayer is getting complete and unbiased information about agency programs and operations. The budget requests are presented and explained by the agencies themselves, which have a stake in these programs and are therefore opposed to reductions. What Congress needs is a group of experts to work for the taxpayer's interest to offest the vested interest of the bureau chiefs in their own appropriations.

Congress has never voted the funds for the Comptroller General to carry out the economy provisions of the Legislative Reorganization Act. This administration pledged itself to economy, and I favor all possible economies which do not damage the national welfare. The amendments I have proposed fall squarely in that category.

I recognize my own deficiencies of ability, energy, and knowledge, and I do not regard myself as an adequate public defender. However, it seems to me that the Comptroller General of the United States, who inspects governmental agencies, is admirably equipped to appear before the legislative committees and to point out to them the weak spots in the budget. The Bureau of the Budget helps the Executive; but once the budget is submitted, the representatives of the Bureau of the Budget, and the agencies in turn, are in combination against the legislature.

The amendment would really provide us with an offset both to the Bureau of the Budget and to the governmental bureaucrats.

Mr. BRIDGES. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. BRIDGES. I have listened very attentively to the Senator from Illinois. I am surprised to find that, after all his economy amendments, he now proposes an amendment to increase the appropriations by $500,000.

Mr. DOUGLAS. The purpose is to save tens of millions of dollars in the future.

Mr. BRIDGES. That is the argument I was using in regard to the subject of repairs, but that argument seemed to fall on deaf ears.

Mr. President, why did not the Senator from Illinois present his case to the Appropriations Committee, so it could have gone at some length into the matter? He has been talking about pressure groups; but now he is the No. 1 pressure group on the floor of the Senate, in favor of increased spending.

Mr. DOUGLAS. That is a legitimate function of a United States Senator.

Mr. BRIDGES. Does the Senator from Illinois mean it is a legitimate function of a United States Senator to be a pressure group for increased spending? [Laughter.]

Mr. DOUGLAS. No; but I think it is a legitimate function of a United States Senator to do all he can in behalf of what he believes to be correct—unless the Senator from New Hampshire wishes to have a group of 95 Charlie McCarthys acquiesce in everything he proposes.

Mr. CORDON. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. CORDON. If we may depart for a moment from persiflage, let me say that although representatives of the General Accounting Office do not appear to testify on every item before the Appropriations Committee—for, of course, that would require 3 or 4 General Accounting Offices—that Office does report on major segments of the appropriations. The examinations conducted by the General Accounting Office must, of necessity, be with respect to what has passed.

Mr. DOUGLAS. That is correct.

Mr. CORDON. On that basis, the General Accounting Office submits to the congressional committees its recommendations on the subject of what should be done in the future in connection with matters thus criticized, as they have been handled in the past. We regularly receive such testimony.

Mr. DOUGLAS. That is correct. However, the representatives of the General Accounting Office do not appear before the committee at the time when the appropriation bills are under consideration; nor on an overall basis. At present, their reports are spasmodic and accidental insofar as they discover waste in the process of general investigations.

Mr. CORDON. However, the reports are made. If the Appropriations Committee desires to use them, the reports are available.

Mr. DOUGLAS. Mr. President, this amendment would provide funds with which the Comptroller General could adequately perform his function. Although I have not examined the legislative debate in connection with the Reorganization Act, it is my impression that the senior Senator from New Hampshire [Mr. BRIDGES] was one of the strongest advocates of section 206, to give this power to the Comptroller General.

So I submit that this amendment is a very constructive one, and that in the long run perhaps it will result in saving even more than the $10 million that would have been saved under my proposals the Senator from New Hampshire has already turned down.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois. [Putting the question.]

The amendment was rejected.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 8593) was passed.

Mr. BRIDGES. Mr. President, I move that the Senate insist on its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SALTONSTALL, Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, Mr. HICKENLOOPER, Mr. MAYBANK, Mr. HILL, and Mr. ELLENDER conferees on the part of the Senate.

TRANSMISSION AND DISPOSITION OF ELECTRIC ENERGY GENERATED AT FALCON DAM

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3090, Calendar No. 1343, authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3090) to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3090) to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, at this time I desire to make an announcement regarding the program.

Senate bill 3090, Calendar No. 1343, authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam, on the Rio Grande, has just been made the unfinished business. When the Senate concludes its action on that bill, I then propose to have made the unfinished business Senate Resolution 234, Calendar No. 1233, authorizing

the Committee on Rules and Administration to make expenditures and employ temporary personnel. It is planned to have the Senate take up that resolution tomorrow. It deals with the provision of funds for the Privileges and Elections Subcommittee of the Committee on Rules and Administration.

Thereafter, it is planned to have the Senate take up Senate bill 2225, Calendar No. 1317, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes; and the consideration of that bill will be followed, it is planned, by the consideration of Senate bill 975, Calendar No. 1190, to amend the Home Owners' Loan Act of 1933, as amended.

When action on that bill has been concluded, it is planned to have the Senate take up Senate Joint Resolution 53, Calendar No. 1066, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. Following action on that joint resolution, there may be other measures which we shall wish to have the Senate take up immediately thereafter; but so far as the program is now scheduled, that will be the order of the consideration of the various measures.

However, in the event that the author of one of those measures or the chairman of the committee which has reported one of them is not available at the particular time when the Senate is ready to consider it, I shall then request the Senate to take up one of the other measures I have mentioned. However, I believe the order I have just stated will be the order in which those measures will be considered.

Mr. DOUGLAS. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. DOUGLAS. Let me inquire as to the intention of the Senator of California regarding Senate bill 975, Calendar No. 1190, to amend the Home Owners Loan Act of 1933, as amended.

Mr. KNOWLAND. I expect to have the Senate take up that bill fourth among the group of measures to which I have just referred, and it is planned to have it taken up tomorrow.

Mr. DOUGLAS. The Senator from California expects to have that bill reached tomorrow, does he?

Mr. KNOWLAND. Yes; I expect that we shall reach it sometime tomorrow.

Mr. President, today the Appropriations Committee has reported the civil functions appropriation bill, House bill 8367; and I plan to have the Senate take up that bill sometime early next week, but not on Monday. However, from Tuesday on, we would expect to be able to have the Senate take up that bill.

I cannot state the exact sequence in which these measures will be considered next week, because it is quite likely that sometime during the week—at a time to be determined by the colleague of the late Senator Hoey, of North Carolina, and the minority leader and other Senators who will have the matter under consideration, after consultation with the family of Senator Hoey—the Senate will hold a memorial service for Senator Hoey. As I have previously announced, I shall adjust the program of the Senate in order to meet the wishes of the minority and of the family of the deceased, in that regard.

Mr. MORSE. Mr. President, I desire the attention of the Senator from Pennsylvania [Mr. MARTIN], and, for that matter, the attention of the Senator from Connecticut [Mr. BUSH], and the attention of the Senator from Florida [Mr. HOLLAND], who are other members of the Public Works Committee, whom I see present in the Chamber.

I find myself in a position which makes it necessary to make this record as a member of the Public Works Committee. In my opinion a matter of procedure is involved. I do not feel that this bill should be before the Senate at this particular time, because of certain action which was taken in the Public Works Committee, which action I interpreted as an assurance to me that, following a reply from the Department of the Interior in respect to the meaning of the preference clause, if that reply were not consistent with language which I proposed and the Public Works Committee tentatively adopted, there would be further discussion of the subject in the Public Works Committee before the bill was reported to the Senate.

I made it very clear at that time that it would be my desire to call certain witnesses before the committee for discussion of the meaning of the public preference clause.

I wish to make it very clear to my friend from Texas [Mr. JOHNSON] that I am an enthusiastic supporter of the Falcon Dam project, and that the controversy in which we find ourselves is a controversy over the meaning of certain language; but the meaning of that language is of great importance in connection with this and other power projects which will come before the Senate and many already in operation.

I think my position has been made as clear as I can make it. I should like to have any member of the Public Works Committee who feels that I am mistaken in my interpretation of what happened in that committee discuss the question after I read a statement which was inserted in the record of last Monday. However, I am perfectly satisfied that most Members of the Senate are not aware of it. I said then, and I repeat now:

When this bill was considered two and a half weeks ago by the Public Works Committee, I proposed that the following language be included in the report:

"This provision would make applicable to this project the priorities provided in similar past legislation such as the Flood Control Act of 1944, namely, that electric power and energy will be marketed and will be made available to public bodies and cooperatives, subject only to such requirements of notice as may be necessary to permit satisfactory planning."

It was explained that the Department of the Interior had cast doubt upon the meaning of the preference clauses in existing law by its promulgation of the Missouri Basin marketing criteria. As originally issued, the Department's criteria had the effect of freezing preference at a given point of time, thereby denying to public and nonprofit agencies (such as rural electric co-ops) the opportunity to exercise preference rights some time after initial allocation of the power from a project is made. New co-ops coming into existence and those expanding service would be denied power at low rates or would be obliged to contract at the time of first allocation for more than its existing needs, thereby increasing consumer costs.

The committee adopted the language I proposed. Toward the close of the meeting a member of the committee came in and he was brought up to date on the committee's action. He said that as the Interior Department was to be the marketing agency he thought the proposed language should be submitted to the Secretary for comment. It was agreed that if the language were acceptable, the bill would be reported with the addition without further committee action.

It was agreed that if the Department of the Interior objected to the proposed language on preference, there would be not merely further consideration by the Public Works Committee but a hearing on the preference provisions.

Assistant Secretary Aandahl did object by letter dated May 5. On May 7 copies were distributed to committee members with a covering staff memorandum which concluded:

"In view of the foregoing changes in the situation since the committee agreed on a contingent basis to report this bill, the memorandum is submitted for further instructions from the committee."

No further committee meeting was held on this bill. It was reported on May 14 without the language in the report tentatively adopted by the committee.

I submit that the bill is not properly before the Senate and should be withdrawn from the calendar by the committee.

We are always able to iron out our differences in the committee. At least, that has been my experience in the Public Works Committee. I am satisfied that a session of that committee would result at least in some action by the committee. The committee might wish to reverse itself with respect to the language which it tentatively adopted, and which I submitted, but I certainly think there should be committee discussion. I am inclined to think that there has been an oversight on the part of the committee. I do not believe the committee would want to report the bill to the Senate after I had what I thought was a clear understanding with the committee that, if the report of the Department of the Interior should be adverse to the language which I submitted, there would be further discussion of the subject in committee and an opportunity for a hearing.

What worries me about the refusal of the Department of the Interior to accept the language which I offer in the committee is that its refusal to accept means, it seems to me, that it proposes to modify what I have always thought, at least, was the meaning of the preference clause in the Flood Control Act of 1944, because in the language which I submitted to the committee, I thought I was setting out the meaning of the preference clause of the Flood Control Act of 1944.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. In a moment.

I had become disturbed about the Missouri Basin criteria controversy, and I was disturbed by the fact that at least at one time in that controversy the Department of the Interior seemed to be following a course of action which would

require the preference groups to contract for power in advance far beyond their anticipation of the amount of power which would be needed or lose their opportunity to obtain power. I could not reconcile that with what I believed to be the meaning of the preference clause of the 1944 act. So all I proposed was that we insert language which would carry out at least what I thought was the meaning of the 1944 act, namely, that "electric power and energy will be marketed and will be made available to public bodies and cooperatives, subject only to such requirements of notice as may be necessary to permit satisfactory planning."

In our committee discussions it was pointed out by 1 or 2 members of the committee, as I recall, that they did not think language should be used which would permit the Government to stop off all at once power which had been made available to so-called private utilities. I agreed. I think it was the Senator from Florida [Mr. HOLLAND] who engaged in the colloquy in the committee. His position at that time, as I recall, was that he felt that the language I had used meant exactly that—that time would have to be allowed for necessary planning in case there were any proposal to make power available to a preference public utility which found that it needed the power under the preference clause. On that point we were in complete agreement, and, with the exception of one member, it was the consensus of opinion in the committee that the act of 1944 meant what my language implied, and that if the Department of the Interior disagreed with that interpretation, we would have further discussion.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. Is it the view of the Senator from Oregon that the bill would in any way change the preference clause of the Flood Control Act of 1944?

Mr. MORSE. In view of the refusal of the Department of the Interior to accept the language which the committee adopted, I am afraid that that is exactly the effect.

Mr. JOHNSON of Texas. It seems to me that the committee makes it abundantly clear that the language in the bill in no way seeks to change or amend or modify or interpret the preference clause.

Mr. MORSE. I am afraid the Senator from Texas did not understand me.

Mr. JOHNSON of Texas. I call attention to this paragraph in the report:

> The language in this bill with respect to marketing and preference provisions is identical with that in existing law, in section 5 of the 1944 Flood Control Act. This bill, therefore, makes applicable to this project the same marketing and preference provisions of existing law which have been in effect since the enactment of the 1944 act.

A little further on in the report, at page 4, I find the following statement:

> The committee finds that such designation for marketing of the power from the Falcon project under the same provisions as in section 5 of the Flood Control Act of 1944 is necessary in order to provide for full utilization of the project. Accordingly, it recommends enactment of this legislation.

Mr. President, I should like to make one observation. It may very well be true that there is an interpretation placed on the preference clause in the Flood Control Act to which the Senator from Oregon objects. However, it is not the purpose of this proposed legislation to amend that act or to modify the act or to change it or to interpret it. The purpose of the pending legislation is to provide for the distribution of power in accordance with the Flood Control Act of 1944. The public power interests of my State have asked that a sentence be put in the bill making it abundantly clear that the Flood Control Act of 1944 will be followed.

The chairman of the committee and other members of the committee, as well as the committee report, give us assurance that that is being done.

Everyday we wait we lose power, because water is being released through this dam now in order to serve farmers located down the river.

I am very hopeful that the Senator from Oregon will permit the bill to be passed at this time. If he desires to propose legislation which will strengthen the flood control act, or amend it, we can discuss that subject on its merits.

The dam has water behind it now, and we need that water for irrigation purposes. There is no reason why power should not be generated as the water is released. It is a somewhat urgent matter, and I hope the Senator from Oregon will allow the bill to pass.

If he wishes to change the Flood Control Act of 1944, and surround it with some safeguards or strengthen it, we can debate that issue. However, I ask him not to do it at the expense of the Falcon Dam in Texas.

Mr. MORSE. I will say two things to my friend from Texas. In the first place, I believe the Flood Control Act of 1944 means exactly what the language the committee tentatively adopted for inclusion in its report says it means. We were of that opinion in committee.

I do not believe there is a word in the language proposed by me which would in any way modify the Flood Control Act of 1944.

Therefore, I ask again on the floor of the Senate: What is the objection to the language proposed by me?

Mr. JOHNSON of Texas. I am sure the Senator from Oregon has the best intentions, but I do not want him to impede the Falcon Dam project because of his views on the general preference clause, and get the bill vetoed or hung up or tied up, because this is a very urgent project.

Mr. MORSE. Does the Senator from Texas have any objection to the language?

Mr. JOHNSON of Texas. I have no objection to it, but I hope the Senator from Oregon will not insist on putting that language in this bill, because I do not know whether the bill will ever see the light of day if he does.

Mr. MORSE. I find that to be very interesting. The Senator from Texas does not know whether the bill will see the light of day if we add to it language which the members of the Public Works Committee agreed with me seeks to bring out definitively the meaning of the Flood Control Act of 1944.

Now we get down to the Department of the Interior, and it takes exception to that language. I find myself in the position where from the standpoint of precedent I do not want to go along, at least without further discussion in the Public Works Committee of this situation.

If there is something wrong with the language proposed by me, or if it is inconsistent with the Flood Control Act of 1944, then I do not want the language in the bill. However, there is certainly nothing in the reply from the Department of the Interior which supports any argument that the language is not consistent with the Flood Control Act of 1944.

Mr. JOHNSON of Texas. Will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I have known the Senator from Oregon long enough to know that he has no pride of authorship.

Mr. MORSE. Then may I add the Senator's name to the amendment?

Mr. JOHNSON of Texas. It was made abundantly clear in the committee report. Let me read again the following statement in the report:

> The language in this bill with respect to marketing and preference provisions is identical with that in existing law, in section 5 of the 1944 Flood Control Act.

If the Senator from Oregon desires to change that act, or if he wishes to interpret it, or to amend it, I ask him to please introduce a bill on the subject, but I ask him not to get this urgent measure into controversy by seeking to interpret legislation.

Mr. MORSE. I did not put it in controversy. The Department of the Interior did.

Mr. JOHNSON of Texas. Then let us not have the Department of the Interior do it. Let us follow the Flood Control Act of 1944, whatever it is, and pass the pending legislation. If the Senator wishes to change the Flood Control Act of 1944 he should do it in the regular order.

Mr. MORSE. I am concerned with the legislative history on this bill as a result of what has transpired.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CORDON. If, as an outsider, I may make a suggestion—and the senior Senator from Oregon has heard for the first time that there is a little difference of opinion with respect to this bill—would it meet all objections if the portion of the bill which specifically sets out the language of section 5 of the Flood Control Act of 1944 were stricken and the bill carried a provision to the effect that the power shall be marketed in accordance with the terms of that particular section of the Flood Control Act, and thereafter include such specific provisions as may be in the bill with respect to rights of way, transmission lines, and so forth?

Mr. MORSE. That is what the bill says now, in effect.

Mr. JOHNSON of Texas. That is my understanding.

Mr. CORDON. I thought perhaps my colleague from Oregon felt that the correspondence with the Department of the Interior might have raised a question in that connection, and I thought perhaps the question could be resolved if we were to eliminate the language spelling out what is spelled out in the Flood Control Act and instead wrote a mandate in the bill to the effect that the power shall be disposed of as power is disposed of from Corps of Engineers projects under the Act of 1944.

Mr. JOHNSON of Texas. I will say to the senior Senator from Oregon that there are some REA projects in this area which are very much interested in getting some of this power. They raised the question when the bill was first presented, and they asked that we make it clear in the report that this power shall be marketed under existing law, namely, under the provisions of the Flood Control Act of 1944.

I went to the chairman of the committee and urged that it be done. I am sure that some of the public bodies which are interested in this subject did the same thing with other members of the Senate. I am informed that they did.

The chairman of the committee incorporated this statement in the report:

> The language in this bill with respect to marketing and preference provisions is identical with that in existing law, in section 5 in the 1944 Flood Control Act.

It may be that we may wish to improve the existing law, and it may be that we ought to change the existing law, but the power at this time will be marketed in accordance with existing law, and that seems to satisfy the people of the area who will be affected by the bill if it is enacted into law.

Mr. MORSE. Mr. President, I shall conclude my remarks, because I should like to hear from the chairman of the committee. We had before us the language to which the Senator from Texas refers, and we had the proposed report before us when the discussion took place in committee, and I suggested language which would leave no doubt with respect to the problem which has arisen with regard to the withdrawal clause, and which arose in connection with the Missouri Basin criteria controversy.

I said I felt this language would prevent any fears from developing that the Department of the Interior, in its marketing policy, might take the position that contracts must be made a long time ahead, when the contractors did not know what their needs were going to be a long time ahead. There was a considerable amount of discussion in the committee on that point, as my colleagues will recall. Our feeling was that we wished to make it perfectly clear that the public preference users would have the right to get their power, but there would be the necessary time allowed for so-called planning. It was on that basis that we adopted the language.

I did not think for a moment that the Department of the Interior would object to it. We sent it to the Department with the understanding that if they objected, we would give it further consideration. I think we can get together on it in committee, but I do not think, with that understanding, the bill should be on the floor of the Senate until we have further discussion.

Mr. MARTIN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. MARTIN. I should like to invite the attention of my distinguished friend from Oregon and of the Members of the Senate to the language of Senate bill 3090, starting with line 3 on page 2 over to line 2 on page 3. It is the identical language of the act of 1944.

Mr. MORSE. That is correct, but the trouble with that is that we thought we knew what it meant until the Department of the Interior involved itself in the Missouri River Basin criteria controversy. The Department tried to get made in futuro contracts for power which they did not know whether they could use, and if they did not contract for it, they lost the right to get it under the preference clause in the future.

That is not the meaning of the preference clause in the act of 1944.

Mr. MARTIN. The language is as follows:

> Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

That is the language of the act of 1944 which has been repeated in this bill.

Mr. MORSE. That is correct. But the Department of the Interior took the position in the Missouri Basin criteria controversy that it was following "preference" when it required contracting in futuro for power which the public bodies did not know whether they would ever use. The controversy is over whether the public user is entitled to the power as the need develops, or whether the Department of Interior shall be authorized to enter into long-time contracts whereby they contract away the power to a private utility and thereby effectively prevent a public user, 15 or 20 years from now, from getting the power it needs.

That is what the controversy over the Missouri Basin criteria was, and still is, for that matter.

If this is not the meaning of the act of 1944, I should like to have someone show me a contrary meaning of the act of 1944. By language proposed by me, power and energy will be marketed and be made available to public bodies and cooperatives subject only to such requirements of notice as may be necessary to permit satisfactory planning.

In other words, the Department of the Interior cannot take the power and contract it away for many years in the future. Ten years from now, if a public preference body shall find it needs power, it should then be in position to get the power subject to the requirements of notice as may be necessary to permit satisfactory planning, as it may be necessary for people who are getting power and are not entitled to it as a matter of preference to make adjustment.

If it does not mean that, we are about to establish a precedent in the Senate of the United States, through this bill, which I think we are going to rue.

Whether we like it or not, because of what transpired in the Public Works Committee and because of the letter which the Department has sent, taking exception to this language, the bill really raised in its legislative history the interpretation of the Flood Control Act of 1944 which I respectfully submit the Department of the Interior is making contrary to what I think the act of 1944 means. I do not want to be a party to that this afternoon.

Mr. MARTIN. Mr. President, if the Senator from Oregon will further yield——

Mr. MORSE. I yield.

Mr. MARTIN. I should like to state that I do not see how it would be possible to make the language more direct or more explicit than it is in the act of 1944, that preference is to be given to public bodies and cooperatives. I do not see how any court could interpret it in any other way.

Mr. MORSE. But the Senator from Pennsylvania, when we discussed it in committee, seemed to agree that the language I proposed carried out the preference meaning of the act of 1944. And I think it does. But the difficulty we are now in is that the Department, in effect, says that is not so, that it means something else. If it means something else, we have the issue raised as to what public preference means.

I do not want the bill to pass with the language of the 1944 act in it, and with the interpretative language we adopted in committee stricken from it, on the basis of an interpretation by a representative of the Secretary of the Interior which says that the language is not what the provision of the act means.

Mr. KNOWLAND. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. KNOWLAND. I wish to point out two things which I think the Senator from Texas [Mr. JOHNSON] has made very clear. One is that the bill deals with an immediate situation at Falcon Dam, where power is needed and water is being released. Every day that passes, revenue is lost forever.

In the second place, I do not think this particular item of the bill should be used to rewrite the preference clause. It may be that as a matter of public policy the Congress of the United States may want to rewrite it, but I think if it does it should do so by separate legislation dealing with the whole question of preference.

Third, I do not think the mere use of the Senator's interpretation, with all due respect to him, or even the committee's interpretation in the committee report by 13 Members of the Senate, can possibly change whatever may be the meaning of the law. The law is what it is, and is subject to interpretation.

So I submit that I think the Senator from Oregon will not succeed in rewriting the whole preference clause in the Falcon Dam bill.

Mr. MORSE. We are not rewriting the law. This language is what has been held to be the law ever since the Flood Control Act of 1944 was passed. The only difficulty is that created by the Department's position in the Missouri Basin criteria fight. I do not want the Department of the Interior, in effect, to write into the law the Department's position in the Missouri Basin criteria controversy.

Mr. BUSH. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. BUSH. Committee meetings take place with a good deal of informality at times, and I think probably our committee has been open to that criticism, perhaps, but in connection with this bill the Senator from Oregon originally wanted to amend the bill itself.

Mr. MORSE. I never offered any amendment to the bill.

Mr. BUSH. I do not remember whether the Senator offered one, but the question was discussed.

Mr. MARTIN. Mr. President, I should like to make this observation. The distinguished Senator from Connecticut is the chairman of the Subcommittee on Rivers and Harbors of the Committee on Public Works.

Mr. BUSH. Mr. President, I shall not insist positively on my recollection, but that is my recollection.

Mr. MORSE. I am certain the Senator from Connecticut will take my word for it when I tell him that I never offered an amendment to the bill. I went before the full committee and offered language for the report.

Mr. BUSH. I do not wish to dispute with the Senator from Oregon. I certainly will accept his word for what he has said he did. But my recollection is that the committee said it would accept the Senator's suggestion of an amendment to the bill. Whether the Senator offered one or not, I do not know. The Senator from Florida [Mr. HOLLAND] may recall.

Mr. MORSE. If the Senator from Connecticut will permit me to do so, I should like to refresh his memory at this point. The Senator may recall that the amendment I offered that day was an amendment to an entirely different bill, the Columbia River Basin authorization bill. It was the bill which involved the John Day controversy.

Mr. BUSH. I recall that incident. I am not confused about that incident, if I am confused at all. The Senator from Florida was present.

My recollection is that the Senator from Oregon desired to amend the bill to include his proposed language, but that the committee did not wish to do that. Consequently, it was suggested—I do not recall by whom—that the report might use language which would state the Senator's views about the Preference Act, so the matter was disposed of by having the Senator's proposed language included in the report, subject to the approval of the Secretary of the Interior. That approval was not forthcoming. Instead, the letter from the Secretary of the Interior ended in this way:

> So fundamental a change in the preference statutes is not, in our view, a matter that can, or should, be achieved by an explanatory statement in a committee report on a bill dealing with a single, small project. Instead, if such a broad change is to be considered, it should be made the subject of specific legislation.

That is what the Secretary said about the matter. For that reason, and because the agreement upon the Senator's language was made subject to agreement by the Secretary of the Interior to it, I think the bill is properly before the Senate. The question the Senator has raised is whether the bill is properly before the Senate. In view of what I have stated, I think the bill is properly before the Senate.

Would the Senator from Pennsylvania care to state his view about whether the bill is properly before the Senate?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MORSE. I desire to yield to the Senator from Florida, but I yield first to the Senator from Pennsylvania.

Mr. MARTIN. I feel the bill is properly before the Senate. It was the intention to report it favorably. The committee felt that the language in the report, and the fact that the bill itself quoted from the language of the act of 1944, made it clear that the bill was in conformity with the ideas of the committee. I feel the bill is properly before the Senate.

Mr. MORSE. I now yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator. I have tried to recall, as best I can, what happened that day. I believe it was not in the subcommittee, but in the full committee.

Mr. MORSE. That is correct.

Mr. HOLLAND. I believe also that the Senator from Pennsylvania [Mr. MARTIN] was presiding.

Mr. MORSE. That is correct.

Mr. HOLLAND. I think the distinguished Senator from Connecticut [Mr. BUSH], the distinguished Senator from Oregon [Mr. MORSE], and I were present throughout the meeting. As I recall, the distinguished Senator from South Dakota [Mr. CASE] came into the room after the original action and perhaps raised the question.

I recall, also, that the distinguished Senator from New Hampshire [Mr. UPTON], who had not expressed himself in the early phases of the discussion, did so in the later ones.

I think I recall the distinguished Senator from Ohio [Mr. BURKE] coming in at some time in the discussion. I believe he was a little questioning in his point of view as to what, if anything, should go into the report.

Mr. MORSE. I may add, at this point, that the Senator from Mississippi [Mr. STENNIS] also was present.

Mr. HOLLAND. The Senator from Mississippi was present at some stage of the meeting; but, if my recollection serves me correctly, I do not believe he participated in the discussion. Whether he was present at the specific time the amendment was discussed, I am not certain; but I do not recall that he participated in any way.

I think the Senator from Oregon [Mr. MORSE] raised the question and suggested including in the report a provision which would make the situation clear.

There was much less discussion at that time than there has been now. I do not even recall that the Missouri Basin case was discussed, but there was a request or a suggestion made by the Senator from Oregon that the report should contain wording similar to that which has been quoted here, the substance of which would have been that a sale to a private enterprise would not foreclose, forever and a day, the rendition of some service, or the giving of some part of the power, or the making of it available to a cooperative or a preferred user, in the event one came into the picture and desired service at a later time.

I agreed with the Senator from Oregon, and I still agree, that there should be some understanding and some interpretation under which a late-arriving cooperative could, in fairness and in justice to the whole setup, participate.

I realize that a private user will not take at full price power which he could later lose in a day, a month, or a somewhat longer period of time. But I agreed in substance with the Senator from Oregon, because I felt that some wording in the report should cover the matter. In the discussion, it was agreed, in the first instance, that some such wording would be included.

The Senator from Connecticut [Mr. BUSH] was doubtful about the wording, and voiced his doubt. Later, when the Senator from South Dakota [Mr. CASE] joined the meeting, he brought up the subject matter again.

It was at that time that the Senator from New Hampshire [Mr. UPTON] entered into the discussion and also joined in the doubt as to whether the wording was appropriate. At that stage someone—I believe it was the chairman, although it may have been the clerk of the committee, Mr. Bassett—suggested getting a comment on the question from the appropriate official, the Assistant Secretary of the Interior who handles this kind of work.

Certainly there is no doubt in my mind that action was taken by which some such wording would be included in the report, and there is no doubt in my mind that other Senators later raised a doubt about it. I believe that a majority of the Members who were present at the time raised it and questioned very seriously the wisdom of including such words.

I do not recall that there was any condition named that the report was to be held up, if the answer from the Assistant Secretary of the Interior was in one form or another. My recollection is that we were not entirely clear as to what would transpire in the event the reply was one way or the other. But I am very certain that the bill was reported favorably, and I am also certain that the words relative to the preferred customers were first placed in the report, and then the question came up as to whether they should be included. I believe a majority of those taking part in the discussion did not feel the words should be included without, at least, seeking to have an expression from the Assistant Secretary of the Interior.

I do not believe the matter is one of very grave importance, because if any-

thing was outstanding, it was that the committee certainly was divided as to what the proper interpretation of the present law is. I believe the Senator from Oregon and I were the only ones who felt it was quite clear that there should be an opportunity given to later coming preferred customers to have some participation in the power. I believe that as we concluded our meeting, there was at least a doubt in the mind of everyone else who participated in the discussion as to whether any such rule should exist, and certainly as to whether any such provision should be stated in the report.

So I do not think there would be anything in the legislative history which would make trouble because, if anything is clear in my recollection, it is that there was a complete failure to agree, at least in the committee, by those who were present and had taken part in the discussion either as to what the provision should be or as to what the law required it to be. With this statement, I shall have to content myself, because I cannot recall any more of the details.

Mr. MORSE. For the purpose of the RECORD, I wish to make this comment on the statement of the Senator from Florida. He is an excellent witness. I desire to refresh his memory on a few points.

When I came to the meeting, and the bill was reached, I distributed copies of a typewritten paper containing language which I recommended should be added to the report. At no time—and the Senator from Connecticut [Mr. BUSH] was mistaken about this—did I offer an amendment to the bill.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUSH. Was it not the intention of the Senator, when he came to the committee with the typewritten sheets, to consider the language as an amendment?

Mr. MORSE. No; the typewritten sheet made very clear that the language would be incorporated in the report.

Mr. BUSH. I admit that my recollection of it is not particularly clear.

Mr. HOLLAND. I think what the Senator from Oregon has stated is correct. I well remember that the draft was distributed on onion-skin paper to all of us. It was a draft of about 4 lines, which was a proposed insertion in the report.

Mr. BUSH. May I ask the Senator from Oregon whether that was not his second thought, and whether his original thought was not considering having the language proposed as an amendment?

Mr. MORSE. Not to this bill. My amendment was to the Columbia River Basin bill. Senators will recall the exact language I used. I see the Senator from Mississippi [Mr. STENNIS] is in the Chamber, and he was present in the committee meeting, too. I said I always put my cards on the table, and I wanted the committee to know the source of the language I was presenting. I said some electric co-op groups and public power groups were concerned about the attitude taken by the Department of the Interior because of the Columbia River Basin controversy, and that they did not want a repetition in other projects of the trouble which had arisen over the Columbia River Basin project. I did discuss the Columbia River Basin criteria controversy as the basis for the proposed language, so I offered the language.

The Senator from Florida has made an accurate statement as to how it developed in committee. There was no objection raised to the language, except that the Senator from Connecticut raised some questions as to whether or not the language was necessary, and whether or not the language in the bill was not adequate to meet the situation. I said that one would think so, except for the fact that the Department of the Interior had been veering away from what we always thought was the meaning of the Flood Control Act of 1944.

So we agreed that all we were seeking to do was restate the meaning of the act of 1944, and we tentatively adopted the language, as the Senator from Florida has said.

As has been stated, the Senator from South Dakota [Mr. CASE] came in, and we brought him up to date, as we always do in the committee when a member comes in late. The Senator from South Dakota stated that he would like to consider the language. We handed him a copy, after which he said he had some doubt about it, because he did not know what effect it would have, and he thought we ought to get the opinion of the Secretary of the Interior. I agreed with that.

The one difference I have with the Senator from Florida in connection with his recollection is that I myself raised the question, "Suppose he sends back an adverse letter on this particular language? I would then want to have further discussion in the committee, and I would want to have a hearing on the meaning of the preference clause, because that is going to raise the whole question as to what the preference clause means."

It was my honest opinion that it was understood among us that if the language was adversely received by the Department of the Interior, there would be further consideration of the question by the committee.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Florida.

Mr. HOLLAND. While I do not recall the last remark mentioned by the Senator from Oregon, I do not at all question his statement. It might have been that I was not present in the committee at that time. However, I do not recall that there was any question as to the committee's taking additional procedural steps. As I recall, I was the only one who was expressly in accord with the position taken by the Senator from Oregon as to the availability of power over the time of operation——

Mr. MORSE. The Senator from Mississippi [Mr. STENNIS] was, too.

Mr. HOLLAND. I do not recall that. I am glad the Senator from Mississippi has come to the floor, because I would prefer to rely on his memory as to what he said. However, I do recall clearly that we were of different minds before we got through with the discussion. The very clear recollection I have is that, by reason of anything done in that committee, we certainly did not leave the committee meeting with a unanimity of opinion as to what the law means, or upon wording which would have been of any value or weight in interpreting the bill or the earlier general law of 1944.

My feeling is that it would not do violence to the situation if the bill were passed. As I have stated for the second or third time in the RECORD—and I believe it is completely true, and that every Senator who was there will verify it—the members of the committee were certainly not of one mind, and the further we went in the discussion the more the difference of opinion seemed to develop, and the more question there was as to the wisdom of having anything in the report like the language suggested.

In closing, I may say, as I said in the beginning, I thought the Senator from Oregon was on sound ground. I think there is abundant room in the law for the kind of interpretation the insertion of the Senator from Oregon would have placed on the law. But I see no justice or necessary reason for delaying the passage of the bill because of the difference of opinion in the committee. I hope the bill may now be passed, and that the matter may be brought up in a more formal way, so that there will be plenty of room for differences of opinions to be expressed and for arguing the matter.

Mr. MORSE. I should like to say, in conclusion, that I think I have demonstrated in the Committee on Public Works my desire to cooperate with my colleagues. When there are differences of opinion, I have demonstrated that desire. I think a mistake has been made in bringing the bill to the floor of the Senate without further discussion in the committee, because I know very clearly what I said about it and what I understand was going to be done in the event the report of the Department of the Interior was adverse.

I wish the Senator from South Dakota [Mr. CASE] were here. I think it will be found that he joined with me in a discussion that in case the report from the Department of the Interior were adverse, there would be an opportunity for further consideration of the question in committee. However, be that as it may, I have no desire to prevent the bill of the Senator from Texas [Mr. JOHNSON] from passing. I think we have made legislative history for the bill this evening.

Mr. JOHNSON of Texas. I wish to thank the Senator for his statement, but I desire to point out that this is not a bill introduced by the Senator from Texas. It is a bill introduced by the chairman of the committee. The dam is located in Texas, and both the junior and the senior Senators from Texas have had the matter brought to their attention, but I am not the author of the bill.

Mr. MORSE. I think the Senator from Texas will agree with me that he has been a very effective floor leader for the bill.

Mr. JOHNSON of Texas. I thank the Senator, but that is a little different from

being the author of the bill. I wanted the RECORD to show that.

Mr. BUSH. The Senator from Texas has been most cooperative with the committee.

Mr. MORSE. Oh, yes; he has been very cooperative.

The point I was trying to make before the interruption was that I think we have made history with regard to the preference clause.

I should like to ask the Senator from Pennsylvania [Mr. MARTIN] if I am correct that there is pending before the committee other legislation on the subject. The omnibus bill still is expected from the House, is it not?

Mr. MARTIN. In reply to the Senator from Oregon, the omnibus bill has not come to the Senate from the House yet. As I understand, it is still in the House of Representatives.

Mr. MORSE. I think the consideration of the omnibus bill will afford us an opportunity to clarify the matter when it reaches the committee. I serve notice now on the chairman of the committee that I respectfully request that hearings be held when the omnibus bill comes to the Senate, in regard to the meaning of the preference clause set forth in the Flood Control Act of 1944, because I am very much of the opinion that the interpretation which Mr. Aandahl, of the Interior Department, is trying to give to the act of 1944, would do violence to the preference clause.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment, the question is on the engrossment and third reading of the bill.

The bill (S. 3090) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the electric power and energy generated at Falcon Dam, an international storage-reservoir project constructed on the Rio Grande pursuant to the treaty of February 3, 1944, between the United States and Mexico (Treaty Series 994), which is made available to the United States under the provisions of said treaty and under such special agreements as may be concluded between the two Governments pursuant to the provisions of said treaty and not required in the operation of such international project, all as determined by the Commissioner of the United States Section, International Boundary and Water Commission, shall be delivered to the Secretary of the Interior (hereinafter referred to as the Secretary) who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power by the Secretary, in collaboration with the Secretary of State, over a reasonable period of years. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary is authorized, from funds to be appropriated by the Congress, to construct or acquire, by purchase or other agreement, only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said project available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

SEC. 2. All receipts from the sale of electric power and energy disposed of by the Secretary pursuant to this act shall be covered into the Treasury of the United States to the credit of miscellaneous receipts as shall also moneys received from the Government of Mexico for any energy which might be delivered to that Government by the United States Section of the International Boundary and Water Commission pursuant to any special agreement concluded in accordance with article 19 of the said treaty.

SEC. 3. The Secretary is authorized to perform any and all acts, including the acquisition of rights and property, and to enter into such agreements as may be appropriate for the purpose of carrying out the provisions of this act applicable to him; and with respect to construction and supply contracts and the acquisition, exchange, and disposition of lands and other property, and the relocation thereof, the Secretary shall have the same authority which he has under sections 12 and 14 of the Reclamation Project Act of 1939.

CONTRIBUTORY GROUP LIFE INSURANCE FOR FEDERAL CIVILIAN EMPLOYEES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 398)

The PRESIDING OFFICER. (Mr. PAYNE in the chair) laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Post Office and Civil Service.

(For President's message, see today's proceedings of the House of Representatives.)

AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO MAKE EXPENDITURES AND EMPLOY TEMPORARY PERSONNEL

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 234, Calendar 1233, relating to expenditures and the employment of temporary personnel by the Committee on Rules and Administration. It is not the purpose to have the resolution debated or voted on tonight, but merely to have it made the unfinished business, ready for Senate action on tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 234) authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

ORDER FOR RECESS TO TOMORROW

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this evening, it stand in recess until tomorrow, at 12 o'clock noon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE TEXAS CITY TIN SMELTER

Mr. KNOWLAND. Mr. President, at this time I yield to the Senator from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. President, I was astonished—and I am sure the American people were shocked—when there was introduced in the House, last week, a joint resolution to close the only tin smelter in the Western Hemisphere.

This is a step which would leave us completely at the mercy of foreign producers. It also flies directly in the face of a congressional mandate to keep the smelter open until Congress has had the opportunity to investigate the possibility of a permanent domestic tin smelting industry.

The joint resolution was introduced with accompanying letters asserting that it was urgent to close the tin smelter. In the face of present world conditions, I cannot, by any stretch of the imagination, see how such a measure could possibly be urgent. It would seem to me much more urgent, on the contrary, to assure ourselves an adequate supply of tin, by means of the continued operation of the only tin smelter in the Western Hemisphere.

However, it is even more astonishing and even more shocking that administration officials are proceeding to close the tin smelter, without waiting for congressional action. The present operators are under orders from the Reconstruction Finance Corporation to start closing the smelter and to complete the process by June 30.

This is clearly a circumvention of the intentions of Congress. I think this is a matter which should be documented in the RECORD.

I therefore ask unanimous consent to have printed in the RECORD, as a part of my remarks, the joint resolution that was sent to Congress, the accompanying correspondence, and a letter written by the Honorable CLARK W. THOMPSON, of Texas, a member of the House of Representatives, explaining the steps that have been taken to close the smelter.

There being no objection, the joint resolution and letters were ordered to be printed in the RECORD, as follows:

Joint resolution to authorize the disposal of the Government-owned tin smelter at Texas City, Tex., and for other purposes

Whereas the Government has operated a tin smelter at Texas City, Tex., during the past several years because tin, a critical and strategic material required for national defense, was in short supply; and

Whereas stockpiles of tin have been accumulated adequate for defense purposes; and

Whereas tin is now available in ample supply: Therefore be it

Resolved, etc., That Public Law 125, 80th Congress, as amended, approved June 28, 1947 (61 Stat. 190), is hereby further amended by striking the words "June 30, 1956, or until such earlier time as" from section 2 thereof and by adding a new section reading as follows:

"SEC. 5. Notwithstanding any other provision of law, the Reconstruction Finance Corporation, so long as it shall exercise the functions, powers, duties, and authorities under this joint resolution and thereafter the officer, agency, or instrumentality

of the United States designated by the President pursuant to section 2 hereof, is hereby authorized and directed (1) to take steps immediately to terminate operation of the Government-owned tin smelter at Texas City, Tex., as soon as practicable but in no event shall such smelter be operated beyond the period of time needed to complete processing of materials to which the Government had taken title prior to July 1, 1954; (2) to report as soon as practicable all assets of the Government's tin program as excess property for transfer and disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C., Supp. 471–492); (3) in order to carry out the provisions of this section, to continue to incur and pay administrative expenses in accordance with laws in effect immediately prior to enactment of this section; (4) to do all other things which said Administrator or said head of agency or instrumentality determines to be necessary or appropriate to the accomplishment of the purposes of the authority granted by this section; and (5) to make a final report to the Congress. Nothing herein shall be construed as preventing Reconstruction Finance Corporation or any of its successors from performing contracts or other legally binding obligations existing at the time of the enactment of this section."

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., April 28, 1954.

Mr. LAURENCE B. ROBBINS,
Administrator, Reconstruction Finance Corporation, Washington, D. C.

DEAR MR. ROBBINS: It is understood that pursuant to the administration's policy of withdrawing the Federal Government from commercial enterprise, the RFC will submit to the Congress a joint resolution for the disposal of the Texas City tin smelter.

This resolution will provide for the cessation of operations by the Federal Government and for the disposal of the plant to private interests by GSA under the authority vested in it by the Federal Property and Administrative Services Act of 1949.

We have devoted some thought to the possibilities for the disposal of the plant to private industry for operation in place as a tin smelter. Despite the frequently expressed opinion that no private concern would be willing to acquire the plant for operation in place, our studies and conversations with informed parties lead us to a contrary conclusion.

It is true that the size of the Texas City smelter and the process which it employs are quite different from that which private industry would select if it were to construct a new tin smelter today. Although, in the first instance, we would endeavor to make an outright sale we doubt that the return to the Government on such a basis would be anything more than nominal.

If it appears impractical to dispose of the plant by sale on reasonable terms, we believe that a long-term lease to private industry could be effected under which rentals would be payable on the basis of a fixed amount per ton of production. Such a lease arrangement is, of course, an effective disposal and would relieve the Government from the responsibility of maintaining or operating the plant.

Cordially yours,

EDMUND F. MANSURE,
Administrator.

RECONSTRUCTION FINANCE CORPORATION,
Washington, D. C., May 12, 1954.

Hon. RICHARD M. NIXON,
President, United States Senate, Washington, D. C.

DEAR MR. PRESIDENT: I am submitting herewith a draft of a Joint Resolution entitled, "To authorize the disposal of the Government-owned tin smelter at Texas City, Texas, and for other purposes", together with an explanatory memorandum which outlines the underlying considerations and sets forth the background of the Government's tin program. Also enclosed is a copy of a letter relative to this matter, dated April 28, 1954, addressed to me by the Honorable Edmund F. Mansure, Administrator of the General Services Administration.

This legislative proposal has been discussed with the Office of Defense Mobilization and the Bureau of the Budget and I am authorized to advise you that it is in accord with the program of the President.

As indicated in the explanatory memorandum, the matter is urgent and it is respectfully requested that the Congress give favorable consideration to the proposed legislation at the earliest possible date.

Respectfully,

LAURENCE B. ROBBINS,
Administrator.

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 19, 1954.

Senator LEVERETT SALTONSTALL,
Chairman, Senate Committee on Armed Services, Washington, D. C.

MY DEAR MR. CHAIRMAN: After the hearing on the tin smelter recessed this noon, I learned from the present operators that they are already under instructions from the RFC to proceed with the progressive closing of the smelter, with final termination date being June 30 next. Complying with this directive, the management has been gradually curtailing operations. Prior to June 1 the management must notify all supervisory employees, except those retained for final closing of the plant, that their employment will be terminated as of June 30.

If this move is carried out, the RFC will, in effect, have circumvented the expressed wishes of the Congress, which, as pointed out in the hearings, called for the operation of the smelter until such time as the need for further continuation could be studied by the Congress.

One of the most valuable assets of the smelter is its highly trained personnel. If this group is scattered, as it will inevitably be under the present RFC directive, the continued operation will be made far more difficult and may for all practical purposes be impossible. May I therefore respectfully urge that action by your committee be expedited to the greatest possible extent.

Yours very truly,

CLARK W. THOMPSON.

Mr. JOHNSON of Texas. Furthermore, Mr. President, I wish to say that the committee met this morning, and five Senators were present. I did not hear any Senator then present advocate closing the tin smelter. Most of the Senators present felt that the smelter should continue in operation. Every Senator present and every representative of the executive branch who was present admitted that the existing law requires the operation of the smelter until June 30, 1956. But, Mr. President, after the committee took a recess, it was brought to my attention that the RFC had already given instructions, notwithstanding the action of Congress, to discharge the employees and to bring the operation of the smelter to a halt by June 30.

Mr. President, I hope the Armed Services Committee will take prompt action on Senate Concurrent Resolution 79, now pending before it, so as to assure the continued operation of the smelter until a thorough study and investigation can be made.

Mr. MORSE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I wish to ask several questions of the Senator from Texas.

Does he recall the time, when he and I were members of the Preparedness Subcommittee of the Armed Services Committee, when we conducted a thorough investigation into the tin problems confronting the United States?

Mr. JOHNSON of Texas. I certainly do recall it.

Mr. MORSE. Does the Senator from Texas also recall that on that matter we submitted a unanimous report—included among the 43 unanimous reports, as I recall, made by the Preparedness Subcommittee?

Mr. JOHNSON of Texas. Yes, and that is correct.

Mr. MORSE. Does the Senator from Texas also recall that our unanimous report was that the security of the United States called for the continuation of operation of the smelter, because in case of war the smelter would provide us with the only emergency source of tin within our own borders; that in view of the shipping problems which existed in World War II and the possibility of submarine warfare and warfare of other types, our chances of obtaining tin elsewhere would be greatly reduced; and that by means of its continued operation, this smelter offered us an opportunity by Government action to stockpile tin. Does the Senator recall that?

Mr. JOHNSON of Texas. I certainly do; and both the Senator from Oregon and I realize that, as the committee report states, this tin smelter constitutes one of the major weapons the taxpayers of the United States have against being gouged by a foreign tin cartel.

Mr. MORSE. I was about to ask a question on that point, as that matter was brought out in the committee's report.

Does the Senator from Texas recall that, as a result of the findings we made in connection with the tin investigation, we felt—and I recall it was discussed on the floor of the Senate—that we had saved a minimum of $1 billion to the taxpayers of the United States?

Mr. JOHNSON of Texas. Certainly it was stated that the resultant saving amounted to at least hundreds of millions of dollars.

Mr. MORSE. And some persons said it amounted to more than hundreds of millions of dollars.

Does the Senator from Texas also recall that that report was adopted by the Senate and that, as a result the legislative policy to which the Senator from Texas has referred was determined upon, namely, that the smelter should be kept in operation? Does the Senator from Texas recall that?

Mr. JOHNSON of Texas. I do.

Mr. MORSE. Those being the facts in regard to this matter, let me say that I share the shock and concern of the Senator from Texas over the fact that the RFC or any other governmental agency is even thinking of closing the tin smelter.

Mr. President, with the security problems of the United States being what

they are today, and in view of the constant fear we have cause to entertain, that we might become involved in a third holocaust, I simply cannot understand why this strategic material, tin, so much needed, and made available to the United States through the operation of the smelter, should be lost to the United States because of a shortsighted policy which would result in the closing of the tin smelter.

Mr. JOHNSON of Texas. Mr. President, what is proposed to be done is to close the smelter and sell it as junk, in order that we in the United States, who consume approximately 60 thousand tons of tin a year, can buy it from foreign sources.

Mr. DANIEL. Mr. President, will my colleague yield to me?

Mr. JOHNSON of Texas. I yield to the distinguished junior Senator from Texas.

Mr. DANIEL. Mr. President, I desire to associate myself with the remarks of my colleague, and to add my word of protest against the proposed closing of the tin smelter, in violation of the letter of the law and the spirit of the law now on the statute books, which is to the effect that the smelter shall be kept open until June 30, 1956.

Mr. STENNIS. Mr. President, will the Senator from Texas yield to me, for a question?

Mr. JOHNSON of Texas. I yield.

Mr. STENNIS. Mr. President, let me say I am disturbed about the prospect that any serious consideration will be given to dismantling the tin smelter.

I am very much encouraged to know of the proposed consideration of, and action on, Senate Concurrent Resolution 79, submitted by the distinguished senior Senator from Texas [Mr. JOHNSON] which expresses the sense of Congress that the smelter be continued in operation until June 30, 1955, which calls for an investigation, by an appropriate congressional committee, of the desirability of a permanent domestic tin smelting industry, and the adequacy of our strategic stockpile of tin and emergency sources of supply, the study to be concluded and a report filed with Congress not later than March 31, 1955; and which further provides that not later than April 30, 1955, Congress shall pass appropriate legislation, after consideration of the report submitted by the subcommittee investigating the permanent tin smelter question.

That concurrent resolution will give Congress a chance to decide on continuing the operation of the smelter, if that is deemed proper.

I hold in my hand an item by a staff writer of the Wall Street Journal, which, as we all know, is a highly reputable and reliable publication. This is the issue of May 17. The headline is: "United States Will Offer Troops to the French—With a Long List of 'Ifs.'"

Another headline reads: "Included: French Must Push Harder, and Other Lands Must Join In—U. N. Must Assent."

The first sentence of the article reads:

United States diplomats this week will make the French a conditional offer of American armed forces—including even ground troops if necessary—to help stop the Reds in Indochina.

I am not debating that point. I simply bring this up to show the seriousness of the situation with reference to Indochina, one of the great sources of supply of tin. I have heard it argued that we may have to go into that area because it is a source of supply of tin.

We have one tin smelter in the United States. I never dreamed that anyone was seriously considering dismantling it or stopping its operations. So I am very much surprised to learn of the trend.

In the same issue of the Wall Street Journal, for May 17, there is another article on the Texas tin smelter. I refer to it to show that the attitude of the Senators from Texas does not result solely from the fact that the smelter happens to be in their State. This is a national matter, and an international matter. Instead of talking about dismantling the smelter or discontinuing its operations, I think we ought to be considering affirmative steps, perhaps, toward expansion and extension of the program so as to take some little step toward becoming more independent of far-away areas.

I appreciate the Senator's efforts.

Mr. JOHNSON of Texas. I thank the Senator from Mississippi. I wish to urge him to express himself the next time the Armed Services Committee meets.

For almost a month we have had pending before that committee a resolution providing for study and thorough investigation by an appropriate committee. It was the hope of the senior Senator from Texas that he could obtain action on that resolution this morning. If there is any opposition to it, I did not hear any Senator voice it.

The chairman of that distinguished committee stated that he wished to pursue the matter further with the executive department. We have pursued it, pursued it, and pursued it, and while we were doing so we found that the executive department was taking steps to close the smelter, in direct violation of an act of Congress.

I serve notice on the committee tonight, and on every other Member of the Senate, that the senior Senator from Texas will insist, if the smelter is to be closed, that it shall be done by affirmative action of the Congress, and not because some bureau downtown decides it would like to see it closed. The members of the executive branch admit that they cannot do it unless Congress acts. They sent to the distinguished Vice President a letter dated May 12, from which I read briefly:

DEAR MR. PRESIDENT: I am submitting herewith draft of a joint resolution entitled, "To authorize disposal of the Government-owned tin smelter."

As indicated in the explanatory memorandum, the matter is considered urgent. It is considered urgent to dispose of the only tin smelter located in the Western Hemisphere, which is the only protection the taxpayers of this Nation have, so far as tin is concerned. We are urged to get rid of it, dispose of it. Why? So as to provide a ready market for the tin cartel, so that we may be at the mercy of foreign nations at the very hour when Asia is in flames, at an hour when we could possibly lose the greatest source of tin and rubber this Nation knows.

What would we do then? We would have to look to Bolivia to supply us with her ores, and look to this smelter to process them.

But no; we have a recommendation from some bureau saying that it is urgent to dispose of the smelter, to get rid of it quickly. "Let us hurry and destroy it." It is outrageous. It is shocking. It is astonishing.

The senior Senator from Texas is certainly going to urge by every means at his command that we act promptly on the resolution that will keep this vital defense installation in operation.

ADMINISTRATIVE JURISDICTION OF CERTAIN PUBLIC LANDS IN THE STATE OF OREGON—AMENDMENT

Mr. MORSE. Mr. President, tomorrow we shall be discussing Senate bill 2225, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes.

I send to the desk an amendment intended to be proposed by me to that bill, with the request that it be printed and lie on the table, so that it may be available to Members of the Senate tomorrow.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

RECESS

Mr. FERGUSON. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 25 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, May 20, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, May 19 (legislative day of May 13), 1954:

NATIONAL SCIENCE FOUNDATION

The following-named persons to be members of the National Science Board, National Science Foundation, for terms of 6 years expiring May 10, 1960:

Donald Hamilton McLaughlin, of California. (Reappointment.)

George Wilhelm Merck, of New Jersey. (Reappointment.)

Joseph Chandler Morris, of Louisiana. (Reappointment.)

William Vermillion Houston, of Texas.

James Bernard Macelwane, of Missouri.

Douglas Whitaker, of California.

Theodore Martin Hesburgh, of Indiana.

Roger Adams, of Illinois.

IN THE ARMY

The following-named officers for temporary appointment in the Army of the United States, to the grade indicated, under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

TO BE BRIGADIER GENERAL

Col. George Wiltz Gardes, O28840, Judge Advocate General's Corps, United States Army.

Col. George William Hickman, Jr., O16420; Judge Advocate General's Corps, United States Army.

IN THE AIR FORCE

The following-named cadets, United States Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); date of rank to be determined by the Secretary of the Air Force:

Thomas Jerome Abernathy
William DeFord Bathurst
Edward Cletus Bavaria
Richard Harvell Bentz
Kirk Fletcher Cockrell
James Helfrich Cronin
Robert Lee Geasland
Samuel Richard Harover III
James Gordon Higgs
Robert Andrew Kaiser
Ronald Kearney Knapp
Kevin Edward McKay
Ronald Eugene Morris
James Edward Moss
John Martin Neas
Joseph Allard Rude
William Thomas Sagmoen
Lem Davis Sugg, Jr.
John Edward Weaver
Emery Scott Wetzel, Jr.
Charles Everett Wilson

The following-named midshipmen, United States Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); date of rank to be determined by the Secretary of the Air Force:

William Arthur Creager, Jr.
Donald David Deem
George Fred Heinrich
George Franklin Knotts
Raymond Rudolph Maestri
Francis James McCarthy, Jr.
Richard George Padberg
Doral Randolph Sandlin
Alton Lane Van Ausdal
Van Leon Vierbicky
James Bradford Whitehead

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 19, 1954

The House met at 12 o'clock noon.

The Very Rev. Edward J. Farrell, M. S., Ph. D., superior, La Salette Seminary and Shrine, Ipswich, Mass., offered the following prayer:

O Almighty God, eternal lawgiver, grant unto us Thy servants, here striving to make laws for this mighty Republic, grace and understanding to act aright. Show us that no law has any binding force unless it be in accord with Thine and sanctioned by Thee from whom all authority flows. Teach us that human plans cannot prevail if they run counter to Thy divine will. Help us therefore to seek not our own wills but Thine.

Thou who are the way, the truth, and the light, deliver us from selfish interests which may cause our feet to stray to other paths, send Thy spirit down upon us that we may never listen to the siren voices of falsehood and deceit, illumine our minds that we may ever know right, truth, and justice. And then, O God, give us grace and courage to follow them. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 116. An act to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2844) entitled "An act to amend the act of December 23, 1944, authorizing certain transactions by disbursing officers of the United States, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CAPEHART, Mr. GOLDWATER, Mr. BENNETT, Mr. MAYBANK, and Mr. FULBRIGHT to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2846) entitled "An act to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CAPEHART, Mr. BUSH, Mr. BRICKER, Mr. IVES, Mr. FREAR, Mr. ROBERTSON, and Mr. SPARKMAN to be the conferees on the part of the Senate.

LEGISLATIVE-JUDICIARY APPROPRIATION BILL, 1955

Mr. HORAN, from the Committee on Appropriations, reported the bill (H. R. 9203, Rept. No. 1614), which was read a first and second time, and, with accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. GARY reserved all points of order on the bill.

TREASURY AND POST OFFICE DEPARTMENTS, EXPORT - IMPORT BANK OF WASHINGTON, AND RECONSTRUCTION FINANCE CORPORATION APPROPRIATION BILL, 1955

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 11, line 7, after "rewards", insert "for information."

Page 11, line 12, strike out "$20,000,000" and insert "$19,491,100."

Page 11, line 24, after "appropriations", insert "available to the Post Office Department."

Page 12, lines 1 and 2, strike out "for 'Administration' and for 'Operations'."

Page 12, line 14, after "$702,219,000" insert ": *Provided*, That the Post Office Department shall report not less than once every 3 months to the Committees on Appropriations of the Senate and House of Representatives all substantial transportation changes, such report to include the total cost of the eliminated and replacement service for airline, truck, and railroad transportation."

Page 14, line 13, strike out "$1,000,000" and insert "$5,000,000."

Page 14, line 18, after "purposes" insert "of which not to exceed $4,000,000 shall be available for improved lighting, color, and ventilation for the specialized conditions in workroom areas."

Page 17, after line 9, insert:

"Not to exceed $50,000 of the fund available pursuant to section 409 of the Federal Civil Defense Act of 1950 (50 U. S. C. App. 2261), shall be available during the current fiscal year for administrative expenses necessary to carry out the functions, powers, duties, and authority of the Treasury Department under said section."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, may I address myself to a résumé of the Senate amendments.

AMENDMENT NO 1

This amendment, for clarity, adds the words "for information," making the phrase read: "and not to exceed $20,000 for rewards for information, as provided herein shall be paid in the discretion of the Postmaster General and accounted for solely on his certificate."

The $20,000 mentioned in this limitation is to provide funds for use in obtaining information concerning violations of postal laws looking toward the apprehension of criminals, and is most essential in criminal investigations. It is the same amount as has been provided for the past several years.

AMENDMENT NO. 2

This amendment reduces the amount approved by the House from $20 million by $508,900 to $19,491,100. In the bill as approved by the House funds were provided for an additional number of 150 inspectors at a cost of $1,526,700 in excess of the cost of inspectors for the current fiscal year. The Senate bill reduces the number to 100 additional inspectors at a cost of $1,017,800 in excess of the cost of inspectors for the current fiscal

year, a reduction below the House figure of $508,900.

AMENDMENTS NOS. 3 AND 4

These two amendments taken together clarify the purpose for which funds to improve administration and operations may, with the approval of the Bureau of the Budget, be transferred and made available to the Post Office Department, instead of only the two appropriation accounts of administration and operations.

AMENDMENT NO. 5

This amendment, suggested by the Senate, requires the Post Office Department to report not less than once every 3 months to the House and Senate Committees on Appropriations on all substantial transportation changes. This will permit the committees and their staffs to keep informed in this field.

AMENDMENTS NOS. 6 AND 7

These two amendments are to clarify the intent of section 206 and make certain that the funds intended and necessary to perform the work it is planned for the General Services Administration to do for the Post Office Department may be so used, providing that $4 million of the funds carried in the appropriation for facilities will be used for the purposes set out in the justifications appearing in the table on page 344 of the House hearings.

AMENDMENT NO. 8

This amendment although not included in the House version of the bill was included in the President's budget as submitted to the Congress. There was some thought at the time the bill was considered in the House that this item for Federal Civil Defense should be considered by another subcommittee of the Committee on Appropriations, but by the time the bill was considered by the Senate that doubt had been resolved and it was thought proper to place the item in this bill. The members of the committee agree with this.

In accordance with section 104 of the Reconstruction Finance Corporation Liquidation Act, all of the functions of the Reconstruction Finance Corporation under section 409 of the Federal Civil Defense Act were transferred to the Secretary of the Treasury on September 28, 1953. The Secretary of the Treasury is authorized to purchase securities or make loans to aid in financing projects for civil defense purposes upon certification by the Federal Civil Defense Administrator. At the close of fiscal year 1953, loans totaling $5,718,000 had been authorized, and $1,168,000 of this amount had been disbursed. All of the loans authorized have been to assist in financing the construction of hospitals.

It is estimated that loans totaling $1 million will be authorized in each of the fiscal years 1954 and 1955. On December 31, 1953, there were 15 applications for amounts totaling $15,700,000 being considered under this program. Administrative expenses are estimated at $50,000 for fiscal year 1955.

Mr. Speaker, may I also say with reference to an inquiry just propounded by the distinguished gentleman from Massachusetts [Mr. HESELTON], asking if there are any funds in the Post Office appropriations for the new fiscal year for the payment for commercial air transportation of military mail by the United States and foreign countries, the answer is in the negative. There are no funds for this purpose in this bill. The Post Office Department delivers mail to the various APO offices in our country, such as New York and San Francisco, and the responsibility from there on rests with the Defense Establishment.

Mr. Speaker, I am very proud of my subcommittee and the record it has made these last 2 years. Last year, you may recall, the House passed the Treasury-Post Office appropriation bill just as it was reported from our committee. It was so accepted by the Senate Committee on Appropriations and the Senate itself approved the bill without any change in any item or any dollar figure whatever. The bill went to the President without conference.

This year, as it is indicated in the proceedings today, the Senate made only one change in dollar figures, reducing the appropriations for the Post Office Department as passed by the House by $508,900. The other Senate amendments were in the nature of clarification excepting that which had to do with the RFC functions delegated to the Treasury Department in connection with the financing of hospital projects for civil defense purposes. This was a matter never considered by the House.

The Democratic members of our Subcommittee on Treasury-Post Office Appropriations, over which I am privileged to preside as chairman, are Representatives GARY, of Virginia; PASSMAN, of Louisiana; and SIEMINSKI, of New Jersey. Republican members are Representatives WILSON, of Indiana; JAMES, of Pennsylvania; and VURSELL, of Illinois. They make up a group of truly dedicated Congressmen and their handiwork speaks for itself.

In closing, may I also pay a most deserved tribute to our very worthy executive clerk, Mr. Robert E. Lambert, who has an extraordinary record of faithful service in congressional offices and committees on Capitol Hill for almost 35 years. The precedents our committee established in the last 2 years are due in no little part to Bob Lambert's day and night application to his assignment. All of us are very proud of him.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

REPUBLIC OF SOUTH KOREA

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, we supported South Korea with blood and treasure and proclaimed her President Synghman Rhee as one of the modern world's great patriots. Yet, of late, we have allowed ourselves to become disinterested, nay almost critical of our South Korean friends.

How did this come about? Is it that we are spread too thin, that we have to leave Korea to look after Indochina? Surely this is no way to build a solid basis on which to anchor strong Asiatic policy that can withstand communism.

In the days of her greatness as an empire, England always chose a strong friend and ally and then supported him to the fullest extent. We would do well to follow this example.

In President Rhee, we have a friend and a leader of his own people, who is strongly opposed to communism, who understands the West. Let us hold up his hands at this time and not quibble about unimportant differences that may play into the hands of our enemies.

There are some sweeping amendments to the Korean Constitution, four in number, that will do much to bring South Korea to a free enterprise system. They would enable private capital, under reasonable safeguards, to invest in and develop the vast resources of the country. They would also relieve the South Korean and American taxpayers of the vast burden they are now carrying. They would also fit in with our concept that the free enterprise system is best and that government should only take over when this free system has failed.

Let us be fair and admit that, perhaps through no fault of ours, we have not given South Korea much of an example of free enterprise at work. We have voted $200 million as a start for the rehabilitation of Korea but that is far from the amount that we propose to spend there. For a population of 20 million, whose average annual income is $60, these are pretty sizable sums. The money is being handled by a host of agencies, civil and military, with the usual alphabetical prefixes. I counted 48 of them but the number changes from day to day so that figure need not be taken too literally, though it is likely to be larger rather than smaller.

After I talked to Mr. Rhee, it was quite evident that he was baffled and confused by these many friends, in fact he implied that he thought they got in each other's way and were accomplishing very little. Here again, one is tempted to ask: Would it not be better to lend the money, at interest and ask for collateral—such as the tungsten mines of which South Korea has the biggest outside of the Iron Curtain—than spend it as we are? Here, once more, our lack of moderation does us much harm. One minute we give these friends of ours more than they want or need and the next we are annoyed at what we consider their lack of appreciation.

These 48, or more, agencies are under the Army, the United Nations and the United States civilian Government. Some are good, some indifferent, and some bad. The Koreans themselves believe that the Army, on the whole, has done the best job. This corresponds to my own observations both in Germany, Japan, and Korea. The Army seems better fitted to handle occupied foreign

lands than the civilian agencies. Also, the citizens of these occupied countries have the firm conviction that eventually the Army will go home. They are fearful that the civilians will be with them forever.

These amendments mentioned above have the support and approval of President Rhee, and that is another reason why, in these critical times, we must extend the hand of friendship and of help to him and his sorely beleaguered and discouraged people. We can uphold him and his country, or, through lack of understanding, we can let him disappear into the oblivion that so many of our friends have been allowed to go into. Let us not make this mistake again. Let us stop trying to save the weak and the mean, and help the strong man that with faith and conviction will help himself and us. Let us send a word of comfort and of cheer to these friends who are trying to withstand the flood of Communist oppression in Asia. Let us give them our whole-hearted friendships, ready to overlook slight differences, in the knowledge that our ultimate goal is the important thing, and that we can go down the road to ultimate victory, only if we stick together.

CAPITOL ROTUNDA ILLUMINATION PROCEEDINGS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 234 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the proceedings, held in the rotunda of the United States Capitol at the illumination of the new portion and dedication of the historic frieze, be printed, with appropriate illustrations, in such form and style as may be directed by the Joint Committee on Printing, as a House document; and that 5,000 copies be printed, of which 4,000 copies shall be for the use of the House of Representatives and 1,000 copies shall be for the use of the Senate.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. CURTIS of Missouri asked and was given permission to address the House tomorrow for 30 minutes, following any special orders heretofore entered.

DREDGE THE MERRIMACK TO STIMULATE INDUSTRY AND COMMERCE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, now that the giant St. Lawrence project is on its way, one that may well be of greater use to Canada than the United States, perhaps there is room to consider far less expensive river developments that will come to the aid of our labor-surplus areas.

The Merrimack is one of the two largest river valleys in Massachusetts. It is vital to the economy of New England.

While stupendous sums have been appropriated through the years to improve river systems throughout the Nation, close to nothing has been expended on the Merrimack.

Ever since the turn of the century, the people of this industrial valley have tried to secure some assistance from the Federal Government in order to make the broad river navigable.

Waterborne fuels and raw materials, transported directly and at low cost to the factories on the banks of the Merrimack, would do much to improve our competitive position.

We in northeastern Massachusetts are going through a difficult period of economic transition.

We must acquire growth industries to replace those that have migrated, or have gone out of business.

To attract these replacement industries, it is essential that we offer low-cost advantages, particularly in the field of transportation.

Many surveys of the Merrimack have been made. All the preliminary work has been done. Only the follow-through has been lacking to make the Merrimack efficiently serve the economy of this region.

We are making a modest but a necessary request at this time. Much as we need a complete program of river development to control floods, eliminate pollution, to provide for the improvement of forest reserves, recreational grounds, parks, highways, and the preservation of wildlife, we know that the Federal Government is opposed to helping New England on a scale comparable to that enjoyed by other regions.

We do believe, however, because we are a part of the Federal Union, that we are entitled to some consideration.

Especially when the small projects we request are indispensable to the economic rehabilitation of labor-surplus areas.

We are asking that the Merrimack River be dredged to a navigable depth, from Lawrence, Mass., to the sea, a distance of some 20 miles, so that coal and oil and raw materials that are not native to Massachusetts may be brought right to our factories at reasonable cost, as an inducement to new industries that we need to put our unemployed to work, and to reinvigorate productive activity throughout our communities.

Responsible local groups are doing much.

They cannot do all.

If the Federal Government refuses to provide auxiliary aid, within its authority and its capabilities, it is letting down one section of the Nation in favor of another.

The Tennessee Valley Authority, and now the St. Lawrence seaway, together with many other lesser developments, are huge in scope compared with the little that we ask.

If I may say so, our need is much greater.

It is the elementary necessity of creating jobs for the unemployed and customers for business.

We want a channel, so that barges and small tankers and shallow-draft vessels may be able to come from the Atlantic Ocean and travel the few extra miles to Lawrence, bringing the materials to feed industrial recovery and progress.

I have filed today the bill I ask you to support, which provides for dredging a short stretch of the Merrimack River, to make it navigable for the service of trade, commerce, and industry.

A moderate public investment by the United States that will reap substantial gains in terms of economic revival, and employment for displaced workers.

WHY SO MUCH SECRECY?

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, a week ago the chairman of the House Committee on Banking and Currency advised the members of that committee that on Friday, May 14, the former member of the committee who is now the Housing and Home Finance Administrator, Mr. Albert Cole, would appear before the committee to discuss the situation in FHA with regard to title I, home repair loans, and section 608, rental housing mortgages.

At that time, I stated the view that this matter should be investigated in public hearings before the House Banking Committee. During the discussion, when it became apparent that not only were Mr. Cole, others from his agency and from the Department of Justice to appear in sessions from which the public was to be excluded but also that no record was to be made of the proceedings, I protested this practice also.

On last Friday when the committee met in executive session, as announced in the usual fashion by a postcard bearing the name of the chairman, I moved that a transcript of the proceedings be kept. This motion was defeated by a rollcall vote.

Today I moved that the House Committee on Banking and Currency investigate the FHA in public hearings. My motion was defeated. I made these two motions because of my conviction that the FHA scandals are important public business and that the House of Representatives has a responsibility to the American people in this matter.

Frankly, I see how reasonable men can differ over whether or not such an investigation should be undertaken by our committee now, but I submit that there simply is not a valid reason for failing to maintain a stenographic transcript of the proceedings. Why should not a transcript have been maintained if only for the committee records?

STAR-CHAMBER PROCEEDINGS ON THE HOUSING BILL

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I shall adhere to the rule of the House and not refer to the specifics of what is being done in the executive sessions of the Committee on Banking and Currency of the House. I must, however, refer to its most unusual proceedings and how I hope to correct its precedent-shattering cloak of secrecy.

I am today introducing a resolution which will direct the Committee on Banking and Currency of the House to cease its star-chamber proceedings and to conduct public hearings with reference to the Housing Act, and to give particular attention to the scandals under title I, which has to do with home repairs and modernization and to mortgaging out under the other titles of the law.

It is extremely important that all of this information be given not only to this Congress but to the public.

I can understand the aversion to televising committee hearings, but we go to the other extreme when we conduct hearings of public importance behind closed doors.

The Democratic members of the committee who are urging open hearings and the taking of a transcript of everything told to the committee, have no desire to expose accusations nor even suspicions which are properly the subject of criminal investigations.

We do insist, however, upon the right of this Congress and upon the right of the American public to know the facts attendant upon these scandals and, more important, we insist that a complete record be made of these facts as the basis for appropriate amendments to the law.

The committee is being put in the ridiculous position of not being able to publicly discuss matters that are being presented to it which are neither confidential nor classified, nor of such a nature as to impede any criminal investigation. On Friday of last week we had submitted to us a memorandum of proposed amendments to the law, and today we received a second such memorandum. No transcript is taken as to why these amendments should be enacted, and no one who is interested in them is given an opportunity to criticize or defend them. The hands of committee members are tied by the rule of the executive session so that we can seek no outside information from any source with reference to these proposed amendments.

The charge, no doubt, will be made by the Republicans that the Democrats are seeking partisan advantage by this resolution, and by their demand for public hearings. The only implication of such a captious excuse is that the Republican Party and the Republican administration have something to hide.

We are genuinely interested in improving the law and bettering the administration thereof. That cannot be accomplished by the method now being pursued in this committee.

I say stop hiding the truth. Tear down the wall of secrecy. Close the star-chamber proceedings. Let there be light.

EXECUTIVE SESSIONS OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, unfortunately, because of the hearings of the Select Committee To Investigate Foundations of which I am the ranking member, I have been unable to attend the star-chamber proceedings of the Committee on Banking and Currency. In any event, if I do get an opportunity to attend them, I shall not bring the proceedings to the floor, but I should like to announce that since the proceedings of every executive session appear in the papers anyway, I do not intend to be bound by any rule of secrecy as to what goes on, off the floor.

EXECUTIVE SESSIONS OF HOUSE COMMITTEES

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, as everyone who has been in the House since I came here knows, I am in favor of congressional investigations. I have no doubt as to the authority of the Congress to make them—to require the executive departments to give information on any and all matters which may aid in writing legislation, on any matter which under the Constitution is not entrusted to the judicial or executive branch of the Government. But when we have in one of the executive departments a man like Mr. Cole, who served here in the House for so long with such ability and who is so efficiently directing the activities of one of those departments, I can see no reason why we should find fault, complain, or interfere, when he is doing a fine job.

Why do our Democratic colleagues complain just when one of the executive departments is showing a disposition to clean house and straighten things out—mop up a mess they left us?

Mr. Cole has as his assistant Mr. William F. McKenna, a young, able, courageous, determined individual who has demonstrated his ability and integrity when under pressure from politicians more than once. Mr. Cole and Mr. McKenna have in Lester P. Condon one of the best investigators who has served on the Hill in 20 years. If now, when the executive department which is concerned, and a committee of the other body is holding hearings are both on the job we will just sit on our hands, not try to duplicate the work already being done, we will not only save money, but the job will be done—and why should the Democrats complain? They are responsible for the bad conditions which exist—for those who profited unduly.

PROTECT AMERICA BY SAFEGUARDING AMERICAN INDUSTRY

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the current observance of World Trade Week has drawn to Washington an assortment of vociferous internationalists bent upon destroying America's protective barriers without regard to the welfare and security of the people of this Nation. Among this group are honest individuals who without question are sincere in their belief that the philosophy of free trade will eventually rebound to the best interests of the United States; unfortunately, however, the movement is spearheaded by greedy industrialists and investors whose sole purpose is self-aggrandizement, and by paid foreign agents who care for naught but the pieces of silver which are their own personal reward.

These groups have come to the Nation's Capital to promote the removal of the remaining constitutional and legislative trade safeguards. They are here to lobby for their own turnpike to greater wealth—and a road to ruin for thousands upon thousands of workingmen in every section of the country.

Typical of the international traders, one of the kickoff speakers at this week's convention has long ago admitted his affiliation as paid mouthpiece of the Venezuelan chambers of commerce. He conveniently asserts that United States fuel markets should be kept wide open for all the residual oil that comes from Venezuela's rich wells. As he spoke to the convention on Monday, thousands of American coal miners and railroad workers were actually foraging for food to sustain their families. These men are unemployed because the fuel which they produce is being undersold by the international profiteers who ship that oil from South America to coal's rightful markets in this country.

But the position of coal miners and railroad workers is not unique in the state of economic confusion that our absurd trade practices have created. Excessive imports have brought unemployment and destitution to workers in our glass industries, in our domestic oil industry, in textile, machine tools, wood and lumber, fish, bicycles, pottery, toys, confections, lace, watch, and in scores of other industries.

Today I speak for the men, women, and children who depend upon those industries for a livelihood. It is in their behalf that I have introduced H. R. 9178, which was conceived to return to Congress the powers originally assigned by the Constitution for the regulation of foreign commerce. The objective of my bill is to establish imports on a fair competitive basis by avoiding injury to domestic producers without impairing legitimate competition from friendly peoples in other lands.

Instead of using the tariff as an instrument of diplomacy or as a means of bargaining for concessions from other countries, H. R. 9178 would merely designate the security of our Nation and the welfare of our people as the primary standard under which foreign trade is to be regulated. In effect my bill is to assure the largest volume of imports that may be absorbed in this country without causing injury by imported goods.

I am happy to find that a number of my colleagues are introducing similar measures, but I would like to call your attention to one provision which I have included that has not necessarily been specified in all of the related legislative proposals. My bill provides for a 5-percent quota on residual fuel oil based on domestic demand in the corresponding quarter of the previous calendar year; it is the same provision which may be found in H. R. 2870, as filed by me in February 1953, and which later appeared in bills sponsored by numerous other Members of the House and Senate. Only by enactment of such a provision can this Congress remedy the distressed conditions that residual oil imports have created in our great coal-producing areas, and I ask the studied cooperation of my colleagues in bringing about this necessary relief to the men whose jobs are left in the wake of the tankers that have been assigned the mission of enriching selfish importers and their alien associates.

Mr. Speaker, let us also be realistic about the security of this Nation. As long as there is a possibility that another world conflagration may be set off by the tyrants in the Kremlin, we cannot in conscience gamble with our future by permitting our own vital industries to be dismantled in favor of increasing reliance on foreign producers. The very fact that Russia, in less than a decade, has risen from the shambles of a near-fatal battering to a status where she now presents a challenge to us is proof enough that our policies have not been sound. We shall remain generous with our friends wherever they may be, but under no condition should we permit further weakening of our industrial strength by those who persist in the promotion of nebulous theories in the direction of a never-never land—whether this support comes from world dreamers on cloud 18 or from those who seek added opulence through ocean routes.

H. R. 9178 is our protect America bill. It must be adopted for the safeguarding of this Nation's economy and security.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be permitted to sit during the session of the House today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE LATE MONSIGNOR WILLIAM A. TOOLEN, P. A.

Mr. McCORMACK. Mr. Speaker, on Sunday last a great priest and a great American, Rt. Rev. Msgr. William A. Toolen, P. A., vicar general of the archdiocese of Baltimore, passed on to his eternal reward. The entire life of Monsignor Toolen, brother of the Most Reverend Thomas J. Toolen, D. D., bishop of Mobile, Ala., was one of devoted service to God, to country, and to mankind.

It was the deep pleasure of Mrs. McCormack and myself for a number of years to enjoy and possess the close friendship of Monsignor Toolen and to be inspired by the nobility of his character. He was our dear and valued friend.

The noble, spiritual life of Monsignor Toolen was and always will be an example and inspiration for all to follow.

For over 50 years a priest—he gave during his entire life outstanding evidence of his love of God and of his law, as well as his love of country.

The son of the late Thomas and Mary Dowd Toolen, Monsignor Toolen was born on July 4, 1878.

After receiving his elementary education in the parochial school of Baltimore, and attending Loyola High School and Loyola College, he entered St. Mary's Seminary and was ordained to the priesthood on December 20, 1902. On July 15, 1927, Monsignor Toolen was appointed pastor of St. Edward's Parish in Baltimore; appointed a parish priest consultant on July 6, 1929; was made a domestic prelate by Pope Pius XII on June 5, 1939, and at a later date by His Holiness prothonotary apostolus, and at the time of his death also held the responsible assignment and position of vicar general of the archdiocese of Baltimore.

Highly respected, as he was, by persons of all races and creeds, Monsignor Toolen, youthful and buoyant as well as active to the end, led a most fruitful and contributing life as a priest and as a citizen.

The death of Monsignor Toolen is a great loss to the church, to State, and to country.

His death is also a great loss to his legion of friends and admirers.

But the noble attributes and fine things he symbolized as a great churchman and as a great citizen will live on forever.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maryland.

Mr. FALLON. Mr. Speaker, I pay tribute today to the late Right Reverend Monsignor William A. Toolen, P. A. V. G. Knowing him personally as I did, I speak with deep humility, for here truly was a great man. A personality of eminence, a man of great intelligence, sparkling wit of good humor, and widely recognized as a wonderful adviser for young priests, or anyone who came to him for counsel and direction, he will be remembered reverently by all of us who had the privilege of coming in contact with him.

A native Baltimorean, Monsignor Toolen came from a very highly respected Catholic family, and was one of two brothers who became priests. His brother, who survives him, is the Most Reverend Thomas J. Toolen, bishop of Mobile, Ala., and was one of my instructors during my schooldays.

Monsignor Toolen was most famous for his very wide acquaintances with bishops and priests throughout the country. He was a man distinguished for his hospitality. He was a great entertainer of other priests and bishops throughout the land. As a matter of fact, in some sense, he portrayed the tradition of the hospitality of Baltimore. He was once spoken of by a very prominent person as "Mr. Baltimore," and since has been affectionately referred to by this title by those who knew him well.

For many years Monsignor Toolen has been a member of the Archdiocese Consultors and Administrative Council, who are the immediate advisers of His Excellency the Most Reverend Francis P. Keough, D. D., archbishop of Baltimore. The archbishop himself has eulogized Monsignor Toolen on several occasions. He expressed his extreme grief and sense of personal loss, as well as loss to the archdiocese, when he learned of Monsignor Toolen's death.

Monsignor Toolen held the highest rank of monsignors in the church. He was one of three prothonotary apostolics in the Archdiocese of Baltimore, which accorded him the use of many of the vestments of a bishop. In addition, he was vicar general of the Archdiocese of Baltimore and ecclesiastical superior to the Bon Secours Sisters.

Under his outstanding leadership, his congregation flourished, and the present very magnificent Catholic church and school, St. Edwards Catholic Church of Baltimore, were erected by him. So far as I know, St. Edwards was his first and only pastorate. This beautiful edifice stands today as his contribution to the Catholic faith.

I shall not endeavor at this time to list all of the outstanding services rendered by Monsignor Toolen. No words that we can say today can add to his stature. He will be remembered lovingly for his understanding, great sympathy and human feeling for those who needed his help. In his death the people of the State of Maryland, and in Baltimore in particular, have lost a wise counselor, whose wonderful attitude and fatherly guidance brought health and hope to countless thousands. His memory will endure in the minds of all those who honor the clergy as a source of inspiration to guide them for years to come.

Mr. McCORMACK. I appreciate very much the splendid remarks made by my friend.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maryland.

Mr. GARMATZ. Mr. Speaker, I would like to join my colleague [Mr. McCORMACK] in paying tribute to Monsignor Toolen.

A native of Baltimore, Monsignor Toolen received his education there and served his 51 years as a priest in the same city, where he has been pastor of St. Edward's Church since 1927. He was one of three prothonotary apostolics in the archdiocese and as such, authorized to wear a bishop's miter and carry a crozier and to officiate at pontifical high mass.

In addition to his duties as a parish priest, Monsignor Toolen served as parish priest consultant, domestic prelate, ecclesiastical superior to the Bon Secours sisters in Baltimore, and as a member of the archdiocesan consultors and administrative council. Last November he was appointed vicar general of the archdiocese. The rank of prothonotary apostolic was conferred in March of 1953.

Monsignor Toolen's death will be deeply felt by all the people of Baltimore and I take this opportunity to extend my heartfelt sympathy to his brother, the Most Reverend Thomas J. Toolen, bishop of the diocese of Mobile, Ala., and to the members of his parish.

Mr. McCORMACK. I appreciate very much the remarks made by my friend.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maryland.

Mr. FRIEDEL. Mr. Speaker, I would like to join with my distinguished colleague, Mr. McCORMACK, of Massachusetts, along with my colleagues from Maryland, Mr. FALLON and Mr. GARMATZ, in paying tribute to the late Right Reverend Monsignor William A. Toolen, P. A. V. G., who passed away on Sunday, May 16.

Born in Baltimore, of a highly respected Catholic family, Monsignor Toolen received his education in the parochial schools of Baltimore, Loyola College, and St. Marys Seminary. Following his ordination at the age of 24, Monsignor Toolen was appointed to St. Edwards Church, which, under his guiding hand, has become the largest congregation in the city of Baltimore. It was his leadership which brought about the erection of the magnificent church which stands in Baltimore today, and I have considered it an honor and a privilege to serve as the representative in Congress from the district in which St. Edwards is located.

The passing of this man who has devoted his entire life to the service of God and his fellow man, will not only be mourned by the members of his own faith. He was loved by all who knew him, and the memory of his noble attributes, his kindness, generosity, and understanding will linger long with people of all faiths.

I would like to extend my heartfelt sympathy to Monsignor Toolen's brother, the Most Reverend Thomas J. Toolen, bishop of Mobile, and to all of the members of his parish.

Mr. McCORMACK. I appreciate the fine remarks of my distinguished friend.

HEARINGS OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE RELATIVE TO HEALTH PROBLEMS

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution, House Concurrent Resolution 213, from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Interstate and Foreign Commerce, House of Representatives, 1,500 additional copies of the hearings held by the said committee during the 83d Congress relative to health problems.

With the following committee amendment:

Line 4, after the word "copies", insert "each of parts 1, 2, 3, 4, and 5."

The committee amendment was agreed to.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

HEARINGS OF COMMITTEE ON UN-AMERICAN ACTIVITIES IN LOS ANGELES AREA

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Res. 449) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be printed for the use of the Committee on Un-American Activities 500 additional copies each of parts 1 and 2 of the hearings relative to the investigation of Communist activities in the Los Angeles area held before such committee during the 83d Congress, first session.

The resolution was agreed to, and a motion to reconsider was laid on the table.

HEARINGS OF COMMITTEE ON UN-AMERICAN ACTIVITIES ON COMMUNIST ACTIVITIES IN THE NEW YORK AREA

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Res. 444) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be printed 500 additional copies of parts 5, 6, 7, and 8 of the hearings of the Committee on Un-American Activities relative to Investigation of Communist Activities in the New York City Area; and 500 additional copies of parts 1 and 2 of the hearings of the Committee on Un-American Activities relative to Investigation of Communist Activities in the Los Angeles area, which hearings were held during the 83d Congress, 1st session. Such additional copies shall be delivered to the Committee on Un-American Activities.

With the following committee amendment:

Strike out all after the resolving clause and insert the following: "That there shall be printed for the use of the Committee on Un-American Activities 500 additional copies each of parts 5, 6, 7, and 8 of the hearings relative to investigation of Communist activities in the New York area held before such committee during the 83d Congress, 1st session."

The resolution was agreed to.

The title was amended so as to read: "To authorize the printing of additional copies of parts 5, 6, 7, and 8 of the hearings of the Committee on Un-American Activities relating to investigation of Communist activities in the New York area."

A motion to reconsider was laid on the table.

ORGANIZED COMMUNISM IN THE UNITED STATES

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Con. Res. 210) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 35,000 additional copies of the report entitled "Organized Communism in the United States"; and that 5,000 copies shall be for the use of the Committee on Un-American Activities and 30,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Un-American Activities.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

ANNUAL REPORT OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Res. 443) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be printed 4,000 additional copies of the report of the Committee on Un-American Activities entitled "Annual Report of the Committee on Un-American Activities for the Year 1953" (H. Rept. 1192, 83d Cong., 2d sess.), which shall be delivered to the Committee on Un-American Activities.

With the following committee amendment:

Strike out all of line 6 and line 7 and insert the following: "2,000 copies shall be for the use of the Committee on Un-American Activities and 2,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Un-American Activities."

The committee amendment was agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

COMPILATION OF VETERANS' LAWS

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Res. 33) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That a compilation of laws pertaining to veterans, enacted during the 83d Congress, to be prepared by the Committee on Veterans' Affairs, be printed as a House document, as a supplement to House Document 78 of the 82d Congress.

With the following committee amendment:

Line 2, strike out "83d Congress" and insert in lieu thereof "82d and the 83d Congresses."

The committee amendment was agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

ANNUAL REPORT OF THE BOARD OF ACTUARIES OF THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Res. 423) from the Committee on House Administration and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed as a House document the 31st and 32d Annual Reports of the Board of Actuaries of the Civil Service Retirement and Disability Fund for the fiscal years ended June 30, 1951, and June 30, 1952.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF HEARING BY COMMITTEE ON GOVERNMENT OPERATIONS

Mr. SCHENCK. Mr. Speaker, I offer a privileged resolution (H. Con. Res. 209) from the Committee on House Administration and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Government Operations of the House of Representatives 500 additional copies of parts 1 and 2 of the hearings held by the said committee during the 83d Congress, 1st session, relative to commercial- and industrial-type activities in the Federal Government, with, in part 1, a brief statement by the chairman of the full committee which was inadvertently omitted from the hearings.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PRIEST RAPIDS SITE ON COLUMBIA RIVER, WASH.

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 552.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7664) to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH], and now yield myself such time as I may use.

The SPEAKER. The gentleman from Colorado is recognized.

Mr. CHENOWETH. Mr. Speaker, this is an open rule providing for 1 hour of general debate, the time to be equally divided between the chairman of the Committee on Public Works and the ranking minority member.

This resolution makes in order the consideration of H. R. 7664, a bill providing for the development of the Priest Rapids site on the Columbia River, in the State of Washington, under a license issued pursuant to the Federal Power Act. The purpose of the legislation is to modify the authorization for the Priest Rapids Dam as contained in the Flood Control Act of 1950, and to permit the development of this site by Public Utility District No. 2 in Grant County, Wash. The construction costs, estimated at about $364 million, will be paid by the district, and the project constructed by the Army engineers. While the project has heretofore been authorized, no money has been appropriated and nothing further done.

It is my understanding that the local utility district will have 2 years in which to obtain authority from the Federal Power Commission to build this dam. If for any reason such permission is denied then the original authorization will stand and the project will revert to its original status. It seems that this public utility district wants this power and is anxious to proceed with construction at its own expense, rather than wait for the Government to build the same.

Mr. Speaker, I will not further discuss the details of the bill. It was introduced by the gentleman from Washington [Mr. HOLMES]. I am sure he and the members of the Public Works Committee will fully explain this legislation. I know of no opposition to the rule, or to the bill.

Mr. SMITH of Virginia. Mr. Speaker, there was so much confusion in the Chamber, I did not get which one of these resolutions the gentleman was calling up.

Mr. CHENOWETH. I am calling up House Resolution 552, which makes in order the bill (H. R. 7664) relating to the Priest Rapids site on the Columbia River, Wash. This is the bill that we considered yesterday in the Rules Committee relating to the public-utility district seeking permission from the Federal Power Commission to construct the dam.

Mr. SMITH of Virginia. Mr. Speaker, I do not think there is any opposition to the rule, but I wanted to ask the gentleman from Colorado, if it is in order, to dispose of the second rule before we take up consideration of either of the bills made in order by the two rules.

Mr. CHENOWETH. I may state to the gentleman from Virginia that it is the purpose to follow with the other bill immediately upon the consideration of this bill.

The SPEAKER. The gentleman's request is to have both rules considered before either bill is acted on?

Mr. SMITH of Virginia. Yes. I do not think there is any controversy over either rule.

The SPEAKER. The Chair will say that that would be possible if it is agreeable to the gentleman from Colorado.

Mr. SMITH of Virginia. I just want to say a word about this bill. I think it ought to be very interesting to the membership because it is an innovation in the matter of the creation of electric power. In this instance the community itself has formed a cooperative to develop this power at no expense to the Government and the community itself will pay for it. It will be a community project, which will relieve the Government of all expense of both the construction and operation of it. It is a highly desirable thing to try out and I very much hope it will pass and result in a successful project.

Mr. Speaker, I have no further requests for time on this side.

Mr. CHENOWETH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

COUGAR DAM AND RESERVOIR ON THE SOUTH FORK, McKENZIE RIVER, OREG.

Mr. CHENOWETH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 551 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall

be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. CHENOWETH. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH]. I now yield myself such time as I may require.

Mr. Speaker, this is an open rule providing for 1 hour of general debate, the time to be equally divided between the chairman of the Committee on Public Works and the ranking minority member.

This resolution makes in order the consideration of H. R. 7815, a bill to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.

The bill was introduced by our colleague from Oregon [Mr. ELLSWORTH], who represents the district in which this project is located.

This project has been heretofore authorized for flood control, navigation, and irrigation purposes. However, no funds have been appropriated and actual construction has not yet started. The original authorization did not provide for power-generating facilities. The city of Eugene, Oreg., is now anxious to undertake the construction of the power facilities with its own funds. The operation and maintenance of the power facilities will be at the expense of the city, and the city will also contribute to the cost of the dam. I will not go into further details at this time. The bill will be fully explained by the members of the Committee on Public Works.

Mr. Speaker, there is no opposition to this rule, so far as I am aware. Everyone seems to be agreed that this is a good bill and that it should be passed.

Mr. SMITH of Virginia. Mr. Speaker, the resolution making this bill in order is similar to the one just adopted. This project is being erected by the city of Eugene, Oreg., rather than by a cooperative. What I said with respect to the previous resolution is applicable to this one. In my opinion, it is a splendid idea to try out in order to see how it works. It may save the Government eventually many millions of dollars. I hope that the resolution will be adopted and that the bill will be passed.

Mr. CHENOWETH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PRIEST RAPIDS SITE ON THE COLUMBIA RIVER, WASH.

Mr. DONDERO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7664) to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7664, with Mr. CANFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DONDERO. Mr. Chairman, this bill was introduced by our colleague the gentleman from Washington [Mr. HOLMES] and he is very familiar with the bill before us today. I therefore yield him 5 minutes.

Mr. HOLMES. Mr. Chairman, H. R. 7664 was introduced by me and has had thorough and complete hearings before the Committee on Public Works. I wish to outline in 4 or 5 points the important matter attached to the legislation.

First, the purpose of this bill is to modify the authorization of the Priest Rapids dam site on the Columbia River as contained in the Flood Control Act of 1950. The bill is not asking for authorization of a new project but merely the modification of the authorization of a project which has been already authorized under the Flood Control Act of 1950.

Secondly, the bill requests this modification of authorization because certain local interests, and possibly groups of local interests, want the opportunity to see if they cannot build the project themselves, this in face of the fact that it does not appear that the Federal Government will initiate construction on the Priest Rapids dam site in the immediate future.

Thirdly, the modification of the authorization is temporary in nature, as the bill sets a limit of 2 years for the groups to apply for a license under FPC and a reasonable period of time for the FPC to rule on the license.

The fourth point I wish to emphasize, if the license is not granted in that period of time, the authorization returns to its present position under the jurisdiction of the Army engineers and the Flood Control Act of 1950.

Fifthly, the legislation requests no money from the Federal Government. It merely seeks an opportunity during the limited period of time to see if the local public utility districts or the State power commission or any eligible applicant under the State laws of Washington for a license from FPC can build it.

And last but not least, departmental reports are all favorable and there is no objection on the part of the budget. As far as I know, there is no objection to the passage of the legislation.

Mr. Chairman, having introduced the legislation, and it being of vital importance to our area, I naturally ask and hope that the legislation do pass.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I urge the members of this Committee to approve this proposed legislation.

I have more than a passing interest in it. The project which it would authorize is in my State, and I introduced the companion bill, H. R. 7665, which is identical with the one we are considering here today, H. R. 7664.

The reason that I am behind this Priest Rapids bill is that we in the Pacific Northwest are short of power. We have a shortage today and we will have a greater shortage tomorrow.

While several Federal hydroelectric projects are building in the Northwest, they will fall far short of meeting our needs. Every authority that I know of is agreed on that.

Recognizing this crisis—and it is a real crisis for a growing community—local public agencies have come forward with this plan to help to meet it. If they are successful—if the Congress sees fit to give them the opportunity—they and the Congress will have made an enormous contribution toward meeting the power needs of the Northwest.

For this project would generate 1,219,000 kilowatts of energy, with an ultimate output of 1,590,000 kilowatts.

These local agencies, which are nonprofit in nature, stand ready to do this job without one dollar of Federal money. They have assurances from responsible financial houses that they can do it through the issuance of revenue bonds, in the private financial markets, and they are ready and eager to undertake it. I believe they should be offered that opportunity.

You know that this Priest Rapids project is part of the comprehensive plan of development of the Columbia River system. The site lies in the south central part of the State of Washington, on the Columbia itself, downriver from Chief Joseph and upriver from McNary, two dams now under Federal construction. Priest Rapids, incidentally, would produce somewhat more power than either Chief Joe or McNary. So it is a major link in the Columbia chain of dams.

Priest Rapids presently is authorized for construction by the Army engineers, under terms of the Flood Control Act of 1950. However, I think you will agree that there are no funds in sight for an early Federal start on this site, and we in the Northwest feel that we must not wait.

We cannot sit idly by and watch our growth grind to a halt for lack of will and courage to do something about it. These local people have that will and that courage, and I am confident this Committee will be glad to give them its blessing—particularly so when that blessing need not be accompanied by an appropriation.

If for any reason the local sponsors should not be able to go ahead with this project after receiving authorization—if the Federal Power Commission should disapprove their plans, if financing should prove not to be feasible—if for any reason they cannot go ahead, construction authority would revert to the Army engineers.

In other words, this is not a complete deauthorization which is being proposed, but only a modification. The local spon-

sors must meet certain conditions, as set forth in this bill, or the authorization granted the Engineers in 1950 by the Congress again will become effective. Things would revert to the status quo.

The Army engineers would hold a strong measure of control over the operation of the project. That is set forth in section 6 of the bill, which says:

> The operation and maintenance of a project under license pursuant to this act shall be subject to reasonable rules and regulations by the Secretary of the Army in the interest of flood control and navigation.

The bill stipulates that the license may provide for the addition of flood-control and navigation features by the Army engineers, either at the time of the initial construction or at any future time. Such additions would be subject to authorization and appropriations by the Congress, as you know.

However, the local sponsors are required, under the terms of this bill, to build in the basic features for flood control and navigation at their own expense if flood control and navigation are not provided for at the time of initial construction. This will mean considerable additional expense for the licensee, involving, as it does, a broader base for the dam to support greater height which might be added later for flood-control purposes, and also certain basic navigational features. These latter would be in the nature of a portion of the lock walls or other provisions through the dam, with any necessary temporary bulkhead, to simplify as much as possible the subsequent breaching of the dam for navigation purposes.

The Public Works Committee and its Subcommittee on Flood Control have worked very hard on this piece of proposed legislation, together with the gentleman from Washington [Mr. HOLMES] and myself and representatives of the prospective licensee. Several hearings were held and all facets of the proposal studied very carefully.

As a result—and I wish to compliment both the full committee and the subcommittee for what I think is an excellent result—I believe that the bill offers every necessary safeguard for the public interest.

You will note that the licensee will be required to develop the full capacity of the site for complete utilization of the resource for all purposes. It must satisfy the Federal Power Commission that its plan will do this or it cannot receive its license.

The Army engineers will review the plans when they are complete and make such recommendations as it sees fit to the Federal Power Commission if the engineers believe that modification in any respect is indicated or desirable.

The engineers will direct the operation of the project, as I have said, with respect to flood control and navigation.

Finally, this bill offers the people of the Northwest a chance to develop themselves some of the electric energy which they need so badly.

I urge the committee to approve this bill.

Mr. DONDERO. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MACK], who as chairman of the Subcommittee on Flood Control of the Committee on Public Works of the House conducted the hearings on this bill.

Mr. MACK of Washington. Mr. Chairman, Congress, in 1950, authorized the construction by the Federal Government of a huge flood-control-navigation and power dam at a site on the Columbia River in eastern Washington called Priest Rapids.

The plans of the United States engineers show that this dam, when completed, will be approximately 150 feet high and more than 2 miles in length. This proposed Priest Rapids Dam, the United States Army engineers say, will have an installed capacity of 1,200,000 kilovolts when initially placed in operation and later, according to the plans for it, will be expanded to 1,500,000 kilovolts of installed capacity. In short, this Priest Rapids Dam will be the second largest of the great hydroelectric dams being built on the Columbia River. It will be exceeded in power production capacity only by the Grand Coulee Dam which has an installed capacity of about 2 million kilovolts.

The proposed Priest Rapids Dam will produce about three times as much electricity as the huge Bonneville Dam now does. From these figures House Members can realize the Priest Rapids Dam, under consideration here today, is a huge undertaking.

The United States Army engineers estimate the cost of constructing this mighty power producing Priest Rapids Dam at $364 million.

If the Federal Government builds this dam every dollar of the $364 million it will cost to construct must be advanced by the Federal Government. The $364 million will become a part of the present $275 billion national debt, since the Federal Government will have to borrow the money to construct this dam if the Federal Government builds it.

Also, if the Federal Government builds this dam, the Federal Government, then, must build power lines to transport the power generated at the Priest Rapids Dam site to the power-consuming centers of the region. Building the power lines and substations required to wheel the power generated by this dam to consuming centers will cost the Federal Government additional millions of dollars which also will become part of the huge national debt.

Of course, the Federal Government will get back the money invested in this dam and its power facilities through the sale of the power from the dam, but 50 years will be required for the Federal Government, through the sale of power, to recapture its investment of more than $364 million in this project.

During recent months public-power agencies of the State of Washington came before the committee of which I have the honor to be chairman, and asked for legislation that would permit public-power companies to finance and build this dam.

These public-power agencies testified to our committee that their officials had contacted responsible bankers and investment institutions and had been assured that if a public-power agency of the State of Washington can obtain a license to build the Priest Rapids Dam that these bankers will finance the project through the sale of revenue bonds to the Nation's private investors.

If a publicly owned utility in the State of Washington is granted a license to build this project, that public utility will build and finance this entire dam project without any cost, or at most very little cost, to the Federal Government.

The Washington State Members of Congress, both Republicans and Democrats, are unanimously agreed that this is a good project for both our State and for the Nation.

There are three Washington public agencies which are competing to obtain the right or the license to build this project.

One of these competing agencies is the Washington State Power Commission, the second is operating agency No. 1, and the third competitor is the Grant County Public Utility District.

Grant County is the county in which the dam, when built, will be located.

The State power commission is a State agency organized to produce power for sale to all the people of the State. It is a wholly publicly owned agency.

Operating agency No. 1, which is one of the competitors for the license, is composed of 21 county-wide public utility or municipal public power organizations, all of which are now and for some years have been in the business of distributing and selling power. These 21 agencies now serve areas having a total population of about 500,000 people.

Each of the 3 agencies which are competing for the license to build this dam is a competent organized agency. If this bill is enacted it will be up to the Federal Power Commission to decide which of these 3 agencies is best qualified to build and operate this huge dam.

The agency which, if this bill is enacted, obtains the license to build the Priest Rapids Dam will be required by the Federal Power Commission to guarantee that the licensee will, first develop the maximum power potentialities of the site; second, develop the site in conformity with the overall plans for the whole Columbia Basin water development; third, conform to specifications imposed by United States Army engineers in the interest of navigation and flood control; and, fourth, to assure that the power developed at the site will be fairly and equitably distributed to all power consumers of the State of Washington and nearby States.

The passage of this bill is necessary in order to make it possible for these 3 public power utilities in the State of Washington to have the right to go before the Federal Power Commission and seek a license to build this dam.

Priest Rapids Dam is now a Federal authorized project. No one except the United States Army engineers can be permitted to build this dam as long as the present authorization limiting construction of it to the United States Army engineers is in effect.

This bill merely temporarily, for a period of 2 years, suspends the Federal

authorization so that the State of Washington public power utilities can go, during those 2 years, before the Federal Power Commission, and seek a license to build the dam.

If the license is not granted to any 1 of the 3 Washington State public utilities who would like to have license to build this dam, then the authorization returns, after 2 years, to its present status, and the United States Army engineers then can, when funds are available, go ahead and build the dam, just as if this bill never had been passed.

This is an important and an historic bill. It is historic because it is the first bill to come before Congress to implement and set in motion President Eisenhower's partnership plan for hastening the hydroelectric power, flood control, navigation, and reclamation developments of our river valleys.

General Eisenhower, both before his election and after his inauguration, told the Congress and the country that wherever possible partnership arrangements should be entered into between the Federal Government, the States, subdivisions of the States, and private enterprise to hasten the development of the resources of our river valleys.

Administration statements said that wherever possible local agencies should undertake hydroelectric projects and that the Federal Government would assist wherever and in whatever way it could.

The complete development of the hydroelectric potentials of the Nation will cost many billions of dollars. All agencies, local as well as Federal, must cooperate to hasten these developments, for each new kilowatt of power generated on our rivers increases and expands the productivity of the Nation. It is upon this productivity that the Nation's prosperity in peace and power in war depends.

The enactment of this bill means much to employment and prosperity in the Pacific Northwest.

The passage of this legislation, I believe, will result in the construction of Priest Rapids Dam being started within a year or 2 years at most. I believe that, under the terms of this bill, Priest Rapids Dam, with its 1,500,000 kilovolts of installed capacity, can be in production by 1961 or 1962.

If in addition to the building of Priest Rapids Dam by a Washington State public-power organization, the Federal Government can get Libby Dam started soon, these two dams can take care of the Pacific Northwest's power needs until 1965 or 1966.

Secretary of Interior McKay and the Secretary of the Army both have indicated they favor a Federal start on the Libby Dam at an early date.

At the present time three large new dams are under construction: McNary, Chief Joseph, and the Dalles. These three dams, when completed, will have a generating capacity of about 3 million kilovolts. Completion of these three dams during the next 6 years will add about 500,000 additional kilovolts of power to the Pacific Northwest each year for the next 6 years. Oregon and Washington, which are two of the fastest-growing States in the Union, require about 500,000 kilovolts of additional new power each year to keep pace with the expanding economic needs of the region.

McNary, Chief Joseph, and the Dalles Dams, now building, can supply the power needs of the region until 1960. Priest Rapids and Libby, if started within the next 2 years, can supply the region's needs from 1960 until 1966.

Meanwhile, some smaller dams, like the 35,000 kilovolt one proposed by Eugene, Oreg., for the Cougar location on the McKenzie River, will help swell the region's supply of power.

The gentleman from Washington [Mr. HOLMES], the author of this bill, deserves the congratulations of the Congress upon the tremendous and thorough job he has done in presenting the case for this forward-looking and progressive legislation to the Congress.

The Holmes bill, I am certain, will become the model in future years, after which many other bills that seek to hasten the Nation's development of its hydroelectric power will be fashioned.

I yield to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. I just wish to make one point clear. I believe the gentleman made it clear, but I was not quite sure at that point if I understood it correctly, but the passage of this legislation will require guaranties that the comprehensive plan for the development of the river will not be interfered with. That is true, is it not?

Mr. MACK of Washington. That is correct. Construction plans will have to be acceptable to the United States Army engineers.

Mr. PRIEST. May I say to the distinguished gentleman, I believe it is a good piece of legislation and should be approved.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman referred to the plan being acceptable to the United States Army engineers.

Mr. MACK of Washington. Yes; this legislation has the approval of the United States Army Corps of Engineers, the Budget Bureau, and the Department of the Interior.

Mr. McCORMACK. I am referring to the Army engineers and to their service. Coming from a district where the Army engineers do very little of their work since I have the honor to represent a city district, I want to make the observation that I have watched the Army engineers throughout the years, and it is certainly one of the finest organizations that the Government has. Their officers and men, the whole division, as a matter of fact, renders excellent service to all parts of the country, and so far as I have been able to observe, they enjoy an excellent reputation everywhere throughout the entire country. Would the gentleman agree with that?

Mr. MACK of Washington. I agree with my friend the gentleman from Massachusetts, that the Corps of Army Engineers is the ablest and best of the bureaus that come before our Committee on Public Works.

Mr. McCORMACK. And with reference to construction work, particularly in connection with defense, the Department of Defense would be using wise judgment if they did not try to curtail the activities of the United States Corps of Army Engineers.

Mr. MACK of Washington. I agree with my friend completely. There is no finer organization in the entire Federal setup than the Corps of United States Army Engineers.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, of course, it always pleases me very much to note the progress made in rivers and harbors development in this country. When we develop our rivers and harbors, we begin to use otherwise unused resources of our Nation, and we add to its wealth and its potentialities and possibilities as a civilized country. I am glad to join in supporting this legislation.

Mr. Chairman, I rise for another purpose. I rise to invite the Members of the House of Representatives and of the other body also to attend the 41st annual convention meeting of the National Rivers and Harbors Congress, which is going to be held beginning on Monday, Tuesday, and Wednesday of this coming week, the 24th, 25th, and 26th at the Mayflower Hotel in the city of Washington.

We have arranged for a very fine and a very comprehensive program covering the rivers and harbors and flood-control needs of the United States, covering the west coast, the east coast, the North, the South, and all sections of the country. I believe every Member of Congress will be interested in this program.

On the 25th the program is highlighted by the appearance of the President of the United States, by an address by General Sturgis, Chief of the Army Engineers, by appearances of two Cabinet officers touching on reclamation and conservation of all water resources in the United States.

I think it will be a very interesting and a very constructive program, and I hope every Member of the House who is able to get away in the 3-day period will take time out and participate in those activities.

Mr. FALLON. Mr. Chairman, I have no further requests for time, so I yield back the balance of the time on this side to my distinguished chairman.

Mr. DONDERO. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. ANGELL], who is very familiar with this project and the area.

Mr. ANGELL. Mr. Chairman, as a member of the Public Works Committee and chairman of the Subcommittee on Rivers and Harbors I have had the opportunity to sit in on all the hearings on this project as well as all the other projects that have come before our committee. We have examined in my committee alone some 95 projects during this Congress.

This project, in my judgment, is one of the most essential projects in the whole area. It is a major project and involves the construction of a large dam which will produce an immense amount of hydroelectric power; as a matter of fact, 1,219,000 kilowatts initially, and ultimately 1,590,000 kilowatts. It plows new ground in that not $1 is required from the Federal Government for the construction of the plant.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. ANGELL. I shall be very glad to yield to the chairman.

Mr. DONDERO. I thought I heard the statement made here on the floor today that this dam is 2 miles long; is that correct?

Mr. ANGELL. That is correct. It is an immense dam; it is one of the major dams on the Columbia River; and, as has already been pointed out, it is already authorized as a Federal project. The State of Washington through the public utility districts which are recognized bodies under the State law, has come in and asked the Federal Government to give them a period of 2 years in which to apply for a license to the Federal Power Commission to construct this dam at their own expense without one single dollar from the Federal Government.

The dam, of course, will be constructed according to the plans of the Corps of Engineers, a comprehensive plan to develop the Columbia River which was adopted several years ago, as provided in this Report No. 308. So every feature of this project, according to my way of thinking, protects the Federal interest, the public interest, and at the same time provides local interests the opportunity to use local capital for the building of one of these projects.

Our history shows that we need at least 500,000 new kilowatts each year to take care of the increased demand in that area for electric power. As you know, we have immense installations for the production of aluminum, for atomic energy, and for various Federal projects which in both peace and war require large blocks of hydroelectric power. The Columbia River is the greatest river in the United States, perhaps in the world, in a civilized area for the production of hydroelectric power, having 40 to 50 percent of the potential hydropower in the United States, of which only 13 percent is developed thus far.

Heretofore production of power in that area has been largely under Federal control. It is felt by a great many that the time has arrived when the Federal Government should allow local communities, States, and municipalities and other local interests to provide for the development of some of these great hydroelectric projects at their own expense, and this is one. As I say it plows new ground, it starts out on a new program which gives permission to local interests to provide the money to erect one of these great projects, and at the same time the public interests in every way are protected.

I hope it will pass the House unanimously, as it passed our committee.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Chairman, I want to join my colleagues from Oregon and Washington in support of the project as covered by the pending bill.

As has been pointed out, there is a definite need for more power in the Pacific Northwest. While we do have several dams under construction at the present time that will be putting power on the line, nevertheless, they will not be sufficient at a forseeable future date.

This project is one of the answers to the problem which we have at hand. There is no cost to the Federal Government whatsoever in the proposal here today and those of my brethren from the East who have been complaining of the large appropriations for the development of the Pacific Northwest, need not complain on this particular legislation.

One word which I think could be well said, and that is that we all want to pay our compliment to Congressman HAL HOLMES for the fine work he has done on the Priest Rapids proposals. I personally know that he has worked long and hard to get this bill to the floor and due credit should be given to him.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Flood Control Act of 1950 (64 Stat. 170, 179), insofar as it adopted and authorized to be prosecuted the Priest Rapids Dam on the Columbia River, Wash., substantially in accordance with the plans recommended in the report of the Chief of Engineers dated June 28, 1949, contained in House Document No. 531, 81st Congress, second session, is hereby modified to permit the development of the Priest Rapids site by Public Utility District No. 2, of Grant County, Wash., or such district or its successor in combination with such other utilities as it may legally affiliate with or by any division, subdivision, agency, or commission of the State of Washington of which it may be a member under and in accordance with the terms and conditions of a license duly issued pursuant to the Federal Power Act and in accordance with this act.

With the following committee amendment:

Page 2, line 5, strike out "of which it may be a member."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. The Priest Rapids Reservoir site shall be developed to utilize the optimum capabilities of the site as a part of the comprehensive plan for economically feasible control and utilization of the water resources for flood control, navigation, power, and other beneficial purposes. Before a license is issued, an applicant for a license shall submit a report on the details of its plans for development to the Federal Power Commission with particular reference to the integration of the proposed Priest Rapids development as a part of the comprehensive plan.

SEC. 3. The Department of the Army shall review any plans submitted to the Federal Power Commission for the purpose of acquiring a license to develop the Priest Rapids site or any other site in connection therewith and shall make recommendations with respect to such plans to the Commission with particular regard to flood control and navigation.

SEC. 4. The license may provide for the addition of navigation locks and flood-control features by the Department of the Army at Federal expense, either as a part of the initial construction or at a later date. In the event that nonpower features are to be provided as part of the initial construction, an allocation of costs to such features shall be approved by the Federal Power Commission taking into consideration recommendations by the Department of the Army and licensee, and funds to cover such costs may be appropriated and may be transferred by the Chief of Engineers to the licensee. If such navigation and flood-control facilities are not provided initially the licensee shall provide at its own expense the basic features for future installation of navigation and flood-control facilities.

SEC. 5. Upon request by the licensee the Corps of Engineers under direction of the Secretary of the Army shall be authorized to receive contributed funds and act as constructing agency for part or all of the project, including acquisition of lands, easements, rights-of-way, or other interest in land in accordance with Federal laws and procedures governing flood-control projects and subsequent conveyance thereof to the licensee.

SEC. 6. The operation and maintenance of a project under license pursuant to this act shall be subject to reasonable rules and regulations by the Secretary of the Army in the interest of flood control and navigation.

SEC. 7. If an application for a preliminary permit for a license under the Federal Power Act to authorize the development of the Priest Rapids site is not prosecuted with reasonable diligence before the Federal Power Commission and in any event if the license application is not filed with the Federal Power Commission prior to the date which is 2 years after the date of the enactment of this act, the provisions of this act shall not be effective after such date and the authorization for the development of the Priest Rapids site contained in the Flood Control Act of 1950 shall have the same status it would have had if this act had not been enacted. In the event an application for a license is made and denied by the Federal Power Commission, or if construction under a license is not carried out in a reasonable period of time as determined by the Federal Power Commission, the authorization in the Flood Control Act of 1950 will have the same status it would have had if this act had not been enacted. Notwithstanding any other provision of law, the Federal Power Commission shall act, on any such application filed with it prior to such date, within 1 year after the date on which such application is filed.

With the following committee amendment:

Page 3, line 24, after the word "navigation." insert "To assure that there shall be no discrimination between States in the area served by the project, such license shall provide that the licensee shall offer a reasonable portion of the power capacity and a reasonable portion of the power output of the project for sale within the economic market area in neighboring States and shall cooperate with agencies in such States to insure compliance with this requirement: *Provided*, That in the event of disagreement between the licensee and the power marketing agencies (public or private) in any of the other States within the economic market area, the Federal Power Commission may determine and fix the applicable portion of power capacity and power output to be made available hereunder and the terms applicable thereto."

Mr. ANGELL. Mr. Speaker, I rise in favor of the committee amendment.

Mr. Chairman, I neglected to say previously that the amendment just read was proposed by me in the interest of protecting the users of hydroelectric power in all areas regardless of State lines. Under the amendment just read it is provided that if the licensee and those who are interested in power cannot agree the Federal Power Commission will have the final decision so that the power will be distributed equitably throughout the areas as is now the case under Federal procedure.

Mr. MACK of Washington. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Washington.

Mr. MACK of Washington. May I say to the gentleman from Oregon that as chairman of the subcommittee on flood control I talked to the Governor of the State of Washington, to the chairman of the power commission of the State of Washington, to the head officials of Operating Agency No. 1, which wants the license, and also to Grant County officials, and they all assured me that the State of Washington does not want to hog this power. Washington officials want the adjacent States to secure a fair and equitable share of the power developed by this dam. Therefore all of these agencies were in favor of the amendment of the gentleman from Oregon and accepted by the Public Works Committee.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Michigan.

Mr. DONDERO. Mr. Chairman, may I say to the gentleman from Oregon [Mr. ANGELL], and to the Members of the House that the House does not have a Member who is more diligent in protecting the interests of his people than is the gentleman from Oregon [Mr. ANGELL].

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CANFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7664) to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act, pursuant to House resolution 552, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

LEGISLATIVE-JUDICIARY APPROPRIATION BILL, 1955

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 555, Rept. No. 1624), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9203) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes, and all points of order against said bill or any provisions contained in said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COUGAR DAM AND RESERVOIR ON THE SOUTH FORK McKENZIE RIVER, OREG.

Mr. DONDERO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7815, with Mr. CANFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DONDERO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this bill was reported unanimously by the Subcommittee on Flood Control of the House Committee on Public Works and reported unanimously by the full committee. The bill was introduced by our colleague the gentleman from Oregon [Mr. ELLSWORTH], who is very familiar with the facts and the details involved in the bill. I yield 8 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, this is a much smaller bill than the one previously considered. I will explain the bill and its purposes briefly.

Mr. Chairman, several years ago under the Flood Control Act of 1936 there was authorized the construction on the McKenzie River, in Oregon, of a flood-control dam which is to be a part of the great Willamette Valley flood-control system; one of several dams in that system. When this authorization was made, the project was not authorized for anything but flood control; in other words, the authorization now standing is for a dam for flood control only. It happens, however, that the present location of the Cougar Dam as determined by the Army engineers does provide a site where power could be generated in connection with the flood-control work of this dam. It happens also that the city of Eugene owns and operates its electric utility system, and has done so for some 40 years. The source of the power that the city of Eugene supplies through its system on the McKenzie River, that is, one of its dams, is not far from the proposed Cougar Dam which is mentioned in this bill.

The city of Eugene Water and Electric Board needs an additional supply of electrical energy. If it fails to receive permission to provide generating facilities in the Cougar Dam, it can build another dam of its own, but there would be serious economic waste if that were done; waste in two ways. First of all, a second dam would have to be built on the McKenzie River somewhere near the flood-control dam, and secondly, the Eugene Water and Electric Board's transmission line is near the site of this dam. If the Federal Government put power into the dam, the Federal Government would have to spend about $1.6 million and build 52 miles of transmission lines. The Eugene Water and Electric Board's line would parallel such Federal transmission line down to the center of population. So, the city of Eugene during the past year and a half has been working on a plan which is now presented to us in the form of this bill, a plan to join with the Federal Government in the construction and in the operation of the Cougar flood-control project dam.

What is proposed is that the city of Eugene will pay the additional money required to raise the height of the dam to make it a suitable dam for the production of power. The city of Eugene will then build a reregulating dam below and will, of course, pay for the generators and the installation of them.

This accomplishes one other great benefit with reference to this project. The Government, if it is compelled to install the power facilities, will not only have to borrow some ten or twelve million dollars more money and put that much more money into the project, but the Government's plan contemplates the generation of only 25,000 kilowatts. The city, needing a greater supply of power, will put in the regulating dam and higher generating capacity, so that the project will furnish under the city of Eugene plan 40 percent more power than the dam would otherwise provide.

This bill authorizes the Cougar project, now a flood-control project, as a multiple-purpose dam, which means that the engineers are authorized to build it for the inclusion of power. It also provides that the United States Government, through the Department of Defense and the Corps of Army Engineers, may make a contract with the city of Eugene to reimburse the Government for all of the facilities chargeable to power;

and, in addition—and this makes it an unusually good deal for the Federal Government—the city of Eugene will pay to the Federal Government toward the flood-control portion of the dam some $500,000. The city of Eugene will pay for all of the operation of the dam having to do with the power portion of it, and, in addition, the city of Eugene will pay toward the operation of the dam—and this is in addition to the $500,000 in cash toward construction—$22,000 a year toward its general operation.

This project has had the personal endorsement of the President of the United States. I should like to read a part of the statement made by President Eisenhower in a release to the press by the White House on February 10. At that time the President said in his statement:

> This program when carried to a successful conclusion gives the local people a responsibility in this important development work. It is a true partnership and conforms to the power policy of this administration. Legislation has been introduced by Senator CORDON and Congressman ELLSWORTH to carry this policy into effect.

His reference is to this specific bill, H. R. 7815.

The Bureau of the Budget in its report said:

> The Bureau of the Budget favors the enactment of H. R. 7815.

The Department of the Interior said in its report to the committee:

> We favor the enactment of this bill.

The Department of the Army in its report to the committee said:

> The provisions of H. R. 7815 provide a satisfactory basis for cooperative development of the project and this Department favors the enactment of this bill into law.

Mr. Chairman, one further word. When the bill was in hearing in the committee, the chairman of the subcommittee, our colleague, the gentleman from Washington [Mr. MACK], toward the conclusion of the hearings said:

> Mr. MACK. The President of the United States endorses this project. The Governor of Oregon favors it. The Bureau of the Budget recommended it. The Army engineers recommend it. The Federal Power Commission recommends it. The Grange is in favor of it. The public power people are for it and the private power people are for it. It does not seem, from the testimony before the committee, that there is any opposition to this proposed legislation.

Mr. Chairman, I certainly urge the passage of this bill.

Mr. SMITH of Mississippi. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this bill and the bill just passed were adopted unanimously in our committee. I think the record should be made clear, however, that these bills should not be regarded as establishing a precedent for this method of handling river basin development. The committee unanimously approved these bills because of the urgency involved in getting power requirements for the area, but it is felt by a portion of the membership of the committee, at least, that this would not be the sound way to approach river basin development for all the country. If we did accept this piecemeal method as the only means of developing our river basins in the country, we would very likely not achieve any of the valuable development which has been so far achieved in the great Columbia Valley, the Missouri Valley, the Mississippi Valley, and some of the other great river basin areas of the country.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, this is another bill which in my judgment should be passed. It came out of our committee unanimously. It has had very careful consideration. It is a bill which will permit, as was permitted in the case of the previous bill, local interests to provide financing for the development of hydroelectric power.

In the Pacific Northwest we are in need of considerable additional power that is not in sight at the present time. Under this bill the city of Eugene is willing to go ahead and pay for the entire cost of the construction of the hydroelectric facilities in this dam. It will provide only 25,000 kilowatts, and with the regulating dam below it may get an additional 10,000. However, they are paying a very good price indeed for the opportunity to develop the power in this project for utilization in that particular community. They can do that because the city of Eugene has been one of the outstanding municipalities in the Nation in the development of hydroelectric power and providing water for their own citizens. It has a wonderfully fine record. It also has transmission facilities which go near this project, so that they can utilize the power from this project much better than any other institution could.

As I said, it would pay the entire cost of $10,500,000. In addition, it will throw in the kitty to the Federal Government an additional $500,000, in addition to taking care of a part of the cost of the care of the project afterwards.

As the project was originally authorized by the Federal Government, it did not carry any authorization for power. It was not contemplated that power should be included in it. The city of Eugene now comes along and wants to put in the power, and it should be given that permission.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. COON].

Mr. COON. Mr. Chairman, I wish to urge prompt and favorable action on H. R. 7815, authorizing development of Cougar Dam and Reservoir on the McKenzie River, with participation for power by the city of Eugene, Oreg.

This project is important to western Oregon in providing power and flood control. But it has an added importance to eastern Oregon and to the Nation as a whole as a pioneer project under the administration's new partnership policy of river development.

Congressman HARRIS ELLSWORTH and Senator GUY GORDON deserve the approval and respect of all of us for the leadership they have shown in introducing the Cougar partnership legislation. Their proposal has been widely praised in the press and by President Eisenhower himself.

We favor economy in the use of Federal funds wherever true economy can be practiced. We favor as much freedom of individual enterprise and initiative as the public interest will allow.

The Cougar project shows promise of setting a pattern of bringing Government closer to the people by allowing the city of Eugene to carry a part of the responsibility for the development. It promises also to set a pattern of economy in the use of Federal funds through substituting local money where it appears this money can be well spent. It should encourage local enterprise and initiative by showing that the Federal Government does not intend to saddle the Northwest with a big Federal monopoly, but invites local cooperation and support.

With all its promise, however, this proposal and all proposals like it must be studied with care to insure that they do not give undue advantage to any special group, public or private. If a partnership is a good partnership, it must be fair to everyone concerned.

We in the Northwest have been pioneers in the past. I do not believe we are afraid to continue in this tradition. The bill we are considering today would authorize a first step in pioneering a new and, we hope, a quicker and better way of developing our rivers.

In the past we have talked about the benefits of partnership development. Now we must demonstrate these benefits. The administration must exert bold leadership, and the Congress must give prompt and strong support to the forwarding of partnership development. We must not be satisfied until we have put into action a partnership program in which all reasonable people, regardless of party, can join with us.

I urge favorable action on H. R. 7815.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I have asked for this time primarily in order to ask a question of the author of the bill, the gentleman from Oregon.

May I inquire as to the purpose of the language on page 3 which suggests the method of determining the costs which the city of Eugene will pay? In my experience, and from the research that I have conducted, I think this is the first time an act of this type authorizing a hydroelectric project ever attempted to tie down, at least to a certain degree, the method of cost allocation which should be used. I notice that the Bureau of the Budget—and the gentleman will understand that I have no desire to rock the boat on this bill at all, but I do think we should consider this carefully—I notice the Bureau of the Budget raised the same point in its letter to the distinguished chairman of the Committee on Public Works. It says:

> Should this bill be enacted, it will be the first time a particular method of allocating costs has been written into legislation authorizing a project.

Then, the Bureau of the Budget specifically says:

> We would not wish this to be construed as an endorsement of the separable-costs-remaining benefits method for uniform application to future water resources projects.

I happen to know this method of allocating costs was used in allocating the costs for McNary Dam at least on a tentative basis—I believe it has not yet been made permanent, and the upshot of it was that 97½ percent of the costs of joint facilities was allocated to power and a tremendous percentage, 92 percent of the cost of the project, was allocated to power on the whole project.

While I have no particular individual interest in the city of Eugene, I wonder why the Congress is being asked, in effect, to give its blessing to this method of allocation of costs.

Mr. ELLSWORTH. In answer to the gentleman's question, may I say it was necessary in framing this legislation to set some kind of standard because, as I pointed out earlier, this is the first authorization of this kind to be enacted and it seems absolutely necessary to have some fixed basis of allocating costs so that the contract with the Government can be made. The method described in the bill is, as the gentleman knows, what is known as the green book allocation system worked out by the Army engineers and other agencies. It seems to be at this time the best and easiest method to apply for the purposes of this legislation. But, I would like to say further that the fact that it was used in this bill does not, of course, mean there is any reference to future legislation. I would not consider that the action taken with respect to this bill sets a precedent nor that it is any indication that the same method should be used elsewhere. It was necessary for the city of Eugene to know how much money was going to be required for them to enter into this project, and in order to find that out they had to use some allocation standard. They selected the green book standard, and have worked out their figures on that basis. That applies only to this particular project. I know that we shall not construe this to prejudice any future action because each case is going to have to be decided upon its own merits.

Mr. MAGNUSON. I would like to suggest that this does not restrict the Federal Power Commission to using this method of allocating costs because it goes on to say, "or by such other method as may be mutually agreeable to the city of Eugene, the Army, and the Federal Power Commission."

I can foresee that if this language were not in the bill—the language referring to this method of cost allocation—that the end result would probably be the same and that method would be used, but the only reason I raised the point is that we are setting a precedent by not exactly spelling it out, but seeming to suggest a specific type of cost allocation formula. You say you do not believe it will set any precedent in future legislation, and I wish to make the specific statement that it certainly does not as far as I am concerned, and will not be accepted as a precedent by me. I do not intend to oppose the bill on this account or to submit an amendment, but I hope that it is the sense of this Committee that this does not set a precedent for future use in legislation of this type.

Mr. ELLSWORTH. I thank the gentleman. I think I should add, however, in answer to the point made by the gentleman that it is true the language does say "or by such other method." It was necessary, however, to have a specific basis on which both the engineers and the city could go before the committee and give concrete facts as to what the partnership arrangement was to be; therefore they agreed upon using the so-called green book allocation formula. Another basis can be agreed upon, but we found it necessary to define a basis on which actual figures could be given now.

Mr. MAGNUSON. I thank the gentleman very much.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Chairman, I merely want to state as chairman of the subcommittee that all the witnesses who appeared before our committee testified in behalf of Cougar Dam. All witnesses were unanimous that this is a worthy project and should be approved.

As chairman of the subcommittee I also want to point out that all the evidence received by the subcommittee was to the effect that whether this dam is built by the Federal Government or some utility other than the city of Eugene, the city of Eugene still would be the outlet for all the power produced at this dam site. There is no other utility, either public or private, in that neighborhood except the municipally owned water and power company of the city of Eugene. This is a very worthy project. The subcommittee and the full Committee on Public Works, unanimously approved the Cougar Dam project.

Mr. DONDERO. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I want to endorse this bill. I think it is a very interesting and constructive way for the various governmental agencies to cooperate in harnessing the water of a river and putting it to every possible use.

This bill has been screened by so many public agencies that I do not possibly see how it could be a bad project. It must be good; otherwise it could not have the endorsement of all these various governmental agencies, whose basic interest is to protect the public interest.

I congratulate the author of this bill and the committee that recommended its passage.

Mr. DONDERO. Mr. Chairman, I have no further requests for time.

Mr. FALLON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the comprehensive plan of improvement for the Willamette River Basin, Oreg., as authorized by the act of Congress approved June 28, 1938 (52 Stat. 1215), as amended and supplemented by subsequent acts of Congress, is hereby modified to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir project under the direction of the Secretary of the Army and supervision of the Chief of Engineers substantially in accordance with the plans contained in House document No. 531, 81st Congress, 2d session, and is hereby further modified to include power facilities at Cougar Dam which may be provided by the city of Eugene, Oreg., in accordance with the terms of the Federal Power Act and in accordance with this act.

SEC. 2. The Cougar dam and reservoir shall be constructed, operated, and maintained by the Department of the Army as a unit of the comprehensive plan for the Willamette River Basin for the control and utilization of the water resources for flood control, navigation, power, conservation, and other beneficial purposes, and the appropriation of funds therefor is authorized.

SEC. 3. Power-generating facilities and appurtenances therefor may be constructed by the city of Eugene, or such facilities and appurtenances may be constructed by the Corps of Engineers as agent for the city of Eugene with funds advanced therefor by the city. Such construction shall be in accordance with provisions of a license by the Federal Power Commission, and with the provisions of this act. The city of Eugene shall own all such facilities and appurtenances and shall operate and maintain such facilities and appurtenances at its own cost and expense.

SEC. 4. The dam and reservoir shall remain the property of the Federal Government. The city of Eugene shall pay to the Department of the Army such proportionate share of the cost of construction, operation, and maintenance of the dam and reservoir as may be appropriately allocated to power development, such allocation to be made by the Chief of Engineers, under direction of the Secretary of the Army, in collaboration with the Federal Power Commission in accordance with the "separable-cost-remaining benefits" method of cost allocation as recommended by the Federal Inter-Agency River Basin Subcommittee on Benefits and Costs in its report dated May 1950, or by such other method as may be mutually agreed upon by the city of Eugene and the Secretary of the Army and approved by the Federal Power Commission.

SEC. 5. The Chief of Engineers, under the direction of the Secretary of the Army, shall enter into an agreement with the city of Eugene, acting by and through its Eugene Water and Electric Board, for the operation of the dam and reservoir insofar as such operation affects the development of power, for contribution of funds by the city in accordance with this act, and for other matters necessary for the joint construction, operation, and maintenance of the Cougar Dam and Reservoir project in accordance with this act. Such agreement shall be for a period consistent with the period of the license issued by the Federal Power Commission and may be amended from time to time for mutual agreement.

Mr. DONDERO (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill may be dispensed with, that the bill be printed in the RECORD and that the bill be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there amendments?

Mr. DONDERO. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. DONDERO: Page 4, line 3, strike out "for" and insert in lieu thereof the word "by."

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CANFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 7815, pursuant to House Resolution 551, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRIBUTORY GROUP LIFE INSURANCE FOR FEDERAL CIVILIAN EMPLOYEES — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 398)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

I propose for the consideration of the Congress a plan of contributory group life insurance for Federal civilian employees.

Three months ago I expressed my conviction that a well-rounded personnel program was needed to benefit the Federal career system and its workers and to increase the administrative efficiency of the Government. A program was envisaged that would combine the best practices of progressive, private employers with the special requirements of public service.

With this type of personnel program as our objective, thorough studies were made to determine how best to provide its necessary elements, and most of these have been recommended to the Congress. An additional essential element is contributory group life insurance. Such a plan I now recommend to the Congress.

Excepting those excluded by their own request or for administrative reasons, this plan would provide all civilian employees of the legislative, executive and judicial branches with group life insurance approximately equal in amount to 1 year's salary during active service prior to age 65, and with reduced benefits thereafter. The amount would be doubled if the employee should die by accidental means. Employees retiring on an immediate annuity, after 15 years of service, would have insurance protection without further cost to them. Others terminating their employment would be able, without medical examination, to convert their insurance to individual policies at rates applicable to their attained age.

By means of this plan Government workers could supplement their own insurance programs at minimum expense. The cost of the plan would be shared by the Government and participating employees, each agency paying from existing appropriations about half of its employee's costs. Thus employees could take advantage of the low contribution rate of 25 cents biweekly for each $1,000 of life insurance.

In order to have advantages under this plan that are normally available to private employers, it is proposed that the insurance be cooperatively underwritten through the facilities of a large group of life-insurance companies having experience in employee group insurance benefits. These companies would establish a single administrative office to assure the utmost economy in the operation of the plan.

The functions normally performed by the employer in a group-insurance plan would, under this plan, be performed in the Government by the Civil Service Commission. A council on group insurance, consisting of the Secretaries of the Treasury and Labor and Director of the Bureau of the Budget, would be established to review the program and advise the Commission on policy matters.

In summary, two predominant features make this plan especially advantageous to the Government and its personnel. First, employees are better enabled by this low-cost life-insurance protection to carry out their responsibilities to their families. Second, the plan is another essential element in the development of a comprehensive-personnel program that applies to Government service the best practices of progressive, private employers.

A draft bill to effectuate this plan has been prepared by the Civil Service Commission and is being submitted to the Congress. I earnestly recommend that the Congress give this plan early favorable consideration.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 19, 1954.*

WARRANT OFFICERS OF THE ARMY, NAVY, AIR FORCE, MARINE CORPS, AND COAST GUARD

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6374) to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 15, line 20, strike out "sixty" and insert "sixty-two."

Page 16, line 13, strike out "sixty" and insert "sixty-two."

Page 16, line 23, strike out "sixty" and insert "sixty-two."

Page 17, line 2, strike out all after "sixty-four" down to and including "Guard", in line 5.

Page 17, line 17, strike out "sixty" and insert "sixty-two."

Page 19, line 11, strike out "sixty" and insert "sixty-two."

Page 19, line 16, strike out all after "sixty-four," down to and including "Guard", in line 18.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, under the Senate amendment, the mandatory retirement age for warrant officers is increased from 60, as provided in the House version, to 62 years, but the law will still remain as written by the House that upon the completion of 30 years of service, regardless of age, warrant officers will be retired unless selected for retention by a board of officers. Under such circumstances, if selected, they may not be retained beyond the age of 62.

Under the House bill, any regular warrant officer who attained the age of 60 without completing 20 years of active service could be continued on active duty until he completed 20 years of active service, but not later than attaining the age of 64, if in the Army or Air Force, and age 62 if in the Navy, Marine Corps, or Coast Guard. The Senate changed the bill to provide that if a regular warrant officer attains the age of 62 without completing 20 years of active service, he could be continued on active duty, at the discretion of the Secretary, until he reached the age of 64. Thus the 64 age factor was made applicable to all the Services. This applies only to warrant officers now on active duty.

Likewise, under the Senate bill, all warrant officers, including reserve warrant officers, must be retired or separated at the age of 62, instead of age 60.

Insofar as Reserve warrant officers are concerned, the Senate amendment provides that any male warrant officer of a Reserve component who is serving as such on the effective date of the proposed act, and who upon attaining the age of 62, has completed less than 20 years of satisfactory Federal service for the purposes of the Reserve Retirement Act, may be continued on active duty by the Secretary until he completes 20 years of satisfactory service, but not later than attaining the age of 64. The age of 64 will be applicable to all of the services.

The House bill provided that Reserve warrant officers, upon attaining the age of 60, who had not completed 20 years of satisfactory service for Reserve retirement purposes, could be retained at the discretion of the Secretary to complete 20 years of satisfactory service, but not beyond the age of 64 in the Army or Air Force, and 62 in the Navy, Marine Corps, or Coast Guard.

The increase in the mandatory retirement age from 60 to 62 by and of itself would be objectionable were it not for the provision that requires retirement for regular warrant officers who complete 30 years of service unless selected for retention by a board of officers.

It is extremely doubtful if changing the mandatory retirement age from 60 to 62 and permitting continuation on active duty in certain cases until age 64 will have any effect upon the warrant officers within the armed services. There could hardly be any reserve warrant officer today who will not qualify with 20 years of satisfactory service before attaining the age of 60, so increasing that age to 64 should have little or no effect. The compulsory retirement or separation age for Reserve warrant officers will be 62 under the Senate amendment, instead of 60, but the privilege of continuing in the Reserve until 64 remains discretionary with the Secretary. Likewise, increasing the mandatory retirement age to 62 in lieu of age 60 as contained in the House bill, should have little effect on Regular officers since invariably such warrant officers will have completed 30 or more years of service before attaining the age of 60.

Under the circumstances, the Committee on Armed Services of the House recommends that the Senate amendments be accepted.

WHITE HOUSE CONFERENCE ON EDUCATION

Mr. NICHOLSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 530 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7601) to provide for a White House Conference on Education. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. WILLIAMS of Mississippi. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ARENDS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 73]

Alexander	Green	O'Brien, Ill.
Barden	Gwinn	O'Brien, N. Y.
Barrett	Hale	Ostertag
Bentley	Hand	Philbin
Bentsen	Harrison, Nebr.	Rains
Bonner	Hébert	Reed, Ill.
Buchanan	Heller	Reed, N. Y.
Buckley	Hiestand	Richards
Bush	Hoffman, Mich.	Riley
Camp	Holifield	Roberts
Cannon	Holtzman	Rooney
Carlyle	Hosmer	Schenck
Carrigg	Hruska	Secrest
Celler	Jackson	Shafer
Chatham	James	Sheehan
Chelf	Jones, Ala.	Sheppard
Chudoff	Jones, N. C.	Sieminski
Condon	Judd	Simpson, Pa.
Coudert	Kearney	Spence
Curtis, Nebr.	Kearns	Sutton
Davis, Tenn.	Kelley, Pa.	Taylor
Dawson, Ill.	Kersten, Wis.	Thompson, Mich.
Deane	Kirwan	Utt
Dingell	Kluczynski	Vinson
Dodd	Krueger	Wainwright
Donohue	Lesinski	Weichel
Doyle	McGregor	Whitten
Evins	Mahon	Wickersham
Fino	Martin, Iowa	Wilson, Calif.
Fulton	Miller, Calif.	Wilson, Tex.
Graham	Miller, Md.	Yorty
Granahan	Morgan	
Grant	Morrison	

The SPEAKER. On this roll call 328 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WHITE HOUSE CONFERENCE ON EDUCATION

Mr. NICHOLSON. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Virginia [Mr. SMITH], and at this time I yield myself such time as I may use.

Mr. Speaker, I rise to urge the adoption of House Resolution 530, making in order the consideration of the bill (H. R. 7601) to provide for a White House Conference on Education.

House Resolution 530, Mr. Speaker, provides for an open rule with 1 hour of general debate on the bill itself.

This bill, as I understand it, Mr. Speaker, would authorize appropriations to enable the President to hold in Washington, D. C., a conference of educators and prominent laymen on the problems and needs in the field of education. This conference would report to the President on its findings.

H. R. 7601, Mr. Speaker, would authorize the appropriation of certain moneys for the purpose of assisting the several States in bringing together educators within their States to discuss their particular problems and to make recommendations for action to be taken at local, State, and Federal levels.

After the State conferences have been held, representatives of the several States would be brought together in Washington to consider educational problems from the national viewpoint.

Mr. Speaker, the report on this bill, I think, points out very emphatically that the problem of education in the United States must be solved through cooperation on the local, State, and Federal levels, with the fullest use being made of local and State resources, and with the Federal Government only taking part when the national interest requires national leadership and action.

Mr. Speaker, the Committee on Education and Labor amended the bill so that H. R. 7601 would authorize an appropriation of $750,000 instead of the original $1,500,000 in order to carry out the objectives outlined in the bill. Each State would receive an allotment to carry out its functions and that allotment, according to the bill, as amended by the Education and Labor Committee, would not be less than $5,000.

Mr. Speaker, I feel that most of the members sitting here today will admit that the problem of educating the youth of our country is no easy one to solve, and that the problem will continue to grow more acute for many years, since our population is continuing to increase so rapidly. For a great many years there will be more school-age children than we have adequate facilities for, and it is essential that we make some plans to handle this situation now.

I believe, Mr. Speaker, that a conference on the order that is outlined in this bill, would attack the problem from the correct angle. This bill looks at the education problem from the viewpoint of local-State action primarily, with the Federal Government stepping in only when and where it is absolutely necessary. I hope that the rule will be adopted and that the House will consider the bill.

Mr. Speaker, I want to say that I do not believe the Federal Government should ever appropriate money to distribute among the cities and towns of a State. Education, in my opinion, is purely a local problem and we want to keep it so. We have been progressing for over 300 years, about 340 to be exact, in a very excellent manner, probably better than any other country in the world. So I hope that in the discussion of this bill, Mr. Speaker, we will not bring up that bugbear because there are a great many Members on both sides of this aisle who agree with me that the longer the Federal Government stays out of the local education problem the better off we are.

Mr. Speaker, I hope this resolution will be adopted by the House.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, this rule makes in order a bill to set up an agency or a conference at the White House with respect to education. I am opposed to the rule, and I am opposed to the bill. I am a little more opposed to it today than I was a few days ago. I think that we have had about enough Federal interference in education. I think we better get back to the basic things that we all believe in, and that is, leave these educational matters to the States. This bill provides that we will have now a conference down in the executive department. The judicial branch has recently taken over the legislative functions with respect to education, and now the

executive department seems to want to horn in here and begin to rival the judicial branch. It seems to me that the time has about come when we might do a little legislating here in this body which was devised for that purpose by the Constitution. That is what the Constitution set us up for. So, I am against the judiciary doing any legislating, and I am against the executive doing any legislating on education or suggesting any legislation on that subject. Therefore, I expect to oppose both the bill and the rule which makes it in order.

Mr. Speaker, I now yield 5 minutes to the gentleman from Georgia [Mr. WHEELER].

Mr. WHEELER. Mr. Speaker, I think that those who were here last week when we had under consideration the companion bills to this measure have little doubt as to what my position is to be on this particular matter. It occurs to me that we have had about one conference too many on the general field of education in Washington already this week, and it further occurs to me that if you are going to have any of these professional advisers come to Washington in an advisory capacity, that instead of providing that they go down and waste valuable time of the Chief Executive, that they go in consultation with the heads of the judiciary department who seem to have completely taken over in the field of Federal direction of public education, in spite of the fact that the Constitution does not indicate a single instance where the States delegated to the Federal Government, either expressly or impliedly, any authority in this field. As far as I am personally concerned, if I go back to the keeping of a junior high school in the rural section of south Georgia, I feel that I will not require any advice from either a White House conference or a conference that might be held with the judiciary. I might further suggest that to be in complete keeping with the most recent action taken in this field; that is, by the judiciary, that it might be well to amend this bill to require that not only advisers from the field of general education be brought into this conference but require that a minimum number of sociologists, psychologists, and psychiatrists be included, because it occurs to me, after reading the most recent opinion by the nine little old men, that some advice in the field of psychiatry would be in order.

Mr. Speaker, I do not propose to lend my vote to the endorsement of the rule which makes this bill in order. I certainly do not propose to lend my vote to the passage of the bill. If I could see wherein any real good might come in solving many of the problems in the field of education in this country as a result of this conference, I would vote for it. But it occurs to me that if there might be any good, by the stretch of the most fertile imagination, to come from this conference, that the major purpose which is sought by this bill in practical effect was accomplished the day before yesterday by the Supreme Court of the United States, because I am constrained to believe that the integration of the races in the public schools is the major purpose of this bill.

Mr. WINSTEAD. Mr. Speaker, will the gentleman yield?

Mr. WHEELER. I yield to the gentleman from Mississippi.

Mr. WINSTEAD. Did not President Truman have a White House conference without legislation, and without an appropriation of money? His advisory group usually recommended along the lines on which the Supreme Court decided the issue the other day. I am just wondering, since this administration apparently wants to adopt everything President Truman did, and as he had a White House conference which was not legislated through this House and for which money was not appropriated, why the President cannot do the same thing.

Mr. WHEELER. I appreciate the gentleman's contribution. I would like to say that I am of the opinion that the President now has the power to have conferences on any subject he sees fit; but he cannot get the political good from a conference that he might call without a lot of the publicity which would be provided by the passage of legislation.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Speaker, I have listened with a great deal of interest to the debates about our education bills recommended by the Secretary of Health, Education, and Welfare. Although I have spent all of my adult life, until I came to Congress last year, with the exception of 4 years in the Army, during World War II, in the field of education, I do not consider myself an expert. Someone has defined the word "expert" as follows:

> The "ex" means the unknown quantity of drip, and the "spurt" is a drip under pressure.

I have felt during the past several years that our planning programs have kept far ahead of our action programs in the field of education. The methods of teaching which we are largely following in our schools today follow in the main the pattern set by educators who gave us their theories of education in some instances hundreds of years ago. For example, Socrates who lived from 469 to 399 B. C. gave us the Socratic method, the idea of the student and the teacher conversing with each other and by the question and answer method, and by the inductive process of reasoning—eventually arriving at a definition thus imparting knowledge to the student. This great philosopher, by the way, said that he knew nothing and knew that he knew nothing. Yet, by his passionate devotion to love of truth and virtue, and by his insistence that knowledge is virtue, he prepared the pattern of thought that we hold sacred in America, namely, that education is one of the essential bulwarks of the Republic. The great Swiss pedagog, Pestalozzi, who lived from 1746 to 1827, by his theories laid the foundation of modern elementary education. He believed that pedagogical method should correspond to the natural order of individual development and of concrete experiences. John Dewey, the great American educator, has added to this principle and has stressed his theory of democracy in education. Many, many years ago, this American educator emphasized learning through experimentation and practice. He considered education not as an abstract idea, but as a tool which would enable the citizen to integrate his culture and vocation effectively and usefully. Now, there are honest disagreements about methods of education, and there are honest differences of opinion that Americans hold as to the type of education their children should receive.

My point is, however, that I feel in the various 48 State departments of education, and in the Office of the Commissioner of Education, and in the files of the Ford Foundation and the many others that have dealt in these studies, we have all of the theory that we need. I repeat again, we should have now a definite program of action.

We have witnessed an event during the past few days which transcends in importance the scope and objective of all of the bills we have been considering for the cause of education. I refer to the Supreme Court's decision holding that the principle of equal but separate facilities, so long the law of the land, is now unconstitutional. We do not need an extra commission to tell our people what the problem it. Lest you be mistaken let me tell you the attitude of the majority of the people, of both races, in the Eighth Congressional District of Florida, which I represent. They view this decision as fraught with dangers comparable to the tragedies of World Wars I and II, and the emergence of the Communist terror. The majority of the fine people that I represent do not want the abolishment of segregation at this time in our public schools. That viewpoint, I know, is common throughout the Southland—a great and important section of the Republic. What we need now is some sage to tell us of a practical program of action that will make our people happy, contented Americans, if they are called upon to accept a decision which is extremely unpopular with the great majority. I say this, Mr. Speaker, without malice. The good people I represent of both races, know that you cannot legislate equality, or good will, or tolerance, or love, or mutual respect. You cannot solve the problem by someone far removed from the scene saying "All will be well." This to me is a practical, personal problem affecting the mores and traditions of millions of good, loyal Americans. We have made great progress under the present system in our Southland. What of the future? I want to stress again, we do not need further theoretical studies about the matter. I want to prophesy this. The South which had no Marshall plan to help recover from a tragic war, the South which has made tremendous progress despite almost overwhelming adversities, will look into its soul, and whatever happens, will continue its triumphant march to its destiny of economic, cultural, and spiritual greatness.

Let us consider now a problem that we feel is so common in America today—this problem of juvenile delinquency. We have, I think, enough of the facts about juvenile delinquency. We know that children who are not educated properly

succumb many times more readily to lapses of good behavior. But I think there are other facts that are well known, and yet facts about which we have done nothing. For example, I have always maintained that one of the chief causes of juvenile delinquency is community environment. In any city in America you can find magazines and calendars presenting their salacious propaganda to adolescent minds, and yet legislation in the various States and by the Federal Government has been woefully inadequate, and I have not been able to determine an overall national effort to curb this reprehensible material. All of us certainly have seen the offerings of our theaters when the Hollywood stars make immoral behavior most attractive, and the adolescent's idea of proper conduct most certainly has been influenced by these pictures of some of the stars. The scenario writers have even gone into the Sacred Scripture, and have given us Sampson and Delilah; David and Bathsheba; Salome, Where She Danced. Just why these biblical characters are pictured on the screen is readily apparent when we notice the great emphasis that is placed on the appealing aspects of the glamorous and the secular, rather than on the spiritual. This community environment is expressed in the attitude of dishonesty practiced by so many Americans. It has been estimated, for example, that if the filchers were honest with their income-tax returns, that the budget could probably be balanced this year. The juvenile faces in the community the modern Sophists and apostates who sneer at virtue, and who cloak their moral degeneracy in the raiment of—in what they consider—their unique demanding and intolerable professions or business activities. Youth is subjected to fiction which is called realism, and yet so often it is realism of the indecent rather than the realism of the magnificent aspects of American life and customs.

This community environment with its chief emphasis on materialism reminds me of that great statement by Rousseau:

> As soon as public service ceases to be the chief business of the citizens, and they would rather serve with their money than with their persons, the state is not far from its fall.

Now, Mr. Speaker, I realize that all of these problems cannot be solved by legislation. I realize that laws will not make men good. I think there is an area for some legislation in the field of juvenile delinquency, but the point I want to stress again is the fact that what I have said is well known. The emphasis that we need to place is more on action programs to halt juvenile delinquency rather than on enlarged studies on some of the theories back of the problem. Good education, I believe, is as simple as this. It means a good teacher first, and then it means good buildings and equipment. I cannot stress too much the fact that the good teacher is first. Someone was asked many years ago to define the university, and he said "Mark Hopkins on a log would make a university." What a tribute to this great son of Massachusetts. One of the most profound disappointments of my life was the realization many years ago that I could not possibly make enough money as a schoolteacher to provide for the basic essentials of life and to assume my responsibilities as a husband and father, and as one who had to take care of his widowed mother. The $1,080 I received in my last year as a schoolteacher was almost doubled when I became a school principal. But, even then, the $2,000 per year—even though it was during a period when the dollar went much further—I realized that the salary was woefully inadequate. Great improvement has been made since then, and particularly in my State of Florida, where a minimum foundation program has produced beneficial results to our public school system undreamed of when I was a principal.

Now certainly one thing that we know we need to get adequate teachers' salaries is a definite share of the tax dollar in each of our 48 States for salaries and for buildings. When I was a member of the Florida State legislature I revolted at the legislative proposals that were unpopular but were made more palatable by the offer that the proceeds would go to public schools. Surely there is no part of American life that is supported by the tax dollar that should receive prior consideration than the education of our youth. Now what we need is a definite, suggested program of school financing based on the facts that we have, promoting in the various States this specific idea. Certainly we realize that if the States are to take care of the education of youth, there must be an agreement between the Federal and State governments as to that definite tax source for education. I do not want the Federal Government to control education. I realize that that is the final step toward a totalitarian government. This control should be left in the hands of the 48 States, and the 48 States could adequately take care of the instruction of their youth if there could be specific agreement as to a definite tax source for education.

Now then, there are legitimate fields in education in which the Federal Government, I think, should be interested. For example, we have this wonderful Hill-Burton program that can help us build our medical schools to give our boys and girls who want to study medicine an opportunity. The University of Florida, which is located in my district, has been designated as the site of the Florida Health Center. We need Hill-Burton funds to build a hospital to be used in connection with the medical school. I sincerely hope, when we talk about this program, which has proved its benefit, which is sound, that because of these bills that we have been considering, that we do not feel that we have done all necessary in the field of education. I hope enough funds will be appropriated to help us with our medical school construction program throughout the country.

There are only 79 medical schools throughout the country. I know of young men of superior intellect, of driving ambition to be of service, who have almost had their hearts broken because they cannot afford a medical education, or if they could afford it, the medical schools could not admit them because of crowded conditions. Why do not some of the great foundations who spend hundreds of millions of dollars on various projects, give just a few millions a year as direct gifts to our medical schools? That is an opportunity well known. But we need a drive to get it done.

The program of vocational education, which is jointly sponsored by the Federal and State Governments, has proved to be of great value in our State of Florida. I have seen vocational rehabilitation take citizens who would be recipients of charity and make of them self-respecting citizens with incomes that enable them to share in the tax load that Americans are called upon to bear. For some years I was chairman of the Florida Council for the Blind, and in that position, which was honorary and which paid no salary, I have seen citizens who have lost their vision restored by means of the vocational education program to positions of service. They are now taxpayers, and they are accepting their responsibilities of citizenship cheerfully. I have seen the great program of vocational agriculture stressing as it does the education of our farm youth, literally raise the standards of living on the farmlands in our section of the country. We need at the present time in Florida many more vocational-agriculture teachers. There are some of our counties that still do not have this fine program because there simply is not enough money available. We have held to the proposition in Congress, and I believe it to be a sound one, that in heavily compacted areas, made so by reason of our defense effort, the Congress should appropriate money for construction of schools in those particular areas. I think we should continue this program where it is necessary.

We have in the Department of Health, Education, and Welfare the Office of the Commissioner of Education. Dr. John J. Tigert, who for many years was president of the University of Florida, was the Commissioner of Education under Mr. Hoover. I do not know the gentleman who at present holds this high office, but I have the feeling that like Dr. Tigert he is capable of organizing most of the research activities and correlating the planning in his office if we give him enough appropriations. I do not think we should slight that particular office, but should lean more and more on the Commissioner of Education to carry out some of these ideas that have been suggested in the bills that have been presented to us during the past several days.

For example, several years ago in Florida, our Governor, the Honorable Millard Caldwell, who later became Director of Civil Defense, suggested to the colleges and universities of the South the idea of regional education. The idea is for each of the cooperating institutions to stress 1 or 2 graduate schools and make of them the best in the land. There would be an agreement for the students in one State to attend these schools in other States without any extra cost to the student. One problem we have in education is the intense competition for the tax dollar. This concept of regional education offers better education at less expense. The idea has made

progress in the South, and certainly the Commissioner of Education is in a position to evaluate its possibility in other areas.

Again, I want to stress the fact that I hope that whatever happens to the bill that we are now discussing, that we do not feel that we have discharged our responsibility to the great cause of education by the passage of these bills. I think the White House Conference is a good idea, but a special bill is not necessary. I will vote against the bill. I remember when I did graduate work in education that we leaned heavily on the findings of the White House Conference to help us explore the problems of education. But let us not feel that the White House Conference can supplant the necessary programs of action in our States. I know there is no Member of Congress who is not willing to do his part in helping the education of our youth. Education is not the sole factor in strengthening the Republic, but it is certainly one of the most important. It was John Temple Graves, the great southern columnist, who, in an address some years ago, said if he had his way, it would be his desire "to make all men free, then to make all free men democratic, then to make all free democratic men educated, then to make all free democratic educated men good." This, indeed, would be Utopia. But it is not so impractical that we should not aspire for that ultimate goal. "Our reach should exceed our grasp, else what is heaven for?"

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I have been looking over this bill and over the report. It seems to me it is very, very loose legislation. Under the terms of the bill money is to be allotted to each State. The bill does not set up any formula as to how the money is to be allotted and be paid to the Commissioner of Education, who shall in turn pay it to the States, the way I grasped it. Then the States can use it for the general purpose of calling together people interested in education.

In the State of Florida, from which the gentleman comes who just preceded me, every mother is interested in education, so I suppose if the Commissioner of Education wanted to favor some woman in some small town so that she could have a little junket to the capital of the State, that would be perfectly within the limits of this bill, because no formula is set out, no restrictions or requirements. It seems to me the way the bill is now drawn it could be the creation of a great slush fund, and what the Federal Government and the people of the country would get out of it, I do not know. It seems to me to be a little half-baked measure. I know when the Federal Government makes any allocations for highway purposes or for the purposes of unemployment compensation or anything like that, definite formulas are set up and specific rules and regulations are always laid down so that the money is used for the purpose for which it is intended. Here we are being asked to authorize $750,000, which could very easily under the terms of this bill be used almost exclusively for political purposes. There is no question about that in my mind whatsoever. The money could be used in the futherance of the political purposes of those in power in the various States. I certainly think we should not pass any half-baked legislation like this.

Mr. SMITH of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Speaker, I will speak on this entire matter later in the course of general debate, but I would like to reply to my friend and colleague the gentleman from Pennsylvania. In the first place, there are several things that should be done with this bill when it is read for amendment under the 5-minute rule. The gentleman erred. Seven hundred and fifty million dollars is not being appropriated here; it is $750,000. Then that money, under a suitable amendment, should be made available to the States, and not allotted to them. In that way the States would accept the money only if they desired and only by their own action. Furthermore, there should be a limit on the dates of the conference so that the conference will not be used as a political football. As it is now written, this bill does not carry out the original intent of the author, who originally called it "the 1955 White House conference." As it is now written, this conference can be held in the election year, 1956. I propose to offer an amendment to rectify that mistake at the proper time.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. EBERHARTER. Then do you not think the best thing to do would be to refer this back to the committee so that the House could have a proper bill on which to vote and so that at least we would have some correct basis for voting against the rule or in favor of the rule?

Mr. POWELL. No; I think two simple amendments would take care of this. The other day we had a bill from our committee, and I offered, successfully, three simple amendments to clean the bill up, and the bill then was passed. I now have a few simple amendments to clean this bill up, and I think, with the gentleman's cooperation, we can then put it through.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, in view of what happened in the Supreme Court on black Monday, I am at a loss to understand what the purposes of this President's White House conference might be.

Now, I want to see the President as well advised on the subject of education as he can be. But I wonder what he is planning to do after he gets that advice, for the simple reason that public education is solely and exclusively within the province of the several States.

As you know, this is the last of three bills on this same subject which have been presented to the House in less than a week. If you remember, the first bill set up an advisory council or an advisory group within the Office of Education to advise the Commissioner. The second bill set up some $50-a-day specialists to advise the Secretary. Now, this bill sets up $750,000 worth of advisers to advise the President over at the White House. If I understand this thing correctly, the effect of what the Congress has done in the last several days is to provide advisers to advise other advisers to advise still other advisers, who are, in turn, advising the Commissioner to advise the Secretary, who advises the President, who, in turn, advises the Congress, who advises the people of something they already knew to start with.

In view of what happened on Monday, I do not think too many of us in the South are going to need much advice. It is a very simple matter for us to cope with the situation with respect to education down there in case attempts are made to enforce the Court's decision and to integrate our schools.

As far as I am concerned, I am going to follow the very splendid example of our distinguished Chief Justice, Mr. Warren, who delivered the Court's unanimous opinion. If necessary, I will follow his own personal example and send my children to segregated private schools, even if I have to dig ditches to pay for it.

As far as I am concerned, the $750,000 in this bill—and, incidentally, the first bill provided that there would be no cost because the advisers would come from the department, the second provided $50-a-day compensation for advisers; and this one provides $750,000 for the President's advisers; the ante is going up with every bill—now, I am inclined to think this money could be much better spent by providing scholarships to some good law school for the nine members of the Supreme Court. Obviously, that would be in the public interest, so long as the present personnel occupy that bench. At least, it might equip some of them to earn a living practicing law in the event they ever left the Court.

Mr. SMITH of Virginia. Mr. Speaker, I yield 8 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, I have read this bill carefully trying to find some virtue in it. Usually there is something in every bill that commends itself to our serious and sympathetic consideration.

The only virtue I see in this bill is that it opens up another avenue for public spending. We had almost reached the point of saturation; it required quite a vivid imagination to think of some new field that we could enter into. After all, we only owe $275 billion, and we have only had a deficit for 23 years. And we had just about exhausted every known device for spending the people's money. Lo, and behold! The Republicans have come forward with a new scheme, a very fertile and inexhaustible one, the field of advisers and conferees. I understand, of course, that education is a very important problem. There are many other problems, however, that are equally important in the field of labor, in the field of commerce; and all through our economic and social systems there are constantly arising complex problems. It therefore stands to reason that

if the President must have conferees and advisers in the field of education he ought to have them in all the other fields of human endeavor. I can anticipate the day in which the President will be constantly occupied meeting with conferees, conferees who will assemble in Washington to advise him with respect to labor problems, with respect to tariff and economic problems. Finally, a large segment of our population will be officially classified as conferees or advisers; in fact, in one neighborhood in my State I know of two colored citizens who were talking not long ago. One of them had been away for some time. The other was greeting him and he said: "You sure does look prosperous."

"Yes," he said, "I have been over to Chicago. I'm doing fine."

"Well," he asked, "where did you make all that money?"

"Well," he said, "I got into a new profession."

"What's that?"

"I'm an adviser."

Then he was asked: "What is an adviser?"

He replied: "I'll just illustrate it for you. If you ask one of these ordinary fellows what 2 and 2 is, he says it's 4. When you ask one of these conferees or advisers what 2 and 2 is, he'll say 'When in the course of human events it becomes necessary to take the numeral of the second denomination and add it to the figure 2, I says unto you and I says it without fear of successful contradiction that the inevitable result will be 4'."

In all seriousness, are we not going to have considerable conflict in the various commissions that we have appointed? We have one commission that is now seeking to find ways and means to define and delineate the respective functions of the States and the Federal Government. We have had some dissension in that commission, but it is still functioning. It is trying to put a limit to this idea of the Government allotting money to the States.

Here we propose to appropriate $750,000. I concede that is a rather modest figure, but that is just the beginning. In the course of time we ought to be able to expand that until we will spend a billion or two billion dollars a year for advisers and conferees. We are going to extract this money from the States. We will tax the people in the States, take the money, and then the Federal Government will hand it back to the States in the form of some sort of a gift. They assemble in Washington to spend the public money for the purpose of advising the President who is so harassed and plagued with advisers who are constantly hammering at the White House door that he could not possibly confer with them if he wanted to.

Mr. Speaker, do we realize how few of the problems of Government can possibly be brought to the attention of the President of the United States? The very idea that he will have time, especially in view of the many international problems that now face him, to confer with another group of advisers and conferees is ridiculous.

You are simply violating a fundamental pledge that you made to the people of this country that you would put a limit to this idea of allotting money to the States, creating commissions, devising new schemes and new methods of spending the public money and so forth.

These conferees cannot discover anything about education that has not already been discovered a thousand times. As I said a few days ago, the Library of Congress contains thousands of publications that have been written on the subject of education by every expert in the world. What we need is more schools, better-paid teachers, we need commonsense and we need tolerance and cooperation in our educational system.

Let me say this: I am proud of the progress that the people in the State of Texas have made in the field of education. I wish I had time to tell you of some of the experiences I have had in my own neighborhood, of what has happened in the past 20 or 25 years in east Texas. The people are capable of solving these problems themselves and they are doing it. They are making tremendous progress. And we ought to adhere to that fundamental and sound doctrine to which both political parties have subscribed in every campaign that what the people can do for themselves no government ought to attempt to do for them, what the State governments can do the Federal Government should not attempt to do. We have preached that from every platform. Every Republican speaker that I know of has affirmed that doctrine. Yet, we come in here with a clear and flagrant violation of it. We do so not because we have any faith in it but because it appears to look good politically. It gives us another political platform to say, "Look what we did to help education."

Mr. Speaker, I hope that Members on both sides of the aisle will defeat this ridiculous bill.

Mr. NICHOLSON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 93, noes 58.

So the resolution was agreed to.

Mr. McCONNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7601) to provide for a White House Conference on Education.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7601, with Mr. NELSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. McCONNELL. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is the third of three bills recommended by the White House. This bill, in brief, calls for a White House conference to be preceded by conferences throughout the various States of the Union. Seven hundred and fifty thousand dollars has been requested to assist the States in holding these conferences and to provide for the expense to them in order to get together needed information for the White House conference.

Now, I will admit that on the surface a lot of these things seem trivial, and I notice there has been a general tendency in some spots to treat it somewhat in a humorous manner. But, I have this feeling: You never know where you may get the germ of an idea which will enable you to solve a difficult problem. I recall in connection with the mine safety bill the testimony of one of the witnesses gave me the key to put together a bill which is now the law of the land. I am very anxious to see the problems of education of the children of this country solved, not only effectively but in keeping with the sound concepts of our Republic. It would be quite easy to say we will allocate a lot of money for schools; we will allocate a lot of money for schoolteachers' salaries, for textbooks, and so forth. That would be a very direct and easy way to handle the matter. But the problem is to so set up and handle the matter that it will not lead to Federal control of our educational system. I am opposed to that, and I think that any type of approach which will enable us to meet a serious problem—and this problem of the education of the children of this country is serious—anything that will enable us to do that and do it in a sound manner is worth while.

Some question has been raised as to what the purposes of the State conferences would be. We are quite aware of the difficulty in working out a Federal-State relationship in connection with Federal aid to the States. Some of the problems, for instance, would have to do with the assessed valuations in the States, constitutional limitations on borrowing; all those are important, practical factors that have to be analyzed and brought together at a State conference. I certainly think it is in keeping with our theory, with our concept of education in America that these conferences be held at the State level with no dictation from the White House. We want them to come together—the various interested citizens—bring together the facts, bring them to Washington, so that in general the discussion would be helpful to the entire country. That, in a nutshell, is what this bill provides. I think it is a good bill. I hope it will pass.

As I said last week in connection with the other bills we considered at that time, I am very pleased that a young worthwhile member of our committee, a new member, has seen fit to bring it forth, as in the case of the other bills we considered last week. I do not want to take any more time. I want to yield him the time. I am referring to the gentleman from California, Congressman HOLT; and when the opportunity next comes to yield time to a speaker on this side, I shall call on the gentleman from California, Congressman HOLT, to explain the bill in greater detail.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, I want to congratulate my colleague from California [Mr. HOLT] for introducing this bill. This bill is long overdue. After many trips to various portions of the earth on committee business, I have come back to the Committee on Education and Labor and repeatedly asked that we have some type of modus operandi to arrive at a Federal concept of education, an American concept of education and the proper relationships between State educational bodies and our Federal Government.

We have floundered through these years without any clearly defined American philosophy of education. That is why we have the conflicts, the tensions, and the irritations that constantly crop up in our land.

This White House conference may easily be the first step toward bringing about a harmonious working together of the 48 States, retaining their individual philosophies of education, but working together on a Federal basis. This is the most serious problem facing our Nation. It demands our best. This bill has become much more important over the weekend because of the decision of our Supreme Court. Despite the fact that there are many Members of this body whom I personally respect, you cannot call the decision of the Supreme Court unconstitutional.

We have it. It is a fact. We must go on from here now and see what can be done to make this great shining hour of democracy a more brilliant, a more luminous hour for all our people. We should not here in this body, especially, take this shining hour of democracy and allow it to be tarnished by the oratory of a few who are still living in the 19th century.

This is the greatest defeat that communism has received. It more than counterbalances the military defeat in Indochina. Not a single Communist newspaper in America or anywhere else printed a word concerning this decision. Not an editorial was written. They were stunned.

Let us not give them the victory by tarnishing this bright, shining hour here in this body. Let us not complain because the judicial body has acted. The judicial body acted only because we failed to act. Let us support the judicial arm of our Government. We cannot have a Government of the people, by the people, and for the people, which shall never perish from the earth, as long as one arm of our Government strikes at another arm.

So let us go on from here today to greater heights. Let this great body, of which I am proud to be a Member, lift up the arms of our Government, whether it be the judicial, the executive, or the legislative arm.

I should like to say also in passing that no one can stand here in this well and tell me and the American people that the Negro people of his particular district did not favor the Supreme Court decision. I can stand here and speak far better than any of you, except my colleague, Mr. DAWSON, and tell you that the Negro people preponderantly and overwhelmingly had their hearts lifted because they saw the dreams of their fathers realized in this their lifetime.

We have a better America now, a stronger America, a decent America. This is the kind of democracy that our world will follow. Communism cannot stand up before this concept. Communism succeeds only when democracy fails. Communism cannot win as long as democracy is pure and bright and shining, with equal rights for all people. May I publicly congratulate the NAACP, Dr. Tobias, Mr. Walter White, Mr. Thurgood Marshall, and all others who led us to this victory.

Now, back to the bill. I would like to say that this conference is necessary. There are some things in the bill that should be changed. In the first place, I would like to get the assurance now, of our esteemed chairman, the gentleman from Pennsylvania [Mr. MCCONNELL] that the passage of this bill will not be used as an excuse to hold up hearings on other bills before our committee, particularly the bill to grant aid for the construction of school buildings. May I ask that question of the chairman?

Mr. MCCONNELL. I will answer it as emphatically as I can and as far as it is within my province to answer it. Of course I cannot speak for all Congress nor for both bodies. I can say this, that as far as I am concerned as chairman of the committee, I expect to announce the appointment of that subcommittee very soon. We are working on it now. I expect hearings to be held on bills, or on a bill, to consider construction aid for school districts. I do not know why the passage of this bill would delay or avert any action in that field. I think it might aid in this respect. It is planned that these State conferences will begin this fall. I feel that the type of construction bill which would have the best chance of passing would be a bill which would be a combination of Federal and State action. In order to get proper State action, there are many problems that have to be checked up on in regard to State constitutions and limitations on borrowing and methods of meeting school needs such as construction needs, and so forth, and other questions such as should it be by property taxation or should it be by some other approach? Should there be consolidation, say, of certain districts in the States? Of course, the States would know that because it is not within the province of the Federal Government to be in that field. That is all part of the necessary background in order to properly frame a construction bill where Federal and State aid would be involved. It is planned to have the White House conference following the State conferences, and it is anticipated it will probably be sometime in November of 1955. That, I understand is the plan.

Mr. POWELL. I thank the gentleman. My colleague from our side later will go into this particular problem of Federal aid for school construction. I refer to the gentleman from West Virginia [Mr. BAILEY].

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. EDMONDSON. I wonder if the gentleman would not also seek some assurance from the committee that there will not be an excuse to delay consideration of the effect of this 3-percent absorption clause which was written into Public Law 874 in the last session, and on which I am getting reports of a very alarming nature regarding the drastic cuts which some of our States are going to receive for federally impacted districts under this new 3-percent absorption clause, and its application throughout the country.

Mr. POWELL. Would the chairman of our committee be kind enough to answer the gentleman's question?

Mr. MCCONNELL. So far as I am able to answer the gentleman's question, I can say I am not in any way aware of any intention, and in fact I never heard of it until now, that there was any intention to delay action on any Federal aid to education bill by the passage of this bill or by this conference. I do not know of any such intention.

Mr. EDMONDSON. I am very relieved to hear that from the chairman of the committee.

Mr. MCCONNELL. You are the first one I have heard mention that particular subject, unless you are speaking of the mention of it by the gentleman from Rhode Island [Mr. FOGARTY] the other day when we had a colloquy. He mentioned Public Law 815—if that is what you have in mind—and I see no intention of delay or any reason why the passage of this bill would delay action on that now.

Mr. EDMONDSON. I am speaking of this 3-percent absorption clause and its effect on federally impacted districts.

Mr. MCCONNELL. That is right. He spoke of Public Law 815. That is the old number on the law he was referring to and not the present one.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. BAILEY. I would like to ask my colleague on the committee, the gentleman from New York, if this conference could be set up immediately, would it not be quite useful in helping the President and the proper officials of the several States in integrating our white and colored peoples as the Supreme Court, I understand, is to make a further decision sometime in October? If we are going to have a conference, why do we not have that taken care of?

Mr. POWELL. In respect to the question of my good friend and colleague, the gentleman from West Virginia [Mr. BAILEY], I would like to say I think this bill should be pinpointed a little bit more. Right now, this conference, as the bill is written, could go into 1956, and there is always the danger that it could be used for political purposes. I would like to see, and I will offer an amendment to that effect, that the final White House conference be held before November of 1955.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. FRELINGHUYSEN. In commenting on the question of the gentleman from West Virginia, I think it

should be brought to the attention of the committee that the purpose of the bill is to set up State conferences first. The conclusions of those conferences then would be submitted to the national conference to be held here in Washington.

I think it would be premature to attempt to have a national conference before we had held State conferences, because it is as a result of the grass-roots approach of the State conferences that we would come up with the conclusions which could be considered at the national conference. That would automatically put the national conference sometime into 1955 so far as we can foresee. There would be no possibility, if we did not have anything to act on at the national level this fall, of having a really useful White House conference. I agree with the gentleman from New York that we might consider the possibility of a conference on current problems developing out of the segregation ruling.

Mr. POWELL. As the bill is written there would be really nothing in it to prohibit the President from holding a conference at any time he wishes.

Mr. FRELINGHUYSEN. There would not be.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. GROSS. I understand that $5,000 is appropriated to each of the 48 States; is that correct?

Mr. POWELL. That is in there, but I shall offer an amendment touching it at the proper time.

Mr. GROSS. But does the gentleman think that any one of the 48 States could not find such a sum of money for such a conference?

Mr. POWELL. That is what I am going to offer an amendment about.

Mr. GROSS. Why should we appropriate to any State for this purpose?

Mr. POWELL. Some States might need the money.

Mr. GROSS. What State, for instance?

Mr. POWELL. Some would use it. But if we use the word "available" I am sure most of them will not ask the Federal Government for a pittance of $5,000 to hold an important conference on education. But if the gentleman believes we should strike out the appropriation it could be done very easily.

Mr. GROSS. At what level, the State level?

Mr. POWELL. At the State level.

Mr. GROSS. Appropriations for activity either at the State or Federal level?

Mr. POWELL. That is right. If they are concerned it can be done. The Office of Education has the right to come before Congress and ask for the sums necessary, and we can provide for that without in any way changing the intent of the law or even making the bill ineffective.

Mr. GROSS. I think that would be a good thing.

Mr. POWELL. We might do that.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from New York has consumed 14 minutes. The Chair recognizes the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. HOLT], the author of the bill.

Mr. HOLT. Mr. Chairman, I am going to make my remarks brief on this White House Conference on Education and save the time to answer any specific questions.

I would like to say in the beginning that my main reason for introducing this bill is that I regard education as a bipartisan issue. It is very important to the future of our country.

If you will excuse a personal reference, after having served in World War II, I was called back and had the opportunity to serve in Korea, and I had the opportunity to once again work with young men who had just got out of our high schools in this country, boys who came from all over the United States, and I saw how their basic education given to them in our free American school system at the local level without any Federal control served them well against this new Communist enemy. I saw how our young men, because of their training, at 17, 18, 19, and 20 years of age, because of the training they received in our American free educational system, were able to cope with the enemy not only because of the technological training they had but also because they were able to think quickly on the field of battle and outwit the enemy.

Let me emphasize that this recent Supreme Court decision has absolutely nothing to do with this bill providing for the White House Conference on Education. This is merely a desire of the Office of Education in proceeding to come to Congress to get their authorization for a conference on education. Sure, they could call a White House Conference on Education, but they wanted to do more than that, by getting the approval of Congress. This bill is specifically designed to get the interested citizen and active lay citizens to participate with the professional educators, to awaken interest through State and local conferences all over the United States.

It is just an overall national meeting to bring in the results of the various State and local conferences. You may ask, Why should we have such a conference as this? I would like to tell you a little bit about the educational picture of the United States, and in saying this I want to be quite frank with you. I do not think this conference is going to come up with any magic solution to the problem. We do not propose that it will. We do not propose to have any decree by this conference to be in any way construed as a demand that the States take a certain action, because I do not believe in that.

Mr. JONAS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOLT. I yield to the gentleman from Illinois.

Mr. JONAS of Illinois. I would like to have the gentleman explain what the language of this bill means when it points out that the minimum that a State is to get is to be $5,000 and that the pro rata distribution is to be made populationwise. No State can get less than $5,000; is that correct?

Mr. HOLT. That is right.

Mr. JONAS of Illinois. Now, New York has the largest population. Based on population, pro rata what would New York get as a maximum out of the $750,000?

Mr. HOLT. Sixty-seven thousand two hundred and seventy-one dollars.

Mr. JONAS of Illinois. And that would apply to the larger populated States all over the country?

Mr. HOLT. Yes.

Mr. JONAS of Illinois. Would not those States having that amount of money to distribute as compared with those having an allotment of $5,000 control the national conference? In other words that would be the means of calling the State conference. They would be prepared to send their representatives to the national conference at the White House. Now, would they not be in control?

Mr. HOLT. There are not going to be delegates. The size of the delegation would not in any way influence the voting at the conference. As far as I am concerned, I do not think there will be any decrees made or votes taken.

Mr. JONAS of Illinois. Where do we find the mechanics set up to determine how many are to be sent from the State of New York, or my State of Illinois, and so on, to the White House conference? Can a State send as many as it chooses?

Mr. HOLT. Yes.

Mr. JONAS of Illinois. They can send 100 or 1?

Mr. HOLT. Yes. The more lay citizens on this advisory council, the better it is, in my opinion.

Mr. JONAS of Illinois. Assuming now that my State gets $50,000 based on population, with whom is that money placed in the State of Illinois for the purpose of distribution?

Mr. HOLT. Whomsoever the Governor designates. Usually it will be the superintendent of education of a State. I will go into that a little further.

Mr. JONAS of Illinois. Would the superintendent of public instruction or the man at the head of the educational department of the State have it within his province or authority to call the different delegates that would represent the State conference, or who would assume the basis for that authority?

Mr. HOLT. The President will write the Governor of your State a letter asking him if he wants to participate in this White House Conference on Education. If the Governor so desires then usually they will nominate the superintendent of instruction to take care of the details. The Governor will call a State conference on education. It is strictly voluntary. It is hoped they will get as many lay people interested as possible in this legislation, parent-teachers groups and so forth. It is hoped that they will have these conferences on each community level in the various States.

Mr. JONAS of Illinois. Will they be paid a per diem?

Mr. HOLT. How they spend the money will be completely up to the State. They can spend it for committee expenses, if they desire, or they can

spend it for the State group to come to Washington. It has been anticipated that the funds allocated here will be an incentive to get the States to put up more money which will be needed to hold these State conferences.

Mr. JONAS of Illinois. If we in Illinois received $50,000 it might not be sufficient to fairly organize and build up the kind of conference that ultimately would have some real impact and effect on the whole problem.

Mr. HOLT. Illinois will get about $39,000. I do not know Illinois' educational problem. But on a conference such as this, I think Illinois should match that sum. That is up to the individual States, however. The reason we advocate having an appropriation in this bill, and I would like to go into that for the gentleman, is because so many of the State legislatures will not have time to meet and to make an appropriation at this time.

Mr. JONAS of Illinois. May I interject one more question, then I am through. I know the gentleman's time is limited. Is it not true that in the big cities, like my city of Chicago, and the cities in other areas where people spend a great many millions, and have many millions to spend, for education, they have a system set up for education in connection with school curriculums and all that, which has been analyzed, studied, and worked over by the best brains and the best educated minds that we have in this country?

Now, I feel there is nothing wrong with the educational system of the big cities. Where we are lacking is in the backward sections, in the far remote territories, where the land area or the physical assets are such you cannot get the money to educate the people. Now, how in the world can any of our high level educators in the city of Chicago, New York, or Los Angeles, who are so saturated with the metropolitan background of education, advise someone and tell them how to run a school district in a backward area located in a State with only 200,000 people in it?

Mr. HOLT. This bill is designed to help the entire population in all the States. It is designed to reach the people the gentleman has mentioned.

Mr. Chairman, we are short over 300,000 classrooms in the United States today, and by 1960 we will be short over 400,000 classrooms. The subject of teachers has been mentioned. We are short over 100,000 teachers in the United States today, and the number of children, you might be interested to know, of educational age in our country today is 37 million, and we expect that to increase in 1960 to 49 million.

Why are we having a White House conference? The basic idea is to discover, one, what role should the Federal Government play in education; and, two, what can the citizens of the 48 States do to meet their educational needs. Some of the States have done a very good job about cutting down the number of their school districts, which makes for building more schools and better school construction. We hope this White House conference will speed up the educational programs in many of the States.

The reason we are asking them to hold these local conferences is because we do not want Federal control. We want them to assist us and tell us and let Congress know what can be done. And, we want to bring about a better understanding between the States and local authorities in reference to education.

I would like to tell you about citizen interest in education. We all know about that on the local level, and on the local level it has increased greatly. Parent-teacher membership has doubled in this country since 1946. There are over 8 million people in the Parent-Teacher Association. The amazing citizen education group growth is really phenomenal in our country. By that I mean is that local community groups have met to solve local school problems, to assist in school construction, as well as other school activities. In 1950 there were only 1,000 such groups, and today there are over 8,000.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HOLT. I yield to the gentleman from Kentucky.

Mr. PERKINS. What does the gentleman consider to be the chief problems that the White House conference would be confronted with?

Mr. HOLT. Well, the chief problems are how to meet the problems I mentioned of a shortage of 300,000 classrooms in this country and a shortage of 100,000 schoolteachers. Also, it is a common ground to meet with the other States to exchange ideas, how certain States have met their problems and exchange ideas of school construction and property assessments and so forth.

Mr. PERKINS. I am wholeheartedly in agreement with the statement the gentleman has just made, but tell the committee whether we now have available all the information needed insofar as school construction is concerned, that is, from the survey that was recently authorized and completed by this Congress.

Mr. HOLT. The gentleman is talking about the school surveys. They tell us what the shortage of school construction in this country is. The figures came from them, but that does not show how to solve the problem.

I would like to tell you a few of the groups in our country who are supporting this conference.

Mr. PERKINS. Mr. Chairman, will the gentleman yield further?

Mr. HOLT. I yield. I could not resist yielding to the gentleman.

Mr. PERKINS. That is very kind of the gentleman. I realize that this bill has commendable aspects, but does not the gentleman think that this money could be better expended if it was disbursed to the States throughout the Union on the same formula that we proposed to disburse this money to the States for the purpose of actually preparing school plans on the data that the States now have available as the result of the two surveys that have just been made, one by the United States Government and the other by the National Education Association?

Mr. HOLT. No, sir. I would like to tell you of a few of the groups in our country who have endorsed this White House Conference on Education, because many of them will be from your own States, and I am sure you would be interested.

The National Congress of PTA's have supported it.

The American Federation of Teachers.

The National Education Association, which is our largest educational association in the country.

The National School Boards of Education.

The chief State school officers of all of our States; that is the superintendents of education in the various States.

The American Association of School Administrators.

The American Council on Education.

Many State and local PTA's.

I would like to tell you a little bit about how the State conferences would be organized, and set up. I covered that subject a little bit in my discussion with the gentleman from Illinois [Mr. JONAS]. The President would write a letter to the governor of the State inviting him to participate if he so desired. The governor would answer that letter and designate who he wishes to be the chairman of that State conference. Upon acceptance, the department of education would follow up with the State superintendent of education or whoever the governor designates.

How the Federal funds would be used would be entirely up to the States. They can use them for their conference arrangements, to pay committee expenses, to pay the expenses of their delegation to come to Washington; or however the State desires, with no Federal control whatsoever.

The State would prepare for use of the White House Conference a report on the findings of the State conference. The target date for the State conferences would be between the fall of 1954 and sometime in the summer of 1955, with the hope that the White House Conference would be held as soon as possible.

I want to stress that it will be held as soon as all the State conferences have finished. Everything will be done to expedite this conference. The conference would be planned and managed by a committee of citizens and educators. The President is going to be the honorary chairman and a lay person will be the chairman of the conference committee.

CONDITIONS IMPEDING PROGRESS

There is a limit placed on the rate of taxation of real property by State law, and the community has reached that limit. The schools are restricted to the local property tax for local school support in most of the States.

There is a maximum ceiling on bonded indebtedness fixed by State law and the ceiling has been reached. The ceiling is not uniform among the States so that in some States the limitation is much more of a restriction than in others.

The laws make it difficult to bring about redistricting that would foster more efficient school organization and provide a broader base for financing school construction and school operation.

If the school district proposes to raise local assessments of real estate to current values it finds itself carrying a disproportionate share of county or statewide taxes without this being done generally throughout the State.

The school district finds it is limited to the resource of local taxation because the State has not developed a program of State aid for school construction that would distribute funds from State tax resources either to all or to especially needy districts.

Progress in removing these barriers is being made, but slowly. For example: As the result of changes in State laws, 8 States have reduced the number of school districts by one-half or more since 1944.

Reduction of school districts

	Number of school districts	
	1944	1953
Arkansas	2,451	423
Idaho	1,129	216
Illinois	11,955	2,607
Mississippi	4,945	1,417
New York	5,730	2,662
Oklahoma	4,448	1,888
South Carolina	1,742	103
Texas	6,132	2,146

New York State, by a State law establishing an overall State equalization of tax values for bonding purposes, has increased the bonding capacity of many districts.

In the State of California a school-construction program was established in 1949 which provides for school-construction grants alone of $55 million, and later school-construction loans of $435 million were authorized. In 1949 and 1950 State plans for financing capital outlay were enacted or increased in the following States: Arkansas, California, Connecticut, Maryland, New York, North Carolina, Pennsylvania, Tennessee, Virginia, and West Virginia.

DR. BROWNELL

In preparing this bill on the White House Conference on Education, I had an opportunity to meet our new Commissioner of Education, Samuel Miller Brownell. I want you to know that I have the greatest of confidence in Dr. Brownell, and would like to take this opportunity to let you, my colleagues, know the wonderful experience he has had in education. He holds a very important part in our American Government, and believes, as I do, that the educational problems of the United States can best be solved on a local level, and does not want any Federal controls of any kind. He has four children of his own, and that qualifies him as a bit of an expert as a father.

His professional experience is as follows:

1921–23: Science teacher and principal, Demonstration High School, State Teachers College, Peru, Nebr.

1926–27: Assistant professor of education, New York State College for Teachers, Albany, N. Y.

1927–38: Superintendent of schools, Grosse Pointe, Mich.

1938–53: Leave of absence beginning in 1953. Professor of educational administration, Graduate School, Yale University, New Haven, Conn.

1953: United States Commissioner of Education, Department of Health, Education, and Welfare, Washington, D. C.

Summer school lectures in education:
University of Wisconsin, 1927, 1939.
Cornell University, 1930, 1941.
University of Southern California, 1940, 1950, 1952.
Harvard University, 1931, 1932, 1933, 1934, 1935.
University of Michigan, 1942, 1944.

School surveys:
1939: Newport, R. I., staff member, director or codirector.
1940: Wilton, Conn., staff member, director or codirector.
1940: Hingham, Mass., staff member.
1940: Braintree, Mass., staff member.
1941: North Haven, Conn., director or codirector.
1941: Glen Ridge, N. J., staff member.
1944: Boston, Mass., staff member.
1945: Illinois, higher education, staff member.
1945: Bayonne, N. J., director or codirector.
1946: Unquowa School, staff member.
1946: Amherst, Mass., staff member.
1946: Red Bank, N. J., staff member.
1946: Rye, N. Y., director or codirector.
1946–47: Lincoln, Nebr., director or codirector.
1946: Kamehameha School, Hawaii, director or codirector.
1948: Essex, Conn., director or codirector.
1949: New London, Conn., director or codirector.
1949: Brattleboro, Vt., director or codirector.
1950: Putney, Vt., director or codirector.
1950: Vernon, Vt., director or codirector.
1951: Greenwich, Conn., director or codirector.
1951: Buffalo, N. Y., staff member.
1952–53: Stockbridge, Mass.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. POWELL. I yield 10 minutes to my esteemed colleague from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, it is not my intention to oppose this legislation. It was reported practically unanimously out of the Committee on Education and Labor. I can see nothing wrong in holding conferences, but I want to make the point at this time that the most important thing in the field of education is not talk; it is action. A situation has developed here through the negligence of the several States and the local school districts and the Congress itself that makes the school situation insofar as it applies to school facilities a national disgrace.

My remarks, Mr. Chairman, will be directed along the line of the need for a program of construction of school facilities.

Mr. Chairman, day after day, in news items concerning juvenile delinquency, in the revelations of the recent court-martial of Cpl. Edward S. Dickenson, together with constant pleas from educators and friends of education, the need for an accelerated school construction program is brought to our attention.

What we read in our newspapers and hear over the air merely confirms the alarming statistics provided the Congress by the United States Office of Education in its most recent report on school facilities. Copies of this report were forwarded to the Congress earlier this year.

The weight of the gathering and accumulating evidence requires action by the Congress on a Federal school construction program, since the Office of Education report shows that even if all local authorities spent to the limit of their financial and legal responsibility, there would be a deficit of almost $5 billion in the sums required to provide adequate physical plant for our public education system.

These statistics, plus the corroborating evidence in the world in which we live, confirm President Eisenhower who said in his state of the Union message that we are not training teachers nor building schools fast enough to keep up with rising enrollment.

Unfortunately, the President, in meeting the problem proposes more study preparatory to a general conference on education in 1956. We cannot wait that long. Every day, every month that we put off this most pressing problem, we are compounding the evils of inadequate education. The Congress and the administration grapple with grave problems, seeking solutions designed to provide a peaceful world. Strive as we shall, it is unlikely that, in our times, we shall achieve this goal. We must, then, provide the means to train our youth so that they may have the abilities to cope with the problems for which we can find no solution.

Mr. Chairman, I invite your attention to an editorial from the Washington Post and Times Herald for Saturday, May 8, which discusses the case of Corporal Dickenson. I call this discussion to your attention because of one key sentence, and I quote:

> Corporal Dickenson was an enlisted soldier who seems to have been very poorly prepared by experience, education, and early environment for the sort of moral decisions he was obliged to make in captivity.

It seems to me that the case of Corporal Dickenson makes one thing extremely clear: Better training, and especially educational training, could have given Corporal Dickenson the necessary mental equipment to make the proper decisions when a captive.

It matters not whether you believe, as the Army court-martial believed, that the corporal betrayed his fellow prisoners; or whether you believe he was the victim of psychological torture; or whether you believe his only mistake was, temporarily, to have accepted the Communist doctrine. There could have been no Dickenson case had the corporal had proper training.

We are in a cold war; it may last as long as 50 years; it may break into a hot war at any time during that period.

Can we afford to lay the groundwork for future Dickenson cases—perhaps multiply them—because we refuse to provide the physical plant to educate and train—and thus conserve our greatest national resource, the youth of the country? We cannot.

Review the history of those other unfortunates who chose communism rather than freedom. Would there have been any who made that decision had all of them had proper educational training? I think not.

Early this year the Army announced that it intended to refuse to reenlist something like a million men, who had not been able to rise above the rank of private. This means that modern warfare has become so highly technical and intricate as to be beyond the ability of these men to comprehend.

Obviously, some may not have the mental capacity to absorb training. The majority just have not been trained. Can we afford to compound this inadequacy merely because we refuse to build enough schoolhouses? We cannot.

As warfare has become technical and intricate, so has modern industry. These perennial buck privates will be faced with the same difficulties in civilian life. Do we intend to let them become charity cases, or street corner beggars, or burglars and thieves, or shall we just let them go to some quiet spot where they may unobtrusively starve to death?

The longer we postpone an adequate school construction program, the more such potential perennial privates we create.

Juvenile delinquency is a problem that is puzzling our law enforcement officials from the cop on the beat on up to J. Edgar Hoover. Legislators from city councils up to the Congress of the United States have been attempting to find a solution.

A Senate subcommittee conducted extensive hearings on the subject. It is now investigating comic books, to determine the truth or falsity of allegations that such publications influence juvenile delinquency. A House subcommittee conducted hearings several years ago on the general subject of salacious literature.

We have heard and continue to hear charges that this type of reading matter instructs our youth in the arts of rape, arson, murder, assault, and other crimes of violence. I do not read these publications so I do not know from firsthand whether these charges have any foundation. I do know that arguments have been advanced in favor of censorship in connection with such publications, and that such arguments have been opposed on grounds that any such action, at any level of government, is a step which could lead to infringement of some of our basic rights.

I suggest, however, that proper training of our youth would lead them to more discrimination in their reading matter. I know that the majority of our young people can be trained into reading wholesome and instructive matter. This job is the responsibility of the home, the church, and the schools. No government can be a substitute for parents, nor should it be attempted. I know of two major attempts—by Nazi Germany and Communist Russia.

No government should attempt to interfere in the workings of the church. We may turn again to Nazi Germany and Communist Russia as examples of nations where this has been done.

Government, Federal, State, and local, does, however, have the right and the duty to establish and maintain an adequate school system—and in so doing we assist and help parents and the church to train our youth, so that their energies and their curiosities may be directed into useful, constructive channels.

The school can help take up the slack of those parents who are incapable of providing the proper home training of our youth. If we do not maintain an adequate school system this cannot be done.

If it is not done we are compounding the problem, for we are permitting a greater and greater number of future parents who will not be equipped to do a good job on the generations to come. Unless action is taken now, we are creating a snowball situation which can ultimately destroy our civilization as completely as bombs, be they of the hydrogen or cobalt variety.

Mr. Chairman, I refer my colleagues to the testimony on this subject given by the United States Commissioner of Education, Dr. Samuel Miller Brownell, when he appeared before the Hendrickson committee last December.

The provision of adequate school facilities gives us a two-edged weapon in our efforts to combat growing juvenile delinquency. Overcrowded school rooms have a negative byproduct and increase the need for order, and tend to make the teacher adopt the methods of a martinet, rather than those of a guiding disciplinarian.

When order is maintained without an accompanying effort to make the child understand the meaning of discipline, it ceases to be discipline and is nothing more nor less than forcible subjugation. This creates in the mind of a child a disrespect for authority, which, outside the classroom is translated into disrespect and fear of the police officer.

It is a fundamental principle of all police departments that crime and delinquency are best prevented when law-enforcement officers are respected. Every department spends time, money, and effort to encourage young people to respect the cop on the beat.

We should be justifiably proud of the strides made in this country in the field of public education. We should not rest on past laurels, because we have not accomplished all that we should. A recently released survey by the National Education Association, Educational Differences Among the States, shows present and prospective needs for an increase in the Nation's educational effort. For example, only 82.7 percent of school-age children were attending school in 1950–51; the average American over 25 has had only 9.3 years of schooling; 11 percent of Americans over 25 have had less than 5 years of schooling; about 14.5 percent of persons tested failed the Armed Forces qualification test in 1950–51.

Those are not statistics designed to foster a feeling of national pride.

There are several areas where we can assist on the Federal level. One is a general aid program, covering administrative costs, teacher salaries, and so forth. This has been highly controversial in the past, and probably would be now.

Another method of Federal assistance would be a grant-in-aid construction program, which would not bring in the points of controversy we had in the case of S. 246 in the 81st Congress.

I submit, Mr. Chairman, that we have no need of further conferences to determine the extent of the need for a school construction program. We do not have to take the data of the National Education Association, a private agency. We have ample data supplied by a Federal agency, acting under authority of the Congress.

Under title 1, Public Law 815, 81st Congress—which I am proud to say bears my name—the United States Office of Education was authorized to survey public elementary and secondary school plant facilities. Three million dollars was appropriated for the survey. This Congress rescinded that part of the appropriation remaining unexpended on December 31, which, in my opinion, was an unwise decision.

The school facilities survey conducted under this authority was, in fact, a series of State surveys by the State educational agencies in cooperation with the Office of Education and coordinated at the Federal level by the school housing section.

The final report of the incomplete survey was submitted early this year. I might point out that this final report was made under supervision of officials appointed by this administration, so we have here a truly bipartisan effort. The survey was started under a Democratic administration, and the final report was prepared by a Republican administration. Here are some of the facts presented in this report:

Three-fourths of the Nation's pupils attend schools where the area is below minimum standards. This means crowded recreational facilities, throwing more and more children onto the streets and highways for play periods.

About 1 in 5 pupils is forced to attend school where more than 1 grade is taught in each classroom; yet accepted standards are 1 grade to a classroom.

Approximately one-third of all children included in the report are housed in buildings more than 50 years old, and almost half the buildings are more than 30 years old.

Virtually 4 out of every 10 classrooms have daily loads in excess of 30 pupils, which is the maximum acceptable enrollment established in many States.

Eighty percent of all elementary schools included in the report do not provide any special rooms, such as kindergartens, music rooms, libraries, gymnasiums, auditoriums, cafeterias, and so forth.

I might point out, parenthetically, that such rooms as libraries, gymnasiums, and auditoriums can be important weapons in our fight to curb juvenile delinquency.

One out of every five students is housed in a school building that does not meet fire safety conditions.

Only 4 out of every 10 pupils is housed in a school building which is rated as satisfactory.

At the beginning of the 1952–53 school year the total number of new classrooms needed in the 43 States reporting was 245,417, including 126,680 to replace classrooms in obsolete buildings; 73,421 to relieve overcrowding and 43,316 to house enrollment increases.

Mr. Chairman, we cannot read these statistics without concluding that the school construction needs are great—now. We do not need further conferences to determine that fact. Neither do we need wait until 1956 to find out how far the States and local governments can go in meeting the need.

The total capital outlay need for these 43 States participating in this survey was $8,309,621,034; the applicable resources were $4,578,301,970; and the total remaining deficit was $3,731,319,064. The Office of Education has projected these figures to include all States and Territories, and report an estimated deficit of $4,744,610,401, almost $5 billion.

I suspect, Mr. Chairman, that the deficit as of today may be even greater. This deficit was based on the use of maximum State aid and bonded intdebtedness on the part of each local school district, or county, up to the legal limit. We know that the legal limit is meaningless unless school bonds may be sold, and unless revenue is available to the States to meet their share of the cost.

In my own State of West Virginia—where there is reported a deficit of more than $80 million—we are facing a loss of revenue all down the line. As the result of the depression in the coal industry we have more than 100,000 unemployed, and many more workers on a part-time basis. This has sharply reduced retail sales, the principal source of State revenue. The situation is so acute that Governor Marland recently was forced to impound 5 percent of the current year's "in line" spending program in order to make up part of the deficit from reduced revenues for next year.

How well will we be able to sell school bonds in West Virginia when the buyers know of our severe unemployment problem, and how well will the State be able to keep up its share of the program when its sources of revenue dry up?

I expect other States are experiencing some of the same difficulties.

Mr. Chairman, we must face up to this problem now. In the other body a subcommittee has already started hearings on aid legislation. I am pleased to know that the chairman of my committee has set up a subcommittee to consider legislation. I have introduced H. R. 7467, designed to meet the school-construction deficit. I hope we can report out and enact a good school-construction program before we adjourn. I ask my colleagues to read this report from the Office of Education. Pay particular attention to the charts and tables dealing with your own State. Consult your own chief State school officer. Consult the school administrators in your own districts. I am confident if you do this, we shall enact much needed legislation this year.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Georgia.

Mr. FORRESTER. As I understand, the gentleman is perhaps the father of Public Law 874. I do not know of any Member of Congress who has had more to do with the preservation of that law. My people are mighty grateful to the gentleman on that account. However, may I ask the gentleman, in view of the fact that this same committee is cutting down considerably on funds for militarily impacted areas, and the gentleman knows the problems my people are suffering from down in my section, how can the gentleman reconcile giving away $750,000 in the bill today when in some instances funds for militarily impacted areas are going to take about a 40-percent reduction in some of those sections down there?

Mr. BAILEY. They made that reduction in the absorption percentage. They increased it to 3 percent over the 2 percent over my protest. I did not sign the conference report on that legislation last year, and that is one of the basic reasons why I did not do so.

I will further advise the gentleman from Georgia that I have a bill pending in the House Committee on Education and Labor to restore the 2-percent absorption rather than the 3-percent absorption which will go into effect July 1.

Mr. FORRESTER. I appreciate that statement, and I am sure the gentleman would do that. But I understand this same committee now has made that reduction, and has not approved your bill. Is that true?

Mr. BAILEY. They are reporting this bill out, and the proposal has been made.

Mr. FORRESTER. Does the gentleman think the money for these purposes is anywhere near as important as the money for the purposes set out in the gentleman's Public Law 874?

Mr. BAILEY. I am going along with the idea provided we have some assurance there will be some action taken on school construction, also on the problem the gentleman faces of restoring that 2-percent absorption.

Mr. FORRESTER. Then that is the problem we are facing, with the committee being against us on Public Law 874.

Mr. BAILEY. We are going to have some hearings. I invite the gentleman to come over to the Committee on Education and Labor and we will hear about the situation in the gentleman's State of Georgia.

Mr. FORRESTER. I would like to have that cut restored, instead of having an invitation to appear before the committee.

Mr. BAILEY. We will be glad to hear the gentleman from Georgia at the proper time.

Mr. McCONNELL. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, I would like to call the attention of the Committee, particularly some of the gentlemen who have raised points on the other side of the aisle, as to why we need this conference at this time—my good friend, the gentleman from Kentucky, asked my colleague, the gentleman from California, certain particular questions, is that not correct?

Mr. PERKINS. Yes.

Mr. WAINWRIGHT. I call your attention to the fact that in five States in this country there were rejects at the time of the Korean war through the failure of the Armed Forces qualifications test running as high as 58 percent. Those percentages are 43, 45, 47, 48, and 58 percent against an overall national average of 19.2 percent. This constitutes, in my opinion, an appalling national waste. It should be corrected in no matter what State it is found.

It faces all States throughout the country with the great demand on our manpower. It is not a States' rights issue.

Mr. WINSTEAD. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield.

Mr. WINSTEAD. I understood the regulations of the Army—and I made inquiry as a member of the Armed Services Committee at that time, if you will recall that was about the time they broke down segregation in the armed services of this country.

Mr. WAINWRIGHT. Sir, that was done yesterday, and I am sure that this is a fine thing.

Mr. WINSTEAD. No, not in the armed services. The Navy and Air Force were able to get their recruits through the volunteer system and that was why the Army had to take so many Negroes. The rejection rate was so high they finally had to change their standards. The gentleman will recall that it was the breakdown of segregation in the Armed Forces that caused the rejection of so many and caused a change in the requirements.

Mr. WAINWRIGHT. I was going to say that was, possibly, because segregation existed at that time.

Mr. Chairman, I yield myself 2 additional minutes and yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield.

Mr. PERKINS. I certainly want to thank the gentleman for yielding to me and the fact that he pointed out that the rate of rejections went as high as 58 percent during World War II. This is a reason that if we are going to have a conference it should not be postponed until 1955 or 1956.

Mr. WAINWRIGHT. I will answer that question. I yielded to the gentleman to ask a question, not to make a statement.

Mr. PERKINS. It should be called by the Commissioner of Education within the next 30 days, and we should pass legislation——

Mr. WAINWRIGHT. Mr. Chairman, I decline to yield further to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, does the gentleman want me to complete my answer?

Mr. WAINWRIGHT. I yielded to the gentleman to ask a question. I will answer. I think this White House conference should get under way right away. I answered the contention of the gentleman from Kentucky which he advanced when we debated this question on the floor last week. I believe it is in the RECORD. But I would like to point out also to the gentleman from Kentucky additional reasons why this conference should be held right away as the gentleman suggested. The first is that as of this time throughout the country they are having difficulty redistricting these school districts and this conference will bring about some solution of setting up more efficient school organization. It would provide better advice for financing school construction and school operation and so forth.

As was brought out in the debate last week the school districts could benefit from advice whether it came from the Federal Government or no matter where it came from as long as it was constructive to the local school district.

Further I would like to point out to the gentleman that if a school district proposes to raise local assessments on real estate to where it represents current values it finds itself carrying a disproportionate share of county and State taxes, and this is being done generally throughout the country.

An additional reason why there is a limit placed on levying taxes, as you know, on real property by the various State laws throughout the 48 States and the schools are restricted to the local property tax for local school support.

Mr. POWELL. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I intend to support the bill; however, I am hoping the bill will be improved. I have listened to all the arguments here this afternoon and all of those arguments convince me that one of the original purposes of the bill was to delay the school construction program. Notwithstanding this, I am in favor of conferences that may improve our educational program.

Why do I say that? The distinguished gentleman from New York who just preceded me pointed out the high rate of rejections during World War II. Kentucky happens to be one of those States. A better educational program is the answer to this argument and we already have at hand all needed data. The United States Office of Education has recently completed a survey which this Congress authorized and expended $3 million for data. The financial standing of every county in this nation was considered in that survey and the limit to which the county could go under its Constitutional provisions in the issuance of bonds for school building purposes, as well as the need for classrooms, teachers, and other facilities.

The arguments that my distinguished chairman, the gentleman from Pennsylvania [Mr. MCCONNELL], the gentleman from New York [Mr. WAINWRIGHT], and the gentleman from California [Mr. HOLT] have raised about the ability of the various local governments to bond themselves for school building purposes have been completely answered in that survey. That has been referred to here several times this afternoon. I would like to know just what we could be expected to learn from an additional study on school construction needs when we now have the data available.

This survey also points out the situation with reference to the shortage of classrooms in every State of the Union. The country today is in need of more than 345,000 classrooms. It further points out the teacher shortage and it showed that 1 child in every 5 goes to school in a fire-trap school building. In addition to that survey, we have the survey of the National Education Association completed last fall which clearly points out the shortage of classrooms, and that more than 250,000 children were attending school on a part-time basis.

The NEA survey further disclosed that only about one-third as many grade-school teachers as this country needs are now being trained.

Those are the problems with which we are confronted today. The crisis is already here in the field of education and the Commissioner of Education now has the authority to call any conferences that he chooses. He and the President could tomorrow discuss plans for a White House Conference and it could be arranged to have such a conference within a short period of time. We all know that the various State departments of education in this Nation always cooperate with the Commissioner of Education. The local leaders in education back home would come to Washington within a period of 48 hours if they received such an invitation. Those people will come to Washington spontaneously because the crisis is so great. Personally, I would rather see this $750,000 given to the States on the same formula that we use in the bill to prepare plans for school construction, or expended for vocational education.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I compliment the gentleman on his statement, and, may I say that those members of the committee on our side of the aisle agree with him completely as far as the school construction program is concerned. We want to take this opportunity to tell the gentleman that there will be no delay on our part in that respect. We merely intend to have a complete and thorough study, then come forward with a complete program, and not do it piecemeal.

Mr. PERKINS. What does the gentleman think about the study that has just been completed?

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. As I understood the gentleman, he said he would rather have the money divided among the States for the purpose of planning than to have it spent for this purpose.

Mr. PERKINS. Of course. We now have all of the needed data on facilities.

Mr. RHODES of Arizona. Does the gentleman feel that the people of his particular district could spend the money gratuitously to come up here to this conference? Do you not think that the money involved here is going to be needed if the people in his district are so poor they are not able to complete plans that he is talking about? How can they furnish the money to come up here to a White House conference under those circumstances?

Mr. PERKINS. Of course, we are going to take the money, but so far as the priority of the money is concerned, we should be spending it for the purpose of getting school construction started now. That is my point. Expend it for school construction, vocational education, vocational rehabilitation, or other more pressing needs than the purpose specified in the bill.

Mr. MCCONNELL. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I am sure all the Members of the House recognize the vital importance of adequate education for our children. They recognize also the serious problems today existing in the field of education. The problem is how we can best meet those problems. One way in which those problems can be attacked is by the proposal we are considering today: State conferences to be followed by a national conference.

At this time I would like to point out that this bill has been specifically recommended by the President in his state of the Union message this year. He said:

> I hope that this year a conference on education will be held in each State, culminating in a national conference. From these conferences on education, every level of Government—from the Federal Government to each local school board—should gain the information with which to attack this serious problem.

The President's point of view was again expressed in his budget message to the Congress in these words:

> The proposed national conference and preparatory State conferences will be most important steps toward obtaining effective nationwide recognition of these problems, and toward recommending the best solutions and remedies. I recommend immediate enactment of the authorizing legislation and appropriations so that preparations for the individual State conferences as well as the national conference can begin at once.

Now, a number of our colleagues here today have suggested that perhaps there was no need for State conferences or for a national conference. I should like to point out, partly in view of the recent Supreme Court decision on the segregation issue, that perhaps some States are in fact more in need of conferences than they have been up to this point. Governors in several States already have called conferences to consider their educational problems, which in some cases have been complicated by the recent decision of the Supreme Court.

In conclusion, I should like to reassure those who fear that these conferences

will delay action on problems in the educational field. Congress can consider appropriate legislation in this field regardless of these conferences. These conferences have two primary purposes. They are to study problems, and to act upon them. The conferees will appraise and consider, and then consider what action should be taken to solve these problems.

Mr. McCONNELL. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. POWELL. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, in analyzing the arguments for and against this piece of leigslation, it seems to me that one side of the opposition says that this particular conference is not needed. Another faction in opposition says that this particular conference is needed but that it is not enough; it is not the answer to the problem, and therefore we should go further. I will certainly agree with the latter theory. I do not think that this is the solution to our problems at all, and it is not intended to be the solution to our problems for the education of the children of this country.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Kentucky.

Mr. PERKINS. The questions that I raised or attempted to raise are: What are we going to do about the problems that have already been pointed out, the need for immediate school construction, and the need for money to pay adequate teachers' salaries and furnish better facilities for the schools?

Mr. RHODES of Arizona. The gentleman knows that we are going to have hearings to provide ways and means to extend categories under which aid such as he envisions can be given. I am sure the gentleman also knows that this cannot be done in 1 day. We do not want to come out with a bill for aid to school building which will run into the same opposition that was raised here today; in other words, that this is a Federal dragon that we are trying to force down somebody's throat. When we come out here with any kind of a bill for education, it should be understood that it cannot result in Federal control of education, but that it is to help the districts to help themselves in the many deplorable situations where young men do not have educations adequate for the armed services or even to fit them into the life stream of the civilian community. I think the gentleman is cognizant of that.

Mr. WINSTEAD. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Mississippi?

Mr. WINSTEAD. Is it not true that the United States Office of Education complains that we have reduced appropriations for the Office of Education to the extent that they cannot now furnish to the people in the various States information that they now have available? It appears to me that this money could be better spent through the United States Office of Education for distribution or give them sufficient aid to distribute such information as they now have rather than authorize $750,000 to have all these people come in to Washington to probably get the same information that is now available in the various States.

Mr. RHODES of Arizona. The gentleman will remember that last week I had a bill, H. R. 9040, which the gentleman violently opposed, to provide for more research and dissemination of information by the Office of Education.

Mr. WINSTEAD. To contract with the States.

Mr. RHODES of Arizona. That is correct.

Mr. WINSTEAD. I contend, so far as the State of Mississippi is concerned, it might be willing to do the job the gentleman wants done and pay for it at State expense, and it will not cost one-tenth of what it would cost if you paid for it with Federal funds. That is the point.

Mr. RHODES of Arizona. I think the gentleman may agree with me that the State of Mississippi would probably need some of the advice that it may get from this White House Conference.

Mr. WINSTEAD. I disagree with the gentleman, and the gentleman from New Jersey made the same statement concerning other States, but I think one of the troubles with the school system in our whole Nation today is perhaps that the people of my State try to advise the people of the gentleman's State, and the people of the gentleman's State try to advise my people concerning things that none of them knows anything about.

Mr. RHODES of Arizona. That is where the gentleman and I disagree, because I have never been above adopting an idea if it was a good idea, and if it would fit what I had in mind to accomplish.

Mr. WINSTEAD. I would also accept an idea if it was good.

Mr. JONAS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Illinois.

Mr. JONAS of Illinois. Does the gentleman agree with me that when we get down to a practical analysis of the situation having to do with a shortage of teachers, that the underlying cause for the shortage of teachers in this country is obvious and apparent to everybody; namely, it is the inadequate wages that we pay them and the poor inducements that we hold out to them in the big metropolitan centers, as well as in the backwood areas. They are not offered wages comparable or attractive, considering the original investment that they have to make in order to get their education. Is not that just about the situation?

Mr. RHODES of Arizona. I believe the gentleman has made a fair statement. I would like to say in that regard that my own State of Arizona, I think, stands second in the salaries that it pays its teachers. And we have good teachers, although we always need more of them.

Mr. McCONNELL. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HOLT].

Mr. HOLT. Mr. Chairman, I should like to make part of the RECORD a letter from Dr. Brownell, Commissioner of Education, in answer to a question of my good friend, the gentleman from Montana [Mr. METCALF]. In essence, it is that the Commissioner of Education will invite at least one representative from such American possessions as Guam, the Canal Zone, and American Samoa to this White House Conference on Education.

I would like to state also that several times during this debate it has been brought out about the school facilities survey that has been taken. That merely points out the trouble spots where the need is. It does not offer any solution to meet the problem in America today.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That appropriations are hereby authorized, as set forth in sections 2 and 3, to enable the President to hold in the city of Washington, D. C., a conference of educators and interested laymen from all parts of the Nation, to be called the White House Conference on Education, to consider and report to the President on significant and pressing problems in the field of education.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. POWELL: On page 1, line 9, after "education.", strike out the period and insert "before November 30, 1955."

Mr. POWELL. Mr. Chairman, the purpose of this amendment is to pinpoint this bill so that this conference could not be used—and I do not charge that it will be—as a political football. It is too important a conference. This amendment means that the conference must be held before November 30, 1955, and cannot go over into the election year of 1956.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. The gentleman has taken into consideration the likelihood that all State conferences will be finished? Otherwise I have no objection. In other words, are there any State legislatures' meetings, the dates of which might interfere with the purpose of an amendment of this sort?

Mr. POWELL. I do not see how they could.

Mr. McCONNELL. The White House conference is expected to be held during November 1955. As a matter of fact, I understand they are planning to hold the conference even sooner than that. So it is all right with me. I just do not want to interfere with any State legislature.

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from California.

Mr. HOLT. May I say that the Commissioner of Education and the Office of Education would like to hold this as soon as possible.

Mr. POWELL. I would like to see it held before October 1.

Mr. HOLT. So I do not think it will go over to 1956.

Mr. McCONNELL. I am in accord with the gentleman's purpose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

GRANTS FOR STATE CONFERENCES ON EDUCATION

SEC 2. (a) To enable each State to bring together, prior to the White House Conference on Education, educators and interested citizens to discuss educational problems in the State and make recommendations for appropriate action to be taken at local, State, and Federal levels, there is hereby authorized to be appropriated the sum of $1,500,000. Sums appropriated pursuant to this section shall be allotted to the States on the basis of their respective populations according to the latest figures certified by the Department of Commerce, except that no State's allotment shall be less than $10,000.

(b) The Commissioner of Education shall pay, through the disbursing facilities of the Treasury Department, its allotment to each State which, through its Governor or other State official designated by the Governor, undertakes to accept and use the sums so paid exclusively for the purpose set forth in subsection (a), and to make a report of the findings and recommendations of the State conference for use of the White House Conference on Education. Sums appropriated pursuant to this section shall remain available until December 31, 1955, and any such sums remaining unpaid to the States or unobligated by them as of that date shall be returned to the Treasury.

With the following committee amendments:

Page 2, line 4, strike out the sum and insert "$750,000."

Page 2, line 9, strike out the sum and insert "$5,000."

The committee amendments were agreed to.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 1, line 11, strike out section 2.

Mr. POWELL. Mr. Chairman, the purpose of this amendment is to answer the many criticisms that have been made here today that this sum of $750,000 could be better spent for other purposes in the Office of Education. It also will remove from this conference what I personally consider almost undignified if not insulting, to offer the various States $5,000 to hold State conferences. It would be a pittance. Any State that is interested in the problem of education, and every State in this Union is, would be glad to hold such a conference because, as far as I know, every State does hold an annual educational conference anyway. This would just be an unnecessary expenditure.

Further, in what is now entitled section 3, money is appropriated to the Commissioner of Education as Congress determines to be necessary for the administration of this act and for other expenses of the Office of Education in planning for and holding the White House Conference on Education and in making available to the public the findings and recommendations of the conference. Therefore, any expenses necessary as to this conference can be obtained through the regular channels by coming before the appropriate committee of the House.

Therefore, I ask for a vote on the adoption of this amendment.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I would like to hear a little about this amendment. I did not understand it at the time it was reported. Does the amendment strike out all on page 1 from line 10 down to and including line 9 on page 2?

Mr. POWELL. It strikes out the entire section 2, which is entitled "Grants for State Conferences on Education."

Mr. McCONNELL. That would be (b) also?

Mr. POWELL. That is right.

Mr. HOLT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, section 2 is a vital part of this legislation. As I stated in my previous remarks, we accepted in the committee and we have just adopted an amendment here cutting down the figure from $1,500,000 to $750,000. The reason we want to appropriate this money is to stimulate the States into action. They will have to match the funds because, as the gentleman from New York [Mr. POWELL] pointed out this will not be adequate for a State to put on their conference. We want to spur them into action, and when they accept the invitation to come to this conference, we want them to be able to start and get their State conferences on a local level with interested citizens and lay people. The reason we need this money is the fact that this is going to be on the basis of citizens and lay people. The professional educators are already organized in the various local communities. Also section 2 points out the purposes of the White House Conference on Education, and that should not be stricken out.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOLT. I yield.

Mr. GROSS. Where is the provision for matching funds?

Mr. HOLT. There is no provision for matching funds. It is not written in here, but it is just taken for granted that they will not be able to put on State conferences for education on the small amount of funds that we have appropriated.

Mr. GROSS. But there is no provision for matching funds, as the gentleman just stated previously.

Mr. HOLT. There is not.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. HOLT. I yield.

Mr. POWELL. Where is it stated in section 2 that that is the purpose of the Conference? I cannot find that.

Mr. HOLT. To enable each State to bring together prior to the White House Conference on Education, educators and interested citizens to discuss educational problems in the States and to make recommendations for appropriate action to be taken on local, State, and Federal levels.

Mr. POWELL. That is all stated in the enacting clause in section 1.

Mr. HOLT. It is stated in section 2 also.

Mr. POWELL. So you do not need it—that is what I am getting at.

Mr. RAYBURN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York.

Mr. Chairman, many of us approach this bill with great trepidation—at least I know I do. I think the sting would be taken out of this bill if the amendment of the gentleman from New York were adopted. It would appear to me, as was stated so well by him, that under section 3 where administration expenses are provided for, when this conference is over, if there is any money needed, then the Congress will appropriate that money. There is not a State in the Union which, through its legislature, has not appropriated enough money for its secretary or commissioner of education to come here to Washington, if they want to come. I really think in the interest of furthering the purpose of this bill, and all things considered, that the amendment of the gentleman from New York should be adopted. I know that my State, and I believe every State in the Union, if they want to send their representative to this conference, has money enough available to send somebody here, and if they do not want to do that, they will not come anyhow. I think this little bait of $5,000 or not less than $5,000 being sent to a State is mighty small potatoes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. HALLECK. As I understand it, if the amendment prevails, then all reference to any conferences at the State level will be removed from the bill.

Mr. RAYBURN. The gentleman knows that the Commissioner of Education can call the conference any time he wants to and so far as that is concerned, he does not have to have this bill, and he does not have to have the $750,000. I want to refer to another very important point with reference to this money we have been appropriating here in the Congress. I understand that the Committee on Appropriations is going to cut vocational education, and also I understand that in all probability they are going to cut the appropriation for impacted areas where the Government of the United States built tremendous plants and where the educational needs have gone far beyond the means of the local communities to handle, and where the local communities have reached the limit of their bonded indebtedness. It appears to me that this amount of money could be used much more efficiently and much more sanely in vocational education, and in helping out the schools in these federally impacted areas. I do not think section 2 is at all important, and if it were knocked out, it would, at least for many of us, bury our fears about this bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. RAYBURN. I yield.

Mr. HALLECK. The matter of what is going to happen to vocational education was discussed the other day. I have no notion along the line which the gentleman takes. Now, for myself as to the money involved, likely the States could afford it and might provide it, but if this conference is to be conducive of a great result, and I think that it can well be conducive to such a great result, I think it is highly desirable that these preliminary meetings at the State level be held in order that grassroots opinion may be obtained and brought to Washington for the conference here to the end that the whole matter be worked out in the overall national interest.

The thing I am afraid of is that if the effect of the amendment offered by the gentleman from New York is to strike out all of the section, that in effect would be saying to the States that we do not believe it is advisable for them to have conferences at State levels prior to the meeting in Washington. We should not do anything to create that opinion, because I think that the holding of conferences at the State level is very valuable.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. POWELL. In answer to the question propounded by the gentleman from Indiana, the intent of this amendment is not in any way to discourage State conferences being held first. I think that is very important. It is just to say that they should be held under the auspices and financing of State governments.

I think it is an insult to say that we have got to give a State $5,000 in order to stimulate it to hold a State education conference.

Mr. RAYBURN. I quite agree with that, and that is one reason why I thought this section of the bill should be stricken out. I just do not like the way this money is going to be distributed.

Mr. FREYLINGHUYSEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. RAYBURN was allowed to proceed for 1 additional minute.)

Mr. RAYBURN. I yield.

Mr. FRELINGHUYSEN. I should like to ask the gentleman from New York [Mr. POWELL]: If we were to strike out all of section 2 would not that eliminate all reference to the State conferences? Would it not be impossible for State conferences to be held? As I understand, the gentleman's amendment removes the entire section. As I understand the gentleman's argument in support of his own amendment it is that he is trying to eliminate the specific authorization for the appropriation of funds, but he is not attempting to eliminate State conferences.

Mr. POWELL. I agree with that and the author of the bill and myself, or the author by himself in 1 minute can write a new section that would restore State conferences.

Mr. RAYBURN. That would be perfectly satisfactory to me, I would say to the gentleman.

Mr. FRELINGHUYSEN. Is the gentleman suggesting that his own amendment be defeated?

Mr. POWELL. I am not.

Mr. FRELINGHUYSEN. Of course the language can be changed so as to leave in references to State conferences.

Mr. RAYBURN. Under the gentleman's own suggestion, if this amendment is adopted, in 1 minute a new section could be offered providing for State conferences. It is the easiest thing in the world to do.

Mr. FRELINGHUYSEN. Has the genleman an amendment that would reestablish the fact that State conferences should be encouraged and that the money may be appropriated for these conferences?

Mr. RAYBURN. No, no.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. McCARTHY. I would suggest to the gentleman that there is nothing in the bill now that requires any State to hold a conference. I am sure the gentleman would not want the bill to require that State conferences be held.

Mr. FRELINGHUYSEN. I am not suggesting such an amendment.

Mr. McCARTHY. But you are suggesting language which will require it.

Mr. FRELINGHUYSEN. We are trying to write this in such a way as to encourage State conferences.

Mr. McCARTHY. I would suggest that the elimination of the entire section 2 is the way to get at the problem; then we can attempt to solve it. I would ask the gentleman whether he would withdraw the amendment or whether he would be willing to have his amendment defeated, then to take out section 2 as written, strike it out of the bill and then write in language indicating that we are in favor of State conferences prior to the White House Conference. There is no possibility that we can consider the elimination of the entire section.

Mr. POWELL. The only reason why we must eliminate section 2 is because in its entirety it specifically authorizes the appropriation of funds. If we strike section 2 out completely and then write a new section that does not deal directly or indirectly with the appropriation of funds to the State it would be perfectly all right with me.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Then I would suggest that we go ahead and vote down the amendment of the gentleman from New York. That would be the desirable thing to do. The gentleman's amendment will not accomplish the end he is seeking to attain.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. HALLECK. The suggestion was made by the gentleman from New York that he thinks State conferences are desirable, and I think they are, too. If this language could be framed so that there would be a request for State conferences that probably would be a desirable result. Perhaps the language that has to do with the making of certain reports in respect to findings which will be desirable prior to the national conference could be included in a substitute amendment. It is not up to me to undertake to influence the course of legislation, because, as has been pointed out, no State would be compelled to hold a conference anyway. There is no authority in the Federal Government to require a State to hold a conference. If the money that would be involved in the expenses were to come from the Federal Treasury, that might be persuasive upon some States to hold a conference that might otherwise not hold a conference. On the other hand, if there was a desire on the part of the State to hold a conference, and I think there would be because these problems are of tremendous importance and significance to all of us, then the States could hold the conference; but I think by all means there should be language retained in the bill indicating that that is to be the pattern and requesting the States to hold such conference and to make such reports as might be deemed necessary for the advancement of the program as a whole.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. POWELL. May I say to the gentleman from Indiana that I would accept such a substitute amendment.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I would like the attention of the gentlemen on the other side, including the gentleman from New York [Mr. POWELL], author of the pending amendment. This has been suggested, and I wonder if it might be acceptable, "Each State should be requested." In other words strike out "To enable" and start with "Each State should be requested" that to be filled in "to bring together, prior to the White House Conference on Education, educators and interested citizens to discuss educational problems in the State and make recommendations for appropriate action to be taken at local, State, and Federal levels." Is that satisfactory?

Mr. FRELINGHUYSEN. I would like to ask a question as to the meaning of that suggestion. Would that make it impossible for any funds to be expended by the Federal Government to support these State conferences? The result would be purely a request by the Commissioner of Education?

Mr. McCONNELL. It would be a request; yes.

Mr. FRELINGHUYSEN. When this bill was originally submitted by the gentleman from California, we had an item in it of $1,500,000 as being what was considered a reasonable figure to encourage the States to hold these conferences and to make it possible to have a worthwhile national conference. As I understand it, the suggestion now is being seriously made that no money may be expended to get worthwhile State conferences, that they will not cost anything, that

they will come into effect simply as the result of a letter. I would like to get an answer from the chairman of the committee on that.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(On request of Mr. McCONNELL, and by unanimous consent, Mr. FRELINGHUYSEN was allowed to proceed for 5 additional minutes.)

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from California.

Mr. HOLT. Of course, I prefer that this money shall be kept in the bill. I have a committee amendment here. I would like to say that the main reason for including these funds, as I suggested before, is that the various State legislatures would not have time to appropriate money for the States to have the conference. It would be very much more desirable to have the Federal Government allot these funds. I am going to offer a committee amendment calling upon the States to have these conferences. Does that answer the question?

Mr. FRELINGHUYSEN. Not altogether. Would the gentleman be in favor of including in section 3 of the bill some reference to the State conferences? This would make it possible for Congress, if we deemed it necessary for the administration of section 2 or for other expenses in connection with the plan for a White House conference, or State conferences, to authorize and appropriate funds for these purposes.

Mr. HOLT. I would say to the gentleman, "No." I would leave section 3 as it is.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. HALLECK. In subsection (b) reference is made to the making of reports of State conferences for use of the White House Conference on Education. Now, my thought would be that in order to retain that, all of that subsection (b) be stricken out except the word "and" on line 15 and these words be inserted, "Each State should be requested to make a report of the findings and recommendations of the State conferences for use of the White House Conference on Education"; in other words, striking out all reference to the appropriation of money.

Mr. RAYBURN. Mr. Chairman, if the gentleman will yield, that would be perfectly satisfactory over here.

Mr. HALLECK. With the change suggested in subsection (a) and subsection (b) there would be retained the request of the States to hold the conferences and the request of the States to make their reports, except for the money involved, which is the essential thing we are talking about.

Mr. McCONNELL. That suggestion would be agreeable. I think it would work out satisfactorily.

Mr. POWELL.: Mr. Chairman, if the gentleman will yield, I accept the substitute amendment.

Mr. HOLT. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Amendment offered by Mr. HOLT:

On page 1, line 11, strike out all of section 2 and insert:

"SEC. 2 (a) Each State shall be requested to bring together, prior to the White House Conference on Education, educators and interested citizens to discuss educational problems in the State and make recommendations for appropriate action to be taken at local, State, and Federal levels.

"SEC. 2 (b) Each State shall be requested to make a report of the findings and recommendations of the State conference for use of the White House Conference on Education."

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. HOLT].

The motion was agreed to.

The Clerk read as follows:

FEDERAL ADMINISTRATIVE EXPENSES

SEC. 3. There are also authorized to be appropriated to the Commissioner of Education for the fiscal years ending June 30, 1954, June 30, 1955, and June 30, 1956, such sums as Congress determines to be necessary for the administration of section 2 of this act and for other expenses of the Office of Education in planning for and holding the White House Conference on Education and in making available to the public the findings and recommendations of the conference. The Commissioner of Education is also authorized to accept, use, and dispose of funds, equipment, and facilities donated for purposes of the conference, and, to the extent consistent with such purposes, to use the same in accordance with the wishes of the donors.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 3, line 2, after the word "administration", strike out "of section 2."

Mr. POWELL. Mr. Chairman, this is just a perfecting amendment to carry out the intent of what we have just done with section 2 of the bill.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. McCONNELL. I think that is correct. It is a perfecting amendment to what we have done.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

DEFINITION OF STATE

SEC. 4. For the purpose of this act the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H. R. 7601) to provide for a White House Conference on Education, pursuant to House Resolution 530, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any of the amendments? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WHEELER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

Mr. HOLT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 269, nays 69, not voting 96, as follows:

[Roll No. 74]

YEAS—269

Adair	Delaney	Kean
Albert	Dempsey	Keating
Allen, Calif.	Derounian	Kee
Allen, Ill.	Devereux	Kelly, N. Y.
Andersen, H. Carl	D'Ewart	Keogh
Andresen, August H.	Dollinger	Kersten, Wis.
Angell	Dolliver	Kilburn
Aspinall	Dondero	King, Calif.
Auchincloss	Donovan	King, Pa.
Bailey	Dorn, N. Y.	Klein
Baker	Durham	Knox
Bates	Eberharter	Laird
Beamer	Edmondson	Lane
Becker	Elliott	Lantaff
Belcher	Ellsworth	LeCompte
Bender	Engle	Lipscomb
Berry	Feighan	Lovre
Betts	Fenton	Lucas
Bishop	Fernandes	Lyle
Blatnik	Fine	McCarthy
Boland	Fino	McConnell
Bolling	Fogarty	McCormack
Bolton, Frances P.	Forand	McCulloch
Bolton, Oliver P.	Ford	McDonough
Bonin	Frelinghuysen	McIntire
Bosch	Friedel	McVey
Bow	Gamble	Machrowicz
Bowler	Garmatz	Mack, Ill.
Boykin	Gavin	Mack, Wash.
Bramblett	George	Madden
Bray	Golden	Magnuson
Brooks, Tex.	Goodwin	Mailliard
Brown, Ohio	Gordon	Marshall
Brownson	Gross	Meader
Broyhill	Gubser	Merrill
Budge	Hagen, Calif.	Merrow
Burdick	Hagen, Minn.	Metcalf
Busbey	Haley	Miller, Kans.
Byrd	Halleck	Miller, Md.
Byrne, Pa.	Harden	Miller, Nebr.
Byrnes, Wis.	Harrison, Nebr.	Miller, N. Y.
Campbell	Harrison, Wyo.	Mollohan
Canfield	Harvey	Morano
Cannon	Hays, Ark.	Moss
Carnahan	Hays, Ohio	Moulder
Cederberg	Herlong	Multer
Chenoweth	Heselton	Natcher
Church	Hess	Neal
Clardy	Hill	Nelson
Clevenger	Hillelson	Nicholson
Cole, Mo.	Hillings	Norblad
Cole, N. Y.	Hinshaw	Oakman
Coon	Hoeven	O'Brien, Mich.
Corbett	Holmes	O'Hara, Ill.
Cotton	Holt	O'Hara, Minn.
Coudert	Holtzman	O'Konski
Cretella	Hope	O'Neill
Crosser	Horan	Osmers
Crumpacker	Hosmer	Ostertag
Cunningham	Hunter	Patten
Curtis, Mass.	Hyde	Patterson
Curtis, Mo.	Jarman	Pelly
Dague	Javits	Perkins
Davis, Wis.	Jenkins	Pfost
Dawson, Utah	Jensen	Phillips
	Johnson, Calif.	Pillion
	Jonas, Ill.	Poage
	Jonas, N. C.	Poff
	Karsten, Mo.	Polk

Powell	Saylor	Vorys
Price	Schenck	Vursell
Prouty	Scherer	Wainwright
Rabaut	Scott	Walter
Radwan	Scudder	Wampler
Ray	Seely-Brown	Warburton
Rayburn	Shelley	Westland
Reams	Simpson, Ill.	Wharton
Reece, Tenn.	Small	Widnall
Reed, N. Y.	Smith, Wis.	Wier
Rees, Kans.	Springer	Wigglesworth
Rhodes, Ariz.	Stauffer	Williams, N. J.
Rhodes, Pa.	Stringfellow	Williams, N. Y.
Richlman	Sullivan	Wilson, Calif.
Robsion, Ky.	Talle	Wilson, Ind.
Rodino	Teague	Withrow
Rogers, Colo.	Thompson, Tex.	Wolcott
Rogers, Fla.	Tollefson	Wolverton
Rogers, Mass.	Utt	Yates
Roosevelt	Van Pelt	Young
Sadlak	Van Zandt	Younger
St. George	Velde	Zablocki

NAYS—69

Abbitt	Gentry	Rains
Abernethy	Gregory	Regan
Andrews	Hardy	Rivers
Ashmore	Harris	Robeson, Va.
Battle	Harrison, Va.	Rogers, Tex.
Bennett, Fla.	Ikard	Selden
Boggs	Johnson, Wis.	Short
Brooks, La.	Jones, Mo.	Sikes
Brown, Ga.	Kilday	Smith, Kans.
Burleson	Landrum	Smith, Miss.
Colmer	Lanham	Smith, Va.
Cooley	Long	Steed
Cooper	McMillan	Taber
Davis, Ga.	Mason	Thomas
Dies	Matthews	Thompson, La.
Dorn, S. C.	Mills	Thornberry
Dowdy	Murray	Trimble
Fallon	Norrell	Tuck
Fisher	Passman	Watts
Forrester	Patman	Wheeler
Frazier	Pilcher	Williams, Miss.
Gary	Preston	Willis
Gathings	Priest	Winstead

NOT VOTING—96

Addonizio	Graham	Morgan
Alexander	Granahan	Morrison
Arends	Grant	Mumma
Ayres	Green	O'Brien, Ill.
Barden	Gwinn	O'Brien, N. Y.
Barrett	Hale	Philbin
Bennett, Mich.	Hand	Reed, Ill.
Bentley	Hart	Richards
Bentsen	Hébert	Riley
Bonner	Heller	Roberts
Buchanan	Hiestand	Rooney
Buckley	Hoffman, Ill.	Scrivner
Bush	Hoffman, Mich.	Secrest
Camp	Holifield	Shafer
Carlyle	Howell	Sheehan
Carrigg	Hruska	Sheppard
Celler	Jackson	Shuford
Chatham	James	Sieminski
Chelf	Jones, Ala.	Simpson, Pa.
Chiperfield	Jones, N. C.	Spence
Chudoff	Judd	Staggers
Condon	Kearney	Sutton
Curtis, Nebr.	Kearns	Taylor
Davis, Tenn.	Kelley, Pa.	Thompson, Mich.
Dawson, Ill.	Kirwan	Vinson
Deane	Kluczynski	Weichel
Dingell	Krueger	Whitten
Dodd	Latham	Wickersham
Donohue	Lesinski	Wilson, Tex.
Doyle	McGregor	Yorty
Evins	Mahon	
Fountain	Martin, Iowa	
Fulton	Miller, Calif.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hiestand for, with Mr. Camp against.

Mr. Taylor for, with Mr. Vinson against.

Mr. Hruska for, with Mr. Mahon against.

Mr. O'Brien of Illinois for, Mr. Chatham against.

Mr. Howell for, with Mr. Riley against.

Mr. Addonizio for, with Mr. Fountain against.

Mr. Hand for, with Mr. Deane against.

Mr. Jackson for, with Mr. Evins against.

Mr. Graham for, with Mr. Grant against.

Mr. Simpson of Pennsylvania for, with Mr. Hébert against.

Mr. McGregor for, with Mr. Morrison against.

Mr. Buckley for, with Mr. Jones of North Carolina against.

Mr. Heller for, with Mr. Jones of Alabama against.

Mr. Rooney for, with Mr. Bonner against.

Mr. Dodd for, with Mr. Bentsen against.

Mr. Kirwan for, with Mr. Richards against.

Mr. Staggers for, with Mr. Shuford against.

Mr. O'Brien of New York for, with Mr. Whitten against.

Mr. Celler for, with Mr. Wilson of Texas against.

Until further notice:

Mr. Ayres with Mr. Kelley of Pennsylvania.

Mr. Arends with Mrs. Buchanan.

Mr. Bentley with Mr. Sieminski.

Mr. Hoffman of Michigan with Mr. Granahan.

Mr. Judd with Mr. Green.

Mr. Kearney with Mr. Chudoff.

Mr. Kearns with Mr. Barrett.

Mr. Latham with Mr. Miller of California.

Mr. James with Mr. Yorty.

Mr. Martin of Iowa with Mr. Doyle.

Mr. Mumma with Mr. Sheppard.

Mr. Reed of Illinois with Mr. Hart.

Mr. Fulton with Mr. Davis of Tennessee.

Mr. Curtis of Nebraska with Mr. Condon.

Mr. Gwinn with Mr. Roberts.

Mr. Hale with Mr. Secrest.

Mr. Chiperfield with Mr. Spence.

Mr. Hoffman of Illinois with Mr. Sutton.

Mr. Carrigg with Mr. Wickersham.

Mr. Scrivner with Mr. Lesinski.

Mr. Shafer with Mr. Kluczynski.

Mr. Sheehan with Mr. Barden.

Miss Thompson of Michigan with Mr. Holifield.

Mr. Bennett of Michigan with Mr. Alexander.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. FOGARTY asked and was given permission to address the House tomorrow for 30 minutes, following any special orders heretofore entered.

Mr. RIVERS asked and was given permission to address the House tomorrow for 20 minutes, following any special orders heretofore entered.

Mr. EBERHARTER asked and was given permission to address the House tomorrow for 30 minutes, following any special orders heretofore entered.

Mr. PATMAN asked and was given permission to address the House for 20 minutes on tomorrow and the next legislative day, whether Friday or Monday, following any special orders heretofore entered, to revise and extend his remarks and include extraneous matter.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate tomorrow and Friday.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REMOVAL OF NEW YORK QUARTERMASTER PURCHASING AGENCY TO PHILADELPHIA

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, I wish to join with many of my colleagues who are protesting the removal of the New York Quartermaster Purchasing Agency from New York to Philadelphia. This is a responsibility of the Department of Defense. We point out that the original reasons for locating this agency in New York are very varied. Sixteen hundred families depend upon this agency for their livelihood, and they should not be deprived of it unless there is a very substantial reason for it, and we have not been able to find one yet. As you all know, New York is the center of the textile industry. This agency does a good deal of purchasing in that field, which is an additional reason for keeping it in New York. I know I express the views of the many Members from New York on the Republican side of the aisle and on the Democratic side as well who are urging the Department of Defense not to make this transfer which I understand is in the works at this time.

There was no objection.

Mr. DORN of New York. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from New York.

Mr. DORN of New York. Mr. Harold Keller, Commissioner of Commerce of the State of New York, has also expressed a definite desire to have that agency moved to Brooklyn.

Mr. JAVITS. Well, if the gentleman will forgive me, I come from Manhattan, so let us not have an internecine quarrel.

Mr. DORN of New York. In expressing the views of Mr. Keller, I wonder, in the event he was unable to prevent the moving of this Quartermaster depot to Philadelphia, whether or not the gentleman would be in favor of the commerce commissioner's recent statement to have the depot moved to Brooklyn.

Mr. JAVITS. The gentleman is in favor of New York City having a common front and including all the five boroughs.

QUARTERMASTER PROCUREMENT HEADQUARTERS IN PHILADELPHIA

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, in answer to the delegation from New York, Quartermaster Procurement originally was in Philadelphia. The building which they occupied is still there. They went to New York and

rented a building there. We have fought to bring it back where it belonged and was originally, and we are going to continue to fight to keep it there.

REMOVAL OF QUARTERMASTER PROCUREMENT HEADQUARTERS TO PHILADELPHIA

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, the gentleman from Pennsylvania [Mr. BYRNE] has just made a very important and timely observation. All I think is necessary to say here at this time is that the Department of the Army has made a decision. It has been publicly announced. It has asserted that its decision was made after careful research and survey. I have too much confidence in the Secretary of the Army and in the Department of the Army to think for 1 minute that having so carefully examined into this matter they would now reverse their stand.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. GAVIN. The Army has made a very wise decision. Everybody appears to be economy-minded. They will save some $700,000 a year, so it is a very fine move on behalf of the American taxpayer.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. WOLVERTON. I can add that since the finding was made by the Secretary of the Army, of the saving of $700,000, a further study by interested parties has revealed that the saving will be over a million dollars, probably as much as $1,250,000, and even higher.

Reference has been made by the gentleman from Pennsylvania [Mr. SCOTT] to a decision made in this matter and an order for the removal of the New York Quartermaster Purchasing Agency to the Philadelphia Quartermaster Depot, Philadelphia, Pa. I call attention to the release issued May 3, 1954, by the Department of Defense, relating to the change, and make it a part of my remarks.

It shows that the matter was well considered and that it is fully justified by the facts which show a large saving to the taxpayers as a result of the change.

It should also be remembered that this purchasing department had always been located at the Philadelphia Depot until it was removed in 1945. Adequate quarters up to date in every particular and newly constructed for this very purpose are in readiness. Why should these buildings in Philadelphia stand idle and the Government pay a high rental for a building in lower New York City when it has Government buildings already for this use? It is preposterous to expect the Department of the Army to be a party to any such waste of taxpayers' money.

The release to which I refer is as follows:

DEPARTMENT OF DEFENSE,
OFFICE OF PUBLIC INFORMATION,
Washington, D. C., May 3, 1954.

NEW YORK QUARTERMASTER PURCHASING AGENCY TO BE MOVED TO PHILADELPHIA DEPOT

The New York Quartermaster Purchasing Agency, which since World War II has occupied leased quarters at 111 East 16th Street, New York City, will be relocated in the Philadelphia Quartermaster Depot, Philadelphia, Pa., as soon as physical arrangements can be completed, it was announced today by the Department of the Army.

The move to Philadelphia is in conformity with Department of Defense policy to relinquish leased space wherever possible, to accomplish maximum possible utilization of Government-owned space, and to effect utmost economies through consolidation of activities.

Moving of the above activities to Philadelphia will result in substantial recurring savings, estimated to be more than $700,000 annually, and will bring together the purchasing and inspection activities, now conducted in New York, with the closely related acceptance testing, pilot manufacturing, and Government-furnished property functions already housed at the Philadelphia Depot.

The Quartermaster Purchasing Agency was located in the Philadelphia Depot prior to its move to New York in 1945. The agency procures textiles, clothing, and a few types of general-supply items.

The Quartermaster Purchasing Agency, together with the Quartermaster Inspection Service Command and the Quartermaster Inspection Field Office, which also will move to Philadelphia, presently employ 63 military and 987 civilian personnel. Consolidation of administrative and other activities at a single location in Philadelphia will make possible the reduction of 13 military and 114 civilian personnel for this operation, at a total annual payroll savings of approximately $570,000. Elimination of the need for the leased quarters in New York will save approximately $130,000 a year.

Advantages of moving the above-named Quartermaster agencies to other Government-owned locations in the New York area were analyzed prior to making the decision to move to Philadelphia. Studies showed that the cost of removal to and the remodeling of available structures in New York would be far in excess of the costs of removal to Philadelphia. Further, it was apparent that removal to another site in the New York area would not make possible the reduction in personnel and would not accomplish the consolidation of related activities achieved by the move to Philadelphia.

Civilian employees whose jobs are being transferred to Philadelphia will be invited to move to the new location. Where such employees decline to move to the new location, their jobs will be filled by recruitment. In those instances in which a New York employee's position is to be consolidated with an existing position at the Philadelphia Depot, the position will be filled in accordance with existing civil service regulations. Every effort consistent with civil service rules and regulations will be made to assist those employees not moving to Philadelphia to secure other positions with the Government or private industry.

The New York Quartermaster Market Center, now housed at 111 East 16th Street, New York City, and New York Petroleum Field Office will be relocated in other Government-owned property in the New York area. The New York Market Center procures subsistence for the Armed Forces, directly supporting shipments from the Port of New York and supplying military installations in the New York area.

Mr. SCOTT. I do not think the Army should be forced to lose that money.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield, of course.

Mr. RAYBURN. This is a national problem, is it?

Mr. SCOTT. This partakes of the aspects of a national problem.

EFFECT OF IMPORTS OF VENEZUELAN RESIDUAL FUEL OIL ON UNITED STATES JOBS

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 15 minutes.

Mr. BAILEY. Mr. Speaker, a new lobby front has been formed, this one designed to sell the American people on the idea of alleged beneficial results from letting Venezuelan residual fuel oil, a waste byproduct, be dumped into our markets.

This new front, which calls itself the World Trade Foundation, with offices in the National Press Building, uses the typical huckstering technique of the partial truth. In its first press release, which was made available for use in morning papers of May 19, the new front says approximately 160,000 jobs in the United States are dependent upon purchases by Venezuela.

I probably could quarrel with that figure, if I wanted to take the trouble to analyze it, but even if we accept its accuracy, it is somewhat less than the truth. The coal industry in the United States today has almost 200,000 jobless, due in great measure to the dumping of residual fuel oil from Venezuela. Without going beyond these figures, it shapes up as a bad deal for the United States.

But the World Trade Foundation front, which I suspect will go out of business if this Congress adopts the administration's free-trade program, says it reaches its total of 160,000 jobs by counting in their total people who sell to people who sell to Venezuela, and then people who sell to them, and so forth.

Well, let us not try to estimate figures, but use our own imagination and just figure what would happen to the jobs of sales clerks, merchandise managers, barbers, bus drivers, taxi drivers, waiters, and so forth, if the Government suddenly took 200,000 people off its payrolls in this city. It would come pretty close to paralyzing the economy of this area of a million and a half. The only difference between my example and what is happening as a result of idleness in the coalfields is that the net effect is spread over a number of States. But the net effect is there and it is damaging.

Consider the railroads and ships that carry our coal to the Atlantic seaboard and the New England markets. One line alone which serves the West Virginia coalfields has laid off 10,000 men. West Virginia is served by four major coal-hauling roads. Additionally, another major road serves part of the State,

while a fifth, smaller road, serves a large portion.

The tragic thing about the dumping of residual fuel oil is that its effect on the United States economy snowballs. Last year imports of residual fuel oil represented more than 32 million equivalent coal tons; the rate for 1954 is increasing, so this year it may go close to 34 million equivalent coal tons. In terms of jobs, figuring an 8-ton per man daily production of coal, and on the basis of 50 five-day working weeks—and few mines operate fulltime—that is about 17,000 coal mining jobs.

Now this new front, in its first release, talks about dollars. Let us look at the dollar figure. For the 3 years, 1951, 1952, and 1953, the coal equivalent of 93 million tons has been lost to residual fuel oil. Generally speaking, in West Virginia, the value of coal, after it has been mined, screened, and loaded in the railroad car, is $4 per ton in round figures.

That comes to $372 million lost to the coal industry. Roughly speaking, it costs, in round figures, about $4 a ton to transport West Virginia coal to Baltimore or Norfolk. United States railroads have lost $372 million worth of business, and stand to lose $136 million worth of business this year—all because of the residual fuel oil that is being dumped into our markets.

This new front outfit—probably the conception of Madison and Park Avenue hucksters—if, indeed, the administration has left any of the breed running loose—reaches its total by the chain reaction methods, and blankets in just about every occupation known to man.

I have used only the direct unemployment figure for the coal industry, which exceeds the most optimistic estimate of the World Trade Foundation. When we consider the chain reaction set up, when we consider the lost dollar volume to the coal industry and the railroad industry, we not only bring in jobs, we adversely affect stockholders, including the so-called Aunt Janes about which we have been hearing a great deal of late.

The first partial truth aspect of the huckstering technique used by the World Trade Foundation was in not balancing its data with the adverse employment situation resulting from the dumping of Venezuelan residual fuel oil. The second partial truth aspect was the implication that trade with Venezuela is as good as it is simply and only because of the oil trade. We know this to be false. We know that the steel industry in the United States is spending vast millions to develop iron ore deposits in that country. They are building railroads, highways, docks, and employing thousands of native workers. They are building houses and schools and churches to service these workers who must live in areas formerly unsettled. How many of the 160,000 jobs claimed by World Trade Foundation result from this activity? We are not told. So far as the press release is concerned, this steel activity is not happening at all.

The final bit of evidence of the partial truth technique is the implication that those who seek to protect the coal industry want to curtail Venezuela's oil industry. Such is far from the case. No one realizes more than I the importance of petroleum to national security, and I, for one, do not wish to do anything which will curtail our supply of high octane gasoline and other vital petroleum products. We do, however, wish to place a limit, if not ban outright, the practice of bringing in a byproduct—a waste product—as ballast and dumping it in our markets.

Mr. Speaker, when I realize that I have pointed out so many partial truths, it would appear that there is little of the whole truth left to the claims of the World Trade Foundation. That, indeed, may be the case.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. HARRISON of Wyoming and to include extraneous matter.

Mr. CANFIELD and to include extraneous matter.

Mr. HOLTZMAN in two instances.

Mr. NATCHER.

Mr. O'HARA of Illinois and to include related matter.

Mr. RADWAN in two instances.

Mr. HART (at the request of Mr. OSMERS).

Mr. PRICE.

Mr. SCOTT.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ALLEN of California, for the period from May 20 to June 7, inclusive, on account of official business.

Mr. DOYLE (at the request of Mr. EBERHARTER), for 5 weeks, on account of official business.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and a joint resolution of the Senate of the following titles:

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On May 13, 1954:

H. R. 7512. An act to provide for the conveyance of the federally owned lands which are situated within Camp Blanding Military Reservation, Fla., to the armory board, State of Florida, in order to consolidate ownership and perpetuate the availability of Camp Blanding for military training and use.

On May 18, 1954:

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status;

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margarete Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5090. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Therese Boehner Soisson.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Thursday, May 20, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1556. A communication from the President of the United States, transmitting proposed supplemental appropriations for the District of Columbia for the fiscal year 1955 in the amount of $31,180,946 (H. Doc. No. 394); to the Committee on Appropriations and ordered to be printed.

1557. A letter from the Acting Secretary of the Interior transmitting a report relative to certifying that an adequate soil survey and land classification has been made of the lands to be served by the South Platte supply canal, Colorado-Big Thompson project, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1558. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of legislation entitled "A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes"; to the Committee on the District of Columbia.

1559. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of legislation entitled "A bill to amend the laws relating to fees charged for services rendered by the office of the Recorder of Deeds for the District of Columbia and the laws relating to appointment of personnel in such office, and for other purposes; to the Committee on the District of Columbia.

1560. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

1561. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 5, 1953, submitting a report, together with accompanying papers and illustrations, on a review of reports on Richmond Harbor, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted on April 13, 1948 (H. Doc. No. 395); to the Committee on Public Works and ordered to be printed with two illustrations.

1562. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 22, 1954, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Mississippi River between Coon Rapids Dam and the mouth of the Ohio River, with a view to determining whether any modifications therein are advisable at the present time with particular reference to providing flood-control protection in the stretch between the mouth of the Carr (or Columbia) Creek and the Prairie Dupont Drainage and Levee District No. 8 in Monroe County, Ill., requested by a resolution of the Committee on Public Works, House of Representatives, adopted on April 20, 1948 (H. Doc. No. 396); to the Committee on Public Works and ordered to be printed with one illustration.

1563. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1954, submitting an interim report, together with accompanying papers and illustrations, on the Mississippi River, urban areas at Alton, Ill. This interim report is submitted in response to resolutions of the Committee on Flood Control, House of Representatives, adopted on September 18, 1944, requesting a review of the report on the Mississippi River between Coon Rapids Dam and the mouth of the Ohio River, with a view to determining the advisability of providing flood protection along the Mississippi River above the mouth of the Missouri River (H. Doc. No. 397); to the Committee on Public Works and ordered to be printed with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HORAN: Committee on Appropriations. H. R. 9203. A bill making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes; without amendment (Rept. No. 1614). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 234. Concurrent resolution to print as a House document the proceedings in the rotunda at the dedication of the frieze; without amendment (Rept. No. 1615). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Concurrent Resolution 213. Concurrent resolution authorizing the printing of additional copies of the hearings held by the Committee on Interstate and Foreign Commerce relative to health problems; with amendment (Rept. No. 1616). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Resolution 449. Resolution providing for the reprinting of 500 additional copies each of parts 1 and 2 of the hearings regarding Communist activities in the Los Angeles area of the Committee on Un-American Activities; without amendment (Rept. No. 1617). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Resolution 444. Resolution to authorize the printing of additional copies of parts 5, 6, 7, and 8 of the hearings of the Committee on Un-American Activities relative to investigation of Communist activities in the New York area; and additional copies of parts 1 and 2 of the hearings of the Committee on Un-American Activities relative to investigation of Communist activities in the Los Angeles area; with amendment (Rept. No. 1618). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Concurrent Resolution 210. Concurrent resolution providing for 35,000 additional copies of the report entitled "Organized Communism in the United States"; without amendment (Rept. No. 1619). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Resolution 443. Resolution to authorize the printing of additional copies of the report of the Committee on Un-American Activities entitled "Annual Report of the Committee on Un-American Activities for the Year 1953" (H. Rept. No. 1192, 83d Congress, 2d sess.); with amendment (Rept. No. 1620). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Resolution 33. Resolution to provide for the printing of a compilation of veterans' laws; with amendment (Rept. No. 1621). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Resolution 423. Resolution authorizing the printing as a House document of the 31st and 32d Annual Reports of the Board of Actuaries of the Civil Service Retirement and Disability Fund; without amendment (Rept. No. 1622). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. House Concurrent Resolution 209. Concurrent resolution authorizing the printing of additional copies of parts 1 and 2 of the hearings held by the Committee on Government Operations during the 83d Congress, 1st session, relative to commercial- and industrial-type activities in the Federal Government; without amendment (Rept. No. 1623). Ordered to be printed.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 555. Resolution for consideration of H. R. 9203, a bill making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes; without amendment (Rept. No. 1624). Referred to the House Calendar.

Mr. SHORT: Committee on Armed Services. S. 3446. An act to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy; without amendment (Rept. No. 1626). Referred to the Committee of the Whole House on the State of the Union.

Mr. SEELEY-BROWN: Committee on Merchant Marine and Fisheries. H. R. 1843. A bill to increase the retired pay of certain members of the former Lighthouse Service; with amendment (Rept. No. 1627). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENNETT of Michigan: Committee on Interstate and Foreign Commerce. H. R. 7468. A bill to amend section 203 (a) of the Interstate Commerce Act so as to authorize regulation, for purposes of safety and protection of the public, of motor-carrier transportation between points in foreign countries, insofar as such transportation takes place within the United States; with amendment (Rept. No. 1628). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. Senate Joint Resolution 119. Joint resolution to validate conveyance of a 40-acre tract in Okaloosa County, Fla.; without amendment (Rept. No. 1625). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HORAN:

H. R. 9203. A bill making appropriations for the legislative branch and the judiciary

branch for the fiscal year ending June 30, 1955, and for other purposes; to the Committee on Appropriations.

By Mr. BARTLETT:

H. R. 9204. A bill to amend the act approved January 27, 1905, as amended (48 U. S. C., sec. 322); to the Committee on Interior and Insular Affairs.

By Mr. D'EWART:

H. R. 9205. A bill to reimburse the Flathead Irrigation District, Montana, for expenses incurred in furnishing electric power for Hungry Horse project; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H. R. 9206. A bill to amend the National Service Life Insurance Act of 1940 to allow certain insurance policies to be issued or reinstated; to the Committee on Veterans' Affairs.

By Mr. HOPE:

H. R. 9207. A bill to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes; to the Committee on Agriculture.

By Mr. LANE:

H. R. 9208. A bill appropriating money for the improvement of the Merrimack River from its mouth to Lawrence, Mass.; to the Committee on Appropriations.

By Mr. METCALF:

H. R. 9209. A bill to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to School District No. 6, Rosebud County, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. NEAL:

H. R. 9210. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. PATTERSON:

H. R. 9211. A bill to provide for the establishment of national cemeteries in the State of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mr. ROBSION of Kentucky:

H. R. 9212. A bill to provide that persons who served in the Army or Navy during World War I may, if they possess certain qualifications, wear the Distinguished and Presidential Unit Emblems and Combat Infantryman's and Medical Badges; to the Committee on Armed Services.

By Mr. STAGGERS:

H. R. 9213. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 9214. A bill to assist certain classes of municipalities to finance vitally needed and specific types of public works by providing for a guaranty by the United States of approved bonds hereafter issued by these municipalities; to the Committee on Ways and Means.

By Mr. WHEELER:

H. R. 9215. A bill to amend title 28 of the United States Code to provide that no person shall be appointed a Justice of the Supreme Court who has not served 6 years as a judge on a State or Federal court; to the Committee on the Judiciary.

By Mr. DEMPSEY:

H. R. 9216. A bill to modify the authorized plan for flood control in the Rio Grande Basin, N. Mex.; to the Committee on Public Works.

By Mr. LANE:

H. R. 9217. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:

H. Res. 556. Resolution to direct the House Committee on Banking and Currency to conduct public hearings to study the operation of the Housing and Home Finance Agency and its departments and divisions; to the Committee on Rules.

By Mr. VAN ZANDT:

H. Res. 557. Resolution to amend rule XI (2) of the Rules of the House of Representatives with respect to the conduct of investigations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H. R. 9218. A bill for the relief of George Tasou; to the Committee on the Judiciary.

By Mr. BOGGS:

H. R. 9219. A bill for the relief of Mrs. Gertrud Maria Schurhoff; to the Committee on the Judiciary.

By Mr. BOYKIN:

H. R. 9220. A bill for the relief of Bianca Carpanese and Margherita Bruni; to the Committee on the Judiciary.

H. R. 9221. A bill for the relief of Luisa Gemma Toffani and Rosa Sometti; to the Committee on the Judiciary.

By Mr. BRAY:

H. R. 9222. A bill for the relief of Reza Rezazedah; to the Committee on the Judiciary.

By Mr. BUDGE:

H. R. 9223. A bill for the relief of certain Basque sheepherders; to the Committee on the Judiciary.

By Mr. CRETELLA:

H. R. 9224. A bill for the relief of Edward Vincent Salerno; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 9225. A bill for the relief of Mrs. Helen Evelyn Varon; to the Committee on the Judiciary.

By Mr. MAGNUSON:

H. R. 9226. A bill for the relief of Capt. Louis A. Hennessy; to the Committee on Armed Services.

By Mr. METCALF:

H. R. 9227. A bill to provide for the conveyance of all of the interest of the United States in certain lands, other than a certain easement and right-of-way, to Ernest F. Hartwell; to the Committee on Agriculture.

By Mr. ROBESON of Virginia:

H. R. 9228. A bill for the relief of Mr. and Mrs. William V. Stepp, Sr.; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 9229. A bill for the relief of Stijepo Buich; to the Committee on the Judiciary.

By Mr. YOUNGER:

H. R. 9230. A bill for the relief of Linda Beryl San Filippo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

763. By Mr. BATTLE: Petition of several residents of the State of Alabama favoring the Bryson bill H. R. 1227; to the Committee on Interstate and Foreign Commerce.

764. By Mr. BRAY: Petition of 1,978 persons of the Seventh Congressional District of Indiana expressing their support of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

765. By Mr. CHENOWETH: Petition of residents of Canon City, Colo. urging favorable action on H. R. 1227, a bill prohibiting the transportation in interstate comerce of advertisements of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

766. By Mr. CURTIS of Massachusetts: Petition of Margaret S. Locke, 29 Newtonville Avenue, Newton Mass.; Lester H. Hilton, 30 Canterbury Road, Newton Highlands, Mass.; Ralph Butler, 116 Sedgwick Street, Boston 30, Mass.; Frances W. A. Wentworth, 35 Williams Street, Brookline 46, Mass.; Mrs. C. Robert Kinney, 71 Fenwood Road, Boston 15, Mass.; Louise T. Metaya, clerk, Clarendon Street Baptist Church, 2 Clarendon Street, Boston 16, Mass.; Mrs. Christine M. Ayars, 118 Griggs Road, Brookline, Mass.; Gustave H. Todrank, minister, North Congregational Church, 23 Chapel Street, Newton 58, Mass.; Mrs. Frederick Lincoln Gile, 28 Ashford Street, Allston, Mass.; Mrs. Martin K. Shamlian, 801 Centre Street, Jamaica Plain 30, Mass.; Miss Helen L. Hyde, 2 Ashford Court, Allston 34, Mass.; Rev. John H. Scammon, Andover Newton Theological Library, Newton Centre 59, Mass.; Rev. Paul N. Whitteberry, the Oak Square Methodist Church, Washington at Turner Street, Boston 35, Mass.; Rev. Willard C. Arnold, the Methodist Church, Newton Centre, Mass.; Mrs. Alice M. Ferry, 34 Garrison Road, Brookline 46, Mass.; Rev. John D. Erb, Copley Methodist Church, 180 Newbury Street, Boston 16, Mass.; and 492 other residents of the 10th Massachusetts District in support of the so-called Bryson bill (H. R. 1227) relative to alcoholic beverages advertising; to the Committee on Interstate and Foreign Commerce.

767. By Mr. DONDERO: Petition of citizens of Oakland County, Mich., requesting a favorable report on H. R. 1227, to prohibit the transportation of periodicals carrying alcoholic-beverage advertising in interstate commerce and to prevent its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

768. Also, petition of citizens of Pontiac, Ortonville, Clarkston, Drayton Plains, and of other parts of Oakland County, Mich., urging favorable report and action by the House of Representatives on H. R. 1227, to prohibit the transportation of periodicals carrying alcoholic-beverages advertising in interstate commerce and to prevent its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

769. By Mr. GRAHAM: Petition of 60 members of Slippery Rock Presbyterian Church School, Ellwood City, Pa., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

770. Also, petition of 18 members of the Clara Coulter Bible Class of the Scrubgrass Presbyterian Church, Parker, Pa., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

771. Also, petition of 60 members of the Rocky Springs United Presbyterian Church of New Galilee, Pa., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

772. By Mr. GROSS: Petition of 60 residents of Nashua and Charles City, Iowa, favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

773. Also, petition of 659 residents of Black Hawk County, Iowa, favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

774. By Mr. HAGEN of Minnesota: Petition from Pastor Donald G. Thomas, Bethel Mission Covenant Church, Route 2, Roseau, Minn., and of 24 residents of Roseau County, Minn., urging favorable support of the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

775. By Mr. HARDY: Petition of Mrs. Joseph Weller and others, of Norfolk, Va., and vicinity, urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

776. Also, petition of G. R. Bodie and others, members of First Methodist Church, Norfolk, Va., urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

777. Also, petition of Mrs. J. R. Coward, and others, of Norfolk, Va., urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

778. Also, petition of Mrs. Earl H. Clarke and others, members of Broad Street Methodist Church, Portsmouth, Va., urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

779. Also, petition of Mrs. L. T. Corell, and approximately 2,000 other petitioners, of the Second District of Virginia, urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

780. By Mr. HARRISON of Virginia: Petition of certain citizens of the counties of Highland and Bath and the city of Winchester, Va., citing excesses in advertising of alcoholic beverages by newspapers, periodicals, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

781. Also, petition of certain citizens of the cities of Staunton and Waynesboro and the county of Augusta, Va., citing excesses in advertising of alcoholic beverages by newspapers, periodicals, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

782. Also, petition of certain citizens of the city of Harrrisonburg and the counties of Rockingham and Shenandoah, Va., citing excesses in advertising of alcoholic beverages by newspapers, periodicals, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

783. By Mr. HINSHAW: Petition of certain citizens of California urging passage of the Bryson bill, H. R. 1227, to prohibit the advertising of alcoholic beverages over television and radio and in newspapers and magazines; to the Committee on Interstate and Foreign Commerce.

784. Also, petition of certain citizens of California urging passage of the Bryson bill, H. R. 1227, to prohibit the advertising of alcoholic beverages over television and radio and in newspapers and magazines; to the Committee on Interstate and Foreign Commerce.

785. By Mr. MASON: Petition of Mrs. James E. Moore and 22 other residents of Grand Ridge, Ill., requesting the passage of the Bryson bill, H. R. 1227, and other bills restricting the advertising and sale of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

786. By Mr. MARTIN of Massachusetts: Petition of Mrs. Ethel M. Brown, and several other residents of Massachusetts, in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

787. Also, petition of Mrs. E. J. Frye, and other residents of Fall River, Mass., in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

788. Also, petition of Mary Elizabeth Barram, and other residents of Foxboro, Mass., in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

789. Also, petition of Edward T. Barram, and other residents of Foxboro, Mass., in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

790. By Mr. MERRILL: Petition of Mrs. George H. Taylor and other citizens of Evansvile, Ind., petitioning for a hearing for the Bryson bill, H. R. 1227, a bill to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

791. By Mr. MORGAN: Petitions signed by many residents of his congressional district in support of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

792. By Mr. NEAL: Petition of 22 citizens of the Nitro, W. Va., area in favor of the Bryson bill, H. R. 1227, which would prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

793. By Mr. O'NEILL: Petition of Rev. Thomas W. Kidd, Charlestown, Mass., and 15 other signers in support of the Bryson bill, H. R. 1227, with reference to the advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

794. Also, petition of Mrs. Mary Brown, Chestnut Hill 67, Mass., and 24 other signers in support of the Bryson bill, H. R. 1227 to prohibit advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

795. Also, petition of the Reverend John J. Bishop, St. Thomas' Church, Somerville, Mass., with 19 other signatures in support of the Bryson bill, H. R. 1227 to prohibit the advertising on the airways and in the press of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

796. By Mr. ROBESON of Virginia: Petition of citizens of Cape Charles, Va., presented by Mrs. C. C. Powell, Cape Charles, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

797. Also, petition of citizens of Warwick, Newport News, Hampton, and Denbigh, Va., presented by Mrs. O. L. Taylor, Newport News, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

798. Also, petition of Severn, Bena, Perrin, Hayes, Achilles, and Gloucester Point, Va., urging consideration and passage of the Bryson bill, H. R. 1227, presented by Mrs. Mary Thomas, of Severn, Va.; to the Committee on Interstate and Foreign Commerce.

799. Also, petition of citizens of Newport News, Hampton, Langley Air Force Base, and Warwick, Va., presented by Rev. C. L. Stillwell, of Newport News, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

800. Also, petition of citizens of Hornsbyville, Seaford, Yorktown, Grafton, Tabb, Dandy, Harris Grove, Maryus, Denbigh, and Fort Eustis, Va., presented by Mrs. Oscar S. Good, Seaford, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

801. Also, petition of 406 citizens of Newport News, Hampton, and Warwick, Va., presented by Mrs. R. F. Amory, of Newport News, Va., urging consideration and passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

802. Also, petition of citizens of Seaford, and Hornsbyville, Va., presented by Mrs. J. Wesley Ironmonger, of Seaford, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

803. Also, petition of citizens of Ark, Sassafras, Bellamy, Gum Fork, Clay Bank, Gloucester, Zanoni, and Selden, Va., presented by Mrs. William W. Allmond III, of Gloucester, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

804. Also, petition of 915 citizens of Hampton, Buckroe Beach, and Phoebus, Va., and neighboring areas, presented by Mrs. H. S. Buchanan, Hampton, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

805. Also, petition of Jeffs, Odd, Poquoson, Moores, Messick, Grafton, Hornsbyville, Seaford, Yorktown, Tabb, Cooke, and Hampton, Va., presented by Mrs. Virginia Sparr, of Jeffs, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

806. Also, petition of Modest Town, Bloxom, Nelsonia, and Parksley, Va., presented by Rev. Alvin L. St. Clair, pastor, Modest Town Baptist Church, Modest Town, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

807. Also, petition of citizens of Grafton, Hornsbyville, Dare, Hampton, Warwick, and Newport News, Va., presented by Miss Mary F. Burcher, box 5, Dare, Va., urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

808. By Mr. TALLE: Petition signed by May Lambert and 136 other residents of Fayette County, Iowa, advocating the passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

809. By Mr. VORYS: Petition submitted by the Grace Bible Class of the First United Presbyterian Church of Columbus, Ohio, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

810. Also, petition signed by 87 residents of Columbus, Ohio, urging consideration and passage of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

811. By Mr. GROSS: Petition of 18 residents of Osage, Iowa, urging the addition of the words "under God" to the pledge of allegiance as provided in Senate Joint Resolution 126 and House Joint Resolution 243; to the Committee on the Judiciary.

812. Also, petition of 63 students at Immaculate Conception High School, Charles City, Iowa, urging the addition of the words "under God" to the pledge of allegiance as provided in Senate Joint Resolution 126 and House Joint Resolution 243; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Federal Agency for Handicapped

EXTENSION OF REMARKS
OF
HON. EDMUND P. RADWAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. RADWAN. Mr. Speaker, I am deeply interested in and keenly desirous of advancing the welfare of our millions of handicapped citizens and, therefore, am pleased that our House Committee on Education and Labor, under the able leadership of our distinguished colleague from Pennsylvania, the Honorable SAMUEL K. MCCONNELL, JR., is now considering the various bills on handicapped pending before that committee, with a view to bringing to the floor, soon, an overall bill that will meet many of the present-day needs in this field.

Development of a sound program for handicapped is imperative, and such should not be a matter done by partisan politics, because, whatever program is presented must meet, insofar as may be possible, the needs of all citizens, regardless of party affiliations.

When we reflect that records show that for every dollar spent to rehabilitate and put into suitable employment, our variously handicapped people, $10 has been returned in productive effort, and these people, thus, have been enabled to lift their heads and take pride in a citizenship that not only permits and makes possible their earning a living, but, also, confers the priceless privilege of all good Americans, to do their part in supporting our Government, by paying a fair share of taxation.

I introduced H. R. 8042, to establish a Federal agency for handicapped, and believe that this bill would furnish a sound base of operations for the whole program, providing, as it does, for necessary coordination of the present widely dispersed activities of the Federal Government in the handicapped field which now embrace some 35 agencies.

It is obvious that, for reasons of good public policy, we must make a beginning on coordinating the work of all such agencies in Federal service, so we may know what is being done; who is doing it; to whom it is being done; the costs, and the results. That is simply carrying out business principles which we must use, whether in Government, or private industry.

The bill, H. R. 8042, provides a most comprehensive program, including necessary medical, educational, counseling and guidance, and selective placement services to handicapped. Its adoption, I am sure, would put us on the right road to providing not only essential services, but, also, through establishment of a Federal revolving loan fund, provide means for States which have exhausted their appropriations for vocational rehabilitation between sessions of their legislatures, to borrow from this fund, and thus continue, without interruption, vital services to handicapped.

I am well aware that one of the great weaknesses in this field is the lack of trained specialists to handle the various phases of rehabilitation work, and I am certain that the proposed cooperative enterprises for handicapped, contained in H. R. 8042, would go a long way toward meeting this need.

There are many other phases of H. R. 8042 which are important and desirable, and I sincerely hope the Committee on Education and Labor will report it out, favorably, at an early date.

The School Building Construction Program

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. NATCHER. Mr. Speaker, I most heartily approve of legislation authorizing the Federal Government to make allotments to the several States of the United States to aid in the school building construction program. In my home State of Kentucky, the need for this assistance becomes more urgent each year. No doubt, this same statement can be made and with accuracy, by most of the other States, but according to a recent national educational survey, the various percentages arrived at showed Kentucky very near the top of those States with conditions obtaining that called for help other than the State was able to render. I regret to have to say this is true, but at the same time I recognize the fact that unless the true conditions are shown, the Congress has nothing upon which to make its decision.

The demand for additional classrooms in practically every school in the Second District of Kentucky, which I represent, seems to be a most critical need. The number of schoolchildren has increased even when the population has decreased, until I have heard many teachers say the pupils are practically "sitting in each other's laps." One of the reasons for this situation aside from the increase in the birthrate is the consolidation of schools. This process has been continuing in my State with great speed, and school plants that were originally built to care for the needs of a town cannot contain the additional large number of children brought in from several small schools brought into the consolidation.

In many communities Federal installations have brought in a large number of children of school age, and this influx of the federally employed was never considered by the small communities in planning their building programs.

In some localities the schools have been forced to place attendance on a half-day basis, but for many reasons this does not prove to be satisfactory, and at the best is only a temporary solution for the problem. Some surveys have stated that this program is contributing to juvenile delinquency since children are in school only a small part of each day.

While construction for additional classrooms will be of great assistance to some schools, still there are many places where the school plant is so antiquated and inadequate that nothing but a new building will answer the need, and in my State this urgent need cannot be met without Federal assistance.

The State of Kentucky participated in the nationwide study of school facilities made in 1950, in which the United States Office of Education coordinated and one of the facts recorded was that of 5,013 school plants in our State, 3,004 were 1-room, which is over one-half of the plants. Another fact shown was that of this 5,013 plants, only 122 were rated satisfactory by United States standards. Eighty percent of the plants had no central heat, 5 percent had no water on the grounds, and only 99 high schools had libraries in rooms designed for that purpose, and 147 elementary schools had libraries in rooms suitably designed or adapted. These figures were obtained in the first phase of the survey, and it is my understanding that preliminary figures from the second phase of the survey, which is now underway, are even more startling in revealing inadequacies.

The per capita income in Kentucky is not sufficient for taxation to provide the necessary funds for educational purposes, and too much of our tax money is drained out of the State to leave an amount adequate for the construction of the schools we must have soon by some means.

Mr. Speaker, I approve legislation that will provide for Federal assistance in proper form for construction of educational facilities that the States are incapable of constructing alone.

Administration Should Take New Look at Army Requirements in Light of Commitments

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. PRICE. Mr. Speaker, when we returned to our desks Monday morning after a day of rest, we were greeted with disturbing news.

We learned that the Republican leader in the Senate had said, on a television program, that it may be necessary for the United States to intervene in Indochina with sea and air power. He was further

quoted in press dispatches as saying it would not be "in our national interest to permit the balance of Asia to pass into Communist hands."

From these same dispatches we learned of a statement issued by the chairman of the Senate Committee on Foreign Relations, in which he said that the United States must undertake joint action with its allies for the defense of southeast Asia, and that it must be prepared to give specific commitments, involving militarily feasible plans to prevent further aggression.

I submit, Mr. Speaker, that these statements carry the gravest implications. They become increasingly grave when we realize that the men who made the statements fall into that category characterized by the press as "administration spokesmen."

We have every evidence that the administration is considering the seriousness of the situation in Indochina, and undoubtedly it is assessing the possibility of armed intervention, now or at some future date.

I further submit, Mr. Speaker, that we are less well equipped for such intervention, now, or in the future, as a result of the false economy program which was instituted soon after January 20, 1953. As a result of this ill-advised economy program, the Air Force budget for the present year—which has less than 2 months to go—was cut back by $5 billion. We were told that the cut would result in no reduction in aircraft procurement. We were led to believe by the hucksters that the entire cut would be absorbed by administrative efficiencies, such as reducing the use of buck slips, paper clips, and the like.

Later we had testimony from the military that clearly proved the disastrous cut last year was in fact interfering with adequate air strength.

Then came the budget for fiscal 1955, which, we were advised was designed to emphasize air strength. I do not intend to restate what I have stated many times on this floor, but I would just like to point to the contrast between two sets of figures.

The 1954 budget was prepared by the Truman administration on the basis of an Air Force buildup to 143 groups by 1955; the 1955 budget is based upon an Air Force buildup to 137 groups by 1957. In other words it was not only a cutback in air strength, it was a stretch-out in what strength we have.

Mr. Speaker, I have noted that the administration has lately been very wise. I have noted no references to such slogans as "More Bang for a Buck," "New Look," "Instant Massive Retaliation," and so forth. Perhaps it is true, as suggested in an editorial cartoon last week, that the administration has filed these slogans in the wastebasket and is now ready to talk sense.

I sincerely hope so. In view of the grave situation in Asia, and in view of the evidence, of which the statements of Senators KNOWLAND and WILEY are additional, weighty testimony, that armed intervention is still considered a possible solution, it is high time to talk sense.

I suggest that the most sense that can be made is for the administration to send up a supplemental request to restore the military budget to a point which will give us the strength in the Army required to act quickly if the occasion arises.

Pay Legislation for Postal Employees

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. HOLTZMAN. Mr. Speaker, I have spoken before on the responsibility of the Congress to enact adequate pay-raise legislation for our postal employees, and today I am again urging the Members of the House to give this matter serious consideration so that something can be done about this problem before we adjourn.

Almost 2 weeks ago the postal employees in the New York City area held a tremendous rally which was attended by over 3,500 workers—the largest meeting of postal employees in the history of New York City. This group had met to express the unity of the postal organizations and affiliations in their drive for an adequate pay increase, and to express their opposition to the recommendations of the Fry report, which have been incorporated in a bill just recently introduced in the House.

The postal employees have been endeavoring for a number of years to catch up with the rapidly rising cost of living. They have received increases in the past—the last one several years ago—but those increases have never enabled them to break even, for by the time an increase was granted the cost of living had spiraled upward out of reach again.

It has been pointed out previously that a vast majority of postal workers must take on other employment, or have their wives work, in order to provide themselves and their families with the necessities of life. Many of them are in debt and have been forced to borrow on insurance policies or from banks and loan agencies in order to meet the daily cost of living.

This should not be. All Federal workers are entitled to a decent wage, and the comparisons of postal employees' wages with wages in private industry, as set forth in the Fry report, are, I am afraid, inaccurate. The reclassification bill as recommended by the Postmaster General would permit increases averaging from $10 to $100 per year for only a portion of our postal workers, and, in addition, would endanger the gains made by these employees during the last few decades.

Statistics have been presented to the Congress on many occasions which justify the request for the $800 per year increase. It is obvious that a realistic approach to the problem is necessary, and for that reason I am hopeful that the Committee on Post Office and Civil Service will report out the Withrow bill, H. R. 2344, which will provide this across-the-board increase.

Upper Colorado River Basin Development Plan

EXTENSION OF REMARKS
OF
HON. WILLIAM H. HARRISON
OF WYOMING
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. HARRISON of Wyoming. Mr. Speaker, there came to my attention a few days ago a booklet titled "Dinosaurs, Parks, and Dams." Authorship of this booklet is credited to Mr. David R. Brower, one of the more vigorous opponents of the upper Colorado River Basin development plan. Mr. Brower is in his second year as executive director of the Sierra Club, whose headquarters are at San Francisco, Calif. The Sierra Club, in its turn, has been most active in opposition to the upper Colorado plan.

I mention this background simply as a preliminary to the comment I feel I must make with regard to certain statements contained in Mr. Brower's booklet, reprinted from the spring 1954 edition of the Pacific Spectator.

Mr. Brower's booklet constitutes a continuation of his attacks upon the upper Colorado development plan. He has spearheaded the opposition on behalf of his Sierra Club and its membership.

Among other things, Mr. Brower writes in the booklet:

> The intelligent layman * * * might further wonder how fervently the Federal Government should support, at financial risk to all the Nation, a 1922 river-allocating compact which in 1954 emerges as a costly device to lift Colorado River economy by its bootstraps. Or to take what 4 Peters are using in the lower basin (population 12 million), and can continue to use at their own expense, in order to give it to 1 Paul in the upper basin (population 3 million)—a Paul who hasn't used it yet, but thinks he can if Uncle Sam will stake him to it and throw in Dinosaur free.

I am positively amazed at this statement, coming from a man who professes to be interested in abiding by earlier pacts. On the one hand, Mr. Brower decries the alleged invasion of a national monument—an allegation, by the way, which has been shown clearly to be completely false—and on the other hand he implies that he would abrogate a compact agreed upon in good faith by States using Colorado River water.

He refers to what he terms a device to lift Colorado River economy by its bootstraps, and apparently places use of Colorado River water upon a strictly population basis rather upon one considering also the irrigable acreage and potential benefit from irrigation works. He arrives at this conclusion, of course, without noting that Federal reclamation benefits already accrued accounts in great measure for the superior population of the lower basin, of which Mr. Brower boasts. His conclusion conveniently excludes any mention of the vast reclamation work already achieved, now underway, or proposed for future construction in the very area championed by Mr. Brower.

Just to keep the record clear—and make it a bit more complete, Mr. Speaker—let me insert here some observations on that latter point. Permit me to list projects in the lower basin of the Colorado River which have been completed, which have been authorized and are under construction, and which are proposed. Accompanying the list are the best available cost estimates, rounded to the nearest million.

Already completed in the lower basin below Lees Ferry, are the following:

All-American Canal, $66 million; Hoover Dam and power plant, $172 million; Salt River project, $26 million; Yuma project, $6 million; Parker Dam, $25 million; San Diego, $15 million. Total cost in this group; $310 million.

Authorized and under construction:

Davis Dam, $120 million; Gila project, $51 million; San Diego, second phase, $14 million; Yuma auxiliary, $3 million; Colorado River front work and levee system, $10 million. Total cost in this group, $198 million.

Proposed:

Central Arizona project, $738 million; Dixie project, $27 million; Marble Canyon, $125 million; Bill Williams project, $5 million; Las Vegas pumping project, $20 million; Moapa Valley, $5 million; Palo Verde diversion, $4 million; Pilot Knob, $6; Winslow project, $30 million. Total cost in this group, $960 million.

I call your attention, Mr. Speaker, to the total estimated cost of this entire list, in all three groupings. The total is nearly $1½ billion—$1,468,000,000, according to the best available estimates.

All this, I emphasize, is actual or proposed reclamation in the lower basin. It is sheer nonsense to pretend that it has not benefited that area, helped its population growth and bolstered its economy, if not actually made it. These projects would not have been possible had not the Colorado River compact been in existence. This is the same compact, Mr. Speaker, which Mr. Brower now would abrogate. He is saying, in effect, that although the lower basin is benefiting to the extent of a billion and a half dollars through Federal reclamation and under the Colorado River compact, the upper basin can dry up and blow away for all of his concern. He charges that the upper basin wants to take something away from the already benefited lower basin. This is grossly untrue. Any development—any effort to benefit the upper basin through reclamation—would take into account the terms of the Colorado River compact. Not 1 acre-foot of water would be withheld from the lower basin outside the compact allocation, duly agreed upon by the whole of the basin area. The compact terms would be respected to the letter and the spirit. The upper basin, Mr. Speaker, never has sought anything beyond the rightful distribution of Colorado River water. Our entire effort has been directed toward an attempt to control the unruly river, and put its water to maximum beneficial use for the entire basin.

Now Mr. Brower, in so many words, calls upon the Federal Government to withdraw its support of an honorable compact of long standing, agreed upon by the Colorado Basin States. I refuse to believe, Mr. Speaker, that this represents the official position of the people of the lower basin. I prefer to believe that it is the position assumed by one man, based upon fallacious reasoning.

Focal point of the entire controversy, of course, has been Echo Park. The major unit of the overall development plan located at this point coincides with the Dinosaur National Monument, and emotional outbursts against so-called invasion of national parks and monuments have been aimed at this particular portion of the plan. I might note in passing that much of the criticism of the development plan has been based more upon emotion than upon thorough consideration of solid engineering facts.

Continuing his argument about "invasion" of national parks, Mr. Brower claims to recognize a "potential jeopardy to our way of life." This comes about, he says, through a progressive trimming of budget of natural resources. On the very face of it, this is so much stuff and such. Our Federal Government owns roughly one-fourth of the land surface of the United States, a good portion of it of scenic beauty and of some scientific interest. Echo Park actually constitutes only a small part of Dinosaur National Monument, and the development of this small part would not detract from—possibly even would enhance—the area's recreational value, if that is what Mr. Brower is worrying about.

I certainly do not intend, Mr. Speaker, to minimize the value of our national parks and other publicly owned areas, nor do I fail to recognize their multiple use. I do not advocate either "invading" them or eliminating them. I do not know of any responsible person who advocates such action.

I do not mean to say that we can dispense with any particular national park or national forest, just because there are plenty more where that one came from.

I do mean to say, though, that we cannot be narrow sighted about the values attached to these publicly owned areas. Most of them offer good opportunities for multiple beneficial use. Many—indeed, most—of our national forests, for example, are of great scenic beauty. Some of them have scientific interest; all of them are valuable for recreation—fish and game, camping, boating, and so on. Many of them are used is an economic way, too. Permits are issued for cattle and sheep grazing, timber is sold from them. Soil conservation practices, watershed protection work and reforestation are beneficial activities carried on in our national forests and in many of our national parks.

Thus, I point out again that I do recognize the value of our public areas from the several viewpoints, and I am not intending to say that I believe we should "invade" or do away with national parks. Let me make that perfectly clear.

I regret, Mr. Speaker, that I have felt it necessary to prepare this statement. I regret that obstructionism endangers reclamation development of the West.

Since this current controversy began taking definite shape a few months ago, tempers have flared and nerves have been rubbed raw. I am afraid that reclamation in Western States has suffered gravely, and that this damage, in turn, may be reflected in our Nation's economy. As a grievous wound affects one's general health, so does damage to beneficial reclamation efforts relate to the national well being.

It is my sincere hope that the damage which I am fearful has resulted from this prolonged wrangling, will not be permanent and that we can push forward with vital reclamation development in the United States. It is to the best interest not only of my own State of Wyoming but of the entire country, that we exert our best efforts in this direction.

Immigration and Naturalization Laws

EXTENSION OF REMARKS

OF

HON. LESTER HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1954

Mr. HOLTZMAN. Mr. Speaker, much has been said in the House of Representatives and in the Senate on the inequities and discriminations in our present immigration and naturalization laws.

Since the passage of the McCarran-Walter Act it has been demonstrated on many occasions that some of the provisions of the law are unduly harsh and restrictive.

Legislation has been introduced in both Houses which would correct the major defects of the present law, and which would provide a more liberal immigration policy, one which would be more in keeping with our democratic traditions and our sympathetic desire to lend a helping hand to those who seek a new life in this great country of ours.

I certainly hope that the appropriate committees in Congress will give serious consideration to this corrective legislation, and will report out a bill which will be flexible enough to permit us to meet our immigration responsibilities under changing world conditions, and yet will provide the necessary safeguards to our security and welfare.

In line with my desire to bring about the enactment of an equitable immigration policy, I am also concerned with the apparent failures in the administration of the Refugee Relief Act, which was passed last year, and which was to provide for the admission of 209,000 refugees into the United States, and for the adjustment of status for some 5,000 aliens now in this country, over a 3-year period to end December 31, 1956.

Since the passage of that act in August of last year, less than a dozen such visas have been issued, although we know how eagerly these thousands await the opportunity of coming to the land of the free.

I am sure we all realize the tremendous task of setting up such an agency which could administer this program. However, in the 8 months since the passage of the act, I believe that more definite progress could have been made. It had been anticipated that approximate-

ly 60,000 such visas could be issued the first year. I now understand that that estimate, which had been revised downward a while ago to 15,000, has now undergone a further revision, and that the figure is now set at 10,000. I must admit that with the lack of any definitive action in the past, I am doubtful that this goal will be reached during the current fiscal year.

The passage of the Watkins bill was a humanitarian gesture on the part of the United States, and indicated to the world that we were willing and anxious to assume our responsibilities in relocating those who have had to flee from behind the Iron Curtain and who are seeking political and religious freedom. That this program has not been put into full operation is a tragedy.

I know that the voluntary agencies such as the National Catholic Welfare Conference, American Friends Service Society, Church World Service, Hebrew Immigrant Aid Society, and other similar organizations which assisted in the administration of the displaced persons program, stand ready to cooperate to the fullest extent in the operation of this program.

President Eisenhower himself had indicated his interest in the emergency refugee legislation, and had expressed the hope that these refugees would be admitted without delay. The Congress echoed the President's sentiments when it passed this legislation, and the responsibility for administering it effectively and efficiently now lies with the Department of State.

That responsibility must be discharged, and I urge the appropriate agency to take the necessary steps to put the program into full operation without further delay.

World Trade Week

EXTENSION OF REMARKS
OF
HON. HUGH D. SCOTT, JR.
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. SCOTT. Mr. Speaker, the Greater Philadelphia area is this week marking the 20th annual observance of World Trade Week. This observance will focus attention on the importance of world trade to full employment, a higher standard of living, and to our overall economic wellbeing.

The following events will take place in Philadelphia, the country's second largest port during the week of May 16–22, 1954:

Sunday, May 16, International Aviation Day. Events: Displays by airlines, movies, exhibits of equipment, special events at International Airport.

Monday, May 17, International Commerce and Industry Day. Events: Opening of window, interior store, bank, and so forth displays; open houses; world-trade week ads start; special publicity for participating firms.

Tuesday, May 18, International Friendship Day. Events: Special programs in schools, by Rotary, Kiwanis, other clubs, World Affairs Council—international cultural, scientific relations.

Wednesday, May 19, International Exhibition Day. Events: Opening of World Trade Exhibition at Commercial Museum; unveiling of plans for North Building; foreign dress fashion show.

Thursday, May 20, World Trade Conference Day. Events: Luncheon, Henri Bonnet, French Ambassador, speaker; panel discussions on various aspects of export-import business; dinner, nationally known speaker, Bellevue-Stratford Hotel.

Friday, May 21, Port Day. Events: Harbor festival; annual maritime day cruise on Wilson Lines.

Philadelphia is one of the more important centers of the export and import business. This port handles more tonnage than any other in the United States with the exception of New York. The industrial and commercial growth of the Delaware Valley in the field of international commerce is expected to continue in the years ahead.

Philadelphia is to be commended upon its fine observance of World Trade Week which I am sure will be among the most outstanding in the United States. The members of the committee and all of those who devoted so much of their time and energy to this observance are to be commended for their fine work.

Congratulations Kiwanis

EXTENSION OF REMARKS
OF
HON. EDMUND P. RADWAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. RADWAN. Mr. Speaker, I want to take this opportunity to congratulate Kiwanis International on the patriotic work it is doing in distributing three-quarters of a million pamphlets each month on Americanism.

Time and again we Americans are warned that we just take our Americanism and our American way of life for granted. Such apathy is not the way and will not make for dynamic Americanism. To plug this hole, the Kiwanis Clubs in the United States are performing a great service in the fight against all things un-American. This they are doing in a very affirmative way to engender the necessary enthusiasm which should be present in the heart of every American. The present program of Kiwanis International is consistent with the interest that they have always displayed in good government, and is one of the finest assists that they can give at this time in the preservation of our way of life.

The first 3 in the series of minuteman pamphlets have already been placed in the CONGRESSIONAL RECORD under date of May 13. I found them not only very interesting but 100 percent American.

The Late Joseph P. Tumulty—Setting the Record Straight

EXTENSION OF REMARKS
OF
HON. EDWARD J. HART
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 1954

Mr. HART. Mr. Speaker, Joseph P. Tumulty, secretary to the immortal Woodrow Wilson throughout his entire service as Governor of New Jersey and President of the United States, died in Olney, Md., April 8, 1954. In his obituaries appearing in the morning papers the following day, the main facts of his public life were accurately recounted. Here and there some misimpressions were advanced, for 33 years had elapsed since the end of the two Wilson administrations. It is unfortunate, however, that in one important instance a few of these newspapers, unwittingly, no doubt, actually inverted history. Even that great daily organ of intelligence, the New York Times, known the world over for the high quality of its reporting, its impartiality in conveying the news, and its steadfast adherence to fact, was guilty on this occasion.

In its account of Mr. Tumulty's public activities, the Times said, on April 9, 1954:

> One of Mr. Tumulty's greatest indiscretions as secretary to the President was a letter he sent to Robert Lansing, then Secretary of State, after Mr. Wilson had been stricken ill during a post-World War I tour of the country. In it Mr. Tumulty suggested that Mr. Lansing and Rear Adm. Cary Grayson, the President's physician, declare the President to be incapacitated and thereby allow Vice President Thomas Marshall ("what this country needs is a good 5-cent cigar") to assume the duties of Chief Executive. This suggestion was a probable cause of the estrangement between Mr. Wilson and Mr. Tumulty that took place after the President left office.

The reference to this incident as quoted above was not the first made mention of in print. Mr. Tumulty himself had long before related the story of Mr. Lansing's visit to him. After leaving the White House in March 1921, he wrote the book "Woodrow Wilson as I Know Him." It was published in that year by Doubleday, Page & Co. If recollection serves me right, before its publication in book form it appeared serially in the New York Times. On pages 443 and 444 of that volume is to be found Mr. Tumulty's reference to Mr. Lansing's conversation with him concerning the former's view on the alleged or supposed physical inability of the President. Mr. Tumulty writes:

> A few days after the President returned from the West and lay seriously ill at the White House, with physicians and nurses gathered about his bed, Mr. Lansing sought a private audience with me in the Cabinet room. He informed me that he had called diplomatically to suggest that in view of the incapacity of the President we should arrange to call in the Vice President to act in his stead as soon as possible, reading to me from a book which he had brought

from the State Department, which I afterward learned was Jefferson's Manual, the following clause of the United States Constitution:

"In case of the removal of the President from office, or his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve upon the Vice President."

Upon reading this, I coldly turned to Mr. Lansing and said: "Mr. Lansing, the Constitution is not a dead letter with the White House. I have read the Constitution and do not find myself in need of any tutoring at your hands of the provision you have just read." When I asked Mr. Lansing the question as to who should certify to the disability of the President, he intimated that that would be a job for either Dr. Grayson or myself. I immediately grasped the full significance of what he intimated, and said: "You may rest assured that while Woodrow Wilson is lying in the White House on the broad of his back I will not be a party to ousting him. He has been too kind, too loyal, and too wonderful to me to receive such treatment at my hands." Just as I uttered this statement Dr. Grayson appeared in the Cabinet room, and I turned to him and said: "And I am sure that Dr. Grayson will never certify to his disability. Will you, Grayson?" Dr. Grayson left no doubt in Mr. Lansing's mind that he would not do as Mr. Lansing suggested. I then notified Mr. Lansing that if anybody outside of the White House circle attempted to certify to the President's disability, that Grayson and I would stand together and repudiate it. I added that if the President were in a condition to know of this episode he would, in my opinion, take decisive measures. That ended the interview.

The book had a wide sale. It is a safe assumption that Secretary Lansing and Dr. Grayson knew its contents. But though both men lived long after the publication of Mr. Tumulty's book, I am quite sure that neither attempted a refutation of what Mr. Tumulty had written of them in relation to this episode.

Within very recent years, Houghton, Mifflin Co., published a biography of Mr. Tumulty, bearing the title "Joe Tumulty and the Wilson Era," authored by John Morton Blum, of Massachusetts Institute of Technology. The volume is fully documented and authoritative. In the course of its preparation, Professor Blum had access to voluminous papers and documents dealing both with the men and the era he undertook to portray. I quote below a letter which he addressed to the editor of the New York Times—and willingly published by that paper on Friday, April 30, 1954—after reading its obituary of Mr. Tumulty as published in its edition of April 9, referred to above. It sets the record straight:

TUMULTY'S POSITION CLARIFIED

To the EDITOR OF THE NEW YORK TIMES:

Your obituary of Joseph P. Tumulty contained an error that would, I believe, have deeply disturbed Mr. Tumulty.

As his many contributions to your letter columns indicated throughout the 1920's he displayed at all times a warm and unfailing devotion to the memory of Woodrow Wilson. A comparable devotion guided his every act during the unhappy period of President Wilson's physical incapacity. It was not he who suggested that the Vice President assume Wilson's duties. Rather, when Secretary Lansing suggested that this be done, Mr. Tumulty and Dr. Grayson, Wilson's personal physician, immediately told Lansing that they would countenance no such action. In his memoirs Mr. Tumulty made this clear. The manuscripts of the eminent Wilsonians confirm the substance of his recollection. In short, the "indiscretion" which your obituary mentions was not Mr. Tumulty's. It would have grieved him to have this misunderstood.

JOHN MORTON BLUM.

CAMBRIDGE, MASS., *April 22, 1954.*

Flammable Fabrics Act

EXTENSION OF REMARKS
OF

HON. GORDON CANFIELD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1954

Mr. CANFIELD. Mr. Speaker, I have made several public statements, and I have advised the State Department and the Federal Trade Commission that the congressional intent expressed in the Flammable Fabrics Act of 1953 should be maintained in the best interests of the public of the United States, both adults and the young, so many of whom in the passing years have suffered serious maiming and even death through tragic burnings. I am one of the sponsors of this Federal statute.

Recently, I have been advised that certain importers have been seeking to obtain a possible admission to this country of Japanese silks barred by the law. I think that it is only fair to state that some of the worst burnings have resulted from the use of some of these imports. Recently, I addressed both the State Department and the Federal Trade Commission expressing my concern and Mr. Robert M. Parrish, secretary of the Federal Trade Commission, has advised me, in part, as follows:

As you know, this act prohibits the marketing in commerce of wearing apparel and fabrics intended or sold for use in wearing apparel which, when tested according to the standard of flammability prescribed in the act are found to be so highly flammable as to be dangerous when worn by individuals. We have been informed by both Government and private testing laboratories that certain of the very sheer silks presently being imported from Japan and Europe, in the form of handkerchiefs, scarfs, and bolt goods, have failed to pass the prescribed test. Silk fabrics falling within these classes have been those of the habutae variety under 5 momme as well as certain georgette and crepes of even heavier weights. The Japanese Government, we are informed, is presently searching for a practical fire retarding treatment for these fabrics.

Under the act the standards of flammability are definite and certain, and no provision is made for the relaxation or change other than by congressional amendment. Also, no authority is given the Commission to exempt from its requirements any materials subject to the act.

The Senate has recently passed S. 3379, to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable, which I must oppose in the House as weakening the act established to protect our people. It has to do with scarfs and changes the standards on flammability.

Today I am in receipt of a letter from Mr. William Gordon, director, dyers and plastics division, Textile Workers Union of America, New York, N. Y., opposing S. 3379 and stating that there is absolutely no reason why silk scarfs should be exempt. And I have also on this same date received a protesting telegram from Mr. Dominick Plescia, president, Dyers, Finishers, Printers, and Bleachers Local, Passaic, N. J. I agree fully with these employee organizations that there should be no tampering with the Flammable Fabrics Act. The letter and telegram follow:

TEXTILE WORKERS UNION OF AMERICA,
New York, N. Y., May 18, 1954.

Re Purtell bill (S. 3379).

Hon. GORDON CANFIELD,
House Office Building,
Washington, D. C.

DEAR SIR: The Purtell bill would exempt silk scarves from the provisions of the Flammable Fabrics Act. There is absolutely no reason why silk scarves should be exempt.

Silk scarves are worn as apparel and therefore are as much a danger to human safety as other improperly protected garments.

The screen-printing industry, which formerly employed 4,000 workers, has already been seriously damaged by the importation of Japanese scarves printed, finished, and hand rolled in Japan.

Approximately 1½ years ago the Textile Workers Union of America joined with the screen-printing industry in requesting an increase of the ad valorem duty on imported finished scarves from 32½ to 65 percent. The union and the industry pointed out at that time the severe damage that had been inflicted on the screen-printing industry. As a result of our petition for relief the Tariff Commission unanimously recommended that the ad valorem duty on the imports on fully finished scarves be increased from 32½ to 65 percent.

In June 1953, President Eisenhower turned down the recommendation of the Tariff Commission and sent it back for further investigation. In the meantime, the screen-printing industry has gone from bad to worse. At the present time there are only about 800 workers employed in this industry working on fabrics other than scarves.

The Purtell amendment would have the effect of immediately eliminating any possibility of the curtailment of the importation of fully finished and printed scarves into this country. This is in sharp contrast to the treatment given to both the employers in the screen-printing industry and the Textile Workers Union of America representing the employees in the screen-printing industry.

It is now a year and a half since the petition for relief was submitted by both the industry and the union. Up to the present time there is still no help in sight for the dire plight which the screen-printing industry finds itself.

We urge you to vote against the Purtell amendment to the Flammable Fabrics Act.

Very truly yours,

TEXTILE WORKERS UNION OF AMERICA,
WILLIAM GORDON,
Director, Dyers and Plastic Division.

PASSAIC, N. J., *May 19, 1954.*

Hon. GORDON CANFIELD,
House of Representatives:

Urge you to vote against the Purtell amendment to the Flammable Fabrics Act. This amendment would seriously affect the employment of workers in our industry.

DOMINICK PLESCIA,
President, Dyers, Finishers, Printers, and Bleachers Local.

Public Laws 341 to 351, Inclusive

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1954

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include my reports to my constituents in the Second District of Illinois in the laws enacted by the 83d Congress, as follows:

TWENTY-SECOND REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Here are the new laws since my last report to you:

PUBLIC LAW 341: H. R. 7380, NEW HOME FOR BUREAU OF STANDARDS LABORATORY

National Bureau of Standards, high in the esteem of our scientists, this week is moving its Radio Propagation Laboratory to Boulder, Colo. New buildings there just completed will house laboratories (a) for testing the effect of atmosphere on radio transmission and reception, and (b) to conduct for the Atomic Energy Commission the cryogenic engineering program (studying methods of producing very low temperatures).

In 1950 the city of Boulder donated 210 acres of land to the United States for the site of the buildings. The Federal construction activity and increase in population resultant from an influx of Federal workers from Washington brought new problems to Boulder. The water supply was inadequate. Boulder is meeting the situation by constructing a new reservoir. Public Law 341 helps out by conveying back to Boulder 2 acres of the 210 given to the United States in 1950. The 2 acres are not needed for the Federal facilities, they are necessary to the building of the reservoir.

PUBLIC LAW 342: SENATE JOINT RESOLUTION 146, NATIONAL OLYMPIC DAY

Authorizes the President to proclaim October 16, 1954, as National Olympic Day, and urge the country to support the Olympic games (Melbourne, Australia, 1956); the Pan American Games (Mexico City, 1955); and the winter games (Cortina d'Ampezzo, Italy, 1956). I like especially paragraph 4 of Public Law 342:

"The people of the world in these trying times require above all else occasions for friendship and understanding, and among the most telling things which influence people of other countries are the acts of individuals and not those of governments."

PUBLIC LAW 343: SENATE JOINT RESOLUTION 63, CIVIL DEFENSE, DISTRICT OF COLUMBIA

The Federal Civil Defense Act authorizes interstate compacts to provide mutual assistance in the event of major disasters. Public Law 343 empowers the Commissioners of the District of Columbia to enter into compacts in form similar to the model civil defense compact developed by Federal and State bodies in 1950.

As the District does not have a governor, Public Law 343 states: "and with respect to the District of Columbia the word 'governor' means the Commissioners of the District of Columbia."

PUBLIC LAW 344: SENATE JOINT RESOLUTION 130, NATIONAL MENTAL HEALTH WEEK

Because of this enactment, followed by the President's proclamation, May 2 to May 8, was the officially designated Mental Health Week. It was intended to serve the useful purpose of alerting the American public to what the committee (Judiciary) termed the "No. 1 health problem of the Nation."

The committee report states that there are now 650,000 patients in our mental hospitals, more than the combined number of polio, cancer, heart, pneumonia, and other physical disease patients. Each year 250,000 new patients are received by the mental hospitals. In World War II in excess of 2 million men were either rejected or discharged from military service because of mental or emotional disorders. Annual loss to taxpayers (State and Federal) in maintaining hospitalized mental cases and paying benefits to dependents of persons mentally ill is estimated at $1 billion. This does not include dollar loss in crime and upkeep of courts, prisons, and welfare services.

Unfortunately, we have such a multiplicity of "weeks" (possibly overworked on the local level) that it is difficult to keep track. This is the 6th year we have had National Mental Health Week. Those close to the problem say the results have been satisfactory.

PUBLIC LAW 345: H. R. 6436, WHERE TELEPHONE COMPANIES USE RADIO

Local telephone companies (mainly rural independents) in some instances use radio instead of wires to reach moving vehicles, isolated farmhouses, mines, and the like. While the companies are strictly in intrastate business, occasionally the radio messages do cross State lines. Public Law 345 quiets their worries. They will not be taken over by the Federal Communications Commission as long as they are engaged primarily in intrastate operations. State and local regulations will continue to fix rates.

PUBLIC LAW 346: H. R. 8539, SURVIVOR BENEFITS FOR SERVICEMEN

Qualified members of the armed services desiring to provide for their survivors, please take note. Public Law 239 (enacted in the 1st sess., my Rept. No. 10) afforded certain members of the uniformed services the option of reducing the amount of retired pay to build up survivor annuities. The final date of election was set at April 30, 1954. Public Law 346 extends the date to November 1, 1954. More time was needed for those eligible to study a system of survivor benefits entirely new to the military services and to make elections which will be irrevocable. If they have not done so already, members who have completed 18 years of service should give attention. After November 1, 1954, it will be too late.

PUBLIC LAW 347: H. R. 3477, THE PRICE OF PROCRASTINATION

Public Law 636 of the 81st Congress simplified methods of settling accounts of deceased civilian government employees. Employees of the Canal Zone and the Panama Canal were excluded, because the related agencies failed to act in time. Thus the 83d Congress had to pass another law (Public Law 347) to include them in the coverage.

PUBLIC LAW 348: H. R. 7402, PARKING LOT FOR ST. JOSEPH, MICH.

Chicagoans visiting or passing through St. Joseph, Mich., will be glad to learn that there will be additional parking space in old St. Joe thanks to Public Law 348. This act authorizes the sale to the city of St. Joseph of a federally owned lot on Lake Boulevard (no longer of use to the Government) for $3,300, conditional on the use of the property exclusively for parking purposes.

I approve of the policy of the Federal Government in cooperating with municipal governments in working out local problems, especially in connection with highway transportation. The large investment of Federal money in highway grants ($1,932,000,000) will be covered in my report on Public Law 350, to follow. It is self evident that municipal parking problems will be intensified by the growing volume of traffic passing through the cities on highway routes.

GENERALS AND ADMIRALS

What Congress is doing to safeguard against promotional pyramiding in the armed services (we now have 151 generals and 38 admirals on detached duties the world around) will be covered in my next report. Also Public Law 350, the $2 billion highway construction measure.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

TWENTY-THIRD REPORT ON LEGISLATION OF THE 83D CONGRESS

DEAR FRIEND: Here are the new laws of the land, beginning where we left off, and the manner of my thinking it out in the casting of your vote:

PUBLIC LAW 349: H. R. 7103, OFFICER GRADE LIMITATION ACT OF 1954

Temporary appointments in the armed services can run wild. In war it is unavoidable. After World War I the problem of readjustment was simple. The services quickly went back to a peace basis, reservists no longer needed returned home, and Regular officers reverted to their permanent grades. I recall meeting in the Adjutant General's Office in Washington a year or so after the peace an officer who had been the commanding general of a division. He was back at the old stand, a major working at a desk in the outer office.

But World War II left us with the cold war and commitments almost everywhere. Today we have 6,241 officers (including 151 generals, 38 admirals) serving with the United Nations, North Atlantic Treaty Organization, Allied Powers in Europe, military-assistance advisory groups and missions, civilian agencies in areas where billions of dollars of foreign-aid funds are being spent, and on other similar assignments not properly of military character. Most are in temporary grades, some as much as four grades above the permanent grade.

No one knows the military future, and there is the responsibility of maintaining the morale of younger officers with reasonable promotional prospect. Also there is the responsibility to the taxpayers of guarding against promotional pyramiding.

A rider in the 1953 defense appropriations set off the fireworks. It placed a limitation on the number of officers in the grade of Army captain, or equivalent, and above. The Navy said this threatened the demotion of 5,000 naval lieutenants, thus was unfair to younger officers. Limitations (grade of major and upward) again were imposed in the 1954 defense appropriations. Riders of this nature are not popular with many Members of the House. They constitute an invasion of the jurisdiction of other committees.

The House Committee on Armed Services responded with exhaustive hearings to determine a better way to proceed (a) to meet the demands on the services in a greatly enlarged program, and (b) to hold open the prospect of earned promotions as an attraction to younger career officers. It inquired if the fault was in an excessive number at the top (colonels, admirals, and generals). The committee's finding was that there had been no abuse of promotions in the armed services; nevertheless there was a danger.

Public Law 349 provides a method of congressional control over the military structure. It is based on the theory that as the total officer strength increases the proportion of senior officers decreases. Under existing law the officers in any grade are limited by number. Public Law 349 puts it on a percentage basis. Illustration: the maximum number of generals is seventy-five one-hundreds of 1 percent of the total number of officers. Here is how it works out: if the officer strength were 50,000 there

could be 350 generals and no more, 3,352 colonels, 6,940 lieutenant colonels, and 9,350 majors. That would leave 30,008 commissions in the lower grades.

I thought it was a move in the right direction. Nevertheless, it left to be answered (I hope in later legislation) the question bothering me: Is it absolutely necessary for the Nation's security to tie up in nonmilitary assignments so large and expensive a number of top personnel? The same rigid rules of economy applicable to Federal civil employment should hold with the armed services.

PUBLIC LAW 350: H. R. 8127, FEDERAL AID ROAD ACT OF 1954

This law is grouped with the St. Lawrence Seaway and excise-tax reduction measures as constituting the three major legislative achievements of the 83d Congress up to the present time, a month or so before the expected final adjournment. Authorizing the expenditure of $966 million a year in 1956 and 1957, a total of nearly $2 billion, it has been termed the "biggest highway aid bill in history." Heretofore we have been putting annually $575 million in Federal moneys into highway construction.

Public Law 350 authorizes $700 million to match money put up by the States for construction and $175 million for work on the interstate Federal system. I think you are interested in knowing how much will be available to Illinois. Mr. Allen, of the Bureau of Public Roads, compiled, at my request, the following approximate figures (to be apportioned and made available to Illinois not later than January 1, 1955):

Federal-aid primary	$12,135,000
Federal-aid secondary	6,608,000
Federal-aid urban	12,068,000
Interstate highway system	8,085,000
Total	38,896,000

Reason the authorizations for 1956 and 1957 are made in 1954: To enable State legislatures, convening in 1955, to provide matching authorizations on the State level to assure orderly continuance of highway-construction program for another 2 years. The 1954 act is substantially on the basic pattern established by Congress in the acts of 1944, 1948, 1950, and 1952.

Some reasons cited for increase in total authorizations: (a) Growth in traffic, 55 million motor vehicles on our roads now, compared with 34 million in 1946; (b) need of repairs and reconditioning. American Association of State Highway Officials claiming Federal-aid system of highways require $35 billion to bring it up to date, also testimony of National Safety Council that 13,000 traffic fatalities in last year were caused by faulty roads; (c) expanded program of highway construction through forest lands; (d) contribution to the national defense; and (e) means of fighting off growing unemployment.

I was especially pleased by the authorization of $48 million a year for the 5 years ending in 1959 for the Inter-American Highway and $2 million for the Rama Road in Nicaragua. The completion of a highway from Canada certainly as far south as the Panama Canal is a must to national security and pan-American cordiality.

Someone said in debate that about a billion dollars a year is derived from the tax on gas. The House by a teller vote, 93 to 80, refused to earmark this for application on the Federal roads aid program for the reason that tax legislation properly comes under the jurisdiction of the Ways and Means Committee. The revenue from the tax on gas goes into the general treasury, the bill for highway aid is paid from the general treasury; it amounts to the same thing, a billion dollars in gas tax pays for a billion dollars in road benefits, fair enough I would say and hope I have your agreement, otherwise your letters telling me what I overlooked in thinking it out.

PUBLIC LAW 351: HOUSE JOINT RESOLUTION 347, ALABAMA-FLORIDA BOUNDARY

Constitutions of Alabama and Florida fix the mouth of the Perdido River as the common boundary line. But winds, waves, and currents have shifted the river mouth so it was anyone's guess just where Alabama left off and Florida began. Both States now have entered into a compact fixing the boundary in terms of longitude and latitude. Public Law 351 gives the consent of Congress.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

SENATE

THURSDAY, MAY 20, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, in whom alone is the strength of our hearts, we come in this daily fellowship of prayer not so much to seek Thee as to open our faltering lives in penitence and need to Thy waiting strength. As we turn to the noisy hours of the driven day, be to us, we pray, a presence like summer roses pouring their fragrance through a garden and an assurance that underneath is a support like everlasting arms.

Give us sagacity, strength, spaciousness of mind, and a transparent purity of heart that, in a world stricken with hatred and pride and greed, we may see God and the Godlike as we walk humbly the ascending path of a faith that has a better air to breathe than cynicism and denial. We ask it in the name of the Prince of Peace, who is the one true Light and to whose radiant kingdom of love there is no frontier. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 19, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6374) to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes, and it was signed by the President pro tempore.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7601. An act to provide for a White House Conference on Education;

H. R. 7664. An act to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; and

H. R. 7815. An act to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.

The message also announced that the House had agreed to the following concurrent resolution (H. Con. Res. 209), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Government Operations of the House of Representatives 500 additional copies of parts 1 and 2 of the hearings held by the said committee during the 83d Congress, 1st session, relative to commercial- and industrial-type activities in the Federal Government, with, in part 1, a brief statement by the chairman of the full committee which was inadvertently omitted from the hearings.

The message further announced that the House had agreed to the following concurrent resolution (H. Con. Res. 210), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 35,000 additional copies of the report entitled "Organized Communism in the United States"; and that 5,000 copies shall be for the use of the Committee on Un-American Activities and 30,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Un-American Activities.

The message also announced that the House had agreed to the following concurrent resolution (H. Con. Res. 213), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Interstate and Foreign Commerce, House of Representatives, 1,500 additional copies each of parts 1, 2, 3, 4, and 5 of the hearings held by the said committee during the 83d Congress relative to health problems.

The message further announced that the House had agreed to the following concurrent resolution (H. Con. Res. 234), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the proceedings, held in the rotunda of the United States Capitol at the illumination of the new portion and dedication of the historic frieze, be printed, with appropriate illustrations, in such form and style as may be directed by the Joint Committee on Printing, as a House document; and that 5,000 copies be

printed, of which 4,000 copies shall be for the use of the House of Representatives and 1,000 copies shall be for the use of the Senate.

ANNOUNCEMENT OF MEMORIAL SERVICES FOR THE LATE SENATOR HOEY

Mr. KNOWLAND. Mr. President, I have been informed by representatives of the minority, including the minority leader, with word from the Senator from North Carolina [Mr. LENNON], that they would like to have the memorial services for the late Senator Hoey conducted on Thursday next. So, immediately following the morning hour on Thursday next, it is planned to set aside time for remarks concerning the life, character, and public services of the late distinguished Senator from North Carolina.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. LEHMAN was excused from attendance on the session of the Senate for the remainder of today and on tomorrow.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. FERGUSON, and by unanimous consent, the Subcommittee on Military Procurement of the Senate Small Business Committee was authorized to meet this afternoon during the session of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISIONS PERTAINING TO FISCAL YEAR 1955, DEPARTMENT OF DEFENSE (S. Doc. No. 124)

A communication from the President of the United States, transmitting drafts of proposed provisions pertaining to the fiscal year 1955 for the Department of Defense, in the form of amendments to the budget for said fiscal year (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

AUDIT REPORT ON INSTITUTE OF INTER-AMERICAN AFFAIRS

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Institute of Inter-American Affairs, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORT OF COMMITTEE ON RETIREMENT POLICY FOR FEDERAL PERSONNEL (PT. 3 OF S. DOC. 89)

A letter from the Chairman, Committee on Retirement Policy for Federal Personnel, Executive Office of the President, transmitting, pursuant to law, the third report relating to the relationships between the Federal staff retirement systems and the old-age and survivors insurance system (with an accompanying report); to the Committee on Post Office and Civil Service, and ordered to be printed.

PETITION AND MEMORIAL

A petition and a memorial were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of John E. Gilun, of Chicago, Ill., expressing his thanks to the Senate for the passage of anti-Communist resolutions; ordered to lie on the table.

A resolution adopted by Joaquin Parlor No. 5, Native Daughters of the Golden West, Stockton, Calif., protesting against the admission of Red China into the United Nations; to the Committee on Foreign Relations.

HEALTH RESEARCH FUNDS—LETTER FROM ARTHRITIS AND RHEUMATISM FOUNDATION, MILWAUKEE, WIS.

Mr. WILEY. Mr. President, the State of Wisconsin has long prided itself on its vital contributions in medical and scientific research.

In this connection, I was pleased to receive a letter today from Hobart Olson, the executive secretary of the Wisconsin chapter of the Arthritis and Rheumatism Foundation, urging adequate United States funds for the National Institute of Arthritis and Metabolic Diseases. I commend this letter to the attention of my colleagues.

This year's honorary national campaign chairman has been Vice President RICHARD NIXON.

Here in our Nation's Capital is a splendid local chapter of the foundation which does invaluable work and has enlisted increasing support from Washington's citizens.

I ask unanimous consent that Mr. Olson's letter be printed at this point in the RECORD and be thereafter appropriately referred.

There being no objection, the letter was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

WISCONSIN CHAPTER, ARTHRITIS AND RHEUMATISM FOUNDATION,
Milwaukee, Wis., May 18, 1954.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SIR: The Wisconsin chapter of the foundation represents 586 paid members and furnishes medical and scientific information to 1,500 physicians in the State.

In behalf of members and supporters we urgently request your support of the bill before the Labor, Health, Education, and Welfare Subcommittee which is scheduled to come up in the Senate on Thursday, May 20.

The citizens' recommendation totals $22,455,000, covering research and training for the National Institute of Arthritis and Metabolic Diseases.

The Wisconsin chapter is doing its part to help alleviate arthritic suffering in the State which includes 36,000 farmers.

Sincerely yours,

HOBART OLSON,
Executive Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs:

H. R. 1705. A bill authorizing the Secretary of the Interior to issue a patent in fee to Jesse Bell; without amendment (Rept. No. 1374).

By Mr. WILEY, from the Committee on Foreign Relations:

S. J. Res. 156. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization; without amendment (Rept. No. 1375).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JENNER:

S. 3492. A bill for the relief of James T. Lim; to the Committee on the Judiciary.

By Mr. FERGUSON:

S. 3493. A bill for the relief of Herman Y. Misirliyan; to the Committee on the Judiciary.

By Mr. HENDRICKSON:

S. 3494. A bill for the relief of the Central Railroad Co., of New Jersey;

S. 3495. A bill for the relief of Denes Deutsch;

S. 3496. A bill for the relief of Abdul Satter—Immigration file No. 0300–418345;

S. 3497. A bill for the relief of Abdul Satter—Immigration file No. 0300–462780; and

S. 3498. A bill for the relief of Assan Ullah; to the Committee on the Judiciary.

By Mr. WELKER:

S. 3499. A bill for the relief of certain Basque sheepherders; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3500. A bill to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.; to the Committee on Interior and Insular Affairs.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 7601. An act to provide for a White House Conference on Education; to the Committee on Labor and Public Welfare.

H. R. 7664. An act to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; and

H. R. 7815. An act to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.; to the Committee on Public Works.

AMENDMENT OF VETERANS' READJUSTMENT ACT OF 1952—CHANGE OF REFERENCE

Mr. MILLIKIN. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from the further consideration of the bill (S. 3473) to amend title IV of the Veterans' Readjustment Assistance Act of 1952 so as to provide that any person serving in the Armed Forces on or after June 27, 1950, shall be entitled to unemployment compensation benefits subject to such title, and for other purposes, and that it be referred to the Committee on Labor and Public Welfare, as being proposed legislation more properly within the jurisdiction of that committee.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WILEY, from the Committee on Foreign Relations:

Livingston Satterthwaite, and sundry other persons, for appointment and promotion in the Foreign Service.

MEETING OF THE NATIONAL RIVERS AND HARBORS CONGRESS IN WASHINGTON ON MAY 24

Mr. JOHNSON of Texas. Mr. President, on Monday, May 24, the National Rivers and Harbors Congress will convene at the Mayflower Hotel, in Washington, for a 3-day session.

All Senators are ex officio members of the Rivers and Harbors Congress. That is true also of all Members of the House.

The Rivers and Harbors Congress is composed of interested individuals and groups from throughout the Nation—from North, South, East, and West. There is no sectionalism with respect to the work of this important organization.

All Senators are extended a cordial invitation to attend the sessions, beginning on Monday, May 24.

On the opening day projects will be presented to the projects committee. On Tuesday, May 25, a welcome from the Senate will be extended by the distinguished majority leader and by the minority leader. The Speaker of the House of Representatives and the minority leader of the House will bring greetings from that body.

The President of the United States will appear before the meeting at noon on Tuesday.

Secretary of the Interior McKay will speak.

Gen. Samuel Sturgis, Chief of the Army Engineers, is on the program.

Mr. President, it is clear that this meeting of the National Rivers and Harbors Congress is a most important occasion. Senators who are able to attend will enjoy the program and, I know, will benefit from it.

CONDITION OF THE AMERICAN MARITIME INDUSTRY

Mr. BUTLER of Maryland. Mr. President, in the Baltimore Sun of this morning there is an article by Helen Delich, maritime editor, dealing with important phases of the country's merchant marine and shipbuilding industry.

Miss Delich's knowledge of these matters and her standing as an authority in the field of maritime affairs are such as to warrant for the article in question the attention of all those interested in these industries.

I therefore ask unanimous consent that Miss Delich's article be printed in the RECORD as a part of my remarks. This is the first of four articles on the subject which I shall ask to have inserted as they appear.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARITIME INDUSTRY FEARS END UNLESS CONGRESS GIVES HELP

(This is the first of four articles on the condition of the American maritime industry.)

(By Helen Delich)

The American maritime industry once again is appealing to Congress for help. The ship operators and builders claim they face virtual annihilation unless the Government comes to their rescue.

Their story is similar to the situation in 1949–50 after the post-World War II lush days disappeared and foreign countries had reestablished their fleets. Then came Korea, and all ships owned by private United States interests, as well as many from the Government-owned reserve fleets, were used extensively.

IMPORTANCE CITED

Congressmen and the administration leaders today are sympathetic up to a point. In fact, for the first time in recent years, the House committee headed by Representative TOLLEFSON, Republican, of Washington, and the Senate subcommittee headed by Senator BUTLER, Republican, of Maryland, are cooperating in an unprecedented manner to try to get certain maritime legislation passed.

They recognize that this Nation must have a merchant fleet and shipbuilding and repair yards and that these must have some Government support to compete with foreign interests.

However, these leaders feel that the shipping industry does not do enough to help itself and that it overemphasizes its role as a necessity to national defense.

World over it is recognized that a merchant fleet is just as important—if not more so—to peacetime commerce, hence to the economic stability of a nation.

Too, these leaders have voiced their wish that more emphasis be given to the fact that the entire Nation benefits from a strong shipping fleet, not just coastal areas.

PRINCIPAL POINTS

Early this month, Robert B. Murray, Jr., Under Secretary of Commerce, issued a 175-page report on behalf of his transportation department and the Maritime Administration covering the maritime situation.

The following principal points were made:

1. The United States must have a privately owned merchant fleet, which should consist of about 1,200 active ships and would keep about 72,000 skilled seamen employed.

2. The Nation's shipyards must have 60 ships a year to build in order to have sufficient operating nucleus in the event of an emergency and also to prevent the problem of replacing all the merchant ships at one time about 8 years hence. Under this program, a minimum of 36,000 skilled shipyard workers and 30 ways would be kept occupied.

3. American ships must be subsidized to an extent because of the wide differences in costs between United States shipbuilding and vessel operations and those in foreign lands.

4. The Eisenhower administration wants private financial institutions to finance the shipowners' share of new ship construction rather than the Government.

5. The labor unions should help take steps to bring about increased efficiency in shipboard labor and reduce the labor costs.

Mr. Murray's report, however, does not offer any method to inaugurate the construction of 60 ships a year immediately, since most companies are reluctant to replace their own until they reach their 20-year-old age limit, and few will until 1960.

Too, only the subsidized lines actually have to replace their ships at the 20-year limit, and their ships compose about one-sixth of the fleet.

Nor does the Murray report offer any plan to assure a guarantee of congressional appropriation of sufficient operation differential funds to keep the basic fleet on the seas, although it approves the subsidy.

MERCHANT MARINE PICTURE

Administration leaders believe it is up to the industry to pick up the recommendations and push them through to reality. However, it was pointed out, the industry in 1947 did virtually no cooperative planning to convert President Truman's advisory committee report into actuality, so that document, which also strongly supported new construction and ship operation assistance, exists only on paper, almost forgotten.

Here is the merchant marine picture as it exists today in this country:

1. There are 1,230 privately owned ships of 15,208,941 deadweight tons, of which 206, totaling 2,400,000 tons or one-sixth of the total, are laid up in inactive status at various ports around the Nation due to the lack of cargoes. Baltimore alone has 33 such idle ships.

This figure does not include the Government-owned reserve fleet of 1,989 ships, principally obsolete Liberties.

These figures are compared often to the prewar period when, on September 1, 1939, the United States flag waved from 1,379 privately owned tankers and freighters totaling 11,700,000 deadweight tons.

CONSTRUCTION DISCUSSED

At that time the Maritime Commission had taken steps to institute the construction of 50 ships a year, both to replace the obsolete ones and to add to the fleet over a 10-year period, by using the Merchant Marine Act of 1936, still the basic legislation for the industry.

On June 30, 1946, there were 5,387 ships with a deadweight tonnage of 55,100,000 flying the American flag. Today most of these same ships are competing with the American merchant marine.

On April 1, 1950—nearly 3 months before the Korean outbreak—there were 1,208 active United States flag ships, totaling 14 million deadweight tons. Nearly 100 were in idle status then.

About 200 vessels in today's United States fleet are tramps, a relatively new addition to the American flag which had none before the war. With the exception of those under charter to the Military Sea Transportation Service, most of the tramps are on idle status.

Since the tramps do not qualify for subsidy support under the 1936 act, the Murray report recommends that changes be made in order to give them aid on the basis that tramps are essential to the overall merchant fleet picture. The subsidized lines do not agree.

THIRTY-FIVE ON IDLE STATUS

About 35 of the United States flag ships on idle status are those seized by the Maritime Administration for allegedly false purchase by alien interests. The Government stands to lose over $9 million on these vessels, for it holds their mortgages, in addition to the tax loss.

2. The United States shipbuilding yards have not received an order for a commercial merchant ship for over 17 months. And there is little hope for any of them to get a commercial order soon enough to keep them open through the end of this year.

Several yards, including the Bethlehem-Sparrows Point Shipyard, are relying on the Navy for orders.

Already the number of skilled workers left in the industry is down to 18,000—half of what the Murray report says is necessary.

3. The world merchant fleet has reached an alltime high at over 119 million deadweight tons, including ships from many nations which did not have prewar merchant vessels. All of these mean competition to American ships, whose labor costs average 5 times those of their competitors.

SEAWAY MENTIONED

The foreign ships will be assisted by the St. Lawrence Seaway, according to testimony presented in Congress, because more than 90 percent of the United States flag vessels are too large to move through the waterway. This inland Great Lakes trade long had been recognized by Canadian and United States interests as a relatively protected route for themselves.

4. More American companies are switching their ships to foreign-flag registry or are building them for foreign account in order to avoid the high operational costs.

One subsidized American operator—the New York and Cuba Mail Line—requested the Maritime Administration to hold up on its subsidy payments for at least 6 months while it tests whether it can make more money with foreign-flag ships on the run than with subsidized American vessels.

5. The prewar intercoastal and coastal fleet has never been able to make a comeback due to excessive labor costs in handling the freight and also in operating the ships.

Gradually the changes in this run will consist principally of seatrains and now there is talk of truck-trailer ships, which the railroads solidly are opposing.

Special ships of this type are needed by the Department of Defense for landings such as those at Inchon in Korea, where millions of extra dollars were spent because the right type of roll-on-roll-off ships were not available, a defense official testified before the Interstate Commerce Commission only this past week.

6. The American maritime unions, who likewise have been appealing to Congress to support the fleet, are not making it easier for the industry right now, as demands for higher wages and overtime appear on the horizon.

Joseph Curran, president of the National Maritime Unions (CIO) and a pacesetter in the industry, announced earlier this month:

"The union's committee submitted such important general questions as increasing vacations up to 30 days; pension and welfare plan from 60 cents to $1 in order to make improvements in benefits, and to guarantee sound financing to insure the continuance and improvements of these plans.

"A demand for wage increases and overtime was also submitted."

The multiple American seamen's wages consume 82 percent of the subsidy paid by the Government to the 15 subsidized ship operators. According to the Murray report, the monthly wage costs on a United States flag ship have increased 384 percent from 1937. This includes the base wage, the overtime, and the fringe items.

DEMANDS DISCUSSED

Even higher wages and more fringe benefits, in the opinion of those in the inner circles, will result in more ships being laid up and more seamen idle, with the few fortunate ones taking home more money, but the total number employed even less.

7. The State Department continues to oppose a strong United States flag merchant marine, in fact it has said that this country should rely strictly on foreign bottoms. And the President's Economic Policy Commission (the Randall Commission) supported this attitude, although the staff papers of the committee do not support the majority report.

Some maritime interests feel, however, that the State Department and the Randall Commission simply wonder why an uneconomic industry should be supported. These groups, along with most of the Nation, have never been properly introduced to the continuous need for an American-flag fleet, shipping men say.

8. The maritime industry is faced with having the General Accounting Organization sit in on a semi-policy basis on all matters affecting the industry.

Thus the shipping group seems to be the only one in which the GAO serves as more than simply an accounting agency.

GAO SUGGESTION CITED

The GAO has suggested that all construction subsidy contracts be sent to it for determination 60 days before the actual building is begun, in order to avoid cases like the United States Lines or American Export Lines, in which three luxury liners still remain on an uncertain ownership status.

The GAO also has suggested that a limit be placed on the amount of subsidy to be paid to operators.

During this past session some congressional groups have attempted to cut down the amount of subsidy paid. Senator BUTLER, chairman of the Water Transportation Subcommittee, has charged that Congress will not be fulfilling its obligations of the 1936 act unless it appropriates the necessary funds for the merchant marine.

SEVERAL BILLS PENDING

Congress has several bills dealing with various aspects of the maritime operation, but there is considerable doubt that any of the principal ones will be passed, because the industry failed to have a complete program prepared for introduction when Congress first opened.

Four years ago, this statement was printed in the Sun, and it is just as true today:

"One of the principal reasons why the American merchant marine issue is tossed from pillar to post in the Capitol is that the maritime industry has not, nor is interested in, a solid front, such as the silver bloc and the farm bloc."

Tomorrow: The world's largest fleet and ways in which foreign nations help their own ships operate.

AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO MAKE EXPENDITURES AND EMPLOY TEMPORARY PERSONNEL

The PRESIDENT pro tempore. If there is no further morning business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 234) authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

Mr. JENNER. Mr. President, on page 2, in line 1, I offer the following amendment: Strike out "$75,000" and insert "$50,000."

Mr. President and Members of the Senate, let me say the resolution is in line with the regular procedure and the regular appropriation for the operations of the Privileges and Elections Subcommittee of the Committee on Rules and Administration. The amount normally authorized is $75,000. However, we believe we can get by with $50,000. It is understood that if we find we cannot, we may subsequently ask the Senate to make an additional authorization.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Indiana yield to me?

Mr. JENNER. I yield.

Mr. JOHNSON of Texas. I understand that the Committee on Rules and Administration reported the resolution in the amount of $75,000.

Mr. JENNER. That is correct.

Mr. JOHNSON of Texas. I further understand that the distinguished chairman of the committee now proposes that the resolution be amended so as to reduce the amount to $50,000, in the hope that that amount will be sufficient to take care of the work until Congress returns next January.

Mr. JENNER. The Senator from Texas has properly stated the situation.

Mr. JOHNSON of Texas. Mr. President, the amendment is agreeable to us.

Mr. HAYDEN. Mr. President, I believe that $50,000 is an appropriate amount for the authorization, because I find that during the 3 years when the Senator from Iowa [Mr. GILLETTE] was chairman of the Subcommittee on Privileges and Elections, the total expenditures of the subcommittee were as follows: In 1950, $47,801.21; in 1951, $48,636.10; in 1952, $48,232.09.

I have obtained these figures from the financial clerk in the disbursing office of the Senate, and they indicate that for the work necessary to be done during the present calendar year $50,000 is an appropriate figure for the authorization.

Mr. JENNER. That is correct.

The Senator from Arizona understands that we cannot anticipate what the workload of the committee will be; and if we run into additional work, of course, we shall have to request the Senate to authorize an additional amount.

Mr. HAYDEN. I may state, Mr. President, that very wisely in the New Mexico senatorial contest there was an understanding as to what the attorneys' fees would be, with the result that the payments made were comparatively modest, amounting to only $13,750 for both sides.

On the other hand, there was no such understanding in either the Maryland contest or the West Virginia contest. In the 80th Congress, the attorneys received $35,313.37 in the O'Conor-Markey contest, in Maryland.

Based upon the lessons of the past, I believe that in the future anyone who seeks to institute a senatorial election contest should be notified that no fancy attorneys' fees will be paid; and in that event it is quite certain that a number of contests will not be filed.

Mr. JENNER. I agree with the Senator from Arizona. I believe the New Mexico procedure was a very sound one, and I believe it should be the policy in regard to similar cases in the future.

Mr. HAYDEN. I distinctly remember that when I first became a Member of the House of Representatives there was a rule that a contestant would receive an allowance of $2,000, and that there was a certain gentleman in North Carolina who, every 2 years, entered the congressional race, and being defeated, then filed a contest. I heard Uncle Joe Cannon say, "This year he will not be paid anything, and after the next election there will not be a contest." That stopped it in that congressional district.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Indiana [Mr. JENNER].

The amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the resolution, as amended.

The resolution (S. Res. 234), as amended, was agreed to, as follows:

Resolved, That in carrying out the duties imposed upon it by subsection 1 (o) (1) (D) of rule XXV of the Standing Rules of the Senate, in holding hearings, reporting such hearings, and making investigations as is authorized by such subsection or by section 134 (a) of the Legislative Reorganization Act of 1946, the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized from May 1, 1954, to make such expenditures, and to employ upon a temporary basis such investigators and such technical, clerical, and other assistance, as it deems advisable.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADMINISTRATIVE JURISDICTION OF CERTAIN PUBLIC LANDS IN THE STATE OF OREGON

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2225, Calendar No. 1317, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2225) relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes, which has been reported from the Committee on Interior and Insular Affairs with amendments.

The PRESIDENT pro tempore. The first amendment of the committee will be stated.

The LEGISLATIVE CLERK. On page 1, in line 3, after the word "That", it is proposed to insert "(a)"; and on page 2, after the numerals "1907", it is proposed to insert "are hereby declared to be revested Oregon & California Railroad grant lands; and said lands."

Mr. AIKEN. Mr. President, I wonder whether, before the amendments are acted on, we may have a general explanation of what the bill purports to do. I note that the senior Senator from Oregon [Mr. CORDON] is on the floor; and before voting on the amendments, I should like to know what the bill provides.

Mr. CORDON. Mr. President, the purpose of the bill is to determine legislatively a jurisdictional question which has existed between the Department of Agriculture and the Department of the Interior for many, many years. It concerns certain lands originally granted in the middle of the last century to a railroad company, the Oregon & California Railroad in western Oregon. Title to the unsold portion of these lands was revested in the Federal Government in 1916 after litigation in the Supreme Court and legislation by the Congress. At that time the revested lands were placed under the jurisdiction of the Department of the Interior.

However, approximately 472,000 acres of those lands are what are called "in lieu" lands; that is, they are lands which were not within the original limits of the grant to the railroad but are lands which the railroad was entitled to select since, because of prior appropriation, it could not get its full acreage within the area limits of the original sections granted for the building of the road.

Prior to the 1916 legislation revesting the lands, the 472,000 acres which are the subject of this bill, S. 2225, were included within the boundaries of national forests by a series of Executive proclamations. When the O. & C. lands were revested on the Federal Government and transferred to the Interior Department, the jurisdictional question arose between the Forest Service of the Department of the Agriculture, and the Department of the Interior.

COURT DID NOT DETERMINE JURISDICTIONAL ISSUE

The question of the character and class of the lands reached the courts in 1925, in a suit brought by the Government against the railroad company for an accounting in connection with the revestment and the reciprocal obligation of the Government and the company. In that case the determination of the Court was that the 472,000 acres were revested O. & C. grant lands.

However, the Court did not attempt to make any determination with respect to the administration of the 472,000 acres in question. That issue was not properly before the Court. There is a series of decisions with respect to the legal status of the lands. The latest decision was rendered only a couple of weeks ago—on April 30, 1954—in the United States Circuit Court of Appeals for the District of Columbia. All decisions have been uniform with respect to the law and its applicability to these lands.

MANAGEMENT QUESTION STILL REMAINS UNSETTLED

However, there has remained the question of jurisdiction for management purposes. The lands are timber lands. Since the national forest proclamations respecting them, the lands in question have been managed by the Department of Agriculture, through the Forest Service.

By a Federal statute enacted in 1938, the Congress provided that the revested Oregon-California grant lands be administered by the Department of the Interior and not by the Department of Agriculture. So a situation developed in which there were two separate and distinct administrative agencies which have attempted to administer forest lands in western Oregon. One tract has been regarded as national forests, administered by the Department of Agriculture. Another tract, immediately adjacent to the national forest tract, has been managed as revested O. & C. lands, administered by the Department of the Interior. Side by side with it, a third tract would be national forest lands, then another Interior Department area, and so on in a checkerboard fashion.

The result has been an impossible situation, administratively.

BILL OFFERS SOLUTION TO PROBLEMS

It has been thought by nearly everyone who has had any knowledge of the situation that the entire question ought to be determined legislatively, and that some method should be devised whereby the revested railroad lands under Interior could be consolidated into a block for ease and efficiency of administration and the national forest lands under the Department of Agriculture into another block for the same purpose. This bill would accomplish that purpose.

Because of the fact that there is a distribution of funds from the O. & C. Railroad lands to local governmental units much greater than the distribution to local units in the case of Forest Service lands, the question of the legal character of the 472,000 acres is of great importance to the people of Oregon. The courts have determined that question. I think there can be no doubt left about it.

This bill meets the overall situation by providing that the 472,000 controverted acres are declared to be revested O. & C. lands. This is precisely what the Court declared them to be.

However, these lands will continue to be administered by the National Forest Service as national forest lands, for all administrative purposes. Receipts, however are to be covered into the O. & C. revested land-grant fund.

Thus, the bill, S. 2225, takes care of both the administrative question and the jurisdictional one as far as the 472,000 acres are concerned.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. AIKEN. If the receipts are counted in with the revested land funds, will that mean that there will be a different contribution to the communities from the Forest Service lands in this area than there is in other parts of the country, or will the contribution be exactly the same as it is in the other 47 States?

Mr. CORDON. So far as the national-forest lands are concerned, it will continue to be exactly the same in the State of Oregon as elsewhere.

Mr. AIKEN. At present there is quite a difference in the percentage contri-

bution from these lands to the localities.

Mr. CORDON. That is correct. Payment to the O. & C. funds will be with respect to the lands which are inside the national forest, geographically speaking, but which are, and have been legally declared to be, revested O. & C. lands.

Mr. AIKEN. Will the procedure be to incorporate the part of these lands which is contiguous to the national forest into national-forest lands, and the other part into the revested lands?

Mr. CORDON. I will come to that question later. First let me deal with the 472,000 acres, and then I shall answer the Senator's other question.

Mr. AIKEN. I have been interested in this problem ever since I first came to the Senate. It is one which is peculiar to that locality, and to no other locality in the United States that I know of.

Mr. CORDON. There is no comparable situation with respect to public lands anywhere else in the United States of which I know.

Mr. AIKEN. It seems to me the question should have been settled before. Certainly it should be settled now. I should like to know how it is to be settled.

Mr. CORDON. With respect to the 472,000 acres, there is a provision in the bill under which the Department of Agriculture may block up an area which is equivalent in value to the odd-numbered sections of revested lands which are included in the 472,000 acres for accounting purposes.

Mr. AIKEN. Will that land be plotted out of a row of sections?

Mr. CORDON. It could be within any area in any of the counties where the land is located, so long as the county in which it is located is in agreement with the head of the Federal department concerned with respect to the value.

Mr. AIKEN. Does all this land have trees on it?

Mr. CORDON. Yes. Some of it has been cut over, and is growing a new crop of trees, but the land is all rough, mountainous, timbered land.

Mr. AIKEN. Is it to be divided in such a manner that there will be equal values, as between the forest land and the railroad land?

Mr. CORDON. The Senator is entirely correct.

With respect to the other area of revested lands, as to which there has never been any question regarding administrative jurisdiction, but which area is also checkerboarded with national forest land, the bill carries a provision that the two departments may exchange jurisdictions, so that the land will, so to speak, be divided by a line down the middle, except that the line will vary to fit the topography and all the other factors which enter into good management.

JURISDICTIONAL ISSUE TO BE RESOLVED

On one side will be national forest lands, solid. On the other side will be revested grant lands, solid. There should be no further difficulty from the administrative viewpoint.

Mr. AIKEN. In the event the two departments do not agree on the division of the land, how is the question to be settled?

Mr. CORDON. The bill has been prepared on the assumption that the two departments are to act upon the mandate of the Congress, and agree. I am quite sure they will.

Mr. AIKEN. I hope they will.

Mr. CORDON. When we get out into the field where the job is being done, we find a devoted group of public servants, men who have been trained in the profession of forestry, men whose lives are devoted to carrying out the ideal of perpetual sustained-yield management of forests. I do not expect any difficulty in connection with the matter of exchange for purposes of consolidation and better administration.

Mr. AIKEN. Are the departments required to agree within a certain time? Is there a specified time limit?

Mr. CORDON. A period of 2 years is provided, by a committee amendment. Originally the bill provided a period of 1 year. That has been increased to 2. The language on page 3, line 8, in the committee amendment provides a period of 2 years for that purpose, instead of 1 year. Of course, if the departments could not agree within that time, I am sure there could be an extension of time. However, I think there should be a little compulsion on them to get on with the job.

Mr. AIKEN. As I understand, no provision is made for a transfer of any of these lands to any agency, to any individual, or to any interested party, other than the two departments of Government.

Mr. CORDON. The Senator is correct; nor is there any provision which in any way would interfere with the sustained-yield management practices which are by law required of the Government and its employees.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). The question is on agreeing to the committee amendment.

Mr. MORSE. Mr. President, I wish to address myself to the bill for a few minutes. First, for the RECORD, I wish to make a brief statement on the background of the O. & C. controversy.

By acts of Congress in 1866 and 1870, it was provided that the Oregon & California Railroad was entitled to select, from a strip 20 miles wide on either side of the track line, alternate sections of public land to be sold to settlers.

It was further provided that if 10 full sections could not be found on each side of the track line within the 20-mile strip, because of prior homesteading, or preemption, the railroad could select odd-numbered sections in an additional 5-mile strip outside of the 20-mile strip. The additional strip has come to be known as the indemnity strip.

In 1916 Congress, on the ground that the railroad had violated the terms of the grant, directed that all unsold lands should be revested in the United States. These lands—known as the O. & C. lands—have been administered by the Secretary of the Interior and revenue from timber on the lands has been distributed in recent years under a formula providing that 75 percent of the revenue goes to the 18 western Oregon counties in which the lands are located, and 25 percent to the Government for administration.

By presidential proclamations issued in 1892, 1893, 1906, and 1907, public lands outside the 20-mile strip were placed in the national forest reserves, under the administration of the Secretary of Agriculture. The fact that the indemnity lands were set aside in the public area outside of the 20-mile strip was apparently overlooked at the time of the proclamations.

For many years there has existed between the Department of Interior and the Department of Agriculture, a controversy over the administrative jurisdiction of 462,731 acres of lands lying along the fringes of the original O. & C. lands but within the borders of the national forest.

These lands, which have been known as the controverted lands have been the subject of much proposed legislation, and of law suits. There exists a fund of over $7 million impounded by agreement between the Secretaries of Interior and Agriculture, pending a decision as to whether or not the lands should be treated as lands revested from the railroad by the 1916 act of Congress.

On June 26, 1953, the senior Senator from Oregon [Mr. CORDON] introduced a bill, S. 2225, apparently designed to compromise the jurisdictional dispute between the Departments of Interior and Agriculture, by providing that administrative jurisdiction of the so-called controverted lands should be given to the Secretary of Agriculture, but the revenues from timber cut on the lands should be distributed under the same O. & C. formula of 75 percent to the Oregon counties and 25 percent to the Government.

The bill also provides for exchanges of lands between the Departments of Interior and Agriculture, so that lands can be brought into blocks for better administration, instead of existing as alternate sections, one of which is administered under one plan and the next under another.

There have existed two theories as to how the matter of the "controverted" lands should be settled. It has been approached legislatively, as indicated by S. 2225, and at the same time one of the Oregon counties, Clackamas County, has taken the question to the courts for a judicial determination. In July 1953, I introduced a bill to give jurisdiction of the matter to the courts, after the Federal District Court for Oregon refused to consider the matter on the merits, claiming that it did not have jurisdiction.

About April 4, 1954, it was announced that S. 2225 would be acted upon by the Senate Committee on Interior and Insular Affairs.

Commissioners from Clackamas County, the county which was pursuing the matter by litigation in the Federal courts, petitioned members of the committee for a hearing. The Senator from Montana [Mr. MURRAY] supported this request,

and a hearing was scheduled for May 4, 1954.

On April 30, 1954, the United States Court of Appeals for the District of Columbia Circuit announced a decision in the case brought by Clackamas County against the Secretaries of Interior and Agriculture, on appeal from the Oregon District Court.

The decision provided, in part:

The judgment of the district court will be reversed and the case remanded with instructions to enter a decree in accordance with the terms of this opinion. The decree will enjoin the Secretary of Agriculture from interfering with compliance by any other Government official with the terms of the acts of 1916 and 1937, and specifically from interfering with the distribution by the Secretary of the Interior and the Treasurer of the United States of the moneys which remain as balances in the account in the Treasury which by the terms of the statute was a special account of which the proper title was "The Oregon & California Land Grant Fund," and from interfering with the treatment of the 472,000 acres of land here involved as land revested from the railroad by the 1916 act of Congress; and will direct the Secretary of the Interior to issue authorization to the Treasurer of the United States to distribute the balances in the aforesaid account to the entities named in the pertinent statutes and in the proportions therein specified.

It appears to me that by this decision the court of appeals concluded that the so-called controverted lands were in fact O. & C. lands.

Four days after the court decision, on May 4, the Committee on Interior and Insular Affairs held its hearings on S. 2225. Mr. Robert Jones and Mr. Stanley Skoko, county commissioners for Clackamas County, testified briefly before the committee and were given a week in which to submit their views on the bill in written form, their statements presumably to be included as parts of the printed record of the hearings.

At the time they testified, Commissioners Jones and Skoko submitted to the committee a substitute bill, the intention of which was to provide that the administration of the 462,731 acres of formerly "controverted" lands should be placed in the hands of the Secretary of the Interior.

I should like to mention at this point that the Secretary of the Interior, through the Bureau of Land Management, at the present time administers several million acres of Federal forest land, including over 2 million acres of so-called O. & C. lands in western Oregon on which is standing timber valued at $1 billion or more.

On May 13, 1954, Commissioners Jones and Skoko received the following telegram from the chairman of the Committee on Interior and Insular Affairs:

Please advise by return wire whether you support solution O. & C. controversy proposed in amended S. 2225. Amendments meet points raised by your appearance before committee. Need immediate answer if bill to receive favorable action shortly.

HUGH BUTLER,
Chairman.

I wish to say that the amendments to S. 2225, as adopted by the committee, did not meet the objections raised by the Clackamas County commissioners at the hearing. I have here a copy of a telegram which the commissioners dispatched to the committee chairman on May 14. The telegram states in part:

Section 1 aggravates and necessitates a difficult, complex, and questionable accounting procedure in determining the distribution of receipts. It makes necessary two different receipts distribution formulas from forest lands of one character and retains the "checkerboard" enigma of ownership. Section 1 declares the lands to be Oregon & California lands and in the same sentence denies Interior the right of administration and jurisdiction over the land. This one-half million acres which was once so-called controverted lands could and should be blocked up under the provisions of section 2 so as to remove grounds for future controversy and the need for subsequent legislation. Section 1, in our opinion, is against the best interests of Oregon. * * * It transfers 20 percent of the 2½ million acres of Oregon & California lands to the national forests for administrative purposes. It is an opening wedge and a foot-in-the-door to later dogged attempts to get the other 80 percent of Oregon & California lands transferred to the forest reserve, thereby extinguishing Oregon's rights to just proceeds from these resources. We are against the passage of S. 2225 in its present form.

On May 11, 2 days before Chairman BUTLER's telegram to the Clackamas County commissioners, S. 2225, as amended, was reported by the committee and placed on the Senate calendar.

Printed reports on the bill were not available until Saturday morning, May 15.

I have been informed by the committee staff that a complete printed transcript of the hearing, including the material submitted by Mr. Jones and Mr. Skoko in opposition to S. 2225, is not yet available.

I have, Mr. President, a transcript of the record of the hearing, and I have the galley sheets submitted to me this morning, but not including the material which Mr. Jones and Mr. Skoko submitted in opposition to the committee amendment.

As a matter of good practice—and I say this most respectfully and kindly—I do not think the Senate should be asked to vote on bills on which hearings have been held and to which strong objections have been raised, without the Members of the Senate having available to them printed transcripts of the hearings to aid them in their understanding of the matters which are the subject of the proposed legislation, particularly when it involves so many technicalities as are present in this instance.

Speaking specifically of the provisions of S. 2225, in view of the decision by the United States Court of Appeals on April 30, I do not believe that it is any longer necessary for the Congress to attempt to work out a compromise between the Department of the Interior and the Department of Agriculture as to the administrative jurisdiction of the 462,371 acres of land in Oregon which the court has treated as revested O. & C. lands.

The exchange provisions included in section 2 of S. 2225 are important for the purpose of blocking up the separate lands under the jurisdiction of Interior and Agriculture respectively.

Members of the Committee on Interior and Insular Affairs and the author of S. 2225 have said that their only desire in this matter is to block up the lands for administration, and see that they are properly administered. That also is my desire.

As I have said, the Department of the Interior now administers over 2 million acres of O. & C. lands in Oregon. It seems to me that there could be no objection to the Interior Department also managing the 462,731 acres which the court has found to be revested O. & C. lands.

Administration of all lands by the same department would be more sensible and efficient, in my judgment, particularly when Oregon & California lands timber revenues are divided between the Government and the counties on a different formula than are other Federal timber lands.

Administration by the Department of Agriculture would mean that this particular portion of Oregon & California revested lands would receive different treatment than other Oregon & California lands, and in its administration, the Department of Agriculture would have to apply different revenue formulas to different lands under its administrative jurisdiction.

I think S. 2225 should be amended to provide that administrative jurisdiction of the 462,731 acres of formerly controverted lands shall be in the Department of the Interior with the other Oregon & California lands, but that the present blocking-up provisions in section 2 of the bill should be retained.

I am sure that the senior Senator from Oregon can see no objection to the lands being administered by the Secretary of the Interior. On January 17, 1951, he introduced a bill, S. 539, 82d Congress, which provided:

The authority of the Secretary of the Interior with respect to the administration of the revested Oregon & California Railroad grant lands shall be deemed to extend to, among other lands, all the unpatented lands in the odd-numbered sections included within the indemnity limits of the grant made to such railroads by the act of July 25, 1866.

It seems to me that the recent court decision removed the necessity for a compromise bill and at the same time removed any objection to passage of a bill of the kind introduced by the senior Senator from Oregon 3 years ago.

It is my feeling that the people of the State of Oregon favor administration of the lands by the Department of the Interior, and indeed expect that the Congress will now provide for such administration.

I should like to quote from an editorial appearing in the Portland Oregonian on May 4, 1954. The editorial stated:

Now that the court has declared the controverted lands to be under Interior jurisdiction, which was the first preference of nearly everyone in Oregon, it would seem to be possible to go on from there, to block up the 472,000 acres * * * and to close ranks in support of a valuable resource separated

both physically and administratively from the national forest reserves.

An editorial apparently favoring passage of S. 2225 which appeared in the Salem (Oreg.) Statesman a few days ago, assumed that the purpose of S. 2225 was to provide for temporary administration by the Secretary of Agriculture during the blocking-up process.

I quote from the Statesman editorial:

The Cordon-Ellsworth bill has sought the same objective: application of the formula, and the further purpose of exchange of lands to get the 472,000 acres of controverted lands out of national forests into blocks that could be administered by the Bureau of Land Management. The bill was altered in the Senate committee to give 2 years' time for the exchange, and to meet other objections from Clackamas County.

The Clackamas County commissioners still object to the provision that the lands remain under the national forest administration. This seems a minimum point of disagreement. This would be temporary until the land exchange could be completed. It would be cheaper to have one agency already supervising the lands continue to do so.

It can readily be seen that although some confusion exists as to the purpose of S. 2225, the Statesman editor assumes and supports administration of the lands in the future by the Department of the Interior.

I should like to point out that there is no use of the word "temporary" in S. 2225, and no mention was made in the May 4 hearing of the administration provided for in the bill being temporary.

Mr. CORDON. Mr. President, will my colleague yield?

Mr. MORSE. I yield.

Mr. CORDON. The Senator mentioned the word "temporary" as being in the bill.

Mr. MORSE. As not being in the bill.

Mr. CORDON. I misunderstood the Senator.

Mr. MORSE. I will reread the sentence. I may have misstated it, but I do not think so. The sentence is as follows:

I should like to point out that there is no use of the word "temporary" in S. 2225, and no mention was made in the May 4 hearing of the administration provided for in the bill being temporary.

Therefore, passage of the bill as reported would, in my judgment, make administration by the Department of Agriculture permanent. If S. 2225 in its present form is passed, it will be extremely difficult at some later date to change administration to the Department of the Interior, because we all know that once jurisdiction is vested in a department, it is like pulling teeth to take it away.

It is my opinion that this matter should be settled now, at the time the bill is passed. In our objective I do not think my senior colleague and I differ one whit. I think our difference, if we have a difference on this point, is only on the question of administration. It hinges upon whether the whole administrative obligation and authority should be given to the Department of the Interior or the Department of Agriculture.

It is my opinion, therefore, that the matter should be settled now, once and for all, in a manner consistent with the decision of the court of appeals. I submit that the adoption of an amendment providing for administration of the formerly controverted lands by the Department of the Interior, the Department which administers the other 2 million or more acres of O. & C. lands, is consistent with that court decision.

I desire to submit my amendment, which is as follows——

The PRESIDING OFFICER. The Chair will advise the Senator that the amendment is not subject to being offered at this time.

Mr. MORSE. I understand. However, I desire to explain it as part of my remarks. Then I will offer it.

On page 2, beginning with "continue" in line 6, I propose to strike out all through line 9 and insert in lieu thereof the following: "be administered as revested Oregon & California Railroad grant lands. All revenues derived from".

On page 2, beginning with "No part" in line 20, strike out all through line 22.

On pages 4 and 5, beginning with line 13 on page 4, strike out all through "2 and 3" in line 4, on page 5, and insert in lieu thereof the following:

SEC. 3. For the purpose of carrying out the provisions of section 2.

I shall submit the amendment in due course, when it is in order, because, in my judgment, the amendment implements the court decision. I think the court decision settles, once and for all, the legal question in regard to the controverted land. I think the court decision makes it very clear that the administration ought to be placed in the Department of the Interior. In my opinion that should be done now, in order to bring to an end a controversy which has raged in the State of Oregon for a great many years, a controversy about which many people are ill informed because of its technicalities and complexities. But now, with the court decision and with my colleague's bill, if there be added to it my amendment, I think it will be possible to bring to rest a long-standing controversy between the counties of our State and the departments of Government.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. CORDON. Mr. President, I have listened with interest to the presentation made by my junior colleague of his views with respect to the pending legislation. I am certain that I will find him in entire agreement with the suggestion that although his proposals would amend the bill in several different places, they constitute, in effect, a single amendment. No doubt he would be willing to have his proposed changes treated as one amendment, in our consideration of the matter.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield.

Mr. MORSE. I desire to say that I shall ask that the amendments be considered en bloc.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CORDON. I yield to the Senator from Vermont.

Mr. AIKEN. I wish to get clear in my mind what is sought to be done by the amendment offered by the junior Senator from Oregon. Does it mean that all the lands, or any part of them, will be administered as lands of the Department of the Interior?

Mr. CORDON. That is not the way I understand it. As I see it, the proposed changes would provide that as to the 472,000 acres, the administration of which has been in controversy since early in the century, long before the lands were revested, administrative jurisdiction would be placed in the Department of the Interior instead of permitting such jurisdiction to remain in the Department of Agriculture.

Mr. AIKEN. What about the division of income?

Mr. CORDON. In that respect, the lands are treated wholly, as O. & C. lands, and the division of income would be that of revested lands.

Mr. AIKEN. Would the bill as reported by the senior Senator from Oregon leave the income to the State of Oregon virtually as it is now?

Mr. CORDON. It would. Distribution of the income is the same in the bill as reported to the Senate and in the amendment offered by the junior Senator from Oregon.

Mr. MORSE. I do not change the Senator's formula at all.

Mr. AIKEN. That is what I wanted to know. I wanted to make certain that the other 47 States are protected.

Mr. CORDON. Mr. President, I think the matter in differences are perhaps more apparent than real. There is no difference with respect to what ought to be done, overall, in connection with the lands.

For many years I have sought to get a legislative determination of the question. I have never had any doubt in my mind as to what would be the outcome of litigation on the subject.

LEGAL PRINCIPLE WELL ESTABLISHED

The principle of law here involved was enunciated in 1890, in the case of St. Paul Railway against Northern Pacific Railway. The same principle of law was followed in a case in 1921, known as the Northern Pacific Railroad case. It was relied upon by the District Court, in connection with the legal status of other lands in 1925.

In 1951, the United States Court of Appeals for the District of Columbia, in the case of Chapman against Santa Fe Railroad Co., a case arising in the State of the present Presiding Officer of the Senate [Mr. CHAVEZ], again enunciated the same rule of law. The case went to the Supreme Court on a petition for certiorari. The Supreme Court denied the petition, and, thereby, passed its judgment upon the legal question.

I never have had any question in my own mind about the matter.

RECENT DECISION FOLLOWS RULE

The United States Court of Appeals for the District of Columbia within the last few weeks, in still another case involving these very lands, held again that

their legal status is that of lands revested as railroad lands by the act of 1916. Thus once gain the same basic rule of law was followed. So I think it can be said that the legal question is settled.

However, Mr. President, I cannot go along with my colleague in the thought that jurisdiction is thereby settled. When the case of 1925 was decided, the court held that those particular lands were revested railroad lands; but the court also expressly excluded from its decision any opinion with respect to the validity of the proclamations which purported to place the lands within the national forest reserves.

COURTS HAVE NEVER PASSED ON JURISDICTIONAL QUESTION

The court held the Federal Government wrongfully appropriated the lands, but it did not pass on the question whether at the time, in 1925, the lands were properly included within and administered by the Department of Agriculture as national forests. Again that question came before a court in the decision of April 30, 1954, in the case entitled "Clackamas County Against Douglas McKay, Secretary of the Interior, and Ezra Taft Benson, Secretary of Agriculture."

Here once again the court, resting its decision upon the law as enunciated in 1925, 1921, and 1890, held that the lands were revested railroad lands. But, Mr. President, I am troubled with respect to the full application of that doctrine to administration when I read this statement in the decision of April 30, which appears on page 11 of the advance copy, where the court said:

> It may well be, and probably is, true that upon the revesting, the proclamations of the President attached to the land and they became forest reserves so far as their future was concerned, but that fact could not destroy the specific directions of Congress as to what should be done with moneys received from sales of timber on them.

Prior to that quotation, the court had discussed the opinion rendered in 1925, in what we call the accounting case. The circuit court of appeals approved, evidently, although not expressly, the action of the court then in saying that it did not intend that its "decree would subject the land to homestead entry and sale and thus void the reservation of the land by the President for national forests."

WHICH DEPARTMENT SHOULD ADMINISTER?

As I read first the 1925 decision, and then the decision of April 30, 1954, I can only conclude that there remains a wholly undecided question as to which department should administer the lands. However, there is no question at all with respect to the beneficial interest, the right to revenues. They must be distributed in accordance with the O. & C. lands formula.

Under those circumstances, it seems to me that the sound procedure for the Congress to follow is to settle the jurisdictional issue with respect to which department should handle and manage the lands. That question should be settled permanently at this time, or at least as permanently as law which may be modified, amended, or repealed tomorrow can settle anything.

With the legislative determination as to jurisdiction, there should also be settled legislatively what the courts clearly have settled judicially, that is, the allocation of the money which has accumulated during the period of controversy, and which will accrue in the future. I believe that would be sound procedure.

DECISION MAY BE APPEALED TO SUPREME COURT

I would have no objection at all to the amendment of my colleague were it not for the fact that the question raised would still be before us. I have read excerpts from the court's opinions which indicate clearly that it would. Also we must take cognizance of the fact that there is pending a motion for rehearing on the decision of April 30, 1954; and that quite possibly there will be an appeal at the end of that rehearing. Such an appeal will take the matter to the United States Supreme Court, and leave us again without any conclusive determination as to jurisdiction even if such determination can be read into the decision.

But we can determine the question here and now legislatively, and thus avoid still further delay and uncertainty. We can determine the question either in accordance with my colleague's views or my views, but we cannot say at this time that the courts have settled the jurisdictional question. It is still a legislative question; the responsibility is that of the Congress.

Over the years I have sought to obtain enactment of legislation which would determine the question. I represented the 18 counties of Oregon in which the lands are located as their counsel for years before I became a Member of the Senate. I have lived with this particular problem in my experience as a lawyer in Oregon. For years I sought to get the matter settled in accordance with the provisions of the amendment proposed by my junior colleague.

PRESENT BILL A COMPROMISE

However, in 1943, the same matter was heard before the then Senate Committee on Public Lands, the printed records of which hearings would make a book an inch thick, and a bill was reported. The bill reported by the Senate Committee in 1943 was substantially the bill I finally compromised upon—and it is a compromise with my original views—and which was reported unanimously by the Senate Interior Committee last week. That is the bill that is before the Senate for action today.

The 1943 Senate committee at that time agreed that the funds were O. & C. funds, but recommended that the administration of the lands should stay with the Department of Agriculture. These same provisions are in S. 2225, the bill which I deemed it in the best interests of the people of Oregon to sponsor and support. As I say, it is a compromise with my original position, but a compromise that I believe to be in the best interests of the people of Oregon.

Mr. President, whatever the Senate may do with respect to the 472,000 acres, there still remain in western Oregon two areas of California & Oregon Railroad land grants which by law indisputably have been placed under the jurisdiction of the Department of Agriculture for administrative purposes. One such area is in the southern part of the State. Another is west of the city of Corvallis. In both cases provision is made for administration by the Forest Service and for the payment of receipts into the Oregon & California land grant funds. The pending bill would in no wise change the situation with respect to those two areas.

As to them, it was believed that a single administrative agency should be in charge of the drainage basin, which in each instance represented the domestic water supply for a municipality. In each instance the National Forest Service was the chosen agent, and the National Forest Service has administered both through the years.

BILL WOULD NOT ESTABLISH A PRECEDENT

Such cutting of timber as has occurred has been under the jurisdiction, supervision, and administration of the National Forest Service. Receipts have been paid to the Oregon & California land-grant funds, as provided in this bill. In view of that fact, I can see no precedent that could be established by the enactment of the bill, inasmuch as, with respect to the 472,000 acres of land, they have always been administered by the National Forest Service.

The plans of that agency for sustained-yield management of the lands have been predicated over the years on the inclusion of those lands with the intermixed lands. The arrangement proposed by the pending bill will not do violence to the established plan of management there.

That question is altogether different from the question with respect to the balance of the intermixed lands, because with respect to them there has been a recognition of the dual administrative roles of the Departments of Interior and Agriculture. From the standpoint of sound future administration, I can see no valid objection to maintaining the status quo with respect to administration, particularly in view of the fact that the bill as amended and reported carries a declaration identifying the lands as being revested Oregon & California Railroad land.

BILL DOES THE JOB

It also specifically provides for the disposition of receipts, carries a special provision for blocking up for accounting purposes in the future, and carries other provisions necessary for the sound administration of both categories of land. So I cannot see how any valid objection can be advanced against the bill as amended and reported.

I regret that I find myself opposing my colleague, particularly when he now seeks to have the Senate pass the bill in the form in which I have had it before the Senate ever since I have been a Member of the Senate, and for several

years prior thereto. But under the circumstances of today I believe the course I suggest is the soundest approach to the matter and is in the best interests of the people of Oregon. Therefore, I hope my colleague may see fit to withdraw his amendments.

COUNTIES APPROVE COMMITTEE BILL

I understand he is representing 2 of the 3 commissioners of 1 of the 18 counties affected.

I find myself here representing the complete county courts of 17 counties and a county judge of the 18th. From the standpoint of local support in Oregon, it would seem that the bill as it is now before the Senate carries the real weight.

Mr. MORSE. Mr. President, let me say good naturedly and most respectfully that I am not representing two commissioners of Clackamas County. I am representing what I believe to be the best interests of the State of Oregon. I believe it is in the best interests of the State of Oregon that we settle this jurisdictional controversy once and for all.

My senior colleague will recall that in the 82d Congress, in the course of colloquy on the floor of the Senate, at the time when he had before the Senate his bill providing for the exercise of jurisdiction by the Department of the Interior, I joined with him in support of the principle of the bill. The CONGRESSIONAL RECORD will show the colloquy which then occurred between the senior Senator and the junior Senator from Oregon, in the course of which I commended him for the bill he then had pending before the Congress. In the 82d Congress he had no objection to the Department of the Interior having jurisdiction. I believe that jurisdiction by the Department of the Interior is as good now as it was then. In my judgment, congressional action in support of such jurisdiction would end legislatively, once and for all, the controversy as to who will administer these lands.

I wish to comment briefly on the language referred to by the senior Senator from Oregon on page 11 of the court's decision. He quoted the following passage:

> It may well be, and probably is, true that upon the revesting the proclamations of the President attached to the lands and they became forest reserves so far as their future was concerned. But that fact could not destroy the specific directions of Congress as to what should be done with moneys received from sales of timber on them.

Mr. President, it is my opinion that what happened was that in the issuance of the President's proclamation, the indemnity lands were simply overlooked, by failing to make clear that they were excepted from the public lands which were being turned over to the Forest Service.

As I read the history of this issue, I believe that undoubtedly what happened was that in the issuance of the Presidential proclamation, it was forgotten that these particular indemnity lands were physically within the area of the public lands. I have always felt that it was an oversight, Mr. President. I do not think the language cited by my colleague from the decision is controlling. I believe that what is controlling is the order of the court. Listen to it, Mr. President; I now read from page 34 of the Court's decision:

> The judgment of the district court will be reversed and the case remanded with instructions to enter a decree in accordance with the terms of this opinion. The decree will enjoin the Secretary of Agriculture from interfering with compliance by any other Government official with the terms of the acts of 1916 and 1937, and specifically from interfering with the distribution by the Secretary of the Interior and the Treasurer of the United States of the moneys which remain as balances in the account in the Treasury which by the terms of the statute was a special account of which the proper title was "The Oregon & California Land Grant Fund," and from interfering with the treatment of the 472,000 acres of land here involved as land revested from the railroad by the 1916 act of Congress; and will direct the Secretary of the Interior to issue authorization to the Treasurer of the United States to distribute the balances in the aforesaid account to the entities named in the pertinent statutes and in the proportions therein specified.

Mr. President, I think the court's directive makes very clear and definite that the controverted land issue has been settled, and that to all intents and purposes the lands fall within the jurisdiction of the Department of the Interior. I believe we should remove any ambiguity that may be found in any language of the decision; and we should remove it now legislatively by the adoption of my amendments, which will place the jurisdiction within the Department of the Interior.

My colleague has pointed out that two pieces of Oregon & California land have by law been placed within the jurisdiction of the Department of Agriculture. I do not deny that; it is a fact. However, I think we would make an already confused situation more confounded if now we were to follow a course of action which would result in adding a third piece, comprising 472,000 acres, to the other two pieces under the jurisdiction of the Department of Agriculture, particularly in view of the fact, as I have pointed out, that, in round numbers, approximately 2 million acres of Oregon & California lands are already under the jurisdiction of the Department of the Interior. The great bulk of the lands—in comparison with the two small strips referred to by my colleague, which by law are now under the jurisdiction of the Department of Agriculture—are already under the jurisdiction of the Department of the Interior; and I believe the additional 472,000 acres should also be placed under the jurisdiction of the Department of the Interior, in the interest of efficiency of administration.

Mr. President, I have one more point to make, and then I shall close. My colleague has pointed out that a motion for a rehearing is pending, and that there is a possibility that the case may go up on appeal. However, it seems to me that fact is immaterial insofar as it concerns the obligation of the Congress to settle once and for all the jurisdictional question as to administration of these lands.

In view of the court's decision placing upon the Secretary of the Interior the duty of issuing an order to the Treasurer of the United States in respect to the distribution of the Oregon & California fund, I believe we should, on the basis of that directive, remove forever any doubt as to who will administer those lands; and I believe we should do so by adopting my amendments, thus placing the land within the jurisdiction of the Department of the Interior. In my opinion, to do so will simply make good administrative sense.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on agreeing to the first committee amendment, which will again be stated.

The LEGISLATIVE CLERK. On page 1, in line 3, after the word "That", it is proposed to insert "(a)"; and on page 2, after the numerals "1907", it is proposed to insert "are hereby declared to be revested Oregon & California Railroad grant lands; and said lands."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The remaining committee amendments will be stated.

The remaining amendments were, in line 15, after "(50 Stat. 874)", to insert "as hereby amended"; after line 22, to insert a new subsection, as follows:

> (b) Subsection (a) of title II of the act approved August 28, 1937 (50 Stat. 874), is amended by adding at the end thereof the following proviso: ": *Provided, however*, That for the purposes of this subsection the portion of the said revested Oregon & California Railroad grant lands in each of said counties which was not assessed for the year 1915 shall be deemed to have been assessed at the average assessed value of the grant lands in said county."

On page 3, line 7, after the word "within", to strike out "one year" and insert "two years"; in line 10, after the word "lands", to strike out "or reconveyed Coos Bay Wagon Road grant lands"; in line 12, after the word "forest", to insert "or within two miles of such boundaries"; in line 21, after the word "revested", to strike out "or reconveyed"; in line 22, after the word "revested", to strike out "or reconveyed"; in line 25, after the word "national", to strike out "forest within the boundaries of which they are situated and" and insert "forests"; on page 4, line 2, after the word "to", to strike out "such"; in the same line, after the word "national", to strike out "forest" and insert "forests"; in line 4, after the word "revested", to strike out "or reconveyed"; and in line 7, after the word "area", to insert "unless otherwise agreed to by the counties concerned."

The PRESIDING OFFICER. The question is on agreeing to the remaining committee amendments.

The amendments were agreed to.

Mr. MORSE. Mr. President, I offer the amendments, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 2, beginning with "continue", in line 6, it is proposed to strike out all through line 9 and insert in lieu thereof the following: "be administered as revested Oregon & California Railroad grant lands. All revenues derived from."

On page 2, beginning with "No part", in line 20, it is proposed to strike out all through line 22.

On pages 4 and 5, beginning with line 13 on page 4, it is proposed to strike out all through "2 and 3" in line 4, on page 5, and insert in lieu thereof the following:

SEC. 3. For the purpose of carrying out the provisions of section 2.

The PRESIDING OFFICER. Does the Senator from Oregon wish to have his amendments considered en bloc?

Mr. MORSE. I do. I ask that the amendments which I have offered be considered en bloc.

The PRESIDING OFFICER. Without objection, they will be considered en bloc.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	Monroney
Anderson	Ferguson	Morse
Barrett	Frear	Murray
Bennett	Fulbright	Pastore
Burke	Green	Payne
Bush	Hayden	Purtell
Butler, Md.	Hendrickson	Russell
Chavez	Hickenlooper	Schoeppel
Clements	Hill	Smith, N. J.
Cordon	Holland	Upton
Dirksen	Johnson, Tex.	Williams
Douglas	Malone	Young
Dworshak	Mansfield	

Mr. FERGUSON. I announce that the Senator from Maryland [Mr. BEALL], the Senator from California [Mr. KUCHEL], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

The Senator from Nebraska [Mrs. BOWRING], the Senator from Ohio [Mr. BRICKER], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KNOWLAND], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

Mr. PASTORE. I anounce that the Senator from Louisiana [Mr. ELLENDER], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Colorado [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

The Senator from New York [Mr. LEHMAN], and the Senator from Nevada [Mr. MCCARRAN] are absent by leave of the Senate.

The PRESIDING OFFICER. A quorum is not present.

Mr. FERGUSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BRIDGES, Mr. BUTLER of Maryland, Mr. BYRD, Mr. CAPEHART, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DANIEL, Mr. DUFF, Mr. GEORGE, Mr. GILLETTE, Mr. HENNINGS, Mr. HUNT, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. KENNEDY, Mr. KILGORE, Mr. LANGER, Mr. LONG, Mr. MAGNUSON, Mr. MARTIN, Mr. MAYBANK, Mr. MCCARTHY, Mr. MILLIKIN, Mr. MUNDT, Mr. NEELY, Mr. POTTER, Mr. ROBERTSON, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. THYE, Mr. WATKINS, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. BARRETT in the chair). A quorum is present.

The question is on agreeing en bloc to the amendments offered by the Senator from Oregon.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, I think there is considerable merit in the argument of the junior Senator from Oregon [Mr. MORSE] for having the land under one management. In view of the fact, as I understand, that it is timberland, it seems to me that it would be more appropriate that the land be placed under the management of the Forest Service, rather than of the Department of the Interior. For that reason, I could not vote for the amendment which puts all the forest land under the management of the Department of the Interior. If the junior Senator from Oregon would change his amendment, so as to put all the land under the management of the Forest Service, I probably should be inclined to vote for his amendment.

Mr. MORSE. Then I would be accepting my colleague's bill. I wonder if the Senator from Vermont is aware of the fact that we are dealing with a special body of land, 2 million acres of which are already under the jurisdiction and administration of the Department of the Interior. The bill relates to an additional 462,731 acres.

It seems to me that if the Department of the Interior is to continue to have jurisdiction over more than 2 million acres of this particular type of land, save and except for the 2 relatively small pieces to which the senior Senator from Oregon has referred, then the 462,731 acres of O. & C. lands involved in this bill should be placed under the jurisdiction of the Department of the Interior for administration. Administrative efficiency plus uniformity of administrative practice and policy dictate such a course of action.

The Senator also needs to keep in mind the fact that what concerns us in Oregon is that in the future a different formula may be applied by the Department of Agriculture than that which is required to be applied by the Department of the Interior. Many people in my State fear that danger, and that is why they urge that these O. & C. lands be placed under the jurisdiction of the Department of the Interior.

Mr. AIKEN. As the Senator from Oregon knows, the President of the United States has the authority to shift the land from one department to another; but since the law has been enacted no President of the United States has seen fit to make such a shift.

In my opinion, rather than to place the 4 million acres of timberland under the Department of the Interior, I would prefer to have the other 2 million acres transferred to the management of the Forest Service. I certainly hope the President now in office will favor such a move and will make progress in that direction, because I believe that forest land should be under the management of the Forest Service. I believe that open land and resources available to mining interests may more properly be placed under the jurisdiction of the Department of the Interior.

I think we would be taking a step in a backward direction by placing more forest land under the jurisdiction of the Department of the Interior when we should be placing timberland under the Forest Service and perhaps more of our open land under the Department of the Interior.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MORSE. I say, most respectfully, that I think the Senator misspoke himself. I believe he knows that it is 472,000 acres which are concerned, not 4 million acres.

Mr. AIKEN. I did not know the exact number of acres. I thank the Senator for the correction.

Mr. MORSE. Four hundred sixty-two thousand seven hundred and thirty-one acres, under my amendment and the court decision, would be added to the 2 million of O. & C. land which the Department of the Interior already administers.

On page 2 of the bill, my colleague makes it perfectly clear that these are O. & C. lands. Beginning on line 4, page 2, the language is as follows: "are hereby declared to be revested Oregon & California Railroad grant lands; and said lands shall continue to be administered."

I am simply offering an amendment at this point to the effect that the lands shall be administered by the department which already has jurisdiction of the great bulk of O. & C. lands.

Mr. AIKEN. I understand the Senator's position, but I think that the land which is covered by trees should be under the jurisdiction of the Forest Service.

Mr. CORDON. Mr. President, because of the presence of a larger number of Senators now, I think I should make a brief statement before a vote is had on the question.

The bill itself provides for settling an administrative controversy which has existed between the Department of Agriculture and the Department of the Interior since the beginning of the century. It now relates to only 472,000 acres of land in the State of Oregon, land which was granted to the Oregon & California Railroad Co., to aid in the building of a railroad, but title to which revested in the Federal Government in 1916, because of a violation by the railroad company of certain covenants in the granting act. The revenues from the lands so revested were dedicated, as in the first instance, to the upbuilding of the area through which the railroad was built.

DIFFICULTY IN GETTING AGREEMENT

This particular grant has had a long legislative history, and an equally long judicial history. Over a period of many years, I have sought to get a settlement of the controversy through congressional action. It has been most difficult to get the two departments to agree upon the law or upon the facts.

I think the law is completely established today. In my opinion, the legal question need not worry us any further. It is now a question of legislative judgment with respect to the 472,000 acres which geographically are within the borders of the national forest, and which have been administered by the Forest Service since the Forest Service was created, but which legally are a part of the revested grant. With respect to revested lands generally, administration, and jurisdiction is in the Department of the Interior.

After long effort, I finally obtained agreement by the two departments on the administrative aspects of the amended bill, which heretofore has provided for transfer of jurisdiction of the 472,000 acres to the Department of the Interior from the Department of Agriculture. So far as I am concerned, it is satisfactory to leave the administration of these particular lands where it always has been—in the Department of Agriculture—which will administer them on the sustained-yield principle. Revenues, however, will be distributed as though these lands were administered by the Department of the Interior, because legally they are a part of the revested grant. That is the situation.

My colleague, the distinguished junior Senator from Oregon, has offered an amendment which would change the administration from the Forest Service to the Department of the Interior. That is the only question involved.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. DOUGLAS. Is there any difference between the proportion of revenues which the Department of the Interior shares with counties and local governments, and the proportion which the Department of Agriculture shares?

Mr. CORDON. Oh, yes; particularly with reference to these lands. That was discussed at some length earlier today.

Mr. DOUGLAS. Which department would give a larger share of revenues to the counties?

Mr. CORDON. The Department of the Interior would, to the extent that it administers O. & C. lands. The Department of Agriculture would be in exactly the same position so far as its administration of O. & C. land is concerned. But that the share of the revenues going to the counties would be much larger than that from national forest land.

Mr. DOUGLAS. What I am trying to determine is this: If the amendment offered by the junior Senator from Oregon is agreed to, giving jurisdiction and administration to the Department of the Interior, would a larger share of the revenues be rebated to the counties and local governments than would be the case under the bill itself?

Mr. CORDON. There would be no difference at all.

Mr. DOUGLAS. Would there be any difference concerning the provisions so far as access roads are concerned?

Mr. CORDON. There would be no difference so far as roads are concerned. There would be this difference so far as the funds for those roads are concerned: The National Forest Service roads are built under a different procedure than has been adopted for the O. & C. lands; therefore the Committee on Appropriations has appropriated funds for that purpose and charged them against receipts of the O. & C. lands.

Mr. DOUGLAS. What I am trying to get at is what the practical difference would be as between administration procedures of the Department of the Interior and the Department of Agriculture, and whether, in the judgment of the Senator from Oregon, more funds would be available for access roads under administration by the Department of the Interior as compared with administration by the Department of Agriculture.

Mr. CORDON. I doubt whether there would be much difference. I have not noticed any great difference as between the two classes of lands. As far as the sources of money are concerned and as far as getting the job done is concerned, it may be that the Department of Agriculture has received more money because it has been a longer established organization. It has been better known as an administrator of forest lands, and it may be that acre for acre it has been appropriated more money for roads, although I do not know.

Mr. DOUGLAS. The Department of Agriculture has more acres under its administration, has it not, since the heavy timber lands have generally been placed in the Forest Service, which, of course, is part of the Department of Agriculture, and the Department of the Interior has tended to have jurisdiction of barren mountain and plateau lands?

Mr. CORDON. Generally speaking, that is true, although the area under discussion is an exception.

Mr. DOUGLAS. Is there any difference between the stumpage rates as charged by the Department of Agriculture and those charged by the Department of the Interior?

Mr. CORDON. No more than there would be a difference in stumpage rates as between two given tracts of land.

Mr. DOUGLAS. Would the stumpage rates be identical for the same piece of land, regardless of whether the Department of Interior or the Department of Agriculture administered the land?

Mr. CORDON. The timber on such lands is put up for auction. Therefore, there would be no difference in that respect. There may be an upset price, although I do not know that that is correct. The sale of timber by the Forest Service is on the basis of an actual log scale. The sale of timber on the O. & C. lands is on what is known as a cruise or estimate basis. The difference in the net result would not be very great.

Mr. DOUGLAS. As the Senator from Oregon well knows, one of the great objects of dispute in the Pacific Northwest and, to some degree, in California, is between the so-called small independent operators and the large operators. The small independent operators from time to time have charged that lack of access roads has prevented them from buying timber, which is inaccessible to them, but which can be reached by private roads built by the large operators.

Mr. CORDON. That same situation exists whether jurisdiction is placed in the Department of Agriculture or remains in the Department of Interior. Incidentally, the situation the Senator describes is less true with respect to the O. & C. lands, because such lands are down nearer the valley floor.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. CORDON. I yield to the Senator from Vermont.

Mr. AIKEN. Is it not a fact that Interior Department lands are located in 16 States and Territories?

Mr. CORDON. Sixteen States? I am not certain without refreshing my recollection.

Mr. AIKEN. The lands administered by the Department of the Interior are located west of the 100th meridian, are they not?

Mr. CORDON. Lands administered by the Interior Department are located in all parts of the United States.

Mr. AIKEN. I am not speaking of national monuments.

Mr. CORDON. However, most of the primary public domain lands, I believe, are west of the 100th meridian, with some small exceptions. There are such exceptions, however.

Mr. AIKEN. Such lands are not distributed as widely as are lands administered by the Forest Service, which lands are located in all parts of the country. Is that correct?

Mr. CORDON. That is correct.

Mr. AIKEN. Is it not a fact that when national forests are reduced even by 200,000 acres, except for that part of the revenues which is required to be spent in the locality, the revenues of all the States would be affected to a slight degree by the reduction in the size of the national forests and the income of the national forests?

Mr. CORDON. I believe the statement of the Senator from Vermont is in error.

Mr. AIKEN. I was asking for information. What becomes of the income received by the Department of the Interior from forest lands and grazing lands in its jurisdiction? Grazing lands have an administrative cost, and that is about all. Is that not correct?

Mr. CORDON. There is a division of receipts between the Federal Government and the counties.

Mr. AIKEN. I shall not pursue the question further, because I do not think it makes any difference in the question before the Senate at the present time. I was just asking for information, because I did not know the answer to the question I asked.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Oregon [Mr. MORSE]. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. FERGUSON. I announce that the Senator from Maryland [Mr. BEALL], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. KUCHEL], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Nebraska [Mrs. BOWRING], the Senator from Ohio [Mr. BRICKER], the Senator from Arizona [Mr. GOLDWATER], the Senator from Wisconsin [Mr. WILEY], and the Senator from California [Mr. KNOWLAND] are absent on official business.

If present and voting the Senator from Nebraska [Mrs. BOWRING], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. KNOWLAND], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wisconsin [Mr. WILEY] would each vote "nay."

Mr. PASTORE. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Louisiana [Mr. ELLENDER], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Colorado [Mr. JOHNSON], the Senator from Texas [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from New York [Mr. LEHMAN] and the Senator from Nevada [Mr. MCCARRAN] are absent by leave of the Senate.

The result was announced—yeas 18, nays 52, as follows:

YEAS—18

Burke	Jackson	Morse
Chavez	Kilgore	Murray
Douglas	Langer	Neely
Fulbright	Magnuson	Pastore
Hennings	Mansfield	Sparkman
Hill	Monroney	Symington

NAYS—52

Aiken	Ferguson	Mundt
Barrett	Frear	Payne
Bennett	George	Potter
Bridges	Gillette	Purtell
Bush	Hayden	Robertson
Butler, Md.	Hendrickson	Schoeppel
Butler, Nebr.	Hickenlooper	Smathers
Byrd	Holland	Smith, Maine
Capehart	Hunt	Smith, N. J.
Carlson	Ives	Stennis
Case	Jenner	Thye
Cooper	Kennedy	Upton
Cordon	Long	Watkins
Daniel	Malone	Welker
Dirksen	Martin	Williams
Duff	Maybank	Young
Dworshak	McCarthy	
Eastland	Millikin	

NOT VOTING—25

Anderson	Green	Lehman
Beall	Humphrey	Lennon
Bowring	Johnson, Colo.	McCarran
Bricker	Johnson, Tex.	McClellan
Clements	Johnston, S. C.	Russell
Ellender	Kefauver	Saltonstall
Flanders	Kerr	Wiley
Goldwater	Knowland	
Gore	Kuchel	

So the amendments of Mr. MORSE were rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) those unselected and unpatented odd-numbered sections within the indemnity limits of the Oregon & California Railroad land grant authorized by the act of July 25, 1866 (14 Stat. 239), as amended by the act of April 10, 1869 (16 Stat. 47), and for which payment was made by the United States to such railroad or its successors in interest under the act of June 9, 1916 (39 Stat. 218), pursuant to the decree in the case of *United States* v. *Oregon & California R. R. Co.* (8 F. (2d) 645), which were included with the boundaries of national forests by proclamations of the President of the United States issued under the date of June 17, 1892, September 28, 1893, October 5, 1906, January 25, 1907, March 1, 1907, and March 2, 1907, are hereby declared to be revested Oregon & California Railroad grant lands; and said lands shall continue to be administered as national-forest lands by the Secretary of Agriculture subject to all laws, rules, and regulations applicable to the national forests: *Provided,* That all revenues hereafter derived from said lands and those revenues heretofore derived from such lands and placed in special deposit by agreement between the Secretary of Agriculture and the Secretary of the Interior shall be disposed of in accordance with the provisions of title II of the act approved August 28, 1937 (50 Stat. 874) as hereby amended, and said lands shall not hereafter be subject to the provisions of any other laws or parts of laws which otherwise prescribe the disposal or distribution of receipts from lands of the United States, except that none of the provisions of this act shall affect revenues heretofore distributed. No part of said lands or the resources thereof shall be subject to exchange under the provisions of this or any other law applicable to national-forest lands or otherwise.

(b) Subsection (a) of title II of the act approved August 28, 1937 (50 Stat. 874), is amended by adding at the end thereof the following proviso: *": Provided, however,* That for the purposes of this subsection the portion of the said revested Oregon & California Railroad grant lands in each of said counties which was not assessed for the year 1915 shall be deemed to have been assessed at the average assessed value of the grant lands in said county."

SEC. 2. The Secretary of the Interior and the Secretary of Agriculture are authorized and directed, within 2 years after the enactment of this act, to exchange administrative jurisdiction of revested Oregon & California Railroad grant lands lying within the boundaries of any national forest or within 2 miles of such boundaries, and national-forest lands of approximately equal aggregate value, when by such exchange the administration of the lands will be facilitated. Such exchanges shall be made subject to outstanding contracts, permits, or other existing rights: *Provided,* That the said national-forest lands, administrative jurisdiction of which is transferred to the Secretary of the Interior, shall be excluded from the national forest and shall become subject to administration under the same provisions of law as the revested lands in exchange for which they were transferred, and the revested lands, administrative jurisdiction of which is transferred to the Secretary of Agriculture, shall become a part of the national forests subject to administration under the laws applicable to national forests: *Provided further,* That subject to the requirement of approximate equal aggregate value for the overall exchange, the revested lands and the national-forest lands, administrative jurisdiction of which is exchanged in any county, shall be approximately equal in area unless otherwise agreed to by the countries concerned. The exchanges provided for herein shall in each case be evidenced by an order signed by the Secretary of the Interior and the Secretary of Agriculture and such orders shall be transmitted to the Division of the Federal Register for filing and publication.

SEC. 3. For the purpose of consolidating and thereby facilitating administration and accounting the Secretary of Agriculture is authorized to designate in the several counties in which the lands described in section 1 of this act are situated (such designation to be published in the Federal Register), an area of national-forest land of a value substantially equal to the value of the lands in such county from which all revenues shall be disposed of in accordance with the provisions of title II of the act of August 28, 1937 (50 Stat. 874), and upon such designation the provisions of that act shall be applicable to the lands so designated in lieu of the lands described in section 1 of this act: *Provided, however,* That such designation shall not become effective until approved by the county court of the county in which the lands are located.

SEC. 4. For the purpose of carrying out the provisions of sections 2 and 3 of this act there are hereby authorized to be appropriated such sums as the Congress may from time to time determine to be necessary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2828) to amend the act of Congress of September 3, 1935 (49 Stat. 1085), as amended; that the House in-

sisted upon its disagreement to the amendments of the Senate to the bill; requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. D'EWART, Mr. HARRISON of Wyoming, Mr. BERRY, Mr. ENGLE, and Mr. ASPINALL were appointed managers on the part of the House at the further conference.

The message further announced that the House insisted upon its amendments to the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOLVERTON, Mr. DOLLIVER, Mr. HESELTON, Mr. BENNETT of Michigan, Mr. PRIEST, Mr. HARRIS, and Mr. ROGERS of Florida were appointed managers on the part of the House at the conference.

INTEGRITY OF THE SUPREME COURT

Mr. BUTLER of Maryland. Mr. President, on May 11, the Senate passed, by a vote of 58 to 19, Senate Joint Resolution 44, proposing an amendment to the Constitution of the United States in connection with the composition and jurisdiction of the Supreme Court.

Immediately after the passage of the joint resolution certain editorial comment seemed to indicate that the question had not been given sufficient study prior to the time of passage. I hold in my hand a letter which was printed in the New York Times of Wednesday, May 19, written by my dear friend Edwin A. Falk, chairman of the Special Committee on the Federal Courts of the Association of the Bar of the City of New York. The headline in the New York Times is entitled "Integrity of Supreme Court: Background Given on Studies Made To Reinforce Its Inviolability." The letter is addressed to the editor of the New York Times, and reads as follows:

It was gratifying to read in the May 14 issue your editorial called Guarding the Supreme Court endorsing the approval by the Senate of Senator JOHN MARSHALL BUTLER'S proposed amendment to the Constitution of the United States fixing at nine the number of Justices of the Supreme Court, removing from Congress the power to impair, in constitutional cases, the appellate jurisdiction of the Supreme Court, and requiring all Federal judges with lifetime appointments to retire upon reaching 75.

As you say, "This is a good time, when no such issue is before the country, to reinforce the inviolability and integrity of the Supreme Court."

The matter of forestalling future cyclical attacks upon the independence of the judiciary has been given intensive study since the court-packing project of 1937. As long ago as 1946 the Association of the Bar of the City of New York appointed a special committee to consider the problem. Among those consulted were the late Chief Justice Charles Evans Hughes, Justice Owen J. Roberts, and other leading authorities in the field and literature of American constitutional law.

The city bar association held a discussion of the committee's report in December 1947, and resolutions were adopted embodying substantially what eventually became the proposed amendment that was approved by the Senate on May 11, 1954. In the meantime, former Attorney General William D. Mitchell, John W. Davis, John G. Buchanan, then president of the Pennsylvania Bar Association, many other individuals, and the New York State Bar Association gave their endorsement, as did the American Bar Association in 1950 after thorough study by appropriate distinguished committees and debates by its house of delegates at several annual meetings.

When the Senate voted it had had before it the report of its Judiciary Committee based upon careful study by its members and after the public hearing, upon due notice, at which Justice Roberts, Harrison Tweed, president of the American Law Institute; the present Chief Judge Frederick W. Brune, of the Maryland Court of Appeals; and several spokesmen for the American Bar Association from various parts of the country gave oral testimony and at which Chairman LANGER made it clear that any others interested would have been welcome.

EDWIN A. FALK,
Chairman, Special Committee on the Federal Courts of the Association of the Bar of the City of New York.

NEW YORK, *May 17, 1954.*

Mr. CASE. Mr. President, I take this opportunity to pay my hearty compliments to the senior Senator from Maryland for his work in sponsoring the constitutional amendment to which reference has been made in the letter which he has just read.

It so happened that during the first few months of my service in Congress, in January or February 1937, the so-called court-packing proposal was sent to the Congress. It was the great issue of that year. Both in the House and in the Senate it developed elaborate constitutional arguments, and was the subject of great debate. It was a major issue, which affected the political fortunes of many Members of Congress, as well as perhaps others in the country.

I recall very distinctly that the conscience of the country was greatly aroused by a proposal which it was thought would do violence to the Supreme Court. The effort was stopped at that time by a report which was submitted by the Senate Committee on the Judiciary. I believe the distinguished Senator O'Mahoney of Wyoming was chairman of the subcommittee which wrote the report. It concluded with a ringing declaration that the proposal should be rejected in such certain terms that no such proposal would ever again be presented to a free people. The death of the late distinguished Senator from Arkansas, Mr. Robinson, occurred about that time, and the proposal got no further.

The proposal remained as a potential threat until the Senator from Maryland came forth with a proposed constitutional amendment to settle the issue once and for all. I compliment him on his diligence and earnestness in presenting that constitutional amendment, and congratulate him upon its passage by the Senate.

Mr. BUTLER of Maryland. I thank the Senator from South Dakota. I feel, as the Senator from South Dakota does, that the amendment is very important. It is an amendment which should have been adopted long ago. I am very happy to know that the Senator from South Dakota associates himself with my position.

Mr. FERGUSON. Mr. President, let me say to the Senator from Maryland that I hope the fact that some press notices state that there was haste in passing this amendment will not interfere with the action of the House and three-fourths of the States upon it. The subject has been debated for a long time, and has received much thought by the people. Therefore anything that is said about haste certainly should not interfere with the passage of the joint resolution in the House.

Mr. BUTLER of Maryland. Mr. President, I thank my distinguished friend. Many hours were spent upon the amendment as he says. Some of the best legal minds in America worked upon it. I am satisfied that, as the Senator from Michigan says, it is a good amendment and should pass the House of Representatives. I hope the House will consider it promptly, pass it, and submit it to the people of the States.

AMENDMENT OF HOME OWNERS' LOAN ACT OF 1933, AS AMENDED

Mr. FERGUSON. I move that the Senate proceed to consider Calendar No. 1190, Senate bill 975.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 975) to amend the Home Owners' Loan Act of 1933, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments, on page 2, line 24, after the word "the", strike out "same" and insert "least onerous"; in the same line, after the word "restrictions", strike out "as" and insert "with respect", and in line 25, after the word "location", insert "as may be", so as to make the bill read:

Be it enacted, etc., That subsection (e) of section 5 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by inserting "(1)" after "(e)" and by adding the following paragraph at the end thereof:

"(2) An association may retain or establish and operate a branch or branches under the following conditions:

"(A) An association may retain and operate such branch or branches as it may have in operation on the effective date of this paragraph, the establishment and operation of which had been approved by the Home Loan Bank Board.

"(B) If, after the effective date of this paragraph, a State savings and loan association is converted into or consolidated with a Federal savings and loan association, or if two or more Federal savings and loan associations are consolidated, such converted or consolidated association may, with respect to any of the associations, retain and operate any of their branches which are in lawful operation on the date of such conversion or consolidation.

"(C) An association may, with the approval of the Home Loan Bank Board, establish and operate new branches within the State in which the home office of such association is situated, if such establishment and operation are at the time expressly authorized to State savings and loan associations or mutual savings banks by the law of the State in question, or, in the absence of any such law, if such establishment and operation are at the time in conformity with the practice within the State with respect to branches of State savings and loan associations or mutual savings banks, except that no approval of the State authority having supervision over State savings and loan associations or mutual savings banks shall be required, and such new branches shall be subject to the least onerous restrictions with respect to number and location as may be imposed by the law of the State or the practice within the State with respect to branches of State savings and loan associations or mutual savings banks. No branch of any Federal savings and loan association shall be established outside the State in which its home office is located. The Home Loan Bank Board shall, before approving or disapproving an application of a Federal savings and loan association to establish and operate a branch, give consideration to the same requirements as are set forth in this subsection with respect to the granting of charters of Federal savings and loan associations.

"(D) No branch of any Federal savings and loan association shall be established or moved from one location to another without the prior consent and approval of the Home Loan Bank Board.

"(E) The term 'branch' as used in this subsection shall be held to include any branch savings and loan association, branch office, branch agency, additional office, or any branch place of business located in any State or Territory of the United States or in the District of Columbia at which shares are issued, sold, withdrawn, repaid or repurchased, or money is lent, or dues or divdends are paid or credited, or any other savings and loan business is carried on.

"(F) The words 'State savings and loan association' or 'State savings and loan associations,' as used in this subsection, shall be held to include savings and loan associations, building and loan associations, cooperative banks, and homestead associations organized and operated according to the laws of the State, District, or Territory in which they are chartered or organized."

Mr. BUSH. Mr. President, I speak very briefly this afternoon on Senate bill 975, which is a bill to establish a policy with respect to the establishment of branches for the Federal savings and loan associations.

I believe it may refresh the memory of some Senators to realize that the Federal savings and loan associations are under the control of the Home Loan Bank Board, a Board consisting of three Commissioners, and that that Board must license new Federal savings and loan associations, in the same way the Comptroller of the Currency must license national banks. In other words, they must obtain charters from the Federal Government. They are the equivalent of State savings and loan associations, which are chartered by the States.

Congress has never established a policy with respect to the privilege of establishing branch offices by Federal savings and loan associations. As a result, whatever policy has been established, and whatever the practice has been up to now, has been by way of decision of the Board in Washington. That Board, as I have said, consists of three members.

I believe that, on the whole, the Board has done a very good job. That is my personal observation. However, as the business of the associations has grown, and the number of institutions has increased, the problem of granting branch privileges has become a noticeable one.

There are now in existence 1,600 separate Federal savings and loan associations, and 198 branches of those institutions. That compares, in the commercial banking field, with approximately 14,000 banks, which have 5,600 branches, and in the mutual savings bank field with 528 mutual savings banks, which have 246 branches.

The ratio of branches to institutions in the Federal savings and loan association field is very small as compared with the other fields.

I may say that the proposal under consideration has been before the Senate previously, but it has never come to a vote. The Committee on Banking and Currency unanimously reported the pending bill because the members of the committee feel that the time has come for the Federal Government to take cognizance of the existing situation and to establish a policy with respect to branch banking in that field. We are of the opinion that the branch program has been, more recently certainly, a troublesome issue in the Home Loan Bank Board.

The policy of the Board concerning branches has changed during the course of the past 5 or 6 years. The position of the Board originally was that the power to establish branches was unrestricted, and the decisions were made solely on the determination of community interests. Recently the policy has been changed and announcement made that no branches would be permitted to Federal savings and loan associations in States which had forbidden branches to all types of financial institutions.

In order to implement that policy the Board recently proposed a change in the regulations. I shall not read the new regulation, but in effect it gives to the Federal savings and loan associations the right to establish branches in any State commensurate with the least restricted practice in connection with any financial institution within the State. I believe that regulation has not been promulgated as yet, but is being held up pending decision by Congress on the question of policy.

Mr. DOUGLAS. Mr. President, will the Senator from Connecticut yield for a question, or does he wish to complete his remarks first?

Mr. BUSH. I shall be very glad to yield to the Senator from Illinois. I know he is very much interested in the subject.

Mr. DOUGLAS. I do not wish to interfere with the continuity of the Senator's remarks.

Mr. BUSH. No; I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. I believe the Senator from Connecticut has stated that it is the present policy of the Board to allow Federal savings and loan associations to have branches in a manner parallel to that of all other financial institutions. I believe the Senator used the phrase "financial institutions."

Mr. BUSH. I did not say that that was the present policy. I said the Board had drawn up such a regulation. I do not believe the Board has issued the regulation as yet. The Board has held it up, because we discussed with them the pending legislation. In fact, I suggested to the Chairman of the Board that he withhold the issuance of the regulation until Congress had an opportunity to decide whether it wished to establish a policy on the subject.

Mr. DOUGLAS. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BUSH. I yield.

Mr. DOUGLAS. I merely wish to develop my question. If the regulation were issued it would permit the Federal savings and loan associations to have branches (a) in all States in which State laws permit State savings and loan associations and mutual savings banks to establish branches. That is one group, so to speak.

Mr. BUSH. Yes. It is much broader than that, though.

Mr. DOUGLAS. Yes; I was about to continue with my question. The regulation would also permit the establishment of branch facilities in the 24 States in which State building and loan associations and mutual savings banks can have branches.

Mr. BUSH. It is broader than that.

Mr. DOUGLAS. Yes; plus (b) the 16 States in which commercial banks can have branches.

Mr. BUSH. It is broader than that.

Mr. DOUGLAS. Yes; plus (c) the 8 States in which chain or group banking is permitted.

Mr. BUSH. That is correct. That is the regulation.

Mr. DOUGLAS. Under the proposed regulation of the Home Loan Bank Board, Federal savings and loan institutions would be permitted to have branches in all States, except West Virginia, which is the one State which outlaws all forms of branch banking, and chain or group banking. Is that correct?

Mr. BUSH. I believe the Senator from Illinois is correct. In order to make no mistake about it I shall read the last proviso of the regulation. It says:

That, for the purpose of determining practice in any State, district, or Territory within the meaning of this section, the operation of chain, group, or affiliated financial institutions shall be regarded as the operation of branch offices, and the term "branch office" for the purposes of this section, shall include any office of a financial institution at which savings may be received.

That is a part of the proposed regulation.

Mr. DOUGLAS. I may say to the Senator from Connecticut that that is the precise content of the amendment

which I shall propose at the appropriate time.

Mr. BUSH. I thank the Senator from Illinois for the information.

By this regulation the Board has recognized that the question of establishing branches requires specific regulation, and it has also recognized the fact that the statutes and laws of the States should not be ignored.

The provisions of the proposed regulation, in determining the authority of the Home Loan Bank Board with respect to establishing branches, are more inclusive and generous than those contained in S. 975.

The committee, in its report, states:

> Your committee, while commending the Home Loan Bank Board on its present attitude and its desire to deal fairly with the States, must take note of the fact that although the policies of the Board have undergone a change in the past few years, a reversal in policy can be made by a Board when there is not limiting legislation.

It is for that reason that the committee believes legislation is in order so that the policy may be established by the Congress, the body which should establish policy in connection with such matters.

I remind the Senate that in 1927 Congress passed what was known as the McFadden Act, which regulates the branching privileges of national banks and requires that any federally chartered bank, any national bank, must conform with reference to its branching privileges in any State to whatever the laws of the State may be. In other words, it recognizes the right of the States to make their own rules and regulations, particularly with respect to establishing branches, and makes the States the final authority.

Mr. President, I should like to read one more portion of the report which the committee felt was very important regarding the matter of States rights:

> For the Federal Government to ignore the action of the States and maintain a situation whereby a governmental board may grant branches to federally chartered institutions without regard to the pattern, law, or desire of the States, allows unfair competition which might force the States to amend their laws even though it is not their desire to do so. In the opinion of your committee it is better for the Federal institutions to be subject to the same laws as their counterparts in the various States with the States always having the opportunity to amend their own laws if conditions warrant.

Mr. President, just a final comment with reference to the bill. Its purpose is to limit the branching privileges of Federal savings and loan associations to those enjoyed by State savings and loan associations and mutual savings banks.

The bill also permits existing branches of Federal savings and loan associations to continue in operation. It also permits the retention of lawfully established branches upon a conversion or consolidation with another institution, and it also provides for prior approval of the Home Loan Bank Board with reference to the removal of savings and loan associations from one location to another.

The bill was reported unanimously by the committee. I think it is fair to say that before the committee made its report there was some discussion. Hearings were held on the question, and, as chairman of the subcommittee, I formed the opinion that it seemed reasonable that commercial banks which gather thrift accounts and engage in home loan financing were in direct competition with State savings and loan associations, mutual savings banks, and Federal savings and loan associations, and that the branching privileges of Federal savings and loan associations should be equal to the branching privileges of thrift-account-gathering institutions. Therefore I proposed an amendment to that end.

Unfortunately, I think there were only three members of the committee present, including myself, who supported the amendment in committee. So I do not intend to offer such an amendment on the floor. I understand my friend from Illinois [Mr. DOUGLAS] intends to do so. If he does propose the amendment which I have just described, I would be disposed to support it, but I cannot go along with him on the other amendment which he said he might present.

Mr. DOUGLAS. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield.

Mr. DOUGLAS. In order that the record may be clear, is it not a fact that I was not present at the meeting of the full committee when the bill was unanimously reported?

Mr. BUSH. That is my recollection. I think the Senator from Illinois is the only member of the committee who was not present.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. MAYBANK. The Senator from Illinois was not present.

Mr. BUSH. When I said three members, I thought I was including the Senator from Illinois and myself. I think the Senator from New York [Mr. LEHMAN] was present, but I do not think he took a position with reference to the amendment.

Mr. MAYBANK. The other amendment which was discussed was the amendment of the Senator from Connecticut.

Mr. BUSH. That was the one which the committee rejected.

Mr. MAYBANK. To the best of my knowledge, the other amendment was never before the committee.

Mr. BUSH. The Senator is correct.

Mr. MAYBANK. Frankly, I voted against the amendment of the Senator from Connecticut. I did not vote against the amendment of the Senator from Illinois, because I had never heard of it. As I recall, the Senator from Connecticut withdrew his amendment.

Mr. BUSH. That is correct.

Mr. MAYBANK. The Senator from Illinois [Mr. DOUGLAS] was not present.

Mr. BUSH. That is correct.

Mr. MAYBANK. Mr. President, the distinguished Senator from Connecticut has made a most able explanation of the bill. I wish to invite the attention of the Senate to the fact that the Senator from Delaware [Mr. FREAR], who was chairman of the subcommittee in previous years, held long and ample hearings, and at that time the committee unanimously reported a bill. Is that correct?

Mr. FREAR. That is correct.

Mr. MAYBANK. As I recall, it was reported late in the session of the Senate, and former Senator Cain objected to it. Later, as I recall, he told me he was not going to allow the bill to be passed, that he was going to do everything he could to prevent its passage. A similar bill has been twice reported unanimously by the committee under the able leadership of the former chairman of the subcommittee and the present chairman of the subcommittee, the Senator from Connecticut [Mr. BUSH].

Mr. BUSH. But it has never come to a vote.

Mr. MAYBANK. That is correct. Former Senator Cain objected on several occasions when it was called on the unanimous-consent calendar.

Mr. BUSH. It was never called up after that.

Mr. MAYBANK. That is correct.

Mr. BUSH. I thank the Senator from South Carolina for his explanation, which I understand is the correct history of the situation.

Mr. President, I think it is fair to say that Senate bill 975 is supported, generally speaking, by the American Bankers' Association, independent bankers, and savings banks. State supervisors of banking, through their own organization, have sent delegations to testify in their behalf. Of course, the bill is opposed by the Federal savings and loan institutions because they feel it would restrict them too much, and they like much better the amendment which will be offered by the Senator from Illinois and the regulation which I mentioned which the Home Loan Bank Board has drafted. So, there is where we split.

Mr. MAYBANK. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield.

Mr. MAYBANK. I wish to make it clear that to the best of my knowledge, the State supervisors and State authorities are in favor of the bill which has been reported.

Mr. BUSH. That is correct.

Mr. MAYBANK. And that covers every State of the Union.

Mr. BUSH. I think the hearings will show that to be so.

Mr. President, I think that is all I have to say. I shall be glad to answer any questions which may be propounded. I know the Senator from Illinois wants to speak on this bill, and I shall hold myself ready to answer any questions from the floor.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Will the acceptance of the committee amendments make out of order the amendments which I intend to offer, which are designated as amendments 5–12–54–A?

The PRESIDING OFFICER. It will not.

Mr. DOUGLAS. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendments designated 5–12–54–A, and ask that they be read.

The PRESIDING OFFICER. The clerk will state the amendments.

The legislative clerk read the amendments offered by Mr. DOUGLAS, as follows:

On page 2, lines 15 and 16, strike out "State savings and loan associations or mutual savings banks" and insert in lieu thereof "any financial institution."

On page 2, lines 19 and 20, strike out "State savings and loan associations or mutual savings banks" and insert in lieu thereof "any financial institution."

On page 2, lines 22 and 23, strike out "State savings and loan associations or mutual savings banks" and insert in lieu thereof "any financial institution."

On page 3, lines 2 and 3, strike out "State savings and loan associations or mutual savings banks" and insert in lieu thereof "any such financial institution: *Provided*, That in any State where the law expressly prohibits branches or, in the absence of any such law, the establishment and operation of branches are not in conformity with the practice within the State, if the Board determines that chain, group, or affiliated financial institutions operate within the State, a Federal savings and loan association may with the approval of the Home Loan Bank Board establish and operate new branches not more than 50 miles from its home office."

On page 3, strike out lines 15 to 22, inclusive, and insert in lieu thereof the following:

"(E) The term 'branch' as used in this subsection shall be held to include any branch savings and loan association, or any branch financial institution, branch office, branch bank, branch agency, additional office, or any branch place of business located in any State or Territory of the United States or in the District of Columbia at which shares are issued, sold, withdrawn, repaid, or repurchased, or at which deposits are received, checks paid, or money is lent, or dues or dividends are paid or credited."

On page 4, line 4, strike out the quotation marks.

On page 4, after line 4, insert a new paragraph as follows:

"(G) The term 'financial institution' as used in this subsection means a savings and loan association, a mutual savings bank or a bank or trust company organized under the laws of any State or Territory, or the District of Columbia, which has among its powers the power to accept thrift or time deposits."

The PRESIDING OFFICER. Is it the desire of the Senator from Illinois to have his amendments considered en bloc, or does he wish to have them considered separately?

Mr. DOUGLAS. I should like to have them considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the amendments offered by the Senator from Illinois will be considered en bloc.

Mr. DOUGLAS. Mr. President, this is a far more important bill than is commonly realized, because it deals with a very large segment of a very important part of the financial structure of the country.

In brief, there are approximately 6,000 savings and loan institutions throughout the country, having total assets of approximately $27 billion. The mutual savings banks of the United States, which comprise the other main group of financial institutions financing home construction on a mutual basis, also have approximately $27 billion in assets.

Of the 6,000 savings and loan institutions, having total assets, as I have said, of about $27 billion, approximately 1,600 are federally chartered institutions, and about 4,400 are State institutions.

At present, the Federal savings and loan institutions can establish branches under Home Loan Bank Board policy in virtually every State in the Union. The bill under consideration would restrict the power of Federal savings and loan associations to have branches to about half this number, or to 23 States and the District of Columbia. This, therefore, means a very distinct impairment of the legal rights of Federal savings and loan institutions to establish branches, because it deprives them of this right in approximately 23 States.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. FREAR. Does the bill deprive any community of the right to establish a Federal savings and loan association?

Mr. DOUGLAS. No; communities can establish new savings and loan institutions, but the bill deprives existing Federal savings and loan institutions from establishing branches.

Mr. FREAR. And that is all.

Mr. DOUGLAS. The Senator is correct. But in this connection I wish to point out that we are witnessing the growth of a large number of new communities throughout the country. If it is to be said that in 23 States savings and loan associations can be established only de novo, from the bottom up, and that existing associations cannot establish branches, while the commercial banks, by branch or chain banks, which as a sideline engage in home financing, nevertheless, can operate in these communities, it seems to me that the existing savings and loan associations are being placed at a disadvantage. It is also made more difficult for new communities to have Federal savings and loan associations.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. BUSH. The Senator speaks of home financing as being a sideline of the commercial banks, which I suppose it is. On the other hand, I am certain the Senator realizes that the commercial banks have as much in the way of thrift accounts—approximately $45 billion—as do the Federal and State savings and loan associations and the mutual savings banks together. It may be a sideline, but it is a very important segment of their business.

Mr. DOUGLAS. I thank the Senator from Connecticut. He has made a most eloquent argument for my amendment. Although the commercial banks do such a large proportion of their business in home financing, what the bill proposes to do is to place Federal savings and loan institutions at a disadvantage as compared with the commercial banks and the chain banks, which help to finance home construction.

I thank the Senator from Connecticut. With his characteristic fairness, he has provided me with ammunition which I had not intended to use until later in the debate. I wish to express my gratitude to him.

Mr. BUSH. I am sorry if I have interfered with the Senator's use of his ammunition supply.

Mr. DOUGLAS. No; the Senator from Connecticut is a very good ammunition bearer.

Mr. BUSH. I might say also that I made a statement in support of the amendment which I myself offered in the committee, and which I understand the Senator from Illinois may later offer, if this amendment is not agreed to.

Mr. DOUGLAS. Again I thank the Senator from Connecticut. It indicates the fairness of mind with which he approaches this question and, so far as I can tell, all other questions which come before the Senate.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. FREAR. Can the Senator from Illinois advise me of any community in which the need for such an institution has existed, but whose application for a Federal savings and loan association has been denied?

Mr. DOUGLAS. Does the Senator from Delaware refer to a new savings and loan institution?

Mr. FREAR. I do.

Mr. DOUGLAS. I think the applications for new savings and loan institutions are passed upon, but the point is that it is hard to organize mutual savings institutions in rapidly growing communities, where the people do not know one another. A bank can operate without branches more readily than a savings and loan association due to its varied functions. A savings and loan association specializes in accepting savings and making home loans and requires therefore a larger community than a bank for its survival as an independent organization.

Rapidly growing communities are developing on the outskirts of every large industrial city. They are developing as new industries develop, such as in the oil region of the State of the distinguished senior Senator from North Dakota [Mr. LANGER].

Mr. FREAR. Can the Senator from Illinois state if there is any community which has been denied the facilities of branch banking and of the Federal savings and loan associations, for which the Senator is contending?

Mr. DOUGLAS. I may say that the bill under consideration will make it more difficult for communities to obtain these facilities.

Mr. FREAR. Does the Senator from Illinois contend that there are now any

communities which need these facilities, but which are unable to have them?

Mr. DOUGLAS. I have not taken a census of the communities in the country, or polled them. I lack the means with which to conduct such a census. But what harm can there be in giving to Federal savings and loan institutions the same opportunity to establish branches as is afforded other financial institutions which engage in the making of home loans?

Mr. FREAR. Does the Senator contend that a Federal savings and loan association is the same type of financial institution as a commercial bank?

Mr. DOUGLAS. I should say it is a mutual institution, and that a mutual certainly should, at least, have the same rights as a nonmutual. It should have the same rights and privileges as a nonmutual. In fact, in many instances, greater favors or greater rights are given to mutuals than to nonmutuals.

Mr. FREAR. Mr. President, will the Senator further yield?

Mr. DOUGLAS. Certainly.

Mr. FREAR. Does not the bill give to the Federal savings and loan associations the same right to establish branches in the States as building and loan associations now have?

Mr. DOUGLAS. Where State building and loan associations and State mutual savings institutions have that right?

Mr. FREAR. Yes. Are they not the same type of institutions?

Mr. DOUGLAS. Yes, but I may point out that there are 16 States which permit commercial banks to have branches, and commercial banks accept savings and make loans for home building and home financing; but the pending bill would prohibit Federal savings and loan institutions from having branches in those States. There are 8 more States, my State being 1 of them, which permit group and chain banking—and such institutions accept savings and make loans to finance home construction—where the Federal savings and loan institutions would be denied the opportunity to have branches.

Mr. FREAR. But those same States will not deny to the people the right to get together and form a Federal savings and loan institution to meet the needs of the people. Is that not correct?

Mr. DOUGLAS. That is true, but should not the existing Federal savings and loan associations be given the same rights which are accorded to commercial and chain and group banks?

Mr. FREAR. They are different types of financial institutions.

Mr. DOUGLAS. If we are dealing with home construction, I would say the savings and loan institutions are, after all, perhaps more definitely geared to financing that type of loans than are commercial banks. The original purpose of establishing commercial banks was presumably to finance the movement of commodities from the raw material stage to the final stage; in the case of building and loan institutions, where the loan precedes the deposit, on the other hand, there exists the type of savings institution in which the depositor or investor is presumed to come first. The institution sweeps up the savings and invests in home building. If anything, it is the commercial bank which is the interloper in the field of home financing rather than the savings and loan association or the mutual savings bank.

Mr. FREAR. I should like to ask the Senator from Illinois if, in the same communities to which reference has been made, it is not true that a building and loan association would offer the same facilities as a branch of a Federal savings and loan association.

Mr. DOUGLAS. Does the Senator from Delaware refer to a new one?

Mr. FREAR. An existing or a new one.

Mr. DOUGLAS. Let us suppose a community which is rapidly growing.

Mr. FREAR. Yes.

Mr. DOUGLAS. Such as Levittown, in New York, or Levittown, Bucks County, Pa., or some such community outside Chicago. There is not now a building and loan association there, but let us say that commercial banks have branches or group banks have units there. They are allowed to continue, and to expand, and to make loans; but the only way in which the residents of those new communities can get the services of Federal savings and loan institutions is by establishing new institutions. The existing institutions have no right to move into such areas and establish branches.

Mr. FREAR. Is there a need for branch facilities of Federal savings and loan institutions in Levittown, or the community near Chicago to which the Senator from Illinois has referred?

Mr. DOUGLAS. Oh, yes.

Mr. FREAR. Has such a request been made of the Senator from Illinois?

Mr. DOUGLAS. I have talked to the building and loan associations of my State. I might say that the building and loan associations, both State and Federal, do not wish to have such a right taken away from them.

Mr. FREAR. Cannot the legislature of a State enact a law which will permit a Federal savings and loan association to have a branch in an area of the State which needs it?

Mr. DOUGLAS. Yes. That would be permissible under the pending bill.

Mr. FREAR. That is correct.

Mr. DOUGLAS. But, whereas commercial banks have the right to establish branches, the bill would deny to Federal savings and loan institutions a similar right, and in the eight States where group or chain banking is permitted, namely, Florida, Kansas, Nebraska, New Hampshire, Wyoming, Minnesota, Montana, and Illinois, Federal savings and loan institutions would be denied the right to have branches.

Mr. FREAR. But there is nothing in the bill which would prohibit any State in the Union enacting a law which would accord to Federal savings and loan institutions the right to engage in branch banking.

Mr. DOUGLAS. No.

Mr. FREAR. If in certain communities the need for such facilities exists, the communities can ask the legislature for this benefit and if such branches are needed, there is no reason in the world why the State legislature should accede to the request.

Mr. DOUGLAS. I remind my good friend from Delaware, and he is a good friend, that the Federal savings and loan institutions are Federal institutions, and not State institutions.

Mr. FREAR. But they are doing business in the States.

Mr. DOUGLAS. Yes, but they are operating under Federal charters, and I do not believe Federal institutions should be discriminated against.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Connecticut.

Mr. BUSH. I should like to ask the Senator from Illinois if he realizes that if his amendment were to become a part of the law, the Federal savings and loan institutions would have branching privileges in the State of Illinois beyond those given to the State savings and loan associations. Does the Senator from Illinois understand that?

Mr. DOUGLAS. Certainly I do, because they would have parity with all financial institutions.

Mr. BUSH. So the Senator's amendment would have the effect, at least in the State of Illinois, of giving Federal savings and loan associations an advantage not accorded to State savings and loan associations under the existing law.

Mr. DOUGLAS. I understand that. But all the State association organizations, except that in Massachusetts, favor my position since it would give them a bargaining point with the State legislature.

Mr. BUSH. I wished to make that clear.

Mr. DOUGLAS. Does the Senator from Connecticut realize what would quickly happen once that situation arose, namely, that the same rights would be given to the State building and loan institutions?

Mr. BUSH. I am not sure that is the next thing that would happen.

Mr. DOUGLAS. It would be very likely to happen.

Mr. BUSH. But I will say to the Senator from Illinois that that is my fundamental objection to his amendment, and why I think the amendment should be defeated. I do not think the Federal Government should start laying down a policy of granting branching privileges or anything else in connection with banking business in the States. I think the State authorities are well able to take care of the situation.

Mr. DOUGLAS. I am surprised to hear the Senator from Connecticut say that, because he is really two-thirds in agreement with me.

Mr. BUSH. No; that is not in conflict with my amendment; it is only in conflict with that of the Senator from Illinois.

Mr. DOUGLAS. The pending bill would restrict the branching privileges granted to Federal savings and loan associations to only 23 States and the District of Columbia. The amendment of the Senator from Connecticut would

increase the number by 16, to a total of 39 States. My amendment would increase it by 8 more, to a total of 47 States. So, between us, we would increase the number of States affected by 24. So the Senator from Connecticut is precisely two-thirds in agreement with me. Even if he takes the two-thirds, in 16 States he would be giving privileges to Federal savings and loan institutions which are not granted State building and loan associations; so he is two-thirds against himself.

Mr. BUSH. Two-thirds in agreement does not constitute agreement at all. I am in agreement with the Senator from Illinois about certain things, but not about the amendment.

Mr. DOUGLAS. The same objection which the Senator from Connecticut is advancing to my amendment could be advanced to his amendment.

Mr. BUSH. Will the Senator from Illinois advance it when the proper time comes?

Mr. DOUGLAS. No, of course I will not. I am not only in favor of extending the privileges to 16 more States, but I want to extend it to 8 more States in addition.

Mr. BUSH. Where I differ with the Senator from Illinois is that he is really offering an amendment which would give the Federal savings and loan institutions far more of an advantage than even they want, or than it was ever intended that they should have, and that applies particularly in Illinois, where the State laws on branch banking are unusual. So, I believe that argument alone would be sufficient to keep the Senate from approving the amendment of the Senator from Illinois, which he is now discussing. I shall now sit down, and let the Senator proceed to discuss it.

Mr. DOUGLAS. All my amendment would do would be to permit branch Federal savings and loans in 47 States and the District of Columbia. Whether or not branch banking would be needed in specific localities would depend on whether or not the Home Loan Bank Board would grant a favorable ruling on the applications. This should meet the objection of the Senator from Delaware.

Mr. MONRONEY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield to the Senator from Oklahoma.

Mr. MONRONEY. Did not the Senator mean building and loan or savings types of institutions? The Senator did not mean branches of commercial banks, did he?

Mr. DOUGLAS. The bill refers entirely to savings and loan institutions.

Mr. MONRONEY. I understood that the Senator from Illinois referred in his statement to the generic term "bank." Specifically, he refers to a building and loan type of institution, does he not?

Mr. DOUGLAS. Yes; a Federal institution of that kind.

There is another point which should be recognized, namely, that banking lobbies tend to be stronger in the State legislatures than small building and loan association lobbies, and therefore there tends to be a somewhat restrictive policy within the States, with respect to State building and loan associations.

As Madison pointed out in one of the Federalist papers, in the Nation as a whole the Senate and the House of Representatives are more immune from or are less subject to the pressure of any one group, than is a smaller subdivision, because of the multitude of interests that play upon the Congress. Therefore, Congress is generally not so dependent upon any one interest.

As a result, Mr. President, I should like to suggest that basically there is more reason to expect favorable legislation on the Federal level, rather than on the State level, insofar as branches of mutual savings and loan associations are concerned.

Mr. President, as I was saying when I was interrupted, I cannot agree that Congress should set a policy that places mutual thrift institutions at a competitive disadvantage with other financial institutions. That would be done if Senate bill 975, the pending measure, were to be enacted without change.

I believe the savings and loan associations should have parity with commercial banks and with chain and group banking. The amendment I offer is designed to effectuate that result.

The pending bill is advocated by the banking interests as a means of lessening competition. As was brought out in the course of the informal discussion, the pending bill would prevent the establishment of Federal savings and loan branches in States which do not permit State savings and loan associations and mutual savings banks to have branch privileges.

The bad effects of such a policy would be twofold: First, Federal savings and loan associations would be denied the right to have branches in States which permit commercial banks to have branches. Second, branches of Federal savings and loan associations would not be permitted in States which permit chain or group banking.

Mr. President, in order that we be clear about the privileges with respect to establishing branches of financial institutions in each of the States, I ask unanimous consent to insert at this point in the RECORD a table setting forth this information.

There being no objection the table was ordered to be printed in the RECORD, as follows:

Branch powers of State-chartered savings and loan associations and savings banks compared with those of commercial banks

[Compiled Dec. 8, 1953, from date as at Dec. 31, 1952]

State	Commercial banks	Mutual savings banks	Savings and loan associations	Savings and loan at a disadvantage in comparison with commercial banks	Savings banks at a disadvantage in comparison with commercial banks	Savings and loan at an advantage in comparison with commercial banks	Savings and loan and commercial banks on equal basis	Savings banks and commercial banks on equal basis
1. Alabama	Branches permitted, counties over 250,000 population, $1 million capital required, higher capital for additional branches.	No savings banks	Branches prohibited by statute.	X				
2. Arizona	Branches permitted, number, location, or number restriction, $50,000 capital required, higher capital for additional branches.	do	Branches permitted by statute, no restrictions.			X		
3. Arkansas	Branches prohibited, offices permitted in home or adjacent counties which have no banks.	do	No statute, branches not permitted because not authorized.	X				
4. California	Branches permitted, number location or number restriction, $50,000 capital for hometown branches, capital equal to new bank for others.	do	Branches permitted by statute, no restrictions.			X		
5. Colorado	Branches permitted by statute	do	do			X		
6. Connecticut	Branches permitted, hometown and town without banks $1 million capital required plus amount equal to new bank for out-of-town branches.	Branches permitted, limited to hometown and towns without bank savings facilities, 10 percent surplus required.	Branches permitted, limited to hometown and towns that have no main office of a savings and loan association, also a fund for contingent losses not less than 5 percent of share capital nor less than $300,000.				X	X

Branch powers of State-chartered savings and loan associations and savings banks compared with those of commercial banks—Continued

[Compiled Dec. 8, 1953, from date as at Dec. 31, 1952]

State	Commercial banks	Mutual savings banks	Savings and loan associations	Savings and loan at a disadvantage in comparison with commercial banks	Savings banks at a disadvantage in comparison with commercial banks	Savings and loan at an advantage in comparison with commercial banks	Savings and loan and commercial banks on equal basis	Savings banks and commercial banks on equal basis
7. Delaware	Branches permitted, restrictions as to capital.	No statute, must be authorized by special act of legislature.	Branches prohibited, no statute, not permitted because not authorized.	X	X			
8. District of Columbia	Branches permitted by statute, unrestricted basis.	No savings banks	No branches, question of authority for branches never raised.	X				
9. Florida	Branches prohibited by statute	do	Branches prohibited by statute.				X	
10. Georgia	Branches permitted, must be in home city and population must exceed 80,000.	do	Branches permitted because not prohibited.			X		
11. Hawaii	Branches permitted, restrictions as to number and location on island of Oahu only, no restrictions on other islands.	do	Branches permitted, unrestricted, prior approval of bank examiner.			X		
12. Idaho	Branches permitted, hometown and town without banks, $100,000 capital requirement, higher amount for additional branches.	do	Branches prohibited because not authorized by statute.	X				
13. Illinois	Branches prohibited by statute	do	do				X	
14. Indiana	Branches permitted, limited to cities over 20,000, sliding scale of capital requirements.	Branches prohibited by statute.	do	X	X			
15. Iowa	Branches prohibited, offices permitted in home and adjacent counties that have no banks.	No savings banks	do	X				
16. Kansas	Branches prohibited by statute	do	do				X	
17. Kentucky	Branches not authorized or prohibited by statute, court decision allows limited offices.	do	do	X				
18. Louisiana	Branches permitted, number unlimited in home parish, only 1 in other parishes, sliding capital requirement starting at $50,000 for 1 branch.	do	Branches permitted in same or adjoining parishes.	X				
19. Maine	Branches permitted, limited to home or adjoining county except where area is unserved, capital requirement $500,000.	Branches permitted, limited to home or adjoining county.	Branches prohibited because not authorized by statute.	X				X
20. Maryland	Branches permitted, capital requirement $25,000 and increasing according to population, surplus must equal 20 percent of capital stock.	Branches permitted, limited to hometown, guarantee fund must equal minimum capital requirement for State bank.	Branches permitted because not prohibited by statute.			X		X
21. Massachusetts	Branches permitted, limited to hometown or towns in home county not otherwise served.	Branches permitted, hometown or towns within 15 miles where there is no savings bank.	Branches permitted within 15 miles.	X	X			
22. Michigan	Branches permitted, unlimited in hometown, out-of-town branches limited by population and existing facilities, capital of $50,000 plus new bank requirements.	No savings banks	Branches permitted because not prohibited.				X	
23. Minnesota	Branches prohibited by statute	Branches not permitted because not authorized.	Branches not permitted because not authorized.				X	X
24. Mississippi	Branches permitted, number limited to 15 and within 100 miles depending on population, $100,000 capital requirement plus that of new bank.	No savings banks	Branches permitted because not prohibited.			X		
25. Missouri	Branches prohibited by statute	do	Branches permitted if assets exceed $1,000,000.			X		
26. Montana	Branches prohibited by statute except by merger.	do	Branches not permitted because not authorized.				X	
27. Nebraska	Branches prohibited by statute	do	do				X	
28. Nevada	Branches permitted anywhere in State, $60,000 capital for 1st branch, $25,000 additional for other branches.	do	do	X				
29. New Hampshire	Branches not permitted because not authorized.	Branches not permitted because not authorized.	Branches not permitted because not authorized.				X	X
30. New Jersey	Branches permitted in hometown or county, number of branches dependent on population and capital requirement.	Branches permitted in hometown or county and number dependent on population and surplus requirement.	Branches permitted, 1 to 3, in hometown or county dependent on capital.	X				X
31. New Mexico	Branches prohibited by statute, agencies permitted in home and adjoining counties.	No savings banks	Branches not permitted because not authorized.	X				
32. New York	Branches permitted in same city if population over 30,000, unlimited within branch district if no principal office of another commercial bank in community.	1 to 3 branches permitted in cities over 30,000 depending on size of city; may not cross county line.	1 branch permitted in city or village of over 20,000 within 50 miles of principal office.	X	X			
33. North Carolina	Branches permitted, capital requirement of $25,000 and up depending on number and population.	No savings banks	Branches not permitted because not authorized.	X				
34. North Dakota	Branches prohibited, limited stations permitted in home county or adjoining county.	do	do	X				
35. Ohio	Branches permitted, limited to hometown and adjoining areas and home county, $35,000 capital requirement for branch and higher amounts depending on population.	Branches permitted, restrictions as to surplus, location, and population.	Branches permitted where no savings and loan facilities already exist.				X	X
36. Oklahoma	Branches not permitted because not authorized.	No savings banks	Branches not permitted because not authorized.				X	

Branch powers of State-chartered savings and loan associations and savings banks compared with those of commercial banks—Continued

[Compiled Dec. 8, 1953, from date as at Dec. 31, 1952]

State	Commercial banks	Mutual savings banks	Savings and loan associations	Savings and loan at a disadvantage in comparison with commercial banks	Savings banks at a disadvantage in comparison with commercial banks	Savings and loan at an advantage in comparison with commercial banks	Savings and loan and commercial banks on equal basis	Savings banks and commercial banks on equal basis
37. Oregon	Branches permitted, restrictions as to capital requirement, location, and population.	Branches prohibited by statute.	Branches permitted, capital requirement same as new association.		X	X		
38. Pennsylvania	do	Branches permitted, restrictions as to surplus and location.	Branches permitted, restrictions as to surplus and location.[1]				X	X
39. Puerto Rico	Branches permitted, approval of the Secretary of the Treasury (banking law, sec. 14).	No savings banks.	Branches not permitted because not authorized.	X				
40. Rhode Island	Branches permitted, unrestricted basis.	Branches permitted, unrestricted basis.	Branches permitted, unrestricted basis.				X	X
41. South Carolina	Branches permitted, capital of $25,000 per branch in excess of minimum.	No savings banks.	Branches permitted because not prohibited.				X	
42. South Dakota	Branches permitted, restrictions as to capital requirement and location.	do	do			X		
43. Tennessee	Branches permitted, restricted to home county.	do	Branches not permitted because not authorized.	X				
44. Texas	Branches prohibited by statute	do	Law is silent, branches may be authorized.			X		
45. Utah	Branches permitted, restrictions as to capital requirement, location, and population.	do	Branches permitted, restrictions as to locations.				X	
46. Vermont	Branches, permitted, unrestricted basis.	Branches permitted, unrestricted basis.	Branches not permitted because not authorized.	X				X
47. Virginia	Branches permitted, limited to home-town and cities over 50,000, $50,000 capital requirement.	No savings banks.	Branches permitted, unrestricted.			X		
48. Washington	Branches permitted, limited to home-town and cities not otherwise served, $200,000 requirement for home branch, $500,000 out of town.	Branches permitted, limit 3 in hometown, guaranty funds of $500,000 requirement.	Branches permitted because not prohibited.		X	X		
49. West Virginia	Branches prohibited by statute.	No savings banks.	Branches prohibited by statute.				X	
50. Wisconsin	do	Branches prohibited by statute.	do				X	X
51. Wyoming	Branches not permitted because not authorized.	No savings banks.	Branches not permitted because not authorized.				X	

SUMMARY

Savings and loan associations:		Savings banks:	
At a disadvantage	20	At a disadvantage	6
At an advantage	13	On an equal basis:	
On an equal basis:		Branches prohibited	3
Branches prohibited	11	Branches permitted	8
Branches permitted	7		11
	18	No savings banks	34
Total	51	Total	51

[1] As amended in 1953.

Source: Senate Hearing on S. 975, pp. 62-65.

Mr. DOUGLAS. Mr. President, I have before me a list of 23 States and the District of Columbia, where State and local laws permit branches on the part of savings and loan institutions and on the part of mutual-savings banks. According to my computations, these would be the only States, under the provisions of the pending bill, in which Federal savings and loan institutions would be permitted to have branches. I ask unanimous consent to have this table printed at this point in the RECORD, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

STATES WHERE FEDERAL SAVINGS AND LOAN ASSOCIATION BRANCHES WOULD BE PERMITTED UNDER S. 975

Savings and loan associations: Arizona, California, Colorado, Connecticut, District of Columbia, Indiana, Louisiana, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Oklahoma, Oregon, Rhode Island, Texas, Utah, Virginia, Washington; total, 19 States and the District of Columbia.

Savings banks: Delaware, Maine, Pennsylvania, Vermont; total, four States.

Total, 23 States and the District of Columbia.

Source: Home Loan Bank Board.

Mr. DOUGLAS. Mr. President, I should like to read the list, so as to indicate the States which still would have such rights, inasmuch as under this bill those rights would not be altered. The States are Arizona, California, Colorado, Connecticut, the District of Columbia, Indiana, Louisiana, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Oklahoma, Oregon, Rhode Island, Texas, Utah, Virginia, and Washington. There are four States which permit branch privileges for savings banks only, but not for building and loan associations. Those States are Delaware, Maine, Pennsylvania, and Vermont. So in a total of 23 States and the District of Columbia, Federal savings and loan institutions would still be permitted to have branches.

Mr. President, my amendment would eliminate the discriminatory features of the bill, and permit the establishment of branch Federal savings and loan institutions on a basis of equality with other financial institutions which accept thrift or time deposits.

Where States deny branch or chain or group banking privileges to all financial institutions, then the Home Loan Bank Board could not permit Federal savings and loans to establish branches. But we would not have a situation in a State where commercial banks could establish branches and Federal savings and loans could not; nor would we have a situation where Federal savings and loans are denied branches, as are banks, but where chain banking is allowed to flourish.

Mr. President, I now ask unanimous consent to insert a table showing States

where Federal savings and loans could establish branches if the test of privileges of commercial bank branches is included.

There being no objection, the table was ordered printed, as follows:

ADDITIONAL STATES WHERE FEDERAL SAVINGS AND LOAN ASSOCIATIONS WOULD BE PERMITTED IF TEST OF BRANCH PRIVILEGES FOR COMMERCIAL BANKS IS INCLUDED

Georgia, Idaho, Michigan, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, South Dakota, Tennessee; total States added, 10.

NOTE.—In addition, limited branch privileges are given for commercial banks in six other States as follows: Alabama, Arkansas, Iowa, Kentucky, North Dakota, and Wisconsin.

Total States added, including limited branch privileges for commercial banks, 16 States.

Source: Senate hearings, pages 8 and 62.

Mr. DOUGLAS. There are 10 States in which, according to my computations, the Federal savings and loan institutions would be permitted to have branches if the test of branch privileges for commercial banks were included. These 10 are Georgia, Idaho, Michigan, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, South Dakota, and Tennessee.

In addition, limited branch privileges are given to commercial banks in six other States, namely, Alabama, Arkansas, Iowa, Kentucky, North Dakota, and Wisconsin. If we add those 6 States to the preceding 10, we arrive at a total of 16, which include either limited or unlimited branch privileges for commercial banks.

In eight other States, chain or group banking is permitted. Ostensibly, they may be different banks, but they are owned either by a common holding company or by a common set of interests. My amendment would permit Federal savings and loan institutions to have branches in these States, as well.

Mr. President, I ask unanimous consent to insert a table showing these States in the RECORD at this point.

There being no objection, the table was ordered printed, as follows:

ADDITIONAL STATES WHERE FEDERAL SAVINGS AND LOAN ASSOCIATION BRANCHES WOULD BE PERMITTED UNDER DOUGLAS PARITY AMENDMENT TO S. 975

Florida, Illinois, Kansas (concentration of banking, Senate Select Committee on Small Business, 1952, p. 8), Minnesota, Montana, Nebraska, New Hampshire, Wyoming; total, eight States.

NOTE.—In addition to the above States, Federal savings and loan branches could be established with less restrictions in the following States: Iowa, Wisconsin, Kentucky, and North Dakota.

Source: Bank Mergers and Concentration of Banking Facilities, House Judiciary Committee Staff Report, 1952, page 40 (except as noted).

Mr. DOUGLAS. In addition, Mr. President, I ask unanimous consent to insert a table showing States with bank-holding groups and their size.

There being no objection, the table was ordered printed, as follows:

Banking offices and deposits of 31 holding company groups by States,[1] Dec. 31, 1951

State	Number of banking offices			Deposits (in thousands of dollars)	Percent of offices of group banks to offices of all commercial banks in same State	Percent of deposits of group banks to deposits of all commercial banks in same State
	Banks	Branches	Total			
New Hampshire	5		5	30,872	6.5	10.4
Massachusetts	27	114	141	2,220,415	38.3	48.5
New York	19	114	133	1,532,397	9.3	4.5
Ohio	21	19	40	480,733	4.4	5.8
District of Columbia	1	1	2	51,938	3.2	4.1
Virginia	1	10	11	78,173	2.6	3.5
Georgia	17	17	34	686,880	7.7	34.5
Florida	13	1	14	329,319	6.7	14.9
Tennessee	11	8	19	200,025	4.8	9.1
Illinois	4		4	85,988	.5	.6
Iowa	9	1	10	171,038	1.2	7.1
Michigan	1	5	6	5,699	.9	.1
Wisconsin	7	14	21	768,157	3.0	23.5
Kentucky	4	10	14	166,223	3.3	9.3
Minnesota	98	6	104	1,800,938	15.2	59.6
Montana	19		19	270,923	17.3	44.0
North Dakota	28	4	32	195,712	18.6	32.6
South Dakota	11	21	32	174,346	14.7	32.9
Missouri	7		7	639,954	1.2	13.2
Nebraska	5		5	123,853	1.2	8.6
Oklahoma	2		2	19,057	.5	1.0
Wyoming	1		1	3,341	1.9	1.1
Texas	19		19	1,591,241	2.1	19.8
Arizona	1	12	13	109,499	16.7	20.6
California	27	547	574	6,952,293	48.8	45.8
Idaho	1	23	24	140,461	24.0	29.5
Nevada	3	15	18	155,038	64.3	76.7
Oregon	16	48	64	685,154	36.8	45.8
Utah	1	15	16	163,014	19.8	24.9
Washington	9	65	74	663,993	27.6	31.7
Total	388	1,070	1,458	20,496,674		
All commercial banks in above 29 States and District of Columbia	9,682	3,638	13,320	126,528,446		
Percent of total of banks in 31 groups to all commercial banks in same States					10.9	16.2
All commercial banks in the United States	14,089	4,994	19,083	164,840,313		
Percent of total of banks in 31 groups to all commercial banks in the United States					7.6	12.4

[1] These data include not only banks controlled by bank holding companies but also banks which dominate certain of the respective groups or are closely associated with them. Some of the latter banks are comparatively large institutions.

Source: Bank Mergers and Concentration of Banking Facilities, a staff report to Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 82d Cong., 2d sess., 1952, p. 40.

Mr. BUSH. Mr. President, will the Senator from Illinois yield at this point?

Mr. DOUGLAS. I yield.

Mr. BUSH. I am perfectly willing to wait, but this seems to me to be a good point at which to raise the question about holding companies.

Mr. DOUGLAS. Yes; because that is the point of difference between the personal opinions of the Senator from Connecticut and the Senator from Illinois.

Mr. BUSH. That is correct. I remind my good friend, the Senator from Illinois, that the Banking and Currency Committee will soon have before it proposed legislation dealing with the question of holding companies. The reason why I am so strongly opposed to the amendment of the Senator from Illinois is that it brings in the holding-company issue as a determinant of other policies with which it should have nothing to do. For instance, in the State of Illinois, if one holding company owns, let us say, two banks, then the amendment would permit the Federal savings and loan institutions to have unlimited branch privileges in Illinois.

Mr. DOUGLAS. But only to the degree that the Home Loan Bank Board would grant branches.

Mr. BUSH. Exactly; and that provision will give the Federal Home Loan Bank Board unlimited authority to grant charters. I gladly accept that correction; and that is what I think the committee does not want. It wants the Home Loan Bank Board's authority to be clearly defined and circumscribed.

Mr. DOUGLAS. Let me say that in the Banking and Currency Committee I have taken part in the discussion regarding a bill to regulate holding bank companies and chain banking. That discussion has been going on ever since I became a member of the committee, more than 5 years ago. We seem to be no nearer a solution now than we were then. Every time a bill proposing to regulate chain or group banking or holding company banking comes up, something is done to stop it. I may say that the Federal Reserve System, in trying to deal with this subject, ran up against powerful opposition.

It is well known that the banking systems of California, Nevada, and Oregon are largely dominated by a group of Pacific coast bankers. It is also well known that operating out of Minneapolis are large bank-holding companies controlling probably half the banking facilities of Minnesota, approximately half of those of North Dakota and South Dakota, and about the same proportion in Montana. So those four States, which used to be called the old Northwest, and the Pacific Coast States, are largely in the hands of group and chain banking institutions.

I see before me the eminent senior Senator from North Dakota [Mr. LANGER]. If I am uttering an untruth, I hope he will correct me. Should we not permit weak building and loan associations and mutuals to have the same chance to expand that the gigantic institutions have?

On this point I hold in my hand a report on Bank Mergers and Concentration of Banking Facilities, a staff report to Subcommittee No. 5 of the Committee on the Judiciary of the House of Representatives, 82d Congress, 2d session. I should like to read some salient passages from that report. I read from page 40:

In certain geographic areas, holding companies possess a control over financial resources of extremely high proportions. In Massachusetts, for example, bank holding companies operate 38 percent of all commercial banking offices in the State and hold 48.5 percent of commercial bank deposits. In Minnesota, holding companies operate 15.2 percent of all commercial banking offices and hold 59.6 percent of commercial bank deposits. A like situation exists in Montana, where 17.3 percent of all commercial banking offices and 44 percent of commercial bank deposits are controlled by bank holding companies, and in North and South Dakota where such organizations operate about 15 percent of all commercial banking offices and hold more than 32 percent of all commercial bank deposits.

I should also like to refer to the language of a report issued by the Senate Select Committee on Small Business, September 10, 1952, relating to the concentration of banking in the United States.

The report states at page 7:

Group banking is a method by which a number of independently incorporated banks (and their branches) are controlled directly or indirectly by a corporation, business trust, association, or similar organization. In contrast with a branch bank system, whose banking offices must be confined to a single State, a group system may own or control banks in more than one State. In most respects, however, a group system is a substitute for a branch system. This is indicated by its existence in several States where branch banking is prohibited or severely restricted. Upon the enactment of State legislation in the early thirties, a number of group systems converted into branch systems.

And then on page 8:

Chain banking is somewhat similar to group banking in that independently incorporated banks may have one overall management, but the control is by one or more individuals rather than by a corporation or similar organization. It is often difficult to determine whether a given bank is part of a chain system. According to the best available data, there were 908 chain banks with 101 branches in 1931, and by 1945 these numbers had been reduced to 522 and 74, respectively. Chain banking is concentrated to a large extent in a few States in which branch banking is prohibited. Over one-half of the chain banks in 1945 were in seven States: Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Texas. Six of these States prohibit branch banking and the other limits strictly its growth.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. BUSH. I should like to make an observation with respect to the Senator's own State. I am not making a point of it because it relates to his State, but only because I think it is astonishing that such a result should take place in Illinois. As shown on page 58 of the hearings, a Mr. Lyon, who was representing the State banking commissioner, made the following statement:

I would like to call your attention to the fact that in Illinois, for example, according to the Federal Reserve figures the holding-company banks have only 0.67 percent or, in other words, two-thirds of 1 percent of the banking offices in the State, and they have 0.93 percent, or less than 1 percent, of all the bank deposits in the State.

What I object to about the Senator's amendment is that it takes that very small criterion and makes it the criterion for branching privileges for the Federal savings and loan institutions. I think it is very unfair to the State savings and loan institutions, and other institutions in the State. I do not think the Federal Government should impose that kind of unfair discrimination.

Mr. DOUGLAS. It is perfectly true that chain and group banking, fortunately, have not made the headway in Illinois that they have made in the Northwest; but we have fears as to what may be coming.

I am concerned with the concentration of banking facilities in California, in Nevada, in Arizona, and in Oregon, where the Bank of America is so dominant. I am also concerned with the concentration of banking facilities in the Northwest, in Minnesota, North and South Dakota, and Montana.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. FULBRIGHT. It is not clear to me how the Senator's amendment would minimize the effect of the great chains in the West or anywhere else.

Mr. DOUGLAS. It would permit existing Federal savings and loan institutions to expand by having branches within those States and thus give the chain banks some competition, at least on home loans and savings.

Mr. FULBRIGHT. It would not limit or in any way affect the operation of the great chains?

Mr. DOUGLAS. That is correct; but it would permit competition with those chains to develop on a mutual basis.

Mr. FULBRIGHT. Has the Senator ever given up hope of passing the bank holding company bill, or any bill of a similar nature, to restrict the operations of bank holding companies?

Mr. DOUGLAS. There is an old saying that "Hope deferred maketh the heart sick." I have hoped for that result for many years, and have seen it yanked away on one pretext or another so many times that I am beginning to doubt whether it will ever occur. I must confess that I am a novice in politics, and a novice in the methods by which financial institutions operate, but it does not seem to be possible, unless there is a great popular development of feeling, to democratize the control of banking institutions.

Mr. FULBRIGHT. If the Senator will permit me, I have been in favor, and still am in favor, of a bill similar to the one upon which we once voted in our committee. I am not sure that I have given up hope, because I still have hope that there may be a change in the political judgment of the people of the country in the not too distant future, and that such legislation as may be in the public interest may be enacted.

What bothers me a little about the Senator's amendment is that if he sanctions this competition, in the sense of enabling the growth of the principle of chain and branch banking in the other field, it will be found more difficult, if and when we have a Democratic majority, to enact legislation holding down or breaking up the great expansion of chain banking. That point disturbs me a little. I do not like the principle of chain banking, or holding companies in the field of banking. We had a very disastrous experience in my State in 1929. Fifty-three banks closed in 1 week. I am not sure that I follow the reasoning of the Senator from Illinois as to the ultimate objective which he seeks.

Mr. DOUGLAS. If and when the Congress of the United States wishes to place limitations upon chain or group banking, by that very act the power of Federal savings and loan institutions to establish branches will be similarly limited. All we are saying is that, while chain and group banking are permitted, we should at least allow some competition in the thrift and home financing field to be carried on by mutual institutions.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I believe what the distinguished junior Senator from Arkansas has in mind—and the same question puzzles me—is this: In my own State commercial branch banking is absolutely prohibited by law. I am somewhat fearful that, by reason of the opening provided by this bill for mutual savings and loan associations, branch banking might be permitted to enter the picture in an area in which branch commercial banking is now prohibited. I should like to have the distinguished Senator comment on that point.

Mr. DOUGLAS. So far as Oklahoma is concerned, since the State savings-and-loan associations are permitted to have branches. Federal savings and loan institutions would be permitted to have branches under the bill proposed by the committee. They would also be permitted to have branches under my amendment.

Mr. MONRONEY. The Senator's amendment would in no way affect the situation in my State?

Mr. DOUGLAS. Not at all.

Mr. MONRONEY. If chain banking were dangerous in the savings field, under State building and loan law permission would be available for the building up of branches.

Mr. DOUGLAS. That is correct.

Mr. FULBRIGHT. That is a part of what I had in mind. What concerns me even more is that in the course of time the Senator's amendment might create a vested interest in the idea of chain banks or branch banks in the savings and loan field. Therefore, if we give consideration to the so-called holding company legislation, the next time

the Democrats are in control of Congress we shall run into additional opponents. I do not understand why that is not sound reasoning.

Mr. DOUGLAS. It may be true, but any limitation placed upon chain or group banking would apply, under my amendment, so that chain banking could not be used as a reason for granting branches of Federal savings and loan associations.

Mr. FULBRIGHT. I understand, and I do not wish to argue the point any further. I merely wished to be sure that the Senator from Illinois understood the point I was trying to make. My point goes to the probability of getting action on any such legislation.

Mr. DOUGLAS. It is always a matter of judgment, of course, but I will say that one of the means of protecting ourselves against the control of chain or group banking is to try to build up competition against them. The amendment would permit competition in the home financing field on a mutual basis.

In short, Mr. President, Federal savings and loan institutions should be accorded the same treatment that other similar financial institutions receive, not be discriminated against by permitting artificial competitive advantages to commercial banks and chain banks.

Savings and loan associations are currently financing 38 percent of the home mortgages in the United States, and in my State of Illinois they are financing 58 percent of the home mortgages. These institutions are the largest single source of home-mortgage credit. In 1953 they financed more than 1 million home mortgages, aggregating almost $8 billion. They are the trustees for almost $24 billion of the public's savings.

In Illinois alone, more a million and one-half citizens, most of them representing families, are investors and approximately 350,000 families are currently obtaining home ownership through the savings and loan method of operation. The resources thus employed in my State aggregate almost $2½ billion. Last year 54 percent of all Illinois home mortgages of $20,000 or less recorded were made by savings and loan associations in the amount of $738 million.

Congress has for years fostered the maximum development and use of private facilities for home financing. The Housing Bill of 1954 now before the Senate Banking and Currency Committee asserts the urgent need for the extension of home financing facilities to remote areas. Assurance of adequate housing for all the people has been one of the important Federal legislative aims of Congress. S. 975 runs directly counter to all these congressional objectives. It would take away powers of savings and loan associations to service areas and meet legitimate competition with other financing institutions whose powers would not be so restricted.

With respect to establishing legislative standards for the creation of Federal savings and loan branches, I agree with the purpose of S. 975. But the bill goes much further than that and in effect, hamstrings the Federal savings and loans in their competition with commercial banks. Thus the bill goes too far in correcting a bad situation. It is like killing the dog to get rid of his fleas.

The establishment of savings and loan branches was not envisaged in the original Home Owners' Loan Act of 1933. The Home Loan Bank Board assumed that power to do so was implicit in the law and proceeded on that basis. This power was challenged in the courts, but the courts upheld the Board in the case of *North Arlington National Bank* v. *Kearny Federal Savings and Loan Association* ((187 Fed. 2d 564); certiorari denied by the Supreme Court (342 U. S. 816, 96 L. ed. 617)).

I understand there have been isolated cases involving the establishment of controversial branches, but it should be clearly understood that the Home Loan Bank Board is not being charged with abuse of its power in the absence of legislative standards. Indeed, the committee report on S. 975 states:

> It is not contended by your committee that the branching privilege has been abused by the Home Loan Bank Board nor that branches for Federal savings and loan associations are in themselves evil.

Thus, what we are trying to do is to establish legislative standards that are fair and equitable, not enact vindictive legislation to give artificial competitive advantages to commercial banks over savings and loans.

The hearings on S. 975 concluded in the Senate Banking and Currency Committee several months ago made it clear that the purpose of S. 975 was to limit competition.

This bill is a highly controversial one and as written is vigorously objected to by the savings and loan associations and by the administration as represented by the Home Loan Bank Board. There is much merit in the savings and loan argument against the bill, for the statistics show that as of December 31, 1953, there were 198 branch offices of Federal associations while there were 4,220 branches of commercial banks which were members of the Federal Reserve System—committee report, page 3. Putting it another way, for each 100 Federal Associations there are 12 branches as compared with 63 branches for each 100 Federal Reserve members and 51 branches for each 100 mutual savings banks. Thus the argument advanced by the savings and loans that theirs is the system least in need of restriction does have considerable merit. On the other hand, bankers and savings bankers argue that some legislative standards should be set for branches of Federal associations and that argument too has merit. Indeed, that is the principal reason, in my opinion, that the Senate Banking Committee has three times reported this measure.

My amendment I believe is about as good a balance between the two contending groups as is humanly possible to achieve. It recognizes the bankers' argument by setting specific legislative standards for Federal association branches and specific limitations beyond which no association can go. It would have, for instance, prevented the handful of Federal branches which have caused rather spectacular controversy in recent years. At the same time it recognizes the argument of savings and loans that they should not be arbitrarily restricted in branch operations in States where commercial banks enjoy widespread branch-banking privileges. If my amendment is adopted, I feel certain that the bill will pass and that we will be able to dispose of this thorny question which has been pending in the Senate for the past 4 or 5 years.

Who is for this bill? Is it the public or another group of financial institutions? A look at the hearings on S. 975 shows that it is replete with testimony of those representing the banking interests favoring the bill. Should we not as Senators do what we think is best for the public, rather than interfere with normal, legitimate, competitive operations beneficial to one segment of the financial groups, but harmful to another?

Federal savings and loan associations are confined in their operations almost entirely to the acceptance of savings accounts and the financing of homes. Only in these two functions do they compete with banks. But only about 31 percent of bank deposits are time accounts and only about 15 percent of bank investments are mortgages, so savings and loan associations do not compete with banks on more than 23 percent of their total business. On the other hand, the banks have authority to compete for 100 percent of the Federal savings and loan business.

It is settled national policy that both the Federal Government and the States may create and maintain systems of financial institutions, and that they shall operate side by side in competition in the public interest. There is no legal or constitutional issue with respect to States' rights involved in this bill. There is no ethical obligation to give the States control over the chartering of Federal association branches. If State-chartered associations operate at any competitive disadvantage with Federal associations, the State legislatures and their banking supervisors are in position to remove them at any time. If a State wishes to penalize its mutual thrift institutions to favor competitors, that constitutes no reason why the Federal Government should deviate from its housing and thrift policy, but rather it should act in the public interest and not in the interest of eliminating competition.

Federal savings and loan associations are mutual, owned entirely by their customers, so that expansion means only greater service to their customers. Branches of Federal savings and loan associations under the statute are granted on the basis of need of the public for service and not on the further basis of the need of the corporation for expansion. The financial interests behind this bill would have the Congress believe that the Home Loan Bank Board may give permission to establish and operate branches on a promiscuous basis, indiscriminately, and without regard to the needs and welfare of the people who would be served. But, as we have seen, event the majority report on the bill specifically states that it makes no such charge.

Hundreds of thousands of people have moved to new communities outside city

limits. In a vast majority of these communities, banks have no difficulty in establishing suburban branches where the law permits. The necessity for branch operation has been recognized by banks in many States as shown by the tremendous number they have throughout the country. Commercial banks have over 5,000 branches, while Federal savings and loan associations have only around 200. Furthermore, in States which prohibit branches or restrict branch banking, they accomplish the same purpose by multiple or chain banking. These stock-controlled affiliates are the full equivalent of branches, but Federal savings and loan associations, being mutual institutions, cannot create additional offices by stock control as the banks do. To compete with the chain banks, Federal savings and loan associations must have branches. There is no other way that they can compete on even terms against group and chain banking.

Banks are only prohibited from having branches or additional offices by the laws of just 13 States, but in many of these States they can and do establish, in effect, branches through holding companies and direct stock control of smaller banks. This practice was clearly brought out in a report issued by the House Judiciary Committee late last year, Bank Mergers and Concentration of Banking Facilities—House committee print, 82d Congress, 2d session, September 17, 1952—in which it was stated at page 39:

> The extent of the power of bank holding companies varies widely on a geographic basis, largely because the holding company device has often been employed in jurisdictions where branch banking is prohibited. Nevertheless, branch banking and holding company systems are often coexistent because holding companies are legally able to operate banks in two or more States or because the area of branch banking within a State may be sharply restricted by local statute.

In contrast, under the proposed bill, savings and loan associations would be prohibited from having branches or additional offices in 24 States, irrespective of the need for thrift and home financing institutions, even though in most of these States banks could and do operate on a branch basis, either directly or through the chain or group method. Concentration of Banking in the United States, a report issued by the Senate Select Committee on Small Business in 1952, states at pages 7 and 8:

> Group banking is a method by which a number of independently incorporated banks (and their branches) are controlled directly or indirectly by a corporation, business trust, association, or similar organization. In contrast with a branch bank system, whose banking offices must be confined to a single State, a group system may own or control banks in more than one State. In most respects, however, a group system is a sustitute for a branch system. This is indicated by its existence in several States where branch banking is prohibited or severely restricted. Upon the enactment of State legislation in the early thirties, a number of group systems converted into branch systems. * * *
>
> Chain banking is somewhat similar to group banking in that independently incorporated banks may have one overall management, but the control is by one or more individuals rather than by a corporation or similar organization. It is often difficult to determine whether a given bank is part of a chain system. According to the best available data, there were 908 chain banks with 101 branches in 1931, and by 1945, these numbers had been reduced to 522 and 74, respectively. Chain banking is concentrated to a large extent in a few States in which branch banking is prohibited. Over one-half of the chain banks in 1945 were in seven States: Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Texas. Six of these States prohibit branch banking and the other limits strictly its growth.

Now if the Senate insists that these thrift and home financing facilities of Federal savings and loan associations should be denied to the outlying areas and communities because of competition at a time when all other businesses are servicing these areas by branch or chain operations, then I think it is imperative that the Senate accord to Federal savings and loan associations equal branch privileges with their competitors.

But the banks insist to the Congress that a bill is needed to curb the Federal Home Loan Bank Board in granting branches, while simultaneously these same banks have authority to establish additional chain branches.

The amendment I am proposing would prohibit the power of the Home Loan Bank Board to grant Federal savings and loan associations branches unless the associations are located in States where it is the practice to permit branch banking, holding companies, banking groups, or chain banking, or State chartered savings and loan branches. That is all my amendment does, and it differs from the bill in its present form only in that it takes into consideration the various institutions which compete for savings and home loans, treating them on the same basis.

The Nation's financial structure needs all the strength it can muster at the present time. The people of the United States look to Congress to strengthen it, not to weaken it.

Every Federal privilege a State government is granted carries with it a corresponding obligation that it be exercised with maximum efficiency in the public interest. In the thrift and home financing field many of them have not yet shown their willingness and capacity to serve well their own State chartered thrift banks and associations. If the security, solvency, and living standards of the United States are to be preserved, it becomes essential to encourage thrift and savings to the utmost among all the people. This is not the time to limit the facilities and volume of savings taken from the public, but rather to make every possible effort to increase them. It is obvious that S. 975 could only have the effect of discriminating against and limiting mutual savings facilities, which have been a great factor in this Nation's strength and security.

I shall be glad to yield for further questions. If there are no further questions, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Monroney
Barrett	Green	Morse
Bennett	Hayden	Mundt
Bowring	Hendrickson	Murray
Bridges	Hennings	Neely
Burke	Hickenlooper	Pastore
Bush	Hill	Payne
Butler, Md.	Holland	Potter
Byrd	Ives	Purtell
Capehart	Jackson	Robertson
Carlson	Jenner	Russell
Case	Johnson, Colo.	Schoeppel
Clements	Johnson, Tex.	Smathers
Cordon	Kennedy	Smith, Maine
Daniel	Kilgore	Smith, N. J.
Dirksen	Knowland	Sparkman
Douglas	Langer	Stennis
Duff	Long	Symington
Dworshak	Magnuson	Thye
Eastland	Malone	Upton
Ellender	Mansfield	Watkins
Ferguson	Martin	Welker
Frear	Maybank	Williams
Fulbright	Millikin	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing, en bloc, to the amendments offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MAYBANK. Mr. President, I trust the Senate understands what it is voting on. In the absence of many Senators, a few moments ago, I called attention to the fact that the amendments offered by the Senator from Illinois are absolutely opposed by the State authorities of the 48 States. I know of no State authority who is not opposed to them. I stated that all State banking authorities have opposed the amendments offered by the Senator from Illinois. I said that with respect to the first amendment offered by the Senator, no hearings have been held or discussion has been had.

I called attention to the fact that the other amendment offered by the Senator from Illinois was submitted by the distinguished Senator from Connecticut [Mr. BUSH] in the committee. As I recall, it was voted upon by the distinguished senior Senator from New York [Mr. IVES], the distinguished junior Senator from New York [Mr. LEHMAN], and the distinguished Senator from Connecticut [Mr. BUSH]. The distinguished Senator from Illinois [Mr. DOUGLAS] was absent, but the committee rejected the amendment.

The distinguished Senator from Virginia [Mr. ROBERTSON] was in communication with Virginia authorities with respect to the amendments, as I recall.

To the best of my knowledge, the authorities of every State in the Union have opposed the amendments offered by the Senator from Illinois, and I think the distinguished chairman of the subcommittee [Mr. BUSH] will agree with my statement to that effect. I simply desired to have all Senators understand that they would be voting against their State governments if they voted in favor of the amendments offered by the Senator from Illinois.

Mr. DOUGLAS. Mr. President, since the Senator from South Carolina has made a statement, I assume I may be permitted to make a brief reply.

All that is proposed by my amendments is to continue a practice which is now followed in the case of Federal savings and loan associations, namely, to accept savings and make loans for home financing. They could have branches with the ability to accept savings and to make loans for home financing, wherever other financial institutions could have such branches or could indulge in group banking.

It is the proposal of the committee which would change the existing procedure and restrict this right to only about half of the total number of States. So it is the committee which is proposing to change the existing system.

My friend, the distinguished Senator from South Carolina, has said that State authorities are opposed to my amendments. It is the State banking authorities who are opposed to them.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MAYBANK. I appreciate the statement of the distinguished Senator from Illinois. I was referring to State authorities connected with banking or having banking responsibility. The State banking examiners and others in charge of State banking operations in every State in the Union are the ones who are opposed to the amendments offered by the Senator from Illinois.

Mr. DOUGLAS. That is correct; it is the State banking authorities, who generally are in league with the banks.

Mr. MAYBANK. I do not know anything about that.

Mr. DOUGLAS. I call attention to the fact that my amendments are supported by the Home Loan Bank Board; and to the degree that the Home Loan Bank Board represents the administration, as I presume it does, my amendments could be said to be an administration measure.

My amendment is supported by the National Savings and Loan League, so it does not come before the Senate unshorn or without sponsors. It is supported also by the United States Savings and Loan League.

In my own State of Illinois, the Illinois Savings and Loan League, which represents both State and Federal savings and loan associations, favors my amendment. This is indicated by a letter to me from Mr. Harry Goodsitt, executive secretary of the league, and also by a resolution adopted by the national convention of the National Savings and Loan League, which I ask unanimous consent to insert in the RECORD at this point.

There being no objection, the letter and resolution were ordered printed, as follows:

ILLINOIS SAVINGS & LOAN LEAGUE,
Springfield, Ill., April 15, 1954.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR DOUGLAS: As you know the Illinois Savings & Loan League represents approximately 90 percent in number and resources of all savings and loan associations doing business in Illinois under both State and Federal charters. Over a million and one-half citizens, most of them representing families, are investors and approximately 350,000 families are currently obtaining home ownership through the savings and loan method of operation. The resources thus employed aggregate almost $2½ billion. It may interest you also to know that last year 54 percent of all Illinois home mortgages of $20,000 or less recorded were made by savings and loan associations in the amount of $738 million.

You have before you S. 975 on the consent calendar, as I understand it. The bill provides the narrowest possible concept of branch operation of Federal savings and loan associations. That is, it restricts branching of these associations to the branch power of only the State-chartered savings and loan associations in the particular State where the Federal association is located. It permits other types of thrift gathering financial institutions to have branching powers of much broader scope. I am told that if the bill passes there are 24 States which could not have Federal savings and loan branches even though banks in those States are permitted the privilege.

You may well inquire as to why the Illinois Savings & Loan League should be interested in this legislation as our State constitutionally prohibits branch banking. We are vitally interested for several reasons:

1. We believe in parity on this question between all financial institutions which render a thrift service to the public.

2. In the event that the legislature and the people of Illinois should decide that it is in the public interest and convenience to have branch operation, we would want to be treated in the same manner as any other financial institution operating in the thrift field.

3. The passage of S. 975 without the amendment creating parity would result in a precedent permitting powerful banking interests to stifle legitimate competition, gaining competitive advantages in serving the public with facilities. Even that amendment does not take care of the economic consideration involved in chain and group banking as an evasion of the branch banking laws.

4. In view of the fact that Illinois bankers have expressed themselves in favor of this legislation even though it would have no effect upon banking or savings and loan operations in this State at the moment, we believe it is an indication of the attitude which could well prevail should our constitutional prohibition be removed.

It should be pointed out further that the 1,597 federal savings and loan associations in the country have under the branching policy of the Home Loan Bank Board only 184 branches, while the 4,787 national banks have 2,647 branches. We in Illinois have never interfered with banking legislation at the State or national level. So it certainly seems ill befitting for the banking interests to cram down the throat of the savings and loan associations legislation to curtail honorable activity in serving the public and denying our federal savings and loan associations the power of offering facilities which the banks themselves enjoy.

I trust in the consideration of S. 975, that if an opportunity is afforded, you will vote in favor of the parity amendment, or, if under the rules there is no such opportunity, you will vote to defer consideration or be against the bill until such time as these matters are satisfactorily settled. In view of the historical situation in the granting of branches to federal savings and loan associations, we certainly can see no need for haste in passing this controversial bill. I might remind you in this connection that the Administration Housing Act is doing everything possible to broaden the ability of financial institutions to take care of the needs of homeowners while at the same time S. 975 is a step in the opposite direction.

Respectfully yours,
HARRY GOODSITT,
Executive Secretary.

RESOLUTION ADOPTED BY 11TH ANNUAL CONVENTION, NATIONAL SAVINGS AND LOAN LEAGUE, NEW ORLEANS, LA., MAY 1954

Whereas the Honorable PAUL H. DOUGLAS, United States Senator from the State of Illinois, has always worked diligently, fairly, and effectively in behalf of the savings and loan business; and

Whereas Senator DOUGLAS has been particularly helpful in his consideration of Senate bill 975: Therefore be it

Resolved, That the members of the National Savings and Loan League in convention assembled extend sincere thanks and appreciation to Senator DOUGLAS for his cooperation and helpfulness.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I am very much aware, as I think many other Members of the Senate are also, that in some States there are small, sparsely populated areas, where home construction has not gone forward because of a lack of financial institutions to supply mortgage money. Regardless of the soundness of the loans, the large lending companies, the large insurance companies, will not operate in small county seats or towns.

The question which seems to me to be more important than the legalistic arguments which have been made either for or against the measure is: Will the Senator's amendments facilitate the financing of homes in small communities or areas which have been denied the advantage of decent housing, but which can be supplied more easily by the raising of money through local and Federal savings and loan institutions?

Mr. DOUGLAS. The answer is "Yes," because additional Federal savings and loan institutions will be permitted to establish branches, as they now can do, instead of being prevented from establishing branches in about half the States of the Union.

Mr. MONRONEY. If there is a division in a major metropolitan area where loans for housing situation may have almost reached the saturation point, then a financial institution which operates in the metropolitan area can open branches in other areas which do not now have long-term home financing facilities available. Is that correct?

Mr. DOUGLAS. That is correct. There would be only one State in the Union where this would not be possible, namely the State of West Virginia, where all branch banking and group banking is prohibited.

All the amendment does is to give to Federal savings and loan institutions the same right to conduct branch banking which all other financial institutions now have.

Mr. BUSH. As chairman of the subcommittee which conducted the hearings, and having talked with the full committee about the question, I regret to say to my very dear friend, the Senator from Illinois, that I do not know of anyone on the Committee on Banking

and Currency who supports his amendment except himself. I regret very much that I must oppose it, because I am sure the Senator from Illinois has given much thought to it. But I think the amendment should be rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendments, en bloc, offered by the Senator from Illinois. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. KNOWLAND. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Kentucky [Mr. COOPER], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. KUCHEL], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from New York [Mr. LEHMAN] and the Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from Wisconsin [Mr. MCCARTHY] would each vote "nay," and the Senator from New York [Mr. LEHMAN] and the Senator from Tennessee [Mr. KEFAUVER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Iowa [Mr. GILLETTE], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

The Senator from New York [Mr. LEHMAN], and the Senator from Nevada [Mr. MCCARRAN] are absent by leave of the Senate.

I announce further that on this vote the Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Wisconsin [Mr. MCCARTHY]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Wisconsin would vote "nay."

I announce also that the Senator from New York [Mr. LEHMAN] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from New York would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 14, nays 58, as follows:

YEAS—14

Burke	Kilgore	Morse
Dirksen	Long	Murray
Douglas	Magnuson	Neely
Hill	Mansfield	Sparkman
Jackson	Monroney	

NAYS—58

Aiken	Fulbright	Pastore
Barrett	George	Payne
Bennett	Green	Potter
Bowring	Hayden	Purtell
Bridges	Hendrickson	Robertson
Bush	Hennings	Russell
Butler, Md.	Hickenlooper	Schoeppel
Byrd	Holland	Smathers
Capehart	Ives	Smith, Maine
Carlson	Jenner	Smith, N. J.
Case	Johnson, Colo.	Stennis
Clements	Johnson, Tex.	Symington
Cordon	Kennedy	Thye
Daniel	Knowland	Upton
Duff	Langer	Watkins
Dworshak	Malone	Welker
Eastland	Martin	Williams
Ellender	Maybank	Young
Ferguson	Millikin	
Frear	Mundt	

NOT VOTING—23

Anderson	Goldwater	Lehman
Beall	Gore	Lennon
Bricker	Humphrey	McCarran
Butler, Nebr.	Hunt	McCarthy
Chavez	Johnston, S. C.	McClellan
Cooper	Kefauver	Saltonstall
Flanders	Kerr	Wiley
Gillette	Kuchel	

So Mr. DOUGLAS' amendments were rejected.

Mr. DOUGLAS. Mr. President, I send to the desk several amendments, and I ask that they be stated. While they are being read, I ask the pages to distribute mimeographed copies of the amendments to Senators on both sides of the aisle.

The PRESIDING OFFICER. The clerk will state the amendments offered by the Senator from Illinois.

The legislative clerk read the amendments proposed by Mr. DOUGLAS, as follows:

On page 2, line 14, before "at", insert "(i)."

On page 2, line 16, after "banks", insert a comma and the following: "or (ii), after June 30, 1954, expressly authorized to State banks or trust companies."

On page 2, line 20, strike out the comma after "banks" and add the following: "or, after June 30, 1954, in conformity with the practice within the State with respect to branches of State banks or trust companies."

On page 2, beginning with line 23, strike out all through the period in line 3, page 3, and insert in lieu thereof the following: "banks or banks and trust companies shall be required, and such new branches shall be subject to the least onerous restrictions with respect to number and location as may be imposed by the law of the State or the practice therein with respect to branches of State savings and loan associations, mutual savings banks, or State banks and trust companies."

On page 3, strike out lines 15 to 22, inclusive, and insert in lieu thereof the following:

"(E) The term 'branch' as used in this subsection shall be held to include any branch savings and loan association, branch office, branch bank, branch agency, additional office, or any branch place of business located in any State or Territory of the United States or in the District of Columbia at which shares are issued, sold, withdrawn, repaid, or repurchased, or at which deposits are received, checks paid, or money is lent, or dues or dividends are paid or credited."

On page 4, line 4, strike out the quotation marks.

On page 4, after line 4, insert a new paragraph as follows:

"(G) The words 'State banks and trust companies' as used in this subsection include all banks and trust companies organized under the laws of any State or Territory, or the District of Columbia, which have among their powers the power to accept thrift deposits and to engage in home financing."

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Illinois desire to have the amendments considered separately or en bloc?

Mr. DOUGLAS. I should like to have the amendments considered en bloc, Mr. President.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. BUSH. Mr. President, will the Senator from Illinois yield to me, to permit me to propound a unanimous-consent request?

Mr. DOUGLAS. Certainly.

Mr. BUSH. Mr. President, I have discussed this matter with the Senator from Illinois. With his approval, I ask unanimous consent that debate on these amendments be limited to 20 minutes.

Mr. DOUGLAS. In other words, with 10 minutes to each side; is that correct?

Mr. BUSH. Yes.

Mr. DOUGLAS. I thought the Senator from Connecticut had suggested 30 minutes.

Mr. BUSH. Perhaps I did. I shall suggest 30 minutes if the Senator from Illinois feels that would be more appropriate.

Mr. DOUGLAS. I would prefer to have 30 minutes allowed. I do not think debate on the amendments will take long, but perhaps it would be better to allow a total of 30 minutes, or 15 minutes to each side.

Mr. BUSH. Mr. President, I make the request with that understanding, and with the further understanding that the Senator from Illinois will control half of the time, or 15 minutes, and that I will control the other 15 minutes.

Mr. DOUGLAS. Will not the Senator from Connecticut then find himself in a rather difficult position—in controlling the time against an amendment he favors?

Mr. BUSH. Then I suggest that the Senator from Indiana, who opposes the amendment, control that part of the time.

Mr. DOUGLAS. I think that would be better. It would avoid having the Senator from Connecticut place himself in an embarrassing position—which, of course, is what I seek to protect him from.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request as modified?

Mr. MAYBANK. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOUGLAS. Mr. President, this amendment was proposed in the committee by the Senator from Connecticut, but he has stated that he did not intend to offer it on the floor. Although it is not as good, in my opinion, as the amendment I have just proposed, and which has just been rejected, I would say it constitutes the second best proposal that could be made.

The amendment will permit Federal savings and loan institutions to have branches in the States where commercial banks accepting thrift accounts and en-

gaging in home financing are also permitted to have branches. In other words, the amendment will place the Federal savings and loan associations on a parity with the commercial banks, and, specifically, the amendment would permit——

Mr. MAYBANK. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. As soon as I finish my statement.

Mr. MAYBANK. I was only going to ask a question. However, I express my deep appreciation to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, it has taken me 5 years to learn the lesson of finishing my sentence before yielding, and I have learned it painfully—I say, with great affection, to the Senator from South Carolina. [Laughter.]

Mr. President, the second amendment, which is virtually the same as the so-called Bush amendment, would permit Federal savings and loan institutions to establish branches in the following States which now permit commercial banks to establish branches: Georgia, Idaho, Michigan, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, South Dakota, and Tennessee.

In addition, since limited branch privileges are given to commercial banks in the following six States, this amendment would grant similar rights to Federal savings and loan institutions in the States of Alabama, Arkansas, Iowa, Kentucky, North Dakota, and Wisconsin.

Therefore, in a total of 16 States, branch-banking privileges would be extended to Federal savings and loan institutions not included under the provisions of the main bill. It seems to me that no legitimate objection can be advanced to this proposal.

Mr. HICKENLOOPER. Mr. President, will the Senator from Illinois repeat the statement he just made, in which reference to the State of Iowa was included?

Mr. DOUGLAS. Yes. It is my understanding—subject, of course, to correction on the part of the Senator from Iowa—that in the State of Iowa, commercial banks are given a limited right to establish branches, but not to establish branches without restrictions. Am I correct as to that?

Mr. HICKENLOOPER. I believe the Senator from Illinois is correct in that statement. I did not hear the first part of his statement.

Mr. DOUGLAS. Mr. President, this amendment would give to the Federal savings and loan institutions the same rights, but not more.

Mr. HICKENLOOPER. I thank the Senator from Illinois.

Mr. BUSH. Mr. President, will the Senator from Illinois yield to me for a few minutes?

Mr. DOUGLAS. I am glad to yield.

Mr. BUSH. I simply wish to say that after having conducted the hearings and heard the witnesses on the subject of branch-banking privileges, I personally reached the conclusion that it would be only equitable to have all the thrift-gathering institutions that engage in home loan financing treated alike. Of course, the largest element in that business is constituted by the commercial banks, who have savings accounts totaling $45 billion, which is more than the accounts of all the savings and loan and all the mutual savings banks when put together.

My observation has been that the bankers who oppose this amendment do so in the interest of their own business; they do not want this competition any more than they have it at the present time. That is why they are opposed to the amendment.

But it has seemed to me fair that the State savings and loan associations and the Federal savings and loan associations and the mutual savings banks should have the same branch privileges, or at least should not be prohibited from having such branch privileges if the State law would permit them to have them.

For that reason, I submitted the amendment in the committee. I confess that it was rejected there by a thumping vote; I think that, at the most, there were only 4 votes for it in the committee, the total membership of which is 15.

At any rate, I shall continue to support the amendment, and I shall vote for it.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Connecticut yield for a question?

Mr. BUSH. I am glad to yield.

Mr. SMITH of New Jersey. I was not quite certain whether the State of New Jersey was named one way or the other in connection with the amendment. Can the Senator from Connecticut advise me on that point?

Mr. BUSH. Yes; in a moment.

Mr. MAYBANK. In the meantime, Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. MAYBANK. I wish to say the States have that right now. This measure will only give the Federal Government the right to tell the States what to do. The States already have that right, as the Senator knows.

Mr. BUSH. No; I have to differ with the Senator from South Carolina. This measure will give the States 2 years to adjust to the situation.

Mr. MAYBANK. But the States can do this now, if they have such a law.

Mr. DOUGLAS. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. DOUGLAS. I should have stated that my amendment differs from the amendment proposed by the Senator from Connecticut, in that my amendment fixes the date as June 30, 1954, rather than June 30, 1956. This is the one point on which my amendment differs from the amendment of the Senator from Connecticut.

Mr. BUSH. I am sorry I did not observe that difference.

Mr. DOUGLAS. I should have mentioned it before. In order to make the matter clear, I state it now.

Mr. MAYBANK. Mr. President, will the Senator from Connecticut yield further to me?

Mr. BUSH. I yield.

Mr. MAYBANK. Again I say this measure will give the Federal Government the power to tell the States what to do.

Mr. BUSH. Mr. President, in answer to the inquiry of the Senator from New Jersey, let me say I do not think the amendments would affect the situation in New Jersey at all. The same is true as to Connecticut. It will make no difference to either New Jersey or Connecticut whether the amendments are adopted.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. HICKENLOOPER. Do I correctly understand that under the law today my own State would have the right to legalize the establishment of branch banks in the Federal savings and loan association field?

Mr. BUSH. Under the law today the Home Loan Bank Board has unlimited authority to grant branching privileges to Federal savings and loan institutions. The Senator's State has no control over it. In practice the Home Loan Bank Board recognizes the authority of the States, and has tried to conform in a general way. The purpose of Senate bill 975 is to have Congress establish a policy.

Mr. HICKENLOOPER. That is correct. Would the amendment offered by the Senator from Illinois place a 2-year limitation in the bill, during which period the State must enact laws to permit branch banking, or would it still be permissible within the State?

Mr. BUSH. The amendment which I offered would give the States 2 years in which to adjust their laws if they wished to do so. I now find that the Senator from Illinois does not have such a provision in his amendment.

Mr. DOUGLAS. Mr. President, if it will remove any objection to my amendment, I will return the date to June 30, 1956.

The PRESIDING OFFICER. Does the Senator wish to modify his amendment?

Mr. DOUGLAS. I modify my amendment so that wherever "June 30, 1954" appears it be made to read "June 30, 1956."

Mr. HICKENLOOPER. Under the amendment proposed by the Senator from Illinois, if it should be adopted, would there come a time when, regardless of whether my State wished to have branch institutions, it would have to have them?

Mr. DOUGLAS. No.

Mr. HICKENLOOPER. Would it mean that the Federal Government could establish them without affirmative legislation on the part of my State?

Mr. DOUGLAS. No. If the Senator from Connecticut wishes to answer more fully, I shall be very glad to yield to him, but the answer is "No." If the State of Iowa later decides to take away branch banking facilities for commercial banks, then, by that very act, branch banking facilities for Federal savings and loan institutions will also be taken away.

Mr. HICKENLOOPER. I should like to ask a question of either the Senator from Connecticut or the Senator from Illinois. If the bill as reported from

the committee were enacted, would it leave the States in a position where they might or might not, by State legislation, authorize the establishment of branch institutions?

Mr. DOUGLAS. They could still do so.

Mr. BUSH. My answer to that question would be "Yes."

Mr. DOUGLAS. I think that is correct.

Mr. HICKENLOOPER. I thank both Senators.

Mr. RUSSELL. Mr. President, I should like to ask a question. Is there anything in the amendment which would compel any State to enact any law of any nature?

Mr. BUSH. No.

Mr. RUSSELL. I understand that the amendment is intended to confer upon the Federal Home Loan Bank Board the authority to grant to Federal savings institutions the right to have branches in States whose laws permit branches of State institutions.

Mr. DOUGLAS. That is correct.

Mr. CAPEHART. That is exactly what the bill does. This amendment would enlarge the category to include commercial banks.

The argument in favor of the amendment is that Federal savings and loan associations ought to be treated the same as commercial banks. After listening to the testimony, the committee almost unanimously disagreed with that argument. I think the best proof that we ought not to accept the amendment at this time is that the committee disagreed with the sponsors of the amendment. Even at the moment there is considerable confusion as to what it would or would not do.

I do not believe that commercial banks are the same as Federal savings and State savings associations. I think they are in an entirely different category. The two ought not to be legislated upon in a like fashion. I do not believe it is quite the thing to do. I do not believe it would be quite fair to the thousands of small State banking institutions.

That is the issue involved. The committee rejected the proposal.

Mr. THYE. Mr. President, I should like to inquire of the chairman of the committee whether or not the division in the committee was almost even.

Mr. CAPEHART. I appointed a subcommittee headed by the Senator from Connecticut [Mr. BUSH], and he conducted hearings. He offered this amendment in the subcommittee and it was defeated. He was the only one who voted for it in the subcommittee. When it came before the full committee it was voted down by approximately 12 to 3. I ask the Senate not to approve the amendment. I am sure the committee gave fair consideration to it. It is not in the best interests of banking or in the best interests of mutual thrift institutions.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. BENNETT. Is it not true that the committee is still considering the basic problem of branch banking; and would not this amendment, in effect, be an approach to that problem through the back door?

Mr. CAPEHART. Yes. We are also considering the problem of bank holding companies. While I think the amendment may have some merit, I do not believe it should be tacked onto the pending bill.

Mr. DOUGLAS. Mr. President, in connection with the question just asked by the Senator from Utah, I should like to ask a further question. Is it not true that year after year after year we have been considering the question of branch banking and the question of holding company banking, and that no bill on those subjects has ever come from the Senate Committee on Banking and Currency?

Mr. CAPEHART. That is true, in substance. The problem of bank holding companies has been with us for many years. There is no question about it. We hope this year to solve the problem by the enactment of legislation on the subject.

Mr. MAYBANK. Mr. President, the late Senator Tobey, who was formerly chairman of the committee, reported such a bill. That bill was introduced by the late Senator Wagner, who was at that time the ranking minority member of the committee. Senator Wagner was quite ill at the time, and Senator Tobey reported the bill to the Senate. I merely wished to keep the record straight.

Mr. CAPEHART. Mr. President, I do not think this is a matter of such grave importance that we would be making a grievous mistake either way; but in view of the fact that the committee rejected the amendment, I urge the Senate to do likewise.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. DOUGLAS. Is it not true that the Home Loan Bank Board favors such an amendment as this, and, in fact, favored my first amendment?

Mr. CAPEHART. I do not believe that to be true. I will ask the Senator from Connecticut to answer the question. He conducted the hearings.

Mr. BUSH. My impression is that the Home Loan Bank Board would have favored the original amendment, which was defeated a little while ago, because it would be an implementation of the Board's own regulations. It is also my impression that, failing to get that amendment, the Board would certainly like to have the pending amendment, because it recognizes the competition of the commercial banks in the thrift field.

Mr. DOUGLAS. To the degree, therefore, that the Home Loan Bank Board represents the administration, it means that in that sense the administration is supporting the amendment.

Mr. BUSH. I will not accept that statement. I do not think the administration knows anything about this bill.

Mr. CAPEHART. The statement of the Senator from Illinois is not correct. I believe that it would be better to reject the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS], as modified.

Mr. DOUGLAS. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are not requested.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered. The question is on agreeing en bloc to the amendments offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. KNOWLAND. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Kentucky [Mr. COOPER], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. KUCHEL], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Montana [Mr. MANSFIELD], and the Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from Wisconsin [Mr. MCCARTHY] would each vote "nay," and the Senator from Montana [Mr. MANSFIELD] and the Senator from Tennessee [Mr. KEFAUVER] would each vote "yea."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Iowa [Mr. GILLETTE], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], the Senator from Montana [Mr. MANSFIELD], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

The Senator from New York [Mr. LEHMAN] and the Senator from Nevada [Mr. MCCARRAN] are absent by leave of the Senate.

I announce further that the Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Wisconsin [Mr. MCCARTHY]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Wisconsin would vote "nay."

I announce also that the Senator from Montana [Mr. MANSFIELD] is paired on this vote with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 31, nays 39, as follows:

YEAS—31

Aiken	Hennings	Morse
Bowring	Hill	Murray
Burke	Holland	Neely
Bush	Ives	Purtell
Carlson	Jackson	Russell
Clements	Johnson, Tex.	Schoeppel
Cordon	Kilgore	Smathers
Daniel	Langer	Sparkman
Dirksen	Long	Young
Douglas	Magnuson	
Ellender	Monroney	

NAYS—39

Barrett	Green	Pastore
Bennett	Hendrickson	Payne
Butler, Md.	Hickenlooper	Potter
Byrd	Hunt	Robertson
Capehart	Jenner	Smith, Maine
Case	Johnson, Colo.	Smith, N. J.
Duff	Kennedy	Stennis
Dworshak	Knowland	Symington
Eastland	Malone	Thye
Ferguson	Martin	Upton
Frear	Maybank	Watkins
Fulbright	Millikin	Welker
George	Mundt	Williams

NOT VOTING—25

Anderson	Goldwater	Lennon
Beall	Gore	Mansfield
Bricker	Hayden	McCarran
Bridges	Humphrey	McCarthy
Butler, Nebr.	Johnston, S. C.	McClellan
Chavez	Kefauver	Saltonstall
Cooper	Kerr	Wiley
Flanders	Kuchel	
Gillette	Lehman	

So Mr. DOUGLAS' amendments were rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill (S. 975) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. DOUGLAS. Mr. President, I ask to be recorded against the bill.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors this afternoon it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1066, Senate Joint Resolution 53.

The PRESIDING OFFICER. The clerk will state the joint resolution by title.

The CHIEF CLERK. A joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

The PRESIDING OFFICER. The question is on the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, for the information of the Senate, I desire to make a statement as to the legislative program.

The unfinished business is now Senate Joint Resolution 53 proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. The joint resolution will be taken up when the Senate reconvenes tomorrow, and we will remain with it until the debate on it is concluded.

On Monday next we expect to have a call of the calendar for the consideration of bills to which there is no objection, beginning at the point where the last calendar call ended.

On Tuesday, provided we have finished the consideration of pending legislation, I anticipate calling up the the civil functions appropriation bill.

Mr. SMATHERS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. SMATHERS. Does the majority leader expect to conclude consideration of the civil functions bill on Tuesday?

Mr. KNOWLAND. Of course, it is very difficult to know how long consideration of the bill will take, but if we can start on the bill fairly early, I hope we can conclude its consideration on Tuesday. While there will be discussion, and perhaps amendments offered to it, it was reported from the Appropriations Committee by a unanimous vote, and the action of the subcommittee was also unanimous. So I do not contemplate that there will be prolonged discussion.

Mr. SMATHERS. The Senator has not programed anything for the following Wednesday. I wondered if he expected that the debate on the appropriation bill would take 2 days.

Mr. KNOWLAND. No. But we expect to have a meeting of the policy committee on Tuesday next. As I announced yesterday or the day before, there are a number of bills we expect to call up and with which we can fill in.

Mr. SMATHERS. I thank the Senator from California.

Mr. KNOWLAND subsequently said:

Mr. President, a number of Senators have inquired of me as to the program of the Senate over the Memorial Day weekend. It is planned that when the Senate completes its labors on the evening of Friday, May 28, it will stand in recess until Tuesday, June 1.

I hope that on Tuesday, June 1, regardless of what the unfinished business of the Senate may be, it will be possible to limit the business on that day to a call of the calendar of bills to which there is no objection, perhaps conference reports which may come from the House, and to routine legislation which it may be desirable to consider.

It is my purpose to avoid on Tuesday, June 1, any voting on major legislation, of the type of the tax bill or the housing bill, or anything of a general, broad nature. But I should not want to say there will be no yea-and-nay votes, because in the Senate no one can know when such a demand may be made. Neither would I wish to say there will be no quorum calls, because they may be requested by any Senator. But it is my hope that it will be possible to adjust the program of the Senate so that we may be able to stand in recess from Friday night, May 28, until Tuesday, June 1, and on that Tuesday to have, as I have said, a call of the calendar of bills to which there is no objection, and then to consider and debate such routine legislation as it may be desired to act upon.

UNEMPLOYMENT IN THE UNITED STATES GROWS WHILE WE FINANCE FOREIGN COMPETITION

Mr. MALONE. Mr. President, unemployment grows in the United States while we finance foreign competition. Twenty-one thousand seven hundred bituminous coal miners in the United States were thrown out of work last month while the executive branch of our Government was advancing 100 million taxpayers' dollars to Europeans to expand Europe's coal production and build new housing for European miners.

Fifteen thousand seven hundred American coal miners were thrown out of work in March.

Seventy-nine thousand American soft coal miners have been thrown out of work in the past year, according to recent Labor Department figures, and employment in the industry is now down to less than 215,000.

That is less than half the 435,000 coal miners employed in 1947, the year Great Britain nationalized her coal mining industry with the help of American dollars.

It may be recalled that a few months earlier, in July 1946, Congress voted Britain a $3,700,000,000 loan, which has been followed by other billions in foreign aid.

UNITED STATES DOLLARS HELPED BRITAIN'S COAL INDUSTRY

Britain socialized her coal industry early in 1947, and since then has spent 181 million pounds sterling, or more than half a billion dollars, increasing her coal production, while the industry in America shrivels.

Neither this administration nor the previous administration has done anything to help our own coal industry, or even to defend it from being washed away by floods of foreign competitive fuels. Instead it has encouraged these job-destroying imports and is encouraging them today.

THE RANDALL REPORT

The Randall committee report, which has now been introduced in the form of a bill in the House by Representative KEAN, of New Jersey, has been referred to the House Committee on Ways and Means. The bill would extend for 3 years the power of the State Department to give away or further divide with foreign nations any industry in the United States which is dependent upon the protection which makes up the difference

between the wage standard of living in the United States and abroad. The report also includes many other recommendations to be financed by American taxpayers. It is well known that while they ask for 3 years extension, they want to settle for 1 year. One year would further destroy the workingman and the independent business of this Nation.

Last month's $100 million handout to European coal interests is but one example of this fawning foreign policy.

Now that we have loaned the $100 million to a European creation called the High Authority of the European Coal and Steel Community, with headquarters in Luxembourg and responsibility to nobody, we find that Great Britain wants to cut herself in—not on the giving end naturally, but on the receiving end.

Reuters, the British news agency, reports from London that the British Government invited President Jean Monnet, of the European coal-steel pool—who in April arranged the $100 million loan from us—to meet in London to discuss an association of markets with the British.

JEAN MONNET THE PROMOTER

I might say that Mr. Jean Monnet is one of the keenest men whom I met in France in 1947, when I inspected a considerable number of industries in France. I went there following my trip to the Ruhr, in Germany, where I inspected coal mines and steel mills in that region.

Mr. Monnet spent about 3 hours with me, describing the great investments which the French were proposing to make in this great project, and in the development of France and her colonies, with American money.

I note that he has not done a bad job in building up industries in France competitive with the industries of the United States, through the use of the dollars of United States taxpayers. I told him frankly that I did not favor the procedure, but he is a better promoter than even I thought he was.

Britain, of course, wants to work out an arrangement which, to put it in British words, would not "involve any surrender of sovereignty to a supranational institution."

BRITAIN ASKS SHARE OF MARKET WE SUBSIDIZED

In other words, Britain wishes to merely share the markets and not any of the responsibility; and its wish arises following our $100 million loan to Europe's coal industry.

All this may be very puzzling to our unemployed coal miners, mine operators, and to the 33 coal-producing areas of the United States which are in distress.

DIVIDE THE MARKETS OF UNITED STATES, SURRENDER OUR OWN SOVEREIGNTY, AND PRESERVE THAT OF FOREIGN NATIONS

There seems to be no hesitancy in surrendering the sovereignty of the United States under various treaties and arrangements made by our economic one-worlders and Federalists, who wish to modify the Constitution of the United States and enter into worldwide combinations in which we would have 1 vote as against 50 or 60 votes; all of the 60 votes having one common interest, namely, to secure a part of the markets of the United States of America.

Among the States in which coal-producing areas are in such distress as to be classed as group IV areas by the Department of Labor are:

Illinois, Indiana, Kentucky, Pennsylvania, West Virginia, Maryland, Virginia, Tennessee, and Alabama.

Some of the distressed areas in these States are very large and include hundreds of communities.

ILLINOIS DISTRESSED DURING TRUMAN ADMINISTRATION STILL DISTRESSED

For an example, consider the Herrin-Murphysboro-West Frankfort area in Illinois, which has been a distressed area for several years, and was in distress under the Democratic administration and before the Republican administration was inaugurated.

The Senator from Illinois [Mr. DOUGLAS]—and I regret that he is not in the Chamber now, because we debated this subject on the floor only the day before yesterday—is a great champion of the trade-agreements program which has contributed to the distress in his State and the United States. So he should be quite interested in the Herrin-Murphysboro-West Frankfort area.

This area is composed of Franklin, Jackson, Johnson, Perry, Union, and Williamson Counties, and had a total population of 185,400 in 1950. This population was 6.5 percent under that in 1940, showing that distress in the coal mining industry has driven many of its good citizens away.

DISTRESSED ILLINOIS COMMUNITIES LISTED

I present now, for the benefit of the Senator from Illinois, an alphabetical listing of the communities in this distressed area, as listed by the Department of Labor. They are:

Akin, Alto Pass, Anna, Ava; Balcon, Belknap, Benton, Boles—not the advertising firm, but communities in this distressed area of Illinois—Buckner, Buncombe, Bush, Cambria, Campbell Hill, Carbondale, Carterville, Christopher, Cobden, Coello, Colp, Conant, Cora, Crainville, Creal Springs, Cutler, Cypres, De Sota, Dongola, Dowell, Du Quoin, Elkville, Energy, Ewing, Frankfort Heights, Freemanspur, Goreville, Gorham, Grand Tower, Grantsburg, Hanaford, Herrin, Hurst, Jacob, Johnson City, Jonesboro, Logan, Macedonia, Makanda, Marion, Mill Creek, Mulkeytown, Murphysboro, New Burnside, North City, Orient, Ozark, Pickneyville, Pittsburg, Pomona, Reevesville, Royalton, Sesser, Simpson, Spillertown, St. Johns, Swanwick, Tamoroa, Thompsonville, Tunnel, Urgain, Valier, Vergennes, Vienna, West City, West Frankfort, Whiteash, Whittington, Willisville, Wolf Lake, and Zeigler.

As I have stated before, this is a coal-producing area. The Department of Labor states:

Soft coal mining has been the most important activity in this area.

The Department of Labor notes also that population in the area declined 6.5 percent in the 10 years of Democratic administration between 1940 and 1950.

CRUDE OIL IMPORTS EXCEED HALF BILLION DOLLARS

I do not know what reason the Senator from Illinois [Mr. DOUGLAS] might attribute for this depressed condition in the coal-mining industry, but the industry itself, both operators and labor organizations, attribute it in a very large measure to oil imports from foreign countries.

During 1953 more than half a billion dollars worth of crude oil—$501,591,194 worth to be exact—were imported from Canada, Mexico, Colombia, Venezuela, Ecuador, Iraq, Kuwait, Saudi Arabia, and Indonesia; Venezuela, Kuwait, Arabia, and Indonesia being the principal suppliers.

In addition, $189,443,601 worth of residual fuel oil was imported from Canada, Mexico, Trinidad, Northern Antilles, Venezuela, Colombia, France, and Japan—Venezuela and the Antilles being the principal suppliers—and other petroleum products valued at more than $70 million also were brought in to compete against American fuels, producers, and workers.

IMPORTS—FAIR AND REASONABLE COMPETITION

Mr. President, there has never been any disposition to stop imports if they come into this country on the basis of fair and reasonable competition.

If the Tariff Commission were allowed to adjust the duties, as the Constitution provides, or tariffs, as we are prone to refer to them, so that the difference between the wages, together with the efficiency, and the taxes in effect in America and those in existence in the chief competing nations, no objection at all would be voiced by anyone. Objection is voiced only when products made in countries in which 50 cents to $3 a day is paid for labor, such as is true in the sweatshop labor areas of Europe and Asia, are allowed to enter in direct competition with products made in our country, where a much higher standard of living wages is in effect.

Distress of the American coal-mining industry, as the junior Senator from Nevada has previously stated, is due partly to imports of foreign fuel oils from Venezuela, Mexico, Arabia, and other parts of the world, and partly from the sharp declines in exports of American coal to countries whose industries are being supported or subsidized by American dollars.

STATE DEPARTMENT OPPOSES RELIEF TO UNITED STATES INDUSTRIES

Likewise, as the junior Senator from Nevada has previously stated, the State Department, which today holds life-or-death powers over domestic industries, opposes any relief to our resource industries, including fuels, from the pressures of foreign competition, while encouraging increased foreign competition with loans and subsidies.

In light of the indifference of State Department officials, and the officials of some other departments in the executive branch, to the plight of our own coal industry, it may be worth while to note gains made by foreign coal industries with the help of American gift loans.

England, for example, has increased its coal production from 187.2 million long tons in 1947 to 224 million long tons in 1953. American soft-coal production has dropped from 630 million long tons to less than 450 million long tons, and during the first quarter of the year was only 95 million long tons, an alltime low for the century.

The high authority in Luxembourg, to which we have just loaned $100 million, boasts an "abundance of coal on the market" in its latest report, but omits total production figures.

Its aim is still greater production in Europe, which turns out to be the State Department's aim, too, while the American coal industry flounders.

The State Department's announcement of the so-called loan—there is not a dime in security—issued jointly with the high authority, states that the money is being made available at this time for the purpose of assisting in modernizing and developing the natural resources of the community—that is, the European Coal and Steel Community, as it is called.

The release continues:

> This is the first time a loan has been extended to the European community, as distinct from separate nations. It is a concrete expression of support by the United States Government to the European Coal and Steel Community in accordance with the policy of encouraging European unity as declared by President Eisenhower and the Congress.

NO HELP FOR UNITED STATES COAL INDUSTRY

Mr. President, no concrete support, or any other kind of support, has been given by this or the previous administration to the shriveling American coal industry, or to any other mining industry with the possible exception of some incentive payments to minerals production in which the Government demands, requires, and gets, full security and guaranties for its investment.

By way of contrast, for its $100 million handout of a European setup, it gets nothing that is material, and the junior Senator from Nevada doubts that it even brings good will.

But the $100 million is not all. Department of State release No. 210 states:

> For the future capital requirements of the coal and steel community it is essential that capital both in the United States and abroad be encouraged to provide the investment funds necessary for the normal growth of Europe's basic industries.

Mr. President, under the insane foreign policy we are pursuing now, we read that normal growth of Europe's basic industries is necessary.

When has this administration, or the two previous administrations, ever applied that principle to an American resource industry?

We see the coal-mining industry partly destroyed, and nobody in the State Department lifts a voice to bespeak its normal growth as necessary or even desirable. In fact, it backs the proforeign policies that are causing this industry's destruction.

We see the minerals industries of the United States—basic to our national security as well as to our economy—progressively being destroyed. The production of critical minerals such as lead, zinc, chromium, manganese, mercury, and I could name a score of others, is being destroyed.

Does anyone in the State Department urge the normal growth of these basic industries? Of course not. The State Department not only has stopped their growth by its proforeign policies; it has cut them back while subsidizing the "normal growth" of competitive foreign industries.

NATIONAL SECURITY JEOPARDIZED

As will be brought out in other addresses, debates, and reports in the very near future, the national defense of this Nation is being jeopardized through such a policy. We are becoming dependent on foreign nations, which are located across major oceans, for many materials, without which we could not conduct war or live in peace. We are being subjected to a mild form of blackmail to enter into further agreements for the protection of nations located throughout Asia and Europe, with the mild threat being made that such countries will cut off shipments of such products even in peacetime. It will be remembered that India did cut off shipments of monazite sands, which were needed for our nuclear energy development in peacetime. That is only an example. Our policy has encouraged certain nations to believe that if they could cut off such supplies, those countries could win a war against us. Mr. President, they may not be so far wrong.

The State Department has not yet succeeded in cutting back our domestic coal industry to British or European levels, but it is working toward it.

Press release 210 of the State Department continues:

> The United States Government and the high authority in continuing negotiations will together seek new means by which with the assistance of the Government the mobilization of private capital for such investments can be promoted.

Mr. President, if that statement means what the junior Senator from Nevada thinks it means, the day may soon come when the unemployed miners of Pennsylvania, West Virginia, Indiana, Illinois, Tennessee, and 11 other States will be invited to invest in the busy coal mines of Luxembourg, Belgium, France, or Germany, or in the new housing projects for miners there. They will be safeguarded from making such investments, however, by the fact they have no jobs or money except what they may obtain from unemployment compensation or their own welfare funds.

TAX DOLLARS TO BUILD NEW HOUSING FOR EUROPE'S MINERS

The purposes of the $100 million advance are set out by the State Department as follows:

> The proceeds will be used by the high authority to make loans to enterprises within the community—

That is to say, the European community—

> in order to assist in developing facilities for the production of coal, coke, and iron ore, providing additional housing for miners, and constructing and modernizing power stations at the pit heads to facilitate the economic use of low grade coal.

DETROIT LABOR LEADER PROMOTES UNEMPLOYMENT INSURANCE AND UNEMPLOYMENT AT THE SAME TIME

Mr. President, a well known labor union chief was in Washington, D. C., only a few weeks ago. He emphasized a need for additional unemployment insurance on account of growing unemployment. The same union head, located in Detroit, Mich., has further urged a continuation of the free-trade principle and passage of the Kean Act, now before the House of Representatives Ways and Means Committee extending for 3 years the power of life or death of the State Department over the workers of this Nation.

That act promotes the Randall Report, which calls for a 3-year extension of the power of the State Department to destroy any United States industry it sees fit to destroy, and to do so simply through further reduction in the protection essential to the jobs and investments of the citizens of the United States.

Mr. President, that position does not seem to be very consistent; but unfortunately, other organizations which stand to profit have used him as a spearhead to gain their ends. It is uncertain just when such labor leaders will awake to a realization of the actual situation; but when they do, certainly they will come to Washington to discuss the danger with the Senators and Representatives from their States.

Mr. President, later on the State Department release announcing the $100 million loan to Europe's coal industry states:

> The United States took the occasion of the negotiations to advise the high authority that it is consulting with some of the member countries of the community on the lifting of quota restrictions maintained by them on United States coal.

In other words, Mr. President, the high authority is not high enough to lift restrictions against our coal itself, in return for the $100 million; and after reading the March report of the high authority, it seems very doubtful to the junior Senator from Nevada that any of the member nations will lift in any substantial amount the restrictions maintained by them on United States coal.

TRADE A ONE-WAY STREET DIVISION OF OUR MARKETS

In fact, Mr. President, I may say that it is very doubtful that any of the member nations will lift in any substantial degree the restrictions they maintain on any other commodities produced in the United States. All of this assistance and help, when put together, simply amount to a one-way street.

Our policy continues to be one of dividing our markets with the other nations of the world; but those nations follow a policy of restricting or preventing imports from the United States, preserving their markets for themselves. They do so by means of tariffs, not for the purpose of equalizing wages—because their wages are far below those paid in the United States—but for the purpose of

preventing imports—something the United States has never done.

Furthermore, these nations make use of quota systems and manipulations of their money systems, all in order to prevent imports from the United States. In addition, they have exchange permits and trade permits. Taken altogether, it is practically impossible for the United States to export our goods to them, unless we give them the money in advance with which to purchase such commodities.

With what the high authority calls an "abundance of coal on the market" and the prospect of greater production as a result of our $100 million loan, it is difficult to discover any incentives for European nations within the so-called community to lift quota restrictions against American coal, exports of which have progressively dwindled.

PRICES FIXED ON EUROPEAN COAL

The high authority further reports in its March bulletin:

Today there are no acute shortages and considerable pithead stocks in Belgium, France, and, for coke in Germany.

Then comes the "abundance of coal" statement, coupled with one that—

The supply situation no longer justifies price ceilings being maintained.

Whether justified or not, Mr. President, the authority has decided to maintain ceilings because, so it states:

If prices were formally freed, the power to fix them would simply be transferred to the national agencies.

Thus, it may be seen, we have loaned 100 million of the dollars of our taxpayers to a regimented, price-fixing, subsidized industry in Europe, while the coal industry in the United States stagnates. In fact, Mr. President, "suffocates" might be a better term to use in that connection, because that is what our coal industry is doing under the deluge of foreign residual oil and other petroleum imports.

The high authority, in its own publication, also observes that—

The national monopolies have grown particularly strong in coal.

They have the power, it adds, to—

influence prices and allocate sales, thereby limiting the customers free access to supplies.

As an example, it cites Western Germany, where, it states:

The Government raised the average internal pithead price by * * * $1.20 per ton, about 10 percent, just before the establishment of the common market.

Let us continue to read the high-authority report. It states:

In the national markets, the coal industry was in all cases closely supervised by the governmental systems of economic controls. In this way a complicated network of subsidies, rebates, equalization funds and differential transport rates, etc., has grown up in Europe and has for many years been looked upon as normal.

CARTELS RETARD REFORMS

The high authority says it shortly will undertake discussions with governments, trade unions, and producers, with a view to encouraging freer access to supplies, but admits that this will not be easy. It states:

In dealing with the agencies and the cartels behind them, the high authority will be digging at the roots of the tight national organizations of markets which existed before the common market, it will have to find communitywide solutions to the problems which, in a national setting, lead to the creation of the cartels.

Perhaps it will not be amiss to consider further the problems of this six-nation nongovernmental organization, of which we are not a participant, but to which we have just loaned $100 million. I quote again from its report:

The most striking example of the complications and distortions created by subsidies is provided by Germany, the main exporter, and France, the biggest importer of coal in the community. The German coal industry had to grant heavy rebates to a large number of internal consumers. The annual amount involved in these rebates immediately before the opening of the common market was well over 20 million pounds, or more than 4 percent of total receipts.

At the other extreme from these favored consumers, were those in countries outside Germany who had long paid more for German coal than the ordinary German buyer.

One of the biggest of these consumers was the French steel industry, the main part of which is situated in Lorraine and is particularly dependent on imports of Ruhr coking coal and coke for the blast furnaces. To insure that it was not handicapped vis-a-vis the Ruhr steel industry, the French Government subsidized the imports to bring them down to a level corresponding to internal delivered prices.

It also subsidized the export of Saar and Lorraine coal sold in southern Germany, in return for which increased supplies of coking coal and coke were obtained.

The total annual cost of these subsidies was running at over 10 million pounds a year by the end of 1952.

In addition to this—

The report continues—

both the French and the Germans, eager to build up their productive capacity of coke, have been and are still distorting the price relation of coke to coking coal. German coke was priced cheaply compared with coking coal, so that the French had every incentive to buy coke already processed. The French, by their subsidies, in their turn, made coking coal cheaper again and pressed forward with the building of coke ovens, though they still used large admixtures of the Ruhr coking coal in them.

The high authority say that all subsidies must disappear for the common market to function with full effect. It adds:

Yet subsidies reflect rather than create economic distortion. Coal costs and prices are distorted in Europe basically because of the very aims of economic self-sufficiency or domination which have for many years prompted national policies.

In Britain, the authority states, the price of coal has risen at a rate corresponding to the rise in general prices since 1938, in the United States it is 5-percent less, in Germany 38 percent more, and in France 22 percent more than general prices.

OUR DOLLARS OFFSET LOSSES FROM COMPETING FUELS

Mr. President, perhaps these subsidies by European countries to their coal industries reveal where the $100 million loan our Government has just granted to this European agency comes in. American dollars may help balance off the foreign subsidies and the foreign subsidies, in effect, will be transferred to the backs of American taxpayers.

The $100 million to the European coal-steel pool also will help reimburse the coal-producing half for losses incurred from competition from residual fuel oil.

The high authority informs us that the coal industry of Europe requires "a steady long-term policy of increasing productivity by concentrating output in the profitable mines."

I continue to quote:

This is, in any case necessary to permit the coal industry to compete with imported coal and substitute fuels.

Part of this competition, it states, is from fuel oils. I again quote from the March report:

Twenty-three percent of the power resources of the community were supplied by fuel oil and hydroelctric power in 1953 against 13 percent in 1937.

Mr. President, in view of the damage inflicted on our own coal industry by fuel oil imports, that last statement of the high authority is most significant.

When fuel oils invade the European markets the Europeans know what to do. They come to Washington and ask a hundred million dollar handout, and they get it.

The American coal industry has never asked $100 million, or $1 million or $1 in reinbursement for the damage the State Department and its policy of encouraging imports of foreign fuel oils have cost it.

The American coal industry has received only rebuffs and snubs when it asked protection from unfair, cutthroat foreign competition and equal access of American products produced by American labor to our own markets.

GIVE AMERICAN WORKINGMEN AND BUSINESS AN EVEN BREAK IN THE AMERICAN MARKET

No industry in the United States has ever asked for more than an even break in its own markets in America. To provide such an even break, it is necessary that there be a duty, as provided in the Constitution of the United States, or what we have come to call a tariff or import fee, to compensate, roughly, for the difference between the wage standard of living, taxes, and other pertinent costs of doing business in this country, and such costs in the chief competing nation.

American industry has never asked for an advantage, but only for an even break. It has never been given such a break in the European or Asiatic market.

The American coal industry cannot move to England or Europe where, of course, it would be eligible for many millions in subsidies from American taxpayers, could impost quota restrictions on competing fuel, and offset losses to residual oil competition with American dollars.

Both employed and unemployed American coal miners are loyal American citizens, and I doubt if any of the latter would wish to emigrate to the coal producing areas of Europe, even with the

inducement of new housing constructed from proceeds of our $100 million loan.

We doubt that patriotic American miners, including the 204,000 who are jobless, would care for Europe, although the stated policy of the high authority is to "insure that there are no harmfully abrupt shifts of production" and to "protect labor, by readaptation from the risks of unemployment," a policy which is to be financed in part by the 100 million American dollars that we have just loaned.

The only recourse our coal industry and its unemployed miners have is the Congress.

The State Department has long since turned its back on them, even though their only request has been that it refrain from opposing simple legislation that would place imports of residual oils on the basis of fair and equal competition.

DUTY OR TARIFF BASIS OF FAIR AND REASONABLE COMPETITION

American workingmen and business do not need legislation to be placed upon an equal basis. It is only necessary for the Congress to realize that if it does not enact legislation extending the power of the State Department under the 1934 Trade Agreements Act, the regulation of imports of petroleum, as well as imports of other products of cheap foreign labor, will revert to the Tariff Commission automatically at midnight on June 12.

Such imports will then be regulated by the Tariff Commission on the basis of fair and reasonable competition.

The present law states that the Commission shall determine the cost of producing a product in this country—not the highest or the lowest cost, but the fair cost—and the fair cost of production in the chief competing nation, and recommend a fair duty or tariff based on these findings.

Of course, the agreements already made by the State Department, which are called trade agreements but which are not actually trade agreements at all, are agreements to lower tariffs. They will remain in effect until the President serves notice of cancellation on the countries with which such agreements have been made. That, however, is a simple executive matter.

TARIFFS CUT 75 PERCENT

Mr. President, we have had more than two decades of inflation, up to approximately 60 percent. We have had tariffs lowered as much as 75 percent. The State Department has had two shots at the tariff, lowering it 50 percent in each instance, making a total of 75 percent.

The 50 percent latitude given the Tariff Commission in the present law will not be sufficient to assure a basis of fair and reasonable competition between this Nation and the chief competitive foreign nation, so the act must be amended. That also will be a simple matter, once Congress understands just what is causing a major portion of the unemployment in this Nation at this time.

Mr. President, considering the fact that the American mining industry, the American coal industry, and many other American industries have sought legislative relief for years which would permit them to survive, only to be rebuffed by our officials, a chronology of the $100 million loan to Europe's coal industry may be in order.

On February 19, 1954, the High Authority's bulletin reports:

High authority decides to set aside $1 million for construction of houses for technical research into better and cheaper construction of workers' housing. The high authority is expected to contribute to construction of 1,000 houses concentrated on sites of at least 50 dwellings each.

February 20: High authority endows two scholarships a year of $840 each for research work on the activities of the community.

March 18: High authority allocates $1,400,000 toward reinstallation in Lorraine from 1954–56 of 5,000 miners due to become redundant as modernization program for mines in central and southern France proceeds. The French Government is to contribute an equal sum.

Early April: High authority due to travel to Washington to open loan talks with the United States Government.

A HUNDRED MILLION DOLLARS IN 3 WEEKS

The high authority, in this instance its President, Jean Monnet, arrived in Washington the first week in April. Three weeks later—the 23d to be exact—it had its hundred million dollars.

The American coal industry, both operators and unions, have been coming to Washington for the past 4 years—and getting nothing. They have been asking for the protection that can be accorded them under the Constitution. They are not asking for cash—yet.

During that same period more than 200,000 American coal miners have become what the European high authority would term "redundant."

They are redundant because oil workers in Arabia, Venezuela, Trinidad, and other foreign areas have bumped them from their jobs, and because increased foreign coal production—much of it subsidized by American dollars—is depriving them of export markets.

Mr. President, they will continue to be redundant—and by that I mean unemployed—and jobless workers of many other industries will continue to be idle until the Congress reassumes its constitutional responsibility under article I, section 8 of the Constitution, to levy duties and excises, which we call tariffs, and regulate the foreign commerce.

Congress will reassume this responsibility on June 12, 1954, when the Trade Agreements Act of 1934 expires, under which the constitutional responsibility of Congress was turned over to a foreign-minded State Department with power to emasculate American industries at the same time it doses foreign industries with millions and billions of dollars.

Then at least the Congress, through its agency, the Tariff Commission, will be able to counterbalance the millions and hundreds of millions showered on Britain and Europe's coal industries while America's coal industry suffers.

THE NEED FOR CLOSER RELATIONS BETWEEN THE UNITED STATES AND LATIN AMERICA

Mr. SMATHERS. Mr. President, on May 10 I addressed the Senate on the subject of our national security, and at that time I expressed my own opinion that our foreign policy is somewhat out of focus.

I sought to establish that, as I humbly but sincerely believe with respect to the need for strengthening our inter-American alliances, the attention devoted to that subject by our Nation has been "too little and too late," and continued inattention to it will not only be to the detriment, but, perhaps, even to the peril of our Nation.

It has seemed to me clear, Mr. President, that the great hope for future peace, prosperity, and happiness in a free world rests primarily with those of us in the New World, and is largely dependent upon the manner in which we together shape our destinies.

The challenge which faces us is that of joining with the other nations of the Western Hemisphere—nations which should be our most-cherished and our most-favored allies—in creating a new reality of security from danger, and security from fear of danger. We must pool our knowledge and ability to develop our great and yet even unknown treasures of natural resources; to combine our talents to open up new avenues and new methods of trade and mutual economic assistance, to the end that we may bring to the masses of the people of the Western Hemisphere a new standard of living, and provide for them security, culture, and comfort. Otherwise, they may—and in some instances it has already happened—be deluded by false promises.

Mr. President, I may say these are platitudinous statements with which everyone seems to agree. I have yet to find an official, or individual citizen, who takes exception to them.

But I charge, Mr. President, that our Government is tardy in translating its convictions into action. The Government seems reluctant to meet the issue with a wholehearted effort to gage our policies to realistic requirements, and to undertake to bring into being a workable Western Hemisphere alliance, which is so vitally needed by the countries of North, Central, and South America.

I further charge, Mr. President, that in our preoccupation with Asia and Europe—important as those areas are, and right as we may be in our support of free world doctrines—we have, and are, neglecting our own self-interest in Latin America. That statement is supported alone by the fact that of our entire multi-billion-dollar foreign aid and assistance program for the coming year, the administration proposes to devote only 1.3 percent to all of Latin America.

On May 10, when I discussed this aspect of our Government's program of intercourse with other nations, I said that the urgency of the situation was great. What has happened since that time?

The situation has worsened in Indochina.

It is apparent that the Communists are still Communists, following the familiar pattern of lies, duplicity, and aggression, even in the evacuating of seriously wounded prisoners from Dien Bien Phu.

There is a growing suspicion—if not indeed an established fact—that no hope of a reasonable settlement is to be expected from the Geneva Conference.

And now the Communists have started landing arms in Latin America.

Mr. President, there has not even been a denial that a shipment of arms from behind the Iron Curtain has been unloaded in Guatemala, and we read of the immiment danger to Honduras of this Communist activity in Guatemala.

We do not yet know all the facts about the Communist infiltration into other Latin American countries, but we do know that it has happened, and is now happening.

We do not know what is the specific Communist plan of attack upon the Americas, but we need no new reminders of the Communist ambitions for world domination. We find that one of our most cherished and basic doctrines, which we have long considered to be a protection for North and South American countries, is now under direct attack by the Communists. I refer, of course, to the Monroe Doctrine, enunciated in the seventh annual message of one of our great Presidents. It was delivered on December 2, 1823, and was addressed to "Fellow Citizens of the Senate and House of Representatives."

At the time, the United States and Russia were negotiating the rights and interests of the two nations on the northwest coast of this continent, and of these negotiations the President said:

> In the discussions to which this interest has given rise and in the arrangements by which they may terminate the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power.

Later in the message, dealing with our relations with the old countries, he had this to say:

> It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers.
>
> The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole Nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.
>
> The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none more so than the United States.
>
> Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different. It is impossible that the Allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness: Nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves in the hope that other powers will pursue the same course.

That was signed by James Monroe, President of the United States.

Mr. President, that of course, as we all recognize, is the statement of the Monroe Doctrine.

Since that day, that doctrine has been the keystone of our foreign policy in the Western Hemisphere.

To most of us it is as American as is the Declaration of Independence.

Mr. President, is it not now fair to ask, Has the time not come for a reexamination of events, and particularly of those in Latin America, in the light of this time-honored and sacred doctrine?

We must decide now whether we are to stand on the principle of the Monroe Doctrine or are we to retreat from it and let it become a meaningless memory?

The countries of South America are looking to us for a position. Mere statements of lofty purposes, and high sounding phrases, will not do.

The time has come for conferences with our neighbors of the Western Hemisphere looking toward early, actual, and practical programs of mutual defense, development, and prosperity based upon peace.

Mr. President, I yield the floor.

Mr. MALONE. Mr. President, will the Senator from Florida yield for a question?

Mr. SMATHERS. I shall be happy to yield to my able and distinguished colleague from Nevada.

Mr. MALONE. Does the Senator from Florida believe that the nations of South America and North America should still be considered a family of nations?

Mr. SMATHERS. I absolutely do.

Mr. MALONE. Does the Senator believe—I assume he does, from the tone of his address—that it is time for us to revert to the serious business of determining where we stand in the defense of our own Nation and other nations in the Western Hemisphere?

Mr. SMATHERS. There can be no doubt about that. As the able Senator knows, for some time we have been concerned about the deterioration of our relationships with the countries of Latin America. We have heard in recent days of the unloading in a port of Guatemala of a ship carrying arms supplied from behind the Iron Curtain to be used in building up communism in Guatemala, and we know that if the Communists once get a foothold there, and succeed in taking over Central America which, obviously, they are seeking to do, for all practical purposes they will have succeeded in dividing the North American Continent from the South American Continent.

Mr. MALONE. Does the Senator believe there is any nation on earth that could protect the South American countries from outside attack except the United States of America?

Mr. SMATHERS. With the exception of the protection which they can provide for themselves and which the United States may be able to assist them in providing, I think there is no other help for them.

Mr. MALONE. There is no other ultimate protection if a powerful nation really wished to move in, as the Allied Powers indicated their intention to do, many years ago, when President Monroe enunciated his famous doctrine.

Mr. SMATHERS. That is correct.

Mr. MALONE. Does the Senator from Florida believe that if we should reexamine the course which we have followed in the past two decades and again extend a friendly and protecting hand to the nations of South America, and they knew they could depend upon us, there would be the overt acts which are now occurring?

Mr. SMATHERS. I believe the answer is "No." I do not believe such overt acts would be occurring. Obviously, if we had continued our proper relationship with Guatemala, had we given to it as much assistance and attention as we have given to some of the other countries far away on the periphery of the globe—which I may say, incidentally, has done us not one earthly bit of good—had we given to the Guatemalans 12 years ago and since that time assistance and aid, there would not be in Guatemala the situation which now prevails there.

Mr. MALONE. Does the distinguished Senator from Florida agree with me that if a real war should start between the outstanding powers of the world, the European nations would be anything but neutral?

Mr. SMATHERS. I would hope they would stand with us. I spoke on May 10 to the effect that while we need all the allies we can get, nevertheless, the fact remains that certain countries in Europe have indicated in recent weeks, and certainly in recent years, that they are not as willing to stand against Communist aggression so firmly and with as much determination as we are.

I am frank to say that if the United States suddenly were to find itself in an all-out war with the Soviet Union, I doubt whether some of the countries to which we have been giving great aid in the past would actually be fighting on our side.

Consider Korea. What happened in Korea, when we called upon our friends? They did not see fit to give us great help in that conflict. It is obvious that France no longer has much stomach for standing up and fighting as a nation. I wonder, actually, if France would stand with us. I should like to think she would; I should like to hope she would; and I think we should continue to encourage her to do so; but I believe it would be precarious, perhaps, to make plans based on France being with us.

Mr. MALONE. In 1948, in a debate on the Senate floor, I pointed out that when we signed the Atlantic Pact we were then and there guaranteeing the integrity of the colonial system throughout the world. Exceptions were taken to that statement, but that is the way it seemed to me then, and that is the way it looks now.

When we signed that pact to go to war with European empire-minded nations—Britain, France, the Netherlands, and Belgium—we had no control over their actions. The kind of war they were willing to wage was in defense of their colonial possessions. Since that time this prediction has been amply proved.

If we were to enter the war in Indochina, were to be successful in keeping it localized, and were to win it, still we have entered no objection officially to France continuing its possession of Indochina, have we?

Mr. SMATHERS. So far as I know, we have entered no official objection. I think we have tried to convince France that she should offer to the countries of Indochina—Laos, Cambodia, and Vietnam—their independence.

Obviously the fact that France has continued to hold on to Indochina as a colony has resulted directly, it might be said, in the war which is now raging in Indochina.

Mr. MALONE. If France were to grant full independence and exercise no control over the commerce of those nations, and were not to profit by their operations, France no longer would have any interest in Indochina.

Mr. SMATHERS. It seems to me that that certainly is a correct statement.

Mr. MALONE. The interest of France in Indochina is not the interest we profess to have. The interest of the United States in Indochina is to stop the spread of communism; the interest of France is to prolong her colonial rule.

Mr. SMATHERS. I am certain it would have been much more pleasing to everyone if France had said that she was fighting in Indochina because she believed in freedom for everyone; that she wanted the natives of Laos, Cambodia, and Vietnam to have an opportunity to govern themselves, and to be given their freedom; that she was fighting aggression, so that when the Communist aggressors had been stopped the people of those areas would have their freedom. Had France been fighting for such a lofty ideal and purpose, then France would have been able to procure more assistance from her allies.

Those are the causes for which the United States has been willing to fight in the past. We do not wish to fight in order to protect the economic system of some other country, particularly colonialism and the economic benefits which accrue from it to the nation in control. But many of our citizens might be inspired to be willing to make another sacrifice if they thought that by doing so, in pursuance of the great ideal of freedom for the people of the countries of Indochina, France would make an announcement to those people to the effect that she would give them their freedom and would fight against communism, so that they might eventually have their liberty. Then France would be in a much stronger position.

Mr. MALONE. In order for the Indochinese to become excited about a fight, there must be some other incentive than the hope that if France wins, she will still continue her colonial slavery, but if France loses, the natives of Indochina will be dominated by communism.

I spent some time in Indochina in 1948. It was very apparent then that the Indochinese would not fight to win a war to maintain conditions of slavery. I think it has been amply demonstrated by the news dispatches that the Indochinese people themselves have not entered into this fight with enthusiasm. We have not made our position clear, but I believe France has made her position clear. Either she is going to maintain her domination of the Indochinese, or else she no longer will be interested.

The junior Senator from Florida is conscious, of course, of the fact that we speak glibly about defending foreign nations across the oceans because it is necessary to maintain the shipping lines in order to transport the materials and minerals which we need in time of war and in time of peace.

Mr. SMATHERS. That is correct; I am familiar with such statements.

Mr. MALONE. I assume the Senator from Florida is familiar also with Senate Resolution 143, adopted by the Senate, in which the Committee on Interior and Insular Affairs was directed to make a survey to determine the availability of critical materials to the United States in time of war.

Mr. SMATHERS. I am familiar with that.

Mr. MALONE. I regret very much that the junior Senator from Florida is no longer a member of the Committee on Interior and Insular Affairs, but I am happy to note that he is now a member of the Committee on Finance. The Senator was a very helpful member of the Committee on Interior and Insular Affairs. The committee is studying evidence which has been submitted by approximately 350 witnesses over a period of 8 months. I think it has been demonstrated that the Western Hemisphere can be made self-sufficient in the production of the materials which we need in time of war, or time of peace, if proper attention be given to the problem.

DEFINITION OF OBJECTIVES NEEDED

Would the distinguished junior Senator from Florida agree that it is time we defined our objectives and announced whether we really are fighting wars to maintain connections across a major ocean for the materials and minerals which we need, whether we simply want to protect the colonial system throughout the world and help certain nations to maintain the world status quo, or whether we are finding it necessary to fight wars in order to combat unemployment?

Mr. SMATHERS. First, I agree that today it would be unrealistic to talk about fighting a war to maintain communications lines. I think everyone would agree that if we were to become involved in total war we would, because of its suddenness and immensity, have to fight that war with the materials at hand. If we shall have been smart enough to stock the strategic materials which are needed in order to build the war machine that will be necessary to fight a total war, if we shall have enough airplanes and guns at hand, we might be able to survive. But if we think we are going to fight the next war, assuming it is a total war, in the way we fought the Second World War, in my opinion, we shall be sadly disillusioned. A total war will come upon us very suddenly. On the basis of such production as we have relied upon in the past, I doubt that we shall have on hand sufficient materials of war with which to fight a war which will come upon us suddenly.

If we have stockpiles of materials ready to fight; if we have stockpiles of A-bombs and H-bombs; if we have plenty of other weapons on hand, it may be that we shall have time. It may be that upon the extent we have stockpiled such weapons and materials will depend our very lives.

So I agree with the Senator from Nevada that to speak about fighting a war in order to protect communication lines, so that we may be able to obtain

rubber from Indochina and other critical materials from Africa, is today somewhat unrealistic. We had better have the essential materials in advance.

In that connection—and I am certain the Senator is anxious to end this debate—I wish to congratulate the Senator on the splendid job which he is doing in the matter of pointing out the resources which are strategic and which are in short supply. All of us should concern ourselves about this problem. Our chief concern should be whether we have enough of such resources, or how soon we can get them here. I know that, as a member of the Committee on Interior and Insular Affairs, the Senator from Nevada has long been interested in this subject. I think he is the best expert in the Senate with respect to mining and mineral production. I wish to congratulate him on the work he is doing in this particular field, because it is essential to our very existence.

Mr. MALONE. Mr. President, in closing, I should like to say that the testimony of outstanding military strategists has been that the successful transportation of such materials across major oceans would be highly problematical; that the dependable sources of supply will be located in the Western Hemisphere; that the Western Hemisphere can be defended. Therefore, such opinions may help us separate our objectives if we should enter into another war. All the speeches which have been made in the past two decades, and which are still being made, to the effect that we must defend certain territories across major oceans in order to be able to secure materials will be exploded.

Mr. SMATHERS. I should like to thank the Senator from Nevada, and try to make it clear once again that I do not think he is advocating—certainly I personally am not advocating—what might be called Western Hemisphere isolationism. We are not advocating that at all. What I think the Senator from Nevada is saying, and what I am trying to say, is that we should watch where we are putting our emphasis. We should put emphasis on those countries closest to us. We should begin to worry because of the possibility that countries which have stood with us in the past may not do so in the future. They may not have the necessary materials to enable them to do so. We may be reduced to a defense of this hemisphere. That may happen, and we should be ready to deal with such a situation in the event it should develop.

Mr. MALONE. Without wishing to extend the discussion of the subject unduly, I think what was really meant by the experts is that we should protect those areas of the world which we desire to protect and can protect. We must build long-range planes. At the moment we do not have the material to build planes of higher efficiency that will cover the areas necessary to attain such an objective. If this country is to protect parts of Europe, Africa, and the Far East, it will have to be done from the United States. In the event of war, at first we could only protect our own transportation lines in the Western Hemisphere, and then we would gradually enlarge the areas covered as we gained air superiority. So far as sending foot soldiers to foreign areas is concerned, all the testimony before the committee is that they would be on the way to the salt mines or would be dead within a week.

Mr. SMATHERS. Mr. President, I yield the floor.

RECESS

Mr. MALONE. Mr. President, under the order previously entered, I move that the Senate now stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Friday, May 21, 1954, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 20, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, we rejoice that Thou art able and always willing to help us solve our problems and conquer our difficulties.

Grant that we may not be scornful of our duties and callous to our responsibilities or cynical in our attitudes toward life when the candle of hope burns low and our faith has in it so little of trust and adventure.

May our confidence in Thee and in the triumph of righteousness never become eclipsed when evil and sinister forces threaten to destroy the peace and security of the world.

Show us how we may bridge the chasms which divide the members of the human family, and how we may break down those barriers of pride and prejudice which keep men and nations from doing their very best for one another.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3090. An act to authorize the transmission and disposition by the Secretary of the Interior of electrical energy generated at Falcon Dam on the Rio Grande.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8583. An act making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SALTONSTALL, Mr. BRIDGES, Mr. FERGUSON, Mr. CORDON, Mr. HICKENLOOPER, Mr. MAYBANK, Mr. HILL, and Mr. ELLENDER to be the conferees on the part of the Senate.

WHO IS SHIELDING SUBVERSIVES IN THE ARMY?

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, Maj. Gen. C. H. Gerhardt, a retired Army intelligence officer, issued a statement on last Saturday, in which he charged that 24 civilian employees of the Second Army at Fort Meade, Md., were on a subversive list but undoubtedly were protected by someone within the Department of the Army.

If this is true, Mr. Speaker, then the Armed Services Committee of this House should compel the attendance of this retired officer at a hearing where all the facts within his knowledge could be ascertained.

Mr. Speaker, General Gerhardt charged and I quote:

> In the cases of some of these civilians, we would carry the removal proceedings successfully through every stage upward, only to have these cases, in every instance, reversed by the President's Loyalty Security Review Board.

Now, that is a serious charge and the House of Representatives is entitled to know the composition of the President's Loyalty Security Review Board and they should be summoned to testify before a House committee also.

Mr. Speaker, is it true as has been charged that this review board is composed of holdovers from the previous administration? At least, the public is entitled to know who they are and whether or not the charges made by General Gerhardt are true.

I repeat that this is a matter that the proper House committee should investigate.

The newspaper article is as follows:

> SUBVERSIVES KEPT ON AT FORT MEADE, SAYS GENERAL GERHARDT
>
> A retired Army intelligence major general charged yesterday that the loyalty security review boards have been keeping subversives on the payroll at Fort Meade, Md.
>
> Maj. Gen. C. H. Gerhardt said, in Miami, Fla., that 24 civilian employees of the Second Army headquarters at Fort Meade had been shielded.
>
> "In the case of some of these civilians," he said in an interview with the Miami Herald, "we would carry the removal proceedings successfully through every stage upward, only to have these cases—in every instance—reversed by the President's Loyalty Security Review Board."

"SOMETHING TO BUSINESS"

The general, who retired 18 months ago after 5 years as Second Army intelligence officer, said it took him 2 years to realize fully that "there really was something to this infiltration business."

He said he didn't know whether any subsequent action was taken on the cases and did not identify any of the persons.

The Army had no immediate comment.

Senator McCARTHY, Republican, of Wisconsin, has been contending during hearings on his row with the Army that the review board was keeping Communists in office. The Army has rejected the Wisconsin Republican's request that board members be called as witnesses before his Investigations Subcommittee on grounds that they are quasi-judicial officials and should not be questioned on loyalty matters.

THREE REPUBLICANS TESTIFY

Last week three Republican members of the subcommittee inquiring into the Army-McCarthy row took the witness stand to testify an attempt to summon five members of the Army review board was closely connected with charges that the Senator and his counsel, Roy Cohn, exerted undue pressure to obtain preferential treatment for Pvt. G. David Schine.

Senator McCARTHY could not be reached for comment on the Gerhardt statement.

AMENDING ACT OF SEPTEMBER 3, 1935

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2828) to amend the act of Congress of September 3, 1935 (49 Stat. 1085), as amended, with Senate amendments thereto, insist on disagreement with the Senate amendments, and ask for a further conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. D'EWART, HARRISON of Wyoming, BERRY, ENGLE, and ASPINALL.

AMENDING RECREATION ACT OF JUNE 14, 1926

Mr. MILLER of Nebraska. Mr. Speaker, I call up the conference report on the bill (H. R. 1815) amending the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1605)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) amending the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, and 6 and the amendment to the title, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

Strike the words "or otherwise"; and the Senate agree to the same.

WESLEY A. D'EWART,
JOHN P. SAYLOR,
KEN REGAN,
WAYNE N. ASPINALL,
Managers on the Part of the House.

HUGH BUTLER,
EUGENE D. MILLIKIN,
By B.
GUY CORDON,
JAMES E. MURRAY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) amending the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1: Requires any grantee or lessee under the bill to show a definite purpose for any tract of land, before the land is conveyed or leased.

Amendment No. 2: Exempts wildlife refuges, the revested Oregon & California Railroad grant lands in the State of Oregon, and the reconveyed Coos Bay Wagon Road grant lands, Oregon, from the application of this act.

Amendment No. 3: As approved by the Senate, this amendment would have given either the House or Senate Interior and Insular Affairs Committee a veto over any proposed disposal of land valued at $5,000 or more. The Senate conferees receded from this amendment, concurring in the opinion of the House conferees that it would represent an infringement by the Congress over the normal functions of the Executive.

Amendment No. 4: Provides authority for sale of lands, particularly in Alaska, to nonprofit organizations and deserving charitable groups. This will expedite sale of land in such cases and will eliminate the necessity for a private bill in each individual instance. The amendment has been amended by striking the words "or otherwise" from the phrase "appraisal or otherwise".

Amendments Nos. 5 and 6: Perfecting amendments made necessary by the adoption of amendment No. 4.

The title has been amended to better explain the purpose of the bill.

WESLEY A. D'EWART,
JOHN P. SAYLOR,
KEN REGAN,
WAYNE N. ASPINALL,
Managers on the Part of the House.

The conference report was agreed to, and a motion to reconsider was laid on the table.

ONE NATION UNDER GOD

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, I have introduced today in the House a House joint resolution which has for its purpose the amendment of the pledge of allegiance to the flag by inserting the words "under God," which will make the phrase read, "one nation under God, indivisible."

The United States is one of the outstanding nations of the world standing foursquare on the principle that God governs the affairs of men. In the pledge of allegiance to the flag no mention is made of this great foundation stone of the American Republic.

When our forefathers assembled to write the Constitution, it was proposed by Benjamin Franklin that each session be opened with prayer, for, said he:

I have lived a long time, and the longer I live, the more convincing proof I see of this truth, that God governs the affairs of man. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

Billy Graham, the dynamic evangelist, was right when he recently said in the Nation's Capital:

We are directing the Ship of State, unassisted by God, past the reefs and through the storms of time. We have dropped our pilot, the Lord Jesus Christ, and are sailing blindly on without divine chart or compass, hoping somehow to find our desired haven.

This troubled world seeking ways to solve its problems should be turning increasingly to those inexhaustible spiritual resources of divine strength and moral courage as a practical way to rebuild better government, better society, and every human activity in a misguided and troubled world beset with wars, greed, and selfishness. How these fundamental spiritual values can be applied to solve the problems that face the world today is your problem and mine, and may indeed determine the destiny of this great Republic.

The world is sick and in trouble. The nations of the world are beset on every hand with problems which are taxing the brains of the wisest citizens of every nation to find a solution. In our own generation the world has been devastated by two worldwide conflicts of arms which have cost millions in lives and billions of dollars in treasure and left many of the nations bankrupt, not only in material goods but in spiritual values as well. Many leaders of world thought are more and more coming to the conclusion that to settle the ills of the world we must draw upon spiritual values rather than material. Bombs and guns have been tried and have failed.

Mr. Speaker, it is well that when the pledge of allegiance to the flag is made by every loyal citizen and by the schoolchildren of America, there should be embodied in the pledge our allegiance and faith in the Almighty God. The addition of the words "under God" will accomplish this worthy purpose. Upon the adoption of this amendment the pledge of allegiance to the flag will read as follows:

I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE BATTLE FOR THE FORTRESS OF DIEN BIEN PHU FURTHER POINTS UP THE NEED FOR USING MALE NURSES IN THE FRONT LINES

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, as you know, I have been working for many years to attain commissioned status for men nurses in our armed services. The services have never given commissions to men who have had full nursing training, but have used them as corpsmen, wardmen, and specialists of various kinds with the ratings of enlisted men. In many cases the qualified man nurse finds himself assigned to some duty which has no relation whatsoever to his nursing training.

The battle for the fortress of Dien Bien Phu further points up the need for using male nurses in the front lines. In the hell of Dien Bien Phu was a single woman, Genevieve de Galard-Terrabe, an airborne nurse. She was blockaded in the fortress when her airplane could not take off on account of a punctured tire. Helping the doctors, who worked in the hospital day and night, this young woman of 29 witnessed the tragedy of the wounded of Dien Bien Phu. Her gallantry will long be remembered. As Cpl. Didier Lecomte, a parachutist evacuated in the first batch of wounded, said:

> She was wonderful, always smiling and cheerful as she moved from one bed to the next and doing everything in her power to make us rest easier.

It is true that Genevieve was the "Angel of Dien Bien Phu," Mr. Speaker, but a military commander, knowing of the tremendous risks involved in such an operation would never intentionally place a woman's life in such jeopardy. Nevertheless, fightingmen need trained, graduate nurses at the front. If these nurses were men they could be assigned to combat areas alongside their gun-bearing comrades.

It is easy to see how necessary and important it is for us to have male nurses in our armed services in case we should be engaged in such fighting—and we pray we will not be.

My bill—H. R. 7898—would authorize male nurses and medical specialists to be appointed as Reserve officers in the three branches of our armed services. The enactment of such a measure will have the strong effect of encouraging more capable young men to enroll in schools of nursing. It would give a stature to the man nurse that he has not had. This has often discouraged him from taking such training.

We need all the nurses we can get—both male and female. H. R. 7898 would provide a group of Reserve officers for whom there is great need in peace or war. At all times they could be utilized in psychiatric wards and on other assignments too severe for the average woman. In time of war we would call on these male nurses to apply their training in areas where we should never ask a woman to serve.

AMENDMENT OF THE SECURITIES ACT OF 1933, THE SECURITIES EXCHANGE ACT OF 1934, THE TRUST INDENTURE ACT OF 1939, AND THE INVESTMENT COMPANY ACT OF 1940

Mr. BENNETT of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940 with House amendments thereto, insist on the House amendments and agree to a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WOLVERTON, DOLLIVER, HESELTON, BENNETT of Michigan, PRIEST, HARRIS, and ROGERS of Florida.

THE LATE B. FRANK WHELCHEL

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, on Tuesday, May 11, of this year, at about 8 o'clock in the morning, a former Member of Congress from the Ninth District of Georgia, the Honorable B. Frank Whelchel, died suddenly in Gainesville, Ga. Mr. Whelchel was 58 years old, and since his retirement as a Member of the House of Representatives he had actively engaged in the business and civic life of his beloved north Georgia and Hall County. Mr. Whelchel was extremely active and possessed particular skill as a trial lawyer which carried him to the forefront among the active members of the bar of his region. As a matter of fact, on the day before his death he had been in attendance at the regular May term of the Hall County superior court and was engaged in the trial of a very important case. In the CONGRESSIONAL RECORD of Tuesday, May 18, through the extension of my remarks, I have provided the membership with an opportunity to read an editorial from the Gainesville (Ga.) Daily Times about Mr. Whelchel, and I invite your attention to this splendid eulogy by his home paper.

Mr. Whelchel represented Georgia's Ninth District, the district I am presently honored to serve, for five consecutive terms, from 1935 until his retirement at the close of the 78th Congress in 1944. During his tenure of service, he established himself as one with a keen and sympathetic understanding of all people everywhere and endeared himself to those with whom he served as a warm and kindly friend of all humanity.

Probably no one has come to the Congress from Georgia who possessed a more intimate knowledge of his constituency than did Frank Whelchel. His naturally cheerful, and friendly, attitude made him well and favorably known to people from all walks of life. No man ever received more intense loyalty from his friends than did Frank. Frank was a hard fighter, and pulled no punches whether he was engaged in a political campaign or whether he was engaged in the trial of a law suit involving the rights of some unfortunate individual. However, when the fight was over he was the sort of fellow who could easily forget the wounds of battle and unite with friend and foe alike to spread cheer and good feeling among everybody. This typical American characteristic possessed by Frank enabled him to live his life and go to his reward with a host of friends throughout Georgia, and this Nation.

I am glad to have had the privilege of knowing Frank Whelchel and I am happy that I was able to observe the many fine qualities which endeared him to his thousands of friends. I join with them and with you in expressing sympathy to his widow and to his family.

SEPARATE BUT EQUAL TREATMENT

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, on last Monday nine members of the United States Supreme Court assumed to themselves the authority to amend the Constitution of the United States. In overruling a decision which had been basic law in this country for 57 years, they strayed far afield from their constitutional authority to outlaw State laws providing for separation of the races. Mr. Speaker, this is a serious threat to the division of powers under our Constitution. It is an attack both on the integrity of the United States Congress, which is the legislative branch, and it is also an attack on the integrity of the Constitution, which can be changed properly only through amendments approved by three-fourths of the State legislatures.

Now, Mr. Speaker, recognizing this, and the fact that we have had numerous opportunities to amend the Constitution, I think it significant that the issue has never been submitted to the people. Therefore, I am introducing today a constitutional amendment, which would rewrite into our basic law the age-old and time-honored 57-year-old "separate but equal" doctrine. This amendment, if ratified by the States, would restore to the States the right—which is properly theirs—to provide school facilities for white and colored on a separate or segregated basis if they so desire; provided, of course, that facilities are equal. I hope, Mr. Speaker, that the Congress will

have the courage to submit this amendment to the people, and thus give them an opportunity to speak for themselves on an issue which is so vital to their own welfare.

SPECIAL ORDER GRANTED

Mr. PRICE asked and was given permission to address the House for 30 minutes on Monday next, following any special orders heretofore entered.

THE RIGHT OF A LEGISLATIVE BODY TO OBTAIN INFORMATION FROM AN EXECUTIVE DEPARTMENT

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the press carries statements that there seems to be some difference of opinion as to whether a committee of the other body has the right to certain information.

On the 13th day of May 1948, the House passed House Joint Resolution 342. It reads as follows:

Joint resolution directing all executive departments and agencies to make available to any and all standing, special, or select committees of the House of Representatives and the Senate information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress

Resolved, etc., That all executive departments and agencies of the Federal Government created by the Congress, and the Secretaries thereof, and all individuals acting under or by virtue of authority granted said departments and agencies, are, and each of them hereby is, authorized and directed to make available and to furnish to any and all of the standing, special, or select committees of the House of Representatives and the Senate, acting under the authority of any Federal statute, Senate or House resolution, joint or concurrent resolution, such information, books, records, and memoranda in the possession of or under the control of any of said departments, agencies, Secretaries, or individuals as may, by any of said committees, be deemed to be necessary to enable it to carry on the investigations, perform the duties, falling within its jurisdiction, when requested so to do: *Provided*, That said request shall be made only by a majority vote of all the members of the committee voting therefor at a formal meeting of the committee: *And provided further*, That if the committee be a committee created by the Senate, upon approval of the President or President pro tempore of the Senate: *And provided further*, That if the committee making such request be a committee created by or acting under the authority of the House of Representatives, upon approval of the Speaker or Acting Speaker of the House of Representatives, such majority vote of the committee to be shown by a certificate of the chairman of the committee, countersigned by the clerk; the approval of the President or President pro tempore of the Senate or the Speaker or Acting Speaker of the House of Representatives to be shown by a letter over his signature. Any officer or employee in any such executive department or agency who fails or refuses to comply with a request of any committee of the Congress made in accordance with the foregoing provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding 1 year, or both, at the discretion of the court.

SEC. 2. When, by virtue of section 1, any committee of the Congress shall have received information, books, records, or memorandums from any of the departments, agencies, Secretaries, or individuals in pursuance of a request made under the authority of said section, it shall forthwith, by majority vote of the membership of said committee, determine what, if any, part of such information shall be made public and what part shall be deemed to be confidential, and it shall thereafter be unlawful for any member of said committee or any employee thereof to divulge or to make known in any manner whatever not provided by law to any person any part of the information so disclosed to said committee and which has by said committee been declared to be confidential; and any offense against the foregoing provision shall be a misdemeanor and shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both, at the discretion of the court; and, if the offender be an employee of the United States, he shall be dismissed from office or discharged from employment.

SEC. 3. It shall be unlawful for any individual, while or after holding any office or employment under the United States Government, to appropriate or take custody of, for his own unofficial use or the unofficial use of any other person, any papers, documents, or records (other than those which are of a character strictly personal to him) to which he has or had access solely by reason of holding or having held such office or employment. Any individual who willfully violates this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000, or by imprisonment for not exceeding 1 year, or both, at the discretion of the court.

SEC. 4. If any provision of this joint resolution, or the acceptance of such provision to any person or circumstance, is held invalid, the remainder of the joint resolution, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 5. Nothing contained herein shall alter the procedure for inspection of tax returns by committees of Congress prescribed by section 55d of the Internal Revenue Code: *Provided*, That nothing herein contained shall alter any provision of law which expressly protects from disclosure specified categories of information obtained by executive departments and agencies.

SEC. 6. This joint resolution shall become effective on the 10th day after the date of its enactment.

It was not passed by the other body. Had it been there would be no difficulty at the present time. Those who are interested will find the report is No. 1595, 2d session of the 80th Congress, 1st and 2d reports.

INVESTIGATION OF WELFARE FUNDS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 543, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of the studies and investigations to be conducted pursuant to House Resolution 115 by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed $75,000 additional, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

Mr. LECOMPTE. Mr. Speaker, I should like to say to the Members of the House that this resolution provides the money for an investigation of welfare funds by the Committee on Education and Labor. Such investigation has been recommended by the President. Enormous funds have been set up by labor administration of some of these welfare funds. The committee, in a preliminary survey, seems to have found that there have been inordinate expenses in the administration of some of the welfare funds. Millions of workingmen are depending on welfare funds. For the protection of these people we want an investigation into the handling of the great welfare funds, to see that they are properly administered and not dissipated and wasted.

The resolution has had the unanimous support of the Committee on House Administration.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, what the gentleman has said is all too true. An investigation into the expenditures and mismanagement—yes, I might say, the stealing of welfare funds—was begun back in 1953 by a special subcommittee appointed by me but which was liquidated by the full Committee on Government Operations on July 15, 1953. I understand that a committee from the other body is investigating the same subject at this time. There is no question but that the losses from those funds, which in reality belong to employees, usually members of the unions, amounting to millions of dollars, have occurred.

From what I know of the subject matter, having made some study of it, there is, in my judgment, no reason why the pending resolution should not be adopted. It is a little late, but let us remember the old saying, "Better late than never."

I hope the resolution will be approved without an appreciable number of votes cast against it. My vote for it is not, however, acquiescence in the argument that the Committee on Government Operations does not have jurisdiction over the subject..

Mr. LECOMPTE. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, I wanted to ask this question concerning the Committee on Education and Labor. There has been some controversy in the past and there was supposed to have been

a clear-cut understanding of the fields of operation of this committee and the Government Operations Committee. I should like to ask the gentleman if his Committee on House Administration, that is allocating these funds, has any information as to whether the Bender committee is going to continue in this same field, so that there will be a duplication of operations. Or are they going to pull out of this field?

Mr. LECOMPTE. The Bender subcommittee, I might say to the gentleman, has a resolution for an appropriation of $100,000 for continuing their investigation, but that is in another field. We were told that there is not any conflict of jurisdiction.

Mr. WIER. Of course, we had the tussle over the resolution here some 5 or 6 weeks ago, trying to clarify that.

Mr. LECOMPTE. The Committee on House Administration has not yet acted on the resolution. That is not before the House yet.

Mr. WIER. It so happens that since that resolution as to jurisdiction was discussed here, the Bender committee has had some hearings and gone into this field of union welfare funds.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield to the gentleman from Indiana.

Mr. HALLECK. The resolution that is before us today has to do with the Committee on Education and Labor. This investigation is clearly within the province of that committee, that is, the investigation per se of the management of welfare funds. As I understand, the resolution that is shortly to be considered with respect to the Bender committee is so drafted as to limit the operation of that committee to bring it within the words of the resolution which created it.

Mr. LECOMPTE. That is correct, but it is not before the House today.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield.

Mr. HOFFMAN of Michigan. The gentleman made the statement, as I understood him, or the gentleman from Minnesota made the statement that there had been some agreement about the jurisdiction of these respective committees. As a member of the Committee on Government Operations, I want to state here and now that my support of this particular resolution is no acquiescence in the statement that there has been an agreement as to jurisdiction. There are two committees operating in this field, and I am a member of both.

Mr. LECOMPTE. I did not say there had been any agreement as to jurisdiction, I said that the House Administration Committee had looked into the proposition of conflicting jurisdiction. It does not appear that there is any conflict of jurisdiction in the adoption of this resolution.

Mr. HOFFMAN of Michigan. I was replying more directly to the gentleman from Minnesota, that is all. I wanted the record clear.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

AMENDMENT OF ACT OF JULY 5, 1949

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 481) to amend the act of July 5, 1949 (Public Law 157, 81st Cong.).

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the second proviso of the act of July 5, 1949 (Public Law 157, 81st Cong.), is amended by striking out "5 years" where it appears therein, and inserting "10 years."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMORIAL TO THE MEMORY OF MOHANDAS K. GANDHI

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 508) to extend the time for the erection of a memorial to the memory of Mohandas K. Gandhi.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the act of September 28, 1949 (63 Stat. 699, ch. 587), relating to the erection of a memorial to the memory of Mohandas K. Gandhi is hereby amended by striking out the words "within 5 years from the date of approval of this resolution" and substituting in lieu thereof the words "by September 28, 1959."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINTING ADDITIONAL COPIES OF THE REPORT ENTITLED "EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS"

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 230) providing for 20,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations," and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 20,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations;" and that 10,000 copies shall be for the use of the Committee on Foreign Affairs and 10,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Foreign Affairs.

With the following committee amendments:

Line 2, strike out "twenty" and insert "thirty."

Line 6, strike out "ten" and insert "twenty."

The committee amendments were agreed to.

The concurrent resolution was agreed to.

The title was amended so as to read: "Concurrent resolution providing for 30,000 additional copies of the report entitled 'Eighth Session of the General Assembly of the United Nations'."

A motion to reconsider was laid on the table.

JOINT MEETING TO RECEIVE HIS IMPERIAL MAJESTY, HAILE SELASSIE, EMPEROR OF ETHIOPIA

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Friday, May 28, 1954, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in a joint meeting the Emperor of Ethiopia, His Imperial Majesty Haile Selassie.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND AUTHORIZING THE SPEAKER TO SIGN BILLS AND RESOLUTIONS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the call of the calendar in order on Wednesday next may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask for this time in order to announce the program for next week.

Monday is District day. As yet, it has not been determined whether there are any bills that will be ready, but if any are ready, I am quite sure they will not be of a controversial nature.

We expect to call up the legislative appropriation bill on Tuesday. I do not know how soon it may be disposed of, but whatever time is necessary, of course, we will devote to the passage of that bill.

I am hopeful that the Committee on Armed Services can report the military public works bill so that it may be disposed of on Wednesday and Thursday of next week.

Of course, the unanimous consent request granted for Friday, May 28, to receive His Imperial Majesty, the Emperor of Ethiopia, in the Chamber is a matter of great consequence and importance, and I sincerely trust that as many Members as possible will be here on Friday, a week from tomorrow for that occasion.

HON. THOMAS A. JENKINS, OF OHIO

Mr. VORYS. Mr. Speaker, by agreement with the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON], who has a special order for this time, I ask unanimous consent to address the House for 15 minutes, and also to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, I am sure all of my colleagues, especially those from Ohio, want to join me in a tribute to our colleague, the gentleman from Ohio, Hon. THOMAS A. JENKINS, for another unique service to our State and Nation in the completion and dedication of the rotunda frieze.

We in Ohio recognize in him a rare combination of ability to visualize something that needs to be done that others could have seen but missed, and persistence and perseverance in carrying out his vision. Ohio Drive here in Washington is an example, the result of his ability and a monument to his efforts.

For 65 years the unfinished frieze in the Capitol rotunda, with its near circle of historic frescoes by Brumidi and Costaggini ending in an unsightly 30-foot stretch of raw plaster, had been a source of mixed feelings to thousands of Americans, appreciation for the finished part, puzzlement and dissatisfaction at the unfinished gap. Thousands of tourists asked about it. Those of us who serve on Capitol Hill noticed it; a few tried to do something about it; no one succeeded until TOM JENKINS came along.

For years he had tried to obtain for the Ohio Wright brothers, who had been his friends, the credit to which they were entitled by reason of their having given to the world the first airplane. He noted the gap in the frieze, the break in the pictured history our country, beginning with the landing of Columbus on through the landing of the Pilgrim Fathers, the signing of the Declaration of Independence, and other great events. He found that while the artist Brumidi's work had been stopped by his death in 1880, disagreement as to further designs had stopped the work of Costaggini. He conceived the vision that man's conquest of the air, the contribution of the Wright brothers, of Ohio, to the Nation, to the world, should complete the circle. Then he went to work. He introduced various bills. He was stopped time and again, but finally, after indefatigable efforts, the Jenkins resolution became law in the 81st Congress. The Joint Committee on the Library had amended the resolution to include the Civil War and the Spanish-American War before the final panel, showing the birth of aviation, and selected Allyn Cox, a distinguished fresco artist, to do the painting. TOM JENKINS, however, continued his interest and helped in the selection of subject matter for the panels. For instance, there were tactful discussions with southern Congressmen on the Civil War panel, which resulted in depicting, not scenes of carnage between the North and South, but the final friendly meeting of the soldiers of the blue and the gray. The work of completing the new panels and restoring the originals was finished last fall.

But this was not the end of TOM JENKINS' efforts. He then convinced the Committee on the Library, which has charge of such matters, that this frieze was of such importance that it should be formally dedicated. The committee instructed him to proceed with plans for the dedication. He personally invited the President, convincing him not only of the historic importance of the occasion but of the appropriateness of having the President join with the official leaders of Congress, reminding him that the building where the House and Senate meet is the Capitol of the United States.

The ceremony of dedication on May 11 was most unusual. As was appropriate, TOM JENKINS, author of the frieze completion law, presided. Over a thousand people attended, although admission was by invitation. The Members of the House and Senate sat in front of the speaker's stand. There was music, an invocation, remarks by Mr. JENKINS, by Vice President NIXON, and Speaker MARTIN. Then Mrs. COX, wife of the artist, pressed the button which illuminated the new portion. This was followed by a brief, informal, but appropriate and inspiring address by the President. Then came the benediction.

This ceremony was impressive. It might have been dull, but it was enlivened by the informal, folksy way in which TOM JENKINS conducted it. Ray Scherer, White House radio news reporter, who was present, gave a report which, although I do not necessarily agree with all of it, conveys the atmosphere of the meeting. Here is his report:

The President drove to the Capitol today, took a seat on a flag-covered platform in the rotunda, and dedicated the historical frieze, which has finally been completed—three new panels representing the Civil War, the Spanish-American War, and the Wright Brothers.

Quite a bit of congressional oratory, much of it on the lighter side, preceded the President's appearance. But finally, with the TV lights on and the newsreel cameras turning, the President rose to say no man could find words to describe the color and romance, the dignity, and majesty of this spot.

He said the quest for peace must soon lead to some kind of fruition or the alternative is bleak indeed. In that sense and in that spirit, the President concluded: "I dedicate this frieze to the future of America."

It was a moving, if not a significant speech, and the President delivered it eloquently. Before he spoke the President laughed as heartily as aides have seen him laugh in a long time. The cause of the merriment, and it was something everybody in the rotunda shared, was THOMAS JENKINS, the remarkable Congressman from Ohio, chairman of the occasion, the man who introduced the bill to complete the frieze.

Congressman JENKINS has the Will Rogers touch. Everything he did and said today seemed to be funny and it brought honest laughter to what might have been a solemn, if not dreary, occasion.

For instance, the program listed Senator JOSEPH MCCARTHY as a member of the committee. There was a seat for the Senator on the platform near the President. "Is Senator MCCARTHY here," said Mr. JENKINS over the loudspeaker. "I have not seen Senator MCCARTHY." The way he said it was funny and the President laughed. Mr. JENKINS thereupon said, "I'd like to introduce my guests as fast as I can without being too fast about it."

While all of us who were there were interested, amused at times, and inspired at other times, there was one person who especially appreciated the meeting. I was able to obtain a copy of a letter from the President to TOM JENKINS. Here it is:

THE WHITE HOUSE,
Washington, May 14, 1954.

The Honorable THOMAS A. JENKINS,
House of Representatives,
Washington, D. C.

DEAR TOM: Thanks very much for your letter about the impressive rotunda ceremony. I thought you handled the program exceedingly well, and I deeply appreciate your taking the time and interest to let me know of the reactions to my informal dedicatory remarks.

It was a pleasant, inspiring occasion. I was honored by your invitation to participate in it.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

OUR FOREIGN POLICY

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 30 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I have listened over the period of the past few weeks to remarks made from time to time by some of the leaders of the Democrat Party in the House that there was a lack of bipartisanship on foreign policy existing since the Eisenhower administration came into power on January 20, 1953. I have heard this same idea echoed by other of my Democrat colleagues here in the House, and this same point of view has been promoted in the press and on radio by certain columnists, commentators, and

newswriters who strangely seem to always take the particular political line being advanced at the time by the Democrat Party leaders. I say "strangely" because these columnists, newswriters, and commentators profess to be, and hold themselves out to the public to be, objective reporters. Incidentally, I think it is time they threw off their disguise—it is becoming entirely too shabby—and admit that they are partisan politicians posing as newsmen. I do not object to their holding the views they hold or promoting these views, much as I disagree with them. I object only to the deliberate deception they work on the public who expect to read and hear unslanted and unbiased news from professional newsmen.

The campaign to make the people believe that the Eisenhower administration has not been following a bipartisan approach to foreign policy is reaching high gear. It keeps on rolling in spite of the facts which have been presented revealing it is made up almost entirely out of whole cloth. Last Sunday, May 16, 1954, the St. Louis Post-Dispatch editors picked up the theme in an editorial entitled "Words Are Not Enough." I would not take the time of the House to discuss a newspaper editorial if it were not for the fact that over a period of the past 4 years I have found that the editorial page of the St. Louis Post-Dispatch, along with that of the Washington Post, is a pretty good indicator of the propaganda line being adopted by the New Deal wing of the Democrat Party at that particular time.

The St. Louis Post-Dispatch editorial professes to discuss a speech the Republican majority leader of the Senate gave on the floor of the Senate on May 11, 1954. I am inserting into the RECORD a copy of the editorial.

Mr. Speaker, I ask unanimous consent that I may insert this editorial from the St. Louis Post-Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

(The editorial referred to follows:)

[From the St. Louis Post-Dispatch of May 16, 1954]

WORDS ARE NOT ENOUGH

The country has heard more from high-ranking officials about bipartisanship in foreign policy since the situation in Indochina became critical than in the preceding 15 months of the Eisenhower administration.

This is not to say that the President himself has not on several occasions, going back more than a year ago, said that members of both parties should join hands to present a united front to the world. Mr. Eisenhower has said just that. The trouble is there has been little if any implementation of the President's sentiments.

It is only in this past week that Senator KNOWLAND, the administration leader in the Senate, has formally repudiated the accusations against the honor and patriotism of the Democratic Party. Appealing for a new national unity in a period of world crisis that might involve the "very life of the Republic," the California Senator said in a major speech:

"Republicans and Democrats alike should and do resent any reflection upon the patriotism and the devotion to public service of our two great political parties and the lesser ones that now, and from time to time in the past, have played a part in our constitutional system wherein the right of the people to change their public officials and even their fundamental law by constitutional means is an integral part of our free way of life.

"Let us here and now, Republicans and Democrats alike, recognize the fact that there is only one group that can be properly charged with being the "party of treason" and that is the Communist Party and the underground conspirators who may, in the interests of the Communist Party, seek to infiltrate whichever party has the responsibility for determining national policies."

This is a sound statement and it is to Senator KNOWLAND's credit that he has made it. But it would have been infinitely better had it come 3 months ago when Senator MCCARTHY, of Wisconsin, and his cohorts were disgracing Lincoln's birthday by condemning the Democratic Party as the "party of treason." Certainly it would have been better if Senator KNOWLAND had spoken before a very pointed prompting from former President Truman.

For it was only 1 day before Mr. KNOWLAND made amends in the Senate that Mr. Truman told the National Press Club: "Traitor and treason are words you can't use in friendship. They make a very poor steppingstone to bipartisan cooperation. If the President wishes a bipartisan foreign policy, it is his responsibility to make one possible."

And so it is. Franklin D. Roosevelt, when President, made bipartisanship possible by giving Republican Senator Arthur H. Vandenberg of Michigan virtually equal status with Democratic Senator Tom Connally in the development of foreign policy. This was continued in the Truman administration. It made almost no difference whether Mr. Vandenberg or Mr. Connally was chairman of the Senate Foreign Relations Committee. They worked together so harmoniously that the bipartisan approach provided both unity and continuity.

Yet Secretary of State Dulles seems to think that the same kind of bipartisanship has existed in the Eisenhower administration. At least he says he feels nothing but satisfaction and cites the continuation of David K. E. Bruce as evidence of it.

Secretary Dulles' example falls so far short that it is hard to believe he presents it seriously. Mr. Bruce, it is true, was Under Secretary of State for a while when Dean Acheson headed the State Department, and this same Mr. Bruce now is United States representative to the European Coal and Steel Community.

But Secretary Dulles cannot possibly mean that the continuation of this lone Democrat, who has never held political office, in a minor post compares with the series of major diplomatic assignments Mr. Truman gave to Mr. Dulles himself. Senator JOHN SHERMAN COOPER, the ex-Senator Warren Austin, the later Senator Dwight Griswold—a notable list of Republican officeholders, called for diplomatic service, could be added to Mr. Dulles' own case.

There is a big difference between "briefing" congressional leaders and working out policy with them. Ernest K. Lindley, a careful and informed Washington observer, writes in the current Newsweek that for more than a year before the Indochinese crisis the Eisenhower administration "spurned bipartisan practices and seemed intent on forcing the Democrats to make issues of foreign policy by insidious attacks on the Truman regime. Bipartisanship could be restored and public opinion mobilized if the President decides to take the necessary steps."

Words of apology help. But they are not enough. It will take more than generalities—particularly when a congressional election is little more than 5 months off.

Mr. CURTIS of Missouri. I hope that all Members of the House will read Senator KNOWLAND'S speech to which it refers, appearing on pages 6353–6359 of the May 11, 1954, CONGRESSIONAL RECORD, and then reach their own conclusion on the fairness of the editorial and, more important still, on the fairness of the charge that the Eisenhower administration is not conducting a bipartisan approach to foreign policy.

I wish to call attention to certain points appearing in the editorial and examine them briefly—we have heard them all from time to time on the floor from the lips of leaders of the Democratic Party. I quote:

The country has heard more from high-ranking officials about bipartisanship in foreign policy since the situation in Indochina became critical than in the preceding 15 months of the Eisenhower administration.

My comment: This is undoubtedly so for two reasons:

First, Foreign affairs have reached a highly critical state since the Indochina situation became critical.

Second, the administration was charged, beginning around this time, with not having a bipartisan approach. Its spokesmen, of course, have been interested in setting the record straight publicly. I quote:

The trouble is there has been little if any implementation of the President's (expressed) sentiments (about wanting a bipartisan foreign policy).

My comment: Let us look at the record; it is set out clearly in detail on pages 6355, 6356, 6357 of the CONGRESSIONAL RECORD of May 11, 1954. A recapitulation of this detail shows that since January 20, 1953, up to May 11, 1954, the following bipartisan consultations were held by Secretary Dulles, Undersecretary Smith, and the Assistant Secretaries of State:

(a) Secretary Dulles has held private consultations with Senate and House Members of the Congress from both parties 14 times.

(b) Under Secretary Smith has held such private consultations three times.

(c) Secretary Dulles has held consultations with the Senate Foreign Relations and House Foreign Affairs Committees and their subcommittees 17 times.

(d) Undersecretary Smith has held such committee and subcommittee consultations three times.

(e) Assistant Secretaries have held such committee and subcommittee consultations 22 times.

Secretary Dulles has met with other Senate and House committees or subcommittees 14 times, Undersecretary Smith at least 8 times, and 1 or more Assistant Secretaries on at least 19 different occasions.

A total recapitulation of consultations:

Secretary Dulles, 45 times.

Undersecretary Smith, 14 times.

Assistant Secretaries, 41 times.

Total consultations, 100 times.

Now I will pause here for anyone on the floor to take issue with this statement of facts or, if they are unprepared to take issue at this time, to come back tomorrow or the next day and take issue. This is the record and possibly by repeating

this record often enough we can silence this unfounded publicity campaign designed to make the people of the country believe that there is no bipartisan foreign policy.

At this point, I want to refer to another fine statement made in the CONGRESSIONAL RECORD on April 6, 1954 by a distinguished Member of the House, a member of the Democrat Party and a member of the Foreign Affairs Committee, the gentleman from Connecticut [Mr. DODD]. You will find his remarks on page 4748 of the CONGRESSIONAL RECORD dated April 6, 1954. This is not a long statement so I will read it in its entirety:

Mr. Speaker, I have read several times recently in news stories and in some of the columnists' reports that Secretary of State John Foster Dulles failed to consult any of us on the Democratic side on the important policy declaration contained in his speech a week ago last night in New York on the Indochina situation.

I have no idea who planted that story or why it was planted. But fairness and a regard for the necessary continuation of bipartisanship in our foreign policy impels me to say it is not a true report.

Mr. Dulles not only consulted Democrats—that is, those of us on the House Foreign Affairs Committee, at least—in advance of his New York speech, but asked us for suggestions as to what he should say. He appeared in closed session with our committee and went over with the members his plans for this particular speech. Under those circumstances, I would certainly say that we were consulted, and more than that, as I said, he asked us for suggestions as well.

Believe me, Mr. Speaker, I feel so deeply about the need for true bipartisanship in foreign policy that if I felt in this particular instance there was any basis for criticism of the Secretary for failure to consult the minority party and its representatives here on a matter of such far-reaching importance, I would certainly join in such criticism. But none is warranted in this case, and I think it only fair for me to call that to the attention of the House and to correct the misstatements which have appeared in some of the newspapers.

I have listened to several of the speeches made by the gentleman from Connecticut on the floor of the House from time to time, and I have been impressed with the fact that though he does not constantly call attention to the fact that he wants to be fair, or that he always is fair, he invariably is fair and resorts to reason and honest argument to try to win his point. I hope that his attitude will inspire the leadership on his side of the aisle, though I appreciate my calling attention to this is likely to do him a disservice. I sincerely hope not.

Now to return to the St. Louis Post-Dispatch editorial. The next item is a clever handling of a charge made by a Republican Senator delivered before a Republican audience that the Democrat Party was a party of treason. The pretense is made that Senator KNOWLAND'S speech of May 11, 1954, is the first formal repudiation of this charge. This is untrue. Furthermore, I will state that the constant publicity given to the charge was by the Democrat leaders and their news reporting allies themselves. Now I don't blame them for taking issue, or indeed offense, at such a wild, reckless, and untrue statement. Nor can I blame them for trying to make political capital out of it. But when they try to create the impression that because one Republican Senator has said nasty things about them the Republican Party has said such things, then they are stretching the matter way out of proportion. Frankly, I don't think either party wants to take on its shoulders the responsibility for the statements made from time to time by each one of its officeholders or officials. And I would hate to try to match anyone on the subject of who has been called the worst names and by whom.

Furthermore, it certainly has no place in a serious discussion of bipartisan foreign policy. The offender in point is certainly not a member of the Foreign Relations Committee, the Republican policy committee nor, indeed, is he in very good grace at the present time with the administration. And, to the glee of my Democrat colleagues and their newspaper spokesmen, they know it.

The editorial goes on to suggest that Senator KNOWLAND'S speech was prompted by Mr. Truman's warning. Well, I would like to ask at this point if my Democrat colleagues are going to endorse, or have endorsed, the various nouns, adjectives, adverbs, verbs, and figures of speech used from time to time by Harry Truman to describe the Republican Party, its history, activities, and motives. No, as I said, we had better not get into a contest to see which irresponsible spokesman has used the most extreme language in describing those who disagreed with him.

Certainly it is obvious that what private citizen Truman has to say is of little concern to the Republican leaders, unless indeed, he is still an official spokesman for the Democrat Party. Is he?

I well remember what Senator Vandenberg, whom my Democrat colleagues like to refer to, had to say about the bipartisanship in Asiatic and Far East matters. He was quite outspoken in his criticism of the abandonment of the bipartisan approach. I used this as one of my main campaign points in the 1950 election as I am certain many others did.

The next theme, and I have heard it on the floor quite recently, is that no Democrats have been appointed to high positions in the State Department. Well, I hope this is not offered seriously. This administration has been in power 18 months and the main difficulty it is experiencing that I can see is getting a few Republicans appointed in the State Department. The lower echelons are so completely filled with the appointees made over the past 20 years of Democrat administrations that it is quite difficult at times to implement policy.

In fact, many policy jobs, as I would term them, were classified as civil-service jobs and so the personnel is frozen in them. Perhaps, when the administration gets reasonable control of the executive machinery, there can be and should be talk of balancing off. At the present time, the balance is still so one sided against the administration that no one could seriously ask that it be weighted further.

But the test of bipartisanship approach is not one of filling top policy jobs with members of the other party. It consists in taking on the responsibility for shaping policy, but in doing so keeping the opposite party leaders fairly informed of the facts and giving them an opportunity to ask questions and make suggestions before a course is set or taken. This has been done.

The record is there. If it is in error, let us have the refutation. Otherwise, let us have no more of these unfounded charges that the loyal opposition is not informed or consulted about our foreign policy.

The next statement I want to point up says, "This"—the bipartisan foreign policy—"was continued under Truman."

My comment: Yes, as long as the Republican 80th Congress was in office. Under this Congress the Marshall plan, aid to Turkey and Greece, the Atlantic Treaty Pact, the Voice of America were all started or implemented. But when the Democratic 81th Congress came in, out the window went bipartisanship. Again, check the record. It is outlined in Senator KNOWLAND'S speech of April 11, 1954.

Mr. BOLLING. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Missouri.

Mr. BOLLING. I would like to inquire if the gentleman is making a serious attempt to encourage bipartisanship or if the gentleman is making a political speech.

Mr. CURTIS of Missouri. The gentleman is seriously attempting to encourage bipartisanship, so if there is a lack of bipartisanship that that charge be substantiated by facts. In that way it can be corrected, because I personally want to see it. But, when I see, as I think is the case, unfounded accusations made, that attack hurts the bipartisanship which exists. I am calling attention to what I think is an unfair attack on what constitutes a sincere effort of this administration to have a bipartisan policy.

Mr. BOLLING. Does the gentleman feel that he is likely to encourage the members of the minority party to have a more friendly attitude toward the majority party by attacking a man who was formerly President of the United States?

Mr. CURTIS of Missouri. I am not attacking the man.

Mr. BOLLING. By innuendo and indirection.

Mr. CURTIS of Missouri. Not by innuendo at all; by specific statements.

Mr. BOLLING. The gentleman is attacking him by specific statements, then.

Mr. CURTIS of Missouri. I am not attacking any man. I am attacking what men say. I am trying to confine this thing to the issues and the arguments. I am only concerned with what men say; not what men are.

Mr. BOLLING. The gentleman is also concerned with what men do.

Mr. CURTIS of Missouri. To the extent that it bears upon public questions, yes.

Mr. BOLLING. The gentleman will recall the very substantial number of Republicans who served in the executive branch of the Government from, I believe, approximately 1939 and 1940 on.

Will the gentleman list for me those prominent Democrats who have served in similar capacities in the present administration?

Mr. CURTIS of Missouri. If the gentleman will bear with me, I will come to that point, too, because I appreciate that has been one of your frequent charges which I will discuss.

My comment: I have checked the record in Senator KNOWLAND's speech, and you will find the details and the dates of this situation how, under Mr. Truman's administration, a bipartisan foreign policy was continued in the 81st Congress. I remember what Senator Vandenberg, whom my Democratic colleagues like to refer to, had to say about the bipartisan foreign policy. He was quite outspoken in his criticism of the abandonment of the bipartisan approach. I used this as one of my campaign points in the 1950 election, and I am certain many others did, I might say to the gentleman from Missouri. So if the facts are wrong, let us take the record and disprove the facts, and then we can argue from there.

The next theme—and I have heard it on the floor quite recently, and the gentleman from Missouri raised it—is that no Democrat members were appointed to high position in the State Department. Well, I hope this is not offered seriously. This administration has been in power 18 months, and the main difficulty it is experiencing that I can see is getting a few Republicans appointed in the State Department. The lower echelons are so completely filled with the appointees made over the past 20 years of Democrat administrations that it is quite difficult at times to implement policy.

Mr. BOLLING. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. BOLLING. Does the gentleman feel that that is an entirely fair statement. After all, the people that have been cited by members of the minority party as participating on a bipartisan basis in the previous administration's foreign policy have been people who were at the level of policy decision. The gentleman has discussed at some length the difficulties that the administration has experienced in the past.

Mr. CURTIS of Missouri. And is still experiencing.

Mr. BOLLING. In removing Democrats at the lower levels. It seems to me the gentleman would be most fair if he would deal with the policymaking positions.

Mr. CURTIS of Missouri. If the gentleman will listen, my next sentence deals with that.

In fact, many policy jobs, as I would term them, were classified as civil-service jobs and so the personnel is frozen in them. As the gentleman well knows, and everyone knows who knows anything about administration, it is the lower echelon who can, by digging up the facts and presenting them in a certain way, actually affect policy. In order to implement policy you do have to have people down the line upon whom you can rely. Perhaps when the administration gets reasonable control of the executive machinery, there can be and should be talk of balancing off; and I am completely in favor of that, I might say. At the present time the balance is still so one sided against the administration that I do not believe anyone could seriously ask that it be weighted further.

But the test of bipartisanship approach is not one of filling top policy jobs with members of the other party. It consists in taking on the responsibility for shaping policy, but in doing so keeping the opposite party leaders fairly informed of the facts and giving them an opportunity to ask questions and make suggestions before a course is set or taken. This has been done.

The record is there. If it is in error, let us have the refutation. Otherwise, let us have no more of these unfounded charges that the loyal opposition is not informed or consulted about our foreign policy.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, I would like to take this opportunity to congratulate the gentleman from Missouri [Mr. CURTIS] upon this excellent presentation that he has made. I think it has been done in a forthright and fair manner. I think he has tackled the issue here head on and has brought out the facts. To me the most important part of this discussion by the gentleman from Missouri was the factual way in which it was presented. I do not believe there was anything in the nature of a personal attack upon anyone prominent in politics in America today. It was purely a discussion of the issue and a discussion of statements which respective leaders have made, an effort to compare them and bring out the fact that we are for a foreign policy based upon discussion between the two parties, whether you want to call it a bipartisan policy or not. I think we have recognized for a long time that the parties on the higher level of foreign policy were going to have to discuss what action we contemplate taking in order to have a united front in this fight on Communist aggression.

I think the gentleman has done as able a job as I have seen in the 4 years that I have been in this Chamber, and I extend to him my congratulations.

Mr. CURTIS of Missouri. I want to thank the gentleman from Illinois for those kind remarks.

NECESSITY OF ADEQUATE APPROPRIATIONS FOR MEDICAL RESEARCH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 30 minutes.

Mr. FOGARTY. Mr. Speaker, in the 14 years I have been in Congress, the health of the people of this country has engaged my interest and concern above and beyond all other matters of legislation. I have had this interest because I believe that America—with its role of world leadership in so many fields—owes its first obligation to the health of its own citizens.

I have come before you as chairman of the Subcommittee on Appropriations dealing with public health and as ranking minority member of that subcommittee to plead for the appropriation of funds for medical research to reduce the terrible toll of death and disability from fatal and crippling diseases, and I am as sure today as I was 14 years ago that we are not doing as much for research as the condition of our people requires.

It is true that these efforts over the years have had some results and gradual increases have been made in the money voted to the institutes of cancer, heart disease, mental health, arthritis and metabolic diseases, and neurology and blindness. Inadequate as these increases were and as far short as they fell of solving the problem, they showed an awareness of the need and gave rise to the hope that sometime, soon in the future, more adequate funds would be forthcoming.

I had hoped that this process of enlightenment was picking up momentum as renowned medical men came before our subcommittee and spelled out for us the dependence of medical research on Federal appropriations. I had even hoped that the executive and legislative branches of the Government, equally informed on the problem, would join arms together and provide the money needed to get the job of medical research done as it should be done.

This year, especially, my hope had been high because of the noble words of the new administration which I accepted as sincere. But when I looked at the executive budget for fiscal year 1955 and saw that it asked for cuts instead of increases, my hope gave way to alarm. Not just for the present but for the future health of our country. For it is the current appropriations on which the future health of the country develops. I do not despair that the Congress would let the people down by failing to correct the situation, but I must present the problem to you in its true light so that we can face our responsibilities with full knowledge of the facts and a clear view of the direction in which we are moving.

In late 1952, the outgoing administration presented figures to the Congress through the Bureau of the Budget for about $70 million for five institutes of the Public Health Service. Twenty-two million was for cancer; sixteen and a half million for heart; fifteen and a half for mental health; eight million four hundred thousand for arthritis and metabolic diseases; and seven million six hundred thousand for neurology and blindness. The new administration revised that total of $70 million and reduced it to $44 million, a devastating reduction. Cancer was cut over $6 million; heart, four million and a half; mental health, five million and a half; and neurology and blindness, $5 million.

That $70 million total had not been arrived at lightly. It had been reached after expert, serious study, but it was ruthlessly cut by the new administration to $44 million before the Congress heard testimony on the bill. I am pleased to report that the Congress itself raised the figures to $59 million. Eleven

million less than the outgoing administration requested, but 15 million more than the present administration approved. This was an encouraging sign and offered the possibility that as time went along, the new executives in Government and the new Bureau of the Budget would revise their shortsighted views of the needs and importance of the program.

Indeed, when the President sent the Congress his health message in January of this year, the language he used in that message seemed to indicate a new look in the administration policy on public health. The President said in that message:

> Approximately 224,000 of our people died of cancer last year. This means that cancer will claim the lives of 25 million of our 160 million people unless the present cancer mortality rate is lowered. Diseases of the heart and blood vessels alone now take over 817,000 lives annually. Over 7 million Americans are estimated to suffer from arthritis and rheumatic diseases. Twenty-two thousand lose their sight each year. Diabetes annually adds 100,000 to its roll of sufferers. Two million of our fellow citizens now handicapped by physical disabilities could be, but are not, rehabilitated to lead full and productive lives. Ten million among our people will at some time in their lives be hospitalized with mental illness.

These figures essentially are accurate and coincide generally with the figures given to us in our hearings each year by the doctors who come before us to testify. The President went on in his message and said:

> The Public Health Service should be strengthened in its research activities. Through its National Institutes of Health, it maintains a steady attack against cancer, mental illness, heart diseases, dental problems, arthritis and metabolic diseases, blindness, and problems in microbiology and neurology. * * * In such direct research programs and in Public Health Service research grants to State and local governments and to private research institutions lies the hope of solving many of today's perplexing health problems.

Now those were fine words, and when I heard that the Public Health Service "should be strengthened in its research activities," I found the sentiment in accord with my own, and I was prepared for a request for a substantial increase in appropriations. I was also prepared to fight for that increase as I have in the past. But when the figure came over in the budget message, instead of an increase over last year's appropriation there was a cut—a reduction in funds that was unbelievable to me as I read the figures. How the administration could reconcile strengthening the Institutes of Public Health with reducing the funds allotted to them is more than I can understand, and I submit to you that the paradox cannot be resolved on any sane and reasonable basis. How can we hear the figures I have quoted above on death and disability and expect to improve these conditions without the appropriation of adequate funds? How can we expect more work to be done in universities, hospitals, and laboratories if we are trimming funds in an era of rising costs?

The answer is: We cannot, and the evidence of the medical men themselves proves this to be true. A year ago about this time a notable neurologist, Dr. C. H. Traeger, of New York, came before our committee to testify on funds. After describing the nature and scope of diseases of the brain and the central nervous system, he said:

> A rising tide of public interest in neurological and sensory disorders was largely responsible for the establishment of the National Institute of Neurological Diseases and Blindness in the summer of 1950 under Public Law 692.

And:

> The hopes of millions of sufferers who had looked forward to an organized attack on their disease finally became realized.

But in summing up the inadequacy of the budget for the Institute, he declared:

> This Institute, created by Congress to light new fires at the shrines of research, has indeed left a wake of broken promises and dashed hopes.

The doctor's words were well spoken. The executive budget we have received this year leaves a longer wake of broken promises and dashed hopes unless we face the responsibility that is ours and increase the funds recommended in the estimates for 1955.

There are several reasons why we in the Congress are concerned with the health of our people. The first is consideration for our fellow Americans whose welfare and well-being we are dedicated to promote. It is a cold man indeed who can stand aloof from his fellow citizen and see suffering and illness and emotional stress without being moved to alleviate it. But beyond that impulse to help other human beings who need help is another compelling reason why we should address ourselves to improving the health of our people and that reason is purely economic.

The large number of those who die each year from cancer and cardiovascular diseases are men and women in the prime of life whose earning capacity is at a high level and who are paying substantial taxes to the Federal Treasury. When they are stricken down, not only are their services lost to the community, but the tax on their incomes is lost to the Government. In addition are the millions who are incapacitated; not only unable to earn their own living but dependent on other individuals or on community agencies for a bare means of subsistence. Estimates of the number of people so afflicted vary, and estimates of the loss to the Treasury of those who pass away are difficult to make with precision. I can tell you this, however: with the most conservative estimates of both, if we were able to eradicate the killing and crippling diseases, the earnings and taxes of the people we saved from disease and death would more than make up our annual deficit and would easily balance the budget. And I give you my assurance that I can think of no sounder, no finer way to approach a balanced budget than by prolonging life and preventing illness.

I am always puzzled by colleagues who say the health of our people is important but the Federal Government cannot afford to spend more money on the programs for health. I am puzzled because I know that in Rhode Island, where I come from, the people do not feel that way, and I have always suspected that the people throughout the land felt otherwise, too. And so I was very much interested, late last month, when the Gallup poll made a report of a coast-to-coast survey on the reaction of voters to an increase in funds for the National Cancer Institute of the Public Health Service. The results of that poll showed that 79 percent of our people approved the Federal expenditure of $100 million for the cure and prevention of cancer, and 62 percent of the people said they would be willing to pay more taxes on these funds. Rack that up beside the current budget of $20,237,000, which the administration wants to reduce to $19,730,000 for the next fiscal year, and you can see how feeble are the protests of those who do not stand for adequate funds for cancer. The people have spoken in a loud voice and a clear one—loud enough and clear enough, I hope, to reach the White House and the Bureau of the Budget and to echo through the corridors of the House and Senate as well. For it may be now, that brushed aside by the executive branch of Government, they must pin all their hopes on the Congress to redress this wrong.

Similar polls in other areas of illness such as heart disease, nervous diseases, mental health, arthritis, diabetes, and so forth, would show the same feeling on the part of the voters as the poll on cancer did. They want more money appropriated to run down the causes and cure of these ills and they are even willing to pay more taxes to get it if it is necessary to do so.

It is readily apparent why the people feel as they do about the public-health programs, and it should be even more apparent to us in the Legislature, who have access to the facts and all the figures that spell out the story in illuminating detail. We have been told year after year how much importance attaches these days to our national pool of manpower—what the military call our human resources. To the military, only the healthy are resources, and if we are to accept the analysis of the Army, Navy, and Air Force, our manpower problem is a greater one than ever.

In World War II more than 300,000 of the young men of this country were unable to serve in the Armed Forces because of heart disease. In addition, 80,000 men were given disability discharges from the service or died in the service during the 4 years we were at war. This manpower loss from heart disease alone was a total of 380,000 men, a number sufficient to man more infantry divisions than we have in the United States today.

In the Korean campaign, out of 245,000 registrants for military service examined from July 1950 to July 1951, 16 percent were rejected for military service for cardiovascular defects, a much higher percentage than World War II. And I call your attention to the fact that we are discussing heart disease alone in men who were called for military service and who were apparently healthy. Add to

that the vast throngs in mental hospitals throughout the country, in neurological centers, in institutions for the crippled and blind, and all of those in custodial care and you get a fair idea of the manpower loss for military purposes.

We have had no real peace in the world since the beginning of World War II. The best that can be said of our international position is that we have had hot war and cold war for the past 13 years, and at this moment we have a dubious truce in Korea and a crisis facing us in Indochina. There is no reason to suppose that world tensions will suddenly be relieved among nations of conflicting ideals and beliefs. Therefore we must keep a military posture favorable to our own defense, and our military posture depends on manpower as much as it depends on any other single factor. The problems of selective service have too recently been discussed here to go over them now again. Suffice it to say that in the Korean campaign the armed services of the United States, in order to raise the manpower necessary for that conflict, had to lower their educational requirements below the level of World War II in order to get enough healthy young men for their requirements. The problem of manpower, especially in the military age brackets, is with us and will remain with us for many years to come. And any steps we take to get to the basic causes of disabling and death-dealing disease will build our structure of manpower to dimensions we readily recognize as necessary.

The administration is fully aware of all the considerations I have cited. It is so aware of them it has indulged in a great deal of pious language, but no constructive action. It says we must strengthen the health program and it asks for a cut in funds. As I reflect on this position I am not sure that the fault does not lie in bewilderment rather than in any other state of mind, for I am struck with the fact that one budget estimate has been revised upward by the White House in the past 2 weeks, and it is just possible that in the research field the error will be corrected as well, although there is no overt evidence of any such intention now.

I am referring to the budget request for hospital construction funds under the Hill-Burton program. Hill-Burton legislation authorizes $150 million a year for general hospital construction. In fiscal year 1953 $75 million was appropriated for hospital construction under this legislation, which is half the amount authorized by law. For fiscal year 1954 the executive branch again asked for $75 million, and in conference the House and Senate agreed to $65 million—$10 million less than was provided the year before. For fiscal year 1955 the executive agency came to the Congress with a budget request for $50 million—one-third of the amount authorized by law—$15 million less than was appropriated last year and $25 million less than was appropriated for fiscal year 1953. The President had said in his health message of January 18 of this year:

> New hospital construction continues to lag behind the need * * * based on studies conducted by State hospital authorities, the need for additional hospital beds of all types—chronic disease, mental, tuberculosis, as well as general is conservatively estimated at more than 500,000. A program of matching State and local tax funds and private funds in the construction of both public and voluntary nonprofit hospitals where they are most needed is therefore essential.

He then proceeded to ask that the funds for hospital construction be cut. But 2 weeks ago, recognizing the rumblings of dissatisfaction from the people and from the Congress, he revised his request up to $75 million; putting us back to the spending rate of fiscal year 1953. It is possible that he is considering with equal concern the error that was made in the reduction of research funds and there is still time for him to face the realities of the situation and alter the figures for the Institutes of Health before this bill is reported out on the floor. If he does so, you can be sure that I will be the strongest supporter of the program and will use every means at my command to enact into law the upward revision proposed. But if this is not done, I shall be back on the floor of this Chamber to ask the Congress to step into the spot abdicated by the executive and to carry out the responsibilities which will devolve on it by default.

I believe in the public health program and I am going to fight for the funds to make it successful. I am going to do in committee and on the floor of this House whatever is necessary to get adequate appropriations for medical research, and I urge you to support me in that campaign to raise the standards of health of the people of this land.

OIL, COAL, AND FOREIGN TRADE WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. RIVERS] is recognized for 20 minutes.

Mr. RIVERS. Mr. Speaker, now I know a little something about the importation of petroleum. Exactly 30 years ago I was employed in a refinery in Charleston, S. C. In 1943 I was chairman of a subcommittee which made a survey and issued a report to the former Naval Affairs Committee.

When I was an attorney in the Department of Justice, I was attached to the Antitrust Division, where I studied the oil problem and the phases of its production and marketing. I have always been intrigued by the contribution of this beneficence from God's bounty.

Oil has placed America on its wheels, as well as removed from warfare the horse and wagon. Oil has brought comfort to the homes and an improvement of the atmosphere in countless cities of this Nation.

I am familiar with the position oil occupies in our economy. I know many people working in the oil business, from producer to refiner to the man who drives the tank truck. As a matter of fact, I myself have worked as a laborer in many of these endeavors.

The question occupying our minds, whether the Government of the United States should take actions aimed at expanding our foreign trade or whether, on the contrary, it should take actions calculated to reduce imports in order to protect certain segments of industry against competition from abroad, is one of the major issues of public debate today. Newspapers and magazines are full of arguments by proponents of both sides. The question has been aired in public hearings by congressional committees. Public Law 215 established a commission to study the question. That Commission published its report on January 23, 1954, and a few days later some members of the Commission published a minority report. Groups on both sides of the question have been organized to try to enlist support for their views. Congressmen have had all sorts of advice.

Particularly involved in this whole field of contention are the coal and oil industries. The coal people, together with some others sympathetic to their views, have, in fact, set up an organization under the title of the Foreign Oil Policy Committee for the express purpose of spreading their idea that new legislative barriers should be erected against imports of oil. So far as I know, oil companies have not set up a similar organization in opposition, but we know that several have acted individually to publicize the opposite view. H. R. 4294, introduced on March 30, 1953, dealt in large measure with the specific question of imports of oil.

Needless to say, the coal and oil industries are not the only ones concerned with the broad question of our foreign trade policies. Questions of importing cheese and briar pipes have received considerable public attention. The supplies of cheese and of briar pipes in this country, and where those supplies come from, undoubtedly are very important to some of our citizens and to some of the citizens of friendly countries. But important as those commodities may be, I think it is plain that the supplies of coal and oil are more important still and affect a much larger number of people. Basically, coal and oil represent energy, and energy for our industry and transportation, and to heat and light our homes, is the lifeblood of our civilization.

In offering some observations on the broad question of international trade, therefore, I should like to dwell particularly on the aspects concerning fuel.

I submit that in the millions of words of argument that have been poured forth on the topic of our Nation's policies on foreign trade, one very important factor has been conspicuous by its absence. A great deal has been said as to whether this or that proposed action would harm or help this or that particular business. What has been lacking, as far as I have been able to determine, is careful study of what these proposed actions would do to the customers of this or that business.

Without minimizing the interest of investors or workers in a company or industry which may be affected by actions of Congress in the field of foreign economic policy, I would point out that consumers have a vital interest here also. I call to your attention that the consumers who would be affected undoubtedly outnumber by far the investors or workers who would be affected. Of course consumers, generally speaking, are not organized, so their interest

usually is not pushed forward with such vigor as are the interests of other groups. I submit, however, that it is the duty of Congress to be zealous in guarding the best interest of the average man and women—the husband who pays a family's bills, the housewife who keeps the home—in other words, the rank and file of American consumers.

In all this hubbub about imports, the consumer has been the innocent bystander—perhaps I should say the forgotten man. I would like to say a word now in his behalf.

While nature did not, as far as we now know, bestow gifts of mineral fuels on South Carolina, it did provide her with abundant supplies of energy in another form—hydroelectric power. This was one of the considerations that led to our Government's tremendous project in atomic fusion being located in my State. South Carolina contributes to the economic life of the Nation in other important ways—as a large producer of tobacco, cotton, lumber, and other farm and forest products.

Although, as I have stated, South Carolina does not produce coal or oil, its citizens consume large quantities of these fuels. The people of South Carolina use them to power their growing industries, to run their farm machinery, to fuel the ships which carry goods in and out of the ocean ports of our State. Consumers in my State—and, indeed, in the whole country—would be badly served by this Congress if we were to add to the tariff which oil imports must now pay, still further barriers to block imports of important fuel into the United States.

Proposals that have been urged upon the Congress to restrict oil imports bear particularly upon the petroleum product known as heavy fuel oil. This is the thick, black stuff, a couple times as heavy as molasses, that is used for firing steam boilers in ships, factories, office buildings, utility plants, and apartment houses. This oil is used also to heat schools and hospitals and municipal and State buildings. The people in whose behalf I speak today—the consumers—as taxpayers put up the money to keep these institutions in operation. If the overhead goes up, so do their taxes.

Last year consumers in my own State of South Carolina used more than 4 million barrels of heavy fuel oil. As anybody can see, we would be hit awfully hard by interference with the supply of this fuel. The public utilities alone had to use more than a million and a half barrels. Institutions like churches and schools and hospitals used about 56,000 barrels. Factories and other establishments such as textile plants, paper mills, cement and brick works used more than 2 million barrels. Ships took on more than half a million barrels of this fuel, and shipping is a mighty important item to my port of Charleston.

Now what the coal interests are advocating is that the Congress frame a restriction that would hold heavy fuel oil imports to 5 percent, or one-twentieth, of the total of this fuel which the country as a whole used in the previous year. What would this restriction mean to consumers if it were put in effect?

To answer that question we must take into account that oil refineries in our own country make proportionately as large an amount as possible of the so-called light products—that is, such things as gasoline, diesel fuel and home-heating oil—out of the crude petroleum they process. The American public, as we all know, requires tremendous quantities of these products. They are to the oil as a whole what the white meat is to a chicken; they are the choice portions, the high-value parts of the oil. The heavy fuel is the lower-value part, and United States refineries are set up so that as little of this product is made as possible. They sell this heavy fuel, in fact, for less than the cost of the crude oil it is made out of, much as the meat-packing industry sells some parts of a steer for less than the animal costs on the hoof. This is a break for the consumer.

If imported heavy fuel oil were limited to 5 percent of the quantity used in the previous year, this would mean reducing the supply available for the eastern coast States by some 300,000 barrels per day. South Carolina inevitably would suffer in any such cut in the supply.

Where will the fuel come from to make up that shortage? I understand that more can be produced domestically only if the price of it is increased. There has been mention of an increase of as much as 50 percent. An increase in the price of heavy fuel oil could bring, very likely, an increase in the prices of competitive fuels. We must remember that price-competition between different products works both ways—up as well as down. So not only would users of heavy fuel oil have to pay more for this fuel, but users of coal might also find themselves paying higher prices for the solid fuel.

Even if a larger domestic output of heavy fuel oil were stimulated by a higher price, I understand that there would not be enough of this commodity to satisfy the requirements of all consumers who now use it. In some cases, these consumers could convert their furnaces to coal. But many consumers simply do not have the hundreds of thousands of dollars for new equipment which they would have to install to burn coal instead of oil. Then, too, establishments may not have the space for big coal bins. In some lines of business it is important for the premises not to be saturated with ashes and soot. South Carolina has all these various kinds of consumers. Marie Antoinette told off the consumers in her time with that deathless statement: "Let 'em eat cake." The new version of that seems to be "Let 'em burn coal."

I favor good times for all legitimate lines of business, and I do not oppose any business looking out for its own interests. But I do object to any line of business endeavoring to compel the consumer to use its particular product by inducing the Federal Government to curtail the supply of an alternative product. We recall vividly how unfair such a policy was when the Federal Government alined itself against an industry when we think of the law that occupied the statute books of this country for 62 years in the controversy between margarine and butter, in order to curtail, hamper, and discourage the production of margarine, a wholesome vegetable and milk product. The Federal Government, as a result of the butter lobby imposed an arbitrary 10-cent tax, plus all kinds of lesser fees on the production and retailing of this product, and it was not until I introduced a discharge petition and worked on this matter for years that the back of this unfair legislation was broken and this un-American policy of the Federal Government was removed from the competitive markets. I state categorically that the Federal Government should not take sides in an economic controversy. The Federal Government's role should be as an arbiter and umpire, not the participant. The only thing the Federal Government should ever do is to demand and guarantee equality of opportunity to all competitive, legitimate enterprises in this Nation. The consumer is entitled to choose whatever type or brand he wants whether it is food or clothing or anything else. I do not believe he should be told what kind of fuel he ought to use, at least not in peacetime. This Congress has too many important things to do to get involved in mischief of that kind.

One of the sad things about this scheme is that even if those who are agitating for it could get the restriction they are seeking, I doubt if they would be much better off. The reason is this: The imported heavy fuel oil which is the subject of all this maneuvering is equal to about 7 percent of the bituminous coal this country uses. Now even if it were possible for them to recapture that 7 percent of the business, how could that solve their problems? The fact is that while coal production was falling off around 70 million tons in 1952 as compared with 1951, imports of this heavy oil that competes with the coal increased only by the equivalent of about 3 million tons of coal. Something is wrong with somebody's arithmetic if they figure that by putting back 3 you can cancel out a loss of 70.

I have said before and I will say again that John L. Lewis, more than any one single force in this Nation, must share some responsibility for the loss of many of the markets suffered by the coal industry. His dictatorial, highhanded, and arbitrary tactics have compelled industry and consumer alike to look for substitutes for coal, and make costly conversions in order to keep homes warm and industry's wheels turning, both in time of emergency and in time of peace. We remember vividly the endless string of empty coal cars and idle steam engines time and time again, when Mr. Lewis decided to drive harder bargains and bring scarcity in the land of plenty. No wonder railroads were compelled to dieselize. Even the C. & O. and the N. & W., whose principal tonnages are coal, have turned to diesels, both because of economy and convenience.

Mr. Speaker, we are going through a great evolution in this Nation. Natural gas is being piped throughout the land from the fields to the cities. Natural gas has become so popular that the country today is using more than twice as much as it did at the end of the war. Even

in my city of Charleston, S. C., we have recently completed a gas pipeline which has rendered the old steam-gas plant an idle facility, and it will only be used on a standby basis. For years this institution burned many hundreds of tons of coal. When you measure consumption in terms of heating units, the country actually is using now about three-quarters as much natural gas as it is coal. The demand for it is growing all the time, and clamping down on imports of any other competing fuel that is especially important to a certain kind of consumer is not going to stop more pipelines from carrying more natural gas to cities many hundreds of miles from the gas fields.

As for the growth in use of diesel fuel by railroads, just a few weeks ago I saw that another of the big railroads was going diesel. This was the Union Pacific, with an order for more than 200 diesel units. The other day I saw another notice of that kind: The Chicago & North Western was ordering 27 diesel locomotives. Blocking imports of oil fuel at the expense of South Carolina consumers seems to me a mighty strange way of dealing with a situation like that.

I have heard that many coal miners are out of work because coal consumption has fallen off so much. I am sorry for this, and I hope they soon get jobs. I do not see, however, how their problem is going to be solved by getting the Federal Government to force up the price of another product which accounts, at the most, for an extremely small fraction of the loss in the product they turn out.

While on the subject of jobs, let me point out that legislation which would tend to raise the price of all fuels above what the price would be in the absence of such legislation, will mean that industries which are fuel consumers—such as those in South Carolina—would face increased difficulties of doing business. When that happens, it does put people's jobs in danger.

Instead of coal people agitating for legislation to restrict competition—which, as I said before, I do not think will make the coal operators or their employees much better off than they are now—I would like to see them go to work on their real problem. I would like to see something done for the consumer, instead of something more being done to him.

Some of the coal people appreciate very well what their problem is. I do not pretend to be an expert on their business, so I would just like to quote a coal man himself, an officer in one of the major coal companies. Here is what he said:

[From a speech of Mr. Joseph Pursglove, Jr., vice president, research and development, Pittsburgh Consolidation Coal Co., October 13, 1953, before the utility and coal forum of the Great Lakes regional conference of the Cleveland Society of Security Analysis]

By late 1945, it had become quite clear that the coal industry would begin to lose a substantial part of two of its historically large markets:

Diesel fuel was replacing coal on our country's railroad locomotives. The American homeowner, long a substantial consumer of coal, was beginning to switch in large numbers to natural gas and oil.

And, this coal man continued:

It was only after these losses faced us that we were ready to make truly scientific efforts and employ new approaches in order to develop progress toward an expansion of coal's markets.

He went on to predict that coal would come through what he called the adjustment years in good shape "if," he declared, "our problems are given a reasonable amount of sympathetic understanding, and if all of us in the fuel industry face up to our problems realistically."

I go along with that view. And I would like to see the problems of the consumer also faced up to realistically.

I would not want to see Congress have any part of schemes to create a scarcity of any product which consumers in my State have got to have or which they feel is best suited to their particular needs. I would like to see Government agencies get further out of regulating the lives and businesses of the citizens, not deeper into it. I would like to see the committees of the Congress give a sympathetic hearing to every business that has serious problems and that believes that these are properly the concern of the Government, but when someone proposes a remedy—or what only looks like a remedy so long as you do not examine it very closely—that will hit the consumer again, then I would like to see the Congress say just one short word, and that word is "No."

We are witnessing today a terrifically fast advancement in the utilization of atomic energy for fuel, and I predict, Mr. Speaker, that the atom too will take its place in our economy, and oil and gas, like coal, will bow out from the stage of competition, and there will be ushered in a new era.

Mr. Speaker, we call this progress. All the Congresses from now to doomsday will not be able to stop this development. Just like today we cannot substitute by legislation the people's desire to use substitutes for coal.

In closing, Mr. Speaker, there is another important matter which we should consider. We import oil from our good neighbors to the south. Venezuela is one of our principal good neighbors which ships into this country many, many hundreds of thousands of barrels of petroleum. Petroleum is a principal economy of this nation. In turn, they buy many millions of dollars of American products. If, by legislation, we cut her off, we might just as well kiss our neighbors to the south goodbye. We are having enough trouble as it is in Central America, and recently we witnessed the brazen shipment of arms by Russia into Central America. If the Congress, over the expressed displeasure of the President, should place another obstacle in our good-neighbor policy, Mr. Speaker, I say to you, may the good Lord help us. Let us put an end to this controversy now, and remove the sinister threat both in the minds of our good neighbors and legitimate business in this Nation.

GOVERNMENT FINANCIAL POLICY—FEDERAL RESERVE SYSTEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, there are two vacancies on the Board of Governors of the Federal Reserve System. Under date of May 17 I wrote to President Eisenhower inviting his attention to the fact that it is very important that these vacancies be filled at the earliest opportunity. I have a reply from Mr. Sherman Adams, Assistant to the President, to the effect that the full strength of the Board of Governors, with two strong appointees to fill the vacancies, is now under the most active consideration. I am glad to know that the matter is receiving consideration by the President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 17, 1954.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT: This letter is written to you in the belief that the questions raised are in the public interest and consideration of them at this time is of paramount importance. I refer to the Federal Reserve System and to the vacancies on the Board of Governors, also the Open Market Committee.

There are two vacancies on the seven-member Board of Governors. One vacancy occurred during the term of your predecessor. It was not filled when it occurred, although the law says, "Whenever a vacancy shall occur * * * a successor shall be appointed by the President, by and with the advice and consent of the Senate, to fill such vacancy." The other vacancy occurred January 31, 1954, but the same obligation on the President to fill it does not exist, as it was by an expiration of a term, and the above-quoted law referring to the filling of a vacancy says, "other than by expiration of term."

The Open Market Committee is composed of the 7 members of the Board of Governors and 5 presidents of Federal Reserve banks. The former are the public members and the latter were selected by the private commercial banks. This committee, exercising the powers delegated to it by the Congress, has complete control over the volume of money and credit; it also controls interest rates, including the carrying charges on the national debt; and otherwise determines whether our country enjoys prosperity or suffers from a devastating depression.

These 5 members of the Board and the 1 whose term has expired, in protecting the public interest on these important questions, are forced to deal with and give consideration to the views and suggestions of the 12 presidents of the Federal Reserve banks, who were selected by the private banks, and the 12 members of the Federal Advisory Council, who were also selected by the private banks. It is, therefore, very important that the Board composing the public members be fully filled.

It is my suggestion that before recommendations for the filling of these two vacancies on the Board are submitted to the Senate for approval careful consideration be given to the selection of a member, who is familiar with the problems of the farmer and one who is familiar with the problems of labor.

It was never intended that the banks should have control of the Federal Reserve System or any controlling influence over it. President Woodrow Wilson, who signed the bill into law on December 25, 1913, and Senator Carter Glass, coauthor of the law, often pointed out that such influence would be just as destructive to the public interest as permitting the railroad owners to control or influence the Interstate Commerce Com-

mission in the making of railroad freight rates.

Banker control of the Federal Reserve System is ruining the solid foundation of a privately owned and profitable commercial banking system of our country. Under such policies, the big banks can doubtless survive and a few of the middle-size banks, but the smaller banks will be doomed. While this is going on, such policies and practices will be ruinous to a prosperous economy.

Under our capitalistic system, which is the best in the world, our money is based on debt. No debt—no money. The 15,000 commercial banks are obligated to serve the public interest by making local loans. They have the power to create and extinguish money. They are manufacturers of money. In the exercise of this privilege, they have the backing and support of the Federal Government and the privilege of using, without charge, the credit of the Nation. They can, with the cooperation of the Board of Governors, create money and make loans up to 14 times the amount of reserves held by them. Such a privilege should only be controlled by a Board composed of members selected by the President to serve the people and not one of them selected by those selfishly interested in using the system in a way to make profits—and bigger profits—for themselves.

The present abuse of our banking system is forcing the banks—or at least enticing them—out of the real banking business formerly performed by them in the rendering of local service. They are more and more becoming holders of Government bonds, bond brokers, and commercial bookkeepers.

Many banks are so filled up with Government securities, Reconstruction Finance Corporation and Commodity Credit Corporation certificates of interest and obligations issued by the Federal Housing Administration, that they are loaned up and cannot take care of local credit needs.

I believe in a privately owned commercial banking system. We must allow it to be profitable or it cannot continue. However, there is no reason to allow a commercial bank to buy Government bonds with created money, except to give them more income in order that they may be induced to render public service in other ways. The banks are so loaded down with riskless securities purchased with created money that they do not have the urge to spend their valuable time discussing the loan application of a small-business man or a farmer. A boy knows better than to feed his hunting dogs before he starts out. Their profits last year, 1953, were the highest in history.

This trend in banking poses a serious question in another respect. Out total debts, including both public and private, aggregate about $640 billion. In order to properly expand our economy to take care of the 1 million new workers and the 1 million displaced by machinery each year, more debts must be created. So we are facing a larger, not a smaller, debt burden.

If the debts are not created by local banks to provide for local needs, they must be created elsewhere. If the States, counties, cities, and political subdivisions create them, another problem will be presented, since these debts will be in the form of tax-exempt securities. They could be issued in sufficient quantity to allow the big wealth of the country to escape any tax burden whatsoever. Right now, we need additional school buildings and facilities that will cost $10 billion. If we require this money to be raised locally, it will enable the investors of $10 billion to enter a tax storm cellar and pay no income tax whatever to our Government for any purpose, even to defend it in time of war.

If the Federal Government is compelled to create the debts in order to expand our economy, we will certainly have a New Look in deficit financing.

Decisions of great importance are in the making right now concerning the support of the Government bond market. This is another good reason why the two vacancies on the Board should be filled without further delay. These decisions will be made soon by the Open Market Committee, now top heavy with representatives of the private commercial banks.

Assuring you, Mr. President, that my sole desire in bringing these matters to your attention is to try to be helpful and cooperative, and trusting that they will be given consideration, I am

Sincerely yours,

WRIGHT PATMAN.

THE WHITE HOUSE,
Washington, May 18, 1954.

Hon. WRIGHT PATMAN,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: Your letter of May 17 to the President has been received and what you have said has been carefully noted by all concerned. We appreciate your writing in detail as you did, and I can assure you that the matter of bringing the Board of Governors of the Federal Reserve System to full strength with two strong appointees is now under the most active consideration.

With kind regards,

Sincerely,

SHERMAN ADAMS.

In inviting this matter to the President's attention I stated in referring to the Open Market Committee composed of 7 members of the Board of Governors and 5 presidents of Federal Reserve banks:

This committee exercising the powers delegated to it by the Congress has complete control over the volume of money and credit. It also controls interest rates, including the carrying charges on the national debt and, thus, determines whether our country enjoys prosperity or suffers from a devastating depression.

I do not believe anyone will deny this statement or that this is the most powerful group in the world. It certainly is the most powerful group in the United States.

OPEN MARKET COMMITTEE MORE IMPORTANT MANY WAYS THAN CONGRESS

It is more important from the standpoint of our economic wellbeing and the general welfare of the people for that Open Market Committee to meet and do the things that are necessary to keep this country prosperous than it is for this United States Congress to meet—the 435 Members of the House and the 96 United States Senators. I say that because the 162 million people under our Constitution have delegated to this Congress all these powers to regulate the value of money and fix interest rates and everything else related to money credit and currency.

POWER DELEGATED

The Congress has delegated that authority to these 12 members of the Open Market Committee. They have all that power. We have taken away from ourselves and delegated this power to them. Therefore, it is incumbent upon us to keep a careful watch over these 12 men to see what they do. Last year, in 1953, although they had the money and the power to stop it, they permitted the Government bonds to go down in price to 89. I think it was a terrible thing that these bonds were permitted to sink in price below par.

HIGH INTEREST THE GOAL

The object was to cause interest rates to go up, and interest rates did go up. But it had a terrible, devastating effect on our economy. It almost ruined our country. By May 11, 1953, it was realized and they took an about face, and they commenced doing away with hard-to-get money and high interest. But the public confidence had been destroyed. Confidence is not built quickly or rebuilt easily. Therefore, although the bonds went back to 100—every one of them went back to par, to 100—on April 2 of this year, public confidence has not been rebuilt and we are still suffering from that devastating situation which was caused in the early part of 1953 by the Open Market Committee. Our agent is doing this. The point is that after the Open Market Committee brought these bonds back to par, which they should have done and kept them there all the time, but did not, but after getting them back to par on April 2, 1954, it should have adopted a policy which would keep these bonds from now on at par and above. Then if there is speculation in the bond market, it will be above par and in that way the general public and the general welfare will not be harmed. But, if you permit speculation below par, you then help the speculators and the gamblers. So, if they want to speculate and gamble above par, that is all right—I have no objection to that. But our Open Market Committee, our agent—we are responsible to our constituents for the actions of this committee—should not be a party to permitting gambling below par on United States Government bonds when they can keep those bonds at par and above. They have the power and the authority and the money to do it and this Congress should make sure that it is done.

OPEN MARKET COMMITTEE AT IT AGAIN

In the last few days these United States Government bonds have been going down, below par, they have been slipping. There is where the Members of Congress, every Member of Congress, should be on the alert. We should watch that market and should be indignant and protest every time any one issue of Government bonds goes below par. It should not be allowed, it is against public interest, it is helping the speculators, it is helping the gamblers, and it is harmful to the public interest, and Members of Congress should watch that and demand that it be stopped.

SMALLER BANKS RIDING FOR A FALL

The smaller banks of the country are riding for a fall unless they wake up; they are following the leadership of representatives of the big banks. Under policies that are now being put into effect the big banks that are not only prospering now with all banks will continue to prosper; the big banks will survive; the little banks will not survive if changes are not made. I will tell you why they are riding for a fall. The big banks have gotten the policy started where all banks will rely upon Government securities and the income from

Government securities and other subsidies for a substantial part of their income. Not only that but the Government is helping them in many ways. If I were allowed the privilege of taking these benefits away from the banks right now I would not do it, I would not think about doing it. But there are certain benefits that should be taken away gradually as they are allowed to recoup their losses from other sources and as they get back into the business of serving their local communities.

PRIVATE, PROFITABLE BANKING SYSTEM DESIRED

I believe in not only a private banking system but also in a profitable banking system. We must permit the banks to make money or they will not exist; therefore I would not take any single benefit away from these banks quickly. But I am bringing them out for the purpose of showing what is likely to happen in the future if something is not done.

Under the leadership of the big banks the Government has finally gotten into the policy of paying for the clearing of all checks, for instance. We have dozens of buildings in every Federal Reserve district, dozens of fine buildings throughout the land that are housing thousands of employees who are doing nothing in the world except helping private banks clear their checks, and the Government is even paying for the postage, telegraph, telephone, and the messengers, guards, and the automobile and truck hire and everything else connected with it. That costs the United States Government $100 million a year. That is a benefit the Government is paying that the private banks are getting, a direct benefit of $100 million a year. All the services rendered by the Federal Reserve banks for the different agencies of the United States Government must be paid in cash by these agencies but the same services rendered for the private banks are not paid for at all—not a penny of it.

Another benefit is the private banks are allowed to keep some four or five billion, whatever it is, on deposit, deposited by the Government, on which the banks pay no interest at all. Formerly the interest rate was 2 percent, but certainly they should, if they are allowed to keep that money idle and unused and the Government is not permitted to use it, they should pay the going rate of interest which on those bonds would be from 2½ to 3 percent now.

I notice in a statement I have here of May 12 that 19 of the New York banks, just 19, had almost a half billion dollars of United States Government money on deposit, just those 19 banks:

New York Clearing House statement—close of business, Wednesday, May 12, 1954

[Figures in thousands follow, 3 ciphers omitted]

	Capital [1]	Surplus and undivided profits [1]	Net demand deposits, average		Time deposits, average
			Other than United States deposits	United States deposits	
CLEARING-HOUSE MEMBERS					
Bank of New York	$8,000	$28,888	$304,432	$8,112	$32,220
Bank of the Manhattan Co	27,500	67,896	898,452	9,416	197,765
National City Bank	150,000	255,609	(a) 3,947,018	79,827	833,370
Chemical Bank & Trust Co	27,940	104,564	1,376,889	73,713	145,897
Guaranty Trust Co	100,000	294,868	(b) 2,040,726	40,284	206,302
Manufacturers Trust Co	50,390	131,755	1,793,408	25,571	436,516
Hanover Bank	27,000	119,720	(c) 1,214,754	24,224	122,440
Corn Exchange Bank & Trust Co	15,000	36,880	648,135	13,153	28,187
First National Bank	30,000	112,548	463,877	58,731	4,675
Irving Trust Co	50,000	72,864	949,261	20,116	153,632
Chase National Bank	110,000	275,164	(d) 3,939,600	59,377	504,360
Bankers Trust Co	30,512	151,979	(e) 1,406,109	28,175	183,568
Marine Midland Trust Co	9,000	22,592	309,696	5,643	16,210
New York Trust Co	15,000	59,537	520,638	14,083	62,051
Public National Bank & Trust Co	15,225	27,654	326,450	3,234	71,780
J. P. Morgan & Co., Inc	25,000	44,649	470,700	30,470	81,173
United States Trust Co	10,000	21,700	64,994	279	64,556
Grace National Bank	4,000	5,116	97,466	1,573	7,961
CLEARING NONMEMBER					
City Bank Farmers' Trust Co	10,000	22,020	41,925	2,523	59,000
Total	715,567	1,857,593	20,874,620	498,604	3,211,663

[1] As of Mar. 31.

NOTE.—Includes deposits at foreign branches: (a) $686,922,000; (b) $77,604,000; (c) $20,424,000, May 12; (d) $399,064,000; (e) $48,514,000, May 11.

These banks had that much when the total United States Government deposits in all banks that day were $3,629,796,308.63. May 17, 1954, all banks had on deposit for the Government—idle and used—$5,643,734,487.32. Naturally, the amounts in these 19 banks increased in proportion.

The people are paying from 2½ to 3¼ percent interest in that money. Banks all over the country have over $5 billion on deposit that is idle and unused from the standpoint of the Government not using it. The Government can only use it when it is called into the Federal Reserve banks, then they give checks on it. They do not give checks on the local banks; therefore, there is over $5 billion in idle and unused money. That certainly is worth $100 million to the banks right there according to what the people pay. There is a total of more than $200 million that private banks are getting in benefits in cost of clearing checks and Government deposits. The banks have been encouraged to buy United States obligations. The Government does not need the private banks to buy such obligations. They should first be sold to individuals and to corporations, including life-insurance companies, having real money to buy them. Then they should be sold to the Federal Reserve banks so that the interest that is paid on them will flow back into the United States Treasury. It was never intended that private banks should be allowed to create or manufacture money in a fractional reserve system to buy Government securities.

Last year the private banks collected in interest on United States Government obligations the sum of $1,207,000,000. Their net income, after taxes, in 1953 was $1,026,000,000. So, with those three items there is a total of almost a billion and a half dollars a year that is tantamount to a subsidy to the banking system.

As I said before, I would not take it away from them now; I would not do it quickly, but I do want to point out what they are doing and what is going to happen and persuade them to get back into the business they were organized to perform, particularly to serve local credit needs.

BANKERS GETTING SOFT

All the time the bankers are getting soft. Because of these various subsidies they become indifferent toward making local loans. They are making fewer local loans all the time. It is more difficult for a farmer or small-business man to get even an interview with a local banker for the purpose of getting consideration of a local loan because they are already fat. They are holding United States Government bonds that are riskless, from which they are making enormous sums of money. So why go to the extra trouble of dealing with obligations that involve risk? We would probably do the same thing.

Here is where that is leading. It is making these bankers so soft that private-investment companies and small-loan companies are building up and growing up in all these communities around these banks that are not giving attention to local loans. They are building up all around these banks. You will see several small-loan companies around every one of these banks. They are there because there is a demand for credit that the banks are not meeting and are not furnishing; therefore, there is every inducement for these loan companies to spring up all around these banks. They are not banks. They cannot receive deposits; they cannot create money like the banks can, but they can extend loans in actual money and they are doing it.

It will not be long before the banks will find themselves in the situation where the local small lending and investment companies around them that are not in the banking business at all will have most of the business that the banks are set up to do. When the rug is pulled out from under them, when they are denied the privilege of buying these Government obligations—and that time will come—and they look around to get other loans like they used to, they will find that other people have gone into competition with them and have the loans, and they will not have a fair

chance to take them over. The big banks will not be so dependent, because there will be plenty of business in the big cities to take care of the big banks. But the little banks are riding for a fall. They are getting soft right now because these subsidies are taking care of them. They are making lots of money, and it is a riskless proposition. They can create money, they can manufacture money on the books of the banks to buy bonds. It is a fine thing, and they do not have to worry now. They can pay big salaries and big dividends. They paid the biggest dividends last year of any year in the history of our country. The banks made more money than ever before.

I like to see them make money, but I would like to see them make it on the basis that will be continuing and on a basis that will permit their survival, not on a basis that is unsound and on loans and investments that they were not organized to accept. That is what I am objecting to. So, as I said, the little banks are riding for a fall if they do not watch out. These big banks are getting them into it. But the big banks will survive.

FRACTIONAL RESERVE SYSTEM

Now, let me talk about reserves for just a moment. It has been said that the Federal Reserve System is going to reduce the reserve requirements. What does that mean? It is like the goldsmith in the old countries of long ago. He would accept a deposit of gold, but he soon found out, in giving a receipt for that gold—he had lots of customers, dozens of customers—that did not call for the gold. They just wanted the receipt. They would buy something with that receipt for the gold. The receipts passed like our money passes today. Then the old goldsmith decided, "Well, I will issue more receipts than I have gold; I can safely do that. Under the law of averages, why, I can issue about 10 times as much in receipts as I have in gold, because they will never call for it at one time." And, that was adopted as the fractional reserve system. They issued 10 times as much in receipts as they had gold, and they got by with it finely; and that is the same thing we have in this country today. We have a fractional reserve system. The banks can issue 10 times more or less in loans for every dollar that they have in reserve, just like the old goldsmith used to do. They have been doing it all the time. It is a fine system; I would not change it at all. I would not change it if it were within my power to do it, but that is what they do. Whenever the reserve requirements are reduced by, say, one point, and you tell the banks that they can extend loans equal to 11 to 1 instead of 10 to 1, that runs into billions of dollars upon which they can extend loans and draw interest. The banks do not put up an extra dime of money. They do not increase their capital stock. They do not go to any trouble and are not inconvenienced. They do not do a thing. They just issue a billion dollars worth or more of new money, that is what they do, and they do that under our system that we put into effect. It is a good system; it is the capitalistic system; it is the free-enterprise system. We are all for it. I am for it; you are, too, but we want it to be used right and we do not want it to be abused and used against the public interest. So, that is what I am inviting to your attention, that it is being used against the public interest, and the Open Market Committee is the one that this Congress should look to to make sure that they carry out the object and the intention of the creation of the Federal Reserve System and the Open Market Committee in particular and make sure that the public interest is served. What is good for the banks is not always the best thing for the country. We need the banks. We want to encourage them. They must stay in the banking business on a sound basis and not be persuaded to continue in—to any extent—a soft, easy, artificial, get-rich-quick business at Government expense.

THE GREAT "WHAT'S-IT?" OF 1954

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 30 minutes.

Mr. EBERHARTER. Mr. Speaker, for the last 8 or 9 weeks, many of the outstanding tax lawyers in the United States have been studying and analyzing and dissecting a piece of proposed legislation, all the while becoming more and more confused by what they find. I am referring, of course, to H. R. 8300, the bill to revise the Internal Revenue Code—that legislative monstrosity the size of a Pittsburgh or Washington telephone book containing 875 pages of legalistic technicalities.

This is the bill which was passed in the House March 9 after exactly 7 hours of debate.

Now, of course, Mr. Speaker, Members of Congress do not legislate in the dark. They do not pass bills with their eyes closed. They do not vote "yea" on measures they do not understand and cannot clearly decipher.

Or do they?

In this instance, I am truly inclined to wonder at the amazing skill and knowledge and insight and scholarship of a majority of the Members of the House in learning all about that bill in only 7 hours of debate. It must be that the professional tax experts who have been devoting 2 months to a frustrating effort to decipher that bill must, indeed, be dense blockheads.

True, these tax lawyers spend their working days studying and interpreting and analyzing the Internal Revenue Code and should, therefore, have a pretty good idea of tax language. Nevertheless, they cannot seem to figure out this new bill—a bill which a majority of the Members of the House presumably knew all about when they passed it on March 9.

One of the groups of tax attorneys making a valiant effort to understand and analyze H. R. 8300 as it passed the House was the committee on taxation of the Bar of the City of New York. And by the testimony presented before the Senate Finance Committee last month in behalf of that organization, I gather that they, too, do not have the least idea what some of the provisions of H. R. 8300 would do. This was after they have had a full month to study it, a solid month to discuss it back and forth among themselves, to assign portions of it to subcommittees of specialized experts in separate phases of the tax laws.

I have just completed reading the verbatim stenographic transcript of the testimony of Attorney Charles C. MacLean, Jr., who appeared before the Senate Finance Committee on behalf of the New York City Bar Committee. What he reported should make us do some real soul searching about this bill.

He said, first of all:

> It was quite a shock to be confronted in mid-March with a proposed new code containing extensive changes, which had not previously been made public, and to learn that we had only a few weeks in which to digest the bill and submit our comments, and that your committee had similar time to make the necessary amendments.

In other words, he reported that in the month the eminent New York tax lawyers had been studying this monster piece of legislation—one which affects every industry and business and individual in the Nation in a great many ways—they were just beginning to skim the surface of some of the provisions.

They found enough in that period, however, to convince them that the best thing the Senate could do was to junk extensive sections of the bill—just leave them out entirely—so that the experts and the public generally could find out exactly what they entailed.

THEY WEREN'T THE ONLY ONES PUZZLED

I said, Mr. Speaker, that from the testimony of Mr. MacLean I gathered that the New York bar committee, "too," does not have the least idea what some of the provisions of this bill would do. Probably I should explain my use of the word "too."

If you will recall, the Democratic members of the House Ways and Means Committee, in our minority report on this colossal bill, admitted after our month of executive sessions on the measure that we did not understand many of the things in it.

Members of a congressional committee presumed to be informed on the subject matter of legislation for which they have primary jurisdiction in the House do not as a general rule admit they do not understand a bill before them. After all, they are supposed to know, to understand. It is seldom indeed that you see a report from a committee in which any member makes an admission like that.

But on this bill, we had no choice but to admit—if you want to call it that—our ignorance.

We struggled with the thing day after weary day. We asked questions and sometimes we got answers and other times we got gobbledegook and occasionally we got just a cold stare for being so dumb. When we asked for more time to review a particular provision, we were told there was no time—the measure was urgent—and as long as the Treasury was satisfied, why should we worry.

Why, indeed? I hesitate to say that the Treasury was intent on giving business a new field day of tax-avoidance

schemes, but that is exactly what I am afraid is accomplished by this bill.

But we were outvoted and the bill was pushed through as if by a bulldozer, hurling all obstacles to one side, ignoring all appeals for a closer examination of some of the technical provisions. Then the bill came out on the House floor for 7 hours of general debate and—boom—that was it.

Of course, all the Members on the majority side fully understood everything in the bill and were able to make the fine distinctions on the merits of all the technical provisions, even though we on the minority side were not that smart.

So it would be presumptuous for me or anyone else, Mr. Speaker, to imply that those who beat down the Democratic motion to recommit, and jammed the bill through the House, knew all about the bail-out and spin-out provisions, understood what the bill did to estates, corporate distributions and adjustments, partnership obligations, and so on.

I would therefore respectfully suggest, Mr. Speaker, that they hasten to explain these provisions to the eminent experts of the taxation committee of the bar of the city of New York, because, according to Mr. MacLean's testimony, that group of technical experts is quite confused, too.

A PELL MELL RUSH TO TAX CHAOS

H. R. 8300 represents the work and study of a group of Treasury and Joint Committee on Internal Revenue Taxation experts stretching back, I understand, a period of nearly 3 years. Presumably those experts know what it is they are recommending. The things they recommend may be good. But the point is that the Congress does not have the least idea in the world not only whether they are good or not, but what they actually mean.

And I do not think that is the way to legislate on a measure which affects, as I said, every taxpayer, every business, every industry, every estate.

As a matter of fact, the staff experts who drew up the bill which we had jammed down our throats here in the House are now busily engaged over in the Senate Finance Committee drafting amendments to their own handiwork to take care of some of the questions and eventualities that have arisen after this short review of only a month or so. What would the bill be like if it got a really comprehensive going over?

Mr. MacLean said in his testimony on behalf of the New York bar committee that after breaking up the bill into major segments and assigning those major topics to subcommittees of experts, which then "devoted as much time as humanly possible to a study of the bill," the group had in a month's time reviewed only about 25 percent of the bill's provisions and the study generally had not advanced beyond a preliminary stage. He further told the Senators:

Within the limited time available, no member of our committee has been able to analyze more than a relatively small segment of this bill. This experience has served to emphasize to us the magnitude of the task that confronts your committee and its staff. In our view the bill presents many problems on both the policy and technical levels. Further study and revision are, we believe, necessary, and it is our earnest hope that the Finance Committee will be able so to schedule its consideration of the bill so that sufficient time may be allowed for the work that remains to be done.

He enlarged on this point later in his testimony by urging that entire sections of the bill be deleted at this time and reserved for future consideration by a succeeding Congress after more facts are available.

I think it only fair to point out that Mr. MacLean and his fellow New York bar taxation committee members were not looking at these provisions from the standpoint of clients but from the standpoint of fairness to all taxpayers and the Treasury alike.

His oral testimony is technical, but nevertheless makes clear the morass in which the tax laws would be placed by a hasty passage of this legislation without adequate analysis and review. In addition, however, he filed a brief with the Senate Finance Committee, devoting 50 pages to the problems which his group has so far found in connection with only one part of the bill—subchapter C of part I, dealing with corporate distributions and readjustments.

And he adds:

We know, certainly, that we have not developed all of them. Whether the structural concept of subchapter C could be retained if time were available to study and to iron out the problems we cannot say.

He then declared:

We recommend that in the limited time remaining before action on H. R. 8300 is scheduled, the efforts of all concerned be spent on revision of other parts, where the work has a real prospect of success.

LEGISLATING AWAY CONGRESSIONAL AUTHORITY

Mr. Speaker, the House is and should be jealous of its prerogatives and its obligations under the Constitution. We are and we should be conscious of our responsibilities and the dignity and the importance of the office we hold. On most matters and in most instances the House readily recognizes and rejects attempts to eat away at our authority and to compromise our constitutional role.

But what is more insulting to the dignity of the Congress than an action of the Treasury in urging the steamrollering through this body and attempting to steamroller through the other body complex legislation that we do not understand and are not given adequate time to study and digest?

How can Members explain to their constituents that a provision in this bill cited by the bar association of the city of New York was slipped through here unnoticed, and which would punish taxpayers for failing on March 15 of this year to estimate their 1954 incomes in a manner this bill requires?

Under present law, as Mr. MacLean points out, if an individual underestimates his tax, he normally has until January 15 of the following year to bring it up to 80 percent. But, continues the spokesman for the New York Bar Committee:

Under section 6654 of the bill, this rule would no longer apply, and unless the taxpayer was within one of the exceptions, he will be liable for a penalty unless he estimates and pays each quarter on a basis of the amount equal to 75 percent of his final tax. The bill would make this change effective for the year 1954, even though only a handful of people could have known on March 15 of the change proposed.

How many Members here, Mr. Speaker, knew of that change during the hasty consideration of this Anthony Adverse volume of tax legislation crammed into the 875 pages of H. R. 8300?

If the staff experts in the Treasury can spend nearly 3 years working over and drafting and redrafting and reconsidering and weighing and debating the provisions of this bill, why were the members of the Ways and Means Committee allowed only a month to go over them, and the 435 Members of the House generally just 7 hours of floor consideration?

If it took nearly 3 years to devise the bill, why cannot the Congress take enough time to examine what it is supposed to be enacting?

This is legislating in the dark, it is legislation by default, it is legislation by proxy. As Members who appreciate the constitutional obligations of our office, I should think that all of us, Mr. Speaker, should bitterly resent the ignominious role in which we were cast on this bill.

I would urge that the other body show more deference to congressional authority, scale the bill down to a size which can be grasped and understood, junk from it for this session the many portions which require extensive additional study and review, and thus substitute congressional understanding and consideration for the blindfold which characterized action on the bill on this side.

MERCHANT MARINE DAY

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, on Saturday, May 22, the port city of Detroit, as well as other great coastal cities in these United States, will celebrate Merchant Marine Day. I say "other" great coastal cities because of the position in which Detroit and her sister cities on the Great Lakes find themselves as a result of passage of the St. Lawrence Seaway bill.

Detroit is situated stategically on our coastline to the north. Before very long we shall be welcoming to all the regions of the Great Lakes many vessels and commodities which heretofore have been barred by certain shallow and presently inadequate sections of the waterway.

With these thoughts in mind, I would like to review for you the part played by the Great Lakes area in the maritime program during the past year.

In 1953 there were 45 vessels—of more than 1,000 gross tons each—delivered from shipyards in the United States. This number totaled 570,326 gross tons.

The figure quoted included 6 ore carriers, 1 of which was the famous self-

unloader type, coming to a total of 71,563 gross tons. All of these ore carriers were built on the Great Lakes—71,563 out of 570,326 gross tons accounted for by Great Lakes shipyards in 1953.

New contracts placed in 1953 in American shipyards came to a total of approximately 19,000 gross tons, of which a great portion is included in the proposed construction of a 14,200 gross ton bulk or carrier to be built in a Great Lakes yard.

While the picture for 1953 delivery of shipping from Great Lakes shipyards has been heartening, prospects for the future in that area are in equal measure quite frightening.

A look at the log reveals that as of December 31, 1953, there were only 2 incompleted vessels—of 1,000 gross tons or more—in Great Lakes yards, 1 a 14,200 gross ton bulk ore carrier, and the other a 12,000 gross ton bulk self unloader.

After that, my friends, what?

As we know from World War II, shipping provided the artery through which flowed the vital materials needed by our men and our allies overseas. American shipping was the lifeline held out to the free nations of the world. It never failed them—or us. It never failed because while our men braved torpedo and icy waters on the frigid sealanes, at home we sweated and labored, night and day. No sacrifice was too great; no opportunity too small. Our shipyards met the challenge, combining those time-tested and rare ingredients of American enterprise and Yankee initiative. They proved, irrefutably and incomparably, that freemen in a free economy cannot be beaten when they will not be beaten.

It is well, on Merchant Marine Day, that we reappraise our situation—take stock of what we do and do not have.

Are we to stand by and bear mute witness to the disintegration of what was once the greatest merchant fleet that ever sailed the oceans of the world?

Have we become so concerned with faster-than-sound transportation that we can allow what was once our pride and joy to rot and rust in the graveyard of forgotten galleons and abandoned hopes; that we can fail to provide the type of program which will assure, in the interests of national defense, a continuous supply of new shipping and a continuing repair of the old; that we can turn our backs upon a great American industry that failed us not in our time of need?

Should we sit by complacently, content to ship in and depend upon foreign bottoms, while our own merchant fleet remains pitifully unprepared to meet crisis or emergency?

Shall we continue to remain unmindful of the grave and expensive lessons taught to us, shippingwise, in the aftermath of World War I?

Are we to permit our shipyards to decimate further their skeleton working forces, beyond the point of reason and the requirements of national security?

Will we continue to ignore the sterling and cogent recommendations made by the maritime industry itself, based upon the most complete and exhaustive study ever accomplished in this field?

Gentlemen, these are the questions and considerations which I most strongly urge upon you at this time. We must awaken ourselves to the danger. The sands of opportunity are fast slipping through the hourglass of destiny. The merchant marine is today fighting for its very existence. As our fourth arm of defense, we must, in our own and in our country's interest, fortify and strengthen her.

AUTHORIZING APPOINTMENTS TO THE UNITED STATES MILITARY ACADEMY AND UNITED STATES NAVAL ACADEMY

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4231) to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, strike out lines 20, 21, and 22, and insert:

"(b) This section shall apply to the Air Force Academy."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, I think perhaps for the sake of the record I should make a brief explanation of this amendment. House bill 4231 authorized the appointment of the sons of certain deceased members of the military services to West Point and Annapolis. The Senate amendment includes appointpointments to the Air Force Academy, which has been authorized by law since this bill originally passed the House.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE REPRESENTATIVE TO NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7541) to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 7, strike out all after "thereof" down to and including "development" in line 9 and insert "one Department of Defense representative who is acquainted with the needs of aeronautical research and development."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, H. R. 7541 is a bill authorizing the appointment of a Department of Defense representative to the National Advisory Committee for Aeronautics. The Senate amendment provides that this representative from the Department of Defense must be acquainted with the needs of aeronautical research and development. I suppose we could take that for granted, but we have no objection to the amendment. I might say that it was unanimously reported out of our committee, and that I have cleared this with the leadership of the House.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PROVIDING FOR SUNDRY ADMINISTRATIVE MATTERS AFFECTING THE GOVERNMENT

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2225) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, line 12, after "credited", insert ": *And provided further*, That such sales shall be on a cash basis or such other basis as will reasonably assure prompt payment for such supplies."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. The Senate amended section 3 of the bill which permits the Navy to sell fuel and other supplies to merchant ships when such supplies cannot be obtained locally, and when such merchant ships cannot proceed to the nearest port without them. The Senate amendment provides that payment for such supplies shall be on a cash basis or such other basis as will reasonably assure prompt payment for such supplies.

I think it is a good amendment. Our committee agreed to it.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FEDERAL CIVIL DEFENSE ACT OF 1950

Mr. SHORT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7308), to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That section 307 of the Federal Civil Defense Act of 1950, as amended (50 U. S. C. App. 2297), is amended by striking out the date 'June 30, 1954' and inserting in lieu thereof the date 'June 30, 1958'."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. H. R. 7308 repealed section 307 of the Federal Civil Defense Act of 1950, as amended. That section of law provided standby emergency powers for the Civil Defense Administrator in the event of an attack on the United States, which authority will expire on June 30, 1954. The House bill would have granted this emergency authority to the Federal Civil Defense Administrator on a permanent basis, to be exercised in any national emergency in the future. The Senate amendment does not make the authority permanent, but merely extends the authority for a 4-year period beyond June 30, 1954.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONSTRUCTION OF NAVAL VESSELS

Mr. SHORT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8571) to authorize the construction of naval vessels, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., that the President is authorized to undertake the construction of, or to acquire and convert, not to exceed 16,000 tons of modern naval vessels in the combatant category, divided into the following subcategories:

(a) Mine warfare vessels, 4,000 tons; and

(b) Patrol vessels, 12,000 tons.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary for the construction, or for the acquisition and conversion, of the foregoing vessels.

With the following committee amendment:

Page 2, line 3, insert:

"SEC. 3. The act of August 8, 1950 (64 Stat. 420), is hereby amended by deleting '$350,000,000' and inserting in lieu thereof '$500,000,000'."

Mr. SHORT. Mr. Speaker, H. R. 8571 is a bill to authorize the Navy to construct vessels in the amount of 16,000 tons in the combatant category. The vessels comprise 4,000 tons of mine-warfare vessels and 12,000 tons in patrol vessels.

The committee discovered, when considering this bill, that there is ample tonnage authority available from existing statutes for the Navy's shipbuilding program for fical year 1955 with the sole exceptions of the mine-warfare and patrol categories. It is these deficiencies which will be met by this bill.

This bill will allow the construction of 3 mine-warfare vessels and 8 patrol vessels. Their estimated cost is $114,897,000. I do not need to emphasize the fact that these particular types of vessels are an essential and vital part of the Navy's shipbuilding program.

The patrol vessels are required to augment the striking power of our antisubmarine forces and the mine-warfare vessels are a further implementation—and an important one—of our Navy's program for developing effective countermeasures for combating improved types of mines.

In addition to providing authority for the important types of vessels which are described, this bill also will amend the act of August 8, 1950, so as to permit the effective prosecution of the Navy's shipbuilding program. That act included a provision limiting the appropriation authority for the 41 ships and 99 craft covered by that act. The purpose of the act was to give impetus to a broad modernization program through the construction of new prototypes and conversion of existing vessels. Funds for initiating this program were provided in subsequent appropriation bills.

The Navy's original estimated cost for the new construction and conversion authorized by the act of August 8, 1950, was $314,575,000, and a limitation of $500 million was asked for. Because of a reduction in the size of the program, the limitation was reduced by this committee to $350 million with the understanding that the Navy would not exceed this amount without coming back for specific authority.

Two ships authorized by the 1950 act, a closed-cycle submarine—SSX—and a mine-laying submarine conversion—SSM—have not been started or funded for. However, the other work authorized by this act has now progressed to the point where, on the basis or repricing of the Navy's 1955 budget, the $350 million limitation will be exceeded by $19,573,500. When consideration is given to the estimated cost of $45,600,000 for the 2 ships not started, the limitation is exceeded by $65,173,500.

In general, the increases in cost of these vessels are attributable to price rises in labor and material, overtime caused by urgent need for completion of some of the vessels, refinements in design of components, adjustments of claims by contractors and, in some cases, to faulty original estimates. With regard to conversions, greater repairs than originally estimated and increased complexity in the scope of work have been important factors.

There has been, since June 1950, an average increase of approximately 15 percent in wage rates and in the cost of materials particularly applicable to ship work. Moreover, many of the new ships and conversions comprising this program were prototypes. It was necessary to incorporate new and costly characteristics during production, in order that the Navy might benefit from the latest technological developments.

I want to make it clear that the increase in appropriation authority set forth in this amendment is not for the purpose of, and cannot be used for, authorizing new naval construction. Obligations have already been incurred for all of the ships built or to be built under the appropriation limitation of the 1950 act. Only two of these ships remain to be completed. The Navy anticipates, however, that when returned costs, on not only these two but on other completed ships, become available, the $350 million limitation will be exceeded by more than the estimated $65,173,500 in the fiscal 1955 budget repricing. While the Navy presently expects that only about $450 million of the entire authority will be ultimately required it expressed the opinion, in which the committee concurs, that an increase to $500 million is advisable in order to cover contingencies.

From a recent newspaper article headed "Red Submarines Outnumber Nazis' 1939 Fleet 6 or 7 to 1," I quote:

German submarines came within an ace of winning World War II on the seas. Today the Russians have 6 to 7 times as many U-boats as the Germans did at the start of World War II.

From a newspaper article entitled "Russian Navy No. 2 in the World, Ranking Next to That of United States," I quote the first two paragraphs:

To numerical supremacy in the air and on the land, Russia appears to be seeking to add preeminence on the seas.

Ten years ago Russia was a poor seventh in naval strength. Today it is second. Only the United States fleet is larger, but in tonnage alone, not in number of ready combat ships.

That all Members may have an opportunity to read in full the newspaper articles I have just mentioned I include them:

RED SUBMARINES OUTNUMBER NAZIS' 1939 FLEET 6 OR 7 TO 1

(By William H. Gregory and Donald D. Jones)

German submarines came within an ace of winning World War II on the seas. Today the Russians have 6 to 7 times as many U-boats as the Germans did at the start of World War II.

The United States Navy estimates this force at 350 ready-to-go submarines, built around a nucleus of 75 Russian-built long-range ocean raiders and 15 long-range, high-submerged-speed types captured from the Germans.

This is enough to make up a prima facie case that the Russian submarine flotilla is the most dangerous element of the burgeoning Russian Navy.

Besides, for operations in European and Asiatic waters (blockading Britain or Japan), the Soviets have at least 130 to 150 medium-range torpedo attack boats.

Says our Navy Department:

"These somewhat smaller units are highly maneuverable and are well fitted to cope with the concentration of antisubmarine forces the Soviet Navy expects to meet in these scenes of operations."

Their other submarines are of the coastal type, a small, shorter-range design, which is very useful from the Soviet viewpoint. They are cheap and can be produced rapidly. They play a key role in keeping the coastal waters of the U. S. S. R. and the approaches of the Soviet naval bases free of enemy naval forces. In doing so, they free larger Soviet submarines for offensive operations.

ONE HUNDRED NEW SUBMARINES

In its summary of Russian naval strength just made available for this series, the Navy Department adds:

"It is reported that about 100 new submarines have been built or are being worked on in Soviet shipyards since the close of

World War II. They are said to fall into five types and to be fitted with snorkels:

"1. An improved version of the K type or submarine cruiser: 1,700 tons or more, 20 knots surface and 19 knots submerged; very long range.

"2. An improved version of the German type XXI: 1,400 tons or more, 15 knots surface and 19 knots submerged; long range.

"3. An improved medium-range attack submarine based on the German type VII–C.

"4. A fast long-range minelayer.

"5. A coastal type based on the German type XXIII, which was designed particularly for rapid mass production."

There is no indication that the Russians have attempted to build an atomic submarine. Such construction, however, would undoubtedly be top secret if the Russians gave it a try.

EQUIPMENT RATED GOOD

Comdr. Slade Cutter, a veteran United States submariner, has this to say about Russian submarines:

"I was aboard Russian submarines in World War II and was most favorably impressed with what I saw. In some respects, their equipment was superior to ours. Their torpedoes were vastly superior. Their periscopes were the envy of United States submarines. Their engines were the equal of ours in performance. This is not to say I would not prefer our submarines to theirs, but the difference is not what I expected. All United States submariners were amazed at what they saw."

There is no indication Russian emphasis is away from submarines to surface construction, and so the United States Navy is continuing to concentrate on the hunter-killer type system which knocked out German submarine packs.

In Tokyo recently, when he spoke of Russian submarines as able to cause us serious trouble, Adm. Robert Carney, Chief of Naval Operations, indicated that the increased submerged speed of Russian subs has just about balanced out the improvements in antisubmarine warfare since the war.

The appearance of former German types sprinkled through the listing adds an ominous note. In fact, the importance of the addition of German underwater techniques to the Russian Navy cannot be minimized.

RUSSIAN NAVY NO. 2 IN WORLD, RANKING NEXT TO THAT OF UNITED STATES—SHIPYARDS WORKING AROUND CLOCK RAISE FLEET FROM SEVENTH POSITION OF DECADE AGO

(By William H. Gregory and Donald D. Jones)

To numerical supremacy in the air and on the land, Russia appears to be seeking to add preeminence on the seas.

Ten years ago Russia was a poor seventh in naval strength. Today it is second. Only the United States Fleet is larger, but in tonnage alone, not in number of ready combat ships.

Soviet shipyards—working around the clock—are building nothing but fighting ships, surface vessels as well as submarines. Their merchant shipping—100 percent of it—is being built in non-Communist countries, principally Finland, the Netherlands, Denmark, Italy, and Sweden.

There is nothing modest in the scale of the Russian buildup in fighting ships. In submarines, for example, the U. S. S. R. is outbuilding the United States 12 to 1.

BUILDING FAST CRUISERS

In high-speed modern cruisers—and this is not so generally known—they are building more each year than all the North Atlantic Treaty Organization countries together. More than 50 destroyers have been added to the Soviet navy in the last few years.

Not that this buildup means the Russians are ready to challenge the United States and Britain on the high seas—they are not.

But of growing Soviet naval strength, Adm. Robert B. Carney, United States Chief of Naval Operations, in an exclusive statement, has this to say:

"The determined efforts of the Soviet Union to build a navy that will threaten allied control of the world's lifelines gives all of us cause for sober thought.

"The rapid construction by the Soviet Union of lethal seagoing weapons systems, including long-range submarine, naval aircraft and fast, heavily armed cruisers, as well as their noteworthy acquisition of merchant vessels, all point to a determined Soviet effort for a long-sought maritime pre-eminence.

"As many Americans have realized, the existence of Soviet shore-based weapons systems—guided missiles, coastal artillery, short- and long-range aircraft—have always been a threat to our own ability to project United States military might overseas. Thus, whether the Soviet Union did or did not have a navy, there was created the need for a far-ranging United States Navy with sufficient military power to control distant coastal waters and to support and sustain our allies and sister services.

"But the rise of the Soviet Navy has added a new factor to the equation—one which must be carefully inculcated into our overall security planning."

RADFORD COMPLETES PERSPECTIVE

Another view, to complete the perspective, from Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, made in 1952 in Indochina:

"The entire combined Communist navies would not be capable of undertaking any large-scale operations in the face of the opposition they would meet."

Admiral Radford, known to advocate a naval blockade against Red China and Indochina if a show of force against the Communists in southeast Asia is necessary, apparently still holds to his 1952 position.

At first hand, Admiral Radford's and Admiral Carney's views appear to be contradictory. This is not the case, as can be seen from an analysis of Russian strength.

This comparison of United States, British, and Russian Fleets is compiled from figures from recognized naval strength authorities such as Jane's Fighting Ships, from the British Admiralty, and from figures just released for this series by the Navy Department:

	U. S. S. R.	United States	Britain
Carriers	0	17–29	5–7
Battleships	3	4	1–5
Cruisers	24	19	11–24
Destroyers	125	246–340	62–95
Submarines	350	100	35–53

(In addition, Russia has 1,000 patrol vessels, 25 minelayers, 525 minesweepers, 200 large amphibious vessels, and 200 fleet auxiliaries, including aircraft tenders.)

SOVIET ARRAY IMPRESSIVE

"The Russian array of naval strength is impressive," the United States Navy says, "but cannot yet challenge the West at sea."

Russia's deficiency in aircraft carriers is obvious. It has none. Persistent rumors from behind the Iron Curtain, however, tell of one afloat or being built.

In line with a policy of never underestimating the enemy—a policy born of the debacle at Pearl Harbor—the Navy points out some Communist advantages.

Soviet navies are ready to go; they have no ships in mothballs. Also, the Russians are able to maintain large numbers of patrol and mine craft (mine laying incidentally is a revered Russian specialty learned in czarist days) on the active list. This is unlike the Western practice of building such smaller craft after war breaks out.

Merchant shipping apparently is growing. About 75,000 tons are on the ways in Western countries. Their new or secondhand ships sought abroad are principally dry cargo vessels of from 2,500 to 5,000 gross tons.

SHORTAGE OF TANKERS

Louis S. Rothschild, Maritime Administrator, says there is an acute shortage of tankers under Russian registry, and recently there have been efforts to purchase such ships in the West. Both Britain and France have been approached.

"Current indications are that the greatest part of Russian efforts to obtain new or secondhand merchant-type tonnage from Western countries is concentrated primarily in dry cargo vessels of from 2,500 to 5,000 gross tons," Mr. Rothschild said. "The fact that many Russian seaports have only moderate depths of water makes it advisable for them to limit the size of merchant-type tonnage for maximum operational flexibility.

"In the merchant-ship category, the U. S. S. R. still retains the following vessels made available to it under lend-lease in wartime:

"Liberty, 38; prewar dry cargo, 44; prewar tankers, 1; war-built tugs, 2; and prewar tugs, 1, a total of 86.

"Efforts by the United States Government to obtain return of these vessels are continuing."

SHIPS STURDY AND FAST

There's an old wives' tale that Russian ships are poor in quality, like much of their consumer goods is often said to be. United States Navy officials have this to say:

"The Russians build sturdy ships. Their newest ships are every bit as good as their opposite number in western navies—fast, heavily gunned, and sound; the Russian ships often incorporate foreign ideas and developments, although only the best features are borrowed. The final result is a first-class, but completely Russian, ship.

"The Soviet naval architect has fewer headaches than his western counterparts, for all he must fit into the narrow confines of his warship hull are the fighting features. Air conditioning, iceboxes for fresh foods, moving pictures, and ice cream are not part of the Russian sailor's life.

"It remains to be seen whether their current plans for expansion contemplate a direct challenge to western naval supremacy by construction of big ships such as aircraft carriers and battleships.

Mr. Speaker, I ask unanimous consent to append to the remarks I have just made certain newspaper articles that are very interesting and informative, and which should receive serious consideration not only of our Committee on Armed Services, but of every Member of the Congress and all of the American people.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, I will be glad to yield to anyone who might wish to interrogate me.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. GROSS. May I ask the gentleman from Missouri how many of these vessels are to be constructed or conversions made in foreign shipyards?

Mr. SHORT. I think all of these or certainly practically all, if not all, are to be constructed here in the United States. I am glad to give you that information because our shipbuilding industry in this country is pretty sick, as the gentleman knows.

Mr. GROSS. That is right. You recognize that in your report, yet there is nothing in the language of this bill which would compel the conversion or the building of these ships in American yards. I will say to the gentleman that I do not believe this bill was programed for action today.

Mr. SHORT. No, it was not, but because we had a light program today and because the chairman of the Committee on Armed Services finds it necessary to fly to Missouri tomorrow, I thought it would be a good time to dispose of it.

Mr. GROSS. I will say to the gentleman that I would be reluctant to hold up action on this bill today, but I feel it could be amended, in view of the critical unemployment situation in the shipbuilding industry of this country, to make certain we do not continue what we are now doing, namely, reconverting and building ships for the United States Navy in foreign yards.

Mr. SHORT. I can assure the gentleman that it is the purpose of the Department of the Navy to do all of this construction work that can be done here at home. There might be certain aspects from a technological or scientific nature where we have to cooperate, of course, with friendly nations.

Mr. GROSS. I do not know of any reason for building ships in foreign yards. Can the gentleman give me any adequate reason why we should be building ships today in foreign yards.

Mr. SHORT. I think these ships will be constructed here at home. I believe in building American, and buying American to the maximum degree, but, of course, we have got to have as free a flow of trade as possible.

Mr. GROSS. I am sure that is a sincere hope of the distinguished gentleman from Missouri. I know that is my hope, but I see nothing in this bill which will compel the expenditure of a half billion dollars which you are appropriating here to be spent in the United States of America.

Mr. SHORT. No, we are not appropriating it.

Mr. GROSS. I mean you are authorizing it or asking for it.

Mr. SHORT. The appropriations have yet to be made for this fiscal year, but the Committee on Appropriations are holding it or delaying it because our committee has not yet authorized it. The appropriations are simply waiting for this authorization and that is what this bill is for.

Mr. GROSS. The net result would be to spend a half billion dollars, would it not, on shipbuilding?

Mr. SHORT. It could go up to that. We cut them down to $350 million, but the price of labor and materials has gone up 15 percent since 1950.

Mr. GROSS. I understand that and I agree with the gentleman that if there is a need for vessels they should be built.

Mr. SHORT. Yes.

Mr. GROSS. But I want them built in American yards.

Mr. SHORT. So do I.

Mr. GROSS. There is nothing providing for the money to be spent in that fashion.

Mr. SHORT. Not one dime of this will go for new naval construction. It is merely to complete a program already undertaken and which is a vital program and a necessary one. I am sure the gentleman realizes the threat and the danger from the snorkel submarines now in Russia's hands and I am sure the gentleman realizes that is a threat and a danger which we must meet.

Mr. GROSS. I grant you all that, but you have minesweepers or various other auxiliary craft under the terms of the bill, do you not?

Mr. SHORT. No. This is 4,000 tons of mine warfare vessels and 12,000 tons of patrol vessels. In these two particular categories we are vitally short. Remember that the Nazis with only 50 submarines at the beginning of World War II made us come dangerously near losing World War II when 54 of our 59 tankers bringing oil from Curacao and Aruba were sunk off the Atlantic coast, and the Atlantic Ocean from Norfolk down past the Carolinas, Georgia, and Florida, was a sea of oil.

Instead of having only 50 submarines as the Nazis had at the beginning of World War II, our best intelligence informs us that the Russians have 350 of the fast, heavy, snorkel-type submarine. That poses a real threat to this country. I think it is one of the things that has not received the proper publicity and emphasis and that the American people should know about.

Mr. GROSS. I agree with the gentleman wholeheartedly, but I want assurance that in the future money expended for this purpose is going to be expended in the shipyards of the United States.

Mr. SHORT. I think the gentleman can rest assured that the bulk of it, if not all of it, will be spent here at home.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WHY THE DELAY?

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, it is weeks since we have had any substantial volume of important legislation before us in the House of Representatives. Outside of the St. Lawrence Seaway bill, we have not had anything of a consequential nature in some time. Many of the bills we do take up are of such a minor nature, debate is unnecessary. We just pretend to legislate when actually we are mostly marking time.

Marking time for what? When are we going to get down to some real issues? Most of the appropriation bills were passed in March and April. When do we take up the rest of the administration's legislative program?

The reason I ask this question, Mr. Speaker, is that we have had on the calendar, since last February 25, a very important bill which has never been called up for debate. It is the kind of bill which deserves a lot of study, for it is very controversial.

I am referring to the bill to raise postal rates from 3 cents to 4 cents on out-of-town letters and to change some of the other postal rates. The President submitted this proposal as part of his dynamic, progressive program. Therefore, it can be regarded as a part of the Republican legislative policy.

Why, then, has it been held up so long? Why don't we take it up for debate, particularly since we don't seem to have much other important legislation to consider at this time?

Is the idea to let this bill stay pigeonholed on the House calendar until the House does get jammed up in the flood of last-minute work before adjournment—the better to slip it through without adequate debate and consideration?

Or is it being held up as a part of a slick-double-play—or, to use football expressions, a "hidden-ball trick" or a "sneak play"? There are rumors of that nature around Washington.

One of the most interesting I have heard, is that the leadership is keeping this bill under cover until the Post Office and Civil Service Committee completes action on bills to raise the pay of Government workers and postal employees. Then, I hear, both things would be put together in one bill by the Rules Committee—the pay increases and the postal increases—and the combined bill would come out under a closed rule prohibiting amendments from the floor.

If this is strategy, Mr. Speaker, it is one of the trickiest, most underhanded pieces of legislative deception I have seen in a long time.

The postal rate increase bill which the President has requested be passed is, as I said, very controversial. It is a "sock-the-people" bill—to raise rates on first-class mail in order to reduce the deficit on the mailing of newspapers, advertising matter, and so on.

First-class mail more than pays its own way. The other types do not. So the users of first-class mail would have to pay out more to cover part of the deficit arising from subsidized use of the mails by many businesses.

If that is what the President thinks we should do, he has a perfect right to that opinion and he can urge it be adopted. But many Members of Congress—and I am one of them—are bitterly against such a proposal. We mean to fight it.

On the other hand, most of us recognize the merits of the proposals to give postal workers and other Government employees long overdue pay increases. They have not had a raise in 3 years—and the cost of living has gone up substantially since then.

To tie the two things together into one bill and make the justifiable pay increases contingent on passage of an unjustified postal rate increase is dishonest and reprehensible. It is one of those

too-slick tricks which have characterized Republican Party attempts to carry water on both shoulders.

The postal rate bill is ready for House action now. Let us take it up, Mr. Speaker, debate it, and go on record. Let us stand up and be counted whether we are for raising the 3-cent rate on out-of-town letters to 4 cents in order to help subsidize the below-cost circulation of advertising circulars through the mail. Let us get this matter out of the way now—while we have ample time to debate and discuss it thoroughly.

The issue of pay raises for Government workers is an entirely separate one and should be taken up separately—on its own merits.

To say to the postal workers and other Government employees that their pay raises would hinge only on passage of a bill which also contained higher postal rates would be what would be called in football a sneak play to get mail rates raised.

Mr. Speaker, I am against sneak plays in legislation.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. ROGERS of Texas.

Mr. SIEMINSKI.

Mr. FISHER.

Mr. EDMONDSON and to include two tables.

Mr. JUDD and to include a speech he delivered yesterday in New York.

Mr. HORAN and to include two articles.

Mr. BYRNES of Wisconsin.

Mr. HELLER (at the request of Mr. EBERHARTER) and to include extraneous matter.

Mr. BURDICK.

Mr. MOULDER.

Mr. TOLLEFSON.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3090. An act to authorize the transmission and disposition by the Secretary of the Interior of electrical energy generated at Falcon Dam on the Rio Grande; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7893. An act making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

ADJOURNMENT

Mr. SPRINGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 38 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, May 24, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1564. A letter from the Acting Comptroller General of the United States, transmitting a report on audit of the Institute of Inter-American Affairs for the fiscal year ended June 30, 1953, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 399); to the Committee on Government Operations and ordered to be printed.

1565. A letter from the Acting Secretary of the Treasury, transmitting a draft of legislation entitled "A bill to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

1566. A letter from the chairman, Committee on Retirement Policy for Federal Personnel, Executive Office of the President, transmitting the third report, dealing with the civil service retirement system; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. LECOMPTE: Committee on House Administration. House Resolution 543. Resolution to provide additional funds for the studies and investigations to be conducted pursuant to House Resolution 115; without amendment (Rept. No. 1658). Ordered to be printed.

Mr. LECOMPTE: Committee on House Administration. House Joint Resolution 481. Joint resolution to amend the act of July 5, 1949 (Public Law 157, 81st Cong.); without amendment (Rept. No. 1659). Ordered to be printed.

Mr. LECOMPTE: Committee on House Administration. House Joint Resolution 508. Joint resolution to extend the time for the erection of a memorial to the memory of Mohandas K. Gandhi; without amendment (Rept. No. 1660). Ordered to be printed.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 230. Concurrent resolution providing for 20,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations"; with amendment (Rept. No. 1661). Ordered to be printed.

Mr. TOLLEFSON: Committee on Merchant Marine and Fisheries. H. R. 6276. A bill to amend the Ship Mortgage Act, 1920, as amended; with amendment (Rept. No. 1662). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6893. A bill to restore to the Shoshone Irrigation District the share of the net revenues from the Shoshone powerplant to which it is entitled under its contract with the United States; with amendment (Rept. No. 1663). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 9169. A bill to amend the Veterans Regulations to provide that psychoses or multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service-connected; without amendment (Rept. No. 1664). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee on the Judiciary. S. 144. An act for the relief of the Cavalier County Fair Association; without amendment (Rept. No. 1629). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 857. An act for the relief of the legal guardian of Robert L. Hilton, a minor; without amendment (Rept. No. 1630). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. S. 1794. An act to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients; without amendment (Rept. No. 1631). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 2450. An act for the relief of Lt. Hayden R. Ford; without amendment (Rept. No. 1632). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. House Resolution 520. Resolution providing for sending to the United States Court of Claims the bill (H. R. 2156) for the relief of the Fredericktown Lead Co.; without amendment (Rept. No. 1633). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. House Resolution 545. Resolution providing for sending to the United States Court of Claims the bill (H. R. 5587) for the relief of Electric Ferries, Inc., of New York, as agent and trustee of the stockholders of Southern Transportation Co. of New York; without amendment (Rept. No. 1634). Referred to the Committee of the Whole House and ordered printed with an illustration.

Mr. BURDICK: Committee on the Judiciary. House Resolution 546. Resolution providing for sending to the United States Court of Claims the bill (H. R. 1950) for the relief of Union Oil Co. of California and the Matson Navigation Co.; without amendment (Rept. No. 1635). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. House Resolution 547. Resolution providing for sending to the United States Court of Claims the bill (H. R. 2042) for the relief of Palmer-Bee Co.; without amendment (Rept. No. 1636). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 1185. A bill for the relief of Mrs. Valerie M. Schmiedeke; without amendment (Rept. No. 1637). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 1962. A bill for the relief of the Edwards Manufacturing Co., Inc.; with amendment (Rept. No. 1638). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 2781. A bill for the relief of Nicholas Matook; without amendment (Rept. No. 1639). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 3216. A bill for the relief of E. C. Mills; without amendment (Rept. No. 1640). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3273. A bill for the relief of Edgar A. Belleau, Sr.; without amendment (Rept. No. 1641). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 3384. A bill for the relief of John B. Daniel, Inc.; without amendment (Rept. No. 1642). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 3820. A bill for the relief of Georg Gahn and Margarete Gahn; without amendment (Rept. No. 1643). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4531. A bill for the relief of Lyman Chalkley; with amendment (Rept. No. 1644). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 4580. A bill for the relief of the Florida State Hospital; without amendment (Rept. No. 1645). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 5086. A bill for the relief of George Eldred Morgan; without amendment (Rept. No. 1646). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 5092. A bill for the relief of Robert Leon Rohr; without amendment (Rept. No. 1647). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 5489. A bill for the relief of Rocco Forgione; without amendment (Rept. No. 1648). Referred to the Committee of the Whole House and ordered printed with an illustration.

Mr. LANE: Committee on the Judiciary. H. R. 6332. A bill for the relief of James Philip Coyle; with amendment (Rept. No. 1649). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 6388. A bill for the relief of Clifford Oesterlei; without amendment (Rept. No. 1650). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 6529. A bill for the relief of Raleigh Hill; without amendment (Rept. No. 1651). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 6586. A bill for the relief of Daniel D. Poland; with amendment (Rept. No. 1652). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6967. A bill for the relief of Guerdon Plumley; without amendment (Rept. No. 1653). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 7031. A bill for the relief of Mrs. George A. Meffan; without amendment (Rept. No. 1654). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 7835. A bill for the relief of S. Sgt. Frank C. Maxwell; with amendment (Rept. No. 1655). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8697. A bill for the relief of G. F. Allen, and others; without amendment (Rept. No. 1656). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 1364. A bill for the relief of Richard A. Kurth; with amendment (Rept. No. 1657). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DAGUE:

H. R. 9231. A bill to amend the Public Contracts Act to provide that the minimum wage which may be paid by Government contractors shall not be less than 75 cents per hour; to the Committee on the Judiciary.

By Mr. HOFFMAN of Michigan (by request):

H. R. 9232. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to extend until June 30, 1955, the period during which disposals of surplus property may be made by negotiation; to the Committee on Government Operations.

By Mr. JARMAN:

H. R. 9233. A bill to extend medical, hospital, and domiciliary care to certain citizens of the United States who served in the active military or naval service of any government allied with the United States during World War II; to the Committee on Veterans' Affairs.

By Mr. KLEIN:

H. R. 9234. A bill to extend certain benefits of the War Claims Act of 1948 to Korean prisoners of war; to the Committee on Interstate and Foreign Commerce.

By Mr. SPRINGER:

H. R. 9235. A bill to amend the Veterans' Readjustment Assistance Act of 1952, to provide for an educational cost grant to institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TALLE:

H. R. 9236. A bill to amend the Federal Credit Union Act, as amended; to the Committee on Banking and Currency.

By Mr. ANGELL:

H. J. Res. 529. Joint resolution amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag; to the Committee on the Judiciary.

By Mr. HOLT:

H. J. Res. 530. Joint resolution to establish a Joint Committee on Internal Security; to the Committee on Rules.

By Mr. REAMS:

H. J. Res. 531. Joint resolution amending the joint resolution of June 22, 1942, with respect to the pledge of allegiance to the flag; to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi:

H. J. Res. 532. Joint resolution proposing an amendment to the Constitution relating to the power of States to require the maintenance of racial segregation in public schools; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. CUNNINGHAM:

H. R. 9237. A bill for the relief of Margaretha Gooden, of Munich, Germany, and her minor children, Ronald Gooden and Marjorie Gooden; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 9238. A bill for the relief of Alejandro Florentino Munoz; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H. R. 9239. A bill for the relief of Carmelo Rodriguez Perez, also known as Carmelo Rodriguez Fenald; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 9240. A bill for the relief of Miguel Barrenechea; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 9241. A bill for the relief of Gerard and Yelva Salnave; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

813. By Mr. GRAHAM: Petition of 17 residents of Butler, Pa., realizing the effect of beverage alcohol on home and family and the increase in the consumption of same due to the misleading advertisements by beverage alcohol interests, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

814. By Mr. HARDY: Petition of Mrs. Mary B. Crowder and others, members of Broad Street Methodist Church, Portsmouth, Va., urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

815. Also, petition of Miss Nellie M. Teagle and others, of the Second Congressional District of Virginia, urging enactment of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

816. By Mr. HESELTON: Petition of Mrs. George H. Foster, Holyoke, Mass., in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

817. Also, petition of the First Methodist Church, Pittsfield, Mass., Rev. Charles Walter Kessler, pastor, in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

818. Also, petition of the First Congregational Church of Chester, Mass., Rev. Ralph J. Capolungo, pastor, in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

819. Also, petition of Miss Lulu A. Avery, Westfield, Mass., in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

820. Also, petition of Miss Mildred R. Dunton, president of the Women's Christian Temperance Union of North Adams, Mass., in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

821. By Mr. HORAN: Petition of Helen H. Paré and 28 other residents of Spokane, Wash., requesting the passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

822. By Mr. JONES of Alabama: Petition of Jesse M. Rogers and others, of Decatur, Ala., supporting the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

823. Also, petition of Mrs. George H. Hill and others, of Florence, Ala., supporting the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

824. By Mr. MARSHALL: Petition of Mrs. Florence Shutter, Burtrum, Minn., and 34 residents of Todd County, Minn., urging favorable support of the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

825. By Mr. MARTIN of Massachusetts: Petition of Mrs. Edith E. Chapman and other residents of Massachusetts in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

826. By Mr. MILLER of Maryland: Petition of constituents of Millington, Chestertown, Betterton, Still Pond, Worton, Massey (Kent County) relative to proposed legislation to prohibit alcoholic beverage advertising over radio and television and in our magazines; to the Committee on Interstate and Foreign Commerce.

827. Also, petition of constituents of North East (Cecil County), Md., relative to proposed legislation to prohibit alcoholic beverage advertising over radio and television and in our magazines; to the Committee on Interstate and Foreign Commerce.

828. By Mr. O'NEILL: Petition of Ruth O. Norrington, Somerville, Mass., and 28 other members of the College Avenue Methodist Church, Somerville, Mass., in support of the Bryson bill, H. R. 1227, to prohibit advertising in the press and on the airways of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

829. By Mr. SMITH of Wisconsin: Resolution unanimously adopted by members of the Wisconsin Retail Hardware Association, petitioning the Federal Trade Commission to investigate the discrimination in advertising rates that operate to the detriment of independent retailers; to the Committee on Interstate and Foreign Commerce.

830. Also, resolution of General Drivers and Helpers Local Union No. 95 urging Congress to recognize the trucking industry as a prime hauler of United States mails on a par with other forms of transportation; to the Committee on Post Office and Civil Service.

831. By Mr. WESTLAND: Petition of John Allan Wallace and others, East Stanwood, Wash., requesting passage of the Bryson bill, H. R. 1227, a bill to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and TV; to the Committee on Interstate and Foreign Commerce.

832. By the SPEAKER: Petition of John Prowant and others, Orlo-Vista, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Schools and Graduation

EXTENSION OF REMARKS
OF
HON. MORGAN M. MOULDER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. MOULDER. Mr. Speaker, this is the month and the season of graduation for many young men and women throughout the United States. We all recall, with a feeling of nostalgia, our graduation from grade and high school as the proudest and happiest occasions of our lives.

Our school systems have helped this Nation reach its peak of leadership today among the nations of the world. And to our loyal teachers we owe a great deal. For generations we have confidently placed our children in their hands. In recent years, in many cases, our teachers have accepted even more school responsibility in the guidance of our young people. More extracurricular activities have been added to our educational systems and our teachers have graciously accepted this additional responsibility.

I cannot help feeling—and I hope others will realize it—that our teachers are our "first line of defense." I am sure, in fact, that they always have been, but we have never talked about it enough. Our school teachers are the quiet force in this country that molds our most precious resource—our children. The full impact of the valuable service schoolteachers give to the people of this country and its future, in a sense, ultimately guides the destiny of the free world.

I have received notice of graduation exercises from superintendents of the following schools or school districts in the 11th congressional district of Missouri: Armstrong, Bogard, Boonville, Bosworth, Brunswick, Bunceton, Bynumville, Cairo, California, Camdenton, Centralia, Columbia, Conway, Carrollton, Clifton Hill, Cross Timbers, Eldon, Eugene, Fayette, Glasgow, Green Ridge, Hale, Higbee, Houstonia, Iberia, Jefferson City, Keytesville, Lake Ozark, Lebanon, Lincoln, Macks Creek, Malta Bend, Marshall, Mendon, Moberly, Nelson, New Franklin, Norborne, Otterville, Phillipsburg, Renick, Russellville, St. Elizabeth, Sedalia, Slater, Smithton, Sturgeon, Stover, Sweet Springs, Tina, Tuscumbia, Urbana, Warsaw, Weaubleau, Versailles, Tipton, and Wheatland.

I extend my sincere congratulations to each graduate with best wishes for success and happiness.

Isn't the Indochina Question a Matter Now for France To Settle?

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. BURDICK. Mr. Speaker, it is a matter of record that since 1863 France has maintained in Indochina a colonial government, and the people there have been denied the right to establish a government of their choice. After many years of remonstrance and petitioning they revolted and started a movement to throw off the yoke of France and to set up their own government.

That revolution is in progress now and after suffering many defeats the French Government nows say to us, "If we—the French—continue resistance will you—the United States—enter the contest and aid and support us?"

I am not the President of the United States, nor am I in control in Congress, but to this question by the French Government my answer would be a decided "No."

Why should the United States become involved in a revolution in any particular country? Revolutions have been going on for centuries and will continue until the people finally gain freedom. Are we in favor of colonial empires? Does this great leader of democracy want to have colonial systems perpetuated?

Secretary Dulles says that it is to our interest to get into this revolution, as that is the only way to stop communism. Our entrance into the struggle would only aid communism, because it would be placing this country squarely on the side of imperialistic government and would prove the charges that Russia has continuously made against us.

If we desire world peace—and I think 100 percent of Americans want it—the sooner colonial governments are withdrawn and no longer try to keep people in subjection anywhere, the sooner world peace will come. There will be no world peace until all peoples have the right and privilege of forming a government of the kind they deem proper for them. This right of self-determination will live until freedom is achieved. We should studiously avoid any departure from our own conception of government, namely, that the people have the right to govern themselves. If that is a right principle here, it is a right principle everywhere. If this country goes about denying this right to any people, anywhere, we are building communism instead of stopping the spread of it.

Russia will not always remain as a dictatorship, but will eventually emerge into a democracy. No one can tell how long it will take, but time is not a measure of success and we may look for several more revolutions in Russia before the goal of a free and independent nation is reached.

But this Nation cannot afford to support colonial systems, which, in the first place were set up to exploit the resources of a backward country. We should let France settle her own troubles, as France set up this colonial government in Indochina in the first place, and not us.

Our involvement in Korea was a thousand times more justified than our entry into the revolution in Indochina would be, and I am sure that if this question is left to Congress that there will be no declaration of war against the people of Indochina.

Impending Loss of Federal Funds for Education

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. EDMONDSON. Mr. Speaker, one of the strong friends of public education in Oklahoma has just made available to me some very alarming figures concerning the impact of one of the changes in Public Law 874, which this Congress adopted during the last session. I am referring to the effect of the so-called 3-percent absorption amendment upon funds provided by our Government to federally impacted school districts of the Nation.

Details of this amendment are somewhat complicated, but there can be no question about its operation to the great detriment of States in which most federally connected children do not meet the double requirement of having parents who both live and work on Federal property. In instances where their parents merely live on Federal property, or merely work on Federal property—section 3 (b)—the actual effect of this amendment and its reduction formula is to impose a double absorption rate on these particular districts.

The result, according to calculations taken from the Third Annual Report of the Commissioner of Education, is a loss in daily attendance qualifying for

Federal funds in federally impacted areas (through 3 percent absorption under sections 3 (a) and 3 (b) of the law) which ranges from 13.8 percent for the State of Nevada to 99 percent for the State of West Virginia. My own State of Oklahoma will suffer a loss in attendance qualifying for funds under these sections through this amendment of 38.8 percent—which is calculated to mean a loss in funds of $715,419.22.

I am sure this new formula is going to result in similar drastic losses in Federal allowances for impacted areas in all of the States receiving such thoroughly justified aid—and the table which follows—giving changes in attendance figures for the various States and showing the loss in qualified attendance in most States—is offered for the information of all interested in this vital problem:

Recapitulation of losses in secs. 3 (a) and 3 (b) through 3 percent absorption (expressed in pupil ADA)

[The following facts have been tabulated from the data found in table 2 of the 3d annual report of the Commissioner of Education, June 30, 1953, through applying the 3 percent absorption amendment to Public Law 874 which will become effective July 1, 1954.]

State	Total ADA	3 (a)+½ 3 (b) ADA	Non-Federal ADA	Loss (3 percent col. 4 ADA)	Percent of loss (col. 5÷ col. 2)	State	Total ADA	3 (a)+½ 3 (b) ADA	Non-Federal ADA	Loss (3 percent col. 4 ADA)	Percent of loss (col. 5÷ col. 2)
(1)	(2)	(3)	(4)	(5)	(6)	(1)	(2)	(3)	(4)	(5)	(6)
Alabama	140,770	10,847	129,923	3,898	35.9	New Hampshire	12,429	1,538	10,891	327	21.3
Arizona	43,712	2,844	40,868	1,226	43.1	New Jersey	59,621	5,036	54,585	1,638	32.5
Arkansas	94,473	5,201	89,272	2,678	51.5	New Mexico	53,325	6,141	47,184	1,416	23.1
California	723,992	84,577	639,415	19,183	22.7	New York	49,800	4,319	45,481	1,364	31.6
Colorado	136,519	7,376	129,143	3,874	52.0	North Carolina	53,745	5,086	48,659	1,460	28.7
Connecticut	89,483	5,652	83,831	2,515	44.5	North Dakota	5,367	851	4,516	135	15.9
Delaware						Ohio	196,986	12,790	184,196	5,526	43.2
Florida	195,763	12,435	183,328	5,500	44.2	Oklahoma	164,080	11,823	152,857	4,586	38.8
Georgia	207,842	13,634	194,208	5,826	42.7	Oregon	14,106	2,040	12,066	362	17.7
Idaho	32,863	1,973	30,890	927	47.0	Pennsylvania	105,161	8,382	96,779	2,903	34.6
Illinois	60,717	5,693	55,024	1,651	29.0	Rhode Island	19,552	2,347	17,205	516	22.0
Indiana	80,852	6,457	74,395	2,232	34.6	South Carolina	118,417	12,381	106,036	3,181	25.7
Iowa	10,993	1,488	9,505	285	19.2	South Dakota	13,788	2,406	11,382	341	14.2
Kansas	148,905	15,055	133,850	4,016	26.7	Tennessee	102,604	6,514	96,090	2,883	44.3
Kentucky	96,380	8,388	87,992	2,640	31.5	Texas	380,387	33,714	346,573	10,397	30.8
Louisiana	59,942	3,075	56,867	1,706	55.5	Utah	38,627	5,566	33,061	992	17.8
Maine	29,150	2,763	26,387	792	28.7	Vermont	6,682	234	6,448	193	82.5
Maryland	135,949	12,655	123,294	3,699	29.2	Virginia	183,466	31,971	151,495	4,545	14.2
Massachusetts	46,879	2,918	43,961	1,319	45.2	Washington	215,525	22,511	193,014	5,790	25.7
Michigan	68,772	5,850	62,922	1,888	32.3	West Virginia	10,233	301	9,932	298	99.0
Minnesota	11,095	555	10,540	316	56.9	Wisconsin	10,633	1,144	9,489	285	24.9
Mississippi	25,076	3,537	21,539	646	18.3	Wyoming	22	18	4	0	0
Missouri	52,080	3,738	48,342	1,450	38.8	Alaska	3,530	2,025	1,505	45	2.2
Montana	10,701	1,110	9,591	288	25.9	Hawaii	94,794	6,426	88,368	2,651	41.3
Nebraska	20,465	3,034	17,431	523	17.2						
Nevada	19,527	3,494	16,033	481	13.8	Total	4,456,280	411,287	4,044,993	121,350	29.5

Recapitulation of Federal responsibility by States and percentage of loss through absorption

[This tabulation is made from the data included in the 1952-53 Annual Report of the Commissioner of Education on the Administration of Public Law 874]

State	Total per pupil cost	Local contribution rate	Percentage Federal payment of per pupil cost	Percentage of loss	State	Total per pupil cost	Local contribution rate	Percentage Federal payment of per pupil cost	Percentage of loss
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Alabama	$124.15	$51.82	41.74	40	New Hampshire	$240.40	$219.14	91.15	21
Arizona	264.02	157.35	54.25	43	New Jersey	263.11	177.48	67.45	33
Arkansas	132.28	72.14	54.54	52	New Mexico	215.49	48.74	22.62	23
California	308.74	137.64	44.58	23	New York	602.18	181.80	30.19	32
Colorado	259.42	187.12	72.13	52	North Carolina	179.81	42.55	23.66	29
Connecticut	257.23	205.96	80.07	45	North Dakota	228.13	188.15	82.34	16
Delaware	(1)	(1)	(1)	(1)	Ohio	239.37	141.46	59.09	43
Florida	189.83	79.51	41.88	44	Oklahoma	205.30	150.67	73.34	39
Georgia	154.18	74.94	48.61	43	Oregon	364.42	178.08	48.86	18
Idaho	215.28	136.72	63.51	47	Pennsylvania	252.52	132.32	52.40	35
Illinois	333.85	223.06	66.81	29	Rhode Island	219.34	212.14	92.72	22
Indiana	237.70	105.97	44.58	35	South Carolina	143.03	66.82	46.72	26
Iowa	260.31	129.82	49.87	19	South Dakota	219.71	188.39	85.74	14
Kansas	219.74	164.24	74.74	27	Tennessee	133.45	51.31	38.45	44
Kentucky	142.62	107.94	75.68	32	Texas	214.96	96.99	45.12	31
Louisiana	191.53	53.77	28.07	56	Utah	197.39	81.09	41.08	18
Maine	189.39	125.10	66.05	29	Vermont	309.54	211.79	68.42	83
Maryland	292.91	101.43	34.63	29	Virginia	198.42	128.54	64.78	14
Massachusetts	277.51	202.76	73.06	45	Washington	257.86	70.02	27.15	26
Michigan	291.45	97.13	33.33	32	West Virginia	221.77	92.50	41.71	99
Minnesota	250.57	119.80	47.81	57	Wisconsin	325.33	183.32	56.35	25
Mississippi	132.66	93.55	70.52	18	Wyoming	336.68	169.03	50.20	0
Missouri	185.06	131.24	70.92	39	Alaska	889.62	159.30	17.9	2
Montana	271.10	184.73	68.14	26	Hawaii	204.07	149.11	72.7	41
Nebraska	262.10	201.26	76.79	17					
Nevada	234.07	130.94	55.94	14	Total	233.47	120.23	51.49	29.5

[1] No application.

We Must Help Our Physically Handicapped

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. TOLLEFSON. Mr. Speaker, we have spent billions of dollars rehabilitating the peoples of Europe, Africa, Asia, and way points, but we have been singularly remiss in attending to the needs of our people here at home. For example, more than 350,000 people yearly are shown to have been disabled through accident or disease, with an overall total of 38 million handicapped, some 7 million to 9 million of whom are severely handicapped, or from 60 to 100 percent disabled. Yet we have been miserly and dilatory in providing means for their rehabilitation and employment, as approximately only 60,000 a year are cared for under present Federal-State plans, leaving about 300,000 on the human scrap pile annually.

This condition is wrong, and we should immediately remedy it in a practical way. The House Education and Labor Committee now has before it a bill to establish a Federal agency for handicapped, which provides the most comprehensive program yet devised for these millions of American citizens who are blind, partially sighted, deaf, hard of

hearing, amputees, arthritics, cardiovascular victims, cerebral palsied, epileptics, victims of muscular dystrophy, multiple sclerosis, poliomyelitis, cancer, rheumatism, tuberculosis, and congenital defects and deformities, as well as many other diseases and results of injuries.

Every day it becomes more apparent that we must bring our own people to the highest possible pitch of physical and mental proficiency, if we are to have the power as a nation to withstand the economic and military might of those who seek to destroy the United States by imposing upon it communism or other isms inimical to our way of life.

From the standpoint of self-interest, it is even more important to take imperative steps to save our own hides than it is to save the hides, however humanitarian and otherwise necessary it may be, of the peoples of other nations.

Many Americans consider it a national disgrace that we here in Congress, charged with responsibility for the general welfare, act the role of misers when it comes to attending to the needs of handicapped who, as the records of the past 34 years conclusively show, when adequately treated medically, provided necessary education and training, given vocational guidance and selective placement, are enabled thus to earn their own way and make their contributions as citizens to the support of our country, themselves, and their families.

H. R. 2147, the Federal agency for handicapped bill, of which I am sponsor, provides for establishment of an independent agency, which would coordinate activities of the 35 Federal agencies which now have a part of the pr[illegible]am but no coordination. It would [illegible]ing about more efficient and economical services and benefit, thus, not only handicapped but all taxpayers.

The bill covers many fields, including special education for homebound, who cannot attend schools; sets up cooperative enterprises for handicapped to provide a practical means of employing, under proper supervision, handicapped who require training under actual work conditions; provides grants to those who are totally disabled and unfeasible for rehabilitation and who, now, have nothing to support themselves, except inadequate public assistance or charity; sets up a Federal services to handicapped revolving loan fund, from which States which have exhausted their appropriations for rehabilitation, may borrow between sessions of their legislatures, and thus enable this great and necessary work not to suffer interruption, as is the case now, among about half the States all the time; establishes rehabilitation centers throughout the country, and provides many other practical means of restoring handicapped people to a work status.

In view of the urgency of this situation, Mr. Speaker, I sincerely hope that the House Committee on Education and Labor immediately reports out the Federal agency for handicapped bill, favorably, so we may vindicate our position in the eyes of the American people, as conservators of our greatest asset, human beings.

The Real America Has Lost One of Its Greatest Champions

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. ROGERS of Texas. Mr. Speaker, I take the floor today with a heavy heart. Word has just come to me that one of the great men of America has been called to his reward. I speak of Mr. T. E. Johnson, the editor of the Amarillo (Tex.) Globe-Times. It has been my pleasure and my honor to know and be associated with this great man for a number of years. The varying circumstances under which I have had the opportunity to observe him led me to the conclusion early in our friendship that here was one of God's real noblemen. A man who did not seek personal acclaim for himself, but who gave unselfishly of his time, his efforts, and his outstanding ability to the building of the community in which he lived and the betterment of those individuals who could so proudly call him "neighbor."

His deep understanding and unbelievable patience afforded him the means with which to approach the problems of his fellow man in a calm and reasonable manner. These fine characteristics, together with many more, were evidenced by the numbers of people in all walks of life who sought his counsel and advice in a troubled world. He always had a word of encouragement for those in need. He was never so pressed for time that he had to sacrifice the graciousness and courtesy of the school of Southern gentlemen, of which he was truly an honor graduate. His column, These Times, which was read and reread by those who were blessed with the opportunity of having access to it, will stand as a monument to the great success that he enjoyed as a member of the fourth estate. Newspaper people, great and small, throughout this Nation, deeply respected T. E. Johnson for the honesty, integrity, and ability that carried him to the top in his chosen profession, and always stood him so well in his fight for understanding among freemen. His was not a selfish battle for a chosen few nor a demagogic display for the supposedly oppressed. It was no more or no less than a crusade for clear understanding between men, based upon the concepts of freedom upon which this Nation was founded and has so long endured. His was truly a battle for "Mr. American." His enemies were few, his friends many. Like many of us human beings, he had his shortcomings, but unlike so many of us, his greatness and his fine characteristics shone so brightly that his few shortcomings faded into insignificance.

To his splendid wife and his fine children and grandchildren, may I say that the Nation mourns with you. We extend to you our deepest sympathy, because so many of us know the weight of the cross which you have as your burden. We know the loss that has been suffered by Amarillo and the Panhandle of Texas. We know that the real America has lost one of its greatest champions.

The Traffic Situation in Metropolitan Washington

EXTENSION OF REMARKS
OF
HON. WALT HORAN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. HORAN. Mr. Speaker, under leave to extend my own remarks in the RECORD, I am pleased to include two articles bearing on the traffic situation here in metropolitan Washington.

This is the Nation's Capital. It belongs to all of us. Let us keep its desirable features unscathed.

ROCK CREEK

Mr. Speaker, I am completely in sympathy with what the gentleman from California has said on last Friday respecting this very real threat to the existence of Rock Creek Park. For almost 12 years I have owned property in the area affected and have maintained my Washington residence there.

Enjoying rather close acquaintance with those communities in Maryland which have been fighting the proposal to let Rock Creek Park be converted to the site of a speedway, I can appreciate the local mind. And I have been sensing the extent to which this problem, at first a wholly local problem, has become a national issue, with conservation-minded people and national organizations clear across the country adding their voices to the protest of a proposal which would bring so much destruction to this magnificent park in the heart of our Capital City.

It is claimed that there is no other solution to the Washington traffic problem than to build new and additional arterial highways into the city. To me that approach is only going to give us more agonizing traffic congestion in Washington. We would but bring existing traffic, plus more traffic, into the heart of Washington faster to add to the jams that already plague the city during the rush hours.

There are other ways to meet this traffic problem in the capital city area. It has seemed to me that the Citizens Action Committee for Fair Road Planning, an organization representing 15 citizens' communities in the Chevy Chase area, has pointed up the answers to the problem well in a pamphlet entitled "Is the Use of Rock Creek Park for an Expressway Really Necessary?" A 7-point plan to meet the traffic situation without molesting Rock Creek Park is embodied in that pamphlet and, under unanimous consent, I include pages 6 and 7 of the same at this point in the RECORD:

A PROGRAM TO SAVE ROCK CREEK AND SOLVE THE TRAFFIC PROBLEMS

The issue over which we battle is one forced by the Maryland and District road authorities who insist there is need for one

or more new arterial highways into downtown Washington, more spokes in the District traffic wheel than now exist. The first new arterial, they insist, must be one through Rock Creek Park, no other plan can precede it, they argue.

These highway authorities have been parties through the years in other plans to solve traffic problems, plans they now seem to turn their backs upon as being not sufficient to meet the present needs, plans to be pursued in the future. It is fair to review these long-standing plans to determine how far their fulfillment might possibly meet the traffic needs of metropolitan Washington.

Plan 1: Maryland is now building trunk 240 from Frederick southward toward Washington. Its authors would split this highway into two 6-lane parts at a point north of the Naval Hospital and west of Wisconsin Avenue, one leg to run southwestward into downtown Washington through Cabin John, the other to reach southeastward into and through Rock Creek Park. Why two legs for this special expressway is not understood except that the road authorities want it that way. Would not the southwest leg be sufficient since it would conveniently reach arteries into Washington such as MacArthur Boulevard, Massachusetts Avenue, River Road, Georgetown Road, and Wisconsin Avenue? Why do they feel that we must punch a great 200-foot wide elevation into and through Rock Creek Park? Can't we be content with one leg of 240, for the time being at least?

Plan 2: Long-planned is a belt route around the District of Columbia through Montgomery and Prince Georges County, a route that would take off the streets of suburban and downtown Washington that traffic seeking to get through and beyond Washington and that traffic, particularly trucks, seeking to get into the wholesale, trucking, and shipping section of the city. Why not build now in keeping with this plan, not 12 or 15 years from now as the highway authorities plan. And not just a 3 or 4 mile stretch of belt in order to compromise Rock Creek Park? The present proposal to build a few miles of belt would find the belt running parallel to what now serves crosstown needs, East-West Highway, and only a mile north of it when it ought to be out where it could serve its broader purpose as a belt and not need to cross Rock Creek Park lengthwise.

Plan 3: Long in the planners' books has been the Fort Memorial Freeway proposal which would meet so many District traffic problems as an inner-belt route around the city. Over 90 percent of the right-of-way needed for this belt is now in District possession. The undertaking to build this great traffic aid is not even in the present thinking of the authorities seeking to bring a new arterial speedway down Rock Creek Park. Why?

Plan 4: Hundreds of thousands of dollars have been spent on plans for the belt routes and proposed improvement and extension of such arteries as 16th, Massachusetts, Connecticut, River Road, Georgetown Road, and Wisconsin Avenue. These steps would bring tremendous relief to traffic pressures. What has become of these plans during the persistent campaign to drive an expressway through Rock Creek Park?

Plan 5: Another fine plan to help traffic was, and still is, that plan to construct bus bays on 16th and Connecticut, bays into which buses would pull to discharge passengers without halting streams of cars during the rush hours. What has become of it?

Plan 6: Thousands upon thousands of automobiles could be taken off the streets of Washington each day if only we were afforded an adequate mass transportation service during the rush hours between the suburbs and downtown Washington. Are we to understand that this will not be necessary if only we can have a speedway through Rock Creek Park?

Plan 7: The extension of Beach Drive from East-West Highway through Rock Creek Park to Wisconsin Avenue would afford a delightful route for suburbanites in their trips to and from the city and relieve other roads of congestion. But Beach Drive should ever be kept the parkway that it is, never a speedway.

It was inevitable that traffic authorities and city planners would sooner or later awaken to the fact that we reach traffic saturation points in our growing cities, points beyond which there can be no reasonable use or place for more automobiles. I hope our Washington area traffic and planning authorities will open their eyes to facts and dare to be as plain spoken as are the traffic authorities of New York City. These authorities are agreed that "the ultimate solution of traffic congestion strangling American cities is to get the private automobiles off the streets and substitute efficient mass transportation," to quote the report of the New York Herald Tribune of April 30, 1954. The report of this traffic conference is so revealing of new thinking on the traffic problem that I ask unanimous consent that this newspaper article, under the heading "See Doom of Private Car in Cities," be printed following my remarks.

Unless we are realistic and open our eyes to the very positive limitations of cities for traffic accommodation, we will but continue to further tangle traffic that already has reached a point where it threatens the very life of the business city itself.

We've gone crazy on the subject of expressways as they relate to our great cities. They have their place, to be sure, but they ought to be around rather than through cities. Expressways in cities can only further tangle the traffic jams of Washington. Bruce Bliven, in a March 20, 1954, editorial in the Saturday Evening Post, clearly expounds the folly of expressways such as that proposed for Rock Creek Park. I ask that this editorial entitled "Expressways Are Wonderful, But They Don't Untangle a City's Traffic Jams," be printed as a part of and following my remarks.

Mr. Speaker, the mere thought of losing Rock Creek Park to a great limited-access expressway, with a 200-foot right-of-way accommodating six lanes of divided speedway, is disturbing and ought to disturb any mind that is conscious of the part that internationally famous park plays in making Washington the great and beautiful city that it is, and the part it plays, recreation and parkwise, in the lives of thousands of people who use the area. It is inconceivable that consent could ever be had to use this great park for such a highway purpose as is proposed. I want to assure the gentleman from California, who has just spoken so well on the subject, that he will find many of us ready to rally to the cause of amending the Capper-Cramton Act if it is found that the existing language of the law is not sufficient to guarantee the preservation of Rock Creek Park to the causes which its far-sighted sponsors were obviously seeking to serve.

In the instance which threatens Rock Creek Park expressway enthusiasts are outdoing themselves. In this instance they want Expressway 240 coming into Washington from the northwest to have two legs into the city, one reaching to the Potomac at the north city line, the other coming down through Rock Creek Park. Why does not one leg for such an expressway answer present and future needs? Could it be that our highway builders and planners just cannot resist using this beautiful park to set off their engineering abilities? After all, the site through the park would cost them nothing and would make a beautiful surrounding for their dream road. They would better open their eyes to what they would be doing to the great and lasting purposes which Rock Creek Park is serving, and be content with an expressway with just one leg, which is the way of most expressways.

The above-mentioned matter follows:

[From the New York Herald Tribune of April 30, 1954]

SEE DOOM OF PRIVATE CAR IN CITIES

(By Robert S. Bird)

Four top traffic experts, including New York's Traffic Commissioner T. T. Wiley, agreed yesterday that the ultimate solution for traffic congestion strangling American cities is to get the private automobiles off the streets and substitute efficient mass transportation.

Mr. Wiley and three colleagues gave an audience of transit experts harsh facts and even harsher fancies on traffic congestion here and in other cities. Their panel discussion assignment for a luncheon of the American Transit Association and the Commerce and Industry Association of New York was to get to the nub of the subject without waste of time.

DOOM CARS IN CITIES

They rattled off these opinions with no detours for pleasantries or frills:

1. Use of the private car merely for convenience in cities in the future is doomed. All traffic in the years ahead must be productive traffic. Automobiles are already moving slower than horses and buggies used to travel in this city, anyway.

2. Private cars, driven for convenience only, are not important in filling city stores with customers. Buses and subways are what bring customer volume.

3. The average block in New York City during the daytime traffic flow contains 2 buses, 6 trucks, 3 taxicabs, and 11 automobiles. These are contained in 4 lanes, 2 of which are in use but on the average are temporarily stalled, and 2 of which are jammed with parked traffic.

4. One bus carries as many passengers as 36 automobiles on the average, which should give the bus priority in use of the city streets.

5. Mass transportation—buses and subways—will have to carry the bulk of future street traffic, and so this form of transportation should be encouraged to the fullest.

6. Taxes on mass transportation, erroneously based on the monopoly principle nowadays, should be drastically cut. Higher subway fares in New York have substantially increased street congestion, and the beneficial effect on the city budget must be measured against that costly handicap.

7. The next traffic solution for New York City should be an effort to stagger people's working hours so as to spread out peak traffic loads both of people and working vehicles.

CITIES HERE TO STAY

8. Cities are here to stay. Talk about decentralization of New York City is exaggerated. The city has more construction under way today in its central areas than in any time in its history. New York is rehabilitating, not decentralizing.

Participants in the rapid-fire airing of opinion were, besides Commissioner Wiley, Robert W. Dowling, president of the City Investing Co. and head of the citizens budget commission; Kenneth C. Richmond, vice president and treasurer of Abraham & Straus and chairman of the transit committee of the National Retail Dry Goods Association; and Laurence Wingerter, president of the San Antonio Transit Co. and president of the American Transit Association.

Edmund F. Wagner, president of the General Realty & Utility Corp. and vice president of the Commerce and Industry Association of New York, was moderator of the discussion, which followed a luncheon at the Hotel New Yorker, where the American Transit Association is in convention.

Referring to his proposal for staggered hours as the next needed step in this city, Commissioner Wiley said:

"This whole country is undergoing a sociological development through reduced working hours and number of working days, and the result in traffic terms is we are trying to do too much in too little time. We must do something to broaden the working base, to spread out peak loads not only of people on the streets but of the loading and unloading of vehicular traffic at the curbs."

Holding that New York's traffic congestion could be fairly well solved by eliminating any 1 of the 4 types of street traffic—trucks, buses, taxicabs, and passenger cars—Mr. Wiley added that none unfortunately could be entirely abolished.

"But the most important point now is, what is the future place of the passenger automobile in the city?" he said. "The idea used to be that the city should be developed so that everybody could get around in an automobile. Now it is apparent that this can't be done. We must devise some means of separating productive use of the automobile from its use as a convenience.

"What we can do immediately is to stop building off-street parking space in downtown Manhattan for persons driving to and from work, for example. Answering the question as to what place the automobile has in the city, it is essential when used for productive purposes; it is unnecessary when used for convenience."

Mr. Wingertner, agreeing, said that the right to use automobiles in American cities should be handled the same way that Texas now deals with the traditional right of its citizens to carry guns in the cities—"restrict their use."

Mr. Dowling and Mr. Richmond spoke of the financial burden real estate bears as the result of street congestion, and the need to encourage mass transportation as a means of improving and expanding the healthy cores of the city.

[From the Saturday Evening Post of March 20, 1954]

EXPRESSWAYS ARE WONDERFUL, BUT THEY DON'T UNTANGLE A CITY'S TRAFFIC JAMS

(By Bruce Bliven)

Nobody needs to be told that most American communities are slowly strangling with automobile congestion. It has been one cause of the great migration to the suburbs, not only by householders but by business and industry. A recent expert study guessed that the pile-up in New York City streets now costs at least $3 million per day in excess gasoline consumption and lost time.

All over the country, municipalities are trying to solve the problem. They are tunneling under parks for garage space or building fancy mechanisms which stack cars above one another in the air. And most of all, they are building expressways—limited-access, high-speed roads. They are usually called freeways in the West, superhighways in the Middle West, and throughways or parkways in the Northeast. Some of these expressways are enormously expensive; in Pittsburgh, for example, a series of dramatic bridges and tunnels is necessary. In Chicago one of them bores right through the post office.

Considered by themselves, these expressways have undoubted merits. They generate far fewer accidents per car-mile. They save up to about 2 cents per car-mile in gasoline and time. In congested city streets, you get, on the average, 8 miles to the gallon, and on expressways you get about 20. Most of the country's new expressways amortize their total cost, directly or indirectly, in 10 or 12 years.

If drivers would be content just to ride back and forth on the freeways, everything would be fine. Unfortunately, they won't; of all the nearby traffic heading toward a big city, about 90 percent wants to go into the middle of town and park. When the drivers come down into the city streets trouble begins. Unfortunately, too, whenever you make the roads and the parking better, you also make the problem still more serious. When road conditions are made better, a certain number of people who have no car, buy one. A certain number of families with one or more cars buy an extra one. People who had been riding the commuting trains show an increasing tendency to drive into the city instead. Almost always, the new improvement fails to help matters as much as the optimists expected. Sometimes, at least temporarily, it makes things worse.

The experts in city planning believe they have the answer to downtown congestion. They point out that a private automobile with one or two passengers takes about half as much space in the street as a bus which may carry 40 or 50. They want a circle of big parking lots strung around the congested area like beads on a loop. The expressways from out of town would lead into these parking lots, where you would leave your car and change to a bus to take you downtown. Parking fees would be small, and the bus fare would also be low, and might be combined in some way with the parking fee. Each bus would be routed to get to the heart of the city rapidly.

The only trouble with this beautiful plan is that people don't like it. Buses rarely go as near your destination as your car can go, assuming of course that you can park it at that spot. When a motorist buys something, he wants to put it into his car then and there, or have a sturdy young clerk from the store do so for him. He certainly does not want to carry it himself, get on a bus, get off again, and then lug his packages to his car. He usually forgets that he couldn't park where he wants to. The bright dream of the circle of parking lots still remains mostly on the drawing boards of the hopeful planners.

Countries with dictators, of course, can put through elaborate and drastic plans. Napoleon III swept away a great part of Paris in order to create his magnificent series of radiating boulevards. Stalin ripped apart much of Moscow in preparation for a torrent of automobile traffic that has thus far failed to materialize. By contrast, the American way is the one now being pursued all over the country: trial and error, patchwork, compromise, and constant complaint from everybody. This is probably just as well. The automobile age is still too new for any city planner to say with authority how the problem should be solved.

The Significance for Foreign Trade of Communist Conquests in Asia

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EXTENSION OF REMARKS

OF

HON. WALTER H. JUDD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1954

Mr. JUDD. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following speech delivered by me at the World Trade luncheon, New York City, May 19, 1954:

Mr. Chairman, distinguished guests, ladies, and gentlemen, seldom has the dependence of foreign trade on peace and security been more apparent than it is when one considers Asia today. It may seem almost irrelevant to talk about the problems and prospects of foreign trade in a continent where the most obvious characteristic is insecurity and uncertainty.

The immediate question that absorbs our attention in Asia just now is, What is to happen in Indochina next week or next month?

But is it not more important to consider how to keep the free countries of Asia free so that we can expand or at least maintain the trade we have with them, rather than to speculate about possible expansion of trade with the areas already conquered by the Communists?

Why hasn't the West had the will and the unity necessary to prevent these Communist conquests? One reason, I believe, is because we have failed to appreciate what our predicament is likely to be if we allow further expansion of Communist areas.

The report released by the Foreign Operations Administration just last Monday, on East-West trade covers far more adequately than I could, much of what I had in mind to say; so I want to discuss with you today not so much the figures of trade, but rather the philosophy of trade with Asia, especially with those parts which have come under Communist control or are threatened by it.

I

Let us begin by consulting that hard-headed student of political and economic world movements—Joseph Stalin. During the last year of his life, 1952, he issued three major public statements. All dealt with various phases of what he called "the deepening general crisis of the world capitalist system." All the steps taken by his successors in the Kremlin, which some people have hopefully regarded as deviations from Stalin's policies, are in reality faithful execution of the tactical line he laid down.

Stalin said that the crisis for capitalism had been caused by the "falling away of the Soviet Union from the capitalist system" in World War I—and the falling away of the "European and Asian people's democracies" during and following World War II. He then posed the question, "Is the general crisis only a political, or only an economic crisis?" This is his answer:

"Neither the one, nor the other. It is a general, i. e., all-round crisis of the world capitalist system, embracing both the economic and the political spheres. * * *

"The economic consequence of the existence of two opposite camps [the camp of socialism and the camp of capitalism] was that the single all-embracing world market disintegrated, so that now we have two parallel world markets, confronting one another.

* * * * * *

"It follows from this that the sphere of exploitation of the world's resources by the

major capitalist countries (United States of America, Britain, France) will not expand, but contract; that their opportunities for sales in the world market will deteriorate, and that their industries will be operating more and more below capacity."

From this he drew the conclusion that a deepening depression in the "capitalist" world is certain, and that "wars between capitalistic countries" are inevitable as each struggles to gain a larger share of the remaining shrunken world market.

Now no one can deny that the Communist world has been steadily gaining in Asia during the last decade while the Western powers seem at times to be pulling apart. It would be foolhardy indeed to ignore the possibility that history might prove Stalin correct—if we were to be as shortsighted as he assumed, and were to concentrate on building up trade with our enemies instead of with our friends.

What we need as we examine this question of trade with Communist countries is not so much a New Look as a Long Look. Otherwise, the industrialized countries of the West may fall for the tempting trade bait the Communists hold out—for the present. They may grab for hoped-for short-term gains, even though the Communists themselves have made clear on countless occasions that their unwavering purposes are (1) to get military and industrial equipment and supplies which they cannot yet obtain within the Communist bloc—not in order that they can trade more with us, but so that they can become self-sufficient and not need to trade with us at all; (2) to induce countries to become more and more dependent upon trade with the Soviet bloc, and therefore at its mercy; (3) to take advantage of a favorable price situation which they cannot match even by exploitation of their satellites; (4) to divide the capitalistic powers; (5) to weaken and eventually to conquer all non-Communist countries.

The possibility of expanding trade with the Soviet bloc is especially alluring just now, as Stalin predicted it would be, because the free-world market has been contracted by Communist conquests at the very time when our own productive capacity is most expanded. During World War II we built up a productive capacity in excess of what we at home could consume in peacetime, or at least more than we could pay for. As soon after the war as we began to catch up with pentup civilian needs, our shipments abroad under the Marshall plan and for the Korean war caused still further expansion of our agricultural and industrial plant.

Now we must either reduce our plant to the level of existing markets, which would mean putting men and women out of work at the time soldiers are being demobilized and we need more, not fewer, jobs; or we must find new markets for our overexpanded productive capacity. There are only two places to develop such new markets—at home and abroad.

Expansion at home has been phenomenal. But with all the domestic expansion conceivable, the American market alone simply cannot be enough to keep the American farmer and manufacturer and laborer at full employment. We must, therefore, lay long-range plans to increase our markets abroad.

But, at the same time, other countries, particularly in Western Europe, whose industrial plants we have so largely rebuilt under Marshall plan aid are catching up with their domestic demands. They also need larger foreign markets to keep their plants and workers busy.

Where is the greatest undeveloped potential for such expanded foreign trade? The obvious answer would seem to be Asia, where half the people of the world live. They are just beginning their industrial revolution. They are just learning to use machines to increase their production, raise their standard of living, and increase their purchasing power. They need and want what the industrialized countries have to offer them, especially technical assistance and engineering, industrial machinery, thousands of miles of trunk railways and highways, automobiles, trucks and buses. The list is endless.

The unchanging objective of the Communists—as was Japan's before them—is to seize control of these Asian peoples, under the slogan of "liberation," reduce their standards of living to subsistence levels, and build a vast industrial complex, based on captured raw materials, Western machinery (as much as possible from their European satellites, like Czechoslovakia and East Germany), and slave labor. If successful, they could flood the world's markets with commodities at costs below those at which the West can produce them. Such an enslaved Orient would be an almost unbeatable competitor.

On the other hand, a free Orient can become a huge market. People who are free and at peace want most of all to raise their own standards of living. They turn their industry to producing consumer goods for themselves—food and clothing and housing first, and gradually, as their purchasing power increases, automobiles, radios, refrigerators, etc. America has an enormous stake in helping these peoples remain free and in helping them develop an enlarging, expanding economy, with new industries, more jobs, higher wages, greater purchasing power, more sales, and then more industries to start the cycle over again.

II

But to develop such a favorable trade situation, certain minimum conditions must be fulfilled:

First, the economies must complement each other, directly or through multilateral trade. Each country must have either money or goods that others want. If it were free, Asia's economy, almost in toto, would complement, rather than compete with ours. Its people produce a great many commodities which we need and with which they can pay for the items they want from the West. If this were the only condition, the trade prospects would be good.

But a second condition is political security and stability. One cannot enter into a contract with a firm in a foreign land, or even with its government, unless there is reasonable certainty that goods can go and come, that media of exchange will be stable and convertible, that war or revolution will not be breaking out, and that commercial relations will not be interrupted by the other government, no matter how economically profitable, as a means of furthering its political objectives.

In a time of political insecurity or danger of war, no prudent nation can permit itself to become too dependent on foreign sources for essential commodities from which it might be cut off.

The prospect in the Far East for satisfying this condition of political security and stability is close to zero.

Mr. Stalin said, "The mightiest ally of the Soviet Union is to have strife, conflicts and wars in every other country." Communist tactics in stirring up strife and conflicts in other countries are completely fluid and subject to reversal without notice. But from the standpoint of the "Long Look" they are ruthlessly consistent. When winning, as in Dien Bien Phu, the Communists press mercilessly; when losing, as in Korea, they assume the posture of peace, propose truce talks, and dangle the promise of unlimited trade. Then as soon as they have succeeded in dividing, disarming, or buying off their opponents, the terms of trade become impossibly difficult again.

What hope is there of substantial long-range trade under such circumstances? It must be almost on a hit-and-run basis. Furthermore, the larger the trade becomes, the more dangerous is the position of the nation that relies on it. It puts itself more and more at the mercy of the enemy.

A third minimum condition might be called mutuality—a common philosophy with respect to trade. They must accept and abide by the same set of rules.

The British have been characterized as a nation of shopkeepers. In a real sense that is a fair description of the Western World—and of most of the free world. It is reflected in a broad pattern of economic philosophy and conduct. The laws and courts protect the trader under accepted codes of commerce.

Against this philosophy is pitted the power of Communist state organizations and national monopolies that have as their single objective the strengthening of the state. The businessman from the West can seldom match their bargaining power which is used without scruples to obtain advantage for the state.

Our objectives in free world trade are to improve the lot of our people; to better relations between the countries involved; to promote peace and prosperity in the world; and in the process earn a profit much of which becomes capital for further expansion of production and trade with resulting further improvement of living standards.

But none of these is an objective of a Communist regime, nor can it be. They cannot trade under the accepted rules of the free world without ceasing to be Communists. They cannot cease to be Communists without their whole movement collapsing.

Communists of necessity must carry on trade, not for commercial reasons as do we, but for political reasons. Trade is primarily a weapon of Communist imperialism, to be expanded or contracted, to be directed here or shifted there, as those at the top determine to be expedient in promoting the world revolution.

A striking illustration was the action of the Chinese Communist regime in exporting millions of tons of rice (even though Chinese people in two famine-stricken provinces were starving) in exchange for rubber from Ceylon at considerably higher than the world market price. Human beings do not count in the Communist world, except as they can be used to further the objectives of the state.

III

Fewer businessmen in the West would be deceived by Communist trade maneuvers if they understood that the Soviet bloc's representatives are not plain businessmen like themselves, though they often try to act like that. They are representatives of government organizations tightly controlled by their Communist rulers whose purposes are political. This leads inevitably to such difficulties as the following:

1. Spokesmen and negotiators for the Communists frequently make attractive offers and promises but later prove unwilling to sign contracts in accordance with these offers. Such offers are made partly for propaganda purposes with intent to deceive. This was clearly the case at the Moscow Economic Conference in April 1952 when the U. S. S. R. offered to more than triple its billion-dollar trade with the West in "2 or 3 years." A year later, 1 billion was not up 300 percent, but had dropped about 40 percent.

2. Communist countries have proved unreliable as markets or sources of supply, even in the short run. Experience in many countries shows that trade contracts may be terminated arbitrarily despite satisfactory performance on the part of Western trade partners. The ups and downs of Communist purchases in the Australian wool market are a case in point. Often this is done systematically; dependence on trade with the Soviet bloc is created, then termination is used as a form of pressure tactic. Last year,

when Pakistan appeared to be veering toward the free world, Communist China cut its purchases of Pakistan cotton from approximately $84 million in 1952, to about $7 million in 1953.

3. Communist planners direct all their economic efforts, including foreign trade, toward self-sufficiency. This is clearly seen in their writings and in actual performance. The U. S. S. R. has the longest history as a Communist country. Its peak trade was in 1929–33. In the late thirties it fell to about half, and the postwar trade volume was still lower, despite the large-scale increases in Soviet total output since 1928. In 1953 the whole bloc (including Communist China) did less than $3 billion of trade with the rest of the world.

A number of writers who take a more optimistic view about trade with Communist China point to continued existence of private industry and trade within that country. But where such does exist, it is only on sufferance of the Government and will be extinguished when it has served its purpose. This has never been denied by the Chinese Communist leaders. On the contrary, they have said on numerous occasions that complete nationalization of industries and collectivization of agriculture has to come, but in stages—which means just as fast as they feel themselves strong enough. Why should we help them to do it faster?

IV

If the ruthless use of trade as a political weapon were not enough to discourage the Western businessman, he should take a long look at the difficulties and disadvantages from a strictly commercial standpoint:

1. Communist countries are afflicted with shortages and production problems and have difficulty supplying exports to pay for the imports they want. Western European countries have found themselves consistently forced to extend credit, to exert pressure to obtain payment, and they may end up by accepting goods they do not want to avoid taking a loss on debts, as the Austrians, for example, have discovered in dealing with Hungary. The London Economist in February reported that Sweden, which has long taken the lead in developing East-West trade, has recently refused to supply the Czechs with iron ore because of unsatisfactory payments.

2. Communist export prices tend to be high and are sometimes raised abruptly to take advantage of a favorable market. Poland, especially, has been noted for such tactics.

2. Continual complaints about the quality of products from Soviet bloc countries are heard. This is especially true of industrial goods, but also applies to raw materials and foodstuffs. Recent Soviet petroleum shipments to Egypt proved to be so filled with extraneous matter that the costs of its use were greatly increased.

4. Communist countries are noted for poor performance in deliveries which are often delayed and sometimes never come through. Occasionally delivery has been delayed on purpose to get concessions not included in the original agreement.

5. Communist trade representatives are often hard to deal with. They usually have to consult with their home offices before agreeing to terms, which causes unreasonable stubbornness and long delays. Currently they are under orders to act more conciliatory and friendly than in the past, but there is no slightest evidence that this will last; and it does not prevent bureaucratic rigidity. A shipbuilding firm in Falkenberg, Sweden, was forced into bankruptcy as a result of difficulties encountered in fulfilling a Soviet order for 10 fishing boats.

Although trade between China and the outside world was never very large, some optimists profess to believe that the Communists' present 5-year plan will offer great opportunity for profitable trade with the West. But if they will study the plan, they will find that the urge for industrialization arises from the determination to improve China's military posture, not the needs of its people.

During 1952 and the first part of 1953 Communist China was overextended in Korea and anxious to sow dissension among the Allied Powers in order to get more favorable truce terms. So it started its so-called trade offensive.

A good many Western traders rushed Peiping, and others, including some Americans, journeyed to Moscow. But only a few months later when the Communists had managed to extricate themselves from the unprofitable operation in Korea which they could not win, and shifted their efforts to the far more promising field of Indochina, the trade offensive had accomplished much of its obviously diversionary purpose and the glittering prospects of trade with Communist China began to fade.

A British trade organization, the China Association, said in December 1953, "There is no doubt but that the potentialities have been greatly exaggerated in the public mind, partly as a result of the superficial successes of the various unofficial trade missions which have paid visits to Peiping this year. This overeagerness has unfortunately been reflected in an increasing severity of the terms which China now demands."

Despite all these difficulties, there are those who find it hard to resist the attraction of China as a potential market, because it is proving so difficult for the free world to work out acceptable trade patterns within itself. But the more the free world ties itself to the Soviet orbit, the less likely its members are to move toward greater international trade among themselves, which is the way that offers by far the greater possibilities.

V

There are two other situations in Asia which we should mention because of the special attraction they present to the Communists. Everyone understands the reasons for the Communist drive into southeast Asia—Indochina, Thailand, Burma, and Malaya. That is where the riches of Asia are: rubber, tin and other metals, oil, and rice surpluses.

But Japan is also a particularly desirable Communist target because of its industrial capacity. It is also particularly vulnerable because of its lack of rice, iron ore, coking coal, oil, and many other essential materials. It simply cannot maintain its solvency or even its independence unless it has access to markets where it can sell its manufactured products in exchange for food supplies and raw materials. The three main areas with which it might conceivably develop such trade relations are: Southeast Asia, the United States, and mainland China. Japan has been unable to regain its former markets in southeast Asia because of popular hostility resulting from Japanese occupation during the war, unsettled reparations accounts, and efforts by European countries, particularly the United Kingdom, to keep Japan out of those markets. Britain needs or wants them for itself, as Stalin predicted.

Unless the United States is willing to continue underwriting the Japanese economy in an amount approaching a billion dollars a year, or to permit greater Japanese trade with ourselves, Japan has no choice except to expand its trade with Communist China. The latter will not help Japan out of its dire predicament, no matter how profitable the trade would be to China itself, unless Japan is willing to break with the United States. Chou-En-lai has just reiterated this demand bluntly at Geneva.

That would give the Soviet bloc, in addition to the gigantic manpower and resources of the China mainland which it already controls, the Japanese workshop, the best in Asia.

The difficulties we face today in trying to check Communist expansion in Indochina are small, indeed, compared to the problem we will face should Japan's industrial might come under Communist control.

There are no ways to prevent such a disaster except to devise means to keep southeast Asia free, reduce barriers to Japanese trade with the free world, and intensify pressures on Communist China itself until the hold of its tyrannical regime is weakened, loosened, and eventually broken.

The Asia mainland can live without Japan; Japan cannot live indefinitely without the mainland.

Unless ways are found to return China to the free world, Japan will almost certainly wind up in the Communist world.

I am fully aware of the difficulties in returning China to the free world; but any other course presents still greater difficulties.

VI

How then shall we deal with Communist forces on the march in Asia? How can we prevent new conquests and overcome those already accomplished?

There are no easy solutions. But it seems to me we must begin by ending the illusions that have led us into one pitfall after another.

One illusion is that by expanding trade with the Communist bloc we can convert Communists into capitalists. Of all the possibilities, this is the least likely. Why should they desert when they are winning?

It is like the woman who imagines the way to reform a brute is to marry him. It never works, but some still try it. If the Communists really want our hand in a workable trade relationship, let them show good intent by reforming first.

A second illusion is that by increasing trade with the Chinese Communists we can detach them from the Russian Communists, or can drive a wedge between Peiping and Moscow, or can make a Tito out of Mao Tse-tung.

But why should Mao move away from the Kremlin if he can have all the advantages of trade with the Western World in addition to those of closest relations with the Soviet bloc? Besides, does anyone believe the hardheaded men in the Kremlin would be moving heaven and earth to get Communist China accepted in respectable society if that would lead or enable China to break with Moscow and thereby wreck its whole world movement?

Mao conceivably might pull away from Moscow if he were compelled to in order to get absolutely essential goods—that is, if he began to lose in China. The first aim of our foreign policy in Asia should be directed to making him lose. The way to do that is to make him fail, not to help him win. The best hope of creating friction between China and the Soviet Union is to keep the Chinese Reds locked, preferably smothered, in the Russian bear's arms.

A third illusion we should end is that trade with Communist China can assume the vast proportions some have glowingly predicted, and thus substantially meet the needs of the industrialized countries for larger markets. If the Chinese want to improve their trade relations, as some would have you believe, why do they not start correcting the abuses imposed on foreign traders already there? Until they are willing to do the most elementary things necessary for carrying on civilized trade and intercourse, why should we walk into any more blind alleys?

VII

In addition to determining what policies we should not follow with respect to Communist countries in Asia—because too undependable economically and undesirable politically—we must ask, What are the policies that we ought to adopt and pursue?

It is unfortunate, but inescapable, that since the Communist bloc makes its economic policies completely subservient to its

political objectives, we, too, must put political considerations first. At the least, we cannot afford trade policies that defeat our foreign policy.

The immediate objective of our foreign policy in Asia must be to prevent any further gains there by the Kremlin. To achieve that objective—

1. We must recognize that what is at stake in Asia is the peace and possible survival of the free world, not just its trade.

2. We must not let the Reds win any more economic victories. That means we must resist resumption of trade with them. If they are not our enemies, why do we draft and arm men to be ready to fight them? If they are our enemies, how can anyone suggest we help them become stronger?

3. We must not let them win any more diplomatic victories. Admission of Communist China to the United Nations would be the greatest possible diplomatic victory. Free Asia will crumble once it becomes convinced the Communists are going to win. Admission to the U. N. would mean to the people of Asia, and should mean to us, that the Reds have already won.

4. We must not let the Communists win any more political victories. For America to intervene alone in Indochina, for example, would enable the Reds to convince millions, not that we are helping Asian peoples to defend their own freedom, but that we are helping defend French colonialism, which the people who have been under it hate worse than they hate the Communist imperialism which they have not yet been under.

5. We must not let them win any more military victories. This requires that we get at last the Pacific pact which the Congress called for in 1949, an alliance of the free nations of southeast Asia and the Pacific to resist further Communist expansion. To develop in the Asian peoples now threatened the will to fight as did the South Koreans, they must know it is for their own freedom. They will not believe it is for their freedom unless the alliance has as its nucleus genuinely independent Asian and Pacific nations (of which the United States of America is one), supported by the European powers, rather than a nucleus of the former colonial nations of Europe, to be supported by the people of Asia.

6. On the positive side, we must give greater encouragement and assistance to the free Chinese on Formosa to enable them to maintain a symbol of freedom and hope; and, as a preliminary, to smuggle agents and suitable supplies to the China mainland in order to keep hope alive and to enable the resistance forces to do to the Reds exactly what the Reds did to the Nationalists—destroy communications, isolate the cities, disrupt the economy. That is, when the Chinese Communists are in trouble at home, we must do all we can to keep them in trouble, not help them out of it.

7. We must, above all, do our best to help the free countries of Asia remain free by becoming stronger. The great expansion of trade in Asia which we need, is not to be found in Communist China. It is in the non-Communist areas around China. We must seek to apply there more effectively the same philosophy of an expanding economy and reduced trade barriers which are responsible for America's own huge internal trade. Let us concentrate on expanding the $148 billion of trade last year within the existing free world, rather than jeopard that for the less than $3 billion of trade between the free world and the whole Soviet bloc and only three-quarters of a billion with Communist China.

8. We must always weigh the possible but uncertain economic benefits of trade with Communist tyrannies against the certain political and psychological losses. To build up trade with the Chinese Communists would give enormous benefit to our enemies; it would not bring substantial economic or other benefit to ourselves or our allies in the West; and it would do very great injury to one ally that we generally seem to forget—the ally which, in my book, is the most important of all because the most dependable, and in a position to do the enemy most damage—namely, the nearly 800 million oppressed peoples behind the Iron Curtain who know Communist tyranny for what it is and silently resist it. We must not betray their hopes or weaken their resolve or undercut their strength by any act that would increase the strength of Communists anywhere.

When there is already such determined opposition behind the Iron Curtain as was demonstrated by the revolt in East Germany last June and by the decision of Communist prisoners of war in Korea to refuse to return even to their homes and families in enslaved China, there is reason for great hope, not despair—if we in the free world will prove steadfast.

In the last analysis the decision we must make on this trade issue is a moral decision. Shall we put our faith for the future in the millions of oppressed peoples? Or in deals with their oppressors?

We cannot win our enemies by letting down our friends and loyal allies. On the contrary, the best way to influence our enemies is to stand steadfastly by our friends, especially those who are already fighting the enemy from within and may make it unnecessary for the rest of us to fight it from without.

If we take the Long Look, there can be no question of the decision we and other free peoples will make.

The Quartermaster Purchasing Agency Should Remain in New York City

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1954

Mr. HELLER. Mr. Speaker, I wish to join my colleagues from New York in a vigorous protest against the Department of the Army for its decision to transfer the Quartermaster Purchasing Agency from New York to Philadelphia. This is another example of false economy which is being practiced at the expense of New York City. It is hurting not only the morale of other Government employees and the nearly 1,000 civilian employees and their families who are directly affected, but it is also a severe blow to business and industry in New York and to its whole economy.

In February of this year—February 4, to be exact—I described to this House the unemployment situation in my congressional district in Brooklyn. I listed some of the reductions in employment during the past year due to closing down or transferring certain activities from New York. I said then:

Last April the naval clothing factory was closed and some 1,200 families lost their means of a livelihood. In January of this year the naval supply facilities was transferred from Brooklyn to a depot elsewhere and another 700 employees lost their jobs. * * * A further reduction in employment will take place during the latter half of fiscal 1954—which means by June 30 of this year. The new reduction may affect perhaps another 700 employees and will bring down total employment at the Brooklyn Navy Yard to a low of 17,500.

Mr. Speaker, I tried to be cautious in my estimate last February of a reduction of only 700 employees at Brooklyn, lest I be accused of being an alarmist and an advocate of "gloom and doom." I have just been informed that employment at the Brooklyn Navy Yard "will approximate 16,750 after separation notices already issued become effective." Which means that already 1,450 people have received notices of separation since then, or more than twice as many as I estimated in February. And we still have nearly a month and a half until June 30.

What is more, I have also learned that an additional 1,000 employees may lose their jobs at the Brooklyn Navy Yard by September 30, 1954, since total employment there is now "expected to decline" to 15,800.

Now, the Department of the Army proposes to remove its Quartermaster Purchasing Agency from New York and throw out an additional 1,000 employees on the labor market. I ask of our responsible authorities in the present administration: Are you, gentlemen, determined to transform the great city of New York into a "ghost city"? Do you realize that by your actions to close down, to remove, or to reduce these activities, which have become such a vital part of our commercial and industrial life, you are contributing to the ruination of New York City as the Nation's center of commerce and you are gradually strangling it economically?

We are struggling with a difficult unemployment situation in New York today. The removal of the Quartermaster Purchasing Agency will only worsen this situation. Not only will it bring economic ruin to many families, to business firms and possibly to whole industries, particularly the textile industry, but once the flames of depression begin to spread throughout New York and neighboring communities it may be difficult to stop them later.

I urge the Department of the Army to reconsider its decision and to rescind its order to transfer the agency from New York. I call on the responsible authorities to give most serious consideration to these protests. Justice and decency require that this agency should remain in New York.

Mr. Speaker, I want to insert into the RECORD the text of a letter which I have received from the mayor of New York, the Honorable Robert F. Wagner, dealing with this matter:

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, N. Y., May 15, 1954.

Hon. LOUIS B. HELLER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: I urge you to join in the efforts to persuade the Secretary of Defense, the Secretary of the Army, and the commanding officer of the United States Army Quartermaster Corps to keep the clothing and textile purchasing units and administrative divisions of the Quartermaster Corps, United States Army, in New York City after July 1, 1954.

Recently it was announced in Washington by an Army spokesman that these operations

would be removed from 111 East 16th Street, New York, and relocated at Philadelphia after that date. Official reasons advanced for this action were annual savings in rent and payroll expenditures.

Examination of the facts show there will be no saving for the taxpayer in this move, which, it is estimated, will cost the United States Government more than a million dollars to move personnel involved, and for terminal leave and retirement pay for those employees forced to resign. The Government will save nothing in rent for the East 16th Street premises since other Defense Department agencies are prepared to take over this space. Furthermore, there exists at the present time in New York City Government-owned facilities that could accommodate the Quartermaster operations involved. The reduction in force advocated in the proposed transfer could be made as easily in New York as in Philadelphia.

The Quartermaster purchasing and administrative offices were located in New York in 1944 because New York was the center of the world's textile and clothing manufacture, and still is. Procurement of needed Army supplies here is logical and efficient because of the strategic location of these industrial plants and offices.

The transfer of these Quartermaster functions from New York to Philadelphia would mean the loss of an $8 million annual payroll to New York City with consequent lessening tax returns to both the city and the State.

Industry, veterans groups, and my administration unite in urging you to make every effort to halt this drastic and useless relocation of activities by the Quartermaster Corps of the United States Army.

Very truly yours,

ROBERT F. WAGNER, *Mayor.*

Today's Unprotected Aged

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1954

Mr. BYRNES of Wisconsin. Mr. Speaker, the Ways and Means Committee is presently considering amendments to the old-age and survivors insurance system. It is anticipated that the committee will recommend extension of the system to provide coverage for over 10.5 million additional persons.

In connection with the committee's deliberation, it is my intention to propose an amendment which would grant some protection to 3.6 million of today's retired aged.

The present system of old-age and survivors insurance—OASI—coupled with the proposed broadening of the system will provide OASI coverage and a floor of protection for all gainfully employed persons. In addition, 6 million persons are presently receiving benefits under the system. Even with the broadening of the system to provide universal coverage, there will still be one group of our citizens whose needs are being ignored and against whom the system discriminates. That group is today's retired aged who through no fault of their own are not covered by OASI.

The factors which determine whether a person is covered or not covered are often very minor. The dividing line between coverage under the system and noncoverage is extremely thin. Gainful employment for as short a time as a year and a half can provide coverage. The payment of a total social security tax of as little as $6 can entitle some persons to the benefits of the system. The maximum that has been contributed in behalf of any person entitled to draw minimum benefits today is $106. Certain widows are entitled to survivors benefits under the system because their husbands died after September 1, 1950, whereas those widows whose husbands died before this date are denied benefits even though the taxes paid by the husbands under the program may have been the same.

We have gratuitously increased OASI benefits to persons already retired on two occasions; it is proposed to do it again by legislation now pending in the Congress. These increases for those already retired have a present value of over $11 billion. These increases take no account of the need of the individual. Those receiving them neither have paid, nor will they pay, anything for them. The lines of distinction between eligibility and noneligibility are so fine as to be without merit in determining whether an individual is entitled to the benefits provided by OASI to retired persons and survivors.

These fine distinctions discriminate against the very group that has the greatest need for the protection provided by OASI. Under the broadened coverage and relaxed qualifying standards provided in the administration bill now before the Congress, all of tomorrow's retired aged and most of those persons now between 65 and 70 years of age will be eligible for benefits upon retirement. For today's retired aged over 70 years of age this will not be possible. Yet it is today's aged who are most in need. Eighty percent of persons receiving relief on the basis of need under the old-age assistance—OAA— program are over 70 years of age.

Since we are providing benefits as a matter of right to all of tomorrow's retired aged, we should certainly provide minimum benefits as a matter of right for today's aged.

In order to make a real start in eliminating the discriminations in the present OASI system and to recognize the needs of today's retired aged, I propose that retired noncovered persons age 70 or over be granted insured status and be eligible for minimum benefits. Minimum benefits under the pending legislation would be a monthly benefit of $30 per month for nonmarried individuals and $45 per month for couples.

In order to limit the application of this proposal to the meritorious cases and to prevent windfalls, two restrictions are provided.

First, individuals receiving retirement benefits under other governmental retirement systems, such as civil-service retirement, railroad retirement, and so forth, would not be eligible. Second, any person receiving OASI benefits under this special provision would be required to give up the additional $600 personal income-tax exemption granted to persons over 65 and the special retirement income exemption provided in the tax-revision bill.

It is contended by some that such a blanketing-in of persons who have made no contribution by way of social-security taxes would not be fair to the social-security trust fund and those who have paid such taxes in order to obtain coverage. To meet this objection, I propose that for each person blanketed-in, a payment to the trust fund would be made from the general funds of the Government corresponding to the maximum employer-employee tax that would have been paid for any individual who had been covered under the system since its inception and which would produce the minimum benefit, plus compound interest at 3 percent. For those blanketed-in in 1955, the per capita payment to the trust fund would be $131.07. As far as the trust fund is concerned, it will be in at least as good a condition as it would be if the individual and his employer had been contributing to the system since social-security taxes were first collected in 1937.

Because the reimbursement to the trust fund from the general fund will amount to only about 7 percent of the cost of the benefits, there are some who will call this proposal a "raid" in the trust fund. It should be remembered that this ratio of 7 percent reimbursement represents more than the proportion of the benefit cost actually paid for in respect to current beneficiaries by themselves and their employers.

In addition to removing the discrimination present in the OASI system, the proposal would provide a real start toward the withdrawal of the Federal Government from the Federal-State old-age relief program of old-age assistance.

The old-age assistance program provides for Federal payments to the States on a matching basis. The maximum Federal contribution is $35 per case. My proposal provides that the Federal insurance payment paid to any blanketed-in individual would be offset against any Federal matching moneys that would otherwise be paid to the individual. Since 80 percent of those receiving aid under OAA are over 70 years of age, this provision would result in a substantial reduction in the Federal cost under OAA. It is estimated that the reduction would amount to in excess of $700 million per year. In some States the Federal Government would thus be withdrawn completely from the old-age relief program. It has always been contemplated that OASI would replace Federal participation in OAA. This proposal would be a real start in realizing that objective.

The initial group that would be blanketed in and given minimum insurance rights under the proposal would number about 3,600,000. In the immediate future, there would be some additional persons brought in. They would consist primarily of widows whose husbands had died before acquiring coverage under OASI, such as widows of farmers. Within 15 to 20 years, however, the total number of people qualifying would be relatively small. Under universal coverage all of tomorrow's aged, with very minor exceptions, will have coverage under the basic provisions of the

present law. In other words, the problem presented by today's retired aged is constantly reducing and will be practically nonexistent within the next 20 years.

While we are prepared to provide benefits for some of today's retired aged and for all of tomorrow's retired aged, it is only fair that we try to give similar consideration to today's uncovered retired aged. This proposal will do so in a manner entirely consistent with the present system of old-age and survivors insurance.

The Passing of a Cliché?

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. SIEMINSKI. Mr. Speaker, one wonders whether the recent Supreme Court decision reaffirming the right of all citizens to an equal opportunity for an enlightened education at public expense, spells the passing of the cliché, "race, color, and creed."

In place of the cliché, "race, color, and creed," perhaps now will grow the concept of "due regard for talent, temperament, and training." These three qualities, as much as any, bring people together, do they not?

Mr. Speaker, recently I addressed a mixed audience in Jersey City. Afterwards a colored lady said, "Thank you for talking like everyone in the room was people."

Results of Questionnaire Mailed to 21st District of Texas

EXTENSION OF REMARKS
OF
HON. O. C. FISHER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1954

Mr. FISHER. Mr. Speaker, under leave to extend my remarks, I include the results of a poll I recently took concerning the views of my constituents on 12 current issues.

This is the third questionnaire I have submitted to the people, and in each instance the responses have been most gratifying. This bespeaks an active, aroused public interest in governmental affairs and it provides a fairly accurate barometer of public opinion on the various issues.

The results of my 1954 poll follow:

	Yes	No	No opinion
	Percent	*Percent*	*Percent*
1. Do you favor a constitutional amendment making certain that treaties shall have no force and effect if they deny or abridge any right enumerated in the United States Constitution?	71	13	16
2. Do you favor continuation of the foreign aid program:			
A. Economic assistance?	51	34	15
B. Military assistance?	51	30	19
C. Technical assistance (point 4 program)	68	14	18
3. Do you agree with the warning that any further Communist aggression in Korea (or any comparable situation) will be met with full mass retaliation (perhaps including the employment of atomic weapons)?	68	17	15
4. Do you favor financial and military aid by the United States in the prosecution of the war against communism in Indochina?	64	24	12
5. Should Communist China be seated in the United Nations?	5	90	5
6. Do you favor outlawing the Communist Party?	81	14	5
7. Do you favor flexible (75 to 90 percent of parity) price supports as against present fixed 90 percent of parity support prices?	63	23	14
8. Do you favor the proposed Government reinsurance program to permit broader health-insurance protection through private and nonprofit insurance companies?	44	34	22
9. Do you favor an increase in the social-security tax and a broadening of the coverage	43	44	13
10. A. Do you feel that 18-year old persons should be permitted to vote?	48	45	7
B. Do you think this is a proper subject for the States rather than the Federal Government to pass on?	49	41	10
11. Do you think the methods used by Senator McCarthy in conducting investigations should be changed?	58	30	12
12. Do you think that, in general, President Eisenhower is doing a good job?	83	9	8

Mr. Speaker, in the nature of things it is difficult to phrase any question to permit a categorical answer of "yes" or "no." Many of the answers are, therefore, qualified, and some have explanatory comments. But the answers as given provide, it is believed, the general attitude of the people in respect to the basic issues involved.

In response to various comments and inquiries from those who answered the poll, a brief discussion will be made of some of the questions.

BRICKER AMENDMENT

Question 1 deals with the so-called Bricker amendment, the gist of which states that no treaty or Executive order shall be superior to the Constitution of the United States, and no treaty or executive agreement shall take effect as internal law without the consent of Congress. While the exact wording of that proposal may be excessive and perhaps subject to some proper objection, the objective is clear—namely, to remove any question about the supremacy of the Constitution in instances where any conflicts occur with a treaty and where provisions in a treaty deny or abridge any rights enumerated in the Constitution.

The interest in an amendment to clarify the Constitution stems from paragraph 2 of article VI of the Constitution which states, in part:

> All treaties * * * shall be the supreme law of the land * * * anything in the Constitution to the contrary notwithstanding.

A number of decisions by the Supreme Court have added to the confusion with respect to if, when, and under what conditions a treaty may take precedence over constitutional rights. It is well to remember, however, that article II of the Constitution requires all treaties to be ratified by two-thirds of the Senators who are present when the matter of ratification occurs.

FOREIGN AID

It is proper to point out that a considerable number of the affirmative answers to the questions pertaining to military and economic assistance were given on certain conditions. Many expressed willingness to continue a measure of mutual aid provided the recipient countries were deserving and were fully cooperative with us and our purposes, and provided such countries do not engage in trade with Iron Curtain countries.

It will be recalled that last year the Congress appropriated more than $5 billion for foreign aid, of which 70 percent was for military assistance. Economic aid accounted for nearly $2 billion of the total.

I was one of those who voted against the economic aid during the past 2 years because I was convinced the allocations were not properly restricted. It seems to me such gifts should be limited to deserving countries that try to help themselves, and then—except perhaps for some technical assistance—where there is a direct relationship between the gift and our own national security and self-interest. I supported the Marshall plan, but it was supposed to end in 1952. In view of our burdensome taxes, our unbalanced budget, and our own economic problems here at home, it seems to me we should further reduce foreign aid and make sure that where it is spent it is appreciated and adds something to our own national security.

BATTLE ACT

It will be recalled that in 1951 the Congress passed a bill, authored by Representative BATTLE, of Alabama, which prohibited aid to countries that trade in arms, ammunition, and implements of war, atomic-energy materials, petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war with Russia or any of her satellites. That act called for no military, economic, or financial assistance to any nation unless it applies an embargo on such shipments to any nation or combination of nations threatening the security of the United States, including Russia and all countries under its domination.

Under the Battle Act 300 items of strategic value to the Soviet-dominated area are now subject to embargo by the leading industrial and trading countries of the free world. While official reports are that this embargo has been fairly effective, reports persist of some trade continuing in violation of the wording and intention of the law. It is the duty of the Mutual Security Administration to administer the law and see to it that no aid goes to any country which violates the act of Congress.

SOCIAL SECURITY

Many comments relate to social security. Many specific instances of in-

equities and injustices in the application of the law are described. Clearly, corrections in these weaknesses and contradictions in the law should be made. I was not in Congress when the social-security program began, but I have watched its operation and have observed many inequities. A committee is presently studying a revision of the program. It is hoped some needed improvements will result.

Among other needed changes, it seems to me the present $75 ceiling on earnings by a recipient of social-security benefits should be removed or raised substantially. Another complaint pertains to the inability of a person 60 years of age to draw on social-security benefits even though such person becomes totally disabled. And there are many other valid complaints. Since social security is described as a form of insurance, it would seem that the benefits should in general be proportionate to the amount of contributions that are made by a participant.

CONGRESSIONAL INVESTIGATIONS

Public interest in congressional investigations, particularly as they pertain to subversives, is manifest by the answers to question 11, and many comments on that subject. Some feel that the FBI should have exclusive jurisdiction in this field. Others feel that congressional hearings, properly conducted, can implement the work of the FBI. Congressional committees have subpena powers, whereas the FBI, being an executive agency, does not have.

All such congressional investigations must be done by designated committees of the House and of the Senate. In the case of the House, the Un-American Activities Committee has been functioning for 16 years. Through its work, Alger Hiss, William Remington, and scores of others have been exposed, and the work continues. That committee has been instrumental in prosecutions of more than a hundred traitors and subversives.

There is a need for granting the FBI more authority in collecting and making use of evidence. And there is need for increasing the punishment for peacetime espionage. Bills have been passed and others are pending which are designed to accomplish these laudable purposes—including a proposal, sponsored by the Attorney General, to help prevent the abuse of the fifth amendment by witnesses who are accused of subversive activities.

WATER CONSERVATION

Many comments pertain to water conservation and flood-prevention practices. In an area that has been plagued by a disastrous drought, the value of water is more appreciated than ever before. Already through local cooperation the Soil Conservation Service has undertaken a series of upstream flood prevention projects in the area, and a number of others are under study.

A bill recently passed by the House encourages these practices, and implements existing authority. The measure recognizes the fact that the soil is the most marvelous reservoir ever devised; that the earth itself will hold more water than all the structures that man can ever build upon it. Indeed, the basic purpose of the bill is to hold a larger part of the water where it falls, either in the earth or in small structures which will help to prevent accumulated runoff.

The plan is democratic and under local control. All projects must be initiated on a local level. Local people, to participate in it, must furnish all necessary easements and rights-of-way; assume such proportionate share of the cost of installing works of improvements as the Secretary of Agriculture determines to be equitable in consideration of anticipated benefits; and make satisfactory arrangements for defraying all costs of operation and maintenance.

The effective control and use of water and the conservation of our irreplaceable topsoil are of the highest importance to our economy and to our future.

SENATE

FRIDAY, MAY 21, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Robert S. Woodson, minister, First Presbyterian Church, Yazoo City, Miss., offered the following prayer:

Mighty God and everlasting Father, we thank Thee for Thy generous and gracious providence which has protected us, provided for us, and promoted us. We gratefully acknowledge Thy grace and goodness, Thy mercy and magnanimity, Thy compassion and comfort, Thy forgiveness and favor, Thy love and light.

As this legislative body convenes and resumes its business for this day, grant to each Member a full measure of strength and sagacity, vision and vitality, discrimination and discernment. Take away from our hearts everything which denies and dishonors and distorts Thy holy name. Set before us high standards of honesty and honor, sobriety and service, intelligence and integrity, righteousness and religion. Help each of us to practice and propagate these principles.

Forgive us for all of our failures and failings, our faults and our follies, our lapses and relapses.

Remind us anew that righteousness exalteth a nation, and that sin is a reproach to any people.

Enable us to renew our faith and our fortitude, our vows and our virtues, our loyalties and loves.

We pray, too, for Thy servants the President and the Vice President, together with the other leaders of our Nation. Give to them an abundance of divine grace and goodness, courage and consecration, vision and vitality. Remember them in their relationship with each other and with leaders of the other nations of the world. Hasten the day when nations will learn to love and not to loathe each other, to defend and not to offend, to help and not to hinder, to trust and not distrust, to develop and not destroy.

Remember our Nation in its great role of trusted leader, good neighbor, big brother, and faithful friend.

Bless Thou those who make our laws, remember those who interpret them, those who administer them, and those who enforce them, and may we all obey them.

May Thy spirit enable us to repent of our many sins, and grant to us the assurance not only of Thy full forgiveness, but of the blessed restoration of Thy divine favor.

In the name of Christ our Saviour, the Prince of Peace. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 21, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HOMER FERGUSON, a Senator from the State of Michigan, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. FERGUSON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 20, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between a period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the

National Advisory Committee for Aeronautics.

The message also announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 8571. An act to authorize the construction of naval vessels, and for other purposes;

H. J. Res. 481. Joint resolution to amend the act of July 5, 1949 (Public Law 157, 81st Cong.); and

H. J. Res. 508. Joint resolution to extend the time for the erection of a memorial to the memory of Mohandas K. Gandhi.

The message further announced that the House had agreed to the following concurrent resolution (H. Con. Res. 230), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 30,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations"; and that 10,000 copies shall be for the use of the Committee on Foreign Affairs and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Foreign Affairs.

LEAVES OF ABSENCE

On request of Mr. JOHNSON of Texas, and by unanimous consent, Mr. MCCARRAN and Mr. MURRAY were excused from attendance on the sessions of the Senate today and next week.

Mr. CLEMENTS. Mr. President, some very important hearings concerning the Kentucky River are to be held in Kentucky on tomorrow. I ask unanimous consent for permission to be excused from further attendance in the Senate today in order that I may attend the hearings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. KNOWLAND, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following a brief executive session there may be the customary morning hour for the transaction of routine business, with the usual 2-minute limitation on speeches.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KNOWLAND. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

One hundred and ninety-six postmasters.

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report favorably a group of routine nominations in the Navy, the Regular Air Force, and the Marine Corps, in the grades of ensign in the Navy, and second lieutenants in the Regular Air Force and the Marine Corps. In order to save the expense of printing on the Executive Calendar this large number of names, which have already appeared once in the CONGRESSIONAL RECORD, it is requested that these nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. KNOWLAND. Mr. President, I ask that the Diplomatic and Foreign Service nominations be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

CONTINUATION OF CEDAR CREEK FOREST AND PASTURE PROJECT, BOONE AND CALLAWAY COUNTIES, MO.—PETITION

Mr. HENNINGS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a petition from a great number of citizens in Boone and Callaway Counties in Missouri, urging continuation of the Cedar Creek Forest and pasture project in those counties. I should like to include, also, the recommendations with respect to this project made by the directors of the Cedar Creek Grazing Association and the boards of supervisors of both the Callaway and Boone County soil districts.

There being no objection, the petition and recommendations were referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

APRIL 1, 1954.

We, the following, have learned that the present Congress have not included funds in their appropriations for continued development work on the Cedar Creek Forest and pasture project in Callaway and Boone Counties. (Land acquired under title III, Bankhead-Jones Farm-Tenant Act.) Knowing that approximately 350 acres of this land has been developed for pasture annually, 4,254 acres to date, leaving 1,493 acres undeveloped, we strongly urge its completion.

If no funds are made available, the remaining acreage will be of no agricultural value to our community.

We likewise know that the developed pasture lands have produced approximately 10 times as much grazing per year as has the undeveloped land.

These grazing privileges have been extended to the livestock farmers living adjacent to, and within the area.

As a result of this project, the general agricultural economy in the area has been greatly improved, not only for the farm operators within the area, but because it has greatly improved in intrinsic value. The demonstrational value of the project has been of great benefit to the community.

We the undersigned feel it would be a grave mistake not to complete development of this project, now so nearly completed, and urge that you make every effort possible to see that funds are made available for its completion.

We believe that if the projejct is completed, it will maintain itself with the income derived therefrom.

(Signatures omitted.)

Copy of recommendations made by—

Directors, Cedar Creek Grazing Association, Fulton, Mo., October 27, 1953.

Board of supervisors, Callaway Soil District, Fulton, Mo., October 29, 1953.

Board of supervisors, Boone Soil District, Columbia, Mo., October 28, 1953.

We recommend that the Government continue to hold title to the Cedar Creek project lands and that the present plan of operation for this area be continued as it now exists for the following reasons:

1. The land is producing much more food under the present plan than it did under private ownership.

2. The fertility of the land is gradually being increased.

3. We believe that if the land is returned to private ownership the fertility in 10 years time will be reduced to the level that existed at the time the land was purchased by the Government. At this time, most of the land was submarginal land unable to support the people living on it.

4. The Cedar Creek Grazing Association has been in operation since June 1951. We believe it would be a mistake to discontinue it until given a thorough test.

5. The people living within the area approve the present plan.

6. The pasture improvement has been of educational value to the farmers of the area.

7. We believe that if this land is disposed of that it would necessitate a reorganization of the livestock operations of farmers in the locality because the present permittees would be forced to operate an uneconomical farm unit.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. CASE, from the Committee on the District of Columbia, without amendment:

S. 2654. A bill to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Montgomery County, Md., and for other purposes (Rept. No. 1376); and

H. R. 4940. A bill to provide for the redemption of District of Columbia tax stamps (Rept. No. 1377).

By Mr. CASE (for Mr. BEALL), from the Committee on the District of Columbia, without amendment;

S. 2172. A bill to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907 (Rept. No. 1378);

H. R. 7061. A bill to prescribe and regulate the procedure for adoption in the District of Columbia (Rept. No. 1379); and

H. R. 7062. A bill to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia (Rept. No. 1380).

By Mr. CASE (for Mr. BEALL), from the Committee on the District of Columbia, with an amendment:

S. 3213. A bill relating to the merger of the Columbus University, of Washington, D. C., into the Catholic University of America, pursuant to an agreement of the trustees of said universities (Rept. No. 1381).

By Mr. PAYNE, from the Committee on the District of Columbia, without amendment:

S. 2657. A bill to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia" (Rept. No. 1382).

By Mr. PAYNE, from the Committee on the District of Columbia, with amendments:

S. 885. A bill to prohibit the acceptance of certain offices or employment by persons who within 2 years have served as members of certain regulatory agencies of the District of Columbia, and for other purposes (Rept. No. 1383);

S. 1403. A bill to authorize the Public Utilities Commission of the District of Columbia to regulate and condition the declaration and payment of dividends by public utilities in the District of Columbia (Rept. No. 1384);

S. 2661. A bill to regulate the sale of shell eggs in the District of Columbia (Rept. No. 1385); and

S. 3387. A bill to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes (Rept. No. 1386).

By Mr. BARRETT, from the Committee on the District of Columbia, with amendments:

S. 2701. A bill to establish the Family Court for the District of Columbia (Rept. No. 1387).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas (for Mr. BURKE):

S. 3501. A bill for the relief of Abbas Mohammad Awad; to the Committee on the Judiciary.

By Mr. HENNINGS (for Mr. KERR):

S. 3502. A bill for the relief of Dirk Felthuis and his wife, Willy Philippina Felthuis; to the Committee on the Judiciary.

By Mr. BUTLER of Nebraska:

S. 3503. A bill to amend section 23 (g) (4) of the Internal Revenue Code; to the Committee on Finance.

HOUSE BILL AND JOINT RESOLUTIONS REFERRED

The following bill and joint resolutions were each read twice by their titles, and referred as indicated:

H. R. 8571. An act to authorize the construction of naval vessels, and for other purposes; to the Committee on Armed Services.

H. J. Res. 481. Joint resolution to amend the act of July 5, 1949 (Public Law 157, 81st Cong.); and

H. J. Res. 508. Joint resolution to extend the time for the erection of a memorial to the memory of Mohandas K. Gandhi; to the Committee on Rules and Administration.

TRIBUTE BY HON. PAUL H. DOUGLAS, OF ILLINOIS, TO LT. COL. HENRY J. "HANK" ADAMS, JR.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that a statement which I have prepared in tribute to Lt. Col. Henry J. "Hank" Adams, Jr., of the United States Marine Corps, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS

I would like to take a few minutes today to pay a well-deserved tribute to an honest, courageous, two-fisted, straight-shooting officer of the United States Marine Corps, who has just been relieved from service at his own request, to run for public office as the Sheriff of San Diego County, Calif.

I am referring to Lt. Col. Henry J. "Hank" Adams, Jr., who served with me in the First Marine Division in World War II, fighting his way in the running battle across the southwest Pacific, from Guadalcanal to Okinawa. His record as a marine hero began on his first night of combat when he earned the title of the "One Man Army of Tulagi," for his exploit of killing 15 of the enemy single handed.

Although his exploits as a marine are legendary, Hank Adams is also known nationally and internationally as one of the great rifle and pistol champions of America. He has some 700 medals and trophies to his credit, including the all-around rifle and pistol championship of the United States. He was also a firing member for 5 years on United States international rifle teams. Although I know him as a friend, and fellow marine, I am also proud of the Illinois background of his late father and his grandfather, both of whom lived for many years in Sterling, Ill., before moving out to the west coast at the turn of the century.

But Hank Adams is more than a fighting marine, and a straight-shooter. As a law enforcement officer he has the kind of background that is so vitally needed in all parts of America today to curb and clean up the growth of crime, corruption and lawlessness, and juvenile delinquency. As a special agent of the Federal Bureau of Investigation, Hank Adams served for 2 years in 1940–41 here on the east coast, under the direction of J. Edgar Hoover. Among other assignments he captured more bank robbers in the New Jersey area than any other agent in that area. Later as undersheriff in San Diego, before being recalled to service, Hank Adams instituted many progressive methods of modern criminology and worked closely with State and Federal officers on numerous cases along the international border of Mexico. And, for the past 3 years, up to March 31 of this year he has rendered distinguished service as provost marshal of the United States Marine Recruiting Depot in San Diego. It is a privilege and an honor for me to commend Hank Adams for his services to his country and his community as an outstanding young American, a red-blooded marine hero, and a courageous peace officer, and to wish him luck in whatever he does.

SHIPMENT OF ARMS TO GUATEMALA—UNITED STATES SHOULD STAND ON THE PRINCIPLES OF THE MONROE DOCTRINE

Mr. SMATHERS. Mr. President, the Washington Post this morning carried an editorial under the heading "Communist Beachhead," which deals with the subject of the landing of arms in Guatemala from a shipment originating behind the Iron Curtain. I ask unanimous consent that the editorial be printed in the body of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMUNIST BEACHHEAD

The shipment of arms to Guatemala from the Polish-controlled port of Stettin ought to remove any lingering doubts that Guatemala is the beachhead for active Communist designs in the Western Hemisphere. The 2,000 tons of arms, which arrived in Guatemala last weekend in a Swedish ship chartered by a British firm, are enough to upset the entire balance of power in Central America. The fact that the pier was surrounded by a cordon of soldiers and that the Guatemalan defense minister was on hand to supervise the secret nocturnal unloading makes eyewash of the explanation that the shipment was merely optical equipment. Nor, it may be safely assumed, is this quantity of armaments needed for purposes of keeping internal order.

Additional emphasis is given to a serious situation by the break in diplomatic relations between Nicaragua and Guatemala. This break had been building up for some time because of the Guatemalan plotting against the Nicaraguan regime. It also is significant that shortly after three Guatemalan consulates were established in neighboring Honduras a crippling general strike broke out; the consular personnel have been declared personae non gratae but the trouble remains. There are similar reports that Guatemalan agents are now attempting to foment strikes in Panama.

Some Latin Americans have taken the mistaken view that the United States concern in Central America has been merely to protect the interests of the United Fruit Co. The naive explanation that Guatemala has been undergoing a social revolution similar to that experienced by Mexico after 1910 ignores, of course, the fact that there is now an aggressive foreign imperialism anxious to take over. The arms shipment ought to help dispel any such illusions. For the arms are entirely outside the pattern of normal defense, and far in excess of anything the United States has prepared to send under its assistance pact with Nicaragua or the proposed pact with Honduras. The shipment is not to be compared with the activities of the international freebooters who are continually making trouble in the Caribbean area.

No longer is it possible to believe that the Guatemalan Government is merely a dupe. Acceptance of these arms denotes active complicity in a Soviet plot—and in the vicinity

of the Panama Canal. What apparently is in the works is a repetition of the excursions of the Caribbean Legion, coupled with the export of subversion to neighboring countries. In the circumstances the Guatemalan action constitutes an unmistakable threat to the peace. It affords full grounds for the United States to bring the situation to the attention of the Organization of American States and to explore the possibilities of collective measures, including those provided under the Caracas resolution and the Rio treaty. The United States further must convince its neighbors that it means business. What is of the utmost importance for the entire hemisphere to understand is that the threat of Communist imperialism is no longer academic; it has arrived.

Mr. SMATHERS. Mr. President, let me emphasize one thought from this editorial:

Acceptance of these arms denotes active complicity in a Soviet plot * * * and in the vicinity of the Panama Canal. * * *

The Guatemalan action constitutes an unmistakable threat to the peace. It affords full grounds for the United States to bring the situation to the attention of the Organization of American States and to explore the possibilities of collective measures, including those provided under the Caracas resolution and the Rio Treaty. The United States further must convince its neighbors that it means business.

What is of the utmost importance for the entire hemisphere to understand is that the threat of Communist imperialism is no longer academic: the threat of Communist imperialism is no longer academic: it has arrived.

Mr. President, I stood on the floor of the Senate last night and discussed what is happening in Latin America as it appears in the light of the Monroe Doctrine. That doctrine, enunciated by President Monroe in his seventh annual message on December 1, 1823, contains this very clear language:

We owe it to * * * those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. * * * We could not view any interposition * * * in any other light than as a manifestation of an unfriendly disposition toward the United States * * * (our policy will be) meeting * * * the just claims of every power and submitting to injuries from none.

Mr. President, those are the key phrases of the statement of the Monroe Doctrine, which has been the foundation stone of our foreign policy in the Western Hemisphere. It is as American as the Declaration of Independence, and is precious to us in our determined fight for survival as a free people.

Is it not time, Mr. President, for an examination of the happenings in this hemisphere in the light of this historic and time-honored doctrine?

It seems to me that we face the decision as to whether we intend to stand resolutely with the principle of the Monroe Doctrine, or whether we shall permit it to become a meaningless memory.

In my opinion, the countries of South America are looking to us for leadership in what appears to be a crisis. The countries of Central America, justifiably apprehensive, look to us for guidance in these circumstances. A continuance of our frequent issuance of statements embodying high-sounding phrases and expressing lofty purposes, will not alone suffice.

The time has indeed come for a calling together of the nations of the Americas, to explore and confer, with a view toward action—action, we hope, leading to practical programs of mutual defense, development, prosperity, security, and peace.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

The Senate resumed the consideration of the joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

The ACTING PRESIDENT pro tempore. The resolution is open to amendment.

THE SO-CALLED McCARTHY-ARMY HEARINGS

Mr. GILLETTE. Mr. President, since the so-called McCarthy-Army hearings have temporarily recessed, I shall take advantage of the interim to make a few comments that I am sure will be pertinent and I hope will be helpful.

Specifically, I shall discuss briefly the fifth amendment to the Constitution, as its provisions apply to the work of this subcommittee in its regular investigations. I am not, Mr. President, referring to the portion of the fifth amendment, so frequently invoked by witnesses before this and other committees, which protects everyone from being compelled to bear witness against himself in a criminal case. What I wish to discuss is the impact of the subcommittee's activities on the portion of the fifth amendment which secures all our citizens from being deprived of life, liberty, or property without due process of law.

Since the widespread publicity that has been given to this committee during the past few weeks, through television, radio, and other news coverage, as well as through editorial comment in most, if not all, publicity media, we Members of the Senate have received a veritable flood of mail critical of the work of this subcommittee and particularly critical of the executive and legislative machinery that permits the scarcely commendable spectacle to continue. The so-called McCarthy-Army hearings have been highly illuminated, if not highly illuminating.

These criticisms almost invariably take one or more of these three forms:

First. The charge is made that the manner in which these proceedings have been conducted and publicized has brought the Senate of the United States into disrepute and has seriously impeded the congressional legislative program, and has also seriously impaired our prestige abroad.

Second. There are those who charge that the President of the United States should have intervened long ago to call off the activities of the chairman of the subcommittee, or, as an alternative, should have directed that the controversy between the subcommittee and the Army be terminated forthwith.

Third. There are others who charge that the Senate has failed in either controlling or eliminating the activities of the subcommittee.

I shall comment briefly on the first two of these criticisms, and shall speak more at length on the third one.

I believe there is no doubt that the first criticism is a just one, and that the glare and blare of publicity that has attended the recent hearings have brought a distinct loss of dignity to our Nation, both at home and abroad, and will further debase the high quality of American world leadership.

With reference to the second criticism—namely, that the President has been dilatory in stepping into the picture and terminating the proceedings—I assert that this criticism is completely unjust. The subcommittee is not a part of the executive arm of the Government. It was not created or clothed with power by the executive branch. The great doctrine of separation of powers, which is the cornerstone of our Nation, does, in my opinion, effectively preclude the intervention of the Chief Executive in these current proceedings, through the exercise of Executive authority. I commend the President for the attitude he has evinced under the pressures attendant on widespread criticism of his failure to interpose executive authority to control, direct, or terminate this purely legislative function.

With reference to the third criticism—namely, that the Senate should take action in the premises—I am in complete agreement.

The so-called McCarthy subcommittee actually has the following unwieldy name: it is legally named the Senate Permanent Subcommittee on Investigation of the Committee on Government Operations. It was created by action of the Committee on Government Operations in the 2d session of the 80th Congress, and was renamed in the 82d Congress.

On January 16, 1952, the parent committee, being known as the Committee on Expenditures in Executive Departments, under the chairmanship of the late lamented Senator Hoey, changed the subcommittee's name, as I have just stated; and since that time it has functioned under this name.

The functions of the subcommittee are not controlled by its name or by any guidance which may be given it by the parent Committee on Government Operations. The control lies within the language of the various resolutions that have guided and continued the subcommittee's work in the past. Senate Resolution 189, of the 83d Congress, 2d session, agreed to on February 2, 1954, is the latest resolution under which the present Subcommittee on Investigation now operates. This resolution provided that the subcommittee proceed pursuant to the provisions of rule XXV of the Senate, reading in part as follows:

Such Committee on Government Operations shall have the duty of studying the

operation of government activities at all levels with a view to determining its economy and efficiency.

It will be seen from the foregoing that the subcommittee is an agent of the United States Senate, created under its rules, maintained under its rules, guided under its rules, and exercising power delegated to it by the Senate of the United States.

No Senator, Mr. President, has any power as an individual to make investigations of an official nature or to subpena witnesses and compel their testimony. No Senator is a magistrate. No Senator or group of Senators has power to conduct investigations such as the ones being conducted by this subcommittee group, except under power delegated to them by the Senate rules for the performance of certain specific delegated tasks.

The McCarthy subcommittee has no power whatever as a group, except for such power as it derived from the United States Senate. As such agent, it is responsible to its principal. As the principal, the United States Senate is responsible to the people of the United States for the conduct of its subsidiaries.

One of the very few Latin phrases that I remember from my early study of law is the phrase, "Qui facet per alium, facet per se." As every lawyer knows, the free translation of this Latin precept is "The acts of his agent are his own acts." Nowhere, Mr. President, is this rule more apparent and more applicable than in the instant situation pertaining to the work of the subcommittee.

At the outset of these few remarks of mine, I stated that I would discuss a certain portion of the fifth amendment to the Constitution. I repeat that portion:

> No person shall be deprived of life, liberty, or property without due process of law.

Dr. Mott once said:

> This portion of the fifth amendment may thus be regarded as containing phraseology of purest gold, mined under the stress of heated constitutional crises, refined by the fire of violent revolutions, proved by the acid test of centuries of struggle, and moulded by the hand of one of America's greatest constitutional draftsmen.

Any discussion, however brief, of this portion of the fifth amendment brings to mind three definite questions which require definite answers. Everyone knows what it would mean to be deprived of life or property, but what is liberty and what is due process of law?

On Monday of this week, when the Supreme Court handed down its decisions in the school segregation cases, Mr. Chief Justice Warren stated:

> Although the Court has not assumed to define liberty with any great precision, that term is not confined to mere freedom from bodily restraint. Liberty under law extends to the full range of conduct which the individual is free to pursue and it cannot be restricted except for a proper governmental objective.

In the same opinion the Chief Justice also stated:

> The concepts of equal protection and due process of law both stem from an American ideal of fairness.

Mr. President, for the purpose of the immediate discussion I shall try to define liberty as protection of the individual citizen against arbitrary, unwarranted, or improper use of the organized power of the state through its officials. I believe that contravening the injunction requiring due process of law means a violation not only of some specific law but a violation of the deep sense of justice and fair play that is inherent in the thinking of all free men, and which insists on decent treatment by our public officials in whatever capacity they are exercising their proper functions.

Whenever under claimed color of official action or a distortion of official authority these processes are violated, we instinctively record in our minds and our hearts resentment against such violations. As an additional comment on officials acting under color of authority and voiding the protection of due process of law, we can well go back to officials of the past whom we called tyrants. A tyrant, Mr. President, is either an individual official or a group of officials who use the collective power of the state in a capricious, selfish, or arbitrary manner.

It follows as night follows day that whenever any agency of our Government or any subagency thereof uses its legitimate authority in a way that contravenes the basic right of any citizen to protection against arbitrary, capricious, selfish, or unwarranted use of official authority, that agency or subagency violates the clearly enunciated security of the fifth amendment to the Constitution by infringing on the liberty of the individual without due process of law.

This brings to mind the specious and ignoble statement that some of our people have made to the effect that "I am in sympathy with the goal the official or committee is trying to attain, but, of course, I do not approve of the methods." Such statements, Mr. President, are subterfuge statements, and have no basis in law or fact. Methods and procedures are of the very essence of due process, and are prime essentials to the protection of liberty.

Mr. Justice Frankfurter has said:

> The history of liberty has largely been the history of the observance of procedural safeguards.

Mr. Justice Brandeis wrote more than 25 years ago that—

> In the development of our liberty insistence on procedural regularity has been a principal factor.

Mr. President, in the long history of our criminal and civil jurisprudence torture of an accused was a procedure; being held to answer for an infamous crime without presentment by grand jury was a procedure; the Inquisition of centuries ago without formal charge was a method; the infamous Star Chamber was a method; when Pontius Pilate, at the trial of the Master, turned Him over to be crucified he was simply following established procedures under the Roman and Jewish law.

Liberty can be established, maintained, and protected only by adherence to proper procedures. Goals can never be good or justified if they are to be reached by the impairment of constitutional liberty and due process.

It has been thoughtlessly said at times that the end justifies the means. Lenin, the great Communist leader, once said, "The end sanctifies the means." But one of our fundamental precepts is that the means determine the end. The Communist Lenin could say that a supposedly worthy goal sanctified the methods used to attain it, but no Christian doctrine and no American governmental principle can possibly excuse improper procedures and methods by relating them to the worthiness of the ultimate goal that is sought.

It is my sincere opinion that the methods which have been pursued in some recent legislative investigations have been clear violations of the portion of the fifth amendment which I have heretofore quoted in that individuals are deprived of liberty without due process of law. Some may ask, "If this be true, why have not the courts so held?" The answer is clear. Our courts do not have sole responsibility for the proper conduct of our Government. One of our great Supreme Court Justices once said:

> Courts are not the only agency of Government that must be assumed to have capacity to govern.

Once again I refer to the great American doctrine of separation of powers. The courts have their responsibilities, but so do the executive and legislative branches of the Government.

Every official in every one of these branches is sworn to uphold the Constitution, including the due-process clause guaranteeing individual liberty. The responsibility for the proper conduct of legislative investigations is in the legislative branch.

Each branch of the Congress is clothed with authority to function in its prescribed sphere and to make its own rules. Any committee or subcommittee of the United States Senate is composed of Members chosen and approved by the Senate itself. It operates in an area of authority delegated to it by the Senate itself. It operates under rules promulgated by the Senate. Its expenses are paid from the contingent fund of the Senate on authority approved by the Senate itself.

It is insincere and fatuous for anyone in this body to claim that if an agency of the United States Senate, or an agent thereof, is acting beyond the powers delegated to it, or in a manner which, without due process of law, violates the right of the individual to unrestricted liberty, we can wash our hands of responsibility and say, in paraphrase of Pontius Pilate, "It is your problem; see ye to it."

The Senate can revoke any authority delegated to its subagencies. The Senate can prescribe the rules under which a subagent must proceed. The Senate can withhold funds from its subagencies and can change the personnel of its committees and subcommittees.

Mr. President, I hope the so-called McCarthy-Army hearings will be completed as speedily as possible, but as completely as possible. My purpose in

referring to the subject today is the definite one of calling attention to the injustice of criticism of the executive or judicial branches of our Government so far as the procedures and the exercise of improper authority by this or any other committee are concerned; to point out as clearly as I can the sole and complete responsibility of the Senate itself for the action of one of its created agencies; and to express the belief that the public will and should hold the Senate of the United States responsible for the protection of United States citizens haled before one of its committees or subcommittees in securing for these citizens the full protection of the full language of the fifth amendment to the Constitution.

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

The Senate resumed the consideration of the joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

Mr. LANGER. Mr. President, today the Senate is at last taking up the proposed amendment to the Constitution which would result in conferring the right to vote on persons between the ages of 18 and 21. Such action is already overdue. Amendments to this effect have been introduced throughout the years by a number of very able and distinguished Senators.

Among these are former Senator Vandenberg, of Michigan, and the Senator from California [Mr. KNOWLAND], the Senator from New Jersey [Mr. HENDRICKSON], the Senator from South Dakota [Mr. CASE], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. KILGORE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. LENNON], and former Senator Blair Moody, of Michigan.

If I possess any doubts about the merits of this proposal, which I do not, I would be extremely comforted by the company of such able and distinguished men as those whom I have listed. In addition, this proposed amendment has the support of the President of the United States who recommended such an amendment in his message to the Congress at the beginning of this session. I compliment the President of the United States on his support of this proposal, especially since this was a subject which he endorsed during his candidacy for the nomination and election to the high office of President of the United States.

I only hope that attempts will be made to carry out all the promises contained in the Republican platform as this promise is sought to be carried out.

I think that even this brief recitation of support illustrates the distinguished and bipartisan support which this amendment has. In addition to these persons, however, it has the support of a great many others, foremost among whom is the former Governor of Georgia, Mr. Arnall, who was governor of that State at the time Georgia adopted an amendment to its constitution permitting 18-year-olds to vote. I understand also that the present Governor of Georgia, Mr. Talmadge, likewise, favors voting privileges for persons 18 years of age and over. Other Governors have also supported this proposition. Governor Craig, of Indiana, in his inaugural message to the legislature, recommended an amendment to the State constitution to lower the voting age to 19; and in his 1954 State legislative speech, Governor Herter, of Massachusetts, recommended lowering the voting age. Governor Byrnes, of South Carolina, also recommended lowering the voting age in his annual legislative message of 1954.

One of the complaints which I have heard voiced most often in this Chamber when a constitutional amendment is considered, is that the amendment has not had sufficient discussion throughout the United States to warrant its approval by this body. I doubt if anyone will contradict me when I say that this is one amendment which cannot be so criticized. The objective of this amendment has been discussed throughout the length and breadth of the land.

The legislatures of at least 37 States have had similar proposals presented to them in the past few years. In many of these legislatures, unfortunately these measures died in a pigeonhole in some committee. I want to make it clear here and now to the Members of the Senate that while I am chairman of the Committee on the Judiciary I do not intend that the subcommittee on constitutional amendments shall become a legislative burying ground for proposals to amend the Constitution which some Senators have deemed worthy of introduction. This is the principle under which I have acted as committee chairman, and I shall continue that policy so long as I remain chairman of the Committee on the Judiciary.

I may add that during this session of Congress more constitutional amendments have been considered by the Committee on the Judiciary than at any time within my memory.

Mr. HAYDEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Does the Senator from North Dakota yield to the Senator from Arizona?

Mr. LANGER. I yield.

Mr. HAYDEN. The Senator stated that this proposal has been under consideration in 37 State legislatures.

Mr. LANGER. The Senator is correct.

Mr. HAYDEN. If there was the overwhelming sentiment he indicates in favor of reducing the voting age to 18 years, why has only one State legislature acted favorably on it?

Mr. LANGER. I shall go into that point a little later in my remarks. I prefer not to be interrupted until I have finished my remarks. Then I shall be very happy to yield to Senators.

Mr. HAYDEN. I am intrigued by the Senator's statement. I am curious to know, if 37 State legislatures have considered the subject, why has only 1 State legislature acted favorably on the proposal? It does not seem to strengthen the Senator's argument when he cites the fact that while 37 States have considered the subject only 1 State has acted favorably on it.

Mr. LANGER. I am giving the Senate the facts. There is no question that that is true.

This proposed constitutional amendment, I believe, particularly deserves the attention of this body. Proposals for lowering the voting age have had a somewhat rocky road thus far, but such proposals have been gaining in strength throughout the years, and I fully anticipate that if this proposed amendment is not adopted at this time, it will be eventually.

Let me point out how the amendment has been gaining in strength throughout the years by reference to the Gallup poll. I cannot vouch, of course, for the accuracy of this poll, for it has on occasions been known to err, but from my own experience and observation I feel that results which it has disclosed on this subject are reasonably accurate. In 1939, 79 percent of the people polled were opposed to lowering the voting age to 18.

I should like to call that fact to the attention of the distinguished Senator from Arizona. I repeat that statement. In 1939, 79 percent of the people polled were opposed to lowering the voting age to 18. It may be that some of the State legislatures at that time acted as they did because of that fact.

In 1943, 61 percent were opposed. In 1947, 60 percent were opposed, In 1951, 49 percent were opposed, and 51 percent were in favor. A poll released on July 4, 1953, shows that 63 percent of those polled now favor lowering the voting age to 18, whereas 31 percent are opposed. Thus it may be seen that over the course of the past 14 years the opposition to this amendment has been reduced from 79 percent to 31 percent. Even the New York Times in an editorial of January 12, 1954, conceded that there is no doubt that the movement for lowering the voting age has been gaining strength in recent years. I do not profess to know how long State legislatures or the Congress may continue to refuse to endorse this principle in the face of such support. I am confident, however, that the public desire will ultimately prevail.

With these introductory remarks let me proceed to a consideration of the pending joint resolution—Senate Joint Resolution 53. The Constitution of the United States provides, in the case of the election of Senators and Representatives, that the electors, or voters, in each State "shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Thus, by the Constitution of the United States, and the constitution and laws of the several States as well, the age at which an individual may be qualified to vote is determined by State law.

Acting under these provisions of the Federal Constitution and its own State constitution, the State of Georgia has already lowered the voting age to 18, but, as the situation now stands, while 18-year-olds in Georgia can vote, an 18-year-old in North Dakota or any other jurisdiction has no such right.

During the Korean conflict and the Second World War, many young men undoubtedly looked with envy on these young citizens of Georgia. For these young Georgians at least had an opportunity to choose the persons who were to decide whether they should be committed to war or not. It seems to me that this is an extremely basic right of each citizen, and that it is fundamentally wrong to commit any man to such involuntary service unless he has had an opportunity to express himself, either for or against, such commitment by his choice of those who will represent him in the Congress of the United States.

Apparently this is the argument which most appealed to the President of the United States, for he has been quoted as saying that if a man is old enough to fight he is old enough to vote. To me, this is good reason for extending the right of franchise to 18-year-olds, for it seems that whenever and wherever future wars are fought by the United States, those 18, 19, and 20 years of age will be pressed into service, as well as those 21 years of age and up.

I saw a headline in the newspaper the other day to the effect that in another war we will likely have to draft women into the service of the United States. With all the new and deadly weapons, wars will become more and more destructive and require great sacrifices from younger persons, but it is still felt by some that we are bound to observe a voting age which found its origin in early Anglo-Saxon law. These people, it seems to me, fail to take into account the tremendous educational advances made throughout the years since the adoption of this age criteria for voting. As the Senator from Oregon [Mr. MORSE] pointed out on the floor of the Senate on July 18, 1953:

> I think our failure to give 18-year-olds the right to vote amounts to a criticism of our 150 years of free education in the United States. It seems to me to be a sad reflection on the American school system, and one which is not deserved.

To this there may be added the statement of the national legislative director of the American Veterans of World War II, who observes:

> In the 18th and 19th centuries, 18-year-old citizens very probably knew little about their Government. But today it is noteworthy that many of our most informed citizens fall into this age group. The education resulting from the mandatory teaching of United States and world history, civics, government, and economics is often more evident at the time of graduation from high school and during the early years of college than in any other time in a person's life. Added to this is the certain knowledge that a world of education is gained by many millions of young men through the medium of military service. These factors combined provide a wealth of potential clear thinking voters who can and should assist the Nation in choosing its leadership.

On the other hand, some persons criticize this proposal on the basis that an 18-year-old lacks sufficient maturity to exercise the right of franchise wisely. I certainly do not agree with that. I was glad to discover that Representative KEATING, of New York, a very able member of the Committee on the Judiciary of the House of Representatives, stated on January 31, 1954, in a radio debate conducted by the American Forum of the Air:

> I think 18-year-olds today have more maturity of judgment than 18-year-olds did 1 or 2 generations ago. I have a daughter who is now 20, and I feel at 18 she was at least as well-equipped to decide who she wanted to have for governor and what her position should be on public affairs as I was at 21.

My good friend from the State of Minnesota [Mr. HUMPHREY] pointed out in his statement to the Judiciary Committee on this amendment:

> The young people of this generation are better prepared educationally for political responsibility at the age of 18 than were the Americans of previous generations. We do not have very complete figures on the education of our population prior to the 1940 census, but even comparisons with the year 1940 tend to highlight our progress toward the preparation of our youth for civil responsibility. In 1940, 14.1 percent of Americans completed high school; 4.6 percent completed college. In 1950, 20.2 percent of Americans completed high school; 6 percent completed college. Also, the intensity of living for young people today is something that surely prepares them for mature political responsibilities.

Mr. SMITH of New Jersey. Mr. President, will the Senator from North Dakota yield for a question?

Mr. LANGER. I yield.

Mr. SMITH of New Jersey. I should like to ask if the committee, in considering this measure, took into account the fact that in changing the age of majority we might be moving toward conflict with laws governing the holding of property and guardianship, which, under the amendment, if adopted, might end at the age of 18 instead of at the age of 21.

Mr. LANGER. That question was discussed.

Mr. SMITH of New Jersey. Did the committee feel that it is involved in this proposal?

Mr. LANGER. It was discussed, among other things.

Mr. SMITH of New Jersey. I have been asked by many persons whether we are not moving pretty fast in this connection, and possibly interfering with present property laws.

Mr. LANGER. There is no disposition on the part of the committee to do that at this particular time.

I myself was recently duly impressed on this subject. As Senators know, there is a television program known as Youth Wants to Know in connection with which different Representatives and Senators are invited as guests to answer questions proposed by certain high-school students. This program is entirely unrehearsed, and the ages of the students range from 15 to 18 years. I had the honor to be their guest on February 28, 1954, and I am sure Senators will believe me when I say that I left that session very deeply impressed with the grasp of knowledge and seriousness of these youngsters, as in a short space of time I had discussed all sorts of political questions. If I had entertained any doubts as to the ability and understanding of these students whose maximum age was 18, those doubts were certainly dispelled. When I left that television studio, I was more firmly convinced than ever that an 18-year-old should have the right to vote.

All of this would perhaps be entirely theoretical and speculative were it not for the fact that the State of Georgia, in our own country, and many nations, have already seen fit to extend suffrage to 18-year-olds. Those most able to describe the experiment of the lowering of voting age in Georgia have been high in its praise. Governor Arnall described it as very salutary and very fine.

Some of the nations which have adopted 18 as the minimum voting age are Brazil, Argentina, Ecuador, Israel, El Salvador, Paraguay, and Peru. In addition to these, several other nations behind the Iron Curtain have seen fit to lower the voting age to 18.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. RUSSELL. The Senator from North Dakota overlooked naming the largest country which allows 18-year-olds to vote—the Soviet Union.

Mr. LANGER. I did not overlook it at all. I named it a moment ago, in addition to several other nations behind the Iron Curtain. I made it very plain that I was not ducking it at all.

Mr. RUSSELL. I merely wanted to say that the largest nation which permitted voting by 18-year-olds was Russia, but I do not think Russia affords a very good illustration of democratic elections.

Mr. LANGER. Simply because Soviet Russia may favor one good thing is no reason why the United States should be opposed to allowing 18-year-olds to vote. Suppose Russia had set the voting age at 25. Would the argument of the distinguished Senator from Georgia then be that the United States should make the voting age 25, because Russia had done so?

Mr. RUSSELL. No. I have rejected the argument of drawing a parallel between what is done in the United States and what is done in Russia, of doing things in the United States in an attempt to influence Russia. But I do say that whether the voting age in Russia be 25 or 20, the results of the elections there would be the same, because 99.9 percent of the votes are counted for one candidate.

Mr. LANGER. That is because of their system, with which I do not agree. I think the Senator from Georgia is quite correct about that.

In addition to Russia, several other nations behind the Iron Curtain have seen fit to lower the voting age to 18.

On the latter point I wish to call attention again to a remark of Representative KEATING, who observed:

> The mere fact that youth votes at 18 in Soviet Russia seems to be no argument that "evils of youthful voting will follow." It makes no difference whether you are 18 or 80, your vote doesn't count for anything in Soviet Russia anyway. The idea of getting the young people of America to do any goosestepping around seems to me to show an utter lack of comprehension of the American youth. I don't think you can regiment the youth of this country, in any such way. In fact, I think just the opposite is true.

You can no more influence young people than you can some of the older people. They have more independence of judgment. They are more apt to decide things on the issues but I don't think it is a political matter, I think it is a matter of fair play.

I think that as the life span gets longer in this country, as it is doing, people will live longer; there are more people in the older ages voting and to offset that, to give a fair balance, to determine the great issues of the day and to determine who shall govern the country, it seems we have to open it up at the lower end and balance the thing out so that we get a fair expression of all the people of this country.

Getting back to the matter of maintaining the same voting age as has been the rule since early Anglo-Saxon history, I wish the Members of this body would reflect for a moment on the tremendous advances which have been made in the past 50 years in education and in the transmission of information. How many voters 50 years ago had gone through high school? How many of them had an opportunity to come to Washington and view and interview their Representatives and Senators in Washington? How many of them had access to radios, television, daily newspapers, and periodicals, which today keep American voters alerted to political developments, not only in the United States but also throughout the world? Never in the history of man have the young people been as well prepared to exercise the right of franchise as they are today.

These tremendous advances in education and the transmission of information have been paralleled by equally tremendous advances in the machinery of war. Yet I have noticed no inclination on the part of the armed services of the United States to refrain from using young men who have not achieved their 21st birthday when it comes to piloting the jets or one of the gigantic bombers of our day. As a matter of fact, it seems to me, from the recruiting information which I have seen and read, that the accent is continuously placed upon youth. Some of these tremendously complicated instruments of warfare require a knowledge and understanding which would confound many an older person, yet it is said that this capacity to operate complicated machinery cannot be translated into an ability rightfully to exercise the right to vote. I do not follow such logic, nor do I give it any great credence. To my mind, the maturity required to exercise these feats of warfare are commensurate with the maturity required to choose between candidates for election to a public office.

At the hearings on a similar proposed amendment in the 82d Congress, one of the witnesses observed that, roughly, one-fifth of our armed strength is composed of men between the ages of 18 and 20. These men are, by force of circumstance, mature enough to assume the obligations of full citizenship. Former Senator Moody testified that if they are old enough to fight, if they have sufficient maturity to be introduced to jets and assigned to foxholes to defend our liberty, then they are old enough to vote. They are mature enough to assume their responsibilities and rights as full-fledged citizens.

Now, let me review the things that a young man of 18 can do.

At 18, a young man is qualified for employment under our civil-service laws.

At 18, a young man is civilly and criminally responsible for the statements he makes in his Federal income-tax return—section 39.51–3 of regulations 118, Internal Revenue Code.

At 18, a young man may marry without parental consent in the States of Georgia, Idaho, Michigan, North Carolina, South Carolina, and Tennessee.

At 18, under our Penal Code, a young man may be committed to a Federal prison.

At 18, a young man or woman is no longer eligible to receive assistance in social-welfare matters and pensions, since they are considered as adults. In other words, at 18, they are on their own.

At 18, a young man may volunteer his services in our country's forces without his parents' consent. This is a right of contract, the importance of which has no parallel in ordinary contract law.

At 18, a young man is required by law to register for selective-service and to be inducted voluntarily or involuntarily without his parents' consent.

These are but some of the responsibilities which face an 18-year-old.

There is at least one additional reason which has been mentioned by some as supporting the lowering of the voting age. At the hearings on the predecessor amendment in the 82d Congress, one of the witnesses testified that young people are enthusiastic in their desire to participate in political decisions, especially those which vitally affect their lives, and that if this enthusiasm cannot be expressed until the age of 21 is reached, their interest often is lost, or at least materially diminished. This, it seemed to the witness, and it seems to me, represents a loss to the United States as well as a loss to the individuals themselves.

I venture to say that when any Member of the Senate has become a candidate for the office of attorney general of a State, or United States Senator or Representative, or whatever other office it may be, he has been impressed by the fact that scores of young people have crowded around to help. They are willing to distribute literature. They are willing to go from door to door. They are willing to seal envelopes. In campaign after campaign it has been the young folks, from the age of 18 up, who are out battling in order to help elect a particular candidate whom they happen to like.

When young people emerge from high school, they are anxious to participate in the affairs of government. They are as well informed, they are as mature, they are as capable of exercising the franchise as are voters of any other age which might be chosen.

In closing, I wish to allude to one of the arguments which has been advanced as a roadblock to the adoption of the proposed amendment. It has been repeatedly said that this is a matter to be decided by each of the States. I wish to point out that the pending measure is not any different in principle from the proposal which resulted in the 19th amendment, which conferred the right to vote upon the women of the United States. The amendment now proposed would no more abrogate States' rights than that one did; yet that amendment was ratified in less than 2 years after its submission to the States.

Among the States ratifying the amendment were Texas, Missouri, Oklahoma, West Virginia, Tennessee, and I am proud to say, North Dakota. Yet, Mr. President, I remember all the arguments which were raised against giving women the right to vote.

I do not believe that a constitutional amendment which requires ratification by three-fourths of the States represents any great encroachment on States rights, and I fully anticipate that if this amendment is submitted to the States for ratification, some of the States which are now numbered among the foremost guardians of States rights will be found among those ratifying the amendment.

Mr. President, this is as good a time as any to press the amendment. With the public support for the amendment increasing all the time, with the occupant of the White House and the present majority leader in the Senate supporting it, this is an excellent time to approve it. I am satisfied in my own mind that the issue narrows down to the simple question: Eventually, why not now?

Mr. HAYDEN. Mr. President, will the Senator from North Dakota yield for a question?

Mr. LANGER. I yield to the Senator from Arizona.

Mr. HAYDEN. The Senator has mentioned that Governor Byrnes, of South Carolina, had favored lowering the voting age to 18. I served with Governor Byrnes in the House of Representatives and in the Senate, and knowing him as a stanch advocate of States rights, it is inconceivable to me that Governor Byrnes has recommended that there be an amendment to the Constitution lowering the voting age to 18. I would not doubt that he would make such a recommendation to the South Carolina Legislature.

Mr. LANGER. What I said was that Governor Byrnes has mentioned recommending to the State legislature that the voting age be lowered.

Mr. HAYDEN. So far as I am concerned, I should like to see the voting age in Arizona lowered by an amendment to the State constitution. Several resolutions to that effect have been introduced in the Arizona State Legislature, but they did not get out of committee, so there could not have been any great public sentiment in favor of lowering the voting age. However, I do object to the State of Arizona being compelled to lower the voting age by an amendment to the Constitution of the United States. That question ought to be left to the people of my State.

The Senator from North Dakota has mentioned the amendment to the Constitution which provides for woman suffrage. I supported that amendment vigorously. However, 29 States had already adopted woman suffrage to some degree, which explains why such an

amendment to the Constitution was so quickly ratified by the State legislatures. With regard to the amendment now under discussion, only one State in the Union has adopted such an amendment to its State constitution. If lowering the voting age to 18 is as popular as the Senator from North Dakota has suggested, it would seem to me that by this time many of the legislatures would have submitted such an amendment for consideration by the people of their States.

Mr. LANGER. I call the attention of my distinguished friend to the Gallup poll, which shows that in the last 14 years the opposition to lowering the voting age dropped from 79 percent to 31 percent. More youthful members have been elected to the State legislatures in recent years. The move for such change has to be started some time. One State has already lowered the voting age. Maybe we will soon have more States taking similar action.

Mr. HAYDEN. At the last session of the legislature of my State resolutions were introduced to amend the constitution of the State of Arizona by lowering the voting age to 18 years. However, no action was taken on the resolutions. If the people of my State were so much in favor of lowering the voting age, I assume the State legislature would have taken necessary action, and undoubtedly the same would be true in other States. Such action by the State legislatures would relieve the Congress from the necessity of taking the action now suggested.

Mr. LANGER. I may say that if the members of the State Legislature of Arizona were of the same high caliber as is the distinguished senior Senator from Arizona, I know that such a resolution would have passed unanimously.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Barrett	Green	Pastore
Bush	Hayden	Payne
Capehart	Hendrickson	Robertson
Carlson	Hennings	Russell
Case	Holland	Smith, N. J.
Dirksen	Hunt	Stennis
Dworshak	Johnson, Tex.	Thye
Eastland	Knowland	Williams
Ferguson	Langer	Young
Frear	Martin	
George	Neely	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Sena. r from Arizona [Mr. GOLDWATER], and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from California [Mr. KUCHEL], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], the Senator from Wisconsin [Mr. WILEY], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Louisiana [Mr. ELLENDER], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Kentucky [Mr. CLEMENTS, the Senator from New York [Mr. LEHMAN], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mrs. BOWRING, Mr. BUTLER of Maryland, Mr. BUTLER of Nebraska, Mr. CHAVEZ, Mr. CORDON, Mr. DANIEL, Mr. DOUGLAS, Mr. DUFF, Mr. FULBRIGHT, Mr. GILLETTE, Mr. HICKENLOOPER, Mr. HILL, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MANSFIELD, Mr. MAYBANK, Mr. MILLIKIN, Mr. MONRONEY, Mr. MUNDT, Mr. POTTER, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SYMINGTON, Mr. UPTON, and Mr. WATKINS entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. A quorum is present.

IRREGULARITIES IN GRAIN STORAGE PROGRAM OF COMMODITY CREDIT CORPORATION

Mr. WILLIAMS. Mr. President, the question is often raised as to what good, if any, results from an investigation by a congressional committee, and today I wish to call atttention to one investigation which produced constructive results.

Beginning back in 1950 I, along with many other Senators, began raising grave questions regarding the possibility of widespread irregularities existing in the grain storage program as administered by the Commodity Credit Corporation.

As a result of our allegations an investigation was ordered by the Senate Committee on Agriculture and Forestry with the result that many individuals both in and out of Government were indicted.

The Secretary of Agriculture, Mr. Benson, recently issued a report which contained a list of all cases upon which convictions had been obtained as of January 1, 1954.

In this report the Secretary pointed out that as of January 1, 1954, shortages involving a total of some $11,310,000 had been discovered over a 5-year period and that recoveries of over $4 million had been effected.

Mr. Benson also pointed out that in the first year of his operations, 76 new shortage cases were discovered; however, 70 of these were discovered during the first half of the calendar year of 1953 and only 6 during the last 6 months, which would indicate that the conditions are being effectively cleared up.

As evidence that the charges of alleged irregularities which some of us made against this program back in 1950 were not unfounded and as evidence that the careful investigation by the Senate Committee on Agriculture was not in vain, I ask unanimous consent to have incorporated at this point in the RECORD a list of 58 storage cases involving shortages which have reached the court stage subsequent to January 1, 1951.

The money figures given in each represent the Commodity Credit Corporation's "claim" against the warehouse at "highest market value" of the commodity for the period involved. In some of the later cases, this claim is subject to revision pending final audit.

Net losses cannot be determined until all action is completed. In some cases proof of claim filed in bankruptcy action is larger than appears on this list. The difference is that proof of claim includes interest on the Government's claim. This list contains 37 cases upon which criminal action was taken.

Mr. President, I ask unanimous consent that the list be printed in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WAREHOUSE STORAGE CASES AS OF JANUARY 1, 1954

GRAIN, DRY BEANS, SEED

(1) Lemoore Grain & Feed Co., Lemoore, Calif.,[1] CCC barley (loan stocks): December 31, 1948, H. S. Brietigam, partner, indicted for theft and served 1 year in State penitentiary. February 21, 1951, indicted by Federal grand jury for conversion and false claim. Concern bankrupt. Question of Government's right to priority of payment now before court. If allowed priority, full recovery anticipated. Claim, $224,514.67.

(2) Tanner's Inc., Cortez, Colo.,[1] CCC dry edible beans: February 21, 1951, civil action filed with United States district court. October 25, 1951, Harold D. Tanner indicted at Denver, Colo. March 5, 1952, Harold D. Tanner and Halworth Tanner indicted for conversion and false claims. March 26, 1952, R. R. Wilson and Harold Tanner indicted for conspiracy and R. R. Wilson for perjury. April 4, 1952, Harold Tanner pleaded guilty to charges of conversion, conspiracy, and false claims. Harold Tanner and Halworth Tanner pleaded guilty to submitting false financial statements. April 11, 1952, R. R. Wilson arraigned and pleaded not guilty to conspiracy and perjury indictments. December 4, 1952, Wilson pleaded guilty to issuing false warehouse receipts. February 4, 1953, Harold Tanner sentenced to 18 months, R. R. Wilson to 15 months and $10,000 fine, and Harold Tanner was given a 3-year suspended sentence. Claim, $1,108,290.23; collections, $11,627.96; balance, $1,096,662.27.

(3) George D. Bates Elevators, Calhan, Simla, Matheson, and Platner, Colo. (Bates deceased), CCC wheat, barley, beans, grain sorghums: June 14, 1951, suit filed. June 19, 1951, temporary receiver appointed. July 17,

[1] Criminal action has been taken in 37 of the 58 cases on this list.

1951, appointment of receiver made permanent. Claim allowed by court but question of Government's right to priority of payment reserved by court pending hearing. Claim, $382,386.48; collections, $120,985.89; balance, $261,400.59.

(4) H. G. Williams Feed Mills, Ashburn, Ga.,[1] CCC corn: August 21, 1951, Williams indicted by grand jury. August 24, 1951, civil suit filed against Williams in United States district court. April 9, 1952, in Federal court at Albany, Ga., Williams pleaded nol contendere, was fined $2,500, and was placed on probation. Claim, $67,406.55; collections, $775.01; balance, $66,631.54.

(5) Edison Mills, Edison, Ohio (H. W. Martin, deceased), CCC corn, wheat, and soybeans: August 6, 1951, writ of replevin filed. November 15, 1951, amended proof of claim submitted. Claim, $395,923.97; collections, $173,826.74; balance, $222,097.23.

(6) Shannon Elevator, Sudan, Tex.,[1] CCC grain sorghums and wheat: November 6, 1951, civil action Federal district court. November 16, 1951, receiver appointed. March 28, 1952, O. L. Shannon indicted for conversion. May 13, 1953, voluntary petition in bankruptcy filed. January 8, 1953, found guilty. January 9, 1953, O. L. Shannon sentenced to 5 years imprisonment and fined $15,000. January 15, 1954, court of appeals affirmed conviction. Claim, $1,038,051.63; collections, $36,084.41; balance, $1,001,967.22.

(7) Nohr Elevator, Crofton, Nebr. (Vern Nohr, deceased), CCC corn: November 16, 1951, estate in probate. Claim filed by county ASC committee. Claim, $18,482.02; collections, $5,720.21; balance, $12,761.81.

(8) Spellman Feed & Grain Co., Rochelle, Ill.,[1] CCC corn: December 7, 1951, CCC filed claim and proof of loss with trustee in bankruptcy. January 21, 1952, Francis Spellman, Jr., and James Spellman indicted. April 21, 1952, Francis Spellman, Jr., pleaded guilty. James Spellman pleaded not guilty. November 10, 1952, James Spellman indicted. November 12, 1952, James Spellman pleaded not guilty. December 27, 1952, Francis Spellman sentenced to 5 years imprisonment and sentence suspended provided he serves prison sentence of 1 day a week for 2½ years. James Spellman sentenced to 3 years imprisonment and sentence suspended provided he serves prison sentence of 1 day a week for 6 months. July 14, 1953, State court ruled that Spellman may be tried in the State court. Claim, $313,182.52.

(9) Henderson Grain & Seed Co., Farwell, Tex.,[1] CCC wheat and grain sorghums: December 21, 1951, civil action filed to recover claim due CCC. March 21, 1952, C. M. Henderson adjudicated bankrupt. March 28, 1952, C. M. Henderson indicted for conversion. July 14, 1952, C. M. Henderson found guilty on 47 counts. July 23, 1952, C. M. Henderson sentenced to 4 years in penitentiary and fined $1,000. April 3, 1953, circuit court of appeals affirmed decision of lower court. August 29, 1953, proof of claim filed. Claim, $1,009,994.84; collections, $8,624.61; balance, $1,001,370.23.

(10) E & S Bond Warehouse and Union Feed Co., Inc., San Antonio, Tex.,[1] CCC grain sorghums: December 10, 1951, referred to United States attorney. Bankruptcy petition filed by creditor. June 10, 1952, W. H. Eckhardt, vice president and general manager, indicted at Austin, Tex., for conversion and false claims. June 2, 1953, W. H. Eckhardt pleaded guilty. October 6, 1953, Eckhardt sentenced to 3 years in the penitentiary. Claim, $214,319.05; collections, $1,529.50; balance, $212,789.55.

(11) Plains Grain & Storage Co., Inc., and Herman Dawson Co., Fort Worth, Tex.,[1] CCC wheat and grain sorghums: January 16, 1952, civil action instituted. January 21, 1952, receiver appointed. February 7, 1952, Herman Dawson indicted on 24 counts of theft of Government grain. March 5, 1952, Dawson convicted on 16 counts. April 4, 1952, Herman Dawson fined $15,000 and sentenced to 6 years in prison, with the last 3 years of the sentence to be suspended and Dawson placed on probation on condition of his effort to make restitution to the Government, and for good behavior. April 8, 1953, circuit court of appeals affirmed decision of lower court. Claim, $561,158.45; collections, $2,291.51; balance, $558,866.94.

(12) Garden Grain & Seed Co., Inc., Garden City, Kans.,[1] CCC grain sorghums: January 17, 1952, company consented to adjudication as bankrupt. February 20, 1952, W. S. Marteney, vice president and manager, charged with felony in State court. May 2, 1952, Marteney bound over to State district court and released on $5,000 bond. August 15, 1952, claim filed. August 21, 1952, W. Marteney indicted for conversion; C. M. Henderson, T. C. Harper, and W. Marteney indicted for interstate transportation of grain and documents under Stolen Property Act; W. Marteney and Sam Gish indicted on charges of mail fraud. November 3, 1952, Marteney, Harper, and Gish pleaded not guilty. February 27, 1953, verdict of guilty on 29 counts returned against W. S. Marteney. May 9, 1953, Harper pleaded nolo contendere. Claim, $148,980.90; collections, $12,440.24; balance, $136,540.66.

(13) Schroer Grain Co., Dresden, Kans., CCC wheat (includes some loan wheat): January 30, 1952, petition in voluntary bankruptcy filed. January 31, 1952, receiver appointed. August 19, 1952, claim filed with referee. Claim, $75,496.04; collections, $8,517.89; balance, $66,978.15.

(14) Alishouse Grain Co., Sheridan Lake, Colo.,[1] CCC wheat and grain sorghums: February 7, 1952, receivership proceedings started and temporary restraining order issued. September 15, 1952, Paul Alishouse indicted for conversion. October 31, 1952, Paul Alishouse pleaded not guilty. March 4, 1953, Paul Alishouse changed plea to guilty on 2 counts. Paul Alishouse sentenced to 18 months' imprisonment. Court has allowed the claim of CCC in the amount of $209,542.62 and reserved for later determination the question of priority. Claim, $212,864.54; collections, $3,321.92; balance, $209,542.62.

(15) Everett Grain Co., Vega, Tex., CCC wheat: March 1, 1952, civil suit filed against Kenneth Cook. Claim, $290,296.81; collections, $2,903.30; balance, $287,393.51.

(16) Eesley Mills, Morrow, Ohio,[1] CCC wheat: March 5, 1952, Bert Eesley indicted for conversion. May 5, 1952, Bert Eesley sentenced to 2 years imprisonment and fined $5,000. May 16, 1952, civil suit filed against Bert Eesley at Dayton, Ohio. November 13, 1952, Court entered default judgment against Eesley in amount of claim. Claim, $36,528.74.

(17) Burt Grain Co., Clarion and Galt, Iowa,[1] CCC corn: March 21, 1952, Clyde L. Burt indicted for conversion by Federal Grand Jury at Waterloo, Iowa. September 3, 1952, Burt indicted on additional counts. September 3, 1952, court issued injunction prohibiting sale of corn. October 14, 1952—C. L. Burt pleaded guilty; sentenced to 2 years imprisonment. May 14, 1953. Suit filed against Burt and Surety Co. Claim, $418,932.84; collections, $20,990.34; balance, $397,942.50.

(18) Robinson Produce Co., Olathe, Colo.,[1] CCC dry edible beans: March 25, 1952, O. W. Robinson indicted for conversion. April 16, 1952, O. W. Robinson pleaded guilty. March 20, 1953, O. W. Robinson died. Claim, $35,433.09; collections, $6,116.72; balance, $29,316.37.

(19) Page Bean and Warehouse Co., Denver, Colo.,[1] CCC dry edible beans: March 25, 1952, Glenn Page indicted for conversion. April 16, 1952, Glenn Page pleaded not guilty. October 24, 1952, Glenn Page indicted for conversion. November 1952, Glenn Page found guilty on two counts. January 15, 1953, Glenn Page sentenced to 18 months imprisonment and probation for an additional 2 years. Claim, $69,734.58.

(20) Honegger-Hanley Mills, Inc., Mansfield, Ohio, CCC wheat: April 9, 1952, civil suit filed against Honegger-Hanley Mills, Inc. Claim, $9,754.71.

(21) Meekins Warehouse & Storage Co., Corpus Christi, Kingsville, and Taft, Tex., and Meekins Farm & Ranch Elevators, Inc., Corpus Christi, Tex.,[1] CCC grain sorghums: September 15, 1951, referred to United States attorney. April 15, 1952, Lewis E. Meekins indicted for conversion and false storage claims in United States district court at Corpus Christi, Tex. November 3, 1952, L. E. Meekins indicted for conversion in United States district court at Corpus Christi, Tex. November 5, 1952, Meekins pleaded not guilty. April 20, 1953, L. E. Meekins pleaded nolo contendere on 22 counts. Sentenced to 6 months' imprisonment and sentence suspended for period of 2 years. Fined $2,000. Claim, $153,215.50; collections $127,859.25; balance, $25,356.25.

(22) Aileen Quirk & Sons, Inc., North Kansas City, Mo., CCC dry edible beans: November 18, 1952, civil frauds suit and action for an accounting filed in Federal district court. February 12, 1953, court ordered company to produce records for examination by Government. Claim (being computed); complaint 1, $2,000 penalty.

(23) Midwest Grain Co., Inc., Fort Wayne, Ind.,[1] CCC corn: April 21, 1952, civil suit filed at Fort Wayne, Ind. September 10, 1952, R. E. Brown indicted for conversion. December 10, 1952, R. E. Brown found guilty. February 7, 1953, R. E. Brown sentenced to 15 months' imprisonment and $5,000 fine. March 31, 1953, civil suit filed at Fort Wayne, Ind., against R. E. Brown personally for $17,786.67. Claim, $85,751.71; collections, $4,168.24; balance, $81,583.47.

(24) Frankfort Feed & Grain Co., Frankfort, Ind.,[1] CCC corn: May 27, 1952, civil suit filed in United States district court at Indianapolis, Ind. September 12, 1952, L. L. Augenstein indicted for conversion. September 19, 1952, defendant pleaded not guilty. November 28, 1952, jury returned verdict of not guilty. August 5, 1953, amended complaint filed in civil action. Claim, $40,128.60; collections, $14,754.77; balance, $25,373.83.

(25) Ten County Grain Co., Kinston, N. C., CCC wheat: June 3, 1952, suit filed in United States district court. Claim, $76,868.70; collections, $1,914.64; balance, $74,954.06.

(26) S. V. Smith Mill & Elevator Co., Tullahoma, Tenn.,[1] CCC wheat: June 16, 1952, civil suit filed in United States District Court at Winchester, Tenn. October 20, 1952, W. W. Smith indicted for conversion by Federal grand jury at Winchester, Tenn. Claim in the amount of $9,804.96 was settled for $7,500.

(27) Silver Brothers, Urbana, Ill.,[1] CCC corn, wheat, and soybeans: June 17, 1952, involuntary petition in bankruptcy filed by three creditors. June 30, 1952, Harold A. Silver and John A. Silver indicated for conversion. July 25, 1952, Harold A. Silver and John A. Silver entered pleas of not guilty. September 27, 1952, Harold A. and John A. Silver filed voluntary petition in bankruptcy. Claim, $391,237.58; collections, $43,116.87; balance, $348,120.71.

(28) Kirby Elevator, Inc., Kirby, Ohio,[1] CCC corn, wheat, and soybeans: September 23, 1952, civil suit filed in United States District Court at Toledo, Ohio. October 29, 1952, corporation and W. Harvey indicted. November 10, 1952, defendants pleaded nolo

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contendere. June 9, 1953, court returned judgment for $89,755.12. June 9, 1953, petition in involuntary bankruptcy filed. June 22, 1953, a fine of $1,000 assessed against elevator and $2,000 against W. Harvey. Fine against corporation was suspended inasmuch as it is insolvent. Fine was paid by Harvey. Order amending the amount of the judgment to $92,789.65 was entered by the judge on July 27, 1953. August 14, 1953, proof of claim in behalf United States filed with referee in bankruptcy. Claim, $94,364.85; collections, $12,424.29; balance, $81,940.56.

(29) Stark-Lawless Grain Co., Stark and Wyoming, Ill., CCC corn: September 15, 1952, petition for arrangement filed in bankruptcy. Claim, $144,280.17.

(30) Louisville Soy Products Corp., Louisville, Ky., CCC wheat: On or about November, 1, 1952, suit by third party resulted in appointment of receiver. Claim, $11,820.55; collections, $2,810.37; balance, $9,010.18.

(31) Cargill, Inc., Albany, N. Y.,[1] CCC corn: December 17, 1952, Cargill, Inc., Marcus Marshall, general superintendent of the Albany elevator, and George Carlson, grain superintendent, indicted for conversion. February 11, 1953, defendants pleaded not guilty. Claim, $662,692.02.

(32) Boundary Grain & Feed, Inc., Bonners Ferry and Copeland, Idaho,[1] CCC wheat: December 17, 1952, temporary restraining order issued. December 24, 1952, receiver appointed. May 14, 1953, Wayne Mills, manager, indicted on one count by Federal grand jury at Pocatello, Idaho. June 4, 1953, Wayne Mills pleaded nolo contendere. Claim, $194,255.28; collection, $3,815.37; balance, $190,439.91.

(33) M. D. Shutes & Son, Inc., Schoolcraft, Mich.,[1] CCC wheat and corn: January 12, 1953, M. D. Shutes pleaded guilty—later changed to plea of nolo contendere—to an information containing five counts. January 13, 1953, proceeding in involuntary bankruptcy filed. January 28, 1953, corporation adjudged a bankrupt. February 26, 1953, Myron D. Shutes sentenced to $5,000 fine and suspended sentence of 2 years' imprisonment with 3 years' probation. July 9, 1953, proof of claim filed. July 24, 1953, assets of warehouseman sold at public auction resulting in a net of $820,200 for the estate. Claim, $115,023.74.

(34) V. M. Harris Grain Co., McElhaney, Mo., CCC wheat and grain sorghum: January 15, 1953, civil suit filed against V. M. Harris and bonding company. Claim, $435,138.47; collections, $10,959.37; balance, $424,179.10.

(35) Seybert's, Inc., White Pigeon, Mich.,[1] CCC wheat and corn: January 23, 1953, Fred S. Seybert pleaded nolo contendere to seven-count information. February 27, 1953, Fred Seybert fined $3,000, sentenced to 1-year suspended sentence, and placed on probation for 2 years. Claim, $44,483.91; collections, $3,850.49; balance, $40,633.42.

(36) Farmers Elevator Co., Walker, Iowa, CCC corn: February 6, 1953, suit filed for $3,302.23 (CCC claim of $2,888.02 plus interest to November 3, 1952). March 9, 1953, default judgment entered in favor of United States for $3,360.49 plus interest from March 9, 1953, and court costs. Claim, $4,322.86; collections, $1,434.84; balance, $2,888.02, plus interest from December 24, 1949.

(37) Dimmitt Elevator Co., Dimmitt and Athens, Tex.,[1] CCC grain sorghums and wheat: Case involving grain sorghums at Dimmitt, Tex., settled by payment of CCC's claim amounting to $31,364.41 and return of "no bill" by grand jury. Case involving wheat at Athens, Tex., presented to grand jury February 23, 1953. Jack Trimble, partner, indicted on two counts of conversion of CCC wheat. Jack Trimble pleaded guilty to charges of converting CCC-owned grain and was fined $500 and given a 2-year sentence, suspended for 3 years. Claim $101,383.36; collections, $15,283.74; balance, $86,099.62.

(38) Zieske Elevator Co., Cobden, Minn.,[1] CCC corn: February 27, 1953, indicted by Federal grand jury, St. Paul, Minn. Claim, $25,353.29; collections, $4,114.14; balance, $21,239.15.

(39) Boyer Grain & Feed Co., Luverne, Minn.,[1] CCC corn: February 27, 1953, indicted by Federal grand jury, St. Paul, Minn. Claim, $14,897.23; collections, $214.26; balance, $14,682.97.

(40) Farmers Cooperative Elevator Co., Buffalo Lake, Minn.,[1] CCC corn and wheat: Referred to United States attorney October 1st, 1952. February 27, 1953, R. Witthus, manager, indicted by Federal grand jury, St. Paul, Minn. Claim, $46,370.08 paid.

(41) J. S. Fluker Grain Co., Chapman, Kans., CCC wheat: March 16, 1953, complaint filed. Claim, $7,261.73; collections, $1,050.35; balance, $6,211.38.

(42) Michigan Processed Foods, Quincy, Mich., and Illiopolis, Ill.,[1] CCC corn: April 8, 1953, T. R. Metzger, president, indicted by Federal grand jury on two counts of conversion. April 14, 1953, pleaded not guilty. September 16, 1953, Metzger entered a plea of guilty to an amended form of count two of the indictment. Count one was dismissed on motion of the United States attorney. October 26, 1953, Metzger was sentenced to imprisonment for 1 year and 1 day and a fine of $1,500 was imposed. Imprisonment was suspended and the defendant was placed on probation for a period of 2 years. Claim, $62,040.04; collections, $7,802.62; balance, $54,237.42.

(43) Roberts Enterprises, Inc., Rockdale, Ill., CCC corn: April 24, 1953, civil suit filed. Claim, $436,786.88; collections, $86,180.96; balance, $350,605.92.

(44) Fazel Bros. Co., Perry, Iowa,[1] CCC corn: May 20, 1953, civil suit filed Des Moines, Iowa: September 11, 1953, grand jury returned an indictment against Fazel Bros. Co., Roy E. Fazel, Dwight H. Fazel, and Earl Fazel, officers and directors of the company, charging them with conversion and conspiracy. November 25, 1953, the case was presented to a jury at Des Moines, Iowa, and the jury returned a verdict against all four defendants on all counts of the indictment. Sentence will be imposed after investigation by the probation officer. Claim, $129,243.88; collections, $9,790.02; balance, $119,452.86.

(45) Farmers' Elevator of Colfax, Colfax, Ill., CCC corn shortage and quality deficiency: June 27, 1952, referred to United States attorney. June 30, 1953, civil action filed. July 3, 1953, Federal grand jury returned a no bill with respect to Elmo Meiners and Kenneth Orendorf, owner and manager. Claim, $55,765.90.

(46) Crane Creek Elevator Co., Rushville, Ill., CCC corn shortage and quality deficiency: October 17, 1952, referred to United States attorney. June 12, 1953, civil action instituted. Claim, $45,134.36; collections, $2,952.17; balance, $42,182.19.

(47) Guingrich Grain Co., Wolcott, Ind.,[1] CCC corn shortage: November 3, 1954, referred to United States attorney for criminal and civil action. June 10, 1953, indictment in three counts was returned by Federal grand jury against W. Vernon Guingrich, owner, charging him with violations of section 714m (c) of title 15, United States Code, and section 1001 of title 18, United States Code. The United States attorney advised that when the next Federal grand jury meets at Hammond, Ind., he will cause the present indictment to be dismissed and resubmit the matter in order to obtain a proper indictment under section 714m (a). November 2, 1953, case represented to the Federal grand jury, and an indictment in three counts was returned. Claim, $25,677.03; collections, $4,174.47; balance, $21,505.56.

(48) Wagner Mills, Inc., and Wagner & Co., Schuyler and Edholm, Nebr.,[1] CCC corn and wheat shortage and deterioration: February 5, 1953, referred to United States attorney. Federal grand jury returned indictments against Wagner Mills, Inc., Robert Wagner, W. H. Broekemeier, and Walter Wragge, for violations of the United States Warehouse Act. Claim, $104,033.43; collections, $66,354.34; balance, $37,679.09.

(49) Grover Elevator Co., Grover, Colo., CCC wheat shortage: March 3, 1953, referred to United States attorney. United States attorney filed a complaint June 24, 1953. Claim, $3,289.21; collections, $350.80; balance, $2,938.41. Compromise offer of $500 accepted in settlement of balance of claim.

(50) J. E. Clarke Grain Co., Auburn, Nebr., CCC corn shortage: April 9, 1953, referred to United States attorney. United States attorney declines criminal prosecution. August 25, 1953, complaint filed. Claim, $3,115.20; collections, $123.76; balance, $2,991.44.

(51) Palestine Elevator, Palestine, Ohio.,[1] CCC corn shortage: April 4, 1952, referred to United States attorney. December 1, 1952, indictment returned against Carl D. Forney, owner, and Ralph T. Oliver, manager. Claim, $7,191.84, paid.

(52) Anderson Elevator & Feed Co., Anderson, S. C., CCC wheat shortage: December 31, 1952, referred to United States attorney for civil and criminal action. Civil complaint filed August 26, 1953, to recover amount due CCC. Criminal prosecution declined. Claim, $23,440.88; collections, $19,537.21; balance, $3,903.67.

(53) Daugherty Grain Co., Bartlett, Tex.,[1] CCC wheat shortage and deterioration: June 12, 1953, referred to United States attorney. November 10, 1953, presented to Federal grand jury. William Daugherty, Jr., indicted on six counts, charging him with conversion of wheat owned by CCC. December 2, 1953, pleaded guilty to all six counts. Claim, $41,311.09; collections, $22,321.07; balance, $18,990.02.

PEANUTS

(54) Denton Peanut Co., Denton, Tex., CCC peanut loan collateral shortage: June 17, 1949, petition in involuntary bankruptcy filed. Claim, $97,992.23.

(55) Charles Ray Warehouse, Sycamore, Ga.,[1] CCC peanuts: February 22, 1952, Charles Ray and others indicted on charges of conversion, false claims, and conspiracy. October 8, 1952, Charles Ray sentenced to 8 months in prison. Claim, $44,500.60; collections, $9,497; balance, $35,003.

(56) Lamar Powell Gin & Peanut Co., Omega, Ga., CCC peanuts: September 19, 1952, suit filed. March 17, 1953, United States district court, Valdosta, Ga., issued judgment by default in amount of $6,396.37 plus interest and costs in favor of United months in prison. Claim, $44,500.60; collections, $20,000; balance, $6,396.37.

(57) D. H. Wiley, Jr., Cordele, Ga.,[1] CCC peanuts: Referred to United States attorney November 20, 1952. January 22, 1953, D. H. Wiley, Jr., pleaded guilty to information in 2 counts charging false representations, and sentenced to imprisonment for 1 year and a day. Claim, $40,869.98.

COTTON

(58) Farmers Market Warehouse, Cordele, Ga.,[1] CCC cotton: February 24, 1953, Perry C. Clegg, Jr., manager, indicted by Federal grand jury, Macon, Ga., on 13 counts charging conversion. February 27, 1953, Clegg arrested and free on $5,000 bail. Claim, $39,124.41.

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Mr. WILLIAMS. Mr. President, immediately following the foregoing insertion I ask unanimous consent to have incorporated in the RECORD a second list as prepared by the Secretary of Agriculture, Mr. Benson. This list shows 15 other warehouse storage cases on which court action was taken subsequent to January 1, 1951, but which cases have now been closed.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CLOSED WAREHOUSE STORAGE CASES AS OF JANUARY 1, 1954

Storage cases on which court action was taken subsequently to January 1, 1951, which are now closed.

(1) Bryan Farmers' Cooperative Grain & Supply Co., Bryan, Ohio,[1] CCC wheat and soybeans: March 7, 1951, petition filed in bankruptcy. February 29, 1952, Clarence E. Davis, president and manager, indicted for conversion. April 1, 1952, Clarence E. Davis entered plea of nolo contendere. December 29, 1952, C. E. Davis put on probation. Probation suspended. Claim of $118,528.40 collected in full. Case closed.

(2) Kasbeer Farmers' Elevator Company Cooperative, Kasbeer, Ill.,[1] CCC corn: Referred to United States attorney October 24, 1951. December 3, 1951, J. H. Zink, former manager, indicted. April 30, 1952, J. H. Zink pleaded guilty. July 1952, J. H. Zink sentenced to 3 years and placed on probation. February 15, 1952, claim of $19,457.92 collected in full.

(3) Page Milling Co., Luray, Va.,[1] CCC wheat: February 11, 1952, William C. Harnsberger, former treasurer and manager, indicted on charge of conversion of 19,284 bushels. March 10, 1952, Harnsberger pleaded guilty and was fined $1,000. Claim of $44,510.76 collected in full.

(4) Sycamore Mill & Supply Co., Sycamore, Ohio,[1] CCC corn: February 15, 1952, suit filed and injunction requested against disposal of assets. February 29, 1952, Ward Walton and Marion A. Ward indicted for conversion. Ward Walton and Marion A. Ward entered pleas of nolo contendere, April 8, 1952. December 29, 1952, Marion A. Ward and Ward Walton each found guilty and fined $2,000. January 8, 1953, civil suit dismissed following settlement agreement. Claim, $373,482.58; collections, $19,162.84; balance $354,319.74.[2]

(5) Walton & Myers Elevator, Upper Sandusky, Ohio, CCC corn: February 15, 1952, suit filed and injunction requested against disposal of assets. February 29, 1952, Ward Walton indicted for conversion. April 8, 1952, Ward Walton entered plea of nolo contendere. December 29, 1952, Ward Walton fined $1,000. January 8, 1953, civil suit dismissed following settlement agreement. Claim, $479,632.62; collections, $332,038.12; balance, $147,594.50.[2]

(6) Walton & Case, Richwood, Ohio,[1] CCC corn: March 5, 1952, Ward Walton and Russell P. Case indicted for false storage claims and conversion. May 21, 1952, Russell P. Case and Ward Walton pleaded not guilty. June 9, 1952, Ward Walton and Russell P. Case withdrew their not guilty pleas. December 29, 1952, Russell P. Case and Ward Walton found guilty and each fined $2,000. January 8, 1953, civil suit dismissed following settlement agreement. Claim, $371,171.77; collections, $29,100.48; balance, $342,071.29.[2]

(7) Dewerd Milling Co., Milbank, S. Dak.,[1] CCC flaxseed: March 27, 1952, company indicted for conversion by Federal grand jury at Sioux Falls, S. Dak. October 8, 1952, indictment dismissed. Claim of $2,527.99 collected in full.

(8) Sheldon F. Reese Elevator, Aberdeen, S. Dak.,[1] CCC flaxseed: March 27, 1952, company indicted for conversion by Federal grand jury at Sioux Falls, S. Dak. October 8, 1952, indictment dismissed. Claim of $2,585.46 collected in full.

(9) Spurgeon's Elevators, Galva, Iowa,[1] CCC corn: March 21, 1952, G. W. Spurgeon indicted. March 29, 1952, Spurgeon entered plea of nolo contendere. April 22, 1952, Spurgeon fined $3,000. August 18, 1952, compromise offer accepted by Justice. October 21, 1952, suit filed to recover $22,500 from escrowee. January 24, 1953, Judgment entered against escrowee. Claim, $32,629.74; collections, $31,428.14. In final settlement, Department of Justice compromised $1,201.60.

(10) Farmers Cooperative Manufacturing & Mercantile Association, Lucas, Kans., CCC wheat: April 22, 1952, petition filed and receiver appointed. March 1, 1953, Justice Department declined criminal prosecution. Claim, $120,794.74; collected, $117,211.23. December 29, 1952, in final settlement, Department of Justice compromised $3,583.51.

(11) Sumter Peanut & Produce Corp., Sumter, S. C.,[1] CCC peanuts: Referred to United States attorney October 23, 1952. April 28, 1953, indicted by Federal grand jury, Florence, S. C., charging conspiracy and conversion. June 1, 1953, after pleas of nolo contendere, defendants paid fines aggregating $1,700. Claim, none.

(12) Kingston Farmers Exchange, Kingston, Ohio,[1] CCC wheat: January 16, 1952, filed suit for civil action. March 5, 1952, Everett F. Reynolds, vice president, and Ronald W. Churtz, manager, indicted for conspiracy and conversion. May 20, 1952, Reynolds and Churtz pleaded not guilty. April 6, 1953, Kingston Farmers Exchange fined $1,500. Indictments agains Reynolds and Churtz dismissed. Claim, $112,518.24; collections, $108,729.75. (Note for $21,334.90 secured by mortgagee.) In final settlement Department of Justice compromised $3,788.49. Civil suit dismissed.

(13) Bloomington Milling Co., Bloomington, Ind.,[1] CCC corn: September 12, 1952, Harold Miller indicted for conversion. February 27, 1953, Harold Miller pleaded nolo contendere, April 10, 1953, Bloomington Milling Co. found guilty and fined $5,000. April 17, 1953, promissory note payable to CCC for $30,595.86 adequately secured delivered. A fine of $2,500 and a sentence of 2 years' imprisonment imposed on Harold Miller. Prison sentence was suspended and Miller placed on probation. Claim of $61,789.75 collected in full.

(14) Tonganoxie Elevator Co., Tonganoxie, Kans., CCC wheat: June 12, 1950, suit filed by United States attorney. Claim, $34,993.84; collections, $10,799.51; balance, $24,194.33. June 22, 1953, judgment rendered in favor of Government in amount of $24,194.33. July 10, 1953, judgment was paid.

(15) Cape County Milling Co., Jackson, Mo., CCC wheat: February 20, 1953, suit filed. Claim, $28,566.41; collections, $21,403.52. In final settlement, Department of Justice compromised $7,162.89.

Mr. WILLIAMS. Mr. President, in addition to these 73 cases, there are 71 other cases—58 of which have been referred to the Department of Justice but have not been reported as having reached the court stage. The names of these are omitted since the presumption of innocence exists until the cases have been determined by the courts.

It is only fair to state that all of these cases do not represent disclosures by Members of Congress or by the congressional committee. Many were discovered by the Department of Agriculture itself and referred to the Department of Justice by them; however, the record still remains that the top officials of the Department of Agriculture under the past administration did not inaugurate their investigations until forced to do so by Congress.

Secretary Benson should be complimented upon the effective manner in which he has followed through in an effort to collect as much as possible on these claims and to prosecute those responsible for the irregular conversions.

Without attempting to review all these cases, I call particular attention to cases No. 34 and No. 33.

Case No. 34 is remembered as one of those which was responsible for touching off the congressional investigations.

On September 1, 1950, as appears in the CONGRESSIONAL RECORD, volume 96, part 10, page 14119, I called attention to this company, which along with the Midwest Storage & Realty Co., Kansas City, Mo., had leased, for an insignificant figure from the War Assets Administration, Government-owned property at Camp Crowder, Mo.

The complete story of how the Camp Crowder property was rented to this company and the Midwest Storage & Realty Co. by Government officials who had an agreement with one of the tenants whereby they could share in the profits can be found in my remarks of September 1, 1950, which were supplemented on March 10, 1952.

Case No. 33, M. D. Shutes & Son, Inc., Schoolcraft, Mich., represents an even more fantastic case.

This case was one which was first called to the attention of Representative PAUL SHAFER, of Michigan, in May 1952, who in turn, knowing of my interest in this particular problem, conferred with me. The case as we developed it indicated that not only was there a shortage in Government grain which had been stored in this particular warehouse, but also, what was even more alarming, an indifference on the part of the Department of Agriculture regarding a possible shortage in this warehouse or a lack of knowledge regarding what was actually supposed to be stored there.

Failing to obtain a satisfactory explanation from the Department of Agriculture, the allegations and the case as we had developed it were submitted on May 29, 1952, to the Honorable Lindsay C. Warren, Comptroller General of the United States, along with a request that he investigate the case.

The results of the Comptroller General's investigation were forwarded to the Department of Agriculture and the Department of Justice, subsequently Mr. Shutes was convicted.

Under date of August 17, 1953, the Comptroller General submitted his final report on this case—Report No. I–17640—and while this report is too voluminous to incorporate in the RECORD, I shall ask that it be referred to the Senate Committee on Agriculture and Forestry for their examination.

Without delaying the Senate, I shall only quote a few paragraphs from this report, which summarize the story.

[1] Criminal action.

[2] Jan. 7, 1953, note for balance of claim secured and civil suit dismissed.

[1] Criminal action.

In his accompanying letter, the Comptroller General stated:

The investigation established certain irregularities in the storage of grain by the warehouse, including conversions, shortages, and deterioration of the Government-owned commodities stored at the elevator, as well as what appears to have been the Department's unnecessary delay in taking the steps required to protect the interests of the Government.

I continue to read from the report:

Claims of $23,669.77 were established against the warehouse by CCC because of abnormal quality deficiencies in the grades of CCC wheat shipped prior to 1952. The CCC took no action, however, to discontinue storing grain at the elevator. The fact that claims were not computed for over 6 months after shipments were completed by the warehouseman was attributed to office procedures by the assistant director, Chicago Commodity Office. * * *

The total liability of M. D. Shutes & Son, Inc., was estimated to be $116,509.44. The shortage of wheat was 30,334.69 bushels, and although only good wheat was placed in storage, the wheat shipped on the last loading order was tough, weevily, and sour, all sample grade.

Although 40,437.87 bushels of 1951 crop wheat used by producers for CCC loans was stored at the elevator prior to October 15, 1951, the Chicago Commodity Office did not record this wheat as stored at the elevator until May 24, 1952, and due to office procedures the Commodity Office did not know just what was supposed to be on hand when a suspected conversion of wheat was reported on April 23, 1952. * * *

Although the Chicago Commodity Office was notified of the conversion by memorandum dated April 23, 1952, an investigation was not requested until May 22, 1952. The investigation, begun July 24, 1952, was not completed until November 10, 1952. The regional attorney, who was advised of the conversion in July 1952, did not refer the case to the United States attorney until November 26, 1952. The Chicago Commodity Office had not computed the amount due from the warehouseman as of January 20, 1953. * * *

The officers of the corporation commenced proceedings to dissolve the corporation due to bankruptcy during December 1952 and it is doubtful that the Government will collect any of the amounts due.

I ask unanimous consent that this report, No. I-17640, entitled "Report of Investigation, Alleged Irregularities in the Storage of Grain at the Elevator of M. D. Shutes & Son, Inc., Schoolcraft, Mich.," as submitted by Mr. William L. Morrow, Acting Comptroller General, under date of August 17, 1953, be accepted by the Senate and referred to the Senate Committee on Agriculture and Forestry for their information.

The ACTING PRESIDENT pro tempore. Without objection, the report will be received and referred to the Committee on Agriculture and Forestry.

Mr. WILLIAMS. Mr. President, I summarize the report in the last case by stating that, according to the report, the evidence was that when the situation was called to the attention of the Department of Agriculture, their excuse was that they had done nothing to correct the situation because they apparently were unable to locate on their books any record of ever having had any grain stored in that particular warehouse.

As of January 20, 1953, 1 year afterward, the Department did not have the slightest knowledge of what the loss might be or of what it was supposed to have in that particular warehouse.

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

The Senate resumed the consideration of the joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

Mr. RUSSELL. Mr. President, the joint resolution now before the Senate proposing an amendment to the charter of our liberties is of great importance. Any proposal to amend the Constitution of the United States should be carefully considered, fully weighed, and investigated from every angle.

The legislative history of the proposed amendment to the Constitution and the record of its public discussion are sad commentaries on the capacity of the representatives of a self-governing people to grasp the real issues which are involved. I hold in my hand the hearings before the Committee on the Judiciary with respect to the proposed constitutional amendment, an amendment to our basic law which would make vital changes in our entire structure of government. It consists of some 18 pages of printed matter.

The record of the hearings shows that Mr. Rufus Wilson, national legislative representative of the American Veterans of World War II, appeared as a witness before the subcommittee which conducted the hearings. A brief, one-page statement was made by Mr. Philip S. Wilder, Jr., associate professor of political science at Wabash College; a statement was made by Mr. Duane Emme, of St. Paul, Minn., president of the Young Democratic Farm Labor Clubs; and a one-page statement was made by Mr. Gorman King, of Valley City, N. Dak.

There appear also about 3 or 4 letters, and a written statement submitted by the junior Senator from Minnesota [Mr. HUMPHREY].

It contains the information that three of the largest veterans organizations were invited to appear but advised the committee they had no interest in the proposed amendment.

These, Mr. President, constitute the hearings on a proposal to alter the structure of our national Government as it relates to the direction and regulation of the most important function of a democracy, the holding of elections. Not a single official of the Federal Government appeared before the committee to assist it in its deliberations. Not a single governor of a State appeared; nor does the record show that one was invited. Not one member of a legislative body from a single State appeared to testify with respect to this proposal of such far-reaching consequence. The joint resolution was reported to the Senate on brief statements which revolved wholly around what, to me, is a secondary issue, that is, whether 18 years of age is an appropriate age for voting.

Mr. President, this is a matter which is not of concern to the Congress of the United States. It is one which has been entrusted, and wisely entrusted, to the government of the several States.

There is no provision in the Federal Constitution which fixes the age of voting. Indeed, Mr. President, there is very little in the Constitution which relates to the qualifications of electors. The Founding Fathers realized that if our form of government was to be preserved, they would have to prevent, at all hazards, centralized control of Federal elections. It is significant that the only language which appears twice, verbatim, in the Constitution is that in which it is made crystal clear that the States, and the States alone, are to control the right to prescribe the qualifications of electors.

In section 2 of the first article of the Constitution there is found the provision for the election of the Members of the House of Representatives, and the language of the provision is:

The electors in each State—

That is, those voting for Members of the national House of Representatives—

shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

When the method of choosing the Members of this body was changed by the 17th amendment, the Federal Government did not seek to coerce the States or to exercise power over them in prescribing the qualifications of the electors. The identical language was inserted into the 17th amendment relating to the election of Senators:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

So I say it is a sad commentary on our times that it is proposed to have the Federal power invade the several States and prescribe the qualifications of the electors, and to have that done on such skimpy and inadequate hearings as those which were conducted by the subcommittee in this case.

Mr. President, in the public discussion the issue has not revolved around the importance of preserving the dual system of a national government and 48 sovereign States in an indissoluble union. The discussion has revolved entirely around the question whether 18 years is the proper age to vote. So I say it causes some of us to have concern for the future of government by the people when a more important issue is lost sight of in order to grapple with and discuss an issue of secondary importance.

Mr. LONG. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Louisiana.

Mr. LONG. I completely agree with the views which are being expressed by the Senator from Georgia. So far as I am concerned, it is completely all right for 18-year-olds to vote. The State Legislature of Louisiana is in session at the present time. If the people of my State desire to lower the voting age to 18, the State legislature can adopt a measure to

permit the voting age to be lowered to 18 years. However, I see no reason why I should vote for a measure which would require the States to do so. That is purely a question for the people of the respective States to decide.

Mr. RUSSELL. It so happens that I represent in part in this body the one State which allows persons to vote on attaining the age of 18. That was brought about by using machinery provided under our State law. There is not a single State in the Union which does not have adequate machinery at the State level to enable it to fix the age of voting at any age. I think that permitting all those attaining the age of 18 to vote in my State has worked very well. I have no complaint to make with regard to that; but I do not propose to vote to coerce any other State of the Union to follow the example of my State. Neither do I propose to vote for an amendment which would put my State in a straitjacket which would prevent it from making a change in that regard. For illustration, suppose in the next few years the Legislature of Georgia decided that the age of 18 was 1 year too soon to allow persons to vote, and the people of my State wished to change the voting age to 19. That right is guaranteed to the people of my State by the terms of the Federal Constitution. If they wished to do so, the voting age could be changed to 19 instead of 18. I do not propose to encase the people of my State in any Federal straitjacket such as this measure offers.

Mr. President, States are fast losing their identity as units of Government. Our once proud dual system seems to be giving way to the view that all power should be concentrated in Washington, that only Washington has the wisdom to direct and control the people of the United States in every detail of their daily lives. We know we have achieved our present greatness not through the concentration of power in the Federal Government, but because the functions of Government were kept close to the people, and all the people took great interest in their Government, because we have felt greater responsibility for local governments, and because, embraced within the Federal Government, we had 48 laboratories of government, each of which could try out measures and undertake to adapt itself to different conditions and different laws. The people of the United States have not heretofore considered it to be advisable or desirable to have every bit of the power of Government concentrated in Washington, with an allegedly allwise Congress sending word down to the States, which would reflect upon the intelligence, integrity, and capacity of every State legislature, the governor of every State in the land, and telling them, "You have the machinery available to you right at hand to fix the voting age within your State, but you have not the intelligence, the patriotism, and the integrity to use it properly."

I do not want the Federal Government to invade the States and say to their people, "We are going to tell you what to do. We are going to put you in a straitjacket. Henceforth and forevermore, you will be denied the right to legislate under State laws in this vital field of maintaining and operating the elective process in this Government and deciding the qualifications of your electors."

This step will be followed by others; perhaps the insistence that the votes should be counted here in Washington, and when that day comes the Republic will be gone. It will be well for us to remember what took place with regard to the election which resulted in what is known as the Tilden-Hayes case, when the Federal Government undertook to operate the election machinery of some of the States.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Mississippi.

Mr. STENNIS. I should like to ask the Senator from Georgia if the Congress has received any resolution or memorial from any State legislature asking that such a proposed amendment as is now before the Senate be adopted.

Mr. RUSSELL. My colleagues have available the report on the resolution, which is only a few pages long, and can be read in 5 minutes. No governor of any State was asked to come before the Senate committee and testify on this proposal which is of such vital importance to the people of the States.

Mr. STENNIS. Aside from the report, does the Senator know of any action by any State legislature resolving or memorializing the Congress on this question?

Mr. RUSSELL. State legislatures which would pass such a memorial would, of course, be completely devoid of any self-respect. This resolution assumes they are, because it directs them what they must do; but, in my opinion, the legislators of the respective States are as patriotic and as capable of managing and controlling the affairs of their States as the Congress of the United States is to legislate on the Federal level. As one who served for 10 years in the legislature of my own State, I resent this effort to use the Federal power to coerce the legislatures of the several States.

Some of my colleagues may say that before the amendment is effective it will be necessary for 36 States to ratify it and that it should be passed along to the States. If there were only one State left in the country which wanted to exercise its prerogative under the system which has enabled the United States to become a great nation, I would stand on the floor of the Senate and defend its right to do so. We should not coerce a single State in this important field, now reserved to the States exclusively.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Florida.

Mr. HOLLAND. I am sure the distinguished Senator from Georgia has noted, has he not, that, skimpy as the printed hearing is, it shows 3 instances of testimony to the effect that in the most recent session of the legislatures of 3 States, they declined to adopt the proposal as to their States. Those States are Illinois, as indicated by letter from the representative of the State, appearing on page 8; Minnesota, as indicated by the testimony of a Minnesota citizen, appearing on page 13; and North Dakota, as indicated by testimony of a North Dakota citizen, appearing on page 18. Thus, so far as the record shows, the unanimous trend of the States is to repudiate any such proposal.

Mr. RUSSELL. Perhaps the distinguished Senator from Florida did not hear the very remarkable statement made by the Senator from North Dakota in presenting the proposed amendment to the Senate. He stated that the proposal had been brought up in the legislatures of 37 States, and except in 1 case had been rejected. The inference was that because 36 State legislatures did not agree with the Senate committee, they are incapable of running the affairs of their States. So now it is proposed that from Washington the Federal Government should go to them and say, "We will tell you what you should do. You State legislators do not represent the views of the people of your States. Without regard to the rights of the people of these 36 States to control their own elections and decide the qualification of the voters, the Federal Congress will impose its will upon you."

We have gone a long way in diminishing the power of the States. I hope we will not go to the extent of going into the States and saying to the State legislative bodies and to the officials of the State governments, "You are so incapable of dealing with this matter that, from Washington, we will direct you by amendment to the Constitution of the United States."

It has been stated here that the women's suffrage amendment has something to do with this case. Mr. President, all I have to say in answer to that is that if people cannot understand the difference between discrimination on account of sex and a classification on the basis of age, it is useless to argue and debate with them this or any other proposed constitutional amendment.

Mr. President, I have been amazed at some of the other arguments which have been advanced in connection with this matter. The distinguished chairman of the committee, in pointing out what citizens less than 18 years of age could do, referred to the fact that they could obtain Federal employment. He stated that as a reason why we should dictate to the States to let such persons vote. Mr. President, the Federal Government undoubtedly has power to prescribe the qualifications of those it will employ. This has nothing whatever to do with the rights of the States under the Constitution. The argument that because a man can be employed by the Federal Government at the age of 18 the Federal Government should compel the States to let him vote at that age, shows how far afield we have gone in this day.

I was somewhat surprised to hear the chairman of the committee refer to the fact that because those who are 18 years of age could receive social welfare payments, they should be entitled to vote. Mr. President, if we were to carry that

argument down to the Dependent Children Act, we would have to eliminate any age requirement. We would tell the States that they must permit infants in arms to be carried to the polls, where their ballots would be marked, and then placed in their little hands, and have someone guide the hand of the infant to place the ballot in the box—all because in this land we have sought to prevent dependent children from suffering. If we are going to base suffrage on the receipt of social security payments, it would be necessary to tell the States that they must let even infants in arms exercise the sacred right of suffrage, which has been the proud mark of distinction which sets citizens of the United States apart from the citizens of any other land under the canopy of God's heaven.

Mr. President, I like to think that I am a Jeffersonian. I do not claim that all the disciples of Jefferson are in my political party. Indeed, I have seen many members of my party who apparently forgot or found it convenient to disregard the fact that Jefferson ever had anything to do with the Democratic Party, because they have abandoned his principles. Thomas Jefferson was a voluminous writer; he was most prolific. He wrote letters and treatises; he gave his advice freely and indiscriminately. It has been stated that almost anything can be proved by the Bible. Similarly, Mr. President, almost any contention on matters of government can be proved from Jefferson's writings, because he was not always consistent. Nevertheless, one clear thread of consistency runs through all of Jefferson's writings, namely, that government of every degree should be kept as close as possible to the people. There is no conflict there; Jefferson believed in local self-government and in preserving the identity and rights of the several States. However he may have expressed varied views on other questions, he believed in local self-government; and I am one of those who believe that the future of the United States, inasmuch as its greatness stems from its past, depends on preserving the right of the people to govern at the local level.

But in this case it is proposed that we tell the people how they must conduct their local elections and what their qualifications for voting must be. Where does this idea come from, Mr. President? It is an amazing thing, to me, that in the summer of 1952, the Republican Party took over the cry of "States rights." While I remained with my party, I said:

> If the members of the Republican Party in the Congress are really going to stand for States rights, here is one Democrat who will step across the aisle and will vote with them on every occasion when they stand for that principle.

Yet, Mr. President, one of the first things recommended is to invade the States—although 36 State legislatures have turned down this proposal—and compel them, whether or no, to adopt a constitutional amendment, which could change their entire voting system and practices.

Mr. President, I have been a Member of this body for some time, and I have heard my Republican friends say time and time again, "The great trouble is that everyone is running to Washington to get something done. People are coming to Washington to impose their will on the people all over the land. They should go to their own statehouses and their own city halls for relief or reform, before coming to Washington."

I said a silent "amen" every time my Republican brethren made that statement. I said it again when the President of the United States made a similar statement when he was a candidate for office. If there ever was a classic illustration of something that people should go to their own statehouses for, instead of seeking to have the will of the Federal Government imposed on them, from Washington, it is before the Senate at this moment.

Mr. President, not a State in the land is without adequate machinery by which to fix the qualifications for voting at age 18, 19, 20, or, if that is preferred, 22. But it is here proposed that we say to the States that we will take away that right and power and fix your rules from Washington.

It has been said here, and argued at great length, that a man who is old enough to fight is old enough to vote; and that inasmuch as our young men are drafted to fight at the age of 18, therefore we should permit them to vote at age 18.

I like to think that my State moved on some other basis than that when it fixed its voting age at 18. I like to think that my State placed the voting age at 18 because the people of the State thought that in this modern day, at 18 years of age our young people had acquired sufficient maturity and education to enable them to participate in the affairs of government. A very powerful argument can be made for that, Mr. President, in every State capitol of the land. But the National Congress is not the forum where it should be made or find favorable reception.

Mr. President, to argue for this amendment on the ground that because our young men, when they reach the age of 18, are old enough to fight, therefore they are old enough to vote, is, to my mind, completely fallacious.

Mr. MAYBANK. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. AIKEN in the chair). Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Is it not a fact that there are in the service many young men 17 years of age?

Mr. RUSSELL. Of course.

Mr. MAYBANK. And, in fact, some 16 years of age?

Mr. RUSSELL. Of course, Mr. President, hundreds of young Americans who today are sleeping in foreign soil, died in battle before they ever reached the age of 18.

Mr. MAYBANK. I thank the Senator from Georgia.

Mr. RUSSELL. All of us know that in the immediate family of many Members of the Senate there have been lads who enlisted before they reached the age 18 and were shot in battle during World War II before they attained the age 18. So those who make the fallacious argument that if a young man is old enough to fight at the age of 18 he is old enough to vote are stating to those who during World War II volunteered at the age 17, "Although you volunteered at the age of 17, you are not entitled to vote"; but to those who waited until they were caught up in the Selective Service System when they were 18 years of age they are saying, "You are old enough to vote because you were old enough to fight."

Mr. President, this amendment likewise will grant suffrage to girls of 18. Are we to say that we are voting for this proposal because we intend to vote for a draft of women in the next war, and that because they are old enough to vote we intend to make them fight, and send them along with the boys, if war should come again, which God forbid?

The Senator from South Carolina well knows that if my State had acted on any such basis as that, or if his State were to act on such a basis, the voting age would have to be made 16, because, in the deplorable and fratricidal strife of the 1860's, when, as General Grant said, everyone in the South from the cradle to the grave was called into the service, the draft age in some States was 16. Boys of that age were carried off to war, and many of them were killed in battle.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Let me say to the former distinguished chairman of the Armed Services Committee that, with their parents' consent, in past wars boys could enter the service at 16. Many such boys entered the service. So why make the voting age 18 instead of 16?

Mr. RUSSELL. That is just another one of the fallacious, superficial arguments which are made in connection with this proposal. If we establish the voting age at 18, we shall certainly do a grave injustice to thousands of younger boys who follow their country's flag in time of war.

Mr. MAYBANK. And a great injustice to those who volunteer.

Mr. RUSSELL. Of course. It is proposed that we discriminate against the boy who volunteers before he reaches 18. That would be the situation if we were to legislate on any such basis. We would be saying, "For your patriotism, your willingness to die before you reach the age of 18, you must pay a penalty. We are going to fix the voting age at 18 because that is the age at which we are calling boys into the service under the selective-service law."

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield once more.

Mr. MAYBANK. We would also be penalizing the parents of young boys who consent to their sons entering the service if we were to enact such a law.

Mr. RUSSELL. Yes.

Mr. President, it so happens that there is a very full record of the Army of the United States from 1860 to 1865. No comparable records exist with respect to those who fought on the losing side, the Confederacy, and who paid a pretty

heavy price for leaving the Union, in more ways than in battle losses.

I have before me some statistics which show how unreasonable is the argument, "Old enough to fight; old enough to vote." It so happened that in the great Northern Army there were 25 lads 10 years of age or younger, who fought in the War Between the States. There were 38 boys 11 years old or younger. There were 225 boys 12 years of age or younger. There were 300 boys 13 years of age or younger. There were 1,523 boys who were 14 years of age or younger. There were 104,987 boys who were 15 years of age or younger. There were 231,051 boys 16 years of age or younger in the Union Armies. There were 844,891 boys 17 years of age or younger. There were 1,151,438 boys who were 18 years of age or younger. There were 2,159,798 boys 21 years of age or younger who served in the Union Army, one of the great armies of all military history.

It is considered a great discovery now that because a man might be selected for service at the age of 18, that fact, of itself, requires the Federal Government to invade his State and confer suffrage upon him. That may be a good argument to make before a State legislative committee, or on the floor of a State legislature, but it is the height of absurdity to make it in the United States Senate, and to give it as a reason for submitting a constitutional amendment which would interfere with the process which has been considered the sacred prerogative of the several States since the adoption of the Constitution in 1787.

This is only one more illustration of the theory of trying to carry on all government from Washington. It is another example of the claim that all the wisdom, all the patriotism, all the capacity, and all the integrity in matters of government in every field is here in the Congress of the United States, and that none of these attributes exist in those directing the governments of the several States or their local subdivisions.

Mr. President, this proposal should be voted down by a resounding majority. If it should be adopted as a result of pressure on the part of the majority leadership, and submitted to the several States, I hope the legislatures of the States will have enough self-respect to ignore and disregard it entirely, and go about considering the question of the qualifications of voters under State laws and State constitutions. I hope they will not submit to the implied insult which I see in this proposal, or admit the implied assertion that they are incapable of deciding the question of the qualifications of voters under State laws. I hope they will never confess such weakness by considering the approval of any such proposal as is now before the Senate.

I hope the time will come when those who achieve public office and power by talking about States rights, by saying that there are things which should be sought on the local level of government, without coming to Washington, will adhere to that policy after they assume the seats won on the strength of such representations.

I know that in recent years the importance of our dual system of government has apparently become less and less significant in the eyes of our legislative bodies and our courts. However, I cannot conceive of any valid reason why the Congress of the United States should submit an amendment of this kind. Even if there is only one State left in the Union which desires to preserve its right under the Constitution to prescribe the qualifications of its electors, the Congress of the United States, instead of seeking to deny it that right, should seek to protect and preserve it.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Nevada.

Mr. MALONE. In the event a State should wish to lower the voting age, could voters at the lower voting age, if it were legalized by the State, vote for Federal officials, for Senators and Representatives? I have not heard all the address of the Senator from Georgia. Perhaps he has answered the question.

Mr. RUSSELL. They could, indeed. There is no question about it. There is no age limit in the Federal Constitution. We leave that to the States. The only restriction is the requirement that the States must permit everyone to vote for Members of Congress who is permitted to vote for members of the most numerous branch of the State legislative body.

Mr. MALONE. What is the real purpose of Federal legislation in this field? What objective would be served?

Mr. RUSSELL. I have stated that I can see no reason on earth for it, except to promote the idea that all the wisdom of government resides in the Chief Executive and here in this Capitol Building—the idea of saying to all 48 States, to the State legislatures, and the State governors, "You are incapable of performing the State function of prescribing the qualifications of your voters, or of classifying them according to age. Therefore, the Federal Government is going to put you in a straitjacket and coerce you into taking the steps which we, in our omniscient, all-pervading wisdom, think you should take. We are sending word from Washington as to what you should do."

Mr. MALONE. I should like to say to the Senator that in the earnest opinion of the junior Senator from Nevada, if we were to put a tent over the city of Washington, all we would have would be an international lobby.

Mr. RUSSELL. That is one reason the question is brought here. Those who agitate for measures of this kind wish to take the shortcut. They say, "Why should we go to the statehouses? Let us go to Washington." I am afraid that the fact that Congress has responded to pressure groups advocating bizarre measures encourages them to come here for more and more.

Mr. MALONE. I will say to the distinguished Senator from Georgia that I have just heard from a couple of Nevada groups. One was a group of junior high-school students. Last year the boys and girls took a vote, and they voted against lowering the age limit.

Mr. RUSSELL. All I can say to the distinguished Senator from Nevada is there may be merit on both sides of the question as to whether 18 should be the age at which a person should be permitted to vote. My position is that that argument should be made in the States where the power to fix the voting age was placed by the Founding Fathers in framing the Constitution, and it should not be made in Washington, in an attempt to have us impose our will upon the States. My State has enacted a law which permits 18-year-old persons to vote. Perhaps the Senator was not in the Chamber when I made that statement.

Mr. MALONE. Yes; I understand that to be the case.

Mr. RUSSELL. However, I am not by supporting any such constitutional amendment going to place my State into such a situation that henceforth it will not be permitted to raise the age to 19 or to lower it to 17, if the people of my State should wish to change the age.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Texas.

Mr. DANIEL. The junior Senator from Texas first would like to congratulate the Senator from Georgia on his speech, and to say that several years ago on the State level I advocated reducing the voting age to 19. Apparently the majority of the people of my State, certainly the legislature, did not believe that that was the right thing to do, and they did not even submit the proposal to a vote.

Even though I favor my State reducing the age, I certainly agree with the Senator from Georgia that the matter should be handled by the States, and that a decision of the question should not be forced on them against the will of the people and of the legislature of even a single State or of a minority of States.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Mississippi.

Mr. STENNIS. I asked the Senator from Georgia a short time ago if any State legislature or any governor had sent to Congress any request, memorial, or resolution asking for the passage of the pending joint resolution. Since then I have hurriedly checked back, and I find that in 1918, when the 19th amendment was submitted by Congress, 29 States then permitted women to vote in one or all elections in those States. It shows the tremendous difference between the situation existing then and that existing now. At the present time only one State has passed such legislation, and no State and no legislature and no governor has requested that Congress propose to the States such a constitutional amendment.

Mr. RUSSELL. That is very interesting, Mr. President, but, of course, there is not any comparison between permitting both sexes to vote and the States making a classification of voters by age as they see fit.

Mr. STENNIS. I appreciate the distinction.

Mr. RUSSELL. I do not believe there is any comparison at all between the two situations.

Mr. STENNIS. I appreciate the situation. My point is that there is no appreciable sentiment for such a change in the Constitution, and there is certainly no official movement in any State in that direction, and such a proposal has not been adopted in any State, with the exception of one, and such action, furthermore, has not been requested of Congress by any State.

Mr. RUSSELL. That is correct.

Mr. LANGER. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I gladly yield.

Mr. LANGER. In view of the statement made by the Senator from Texas [Mr. DANIEL] a moment ago, I hold in my hand the result of a questionnaire mailed in the 21st Congressional District in Texas, in which this question was asked: "Do you feel that 18-year-old persons should be permitted to vote?" The result was yes, 48 percent; no, 45 percent.

Mr. RUSSELL. Of course. The Senator from Texas stated that he had advocated that the age be reduced to 19. However, that question does not ask, "Do you believe that Washington should tell Texas what age it should fix for voting purposes,"

I challenge anyone to submit that kind of question to the people of Texas. I am not authorized to speak for the people of any other State, but I believe that in that grand old State if the question were put to the people whether the Federal Government should tell the State of Texas what to set as the voting age, there would not be a corporal's guard to vote for it.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I gladly yield.

Mr. FULBRIGHT. I wish to congratulate the Senator on his speech and to endorse his point of view with regard to the pending measure. I should like to ask him a question, which he may have covered in the early part of his speech, but which I think should be in the RECORD. How many States had this question before them and considered it and approved it?

Mr. RUSSELL. I stated that information on that point was not provided in the hearing, but the Senator from North Dakota gave it to us in his remarks on the floor of the Senate. He said it had been considered in 37 States and approved in 1. Therefore, because it had been considered in 37 States the inference was that Congress could now tell all the States what to do, and tell the people of the States that their State legislatures do not possess the patriotism, integrity, and intelligence to perform their proper function.

Mr. FULBRIGHT. Is it contended that because 36 States turned it down that is a reason for passing the pending joint resolution?

Mr. RUSSELL. I believe that is a fair inference to be drawn from the remarks of the Senator from North Dakota.

Mr. FULBRIGHT. I wish to associate myself with the Senator's statement as to where action on the proposal should be taken. Certainly it should not be taken by Congress.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I gladly yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, on the same phase of the subject just covered by the question asked by the distinguished Senator from Arkansas, I wish to invite the attention of the distinguished Senator from Georgia to the fact that in the Congressional Digest for 1944 there appears a very able review of the action taken by States on this subject under the pressure of war.

At pages 199 and 200 the action taken by the various States is shown, and there appears also a listing of the States. Mr. President, 31 States proceeded during that war period to bring this question up in their legislatures. The State of Georgia adopted an amendment, when submitted, lowering the age to 18. The other 30 States refused to take action in their State legislatures, even under the compulsion of war and when so many young men were serving in the military forces at the time.

Mr. RUSSELL. I thank the Senator from Florida.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks an editorial published in the Evening Star of January 19, 1954, dealing with the subject under discussion.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Missouri.

Mr. HENNINGS. Mr. President, I am very sorry I was not able to be present during the entire course of the distinguished Senator's remarks relating to the joint resolution now before the Senate. I wonder whether the Senator has not thought that possibly, living in this age of anxiety and some frustration, and confronted with world-wide problems, particularly now the crisis in Indochina, this proposal is not some evidence of a psychological result, by way of an effort to express some of our frustration and difficulties in the world in which we live. In saying that I am referring to taking whacks at the Constitution of the United States and undertaking to arrogate unto this generation an omniscience superior to that of the Founding Fathers and of the generations which followed them, and attempting to restrict and constrict by amending the Constitution the generations of the future.

I believe the President of the United States said the other day that he was not so sure that 18 was the right age, and that probably 19 would be just a little better. I do not know whether the distinguished Senator from Georgia has read from these extensive hearings, which I hold in my hand.

Mr. RUSSELL. It would not take a man of average reading ability more than 5 minutes to read the entire hearings.

Mr. HENNINGS. At page 18 there appears a statement by Mr. Gorman King, of Valley City, N. Dak., who makes some very interesting observations. Mr. King says:

> Another little sideline of it is probably women. I think that you know and we all agree that girls mature faster than boys. Right now, they see their boy friends and brothers leaving for the Army.

If that be the case, why should we not let girls of 18 vote and make the boys wait until they are 20 or 21?

If we are undertaking to set up criteria governing the age at which a boy or a girl attains maturity and sufficient wisdom to exercise the franchise, where do we start and where shall we stop, particularly if we are going to embed it in the Constitution of the United States?

I understand there are a number of other proposed constitutional amendments about to emerge from the Committee on the Judiciary. There has been a spate of them this year, and, apparently, we can anticipate others.

If the Senator from Georgia will bear with me just a moment further, Mr. King went on to say:

> If you will excuse the analogy, I mean I have never been able to kiss a girl unless I have had her at least close enough to me to do so, and it is the same thing as far as citizenship is concerned.

Mr. RUSSELL. Hearing that statement from Mr. King, I can understand what motivated the committee to report the pending joint resolution with such limited hearings.

Mr. HENNINGS. I am sure the Senator from Georgia and many other Senators would not assume an attitude of old-fogyism or rigidity to the extent of believing that the human race does not make progress and suggesting that some boys and girls 18 years of age have not attained sufficient maturity and a sufficient degree of wisdom and judgment to exercise the franchise. I believe there are many youngsters of 18 years of age who can, perhaps, vote more intelligently than can some who have attained a much greater age.

Mr. RUSSELL. I stated that that was not the issue at all, that there is much merit to the contention that 18-year-olds are qualified to vote, and my State permits them to vote. But the question is whether we should have a Federal straitjacket placed on the States by amending the Constitution which was deliberately drawn to provide the States some elasticity in requirements for voting.

Mr. HENNINGS. I thank the distinguished Senator from Georgia. I was here at the commencement of his fine address, but was called off the floor and could not hear all of it. I apologize for returning to an argument which he had already made.

Mr. RUSSELL. The Senator from Missouri speaks of frustrations. I do have a sense of frustration in undertaking to approach a subject of this kind, because it is brought before us on one leg, and we are asked to tell the once-sovereign States that they must permit voting at 18. The Senator from North Dakota said some States permit marriage at the age of 18. Many States permit females to marry at the age of 14, and other States permit them to marry at the age of 16. So, if that Senator's argument is applicable, we shall have to have an "accordion" Constitution providing that whenever any person is old enough to marry or to get on the Federal payroll he shall, ipse dixit, be permitted to vote within the State of

which he is a resident. That is not my idea of the proper function of the Constitution of the United States.

Mr. HENNINGS. If the Senator will yield further for one more observation—he has been very generous in yielding to me——

Mr. RUSSELL. I am very glad to hear the remarks of the distinguished Senator from Missouri, and I appreciate the interruption.

Mr. HENNINGS. I thank the Senator. I believe there is no Member of the Senate who believes more firmly than does the Senator from Georgia in the doctine that the collective wisdom of the people, as exercised through the franchise, is one of the greatest safeguards to the safety and welfare of the Republic. I believe that if there is anything the States can and should do to insure raising the level of collective participation, resulting in a fuller participation in the government of the country, the Senator from Georgia would be among the first to advocate it.

Mr. RUSSELL. I certainly would, indeed.

Mr. HENNINGS. The Senator is also well aware, of course, that percentagewise, in the elections held over the years, many times less than 50 percent of the persons qualified to vote in our States do so.

Mr. RUSSELL. The editorial which I offered for the RECORD impressed me. It states that Congress has no business forcing this question, and if it should take any steps at all it should find means to get more people to vote who are already qualified to vote.

Mr. HENNINGS. I have not seen that editorial, but that is the thought I was about to express. Is it not specious to say that because some 50 percent of the people do not take sufficient interest in their Government to exercise the franchise we should, by constitutional amendment, give the vote to a number of others, establishing 18 years as the minimum, in order to get fuller participation in the Government?

Mr. RUSSELL. If that argument were carried to its logical conclusion we would have to amend the Constitution to provide that anyone who can read and write may vote, without regard to age.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. JOHNSON of Texas. I desire to commend the Senator from Georgia for making one of the best speeches I have ever heard in this body. In addition, I wish to express the thanks of the citizens of my State for the confidence he has expressed in their judgment.

I do not think we should ever use the questionnaire method as a predicate for legislation in the Senate. I should like to ask the Senator this question: If the people of Texas ever reach the point where they feel the age limit for voting should be lowered, they are perfectly capable of doing it themselves without any constitutional amendment, are they not?

Mr. RUSSELL. That is something which the people of Texas do not have to come to Washington for. If the majority of them wish to change the age of voting, they will certainly elect a legislative body to meet at Austin which will change the voting age.

Mr. JOHNSON of Texas. Mr. President, I think the Senator from Georgia has given us a warning which every Member of the Senate should heed. I hope that before we reach a vote on the pending joint resolution, every Member of the Senate who has not been able to hear the Senator's remarks today will have an opportunity to read his wise words.

EXHIBIT 1

STATES AND THE VOTING AGE

There seems to be nothing intrinsically wrong with the idea of lowering the minimum voting age in this country from 21 years to 18. Many 18-year-olds undoubtedly have at least as much political sense as some people in their thirties, forties, fifties, sixties, and seventies. Further, as has been asked on more than a few occasions in the past (especially during the Second World War), if these younger folk have the duty of serving in the Armed Forces of the United States, why should they not also have the privilege of casting their ballots in presidential and congressional elections?

Actually, when it comes to voting, nobody knows exactly why our country and the Anglo-Saxon world as a whole have for so long regarded 21 years as the best minimum age. Ancient Greece and Rome were less finicky about the matter, and today many nations, including the Soviet Union and several in Latin America, have an electorate broad enough to embrace the 18-year-olds. Indeed, one of our own States—Georgia—has had such an electorate since the presidential election of 1944, and if all the 47 other States followed suit, and thus increased the number of voters by about 10 percent, the political impact of the change would be mild enough except in the rather improbable event that the newly enfranchised youngsters would side overwhelmingly with 1 or the other of the 2 major parties.

With all that said, however, there is still reason to question the wisdom of President Eisenhower's proposal for a constitutional amendment to lower the minimum age for voters from 21 to 18. As it now stands, our Constitution leaves it to the individual States to determine all such voting qualifications for their citizens. The principle of States rights—which the President has repeatedly endorsed—is involved here. Why push it to one side in this particular field? Why not let the various States decide for themselves whether or not they want to do what Georgia has done and what Governor Byrnes now advocates for South Carolina? The issue is not an urgent or pressing one. The life of the Republic is not dependent on resolving it in a hurry. So why try to deal with it by tinkering with the basic law of the land when that law places the matter within the realm of State responsibility?

If there must be any kind of constitutional amendment on voting (it is difficult to see why there must be), and if the objective is to increase the size of the electorate, then the President and Congress might be better advised to seek a change that would make it compulsory—as in New Zealand and Australia—for eligible citizens to vote in national elections. Tremendous numbers of Americans ignore that privilege and duty, and perhaps they ought to be obliged by law to end their apathy. But that, too, like the question of lowering the minimum age, seems to be primarily a State responsibility. Taken as a whole, this is a field in which there is considerable reason to doubt the soundness or necessity of Federal action.

Mr. DIRKSEN obtained the floor.

Mr. MALONE. Mr. President——

Mr. DIRKSEN. Mr. President, I yield a minute to the Senator from Nevada to speak on a different subject.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

INTERNATIONAL TRADE AGREEMENTS ACT

Mr. MALONE. Mr. President, the President of the United States is reportedly relaxing the effort to push through the Randall report, which is incorporated in the Kean bill in the House and to be agreeable to a 1-year extension of the Trade Agreements Act. The Randall report contained a multitude of recommendations favoring foreign trade and foreign producers over domestic trade and domestic producers. The expiration date of the Trade Agreements Act is midnight on June 12. Trade agreements already made will remain in full force and effect, and the President of the United States would have to serve notice of the cancellation of such agreements. No extension is necessary. The President can come before the Congress next year with recommendations which he thinks are necessary, and Congress can then consider the matter further——

Mr. DIRKSEN. Mr. President, I yielded a minute to the Senator from Nevada, and I do not want to interrupt the continuity of the subject which we have been debating.

Mr. MALONE. Mr. President, I have to leave the floor, and I should appreciate it if the Senator from Illinois would give me a minute or two more.

Mr. DIRKSEN. I yielded a minute, and I am glad to yield my friend a short extension, but I do not want any interruption in the continuity of the constitutional debate.

Mr. MALONE. Mr. President, will the Senator yield for half a minute?

Mr. DIRKSEN. I yield another minute to the Senator from Nevada.

Mr. MALONE. I will try not to let the other matter get too cold.

Mr. President, I ask unanimous consent to have printed in the RECORD a portion of a dispatch from the New York Journal of Commerce of this morning, relative to several objectives which, it has been indicated, the President will seek to achieve through executive action on the Randall report, including a clarification of buy American legislation; assistance to nations which plan to make their currencies convertible; action to encourage foreign travel; and diplomatic support to those seeking to invest capital abroad, which means a lowering of the income tax, so that they will pay none here; also a simplification of commodity definitions and the rate structure, meaning that foreign value, instead of domestic value, will determine the rate of tariff.

There being no objection, the portion of the article was ordered to be printed in the RECORD, as follows:

DELAY ON TRADE PLAN ACCEPTED BY EISENHOWER—INDICATES SOME GOALS ARE TO BE ACHIEVED BY EXECUTIVE ACTIONS

(By Jacques Ozanne)

WASHINGTON, May 20.—President Eisenhower has agreed not to seek enactment this

year of the principal points of his foreign trade program.

The White House today disclosed that the Chief Executive believes that the controversial recommendations of the Randall Commission require more study from Congress than can be given before the end of the session.

FAVORS SIMPLE EXTENSION

In the meantime, the Chief Executive is hoping that Congress will pass a simple extension of the Reciprocal Trade Act for an additional year and that the customs simplification bill passed by the House last year will be approved by the Senate.

The President indicated, however, that he will seek to achieve through executive action several objectives of the Randall report, namely:

Clarification of buy American legislation.

Assistance to nations that plan to make their currencies convertible.

Action to encourage foreign travel.

Diplomatic support to those seeking to invest capital abroad.

* * * * *

The President's list of measures that he is counting on Congress to pass this year, as he stated them to Mr. Percy are:

1. "The tax incentives for foreign investment provided for in H. R. 8300" which he is confident will "become law shortly."

2. "The increase in the tourist allowance from $500 to $1,000 as provided in H. R. 8352 now pending before the House Ways and Means Committee."

3. "H. R. 6584 dealing with customs valuation."

4. "Simplification of commodity definitions and rate structure in the tariff act based upon a study by the Tariff Commission, and a better method of classifying articles not enumerated in the tariff schedules" which he said "should be authorized."

5. "Improvement in the statutes governing the administration of customs procedures and changes in the antidumping law and procedures to speed up its administration," which he said should also "be provided at this session."

Mr. MALONE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a statement by the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], contained in an article entitled "Stronger Tariff Safeguards Sought, Senator Tells NACM," published in today's issue of the New York Journal of Commerce.

There being no objection, the portion of the article was ordered to be printed in the RECORD, as follows:

STRONGER TARIFF SAFEGUARDS SOUGHT, SENATOR TELLS NACM

BOSTON, May 20.—Senator SALTONSTALL, Republican, of Massachusetts, will try to strengthen the peril-point and escape clause safeguards in the tariff laws, he told New England cotton-textile manufacturers today at the centennial of the National Association of Cotton Manufacturers here.

There are provisions in the Reciprocal Trade Agreements Act, now being considered by Congress, whereby tariffs can be raised when foreign competition threatens American industries.

Asserting that a vigorous and strong textile industry will always be essential to the economic well-being of New England, the Senator said that the superior productivity of our New Englands mills can't offset the differential between New England and foreign wages. He pointed out that New England textile workers are paid 200 to 1,400 percent more than textile workers in other countries.

TIME TO "STAND AND FIGHT"

"We New Englanders are tired of getting pushed around," Senator SALTONSTALL declared. "It's time to stand up and fight."

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

The Senate resumed the consideration of the joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote.

Mr. DIRKSEN. Mr. President, for a great many years I have had high admiration for the distinguished Senator from Georgia [Mr. RUSSELL] who has just made his argument on the proposed Constitutional amendment, an argument which was based, in essence, on the principle of States rights. High as is my esteem for him, however, I can agree on only one point which he made in the course of his discussion this afternoon, and that is with respect to the rather interesting phrase that if a young person is old enough to fight for his country he is old enough to vote. I think I share the viewpoint of the Senator from Georgia on that, although I have never adopted that as the basis for my intention to vote for the pending joint resolution which proposes to amend the Constitution of the United States.

The distinguished Senator from Georgia began his address by alluding to the paucity of the hearings. Frankly, I think Congress, and particularly the Senate, has developed the hearing complex. We are never content unless on almost every proposal which comes along we can load up a couple of thousand pages of testimony, which finally gather dust, because nobody ever reads them. It is scarcely necessary to have a tome of 1,000 pages on a question which is so obvious as is the proposed constitutional amendment now before the Senate, which provides, in substance, that neither the United States nor the several States shall deny or abridge the right to vote of a citizen who has attained the age of 18 years, or is between 18 and 21 years of age.

The proposed amendment confers no right to vote, any more than previous amendments have conferred the right to vote upon Negroes or upon women. It simply says to the States: "If you are going to allow anyone to vote in an election in your State, you shall not deny that right to those who have attained the age of 18 years. The distinguished junior Senator from Georgia, apparently, seeks to make a distinction between this proposed amendment and that which conferred on women the right of suffrage. Constitutionally, Mr. President, there can be no distinction whatsoever. The language of the joint resolution before the Senate is in part, as follows:

The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

The 19th amendment provides as follows:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Let Senators try to make a distinction between those two statements. I should like to see them do so. I should like to hear an argument which constitutionally makes a distinction between the two provisions.

To return for a moment to the question of hearings, I suppose that if some Senator submitted a resolution proposing to pay testimony to the virtues of the Ten Commandments there would be a demand for hearings. Then people from all sections of the Nation would be summoned to give testimony with respect to that kind of resolution.

Mr. President, is it necessary to have 500 or 1,000 pages of testimony on the question of whether or not the States shall abridge the right to vote, or the United States shall do so, in the case of citizens of 18 years of age or older? This is an obvious matter; and the Senator from Georgia came to a conclusion about it, even though there were not 500 pages of hearings before him. That, however, is not material.

The argument has been made that no Federal officials appeared. Who should have appeared? Is this, for instance, the business of the Secretary of the Army because there are Wacs in the Army? The Secretary of the Army has no voice on a policy question of this kind. Should the Secretary of the Navy have been summoned because there are in the Navy Waves who may be 18 years of age? The Secretary of the Navy has no voice on a policy question such as this. It requires no Federal official to come before a committee and to give testimony on a matter which is so obvious as is the proposal now before the Senate.

The distinguished junior Senator from Georgia has said that he does not want his State to be compelled by the Federal Government to allow 18-year-olds to vote. The Federal Government is not compelling anyone. The proposed amendment to the Constitution is permissive. It would have to pass the other House and then be submitted to the legislatures or the conventions of the several States. It cannot be engrafted into the Federal Constitution until 36 States have ratified it. That would give an excellent opportunity for the people of the United States to discuss the question whether or not the voting age should be lowered. If the legislatures say "No," that will be all right with the junior Senator from Illinois; if they say "Yes," it will also be all right with me.

The questions of voting and of voting qualifications are as old as the Republic, and older. In the early days, when the exercise of the franchise was first permitted under the colonial form of government, what were the qualifications proposed in Massachusetts, in New York, in Connecticut, and elsewhere? It was proposed to hang the vote upon a property-owning qualification. How many lifted their eloquent voices to say, "Only those who own property should have the right to vote, because they alone have a durable interest in the perpetuity of the Government"?

Fortunately, that proposal was brushed aside. If it had not been, if it had been embodied in the Constitution, a father could surrender his son to the Army of the United States and his son could be killed in Korea, and if the father were not a property owner he could not participate in the deliberations of his Government by means of his ballot.

Fortunately, that situation never has obtained in this country, and the voting right is broad. It covers all citizens, regardless of their status with respect to the ownership of property.

This question was raised, Mr. President, in connection with the 15th amendment, which was adopted in 1870. Recently, in connection with the decision of the Supreme Court last Monday, we have heard something about the 15th amendment, which was adopted after the Civil War. What does that amendment provide? It says:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Mr. President, let anyone show me a distinction between the language and the objective of the 15th amendment and the basic purpose of the proposed amendment now being considered by the Senate.

Mr. HOLLAND rose.

Mr. DIRKSEN. I would rather not yield until I have amplified my statement a little more. Then I shall be glad to yield.

So, Mr. President, when the question of States rights is advanced, there was an invasion of States rights by the 15th amendment, if one wishes to interpret it in that way, because that amendment, which was initiated by Congress, and was ratified, and placed in the Constitution, holds up a finger to the sovereign commonwealths of this great sisterhood and says, "If you are going to have voting in your States, do not deny it on the ground of color."

In 1920, once more, because Congress took action, there was written into the Constitution the provision that no State shall abridge or deny the right of suffrage because of sex.

In line with that unfolding pattern, which is somehow a part of the stream of this Republic, we propose to say to the States, in 1954, "If you are going to allow voting in your State, the right to vote shall not be denied because of age, down to the age of 18 years."

There can be no constitutional distinction, Mr. President, between any of these amendments insofar as the relationship between the Federal and the State governments is concerned.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield briefly.

Mr. HOLLAND. I have been interested to hear the Senator from Illinois refer to the several amendments to the Constitution which he has mentioned, and I notice he has avoided mentioning the 14th amendment, which is one of the amendments which followed the War Between the States, and which does give specific recognition to the fact that 21 years was the age limit for voting then observed by all States, I refer particularly to section 2 of the 14th amendment. I shall remind the Senator of that language, and then ask him for his comment on it. It reads:

> But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

I am asking the Senator, while he is talking about these amendments, if he will indicate in his learned address how he explains the fact that, by reference, that was the law which prevailed in all the States, recognized by the reference to the 21-year-age limit for electors, and why the provision still remains unabated in the Constitution, and would be unaffected by the adoption of the amendment under discussion.

Mr. DIRKSEN. There is no magic answer about the number 21. After all, that was accepted as the practice in those days. That was 70 years ago. As a matter of fact, this seemingly magic figure of 21 goes back to the days of the Roman civil law. The Romans thought that the stages of life—infancy, childhood, and manhood—were divided into 7 periods each, and 7 plus 7 plus 7 equals 21. There was the magic figure. I do not think in modern days, when more information is available, when more knowledge is at hand, when maturity has been accelerated, there is anything magical about the figure 21 at all. But it was an accepted figure when the language of the amendment was adopted.

Let me go back for a moment to the question of women's suffrage. There is no constitutional distinction between the amendment relating to women suffrage and the question which is before the Senate today. The same argument was made on the floor at the time when the then Senator from California, Senator Sargent, first introduced a joint resolution proposing the amendment to the Constitution to provide for women's suffrage, and it took 41 years before it was adopted. Senator Sargent introduced it in 1878. In all the time up to that point there was this rather anomalous distinction between male and female, man and woman, insofar as their legal rights were concerned. Much of this is, after all, a throwback to what in the common law was called coverture, when woman was little more than a chattel. But little by little it began to shift into the conscience of the country, and finally it was written into the Constitution, that the right to vote should not be abridged either by the United States or any State because of sex.

The proposal before the Senate today may not prevail, Mr. President; I do not know. I shall vote for it. But this much is sure: If it is not adopted now, it will be adopted hereafter, and probably in our time.

I wish now to revert to the affirmative aspects of the matter before the Senate, which has had a rather interesting history.

I wish to say, as I said in the absence of the Senator from Georgia, that the meagerness of the hearings did not make it difficult for my distinguished colleague from the Commonwealth of Georgia to come to a conclusion, because he has followed a fundamental line, and I respect him for it.

However, the subject requires no long hearings. The objective embraced in the resolution has been in the minds of the people of the country for a long time. I point out that it was Senator Vandenberg who first introduced a joint resolution proposing an amendment to the Constitution to lower the voting age to 18, and that was in 1942, in this Chamber. So that was 12 years ago. Senator Vandenberg reintroduced the resolution in 1943.

The Senator from West Virginia [Mr. KILGORE], on the other side of the aisle, introduced Senate Joint Resolution 89 in 1943. The Senator from West Virginia introduced a similar resolution, Senate Joint Resolution 17, in 1945. Senator Vandenberg and the Senator from West Virginia again introduced resolutions on this subject in 1947.

In 1952 Senator Moody introduced such a joint resolution. In 1953 a similar joint resolution was introduced by the Senator from North Dakota [Mr. LANGER], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Oregon [Mr. MORSE].

In 1954 a similar joint resolution was introduced by the Senator from California [Mr. KNOWLAND] for himself, the Senator from Michigan [Mr. FERGUSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], the Senator from Oregon [Mr. MORSE], the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from South Dakota [Mr. CASE].

The question has been bouncing around, in this, the world's greatest deliberative body, for the past 12 years, so it is nothing new. But if it requires any implementation, then we might look at the record of the House of Representatives. The resolution in that body was introduced in 1942 by Representative Wickersham, of Oklahoma; Representative Randolph, of West Virginia; and Representative Jed Johnson, of Oklahoma.

In 1943 a similar resolution was introduced by Representative Fish, of New York; Representative Wickersham, of Oklahoma; Representative Randolph, of West Virginia; Representative Lane, of Massachusetts, and Representative Furlong, of Pennsylvania.

In 1945, 1947, 1948, 1949, 1952, 1953, and 1954, similar resolutions were introduced in the Senate and the House of Representatives. So this is no new matter, and, obvious as the question is, I cannot imagine that it would require a thousand witnesses and a thousand pages of testimony in order to inform the minds of the Members of the United States Senate with respect to the equities involved in the proposal now before the Senate.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I desired to complete my affirmative argument, but I shall yield.

Mr. HAYDEN. In the face of the fact that the numerous resolutions to which the Senator from Illinois has referred were introduced in the Senate and the House, how can the Senator explain that up to this time only one State has reduced the voting age to 18, whereas, when the constitutional amendment granting the right of suffrage to women was under consideration, 29 States had given women the right to vote?

Mr. DIRKSEN. What difference does that make? It makes no difference, as I see it.

Mr. HAYDEN. It makes this difference, that there was a great deal of sentiment for woman suffrage, as evidenced by the fact that the right of women to vote was implemented by the action of 29 State legislatures, whereas, with regard to the amendment now under consideration, lowering the voting age to 18, action along that line has been taken by only one State.

Mr. DIRKSEN. Of course, the Senator from Illinois cannot account for the conclusions of the members of the State legislatures of the 48 States. All I know is that I have here a list which indicates that at one time and another the question has been considered by the legislature of nearly every State of the Union. In many cases it has fallen by the wayside. In many cases favorable action was taken by one house, as happened in New York, and the resolution died before the other body of the legislature could take action on it; but the question has been under active consideration for a long time.

However, Mr. President, I am not concerned about what action the legislatures took. This measure will give them a chance to take formal action and to galvanize the thinking and the sentiment of the country, so that through groups and as individuals the people can manifest their opinion.

The chances are a thousand to one, as anyone familiar with legislative technique knows, that when a bill providing for lowering the voting age in a State is introduced in a State legislature, it will go into the committee archives. Perhaps the Members of the committee never will reach the bill; perhaps they are suffused with other work that seems more important, and so the bill to lower the voting age begins to lag. But, Mr. President, that does not diminish the interest there is in the country in this proposal.

It is rather interesting how sentiment in the United States has transformed over a period of time. In that connection, let me refer to the Gallup poll. Of course, I do not hereby testify to the authenticity of polls, as such—having been hurt once or twice by them—but, Mr. President, for whatever the Gallup expression of opinion is worth, let me point out that in 1939, 79 percent of the persons who indicated a choice, were opposed to reducing the voting age. However, in 1943—4 years later—the opposition had dropped from 79 percent to 61 percent. The next poll was taken in 1947, and at that time 60 percent were opposed. The next poll came 4 years later, in 1951. What happened then? At that time 49 percent were opposed to lowering the voting age; 51 percent were in favor of lowering it. And if this can be accepted as opinion gospel from Dr. George Gallup, in the great State of New Jersey, at Princeton, in 1953, 63 percent of the persons who expressed an opinion on this subject were in favor of lowering the voting age.

So here are five separate and distinct expressions of public opinion, through the instrumentality of the Gallup poll, over a period of 14 years—going back almost to the time when the late distinguished Senator Vandenberg, of Michigan, introduced in this body his joint resolution proposing a constitutional amendment whereby citizens who attained 18 years of age should not be barred from exercising the right to vote.

Mr. President, I wish to comment for a moment on the argument in regard to this matter. As I said a moment ago—and I list this as argument No. 1—I am not too much persuaded by the accident of age. It is easy to pick out, somewhere in history, an imaginary number, such as 21, and impart to it something prophetic, something miraculous. The fact that attainment of the age 21 lies ahead for a number of youngsters does not prevent them from maturing or from getting their hands upon information and knowledge that would make them not only good voters but intelligent voters.

Having been a part of a political organization, I may say that I do not believe the youngsters will do any worse than the people who will be hauled to the polls, and have printed ballots placed in their hands, and be told how to mark the ballots, and for what candidates. I have been up against the young voters; I have seen them in action. They display a degree of intelligence that is just as good as that manifested by the more mature citizens.

It might be said that, for instance, in the Commonwealth of Georgia, where there has been voting by 18-year-olds since 1944, there has not been evident any great expansion of the voting base, and there has not been shown any great and dynamic enthusiasm that would result in bringing out a 100-percent vote. Well, Mr. President, last week, a primary was held in Pennsylvania and 23 percent of the Democrats bothered to vote, and only 25 percent of the Republicans; and there is no 18-year limit there. Those voters were mature citizens. Where was their interest? In the face of that situation, is anyone so bold as to stand on this floor and say, "Oh, the youngsters will not be interested"? The oldsters in Pennsylvania displayed a rather dismal record to the young men of America who have been fighting its battles for a long time.

So, Mr. President, let us not make too much of the miraculous figure 21—3 times 7. It follows out what Shakespeare wrote, long ago, about the 7 ages of man—at least to the extent of using the figure 7, for in this case we use 7, plus 7, plus 7.

The figure 21, as the figure for the age at which voting is to be allowed, is very easy to adopt from the old Roman law; but in this modern age, are we to tie our people to such a figure, even though probably it has some basis and background for application, as one slips from adolescence into young manhood or young womanhood?

Mr. President, ours is an accelerated age, things move swiftly. There is TV and radio; there are magazines and newspapers. It is rather interesting to consider what a young man of age 18 was up against in the backwoods days, as compared with the situation today. In the old days, such a young man probably grew up in a log cabin, and probably he drank water from a gourd which he dipped into a wooden bucket—a practice which today by any standard probably would be classified as insanitary. Yet, somehow or other, those young people lived through those conditions. They lived on bacon and corn pone. There were no dulcet tones of orchestra music coming, via the air waves, from Kansas City, to waft them to sleep. There was no McCarthy hearing to be seen on the TV in the mornings and in the afternoons. Oh, Mr. President, how lacking they were in the availability of information and knowledge, and one thing and another. Today, information and knowledge are at the beck and call of everyone, both the young and the old. It is amazing to me how the young men and young women in the United States have matured and how their judgment has ripened at a reasonably early age.

I share the conviction of the Senator from Georgia that this matter cannot be geared to the old aphorism that, "If he is old enough to fight, he is old enough to vote." No, Mr. President, if voting means anything, it must be predicated upon intelligence, knowledge, and comprehension, not only of the issues, but also of the virtues of the candidates. That entire point is constantly missed, in connection with this matter, by begging the question.

So we must decide for ourselves whether the young men and young women in our States, by the time they reach age 18, have manifested a degree of intelligence and capacity which would entitle them to share not only in the burdens but also in the benefits of the country. That must finally be the test.

Mr. President, it is rather amazing, is it not, that in my State a person can grow up illiterate, and not be able to read or write, but can vote, whereas a young man who may be in his third year at the University of Chicago or the University of Illinois or Northwestern University, and who has attended political meetings and has examined the brochures of the candidates and the brochures on the issues, is not allowed to vote? Simply because of the accident of age and because of the indifference of the State legislature, he is inhibited in his right to share in the benefits of this country.

Mr. President, intelligence must be the basis for the decision in connection with this matter.

It should be remembered that one is not compelled to vote. However, I wish

to be able to say to the youngsters, "If you are interested enough and if you have the intelligence and the capacity to discharge this responsibility as a part of the American electorate, then march yourself to the polls and vote. If you do not want to go there, it is all right; it is deplorable, but it is still all right, because under the laws of the United States there is nothing to compel a young man or young woman to go to town and mark a ballot."

I wish to recur for a moment to the "fight and vote" aphorism—"If you are old enough to fight you are old enough to vote." When that argument is made I think the real issue in that field is obscured. I think, for example, of a young man who fell asleep in a bunker in Korea. He was court-martialed. I appeared before the military authorities. I said, "I feel like Abraham Lincoln, who, when he was asked to sign the death warrant of a young man who left the field of battle, could only say, 'Oh, do not blame him too much because the Lord gave him a cowardly pair of legs.'"

I said, "Do not blame this young man too much because, in his formative years, in the cold of winter, in a bunker on the Korean front, with the enemy just a short distance out of Seoul, he might have fallen asleep, if he actually did." The evidence on that point was not conclusive.

I project myself into that picture. I do not imagine a young man 18 years of age saying, "Well, I am 18 years old. I am old enough to fight, and I am old enough to vote," but rather saying, "Who sent me here? I am 18. I am in the Army. I did not even have an opportunity to vote for the man who was in office, who sent me to Korea."

That is quite a different thing. Those boys should be given the right to vote because they bear the burdens, not because they are old enough to fight, but because they have an interest in their own destiny, because they have an interest in somehow fulfilling every hope and ambition of life, when suddenly the long hand of Government intervenes. Why? Because it is set in motion by persons like me, who have been placed in public office. Such a young man may be sent abroad, and on a dismal night he may say to himself, "I did not have an opportunity to ballot on whether DIRKSEN ought to be in the Senate or not, but they have sent me here anyway."

That puts a different face on the question. We come back to what Abraham Lincoln said long ago. He said that he believed that all who assist in bearing the burdens of government should share in its privileges. These young men bear the burdens, not because they are old enough to fight, and have the necessary stamina, but because of a policy which sends them to war. They have no authority to pass upon the men who make the policy.

I am willing that those young men should have the opportunity to ballot on me; and when I make a mistake, in their judgment, they should have the power, by their vote, to haul the junior Senator from Illinois out of the United States Senate. That is only good American gospel, in my judgment, and it becomes exceedingly important in connection with this issue.

This question will recur again and again. It has been before this body since 1942. Let no one take comfort in the thought that if this proposal is not enacted today, or in this session, it will not be back, because it will. If it fails this time, if I am still here—God willing—in the next Congress, I will introduce such a measure if no other Senator does.

This question is now pending before the House. It will be considered in that body. I want the country to think about it. The best way to have the country think about it is to pass this proposal, send it to the House, send it to the State legislatures, and let the people of the country discuss it. Let it be discussed in the schools and colleges. Let the young men whose futures have so often been dislocated and distorted by war—hot war, cold war, and every other kind of conflict—have an opportunity to discuss the question. It will be a moot question in many legislatures unless the Congress takes action and exercises its prerogative under the Constitution of the United States by saying to the States of the Union, "It is your baby now. Call in the people and hear from them, and then determine what, in your judgment, should be done."

The argument is all on the side of this proposal today. This proposal follows the pattern which has been disclosed in the history of our country. First, the property qualifications for voting were brushed aside. Race questions were brushed aside. The question of sex was brushed aside. Now, in the gradually unfolding pattern, we come to the question of age.

There is no miracle, no magic, about the figure 21. This is an accelerated age. The young men and women of America have manifested a great interest in political considerations and in the destiny of their country. If they have the necessary intelligence—and in my judgment they have—they should be permitted to share not only in the burdens, but in the benefits of government as well, and should have an opportunity to pass judgment upon the human instrumentalities which create the conditions, both at home and abroad, in which the youth of America, like the youth of the rest of the world, must live. I trust that this proposal will prevail.

Mr. KNOWLAND. Mr. President, I am pleased today to be able to speak on behalf of Senate Joint Resolution 53 proposing a constitutional amendment to grant the voting privilege to citizens who have attained the age of 18. The President of the United States is to be congratulated on his recognition of the rights of our Nation's youth for incorporating this amendment in his state of the Union message earlier this year. At that time the President said:

> For years our citizens between the ages of 18 and 21 have, in time of peril, been summoned to fight for America. They should participate in the political processes that produce this fateful summons. I urge Congress to propose to the States the constitutional amendment permitting citizens to vote when they reach the age of 18.

Along with five other Senators, Democrats and Republicans, I introduced a measure, on January 7, 1954, identical with the one which is before the Senate today, and I know the sponsors of my resolution join in congratulating the chairman of the Judiciary Committee for the action he has taken with respect to this subject.

It seems to me that in determining the extension of the elective franchise to those in the 18 to 20 age bracket two fundamental questions must be met. First, would such voters have an understanding of the issues involved in our elective processes; and, second, do such voters have a personal interest in the result of such elections?

In connection with the first question presented, every national poll which has been conducted in recent years to show the civic awareness of our citizens by age groups demonstrates consistently that the highest score is made by those in the 18 to 20 age group. In one such recent public survey conducted by the American Institute of Public Opinion, the answers to seven political questions showed that the contestants in the 18 to 20 age group scored higher than a second group in the age bracket of 30 to 39 and 14 points higher than those in the 21 to 29 age group. I ask unanimous consent to insert the results of this survey at this point in my remarks.

There being no objection, the results of the survey were ordered to be printed in the RECORD, as follows:

SHOULD 18-YEAR-OLDS BE ALLOWED TO VOTE?

(No. 1 in a series)

EIGHTEEN- TO TWENTY-YEAR-OLDS SURPASS ADULTS IN POLITICAL QUIZ—ONLY 1 ADULT IN 9 KNOWS ALL 48 STATES WILL ELECT MEMBERS OF HOUSE THIS FALL, QUIZ FINDS

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., March 2.—Are the Nation's 18-year-olds smart enough to vote?

Former President Truman believes they do not have the knowledge at 18 to qualify to vote. "Twenty-one is a better age; 24 would be better still," Truman has said.

On the other hand, President Eisenhower believes they should.

Who's right—Eisenhower or Truman?

To determine which age group in the population is best informed on basic political facts, the institute undertook what is believed to be the first nationwide political quiz in history among a representative sample of the Nation's present voters.

The same quiz, designed by editors of the Gallup Poll in cooperation with Princeton University professors, also was given to a typical sample of 18-, 19-, and 20-year-olds across the country.

Results show that, on the whole, the 18-to-20 age group does far better than their elders. On 6 of the 7 questions, their scores surpass those of present voters.

Other highlights:

Only 1 adult in 9 knows that all 48 States will elect United States Representatives this fall.

Only half of the adults know there are 2 United States Senators from each State and far fewer could correctly name the 2 Senators from their State.

Only 1 adult in 17 could state the purpose of the proposed Bricker amendment.

Two out of every three 18- to 20-year-olds know that the first 10 amendments to the Constitution are familiarity called the Bill of Rights. Only 1 out of every 3 adults could answer this one.

Here are the average scores for the seven questions by the various age groups:

Scores by age groups

Years:	
18–20	41
21–29	27
30–39	29
40–49	27
50 and over	24

Here are the seven questions asked by the Gallup poll in today's political quiz:

1. How many States will elect Members of the United States House of Representatives this fall?

Years:	Percent correct
18–20	22
21–29	10
30–39	9
40–49	13
50 and over	13
Total adults	11

2. How many United States Senators are there from your State?

Years:	Percent correct
18–20	66
21–29	42
30–39	54
40–49	50
50 and over	47
Total adults	49

3. Can you recall the names of your Senators?

Years:	Percent correct
18–20	29
21–29	24
30–39	30
40–49	31
50 and over	34
Total adults	31

4. What are the first 10 amendments to the Constitution called?

Years:	Percent correct
18–20	67
21–29	49
30–39	40
40–49	29
50 and over	22
Total adults	33

5. What is meant by the electoral college?

Years:	Percent correct
18–20	38
21–29	40
30–39	39
40–49	35
50 and over	32
Total adults	36

6. What are the three branches of the Federal Government called?

Years:	Percent correct
18–20	50
21–29	20
30–39	22
40–49	23
50 and over	15
Total adults	19

7. What is the purpose of the proposed Bricker amendment?

Years:	Percent correct
18–20	15
21–29	5
30–39	6
40–49	5
50 and over	8
Total adults	6

Mr. KNOWLAND. Additional statistics providing an answer to the first question proposed relate to the question of illiteracy among various age brackets. The principle of compulsory education has been adopted in this country for years, and accounts in large measure for the low illiteracy rate among those in the age group of 18 to 20 years. At this point, Mr. President, I ask unanimous consent to have printed as a part of my remarks a letter and table which I have received from the National Security Training Commission showing the percentage of illiteracy by age groups and race. The source of this information is a book called The Uneducated, published by the School of Business, Columbia University, in 1953. I should also like to include at this point in my remarks a memorandum supplied me by the Office of the Assistant Secretary of Defense which shows the results of certain aptitude tests of Army enlisted personnel in selected age groups.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

NATIONAL SECURITY TRAINING COMMISSION,
Washington, D. C., February 9, 1954.

Hon. WILLIAM F. KNOWLAND,
United States Senate,
Washington, D. C.:

Attached hereto is information regarding illiteracy among various age groups. The source of this information is a book called The Uneducated, published by the School of Business, Columbia University, in 1953. The adviser for this book was Maj. Gen. Howard McC. Snyder, of the United States Army Medical Corps, presently serving as the President's physician.

The figures given indicate the percent of illiterates within each age group listed and distinguished between the white and nonwhite population. For example, you will find that in the age group 14 to 24 only 0.6 percent of the white and 4.4 percent of the nonwhite are illiterate, whereas in the age group 65 and older 4.9 percent of the white and 32.4 percent of the nonwhite are illiterate.

I hope that this will be of assistance to you in preparing your study.

Sincerely,

EDGAR G. SHELTON, Jr.,
Executive Director.

Percent of illiteracy by age groups and race, 1947

Age group	White	Nonwhite
Total	1.8	11.0
14 to 24	.6	4.4
25 to 34	.8	7.2
35 to 44	1.3	9.7
45 to 54	2.0	13.8
55 to 64	4.2	19.1
65 and older	4.9	32.4

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., February 23, 1954.

MEMORANDUM

Subject: Information concerning maturity of 18–21 year-old men serving in the Armed Forces.

Reference is made to your recent request for information presently available in the Department of Defense concerning the degree of maturity of the men of draft age serving in the Armed Forces, which might be of assistance to Senator KNOWLAND in his consideration of extending voting privileges to this age group.

The only information available in the Office of the Secretary of Defense which has been broken down by age groups is the following estimated percentage distribution of Army enlisted men by Army general classification test or aptitude area I scores for selected age groups as of September 30, 1953:

Army general classification test or aptitude I scores

	Ages 18–19 (percent)	Ages 21–22 (percent)
130–163	2	3
110–129	21	27
90–109	36	33
65–89	35	30
39–64	6	7

The possibility of obtaining other data which would be useful to you in comparing the two age groups was fully explored within the Army, Navy and Air Force. Since records are not kept by age, it is impossible to make the type of comparison in which you are interested.

WADE M. FLEISCHER,
Colonel, USAF, Director, Office of Legislative Liaison.

Mr. KNOWLAND. The second question presented: "Do such voters have a personal interest in the results of such elections?" can almost be answered completely by reviewing the world events as they affected those citizens during the past 14 years. During this period of time a world war and the war in Korea found approximately 20 million men in the armed services of the United States, a large percentage of which were composed of our citizens in the 18-to-21-year bracket. In World War II, 4,018,349 18-year-olds had registered under the Selective Training and Service Act by July 31, 1945. Of these registrants, 2,750,000 served in the Armed Forces during a part or all of their 18th year. Since the Congress enacted the Universal Military Training and Service Act in 1951, a million 18-year-olds have been registered each year under the law.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. FULBRIGHT. I am very much interested in the Senator's reference to the uneducated. Did he state how many young men who were registered under the draft during World War II were rejected because of mental or moral deficiency?

Mr. KNOWLAND. No; I do not believe I have those figures available. The figures I have before me show the illiteracy rate of those who were in the service.

Mr. FULBRIGHT. I believe a significant figure would be one showing how many were rejected of those who were registered, because the proposed amendment does not apply only to those who were accepted, but applies to everyone 18 years of age. I believe the Senator will find that approximately 18 million young men were registered and called up by the draft boards, and that of that number more than 5 million were rejected.

Mr. KNOWLAND. I believe the Senator from Arkansas will find that, so far as the literacy of age groups is concerned, the age group of 18 to 21 compares very favorably with any other age group. I believe the statistics will show that to be the fact.

Mr. FULBRIGHT. I would agree with that statement. However, does not the Senator believe that 5 million out of 18 million is a rather high percentage of rejections?

Mr. KNOWLAND. I believe it is an unfortunate rate of rejections. Of course the rejections were not based entirely on illiteracy.

Mr. FULBRIGHT. I did not say they were.

Mr. KNOWLAND. There were other factors involved, such as health, for example.

Mr. FULBRIGHT. That is quite correct. It is difficult to draw a distinction with regard to the cause of a person's deficiency, such as some minor health deficiency, because quite often that deficiency arises from the person's lack of understanding.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HENNINGS. Before the distinguished majority leader obtained the floor, I undertook to ask the distinguished Senator from Illinois [Mr. DIRKSEN] a question. I wonder whether the Senator from California feels, as I understood the Senator from Illinois to express himself as holding, that he does not care whether the legislatures ratify the amendment or do not ratify it, but that the constitutional amendment should in any event be submitted to the legislatures or to constitutional conventions.

Mr. KNOWLAND. I am frank to say that I did not interpret the remarks of the Senator from Illinois in precisely the way the Senator from Missouri seems to do. The Senator from Illinois is not on the floor at the moment. He can best interpret his own remarks. However, what I understood him to say was that at least in his view this is a very important question, and he believes that there is great value in giving the people of the United States, through their 48 State legislatures, an opportunity to express themselves on this very basic issue; and he said, which is quite true, that the State legislatures may either pass it or reject it.

I believe he has made his own position quite clear, that he favors the amendment. Of course, he cannot guarantee, if the proposed amendment is submitted to the States, that it will be ratified. He did express himself also, as I recall, to the effect that in the event Congress should not at this second session of the 83d Congress submit the question to the several States, in his judgment the issue will be back time and time again until it is finally submitted to the States.

Mr. HENNINGS. Of course, I do not want to charge or tax the distinguished majority leader with passing upon the meaning of what the Senator from Illinois said in his argument. I was leading up to asking the majority leader whether he believes, and, if so, to what extent, there is in the Senate a responsibility to stand as a sentinel between the many, and often almost reckless, attempts to amend the Constitution of the United States and the sending of proposed constitutional amendments to the State legislatures.

I ask that question because I understand that, to some extent, at least, the force of the argument in favor of the joint resolution is based upon the proposition that if a proposed constitutional amendment has been—I believe the expression was—kicking around here for a number of years, it should go to the State legislatures, so that the people could debate it, draw their conclusions, and, either by act of the legislature or by convention, work their will upon it.

Mr. KNOWLAND. I believe the record should be made clear that I did not talk about the amendment being kicked around for years.

Mr. HENNINGS. I understand the Senator from California did not say it. However, what is the responsibility of the United States Senate? Is the Senate to be merely a conduit, so to speak, or a channel through which various attempts to amend the Constitution of the United States are to be funneled, so that they may be submitted to the State legislatures, or does the Senate have the solemn and definite constitutional responsibility to weigh and to determine whether an amendment should be submitted to the States?

Mr. KNOWLAND. I am sure the Senator from Missouri not only knows the answer to the question for himself but he knows the answer so far as the majority leader is concerned, and I believe he knows the answer so far as all 96 Members of the Senate are concerned.

Obivously Senators have a responsibility to filter out amendments, and not merely pass along to the States any amendment which may occur to a Senator as being advisable. Of course, we have a responsibility under the Constitution. A Senator who believes that an amendment is not sound should not vote to send it to the States.

However, we also have the responsibility on an issue of this kind, if we believe an amendment has merit, to send it to the States and to thus give the people in each case, through their elected representatives in the State legislatures, an opportunity to express themselves at that level of government.

Certainly we have the responsibility of discussing and amending, if it deserves amendment, a proposed constitutional amendment, and finally to pass it or reject it.

Mr. HENNINGS. I am glad to hear the distinguished majority leader say that he does not hold with what I understood to be a part of the argument in behalf of the amendment, that because it had been kicking around, as I believe the expression was, a number of years, that it should be channeled or funneled through the Senate and submitted to the States, but that he believes we have a very clear duty under our constitutional function and responsibility to scrutinize, to weigh, and to evaluate every proposed amendment to the Constitution, and thus exercise the high function of the Senate.

Mr. KNOWLAND. I heartily agree with the Senator from Missouri.

Mr. HENNINGS. The Townsend plan, for example, has been kicking around for 20 years, or so. That does not mean, merely because of that fact, that the Townsend plan necessarily has any merit.

Mr. KNOWLAND. Of course, the Senator is quite correct. I will say, in fairness to the Senator from Illinois [Mr. DIRKSEN], that he did not suggest, because an amendment may have been introduced in prior sessions of Congress, that, ipso facto, or that because it had been introduced 3 or 4 times, it automatically should be passed by the Senate without debate or discussion, regardless of its merits. I do not believe the Senator from Illinois either said or intimated such a thing.

He did point out, when some reference was made to the hearing, that this was not a new subject matter, that it has had widespread discussion in the States, in the newspapers, and in the Senate, over a period of years. He pointed out—I do not know whether he gave all this information, but for the benefit of Senators who were not present, I think it would be worth while to state it—he pointed out that in the 77th Congress Senate Joint Resolution 166 was introduced by the late Senator Vandenberg.

In the same year Senate Joint Resolution 89 was introduced by the Senator from West Virginia [Mr. KILGORE].

In the 78th Congress the late Senator Vandenberg introduced Senate Joint Resolution No. 7.

In the 79th Congress Senate Joint Resolution 17 was introduced by the Senator from West Virginia [Mr. KILGORE].

In the 80th Congress Senate Joint Resolution 73 was introduced by the Senator from West Virginia [Mr. KILGORE], and Senate Joint Resolution 171 was introduced by the late Senator Vandenberg.

In the 82d Congress Senate Joint Resolution 127 was introduced by former Senator Moody.

And now this resolution is before us.

The point was that it is not a new subject. We are not proceeding de novo. I think the Senator's argument was leveled at our good friend and distinguished colleague from the State of Georgia [Mr. RUSSELL] who apparently indicated that it might be bringing more pressure upon the States, as though we were passing a piece of proposed legislation that might interfere with the rights of the States.

I do not so interpret a proposed constitutional amendment. When the Congress, in its judgment, by a two-thirds vote of the House and Senate, submits an amendment to the States, which must run the gantlet of the legislatures or State conventions of three-fourths of the States, and must be ratified by three-fourths of the 48 States in order to become part of the Constitution of the United States, I do not think that is forcing upon the States a mandate from the Congress of the United States. To the contrary, I think it is entirely within keeping with our constitutional system and is the method by which our constitutional amendments always have been handled.

Mr. RUSSELL. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. Does the Senator from California think the Senate of the United States ought to be willing to submit as constitutional amendments matters which they would not pass in the form of statutes? That is the most remarkable argument I have heard. Even

though the Constitution is disregarded, and today people, even in high places, seem to be indifferent to it in rather surprising numbers, it is still the basic charter of our liberties. I fail to agree with the argument that because there is involved a proposed amendment to the Constitution, Congress can be careless in submitting it to the States.

Mr. KNOWLAND. Oh, now——

Mr. RUSSELL. Would the Senator be willing to submit the Townsend plan as a constitutional amendment? I do not know whether he approves of that plan; but whether he does or not, it seems to me we should be much more careful in submitting constitutional amendments than when we are dealing with statutes. Congress can repeal a simple statute any time it may see fit to do so.

I cannot understand the purpose of reading a long legislative record of the number of times proposals similar to the one now pending have been introduced, unless it is for the purpose of arguing that because this proposed amendment had been introduced by Senators of different political philosophies, it should be submitted to the States.

That is, certainly, a rather strained argument, because the mere fact that a resolution has been introduced from year to year, is not, to me, indicative that it merits approval. There have not been any voluminous hearings held on the question.

Mr. KNOWLAND. I am surprised that my good friend from Georgia raises that question, because I know that many Senators on his side of the aisle, in the case of the poll tax, have urged that the matter be not approached from the point of view of legislation, but that if it is to be approached, it be approached by the method of a constitutional amendment. I believe there has been proposed a constitutional amendment dealing with the question of the poll tax. Senate Joint Resolution 25, dealing with that question, was introduced by the distinguished Senator from Florida [Mr. HOLLAND], one of the ablest Members of this body, for himself and the junior Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. GEORGE], the late distinguished and able Senator from North Carolina, Senator Hoey, the late Senator Smith, of North Carolina, the Senator from Virginia [Mr. ROBERTSON], the senior Senator from Louisiana [Mr. ELLENDER], the junior Senator from Louisiana [Mr. LONG], the senior Senator from Arkansas [Mr. MCCLELLAN], and the junior Senator from Arkansas [Mr. FULBRIGHT].

I think that is an entirely proper procedure. I would not say that this is an improper procedure to follow, and that instead of introducing a joint resolution we should have proposed legislation in the form of a bill. I do not quite follow the Senator from Georgia in his argument.

Mr. RUSSELL. The Senator, of course, does not follow me, and he is evidently confused in his own argument, because he meets himself coming back. I am agreeable to the procedure followed in this case of bringing forward the subject in the form of a resolution proposing a constitutional amendment, rather than in the form of a proposed statute. I would not have been surprised if it had been submitted in the form of a proposed statute. The Senator is sound on most occasions, but I am amazed that he argues for bringing forth a bill instead of——

Mr. KNOWLAND. We are bringing forth a proposal for a constitutional amendment.

Mr. RUSSELL. The matter is presented in the proper form. If it is to be done, I think it should be done by way of a constitutional amendment.

Mr. KNOWLAND. That is the way we are presenting it.

Mr. RUSSELL. I do not think it is a good argument to say that it was not necessary to hold hearings on the proposed amendment because it has been introduced so many times by Senators of conflicting political philosophies.

Mr. KNOWLAND. I did not read the list for that purpose. I was pointing out that the matter was not coming to the attention of the Senate de novo. It is a question which has been discussed on the floor and in committee over a long period of years, and also in the public press throughout the country. The State of the distinguished Senator has adopted legislation on the subject, and I am sorry other States have not done likewise.

As a matter of fact, hearings were held. No chairman of a committee can drag into the sessions of the committee the governors of the 48 States or the members of the legislatures of the 48 States, or witnesses from the executive department, or citizens generally.

It was recommended in the message of the President on the state of the Union. A number of constitutional amendments were proposed in January of this year. There was ample publicity and publication. Any witnesses who cared to attend, or any Senator who cared to attend and testify, could do so.

I am advised by the distinguished chairman of the committee, the Senator from North Dakota [Mr. LANGER], that when the resolution was ordered reported to the Senate it was done on a yea-and-nay vote. Those voting "yea" were the Senator from Wisconsin [Mr. WILEY], a former chairman of the committee, the Senator from Indiana [Mr. JENNER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Maryland [Mr. BUTLER], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. HENNINGS], and the Senator from North Dakota [Mr. LANGER], the distinguished chairman of the committee.

Those voting "nay" were the Senator from Idaho [Mr. WELKER], the Senator from Mississippi [Mr. EASTLAND], and the Senator from South Carolina [Mr. JOHNSTON].

Mr. HENNINGS. Mr. President, will the Senator from California yield further?

Mr. KNOWLAND. I yield.

Mr. HENNINGS. I am sure the chairman of the committee, and perhaps the distinguished Senator from California, are aware that when I voted to report the measure I did so reserving the right to oppose it on the floor. Not having had an opportunity to examine it or to look into it carefully, I voted to report it to the Senate for the purpose of discussion and debate, which apparently is not going to consume more than half a day. I hoped that we might have a thorough discussion of it, after what seemed to me to be very meager hearings on a matter so vital as that of amending the Constitution of the United States.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. The Senator from California has referred to the fact that this subject has been bruited about for a number of years; that it has been discussed in the public press; that it has been discussed on television; that a number of Senators have introduced it; that it has been discussed by Senators around luncheon tables and in other places.

I realize that I am rather old-fashioned. I am probably the last fundamentalist remaining in the Senate. But, in my opinion, all the discussion on the radio, in the press, and on the television, as helpful media as they are in transmitting information to the people of the country, and all the discussion around the luncheon tables and in cloakrooms, are not substitutes for a thorough hearing before a committee on a proposal to alter the basic charter of American liberties. I may stand alone on that statement, but as long as the Senator from California and I were engaged in a colloquy about the question, and he had been speaking about discussions throughout the country, I wanted to state that, although I may be the only remaining fundamentalist in the Senate, I do not believe that any of the situations which the Senator from California has mentioned, or all of them together, whether they be discussions at luncheon clubs throughout the land or sermons from every pulpit in the country, can be considered as substitutes for a full and complete hearing, at which not more than 2 or 3 witnesses, who had a right to appear as private citizens, and did appear in that capacity, can testify on a proposal to amend the Constitution.

The very least that should have been done, it seems to me, would have been to have had some representatives of the executive branch of the Government, which the Senator from California defends so stoutly on the floor, appear before the committee.

Mr. KNOWLAND. Who could have expressed better the viewpoint of the executive branch than the President of the United States?

Mr. RUSSELL. The President of the United States did not appear before the committee.

Mr. KNOWLAND. It is not customary to have the President appear before committees of Congress.

Mr. RUSSELL. No, it is not; but it is customary for him to send the Attorney General; and he sends the Attorney General whenever he is interested in a legal proposition. With respect to a proposal for an amendment to the Constitution, the Attorney General could at

least have submitted to the chairman of the committee, for inclusion in the hearings, the President's views. But they do not appear in the hearings.

It has been customary for the President of the United States, if he really favors a proposal in his heart, and simply has not been sold a bill of goods, but is certain of what he is doing, to send the Attorney General or other officers of the executive branch before committees to enlarge upon the views of the Chief Executive. That was not done in this case. I make no great point of it. I simply state that the hearings are the skimpiest I have ever seen on a proposal to amend the Constitution. I stand upon that statement. I could not allow the Senator from California to speak about discussions on the radio and television and in the press, without expressing my view that they are mighty poor substitutes for a hearing before a committee on a proposal to amend the Constitution of the United States.

Mr. KNOWLAND. I do not suggest that they are substitutes. The Senator from Georgia has ably discussed the matter on the floor. Perhaps not so ably, the Senator from California is trying to present a different viewpoint.

Mr. RUSSELL. I would not have the distinguished Senator from California deprecate himself to that extent.

Mr. KNOWLAND. The fact that the President of the United States included the proposal in his state of the Union message indicates, I believe, that the President of the United States sincerely favors the amendment. One may argue whether he is right or wrong in his viewpoint, and certainly none of us is infallible, but certainly the President of the United States was very sincere and had a desire to have an amendment of this kind to be acted on favorably if Congress, in its judgment, desired to propose an amendment of this kind.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Florida.

Mr. HOLLAND. First, I wish to thank the distinguished Senator from California for having made reference to Senate Joint Resolution 25, which was introduced by 10 or more Senators from the South, in an effort to eliminate the poll tax as a requirement for voting in Federal elections.

I hope this first reference which, as I recall, has ever come from the other side of the aisle with respect to this resolution, which has been introduced in the last three Congresses, means that the resolution will be permitted to appear on the calendar and to be submitted to the Senate, because I am exceedingly anxious that that course be followed, and I am exceedingly anxious that the poll tax requirement be finally eliminated in Federal elections.

Mr. KNOWLAND. I may say to the Senator from Florida, if he will permit an interruption, that I hope we may expect as much support on the other side of the aisle from the associates of the distinguished Senator from Florida as he hopes to receive for his proposed constitutional amendment on this side of the aisle.

Mr. HOLLAND. I thank the distinguished Senator from California for his expression of hope. I cannot predict whether it will be realized on this side of the aisle. The real test of the poll tax matter will be whether support comes from the other side of the aisle, from which it has not been forthcoming for the last 6 years, despite the fact that in the 1944 platform of the Republican Party there appeared a specific commitment of that party to abolish the poll tax requirement by a constitutional amendment. This commitment, so far as I know, has never been supported from that time on by Senators on the other side of the aisle.

I wish to make some clear distinctions, quite briefly, between that amendment and the pending proposed amendment. In the first place, the poll-tax amendment was introduced after the adoption, by 43 States, of provisions which terminated either any poll-tax requirement for voting or any property-owning or tax-paying requirement for voting. In other words, the matter has approached the stage where it is almost unanimous among the States.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HOLLAND. In this case, if the distinguished Senator will allow me to complete this point, the amendment which is being proposed now is based upon the approval of the principle of voting by 18-year-olds by only one State, despite the fact that 37 States have considered the proposal, and 36 of them, including the very fine State of the distinguished Senator from California, have, in their discretion, seen fit to reject it.

I now yield to the Senator from California.

Mr. KNOWLAND. If the Senator from Florida will pardon me, it seems to me that some of the argument gets onto pretty thin ground because I think it is a matter of degree rather than a matter of principle. If, as some Senators have argued on the floor—and they have a perfect right to their viewpoint—that in this particular field, even if there is only one State left which has not determined the qualifications of the voters within the State, that State should not have the proposal forced upon it, the principle enunciated by the distinguished Senator from Georgia should apply just as well in the case of the amendment proposed by the Senator from Florida as it does in the case of the amendment proposed by the Senator from North Dakota [Mr. LANGER].

The same thing was true, as the distinguished Senator from Illinois [Mr. DIRKSEN] has pointed out, in the case of the woman suffrage amendment. In that case there were, I believe it was said, 29 States which had acted on the amendment. That meant there were 19 States which had not favorably acted on the question of woman suffrage. Yet, if it be a matter of principle, those 19 States should not have had forced upon them the requirement that they could not differentiate among voters because of sex.

In this case, it is true that at present there is only one State which has acted on the proposal, but all the States will have an opportunity to act on it if the proposed constitutional amendment is adopted by the Senate to the House, and then is submitted to the States, three-fourths of which will have an opportunity to act upon it.

What in the world are those who are opposing the amendment afraid of in submitting the matter to the 48 States of the Union? Why not let the States express themselves? If the States do not wish to draw the line at 18 years of age, they will have an opportunity to express themselves. I am willing to rely upon the judgment of the State. If, in their judgment, they do not wish to adopt the constitutional amendment, they cannot, of course, be required to do so, merely by having Congress submit the amendment to them.

So it seems to me that we are following an orderly procedure, a procedure which has been followed in the past in amending the Constitution. As I have said, this is not a new subject matter, which is being heard and which is coming up for consideration for the first time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HOLLAND. I think the Senator from California is exactly correct in stating that a matter of principle is involved. Because the Senator from Florida and the Senators associated with him in introducing Senate Joint Resolution 25 were of that opinion, we do not make that particular proposed amendment apply to anything other than voting for Federal officials; whereas the pending proposed amendment covers not only Federal officials but also State and local officials, and covers such matters, in addition, as voting in bond elections and in every other type of election. This means that the pending proposed amendment reaches right into the intricate functionings of the 47 States which have not seen fit to approve, or most of which have not seen fit to approve, the far-reaching, sweeping provision which is now proposed to be submitted as a constitutional amendment.

I thank the distinguished Senator from California.

Mr. KNOWLAND. Mr. President, although it is true that the selective service has not as yet inducted men under this act who are below the age of 19, thousands of 18-year-olds have entered the service voluntarily in order to serve their military time as soon as possible. The United States, as we know it today, began in a revolt against the colonial principle of taxation without representation.

On August 26, 1920, the Constitution was amended to provide women with the elective franchise, and, in my judgment, the time has now come to extend that responsibility to those who are 18 years of age and older.

I wish to say in conclusion, Mr. President, that it is not a question of compulsion on the States, because, in the last analysis, the States are going to have the final voice in the matter. I quite agree with the statement made by both the Senator from Illinois [Mr. DIRKSEN] and other Senators that the mere fact that persons who are 18 years of age

have fought for their country is not in and of itself an argument for the adoption of the proposed constitutional amendment. I concur in the argument presented by the Senator from Illinois that when a large segment of our population is called upon to bear some very heavy burdens in the protection of the Nation, from the point of view of those persons who are sent overseas, there is great merit in at least giving them an opportunity to be represented in the Halls of Congress and in their Government, and I think that would make for better government.

We do not know what is going to happen with regard to the amendment. I believe the proposal should be sent to the House, and submitted to the several States. As has been stated heretofore on the floor of the Senate, I am certain, however, that if it is not submitted to the States this year, it will be in a subsequent session of the Congress. It is a recommendation of the President of the United States. I hope the Senate will favorably act upon it today.

Mr. FERGUSON. Mr. President, I believe the pending joint resolution should be passed by the Congress and the proposed constitutional amendment ratified by the States in order to give persons between 18 and 21 years old the right to vote. In my opinion, ratification of this constitutional amendment would be in the best interest of the Nation. I should like to discuss some of my reasons for reaching this conclusion.

First, persons who have reached the age of 18 in these times are competent and able to exercise their voting rights. They have reached the age of intellectual development which would so qualify them. In general, they have just completed their secondary-school education, which includes instruction in citizenship and government, and have such knowledge and information fresh in their minds at 18. I think that fact is well demonstrated. There is a television program shown in Washington which is known as Youth Wants To Know. There is also one in Philadelphia, in which youths are the inquirers of men in public life, and there is demonstrated by such youths an awareness of government and of the qualifications of those who are running for offices in government. Persons who are now 18 will not be able to vote until they reach the age of 21, when some of the knowledge they have absorbed in school will be lost because of their distraction with other occupations.

Second, I believe we can reasonably expect a high rate of participation among voters in the 18-to-21 group if the proposed amendment is approved. Their school training and their demonstrated interest point to a high percentage in this group who will actually vote, especially in contrast to their elders, who stay away from the polls in dismaying and shameful numbers.

Third, I believe this higher percentage of participation among voters in the 18-to-21 group will have a good example on older voters. It will encourage larger numbers of persons over 21 to vote.

Fourth, any step which this Nation can take to broaden the base on which its Government is selected is to the national good. We believe that every free government must exist with the consent of the governed. That means it must have the consent of a majority of the largest possible share of the governed, and those between the ages of 18 and 21 are governed in no lesser sense than those over 21.

I find also that persons in the Nation generally, including those both over and under 21, favor the proposed amendment. The mayor's committee on children and youth of the city of Detroit took a survey on the subject in December 1952. Their survey covered 3,233 people of all ages and groups, and they found that 2,569, or 70 percent, favored giving the right to vote to persons at the age of 18. They further found that 82 percent of those between 18 and 21 favored the lowering of the voting age, and that 68 percent of the people over the age of 21 favored it. I do not know what will happen, but they should have the opportunity to act on this question.

These facts are important in indicating that people in the 18-to-21 age group are willing to take over the responsibility that goes with voting, for I do not believe we should lower the voting age unless a majority of the young people in that age group are willing to exercise that right.

I feel that if we give such a responsibility to the youth of this country, they will exercise their right to vote. They will be more eager at that age to acquire knowledge of the facts necessary to exercise the rights and duties of citizenship than if the right to vote is deferred until they reach the age of 21.

For the reasons I have stated, I joined in sponsoring a similar joint resolution for a proposed amendment to the Constitution as the one now before the Senate. The late Senator Vandenberg, once my distinguished colleague, had for many years sponsored this kind of resolution. I shall vote for the pending joint resolution.

Mr. HOLLAND. Mr. President, I should like to speak briefly on 2 or 3 points. First, I should like to comment upon the position taken by so many Senators that the matter of serving in the military service is tied with the matter of qualifications for voting. I should like to quote from an unusually well prepared brief which was published by the Library of Congress in February of this year, for the use of all Senators on the question. I quote from it simply because I think it gives a brief statement and a rather unanswerable statement to any position that might be taken that because a youth is required to serve in the military service, he is qualified to vote:

> The argument "old enough to fight—old enough to vote" is false. Mrs. Dorothy Canfield Fisher, the well-known author, has exposed it clearly: "To say that because a boy of 18 is old enough to fight, he is therefore proved old enough to vote, sounds to me as beside the mark as it would be to say that because somebody can make a swan-dive in good form * * * he is hereby proved capable of writing a textbook on philosophy * * * in both cases the kinds of qualities, skills, and knowledge involved are not comparable."

I continue to quote from the brief:

> The ideal qualities for a soldier are probably physical strength and stamina and willingness to take orders. But in a voter physical qualities are unimportant, and willingness to obey orders essentially undesirable. If we follow the "fight-and-vote" argument to its extreme, we might just as well say that persons over the draft age should not be allowed to vote.

Mr. President, my next point is that whereas the States that have considered this matter, and will consider it, I hope, from time to time, have it completely within their right to change their own constitutions, 47 of which now set 21 as the age limit for voting, when the States do consider this matter, they will have the right to consider it against the many other background matters incident to attaining age. The standard of attaining the age 21 as the standard for attaining one's majority and maturity has come to us from the common law, and was included in either the constitutions or the statutes of the Original Colonies, and later was adopted by the new States.

Mr. President, the matter of attaining one's maturity or one's majority involves a great many things other than the privilege of voting. For instance, marriage is involved. I believe the distinguished Senator from North Dakota [Mr. LANGER] said that 5 or 6 States now have changed that rule. However, the great majority of the States still require that persons must attain the age of 21 before they can legally be married without the consent of their parents.

The second point is with regard to the rendition of jury duty.

The third point is with regard to serving in the legislature and other offices. A very large number of our States have in their constitutions provisions—which still will remain in their constitutions, if this proposed constitutional amendment is submitted and adopted—that those who are qualified electors are, by virtue of that very fact, qualified to serve in the State legislature and to serve in various other posts of importance and trust.

The fourth point is with regard to the matter of ability to be sued and to sue—which, of course, is an incident of maturity.

The fifth and last point is with regard to the matter of being bound upon one's contract, and thereby being able to proceed as a person sui juris, as a person who has the maturity that must be acquired before he can be held and bound.

Mr. President, in passing, I call attention briefly to the absurdity of a provision which would allow 7 million or more minors who, in general, are not permitted to obligate themselves to the extent of as much as $10 by signing a note or by purchasing goods, or anything of the sort, to have the power to pass upon amendments to the constitutions of their States or to pass upon proposals to obligate their States to the extent of hundreds of millions of dollars—matters which frequently are involved in connection with the approval of State and other bond issues.

Mr. President, is it sound judgment to permit the creation of a situation in which millions of persons who, under the laws of their States—and those laws,

I point out, will not be changed in that regard if this amendment is adopted—are unable to obligate themselves or their fortunes or their estates in any way, because of the mere fact that they are minors, would, if the constitutional amendment now proposed actually goes into effect, be able, by their votes, to saddle hundreds of millions of dollars of indebtedness upon the cities and counties and States?

Mr. President, it seems perfectly clear to me that the very States which do control all those matters—and the States are not alike in that regard—are the agencies that are best qualified to deal with this subject, because when they deal with the question of the age for voting, they can also deal with the other multifarious questions which will be left floating about, untied to anything, by this particular amendment.

Mr. President, I close by stating that the amendment proposes to fix this test not only as a qualification for voting for Federal officials, but also as a qualification for voting for State and local officials. In the event this amendment were approved by 36 States, although opposed by 12 States which may have very definite traditions and convictions against permitting voting by minors, nevertheless those 12 States would then be confronted with the problem of complying with a law which thus would apply to them and to the millions of people who live within their borders.

Mr. President, I do not think this proposal is sound democracy or sound business judgment. I think it is a proposal for a step in exactly the wrong direction.

Let me call attention to the fact that the hearings were held and the measures on which the hearings were based were introduced before the President asked for the enactment of this measure. The hearings were held in June and July of last year, following the introduction of the joint resolutions on which they were based However, for some reason or other, those hearings have simply been picked up—notwithstanding the want of supporting administration evidence, the skimpiness of the hearings and notwithstanding that many of the basic facts do not appear in the printed record—and have been tied to the request of the administration, which in no sense was responsible for the introduction of the measures on which last year's hearings were based, they having been introduced in similar words by the senior Senator from North Dakota [Mr. LANGER], in one case, and, in the other case, by the junior Senator from Minnesota [Mr. HUMPHREY].

Mr. President, I hope the pending joint resolution will be rejected.

Mr. STENNIS. Mr. President, I shall detain the Senate for not more than 2 minutes.

One point of deep concern to me, in connection with the debate, is the tendency to lessen the responsibility of the Congress in passing upon proposed constitutional amendments. Certainly it is a serious matter for Congress to pass upon proposed constitutional amendments, because, regardless of whatever may be said in the course of the debate on such proposals, they go to the State legislatures with the recommendation of Congress; and such a recommendation is a very strong, serious, and solemn one, from their point of view, and it should be.

In the present case, no one from any State has requested that this proposed constitutional amendment be submitted. No State legislature has passed a resolution or has memorialized the Congress on this subject. Only one State has changed even its own law in this respect. No governor has requested the proposed change. No one representing a great body of people within the States or representing national organizations has submitted to Congress their views or their recommendations on this matter.

The principal argument which has been made in favor of the proposed constitutional amendment is that it has been floating around for quite a time and has been the subject of a Gallup poll, which indicates approval of it, and that therefore we should pass it on, and thus place on someone else the responsibility for it.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. BARRETT in the chair). Does the Senator from Mississippi yield to the Senator from Texas?

Mr. STENNIS. I yield.

Mr. JOHNSON of Texas. The Senator from Mississippi failed to state that it has also been on television at least 2 or 3 times. [Laughter.]

Mr. STENNIS. It has been on television, but it has not been sponsored by anyone on television; and unless a television program is sponsored, it does not seem to be entitled to a very high rating. [Laughter.]

Even certain activities of an agency of the Senate are now being sponsored on television programs—very much to my disapproval, incidentally.

But, Mr. President, a Gallup poll, a television program, and endorsement by a few scattered organizations are about the only things we have to pass upon in connection with this proposal.

As I have said, a constitutional amendment is a most serious matter, and if acted on favorably by the Congress, will go to the State legislatures and to the States with a strong recommendation on the part of Congress. We do not wish to change that atmosphere and that consideration of such matters.

I have before me figures in regard to an amendment that in some ways is kindred to the one now proposed, because these figures relate to the woman suffrage amendment in 1918, when that proposal was submitted to the States for ratification. At that time, 29 States already had passed laws of their own permitting women to vote. Not all of them permitted women to vote in all elections, but as many as 29 States had enacted affirmative laws on the subject, permitting women to vote in one or more of their elections. In the present case only one State has acted.

There have been no extensive hearings. That is no reflection on the committee. Very few witnesses were interested enough to appear. We are not in possession of all the facts. There is no great public interest or demand in connection with the pending proposal. There is no urging on the part of the people, and no indication of a deep concern. There has been no expression on the part of the States, officially or unofficially. So I submit that the entire proposal falls by reason of the lack of meritorious considerations which ordinarily surround a proposal of this kind.

So far as age is concerned, many boys who are under the age of 18 are far better qualified to vote than some who are more than 21 years of age, and who are now voting. It is not a matter of intelligence. It is not a matter of education. It is a matter of maturity and judgment. Even though our children are better informed than we were at their age, and better educated, I do not believe that they carry the responsibilities which an 18-year old child carried a generation ago. To that extent, I do not believe that the present generation of youth possesses as much maturity as was exhibited by children of the same age a generation ago.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. KENNEDY. Since the Bill of Rights was adopted soon after the adoption of the Constitution, the Constitution has been amended only 12 times. Reluctance to amend the Constitution is one of our most valuable safeguards and bulwarks of stability.

We have thus far attempted to amend the Constitution at least three times this session. This is the fourth time that a single Congress has passed upon this important step which was taken only 12 times since the beginning of our Nation. Yet the hearings were extremely brief. Only four witnesses were heard. Some statements were placed in the RECORD by request. I do not believe a single Member of the Congress appeared before the committee to testify in person in favor of the joint resolution. The record contains no resolutions by State legislatures stating their support of the proposed amendment.

Moreover, only one State out of 48 has taken any action in this field, although all States have been free to do so. Therefore, although the maturity and wisdom of those in this age group is not to be deprecated—indeed, I would support such an amendment in my own State, and in the Congress if it were supported by the experience and demand of many States—there have not been demonstrated sufficient grounds for changing this basic document today.

Mr. STENNIS. I thank the Senator from Massachusetts.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I ask for the yea and nays on final passage of the joint resolution.

The yeas and nays were ordered.

Mr. LONG. Mr. President, as the youngest Member of the Senate from the point of view of age, I should like to state why I shall vote against the proposed amendment to the Constitution.

It is my feeling that the States should decide for themselves whether or not they wish to grant to young men and women 18 years of age the right to vote. I am entirely convinced that there are a

great many 18-year-olds in every State in the Union who are well qualified to vote; I am likewise convinced that every one of those young people would be even better qualified if they were to wait until they are 21 before casting their first ballot. They would have greater maturity and greater ability to judge public issues if they were required to wait until they had attained the full age of majority.

The Legislature of the State of Louisiana is now in session. If the legislature of that State, which I have the honor in part to represent, feels that 18-year-olds should vote, it has every right to enact legislation to that end. For my part I am willing to abide by the judgment of the legislature.

It seems to me that the greatest service the Congress could render in this connection would be to give the States advice on the basis of which they could better reach a decision, either to ratify an amendment to the Constitution or to enact legislation giving 18-year-olds the right to vote.

Perhaps Congress could serve a useful purpose by appointing a committee to study the question, with the aid of psychologists and leaders in the field of education and various other fields, in order to provide the Congress with better information on this subject. However, we do not have such information before us. We do not have the benefit of the guidance which we would like to have in voting on this question. I hope that in the future Congress may study the subject, and that thorough hearings may be held, in order that both the Congress and the State legislatures may have all the information which will be desirable when such a proposal as this is acted upon by State legislatures in the future.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Martin
Barrett	Green	Maybank
Bowring	Hayden	Millikin
Butler, Nebr.	Hendrickson	Monroney
Byrd	Hennings	Pastore
Capehart	Hickenlooper	Payne
Carlson	Holland	Robertson
Case	Ives	Russell
Daniel	Jackson	Smathers
Dirksen	Johnson, Colo.	Stennis
Dworshak	Johnson, Tex.	Symington
Eastland	Kennedy	Thye
Ferguson	Knowland	Upton
Frear	Langer	Watkins
Fulbright	Long	Williams
George	Mansfield	

The PRESIDING OFFICER (Mrs. BOWRING in the chair). A quorum is not present.

Mr. KNOWLAND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BUSH, Mr. CHAVEZ, Mr. DOUGLAS, Mr. HILL, Mr. HUNT, Mr. MAGNUSON, Mr. NEELY, Mr. POTTER, Mr. SALTONSTALL, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The question is on the passage of Senate Joint Resolution 53. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUTLER of Nebraska (when his name was called). On this vote I have a pair with the Senator from South Dakota [Mr. MUNDT] and the Senator from California [Mr. KUCHEL]. If they were present and voting they would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], the Senator from South Dakota [Mr. MUNDT], and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Kentucky [Mr. COOPER], the Senator from Oregon [Mr. CORDON], the Senator from Pennsylvania [Mr. DUFF], the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KUCHEL], the Senator from Nevada [Mr. MALONE], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Wisconsin [Mr. WILEY], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

On this vote, the Senator from Pennsylvania [Mr. DUFF] and the Senator from Arkansas [Mr. MCCLELLAN] are paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Pennsylvania [Mr. DUFF] and the Senator from Arkansas [Mr. MCCLELLAN] would each vote "yea," and the Senator from Oklahoma [Mr. KERR] would vote "nay."

On this vote, the Senator from Connecticut [Mr. PURTELL] and the Senator from Kentucky [Mr. COOPER] are paired with the Senator from Nevada [Mr. MALONE]. If present and voting, the Senator from Connecticut [Mr. PURTELL] and the Senator from Kentucky [Mr. COOPER] would each vote "yea," and the Senator from Nevada [Mr. MALONE] would vote "nay."

If present and voting, the Senator from Maryland [Mr. BEALL], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Oregon [Mr. MORSE] would each vote "yea."

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Louisiana [Mr. ELLENDER], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Kentucky [Mr. CLEMENTS], the Senator from New York [Mr. LEHMAN], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

The Senator from Ohio [Mr. BURKE] and the Senator from North Carolina [Mr. LENNON] are paired on this vote with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Ohio and the Senator from North Carolina would vote "yea," and the Senator from Tennessee would vote "nay."

The Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. LEHMAN] are paired on this vote with the Senator from South Carolina [Mr. JOHNSTON]. If present and voting, the Senator from Minnesota and the Senator from New York would vote "yea," and the Senator from South Carolina would vote "nay."

The Senator from West Virginia [Mr. KILGORE] and the Senator from Tennessee [Mr. KEFAUVER] are paired on this vote with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from West Virginia and the Senator from Tennessee would vote "yea," and the Senator from Louisiana would vote "nay."

The Senator from Arkansas [Mr. MCCLELLAN] and the Senator from Pennsylvania [Mr. DUFF] are paired on this vote with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Arkansas and the Senator from Pennsylvania would vote "yea," and the Senator from Oklahoma would vote "nay."

The yeas and nays resulted—yeas 34, nays 24, as follows:

YEAS—34

Aiken	Hickenlooper	Payne
Barrett	Hunt	Potter
Bowring	Ives	Saltonstall
Bush	Jackson	Smith, Maine
Capehart	Knowland	Smith, N. J.
Carlson	Langer	Thye
Case	Magnuson	Upton
Dirksen	Mansfield	Watkins
Douglas	Martin	Williams
Dworshak	Millikin	Young
Ferguson	Neely	
Hendrickson	Pastore	

NAYS—24

Byrd	Green	Long
Chavez	Hayden	Maybank
Daniel	Hennings	Monroney
Eastland	Hill	Robertson
Frear	Holland	Russell
Fulbright	Johnson, Colo.	Smathers
George	Johnson, Tex.	Stennis
Gillette	Kennedy	Symington

NOT VOTING—37

Anderson	Bridges	Clements
Beall	Burke	Cooper
Bennett	Butler, Md.	Cordon
Bricker	Butler, Nebr.	Duff

Ellender	Kilgore	Mundt
Flanders	Kuchel	Murray
Goldwater	Lehman	Purtell
Gore	Lennon	Schoeppel
Humphrey	Malone	Sparkman
Jenner	McCarran	Welker
Johnston, S. C.	McCarthy	Wiley
Kefauver	McClellan	
Kerr	Morse	

The PRESIDING OFFICER. Two-thirds of the Senators present not having voted in the affirmative, Senate Joint Resolution 53, proposing to amend the Constitution, is rejected.

Mr. RUSSELL. Madam President, now that the vote has been had on the proposed constitutional amendment which dealt with the fixing of the age of voting within the several States, I wish to express my appreciation to the administration, and especially to the Attorney General, who, I assume, prepared the proposed legislation, for submitting it in the form of a constitutional amendment rather than as a simple statute.

I am quite confident that if the matter had been presented to us in a bill to enact a simple statute, and should have received more votes in the affirmative than were cast in the negative, as was true in the case of the proposed constitutional amendment just acted upon, the present Supreme Court would have sought to have enforced the simple statute upon the several States.

Indeed, Madam President, if the Chief Executive had issued an executive order instructing the States to change their legal requirements with respect to the age for voting, I fear that some Members of the present Supreme Court would have undertaken to have found means to incorporate the order into a decision by the Court which would have sought to force compliance by the States.

Some Senators, who have tried for many years to preserve constitutional processes, are very grateful to the administration for having properly brought the matter before the Senate in the form of a constitutional amendment.

LONG-TERM TIME CHARTER OF TANKERS

Mr. KNOWLAND. Madam President, I move that the Senate proceed to the consideration of Calendar No. 1341, Senate bill 3458. I may say that the bill will not be taken up for debate or discussion this evening but is merely being made the unfinished business before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes.

AMENDMENT OF RECREATION ACT OF JUNE 14, 1926, RELATING TO THE LEASING OF PUBLIC LANDS—CONFERENCE REPORT

Mr. BUTLER of Nebraska. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) amending the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) amending the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, and 6 and the amendment to the title, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

Strike the words "or otherwise"; and the Senate agree to the same.

HUGH BUTLER,
EUGENE D. MILLIKIN,
By B
GUY CORDON,
JAMES E. MURRAY,
Managers on the Part of the Senate.

WESLEY A. D'EWART,
JOHN P. SAYLOR,
KEN REGAN,
WAYNE N. ASPINALL,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Madam President, I am about to move that the Senate recess until Monday next, unless Senators desire to make insertions in or statements for the RECORD. On Monday it is proposed to have a call of the calendar. When the call of the calendar has been completed, it is planned to begin the debate on the unfinished business, which is Senate bill 3458, the so-called tanker bill.

CERTAIN BILLS TO BE CONSIDERED ON THE NEXT CALL OF THE CALENDAR

Mr. HENDRICKSON. Madam President, I ask unanimous consent that when the calendar is next called, the following bills be included in the call: Calendar No. 1152, S. 42, to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States; Calendar No. 1179, H. R. 887, for the relief of Mr. and Mrs. Edward Levandoski; Calendar No. 1248, S. 46, for the relief of E. S. Berney; and Calendar No. 1333, H. R. 2512, to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites."

Mr. KNOWLAND. Madam President, will the Senator yield?

Mr. HENDRICKSON. I yield.

Mr. KNOWLAND. Are these the four bills which, at the last call of the calendar, it was requested go over until the next calendar call?

Mr. HENDRICKSON. Calendars Nos. 1152, S. 42; 1248, S. 46; and 1333, H. R. 2512, are; Calendar No. 1179, H. R. 887, was not. That is the bill for the relief of Mr. and Mrs. Edward Levandoski.

Mr. KNOWLAND. I have no objection to these bills being included in the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO MONDAY

Mr. KNOWLAND. I move that the Senate now stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate took a recess until Monday, May 24, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate Friday, May 21 (legislative day of May 13), 1954:

IN THE ARMY

The following-named officers for appointment as Assistant to the Chief of Engineers, United States Army, and as brigadier general in the Regular Army of the United States, under the provisions of section 11, National Defense Act, as amended, and section 513 of the Officer Personnel Act of 1947:

Col. Louis Jacob Rumaggi, O14900, United States Army.

Col. Howard Ker, O15518, United States Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 21 (legislative day of May 13), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Livingston Satterthwaite, of Pennsylvania, for promotion Foreign Service officer to class 1.

Cloyce K. Huston, of Iowa, for promotion Foreign Service officer to class 1 and to be also a consul general of the United States of America.

The following-named Foreign Service officers for promotion to class 2:

Clarence Boonstra, of Louisiana.
Horatio Mooers, of Maine.
R. Smith Simpson, of Virginia.
Carroll M. Terry, of Alabama.

The following-named Foreign Service officers for promotion to class 3:

David M. Bane, of Pennsylvania.
Rodger P. Davies, of California.
Henry L. T. Koren, of New Jersey.
Francis E. Meloy, Jr., of Maryland.
Richard E. Usher, of Wisconsin.

The following-named Foreign Service officers for promotion to class 4:

Stephen H. McClintic, of Maryland.
Charles M. Urruela, of Ohio.

The following-named Foreign Service officers for promotion to class 4 and to be also consuls of the United States of America:

John C. Amott, of New Jersey.
Hugh G. Appling, of California.
Philip Axelrod, of Delaware.
William D. Brewer, of Connecticut.
Edwin D. Crowley, of Virginia.
John B. Dexter, of Maryland.
Herbert Gordon, of New York.
John Calvin Hill, Jr., of South Carolina.
Peter Hooper, Jr., of Massachusetts.
Rogers B. Horgan, of Massachusetts.
John M. Howison, of Texas.
Max V. Krebs, of California.
Richard H. Lamb, of Washington.
James F. Leonard, Jr., of Pennsylvania.
Matthew J. Looram, Jr., of New York.
Francis N. Magliozzi, of Massachusetts.
Robert M. Phillips, of California.
Paul O. Proehl, of Illinois.
Robert W. Ross, of California.
Sidney Sober, of New York.
Harrison M. Symmes, Jr., of North Carolina.
Viron P. Vaky, of Texas.
Stephen Winship, of Massachusetts.
Chalmers B. Wood, of the District of Columbia.

The following-named Foreign Service officers for promotion to class 5:

Emerson M. Brown, of Michigan.
William P. E. Graves, of the District of Columbia.
Robert A. Hurwitch, of Illinois.
John M. Kane, of Illinois.
Donald E. Larimore, of Illinois.
Francis J. Meehan, of the District of Columbia.

Donald D. Edgar, of New Jersey, to be a consul general of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 1, consuls, and secretaries in the diplomatic service of the United States of America:

Durward V. Sandifer, of Illinois.
Robert P. Terrill, of California.

Mallory Browne, of Virginia, for appointment as a Foreign Service officer of class 2, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Robert N. Anderson, of California.
Coburn B. Kidd, of Oklahoma.
Joseph Sweeney, of California.
Percy de F. Warner, of the District of Columbia.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Chester E. Beaman, of Indiana.
H. Reid Bird, of Utah.
Davis Eugene Boster, of Ohio.
G. Edward Clark, of New York.
Robert Donhauser, of New York.
Charles C. Finch, of Ohio.
Miss Constance L. Grant, of Massachusetts.
Albert Harkness, Jr., of Rhode Island.
L. Douglas Heck, of Maryland.
Valdemar N. L. Johnson, of Florida.
William B. Kelly, of Ohio.
Terrance G. Leonhardy, of North Dakota.
Frederic K. Lundy, Jr., of Virginia.
Harold M. Midkiff, of Florida.
Lynn H. Olson, of Minnesota.
Givon Parsons, of Texas.
Robert H. Shields, of California.
Charles Wilson Thomas, of Utah.
Mrs. Musedorah W. Thoreson, of Tennessee.
William L. Wight, Jr., of Virginia.
Elbert R. Williams, of Pennsylvania.

SENATE

MONDAY, MAY 24, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord, Most High, before whose infinite majesty and greatness we bow in deep humility as we come acknowledging our littleness and our dependence, Thou art full of grace and truth. Thou hast promised to teach judgment to the meek and to whisper divine secrets to the pure in heart. Entering in through the lowly doors of our fallible petitions wilt Thou fill the house of our lives with music and even its chambers of discontent with peace.

We thank Thee for this world of beauty in the midst of which we walk, for the dawning light out of darkness, for all the gifts of love and of friendship, for sunny memories of remembered yesterdays, for the stirring challenges of these epic days, and for every hope that beckons on to radiant tomorrows. As we face all that this new week may bring to us, of tests and tasks, our hearts are singing:

"This is my Father's world,
O let me ne'er forget
That though the wrong seems oft so strong,
God is the ruler yet."

Amen.

THE JOURNAL

On request of Mr. SALTONSTALL, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 21, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6374) to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes, and it was signed by the Vice President.

EXECUTIVE SESSION

Mr. SALTONSTALL. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. LANGER, from the Committee on the Judiciary:

William Ernest Smith, of Tennessee, to be United States marshal for the western district of Tennessee, vice Ben Ivy King, resigned.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

Mr. SALTONSTALL. Mr. President, on the Executive Calendar is a list of nominations of postmasters. I have discussed the matter with the minority leader, and I understand there is no objection to considering the nominations en bloc, and I ask unanimous consent that they be considered en bloc at this time, with the exception of that of William P. Gray, whose name appears on page 4.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nominations will be considered en bloc, with the exception indicated.

The nominations of postmasters, with the exception of that of William P. Gray, to be postmaster at Pleasant Hill, Mo., were confirmed en bloc.

APPOINTMENTS IN THE REGULAR AIR FORCE, IN THE NAVY, AND IN THE MARINE CORPS

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that there be considered en bloc the nominations for appointments in the Regular Air Force, in the Navy, and in the Marine Corps, reported favorably, but not printed on the calendar, including the nominations of James Henry Ahmann and others, and Paul M. Beckham and 70 others.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed en bloc.

Mr. SALTONSTALL. I ask that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. SALTONSTALL. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER FOR CALL OF THE CALENDAR

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that, following the usual morning hour, the calendar be called, for the consideration of measures to which there is no objection, beginning where the last calendar call ended, except for the inclusion of certain measures previously ordered to be included in the call, which I understand to be Senate bill 42, Calendar No. 1152, to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States; House bill 887, Calendar No. 1179, for the relief of Mr. and Mrs. Edward Levandoski; Senate bill 46, Calendar No. 1248, for the relief of E. S. Berney; and House bill 2512, Calendar No. 1333, to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites."

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. SALTONSTALL. Mr. President, I now ask unanimous consent that the usual routine morning business be transacted, under the customary 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

TRANSFER OF CERTAIN PROPERTY TO PANAMA CANAL COMPANY

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT ON DISPOSITION OF SURPLUS PROPERTY

A letter from the Secretary of Commerce, reporting, pursuant to law, an additional report of surplus property disposed of during the year 1953 by the Maritime Administration, Department of Commerce; to the Committee on Government Operations.

REPORT OF ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, his report on the administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1953 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the City Council of the City of Chicago, Ill., favoring the use of the words "under God" in the pledge of allegiance to the flag; ordered to lie on the table.

Resolutions adopted by the 63d continental congress of the National Society of the Daughters of the American Revolution, relating to the treatymaking power, and so forth; ordered to lie on the table.

A letter from the Friday Morning Club, Los Angeles, Calif., signed by Mrs. George Dunsmoor, president, embodying a resolution adopted by that club, protesting against the admission of Red China into the United Nations; to the Committee on Foreign Relations.

LEASE OF BOSTON ARMY BASE FACILITIES TO STATE OF MASSACHUSETTS—RESOLUTION OF CITY COUNCIL OF BOSTON, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of myself, and my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the City Council of Boston, Mass., relating to the leasing of the Boston Army Base facilities to the State of Massachusetts.

There being no objection, the resolution was referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Resolved, That the members of the Boston City Council, in meeting assembled, desire to memorialize the Congress of the United States to favor the passage of H. R. 9099; and be it further

Resolved, That the members of the great and general court of the Commonwealth of Massachusetts be requested to favor the enactment of pending legislation which calls for the cooperation of the Commonwealth of Massachusetts with the Federal Government in the matter of leasing the Boston Army Base facilities to the Commonwealth of Massachusetts and the repairing of these facilities.

In city council May 17, 1954, adopted.

Attest:

J. M. DUNLEA,
City Clerk.

AMENDMENT OF PLEDGE OF ALLEGIANCE TO THE FLAG—RESOLUTIONS

Mr. SALTONSTALL. Mr. President, on behalf of myself, and my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], I present for appropriate reference, resolutions adopted by the City Council of Peabody, Mass., and the Massachusetts State Council, Knights of Columbus, of Boston, favoring the use of the words "under God" in the pledge of allegiance to the flag.

There being no objection, the resolutions were ordered to lie on the table, and to be printed in the RECORD, as follows:

CITY COUNCIL,
Peabody, Mass.

Whereas a resolution is now before the Congress of the United States of America entitled "Senate Joint Resolution 126"; and

Whereas said resolution calls for the addition of the words "under God" to the pledge of allegiance; and

Whereas said resolution will give additional meaning to the spiritual defense of our Nation: Now, therefore, be it

Resolved by the City Council of the City of Peabody, at a regular meeting held at the Peabody City Hall on May 13, 1954, That it is of the unanimous opinion that said resolution should receive immediate affirmative sanction by the Congress of the United States.

Attest:

L. F. ELLIS,
Assistant City Clerk.

MASSACHUSETTS STATE COUNCIL,
KNIGHTS OF COLUMBUS,
Boston, Mass., May 21, 1954.

DEAR CONGRESSMAN: At the 59th annual State convention of the Massachusetts State council, Knights of Columbus, held in Boston, Mass., on May 15 and 16, 1954, the following resolution was unanimously adopted and in accordance with the second resolve in the resolution, you are hereby informed of action of the convention:

"Whereas our forefathers paid tribute to God when they wrote the Declaration of Independence; and

"Whereas they sought God's guidance in all their undertakings; and

"Whereas we in the United States have been the beneficiary of the choicest blessings ever bestowed upon any Nation; and

"Whereas Resolution 126, introduced February 10, 1954, and presented to the Congress of the United States by Senator HOMER FERGUSON, of Michigan, would add to our pledge of allegiance to the flag the words 'under God': Be it therefore

"*Resolved*, That we, the Knights of Columbus of Massachusetts, assembled in convention these 15th and 16th days of May 1954, do hereby endorse this resolution introduced by Senator FERGUSON, and we commend him for it; be it further

"*Resolved*, That we submit this resolution for consideration at the supreme convention in August for further endorsement."

Very truly yours,

THOMAS J. SPRING,
State Secretary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 820. A bill for the relief of the estate of Carlos M. Cochran (Rept. No. 1388);

S. 1203. A bill for the relief of Lt. Col. Rollins S. Emmerich (Rept. No. 1389);

S. 1332. A bill for the relief of Mary Goodyear Brown (Rept. No. 1390);

S. 1573. A bill for the relief of the Federal Republic of Germany (Rept. No. 1391);

S. 1634. A bill for the relief of Alton Bramer (Rept. No. 1392);

S. 1798. A bill for the relief of Charles Peroulas (Rept. No. 1393);

S. 1833. A bill for the relief of Mojsze Hildeshaim and Ita Hildeshaim (Rept. No. 1394);

S. 1858. A bill for the relief of Sister Antonella Marie Gutterres (Thereza Maria Gutterres) (Rept. No. 1395);

S. 1940. A bill for the relief of Michela Aurucci (Rept. No. 1396);

S. 2036. A bill for the relief of Joseph Robin Groninger (Rept. No. 1397);

S. 2044. A bill for the relief of Louise Russu Sozanski (Rept. No. 1398);

S. 2067. A bill for the relief of Anthony Benito Estella, Natividad Estella, Antonio Juan Estella, and Virginia Araceli Estella (Rept. No. 1399);

S. 2101. A bill for the relief of Lucy Personius (Rept. No. 1400);

S. 2121. A bill for the relief of Borys Naumenko (Rept. No. 1401);

S. 2200. A bill for the relief of Guiseppi Castrogiovanni, his wife and child (Rept. No. 1402);

S. 2266. A bill for the relief of Walter P. Sylvester (Rept. No. 1403);

S. 2280. A bill for the relief of Inge Krarup (Rept. No. 1404);

S. 2301. A bill for the relief of Katherina Picerkona and her minor son, Helmut (Rept. No. 1405);

S. 2352. A bill for the relief of Paul Shoji Awaji (Paul Milburn Simpson) (Rept. No. 1406);

S. 2369. A bill for the relief of Karl Ullstein (Rept. No. 1407);

S. 2461. A bill for the relief of Berta Hellmich (Rept. No. 1408);

S. 2553. A bill for the relief of Joseph V. Crimi, father of the minor child Joseph Crimi (Rept. No. 1409);

S. 2594. A bill for the relief of Paolino Berchielli, his wife Leda, and daughter Alba (Rept. No. 1410);

S. 3196. A bill for the relief of Dr. Helen Maria Roberts (Helen Maria Rebalska) (Rept. No. 1411);

H. R. 689. A bill for the relief of Mrs. Keiko Inouye (Rept. No. 1412);

H. R. 737. A bill for the relief of Harold Donaghy Bishop (Rept. No. 1413);

H. R. 807. A bill for the relief of Sister Isabel (Purificacion Montemayor Maceo) (Rept. No. 1414);

H. R. 897. A bill for the relief of Abul K. Barik (Rept. No. 1415);

H. R. 1144. A bill for the relief of Martha Farah (Rept. No: 1416);

H. R. 1348. A bill for the relief of Alwine Reichenbauch (Rept. No. 1417);

H. R. 1509. A bill for the relief of Sahag Vartanian (Rept. No. 1418);

H. R. 1905. A bill for the relief of Montgomery of San Francisco, Inc. (Rept. No. 1419);

H. R. 3145. A bill for the relief of Pravomil Vaclav Maly and Jarmila Maly (Rept. No. 1420); and

H. R. 5933. A bill for the relief of Herschel D. Reagan (Rept. No. 1421).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 2156. A bill for the relief of John Enepekides, his wife, Anna, and his son, George (Rept. No. 1422);

S. 2264. A bill for the relief of Alfio Ferrara (Rept. No. 1423);

S. 2960. A bill for the relief of Barbara Herta Geschwandtner (Rept. No. 1424); and

S. 2965. A bill for the relief of Auguste Ida Angeli (Rept. No. 1425).

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

S. 986. A bill for the relief of Ishi Washburn and Terry Wendell Washburn (Rept. No. 1426).

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY—REPORT OF A COMMITTEE

Mr. LANGER, from the Committee on the Judiciary, reported favorably, without amendment, the following original resolution (S. Res. 252), which was placed on the calendar:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate, during the 83d Congress, $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. BOWRING:

S. 3504. A bill to amend the Packers and Stockyards Act, 1921, with respect to the charging of brand inspection fees; to the Committee on Agriculture and Forestry.

By Mr. ANDERSON:

S. 3505. A bill to amend the act of September 27, 1950, relating to construction of the Vermejo reclamation project; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 3506. A bill to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CARLSON:

S. 3507. A bill to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 3508. A bill to require milk utilized by Federal agencies to meet State requirements with respect to butterfat content; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. J. Res. 159. Joint resolution proposing an amendment to the Constitution of the United States to prevent interference with, and to eliminate limitations upon, the power of the States to regulate health, morals, education, marriage, and good order therein; to the Committee on the Judiciary.

By Mr. PURTELL (by request):

S. J. Res. 160. Joint resolution to designate the musical composition by John Philip Sousa, known as The Stars and Stripes Forever, as the official national march of the United States of America; to the Committee on Rules and Administration.

(See the remarks of Mr. PURTELL when he introduced the above joint resolution, which appear under a separate heading.)

GROUP LIFE INSURANCE FOR FEDERAL CIVILIAN PERSONNEL

Mr. CARLSON. Mr. President, I introduce for appropriate reference a bill authorizing the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service.

This bill, if enacted into law, will carry out the recommendations of the President in his message to Congress of Wednesday, May 19, in which he stated:

Three months ago I expressed my conviction that a well-rounded personnel program was needed to benefit the Federal career system and its workers and to increase the administrative efficiency of the Government.

Mr. President, one additional element to the President's personnel program is the contributory group life insurance. The President, who has a keen interest in and a personal devotion to the career employees of the Federal Government, has made a thorough study of this proposal and has submitted to Congress recommendations that merit early consideration.

While I have not had an opportunity to study this matter thoroughly, a casual study of it convinces me that it has great merit, and, personally, I hope, after a thorough study and analysis, the Committee on Post Office and Civil Service will be able to report the bill to the Senate for approval at this session.

It is my intention to hold hearings at an early date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3507) to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes, introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

DESIGNATION OF MUSICAL COMPOSITION, THE STARS AND STRIPES FOREVER, AS OFFICIAL NATIONAL MARCH OF THE UNITED STATES

Mr. PURTELL. Mr. President, by request of the American Bandmasters Association, in conjunction with the Sousa Band Fraternal Society, I introduce for appropriate reference a joint resolution to designate the musical composition by John Philip Sousa, known as The Stars and Stripes Forever, as the official national march of the United States of America. I ask unanimous consent that the joint resolution, together with a statement prepared by me, be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and statement will be printed in the RECORD.

The joint resolution (S. J. Res. 160) to designate the musical composition by John Philip Sousa, known as The Stars and Stripes Forever, as the official national march of the United States of America, introduced by Mr. PURTELL, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Whereas this is the centennial year of the birth of John Philip Sousa; and

Whereas through the medium of his many outstanding marches he brought worldwide musical recognition to the United States of America; and

Whereas his march, The Stars and Stripes Forever, is most universally known and has become associated with our flag and our country more than any other march; and

Whereas the United States of America has no official national march to be used for the appearance of high Federal and State Government officials, other than the President, on public occasions: Now, therefore, be it

Resolved, etc., That the musical composition by John Philip Sousa, known as The Stars and Stripes Forever, is hereby designated the National March of the United States of America and that it be used as a musical salute to high Federal and State Government officials, other than the President of the United States, on public occasions.

The statement by Mr. PURTELL is as follows:

STATEMENT BY SENATOR PURTELL

At the request of the American Bandmasters Association, in conjunction with the Sousa Band Fraternal Society, I have introduced a joint resolution to designate the march, The Stars and Stripes Forever, by John Philip Sousa, as our national march.

It has been brought to my attention by these two organizations that the United States of America never has had a designated musical greeting or salute to be played when important dignitaries of the Government, both State and Federal, appear at patriotic celebrations or at official public occasions. It seems fitting, therefore, that there should be some musical selection definitely designated to announce the arrival of distinguished personages, other than the President, at public functions.

There is no musical selection more familiar to every American or more universally associated with our country than the thrilling martial air known as The Stars and Stripes Forever, written by that outstanding American bandmaster and composer, John Philip Sousa.

This composition was the result of a patriotic inspiration in that great American as he returned to his beloved homeland after a prolonged absence. Born in our Nation's Capital, Sousa was, from childhood, imbued with the spirit of our Nation and gave musical evidence of his intense patriotism in the composition of innumerable marches. None, however, compared in musical or patriotic spirit with "The Stars and Stripes Forever" and every American today feels this same surge of patriotism whenever he hears the familiar strains of the march.

The American Bandmasters Association and the Sousa Band Fraternal Society have further reported to me that every young bandsman in this country is well acquainted with this stirring Sousa march.

Therefore, by designating The Stars and Stripes Forever as our official national march, we will not only fill the need for a suitable musical salute for dignitaries, but will also give full recognition to a great American and his greatest march.

CODE OF FAIR PROCEDURES FOR CONGRESSIONAL COMMITTEE INVESTIGATIONS

Mr. BUSH. Mr. President, I submit for appropriate reference a resolution proposing a code of fair procedures for investigations conducted by committees of the Senate.

The establishment of such a code is a responsibility the Senate must face.

The Nation has been witnessing an unpleasant spectacle in the hearings involving charges made in turn against the chairman and certain members of the staff of the Senate Permanent Subcommittee on Investigations, on the one side, and civilian officials of our military establishment on the other.

This is not the time to discuss the merits of that unfortunate controversy. But, in my judgment, we should draw from it now the clear lesson that the Senate as a whole bears a share of the responsibility. If the Senate, in the past, had adopted uniform requirements for fair investigating procedures and had insisted on their observance, these hearings probably would not have been necessary.

Mr. President, the distinguished majority leader, the Senator from California [Mr. KNOWLAND] has publicly pledged that the Republican leadership will support a uniform code for investigations. I congratulate him upon his statement, and sincerely hope that he will be joined in this effort by the distinguished minority leader, the Senator from Texas [Mr. JOHNSON]. This is a matter beyond partisanship, for the responsibility rests upon the Senate as a whole.

Senator KNOWLAND has stated weighty reasons which argue for a delay in this needed reform until the start of the 84th Congress. Nevertheless, I hope that it may be possible to take more expeditious action. If the opportunity arises, we should attempt to put into effect a code of fair investigating procedures before we adjourn.

Mr. President, I ask unanimous consent that a statement amplifying my remarks be printed at this point in the body of the RECORD, together with the text of my resolution and a news report of the statement made by the distinguished majority leader.

The VICE PRESIDENT. The resolution will be received and appropriately referred and without objection, the statement, together with the resolution, and the news report will be printed in the RECORD.

The statement, resolution, and news report are as follows:

STATEMENT BY SENATOR BUSH

Let us meet at once the objection that fair procedures would cripple investigations into communism, more specifically into Communist infiltration of our Government and other areas of our life.

It is true that any Member of the Congress who seeks to expose Communists or Communist sympathizers automatically becomes a target of attack by those who are involved, directly or emotionally, in the Communist conspiracy, and that that attack includes indiscriminate criticism of methods.

It is equally true that many patriotic Americans have become seriously alarmed at abuses of the investigative power. Fear exists in the minds of these loyal Americans—clergymen of all faiths, school teachers, educators at all levels, Government employees, lawyers, men and women in all walks of life—that if the Congress does not insist on fair and just investigating methods, the basic rights of all individuals may be undermined or even destroyed.

Those who seek to lump together the Communists who oppose all investigations of their activities and the loyal Americans who oppose only those investigating methods which offend their sense of justice and fair play are making a serious mistake.

Nothing could play more into the hands of the Communists, and create unhealthy divisions among us at a time when Red aggression is on the march and our best thought and energy are needed to bring it to a halt.

We need a united nation to meet the Communist threat in the world; we need a united nation to make certain that our democracy is not destroyed by subversion from within.

The Senate can make progress toward forging that essential unity by insisting that investigations into subversion, and all other investigations as well, be conducted with fairness and a sense of responsibility.

The problem of reconciling the right of the Congress to gather facts with the right to fair treatment of individuals called before investigating committee is crying for solution.

The problem has existed for many years. The task of solving it may seem difficult, but that does not excuse shirking it.

The resolution being introduced proposes one possible solution, which, I believe, would not in any way hamper responsible investigations. I take no pride in authorship. The resolution draws heavily on recommendations which have been made by the majority policy committee, and upon suggestions which have come from hearings held during this Congress by the Subcommittee on Legislative Procedure of the Committee on Rules of the House of Representatives. It is being submitted in the hope that it may receive serious study by Senators on both sides of the aisle, and may stimulate suggestions for improvement.

This problem should be considered in an atmosphere of cooperation between my party and those on the other side of the aisle. Partisan charges on either side about events in the past will not contribute toward a solution. Let us keep our attention focused on the important principles which are at stake and strive to avoid being diverted by questions involving personalities. For the principles with which we are concerned affect the honor and dignity of the Senate as a whole, as well as the basic liberties of our citizens and our national security. They far outweigh in importance the political fortunes of any of us as individual Senators.

Much remains to be done on the legislative program proposed to us by the President of the United States, a program whose fulfillment is needed to strengthen our defenses against Communist imperialism and to strengthen our domestic economy. We all realize that we are pressed for time in acting on that program. We would not want to see that program blocked by prolonged discussion of other matters.

Nevertheless, this question of fair procedures for congressional investigations is so serious, and of such great concern to the people of this country, that it deserves our attention at the first opportunity. I urge the majority leader and the minority leader to use their great influence in expediting action to the maximum extent possible, consistent with the other heavy responsibilities which they bear.

We in the Senate should recall the words of the President of the United States in his statement of March 4, 1954, dealing with this problem. He said this:

"We must be unceasingly vigilant in every phase of governmental activity to make certain there is no subversive penetration.

"In opposing communism, we are defeating ourselves if either by design or carelessness, we use methods that do not conform to the American sense of justice and fair play.

"The conscience of America will clearly discern when we are exercising proper vigilance without being unfair. That conscience is reflected in the body of the United States Congress. We can be certain that its Members will respond to America's convictions and beliefs in this regard."

Let us heed the call of our consciences.

Senate Resolution 253

Resolved, That rule XV of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"3. All bills and resolutions to authorize the investigation of a particular subject matter shall define such subject matter clearly, and shall state the need for such investigation and the general objects thereof."

SEC. 2. Rule XXV of such standing rules is amended by deleting the title "Standing Committees" and inserting in lieu thereof "Powers and Duties of Committees."

SEC. 3. Paragraph (b) of subsection 3 of such rule XXV is amended to read as follows:

"(b) Unless the committee otherwise provides, one member shall constitute a quorum for the receipt of evidence and the taking of testimony; but no witness shall be compelled to give oral testimony before less than 2 members if, prior to testifying, he objects to the presence of only 1 member."

SEC. 4. Such rule XXV is amended by inserting at the end thereof the following subsections:

"5. The rules of the committees shall be the rules of the subcommittees so far as applicable. Committees and subcommittees may adopt additional rules not inconsistent with the rules of the Senate.

"6. All hearings conducted by committees shall be open to the public, except executive sessions for marking up bills, or for voting, or where the committee by a majority vote orders an executive session.

"7. Unless otherwise provided, committee action shall be by vote of a majority of a quorum.

"8. An investigating subcommittee of any committee may be authorized only by a majority vote of the committee.

"9. No committee hearing shall be held unless specifically authorized by the committee.

"10. No committee hearing shall be held in any place outside of the District of Columbia unless authorized by a majority vote of the committee.

"11. No measure, finding, or recommendation shall be reported from any committee unless a majority of the committee were actually present.

"12. No testimony taken or material presented in an executive session shall be made public, either in whole or in part or by way of summary, unless authorized by a majority vote of the committee.

"13. No person shall be employed for or assigned to investigative activities until approved by the committee.

"14. Unless otherwise provided, subpenas to require the attendance of witnesses, the giving of testimony, and the production of books, papers, or other evidence shall be issued only by authority of the committee, shall be signed by the chairman or any member designated by the chairman, and may be served by any person designated by the committee, the chairman, or the signing member.

"15. No witness shall be compelled to give oral testimony for broadcast, or for direct reproduction by motion-picture photography, recording, or otherwise in news and entertainment media if he objects.

"16. Oaths may be administered and hearings may be conducted and presided over by the chairman or any member designated by the chairman.

"17. Witnesses shall be permitted to be advised by counsel of their legal rights while giving testimony, and unless the presiding member otherwise directs, to be accompanied by counsel at the stand.

"18. Witnesses, counsel, and other persons present at committee hearings shall maintain proper order and decorum; counsel shall observe the standards of ethics and deportment generally required of attorneys at law. The chairman may punish breaches of this provision by censure or by exclusion from the committee's hearings, and the committee may punish by citation to the Senate as for contempt.

"19. Whenever the committee determines that evidence relating to a question under inquiry may tend to defame, degrade, or incriminate persons called as witnesses therein, the committee shall observe the following additional procedures, so far as may be practicable and necessary for the protection of such persons:

"(a) The subject of each hearing shall be clearly stated at the outset thereof, and evidence sought to be elicited shall be pertinent to the subject as so stated.

"(b) Preliminary staff inquiries may be directed by the chairman, but no major phase of the investigation shall be developed by calling witnesses until approved by the committee.

"(c) All testimony, whether compelled or volunteered, shall be given under oath.

"(d) Counsel for witnesses may be permitted, in the discretion of the presiding member and as justice may require, to be heard briefly on points of right and procedure, to examine their clients briefly for purposes of amplification and clarification, and to address pertinent questions by written interrogatory to other witnesses whose testimony pertains to their clients.

"(e) Testimony shall be heard in executive session, the witness willing, when necessary to shield the witness or other persons about whom he may testify.

"(f) The secrecy of executive sessions and of all matters and material not expressly released by the committee shall be rigorously enforced.

"(g) Witnesses shall be permitted brief explanations of affirmative or negative responses, and may submit concise, pertinent statements, orally or in writing, for inclusion in the record at the opening or close of their testimony.

"(h) An accurate verbatim transcript shall be made of all testimony, and no alterations of meaning shall be permitted therein.

"(i) Each witness may obtain transcript copies of his testimony given publicly by paying the cost thereof; copies of his testimony given in executive session shall be furnished the witness at cost if the testimony has been released or publicly disclosed, or if the chairman so orders.

"(j) No testimony given in executive session shall be publicly disclosed in part only, except when the committee decides that deletions from the transcript of such testimony are required by considerations of national security.

"20. Whenever the committee determines that any testimony, statement, release, or other evidence or utterance relating to a question under inquiry may tend to defame, degrade, or incriminate persons who are not witnesses, the committee shall observe the following additional procedures, so far as may be practicable and necessary for the protection of such persons:

"(a) Persons so affected shall be afforded an opportunity to appear as witnesses, promptly and at the same place if possible, and under subpena if they so elect. Testimony relating to the adverse evidence or utterance shall be subject to applicable provisions of subsection 19 of this rule.

"(b) Each such person may, in lieu of appearing as a witness, submit a concise, pertinent sworn statement which shall be incorporated in the record of the hearing to which the adverse evidence or utterance relates.

"21. The chairman or a member shall, when practicable, consult with appropriate Federal law-enforcement agencies with respect to any phase of an investigation which may result in evidence exposing the commission of Federal crimes, and the results of such consultation shall be reported to the committee before witnesses are called to testify therein.

"22. Requests to subpena additional witnesses shall be received and considered by the chairman in any investigation in which witnesses have been subpenaed. Any such request received from a witness or other person entitled to the protections afforded by subsection 19 or 20 of this rule shall be considered and disposed of by the committee.

"23. Each committee conducting investigations shall make available to interested persons copies of the rules applicable therein."

[From the Washington Post and Times-Herald of May 23, 1954]

GOP To Seek Uniform Code for Senate Investigations

(By Jack Bell)

Senator WILLIAM F. KNOWLAND, Republican, of California, called yesterday for a sweeping revision in the rules for Senate investigations, pledging that the Republican leadership will back changes at the opening of the next Congress.

In an obvious reaction to public criticism stirred up by the televised McCarthy-Army dispute, KNOWLAND said the Republican policy committee will ask its counterpart Democratic group to cooperate in adopting a uniform code for inquiries.

Although details are not yet spelled out, the Senate Republican leader said in an interview he thinks such a code should deal with the rights of witnesses, methods of issuing subpenas, hearing procedures, and television and broadcasting problems.

NOT PARTISAN MATTER

"This is not a partisan matter," he said. "Senators of both parties are deeply concerned with laying down ground rules for the fair conduct of hearings and at the same time not hamstringing the proper investigative function of Congress.

"We are concerned with maintaining the vital dignity of the Senate, the preservation of proper investigative powers of Congress and the rights of individuals.

"This situation is of such concern that regardless of which party is in control of the Senate, the first order of business when Congress reconvenes next year should be to establish procedures that reflect the judgment of the whole Senate on how its committee should function."

KNOWLAND said it would be obviously impossible to attack this problem except at the beginning of a congressional session when no vital legislation would be blocked by what he conceded is likely to be lengthy discussion of rules changes.

In the meantime, however, he said the Republican leadership will move toward a complete study of necessary rules changes. He said this might be done by subcommittees of the two party policy groups, by the Senate's standing Committee on Rules or by a special bipartisan committee.

He said that while he would like to see both Houses adopt an identical code, he feels that the Senate should go ahead independent of House action.

SOME ALREADY IN EFFECT

The Republican policy committee already has drafted a series of suggested changes in rules which some Senate committees have adopted voluntarily. But the policy group has made no effort to get the Senate approval necessary to enforce these changes on all committees.

These rules, which KNOWLAND said might be used as a pattern, bar one-man investigating subcommittees such as Senator JOSEPH R. MCCARTHY, Republican, of Wisconsin, has operated at times.

The policy committee suggestions proposed that all witnesses have the right to counsel and that subpenas be issued only with the knowledge of the full investigating group.

KNOWLAND indicated the proposed rules changes would take up the issue raised when Chairman WILLIAM LANGER, Republican, of North Dakota, of the Senate Judiciary Committee, allowed unsupported charges to be placed in the public record against Chief Justice Earl Warren before Warren was overwhelmingly confirmed.

The resolution (S. Res. 253), submitted by Mr. BUSH, was referred to the Committee on Rules and Administration.

REVISION OF INTERNAL REVENUE LAWS—AMENDMENT

Mr. LEHMAN submitted an amendment intended to be proposed by him to the bill (H. R. 8300) to revise the internal revenue laws of the United States, which was referred to the Committee on Finance, and ordered to be printed.

ARMY CIVIL FUNCTIONS APPROPRIATIONS, 1955—AMENDMENTS

Mr. DOUGLAS submitted two amendments intended to be proposed by him to the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, which were ordered to lie on the table and to be printed.

DR. FRED W. RANKIN

Mr. CLEMENTS. Mr. President, on Saturday the medical profession, the people of Kentucky, and the Nation suffered a cruel loss. On that day Dr. Fred W. Rankin, one of the most distinguished surgeons in our history, passed away at his home in Lexington, Ky.

Few, if any, members of the medical profession achieved greater heights in the practice of medicine, and few more richly deserved the legion of honors that were bestowed upon him during his life.

Dr. Rankin was born 67 years ago, on December 20, 1886, in the community of Mooresville, N. C., the son of Watson W. and Margaret Houston Rankin.

He served his undergraduate years at Davidson College, in North Carolina, and received his medical training at the University of Maryland.

His interest, from the beginning, was in surgery, and soon after his internship he was on the staff of the famed Mayo Clinic in Rochester, Minn. It was there that he began to acquire fame as one of the world's greatest surgeons.

In 1933 Dr. Rankin entered the private practice of medicine in Lexington, Ky., which was the base of his activities for the rest of his full and gifted life. He became chief surgeon at St. Joseph Hospital, in Lexington. For years, the third floor of St. Joseph's has been devoted exclusively to his patients, who have included notables from every walk of life, who came to secure the life-giving ministrations of this great man of medicine.

In January of this year the amphitheater of the general hospital in Louisville, was expanded and rededicated as the Rankin Amphitheater, in his honor. He was not able to attend the dedication exercises, because the sickness that was eventually to take the last breath from his body made it impossible.

The same sickness also kept him from attending his installation, only last week, as one of only five Americans to become honorary fellows in Edinburgh's Royal College of Surgeons, one of the great institutions of medicine in the world.

But he was present at numerous occasions during his life when honors were conferred on him, particularly for his outstanding accomplishments in surgery performed on those suffering from the dread disease of cancer. He received honorary degrees from Davidson College, the University of Maryland, the University of Kentucky, Northwestern University, the University of Louisville, and Temple University.

He was the third man in our medical history to be named president of the three major medical groups—the American Medical Association, the American Surgical Association, and the College of Surgeons. He was one of the 13 original members of the college.

He served not only his fellowman, but also his country. In World War I, he spent 17 months overseas, ministering to the wounds our fighting men suffered in combat. During World War II, he served for 4 years in the Surgeon General's Office, as chief consulting surgeon to the Armies of the United States. For his work he was awarded uncounted medals by this Nation and by our allies.

Yet, Mr. President, throughout his long and illustrious life of service to mankind, Dr. Rankin also had large interests outside his chosen field. Few, if any, made greater contributions to promoting the finest in thoroughbred industry of our Nation. He was an avid collector of items relating to his interest in thoroughbred racing and his State of Kentucky.

No mortal can strive for a greater memorial, when he is called by his Maker, than that he served to the utmost of his ability. To Dr. Rankin, a greater memorial can be erected, for not only did he give of his great ability, but, in addition, his service to his fellowmen made it possible for hundreds and thousands of them to throw off sickness and disease, thus making it possible for them, in turn, to serve mankind.

Mr. President, I know my colleagues join with me in expressing to the family and the countless friends of Dr. Fred W. Rankin our deepest sympathy in this hour of great loss.

LIMITATIONS ON EXECUTIVE AND LEGISLATIVE POWERS

Mr. SMITH of New Jersey. Mr. President, in reading the New York Times of yesterday, Sunday, May 23, I felt that Mr. Arthur Krock had made a real contribution to an understanding of the pending important issue presented by the present so-called McCarthy-Army hearings. Leaving emotion and prejudice aside, we find the issue to be merely a continuation of the important historic dispute over the limitations on executive and legislative powers. Mr. Krock calls attention to articles I and II of the Constitution and points out the bearing of this issue between the Executive and the legislative in the present widely publicized hearings.

I ask unanimous consent that the article by Mr. Krock, entitled "Eisenhower 'No' in Line With Old United States Tradition," be published in full in the body of the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EISENHOWER "NO" IN LINE WITH OLD UNITED STATES TRADITION—CLEAR CASE FOR THE EXECUTIVE POWER ADDS A PRECEDENT IN THE STRUGGLE EMBEDDED IN THE CONSTITUTION—REAL TEST MAY COME LATER

(By Arthur Krock)

WASHINGTON, MAY 22.—The latest instance of the historic dispute over the boundaries of executive and legislative powers, and just when the frontiers of one have been invaded by the other, is a very minor illustration of the problem. President Eisenhower's order that what was said, written, and decided at conferences among his subordinates could not be furnished on demand by Congress or any of its groups or individuals was so clearly within his constitutional province that the Senate subcommittee of inquiry into the facts of the McCarthy-Stevens controversy quickly left the Senator from Wisconsin alone in this demand.

There was nothing else it could do in law, commonsense, or political wisdom, since the President also had directed the Secretary of the Army to supply the subcommittee with the single fact to which it was plainly entitled and which was essential to the pursuit of its inquiry. This was whether, at a conference of high executive officials in which Secretary Robert T. Stevens was advised by Sherman Adams, of the White House staff, to document his charges of pressure in behalf of Pvt. G. David Schine against Senator JOSEPH R. MCCARTHY and others, command of the battle was taken from Stevens by higher authority. When the Secretary made a public statement to the contrary, the question was disposed of that had troubled the committee after John G. Adams, counsel to the Department of the Army, told them of the conference and Sherman Adams' suggestion.

It was a proper question because the charges against the MCCARTHY group were made under the imprimatur of Stevens; the countercharges were made in the name of MCCARTHY; therefore, the subcommittee was dealing with these as the chief principals. If, as the Senator argued, Stevens' superiors had relieved him of command and initiated the battle in the form in which it was presented to the subcommittee, the inquiry group was quizzing the wrong administration principal, and MCCARTHY was, as he remarked, doing an injustice to the Secretary.

BACK ON THE TRACK

But the Secretary's assertion of full responsibility, both before and after the high executive conference, and the President's certification of this statement, got the subcommittee's inquiry back on the track. MCCARTHY may or may not contend that the Executive order dropped an iron curtain between the subcommittee and the essential facts and, on that contention, refuse to testify or further participate in any way. But the historic issue on which he sought to stand will provide him with no footing, and if he withdraws he will risk the immense hazards of retreat from a political battle he joined and then did not fight.

Nevertheless, the incident is another reminder of an ancient power struggle that will continue as long as article I and article II remain in the Constitution of the United States. Article I defines the area of legislative authority, with implications of a broad power of congressional inquiry which the courts have generally sustained and which, perforce, includes the right of Congress to get information of Executive action essential to the defined legislative function. Article II sets forth the powers of the President as Chief Executive and Commander in Chief of the Armed Forces, with implications of unspecified powers that Presidents have variously construed.

CONSTITUTIONAL CONFLICT

When these implications are asserted by either branch in twilight areas that evoke charges of trespass, the executive-legislative conflict resumes. And such assertions, not plain instances of usurpation of specified powers by one or the other, are what have reopened the irrepressible constitutional conflict from time to time.

It is irrepressible and continuous because the writers of articles I and II deliberately designed it to be. In the history of the Old World, particularly that of the mother country from which the American Colonies had violently separated, were constant and vivid lessons of the evils of overweening power, whether lodged in the Parliament or in the Crown. Especially vivid was the figure of an autocratic monarch, George III. So the Founding Fathers set up a system of separated powers and then restrained them with checks and balances, with the judicial arm finally, under the leadership of Chief Justice John Marshall, asserting the implied but unspecified power over legislation and the acts of the Executive of deciding whether these were in conformity with the Constitution.

JUDICIAL SUPREMACY

The ultimate authority of judicial review, or judicial supremacy, as it is also known, became generally accepted in the last decades of the 19th century, though the first Supreme Court decision that an act of Congress was unconstitutional was delivered by Marshall in 1803 (*Marbury* v. *Madison*) and though on at least two occasions Presidents reserved the right not to enforce its decrees. But the executive-legislative conflict is embedded in the Constitution and the frequency of its recurrence depends on the current disposition of Congress and President and on the nature of the times.

It depends also on the appearance in the White House of a "strong President." If he is the dominant leader of his party, and working party majorities in the Senate and the House do his bidding, his successor is likely to encounter a resurgent Congress, intent on becoming the chief force in the Government. But if his party in Congress is deeply split over his program, even a "strong" President will be plunged into the historic conflict. And whether a President be "strong" or "weak" in his attitude toward the congressional power, the absence of working party majorities will revive the drawn battle between articles I and II.

CURBS BY JUDICIARY

Presidents can be curbed in their interpretation of implied powers by the judiciary, as when the Supreme Court denied Mr. Truman's power to seize the steel industry; by Congress through its control of the public purse and the process of impeachment. But usually the executive-legislative conflict is resolved by the circumstance that possession is nine points of the law.

In this latest instance all 10 points of the law are in President Eisenhower's possession. His place in the history of the ancient struggle with Congress will not, therefore, be determinable until he has fewer points in his favor and stands on them. But he has already discovered that, despite his resolve on taking office to give the widest acceptance to article I, a time may arrive when he, like the many predecessors listed in Attorney General Brownell's memorandum on the issue raised by the testimony of John G. Adams, will have to say to Congress: "No."

PROGRAMS FOR USE OF DIVERTED ACREAGE

Mr. THYE. Mr. President, on February 26, I introduced Senate bill 3036, to require the Secretary of Agriculture to establish programs for the use of acreage diverted from production of the various basic commodities by the establishment of acreage allotments. The bill directs the Secretary of Agriculture to make soil conservation payments to encourage the utilization of such acreage for soil conservation purposes instead of for production of various commodities for the market. The bill also provides for the extension for 2 years of authority to make soil conservation payments, which authority otherwise would expire at the end of this year.

The reason I introduced the bill was to permit the Secretary of Agriculture to encourage farmers to put back into grass acres of land diverted from the production of wheat, corn, and cotton. There is only one way to get the surplus down to manageable proportions, and that is by diverting such acres to soil-building crops, rather than to the production of oats, barley, or some other competitive crop.

I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks an article entitled "Make Dust Bowl Grassland, United States Urged," written by Alfred D. Stedman, and published in the St. Paul Pioneer Press of May 19, 1954. The article refers to a statement by one of Minnesota's outstanding economists, Dr. O. B. Jesness.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAKE DUST BOWL GRASSLAND, UNITED STATES URGED

(By Alfred D. Stedman)

Returning large blocks of plowed-up Dust Bowl lands from grain to grass was proposed Tuesday as a new national and permanent line of attack on wheat surpluses.

The plan was put up to the Government for consideration in a notable address by Dr. O. B. Jesness, University of Minnesota farm economist, to the Millers National Federation in Chicago. There were some signs of a favorable attitude toward the proposal in Washington.

The Jesness proposal, the first suggestion of a new approach to be tossed into the debate raging in Washington over flexible versus fixed price supports, was coupled with finding fault with present wheat plans on two principal counts:

1. The administration's flexible price support plan, Jesness said, will moderate the wheat surplus problem somewhat, but will not be enough to solve it.

2. The plan of cutting wheat acreages uniformly in all regions does not fit a wheat problem that differs with different areas and kinds of wheat, some of which are not in surplus.

"For a more permanent adjustment in wheat output a different approach is needed," Dr. Jesness observed.

For, he declared, whatever the outcome of the Washington debate over farm price supports, the decision does not promise to solve the problem.

The answer, Jesness continued, does not lie in holding parts of farms clear across the board in idleness, but in taking entire units in some areas out of production. This, he said, applies particularly to the Southwest, where a good deal of new acreage was brought in by plowing up grass lands.

"Under the circumstances," he asked, "should we not be giving serious consideration to trying to find a program to encourage and induce the return of considerable areas to grass?" In a southwestern region largely unfenced, it could be done, he said, without great upset to farming people.

"The policy challenge presented by wheat, consequently, appears to be one involving a combination of some moderation in price supports with a positive program to bring about effective adjustment of our capacity to produce wheat. This is the challenge which deserves a careful study and best thought of all of us," Dr. Jesness concluded.

A straw in the Washington wind indicating Secretary of Agriculture Benson may be thinking on similar lines was a remark by him on May 5 before the House Agriculture Committee. Benson characterized most Southwest drought relief as temporary and not going to the heart of the problem, which, he said, is permanent shift from grain to grass of lands unsuited to cultivation. Secretary Benson estimated that "about 8 million acres should be returned to grass."

Considered an advantage of the Jesness plan is that shifting that much land in the Southwest out of wheat would greatly reduced the excuse for cutting acreage of the Northwest's hard spring wheat, which is in good demand by the milling trade. Thus it would ease the pressure of the present program on this region's wheat farmers.

ECONOMIC EFFECT OF GOVERNMENT PURCHASES ABROAD

Mr. MARTIN. Mr. President, recently I saw a copy of a letter addressed to the employees of a plant in Sharon, Pa. It called the attention to the fact that the placing of an order to an English electric company for a transformer to be used in the United States had cost them $1 million in wages and salaries.

We all want to help our neighbors, but we must not forget that our people at home must be employed.

I ask unanimous consent that a paragraph from this letter be printed in the RECORD at this place as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

You have lost this money because your Government elected to have this transformer and others like it built in Stafford, England, or elsewhere in Europe, instead of in Sharon, Pa. In addition to the money you have lost in wages and salaries, the Government has lost approximately $625,000 in taxes which the Transformer Division would have paid to the Government if these transformers had been built in our plant. If you are a stockholder, you have also lost some potential future dividends because the company has lost the profit they would normally have made on this business, part of which would have been used to pay you dividends as a stockholder.

REFORM IN CONGRESSIONAL COMMITTEE PROCEDURES

Mr. IVES. Mr. President, as one who is a sponsor of and strongly favors legislation which would revise congressional procedures, particularly with respect to committee investigations, I was very glad to have brought to my attention a resolution adopted on April 29 at a public meeting sponsored by the Department of New York, Jewish War Veterans of the United States, and excerpts from comments by the Honorable Herman T. Stichman, which were made at the same meeting.

To the many of us who strongly advocate congressional reform in this vital field of congressional activity, it seems to me that the recommendations and observations contained both in the resolution and in Mr. Stichman's comments are worth careful consideration. For this reason I ask that the texts be printed in the body of the RECORD at this point in my remarks.

There being no objection, the resolution and comments were ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED AT PUBLIC MEETING ATTENDED BY OVER 500 PEOPLE, HELD AT HOTEL ASTOR, THURSDAY, APRIL 29, 1954, SPONSORED BY DEPARTMENT OF NEW YORK, JEWISH WAR VETERANS, UNITED STATES OF AMERICA

Whereas we, in public meeting sponsored by the Jewish War Veterans of the United States of America, Department of New York, held at the Hotel Astor, New York City, on April 29, 1954, recognize the need for congressional investigations in the legislative process under the Constitution of the United States of America; and

Whereas certain abuses have, from time to time, evidenced themselves in the work of congressional investigating committees; and

Whereas in the past few years, these abuses have grown to excesses constituting a threat, not only to the civil rights and liberties of our people, but also have impinged on our democratic process and may, if uncurbed, destroy our very form of government itself: Now, therefore, be it

Resolved, That it is the sense of this meeting that Congress take action to establish a fair code of procedure, which shall include:

1. A limitation of its investigations to those areas in which Congress may legitimately make inquiry;

2. That one-man investigating committees be prohibited;

3. That all members of committees be notified of committee meetings and committee action;

4. That evidence reflecting adversely upon individuals living or dead not be made public prior to an adequate opportunity by the individual concerned, if alive, or a representative, if deceased, to refute such material and that such material not be released unless such rebuttal evidence accompanies the release simultaneously;

5. That any individuals or organizations against whom public charges are made have an adequate opportunity as soon as possible, under the same circumstances, to meet these charges including a reasonable opportunity to cross-examine accusing witnesses through counsel;

6. That material not used in official reports be considered confidential, available only to Federal or State agencies of government for proper investigative or executive action;

7. That no public condemnation of any individual or organization be issued by any committee personnel until the inquiry relating to such person or organization is completed and a committee report adopted thereon;

8. That investigating committees be empowered to invoke the aid of Congress in compelling answers to proper questions;

9. That an appropriate committee of each House of Congress be empowered to receive and investigate complaints of alleged abuses of congressional investigating committees.

LESTER N. DUBERSTEIN,
Executive Director.

EXCERPTS FROM COMMENTS BY HERMAN T. STICHMAN AT A FORUM CONDUCTED BY THE DEPARTMENT OF NEW YORK OF THE JEWISH WAR VETERANS, APRIL 29, 1954, HOTEL ASTOR, NEW YORK CITY

Enactment of three measures is essential in order to protect the rights of witnesses who appear or persons who are referred to before congressional committees, permit Congress full scope in use of the investigative process essential to lawmaking and restore the confidence of the American people in the Federal legislative bodies. These measures are:

1. Setting up of a permanent Committee of Review in each House of Congress before which witnesses or persons named at sessions of other congressional committees, who believe they have been unfairly treated there, may present their grievances.

2. Adoption by each House of Congress of uniform rules of procedure to govern all investigating committees in order to safeguard the rights of witnesses appearing and persons who may be mentioned at committee hearings.

3. Empowering the respective Committees of Review to cite for contempt of the Senate or House of Representatives, as the case may be, any committee member or employee who discloses, other than to Congress or at a public hearing, testimony taken at a private hearing.

The role of Congress in the conduct of domestic and international affairs and its necessary intervention in so many aspects of our economy have become so great that its need for use of committee investigative facilities to obtain information essential to lawmaking has increased manifold. We should not deprive it of any of the means requisite to its obtaining such information. But too often, in recent years, we have observed that some members of committees fix their sights so strongly on the ultimate goal to be reached that they fail to focus properly on the constitutional rights of individuals.

"Congressmen are not required to be as judicial as judges—they sometimes, in order to determine all the facts, may have to take on some functions normally associated with the office of advocate. Judges, on the other hand, are not investigators or advocates. They pass on the admission of evidence, they also decide issues or permit juries to do so. Even as to judges and the courts, parties, at least, may appeal although witnesses may not. In many cases, witnesses before congressional committees seem to occupy the position of parties. Why not permit some kind of fair recourse to those persons who may have a legitimate grievance with respect to action by a congressional committee? This would injure no one, but would carry out the concept of American fair play. It might result in the exercise of greater restraint on the part of committee members.

"The permissive field of legislation by Congress has always been great, but until fairly recent years Congressmen relied more heavily on their general knowledge in legislating. Now the work of committees appears to be a major part of congressional activity. Not only are there continuous hearings at home, but there are frequent investigations abroad. The subjects of permissive congressional activity include these fields: (1) taxation, (2) provisions for the common defense and general welfare, including the Army and the Navy, (3) borrowing money, (4) regulation of foreign and interstate commerce, (5) naturalization, (6) bankruptcy, (7) coinage, (8) fixing the standard of weights and measures, (9) counterfeiting, (10) post-offices, (11) patents and copyrights, (12) the Federal judiciary, (13) piracies and offenses against international law, (14) declaration of war.

"And added to all these is the important problem of communism, its influence in our foreign relations, in defense and other governmental activities, in industry, and in other fields where Congress may legislate and so where it may investigate. Indeed, Congress may investigate even where it may not directly legislate; for example, it may investigate commerce wholly within particular States, where it may not legislate, in order to determine its effect on commerce between the States, where it has power to legislate. And it may investigate the functioning of Federal departments and agencies. In fact, its powers are so broad that it has been said that it may investigate to determine when not to legislate.

"While the chief source of controversy in investigatory actions by Congress today is communism, it is not enough merely to set up means to meet only that pressing issue of today. Tomorrow the vital and controversial issue may be something else. So general rules, general safeguards to protect against any eventuality that may arise in the future should now be adopted. It is always difficult to do so after a controversial issue has arisen.

"Not only have our own citizens in recent years turned more to the Federal Government for protection from economic and world forces, but foreign countries have also come increasingly to rely on us. This has greatly enlarged Congress' role and the function of its committees. But this has not brought about any increase in the feeling of responsibility on the part of some Congressmen so far as the rights of some individuals are concerned. So the desirability of the safeguards of an appellate congressional tribunal increases as the role of Congress and its committees increase.

"Further, in order to safeguard the rights of witnesses and others who may be mentioned in present day multifarious committee activities, Congress should adopt a uniform code of rules to govern activities of all committees of original jurisdiction, just as New York State has done and, indeed, using its code as a basis. Such a Federal code might include the following provisions:

1. Hearings to be scheduled on adequate notice.

2. Witnesses to be served with a statement of the subject of the investigation and of rights accorded him by the congressional rules of procedure.

3. Witnesses to be permitted to be accompanied and advised by counsel who should be allowed to suggest to the committee additional questions to be propounded to the witness or to other witnesses who refer to their clients.

4. The witness to be permitted to purchase a copy of the record of his testimony.

5. The witness to be permitted to file a verified statement of reasonable length at the conclusion of his testimony.

6. The witness to be permitted an opportunity to purge himself of contempt.

7. A person mentioned at a hearing by a witness or committee member to be permitted to appear before the committee with all the rights of a witness or, at the option of the committee, to file a verified statement.

8. No public hearing to be held unless at least two committee members are present.

9. No testimony taken at a private hearing to be made public except at a public hearing of committee or before the appropriate House of Congress.

10. Infractions of the Uniform Code of Rules to be punished by the appropriate House of Congress as for a contempt.

EXTENSION OF VOTING RIGHTS TO CITIZENS AT AGE OF 18

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial published in the Washington Post and Times Herald of today entitled "Voting at 18."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VOTING AT 18

The fact that there was no compelling need or widespread national demand for adoption of the proposed constitutional amendment to permit 18-year-olds to vote probably is the best explanation of the amendment's defeat

in the Senate last week. If there had been greater grassroots support, the Senate vote—34 for the amendment and 24 against—might well have reached the required two-thirds majority. Indicative of the lack of interest was the fact that more than a third of the Senators were absent or did not vote. If their constituents had shown a vital concern in this proposition, there would not have been so many absentees.

It is important to remember that no State has to wait on approval of a constitutional amendment if it wishes to change the voting age from 21 to 18 years. Georgia has had 18-year-old voting for the last decade. The Kentucky legislature has approved an amendment to the State constitution lowering the voting age to 18; the amendment will be submitted to the voters for ratification next year. If there were a widespread demand for a lowering of the voting age, other States would be following the Georgia and Kentucky leads.

In urging the adoption of an amendment on 18-year-old voting in his state of the Union message, President Eisenhower argued that, since citizens between the ages of 18 and 21 are summoned to fight when the country is at war, they should participate in the political processes that produce the fateful summons. The President's proposal unquestionably was genuine and was inspired by his own observation of the maturity of young soldiers. Politically, the proposal put the Republican Party in the position of appealing to the youthful voter by showing concern for his interests. Democrats who led the Senate fight against it may rue the day if younger voters take revenge on them. Yet it must be said again that there has not been sufficient mass demand for the proposal to justify amendment of the Constitution at this time. Certainly the Constitution ought not to be amended unless there is a compelling reason to do so.

It is far fetched, however, to argue, as Senator RUSSELL argued last week, that the proposal constituted inexcusable infringement on the rights of the States to fix voting age limits. After all, the amendment could not have been approved without indorsement by the legislatures of three-fourths of the States. The 19th amendment granting suffrage to women on a nationwide basis certainly did not constitute an inexcusable infringement on the rights of the States. It is interesting to note that Senator RUSSELL believes 18-year-old voting has worked out well in Georgia. If it is tried and successfully worked out in a few other States, backers of the constitutional amendment will have an easier task when and if it again comes to a vote in Congress.

Mr. LANGER. Mr. President, at this session of Congress, the Judiciary Committee of the Senate has reported a number of proposed constitutional amendments. One of the most widely misrepresented was the one upon which the Senate voted last Friday. One radio commentator after another stated that the reason which was advanced for extending to 18-year-olds the right to vote was that as President Eisenhower had said that if they were old enough to fight, they were old enough to vote. That is not the truth. So far as I know, every Republican in this body voted for the proposed constitutional amendment for the reason that at the present time 18-, 19-, and 20-year-old boys have not voted for the Senators and Congressmen and therefore have had no representation in the Congress when it comes to making the decision as to whether or not the youths shall be sent to war. That was the main question, as was disclosed so clearly by the Senator from Illinois [Mr. DIRKSEN] in one of the finest speeches delivered on the floor of the Senate in favor of the amendment, which was also strongly endorsed by the distinguished majority leader, the Senator from California [Mr. KNOWLAND] and by the chairman of the Republican Policy Committee, the Senator from Michigan [Mr. FERGUSON].

This misrepresentation made by radio commentators I am calling to the attention of the American people. The main issue was whether American boys from 18 to 21 years of age should have the right to vote for Members of Congress who have the power to send them to Asia or to Europe or to some other part of the world, perhaps to die.

I may say, Mr. President, that in the opinion of the senior Senator from North Dakota that question was not answered at all by the Senators on the other side of the aisle.

We fought the Revolutionary War because of taxation without representation. At the present time the young people between the ages of 18 and 21 have no representation when Congress considers the question of whether they shall be sent across the oceans as members of the armed services.

I can assure the Senate that this amendment is not dead, but, as was said by the distinguished Senator from Illinois [Mr. DIRKSEN], it will come up again and again and again and again, until it is passed.

The senior Senator from North Dakota is very proud of the record made by the Republican Party last Friday, when the Members of the Senate on this side of the aisle voted unanimously to give representation to the youth of America, who may be called upon to die in the service of their country. That record will stand out as a lighthouse on a dark night in this attempt to do justice to the youths of the United States. Particularly do I congratulate the majority leader [Mr. KNOWLAND] upon his keen insight of the problem involved in this amendment and the refusal of the distinguished Senator from Michigan [Mr. FERGUSON] to be diverted personally or as head of the Republican policy committee to be swayed by the fallacious arguments of those who are afraid to trust the youth of this country.

THE CALL OF THE CALENDAR

The VICE PRESIDENT. Under the order previously entered, the next order of business is the call of the calendar. The Secretary will call the first measure on the calendar.

ATTORNEY'S LIEN BILL PASSED OVER TO NEXT CALENDAR CALL

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States was announced as first in order.

Mr. HENDRICKSON. Mr. President, in view of the fact that important amendments are being carefully considered in connection with this bill, I ask unanimous consent that it go over to the next call of the calendar. I ask unanimous consent that it be included in the next call of the calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

MR. AND MRS. EDWARD LEVANDOSKI

The bill (H. R. 887) for the relief of Mr. and Mrs. Edward Levandoski was considered, ordered to a third reading, read the third time, and passed.

Mr. GORE subsequently said: Mr. President, did the clerk call Calendar No. 1179, House bill 887, or Calendar No. 1152, Senate bill 42?

The VICE PRESIDENT. Calendar No. 1152, Senate bill 42, was called, and on request of the Senator from New Jersey it went over to the next call of the calendar.

Calendar No. 1179, House bill 887, was called and passed.

Mr. GORE. Mr. President, I did not understand that Calendar No. 1179, House bill 887, was to be called today. It is a bill which was previously called on the call of the calendar. I was not aware of any special order by which it was to be called today. Objection has been registered to the bill with the Calendar Committee. I therefore ask unanimous consent that the proceedings by which the bill was passed be vacated and that the bill go over.

The VICE PRESIDENT. Without objection, it is so ordered, and the bill is restored to the calendar.

E. S. BERNEY

The bill (S. 46) for the relief of E. S. Berney was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. S. Berney, of Fallon, Nev., the sum of $12,000, in full satisfaction of his claim against the United States for damages sustained by him as a result of representations made to him, on or about August 1943, by responsible officers of the Department of the Navy to the effect that the Navy would take over his ranches to be used as part of a bombing range on or before October 1, 1943, with the result that he moved or sold his cattle and other property at a loss, when in fact, the Navy did not enter on such ranches until April 10, 1944, and for which losses he has never been compensated since the ranches were considered abandoned property in fixing compensation in the condemnation proceeding which followed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. IVES in the chair). Without objection, it is so ordered.

The Secretary will state the next bill on the calendar.

BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites" was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

The PRESIDING OFFICER. An explanation has been requested.

Is there any Senator present who can explain the bill?

Mr. HENDRICKSON. Mr. President, I ask that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, it is ordered.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 83) favoring the suspension of deportation in the case of certain aliens was considered and agreed to.

(For text of above concurrent resolution, see CONGRESSIONAL RECORD of May 17, 1954, p. 6616.)

CERTAIN CHINESE CHILDREN

The bill (S. 974) for the relief of certain Chinese children was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Chee-on Wong, Chee-leong Wong, Qew-Yuen Wong, and Mee-Yuen Wong, shall be held and considered to be the natural-born alien children of William Wong Foon Kew, a citizen of the United States.

APOSTOLOS SAVVAS VASSILIADIS

The bill (S. 992) for the relief of Apostolos Savvas Vassiliadis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Apostolos Savvas Vassiliadis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PAUL E. ROCKE

The bill (S. 1165) for the relief of Paul E. Rocke was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. GORE. Mr. President, I should like to have an explanation of the bill.

Mr. LANGER. Mr. President, this bill proposes to pay the sum of $373 to Paul E. Rocke, of Warren, Ohio, in full settlement of all claims against the United States for property damage sustained on May 3, 1946, when an Army reconnaissance car driven by a soldier who was using such car without authority, ran into the automobile of Mr. Rocke.

A member of the United States Army was authorized to drive an Army vehicle to his home at night and return with it in the morning inasmuch as storage space for the vehicle was not otherwise available in the city. In the event that the vehicle was required for official use during the evening hours it was the practice to issue official trip tickets for such use.

The committee in recommending favorable consideration of this bill does not believe that this is an ordinary unauthorized use case. This was, in effect, a bailment for the benefit of the Government. The dangerous instrumentality was placed in the hands of the soldier by the Government rather than being taken by him without authority. It was only the particular use to which it was put which was unauthorized. The committee is of the opinion that a mere disobedience of orders in this case is not enough to absolve the Government from the negligence resulting in the damage to claimant's automobile. The committee is of the opinion that by placing control and custody in this soldier's hands during the evening hours it was assuming a liability for the negligent act which occurred.

The Department of the Army recommends favorable consideration of this claim.

The committee, therefore, recommends favorable consideration of this bill, S. 1165.

Mr. GORE. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. GORE. The record does not show whether the injury to the aggrieved party resulted in that party seeking recovery from the driver of the vehicle. Does the Senator know whether that is or is not the case?

Mr. LANGER. Unfortunately, I do not know whether it is or is not the case.

Mr. GORE. Does the distinguished chairman of the committee not think that this case may set a precedent, perhaps an unfortunate one? I ask that question because the circumstances are such that it would seem to me that other employees of the Government might have similar accidents, and, following this precedent, the aggrieved or injured party might impute to the Government some degree of negligence to the extent that it allowed the vehicle to be available and to be driven by some agent of the Government, and thereby make the Government liable for whatever accident might occur.

Mr. LANGER. I may say that the Committee on the Judiciary has had before it a great many of these claims. We scrutinize each one of them as carefully as is possible. Where the Army recommends, as it does in this case, that the claim be allowed—and I might say the Army, as a general rule, recommends against such cases—the committee usually follows the recommendation of the Army. In this case, as I recollect, there was a hearing by a subcommittee. The subcommittee listened to all the testimony and reported favorably on the claim.

Mr. GORE. The facts alleged here are that the Army sergeant used an automobile beyond the scope of his duty, and thereby we make the Government responible for whatever tort he committed.

Let me ask the Senator from North Dakota if the same logic would not impute to the Government liability for whatever damage might accrue from the unauthorized use of an automobile by a Government employee. Let us take an example. Suppose an employee of the Department of Agriculture were authorized to use a Government-owned automobile in the course of his official duties during the day. Then suppose he was to keep the car at his home at night, but, contrary to his authorization, and in violation of the law, he used the automobile at night for his personal benefit. According to the logic followed in this case, would not the Government be liable for whatever damage the employee might cause with the automobile?

Mr. LANGER. There is no question about that at all. It would be a bailment in the hands of the officer, given to him by authority of the Government; and, undoubtedly, in my opinion, the Government would be liable.

Mr. GORE. Is not that directly contrary to the intent of the Tort Claims Act?

Mr. LANGER. No.

Mr. GORE. I am not questioning the authority and the power of Congress to pass such a bill, but is not that the exact kind of case in which the injured person should look to the individual Government employee who was personally responsible for the damage?

Mr. LANGER. Of course, the Government could still sue the person, if it wanted to, and if it deemed a suit would be worth while. The Government is subrogated to any rights of the soldier as against the man who ran into him. But in this case I call the attention of the distinguished Senator from Tennessee to the last paragraph of the letter received from the Secretary of the Army, as follows:

Inasmuch as the official custody of the Army car at night had been placed in Technician (Third Grade) Braun, and as the evidence clearly shows that the damage to the claimant's car was caused solely by the negligence of said soldier, it is the view of the Department of the Army that the United States may properly assume liability for the damages sustained by the claimant. The Department, accordingly, has no objection to the approval of this bill.

The soldier could not sue anyone at all, because he was the person who was negligent. There was no one whom the soldier could sue. The soldier was the one who was negligent. The Government had turned the vehicle over to the soldier.

The view of the Department of the Army was concurred in by the Bureau of the Budget.

Mr. GORE. Mr. President, because of the circumstances, I shall not object to the consideration of the bill; but immediately after its passage, I shall ask unanimous consent that the Senate proceed to the consideration of calendar 1362, H. R. 2433, for the relief of the legal guardian of Raymond Gibson, a minor, a bill which is somewhat similar and involves a point which I desire to call to the attention of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 1165?

There being no objection, the bill (S. 1165) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul E. Rocke, Warren, Ohio, the sum of $373. The payment of such sum shall be in full settlement of all claims of the said Paul E. Rocke against the United States for property damage sustained on May 3, 1946, when an Army reconnaissance car, driven by a soldier who was using such car without authority, ran into the automobile of the said Paul E. Rocke which was properly parked on Market Street, Warren, Ohio: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

LEGAL GUARDIAN OF RAYMOND GIBSON, A MINOR

Mr. GORE. Mr. President, out of order, I ask unanimous consent that the Senate proceed to the consideration of calendar 1362, House bill 2433, for the relief of the legal guardian of Raymond Gibson, a minor.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 2433) for the relief of the legal guardian of Raymond Gibson, a minor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to consider the bill.

Mr. GORE. I ask for an explanation of the bill.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. LANGER. The bill proposes to pay the sum of $1,000 to the legal guardian of Raymond Gibson, a minor, in full settlement of all claims against the United States on account of the personal injuries, pain and suffering undergone by him, medical and hospital expenses incurred for his treatment, and the damage caused to his bicycle as a result of an accident involving an Army vehicle which occurred at the intersection of Lakeland Road and 55th Street, in Lakeland, Md., on May 7, 1949, and while the driver of the Army vehicle was not acting within the scope of his employment at the time the accident occurred.

Raymond Gibson, a minor, was struck by an automobile operated by a soldier who had been engaged in driving an Army doctor on patient calls and who returned to the motor pool, gassed the car, and departed on an unauthorized mission of his own. While on such mission he struck this young boy, knocking him unconscious, and resulting in hospitalization for a period of 5 days.

A claim in the amount of $1,000 was disapproved by the Department of the Army for the reason that the driver of the Army vehicle involved in this accident was not acting within the scope of his employment at the time the accident occurred, a condition precedent to the approval of a claim of this nature.

The committee in recommending favorable consideration of this proposed legislation is of the opinion that this is not an ordinary unauthorized use case, in view of the fact that the vehicle had been delivered to him by proper authorities and that the departure from the motor pool after gassing up was not such an unauthorized use as would preclude the Government from the liability for damages to this young boy. The Department of the Army recommends favorable consideration of this claim.

The committee, therefore, recommends favorable consideration of this bill.

Those are the facts. I might say that the Committee on the Judiciary has been for a long time considering amending the Tort Claims Act. It is questionable whether or not the claim should not have been filed as a tort claim. The committee considered that question carefully.

On the other hand, the committee has been considering each case according to its own peculiar set of facts. A subcommittee considers the situation and the facts of each case as it arises.

In this case, as the distinguished Senator from Tennessee will observe, the committee reported unanimously in favor of paying $1,000 to the young lad who was injured while on his bicycle.

Mr. GORE. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. GORE. In the previous case, Senate bill 1165, which was passed, I raised some question. The reason assigned by the committee for recommending passage of the bill was that the automobile involved in that case was in the lawful custody of the soldier. In the case under consideration, however, there was no lawful custody; yet the committee reached the same conclusion.

Mr. LANGER. That is correct. In this particular case, the vehicle had been taken out of a motor pool. After the driver had returned the car to the motor pool for refueling, he then used the car for unauthorized purposes.

The committee, having considered all the facts, decided that the car had been in a motor pool, that the soldier had been driving the car, that he had returned it, and had then taken it for his own use, in violation of the rules and regulations. Nevertheless, the proximate cause of the accident was, perhaps, the fact that the soldier had the automobile in his possession, because he had taken it from the motor pool shortly before the accident.

Mr. GORE. It seems to me that the question to be raised here is whether the Committee on the Judiciary and the Senate will take the position of waiving all the rules and all the requirements of the Tort Claims Act, and will pass a bill or not pass a bill, dependent on whether we are softhearted or hardhearted. It appears to me that there should be a more rigid application of the rules and more attention paid to the law.

I do not question the authority of the Senate to pass such bills if, in its wisdom, it so desires; but I make inquiry of the Senator from North Dakota if he does not believe it to be in the interest of orderly procedure that more of these cases should be referred to the courts, and fewer of them brought to the floor of the Senate.

Mr. LANGER. I may say to my friend, the distinguished Senator from Tennessee, that the Senate Committee on the Judiciary has spent many, many hours during the past 18 months considering the very proposition which the Senator has stated. Consider, for example, the previous case, which involved $373. The committee feels that in a great many of such instances, the persons who are hurt should not be obliged to hire an attorney and to have to pay a number of bills in order to collect $373, when, in the last analysis, the Governments admits that the Government itself is to blame.

In the present case, the sum of $1,000 is involved. A subcommittee of the Committee on the Judiciary went into the matter very fully. As I have said before—and I am glad the Senator from Tennessee has raised this question—my colleagues on the Committee on the Judiciary, from both sides of the aisle, will verify the fact that the committee has spent many hours going into these matters fully and completely, and in this case we felt that the claim should be allowed. We have sat as a group attempting to do equity and justice under the sets of facts as they have been developed. In the instant case, we felt that we were doing justice by allowing the claim.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (H. R. 2433) was ordered to a third reading, read the third time, and passed.

MRS. KATHERINE L. SEWELL

Mr. GORE. Mr. President, I ask unanimous consent that Calendar No. 1370, House bill 1331, for the relief of Mrs. Katherine L. Sewell, which involves a somewhat similar phase of the same situation, be considered at this time.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 1331) for the relief of Mrs. Katherine L. Sewell.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to consider the bill (H. R. 1331) for the relief of Mrs. Katherine L. Sewell, which had been reported from the Committee on the Judiciary with an amendment, on page 1, at the beginning of line 6, to strike out "$10,000" and insert "$5,000."

Mr. GORE. I ask for an explanation of the bill.

Mr. LANGER. The proposed legislation, as amended, would pay the sum of $5,000 to Mrs. Katherine L. Sewell, in full settlement of her claims against the United States, on account of personal injuries sustained by her when the automobile in which she was riding was struck by a Government vehicle on Okinawa Island on April 3, 1949.

The claimant herein was a passenger in a private automobile operated by her husband, Maj. George H. Sewell, which was struck by an Air Force jeep operated by an airman who had been on official business, but whose authorization for the official use of the vehicle had expired several hours previously.

As a result of this accident, the claimant suffered extensive injuries necessitating a long period of hospitalization. Her injuries consisted of a broken collarbone, fractured left hip, and a cut on her face requiring 14 stitches. She was placed in a body cast for 6 weeks. Claimant incurred no medical expense since she was treated for her injuries at military hospitals. A claim filed by Mrs. Sewell in the amount of $40,000 for personal injuries was denied by the Department of the Air Force on the ground that there is no statute available under which this claim can be considered.

The Department of the Army recommends favorable consideration of the proposed legislation in view of the fact that the evidence establishes that the accident and resulting personal injuries were not caused by any fault or negligence on her part, or on the part of the driver of the automobile in which she was riding. That Department believes that the sum of $5,000 would be a fair and equitable sum in settlement for the injuries sustained by Mrs. Sewell.

The committee is constrained to recommend favorable consideration of this bill and believes that an amount of $5,000 would be a fair and equitable settlement for this claim. The dangerous instrumentality was placed in the hands of the driver by the Government rather than having been taken by him without authority. That he did not return it in accordance with his instructions, in the opinion of the committee, does not absolve the Government of negligence in this case.

The committee, therefore, recommends favorable consideration of H. R. 1331.

Mr. GORE. Mr. President, the Senate is now in the process of considering the third of a series of three bills which involve the question of liability on the part of the Government for use of certain automobiles. In the first case, passage of the bill was recommended on the basis of authorized custody of a vehicle. In the second, the recommendation was based on unauthorized custody. In the third, recommendation for passage is based on the actions of an inebriated person who wrongfully took possession of an automobile. If the Senate applies the logic used in the recommendation for the passage of the three bills which I have mentioned to all such claims, and allows these bills to stand as a precedent, hereafter under what circumstances can liability on the part of the Government be denied? The question I wish to raise is whether or not the Tort Claims Act should not be amended to grant jurisdiction to the Federal judiciary to consider tort claims arising out of the use of Government automobiles.

Mr. LANGER. I may say to my distinguished friend from Tennessee that that question has been raised by the Senator from Idaho [Mr. WELKER]. The committee will get to that matter as soon as there is a little time to consider it, and the committee will likely recommend amendment of the Tort Claims Act. The subcommittee presided over by the Senator from Idaho is now considering the question. All I can say to the Senator from Tennessee is that the committee considers each case and goes into the aspects of the case as carefully as possible. Many claims have been denied again and again where it was felt by the committee that the person who was injured was not entitled to compensation in the light of justice and equity. It is a question of the committee's going into each case and trying to do justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ELIE JOSEPH HAKIM AND FAMILY

The bill (S. 1382) for the relief of Elie Joseph Hakim and family was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Elie Joseph Hakim, Marie Hakim (his wife), and Mathilde Hakim and Joseph Hakim (their minor children) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct four numbers from the appropriate quota for the first year that such quota is available.

THERESA ELIZABETH LEVENTER

The bill (S. 1902) for the relief of Theresa Elizabeth Leventer was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Theresa Elizabeth Leventer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PAULA NEUMANN MAHLER (PAULA NEUMANN SCHIBUK)

The bill (S. 1967) for the relief of Paula Neumann Mahler (Paula Neumann Schibuk) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Paula Neumann Mahler (Paula Neumann Schibuk) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ESPERANZA JIMENEZ TREJO

The bill (S. 1991) for the relief of Esperanza Jimenez Trejo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Esperanza Jimenez Trejo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

MARK VAINER

The Senate proceeded to consider the bill (S. 914) for the relief of Mark Vainer, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to insert a colon and *"Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mark Vainer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GERTRUD TRINDLER O'BRIEN

The Senate proceeded to consider the bill (S. 1900) for the relief of Gertrud Trindler O'Brien, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Gertrud Trindler O'Brien may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OTTILIE THERESA WORKMANN

The Senate proceeded to consider the bill (S. 1904) for the relief of Ottilie Theresa Workmann, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Ottilie Theresa Workmann may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. ANNEMARIE NAMIAS

The Senate proceeded to consider the bill (S. 1959) for the relief of Mrs. Annemarie Namias, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Annemarie Namias may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EDWARD E. JEX

The Senate proceeded to consider the bill (S. 2009) for the relief of Mrs. Edward E. Jex, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Edward E. Jex may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONTINUATION OF PROVISIONS OF TITLE II OF THE FIRST WAR POWERS ACT, 1941

The Senate proceeded to consider the bill (S. 3103) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That section 2 of the act of January 12, 1951 (64 Stat. 1257), as amended, is further amended by striking out "1954" and inserting in lieu thereof "1955."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGOT GOLDSCHMIDT

The Senate proceeded to consider the bill (S. 1889) for the relief of Margot Goldschmidt, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the word "fee", to strike out "and head tax"; and on page 2, line 1, after the word "available", to insert a colon and *"Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Margot Goldschmidt shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN LAMPROPOULOS

The bill (H. R. 1345) for the relief of John Lampropoulos was considered, ordered to a third reading, read the third time, and passed.

KENNETH R. KLEINMAN

The bill (H. R. 1772) for the relief of Kenneth R. Kleinman was considered, ordered to a third reading, read the third time, and passed.

DON B. WHELAN

The bill (H. R. 2022) for the relief of Don B. Whelan was considered, ordered to a third reading, read the third time, and passed.

TRANSFER TO FREDERICK W. LEE OF RIGHT, TITLE, AND INTEREST TO A CERTAIN INVENTION

The bill (H. R. 3041) to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention was considered, ordered to a third reading, read the third time, and passed.

THEODORE W. CARLSON

The bill (H. R. 3109) for the relief of Theodore W. Carlson was considered, ordered to a third reading, read the third time, and passed.

MRS. ANN ELIZABETH CAULK

The bill (H. R. 4532) for the relief of Mrs. Ann Elizabeth Caulk was considered, ordered to a third reading, read the third time, and passed.

MRS. JAMES J. O'ROURKE

The bill (H. R. 4961) for the relief of Mrs. James J. O'Rourke was considered, ordered to a third reading, read the third time, and passed.

COL. HENRY M. DENNING AND OTHERS

The bill (H. R. 4996) for the relief of Col. Henry M. Denning, and others, was considered, ordered to a third reading, read the third time, and passed.

ROBERT E. LEIBBRAND AND ROSE LEIBBRAND

The bill (H. R. 5772) for the relief of Robert E. Leibbrand and Rose Leibbrand was considered, ordered to a third reading, read the third time, and passed.

HONORING OF VETERANS ON ARMISTICE DAY

The bill (H. R. 7786) to honor veterans on the 11th day of November of each year, a day dedicated to world peace, was considered, ordered to a third reading, read the third time, and passed.

ARTHUR S. ROSICHAN

The Senate proceeded to consider the bill (H. R. 3522) for the relief of Arthur S. Rosichan, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 5, after the word "of", to strike out "$1,935.85" and insert "$659.85."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. JOSETTE L. ST. MARIE

The Senate proceeded to consider the bill (H. R. 6452) for the relief of Mrs. Josette L. St. Marie, which had been reported from the Committee on the Judiciary with an amendment, in line 8, after the word "duty", to insert a colon and *"Provided*, That no benefits under this act shall accrue prior to the date of the application filed by Mrs. Josette L. St. Marie on August 31, 1945."

The amendment was agreed to.

Mr. GORE. Mr. President, I ask for an explanation of the bill.

Mr. LANGER. Mr. President, this bill would make the dependent mother of a soldier who committed suicide at Camp Shelby, Miss., eligible for certain benefits under the veterans regulations. At the time of his suicide, an Army investigating officer found that he was of unsound mind, and that, therefore, he died in line of duty, and not as a result of his own misconduct. This finding was approved by a line-of-duty board, and later was approved by the Secretary of War.

When the decedent's mother filed with the Veterans' Administration a claim for service-connected death compensation, that office made an independent finding that the death of the serviceman was due to his own willful misconduct, and, therefore, denied the claim for such compensation.

A subcommittee and the full committee carefully studied the records in this case, including the report of the Department of the Army and the Veterans' Administration, and concluded that the view taken by the Department of the Army was the proper one. The committee report which accompanies the bill states in part:

> We believe that it was the intention of Congress that the restrictive provisions of the law be applied strictly to the transgressor himself but not necessarily to the total exclusion of those who may be indirectly eligible for the benefits provided by law.

If the bill is enacted, it will result in a death compensation payment to the mother of $60 a month.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

STATUS OF PERMANENT RESIDENCE FOR CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 455) granting the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 4, after line 14, to insert:

A-6948174, Castillo, Zenoma Martinez do or Zenoma Martinez or Zenoma Martinez-Camejallis.
A-7046218, Rothstein, Rebecca.
A-0901104, Tsien, Hsue Chu.
A-6624888, Tsien, Mrs. Yi Ying (nee Li).
A-6253121, Liman, Kerupe Herant.
A-6384103, Liman, Violet (nee Haki).
A-5886859, Ryynanen, Eino Olave.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

CONSERVATION OF WATER RESOURCES

The bill (S. 3137) to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—although I shall not object, because I believe this bill proposes very good legislation—let me say the bill has some unique insurance features; and I wish to have the distinguished chairman of the Committee on Agriculture and Forestry explain the bill, for the purpose of the RECORD.

Mr. GORE. Mr. President, some Members of this side of the aisle are interested in the bill. I wonder whether the Senator from New Jersey will yield, so that I may suggest the absence of a quorum, in order that all interested Members may be present.

The PRESIDING OFFICER. The Chair would suggest that the bill be placed at the end of the calendar, so as to avoid the delay incident to having a quorum call at this time.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill will again be read by title, so that all Members may be informed as to the measure now reached on the call of the calendar.

The LEGISLATIVE CLERK. A bill (S. 3137) to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and for other purposes.

Mr. GORE. Mr. President, may we have an explanation of the bill?

Mr. AIKEN. Mr. President, I believe this is one of the best measures we shall have an opportunity to act on at this session.

So far as I know, there is no objection to the provisions of the bill, which would make three changes in the Water Facilities Act, under which the Government makes loans for the construction and maintenance of facilities for water storage and utilization.

The Water Facilities Act now is applicable only to the arid and semiarid areas of the United States. The pending bill would make that act applicable to the entire United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

At present Government financial assistance is limited to $100,000 for any one project. The bill would replace that limitation with a limitation upon the amount of indebtedness which any one debtor may have outstanding at any one time. In the case of an individual, the limitation would be $25,000; in the case of a corporation or agency, it would be $250,000. The larger limitation for corporations and agencies would permit assistance in the construction and maintenance of community facilities.

Finally, Mr. President, the committee amendment provides for insurance of private loans. At present, the Secretary of Agriculture makes only direct loans, using the funds appropriated for that purpose. Under the amendment, not to exceed $25 million of loans could be insured in any one year. In insuring the loans, the Secretary would utilize the fund created by title I of the Bankhead-Jones Farm Tenant Act. It is my understanding that the language of the amendment follows very closely the language to be found in that act.

Mr. MONRONEY. Mr. President, will the Senator from Vermont yield to me?

Mr. AIKEN. I yield, insofar as time is available to me.

Mr. MONRONEY. I desire to compliment the distinguished chairman of the Committee on Agriculture and Forestry on his presentation of the bill.

I believe the bill will prove very beneficial in respect to providing additional water storage and irrigation facilities, not only for the arid regions of the country, but also for places where rainfall is intermittent and where drought would be very harmful to farming operations, for the bill also would extend to the nonarid States the right to receive these

loans, for the purpose of installing water systems, not only for irrigation and stock water purposes, but also for the purpose of supplying sanitary water services to farm homes or farm communities.

Mr. AIKEN. The Senator's assumption is correct. Only about half the farm homes of the United States have running water at the present time.

Mr. MONRONEY. This measure would allow such projects to be financed, not for a year, but over a reasonable length of time, so as to assure a safe and dependable water supply for farm consumption and operations on the farm.

Mr. AIKEN. That is true. I may add that the chairman of the Committee on Agriculture and Forestry claims no particular credit for this bill. It has been generally sponsored by Senators on both sides of the aisle, including the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. ANDERSON], and many other Senators. As I recall there are 20 sponsors of the bill. Undoubtedly there could have been three times that number had there been an opportunity to consult them all. It is generally recognized that the bill is important to those of the farm population who are without water for bathing, drinking, or irrigation purposes.

The Senator from Texas [Mr. JOHNSON] has also been very much interested in the bill.

Mr. STENNIS. Mr. President, will the Senator yield to me on my time?

Mr. AIKEN. I yield on the time of the Senator from Mississippi.

Mr. STENNIS. I commend the chairman of the Senate Committee on Agriculture and Forestry and other Senators who have worked on this bill. I think it means a great deal to the areas affected, especially in view of new labor problems, and in view of the tendency toward the utilization of a small number of fertile acres rather than the old method of working many acres of less fertility.

Last year the champion corn grower in my State was a man living in my home county. His achievement was possible because of irrigation. Ordinarily the land would not receive sufficient rainfall at regular intervals to assure top production. He produced 132 bushels of corn to the acre. There is no danger of Mississippi entering the commercial corn market to any appreciable extent. It is only a matter of growing corn for home consumption, and as feed for livestock.

The incident I have mentioned is an excellent illustration of the possibilities of this proposed legislation, particularly the loan feature. I believe that a plan has been devised which is eminently sound, conservative, and safe. It will work from a practical standpoint, and will mean a great deal to the small farmer, and the small landowner, as well as those with larger acreage.

Protection is afforded by the establishment of a ceiling, so that the program will not run away with itself and require too much financing.

I hope the Senate will see fit to pass the bill. If it can become law, I believe it will bring fine returns, and will be an important step forward.

Mr. AIKEN. Both the Senator from Mississippi and his colleague [Mr. EASTLAND] have been very effective in helping the bill along to its present position on the calendar. I realize how much it means to the people of the State of Mississippi.

Mr. COOPER. Mr. President, on my own time may I ask a question or two of the distinguished Senator from Vermont?

The PRESIDING OFFICER. Without objection, the Senator may proceed on his own time.

Mr. COOPER. Like other Senators, I wish to commend the distinguished Senator from Vermont and the Committee on Agriculture and Forestry, as well as other Senators who are sponsors of the bill, for their action in bringing the bill to the floor of the Senate. My colleague [Mr. CLEMENTS] is one of the sponsors of the bill.

Kentucky has been a drought State for the past 3 years. I am certain that the bill will offer opportunities for farmers in Kentucky to conserve and provide water for their use. As I understand, this bill, if enacted, can be used to provide water for domestic use, for stock, and for irrigation.

Mr. AIKEN. That is correct. It can be used to bring water into the house and into the barn, for the use of the family and the livestock.

Mr. COOPER. The Senator stated in his explanation of the bill that funds are available, I believe under title 1 of the Bankhead-Jones Act. Does the Senator know what funds are available at present? Are there sufficient funds to begin this program?

Mr. AIKEN. Yes, the law provides authority to borrow a sufficient amount to carry out the purposes of the act. It is not anticipated that any huge amount will be necessary.

Mr. COOPER. In the last year I have noticed in my State that hundreds of ponds and reservoirs have been constructed, some of them privately, and some of them under the program of the ACP. How will this program work in connection with the program which is being carried on at present under the conservation services?

Mr. AIKEN. It is my opinion that the proposed legislation would dovetail perfectly into the other programs, by providing the money to do the work.

Mr. COOPER. The Senator knows that a great deal has been done in the past year in the field of soil conservation.

Mr. AIKEN. Oh, yes. One has only to fly across the country 2 or 3 times to see the great amount of beneficial work which has been done in that field.

Mr. COOPER. I thank the Senator.

Mr. CASE. Mr. President, I do not wish to detain the Senate or delay passage of the bill. I should like to enter my word of support for the passage of the bill. I do so because I have had something to do with the legislation which this bill is designed to supplement.

Back in 1936 and 1937 there was a drought condition in the Great Plains area. Former Senator Burton Wheeler, of Montana, in the Senate, and I, in the House, sponsored legislation which came to be known as the Wheeler-Case Act. It was an act which provided for supplemental water for irrigation projects, in some instances, and supplemental water for other purposes in other instances. It was designed to get double duty from the dollars which were being expended for relief purposes. People who were receiving grants from the Resettlement Administration, as well as those receiving relief from the WPA, were authorized to work on these projects; and, to the extent that the relief labor was contributed, the project did not have to repay that part of the cost to the Government. It was believed that that was better than assigning people to leaf-raking jobs.

At the present time no projects are being developed under that program because we have no general relief labor program. In that connection, I invite attention to what the Undersecretary of Agriculture says in his report, dated March 10, 1954:

> When the Wheeler-Case Act was amended by the act of October 14, 1940, which authorized more intensive development of smaller reclamation, flood control, and power projects, the limitation was enacted into basic legislation—

That is, the limitation on the size of the project—

> No new projects are now being constructed under the Wheeler-Case Act, due to the fact that the formula for the justification of such projects included the use of WPA and other relief labor, which is not now available.

The Under Secretary continues:

> Now that the smaller reclamation undertakings are no longer being developed under the Wheeler-Case Act there exists a gap between the size of the facilities which can be undertaken now under the Water Facilities Act and the projects being developed under the reclamation laws by the Bureau of Reclamation. That gap should be closed. This bill would be a step in that direction.

It would be a step in that direction, Mr. President. It would help to fill that gap. Therefore I hope the bill will be approved by the Senate, by the House, and by the President.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3137) to make the provisions of the act of Aug. 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments on page 2, line 14, after the word "new", to strike out "section" and insert "sections"; at the end of line 24, to strike out the quotation mark; and after line 24, to insert:

> "SEC. 9 (a) In order to establish a program of insuring loans made by lenders other than the United States which comply with the requirements of this act and are in furtherance of its objectives, the Secretary of Agriculture—
>
> "(1) is authorized to insure and make commitments to insure such loans on such terms and conditions as he may prescribe;
>
> "(2) is authorized to include in insurance contracts agreements to service loans insured thereunder and to purchase such loans which are not in default on such terms and conditions as he may prescribe;
>
> "(3) shall utilize the insurance fund (hereinafter called the Fund) created by section 11 of the Bankhead-Jones Farm Tenant

Act, as amended, and the provisions of sections 13 (b) and (c) of the said Bankhead-Jones Farm Tenant Act to discharge obligations under insurance contracts made pursuant to this act;

"(4) shall require the borrower to pay such insurance charges as he deems proper, taking into account the amount of the loan and prior liens: *Provided, however,* That the charge shall be payable in advance at intervals of 1 year or less and shall be at a rate equal to at least 1 percent per annum of the principal outstanding on the loan insured on the due date of the charge;

"(5) may utilize the Fund to pay taxes, insurance, prior liens, and other expenses to protect the security for loans which have been insured hereunder, and to acquire such security property at foreclosure sale or otherwise;

"(6) shall liquidate acquired security property in such manner and on such terms as he deems will best preserve the Fund; and

"(7) shall have authority to make such rules and regulations and such delegations of authority as he deems appropriate in order to carry out the provisions of this act.

"(b) Notes and the security therefor acquired by the Secretary under insurance contracts shall become a part of the Fund. The notes may be held in the Fund and collected according to their terms or may be sold and reinsured. All proceeds from such collections, including the liquidation of security, and sales shall become a part of the Fund.

"(c) One-half of all insurance charges shall become a part of the Fund and one-half shall be deposted in the Treasury of the United States and shall be available for administrative expenses in connection with the insurance program authorized by this act.

"(d) Any contract of insurance executed by the Secretary under this act shall be an obligation of the United States and incontestable except for fraud or misrepresentation of which the holder of the contract has actual knowledge. The provisions of sections 11 and 13 (b) and (c) of the Bankhead-Jones Farm Tenant Act, as amended, shall be applicable and available for the purpose of providing funds for the discharge of obligations arising under the insurance program authorized by this act.

"(e) The aggregate amount of the principal obligations on loans insured under this act, shall not exceed $25 million in any one fiscal year.

"(f) The first paragraph of section 24, chapter 6, of the Federal Reserve Act, as amended (12 U. S. C., 1952 edition, 371) is hereby amended by inserting after the phrase 'Bankhead-Jones Farm Tenant Act' the following: ', or the act of August 28, 1937, as amended'."

So as to make the bill read:

Be it enacted, etc., That the act entitled "An act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes," approved August 28, 1937 (50 Stat. 869), is amended—

(1) By deleting the phrase "in the arid and semiarid areas of the United States" from the first sentence in the first section;

(2) By deleting the phrase "in the arid and semiarid areas of the United States" in the last sentence of the first section and inserting in lieu thereof the following: "in the United States, including the Territories of Alaska and Hawaii, and Puerto Rico and the Virgin Islands."

(3) By deleting the phrase "in the said areas" wherever it appears in section 2.

(4) By inserting at the end of said act the following new sections:

"SEC. 8. No aid shall be extended under the provisions of this act which will result in any individual, partnership, trust, estate, or unincorporated association becoming indebted to the United States in a principal amount outstanding at any time in excess of $25,000, or which will result in any corporation or agency becoming indebted in a principal amount outstanding at any time in excess of $250,000, or which after January 1, 1954, shall provide for construction work, other than technical assistance, being done by the Secretary.

"SEC. 9 (a) In order to establish a program of insuring loans made by lenders other than the United States which comply with the requirements of this act and are in furtherance of its objectives, the Secretary of Agriculture—

"(1) is authorized to insure and make commitments to insure such loans on such terms and conditions as he may prescribe;

"(2) is authorized to include in insurance contracts agreements to service loans insured thereunder and to purchase such loans which are not in default on such terms and conditions as he may prescribe;

"(3) shall utilize the insurance fund (hereinafter called the Fund) created by section 11 of the Bankhead-Jones Farm Tenant Act, as amended, and the provisions of sections 13 (b) and (c) of the said Bankhead-Jones Farm Tenant Act to discharge obligations under insurance contracts made pursuant to this act;

"(4) shall require the borrower to pay such insurance charges as he deems proper, taking into account the amount of the loan and prior liens: *Provided, however,* That the charge shall be payable in advance at intervals of 1 year or less and shall be at a rate equal to at least 1 percent per annum of the principal outstanding on the loan insured on the due date of the charge;

"(5) may utilize the Fund to pay taxes, insurance, prior liens, and other expenses to protect the security for loans which have been insured hereunder, and to acquire such security property at foreclosure sale or otherwise,

"(6) shall liquidate acquired security property in such manner and on such terms as he deems will best preserve the Fund; and

"(7) shall have authority to make such rules and regulations and such delegations of authority as he deems appropriate in order to carry out the provisions of this act.

"(b) Notes and the security therefor acquired by the Secretary under insurance contracts shall become a part of the Fund. The notes may be held in the Fund and collected according to their terms or may be sold and reinsured. All proceeds from such collections, including the liquidation of security, and sales shall become a part of the Fund.

"(c) One-half of all insurance charges shall become a part of the Fund and one-half shall be deposited in the Treasury of the United States and shall be available for administrative expenses in connection with the insurance program authorized by this act.

"(d) Any contract of insurance executed by the Secretary under this act shall be an obligation of the United States and incontestable except for fraud or misrepresentation of which the holder of the contract has actual knowledge. The provisions of sections 11 and 13 (b) and (c) of the Bankhead-Jones Farm Tenant Act, as amended, shall be applicable and available for the purpose of providing funds for the discharge of obligations arising under the insurance program authorized by this act.

"(e) The aggregate amount of the principal obligations on loans insured under this act, shall not exceed $25 million in any fiscal year.

"(f) The first paragraph of section 24, chapter 6, of the Federal Reserve Act, as amended (12 U. S. C., 1952 edition, 371) is hereby amended by inserting after the phrase 'Bankhead-Jones Farm Tenant Act' the following: ', or the act of August 28, 1937, as amended'."

SEC. 2. Section 7 of the act entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States", approved August 11, 1939, as amended (53 Stat. 1418; 54 Stat. 1119, 1124; 63 Stat. 171), is repealed.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. EASTLAND subsequently said: Mr. President, I ask unanimous consent to place in the body of the RECORD a statement which I prepared relative to the Water Facilities Act which passed the Senate today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EASTLAND

On April 22, 1954, I made a speech in the Senate relative to the extension of the Water Facilities Act, now applicable to 17 arid States, to the entire United States.

I am pleased to report that the Senate Committee on Agriculture on Monday, May 17 reported the bill to the Senate for passage.

However, a change was made in the original bill by the Senate committee which, I think, greatly improved the original legislation. The original legislation provided for the Farmers Home Administration to make direct loans to farmers at 3 percent interest, on a 20 year basis, for the purpose of drilling wells, erecting irrigation ponds, and purchasing irrigation equipment. The loans to be secured by increased production resulting from supplemental irrigation.

On May 17, the Senate Committee on Agriculture adopted an amendment to the original proposal and provided for a program of insured loans which will authorize banks, Production Credit Associations, and other private institutions to make loans to farmers to purchase irrigation equipment in the humid areas and the loans thus made will be insured by the Farmers Home Administration. This insured loan program will operate under section 2 of the Bankhead-Jones Farm Tenant Act, as amended.

The bill likewise provides for direct financing by the Farmers Home Administration as outlined heretofore. Funds will also be made available for this direct financing by the Farmers' Home Administration.

The Senate Committee is of the opinion that the insured loan feature will give greater flexibility to the program and will permit private financing under reasonable, fair and equitable terms.

Since I spoke in the Senate on April 22, I have had brought to my attention a very interesting table which shows the availability of underground water in many of the States and the humid area. I want to insert this table in the RECORD:

	Percent
Mississippi	98
Wisconsin	98
Florida	95
Michigan	95
New Jersey	90
Alabama	85
Louisiana	80
Nebraska	80
Missouri	70
Georgia	70
Arkansas	65
South Carolina	65
North Carolina	65
Iowa	60
Tennessee	60
Illinois	50
Texas	50
Kansas	50
Virginia	50
Indiana	45
Ohio	45
Washington	45

It will be noted from the preceding table that 98 percent of the entire area of the State of Mississippi has underground water available for irrigation purposes. Much of the water available is artesian water. None of the water available is so deep that it cannot be economically pumped and made available at a price which will justify its use.

In limited areas where water may not be available ponds can be constructed. These ponds can likewise be financed under the plan. As I predicted before, the day the Senate passes this bill will inaugurate one of the most far-reaching developments that American agriculture has yet made. Supplemental irrigation is coming, and coming fast, to the humid areas of the United States.

SOUTHEASTERN INTERSTATE FOREST-FIRE PROTECTION COMPACT

The bill (S. 2786) granting the consent and approval of Congress to the Southeastern Interstate Forest-Fire Protection Compact was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLAND. Mr. President, the pending bill relates to an interstate compact proposed for and by the 10 Southeastern States at a regional Forestry Conference. The proposed compact is subject to approval by Congress. It includes a provision that any other State adjoining a compact State may become a member of the compact. The compact will provide for cooperation among the States in the prevention and suppression of forest fires. Without discussing the subject at length, I ask unanimous consent that the report of the committee be made a part of my remarks at this time.

There being no objection, the report of the Committee on Agriculture and Forestry (No. 1372) was ordered to be printed in the RECORD, as follows:

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2786) granting the consent and approval of Congress to the southeastern interstate forest fire protection compact, having considered the same, report thereon with a recommendation that it do pass without amendment.

The bill would grant approval of the Congress to a compact by 10 Southeastern States for a cooperative program in preventing and suppressing forest fires. The compact follows the general pattern of the northeastern interstate forest fire protection compact which the Congress approved in 1949.

A copy of the report from the Department of Agriculture explaining the proposed bill and compact is attached hereto as a part of this report:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 12, 1954.

Hon. GEORGE D. AIKEN,
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR AIKEN: This is in reply to your request of January 21, 1954, for a report on S. 2786, a bill granting the consent and approval of Congress to the southeastern interstate forest fire protection compact.

This bill would grant approval of Congress to a compact by certain Southeastern States to obtain cooperation in preventing and suppressing forest fires. It would provide for individual State fire plans and an integrated regional fire plan. Compact administrators, one from each State, would guide the compact with the assistance of an advisory committee representing legislators, forestry commissions, and forest industry. A State requesting aid would be required to assume costs for States rendering aid. The bill would provide that the compact shall not affect any existing or future cooperative relationship or arrangement between any Federal agency and a member State or States. S. 2786 follows the general pattern of the northeastern interstate forest fire protection compact, enacted in 1949 (63 Stat. 271).

The enactment of the bill would not affect the programs of this Department. Neither would it obligate the Department unless it accepted responsibilities under article VII. That article states that the compact administrators may request the Forest Service to act as a research and coordinating agency of the compact and authorizes the Forest Service to present to the compact administrators its recommendations with respect to the regional fire plan. This Department could accept the research and coordinating responsibilities under existing authority and without additional direct Federal expenditures.

The severe drought of the past 2 years in the Southeastern States indicates a need beyond the capacity of a single State when a forest fire disaster strikes. This is a principal reason why the compact is proposed.

Protection of the timber resource from fires is important to the economic and industrial stability of the Southeast. The 10 States comprising the proposed compact area contain more than 98 billion cubic feet of standing timber, or 21 percent of the standing timber of the United States. The area produces about half of the Nation's pulpwood and about one-third of its lumber.

This Department believes that the interstate compact proposed in S. 2786 would be helpful in attaining greater protection against forest fires in the member States and, therefore, recommends enactment of the bill.

The Bureau of the Budget advises that from the standpoint of the program of the President there is no objection to the submission of this report.

Sincerely yours,

E. T. BENSON, *Secretary.*

Mr. HOLLAND. Mr. President, I hope the bill will be passed and the consent of Congress thereby given to the proposed compact.

Mr. STENNIS. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. STENNIS. The Senator from Florida has stated that the bill refers to a compact which has already been negotiated and is subject to confirmation by Congress.

Mr. HOLLAND. The Senator is correct.

Mr. STENNIS. I further understand that the bill is in the interest of forest-fire protection. I ask the Senator, as a member of the Committee on Agriculture and Forestry, to make an explanatory statement of the bill for the RECORD and for the information of the Senate. I should like to have the Senator cover the high points of the bill and to say something with respect to the problem and the progress that is being made in solving it, if he is prepared to do so at this time.

Mr. HOLLAND. I shall be very glad to do so.

The bill would give sanction and standing, through congressional approval to the compact as already negotiated among the 10 southeastern States. The purpose of the compact is to enable the 10 southeastern States to join forces in the prevention and fighting of forest fires. Forest fires have no respect for State lines.

In addition, no individual State can have sufficient equipment or personnel to deal with a major outbreak. The compact would make available, in fighting a serious conflagration all the equipment possessed by the neighboring compact States. The compact would make it possible for adjoining States to focus their equipment, and their personnel, and their knowhow upon any serious problem that may arise in the field of forest-fire outbreaks in all those States. We believe that to be the commonsense method of combating this problem.

Incidentally, we are indebted to the Northeastern States for the program they worked out, which was previously approved by Congress some years ago, and which has proved to be successful. We are simply following in the path which has proven to be very beneficial to the participating States that have already joined together in the northeastern forest-fire-fighting compact.

Mr. STENNIS. That is one of the points which I was interested in having the RECORD show, namely, that the compact under consideration is patterned on the experience obtained in the Northeastern States, which have been very effectively working together, as the Senator from Mississippi understands.

Mr. HOLLAND. The Senator is correct. The Senator from Florida notes that the distinguished junior Senator from Alabama [Mr. SPARKMAN] has entered the Senate Chamber. Since he was the leading sponsor of the measure, the Senator from Florida invites him to participate in the discussion, if he wishes to do so.

Mr. AIKEN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. AIKEN. I merely wish to say that in putting forward this proposed legislation, the Senators from the Southeastern States are performing a great service for their communities and their States.

As has been mentioned, the seven Northeastern States were given authority to join together in fighting forest fires, and also to join with the neighboring provinces in Canada, although the latter development has not materialized as yet because of the red tape that must first be unwound before such a compact can be brought into being.

The compact in the Northeastern States has worked wonderfully well, and I believe it has reduced damage from forest fires to what we might call a bare minimum.

Mr. HOLLAND. I thank the Senator. The report of the Secretary of Agriculture shows that the 10 States which have proposed the pending compact have within the boundaries of the compact area more than 98 billion cubic feet of standing timber, or 21 percent of the standing timber in the United States, and that the area produces about one-half of the Nation's pulpwood and about one-third of its lumber supply.

Mr. STENNIS. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. STENNIS. I wish to point out that this vast timber-growing area of the Southeast is one of the great assets of the Nation. The production of pulpwood is a comparatively new industry in that area, as is the production of poles and saw logs and piling, and so forth, and it is absolutely essential that everything possible be done to give that great area fire protection.

Although we are fortunate to have oil and gas in some areas of the Southeast, I have said many times that long after that oil and gas are gone the pine trees and the regrown forests will be furnishing a livelihood for hundreds of thousands of our people. I commend the Senator from Florida and the Senator from Alabama for their interest and work in connection with this matter.

Mr. SPARKMAN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I shall be glad to yield.

Mr. SPARKMAN. I merely wanted to add a brief comment, which is prompted by something the Senator from Mississippi stated in speaking about the advancement in the production of pulpwood in that area. Only a few days ago I received a letter from the man in charge of operations of one of the paper mills in our section of the country, the Coosa River Newsprint Co. In the course of the letter he told me how much money that mill had spent in the area from which it buys pulpwood. He told me how many mills it has in various counties there, although I have forgotten how many counties he mentioned. He made a very significant statement, to which I particularly invite the attention of the Senator from Mississippi. He told me that the amount of money which that one mill had spent for pulpwood in that area—and it is a large area—had during the several years of the operations exceeded the value of the cotton mills in the same counties.

Mr. STENNIS. I am not surprised. It is very interesting to hear the Senator make that statement.

Mr. HOLLAND. Mr. President, in closing I should like to make this further statement: In addition to producing about one-half of the Nation's pulpwood and about one-third of its lumber, the area which is affected by the compact produces almost all of the supply of naval stores of the Nation.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the Southeastern Interstate Forest Fire Protection Compact, as hereinafter set out. Such compact reads as follows:

"SOUTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

"ARTICLE I

"The purpose of this compact is to promote effective prevention and control of forest fires in the southeastern region of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest-fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest-fire protection compacts or agreements, and for more adequate forest protection.

"ARTICLE II

"This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, which are contiguous have ratified it and Congress has given consent thereto. Any State not mentioned in this article which is contiguous with any member State may become a party to this compact, subject to approval by the legislature of each of the member States.

"ARTICLE III

"In each State, the State forester or officer holding the equivalent position who is responsible for forest-fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such States in forest-fire prevention and control.

"The compact administrators of the member States shall coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact.

"There shall be established an advisory committee of legislators, forestry commission representatives, and forestry or forest products industries representatives which shall meet from time to time with the compact administrators. Each member State shall name one member of the Senate and one member of the House of Representatives who shall be designated by that State's commission on interstate cooperation, or if said commission cannot constitutionally designate the said members, they shall be designated in accordance with laws of that State; and the governor of each member State shall appoint 2 representatives, 1 of whom shall be associated with forestry or forest products industries to comprise the membership of the advisory committee. Action shall be taken by a majority of the compacting States, and each State shall be entitled to one vote.

"The compact administrators shall formulate and, in accordance with need, from time to time, revise a regional forest-fire plan for the member States.

"It shall be the duty of each member State to formulate and put in effect a forest-fire plan for that State, and take such measures as may be necessary to integrate such forest-fire plan with the regional forest-fire plan formulated by the compact administrators.

"ARTICLE IV

"Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combating, controlling, or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

"ARTICLE V

"Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

"No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance, or use of any equipment or supplies in connection therewith: *Provided*, That nothing herein shall be construed as relieving any person from liability for his own negligent act or omission, or as imposing liability for such negligent act or omission upon any State.

"All liability, except as otherwise provided hereinafter, that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

"Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and subsistence of employees and maintenance of equipment incurred in connection with such request: *Provided*, That nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense, or other cost or from loaning such equipment or from donating such service to the receiving member State without charge or cost.

"Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

"For the purposes of this compact the term "employee" shall include any volunteer or auxiliary legally included within the forest fire-fighting forces of the aiding State under the laws thereof.

"The compact administrators shall formulate procedures for claims and reimbursement under the provisions of this article, in accordance with the laws of the member States.

"ARTICLE VI

"Ratification of this compact shall not be construed to affect any existing statute so as to authorize or permit curtailment or diminution of the forest fire-fighting forces, equipment, services, or facilities of any member State.

"Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules, or regulations intended to aid in such prevention, control, and extinguishment in such State.

"Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between any Federal agency and a member State or States.

"ARTICLE VII

"The compact administrators may request the United States Forest Service to act as a research and coordinating agency of the Southeastern Interstate Forest Fire Protection Compact in cooperation with the appropriate agencies in each State, and the United States Forest Service may accept responsibility for preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan. Representatives of any Federal agency engaged in forest fire prevention and control may attend meetings of the compact administrators.

"ARTICLE VIII

"The provisions of articles IV and V of this compact which relate to mutual aid in combating, controlling, or preventing forest fires shall be operative as between any State party to this compact and any other State which is party to a regional forest

fire protection compact in another region: *Provided*, That the legislature of such other State shall have given its assent to such mutual-aid provisions of this compact.

"ARTICLE IX

"This compact shall continue in force and remain binding on each State ratifying it until the legislature or the Governor of such State, as the laws of such State shall provide, takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact."

SEC. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it in accordance with its terms.

SEC. 3. The right to alter, amend, or repeal this act is expressly reserved.

APPOINTMENT OF COL. LELAND HAZELTON HEWITT TO INTERNATIONAL BOUNDARY AND WATER COMMISSION

The bill (H. R. 9004) to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, and for other purposes, was announced as next in order.

Mr. GORE. Over.

Mr. SMITH of New Jersey. Mr. President, will the distinguished Senator from Tennessee permit me to say a word about the bill before it is passed over?

Mr. GORE. I withhold my objection.

Mr. SMITH of New Jersey. Mr. President, this matter came up on the last call of the calendar as Calendar No. 1334, S. 3457 to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes.

The bill went over because certain questions were asked and remained unanswered. I am prepared to answer those questions, and I should like to answer them for the record, if I may, and then I shall ask if the distinguished Senator from Tennessee will consider having the Senate pass the measure today.

I may say, incidentally, that subsequent to the Senate consideration of the Senate bill on the last call of the calendar the House passed the measure now before the Senate, H. R. 9004, Calendar No. 1376, which is identical with the bill we previously had before us, S. 3457.

Mr. President, I should like to state that the bill authorizes the appointment of Col. Leland Hazelton Hewitt, United States Army, retired, as United States Commissioner on the International Boundary and Water Commission, United States and Mexico.

Special authorization is required because of the provisions of the act of July 31, 1894, which bar retired officers of the armed services with retired pay of more than $2,500 from other public offices to which compensation is attached. The pending bill will exempt Colonel Hewitt from this limitation and permit him to accept the salary of United States Commissioner in lieu of his retired pay, without prejudice to his rights as a retired officer. According to the Defense Department, this will cause no apparent increase in the budgetary requirements for the Defense Department.

The question was very properly raised, when the matter came before us, as to the salary which Colonel Hewitt would receive as United States Commissioner. The answer to that question is that he will receive approximately what his predecessor received, namely, $14,300 per annum.

The second question was: "Will he at the same time draw retirement pay?"

The answer to that question is that he will not at the same time draw retirement pay.

The third question was: "After he serves on the Commission without retirement pay and his services with the Commission terminate, will he revert to his previous status and draw retirement pay?"

The answer to that question is in the affirmative.

The fourth question was: "What percentage of the United States Commissioner's time will be required?"

The answer to that question is that the position of United States Commissioner is very much a full-time job.

The International Boundary and Water Commission, United States and Mexico, consists of a United States Commissioner and a Mexican Commissioner, and can act only when both Commissioners are present. The treaty of 1944 with Mexico requires that each be an engineer and work under the policy direction respectively of the Department of State and the Mexican Ministry of Foreign Relations. Functioning as an international body, the Commission is charged by numerous treaties and national laws with the conduct of a positive program of cooperative action between Mexico and the United States for solution of boundary problems of an engineering nature. These problems include equitable division of the international waters of the Rio Grande, conservation and storage of these and other international waters, construction and operation of international dams, alleviation of sanitation hazards, and stabilization of the river boundary. These responsibilities are of great importance in our relations with Mexico and particularly to the Americans living along the 1,900-mile boundary to the south.

The committee considered the matter very seriously before it submitted its report. We feel that Colonel Hewitt is unusually qualified for the position to which the President desires to appoint him. He has received West Point training and was also educated at the Massachusetts Institute of Technology. He would bring a unique knowledge and experience to the Commission. The committee, therefore, unanimously urged the Senate to give its approval to the bill enabling the President of the United States to appoint Colonel Hewitt as Commissioner.

I shall be glad to answer any questions.

The PRESIDING OFFICER. The Senator from Tennessee has objected to the consideration of the bill.

Mr. SMITH of New Jersey. Mr. President, does the Senator still wish to object to the passage of the bill?

Mr. GORE. Mr. President, it is by request that I ask that the bill go over, without prejudice. I personally have no objection to the bill. It is at the request of other Senators that I must ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ISSUANCE OF PATENT IN FEE TO JESSE BELL

The bill (H. R. 1705) authorizing the Secretary of the Interior to secure a patent in fee to Jesse Bell was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CONSTITUTION OF INTERNATIONAL LABOR ORGANIZATION

The joint resolution (S. J. Res. 156) providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization was announced as next in order.

Mr. HENDRICKSON. Mr. President, this is a very important measure. I wonder if we may have a thorough explanation of it.

Mr. IVES. Mr. President, the pending joint resolution in a sense speaks for itself. It would authorize the President to accept on behalf of the United States the instrument for the amendment of the constitution of the International Labor Organization—otherwise known as the ILO—which was adopted at Geneva on June 25, 1953, by the International Labor Conference at its 36th session.

By this constitutional change the governing body of the ILO would be increased from 32 to 40 persons, of whom the Government representatives would be increased from 16 to 20 and the employer and worker representatives would be increased from 8 to 10 each. At the same time an obsolete provision requiring that of the present 16 Government members 6 shall be from non-European states would be eliminated.

The ILO now has a membership of 69 states. Each member state is entitled to be represented at the conference by 4 delegates—2 representing the Government, 1 representing the employers, and 1 representing the workers.

Constitutional amendment is obtained through the approval of two-thirds of the member delegates voting in the conference, followed by ratification or acceptance by two-thirds of the member states themselves. In addition it is required that at least 5 out of the 8 states of so-called chief industrial importance, which are automatically represented on the governing body, shall be included among those ratifying or accepting constitutional amendments.

The 8 states of chief industrial importance are designated by the governing body and under the proposed constitutional change would be increased to 10.

One of the chief purposes in thus mandating this increase is to permit Japan

and the Federal Republic of Germany—as states of chief industrial importance—automatically to become members of the governing body. At the same time, by this increase two additional smaller states also would be represented on the governing body.

These amendments received unanimous approval at the 1953 conference when they were adopted by a vote of 189 to 0, with 2 abstentions. In this connection it is especially interesting to note that these proposed constitutional changes were supported most vigorously by the smaller states, especially by our Latin American friends.

It is important that this joint resolution receive earliest possible favorable consideration by the Congress. The next conference of the ILO convenes next month and it is most desirable that these provisions receive the approval of the United States Government prior to that time.

Since I introduced this resolution, I have been informed that two-thirds of the members states, including the fifth state of chief industrial importance, as required by the Constitution, have ratified or accepted these amendments, thereby putting them into effect.

The urgency, therefore, becomes a matter of demonstrating to the member states the continued interest of the United States in the ILO. For all of these reasons, Mr. President, I urge approval of the pending joint resolution.

Mr. SMITH of New Jersey. Mr. President, I should like to add to what the distinguished Senator from New York has said, that a full meeting of the committee was held, the distinguished Senator from New York appeared before us, and was questioned very closely on the matter, because it involves an international relationship.

The Senator gave us all the facts, and we voted unanimously to recommend that the joint resolution be passed.

I might point out one thing, Mr. President, which I do not think the Senator mentioned, namely, that Brazil, which we are trying to keep on the governing body, is the only Latin American country represented on the governing body as a chief industrial state.

Mr. IVES. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield.

Mr. IVES. The reason why I did not mention that, Mr. President, is because with Soviet Russia returning to the ILO there is some question as to what state will have to be dropped. When the change was made, Soviet Russia was not a member of the ILO and its return was not contemplated.

I do not think it is definitely known which nation will be affected.

Mr. SMITH of New Jersey. I thank the Senator.

This joint resolution was taken up with the State and Labor Departments and has the full approval of both departments.

Mr. GORE. Mr. President, reserving the right to object, the senior Senator from New Jersey has just stated that the matter involves a very important international agreement, partaking almost of the nature of a treaty. That raises a question in my mind as to whether the joint resolution should pass on the Consent Calendar. The joint resolution would authorize the President to enter into such an agreement, thereby giving the agreement a standing even above that of an executive agreement. From the able explanation by the distinguished senior Senator from New York, the proposal appears to be entirely worthy; but there is a question in my mind whether it should pass on the Consent Calendar.

Mr. IVES. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. IVES. While that might be definitely true in connection with treaties, which I do not believe should be ratified on the Consent Calendar, I know of no objection in the world to this proposal. None whatsoever has ever been raised. As a matter of fact, what is proposed to be accomplished by the joint resolution is already in effect, as I have previously stated. From my viewpoint, because of the action of the other members of the International Labor Organization, I think it is important that the United States speed action on its part, because the ILO will be convening for its next conference within a couple of weeks, and if the Senate does not act promptly, it will be difficult to have the measure acted upon by the House in time.

There is no objection whatsoever to the proposal. It merely provides a numerical increase in the governing body, and nothing more.

Mr. GORE. Can the distinguished Senator from New York give assurance that no action will follow the passage of the bill other than an increase in the governing body of the International Labor Organization?

Mr. IVES. And also it eliminates the obsolete matter, to which I referred, and which does not belong in the constitution of the ILO. That action was taken on an amendment suggested by me in Europe last summer.

Mr. GORE. The Senator from New York recognizes, does he not, the inadvisability of passing such a measure as this on the Consent Calendar?

Mr. IVES. I most certainly do; and, if time were not so much of the essence as it is at present, I would agree with the distinguished Senator from Tennessee that the proposal should not be acted on in this way. But since there is no objection to it, I think the Senate should expedite its passage.

Mr. GORE. With that assurance from the Senator from New York, I shall withdraw my objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 156) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas the United States of America is a member of the International Labor Organization; and

Whereas the International Labor Conference, considering the desirability of increasing the size of the governing body of the International Labor Office to take account of increases in the membership of the organization, adopted for this purpose at Geneva on June 25, 1953, at its 36th session an instrument for the amendment of the constitution of the International Labor Organization; and

Whereas the delegation of the United States of America to the 36th session of the International Labor Conference unanimously supported the aforesaid instrument of amendment, which was approved by 189 votes to 0, with 2 abstentions: Therefore, be it

Resolved, etc., That the President is hereby authorized to accept on behalf of the United States of America the instrument for the amendment of the constitution of the International Labor Organization adopted at Geneva on June 25, 1953, by the International Labor Conference at its 36th session.

The preamble was agreed to.

SALE OF CERTAIN PROPERTY OWNED BY THE DISTRICT OF COLUMBIA

The bill (S. 2654) to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia, located in Montgomery County, Md., and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and empowered, in their discretion, for the best interests of the District of Columbia, to sell and convey, in whole or in part, to the highest bidder at public or advertised sale, real estate now owned in fee simple by the District of Columbia consisting of approximately seventeen and seventeen one-hundredths acres of land located in Montgomery County, in the State of Maryland, and described in two certain deeds, namely, (1) a deed made November 7, 1898, from Damaris A. Sellman and Frederick O. Sellman to the District of Columbia, recorded on November 21, 1898, in liber T. D. numbered 6, folio 238, one of the land records of Montgomery County, Md., and (2) a deed made April 1, 1899, from Damaris A. Sellman and Frederick O. Sellman to the District of Columbia, recorded April 12, 1899, in liber T. D. numbered 8, folio 141, one of the land records of Montgomery County, Md.

SEC. 2. The said Commissioners are further authorized to pay the reasonable and necessary expenses of sale of each parcel of land sold pursuant to the provisions of this act, and shall deposit the net proceeds thereof in the Treasury of the United States to the credit of the District of Columbia.

REDEMPTION OF DISTRICT OF COLUMBIA TAX STAMPS

The bill (H. R. 4940) to provide for the redemption of District of Columbia tax stamps was considered, ordered to a third reading, read the third time, and passed.

REGULATION OF PRACTICE OF VETERINARY MEDICINE IN THE DISTRICT OF COLUMBIA

The bill (S. 2172) to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to regulate the practice of veterinary medicine in the Dis-

trict of Columbia," approved February 1, 1907 (34 Stat. 870; title 2, ch. 8, D. C. Code, 1951 ed.), is amended (a) by striking from the first sentence thereof the words "shall have been a bona fide resident of said District for 3 years last past before appointment, and each, during said period", and (b) by inserting before the period at the end of the first sentence the words "for a period of 3 years immediately prior to such appointment."

SEC. 2. Section 3 of the said act of February 1, 1907, is amended (a) by striking "some veterinary college authorized by law to confer the same, which college shall require at least two sessions of study of veterinary medicine of not less than 6 months each prior to the issue of such diploma, and graduates of 2-year colleges shall accompany their diplomas by satisfactory evidence that they have practiced veterinary medicine for 5 years last past subsequent to the issue of such diplomas", and inserting in lieu thereof "a veterinary college having a curriculum equivalent to that required by the American Veterinary Medical Association Council on Education for approved schools and authorized by law to confer said diploma, which college shall require at least four sessions of study of veterinary medicine of not less than 9 months each prior to the issue of such diploma", and (b) by striking from the fifth sentence the words "in January, April, July, and October of each year", and inserting in lieu thereof the words "when one or more applicants desire examination."

MERGER OF COLUMBUS UNIVERSITY OF WASHINGTON WITH CATHOLIC UNIVERSITY OF AMERICA

The Senate proceeded to consider the bill (S. 3213) relating to the merger of the Columbus University of Washington, District of Columbia, into the Catholic University of America, pursuant to an agreement of the trustees of said universities, which had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 21, after the word "University", to insert "of America", so as to make the bill read:

Be it enacted, etc., That the merger of the Columbus University of Washington, District of Columbia, a corporation organized under the provisions of subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia, 1901 edition, which incorporation was altered and confirmed by acts of Congress approved June 11, 1934, and June 18, 1953, into the Catholic University of America, a corporation organized under the provisions of class 1, chapter 18, of the Revised Statutes of the United States relating to the District of Columbia, which incorporation was altered and confirmed by act of Congress approved April 3, 1928, be, and the same is hereby, approved and confirmed.

SEC. 2. The Columbus University shall upon the approval of this act convey its real and personal property, including any trusts or endowment funds which it has or enjoys, to the Catholic University of America, to be used by it for the students thereof to the same extent and for the same purposes that Columbus University and its students have used or enjoyed the same, or for the general purposes of the said Catholic University of America.

SEC. 3. After the completion of the merger herein provided and after the law students presently enrolled in the Columbus University have completed their courses, but not later than June 15, 1957, the said Columbus University shall be dissolved and no longer operate as an educational institution, and thereafter the law school of the Catholic University of America shall be known as the Columbus School of Law of the Catholic University of America.

SEC. 4. Nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AFFECTING THE DISTRICT OF COLUMBIA PASSED OVER

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that Calendar 1384, H. R. 7061, to prescribe and regulate the procedure for adoption in the District of Columbia; Calendar 1385, H. R. 7062, to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia; and Calendar 1388, S. 3387, to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes, be passed over, in order to allow further study. The calendar committee has not had an opportunity to analyze the bills.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. HENDRICKSON. I yield.

Mr. BEALL. These bills have been favorably reported by the Committee on the District of Columbia. If there is an objection to them, I wish the Senator would state the objection.

Mr. HENDRICKSON. The bills were reported only last Friday. The Calendar Committee has not had an opportunity to examine them. I advised the distinguished Senator from South Dakota [Mr. CASE], who is chairman of the Committee on the District of Columbia, that I would ask that the bills go over for the purpose of further study.

Mr. BEALL. I may say to the Senator from New Jersey that two of the bills relate to the adoption law of the District of Columbia. I happen to be familiar with them, having been the author and sponsor of the original bills in 1943, in the other House. The bills would merely make corrections in the law, which have been deemed to be necessary after a period of 10 years, by those in the District of Columbia who handle the adoption of children, such as the District of Columbia Commissioners, and the different religious organizations, representatives of all of whom have appeared before the committee and asked for the changes or corrections.

It is the desire of the committee to have the bills acted on as soon as possible, because they have been very carefully studied by all the interested agencies which handle the adoption of children in the District of Columbia.

Mr. HENDRICKSON. I certainly shall not delay the consideration of the bills by the Senate, but I insist that I should like to examine them personally before they are passed. I can assure the distinguished Senator from Maryland that in the session of the Senate tomorrow, these bills probably will be included among other District of Columbia bills which are expected to be considered on the floor.

Mr. BEALL. Very well. I thank the Senator from New Jersey.

The PRESIDING OFFICER. Without objection, Calendar 1384, H. R. 7061; Calendar 1385, H. R. 7062; and Calendar 1388, S. 3387, will be passed over.

REGULATION OF PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA—BILL AMENDED AND PASSED OVER

Mr. PAYNE. Mr. President, I understand that Calendar 1388, Senate bill 3387, to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes, has gone over for further study. Would it be possible to submit an amendment to that bill and have the amendment considered at this time, so that it might be a part of the bill when it again comes before the Senate?

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that that may be done.

The PRESIDING OFFICER. Without objection, the bill will be considered for the purpose of action on the amendment of the Senator from Maine. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 8, it is proposed to strike out the word "Section" and insert in lieu thereof "Paragraph 16 of section."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine.

The amendment was agreed to.

The PRESIDING OFFICER. Senate bill 3387, will now be passed over.

DISQUALIFICATION OF CERTAIN FORMER OFFICERS AND EMPLOYEES OF THE DISTRICT OF COLUMBIA IN MATTERS CONNECTED WITH FORMER DUTIES

The Senate proceeded to consider the bill (S. 885) to prohibit the acceptance of certain offices or employment by persons who within 2 years have served as members of certain regulatory agencies of the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That whoever, after the effective date of this act, having served as a commissioner of the Public Utilities Commission of the District of Columbia, as a member of the Alcoholic Beverage Control Board of the District of Columbia, as Superintendent or Deputy Superintendent of Insurance of the District of Columbia, or under a permanent or indefinite appointment as an employee of such Commission, Board, or Superintendent, within 2 years after the time when such employment or service has ceased, knowingly prosecutes or acts as counsel, attorney, or agent for anyone in connection with any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter involving any subject matter directly connected with which such person was so employed or performed duty, shall be fined not more than $2,000 or imprisoned not more than 2 years, or both.

SEC. 2. This act shall take effect 60 days after the date of its enactment.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Mr. President, I offer an amendment to the committee amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 2, line 9, after the word "whoever," it is proposed to strike out "after the effective date of this act, having served", and insert in lieu thereof "having served after the effective date of this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine [Mr. PAYNE].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the disqualifications of certain former officers and employees of the District of Columbia in matters connected with former duties."

REGULATION OF DIVIDENDS BY PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1403) to authorize the Public Utilities Commission of the District of Columbia to regulate and condition the declaration and payment of dividends by public utilities in the District of Columbia, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 6, after the word "become", to strike out "impaired" and insert "impaired, or that the ability of such public utility to render reasonable and adequate service is likely to be impaired"; on page 2, line 6, after the word "shall", to insert "declare"; in line 10, after the word "proper", to strike out "reserves." and insert "reserves; and"; in line 15, after the word "reasonable", to strike out "rates; or" and insert "rates."; after line 15, to strike out:

(c) it shall have set aside the depreciation reserve prescribed by the Commission.

After line 17, to strike out:

SEC. 3. If any dividend on common stock is proposed to be declared and paid other than as provided in sections 1 and 2 of this act, the public utility shall give the Commission at least 30 days' notice in writing of its intention to so declare and pay such dividend and the Commission shall authorize the payment of such dividend only if it finds that the public interest will not be impaired thereby: *Provided, however,* That the Commission may grant such authority upon such conditions as it may deem necessary to safeguard the public interest.

And in lieu thereof to insert:

SEC. 3. If any dividend prohibited by section 2 hereof is proposed to be declared and paid, the public utility shall give the Commission at least 30 days' notice in writing of its intention to so declare and pay such dividend and the Commission shall authorize the payment only if it finds that the public interest requires such action: *Provided, however,* That the Commission may grant such authority upon such conditions as it may deem necessary to safeguard the public interest.

And on page 3, line 21, after the word "any", to strike out "court" and insert "court,", so as to make the bill read:

Be it enacted, etc., That whenever the Public Utilities Commission of the District of Columbia finds that the capital of any public utility, subject to its jurisdiction, has become impaired or may become impaired, or that the ability of such public utility to render reasonable and adequate service is likely to be impaired by the payment of a dividend, the Commission shall have power after due notice and hearing to order said public utility to cease and desist the declaration and payment of any dividend upon its stock, and no such public utility shall pay any dividend upon its said stock until the Commission finds that such impairment shall have been made good.

SEC. 2. No public utility shall declare or pay any dividend upon its stock unless—

(a) its earnings and earned surplus are sufficient to declare and pay such dividend after provision is made for reasonable and proper reserves; and

(b) the dividend proposed to be paid upon common stock can reasonably be declared and paid without impairment of the ability of the public utility to perform its duty to render reasonable and adequate service at reasonable rates.

SEC. 3. If any dividend prohibited by section 2 hereof is proposed to be declared and paid, the public utility shall give the Commission at least 30 days' notice in writing of its intention to so declare and pay such dividend and the Commission shall authorize the payment only if it finds that the public interest requires such action: *Provided, however,* That the Commission may grant such authority upon such conditions as it may deem necessary to safeguard the public interest.

SEC. 4. The public utilities subject to the provisions of this act shall furnish to the Commission such information as it may require to carry out the provisions of this act.

SEC. 5. If any public utility subject to the provisions of this act, or any agent or officer thereof, shall violate any provision of this act, or shall do anything herein prohibited, or shall fail or refuse to perform any duty enjoined upon it, or shall fail, neglect, or refuse to obey any lawful requirement or order made by the Commission, or any judgment or decree made by any court, upon application of the Commission, it shall forfeit and pay to the District of Columbia for every such violation, failure, or refusal, the sum of $1,000. In construing and enforcing the provisions of this section the act, omission, or failure of any agent, officer, or other person acting for, or employed by, any public utility, acting within the scope of his employment and instructions, shall in every case be deemed to be the act, omission, or failure of such public utility. Every day during which any public utility or any agent or officer thereof shall fail knowingly or willfully to observe and comply with any order or direction of the Commission, or to perform any duty enjoined by this act, shall constitute a separate and distinct violation of such order or direction.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGULATION OF THE PRACTICE OF THE HEALING ART IN THE DISTRICT OF COLUMBIA

The bill (S. 2657) to amend the act entitled "An act to regulate the practice of the healing art, to protect the public health in the District of Columbia," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 39 of the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929 (45 Stat. 1338, as amended; sec. 2–130, D. C. Code, 1951 edition), is amended to read as follows:

"SEC. 39. (a) Any person violating the provisions of this act, except section 2 hereof, shall be punished by a fine of not more than $100 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

"(b) Any person violating the provisions of section 2 of this act shall be punished, for the first offense, by a fine of not more than $500 or by imprisonment for not more than 6 months, or both such fine and imprisonment; for the second offense, by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment; and for the third and subsequent offenses, by a fine of not more than $5,000 or imprisonment for not more than 5 years, or by both such fine and imprisonment.

"(c) For the purposes of subsection (b) of this section, an offender shall be considered a second or subsequent offender, as the case may be, if he previously has been convicted of the offense of practicing medicine or the healing art without a license, either in the District of Columbia or in any of the States or Territories of the United States. After an offender has been convicted of the violation of the provisions of section 2 of this act, but prior to pronouncement of sentence, the court shall be advised by the United States attorney whether the conviction is the offender's first or a subsequent offense. If it is not a first offense, the United States attorney shall file an information setting forth the prior conviction or convictions. The offender shall have the opportunity in open court to affirm or deny that he is identical with the person previously convicted. If he denies the identity, sentence shall be postponed for such time as to permit a trial before a jury on the sole issue of the offender's identity with the person previously convicted. If the offender is found by the jury to be the person previously convicted, or if he acknowledges that he is such person, he shall be sentenced as prescribed in subsection (b) of this section."

REGULATION OF SALE OF SHELL EGGS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2661) to regulate the sale of shell eggs in the District of Columbia, which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 2, after the word "eggs", to strike out "similar to, but not necessarily identical with, the United States Standards for Quality of Individual Shell Eggs and the United States Specifications and Weight Classes for Consumer Grades for" and insert "which shall conform to the United States Standards, Grades, and Weight

Classes for"; on page 4, at the beginning of line 8, to strike out "for the first offense, by a fine not to exceed $25 or imprisonment for not to exceed 10 days, and for the second or subsequent offenses, by a fine not to exceed $300 or imprisonment for not to exceed 90 days" and insert "for the first offense, by a fine not to exceed $25, and for the second or subsequent offenses, by a fine not to exceed $300"; after line 17, to insert:

SEC. 6. No person subject to this act selling shell eggs to a retailer shall be liable to prosecution under section 4 if such person establishes a contract entered into in good faith under which the retailer agrees to grade the eggs purchased into consumer grades established under this act before sale thereof to consumers.

And in line 24, to change the section number from "6" to "7", so as to make the bill read:

Be it enacted, etc., That (a) it shall be unlawful for any person in the District of Columbia to sell or offer to sell to any retailer or consumer any shell eggs unless such eggs are so marked or labeled or the package or container in which or from which such eggs are sold or offered for sale is so marked or labeled as to indicate that such eggs are at least equal to the applicable grade and size standards for shell eggs authorized to be established by this act: *Provided*, That this subsection shall not be applicable to any produced: *Provided further*, That this subsection shall not be construed to prohibit the sale of shell eggs which are not marked or labeled, or shell eggs in containers or packages not marked or labeled, in accordance with the grade and size standard authorized to be established by this act, if such eggs, containers, or packages are distinctly marked or labeled as "storage", "ungraded", or "unclassified."

(b) It shall be unlawful for any person in the District of Columbia to sell shell eggs if the container or package in which such eggs are sold, or any advertising relating to such eggs, includes any false or misleading statement, inscription, or device in respect to such eggs.

(c) For the purposes of this act, "producer" means any person selling shell eggs laid by hens owned by him; "retailer" means any person who sells shell eggs to a consumer; and "consumer" means any person purchasing shell eggs in any quantity for the purpose of using or preparing such eggs for human consumption in cooked or uncooked form or as an ingredient in some cooked or uncooked product designed to be consumed by humans.

SEC. 2. The Commissioners of the District of Columbia are authorized to make, adopt, and enforce regulations to carry out the purposes of this act, including the establishment of grade and size standards, with reasonable tolerances, for shell eggs sold or offered for sale in the District of Columbia, such regulations, among other things, to establish grade and size standards for shell eggs which shall conform to the United States standards, grades, and weight classes for shell eggs, as the same may from time to time be established by the Secretary of Agriculture of the United States. Such regulations may, in the discretion of the Commissioners, require the furnishing of invoices to persons purchasing eggs for sale at retail, in such form as the Commissioners may prescribe, and the Commissioners may also, in their discretion, require the maintenance and keeping of such other records as they deem necessary in the enforcement of this act and the regulations promulgated under the authority hereof.

SEC. 3. The Commissioners or their designated agent or agents, in connection with the administration or enforcement of this act and the regulations promulgated under the authority of this act, are authorized to enter, on any business day, during the usual hours of business, any store, market, or any other building or place where eggs are sold or offered for sale and to make such examination as may be necessary to determine the grade and size of any eggs sold or offered for sale.

SEC. 4. Any person violating any provision of this act or any provision of the regulations promulgated under the authority of this act, or failing or refusing to comply with any of the requirements of this act or of the said regulations, or willfully interfering with any officer or employee of the District of Columbia engaged in the administration or enforcement of this act or the said regulations, shall be punished, for the first offense, by a fine not to exceed $25, and for the second or subsequent offenses, by a fine not to exceed $300.

SEC. 5. This act shall in no respect be considered as a repeal of any of the provisions of the Federal Food, Drug, and Cosmetic Act, but shall be construed as supplemental thereto.

SEC. 6. No person subject to this act selling shell eggs to a retailer shall be liable to prosecution under section 4 if such person establishes a contract entered into in good faith under which the retailer agrees to grade the eggs purchased into consumer grades established under this act before sale thereof to consumers.

SEC. 7. This act shall become effective 60 days after its enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTABLISHMENT OF FAMILY COURT FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2701) to establish the family court for the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That (a) there is hereby established in and for the District of Columbia a court to be known as the "Family Court for the District of Columbia", hereinafter referred to as the "Family Court" or the "court".

(b) The Family Court shall adopt and have a seal and shall be a court of record.

SEC. 2. The Family Court shall consist of 3 judges appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be designated by the President as chief judge. Appointments and reappointments of judges for the Family Court shall be for a term of 10 years each. All such judges shall continue in office until their successors shall be appointed and qualified. The salaries of the chief judge and the associate judges shall be equal to the salaries of the chief judge and of the associate judges of the United States District Court for the District of Columbia, respectively. Each judge, when appointed, shall take the oath prescribed for judges of courts of the United States.

SEC. 3. (a) Any judge of the Family Court may retire after having served as a judge of such court for a period or periods aggregating 20 years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of 30 years, the same to be paid in the same manner as the salary of such judge. In no event shall the sum received by any such judge hereunder be in excess of the salary of such judge at the date of such retirement. As used in this section, the terms "retire" and "retirement" mean and include retirement, resignation, or failure of reappointment upon the expiration of the term of office of an incumbent.

(b) Any judge receiving retirement salary under the provisions of this act may be called upon by the chief judge of the Family Court to perform such judicial duties as may be requested of him but no such retired judge shall be required to render such service for more than 90 days in any calendar year after such retirement. In case of illness or disability precluding the rendering of such service such retired judge shall be fully relieved of any such duty during such illness or disability.

SEC. 4. (a) The chief judge of the Family Court shall, from time to time and for such periods as he may determine, designate the judges to preside and attend at the sessions of the court. He shall have the power to arrange the business of the court, and to divide it and assign it among the judges. He shall also be charged with the general administration and superintendence of the business of the court. The duties of the chief judge as set forth in this section shall be in addition to his judicial work.

(b) In the event of the absence, disability, or disqualification of the chief judge, his powers shall be exercised by the available judge next in seniority according to the date of commission.

SEC. 5. (a) The court shall have authority to appoint and remove a clerk and such other personnel as may be necessary for the operation of the court.

(b) The court shall also have authority to appoint a commissioner or commissioners to assist it. In accordance with rules adopted by the court, such commissioner or commissioners may investigate facts, take testimony of witnesses, administer oaths, and file for the court's consideration a report including findings of fact, conclusions of law, and recommendations: *Provided*, That the right to examine said report and to file exceptions to any finding of fact, or law, or recommendations, shall be reserved to each interested party or his attorney. Said exceptions shall be heard in open court and determined as in cases of exceptions to special masters' reports.

SEC. 6. Each judge of the Family Court, the clerk, the deputy clerks, and such other court officers as may be designated by the court, shall have power to administer oaths and affirmations.

SEC. 7. (a) Section 963 of the act approved March 3, 1901 (31 Stat. 1345, ch. 854), as amended by section 16–416, D. C. Code, 1951 edition, is amended by striking therefrom "United States District Court for the District of Columbia", and inserting in lieu thereof "Family Court for the District of Columbia."

(b) The first paragraph of the first section of the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937 (50 Stat. 806; sec. 16–201, D. C. Code, 1951 ed.), is amended by striking therefrom "District Court of the United States for the District of Columbia" and inserting in lieu thereof "Family Court for the District of Columbia."

(c) Section 6 of the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944 (58 Stat. 194; sec. 32–786, D. C. Code, 1951 ed.), is amended by striking "Office of the Clerk of the District Court of the United States for the District of Columbia" and inserting in lieu thereof "Office of the Clerk of the Family Court for the District of Columbia."

(d) The Family Court shall have exclusive jurisdiction over all actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for temporary and permanent alimony, and for support and custody of minor children; applications for revocation of divorce from bed and board; civil actions to enforce support of minor children; civil actions to enforce support of wife; actions seeking custody of minor children; actions to declare marriage contracts void, actions for annulment of marriage and proceedings in adoption.

(e) The court is hereby vested with so much of the power as is now vested in the United States District Court for the District of Columbia, whether in law or in equity, as is necessary to effectuate the purposes of this act, including, but not limited to, the power to issue restraining orders, injunctions, writs of habeas corpus, and ne exeat, and all other writs, orders, and decrees.

(f) The court shall have the same power to enforce and execute judgments, orders, and decrees entered by it as is now vested in the United States District Court for the District of Columbia. Judgments of the courts shall have the same legal status as liens upon real estate as judgments of the United States District Court for the District of Columbia.

(g) The court may by rules prescribe the fees, charges, and costs and the forms of process, writs, pleadings, and motions, and the practice and procedure in actions and proceedings in the court. Such rules shall neither abridge, enlarge, nor modify the substantive rights of any litigant. Except as otherwise specifically provided by such rules, the applicable Federal Rules of Civil Procedure shall govern in the court.

(h) The court shall have power to require by rule that, before an action is filed seeking a divorce, temporary maintenance or alimony, or the custody of a child or children, the party seeking relief shall file with the court a notice of intention to file such action and shall serve a copy of such notice upon the opposite party, in such manner as the court shall prescribe. Such notice shall direct such opposite party to appear before a judge, or a person designated by the court, at a time fixed in such notice, with a view toward effecting reconciliation or obtaining a voluntary agreement as to custody or temporary maintenance or alimony, and no pleading of an adversary nature may be filed until such time after the date fixed in such notice to appear before a judge or such person designated by the court, as may be set by the court, but not to exceed 60 days.

SEC. 8. The court shall have full power and authority to censure, suspend, or expel from practice, at its bar, any attorney for any crime involving moral turpitude, or professional misconduct, or any conduct prejudicial to the administration of justice. Before any such attorney is censured, suspended, or expelled, written charges under oath against him must be presented to the court, stating distinctly the grounds of complaint. The court may order the charges to be filed in the office of the clerk of the court and shall fix a time for hearing thereon. Thereupon a certified copy of the charges and order shall be served upon the attorney personally by the marshal or such other person as the court may designate, or in case it is established to the satisfaction of the court that personal service cannot be had, a certified copy of such charges and order shall be served upon him by mail, publication, or otherwise, as the court may direct. At any time after the filing of said written charges, the court shall have the power, pending the trial thereof, to suspend from practice at its bar the person charged.

SEC. 9. The court shall have the same power to punish for contempt in cases over which it has jurisdiction as is now vested in the United States District Court for the District of Columbia.

SEC. 10. Service of process for the court shall be made by the United States marshal for the District of Columbia or by any of his authorized assistants. Service of process for the court may also be had by publication under the same conditions and in the same manner as service of process is had by publication for the United States District Court for the District of Columbia.

SEC. 11. Any party aggrieved by any final or interlocutory order or judgment entered in the court shall have the same right of appeal available in respect to any final or interlocutory order or judgment entered in the United States District Court for the District of Columbia.

SEC. 12. The court, with at least one judge in attendance, shall be open for the transaction of business every day of the year except Saturday afternoons, Sundays, and legal holidays.

SEC. 13. (a) All cases which, on the effective date of this section, are pending in the United States District Court for the District of Columbia and are within the jurisdiction of the Family Court, together with all files, papers, documents, and records in the custody of the United States District Court for the District of Columbia relating to such pending cases shall be transferred to the Family Court.

(b) The United States District Court for the District of Columbia shall, on and after the effective date of this section and upon request of the Family Court, transfer to such court the files, papers, documents, and records relating to any case in which final judgment has been entered in respect to divorce from the bond of marriage; legal separation from bed and board; revocation of divorce from bed and board; civil actions to enforce support of minor children or wife; actions for custody of minor children; voiding of marriage contract; annulment of marriage; or adoption, whether or not any such case has been reopened prior to the effective date of this section.

(c) All judgments, orders, processes, directions, and proceedings entered in any pending or reopened case transferred to the court pursuant to this act shall be continued and proceeded with, and may be modified, enforced, and executed with the same force and effect as if proceeded with in the United States District Court for the District of Columbia; and no such action or proceeding shall abate or be in anywise affected by the enactment of this act.

SEC. 14. Any member of the court may try any case within its jurisdiction and the action of each of said judges respecting the judicial business of the court shall be deemed and taken to be the act of the court.

SEC. 15. The jurisdiction of the Juvenile Court of the District of Columbia will not be curtailed, reduced, or limited in any way by the provisions of this act.

SEC. 16. This act, except sections 7 and 13, shall take effect upon its approval. Sections 7 and 13 of this act shall take effect 30 days after the appointment and qualification of the three judges authorized to be appointed to the court.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a Family Court in and for the District of Columbia."

Mr. GORE subsequently said: Mr. President, I enter a motion to reconsider the vote by which during the call of the calendar today Senate bill 2701, Calendar 1391, to establish the Family Court for the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SALTONSTALL. Mr. President, as acting majority leader, and out of courtesy to the Senator from Tennessee, let me say that I have no objection to the procedure the Senator from Tennessee proposes. I hope unanimous consent will be given for that purpose.

I understand that the Senator from Tennessee is entering the motion to reconsider, simply for the purpose of protecting a colleague, in connection with the call of the calendar. I have no other statement to make at this time.

The PRESIDING OFFICER. The motion to reconsider will be entered.

PURCHASE OF PUBLIC LANDS FOR HOMES, ETC.

The PRESIDING OFFICER. That completes the regular call of the calendar. The bill passed to the foot of the calendar is now in order.

The Senate proceeded to consider the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites" which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, line 18, after the word "Alaska", to insert a colon and *"Provided, however,* That any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within 25 years after issuance of patent for such tract, for other than residential or recreation purposes", and on page 4, line 3, after the word "Interior", to insert "except that—

"(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

"(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the act entitled 'An act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon', approved August 28, 1937 (50 Stat. 874)."

Mr. CORDON. Mr. President, the bill was considered by the Committee on Interior and Insular Affairs. It is in the nature of housekeeping legislation, and broadens the provisions of the existing Small Tracts Act of 1938, so as to make that act meet the present necessities with respect to a greater use by individuals of the public domain.

The bill gives a more complete definition of the class of persons who may take advantage of the provisions of the Small Tracts Act. The bill provides authority for the Secretary to lease small tracts of land to citizens of the United States for residential, recreational, community-site purposes, and so forth; that is, the bill, as amended, would broaden the present act so as to include recreational and community uses by groups, as distinguished from personal uses by individuals.

The bill has one provision which is especially important, namely that for the leasing of unsurveyed areas of the public domain. The provision has particular reference to Alaska, where a very, very small percentage of the total area—perhaps 1½ percent, or some such figure—is at present surveyed. The amendment makes provision for the leasing of such tracts upon the tracts' being properly monumented for location and patenting in cases where there has been a survey.

The bill also contains a provision which includes within the areas subject to the application of the Small Tracts Act 2½ million acres of timberland known as the revested railroad grant lands in my home State of Oregon. In that instance, however, there can be no passing of title. Neither can there be use of the lands for business purposes. Nor can any tract be used for any purpose which is in anywise detrimental to the use of the whole area for sustained yield timber management.

Mr. HENDRICKSON. Mr. President, I thank the Senator for a very complete explanation.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. That completes the call of the calendar.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

LONG-TERM TIME CHARTER OF TANKERS BY SECRETARY OF THE NAVY

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, the so-called tanker bill.

The Senate resumed the consideration of the bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes.

Mr. HENDRICKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Without objection, it is so ordered.

The bill is before the Senate and open to amendment.

Mr. MAGNUSON. Mr. President, I have an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 1, line 10, it is proposed to insert the following new sentence:

In awarding contracts the Secretary of the Navy shall give preference to operators who are exclusively engaged in the operation of American-flag ships.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington.

Mr. MAGNUSON. Mr. President, when the pending bill was reached on the Consent Calendar last week I asked that it be passed over, and at that time I stated some of my views on the subject covered by the measure.

I do not believe there is a Member of the Senate who will not agree that I, as a member of the Committee on Interstate and Foreign Commerce, and particularly the subcommittee having to do with the merchant marine, have had a deep interest in the merchant marine over many years.

I have done much work and devoted a great deal of time to the development of the American merchant marine, because I have always believed that we should have learned something from the sad experience through which we passed between World War I and World War II, when the American flag practically disappeared from the seas. When we got into trouble prior to World War II it cost us almost $47 billion to build a fleet which could transport about 95 percent of our war materiel to the far-flung corners of the world, and be literally our forefront of defense. That in itself made me conscious of the fact that we should do more for the development of what we call an adequate merchant marine.

I know that the Merchant Marine Act of 1936 has been subject to some criticism because, under it, subsidies are paid. I am sure there has been a great misconception throughout the United States—not opposition, but misconception and misunderstanding—about the cost of merchant marine subsidies, which we hoped would keep our merchant marine adequate and the American flag on the seas.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. This matter was discussed before the Committee on Armed Services. The suggestion before the committee was stronger than the one the Senator from Washington now makes by means of his amendment.

I should like to call his attention to page 2 of the committee's report, where there is found the statement that the committee does not express an opinion as to the merits of a restriction to the effect that the Government should not enter into a contract with a firm operating ships registered under a foreign flag. I feel that that is the position of the committee, because the committee believed this subject to be one of general legislation, and believed that such a provision should not apply to tankers alone.

I note that the amendment of the Senator from Washington does not provide a flat prohibition, but simply goes to the question—all other things being equal—of having the Navy give preference to those who operate such vessels completely under the American flag. Am I correct as to that?

Mr. MAGNUSON. Yes.

Mr. SALTONSTALL. Then, assuming that two firms make bids approximately the same, and assuming that both firms are of equal strength, equal character, and equal ability to perform the contract, all the Senator from Washington is requesting, as I understand, is that under those circumstances the firm that operates exclusively under the American flag be given preference over a firm operating under a foreign flag. Do I correctly understand the effect of the Senator's amendment?

Mr. MAGNUSON. The Senator from Massachusetts has correctly stated my purpose in submitting the amendment.

Mr. SALTONSTALL. As I view the matter, that purpose is consistent with the position taken by the committee.

The Senator from Washington has stated he is interested in the merchant marine. The present chairman of the Armed Services Committee knows that very well, because both the Senator from Washington and I have argued on many occasions on the same side of these questions.

Personally, I believe the Senator's proposal involves a broad general principle which cannot be properly covered by the pending bill which relates solely to the building of tankers, and the inclusion in the bill of a statement of that principle might result in handicapping the construction of the tankers.

However, I think there is no objection to providing for such a preference under the circumstances the Senator from Washington has mentioned.

If there were considerable difference between the two bids, then the position of the Armed Services Committee is that the contract should be awarded to the firm making the lower bid. I wish to make that point very clear. However, assuming that the two bids were very much the same, and assuming that the strength and reliability of the two firms were very much the same, I see no objection to the adoption of the Senator's amendment. In fact, I would be glad

to have it included in the bill, and thus take the amendment to conference—if what I have stated regarding the effect of the amendment is in accord with the understanding of the Senator from Washington regarding it.

Mr. MAGNUSON. Yes, that is my understanding. Mr. President, I appreciate having the Senator from Massachusetts give favorable consideration to the amendment. Of course, both he and I have been interested in the consideration of merchant marine matters ever since we have been Members of the Senate.

I wish to state that I am opposed to the bill; but I hoped that if the bill were to be passed—and I suppose that in opposing the bill, I am in the hopeless minority—it would at least include a provision to establish some kind of direction to those who will participate in the program, so as to try to keep the ships under the American flag.

For many years I have been opposed to the so-called run-away fleet. Frankly, that situation poses a grave legal question as to the steps proper to be taken by us in that connection. If I had my way about the matter, I would not allow an American citizen who received from the Government a subsidy or who received protection under the American flag, to go to Panama or Honduras, for the purpose of evading United States taxes, and there hire foreign seamen and participate in the operation of the run-away fleet.

Likewise, Mr. President, it seems to me to be paradoxical that certain large United States companies that dodge United States taxes are the same ones that have large foreign holdings, and yet always desire to have the protection of the United States Government. At present, according to the latest figures I have received, the merchant fleet under Panamanian registry is the third largest fleet in the world, although none of those ships ever actually visit Panama, except to go through the Panama Canal, which is in United States territory. Similarly, Honduras is developing a fleet of the same sort. I can appreciate why that is done by such firms.

Some years ago, representatives of the Standard Oil Company of New Jersey appeared before our committee, in the room upstairs, and said they had control of a Panamanian company, and were operating vessels under the Panamanian flag, and they frankly admitted that they were accumulating reserves in Panama, to the tune of $20 million that year, as I recall, and that those reserves would be taken over by the company at the time when conditions were the most propitious, so that the firm would pay the smallest amount of taxes in that connection. In the operation of those vessels, foreign crews were hired.

Let me state that at times when many American seamen were unemployed, sitting in hiring halls, and looking for jobs, I have known such a firm to charter an airplane to bring an entire crew from Naples, Italy; and the plane carrying the crew from Naples would fly over New York Harbor, almost over the hiring hall in which the unemployed American seamen were waiting for jobs, and would land that crew at Hoboken, on the New Jersey side of the harbor; and the crew would be put aboard a ship under the Panamanian flag, although the ship never visited Panama, and was operated by a United States company, under the protection of the United States, even though the company had foreign holdings and, in some instances, received benefits from our Government.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield further to me?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. I call the attention of the Senator from Washington to paragraph (c), on page 2, which was included for the specific purpose of preventing the situation to which the Senator from Washington has referred. The committee felt that these tankers will be so important to the United States that for 10 years after the agreement with the Government has expired, unless there is some special reason to the contrary, they shall not be sold for operation under any foreign flag.

Mr. MAGNUSON. Mr. President, I appreciate the fact that the Senator from Massachusetts feels, as I do, that we should not permit the creation of a runaway fleet. Of course, it is difficult to know how to control that situation. I do not know what we can say, legally, to a United States citizen who may spend money he made in America for the construction in Great Britain of a tanker to be put under the Panamanian flag, and with the purpose of operating the vessel out of New York, as an American shipper. However, we can make a start in establishing a United States merchant marine policy that at least will direct us down a road that will lead to stopping the creation of such a runaway fleet. Otherwise, we shall find ourselves in the same position we were in during the 1930's.

In fact, this bill is here because so many of our ships have been registered under the Panamanian flag, and even under the Liberian flag. Such countries practice many discriminations against us; but the operators of such vessels always wish to have the protection of the United States Government, although they will not do business in the United States.

So I feel that we must reevaluate our merchant marine policy, so that, at least, the atmosphere for a United States citizen who wishes to engage in the maritime business will be such that he will be proud to have his vessels fly the American flag, rather than fly the flag of Panama, Honduras, or some other country.

Mr. SALTONSTALL. This so-called flag provision is included in the bill for the reasons the Senator from Washington has stated, is it not?

Mr. MAGNUSON. Yes.

Mr. President, I wish to speak for 5 minutes on the bill.

As I said at the beginning of my remarks, I yield to no one in my interest in having an adequate United States merchant marine developed. However, I fear that the pending bill might result in another giveaway. I can foresee a maritime condition in the United States or a worldwide maritime condition in which the United States Government would guarantee a private operator that for 10 years he would receive a profit on his investment in such a tanker, and at the end of that period the tanker would become his. I understand that the amount under the contemplated contracts would equal approximately two-thirds of the value of the tanker, at a ceiling of $5 per deadweight ton, I believe. I do not know whether that is the correct figure; perhaps it should be higher. It could be that the $5 figure is not sufficiently high.

At any rate, at the end of 10 years, the private operator, whoever he might be—whether A, or B, or C—would receive two-thirds of the price of the tanker; that amount would be paid to him, with a profit. Of course, I do not blame anyone for wishing to make a profit, because no person can long remain in business without receiving a profit. At the end of that time the tanker becomes his. I can conceive of circumstances—and I have seen such worldwide conditions—under which a tanker, after it has reached the age of 10 years, with a normal further expected life of 8 or 10 years, might be worth more to the operator than it was during the first 10 years, in which he was guaranteed a profit and two-thirds of the cost of building the ship. I hope, and I assume, that good contracts will be made. I should like to ask the Senator from Massachusetts a question.

First, what was the basis for arriving at the figure of $5 a deadweight ton? Was that figure based upon statistics from the Maritime Administration or the Maritime Board?

Mr. SALTONSTALL. The question was taken up with Mr. Rothschild, the Maritime Administrator, and with Admiral Denebrink, head of the Military Sea Transportation Service of the Navy, as well as with the Secretary of the Navy, Mr. Anderson. Originally the Navy wanted a bill without any limitation on the topside. The committee felt that there should be some limitation on the topside, and after discussion with those I have mentioned, and after a calculation of the figures which I have before me, and which I shall be glad to show the Senator from Washington, the maximum figure of $5 a deadweight ton a month was established. Admiral Denebrink hopes that the bids will be lower than that. We hope that the cost of the ships will be less than the estimated cost of $7,500,000 for each ship. Those are hopes, but we felt that bids might come in at the figure of the upper limitation of $5 a deadweight ton.

Mr. MAGNUSON. I was somewhat concerned about the figure. I must frankly say that I do not think it is too high, but I hope that if this bill is enacted the Maritime Board will be able to make contracts under conditions which will warrant a lower figure. I have often found that when we establish a ceiling in legislation it becomes a floor.

Mr. SALTONSTALL. That is one of the reasons which the Navy gave for objecting to the $5 limit. However, if there is open, competitive bidding, based upon the experience since World War II, and

the cost of the few tankers which have been built in the United States, we felt that it was wise to establish that figure. If there are no bids within that limit, the question will again have to come before Congress, and we can reconsider it. That is why we thought it was valuable to establish some topside limit.

Mr. MAGNUSON. I appreciate the Senator's explanation.

Before I take my seat, I wish to express my appreciation to the Senator for accepting my amendment to the bill. It will be another enunciation of how we feel about the "run-away fleet."

I shall not ask for a yea-and-nay vote on the bill, but I wish the RECORD to show that I am opposed to it, for many reasons. I think it could result in another giveaway program. It would establish a new policy. If the United States Navy needs tankers it ought to have the courage to come to Congress and ask for an appropriation with which to build them. This program amounts to a hidden subsidy; and we have had enough trouble in the past with maritime subsidies. We should not be adding hidden subsidies. The Navy could lease the tankers after it had built them. Similar arrangements have been made on many occasions. They could be managed by private interests. I do not think we shall save any money in the long run.

In my opinion, we are establishing a policy which may lead to a condition similar to that which existed in the old economic swashbuckling days of the merchant marine, when private operators could dip into the Treasury.

We have worked hard to disabuse the minds of many people of the idea that the merchant marine gets a great many subsidies from the Government, and is a sort of pork barrel institution. It is not. If we had paid more subsidies in the past, and had paid more attention to this business, it would not have cost us one-tenth of the $47 billion which was needed to build a fleet for World War II.

I wish the RECORD to show that I am registering my opposition, despite the fact that no Member of the Senate appreciates more than I do the necessity for some ship construction in this country, to make our merchant marine adequate.

Mr. SALTONSTALL. I thank the Senator from Washington. I know of his interest. I trust that this colloquy has helped us all to understand the bill. I think the committee's report explains the position of the committee very well. I am glad to accept the amendment of the Senator from Washington. I hope the bill will be passed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

Mr. WILLIAMS. Mr. President, will the Senator yield for one or two questions?

Mr. SALTONSTALL. I am glad to yield.

Mr. WILLIAMS. Does the Senator from Massachusetts have any indication as to what the cost of these tankers will be?

Mr. SALTONSTALL. The estimated cost is $7,500,000 for each tanker. It is hoped that, as a result of competitive bidding, the cost may be less than that.

Mr. WILLIAMS. From reading the bill I note that it is proposed to establish a ceiling of $5 a deadweight ton a month. The tonnage of the ships is estimated at between 25,000 and 36,000 tons.

Mr. SALTONSTALL. Between 25,000 and 32,000 tons.

Mr. WILLIAMS. Suppose those tankers are leased for the maximum figure provided by the bill; namely, $5 a deadweight ton a month. That would mean, for a 32,000-ton ship——

Mr. SALTONSTALL. No. The Navy Department should endeavor to make contracts for as much less than that as possible. On a $7½ million ship, the break-even price is estimated to be $4.68.

Mr. WILLIAMS. Under the terms of the bill leases could be negotiated on the basis of $5 a deadweight ton a month.

Mr. SALTONSTALL. That is correct.

Mr. WILLIAMS. Assume for the sake of argument that such leases are made. That would mean $160,000 a month, over a period of 10 years. Do I understand correctly that if the Navy were to enter into a contract for one of these ships for 10 years, on an operational basis of $5 a deadweight ton a month, it would be obligated to pay that service fee for that ship during the entire 10-year period, without regard to whether it needed the tanker or not?

Mr. SALTONSTALL. There is no question that it needs the tankers. Twenty of these tankers will be built. The 20 tankers, when they are built, will replace 37 T–2 tankers which are now in existence, and which will be placed in mothballs.

These tankers are not to be a part of the fleet. They will travel on the ordinary commercial routes, to commercial ports. They are for the purpose of providing oil for the Navy. There is no question that once they are in service, they will be used, because the Navy is now using a great many obsolete tankers. It wishes to place them in mothballs.

Mr. WILLIAMS. If the Sentator will yield further, my question is this: Assuming that a tanker is leased on the basis of $5 a deadweight ton a month, we may further assume that the Navy needs it. On the other hand, however, it might need only 19. The question I am asking is this: If the 20 tankers provided for in the bill were constructed, whether they were needed or not the Navy would still be obligated to pay $160,000 a month over a 10-year period on each ship.

Mr. SALTONSTALL. Or go into court and settle the contract.

I point out to the Senator that I am informed that there are now 67 obsolete tankers which are doing this work. There is no question in my mind that these 20 tankers will be used, because the obsolete tankers, which are slow and expensive, and which hold comparatively small amounts, will be taken out of use.

Mr. WILLIAMS. I am not questioning that point, but I am trying to establish the fact that, once the contract is entered into, it is an irrevocable contract to keep the tanker in operation on the basis of $160,000 a month for a 10-year period.

Mr. SALTONSTALL. The Senator has calculated the figure of $160,000. I take it that is based on the assumption of $5 a deadweight ton a month.

Mr. WILLIAMS. That is correct.

Mr. SALTONSTALL. I have not checked the Senator's figures. I assume they are correct. That assumption is the maximum assumption that could be carried out.

Let me point out to the Senator that if the Government were to build these ships itself and then did not need them, it would be in a very serious position in idling them, unless, of course, it could sell them. In that way, I may point out, the Government would be in a much more serious position than if a commercial operator could go into court and get rid of its contracts, if it did not need the ships.

Mr. WILLIAMS. I do not quite understand the last point made by the Senator from Massachusetts, because regardless of whether the rate is $4 per ton or $5 per ton, the rate can always be determined and the bid negotiated on the basis that at the end of 10 years the tanker will be paid for and be free. That is the assumption that the Senator from Massachusetts is operating on, as I understand it.

Mr. SALTONSTALL. No; that it will be 66⅔ percent paid for, not 100 percent paid for.

Mr. WILLIAMS. Is there a provision in the bill which would provide for the 66⅔-percent payment?

Mr. SALTONSTALL. There is no such provision, but certainly we would hope and trust that the Navy would have enough brains and that our merchant marine would have enough brains to make the best possible contract, just as the Senator from Delaware is very efficient in calling these points to the attention of the Senate.

Mr. WILLIAMS. I have as much hope as anyone else. Nevertheless, I have seen that hope go astray. I have seen situations in the merchant marine when it has not always observed strict businesslike practices. I know that in the disposal of some ships previously I called the attention of the Senate to the fact that the Navy sold $6 million and $8 million ships for the ridiculous price of $200,000. In the last several years we have been selling some of our most modern tankers for about one-third of what they cost to build, and they were sold as surplus property.

Therefore we must recognize the fact, even though we may hope that everything will work out all right, that these things do happen. Therefore I wonder whether the Senator from Massachusetts would accept an amendment to provide that it is the policy of Congress that not more than two-thirds of the cost of construction of a ship shall be included in the negotiated price of the 10-year charter.

Mr. SALTONSTALL. So far as I am concerned, I would not object to such an amendment. I merely point out to the Senator from Delaware that his statement is factually incorrect. The Navy today has a number of T–2 tankers which it has offered for sale at 20 percent of the cost price, with no takers. In other

words, no one is willing to buy them at that low price. What we are trying to do at the present time is to have private concerns build the tankers so that the Government will not have on its hands a great many antiquated ships which it will not be able to sell 10 years from now.

Mr. WILLIAMS. I may say to the Senator from Massachusetts that if the Navy has on its hands these T–2 tankers which it cannot sell at 80 percent of the cost——

Mr. SALTONSTALL. At 20 percent of the cost.

Mr. WILLIAMS. Twenty percent of the cost?

Mr. SALTONSTALL. That is correct. The Navy cannot sell them at 20 percent of the cost, because the tankers are out of date.

Mr. WILLIAMS. I do not believe we have too much trouble selling our most modern tankers, although we may have some that are out of date. However, if the Senator would go along with my amendment I believe it would strengthen the bill considerably. In other words, my amendment would provide that not more than two-thirds of the operational cost of the ship shall be taken as a factor in determining the charter rate for the 10-year period. I believe such an amendment would spell out affirmatively what we intend to do.

Mr. SALTONSTALL. I have no objection to having it based on the two-thirds argument. I will say to the Senator from Delaware that I do not want to bog this bill down with a great many amendments. The life of a tanker is anywhere from 12 to 20 years. We may find that a tanker may be good for only 12 years, instead of 20 years. The theory and practical basis on which bids or leases will be made will be on the two-thirds basis, based on $7,500,000, with the hope that they may be obtained for less; but the theory of a 10-year lease is that the tanker will be two-thirds gone at that time, with a maximum life of 10 years left, and of very small value.

Mr. WILLIAMS. If the Senator from Massachusetts will accept such an amendment, we can work out the details of it. I should like to ask one other question along that line.

Assuming the contract has been negotiated for 10 years, and it is on the basis of $4 or $5 per deadweight ton, or whatever the figure is, will that figure represent all the rates of the charter hire which a company can charge? In the event we get into another war and the shipping rates increase, as they did substantially during the Korean war and during World War II, would there be any clause by which a company could not charge this extra rate during such a period?

Mr. SALTONSTALL. The charter would cover all the operating costs of a regular charter party. As I understand, under the law today, if there is a substantial change in the scale of wages and in other operating costs, the contract is escalated by that amount.

Mr. WILLIAMS. I can understand the necessity of such an escalator clause with regard to the actual increase in the cost of labor, and so forth, but I am speaking now of what was true during the Korean war and during World War II, when shipping rates doubled and trebled over and above what they were in the prewar period. I remember that when we gave wheat to Pakistan, the shipping rate on wheat doubled. It was twice what it was previously, and it remained at that double rate until the wheat was delivered. I am wondering whether there is any provision in the bill under which, if the Government is going to underwrite the construction of these tankers and guarantee the operation of them at a profitable level, the Government will have some assurance that when shipping space becomes short the Government will have the option on the tankers at the same rate.

Mr. SALTONSTALL. The only things that can go up, as I understand, are wages, subsistence, and insurance.

Mr. WILLIAMS. And if the transportation rates on similar products increase or are perhaps doubled, such an increase would not be reflected at all?

Mr. SALTONSTALL. That is my understanding.

Mr. WILLIAMS. As I understand, in the event of a war, or similiar emergency, if the shipping rates in general increase substantially, it would have no effect on the charter rate paid by the Government for these particular tankers, except as such an increase might be reflected in the actual operating cost brought about by wage increases. Is that correct?

Mr. SALTONSTALL. Wages, subsistence, and insurance.

Mr. WILLIAMS. Which would be relatively small, in comparison with the overall effect.

Mr. SALTONSTALL. That is my understanding.

Mr. WILLIAMS. Is there a provision in the bill under which the Government would be obligated to accept the lowest responsible bid?

Mr. SALTONSTALL. There is no provision that excepts the law with respect to Government bidding.

Mr. WILLIAMS. The Senator from Massachusetts knows that I am not too much in favor of the existing law where it is optional on the part of someone downtown as to whether the lowest bid will be accepted.

I regret the necessity of bringing this question into the discussion, but recently we learned of two bids in which there was a difference of about $4 million. The highest bid was accepted because it was stated the work was needed to be done in a particular yard.

I say if we are to pass a relief bill we should pass a relief bill, but if we are to pass a shipping bill, we should pass a businesslike shipping bill.

I should like to propose another amendment, which would make it mandatory on the Government to ask for competitive bids and to accept the lowest responsible bid. I would be willing to qualify the amendment in line with what the Senator from Washington has pointed out; namely, that the lowest qualified bid be from an American shipping company. I do believe, however, that we should spell out the provision whereby the Government must accept the lowest responsible bid.

Mr. SALTONSTALL. It must be an American company, under the terms of the bill, as I now recall. I should not want to add any more amendments which might bog down the bill. I would say to my distinguished friend from Delaware that the bill has been thought out extremely carefully. The problem involves our national security. I am willing to accept the amendment that the average rate will not result in the recovery of more than two-thirds of the construction cost of the ship. I cannot at the moment see any objection to what the Senator has said. It is in the colloquy and it is in the law. I would not be willing to accept the other amendment, because I do not know what its effect would be.

Mr. WILLIAMS. Since there is an agreement on the first phase of our discussion, that the bill be amended in such manner as I have suggested——

Mr. SALTONSTALL. I shall be glad to read the language that I am willing to take to conference. It is proposed that, on line 11, page 2, after the word "month", there be added the words "*Provided,* That such average rate will not result in the recovery of more than two-thirds of the construction cost of the ship."

That is my understanding of the purpose of the bill. I am perfectly willing to take that amendment to the conference.

Mr. WILLIAMS. Mr. President, I offer that language as an amendment to the bill.

The PRESIDING OFFICER. First, the question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

The amendment of Mr. MAGNUSON was agreed to.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Delaware.

The LEGISLATIVE CLERK. On page 2, line 11, it is proposed to add, after the word "month", the words "*Provided,* That such average rate will not result in the recovery of more than two-thirds of the construction cost of the ship."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, I wish to propose my second amendment.

I am wondering if the Senator from Massachusetts has reconsidered his decision and will accept an amendment which will provide that contracts must be on the basis of competitive bidding and the contract awarded to the lowest responsible bidder.

Mr. SALTONSTALL. Mr. President, I hesitate to add such an amendment. I think the understanding is that that will be done. I have every reason to believe it will be done. It is the law and it must be done. I hesitate to place that provision in the bill because I do not know just how it will affect shipbuilding. The principle is to award a contract to the lowest responsible bidder. I should prefer not to include the proposed

amendment in the bill. The intention is perfectly clear, and I hope the Senator from Delaware will not press his amendment.

Mr. WILLIAMS. Mr. President, I see no reason why there should be any objection to incorporating the language in the bill, since it is generally recognized that that is what we are intending for them to do and what they say they plan to do.

Mr. SALTONSTALL. I would say to my friend from Delaware that this is an extremely important bill from the standpoint of national security. It is recommended by the National Security Council. I am glad to take the amendment of the Senator from Washington and the amendment of the Senator from Delaware to the conference. The amendments carry out the theory of the committee. The question of competitive bidding came up in committee, and it has come up on the floor. It is understood that contracts will be based on competitive bidding. The procurement laws are quite complicated, and I hesitate to accept a provision which may or may not have any effect, and I would earnestly hope that the Senator, in the interest of national security—and I emphasize that to the best of my ability—will not press that point.

Mr. WILLIAMS. Has anyone connected with the National Security Council, which has recommended the bill, said anything against competitive bidding?

Mr. SALTONSTALL. They are all in favor of it.

Mr. WILLIAMS. Certainly, Mr. President, I think it is equally important that we maintain some degree of national solvency, which we cannot do if we continue to place bids in an irresponsible manner, as we have in certain cases in the past; and as was done a few months ago by the Maritime Commission itself. Their only argument then was that they wanted to make work in a certain area. If there is no reason for these tankers except to make work, let us recognize the bill as a relief bill and not talk about defense. If we need the tankers, let us build them in a responsible manner so we can tell the American taxpayers that they are getting value received. I shall certainly insist upon such an amendment.

Mr. SALTONSTALL. I will say to my good friend from Delaware that these tankers are necessary, and we are providing for them with the idea of getting the most efficient service at the lowest possible cost. They will be built within the competitive spirit of our national procurement laws.

I hesitate to accept any amendment which might bog down the bill so that no good result will be obtained under it. The great difficulty is that possibly there will be no bids under the bill, anyway.

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum.

Mr. STENNIS. Mr. President, will the Senator from Delaware withhold his suggestion for a moment?

Mr. WILLIAMS. Yes. I yield the floor.

Mr. STENNIS. Mr. President, as the Senator from Massachusetts knows, I was a member of the subcommittee which heard the proof and considered the bill on its merits originally. I was somewhat of a "burned child" with reference to my position on a bill which came from the Public Works Committee and which was amended on the floor, involving the lease-purchase plan.

As to the ships, the committee went into the question very thoroughly. By the testimony of the Secretary, the admirals in charge of the programs, and other witnesses, I was convinced of the need of modern ships. I think we would be backward if we did not launch out on a program of building this type of ships. Under the provisions of the bill the cost to the Government is on a sufficiently low level so that there will be no loss of money, although it might cost a little more at this time to build them. But I was convinced that it was worth the experiment in a fairly limited way over a few years, and, thereby, we might find a satisfactory method of having the ships constructed and operated in such way that we would have the last word in ships of this type, although I know little about the building of ships or their operation. There was a good chance that it could be developed as a satisfactory plan; and to that extent I was fully converted to the merits of the bill, and thought it should become law.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. AIKEN. The plans have not gone so far, have they, as to determine where the ships are to be built?

Mr. STENNIS. No, not to my knowledge.

Mr. AIKEN. In that case, the suggestion of the Senator from Delaware, that the whole purpose of the bill should be to permit shipyards to get contracts, ought not to disturb anyone, should it?

Mr. STENNIS. So far as I know, it should not. I am not speaking to that phase of the bill. I desired to make a few general remarks at this time.

Mr. AIKEN. I gathered that the Senator from Delaware was disturbed because of a recent practice of not awarding contracts to the low bidders. If I remember correctly, strong dissent was expressed on the floor to the award of a contract by the Navy for certain destroyers, the contract having been taken away from the low bidder and given to another bidder, whose bid, I believe, was $6 million or $7 million more.

I think the Senator from Delaware has made a point in saying that the solvency of the Government should be related to the national security, and that this is either a bill for the construction of tankers in the interest of national security, or a bill for the relief of indigent shipyards. It seems to me that the bill should be considered from the standpoint of the soundness of the Government, too.

Mr. STENNIS. I appreciate the Senator's remarks. I did not have an opportunity to be on the floor to hear the point raised by the Senator from Delaware, but, so far as I know, this is not a bill for the relief of indigent shipyards. I should be greatly disappointed if that were the case, because very serious representations have been made with reference to the merits of the bill, and it was stated in the hearings that it was another approach to our problem.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. WILLIAMS. I may say to the distinguished Senator from Mississippi that I am not opposing the bill on the basis that it is not necessary to modernize our fleets. I am trying to have incorporated in the bill a provision that will place it on a more businesslike basis and have suggested to the distinguished Senator from Massachusetts [Mr. SALTONSTALL] that an additional provision should be incorporated in the bill that, notwithstanding any other provision in the law, the contracts must be on the basis of competitive bids and awarded to the lowest responsible bidder.

The Senator from Massachusetts admits that in the testimony before the committee there was a unanimous agreement that the bidding should be done in that manner. He pointed out also that it was the intention of the committee that this procedure should be followed. If it is the intention that bidding should be competitive, I see no reason why Congress should not spell it out affirmatively. We cannot forget the fact that only a few months ago contracts were awarded by the same agency on an entirely different basis.

I think it is equally important not only to procure an adequate merchant marine but also to make certain that Congress exercises some responsibility over the expenditure of Government funds.

Mr. STENNIS. I had understood at the hearings that contracts would be awarded to the lowest bidder. There was nothing else in my mind. I favor that as a general plan. I do not like exceptions to be made in other fields. The Government has had ships built in Mississippi, but I do not know that shipyards there would be interested in this proposal. At least, they have not contacted me. But I appreciate the feelings of the Senator from Delaware about the situation. I am interested in the merits of the bill as a whole. I think it is a measure which should be passed. I myself have no objection to the provision proposed by the Senator from Delaware.

Mr. WILLIAMS. I may say to the Senator from Massachusetts that there are shipyards in my own State, and I naturally hope they will be successful bidders on some of the contracts. Nevertheless, if they cannot build the ships at as low a price as the ships can be built elsewhere, they are not entitled to the contracts; but if the Delaware Shipyards can build ships at a lower cost, they are entitled to the contracts.

I consider it very important that a provision be included in the bill to the effect that the Government shall in awarding contracts do that which every Member of Congress has been advocating.

Mr. STENNIS. I appreciate the sentiments of the Senator from Delaware.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MAGNUSON. Is there anything in the hearings which would indicate why the Government, if it needs the tankers so desperately, does not build them itself? What reason has been given for the adoption of a new policy?

Mr. STENNIS. In the final analysis, in my opinion, it comes down to a choice between the two systems. It could have been done under the old, or present, method of the Government itself building the ships. It seems that some points could be stated in favor of that system. On the other hand, there is a question in my mind about the tankers becoming obsolete so quickly that they will not be of the best use to the Government. I thought it was worthwhile, in view of the fact that the Government will get such a small percentage in disposing of the tankers, after it has had the best use of them, that, as an experiment, the new system could be adopted for the building of some of the ships, to see how the Government will fare, because I think, under the ceiling established, the Government will not lose a great deal of money in any event.

Mr. MAGNUSON. Was there any suggestion made that the adoption of the new method would be cheaper for the Government than to have the Government build the ships itself and then to lease them for private operation?

Mr. STENNIS. No; I did not get the impression that such a construction program would be cheaper for the Government. There was a question as to whether it would be cheaper for the Government to construct and operate the ships. There is a question, as I understand, whether the Government will get bids which will come within the limits of the bill. I do not know how to discuss the technical aspects of that question, because I am not qualified to do so.

Mr. MAGNUSON. The Senator from Mississippi does not believe that this is the cheapest way to build ships, does he?

Mr. STENNIS. No; I would not say it is the cheapest way, or that it will save any appreciable amount of money. However, I think the system has some benefits, and that if it works out well, it should save the Government some money.

Mr. MAGNUSON. If the Government builds the tankers itself at an estimated cost of $107,500,000, in that case it would have to call for bids; and, under the law, the Government would have to accept the lowest bid.

Mr. STENNIS. Yes; that is correct.

Mr. MAGNUSON. This proposal is a little different. The cost of 20 new tankers, on the basis proposed, would be $150 million. If it is done under this system—and I think this is another kind of lease-purchase bill—it will cost the Government more in the long run, because the Government does not desire to come to Congress with the request included in the budget, which is a cheaper method. The administration talks about economy and about wanting to keep the budget down; but it is having bills passed which will cost the American people a great amount of money in the long run.

At $5 a ton for an average of 2,800 tons a ship, the total cost would be $140,000 a month. For 12 months, the cost would be $1,680,000. For 10 years, it would be $16,800,000 for each tanker. The cost of 20 tankers, at that rate, would be $336 million for 10 years.

Mr. STENNIS. But the Senator from Washington is including the total operating cost during that period.

Mr. MAGNUSON. That is correct, but the Government could lease the ships. There could be charter hire of the ships, as was done during the war. A private operator could operate the ships, and operate them less expensively.

Again, I say that the tankers are needed. There is no argument about that. But a new policy is being proposed which will cost more in the long run. If anyone thinks the contracts will be let at a price under $5 a ton, I should like to know about it. Five dollars a ton will become the floor. I think the same thing is true with respect to the lease-purchase bill. The American people simply are being asked to pay more. The reason is that the Government simply does not want to come to Congress and face up to the fact that 20 new tankers are needed, and that the Government should build them and pay for them. That is all there is to the situation. That is why such new schemes as the one under consideration are proposed.

It will be found in the long run, taking into consideration the acceleration clause, and all other factors, that if the tankers which are needed were built—and I think they are needed—and if they were then chartered for private operation, the Government would have tankers which would have cost much less, and probably would be operated in a little better way. That is what has been done in the past.

But, no, the Government will not come to Congress and ask for $150 million for 20 new tankers, because that amount would have to be included in the budget. So someone else will build the ships, and it will cost the Government more, because every year it will be necessary to make payments, and the tune for 10 years will be $336 million.

Mr. STENNIS. Mr. President, I shall not hold the floor indefinitely. In spite of the cost of $336 million which the Senator from Washington has estimated, and I shall assume his estimate to be correct, I can sum my remarks up by saying that the figure would include the cost of the tankers and the cost of the operations, and at the end of that time that will be the only obligation the Government will have. It will not have on hand a tanker in which it will have a lot of money invested, and for which it may get about 15 or 20 cents on the dollar in whatever sale the Government might eventually negotiate.

Repeating and summing up my remarks, even though there might not be much money saved, and even though the tankers might cost the Government a little more, in view of the fact that the Government needs the tankers, and since we must have fast-moving, larger, modern tankers, which can operate under present-day conditions, and since serious conditions face us from the national security standpoint, I thought the Senate should pass the bill and let the program get underway. I am convinced that however the figures may turn out to be, there is no chance of there being an appreciable loss on the part of the Government.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I have discussed this matter with the Senator from Massachusetts. Even though I oppose the bill, because after 10 years we will not have the tankers, after $336 million will have been spent on what seems to me to be a "run-away fleet" under foreign-flag registry, I think the bill would be improved a little if an amendment were made on page 2, line 19, where there is a restriction on the Secretary of the Navy's transferring the tankers to foreign registry. The bill states, "unless the Secretary of the Navy determines at any time during such 10 years that a transfer of the registry of such vessel or vessels to a foreign country would not be inimical to the national defense." The words "national interest" should be added, so that the language on line 19 would read "would not be inimical to the national interest or the national defense." I think that would improve the bill a great deal.

I am sure the Senator from Massachusetts is thinking about the same thing I have in mind. The national defense is not the only important criterion. I think it is desirable to put some restrictions on the transfer of the ships if the ships when built are going to be put in direct competition with American-flag ships.

Mr. SALTONSTALL. I shall be glad to accept the amendment, with the further suggestion that the Secretary of the Navy cannot determine what the national interest is, but that the Secretary of Commerce can.

Mr. MAGNUSON. I agree with that.

Mr. SALTONSTALL. The language would then read:

> Unless the Secretary of the Navy determines at any time during such 10 years that a transfer of the registry of such vessel or vessels to a foreign country would not be inimical to the national defense, and the Secretary of Commerce likewise determines said transfer to be in the national interest.

Mr. MAGNUSON. I think that language would be better.

Mr. SALTONSTALL. I shall be glad to have that language in the bill.

Mr. MAGNUSON. Very well.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, in line 20, after the words "national defense", it is proposed to strike out the period and insert a comma and the words "and the Secretary of Commerce likewise determines said transfer to be in the national interest."

Mr. MAGNUSON. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. Does the Senator from Washington withdraw his amendment?

Mr. MAGNUSON. Yes. As I understand, on page 2, line 20, after the words "national defense", it is proposed to strike out the period, add a comma, and insert the words "and the Secretary of Commerce likewise determines said transfer to be in the national interest."

Mr. SALTONSTALL. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, I have discussed his amendment with the Senator from Delaware [Mr. WILLIAMS], and if I may say so, I accept the amendment reluctantly at this time. I say reluctantly because I think the purpose of the Senator from Delaware is excellent, but I am not quite sure of the effect the amendment would have. The bill will have to go to the House. The Navy representatives will then have another chance to discuss it there. I am perfectly willing to accept the amendment in this language, or have the Senator from Delaware offer it, whichever he desires.

Mr. WILLIAMS. Mr. President, it does not make any difference who offers the amendment. I might say to the Senator from Massachusetts that I can appreciate his statement that he is accepting the amendment reluctantly, but I wish to have it understood that if the bill goes to conference and the amendment is stricken out, I will oppose the conference report when it comes to the Senate. I do not want the bill enacted without the amendment.

Mr. SALTONSTALL. I assure the Senator from Delaware that I am accepting the amendment in absolute good faith. I said I was taking it reluctantly because I am not quite sure of its ultimate effect. The bill has not been considered in the House, and it will have to be heard before a House committee. I have no objection to having that language in the bill, so that the House committee and the whole House of Representatives can determine the question involved.

The PRESIDING OFFICER. Is an amendment being offered?

Mr. WILLIAMS. Mr. President, I ask the clerk to state the amendment.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Delaware.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the words, "and shall be awarded on a competitive basis to the lowest responsible bidder, who can and will construct the said tankers within the period of 2 years as specified in subsection (d) of section 2."

Mr. SALTONSTALL. I shall be glad to accept that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there is no further amendment to be offered, the question is on the engrossment and third reading of the bill.

Mr. WILLIAMS. Mr. President, I do not wish to offer another amendment——

Mr. SALTONSTALL. I hope the Senator will not.

Mr. WILLIAMS. But I wish to be sure that the bill does provide adequately that after contracts for the ships are awarded, the ships must remain under the American flag and cannot be transferred to foreign flags.

Mr. SALTONSTALL. That is correct, for a period of 10 years after the first charter is ended, or a total of 20 years, which is substantially the life of a tanker.

Mr. WILLIAMS. Then I understand it will not be possible to transfer one of the ships to a foreign flag during the 20-year period following the contract.

Mr. SALTONSTALL. Unless the Secretary of the Navy decides it is in the interest of national defense or unless the Secretary of Commerce agrees it is in the national interest. An amendment containing such a provision was just agreed to. In other words, what the committee tried to do was state that the tanker is chartered for 10 years, at the end of which the life of the tanker is about half gone, and during the remaining life of the tanker, which will be 10 years, it will be under the American flag, unless the two responsible officials of the National Government decide it is in the national interest or for the national defense to have it otherwise.

Mr. MAGNUSON. Mr. President, I wish to say to the Senator from Delaware that I think sufficient protection is secured by that provision, because the Secretary of Commerce and the Secretary of Defense would have to take affirmative action in order to take the ships from under the American flag, and it would have to be for our national defense or in our national interest.

The PRESIDING OFFICER. If there be no further amendments, the question is on the engrossment and third reading of the bill.

The bill (S. 3458) was ordered to be engrossed for a third reading, read the third time, and passed.

CIVIL FUNCTIONS APPROPRIATIONS, 1955

Mr. SALTONSTALL. Mr. President, I move that the Senate proceed to the consideration of H. R. 8367, the civil functions appropriation bill, so that it may be made the unfinished business of the Senate.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8367) making appropriations for the civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. SALTONSTALL. Mr. President, I wish to state the legislative program as it was given to me by the majority leader.

The civil functions appropriations bill will be considered tomorrow. Either during the time the bill is being considered or possibly by agreement with the minority leader prior to its being considered, the following bills may be called up and considered, and Senators should be advised of them:

Calendar No. 1376, H. R. 9004, a bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, and for other purposes; or Calendar No. 1334, S. 3457, a bill to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes. The bills cover the same purposes.

Calendar No. 516, H. R. 3704, a bill to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia.

Calendar No. 1384, H. R. 7061, a bill to prescribe and regulate the procedure for adoption in the District of Columbia.

Calendar No. 1385, H. R. 7062, a bill to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia.

Calendar No. 1388, S. 3387, a bill to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes.

The last four bills are all District of Columbia measures.

The first bill I mentioned, H. R. 9004, provides for the appointment of a Commissioner to the International Boundary Commission between Mexico and the United States.

The measures I have named will be brought up next, either before or during the consideration of the civil functions appropriation bill.

BUTTERFAT CONTENT OF MILK USED BY FEDERAL AGENCIES—BILL INTRODUCED

Mr. JOHNSTON of South Carolina. Mr. President, I introduce for appropriate reference a bill to require the agencies of the Federal Government which are located in the various States of the Nation to conform with the laws of the States prescribing the butterfat content of milk purchased within such States.

It has been brought to my attention that some of the Federal agencies have been purchasing milk with a lower butterfat content than it is lawful for the citizens of the same State to purchase. Such a practice is very definitely unfair to the milk producers who have to abide by the laws of the State.

Let me give an illustration in my home State of South Carolina, where the minimum butterfat content is 3.8 percent. The laws of many States of the United States do not require this high a percentage of butterfat; therefore, any Federal agencies within South Carolina could

purchase milk with a much lower butterfat percentage from any one of the other States of this Nation. The South Carolina law does not permit the citizens of the State to do this. Hence, I can see no reason why the Federal Government should participate in such a practice.

Therefore, Mr. President, I am introducing this bill, which will require "that milk purchased by any Federal agency for utilization in any State shall meet the requirements of such State with respect to butterfat content," in the hope the Federal Government will cease to ignore our State law on this subject.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3508) to require milk utilized by Federal agencies to meet State requirements with respect to butterfat content, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

RECESS

Mr. SALTONSTALL. Mr. President, I now move that the Senate stand in recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 13 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 25, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 24 (legislative day of May 13, 1954:

IN THE NAVY AND THE MARINE CORPS

Roscoe D. George, Jr., midshipman (Naval Academy) to be ensign in the Civil Engineer Corps in the Navy, subject to qualification therefor as provided by law.

Dain S. Glad (Naval ROTC) to be ensign in the Navy, subject to qualification therefor as provided by law.

The following-named (Naval ROTC) to be ensigns in the Navy as previously nominated, to correct name, subject to qualification therefor as provided by law:

Russell P. Nystedt
Herbert H. Steinmann

The following-named (Naval ROTC) to be ensigns in the Supply Corps in the Navy as previously nominated, to correct name, subject to qualification therefor as provided by law:

Cecil D. Briscoe
Leo S. Gill

DeLeon E. Stokes (Naval ROTC) to be ensign in the Supply Corps in the Navy, in lieu of ensign in the Navy as previously nominated, subject to qualification therefor as provided by law.

Thomas W. Nelson, Jr. (ROTC), to be second lieutenant in the Marine Corps, subject to qualification therefor as provided by law.

The following-named (Naval Reserve aviators) to be ensigns in the Navy, subject to qualification therefor as provided by law:

William W. Alexander
Howell D. Averyt
Fred M. Backman
Millard C. Ball
John A. Bates, Jr.
Dale H. Berven
Walter H. Buckholts, Jr.
Henry L. Cassani
Elwin J. Clark
Robert E. Combs
John Forbes, Jr.
Billy D. Franklin
Harold R. Gates, Jr.
William H. Hagensick
Bernard E. Hartnett, Jr.
William J. Hickman
Robert S. Hurst
Paul A. Johnson
William S. Kidd
Walter C. Koehler, Jr.
James McD. Leftwich
Forest "J" Merrill
Kenneth R. Miller
Gayland J. Mischke
Ernest M. Moore, Jr.
William A. Odman
George T. Pappas
William S. Pennypacker
George L. Petherick
Harold L. Piper
David B. Place
Thomas R. Randall
George M. Rankin, Jr.
William H. Searfus
Charles M. Shaw, Jr.
Jerome P. Skyrud
Richard E. Strockbine
Benjamin T. W. Sutherlin
Robert F. Thomas
John K. Verser
Wallace H. Wertz
William R. Whorton

The following-named (civilian college graduates) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Gregory J. Delehanty
Franklin A. Hart, Jr.

Edward R. Nell (Reserve officer) to be lieutenant commander in the Medical Corps in the Navy, subject to qualification therefor as provided by law.

Donald M. Wilson (civilian) to be lieutenant (junior grade) in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law.

Harold N. Glasser (Reserve officer) to be lieutenant (junior grade) in the Dental Corps in the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Glen S. Aspinwall
Ralph C. Carlisle, Jr.
Edward J. A. Castagna
Alphonse J. Castellana
Robert M. Cooper
Joseph F. Jones
Floyd J. Johnson, Jr.
Archibald C. Ledbetter
Glenn A. MacDonald
Robert E. MacDonald
Richard L. Martin
Edwin O. Schwendt
Thomas S. Simms
Charles Solomon
Alfred F. Stein
Daniel E. Terrell, Jr.
William M. Thurber
Charles J. Tyson III
Allen R. Walker
Jerry H. Wright

CONFIRMATIONS

Executive nominations confirmed by the Senate May 24 (legislative day of May 13), 1954:

IN THE AIR FORCE

The following-named cadets, United States Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947). Date of rank to be determined by the Secretary of the Air Force:

James Henry Ahmann
William Edward Albright, Jr.
Elmer Gene Allred
Eugene Joseph Alsperger
Warren James Alverson
John Edward Arnet
Stanley Clifton Beck
Kenneth Holmes Bell
Richardson Millard Bentley
Edward Martin Berko
Murray Burton Blume
John Louis Bonham
Herbert Willoughby Booth, Jr.
John Robert Borgatta
William Armstrong Boucher
William Pettit Boyd
Philip Lyman Brewster
Blackshear Morrison Bryan, Jr.
Louis Leon Bryant
Robert James Bullington
Gayle Wayne Cantrell
Jackson Busic Carter
Robert Eugene Chapman
William Miller Charles, Jr.
Stanley Foster Choate
William Hemp Clarke
Francis Carter Cobb
Carl Bobbitt Crews
James Edward Dalton
James William Daughtry
Quinton Davis
Darrol Le Roy Dennis
Alan Leigh Devereaux
Joseph Aloysius Devlin, Jr.
James Warren Diebold
Robert Eugene Dorr
Lawrence Thomas Drum
Douglas Golding Dwyre, Jr.
Jay Thomas Edwards III
William McDonald Egan
William Patrick Emley, Jr.
Harry William Emrick, Jr.
Ralph Edward Ennis, Jr.
Duane Harold Erickson
Samuel Henry Fields
James Joseph Fraher, Jr.
Barron Fredricks III
Gustav John Freyer III
William Lloyd Frier
Robert E. Fromm
Ronald Frederick Gamble
Raynor Garey, Jr.
Robert Kenneth Garwood
James Edward Gilec, Jr.
Robert Lee Gray, Jr.
Leonard Leroy Griggo, Jr.
Harlan Leslie Gurney
Wallace Kendall Haff
John Alden Hall
Robert Allen Hamblin
Loren Verne Hart
James Francis Healy
Joseph James Heed, Jr.
Duane Louis Hogan
Jerome Henry Holmlund
Jack Donald Horner
Hal William Howes
Howard William Hunter, Jr.
Rufus Daniel Hutcheson
James Maclay Ingalls
Kendell Olynn Iverson
Joseph Rankin James
John Patrick Januleski
Jimmy Phillips Jarrett
Allen Louis Jennings, Jr.
Carl Bertil Lennart Johansson
Ronald Lee Johnson
James Merton Lee Karns
James Myron Kirwin
James Summers Knox
John Edward Krause
George William Kronsbein, Jr.
James Howard Kyker
Paul Lansky
Joseph Donald Lapchick, Jr.
Don McKnight Larson
John Ellsworth Lawson
Donald Gene Lewis
William Dean Liby
Charles Robert Linton
Kenneth Edward Luckey
Leroy Thomas Lunn
Charles Ernest MacWilliam
Craig Eugene Mahaffy
Thomas Patrick Martin
Samuel Moore Mathews, Jr.
Larimer Cushman McFarlane
George Winston McMillan, Jr.
William Moss McVeigh III
Henry James Mehserle
Alan Joseph Momberger
Jack Edward Moore
Thomas Wiley Moore
John Joseph Morris
Robert Horace Muns
Matthew Patrick Murphy II
Wilson Harry Nickerson
Daniel Joseph O'Mara
William Elbert Orth
Jaime Ortiz-Lopez
Gerald Herbert Parshall
Earl Davis Payne, Jr.
William Wiley Phillips
Ralph Emmett Porter
Norwood William Potter
Eugene Stephen Procknal
Francis Lee Revere
George William Riess
Edward Almon Saville
Manfred Allen Schalk
Walter Clair Schrupp

David Randolph Scott
Elwin Rox Shain
Thomas Raymond Shukay
Kenneth Lovell Sipes, Jr.
George Charles Soos
James Riley Stanley
Ozro Richard Steigelman
Norman Frank Stephen
John Kent Stephenson
Cornelius Joseph Sullivan
Vincent Robert Suppicich
H. C. Tanner
Lee Boardman Thackwray
Gary Paul Thomas
William Robert Thomas
Frank Bentley Tiffany
James Joseph Truscott III
William Joseph Vipraio, Jr.
Phillip Dean Vollmann
Richard Joseph Vossler
Thomas John Wachowski
Rudolph Frank Wacker
Louis Charles Wagner
John Nicholas Weiler
John Alfred Wesner
Alvin Pierce White, Jr.
Arthur William Wild, Jr.
Samuel Hudson Wilson
Arnold Henry Winkelman
John Henry Wintrode, Jr.
Eugene Francis Wirth
Leland Roy Wood
Joseph Linden Yeager
Richard Dunphy Youngflesh
John Richard Zartman
James Myron Zerkel

The following-named midshipmen, United States Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947). Date of rank to be determined by the Secretary of the Air Force:

George William Samuel Abbey
John Henry Anders
Carl Frederick Anderson
Jack Renold Anderson
Jack Lee Appel
Joseph Theodore Artman, Jr.
Don Ayres
James Edgar Baker
John Charles Balogh
John Joseph Barry
Marvin Jenkins Barth II
Clarence Leroy Bennett
Robert Edward Birkenmeier
William Allen Boggess
William Boiko
George Warren Botbyl
Richard Thomas Boverie
John Alfred Brashear
Jo Brendel
James Elmer Brewer
John Creighton Bricker
George Desmond Brown
James Thomas Brown
Richard Emory Brubaker
Gilbert Anthony Buccola
John Bartlett Burcham, Jr.
Kenneth Dean Burns
Robert Edward Burns
Richard Kraussee Byers
Nicholas Phillip Calias
Frank John Caroccio, Jr.
Terrol Allen Carpenter
Aloysius Gerald Casey
John Christopher Cassidy
Richard Edward Cherry, Jr.
Lewis Forman Chisholm
Alan Shirley Christner, Jr.
Richard James Chuday
Henry William Cianflone
Frederich Arlyn Clark
Robert Flanders Clarke
John Joseph Clune
Denis Anthony Conrady
Kenneth George Crompton, Jr.
Madison McDonald Daily
Grant Gilman Dean
Edward Peter DeFede
Charles Frederick DeMos
Walter Charles Deppish, Jr.
Timothy Joseph Downs, Jr.
Ross Belton Duckett
Harry Patrick Dunn
Robert Eugene Dunne
John Peter Fahey
Walter Batteal Farrar, Jr.
Ronald Emory Finch
Tom Jennings Forster
James Eugene Foster
Marvin Frank
Joseph William Franks, Jr.
Albert Paddock Freer, Jr.
Wayne Thomas Frye
Robert Joseph Ganter
Henry Jonathan Gaynor
John Matthew Gerding
Theodore Carlton Gerst
William Richard Gilmore
William Roland Glover II
Dale Roger Gramley
Theodore Keith Graves
George William Gute
Eugene Lawrence Guttenberg
Carl Melvin Harms
William Sterling Harris
John Freeman Harvell
Eugene Emerson Hawthorne
William Lee Haygood, Jr.
Arnold Wilfred Helting
Dan Michael Hennessee
David Lawrence Henry
Robert Tralles Herres
James Nelson Hicks, Jr.
Ralph Jerold High
James Jay Hill
Olive John Hines
George Sheilds Hirsch
Jerry Pinkston Holman
William Walter Hoover
Stanley Powell Houghton
Franklin Wallace Hoy, Jr.
John Hrustich
Edward Hughes Jackson, Jr.
Gordon Leonard Johnson
William Joseph Johnson
James Sherburne Keck
Leonard Allen King
Matthew Douglas Kirkpatrick
Frederick William Knops, Jr.
George Daniel Knutkowski
Gordon Gafford Koops
Bobby Shepard Lay
James Allen Leach
George Nelson Leventen
Richard Brooks Lewis
Ronald Eric Lief
Clovis Tann Lightsey
Franklin Russell Lockmiller
Peer John Lovfald, Jr.
Rano Eugene Lueker
Gerald Forrest Mackey
Lachlan Macleay, Jr.
Mauro Jiustino Maltagliati
John Curtis Marshall
Edmund Eugene Martinez
William Albert Matheny, Jr.
Robert Charles May, Jr.
James Charles McFetridge
David Richard McGinnis
William Glen McKay
Charles George McLean
John Douglas Meehan
John Esper Merten
David Lloyd Miller
John Anthony Miller
William Leighton Miller
David Philip Milnor
Derek VanZant Mitchell
Joe Patton Morgan
Joseph Francis Mudd
Richard Frederick Murphy
Michael Anthony Nassr
Richard Warfield Nelson
Wesley Alexander Newsome, Jr.
Merlyn Eugene Nightengale
Charles Lawrence Nobles
Harry Thomas O'Brien
John Jerome O'Leary
George Burton Parks
Winston David Patterson
Donald Orian Pflugrath
Edwin Faraday Phillips
John Daniel Phillips
Dale Lester Picardat
William Russell Pigott
Harold Eugene Pilcher
Eugene Marion Poe, Jr.
Ernest Ellis Potter
Charles Edward Powell
Stanley Paul Prahalis
Henry Arthur Proctor
Richard Cantrell Proffitt
Charles Roy Prohaska
John Steven Pustay
William Ronald Quasney
Don Roger Ray
Ralph Kitridge Redden
Raphael Luke Reddington
Luin Blunt Ricks
Terry Ryder Ridgway
John Walter Rigterink
Barry Lee Roach
William Joseph Roach
Robert Willard Rogers
Charles Homer Roush, Jr.
Charles Stoddard Rowley
Lawrence Grant Russ
Julian Salas
Walter Eugene Sampson
Richard Paul Sassone
Willis John Schleusener
William Edward Schuler
Andrew Myron Schultz
Jean Conrad Seagroves
S. J. Shaffran
Charles Ira Shelton
Stephen John Sinko
Alvin Dale Size
Charles Noel Dupont Smith
Edwin Thomas Smith
Gary Thomas Smith
Joseph Brothers Smith
Richard Charles Snavely
Carl Joseph Soreco
Richard Byron Spencer
Heewannah Keith Spiker
Kenneth Elliott Stanley
Jesse Douglas Steadman
Mario Joseph Stefanelli
Norman Harry Stockel
James Thomas Strader
Stanley Roy Swanson
Harvey Taffet
Edgar Franklin Tatum, Jr.
Charles Howard Taylor
Calvin Wayne Thomas
Morris Zane Thornton
William Earl Thurman
Albert Richard Trautmann
Edmond Joseph Uzdavines
Raymond Jacob Vaverka
John Francis Volpone
Keith Leon Walker
William Robert Walker
Clyde Livingston Ward, Jr.
James Charles Whatley, Jr.
Edward Westcott Windle, Jr.
Stephen Worth Wolfgang
Kenneth Delmer Wright
Richard Perry Yantis
Donald Bernard Zelten
James Stanley Zimmerman

The following-named cadets, United States Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); date of rank to be determined by the Secretary of the Air Force:

Thomas Jerome Abernathy
William DeFord Bathurst
Edward Cletus Bavaria
Richard Harvell Bentz
Kirk Fletcher Cockrell
James Helfrich Cronin
Robert Lee Geasland
Samuel Richard Harover III
James Gordon Higgs
Robert Andrew Kaiser
Ronald Kearney Knapp

Kevin Edward McKay
Ronald Eugene Morris
James Edward Moss
John Martin Neas
Joseph Allard Rude
William Thomas Sagmoen
Lem Davis Sugg, Jr.
John Edward Weaver
Emery Scott Wetzel, Jr.
Charles Everett Wilson

The following-named midshipmen, United States Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); date of rank to be determined by the Secretary of the Air Force:

William Arthur Creager, Jr.
Donald David Deem
George Fred Heinrich
George Franklin Knotts
Raymond Rudolph Maestri
Francis James McCarthy, Jr.
Richard George Padberg
Doral Randolph Sandlin
Alton Lane Van Ausdal
Van Leon Vierbicky
James Bradford Whitehead

IN THE NAVY AND MARINE CORPS

Paul M. Beckham, midshipman (Naval Academy), to be ensign in the Navy, as previously nominated and confirmed to correct name, subject to qualification therefor as provided by law.

Matthew E. Anglim, Jr., midshipman (Naval Academy), to be ensign in the Supply Corps in the Navy, in lieu of ensign in the Navy as previously nominated and confirmed, subject to qualification therefor as provided by law.

The following-named midshipmen (Naval Academy) to be ensigns in the Civil Engineer Corps in the Navy, in lieu of ensigns in the Navy as previously nominated and confirmed, subject to qualification therefor as provided by law:

Mark Z. Hanlon, Jr.
William C. Miller

The following-named (Naval ROTC) to be ensigns in the Medical Service Corps in the Navy, subject to qualification therefor as provided by law:

Joseph H. deRivera
William H. Jennings, Jr.

The following-named (ROTC) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Daniel C. Escalera
Robert J. Healey
John T. McKenna
George E. Meagher
Louis B. Myers
Romaine D. Thorfinnson

The following-named (civilian college graduates) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Ray L. Baker
Philip B. Cook
Donald C. Gilbert
Leroy E. Johnson
Richard W. Kocornik
Russell Lloyd, Jr.
Edward L. Madden, Jr.

The following-named Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

John M. Adams, Jr.
Sammy T. Adams
Fred J. Ballek
Donald J. Bardell
Sydney H. Batchelder, Jr.
John R. Beck
James L. Belt
Allen L. Bender
Kay D. Bjorklund
Charles R. Brindell
Robert O. Cannon
John B. Cantieny
Charles W. Carroll
Robert E. Carruthers
Charles R. Cochran
Lawrence J. Desjardines
Robert R. Dewey
Donald C. Evans
William C. Filler
James W. Flanagan
Roger R. Frank
Thomas R. Haddock
Howard H. Hall
George C. Harris, Jr.
William E. Henson
John G. Howard
Milton H. Jerabek
George E. Joyce
Charles R. Kneale
Albert A. Laffin
Robert E. Lewis
Francis J. Lynch, Jr.
Daniel R. Mason
Charles C. McAllister, Jr.
Frank T. McCloy
Armando J. Merola
Donald A. Myers
Charles B. Palmer
Anthony P. Platea
Joseph C. Purcilly, Jr.
"J" "C" Rappe
William A. Read
Edward D. Resnik
James Ryan, Jr.
Morris S. Shimanoff
John C. Studt
William J. Thomas
Edward H. Toms
Robert J. Votava
Robert D. White
Bruce M. Wincentsen

POSTMASTERS

ALABAMA

William M. Stewart, Alexander City.

ARKANSAS

Aphra A. Madison, Lake Hamilton.

CALIFORNIA

Lloyd L. Adamson, Bloomington.
James L. Sims, Fallbrook.
John F. Nielsen, Jr., Forest Knolls.
Juanita M. Lee, Heber.
William A. Cook, Irvine.
Herman D. Vandergon, Le Grand.
Arthur J. Schneider, McFarland.
Harriet P. Vial, Rosamond.
Lawrence F. Sandquist, Rosemead.
Douglas L. Finney, Twain Harte.
Hale S. Burger, Windsor.
Clarence L. Knight, Yolo.

COLORADO

Gilbert H. Moeller, Delta.
Marion H. Bray, Fort Logan.
Charles Robert Skees, Nucla.
Jennie E. Kimble, Simla.
Carl F. Williams, Wray.

CONNECTICUT

Emerson J. Surprenant, North Branford.
Paul P. Pavia, Stamford.

FLORIDA

Forrest S. Smith, Lake Wales.
John W. Harrison, Laurel Hill.
Lenora H. Brown, Mayport.
Ralph G. Simpson, Nokomis.
Louise A. Echols, Pelican Lake.
Paul E. Albury, Tavernier.

GEORGIA

Homer A. Sappington, Barnesville.
Robert L. Anthony, Shellman.
James R. Kennemur, Whigham.
Edgar S. Hicks, Jr., Yatesville.

IDAHO

Thelma J. Butts, Hope.
Henry C. Hansen, Moscow.

ILLINOIS

Elizabeth J. Grahn, Altona.
Hobart C. Berghorn, Barrington.
Ralph C. Scott, Carlyle.
James R. Jirus, Cornell.
Madge L. Snell, Gilson.
James C. Holt, Hazel Crest.
Ila W. Nelson, Plano.
William H. Watson, Prospect Heights.
Albert H. Brandt, Red Bud.
Raymond A. Smith, Wilmington.

INDIANA

James K. Stanforth, Jeffersonville.

IOWA

Edward M. Rowse, Correctionville.
Herbert L. Ulrich, Dakota City.
John R. Bruns, Deep River.
Allen R. Yashack, Diagonal.
Harlan F. Rohwedder, Earlville.
Roland D. Roberts, Greenfield.
Wayne A. Spies, Hinton.
Francis L. Gochenour, Logan.
Fredrick Meyer, Stanwood.
Charles A. Palmer, Waukon.

KANSAS

Lawrence W. Zimmerman, Alta Vista.
Ernest A. King, Barnard.
Fred E. Winter, Columbus.
Harold E. Schiewe, Ellinwood.
Ralph L. Marlin, Eureka.
Elmer Lull, Haddam.
James H. Parsons, Lawrence.
Bert E. Davis, Medicine Lodge.
Carl A. Lockard, Neodesha.
Billy E. Starbuck, Raymond.
William H. Lawrence, Udall.
Eugene B. Hyndman, Wellington.
Dale H. Stinson, Wilson.
Edna G. McClure, Zenith.

LOUISIANA

Thomas F. Patin, Breaux Bridge.

MAINE

Donald C. Gautier, Auburn.
John Chase, North Edgecomb.

MARYLAND

Raymond F. Day, Monrovia.

MASSACHUSETTS

Stuart A. Nickerson, East Walpole.
Robert L. Thayer, Harwich.
Frank G. Haley, Medfield.

MICHIGAN

Lyal E. Lucas, Berrien Springs.
John A. Bunyan, Bridgeport.
Jean E. Welch, Bridgewater.
John D. Duguid, Chesaning.
Arthur Wade Drake, Colon.
Earl H. Kabel, Lawrence.
Jay F. Fournier, Morrice.

MINNESOTA

Arlie R. Wilder, Amboy.
Loran V. Nelson, Bellingham.
Gilbert P. Ostendorf, Freeport.
Walter E. McRoberts, Herman.
Robert L. Aldrich, Hewitt.
Orville C. Stordahl, McIntosh.
William H. Gronholz, Jr., Nicollet.
Lionel J. Spaniol, St. Cloud.

MISSOURI

Richard Watkinson, Billings.
C. Dale Murphy, Bourbon.
Clarence L. Robertson, Jr., Brashear.
Kathryn L. Rubottom, Cantwell.
Frank D. Griswold, Jr., Clarence.
John C. Smith, Conway.
Roy E. Gregg, Creighton.
Jesse M. Long, Drexel.
Marion L. MacBride, Eureka.
Nelson H. Auer, Fulton.
Paul L. Myers, Grandview.
Joseph L. Snyder, Holden.
Joseph M. Dischino, Imperial.
John W. Jones, Lebanon.
Kenneth R. McLain, Linneus.
Dorothy Grace Hunt, Lonejack.
Wilber M. Williams, Lucerne.
Claude H. Willard, Marionville.
Ruby M. Radcliffe, Matthews.
Hubert A. Bittiker, Mendon.
Leo H. Krueger, Montgomery City.
Charles H. Hutsler, Osceola.
Lloyd D. Gill, Powersville.
Max E. Schmid, Queen City.
Norman T. Crater, Ravenwood.
Lolita E. Lorch, St. Marys.
William L. Dalton, Salem.
Ethel Esther Eberts, Smithville.
Carl Darrell Marti, Tarkio.
Aaron Coleman Johnson, Verona.
Herbert W. Wipperman, Wellington.

MONTANA

Albert M. Valacich, Black Eagle.
Jean L. Creecy, Willow Creek.

NEBRASKA

Elber E. L. Landstrom, Axtell.
Dale F. Fattig, Brady.
John C. Horner, Friend.
Elizabeth R. Olson, Lindsay.
Donald R. Shipman, Sidney.
Gerhardt Wiard, Sutton.
Jean A. Boyd, Winside.

NEW HAMPSHIRE

James M. Cripps, Holderness.
Delmar F. Haskell, Jackson.
Howard K. Ballou, Laconia.

NEW JERSEY

Elva B. Feller, Payson Lakes.
Stephen M. Vahaly, Port Reading.
Clifford L. Cardozo, Scotch Plains.

NEW YORK

Henry S. Salfi, Accord.
Charles L. Messer, Auburn.
Dorothy A. White, Bloomingdale.
Donald L. Phelps, Burdett.
Theodore O. Gramm, Campbell Hall.
Theodore H. Sheldon, Fort Montgomery.
Leigh R. Jones, Franklinville.
Elodine S. Baxter, Hinsdale.
Leon E. Youngs, Johnson City.
Lola M. Dauch, Mongaup Valley.
Alta M. De Silva, Mount Tremper.
Donald R. Harvison, Olean.
Ralph E. Ouderkirk, Jr., Palantine Bridge.
Frank P. Platz, Shandaken.
Walter L. Deutsch, Slate Hill.

OHIO

Clinton C. Dill, Bellville.
Anne F. Day, Glenmont.
Mabel E. Crawford, Holmesville.
Hoy J. Seckinger, Jacksonville.
William D. Griffith, Shawnee.
Henry M. Heyl, Wooster.

OREGON

Maud J. Arnold, Butte Falls.
Clyde W. Carstens, Roseburg.
Cecil W. Wickman, St. Helens.

PENNSYLVANIA

Grandfield White, Cambridge Springs.
Henry C. Schlosser, Gallitzin.
John A. Moore, Gibsonia.
Burdette L. Gelnett, Grampian.
Samuel Edward Resley, Huntingdon.
Russell E. Eminhizer, Lemon.
Albert F. Rusiewicz, Natrona.
Earl S. Thoman, Railroad.
Clarence R. Pfaff, South Heights.
Albert F. Kutzer, Tremont.

SOUTH DAKOTA

Robert L. Brown, Bradley.
Lloyd W. Malde, Mount Vernon.
Francis A. Degner, Salem.

TENNESSEE

Bill W. Harvey, Kingston.
Hal H. Horner, Morristown.

TEXAS

Elmer C. Boatler, Big Spring.
D. W. Springer, Blooming Grove.
Edgar W. Cowling, Bridgeport.
John H. Reinicke, Crockett.
Allen A. Keese, Medina.
Arthur T. Ward, Shiner.
James W. Hampton, Smithville.
Dallas V. Farmer, Valley Mills.
Paul P. Berthelot, Victoria.

VIRGINIA

Frayser F. White, Bremo Bluff.
Alfred C. Emerson, Dry Fork.
Conrad S. Geier, Sr., McLean.

WISCONSIN

Archibald G. Campbell, Barneveld.
Martin O. Netland, Catawba.
Joseph F. Bowar, Cross Plains.
Louis L. Dinkel, Fox Lake.
Gordon J. Hauser, Hilbert.
Sidney J. Soltysik, Lyndon Station.
Harold L. Trehey, Seneca.

WYOMING

Verba M. Lawrence, Moran.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 24, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, in whose fellowship our spirits are renewed, we thank Thee for this day with its many opportunities for service.

All our yesterdays are a glorious testimony that Thou wilt never withhold from us Thy divine companionship and counsel if we strive to walk uprightly and perform our duties faithfully.

We beseech Thee to manifest Thy presence and favor unto these Thy servants who are giving themselves courageously and devotedly to the high adventure of building a nobler civilization.

Fill us with a sincere and eager longing to preserve and cultivate those moral and spiritual values which are so desperately needed in our efforts to bring peace and blessedness to all mankind.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, May 20, 1954, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 975. An act to amend the Home Owners Loan Act of 1933, as amended; and

S. 2225. An act relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1815) entitled "An act to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes."

SHIP CONSTRUCTION PROGRAM

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I have today introduced a bill to authorize the Secretary of Commerce to initiate a program of constructing 60 cargo and cargo-passenger ships per year to effectuate the policy of the Merchant Marine Act of 1936.

An immediate ship-construction program is vital to the national defense of our country.

Admiral Leggett, Chief of the Navy's Bureau of Ships, told our committee a short time ago that the condition of our commercial shipyards promises to be the most vulnerable area of our whole preparedness program. He did not say that the most vulnerable area promised to be in the lack of battleships, airplanes, tanks, or guns. He emphasized the plight of commercial yards which face closure, and which in an emergency must be called upon to furnish the ships that carry the men and materials to the war fronts.

Just last Thursday the House Armed Services Committee in its report on H. R. 8571 said that our shipbuilding industry is in critical condition, that it is essential to our national security, and that new commercial or Government-sponsored construction is required.

Secretary of Navy Charles S. Thomas told members of our committee that we must start on an immediate program of ship construction.

Under Secretary of Commerce for Transportation Robert Murray in his recent comprehensive report recommended a ship construction program of 60 ships per year.

During World War II the Axis powers sank 36 million tons of allied shipping. We are now informed that the Russians have six times as many submarines as did the Germans at the start of World War II. The Navy estimates that the Russians have 350 ready-to-go submarines. Unquestionably they are the high-speed and long-range type which could play havoc with the practically obsolete ships in our lay-up fleet.

Red arms and ammunition presently being shipped to Central America point up the vulnerability of the Panama Canal. Should anything happen to the canal, our need for fast, modern ships to serve both our coasts would be multiplied.

Because of the lack of cargo- and troop-carrying vessels prior to World War II we almost lost the war. The war was prolonged because we did not have enough ships. The consequent cost in men and supplies lost was immeasurable.

We must not make the same mistakes we made in both world wars through neglect of our merchant marine. Let us heed the lessons of the past, and provide for an adequate merchant fleet which our military authorities recognize as our fourth arm of defense.

SHIPBUILDING PROGRAM

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the statement just made by the gentleman from Washington [Mr. TOLLEFSON], that he is introducing legislation to authorize the Secretary of Commerce to build 60 merchant ships should interest every Member of the House. Time and again, we have been reminded of the need for an adequate fleet of modern, fast merchant vessels as an adjunct to defense.

Right now, the shipyards of this country are running out of work and our various teams of skilled workers will be dissipated unless we promptly begin a shipbuilding program.

Meanwhile, a great deal of small-boat building has been allocated to foreign shipyards and our naval procurement of combat vessel construction has had to be divided among both public and private yards in order to maintain minimum mobilization facilities.

I want to commend the gentleman from Washington for the excellent job he is doing as acting chairman of the Merchant Marine and Fisheries Committee. This bill that he is introducing deserves the active support of every Member of this body. Our merchant marine is called our fourth arm of defense. Let us not make the mistake we have made in the past by waiting until a crisis, but rather, as a measure of economy, provide a sustained shipbuilding program during years of peace.

As I told the House last February, the situation that is shocking to my mind is that we have no program in this country of private merchant marine shipbuilding. After the lesson of World War II, it is inconceivable that no provision has been made to insure our security by the building and maintenance of a private fleet of merchant ships.

BRITISH TARIFF RESTRICTIONS

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, when the British loan was up immediately after World War II, the chief argument advanced was that we should loan them money instead of extending credit in order to break down the trade restrictions which the British Empire had. I opposed that loan on the basis that we should make an Export-Import Bank type of loan, where we could see that the benefits of our loans went to the places where we thought they should. I did not believe that trade barriers would be removed and subsequent events have proven how right we were.

I would like to present to the House here a letter under date of April 3, 1954, to show you what the situation now is. This letter from from a farmer in Fosse Bridge, Gloucestershire, England, and it is directed to Mr. M. P. Moore, Circle M Ranch, Senatobia, Miss.

The letter reads:

Dear Mr. Moore: You will remember that we have corresponded in the past regarding Poll Herefords in England, and that I started my herd by AI from CMR Advance Domino 81st.

In a letter of April 27, 1953, you suggested that the best progress would be made by getting in the blood of a Rollo, Larry, or Mixer bull. I and my colleagues are now considering importing a bull from overseas, and I write to you for help and advice.

Unfortunately the regulations of the British Treasury and of the Ministry of Agriculture preclude importation from the U. S. A. and though I have made several overtures to the Ministry, there seems no hope of getting this regulation suspended. They will permit us to import from Australia or New Zealand, however, and also probably from Canada, provided that the bull we wish to import has been bred and reared in Canada. Can you recommend to me any breeder in Canada who might be able to let us have such a bull, preferably of the Larry strain? I would be most grateful for help in this, as I know no breeders in Canada. I am only sorry that the British regulations prevent me coming direct to Circle M Ranch.

Our work is going on in a satisfactory manner, and we are gradually building up our stock. I will feel very happy when I have a herd of nice Poll females. At the moment I cannot afford to cull very much for quality, as I still have to use horned animals. But I am glad to say that even if I had a big enough stock to permit severe culling, I would in most cases be hard put to it to know which not to keep.

Incidentally, in your last letter you say you would put me on the mailing list for your literature, but I have not had anything yet. I would be very grateful if you would send me anything of interest.

Yours very sincerely.

In other words, that is a flat regulation by the British Empire prohibiting the importation of agricultural commodities from the United States of America.

The British loan was made. I cite the foregoing letter for the consideration of our State Department, our various committees now dealing with foreign policy and foreign aid. Certainly we must insist on the ending of such policy as England has here, if further aid is extended.

"GIVE US A CHANCE TO STAY IN THE NAVY"

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON of California. Mr. Speaker, it is highly unusual, to say the least, when the wives of servicemen feel constrained to petition their husbands' "boss," the Congress of the United States, for a pay increase to help make ends meet.

A group of Navy wives in my district, under the leadership of Mrs. Doris Klies and Mrs. Jenny Starren, have presented the Secretary of the Navy and me with copies of a petition signed by 131 Navy wives, calling for such an increase. I have introduced a cost-of-living pay-raise bill for service personnel, and have a deep interest in legislation that will improve the pay status of our military personnel. For that reason, I include the body of the petition as a part of my remarks:

GIVE US A CHANCE TO STAY IN THE NAVY

When our husbands joined the Navy they felt there was no better career than in the service of their country.

When we married Navy men we accepted the inherent disadvantages of Navy life—frequent moves, long separations, added responsibility a wife must assume, etc. We were proud of our country, and wanted to instill in our children the same love and devotion.

However, we did expect that after 10, 15, 20 years of service our husbands would receive sufficient pay for us to maintain at least a decent standard of living and to give our children a few of the advantages a competent civilian could secure for his children.

Over the past several years, the rising cost of living, plus constant reduction of the benefits we were promised, plus the lack of any real pay raise, has made a Navy career a choice between serving our country and providing for our children. We can no longer do both.

We respectfully request that you do all in your power to secure the pay raise which is now before Congress, so that more husbands are not forced to make the choice between service to his country and the welfare of his own family.

TIME FOR ACTION IN THE AMERICAS

Mr. LANTAFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LANTAFF. Mr. Speaker, if Paul Revere were living today he would view the landing of Red arms in Guatemala as a signal to ride and warn the people of the Americas of the present acute danger of Communist infiltration of Latin America.

Paul Revere's historical ride of 179 years ago last month brought about action after words had failed. Much had been said about the danger to the freedom of the colonists in those days and many words had been spoken about the measures that would be taken to protect that freedom; however, words are meaningless unless backed by a concrete promise of action to give them meaning. Revere's ride brought out the minute men and sparked the action that preserved the freedom and liberty of the pioneer Americans. Today's situation is somewhat parallel. The American States are well aware of the threat of international communism. These States have on numerous occasions adopted resolutions calling for a cooperative effort on the part of the Americas to repel aggression and subversive infiltration. There is the Rio Treaty of 1947 and the resolution adopted in Bogotá in 1948. There is the fourth meeting of the hemispheric ministers in 1951 in Washington and the anti-Communist resolution adopted in Caracas in 1954. Words in opposition to communism and subversive infiltration have been expressed by the American States but the action to implement these words is lacking.

Tensions are growing between Guatemala and neighboring Honduras and Nicaragua. A Soviet-inspired attack on these countries by Guatemala is quite conceivable in order for the Reds to gain ports in the Caribbean Sea for use of their submarine fleet and to obtain bases for an attack on the Panama Canal in the event of world war III. Furthermore, control of Guatemala on the Pacific and of Honduras on the Atlantic side would furnish the Communists with a land avenue between the two oceans which would be of immense value to the Soviets in a global war.

The 1947 Rio Treaty is comparable to Paul Revere's ride for it is the vehicle that provides the American States with the opportunity to employ action. The sixth article of this treaty provides:

If the inviolability or the integrity of the territory or the sovereign or political independence of American States should be effected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on

the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

In Guatemala, today, a challenge has been made on the freedom pacts between the American States. Nicaragua has severed diplomatic relations with Communist-infiltrated Guatemala. The United States has signed military-assistance pacts with Nicaragua and Honduras. This, however, falls far short of the necessary action that should be taken in this grave situation. It is imperative that the hemispheric foreign ministers be summoned to a fifth meeting so that the truth about the landing of Soviet arms in Guatemala can be revealed and so that proper steps can be taken to cope with the challenge to Western Hemisphere security. Such a meeting is required by considerations of hemispheric security, for the political future of the Americas and the prestige of their political institutions, as well as our own security, demand such action at once. The 1947 Rio Treaty, like Paul Revere's ride, is a motivating force that calls together today's minutemen of the Americas for action to preserve the freedom of the Western Hemisphere. Let us hope that we rise to the occasion as the Colonists did 179 years ago.

SPECIAL ORDER GRANTED

Mr. JARMAN asked and was given permission to address the House for 30 minutes tomorrow, at the conclusion of the legislative program and any special orders previously granted.

POLICE AND FIREMEN HAVE SECURITY

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the Fraternal Order of Police and City Firemen, not only in my district but throughout the entire State of Indiana and in various other States, have been protected by a well-established and proven pension system for years. The protection and security given police and firemen and their families by reason of their well-established and sound pension system has been the main reason that municipalities have been able to secure outstanding high-class men to go into the hazardous and necessary public service.

The Ways and Means Committee of the House was requested and asked by the police and firemen associations to exclude them from the social-security system. Unfortunately, the majority of the members of the committee have seen fit to reject their request and place them under the new social-security legislation which they are now considering. I believe that the Members of Congress should respect the request coming from the various police and firemen associations in opposition to being placed under a social-security category.

The main purpose of the social-security legislation is protection of the beneficiary and his family against lack of security for his home and the needs for old age and retirement. The police and firemen's established retirement and pension fund is now serving as an adequate protection for these public servants engaged in the hazardous protection of property and lives of millions.

I wish to incorporate with my remarks a telegram from the Fraternal Order of Police in East Chicago, Ind., and Hammond, Ind.:

EAST CHICAGO, IND., *May 20, 1954.*

Hon. RAY J. MADDEN,
Congressman, House of Representatives, Washington, D. C.:

All members of the East Chicago Police Department, East Chicago, Ind., both retired and active, are deplored and very much disappointed by the action of the House Ways and Means Committee in the adoption of an amendment to H. R. 7199, eliminating exclusion of police and fire groups from social-security coverage.

Knowing you to be a friend of all police and firemen, we of the East Chicago Police Department unanimously appeal to you as our Representative in Congress and urge you to use all facilities at your command to prohibit police and firemen from being included in social-security coverage in lieu of present retirement systems.

EAST CHICAGO POLICE PENSION FUND,
BAC ANTHONY B. CAK, *Secretary.*

HAMMOND, IND., *May 22, 1954.*

Congressman RAY J. MADDEN,
House Office Building,
Washington, D. C.:

We the 164 members of Fraternal Order of Police Lodge No. 51, Hammond, Ind., urge you to use your influence with the House Ways and Means Committee to get them to exclude police and firemen who have a pension system from social security.

LOUIS SZANY,
Secretary of F. O. P., Lodge 51.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, I yield back my time in deference to the gentleman from Illinois [Mr. PRICE].

BIPARTISANSHIP IN FOREIGN POLICY DEFINED

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 30 minutes.

Mr. PRICE. Mr. Speaker, today the air is full of talk about bipartisanship, or the lack of it, in foreign policy. I believe the American people favor the bipartisanship conduct of our foreign policy. The American people know that the security of the Nation, and of the free world, should not be made a political football for partisan advantage. They know that the threats to freedom in the world today are too great to allow our foreign policy to become involved in a political free-for-all.

But what, Mr. Speaker, is the true definition of bipartisanship? There are those who would define bipartisanship as that which the party out of power says the party in power is not practicing. On the other hand, there are those who define bipartisanship as the making of policy by the party in power and then telling the party out of power what that policy is and demanding support for it.

These halls are full of experts on the definition of a bipartisan foreign policy, and each has his own interpretation of what this means. But the man who should be an expert on this subject, Mr. Speaker, is the Secretary of State, Mr. John Foster Dulles, the President's chief agent in the foreign policy field. Mr. Dulles can speak from experience because his qualifications come in part from the services he was asked to perform in the Democratic administration's pursuance of a bipartisan foreign policy, in past years.

A few years ago Mr. Dulles set down in writing some fundamental principles of bipartisanship. It is worthwhile to recall these Dulles principles today and compare them with the experience of the last 16 months. In this connection I respectfully suggest that Mr. Dulles take a few hours off and reread his book, War or Peace, in which these principles of bipartisanship were set forth. This book was published in 1950. Perhaps it would also be well if the Secretary of State would send a complimentary copy of his book for the President to read.

Mr. Dulles has outlined five basic principles of bipartisanship, which can be found in his book, pages 182–184. These are, in the words of Mr. Dulles:

1. The primary responsibility for bipartisanship rests upon the administration in power. Under the Constitution the President, and the President alone, decides on how to conduct foreign affairs. He can conduct them alone or with others, as he desires: the decision is his. Without his positive action there can be no bipartisanship. The opposition has no right or possibility of intruding itself. Bipartisanship can come about only through presidential invitation.

2. An invitation to members of the opposition to participate in making foreign policy is meaningless and is a sham unless it is made to loyal members of their party, trusted by party leadership.

3. The opposition members selected to participate in making foreign policy bipartisan should be qualified by training and experience to make a genuine contribution and to take an active and constructive part in the formulation of foreign policy. If the opposition party is to cooperate with the administration on foreign policy, the participation must be meaningful. Nominal participation is not good enough.

4. The opposition participants must have opportunity to get in at the early shaping of foreign policies and must not be left out until the end, when matters have gone so far that there is little opportunity to do other than acquiesce. As Governor Stassen remarked, "Republicans should be in at the take-off and not merely at the crash landing." Often in recent years Republicans have been faced with administration decisions which seemed unwise; but repudiation had disadvantages even greater than going along with what they deemed unsound. That was true of the loan to England of $3,750,000,000 in 1946. The conditions attached to the loan as regards repayment, trade, and currency exchangeability are revealing of how, in those days, even the best informed members

of the administration saw only through a glass, darkly.

But when the loan terms first came to Republican attention, our Government was so far committed that repudiation would probably have been more costly than acquiescence.

By appeals to patriotism, an appearance of bipartisan cooperation may temporarily be forced. But in the long run, that merely builds up smoldering resentment which will some day break out.

5. In these foregoing respects, the administration has the responsibility. If, however, the four preceding conditions are met, then the opposition party has a duty also. Obviously no party can be expected to give a blank check, and there is no party machinery for doing so. The opposition party in this country, unlike the British opposition, has no officially defined leadership. "Titular" leadership is not enough. But if opposition members of the character and competence we have indicated receive the kind of opportunity we have described to help make the foreign policy, then the opposition Members of Congress should not seek to make political capital by attacking the results, but should support them through treaty ratifications and congressional appropriations as far as their convictions permit.

If the leaders of the opposition party refuse at this critical time, as a matter of partisan advantage, to accept a bona fide offer to make foreign policies cooperatively, so that those policies can command unity at home and attract adherence abroad, then those who take that position ought to be repudiated at the polls. Refusal by the administration to make such a bona fide offer ought to insure a like fate.

We are dealing with the safety of the American Nation and of the liberties and freedoms that are our most precious heritage. That concerns, most of all, the people themselves. They should make their understanding manifest by a will which even the most politically minded will respect.

Mr. Speaker, these were the carefully thought-out principles of bipartisanship as set forth by our present Secretary of State. One would expect that Mr. Dulles, having become Secretary of State, would attempt to put these principles into practice; would advise the President that without his positive action there can be no bipartisanship.

In these past 16 months, Mr. Dulles has been in a position to carry out these principles earlier set forth. The fact that Mr. Dulles, and many other Republicans, occupied high positions in previous Democratic administrations, proves that under Presidents Roosevelt and Truman bipartisanship was the rule rather than the exception. What has been Mr. Dulles' record on bipartisanship? I am afraid there are indications that he is of the "do as I do, not as I say" school.

It is impossible to review here the full record of United States foreign policy of the last 16 months. But let us take one case study and apply to it the Dulles theory and the Dulles practice.

The most widely advertised basic decision in foreign military policy in the past 16 months has been the so-called New Look. This was, in the January 12 words of Mr. Dulles, the placing of "more reliance on deterrent power and less dependence on local defensive power."

This was announced by Mr. Dulles himself on January 12 as a "basic decision." The basic policy decision was "to depend primarily upon a great capacity to retaliate, instantly, by means and at places of our own choosing."

Hence a fundamental policy decision was made. It was widely heralded and announced as a basic policy decision, made by the National Security Council. After its announcement on January 12, Mr. Dulles and other highly placed Republican orators in the executive department and in Congress went out to the country in a chest-thumping enterprise to merchandise this grand and glorious accomplishment which they said allowed this Nation to have more national security at wholesale prices. National security and a balanced budget seemed to be a prize attainable at an early date under this basic new policy. Soon the boys could be brought home from foreign shores and maybe even taxes could be heavily reduced.

All of this, Mr. Speaker, we were told, was to be the result of some basic policy decisions. Now, I must ask: Who made these decisions? Mr. Dulles was certainly in on them. This, mind you, is the same Mr. Dulles who had earlier been teaching us the fundamental principles of bipartisanship. We were at least under the impression that we had been taught how to achieve bipartisanship in five easy lessons.

Now, the objection might be raised that this New Look was not a new policy after all; that it simply had been overmerchandised. In summary, the purportedly new policy was this:

First. A basic decision to depend primarily upon a great capacity to retaliate instantly and by means and at places of our own choosing.

Second. Dependence on the deterrents of massive retaliatory power rather than local defense.

Third. The creation of a strategic reserve of ground forces which would improve our defense posture.

This was substantially the New Look, and Mr. Dulles agrees that it is. Now, was it really a new decision—a new policy?

Well, let us ask Mr. Dulles. I am now quoting from the Secretary of State's testimony before the Senate Committee on Foreign Relations:

Senator MANSFIELD. Do you consider this new policy a new policy?

Secretary DULLES. It certainly has new aspects. (Hearings, March 19, 1954, p. 42.)

Now, let us recall for a moment Mr. Dulles' advice on bipartisanship. He said:

If the opposition party is to cooperate with the administration on foreign policy, the participation must be meaningful. Nominal participation is not enough. The opposition participants must have opportunity to get in at the early shaping of foreign policies and must not be left out until the end, when matters have gone so far that there is little opportunity to do other than acquiesce.

Apparently Mr. Dulles had forgotten that he has ever written a book when he told the Senate Foreign Relations Committee:

Mr. DULLES. Up to the point where you bring in your budget and you ask the Congress to approve a military budget and you explain what the theory of your budget is, and why you are cutting down somewhat on the Army or you are building somewhat more on the air, that is the time, and the first time it takes, actually, a clear-cut decision of the kind which Congress would have to come in and share the responsibility for partnership. (Hearings, March 19, 1954, p. 43.)

Now apparently Mr. Dulles had not done his homework. He forgot to read his own book; he forgot to refresh himself on his own set of rules for bipartisanship.

As a matter of fact, Mr. Speaker, as far as the record shows, the New Look, which Mr. Dulles said in his January 12 speech was a basic policy decision, was formulated and announced by the Republican administration without consulting or discussing it with any of the congressional committees concerned. It was not, in the period of its formation, brought before the Armed Services Committee of either House, nor the Senate Foreign Relations Committee nor the House Foreign Affairs Committee. Senator MIKE MANSFIELD stated this as a fact in the hearings and was challenged neither by Secretary Dulles, nor members of the Senate Foreign Relations Committee of either party.

Only when appropriations were needed, only when it was time to ask for money for this new policy was Mr. Dulles, forgetting his bipartisanship principles, ready to come to Congress.

On second thought, Mr. Dulles qualified this. Perhaps he had a sudden memory that he had once written a book—a book on How To Build a Bipartisan Foreign Policy.

He told the Senators:

Perhaps I should have met with the committee beforehand. I am quite prepared to accept a measure of blame in this respect, but I have sought this opportunity as promptly as I could, after getting back from these two conferences, to meet on this subject with the committee as I am doing here today.

"Today" was March 19, 1954. Mr. Dulles had announced the basic New Look policy decision over 2 months earlier. Such a decision involved not only the fundamental foreign policy of this Nation, but also basic concepts of military strategy and planning. The decisions made without consulting Congress will affect our national security and military strength for many years to come.

It is clear from this brief description of the New Look case that Mr. Dulles, and the administration generally, did not live up to practicing the fundamental principles of bipartisanship. The Secretary of State had set up a good set of rules; but he forgot to practice them.

Mr. Speaker, for many months I have expressed grave doubts about certain aspects of the New Look. The situation in southeast Asia has given us a painful example of its shortcomings. I am sincerely confident that if bipartisanship principles had been followed in the formation of military-foreign policy some of the defects in that policy may have been eliminated. Perhaps there would not be talk now of an even newer look at United States military-foreign policy. Meanwhile, this Nation may be suffering at this moment from a lack of aviation pilots, a scarcity of trained foot soldiers,

and other military deficiencies which are the direct result of too much emphasis on slicing the budget and not enough emphasis on the realities of the world situation.

I take no partisan delight in recounting recent events or in pointing to the inconsistencies of the Nation's top leadership. I suspect that many of these Republican leaders have become the prisoners of their own political campaign oratory.

It is unfortunate, Mr. Speaker, that this Republican campaign oratory continues in the face of the as yet ineffective attempts of the President to curb members of his official family. Mr. Speaker, a fundamental roadblock to bipartisanship will exist until the fear, smear, innuendo, and misrepresentation are removed from the texts of speeches by members of the President's team.

Members of the President's staff, including, of all persons, his legal counsel; members of the President's Cabinet, with few exceptions; and members of the Republican Party under the direct sponsorship of the Republican National Committee have engaged in a campaign of slander against past Democratic administrations which is not only an insult to the intelligence of the American people but is a serious obstacle to bipartisanship in foreign policy. This involves the safety and welfare of our people and of the free world.

Mr. Speaker, the man who can remedy this situation is the President of the United States. If the President will read Mr. Dulles' book, he will be reminded that bipartisanship is the responsibility of the administration in power. He will be reminded that without positive Presidential action, there can be no bipartisanship.

It will take more than frequent briefings of congressional committees. It will take more than patronizing remarks by the President in press conference that Democrats are exactly as loyal as Republicans. Why was it ever necessary for the head of the Republican Party to make such a remark about the loyalty of Democrats? The world knows it was because of a calculated, Republican-sponsored attack upon Democrats in the greatest smear campaign of all times. False charges of treason, promoted under official national committee sponsorship, and the impugning of the loyalty, motives, and patriotism of leading Americans by members of the President's official family have made a mockery of decency in American political life.

It is time for aggressive Presidential action; it is time for the President to deal in personalities; it is time for the President to take control.

It is time for the President to lead effectively this Nation back to bipartisanship; to create an atmosphere in which our two great political parties can work in harmony, at least in the realm of international security.

The mutual confidence of Americans in their Government and their leaders has been seriously undermined by this partisan extremism.

We have before us a set of noble principles, written by the Republican Secretary of State. They provide an adequate definition of bipartisanship. The emphasis is on Presidential leadership; positive action in this direction from the White House.

Democrats generally stand read to cooperate. United action at home must be possible before there can be talk of international united action.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. CURTIS of Missouri. I wonder if the gentleman would address his attention to the speech I made on the floor last Thursday in which I called attention to the record where Secretary Dulles a hundred times—he and his Under Secretary and Assistant Secretaries—have consulted with the minority party where they had an opportunity of discussing these things and had an opportunity to put forth their views. I wonder if the gentleman would direct his attention to that and would tell us if he disagrees with that as a record, and with what he disagrees.

Mr. PRICE. Yes, certainly I do disagree with that as a record. I might say to the gentleman that is probably the reason for the remarks I am making here today, and if he will listen attentively he will see that the statements made in his remarks are all refuted herein.

Mr. CURTIS of Missouri. If the gentleman will yield further, on May 11, Senator KNOWLAND detailed those conferences. I wonder if the gentleman would pay attention and particularly discuss those details. Of course, when one engages in generalities, it is always possible to get into a long discussion on things, but the details are what are important.

Mr. PRICE. If the gentleman from Missouri who is my good friend will just be patient, he will see that my remarks are not generalities and that I will give a detailed reply to the statement which he has made.

I might say to the gentleman, if he will listen carefully, this is not a general statement. It is a detailed statement, and he will be answered in full. But I would like to say to the gentleman that the meetings he is talking about were so-called briefings that occur frequently in Congress, and have little to do with the formulation of foreign policy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. McCORMACK. I have participated in a number of those meetings, and with the exception of one they have all been briefings, or consultations after decision had been made—mostly briefings. Nothing was asked of the minority as to policy except in one instance, and it was very fortunate that it was asked, because both the minority and majority leaders were there where a question of policy was involved, and it was probably very fortunate or we might be in a different position today than we have been during the last several weeks. Every other meeting I have attended, and I have been glad to participate in them, has been briefings or matters where the opinion of the minority in connection with policy was not sought, and, of course, it was not gratuitously given.

Mr. PRICE. Of course, the gentleman is absolutely right.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PRICE. Mr. Speaker, I have only a half an hour allotted and if I am to finish this statement I think I had better go ahead.

The SPEAKER. The gentleman declines to yield.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I am sorry that the gentleman did not devote his attention to the details of the RECORD of May 11.

Mr. PRICE. The gentleman must not have been listening because I did. Of course, I could take a great deal of time and go into it more thoroughly with the gentleman and I will be glad to do so.

Mr. CURTIS of Missouri. That is what I wish the gentleman would do.

Mr. PRICE. The gentleman was answered very satisfactorily, in my opinion, by the gentleman from Massachusetts. We know there have been briefings of congressional committees. I mentioned that. But those briefings have been after policies were formulated, after plans were made and they did not take the minority party into their confidence at the outset in making the plans. I think I covered that very thoroughly in my remarks.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. YATES. Has the majority party or the administration established any consistent pattern that it can point to as a basis for bipartisanship other than a sporadic series of meetings under which it now claims a bipartisan foreign policy has been established?

Mr. PRICE. I think that is a pretty good point, and I do not think the administration has. I think the Congress and the minority leadership have been kept pretty well in the dark about plans until they were well under way.

Mr. YATES. Can the administration point to one appointment of major significance of any member of the minority party to provide a bipartisan foreign policy?

Mr. PRICE. No; and I would like to have somebody on that side inform us in that regard.

Mr. YATES. As a matter of fact, did not the administration request the resignation of one of our Nation's outstanding experts on Russia, namely, Mr. George Kennan?

Mr. PRICE. I think the gentleman from Illinois is correct.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. FEIGHAN. With reference to the statement by the gentleman from Illinois [Mr. YATES], when the administration got rid of Mr. Kennan, they served notice to the American people that they had no need for the author of the morally bankrupt policy of containment and that the hidden policy of containment would

no longer be tolerated in the Government. I should like to state that the critical situation in which we find ourselves today develops from the fact that supporters of the policy of containment are still playing a major role in the development of our strategy against the international Communist conspiracy. All of us who are awaiting the bold and dynamic foreign policy promised by the present administration had our hopes lifted up after Mr. Kennan's departure from the Department of State. However, we are still waiting for that bold and dynamic approach to all problems related to our security, but it appears that Mr. Dulles still has a long way to go in getting such a policy accepted within the Department of State. One of our problems is that we have too many Russian experts who are more concerned with the preservation of the Russian empire in one form or another and who show no real understanding of the relationship between Russian colonialism and Communist colonialism.

Mr. YATES. I am sorry to disagree with my friend from Ohio in respect to Mr. Kennan, but I must. All authorities indicate that he is one of our best trained and experienced diplomats.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. ARENDS. I would just like to tell the gentleman a little experience I had as one Member of the so-called leadership of this House, which the gentleman apparently completely ignores. As a Member of the then minority, I was called to the White House on Tuesday, June 27, 1950, and received the shock of my life when I heard President Truman announce a decision already being executed that we were going to war in Korea. To the best of my information, no one of us, not even the leadership, on this side of the House, had any knowledge before that of such action. Now, if there is anything bipartisan about such procedure, I would like to know what it is. The people resented such questionable action without Congress even being consulted. Now, if the gentleman will take the time to go back a little bit——

Mr. PRICE. I will tell the gentleman that I did go back quite a bit, and I pointed out that we consistently had a policy of bipartisanship both under President Roosevelt and under President Truman, and that the outstanding leaders of the Republican Party were in on the formation of policy. They were taken into the confidence of the national leadership; they had an equal voice in the formation of policy, and that is attested to by the fact that Senator Vandenberg, Republican, represented the minority, with equal status of his Democratic colleagues, in foreign policy deliberations.

Mr. ARENDS. It was at 11 o'clock of the morning of going into Korea that we were told what was going to happen.

Mr. PRICE. The gentleman is making quite a bit to do about the fact that it was a sudden affair, and they could not be called on any sooner because of the emergency.

Mr. ARENDS. It was on Tuesday that the President called in the leadership of the minority party, and we were given the information. This all happened over the Saturday to Monday weekend, but we were not called in on it until Tuesday when all decisions had been made.

Mr. PRICE. The gentleman knows they were called in as quickly as they could under the conditions existing.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Texas.

Mr. RAYBURN. I attended those conferences, and I do not remember one of those conferences that had to do with policy that Senator Vandenberg was not present. I remember one of them when the President was setting up some kind of a board or committee to do something, and Senator Vandenberg asked would he appoint John Foster Dulles on that board or commission, whatever it was, and the President did so. Every time that I was present at one of those meetings—and I think the then majority leader will bear me out on this—where there was a fundamental question of foreign affairs to be discussed, Senator Vandenberg was always there as well as some other Republican leaders.

Mr. PRICE. There is nobody better qualified to inform the House than the gentleman from Texas, who just spoke.

The SPEAKER. The time of the gentleman from Illinois has expired.

(By unanimous consent (at the request of Mrs. CHURCH), Mr. PRICE was granted permission to proceed for 2 additional minutes.)

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to say to my good colleague from Illinois that far from being angered by his speech, I am a bit shocked by it. I cannot see what he is doing for his country or even for his party by attempting at this dangerous hour to make so vicious an attack upon the President of the United States and the Secretary of State. I am particularly disturbed because the gentleman does not happen to be a member of the Committee on Foreign Affairs of the House.

Mr. PRICE. I might say to the gentlelady for whom I have very deep admiration, I am not making a vicious attack on the President.

True, I do not happen to be a member of the Committee on Foreign Affairs but point out I have addressed my remarks principally to the New Look in military foreign policy and I am a member of the House Committee on Armed Services.

There have been some speeches made which the lady may recall——

Mrs. CHURCH. I was listening quite intently.

Mr. PRICE. There have been several speeches made on the floor of the House in the last week, and I remember one in particular, to the effect that the minority attempted to shoot their way into the bipartisan foreign policy. I have merely tried to point out that it is not the minority's province even to force its way into it, but it is the responsibility of the leadership of the administration, to call them into it. There has been considerable discussion about an effort to bring about a bipartisan foreign policy. I am merely trying to point out to the House and the leadership where the responsibility for this lies, in view of the several speeches to the contrary that were made on this floor, within the last week.

Mrs. CHURCH. I appreciate the gentleman's explanation. I should like to ask him if he does not realize that what the President and the Secretary of State have inherited is a condition for which his party laid the groundwork. I would say that one reason his party lost in the last election was because the American people were tired of the Acheson foreign policy.

Mr. PRICE. Of course, I do not believe that to be the fact at all. I do not think our Government should be blamed for world conditions. It is about time that the American people were laying the blame where it belongs, on the Kremlin. I do not know why so many people are interested in blaming our Government for all the ills of the world.

The SPEAKER pro tempore (Mr. CANFIELD). The time of the gentleman from Illinois [Mr. PRICE] has expired.

Mr. YATES. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman.

Mr. YATES. I should like to ask the gentleman whether he does not believe that in spite of the recriminations that are being brought forward from the minority side about what previous administrations did or did not do, that it would be wise and to the best interests of our country to establish a policy of bipartisanship, and that this is necessary regardless whether it was established by the Roosevelt and Truman administrations or not. We seem to be in general agreement that a policy of bipartisanship is desirable in order to provide for a coherent and consistent plan for the future.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. ARENDS. Just the other day one of the Members of the other body who sat in on one of these bipartisan policy meetings of the present administration, got up from that table and made the remark, "this is the finest and the clearest explanation of our foreign policy that I have ever heard, and the most frank discussion of it that has ever been given, that I know of." Of course, I cannot identify him by name, except to say that he was a member of the minority party.

He said that in my presence and in the presence of the others who were present.

Mr. YATES. It is probably the first time he ever heard the foreign policy explained.

Mr. ARENDS. He is one of the leaders on the minority side.

Mr. PRICE. He had nothing to do with the formation of that foreign policy.

Mr. ARENDS. He had the opportunity to express himself on it.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. McCORMACK. Mr. Speaker, let us get the record clear. To begin with, President Truman had the courage to make his decision on Korea. The President of the United States occupies two positions, one as President and one as Commander in Chief. President Eisenhower trapped himself when he said that he would send everything up to Congress. That sounded big, but he trapped himself for the time when he would be called upon to exercise his duties as Commander in Chief in time of war or grave emergency confronting our country.

The gentleman from Illinois [Mr. ARENDS] knows that when we were at the office of the Secretary of State several weeks ago, when the decision was put up to the leaders of the Congress, that decision, if the national interest of our country was involved, should have been made by the President himself as Commander in Chief.

Mr. PRICE. I would like to say that if any Members of the House are truly interested in a bipartisan foreign policy, if they will read my speech, they will see that there is not a single statement in that speech to which any Member could take exception.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I asked for this time, because I was unable to propound certain questions that I wanted to ask the gentleman from Illinois [Mr. PRICE]. No. 1, I noticed in his speech that he referred constantly to various hearings at which Secretary Dulles made certain remarks. I was unable to get the dates of those hearings and I wonder whether the gentleman will include those dates in his remarks.

Mr. PRICE. I will say to the gentleman from Missouri I would not have to make any alterations in my remarks because they are already included in them. If the gentleman will read the RECORD tomorrow he will find the dates. He will also find, if he is interested in bipartisanship, nothing in my remarks to which he could take exception.

Mr. CURTIS of Missouri. There were several places where the dates were lacking. That is the reason I asked that question.

The second thing I would like to call attention to is that in my speech of Thursday I made these remarks in regard to the test of bipartisanship. I stated:

> It consists in taking on the responsibility for shaping policy, but in doing so keeping the opposite party leaders fairly informed of the facts and giving them an opportunity to ask questions and make suggestions before a course is set or taken.

Then I stated:

> This has been done.
>
> The record is there. If it is in error, let us have the refutation.

Mr. PRICE. I think the gentleman will find the refutation, if he will read my remarks carefully.

Mr. CURTIS of Missouri. I heard the gentleman's remarks, and I do not think there was a refutation. That is why I am taking this 10 minutes.

The gentleman from Massachusetts, the minority whip, made a very pertinent remark, and to follow through on that, if his remark applies to these various meetings then indeed I am very much interested, because he grapples with the issue head on.

In the gentleman's remarks he said that these conferences which have been detailed—there were over 100 of them—were not really conferences but were in effect just briefings where your people were simply told without the opportunity of getting your own views expressed, without the opportunity of having the decision made after you had your own views expressed, without the opportunity of being able to ask questions and ask for information. If that is the way these conferences were held, I fully agree with the gentleman in his criticism, but my understanding is from talking with people who were there that that is not the case, that these indeed were really conferences at which you had your views expressed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman from Massachusetts did not say that he was present at 100 conferences.

Mr. CURTIS of Missouri. No, I appreciate that.

Mr. McCORMACK. I said that at the conferences at which I was present there were mighty few, in fact, only one, at which that situation obtained. When you have 10 or 12 leaders present on both sides, after the explanatory statement is made by the Secretary or whoever is there you do not have much time to ask many questions. They were very courteous, and I have no criticism of that, but at every one of the meetings I attended except one the decision had been made. We were called down for a briefing. The decision was not made in a meeting that took place several weeks ago in Secretary Dulles' office, and that is the only time I have attended any meeting where I felt I was sitting in before the act rather than after the act.

Mr. CURTIS of Missouri. If the gentleman will pay attention to the reinsertion in the RECORD I made of the remarks of the gentleman from Connecticut [Mr. DODD], who is a member of the gentleman's party and a member of the Committee on Foreign Affairs, he will find at that time the gentleman from Connecticut said that he was satisfied with those conferences, that he felt he had an opportunity to be consulted and offer suggestions. To me there is the issue involved, and I hope that we will keep on that point, because I could not agree with the gentleman more if those conferences were not really conferences. I happen to take the same position he does. However, my understanding is, and the Secretary of State has made the statement, that these were not briefings, as you might call them, but indeed were actually consultations. We can get into the gist of this whole debate and resolve it quite quickly, then, by simply finding out from the people who were at these one-hundred-odd conferences what was their nature. If the gentleman's party or his leadership was cut off in asking questions or in presenting its point of view, and if the decision had been made before this consultation and you were told to take it or leave it, I agree with you, but I do not think that was the case—and that is where the issue is.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. YATES. The gentleman referred to an item which was in his statement concerning the statement made by the gentleman from Connecticut [Mr. DODD]. As I read that statement, the gentleman from Connecticut [Mr. DODD] said that he was consulted beforehand in connection only with a speech which the Secretary of State proposed to make and that this was a very good policy. However, I should like to point out that this is the only instance in which the gentleman from Connecticut refers to any consultation by the Secretary of State. As I read the statement which the gentleman put into the RECORD, that is the only reference to it that the gentleman from Connecticut [Mr. DODD] makes, is it not?

Mr. CURTIS of Missouri. Yes, and may I say that is a fair statement, but it is obvious he was making that statement because he felt the criticism against the Secretary of State was not well founded and that he was citing a specific example to demonstrate the fact that he, at least, was consulted.

Mr. YATES. He was consulted only in that one instance.

Mr. CURTIS of Missouri. Not necessarily. He cited an instance as an example. May I say to the gentlemen I think that is the way to handle this thing. If there are other instances where the loyal opposition has not been consulted in this fashion, that is what we want to know. Let us get the details.

Mrs. FRANCES P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mrs. FRANCES P. BOLTON. I happen to be a member of the Committee on Foreign Affairs, and I happen to know that we have had consultation with Mr. Dulles before every trip that he has taken and after every trip when he has come back. If Mr. DODD was only there once, the fault lies with Mr. DODD for not coming to the committee meetings. We have had more consultations like this in the last year than we ever had in the 13 years that I have been a member of the Committee on Foreign Affairs, and it has been real consultation and not just from the Secretary, but from the Assistant Secretaries of the different regions. We have had an entirely new method of procedure on the part of the executive in his dealing with the House

Committee on Foreign Affairs on both sides of the aisle.

Mr. CURTIS of Missouri. If I could just make one correction, may I point out that the gentleman from Connecticut [Mr. DODD] was by no means complaining about procedures and I presume he has been very good in his attendance at these meetings. I think we should define this issue and find out just how these consultations are conducted—or if they are briefings—then there is the issue. If they are conducted, as I understand they are, then I say the gentlemen from the other side of the aisle do not have a well-founded complaint because the detailed record has been clearly set out in the CONGRESSIONAL RECORD of May 11 in the speech of Senator KNOWLAND. That is why I said the remarks of the gentleman from Illinois did not deal with the details at all because he went off into a general theory of foreign policy.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. YATES. I would just like to say with respect to the remarks of the gentlewoman from Ohio, and I am sorry to note that she has left the Chamber, that it is a good thing the Secretary of State takes as many trips as he does because apparently those are the only times that he consults the Committee on Foreign Affairs, that is, before he goes and after he returns.

Mr. CURTIS of Missouri. Is that not a good thing?

Mr. YATES. Of course, but he should consult more frequently than he has.

Mr. CURTIS of Missouri. One hundred times in 18 months is pretty good, I think.

Mr. YATES. Does the gentleman declare that the Secretary of State has consulted with the Committee on Foreign Affairs of the House over 100 times?

Mr. CURTIS of Missouri. No; I said there are 100 times that the State Department has consulted with the Democrat leaders and about 45 of the times, the Secretary himself, and that is all put down by date in the May 11 speech of Senator KNOWLAND, showing what the occasion was. Those details are in the RECORD. I wish you people on the other side of the aisle would read that and direct your remarks to this detailed information.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. SPRINGER. I am glad that this discussion came up this morning because the gist of it has been brought out here in the last 5 minutes in the colloquy between the gentleman from Missouri [Mr. CURTIS] and the gentleman from Massachusetts [Mr. MCCORMACK]. If you will go back and read the RECORD, Senator Vandenberg found that was his complaint back in the early days in reference to our foreign policy as it concerned China. He complained that the State Department was coming down and telling him things without real consultation. I talked with one Assistant Secretary of State within the last 3 years who told me Mr. Marshall, when he was Secretary of State, sent him down to tell Mr. Vandenberg things. He went to his office and he would give the information to Senator Vandenberg. Senator Vandenberg replied, "You understand this is not consultation, this is only talk." I think you are down to the real nub of the thing here as to whether or not you are getting consultation. If there is not any consultation, then I think the gentleman from Massachusetts has a valid complaint because it is the very complaint that Senator Vandenberg had against the State Department some 10 years ago. If it is consultation, then I do not think the gentlemen on the other side of the aisle have a complaint, if you enter into that consultation and arrive at an agreement. But I do believe you have gotten down to the real heart of the matter which should contribute something really valuable in solving the questions that have been holding back the unity and the amity of purpose in the matter of foreign policy consultation at the high level.

The SPEAKER pro tempore (Mr. CANFIELD). The time of the gentleman has expired.

(By unanimous consent (at the request of Mr. MCCORMACK) Mr. CURTIS of Missouri was granted 5 additional minutes.)

Mr. CURTIS of Missouri. Mr. Speaker, one thing I want to say on this subject, in this speech of Senator KNOWLAND, which is in the RECORD of May 11, he also devotes considerable time to the times and places under the previous administration, where the Republicans were not consulted. The recitation, incidentally, deals mainly with the complaints of Senator Vandenberg, which were about the failure to consult.

Mr. MCCORMACK. I think out of this meeting may come a great deal of good. In other words, we all want unity, because the challenge confronting us confronts our country and all of us as Americans. So, in evaluating this, I am glad the speech was made by my friend from Illinois [Mr. PRICE], and the gentleman from Missouri [Mr. CURTIS] took the time, and these various colloquies have taken place, because out of it may come a great deal of good. Not for the purpose of embarrassment at all, because we can all go back and pick up things of the past, but that is not going to decide the present—but in the past administration there were fine outstanding Americans who happened to be politically members of the Republican Party, holding Cabinet offices. That is important in a bipartisan relationship when an emergency confronts our country. I am not criticizing the fact that there is not, but there is a thought there. I have said that the only meeting I personally attended, they were all nice meetings, and I was glad to be there, and I am going to be at one this afternoon—I do not know what its purpose is, but I will be there——

Mr. CURTIS of Missouri. You had full opportunity to ask questions, did you not? Did you think you had a chance or did you not?

Mr. MCCORMACK. Yes. Under the practical situation as it exists, you cannot ask questions like you could in a committee, because you are not going to have hearings continued from day to day. So the answer is "Yes." But there is a difference between asking questions after the fact and being consulted on important questions of policy before the fact.

Mr. CURTIS of Missouri. Now that is a fair comment. The next question is, Had decision been made before you were consulted?

Mr. MCCORMACK. With one exception, at any meeting I have attended, they were. Of course some of them were briefings, where there was no decision involved, where they were keeping us acquainted with the world situation or a particular one. So there have been some meetings that took place where there was no decision made. But in answer to the question, in the number of meetings that I have attended there has been only one where I felt I was consulted before the fact.

Mr. CURTIS of Missouri. Let me ask the gentleman if he ever used this technique in any of those meetings: "Now this comes rather quickly. Could we have an opportunity to ask some questions before anything is done?" Did you avail yourself of that technique?

Mr. MCCORMACK. Of course, I have been at no meetings at which the President appeared.

Mr. CURTIS of Missouri. No; no. We are talking about the Secretary of State.

Mr. MCCORMACK. I have not had, nor as far as I know the Democratic leadership as such has not had a meeting with the President this year. We are hoping that the time will arrive when the President, as such, might have a meeting of the leaders of both branches. But that is a matter in his own discretion. The meetings I have attended have been pleasant, but they have only been consultation. What is consultation? Is it before the fact or after the fact?

Mr. CURTIS of Missouri. It is before the fact; and if that has been the case, you have got a just complaint.

Mr. MCCORMACK. I can only testify about one occasion.

Mr. CURTIS of Missouri. But your party and your columnist friends have been making the issue that these 100 meetings have not been consultations; and I say if that is true, you have just cause for complaint, but the details are lacking.

Mr. MCCORMACK. Let me ask my friend from Missouri a question. Assuming you were called in a council meeting before the facts where a policy was going to be established, you would expect that you would be advised by the executive branch, or the military, as to all the facts, for example, if there were any division on the particular matter between the Joint Chiefs of Staff, would you not?

Mr. CURTIS of Missouri. I would expect—and I would ask questions along that line, too.

Mr. MCCORMACK. Even without asking questions, if there were a division, you would expect to be advised.

Mr. CURTIS of Missouri. Not necessarily volunteered, but I certainly would ask questions if I were at a meeting that way.

Mr. McCORMACK. If I am in a meeting——

Mr. CURTIS of Missouri. It is not an especially important point.

Mr. McCORMACK. If I am in a meeting on a matter of policy I would expect them to give me briefly at least the pertinent facts.

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

(On request of Mr. McCORMACK, and by unanimous consent, Mr. CURTIS of Missouri was allowed to proceed for 5 additional minutes.)

Mr. McCORMACK. And one pertinent fact would be to inform those at the meetings that the Joint Chiefs of Staff had not all agreed on the matter that was brought up.

Mr. CURTIS of Missouri. As a pertinent issue; yes.

Mr. McCORMACK. I had asked a question and I found to my great surprise only by asking the question that the Joint Chiefs of Staff did not all agree on the matter.

Mr. CURTIS of Missouri. Does the gentleman believe that there was a willful deception there?

Mr. McCORMACK. Strike out "willful"; but silence when one is supposed to speak justifies one in thinking that there is a withholding, and I am entitled to know.

Mr. CURTIS of Missouri. Yes; and the question was answered and the gentleman was advised what the situation was.

Mr. McCORMACK. But I had no control. The thought that entered my mind was that it was strange that only one member of the Joint Chiefs of Staff was present on that occasion.

Mr. CURTIS of Missouri. I do not think the gentleman seriously wants to stand on that. Whether he got the information through asking a question or whether it was volunteered does not matter as long as he was permitted to ask the question. The question was answered. It accomplishes the result.

Now I would like to direct my attention to a further remark.

Mr. McCORMACK. With all due respect to my friend, when I am sitting in a high policy meeting I expect that all present should be given the pertinent facts, and one of the most pertinent facts would be on the recommendation before us that we were passing upon, that there was a division among the Joint Chiefs of Staff. I would consider that to be of vital importance. I did.

Mr. CURTIS of Missouri. I will say to the gentleman I think that is a fair criticism, to me, certainly, I would say this, that it does not go to the essence of this consultation we are talking about. That is a specific item of criticism. But you are surely not basing this whole criticism of a bipartisan foreign policy based upon that one particular thing when the gentleman's question was answered.

Mr. McCORMACK. No, no; I will answer that; no, of course, not.

Mr. CURTIS of Missouri. I wonder if I could direct the gentleman's attention and answer, not necessarily answer. But I have a doubt as to whether or not high Cabinet officials of the opposite political faith should be in the administration. In my speech on the floor on Thursday last I discussed that to some extent, and the point I was making was that this administration has been in power 18 months and it has——

Mr. McCORMACK. No; 16.

Mr. CURTIS of Missouri. Sixteen—well, 18, a year and a half, a round figure, 16 months—and have taken over as they have all the policy agencies and departments where the bulk of the personnel in those departments have been all, following the natural sequence of events, appointed over the past 20 years by the previous Democrat administrations.

Mr. McCORMACK. But they were not all Democrats.

Mr. CURTIS of Missouri. No, no, no; but there is a pretty good hunk of them.

Mr. McCORMACK. Well, I am not so sure about that sometimes. I had my experiences when I was not so sure about it. But go ahead, it is the gentleman's statement; I will not argue.

Mr. CURTIS of Missouri. Further, as I pointed out, some of these positions over there have reached pretty high echelons and been covered by civil service. It has been the position of some of the leaders of my party and my own certainly—I will confine it to my own views—that many of these policy positions have been frozen under civil service which puts our party, the party of responsibility—and I know the gentleman agrees that the party in power should have the power to assume its responsibility—in an untenable position. Because of these frozen positions we have found ourselves in the situation where we could not fully implement our policy.

I will say, however, that once the State Department is balanced off, and perhaps it will be in another 2 or 3 years if we stay in power that long; we certainly should maintain the balance and not load it the other way; but I think the gentleman's point that it should be balanced off is well taken.

Mr. McCORMACK. I do not know what you mean by my saying "balanced off."

Mr. CURTIS of Missouri. Let me conclude my remarks. I say that your party did not get balanced off until after 8 years in power, and it was not until then that this Democrat bipartisanship policy began to take hold in the State Department.

Mr. McCORMACK. The gentleman has been going along in a very nice way, and I think he is making a very fine contribution. But the only inference I can draw from the gentleman's remarks is that in the matter of personnel he is in favor of—I will not say that you favor it, no—but the only way that he would cure it would be a breakdown of the civil service laws.

Mr. CURTIS of Missouri, No, no.

Mr. McCORMACK. I am sure the gentleman does not mean that.

Mr. CURTIS of Missouri. No; I do not want that. I am simply pointing out that the bulk of the personnel was appointed under previous Democrat administrations.

Mr. McCORMACK. The gentleman means they were appointed in accordance with civil service laws?

Mr. CURTIS of Missouri. Let us say that we are getting into another field of tremendous debate. So I will simply say they were under the civil service as administered by the previous administration.

The SPEAKER pro tempore (Mr. CANFIELD). The time of the gentleman from Missouri has expired.

SOCIAL SECURITY AT 60

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, this is the time to bring our social-security system up to date as to its retirement age as well as with regard to the other features which are now under consideration by the Congress. In my considered judgment, lowering the retirement age to age 60 is one of the most important improvements which could be made in the system at this time. Such a liberalization would make it possible for some 3 million Americans now between the ages of 60 and 65 to become eligible for benefits.

Now who are these people and why should they be entitled to benefits 5 years earlier than under present law? I believe most of you must be aware of the tragic circumstances of some of them because they are your own constituents. In your district, as in mine, there are men and women 60 years of age disabled by crippling disease and unable to work for that reason, but they can receive no social-security benefit until they reach their 65th birthday. In your district, as in mine, there are widows who have been told they must wait until they reach age 65 before they will be entitled to any benefit. In your district and mine men and women aged 60 have been laid off their jobs and have found it practically impossible to get another job because of their age.

Remember that these people have been regularly making their tax contribution into the social-security fund for the purpose of helping to meet the costs of retirement when it arrives. Now, when they need those benefits desperately, we tell them that they must wait until they reach age 65.

Meanwhile, in the case of older workers, unless they can find work in covered employment, the amount of the benefit they will receive at age 65 is being reduced by each one of the five years they must wait. Those five unproductive years will lower the amount of the average monthly wage upon which the benefit formula is based. I am aware of the fact that legislation now under study would in some degree prevent this loss through the 4-year drop-out clause. But I suggest that if the retirement age is lowered to 60 and the 4-year drop-out clause remains, we will be reaching down in the same way to protect people who

cannot work—or who cannot find work—at age 56. We all know that, regardless of any arbitrary age set by law, enforced retirement comes to different people at different ages. It is also true, of course, that any organized retirement plan such as social security must be built around some specific age or service requirements—but should also allow for some flexibility around these specifics to meet individual circumstances. Lowering the eligibility age from 65 to 60 in our social security system and retaining the 4-year drop-out clause in the proposed legislation would provide more flexibility of this kind.

In this connection it is important, I believe, to recognize that lowering the retirement age to 60 years would not mean that everyone eligible for benefits would automatically retire at that age. One good reason is that the average old-age benefit today is around $51 a month—and legislation now under consideration would increase that amount by only about $5 per month. That is not the kind of money which induces people to quit a good job in favor of retirement. It is one of the reasons why the average retirement age under existing law is not the statutory age 65 but age 69. Most Americans do not retire—at least under these circumstances—until they have to. But if they are forced to retire earlier, either because they are unable to work or they cannot find work, the lower eligibility age offers the kind of protection which a social-security system should provide.

Mr. Speaker, this is one feature of our social-security law which has received no modification whatever since the law was enacted in 1935. We are still using age 65 as the eligibility age, although we have modernized the system in practically every other respect. I remind you, too, that the age of 65 was chosen at that time arbitrarily and on the basis of no experience with the system. We have an opportunity today to reevaluate that decision made almost two decades ago on the basis of our experience with the system, and in the light of our tremendous industrial development and increased productivity as a nation.

This tremendous development of our productive machine is, I am convinced, another reason why a modernized social-security system should provide an earlier retirement age. Because of the great improvement in the techniques of production, we have been able to shorten the working day and the working week substantially since 1935. But, so far, we have made no change whatever in our concept of what constitutes a working lifetime from the point of view of social security.

The truth is that the very increase in our productivity is shortening the work life of most Americans very decisively. As I pointed out when I introduced my own bill, H. R. 6921, most evidence shows that job opportunities for older workers are decreasing simultaneously with the expansion of our economy. Studies made by the Department of Labor show that men and women who lose their jobs after age 45 have the greatest difficulty finding new jobs. According to these studies, even those employers who keep older workers already on their payrolls put strict age limits when hiring new workers.

Tragically enough, about one-third of all persons applying for employment are 45 years of age and over. This evidence that older workers are the first casualties in the labor market is, in my opinion, one more very important reason why we should lower the eligibility age in old-age and survivors insurance at least to the age of 60.

And I call your special attention, on this point, to the fact that such a change would be of special benefit to the aged widows and dependent mothers of wage-earners who have died before reaching retirement age. Under present law, women are not entitled to benefits as widows until they reach age 65. If a bereaved widow has never had a job, or if she has been out of the labor market for the years that she was raising her family, her problem of supporting herself is often one of tragic proportions. Under existing law, she will be entitled to a widow's benefit if her husband was covered by social security. But not until she has reached age 65. If she was widowed at age 55, she must wait 10 years for that benefit. If she has no children under age 18 living in the home, or if she is unable to find work—either because of inexperience, prejudice, or ill health—she often has no recourse but public relief. Again lowering the eligibility age to 60 would be a step in the direction of relieving such misery. And for those wives and mothers who are between 60 and 65 when tragedy strikes, it would be avoided altogether.

As I have said before, the conditions of our time call as insistently for a shortening of the working life as they have for the shortening of the working day. For the most part, we have adjusted the hours of the working day—or of the working week—to meet modern conditions. But we are still wedded in our social-security system to a "working life" concept which dates back at least three decades.

I believe our social security system should be one which will make way for younger workers, and encourage a way of life which, in the democratic pattern, produces the maximum of economic progress and individual security. I believe that an amendment lowering the eligibility age from 65 to 60 would be one of the most humane improvements we can make in the social-security system for the reasons which I have just outlined.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD asked and was given permission to address the House for 1 hour on Thursday next, following the legislative program and any special orders heretofore entered.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SMITH of Kansas (at the request of Mr. REES of Kansas), for 10 days, an account of illness in the family.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. LIPSCOMB.

Mr. MILLER of Nebraska.

Mr. SAYLOR in two instances and to include extraneous matter.

Mr. MCVEY and to include extraneous matter.

Mr. ENGLE and to include extraneous matter.

Mr. MCGREGOR in two instances.

Mr. MATTHEWS.

Mr. TRIMBLE in two instances.

Mr. BONIN and to include extraneous matter.

Mr. BENDER in five instances.

Mr. SMITH of Wisconsin and to include extraneous matter.

Mr. GUBSER and to include a newspaper article.

Mr. WOLVERTON and to include extraneous matter.

Mr. RODINO and to include a resolution.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 975. An act to amend the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 6374. An act to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

ADJOURNMENT

Mr. HESELTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 13 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 25, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1567. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 9, 1954, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of the Santa Maria River and its tributaries, California, authorized by an act approved May 14, 1937, and the Flood Control Act approved August 28, 1937 (H. Doc. No. 400); to the Committee on Public Works and ordered to be printed with one illustration.

1568. A letter from the Attorney General, transmitting the report of the Attorney General on the administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1953, pursuant to the Foreign Agents Registration Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee on the Judiciary. S. 251. An act to amend section 1923 (a) of title 28, United States Code, relating to docket fees; without amendment (Rept. No. 1665). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 1975. A bill to extend the Federal Declaratory Judgments Act, as amended, to the Territory of Alaska; with amendment (Rept. No. 1666). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 1976. A bill to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska; with amendment (Rept. No. 1667). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6487. A bill to approve the repayment contract negotiated with the Roza Irrigation District, Yakima project, Washington, and to authorize its execution, and for other purposes; without amendment (Rept. No. 1668). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 7194. A bill to approve repayment contracts negotiated with the Hermiston and West Extension Irrigation Districts, Oregon, and to authorize their execution, and for other purposes; without amendment (Rept. No. 1669). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 8009. A bill to provide for the commitment and care of the mentally ill of Alaska, and for other purposes; with amendment (Rept. No. 1670). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 6773. A bill to provide for the conveyance of certain housing projects to the University of California; without amendment (Rept. No. 1671). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHORT:

H. R. 9242. A bill to authorize certain construction at military and naval installations and for the Alaska communications system, and for other purposes; to the Committee on Armed Services.

By Mr. BROYHILL:

H. R. 9243. A bill to provide that the basic salaries of officers and members of the police force for the Washington National Airport shall be the same as the basic salaries of officers and members of the Metropolitan Police force, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLARDY:

H. R. 9244. A bill to place restrictions upon the use of the United States mails for the dissemination of Communist propaganda; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H. R. 9245. A bill to establish a joint committee of Congress to study postal field service reclassification, to increase the rates of basic compensation of postmasters, officers, and employees in the postal field service pending reclassification pursuant to recommendations of such joint committee, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H. R. 9246. A bill to provide for grants to teachers' colleges so that teachers may be better prepared to assist in the prevention of narcotic addiction; to the Committee on Education and Labor.

By Mr. MAGNUSON:

H. R. 9247. A bill to authorize the modification of the existing project for Tacoma Harbor in the State of Washington in order to provide for the extension and improvement of the Port Industrial Waterway; to the Committee on Public Works.

By Mr. MILLER of New York:

H. R. 9248. A bill to amend section 308 (5) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. NORBLAD:

H. R. 9249. A bill to further encourage the distribution of fishery products, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SIMPSON of Pennsylvania:

H. R. 9250. A bill to provide for the construction of a project for flood-control protection at Lewistown, Pa.; to the Committee on Public Works.

By Mr. THOMPSON of Louisiana:

H. R. 9251. A bill to provide that two floating ocean stations shall be maintained at all times in the Gulf of Mexico to provide storm warnings for States bordering on the Gulf of Mexico; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H. R. 9252. A bill to amend the Merchant Marine Act, 1936, to provide a national defense reserve of tankers and to promote the construction of new tankers, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H. R. 9253. A bill to provide for a program of merchant ship construction in American shipyards; to the Committee on Merchant Marine and Fisheries.

H. R. 9254. A bill to authorize the modification of the existing project for Tacoma Harbor in the State of Washington in order to provide for the extension and improvement of the Port Industrial Waterway; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H. R. 9255. A bill for the relief of Maurice Mumford; to the Committee on the Judiciary.

By Mr. EBERHARTER:

H. R. 9256. A bill for the relief of Edward Patrick Cloonan; to the Committee on the Judiciary.

By Mr. GEORGE:

H. R. 9257. A bill for the relief of the MacArthur Mining Co., Inc., in receivership; to the Committee on the Judiciary.

By Mr. HELLER (by request):

H. R. 9258. A bill for the relief of Kervok Sevag, Mrs. Virginia Sevag, and Sonia Sevag; to the Committee on the Judiciary.

H. R. 9259. A bill for the relief of Judith Feldmar; to the Committee on the Judiciary.

H. R. 9260. A bill for the relief of Luis Deriberprey; to the Committee on the Judiciary.

By Mr. HYDE:

H. R. 9261. A bill for the relief of Clement E. Sprouse; to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 9262. A bill for the relief of Capt. Moses M. Rudy; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 9263. A bill for the relief of Gaetanina Lombardo; to the Committee on the Judiciary.

By Mr. MOSS:

H. R. 9264. A bill for the relief of Isola Lopez y Royo; to the Committee on the Judiciary.

By Mr. REED of Illinois:

H. R. 9265. A bill for the relief of Henry J. Krueger and others; to the Committee on the Judiciary.

By Mr. ROBERTS:

H. R. 9266. A bill for the relief of Mrs. Josette Filandre Hollingsworth; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

833. By Mr. BETTS: Petition of members of the First Evangelical United Brethren Church and the St. Paul's Evangelical United Brethren Church of Findlay, Ohio, supporting H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

834. By Mr. BOYKIN: Petition of citizens of Washington and Mobile Counties, Ala., in support of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

835. By Mr. CHENOWETH: Petition of 67 members and adherents of the United Presbyterian Church of Pueblo, Colo., urging passage of H. R. 1227, a bill prohibiting advertisements of alcoholic beverages in interstate commerce; to the Committee on Interstate and Foreign Commerce.

836. By Mr. CHIPERFIELD: Petition of residents of Mercer, Rock Island, and Warren Counties in support of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

837. By Mr. FORAND: Resolution of the Rhode Island Library Association memorializing Congress with respect to Public Law 286, requiring all Federal agencies to reimburse the United States Post Office Department for their mail services; to the Committee on Post Office and Civil Service.

838. By Mr. GARY: Petition of Mrs. W. S. Penley and 36 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

839. Also, petition of T. T. Dobbins and 99 citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

840. Also, petition of H. F. Keyser and 21 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

841. Also, petition of Mrs. Mabel J. Wiggins and 72 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

842. By Mr. GAVIN: Petition of citizens of Warren, Pa., favoring passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

843. Also, petition of citizens of Warren, Pa., favoring H. R. 1227; to the Committee on Interstate and Foreign Commerce.

844. Also, petition of the teenage class, the ladies' class, and men's Bible class of the Scrubgrass Presbyterian Church, Emlenton, Pa., favoring H. R. 1227; to the Committee on Interstate and Foreign Commerce.

845. Also, petition of citizens of Duke Center, Pa., favoring H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

846. Also, petition of citizens of Smethport, Pa., favoring H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

847. Also, petition of citizens of Russell and Akeley, Pa., urging passage of H. R. 1227, the Bryson bill; to the Committee on Interstate and Foreign Commerce.

848. By Mr. GROSS: Petition of 221 residents of Black Hawk County, Iowa, favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

849. By Mr. HARRISON of Virginia: Petition of certain citizens of the cities of Staunton and Waynesboro and the county of Augusta, Va., citing excesses in the advertising of alcoholic beverages by newspaper, periodical, radio, and television, and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

850. Also, petition of certain citizens of the cities of Winchester and Buena Vista and the counties of Amherst, Frederick, Page, Rockbridge, and Warren, Va., citing excesses in the advertising of alcoholic beverages by newspaper, periodical, radio, and television and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

851. Also, petition of certain citizens of the city of Harrisonburg and the counties of Rockingham and Shenandoah, Va., citing excesses in the advertising of alcoholic beverages by newspaper, periodical, radio, and television, and urging prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

852. By Mr. HAYS of Arkansas: Petition of Mrs. Sid Roberts, Rogers, Ark., and others, expressing approval of H. R. 1227 to prohibit the advertising of alcoholic beverages on radio and television; to the Committee on Interstate and Foreign Commerce.

853. By Mr. HESELTON: Petition of Mrs. William C. Wright and others, of Shelburne Falls, Mass., urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

854. Also, petition of Rev. Robert F. Wollenweber, of the First Baptist Church of Colrain, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

855. Also, petition of Rev. Stephen R. Tucker, of the First Congregational Church of Turners Falls, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

856. Also, petition of Mrs. Alma E. Stalker and others, of Holyoke, Mass., urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

857. Also, petition of Rev. Joseph W. Reeves, of the Trinitarian Congregational Church of East Northfield, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

858. Also, petition of Rev. John H. Hyde and others, of Adams, Mass., urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

859. Also, petition of Harold D. Patterson, of Westfield, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

860. Also, petition of Edward Cowles, of Westfield, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

861. Also, petition of Mr. and Mr. Malcolm E. McGowan, of Westfield, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

862. Also, petition of Mrs. Myron White, of Granville, Mass., and others urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

863. Also, petition of Mrs. George L. Barrus, of Lithia, Mass., and others, urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

864. Also, petition of C. Frederick Dyer, of Plainfield, Mass., and others, in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

865. Also, petition of Arthur H. Daniels and others, of North Adams, Mass., urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

866. Also, petition of Mahlon L. Henderson and others, of Pittsfield, Mass., urging support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

867. Also, petition of Mrs. M. Louisa Steuerwald and others, of Pittsfield, Mass., in support of the so-called Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

868. Also, petition of Miss Alexandrina Allyn and others, of Holyoke, Mass., in support of H. R. 1227, the so-called Bryson bill; to the Committee on Interstate and Foreign Commerce.

869. By Mr. HINSHAW: Petition signed by approximately 1,500 persons resident in the vicinity of Whittier, Calif., urging the passage of H. R. 1227 and S. 3294, prohibiting the advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

870. By Mr. JONES of Alabama: Petition of Mrs. J. Wiley Owen and Aubrey R. McKenney relative to H. R. 1227; to the Committee on Interstate and Foreign Commerce.

871. By Mr. MARTIN of Massachusetts: Petition of William H. Marsell and other residents of Holliston, Mass., in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

872. Also, petition of Richard E. Porter and other residents of Massachusetts in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

873. Also, petition of Betty Wilson and other residents of Massachusetts, in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

874. Resolution of the Knights of Columbus of Massachusetts in support of Senate Joint Resolution 126; to the Committee on the Judiciary.

875. By Mr. O'NEILL: Petition of the Grace Baptist Church, Somerville, Mass., in support of the Bryson bill, H. R. 1227, to prohibit advertising in the press and on the airways of alcoholic beverages, signed by Rev. J. S. Larrimore, Alfred R. Dugan, Marguerite Sawin, Ruth M. Jamieson, Francis Newell, Harold D. Taylor, Luella T. Connelly, Marion L. Leake, Eliza Reid, Jessie A. Smith, Olive Cochran, Bertha Foster, Jessie MacQuarrie, Emeline MacLean, Mary C. Loveless, Barbara Banks, Dorris L. Rice, Charles R. Rice, Earl Burnett, Elizabeth Banks, Allan G. Collie; to the Committee on Interstate and Foreign Commerce.

876. By Mr. SHAFER: Petition of Mrs. Dene Way, secretary, St. Ann's Altar Society, Bellevue, Mich., and 47 other signers in support of Senate Joint Resolution 126; to the Committee on the Judiciary.

877. By Mr. SMITH of Wisconsin: Resolution of the Burlington, Wis., Dental Society opposing passage of House bill 2341, or any version thereof; to the Committee on Interstate and Foreign Commerce.

878. Also, resolution unanimously adopted whereby the mayor and the common council of the city of Elkhorn, Walworth County, Wis., go on record as vigorously opposing H. R. 2341; to the Committee on Interstate and Foreign Commerce.

879. By Mr. WIGGLESWORTH: Petitions urging the enactment of the so-called Bryson bill, H. R. 1227, signed by Rev. L. Clarence Schroeder and members of the East Congregational Church, Milton, Mass.; Rev. Gilbert Y. Taverner and members of the Hyde Park Methodist Church, Hyde Park; Rev. Harold H. Cramer and members of the Methodist Episcopal Church, Needham; Rev. Walter F. Ribbe, and members of the First Baptist Church, Weymouth; Rev. Robert L. Treese and members of St. Paul's Methodist Church, Quincy; Rev. Oliver L. Tanquary and members of the Union Congregational Church, East Braintree; Rev. Arthur W. Dycer and members of the Pilgrim Congregational Church, North Weymouth; Rev. J. Arthur Dahlstrand and members of the South Street Methodist Church, Brockton; Rev. Kenneth McCowan and members of the Blaney Memorial Baptist Church, Dorchester; Rev. Herschel W. Rogers and members of the First Baptist Church, Rockland; Miss Eunice A. Butterworth and members of the Weymouth

branch, National Woman's Christian Temperance Union; Rev. William H. Duvall and members of the Atlantic Methodist Church, North Quincy, and others; to the Committee on Interstate and Foreign Commerce.

880. By Mr. WOLCOTT: Petition of the Members of the Woman's Christian Temperance Union and friends of the churches of Michigan earnestly beseeching support of the Bryson bill, H. R. 1227, and the Langer bill, S. 3294, to prohibit in interstate commerce the transportation of alcoholic-beverages advertising in newspapers, periodicals, etc.; to the Committee on Interstate and Foreign Commerce.

881. By the SPEAKER: Petition of Juliet Coyle and others, Brooklyn, N. Y., relative to endorsing House Joint Resolution 243, amending the pledge of allegiance to the flag of the United States to include the words "under God"; to the Committee on the Judiciary.

882. Also, petition of the president, Los Angeles chapter, American Association for the United Nations, Los Angeles, Calif., relative to requesting the establishment of Monday, October 24, 1955, the 10th anniversary of the ratification of the United Nations Charter, as a special legal, onetime holiday; to the Committee on the Judiciary.

883. Also, petition of the recording secretary general, National Society of the Daughters of the American Revolution, Washington, D. C., relative to recommending an amendment to the Constitution of the United States which would prevent any treaty or executive agreement from superseding the Constitution of the United States; to the Committee on the Judiciary.

884. Also, petition of the city clerk, city of Chicago, Chicago, Ill., relative to incorporating the words "under God" in the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

885. Also, petition of A. W. Lafferty, Fenton Building, Portland, Oreg., relative to requesting congressional investigation of Secretary McKay, etc.; to the Committee on Rules.

886. Also, petition of Norman Parkhurst, Republican National Committeeman, Puerto Rico, relative to opposition to the Bow resolution with regard to Puerto Rico; to the Committee on Rules.

887. Also, petition of Nellie Matthers and others, St. Petersburg, Fla., requesting passage of H. R. 2446 and H. R. 2447, proposed social-security legislation, known as the Townsend plan; to the Committee on Ways and Means.

888. Also, petition of the secretary, County Clerk's Association of Illinois, Lawrence, Ill., relative to requesting the adoption of a pension and retirement program which will leave the initiative up to the individual States, etc.; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Poland and Monte Cassino

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. RODINO. Mr. Speaker—

Polish soldiers—for our freedom and yours—have given our souls to God, our bodies to the soil of Italy, and our hearts to Poland.

This simple inscription is carved on the spire which stands on a hilltop above a military cemetery at Monte Cassino, in Italy. There lie buried more than a thousand Polish soldiers of the Polish Second Army Corps who gave their lives in the capture of the most crucial German fortification in Italy. The story of these Polish forces is perhaps one of the most tragic chapters in the history of World War II—but it is a chapter the last pages of which have not yet been written and will not be written until the free world proves that these men who were faithful to their service did not give their lives in vain. The Second Polish Army Corps was composed of the survivors of some million and a half Poles who, for one reason or another, had been detained in Russia after the Soviet invasion of Poland. With the outbreak of hostilities between Russia and Germany the Russians, for political and strategic reasons, decided to permit the formation of a Polish Army on Soviet soil. A military agreement to this effect was signed between Stalin and the Polish Premier, General Sikorsky. Gen. Wladislaw Anders, who had until that time been imprisoned under the most brutal conditions in the NKVD's infamous Lubianka Prison, was given the job of incorporating Poles in Russia into a fighting unit. The task that faced General Anders was a heartbreaking one. Many Poles could not be located or were not released, while those who were free to join were ill-clad, starved, and diseased. Gradually the camps began to disgorge some of the imprisoned Poles. They arrived by the thousands from the various Russian camps—men and women and children who had been prisoners of war or deported civilians. They came from all parts of Russia, barefoot, tattered, in remnants of old Polish uniforms. They represented a cross section of Polish life, for the Russians had systematically tried to drain Poland of all people of value to the nation. Some had been captured during the Soviet invasion, others had been arrested when they had tried to cross the frontier into some neutral country to join the Polish forces being organized in France, others were political and social leaders who had been imprisoned without trial on trumped-up charges of counterrevolutionary activity.

But, no matter what they had suffered, these people were eager to join the ranks of the new Polish Army. They came thousands of miles, in spite of Russian obstacles, with only one idea in mind—to fight once again for the liberation of Poland. Their single mindedness was matched only by their great religious faith, and, as the Polish Army knelt for its first mass even the faithless jeerings of the NKVD agents and the Russian soldiers were momentarily silenced.

In spite of the Stalin-Sikorsky agreement the situation was such that General Anders realized the importance of evacuating the Polish forces and their families. This was the only means of saving the thousands of lives which would have otherwise perished at the hands of the Russians. For the sake of expediency the Russians let the Polish forces and their families go. In Palestine, Iran, and Iraq General Anders completed the mobilization of the Second Army Corps. These men who had had to train with wooden rifles were now finally being fully equipped and prepared to join the Allied effort.

In the meantime Polish-Russian relations had deteriorated to the danger point, and in April of 1943 Russia broke off diplomatic relations with the Polish Government in London. In Poland itself the situation was no better. As the Germans retreated their terrorism increased, and as the Russians advanced it became evident that they were going to keep what they had liberated. But in spite of this, in early 1944 the Second Polish Army Corps was ready for action, and on February 6 the first troops landed at Naples.

This was not the first time that Polish soldiers had fought in Italy on behalf of freedom and Poland's independence. Almost 150 years before Polish legions had fought for liberty and Poland in Napolean's army under the leadership of General Dombrowski. In the mid-20th century they believed that, as in the 19th century, the fight for Polish independence would begin on the battlefields of Italy. Their zeal was heightened by the knowledge that on their performance would depend the Allied effort and the reputation of those freedom-loving Poles who were daily being slandered by the Soviet propaganda machine.

In May the Polish Army Corps was given the most difficult of the initial tasks in the Italian campaign—the capture of the German bastion of Monte Casino, which had withstood time and again all attempts at seizure. So long as the sixth century benedictine abbey, now fortified by the Germans, held fast, the road to Rome and the success of the Italian campaign were blocked.

The first attack against Monte Cassino was launched on the 11th of May, on the 17th the second attack came, in the morning of May 18 the red and white flag of Poland was hoisted over the ruins of the abbey. The Polish Second Army Corps had captured one of the most stubborn German strongholds. Victory in Italy was now assured.

Without respite the Poles marched on to victory at Ancona, at Bologna, and in the Emelian Apennines. Those were proud days for the Second Army Corps and for all Poles, and yet the goal of national independence for which they were all fighting seemed as far away now as it had in the grim days of 1939. First at Teheran and then at Yalta Poland was sacrificed to the delusion that Russia could be appeased and her friendship secured by such concessions. Polish

troops had given their lives on behalf of freedom, and now that the Nazi tyranny had been destroyed their services were no longer needed. There was no V-day for Poland, only the bitter knowledge shared by every soldier that in spite of his duty well done he and his country had been wronged. Yet, despite their betrayal, the vow taken by the Second Corps at the celebration of their Soldiers' Day was "we shall continue our struggle for the liberty of Poland, regardless of the conditions in which we shall have to live and work." And they have been true to their fallen comrades and to their vow. We who so joyously shared in the victory that these gallant Poles helped gain for us must now help them gain theirs. As they saw and fulfilled their duty, so it is our responsibility to rectify the wrong done to Poland. On this day when we commemorate the brilliant and heroic victory of the Poles over the forces of nazism let us reassure them that they are not alone in their struggle for Poland's liberty.

Mr. Speaker, under leave to extend my remarks, I wish to include herein a resolution adopted by the Polish National Fund of New Jersey, Monte Cassino Anniversary Committee, of which my good friend, Rev. Francis Kowalczyk, is chairman:

RESOLUTION ADOPTED AT THE RALLY COMMEMORATING THE 10TH ANNIVERSARY OF THE BATTLE OF MONTE CASSINO, HELD ON MAY 23, 1954, AT NEWARK, N. J.

We, the Americans of Polish descent, the free Poles, and the friends of free Poland, assembled on May 23, at the Continental Ballroom, Newark, N. J., to commemorate the 10th anniversary of the famous battle of Monte Cassino, pay tribute to the Polish soldiers of freedom, who under the command of Gen. Wladyslaw Anders captured that rugged and seemingly impregnable fortress in Italy, after previous attempts by the American, British, and French forces had failed, thus opening the way to Rome for the Allied armies. We especially honor the 923 Polish soldiers who were killed and the 2,931 who were wounded in the battle.

We wish to recall that this shining example of heroism and sacrifices of the Polish soldiers in the past war against the forces of totalitarianism in Europe, described by President Eisenhower as "a symbol of the Polish nation's inextinguishable love of freedom" was made at the time when Poland was already betrayed by the Allies and doomed to Communist slavery.

Today, the Polish people, bitterly disappointed by the betrayal at Yalta and subsequent enslavement by the international Communist conspiracy, are nevertheless looking hopefully to the United States of America as the only force in the free world to aid them in the resurrection of a free and democratic Poland.

We agree with the statement recently made in the United States House of Representatives by Congressman WILLIAM T. GRANAHAN, of Philadelphia, Pa., that "it is with good reason that friends of Poland in this country and elsewhere are deeply disturbed by the disparity in the degree of interest shown by our State Department in the plight of our former enemy—Germany—as compared with the seeming neglect and apathy in regard to a nation like Poland which fought so valiantly if unsuccessfully against the Nazi-Soviet alliance."

We share the view of Ambassador Jozef Lipski, representing the Free Polish Government in this country, that the United States needs allies not only on this side of the Iron Curtain, but on the other as well, but in order to have these allies, which in case of crisis can be of inestimable value, the United States must proclaim a firm policy of liberation of nations behind the Iron Curtain.

We welcome the statement of President Eisenhower, contained in a letter to General Anders of May 7, 1954, that the courage and faith in freedom of the Polish people "will not be in vain and that the cause of liberty and justice will prevail, as it did at Monte Cassino 10 years ago." We urge, however, the implementation of these words by President Eisenhower by the following deeds:

(a) Formation of a Free Polish Armed Forces in the framework of NATO.

(b) Withdrawal of recognition from the Communist regime in Warsaw and restoration of recognition to the Free Polish Government in London.

(c) Recognition of Poland's rights to prewar eastern and present western boundaries.

A message to the Poles, containing the above elements, will boost their morale and strengthen their faith in the United States of America.

We assure the people in Poland that we will not rest until Poland will be free again.

Long live the United States of America—champion of freedom and democracy—and the only hope of a free slave world.

Long live the indomitable spirit of a free and democratic Poland.

Rev. Major Albert Arthur Rojek, Chairman of the Resolution Committee; Leopold Dende, Edmund Hemmerling, Adela Jaskiewicz, Albert Klemp, Z. Poraj-Lukaczynski, Walter Marut, Dr. L. Obierek, J. Zaprawa-Ostromecki, J. T. Rospond, Stanislaus Wesolowski, Members.

Need for Strawberry Pickers

EXTENSION OF REMARKS
OF
HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. GUBSER. Mr. Speaker, a few months ago we debated a bill which would facilitate the importation of Mexican nationals as supplementary farm laborers. Those of us who come from areas where such labor is often needed made it quite plain that this labor was to be used only when a labor shortage did in fact exist. During the debate I tried to point out that many workers who are now unemployed are either not qualified or are unwilling to perform agricultural labor.

As proof of the contention I made during the House debate, I insert herewith a news item from the Gilroy Evening Dispatch, of May 14, 1954:

STRAWBERRY CROP WORKERS NEEDED—FIVE HUNDRED WANTED HERE

A current crying need for 500 strawberry pickers here in Gilroy and Morgan Hill areas is voiced today by Jack Rocca, farm placement officer. Rocca said calls are being sent out to areas including Los Angeles, San Francisco, Sacramento, and Hanford in an effort to get the pickers.

Farm placement officers and centers will be open tomorrow, Saturday, in the recruitment drive, Rocca said. Offices remaining open will include the Gilroy employment department office, the Morgan Hill farm labor trailer and a recently added Pacheco Pass information center opened May 10.

Telephone numbers of the three are Gilroy 424, Morgan 9–1484, and Pacheco Pass, Gilroy 3–F–32. Personnel in charge of the workers, said Rocca, are Jack Jensen and Ed Healy at Morgan Hill, Milton Quadros and Don Callejon, Gilroy, and Gene Pacheco, of Hollister, at the Pacheco Pass station, located 12 miles out Pacheco Pass highway on the Louis Scaglioni ranch about one-half mile east of the Don Pacheco Y.

Mr. Speaker, from the above, it is quite apparent that supplemental labor is necessary in California. However, I repeat our previous pledge to give local labor the first chance at any job they are willing and able to perform.

Religious Persecution Behind the Iron Curtain

EXTENSION OF REMARKS
OF
HON. WILLIAM E. McVEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. McVEY. Mr. Speaker, Members of the House have been concerned and greatly grieved many times when reports have reached us concerning the persecution of various types of religious advocates who lived behind what is now known as the Iron Curtain. In these persecutions it seems to make little difference as to the church to which a citizen belongs. Inasmuch as a high percentage of those who are now under the authority of the Kremlin belong to the Catholic church, the punishment which those of the Catholic faith have received has been outstanding and has been brought to our attention in many different ways.

There has recently come to me a report from Dr. Anthony Butkovich, who formerly lived in the territory behind the Iron Curtain, but who made his escape to this country. Dr. Butkovich attended the University of Croatia at Zagreb, and the University of Graz in Austria. He graduated as a doctor of legal law and political sciences in 1949. He was active as a journalist and lecturer in Croatia, Austria, and since his arrival in America.

He has been in this country for 3 years and has become pretty well acquainted with the American way of life. He has a profound feeling for the Christian principles of the American people and the part which this country has played in the historical events of world affairs. He is much impressed by the valiant American soldiers who have fought so gallantly on the battlefields of Europe and Africa, as well as in the Far East.

He holds personal knowledge of the persecution of many American priests and bishops behind the Iron Curtain. Dr. Butkovich has furnished me with 161 names of leading Catholic dignitaries persecuted or put to death by Communists in recent years. This list follows:

ALBANIA

Archbishop Nicholas Prennushi, of Durazzo, in prison and probably dead.

Bishop Francis Gjini, of Alessio, executed.
Bishop George Volay, of Sappa, executed.

BULGARIA

Bishop Eugene Bosilkoff, of Nikopol, sentenced to death.
Bishop John Romanoff, of Sofia, probably dead.

CHINA

Thomas Cardinal Tien, of Peiping, in exile.
Archbishop Anthony Riberi, papal internuntius in China, expelled.
Archbishop Theodore Buddenbroeck, of Lanchow, arrested.
Archbishop Dominic Capozi, of Taiyuan, imprisoned.
Archbishop Joseph Chow Chi, of Nanchang, imprisoned.
Archbishop Cyril Jarre, of Tsinan, died in prison.
Archbishop Ignatius Pi Shu Shih of Mukden, died in prison.
Bishop Theodore Breher, of Yenki, expelled, and died.
Bishop Philip Cote, S. J., of Suchow, an American, imprisoned.
Bishop Leo de Smedt, of Siwantze, died in prison.
Bishop Peter Joseph Fan, of Paoting, imprisoned.
Bishop Alfonso Ferroni, of Laokokov, imprisoned.
Bishop Francis X. Ford, of Kaying, an American, died in prison.
Bishop Rember Kowalksi, of Wuchang, an American, imprisoned.
Bishop Ignatius Arranga, of Pingliang, arrested.
Bishop John O'Shea, of Kanchow, an American, expelled.
Bishop Adolph Paschang, of Kongmoon, an American, expelled.
Bishop Ambrose O. Pinger, of Chowtsun, an American, imprisoned.
Bishop William C. W. Quinn, of Yukiang, an American, expelled.
Bishop Charles Weber, of Ichow, imprisoned.
Msgr. Julius Dillon, of Chasi, an American, expelled.
Msgr. Eugene Fahy, of Yangschow, an American, expelled.
Msgr. Jerome Haberstroh, of Tsitsihar, expelled.
Msgr. Ignatius Koenig, of Shaowu, imprisoned.
Msgr. Jon Romaniello, of Kweilin, an American, expelled.

CZECHOSLOVAKIA

Archbishop Joseph Beran, of Prague, imprisoned.
Bishop Paul Gojdic, of Presov, sentenced to life imprisonment.
Bishop Jan Vojtassak, of Spis, sentenced to 24 years imprisonment.
Bishop Michael Buzalka, of Trnava, life imprisonment.
Bishop Basil Hopkow, of Presov—sentenced to life imprisonment.
Bishop Stanislav Zela, of Olomouc, 25 years imprisonment.

ESTONIA

Archbishop Edward Profittlich, of Estonia, imprisoned in Russia.

INDOCHINA

Bishop John Baptist Tran Huu Duc, vicar of Winh, imprisoned by rebels.
Archbishop Miecislaus Reinys, of Wilna, imprisoned in Russia.
Bishop Vincent Borisevicius, of Telsiai, murdered by Russians.
Bishop Theophile Matulionis, of Kaisedorys, died in prison.
Bishop Francis Ramanauskas, of Telsiai, prisoner in Russia.
Bishop Vincent Brizgyis, of Kaunas, exiled.

POLAND

Cardinal Hondl and Cardinal Visziensky, imprisoned.
Archbishop Eugene Baziak, of Cracov, imprisoned.
Bishop Stanislav Adamski, of Katovice, imprisoned.
Bishop Karl Maria Spiett, of Danzig, imprisoned.

RUMANIA

Archbishop Gerald P. O'Hara, of Savannah, Ga., an American, expelled.
All other bishops imprisoned or killed.
Archbishop Alexander Cisar, of Bucharest, persecuted.
Bishop Anthony Durcovici, of Jassi, imprisoned.
Bishop Augustine Pacha, of Timisoara, imprisoned.

HUNGARY

Joseph Cardinal Mindszenty, primate of Hungary, life imprisonment.
Archbishop Joseph Groesz, of Kalocsa, 15 years imprisonment.
Bishop Vilmos Apor, of Gyoer, killed by Russian soldiers.
Bishop Zoltan Meszlenyi, of Eszertergom, died in prison.

KOREA

Bishop Patrick J. Burne, apostolic delegate of Korea, an American, died as prisoner of Reds.
Bishop Boniface Sauer, of Hamhung, died as prisoner of Reds.
Msgr. Patrick T. Brennan, of Kwanju, an American, prisoner, fate unknown.
Msgr. Thomas Quinlan, of Chunchon, imprisoned.

LATVIA

Bishop Anthony Urbss, of Lepaja, exiled.
Bishop Joseph Rancans, of Riga, exiled.

LITHUANIA

Archbishop Joseph Skvireckas, of Kaunas, in exile.
Bishop Jon Scheffler, of Satu Mare, imprisoned.
Bishop Valerian Trajan Frentiu, of Aradea Mare, in prison.
Bishop John Suciu, of Alba Giulia, killed.
Bishop Basil Aftenie, of Faragas, killed.

RUSSIA

Archbishop John Cieplak, of Mogilev, died in exile.
Bishop Blesavus Sloskans, of Minsk, exiled.
Msgr. August Baumtriog, of Volga, imprisoned.
Msgr. Michael Juodakas, of Kazan, exiled.
Msgr. Ivan Roth, of Caucasus, imprisoned.
Msgr. Ivan Swiderski, of Kamienic, exiled.

UKRAINE

Archbishop Andrew Sheptytsky, of Lwiw, died in concentration camp.
Archbishop Joseph Slipy, of Lwiw, died in concentration camp.
Bishop Gregory Chomyshyn, of Stanislaviv, died in prison.
Bishop Gregory Lakota, of Peremyshl, died in Siberian camp.
Bishop Niceta Budka, of Lwiw, probably died in concentration camp.
Bishop Jon Buczko, of Lwiw, in exile.

CROATIA

Aloysius Cardinal Stepinac, of Croatia, in confinement after 4 years in prison.
Archbishop John Dr. Sarich, of Sarajevo, in exile.
Bishop Peter Cule, of Mostar, sentenced to 10 years in prison.
Bishop Gregory Rozman, of Slovenia, in exile.
Bishop John Simrak, of Krizevci, killed in prison.
Bishop Joseph Carevic, of Dubrovnik, killed by Communists.
Bishop Joseph Garic, of Banja Luka, died in exile.
Still 110 priests in prison, besides that 550 were killed.

Mr. Speaker, an examination of the above list of names leads one to feel that the persecution of the early Christians is being repeated today in those countries which follow the leadership of the Kremlin, and which have no respect for Christianity in any of its forms. Dr. Butkovich reacts to this situation as follows:

It seems to me that the great struggle which we are facing in the world does not seem to be the question of Korea or Indochina, Berlin or Geneva, nor the question of economics and finances only, but in the last consequence the question of survival and victory or destruction and defeat of the free Christian world.

I believe that the free world under the leadership of the United States of America should take the most energetic steps to stop the inhuman persecution of Catholic or any other clergy behind the Iron Curtain.

The First Lady of American Business

EXTENSION OF REMARKS
OF
HON. EDWARD J. BONIN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. BONIN. Mr. Speaker, the National Secretaries Association is the world's largest association for women in one profession. It was organized in 1942 and incorporated in the State of Missouri as a nonprofit, nonunion, nonpolitical, and nonsectarian association. The purpose of the association is to elevate the standards of the secretarial profession by uniting, for their mutual benefit, women who are engaged in the secretarial profession.

It has as its code of ethics:

Recognizing the invaluable influence of woman's life in all she touches, we resolve to inject into our business association the highest ideals for which the National Secretaries Association stands; to lend grace, charm, and sobriety to all our dealings; and to maintain poise and dignity under all conditions and circumstances. We resolve to further the interest of whatever business we follow; to exemplify loyalty and conscientiousness and exercise patience at all times; to keep our lives clean and wholesome that our very presence may bring life and light to those about us; to encourage ambition, lend hope, and nourish faith, remembering that the eternal laws of God are the only ones under which we can truly succeed.

Today is the second day of National Secretaries Week. The theme for the week is "Better secretaries mean better business." Yesterday this association had a tea at the Sheraton Park Hotel. Tomorrow the proclamation for National Secretaries Week will be given by the Honorable Renah Camalier at the District Building at 9:30 a. m. On May 26 the National Secretaries Day banquet will be held at the Sheraton Park Hotel. Toastmistress for this occasion will be Miss Ellen Carey, acting president, Del-Mar-Dis division of the National Secretaries Association. The speakers at the banquet will be Dr. Samuel M. Brownell, United States Commissioner of Education; Congressman John P. Saylor, of Pennsylvania; Congressman Timothy P. Sheehan, of Illinois; and Elizabeth Fairall, vice president of Julius Garfinckel.

Let us observe this week by paying tribute to the American secretary as the first lady of American business.

Nebraskans Give Their Views—A Report on My Latest Poll

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. MILLER of Nebraska. Mr. Speaker, under leave to extend my remarks in the RECORD I include an analysis of a poll on 10 vital questions that I conducted in the Fourth Congressional District of Nebraska.

In order to get a good cross section of the views of my constituents, I sent the same poll to those living in the rural areas and those living in the cities. This, of course, entailed considerable time since they were separated for tabulating purposes.

The number of returns amounted to approximately 11 percent. This, as you all know, is considered very good for this type poll. It might be well to point out that of those who returned the questionnaire, a high percentage took time to sit down and write a letter expressing their views.

In making up this poll, I considered the questions I had previously asked in the 5 other polls I have conducted during my 6 terms in the House, as well as the questions which came up last fall when I conducted Government clinics in the 36 county-seat towns of my district. I asked for views on 10 important issues either pending or being considered by Congress. For the benefit of my colleagues, I will discuss each question separately, giving what I believe is the significance of the results.

THE FARM PROGRAM

The first question asked was, "Do you favor 90-percent parity on farm prices, 100 percent, or flexible support prices?" The results from the rural areas showed 53.3 percent favored the administration's flexible support program, 30.2 percent believed 90 percent of parity, 13.7 percent wanted 100 percent of parity, while 2.3 percent opposed any type of support program, since it also entailed controls.

The results of the city returns followed the same line except the flexible support program was accepted by a greater margin with 85.6 percent of those answering the poll favoring it. Only 5.7 percent wanted 90 percent of parity, 4.6 percent wanted 100 percent, and 4.1 percent wanted no supports whatsoever.

It might be well to point out that the Fourth District of Nebraska produces a tremendous amount of cattle. The "Sandhills"—described by many as God's own cattle country—is located within my district. Despite the millions of head of cattle and the large number of people engaged in ranching, I did not receive a letter expressing the view that there should be price supports on cattle. In fact, those who did discuss price supports on cattle said they definitely did not want any type of support or control. One reply was, "Let the Government tend to their business and we will take care of ours."

Other comments, all written in plain, ordinary English so there was not a chance of misinterpretation, included: "The 90 percent of parity doesn't seem to be the answer to our farm program, maybe we ought to try flexible supports," or "As long as we have more or less taken it upon ourselves to feed the rest of the world, we should continue to encourage big crops with 90 percent of parity so that we will have enough to feed all of the hungry people," or "Let us get back to the law of supply and demand—we were doing all right before somebody at a desk back in Washington decided we weren't."

On the other hand, some of the wheat farmers expressed their hopes that a two-price system similar to the McNary-Haugen idea could be written into law. They were afraid that wheat would price itself clear out of the market "like butter has."

EIGHTEEN-YEAR-OLDS VOTING

The No. 2 question of my poll was, "Should 18-year-olds vote?" As in the past, this continued to be a very close question. Greatest opposition to letting 18-year-olds vote came from the urban areas where 56 percent opposed any such move. In the rural areas, the question was closer with just 51.9 percent opposing it.

Typical comments from those who favored the granting of suffrage to 18-year-olds were, "If they are old enough to fight, they are old enough to vote." The most frequent comment in opposition was, "An 18-year-old isn't mature enough and is too easily swayed or influenced."

This question was discussed at great lengths at each of the Government clinics I conducted last fall. The first hour of the clinic was devoted to a Youth Wants To Know program, in which only high-school students participated. At one of the clinics a husky young man stood up and commented about being old enough to fight. Quick as a cat, a spry and pert young lady retorted, "That does not mean a thing. I've got a younger brother and he has been getting into fights for as long as I can remember."

In each community the students were almost equally divided on the subject. However, students from one of the schools were almost unanimous in objecting to lowering the age standard. Naturally, I was interested in determining the reason behind this. So, in private, I discussed the question with the students' teacher. I found him to be vigorously opposed to lowering the age, primarily on the grounds that they were too easily influenced. This could well be an example of the influence teachers and parents have on 18-year-olds. But other instances found adults being swung around to supporting the move. Sitting in on the youth program, many adults were amazed at the caliber of questions asked by the students.

In one small community where there were only 25 or 30 adults present during the 2-hour clinic, they unanimously agreed and asked that the students be allowed to continue after their hour was up. "They can ask better questions than most of us," the spokesman said.

This is one question that can only be resolved by a constitutional amendment. Sooner or later Congress will see fit to place this issue in the hands of the people in the form of a constitutional amendment to be either accepted or rejected. One State, Georgia, has already granted equal suffrage to 18-year-olds. The Constitution reserved unto the States the authority to establish voting requirements.

SOCIAL SECURITY

A very timely question presented to my constituents was, "Do you favor extension of social security to cover farmers or all groups?" This question was worded so as to let those in the rural areas express their opinion as to whether they should be included within the scope of social security, and the same being true for those living in the cities.

The rural results showed 58 percent favoring the inclusion of farmers within social security with the remainder opposing any such move. Those who opposed said, "Insure us a decent price for our crops and we will take care of ourselves when we get too old to work."

Those who favored being placed under social security said, "As long as Congress has seen fit to put some under social security, why should we not be included too. After all, we are citizens too."

A vast majority of those living in the cities wanted to be included—the results showing 75.4 percent favoring being placed under social security. Many indicated they could not understand why the person living next door was allowed to pay into social security and receive benefits while he was not given that privilege.

Many of the letters which commented on this subject were written on plain paper in shaky penmanship. Practically all of those indicated that the present social-security payments were entirely inadequate—that the amount of money one could earn and still draw his monthly benefits was very unrealistic in view of the present day cost of living.

In checking with the Ways and Means Committee of the House, I am very happy to report that it is in the process of studying the present Social Security Act. It has been long overdue for revisions to eliminate many of its inequities. The President has made certain recommendations—many of which I sincerely hope will be enacted into the law.

I am quite certain, Mr. Speaker, that you as well as my other colleagues are most anxious to see the final recommendations which will be made by the committee headed up by my good friend and very able person from New York. I feel quite confident that he will guide his committee in presenting some favorable amendments.

M'CARTHY INVESTIGATIONS

Perhaps the most controversial question asked in my poll concerned the

present hearings now being conducted in the Senate. Not since the Kefauver Committee has any congressional investigation drawn so much national interest. The question asked was, "Do you support Senator McCARTHY in his investigating programs?"

From the rural areas came Senator McCARTHY's biggest support. There, 63.8 percent favored the Senator from Wisconsin with only 30.9 percent expressing disfavor. The remaining 5.3 percent gave him their qualified support—many indicating they felt his methods were defeating his purpose.

Even as late as last fall when I was conducting my government clinics, I found overwhelming support of Senator McCARTHY. Typical comments then were, "Senator McCARTHY should be supported wholeheartedly in his campaign to get rid of Communists and corruption in government," or "When you are fighting a bunch as rotten as the Communists, you should use every possible weapon at your command."

Last year in my poll, I asked, "What do you feel is the most important issue facing Congress: Taxes, a balanced budget, the Korean war, or communism and corruption?" The results on that question found the Korean war high above all with communism and corruption next in line. Now that we have a truce in Korea, I feel the people now place ridding the Government of communism and corruption on top of the list.

The letters I have received in response to my questionnaire indicate the people still feel this is one of the major issues facing Congress. "If there is still one Communist in government, that is one too many" was a typical reply.

The city returns found a much closer division of support. The replies from there found 51.7 percent favoring Senator McCARTHY with the remainder taking a dim view of the recent events.

It should be noted that the poll was sent to the rural areas before the so-called Army-McCarthy hearings were started. Most of those going to the cities went out after the hearings began.

Some of the replies indicated they wanted the hearings to be brought to an end at the earliest possible time in order to let Senator McCARTHY continue his inquiries into communism in government. Some of the later replies wanted the hearings to continue so that both sides would have equal opportunity to present their side of the story. At this point, I am reminded of what my father often told me when I was a youth. He would say, "Remember Art, a pancake never gets so flat that it doesn't have two sides."

It will be most interesting to read the final results of the hearing. Without question, there appears to be some dirty linen that needs washing. I feel that most of the American people, while they have some tentative opinions, are waiting to get all of the facts before they pass judgment on the controversy at hand.

TAFT-HARTLEY ACT

One question asked in my poll which has already been disposed of by this Congress was, "Do you favor changes in the Taft-Hartley law?" As we all know, the amendments reported from the Senate Labor and Public Welfare Committee were recommitted by the Senate and, for all intents and purposes, this has killed any chances for amendments.

The results from the rural areas showed 57.1 percent opposed to any changes in the existing law—the remainder thought some changes might be in order. Those who supported a change wanted more rights to be given the individual employee rather than increasing the power of the labor unions and their bosses.

The thinking on this question from the urban areas was more evenly divided, with 51.9 percent opposing any amendments and the remaining 48.1 percent seeking some changes.

POSTAL RATE INCREASES

One of the sharpest difference of opinion between the rural and city areas was on the postal rate increase question. In reply to the question, "Should postal rates be raised to meet expenses?" the city returns found 65 percent favoring an increase as compared to the 35 percent who felt they should be left where they are.

The results from the rural areas showed the thinking was just about evenly divided, with 52.7 percent thinking it would be proper to raise the rates to meet expenses. The remaining 47.3 percent thought it was all right for the Post Office Department to operate on a deficit with the difference being made up in taxes.

However, practically every comment on this subject mentioned raising the rates on unsolicited mail such as direct mail advertising. Many thought newspapers, magazines, and catalogs should be made to pay their own way. It is my understanding that the biggest deficit of the Postal Service falls within these two categories.

One comment, which just about summed up most of the replies, was, "Certainly not on first-class mail, but on all the junk mail you file in the waste basket daily, but if for no better purpose than keeping our waste baskets empty and conserving wood pulp the rates should be raised on the junk mail."

Those who opposed raising the postal rates thought that Postmaster General Summerfield should be given more authority to remove the inefficiency and waste which has been associated with the Postal Department. They expressed approval of his actions of instigating new methods of distribution and transportation in order to save money and at the same time improve or continue the same service.

UNIVERSAL MILITARY TRAINING

Another controversial subject brought out in my poll was, "Do you favor universal military training?" Whereas a few years ago I found very little support for any such measure, I now find the people living in the cities favored it.

This was the only question where the views of those living in the cities differed from those living on the farms. One of the reasons for this, I believe, is due to the growing number of veterans—most of whom are found in the cities. The American Legion and the Veterans of Foreign Wars are supporting a plan for universal military training.

The tabulations of the city returns show 63.3 percent favoring UMT, with most making some mention of the American Legion or VFW plans. Those who opposed UMT felt that it might give too much power to the military and the civilians would lose control of our military might. Most of those believed in George Washington's theory, which has been strictly adhered to down through the years, that the control of the military should always remain in the hands of the people, or, in other words, the civilians.

While the people in the rural areas did not support UMT, it should be pointed out that support for it has grown a great deal. The results show 52.7 percent oppose UMT with the remaining 47.3 percent favoring it.

Some of the comments on this subject were, "The way they have been drafting men the past 14 years, we might as well have UMT." "Why should those who can afford to go to college be deferred while the rest must fight?", or "From the looks of the world situation, we are going to need a big reserve strength in case of all-out war."

FOREIGN AID

If there was ever a subject on which the people were almost unanimous in their opinions, it is foreign aid. The question was, "Should foreign aid be reduced, as is, or increased?" On the farms and in the cities, the opinion, by far, was that it should be reduced or completely eliminated. There was only about 1 percent difference in the compared results. The city results showed 77.3 percent in favor of reducing foreign aid while 78.6 percent of the replies from the rural areas thought it should be reduced. Only about 3 percent, from both the cities and rural areas, thought it should be increased. The remainder felt it should be left as is.

A similar question was asked in my previous polls and discussed during my government clinics. Only directly following World War I did I find wide support for foreign aid and that was primarily for food, medicine, and clothing.

Some of the typical answers on this question were, "We haven't bought any friends in the past, what has happened to change that?", "God helps those who help themselves," or "I think it is about time Uncle Sam started taking care of some of the things here at home."

One comment on foreign aid came from a gentleman who had just returned from an extensive trip throughout Europe. He said, "I see more patched overalls and work clothes in my hometown than I saw in any one town I visited in Europe." Another person said he found little appreciation for the aid we are sending them. "In fact," he said, "I found more resentment."

Many commented on the possible intervention in Indochina saying they did not mind too much sending bullets and other weapons of war, but that they definitely did not want to send any American troops to fight there. Some feared that it would break out into another Korea and a stalemated war, uselessly

spilling the blood of American youths. As for myself, I would definitely oppose any move to send American troops to the jungles of Indochina to fight in a war which the French refuse to send their draftees to fight.

HEALTH PROGRAM

The one question which drew the least attention was, "Do you approve the President's health program?" "Haven't had much time to study it." "Don't know too much about it," or "You are a doctor and in a much better position to know" were common answers on this question.

Of those who did answer the question, 60.6 percent of the rural replies favored the President's program. A little more support was found in the cities where 63.7 percent favored it. Comparatively, more people from the cities answered this question.

This was one question which showed the popularity of the President is still at a very high point. Some of those who indicated they supported the program said, "If it is Ike's program, then it must be O. K.", or "It's Ike I like, and if it's part of his program, I like it, too."

TWO NEW STATES

A wide margin of support was found for Alaskan and Hawaiian statehood. The last question asked was, "Should Alaska and Hawaii be made new States?" Seventy-seven percent of the rural replies favored granting statehood to the two Territories. Even greater support for statehood was found in the cities where 85 percent favored it.

Some of the typical answers were, "If they are ready for it, give it to them," "Quit making a political football out of them and make them States," or "There doesn't appear to be any good reasons why they shouldn't be made States."

INCIDENTAL COMMENTS

My poll did not cover taxes and the budget, because this was a part of my questionnaire sent out last year. However, a few of the replies I received did mention taxes.

Those who did discuss taxes had high praise for the tremendous accomplishments of the Ways and Means Committee in reporting out the revised tax bill H. R. 8300. They felt the added exemptions for working mothers, for those who are retired, and others, and the realistic tax depletion benefits, had been long overdue. Needless to say, they were pleased with the 10-percent reduction of income taxes which went into effect January 1.

Amendments to Social-Security Law

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. McGREGOR. Mr. Speaker, the Ways and Means Committee is now considering amendments to the social-security law. I have today asked them to carefully consider the provision making it mandatory for doctors, dentists, and farmers to participate in the social-security program.

In this free country of ours, I feel these people have the right to decide if they want to be covered by Federal social security, and not be forced by law to participate in a retirement program.

This is a free country. Let us keep it that way.

Doctors Opposed to Social Security

EXTENSION OF REMARKS
OF
HON. D. R. (BILLY) MATTHEWS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. MATTHEWS. Mr. Speaker, under leave to extend my remarks, I should like to point out that the doctors in the Eighth Congressional District of Florida, which I have the honor to represent, are opposed to being forced under social security. It is my intention to support this position of our doctors for several reasons:

In the first place, it is very rare that our doctors retire. The need for them is so great that I suppose more doctors die in the harness than almost any other members of our various professional services. When at the present time the need for doctors is so great, why should we encourage them to go into retirement and accept social security when the need for medical services is so desperate, and will continue to be desperate for many years ahead?

Another compelling reason that I have for supporting the view of the doctors in my district on this matter of social security, is the fact that if they, themselves, do not want it, I cannot see how their inclusion would be helpful either to the doctor or to the general public. Certainly in this day when our individual freedom is curtailed in so many areas we should make every effort possible to give our people freedom of choice. I have had no expression of opposition on the part of any of the other groups who are to be included in the extended social-security coverage, which would indicate to me that we are not being exactly fair to our doctors when we impose on them something that they do not desire, when we do not make this imposition on any other group. Below are listed some telegrams from the various medical societies in the Eighth Congressional District of Florida:

The Medical Society of Putnam County, Fla., unanimously opposes compulsory social-security coverage for physicians. Few doctors ever retire, therefore will be ineligible for social-security payment. Why be made to pay for what you will never receive?

LAWRENCE HEBEL, M. D.,
President, Putnam County Medical Society, Putnam County, Fla.

Unanimous desire of the Nassau County Medical Society that physicians not be forced into social security as now before House. We earnestly request any and all help you can give us to prevent doctors who have been in practice years being forced into social security.

NASSAU COUNTY MEDICAL SOCIETY,
JOHN W. MCCLANE, *Secretary.*

Our doctors 100 percent firmly oppose being forced under social security. Do not oppose optional coverage by individual physicians. Please use your utmost efforts to get reconsideration.

R. B. HARKNESS, M. D.,
President, Columbia County Medical Association.

Ozark, Ark., High School

EXTENSION OF REMARKS
OF
HON. JAMES W. TRIMBLE
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. TRIMBLE. Mr. Speaker, we were honored to have with us Friday, May 21, the senior class of the Ozark, Ark., High School and their sponsors. The following members of the class were our guests: Cline Smith, John Porter, George Dybendal, Eldon Edgin, Edgar Wootser, Jr., Barbara McDaniel, Patricia Davis, Mary Lou Melton, Bobby Colvard, Dickie Caulk, John Greer, Billy Foster, Tommy Myers, Bill Matthews, Pauline Hopper, Golda Wyers, Sonya Hicks, Elva Walden, Betty Rae Williams, Reba "Dodie" Alston, and Roy Nichols.

Their sponsors are Greer Lingle, superintendent of the Ozark schools; Mrs. Norman Brooks; Mr. and Mrs. E. Z. Dickerson; Mr. and Mrs. Bob Adams and Beverly Sue Adams.

On Friday the class visited in the House Chamber, saw the Senate in session, had lunch in the Supreme Court cafeteria, and took a boat trip down the Potomac River to Mount Vernon. Saturday they visited the White House on tour.

Sunday morning they attended church at the National Presbyterian Church, where they saw President and Mrs. Eisenhower. On Sunday afternoon, in a colorful ceremony, the class placed a wreath on the Tomb of the Unknown Soldier in Arlington.

On Monday they visited the Smithsonian Institution and the FBI.

It is always an inspiration to have such fine young people with us. It is good for them and for all the rest of us for them to come to Washington. They can realize that they, too, are a part of this great Government of ours and are among the future leaders in business, agriculture, the professions, and Government.

We regret so much that the following members of the Ozark class were not on the trip this time. We hope they can come at a later date:

Wilma Haddock, Margaret Reed, Gary Bond, Marilyn Law, Bhurl Sossoman, Bill Mullen, Bill Kirkpatrick, Naomi Crouch, Janice Walker, Ludy McBee, Hilda Pippin, Melba Harris, Yvonne

Chancey, Shirley McKinney, Joe Whitehead, William Barham, James Montgomery, Charles Standridge, Willie Thrasher, Lonnie Adams, Earnest Umholtz, Alvis Harding, Eleanor Holdar, Fannie Holdar, Wynell Rogers, Jerry Gaines, Betty Leverett, Pat Mullen, Paul Gaines, Jerry Prim, John Coley, Juanna Roland, and Marie Carter.

H. R. 8356, the Reinsurance Bill

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. WOLVERTON. Mr. Speaker, I am pleased to report that the leadership in the great life insurance industry recently met with President Eisenhower, and at the conclusion of the meeting announced their general support of the administration's proposal to develop a health reinsurance program. This is an important milestone in our efforts to speed the day when more Americans can enjoy the benefits of better insurance against the costs of hospital and medical care.

The significance of the statement released after the meeting is twofold:

First, it represents a realistic understanding on the part of leading insurance executives of the way in which Government and private industry can proceed hand in hand on a voluntary and not compulsory basis to help the American people in their quest for better health.

Second, it is a clear indication that leaders in the private insurance business recognize that real improvements are necessary in the voluntary health insurance movement if our fellow citizens are to be properly protected against the serious economic consequences of illness and accidents.

I am happy to call the attention of my colleagues to the statement which was issued by Horace W. Brower, president, Occidental Life Insurance Co., Los Angeles, Calif.; Asa V. Call, president, Pacific Mutual Life Insurance Co., Los Angeles, Calif.; Paul F. Clark, president, John Hancock Mutual Life Insurance Co., Boston, Mass.; Frederick W. Ecker, president, Metropolitan Life Insurance Co., New York City; Louis W. Dawson, president, Mutual Life Insurance Co., New York City; W. T. Grant, chairman, Business Men's Assurance Co. of America, Kansas City, Mo.; S. J. Hay, president, Great National Life Insurance Co., Dallas, Tex.; Ralph R. Lounsbury, president, Bankers National Life Insurance Co., Montclair, N. J.; Ray D. Murphy, president, Equitable Life Assurance Society of the United States, New York City; Powell B. McHaney, president, General American Life Insurance Co., St. Louis, Mo.; Clarence J. Myers, president, New York Life Insurance Co., New York City; Adlai H. Rust, chairman of the board, State Farm Life Insurance Co., Bloomington, Ill.; Eldon Stevenson, Jr., president, National Life and Accident Insurance Co., Nashville, Tenn.; Carroll M. Shanks, president, Prudential Insurance Co. of America, Newark, N. J.; Frazar B. Wilde, president, Connecticut General Life Insurance Co., Hartford, Conn.; Claris Adams, executive vice president and general counsel, American Life Convention, Washington, D. C.; Eugene M. Thoré, general counsel, Life Insurance Association of America, New York City.

The statement follows:

THE WHITE HOUSE.

At the invitation of the President, 17 officials of life-insurance companies attended a luncheon conference at the White House today to discuss the administration's pending legislative proposal to establish health reinsurance facilities as a function of the Department of Health, Education, and Welfare. Secretary Hobby and other officials of the Department were also present at the luncheon.

At the conclusion of the conference the life-insurance company representatives issued the following statement:

"During our conference with the President there was a general expression on the part of the life-insurance company representatives who were present favoring the general objectives of the bill. We believe the measure is directed toward encouraging and stimulating still further the development and expansion of health insurance services and coverage for the American public through voluntary plans. There was discussion at the conference as to how the bill may be improved. The plan includes many sound insurance principles. We feel that provision in the bill dealing with the utilization of State insurance departments under the plan may be further strengthened in order that they may be used to the maximum extent and that the system of State supervision of insurance should not be limited by Federal activity in any field."

We Can Cut Spending—Proof of the Pudding

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. BENDER. Mr. Speaker, our Secretary of the Treasury, George M. Humphrey, has announced that the administration plans to cut expenditures by more than $5 billion during the coming fiscal year beginning July 1, above and beyond the $7 billion cut during the present year. Mr. Humphrey's announcement is all the more remarkable in view of the serious military complications created by the war in Indochina and the belief that heavy defense spending would throw plans for further savings completely out of gear.

Nevertheless, the Secretary's authority to speak is unquestioned and his views carry even more weight because he is a member of the National Security Council and is therefore a party to all defense-spending plans and commitments. As the "key economy" in the Western World, Mr. Humphrey observed, our soundness will determine the strength of the "whole free world."

In the last year of Mr. Truman's administration, our deficit was almost $9½ billion. The budget prepared by Mr. Truman for the incoming Eisenhower administration proposed another estimated deficit of some ten billions. President Eisenhower and his Cabinet chopped away at the figures and in the first full year of the present National Government the deficits has come down to less than 4 billions for the fiscal year 1954 ending this June. The folks in the Democratic Party who said it could not be done know now that it could be done and that it has been done. On this topic, if on no other, they are literally speechless.

Results of Poll Listed

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. ENGLE. Mr. Speaker, following is the tabulation of the recent poll taken in my district on 18 domestic and foreign policy issues. Approximately 105,000 questionnaires were mailed to postal patrons in the 19-county district, and thus far 9,275 have been returned and some are still coming in. The total return will run about 9 percent, which is considered very good for a poll of this type. The answers vary but little from county to county; therefore, the results portray a fairly accurate cross section of the thinking throughout the district.

1. Are you in favor of the President's request for funds for the following?

(a) Forest timber access roads. Yes, 55.4 percent; no, 32.6 percent; no opinion, 12.0 percent.

(b) Federal aid for primary and secondary highways. Yes, 73.3 percent; no, 17.8 percent; no opinion, 8.9 percent.

(c) Aid in building hospitals and schools. Yes, 76.0 percent; no, 17.2 percent; no opinion, 6.8 percent.

(d) Irrigation and reclamation projects. Yes, 72.8 percent; no, 17.0 percent; no opinion, 10.2 percent.

2. Do you favor legislation providing interest-free loans for the construction of irrigation projects by local districts? Yes, 49.1 percent; no, 40.5 percent; no opinion, 10.4 percent.

3. Do you favor legislation permitting the gold miner to sell gold freely on the open market, thus lifting the present fixed price? Yes, 68.5 percent; no, 20.8 percent; no opinion, 10.7 percent.

4. Do you favor Secretary Benson's flexible farm support-price program? Yes, 55.8 percent; no, 29.2 percent; no opinion, 15 percent.

5. Do you approve the administration's wool-subsidy plan calling for direct payment to woolgrowers? Yes, 22.9 percent; no, 54.7 percent; no opinion, 22.4 percent.

6. Are you in agreement with the President's program for health and educational assistance? Yes, 65.4 percent; no, 20.2 percent; no opinion, 14.4 percent.

7. Do you approve of increasing social-security benefits? Yes, 75.5 percent; no, 19 percent; no opinion, 5.5 percent.

8. Do you favor increasing the first-class postal rates? Yes, 38.9 percent; no, 55 percent; no opinion, 6.1 percent.

9. Do you favor permitting 18-year-olds to vote? Yes, 41.7 percent; no, 53.3 percent; no opinion, 5 percent.

10. Do you favor the Bricker or a similar amendment limiting the President's treaty and international-agreement powers? Yes, 37.9 percent; no, 49.4 percent; no opinion, 12.7 percent.

11. Do you approve Senator McCARTHY's method of investigating subversives? Yes, 26.1 percent; no, 67.2 percent; no opinion, 6.7 percent.

12. Do you favor the new military program relying mainly on atomic weapons? Yes, 41.1 percent; no, 42.3 percent; no opinion, 16.6 percent.

13. Do you favor raising the individual income-tax exemptions from $600 to $800? Yes, 71.5 percent; no, 23.7 percent; no opinion, 4.8 percent.

14. Do you favor higher pay for Members of Congress? Yes, 48.1 percent; no, 39.1 percent; no opinion, 12.8 percent. If "yes," check: $17,500, 26.5 percent; $20,000, 36.7 percent; $22,500, 7.3 percent; $25,000, 19.6 percent. A total of 9.9 percent of those voting "yes" on this question expressed no salary preference.

15. Do you think we should take a more active hand in the Indochina war? Yes, 18.9 percent; no, 67 percent; no opinion, 14.1 percent.

16. Should United States military aid to foreign nations be reduced? Yes, 59.8 percent; no, 28 percent; no opinion, 12.2 percent.

17. Do you approve, generally speaking, our handling of international relations? Yes, 52 percent; no, 30.8 percent; no opinion, 17.2 percent.

18. Would you vote for the President's suggested changes in the Taft-Hartley law? Yes, 49.5 percent; no, 27.8 percent; no opinion, 22.7 percent.

George H. Todt

EXTENSION OF REMARKS
OF
HON. GLENARD P. LIPSCOMB
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. LIPSCOMB. Mr. Speaker, Mr. George H. Todt, a constituent of the 24th Congressional District of California, has been honored with two very significant awards.

In a ceremony at the St. Francis Hotel in San Francisco, Calif., Mr. Manfred U. Prescott, president general of the Sons of the American Revolution, awarded Mr. Todt the national organization's good citizenship medal. Mr. Todt was also presented the award of appreciation of the California department of Veterans of Foreign Wars by Mr. Anthony R. Nagy, senior vice commander of department of California, in a recent ceremony at the National Broadcasting Studios in Hollywood, Calif.

The awards were presented to Mr. Todt in recognition of his outstanding contribution to the cause of Americanism through his unceasing efforts to alert the people to the constant menace of communism and his organization of an effective plan to rid the country of the Red peril, as exemplified by his news column carried in the Highland Park News-Herald, and his television program over KNBH, both titled "In My Opinion."

As the Representative of the 24th Congressional District, I am happy to join in congratulating George Todt on these awards and to commend him for his active work in the fight against communism.

Upper Colorado River Storage Project

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. SAYLOR. Mr. Speaker, the House Committee on Interior and Insular Affairs reported to the House, H. R. 4449, a bill providing for the construction of the Echo Park Dam and other participating projects within the upper Colorado River storage project, on Tuesday, the 18th of May.

The committee approved this project by a vote of 13 to 12, without considering serious evaporation calculation errors admitted by the the Bureau of Reclamation. Before the committee took final action on this bill, I endeavored to insert in the record the Bureau's admission that it erred in estimating the evaporation loss from a high dam at Glen Canyon, Ariz.

The committee, however, refused to take official cognizance of this crucial evidence of error, which throws an entirely new light on the Echo Park Dam controversy. This is typical of the high-handed manner in which this vast billion-dollar project has been approached. The committee has heard a tremendous amount of testimony to try to prove Echo Park Dam essential to the project. But it has received very little evidence to demonstrate the economic, agricultural, and engineering feasibility of other storage dams and participating projects. The committee's refusal to consider the important evidence of error indicates how frightened and frantic Echo Park proponents are, and that they are willing to support any and all projects in their desperation.

The evaporation error at Glen Canyon, which is a key feature of the Upper Colorado River storage project, casts considerable doubt on the need for Echo Park if a high dam can be built at Glen Canyon instead of the lower one contained in the bill. In view of the admission of error as to Glen Canyon, it is quite possible that other serious planning errors have been made on other parts of the project.

In a public release dated May 14, 1954, the Department of the Interior announced that a recalculation of the upper Colorado River data was to be made, including in that release the contents of the letter from the Under Secretary of the Interior, Mr. Ralph Tudor, to the chairman of the Subcommittee of Irrigation and Reclamation of the Committee on Interior and Insular Affairs.

I wish to include that release as a part of my remarks.

ORDERS RECALCULATION ON UPPER COLORADO EVAPORATION DATA

Under Secretary of the Interior Ralph A. Tudor today advised a congressional subcommittee that a recalculation of the evaporation factors on all reservoirs proposed in the upper Colorado River project has been ordered.

In a letter to Congressman WILLIAM H. HARRISON, chairman of the House subcommittee, Under Secretary Tudor declared that data supplied by the Bureau of Reclamation on evaporation losses from a high Glen Canyon dam had to be corrected. The Bureau's figures were used in testimony before the subcommittee in January and in a subsequent letter.

Under Secretary Tudor's letter follows:

MAY 13, 1954.

Hon. WILLIAM H. HARRISON,
Chairman, Irrigation Subcommittee, Committee on Interior and Insular Affairs, United States House of Representatives, Washington, D. C.

MY DEAR MR. HARRISON: On January 18, 1954, I appeared before your subcommittee and testified on behalf of the upper Colorado River project. A part of that testimony was a recommendation that the Echo Park and Split Mountain Dams be included in the project. These two dams have been opposed by persons and organizations interested in conservation. This Department recommended construction of the dams rather than other possible alternates for various reasons including lesser evaporation losses.

On March 9 I advised you by letter of certain errors that had been made by me in my testimony, and I particularly advised you that if a high dam should be built at Glen Canyon in lieu of dams at Echo Park and Split Mountain the increased losses for evaporation will amount to 70,000 acre-feet per year.

I have this week been advised by the Bureau of Reclamation that the figures which they supplied me for both my original testimony and my letter of March 9 for evaporation from a high Glen Canyon Dam were in error to the extent of an additional 45,000 acre-feet. Thus, it appears that the greater evaporation losses from a high Glen Canyon Dam built in lieu of Echo Park and Split Mountain would be in the order of 25,000 acre-feet per year.

This brings up the possibility of substituting a high Glen Canyon Dam for the Echo Park and Split Mountain Dams. I have reviewed this matter at length with the Commissioner of Reclamation and with the Assistant Secretary for Water and Power and for reasons which were given in my testimony and by other witnesses before your subcommittee we do not consider such a substitute justifiable.

You may note that my statement submitted to your subcommittee read as follows:

"Should the Glen Canyon Reservoir water surface be raised to provide this additional storage, it would present serious difficulty of protecting the Rainbow Bridge National Monument. This monument is unique and has no counterpart. Furthermore, the additional storage in this lower elevation area of high evaporation would more than offset the savings of evaporation by elimination of Echo Park. The plan would further concentrate storage in the lower end of the basin and fail to provide the needed river control in the upper section. The system power output would be reduced by an estimated 285,000 kilowatts if this plan is adopted."

I am aware that this error in the evaporation calculations for the high Glen Canyon Dam Reservoir may cast doubt as to the reliability of the calculations for other reser-

voirs. However, my inquiry indicates that the possibility of this is, indeed, remote. Nonetheless, instructions have been issued to have a new check made and this is now being done.

I regret that this information was not brought to the attention of the subcommittee at an earlier date. As an explanation but not as an excuse, these new Bureau of Reclamation figures only came to the attention of the Commissioner of Reclamation and the Secretary of the Department within the past week.

Sincerely yours,

RALPH A. TUDOR,
Under Secretary.

Farmers' Lot Not a Happy One, Sometimes

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. BENDER. Mr. Speaker, city dwellers like to contemplate the joys of rural living, free from the tensions and strain of the competitive arenas, the shops and factories, the noise and turmoil of daily striving. Many a city family looks forward to the day of moving to the little farmhouse where they anticipate the pleasure of raising a few chickens and the rest of the magazine ad version of farm life.

A survey made by the United States Department of Agriculture through the Wooster (Ohio) Agriculture Experiment Station has just checked 150 farm couples under the age of 30. All is not peace and light, according to these young folks. The financial problem of purchasing equipment and livestock necessary to get started these days is a recurrent headache. Some 20 percent of the wives questioned up and said that they just do not like life on a farm, nohow. Lack of modern conveniences, absence of vacations, long work hours, inadequate emergency medical facilities, scarcity of nursery schools and kindergartens are among the difficulties stressed by these young women.

If they are having troubles, you can be sure that 20 percent of their husbands must often be envious of the excitement and gadding about of their city brothers. There ought to be a moral to this—be happy where you are. It is not really green on the other side of the hill—that is only envy.

Elkins, Ark., High School

EXTENSION OF REMARKS
OF
HON. JAMES W. TRIMBLE
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. TRIMBLE. Mr. Speaker, on Wednesday, May 19, it was our happy privilege to have with us the graduating class of the Elkins, Ark., High School. Following are the members of the class:

Mart Patrick, Freddie Rogers, Jo Jones, Jack Ritter, Calvin Jones, Wade Blevins, Ralph Dudley, Harlan Aylor, Richard Nelsen, Bob Adams, Barbara Ann Draves, Sarijo Stokenbury, Alice Osburn, Janelle Gregg, Betty Lewis, Ann Price, Louise Tando, and Virginia Clark.

They were accompanied by J. David McCartney, superintendent of the Elkins schools, Miss Esther Harris, and Mrs. Grace Lawson.

They visited in the House Chamber; later saw both the House and Senate in session; visited the Supreme Court where they had luncheon in the Supreme Court cafeteria; made a boat trip down the Potomac River to Mount Vernon where they had a 2-hour visit at the home and grounds of our first President.

It is always an inspiration to have these young people with us—fine, clean, upstanding young folks who are a credit to this day and generation. It is good for them and for all the rest of us for them to come to Washington and to realize that they, too, are a part of this great Government of ours and are among the future leaders in business, agriculture, the professions, and government.

Much Ado About Nothing?

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. BENDER. Mr. Speaker, Bill Shakespeare had a phrase to cover most everything, and now that the McCarthy-Army hearings have reached another impasse, the title of his comedy "Much Ado About Nothing," seems to be growing more and more appropriate. The Nation has discovered after weeks of testimony, cross-examination, crimination, and recrimination that the Army did not like to have its domain invaded by Congressmen, Senators, or anybody else, and that Senator MCCARTHY and his staff tried to get Pvt. David Schine an easy job in the Army. If either of these revelations is of earth-shaking consequence, it has cost the Nation a good deal of time, energy, and wasted money to discover them. As a matter of fact, both of these tremendous trifles were certainly well known long before the cameras were focused on the caucus room.

Meanwhile, Mr. Malenkov, Mr. Chou En-lai, et al. have been pursuing their mad way all through southeast Asia. They are enjoying the spectacle hugely, and it is a three-ring circus without the clowns. While we are fiddling with the dials, they are strengthening their resources. Is it too much to ask when we are getting back to work?

Our Flag and Our Duty To Defend It

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1954

Mr. SAYLOR. Mr. Speaker, on June 14, 1777, Congress enacted a resolution recognizing the red, white, and blue ensign of the American Colonies as the official flag of the United States. In the ensuing 177 years a total of 35 stars have been added to the original 13 and we are looking forward to the day when more will appear to herald the admission of other American territories into our union of States.

Old Glory has become steeped in hallowed tradition in those eight score and seventeen years since it was first raised over this land of the free. Many millions of our sons have traveled to the four corners of the globe in defense of our national ensign and the principles for which it stands. American blood has colored the soil of both continents in order that our flag would never be tainted.

Despite these heroic sacrifices, however, our flag today is faced with the most serious threat that has existed in all its history. Spawned in the Kremlin and nurtured in part by some of the very men who have enjoyed the comfort and security of the Stars and Stripes, the plans to supplant our national banner with the hammer and sickle have progressed to a point where it has become necessary for every loyal American to join in unprecedented effort to prevent their fruition.

Many of the traitors in our Government who contributed to the relentless siege of communism against those institutions symbolized by our flag have now been routed from their positions of responsibility; yet those who have thus far escaped the extermination process can still inflict incalculable harm by obstruction of the new American program if not by direct furtherance of the plans designed to implant the Red standard on America's shores. And as the danger from without grows more ominous with each stride of Red boots onto free soil, I think that it is vital on this memorable occasion to inspect every part of that bulwark on which we depend for national security. I therefore take this opportunity to review in brief the one phase of our defense structure over which the shadows of doubt and confusion continue to hover. I speak of our foreign trade policy and its effect on the security of this Nation.

Not so many years ago, when the Soviet influence first began to penetrate our State Department, Red conspirators posing as medicine men for our economic ills, concocted a venomous potion which was fashioned to dilute United States industrial strength. Peddled as reciprocal-trade agreements, the prescription sounded innocent enough and, in fact, might have proved innocuous if properly

prescribed. By anesthetizing the populace through soothing propaganda, however, the dose was gradually increased until a large segment of our economic system was affected.

In the course of a score of years, America's vitality has been seriously weakened. Giving full access of our east-coast markets to foreign residual oil has seriously crippled our normally healthy coal industry. Excessive imports of foreign-made products have created wholesale unemployment in our highly important glass industry. Scores of other basic industries are likewise feeling the impact of unfair foreign competition.

Because this Nation has waded so deeply into the sea of intrigue dredged and filled to the brim by conspirators functioning in our own Nation's Capital in collusion with their kin in the Kremlin, some of our most distinguished and most loyal statesmen have resigned themselves to the philosophy that there is no turning back. They hope and pray that by keeping our course steady as we go perhaps over the horizon we shall eventually reach that isle where justice and reward provide a haven for all honest voyagers. A laudable objective, Mr. Speaker, but one that cannot be achieved in this season of dangerous squalls and mounting waves of international dissension. Davey Jones' locker has claimed many a well-meaning and unsuspecting seafarer not alert to dangers en route.

As of this time—Flag Day, 1954—there is heavy unemployment in the coal-mining and glass-manufacturing communities of my State of Pennsylvania. One of the primary reasons for this condition is the foreign-trade policy which was embarked upon in 1934 and indiscreetly pursued for these many years.

I insist that only by altering our course can we hope to revive our industrial strength to the level that will be required to defend our country against further encroachment by the forces of communism. I contend that it is dangerously unwise for Congress to permit the unnecessary deterioration of the coal and glass industries to continue, for I believe that these American industries are vital to the protection of the flag which we honor here today.

United States Gives Away $129.619 Billion Under Foreign Assistance Programs Since 1917—Taxpayers Foot the Bill—This Money Has Bought Neither Peace, Security, nor Friends

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EXTENSION OF REMARKS

OF

HON. LAWRENCE H. SMITH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. SMITH of Wisconsin. Mr. Speaker, with the assistance of the Legislative Reference Service of the Library of Congress, it is my privilege today to place in the RECORD a statement and various detailed tables relating to grants and credits to foreign governments since 1917. This aid has been in the form of military, economic and technical assistance.

It is very interesting to note, Mr. Speaker, as we consider again another so-called foreign aid bill, that during the period July 1, 1940 through December 31, 1953 the United States extended $93,549,000,000—that is billions—in net grants and credits to foreign governments.

Mr. Speaker, it is estimated as of January 1, 1954—this year—that approximately $14 billion already appropriated or otherwise authorized by the Congress for transfer as foreign grants had not been delivered or had not been disbursed as foreign credits.

Why then, Mr. Speaker, is it necessary to authorize and appropriate any more money for this program in this session of Congress?

Mr. Speaker, in general, grants are taken to be outright gifts for which no payment is expected. As most such grants are assumed to give rise to possible reciprocal obligation to extend some aid to the United States of America or other countries to achieve common objectives. Credits, on the other hand, are loans or other agreements which give rise to specific obligations for repayment. All known repayments are deducted and only the final totals are stated as net grants and credits. Since July 1, 1945, such reverse grants and principal collections on credits have amounted to $4,065 million.

Mr. Speaker, the gross tabulation of sums advanced to foreign countries April 1917 to June 30, 1954, is as follows:

[In billions]

World War I indebtedness	$17.152
Interwar assistance	1.533
Grants and credits	93.549
International Bank and Fund	3.385
Undisbursed funds	14.000
Grand total	129.619

Mr. Speaker, it is apparent that the American taxpayer through his government has been more than generous to other nations in attempting to assist them economically and militarily since 1917. Following are several detailed tables indicating the assistance granted:

TABLE I.—*Balance of indebtedness (principal and interest) of foreign governments to the United States arising from World War I—Status as of Dec. 31, 1953*

Armenia	$32,273,333.92
Austria	26,024,539.59
Belgium	574,265,077.60
Czechoslovakia	214,065,965.51
Estonia	29,358,205.81
Finland	7,027,908.00
France	5,328,939,383.11
Great Britain	7,706,809,301.93
Greece	40,578,175.10
Hungary	3,305,084.46
Italy	2,111,994,409.34
Latvia	12,148,333.04
Lithuania	10,896,463.33
Poland	367,405,594.20
Rumania	90,325,735.06
Russia	530,046,425.94
Yugoslavia	66,015,781.28
Total	17,151,479,717.22

Source: Division of Deposits and Investments, Treasury Department.

TABLE II.—*Interwar period assistance, 1918–June 30, 1940*

Under the various Liberty Bond Acts cash advanced to European governments amounted to $9,598,236,575.45, known as the principal of World War I debts.

At the end of World War I war relief was extended to Europe by the American Relief Administration. In addition to the food and clothing so distributed large amounts of surplus war materials were also consigned to the war-ravaged areas. Grain was shipped in 1920 and again in 1931. The Export-Import Bank of Washington authorized just under one-fourth billion dollars in loans to foreign countries.

Total aid was furnished as follows:

1. Surplus war materials—relief	$575,844,295.54
2. U. S. Treasury—relief	84,093,963.55
3. U. S. Grain Corporation	56,858,802.49
4. Federal Reserve System	422,350,000.00
5. Export-Import Bank	248,577,702.00
6. Grain Stabilization Corporation	11,250,000.00
7. Reconstruction Finance Corporation	54,000,000.00
8. Second Export-Import Bank	28,900,000.00
9. U. S. Treasury—shipping	15,903,628.42
Total	1,532,778,392.00

TABLE III.—*Lend-lease aid provided foreign governments by the United States since Mar. 11, 1941—Status as of Dec. 31, 1953*

American Republics:	
Bolivia	$5,523,017.51
Brazil	361,393,036.96
Chile	23,244,099.68
Colombia	8,290,446.18
Costa Rica	155,330.15
Cuba	6,551,280.35
Dominican Republic	1,617,367.10
Ecuador	7,794,772.09
El Salvador	878,275.90
Guatemala	3,086,029.05
Haiti	1,423,147.25
Honduras	368,364.24
Mexico	39,276,246.29
Nicaragua	887,199.28
Panama	667.33
Paraguay	1,954,442.85
Peru	18,916,471.85
Uruguay	7,132,260.54
Venezeula	4,528,492.62
Total	493,021,947.22
Other governments:	
Belgium	156,254,519.40
British Empire	31,610,813,206.15
China	1,627,572,442.83
Czechoslovakia	435,446.23
Denmark	4,002,034.71
Egypt	2,322,611.92
Ethiopia	5,151,480.09
France	3,269,936,471.02
Greece	81,424,112.31
Iceland	4,366,404.50
Iran	5,303,624.18
Iraq	891,469.57
Italy	186,371,678.87
Liberia	18,151,715.47
Netherlands	246,369,309.96
Norway	47,023,452.37
Poland	12,232,889.88
Saudi Arabia	22,670,314.52
Turkey	42,850,057.19
U. S. S. R.	11,054,449,197.21
Yugoslavia	32,188,847.92
Total	48,430,781,286.30
Total	48,923,803,233.52

Source: 35th Report to Congress on Lend-Lease Operations, 83d Cong., 2d session, H. Doc. No. 366, Government Printing Office, 1954, p. 22.

TABLE IV.—*Foreign grants by United States agency and program*

War period July 1, 1940, to June 30, 1945
Postwar period July 1, 1945, to Dec. 31, 1953
War and postwar periods July 1, 1940, to Dec. 31, 1953
[In thousands of dollars]

United States agencies	War period	Postwar period	War and postwar periods
Grand total	48,127,892	36,886,992	85,014,884
Agriculture Department:			
Donations of surplus		92,113	92,113
Foot-and-mouth-disease eradication		90,401	90,401
American Red Cross	62,163	10,435	72,598
Commerce Department: Mutual security (military aid): Administrative		264	264
Defense Department:			
Civilian supplies:			
Army Department	807,260	5,073,720	5,880,980
Navy Department	6,049	18,856	24,905
Army and Navy Departments		4,413	4,413
Relief in Korea		379,054	379,054
Military equipment loans		178,118	178,118
Refugee assistance		8,937	8,937
Mutual security (military aid):			
Europe		6,210,946	6,210,946
Construction programs		163,724	163,724
Near East and Africa		863,053	863,053
Asia and Pacific		1,387,974	1,387,974
American Republics		210,759	210,759
Administrative		88,953	88,953
Office of Defense Mobilization: Mutual security (military aid): Administrative		14	14
Executive Office of the President: Chinese military aid		122,185	122,185
Foreign Operations Administration:			
Civilian supplies		172,533	172,533
Interim aid (Public Law 389)		555,684	555,684
Post UNRRA (Public Law 84)		298,748	298,748
Mutual security:			
Wheat for Pakistan		71,106	71,106
Emergency famine relief		2,272	2,272
Economic and technical assistance:			
Europe		12,792,294	12,792,294
Near East and Africa		213,680	213,680
Asia and Pacific		790,468	790,468
American Republics		40,924	40,924
Administrative		25,650	25,650
Foreign Operations Administration—Continued			
Mutual security—Continued			
Military end-use production:			
Europe		271,609	271,609
Near East and Africa		11,790	11,790
Asia and Pacific		3,832	3,832
Philippine War Damage Commission (private claims)		397,540	397,540
Reconstruction Finance Corporation	2,382	53	2,435
State Department:			
Berlin investment fund		12,857	12,857
Greek-Turkish aid		659,347	659,347
Institute of Inter-American Affairs	50,436	37,846	88,282
Yugoslav assistance		37,560	37,560
Technical assistance	5,260	13,532	18,792
Philippine rehabilitation:			
Surplus property		100,000	100,000
Reconstruction and rehabilitation		136,888	136,888
International agencies:			
Children		97,231	97,231
Refugees		231,829	231,829
UNRRA	82,696	2,588,659	2,671,356
Economic and Technical Assistance:			
Chinese-Korean students		7,061	7,061
Through international agencies:			
Migrants		15,740	15,740
Technical aid		36,318	36,318
Palestine relief		90,450	90,450
U. N. Korean relief		65,750	65,750
Economic assistance from military aid		15,003	15,003
Military aid:			
Europe		893	893
Near East and Africa		386	386
Administrative		27,758	27,758
Treasury Department:			
Chinese stabilization	380,406	119,594	500,000
Civilian supplies		134,487	134,487
Lend-lease	46,727,882	1,905,702	48,633,584
War Refugee Board	3,357		3,357

TABLE V.—*Foreign grants by country*

War period July 1, 1940, to June 30, 1945
Postwar period July 1, 1945, to Dec. 31, 1953
War and postwar period July 1, 1940, to Dec. 31, 1953

[In thousands of dollars]

Foreign country	War period	Postwar period	War and postwar periods
Total	48,127,892	36,886,992	85,014,884
American Republics	423,028	401,050	824,078
Argentina	1,239	198	1,437
Bolivia	6,952	6,478	13,430
Brazil	360,639	15,257	375,896
Chile	24,902	7,280	32,182
Colombia	10,509	3,648	14,157
Costa Rica	1,879	4,625	6,504
Cuba	6,658	780	7,438
Dominican Republic	1,858	1,189	3,047
Ecuador	11,340	5,458	16,798
El Salvador	1,903	2,513	4,416
Guatemala	3,220	4,638	7,858
Haiti	2,493	4,889	7,382
Honduras	3,088	2,287	5,375
Mexico	46,751	99,720	146,471
Nicaragua	2,142	1,812	3,954
Panama	989	3,006	3,995
Paraguay	4,358	5,284	9,642
Peru	21,486	9,186	30,672
Uruguay	7,756	1,506	9,262
Venezuela	7,038	1,811	8,849
Unspecified	[1] 104,171	219,485	115,314
Afghanistan		492	492
Albania		20,444	20,444
Austria	1,022	1,031,492	1,032,514
Belgium-Luxembourg	68,774	574,644	643,418
British Commonwealth	30,467,428	3,652,070	34,119,498
United Kingdom	28,616,955	3,493,315	32,110,270
Australia	896,749	12,539	909,288
Bermuda	1		1
British East Africa	301		301
British Guiana		5	5
British Honduras		62	62
Canada		3,964	3,964
Ceylon		46	46
Federation of Malaya		10	10
Gold Coast		4	4
Hong Kong	368		368
British Commonwealth—Continued			
India	610,249	55,986	666,235
Jamaica		3	3
Malta		154	154
New Zealand	249,432	2,300	251,732
Nigeria		2	2
Pakistan		83,680	83,680
Sierra Leone		1	1
Southern Rhodesia		1	1
Trinidad and Tobago	3		3
Union of South Africa	93,370		93,370
Burma		15,823	15,823
China-Taiwan (Formosa)	1,230,449	1,800,554	3,031,003
Czechoslovakia	8,477	183,453	191,930
Denmark		246,236	246,236
Egypt	1,700	3,750	5,450
Ethiopia-Eritrea	1,253	3,186	4,439
Finland	1,489	2,036	3,525
French Union	2,637,123	3,482,859	6,119,982
France	2,620,992	3,419,565	6,040,557
Algeria	15,945	107	16,052
French Equatorial Africa	118		118
French Morocco	68	272	340
Indochina		62,772	62,772
Tunisia		142	142
Germany		3,668,642	3,668,642
East Germany		8,377	8,377
Federal Republic		3,660,265	3,660,265
Greece	78,992	1,545,604	1,634,596
Hungary		2,359	2,359
Iceland	99	28,459	28,558
Iran	8,144	73,216	81,360
Iraq		2,257	2,257
Ireland	308	18,346	18,654
Israel		161,183	161,183
Italy	310,166	2,357,459	2,667,625
Japan and possessions	4,122	2,527,023	2,531,145
Japan		2,313,533	2,313,533
Ryukyu Islands	4,048	213,477	217,525
Miscellaneous	74	13	87

[1] Credit

TABLE V.—*Foreign grants by country*—Continued

War period July 1, 1940 to June 30, 1945
Postwar period July 1, 1945 to Dec. 31, 1953
War and postwar period July 1, 1940 to Dec. 31, 1953

[In thousands of dollars]

Foreign country	War period	Postwar period	War and postwar periods
Jordan		5,984	5,984
Korea		882,385	882,385
Lebanon		4,728	4,728
Liberia	236	3,249	3,485
Libya		3,259	3,259
Nepal		493	493
Netherlands Union	118,314	998,858	1,117,172
Netherlands	114,690	897,002	1,012,292
Indonesia	3,625	101,256	104,881
Norway	37,096	216,884	253,980
Palestine		175	175
Philippines	52,515	718,794	771,309
Poland	22,225	364,978	387,203
Portugal	1	11,578	11,579
Saudi Arabia	5,489	3,139	8,628
Spain	1,789	1,453	3,212
Sweden	766	87,135	87,901
Switzerland		1,803	1,803
Syria		498	498
Thailand		16,591	16,591
Trieste		46,726	46,726
Turkey	90,041	316,788	406,829
U. S. S. R.	10,776,177	465,434	11,241,611
Yugoslavia	33,078	595,612	628,690
Trust Territory of the Pacific Islands:			
Caroline Islands	90	725	815
Mariana Islands	1,595	3,514	5,109
Marshall Islands	241	206	447
International organizations:			
European Payments Union		238,084	238,084
Intergovernmental Committee for European Migration		15,740	15,740
Intergovernmental Committee on Refugees	2,018	3,650	5,668
International Refugee Organization		237,116	237,116
Organization of American States		2,439	2,439
United Nations		124,329	124,329
United Nations International Children's Emergency Fund		97,231	97,231
UNRRA	51,220	273,505	324,725
Unspecified areas: Europe	435,369	7,656,466	8,091,835
British Zone	123,855	98,125	221,980
United States Zone	221,511	38,103	259,614
Balkans	90,003	1	90,004
Other		7,520,236	7,520,236
Miscellaneous overlapping programs	1,257,087	1,684,807	2,941,894

TABLE VI.—*Foreign loans and other credits United States agency and program*

Period July 1, 1940, to Dec. 31, 1953

[In thousands of dollars]

United States agency and program	Net authorizations	Unutilized	Repayments	Outstanding
Total	15,630,399	614,697	3,112,043	11,903,659
Agriculture Department (occupied areas commodity programs)	214,353		214,353	
Commerce Department: Maritime Administration (merchant ships)	229,001		229,001	
Defense Department: Army:				
Natural-fibers revolving funds	54,043		54,043	
Surplus property	20,000			20,000
Export-Import Bank:				
For own account	5,068,746	518,084	1,711,500	2,839,162
For Foreign Operations Administration:				
Asia and Pacific	16,500	73		16,427
Europe	1,305,258	685	167	1,304,406
Indian loan	189,656			189,656
Spanish loan	62,476	19,490		42,986
For Office of Defense Mobilization	43,842	35,951	29	7,863
Grants converted into credits	1,000,000			1,000,000
Foreign Operations Administration (basic materials)	16,610	12,950		3,660
General Services Administration:				
Deficiency materials:				
For own account	9,480	2,572	2,002	4,905
For FOA	131,638	24,893	14,488	92,257
Surplus property	16,479		5,370	11,108
Reconstruction Finance Corporation:				
Loans	487,260		434,408	52,851
Occupied areas—commodity programs	14,760		14,760	
Surplus property	1,965		1,965	
State Department:				
Institute of Inter-American Affairs	249		241	8
U. N. Headquarters loan	65,000		3,500	61,500
Treasury Department:				
British loan	3,750,000		135,687	3,614,313
Grants converted into credits	1,256,266		79,698	1,176,568
Lend-lease current credits	127,999		91,710	36,289
Lend-lease silver	291,401		186	291,215
Philippine funding	37,498		10,500	26,998
Surplus property	1,219,920		225,305	994,615

TABLE VII.—*Foreign loans and other credits by foreign country*

Period July 1, 1940, to December 31, 1953

[In thousands of dollars]

Foreign country	Net authorizations	Unutilized	Repayments	Outstanding
Total	15,630,399	614,697	3,112,043	11,903,659
American Republics	1,742,023	297,771	552,965	800,589
Argentina	102,065	1,612	503	99,950
Bolivia	43,115	3,400	6,983	33,732
Brazil	724,467	174,390	119,406	430,671
Chile	144,836	3,822	59,556	81,458
Colombia	83,374	5,067	47,187	31,121
Costa Rica	7,260		1,153	6,107
Cuba	68,168		56,169	12,000
Dominican Republic	3,284		3,284	
Ecuador	31,301	8,402	6,197	16,703
El Salvador	1,476		1,030	446
Haiti	24,891	11,516	6,959	6,416
Honduras	1,118		1,118	
Mexico	279,409	76,311	93,626	109,532
Nicaragua	5,250		4,635	615
Panama	6,488		2,800	3,687
Paraguay	6,260		4,694	1,566
Peru	29,897	8,382	3,122	18,393
Uruguay	19,338		5,778	12,862
Venezuela	19,434	988	9,657	8,788
Unspecified	140,592	3,881	119,109	17,602
Afghanistan	22,500	2,173		20,327
Austria	30,893	2,628	15,815	12,450
Bahrein	17,048		17,048	
Belgium-Luxembourg	239,528	2	74,728	164,799
Belgium	234,978	2	73,728	161,248
Luxembourg	3,000			3,000
Belgian Congo	1,550		1,000	550
British Commonwealth	6,011,044	101,578	752,577	5,156,889
United Kingdom	5,216,709	6,692	568,604	4,641,413
Australia	22,423	4,100	2,904	15,419
British East Africa	2,394	112	82	2,200
British Guiana	130	2		128
British Honduras	482		482	
Canada	196,305	8,640	169,989	17,676
India	365,767		4,607	361,160
Jamaica	20,933		2,084	18,850
New Zealand	4,333		917	3,415
Nigeria	700	300		400
Northern Rhodesia	36,400	29,091		7,309
Pakistan	15,136		136	15,000
Southern Rhodesia	14,348	35	1,605	12,708
Union of South Africa	114,985	52,677	1,166	61,212

TABLE VII.—*Foreign loans and other credits by foreign country*—Continued

Period July 1, 1940, to December 31, 1953

[In thousands of dollars]

Foreign country	Net authorizations	Unutilized	Repayments	Outstanding
Burma	5,043		1,978	3,065
China	347,858		191,735	156,123
Czechoslovakia	30,377		25,507	4,870
Denmark	54,341		3,833	50,508
Egypt	17,934		11,409	6,525
Ethiopia-Eritrea	7,757		3,335	4,422
Finland	152,313		44,433	107,881
French Union	2,496,750	14,356	417,557	2,064,837
France	2,461,979	4,472	412,510	2,044,996
Algeria	680			680
French Equatorial Africa	14,201	9,833	201	4,167
French Morocco	18,389	51	4,846	13,493
New Caledonia	1,501			1,501
Germany	1,345,583	1,786	140,898	1,202,894
Greece	116,190	1,930	28,813	85,447
Hungary	15,917		2,768	13,149
Iceland	6,249		622	5,627
Iran	34,846		10,609	24,237
Iraq	889		889	
Ireland	128,200			128,200
Israel	134,998	2,951	11,101	120,945
Italy	456,101	3,908	152,279	299,915
Japan	440,337	60,000	335,538	44,800
Korea	27,428	2,500	3,978	20,950
Latvia	11		11	
Lebanon	1,550		1,550	
Liberia	29,806	4,848	4,343	21,313
Netherlands Union	652,992	56,100	153,763	443,128
Netherlands	472,077		147,542	324,535
Indonesia	180,915	56,100	6,221	118,594
Norway	142,129	2,407	32,031	107,691
Philippines	141,887	17,445	38,587	85,855
Poland	81,268		9,528	71,739
Portugal and Angola	57,618	15,298	1,634	40,691
Saudi Arabia	31,826		7,900	23,926
Spain	100,122	24,932	14,727	60,463
Sweden	28,318		7,278	21,039
Thailand	7,255		4,877	2,379
Turkey	130,078	2,090	31,254	96,734
U. S. S. R.	222,493			222,493
Yugoslavia	55,900		639	55,261
United Nations headquarters	65,000		3,500	61,500

Mr. Speaker, I am indebted to Mr. Hermann Ficker, analyst in International Finance and Trade, Economics Division, of the Library of Congress, who has rendered invaluable assistance in this matter.

Big Unions Are Partners in America's Future

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. BENDER. Mr. Speaker, in all the talk of the evils of monopoly which were once the chief target of labor organizers, there was seldom any concern over the possibility that labor, too, might one day grow big enough to constitute a monopoly. As the power of big business to control the lives of its employees expanded, so, also, has the power of great unions to influence big business. Today the respective mobilization of forces has reached what amounts to a state of fairly equal equilibrium.

The latest demonstration of this development comes from Washington where the funds controled by the United Mine Workers through their welfare arrangements have just been used to obtain control of a second bank. The two banks have resources of some $235 million, making their combined funds second only to the largest bank in the Nation's Capital. This is a remarkable tribute to the growth of this labor organization under its dynamic leader, John L. Lewis, but it also must occasion a considerable amount of eyebrow lifting by those who have always thought of labor organizations exclusively in terms of the poor workingman trying to wring another dollar out of hard-hearted businessmen.

We have reached an advanced stage in our country's industrial society, and it is time we recognized that in this state of affairs there is no longer any reason for prolonged labor-management disputes. Equals sitting down at the conference table ought to be able to iron out any disagreement without resorting to the outworn practices of uneconomic strikes or equally unsound lockouts.

Amendments to Social-Security Program

EXTENSION OF REMARKS

OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. McGREGOR. Mr. Speaker, the Ways and Means Committee is working on amendments to the social-security program. Today, I requested that the committee give serious consideration to protecting the retirement systems now in effect in Ohio, which include policemen, firemen, public officials, school teachers, and others. I firmly believe the Federal Government should not interfere with present retirement programs.

I am wondering what will happen to the teachers' retirement fund in Ohio. We do not want to jeopardize this group by forcing them under Federal regulations and denying them their rights under their own retirement system. This same applies to police and firemen, and other employees covered under State and municipal plans.

Big Difference: No Tweedledum, Tweedledee in Washington

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1954

Mr. BENDER. Mr. Speaker, time was when a President described the differences between his political party and the opposition as the difference between tweedledum and tweedledee. Those days are long gone. Today, the gulf between Republican President Eisenhower and Democratic Nominee Stevenson seems to widen daily as the march of events moves forward into the unknown.

But if there is one sure definition of the large differences which now prevail, it comes on the subject of American financial policy. The Democrats believed that inflation was a useful technique. They liken it on occasion as a means of "priming the pump," and even if it resulted in a net loss to the American family whose wage increases never quite matched expense rises, it was an exciting economic stunt. President Eisenhower and his administration believe that a deficit is evil, something to be abhorred and eliminated as fast as possible.

"Balancing the budget" is more than a catchy phrase to Republicans. It is a goal which we have set as a sure means of putting our American economy back on a sound keel. Democrats never even tried when they were in office, despite soaring income. As people who recognize the importance of our role as the world's leading nation, we understand that a sound dollar is far more than the key to our own prosperity. It is the rock on which the free world must stand.

SENATE

TUESDAY, MAY 25, 1954

(Legislative day of Thursday, May 13, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, whose breath is our life, who lightest our lamp and feedest the flame thereof: We would bend our rebellious wills to Thine. Bowing at this shrine of Thy grace we pray that Thou wilt so rule our hearts and minds by the indwelling of Thy Holy Spirit that no deceit may mislead us, no temptation corrupt us. Assist us mercifully to look upon Thee for guidance, that from Thy brooding love there may flow into our lives and work the spirit of wisdom and understanding, the spirit of counsel and sustaining strength, the spirit of knowledge and true godliness. Prosper Thou the work of our hands this day and grant that we may serve Thee, in our troubled generation, in the beauty of holiness. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 24, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 663. An act for the relief of George P. Symrniotis;

H. R. 2974. An act to extend the time for enrollment of the Indians of California, and for other purposes; and

H. R. 3876. An act for the relief of Martha Schnauffer.

The message also announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 197) favoring the granting of the status of permanent residence of certain aliens.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 1345. An act for the relief of John Lampropoulos;

H. R. 1705. An act authorizing the Secretary of the Interior to issue a patent in fee to Jesse Bell;

H. R. 1769. An act for the relief of Mrs. Oscar F. Brown;

H. R. 1772. An act for the relief of Kenneth R. Kleinman;

H. R. 1815. An act to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes;

H. R. 2022. An act for the relief of Don B. Whelan;

H. R. 2433. An act for the relief of the legal guardian of Raymond Gibson, a minor;

H. R. 3041. An act to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention;

H. R. 3109. An act for the relief of Theodore W. Carlson;

H. R. 4532. An act for the relief of Mrs. Ann Elizabeth Caulk;

H. R. 4940. An act to provide for the redemption of District of Columbia tax stamps;

H. R. 4961. An act for the relief of Mrs. James J. O'Rourke;

H. R. 4996. An act for the relief of Col. Henry M. Denning, and others;

H. R. 5772. An act for the relief of Robert E. Leibbrand, and Rose Leibbrand; and

H. R. 7786. An act to honor veterans on the 11th day of November of each year, a day dedicated to world peace.

ENROLLED BILLS SIGNED

The VICE PRESIDENT announced that on today, May 25, 1954, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. THYE was excused from attendance on the sessions of the Senate for the remainder of the week and all of next week.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. KNOWLAND, and by unanimous consent, the Committee on the Judiciary was authorized to sit today during the session of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Martin
Anderson	Goldwater	Maybank
Barrett	Green	Payne
Beall	Hayden	Smith, N. J.
Bowring	Holland	Sparkman
Burke	Ives	Thye
Butler, Md.	Johnson, Tex.	Wiley
Chavez	Knowland	Williams
Clements	Lehman	Young
Cordon	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. JOHNSON of Texas. I announce that the Senator from Tennessee [Mr. KEFAUVER] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from Nevada [Mr. McCARRAN] and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

The VICE PRESIDENT. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BENNETT, Mr. BRICKER, Mr. BRIDGES, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CAPEHART, Mr. CARLSON, Mr. CASE, Mr. COOPER, Mr. DANIEL, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. FERGUSON, Mr. FLANDERS, Mr. FREAR, Mr. FULBRIGHT, Mr. GEORGE, Mr. GORE, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. McCARTHY, Mr. McCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. NEELY, Mr. PASTORE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON, Mr. UPTON, Mr. WATKINS,

and Mr. WELKER entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF CAREER COMPENSATION ACT, RELATING TO REENLISTMENT BONUSES

A letter from the Secretary, Department of the Air Force, transmitting a draft of proposed legislation to amend title II of the Career Compensation Act of 1949, as amended, to provide for the computation of reenlistment bonuses for members of the uniformed services (with accompanying papers); to the Committee on Armed Services.

STOCKPILE REPORT

A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, the stockpile report, for the period July 1 to December 31, 1953 (with an accompanying report); to the Committee on Armed Services.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, the overobligation of an apportionment of appropriation by the Bureau of Narcotics during the quarter ended March 31, 1954; to the Committee on Appropriations.

AUDIT REPORT ON FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Federal Deposit Insurance Corporation, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORT OF FOREIGN-TRADE ZONES BOARD

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1953, together with the reports covering the operations during the same period of Foreign-Trade Zones Nos. 1, 2, 3, 4, 5, and 6, located, respectively, at New York City, New Orleans, San Francisco, Los Angeles, Seattle, and San Antonio (with accompanying documents); to the Committee on Finance.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the committee on the part of the Senate.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A telegram in the nature of a petition from Alice Stuart, and sundry other citizens of Alaska, praying for another referendum on statehood for Alaska; ordered to lie on the table.

A telegram from Archbishop Vitaly, president of the Diocesan Congress, New York, N. Y., sending greetings of the general congress of the North American and Canadian diocese of the Russian Orthodox Greek Catholic Church to the Congress; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on the Judiciary:

S. 2366. A bill for the relief of Ito Yukiko; without amendment (Rept. No. 1427).

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

H. R. 7371. A bill to provide for the disposal of paid postal-savings certificates; with amendments (Rept. No. 1428).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WATKINS:

S. 3509. A bill to establish public use of the national forests as a policy of Congress, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CORDON:

S. 3510. A bill to provide for cooperation in financing and prosecuting early development of the John Day project on the Columbia River, Oreg., and Wash., for navigation, irrigation, flood control, and power production; to the Committee on Public Works.

(See the remarks of Mr. CORDON when he introduced the above bill, which appear under a separate heading.)

By Mr. MARTIN:

S. 3511. A bill to provide for the construction of a project for flood-control protection at Lewistown, Pa.; to the Committee on Public Works.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 3512. A bill to authorize the modification of the existing project for Tacoma Harbor in the State of Washington in order to provide for the extension and improvement of the port industrial waterway; to the Committee on Public Works.

By Mr. GILLETTE:

S. 3513. A bill for the relief of Robert D. Anderson; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 3514. A bill for the relief of Mrs. Oveida Mohrke and her son, Gerard Mohrke; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 3515. A bill for the relief of John B. Gibbons, Jr.; to the Committee on the Judiciary.

By Mr. LANGER:

S. 3516. A bill to provide increases in the monthly rates of compensation and pension payable to certain veterans and their dependents; to the Committee on Finance.

S. 3517. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

(See the remarks of Mr. LANGER when he introduced the last above-named bill, which appear under a separate heading.)

DEVELOPMENT OF JOHN DAY PROJECT, COLUMBIA RIVER, OREG. AND WASH.

Mr. CORDON. Mr. President, I introduce for appropriate reference a bill to provide for cooperation in financing and prosecuting early development of the John Day project on the Columbia River, Oreg. and Wash., for navigation, irrigation, flood control, and power production. I ask unanimous consent that the bill together with an explanatory statement of the bill, and other material referring thereto, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement and attachments will be printed in the RECORD.

The bill (S. 3510) to provide for cooperation in financing and prosecuting early development of the John Day project on the Columbia River, Oreg. and Wash., for navigation, irrigation, flood control, and power production, was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., that the authorization of the John Day project on the Columbia River, Oreg., and Wash., under the provisions of the Flood Control Act of 1950 (64 Stat. 170, 179), substantially in accordance with the plans recommended in the report of the Chief of Engineers dated June 28, 1949, contained in House Document No. 531, 81st Congress, 2d session, is hereby modified in order to provide for the construction, maintenance, and operation of such project in accordance with the provisions of this act under the direction of the Secretary of the Army and supervision of the Chief of Engineers, with a normal pool at elevation not to exceed 265 feet above mean sea level, at an estimated cost of $320 million.

SEC. 2. It is hereby declared to be the policy of Congress that construction of the John Day project for navigation, irrigation, flood control, and power production should be expedited with the cooperation and assistance of local interests and local funds to aid in financing the construction of the John Day project and by entering into contracts with such local interests in the manner hereinafter provided for the sale of the power from the John Day project, or an equivalent amount of power.

SEC. 3. The Secretary of the Army is hereby authorized and directed to enter into a contract with local interests providing for (a) the contribution of funds by such interests in the amount of $164 million in aid of the construction of the John Day project, (b) the construction, maintenance, and operation under the supervision of the Chief of Engineers of the John Day project as herein authorized, and (c) the scheduling of the payment and application of the contributed funds and of Federal funds for maintaining an economical rate of construction of such project. When the contracts with local interests as provided by sections 3 and 4 of this act have been entered into, the Secretary of the Army is authorized and directed to enter into such other contracts as he deems necessary or convenient for the construction of the John Day project.

SEC. 4. In consideration of the payment of the funds contributed by local interests in accordance with the schedule provided in the contract with the Secretary of the Army, the Secretary of the Interior is hereby authorized and directed to make with such local interests a contract for the sale of the power and energy from the John Day project or for an equivalent amount of power and energy and for the delivery of such power and energy to load centers for a period of 50 years, which contracts shall obligate such local interests to purchase such power and energy at

a rate per kilowatt hour which will (a) repay to the United States in 50 years from the date of the completion of the project that portion of the cost of the John Day project allocated to power by the Corps of Engineers in collaboration with Federal Power Commission, less the funds contributed by local interests, with interest thereon at not to exceed 2½ percent per annum on the diminished balance; (b) pay the cost of operation and maintenance of and normal replacements to the power facilities and to the portion of the John Day project allocated to power for such 50-year period; (c) pay the costs of transmission of such power over Federal transmission facilities to mutually agreeable points of delivery at load centers, and (d) pay a fair and reasonable charge for power benefits to the John Day project for upstream storage projects after giving a credit for the downstream power benefits from the John Day project. Such contract shall specify (a) the procedure and formula for the cost allocation as predetermined by the Corps of Engineers in collaboration with the Federal Power Commission, and (b) the net charge for power benefits as determined by the Federal Power Commission, and shall provide for periodic determinations and adjustments by the Commission of such net charge for power benefits to the John Day project.

SEC. 5. Local interests as herein used shall mean States or agencies thereof, people's utility districts, public utility districts, municipalites operating electric distribution systems, rural electric cooperatives, private electric utility companies and industries or any agency, organization or corporation organized or created for the purpose of acting on behalf of all or any part of the same which desire to participate in and which assists in providing the funds to be contributed to the Secretary of the Army in aid of the construction of the John Day project. The power from the John Day project or equivalent power shall be sold to local interests substantially in proportion to their financial contribution after giving consideration to the characteristics of power purchased. In order to insure a more equitable distribution of power from Federal projects within the Columbia Basin, the State of Oregon or any agency thereof, rural electric cooperatives, municipalities operating electric systems, people's utility districts and private electric utility companies operatng electric systems in Oregon and industries desiring to purchase power for use in Oregon shall be given priority in the purchase of said power.

SEC. 6. In the event that contracts with local interests as provided by sections 3 and 4 of this act are not entered into within 1 year after the date of enactment of this act or upon the completion of the engineering planning of the John Day project as determined by the Chief of Engineers, whichever is the later, the John Day project may be constructed by the Department of the Army upon the appropriation of funds therefor without regard to the provisions of this act relating to participation by local interests.

The statements and attachments presented by Mr. CORDON are as follows:

STATEMENT CONCERNING THE JOHN DAY DAM PARTNERSHIP BILL

POWER PROBLEM IN THE NORTHWEST

Despite the tremendous program for the development of the hydroelectric power resources in the Northwest, our electric power needs are rapidly outrunning the supply. We need between 500,000 and 600,000 kilowatts of new power capacity each year in the Northwest if we are to avoid a power shortage. In other words, we need to add another Bonneville Dam each year to our system. There is enough additional generating capacity now under construction to meet minimum needs until 1960 or 1961. After that, we face a power shortage unless there is not one but many new starts in the Northwest. The problem of providing this additional power-generating capacity is one that will require the combined efforts of all of us. The Federal Government and the local distributors—both public and private—at the present time are making or have plans for sizable additions to their respective systems. However, these efforts will not be sufficient to meet the problem. In addition, we will also need the combined efforts of the Federal Government and of our local interests working together in the form of a partnership to get the job done.

PEOPLE APPRECIATE FEDERAL PROGRAM

On occasions like this I sometimes feel that we from the Northwest leave the impression that we are so busy asking Congress for new starts that we forget to express our appreciation for what has been done in the past. Congress, with a few minor exceptions, has been most generous in providing us with sufficient funds so that at the present time the great McNary Dam is nearing completion, the Chief Joseph Dam is approximately one-half completed, and we have commenced the construction of The Dalles Dam. As I have already explained, these dams, together with the installations by the local interests, will meet our needs until 1960. The time is here, however, when we must get under way the plans for additional dams that will be completed after 1960, for in the case of our large multipurpose dams it often takes 7 or 8 years to build the dam.

ANOTHER PARTNERSHIP PROGRAM

Within the last several months I have introduced two bills that would authorize and set up partnership programs. One provides for the construction of the Cougar Dam and the other for the construction of the Green Peter Dam. Both of these projects are vitally needed in Oregon as part of our Willamette Valley flood-control program. They are also sorely needed to furnish us with additional hydroelectric power. Their combined output of power, however, will be less than 150,000 kilowatts. Against a prospective annual deficiency of more than 500,000 kilowatts, you can readily appreciate that these dams alone will not answer our problem. We need additional new starts.

PHYSICAL FACTS ABOUT DAM

The bill which I am introducing today is different in several respects from the partnership bills which I have previously introduced. In the first place, it involves a large multipurpose dam on the Columbia River—the John Day Dam. This dam will have a generating capacity in excess of 1,100,000 kilowatts. In addition, it will provide a pool of navigable slack water approximately 75 miles long and will make slack water navigation from the mouth of the Columbia River to Pasco, Wash., a distance of 328 miles, a reality. It will provide almost a half million acre-feet of storage. This will make a substantial contribution toward the control of floodwaters in the Columbia River. The head or the difference in the elevation between the tailwaters and the headwaters will be approximately 107 feet. The project will consist of a dam, a spillway, a powerplant for generating hydroelectric energy, a navigation lock, and fish ladders for anadromous fish.

The dam takes its name from the John Day River, which flows northwesterly through Oregon to the Columbia River. The dam will be some 217 miles upstream from the mouth of the Columbia River and approximately 25 miles upstream from the Dalles Dam and 75 miles downstream from the McNary Dam.

The powerplant initially would have 13 generators installed, each with a rated capacity of 85,000 kilowatts. The plans contemplate space for a future installation of 4 to 5 more generators of comparable size to take advantage of future upstream regulation. The total installed capacity of the John Day powerhouse will therefore be 1,105,000 kilowatts, with an average firm power capability of approximately 865,000 kilowatts and with a firm power capability under the most adverse water conditions of some 570,000 kilowatts.

So, let me emphasize again that this bill is different from the other partnership bills which I have sponsored in that it applies the partnership program to one of our large multipurpose projects.

COST OF DAM

The bill is also different in another respect. The estimated total cost of the John Day Dam is $320 million. The local interests propose to contribute $164 million or more than half of the cost of the dam to the Federal Government. We are therefore dealing with much larger sums of money—hundreds of millions of dollars—than we were in the other cases.

HOW MONEY RAISED

With the bill providing that the local interests contribute $164 million and that the Federal Government assume the responsibility to pay the remainder of the cost of the dam, one of the first questions that occurs is how this division of financial responsibility was arrived at. The answer is this: We started with the proposition that a partnership in the ordinary sense of the word meant approximately equal contributions by the partners. It was next determined that the probable limit of financing by the local interests was in the neighborhood of $165 million. The figure of $164 million was then chosen because it represented the cost of the power facilities of the dam. As will be seen from an examination of the bill, however, this figure was not chosen with any idea that the local interests' participation would be limited to the cost of the power production facilities, for in this case, the Government will own and operate the entire dam, including the power facilities.

The first step under the bill is for the local interests to show that they have $164 million and to agree to contribute this to the United States toward the cost of the dam.

If the partnership is to work, it is necessary for the Government to be in position to give these people a firm commitment that it will build the dam after they have their $164 million available. This means that we have to have something more than mere congressional authorization to build the dam. It is necessary to have either an outright appropriation of approximately $156 million or that the Government be authorized to bind itself by contract to build the dam. This latter we call a contract authorization.

At my suggestion the bill was drawn to include an express contract authorization to the Army engineers to build the dam so that when the Government has a firm assurance that the local interests will contribute their share, then the Government can enter into a contract with them to build the dam.

In the past contract authorization has been used primarily for wartime procurement. In this case, however, we felt fully justified in making use of the contract authorization technique as a means of carrying out this administration's program for partnership development of public resources. New approaches to problems oftentimes require new tools, and here it must be recognized that without such an authorization there can be no partnership. It would be impossible for local interests to contribute a large sum of money if their partner was under no legal obligation to do his part of the job.

HOW THE DAM IS BUILT

The John Day Dam is one of the major integral units in the overall plan for the comprehensive development of the Columbia River. It has been previously approved by Congress—House Document 531, 81st Congress, 2d session. The other major dams on the Columbia River—the Bonneville Dam, the Dalles Dam, the McNary Dam, the Chief Joseph Dam, and the Grand Coulee Dam—have all been built and are owned and operated by the Federal Government. They were planned for operation as a unit. It seemed imperative to us that this concept be continued. For that reason this bill provides that the dam will be constructed by the Corps of Engineers. This will insure development and completion of the integrated river development program as planned by the Corps of Engineers.

HOW DAM IS OWNED AND OPERATED

The same facts that compelled the conclusion that the John Day Dam should be built by the Government also led us to the conclusion that the Government should also own and operate the John Day Dam. The bill expressly provides this. It was our feeling that single ownership and single operation of the major dams on the Columbia River would insure the maximum in efficiency and benefits.

HISTORICAL BASIS OF PARTNERSHIPS

It might be well to explain at this juncture the historical basis and legislative precedent for this partnership program and for the term local interests. For many years so-called local interests which have ranged all the way from a single individual to groups consisting of a large assortment of individuals and corporations, both public and private, have made contributions to the Army engineers to aid in the construction of the flood control and navigation improvement projects. In the majority cases the contribution was in the form of rights-of-way or land. However, in many instances the contribution was in the form of money. A partnership between local groups and the Federal Government to build a public project is not new.

Likewise, the term local interests has been used in our laws dealing with rivers and harbors improvements to designate any local group that assists in paying the cost of a public improvement. In this bill, we have simply expanded these ideas to cover a much larger program. Here the local interests will contribute more than half of the total cost, and they in turn will be reimbursed for this contribution in the form of electricity.

THE WAY POWER IS SOLD

The Secretary of Interior is directed in the bill to enter into contracts with the local interests for the sale of power from the John Day Dam for a period of 50 years. This power is to be sold in proportion to the amount of the contribution by the local interests. To make sure that there is no mistake about the way this bill would operate, let me explain two things. In the first place, it is impossible to control the flow of electricity so that when we say that we are selling to the local interests the power from the John Day Dam we mean an amount of power equal to that produced by the John Day Dam. The bill contains such a qualification. Furthermore, when we speak of selling the power in proportion to the amount of contribution, that likewise must be qualified by taking into consideration the characteristics of power sold. In other words, firm power is worth more than intermittent or seasonal power. One kilowatt of firm power may be worth several kilowatts of intermittent power, and this difference has to be taken into consideration in the sale of power.

In addition to the initial contribution of $164 million the local interests must agree to purchase the power at a rate per kilowatt hour which will permit the Government to repay the money it has invested in the dam over a 50-year period. When I speak of the Government's investment I mean the portion of the Government's investment that is allocated to power. This is the standard procedure that has been followed by the Government. In addition, the rate will include the cost of operation and maintenance of the dam and the powerhouse, and the charges for upstream benefits from other dams. So that at the end of 50 years the Government has a debt-free dam, and during this 50-year period the Government not only has owned but it has operated the dam as a part of the integrated Columbia River development program.

TRANSMISSION OF POWER

The bill also proposes a new approach to the problem of the transmission of the power from John Day Dam. The Federal Government now owns and operates a region-wide high voltage transmission system. This bill provides that the Government's system will be used to distribute the power from the John Day Dam.

The bill insures that the integrity of the Federal grid will be maintained and will prevent needless duplication of the Government's facilities.

WHO ARE THE PARTNERS

To the best of my knowledge this bill spells out for the first time in such legislation a straightforward effort on the part of local public and private power groups to join forces and to pool resources in order to put together the local interest part of a partnership program. All of the power distributing agencies in the Northwest, as well as industry, are permitted under the terms of this bill to become partners. This includes State agencies, cities, PUD's, REA co-ops, and private power companies. With one exception, the problem of who will be the partners and the amount each will contribute must be worked out voluntarily in the region. There is no Federal control from the top.

The one exception is a provision that in the sale of power, electric power distributors operating electric systems in Oregon and industries proposing to purchase power for use in Oregon will be given priority in the purchase of power. This is a relatively new concept in the Northwest and was included to cure in part an inequity that has developed in the distribution of power in the Northwest.

Briefly, the facts are these. Considering Washington and Oregon as a unit, approximately 60 percent of the population lives in Washington and 40 percent in Oregon. At the present time, the firm power from the Federal system is distributed on the basis of approximately 70 percent in Washington and 30 percent in Oregon. During the next 12 years, under existing power contracts this inequity will become worse. At that time Washington will receive 83 percent of the power from the Federal system and Oregon approximately 17 percent. Or to state the problem another way, in 1965 Oregon will receive less power from the Federal system than in 1954, despite the fact that more than 3 million kilowatts of capacity and 1,600,000 kilowatts of prime power will be added during this time from dams now under construction. In my opinion, the eventual solution to this problem and the only way to do equity, will be by an allocation of power between the States. In the meantime, however, to assist Oregon in obtaining its fair share of the power, we have provided in the bill that if there are more potential partners than power, then the Oregon partners will have the first choice in the sale of power.

Another compelling reason for this priority is the situation that has developed in connection with the sale of power by the Federal Government to industry. At the present time, the firm power contracts which the Bonneville Power Administration has with industries divides the power approximately 75 percent to Washington and 25 percent to Oregon. On the basis of plant investment and direct jobs resulting from this power, the proportion is near 85 percent to Washington and 15 percent to Oregon. It is obvious that a situation has arisen where one area has received more than its fair share of industrial power. This is contrary to the whole basis and justification for Government development of natural resources, for this development has been predicated upon equal opportunity for areas as well as persons. At the present time we have the making of a geographical monopoly. It is time that steps be taken to reverse this trend. The priority which the bill gives to Oregon distributors and industry will do this.

HEIGHT OF THE DAM

The John Day Dam that is authorized for construction in this bill should not be confused with the high dam which was originally authorized in the Flood Control Act of 1950. That dam would have been 292 feet high and would have had 2 million feet of storage. That plan was strongly opposed by a number of local interests because it would have flooded out several towns and many acres of fertile land. This bill specifically limits the height of the dam to 265 feet. This is the so-called low dam with an extra 10 feet added to insure maximum operating efficiency and to provide flood-control benefits. It is still a low dam, however, in the sense that it will not flood out the towns along the Columbia River.

ONE-YEAR LIMITATION

The bill contains a provision which limits the time within which the local interest can arrange a partnership program to 1 year or the completon of the planning by the Army engineers, whichever is later. We did this for several reasons. In the first place, it was our feeling that the local interests would know in that time whether they would be able to form an effective partnership. In the second place it will take the Army engineers at least a year to complete their investigations and plans for the John Day Dam. The limitation will insure that no time will be lost in the construction of John Day Dam if this law is enacted and if for any reason a partnership program cannot be promptly worked out.

HOW THE BILL ORIGINATED

The origin of this bill indicates what can be accomplished by a partnership approach if the prospective partners are willing to sit down and endeavor to work out a constructive program.

In the Northwest we have had cooperation between public power and private power on an operating level since 1942 when the Northwest power pool was first organized. This power pool includes all of the public and private distributors in the Northwest and also the Bonneville Power Administration. Today by interconnection of the systems and by coordinating all of the generating capacity in the area more than 600,000 kilowatts of capacity has been added to the region's power resources.

The Portland General Electric Co. of Portland, Oreg., evolved the idea that a similar working arrangement could be worked out to make a partnership program a reality. It first discussed the matter with other power companies and with representatives from REA co-ops, PUD's, and municipal electric systems in Oregon. Out of these discussions, the company evolved many of the ideas that are incorporated in this bill. In each instance, the public-power representatives recognized that Oregon needs more power to maintain a healthy economic growth. With this as a starting point, each of the groups has indicated that they were willing to make

a sincere effort to work out a practical and constructive partnership program. I have attached to this statement copies of the letters which I have received from representatives of these groups. In addition, the managers of several of the municipal systems have already indicated that they not only favor the idea but in all likelihood will be active partners in the program.

NEW FINANCIAL PROBLEMS ENCOUNTERED

This bill plows new ground. The basic conceptions back of this bill are novel in the partnership sense and present a number of new problems in financing. In this case, the partners will have as a basic security for their financing their contracts for power with the firm obligation of the several partners to purchase this power over a period of 50 years. In effect, the basic security is two sets of contracts, plus the needs of the several partners for power. Conventionally, such financing is done with the security of a mortgage upon the power generating facilities and this would entail ownership of part of the dam by the local interests. However, inasmuch as the partners have a need for the power and there is therefore an immediate market for the output of the project the day it is completed, it seems to us that our Yankee ingenuity should be able to evolve new concepts of private financing that are based upon the contracts rather than ownership of physical property.

It is my feeling that the approach is sound. We often say that "The Lord helps those who help themselves." It seems to me that the wisdom of that saying may well apply to the Northwest and its power problems. If we can demonstrate to the rest of the Nation that the Northwest, on a cooperative basis, is willing to help itself, I am sure that we can continue to get full cooperation on a Federal level.

OREGON PEOPLE'S UTILITY DISTRICT DIRECTORS ASSOCIATION,
Portland, Oreg., March 26, 1954.

Senator GUY CORDON,
Senate Office Building,
Washington, D. C.

DEAR SIR: We have been advised that you have expressed an interest in receiving comments from public power groups in Oregon concerning the proposal of Portland General Electric Co. for the construction of John Day Dam on a cooperative basis. At our meeting on March 26, 1954, which was attended by 4 of the 5 members of the executive committee and which included a representative from each of the operating people's utility districts in the State of Oregon, the proposal was discussed at length. We also examined several drafts of legislation that have been prepared. The conclusions which we reached at this meeting were as follows:

1. There is an urgent need for a new start on the Columbia River at a location which is close to the electrical load centers of western Oregon if industrial growth in Oregon is to continue. Industrial opportunity and growth in the Northwest follows power. If Oregon is to participate in this growth, it must be assured of its fair share of the power generated in the Columbia River and its tributaries.

2. It may be that the people's utility districts will want to participate directly in the cooperative program for the development of John Day Dam by entering into firm contracts for the purchase of power from the dam. This, of course, will depend upon the cost of power to the participating agencies. It will be to the advantage of all concerned to keep the cost of power from the project as low as possible to insure that it is competitive with power from the other Federal dams.

3. The cooperative program should provide for Government construction of the dam and for Government ownership and operation of the dam and of the power-generating facilities. This will remove the objection we have to programs which contemplate a divided ownership of dams.

4. The program should provide that the power from the John Day Dam should be distributed over the Federal transmission network. This insures participating in the program by all Oregon power distributors irrespective of size or geographical location.

We would like to recommend for your consideration a draft of proposed legislation which incorporates the foregoing points and which we feel offers a basis for cooperative action.

The Oregon People's Utility District Directors Association acts as an advisory and coordinating agency to the operating people's utility districts. When legislation is introduced, we will be glad to submit it to our respective districts, together with our observations and recommendations.

Sincerely,

C. F. STRANAHAN,
President.

MARCH 27, 1954.

Senator GUY CORDON,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CORDON: The undersigned are managers of four rural electric cooperatives in the State of Oregon. We have discussed among ourselves and with representatives of Portland General Electric Co. its proposal for the construction of John Day Dam on a cooperative basis. Because of the limitations in time we have not been able to discuss this matter with either the executive committee of our State association or with the memberships of our individual cooperatives. The opinions that we express are, therefore, our individual opinions. We do feel, however, that on the basis of our acquaintanceship and our knowledge with REA cooperatives in Oregon, and with the members of those cooperatives, that our personal views will closely approximate their views.

This letter is being sent to you pursuant to a suggestion that you were interested in receiving at an early date the views of the various types of power distributors. We have examined several drafts of proposed legislation for a cooperative development of John Day Dam. We believe, however, that our views can best be expressed without reference to specific legislation and in terms of propositions which we feel form the basis for the cooperative effort. They are as follows:

1. We feel that the REA cooperatives in Oregon would be willing to participate in an exploratory effort to determine whether a cooperative basis can be developed for the construction of John Day Dam.

2. Our primary interest is the welfare of Oregon. We feel that public, private, and cooperative power distributors all have a stake in the economic development and welfare of the State. Additional large blocks of low-cost power that are available for use in Oregon are necessary if Oregon is to keep pace with the industrial growth that is under way in the Northwest. In the past, Oregon has not been as aggressive as its sister States in this regard. We feel very strongly that any program which would make this objective its primary objective would have an excellent chance of receiving the support of all the groups in Oregon that are concerned.

3. It is our opinion that any cooperative program that is undertaken should be based upon the proposition that the Federal Government construct, own, and operate the dam and its power facilities, and that to the maximum extent possible that the Federal transmission system should be used as the means of distributing this power. Such an approach would be in harmony with the thinking of a great majority of our members who believe in the comprehensive river development program of the main stems of the Columbia and Snake Rivers by the Federal Government.

4. If the cost of power from John Day Dam is competitive with power from the Federal system, then our group would be interested in participating directly in the program by entering into contracts for the purchase of power from John Day Dam. In this connection, we tentatively have in mind asking the REA to make additional loans to us to permit us to enter into a contract for the prepaid purchase of power.

5. Without doing violence to the concept of regional power development we also believe that some provision should be made which will insure that Oregon distributors and Oregon industries will have a priority in the purchase of power from John Day Dam.

It, of course, is difficult to give you more than general observations without specific legislation before us. We are enclosing the draft of a bill which comes as near incorporating our ideas as any that we have examined.

At the earliest opportunity we will discuss this matter with our State organization, and if legislation is introduced you can rest assured that it will be given serious consideration by each of the 17 cooperatives in the State of Oregon who serve approximately 33,000 customers. We also feel that if the propositions which we have outlined above can be used as the guideposts in formulating this program, that there is a strong likelihood that it will receive the enthusiastic support of the rural electric cooperative in Oregon.

Sincerely,

GLEN SAWYER,
Manager, Lane County Electric Cooperative.

BEN LITTLE,
Manager, Benton-Lincoln Electric Cooperative.

GUY THOMAS,
Manager, West Oregon Electric Cooperative.

ERIC JOHNSON,
Manager, Wasco Electric Cooperative.

[From the Oregon Grange Bulletin of April 5, 1954]

THE STATE MASTER'S COMMENTS

(By Elmer McClure)

JOHN DAY DAM PROPOSAL

The Grange grew and developed into a nationwide force for the betterment of this country because of its ability and willingness to explore all facets of any problem facing the people of this country. The Grange will remain such a force only so long as it retains and increases its capacity for unprejudiced analysis of new ideas and new proposals in every field of human endeavor.

In this light, the Oregon State Grange is now exploring all of the new partnership proposals for the development of the hydroelectric resources of the Northwest. It is, of course, our privilege to reject any or all of them after we have given them thorough study.

The most recent proposal to come out of the partnership idea for the development of the water power resources of this section of our country is the one advanced by Portland General Electric Co. and certain public power agencies to secure the immediate construction by the Federal Government of the John Day Dam on the main stem of the Columbia River.

Spurred perhaps by the fact that the State of Washington is proposing to corral all of the power generated in that State for distribution within its own boundaries, these Oregon agencies propose that (1) all participating agencies, both public and private pledge the value of their assets to form a pool of money—some $164 million—to be loaned to

the Federal Government for a period of 50 years. This money, together with the share to be put up by the Federal Government, would be used to build the dam.

These participating agencies would then recover their money in the form of power during the next 50 years; (2) the Federal Government would retain title and control of the generating and distribution system; (3) the participating agencies would have the prior right to most or all of the power generated by the John Day Dam.

This is to be a voluntary partnership and no public or private power company need join this group. If any company feels that it is sufficient to carry on its affairs without access to this additional power, it is no way involved. The plan, is, at this time, in a very nebulous stage and the details have yet to be worked out.

This proposal differs from any that we have heard of in the past in that it comes close to the historic position of the Grange on this question. It appears to have more breadth and opportunity for the public power groups than any of the other proposals, providing as it does for the inclusion of the REA's, PUD's, and municipally owned plants as full partners. Under this plan, no agency buys any portion of the power generated for a period of 50 years. The ownership of the property is 100 percent in the hands of the Federal Government—and the power will be sold over the Federal distribution lines. This operation will be in harmony with the historic concept of Federal regional development of natural resources.

Experts are agreed that there will be a serious power shortage in the Northwest beginning about 1960 unless more dams are authorized, built, and put into production prior to that time. It also goes without saying that under present conditions the State of Washington is going to be able to gobble up the lion's share of the power generated at dams within that State, leaving Oregon starved for power, thus putting her in a very poor position to attract any new industries, or to further expand her economy.

I recommend a complete study of this proposal. It may be the answer we are seeking to the problem of getting the John Day and other dams built and working.

OREGON RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Corvallis, Oreg., April 13, 1954.

The Honorable GUY CORDON,
United States Senator, Senate Office Building, Washington, D. C.

MY DEAR SENATOR CORDON: The board of directors of the Oregon Rural Electric Cooperative Association, at its meeting in Corvallis on April 9, 1954, has examined the proposal of the Portland General Electric Co. under which Oregon power companies, jointly with public and cooperatively owned utilities in Oregon, would assist in financing construction of the John Day project through prepayment for that project's power output.

Although this association has a number of serious reservations about the company's proposal, we are mindful of the fact that there is an acute shortage of power supply now developing within the region. It is for this reason that we are willing to give some cooperative, continued study to the proposal, at least until such time as it becomes apparent to us that it cannot be developed in such a way as to meet fully the public interest.

In any further consideration that you or others may give the company's John Day proposal, we respectfully suggest that effort be made to meet the following standards of public interest:

1. The proposal should be developed in such a way as to encourage cooperation between the Northwest States. Specifically, we suggest public-owned utilities along the north bank of the Columbia River, which would be logical consumers for John Day power, be permitted to participate with the companies and Oregon public agencies in the financing plan and the purchase of power.

2. That the passage of legislation necessary to effectuate the company's proposal be accompanied by a clear and unequivocal statement by the national administration that it will match the John Day project with at least one other major multipurpose Federal project on the Columbia River system within the near future and within a definite specified time. It is this association's belief that the John Day project, standing alone, is only a partial and altogether insufficient answer to the basic problem of power shortage which confronts this region. Taken by itself, the John Day project, as proposed by the company, would be of some benefit, to be sure; but its value would be short lived unless additional projects are undertaken. These projects should be Federal projects and should fully protect the status of the public and cooperatively owned utilities in the region. Such projects would be in line with Secretary of the Interior Douglas McKay's recent policy statement to the effect that the Federal Government expects to continue construction of major multipurpose projects.

3. Any development of a single project of the sort proposed by Portland General Electric Co. should maintain the integrity of the Federal transmission grid and should be planned in such a way that it will fit efficiently into the operation of the integrated Columbia River power system.

The above three points constitute major criteria considered by this association at its meeting on April 9, 1954. There are, of course, a number of other major criteria and problems in connection with a project as proposed by the company.

The association believes that it cannot endorse the proposal until these matters are clearly explored; however, we are willing to reserve judgment for a reasonable period of time.

Very truly yours,

B. R. LITTLE,
Secretary-Treasurer
(For Lee Wooden, President).

CENTRAL LINCOLN PEOPLES' UTILITY DISTRICT,
Newport, Oreg., April 30, 1954.

The Honorable GUY CORDON,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR CORDON: The Portland General Electric Co.'s concept of development of the John Day Dam on a cooperative basis has much merit and should be given fullest consideration. The idea presented by the company, we believe, has advantages over other partnership plans recently proposed in the Northwest.

It is imperative that new starts be made of power projects on the Columbia and legislation of the type proposed by the Oregon Peoples' Utility District Directors Association, we believe, may be the avenue by which a new start may be made.

The directors of the Central Lincoln PUD would appreciate your most serious consideration of the Portland General Electric Co.'s plan for cooperative development of the John Day project on the Columbia.

Very truly yours,

MILLARD MARTIN,
President.

[From the Oregon Journal of March 30, 1954]

JOHN DAY PLAN WORTH A TRY

Latest and most imaginative power-partnership offer so far made to Uncle Sam by public and private power agencies of the Pacific Northwest is that involving the John Day Dam.

This offer, involving construction of a $320 million, million-kilowatt project at the John Day site between the Dalles and McNary Dams, is unique.

First, it would involve both private companies and local public-power agencies such as PUD's, REA's, and municipal power systems.

To this extent, it differs from previous partnership proposals which involve either private companies alone, or PUD's alone, or a municipal system alone.

The John Day project also is unique in its proposed methods of financing. Private companies and public agencies would finance outright the power factors, that is, the powerhouse and generators estimated to cost $168 million. But Uncle Sam would be asked to advance $120 million for joint facilities; that is, the main spillway dam and related features which are of common benefit to power, navigation, flood control, etc. This money would be repaid to the Government, however, over a 50-year period.

All the Government would be "out" in the end would be the $36 million it would put into navigation locks and fishways.

The local "partner" thus would be paying for its power in advance. Uncle Sam, the "senior partner," would be prepaying the cost of the dam. Both would get their money back out of power revenues.

Uncle Sam would build and operate the plant. He would retain title to the property. And at the end of 50 years the whole project would be Uncle Sam's free and clear.

This is quite a deal.

Naturally, there are many unresolved problems, such things as financing, payments in lieu of taxes, power rates, and proper credits for upstream and downstream benefits. But it would appear that none of the problems is insoluble.

On the other hand, if all the prospective partners (including, of course, the administration and the Congress) approach the proposal with good will and an open mind, it could become a reality. It could safeguard the Columbia Basin against a power shortage that otherwise will have very damaging impact upon the economy of the entire region by 1960, when all current projects are completed.

The region, in submitting several "partnership" proposals, has demonstrated its willingness to cooperate, its confidence, and good faith.

The "senior partner," we submit, can do no less.

[From the Oregonian, Portland, Oreg., of March 30, 1954]

THE PREPAID POWER PLAN

The prepaid power partnership plan for construction of John Day Dam outlined by Thomas W. Delzell, chairman of the board of Portland General Electric Co., merits careful consideration of State of Oregon residents. It is a sincere and timely proposal for getting a big block of Columbia River power for Oregon consumers while the getting is good. That is, before the Washington State power authority gobbles it all up.

What final form the proposal will take, or whether it will be feasible in any form, remains to be determined as the study proceeds. The immediate plan is this: Portland General Electric and other privately owned utilities would be joined by some public power agencies—rural electrification cooperatives and public utility districts—in raising about $164 million of the estimated $320 million cost of the dam. This would be turned over to the Army engineers to start construction. Congress would be expected to put in about $36 million in nonreimbursable funds for navigation and fishways. Congress also would be asked to appropriate $120 million which would be repaid over a 50-year period from power revenues.

The participating agencies would be repaid their $164 million investment in kilowatt hours, and their claims to power would be based on their financial contributions. The local utilities would be advancing money to stimulate Congress to appropriate additional money and put an end to the "no new starts" policy.

We are not at all sure that Congress, which is delaying completion dates of Federal dams now in construction on the Columbia, will be willing to appropriate any money for new Northwest construction. But the John Day proposal may be more attractive to the congressional opponents of Northwest power, flood control and navigation projects than the all-Federal Libby Dam in Montana, which also should be started soon.

Portland General Electric Co. is the largest utility customer of the Federal power system. It has been blocked by State law from building new dams on the Deschutes River. Although Portland General Electric and other private utilities have signed 20-year contracts with the Bonneville Power Administration, the Federal law giving preference to public power districts and municipalities works in combination with the refusal of Congress to start new dams to make it probable that these contracts will be worthless in the 1960's. All the Federal power, or most of it, will be needed then by the public agencies.

Hence, it is incumbent upon Portland General Electric and advisable for other private companies to obtain power generation commitments for the 1960's. The John Day Dam would have a rated capacity of 1,105,000 kilowatts. It is the only site remaining on the Oregon-Washington portion of the Columbia. Above it lie several sites—Priest Rapids, Wells, Rocky Reach—exclusively in the State of Washington. Public utilities districts and municipalities are combining under the Washington Power Act in the expectation of building these in partnership with the Federal Government, and thereby establishing priority in claim for their output when needed.

If some plan is not evolved to assure Oregon utilities a new source of energy after 1960, Oregon will be left not only with higher power rates, but without enough electricity to serve new industries and more people.

On this basis, there is adequate justification for the initiative shown by Portland General Electric. We agree with Senator CORDON that it would be far better for a regional public agency to build and operate all these dams and to sell the output on a fair allocation basis to public and private distributors alike. But Oregon utilities cannot be expected to wait for the Northwest to get together on a regional agency.

As we have said before on this page, we would like to see a firm reservation made in the development of such partnership projects. That is a "recapture clause" which would permit the transfer of new multiple purpose dams to a regional public agency when the latter comes into being, as we believe it inevitably will. The Northwest is going through a period of change in which the Federal Government is withdrawing. But the Northwest cannot afford to lose permanently the regional concept of producing the power at the most advantageous sites and distributing it fairly without concern for State lines.

AMENDMENT OF TITLE 28, UNITED STATES CODE, RELATING TO AFFIDAVITS OF PREJUDICE

Mr. LANGER. Mr. President, I introduce for appropriate reference a bill to amend section 144 of title 28 of the United States Code, relating to the exercise of discretion by a judge in connection with an affidavit of prejudice. I ask unanimous consent that the bill, together with a statement prepared by me, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 3517) to amend section 144 of title 28 of the United States Code, introduced by Mr. LANGER, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 144 of title 28 of the United States Code is amended so as to read:

"Whenever a party to any proceeding in a district court makes and files a timely affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, and shall have no further jurisdiction with respect thereto, but another judge shall be assigned to hear such proceeding.

"The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than 10 days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. Any second or subsequent such affidavit filed in any such case shall be ineffective unless it states facts sufficient to establish prima facie that bias or prejudice exists. Any affidavit filed under this section shall be accompanied by a certificate of counsel of record stating that it is made in good faith. As used in this section, the term 'party' includes any one of two or more joint plaintiffs or joint defendants."

The statement presented by Mr. LANGER is as follows:

STATEMENT BY SENATOR LANGER

The bill seeks to make it abundantly clear that no discretion is to be exercised by a judge in connection with an affidavit of prejudice, but that the judge against whom such an affidavit is filed must immediately step aside.

The proposed new wording of section 144 eliminates the provision for a sufficient affidavit, and thus eliminates any possibility that a judge against whom such an affidavit is filed may rule that it is not sufficient, and on this basis refuse to step down.

The language of the section as it now stands is believed to be jurisdictional, but in order to make this point perfectly clear, the amended language carries a separate clause denying jurisdiction to a judge against whom an affidavit of prejudice is presented.

In order to make it clear that in the case of several codefendants, any one defendant or any group of defendants, acting in concert, may file an affidavit of prejudice and secure the assignment of a new judge, the proposed revised language specifically defines the term "party" as including any one of two or more joint plaintiffs or joint defendants. By reason of this definition, the possibility is opened up that in the case of a number of joint defendants, they might make individual affidavits of prejudice, one after another, and thus exhaust the list of available Federal judges. To avoid this consequence, the proposed new language of the section specifically provides that any second or subsequent affidavit of prejudice shall be ineffective unless it states facts sufficient to establish a prima facie case that bias or prejudice exists.

REVISION OF INTERNAL REVENUE LAWS—AMENDMENT

Mr. LANGER submitted an amendment, intended to be proposed by him, to the bill (H. R. 8300) to revise the internal-revenue laws of the United States, which was referred to the Committee on Finance and ordered to be printed.

ATTORNEYS' LIENS IN CERTAIN PROCEEDINGS—AMENDMENT

Mr. HENDRICKSON (for himself, Mr. COOPER, and Mr. MCCARRAN) submitted an amendment in the nature of a substitute, intended to be proposed by them, jointly, to the bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States, which was ordered to lie on the table and to be printed.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 209. Concurrent resolution authorizing the printing of additional copies of parts 1 and 2 of the hearings held by the Committee on Government Operations during the 83d Congress, 1st session, relative to commercial- and industrial-type activities in the Federal Government;

H. Con. Res. 210. Concurrent resolution providing for 35,000 additional copies of the report entitled "Organized Communism in the United States";

H. Con. Res. 213. Concurrent resolution authorizing the printing of additional copies of the hearings held by the Committee on Interstate and Foreign Commerce relative to health problems;

H. Con. Res. 230. Concurrent resolution providing for 30,000 additional copies of the report entitled "Eighth Session of the General Assembly of the United Nations"; and

H. Con. Res. 234. Concurrent resolution to print as a House document the proceedings in the rotunda at the dedication of the frieze.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WATKINS, from the Committee on the Judiciary:

A. Sherman Christenson, of Utah, to be United States district judge for the district of Utah, to fill a new position.

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

One hundred and one postmasters.

HEARING BEFORE SENATE WATER TRANSPORTATION SUBCOMMITTEE RELATING TO SHIP CONSTRUCTION

Mr. BUTLER of Maryland. Mr. President, Senators are advised herewith that the Senate Water Transportation Subcommittee will conduct its second hearing tomorrow, Wednesday, afternoon looking toward the development of an emergency ship construction and ship repair program to save the shipyards of the country from impending nationwide shutdown.

Officials of the Navy Department and the Department of Commerce, who have, at our request, been studying the possibilities of the situation in the light of existing conditions in the shipyards, will testify at Wednesday's hearing, which will be held in room G–16 of the Capitol, at 2 p. m.

Top officials of seven leading shipyards presented a gloomy picture of the situation to the subcommittee on Wednesday of last week.

On the facts developed at these hearings, the subcommittee expects to formulate a program for taking from the Government's laid-up reserve merchant fleet a number of vessels that would be "broken out" first, for use in any emergency and for putting them in the shipyards for repair now, instead of when the emergency is on. This will serve the double purpose of readying the reserve fleet for instant service, and of keeping the shipyards in operation and preserving their working forces.

MEMBERSHIP TO COMMISSION ON INTERGOVERNMENTAL RELATIONS

The PRESIDING OFFICER (Mrs. BOWRING in the chair). The Chair announces the appointment by the Vice President of the Senator from North Carolina [Mr. LENNON] to membership on the Commission on Intergovernmental Relations, vice the late Senator Clyde R. Hoey.

ADDITIONAL ASSESSMENT FOR WORLD HEALTH ORGANIZATION

Mr. GOLDWATER. Mr. President, normally I would ask unanimous consent that the editorial which I hold in my hand be printed in the RECORD. However, it is of such importance that I ask to be permitted to take not more than 2 minutes to read the editorial.

The PRESIDING OFFICER. Without objection the Senator from Arizona may proceed.

Mr. GOLDWATER. The article published in the Wall Street Journal of May 25, reads:

THE QUESTION OF WHO

The World Health Organization has raised a knotty little question for the antagonists over the Bricker amendment to debate at the next session of Congress.

It seems that the WHO is in need of more money. So at its international assembly in Geneva the other day it voted to assess the United States Government an additional $350,000 over and above the amount Congress has authorized for the international agency. The United States delegation, headed by the assistant to Secretary Oveta Hobby, voted against this assessment but we were outvoted by the delegates from the other nations who were not concerned about United States constitutional questions.

As Government spending goes these days $350,000 is a tiny amount, to be sure, but it is intriguing to think that one of these supranational agencies can just appropriate money right out of our till without so much as a by-your-leave. Yet that is exactly the position taken by the WHO.

And the Health Organization has a pretty strong legal argument. The United States ratified the WHO constitution in the proper treaty-making fashion back in 1948 and a careful reading of that approved constitution does indeed seem to suggest that the Health Organization has the power to assess member nations. If so, where does that leave Congress' power of the purse?

The United States Constitution specifies that appropriation bills must originate in the House of Representatives and be passed by both the House and Senate. But treaties are ratified by the Senate only. Does the ratification by the Senate of an agreement to let an international organization fix its own budget by assessment take money matters out of the hands of the House?

Geneva dispatches say that the United States delegation will try to persuade Congress to provide the additional $350,000 anyway so as not to raise a fuss over the constitutional issue. But it strikes us that the members of the House Appropriations Committee might like some better answers to the question raised by WHO.

THE INTERNATIONAL CRISIS

Mr. SMITH of New Jersey. Mr. President, on May 15, 1954, Mr. John Cowles, president of the Harvard Alumni Association, delivered a very interesting address at the annual meeting of the Associated Harvard Clubs held in Rochester, N. Y.

I feel that Mr. Cowles' comprehensive address on the subject of The International Crisis and What We Should Do About It, deserves the careful study of all of us. While I can commend it highly I find myself in disagreement with some of Mr. Cowles' premises. He has fallen into the error of believing that Secretary Dulles was handcuffed by senatorial leaders before going to Geneva. These handcuffs, according to Mr. Cowles, consist of senatorial doubt of the wisdom of recognizing Red China or admitting it to the U. N. so long as it is dominated by Soviet Russia, and of senatorial insistence that prior congressional approval be given before President Eisenhower could commit American military forces in Indochina. Strange handcuffs, these, since Secretary Dulles has no desire whatsoever presently to negotiate concerning the recognition or admission of Red China, and since President Eisenhower has flatly declared he would seek congressional approval before committing American troops.

But, on the positive side, I commend Mr. Cowles' speech to all thoughtful Americans, and especially to Members of Congress. The president of the Harvard Alumni Association advances some interesting ideas concerning the possibility of securing a greater degree of cooperation from Mr. Nehru and a more identifiable community of interest with the important nation of India. Additionally, Mr. Cowles urges a more complete exploitation of the mechanisms and forum offered by the United Nations. Quite correctly he points out the advantages which accrued to the free world in Korea by reason of the complete confidence of the Korean people that the Western nations were not in the least motivated by hated notions of imperialism.

Mr. President, on another occasion I intend to address the Senate at greater length concerning our foreign policy problems in the Far East. In the meantime, however, I hope that as many Senators as possible will find time to study Mr. Cowles' speech.

TENSIONS WITHIN THE SOVIET CAPTIVE COUNTRIES

Mr. WILEY. Mr. President, I rise to call the attention of the Senate to the publication of Tensions Within the Soviet Captive Countries—Soviet Zone of Germany.

This is the third of a series of studies of the Soviet captive countries which is being published as Senate Document 70 by the Foreign Relations Committee. The earlier parts dealt with Bulgaria and Rumania. Subsequent parts will deal with tensions in Czechoslovakia, Poland, Hungary, and Albania. The studies are being prepared by the Library of Congress and the staff members of the Legislative Reference Service.

In my judgment, Mr. President, the study of tensions within the Soviet Zone of Germany is particularly noteworthy, because as the study makes clear, this is a captive country of a special kind—a country of special difficulties for the Russians and special challenges and opportunities for the West.

It is the captive country which is most difficult for the Russians to seal off from the free world. Despite all the efforts of the Soviets, traffic—in people, and perhaps more important, in truthful news and ideas—continues between the Soviet Zone, the democratic island of West Berlin, and the Federal Republic of Germany. The urge for unity with their free countrymen to the west is the source for some of the most powerful tensions within the Soviet Zone.

The phony declaration by the Soviet Government that this captive zone is a sovereign nation will fool nobody on either side of the zonal boundary.

The people on both sides of the boundary want Germany united, so that, under a democratic government, it can take its rightful place in a new Europe—a Europe which is itself drawing ever closer together. A reading of the study reinforces my conviction that a policy of encouraging European integration is the proper course for us to follow.

Mr. President, the courageous resistance of the Germans of the Soviet Zone—as demonstrated in the spectacular riots of last June 17 and in other less dramatic ways—is one of the most thrilling stories of the cold war.

It is an inspiration to all freedom-loving people, both those who are free and those who have temporarily been deprived of their freedom by the new colonial imperialism of Moscow.

No one has watched the sufferings of the people of the Soviet Zone of Germany with greater sympathy and anxiety than the millions of Americans of German descent. Many of these people are themselves the refugees—or the descendants of refugees—from an earlier tyranny. Like so many other millions, they came to America seeking freedom and opportunity. Over the years, they have made an enormous, incalculable contribution to the development of the United States. I have seen their magnificent achievements particularly in my own State of Wisconsin.

This fact, Mr. President, gives all Americans a special interest in the future of Germany.

Nowhere could the contrast between freedom and slavery be more sharply pointed up than in Germany. Western Germany has made truly astounding progress in recovering from the ravages and devastation of the war. This progress is manifest both economically and in the development of the democratic institutions of government which were so tragically lacking in prewar Germany.

West Germany's progress is due in part, of course, to the benign influence and assistance of the United States, the United Kingdom, and France. It is also due in part to the inspired leadership of Dr. Konrad Adenauer, one of the truly great Germans and Europeans of this generation. But it is due even more to the climate of freedom which has prevailed in West Germany since the war and in which the native industriousness and talents of the German people can find their full outlet.

The remarkable progress of West Germany makes the plight of the Germans in the Soviet Zone all the more tragic and pitiable. The Federal Republic of Germany stands as a constant reminder to the people of the Soviet Zone of what life could be like were it not for the stubborn inhumanity of communism.

We must never forget—or write off—these courageous people in the Soviet Zone.

I am confident that the world will yet see a free, united, democratic Germany.

Mr. President, this is an important report on an extremely important subject. While it is too long to be printed in the CONGRESSIONAL RECORD, I ask unanimous consent that my foreword to the report be inserted in the RECORD at this point in my remarks.

There being no objection, the foreword was ordered to be printed in the RECORD, as follows:

FOREWORD

June 17, 1954, marks the first anniversary of the historic demonstrations against the Soviet occupation in East Berlin and the Soviet Zone of Germany.

It is fitting that, as this occasion approaches, we analyze the situation which prevails in the Soviet Zone, noting there the continuing struggle of courageous men and women against their oppressors.

This is the third in a series of studies being published as Senate Document 70 by the Senate Foreign Relations Committee on Tensions Within the Soviet Captive Countries. Earlier parts dealt with tensions within Bulgaria and Rumania.

In many respects, the facts presented in this study are the most challenging that have come to light in regard to the Soviet captive countries. For the Soviet Zone of Germany, as the study demonstrates, is a captive country of a special kind. Since the Soviet Zone borders on the free world and surrounds West Berlin, it has become, to a limited extent, a two-way mirror between the free world and the slave world.

Through it, we can look to some degree into the slave world, while the captive peoples can, to a limited extent, maintain contact with the free world, for, despite all Communist efforts, constant traffic and communication continue across the boundary.

What transpires on the eastern side of the frontier is of deep interest to us for many reasons.

First, we are interested because, from our own inception as a nation, we have had close ties with the German people with only occasional interruptions.

Through more than a century and a half, Americans of German extraction have played impressive roles in every phase of American life. In many States of the Union, notably, in my own State, they have constructively imprinted their character, their culture, their talents, as worthy assets on the American scene.

Second, we of the West are interested in a free Germany because communism has long been fanatically dedicated to a Communist Germany.

The leaders of communism have, repeatedly, stated their judgment that a Communist Germany is the key to a Communist Europe and a Communist world.

Vladimir Lenin, in a report of October 22, 1918, wrote:

"The principal link in the chain of revolution is the German link and the success of the world revolution depends more on Germany than upon any other country."

Lenin feared that unless communism was successful in Germany, it might not survive in Russia. In his book War and Peace (1918) may be found this admonition:

"It is the absolute truth that without a German revolution we are doomed—perhaps not in Petrograd, not in Moscow, but in Vladivostok, in more remote places to which perhaps we shall have to retreat, and the distance to which is greater than the distance from Petrograd to Moscow. At all events, under all conceivable vicissitudes, if the German revolution does not come, we are doomed."

Even after January 1933, the Nazis' ascent to power did not deter the Communists from their hope for an eventual Communist Germany. Soviet writers have often expressed this view.

Third, today, Germany—because of its strategic position, and its great industrial strength—is even more of a prize than formerly; indeed, it is as much of a prize to communism as any other country in Western Europe.

A united Communist Germany would be one of the fondest wishes of the Kremlin. It will welcome, however, at the minimum a neutralized Germany. Toward that end, the Soviets dangle a carrot and brandish a stick. In return for a helpless, unarmed Germany, the Communists offer the carrot of the joining of the zones—an objective which the people in both zones would ordinarily earnestly desire.

Realism, however, impels the German people to recognize that a neutralized Germany which could not enjoy genuinely free elections and which could not play its role in the community of free nations would sooner or later be an enslaved Germany and that it would serve merely as a pawn leading toward a Communist-controlled world.

In view of this, Western Germany has registered at the polls its decisive support of the enlightened statesmanship of Dr. Konrad Adenauer. The continued efforts of Dr. Adenauer for the establishment of the European Defense Community, including a mutually acceptable resolution of the Saar question, are an inspiration to all Germans.

Meanwhile, West Germany's remarkable economic comeback and the vitality of its free political institutions continue to amaze the world. Indeed, the very existence and prosperity of Western Germany provide the backbone of the discontent within the Soviet Zone. Western Germany proves how even an amputated nation can arise from the rubble of war to a position of freedom with a respected status in the family of nations.

Western Germans remain moreover the devoted friends of their brothers and sisters in the Soviet Zone. It is small wonder that the enraged Soviets direct gangsterlike kidnapings in a futile attempt to eliminate the valiant leadership within West Berlin.

Fourth, another reason for our interest is that the Soviet Zone has become a laboratory of the glaring, internal contradictions of communism. With its economic stagnation, its barbed-wire justice, its sovietized education and culture, the zone stands in stark contrast to communism's lofty slogans.

The Soviets have been prone to prate about alleged contradictions of capitalism. It has turned out, however, that it is communism which is riddled with contradictions.

On the one hand, it must maintain all of the despotic machinery of the police state in order to hold down the restless population. On the other hand, by its acts of terror, it estranges the West Germans to whom it tries to appeal.

On the one hand, it tries to allay the rising hatred of the people in the Soviet Zone against the austerity and the denial of freedom, by occasionally lightening some of the load. On the other hand, every time the Soviets are forced to make some concessions, they prove their own intrinsic weakness, and the tensions mount against them.

On the one hand, the Communists try to fulfill Marxist dogma by attacks against religion. On the other hand, the stalwart resistance of the churches gives the Communists concern over their unsuccessful efforts at repression and over the effects which these efforts have in the West.

A great many other internal Communist contradictions abound.

A fifth reason for our interest was demonstrated by the German people themselves in the memorable riots of June 17, 1953. The spectacle of unarmed men hurling stones against tanks, of men and women attacking Communist facilities while German Communist paramilitary formations were kept on the sidelines as unreliable is a picture which can never be forgotten.

June 17 was a milestone in man's age-old struggle for freedom. The demonstrations of that unforgettable day and of the days which followed—the sabotage, the slowdowns, the other acts of defiance—occurred close to the free world's border and people everywhere could note them. These demonstrations were, however, but symbols of the intense feelings of other captive peoples in areas more distant from the free world.

Even the dramatic riots, however, do not alone tell the resistance story. The rising statistics of the flight of refugees seeking freedom in the West speak volumes.

These refugees are people from all walks of life. There are workers who have suffered the wretchedness of the "worker's paradise," with its skyrocketing prices, threadbare merchandise, and ridiculous work norms.

There are farmers who have given up the unequal struggle with the all-powerful state and who have walked off their land, leaving behind all their possessions except the

clothes on their backs. Even more significant, perhaps, there are thousands of members of the Communist police force—persons who presumably have been subjected to at least some process of selectivity by the Communists.

Thus, all the terror, the torture, the firing squads directed by the fake "sovereign state" of the Soviet puppets—the Walter Ulbrichts, the Otto Grotewohls, the Wilhelm Piecks, cannot forever repress the human spirit. The Soviet terror machine can succeed neither against those who take their lives into their hands in attempting to flee, nor against those who patiently bear their unhappy role, biding their time for that day when they will be free.

These Germans in the Soviet Zone are not forgotten and will not be forsaken by the West, any more than the other captive peoples will be forgotten or forsaken.

It is with a hope of contributing to increased understanding of their lot that this study is issued. I trust it will bring more light to the Congress and to the general public of this vital area of American foreign policy.

This study was prepared by Harry J. Krould, of the Library of Congress, with the assistance of Charles R. Gellner, of the Legislative Reference Service, on whom falls the responsibility for content. To them, and to Sergius Yakobson, senior specialist in Russian affairs of the Legislative Reference Service, who has general direction of the series, I express my deep appreciation. The committee staff took care of the necessary editing and saw the manuscript through the press.

ALEXANDER WILEY.

MAY 24, 1954.

"UNLEASHING" OF CHIANG KAI-SHEK

Mr. CLEMENTS. Mr. President, it has been 15 months since Chiang Kai-shek was "unleashed." There were many who had reservations about the "unleashing" at the time it was announced in February of 1953. Since that time, there has been no evidence that this move by the present administration has had any of the promised effects.

The Communists on the mainland have apparently found little to fear from an "unleashed" Nationalist force. They have turned their back on Chiang Kai-shek and are now moving steadily ahead in Indochina.

Chiang is now asking the United States to give additional protection to his forces. Rather than moving outward in Asia, it appears he is fearful of holding the area he already occupies.

It is my view that we should give careful consideration to any new action we take in regard to Chiang Kai-shek. We need more detailed information and greater consultation before we move too far in this area.

In line with my views, Mr. President, I ask unanimous consent, to have printed in the RECORD at this point an editorial from the Louisville Courier-Journal of May 24, for I believe it contains opinions which must be included in our considerations.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REMEMBER WHEN WE "UNLEASHED" CHIANG?

The news that Chiang Kai-shek is asking the United States to extend its protection of Formosa to small Nationalist-held islands closer to the Chinese mainland is an ironic footnote to the hullaballoo of yesteryear.

It was early in 1953 that the Eisenhower administration, overawed by its own campaign slogans and the glittering promises of the psychological warfare experts, shook itself and the world by "unleashing Chiang." Our Seventh Fleet, since 1950 ordered to protect Formosa from Communist attack but to allow no attack on Communist China to be mounted there, was ordered to cease "neutralizing" Formosa.

This was deception with a vengeance. Few Americans, and apparently few foreigners, realized that the Seventh Fleet had never been ordered to prevent Chiang's forces on the smaller islands nearer China from attacking the mainland—as they had been doing, in a piddling way, ever since 1949. What was held up as a bright hope to some, an alarming threat to others, was the glorious picture of Chiang Kai-shek, "unleashed" at last and strengthened with possibly all-out American aid and involvement, storming victoriously into the heart of Communist China. The deceptiveness of this hope was accompanied by our failure to consult our European allies in advance, but only to "notify" them. Democrats in Congress got the same treatment, implying for the first time but accurately the torpedoing of bipartisanship in foreign affairs.

What did all this gain us? Well, in March of last year, Chiang bravely announced that "the moment of our counterattack is drawing nearer and nearer." But except for continuing small-time raids, mostly from the tiny islands which had mounted them before, nothing happened. The impotent Chiang sits on Formosa still, as unmoving as before he was "unleashed"—and now eager to have the United States extend its naval and air protection to the Pescadores, the island of Quemoy, and the Tachens, attacks from which are rumored to have needled the Communists into planning counterattack and invasion.

From Formosa the Associated Press reports that "NON-Chinese opinion here inclines to the view that it is extremely unlikely that the United States will openly commit itself to defense of the offshore bases," because "such a commitment would substantially increase the possibility of a direct clash between the United States and Red China"—just what most Americans and most of our allies feared when the "unleashing" was first announced.

Non-Chinese opinion in Washington, we suspect, will agree overwhelmingly with that on Formosa. We are still committed to defend Formosa itself, as in Truman's day. But if we are to go to war on the Asiatic mainland, as the Communists in the Kremlin would like to have us do, it will not be to salvage Chiang's islands just off the Chinese mainland. It will be to resolve the issues in Korea and in Indochina, if at all.

NATIONAL MARITIME DAY

Mr. BUTLER of Maryland. Mr. President, National Maritime Day, 1954, has come and gone. At port cities throughout the Nation gatherings sponsored by the Propeller Club of the United States have listened to and engaged in discussions concerning the problems facing the American merchant marine and shipbuilding industry.

The distinguished majority leader [Mr. KNOWLAND] was the speaker at the Maritime Day dinner here at the Mayflower sponsored by the Propeller Club, Port of Washington, D. C. It was my privilege to discharge the same function at the Maritime Day luncheon in Baltimore on Friday noon, as well as at the Maritime Day dinner in New Orleans on Saturday evening.

The Propeller Club of the United States is performing an invaluable service to the Nation in thus focusing national attention upon the maritime industry and its importance in peacetime and as a stanch supporting arm of the Military Establishment in time of war or other emergency.

Most disturbing in this connection, however, and deserving of sincere and thoughtful consideration, is an editorial from the magazine, Marine News, for May, entitled "Lip Service." It is very brief but very much to the point. It reads as follows:

On National Maritime Day, May 22, the Nation will pay tribute to the American merchant marine.

If the past is any criterion, at ports throughout the country and abroad our citizens will meet, be admonished on the necessity of maintaining an adequate merchant fleet—and then go blithely on their way, unmindful for another year of their own dependence on American shipping.

And again, if the past is any criterion, many in Government that day will give recognition to the American merchant marine, using well-rounded, moving phrases to point up the needs of today, the perils of tomorrow—and, returned to Washington, will have forgotten en route the very truths they have uttered.

Let's be honest. Let's face the facts. On May 22, 1954, the Nation will pay lip service to the American merchant marine, and on May 23 will proceed once more to forget its existence.

Forget, that is, until the next Korea.

Cynical, yes. But all too true. Let us earnestly hope, though, that the lessons of the past with regard to the merchant marine will not be forgotten this time. For there may be another Korea.

INFORMATION CONCERNING FEDERAL HOUSING ADMINISTRATION OPERATIONS

Mr. BYRD. Mr. President, there are numerous constituent agencies and programs under the broad jurisdiction of the Housing and Home Finance Agency, headed by Mr. Albert M. Cole as Administrator. The Federal Housing Administration is one of these constituent agencies. Under FHA there are a dozen programs through which housing loans are insured. Most of these programs involve insurance of loans for housing construction.

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, which has been investigating activities under the FHA for more than a year, I previously have directed to Mr. Cole letters asking for basic information in connection with FHA's operations. Some of these letters have been general in nature applying to numerous FHA programs and others have been specific requesting information pertinent to each of the programs, such as the cost of the projects and the amount of loans insured, the extent to which FHA exercised its rights as a stockholder in each case, and so forth.

Mr. Cole has complied with these requests in some instances, but, with respect to the amount of the loans as compared with the cost of the projects, he has advised that he cannot furnish the information from FHA records which are immediately available.

In connection with this correspondence I ask unanimous consent to have printed in the body of the RECORD a letter I have received from Mr. Cole under the date of May 17, 1954, a tabular summary of attachments to that letter, a reply to Mr. Cole dated May 21, 1954, and an additional statement by me relative to information supplied in the letter from Mr. Cole.

There being no objection, the letters, tabular summary of attachments, and the additional statement were ordered to be printed in the RECORD, as follows:

HOUSING AND HOME FINANCE AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D. C., May 17, 1954.

Hon. HARRY F. BYRD,
United States Senate,
Washington, D. C.

DEAR SENATOR BYRD: We have received the following 14 letters from you requesting certain information: 2 letters dated April 21, 1954; 1 letter dated April 28, 1954; 6 letters dated April 29, 1954; 4 letters dated April 30, 1954; 1 letter dated May 3, 1954.

On May 4, 1954, we replied in detail to one of your letters of April 21, 1954.

The available information in response to your second letter of April 21, 1954, has been assembled and is being forwarded under separate cover because of its voluminous nature. This material has been identified as attachments 1 through 15 and the data contained therein are summarized below and related to the questions in your letter.

Request No. 1: A list of all properties for which FHA has guaranteed loans which are now in any degree of default, their location, and the amount outstanding.

To furnish this information it would be necessary to examine all defaulted case binders (approximately 11,000) in the 75 field offices, and even then, it would be difficult to estimate the outstanding mortgage amount without visiting each mortgagee and examining its books, because of the time lag in reporting month-to-month defaults.

Included in the material being forwarded under separate cover is a report, identified as attachment 15, for the quarter ended December 31, 1953, on defaults, acquisitions, sales, and acquired property inventory which is based on information furnished by FHA field offices.

Request No. 2: A brief description of all programs under HHFA supervision, to include (a) citation to the law for each, (b) copies of all pertinent general policy rules, regulations, and directives for each, and (c) standards and limitations under which loans are guaranteed, and other services are rendered.

To expedite the gathering and assembling of the requested information and material, we have relied primarily on material already available in published form or otherwise. Fortunately, a considerable body of current material on the HHFA programs is available, having been prepared quite recently.

The material forwarded under separate cover includes the following data which relate to this request:

Attachment 1 includes a summary compilation of the functions and programs of the Agency, prepared about a year ago, which provides still-current descriptions of each program; a chart showing the legal citations for each program; and volume II of the Office of the Administrator's Manual series, covering the general Agency policies and procedures of the Administrator.

Attachment 2 covers 12 programs under the Office of the Administrator (other than FNMA), provides recent descriptive material on each program, copies of pertinent laws, Executive orders and delegations of authority, and policies and procedures included in the OA Manual, regional representative letters, and various memoranda.

Attachment 3 covers the Federal National Mortgage Association, provides title III of the National Housing Act and certain related laws, material on the background and history of the organization, the guide for servicing mortgages and policies and procedures on the purchase, sale, and servicing of mortgages.

Attachment 4 provides Home Loan Bank Board descriptive material on its three current programs, rules and regulations, and the laws under which operations are conducted.

Attachment 5 provides a Federal Housing Administration compilation of the National Housing Act and the considerable number of amendments to that act, rules and regulations for the 14 titles and sections under which programs have been or are being conducted, and handbooks covering mortgages, minimum property requirements, underwriting, and field operations.

Attachment 6 provides the Public Housing Administration's current program material, and manuals covering program policies and procedures.

Request No. 3. In addition to the rental information requested in my letter earlier today, please supply citation to the law under which FHA participates in the determination of rental rates on properties financed with funds guaranteed under FHA, copies of pertinent rules, regulations, instructions and directives, and a statement as to whether FHA loan properties were excluded from application of the rent control law when it was in force.

The authorities, rules and regulations for the several sections are:

	Attachment number
Sec. 207, sec. 207 (b) (2):	
Administrative rules, sec. IV D (1)	7
Corporate charter, arts. 8th (c) and 10th (a) (1)	13
Sec. 213, sec. 213 (a) (2) [207 (b) (1) and (2)]:	
Administrative rules, sec. IV (4) (d)	8
Corporate charter, arts. 8th (c) and 10th (a) (1)	14
Sec. 608, sec. 608 (b) (1):	
Administrative rules, sec. IV 4 (a)	9
Corporate charter, arts. 3d (a) and 10th (a) (1)	13
Title VIII, sec. 803 (b) (1):	
Administrative rules, sec. V 4 (a) and (b)	10
Corporate charter, arts. 3d (a) and 10th (a) (1)	13
Sec. 908, sec. 908 (b) (1):	
Administrative rules, sec. IV 4 (a) and (b)	11
Corporate charter, arts. 3d (a) and 10th (a) (1)	13
Sec. 903, sec. 903 (a) (2): Administrative rules, sec. IV 5	12

The Administration did defer the matter of rent controls to the rent-control agencies while those controls were in effect.

Your letters of April 28, 29, and 30 request information with respect to the following sections of the National Housing Act; Section 908, title IX; section 603, title VI; section 608, title VI; section 8, title I; section 903, title IX; section 207, title II; section 803, title VIII; section 213, title II; section 609, title VI; section 610, title VI; and section 611, title VI. These letters enumerate the following items:

1. The extent to which loans are insured or guaranteed.

2. The names and addresses of persons or corporations making applications for insured or guaranteed loans, indicating those accepted and rejected, the amount of the loan in each case, and the rate of interest applicable to each approved loan.

3. The amount at which the FHA estimated or appraised the value of the property and its actual cost.

4. Projects (identified) in default, indicating length of time.

5. Projects foreclosed (identified), indicating amount involved and disposition made or contemplated.

6. Projects (identified) in which FHA was a stockholder, indicating the extent to which it exercised its rights as a stockholder.

In addition to the foregoing six requests, the section 603, title VI; the section 903, title IX; and the section 213, title II, letters, supra, contain the following additional request:

The number of applicants for whom loans have been insured or guaranteed permitting construction at maximum cost.

In an endeavor to furnish you with as much information as could be assembled at this time in respect to these specific requests, my staff has compiled, and there is attached to this letter, as exhibits A through K, résumés of the operations of FHA under each section of the National Housing Act concerning which you inquired, describing the insurance terms, including the scope of such terms in dollar amounts and maximum loan ratios, the volume of such insurance, the total number of claims paid and dollar amounts of such claims, and the current default situation. These attachments describe the current insurance programs authorized under the respective sections of the National Housing Act. No attempt is made to catalog all of the amendments to any of these sections since the inception of the program.

In addition to the foregoing, I have also obtained information for you with respect to your inquiries in one of the April 30 letters dealing with loans insured or guaranteed by the Federal Housing Administration for home-repair improvements under title I. In this connection you requested the following information:

1. The manner and extent to which lending institutions are insured against losses resulting from loans so that, "where reasonable credit judgment is exercised and the institution makes a fair volume of loans, the insurance coverage afforded is virtually 100-percent guarantee against loss" as stated on page 4, National Housing Act Regulations, title I.

Under title I, section 2, of the National Housing Act the insurance granted by the Commissioner to any approved financial institution is limited to 10 percent of the loans, advances of credit, and purchases made by such financial institutions for financing authorized property improvements. Within this limitation, individual loans are fully insured up to the net proceeds of the loans outstanding. Thus, it is true that an institution is afforded virtually 100-percent guarantee against loss if it uses reasonable credit judgment and makes a fair volume of loans. During the life of the program the number of institutions which have not experienced virtually 100-percent protection is relatively small.

Under title I, loans to finance property improvement may be insured by FHA up to an aggregate amount of $1,750,000,000 in net proceeds outstanding at any one time. Through March 31, 1954, a total of 16,887,755 loans with net proceeds of $7,601,141,120 had been insured by FHA under title I, section 2. It is estimated that the amount outstanding as of March 31, 1954, is $1,484,693,107. As of February 28, 1954, a total of 482,178 claims on defaulted notes in an amount of $151,924,118 had been filed under the title I program.

2. Estimated total of applications indicating the estimated number accepted and the estimated number rejected.

The total applications accepted is in the figures given above on total loans insured. However, information is not available on applications received or rejected. The reason for this is that title I loans are made by approved lending institutions without a prior review by the Federal Housing Administration. Lenders do not submit records on individual loans to the FHA unless a claim is filed.

3. An estimate of the number of loans granted in excess of the actual cost of repair or improvements involved and an estimate of the amount in excess.

For the reasons cited in connection with item No. 2, it is impossible to answer this question. Because of the decentralized nature of the title I operation, FHA has no record of individual loan transactions except when claims were filed. Even if the individual loans files were available, it is doubtful if they would shed light on the question of overcharging. No appraisal of the value of the improvements is made by the lending institutions at the time the loan is originated.

4. An estimate of the number of loans, and the amount involved, for repairs and improvements on homes for which FHA previously had insured (a) construction loans, (b) purchase loans, and (c) both construction and purchase loans.

While, under present procedures, the borrower is required to supply this information to the lender on the credit application, it is not available to FHA. It could only be secured by a review of the files of all qualified title I lending institutions.

I regret that the remainder of the information which you have requested in the above identified letters is beyond the capacity of this Agency to obtain and assemble within a reasonable time without seriously impeding our operations. As you are aware, I now have an investigation under way which includes within its scope all FHA operations, including the programs mentioned in your letters. We have carefully planned a method of approach to this investigation which is designed to achieve maximum results. We are utilizing to the utmost all the help we can obtain to carry these plans into effect. To divert personnel assigned to the investigation in order to obtain all of the material requested would, I am sure, result in completely disrupting our investigative schedule.

It is my sincere conviction that to seriously impede our investigative schedule is not in the public interest. I trust you will, therefore, appreciate my position. We will, of course, extend every assistance by way of making the files of the FHA or this Agency available to your investigators to assist them in compiling the information, and I have issued instructions to the personnel in this office and in all the constituent agencies to make records and files under their jurisdiction available to your staff representatives.

In addition to your requests for specific information of FHA activities under different sections of the National Housing Act and the naming of those who received loans in excess of costs, you have, in your letter of May 3, suggested that all loans and commitments under all programs and under all units within the HHFA, and its constituent agencies, be examined and that all irregularities found be made public. You suggested further that we consider, as a matter of policy, full disclosure of all public records of pertinent information relative to all projects not classified as military security requirements, which are financed by public funds or insured by the Federal Government committing the public credit.

I fully agree that information relating to costs, profits, irregularities, and criminal offenses should be exposed to public opinion. It is our intention to make public the facts that are developed and substantiated as quickly as this can be done without either prejudicing the prosecution of culpable individuals or subjecting the innocent to unfair innuendos. This will include specifically how and why loans which permitted large windfall profits were insured and who was responsible for such approvals and insurance.

We have already adopted a policy of full disclosure of information relating to FHA projects. It is our intention, too, that cost figures developed in the course of investigation be likewise made available for public scrutiny. You will realize, however, that up to this date the principal information that we have as to costs of 608 projects was supplied to us, as I believe it was to your committee, by the Bureau of Internal Revenue, and that we are precluded by statutes from making this information available.

Sincerely yours,

ALBERT M. COLE,
Administrator.

Tabular summary of attachments to letter from Hon. Albert M. Cole, Housing and Home Finance Agency Administrator, dated May 17, 1954

Mortgage insurance under National Housing Act	Number of loans	Number of units	Total authority to insure	Limitations on mortgage insurance	Total loans insured	Total loans outstanding	Foreclosures (through Feb. 28, 1954)			Loans in default (Mar. 31, 1954)
							Number	Outlays from FHA insurance funds		
								Total	Uncovered	
Title I—Sec. 8: Low-income single-family housing.	18,051	18,051	$250,000,000	95 percent appraised value to $5,700 maximum.	$89,700,700	$84,100,000	58	$283,408	$73,558	95
Title II—Sec. 203: 1- to 4-family housing.[1]	2,735,870	2,847,588	13,300,000,000	80 percent appraised value to $16,000 maximum.	17,068,491,085	9,977,274,690	5,051	31,103,777	5,204,636	7,353
Title II—Sec. 207: Rental housing	630	65,552		$5,000,000 or $50,000,000 in State and local projects.	329,201,443	170,494,000	23	18,489,392	2,389,507	
Title II—Sec. 213: Cooperative housing.	7,109	34,199		$5,000,000; 90 percent replacement value and 95 percent for veterans' projects.	325,166,147	259,662,439	2	2,240,098	2,240,098	28
Title VI—Sec. 603: Family housing (expired).	624,653	624,653	6,990,000,000	90 percent estimated value to $18,000 maximum.	3,645,259,907	1,716,000,000	10,146	64,812,006	11,002,910	2,352
Title VI—Sec. 608: Multifamily rental housing (expired).	7,045	465,683		90 percent replacement cost up to $5,000,000.	3,439,771,104	3,034,000,000	273	119,339,992	110,233,420	38
Title VI—Sec. 609: Manufactured housing:										
Manufacturers' loans	11	1,218	150,000,000	90 percent of cost	3,196,482	172,148	67	1,054,694	841,726	
Purchasers' loans	627	627		80 percent of price	1,750,622					
Title VI—Sec. 610: Purchase of Government-owned housing.	3,385	9,061		90 percent appraised value to $5,000,000.	24,462,200	18,487,320	12	47,375	2,475	16
Title VI—Sec. 611: Large-scale single-family housing.	100	2,059		85 percent of value in case of builders; 95 percent for owner-occupants.	12,546,380	1,672,324				
Title VIII—Sec. 803: Military housing.	233	72,689	1,000,000,000	90 percent of replacement cost up to $5,000,000.	585,633,902	575,927,780				1
Title IX—Sec. 903: Individual purchase, critical areas.	42,905	48,984	700,000,000	90 percent of appraised value	378,437,700	370,199,105	22	180,547	180,547	1,937
Title IX—Sec. 908: Rental housing in critical areas.	85	7,604		90 percent of value up to $5,000,000.	56,724,083	56,478,583				
Total	3,440,714	4,197,968	22,450,000,000		25,960,410,755	16,264,468,389	15,654	237,551,289	132,168,877	11,820

[1] Supplied from FHA sources, but not included in the Cole letter.

MAY 21, 1954.

MY DEAR MR. COLE: I have received and noted your letter of May 17 replying to letters from me as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, requesting information on Federal housing programs.

I am replying to that part of your letter which admits that the Federal Housing Administration has not insured loans on the basis of cost and, in fact, has no records as to the cost of the projects for which it insured loans under its numerous mortgage programs totaling $16 billion now outstanding.

To me it is a shocking situation that what is supposed to be a responsible agency of the Government of the United States should commit the faith and credit of the people of the Nation to the insurance of mortgage loans totaling billions of dollars without even keeping a record of the cost of the properties.

The last paragraph of your May 17 letter says, "To this date the principal information that we have as to cost of (section) 608 projects was supplied to us, as I believe it was to your committee, by the Bureau of Internal Revenue, and * * * we are precluded by statutes from making this information available."

By this you admit that the "principal information" you have as to the costs of those projects constructed under section 608 of the National Housing Act with outstanding loans insured by FHA totaling $3 billion has come from the committee's source, which was the Bureau of Internal Revenue, and

because of the source you are precluded by law from making it public.

In the next to the last paragraph of your May 17 letter, you say:

"I fully agree that information relating to costs, profits, irregularities and criminal offenses should be exposed to public opinion. It is our intention to make public the facts that are developed and substantiated as quickly as this can be done without either prejudicing the prosecution of culpable individuals or subjecting the innocent to unfair innuendos. This will include specifically how and why loans which permitted large windfall profits were insured and who was responsible for such approvals."

You have been Housing and Home Finance Administrator with responsibility to act since March 9, 1953. You have had knowledge of the situation certainly since I called it to your attention last July 1. In view of your agreement that the facts should be made public, it is incomprehensible to me that, at this late date, you should say the Bureau of Internal Revenue is still the principal source of your information.

I repeat, in justice to all concerned, including taxpayers upon whom any losses will fall if these projects cease to be profitable, you should publicly identify the borrowers who profiteered on excessive loans which are now the basis for higher rentals and prices.

I submit it is your public duty expeditiously to make public the identity of those who, through loans insured by agencies now under your supervision, have benefited from unconscionable and unwarranted private profit at public risk.

In this connection, information is requested as to what steps you are now taking to see that cost information is ascertained in consideration of future loans, and that it will be a factor in the determination of the amount of the loan to be insured.

Cordially yours,

HARRY F. BYRD,
Chairman.

ADDITIONAL STATEMENT BY SENATOR BYRD

The Federal Housing Administration has insured everyone involved against loss, except the borrower, in 17 million repair or improvement loans totaling $7.6 billion without any prior appraisal.

This amazing revelation has been made to the Joint Committee on Reduction of Nonessential Federal Expenditures by Mr. Albert M. Cole, Administrator of the Housing and Home Finance Agency, in response to committee inquiries into Federal housing scandals.

He said FHA aproved lending institutions are "afforded virtually 100 percent guarantee against loss" under title I repair and improvement program; that lending institutions make "no appraisal of the value of the improvements" at the time the loan is made, and that the loans are made "without prior review by the Federal Housing Administration."

The FHA itself, according to Mr. Cole, has no record of these loans, except in cases where the lending institutions have filed claims on defaulted notes.

Mr. Cole outlined the fiscal record on this program as follows:

1. Under the law $1,700,000,000 in loans can be outstanding at any one time.

2. Through March 31, 16,887,775 loans had been made aggregating $7,601,141,120.

3. As of March 31, loans outstanding totaled $1,484,693,107.

4. As of February 28, lending institutions had filed 482,178 claims of defaulted notes totaling $151,924,118.

This program, under which the FHA insures the lending institution against loss, rather than insuring the loan, is the program that Assistant Attorney General Warren Olney described as exploited by organized groups of swindlers, thieves, and crooked salesmen to cheat and defraud literally thousands of small-home owners, and as ruinous to legitimate dealers.

Mr. Cole said that from the records on these loans there is virtually no way of telling whether they were in excess of costs, and neither could it be determined from FHA records whether repair and improvement loans and other FHA-insured loans were running simultaneously on the same property.

In his latest letter Mr. Cole reiterated his prior admission that FHA records do not readily disclose the identity of borrowers for whom FHA has insured construction loans in excess of costs, and in his previous letter he set forth the formula which demonstrated that excess loans result in higher rents.

Mr. Cole further revealed to the committee that in 12 FHA construction and purchase programs through February of this year there have been more than 10,600 foreclosures involving $206 million at a net loss of $126.7 million, and that loans in default totaled more than 4,000.

With $16.2 billion still outstanding in 3.4 million FHA-insured loans, exclusive of repair and improvement loans, the whole story on foreclosures and defalcations is still far from complete.

COLE LETTER EXTRACT

Mr. President, on April 21, 1954, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I wrote to Mr. Arthur M. Cole, Administrator, Housing and Home Finance Agency, making four inquiries with reference to rental rates under jurisdiction of the Federal Housing Administration. These inquiries follow:

1. The extent to which FHA fixes and controls rental rates on properties financed with funds insured under FHA programs.

2. The factors on which rental rates are based for projects financed with loans guaranteed under FHA programs. For instance, would the rate be higher as the result of a loan in excess of costs than it would be if the loan had been even with the cost or less?

3. A schedule of typical rental rates on comparable projects where: (a) The project was built with an FHA guaranteed loan in excess of cost, (b) the project was built with an FHA guaranteed loan less than cost, (c) the project was built without FHA-insured loans.

4. A list of FHA properties, their location and their size, where rents have been allowed to increase over the original rates, and a statement of policy and specific justification controlling these cases. A complete list of all such properties would be more desirable but a partial list will be temporarily acceptable if this is necessary to expedite reply.

I am now in receipt of a reply to this letter, signed by Mr. Cole. The letter runs to more than seven pages of single spaced type, and I shall not burden the RECORD with the full text.

In substance, the letter leaves no doubt that—

1. It is the general policy of FHA to base the rental rates it fixes on its own estimate of project replacement costs, which in hundreds of cases are known to have been far in excess of actual cost.

2. Higher rents are permissible under FHA's general policy if it estimated replacement costs above actual cost.

3. In percentage of actual cost the sponsor's income from rents is higher if he pocketed some of the federally insured loans.

Mr. Cole makes it clear that—

"The rentals approved are fixed in an amount which, at 93 percent occupancy, will yield the appropriate net return on the estimated replacement cost of the residential portion of the project (including garages and land) plus required working capital."

He said "this applies to all sections of the National Housing Act, with the exception of title VIII, military housing, where the rents are fixed in the certificate of need filed by the military." The Secretary of Defense has been requested to advise the committee of its rent-fixing policy.

The "appropriate net return" for projects under the 608 program, according to Mr. Cole, has been found by FHA to be 6½ percent of what it estimated their "replacement costs" to be, including land after deductions for operating expenses, reserve for replacements, taxes, ground rents, if any, and management costs, and assuming an occupancy of 93 percent.

The "appropriate net return" for residential rental projects under section 207, according to Mr. Cole, has been found by FHA to be 7¼ percent on what it estimated the "replacement cost" to be, including cash working capital calculated after operating costs, taxes, and replacements of reserve requirements.

Speaking directly to rents authorized for the 608 projects, Mr. Cole said: "If FHA's estimate of cost exceeded the sponsor's actual cost, the permissible rentals would be higher."

Breaking down the factors in a hypothetical example to which the 6½-percent net return formula was applied, Mr. Cole said, "As the rents established are keyed directly to FHA estimate of cost, it is obvious that if the builders produced the units at less than our cost, then the income will exceed 6½ percent net return."

Against the general policy background, Mr. Cole noted some qualifications and variations with respect to rentals fixed by FHA for projects under three other programs financed with loans insured under sections 610, 903, and 908.

The committee was advised that a complete list of cases in which FHA has granted rent increases was not immediately available, but, without reference to the programs under which they were sponsored, Mr. Cole listed 12 projects "picked at random" in which authorized increases range from 25 cents to $2.40 per room per month. (See pp. 4 and 5 of the Cole letter.)

Mr. Cole said an FHA field director is not permitted to authorize an increase in rents after initial occupancy without first obtaining the prior approval of the Washington office.

Mr. Cole said an FHA "field director is not permitted to authorize an increase in rents after initial occupancy without first obtaining the prior approval of the Washington office."

The committee was advised that a complete list of cases in which FHA has granted rent increases was not immediately available, but without reference to the programs under which they were sponsored Mr. Cole listed 12 projects picked at random in which authorized increases range from 25 cents to $2.40 per room per month. The 12 projects he listed follow:

1. Project No. 034–42053, Church Lane Village, Philadelphia, Pa. (41 units, 173 rooms): An average rental increase of $1.84 per room per month was granted on June 9, 1953, due to an increase in operating expenses principally heating, payroll, and real-estate taxes.

2. Project No. 073–42091, Village Garden Homes, Inc., Fort Wayne, Ind. (56 units, 238 rooms): An average rental increase of 98 cents per room per month was granted on April 14. 1953, by reason of increase in real-estate taxes, water expense, electricity, and maintenance expenses.

3. Project No. 052–42006, Drumcastle Apartments, Baltimore, Md. (254 units, 1,207 rooms): An average rental increase of $1.01 per room per month was granted on April 21,

1953, due to an overall increase in operating cost, principally real-estate taxes and heating expenses.

4. Project No. 126–42002, Oswego Lake Shore Apartments, Oswego, Oreg. (57 units, 257 rooms): An average rental increase of 69 cents per room per month was granted on December 2, 1953, by reason of increase in cost of fuel, lighting, water, real-estate taxes, and ground expense.

5. Project No. 122–42229, Baldwin Gardens, Los Angeles, Calif. (400 units, 1,722 rooms): An average rental increase of 93 cents per room per month was approved December 9, 1953, to cover increase cost of utilities, maintenance expenses, and real-estate taxes.

6. Project No. 127–42006, C. and K. (Lakeview Boulevard Apartments), Seattle, Wash. 18 units, 84 rooms): An average rental increase of $1.27 per room per month was granted on November 10, 1953, by reason of increase in real-estate taxes.

7. Project No. 062–42099, Aview Apartments, Montgomery, Ala. (22 units, 70 rooms): An average rental increase of 63 cents per room per month was granted November 5, 1952, by reason of increase in water rates, garbage collection fee, and sewer charges levied by the city of Montgomery, Ala.

8. Project No. 053–42065, Clearview Housing Corp., Durham, N. C. (148 units, 592 rooms): An average rental increase of 75 cents per room per month was granted March 31, 1954, due to increase in charge made by city of Durham for water and sewer services.

9. Project No. 083–42037, Arcadia Apartments, Louisville, Ky. (224 units, 896 rooms): An average rental increase of 25 cents per room per month was granted on January 28, 1954, to cover increase in real-estate taxes.

10. Project No. 031–40078, Fairlawn Park Estates, section I, Fairlawn, N. J. (203 units, 763 rooms): An average increase of $1.52 per room per month was granted on March 16, 1954, principally by reason of increase in real-estate taxes, heating costs, payroll, and water charges.

11. Project No. 012–42252, Hastings Gardens, Inc., Brooklyn, N. Y. (82 units, 299 rooms): An average rental increase of 91 cents per room per month was granted on February 4, 1954, principally by reason of increase in real-estate taxes, heating costs, payroll, and water charges.

12. Project No. 014–42043, Minden Court, Inc., Binghamton, N. Y. (18 units, 90 rooms).

THE DISTRICT OF COLUMBIA CORPORATION ACT OF 1954

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 516, House bill 3704.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). The clerk will state the bill by title.

Th LEGISLATIVE CLERK. A bill (H. R. 3704) to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

Mr. CASE obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. KNOWLAND. Have the amendments which were suggested by the Senators from Delaware now been proposed?

Mr. CASE. I am prepared to offer amendments which meet the objection of the Senators from Delaware, as I understand their objection. The amendments, however, will be offered separately; they are not contained in the print of the bill.

As chairman of the Committee on the District of Columbia, I desire to ask that the amendments which are printed in the bill be considered en bloc, and that the bill with the committee amendments be considered as the original text of the bill, so that the difficulty of considering amendments in the third degree will not be encountered. The amendments to the bill as reported by the committee are largely technical in nature. But I shall offer separately amendments designed to meet the objections of the Senators from Delaware.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). Is there objection? The Chair hears none, and it is so ordered. The committee amendments will therefore be considered to have been agreed to en bloc.

The amendments agreed to en bloc are as follows:

In the table of contents, after "Sec. 75", to strike out "Sec. 76. Rights of dissenting shareholders"; in the next succeeding lines, to change the section numbers, as follows: "77" to "76"; "78" to "77"; "79" to "78"; "80" to "79"; "81" to "80; "82" to "81"; "83" to "82"; "84" to "83"; "85" to "84"; "86" to "85"; "87" to "86"; "88" to "87"; "89" to "88"; "90" to "89"; "91" to "90"; "92" to "91"; "93" to "92"; "94" to "93"; "95" to "94"; "96" to "95"; "97" to "96"; "98" to 97"; "99" to "98"; "100" to "99"; "101" to "100"; "102" to "101"; "103" to "102"; "104" to "103"; "105" to "104"; "106" to "105"; "107" to "106"; "108" to "107"; "109" to "108"; "110" to "109"; "111" to "110"; "112" to "111"; "113" to "112"; "114" to "113"; "115" to "114"; "116" to "115"; "117" to "116"; "118" to "117"; "119" to "118"; "120" to "119"; "121" to "120"; "122" to "121", and in the same line, after the amendment just above stated, to strike out "Fees, franchise" and insert "Fees"; in the succeeding lines, to change the section numbers, as follows: "123" to "122"; "124" to "123"; "125" to "124"; "126" to "125"; "127" to "126"; "128" to "127"; "129" to "128"; "130" to "129"; "131" to "130"; "132" to "131"; "133" to "132"; "134" to "133"; "135" to "134"; "136" to "135"; "137" to "136"; "138" to "137"; "139" to "138"; "140" to "139"; "141" to "140"; "142" to "141"; "143" to "142"; "144" to "143"; "145" to "144"; "146" to "145"; "147" to "146"; then add a new section, as follows:

"SEC. 147. Appropriation of funds."

On page 5, line 7, after the word "corporation", to insert "except as used in section 143 of this act"; on page 8, after line 8, to strike out:

"(s) 'Business by a foreign corporation' means the transaction of some substantial part of its corporate business, continuous in its character and not merely casual or occasional, and shall not include the prosecution of litigations, collection of its debts, or the taking of security for the same, or the appointment of an agent for the solicitation of business not transacted in the District: *Provided*, That mere procurement of orders for the sale of personal property by means of telephonic communication, written correspondence, or solicitation by salesmen in the District where such orders require acceptance without the District before becoming binding on the purchaser and seller and title to such property passes from the seller to the purchaser without the District shall not constitute transacting business within the District: *And provided further*, That the sale of personal property to the United States shall not be considered transacting business within the District unless a contract for such sale is accepted by the seller within the District or such property is delivered from stock of the seller within the District for use within the District."

On page 10, line 22, after the word "income", to strike out "No corporation formed hereunder shall plead any statutes against usury in any court of law or equity in any suit instituted to enforce the payment of any bond, note, or other evidence of indebtedness issued or assumed by it."; on page 16, line 11, after the word "this", to strike out "Act." and insert "Act;"

"(d) shall not indicate, nor shall any statement be made, that the corporation is organized under an act of Congress."; on page 25, line 9, to strike out "office;" and insert "office."; after line 9, to strike out:

"(3) return the other duplicate original to the corporation or its representative."

In line 12, after the word "original", to strike out "returned by the Commissioners"; on page 30, line 7, after the word "in", to strike out "(a)" and insert "(1)"; in the same line, after the amendment just above stated, to strike out "(b)" and insert "(2)"; in line 8, after the word "and" to strike out "(c)" and insert "(3)" on page 57, line 1, after "(f)" to strike out "The" and insert "A statement that the"; on page 59, line 1, after the word "recorded" to insert "by the Commissioners"; on page 63, line 16, after "(a)" to strike out "Amended" and insert "Amendments to the" on page 64, line 11, after the word "original" to strike out "returned by the Commissioners"; on page 71, line 24, to strike out "office;" and insert "office."; at the top of page 72, to strike out:

"(3) return the other duplicate original to the corporation or its representative."

In line 3, after the word "original", to strike out "returned by the Commissioners"; on page 74, line 11, after the word "original", to strike out "returned by the Commissioners"; on page 77, line 3, after the word "original" to strike out "returned by the Commissioners"; on page 82, line 7, after the word "original" to strike out "which shall then be filed for record in the office of the Recorder of Deeds"; after line 8, to insert:

"(c) The certificate of merger or certificate of consolidation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds."

On page 87, line 16, after the word "original", to strike out "which certificate shall then be recorded in the office of the Recorder of Deeds"; after line 18 to insert:

"(b) The certificate of merger or certificate of consolidation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds."

In line 22, to change the subsection letter from "(b)" to "(c)"; on page 93, after line 10, to strike out:

"RIGHTS OF DISSENTING SHAREHOLDERS

"SEC. 76. (a) If a shareholder shall file with the corporation, prior to or at the meeting of shareholders at which a sale or exchange of all or substantially all of the property and assets of a corporation, is submitted to a vote, a written objection to such sale or exchange, and shall not vote in favor thereof, and such shareholder, within 20 days after the vote was taken, shall make written demand on the corporation for the payment to him of the fair value of his shares as of the day prior to the date on which the vote was taken, the corporation shall pay to such shareholder, upon surrender of his certificate

or certificates representing said shares, such fair value thereof. Such demand shall state the number and class of the shares owned by such dissenting shareholder. Any shareholder failing to make demand within the 20-day period shall be bound by the terms of the sale or exchange.

"(b) If, within 30 days after the date on which such vote was taken, the value of such shares is agreed upon between the dissenting shareholder and the corporation, the corporation shall make payment of the agreed value within 90 days after the date on which the vote was taken authorizing the sale or exchange, upon the surrender of his certificate or certificates representing said shares. Upon payment of the agreed value, the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

"(c) If within such period of 30 days the shareholder and the corporation do not so agree, then the dissenting shareholder may, within 60 days after the expiration of the 30-day period, file a petition in any court of competent jurisdiction within the District of Columbia, asking for a finding and determination of the fair value of such shares, and shall be entitled to judgment against the corporation for the amount of such fair value as of the day prior to the date on which such vote was taken, together with interest thereon at the rate of 5 percent per annum to the date of such judgment. The judgment shall be payable only upon and simultaneously with the surrender to the corporation of the certificate or certificates representing said shares. Upon the payment of the judgment, the dissenting shareholder shall cease to have any interest in such shares or in the corporation. Unless the dissenting shareholder shall file such petition within the time herein limited, such shareholder and all persons claiming under him shall be bound by the terms of the sale or exchange."

On page 95, line 9, to change the section number from "77" to "76"; on page 96, line 9, after the word "all", to strike out "franchise taxes, fees," and insert "fees"; in line 17, after the word "original," to strike out "which shall be recorded in the office of the Recorder of Deeds"; after line 18 to insert:

"(c) The certificate of dissolution, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds."

In line 22, to change the subsection letter from "(c)" to "(d)"; on page 97, line 2, to change the section number from "78" to "77"; in line 22, to change the section number from "79" to "78"; on page 99, line 10, to change the section number from "80" to "79"; in line 14, after the word "all" to strike out "franchise taxes, fees," and insert "fees"; in line 23, to change the section number from "81" to "80"; on page 100, line 5, to change the section number from "82" to "81"; in line 23, to change the section number from "83" to "82"; on page 101, line 24, to change the section number from "84" to "83"; on page 103, line 14, to change the section number from "85" to "84"; on page 104, line 3, to change the section number from "86" to "85"; in line 10, to change the section number from "87" to "86"; on page 105, line 9, to change the section number from "88" to "87"; in line 21, after "(b)", to strike out "They shall return the certificate of dissolution, with a duplicate original of the articles of dissolution thereto affixed, which shall be filed for record in the office of the Recorder of Deeds" and insert "The certificate of dissolution, together with the duplicate original of the articles of dissolution affixed thereto, shall be recorded in the office of the Recorder of Deeds."; on page 106, line 8, to change the section number from "89" to "88"; in line 23, to change the section number from "90" to "89"; on page 108, line 3, to change the section number from "91" to "90"; in line 20, to change the section number from "92" to "91"; on page 110, line 6, to change the section number from "93" to "92"; in line 10, to change the section number from "94" to "93"; on page 111, line 2, change the section number from "95" to "94"; in line 10, to change the section number from "96" to "95"; in line 22, to change the section number from "97" to "96"; on page 112, line 5, to change the section number from "98" to "97"; on page 113, line 2, to change the section number from "99" to "98"; on page 114, line 8, to change the section number from "100" to "99"; after line 24, to insert:

"(b) A foreign corporation shall not be required to procure a certificate of authority merely for the prosecution of litigation, the collection of its debts, or the taking of security for the same, or by reason of the appointment of an agent for the solicitation of business not to be transacted in the District, nor for the sale of personal property to the United States within the District of Columbia unless a contract for such sale is accepted by the seller within the District or such property is delivered from stock of the seller within the District for use within the District."

On page 115, line 11, to change the section number from "101" to "100"; on page 116, line 2, to change the section number from "102" to "101"; in line 20, to change the section number from "103" to "102"; on page 117, line 5, to change the section number from "104" to "103"; on page 118, after line 14, to strike out:

"(k) A statement of the amount of stated capital and the amount of paid-in surplus of the corporation, as defined in this act."

In line 18, to change the subsection letter from "(l)" to "(k)"; on page 119, line 5, to change the section number from "105" to "104"; on page 120, line 2, after the word "be", to strike out "returned to the corporation or its representative" and insert "recorded in the office of the Recorder of Deeds"; in line 5, to change the section number from "106" to "105"; in line 13, to change the section number from "107" to "106"; on page 121, line 8, to change the section number from "108" to "107"; on page 122, line 20, after "(3)", to strike out "return the other duplicate original to the corporation or its representative" and insert "the other duplicate original shall be recorded in the office of the Recorder of Deeds"; on page 123, line 4, to change the section number from "109" to "108"; on page 124, line 23, to change the section number from "110" to "109"; on page 125, line 12, to change the section number from "111" to "110"; on page 126, line 2, to change the section number from "112" to "111"; in line 16, to change the section number from "113" to "112"; on page 128, line 6, to change the section number from "114" to "113"; on page 129, line 18, to change the section number from "115" to "114"; on page 130, after line 8, after "(b)", to strike out "The Commissioners shall return such certificate of withdrawal with a duplicate original of the application for withdrawal thereto affixed to the corporation or its representative.", and insert "The certificate of withdrawal, together with the duplicate original of the application for withdrawal affixed thereto, shall be recorded in the office of the Recorder of Deeds."; in line 18, to change the section number from "116" to "115"; on page 132, line 2, to change the section number from "117" to "116"; in line 7, after the word "revocation", to strike out "accompanied by one of such certificates", and insert "The certificate of revocation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds"; in line 16, to change the section number from "118" to "117"; on page 133, line 3, to change the section number from "119" to "118"; in line 16, to change the section number from "120" to "119"; on page 135, line 2, to change the section number from "121" to "120"; on page 137, at the beginning of line 1, to strike out "Fees, Franchise" and insert "Fees"; after line 1, to strike out "Sec. 122. (a) The Commissioners shall charge in accordance with the provisions of this act" and insert "Sec. 121. (a) There are hereby imposed the following fees and charges:"; after line 7, to strike out "(3)" franchise taxes;"; at the beginning of line 9, to strike out "(4)" and insert "(3)"; on page 140, line 10, after "(3)", to strike out "For filing an agreement of consolidation or an agreement of merger, $20: *Provided*, That" and insert "Upon filing of an agreement of consolidation or an agreement of merger,"; on page 141, line 4, after the word "District", to strike out "and each domestic corporation"; after line 8, to insert:

"(e) Each domestic corporation organized, incorporated, or reincorporated under the provisions of this act shall pay, at the rate hereinafter set out, an annual report fee based upon the amount of its total authorized capital stock on the 15th day of March immediately preceding the date on which such annual report is due to be filed. The annual report fee shall be paid at the time of filing the annual report required of such corporations under the provisions of this act. The amount of the annual report fee shall be as follows:

"Where the total authorized capital stock does not exceed $25,000, $15; where the total authorized capital stock exceeds $25,000, but does not exceed $100,000, $25; where the total authorized capital stock exceeds $100,000, but does not exceed $300,000, $40; where the total authorized capital stock exceeds $300,000, but does not exceed $500,000, $70; where the total authorized capital stock exceeds $500,000, but does not exceed $1,000,000, $100; and a further sum of $50 for each $1,000,000, or fraction thereof, in excess of $1,000,000. Shares without par value, for the purpose of ascertaining the amount of the annual report fee, but for no other purpose, shall be taken to be of the par value of $50 each.

"(f) In the case of a newly organized corporation, the amount of the annual report fee to be paid at the time of the filing of its first annual report shall be an amount at the rates provided in subsection (e) of this section prorated on a monthly basis for the period from the date its certificate of incorporation or reincorporation was filed with the Commissioners to the April 15 on which said first annual report is due to be filed.

"(g) If the annual report fee of any domestic corporation is unpaid on the April 15 on which the same is due, the annual report fee shall bear interest at the rate of 1 percent per month until paid."

On page 142, line 20, to change the subsection letter from "(c)" to "(h)"; on page 143, line 3, to change the section number from "123" to "122"; in line 16, to change the section number from "124" to "123"; on page 146, line 6, to change the section number from "125" to "124"; in line 15, to change the section number "126" to "125"; on page 147, line 4, to change the section number from "127" to "126"; in line 16, to change the section number from "128" to "127"; in line 19, after the word "be", to insert "plus interest thereon as provided by this Act"; on page 148, line 10, to change the section number from "129" to "128"; in line 17, to change the section number from "130" to "129"; on page 149, line 2, to change the section number from "131" to "130"; in line 16, to change the section number from "132" to "131"; in line 25, to change the section number from "133" to "132"; on page 150, line 17, to change the section number from "134" to "133"; in line 23, to change the section number from "135" to "134"; on page 151, line 7, to change the section number from "136" to "135"; in line 14, to change the section number from "137" to "136"; on page 152, line 5, to change the section number from "138" to "137"; on page 153, line 19, to change the section number from "139" to "138"; on page 154, line 8,

to change the section number from "140" to "139"; in line 13, to change the section number from "141" to "140"; in line 23, to change the section number from "142" to "141"; on page 158, line 1, after the word "duplicate" to strike out "original which shall be filed for record in the office of the Recorder of Deeds;" and insert "original"; in line 4, to strike out "or"; after line 4 to insert:

"(f) The certificate of reincorporation, together with the duplicate original of the articles of reincorporation affixed thereto, shall be recorded in the office of the Recorder of Deeds."

On page 160, line 11, to change the section number from "143" to "142"; line 11, after the word "initial", to strike out "franchise" and insert "license"; on page 161, line 14, to change the section number from "144" to "143"; on page 162, line 20, after the word "Congress" to insert "authorizing the formation of corporations under the laws of the District of Columbia"; on page 163, line 8, after the word "original", to strike out "returned by the Commissioners"; in line 10, after the word "Deeds", to strike out the comma and "and he shall charge the usual fee for recordation as for deeds of real estate"; on page 164, line 4, to change the section number from "145" to "144"; in line 8, to change the section number from "146" to "145"; in line 13, to change the section number from "147" to "146"; and after line 17, to insert:

"APPROPRIATION OF FUNDS

"SEC. 147. There are hereby authorized to be appropriated from any moneys in the Treasury of the United States to the credit of the District of Columbia, such amounts as may be necessary to carry into effect the provisions of this act."

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CASE. First, I desire to speak briefly about the bill and state what it proposes to accomplish.

The bill is necessary because the District of Columbia has a very obsolete corporation act. At present, it contains no provisions whatsoever for such normal, customary, and necessary procedures as mergers, consolidations, and reorganizations. Neither does it permit District of Columbia corporations to issue no par stock, to purchase the stock of other corporations, or to have more than a single corporate purpose. A District of Columbia corporation at present may not buy, sell, or deal in real estate, except corporations engaged in business as real estate agents or brokers. Not only are directors required to be stockholders, but a majority must be citizens of the District. Because many persons who do business in the District live outside its borders, in nearby Maryland or Virginia suburbs, this provision is restrictive. The result is that the provisions of the present law are so onerous that very few corporations are formed in the District of Columbia.

The bill, as reported, is patterned after the model corporation law prepared by the American Bar Association in 1946. It is similar, in most respects, to the business corporation statutes of Delaware, Maryland, and Illinois. It prescribes the procedures for incorporation, qualification of foreign corporations, consolidation, merger, and dissolution. It contains provisions regarding capital stock, dividends, and amendments, reduction of capital, registered agents, rights of stockholders, directors, officers, and annual reports.

The bill was unanimously reported by the Committee on the District of Columbia. After it was reported last year objection was made by the Senators from Delaware. Because of their objections, the bill was passed over on the Consent Calendar.

Some weeks ago the chairman of the Committee on the District of Columbia felt that it might be helpful if the authorities in the State of Delaware were contacted with reference to the factors on which the objections by the Senators from Delaware had been based, in order to see if it might not be possible to draft a bill which would meet the needs of the District of Columbia.

Consequently Mr. William Gulledge, assistant counsel for the Committee on the District of Columbia, and the clerk of the committee, Mr. Robert C. Albrook, went to Delaware and conferred with the Secretary of State, the Attorney General, and other State officials in order to work out satisfactory amendments, which I now desire to offer, and which I understand meet the objections of the Senators from Delaware.

The amendments are as follows:

On page 9, line 14, strike the period after the word "corporations" and in lieu thereof insert a colon and the following proviso: "*Provided further*, That no corporation may be organized under this act unless the place where it conducts its principal business is located within the District of Columbia."

On page 142, line 7, strike the figure "$50" and in lieu thereof insert the figure "$100."

Mr. President, for myself, and on behalf of the Senator from Wyoming [Mr. BARRETT], the Senator from Maryland [Mr. BEALL], the Senator from Maine [Mr. PAYNE], the Senator from West Virginia [Mr. NEELY], the Senator from Montana [Mr. MANSFIELD], the Senator from Ohio [Mr. BURKE], and the Senator from Oregon [Mr. MORSE], I offer the amendments and ask that they be read.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 9, line 14, it is proposed to strike the period after the word "corporations" and in lieu thereof insert a colon and the following proviso:

Provided further, That no corporation may be organized under this act unless the place where it conducts its principal business is located within the District of Columbia.

On page 142, line 7, strike the figure "$50" and in lieu thereof insert the figure "$100."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from South Dakota, for himself and on behalf of other Senators.

Mr. WILLIAMS. Mr. President, I know I am speaking for my colleague, the distinguished junior Senator from Delaware [Mr. FREAR], when I express our appreciation to the Committee on the District of Columbia for the effort which was put forth to solve this problem in cooperation with officials of the State of Delaware.

As has been stated by the chairman of the committee, with the adoption of the amendments, the junior Senator from Delaware and I have no objection to the passage of the bill. We think the bill will effect a long-overdue revision of the corporation law of the District of Columbia.

Mr. CASE. I appreciate the remarks of the distinguished Senator from Delaware.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. FREAR. I heartily concur in the statement made by my colleague, the distinguished senior Senator from Delaware [Mr. WILLIAMS].

Mr. CASE. I thank the distinguished junior Senator from Delaware.

The first amendment provides that no corporation may be organized under this act unless the place where it conducts its principal business is located within the District of Columbia. Although this is a fairly restrictive provision—and one not found in the laws of any State that I know of—it still permits full local operation of this law. It will make possible the incorporation of companies which have their home offices and headquarters here and do a substantial portion of their business in the District. The amendment has been discussed with leaders of the bar association here and the Corporation Counsel of the District, and they are agreed that rather than get no modernization of their 50-year-old, unworkable corporation statute, they would not object to this restriction.

The second amendment merely increases the assigned value of no par stock from $50 to $100 for purposes of ascertaining the amount of the annual report fee prescribed by the bill. This will bring that figure into line with the provisions of the Delaware statute.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from South Dakota, for himself and on behalf of other Senators.

The amendments were agreed to.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks, prior to the passage of the bill, a letter I have received from Mr. Alfred Heuston, chairman of the section of corporation, banking, and business law, of the American Bar Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION,
SECTION OF CORPORATION,
BANKING AND BUSINESS LAW,
February 2, 1954.

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CASE: I would like to call your attention to the very serious need for the adoption, at this session of Congress, of H. R. 3704 which has passed the House and has been reported favorably by the Senate Committee on the District of Columbia.

The Bar Association of the District of Columbia has been endeavoring for many years to revise the antiquated corporation laws of the District of Columbia. Albert Philipson, Esq., chairman of the Corporation Law Committee of the District of Columbia Bar Association, has summarized very well the inadequacies of the present District laws in his letter dated March 17, 1953, addressed to

Representative Simpson. His letter is printed in report No. 198 submitted by the Committee on the District of Columbia of the House of Representatives.

It is unfortunate that the District of Columbia corporation laws have not long ago been modernized so that it is feasible for corporations to be formed there. All of us, even though not residents of the District of Columbia, have an interest in our National Capital and its laws.

H. R. 3704 proposes a corporation act which is patterned on the Model Business Corporation Act prepared by the Committee on Corporate Laws of the American Bar Association. It is a sound and practical act which is in keeping with the recent trends of law revision. The new corporation laws of Wisconsin (1951) and Oregon (1953) are also patterned on the Model Business Corporation Act and many of its provisions are contained in the 1950 revision of Maryland corporation laws. In addition, the State of Texas has pending before its legislature a revision of its corporation laws which is based upon the model act.

I urge you to see that this matter is presented for action by the Senate at this session of Congress. Enactment of H. R. 3704 may bring back to the District of Columbia many of the corporations which have avoided incorporation under its laws because of their antiquated provisions.

Very truly yours,

ALFRED HEUSTON.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REGULATION OF ADOPTION PROCEDURE IN THE DISTRICT OF COLUMBIA

Mr. KNOWLAND. Mr. President, as I understand, the unfinished business of the Senate is the civil functions appropriation bill.

The PRESIDING OFFICER. The Chair has not yet laid the unfinished business before the Senate.

Mr. KNOWLAND. Then I should like to have the Senate consider a series of bills which were held over from yesterday.

Mr. President, I now ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of calendar 1384, H. R. 7061, a bill to prescribe and regulate the procedure for adoption in the District of Columbia.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 7061) to prescribe and regulate the procedure for adoption in the District of Columbia.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, for the information of the Senate, I desire to make a brief statement. When the Senate has disposed of Calendar No. 1384, H. R. 7061, I shall ask unanimous consent that the unfinished business, the civil functions appropriations bill be temporarily laid aside in order that there may be considered Calendar No. 1385, a bill (H. R. 7062) to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia; Calendar No. 1388, a bill (S. 3387) to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes; and Calendar No. 512, a bill (H. R. 1026) to amend the Public Health Service Act, with respect to the provisions of certain medical and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service and for dependents and widows of officers and employees of such Service.

REGULATION OF ADOPTION PROCEDURE IN THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 7061) to prescribe and regulate the procedure for adoption in the District of Columbia.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. BEALL. Mr. President, similar proposed legislation was introduced in the Senate, but the Senate Committee on the District of Columbia agreed to substitute the House bill.

The purpose of this bill is to revise existing law governing adoptions in the District of Columbia. Since August 25, 1937, new and modern concepts of adoption law and procedures have developed, and it seems desirable to establish these principles and procedures in the law. This bill, therefore, would repeal the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937, and set up a new and up-to-date law.

Hearings were held on this bill, and it has the approval and support of the various private and public welfare agencies, the District of Columbia Bar Association, Federation of Churches, and the like. All those organizations are in favor of the bill, and I ask that it be passed.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendments, the question is on the third reading of the bill.

The bill (H. R. 7061) was ordered to a third reading, read the third time, and passed.

PLACEMENT OF CHILDREN IN FAMILY HOMES IN THE DISTRICT OF COLUMBIA

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 7062, which is Calendar No. 1385.

There being no objection, the Senate proceeded to consider the bill (H. R. 7062) to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. BEALL. Mr. President, the bill is a companion bill to H. R. 7061, which the Senate just passed. It spells out more clearly and simplifies some of the provisions of legislation on the subject which has heretofore been in effect. I urge the passage of the bill.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BEALL. I yield to the Senator from South Dakota.

Mr. CASE. The bill which was just passed deals with the actual adoption of children. The bill under consideration is a companion bill, is it not, which fits into the legislation just passed?

Mr. BEALL. The purpose of the bill is to amend existing law which regulates the placement of children in family homes in the District of Columbia. Present law provides for a committee appointed by the Commissioners of the District to draft rules and regulations, such committee to consist of representatives of the then existing five child-placing agencies. There are now eight such agencies, and it is believed that all agencies should be represented on the committee, and in addition the medical and legal professions.

Mr. CASE. The bill relates to the foster homes, family homes, and agencies which help children, does it not?

Mr. BEALL. Yes, and the bill provides that members of the different agencies shall be appointed to a committee which will approve the placement of children.

I ask that the bill be favorably considered.

The PRESIDING OFFICER (Mr. BARRETT in the chair). If no amendments are to be offered, the question is on the third reading and passage of the bill.

The bill (H. R. 7062) was ordered to a third reading, read the third time, and passed.

REGULATION OF PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1388, Senate bill 3387.

There being no objection, the Senate proceeded to consider the bill (S. 3387) to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments.

Mr. KNOWLAND. Mr. President, may we have an explanation?

Mr. PAYNE. Mr. President, the bill embodies some of the recommendations made by a special investigating subcommittee of the District Committee following a 6 months' study and investigation of public transportation serving the District of Columbia. In addition to the extensive record of those 6 months, a special hearing was held by a regular

subcommittee of the District Committee on this bill, and 2 of the more controversial features of it were eliminated. Thus the committee feels that this bill represents the least controversial proposals to come out of its investigation.

I may say that sections 101, 102, 104, and 105 are principally clarifying sections, intended to clear up ambiguities or inconsistencies in present law, and not to make substantial or important substantive changes in the law. They are explained in the report.

Section 103 requires anyone obtaining control of a local public utility to secure the prior approval of the Public Utilities Commission, which is to determine if such acquisition would be in the public interest. Standards are set forth.

Section 106 authorizes the PUC to employ a transit engineer.

Section 107 increases salaries of the two civilian members of the commission from $11,500 to $13,000, and authorizes designation of an assistant engineer commissioner to act for the engineer commissioner on the PUC.

Section 201 would give the PUC power to set school fares at not more than half the established cash fare. School fares for years have been frozen by law at the unrealistic rate of 3 cents. This provision was proposed in a bill introduced last year by the Senator from Florida [Mr. HOLLAND], and is incorporated in Senate bill 3387.

The PRESIDING OFFICER. An amendment was offered by the Senator from Maine [Mr. PAYNE] yesterday, on page 1, line 8, to strike out "section" and insert "Paragraph 16 of section." That amendment was agreed to. The clerk will now state the amendments of the committee.

Mr. PAYNE. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 2, after the word "amended", to strike out "by deleting the last two sentences of paragraph 16 and inserting in lieu thereof the following: 'Amounts representing depreciation charges may be expended in keeping the property of such public utility in repair and in good and serviceable condition for the use to which it is devoted, or invested.'" and insert: "to read as follows:

"'PAR. 16. That every public utility shall make proper and adequate provision for depreciation. The Commission shall ascertain and determine what are the proper and adequate rates of depreciation for the various classes of property of each public utility. These rates shall be such as will provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to such rates so ascertained and determined by the Commission. The Commission may make changes in such rates of depreciation from time to time as it may find to be necessary. The Commission shall also prescribe rules, regulations, and forms of accounts regarding such depreciation which the public utility is required to carry into effect. The Commission shall provide for such depreciation in fixing the rates, tolls, and charges to be paid by the public.'"

On page 3, line 13, after the word "utility", to strike out "organized under the laws of the District of Columbia" and insert "subject to the provisions of this section"; on page 4, line 2, after the word "acquisition", to insert "In the administration of this paragraph the Commission shall give consideration to (1) the effect of such control on the management of the utility, its financial practices and policies, (2) the effect upon the public interest of a change in control of the utility, including the willingness of the management to recognize the paramount public interest in the exercise of a public franchise, (3) the experience of those seeking control in the particular type of utility operation, (4) the relationship of the person seeking control to associates in other businesses in the District of Columbia or elsewhere and his relationship to any other public utility operating in the metropolitan area, and (5) the effect upon the employees of the utility involved."

On page 5, line 1, after the word "times", to insert "thereafter"; after line 5, to strike out:

"Authorization of General Counsel for Commission

"SEC. 105. (a) Paragraph 91 of such section is amended (1) by deleting the first sentence of said paragraph and inserting in lieu thereof the following: 'There is hereby created in and for the Commission an Office of General Counsel, to consist of a General Counsel who shall receive compensation at the rate of grade GS–17 in the general schedule established by the Classification Act of 1949, as amended, one assistant general counsel and such other personnel as may be needed, who shall receive compensation in accordance with said Classification Act within appropriations provided by Congress.'; and (2) by deleting the words 'Corporation Counsel' in the third, fifth, and sixth sentences of said paragraph 91, and inserting in lieu thereof 'General Counsel.'

"(b) Paragraph 35 of such section is amended by deleting the last sentence and inserting in lieu thereof the following: 'And the said Commission is hereby given power to call on any district attorney of the United States, the General Counsel of the Commission or any other counsel of the Commission to enforce the provisions of this section in the proper courts of the United States, and on such call it shall be the duty of the said district attorney, General Counsel, or other counsel of the Commission, upon request of said Commission, to enforce the provisions of this paragraph, the cost and expenses incurred to be paid out of the appropriations for the expenses of the courts of the United States.'"

On page 6, line 10, to change the section number from "106" to "105"; on page 7, line 2, to change the section number from "107" to "106"; in line 16, to change the section number from "108" to "107"; on page 8, after line 7, to strike out:

"TITLE II—PUBLIC INTEREST DIRECTORS FOR CAPITAL TRANSIT CO.

"Requirement and provision for nomination and election

"SEC. 201. (a) Effective as of the first annual election of directors of the Capital Transit Co. which occurs more than 60 days after the date of the enactment of this act and thereafter, 3 of the 15 directors of such company shall be elected by the stockholders of such company from among individuals nominated for such positions in accordance with this section by the Commissioners of the District of Columbia. Such three directors shall represent the interests of the public on the board of directors of such company, and shall, except as otherwise provided in this section, each have the same authority and rights as any other director of such company. Each of such three directors (1) shall be, in the opinion of the Commissioners of the District of Columbia, qualified to be a corporation director in the public utility and transportation fields, (2) shall own no stock in, and have no other direct or indirect interest in, Capital Transit Co., and (3) shall be a resident of the District of Columbia.

"(b) The Commissioners of the District of Columbia shall nominate 10 individuals who are qualified for such positions, and submit a list of such nominations to the Capital Transit Co., prior to 30 days before such first annual election and before each election of directors thereafter."

On page 9, line 10, to change the title number from "III" to "II"; in line 14, to change the section number from "301" to "201"; on page 10, line 7, in the heading, before the word "Separability", insert "Title III—", and in line 8, to change the section number from "302" to "301", so as to make the bill read:

"Be it enacted, etc., That this act may be cited as the 'District of Columbia Public Utilities Regulation Act of 1954.'

"TITLE I—AMENDMENTS TO ACT CREATING PUBLIC UTILITIES COMMISSION

"Use of public utilities' depreciation funds

"SEC. 101. Paragraph 16 of section 8 of the act entitled 'An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes', approved March 4, 1913, as amended, is amended to read as follows:

"'PAR. 16. That every public utility shall make proper and adequate provision for depreciation. The Commission shall ascertain and determine what are the proper and adequate rates of depreciation for the various classes of property of each public utility. These rates shall be such as will provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to such rates so ascertained and determined by the Commission. The Commission may make changes in such rates of depreciation from time to time as it may find to be necessary. The Commission shall also prescribe rules, regulations, and forms of accounts regarding such depreciation which the public utility is required to carry into effect. The Commission shall provide for such depreciation in fixing the rates, tolls, and charges to be paid by the public.'

"Elimination of free distribution of copies of hearing transcripts

"SEC. 102. Paragraph 53 of such section is amended by deleting the last sentence which reads as follows: 'A copy of such transcript shall be furnished on demand, free of cost, to any party to such investigation.'

"Acquisition of control of public utilities

"SEC. 103. Such section is amended by inserting after paragraph 54 the following new paragraph:

"'PAR. 54A. (a) It shall be unlawful (1) unless approved by order of the Commission as provided in this paragraph for any person to acquire control in any manner whatsoever of any public utility subject to the provisions of this section, and (2) to maintain any such control established in violation of this paragraph. Any person seeking approval to acquire control of a public utility in accordance with this paragraph shall make application to the Commission, in such form as shall be required by the Commission. Upon receiving any such application the Commission shall determine, after public hearing with notice on such application, whether the acquisition of control by such person would be consistent with the public interest. If it finds that such acquisition is

consistent with the public interest, the Commission shall by order approve such acquisition. In the administration of this paragraph the Commission shall give consideration to (1) the effect of such control on the management of the utility, its financial practices and policies, (2) the effect upon the public interest of a change in control of the utility, including the willingness of the management to recognize the paramount public interest in the exercise of a public franchise, (3) the experience of those seeking control in the particular type of utility operation, (4) the relationship of the person seeking control to associates in other businesses in the District of Columbia or elsewhere and his relationship to any other public utility operating in the metropolitan area, and (5) the effect upon the employees of the utility involved.

"'(b) The Commission may establish such orders, rules, and regulations as may be necessary to provide for the enforcement of the provisions of this paragraph.'

"Change of Commission's orders

"SEC. 104. Paragraph 62 of such section is amended to read as follows:

"'PAR. 62. The Commission may, at any time, upon notice to the public utility and after opportunity to be heard as provided in paragraph 40 of this section, rescind, alter, or amend any order fixing any rate or rates, tolls, charges, or schedules, or any other order made by the Commission, and fix the time or times thereafter when the newly prescribed rate or rates or any part of the newly prescribed rates shall be made effective, and certified copies of the same shall be served and take effect as herein provided for original orders.'

"Regulation of rates

"SEC. 105. Paragraph 94 of such section is amended to read as follows:

"'PAR. 94. Any public utility desiring to advance or discontinue any established rate or rates may make application to the commission in writing, stating the advance in or discontinuance of the rate or rates desired, giving the reasons for such advance or discontinuance. Upon receiving such application the commission shall fix a time and place for hearing, and give such notice to the interested parties as shall be proper and reasonable. If after such hearing and investigation the commission shall find that the change or discontinuance applied for is reasonable, fair, and just, it shall grant the application, either in whole or in part. Any public utility affected by any order of the commission made under the provisions of this paragraph may commence a proceeding against it as provided in this section.'

"Authorization of transit engineer

"SEC. 106. Such section is amended by inserting after paragraph 95 the following new paragraph:

"'PAR. 95A. The commission is authorized to employ a qualified transit engineer for the purpose of making transit and traffic studies and surveys, advising and making recommendations to the commission, and cooperating with other public officials, transit officials, and others, in matters dealing with transit and traffic problems, including use of streets and highways and highway and safety planning; cooperating with comparable groups in the metropolitan area of Washington, District of Columbia; and coordinating his studies and surveys with the activities of those groups.'

"Substitute for Engineer Commissioner authorized and commissioners' salary increased

"SEC. 107. Subparagraph (a) of paragraph 97 of such section is amended by deleting '$7,500' in the second sentence and inserting in lieu thereof '$13,000', and by inserting at the end of such subparagraph the following:

'Wherever the terms "Engineer Commissioner of the District of Columbia" is used in this section, such term shall be deemed to mean either the Engineer Commissioner of the District of Columbia or such of the assistants to the Engineer Commissioner as the said Engineer Commissioner may designate, from time to time, to act in his place and stead in the consideration and disposition of any investigation, inquiry, hearing, or other matter within the powers of the commission; and any of the assistants to the Engineer Commissioner so designated, shall, with respect to the specific investigation, inquiry, hearing, or other matter he has been designated to consider and dispose of, be deemed to be a commissioner of the Public Utilities Commission.'

"TITLE II—TRANSPORTATION FARES FOR SCHOOL CHILDREN IN THE DISTRICT OF COLUMBIA

"Regulation provided for

"SEC. 201. Notwithstanding the provisions of the joint resolution entitled 'Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes,' approved January 14, 1933, and the provisions of the unification agreement incorporated therein, and notwithstanding the provisions of the act entitled 'An act to provide for the transportation of school children in the District of Columbia at a reduced fare,' approved February 25, 1931, the Public Utilities Commission of the District of Columbia shall fix the rate of fare for transportation by street railway and bus of school children going to and from public, parochial, or like schools in the District of Columbia at not more than one-half the cash fare established from time to time by the Public Utilities Commission for regular route transportation within the District of Columbia, and shall establish rules and regulations governing the use thereof. No fares for school children shall be available to persons over 18 years of age.

"TITLE III—SEPARABILITY

"SEC. 301. If any provision of this act, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the application of such provision to other persons and circumstances shall not be affected thereby."

Mr. PAYNE obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. PAYNE. Yes.

Mr. KNOWLAND. Was the bill unanimously reported from the Committee on the District of Columbia?

Mr. PAYNE. It was unanimously reported from the Committee on the District of Columbia.

Mr. STENNIS. Mr. President, it was rather difficult to hear the Senator from Maine. The bill under consideration refers to the regulation of public utilities in the District of Columbia, does it not?

Mr. PAYNE. That is correct.

Mr. STENNIS. The bill provides for the raising of a salary. Is that for the city Commissioner or some other Commissioner?

Mr. PAYNE. The bill provides for an increase in the salary of the members of the Public Utilities Commission. There are 3 members on the Commission, 2 of whom are civilian members, and the 3d holds a dual capacity as the Engineer Commissioner of the District of Columbia and as a member of the Public Utilities Commision with its 2 civilian members. Because of the load of work imposed on the members of the Commission as demonstrated by the studies conducted by the special investigating subcommittee which investigated the problem affecting the public utilties of the District, it was definitely the thought of the members of the subcommittee and of the full Committee on the District of Columbia that the salaries were too low to compensate adequately the members of the Commission for the tremendous amount of work and the type of work they are called upon to do.

Mr. STENNIS. What is the situation with reference to increasing the transportation fares?

Mr. PAYNE. Under the bill all matters pertaining to the regulation of fares will not come under the Congress, but will be under the control of the Public Utilities Commission, as is the case in any State. One fare that has been controlled by Congress in the past—I believe it goes back to 1933—is the so-called school fare, which in 1933 was set at 3 cents, and has not since been changed. It was the feeling of the committee that this fare rightfully should be under the control of the Public Utilities Commission, so that the Commission may take it into account in establishing the rates of fare which shall be promulgated for the people of this area.

Mr. STENNIS. So the bill provides, does it not, that that fare, as in the case of all other fares, will be regulated by the Public Utilities Commission?

Mr. PAYNE. That is correct. Let me add that the bill also establishes a ceiling, so that the school fare shall not go above 50 percent of the established cash fare for adults.

Mr. STENNIS. I believe the Senator from Maine said the bill had the approval of all the members of the committee.

Mr. PAYNE. That is correct. The members of the committee included the Senator from Oregon [Mr. MORSE] and the Senator from Maryland [Mr. BEALL], who served on the special subcommittee. Many features of the bill were considered at another hearing, held by the commerce subcommittee of the Committee on the District of Columbia; and the subcommittee finally reported to the full committee. In every case the action taken was by unanimous recommendation and approval.

Mr. STENNIS. I thank the Senator from Maine very much.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CASE. Mr. President, I should like to take only a minute or two to express the appreciation of the Committee on the District of Columbia, and, in particular, of myself, as chairman of the committee, for the consideration given by the leadership—both the majority leader and the minority leader—in connection with the scheduling, for consideration by the Senate at this session, of bills relating to the District of Columbia. Although perhaps the committee will have a few more bills to report, as of today we have fairly well completed our calendar of measures that are more or less urgent in character.

I believe that with the passage of the public works and revenue bill; the passage of a nonvoting delegate bill, a year

ago; the passage of the several bills that have been on the Consent Calendar, once earlier in the session, and again yesterday; and the passage of the bills that have been considered today by the Senate, after having been made the special business of the Senate, the committee is completing a record for the handling of proposed legislation that will not be excelled in the history of many sessions of the Congress.

Mr. KNOWLAND. Mr. President, if the Senator from South Dakota will yield to me, let me say, as majority leader of the Senate, that I desire to commend the chairman of the Committee on the District of Columbia for what I consider to be one of the outstanding jobs ever performed by a District Committee during the 9 years I have been a Member of the Senate of the United States.

I wish to say to the Senator from South Dakota that I was glad to arrange, in cooperation with the minority leader, for the scheduling of these bills, this week, because I think all of us realize that following June 1, when we return from the brief Memorial Day recess, the Senate will be under heavy pressure during the last 2 months of the session.

So I was concerned, as I know the chairman of the Committee on the District of Columbia was, also, that unless the Senate could find a place, this week, for the consideration of these bills, they might become lost among the heavy load of proposed legislation of general nature, relating to the entire country.

Therefore, Mr. President, again I wish to commend the Senator from South Dakota for his diligence in requesting a place on the program for these bills, and I desire to say to him that we were glad to cooperate with him in that connection.

Mr. CASE. Mr. President, the generous remarks of the majority leader are greatly appreciated.

Let me say, in conclusion, that whatever the Committee on the District of Columbia has been able to accomplish, has been due to the fact that the several members of the committee have worked without any sense or feeling of partisanship. That is as it should be when we deal with the District of Columbia. They have cooperated in every respect, and they have given a great deal of time to the hearings and to the subcommittees. The accomplishments of the committee are also due to the very fine work of the committee's efficient staff.

I thank the Senate for its indulgence, Mr. President.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3387) was ordered to be engrossed for a third reading, read the third time, and passed.

HOSPITALIZATION FOR CERTAIN OFFICERS AND EMPLOYEES OF THE FORMER LIGHTHOUSE SERVICE

Mr. KNOWLAND. Mr. President, we come now to the last of the series of bills we wish to have considered before taking action on the civil functions appropriation bill.

I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 512, House bill 1026, to amend the Public Health Service Act, with respect to the provisions in the case of certain medical and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service and their dependents and widows

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill (H. R. 1026) to amend the Public Health Service Act, with respect to the provisions of certain medical and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service and for dependents and widows of officers and employees of such Service.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mrs. SMITH of Maine. Mr. President, this bill makes a very small amendment to the Public Health Service Act. The bill affects only approximately 800 persons, a group that is receiving very low pensions. It is a group which braved the storms and the seas before the Coast Guard took over the task. It is composed mainly of very old retirees and their widows. This group is a rapidly diminishing one, with an average age of approximately 70 years. Its members are being replaced by regular Coast Guard personnel, so the expense involved in connection with this measure cannot recur.

The Public Health Service regards the expenditures involved as very small.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 1026) was ordered to a third reading, read the third time, and passed.

CIVIL FUNCTIONS APPROPRIATION BILL, 1955

The Senate resumed the consideration of the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I have a brief statement to make in opening the debate on the civil functions appropriation bill. I should like to be able to complete the statement, and then I shall be glad to yield to answer any questions.

The bill as reported to the Senate recommends an appropriation of $484,095,500, which is $18,935,500 above the budget estimate, and $42,501,900 above the amount appropriated last year. In view of the reduction in the amount of funds that will be carried over into the new fiscal year, the funds recommended will permit this activity to continue at approximately its present level.

Last year in discussing this appropriation bill I expressed the view that a certain percentage of the amounts appropriated by the bill should be expended on large multiple-purpose projects in order that the most economical construction schedules could be followed. At that time I stated that this would result in early returns on these revenue-producing projects. The budget estimate submitted to the Congress provided for a year's delay in getting power on the line at the Dalles Dam, Oreg., and Buford Dam in Georgia, and a year's delay in the last 12 generating units at Chief Joseph Dam, Wash. Fifty-six percent of the increase recommended over the budget can be ascribed to a desire on the part of the committee to keep these important projects on the previously approved schedule. I thought this was a sound procedure last year, and I think it is sound today. By increasing appropriations by $10,600,000 in fiscal year 1955, with corresponding decreases after fiscal year 1955, we can feed some 1,166,000 additional kilowatts of capacity into our economy 12 months earlier. The gross revenue from the sale of this energy is estimated at $15,113,000 annually.

The committee recommended $13,124,800 for new starts or resumptions of 19 projects having a total estimated cost of $304,964,000 in addition to the 17 new starts provided for in the bill as passed the House. Senators will no doubt recall that last year I discussed the reduction in the number of projects in the bill from 278 in fiscal year 1949 to the 78 projects in the 1954 budget, and stated that without some new starts this would decrease to 47 projects by 1956. This year we have the first reversal in this downward trend. The budget provided for 87 projects, including 20 new starts or resumptions. As I pointed out last year, this problem was further complicated by the fact that the fiscal requirements for the projects which were underway at that time would require more funds in the next 2 succeeding years than were recommended for fiscal year 1954. This year we were faced with the same problem. Fortunately, we are 1 year closer to the time when existing commitments will not play so large a role in the committee's determination of the projects which can and should be included in this bill.

The new starts recommended with one exception are either small or medium-sized projects. There is only one large multiple-purpose project recommended for initiation this year. While such a project would normally be started with a somewhat larger appropriation the first year, consideration had to be given to the amount of funds an economical construction program would require in the 1 remaining critical year ahead. The

funds recommended will provide for the orderly initiation of work on this project without creating too heavy a commitment for next year.

Funds are provided for planning on five projects not included in the budget estimate. The committee believes there is an inadequate backlog of projects which have been planned in sufficient detail so that the committee feels justified in recommending an appropriation for the initiation of construction. It has recommended $3,288,000 for this purpose, which is an increase of $1,088,000 above the amount allowed by the House and $788,000 above the budget estimate.

Between January 25 and March 13 the committee held 32 open hearings at which more than 400 witnesses testified. The amount of $461,622,615 was requested for construction, general, of which $322,519,800 was recommended by the committee. Five executive sessions of the subcommittee were held for the purpose of preparing the bill. These sessions for the most part were evening sessions and totaled 13 hours.

At this point I digress for a moment to pay tribute to the members of the subcommittee for their diligence, and for their constructive approach to the many difficult problems with which the committee was faced. I found all members of the committee, from both sides of the aisle, very earnest and devoted to their work in the committee. The Democratic members, as well as the Republican members of the committee, in the discharge of their obligations, gave unstintingly of their time and energy in order to bring the best possible bill to the floor of the Senate.

The proper and orderly development of our natural resources is one of the more pressing problems facing the country, if we are to take care of our own increasing population and at the same time carry our full share of the responsibilities of world leadership. Many of our canalized waterways are reaching the point where they must be modernized; in fact some of these structures are approaching the point of actual failure.

Funds are provided in the bill to initiate replacement of the Warrior lock and dam in Alabama, and for the new Cumberland lock and dam, which replaces locks 7, 8, and 9 on the Ohio River; for the continuation of reconstruction of Green River locks and dams 1 and 2, which were initiated with funds provided in the 3d supplemental; and for the completion of planning on Greenup locks and dam, which would replace three other locks and dams on the Ohio River.

The bill provides construction funds for 18 multiple-purpose projects which will have a total installed capacity of 5,142,600 kilowatts. Included also are funds for construction of flood protection measures, and for the improvement of navigational facilities. These projects will provide for some of the most urgent work along the Eastern Seaboard, the Middle West, the Gulf area, and the Far West.

This is a bill in connection with which I can and will support the recommendations of the subcommittee and of the full committee. I am sure I can state without fear of contradiction that every member of the committee has done the best job possible in the interests of the entire country in this important job of civil functions.

Mr. IVES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. IVES. Mr. President, I note with some dismay that according to the report at page 5 and thereafter, under the subject heading "Construction, General," no funds are provided in the appropriation bill for the Buffalo Harbor project, and I am greatly disturbed by the omission.

This project is not a new one, and is most important to the defense and commerce of the area. The Congress, through previous authorizations and appropriations, has given due recognition to the economic importance of this major harbor.

Projects to improve Buffalo Harbor were authorized in 1935 and 1945. Appropriations to carry out these authorizations were approved in each of the 5 fiscal years, 1949 to 1953 inclusive.

Unfortunately, no funds were appropriated for the fiscal year 1954, nor included in the bill before us, leaving approximately 68 percent of the authorized construction work to be finished.

Ships being added to the Great Lakes fleet are unable to use some parts of the Buffalo Harbor, a condition which is steadily being aggravated by the lack of construction funds.

The evidence bears out the urgency for completion of the work as soon as possible in order that the important port of Buffalo may meet the increasing demands upon its facilities.

It has been brought to my attention that the channels that constitute the port of Buffalo will be 2 to 6 feet too shallow to meet the proposed 27-foot depth of the St. Lawrence Seaway. I understand that the ships which may pass through the seaway will need deeper water at Buffalo than at any port farther west, inasmuch as Buffalo will be potentially the first port of discharge after ships leave the Welland Canal and the last port of loading before entering that canal and the seaway.

I cannot urge too strongly that the necessary funds be provided to carry on this vital construction work.

Mr. President, I do not propose to offer an amendment. I realize the problem with which the majority leader is faced in connection with the pending bill. However, I do ask him to give serious consideration to this urgently needed appropriation in the next supplemental appropriation bill. I believe it is extremely necessary that such an appropriation be made.

Mr. KNOWLAND. Mr. President, as the Senator who was the chairman of the Civil Functions Subcommittee, let me say to the Senator from New York that he is quite correct. The Buffalo Harbor project has a total estimated Federal cost of $17,314,800, of which there has been appropriated to date $5,361,000.

I believe the committee took cognizance of the importance of the Buffalo Harbor project. However, it was largely guided by the limitations it faced involving a number of factors. One was the fact that there had been, as the Senator from New York points out, no appropriation made last year. What was even more important in the eyes of the members of the committee was the fact that there had not been an estimate made by the Corps of Army Engineers to the Bureau of the Budget, either within or over the ceiling. Inasmuch as no recommendation had been made by the Corps of Army Engineers to the Bureau of the Budget there was no recommendation made by the Bureau of the Budget to Congress for this item.

As the Senator from New York has pointed out, the House has made no allocation.

Had those factors not been present, the committee would have been in a better position to perhaps include a part of the item in the pending bill.

However, in view of the changed conditions because of the St. Lawrence Seaway legislation, if the Corps of Army Engineers were to make a recommendation, on the basis of the importance of the project, and if such a recommendation were approved by the Bureau of the Budget, the committee would then be in a better position to discuss the subject in connection with a supplemental appropriation bill or in connection with the appropriation bill for civil functions at the next session of Congress.

Mr. IVES. Then the Senator from California feels, does he not, that it would be possible to add the item to a supplemental appropriation bill at this session of Congress?

Mr. KNOWLAND. It would be possible if we had a recommendation for such an appropriation from the Corps of the Army Engineers, approved by the Bureau of the Budget. In that case I believe there would still be time for an appropriation, if the facts could be promptly presented.

Mr. IVES. I thank the distinguished Senator from California for his kind consideration and offer of support.

The PRESIDING OFFICER. The clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Civil Functions, Department of the Army—Cemeterial Expenses," on page 2, at the beginning of line 12, to strike out "$5,445,700" and insert "$5,532,700."

The amendment was agreed to.

The next amendment was, under the subhead "Rivers and Harbors and Flood Control — General Investigations," on page 3, line 12, after the word "expended", to strike out "$2,410,000" and insert "$3,460,000."

The amendment was agreed to.

The next amendment was, under the subhead "Construction, General," on page 3, line 19, after the word "exceed", to strike out "$1,000,000" and insert "$1,360,000"; in line 22, after the word "expended", to strike out "$278,777,000" and insert "$322,519,800."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. DOUGLAS. Mr. President, I have an amendment which reduces the appropriation, and I hope we may have a yea-and-nay vote on it. Before that takes place, however, I should like to make a brief statement. Then I hope we may have a quorum call and a yea-and-nay vote.

I have had printed an amendment to the construction item in the civil functions appropriation bill which would cut the total amount recommended by the Committee on Appropriations by $14.2 million. This would be a cut from the appropriation approved by the Committee on Appropriations, namely, $322.5 million, to precisely the amount which the Bureau of the Budget submitted, namely, $308.3 million. The Committee on Appropriations exceeded the estimate of the Bureau of the Budget by $14.2 million.

I favor such a reduction. I am not opposed to increases in appropriations for public works, but there are so many types of public works of greater value, both economically and socially, than these navigation projects, that we should not use the current recession as an excuse to spend excessive amounts of money on navigation projects.

This year I have found economy more difficult to achieve than ever before. Formerly the quest for economy cut across party lines. I would vote for cuts proposed by Senators on the other side of the aisle, and many Senators on the other side of the aisle would support the cuts which I proposed.

Moreover, although it is not a new occurrence, this year I have again been challenged for attempting to place my judgment above that of the committee. I have never, nor will I ever, concede that such a point has the slightest bearing on any of the issues coming before the Senate. All Senators do the best they can to represent the citizens of their respective States, and also to take account of the national interest. In proposing economies I have always been convinced that I was representing the desires of my own State. Nevertheless, to make certain on this point, so that there would be absolutely no doubt about it, last year I asked Illinois newspapers to conduct a poll to determine whether or not this was actually the case.

The results of this poll appear in the CONGRESSIONAL RECORD, volume 99, part 8, page 10841. It showed that Illinoisans, whom I represent, favored all efforts to cut nonessential government spending by an overwhelming 4-to-1 majority. And over 90 percent of those who qualified their support listed national defense, welfare, and international programs as the only exceptions they would make. The percentage disapproving all economy efforts was nil.

Therefore, Mr. President, let us forget personalities. In proposing economies I do so as a Senator representing the people of my State.

I had the amendment printed, but I am not going to call it up in the form in which it is printed. It proposes, as I have said, a reduction of $14.2 million. It would cut back funds for construction of navigation, flood control and multipurpose projects to the level recommended by the Bureau of the Budget. The bill includes $4.8 million for new starts on navigation projects approved by the Budget Bureau, and the Senate committee has recommended increases over the amounts approved for navigation projects by the budget to the tune of $4.1 million.

In an effort to achieve the maximum possible support for economy, the amendment I shall offer would cut the total figure by only $2 million, with a proviso that expenditures for all navigation projects be approved by the Bureau of the Budget.

The effect of the amendment on navigation projects is very simple. It merely says that the area of disagreement between committee recommendations and the Budget Bureau over navigation projects, amounting to $4 million, shall be compromised on a 50-50 basis, but that the Bureau of the Budget must approve the individual projects to be increased.

I think there can be no doubt that the amendment is very reasonable. The $2 million cut it makes is less than 1 percent of the total, and the reduction would be made on navigation projects, the funds for which have not been approved by the budget. Yet the Bureau would be forced to approve an additional $2 million for such projects.

I may disagree with the present administration about ways to soften and turn back the current recession, but the need for sound public works should not be used as an excuse to "roll out the pork barrel."

Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Illinois.

The CHIEF CLERK. On page 3, lines 22 and 23, it is proposed to strike out "$322,519,800:" and insert in lieu thereof "$320,519,800: *Provided*, That no part of this appropriation shall be used for any navigation project unless approved by the Bureau of the Budget."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Payne
Barrett	Frear	Potter
Bennett	Gillette	Purtell
Bowring	Goldwater	Robertson
Butler, Md.	Hendrickson	Saltonstall
Byrd	Hickenlooper	Schoeppel
Case	Holland	Smathers
Chavez	Ives	Smith, Maine
Clements	Johnson, Tex.	Stennis
Cooper	Johnston, S. C.	Thye
Cordon	Knowland	Upton
Dirksen	Malone	Watkins
Douglas	Martin	Williams
Dworshak	Maybank	Young
Eastland	McClellan	
Ellender	Pastore	

The PRESIDING OFFICER. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BEALL, Mr. BRICKER, Mr. BRIDGES, Mr. BURKE, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. CAPEHART, Mr. CARLSON, Mr. DANIEL, Mr. DUFF, Mr. FLANDERS, Mr. FULBRIGHT, Mr. GEORGE, Mr. GORE, Mr. GREEN, Mr. HAYDEN, Mr. HENNINGS, Mr. HILL, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MILLIKIN, Mr. MUNDT, Mr. NEELY, Mr. RUSSELL, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. SYMINGTON, Mr. WELKER, and Mr. WILEY entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). A quorum is present.

Mr. MAYBANK. I am a conservative man. I believe in economy. However, there are times when the amount of money we spend today—or save today—is not the sole consideration. I voted for the bill in the committee, and I intend to stand by the chairman of the subcommittee and the chairman of the full committee. I wish to have the RECORD show clearly the situation in the southeastern part of the United States, the area of the country from which I come. The bill provides that $331 million of the total appropriation of about $484 million be allocated for power and flood control.

The Federal Power Commission on February 28, 1954, revealed that for December 1957 the southeastern region would have an electric power reserve of only 3.2 percent, whereas in the same report the average for the United States is listed at 10.8 percent.

Further referring to the Southeast, with a reserve of 3.2 percent expected in 1957, and with increased maritime turbine requirements for the Navy, a wartime supply of electric power will be grossly inadequate.

Mr. President, last week the Senate considered the independent offices appropriation bill, and the chairman of the subcommittee, the distinguished Senator from Massachusetts [Mr. SALTONSTALL], upon a request which I think was unanimous, wrote a letter to the Deputy Director of the Budget, Mr. Hughes, asking for some information as to what we would be able to do in connection with the atomic-energy projects, and insisting that the Office of the Director of the Budget let us know by June 10 what they intended to do. Private companies had been negotiating for participation in these projects. Some of the offers claim to be able to provide the necessary power at substantially lower cost than is presently available. Of course, I feel, as do most other Americans, that whenever private companies can do a particular job they should do it. We wanted to ascertain whether they were going to do

something or not. Otherwise, it was understood in the committee, when the independent offices appropriation bill was being considered, that unless something was done by private companies—and I hope something will be done by them—the Government would have to take action.

Mr. President, I am familiar with the private power companies' amortization program. I happened to have been chairman of the Joint Committee on Defense Production and also a member of the Committee on Banking and Currency when the rapid tax-amortization law was passed. In speaking on this subject, I shall not go beyond my own State, despite the fact, I remind my colleagues, that there are no State lines where electric power is concerned. I was horrified to find that in the Southeast, even in December 1954, there would be a reserve of only 9 percent; that in December 1955, next year, there would be a reserve of only 14.5 percent; that in December 1956 we would have a reserve of only 8.4 percent; and in December 1957 we would have a reserve of only 3.2 percent.

I mention these figures because of the danger facing the Southeast and because the figures were furnished to me by Mr. Plucknett, of the Water and Power Division of the Department of the Interior.

I am glad there are amortization programs under which the private power companies may amortize their developments. I think amortization should be provided for all projects. When I was chairman of the Committee on Banking and Currency, I agreed with the present chairman of the committee that there should be no special program for 5 years, or a few years, for any particular project, but that the same provisions should apply for all.

In my State a pretty good job was being done under the program which I sponsored. For instance, the South Carolina Gas & Electric Co. had $1,733,450 certified. The Carolina Power & Light Co. had $16,407,000 certified. The South Carolina Generating Co. had $20,130,000 certified for rapid amortization.

Mr. President, in this atomic age and this changing world, I can understand the absolute necessity for cheap power, a question which I have frequently discussed on the floor of the Senate. I do not know the answer, but we must have cheap power if we are to produce atomic weapons, aluminum, and other necessities. I say frankly that I do not know the answer, but I certainly wish to help in the effort to find it.

Mr. President, when the Savannah River plant was built—and I now see on the floor of the Senate the Senator from Alabama [Mr. HILL] and the Senator from Louisiana [Mr. ELLENDER], who were members of the subcommittee at the time when I was chairman—I begged for private companies to do the job. Finally, Mr. Gordon Dean, the chairman, and Mr. Boyer, the general manager, who had previously been connected with the Standard Oil Co. of New Jersey, made arrangements—and I believe their choice was excellent—to get the plant built and in operation. I wish this point made amply clear, so there cannot be any misunderstanding about it. Mr. President, we certainly did all we could.

In order to refresh my memory about these matters, I asked Mr. Nichols, who now is under Mr. Strauss, and who participated in the hearings, to write a letter on this subject. I shall read from his letter. Let me say that Mr. Nichols is now in charge, and is a good man. His letter reads in part as follows:

> Electric power to serve the Savannah River plant will be generated by 5 on-site generating stations, with a total rated capacity of 156,500 kilowatts, and a total capability of 168,900 kilowatts. These stations will contain 15 generators.

Mr. President, I knew all that, because as a member of the Appropriations Committee, I was contacted with regard to the appropriations for many of those items. I desire to call attention to the fact that we spent $76 million of the funds of the Atomic Energy Commission for the electric plant, alone, of the Savannah River plant.

So, Mr. President, I supplement my remarks by saying that from what the Department of the Interior has told me and from what the representatives of the Tennessee Valley Authority have testified before the committee—if I can understand the English language—and from what Mr. Pluncknett, of the Water and Power Division of the Department of Interior, has said, the power reserves of the Southeastern States will decline to 3.2 percent in 1957, as compared with 9 percent in December 1954, and 14.8 pecent in December 1955.

That is why I am supporting the bill in its entirety, and why I do not favor separating flood control from electric power generation, because I believe that the Members of Congress who go through the long hearings know the problems that must be met in connection with the development of lower cost electricity.

Mr. President, in this changing world, I do not know the answer to the question of what must be done in order to provide ample supplies of cheap electricity. I do not know what private enterprise will be able to do in that connection. I hope it will be able to make cheap electricity available. I wish to be able to help in working out the answer to the problem, but I do not know how private enterprise will be able to obtain the electric power which is needed and will be needed for the operation of aluminum factories and other heavy industries which, 10 or 15 years from now, will be the backbone of business and industrial activity in the United States.

Mr. McCLELLAN. Mr. President, as most of my colleagues know, at this time I am rather completely engaged and occupied with other official duties, so I have not had the privilege and opportunity of being on the floor of the Senate during the previous discussion of this measure. I have left the Senate investigating subcommittee for a few minutes, so that I might come to the floor and address myself to this bill.

I wish to urge my colleagues to vote in favor of passage of the bill as it was reported to the Senate by the Appropriations Committee.

Mr. President, very extensive hearings were held by the committee. After the hearings, the committee met in executive session several nights, in marking up the bill.

Mr. President, the bill as it now comes before the Senate is not all that is to be desired, for the truth of the matter is that, for purposes of progress the bill as now reported to the Senate represents economy in the extreme.

Mr. President, instead of having Congress make appropriations in the amounts reported by the committee, the needs of the United States in connection with this program, and the urgency of those needs, would fully justify the appropriation of several times the amounts recommended. I know that from the situation in my own State.

This program has been very greatly curtailed during the past few years. I think I make an accurate statement when I say that, actually, since 1948 or 1949, we have reduced the appropriations for civil functions by nearly 50 percent of what they were then. So we are making progress in the wrong direction, Mr. President.

These projects are vital to the United States. We cannot build and maintain a strong economy if we do not give proper husbandry to the natural resources with which our country is blessed.

Mr. President, I could speak at length on the general thesis of the need for and on the merits of this program, but I shall not do so.

I merely wish to call attention to one project covered by the bill—not a project in my State, but one which directly affects it. That project is known as Table Rock Dam. I wish to emphasize the situation in the hope that other Senators will consider it from the point of view of the needs of their own States, and will appreciate the necessity for going forward with the construction of this project.

In 1950 there was appropriated $3 million to commence construction of the dam, which is a multiple-purpose project, and will provide large amounts of hydroelectric power in an area where power is greatly needed for the defense effort and for the growing economy of that section of the country.

After the appropriation of the $3 million, the engineers began the preliminary work on the project. Shortly thereafter, the Korean war commenced, and the project was suspended, after a little more than $1,500,000 had been expended on it. The project was suspended at that time because we had to divert our resources and energies to the Korean war.

Following the end of the war, we undertook to have work on the project renewed and to obtain appropriations for it. Last year, Congress appropriated another $1 million for it. As the bill came to the floor of the Senate, it provided $3 million, as I recall; but when the bill went to conference, that amount was reduced to $1 million. That meant that after the initial expenditure had been made, there were available for the project total appropriations of approximately $2,350,000, the amount that now is available for resuming the work on

the project. However, the expenditure of that amount was held up last year. The conference report required that before any of the money could be expended another power survey be made in the area, to determine whether the need for power there was such as to justify continuing appropriations for the project, in order to meet defense needs and the needs of a growing economy in that section of the Nation.

That survey was made. It was reported back to both Appropriations Committees, and much earlier this year both Appropriations Committees passed resolutions releasing the funds, and ordering and directing that construction on the project be resumed.

This is the situation we face: If this $3 million additional is appropriated this year, it will mean that this project can be started, according to the Corps of Engineers, by the 1st of November. If it is not appropriated, that will mean another year's delay in getting the project underway, because the amount of $2,350,000 now available as carryover funds is not adequate, in terms of the size and cost of the project, to justify the Corps of Engineers in letting contracts which it could pay for only with the $2,350,000. In other words, it would not be economical to proceed on that basis. Therefore, it is necessary, if this work is to be done economically and practically from an engineering standpoint, that the additional funds be made available this year.

I have conferred with the former Director of the Budget, the one who was in office at the time the bill was being processed through the committee. I have his assurance that the Bureau of the Budget does not oppose and will not oppose this appropriation. I related that fact to the committee. It was upon that assurance that the committee acted.

So I can say that this program is not in conflict with the President's program or the program of the administration. Therefore, I respectfully urge that the amount in the bill be retained. We cannot justify cuts. If we are sincere, if we actually wish to perform a service to the country by seeing that expenditures of this character are made on the most economical basis that is practicable, we will not reduce the amount of the recommended appropriations. False economy sometimes results when we prolong expenditures and increase the expense by not making adequate appropriations to enable those who have the responsibility to do the job efficiently and at the least possible cost to the Government.

I support the bill as reported by the committee. I urge my colleagues not to start slashing it. We know that sometimes we must make adjustments in conference. Let us pass the bill in the Senate as the committee has unanimously reported it, so that we can go to conference with the support of the Senate, in an effort to accelerate the program as much as possible, and to develop and conserve the natural resources of our country in hydroelectric power, soil conservation, and conservation of our water resources, as well as control of and protection from dangerous floods.

Mr. President, this program is important, and I hope the amount in the bill will not be reduced.

Mr. KILGORE. Mr. President, along the same line on which the Senator from Arkansas [Mr. MCCLELLAN] spoke, I wish to cite two other items which show how shortsighted we sometimes are in analyzing various projects.

There is one project on the Monongahela River, known as the Hildebrand lock and dam. The present locks were constructed in the period 1901 to 1903. Orderly development of the program requires that this project go forward. A flood would put the steel industry in the eastern part of the United States back 5 years. Unless we get started on that dam, that may be the result. The amount involved is merely $1½ million. It is like other items, in one respect, in that possibly not sufficient study had been given to the project in preparing the budget.

Another project is on the upper Monongahela River. In neither place can there be any substitution. The amount involved for this project is only $80,000. It would merely complete the plans.

If the Ohio and the upper Monongahela had been canalized, and if there had been the proper locks and canals on the Tombigbee River, we could have saved during World War II several times the cost of the entire operation in transportation costs on fuel alone as well as on other raw materials.

It is poor economy to save a few thousand dollars now and spend a few million in the future. I know how hard the subcommittee and the full committee worked. I hope Members of this body will not attempt to slash the appropriations.

I have been engaged in committee all day, as I was all day yesterday. I have not had an opportunity to hear all the discussion. I hope no reduction will be made in the appropriations recommended by the committee.

Mr. CASE. Mr. President, several weeks ago I happened to be present at a small gathering at the White House, when the President made an offhand remark to the effect that he regarded water as the greatest resource in the country today.

Today he said substantially the same thing in public, at a meeting of the National Rivers and Harbors Congress. I wish to read a press report concerning his informal remarks. The press report states:

President Eisenhower said he is going to establish a Cabinet committee to draw up a water conservation program for the entire country.

Speaking informally before the National Rivers and Harbors Congress, the President said water is perhaps the greatest single natural resource. Unless it is conserved, he said, we might find ourselves a have-not Nation.

He said the only way to do a proper job in water study is to go to the Continental Divide and see where each drop goes from there to the sea.

"Anything less is piecemeal and we should reject it," he said.

To direct the Federal Government's part in such a study, Mr. Eisenhower said he is going to set up a water resources committee on which the Secretaries of Defense, Interior, and Agriculture will serve. He said they would coordinate their activities with other agencies and groups like the Rivers and Harbors Congress. He said there also will be an operating committee to see that the job is done.

"They will work to the end to make certain that we won't wake up some two decades from now and regret that we didn't act intelligently back in 1954," Mr. Eisenhower said.

I welcome this statement from the President of the United States at this time. I think it is most appropriate that it should be made at a time when the Senate is considering an appropriation bill for the civil functions of the Department of the Army and the Corps of Engineers.

This is one of the bills in which Congress attempts to give real implementation to a program of water conservation and utilization. Congress has passed several such bills in the past year or two, including the bill for experimentation in the desalination of water, the bill establishing a Weather Advisory Commission for the study of cloud and weather modification, and the bill which was passed yesterday in the Senate for the development of very small irrigation and water control projects. This bill, and others of similar character, are bills which really make America. The money which we spend on programs of this kind is invested in the conservation of our resources. The expenditures involved are expenditures for the future of America. For that reason, I give them my hearty support. I welcome this expression from the President at this particular time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 3, lines 22 and 23.

Mr. DOUGLAS. Mr. President, this is a very modest amendment. It proposes to save $2 million. The committee increased the appropriations above those estimated by the Bureau of the Budget by approximately $14 million in round figures, of which $4 million was for navigation projects and approximately $10 million for flood control and multipurpose projects.

The amendment would not affect any flood-control or multipurpose project. It would effect economies of $2 million in navigation projects. It would split the difference between the amounts estimated by the Bureau of the Budget and the amounts recommended by the Committee on Appropriations, with the Bureau of the Budget being given the power to approve any specific navigation project for which increased funds have been voted.

Several Members of the Senate have spoken of the worthwhile character of the specific projects in which they are interested. All of us could add to their numbers. However, it seems to me that if the projects are worthy, it is undoubtedly possible to obtain for them the support of the Bureau of the Budget.

The English colonial administrator, Clive, once remarked that he was astonished at his own moderation. I am also astonished at my own moderation in dealing with the pending bill. I had

originally intended to ask for a reduction of $14 million. I am now asking for a reduction of only $2 million. Hope springs eternal in the human breast, and I hope very much that my colleagues will consent to the proposed reduction and vote enthusiastically for it because, anxious as we are to prevent a recession, this is no time to roll out the pork barrel.

Mr. KNOWLAND. Mr. President, I rise in opposition to the amendment offered by the Senator from Illinois.

In the first place, I wish to refute the allegation he has made that the pending bill is a pork barrel bill. It is very easy to make such a charge, and, unfortunately, a great many persons look upon any public works legislation as being in the nature of pork barrel legislation.

Without fear of contradiction I wish to say that during the period of time that I have served on the Committee on Appropriations and on the Subcommittee on Appropriations dealing with civil functions, the members of the committee have approached the problem from the point of view of what they believed to be the best interests of the country. Time and time again I have seen members of the Committee on Appropriations deal with projects in which they were vitally interested within their own areas in the same way that they treated other projects, and keep additional appropriations for them out of the bill, because they felt that such items should not be included in the bill in the light of the total amount involved.

I know there has been no partisanship in dealing with the pending legislation. In that connection I was interested in the remarks made by the Senator from Arkansas [Mr. MCCLELLAN]. Certainly during the entire period of time I have served as a member of the Committee on Appropriations no partisan issue has ever arisen with regard to such legislation.

I pointed out in my opening remarks—and it was also pointed out by the distinguished Senator from Arkansas, who has been a very diligent member of the committee for a good many years—that we held a great many hearings over a long period of time, and that many of the great number of witnesses who appeared before our committee made out very strong cases in favor of projects which would build up the economy of various areas of the country.

Had we accepted the recommendations of these outside witnesses the bill now before the Senate would have contained appropriations amounting to at least $100 million more than the bill now contains.

I wish to point out also what the appropriations for civil functions have been over a period of years. I shall give the total figures. I have the breakdown for each year, as submitted by the Corps of Army Engineers, and the breakdown will be available in the RECORD. The pending bill as reported by the Committee on Appropriations carries a total of $484,095,500. The 1954 bill appropriated $441,593,600. The 1953 bill appropriated $584,066,600. The 1952 bill appropriated $632,894,213. The 1951 bill appropriated $696,565,350. The 1950 bill appropriated $665,254,190. The 1949 bill appropriated $648,575,666. The 1948 bill carried $502,123,912.

During that period the amounts appropriated for civil functions, with the exception of 1 year, were considerably above the amount recommended in this bill.

Mr. President, I ask unanimous consent that the breakdown be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Civil Functions Appropriation Acts

Fiscal year	Corps of Engineers	Total bill
1955	[1] $463,359,800	[1] $484,095,500
1954	423,186,600	441,593,600
1953	561,906,600	584,066,600
1952	616,201,713	632,894,213
1951	668,564,650	696,565,350
1950	636,504,190	665,254,190
1949	580,242,200	648,575,666
1948	415,553,525	502,123,912

[1] As reported.

Mr. KNOWLAND. Mr. President, we did make some adjustments in the items which were presented to us, but I believe without exception the committee made adjustments only when there had been made what we felt was an overwhelming case in favor of projects.

As I understand the amendment of the Senator from Illinois, while it is true that it proposes a $2 million reduction, applied to navigation projects alone, it would give to the Bureau of the Budget the right to determine which of the projects should be included.

I have the greatest respect for the Bureau of the Budget. I had such respect for the Bureau of the Budget in past administrations, and I have such respect for the Bureau of the Budget in this administration; but I do not believe that Congress should surrender its responsibilities to the Bureau of the Budget. Over a period of years the Committee on Appropriations and all the subcommittees of the committee have constantly given great weight to the recommendations of the Bureau of the Budget. We have not, however, surrendered our responsibilities to the Bureau of the Budget. Certainly I do not think we should do so.

Because the Committee on Appropriations has been diligent in considering this subject over a long period of time, including 3 or 4 evening sessions running from 7 until 10:30 at night, and prolonged public hearings, I feel that the amendment of the Senator from Illinois should be rejected.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CORDON. Does the Senator from California agree that the amendment offered by the Senator from Illinois [Mr. DOUGLAS] would leave a figure still in the bill of more than $11 million above the estimates of the Bureau of the Budget?

Mr. KNOWLAND. The Senator is correct.

Mr. CORDON. That being the case, and the amendment having been modified with the addition of the proviso, *"Provided,* That no part of this appropriation shall be used for any navigation project unless approved by the Bureau of the Budget," does not the amendment in effect violate the rule of the Senate which provides that no appropriation can be made which is contingent or conditional? In this instance Congress would be appropriating funds, but would be leaving to the Bureau of the Budget the legislative power to determine whether the appropriation was valid or not.

Mr. KNOWLAND. I believe the Senator from Oregon is correct. As a matter of fact, I believe that a valid point of order could be raised against the amendment in its present form. I do not intend to raise a point of order. I told the Senator from Illinois I would be glad to have a yea-and-nay vote on the amendment. The yeas and nays have been ordered, and I am willing to rest on the judgment of the Senate.

Mr. DOUGLAS. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. DOUGLAS. Is it not true that the recommendation of the Committee on Appropriations with respect to navigation items is approximately $4 million in excess of the estimates submitted by the Bureau of the Budget, speaking for the President?

Mr. KNOWLAND. The Senator from Illinois is correct.

Mr. DOUGLAS. So, therefore the proposal of the Senator from Illinois is much closer to the proposal of the administration than is the recommendation of the Committee on Appropriations?

Mr. KNOWLAND. It is true that the amendment offered by the Senator from Illinois would provide an amount approximately halfway between the committee's judgment and the recommendation of the Bureau of the Budget. However, I respectfully suggest, in view of the extensive hearings which have been held, and the personal knowledge of the subject of the members of the committee, extending over a long period of years in dealing with civil functions appropriations, that the members of the committee are as capable of determining the needs of projects for the benefit of the country as is the Bureau of the Budget. I felt that way when past administrations were in power, and I feel that way when the present administration is in office.

Mr. ELLENDER. Mr. President, it was my pleasure to hear practically all the testimony before the committee pertaining to the bill, and it is my considered judgment that the committee did a magnificent job in arriving at the amounts recommended. Personally, however, I would have gone even farther. If it had been left to me, I would have increased the amounts considerably, particularly with reference to Red River bank stabilization below Dennison Dam. For instance, as to the Red River bank-stabilization program, the Corps of Engineers originally recommended $605,000 for this project. The Bureau of the Budget pared that down to $335,000. The recommendation of the House committee was $335,000. The Senate committee increased the amount to $565,000—the amount appropriated for that purpose last year. This

$565,000 is still less than the Corps of Engineers originally thought necessary.

On the bank-stabilization subject evidence was introduced to indicate that over a mileage of approximately 150 miles, that is, from Dennison Dam on down into Louisiana, almost 2,150 acres of some of our Nation's most fertile topsoil is being swept off into the Red River each year. In addition, there has been an average loss of an additional 10,000 acres or so per year which has been lost to cultivation by virtue of the fact that there must be land between the river and the levees to prevent caving. Taken together, it is obvious that an average of over 12,000 acres of our finest, most fertile topsoil is being lost each year, either directly or indirectly, as a result of the caving of Red River banks.

The Corps of Engineers recommended for appropriation even more than the committee has approved. Even by voting the entire $565,000 recommended, the Senate will still be providing $40,000 less than the Corps of Engineers originally requested for this fiscal year.

To be more specific, Mr. President, in regard to the item which my distinguished friend from Illinois is now seeking to reduce, there is one item of only $1 million which would take care of a project in the Gulf-Intracoastal Waterway, the Plaquemine-Morgan City route. This project, when completed, will save 160 miles of navigation.

This project has been referred to as one of the Nation's most urgently needed. It will reduce from 225 miles to only 65 miles the distance which barges must travel from the industrial areas of the West and Southwest, to the processing centers of the West, and to the Mississippi and Ohio River systems. As testimony before the subcommittee shows, these barges are now forced to utilize a horse-and-buggy section on what is otherwise a marine superhighway. This is obvious when it is noted that the rest of the intracoastal canal system gained about 20 percent in traffic during 1952, while traffic volume on this alternate route—which the $1 million would begin to bring up to date—is virtually at a standstill.

Let me emphasize that this route will provide a shot in the arm to our system of inland waterways in case an emergency should occur. This is a strategic waterway. It provides an alternate entrance into the Mississippi River, and will result in a net saving of 32 cents per ton on matter transported through it. Those barges which used the present antiquated system of canals and locks which we now seek to modernize actually saved, during 1952, a total of nearly $700,000 from the amount it would have cost to utilize the longer route. That the present route is antiquated is impossible to deny. I wish Senators could see it with their own eyes. It is a disgrace, besides being one of the biggest navigation bottlenecks in our Nation today. The present facility consists of a dilapidated lock located at Plaquemine, La., which can take care of 2 or 3 barges. The normal canal tows are much larger than that. Sometimes a tow of 15 or 20 barges must actually wait for some 3 or 4 hours before they are able to go through the lock. This project, in addition to providing larger locks and a shorter route, will make it possible for the expenditure, within the next few years, of millions of dollars, to provide a port facility for the Baton Rouge area. This expenditure will be made by local interests, which are ready, willing, and able to increase their port facilities to meet increased demand. Already the State of Louisiana is currently spending some $15 million on a Baton Rouge port program.

I am very hopeful, Mr. President, that the Senate will vote to sustain the action taken by the Senate Appropriations Committee.

There is one more item which should be discussed in detail, that is the so-called Ferrell's Bridge Reservoir on Cypress Creek, a tributary of the Red river. This reservoir is an essential component of the entire flood control program for the Red River valley. That comprehensive plan calls for the construction of seven reservoirs, and the creation of a system of levees to protect lands against inundation. So far, only one of these reservoirs has been undertaken—that is the Texarkana reservoir which is expected to be usable this year. The Ferrell's bridge reservoir is the second of these. Let me emphasize that when this comprehensive plan is completed, it is estimated that 90 percent of the flooding incident to the Red River headwater floods will be eliminated. It is a vital program; it is a most necessary program. These reservoirs and these levees will enable us to protect the rich farmland of the fertile Red River valley. We shall be able to protect homes and crops and fields. It is a good investment, Mr. President, and I urge the Senate to approve the expenditure of construction funds on the Ferrell's Bridge reservoir. The engineers say they can initiate construction this year if we make the funds available. I urge the Senate to approve the committee's recommendation.

Not only should we prevent such enormous losses from floods, but, as my good friend from South Dakota [Mr. CASE] has just stated, we should do all we can in order to conserve and preserve our most important resource, which is water.

By the erection of the reservoirs to which I have referred I have no doubt that we can prevent the enormous losses which are suffered almost every year from the overflow of the Red River in that area. Aside from that, the waters will be held, impounded, in these great reservoirs. That water can be utilized to generate electricity, or to irrigate some of the lands in that area.

I am very hopeful, Mr. President, that the pending amendment will be defeated and that the Senate will stand behind the action taken by the committee as a whole.

Let us not forget that each year, the Congress has whittled away at funds for flood control, for navigation, and similar purposes. Each and every year these amounts are reduced and cut back. I fear that unless we reverse this trend, unless we take steps to preserve and conserve our natural resources—our soil, and our water—we shall leave our children a heritage of wasteland, of eroded acres unable to produce the necessary food and fiber future generations will require. We are overlooking the forest for the trees, Mr. President. To reduce these funds further is to gamble with the most precious of our Nation's natural resources—that is, our precious, irreplaceable top soil. It would be folly to cut the funds recommended by the Appropriations Committee. I ask the Senate to pursue the course of wisdom, and to take the long-range view. The amendment should be defeated.

Mr. MARTIN. Mr. President, I think my colleagues realize that I am for economy in Government, but the improvement of rivers and harbors in my State has for 125 years been an obligation of the Federal Government. We are away behind with respect to many projects. I might illustrate by referring to the Ohio River. There are 53 locks on that river, and many of them are in very deplorable condition. A heavy flood would take several of them out entirely. As I see it, the locks are entirely too small. It frequently takes 48 hours for a fleet of barges to clear a lock.

It may be interesting to the Members of the Senate to learn that an ordinary towboat pushing 9,000 tons of petroleum products from Houston, Tex., to Pittsburgh, Pa., is doing a job which would require 830 tank cars of 8,500 gallons capacity, or 1,300 of 5,000 gallons capacity. If carried by rail it would require 16 trains of 50 cars each. If transported by truck 50 miles of road space would be required.

Mr. President, we do not have the necessary rail capacity or road capacity to transport this enormous amount of petroleum, coal, ore, and commodities of that character.

So, Mr. President, while I am always very sympathetic with the ideas of the distinguished Senator from Illinois to economize in Government, I feel that this is a case where it would not be economy in Government. I believe we can add to our wealth by a better system of transportation.

Mr. President, from the beginning of this Nation waterways have constituted a major source of transportation, carrying materials of all kinds and personnel. It is not economical to deprive us of the use of that fine and economical method of transportation.

Mr. BUSH. Mr. President, I should like to ask the distinguished chairman of the subcommittee if he will give us an explanation of why, in reference to the Housatonic River project, for which $500,000 for construction was approved by the budget, and for which the House allowed $500,000, the Senate committee now recommends a reduction to $400,000. The project is very important to the economy of my State. I am very much concerned about the reduction, and I should like to have an explantion of it.

Mr. KNOWLAND. Mr. President, the total estimated cost of proposed modification is $1,265,000, of which the Federal cost is $1,115,000. The budget estimate for 1955 proposed an appropriation of $500,000 to be coupled with a local contribution of $150,000 which would

make $650,000 available for fiscal year 1955. An appropriation of $615,000 would be required for completion in fiscal year 1956.

The Senate committee recommended an appropriation of $400,000 which, when coupled with the local contribution of $150,000, will provide $550,000 for the first year's construction. Under the recommendation of the Senate committee, an appropriation of $715,000 would be required for completion in fiscal year 1956.

In view of the fact that predredging surveys must be made, plans must be prepared, bids must be advertised for 30 days, the award must be made, and the successful contractor must mobilize his equipment, much time is required. From a practical standpoint, the reduction recommended by the Senate committee will have no effect on the completion date for the project.

The committee is familiar with the project and agrees with the Senator from Connecticut that it is an important one. I am certain the Senator will find that the committee will be prepared in the next year to move toward completion of the project, and that it will in no sense be delayed into another year.

Mr. BUSH. But it would be necessary, according to these figures, to have Congress appropriate another $100,000 for the following fiscal year.

Mr. KNOWLAND. That is understood. I may say to the Senator from Connecticut that both during the time I have had the honor of being chairman of the subcommittee, and under the chairmanship of Democratic Senators, when a project has reached a point where a relatively small additional sum of money would enable its completion, it has been the policy of the subcommittee to bring the project to completion.

Mr. BUSH. I thank the Senator from California for his assurances.

Mr. CASE. Mr. President, I desire to address myself directly to the point at issue with respect to rivers and harbors projects. The reason why the committee provided an increase in the schedules which the committee supports, as compared with the amount in the budget estimate, is that there are 2 projects in Alaska, 1 for Kodiak Harbor, in the amount of $109,885, and the other for Wrangell Harbor, in the amount of $507,700. Together, they account for more than $616,000 of the increase above the budget estimate.

The Wrangell Harbor project has a benefit-cost ratio of 3.33 percent which is one of the highest of any I know about. In other words, the benefits from the Wrangell Harbor project are equal to 3⅓ times the cost of the project. A subcommittee of the Senate Committee on Public Works visited Alaska last August and were deeply impressed by the need for better harbors to contribute to the developing economy of Alaska.

One of the projects is for the improvement of Kodiak Harbor. Kodiak is an island. There is no means of transporting anything in the nature of heavy goods to Kodiak except by water. The harbor at Kodiak depends upon some log and stone wharves which were constructed in the days when the Russians had possession of Alaska and of Kodiak Island. It is a severe handicap to the development of the economy of Alaska to have to get along with harbors on which no improvements have been made since that time.

The Governor of Alaska, in speaking before the committee, called attention to the fact that local waterways are necessary for the development of Alaskan industry, especially the expanding lumber industry. He said:

> We are developing pulp and paper manufacturing plants in Alaska and more sawmills, plywood plants, et cetera. They use the waterways exclusively for the rafting of logs and for the towing of logs into the mills.

The same could be said with respect to the movement of heavy goods. To get any heavy goods into Alaska, it is necessary to use the waterways. There are few modern harbors in Alaska. Congress should be doing much more, in my opinion, than it is doing at present for the improvement of Alaskan waterways and harbors.

I sincerely hope that the Senate will reject the amendment offered by the Senator from Illinois [Mr. DOUGLAS], which strikes directly at the Alaskan projects, because they are included in the group of projects, the funds for which bring the amount appropriated over and above the budget estimate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois to the committee amendment. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Pennsylvania [Mr. DUFF] is absent on official business. The Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

I announce further that if present and voting, the Senator from North Carolina [Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Montana [Mr. MURRAY] would vote "nay."

The result was announced—yeas 5, nays 82, as follows:

YEAS—5

Byrd	Frear	Williams
Douglas	Kennedy	

NAYS—82

Aiken	Case	Gillette
Anderson	Chavez	Goldwater
Barrett	Clements	Gore
Beall	Cooper	Green
Bennett	Cordon	Hayden
Bowring	Daniel	Hendrickson
Bricker	Dirksen	Hennings
Bridges	Dworshak	Hickenlooper
Burke	Eastland	Hill
Bush	Ellender	Holland
Butler, Md.	Ferguson	Humphrey
Butler, Nebr.	Flanders	Hunt
Capehart	Fulbright	Ives
Carlson	George	Jackson
Jenner	Maybank	Smathers
Johnson, Colo.	McCarthy	Smith, Maine
Johnson, Tex.	McClellan	Smith, N. J.
Johnston, S. C.	Millikin	Sparkman
Kerr	Mundt	Stennis
Kilgore	Neely	Symington
Knowland	Pastore	Thye
Langer	Payne	Upton
Lehman	Potter	Watkins
Long	Purtell	Welker
Magnuson	Robertson	Wiley
Malone	Russell	Young
Mansfield	Saltonstall	
Martin	Schoeppel	

NOT VOTING—8

Duff	Lennon	Morse
Kefauver	McCarran	Murray
Kuchel	Monroney	

So Mr. DOUGLAS' amendment to the amendment of the committee was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the committee was, on page 4, line 3, after the word "appropriated", to insert a colon and the following additional proviso: *"Provided further,* That not to exceed $750,000 of the funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of the Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation."

The amendment was agreed to.

The next amendment was, on page 4, line 17, after the amendment just above stated, to insert the following additional proviso: *"Provided further,* That not more than $15,000 of the funds available for the Fall River Flood Control project on the Fall River, S. Dak., shall be available to compensate the owners of water wells in the vicinity of Cold Brook Dam, S. Dak., for losses determined by the Chief of Engineers to have been sustained by reason of lowering the level of water in such wells as a result wholly or partially, of construction and operation of Cold Brook Dam. Losses compensable shall include, but not be limited to, the expense of improving or replacing the affected wells so that an amount of water equal to the amount previously obtainable from the affected wells will be available to the owners."

The amendment was agreed to.

The next amendment was, under the subhead "Operation and maintenance, general," on page 5, line 8, after the word "works", to insert "including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines, and

serving essential needs of general commerce and navigation"; in line 17, after the word "exceed", to strike out "$900,000" and insert "$1,040,000."

The amendment was agreed to.

The next amendment was, on page 5, line 20, after the word "expended", to strike out "$72,660,000" and insert "$79,880,000."

Mr. DOUGLAS. Mr. President, I call up my amendment, identified as "5-24-54-C," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The CHIEF CLERK. On page 5, line 20, in the amendment of the committee, it is proposed to strike out "$79,880,000" and insert in lieu thereof "$76,200,000."

Mr. DOUGLAS. Mr. President, the facts in regard to this item are rather simple. The Budget Bureau originally recommended $76,200,000, which is the amount provided for in my amendment. When this item was submitted to the House of Representatives, the House cut the requested appropriation by $3.5 million, to $72,660,000.

One reason why the House reduced the appropriation was that it was discovered there were $3 million of surplus funds uncommitted. Therefore, with an additional economy of $500,000, the House believed the budget request could be reduced by $3.5 million.

The Senate committee has increased the amount as fixed by the House by $7,220,000, and increased the budget figure by $3,680,000. What I am proposing is that the Senate revert to the budget figure, which, if the $3 million of unexpended surplus funds are taken into account, as listed on page 9 of the House committee report on civil functions, will actually provide for the item, "Operation and maintenance, general," $3 million more than the budget originally contemplated.

Mr. President, I do not intend to make a lengthy argument on this subject. We took quite a beating on the last amendment, when there were only 5 Senators who favored the proposed cut, as opposed to 82 Senators who voted against making it; and I know the temper of the Senate today.

Mr. President, in line with W. E. Henley's poem Invictus, I can say that—

> Under the bludgeonings of chance
> My head is bloody, but unbowed.

So, Mr. President, I submit this request to the good conscience and the good sense of the Senate.

Let me say that I hope very much that the majority leader, who has been most cooperative in connection with this matter, will again be willing to have the yeas and nays ordered on the question of agreeing to this amendment to the committee amendment.

Mr. KNOWLAND. First, Mr. President, to respond to the request of the Senator from Illinois, I now ask that the yeas and nays be ordered on the question of agreeing to his amendment to the committee amendment on page 5, in line 20.

The PRESIDING OFFICER. Is there a sufficient second to the request?

Mr. DOUGLAS. Mr. President, let me thank the majority leader for making the request. I say most sincerely—although perhaps this is not in keeping with party etiquette—that I have had much more cooperation from the present majority leader in respect to obtaining the yeas and nays on the question of making these cuts than I have frequently experienced in the past. So I wish to thank him for his courtesy.

Mr. KNOWLAND. I thank the Senator from Illinois.

The PRESIDING OFFICER. Is there a sufficient second to the request for the yeas and nays on the question of agreeing to the amendment of the Senator from Illinois to the committee amendment on page 5, in line 20?

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois to the committee amendment on page 5, in line 20.

Mr. KNOWLAND. Mr. President, having agreed to the request of the distinguished Senator from Illinois for the yeas and nays on the question of agreeing to his amendment to the committee amendment, I now rise to oppose his amendment. [Laughter.]

In the first place, Mr. President, the budget item was $76,200,000. The committee recommended the addition to it of $2,800,000 for the Delaware River and $400,000 for the Sevannah River, both deferred maintenance items; and then $480,000 for maintenance of local flood control projects, which we felt was in keeping with the obligations of the Federal Government. We believe that if any changes are to be made in the statutory provisions, they should be made by means of legislation amending the Statutes, and not in connection with the action of the Appropriations Committee of either the House of Representatives or the Senate on an appropriation bill.

Mr. President, with reference to the item in connection with "Operation and maintenance, general," we believe it is false economy to reduce the amount of the appropriation to such an extent as not to provide for adequate maintenance for these great projects, because in the long run to do so could cost the Federal Government much more than the amount required for maintenance.

The Senator from Illinois is correct in his statement that the House of Representatives had estimated that there would be a surplus of funds of approximately $3 million. But whether that estimate will be accurate will not be determined until the end of the fiscal year.

It is our judgment that both the amount we have recommended and the amount the Bureau of the Budget has recommended are necessary and desirable in connection with the item "Operation and maintenance, general."

Under the circumstances, Mr. President, I hope the amendment of the Senator from Illinois to the committee amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 5, in line 20.

On this question the yeas and nays have been ordered, and the Clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Pennsylvania [Mr. DUFF] is absent on official business.

The Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. KILGORE], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

I announce further that on this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Tennessee would vote "nay."

I announce also that if present and voting, the Senator from Montana [Mr. MURRAY] would vote "nay."

The result was announced—yeas 4, nays 81, as follows:

YEAS—4

Douglas	Kennedy	Williams
Goldwater		

NAYS—81

Aiken	Fulbright	Martin
Anderson	Gillette	Maybank
Barrett	Gore	McCarthy
Beall	Green	McClellan
Bennett	Hayden	Millikin
Bowring	Hendrickson	Mundt
Bricker	Hennings	Neely
Bridges	Hickenlooper	Pastore
Burke	Hill	Payne
Bush	Holland	Potter
Butler, Md.	Humphrey	Purtell
Butler, Nebr.	Hunt	Robertson
Capehart	Ives	Russell
Carlson	Jackson	Saltonstall
Case	Jenner	Schoeppel
Chavez	Johnson, Colo.	Smathers
Clements	Johnson, Tex.	Smith, Maine
Cooper	Johnston, S. C.	Smith, N. J.
Cordon	Kerr	Sparkman
Daniel	Knowland	Stennis
Dirksen	Langer	Symington
Dworshak	Lehman	Thye
Eastland	Lennon	Upton
Ellender	Long	Watkins
Ferguson	Magnuson	Welker
Flanders	Malone	Wiley
Frear	Mansfield	Young

NOT VOTING—10

Byrd	Kilgore	Morse
Duff	Kuchel	Murray
George	McCarran	
Kefauver	Monroney	

So the amendment of Mr. DOUGLAS to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 5, line 20.

LET THE PEOPLE OF ALASKA BE HEARD—PROPOSED REFERENDUM FOR STATEHOOD FOR ALASKA

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a petition containing 1,422 names, from Alaska.

This petition was furnished by Alice Stuart, the representative sent from Alaska to the Capital to present it.

The petition contains the names both of those for and those against statehood. It requests a referendum, and time to vote on the issue in Alaska before anything is done by Congress.

The petition is headed "Let the People of Alaska Be Heard."

I ask unanimous consent that the petition, together with the names, be printed in the RECORD.

There being no objection, the petition, together with the names, was ordered to be printed in the RECORD, as follows:

LET THE PEOPLE OF ALASKA BE HEARD

(Population of Alaska, 1950 census, 128,643)

(Statehood referendum 1946: 9,630 for (59 percent); 6,822 against (41 percent))

We, the undersigned, citizens of the United States of America and legal residents of the Territory of Alaska, respectfully request another Alaskan referendum on statehood.

We further request that the question be worded very clearly and definitely, in an unbiased manner, such as: "Are you in favor or against immediate statehood for Alaska? In favor □; against □", and that it be placed on the ballots for the 1954 Alaska general election:

Alice Stuart, Rudolph Johnson, Claudia Studebaker, Bruce S. Thomas, Edna Dallas, Robert P. Scott, Joseph Kelly, R. P. Steel, Wm. McConn, Oberta McVeigh, David H. Doxey, M. I. Furlong, Delorez J. Westman, Robert S. Kimball, Harold B. Sutton, Thomas E. Langston, Thelma W. Estorffe, Helen Schworsdall, G. M. Gasser, Mr. and Mrs. H. D. Scougal.

Beatrice G. Steel, Frances Taylor, Lyle S. Clay, Theodore R. McRoberts, Ray Woolfud, Roy Molun, Wm. T. Webb, R. A. Grobing, H. S. Booth, Juan Hillman, Mrs. D. W. Eresill, Eli Templin, Elsie Leonard, Jean Graves, Leo A. Schlocfelst, Thomas M. Roberts, Margaret E. Gordon, Helen B. Siefer, Edward Davis, Billie E. Ritler.

James Canfield, E. F. Jessen, H. Meminan, John B. Hall, Theodore R. Lowell, Adele K. Chesser, Beatrice Nebel, Ethel J. Lowell, Robert A. Parrish, Harry Madsen, Ernest Johnson, Alice E. Bayless, G. W. Larsen, Dwight, R. Mattix, Junnita Nelson, Julie Stiblo, Mary Lyons, June H. Nordby, Barbara A. Johnson, Mary Garratt McLean, F. J. Jenkins, Barbara Kansky, Sterling H. Cox, Noel Wien, Aladea S. Liuele, Elsie May Smith, Anne Wien, Helen P. Lebiz, A. E. Hagberg, B. Gruel, Val Gruel, Joanne Rosintreter, Robert A. Wells, Don McCune, Harry Clierk, E. M. Clausen, Duane Hall, Al R. Beasley, Frank Silva, Jack R. Marshall.

Louis Black, Albert Barber, Jack D. Daum, James L. Douthit, John J. Ryan, Alfred J. Ghezzi, W. D. McKinney, Jr., E. T. Bicknell, Paul J. Reiber, Justin P. Whitaker, E. Milburn, Betty Penning, Marian Howard, Leroy Funnell, Douglas G. Bresta, R. Byrd, Elizabeth Bradford, R. Wink, Eugenia Reeve, R. T. Optad, Maurice T. Johnson, Cyril R. Grantham, Marie Warren, Glenn A. Willacy, Ben Shallet, Max Rede, V. E. Brewer, John C. Sloyle, Kathleen Webb, George DeWitt, Margout McCarron, R. McMedy, Kenneth Margaret McCarron, R. McNealy, Kenneth L. Walker, Mary McNealy, Edna F. Isberg, Arvilla Clayton, Margaret A. Goodfellow, Alan D. Sanders, Peter Gatz, Mary Letcher.

Gena Eastlou, Ted Leonard, Monty Parsons, Hilda Denke, Wm. Grafton, Helen Jackson, Robert W. Mote, Mrs. Roy Clubb, Jr., R. Van Hollebbe, R. E. Bowles (Mrs.), Elizabeth Hayford, June Thomson, Wallace Coltant, Jr., Dorothy Hepp, F. J. L. Foley, Beverly Lewis, Meriwether Lewis, Ada Mathes, Tommie L. Johnson, Kitty Royer, Mrs. Betty A. Pope, Mrs. C. B. Thomas, Joy Sibona, Jeneva Luedquin, Ruby H. Bye, George Myatt, Ed L. Crawford, Richard Mantyre, Keith W. Harkness, Arni M. Lee, A. E. Hayman, Harriet Evan, Blanche L. Pitcher, Stella Hering, James Gallagher, George Hunter, Robert Thomas, Howard O. Thornburg, Joe Mills, Bill Thompson.

Thelma Tipton, James E. Moody, L. E. Linck, Anna Lihich, Christia L. Stewart, Helen Flynn, Sarah Ann Martin, Grace Hoitt, A. S. Brown, Eva McGown, Thornton R. Waught, Eleanor M. Waught, Elias Hansen, George W. Blewer, William Roaf Dolan, C. Masters Beaver, Fabian Carey, Don Johnson, Rita H. Jilmur, Mrs. Rose M. Alebriest, John R. Hoerler, E. Jas. Houseeth, Francis P. Baker, Bernard Bringhurst, Donald MacDonald, III, John Charles Madson, Marvin L. Raaum, John A. Bennett, Ivan E. Skaw, R. C. Pittman, Bernard F. Smith, Donald H. Ezinck, Hettie Sager, Lucille Olbin, Frank O. Towne, Mrs. Frank Larson, Janet P. Linesley, Nadine Saulsberry, Helen L. Everts, Grace Fisher.

Marchie Janeau, E. A. Janeau, Joe Simpson, Jack Brooks, Joe Platts, Everett W. Hepp, Paul Greimaw, Mary Higlin, Maria Morgan, Harold D. Jarmer, May A. Norein, Mrs. Joseph J. Thomas, Mrs. John O. Gustafson, Mrs. Harold Sweet, Mrs. Wm. J. Norman, Mrs. W. T. Norman, Mrs. Louise Karstens, Mrs. Loretta Moore, Otheal M. Wantland, Dr. Merrill L. J. Forrest, David Mutchler, Rene Morris, Mrs. Charles B. Hanna, Lillian Helstrom, Agnes C. Wanamaker, Charles H. Stowell, Roy J. Davis, Fran E. Grondin, Phyllis J. Grondin, Mrs. E. B. Woodcox, Eileen Porter, C. R. Siegel, Sarah Assad, C. J. Schaible, Bernice Baker, Earl W. Wymana, Henry W. Hathan, R. M. Fenton, James J. Williams, Jr., Louis F. Bunger.

Mrs. E. R. Farrell, Jack M. Dorsey, Thomas A. Bear, James M. Lord, Ferm Martin, La Denna Lumpkin, Lloyd W. Martin, William O. Thompson, Lyle Morris, Clarence Rickey, Betty Gustafson, Marion E. Adams, F. W. Gordon, Ingeborg Huckabay, James R. Hughes, Mrs. Ralph B. Williams, George R. Geary, M. P. Stowman, Beverley Alexander, R. N. Grow, Les Rogers, Bob Gray, Bob Lauderback, Evelyn Feaver, B. L. Stolen, Clyde Burkett, N. O. Bennett, James F. Donovan, Robert Bloom, Jean Casey, Edith Acres, Howard Bayless, C. L. Ladley, H. H. Ungethuen, Helen M. Findley, Herschel Crutchfield, Carl Ludwigson, James F. Hood, Ray Ray Kress, W. F. Lambert, Fred J. Rand, Fred Reed, Red Oaks, H. M. Field, John C. Crook, John R. Lennox, Geanette Proffett, Roune Wade.

S. A. Eide, Esther M. Midthun, Olga T. Steger, R. G. McCarty, Chas. Metenhanish, William D. Sexton, Henry A. Krize, Russ Fuller, Mrs. D. L. Forster, Mrs. L. O. Mills, Art Stockhausen, Geo. Hellerch, Ayriam E. Snow, Sally Broberg, Selma Snafton, Mary Sturgis, Vitos F. Adams, Marian Davenport, Gray S. Tilly, Matt Lynwood, Vira Nodshilder, R. Leedbetter, J. E. Ojola, J. M. Jorgensen, Clara M. West, Charles A. Gaba, Lois Erickson, Helen E. Edwards, Flora Gibbert, M. B. Bigovich, Patricia Morlen, Dorothy Gunther, Jaepe Johnson, Martha Bozeman, Frances B. Cameron, Frances Frazier, Louise M. Shoup, Jay S. Maxwell, Gloria A. Ballard, Dora McCabe, Martha R. Criger, Edith Rodeman, Al Steger, N. L. Multer.

Arne L. Buckley, H. M. Listel, R. A. Warren, Shirley L. Carlson, E. F. Stroesper, Rita Aghaba, Dawson Cooper, Virgil M. Cady, Berseta Anderson, John S. Weston, Myrtle Votruba, Gordon Johnson, Olyvia W. Wescott, Druska C. Schaible, Sylvia Ringsted, Mary F. Brickry, Albert P. Schick, Mary Murray, Donald G. Corcomer, Mrs. James Langton, Merl T. Thomas, V. G. Baker, Ruhaed G. Guintess, Leo Hardy, Floyd P. Gammill, R. N. Shoup, A. L. Hart, A. H. Humpherles, A. J. Sexauer, Mrs. R. T. Ofstad, Harold Christensen, Charles Schiek, Harold E. Mead, Dorothy Hardy, Paul R. Hagelbarger, William Colombarry, Ruth Hofknecht, Elizabeth Sparlin, R. H. McGiboney, Sr., C. C. Taylor, R. C. Bailey, Vitas Hedums, Lillie B. Smith.

Douglas O. Maddux, Jerry Bader, R. U. Cowgill, Janet Cowgill, Alice M. Baker, Verlie Rank, Wm. S. Watkins, Ralph Conont, Reed Weltzin, Antonio Polet, Andrew P. Brawick, George H. Thomas, James N. McDonald, Mary B. White, Clifford L. Haydon, B. P. Eastwood, Frank C. Jones, Jr., Mildred Tohecton, John F. Frey, Fred M. Wacknitz, Robert Slater, James G. Manning, McWilliam, Gladys Morris, Lawrence G. Baker, Elva Spears, Irene E. Brown, J. E. Ballard, Annella Dans, Frank J. Miller, Tondola Carroll, Howard E. Shaw, Clarence Prasine, Beulah Myers, Tessie S. Kardanoff, Ed Aldrich, Helen L. Frank, Hazel R. Bishop, Verda J. Beckett, Wm. L. Basham, Lina Gerson, Jack McPhee, Verne V. Murphy, Quell Saunders, Mary Williams, Pat West, Evalyn Smith, S. K. Hacbell, Beverly K. McQuerney, Grace McHarkness.

George Beck, Richard Frank, Thomas F. Sayles, Anne Strand, Frank E. Glaser, Arthur C. Lue, Douglas B. Colp, Mrs. R. K. Lavery, R. K. Lavery, Ladlyn O'Laughlin, Harriet E. Burgess, Aileen G. Cooper, Henry H. Simpson, William Knight, Pauline Grantbem, Davis M. London, C. Randell, Angeline Kelsey, Mrs. M. F. Miller, George Priston, Claire L. Rust, B. G. Sheldon, Dan Redden, Geo. C. Horn, Mrs. Ella C. Lauesen, Robert B. Hoitt, Esther J. Schaubel, Melone S. Harns, Douglas McKay, Mrs. E. N. Gurr, Rev. E. N. Gurr, Eva Meloy, Robert H. Meloy, Richard D. Hansen, Donald H. Smith, Jr., Lois G. Tait, Jena H. Forshary, W. L. Hawks, Nuto E. Koponsen, Glenn W. D. Spain, Otto D. Coon, C. E. Osborne, Mrs. C. E. Osborne, E. Glen Wilder, A. J. Douglas, J. H. Horg, Nita Carter, Dorothy Westerberg, Wilma Gale, George Gale, Ed Coffey, Ruth C. Hiel, C. R. Cohve, Eva L. White, Wheaton Blanchard, Esther Byrnes, Martha Hoechle, Sharon Murray, M. R. McRoberts.

James R. Woodbury, Vilma Turner, Barbara Hughes, Jim Spring, Stan Caulfield, Johnny Cranjohn, Geo. H. Bentley, Henry Bender, Arthur J. Tordoff, John Yurkovich, Mrs. Ray Barber, William C. Growden, Bertha Novak, Harry K. Gayley, Mrs. Earl S. Yossa, Glenn Baker, Arthur J. Hull, Patricia Chapadas, Elmer Keturi, Edwin C. Gelvin, Francis Walker, Jama M. Hogue, H. K. Caselish, Ben M. Garland, James Mortimer, Riley Baldwin, R. A. Phillips, Marcella Charlton, F. R. Kaesch, C. E. Hogue, R. W. Wint, Portia Roberts, Cecil Suedden, Harry N. Wagers, Hagy Hammond, Donald R. Ostland, Frank J. Wopih, Calvin J. Lensink, Bonnie Dale, W. G. Stroecker, Dorothy J. Silva.

Ethel V. Suian, Dorothy McGrath, Gene Erwin, Don McGee, Mrs. R. R. Harned, Lournetta James, Carl H. Hobbs, Vera A. Myatt, Donna L. Hupprich, Frank Kruze, Elizabeth R. Walker, Mrs. J. W. Pierson, Shirley M. English, Charles V. Garry, Gladys Peterson, Mrs. C. S. Kaufman, Dale Haviland, Milton H. Bell, Margie E. Wier, Otto E. Schallerer, Mr. Edward F. Ginger, John Wright, R. W. McKibbs, W. L. Eastaugh, Clyde G. Sherman, Anton Massin, George B. Case, Ray Wheeler, C. M. Larson, Robert Vrata, Hans Nugaard, John McFarland, Jack Urata, Martin Massin, Hubert M. Williams, John Massin, Ruth Sandvik, Calle Heutze, Edward A. Merdes, Mrs. F. X. Riley, William Moran, B. B. Muller, Frank L. Crosby, Rita L. Moore, Maybelle B. Horton, Anna C. Kearney, Claudia K. Gissberg, D. R. Wilson, Edward L. Poole, James Herbert.

Virginia Newman, Sally Cravens, Lorene Tuengal, Susan S. Chapman, S. M. Molachoff, R. M. MacKenzie, Gerry St. Hilaire, Bomylin Sausard, Sam Green, Stanley Osborne, Rev. Art Grover, Joel Buffington, Oscar Watsjold, Jessica Engelbert, John M. Coleman, Gene C. Kirkpatrick, Mildred E. Kirkpatrick, Sidney M. Urie, Chuck Barrett, Blanche Ball, Don Bume, Grant Chapman, Kenneth S. Eberhart, Jane C. Reed, C. E. Reed, Leona

Chapadas, Marie K. Sellar, Ralph De Long, Jean Riess, Charles L. Ward, Otis Berry, Fanny Joyce, Juanita Davis, Mrs. H. H. Ueely, James C. Phillips, Theodore J. Almasy, Gus Urtila, Ina Urtila, Pauline Christensen, Joe Simpson, Marie Worden, Bob Murray, Mrs. B. J. Bingle, Mrs. Ralph H. Weeks, Ralph H. Weeks, Joe Day, Celia M. Hunter, Elbert H. Pitts, E. J. Ulen, Obren Stanis.

Bert F. Kellogg, Mary F. Brickey, G. A. Warden, Robert M. Chapman, Charles R. Pierson, J. G. Schultz, Joy E. Vogler, W. F. Darsh, Norma H. MacDonald, Mrs. P. O. Pederson, Edna B. Garberg, Franklin McGasbey, W. E. Lewis, B. R. Harwood, Gerald Hassan, Rita Mourant, Etta Carroll, V. L. Lofstedt, M. E. Arnell, A. C. Field, Jr., Lucile H. Rigney, Dallas L. Bowen, Bernice Steele, W. M. Matot, Hilen Strusz, Harry A. Wilcox, Rose H. Pollard, Dan Cutter, Mildred Cutter, Gordon E. McCormick, Woode Ferrn, Albert E. Mode, David Tewkesbury, Irene Roscoe, R. E. Hendrich, Norman C. Brown, John W. Titus, Mrs. Neil D. Beaton, Peter Egrass, Thomas C. Harris, Ralph E. Cunningham, Richard A. DuBean, W. G. Spradlin, Marvin Jones, William J. Gordon, Shirley Lewis Gordon, Pat Tierney, William Trujillo, Harry Knudson, Louis Black.

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Edward L. Clemons, Norma J. Tenjgard, Bernice Stokle, E. J. Haugen, Wilma Oines, James Hammer, J. Taylor, Andrew Wikan, Eiling Nicholson, Knut Thompson, Lester L. Wingard, Elsie Clausen, Patricia Concannon, Dorothy Wingard, Martha Harrff, George C. Beacon, Myrtle B. Sarusla, Violet Mitrovitch, Joe H. Ashby, Carene M. Franklin, Edith Bradshaw, Cleo Campbell, Warren C. Christianson, L. E. Theeke, Faith F. Christianson, B. O. Boettchelor, Frank Richard, Malcolm Dennard, Don R. M. Scow, Henrik S. Bredut, Ruth Hodge, P. A. Haugen, A. J. Petraborg, Jr., Carl Wallenberg, H. G. Thorburn, Clyde Peterson, Thomas Jackson, L. W. Peterson, Bertha Surrett, Dorothy Richard.

Harry T. Doran, Charles W. Olson, Thomas K. Linnett, O. R. Rutherford, Gertrude Wood, Wilma McClain, Helen Rutherford, Vilma B. Sawela, Huldah F. Richard, Ruby Spears, Hortense Lanier, V. O. Jasper, E. T. Meyer, Virgie Meyer, A. M. Anderson, Ted Kettleson, D. M. Ramsay, C. E. Wortman, Geo. A. Nicholson, Margarete De La Hunt, Rubye A. Rottluff, Marjorie Crueger, Charles Tueirgel, Mabelle Green, Thomas F. Pitson, Wm. Lindquist, W. W. McDonald, U. S. Deilson, Robert McDonald, Mabel F. Tilson, Hopewell R. Rands, Hazel M. Olsen, I. Caroline Sing, Luella Smith, Beatrice Baugh, Betty Gutienz, Stella Martin, Daisy Jones, J. F. Schmen, Harold Veatch, Constina C. Veatah, Paul R. Pelker, S. Bradshaw, W. P. Wyres, Keith B. Snowden, Albert Dennard, Elsie Beauchamp, John Holis, Ruth Salarz, Will Anderson, Harold O. Malone, Katherine H. Barnhard, Anna Belle Appling, A. I. Cropley, Wm. L. Hall, Jessie Halterman, Wm. Spears, Geo. Mijasato.

Loretta A. Nygaard, C. S. Nygaard, Roger Lang, Jerry Lang, Geo. P. Hughes, John W. Jensie, Gibson Young, Calvin Spaiegle, Raymond Neilsen, Sr., Alfred Apodruk, William E. Arthur, John Shotter, H. Eldon Ridley, Joseph E. Howard, Sr., Lloyd J. Sutton, Albert C. Nielsen, John Sam, Jr., Robert E. Thurman, H. W. Sulser, Philip W. Moore, Leslie Yaw, James C. Rivehart, Roland B. Wurster, Fern Ruth Gable, Caroline Yaw, Henry H. Chapman, Joe H. Appling, D. C. Chortvia, Chas D. Shofried, Marguerite Reed, Marvin Clinberg, Sr., Edwin L. Reed, Norme Daeuce, Martha P. Cushing, Albert Brookman, Bernhard J. Rigling, Mack C. Rigling, Lee Richard, R. L. Shackleford, I. E. McDonald, C. W. Dean, Margaret B. Fidaroff, Fred R. Glover, Steve Kansky, Anna Leora Wright, William H. Wright, Phil Johnson, Cyril A. MacHahan, E. A. Avant, Jane Bushey, Arthur Lambert, Alice M. Smith, John A. Hauser, Helga M. Parent, Thomas S. Smith, Glen Dillard, Mattie W. Schaller, Douglas W. Becker, Eileen Porter, W. Robert Fink.

Faye Connolly, Ruth A. Christensen, Marjorie C. Roger, Harley W. Wilson, Walter I. Dahl, Thelma Hardesly, Louise N. Marx, Harley A. Baker, Alfred C. Loose, R. M. Winslow, Carl A. Grenci, Leonard J. Mucciacian, Henry O. Martin, Charles S. Harvard, O. E. Abdill, Kay W. Dandsen, Violet Joan Gohren, Mrs. James Mitchell, Mr. Eric Hard, Mrs. Eric Hard, Oliver V. Kola, Philip M. Wilcox, Paul B. Stout, Joe V. Tuft, J. L. Houck, Charles O'Brien, Norine E. Leedom, Mrs. E. N. Berato, John Vandike, James C. Pfeffer, Eleanor W. Stevens, David B. Ring, Betty J. Brinkurst, Marion Alpuis, Genevieve A. Hazel, Paul D. Goodrich, Leila Lovett, F. J. Brown, Lona M. Binger, Marion D. Recknor, Beatrice Fisher, W. M. Webb, Betty M. Luther, Adah Laisure, Dorothy J. Potter, Rasmus Simonson, Sumner C. Lesh, Gilbert G. Whitehead, F. W. Shellhorn, Patricia Kling.

R. C. Barnett, R. R. Robinson, Nancy A. Ellis, Dorothy O. Hassinger, Olive Batix, Mrs. Jack Fisher, Mavis B. Conte, H. J. Campbell, H. L. Johnson, Irene H. Anderson, Bertha Jones, J. R. Hall, Robert E. Barnett, Mrs. John Parsons, Mrs. Larry Moore, Miss Ellen Cronin, Mrs. John R. Gilliland, Karl L. Hopfer, Marie Griffith, Esther Foster, Jack E. Snyder, Laurence E. Sandison, Frank E. White, Joseph R. Painter, Edward B. Ladd, Ted Lockhart, Grace Vogter, Leif L. Vogter, Thomas H. Wagner, Virginia H. Wagner, Clarence Williams, Frances Peterson, Marilynn Barks, Mrs. Aleen J. Fowler, George Axtell, Rena A. Ericksson, Maxine Bray, Hazelle Baily, John Giboney, C. Fred Long, Leon J. Brachu, James E. Conner, Lyle E. Hays, George C. Carrick, J. P. Taber, Don Brennan, Mrs. W. E. Franklin, Herman L. Cotter, Sherman W. Small, Jesse W. Lowman, Jack Joiner, R. E. Clark.

Oren E. Girdley, Ethel W. Tonseth, William P. Thomas, Richard C. Cassell, Mrs. R. G. Billberg, Mrs. H. E. Buzby, Mrs. Irene McKenzie, Mr. Don E. Johnson, Robert J. Rogers, Nadine Templeton, W. E. Fry, Einar H. Moen, Bernice Buchanan, Bob Miller, H. Francis, Rose N. Cowles, F. A. Cobb, Hulda Elieff, A. D. McIntyre, L. W. Beyer III, Charles William C. Ward, Gertrude B. Ward, Hortense Landreu, C. B. Miller, J. T. Bayless, Bob McQuin, Thomas Hall, Ralph C. Bailey, Henry R. Green, Lulekera Green, Anita Bredlean, W. C. Bredleau, Thomas P. Brower, H. S. Wanamaker, Alice Stryken, Harold M. Thompson, Jack B. Bruce, Vernie B. Shanks, H. K. Alridge, Gene Rogge, Anthony A. Alston, Ralph Persenger, Ralph M. Williams, Charlotte Canfield, Melvin Bovincamp, Slim Blood, Bjarne Rune, George C. Clayton, Floyd Tuckness, Betty Mehl.

Laura R. Bowman, E. P. Bowman, Adam Wilson, Ciell E. Bacon, Ruth E. Bacon, Ina Paulson, Martha Olsen, Bert M. Olsen, Gres Nelson, H. K. Carlisle, Mrs. Robert W. Slater, Mrs. V. L. Plumondore, Joseph R. Corie, Orville C. Mathis, John M. Maitland, Henry V. Willman, Dale H. Raustead, N. L. Benson, John M. Olsen, John S. Holmes, E. L. Roberts, Rev. George Boleau, J. Jay Bickel, O. C. Cameron, Mike Mrkaich, Victor Hart, Gerald Claus, Clyde Burkett, Donald A. Clark, Virginia Clark, Robert C. Frodick, Jerry Jack, Jui Sitrosra, Elmer J. Stafford, Kenneth Goshen, E. Helsinger, H. Machanski, W. C. Gooch, Thomas J. Bastrom, Thomas C. Spencer, Arthur Vch, R. O. Tuter, Carl Strass, Suco Mustomas, Nellie Beck, John W. Mill, Edu Fleider, James F. Clausen, Mrs. Edward Kasalek, P. O. Pederson, Pearl Leona Pederson, Jack H. Long.

Frank T. Fleshman, Robert Shell, Virginia Gilmore, Kenneth V. Preston, Wm. G. Furnish, Warren D. Shelle, Bity Maillard, Jeffrie Jacob, T. J. Broderick, W. E. Carter, J. S. Gudschinsky, Gene V. Sager, Arthur S. Power, Ira B. McPhee, Charles G. Mayse, J. L. Alter, E. L. Plunkett, E. J. Akeson, Otis Berry, Jr., Howard C. Sparks, Wm. T. Anderson, Jorene S. Anderson, Arthur Bryant, Mary Ann Schanafelt, Mattie B. Wilhoite, M. LaRue Derr, Mollie L. Bogger, Dorris Randall, Gerhard E. Dornath, Ted Ferry, Ross Simpson, Carl Strass, Elsie Dahl, Fritz Wien, Tom Canafax, Harry F. Hoerbeer, C. Y. Green, Arta Conant, P. H. Russell, Wayne J. Dillon, Geo. Karis, Isabelle Kramer, Edwin A. Rozanski, Woodrow Huston, Emil Nissiner, James R. Anderson, Charles P. Rees, Maude Goronoff, Robert E. Nickels, Bob M. Briey, Margaret Hill.

Patrick H. Hart, Leslie W. Almquist, Myra F. Rank, Joyce Nesland, J. Ellsworth McCarthy, Mary R. Miller, Charlotte T. Kubon, Colin MacDonald, Clyde Geraghty, Eddie Dean, Milton E. Wetherill, F. C. Sellar, Judith A. Merrill, Robert McCaffey, James U. Cornwell, S. J., Bruce L. Neeley, Daniel Carlsen,

Jack Moran, Wm. J. Lebbe, Jack Little, Mrs. Pearl Kendall, J. R. Miller, Bill Benton, Daniel M. Signore, Henry Kinney, Mrs. Carall B. Rymel, Mr. Amos P. Rymel, Mrs. R. A. MacDonald, Karl P. Carlson, Steven Random, Matt Hermsen, Patrick Savage, Marque Haggland, Hans Leichmann, Sarah Thompson, Norman M. Jones, (see No. 1263, Mertie L. Baggen, two with same number No. 1263), Wilton L. Rodgers, N. Jack Benson, Jr., Howard McInerney, Terry Dihls, Walter G. Lyon, Dave Tozier, Edwin D. Eddy, Albert P. Thomas, Chas. R. Moore, C. L. Warnstaff, Boon M. Ayres, Dorothy Keber, James H. Russell.

S. O. Gardiner, R. E. Fury, James B. Murphy, Otis Warren, Edward Warner, Mrs. A. M. Swarner, Mrs. C. E. Isberg, Frank Thomas, Frank Presto, Cecil W. Benson, John A. Carlson, James E. Tomis, Joe M. Adams, Mary Hill, Louis Kocchalk, Frances Kocchalk, Margaret Popescu, William Siemens, C. W. Detrick, Mathilde Link, Robert B. Blodgett, Clair L. Bailey, Tom P. Cole, Joan Smith, Robert Mosley, Robert J. Coe, Jr., Edith P. Bullvek, William Becker, Edith Hamilton, James Kinney, Roy V. Johnson, T. Joe Bruynole, Frank Jones, Sylvia M. Quest, F. M. Schadde, Roy L. Isackson, Frances L. Isackson, Iris M. Bayless, Fred C. Christensen, Ralph N. Paden, Wm. G. Ollikainen, Mrs. J. S. Stewart, Effie Kakrine, Jean Walker, Olyvia W. Westcott, F. Kruse, Virginia Bracies, Faye Alderton, Reinald Lahti, Taimi Lahti, William W. Bacon, Blanche Cassadin, C. C. Leasure, Leah Rowan, Howard W. Hein, Wyman Frantsch, F. J. Phillips, M. D., A. Burlingame, Henry Theriault, Mrs. Gordon Halupszok, Asher B. Richardson, John E. Ritter, George C. Sheldon, W. J. Smith, Ethel Norris, Mrs. Frank H. Mapleton, E. R. Farrell, Sam Gamblin, E. J. Mann, R. L. Rutt, James Nalks, Sr., W. R. Kirkpatrick, George J. Miscovich, Bill Meldrum, Eric Sto, Ole Nord, E. C. Wallace, Om C. Selid, Harold C. Desper, R. F. Roberts, Stuart S. Mackormiak, Chase Hoss, Mrs. Marvel M. Holteg, R. P. Brown, Steve Nerod.

Mr. MALONE. Mr. President, hearings have been held on this subject at various times during the 8 years the junior Senator from Nevada has been a Member of this body, but the people of Alaska have not had an opportunity to vote on this issue for a considerable time.

While the population of Alaska has been variously quoted as 175,000 to 200,000, the actual population, not including members of the armed services, is reliably reported to be nearer 132,000.

The junior Senator from Nevada believes that the 1,422 people represented by the signatures on the petition should have their way, and that a referendum should be called in Alaska for the people to have their say before the Congress takes action.

Mr. President, the senior Senator from Nebraska has introduced a bill that would provide for the election of their governor by the Alaskan people and for their writing their own constitution within the purview of the Constitution of the United States. The junior Senator from Nevada has introduced a similar bill for the Territory of Hawaii. The Congress has already passed such legislation for Puerto Rico and they are happy with it.

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY—REFERENCE OF RESOLUTION

Mr. LANGER. Mr. President, yesterday there was reported from the Committee on the Judiciary Senate Resolution 252, calendar No. 1392, providing an additional $10,000 for the same use and for the same purpose as provided in section 134 (a) of the Legislative Reorganization Act of 1946.

I ask unanimous consent that Senate Resolution 252, to provide additional funds for the Committee on the Judiciary be referred to the Committee on Rules and Administration.

Mr. JOHNSON of Texas. May I inquire as to the nature of the unanimous-consent request?

Mr. LANGER. It is the usual request to refer the resolution to the Committee on Rules and Administration. The resolution would provide additional funds for the Committee on the Judiciary. It was reported by the Committee on the Judiciary, and the request now is that it be referred to the Committee on Rules and Administration.

Mr. JOHNSON of Texas. I ask the Senator from North Dakota to withhold his request until I have an opportunity to confer with the ranking minority member of the Committee on Rules and Administration.

Mr. LANGER. My request is that the resolution be referred to the Committee on Rules and Administration.

Mr. KNOWLAND. As I understand, the resolution has been reported by the Committee on the Judiciary, and the Senator from North Dakota is now asking unanimous consent that it be referred to the Committee on Rules and Administration, under the rule.

Mr. LANGER. The Senator from California is correct.

Mr. JOHNSON of Texas. I ask that the Senator from North Dakota withhold his request for the time being. I shall try to clear up the matter before the Senate recesses today. The distinguished Senator from Arizona [Mr. HAYDEN] has previously objected to such a procedure until the resolution in question has been on the calendar for a day. I shall attempt to work out the matter and confer later with the majority leader.

Mr. JOHNSON of Texas subsequently said: Mr. President, I have conferred with the majority leader and with Senators on this side of the aisle since the distinguished chairman of the Committee on the Judiciary made his unanimous-consent request. There is no objection on this side of the aisle. Therefore, I ask that the unanimous-consent request made by the Senator from North Dakota be considered again.

Mr. KNOWLAND. Mr. President, I should like to state also that the resolution has been on the calendar for 1 day, and therefore the request of the Senator from North Dakota is in compliance with the rule of the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from North Dakota? The Chair hears none, and the resolution will be referred to the Committee on Rules and Administration.

PROPOSED AMENDMENTS TO DEFENSE APPROPRIATION BILL

Mr. LEHMAN. Mr. President, on behalf of myself and the Senator from Massachusetts [Mr. KENNEDY] I submit amendments intended to be proposed by us, jointly, to the bill (H. R. 8873) making appropriations for the Department of Defense and related independent agency for the fiscal year ending June 30, 1955, and for other purposes. I ask that the amendments be printed in the RECORD at this point as a part of my remarks.

There being no objection, the amendments submitted by Mr. LEHMAN (for himself and Mr. KENNEDY) were received, referred to the Committee on Appropriations, ordered to be printed, and to be printed in the RECORD, as follows:

On page 50, between lines 2 and 3, insert the following new section:

"SEC. 738. No part of any appropriation contained in this act shall be available for the transfer of the Army Quartermaster Purchasing Agency from its present location in New York, N. Y., to Philadelphia, Pa., or any other place."

On page 50, line 3, strike out "738" and insert in lieu thereof "739."

Mr. LEHMAN. Mr. President, the effect of the amendments would be to prohibit the spending of any money for a transfer, already announced by the Army Department, of the Army Quartermaster Purchasing Agency, now located in New York City, to Philadelphia.

I am aware, Mr. President, that the amendments might be considered legislative riders on an appropriation bill. On general principle, I am opposed to legislative riders on money bills. I think that legislation ought to be taken up by the appropriate legislative committees. But in this case, Mr. President, there is no other recourse.

This is the only way which seems to be available to prevent a grave injustice from being perpetrated on the city and State of New York, and a development of harmful effect upon the State of Massachusetts, among others.

I hope that the Senate Appropriations Committee will give all proper consideration to the amendments, and approve them. I hope the committee will look thoroughly into the situation which these amendments are designed to cure.

I wish to assure the Senate, as I shall assure all those adversely affected by the Army's unwise decision to move the Quartermaster Depot out of New York, that I intend to bring the amendments up on the floor of the Senate if they are not adopted in committee. I propose to insist that we be given a full justification for what appears to be, Mr. President, a discrimination by the executive branches of the Federal Government against New York State and the northeastern section of the United States.

The proposed transfer of the Quartermaster Agency from New York to Philadelphia is not an isolated case. It appears to be part of a consistent pattern. I must oppose the further entrenchment of that pattern. I shall clarify this argument in a moment.

The Army Department claims that this move is dictated by considerations of economy. As far as I am concerned, the Army has not proved its case on this ground by any means. But I want to say, Mr. President, that economy can become

a shibboleth, a kind of fetish, or voodoo, which can distract attention from the real substance of what is being done.

In the name of economy we can dismantle a great many of our military and defense installations. Instead of having many military camps, we can establish one huge military area in which all our forces would be concentrated. That would be cheaper, but it would defeat some of the main purposes of defense.

Consolidation of facilities for purposes of economy is a sound concept—if the savings are demonstrable. But consolidation by stripping all facilities from one area in favor of another is not only false economy, it is socially and practically unwise. It is discriminatory. It is penny-wise and pound-foolish.

The economic situation in New York State and in the Northeast generally is not altogether wholesome. These are danger signs. There is unemployment. There is anxiety. To meet that situation by a further shut-down, by the transfer of an agency employing 1,600 people is to aggravate an already unsatisfactory situation. There is no adequate justification for it. As for the human factors involved—which must be taken into primary consideration—I shall refer to them in a moment.

In summary, my reasons for proposing the amendments and for opposing the transfer are as follows:

First, the decision of the Army Department to remove the New York Quartermaster Purchasing Agency from its present headquarters at 111 East 16th Street, New York City, to Philadelphia, will mean an intensification of economic distress which has been felt in and around New York for some months. Many wage earners who will be unable to move their homes and families to Philadelphia will become unemployed.

Many of these individuals have been employed by that agency for years. This is not the time to uproot them, or to turn them out on the streets, unless there is convincing justification, in the national interest, for such a move. There is a decreasing amount of Federal employment available in New York. There are few jobs which are open or can be expected to be open for these Federal civil servants.

Secondly, this move will work a hardship on all the business firms which have been dealing with the Quartermaster Agency. These business firms are not only in New York, but also in Massachusetts and elsewhere. New York is a pivotal center of trade—the greatest in the country. Firms from all parts of the country have sales offices in New York. The removal of the Quartermaster Agency from New York will create difficulties for all the firms which have been, in the past, supplying that agency. Inevitably, some of those firms will be unable to continue their business with the agency.

New York and New England are in enough of this kind of difficulty already. Low wages have been attracting our manufacturing firms to other areas of the country. Now the Federal Government proposes to accelerate the difficulties we have been confronting in this respect.

Thirdly, this is not the first important agency of the Government which has, within the last year, been either closed or removed from the New York area. The Voice of America has been transferred; the Naval Clothing Depot has been closed down; and the Brooklyn Navy Yard has been considerably reduced in size and workload. Now it is even reported that the New York office of the Army Signal Corps may be transferred. The Army claims that economy and consolidation are the aims of this transfer move, but I ask my colleagues in this body why all alleged economy and consolidation by the present administration must be at the expense of the people and economy of New York.

Fourth. The method by which the Army officials determined and announced this move in itself justifies the introduction of this amendment. The New York City congressional delegation had been assured by the Army that it would be given an opportunity to review the situation before a decision was reached on the transfer. Yet the Army on May 3 told some members of the New York delegation, just before issuing a press announcement of the move, that the decision had been made. Subsequently we were also told by a top civilian official of the Army that that decision was irrevocable as far as the Army was concerned.

I have been informed, Mr. President, that the suddenness of this announcement was a result of urging on the part of some Members of Congress from the Philadelphia area who urged the transfer because of unemployment in their section. I sympathize with their problem, but I cannot accept a solution which would penalize New York in the process. The welfare of New York, Mr. President, is not to be considered expendable. Increased unemployment in New York will not help the Nation. It will not help Philadelphia. This move is not in the national interest.

Therefore, Mr. President, I hope that at the proper time the amendments to House bill 8873 will be approved by the Senate and by the Congress.

MENOMINEE INDIAN TRIBE OF WISCONSIN

The PRESIDING OFFICER (Mr. GOLDWATER in the chair) laid before the Senate a message from the House of Representatives insisting upon its disagreement to the amendments of the Senate to the bill (H. R. 2828) to amend the act of Congress of September 3, 1935 (49 Stat. 1085), as amended; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. D'EWART, Mr. HARRISON of Wyoming, Mr. BERRY, Mr. ENGLE, and Mr. ASPINALL were appointed managers on the part of the House at the further conference.

Mr. BARRETT. Mr. President, I move that the Senate further insist upon its amendments, agree to the further conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BUTLER of Nebraska, Mr. WATKINS, Mr. DWORSHAK, Mr. ANDERSON, and Mr. LENNON conferees on the part of the Senate at the further conference.

CIVIL FUNCTIONS APPROPRIATION BILL, 1955

The Senate resumed the consideration of the bill (H. R. 8367) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I wish to speak briefly on behalf of one specific item in the civil functions appropriation bill recommended by the Senate Committee on Appropriations.

This is the recommended appropriation of $1 million for Ferrell's Bridge Reservoir.

This project, authorized in the Flood Control Act of 1946, provides for construction of a dam across Cypress Creek about 9 miles from the east Texas town of Jefferson.

Ferrell's Bridge Reservoir is an essential component of the authorized Red River flood-control and levee improvement plan for the alleviation of floods in the Red River Basin below Denison, Tex.

Like many other sections of Texas, this area suffers from a recurrent cycle of devastating drought and disastrous floods. The Ferrell's Bridge Reservoir project would attack both aspects of the water problem as it affects important areas of Texas and our neighboring State of Louisiana.

Between the years 1843 and 1900, the Red River was subjected to six great floods. Since 1900, serious floods downstream from Denison have occurred in 1908, 1938, and 1945. These floods caused great damage to crops, heavy loss of livestock, extensive physical damage to levees, railroads, highways, industries, rural and urban developments. The 1945 flood resulted in estimated damages of $16 million, of which crop losses accounted for $6.5 million.

In the 20-year period from 1927 to 1946, 45 lives were lost in the area and property damage due to major floods totaled $113,700,000.

Assuming recurrence of experienced flood cycles, operation of the reservior levee plan would eliminate more than 90 percent of flooding incident to Red River headwater floods.

Proper flood protection of the Red River Basin is important to national defense and to essential domestic commerce.

This area is highly important in the production of food and fibers.

It is the site of numerous industrial plants, many of primary importance to the national economy.

It is the location of such military installations as the Red River Ordnance Works near Texarkana, and Barksdale Air Force Base and Louisiana Ordnance Works near Shreveport.

There is a vital need for going forward with this project. Municipalities and industries in the area already are facing water shortages. This problem will grow even greater as development of the area continues.

Total estimated cost of Ferrell's Bridge Reservoir is $20,900,000, including construction and land and dams. To date, the sum of $514,000 has been appropriated for planning. The necessary planning is now complete. The project is at the stage where construction can be, and should be started.

Mr. President, we cannot afford to continue the waste that would result from abandonment of this project or from long delay in pressing it to completion.

Completion of Ferrell's Bridge Reservoir would meet the two-fold need for additional water supplies and for adequate water control.

I urge approval by the Senate of the $1 million appropriation recommended by the committee to start construction on this project.

I wish to express the gratitude of the people of Texas, and I am sure I speak for the people of Louisiana and Arkansas, as well, to the chairman of the subcommittee for the consideration he accorded those who testified with reference to the project. I wish to express my gratitude, also, to the committee for including the project in the bill, and I am hopeful that we shall be successful in retaining it in the conference.

Mr. KNOWLAND. I thank the Senator from Texas.

Mr. DANIEL. Mr. President, will my colleague yield?

Mr. JOHNSON of Texas. I yield.

Mr. DANIEL. Mr. President, I wish to associate myself with the remarks of my colleague and to express to the committee my appreciation. I also wish to express my commendation of the committee for recommending an increase in the amount for flood-control studies. I believe that over the entire country studies should be made with reference to future works for protection against disastrous floods, such as those which have been described by my colleague.

I hope the $1 million will be insisted upon as a minimum amount to be spent toward flood-control studies for the future.

Mr. JOHNSON of Texas. Mr. President, I concur wholeheartedly in the observations made by the distinguished junior Senator from Texas. I think the committee acted very wisely in increasing the fund for survey work. Citizens all over the country are asking that surveys be made of rivers in their areas. The work is away behind. I hope the House will see the wisdom of the action taken by the Senate with reference to this subject.

Mr. CLEMENTS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. CLEMENTS. Mr. President, I wish to associate myself with the remarks made by the senior and junior Senators from Texas. I commend the committee for its wise judgment in increasing the appropriations for planning work to the extent they have done so in the pending bill.

I live in a State having many rivers which, because of the occurrence of floods, are hazards to various communities, but I have every reason to believe that the engineers will take proper notice of the needs of such areas in connection with the amount appropriated in the bill. I hope the conferees on the part of the Senate will remain steadfast in their efforts to retain the item in the bill.

Mr. President, will the Senator from Texas further yield in order that I may ask the majority leader a question?

Mr. JOHNSON of Texas. I yield.

Mr. CLEMENTS. In the appropriation for the Covington flood wall I note that there is a reduction from $900,000 to $800,000. Do I correctly understand that the engineers felt that $800,000 would complete the flood wall? This is the final appropriation, I understand.

Mr. KNOWLAND. It was the understanding of the committee at the time we considered the matter that, because of better bids or because of a changed situation, this amount would be sufficient to complete the work.

As the Senator knows, when a project is about to be completed it has been the general policy of the committee to provide sufficient funds to complete it. It is my recollection that in the case of the Covington project there were better bids and a slightly changed situation. Also, there had been a contingent item. The project is now so close to completion that we felt that this appropriation would complete it.

Mr. CLEMENTS. Is it the Senator's judgment that, because of the flexibility permitted in the general appropriation, if a little more money should be needed above the $800,000 it would be available to complete the flood wall under the present contract?

Mr. KNOWLAND. Yes. I think through the action of the committee it will be completed.

Mr. CLEMENTS. Mr. President, I should like to commend the chairman and the committee for the action which was taken in increasing the appropriation at Maysville from $700,000 to $900,000. I certainly hope the Senate conferees will be able to retain that amount in the bill. It is not the last appropriation, but if only $700,000 should be appropriated the community would face 1 more year of flood hazards, whereas if the $900,000 item is retained the community will be free of floods 1 year sooner.

I again wish to commend the committee and the chairman for their action.

Mr. KNOWLAND. I will say to the Senator from Kentucky that, of course, I can give no assurances as to what the ultimate results of the conference will be, but it has been the policy of both Democrat and Republican conferees to represent the position taken by the Senate. We happen to believe very strongly in the items which are in the bill which I hope the Senate will very soon approve, and we shall certainly to the best of our ability try to maintain the Senate's position as to these and other items.

Mr. CLEMENTS. I have confidence in the chairman of the committee and in the Members of the Senate who will be on the conference representing the Senate.

Mr. JOHNSON of Texas. Mr. President, before I yield the floor, I wish to say that I am not unaware of the great burden on the shoulders of the distinguished majority leader. We have all observed something this afternoon which I think has attracted the attention and the approval of every Member of the Senate. We are considering one of the most difficult appropriation bills, and it has been so efficiently handled and so thoroughly worked out in the committee that on the yea-and-nay votes only approximately five Members have been in opposition.

I wish to commend the Senator from California, the committee, and the very able staff for the very fine job which has been done.

I desire to express my thanks to the members of the committee for the fine work done in the subcommittee and in the full committee, and the support we have received from Democrats and Republicans alike for this bill, which I think is very important to our Nation.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WILLIAMS. I desire to ask one question. On page 3, line 12, I understand an item of $100,000 is included for beach-erosion study, of which $25,000 was intended to match the funds to be provided by the State of Delaware. Is that correct?

Mr. KNOWLAND. The committee itself, on page 5 of the report, states that the approved budget estimate for beach-erosion studies was $25,000. The House allowed $25,000. The Senate committee recommended, and the recommendation is now before the Senate, $100,000 for beach-erosion studies. In the increase there was no specific allocation of the funds, but certainly the work to which the Senator from Delaware has referred could not have been done with the amount contained in the budget estimate and as passed by the House.

Mr. WILLIAMS. Mr. President, will the Senator further yield?

Mr. KNOWLAND. I yield.

Mr. WILLIAMS. It is my understanding that the increase was to provide for studies in Delaware and in 2 or 3 other States for which studies have been recommended.

Mr. KNOWLAND. It has not been the general policy of the committee to earmark specific items. The committee felt that the beach-erosion study was extremely important, and the item to which the Senator from Delaware has referred, together with several others, was mentioned. I am certain the committee had these items in mind in regard to the situation. But, frankly, I am not in a position to make a statement on the floor that only the item of the Senator's State of Delaware was included in the amount appropriated.

Mr. WILLIAMS. I desired to have the RECORD show that part of the inclusion was made in order that the item for Delaware might be taken care of. The reason the question has been raised is that the United States Government owns a substantial part of the coastline of the State of Delaware. The State has already appropriated $25,000 as its portion of the funds. However, it has been recognized by the Army engineers that

it would be useless for the States to make a study of its property alone. Such a study must also include property owned by the United States Government.

Likewise, there is a law in our State which prohibits any improvement or any actions being taken by one property owner unless other property owners so affected are considered. Therefore, the proposed beach survey would necessitate coordinated action between the State government and the Federal Government in that particular area. It is my understanding, from speaking with members of the committee and from what the Senator from California has just said, that funds are included which will enable the Army engineers to proceed with the studies.

Mr. KNOWLAND. I am not in a position to advise the Senator from Delaware at this point other than to say that the item was discussed in the committee. I think the project in which the Senator is interested is a very important one, and I think the statement which he has made would be given great weight by the Army engineers. Certainly it is true that if the Senate had not increased the amount, there would not have been funds with which to do either the work which the Senator has mentioned or other similar work. I think the Senator from Delaware is reasonably secure in resting on the merits of his case, considering the fact that the committee has increased the sum by $75,000.

Mr. WILLIAMS. I thank the Senator from California for his assurance that as nearly as possible, the matter has been taken care of.

Mr. KNOWLAND. I think the Senator from Delaware has stated the situation accurately.

Mr. COOPER. Mr. President, I desire to associate myself with the senior Senator from Kentucky [Mr. CLEMENTS], in expressing satisfaction that the Subcommittee on Civil Functions of the Committee on Appropriations, has restored funds for construction of the Maysville project and the Pineville floodwall project.

I desire also to express my satisfaction and commendation to the committee for increasing funds for planning in connection with the Buckhorn Reservoir project from $30,000 to $100,000.

I earnestly hope that the committee will insist in the conference on the inclusion of these items.

Construction of the Buckhorn project would be of inestimable value to a large area of Kentucky, a great coal-producing area of Kentucky, which is now a depressed area, due to the plight of the coal industry. It has been too long delayed. I hope this item will be maintained in the bill. On last Saturday at Hazard, Ky., hundreds of people gathered in support of the commencement of this project, and others in the Kentucky River Basin.

I desire also to direct my attention to another item in the bill. On page 3, line 12, the committee recommended that funds for general investigations be fixed at the sum of $3,460,000. On page 5 of the committee report, under the title "Examination and Surveys for Flood Control Studies," the committee recommended that the appropriation be increased from $550,000 to $1 million.

On April 21, 1954, a resolution which I had submitted to the Senate Committee on Public Works, was agreed to by the committee. It requested a review of the report on the Big Sandy and Tug Rivers, at Levisa Forks, Kentucky, West Virginia, and Virginia, to determine whether it is advisable to modify the existing project at this time, particularly in the interest of flood control, hydroelectric power development, and water supply for domestic or industrial use.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved by the Committee on Public Works of the United States Senate, That the Board of Engineers for Rivers and Harbors, created under section 3 of the River and Harbor Act, approved June 13, 1902, be, and is hereby, requested to review the report on the Big Sandy River and Tug and Levisa Forks, Kentucky, West Virginia, and Virginia, published as House Document No. 264, 80th Congress, 1st session, and previous reports, with a view to determining whether it is advisable to modify the existing project at this time, particularly in the interest of flood control, hydroelectric power development, or water supply for domestic or industrial use.

Mr. COOPER. Mr. President, the resolution was forwarded by the Senate Committee on Public Works to the Corps of Engineers for action. Subsequently, I spoke with members of the staff of the Corps of Engineers and was advised that the sum of $50,000 would be needed to make the survey.

Since the committee has increased the appropriation for studies from $550,000 to $1 million, I earnestly hope that the Corps of Engineers will use sufficient funds with which to make the survey which is so urgently needed.

Under the Flood Control Act of 1938, Congress approved a general, comprehensive plan for flood control in the Ohio River Valley. Included in the plan was the canalization project of the Big Sandy River in Kentucky, West Virginia, and Virginia, and several reservoirs on its tributaries, including Fishtrap, Haysi, and Pound River reservoirs.

Since 1938 no action has been taken to carry these projects to completion. The Corps of Engineers has informed me that it is now necessary to review these sites and to make further surveys of other sites on the Big Sandy and its tributaries, in order to select a location which is economically feasible, and on which construction can begin.

The Big Sandy River traverses one of the great coal areas of the United States. It has had no development. Across the State line, in West Virginia, the Kanawha River Valley has been developed, and today it is one of the richest areas in the United States. Conversely, the Big Sandy area, which has had no development with equally great or better coal resources, is a depressed area.

For many years a determined effort has been made to obtain authorization for the canalization of the Big Sandy River. This has not been done by Congress. At present, I am urging that the Congress give its approval to canalization.

With war demands gone, and with the existence of a depressed coal industry, the nearby Big Sandy field is a depressed area. Reservoirs are needed to assure a constant supply of water for development, as well as for conservation, if there is to be any opportunity for industrial diversification of the area.

I have made this statement to point the necessity of this reservoir survey to the attention of the Corps of Engineers, and to request that they include, in the list of projects to be surveyed, a review of the reservoir sites on the Big Sandy River and its tributaries.

GREEN RIVER APPROPRIATION

Mr. President, I ask unanimous consent, also, to have printed at this point in the RECORD a statement which I have prepared referring to the appropriations which are sought for the Green River project, in Kentucky, one in which my colleague, the distinguished senior Senator from Kentucky [Mr. CLEMENTS] and I have been interested. I desire at this time to pay tribute to him for the work he has done in connection with the project.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

It is a matter of great personal satisfaction that the pending bill includes funds for the construction of a project which is vital both to the Nation as a whole, as well as the people of Kentucky. The bill, as reported by the committee includes $4.8 million for the reconstruction of locks and dams 1 and 2 on the Green River in Kentucky.

In a very real sense, the funds which have been and will be appropriated for this work represent an investment of the United States Government which will rapidly repay itself and begin piling up financial dividends. The total Federal cost of this project is placed by the Corps of Engineers at $14,399,000. In one instance alone, the Federal Government will make an annual saving of nearly $1 million when this work is completed. I refer, of course, to the reduced cost of coal which is to be purchased for the generation of power for use by the Atomic Energy Commission.

Additional benefits, in cost of private and public transportation, will raise the benefits to be derived from this construction beyond the saving from the transportation of coal alone.

The real importance of the Green River project can be clearly recognized from the unusual series of steps that were taken during the past year by both the legislative and executive branches of the Government to secure the appropriation of funds for the work to be put under way.

Both the Senate Public Works Committee and the House Public Works Committee took the unusual action a year ago to formally recommend to the Department of the Army that the reconstruction work was justified under the act of 1909. Acting upon this recommendation, the Secretary of the Army Hon. Robert Stevens, approved the authorization. I believe it was the only authorization made during 1953.

At the very close of the session of Congress last summer the vital need for this

project led the Committee on Appropriations to urge the Corps of Engineers to allocate $100,000 to the planning of the project so that construction could begin this year.

Senator BRIDGES, chairman of the Committee on Appropriations, and Senator KNOWLAND, chairman of the Subcommittee on Civil Functions, gave their support on the Senate floor to the allocation of the $100,000 of planning funds.

This year, despite the urgent necessity of the Bureau of the Budget and the President to balance Government expenditures with receipts, the budget contained a recommendation for funds to be included in the appropriations for fiscal year 1955. But, because of the urgency of the project, the President also recommended a supplemental appropriation of $800,000 for the current fiscal year. This latter amount has already been enacted by the Congress. The sum of four and eight-tenths million in this bill for Green River is 14th in size in the scores of projects named in the bill, and an addition is the $800,000 heretofore appropriated.

Finally, it is important to point out that the Green River appropriation has the support of the major agencies of Government concerned with this question, including the Atomic Energy Commission, the Department of the Army, the Bureau of the Budget, and, of course, the President of the United States.

I am glad to have had a part in urging before every committee, before the Corps of Engineers and the Bureau of the Budget, the necessity for the authorization and appropriation of construction funds for the development of the Green River. The entire Kentucky congressional delegation, including the late and beloved Representative Garrett Withers, and Representative WILLIAM H. NATCHER, supported the project.

I desire to pay particular tribute to my colleague, Senator CLEMENTS, for his initiation of and continued efforts to have this important project started. It has been a pleasure to work with him. I think also that we must give great and due credit to the citizens of the Green River Basin, and to all the officers and members of the Green River Valley Citizens League, which for years had accumulated information, informed their Representatives in Congress, and pressed for the initiation of the project. Its present officers are Hon. James R. Hines, president, Bowling Green, Ky.; Hon. Albert P. Harding, Central City, Ky., executive vice president-secretary; Hon. J. Morton Williams, Beaver Dam, Ky., treasurer. They have been faithful to their trust.

Perhaps the greatest credit for vision, hard study and work, together with never-ending insistence that the Green River must be developed, is due Hon. C. A. Reis, South Carrollton, Ky., president for many years, and now honorary president, of the league.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a list of the officers, members of the board of directors, and committees of the Green River Valley Citizens League, Inc.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OFFICERS

President: James R. Hines, president, James R. Hines Corp., Bowling Green, Ky. (phone 3282).

Executive vice president-secretary: Albert P. Harding, partner, Sanitary Cleaners, Central City, Ky. (phone 384).

Treasurer: J. Morton Williams, secretary-treasurer, Beaver Dam Manufacturing & Supply Co., Beaver Dam, Ky. (phone 4510).

Honorary president: C. A. Reis, owner, Green River Mine and Possum Hollow Coal Properties, South Carrollton, Ky. (phone Central City, Ky. 7-J).

BOARD OF DIRECTORS

James R. Hines, president, James R. Hines Corp.

Albert P. Harding, partner, Sanitary Cleaners.

J. Morton Williams, secretary-treasurer, Beaver Dam Mfg. & Supply Co.

Bowling Green: William C. Sumpter, retired.

Central City: Fred E. Massey, real estate and insurance.

Brownsville: R. A. Demunbrun, educator.

Beaver Dam: Dr. W. H. Washburn, dentist.

Hartford: John Q. Adams, implement dealer.

Rockport: Homer Boyd, postmaster.

Island: I. G. Reynierson, banker.

Calhoun: Landon Wills, co-publisher, the McLean County News.

Drakesboro-Paradise: Chester A. Hope, superintendent, Drakesboro Water Works.

Owensboro: Edward Delker, co-manager, River Sand & Gravel Co.

Rochester: James Hays, farm owner and operator.

Morgantown: W. A. Moore, attorney.

Livermore: Col. Oren Coin, retired.

Greenville: J. E. Wood, insurance.

Centertown: Ross Morton, assistant cashier, Farmers Bank.

Dundee: Jas. J. Turner, bank cashier.

Sebree: Byron Royster, editor, the Sebree Banner.

South Carrollton: Harry Wheeldon, postmaster and grocer.

Henderson: Harry Scott, Scott-McGaw Motor Co.

COMMITTEES

Executive committee: Officers Hines (chairman), Harding, Williams and Directors Wood, Wills, Moore, and Delker.

Finance and budgeting: Treasurer Williams (chairman).

Flood control—water usage and storage: Col. Oren Coin (chairman).

Irrigation and drainage: Colonel Coin (chairman).

Agriculture: Col. Wayland Rhoads, Browder, Ky., and Lexington, Ky. (chairman).

Mammoth Cave National Park: R. A. Demunbrun (chairman).

Reforestation: Karl J. Meyer, Jr., Livermore, Ky. (chairman).

Navigation: Thomas C. Melton, Morgantown, Ky. (chairman).

Natural resources: Otis White, Morgantown, Ky.

Industry: Dave Cohen, Central City, Ky. (chairman).

Legislation: Hecht S. Lackey, Henderson, Ky.

Membership: W. D. Bratcher, Greenville, Ky. (chairman).

Mr. CLEMENTS. Mr. President, will the Senator yield to allow me to make an observation?

Mr. COOPER. I yield.

Mr. CLEMENTS. I appreciate the comment made by my colleague, the distinguished junior Senator from Kentucky. I desire to say that the work on the Green River project has had the support of both of us during the entire time we have been in the Senate.

Mr. KNOWLAND. Mr. President, do I understand that the question now is on agreeing to the committee amendment?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 5 in line 20.

The amendment was agreed to.

The next amendment was, under the subhead "General Expenses," on page 6, at the beginning of line 4, to strike out "$9,288,000" and insert "$9,800,000."

The amendment was agreed to.

The next amendment was, under the subhead "Flood Control, Mississippi River and Tributaries," on page 6, line 10, after the word "expended", to strike out "$45,200,000" and insert "$45,700,000."

The amendment was agreed to.

The next amendment was, under the subhead "Canal Zone Government," on page 8, line 1, after the word "Governor", to insert a semicolon and "residence for the Governor."

The amendment was agreed to.

The next amendment was, under the subhead "General Provisions," on page 12, after line 18, to insert a new section, as follows:

SEC. 105. Hereafter appropriations of the Military Department shall be available for the reimbursement of the Canal Zone Government for the cost of providing, in facilities operated by the Canal Zone Government, medical care, other than subsistence of dependents of military personnel.

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert the following new section:

SEC. 106. No appropriation or fund available to the Department of Defense shall be used after (September 1), 1954, for the maintenance and operation of hospitals in the Canal Zone.

The amendment was agreed to.

The next amendment was, on page 13, line 5, to change the section number from "105" to "107"; and in line 6, after the word "amended", to strike out "by adding at the end thereof, before the period, the following: 'and the appropriation or fund of any such other agency bearing the cost of the compensation of the employee concerned is hereby made available for such reimbursement'.", and insert "to read as follows:

"'SEC. 105. Amounts expended by the Panama Canal Company in maintaining defense facilities in standby condition for the Department of Defense hereafter shall, notwithstanding any other provisions of law, be fully reimbursable to the Panama Canal Company by the Department of Defense. Amounts expended by the Canal Zone Government for furnishing education, and hospital and medical care to employees of agencies of the United States and their dependents, other than the Panama Canal Company and Canal Zone Government, less amounts payable by such employees and their dependents hereafter shall, notwithstanding any other provision of law, be fully reimbursable to the Canal Zone Government by such agencies. The appropriation or fund of any such other agency bearing the cost of the compensation of the employee concerned is hereby made available for such reimbursements.'"

The amendment was agreed to.

The next amendment was, on page 14, line 4, to change the section number from "106" to "108."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

If there are no further amendments to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. MAGNUSON. Mr. President, I have an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington.

The CHIEF CLERK. On page 3, line 22, it is proposed to strike out "$322,519,800" and insert in lieu thereof "$326,019,800."

The PRESIDING OFFICER. The Chair wishes to inform the Senator from Washington that the amendment of the committee has been agreed to.

Mr. MAGNUSON. Mr. President, I am suggesting an additional amount.

The PRESIDING OFFICER. The committee amendment has been agreed to. Therefore the Senator would have to move to reconsider the vote by which the amendment was agreed to.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to, because I had intended to let action on the committee amendment be taken and then present my amendment. I shall not take long.

Mr. KNOWLAND. Mr. President, I hope the distinguished Senator from Washington will not ask to open up the bill at this stage. I know the distinguished Senator has served as a member of the Committee on Appropriations, and has been much interested and very diligent in dealing with the problems affecting not only his area of the country, but other areas. I submit that both the subcommittee and the full committee had this matter under discussion, and I would urge the Senator not to insist upon offering his amendment at this stage of the proceedings.

Mr. MAGNUSON. I wish to say to the Senator from California that I would have taken the same amount of time when the committee amendment was considered as I shall take now. I thought it would save time if the committee amendment could be agreed to, and that I could then offer the amendment as a separate amendment. I shall not press for a yea-and-nay vote on my amendment, or anything of that kind, but I wish the RECORD to show what I have to say not only in behalf of myself, but in behalf of four other Senators.

Mr. KNOWLAND. As a courtesy to the Senator from Washington, I ask unanimous consent that the committee amendment which was agreed to be considered de novo, so that the Senator from Washington may offer his amendment.

Mr. MAGNUSON. I appreciate that, and I shall not take very much time.

The PRESIDING OFFICER. Does the Senator from Washington withdraw his motion?

Mr. MAGNUSON. Yes. The Senator from California has made a unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, I appreciate what the Senator from California has said, that these matters were discussed in both the subcommittee and in the full Committee on Appropriations, of which I am a member, but I desire the RECORD to show my opposition to the failure on the part of the committee to include this one particular item, and I submit my amendment with this explanation:

On April 19, 1954, the Senator from Oregon [Mr. MORSE], the Senator from Washington [Mr. JACKSON], the Senator from Montana [Mr. MURRAY], the Senator from Montana [Mr. MANSFIELD], and I offered certain amendments to the bill, calling for the following additional funds for projects in the Columbia Basin project: $700,000 in planning money for the great John Day project; $3,500,000 to initiate construction of Ice Harbor project, which has been before the Senate and has been approved by the Senate on many occasions—that is, funds for the beginning of construction have been approved, but the proposal has always been lost in conference with the House; $3 million to put Chief Joseph Dam and power facilities back on schedule; $16 million for the Dalles Dam construction on the lower Columbia River. The committee acted favorably on a part of that amendment. The committee added $500,000 in planning funds for the John Day project. We were successful in adding, over the amount provided by the House, $3 million for Chief Joseph, and $9 million for the Dalles. On behalf of the people of the Northwest, and the sponsors of the April 19 amendment, I wish to thank the committee for what it has done in agreeing with me in the committee.

Although we had requested $16 million for the Dalles and received only $9 million, I am informed that the $9 million, to be used by the Army engineers, will be sufficient to avoid the full year's delay which would have occurred had the House figure and the original budget figure been permitted to stand. Those of us who sponsored the April 19 amendment, therefore, will not seek at this time to increase the item for the Dalles.

We are extremely concerned, however, Mr. President, over the fact that neither the administration nor the committee has allowed any funds for a new start in the Pacific Northwest; and it is not particularly the committee's fault, because the administration did not send to Congress a budget request.

The April 19 amendment called for $3,500,000 to get Ice Harbor lock and dam under way.

The amendment which I have sent to the desk merely seeks to add $3,500,000 to the funds allowed by the committee for construction. My amendment proposes that the committee figure of $322,519,800 be raised to $326,019,800. If the amendment is agreed to, the very important project on the lower Snake River can be started—construction can be begun this year.

I do not wish to burden the Senate with a description of Ice Harbor Dam. I have spoken on the matter on the Senate floor on many previous occasions, and the Senate has, on three occasions, agreed to funds for the Ice Harbor Dam. I ask unanimous consent to have printed in the RECORD at this point the statement describing Ice Harbor Dam which I made last year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President and members of the committee, I appear before you today to discuss the merits of Ice Harbor lock and dam on the lower Snake River in the State of Washington. I am sure this committee is already quite familiar with this project. You have heard extensive testimony from both congressional and outside witnesses each of the last three sessions of Congress.

Here are the facts as they now obtain.

President Truman sent to the Congress a request for $4.9 million to initiate construction on this project. The Eisenhower administration has eliminated the item entirely. Frankly, I believe this latter action is a sad mistake and am here to plead that your committee correct this error in judgment.

I am one who believes that the Congress of the United States—not the administration—holds the purse strings. It is Congress that sets policy. There is nothing sacrosanct about budget recommendations this or any other administration sends to us. The budget is merely a recommendation—it is up to us as representatives of the people to decide finally what is best for the country. It will be a sad day when Congress abdicates to the executive branch its responsibility under our Constitution.

The fact the present administration, therefore, did not include funds for Ice Harbor does not relieve the Congress of the United States from exercising its best judgment as to the wisdom of providing funds to get this vital project under way.

In 1948, this committee approved $2,500,000 for Ice Harbor Dam. That amount was approved by the House of Representatives. It came to the Senate and I regret to say my colleagues deleted it in favor of adding a similar amount to another project on the Columbia River.

On three subsequent occasions, however, the Senate approved funds to start construction of Ice Harbor lock and dam. Each time, however, the sum the Senate provided was refused by the conferees.

Now, to identify the project for the benefit of any new members on this committee—Ice Harbor lock and dam was authorized by the Congress in 1945. It will be situated near the mouth of the Snake River at a point about 15 miles from Richland, Wash.—the site of the Hanford Atomic Energy Works. It will have an installed capacity of 260,000 kilowatts. It will produce almost 250,000 kilowatts prime power.

The Corps estimates its navigation benefits at over $300,000 a year. The pool created by McNary Dam will provide slack water navigation to the toe of Ice Harbor. There are three companion projects authorized on the lower Snake—namely, Lower Monumental, Little Goose, and Lower Granite. If all four are constructed, slack water navigation to Lewiston, Idaho, would be provided.

If Ice Harbor Dam only were constructed, it is still feasible. It would flood the worst of the rapids between the lower Snake and Lewiston, making the river navigable for approximately 6 months of the year. Ice Harbor lock and dam is a feasible project standing on its own feet—with or without the construction of the companion projects I have mentioned.

It is a multipurpose project. In addition to its 260,000 kilowatts of installed capacity, it will provide navigation benefits already mentioned.

Further, its construction will make feasible the irrigation of some 85,000 acres of land in an area called Eureka Flats, plus some 20,000 acres at the southern extreme of the Columbia Basin project.

Perhaps even more important, this dam will provide a separate independent source

of power for our great atomic energy plant at Hanford.

Last year your committee received testimony from Dr. Raver of Bonneville Power Administration and Mr. Neil Carruthers, representing the Atomic Energy Commission, on the importance of this project to the expanded works at Hanford. I understand the Atomic Energy Commission has gone on record again this year with the Bureau of the Budget as to the importance of an immediate start on Ice Harbor. I have been unable to obtain a copy of the statement AEC made to the Bureau of the Budget this year.

I have in my possession, however, and wish to submit for the record, a copy of a letter addressed to me on May 27, 1952, by Mr. Boyer, general manager of the Atomic Energy Commission. In his letter, Mr. Boyer states:

"In order to maintain our rate of production with the requisite degree of safety, we must have a reliable, trouble-free, noninterruptible source of power supply. Because of overloading and other factors on the Bonneville system, we have over the past few years experienced several power outages which have caused loss in plutonium production and created potential hazards."

Mr. Boyer goes on to state that proximity of Ice Harbor Dam to the Hanford Works provides an ideal method of providing reliable, trouble-free, noninterruptible service.

Mr. Chairman, the Pacific Northwest and the Nation at large confronts a serious power shortage. Our industrial might and, hence, our military strength depends upon power. We cannot expand America's productive capacity without power to turn the wheels in our factories and mines. If we do not expand our power facilities, we cannot maintain either our industrial or atomic leadership.

This dam is fully designed and engineered, the Corps can begin construction immediately—power can be on the line within 4 years after the dam is started. This is the only authorized project in the Columbia Basin that enjoys this status.

Ice Harbor Dam is located by the hard facts of geography in the Northwest. Its benefits, however, will be national in character. The strength of the United States depends upon the strength of the sum of all its parts. The accident of geographical location, therefore, cannot and should not make this a regional or sectional issue in the minds of this committee and the Congress.

Last year the budget contained a request of $5 million for Ice Harbor lock and dam. This item was eliminated. In your committee report you cited three chief reasons for your action. I quote the pertinent sentence from that report:

"The committee will not give further consideration to this project until it is shown that: (1) The project will not have an irreparable effect on the fish runs; (2) navigation benefits, without the construction of other projects, are significant; and (3) power needs of the area cannot be supplied from other sources."

Let me discuss each of these items in turn.

Will the construction of this project have an irreparable affect on the fish run?

All objective evidence available to us indicates that this project will not have an irreparable affect on the fish runs. The provable facts are that salmon runs over Bonneville fish ladders are increasing year by year. By actual count 470,000 fish negotiated the ladders in 1938—648,000 salmon went over the ladders in 1951. These facts are incontrovertible. They definitely demonstrate that construction of Bonneville Dam has not done irreparable damage to this fishery resource.

On the contrary, at least three complete cycles of salmon have gotten over the dam and the fingerlings have successfully completed their downstream migration. To the best of my knowledge, no comparable data have ever been presented to the Congress by the opponents of this project to prove that Ice Harbor will be detrimental to the salmon runs. This project has been under consideration since 1945. Certainly during the intervening years there has been ample opportunity for opponents to collect factual, demonstrable data to prove their point. This they have not been able to do. On the contrary, they express vague fears about what will happen to the fish runs.

I call the committee's attention to one further bit of evidence on this point. On March 18, the Director of Fish and Wildlife Service of the Department of Interior wrote a letter to the Honorable CLARENCE CANNON, chairman of the House Appropriations Committee, in an effort to clarify testimony he had previously presented in person. Incidentally, the letter reached Mr. CANNON after the House had marked up the bill. I quote one of the most pertinent statements from Mr. Day's letter. He says:

"Any impression which my testimony may have left that the extermination of the species may result (from construction of Ice Harbor Dam) was in no way intended by my statements. I think there is no question that the species, as such, are not in danger of extinction."

In other words, the head of the Fish and Wildlife Service admits that under the worst possible circumstances, the evidence is that some of the salmon will get over Ice Harbor Dam and the fingerlings will get back down. In view of all the controversy that has been generated on this subject, one would hardly expect a more optimistic report—even though, in my judgment, the facts I cited would warrant it.

The second question raised by your committee last year concerns navigation benefits. The committee asks, in the event Ice Harbor were the only lower Snake River Dam built, would improvements to navigation still be substantial?

The facts are that McNary Dam will create a slack-water pool to the toe of Ice Harbor Dam, but Ice Harbor pool in turn will flood some of the worst rapids on the lower Snake River, thereby permitting open river navigation to Lewiston, Idaho. I say "open river navigation" because the other dams, lower Monumental, lower Granite, and Little Goose, must be built before slack-water navigation will be available to Lewiston. In other words, the river will be usable if only Ice Harbor Dam were constructed.

Frankly, however, I think this particular argument is somewhat specious because I am fully convinced the Congress will complete the job on the lower Snake. I am convinced that the economy of the country will require construction of Lower Monumental, Little Goose, and Lower Granite. We must have the 720,000 kilowatts of additional power these 3 dams will generate.

I want to comment now on the third question raised in the House report last year. The committee says it wants to be convinced that "power needs of the area cannot be supplied from other sources."

As this committee well knows, Ice Harbor Dam will be located in the back yard of the Hanford Atomic Energy Works. In addition, it is located in one of the fastest-growing areas, populationwise, in the United States. If we interpret "area" in a narrow sense, therefore, Ice Harbor Dam is the most logical and economical source of power available.

No one can say categorically that the needs of the Hanford area cannot be supplied from any other source. Sure, if we want to spend vast sums of money for steam plants, or if we wish to spend from 7 to 10 million needless dollars for additional transmission lines, power can be brought into the Hanford area from other sources. I suppose there is no limit to what we can do if we want to squander taxpayers' money. Hard-headed economics and engineering, however, dictate that Ice Harbor Dam be built as—and I repeat—the best available source of power for the area.

Mr. Chairman, at the beginning of these remarks I stated that President Truman requested $4.9 million for Ice Harbor lock and dam. The Eisenhower administration did not provide for this much-needed new start. Technically, therefore, there is no budget estimate before you. In my considered judgment, this should not deter this committee from adding sufficient funds to the bill you report to get this project into construction.

The project is needed. It is feasible. The salmon runs can be protected—will be protected—and an independent, reliable source of power for our atomic weapon plan will be provided. I urge you in all sincerity to take the action herein requested.

Mr. Chairman, I would like to place in the RECORD a copy of a letter addressed to me May 22, 1952, by Mr. Boyer, Manager of the Atomic Energy Commission; also a letter addressed to me on June 9 by Gordon Dean, Chairman of the Commission; also a letter addressed to the Honorable CLARENCE CANNON on June 20, 1952, by Mr. J. L. Kask, Assistant Director of Fish and Wildlife Service, commenting optimistically on the fish problem; and also a letter addressed to Mr. CANNON on March 18, 1952, by Dr. Albert Day, asserting that construction of this project will not exterminate any species of fish.

In addition, Mr. Chairman, I would like to have included as part of my remarks a statement I have prepared on the origin and validity of the repeated assertion that 15 percent of the fingerlings migrating downstream are lost at each dam.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on a similar amendment which was sent to the desk when the bill was before the Senate last year, which I think explains the whole Ice Harbor picture.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ICE HARBOR LOCK AND DAM—STATEMENT BY SENATOR MAGNUSON, JUNE 27, 1953

I send to the desk an amendment to line 5, page 4, proposing that there be added $3 million to the amount listed for "Construction, general."

This amendment is designed to add $3 million to the total amount of construction funds in this bill for Ice Harbor lock and dam on the Lower Snake River in the State of Washington. President Truman included in the January budget $4,900,000 to get this vitally needed project under way. The Eisenhower administration deleted it entirely.

I am suggesting the addition of $3 million rather than $4,900,000 because $3 million is the amount the Senate approved last year for this project.

Many Senators will recall the controversy we had on the closing day of the session last year over the conference report on the civil functions bill. The House conferees, you will remember, insisted on deleting funds for Ice Harbor Dam on the Snake and Hartwell Dam on the Savannah River. In consequence, my good friends, the Senators from South Carolina, myself, and others were in a mood to hold the Congress in session until these funds were agreed to. I receded from my position after receiving assurance from the then chairman of the Appropriations Committee that this item would receive most sympathetic consideration in the present bill.

Of course, the senior Senator from Tennessee, Mr. McKellar, is no longer with us. I do feel very strongly, however, that I had a

moral commitment from the Senate that what I am now proposing would be given favorable consideration.

Ice Harbor Dam is fully engineered. Construction could be started on it immediately. It is the only major dam in the Columbia River system that enjoys this status. It is a multipurpose project. It will produce 200,000 kilowatts of prime power. It will make possible the later irrigation of approximately 50,000 acres of land. In addition, it would provide open-river navigation to Lewiston, Idaho, for at least 6 months of the year. The total construction cost at 1953 prices is about $110 million.

There is another very important reason for getting this dam started immediately. This dam is located in the backyard—so to speak—of the great atomic energy plant. That plant needs an independent and dependable source of power.

One of the reasons the Senate has approved funds for this project in past years is the strong representations made by the Atomic Energy Commission that this dam is required.

My friends on the other side of the aisle should be particularly interested in this amendment. It would give a Republican-controlled Congress and a Republican administration something to point to with pride and distinction. To date, no dam, no project in the comprehensive development of the great Columbia and its tributaries has ever been started by a Republican Congress and Republican administration.

Of course, I realize your opportunities in the last 20 years have been somewhat limited. Here's the chance to demonstrate that the Republicans in the Senate, at least, are stanchly behind a program of maximum water-resource development.

In 1950, in 1951, and in 1952 the Senate approved construction funds for Ice Harbor Lock and Dam. I am hoping the Senate of the United States will reconfirm the good judgment it has shown in the past by voting favorably on this amendment.

Mr. MAGNUSON. Mr. President, Ice Harbor, of course, is fully engineered. Construction could be started on it immediately. It is the only major dam in the Columbia River system which enjoys this status. It is a multipurpose project. It will produce 200,000 kilowatts of prime power. It will make possible the later irrigation of approximately 50,000 acres of land. In addition, it will provide open-river navigation to Lewiston, Idaho, for at least 6 months of the year. The total construction cost at 1953 prices is about $110 million.

There is another very important reason for getting the dam started immediately. The record is full of statements and direct letters from the Atomic Energy Commission urging the construction of Ice Harbor Dam. Ice Harbor lies up the Snake River a few miles from the great Hanford atomic energy plant, which uses a great deal of electricity from the Bonneville pool. There have been times when there has been failure of the powerload, which is very costly and serious to our national defense. Construction of the Ice Harbor Dam would give the Hanford project an uninterrupted source of power direct from the dam, a few miles up the Snake River where it comes into the Columbia, and near the project.

If the Senator from California will bear with me another few minutes, there is another reason for my proposing the amendment. For about 20 years in our area we have been developing our great hydroelectric potential. We have built many dams and erected flood-control and navigation projects, and have developed almost a complete new empire in that area. For 20 years the policy of the Federal Government was to build multipurpose dams, put power into the Bonneville pool, which was the purpose of the Bonneville Act passed by Congress, encourage private construction of dams when they could be feasibly constructed, and to encourage our municipalities and public utility districts to start construction projects. All of those dams which go into the Bonneville pool produce millions of kilowatts, and cheap power. Cheap power has been the very economic life and hope for the future of the Pacific Northwest.

In the Pacific Northwest we have been doing a good job along this line for 20 years, and the people have been satisfied. Any dispute between public power and private power completely ceased to exist as a matter of policy, because even the private power companies were obtaining cheap power from the Bonneville lines, and were doing more business than ever before, and were expanding. Our power needs doubled over a period of 10 years, even on the basis of a constant population, and entirely aside from the greater needs because of the increase in population. Those dams were built. Despite great opposition, I must say, during the 20-year period, on both sides of the aisle and in both Houses of Congress, regarding the cost of the dams, and despite constant fights to obtain the appropriations, we progressed fairly well. The Bureau of Reclamation has made many surveys of the Columbia Basin.

Finally, after many years of controversy and argument, we have a comprehensive 308 plan or report which provides for adequate development of the river. All during that time, from the power revenues we repaid the Federal Government what we promised to pay, with interest. That went on for 20 years.

Then the new administration came into power. Despite all that was said, the new administration completely changed the power policy. The new administration spoke in terms of partnership and State compacts, and discussed in a vague sort of way going ahead with these great dams of a multipurpose nature, which in the final analysis do not require investments by the Federal Government, when flood control, navigation, and irrigation are involved. Despite the fact that in 1952, in two places in the Pacific Northwest, the present President of the United States promised the people that if the Republican Party was placed in power, those power developments, under the comprehensive 308 plan, would continue their orderly progress—and the President made statements to that effect both in Boise and in Seattle, and the Secretary of the Interior also made similar speeches—I wish the RECORD to show that there seems to be no apparent connection between what the administration has promised the people in regard to hydroelectric development in our part of the Nation and what the administration does.

So my reason for submitting the amendment is that, although the new administration has now been in office for 18 months, and although one session of Congress has been completed and another session is nearing completion, not even one recommendation has been made for a single new start in the development of the great Columbia Basin. The administration says it has projects ready, and of course they are ready. The administration has also intimated that when there might be a business recession, various public works should be undertaken. However, that would mean we would have to wait for a depression in the country before that great potential could be developed.

There are many other projects—including those involving 20-year contracts and relating to irrigation and navigation—which have not been touched because the administration does not wish to request appropriations for them.

The result is that our municipalities do not know where they will get the power they need. They know they might obtain funds for that purpose by floating bonds; but, they realize that conditions on Manhattan Island, in connection with the floating of bond issues, are now somewhat different from what they were, and that although such bond issues might be floated, the power obtained thereby would be much more expensive than the power now coming from the Bonneville pool.

So, Mr. President, this change in policy has occurred. In his state of the Union message to the Congress, the President of the United States promised the people of the Pacific Northwest—and on another occasion I shall place in the RECORD quotations from his speech—that the administration had no intention of jeopardizing the orderly process of the development of the great natural resources of the Pacific Northwest. But 10 days later, when the budget message came to Congress, it did not contain even 1 recommendation for the appropriation of funds for even 1 new start.

Mr. President, I am not blaming the House of Representatives or the Senate Appropriations Committee, because I think they have been very generous with us, and we appreciate it. But it has been difficult enough for us to be able to develop projects in many places in the West, even when the administration has agreed to proceed with those developments. It is now much more difficult, in view of the fact that the administration has not recommended even one new start.

Of course, when appropriations for these projects are included in the budget for a given year, such items are really loans, rather than appropriations, for they are repaid with interest. In fact, many persons have prepared and submitted figures showing that over a period of 10 or 12 years these projects will result in the repayment, by means of taxes alone, of what they cost.

So I wish the RECORD to be clear in this respect, and to show that, despite the fact that the Senate Appropriations Committee has done an excellent job and despite the fact that my friend, the

senior Senator from Oregon [Mr. CORDON] and I and the other members of the subcommittee have done, I believe, a good job, and despite the fact that the senior Senator from Oregon has an excellent realization of the situation and an excellent appreciation of the importance of these projects, yet, up to this time, since the new administration has been in office, and after one session of Congress has ended and the second session is nearing completion, and notwithstanding what representatives of the administration have said about favoring the development of hydroelectric power in the Pacific Northwest, yet not one new start has come from the administration. I want the people to know that.

Mr. President, I call for a voice vote on the question of agreeing to my amendment to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON] to the committee amendment on page 3, in line 22.

Mr. KNOWLAND. Mr. President, in the first place, I wish to point out that this matter was before the subcommittee, and also was before the full committee. The project itself calls for an appropriation of $135,930,000. To date, there have been provided planning funds in the amount of $1,082,200. There was no Corps of Engineers' estimate to the Bureau of the Budget for construction in fiscal year 1955 in connection with this item, either within or over the ceiling. As has been pointed out, there was no budget estimate for construction of the item. No action was taken on it by the House of Representatives.

I am sorry the Senator from Washington has raised a partisan note, because in the committee we have dealt on an impartial and nonpartisan basis.

However, I think it should be pointed out that for these projects in the great Columbia River Basin—and it is a great basin which is an asset to the people of the entire Nation—the budget estimates for the power projects in the Pacific Northwest amounted to $95,011,000; the House voted for those projects $88,139,000; and the recommendation of the Senate Appropriations Committee for the same purpose is $100,831,000.

In the case of both power and nonpower projects in the Columbia River Basin, the total budget estimates amount to $97,396,000; the House of Representatives has voted $90,474,000; and the recommendations of the Senate Appropriations Committee amount to $103,236,000.

Mr. President, I think all of those of us who have served on the committee in past years recognize the tremendous development which has occurred in the Pacific Northwest, and we are proud of it, and we hope it may be continued over the years. But, based on all the facts the committee has to face and in view of the many other projects in other sections of the country, our best judgment was that it would not be wise or prudent at this point to commence construction of the new $135 million project.

Moreover, there are certain further studies which we feel must necessarily be made, and which we believe the Congress should have available to it before any construction funds are allocated. In that connection, let me refer to the testimony appearing on page 1650 of the hearings before the Senate Appropriations Committee in relation to the Ice Harbor Dam. Representatives of the Fish and Wildlife Service appeared before the committee and pointed out that many very grave problems are involved, and that the great salmon industry in the Pacific Northwest might be most adversely affected by construction of the dam. Therefore, they believed the dam should not be constructed until certain additional studies regarding it are made.

So, Mr. President, I hope the amendment submitted by the Senator from Washington to the committee amendment will be rejected.

Mr. MAGNUSON. Mr. President, will the Senator from California yield for an observation?

Mr. KNOWLAND. I yield.

Mr. MAGNUSON. Of course, in my initial statement I said there is no question about the attitude taken by the committee, for it is clear that the committee did not take a partisan approach in considering this matter. The committee has been completely nonpartisan, I may say; and I serve on both the full Appropriations Committee and on the subcommittee dealing with these and other projects. There has been no partisanship at all. I merely wished to point out what the administration and the budget have recommended. I suppose the Engineers were told not to recommend this project. It has been approved by the Senate twice. That is all I said. There was no partisanship involved in my statement. I said there was a new power policy. I am merely stating the facts.

Mr. KNOWLAND. To be perfectly fair, we sit here in the Senate, or in the Appropriations Committee, and on the particular subcommittee in which we have a vital interest, and we view the problem from one angle. But when the President of the United States sits, at his level, with his Budget Director, he also has many other problems affecting the national defense and affecting our Military Establishment, and a great many other problems, including the very heavy tax burdens borne by the people of the United States. I think, in fairness, we must bear in mind that with the heavy national debt, which is almost $270 billion, and with one of the highest tax burdens ever borne by the people of the United States, the man who is called to the high responsibility of President of the United States cannot, in justice to the country or in fairness to his administration, do all the things or recommend all the projects he himself might like to recommend.

I submit to the Senator that over a period of years, both under Republican and Democratic administrations, and under both Republican and Democratic Congresses, development of the West has gone forward. Development of our great reclamation projects has proceeded. I am very proud, as a Republican, that the original Reclamation Act came into being under the great Republican President, Theodore Roosevelt, and that it has been carried out by both Republican and Democratic administrations since that time.

I do not believe that at this time the pending amendment should be adopted.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield, and, if so, to whom?

Mr. KNOWLAND. I yield first to the Senator from Nevada. Then I shall be glad to yield to the Senator from Washington.

Mr. MALONE. I remind the distinguished Senator from California that it was the great Senator Newlands, of Nevada, who introduced the original reclamation legislation.

Mr. KNOWLAND. The Senator is correct. He rendered great service to the country.

I now yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I am merely stating facts, to make the record clear.

Mr. KNOWLAND. I, too, have been stating facts.

Mr. MAGNUSON. That is true.

The Senator from California has correctly read the amounts appropriated. At the outset of my statement I stated that I was appreciative of the action of the Senate committee. As the Senator knows, in the full committee I expressed my appreciation. However, I merely point out that the projects to which the Senator from California refers are projects which were well on their way toward completion, and it would have been utter folly not to appropriate money for their completion, because the sooner they are completed the sooner they will pay back. All the figures quoted by the Senator from California are fine, but I still point out that no new start has been recommended by the administration.

Mr. KNOWLAND. The committee recommended approximately 20 new starts.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON] to the committee amendment on page 3, line 22.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment on page 3, line 22.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. KNOWLAND. I move that the Senate insist upon its amendments, request a conference with the House of

Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KNOWLAND, Mr. YOUNG, Mr. CORDON, Mr. THYE, Mr. MARTIN, Mr. HAYDEN, Mr. RUSSELL, and Mr. ELLENDER conferees on the part of the Senate.

MEMORIAL SERVICES FOR THE LATE SENATOR HOEY, OF NORTH CAROLINA

Mr. KNOWLAND. Mr. President, pursuant to prior announcement, I ask unanimous consent that an order be entered that, immediately following the morning hour on next Thursday, the unfinished business be temporarily laid aside and that the Senate proceed to hold memorial services in tribute to the life, character, and public service of the Honorable Clyde R. Hoey, late a Senator from the State of North Carolina.

The PRESIDING OFFICER. Without objection, the order will be entered.

ORDER FOR RECESS UNTIL THURSDAY

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate concludes its business today it take a recess until 12 o'clock noon on Thursday next.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Without objection, it is so ordered.

WATER FOR IRRIGATION AND DOMESTIC USE FROM THE SANTA MARGARITA RIVER, CALIF.

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1325, House bill 5731.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5731) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior, acting pursuant to the Federal reclamation laws (act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto), as far as those laws are not inconsistent with the provisions of this act, is authorized to construct, operate, and maintain such dam and other facilities as may be required to make available for irrigation, municipal, domestic, military, and other uses the yield of the reservoir created by De Luz Dam to be located immediately below the confluence of De Luz Creek with Santa Margarita River on Camp Joseph H. Pendleton, San Diego County, Calif., for the Fallbrook Public Utility District and such other users as herein provided. The authority of the Secretary to construct said facilities is contingent upon a determination by him that—

(a) the Fallbrook Public Utility District shall have entered into a contract under subsection (d), section 9, of the Reclamation Project Act of 1939 undertaking to repay to the United States of America appropriate portions, as determined by the Secretary, of the actual costs of constructing, operating, and maintaining such dam and other facilities, together with interest as hereinafter provided; and under no circumstances shall the Department of the Navy be subject to any charges or costs except on the basis of its proportional use, if any, of such dam and other facilities, as determined pursuant to section 2 (b) of this act; and

(b) the officer or agency of the State of California authorized by law to grant permits for the appropriation of water shall have granted such permits to the United States of America and shall have granted permits to the Fallbrook Public Utility District for rights to the use of water for storage and diversion as provided in this act; including, as to the Fallbrook Public Utility District, approval of all requisite changes in points of diversion and storage, and purposes and places of use;

(c) the Fallbrook Public Utility District shall have agreed that it will not assert against the United States of America any prior appropriative right it may have to water in excess of that quantity deliverable to it under the provisions of this act, and will share in the use of the waters impounded by the De Luz Dam on the basis of equal priority and in accordance with the ratio prescribed in section 3 (a) of this act;

(d) a net safe yield of not less than 20,000 acre-feet per annum after the first filling of the conservation storage space of De Luz Reservoir can reasonably be expected under the permits granted by the State of California in clause (b) hereof, after considering the exercise or probable exercise of all existing rights to the use of water within the stream system of the Santa Margarita River, including rights to the use of water which the United States of America acquired according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of the water as a part of said acquisitions, or through actual use or prescription or both, since the date of that acquisition, and the hydrology of the Santa Margarita River determined in accordance with accepted engineering practices.

SEC. 2. (a) In the interest of comity between the United States of America and the State of California and consistent with the historic policy of the United States of America of Federal noninterference with State water law, the Secretary of the Navy shall promptly comply with the procedures for the acquisition of appropriative water rights required under the laws of the State of California as soon as he is satisfied, with the advice of the Attorney General of the United States, that such action will not adversely affect the rights of the United States of America under the laws of the State of California.

(b) The Department of the Navy will not be subject to any charges or costs in connection with the De Luz Dam or its facilities, except upon completion and then shall be charged in reasonable proportion to its use of the facilities under regulations agreed upon by the Secretary of the Navy and Secretary of the Interior.

SEC. 3. (a) The operation of the dam and other facilities herein provided shall be as agreed to by the Secretary of the Navy and the Secretary of the Interior. In that operation, 60 percent of the water impounded by De Luz Dam is hereby allotted to the Secretary of the Navy; 40 percent of the water impounded by De Luz Dam is hereby allotted to the Fallbrook Public Utility District. The Department of the Navy and the Fallbrook Public Utility District will participate in the water impounded by De Luz Dam on the basis of equal priority and in accordance with the ratio prescribed in the preceding sentence: *Provided, however,* That at any time the Secretary of the Navy certifies that he does not have immediate need for any portion of the aforesaid 60 percent of the water, the official agreed upon to administer the dam and facilities is empowered to enter into temporary contracts for the delivery of water subject, however, to the first right of the Secretary of the Navy to demand that water without charge and without obligation on the part of the United States of America upon 30 days' notice as set forth in any such contract with the approval of the Secretary of the Navy: *Provided, further,* That all moneys paid in to the United States of America under any such contract shall be covered into the general fund of the Treasury, and shall not be applied against the indebtedness of the Fallbrook Public Utility District to the United States of America.

(b) The general repayment obligation of the Fallbrook Public Utility District (which shall include interest on the unamortized balance of construction costs of the project allocated to municipal and domestic waters at a rate equal to the average rate, which rate shall be certified by the Secretary of the Treasury, on the long-term loans of the United States outstanding on the date of this act) to be undertaken pursuant to section 1 of this act shall be spread in annual installments, which need not be equal, over a period of not more than 56 years, exclusive of a development period, or as near thereto as is consistent with the operation of a formula, mutually agreeable to the parties, under which the payments are varied in the light of factors pertinent to the irrigators' ability to pay. The development period shall begin in the year in which water for use by the district is first available, as announced by the Secretary, and shall end in the year in which the conservation storage space in De Luz Reservoir first fills but shall, in no event, exceed 17 years. During the development period water shall be delivered to the district under annual water rental notices at rates fixed by the Secretary and payable in advance, and any moneys collected in excess of operation and maintenance costs shall be credited to repayment of the capital costs chargeable to the district and the repayment period fixed herein shall be reduced proportionately. The Secretary may transfer to the district the care, operation, and maintenance of the facilities constructed by him under conditions satisfactory to him and to the district and, with respect to such of the facilities as are located within the boundaries of Camp Pendleton, satisfactory also to the Secretary of the Navy.

(c) For the purposes of this act the basis, measure, and limit of all rights of the United States of America to the use of water to which this act pertains shall be the laws of the State of California.

(d) Nothing in this act shall be construed as a grant or a relinquishment by the United States of America of any of its rights to the use of water which it acquired according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of said acquisition, or through actual use or prescription or both, since the date of that acquisition, or to create any legal obligation to store any water in De Luz Reservoir, to the use of which it has such rights, or to require the

division under this act of water to which it has such rights.

(e) Unless otherwise agreed by the Secretary of the Navy, De Luz Dam as herein provided shall at all times be operated in a manner which will permit the free passage of all of the water to the use of which the United States of America is entitled according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of said acquisitions or through actual use, or prescription or both, since the date of that acquisition and will not be administered or operated in any way which will impair or deplete the quantities of water to the use of which the United States of America would be entitled under the laws of the State of California had that structure not been built.

SEC. 4. After the construction of the De Luz Dam, the official operating the reservoir shall deliver water to the Fallbrook Public Utility District, pursuant to regulations agreed upon by the Secretary of the Navy and the Secretary of the Interior, as follows:

(1) Not in excess of 1,800 acre-feet in any year until the reservoir attains an active content of 63,000 acre-feet;

(2) Not in excess of 4,800 acre-feet in any year after the reservoir attains an active content of 63,000 acre-feet and until said reservoir attains an active content of 98,000 acre-feet; and

(3) Not in excess of 8,000 acre-feet in any year after the reservoir attains an active content of 98,000 acre-feet and until the conservation storage space of the reservoir has been filled.

SEC. 5. The Secretary of the Army through the Chief of Engineers, acting in accordance with section 7 of the Flood Control Act of 1944 (58 Stat. 887) is authorized to utilize for purposes of flood control such portion of the capacity of De Luz Reservoir as may be available therefor.

SEC. 6. There are hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, $22,636,000, the current estimated construction cost of the Santa Margarita River project, plus or minus such amounts as may be indicated by the engineering cost indices for this type of construction, and, in addition thereto, such sums as may be required to operate and maintain the said project.

SEC. 7. From time to time the Attorney General, the Secretary of the Interior, and the Secretary of the Navy shall report to the Congress concerning the conditions specified in section 1 of this act, and the first report thereon shall be submitted to the Congress no later than 1 year from the date of enactment of this act.

PROGRAM FOR REMAINDER OF THE WEEK

Mr. KNOWLAND. Mr. President, it is not intended that the Senate proceed with the consideration of the unfinished business tonight. I made the motion merely to make the bill the unfinished business.

When the remarks of the Senator from Nevada [Mr. MALONE], remarks by other Senators, and insertions in the RECORD shall have been concluded, it is the intention of the majority leader to move that the Senate stand in recess until noon on Thursday next.

Following the morning hour on Thursday, there will be memorial services for the late Senator Hoey, of North Carolina, an order for which services has been previously agreed to.

I believe that there is to be a joint meeting of the two Houses on Friday. However, there will be a further announcement in that connection at a later date.

TRADING WITH THE NATION WE ARE PREPARING TO FIGHT: STRATEGIC METALS POUR THROUGH BATTLE ACT LOOPHOLES TO COMMUNISTS

Mr. MALONE. Mr. President, we are now trading with the nation we are preparing to fight, through financing the European nations which are increasing their trade with Russia, the Iron-Curtain countries and Communist China.

Strategic and critical metals and materials are pouring into Russia and Communist China through those nations, by reason of loopholes in the Battle Act.

On Friday the junior Senator from Nevada had occasion to discuss these loopholes which have enabled both this and the previous administration to condone, or at best ignore, shipments of strategic and critical materials to Soviet Russia and her satellites by nations to which we are extending millions of dollars in foreign aid.

In my remarks Friday I recalled that a few years ago Congress passed what was known as the Wherry-Malone-Kem resolution, which prohibited the giving of any assistance to any foreign nation which traded in strategic goods with our potential enemies. As I stated then, this resolution stopped that trade cold in its tracks.

Subsequently the Battle Act was passed on the pretext that it would accomplish similar objectives, but which in fact negated the announced objectives and the act's effectiveness. This was done by giving the President the option of enforcing or waiving provisions to withdraw foreign aid from countries supplying Soviet Russia and her satellites with strategic and critical materials.

The purpose of this loophole, Mr. President, obviously was to assure continuance of foreign giveaways to countries trading with Communists and Communist governments regardless of the danger and risks involved to our own national security.

The junior Senator from Nevada is well aware of the attempts to minimize the strategic importance of shipments that admittedly have been sent to Communist countries by nations we are subsidizing with billions in foreign aid.

These efforts on the part of our professional foreign aiders are understandable in light of their determination to continue their vast handouts to foreign countries whatever the risk may be to our country or the cost to American taxpayers.

IRON CURTAIN NOT CLOSED TO SO-CALLED EMBARGO ITEMS

Thus, although some $15 million in actual embargo items were "knowingly permitted"—and I take the phrase "knowingly permitted" from Mr. Harold E. Stassen's recent report to Congress on "East-West trade trends" under the Mutual Defense Assistance Control Act of 1951, better known as the Battle Act—American aid was continued to these countries by Presidential direction.

On August 1, 1953, for example, the President notified the Congress that aid would be continued to the United Kingdom, Norway, West Germany, and France, despite shipment by them of embargo items to Communist nations.

Mr. President, the United States maintains a list of 77 strategic and critical minerals, metals, and materials, which include lead, copper, tin, rubber and other materials essential to any war effort.

The junior Senator from Nevada has consistently held that any mineral, metal, or material sufficiently important to be included on the list of materials considered strategic and critical to the defense of the United States, is strategic and critical also to Soviet Russia's build-up for their intended aims at world conquest, strategic and critical to Red China, and strategic and critical to Red Poland, Red Hungary, Red Czechoslovakia, and other Red satellites.

The junior Senator from Nevada cannot acquiesce to the theory of our pro-foreign trade and aid officials that metals on our strategic and critical list become harmless, peaceful goods the moment a recipient of our foreign aid ships them to Communists behind the iron curtain.

SEEPAGE OF STRATEGIC METALS CITED

In this connection, Mr. President, I wish to call attention to an excellent and well documented article published in the Friday, May 21 issue of the American Metal Market, under the page 1 heading "Seepage of Metals Behind Iron Curtain via European Ports."

The junior Senator from Nevada asks unanimous consent that this article from the American Metal Market of Friday, May 21, 1954, be placed in the RECORD at this point in his remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEPAGE OF METALS BEHIND IRON CURTAIN VIA EUROPEAN PORTS—INDIRECT PURCHASES IN SMALL LOTS SAID TO BE FLOWING STEADILY

WASHINGTON, May 20.—Although it will not show up in the export figures of the free world nations there is a steady movement of strategic metals from them to the Soviet bloc through the free ports of Europe.

In transit trade reports from and to the satellite nations through the free ports, made available by the European Division of the Bureau of Foreign Commerce of the Department of Commerce, show a constant pattern of shipments. As a rule, this trade is not in substantial quantities but now and then a large shipment is made, indicating that the free countries of the world are not averse to dealing with the satellite nations if the price is right.

In return for raw metals and durables, the free world gets from the Soviet bloc such things as feathers and down, boar bristles, bird skins, some barley, dyestuffs, flax, rags and textile waste, confectionery and pastry, paper and pulp. On that list is not a pound of strategic metal, except for platinum which the Soviet has been exporting along with gold, to create purchasing power in Western currencies.

In this trade the free world nations do not sell directly to the Soviet bloc. Shipments are made to the free ports and the

record shows only that the destination of these materials is Antwerp or Rotterdam or Hamburg. But the in-transit figures of these ports show that shipments went to Poland, to Hungary, or to the U. S. S. R. itself.

At the moment, the in-transit trade statistics for the port of Antwerp alone are available. They represent probably a substantial part of the trade with the Soviet bloc and show the pattern clearly.

Of the nonferrous metals, the largest trade in 1953 was in lead. Major shipments through Antwerp to the satellite nations in 1953 totaled 22,575 tons. This trade was stepped up toward the end of the year to a total of 8,062 tons in November and December. In January 1954 the transit report shows that 3,650 tons of lead went from the United Kingdom and was shipped to the U. S. S. R.

The heaviest single shipments during 1953 were from Spain (2,220 metric tons to the U. S. S. R.) and from the United Kingdom (2,695 tons to the U. S. S. R.). Spain also shipped tonnages ranging from 500 to 700 tons which found their destinations in East Germany, Poland, and Czechoslovakia. Some Australian lead also went through Antwerp to the Soviet bloc in the 1953 period. The largest shipment was 300 tons, which went to Czechoslovakia. France also contributed one 500-ton shipment to the U. S. S. R. Thirteen shipments of free world lead went to the U. S. S. R. and nine shipments to Czechoslovakia.

France and West Germany shipped iron and steel to Antwerp in 1953, which came to rest in Poland and even in Red China. The China shipment was 2,523 tons of sheet iron and steel which had its origin in France. In April 1953 France shipped 17,046 tons of steel to Antwerp which went to Poland. West Germany is in the pattern of shipments with sheet iron and steel and hoop iron or steel which finds its destination in Poland. One shipment of 2,589 tons of hoop iron or steel and one of 598 tons show the pattern for 1953.

COPPER

Some copper is going behind the Iron Curtain through the free ports, but whether in substantial quantities or not cannot be determined by the intransit records of Antwerp for 1953. However, this is not regarded by Commerce authorities as the whole story. The records of the major shipments through Antwerp in 1953 show 4,797 tons of raw copper went to the Soviet bloc. But it must be remembered that this is a shifty operation and Antwerp may not have been in the port of transit for copper in 1953. Commerce officials point out that the trade is shifted from one port to another when the quantities become so large that they may attract attention. What seems to be nothing more than a trickle of strategic materials from the free world through the Iron Curtain may be a steady stream. Some United States authorities are of the opinion that over the years, and if it continues, this stream may carry substantial quantities of strategic materials to stock the arsenals of the Communist world.

Close observers in the Government of this trade emphasize that intransit shipments of strategic metals through the Iron Curtain go on without the countries of origin being able to do anything about it. Buyers in Rotterdam or Antwerp make the offers to purchase and the free countries cannot always regard them or prove them suspect. The transactions must be regarded as legitimate. The materials are delivered to addresses in the free port and from there they go to Russia or the satellite countries.

SMALLER PORTS OF EUROPE

There is grave suspicion that much of this trade is carried on through some of the smaller free ports of Europe. The pattern shows that there is a shift from one port to another, and that one port will show heavy transit trade in one metal for a period and then in another metal for the following period. There is also strong evidence that the shipments are kept small to avoid attracting attention.

The conclusions of Government observers is that the transit shipments are for the most part small because the factories and war plants of the Soviet bloc usually need these smaller quantities to fill out their inventories, but that when they do need larger shipments they can get them in the amounts desired from the West through the free ports of Europe.

Mr. MALONE. Mr. President, the junior Senator from Nevada is hopeful that the above article from the American Metal Market will receive the attention it deserves from Mr. Stassen.

Mr. Stassen is director of the Foreign Operations Administration, our principal agency for foreign handouts. His responsibilities, as he sets forth in his recent report on East-West Trade Trends, includes administration of the Battle Act which, in the opinion of the junior Senator from Nevada, is one of the most ineffective bits of legislation enacted in the 82d Congress. It's utter uselessness, of course, is due to the gaping loopholes purposely written into it by the previous pro-foreign administration, and which were then and are now large enough for any administrator, including Mr. Stassen, to gallop through on horseback whenever the spirit of the act is being violated, by any foreign nation fattening on billions provided by our taxpayers.

As this act has been administered it has in no way detered any foreign country from entering into trade agreements with Soviet Russia and her satellites.

AIDED NATIONS FLOCK TO SIGN TRADE PACTS WITH SOVIET

France, Greece, Argentina, Denmark, Iceland, India, and Belgium have in fact, signed new trade pacts with Soviet Russia since approval of the Battle Act, and likewise have continued to receive American assistance in varying forms.

Sweden, Norway, Finland, Egypt and Afghanistan have renewed trade agreements with Soviet Russia that had expired.

Mr. Stassen's report states that Communist satellite countries renewed about 45 trade agreements during the last year or so with European countries, and about a dozen with non-European countries.

Mr. President, on two different occasions, in 1948 and in 1949, the junior Senator from Nevada submitted to the Senate a list of 96 trade treaties made by 17 European countries who were benefiting under the Marshall plan—later called ECA, Mutual Security, and various other names in an effort to keep the public confused—with Russia and satellite nations. Since then many of the same nations have made trade agreements with China, and many of them, also, have recognized Communist China. In addition, they are promoting throughout the world the idea of trading freely with the Communist nations, while they are presumably preparing to fight the outstanding potential enemy of all, Russia, and giving lip service to backing the United States in the event of such a conflict.

ARGENTINA'S INTEREST IN RED TRADE

Mr. President, in this connection, the junior Senator from Nevada asks unanimous consent to place in the RECORD at this point in his remarks an article written by Mr. Henry B. Lee titled "Argentina, Brazil Take Lead—South America Showing New Interest in Trade With Iron Curtain Countries," and appearing in the Washington Star of Sunday, May 23, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARGENTINA, BRAZIL TAKE LEAD—SOUTH AMERICA SHOWING NEW INTEREST IN TRADE WITH IRON CURTAIN COUNTRIES

(By Henry B. Lee)

Iron Curtain countries are now selling in South American markets with the enthusiasm of a junior salesman and getting the results of a senior salesman. They have signed eight trade agreements recently with Argentina and Brazil. They are now casting covetous eyes at others.

While the Soviet bloc has been gaining an economic foothold in Argentina and Brazil, United States exports to those countries have tumbled about 50 percent. Between 1951 and 1953 our exports to Argentina dropped from $233.1 million to $104.2 million, to Brazil from $699.8 million to $295 million. Meanwhile, Communist trade with Argentina increased from nothing to 5 to 8 percent of the latter's external trade.

Trade with the Soviet and its friends is very small compared with South America's total world trade (1953 exports of $7.6 billion and imports of $6.4 billion). But it does represent a significant start.

The Soviet bloc is exchanging much-needed capital and consumer goods for surplus raw materials the South American countries can't sell elsewhere. It offers credit facilities and other advantages unavailable to our free-enterprise exporters.

RECENT SOVIET INTEREST

Russia had little or no trade with South America for about 35 years. There was, for instance, no trade with Argentina between 1946 and 1953. Then last August the 2 countries signed a trade agreement to exchange $112 million in goods over a 12-month period. Argentina is exchanging wool, hides, mutton, butter, pork, canned beef, and linseed oil for aviation gas, other oil products, and sheet iron.

The two countries report this agreement is going so well that another is already under discussion, and an Argentine mission is reported in Moscow now picking up $30 million worth of machinery for its oil and coal industry, power stations, farms, and railroads.

The latest pact is with Rumania, calling for the exchange of farm products for light industry, oils, and other products.

Argentina bought 3,700 Zetor tractors from Czechoslovakia and is shopping there for machinery and textile plants. It bartered $21 million worth of rye to Poland for coal and cement. It has been negotiating a trade agreement with East Germany and a Red Chinese trade delegation is about to arrive in Buenos Aires.

BRAZIL'S TRADE

Brazil now has trade pacts with Poland, Czechoslovakia, and Hungary. It is considering trade pacts with Rumania, Bulgaria, and East Germany.

If Joao Alberto Luis de Barras, former chief of the foreign office's economic division and now Brazil's trade representative in Geneva, has his way, Brazil will swing open the trade gates to Russia and her satellites. He says the cold war is a political

fight between the United States and Russia, so Brazil should look out for its own welfare and cultivate trade with the Soviet bloc.

De Barras learned his politics as a crony of President Getulio Vargas and learned his economics as a cowboy in south Brazil.

Russia has been suggesting it may buy 100,000 tons of Chile's surplus copper. Russia is perhaps not unmindful that Chile's copper surplus is a perennial problem and the United States economy cannot absorb it economically.

Although Russia and her satellites are not buying in the cheapest market and selling in the dearest one, Russia seems to like this new trade and wants more of the same. It recently invited all Latin American countries to send representatives to Moscow this September to talk more trade. If they want more trade, Russia says it would accept delayed payments and also take Latin American currencies.

The representatives would get the full and free treatment, too—a month in the Soviet Union, travel about the country, and inspections of Soviet developments in industry and agriculture.

BACKFIRE POSSIBILITIES

The State Department is not yet concerned about Soviet advances and North American reverses in South American markets. No strategic goods have yet been shipped by the Latins behind the Iron Curtain. In fact, some think this Communist venture may backfire.

"We know that Russia is making the satellites send critically needed goods to these Latin countries for goods that are not much needed behind the Iron Curtain," a State Department spokesman explained. "Russia expects to open trade channels in which they can ship along their propaganda. But the satellites will soon see that they are being denied the fruits of their own labor, so other countries may enjoy them.

"Then, too, the Communists deny themselves industrial goods of strategic importance. The goods they acquire in exchange are often surplus commodities, sometimes glutting the world markets."

Although this trade has cut into only a small part of the South American market, there may be trouble ahead for the United States, both economically and politically.

Economically, these trade agreements deter United States efforts to promote competitive multilateral trade based on comparative advantage. Instead, they promote bilateral trade based on uneconomic bartering and tuned to control economies.

Countries like Argentina and Brazil, for instance, cannot export sufficiently to the United States because of tariff barriers or competitive factors. So they cannot get the foreign exchange they need to import from the United States. To maintain domestic stability and equilibrium in their balance of payments, they return to bilateral clearing agreements and barter trade with controlled economies like Russia. This trade promotes discriminatory trade practices like import quotas and exchange restrictions.

PROBLEM FOR RIO

Politically, these trade agreements are a challenge to American leadership in the free world economy. Russia is evidently anxious to engage in uneconomic trade in South America in order to lure United States allies out of the currents of multilateral free trade. It would sacrifice a certain amount of wealth for power.

This is an increasing problem that may hover about the Inter-American Economic Conference scheduled at Rio de Janeiro this fall. This meeting is to study some hemispheric economic problems the United States was not ready to consider at the 10th Inter-American Conference at Caracas early this year.

Mr. MALONE. Mr. President, the junior Senator from Nevada notes with particular interest the reference in Mr. Lee's article to Russia's "suggesting that it may buy 100,000 tons of Chile's surplus copper."

The General Services Administration on May 20, 1954, signed a contract for the purchase of 64,000 tons of Chilean copper, and on May 24 signed a contract for 36,000 tons more of Chilean copper, a total of 100,000 tons, or the same amount that Mr. Lee reports Russia has suggested obtaining from Chile.

The General Services Administration has agreed to pay 30 cents per pound for the copper it purchases from Chile, and it will be interesting to know what the terms will be of Russia's contemplated purchase should its deal with Chile go through.

It is also interesting to note that that price is more per pound by several cents than is offered for domestic copper, even though the actual wages in Chile are about one-fourth or one-fifth of the wages in the United States.

CONCESSIONS TO CHILE CONTINUE

The General Services Administration's purchase will, of course, be for the Government stockpile, copper being one of the 77 materials on our own list of critical and strategic materials.

Purchase of Chilean copper for our stockpile is definitely one form of foreign aid to Chile, and is so intended. The announcement that the purchase was being negotiated was made, in fact, on March 25, 1954, by the Department of State.

Russia's contemplated purchase, should it go through, will again point out the travesty of the Battle act. It would be very difficult, in the opinion of the junior Senator from Nevada, for the administration to construe this as a mere mild trade in peaceful goods, when the metal is critical and strategic to our own welfare and security.

Producers of Chilean copper for several years have enjoyed further benefits and concessions from the United States through waiver of the 2 cents per pound duty on copper imported from Chile into the United States. The House of Representatives has just voted to extend this important concession, and at a time when Soviet Russia, according to Mr. Lee's article, is suggesting to Chile that it may buy 100,000 tons of copper from it also.

EAST-WEST TRADE TRENDS

Mr. President, in conclusion, I ask unanimous consent to place in the RECORD at this point two brief tables from Mr. Stassen's report on "East-West Trade Trends" one titled "Free-World Exports to the Soviet Bloc, Monthly, 1952 and 1953," and Free-World Exports to Communist China, Semiannual, 1952 and 1953," both in millions of United States dollars.

In the latter, it may be of interest to note, the huge volume of exports to Red China from British Hong-Kong, which reached $63,700,000 in the first half of 1953, but dropped to half that amount during the second half following interruption of the shooting war in Korea.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 4.—*Free-world exports to the Soviet bloc, monthly, 1952 and 1953*

[In millions of United States dollars]

Month	Total Soviet bloc	European satellites	U.S.S.R.	China
1952:				
January	107.8	58.7	39.1	10.0
February	121.4	51.3	48.9	21.2
March	129.2	67.8	53.4	8.0
April	114.8	53.1	40.7	21.0
May	139.4	52.4	52.5	34.5
June	109.4	56.1	30.7	22.6
July	118.0	53.5	39.2	25.3
August	125.4	53.2	39.3	32.9
September	89.5	45.6	23.9	20.0
October	104.6	50.4	34.6	19.6
November	120.4	55.7	40.1	24.6
December	139.3	72.5	38.0	28.8
1953:				
January	119.3	54.9	25.9	38.5
February	97.1	48.6	23.5	25.0
March	123.9	61.2	33.3	29.4
April	110.9	53.2	26.8	30.9
May	88.4	43.4	25.8	19.2
June	100.9	51.9	27.2	21.8
July	104.4	55.2	30.7	18.5
August	113.2	56.1	37.8	19.3
September	90.3	47.7	30.0	12.6
October	118.4	50.7	46.8	20.9
November	140.1	67.0	50.6	22.5
December	144.1	68.7	53.2	22.2

NOTE.—Monthly data are preliminary and unrevised. Therefore, they will not add exactly to annual world totals. China data refer, wherever possible, to Mainland (Communist) China, including Manchuria and Inner Mongolia.

Source: Official trade statistics of the free world, compiled by U. S. Department of Commerce.

TABLE 6.—*Free-world exports to Communist China, semiannual, 1952 and 1953*

[In millions of United States dollars]

Country	First half 1952	Second half 1952	First half 1953	Second half 1953	Major items in 1953
Free-world exports, total	112.8	143.7	158.9	[1] 111.1	
Hong Kong	29.1	61.9	63.7	30.9	Medicine, dyestuffs, fertilizers, machinery.
Ceylon	12.5	13.5	25.0	25.9	Rubber, coconut oil.
West Germany	.2	2.6	13.7	11.3	Iron and steel, scientific instruments, electrical machinery.
United Kingdom	1.9	10.9	8.7	5.8	Wool tops, mechanical handling equipment, sodium compounds, piece goods, ammonium sulphate, textile machinery.
Egypt	2.5	6.4	4.9	5.5	Cotton.
Switzerland	2.5	3.5	10.0	5.5	Watches, coal tar dyes, indigo.
Finland	.1	6.5	1.0	4.4	Paper, cellulose, copper semi-manufactures.
Australia	.2	.4	1.4	3.9	Greasy wool, wool tops.
Pakistan	54.5	29.4	3.6	3.7	Cotton.
France	.9	2.4	9.7	2.7	Iron and steel, machine tools, chemicals, and pharmaceuticals.
Japan	.3	.2	2.3	2.2	Textile machinery, seaweed, superphosphates, medicines.

[1] Estimate.

TABLE 6.—*Free-world exports to Communist China, semiannual, 1952 and 1953*—Con.

[In millions of United States dollars]

Country	First half 1952	Second half 1952	First half 1953	Second half 1953	Major items in 1953
Netherlands	(1)	(2)	2.6	1.3	Ammonium sulphate.
Italy	2.1	1.5	3.9	.8	Chemical fertilizer, artificial yarn, woolen blankets.
Sweden	.2	.4	2.3	.4	Paper and paper manufactures.
India	5.2	1.3	2.2	1.2	Jute bags.
Belgium-Luxembourg	.3	.3	1.3	.1	Ammonium sulphate and sulfonitrate.
Norway	(1)	1.7	.9	(1)	Paper.
Other	.3	.8	1.7	(4)	

[1] Less than $50,000.
[2] July–November only.
[4] Not available.

NOTE.—Totals and Swiss data are adjusted to exclude those watches known to be destined for Hong Kong and Malaya. So far as possible, data refer to Mainland (Communist) China, including Manchuria and Inner Mongolia.

Source: Official trade statistics of free-world countries, compiled by U. S. Department of Commerce.

COLD WAR MEANS ECONOMIC WAR

Mr. MALONE. Mr. President, we should make up our minds. We either have a dangerous potential enemy, or we have not. For several years we have called the situation a cold war. A cold war can be only an economic war. Can it be an economic war when we finance European nations so they can build factories and equip mines to furnish Russia and Communist China with material with which their fighting forces can wage war against us?

Mr. President, Communists can continue to kill our boys in isolated areas in Korea, Indochina, or in an all-out war, with material paid for by fathers and mothers of our fighting men through taxes levied by the Congress of the United States.

BENSON DAIRY PLAN A FAILURE

Mr. HUMPHREY. Mr. President, I ask unanimous consent that some remarks prepared by me, and which I had expected to deliver in the Senate today, be printed in the RECORD at this point as a statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

It is now nearly 2 months since the ill-advised Benson-Eisenhower plan of slashing dairy price supports went into effect. It seems only fair that we take an inventory of what has happened, and compare the results with the promises and assurances given us by the proponents of this plan to pull the rug out from under America's dairy industry.

During extensive debate on this floor in an attempt to avert this serious economic blow to a major segment of American agriculture, I repeatedly warned that cutting prices to dairy farmers would not solve any of our current dairy problems.

Members of this body will recall my insistence that lower dairy prices would not result in lowered production, would not result in any substantial increase in consumption, and would not bring about any reduction in Government purchases.

Other claims to the contrary were made upon this floor, and emblazoned across the country through the press as a result of Secretary Benson's propaganda campaign.

Secretary Benson and his vocal clique of ardent supporters, among groups historically opposed to the farmer, repeatedly claimed lowering of price supports would mean curtailed production, would mean increased consumption, and would mean easing the burden and cost of Government purchases.

Let us see who was right, and who was wrong.

All that has happened since April 1 is less money in the farmers' pockets.

Production has increased, rather than decreased.

Government purchases are increasing, rather than decreasing.

Consumption has shown no significant increase; there has been no evidence of any substantial change in the butter-eating habits of the American people, and I doubt very much if consumers have found they are making any big savings in the cost of living.

Let us take a look first at trends in milk production.

The May 1 crop report issued by the Department of Agriculture shows that milk output rose to a new all-time high total for April of 11,345,000,000 pounds—a sudden new jump during the first full month since Secretary Benson cut dairy price supports 15 percent in an effort to discourage milk production.

That April production figure is 435 million pounds over April production of last year. So far this year, milk production has run 1,754,000,000 pounds ahead of last year's 4-month output.

In the St. Paul Pioneer-Press of Tuesday, May 11, there appeared a story on that production report entitled "Wheat Crop Dip Seen, But Milk, Egg Output Soars." The article was written by Al Stedman, recognized as one of the Midwest's finest farm editors, and is as follows:

"WHEAT CROP DIP SEEN BUT MILK, EGG OUTPUT SOARS

"(By Alfred D. Stedman)

"Uncle Sam's wheat surplus headache looks better for 1954.

"But milk still is flowing in an embarrassing flood.

"And the Nation's hens are laying eggs at a terrific rate, promising price trouble.

"Such was the gist of the Federal Government's May 1 crop report, issued Monday afternoon by the Department of Agriculture in Washington.

"Despite a modest recovery from drouth damage, the 1954 wheat crop still is forecast to run 237 million bushels below that of last year because of drouth and sharply reduced plantings under Government acreage and marketing controls.

"Wheat down from 1953

"A crop of winter wheat, sown last autumn and already heading out in Southern and Eastern States, was forecast at 677,981,000 bushels. While that is 29 million bushels up from the estimate a month earlier, it is 200 million below last year's winter wheat crop. Assuming average yield, there will be an additional decline of 37 million bushels as a result of smaller spring wheat acreage.

"Such a drop, if it actually materializes, will mean wheat at last is rounding the turn from huge surplus production toward crops of more manageable size.

"But Uncle Sam is having no such luck on milk.

"Milk production jumps

"Scratching his head with puzzlement over what to do with more than a billion pounds of surplus dairy products, he was hit by a new jump in milk production during April, the first month since Secretary Benson cut dairy price supports 15 percent in an effort to discourage milk production.

"Milk output rose to a new alltime high total for April of 11,345,000,000 pounds, the department reported. That is up 435 million pounds over April production last year. So far this year, milk production has run 1,754,000,000 pounds ahead of last year's 4-month output. For a time, this jump apparently is going to force the Government to buy more dairy products in supporting dairy prices at 75 percent of parity than it had to buy to sustain the 90 percent of parity supports. The Government's Minneapolis buying office purchased last week more than 2 million pounds of butter, 3½ million pounds of cheese and 10 million pounds of milk powders. It sold 28 million pounds of powered milk under the Government's livestock fed program.

"Though there's a natural lag, ultimately the lower dairy prices will be reflected in a downturn in production, officials are confident. But for the present, the dairy surplus is rising instead of declining. Peanuts and hay were reported a little better than a year ago.

"As for the hens, they laid 6,271,000,000 eggs in April. That is 183 million more than they produced in April 1953."

I should like to call attention to one paragraph in that article, where Mr. Stedman comments:

"For a time, this jump [in dairy production] apparently is going to force the Government to buy more dairy products in supporting dairy prices at 75 percent of parity than it had to buy to sustain the 90 percent of parity supports * * * the dairy surplus is rising, instead of declining."

What Mr. Stedman says is true. I shall document it further later in my remarks. But I cannot help calling attention, at this point, to how this crop report refutes all the arguments of the flexible price support sponsors about lower support prices bringing lower production.

Wheat, with 90-percent support still in effect, is showing a production decline.

Dairy products, at 75 percent of parity, are showing an increase.

And eggs, without any support and with disastrously low prices at the present time, are obviously in for more trouble as a result of a similar increase in production.

Why is dairy production increasing, in face of lower prices?

I have warned repeatedly that the only alternative dairy farmers would have in trying to exist under such depressed prices would be to increase their production.

Costs remain fixed, and the farmer must seek some way to at least break even on his overhead.

It amazes me to find that some people now seem surprised to discover what is happening. If they had listened to anybody from out in the great dairy producing areas, if they had listened to the dairymen themselves, they would have known what to expect.

The Wall Street Journal has been one of the strong boosters of Secretary Benson's efforts to lower or get rid of price supports. It has frequently carried his arguments that it would solve the surplus problem. Now,

the Wall Street Journal has sent a reporter out to Minnesota to follow up on what has happened. I have here a clipping of his report, published on the front page of the Wall Street Journal for May 11. Its headline says: "Bitter Buttermen: Some Dairymen Say They'll Hike Herds, With Price Prop Cut; Champion Minnesota Butter County Seethes: A Typical View: Why Pick on Us?"

From my own observations, I know this article is an accurate reflection of what is happening.

This is no partisan report from a political writer previously critical of Secretary Benson. It is the Wall Street Journal's report, based in its opening part on an interview with a banker in one of Minnesota's leading dairy counties.

The Wall Street Journal article to which I have referred is as follows:

"BITTER BUTTERMEN—SOME DAIRYMEN SAY THEY'LL HIKE HERDS, WITH PRICE PROP CUT—CHAMPION MINNESOTA BUTTER COUNTY SEETHES; A TYPICAL VIEW: WHY PICK ON US?—MR. KLEINSCHMIDT'S OPINION

"(By James N. Wallace)

"SAUK CENTRE, MINN.—Here in the biggest butter-producing county in the biggest butter-producing State many dairymen are giving this answer to lower price props on butter: More production—which may mean a still bigger Government stockpile.

" 'Many dairymen already are planning to build up their herds so they'll have more milk to offset lower prices,' reports W. J. Kleinschmidt, Sauk Centre banker who keeps close tabs on farmer plans.

" 'Milk output will stay at least at present levels,' predicts William J. Haggerty, manager of the Farmers Creamery at nearby Watkins (population 584). 'Some farmers say they'll let the tail go with the hide and forget about dairying for a while, but others will buy more cows. I don't think we'll see any real reduction in milk production.'

"The April 1 cut

"With the Nation's hoard of butter mounting higher by the week, with housewives shifting to margarine in growing numbers, and amid a wave of consumer resentment at unfounded rumors of a big cut-rate butter sale to the Russians, Secretary of Agriculture Benson lowered the butter price support on April 1. He dropped the prop from 90 percent of parity to 75 percent, aiming to cut output. But since the props were lowered, the Government has had to resume butter buying.

"Moves to increase production probably will be most evident in northern Minnesota, where land and weather combine to make dairying the farmers' best bet. In the southern part of the State, there is more chance for farmers to switch to hogs or cash grain crops. Everywhere in the State, the big investment dairymen have in barns and equipment will tend to keep production up. These facilities can't be quickly and cheaply adapted to other types of farming.

"To be sure, it's by no means certain that dairymen here and elsewhere will keep the production throttle open indefinitely. Farmers, like other businessmen, change their plans when it's to their advantage to do so. But talks with dairymen here indicate that for now, anyway, herds and output will stay at or above present levels.

"It is a cinch the river of milk won't diminish in the next month or two. Spring rains pelting the rolling dairyland hills are bringing lush pastures for bossy, who'll respond by putting more milk into the farmer's pail. Green summer pastures will delay the answer as to whether dairymen increase or decrease their herds, says Dr. Fred Koller, University of Minnesota dairy marketing specialist.

"A good thing

"Dr. Koller won't predict what the dairymen are likely to do about their production, but he's certain there won't be much abandonment of dairying. He gives these explanations:

" 'There's still a possibility that Congress will restore 85 percent of parity for dairy products and dairying would be a very good thing with an 85 percent support and no production controls. Even at 75 percent of parity, and no production controls, dairying is a good thing for many farmers because they're more efficient than back in 1945–46.'

"While Stearns County farmers weren't surprised that the dairy industry was the first to have supports axed, there's still bitterness over the extent of the drop. Most expected supports would be cut 5 percentage points this year and 5 to 10 points more next year. Especially irritating to the dairymen is the fact that some other crops have been held at 90 percent of parity, including some of their feed grains.

"Typical of dairyman belief that they've been unfairly singled out is the statement of W. F. Haag of Eden Valley, a member, to be sure, of the outspoken and liberal National Farmers Union, which wants 100 percent of parity for all farm products.

"Tractors, taxes, strikes

" 'I don't care what price I get for milk,' he avers, 'if other prices are in line. But they aren't. Look at that tractor there; costs as much as it ever did. You can't get a carpenter for under $2 an hour, and they tell us taxes are going higher. Sometimes I think us farmers ought to go on strike and produce just half as much, then try to get twice as much for it.'

"In this land of big red barns and small white houses, an intensified reaction to the support-price slash is expected after April milk checks are mailed to farmers in a week or two.

" 'That next check will really hurt, and there'll really be some hollering then,' says Leo Goodman, manager of the Freeport Cooperative Creamery, largest here in Stearns County. When he writes the next batch of checks, Mr. Goodman will have to pass along price cuts he's already taken.

"Butter shipped from the creamery in April brought an average of 56 cents a pound, against 64.5 cents in March, Mr. Goodman relates. 'Manufacturing, labor and packaging costs are as high as ever, and freight rates are the highest ever. The farmer will have to take the licking because creameries can't absorb the difference.'

"Tighter-belts talk

"Talk to dairymen, other creamery operators and businessmen in the neat little Stearns County towns and you'll find there's some belief that there'll be belt-tightening before long.

" 'I guess we'll have to live a little cheaper,' says Norbert Hiltner, Melrose dairyman. 'I don't see any way to farm cheaper with prices we pay still going up. Might try to sell more milk, but it takes a while to get more cows fresh.'

" 'Our farmers will face about a 10-percent cut in dairy income, and they've already made some retrenchments,' reports County Agent Ed Lenzmeier. He says new machinery sales and farm building already have dipped a bit and that 'farmers will make their cars last another year.'

"And listen to Carl H. Lewis, manager of the Sauk Lake Cooperative Creamery. 'Sure the support cut will hurt; it'll hurt like hell. Right from this creamery we'll be paying out $80,000 less a year to the farmers.

"Word from Belgrade

" 'We'll pay out about $5,000 less a month; that doesn't sound like much, but it means a lot in a small community like this,' adds Ray Brandt, manager of the Farmers Cooperative Creamery in Belgrade (population: 553).

" 'Of course, farmers are reluctant to buy. Wouldn't you be if someone cut your paycheck?' asks Donald W. Otto, Sauk Centre implement dealer.

"Whether or not farmers cut back or build up their herds depends partly on the price of feed in the fall when the cows cannot be put on pasture. Also a factor is the price of cull cattle—the poor producers which are sold off, often for canning by meat packers. The cull cattle price has been so low for the past year that it paid to keep the marginal producers at work. But the cull cattle market may be headed lower, too, says the university's Dr. Koller. He notes that large marketings of beef cattle and hogs are forecast for mid-July and will likely depress cull prices more."

Let me just read the opening paragraphs:

"Here in the biggest butter-producing county in the biggest butter-producing State many dairymen are giving this answer to lower price props on butter: More production, which may mean a still bigger Government stockpile.

" 'Many dairymen already are planning to build up their herds so they'll have more milk to offset lower prices,' reports W. J. Kleinschmidt, Sauk Centre banker, who keeps close tabs on farmer plans."

The remainder of the article supports that conclusion.

It should not be surprising that farmers try to step up production to offset lower prices.

Actually that is what the Department of Agriculture and our Extension Service are advising farmers to do.

They are telling farmers to be more efficient—to get rid of low-producing cows and replace them with higher-producing cows.

Let me provide some more evidence as to how lower prices are affecting production.

I have here a letter from the Marathon County Farmers Union in Athens, Wis., giving me some figures from the audit report of the Marathon Clark Co-op Dairy Association. The letter says in part:

"Had we been able to pay the same price in 1953 that was paid in 1952, our 250 patrons would have received over $124,000 more money. At present prices the loss in income for 1954 will be considerably higher than in 1953."

Now I want to emphasize this next paragraph, which shows what happened in the face of falling prices:

"The lower price did not reduce production, but it increased considerably per farm for the first 3 months of 1954. The farmer has certain obligations to meet, and if the price goes down, he must produce more in order to meet those obligations."

The letter referred to in its entirety is as follows:

FARMERS EDUCATION AND COOPERATIVE UNION OF AMERICA,
Athens, Wis., April 25, 1954.

Hon. HUBERT H. HUMPHREY,
Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: While I with other groups of farmers from Wisconsin was in Washington last February, I had the honor of being present at the Senate galleries on February 24 to hear your speech regarding the then proposed cut in dairy products from 90 to 75 percent. Being very impressed by your remarks, I would like to give you a few figures from the audit report of the Marathon Clark Co-op Dairy Association of which I am president. The report shows that the drop in the price of dairy products did not come before 1953 because in 1952 we were able to pay the highest price for the milk delivered to our plant than had been paid

since 1948. Had we been able to pay the same price in 1953 that was paid in 1952, our 250 patrons would have received over $124,000 more money. At present prices the loss in income for 1954 will be considerably higher than in 1953.

The lower price did not reduce production, but it increased considerably per farm for the first 3 months of 1954. The farmer has certain obligations to meet and if the price goes down he must produce more in order to meet those obligations.

As you well realize that this loss in income to the farmers means and how it will affect the Nation, I would like to extend to you an invitation to be guest speaker at the annual picnic of the Marathon County Farmers Union which will be held at Marathon, Wis., on Sunday, June 13.

Hoping to hear from you in the near future, I am,

Sincerely yours,

MARATHON COUNTY FARMERS UNION,
BEN RIEHLE, *Secretary.*

We have seen what is happening to production. Now what is happening to consumption?

Some press reports eagerly claimed increased sales right after the cut in price supports went into effect. I believe any fair-minded person who followed this situation knows that some stores capitalized on the butter publicity, and ran cut-rate, loss-leader sales that did move more butter—but not as a result of Secretary Benson's action. And from all indications, the temporary spurt in sales did not mean actual increased consumption; people just bought more butter at the temporary bargain prices, curtailed buying later. As a result, only the same amount was actually consumed.

After the first flurry of special sales, I am informed there has been little substantial change in retail butter sales. That is perfectly understandable, as the cut in farm income makes very little difference in actual retail prices—too little difference to make butter competitive with margarine as far as price is concerned.

I know of no responsible leader in the butter trade who now claims the slight drop in retail butter prices will increase consumption anywhere near enough to absorb our temporary surplus supply. If that was the hope of Secretary Benson, it's obvious he is doomed to failure.

The Department is apparently encountering similar experience in price-cutting efforts to attract foreign sales.

An article from the St. Paul Dispatch of April 29, headed "Price Cuts Fail To Sell Dairy Surplus," an Associated Press dispatch from Washington, confirms my conclusions.

The article is as follows:

"PRICE CUTS FAIL TO SELL DAIRY SURPLUS

"WASHINGTON.—The below-cost price tags Uncle Sam has posted on some of his surplus dairy products have failed so far to draw a rush of customers.

"Two and a half weeks ago, the Agriculture Department offered for export 325 million pounds of cheese at price levels prevailing in world markets. These levels were about 25 cents a pound, or 15 cents less than the Department paid for the cheese under a dairy price support program.

"Officials reported today that no buyers have appeared for this cheese, perhaps because some other important dairy-producing countries also have surpluses which they are attempting to sell.

"Last week, the Department offered surplus dried milk, processed for human consumption, to domestic processors for inclusion in livestock and poultry feeds. This milk, which cost the Government nearly 17 cents a pound, was offered at 3½ cents. But as of Tuesday, no sales of this milk had been made.

"The Department offered to sell on a bid basis some of its 350-million-pound surplus of butter for use abroad in combination with nonfat dried milk and water to make liquid milk for human use. This practice is used in several foreign countries, particularly Japan. So far, no buyers have appeared.

"Early this month the Department also cut its export prices on nonfat dried milk. Its stocks total about 586 million pounds and cost nearly 17 cents a pound. The new foreign sales prices range from 10 to 11¾ cents.

"As of Tuesday no export sales had been reported for this product."

What about Government purchases? It should be obvious that increased production, without increased consumption, is going to mean increased surpluses piling up in Government hands—if we have an administration lacking in any more initiative about developing new ways to use such abundance than has been shown to date by the present administration.

On May 11, the Department of Agriculture issued a press release proudly proclaiming that, following the reduction in dairy price support levels on April 1, purchases of dairy products under the support program were smaller in April than in any month since the beginning of the year, and considerably below purchases in April a year ago.

What they did not tell us, however, is that the trade dumped dairy products heavily upon the Government prior to April 1 in anticipation of the price slash, depleting normal inventories that had to be built up again at lower prices during April. Nobody should be fooled, therefore, by the April figures on Government purchases.

A more normal test is what has been happening since the end of April.

From May 1 to May 18, a year ago, the Government purchased 22,100,000 pounds of butter, under a 90 percent price support program.

From May 1 to May 18 of this year, under a 75-percent price-support program, the Government has purchased 23,800,000 pounds of butter—an increase of 1,700,000 pounds.

Now look at dry skim milk. From May 1 to May 18 in 1953, the Department purchased 42,000,000 pounds. But from May 1 to May 18 of this year, under the lower price support plan of Secretary Benson, the Department purchased 44,000,000 pounds—an increase of 2 million pounds.

Yet in spite of these increased purchases, the dairyman is taking a beating. It makes some sense for the Government to buy surplus products if it protects the farm economy, but it does not make much sense to pile up surpluses when the farm economy is allowed to slide down the skids anyhow.

The April 1 drop in dairy prices is just now being felt by dairy farmers, as they receive their checks for milk delivered in April. I have just returned from a weekend trip to Minnesota, and I can assure the Senate the dairy farmers do not like the smaller checks they are getting.

An article from the May 19 edition of the Minneapolis Tribune, headed "Dairy Checks Show Effects of Lower Props," reads as follows:

"DAIRY CHECKS SHOW EFFECTS OF LOWER PROPS

"(By Sterling Soderlind)

"The April 1 drop in dairy price supports is being felt now by dairy farmers as they receive their checks for milk delivered in April.

"The average price producers received for grade A milk delivered in the Twin Cities in April was $3.25 a hundredweight—down 23 cents from the March price.

"This is a blended price covering both fluid milk for bottling and manufacturing milk. Farmers received $3.32 a hundredweight for base grade A milk and $2.96 for grade A surplus milk. Surplus milk is that part of grade A milk production not needed for bottling purposes.

"The price of fluid milk for bottling paid to farmers supplying the Twin Cities market dropped 22 cents after the cut in dairy price supports from 90 to 75 percent of parity. Prices of fluid milk are set by Federal milk marketing orders. They are geared to butter, cheese, and dried skim milk, which are the only products directly affected by the parity cut.

"A further decline of 10 cents a hundredweight for milk delivered in May was predicted by George Peterson, general manager of Twin City Milk Producers Association. Farmers won't receive payment for this milk until mid-June.

"Milk bottlers have passed on some of the reduction in fluid milk prices to consumers.

"Home-delivered milk in Minneapolis is now 20 cents for the first quart and 16 cents for additional quarts. This represents a decline of 1 or 2 cents since the cut in price supports.

"The drop in support prices lowered the cost of butter (90 score) an average of 8 cents a pound for consumers. Cheese declined 4 or 5 cents.

"Dairymen believe April's price drop will be the biggest, but they foresee a continual decline in the months ahead as a result of the support cuts and seasonal dips."

But while farm income is falling, while Government costs are increasing, what about the big processors—the dairy middlemen?

I have here an article from the Journal of Commerce of April 19, 1954—a page 1 item about dairy processors. It is headed "Greenest Pastures Since '49—Dairy Processors Predict New Peaks in Net Income—Reductions in Price Supports, End of EPT, Cited as Key Reasons for Growth This Year."

Let me read the first sentence:

"Dairy processing companies, following last year's profit upturn, are in a position to report even better earnings in 1954 because of dairy price-support reductions and the end of the excess-profits tax."

Now I ask, Who is benefiting from reduced price supports? Certainly not the producer, whose income is being wiped out at the rate of $600 million a year. Certainly not the Government, when it has to buy even greater quantities of butter and dried milk. Certainly not the consumer, who is feeling little difference in his cost of living.

But the processor—that is different. He made peak profits last year, while the farmer's income was falling; but that was not enough. He is out for even higher earnings this year, aided, according to the Journal of Commerce, by the action of a friendly administration in reducing dairy price supports.

The entire article from the Journal of Commerce of April 19, 1954, is as follows:

"GREENEST PASTURES SINCE '49—DAIRY PROCESSORS PREDICT NEW PEAKS IN NET INCOME—REDUCTIONS IN PRICE SUPPORTS, END OF EPT, CITED AS KEY REASONS FOR GROWTH THIS YEAR

"(By Ben Weberman)

"Dairy processing companies, following last year's profit upturn, are in a position to report even better earnings in 1954 because of dairy price-support reductions and the end of the excess-profits tax.

"Within the industry there is even guarded optimism that net income of some companies, like National Dairy Products Corp., will top peaks set in 1949, although it is still too early in the year to reach definite conclusions.

"Retail and wholesale price changes in dairy products generally lag behind cost

movements, so that a declining price trend is usually of considerable benefit to processors and adds importantly to their usually narrow profit margins. Rising prices cut into profit.

"Margins seen holding despite competition

"The plentiful supplies of merchandise is stiffening competition within the industry but it is anticipated that margins will nevertheless hold.

"The favored spot held by National Dairy profitwise is backed by the facts that the company was the most heavily hurt by the excess-profits tax holds a relatively strong position in very profitable cheese business through the Kraft Foods division.

"Assuming all other factors constant, absence of excess-profits taxes this year would add $1.11 per share to National Dairy earnings to bring net income to $5.74 a share against $4.63 in 1953 and a peak of $5.26 a share in 1949. Of course 'some of the savings from this tax will undoubtedly be reflected in lower consumer prices, but how much, we cannot say,' E. E. Stewart, president, warned.

"Borden Co., as well as National Dairy, has had increased unit sales in the first quarter of this year as compared with the like period in 1953, but lower prices have restrained dollar gains.

"Wider profit margins have helped both companies, and probably most of the industry, to turn in higher profit than last year.

"Some first quarter business, though, was transferred in April and May by customers who were willing to wait to take advantage of lower prices prevailing after the reduction of supports by the Department of Agriculture to 75 percent from 90 percent.

"The processing companies, too, were well prepared to minimize inventory write-downs of their own, through reductions in the size of stocks in hand.

"Theodore O. Montague, president of Borden Co., estimated that the company would have a first-quarter markdown of about $1.8 million on inventories before giving effect to a last-minute offer by the Department of Agriculture to buy back supported products on March 31 and resell to the processors on April 1 at the new, lower prices without having had the merchandise move off warehouse floors.

"Borden steers growth to nondairy lines

"Some indication of the steps taken to reduce inventories is seen from the following table which compares stocks held at the end of 1953 with the value of those held at the end of 1952:

"Year-end inventories

"[Millions of dollars]

	1953	1952	Percent change
National Dairy	107.3	136.9	−23
Borden	68.0	81.9	−16
Pet Milk	18.5	26.6	−28
Philadelphia Dairy	1.9	2.1	−10

"Borden, which still has more than half its sales in low-profit milk and cream, has been steering its growth into nondairy fields as well as dairy products.

"Chemical activities and instant coffee production offer excellent prospects for Borden. Coffee is especially promising according to Mr. Montague. The Borden brand is one of the four best selling on the market that account for more than 90 percent of all instant coffees and for about 24 percent of all coffee sold.

"Borden is not as large in packaged cheese as it would like to be, for that is a very profitable operation, Mr. Montague declared. Cheese markets have been dominated for many decades by the Kraft division of National Dairy, but Borden is making strong attempts to increase its share.

"The cash position of Borden is very comfortable and needs will be less than in some earlier years, but it is still early to make any definite dividend forecasts, Mr. Montague said.

"Cash position good for major firms

"Substantial cash has been accumulated by virtually all major dairies. Some of it will be used for inventory rebuilding and some expansion and modernization of plant.

"The table below indicates the money build-up by these companies during 1953:

"Cash and equivalent—(end of year)

"[Millions of dollars]

	1953	1952	Percent change
National Dairy	82.6	39.5	+109
Borden Co.	52.8	32.3	+63
Pet Milk	3.8	3.4	+12
Philadelphia Dairy	3.4	3.2	+6

"Ample cash is indicated by examination of the flow of money through the coffers of the two largest companies in the industry.

"National Dairy held $82.6 million at the start of this year. Depreciation charges should add about $24 million and net income may approximate $33 million, making a total of $140 million available for this year.

"The company is planning to spend $36 million on plant and may have to lay out as much as $20 million for inventory refurbishment. Debt liquidation requirement is insignificant this year leaving an amount of $84 million to take care of dividend payments and normal cash needs of the business.

"The amount available for dividends on this basis would be between $28 million or $4.20 a share, and $57 million, equal to $8.55 per share, after taking into account maximum and minimum cash balances of the last decade. On the present $3 per share annual dividend rate, the company pays out $20 million a year.

"At the start of 1954, Borden Co. held cash and equivalent amounting to $53 million, depreciation should add about $14 million and net income could be in the vicinity of $21 million to total approximately $88 million.

"Capital expenditures are seen topping $15 million and sinking fund requirements for 1954 have already been met. If no more than $5 million is returned to inventories, the company would still have $68 million in cash.

"There would then be for dividend payments an amount which could be as high as $30 million or $6.98 a share or as low as $15 million or $3.49 a share depending on the amount of cash held for day-to-day use."

The latest agricultural prices report from the Department of Agriculture was issued April 30, covering the period of mid-March to mid-April, therefore only partly reflecting the new lower level of price supports going into effect April 1. Yet that report says greater than seasonal declines in prices received by farmers for dairy products during this period lowered the price index 8 percent—placing them 10 percent less than a year earlier. While dairy prices were falling 10 percent, according to the same report, the index of prices paid for commodities and services bought by farmers for living and production rose by one point, making the mid-April cost index 1 percent higher than a year ago.

Secretary Benson has apparently not been satisfied with cutting dairy support prices to 75 percent of parity. He has now juggled around the formula for parity on manufacturing milk to clear the way for another cut in dairy price supports next year. In other words, it seems that when the Department of Agriculture feels it is not safe to go lower than 75 percent of parity, they just change the formula to make 75 percent of parity mean less and less to farmers.

An article from the May 4 issue of the Minneapolis Tribune, headed "Parity Change To Cut Dairy Props Again," reads as follows:

"PARITY CHANGE TO CUT DAIRY PROPS AGAIN

"(By Wilbur Elston)

"WASHINGTON.—The Agriculture Department has a new parity formula for manufacturing milk that will result in another cut in dairy price supports next year.

"Representative ANDRESEN, Republican, of Minnesota, said he will ask Secretary of Agriculture Benson to explain the purpose of the revision when he testifies before the House Agriculture Committee Wednesday.

"The dairy bloc in Congress already is up in arms over the 90 to 75 percent cut in dairy price supports that Benson put into effect April 1, and this latest action gives the Congressmen new cause for concern.

"Under the new method of figuring parity equivalent for manufacturing milk (which goes into butter, cheese and other dairy products), the 75 percent of parity support price would drop from $3.14 to about $2.99 per hundredweight.

"Benson told his press conference Monday the change was made to keep the manufacturing milk parity formula up to date, but there were others who felt that he might have made the change to avoid an upward revision in dairy price supports.

"Dairymen have said it would be a violation of the law to pay them less than 75 percent of parity for their manufacturing milk and butterfat.

"Their concern arose over the fact that last year on a national average the 90 percent of parity supports actually brought them only 84 percent of parity for manufacturing milk and 87 percent for butterfat.

"The April 15 price for manufacturing milk containing 3.78 percent butterfat was reported on a preliminary basis at $2.95 per hundredweight. Corrected to the 3.95 percent butterfat content required in the $3.14 support price, this still was only $3.05 per hundredweight or about 9 cents below the Government guaranty.

"However, that price of $3.05 was above the 75 percent of parity level under the new formula, and some observers felt Benson thus would contend he was fulfilling requirements of the support law with prices at the present level.

"Benson, up to this time, has been hinting he might have to increase the prices the Government pays for butter, cheese, and dried milk in order to make certain the farmer really gets his 75 percent of parity.

"The April 15 price of $2.95 per hundredweight is the lowest national average price received by dairy farmers since June 1950, just before the Korean war began, when the Department said the national average price was $2.94 per hundredweight.

"However, prices in the major manufacturing milk producing areas in Minnesota, Wisconsin, and other Midwestern States are far below that level. In Minnesota, the price was estimated at about $2.48 per hundredweight April 15. In Iowa, it was about $2.86 per hundredweight."

An editorial on this same subject from the Farmers Union Herald of St. Paul, appearing in the May 10 issue, reads follows:

"ANOTHER BENSON FLEX

"Northwest dairy farmers, hit hard by the Benson order cutting price supports on dairy products to 75 percent of parity, got the bad news last week that their supports are going to be knocked still lower.

"The latest blow is going to take effect January 1, 1955, as the result of a Benson decision juggling the formula for computing the parity equivalent of manufacturing milk.

"The decision means at least 15 cents a hundredweight less in the support price for manufacturing milk. Under it, the 75 percent of parity support price on milk used for making butter, cheese, and other dairy products will drop from $3.14 to about $2.99 per hundredweight.

"This will particularly worsen the plight of Northwest dairy producers since the bulk of their output goes into the manufacture of these dairy foods.

"Benson told a press conference that the change was made to keep the manufacturing milk parity formula up to date.

"Heretofore, the parity equivalent of manufacturing milk has been construed as being 88.5 percent of the parity level of all milk at wholesale. Using the revised method it will be figured as 84.1 percent of the parity price for all milk wholesale.

"Meanwhile, milk prices were sliding down. The national average price for manufacturing milk was down to $2.95 per hundredweight. And prices in major manufacturing milk producing areas of Minnesota, Wisconsin, and other Midwestern States are far below that level. In Minnesota, the price was estimated at about $2.48 per hundredweight April 15."

I have previously expressed amazement on this floor that the Department of Agriculture would dump dried skim milk for animal feed at prices far below what it will sell the milk for human use.

I now wish to warn this body that eventually a new scandal of abuse and misuse will grow out of this program that will bring discredit upon the Department of Agriculture, and allow unscrupulous persons to reap enormous profits at the Government's expense—and the expense of legitimate dried-milk dealers.

I intend discussing this situation later, in more detail. But for now I merely want to call attention to the fact that this dumping of dried milk for animal feed is completely unpoliceable, and no way exists to prevent huge quantities of this cut-rate dried milk from finding its way back into normal channels of human consumption, undercutting present market prices and just forcing more powder into the hands of the Government.

At the rate it is being snapped up by the big feed manufacturers, I believe there is ample reason to seriously question the ability of these manufacturers to use it under terms of the Department's orders by the November 1 deadline set by the Department. Where it will finally wind up is now of serious concern to the American Dried Milk Institute, which has protested this plan but had its opposition ignored by the Secretary of Agriculture.

Sounder alternatives exist, if the Secretary of Agriculture were willing to provide as much a subsidy for using this powdered milk for humans as he is to use it for animals.

I want to warn the Department of Agriculture that some of us are watching this situation closely, and will have more to say about it.

Meanwhile, the Department seems to be running out of ideas—unwilling to accept any from others, and unable to come up with any workable ones of their own.

Secretary Benson recently indicated desperation was driving him closer and closer to the Brannan plan concept, by suggesting in testimony before the House Agriculture Committee that he may ask authority to make subsidy payments to butter manufacturers to support the income of dairy farmers.

An article from the Minneapolis Tribune of May 6, commenting on this testimony, reads as follows:

"BENSON SUGGESTS 'BRANNAN' PLAN FOR BUTTER SURPLUSES

"WASHINGTON.—Agriculture Secretary Benson said Wednesday he may ask Congress for authority to make subsidy payments to butter manufacturers to support the income of dairy farmers.

"He said he all but has abandoned hope of finding a satisfactory plan to dispose of 360 million pounds of Government-owned surplus butter. He said the Government may lose $500 million in the next 12 months in disposing of dairy surpluses.

"Benson made the statements before the House Agriculture Committee.

"His butter subsidy suggestion is similar to a key feature of the so-called Brannan plan, which Congress rejected as socialistic in 1949. The idea would be for the Government to give buttermakers the difference between the market price and the support price. The Government now supports butter prices by buying up surpluses.

"Benson outlined three plans for disposing of Government-owned butter surpluses. Under each plan, he said, 'we would, in effect, not only give butter away, but in addition would be paying in the neighborhood of 50 to 75 cents a pound to get rid of it.'

"Benson's three plans:

"A coupon method. Consumers would get a pound of surplus butter free, or for 1 cent, with a pound of commercial butter at regular prices. Benson said it was shelved because of 'administrative awkwardness.'

"A system under which surplus butter would be sold to distributors at low prices and mixed with new stocks. Prices would be averaged out for consumer sales. Benson said this plan would bring 'windfall' profits for some companies and undue hardships for others.

"The subsidy plan for manufacturers. Surplus stocks would be distributed through relief programs, school lunches, and sold overseas. Benson said the subsidy payments would halt Government purchases."

However, apparently the Secretary still has not made up his mind.

The next day he changed his mind again, according to another clipping I have here dated May 7, indicating Benson now wants to give the benefit of bargain butter to other countries instead of our own people.

This article from the Minneapolis Tribune of May 7, entitled "United States Seeks to Dump Butter in Policy Shift," is as follows:

"UNITED STATES SEEKS TO DUMP BUTTER IN POLICY SHIFT

"(By Wilbur Elston)

"WASHINGTON.—The Department of Agriculture, in a major policy change, Thursday offered to sell its stocks of surplus butter for export at prices 'comparable to those in the world market.'

"World prices range from about 42 to 46 cents a pound, as compared with the Government's previous export price of 60.5 cents a pound for United States grade A quality butter.

"The Government currently pays 57.5 cents a pound for surplus butter.

"The Department's action followed its previous announcement it would sell its stocks of cheddar cheese and dried milk, also acquired under its dairy price support program, at world prices.

"The action means the Department for the first time is dumping its surplus dairy products on the world market at prices well below those to American consumers.

"Up to this time, the United States State Department overruled such exports on grounds they would damage our friendly dairy exporting competitors, such as Denmark, Australia, New Zealand, and the Netherlands.

"Agriculture Department officials insist these cut-price offers are just 'aggressive merchandising,' since the prices are not below world levels. However, economists regard world sales at less than domestic levels as dumping.

"The Government currently holds more than 363 million pounds of butter, 384 million pounds of cheese and about 600 million pounds of dried milk, all acquired under price support programs.

"Cheese which cost the Government about 31¼ cents a pound is offered for export at 25.5 cents. Dried milk that cost 15 cents is being offered for export at about 11.75 cents.

"Even at those prices, however, there were no takers up to last night.

"The Department's butter action was expected after Secretary of Agriculture Benson said earlier this week the British are negotiating for the purchase of about 40 million pounds of surplus butter at about the world price.

"Yesterday's announcement said buyers will be 'responsible for obtaining any required United States Government export permit or license.'

"This presumably would be required for exports intended to go behind the Iron Curtain.

"Earlier this year the Commerce Department rejected a proposal by a Minnesota businessman, Dwayne Andreas, for the purchase of quantities of surplus butter for export to Russia at the world price.

"At that time Secretary of Commerce Sinclair Weeks turned down the application, with full Cabinet backing, on grounds the administration wouldn't sell surplus butter for export to unfriendly nations at prices below those paid by American housewives.

"Now, however, butter apparently will be sold at least to friendly nations below domestic prices because Secretary Benson admitted earlier this week that his plans for bargain sales to American consumers have fallen through."

Despite all his assurances, Secretary Benson now finds himself right where he started, with no answers that make sense or produce results.

In desperation, he is virtually giving away nourishing dried milk to animal-feed manufacturers, subsidizing it for animal feed but not for human use, and now he is willing to dump butter at bargain prices to the rest of the world but unwilling to give American consumers a similar break.

It all adds up to a fiasco of poor judgment and mismanagement—a complete failure of Secretary Benson and this administration to offer any sound solution to the dairy dilemma except greasing the skids with butter for pushing dairy farmers down the slide to bankruptcy.

Despite the losses being taken by dairy farmers, there is going to be no big saving to the Government, as some wishful thinkers hoped.

On the basis of present policies invoked by Secretary Benson, I think I can conservatively estimate that the losses on his dairy plan this year may reach $250 million—more than

even any 1 year of the so-called potato fiasco wished on us by the 80th Congress.

If we are going to expend that much public money, I want to see it used wisely and effectively in ways that will benefit farmers and consumers alike—not poured down a rathole, with nobody benefiting but processors and feed manufacturers.

To sum up what I feel is happening to the dairy industry under the unsympathetic guidance of Secretary Benson, I should like to have appear at this point in the RECORD an editorial from the May 6 issue of the Grand Rapids Herald-Review, of Grand Rapids, Minn., of which Larry A. Rossman is publisher. The editorial, referring to the Benson plan, aptly calls it "A Plan for Poverty." I might add that the Herald-Review has historically been a Republican newspaper. Yet it is a real newspaper that believes in fighting for the people it serves, and it knows how this dairy slash is hurting the economy of its area.

I subscribe wholeheartedly to the viewpoint expressed in this fine editorial from one of our fine weekly newspapers.

The editorial is as follows:

"A PLAN FOR POVERTY

"So many of the friends of agriculture regret and resent the cut in dairy prices imposed by Secretary Benson with the evident support of the administration at Washington. The fact that there is a surplus of butter and dried milk, the first real surplus in the life of the dairy industry, is not too disturbing for it is known that there are so many who should drink more milk, and a few more quarts of milk a year for the people of the Nation would create a shortage. There is resentment because, at best, dairying is a form of farming which hardly pays wages to those who milk cows, and the reduction takes away any margin of profit, actual or theoretical, that the dairy farmer has had. There is indignation that of all forms of agriculture in which there have been surpluses and problems that the one most sensitive to considerate treatment should be first chosen for discipline and deflation.

"There are very few who defend the dairy price cut. There are many people who drink milk with regularity but who seldom see a cow. There are a few hidebound politicians who would rather serve the party than help their neighbors. There are some so-called economists who reason off the beam as do most of that group. To defend the indefensible, these people contend that dairying is inefficient. How action that will take the profit from the good dairymen and make the situation of the marginal producer worse will help agriculture is beyond understanding.

"The argument that dairying is inefficient is a miserable slander and anyone familiar with agriculture who makes it ought to be condemned to the most menial job in the barn for the rest of his life. There are many who remember dairying as it was. There was the pan of milk in the cooler or kitchen. Such milk could not be sold today. There was dairy butter, much of it poor. The cream separator, the pasteurizer and the milking machine are all symobls of great progress. There was once a time when cows spread tuberculosis and undulant fever. That is no longer true. A generation ago any cow that gave milk was a good cow. Today the scales determine the merits of cows. Purebred sires replaced the ragged bull. Artificial insemination makes the good sire go further. There are cow testing associations everywhere in the dairy country.

"Those who look about will see great, modern creameries and dairy plants. Any citizen of Minnesota who saw the birth and progress of Land O' Lakes and contends that the great dairy industry has not made progress is both blind and dumb. Of course, butterfat is in competition with vegetable and animal fats and it always has been. Since 1930 the population of the United States has increased by 23 percent. The production of butter has declined and the use of cheese, evaporated milk, and ice cream has more than doubled. There has hardly been a meeting of a farm group in a dairy community, or a talk by a county agent, in the last quarter century at which the problems of the dairymen were not discussed intelligently and constructively.

"Again, anyone who travels about the countryside, and this is especially true in a newer land, can see dairying as it is. He will see splendid herds that began with a single scraggly cow. He will recall good dairymen who were once inexperienced boys. The marvel is that so many have done so well in the most exacting type of agriculture. To say that the inefficient do not exist would be to close the eyes to reality. There are many of them. The question is what to do about them.

"Under the pressure of education and help some of the inefficient may be made better. But there are many to whom the dairy farm is a haven because it will produce milk, meat, and home for a family. Thank heaven for these people. Without them and their inefficient production there would not be enough milk to feed the children of America. Should these people be driven off from the land? Should they be told to go to the cities and live in the tenements where they may have little milk? Should they be told to go and raise corn when there is too much of it now? Not all people can be efficient. They cannot be made efficient by Congress, by law and hard times. That so many who may be regarded as inefficient are engaged in such a useful thing as milking cows should be a source of thankfulness rather than unsympathetic criticism and scorn. There are inefficient men in factories. No one suggests that all wages be reduced. There are inefficient men in business. No one can argue that the hope of any profit in business should be abandoned. The inefficient suffer enough from their own limitations. They need a kindly hand on the shoulder, not a kick from behind.

"If the parity price plan for agriculture is wrong, it should be abandoned. If it is right, the farmer should have full parity without tinkering by politicians, some of whom seek the big city vote at the expense of those on the land. Even with the parity theory there will be times of surplus. They are much better than the suffering and high costs of shortage. It takes years and years to increase the productivity of a dairy herd and years and years to increase the ability of the dairymen. A few careless months can discourage the efforts of a half century to diversify the income of agriculture in the dairy States."

RECESS TO THURSDAY

Mr. DANIEL. Mr. President, in accordance with the order previously entered, I move that the Senate now stand in recess until next Thursday at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess, the recess being, under the ordered previously entered, until Thursday, May 27, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 25 (legislative day of May 13), 1954:

IN THE ARMY

The following-named cadets, United States Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, upon their graduation, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

William French Acers
Robert Leon Adams
Edwin Mix Aguanno
Milton Lawrence Aitken, Jr.
Donald Joseph Alameda
Ames Scribner Albro, Jr.
William Lorimer Allan
Raymond Frederick Allen, Jr.
James Kendall Allison
William Joseph Almon
Darrell Raymond Anderson
Jerome Hartford Anderson
Charles Reuben Andreas 3d
Frederick Martin Anklam
Robert Felts Anthis
William Thomas Archer
Freddie Alvin Daniel Attaya
Cyrus Stevens Avery 2d
Willis Garrett Bacon
Robert William Badger
Louis Joseph Bahin, Jr.
Kenneth Rector Bailey
William Robert Baldwin
John Lawson Ballantyne 3d
John Chapman Bard
Harold Frederick Barnes
Wilson Clark Barnes
Kerwood Wagner Barrand
Fred H. Bartlit, Jr.
Richard Cassell Baughman
Charles Duncan Beaumont
Norman Hubert Bedell
Owen Elmer Belville, Jr.
Richard Hunt Benfer
Clark Hamilton Benn
George Carlton Bennett, Jr.
John Crawford Bennett
Jack Maurice Beringer
Bruce Wesley Bidwell
Leland Ernest Bierlein
Robert James Blaisdell
Richard Irwin Boe
Laurence Burton Bonner
Gordon David Boose
Frederick Byrd Bowling
Richard Michael Boyle
Donald Keith Bradbury
James Francis Bradel
Kenneth Eugene Brant
Gene Lynn Breeding
Benjamin Franklin Breslauer, Jr.
Wilbur David Brickwell
James Elbert Briggs, Jr.
James Henry Brodt
Andre George Broumas
Charles Stuart Brown
Thomas Cardwell Brown, Jr.
Roger James Browne II
Wilbur Craig Buckheit
Fletcher James Buckley
Robert Lisle Bullock, Jr.
Peter Charles Bunevich
Sheldon John Burnett
James Curtis Burris
Henry Wallace Butler
Ronald Earl Button, Jr.
George Baxter Calhoun
Luke Lea Callaway, Jr.
Charles Wallace Carlson
John William Carnahan, Jr.
Charles William Carroll
Henry Stuart Carroll III
James Langton Carroll
Jose LeRoy Chacon
Neil Allen Chamberlin
George Wayne Chancellor

James Darwin Chandler
James Long Chapman III
John Severance Chesbro
Walton Joseph Christensen
Robert Domenic Cicchinelli
Robert Sutherland Clarke, Jr.
Frank Paul Colpini
Oliver Bert Combs, Jr.
James Calvin Cooper III
Ira Coron
Billy Jo Cory
Robert Ernest Cottle
John Vincent Craig
Marion Glenn Creath, Jr.
Jerry James Curtis
Edward Philip Cutolo
Eldon Theodore Dahl, Jr.
Marvin Dale Danford
Sterling Price Adams Darling
John D'Aura, Jr.
Charles Alan Debellius
Frederic John Delamain
Jackson Daniel Dennis
Thomas Edwin De Simone
Richard Wells Diller
David Loring Dimick
Eugene Martin Donnelly
Robert Earl Downen
Michael Drahushak Drake
Paul Cyr Driscoll
Shapleigh Morris Drisko
Henning Everett Drugge
Alexander Patrick Dyer, Jr.
Loren Mason Eberhart
John Gregory Eckhardt
Julian Burriss Edwards, Jr.
Robert Burnley Egelston
John Charles Eitel
Robert James Ellis
Robert Moffat Elton
William Young Epling
Paul Gustav Erickson
Earle Robert Evans
Richard Albert Farmer
John Henderson Farrar, Jr.
Thomas Dominic Flaherty, Jr.
Clifford Thomas Flanigan
Robert Clark Forman
Edward Vincent Freeman, Jr.
Leonard Hayes Fuller, Jr.
Howard Markland Gabbert 2d
Joseph Thomas Gaffney
William Atkins Gager, Jr.
Frederick Mertens Galloway
John Rogers Galvin
Joseph Ganahl, Jr.
Paul Raymond Garneau
Donald Eugene Gaston
Donald Thomas Geiger
Joseph John Gerda
John Wesley Gheen, Jr.
James Frederick Gibson
Wendell Harrison Gilbert
John William Gilboux
Lee Edward Gilbreth
Louis Holmes Ginn III
Robert Merrill Gomez
Robert Eldred Goodwin
Jay William Gould III
William Preston Grace 3d
Wendell Frederick Grant
Harold Roger Greer
Draper Bell Gregory
Richard Alan Grifenhagen
Richard Watts Griffin
Richard Hanson Grinder, Jr.
Elliott Wesley Gritton
Louis Gross
Robert Henry Gross
Brandt Fox Grubbs
George Sterling Guy, Jr.
Virl Edward Haas
Sayward Newton Hall, Jr.
Samuel Lee Halliday
James Nick Halvatgis
Lewis Hinchman Ham, Jr.
Wade Hampton
Clarence William Hannon
Charles Benjamin Hanson
William Baynard Harper
David Ford Harris
Edward Perry Hart
Franklin Augustus Hart
Robert Joseph Harvey
William Nafew Haskell
William Locke Hauser
James Ellis Hays
Thomas Francis Healy, Jr.
James Robert Henry
Franklin Day Hicks
William Joseph Hilsman
George Harrison Hilt
John Ismert Hincke, Jr.
Leo Peter Hobbs
Richard Wright Hobbs
David Nord Holtam
Bradley John Honholt
Richard Paul Hoy
John William Hudachek
Victor Joseph Hugo, Jr.
Robert Leigh Hunt
Francis Alphonse Ianni
Robert Albert Ironside, Jr.
Maximiano Romualdez Janairo, Jr.
Paul Randolph Jenkins, Jr.
Dale Eugene Jenne
William Taze Jessee
Dion Johnson
James Ross Leonard Johnson
Peter Walton Johnson
Daryl Duane Jones
Marvin Claud Jones, Jr.
Peter Gaylord Jones
Edward Ogden Judd
Richard Douglas Kavanaugh
Robert Edward Keener
Edwin Charles Keiser
Fred Kersh, Jr.
Jack Duncan Kincaid
William Denson Kirby, Jr.
Donald Ray Kirklighter
Lester Stanley Kirshner
William Eugene Klein
John Herbert Klingberg
Edward Murphy Knoff, Jr.
Marvin Robert Kortum
Leon Lester Kortz
John Archie Koskella
John Nicholas Koun
George Stanley Kourakos
Kenneth Robert Kramer
Robert Peter Kraujalis
James Arthur Kreigh
Martin Paul Lachance
George Alexander Lacour
Clyde Winfred La Grone
Sebastian Ambrose Lasher
Richard Jan LeCroy
Ronald Barry Lee
Maurice Howard Leiser
Ronald Joseph Lemanski
John Roy Le Mere
Peter Nicholas Leone 2d
Emil Edward Levensky
Robert Ervin Ley
Albert Carl Lieber, Jr.
Fred Standwood Lindsey
Richard Edmund Littlefield
Jack Alton Lochner
Gerald Anthony Lodge
Jack Richard Logan
John Henry Lohman
Andre Cavaro Lucas
Charles McCabe Luce, Jr.
Leonard Victor Lundberg
Robert Lee Lykens
Arthur Frederick Lykke, Jr.
Joseph David Macklin
Andrew Joseph Maloney, Jr.
Peter Clifford Manus, Jr.
Robert Hefner Marcrum
John Elder Marcus
Jesse Horace Martin 3d
Walter John Martin
Ernest Arthur Marvin, Jr.
Joseph Mason Massaro
Joseph Masuck
Glenn Kenge Matsumoto
Lloyd Jean Matthews
Judson Stillman Matthias
Norman Arthur Matthias, Jr.
Norman Arthur Mattmuller
Perin Mawhinney
Thomas Sidwell Mayberry
Arthur McCarthy
Edward William McCloskey 2d
Mark Arthur McDermott
William Edward McGuire, Jr.
William Robert McKenney
Duane Adams McMartin
Edward Parry McNair
Robert Malcolm McPherson
Marion Frank Meader
Louis Richard Mentillo
Alvin Sherman Milder
Charles Ernest Miller, Jr.
James Morrison Miller
John Thomas Miller
Paul Miller, Jr.
George William Milligan
Lindsey Beale Minturn, Jr.
Robert Michael Mischak
Lewis Aspey Mologne
James Edward Moore, Jr.
Jesse George Moore
Robert James Morris, Jr.
Robert Parker Morris
Edward Merillat Moses
Richard Bradshaw Moulton
Jackson Lee Munsey
Roy William Muth
William Dickert Nelson
George Theodore Neu
Donald Fred Newnham
Jerrold Martin North
Donald Edward Nowak
James Francis Obendorfer
George Francis O'Brien, Jr.
Douglas John O'Connor
William Eldridge Odom
William Donald Old II
George Hamden Olmsted, Jr.
Mark Allen Ormsby
Charles Robert Orr
William Joseph Ovberg
Ray Daniel Pace
Joseph Thomas Palastra, Jr.
Warren Talmadge Palmer
Joseph Edward Palumbo
Donald Frederick Panzer
John George Pappageorge
Thomas Holl Paprocki
Russell Wayne Parker
Edward Albert Partridge
Edwin Eric Passmore
Mercer Howell Patterson
William Vincent Paul, Jr.
Edward Jan Paul Pawlowski
Roman Joseph Peisinger, Jr.
Francis J. Percy
George Elmer Perrin
George Stedman Petley
Gary Randolph Peyton
Stanford Christian Pilet
Chester Joseph Piolunek
Thomas Dabney Poor
Donald Clare Porter
John Grant Porter
John Alexander Poteat, Jr.
Paul Vincent Powers
Howard Prescott
Robert Clark Preuitt
William Pace Purdue
John Thomas Purdy
Orbun Fedrick Qualls, Jr.
James Robert Randall
James Frederick Ransone, Jr.
Leonard Franklin Baldwin Reed, Jr.
Robert Thomas Reed
Mark Laurence Reese, Jr.
Paul Hansen Reistrup
Melvyn Douglas Remus
Richard Mack Renfro
Robert Dill Resley
Donald Madison Rhea
Alan Vinton Richard

Charles David Richards
Robert Charles Riese
Hugh Granville Robinson
Edward Earl Roderick
John Carl Rogers
Myron Warren Rose
Ralph Colby Ross, Jr.
William Charles Royals
Harry Franklin Ruhf
James Paul Ryan
Robert Bowles Sale, Jr.
Ronald Louis Salvador
Warren Alexander Samouce
Benjamin Franklin Schemmer
William Richard Schulz, 3d
Frederic Marvin Schweiger
Paul Schweikert, Jr.
James Lee Scovel
John Charles Shafer
Donald Palmer Shaw
Donald Shebat
John Raymond Shelter
Audrey John W. Short
Robert Benton Short, Jr.
Floyd Earl Siefferman, Jr.
Arthur Kenneth Sirkis
Lowell Elis Sisson
Lawrence Franklin Skibbie
James Hamilton Sloan, Jr.
James Henry Slogar
Quay Carlton Snyder
Craig Hamilton Spence
James Polk Spruill
Carl James Stark
John Melvin Stark, Jr.
Thomas Alfred Stark
Carl Richard Steimle
George Nelson Stenehjem
Allan Charles Sterling, Jr.
Kennon Bailey Stewart
Robert Richard Stewart
Charles Stowe Stodter, Jr.
George Hileman Storck
Charles Earle Storrs, Jr.
Glen Wayne Stout
Herald Franklin Stout, Jr.
William Henry Stroh
Douglas Baird Stuart
Perry Louis Studt
Richard Harvey Sugg
John Anthony Sulik
Harry Edward Brook Sullivan
James Weldon Surber
John William Swaren, Jr.
Humbert Francis Sweeney
Robert Hugh Tawes
David Thomas Teberg
James Edward Thomas
Julius Octavius Thomas, Jr.
Bill Thomas Thompson
David Peter Thoreson
John Ernest Tilley
Jesse Richard Tippett, Jr.
Daniel James Tobin
Willis Clifton Tomsen
Lowell Edmund Toreson
Richard Wayne Townsley
LeRoy Clarence Turner
Richard Babcock Tyler
Andrew Fillebrown Underwood
Thomas Fraley Van Natta, Jr.
Gerald Edward Van Valkenburg
Dale Allen Vesser
Gerald Socrates Vigee
Newell Elliott Vinson
Louis Carson Wagner, Jr.
Prosper Newton Walker
Samuel Powell Walker 3d
William Lewis Wallace
Lewis Albert Walser, Jr.
Fletcher Kirkland Ware, Jr.
Robert Jack Washer
Thomas Morgan Watlington 3d
William Jerome Weafer
Yale Duane Weatherby
Richard Legore Weaver
Robert Ernest Weeks
Robert William Wells
William Warren Welsh, Jr.
John Robinson Westervelt, Jr.
James Rufus Whitley
Herbert Evans Williams
James Arthur Williams
Larry Elliott Willner
William King Winston
John Anthony Wisniewski
Peter F. Witteried
Charles Donald Wood
Grayson Cooper Woodbury, Jr.
John Hawkins Woodyard
LuVern James Wooge
Don Joseph York
John Grey Young
Thomas Chambers Young
Richard George Ziegler

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 25, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace and goodness, may our whole outlook upon life during this day be lifted far above and beyond the narrow horizons of selfish interest, personal aggrandizement, and material ambitions.

Grant that in our attitudes toward others we may have within our hearts that gracious and magnanimous spirit which leaps over every artificial barrier and transcends all surface differences.

Help us to be more eager and effective as we strive to carry into our international relationships the logic and blessedness of the principles of brotherhood and friendship.

May we do all within our power to inspire mankind with a longing for peace and good will for we are confident that nothing else can drive out the hatreds and prejudices and heal the divisions and hostilities between the nations of the earth.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1345. An act for the relief of John Lampropoulos;

H. R. 1705. An act authorizing the Secretary of the Interior to issue a patent in fee to Jesse Bell;

H. R. 1772. An act for the relief of Kenneth R. Kleinman;

H. R. 2022. An act for the relief of Don B. Whelan;

H. R. 2433. An act for the relief of the legal guardian of Raymond Gibson, a minor;

H. R. 3041. An act to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention;

H. R. 3109. An act for the relief of Theodore W. Carlson;

H. R. 4532. An act for the relief of Mrs. Ann Elizabeth Caulk;

H. R. 4940. An act to provide for the redemption of District of Columbia tax stamps;

H. R. 4961. An act for the relief of Mrs. James J. O'Rourke;

H. R. 4996. An act for the relief of Col. Henry M. Denning, and others;

H. R. 5772. An act for the relief of Robert E. Leibbrand, and Rose Leibbrand; and

H. R. 7786. An act to honor veterans on the 11th day of November of each year, a day dedicated to world peace.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1331. An act for the relief of Mrs. Katherine L. Sewell;

H. R. 2512. An act to amend the act entitled "An act to provide for the purchase of public lands for home and other sites, approved June 1, 1938 (52 Stat. 609), as amended";

H. R. 3522. An act for the relief of Arthur S. Rosichan;

H. R. 6452. An act for the relief of Mrs. Josette L. St. Marie; and

H. J. Res. 455. Joint resolution granting the status of permanent residence to certain aliens.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 46. An act for the relief of E. S. Berney;

S. 885. An act to provide for the disqualifications of certain former officers and employees of the District of Columbia in matters connected with former duties;

S. 914. An act for the relief of Mark Vainer;

S. 974. An act for the relief of certain Chinese children;

S. 992. An act for the relief of Apostolos Savvas Vassiliadis;

S. 1165. An act for the relief of Paul E. Rocke;

S. 1382. An act for the relief of Elie Joseph Hamkin and family;

S. 1403. An act to authorize the Public Utilities Commission of the District of Columbia to regulate and condition the declaration and payment of dividends by public utilities in the District of Columbia;

S. 1889. An act for the relief of Margot Goldschmidt;

S. 1900. An act for the relief of Gertrud Trindler O'Brien;

S. 1902. An act for the relief of Theresa Elizabeth Leventer;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 1967. An act for the relief of Paula Neumann Mahler (Paula Neumann Schibuk);

S. 1991. An act for the relief of Esperanza Jiminez Trejo;

S. 2009. An act for the relief of Mrs. Edward E. Jex;

S. 2172. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

S. 2654. An act to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Montgomery County, Md., and for other purposes;

S. 2657. An act to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia";

S. 2661. An act to regulate the sale of shell eggs in the District of Columbia;

S. 2786. An act granting the consent and approval of Congress to the southeastern interstate forest-fire protection compact;

S. 3103. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

S. 3137. An act to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of said act, and for other purposes;

S. 3213. An act relating to the merger of the Columbus University of Washington, D. C., into the Catholic University of America, pursuant to an agreement of the trustees of said universities;

S. 3458. An act to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes;

S. J. Res. 156. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization; and

S. Con. Res. 83. Concurrent resolution favoring the suspension of deportation in the case of certain aliens.

GEORGE P. SYMRNIOTIS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 683) for the relief of George P. Symrniotis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 4, strike out "Symrniotis" and insert "Smyrniotis."

Amend the title so as to read: "An act for the relief of George P. Smyrniotis."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MARTHA SCHNAUFFER

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3876) for the relief of Martha Schnauffer, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Martha Schnauffer may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act."

Amend the title so as to read: "An act for the relief of Martha Schnauffer Shockley."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. Con. Res. 197) favoring the granting of the status of permanent residence to certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 25, after line 4, insert:
"A–6661397, Dimian, Bella Berca."

Page 25, after line 4, insert:
"A–7903809, Saganich, Giuseppe Bruno or Joseph Bruno Saganich or Saganey."

Page 25, after line 4, insert:
"0501—19738, Wang, Ting Pang or T. P. Wang."

Page 25, after line 4, insert:
"A–7609403, Yen, Ung Yu."

Page 25, after line 4, insert:
"A–7609402, Yen, Gwendoline Tsunglan nee Hwang."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

INDIANS OF CALIFORNIA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2974) to extend the time for enrollment of the Indians of California, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line, after "1955", insert "and by inserting after the third sentence 'For the purposes of clause (d) of this section, when the Secretary of the Interior is satisfied that reasonable and diligent efforts have been made to locate a person whose name is on said roll and that such person cannot be located, he may presume that such person died prior to the date of approval of this act, and his presumption shall be conclusive'."

Page 2, line 3, after "602)", insert "as amended by the act of April 29, 1930 (46 Stat. 259)."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I would like to offer for the RECORD at this time the following explanation of the need for the two amendments:

First. The present statute directs the Secretary to remove from the 1933 roll the names of any persons who died between May 18, 1928, and May 24, 1950. It also directs the Secretary to make a $150 per capita payment to each enrollee who was living on May 24, 1950.

The Secretary has been unable to determine whether 2,834 of the persons on the 1933 roll were or were not alive on May 24, 1950. The per capita payable to them if living on that date amounts to $425,100.

If the statute is not changed as proposed in this amendment the names will be removed from the roll and the per capita fund will be held indefinitely in the Treasury pending the submission of a claim and proof of living status. It is probable that most of the amount will not be claimed, and the rest of the enrollees will, therefore, be deprived of judgment money that should be available for distribution to them. The issue is one of equity: Should the Congress tie up indefinitely a substantial sum of judgment money that belongs to the Indians of California by requiring the money to be held for persons whose living status cannot be determined by reasonable efforts?

Second. This amendment merely corrects the statutory citation.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. JAVITS asked and was given permission to address the House for 20 minutes today, following the legislative program and any special orders heretofore entered.

Mr. BAILEY asked and was given permission to address the House for 20 minutes today, following the legislative program and any special orders heretofore entered.

Mr. FEIGHAN asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered, to revise and extend his remarks and to include extraneous material.

UNITED STATES FACES CRISIS IN WESTERN HEMISPHERE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, people are supposed to learn by experience. A burned child doesn't touch a hot stove the second time. It is time for the United States to show that it has learned something from past experience.

Within a day or two we shall be honored with a visit from Haile Selassie, Emperor of Ethiopia. Remember him?

If the world had stood firm against Italy when she moved into Ethiopia, the chances are Hitler would not have dared to provoke World War II.

Today the United States faces another crisis—and this one is on our own doorstep. There is an invasion of the Western Hemisphere by the Communists. The Reds have established a beachhead in Guatemala. At first it was only a diplomatic beachhead, but the Reds now are ready to move out in all directions—by force if necessary.

That diplomatic beachhead has been in existence for several years. But the State Department, with its head-in-the-sand attitude, has chosen to ignore the danger of the situation. Now it is rapidly becoming another case of too little and too late. Halfhearted measures will not suffice to correct this invasion.

Stern measures must be taken now. The Monroe Doctrine is still in effect. It is time that it be invoked. A diplomatic slap on the wrist will not suffice. Conferences simply provide grist for the Communist propaganda mills. We must use our leadership in the Western Hemisphere to stop once and for all the threat of a Communist infiltration which is intended to take over Central and South America. We should take whatever steps are necessary—at once—before it is too late. In other days America has acted promptly and vigorously to protect her interests and her friends. The incident of the Barbary pirates, the campaigns of Andrew Jackson, the courage of Teddy Roosevelt all are part of a great heritage. In those days we did not hesitate to act; we did not allow ourselves to become entangled in diplomatic redtape; we got results.

COMMUNIST AGGRESSION IN CENTRAL AMERICA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, it was announced this morning that the United States had started flying arms to Nicaragua and Honduras.

It is to be hoped that this is not another case of "too little and too late." It has been obvious for a long time that Guatemala has served as a beachhead for Soviet expansion in the Western Hemisphere.

Already the situation in some of the Central American countries is critical. I noted in the New York Times this morning that Mexico has begun to worry about the situation. One of the Mexican newspapers in commenting on the purchase of arms by Guatemala from behind the Iron Curtain had this to say:

> But it is undoubtedly an act of open hostility to the United States and of complete ignorance of the spirit that animates the Organization of American States.

The news of the shipment of arms to Guatemala from Poland proves conclusively that Guatemala is the beachhead for Communist plots in the Western Hemisphere.

The fact that the ship was unloaded at night under the supervision of the Guatemalan Defense Minister is cause enough for real and genuine alarm on the part of our country.

The crippling strike in Honduras is directly attributable to Guatemalan intervention in Honduras. Reports now reach Washington that Guatemalan agents are now attempting to foment strikes in Panama. The canal itself may be threatened.

All of the evidence available here points to a genuine Soviet plot to seize power in the Western Hemisphere. The action in Guatemala constitutes a direct threat to the peace of this hemisphere. The United States, in my opinion, should immediately bring the situation to the attention of the Organization of American States to determine collective measures to be taken under the Caracas resolution and the Rio Treaty.

The United States must recognize that the threat of Communist aggression is real in Central America and our country must take positive action now.

SHIPMENT OF ARMS TO GUATEMALA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on May 4 I made remarks in the House reiterating a warning about Soviet designs on our backyard in the Caribbean through Guatemala which I reminded the House, Speaker MARTIN and I had pointed out nearly 2 years ago. I have read in recent issues of the newspapers that the State Department has itself expressed alarm about the fact that a ship carrying Iron Curtain arms in quantities prodigious for Central America and obviously unnecessary for the needs of Guatemala, unless it has designs upon the integrity of its neighbor, has been allowed to land in Guatemala and the cargo, falsely labeled "hardware" on the manifest, taken without hindrance into the interior of the country. In other words the Kremlin, having taken over control of the political government of Guatemala, is now supplying them with Iron Curtain arms in large quantities. We notice from an account appearing in a recent issue of the New York Times shortly after the incident that the representative of Guatemala here brazenly admits that the State Department story is true.

This cargo of arms is like an atom bomb planted in the heart of our backyard. It is as if a Soviet ship brought an atom bomb in her hold and berthed at a slip in New York Harbor calmly confident that at any time it could blow up the city of New York.

I ask that the Committee on Foreign Affairs immediately consider what we can do about this sort of an outrage. Have we so tied our hands with legalistic redtape that we have lost the power to act? When the British were threatened with Communist revolt and the interruption of their aluminum supply in British Guiana they acted. Are we beyond the capacity to act when the Kremlin thrusts a sword into our vitals like this? I ask the chairman of the Committee on Foreign Affairs, Is there nothing we can do to prevent this sort of thing happening? What explanation has the State Department for a situation like this? Certainly, something must be done.

WORD OF GREETING AND APPRECIATION

The SPEAKER. The Chair recognizes the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker and my colleagues, I am happy to be here. It is rather hard to find words to express the love and devotion which I have for the Members of this House and the people on Capitol Hill who have been so kind and thoughtful to me since the experience of March 1. The flowers you sent me brightened my hours in the hospitals. Your letters, calls, visits, and prayers did much to cheer me up and to strengthen and encourage me.

There are a number of individuals to whom I shall always be indebted. I hope if I leave someone out who has been kind to me you will overlook that on my part.

I am especially grateful to the distinguished gentleman from Tennessee, my good friend [Mr. PRIEST] whose quick action and alertness enabled him to fashion a tourniquet out of a necktie and stop the flow of blood until I could be rushed to the hospital for emergency treatment.

I am deeply thankful to our good Chaplain, Dr. Braskamp, who was constantly praying for me, and who came to see me many, many times.

I am also grateful to our Dr. Calver for his attention, especially for his selection of physicians. In the persons of Dr. O. H. Fulcher, a noted neurosurgeon, and Dr. J. Ross Veal, a famous vascular surgeon, I had the best of surgical care. For the aid and attention given me at Casualty Hospital and at Georgetown University Hospital, I am sincerely grateful to the doctors, members of the staff, nurses, and other personnel of these two splendid institutions.

To the people of Puerto Rico, I would like to say I have only the friendliest attitude. I know that the attack by the fanatical maniacs is not representative of these wonderful people. I know that we in the United States will not judge you in Puerto Rico by such people. I received hundreds of messages from schoolchildren on that lovely island; from civic leaders and leaders in government. I was honored by a visit from His Excellency, the Governor, Dr. Luis

Muñoz-Marín, and also from our esteemed Resident Commissioner, Dr. FERNÓS-ISERN.

I am deeply grateful to the people of my own beloved State and the people of my district because one of the nicest things that can happen to a man in public office is to be returned to office, and, fortunately, down my way, being the Democratic nominee means election, and I was renominated by a score of about 8½ to 1.

Above all, I am grateful to divine providence not only for having spared me, but for having spared leaders who were here on the House floor on that day. I do not think there is any question but that God was spreading His divine protection over the House of Representatives on that occasion. I think it may be that we could afford to rededicate our lives to the faith in our country, to faith in ourselves, and, above all, to faith in God because, I think, those faiths have made this country what it is today. And I shall always appreciate this demonstration on your part, and this ovation, although I know I am not worthy of it. I shall always cherish and remember it.

PROHIBITING SUBSIDIZING OF SUBVERSIVE PROPAGANDA BEING SENT THROUGH THE MAILS

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include additional material.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I have today introduced legislation which will deny second-class entry, permit for bulk mailings of third-class mail, or the book rate from publications, films, and printed matter sponsored by subversive organizations or which has as its objective the dissemination of communistic or other subversive propaganda.

In my judgment, this is the first step in clearing up postal policy which, at the present time, permits sending propaganda material directed against our form of government through our United States postal system. It has its foundation in studies made by a Postal Operations Subcommittee, of which I have the honor to be chairman.

Personally, I believe such material should be excluded from the mail entirely, but objections have been raised against such a sharp departure from past policy. This is based upon objections to censorship which would of necessity be a part of the administration of such a prohibition.

My bill is a first step, a long first step, toward excluding this material from the mail. It will deny below-cost postal rates to this type of propaganda material. It is unconscionable that American taxpayers should be called upon to pay a part of the cost of handling mailings which are intended to undermine our form of government.

In other words, Mr. Speaker, this material can still go through the mail, but they will have to pay the freight on it. It may go first class or it may go fourth-class parcel post, but it will not be subsidized further by the American taxpayers.

Under my bill, the Guide to Subversive Organizations and Publications, dated May 15, 1951, as revised—House Document No. 137, 82d Congress, 1st session—the list of organizations designated by the Attorney General in connection with the Federal employees security program, and those required to register as agents by the Subversive Activities Control Board shall be prima facie evidence that any publication of the organizations therein listed contains the matter making it unmailable at second-class rates, third-class bulk rates or the book rate.

My bill has been arrived at with the cooperation of the Post Office Department, the Department of State and the Department of Justice and, in a large measure, also as a result of studies by my subcommittee.

I hope that we can receive the reports of the executive departments and agencies promptly and trust that this legislation will be enacted at this Congress.

Mr. Speaker, I am attaching hereto a list of the publications which have second-class entry and which are contained in Guide to Subversive Organizations and Publications, House Document No. 137, 82d Congress, 1st session:

LIST FURNISHED BY POST OFFICE DEPARTMENT SHOWING PUBLICATIONS LISTED IN GUIDE TO SUBVERSIVE ORGANIZATIONS AND PUBLICATIONS (H. DOC. NO. 137, 82D CONG., 1ST SESS.) WHICH HAVE SECOND-CLASS ENTRY

NAME OF PUBLICATION AND PUBLISHER

Action, see page 127.

Daily Worker, Publishers New Press, Inc., 35 East 12th Street, New York, N. Y.

Daily People's World, Pacific Publishing Foundation, Inc., 590 Folsom Street, San Francisco, Calif.

Honolulu Record, Honolulu Record Publishing Co., Ltd., 811 Sheridan Street, Honolulu.

Jewish Life, Progressive Jewish Life, Inc., 22 East 17th Street, New York, N. Y.

Labor Action, Labor Action Publishing Co., 114 West 14th Street, New York, N. Y. (This appears to be the organ of the Independent Socialist League, formerly the Workers' Party which organization is on the Attorney General's list.)

Lawyers Guild Review, National Lawyers Guild, 40 Exchange Place, New York, N. Y.

Ludove Noviny, John Zuskar, 1510 West 18th Street, Chicago, Ill.

L'Unita Del Popolo, Italian-American People's Publications, Inc., 130 East 16th Street, New York, N. Y.

Masses and Mainstream, Masses and Mainstream, Inc., 832 Broadway, New York, N. Y. (Appears to be successor to New Masses.)

Morning Freiheit, Morgen Freiheit, Inc., 35 East 12th Street, New York, N. Y.

Narodna Volya, Narodna Volya (People's Will) Co-op Publishing Co., Inc., 5856 Chene Street, Detroit, Mich.

Narodni Glasnik, Narodni Glasnik Publishing Co., 1413 West 18th Street, Chicago, Ill.

The New World (Novi Svet), Novi Svet Publication, 1845 West Cermak Road, Chicago, Ill.

New World Review, SRT Publications, Inc., 23 West 26th Street, New York, N. Y. (Successor to Soviet Russia Today.)

Our World, Our World Publishing Co., Inc., 35 West 43d Street, New York, N. Y.

Political Affairs, New Century Publishers, Inc., 832 Broadway, New York, N. Y.

Ukrainian Daily News, Ukrainian Daily News, Inc., 85 East Fourth Street, New York, N. Y.

UUS ILM, Uus Ilm Publishing Co., Inc., 126 East 120th Street, New York, N. Y.

Vistnik-Messenger, Rev. Stephen Varzaly, 146 Third Street, Rankin, Pa.

Vilnis, Workers Publishing Association, Inc., 3116 South Halsted Street, Chicago, Ill.

Yiddishe Kultur, Yiddisher Kultur Farband, Inc., 189 Second Avenue, New York, N. Y.

The German American, The German American, Inc., 130 East 16th Street, New York, N. Y.

NOTE.—There are several other publications with names similar to those which appear in House Document No. 137 although it is impossible to establish that the name registered in the Department as having second-class entry is the same as that listed in House Document No. 137. They include:

The California Eagle, Los Angeles, Calif.
The People's Voice, Helena, Mont.
The Spotlight, Glen Cove, N. Y.
The Reporter, Ann Arbor, Mich.
The Labor Herald, Wilmington, Del.
Labor Herald, Baltimore, Md.

WHERE DO WE GO FROM HERE? AND THE COMMUNIST CONTROL BILL

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, soon the Congress will take up the Communist control bill. Its obvious aim is to break up any bear hug the Kremlin would use to squeeze the life out of America.

There are some who hold that the failure of man to deal adequately with militarism, industrialism, and economic nationalism has encouraged communism to grow from a theory to a conspiracy; and that, as we govern the military, and manage industry and integrate national economies with four moral principles that motivate man for good on this earth, the principles of honesty, purity, unselfishness, and love, then, and only then, will the Communist threat recede and blow away. Others hold differently.

Where do we go from here?

Duell, Sloan & Pearce have put out a booklet entitled "Where Do We Go From Here?" It covers ground which I think will be helpful to the House in its consideration of the Communist control bill, soon to come before it.

Under unanimous consent heretofore granted, I include the booklet in the RECORD:

WHERE DO WE GO FROM HERE?—A SIMPLE GUIDE TO THE WORLD WE LIVE IN, WHAT MAKES IT TICK, WHAT TO DO ABOUT IT

DEAR COCITIZEN AND FELLOW SUFFERER: You may have felt, as we do, that life is uncomfortably like living on a volcano. You never know when the darn thing may go up.

So we decided to see what goes on in this world, what has gone to land us in the present mess, and what we can do about it.

Yours,

HANNEN AND CAMERON.

Many thousands of years ago there was an Ice Age.

And then there was a Stone Age, and in 5,000 B. C. the world entered the Bronze Age, and the Iron Age, and only 180 years ago a man harnessed a power as old as time and ushered in the Industrial Age, and now we are moving into the Ideological Age.

Yes; the ideological age—99 percent of the 2,400,000,000 people alive at the mid-point of this century don't realize this. Which causes much of the trouble, for it gives extraordinary power to the 1 percent who do. You'll only understand what's going on in the world when you understand an ideology. We wonder if you know what is an ideology?

We found out that an ideology is a faith which grips men and nations. It gives a philosophy, a passion, and a plan to change the world; and it creates the force of people to do it.

Ideas are today the deciding factor. The future depends on the idea that grips the minds of the millions. For instance, let's have a look at a couple of specimen ideologies that everyone knows.

You may or may not like these ideas, but you must admit they win people. Specimen No. 1, nazism: One man, Hitler, had an idea. His idea was: One race shall rule. He wrote a book—Mein Kampf. The idea struck a chord in millions of hearts and minds. In a few years a broken-down country became strong enough to challenge the world.

We all know what happened.

Specimen No. 2, communism: One man, Marx, had an idea. His idea was one class shall rule. He wrote a book Das Kapital. The idea appeals to millions who feel the world must be changed and that revolution is the only realistic way of doing it. In varying degrees every country is affected, and now half the world is controlled by those ideas.

No one who lives on this planet can remain unaffected by the ideological struggle, not even in the most remote places.

In every place—each country, each factory, each trade union, each university, each newspaper—materialist ideas reach out to grip men's minds.

Why do top scientists flee to other countries? Why do trusted men pass vital secrets to a foreign power? Why do even government officials from top social and educational backgrounds trot off? Because an ideology has captured their minds.

How an ideology takes over men and nations.

Vishinsky said: "We shall conquer the world, not with atomic bombs, but with our ideas, brains, and doctrines."

In the ideological age the future lies in the hands of those who know how to use ideas to win men's allegiance.

But the Communists haven't even got a seat in Parliament.

"I may have lost my seat in the House of Commons, but the Communists have taken 450 million people in China." (British Communist parliamentary candidate).

"The great issues will be settled, not in the arena of this reactionary Parliament, but by the workers' mass struggle in the factories and in the streets." (Secretary, British Communist Party).

We seem to be spending millions on armaments—I suppose it's the only way to be safe. Today we need not only a gun in our hand, we need an idea in our head and an answer in our heart. After all, nations have been taken over in recent years without a shot being fired. Modern warfare means that nations are out-thought before they are outfought.

You can't defeat an idea by being anti-it, ignoring it, or shooting it. You can only meet an idea with a superior idea.

What is the superior idea? (Slight pause for breath and refreshment while you get a piece of paper and write down what you feel is the superior idea.)

The Nazi idea was: A new order through the rule of one race.

The Communist idea is: A new society through the rule of one class.

The Superior idea is: A new world through the rule of one idea—"it's not who's right, it's what's right."

What's right? How do I know what is right?

There are absolute standards for human society just as there are for engineering.

What sort of a building would result if architect and builder did not employ recognized standards?

It's because we don't apply absolute standards to our living that society is in danger of collapse.

Here are the standards:

Absolute honesty: Honest apology is the highroad to lasting peace.

Absolute purity: A great cleansing force through the nations.

Absolute unselfishness: There is enough in the world for everyone's need, but not for everyone's greed.

Absolute love: If everyone cared enough and everyone shared enough, everyone would have enough.

These standards are the four pillars of a new age.

Yes; but why absolute? Because the world needs an authority everyone can accept. Besides, a standard must be absolute, or it isn't a standard.

Who wants a parachute that almost opens?

Who wants a boat that floats most of the time?

Who wants an egg that is nearly fresh?

But doesn't this sound rather like changing ones's ways?

Yes; it does mean change. But change is the key to the world of today. It's a changing world, and to get along in it you've got to ------ (Write here 6-letter word meaning to adapt yourself to altering world circumstances.)

Everybody wants to see the other person change.

Every nation wants to see the other nation change.

But everyone is waiting for the other to begin.

If you want an answer for the world, the best place to start is with yourself (and your own nation).

How can I change?

"Men must choose to be governed by God, or they will condemn themselves to be ruled by tyrants" (William Penn).

By a miracle of science men can speak by radio to millions. By a miracle of the spirit, God can speak to every man. His voice can be heard in every home, every business, every government. When man listens, God speaks. When man obeys, God acts.

It does not matter who you are or where you are. Accurate, adequate information can come from the mind of God to the minds of men who are willing to take their orders from Him.

"This is the revolution which will end revolution by changing human nature and remaking men and nations" (Frank Buchman).

God gave us 2 ears and 1 mouth: Why don't we listen to Him twice as much as we talk?

It's worth thinking over: Am I part of the cure or part of the disease in the world?

Remember, you can't make a good omelette out of bad eggs.

How do I begin? Take pencil and paper. Write down your thoughts. They may seem ordinary, but be honest—absolutely. You may have things to put right—well, how else can you build a new world?

Honesty: What about money? Taxes? What I told the family? Everything?

Purity: Do I live on the get or on the give?

Unselfishness: Do I put the other fellow first? All the time?

Love: Anyone I hate? Dislike? Or just don't care for? Why?

(Is the world the way it is because I am like this?)

You don't think it's necessary to change? You think you can take all that's coming? So did the dinosaur.

"This tough guy ruled in ancient days,
But one thing he forgot:
He failed to alter with the times—
Today he just is not."

The fact is that—

Human nature can be changed—that is the root of the answer.

National economies can be changed—that is the fruit of the answer.

World history can be changed—that is the destiny of our age.

New men, new nations, a new world. In the age when we've learnt to split the atom we must learn to unite humanity. It's get on together or blow up together.

In any negotiation it's not who's right—it's what's right.

Then industry will make the wealth and work of the world available for all and for the exploitation of none, and the workers will unite the world. This inspired ideology is for everyone everywhere.

It is the ordinary man's opportunity to remake the world.

With this ideology, industry will produce enough for the needs of all; homes will secure the next generation from chaos; armies will give new standards of moral training to their nations; cabinets and diplomats will be totally effective for they will have the power to turn enemies into friends; nations will arise from apathy, disillusion, and division. Renaissance is inevitable. This is our future—and it works.

That's what we found out. And the great thing is that these ideas have been tried out and proved practical in over 100 countries.

Results have been breathtaking. You'll find the same as you put this into action in your home and where you work.

Drop us a line if you want to know more.

Yours,

HANNEN AND CAMERON.

P. S.—Your bookstore has The World Rebuilt, by Peter Howard, which gives many facts, and we recommend it.

You can reach us care of Moral Rearmament.

LEGISLATIVE BRANCH AND JUDICIARY APPROPRIATION BILL, 1955

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 555 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9203) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for

other purposes, and all points of order against said bill or any provisions contained in said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois [Mr. ALLEN] is recognized for 1 hour.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

At this time I yield 2 minutes to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

Mrs. FRANCES P. BOLTON. Mr. Speaker, I am very grateful for this time. I am today introducing a resolution which I would like to read to the House:

Whereas this year marks the 100th anniversary of Florence Nightingale's historic nursing of the wounded in the Crimean War; and

Whereas Nurse Genevieve de Galard-Terraube, officer of the Army of the Republic of France, in her ministering to the sick and wounded at Dien Bien Phu and her subsequent service to her comrades as prisoners of the Viet Minh has provided an example of the courage of a woman in battle and of the devotion of a nurse to her sworn duty which has been unsurpassed in this century; and

Whereas this inspiring woman is representative of the devotion to duty of soldiers of the Republic of France, which has been an ally of the United States for 178 years and whose people today are considered the warm friends of the people of the United States; and

Whereas Nurse Genevieve de Galard-Terraube's example of fortitude in the face of supreme danger has changed the fall of Dien Bien Phu from a military reversal to a great psychological victory of the undefeated principles of free mankind fighting the force of darkness; and

Whereas this nurse, known affectionately as "The Angel of Dien Bien Phu," embodies the finest attributes of free women accepting with men the full burden of living in our modern world: Therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby extends to Nurse Genevieve de Galard-Terraube its warm congratulations for her gallant service and invites her, at the earliest time convenient to her and her country, to visit the United States as an honored guest.

The President is respectfully requested to transmit copies of this resolution to the Government of France, and to Nurse Genevieve de Galard-Terraube.

I deeply appreciate this opportunity of presenting this myself to the Members of the House, a concurrent resolution, which I am now introducing.

The SPEAKER. The time of the gentlewoman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I rise to urge the adoption of House Resolution 555, making in order the consideration of the bill (H. R. 9203) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes.

House Resolution 555, Mr. Speaker, provides for an open rule, waiving points of order against the bill, and allows for 2 hours of general debate on the bill itself.

This bill, Mr. Speaker, specifically appropriates the money to take care of the expenses for the fiscal year of 1955 of the House of Representatives, the Architect of the Capitol, and the Botanic Gardens, the Library of Congress, the Government Printing Office, and the Judiciary.

Mr. Speaker, I think it should be noted here that the budget estimate for 1955 came out with the figure $87,063,993, or $4,758,048 more than the Appropriations Committee has asked the Congress to appropriate.

Mr. Speaker, one of the most pertinent points that I found in the report of the Appropriations Committee on this bill was the fact that the legislative-judiciary appropriation bill is the smallest of the regular annual appropriation bills, and that it represents less than two-tenths of 1 percent of the appropriations for the executive branch of the Government.

Mr. Speaker, the Appropriations Committee has presented what I think is an excellent bill to the Congress. I would like to congratulate the distinguished chairman of the Appropriations Committee and the members of the committee on the very fine work that they have done on this bill. I hope that the rule will be adopted so that we may proceed expeditiously to the consideration of the bill.

Mr. Speaker, I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I have no requests for time on the rule. I know of no objection to the rule or to the bill. I yield back the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. HORAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9203) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9203, with Mr. O'HARA of Minnesota in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Washington [Mr. HORAN] is recognized for 1 hour and the gentleman from Ohio [Mr. KIRWAN] will be recognized for 1 hour.

Mr. HORAN. Mr. Chairman, I yield myself such time as I may require.

The CHAIRMAN. The gentleman is recognized.

Mr. HORAN. Mr. Chairman, the total in this bill is about $2,250,000 below last year's appropriation for this purpose, and about $4,750,000 below the Budget estimate. There are two areas of increase. In the House of Representatives we have increased the allowances because it was brought to the committee's attention that too many of the Members were paying for their office expenses out of their own pockets. We have also increased clerk hire and raised the base.

In the judiciary we have provided for the further air conditioning of the Supreme Court Building to the extent of $150,000; and for the new judges that were created by legislation recently together with supporting personnel needed by them.

The fees of jurors and commissioners due to increased Federal court work have been increased $160,000.

I want to say that we followed the practice of the other body by providing a more honest and more proper gratuity payment for deceased help up here on the Hill. The other body has had this same plan for 2 years and we are simply following the Senate's lead in that regard.

This bill, of course, carries appropriations in the legislative branch for the House of Representatives. We have nothing to do with appropriations for the other body. It also carries appropriations for the Botanic Gardens, the Government Printing Office, and the Library of Congress.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. BROWN of Ohio. I have asked the gentleman from Washington to yield with reference to the Library of Congress. I note that on page 18 of the bill you refer to the Legislative Reference Service and the Digest of Public and General Bills. I had a rather peculiar experience this morning that I think should be called to the attention of the House and this appropriations subcommittee.

I had some correspondence and some calls relative to House resolutions and bills pending before this body and before the Rules Committee of which I am a member. To my amazement when I turned to the Legislative Digest I was unable to find any reference whatsoever to those bills which actually are legislative matters. I then called the Library of Congress with reference to it and could not get any information whatever. So I called the well-known Elmer Lewis in the document room just off the House

floor and had him read this House resolution to me so that I might get the information I wanted. According to my understanding, the Library of Congress was originally established to serve the Congress of the United States and I think for the benefit of the Congress we should insist or the gentleman's committee should insist that the Legislative Digest as given to Members of Congress and as made available to certain Government officials for their use contain all legislative matters that may be pending. We ought to be able to turn to that document and find out information in reference to any legislative proposal so that we may know what it is and not have to spend an hour or two running around trying to locate information on the matter.

Mr. HORAN. I do not think there is any question but what the gentleman from Ohio is exactly right. I call attention to page 4 of our report where we try to spell out there for the benefit of the House of Representatives what we think the Legislative Reference Service should be for the benefit of Members of Congress. If they will stay within the work they were set up to do I think we will have less trouble in that regard and they will be more service to us.

Mr. BROWN of Ohio. I have no desire to offer an amendment to this bill because the committee and the subcommittee have done an excellent job; but I am hoping that the committee will take this matter up with the Library of Congress. With that understanding I will not offer an amendment. I hope in the future we may have House and Senate resolutions contained in the Legislative Digest for the benefit of the working Members of Congress. Some of us do work on these legislative matters.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from New York.

Mr. KEATING. I have no disposition to offer an amendment or to quarrel in any way with the wording of the committee in its report, page 4, where they are somewhat critical of the work of the Legislative Reference Service. I have not read the hearings and I am not familiar with all of the factors which entered into the decision of the committee in making those critical references; however, I do think I would be unfair to those who have cooperated with me if I did not as one Member of the House say that the Legislative Reference Service has been extremely helpful to me in many matters which I have referred to them. I regret that the committee feels that they have in some respects gone outside of their proper province. I may say, and I think I should say, that I am apparently in part in error because I have requested them on occasions to draft bills for me. I was not aware that that was not a proper function of the Legislative Reference Service. Perhaps I should have been. But in all respects they have always been very cooperative with me and I feel in fairness that I should make that a matter of record at this point.

Mr. HORAN. In reply to the gentleman from New York, may I say that if we appear to be critical in this report it is intended only for clarification of the specific purpose for which the Legislative Reference Service was set up originally in 1946. We feel it is the duty of the Appropriations Committee to know the intent of the Congress and to occasionally bring the administration back to home base, so to speak. They did draft last year 16 bills. We did not think that that was their job, since we have a Legislative Counsel to do that work, and in this work we have increased his fund $13,000 so that he can be equipped to take care of the Members. Now we are still looking into some of the contractual relationships that the Legislative Reference Service has had with certain neo or full administration departments. We think they should clear the deck entirely for service to the Members, and if we find them straying, I think it is our job to call that to their attention. They have done splendid work for the chairman of this subcommittee, and I want to state here and now that if we appear to be critical, we hope it is in a constructive direction.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I am sure the gentleman noted in last night's Washington Star a lead editorial critical of the committee with reference to funds for the Library of Congress, the gist of the criticism being, as I understood it, that the tremendous and great facilities of the Library would not be made fully available to the country generally in the future. That was my understanding of the criticism. Is that a just criticism, or is that correct?

Mr. HORAN. I do not feel that it is. We have allowed them in excess of $8 million of direct appropriations and they have more than $2.5 million of transfer funds from other departments. We have watched it very closely. Such reductions as we have made here were made on the basis of the experience of their handling of funds and the amount they are apt to obligate at the end of the fiscal year, and that is where the cut was made. We do feel that originally it was set up as the Congressional Library. Now we have deviated from that. We have in operation over there trust funds as well as direct appropriations and transfers. So, naturally, to that extent, it is a national monument. We do not object to that, but we do want clarification in its relationships with the Members of this body.

Mr. ALBERT. I think that is the important point. Of course, primarily it was organized to serve the Congress, and I think that should always remain its primary function. It is a great institution in which the taxpayers have invested hundreds of millions of dollars and in which are collected some of the finest library works in the world. I do not think the committee intended that this should be a curtailment of the use of the Library in any way by other departments of the Government or by scholars or other Americans interested in it.

Mr. HORAN. That is true.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Minnesota.

Mr. McCARTHY. Will the gentleman tell me whether, as the result of these cuts, the Library card service of the Library of Congress will be curtailed?

Mr. HORAN. We do not feel that it will be. That is a very fine service. I know some people are trying to legislate through the Western Union in this regard.

Mr. McCARTHY. I have not received any telegrams.

Mr. HORAN. Well, I have.

Mr. McCARTHY. What curtailment will result?

Mr. HORAN. We do not feel that that service will be curtailed in the least.

Mr. McCARTHY. What service will be curtailed?

Mr. HORAN. None.

Mr. McCARTHY. And there will be no reduction in service?

Mr. HORAN. There will be, I suppose, a new Librarian of Congress. One has been designated, and we had him come here and sit in as an observer, because we believe that business methods could be employed in the Library that would effect a saving. I would like to say that we put the Government Printing Office on a business type budget last year, and this year Mr. Blattenberger was able to return $5 million to the Treasury. That sort of thing can be employed, we think, in the Library, where some of their fiscal practices have been quite loose.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. I want to commend the gentleman for the statement he has made about the effort to improve the practices in the Library and also to commend him for the statement that the committee feels there is no effort being made to curtail what you might call the national functions to the public and service to the public by the Library of Congress. I think it is a great American institution that we should preserve as a part of this great country of ours.

Mr. HORAN. I thank the gentleman.

Mr. LECOMPTE. Mr. Chairman, will the gentleman yield?

Mr. HORAN. Yes, I yield.

Mr. LECOMPTE. I see that the committee has reduced all of the services of the Library, according to the amounts of money that have been approved. First of all I wanted to ask about the Copyright Office. That pays its own way and turns in a balance to the Federal Treasury, does it not?

Mr. HORAN. It does not pay its way entirely. The only self-supporting institution in this entire bill, as I understand it, is that of the Superintendent of Documents.

Mr. LECOMPTE. What about the card catalog?

Mr. HORAN. No; that is about $100,000 short of being self-supporting.

Mr. LECOMPTE. Is the gentleman's committee aiming to curtail those services?

Mr. HORAN. No.

Mr. LECOMPTE. What I wanted to ask about principally is the Legislative Reference Service. That is the reason we have the Library. That is the whole purpose of it. That is to say, it is for the purpose of advising Members of Congress and doing research for Members. The Legislative Reference Service it seems to me is the reason for having the Library. The Legislative Reference Service has to take over the drafting of bills when the drafting service is overloaded. All Members of Congress employ the Legislative Reference Service.

Mr. HORAN. Will the gentleman permit me to reply to that? I think if the gentleman's great committee would get together and authorize them to draft bills, then it would be legal for them to do so. But in their basic legislation, there is no requirement that they draft bills.

Mr. LECOMPTE. I understand that, but when bills have to be drafted and the regular drafting service is overloaded, the gentleman has no objection to the Legislative Reference Service taking over, does he?

Mr. HORAN. Yes, I do.

Mr. LECOMPTE. What about my committee? We draft bills and resolutions on request for Members.

Mr. HORAN. We have set up the Legislative Counsel to draft bills and until the gentleman's committee changes that, that is going to be the service that drafts bills.

Mr. LECOMPTE. Does the gentleman object to the House Administration Committee drawing up resolutions? We do that for individual Members right along.

Mr. HORAN. The gentleman is asking me questions about this bill, which is all right. But I cannot answer that question. We have two services that are in conflict according to the gentleman's question. One is the Legislative Counsel whose job it is to draft bills. The job of the Legislative Reference Service is not to draft bills.

Mr. LECOMPTE. We can put a stop to that instantly with an order.

Mr. HORAN. We have stopped it in the bill.

Mr. LECOMPTE. If the gentleman objects to their taking care of the overflow, that is something else. All they take care of is the overflow.

Mr. HORAN. We feel that they should not be working for other departments, but only for Congress.

Mr. LECOMPTE. It is not a question of other departments. The extra work that the gentleman refers to in the case of other departments is when committees take one of the staff of the Legislative Reference Service and employ all of his time for a considerable period, for which the Service should be reimbursed, but frequently is not.

Mr. HORAN. I call the gentleman's attention to the schedules shown on page 249 of the hearings where he can learn about these contractual relationships which we have criticized. This Service was begun in 1946 with a beginning appropriation of about $178,000. They came back this year and wanted almost a million dollars. They had over $900,000 last year.

Mr. LECOMPTE. Here is what the figures show. The Legislative Service had $901,000. They asked for a little bit of extra help to take care of the 32-percent increase in their workload. The gentleman's committee not only did not give them any money for that increase, but cut the Service below what had been provided for the current year. The gentleman's committee cut the Legislative Reference Service $143,000.

Mr. HORAN. No; that is, below the estimate, but not below what they had the previous year.

Mr. LECOMPTE. The gentleman did not approve for them the same amount that they had the previous year. They were cut despite the increase in the workload.

Mr. HORAN. That is correct. Part of that was due to the 16 pieces of legislation that they drafted for which they were not set up.

Mr. LECOMPTE. That did not take half of the time of one employee. They have about 140 employees, and the action of the committee will reduce them to 130. That is what the figures show. In my own mind I can scarcely consider the action of the committee as an exercise of economy, when the bill is filled with legislation on an appropriation bill that will cost millions of dollars, and comes before the House under a rule waiving all points of order.

I think the time is going to come when this House will have to face up to the proposition of what to do about legislation on appropriation bills. The jurisdiction of the several committees is going to have to be preserved if we are to proceed in an orderly manner. In my own mind I cannot reconcile the idea of one committee stepping over into the jurisdiction of another committee. Your whole bill is going to cost a great deal more money than the little dab you are trying to take off the Legislative Service, which serves individual Members and each of the committees of both Houses of Congress.

Mr. HORAN. We suffer sometimes when the proper committees do not function, and that is what is here.

Mr. LECOMPTE. If you are interested in the things that you put into this bill that are truly legislation on an appropriation bill, why, if you wanted to get the committees to function, did you not introduce resolutions and have them go to the appropriate committees?

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. May I ask the chairman of the Subcommittee on Legislative Appropriations whether the impression which is prevalent today, and has been the last few days, is correct, that the Library of Congress has not been functioning according to the present intention of the Congress; whether or not their activities are being less devoted to the needs of the Congress than they should be?

Mr. HORAN. We thought they were, after hearings, and we thought that enough so that we put in the report words spelling out what we thought the duties of the Legislative Reference Service to the Congress were.

Mr. EBERHARTER. Would the gentleman say the service rendered to the Members of Congress on their request was not quite satisfactory in the past 3 or 4 years, or something to that effect?

Mr. HORAN. We do not say that. We are trying to spell out what the duties are. They are not to draft bills, as we have legislative counsel to perform that function. That is a duplication of effort. It is in the interest of economy in the Congress and the Nation, I think, to cut out duplication where it occurs. That is the way we felt about it.

Mr. EBERHARTER. The gentleman is absolutely right in that respect, but I just wondered whether there is any justification for complaints that we occasionally hear from Members of Congress who have made requests to the Library of Congress for certain information that proper research has not been made. Is there any justification for those complaints? Has the committee found any such justification in its hearings?

Mr. HORAN. No; we have received no such complaints.

Mr. EBERHARTER. So the curtailment that is recommended by your committee will not result in any lessening of the service of the staff of the Library of Congress to the Members of Congress?

Mr. HORAN. I do not feel that it will.

Mr. EBERHARTER. The gentleman does not think it will even result in any lessening of services to the general public?

Mr. HORAN. That is not our feeling.

Mr. EBERHARTER. Then why was it necessary within the past few years to curtail the number of hours the Library has been open to service the people of the country?

Mr. HORAN. I do not understand they have curtailed the hours.

Mr. EBERHARTER. It used to be open in the evening.

Mr. HORAN. It still is.

Mr. EBERHARTER. I understand it now closes at 6 o'clock. Is that correct?

Mr. HORAN. The Library is still open. I understand you cannot get books after 6.

Mr. EBERHARTER. That is some curtailment of services to the public, then. Would the chairman express an opinion as to whether or not it is a good idea to close the Library in some respects at 6 o'clock, thereby preventing some workingpeople from using the facilities of the Library?

Mr. HORAN. We are not trying to run the Library of Congress. We are pointing out what we think are the relationships between the Congress and the Library. It is the Librarian's job to use his employees over there in such a way

as to give maximum service. He has 2,300 persons working in the Library, and over 700 of them operate on transferred funds. He has plenty of help. He has 80 guards, 4 more guards than the Capitol Police Force. They are not suffering so badly as you might think.

Mr. EBERHARTER. Would the gentleman agree with me then that it is the opinion of the subcommittee that the present recommended appropriation is sufficient to satisfy the needs and the proper purposes of the Library?

Mr. HORAN. We think so, surely.

Mr. EBERHARTER. And if the recommendation of the committee is followed, there will be no further curtailment of services either to the Members of Congress or to the public?

Mr. HORAN. We do not think there will be.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. BAILEY. Mr. Chairman, I do have a rather critical observation to make. The distinguished chairman of the subcommittee will recall that the Congress during the first session of the present Congress set up the well known Randall Commission to study our trade policies. The Library assigned one of their chief research men to accompany the group to Europe to make those studies, and since their return and the report of the Randall Commission, 2 or 3 of their research experts have been engaged in making surveys in congressional districts over the Nation to try to justify the recommendations of the Randall report. I think they are going just a little bit far afield when they go into propaganda in support of policies of that nature. I do not know how much information the committee might have on what is going on there, but that is true and this research is being made right at the present time.

Mr. HORAN. I am glad to hear that.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. MASON. Would you not say that if the recommendations of your committee, and the suggestions made in your committee report were followed through by the Library, that there will be better service and more efficient service for less money as a result of it?

Mr. HORAN. That is what we feel. That is the reason we did this.

Mr. MASON. That is your main object, is it not?

Mr. HORAN. Surely.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. McCARTHY. I find it somewhat difficult to reconcile the answer you have just given with the statement in the final sentence in the report dealing with the Library of Congress in which you say, "The reductions are due to the committee's feeling that the Library has gone far beyond the function for which it was originally created." Now which functions are you going to contract? You say all of the things the Library is doing now will be continued, yet you say the reductions are due to the committee's feeling that the Library has gone beyond the functions for which it was originally created. Which functions are going to be eliminated, and which are going to be restricted?

Mr. HORAN. Well, we hope that they will quit publishing folklore tales telling you how to get warts off your fingers. We hope they will not publish such things as a girl out in Kansas telling you how to cure a bellyache by reaching down and picking up a clod and spitting where the clod was and then laying the clod back on it, and that that will cure your stomachache. We think that they probably can get away from the publication at least of that sort of thing.

Mr. McCARTHY. You do not think that should be in the Library of Congress?

Mr. HORAN. No; I do not think we should appropriate money for that sort of thing.

Mr. McCARTHY. Do you not think that perhaps the records should show that that is one of the things that people once believed in this country?

Mr. HORAN. I do not think so; no.

Mr. McCARTHY. Do you think the Library of Congress should show that some Republicans at one time said that the Federal Deposit Insurance Corporation would ruin the American banking system or is that just as ridiculous as the thing you just mentioned?

Mr. HORAN. Mr. Chairman, I refuse to yield further.

Mr. KIRWAN. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, with reference to the work done by the Library of Congress, and I have received telegrams from the libraries showing the importance of this program, I, for one, believe the Library of Congress is rendering an excellent service not only for the Members of Congress but for the people of this country, and for the libraries. I know many instances where Dr. Ernest S. Griffith and his group have rendered splendid service through the Legislative Reference Section and other sections of the Library of Congress, and I know James Radigan, of the Law Digest Section, has performed a splendid service many times when, because of the heavy work load our Legislative Counsel down here was unable to draft bills for Members. I wish to pay this compliment to Ernest Griffith, Jim Radigan and all the employees of the Library of Congress.

Mr. KIRWAN. Mr. Chairman, I am in accord with the chairman of the committee. I made this statement not in a humorous way. I made it in the committee; that in the Congressional Library you can get anything but furnished rooms. But now the complaint is there are not enough baths over there. I mean that sincerely.

When we were elected in 1948, the first thing this reference part of the Library did was to come before the committee. I happened to be the ranking member then. We gave them 40 new employees. Now they come in for 20 more this year in this bill. We did not give them to them. Then they call up Congressmen and say they have been discriminated against; that they asked for 20 employees and did not get them. What the chairman wanted to point out was the difference between the Legislative Referance Library and the Legislative Counsel. If a Congressman wants a bill drawn up, there is the place to have it done. If there is not enough help down there, we are satisfied to give them the help, but not to the Library, and have that reference crowd there draw it up. We want them to stay in their own field.

It is the same in other ways. They have taken over everything that the Smithsonian Institution should take over. It takes a lot of new help to look after it all. A Congressman goes over there and calls for a book and they tell him there are 8 or 10 people downtown who are ahead of them on requests for that book. "We are sorry, but you will have to wait a couple of weeks." From what I understand, the Library was set up for the benefit of Congress. That is what we are trying to do—to keep it over there, and at the same time keep it the best library in the world for all Americans, whether daytime or nighttime. Let people go over there and have the use of that Library, but let them stay in their own field. Let them stay out of the Smithsonian Department and the Archives Building downtown. We spent a lot of money setting that up, but the Library wants to take that over too. I think this is a good bill and I am in accord with the chairman.

I now yield 5 minutes to the gentleman from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. Chairman, I would like to go along with the committee if this reduction is warranted, but after reading the report and listening to the discussion, I am not satisfied that a good case has been made by the committee. On the one hand we are assured that no function of the Library will be eliminated or reduced. Then in the report we read that—

> The reductions are due to the feeling of the committee that the Library has gone far beyond the function for which it was originally created.

If this is the case, it seems to me that the point made by the gentleman from Iowa earlier should be taken up by the legislative committee which is responsible for the operation of the Library. We should not act on confused and contradictory recommendations from the Appropriations Committee with regard to the Library of Congress.

I have some criticism to make of the Legislative Reference Service. It is my opinion that oftentimes the Reference Service does not operate as a research service should operate. It is my opinion that the Library service should be objective. If a Member calls and says, "I want research on this question," the Legislative Service should not in my opinion ask, "Which side are you on?" as I have been told they sometimes do.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield.

Mr. HOFFMAN of Michigan. If what the gentleman says is true they should not ask——

Mr. McCARTHY. That is my opinion.

Mr. HOFFMAN of Michigan. But if you pursue it further I think you will find they do not pay any attention to what particular views a Congressman wants information on; they put in their own.

Mr. McCARTHY. I think a legislative committee should take that up, and perhaps we should give congressional instruction and direction to the Reference Service.

Mr. HOFFMAN of Michigan. What I mean is that they argue from their point of view instead of giving you information on both sides of it.

Mr. McCARTHY. I think the gentleman is right. It is my opinion that the research people employed are in some cases incompetent. I think we ought to have more and better people in the service who can effectively do research beyond looking up an article in an encyclopedia and sending it over to a Member of Congress as a piece of research.

Despite these criticisms, I do not think that this reduction is justified. If we are to make a cut, we should have better reasons than a statement by a member of the Appropriations Committee that some of the folklore which has been recorded in the Library of Congress does not in his opinion have much importance or any worth. We should let the proper legislative committee take up the problem.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, in discussing this question of the Library of Congress, the gentleman from West Virginia [Mr. BAILEY] brought in the matter of the Randall Commission report. We, of course, are getting quite familiar with commissions these days, and getting quite familiar with reports of commissions; but action by Congress as a result of these reports and these recommendations of the various commissions is totally lacking, it seems to me.

When the gentleman from West Virginia [Mr. BAILEY] brought up that subject, he was not, of course, in agreement with the report of the Randall Commission with respect to the extension of the reciprocal trade agreements program for another 3 years, which is very much in line with the dynamic program of President Eisenhower. That was one of the main planks in his forceful exposition to the American people of what is absolutely necessary for this country in order to make progress and not go back to the old, old discarded and discredited system of high tariffs.

We all know, Mr. Chairman, that the personnel of the Randall Commission was about as high grade and as high quality as it was possible to obtain in the entire United States. They really worked hard. They went over to Europe and spent quite a few days there in consultations, studies, and research, and other things. They came back with a very fine report.

The reciprocal trade agreements program expires within about 3 weeks' time, and no action has been taken yet, no hearings have been held, no further studies have been made by the proper committees of Congress with respect to the recommendations made by this very expensive Randall Commission. This could create doubt in the minds of many as to whether or not we ought to continue this practice of creating commissions to make further studies on various subjects. We authorized a number of commissions within the last 10 days to deal with education. Most all of them are useless, in my opinion, of course; nevertheless, the House adopted the resolutions creating them.

I do not know but what the Library of Congress perhaps could take over these studies and research problems, and, as was suggested by the gentleman from Michigan [Mr. HOFFMAN] and the gentleman from Minnesota [Mr. MCCARTHY], they could make objective studies and reports to the Congress. Maybe we could do away with the necessity for bringing in people from business and the professions, from the colleges, and so forth, and have some objective reports from the Library of Congress.

It is quite a few weeks since the Randall Commission made its report and recommendations, as I stated before, but so far, nothing has been done about them. Ever since those recommendations and reports were made they have been dying a slow death. Just 2 or 3 days ago the President of the United States admitted the demise of the Randall report by saying he would be willing to accept just a 1-year extension of the reciprocal trade agreements program, which is having the effect of sounding the death knell to all recommendations of that Commission. This should cause us to think whether or not it would be better for the President to wait until next year before he attempts to force action by Congress to carry out his recommendations with respect to the reciprocal trade program; because next year he will have Members of the Democratic Party in the majority who are sympathetic with that program, who are sympathetic with the idea of a more trade, less aid program; then he will not be at such odds with Members of his own party.

I am making the suggestion, Mr. Chairman, that instead of appointing all of these various commissions to report on every subject that comes before the Congress, we ought to enlarge the facilities of the Library of Congress. I am making this suggestion rather seriously, too.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HORAN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

Mrs. FRANCES P. BOLTON. Mr. Chairman, I am always very reluctant to differ with a committee, even in reference to small, perhaps immaterial, things that they bring to us on the floor of the House. I can understand quite well that sometimes matters get to such a stage that the only way to insure change is to really cut until it hurts. We Republicans had to do that in the 80th Congress. We have had to do that many times since. No one in this House, I think, is more eager to see really economical methods used in every department of the Government than we women, who are particularly keen on the details of meticulous economy. We have to do that in our homes and we are very happy to play a part in the housekeeping of the Government.

Mr. Chairman, I am deeply interested in the arguments that have been made because I am very reluctant to see the committee make cuts in the wrong places thereby really depriving the membership of both Houses of Congress of the kind of material for which this Library was organized. Of course, it was initiated primarily for the use of the Congress; but it has become also a source of helpfulness, very important helpfulness, to all libraries in the country.

It will be remembered that President Theodore Roosevelt, in his message to Congress in 1901, declared that "this Library has a unique opportunity to render to the libraries of this country—to American scholarship—services of the highest importance." This great President said—half a century ago—that planned expansion in its services will "enable it to become, not merely a center of research, but the chief factor in great cooperative efforts for the diffusion of knowledge and the advancement of learning."

Mr. Chairman, I am particularly troubled over the fact that these cuts in appropriations will cut down such things as the cataloging in the Library of Congress. I would like to call the attention of the membership, especially the membership of this committee, that the cataloging activities in the Library of Congress are exceedingly important. If books cannot be cataloged, they cannot be put on the shelves. There are many things coming into that Library that have a continuing effect upon our knowledge of the countries with whom we are contending throughout the world. I might take, as an example, China. We have the greatest collection in the world of up-to-date information on China. I should be very regretful if on the first day of July we could no longer add to the China collection. The Library of Congress is important to our Army, our Navy, and our Air Force. I hope my colleagues will consider such matters.

I am also very much concerned because the Librarian, whose appointment is now awaiting the approval of the Senate, comes from my district. He is the head of the Cleveland library and has done perfectly magnificent work there in economy and in effective library administration. I should be reluctant to

have him come in to such a reduced force that he could not function. I would ask that most careful consideration be given to all these points by the membership.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, I am not a regular member of this subcommittee but have been serving during this session for one of the members who was unable to be present. I probably do not use the Library as much as I should. But, I certainly have found no reason for criticism of the service that they have rendered my office. I have found them always prompt, efficient, and able to furnish the information that I seek.

Mr. Chairman, unquestionably the Library of Congress has departed from its original concept. The Congress established the Library originally so that they might have available a few reference books from which they could obtain information necessary to help them in their deliberations. But, after the Library of Congress was set up, the people of the United States and the Congress of the United States realized that it could exert a great influence on the scholarship of this country and render a far greater service if its activities were extended. Consequently, throughout the years, by various statutes, we have increased these activities.

The question we face today, Mr. Chairman, is how far are we going to extend those activities? The Library is engaged primarily in rendering service. We are going to get just the service that we pay for.

Let us take the Legislative Reference Service. Evidently that Service is rendering a very satisfactory service to the Members of Congress, because requests for information have increased 32 percent. They asked for an additional appropriation to take care of the 32 percent increase. In view of the tremendous expenditures we have to make today and in view of our fiscal situation, we have to make apropriations in the light of the conditions that we face. But, let us not deceive ourselves into thinking that we are improving the service of the Library of Congress by cutting this appropriation. There will probably be times when we will be delayed in this House in getting information that we want if we approve this appropriation, but it is possible that it is not necessary for us to have the information as quickly as the Library of Congress might want to give it to us. As I see it, we are faced here with a practical problem. We have got to measure the needs of the Library of Congress with the ability of the Government at this time to appropriate.

Frankly, I am sorry that it has been necessary to cut some of these appropriations. I think it is unfortunate. I do not believe we are going to get as good service. The Library of Congress, and certainly the Legislative Reference Service may have gone afield at times in drafting bills. I believe that bills for the Congress should be drafted by the legislative drafting service. But I doubt that the elimination of that activity is going to save any great amount of time or money.

But I do say this, Mr. Chairman: Through the years we have passed various laws extending the services of the Library and we now have a hodge-podge of legislation pertaining to it. Our report recommends, and I think properly so, that one of the first duties of the new Librarian should be to codify the laws relating to the Library of Congress so that the legislative committee may review those laws, clearly define the activities of the Library, in a new, codified law, so that by reference to one statute we can determine exactly what are the proper activities of the Library of Congress. I think that is a step in the right direction and I hope it will be done.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. I thank the gentleman for yielding to me so that I may ask the gentleman from Ohio a question. The statement was made a few moments ago that Members of Congress sometimes have to be put on waiting lists for books and other services from the Library of Congress because they are being used by the downtown agencies. The Chief of the Loan Division has told me that their policy is always to give Members of Congress first call. If that is not their policy, it ought to be their policy, and should be established as such in this debate. Their primary function is to serve the Congress and Members of Congress.

Mr. KIRWAN. Mr. Chairman, if the gentleman will permit me, I can say that that is so out of my own experience. I was told by the Library of Congress that I was eighth or ninth on a list for a certain book. The book was downtown being used by people ahead of me on that list. The general counsel over there went out and bought the book out of his own pocket and delivered it to me.

Mr. ALBERT. I think the legislative committee ought to straighten them out on that matter.

Mr. KIRWAN. That is what we are trying to do in this bill.

Mr. HOWELL. Mr. Chairman, the Library of Congress is the greatest institution of its kind in the world. I think most Members of Congress are deeply proud that this institution, which is part of Congress, is so unique and outstanding. We should be proud of it.

Yet in this appropriation bill, we are being asked to punish the Library of Congress—punish it for doing such a remarkable job. Because it has done so well in assembling and making available to Congress, to the Government, to libraries throughout the Nation and abroad, and to the general public the greatest collection of fact and information in the world, we are asked to slash its appropriation by 13 percent below the budget requests.

What other conclusion can we reach from the actions of the Committee on Appropriations and from the report it filed with us criticizing and condemning the Library not for failing to give outstanding service under severe handicaps but rather for giving too much service?

The committee has scaled down the Library's requests from $10,209,883 to $8,915,000. This is a cut of $1,294,883—more than a million and a quarter. It is more than half a million dollars below the $9,459,293 appropriated for the current year. The hearings are filled with illustrations of the Library's difficulties in operation under the present appropriation. The hearings show how the Library's expenses will increase in the coming year even if there is no added personnel—the expenses of mailing which it now must bear; the in-grade pay increases required by law, and so on.

I have tremendous sympathy for the members of the Appropriations Committee in trying to cut expenditures of the Federal Government and still provide adequate sums for essential services. It is one of the most hardworking and most conscientious committees of the whole Congress. It faces a monumental task.

But it seems to me, Mr. Chairman, that when it got around to the Library of Congress, the committee's accumulated frustrations in trying to find places to cut extravagance and waste out of the Federal operations seemed to have exploded into a general field day of criticizing the Library for working so hard at its tasks.

We find constant references in the hearings to wart cures and limericks. One might get the impression that these references involved Library activities. What happened, apparently, was that one of the Library's specialists in American folklore appeared on a radio program and mentioned some of the oddities of legend and fact and information in the Library's extensive collections.

So now the Library is punished by a budget cut of more than a million and a quarter dollars, on the grounds that it is wasting time and money with nonessentials.

Mr. Chairman, who among us is wise enough to set himself up as a judge of the usefulness of all of the vast information in the Library's possession? Do we fear scholarship and research? Are we afraid of what is in books?

Of course not. But as Members of Congress we are acutely aware of the need for careful expenditure of Federal funds. We do not want to appropriate money for pamphlets on wart cures.

At the same time, however, I do not think we want to slash the effectiveness of the greatest library in the world. And that is what this reduced appropriation would do.

Throughout the hearings, the Library officials reported on the difficulties of finding enough time and personnel to catalogue and make useful the tremendous amount of new material coming into the library all the time. What good is amassing the information if it cannot be found and used?

But instead of permitting a modest increase in the Library's funds to help

its hardworking personnel to catch up with the flood of work, we are now asked to cut it further. We are asked to cut the Library's general funds by half a million dollars on the grounds that it does a lot of work for the general public rather than just for Congress. Mr. Chairman, there is no better way for a library to serve Congress than to help get facts to the public—not propaganda, but the facts. An informed public is the best help there is to a conscientious Congress. And this Library is the greatest source of fact and objective information in the world. Instead of regretting that the public uses it extensively, we should rejoice in that.

We are asked to cut the Copyright Office by $153,000. Yet all the evidence shows that nearly every cent appropriated for the operation of the Copyright Office comes back to the Treasury with a profit besides.

The same with the operation of the card catalogue distribution system. We are cutting that $358,000, yet here again appropriations do not necessarily mean expenditures by the Federal Government. The libraries throughout the country pay back nearly every cent we appropriate for this essential service.

When we come to the item of the Legislative Reference Service of the Library, showing a cut of $143,837 rather than the increase in funds the Service needs to continue giving Congress unmatched service, the reduction is even more incomprehensible. I cannot understand how we would want to cut off our own noses as this bill proposes—reduce the service available to the Congress in getting at the facts of the complex legislation we have to consider.

At the appropriate time when the bill is open to amendment, Mr. Chairman, I intend to submit an amendment to restore the full budget amount to the Legislative Reference Service. I shall discuss the reasons in detail at that time.

My purpose in rising now is twofold: to notify the committee of my intention to amend the appropriation for the Legislative Reference Service, and also to obtain from the committee members, if possible, a much better explanation than that given us in the report for the heavy-handed slashing of the whole Library appropriation.

This Library is a credit to Congress in every possible way. We are being asked to punish it for being so outstanding. To me, that is incredible.

Mr. Chairman, as part of my remarks, as exhibits A and B, I submit two informed comments on this matter, one an article from yesterday morning's Washington Post and Times Herald by Columnist Malvina Lindsay entitled "Warts Spur Solons to Corner Culture," and the other an editorial from last night's Washington Evening Star entitled "Nation's Library or the Congress'?"

The articles follow:

[From the Washington Post and Times-Herald of May 24, 1954]

WARTS SPUR SOLONS TO CORNER CULTURE

(By Malvina Lindsay)

If the public did not have so much interest in legendary wart cures, things might be going better financially today for the Library of Congress. The wart situation has played into the hands of congressional paymasters much as did the long ago disclosure by the Department of Agriculture, via a bulletin, that sex had reared its ugly head among the vegetables.

The Library's operating fund has been cut by the House Committee on Appropriations to $8,915,000, which is approximately half a million dollars below that of last year, and more than $1 million below budget estimates. This is expected to go to a House vote tomorrow.

The subcommittee which held the hearings on this bill says this reduction is because of its feeling that the Library has gone far beyond the function for which it was created. It emphasizes that the institution is the instrument and creature of Congress, designed primarily to serve the needs of that body. Too much is being done for the public—the committee seems to think—despite a century and a half trend of legislation to expand the services of the Library and make it a wellspring of national scholarship and culture.

The villain in all this has been the wart. It has provided the usual petty, concrete, and misinterpreted example of bureaucratic extravagance. Moreover, it has a fellow conspirator, the tongue twister.

Both warts and tongue twisters (such as "Sheep shouldn't sleep in a shack") figure strongly in American folklore. Hence they were discussed in a broadcast on this subject by the Library's folklore archivist, Dr. Duncan Emrich. Many listeners sent in material on warts and limericks. Some of this was printed in the Library Information Bulletin—probably at a cost of $25.

In Appropriations Subcommittee hearings some congressional questioners kept returning to the warts and the limericks. They interpreted the incident to mean the Library was furnishing information to the public on how to cure warts. "We are a serious people here in this Congress," declared one legislator, "and we are not interested in how to cure warts by the dark of the moon."

In fact some members of the subcommittee seemed to take a dim view generally of the Library's folklore activities, even though this section was established in 1928 as the Archive of American Folksong, with private contributions, including one from such a hardheaded financier as Andrew Mellon.

Through private grants and contributions this section has done much to preserve American folksongs, traditions, customs, local history, and recollections obtained for regional pioneers. It has incidentally furnished much material to members of Congress for radio broadcasts and speeches.

Underlying much of the testimony at the hearing was which way the Library is headed in the future. Some members of the subcommittee repeatedly stressed that the privileges extended to the public since 1800, when the institution was established, had been by courtesy of Congress. Yet each of this succession of courtesies was a legislative act. Scores were passed during the 19th century, and in 1902 the services of the Library were extended to "all qualified investigators in the States and the District of Columbia."

Expanding functions of the Library have included the handling of copyrights and a card distribution system (both of which pay their own way) the acquisition of collections of manuscripts, music, prints, a legislative reference service for Congress, the provision of books for the blind—a service added in 1952.

The Library's collection of historic papers now numbers 4 million. Scientists and scholars come by the tens of thousands from all parts of the country to study these and do other research.

Economies in recent years have curtailed many of the Library's activities. The microfilming of newspapers, which provide history in the raw, is only done now through private contribution. The reading room provides no books from the stacks after 6 o'clock. Only 40 percent of mail requests for information are answered.

No one can dispute that the Library's first function is to serve Congress. What is most disturbing is the narrow legislative attitude shown toward its functions and its growth. Unless it expands and widens its service, it will be an increasingly feeble fountainhead of American scholarship.

[From the Washington Evening Star of May 24, 1954]

NATION'S LIBRARY OR THE CONGRESS'?

Friends of the Library of Congress may have been puzzled by the report that funds for its maintenance and operation are to be cut drastically because it "has gone far beyond the functions for which it was originally created." A subcommittee of the Committee on Appropriations, House of Representatives, has recommended an appropriation of $8,915,000 for fiscal 1955, a slash of $1,294,883. This reduction might be serious in itself, especially when it is taken into account that the Congress coincidentally is asking increased service of the Library. But its implications may be even more deplorable.

One of them is that the world's greatest bibliographic establishment should be specifically "an arm of the Congress" and that it should "limit its service to others to that which can be furnished with the funds and staff available." This interpretation of the Library's purpose and function admittedly does have historic precedent. The Library was a congressional property and a congressional activity when John Randolph sponsored it in 1801. It still was primarily the Library of Congress in 1815 when Thomas Jefferson's collection of 6,700 volumes was purchased and in 1867 when Peter Force's Americana—60,000 books, pamphlets, and manuscripts—were purchased.

But it also gradually became the library of the whole United States. This was indicated when it absorbed the Smithsonian Institution's bibliographic material in 1866, when the privilege of using the books in the Library was extended to the Attorney General and the members of the diplomatic corps "on the same terms and conditions as it is enjoyed by the judges of the Supreme Court" in 1816 and when its "literary and scientific collections" were opened to "scientific investigators and * * * duly qualified individuals, students, and graduates of any institution of learning in the several States and Territories and the District of Columbia" in 1902. It was even more definitely shown when the Library was made responsible for the Copyright Office in 1870.

Of course, the Library never ceased to be a particular convenience to the Congress. What happened was that specifically, by congressional authority, the Library expanded its services wherever and whenever a genuine natural demand for them developed. If the Library now "has gone far beyond the functions for which it was originally created," it has done so in response to legitimate requirements and with full congressional approval. A change of policy may be needed. That is conceivable, but if the operations of the Library are to be restricted or curtailed, it should be remembered that millions of dollars' worth of private contributions inevitably would cease being offered. The Library has been and is the people's library in terms of gifts of incalculable value given because it was the whole Nation's bibliographic depository.

Mr. HOWELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

The Speaker's table

For the Speaker's table, including $2,000 for preparing Digest of the Rules, $43,885.

Mr. HORAN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HORAN: On page 2, line 18, strike out "The Speaker's table" and insert "Office of the Parliamentarian"; and on page 2, line 19, strike out "For the Speaker's table" and insert in lieu thereof "For the Office of the Parliamentarian."

Mr. HORAN. Mr. Chairman, this is merely an amendment to improve the wording of the bill.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

LIBRARY OF CONGRESS

Salaries and expenses: For necessary expenses of the Library of Congress not otherwise provided for, including compensation of the Librarian Emeritus, as authorized by law; development and maintenance of the Union Catalogs; custody, care, and maintenance of the Library buildings; special clothing; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board; $4,500,000.

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 18, line 3, after the semicolon, strike out "$4,500,000" and insert in lieu thereof "$4,750,000."

Mr. McCARTHY. Mr. Chairman, this amendment would restore $250,000, bringing the total amount for salaries and expenses to $4,750,000 instead of $4,500,000, as is recommended in the committee bill. This will still leave an amount of approximately $60,000 less than was appropriated in 1954, and over $250,000 less than was estimated for 1955.

It is my opinion that the service of the Library should not be arbitrarily curtailed, as is recommended here today. I know it is an easy matter to go through a library as large as the Library of Congress and note that there are many books which are not being read; note that there are many cubicles which are not in use, and judge on the basis of these facts that the Library is not operating efficiently. We should realize that the Library does not operate in the same way as a business does; we must consider the quality of the production rather than the volume of use or quantity of production. During much of the time the facilities of the Library will not all be in use. Scholars will leave their books in the cubicles for a week or two or longer before they can come back to examine and study the material which they have arranged. Obviously, not all of the books will be in use, and the high turnover of all books in the Library will be low. But we should take an intensive and long-range view of the operation of the Library, and for that reason we should restore at least a part of the funds which have been cut from the estimates and from what was appropriated last year.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield.

Mrs. CHURCH. I share the gentleman's concern about the reduced appropriation for the Library of Congress. I would like to ask if in recommending this overall increase the gentleman would attempt to designate whether it should be spent in specific categories?

Mr. McCARTHY. This is for "Salaries and expenses," for the general operation of the Library. I do have amendments which have reference to the Legislative Reference Service and also to the card catalog service.

Mrs. CHURCH. What would be the total amount provided by the gentleman's suggested amendments?

Mr. McCARTHY. In this particular case the amount is $250,000. In line 11 I propose to offer an amendment to increase the appropriation for Legislative Reference by $50,000; and in line 22, for the card catalog service, about $50,000, or a total of $350,000.

Mrs. CHURCH. I thank the gentleman. Could he tell me quickly what the total would be in comparison to the amount recommended by the Budget Bureau?

Mr. McCARTHY. It would be less than the estimates for 1955. I assume that is the recommendation of the Bureau of the Budget. In the case of salaries and expenses, the estimates for 1955 are $5,084,000. My recommendation is for $4,750,000. So it is approximately $300,000 less than is recommended by the Bureau of the Budget. In each of the other instances the amount I propose is less than was estimated by the Bureau of the Budget.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BOW. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BOW. Mr. Chairman, I rise in opposition to the amendment. I should like to preface what I have to say by saying that the entire subcommittee recognizes the importance of the Library of Congress and the excellent work that it does, not only for the Congress but for the Nation.

Addressing myself specifically to the amendment offered by the gentleman from Minnesota [Mr. McCARTHY], may I say that under "Salaries and expenses," to which this amendment refers, the expenses this year through April amounted to $3,713,372. Projected through May and June, $742,646, or a total of $4,456,046 which will be used this year. So I submit that the amount that has been recommended in the bill by the committee is more than the amount which they will actually spend during the present fiscal year.

The gentleman has said that the Library does not operate as businesses do. With that I agree. I think it is about time we began to operate the Library as a business, in many instances. We have a new Librarian coming in to take over. He has not yet been confirmed. He is Librarian-Designate Mumford, from Cleveland, Ohio, who has an excellent reputation in the operation of the library there in an economic and efficient manner.

I think this bill gives him an opportunity to come in and set the Library up on a proper basis, reduce personnel where reductions are needed. I will say to you that on the question of catalogs and some of the other items that if it becomes necessary to have them—I can speak for one member of the committee and I think others would agree with me—supplementals will take care of the additional needs; I will request them. But it is important to give this new Librarian an opportunity to come in and put his house in order and to do the kind of job we expect of him.

So far as the cubicles are concerned, to which the gentleman has stated that have been occupied in some instances for several weeks by the same person, I point out to the gentleman that it is not a question of a few weeks for the cubicles, but some have been occupied by the same people since 1938. You have people now occupying cubicles in the Library of Congress who have their private telephone lines put in; and I agree with the gentleman from Ohio, my friend from Ohio [Mr. KIRWAN], that about the only thing we lack over there now is baths in the facilities we are furnishing. This is another matter that certainly can be carefully considered and I think it will save money for the people.

The folklore question and the limericks and the warts, and so forth have been discussed; I am not going to go into them; but I should like to point out one reason why your committee feels that economies can be effected in the Library, and as one example I will use the guard force.

They have more guards at the Library of Congress than we have on all of Capitol Hill. They have a captain, 3 senior lieutenants, 6 junior lieutenants, 10 sergeants, and the rest of the force is made up of guards. It was interesting in the hearings when we made some inquiry about the functions of those guards and the number of chiefs they had—without too many Indians. We asked: "What do these sergeants do over there, these 10 sergeants?" We were told that the sergeants make up the reports which they file and also make some assignments.

Then we asked: "What do these six lieutenants do?"

The lieutenants make sure that the sergeants make out their reports and file them and that the assignments made by the sergeants are carried out.

We believe that there are many other instances where cuts of that kind can be made cutting this budget down so that when Mr. Mumford comes in we just not give him a blanket sum and the suggestion that this or that could be cut down if it becomes necessary, but give him a definite appropriation to carry out certain functions. This will give him the opportunity to bring some order out of the chaos that has existed for some time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

Legislative reference service

Salaries and expenses: For expenses necessary to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U. S. C. 166), $850,000: *Provided*, That no part of this appropriation may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Senate Committee on Rules and Administration.

Mr. HOWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOWELL: Page 18, line 11, strike out "$850,000" and insert "$993,837."

Mr. HOWELL. Mr. Chairman, I announced earlier that at this point in the bill, I would submit an amendment to provide the full budget amount of $993,837 to the Legislative Reference Service of the Library of Congress, restoring the $143,837 cut out by the Appropriations Committee.

I said earlier the reduction was incredible. It is just that.

The Legislative Reference Service is the expert staff of Congress itself. It was set up in the LaFollette-Monroney Act, the Legislative Reorganization Act of 1946, as a means of providing Congress with the kind of top-flight expert staff help we sorely need if we are to act intelligently on the terribly complex legislative issues which come before us.

It constitutes the one place we can go for information and analysis knowing that what we will get will be the best and most objective factual information available on the subject. Before this service was established, most members had to rely almost entirely on the self-serving "facts" submitted to Congress by lobbies and special interest groups, or by the agencies of the Federal Government with vested interests in certain legislation.

Certainly we are not looking wistfully back on those days. Certainly we are anxious to continue getting prompt and effective help from topflight research specialists who have the answers to our most complex inquiries on legislation or know where to go to get it.

The Congressional Reorganization Act expressly provided that the Legislative Reference Service should be staffed with top experts in every field in which the Congress has standing legislative committees. It has never quite reached that level of staffing in number of experts employed—many fields provided for in the original act are not yet covered by additions to the Legislative Reference Service staff. But there is no doubt that the people who are employed as experts are outstanding in their fields. The committees of Congress regularly call upon them for assistance in drafting legislation of the most far-reaching importance. As individuals, we all make demands on these people. And the resulting service is outstanding.

Now what is the nub of the committee's complaint against the Service? It is that the Library employs in most of these top positions as senior specialists career people who work at this job all year round—yet Congress is not in session the whole year. We are told the Legislative Reference Service should hire fewer careerists and instead hire more temporary people for temporary duty while Congress is in session, and assign its career people to temporary duty during recesses to routine jobs elsewhere in the Library.

Let us consider a moment the implications of this suggested policy. Instead of top experts who make a career of serving Congress with the most informed knowledge available in their specialties, we will have a parade of temporary people taking these January-to-July jobs for experience, because they could not get lined up with a college in time for the February semester, or are otherwise unemployed. We will get good people that way only by chance and accident. The top people will go elsewhere, where they can find year-around employment and continuing tenure.

Is that the way to serve the interests of the Congress and the public? I think not.

As for assigning the career people in the Legislative Reference Service to temporary duty in other parts of the Library while Congress is out of session, the hearings show that Dr. Ernest Griffith, the Director of the Service, and a man in whom all of us have great confidence, has found the workload in his division so great even while Congress is out of session that he has not been able to spare these people. Congress—in session or out—is always churning up work for the Service; the committees are particularly demanding on Dr. Griffith's people for research.

Furthermore, I know for a fact that, in an effort to cut expenses in the Service, Dr. Griffith has encouraged his top people to take temporary outside employment in the colleges or elsewhere for short periods to reduce the payroll in the slack season. But the fact is that the season is never really slack—it is only a question of stretching appropriations enough to meet the needs.

Mr. Chairman, a vote for my amendment is not only a vote of confidence in the outstanding work done for us year in and year out by the Legislative Reference Service; it is a vote to maintain the effectiveness of the congressional process; it is a vote to make sure that Congress can continue to legislate in an informed manner rather than on the basis of doctored data supplied by pressure groups with big fish to fry at the public's expense.

Let us not cripple our good right arm in order to show some false savings in the budget. It will cost the Government dearly, Mr. Chairman, if Congress cannot quickly and effectively get informed facts and assistance from top career research people in our own Reference Service.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HOWELL. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman realizes, I know, that the Legislative Reference Service furnishes staff assistants to committees of Congress. The Committee on Agriculture has used the service of an expert; therefore, the committee does not need to hire a man of that caliber at full time.

Mr. HOWELL. That is right.

Mr. ALBERT. By using these men in the service with the committees, both in the House and in the other body, we are effecting economies in staffing our own committees with those experts. I wonder if the committee has taken that into account?

Mr. HOWELL. What the gentleman says is absolutely true and I tried to point that up briefly in speaking on my amendment. In my opinion, it is sensible to have people who are career individuals all year round available to Members of Congress and available to committees. I hope my amendment will be adopted.

Mr. COON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Jersey [Mr. HOWELL].

Mr. Chairman, the Committee on Appropriations recommended for the Legislative Reference Service of the Library of Congress for the 1955 fiscal year a budget of $850,000. This is a reduction over the 1954 budget of $51,721 and a further reduction from the amount requested of $93,837. The Legislative Reference Service has increased in the last 10 years from $178,000 to last year's budget of $901,721, and within this 10-year period only once has their budget been reduced, and that was in 1948 and by the amount of $25,000.

The Legislative Reference Service has had a constant increase in the number of requests from the Members of Congress and it is realized that the congressional Members need prompt service from the Legislative Reference; however, as I just pointed out, their budget has increased over 500 percent in this 10-year period.

I would like to call to your attention the following from the committee's report on page 4, regarding some of the

findings and practices of the Legislative Reference Service, which says:

The committee is disturbed to find that the Legislative Reference Service is engaging in legislative drafting work, normally considered to be the function of the legislative counsel. Additional funds have been provided in this bill to enable the Office of the Legislative Counsel to more adequately meet the demands for this type of service. Accordingly, the furnishing of such assistance by the Legislative Reference Service should be discontinued.

The committee is not satisfied with the manner in which the Legislative Reference Service is using its regular employees, particularly when Congress is not in session. Despite a thorough discussion of this problem during the hearings on the 1954 appropriation bill, it appears that little has been done to reassign the employees of this Service during slack periods to assist in handling workload in other parts of the Library. The committee insists that further efforts be made along this line during the coming year. It is also of the opinion that many of the contracts with other Government departments could be so arranged that the workload involved could be met during the off-season. This would have the dual benefit of making the full regular staff available to Congress while it is in session and of providing worthwhile employment for the personnel of this Service during the period when congressional workload is light.

Further, Mr. Verner W. Clapp, Acting Librarian of the Library of Congress, indicates on page 292 of the hearings that the Legislative Reference Service depends upon the Reference Department not only for them to produce the books which it needs, but also in many cases to produce the expert services which it needs. This indicates that the Legislative Reference Service has available to it, or can use, assistance and services from other departments of the Library.

I would like to mention, at this point, that nearly all of the agencies under the executive branch of the Government have been reduced in either last year's budget or this year's budget, but the Library of Congress continues to request increases in appropriations for its operation. Most of the budget estimates presented to the Appropriations Committee this year followed this pattern but it appears that the Library of Congress annually seeks an expanding budget.

The committee feels that the Library of Congress should cooperate with the administration in reducing expenses instead of increasing expenses.

The committee feels that the $850,000 allowed to the Legislative Reference Service can adequately take care of the duties and responsibilities of this particular Service of the Library of Congress and if properly administered the Legislative Reference can continue to give efficient and prompt service to the Members of Congress as they have done in the past years.

Mr. Chairman, they told us that they have obligated through May $695,021. So, if projected on out, that would leave for May and June, at the same rate, $139,004. This will total to $834,025, which will show that this year, perhaps, they are not even going to spend $850,000 that we put in the bill.

Mr. Chairman, I hope this amendment will be defeated.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. COON. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Did I understand the gentleman rightly when he said that this particular item was increased 500 percent in the last 10 years?

Mr. COON. Yes, sir.

Mr. H. CARL ANDERSEN. Is it not also a fact that the amendment offered by the gentleman from New Jersey would increase the amount above this year's allotment to the extent of about $92,000?

Mr. COON. That is right.

Mr. HOWELL. Mr. Chairman, will the gentleman yield?

Mr. COON. I yield to the gentleman from New Jersey.

Mr. HOWELL. I think that is explainable by reason of the fact that there were a lot of in-grade pay increases and also the cost of penalty mail, which they have not been paying before.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COON. I yield to the gentleman from New York.

Mr. TABER. Is it not a fact that if they spend at the same rate they have spent in the first 10 months, that they will spend less than the current appropriation that we are carrying in this bill by $18,000 or $20,000?

Mr. COON. That is correct. If they spend at the current rate of expenditure, they will not spend the $850,000 recommended in this bill.

Mr. LECOMPTE. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I have no disposition to quarrel with a committee that is trying to economize. I am in favor of that. But I think there is a false impression here about the work of the Legislative Reference Service. Actually, the staff of the Legislative Reference Service in 1950 was 151. That is what it is now. The workload has gone up 32 percent. If we want service from the Legislative Reference Service, I think we have got to give them adequate help. The gentleman from New Jersey [Mr. HOWELL] has offered an amendment that will provide about 20 additional places on a part-time basis. I will say to the gentleman from New Jersey [Mr. HOWELL] that I will vote for his amendment, but I would have been satisfied to restore the amount that the Service had last year.

Mr. COON. Mr. Chairman, will the gentleman yield?

Mr. LECOMPTE. I yield.

Mr. COON. During the period from 1950 their appropriation went up from $716,000 to $901,000.

Mr. LECOMPTE. Congress raised salaries right and left, that is true. Certain grades call for certain salaries. But the number of employees in the Reference Service has not gone up. This is the department that does research work for Members of Congress.

Mr. COON. The number of permanent employees has not, but the number of temporary employees has.

Mr. LECOMPTE. The total number is 151 at the present moment. That is the same as it was 4 years ago. The amendment of the gentleman from New Jersey [Mr. HOWELL] is for 20 additional employees only. And those 20 are to work only 8 months and to be taken off when Congress adjourns.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. LECOMPTE. I yield.

Mr. HORAN. It is 28 new positions. I might add that the gentleman's amendment also would cover an unjustified item for a State law index of $34,000. And the within-grade promotion amount that is included in that increase can be absorbed out of money that they will not spend this year.

Mr. LECOMPTE. The number of requests for information from Members of Congress has gone up 32 percent. What are we going to do with that? Do we not propose to serve those requests? That is the question before the House. It is all right with me if it is felt that adequate service can be obtained, but I think the most important thing is the matter of information for Members of Congress on pending legislation. I have wondered sometimes if some of the requests made to the staff actually bears directly on pending legislation, but Members of Congress have the right to seek information from the Library of Congress, and if there is not an adequate staff there, I fail to see how we are going to get that information.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. LECOMPTE. I yield.

Mr. JAVITS. I should think that the people of the country want us to do a working job. I know that the gentleman from Iowa [Mr. LECOMPTE] works very hard. So do I, and so do other Members of Congress. How can we do that without the proper tools? We cannot do our own research.

Mr. LECOMPTE. The gentleman could not go over there himself and do research work and neglect other duties.

Mr. JAVITS. I find the Library absolutely indispensable. I think if there is any justification at all for keeping our staffs small—and we certainly keep them small—it is that we are going to help the Library to do a bigger and bigger job. Our responsibilities are growing, not contracting. They are growing more complex. I strongly support the gentleman and hope the House will approve his amendment.

Mr. LECOMPTE. Personally, I think the Legislative Reference Service is the most important part of the Library, because that is the part of the Library that serves the individual Members of Congress and the committees of Congress and without it the Congress could not proceed efficiently and intelligently. That is the way I view the situation.

Mr. KIRWAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the gentleman from Oregon [Mr. COON]. I do not know of any agency in the Government of the United States that has had

its appropriation increased 500 percent in the past 10 years except during the war. The Congress has cut appropriations for every agency. We cut appropriations for cancer research. We cut appropriations for research into heart disease, rheumatic fever, and so on. Every item has been cut.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. ALBERT. Is it a question of how much the appropriation has been increased or whether we are getting our money's worth?

Mr. KIRWAN. That is not the question. Every gentleman who has gone down into the well of the House has spoken about books. I say it is not a question of books. There are enough employees over there that have another library five times as large to do the work, if it is only books that you are talking about. They have more in the Library than they have in the Smithsonian. There is everything in it but books. What they should do is to take the employees they have and work them.

Mr. ALBERT. The gentleman's only objection up to now has been that there has been a 500-percent increase.

Mr. KIRWAN. I do say that is wrong in that one agency.

Mr. ALBERT. I have been told by representatives of the Legislative Reference Service that the money appropriated for this year will all be used before the end of the fiscal year.

Mr. KIRWAN. We are told about the increase in cancer and heart disease, things that are more essential. I am not referring to books, I am referring to all the gadgets they have over in the Library. Books are probably the finest things on earth, or one of them. I am referring to the amount of money we are spending on the Congressional Library for everything that is not books. So as the gentleman from Ohio [Mr. Bow] pointed out, if the new head of the Library takes half the employees of the Library and puts them to serving Congress, we will have a great job done for us.

Mr. ALBERT. What good are all the books over there if we do not have the facilities with which to find them and use them?

Mr. KIRWAN. We have enough over there to find the books if they stick to books, but if things continue as they are, they take every new invention and put it in the Library. They come in with 22 new employees for every invention that comes up. Such things do not belong over there. Let them stay with books.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Minnesota.

Mr. McCARTHY. What are some of these new things they have?

Mr. KIRWAN. I have seen them with my own eyes. If the gentleman will take a trip through the Library he will be well rewarded.

Mr. McCARTHY. Does the gentleman refer to tape recording and film recording and things of that kind?

Mr. KIRWAN. They have about everything. I have told you, not to be humorous, that there is everything but a bath and a furnished room provided in the Library. If the gentleman will take a walk over there he will be startled.

Mr. McCARTHY. I do not think I will be startled, but the gentleman is talking about gadgets?

Mr. KIRWAN. I am talking about the different things over there.

Mr. McCARTHY. What are some of those things?

Mr. KIRWAN. I am telling the gentleman to take a walk through the Library.

Mr. McCARTHY. The gentleman says there is not a bathroom?

Mr. KIRWAN. That is one thing that is not there.

Mr. McCARTHY. What is there?

Mr. KIRWAN. The furnished rooms with the private phones in them. You do not know whether lobbyists or who are using them.

Mr. McCARTHY. I think maybe if a lobbyist is a citizen of our country he has a right to use them.

Mr. KIRWAN. If he is a citizen of the country, yes, but you do not know who it is. We are trying to fix it, as the gentleman from Ohio [Mr. Bow] said, so that when the new man comes in at the head of the Library, if there is not enough money we can give it to him. We gave them 40 employees in 1949, and the Congress has given them more since then. Now they are in here asking for 20 more, with a change of administration coming up. Every time you turn around they want more employees.

Mr. HOWELL. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from New Jersey.

Mr. HOWELL. I do not believe the gentleman would state that it is in the Legislative Reference Service they have these gadgets or whatever the gentleman is talking about.

Mr. KIRWAN. If they cut half of them out we could give the Legislative Reference Service many more employees than they have.

Mr. HOWELL. If there is something wrong, it is in some other service.

Mr. KIRWAN. As the gentleman from Ohio [Mr. Bow] said, when the new man comes in this will give him an opportunity to do that. What we are talking about is that we have provided enough money. They are not going to spend all the money they have. They are hollering that they have an increase of 32 percent in requests. They are not even going to spend the money we gave them this year.

Mr. HOWELL. They will spend the money, and they also have extra expenses, such as salary increases.

Mr. KIRWAN. They will still have money left over.

CONGRESS GETS OUTSTANDING SERVICE FROM LIBRARY OF CONGRESS AND LEGISLATIVE REFERENCE

Mrs. SULLIVAN. Mr. Chairman, the gentleman from New Jersey [Mr. HOWELL] has presented a convincing argument for the restoration of the full budget amount to the Legislative Reference Service of the Library of Congress.

As a new Member of Congress, but as one who has worked for many years in a congressional office, I can personally endorse his high praise of the Legislative Reference Service. It gives Congress outstanding assistance in innumerable ways.

I think if the Members here were to canvass their own staff people—the hard-working assistants in our own offices—we would get rave reports on the Legislative Reference Service. I know from personal experience how often I turned to them for help on inquiries which came in to the office. The help was always on hand and it was always good help.

I do not mean to imply that the Members do not know what goes on in their own offices when I say, however, that their clerks are able to handle innumerable problems which come up involving legislative inquiries and so on without bothering the Congressman himself until the time comes for him to use this information. I am sure many members are often amazed at how quickly their staffs get this information.

The answer—or a good part of the answer—lies in the existence of the Legislative Reference Service and in the caliber of people who staff it. I learned that as a congressional staff aide, and I have relearned it throughout this term. I have called upon them often for help, and it was always forthcoming. And it was informed and reliable and accurate.

The report of the Appropriations Committee declares that the Legislative Reference Service has been engaging in legislative drafting work normally considered the function of the Legislative Counsel. I looked up the hearings on this issue and discovered that the bill drafting work done in the Reference Service has been in cooperation with—not in competition with—the Legislative Counsel.

I would be extremely disappointed if the language of the report could be held to prohibit the kind of legislative drafting I recently asked the Legislative Reference Service to perform for me. It was in connection with my bill to establish a food-stamp plan for the distribution of surplus foods to needy families. My bill was drafted originally in the Office of the Legislative Counsel along lines I requested. Later, I received inquiries from social and philanthropic groups questioning whether certain provisions might be construed to cut off some present methods of distributing this food to worthy recipients, a consequence I had not anticipated.

At my request, the Legislative Reference Service made a special study of my bill from that standpoint and recommended changes to prevent this accidental result from occurring. This was a task primarily of analysis of legislation rather than of drafting. The drafting was incidential, but important to the analysis. I would like to ask the managers of the bill, would this language prevent me from getting that kind of

help, including suggested amendments to my own bill?

I want to make clear that any deficiencies in my original bill were my fault, not the Legislative Counsel's. They reduced to technical phraseology exactly what I said I wanted to accomplish.

I do not think we can expect the Legislative Counsel, with all of the tremendous demands upon that office for bill-drafting work, to analyze programs of government for us and, in effect, duplicate the work of the Legislative Reference Service, in connection with every bill it drafts. However, the language the committee has used in suggesting the discontinuance of any and all legislative drafting assistance by the Legislative Reference Service seems to preclude any assistance of the kind I have outlined. That would throw such a heavy burden on the Office of the Legislative Counsel, in not only drafting legislation but researching all aspects of its ramifications, that it would not be able to handle our work at all. We would then have no place to turn.

Would it not be better, Mr. Chairman, to remove this limitation on the Legislative Reference Service and encourage the continued close collaboration between that office and the Legislative Counsel, trusting to the intelligence and good sense of both offices to avoid duplication?

Since there is no language in the bill on this matter, but only the prohibition of the report, there is no basis for an amendment if the managers of the bill will amplify exactly what it is they have in mind in this respect. I hope they will do so.

Meanwhile, I want to reiterate my support for the Howell amendment to provide the full budget amount for the Legislative Reference Service, and to add my personal salute to the praise he has expressed for the excellent work it performs.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, may I take this occasion for the record to pay my tribute to the work of the Legislative Reference Service and to express the hope that Congress will do nothing that will jeopardize the work of this excellent and efficient agency. I, personally, would strongly urge that its facilities be increased, so as to permit us to make even more extensive use of it. Frankly I do not see how it can tackle the 50,000 inquiries we give it each year with a staff as small as it is.

I have had more than 30 years' service in Congress and know whereof I speak. During these years I have seen the Service grow in scope and quality. It has rendered invaluable aid not only to me personally but even more to the Judiciary Committee of which I was chairman for many years. I have learned that I can rely completely on its nonpartisan and unbiased character, and I feel that the present members of the committee of the other party will bear me out in this. Here are just a few examples of reports prepared by the Service for our committee:

First. Committee print on internal security laws.

Second. Extradition on information filed by a public prosecuting officer.

Third. Brief on the question: Does Congress have to direct or empower the Supreme Court to promulgate a rule of ethics for attorneys practicing in Federal courts?

Fourth. State statutes of limitations and treble damage suits under the antitrust acts.

Fifth. Assignment of judges.

Sixth. Prohibiting justices and judges from testifying as to character or reputation in Federal courts.

Seventh. Bail in criminal cases involving subversives.

You will agree, I think, that this is a formidable and important list, and there are scores of others.

I think every Member, or at least his office staff, has had reason to be grateful for the aid given in answering the many, many requests from constituents. I know I have. These are important to us and to the people back in our district who want to know about these questions.

If the staff of the Legislative Reference Service is curtailed, it is first of all we who will suffer. We need the personal attention to our research needs; we need the assurance of accuracy in information; we need the help which a skilled staff can give us which is not trying to sell us a bill of goods. These are the things which Members and committees, without regard to party or point of view, need in the interest of our great country—that we may act wisely and with an understanding of the facts. The Legislative Reference Service is our best hope for these.

I herewith submit an editorial in today's Washington Post and Times Herald:

NATIONAL TREASURE

The House Appropriations Committee's astounding criticism of the Library of Congress for going far beyond its original function as an agency of Congress certainly cannot be shared by most Members of Congress. They must know that the Library of Congress is one of our greatest national institutions. It is honored the world over as one of the richest storehouses of man's learning in existence. Its influence and leadership are recognized and appreciated by every library in the United States. Scholars from every State make use of it, for it has become the chief repository of papers on American history; it contains the papers of many Presidents and Secretaries of State and other invaluable manuscript material that is a part of the national heritage. In its short life of only a century and a half it has become 1 of the 3 or 4 most important libraries in the world, ranking with the British Museum and the Bibliothèque Nationale in Paris.

To circumscribe its activities, as the House committee would do, would be to weaken and undermine an institution that is one of the great treasures of the American people. It is true that the Library was started as an agency of Congress, but it has grown into much more than that. It must, of course, at all times recognize the priority of the congressional claim on it, but surely only a handful of Members of Congress believe that the Library is anything less than a property of the Nation. Instead of reducing the Library's appropriation, Congress ought to increase it. Already the Library has had to cut its hours of operation, which is a severe handicap to the scholars who wish to work there. Its staff is not large enough to give the kind of service that ought to be given, and most of the staff is woefully underpaid. The remarkable thing is that the quality of service is as high and as courteous as it is.

Yet the Appropriations Committee shashed the Library's request for funds by more than $1.25 million. The greatest Library in the Nation, probably the greatest in the world, costs less in a year than the crop-support program costs per day. Pennypinching is not the way to preserve and to augment a national treasure.

THE LIBRARY OF CONGRESS—ITS GREAT TREASURE SHOULD BE MAINTAINED

Mr. BOLAND. Mr. Chairman, I rise to support the amendment of the gentleman from New Jersey [Mr. HOWELL]. I am not in accord with the report of the committee in its recommendation to cut the 1955 budget of the Library of Congress. The adoption of the committee's recommendation would seriously injure the great work of the Library. I am disappointed with the language of the report.

Indeed the Library of Congress was first instituted for the convenience of and service to the Members of both Houses of the Congress. It is true that its duties historically have been to meet the needs of the Members of Congress first. But, Mr. Speaker, the tremendous growth of this agency is the reflection of its great usefulness to the Nation. For my part, I can say that it does a magnificent job for the Congress. But, Mr. Chairman, it is now more than just an arm of the Congress. Its benefit to students, scholars, historians, and libraries throughout the Nation is immeasurable. I think that we have the responsibility to see to it that sufficient funds are provided so that it will remain as one of the world's greatest libraries. Under unanimous consent, I insert in the RECORD two very excellent editorials from the Washington Evening Star and the Post and Times Herald. I am in accord with the views therein expressed. I also insert telegrams from librarians in my district. They offer proof positive of the absolute necessity of maintaining the present service of the Library of Congress with particular reference to card catalog service.

(The matters referred to follow:)

[From the Washington Evening Star of May 24, 1954]

NATION'S LIBRARY OR THE CONGRESS'?

Friends of the Library of Congress may have been puzzled by the report that funds for its maintenance and operation are to be cut drastically because it "has gone far beyond the functions for which it was originally created." A subcommittee of the Committee on Appropriations, House of Representatives, has recommended an appropriation of $8,915,000 for fiscal 1955—a slash of $1,294,883. This reduction might be serious in itself, especially when it is taken into account that the Congress coincidentally is asking increased service of the Library. But its implications may be even more deplorable.

One of them is that the world's greatest bibliographic establishments should be specifically "an arm of the Congress" and that it should "limit its service to others to that which can be furnished with the funds and staff available." This interpretation of the Library's purpose and function admittedly does have historic precedent. The Library was a congressional property and a congressional activity when John Randolph sponsored it in 1801. It still was primarily the Library of Congress in 1815 when Thomas Jefferson's collection of 6,700 volumes was purchased and in 1867 when Peter Force's Americana—60,000 books, pamphlets, and manuscripts—were purchased.

But it also gradually became the library of the whole United States. This was indicated when it absorbed the Smithsonian Institution's bibliographic material in 1866, when the privilege of using the books in the Library was extended to the Attorney General and the members of the diplomatic corps "on the same terms and conditions as it is enjoyed by the judges of the Supreme Court" in 1816 and when its "literary and scientific collections" were opened to "scientific investigators and * * * duly qualified individuals, students, and graduates of any institution of learning in the several States and Territories and the District of Columbia" in 1902. It was even more definitely shown when the Library was made responsible for the Copyright Office in 1870.

Of course, the Library never ceased to be a particular convenience to the Congress. What happened was that, specifically by congressional authority, the Library expanded its services wherever and whenever a genuine natural demand for them developed. If the Library now "has gone far beyond the functions for which it was originally created," it has done so in response to legitimate requirements and with full congressional approval. A change of policy may be needed. That is conceivable, but if the operations of the Library are to be restricted or curtailed, it should be remembered that millions of dollars' worth of private contributions inevitably would cease being offered. The Library has been and is the people's library in terms of gifts of incalculable value given because it was the whole Nation's bibliographic depository.

[From the Washington Post and Times Herald of May 25, 1954]

NATIONAL TREASURE

The House Appropriations Committee's astounding criticism of the Library of Congress for going far beyond its original function as an agency of Congress certainly cannot be shared by most Members of Congress. They must know that the Library of Congress is one of our greatest national institutions. It is honored the world over as one of the richest storehouses of man's learning in existence. Its influence and leadership are recognized and appreciated by every library in the United States. Scholars from every State make use of it, for it has become the chief repository of papers on American history; it contains the papers of many Presidents and Secretaries of State and other invaluable manuscript material that is a part of the national heritage. In its short life of only a century and a half it has become 1 of the 3 or 4 most important libraries in the world, ranking with the British Museum and the Bibliothèque Nationale in Paris.

To circumscribe its activities, as the House committee would do, would be to weaken and undermine an institution that is one of the great treasures of the American people. It is true that the Library was started as an agency of Congress, but it has grown into much more than that. It must, of course, at all times recognize the priority of the congressional claim on it, but surely only a handful of Members of Congress believe that the library is anything less than a property of the Nation. Instead of reducing the library's appropriation, Congress ought to increase it. Already the library has had to cut its hours of operation, which is a severe handicap to the scholars who wish to work there. Its staff is not large enough to give the kind of service that ought to be given, and most of the staff is woefully underpaid. The remarkable thing is that the quality of service is as high and as courteous as it is.

Yet the Appropriations Committee slashed the library's request for funds by more than $1.25 million. The greatest library in the Nation, probably the greatest in the world, costs less in a year than the crop-support program costs per day. Penny pinching is not the way to preserve and to augment a national treasure.

SOUTH HADLEY, MASS., *May 24, 1954.*
Congressman EDWARD P. BOLAND,
House of Representatives,
Washington, D. C.:

If House Appropriation Committee recommendation to reduce Library of Congress budget is approved operating expenses of local libraries will be increased. By selling its printed cards to libraries throughout the United States, the Library helps to reduce our costs. Furthermore the card catalog service is more than self-supporting, produces profit to Treasury and helps to defray costs of cataloging Library of Congress holdings. Proposed cut in salary budget will work further hardship on libraries depending on Library of Congress for loan of books, biographical and other services. Sincerely hope you will back restoration of all or generous part of proposed reduction.

FLORA S. LUDINGTON,
Librarian, Mount Holyoke College.

AMHERST, MASS., *May 24, 1954.*
Hon. EDWARD P. BOLAND,
House of Representatives,
Washington, D. C.:

Tomorrow appropriations committee reports Library of Congress bill. Important that recommended cut in request not be approved. Urge your support of restoration at least to level of present year. Pointless to cut card catalog service which operates at a profit.

NEWTON F. MCKEON,
Director, Amherst College Library.

NORTHAMPTON, MASS., *May 24, 1954.*
Hon. EDWARD P. BOLAND,
House of Representatives:

Public libraries depended on Library of Congress cataloging and card services. Hope you will work to restore budget cuts.

LAWRENCE WIKANDER,
Forbes Library.

NORTHAMPTON, MASS., *May 24, 1954.*
Hon. EDWARD P. BOLAND,
House of Representatives:

Strongly urge your support in at least partial restoration of Library of Congress fund now in process of being cut one-half million below current year's appropriation. Cut of $64,000 for Library of Congress printed cards would be financial hardship on all libraries throughout the country. Also cutting the one operation which is more than self-supporting to the United States Treasury. Salary cuts would be felt by libraries throughout the country as bibliographical and interlibrary loan services would have to be curtailed.

MARGARET L. JOHNSON,
Librarian, Smith College Library.

SPRINGFIELD, MASS., *May 25, 1954.*
Hon. EDWARD P. BOLAND,
House of Representatives,
Washington, D. C.:

Proposed Library of Congress budget cut is matter of deep concern to local libraries. All public libraries and institutions of learning are dependent on bibliographic services offered through the Library. Services offered on nationwide basis would be prohibitive in cost for individual libraries. Libraries already share in costs of these services through subscriptions and direct payment. We respectfully request that you consider giving your support to restoration of vitally needed funds to Library of Congress budget.

JOHN A. HUMPHRY,
Library Director, City Library Association, Springfield, Mass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. HOWELL].

The question was taken; and on a division (demanded by Mr. HOWELL) there were—ayes 31, noes 52.

So the amendment was rejected.

The Clerk read as follows:

Distribution of catalog cards

Salaries and expenses: For expenses necessary for the preparation and distribution of catalog cards and other publications of the Library, $1,200,000.

Mrs. CHURCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. CHURCH: On page 18, line 22, strike out "$1,200,000" and insert in lieu thereof "$1,250,000."

Mrs. CHURCH. Mr. Chairman, I would say to the House that during my entire period of service, this is only the second time that I have offered an amendment to increase any item in an appropriation bill. I do so now only because I have become convinced because of the great services of the Library of Congress that this appropriation should be increased by the $50,000 which my amendment asks. I would point out to you most respectfully that by this increase we would still not be giving the amount sought by the Library of Congress for this purpose; and we would still be keeping the amount below the appropriation for 1954. In 1954, the amount allotted was $1,264,800. The estimate for 1955 was $1,558,757. If we vote the $50,000 additional, which I have asked, we shall still be far below the estimate for 1955 and we shall still be $14,880 below the amount appropriated for 1954. I wonder that there is no agency connected with the Government which more deserves the support of this body than does the Library of Congress. Certainly, there is no agency which has so helped me and I cannot see but that it is actually to our credit that we are making more and more demands upon the Library. I certainly think that we ought to give it the full measure of our studied support, and I urge the adoption of the amendment.

Mr. HORAN. Mr. Chairman, will the gentlewoman yield?

Mrs. CHURCH. I yield.

Mr. HORAN. This is one place in the Library where our projection shows that they will actually obligate their total funds for the year. I have no objection

to the committee accepting this amendment, which has been offered by the gentlewoman from Illinois.

Mrs. CHURCH. I thank the gentleman.

Mr. HOWELL. Mr. Chairman, will the gentlewoman yield?

Mrs. CHURCH. I yield.

Mr. HOWELL. I wonder if you feel that this amount will really be sufficient to do the job which is necessary there. I know they do a great deal of work for libraries throughout the country in cataloging and sending them catalog cards, and they get paid for that at cost plus a 10-percent profit to the Government. Their estimate shows that they will probably need a bit more than this.

Mr. HORAN. Mr. Chairman, will the gentlewoman yield?

Mrs. CHURCH. I yield.

Mr. HORAN. That is not true, and I do not know how that information got out. They are actually losing about $100,000 this year, and not making a 10-percent profit.

Mr. HOWELL. On that particular phase of it, however, where they supply catalog cards to other libraries, I think they make money, or, at least, come out even.

Mr. HORAN. No; they do not.

Mrs. CHURCH. If I may answer the gentleman's question, I would state that while I have not made a personal investigation, I have it upon very excellent authority that this increase of $50,000 would meet the need.

Mr. HOWELL. I compliment the gentlewoman for introducing the amendment, and I certainly shall support it.

Mrs. CHURCH. I thank the gentleman.

Mr. McCARTHY. Mr. Chairman, will the gentlewoman yield?

Mrs. CHURCH. I yield.

Mr. McCARTHY. I certainly shall support the gentlewoman's amendment. I think the RECORD should show that whereas card cataloging is not making a profit, something like 80 percent of the cost of this service is borne by nongovernmental services, and so if they get that $50,000 restoration it might have the effect of increasing the service by approximately $200,000, because 80 percent of the cost is borne by nongovernmental sources.

Mrs. CHURCH. We should hope that such a gain would be achieved.

Mr. HORAN. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois [Mrs. CHURCH].

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Minnesota, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 9203) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1955, and for other purposes, pursuant to House Resolution 555, he reported the bill back to the House with sundry amendments adopted in the Committee.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any of the amendments? If not, the Chair will put them en gros.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HORAN. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INTERSTATE TRANSPORTATION OF FIREWORKS

Mr. KEATING. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 8 and 9, strike out "knowingly imports or."

Page 1, line 10, strike out "unless" and insert "knowing that."

Page 2, line 3, strike out "and" and insert "or."

Page 2, line 3, strike out "not."

Page 2, line 3, after "State", insert "specifically prohibiting or regulating the use of fireworks."

Page 2, line 7, strike out "or to a freight forwarder" and insert "or to international or domestic water carriers."

Page 2, line 8, after "commerce", insert "or to the transportation of fireworks into a State for the use of Federal agencies in the carrying out or the furtherance of their operations."

Page 2, line 14, strike out "Columbia.'" and insert "Columbia."

Page 2, after line 14, insert:

"'This section shall be effective from and after July 1, 1954.'"

At the end of the bill add the following new section:

"SEC. 3. This act shall not be effective with respect to—

"(1) the transportation of fireworks into any State or Territory for use solely for agricultural purposes,

"(2) the delivery of fireworks for transportation into any State or Territory for use solely for agricultural purposes, or

"(3) any attempt to engage in any such transportaion or delivery for use solely for agricultural purposes,

until 60 days have elapsed after the commencement of the next regular session of the legislature of such State or Territory which begins after the date of enactment of this act."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

CERTAIN CONSTRUCTION AT MILITARY AND NAVAL INSTALLATIONS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 558, Rept. No. 1680), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9242) to authorize certain construction at military and naval installations and for the Alaska Communications System, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

RECOMMITTAL OF BILL

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that the bill (H. R. 5183) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Board of County Commissioners of Sedgwick County, Kans., be recommitted to the Committee on the Judiciary for consideration of an amendment. I have cleared this with the majority and minority leaders.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

THE JOHN DAY PROJECT ON THE COLUMBIA RIVER

Mr. COON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. COON. Mr. Speaker, I have today introduced a bill to authorize cooperation in development of the John Day project on the Columbia River.

This bill represents another step in working out a partnership policy for the development of our rivers.

Senator GUY CORDON deserves high praise for the leadership he has shown in the development of this legislation. Senator CORDON and my distinguished colleague, HARRIS ELLSWORTH, also deserve great credit for their earlier legislation to authorize partnership development of Cougar Dam.

Hearings should be held promptly on this bill, so that construction at John Day can begin as soon as possible. But we must also make sure that the hearings are careful and thorough. All persons who desire to speak on this bill must be given a chance to be fully heard. All aspects of the legislation must be examined. We must do all we can to make certain that this partnership is a sound and fair one, from the standpoint of all the people, and from the view of farsighted resource development.

In this, as in the Cougar legislation, we are not merely proposing to develop a dam site—we will be testing the partnership idea. If we are successful, we will set a pattern for other partnership developments throughout the Northwest and the Nation.

EAST-WEST TRADE—CHARGES MADE AND ANSWERED

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. JAVITS] is recognized for 20 minutes.

Mr. JAVITS. Mr. Speaker, on last Wednesday, the 19th of May, certain charges were widely published as emanating from the Congress on the subject of trade between the free world and the Soviet bloc. It was charged that Britain and presumably other western countries are shipping weapons of war to Communist China. It was further alleged that the Foreign Operations Administration is refusing to give the facts about East-West trade to the Congress and the public. And other statements were made critical of our allies and of the Eisenhower administration. The charges made, and especially the implications sought to be drawn from them, are unwarranted by the facts, and the best way to deal with the charges is to state the facts.

It happens that I am in a position to have some knowledge of the facts of the matter by virtue of the inquiry that has been made into this subject by the Subcommittee on Foreign Economic Policy, of which I have the honor to be chairman. I feel it my duty, therefore, to speak to the subject, and I have obtained additional information bearing on the specific charges made.

Now, upon what are the charges based that our allies are shipping weapons and other sinews of military strength to Communist China?

They seem to be built largely on an erroneous interpretation of a statement made in the House of Commons by Peter Thorneycroft, president of the British Board of Trade. The statement was made on March 30, after the United States, the United Kingdom, and France had exchanged views concerning certain adjustments that are to be made in the international program of strategic trade controls, as pertaining to shipments to the European Soviet bloc, not to Communist China. The reasons for these adjustments in the controls over shipments to the European Soviet bloc were explained in detail before the Subcommittee on Foreign Economic Policy on February 16, and they have been carefully explained by Government officials on other occasions as well.

Mr. Thorneycroft stated that any relaxation of controls must be fully compatible with security requirements. His statement was three paragraphs in length, and the full text is as follows:

> With your permission, Mr. Speaker, and with the permission of the House, I should like to make a statement on the discussions which have taken place this week with Mr. Stassen, representing the United States Government, and M. Maurice Schumann, representing the French Government, on the subject of East-West trade. We discussed questions affecting both the scope and the enforcement of the controls over the export of strategic goods to the countries of the Soviet bloc.
>
> We found ourselves in full agreement that, while controls must be maintained on exports of goods which would add directly and significantly to the Soviet bloc's military capabilities, especially, of course, in unconventional weapons, we should seek a substantial relaxation of the controls on other goods and an expansion of civilian trade. I would emphasize that such a relaxation is fully compatible with security requirements.
>
> On this agreed basis, we shall now proceed to discuss with other friendly governments the detailed application of this policy. Our proposal to them will be that we should examine the scope and effect of the controls, category by category, the whole operation taking 2 or 3 months; but it is our hope to introduce agreed changes by stages and the House may be assured that we shall avoid needless delay. At the same time, the House will appreciate that there can be no question of relaxing any controls except after full discussion with other friendly governments who are equally concerned.

As a basis of the charges to which I have referred, only one sentence of the Thorneycroft statement was selected. That sentence reads as follows:

> We found ourselves in full agreement that, while controls must be maintained on exports of goods which would add directly and significantly to the Soviet bloc's military capabilities, especially, of course, in unconventional weapons, we should seek a substantial relaxation of the controls on other goods and an expansion of civilian trade.

It was then charged that the words "especially, of course, in unconventional weapons" had only one meaning: "that they plan to ship conventional weapons of war," such things as "artillery, tanks, antiaircraft guns, radar, jet planes."

This was a perfectly amazing interpretation, without foundation, in what was said by Mr. Thorneycroft, who in emphasizing controls on unconventional weapons could certainly not be said to imply that conventional weapons were to be shipped.

As Harold E. Stassen, Director of the Foreign Operations Administration, promptly stated, following the charges, all of the allied countries cooperating in the international group of 15 nations—the leading trading nations of the world—ban the shipment of any weapons whatsoever, conventional or unconventional, to any part of the Soviet bloc, either in Europe or Asia, and that they will continue to ban them.

No country has suggested that the embargo be ended on weapons, nor on any other kind of munitions, nor on atomic energy materials. As a matter of fact, many nonmunitions items which contribute directly and significantly to warmaking power remain on the embargo lists.

There is no plan and has been no plan to start shipping weapons to any country under Moscow's domination; that would be unthinkable.

The charges, however, did not stop with the accusation that the British plan to ship weapons. The charge was made that our allies are already shipping such things.

Mr. Thorneycroft's words have been depicted as being an official statement in the House of Commons that our allies are shipping "antiaircraft guns and artillery and other weapons of war" which are being relayed to Indochina where they may kill American boys.

The fact is that our Government represents that our allies, including the NATO countries, with whom we work very closely in the program of strategic trade controls, have shipped no munitions to the U. S. S. R. and its satellites, either in Europe or Asia, and our Government is confident that they will not do so.

According to public reports sent to Congress by the Foreign Operations Administration, the sum total of all goods on the Battle Act embargo list which were knowingly permitted to be shipped to the Soviet bloc in 1952 and 1953 by all the countries receiving aid from the United States amounted to about $15 million. This information was also brought out in the hearings before the Subcommittee on Foreign Economic Policy—pages 18–19—which were made available to the public. Under the provisions of the law, the President himself has reviewed the circumstances in each case and has directed the continuance of United States aid to the countries involved, because the President found the cessation of aid would have been clearly detrimental to the security of the United States.

Of this $15 million, 74 percent was prior commitments—that is, commitments made before the Battle Act went into effect. None of the $15 million was munitions or atomic energy materials. Only $98 of it went to Communist China—all the rest to the European Soviet bloc. The $98 that went to Communist China—it was in 1952—consisted of $66 worth of lubricating oils and greases and $32 worth of gages for a sugar-processing plant.

Compared with the $15 million over a 2-year period, the total amount of exports from the entire free world to the Soviet bloc in the same 2 years was $2.7 billion. This is only around 2 percent of total free world trade.

The facts about the China trade have been regularly reported to Congress by

the Foreign Operations Administration. Most of our allies do trade with Communist China, but in nonstrategic goods. Under a United Nations resolution they maintain a strict embargo over strategic materials. This embargo is still firmly in effect. The cooperating governments are not relaxing it. Since they trade with Communist China, they send their ships there. But they have regulations prohibiting these ships from carrying strategic goods from any country to Communist China. Free-world exports to Communist China have been declining; they decreased from $159 million in the first half of 1953 to $111 million in the second half of the year. These facts were not mentioned in the charges.

Rubber exports are important and I would certainly not want to see any rubber exported to the Communist bloc, but the charges concerning rubber should not be permitted to be inaccurate. My information is that the United States consumed 1,335,000 tons of new rubber in 1953, of which 553,000 tons were natural rubber. Of course, only a fraction of this went for military purposes. Yet, it was charged our peacetime economy requires only 40,000 tons a year by way of stressing the significance of rubber shipments of 194,000 tons in 1952 to the Soviet bloc. It was not mentioned that these shipments fell to 147,000 tons in 1953 and that of this 147,000 tons, 58,000 tons were shipped from Ceylon to Communist China. Ceylon receives no United States aid and is not a member of the United Nations. The rest of the rubber went to the European Soviet bloc.

It was also charged that Malaya got caviar and other insignificant shipments in return for the rubber it shipped to Russia. I am informed that Malaya has made no direct shipments of rubber to the Soviet Union since March 1952, and that when she did make direct shipments she was paid in sterling, which she could use to buy goods in the free world. Also, that for the last 2 years any shipments of Malayan rubber to Russia have gone through the United Kingdom. This trade has taken a very great drop. In fact, Britain's reexports to the Soviet Union of rubber from all her colonies, including Malaya, have amounted to only 5 tons in the first 4 months of 1954.

The strategic trade-control system is a multilateral effort, in which many countries are in constant and close consultation, and in which the cooperation has been, by and large, very good.

It is not a service to our national interest to speak of allowing other countries to do this or that, as though they were not independent countries at all, but merely our puppets, which they are distinctly not.

Our aid to other countries helps make the whole free world secure, including our own Nation, and it cannot be cut off without having critically detrimental effects on the national security of the United States.

The organization of the economic defense program in our own Government is not merely a program of the Foreign Operations Administration, but involves 10 agencies which work closely together, including State, Defense, Commerce, Treasury, the Central Intelligence Agency, and others. The overall policy is not set by any one department but by the President and the National Security Council, and the implementation of the policy is the joint responsibility of the Secretary of State and the Director of Foreign Operations—see pages 5 and 6 of Subcommittee on Foreign Economic Policy hearings.

It is true, of course, that some information concerning strategic trade controls cannot be made public for security reasons. On many occasions classified testimony on this and other subjects have been given to committees of Congress in executive sessions by members of the executive branch.

The Foreign Operations Administration and other Government agencies have not refused to cooperate with the Congress in bringing out the facts about the program. They are, on the contrary, anxious to convey the facts to anyone who will listen.

I am glad to make a statement on this from first-hand experience. On February 16 of this year, the FOA's principal East-West trade officials came before our subcommittee and testified jointly with State Department representatives. They testified in detail upon the economic defense policy of the Government, the objectives of that policy, the organization within the Government for carrying out the policy, the current changes of emphasis in the program, and the current trends in East-West trade. The subcommittee considered this testimony of such importance that its publication would be in the public interest. Hence the subcommittee published the hearings, along with a number of charts, on March 14. It was widely distributed and publicized in the press. The charges do not reflect consideration of this document.

On April 9, Mr. Stassen appeared before the Senate Committee on Foreign Relations and publicly testified concerning the current adjustments in the control program. These hearings also were printed.

On May 17, only 2 days before the charges to which I refer were made, the Director of FOA sent to Congress the fourth semiannual Battle Act report, entitled "East-West Trade Trends." This book contains 102 pages and abounds with facts and figures about East-West trade. A copy was sent to every Member of Congress. It received very wide attention in the press on May 17. The charges do not reflect consideration of this report.

In addition to this report and the hearings, the executive branch sends other reports on East-West trade to Congress from time to time. These reports are sent to the six committees which are named in the Battle Act as being the committees which are to receive such reports. These are the Foreign Affairs Committee of the House, the Foreign Relations Committee of the Senate, and the Armed Services Committees and Appropriations Committees of both Houses.

Another charge made was that the FOA had refused to tell the Congress what strategic commodities were being shipped to the Soviet bloc by our allies. This is not correct. On the contrary the committee of which I am a member has received the periodic reports which the President and Mr. Stassen have sent to the six committees, describing in detail the shipments of Battle Act embargo items which have been made. As I said earlier, these shipments totaled about $15 million in the first 2 years of the Battle Act, and they included no weapons whatsoever, and the strategic goods which went to Communist China amounted to the great sum of $98.

Distortions of fact inherent in the charges sow dissension and distrust and can only do harm to the efforts of our country to maintain the anti-Communist struggle in cooperation with other countries. That is why I have felt it my duty, as chairman of the Subcommittee on Foreign Economic Policy, to supply some facts today.

In conclusion, Mr. Speaker, I wish to call attention to what is perhaps the most cynical and tragic of all the charges. This is the charge that if free-world ships were prevented from going to Communist China, "the war in Indochina will dry up and die overnight" because of the "lack of munitions."

Mr. Speaker, I only wish that this were so, but it is not so.

Charges made to the American people that the war in Indochina would dry up overnight if our allies would only stop allowing their ships to visit Communist China, can have the effect of cruelly raising false hopes on the part of Americans who might not possess the facts on which to judge the truth. Charges like this are more likely to damage than help the cause of freedom in the world.

It is a prime and well-established policy of world communism to drive wedges between the non-Communist countries. Unsubstantiated charges which give a false impression of the trade of our allies with the Communist bloc do not fight communism but tend to sow suspicion and distrust, the very climate the Communists wish to spread in the free world.

We seek with justification to bring about a complete embargo of all trade even if non-strategic with Communist China, and we strive to see that the Soviet bloc does not have war making power in any way. We must recognize that our allies are not trading in munitions nor other strategic goods; that they get more out of this foreign trade to keep their economies strong than they give, thereby reducing their need for foreign aid; that they obtain goods from Communist China which they need, in return for the goods they ship to that country; that they are sovereign nations, entitled to make decisions regarding their own trade; that they are generally cooperating extremely well in the mutual defense program and in the control of strategic goods; and that if we followed extremist advice we would drive away our friends and be left alone in the world, to the mortal danger of our national safety and our free institutions. The dangers inherent in breaking up the free

world's anti-Communist cooperation is clearly apparent to us all today.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Illinois.

Mr. SPRINGER. The gentleman has not touched on the general question of trade between the East and the West.

Mr. JAVITS. The gentleman will.

Mr. SPRINGER. I think that is every bit as important as the question of whether or not you are exchanging armaments or whether they are being shipped there. I think we are all conscious of the fact that the sinews of any country rest on the trade that they have with the rest of the world. Let me give the gentleman just 1 or 2 examples. Last summer in Vienna, I went out to the Vienna Trade Fair. The largest exhibit there, by far, and which would have encompassed the three largest of the other exhibitors, were the Russians. They had there every form of trade imaginable, from pharmaceuticals to automobiles, tractors, plows, farm equipment of all kinds. Poland was there under the same circumstances, as well as Rumania and Bulgaria, all of them seeking trade in what I would call west of the Iron Curtain. Now, I think, if we are going to make any progress in world trade, we have to counter this. I will ask the gentleman if he is familiar with the trade bill which has been introduced by the gentleman from Nebraska [Mr. HARRISON], the gentleman from Minnesota [Mr. JUDD], the gentleman from Texas [Mr. LYLE], and myself and at least two other Members of this House, which will make the interchange of currencies easy so that we may enter into this trade race which has been running in Europe. I just brought that up because I thought it was awfully important on this question of trade. It is just as important that we enter into the matter of getting commercial trade as it is in preventing arms going behind the Iron Curtain.

Mr. JAVITS. If the gentleman will allow me, first, it is necessary to lay at rest charges of the utmost seriousness as to the relationship between ourselves and our free-world allies.

Mr. SPRINGER. I agree with the gentleman that far.

Mr. JAVITS. Then I shall be very glad to deal with the subject of nonstrategic trade to which the gentleman refers, and I will before I am through.

Mr. HOWELL. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from New Jersey.

Mr. HOWELL. I want to commend the gentleman on the statement he is making. It is very important at this time.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Has the gentleman any views to express on the lifting of trade restrictions in the Communist bloc in Europe which has been suggested recently? Does the gentleman approve of that?

Mr. JAVITS. I would like to address myself to that, I will say to the gentleman. I must get in this information about strategic trade, and if the gentleman will bear with me, I will cover the subject.

First, as to the strategic trade, the facts show that within the last 2 years the shipment of strategic materials behind the Iron Curtain—and this is not weapons but what could be otherwise useful in war—amounted to slightly under $15 million, of which 74 percent was in prior commitments, that is, contracts which had already been made, and the President in each case found that the cessation of aid to the country which participated in any such shipment would clearly have been detrimental to the security of the United States. He made a specific finding in each case to that effect. None of the $15 million was munitions or atomic-energy materials. And incidentally, only $98—not thousands or millions, but $98—went to Communist China. All the rest went to the European Soviet bloc.

This $15 million—and this brings me to the point which the gentlemen have raised—this $15 million in strategic materials over a 2-year period compared with exports from the entire free world to the Soviet bloc in the same 2 years of $2,700,000,000. That, in turn, must be juxtaposed to imports from the Soviet bloc in excess of that amount. The figures are, for 1953, estimated exports of $1,575,000,000 to the Soviet bloc, including Communist China, and an estimate of imports from the bloc of $1,929,000,000.

This is the nub of the controversy. If we are to prohibit completely all nonstrategic trade with Iron Curtain countries, then we have to be prepared to proceed with dispatch with legislation such as my colleague the gentleman from Illinois [Mr. SPRINGER] referred to, which will tend to integrate the free world and give the countries of the free world the opportunities and the facilities for trading with each other so that they can supplant this trade with the Iron Curtain countries, and we have to open up new markets and new demand for goods in the free world. If we do not, we have to put up that amount of aid. Because it is a fact that there has been a tremendous reduction in the volume of export and import business between the 12 free European OEEC countries and the European countries behind the Iron Curtain; it is 2.6 percent West European exports and 2.5 percent of such West European imports compared with 10.2 percent of exports and 11 percent of imports before World War II.

And if we do not want these countries to deal with the Soviet bloc in terms of the timber and the grain for which the Soviet bloc has been the traditional source of supply of Western Europe, which has been so very materially cut now, as I said a minute ago, then we have to either make it up in aid or we have to do an infinitely better job of integrating the free world in terms of trade.

The fact is, the essential determinant today for the trade which we countenance with the Iron Curtain countries is trade upon which the balance of necessity and convenience and value is in favor of the free world as against the Communist world. It is purely a selfish proposition and evaluated in that way on each specific item of trade. I think it is extremely important that the people understand that.

No one would like better than I to embargo completely all trade with Iron Curtain countries. I think it would be a tremendously effective weapon to liberate the enslaved peoples behind the Iron Curtain. But I submit that if we are going to have to face that, we have got to face a bill for several billions in additional foreign aid ourselves which our people will not accept.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say to the gentleman that here is the kind of weapon that they are using economically against us. On the day that I was in Paris, I talked with the American Ambassador, Mr. Dillon. He had just been notified by the French Government on this day that at the Lyons Fair, which is the largest one in France traditionally, the Russians for this year 1954 have offered to build a building, something that had never been allowed before in the Lyons Fair, of some $1 million. And the goods which they were going to bring into this fair and which they had listed, were farm machinery, tractors—the very things which we had been supplying to France in our trade during the past 15 years.

I think the gentleman has indicated the crux of the problem; that somehow we must meet this threat in Europe which the Iron Curtain countries are making to our own competition.

May I put this question to the gentleman? Is not our trouble the fact that there is a dollar shortage, there is not an earning power of dollars? Am I right in that?

Mr. JAVITS. First may I say that the Communist offers of business are very often faked for propaganda purposes and they really have nothing to sell when cornered by an offer. Second, the difficulty is we do not have enough markets in the free world to substitute for their Communist bloc markets—that is more important even than dollars.

Mr. SPRINGER. But is it not largely a question of the exchange of money? If you had a common currency, you probably would be able to exchange these without any difficulty.

Mr. JAVITS. Currency convertibility will help but currency alone will not do it. You have got to have markets. And that means the development of the underdeveloped areas, and the opening up of new markets which would need to be supplied.

Mr. SPRINGER. The gentleman has just mentioned the figure $2 billion and over which the Iron Curtain countries have done in trade with western countries in Europe; am I right in that?

Mr. JAVITS. That is right, with the whole free world.

Mr. SPRINGER. Is not that the market we should be seeking?

Mr. JAVITS. Yes, but please note the free Europeans have to sell before they can buy.

Mr. SPRINGER. What you have had there is what is generally known as barter, or what is known as a bilateral arrangement, in which you have exchange of goods for goods.

Mr. JAVITS. That is what the Soviet bloc has done.

Mr. SPRINGER. Our State Department does not approve of that sort of thing, and I am not so sure I do, either, after having seen all the countries of Western Europe to which the gentleman was referring. I was in every one of them except Yugoslavia on this side of the Iron Curtain. I talked with members of the Foreign Operations Administration there and with the representatives of the State Department in every one of those countries. The only thing we can do is make possible an exchange of currencies. I think the bill I mentioned awhile ago makes that possible, so that we can sell our surplus produce in those countries.

Mr. JAVITS. My thesis is that you have to open up markets, and markets mean human needs, increasing production in areas where production is very low today. This is the whole problem of the development of the undeveloped areas. Only when you do that will you afford markets which Europe needs both in getting the raw materials it needs, which it now must acquire in fact behind the Iron Curtain, or in selling its own output of manufactured goods. This is a job on which we have fallen down, and the evidence of our failure is contained in the continuance of this trade in nonstrategic materials with the governments behind the Iron Curtain.

Let me emphasize that the trade relatively speaking is small. It amounts to roughly 2 percent of the whole trade of the free world, and it has been falling, which is a very, very important consideration.

I would like to emphasize that I am deeply concerned with the gentleman's discussion, but I think the important thing to nail down today is that our allies are not knifing us in the back in terms of East-West trade in weapons or strategic goods.

The allegations about the shipping of arms, ammunition, and so forth to our deadly enemies lead only to suspicion and distrust, which of all times we can least afford today. I think that at all times this has to be said and reiterated and proven. That was my purpose in taking the floor today.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Ohio.

Mr. VORYS. Along the line of the questions the gentleman was asking about this Lyons Fair, I have read in the past few days that whereas the Soviets were going to make this big splurge about what they had to sell, and had a rather fancy line of samples, the result was that when they got all through they did not have much to sell, and what they had to offer was on such terms that nobody wanted to buy it. I wonder if the gentleman could comment on that?

Mr. JAVITS. No question about it. The facts are that of the total imports from the European Soviet bloc by the United Kingdom, for example, an aggregate of about 90 percent is in food and raw materials. The Russians and satellites are not selling manufactured goods, they are showing them around to make an impression that they have them to sell, but when it comes down to cases they do not have them to sell. But more than that, with all the fanfare the British were going to make with the Russians to sell them goods, British-Russian trade has fallen, not increased. It is a Communist fraud, but it is a fraud which is serious to the free world unless we meet it not only in terms of denunciation but in terms of actually recognizing that we have to have new markets if you want to replace these old markets, and that Europe has to have a supply of raw materials from what you call soft-currency countries if you are going to replace entirely their traditional suppliers behind the Iron Curtain. A perfectly remarkable job has been done already in cutting down the business between the free world and the Communist world.

THE OIL INDUSTRY

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentleman from Oklahoma [Mr. JARMAN] is recognized for 30 minutes.

Mr. JARMAN. Mr. Speaker, on May 3 and 4, 1954, the board of directors of the Independent Petroleum Association of America, meeting at Denver, Colo., adopted a resolution relating to this Nation's increasing dependency on imported oil.

As a Representative of the Fifth District of Oklahoma, an area composed of five oil-producing counties, I find this resolution to be of vital interest to the people in my district. It is also of direct concern to Members of Congress from the 29 other States which now produce oil. Most important, however, because of its bearing on the national security, this resolution deals with a subject of primary significance to the elected representatives of every State of the Union. For these reasons, I insert this resolution in the CONGRESSIONAL RECORD at this point:

RESOLUTION ON PETROLEUM IMPORTS ADOPTED BY THE BOARD OF DIRECTORS OF THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA MIDYEAR MEETING, DENVER, COLO., MAY 3–4, 1954

The welfare and safety of the United States depend upon adequate oil supplies. President Eisenhower recognized this in speaking to the American people less than a month ago. He pointed out that Russia produced less than half a billion barrels of oil yearly as compared with 2¼ billion in this country. United States production of oil and steel, he said, "are deterrents upon men in the Kremlin. They are factors that make war, let us say, less likely."

Sufficient domestic oil is the backbone and the first line of our national defense. The fundamental issue involved in the question of oil imports, therefore, is preserving the strength of a vital American industry—oil and gas production. Excessive imports undermine that strength. As domestic producers our primary objective is, and must be, to continue to find enough oil to keep pace with increasing national requirements. When excessive imports endanger that goal we have a right and a duty to demand corrective action.

At the last annual meeting of this association, October 1953, we cited the harm being inflicted upon the domestic industry by a continued high rate of imports. At that time there was an obvious and urgent need to effectuate a sound import policy. We were concerned with the effectiveness of a solution, not with the means. We urged, therefore, the consideration of all possible solutions and invited the cooperation of all elements of the petroleum industry. To this end we recommend that—

1. The importing companies voluntarily reduce imports to the proper levels;

2. The President of the United States and appropriate Government agencies take such action within the proper authority to accomplish this same objective;

3. If excessive imports should continue, without effective correction by all other possible means, then and only then should a solution be sought through legislative action.

Since that program was adopted more than 6 months ago, sincere and tireless efforts have been made to solve the import problem, short of legislation. This association has joined others in these efforts. Today we face the following facts:

First. Imports of crude oil and refined products have not been reduced, and are scheduled to increase further during 1954.

Second. The availability of domestic oil—primary factor set out by the National Petroleum Council for measuring the proper level of imports—proves that imports are supplanting domestic oil to an increasing extent. The latest figures show that we now have a shut-in domestic capacity of one and three-quarter million barrels daily, available at efficient rates of production.

Third. Repeated reductions in domestic production without corresponding reductions in imports have continued to violate the principles of equity to which the industry also has subscribed through the National Petroleum Council.

Fourth. A progressive weakening in the ability of the domestic oil industry to meet national needs would be the inevitable and disastrous result should excessive imports continue and thereby prevent necessary expansion in this country.

The facts show imports to be excessive by every accepted standard. Imports of both crude oil and fuel oil have an established and accepted place in United States foreign trade. Excessive shut-in domestic production, or depressed fuel oil markets below parity with competing fuels, have constituted evidence that imports have gone beyond justifiable levels.

Importing companies have had an opportunity to act, individually and voluntarily. Reductions by some have been offset by increases by others. No doubt remains that industrial statesmanship has failed to provide an overall and assured solution.

Likewise, no solution has yet been formulated through administrative agencies of the Federal Government. The report of the Randall Commission on Foreign Economic Policy dealt with foreign trade in general. The proposed 3-year extension of the Trade Agreements Act calls for further tariff reductions and encouragements to imports of all commodities. The answer to the specific

problem of oil imports can and must be found within the framework of general trade policy and sound foreign trade relations.

The dangers confronting the domestic-oil industry are real and immediate. Further delay leads to dependency on foreign oil. We must not render our country defenseless in one of the most vital munitions of war.

As in the past, we would support a prompt and effective solution by any means short of legislation. Such a means being not now available or forthcoming, our national interest impels us to act before it is too late. Now, therefore, be it

Resolved by the board of directors of the Independent Petroleum Association of America, as approved by its executive committee, That the Congress of the United States be urged immediately to enact legislation to correct the conditions created by excessive oil imports which now endanger our Nation's security; and be it further

Resolved, That cooperation and support are invited from all elements of the petroleum industry and from all those whose future welfare and security also demand a strong and capable petroleum-producing industry in the United States.

This resolution represents the thinking of many of the people in my district. My State has, in the past year, felt the impact of the ever-increasing volume of foreign oil. It anticipates an intensification of this situation in the months to come. The potential consequences to my district's economic welfare are both obvious and forbidding. The potential consequences to the State and Nation are similarly bleak. They must be prevented.

As evidence of the situation in Oklahoma, I would like to quote from a letter sent to me by Mr. Roland V. Rodman, president of Anderson-Prichard Oil Corp. Mr. Rodman states:

Oklahoma has lost a great deal of her market. Formerly, we exported a substantial amount of oil to Imperial Refinery at Sarnia, Ontario, and considerable oil moved to the east coast.

We have lost the Canadian market to Canadian crude. We have lost much of the east coast market to importers and now we are in process of losing some of midwestern market to Colorado and Wyoming oils that are being sold at distressed prices.

Two years ago Texas was producing 25 days a month. It is now producing 17 days a month. Certain of our production in Oklahoma is now limited to 40 percent of what it was last September. It will only be a short time until our State finances are very badly shaken if further cuts become necessary.

Mr. Rodman's letter ably sums up the impact, direct and indirect, of foreign oil on markets for Oklahoma crude oil.

The further impairment of the oil industry in Oklahoma would be a severe blow to the State's economy, for 62 of its 77 counties produce oil. Almost 40 percent of the land in Oklahoma is under lease. Since oil was discovered in Oklahoma, it has produced more than $10 billion worth of crude oil alone.

Oil constitutes 90 percent of the value of all mineral production in my State. Some 43,000 people are directly employed by the oil-producing industry there. The loss of markets for Oklahoma oil would obviously exert an injurious force on the economy of Oklahoma, and would result in a curtailment of employment. These are real causes for concern.

An increasing number of wells in my State are marginal in nature. This is indicated by the fact that the average daily production per well in Oklahoma is 8.4 barrels. It is further evidenced by figures which show that 97 percent of all Oklahoma wells were being operated by pump or artificial lift, as of January 1, 1954.

This is not to say that Oklahoma oil is on the decline. A total of 167 new oilfields and pays were found in 1953, as compared with only 121 in 1951. This clearly indicates that Oklahoma's oil potential is still very much on the upgrade. Her added reserves will be valueless to the Nation, however, unless they are developed. And, equally important, unless a market exists for development of new reserves, the operator cannot afford to engage in expensive exploratory drilling. Projected on a national scale, this could mean a reversal in the industry's history of adding more oil to the Nation's reservoir than is found each year. This trend has continued for many years, and is more than adequate evidence that this country is definitely not, as some of the importers of oil would have us believe, running out of oil.

The oil-imports problem is not, by any means, exclusively an Oklahoma problem. It is a national problem, and one that has accelerated in postwar years. Oil imports filled only 8 percent of national demand for oil in 1946, yet now they absorb 14 percent of the United States' market. Over the same postwar period, oil imports have increased in volume from 377,000 barrels per day to their present rate well in excess of 1 million barrels per day. Oil imports have increased 179 percent during this period, while domestic crude-oil production increased only 36 percent. Thus, importation has increased at five times as fast a rate, percentagewise, as has domestic crude-oil production. The postwar increases in domestic demand for oil have thus been supplied, to an increasing extent, by foreign oil. This has occurred in an era immediately following the domestic oil industry's tremendous contribution to victory in World War II. Continued governmental failure to protect the interests of domestic producers would be tantamount to saying, "I told you I loved you, now get out," to quote a recent popular song. This might be well and good except for the fact that we may someday need again the security that is afforded by domestic oil.

Oil produced in this country, after all, need not be protected from atomic-powered Russian submarines. It can be moved through invulnerable pipelines. Nor is it, like Iranian and other middle-eastern oil, located in an area adjoining Russia—an open invitation to conquest and exploitation. It can be utilized without the cost of lives of merchant mariners. It is not dependent on the shifting sands of international diplomacy. It can be fitted directly and immediately into the Nation's specific military needs.

Many of our military leaders have warned against the consequences of dependency on foreign sources for strategic materials. Gen. Albert C. Wedemeyer, famed World War II commander of the China theater, on December 22, 1953, told Senator GEORGE W. MALONE'S special Subcommittee on Minerals, Materials, and Fuels Economics that he thought it was, and I quote, "unsound for a nation to depend upon resources of raw materials which are remote from that nation's dynamo or industrial potential." Gen. Alfred H. Johnson, then in charge of petroleum logistics for the Defense Department, told the subcommittee on December 2, 1953 that, and I again quote:

We do not desire to place any reliance on any sources outside the Western Hemisphere.

In the February 9, 1953 issue of Newsweek, Gen. Carl Spaatz, famed World War II Air Force leader, said:

Oil is the essential ingredient of modern warfare. Even supermodern atomic weapons amount to nothing unless the means of their delivery are fueled with oil.

Despite these warnings from experienced military men, we have continued to place increasing peacetime reliance on foreign oil. The inevitable effect of peacetime reliance is a comparable dependency in time of war. In the case of oil, this could mean disaster. Oil is the mover of military machines. It has no reliable substitute.

Senator FRANK CARLSON described this situation very well last year when he said:

If we become reliant on others for our oil supply, we must become dependent on others for security.

He also stated that—

Without petroleum, we could not even bring our men and machines into a posture of defense against our enemy. We certainly could not conduct a counteroffensive without serious and perhaps fatal early setbacks.

He pointed out that—

Oil imported from other countries during wartime would have to be protected with scarce manpower, tankers, and other equipment. If we become dependent on vast imports of oil, civilian rationing during time of war would be unlike anything ever experienced in this country before.

The oil industry recognizes the primary importance of domestic oil to defense. This policy is stated by the National Petroleum Council, industry group which advises the Federal Government on petroleum matters. This group's policy on imports is as follows:

1. The Nation's economic welfare and security require a policy on petroleum imports which will encourage exploration and development efforts in the domestic industry and which will make available a maximum supply of domestic oil to meet the needs of this Nation.

The availability of petroleum from domestic fields produced under sound conservation practices, together with other pertinent factors, provides the means for determining if imports are necessary and the extent to which imports are desirable to supplement our oil supplies on a basis which will be sound in terms of the national economy and in terms of conservation.

The implementation of an import policy, therefore, should be flexible so that adjustments may readily be made from time to time.

Imports in excess of our economic needs, after taking into account domestic production in conformance with good conservation practices and within the limits of maximum efficient rates of production, will retard domestic exploration and development of new oilfields and the technological progress in all branches of the industry which is essential to the Nation's economic welfare and security.

Despite strong voices of caution from the military, from congressional leaders and from experienced oil-industry officials, we are threatened with a larger degree of dependency on foreign oil than ever before in our history.

The oil-producing industry, in 1953, produced more than $6 billion worth of crude oil alone. The producing industry alone employs about 300,000 people, and provides indirect employment to several times that number. Oil is now, by far, the Nation's most valuable mineral. It is found in 30 States, with good prospects for a number of additional oil-producing States in the coming years. The income from the production of oil is widely diversified, as is evident from the fact that there were more than 500,000 producing oil wells in this country at the end of 1953.

Serious injury to this industry would seriously hurt the national economy at a time when it needs all of the help it can get. The injury to susceptible State and local economies would be even more direct and immediate. When these points are coupled with the fact that the domestic industry is now capable of supplying more than adequate supplies of oil for both peace and war, a policy of increased dependency on foreign oil becomes truly incredible. Yet it is that policy which continued inaction will lead us to pursue.

In the aforementioned director's meeting of the Independent Petroleum Association of America, the productive capacity committee of that association released an analysis which showed that the domestic oil industry could have produced over one and a half million barrels per day more oil than it did in January of this year. This is "shut-in" capacity to produce, and indicates the degree to which foreign oil is restricting markets for domestic oil. This report effectively explodes the argument that we are running out of oil and that we must rely on foreign oil. The degree of reliance is a matter of national choice. This choice must be made in the best national interest. I fervently hope that such a choice will inevitably be based on the basic realization that the national security is dependent on a strong supply of domestic oil.

An even more disturbing analysis was released by the supply and demand committee of the Independent Petroleum Association of America. This committee forecast that, for the first time since 1949, the domestic producing industry would decrease, rather than increase its production in 1954. This estimate was based, however, on the assumption that there would be no change in projected imports of foreign oil during 1954.

The domestic oil producer is also faced with the loss of a substantial portion of his export market. United States exports of crude petroleum and refined products are expected to decline about 20 percent during 1954 as compared with 1953. This is a result of the fact that foreign crude oil productive capacity and refining capacity have been expanding faster than foreign demand. It has resulted in, not only the loss of a substantial part of the Western Hemisphere export market, but in an oversupply of our own domestic markets as well.

Still a third IPAA committee pointed out that the industry's costs had increased twice as fast as its revenue for the past 5 years.

Tie all of these reports together and you have a situation where the domestic oil producer's costs are going up and his markets and revenue are going down, while at the same time he is capable of producing more than he ever has before. This clearly indicates the squeeze which foreign oil is placing on domestic producers of oil. This is an incongruous and unfortunate situation from the standpoint of the national interest. A number of oil producing States have had their production allowables sharply reduced as a result of this situation.

You may ask why these States have reduced allowables to make way for foreign oil. The answer is simple. The various States, for purposes of wise conservation, have enacted statutes relating production to market demand. This prevents production in excess of market demand and avoids wasteful above-ground storage. Unfortunately, it also allows foreign oil, produced in vast quantity without similar problems of conservation, to usurp domestic markets.

The States are thus confronted with the choice of dropping a program which has again and again proven its value in conserving a valuable resource, or in keeping these conservation measures and losing their markets to foreign oil. It is an unhappy situation, from every point of view except that of the importing oil company.

Various methods have been attempted in trying to solve the oil imports problem. First, an attempt was made by domestic oil producers to point out to importers the necessity, from the national defense point of view, of a reduction in the volume of oil imports. This method was fruitless. Whether this was because of natural motivations, or pressure from the countries in which such oil is produced, or because of an over-enthusiasm as to the benefits of foreign oil, I do not know. I do know, however, that there has been no reduction of total oil imports. Quite the contrary, in fact. More important, top officials of importing oil companies have quite recently made it all too obvious that they have intentions of a far greater future importation of oil. Some of these statements are general in nature, but their meaning is nonetheless clear. Mr. B. Brewster Jennings, president of Socony-Vacuum Oil Co., told his stockholders on April 29 that—

We in Socony-Vacuum believe that if our country will not import it cannot long export, and that the importance of our export trade to our domestic prosperity is too little appreciated.

Mr. Jennings here expresses an obvious and understandable concern for the volume of our exports, as related to his company's imports, but fails to note that oil imports exercise a direct detrimental effect on the domestic producer. Mr. Augustus C. Long, president of the Texas Co., speaking to stockholders on April 27, stated that, and I quote:

We are opposed to any additional restrictions on oil imports.

There are, as Mr. Long well knows, no effective restrictions on oil imports now. His opposition to future restrictions, coupled with the announcement by his company of a billion-dollar, 5-year expansion program, strongly suggests a long-range intention to import in larger volume. This is made further evident by the statement that—

It is our intent to support policies that will enable foreign nations to earn more dollars.

The Creole Petroleum Corp., the world's largest producing oil company, operating largely in Venezuela as a subsidiary of the Standard Oil Company of New Jersey, is now active in an extensive campaign to get the public support behind added imports of foreign oil. Its president, Arthur T. Proudfit, has, according to the May 4 issue of the Journal of Commerce, scheduled addresses to groups in Chicago, Detroit, Los Angeles, Seattle, and a number of other cities. Other officials of this company have scheduled appearances through the Nation. This campaign was launched at an elaborate press luncheon in New York City and the announcement was made that it would be pursued through widespread media in all parts of the country.

For further insight into the reasons for the campaign behind foreign oil, the following paragraphs from the May issue of Petroleum Press Service, London, England, are especially enlightening:

Surveys of United States overseas investment made by the United States Department of Commerce show oil to be the most profitable of the major industries financed by United States capital in other countries. At the beginning of 1952, United States private investments abroad in all industries totaled $13,089 million, and produced aggregate earnings for that year of $2,280 million, or over 17 percent. Included in these figures are those covering oil operations, in which an investment of $3,703 million produced a profit of $1,031 million, or 27 percent. But today's value of many of the assets used will, of course, be much higher than the original investment figure.

In view of the points delineated above, there is no apparent encouragement of hope that oil imports will be voluntarily reduced.

Attempts have also been made, through the years, to achieve reductions through the administrative branch of the Government. The interpretation

of the trade agreements program, however, has been based on international diplomatic considerations, rather than on the impact of unrestricted free trade on our high production cost economy. As a result, the State Department has actively encouraged that dollars be sent overseas for foreign oil to bolster the economies of foreign countries. This has been somewhat of a good thing for our export industries, insofar as they could lure those dollars back in exchange for their surpluses. It has not, however, been good for some of our industries, especially extractive industries, where costs are somewhat fixed by nature rather than the production line. As a result, we have strengthened our production-line industries and weakened our extractive industries. This amounts to a weakening of our basic raw materials position to the benefit of industries where manpower is the primary determinant rather than materials. It is well established that in time of war the use of manpower can be directly controlled. If, however, the capacity to produce raw materials is impaired, this capacity cannot be turned on, in time of war, like a dormant faucet. Through the years, therefore, the administration's position in this regard has been painfully shortsighted.

The recent recommendations of the Randall Commission represent an extension of this philosophy. The same thesis was contained in the Bell report and in the report of the Paley Commission. Through the years various administrations have come to bat on this question many times, and hit a number of foul balls. It is time that someone met the question squarely.

As a sidelight, perhaps typical, of administrative manipulations of the oil imports problem, I would like to reveal the following excerpt from a directive, dated April 5, 1954, of the General Services Administration. I quote:

> 15. Buy American exemption: The Regional Director, Region 7, General Services Administration, having been duly authorized thereunto, has determined that crude petroleum is not produced in the United States in sufficient and reasonably available commercial quantities and, therefor, has exempted from the Buy-American Act petroleum fuels and petroleum lubricants.

Truly, some of our administrative officials rush in where angels fear to tread. The conclusion that this country is not capable of producing its own needs as to petroleum is in obvious contradiction of documented facts cited earlier. I serve notice here and now that it is my intention to request that this situation be investigated, and investigated to its fullest extent. This easy distortion of the clearly established facts should not go unchallenged.

Now to turn again to the oil imports problem. It is a current one. Foreign oil is scheduled to enter the country at an average rate of about 1,100,000 barrels per day during 1954. The recent arrival in Houston of a tanker from the Middle East with 100,000 barrels of crude oil aboard dramatizes the plight of the domestic oil producer. The 6,000-barrel per day production rate of Middle Eastern oil wells, when contrasted with the 12-barrel daily rate of the domestic oil well, makes it further obvious that the situation will continue to intensify. The emergence of Canada as a potential large-scale exporter of crude oil to the United States; the impending return of Iranian oil; the almost complete loss of the domestic oil producers' export markets; the ever-increasing volume of crude oil entering this country from Venezuela and the Middle East; the quickening volume of United States importation of Mexican crude oil; the aforementioned statements of future intentions by heads of importing oil companies; the campaign by the Creole Petroleum Corp. in behalf of added oil imports. These, and many other signposts indicate the trouble that lies ahead for the domestic oil producing industry unless it is assured a ratio of domestic peacetime markets somewhat comparable to the certain demands on the industry in time of war.

Congress can provide that assurance.

Unless there is a dramatic reversal of the philosophy of importing oil companies or of the executive branch of Government, the Congress will be the last court of resort for such a provision. It would not be the first time that Congress has so served. In 1932, the Congress passed an excise tax on oil imports. The administration of the law, under the trade agreements program, has resulted in continuous reductions in the amount of the excise tax on crude petroleum. In 1933, the year following imposition of the import tax, the rate was 21 cents per barrel or 31.3 percent of the price of crude oil at that time. In 1953, the year following the revised trade agreement with Venezuela, the tax averaged only 9.7 cents per barrel, or 3.6 percent of the average price for crude oil.

The tax is now completely ineffectual. It has been made so by administrative whittling down of wise legislative provisions, in the guise of global diplomatic considerations. The intent of Congress has thus been effectively destroyed.

The problem of oil imports has nothing to do with party lines. It is bipartisan in nature and is of vital concern to all of the people in all of the various parts of the country.

The fate of the domestic oil-producing industry may very well rest in the hands of this or the succeeding Congress. Whether oil is to add to the economy of new oil-producing States, or to detract from the economies of old ones may be the result of congressional decision.

One thing is certain. The domestic oil-producing industry cannot continue to maintain a large excessive capacity to produce, while foreign oil enters the country without the need for a similar responsibility. It cannot conserve, while foreign oil plays wastrel. It cannot exist while foreign oil acts in the role of court favorite. Something must give, and unless the Congress acts, it will be the domestic oil-producing industry.

This problem will surely necessitate congressional consideration in the near future. I urge that we ponder all of its aspects, and ponder them well.

LIBERATION AND INDEPENDENCE OF THE SLOVAK NATION

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, on the occasion of the annual meeting of the National Conference of Americans of Slovak Descent now taking place at the Washington Hotel in this city, I believe it is fitting and appropriate to extend recognition to the proceedings of this American body which are aimed at securing the liberation and independence of the Slovak nation and other captive nations in the primary interest of America's struggle against Communist imperialism.

I should like to bring to the attention of the Members of the House the chief excerpts from an address delivered yesterday at this conference by Dr. Lev E. Dobriansky, professor at Georgetown University and president of the Ukranian Congress Committee of America, entitled "Liberation, Independence, Federation." The address supports the need for a firm policy of liberation cast in the logical policy chain of independence and eventual free federation of European and Asiatic states.

What is of most serious concern are the observations made in the address on the easy Communist infiltration of what the speaker calls the totalitarian and anti-Semitic Russian organization known as the NTS. The speaker cites certain cases of this easy infiltration and suggests that the hearing of the Senate Internal Security subcommittee last week was a publicity cover-up for these disclosures of recent months engineered by interested but sorely embarrassed American supporters. He raises the question of whether the Senate subcommittee on internal security intends to hear representatives of real underground networks behind the Iron Curtain. From my own personal study, I know that there are two sides to this question. One is the Russian side and the other is the side of the millions of non-Russians who are enslaved by Russian Communist imperialism. It is certainly in the interest of the Government to hear both sides.

Under unanimous consent, I am including in my remarks excerpts from Dr. Dobriansky's stimulating address and a revealing article that appeared in the May 20 issue of America, Ukrainian Catholic organ in Philadelphia, entitled "Danger—Why NTS Cannot Be Trusted."

ADDRESS OF DR. LEV E. DOBRIANSKY

In 1952 millions of Americans voted in the great hope of seeing a moral and rational

policy of liberation launched to prevent a disastrous world war III and, at the same time, to insure the eventual defeat of Russian Communist imperialism. As of today, there isn't the slightest realization of this outstanding promise. And it cannot be expected that the people will forget.

No matter how one dresses it up verbally, the foreign policy of the United States today is still containment. The so-called policy of mass retaliation is essentially containment by threat. This retaliation version of containment is as devoid of moral principle, political and psychological inspiration, and historical perspective as the orthodox version maintained by Mr. Kennan and his well placed followers.

Dedicated to liberation and the links of independence and federation in the same policy chain, we must intensify our efforts to bring this winning policy into being. We must support those who are for this American policy, and oppose those who are against it. It is the only policy capable of obstructing the genocidal consolidation of the Communist empire in which Moscow is currently engaged. Once this consolidation is accomplished, the enemy will have established his basic and requisite position for world conquest. This consolidation is the prime ground for the enemy's reasonable expectation of success. Fortified by the advantages of a worldwide conspiracy and "the first shot," this expectation does not even require any superiority in arms. In the calculus of world conquest, consolidation, subversion, and spontaneous aggression are sufficient to produce "regionalized Pearl Harbors" devastating major sources of retaliatory effort.

Liberation is a process of political warfare aimed at the ultimate defeat of the enemy and the independence of captive nations as a necessary and logical basis for European and Asiatic reconstruction. History does not stand still. The dynamics of Western freedom and Russian Communist totalitarianism leave us no choice but to carry political warfare on the present empire terrain of the enemy. By the standards of what constitutes peace today, this action is peaceable. It demands our full, active support of the real, existing undergrounds and resistance forces in Slovakia, East Germany, Poland, Czechia, Rumania, Hungary, Bulgaria, and Ukraine. These known underground forces are fighting in a political offensive to regain the very independence and self-government for their respective nations that we must fight in to preserve for our own.

Theirs is not an ersatz struggle. Last week we witnessed the spectacle of a Senate committee entertaining testimony pitched to an underground tour from the Baltic to the Mediterranean. There is a good deal of evidence to support the lack of credibility in such testimony and brazenly fabricated claims that border on insult to the intelligence of the American people. Observers are carefully watching to see whether the Jenner committee intends to call upon witnesses that represent real underground networks and who can expertly testify on the misleading and dishonest operations of the totalitarian and anti-Semitic Russian organization known as the NTS.

They are also waiting to see whether this bold spectacle before a congressional committee is nothing more than a blown, publicity coverup—engineered by interested but sorely embarrassed American supporters—of the recent cases of heavy Communist infiltration in the group. A Russian priest and NTS leader in West Berlin, Matyslav Volonsevich, defected to the Soviets with all the addresses of his parishioners and the funds of the church. Georg Mueller, alias Georg Vladimir Khorunzky-Khersonsky, another NTS leader, was recently given a prison sentence by a United States court in Frankfurt for operating as a Soviet spy. There is also the case of Alexander Trushnovich about whom much doubt exists concerning his being kidnapped by the Communists.

On the surface this spectacle has all the marks of a publicity coverup tuned to the gullibility of viewers in such matters. There can be no doubt, however, that this totalitarian Russian group, which opportunistically operated with nazism as it now seeks to do with the West, is a prime target for Communist infiltration. The totalitarianism of NTS shares many things in common with the totalitarianism of Moscow, notably totalitarian great Russianism with all its racist and freedom-denying qualities. The group is the best possible breeding ground for Soviet Russian spies and, as seen in the Khersonsky case, an agency of espionage for Moscow. It scarcely deserves our trust. Even the Nazis, in the closing days of the war, saw fit to slay scores of its members.

The enlightened nationalist cause of the Slovak, Polish, Ukrainian, and other resisters certainly restricts the range of possible Russian Communist infiltration. It is based on the invincible fight for national independence and freedom from alien Russian domination. This is its consuming end, not that of substituting one form of totalitarianism with an empire complex for another with the same complex. It seeks the national independence that we Americans enjoy and are now challenged to defend.

This spirit of national independence is the full source of power and strength of the patriotic, non-Russian resister behind the Iron Curtain. It is our means of victory over Russian Communist imperialism. It is our formula of enduring peace beyond the defeat of communism. For only with real independence and equal sovereignty can the now captive nations, from the Danube to the Pacific, begin to think of entering into free contracts of federalization. The experience of Indochina should convince us that peoples fight for something rather than merely against communism.

We who are of these convictions must work tirelessly for their realization. This is our task in the great interest of our own country. To aid in this task, it is necessary for us to establish an American Conference on Foreign Affairs, consisting of American organizations such as yours, the Polish American Congress, the Ukrainian Congress Committee, and others, that would meet annually to discuss and assess our common problems. I sincerely hope that the inspiration for this will be generated here today.

[From America, Philadelphia, Pa., of May 20, 1954]

DANGER—WHY NTS CANNOT BE TRUSTED

For the past few months the newspapers of the free world have been replete with sensational information and reports about the NTS—a Russian emigree organization in Western Germany. Three incidents especially which occurred almost at the same time deeply moved public opinion: the escape to the Soviets of Archimandrite Matyslav Volonsevich, priest of the Russian Orthodox Church in Western Berlin, the arrest and trial by the United States authorities of Georg Mueller, alias Georg Vladimir Khorunzhy-Khersonsky and escape, or kidnaping of Alexander Trushnovich in Western Berlin. Now the defection of MVD Cpt. Nikolai Eugenyevich Khokhlov has again brought the NTS in the news.

There is no doubt that Matyslav Volensevich escaped to the Soviets. This Russian "priest" and NTS leader in Western Berlin took all the addresses of his parishioners as well as 600 marks belonging to the parish and escaped to the Soviet sector of Berlin. However, an event of cardinal importance was the arrest by the United States authorities in Germany of Georg Mueller, alias Georg Vladimir Khorunzhy-Khersonsky, top notch Soviet spy. While spying against the American Armed Forces in Germany, Mueller operated at the same time as a leader of the NTS. He was also a professor in a school of saboteurs and intelligence agents maintained by the NTS in Bad Homburg in Germany. As a leader of prominent anti-Communist underground—NTS, he sent four intelligence agents behind the Iron Curtain whom he betrayed to the Soviets and who were caught and executed in Ukraine, in May 1953.

This case was widely reported by the newspapers. On January 22, 1954, Georg Mueller-Khorunzhy-Khersonsky was convicted and sentenced by the United States court in Frankfort to 14 years imprisonment. As to Alexander Trushnovich—another prominent leader of the NTS in Berlin—the opinion is divided. Some people think that he escaped to the Soviets, other people believe that he was kidnaped by the Soviet agents. The question as to who kidnaped whom is still not solved in Berlin, although the Soviets announced two declarations of Trushnovich stating his motives of defecting to the Soviet side.

At any case, all these incidents have prominently brought the Russian emigree organization NTS in the news. The NTS stands for the Natsionalno-Trudovoy Soyuz (National Labor Union). As defined by its constitution, the NTS is a Russian national movement aiming at replacing the Soviet regime with a new kind of government, called Solidarist. The organization claims to have originated in 1930, in Yugoslavia, but, in fact, it developed under the Nazi tutelage when the Russian Solidarists copied the Nazi program and made propaganda for Russian totalitarian antibolshevism and the cult of a Russian fuehrer. One of their ideas, then, was to reestablish in Russia a pale of Jewish settlement zones as existed under the Russian czars. In the days of General Vlassov the NTS served as an ideological front for the Himmler sponsored Russian liberation army (ROA). During the last months of Nazi power, however, neither the NTS nor the Vlassov army enjoyed the full confidence of the Nazis, as it was revealed that many NTS members were actually Soviet spies.

When the cold war between the United States and the U. S. S. R. began NTS leaders raised their heads again and began peddling their goods to the Americans. While their leaders in Europe (Victor Baidalakov and Vladimir Poremsky), both of whom served the Nazis, were doing their utmost to impress the United States authorities with their "anti-Communist technique," some of their best "technicians" were being sent to the United States. Since the fall of 1948 the NTS in the United States has been represented by Constantine W. Boldyreff, a former interpreter for the Nazis and NTS leader. He made his debut in the American scene with the publication of an article in Look magazine (October 26, 1948), in which he made the fantastic claim that the assassination of Sergei Kirov in Leningrad, in 1934, was engineered by the NTS. He also said that with $100 million he could overthrow Stalin's regime with his underground NTS force. Subsequently, with the assistance of a senior editor of Reader's Digest, Boldyreff planted an article in this nationally esteemed American magazine where he attempted to sell his anti-Communist revolution in the U. S. S. R. for American dollars. Finally, in February of 1952, he befuddled two well-meaning and religiously inspired United States Congressmen from the Middle West into backing an NTS-inspired psychological strategy conference, which entirely failed. Robert Shaplen supported NTS whole-

heartedly in Collier's (February 23, 1952) by publishing his now famous article, They're Sticking Stalin With a Pitchfork. By the way, under "pitchfork" "trident" was meant—a Ukrainian national emblem which the Russian Solidarists use as their party emblem. In this article Shapien called NTS "a shock troop of revolution." Of course, Boldyreff was not only busy with his NTS propaganda, but he also succeeded in planting several of his lieutenants in key positions in the United States: the Voice of America, the American Committee for Liberation From Bolshevism; various research teams of Columbia and Harvard Universities, and in other United States-supported Russian teams in the United States and in Germany.

There is little doubt that some of our officials have been deeply influenced by the NTS and its propaganda. The question remains: How long are we going to be fooled by them? Have we not been taught a trenchant lesson by all the Harry Dexter Whites, Gregory Silvermasters, and other Americans with Russian souls and ideology? Now, when the Bolshevik infiltration and tendency in the NTS ranks has become an indisputable fact, perhaps some of our responsible officials will put a stop to the machinations of our Russian experts and will call a halt to their naive and extremely dangerous coddling of the NTS—these Janus-like Russian revolutionaries. When this happens—and only then—might we rest assured that the affair of Georg Mueller and many others of the NTS has been an effective lesson. Not for a moment should we forget that the Russian Bolsheviks and Russian Solidarists have a great deal in common: Russian nationalism and Russian imperialism—the two generating factors that have made Russia what she is today, and hence it is exceedingly easy for a Russian Bolshevik to become a Russian Solidarist and vice versa.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. PELLY.

Mr. CRUMPACKER.

Mr. BLATNIK in two instances.

Mr. SIEMINSKI.

Mr. RABAUT.

Mr. HESS (at the request of Mr. ARENDS).

Mr. HELLER (at the request of Mr. KLEIN).

Mr. Bow and include extraneous matter.

Mr. RHODES of Pennsylvania.

Mr. HOWELL.

SENATE BILLS, A JOINT RESOLUTION, AND A CONCURRENT RESOLUTION REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 46. An act for the relief of E. S. Berney; to the Committee on the Judiciary.

S. 885. An act to provide for the disqualifications of certain former officers and employees of the District of Columbia in matters connected with former duties; to the Committee on the District of Columbia.

S. 914. An act for the relief of Mark Vainer; to the Committee on the Judiciary.

S. 974. An act for the relief of certain Chinese children; to the Committee on the Judiciary.

S. 992. An act for the relief of Apostolos Savvas Vassiliadis; to the Committee on the Judiciary.

S. 1165. An act for the relief of Paul E. Rocke; to the Committee on the Judiciary.

S. 1382. An act for the relief of Elie Joseph Hamkin and family; to the Committee on the Judiciary.

S. 1403. An act to authorize the Public Utilities Commission of the District of Columbia to regulate and condition the declaration and payment of dividends by public utilities in the District of Columbia; to the Committee on the District of Columbia.

S. 1889. An act for the relief of Margot Goldschmidt; to the Committee on the Judiciary.

S. 1900. An act for the relief of Gertrud Trindler O'Brien; to the Committee on the Judiciary.

S. 1902. An act for the relief of Theresa Elizabeth Leventer; to the Committee on the Judiciary.

S. 1904. An act for the relief of Ottilie Theresa Workmann; to the Committee on the Judiciary.

S. 1959. An act for the relief of Mrs. Annemarie Namias; to the Committee on the Judiciary.

S. 1967. An act for the relief of Paula Neumann Mahler (Paula Neumann Schibuk); to the Committee on the Judiciary.

S. 1991. An act for the relief of Esperanza Jiminez Trejo; to the Committee on the Judiciary.

S. 2009. An act for the relief of Mrs. Edward E. Jex; to the Committee on the Judiciary.

S. 2172. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907; to the Committee on the District of Columbia.

S. 2654. An act to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Montgomery County, Md., and for other purposes; to the Committee on the District of Columbia.

S. 2657. An act to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia"; to the Committee on the District of Columbia.

S. 2661. An act to regulate the sale of shell eggs in the District of Columbia; to the Committee on the District of Columbia.

S. 2786. An act granting the consent and approval of Congress to the southeastern interstate forest-fire protection compact; to the Committee on Agriculture.

S. 3103. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941; to the Committee on the Judiciary.

S. 3137. An act to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of said act, and for other purposes; to the Committee on Agriculture.

S. 3213. An act relating to the merger of the Columbus University of Washington, D. C., into the Catholic University of America, pursuant to an agreement of the trustees of said universities; to the Committee on the District of Columbia.

S. 3458. An act to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes; to the Committee on Armed Services.

S. J. Res. 156. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization; to the Committee on Foreign Affairs.

S. Con. Res. 83. Concurrent resolution favoring the suspension of deportation in the case of certain aliens; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1345. An act for the relief of John Lampropoulos;

H. R. 1705. An act authorizing the Secretary of the Interior to issue a patent in fee to Jesse Bell;

H. R. 1769. An act for the relief of Mrs. Oscar F. Brown;

H. R. 1772. An act for the relief of Kenneth R. Kleinman;

H. R. 1815. An act to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes;

H. R. 2022. An act for the relief of Don B. Whelan;

H. R. 2433. An act for the relief of the legal guardian of Raymond Gibson, a minor;

H. R. 3041. An act to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention;

H. R. 3109. An act for the relief of Theodore W. Carlson;

H. R. 4532. An act for the relief of Mrs. Ann Elizabeth Caulk;

H. R. 4940. An act to provide for the redemption of District of Columbia tax stamps;

H. R. 4961. An act for the relief of Mrs. James J. O'Rourke;

H. R. 4996. An act for the relief of Col. Henry M. Denning, and others;

H. R. 5772. An act for the relief of Robert E. Leibbrand, and Rose Leibbrand; and

H. R. 7786. An act to honor veterans on the 11th day of November of each year, a day dedicated to world peace.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 6374. An act to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes; and

H. R. 7893. An act making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

ADJOURNMENT

Mr. NEAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 42 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 26, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from Speaker's table and referred as follows:

1569. A letter from the Acting Comptroller General of the United States, transmitting a report on the audit of Federal Deposit Insurance Corporation for the fiscal year ended June 30, 1953, pursuant to section 17 (b) of the Federal Deposit Insurance Act (12 U. S. C. 1827) (H. Doc. No. 402); to the Committee on Government Operations and ordered to be printed.

1570. A letter from the Acting Secretary of the Treasury, transmitting information about a violation by a Treasury bureau of subsection (h) of section 3679 of the Revised Statutes, pursuant to subsection (i) of section 3679 of the Revised Statutes, as amended (31 U. S. C., Sup. V665); to the Committee on Appropriations.

1571. A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting the semiannual stockpile report to the Congress for the period July 1 to December 31, 1953, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act, Public Law 520, 79th Congress; to the Committee on Armed Services.

1572. A letter from the Secretary of the Air Force, transmitting a draft of legislation entitled "A bill to further amend title II of the Career Compensation Act of 1949, as amended, to provide for the computation of reenlistment bonuses for members of the uniformed services"; to the Committee on Armed Services.

1573. A letter from the Secretary of Commerce, transmitting the annual report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1953, together with the reports covering the operations during the same period of foreign-trade zones Nos. 1, 2, 3, 4, 5, and 6 located, respectively, at New York City, New Orleans, San Francisco, Los Angeles, Seattle, and San Antonio, pursuant to section 16 of the Foreign-Trade Zones Act of June 18, 1934, as amended by Public Law 556, 81st Congress, approved June 17, 1950; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOFFMAN of Michigan: Committee on Government Operations. Fifteenth intermediate report on Government in business; without amendment (Rept. No. 1672). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOFFMAN of Michigan: Committee on Government Operations. Sixteenth intermediate report on personnel practices of the Department of State; without amendment (Rept. No. 1673). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOFFMAN of Michigan: Committee on Government Operations. Seventeenth intermediate report on military procurement of blood-shipping containers; without amendment (Rept. No. 1674). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. S. 1823. An act to allow credit in connection with certain homestead entries for military or naval service rendered during the Korean conflict, and for other purposes; without amendment (Rept. No. 1676). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 5958. A bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes; with amendment (Rept. No. 1677). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 8328. A bill to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande; with amendment (Rept. No. 1678). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. H. R. 9242. A bill to authorize certain construction at military and naval installations and for the Alaska Communications System, and for other purposes; without amendment (Rept. No. 1679). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules: House Resolution 558. Resolution providing for the consideration of H. R. 9242, a bill to authorize certain construction at military and naval installations and for the Alaska Communications System, and for other purposes; without amendment (Rept. No. 1680). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 7886. A bill for the relief of Mrs. Cecil Norton Broy, with amendment (Rept. No. 1675). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LAIRD:

H. R. 9267. A bill to provide an adequate, balanced, and orderly flow of milk and dairy products in interstate and foreign commerce, to stabilize prices of milk and dairy products, and for other purposes; to the Committee on Agriculture.

By Mr. ALLEN of California:

H. R. 9268. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BATES:

H. R. 9269. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BENNETT of Florida:

H. R. 9270. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BOYKIN:

H. R. 9271. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CAMPBELL:

H. R. 9272. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. COLMER:

H.R. 9273. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOYLE:

H. R. 9274. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HOLT:

H. R. 9275. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HOSMER:

H. R. 9276. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KING of California:

H. R. 9277. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LANE:

H. R. 9278. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LANTAFF:

H. R. 9279. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LIPSCOMB:

H. R. 9280. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MACK of Washington:

H. R. 9281. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD:

H. R. 9282. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MATTHEWS:

H. R. 9283. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McCORMACK:

H. R. 9284. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McDONOUGH:

H. R. 9285. A bill to protect United States fishermen in their lawful operations on the

high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McMILLAN:

H. R. 9286. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLER of California:

H. R. 9287. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLER of Maryland:

H. R. 9288. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. NICHOLSON:

H. R. 9289. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. NORBLAD:

H. R. 9290. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. O'NEILL:

H. R. 9291. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PELLY:

H. R. 9292. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PHILLIPS:

H. R. 9293. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PRESTON:

H. R. 9294. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCUDDER:

H. R. 9295. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES:

H. R. 9296. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMPSON of Texas:

H. R. 9297. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H. R. 9298. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. UTT:

H. R. 9299. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WESTLAND:

H. R. 9300. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WILSON of California:

H. R. 9301. A bill to protect United States fishermen in their lawful operations on the high seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BENNETT of Florida:

H. R. 9302. A bill to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation; to the Committee on Armed Services.

By Mr. BENNETT of Michigan:

H. R. 9303. A bill to extend the time for initiating a course of education or training under Public Law 550, 82d Congress; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H. R. 9304. A bill to authorize and direct the Indian Claims Commission to determine the liability for the engagement in the vicinity of Wounded Knee, S. Dak., on December 29, 1890, and make recommendations in respect thereto; to the Committee on Interior and Insular Affairs.

H. R. 9305. A bill to amend the Internal Revenue Code to provide that the tax on admissions shall not apply in the case of admissions to certain rodeos; to the Committee on Ways and Means.

By Mr. CLARDY:

H. R. 9306. A bill to provide punishment for the making of false statements in any application for employment in a defense plant, or in any facility with knowledge that it is likely to become a defense plant; to the Committee on the Judiciary.

By Mr. COON:

H. R. 9307. A bill to provide for the cooperation in financing and prosecuting early development of the John Day project on the Columbia River, Oreg. and Wash., for navigation, irrigation, flood control, and power production; to the Committee on Public Works.

By Mr. DEMPSEY:

H. R. 9308. A bill authorizing the construction of certain improvements in the Rio Hondo Basin, N. Mex., for flood control; to the Committee on Public Works.

By Mr. EBERHARTER:

H. R. 9309. A bill to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, cigarettes, cigars, smoking tobacco, or chewing tobacco; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H. R. 9310. A bill to provide that the authority of the Commissioner of Education to contract for research in the field of education shall include the authority to contract for research into the narcotic-addiction problem; to the Committee on Education and Labor.

By Mr. HELLER:

H. R. 9311. A bill to strengthen the unemployment-insurance system, broaden social security, increase the minimum wage, extend tax reduction to low-income groups, provide for low-rent housing, and establish a program of public works; to the Committee on Ways and Means.

By Mr. JONES of Missouri:

H. R. 9312. A bill to provide for modification of the Birds Point-New Madrid floodway; to the Committee on Public Works.

By Mr. PRESTON:

H. R. 9313. A bill to amend section 204a of the Interstate Commerce Act with respect to recovery of a reasonable counsel or attorney's fee in case of successful maintenance of an action for recovery of overcharges; to the Committee on Interstate and Foreign Commerce.

By Mr. REAMS:

H. R. 9314. A bill to amend the Civil Service Retirement Act of May 29, 1930, to permit the employment by the Post Office Department during the month of December of annuitants under such act who are former employees of such Department; to the Committee on Post Office and Civil Service.

By Mr. REED of New York:

H. R. 9315. A bill to provide for an extension on a reciprocal basis of the period of the free entry of Philippine articles in the United States; to the Committee on Ways and Means.

By Mrs. ST. GEORGE:

H. R. 9316. A bill relating to the renewal of contracts for the carrying of mail on star routes; to the Committee on Post Office and Civil Service.

H. R. 9317. A bill to prohibit the transmission through the mails at less than cost of publications, books, other printed matter, and films containing material contrary to the best interests of the United States; to the Committee on Post Office and Civil Service.

By Mr. SIMPSON of Pennsylvania:

H. R. 9318. A bill to provide for the construction of a project for flood control protection at Huntingdon, Pa.; to the Committee on Public Works.

H. R. 9319. A bill to provide for the construction of a project for flood control protection at Smithfield Township, Pa.; to the Committee on Public Works.

H. R. 9320. A bill to provide for the construction of a project for flood control protection at Mount Union, Pa.; to the Committee on Public Works.

H. R. 9321. A bill to provide for the construction of a project for flood-control protection at Everett, Pa.; to the Committee on Public Works.

By Mr. VAN ZANDT:

H. R. 9322. A bill to amend Veterans Regulation No. 9 (a) so as to increase the limit of amounts payable thereunder in connection with the funeral and burial of deceased veterans; to the Committee on Veterans' Affairs.

By Mr. WARBURTON:

H. R. 9323. A bill to incorporate the American Association of Firemen; to the Committee on the Judiciary.

H. R. 9324. A bill to incorporate the National Academy of Chefs; to the Committee on the Judiciary.

By Mr. WOLVERTON (by request):

H. R. 9325. A bill to amend sections 2 (a), 6 (a), and 9 (d) of the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 9326. A bill to amend section 10 (f) of the Federal Power Act to provide that charges shall be paid by Federal power projects which are benefited by stream improvements constructed by other parties, the payment to be determined in the same manner as for charges to be paid by non-Federal interests, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 9327. A bill to amend the act relating to the administration of the Washington National Airport, to incorporate the Washington National Airport Corp. and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. FRANCES P. BOLTON:

H. Con. Res. 236. Concurrent resolution extending the congratulations of the Congress to Nurse Genevieve de Galard-Terraube; to the Committee on Foreign Affairs

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 9328. A bill for the relief of Hannelore Weber and her minor child; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 9329. A bill for the relief of Bent Petersen; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 9330. A bill for the relief of Matilde T. Bariao; to the Committee on the Judiciary.

By Mr. McMILLAN:

H. R. 9331. A bill for the relief of Constantinos Tsiolkas; to the Committee on the Judiciary.

By Mr. MARTIN of Iowa:

H. R. 9332. A bill for the relief of Mrs. Lieselotte Emilie Dailey; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H. R. 9333. A bill for the relief of Erika Barbera; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H. R. 9334. A bill for the relief of Walter W. Flora and Mildred L. Flora, doing business as Flora Engineering Co.; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 9335. A bill for the relief of Grietje Visser Verhoeve Vander Molen; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 9336. A bill for the relief of Marianne Geymeier; to the Committee on the Judiciary.

By Mr. WESTLAND:

H. R. 9337. A bill for the relief of Swami Shivananda; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

889. By Mrs. CHURCH: Resolution adopted by the City Council of the City of Chicago urging the incorporation of the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

890. By Mr. CRETELLA: Petition of Rubie Berger and others favoring the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

891. By Mr. DONDERO: Petition of citizens of Oakland County, Mich., urging favorable action by the House of Representatives of H. R. 1227, to prohibit the transportation of periodicals, letters, etc., carrying alcoholic-beverages advertising in interstate commerce and to prevent its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

892. By Mr. GRAHAM: Petition of 65 residents of Ellwood City, Pa., urging passage of the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic-beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

893. By Mr. GARY: Petition of S. T. Dowdy and 19 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

894. Also, petition of Mrs. H. S. Dodge and 31 other citizens of Chester, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

895. Also, petition of Mrs. Herbert W. Phillips and 128 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

896. Also, petition of Harold T. Goyne and 28 other citizens of Chester, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

897. Also, petition of Mrs. E. L. Edwards and 17 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

898. Also, petition of Mrs. Herbert W. Phillips and 57 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

899. Also, petition of Mrs. A. L. Burton and 26 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

900. Also, petition of Miss Ida Bilger and 45 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

901. Also, petition of Mrs. Lucile S. Love and 32 other citizens of Chester, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

902. Also, petition of C. Roy Everett, Jr., and 26 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

903. Also, petition of George N. Valentine and 64 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

904. Also, petition of Mr. and Mrs. Josiah N. Walker, and 26 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

905. Also, petition of Mr. James R. Copeland and 83 other citizens of Richmond, Va., deploring the dangerous influence of sales talk for alcoholic beverages being broadcast and urging legislative prohibition of such advertising by approval of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

906. By Mr. MARTIN of Iowa: Petition of 17 citizens of Wellman, Iowa, in the interest of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

907. By Mr. MARTIN of Massachusetts: Petition of Mrs. E. A. Alm and other residents of Massachusetts in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

908. Also, petition of Mrs. Idella Hewin and other residents of Massachusetts in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

909. Also, petition of Mr. Frank C. Seymour and other residents of Massachusetts in support of the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

910. By Mr. MASON: Petition of Mrs. Amanda B. Cleal and 29 other members of the Woman's Christian Temperance Union of Streator, Ill., supporting the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

911. By Mr. PHILBIN: Petition of Mrs. G. L. Hazelton and others favoring the Bryson bill (H. R. 1227); to the Committee on Interstate and Foreign Commerce.

912. By Mr. SMITH of Virginia: Petition of Mrs. L. H. Taylor, of Lincoln, Va., and other citizens of Loudoun County, Va., in the Eighth Congressional District, in support of H. R. 1227; to the Committee on Interstate and Foreign Commerce.

913. By Mr. STAGGERS: Petition of Wendell C. Mathias and 61 other citizens of Mathias, W. Va., and nearby communities, urging the enactment of H. R. 1227, to prohibit all liquor advertising through interstate commerce and over the radio and television; to the Committee on Interstate and Foreign Commerce.

914. Also, petition of Vernon M. Wilkins and 38 other citizens of Moorefield, W. Va., and nearby communities, urging the enactment of H. R. 1227, to prohibit all liquor advertising through interstate commerce and over the radio and television; to the Committee on Interstate and Foreign Commerce.

915. By Mr. TABER: Petition of Olive O. Hammer and others favoring the Bryson bill H. R. 1227; to the Committee on Interstate and Foreign Commerce.

916. By the SPEAKER: Petition of Joseph Prime and others, Brooklyn, N. Y., relative to being in support of House Joint Resolution 243, to incorporate the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

917. Also, petition of Arthur R. Somers and others, Brooklyn, N. Y., relative to being in support of House Joint Resolution 243, to incorporate the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

918. Also, petition of Edward J. McCann and others, Brooklyn, N. Y., relative to being in support of House Joint Resolution 243, to incorporate the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

919. Also, petition of Lawrence Lohrer and others, Valley Stream, N. Y., relative to being in support of House Joint Resolution 243, to incorporate the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

920. Also, petition of Joseph Sulenski and others, Maspeth, N. Y., relative to being in support of House Joint Resolution 243, to incorporate the words "under God" in the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Selling to Navy Prime Contractors

EXTENSION OF REMARKS
OF
HON. WILLIAM E. HESS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1954

Mr. HESS. Mr. Speaker, I feel the Members of Congress will be interested in the recently issued second edition of the booklet Selling to Navy Prime Contractors, proposed as an aid to small business. I would like to call it to public attention.

In order for small business to obtain a greater share of Government business, I think we must recognize that the basic initiative must come from business itself. The Government is not equipped to search out every individual business concern somewhere in the United States for each particular contract or subcontract that may be available.

Nevertheless, there are certain things which the Government can do to make it easier for small business to exercise its initiative by finding out what prime contracts and subcontracts are available. If there is a sufficient dissemination of this information, then small-business concerns everywhere can bid on and obtain the contracts and subcontracts for which they are best qualified. The issuance of this new edition of Selling to Navy Prime Contractors is a significant aid in this direction.

This booklet emphasizes the policy of the Department of the Navy to assist small business generally. In the foreword from Robert B. Anderson, Secretary of the Navy, he points out that Navy policy is to encourage maximum subcontracting to small firms by prime contractors. In this way, the Navy desires to maintain an adequate reservoir of potential suppliers ready for the expanded requirements of a full mobilization effort.

The value of this booklet lies primarily in the unique information that it provides. It sets forth the principal prime contractors who do business with the Navy, and in addition it lists some 600 small business subcontract representatives who have been specifically designated by these prime contractors to discuss subcontracting in particular areas. The listing is arranged geographically. Accordingly, some 28 divisions of 1 prime contractor are listed in its home area, with a small business subcontract representative for each one. A number of other divisions of that prime contractor are listed in other cities throughout the United States, with the subcontract representative for each one, and the telephone numbers.

With the aid of this booklet any small-business man can look up the principal prime contractors in his particular locality, find the name and small business subcontract representative of each one and his telephone number, and readily arrange contact.

This booklet also provides the necessary word of caution: Selling to the Government, either as a prime contractor or subcontractor, is highly competitive. Only the qualified can hope to get a Government contract and successfully complete it. Extreme caution and deliberation should be exercised before contracting for an item completely foreign to a contractor's prior experience. Also, the Government insists upon strict inspection; goods produced must meet specifications; and the contractor must clearly understand the legal obligations he incurs when he takes on a Government contract; otherwise misunderstandings and trouble inevitably result.

Copies of this very useful booklet may be obtained from the Office of Naval Material, Washington 25, D. C., or from any major Navy purchasing activity.

Stop the Witch-Hunt

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1954

Mr. BLATNIK. Mr. Speaker, many are the sins which are being committed in the name of "security" and "loyalty." Using these scare words to intimidate reason, certain persons—many of them in high places—are seeking partisan and personal advantage by finding security risks under everybody's bed but their own.

In the name of "security" the new superpatriots are making a career out of attacking other people's patriotism. By their standards, whoever disagrees with them must be denounced as disloyal. And a person becomes a security risk not by what he is or does, but on the basis of something about his relatives, his wife's relatives, or his relatives' relatives.

These superpatriots have not hesitated to falsify the record by misrepresenting the facts as to the discharges of Government employees or by making untrue and unproven charges as to the prosecution of the Korean war. They have had no compunction about smearing the innocent. They have not hesitated to pick on the dead. They have become so reckless that they have impugned the loyalty of a former President of the United States, and they attack the loyalty of all members of the Democratic Party. They describe the period of Democratic administration as "20 years of treason."

The President has made certain mild observations which have been interpreted as a disavowal of such tactics. These remonstrances have not been heeded. And they will continue to be disregarded so long as they are so equivocal and so long as some of the worst offenders, who go unscathed, are members of the President's own official family—up to and including the cabinet level. The Attorney General of the United States is himself one of the leading offenders.

It must be clear to all but the willfully blind and the self-deluded that the Government employees security program has become a political tool for the superpatriots. It is one of the big sources of their ammunition.

Much attention has recently been paid to the bases on which employees have been discharged under this program. But there are other aspects to it which have passed virtually unnoticed, but which seem also to be employed for improper political purposes.

Take for example the provisions of the security programs which authorize the Attorney General to set up a list of so-called subversive organizations. Obviously, an Attorney General can, if he is willing to abandon scruples, use this blacklisting power to injure or destroy organizations merely because he dislikes them. For this reason, the very existence of this power is, I think, a highly questionable thing. It is, after all, not authorized by statute nor fenced in by legislation which would guarantee procedural due process to all accused groups. There is something frightening in the sight of a political appointee being a judge, jury, prosecutor and executioner for any organization whose purity he decides to question.

Nothing illustrates my point better than recent action which the Attorney General has taken against the National Lawyers Guild.

The Government employees loyalty-security program has been in existence for about 7 years. During all that period no Attorney General saw fit to list the National Lawyers Guild as a subversive organization for the purposes of the program. Three Attorneys General—Clark, McGrath, and McGranery—were in office during that period and none of them listed the Guild.

Now Attorney General Brownell has demanded that the Guild show cause why it should not be listed as a subversive organization, and he has charged that it has been a Communist-front from at least 1946 on—that is, during all the period of time during which the three preceding Attorneys General felt that the Guild was not subversive.

Now it is true that the National Lawyers Guild can have a so-called hearing, in which the Attorney General is both prosecutor and judge, and in which he has authorized himself to rely on off-the-record, "confidential" information. But beyond this, the Attorney General has already gone on public record to denounce the Guild as a Communist-front. Before the Guild even received notice that he was moving against it, the Attorney General, in a speech to the Boston convention of the American Bar Association, announced that he had already determined that the Guild

is a Communist-front. And though a hearing has still not been held, the Attorney General again publicly announced his verdict against the Guild to a convention of the AMVETS. This is what is known as sentencing first and holding the trial afterwards.

Moreover, the Attorney General's speeches and charges show that he is equating disloyalty with disagreement with his own political views. Thus, the Attorney General has served interrogatories on the Guild in which he more than suggests that he considers that it was subversive for the Guild to oppose universal military training—which the Congress rejected—enactment of the McCarran Act—Internal Security Act of 1950—and legalized wiretapping. Furthermore, in his speech to the AMVETS, Mr. Brownell cited as "proof" that the Guild was subversive the fact that the Guild has deplored attacks on academic freedom.

I am in no position to pass on the National Lawyers Guild. I do know that many fine and upright lawyers belong to it and that Senator LANGER, chairman of the Senate Judiciary Committee, has highly praised it. I also know that any organization which takes courageous stands on public issues runs a real risk of being unjustly attacked, in certain quarters, as being Communist dominated or tainted.

But I suggest that the circumstances surrounding the Attorney General's attack on the guild indicate more than a little that the Attorney General is using his listing power for political purposes, that he is utilizing improper standards, and that his procedures are anything but fair.

It is high time the President took a good long look at the Government employees security program and, not least of all, at the listing of organizations thereunder.

Anniversary of the Independent Republic of Armenia

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1954

Mr. RABAUT. Mr. Speaker, I call to your attention at this time an anniversary of worldwide importance and significance. It is the celebration, on May 28, of National Independence Day of the independent Republic of Armenia. I respectfully recommend to your consideration this commemoration of a gallant and liberty-loving people. The valor and faith of Armenians all over the world are living proof that ofttimes freedom's flame burns brightest in the hearts of those who are the weariest and who have the least to be thankful for.

It was 36 years ago, on May 28, 1918, in the wake of the Russian revolution, and as a result of decisive victories by Armenian military forces against Turkey, the independent Republic of Armenia was founded. Its national life was short lived, however.

During the time it existed as an independent Republic, a truly democratic government was established, complete with legislative, executive, and judicial departments. Over 1,500 schools and colleges were opened throughout the land. Housing and irrigation were effected. Hospitals, churches, and theaters were built. Progress and economic rehabilitation were incredible.

The United States was most generous to the Armenian people during their time of trial, sending food, clothing, medicaments, and assisted greatly in fields of benevolent assistance.

The Western Allies recognized the Armenian Government one after the other; the United States gave formal recognition to the Armenian Government on April 23, 1920.

On August 10, 1920, at Sevres, a suburb of Paris, a treaty of peace was signed between the Western Allies, and the envoys of the Republic of Armenia and Turkey. Known as the Sevres Treaty, it meant the official recognition of Armenia by the Allies and Turkey and provided that the settlement of the Armeno-Turkish boundaries be left up to the President of the United States, Woodrow Wilson. President Wilson delimited the Armenian boundaries on November 22, 1920.

Hopes of freedom were stilled when the Red army invaded Armenia and subdued the young republic on December 2, 1920. An heroic effort was made after the occupation by the Russians in February of 1921; they were ejected from the Armenian homeland and kept out for over 3 months. But in the face of overwhelming odds, the Republic fell, and has since been known as one of the so-called 16 "independent" Republics that form the present Soviet Union.

As a republic, Armenia existed for a short 2½ years. As an inspiration and a shining light, she will live in the hearts and the memories of freedom-loving men forever.

In Armenia, the people today are forbidden, under pain of death, the right of celebrating their national independence day. They are confident, however, that together with their powerful ally, the United States, they will one day walk arm in arm down the pathway of peace. Together with us, they pray for the happy day when all men will be held equal in the eyes of their fellowmen, just as they are equal in the sight of the God who created them.

Armenia is one of the oldest countries of recorded history. The biblical Ark of Noah landed on Mount Ararat. Already in the seventh century B. C., the Armenians had established their independent kingdom in Asia Minor.

In the year A. D. 278 Armenia, as the first state in the world, accepted Christianity as its religion. Thirty-five years later, Emperor Constantine followed their lead and proclaimed Christianity in A. D. 313 as the religion of the Roman Empire.

And so it is that we draw inspiration from the gallant people of Armenia on this May 28. Though they be broken in body, their spirit has never been crushed. Through many decades of subjugation by their godless oppressors they have nurtured an abiding faith in God; they have demonstrated time and again an unswerving confidence in themselves and the rightness of their cause. Together with the uncounted millions who have fallen within the awful penumbra of Soviet domination and irreligion they cry out for justice. And just as sure as night follows day they shall rise again and like the avenging angels of old shall banish forever from their fair lands the last of the conqueror and the last vestige of his philosophy of hate and malevolence.

Salute to Israel

EXTENSION OF REMARKS
OF
HON. CHARLES R. HOWELL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1954

Mr. HOWELL. Mr. Speaker, one of the bravest of the young democracies, the State of Israel, has recently reached its sixth anniversary, and it is with privilege that I rise to pay tribute to its notable achievements.

Having reached their sixth year of independence, the people of the State of Israel have reason to be proud of their small but vigorous nation. During these years, and against many complex difficulties, Israel has been sucessful in making magnificent progress toward economic stability and an economy which will enable its citizens to better their standard of living, and to absorb the many new citizens who seek haven in what they regard as their ancestral homeland.

With simultaneous industrial and agricultural development, Israel has established a democratic form of government, which embodies the basic democratic principles of the western free world.

The land of Israel today is the scene of active development—of new cities and towns, farms, industries, and mines. The achievements of the past 6 years foretell of higher attainments in the years to come.

I was fortunate enough to be able to visit the young and industrious State of Israel in October 1951. At that time I saw widespread evidence of the great zeal and industry on the part of the people of this young republic to make a success of this bold venture. There were, to be sure, also evidences of the great handicaps under which the people were working, such as the physical limitations of certain areas of the land and other geographic complications. Yet I had the feeling then, as I do now, that the energy of the people of Israel and their faith in this endeavor, will enable them to succeed, even against some very great obstacles.

I am proud that the United States is playing a significant part in the development and growth of Israel. I extend

my greetings and sincere best wishes to the Government and people of Israel on the sixth anniversary, with deep admiration for their achievements and potentialities. I hope I shall be able to visit there again some day.

Federal Social Security

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. PELLY. Mr. Speaker, according to reports, the House Ways and Means Committee, in executive session, has approved compulsory coverage of lawyers, doctors, and other groups under the old-age and survivors insurance program of social security. What is more, I have been told we can expect a rule which would not allow any amendment to the bill on the House floor.

I want to say I hope the mandatory provision will be reconsidered by the Ways and Means Committee.

If not, I certainly hope the Rules Committee will not see fit to bring the bill in with a closed rule.

The majority of the doctors and, I think, the lawyers too of this Nation and certainly of my district do not want to be forced to come under the social-security program. I do not think the professions should be so conscripted.

I support fully liberalized benefits under social security, but I think the members of this body under a closed rule would be put into a position of either voting in part against what they believe in, or in part for what they do not believe in, and I do not think that is right. It certainly puts a Member of Congress in a painful position.

If the worst comes to the worst I trust any motion to recommit will direct the committee to report the bill back with inclusion of the medical and legal self-employed on a purely voluntary basis. But of course it would be far more desirable if the Ways and Means Committee did away with the mandatory provision.

One of the original objectives of old-age and survivors insurance was to encourage retirement of senior citizens to make way for younger ones. Certainly with the present shortage of doctors which will continue for the foreseeable future we do not want members of the medical profession encouraged to give up active practice. As a matter of fact doctors rarely retire on account of age—mostly they limit their practice to a less arduous schedule.

Above all, however, I feel that physicians, dentists, and the professional self-employed should have freedom of choice to decide individually if they desire to be included under Federal social security. I strongly favor a voluntary provision just as I vigorously support a liberalized benefit program for all who are under social security.

Antidepression Act of 1954

EXTENSION OF REMARKS
OF
HON. LOUIS B. HELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. HELLER. Mr. Speaker, I am introducing a bill in the House of Representatives today entitled the "Antidepression Act of 1954." This bill is aimed to strengthen the American economy so that this Nation can weather any economic storms or a severe depression that may be looming on the horizon.

Let me say at the very outset that I do not belong to that category of pessimists which prefers to view life through dark glasses, but at the same time I do not wish to look at life only through rose-colored glasses. I choose to be realistic. I have utmost confidence in the American way of life and in our economic foundations. It is for this very reason that I am firmly convinced we must ever be alert to maintain and to protect our economic defenses, as we do in the case of our military defenses.

In March of this year, when headlines across this Nation continued to paint a grim picture of mounting joblessness, I discussed the unemployment situation in an address in this House. I stated then that the situation pointed to a steady drift toward economic depression, unless effective means were taken to deal with this situation and I indicated at the time what some of these steps should be. I said:

> Now is the time to come forward with an effective program to deal with this problem before the drift swells into a deluge and inundates the entire Nation. Such program should include steps to strengthen the unemployment-insurance system, broaden the social security system, increase the minimum wage, extend tax reduction to the low-income people and the great mass of consumers instead of big business, undertake a huge housing program designed for low- and middle-income families, as well as a large-scale program of public works, new schools, good roads, and similar projects from which the people would benefit.

Mr. Speaker, since making those remarks on March 4 of this year I have given the matter a good deal of thought. Many people have approached me, personally and in writing, urging me to expand on the general thought, to spell it out in more specific terms, and to incorporate it into a bill which could serve as an effective program to bolster our economy. This I have now done. I call my bill the Antidepression Act of 1954, because its main purpose is to suggest a program of action now which could prevent a depression tomorrow.

In other words, the steps which I am proposing in my antidepression bill may be regarded as being in the nature of a blueprint for action to strengthen our economic system through a series of corrective measures which will help to maintain full employment, broader economic protection, expansion of our purchasing power, and the continuation of a high standard of living. This is not to be regarded, however, as a definitive blueprint for action, but rather as an initial program to reverse the present drift toward depression.

Let us not be fooled by the juggling of unemployment figures or the occasional statements by administration spokesmen that the worst is over and the current recession will soon disappear. At best, the reported improvements are slight, seasonal, and therefore temporary. As late as the end of April, a well-known columnist in one of our great newspapers stated that a nationwide buyers' strike is now taking place in the United States and that the length of the present recession depends on the length of that strike. Statistics show, he said, that the public is holding back on purchases waiting for lower prices; if this mood of consumer resistance continues for a length of time the recession could get lots worse.

In recent months unemployment reached the figure of 4 million, which is the highest total in the last 4 years. If by next fall or winter it goes up to 5 or 6 million, as some predict, then we shall really be in the throes of a serious depression. Are we prepared to cope with such a situation? Does the administration have a program of action to prevent a deterioration of our economic foundations? Can we afford to sit back and wait for economic chaos to overtake without initiating effective means to stave off a catastrophe?

Remedial legislation is urgent at this time, and my antidepression bill is designed to provide exactly that type of legislation. My bill seeks "to strengthen the unemployment insurance system, broaden social security, increase the minimum wage, extend tax reduction to low-income groups, provide for low-rent housing, and establish a program of public works." It incorporates exactly the very suggestions I made last March in my address, and now I have developed the whole idea into a bill.

Mr. Speaker, I shall now describe each of the major provisions of my bill and, where possible, present a brief analysis of these provisions:

1. UNEMPLOYMENT INSURANCE

The unemployment insurance system should be strengthened and extended so as to provide wider coverage of unemployed workers. Section 2 of my bill seeks to extend unemployment insurance coverage by amending the Internal Revenue Code to include a larger class of employers liable to pay the tax for this purpose. At present, the unemployment insurance provisions of the law restrict the tax liability to employers of 8 or more employees in each of 20 weeks during the taxable year. I propose to change this provision to apply to all employers who have one or more individuals in their employment. It should be noted that because of provisions in the Federal law extending credits against Federal tax for payments made by employers of State unemployment taxes, my amendment will serve to induce States to increase the coverage of their unemployment insurance laws. Undoubtedly millions of workers would be benefited by

this improvement in our unemployment insurance system.

2. SOCIAL-SECURITY BENEFITS

Broadening of the social-security system and extension of these benefits are prescribed in several sections in my bill, as follows:

Section 3 increases the minimum monthly benefit payable under social security, from the present minimum of $25 to a minimum of $40 each month.

Section 4 amends the so-called work clause in the Social Security Act which at the present time limits the amount of monthly earnings to $75. Under this section, I propose to allow beneficiaries to earn up to $100 per month without loss of benefits.

Section 5 seeks to lower the age of retirement under the Social Security Act from 65 to 60 years.

Section 6 deals with expanded coverage under the social-security system to include many millions of Americans who are not now eligible to these benefits. It seeks to extend coverage to some 10 million persons, employees and self-employed, including State and local government employees, agricultural and domestic workers, professionals and others who are self-employed—in fact, everyone who works for a living should be entitled to enjoy these benefits in their old age.

3. MINIMUM WAGE

The present minimum wage level of 75 cents per hour is unrealistic under our current high cost of living. Section 8 of my bill proposes to raise the national minimum wage from 75 cents to $1 an hour. In so doing, we shall make it possible to increase the purchasing power of millions of wage earners and thus directly contribute toward the welfare of our economy as a whole.

4. INCOME-TAX EXEMPTIONS

This proposal is a definite anti-depression measure aimed directly to aid the low- and middle-income groups. Section 9 of my bill provides for increasing the income-tax exemptions for the taxpayer and his dependents, as well as for the blind and the aged, from the present $600 per year to $800. This will provide added income for each family and will undoubtedly stimulate greater consumption and improve business and production.

5. LOW-RENT HOUSING

Lack of adequate housing and the need for slum clearance constitute ever-growing problems. Expanded construction to meet the great housing need would not only help to keep our economy healthy, but would also prove beneficial in meeting some of our social, moral, and health problems arising from slums and the lack of adequate housing. Section 10 of my bill provides authority for the Public Housing Administration to authorize the construction of low-rent housing units under the Housing Act of 1937. At the present time, the administration can authorize the construction of no more than 35,000 units per year because of the limitations placed by Congress in the appropriation bills. My bill proposes to override these limitations by authorizing the construction of 100,000 housing units per year for the next 4 years, or a total of 400,000 units.

6. PUBLIC-WORKS PROGRAM

One of the most effective ways to combat a depression, as we have already learned from experience during the 1930's, was through the adoption of a broad public works program. In this program should be included the construction of more schools and playgrounds, hospitals, and nursing homes, roads and highways to cope with present day traffic, irrigation and forestation projects, dams, and hydroelectric stations, and similar public works which would provide greater employment and valuable national assets. My bill provides that Congress should appropriate the sum of $3 billion to assist States and municipalities throughout the United States to undertake such public works projects in their localities with the approval of the Federal Government. This is covered under section 11 of my bill.

Mr. Speaker, I am convinced that adoption of the kind of a program suggested above would prove most effective in bolstering our national economy and stave off a depression. These are antidepression measures which should be applied now. It is a stitch in time. Let us use it while we still have the opportunity to save our economy, and not wait until the process of deterioration has made heavy inroads.

Tabulation of Returns From Questionnaire

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1954

Mr. BOW. Mr. Speaker, under leave to extend my remarks, I wish to include in the RECORD a tabulation of the returns from the questionnaire which I recently distributed to postal patrons throughout my 16th Ohio District.

I was extremely gratified by the excellent response to my poll. A total of 18,362 of my constituents displayed their interest in the affairs of our Nation by taking the time to fill in and return the questionnaire.

All of these replies are extremely helpful to me in my effort to represent the people of my district to the very best of my ability. I thought, however, that several of the responses were of particular interest.

Most significant of all was the fact that 92 percent of those replying said they oppose the admission of Red China to the U. N., while 5 percent expressed approval and 3 percent did not answer this question.

An overwhelming 70 percent expressed approval of the President's flexible farm-support program, with 22 percent opposed.

Closest vote of all was on the question of giving 18-year-olds the right to vote. My constituents voted against this proposal by a 50-percent to 46-percent margin, with 4 percent expressing no opinion.

The complete tabulation follows:

Percentage distribution of questionnaire replies

Question 1. Do you favor the Bricker amendment?

	Yes	No	No reply
Total response, 16th District	*Percent* 53	*Percent* 39	*Percent* 8
Canton-North Canton	62	32	6
Massillon	51	42	7
Alliance	47	46	7
Stark County rural [1]	59	34	7
Dover-New Philadelphia	50	44	6
Uhrichsville-Dennison	47	47	6
Tuscarawas County rural [1]	53	40	7
Wooster-Orrville	39	52	9
Rittman	34	53	13
Wayne County rural [1]	42	45	13

Question 2. Do you favor the President's farm program (flexible supports)?

	Yes	No	No reply
Total response, 16th District	*Percent* 70	*Percent* 22	*Percent* 8
Canton-North Canton	73	19	8
Massillon	70	23	7
Alliance	75	19	6
Stark County rural [1]	67	24	9
Dover-New Philadelphia	71	21	8
Uhrichsville-Dennison	57	37	6
Tuscarawas County rural [1]	63	28	9
Wooster-Orrville	79	15	6
Rittman	68	21	11
Wayne County rural [1]	67	24	9

Question 3. Do you approve of the efforts of Senator MCCARTHY to disclose the actions of Communists in this country?

	Yes	No	No reply	Qualified answers [2]
Total response, 16th District	*Percent* 68	*Percent* 25	*Percent* 7	18
Canton-North Canton	75	19	6	17
Massillon	72	23	5	16
Alliance	64	27	9	24
Stark County rural [1]	72	22	6	14
Dover-New Philadelphia	65	27	8	21
Uhrichsville-Dennison	61	35	4	13
Tuscarawas County rural [1]	66	28	6	15
Wooster-Orrville	53	34	13	27
Rittman	61	37	2	9
Wayne County rural [1]	61	28	11	20

Question 4. Do you believe 18-year-olds should be granted the right to vote?

	Yes	No	No reply
Total response, 16th district	*Percent* 46	*Percent* 50	*Percent* 4
Canton-North Canton	41	56	3
Massillon	48	49	3
Alliance	50	46	4
Stark County rural [1]	46	51	3
Dover-New Philadelphia	47	50	3
Uhrichsville-Dennison	53	44	3
Tuscarawas County rural [1]	49	49	2
Wooster-Orrville	51	45	4
Rittman	49	50	1
Wayne County rural [1]	50	45	5

[1] Rural figures include replies from all areas outside cities listed.

[2] This column indicates percentage of replies to which qualifying comments were added.

Question 5. Are you in favor of admitting Red China to the United Nations?

	Yes	No	No reply
Total response, 16th district	*Percent* 5	*Percent* 92	*Percent* 3
Canton-North Canton	4	94	2
Massillon	5	92	3
Alliance	6	90	4
Stark County rural [1]	5	93	2
Dover-New Philadelphia	6	90	4
Uhrichsville-Dennison	7	90	3
Tuscarawas County rural [1]	6	91	3
Wooster-Orrville	6	89	5
Rittman	5	92	3
Wayne County rural [1]	6	88	6

Question 6. Do you favor the extension of social-security coverage to 10.5 million additional persons, including doctors, dentists, ministers, farmers, and others who are self-employed, even though this might mean an increase in the social-security-tax rate paid by both employer and employee?

	Yes	No	No reply
Total response, 16th District	*Percent* 38	*Percent* 55	*Percent* 7
Canton-North Canton	36	58	6
Massillon	37	57	6
Alliance	44	49	7
Stark County rural [1]	37	56	7
Dover-New Philadelphia	39	54	7
Uhrichsville-Dennison	44	51	5
Tuscarawas County rural [1]	40	54	6
Wooster-Orrville	41	52	7
Rittman	43	46	11
Wayne County rural [1]	39	53	8

Question 7. Do you favor United States participation in construction of the St. Lawrence Seaway project, to be financed by revenue bonds paid for by tolls?

	Yes	No	No reply
Total response, 16th District	*Percent* 86	*Percent* 10	*Percent* 4
Canton-North Canton	89	7	4
Massillon	87	9	4
Alliance	86	9	5
Stark County rural [1]	83	12	5
Dover-New Philadelphia	88	8	4
Uhrichsville-Dennison	75	21	4
Tuscarawas County rural [1]	79	15	6
Wooster-Orrville	87	8	5
Rittman	91	4	5
Wayne County rural [1]	83	10	7

Question 8. Do you favor the continuation of the Un-American Activities Committee of the House of Representatives?

	Yes	No	No reply
Total response, 16th District	*Percent* 87	*Percent* 8	*Percent* 5
Canton-North Canton	90	6	4
Massillon	88	8	4
Alliance	87	8	5
Stark County rural [1]	86	8	6
Dover-New Philadelphia	88	7	5
Uhrichsville-Dennison	80	12	8
Tuscarawas County rural [1]	80	11	9
Wooster-Orrville	84	11	5
Rittman	75	11	14
Wayne County rural [1]	81	9	10

[1] Rural figures include replies from all areas outside cities listed.

Question 9. Do you approve of controls on the production of farm crops?

	Yes	No	No reply
Total response, 16th District	*Percent* 25	*Percent* 68	*Percen*
Canton-North Canton	22	71	7
Massillon	25	69	6
Alliance	26	69	5
Stark County rural [1]	24	71	5
Dover-New Philadelphia	25	67	8
Uhrichsville-Dennison	25	70	5
Tuscarawas County rural [1]	28	67	5
Wooster-Orrville	30	60	10
Rittman	38	59	3
Wayne County rural [1]	31	63	6

Question 10. Do you favor continuation of:
(a) Technical assistance to Europe?
(b) Economic aid to Europe?
(c) Technical assistance to Asia?
(d) Economic aid to Asia?

[Percentage affirmative replies]

	(a)	(b)	(c)	(d)
Total response, 16th District	68	32	67	35
Canton-North Canton	69	28	68	32
Massillon	69	34	68	36
Alliance	72	40	71	42
Stark County rural [1]	64	29	62	32
Dover-New Philadelphia	69	33	66	34
Uhrichsville-Dennison	61	38	57	36
Tuscarawas County rural [1]	64	32	61	35
Wooster-Orrville	75	39	73	41
Rittman	73	46	74	43
Wayne County rural [1]	65	35	64	37

[1] Rural figures include replies from all areas outside cities listed.

Why Less Paper Currency?

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. BLATNIK. Mr. Speaker, from time to time the economic seers of the present administration have sought to assure us that no recession is in sight despite mounting unemployment, sagging farm prices, and a falling off of sales in many lines. In fact, no less an authority on the subject than Herbert Hoover has given us the assurance that prosperity is on a sound footing.

Now in view of all of these assurances I am wondering why the Treasury Department is cutting back so drastically in the amount of currency to be printed in the fiscal year beginning July 1. It is my information that there will be 31 million less sheets of United States currency printed next year than this. At 18 bills per sheet this means a reduction of 558 million bills. This is a reduction of about 25 percent.

A great many economists contend that the volume of money in circulation and the speed at which it circulates is an accurate index of business activity.

Is it the conclusion of the administration that things are going to be so slack in business this coming summer, fall, and winter that we just will not need the currency?

It is also my understanding that the redemption of old and worn-out currency practically has been halted by the Treasury Department. Is this another sign that prosperity is retreating back around the corner where it remained hidden during the last Republican administration?

Experts in the field tell me that the reason our currency has never been successfully counterfeited is because of the high quality of our printing and engraving and because we have redeemed bills as soon as they become soiled or worn. When currency reaches the stage that it justifies the name of "filthy lucre," who can tell the spurious from the genuine?

If this is another so-called economy measure, I hope that it is not one that permits a torrent of spurious currency to be loosed.

I await with interest the Treasury Department's reply to the questions I have raised.

Monopoly Trend in Auto Industry

EXTENSION OF REMARKS
OF
HON. S. J. CRUMPACKER, JR.
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. CRUMPACKER. Mr. Speaker, during the past 9 months factory employment has dropped sharply in the four counties comprising the Third Congressional District of Indiana, and unemployment has become a major problem.

Early this year, as a result of a special survey conducted at my request, the Labor Department declared the South Bend employment area, which includes Mishawaka and all of St. Joseph County, to be an area of substantial labor surplus. This status gives manufacturers in the county a better chance at available defense contracts.

Two months later, again as a result of a special survey conducted at my request, La Porte County also was placed in this category.

Unemployment now stands at 8 percent of the labor force in St. Joseph County and 10 percent in La Porte County. The situation in the Third District is far more acute than it is in most areas of the State of Indiana or, for that matter, than it is in the country as a whole. The Third District, though it has only 10 percent of the State's population, has about 20 percent of its unemployment.

What has brought this about? In part it is a natural outgrowth of the end of the shooting war in Korea. But the most spectacular drop in employment in the district cannot be attributed to this. While the general decline in business in the country as a whole, this year as compared with last, has been somewhere around 10 percent, employment at the Studebaker Corp., the district's largest industry, has fallen from something over 23,000 production workers last

August to about half that number at the present time. And those still on the employment rolls have been working only every other week rather consistently, so that the dollar payroll has been averaging only about one-fourth of what it was last August.

The economic impact of this is being felt far beyond the city limits of South Bend. Over 15 percent of the people who work in South Bend and Mishawaka factories come from outside of St. Joseph County. Some come from as far as 100 miles away.

DEMAND MADE FOR ANTITRUST INVESTIGATION

Is the automobile business generally depressed this much? Definitely not. The industry as a whole enjoyed its third best first quarter in history. The General Motors Corp. had the best first quarter in its history and is employing 30,000 more people this year than last year. Most divisions of Ford and General Motors have not only worked full time all year but have worked a lot of overtime as well. Sales during the first 3 months of 1954 were down only 6.5 percent as compared with the record levels of last year, which is a better record than many lines of business have made so far this year.

What really is happening in the industry is that a very marked shift in the sales pattern is taking place. Ford and General Motors are grabbing an ever bigger share of the total market, while Chrysler products—Chrysler, De Soto, Dodge, and Plymouth—and those of the independent manufacturers—Studebaker, Nash, Packard, Hudson, and Kaiser-Willys—are rapidly being pushed off the market. During the first 3 months of this year General Motors sales were up 1 percent above the record levels of the first quarter of last year. Ford sales have increased a whopping 26.1 percent over last year. But Chrysler sales have fallen 32.3 percent and the independents have dropped a terrific 55.9 percent. Studebaker, incidentally, is faring far better than the other independents, as their first quarter sales were down only 25.1 percent as compared with last year. But this comparison is colored somewhat by the fact that they were having production difficulties during the first quarter of 1953.

What has brought about this sudden shift in the sales pattern? Ford and General Motors officials—as might be expected—see in it only a public expression of preference for their products. To say that this view is not shared by all the industry is the understatement of the year.

On March 30 I introduced a resolution in Congress calling upon the Federal Trade Commission to make an investigation into competitive practices in the automotive industry to determine just what is bringing about this ever-increasing concentration in the industry. The introduction of this resolution was the culmination of a considerable amount of preparatory work, which included conferences with congressional leaders and members and staff members of the Federal Trade Commission, including a liaison man with the Antitrust Division of the Department of Justice.

My resolution, among other things, called upon the FTC to determine if current practices in the industry constituted in any way any violations of the antitrust laws and if any amendments to those laws were needed to cope with the situation. In the speech I made on the floor of the House of Representatives in support of the resolution I charged that a competitive race between Ford and General Motors for leadership in the low-price field was demoralizing the market, and that some of the competitive methods they were using might be in violation of the antitrust laws.

FORD AND GM DENY CHARGES—AUTO DEALERS TAKE OPPOSITE VIEW

Spokesmen for Ford and GM immediately denied that they were engaged in any "production race" and stated that their production schedules were based on orders from their dealers. This last statement may well be technically and literally true in most instances, but the Ford and GM spokesmen failed to say anything about how they obtain these orders from their dealers. Here is the crux of the whole matter. For if dealers are actually ordering only as many cars as they think they can dispose of profitably by ordinary retail methods, then there is indeed no grounds for any charge against these automotive giants. If, on the other hand, dealers are being forced to order cars they do not want, by threats and intimidation—either expressed or implied—and as a result are bootlegging them into used-car channels or selling them at big discounts, then it becomes a horse of a different color.

Just to give you a sampling of the evidence I have accumulated on this point, I would like to quote briefly from a few of the hundreds of letters I have received. From a Dearborn, Mich., car dealer:

One Ford dealer has 400 cars in stock, one Buick dealer 200.

From a Grand Rapids, Mich., car salesman:

Why, if no coercion is being used, are Chevrolet dealers in Grand Rapids stocking over 100 cars apiece for total sales in 1 week of only 18 cars?

From a Ford dealer in Iowa:

I cannot help but comment that the Ford dealers and Mr. Breech, executive vice president of Ford, would not seem to agree on the Ford Co.'s policy.

From a GM dealer in Fort Worth, Tex.:

The automobile industry is in a mess, and this condition has resulted * * * from the attitude of certain manufacturers who changed their former allotments to quotas for the dealers, regardless of the demand. These manufacturers were working overtime to overproduce, and were forcing this overproduction down the throats of the dealers.

COMPLAINTS TURNED OVER TO JUSTICE DEPARTMENT

All cases which come to my attention which appear to involve violations of the laws are being turned over to the Department of Justice for investigation. One final quote, from the Greater New York Willys Dealers Association:

The present war being waged by Ford upon Chevrolet for so-called leadership in sales is absolutely destroying the independent dealers. Ford and Chevrolet dealers who wish to retain their franchises are no longer free citizens of our country, but in truth and in fact are now forced to consider allegiance to their respective factories above loyalty to their country. * * * P. S.—And, damn it, we aren't Communists.

I would like to echo that postscript. Some people have evidently been viewing my activities in this field with suspicion. Many of my friends have asked me how I can charge monopoly and violation of the antitrust laws when obviously a hot competitive race is in progress. There are several explanations for this. In the first place, I have not said that a monopoly already exists. I have merely said that one appears to be developing. A look at business history in this country clearly indicates a standard pattern for the development of monopolies. In a line of business where to begin with there are many small companies, a few begin to get stronger than the rest. The smaller ones are gradually absorbed or driven out of business by the stronger ones until eventually the field is reduced to 2 or 3 giants. These giants then slug it out until they, too, are eventually forced to merge.

This classic example of this pattern is in the express business where originally there were hundreds of small companies—roughly comparable to the numerous regional motortruck concerns of today. After many years of cutthroat competition the field was reduced to two—Adams and Wells-Fargo. Eventually these two were also forced to merge and there has been a monopoly in this field ever since. Of course, it does not always work out that way. In many lines of business there are inherent limiting factors—economics, geographic, or otherwise—that prevent the growth of monopolies. But the automobile business, by its very nature, is peculiarly suceptible to an express-company type of development, and the process is already far advanced today.

JUSTICE DEPARTMENT ANNOUNCES PROBE

The antitrust laws are designed primarily to prevent monopolies, and it is only when a monopoly has already developed that they are invoked to break one up. To say that because there is at present fierce competition in the automotive field there can be no basis for antitrust action is akin to saying that a police officer who witnesses one man beating up another cannot intervene until the second man is killed and a corpse exists as positive proof of wrongdoing. It is much easier to save a company which is still operating than it is to reestablish one which has already gone broke. For this reason the antitrust laws operate on the basis that prevention is far easier than cure.

It is basic to our antitrust laws that price cutting for competitive purposes must be based on sound economic oper-

ation—selling at a loss for the sole purpose of driving out weaker competitors is prohibited. If Ford and GM dealers, in any substantial numbers, are being forced to operate at a loss by the production battle being waged by these two giants, then there would seem to be a clear case of antitrust violation.

My concern over this problem is shared by other Government officials. On April 28 Attorney General Brownell said in a New York speech that increasing concentration in the auto industry "contains dangerous potentialities" and announced that the Department of Justice is investigating several different phases of this matter. I have had conferences with Assistant Attorney General Barnes, who is in charge of the Antitrust Division, and with Deputy Attorney General Rogers, in regards to this matter. I also have relayed many complaints from industry sources which are being closely examined by the Department.

In conclusion I would like to reiterate the hope which I expressed in my House speech that the heads of Ford and GM will call off their dog-eat-dog race before further damage is done, and without being forced to do so by legal action. Such action would be long and costly, and not a healthy thing for our greatest industry to become involved in. In the long run these companies cannot but suffer from the continuing disregard by their leaders of the public interest.

Federal Agency for Handicapped Needed

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. RHODES of Pennsylvania. Mr. Speaker, in the 6 years I have been a Member of this body, I have consistently fought for better programs for our 38 million handicapped citizens. Today there is pending before the House Education and Labor Committee H. R. 2300, to establish a Federal agency for handicapped. This is the most comprehensive approach to the handicapped problem ever laid before the Congress and provides for maximum extension of medical services, vocational guidance and counseling, education and training, and full employment opportunities to all citizens handicapped by physical or mental disabilities, and also provides for—

First. Effective coordination of functions relating to rehabilitation and employment of handicapped.

Second. Establishes an independent Federal agency for handicapped, based, for housekeeping purposes, in the Department of Labor, and establishes in this agency an advisory council on affairs of the handicapped and an interagency committee on rehabilitation and employment of handicapped.

Third. Establishes an Office of Services for Blind in said agency.

Fourth. Cooperative enterprises for handicapped, one of the most needed activities to meet varied problems of handicapped people.

Fifth. Rehabilitation centers for handicapped.

Sixth. Special programs for severely handicapped, including establishment of workshops.

Seventh. Financial grants of $60 a month to handicapped who are totally disabled and termed by Federal or State rehabilitation agencies to be unfeasible for rehabilitation.

Eighth. Established Federal services for handicapped revolving loan fund, from which States may borrow money at such times as their own funds for vocational rehabilitation are exhausted.

Ninth. Establishes a division for handicapped in United States Civil Service Commission.

Tenth. Promotes safety programs designed to eliminate and prevent conditions tending to promote injuries or disease in Federal buildings, institutions, and parks, et cetera.

Eleventh. Calls for reports from all Federal agencies which may now receive, as part of their functions, reports relating to handicapped persons.

Twelth. Variable grants to States for vocational rehabilitation.

Thirteenth. Grants to handicapped who require special home training.

Fourteenth. Establishes a Federal Second Injury Act.

This, Mr. Speaker, is one of the vital problems before the Congress today, and I sincerely hope our Committee on Education and Labor speedily reports H. R. 2300 out, so we may thus be enabled to vote for it, and do our duty toward these millions of disabled citizens.

Of Rights and Sensibilities

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 25, 1954

Mr. SIEMINSKI. Mr. Speaker, the Constitution of the United States makes every effort to protect not only the rights but the sensibilities of every American citizen.

A former President of the United States pointed out not too long ago, side by side, the Constitution of the United States and the Constitution of Soviet Russia express noble sentiments for life, liberty, and the pursuit of happiness. An examination of the operation of both documents shows that life in the United States is happier and freer than life in the Soviet Union. The method used to carry out the terms of the document, it appears to me, makes the difference.

While it may be true that men make organizations, both men and organizations need guides, compasses, or documents to stay on course. The way to go, to proceed, is as vital for safe and lasting success in carrying out a mission, be it on land, in the air, or on the sea, as is the way to act in government to promote the public interest. This seems so fundamental as to make even the mention of it appear naive. Every kid on any city block knows that to play outside the rules invites trouble. History is replete with the story of rulers and governments that have operated, to their dismay, outside the simple rule of promoting the general welfare, the need of people to live free from the whip across the back, the mind, and the heart.

The Congress is to hear in joint session Emperor Haile Selassie who embodies the idea that like an echo it all comes back, the good and the bad. Where is that dictator, that bad man whose boy sprayed Ethiopians from his turret as they ran in fear for cover? He likened them to animals, like game, fun to shoot down. Where is that son? Who knows? Haile Selassie is back, vindication to me, at any rate, that in the book of judgment, which rests in heaven, and not on the table of any political commissar, that method counts.

Under unanimous consent, Mr. Speaker, as a possible contribution to proper procedures in government to promote the general welfare, to hold back the whip, to keep our people from being unnecessarily scarred in heart or mind, I should like below to cite the nine objections he makes as well as the preface he writes in his book recently published called I Protest, by G. Bromley Oxnam:

I

I protest against the use of the House floor to defame. It is at once ungentlemanly and un-American to abuse the privilege of immunity by broadcasting a falsehood from the House of Representatives. There is no congressional immunity from the Biblical injunction, "Thou shalt not bear false witness."

II

I protest against procedures that are, in effect, the rule of men and not the rule of law; procedures subject to the prejudices, passions, and political ambitions of committeemen; procedures designed less to elicit information than to entrap; procedures that cease to be investigation and become inquisition and intimidation.

III

I protest against the inexcusable incompetency that has characterized too many members of the research staff of the House Committee on Un-American Activities, an incompetency that has both duped and embarrassed members of the committee.

IV

I protest against the release of unverified and unevaluated material from the so-called files of this committee on official letterhead and signed by an official clerk, a practice particularly reprehensible since the committee refuses to vouch for the accuracy of the material and insists it does not represent an opinion or a conclusion of the committee. The alleged inclusion of a disclaimer, disavowing responsibility or accuracy, is no justification for the release of falsehood because to release it is in effect to validate it.

V

I protest against the un-American assumption that underlies many utterances of the committeemen, namely, that accusation constitutes conviction. The uncorroborated identification of a citizen as a Communist by an unknown informer is not proof, and the publication of the names of persons thus identified is a vicious and un-American practice.

VI

I protest against the "big bully" spirit and the bad manners of some committeemen who lecture and berate a witness, and who through insinuation misrepresent the views and activities of the witness as well as secure headlines for themselves in the press. A witness is forced to listen to the homilies of the ignoramus, the misrepresentation of the unscrupulous, and the browbeating of the bully. I protest against such degrading and un-American procedures.

VII

I protest against the apparent determination of the committee to save face rather than to face facts. I protest against its unwillingness to clean up its files and to revise its procedures so as to eliminate its abuses. Neither ignorance nor inertia can longer be tolerated. Congressmen, who have introduced bills designed to bring investigating committee procedures into harmony with American tradition, deserve the support of the public whose patience is well-nigh exhausted.

VIII

I protest against the failure of the House Committee on Un-American Activities, after spending hundreds of thousands of dollars of tax funds, to propose sound legislation to end the Communist menace or to suggest constructive proposals to remove the causes that produce communism or creative measures to make us impregnable to Communist infiltration.

IX

I protest against the constant use of the phrase "It is cited" without informing the public that most citations are not conclusions reached after careful research and confirmed by responsible bodies, but in the case of this committee and of many State committees are often the result of incompetent study, the collection of unverified rumor and staff listing. The use of the phrase "It is cited" is a device designed to discredit. It is sheer duplicity and is subject to the severest condemnation.

PREFACE

The informer is infiltrating American life at the National, State, and local level. He invades the privacy of the home, reports on classroom discussion and library accessions, and summons his colleagues to challenge the sanctity of the church. He is a man of the shadows, born of fear and contributing to it. He speaks in whispers. Justice William O. Douglas describes him as "nameless and faceless." He is not subpenaed, answers no rollcall, dares not face the man he accuses. He is as un-American as the Nazi gauleiter or the Russian commissar. But he is here. He strikes at the heart of American freedom. He is a creature of the police state, an alien, and malignant growth. Those who employ him or sustain him insist there is no fear upon the American campus; no fear in the Government service; no fear in the motion picture, the television, or radio industry; no fear in the church; in fact, no fear at all except as it is conjured up by the liberals, who are alleged to be unaware of the Communist threat to freedom.

This denial of the presence of fear is as false as the presence of fear is a fact. The whisper has entered American life for the first time. A people unafraid, heretofore ready to speak its mind boldly, a proud people is becoming a silent people. The American is holding his tongue. If this were due to more serious thought, it would be well. But it is due to fear. Communism can never be answered by fearful people who stand silent. And strangely enough this fear results in large measure from the un-American activities of elected representatives of the American people who have been charged with investigating subversive activities. It arises from the activities of wide-ranging private agencies, vigilante in spirit, of mixed motives, but pursuing methods of the police state that run the gamut from wiretapping to the maintenance of the dossier.

Industrialists, who stupidly subsidized Hitler and secretly assumed that he was their man, were the first to learn that free enterprise dies at the hand of the dictator, and the sophisticated who laughed and called Hitler a buffoon were among the first to behold him as the beast and to be shut up in Buchenwald. The reactionary coalition of isolationists, purblind industrialists, and alien-minded prelates may profit by the lessons of Hitler Germany. Whether this coalition is capable of learning is yet to be decided, but there can be no doubt among those who would preserve our freedom that to appease such tendencies will bring the train of tyranny that appeasement brings whenever we compromise with the tyrant mind, right or left. The threat must be met head on, wisely, fearlessly, successfully.

There is a rightful and necessary place for congressional investigation. It is necessary for Congress to investigate in order that it may have information upon which to base sound legislation. It may be necessary to investigate the agencies chartered by the Congress to be certain that the terms of reference are carried out faithfully and in the interests of the common good. Investigation has at times resulted in information of great value to the Nation. It has an educational value, and in some cases the exposure made by investigators has been significant. It is not the propriety of congressional investigation that is the concern of this book.

The Communist Party is a conspiracy. Conspirators ought to be discovered, tried in due process and, if found guilty, punished. That is taken for granted.

This book is concerned with procedures that repudiate American tradition and practice, procedures that involve the informer, that riddle our life with distrust, and set American against American, that tend to label sound reform as subversive, that make no distinction between progress and revolution, procedures carried on by staffs too largely composed of ex-Communists and often incompetent, or by politicians some of whom appear prone to capitalize upon hysteria for political advantage.

The American must protest. He must do more. He must throttle this threat to freedom. He must preserve the free society.

In conclusion, Mr. Speaker, I think it only fair to the Congress to say that the nine points of order raised by the author are being attended to. Our courts insist on strict proof and proper pleading in order to guarantee the citizen equal justice under the law. Our people elect Members to the Congress periodically to guarantee that laws are kept as flexible as life and the conditions of man require. It is indeed questionable whether our citizens intentionally demand less protection from the Congress than they do from the courts to the end that justice prevail in equal measure for all.